



Ocean Tourism Coalition

Shining Light on Ocean Tourism Concerns
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Committee on WLH

Date: Monday February 04, 2008

Time: 9:00 AM

Place: Conference Room 312

Speaking in Conditional Support to HB 3176 with proposed Amendments

Chair Rep. Ken Ito, Vice Chair Jon Riki Karamatsu and members of the WLH Committee:

My name is James E. Coon, President of the Ocean Tourism Coalition (OTC) Hawaii's State-wide organization. We represent the 300 Small Commercial Passenger Vessels operating out of State Harbor facilities. We speak in **conditional support of HB 3176 with proposed amendments:**

We agree with the intent of this bill and protecting the reef, but we would like to see a more scientific formula for determining the per meter values of various coral reefs. Not just one blanket value. Areas of coral have different values based on the amount of use an area sees by the public. For example Hanauma Bay is the most valuable reef in Hawaii because it has up to 3000 people per day use it. The next most valuable reef in Hawaii is Molokini Crater with 1000 people per day. It would seem appropriate to take the study by DAR which is based on Cesar et al.'s study of the economics of Hawaii's coral reefs (Cesar et al 2002).

The DAR report uses Hanauma Bay results as a proxy for values associated with other MLCD's and reefs. (The reported Hanauma Bay value of \$91.63 per m² per year contrasts to Cesar's estimates of \$3.51 per m² per year for the Kihei coast, and \$.73 per m² per year for the Kona coast found in the same report.)

There are some points that need to be considered. First, the very high per m² figure for Hanauma Bay is due to the very high levels of use there (up to 3000 people per day). Since almost all of the economic value estimated in Cesar et al. is a result of human use (about 96% of the total value), the more users in a location, the higher the total use value per m².

We propose to make the Hanauma Bay economic values the base line in determining the value of any specific reef damage. Economists and Ecologists can then determine the number of years that an area will be out of service and apply the appropriate yearly recovery rate based on the estimated amount of use an area sees on a daily basis.

(e) In addition to subsection (c), a fine of up to \$5,000 per square meter of area damaged may be levied for damaging or breaking stony coral or live rock based on the economic values of Hawaii's coral reefs by Cesar et al 2002.

If you pass this bill HB 3176, please amend it to reflect a more scientific basis to establish reef value.

Sincerely,

James E. Coon, President OTC

Representative Ken Ito, Chair
Representative Jon Riki Karamatsu, Vice Chair
Committee on Water, Land, Ocean Resources and Hawaiian Affairs

Monday, February 4, 2008
8:30AM, Conference Room 312

In Support w/Reservation of HB3176 - Administrative penalties; Stony coral and live rock damage.

Chair Ito and Vice Chair Karamatsu and committee members. I am Roy Morioka a small vessel owner and I thank you for this opportunity to testify in support with reservations of levying administrative penalties when **careless and unnecessary** damage is inflicted on our sensitive and critical reef resources vital to our ocean ecosystem. My reservation lies with concern that when an accident occurs and the party(ies) involved took all practical precautionary and preventative actions to avoid or mitigate such damage, that these incidents will be treated with common-sense and fairness.

For example, a vessel loses power and is helplessly drifting toward certain disaster and peril to those on board and the only recourse is to deploy an anchor to stop the drift to protect life and limb, that these circumstances be given consideration and the incident exempted from the fine or minimized greatly. Such incidents are not intentional and because I have seen legislation requesting insurance to cover such incidents as vessel groundings, this legislation may lead to requiring insurance to cover stony coral and live rock damage too. This could be cost prohibitive for small commercial, recreational and subsistence boaters to purchase and the intent (which I believe is to create greater caution and awareness of protecting the reef) of the measure will have been lost.

The concept and appropriate penalties for carelessness and negligence is a good one. However, to protect against over-zealous application of the penalties, please consider those situations and conditions that are life threatening and include language that will adequately protect those who did not willfully nor negligently cause such damage to occur. Thank you again for this opportunity to share my qualified support and concerns.

