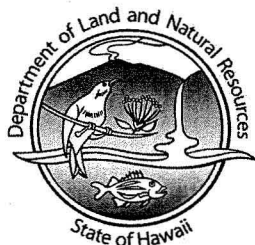


LINDA LINGLE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**LAURA H. THIELEN**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

**RUSSELL Y. TSUJI**  
FIRST DEPUTY

**KEN C. KAWAHARA**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT  
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ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**TESTIMONY OF THE CHAIRPERSON OF THE  
BOARD OF LAND AND NATURAL RESOURCES**

**On House Bill 3260 – RELATING TO FISHING**

**BEFORE THE HOUSE COMMITTEE ON  
WATER, LAND, OCEAN RESOURCES,  
AND HAWAIIAN AFFAIRS**

**February 13, 2008**

House Bill 3260 would establish bag limits of two fish per day for seven species of parrotfish (uhu) and two fish per day each, of three species of goatfish (kumu, munu, moano ukali) regardless if for commercial or non-commercial purposes. This bill would also establish a minimum size for take of kumu, munu, moano ukali of 10 inches in length, and any uhu no less than 12 inches in length. While the Department of Land and Natural Resources (Department) supports the intent of this measure, the Department prefers developing new harvest restrictions through the administrative rules process.

Act 151, Session Laws of Hawaii 2002, that transferred many of the marine life regulations from statutes to Department administrative rules. The Department argued, and the Legislature agreed, that the creation of regulations for such matters as minimum sizes, seasons, bag limits, etc. were better handled through the administrative rules process.

The Department is currently evaluating many marine species in need of further conservation, and will be presenting its findings through a series of public meetings very shortly. At those meetings, fishers will be asked for their input for a number of marine species being considered. Consideration will include: minimum sizes, bag limits, restrictions on take based on commercial or non-commercial purposes. Public informational meetings are expected to be completed in 2008 with new rules established by 2009.

The Department would also be pursuing new rules on these marine species from a more regional, community approach. As a result, the Department envisions that the take of important marine fish and shellfish will be developed in concert with local values and traditions, while at the same time trying to maintain consistency and sustainability. In this way the Department hopes to gain broader support for such fishing rules and thus greater compliance.

The Department therefore respectfully asks the Legislature's support for the Department to continue its efforts to promulgate these proposals through administrative rules.

---

**From:** Makaala Kaaumoana [mailto:makaala@hawaiian.net]  
**Sent:** Tuesday, February 12, 2008 5:50 PM  
**To:** WLHtestimony  
**Subject:** HB 3260 hearing 2-13-08 8:30

WLH Committee hearing  
Testimony in support of HB 3260

Aloha Chair Ito and honorable members of the committee,  
Our organization is engaged in community based resource management. We need resources to manage. The uhu are suffering unsustainable losses due to over fishing and hewa practices. We strongly urge the passage of this bill to send a vitally needed message to those who choose profit today over food tomorrow.

This is an emergency situation on Kauai as well. Your positive vote will help many.

Me ka pono,  
Makaala

Maka'ala Ka'aumoana  
Executive Director  
Hanalei Watershed Hui  
P.O.Box 1285  
Hanalei, HI 96714  
808-826-1985

*The Hanalei Watershed Hui mission is to support and protect the ecology, cultures and sustainable economies of Hanalei.*

---

**From:** earthsurge@gmail.com [mailto:earthsurge@gmail.com] **On Behalf Of** Save Our Seas  
**Sent:** Tuesday, February 12, 2008 5:57 PM  
**To:** WLHtestimony  
**Subject:** SUPPORT HB 3260 TO BAG LIMIT UHU AND KUMU

ALOHA

Chairman Representative Ken Ito, House Water and Land Committee--

Dear Chairman Ito and the members of the House Water and Land Committee,

PLEASE SUPPORT HB 3260 TO BAG LIMIT UHU AND KUMU.  
Save Our Seas Board of Directors and members fully support this bill.  
We must preserve fish for future generations. Protecting fish now can ensure fish will reproduce for fisherman and conservationists alike.

Mahalo,  
Paul Clark  
President SOS  
PO Box 813  
Hanalei, HI 96714

Save Our Seas - PO BOX 813; Hanalei, HI 96714  
Earth Surge - PO BOX 117; Hanalei, HI 96714  
808-651-3452  
[www.earthsurge.com](http://www.earthsurge.com)  
[www.saveourseas.org](http://www.saveourseas.org)

-----Original Message-----

From: Marc Walske [mailto:marcw@snorkelbob.com]

Sent: Tuesday, February 12, 2008 5:58 PM

To: WLHtestimony

Subject: HB 3260 Bag Limit

Chairman representative Ken Ito, House Water and Land Committee,

My name is Marc Walske, Lahaina, Hi

808-669-4017

Sales Manager Snorkel Bob's.

I support HB 3260 to bag limit Uhu and Kumu.

Aloha, Marc Walske



---

**From:** Sean 'Stody' Stodelle [mailto:sean@hawaiiskindiver.net]  
**Sent:** Tuesday, February 12, 2008 6:16 PM  
**To:** WLHtestimony  
**Subject:** HB3260

I am a Hawaii Diver from Maui. I grew up within the islands and have seen the fish population decline dramatically. I am in full support of HB3260 as I feel bag limits are LONG overdue for the islands. In California, when i lived there, we had bag limits which did not interfere with a person's gathering rights. It allowed for smart gathering without affecting the habitat too dramatically. I ask that you please pass this bill. As and avid speaarfishermen, and the webmaster for Hawaii's premiere spearfishing website, magazine, and television show, I can assure that many divers are in the same mindset as I am. We want to insure fish populations for our future generations,.

Sean "Stody" Stodelle

---

**From:** Clay Tam [mailto:fish\_onhi@hotmail.com]  
**Sent:** Tuesday, February 12, 2008 6:23 PM  
**To:** WLHtestimony  
**Subject:** re: Testimony in opposition of HB3260

**From:** Brealand Tam

**To:** Committee on Water, Land, Ocean Resources & Hawaiian Affairs  
Rep. Ken Ito Chair, Rep. Jon Riki Karamatsu Vice Chair

**Hearing Date:** Wednesday, February 13, 2008

Time: 9:05 am

Place: Conference Rm 312

### **HB 3260 Relating to Fishing**

Requesting copies of this testimony to be sent to all WLH committee members.

