

Honolulu, Hawaii

MAR 24 2006

RE: H.B. No. 2587
H.D. 2
S.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Water, Land, and Agriculture, to which was referred H.B. No. 2587, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO MARINE RESOURCES,"

begs leave to report as follows:

The purpose of this measure is to address the declining fish population in Hawaii.

Testimony in support of this measure was submitted by the Office of Hawaiian Affairs; the Association of Hawaiian Civic Clubs; Erskine Architects, Inc.; the Hawaii Boaters Political Action Association; MLC International LLC; the Ocean Law & Policy Institute of the Pacific Forum CSIS; the Pacific Islands Resource Management Institute; Snorkel Bob's Hawaii; and fifteen individuals. Testimony in opposition to this measure was submitted by one individual. Comments were also submitted by the Department of Land and Natural Resources, the Hawaii Nearshore Fishermen, the Nature Conservancy, and sixteen individuals.

Your Committee finds that state marine resources are declining, and the replenishment and preservation of these resources are vital to the economic, cultural, environmental, health, and social well being of the State. This measure addresses the declining marine resources by:



- (1) Requiring the Department of Land and Natural Resources to assess the effectiveness of the existing no-take marine-managed areas and de facto no-take areas;
- (2) Requiring the Department of Land and Natural Resources to assess, prioritize, and implement effective measures and programs to increase Hawaii's fish population;
- (3) Requiring the Department of Land and Natural Resources to submit an interim report to the Legislature prior to the Regular Session of 2007, and a final report prior to the Regular Session of 2008; and
- (4) Appropriating money to the Department of Land and Natural Resources to conduct the assessments and to add an unspecified number of additional positions to assist in the enforcement of fishing laws.

Your Committee has amended this measure by:

- (1) Adopting the amendment proposed by the Nature Conservancy, which clarifies the intent of this measure; and
- (2) Adopting the amendments suggested by the Association of Hawaiian Civic Clubs to:
 - (a) Specify that ahupua`a management practices should be included as a marine management tool;
 - (b) Stress the importance of federal and state restoration efforts through seasonal closures based on spawning cycles;
 - (c) Clarify that the Department of Land and Natural Resources should establish a standard process to access, prioritize, and implement effective measures to sustain and conserve Hawaii's marine resources; and
 - (d) Provide that the Department of Land and Natural resources will evaluate available scientific information and stakeholder knowledge, including Native Hawaiian cultural beliefs and practices resulting from a long history of use and



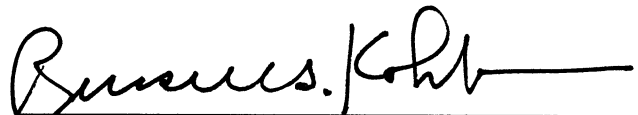
observation of marine resources and the environment, when developing effective measures and programs.

Your Committee questioned the Association of Hawaiian Civic Clubs regarding defining the term "ahupua`a management practices." The association referred your Committee to a couple of reference materials, including *Native Use of Fish in Hawaii* by Margaret Titcomb; however, your Committee finds that further research is necessary to comprehensively define and properly implement this term in the future.

Your Committee also notes that there are several communities in this State that are currently working on using ahupua`a resource management practices. These communities include Mo`omomi on the island of Molokai, Miloli`i on the island of Hawaii, and Ha`ena on the island of Kauai. Thus, your Committee finds that these communities' suggestions and observations should also be referenced and incorporated when defining the term "ahupua`a management practices."

As affirmed by the record of votes of the members of your Committee on Water, Land, and Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2587, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2587, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land, and
Agriculture,

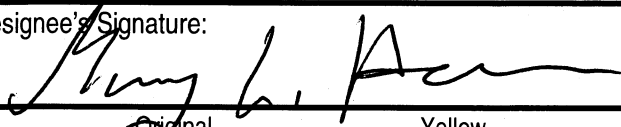


RUSSELL S. KOKUBUN, Chair



The Senate
Twenty-Third Legislature
State of Hawaii

Record of Votes of the
Committee on Water, Land and Agriculture
(Bills and Resolutions)

| | | | | |
|--|--|-------------------------|----------------------------------|---------|
| Measure:* HB 2887 HD | Committee Referral: WLA, WAM | Date: 3/22/06 | | |
| <input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | | | |
| The Recommendation is to: | | | | |
| <input type="checkbox"/> Pass, unamended (2312) <input checked="" type="checkbox"/> Pass, with amendments (2311) <input type="checkbox"/> Hold (2310) <input type="checkbox"/> Recommit (2313) | | | | |
| Members | Ayes | Ayes(WR) | Nays | Excused |
| KOKUBUN, Russell S. (C) | ✓ | | | |
| HOOSER, Gary L. (VC) | ✓ | | | |
| ENGLISH, J. Kalani | ✓ | | | |
| FUKUNAGA, Carol | | | | ✓ |
| HEMMINGS, Fred | ✓ | | | |
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| TOTAL | 4 | | | 1 |
| Recommendation: | | | | |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: | | | | |
|  | | | | |
| Distribution: | | | | |
| Original File with Committee Report | Yellow Clerk's Office | Pink Drafting Agency | Goldenrod Committee File Copy | |

*Do not list more than one measure per Record of Votes.