

**TESTIMONY**  
**HB 2687 HD1**  
**LATE**



THE HOUSE  
TWENTY-FOURTH LEGISLATURE  
REGULAR SESSION OF 2008

**LATE TESTIMONY**

COMMITTEE ON WATER AND LAND  
Senator Clayton Hee, Chair  
Senator Russell S. Kokubun, Vice Chair

Wednesday, March 12, 2008  
2:45 p.m., Conference Room 414, State Capitol

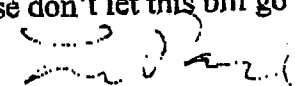
HOUSE BILL NO. 2687 HD1  
Relating to Aquatic Resources

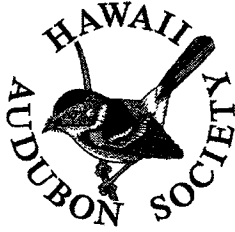
Senator Hee, Senator Kokubun, members of the committee, my name is Linda Paul and I am testifying today in behalf of the Ocean Law & Policy Institute of the Pacific Forum CSIS. I am testifying against HB 2687 HD1, which is being supported by certain user groups that are not happy with the recent rules regulating bottomfishing and the use of lay gillnets.

In 1999 the Legislature mandated DLNR to take over the day-to-day management of state fisheries by giving it rule-making authority to promulgate fishery management regulations. Previously the Legislature was micro managing state fisheries, a task that was impossible for it to do since it is only in session 60 very busy days of the year. The rule-making process, as opposed to the legislative process, provides far more opportunity for public input and comment and results in rules that reflect the needs and desires of a whole spectrum of aquatic resource user groups.

It is important to understand that depending on the species, and the condition of the stock, positive results of management actions may take years to achieve. Even with a complete closure of a fishery, a stock may not recover for many years. If a stock has been depleted past the point of no return it may never recover. A good example is the lobster fishery in the Northwestern Hawaiian Islands. That fishery was closed eight years ago and still shows no signs of recovery. The success of a management measure may also be also be compromised by environmental regime change, habitat degradation, etc. In short, the failure of a fish stock to recover may have little to do with whether or not the management measure in question was the right one or not.

Since DLNR already reviews its resource management measures on a regular basis and provides the legislature with an annual report, it is difficult to understand just exactly what this bill is intended to accomplish, other than provide an excuse for certain user groups to insist that the Legislature step in and a start managing fisheries again. Please don't let this bill go any further.

  
Linda Paul, Director  
262-6859



*For the Protection of Hawaii's Native Wildlife*

## **HAWAII AUDUBON SOCIETY**

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**LATE TESTIMONY**

### **COMMITTEE ON WATER AND LAND**

Senator Clayton Hee, Chair

Senator Russell S. Kokubun, Vice Chair

Hearing: Wednesday, March 12, 2008

2:45 p.m., Conference Room 414, State Capitol

### **HOUSE BILL, NO. 2687 HD1**

**Relating to Aquatic Resources**

### **TESTIMONY IN OPPOSITION**

Senator Hee, Senator Kokubun, members of the Committee on Water and Land, my name is George Massengale and I am submitting this testimony on behalf of the Hawaii Audubon Society, in opposition of HB 2687 HD1, which is being supported by certain user groups that are not happy with the recent rules regulating bottomfishing and the use of lay gillnets.

In 1999, the Legislature mandated DLNR to take over the day-to-day management of state fisheries by giving it rule-making authority to promulgate fishery management regulations. Previously the Legislature was micro managing state fisheries, a task that was impossible for it to do since it is only in session 60 very busy days of the year. The rule-making process, as opposed to the legislative process, provides far more opportunity for public input and comment and results in rules that reflect the needs and desires of a whole spectrum of aquatic resource user groups.

We believe that it is important to understand that depending on the species, and the condition of the stock, positive results of management actions may take years to achieve. Even with a complete closure of a fishery, a stock may not recover for many years. If a stock has been depleted past the point of no return it may never recover. A good example is the lobster fishery in the Northwestern Hawaiian Islands. That fishery was closed eight years ago and still shows no signs of recovery. The success of a management measure may also be compromised by environmental regime change, habitat degradation, etc. In short, the failure of a fish stock to recover may have little to do with whether or not the management measure in question was the right one or not.

Since DLNR already reviews its resource management measures on a regular basis and provides the legislature with an annual report, it is difficult to understand just exactly what this bill is intended to accomplish, other than provide an excuse for certain user groups to insist that the Legislature step in and start managing fisheries again.

On behalf of the Hawaii Audubon Society we would urge this committee to hold this measure.

Respectfully,

George Massengale, JD  
Legislative Analyst

**TESTIMONY**  
**HB 2687 HD1**  
**LATE**  
**(END)**