This testimony is in **opposition to HB 3260** Relating to Fishing.

- This proposed rule is not supported by any scientific studies
- It is based on personal opinion and does not reflect broad public input
- Duplicate of action is currently being conducted by Division of Aquatic Resources to publicly address "bag limits" through Admin. Rule making powers.
- There is no broad public input and thought to develop this bill.
- It is unfair to different sectors of Hawaii's fishery.

Thank you for your time and concern in this matter,

Sincerely,

Brealand Tam

Fishermen/ diver /voting citizen of Hawaii/ taxpayer.

-----Original Message-----

From: David Amack [mailto:david@sharkville.com]  
Sent: Tuesday, February 12, 2008 6:19 PM  
To: WLHtestimony  
Subject: I SUPPORT HB 3260 TO BAG LIMIT UHU AND KUMU

Dear Chairman Ito and the members of the House Water and Land Committee,

I SUPPORT HB 3260 TO BAG LIMIT UHU AND KUMU.

I understand that a relatively few people testifying lately on SB 3225 and now HB 3260 are complaining that these bills, if enacted, will put them out of business.

They are like the burglar who comes into my home and steals from me. THEY ARE TAKERS. It's their business. It's how they make their living. They may have brought their children into the business. THAT DOES NOT MAKE IT RIGHT. They are stealing MY fish and ultimately they are stealing jobs from those in the tourist industry because tourists will start going elsewhere to snorkel and dive. They already have.

So it boils down to two factions: A few people who TAKE, TAKE, TAKE at the expense of the environment and cultural future of our people, and hundreds of respectful, hard-working residents in the snorkel, dive, kayak, hotel, rental car, restaurant, etc. industries whose source of income will become as dead as the ocean environment left behind by the aquarium collectors and "fishermen."

David Amack  
Kihei  
808-875-7661

---

**From:** Joe Santagata [mailto:joedivemaster@yahoo.com]

**Sent:** Tuesday, February 12, 2008 6:02 PM

**To:** WLHtestimony

**Subject:** HB3260

Testimony in Support of HB3260

I support HB3260 for bag limits. I encourage you to support this bill.

Joseph Santagata

808 879 9206

---

**From:** mikai [mailto:explormauai@yahoo.com]  
**Sent:** Tuesday, February 12, 2008 6:25 PM  
**To:** WLHtestimony  
**Subject:** bill 3260

Dear Chairman Ito and the members of the House Water and Land Committee.

I SUPPORT HB 3260 TO BAG LIMIT UHU AND KUMU.

MiQe Klemme Kihei, HI 96753, 808-875-6181

**MiQe (Mi "Kai") Klemme**  
**Hawaii's Eco Nature Society**  
**Action Ahihi**  
**Mau Thrills Eco Nature Tours/Treks**  
**P.O. Box 1832**  
**Kihei, HI 96753**  
**808-875-6181**

---

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**From:** J. King [mailto:jking@words-and-pictures.com]  
**Sent:** Tuesday, February 12, 2008 6:14 PM  
**To:** WLHtestimony  
**Subject:** I Support HB 3260 to Bag Limit Uhu and Kumu

TO: Rep Ken Ito, Chairman, House Water and Land Use Committee

Dear Chairman Ito and the Members of the House Water and Land Committee,

As a longtime Maui resident, registered voter and avid snorkeler and paddler, I strongly support HB 3260 to enforce "bag limits" on the gathering of uhu and kumu. Over the past eight years, it has become more and more difficult to find and point out beautiful reef fish to visitors and family members we take out in our outrigger canoe. If I'm seeing it in near-shore waters of depths of 10-30 feet, I can only imagine how completely they're being sucked from the kai at greater depths.

Please vote for HB 3260 and help rebuild what nature created - but man is stripping away.

Me ke aloha pumehana,

Jeff King  
1800 Elima Place  
Kihei, HI 96753  
808-879-2798

---

**From:** Nanette Harter [mailto:[nan@nanharter.com](mailto:nan@nanharter.com)]  
**Sent:** Tuesday, February 12, 2008 6:10 PM  
**To:** WLHtestimony  
**Subject:** I SUPPORT HB 3260 TO BAG LIMIT UHU AND KUMU.

Dear Chairman Ito and the members of the House Water and Land Committee,  
Nanette Harter,  
Kihei, Maui  
808-891-2955  
PADI Scuba Diving Instructor, REEF Advanced Assessment Team (volunteer reef fish counter and survey tabulator), Maui Ocean Center Education Department Naturalist.

I SUPPORT HB 3260 TO BAG LIMIT UHU AND KUMU. I hope you support it too--to help preserve our unique and irreplaceable coral reef habitat and ecosystem.

Thank you,  
Nanette

-----Original Message-----

From: Lance Holter [mailto:holter@maui.net]

Sent: Tuesday, February 12, 2008 6:40 PM

To: Rep. Ken Ito

Cc: WLHtestimony

Subject: Hawaii Sierra Club in support of HB3260 Bag Limits Uhu and Kumu

Importance: High

Chairman Representative Ken Ito,

House Water and Land Committee--

Dear Chairman Ito and the members of the House Water and Land Committee,

I am the Conservation Chair and Maui Group Chair for the Hawaii Chapter of the Sierra Club with 6,500 members statewide. The Sierra Club supports HB3260 and bag limits for Uhu and Kumu. This is a very important Bill please pass thru your committee.