Sincerely Yours,
Roy Morioka



Committee on WLH

Date: Monday February 4, 2008

Time: 9:00 am

Place: Conference Room 312

Speaking in Conditional Support to HB 3176 with Amendments

My name is Jeff Strahn, President of Hawaii Islands Recreational Scuba Association (HIRSA). We represent recreation Scuba through the state. We speak in **conditional support of HB 3176 with amendments:**

We agree with the intent of this bill and protecting the reef, but we would like to see a more scientific formula for determining the per meter values of various coral reefs – not just one blanket value. Areas of coral have different values based on the amount of use an area sees by the public. For example Hanauma Bay is the most valuable reef in Hawaii because it has up to 3000 people per day use it. The next most valuable reef in Hawaii is Molokini Crater with 1000 people per day. It would seem appropriate to take the study by DAR which is based on Cesar et al.'s study of the economics of Hawaii's coral reefs Cesar et al 2002.

We propose to make the Hanauma Bay economic values the base line in determining the value of any specific reef damage. Economists and Ecologist can then determine the number of years that an area will be out of service and apply the appropriate yearly recovery rate based on the estimated amount of use an area sees on a daily basis.

(e) In addition to subsection (c), a fine of up to \$5000 per square meter of area damaged may be levied for damaging or breaking stony coral or live rock based on the methodology of economic values of Hawaii's coral reefs by Cesar et al 2002.

(h) "Damaging" means causing extensive injury resulting in irreparable harm or death including silting by improper grading and lack of control of run off.

If you pass this bill, please amend it to reflect a more scientific basis to establish reef value.

Sincerely,

Jeffrey S. Strahn
President

Hawaii Islands Recreational Scuba Association

From: JoBear55@aol.com [mailto:JoBear55@aol.com]
Sent: Monday, February 04, 2008 1:21 AM
To: WLHtestimony
Subject: Testimony

Committee on Water, Land, Ocean Resources & Hawaiian Affairs

Monday, February 4, 2008

Time, 8:30am

Regarding: HB 3176 Relating to Administrative Penalties for Damage to Stony Coral and Live Rock

I, Georgette Jordan am submitting testimony for the support of HB 3176. The protection of coral reef resources is of high importance. The fragile environment that exists within the coral reef holds an important balance in the ocean ecosystem and it needs to be protected. I strongly believe that increased fines should be put into place to deter reckless acts that could harm these environments.

Mahalo for your consideration,

Georgette "Jo" Jordan

Waianae Community member for 36 years

PO Box 1398

Waianae HI 96792

From: carl [mailto:mjellings@hawaii.rr.com]
Sent: Monday, February 04, 2008 7:28 AM
To: WLHtestimony
Subject: HB 3176

Legislative Staff:

Please forward my attached testimony re: H.B. 3176 to the joint committee hearing in Room 312, at .February 4 2008 at 8:30 am in House conference room 312.

Thank you very much,
C Jellings 688-6161

To Honorable Chair Ken Ito
WLH - Water, Land, Ocean Resources & Hawaiian Affairs (Chair)

Carl Jellings Fishermen from Waianae In Support

Just want to explain My rational for supporting HB 3176 Stony coral , in the last 5 years We have had in Waianae 3 major Coral colony destruction incidents1, We had a Landing craft anchor over our artificial reef area it had 2 anchors one at the bow and one at the stern the ship was facing bow to shore and stern was facing deep water I dont know how long the achor was set deep water side, I do know that the shore side anchor was set 600 yards direct shoreline of the ship this was a huge landing craft that was anchored in the same position for 3 days , just on the shore side of this ship is a place we call the 65 it was 300 yards from were the craft was anchored, We were going to fish there,

We were somewhat reluctant when we first approached but we seemed to be far enough away not to cause any conflicts for there manuver"s they were training and re certifying divers probable seal teams,

After making our first jump we came across thier anchor line a 2 inch cable that laid across the bottom the cable had moved across the reef flatenning it completely on the tide change the current would pull the ship toward the south until it was to tight to drag any further then on the next change it would drag North until becomming to tight to drag ,, this went on for three days this caused the distruction of coral 30 yards wide 150 feet long , rules are on my boat no coral come"s up on any net, much emphasis is made on effort as not to brake any coral , fishermen have had thier boats confiscated for having coral in thier net"s, this ship come"s in and crushes 1500 square yards of coral more than the entire State of fishermen could do in all thier lifetime"s put together ,,

this Story is documented dar staff came out to investigate but the ship had left durring the night, Several other incidents have been documented , The Kalaeloa incident was another,

Paoo Jellings

Mahalo Carl