Lance Holter  
PO Box 790656  
Paia, Hawaii 96779  
Tele 808-579-9442



-----Original Message-----

From: Joe Fell-McDonald [mailto:lounge@tiki.net]  
Sent: Tuesday, February 12, 2008 7:09 PM  
To: WLHtestimony; Rep. Joe Bertram III  
Subject: bag limits..hb3260

Dear Water and Land Comittee: I feel that bag limits on these two fish Uhu and Kumu is very important these fish were never over fished historically there were strict kapus on all fish grounds and fishes taken by the resident Kunihiki, please allow the DLNR to act as the care taker of the land by doing the pono thing and that is by limiting not restricting the amount of fish one person could take please support hb3260 it is common sense to have limits on how many fish one can take . it is also important that some of these fish be left to do there job and clean and keep the reef ecosystems in check....

thank you  
Joe Mcdonald  
160 KEONEKAI ROAD 16-201  
Kihei HI. 96753  
808-875-0099

-----Original Message-----

From: Robert Wintner [mailto:robertw@snorkelbob.com]

Sent: Tuesday, February 12, 2008 6:25 PM

To: WLHtestimony

Subject: Support for HB 3260

Dear Chairman Ito and members of the House Committee on Water and Land,

My name is Robert Wintner and I support HB 3260 to put bag limits on uhu and kumu--parrotfish and goatfish.

Please pass this bill to prevent further collapse of our fisheries.

Thank you,

Robert Wintnter

Maui

874-8405

---

**From:** Marjorie Bonar [mailto:margeb@hawaii.rr.com]  
**Sent:** Tuesday, February 12, 2008 7:30 PM  
**To:** WLHtestimony  
**Subject:** HB 3260

Chairman Representative Ken Ito,  
House Water and Land Committee--

Aloha Chairman Ito and the members of the House Water and Land Committee, I am writing to support limiting the catch of Uhu and Kumu as stated in HB 3260. Over-fishing is reducing the ability of our local species to keep pace with the current take. Let us honor what the konohiki taught, there is a proper amount that can be caught to feed ourselves and still leave fish for our children and the next seven generations.

Mahalo,  
Marjorie Bonar  
400 Auli'i Dr.  
Pukalani, HI 96768  
(808) 573-1960

-----Original Message-----

From: Octopus Reef [mailto:octopus@maui.net]

Sent: Tuesday, February 12, 2008 7:40 PM

To: WLHtestimony

Subject: SUPPORT HB 3260 TO BAG LIMIT UHU AND KUMU

Representative Ken Ito, Chair  
House Water and Land Committee  
Weds., Feb. 13, 2008

From: Rene Umberger, Kihei, HI

SUPPORT HB 3260 - BAG LIMIT UHU AND KUMU

Dear Chairman Ito and the members of the House Water and Land Committee,

I fully support this bill. I am a dive operator with over 9,000 dives in So. Maui and have witnessed the slow and steady decline of these fish on our reefs, in the past 25 years.

Thank you for considering this.  
Rene Umberger

---


**From:** Anita Wintner [mailto:anitabanana@hawaiiantel.net]  
**Sent:** Tuesday, February 12, 2008 7:41 PM  
**To:** WLHtestimony  
**Subject:** support HB 3260

Dear Chairman Ito and members of the House Water and Land Committee:

Anita Wintner of Kihei (808) 874-8407 support HB 3260. We desperately need regulations on how many Uhu and Kumu are caught. The fish populations have declined dramatically in the past ten years. If no changes are made on the amount taken, there won't be any left for future generations.

Mahalo, Anita Wintner

---

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-----Original Message-----

From: Octopus Reef [mailto:octopus@maui.net]

Sent: Tuesday, February 12, 2008 7:41 PM

To: WLHtestimony

Subject: SUPPORT HB 3260 TO BAG LIMIT UHU AND KUMU

Representative Ken Ito, Chair  
House Water and Land Committee  
Weds., Feb. 13, 2008

From: Lynn Allen, Kihei, HI

SUPPORT HB 3260 - BAG LIMIT UHU AND KUMU

Dear Chairman Ito and the members of the House Water and Land Committee,

I fully support this bill. I am a dive operator with over 9,000 dives in So. Maui and have witnessed the slow and steady decline of these fish on our reefs, in the past 25 years.

Thank you for this opportunity to testify.

Lynn Allen  
(808) 283-5371

-----Original Message-----

From: Rep. Mele Carroll  
Sent: Tuesday, February 12, 2008 7:47 PM  
To: WLHtestimony  
Subject: FW: support for bill HB 3260

-----Original Message-----

From: Mark J A Vermeij [mailto:vermeij@hawaii.edu]  
Sent: Tuesday, February 12, 2008 2:52 PM  
To: Rep. Mele Carroll  
Subject: support for bill HB 3260

Lahaina, Feb 12 2008

Respected Representative,

Having seen quite a few reefs around the world, one of the most typical characteristics of those in Hawaii is that that they're silent. Wherever you visit a reef in other parts of the world, you can hear parrotfish scraping away at the reef, keeping it clean from algae that would otherwise overgrow and kill corals, eventually causing the whole reef, and all organisms that depend on it to collapse. This is not an apocalyptic doom scenario, it has actually happened in many places, especially in the Caribbean. Realizing their mistake to overharvest organisms like parrotfish that play a crucial role in maintaining the health of the wider reef ecosystems, millions are currently spent to reverse the collapse of whole reef ecosystems against which many had warned for a long time. Increased microbial loads, loss of aesthetic value, biological productivity, fishing possibilities and tourist revenue followed and there is hardly any evidence that this trajectory of decline can be reversed.

While the workings of reef ecosystems are not well known and differ from one place to another, many have observed how seemingly small changes to them can have profound effects. The adding of an invasive species or the removal of what scientists call "ecosystem engineers" (such as parrotfish and corals) will inevitably cause some form of reef meltdown. Some require actual proof on how this dynamic will play itself out and when such proof cannot be delivered, the scenario described above is deemed unlikely. These are the people that are scratching their heads right now in the Caribbean. They realize, too late, that desiring actual proof in a situation where common-sense could have worked just as fine, has cost them dearly. Needless to mention that the costs associated with reef recovery greatly exceed the money earned from depleting these resources in the first place. I now wonder whether Hawaii is about to make the same mistake.

Everyone who has been on the islands for more than 10years talks about the lower number of Uhu that swarm the reef, making it increasingly more difficult to keep out in a natural way what shouldn't be there. Keeping excessive algal and microbial growth under control is a task that we, as humans, will never be able to take over. Algal problems in various places of the state indicate that control of algae by herbivores, such as parrotfish,

is already breaking down. The subsequent decline in reef health comes with unnatural changes in microbial communities, and the prevalence of Staph infections these days should be regarded as another (common-sense) indicator that reefs are changing in a direction from which no one will or can benefit.

An obvious decision to contribute to the prevention of these problems would be to leave the parrotfish to their work, keeping the reef healthy and for us to enjoy. Certainly one should not stop old fishing traditions, but I want to stress the word "old". Semi-industrial fishing for parrotfish on the islands' north shores where 1000's of pounds of parrotfish are taken using unsportsmanlike collection methods (i.e. spear fishing using SCUBA gear at night when parrotfish are sleeping) does not remind me of the old-days when people took what they needed. I am not in a position to judge or tell people what to do, but I do want to point out that the reef decline that has been observed by those on the island for more than a few years will certainly not become easier to reverse if such practices continue. One doesn't have to be a scientist to understand how this works or see the benefits of a conservative approach when it comes to protecting the foundation that supports Hawaii's tourism and traditional fisheries on which the income of many depends. Will the excessive taking of parrotfish be the straw that breaks the camel's back and be the last stressor that needs to be added to ensure a rapid collapse of Hawaiian reefs? It has certainly happened elsewhere.

Efforts by local fishermen to protect these fishes therefore deserve all support. It is them, who probably know best how the number of parrotfish has gone down over the last decades. In other words, those who recently showed up have no historic baseline to which to compare present day parrotfish abundance and might consider the current situation as "normal". Fishermen do see long-term trends. Local actions as the one described above have taken the form of proposing a bill (HB3260) to limit the taking of parrotfish and I suggest we follow their insight. It would be naive not to trust those who know best and make the same mistake that has been made in so many other tropical locations that faced these issues in the past. They did not act and it has cost them dearly in an ecological, economic and cultural sense, and so will it to Hawaii. The old Hawaiian traditions allowed for the protection of natural resources once these were threatened and this mentality still exists today. As a scientist I could go on and on about studies that have shown the importance of parrotfish, but I like to believe that common-sense and traditional practices on these islands do not require such a cold, factious approach.

Therefore I would like to support bill HB 3260, proposing to create bag limits for Parrot fish, Kumu, Munu and Moano Ukali. Currently, these fish can be harvested in unlimited quantities.

Sincerely,

Mark Vermeij

----

Dr. M.J.A. Vermeij  
Marine Ecologist  
University of Hawaii at Manoa  
1600 Lokia street



Lahaina HI 96761  
Maui, Hawaii, U.S.A.  
mobile: +1 808-2504133  
email: [vermeij@hawaii.edu](mailto:vermeij@hawaii.edu)  
<http://www.botany.hawaii.edu/>

**To: Representative Ken Ito, Chair  
Representative Jon Riki Karamatsu, Vice-Chair & Members of the  
Committee on Water, Land, Ocean Resources & Hawaiian Affairs.**

**From: Darrell Tanaka,  
Haiku, Maui, Hi, 96708**

**Re. Hearing on HB 3260--Relating to Fishing.**

February 13, 2008 at 9:05am.

Conference Room 312, State Capitol

**Testimony in Support**

Dear Chair Ito, Vice-Chair Karamatsu and members:

Thank you for hearing my testimony in support of HB 3260 relating to fishing. I have been a fisherman ever since I was old enough to hold a pole. As a diver, I am now convinced that our reef fish have been depleted to a point that may be unrecoverable. On the island of Maui I am witnessing as much as 90% depletion in most areas. Holes that once held numerous amounts of fish are now virtually empty. The DLNR tells me that it will be 4 or 5 years until bag limits can be implemented through Administrative Rules, that is too long. From witnessing the recent declines we estimate that in 3 years time, the resource will be so depleted there will not be anything left worth regulating.

Commercial fishermen as well as recreational fishermen must abide by the same set of rules. It never should be who you are or what license you hold, taking too much fish is just that, taking too much.

I am not opposed to this law having a sunset clause, as I firmly believe that the public deserves the opportunity to be heard and that is what the Aha Moku Councils propose to do. But until the councils make their recommendation to DLNR as to what bag limit will be proper, and that DLNR adopts an Administrative Rule for bag limits, we must have some kind of protection for our fish in the meantime, or we will simply run out of fish in the five years the process will take. Please pass this bill.

Sincerely,  
Darrell Tanaka

---

**From:** MMMMahalo2000@aol.com [mailto:MMMMahalo2000@aol.com]

**Sent:** Tuesday, February 12, 2008 8:21 PM

**To:** WLHtestimony

**Subject:** Support HB3260 WLH Wednesday, 02-13-08 at 9:05 am in House conference room 312

**Aloha Representative Ito and members of the WLH committee.**

**In the scheduled hearing for HB 3260, subject Fishing, bag limit,  
please support this necessary action.**

**Mahalo,**

**Mike Moran**

**Kihei, Maui**

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To: **Representative Ken Ito, Chair**  
**Representative Jon Riki Karamatsu, Vice-Chair**  
**Committee on Water, Land, Ocean Resource & Hawaiian Affairs**

From: Brooks Tamaye  
P.O. Box 2266, Wailuku, HI 96793  
244-5751

RE: **Hearing on HB 3260 – Relating to Fishing**

Wednesday, February 13, 2008 at 9:05 a.m.

Conference Room 312, State Capitol

**Testimony in Support of HB 3260**

Dear Chair Ito, Vice-Chair Karamatsu and members:

Thank you for allowing me to submit testimony in favor of HB 3260.

This bill will establish bag limits on highly sought after species that require better management. Populations of these fish are depleted and are in need of recovery. Setting bag limits that apply to all fishers will help accomplish this.

Sincerely,  
Brooks Tamaye

-----Original Message-----

From: Paul Kohman [mailto:hebepako@gmail.com]

Sent: Tuesday, February 12, 2008 8:34 PM

To: WLHtestimony

Subject: HB 3260 TO BAG LIMIT UHU AND KUMU.

Dear Chairman Ito and the members of the House Water and Land Committee,

I SUPPORT HB 3260 TO BAG LIMIT UHU AND KUMU. I FEEL THIS IS VITAL TO  
THE PRESERVATION OF REEF WILDLIFE HABITAT.

PAUL KOHMAN  
535 KOHALA ST  
KIHEI, HI

--

Aloha, y mahalo tambien  
Paul Kohman

---

**From:** Rep. Mele Carroll  
**Sent:** Tuesday, February 12, 2008 8:57 PM  
**To:** WLHtestimony  
**Subject:** FW: Support for HB 3260

---

**From:** lauren elizabeth [mailto:laureene@hotmail.com]  
**Sent:** Tuesday, February 12, 2008 8:44 PM  
**To:** Rep. Mele Carroll  
**Subject:** Support for HB 3260

Aloha Rep. Carroll,

Please insure future generations of Maui's fishes by supporting HB 3260!

Mahalo, Lauren Elizabeth, 3950 Kalai Waa St. M-101, Kihei, HI 96753

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-----Original Message-----

From: Rep. Mele Carroll  
Sent: Tuesday, February 12, 2008 8:58 PM  
To: WLHtestimony  
Subject: FW: MAUI bag limit bill

-----Original Message-----

From: msg@aloha.net [mailto:msg@aloha.net]  
Sent: Tuesday, February 12, 2008 10:18 AM  
To: Rep. Ken Ito  
Cc: Rep. Mele Carroll  
Subject: MAUI bag limit bill

Aloha Representative Ito,

I am writing to ask that HB3260, the Bag Limit bill be brought forth to hearing. I am a licensed commercial fisherman (#7745), and I fish via trolling, handline, spearfishing, ika-shibi, and bottom fish. I have had this commercial license for over fifteen years now; and have witnessed the changes in our reef fish populations. Keep in mind that we are at sequence 22,000 now if you were to get a commercial fishing license in Hawaii, so over the course of 15 years we have nearly tripled the number of commercial fishing licenses issued. I am also in the business of selling fishing tackle, and see firsthand the many new faces in the commercial fishing industry that have no idea of the status of our resources as compared to even ten short years ago.

In short, we have more commercial fishermen now, and no bag limits pertaining to our resident reef fish that may be near a tipping point of collapse just based on my own personal observations. I am afraid what a truly scientific study would say about the parrotfish and 3 goatfish that HB3260 is trying to protect from overfishing.

As a concerned, responsible fisherman, please hear, support, and pass HB3260 before the damage is irreversible.

mahalo nui,

Brian M. Yoshikawa

---

**From:** Mike Sakamoto [mailto:fishingtales@hawaiiantel.net]  
**Sent:** Tuesday, February 12, 2008 9:08 PM  
**To:** WLHtestimony  
**Subject:** Testimony; opposing HB3260

To: House of Representatives  
Water, Land, Ocean Resources and Hawaiian Affairs Committee  
Representative Ken Ito, Chair  
Representative Jon Riki Karamatsu, Vice Chair

Subject: HB3260; Bag Limits for kumu, moano-ukali, munu, uhu

Hearing Date: Feb.13,2008; 9:05AM Conf. Rm.#312

Dear Representatives Ito and Karamatsu:

My name is Mike Sakamoto and I OPPOSE HB3260. I don't believe that the four fish; uhu, kumu, moano-uklai, munu are in decline. The DAR has not done any studies or produced any solid data, or even done a base-line study to prove that these species are in jeopardy. Their facts are strictly anecdotal and these proposed bag limits, as with all bag limits, should be based on well-studied facts and only on facts.

Lastly, I believe that this bill focuses, implies and assumes that if in fact there is a decline of the four species, it is because fishermen. There is a long list of items that may be causing species decline and some of these are:

- A. The onslaught of tourist snorkelers who trample and destroy huge amounts of fragile reefs. These are the reefs that feed and house our fish. No home, no food...hence, no fish.
- B. The invasive species of seaweed that carpet our reefs that again destroy the homes and food of reef fish.
- C. The DLNR's introduction of aggressive species such as the roi and the taape.
- D. Huge loss of estuaries that were the nurseries for the fingerlings. No babies...no adults.
- E. Urban runoff that pollutes the shorelines.

This list can go on and on...

Instead of holding only the fishermen to blame, I suggest you call the DLNR on the carpet and ask them what they are doing to help maintain and



improve the stock of the above species. Pointing the finger at the fisherman will not address the other issues that are truly to blame for the decline of the reefs.

Sincerely,  
Mike Sakamoto; fisherman & diver.  
Hilo,Hi.

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**From:** Jeannine Johnson [mailto:jeannine@hawaii.rr.com]  
**Sent:** Tuesday, February 12, 2008 9:07 PM  
**To:** WLHtestimony  
**Subject:** Testimony in strong support of HB3260 (fishing)

COMMITTEE ON WATER, LAND, OCEAN RESOURCES & HAWAIIAN AFFAIRS

Rep. Ken Ito, Chair

Rep. Jon Riki Karamatsu, Vice Chair

Rep. Mele Carroll

Rep. Roland D. Sagum, III

Rep. Michael Y. Magaoay

Rep. Scott K. Saiki

Rep. Hermina M. Morita

Rep. Cynthia Thielen

HB 3260            RELATING TO FISHING  
DATE:                Wednesday, February 13, 2008  
TIME:                9:05 a.m.  
PLACE:               Conference Room 312

Aloha Chair Ito and Vice Chair Karamatsu,

I wanted to express my strong support for HB3260 which establishes a fishing bag limit for uhu and goatfish to no more than two kumu, two moano ukali, two munu and two uhu per person, per day, for recreational, subsistence, or commercial purposes.

My father was a fisherman from Miloli'i and he took me along on several fishing trips during the summers I spent growing up at our ahupua'a in the 70s. The beauty of the fish and reefs near Miloli'i were incomparable then. It's my understanding that the aquarium fish collectors caused significant reductions in the abundance of fish and their destructive fishing practices destroyed the reefs all along the Kona coast.

E ola ke kai, e ola kakou (as the ocean thrives, so do we.) Please kōkua and help protect and preserve our valuable resources that we have left so that our keiki and mo'opuna will be able to fish like our kupuna.

Mahalo piha,

*Jeannine*

Jeannine Johnson

5648 Pia Street

Honolulu, Hawai'i 96821

Ph: 373-2874 / 523-5030 (w)

Email: [jeannine@hawaii.rr.com](mailto:jeannine@hawaii.rr.com)

"PUPUKAHI I HOLOMUA"

*(Unite in Order to Progress)*

---

**From:** carl [mailto:mjellings@hawaii.rr.com]  
**Sent:** Tuesday, February 12, 2008 9:33 PM  
**To:** WLHtestimony  
**Subject:** Fw: HB 3260 testimony

----- Original Message -----

**From:** carl  
**To:** testimony@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2008 9:08 PM  
**Subject:** HB 3260 testimony

## HB 3260

**DATE:** Wednesday, February 13, 2008  
**TIME:** 9:05 a.m.  
**PLACE:** Conference Room 312

COMMITTEE ON WATER, LAND, OCEAN RESOURCES & HAWAIIAN AFFAIRS

Rep. Ken Ito, Chair  
Rep. Jon Riki Karamatsu, Vice Chair

Rep. Mele Carroll	Rep. Roland D. Sagum, III
Rep. Michael Y. Magaoay	Rep. Scott K. Saiki
Rep. Hermina M. Morita	Rep. Cynthia Thielen

*Aloha Chair Representative Ken Ito and Vice  
Chair Jon Riki Karamatsu  
My Name is Carl Pao Jellings Full time Commercial  
fisher,*

*I stand in Opposition of HB 3260 as Commercial Fishers who have worked very hard trying to fish sustainably over much of these last three decades My Crew and myself depend on the Uku fisherie durring the winter months particularly ,,Thanks giving Christmas thru the New Year ,,durring this period these fish are much appreciated by consumers costumarily for Chinese Steam Style cooking by all nationalities, We are currently waiting for DAR to propose thru chapter 91 proccess a variety of proposed rules ,If You think any Commercial fishermen can survive with these allowances you are mistaken , Uku are a prolific species and areas bounce back fairly quickly when fishing pressure is eased due to weather or fishermen working other season species, A reserve exist as these species can exist as deep as 20 to 35 fathoms were little or no fishing occurs. Mahalo for allowing me to testify. Carl*

---

**From:** Teri [mailto:[daltonb@hawaii.rr.com](mailto:daltonb@hawaii.rr.com)]

**Sent:** Tuesday, February 12, 2008 9:36 PM

**To:** WLHtestimony

**Subject:** Chairman Representative Ken Ito House Water and Land Committee

Dear Mr. Ito and members of the Water and Land Committee,

I very strongly support passage of HB 3260 (bag limit on Uhu & Kuhu) - these fish are beginning to be very limited due to ,what believe, is a result of over fishing and although I would like to see a full ban for a given period of time I will support this bill for a bag limit.

Thank You.

Theresa Boland

Wailuku

242-5876

-----Original Message-----

From: Michael Duberstein [mailto:iliwai34@hawaii.rr.com]

Sent: Tuesday, February 12, 2008 9:49 PM

To: WLHtestimony

Subject: HB 3260

To: Rep. Ken Ito, Chair  
House Water & Land Committee

From: Michael J. Duberstein  
34 Iliwai Loop  
Kihei 96753 891-0597

Aloha Chairman Ito and Members of the Committee

I am an economist specializing in sustainable resource development and I strongly support HB 3260 and its reasonable limits on aquarium fish species. Allowing continued unlimited depletion of these species will result in an eventual huge loss in our tourist economy as well as an unneeded loss in one of our key natural resources. This is a reasonable legislative approach and I applaud your passage of it.

Malama pono and mahalo

Michael J. Duberstein

-----Original Message-----

From: Timmy Bailey [mailto:paulokaleioku@hawaiiantel.net]  
Sent: Tuesday, February 12, 2008 10:00 PM  
To: WLHtestimony  
Cc: Rep. Mele Carroll; leimana@fastnethi.com; hanakahi@sandwichisles.net  
Subject: HB3260 Testimony

Written Testimony for  
HB 3260 RELATING TO FISHING.

Establishes a fishing bag limit for uhu and goatfish to no more than two kumu, two moano ukali, two munu and two uhu per person, per day, for recreational, subsistence, or commercial purposes.

-----  
Aloha ka kou,

My name is Timmy Paulokaleioku Bailey. I was born and raised and currently reside on the island of Maui. I am native Hawaiian and have been a farmer (mahiai) and a fisherman (lawaiia) all my life. For the past 17 years, I have been working as a resource manager for the National Park Service. I inherited, at birth, the kuleana (responsibility) to care for our native Hawaiian natural and cultural resources.

The most recent kuleana came to me in October 2007, when Governor Linda Lingle appointed me as the Aha Kiolo representative for the island of Maui, to aid in the development of the Aha Moku Council system. It has been a work in progress, and despite not receiving the allocated funding as stated in Act 212, the Council is moving forward.

As the Aha Kiolo Advisory Committee representative for the island of Maui I submit this written testimony for HB3260, Relating to Fishing. I have consulted with community members and leaders to submit this coordinated testimony.

The proposed bag limit of listed fish species, with the stated limit of "two per person per day" and the recent amendment of a "two-year sunset" should not negatively affect the the Aha Moku Council system. Furthermore, the "sunset provision" allows the Councils to study, acknowledge, inventory, and present recommendations within the two years of this bag limit law.

It is in the best interest of the Hawaiian people to be involved with these types of administrative rules in order to come up with the best practices and care of all natural resources, whether on land or within the surrounding waters. As the Maui representative, it is not my intent to solely make decisions for the Hawaiian people on any matters that will affect our traditions, values and methods. These matters must be discussed amongst those within their ahupuaa (smaller land divisions) and their moku (larger land divisions).

This bill is specifically for the island of Maui. Thus, the Aha Kiolo Advisory Committee is aware of and will be discussing this issue at the upcoming scheduled community meetings on Maui. This bill can be used as an example as a topic that is appropriate for discussion within the

Aha Moku Council system.

Mahalo,  
/s/ Timmy Paulokaleioku Bailey  
Aha Kiole Advisory Committee  
Island of Maui Representative  
Kula, Maui  
Phone: (808)357-2934  
Email: paulokaleioku@hawaiiantel.  
net



-----Original Message-----

From: Jeff [mailto:pokintako@yahoo.com]  
Sent: Tuesday, February 12, 2008 9:46 PM  
To: WLHtestimony  
Subject:

Hello, I am writing this in reference to bill HB3260. I am in support of this bill, I am a recreational free-diver and have seen the depletion of the reefs on many different areas of the Island. In areas that used to have alot of fish, you now need to swim alot farther to catch and see the same type of fish that were seen on the inside reefs.

Please consider this bill, a fish limit needs to be established for recreational, commercial, and subsistence users of the ocean.

Mahalo and Aloha

Jeff Chong

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[http://mobile.yahoo.com/;\\_ylt=Ahu06i62sR8HDtDypao8Wcj9tAcJ](http://mobile.yahoo.com/;_ylt=Ahu06i62sR8HDtDypao8Wcj9tAcJ)

-----Original Message-----

From: Tom Croly [mailto:tcroly@maui.net]

Sent: Tuesday, February 12, 2008 10:18 PM

To: WLHtestimony

Subject: I SUPPORT HB 3260 TO BAG LIMIT UHU AND KUMU.

I SUPPORT HB 3260 TO BAG LIMIT UHU AND KUMU.

Thomas Croly  
320 Akala Drive  
Kihei HI 96753

TESTIMONY IN OPPOSITION TO HB 3260

Representative Ken Ito, Chairman WLH  
Representative Jon Riki Karamatsu, Vice Chair

Chairman Ito and members on the WLH committee,

I am asking that you defeat HB 3260. There has been no research, or evidence that the species targeted is in need so such drastic actions for their protection. It has not been established that these species are even in decline. In addition, the quotas have no basis for the established limits. I ask you, "where is the science" in this proposal. I am not opposed to any conservation measures provided that they have an established need and valid actions.

Sincerely,  
Brian Kimata

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

Wednesday, February 13, 2008  
9:05AM, House Conference Room 312

**In Opposition to HB 3260 – Relating to Fishing**

Good morning Chair Ito, vice chair Karamatsu and honorable committee members. I am Roy Morioka of Waialae-Iki, Oahu, a retiree and fisherman. Thank you for this opportunity to testify and express my concerns with the measure. While the intent of the proposed bill is to respond to a condition occurring on the island of Maui, I speak not with disrespect to the people of Maui, but in opposition to the bill because it circumvents the current rule making process as provided in Chapter 91 and usurps the authority given the department of land and natural resources (DLNR) who is responsible to assess and manage sustainably our state's natural resources. Additionally, this bill fails to provide current stock assessments of the stated species and sets precedence for future "legislated" fishery management actions without such biological assessments.

I am aware that there can be regionally distinct fishery management measures but there should be included, baseline references, strategies and objectives to determine whether the proposed action is achieving its intended goal, with periodic reviews and status reports to the community. Such actions should also provide a sunset if the objective is achieved allowing changes to either size or bag limits. I also call the attention of this committee to a current project being undertaken by the Hawaii department of aquatic resources (HDAR) to reassess bag limits and size limits of the majority of fish in the State and recommend that selected actions such as provided in this bill to revise bag and size limits be deferred until the HDAR project is completed.

I therefore urge this committee to hold this bill and refer the matter correctly to HDAR/DLNR. Thank you again for your consideration and this opportunity to testify on this bill.

Sincerely Yours,  
Roy N. Morioka

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**From:** Frank [mailto:farm@htchawaii.com]  
**Sent:** Wednesday, February 13, 2008 12:06 AM  
**To:** WLHtestimony  
**Subject:** FW: Testimony HB3260

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**From:** Frank [mailto:farm@htchawaii.com]  
**Sent:** Tuesday, February 12, 2008 11:52 PM  
**To:** Testimony  
**Subject:** Testimony HB3260

Legislative Staff:

Request forward my attached testimony re: HB3260 The committee on Water, Land, Ocean Resources and Hawaiian Affairs has scheduled a public hearing on 02-13-08 at 9:05 AM in conference room 312

Thank you.

Frank Farm

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**From:** Brian Funai [mailto:[bfunai@hawaii.rr.com](mailto:bfunai@hawaii.rr.com)]  
**Sent:** Wednesday, February 13, 2008 12:35 AM  
**To:** WLHtestimony  
**Subject:** Testimony for HB3260

Hello,

Please forward this testimony that I would like to submit for HB3260 scheduled to be heard by House Committee on Water Land Ocean Resources and Hawaiian Affairs on Wednesday, 2/13/08 at 9:05 am in Senate conference room 312.

Thank you,  
Brian F. Funai



-----Original Message-----

From: msg@aloha.net [mailto:msg@aloha.net]  
Sent: Wednesday, February 13, 2008 5:02 AM  
To: WLHtestimony  
Subject: HB3260

Aloha Chairman Ito and the members of the House Water and Land Committee,

Thank you very much for scheduling to hear HB 3260-the BAG LIMIT BILL. I have been a part -time commercial fisherman for over 15 years, and I support and believe HB3260 is a needed change to the current way we have been wiping out our reefs of the fish outlined in HB3260.

I derive most of my income from the sale of various fishing tackle, and fish on my days off from my tackle business. In short, I am a FISHERMAN, not an enviro-nazi or coralhugger but I see the relevance and importance of regulating and protecting our uhus and kumus from being next to the dodos and dinosaurs in a museum. As stated in previous testimony, I have no scientific studies to back this claim up; just 30 years of my own direct personal observations during my over three decades of spearfishing on our reefs.

Let this bill become law. Let it sunset when our Aha Moku Councils are set to formulate respective community plans for their moku. Let them have these fish still around to manage when the Councils take the reins. If we do nothing now there will be no need to protect these fish, and I promise you my prophecy here will come back to haunt every one of you that do not have the vision and mana'o to implement HB3260.

Sincerely,

BRIAN M. YOSHIKAWA  
H:52 KAMA STREET  
WAIKAPU, MAUI HAWAII 96793  
808-757-2827  
msg@aloha.net

OWNER  
MAUI SPORTING GOODS, INC.  
92 NORTH MARKET STREET  
WAILUKU, HAWAII USA 96793  
808-244-0011



---

**From:** Michelle Anderson [mailto:michelleanderson@usa.net]  
**Sent:** Wednesday, February 13, 2008 6:17 AM  
**To:** WLHtestimony  
**Subject:** SUPPORT FOR HB 3260

Representative Ken Ito, Chairman

House Water and Land Committee

RE: HB 3260 TO BAG LIMIT UHU AND KUMU

Dear Chairman Ito and Members of the House Water and Land Committee,

I SUPPORT HB 3260 TO BAG LIMIT UHU AND KUMU.

COUNCILMEMBER MICHELLE ANDERSON

COUNTY OF MAUI

200 SOUTH HIGH STREET

WAILUKU, HI 96793

808-270-7108

<p style="text-align: center;"><b>Maui Tomorrow</b> <b>Protecting Maui's Future</b></p>
---

Date: Feb. 13, 2008

To: Representative Ken Ito  
House Water and Land Committee

**Re: HB 3260**

From: Irene Bowie  
Maui Tomorrow Foundation, Inc.  
PO Box 299, Makawao, HI 96768  
Phone: 808.268.0303  
e-mail: [director@maui-tomorrow.org](mailto:director@maui-tomorrow.org)

Aloha Rep. Ito,

Dear Chairman Ito and the members of the House Water and Land Committee,

My name is Irene Bowie and I am the executive director of Maui Tomorrow Foundation. I am in favor of House Bill 3260 as it proposes a reasonable limit (2 each) for kumu, moana kali, munu and uhu. While the state of Hawaii recently raised the minimum size limit for kumu and uhu these new regulations would not, on their own, be enough to facilitate the recovery of stocks without legislation to limit the amount taken.

Maui Tomorrow Foundation believes this bill supports Hawaii's recreational fishermen as well as good conservation practices while it helps to discourage the commercial harvest of these fish from the state's reefs.

I hope you will consider these facts and vote in favor of this bill, for the protection of Hawaii's aquatic life and support of Hawaii's recreational fishermen. It is the right thing to do.

Mahalo,

Irene Bowie  
Executive Director  
Maui Tomorrow Foundation, Inc.

-----Original Message-----

From: Brooke Porter [mailto:brooke@pacificwhale.org]  
Sent: Wednesday, February 13, 2008 8:48 AM  
To: WLHtestimony  
Subject: TESTIMONY

Dear Chairman Ito and the members of the House Water and Land Committee,

My name is Brooke Porter, I am a Wailuku Resident and can be reached at (808) 856-8341. I am speaking on this issue with an extensive background in marine biology and ecology. I have B.S. In marine biology and ecology and a Master's in education. I have been working closely with Hawaii's marine environment for the past seven years.

Representing myself and Pacific Whale Foundation, an organization dedicated to marine conservation, education and research, I support HB 3260 to bag limit uhu and kumu. Hawaii's population is not dependent on uhu and kumu as a protein source. To keep our oceans healthy, these fisheries must be managed in a sustainable manner. HB 3260 is a step towards sustainable fisheries.

Mahalo,

--

Brooke Porter, M.Ed.  
Director of Conservation

Pacific Whale Foundation  
300 Ma'alaea Road  
Suite 211  
Wailuku, Hawai'i 96793  
Work (808) 856-8341  
Fax (808) 243-9021

[www.pacificwhale.org](http://www.pacificwhale.org)

-----Original Message-----

From: Joan [mailto:joanl@snorkelbob.com]  
Sent: Wednesday, February 13, 2008 8:38 AM  
To: WLHtestimony  
Subject: Testimony in Support of HB 3260

Dear Chairman/Representative Ito and the House Committee on Water and Land,

My name is Joan Lloyd, from Kihei, Maui, and I SUPPORT HB 3260 TO BAG LIMIT UHU AND KUMU.

Overfishing is depleting Hawaii's reefs. We must set limits. The Native Hawaiians lived by the moral management code of Ahapua'a, comprehending that Hawaii's natural resources were precious, not infinite.

Today, we see firsthand that we are severely depleting UHU, KUMU, and many other species of fish in Hawaii, yet we allow the pillage to continue. Pass HB 3260 so we can begin the process of restoring balance on Hawaii's reefs.

Thanks and Aloha,  
Joan Lloyd  
Marketing Director  
Snorkel Bob's  
Ph: (808)879-8575  
Cell: (808)269-0102  
Fax: (240)384-4277

To: **Representative Ken Ito, Chair**  
**Representative Jon Riki Karamatsu, Vice-Chair & Members of the**  
**Committee on Water, Land, Ocean Resources & Hawaiian Affairs.**

From: **Brian Yoshikawa**  
Wailuku Maui

Re. **Hearing on HB 3260--Relating to Fishing.**  
February 13, 2008 at 9:05am.  
Conference Room 312, State Capitol

**Testimony in Support**

Dear Chair Ito, Vice-Chair Karamatsu and members:

Aloha Chairman Ito and the members of the House Water and Land Committee,

Thank you very much for scheduling to hear HB 3260-the BAG LIMIT BILL. I have been a part-time commercial fisherman for over 15 years, and I support and believe HB3260 is a needed change to the current way we have been wiping out our reefs of the fish outlined in HB3260.

I derive most of my income from the sale of various fishing tackle, and fish on my days off from my tackle business. In short, I am a FISHERMAN, not an enviro-nazi or coralhugger but I see the relevance and importance of regulating and protecting our uhus and kumus from being next to the dodos and dinosaurs in a museum. As stated in previous testimony, I have no scientific studies to back this claim up; just 30 years of my own direct personal observations during my over three decades of spearfishing on our reefs.

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Sincerely,

BRIAN M. YOSHIKAWA  
H:52 KAMA STREET  
WAIKAPU, MAUI HAWAII 96793  
808-757-2827  
[msg@aloha.net](mailto:msg@aloha.net)