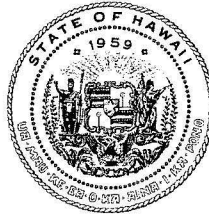
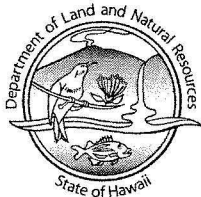


LINDA LINGLE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Laura H. Thielen
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Board of Land and Natural Resources
Commission on Water Resource Management

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Kahooolawe Island Reserve Commission
Land
State Parks

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

on House Bill 3391, House Draft 1 – Relating To Aquatic Resources

**BEFORE THE HOUSE COMMITTEE ON
FINANCE**

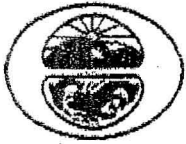
February 22, 2008

House Bill 3391, House Draft 1 appropriates \$1,000,000 to the Department of Land and Natural Resources (Department) to prepare a comprehensive report on the status of the State's marine ecosystems. While the Department appreciates the intent of this measure, the Department nonetheless has concerns with the fiscal impacts it will have on the Executive Supplemental Budget request.

The Department believes that the deliverables as outlined in House Draft 1 can be supported largely without additional sources of funding, via work already undertaken through funding from the Federal Coral Program. As such, the appropriation amount in this bill causes the Department concern on the impact it will have relative to the Executive Supplemental Budget request.

The Department further appreciates the support of the Legislature as reflected in the adoption of the changes previously suggested and incorporated in the current House Draft.

586-0001



Conservation Council for Hawai'i

Testimony Submitted to the House Committee on Finance

Hearing: Friday, February 22, 2008
3:30 pm
Room 308

Opposition to HB 3391 HD 1 Relating to Aquatic Resources

Aloha. The Conservation Council for Hawai'i opposes HB 3391 HD 1, which requires the Department of Land and Natural Resources to assess and report the status of Hawai'i's aquatic resources. We oppose this bill because singling out development and shore-based non-fishing activities is difficult, if not impossible to do, especially after the fact, as would be the case for most of Hawai'i's coastline.

The bill is also unnecessary because we already know, generally, how development and land activities affect the ocean. We know that siltation and runoff events degrade the reefs and threaten fish and other aquatic life. We know that overgrazing, large-scale agriculture, and the proliferation of feral pigs and other introduced hoofed mammals in our watersheds contribute to erosion and runoff. We know that discharging millions of gallons of partially treated wastewater into our oceans has an impact somewhere, whether it is offshore or closer to land. We understand that reports may be available on these subjects.

Last, we oppose this bill because it appears to single out the Division of Aquatic Resources and punish it for attempting to regulate fishing in this state. Fishing is a legitimate and worthy activity in Hawai'i. But it is not a free-for-all. Fishers must understand that fishing – like all activities in public areas using public resources – must be regulated. Fishers understand that our aquatic resources and ecosystems are in trouble, but they fail to acknowledge that regulation is necessary to protect the ocean for all of our citizens to use and enjoy. Regulating fishing does not mean that the fishers are at fault or that fishing is the only stress on our ocean resources.

Instead of requiring an assessment of the impacts of development and shore-based non-fishing activities on aquatic resources, we encourage the legislature to consider mandatory increased shoreline setbacks for development and large-scale agriculture, require mandatory wetlands, siltation basins, and drainage features that help prevent siltation and runoff from occurring, and require best management practices identified by the Office of Planning several years ago to address non-point source pollution.

Mahalo nui loa for the opportunity to testify.

Sincerely,

Marjorie Ziegler
Marjorie Ziegler



Working Today for the Nature of Tomorrow!

Telephone/Fax 808.593.0255 • email: info@conservehi.org • web: www.conservehi.org
P.O. Box 2923 • Honolulu, HI 96802 • Office: 250 Ward Ave., Suite 212 • Honolulu, HI 96814

Hawai'i Affiliate of the National Wildlife Federation

President: Julie Lelaicha • Vice-President: Nelson Ho • Secretary/Treasurer: Kim Ramos • Directors: Fred Kraus, Ph.D. • Douglas Lamerson, George Robertson • Claire Shimbukuro • Helene Takemoto • Mashuri Walte • Executive Director: Marjorie Ziegler



Protecting Native Hawaiian Traditional and Customary Rights
and Our Fragile Environment

www.KAHEA.org, kahea-alliance@hawaii.rr.com
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HB 3391 – In Opposition
February 22, 2008, 3:30 p.m.
House Finance Committee, room 308

Aloha Chair Oshiro and Members of the House Finance Committee,

We oppose H.B. 3391 because it is duplicative. We urge the Legislature to seek enforcement of Hawai'i Revised Statutes §187A-2, which currently requires the Department of Land and Natural Resources to investigate and report on the impacts of non-fishing activities on our aquatic resources. Ensuring that the Department has the funding necessary to conduct this work is a good method for the Legislature to ensure the Department meets this important obligation.

This bill highlights a disturbing fact: Hawai'i's marine ecosystem is in serious danger. It is well-accepted that harmful shore-based activities, like poorly planned developments, coastal armament, poor waste management, and uncontrolled fishing, are killing our oceans and undermining our unique culture.

Thankfully, the Department of Land and Natural Resources has begun to address the harms of over-fishing by establishing limits on catch and fishing locations. However, more must be done to fully understand and address all of the many threats to Hawai'i's delicate and dynamic marine ecosystem.

Thus, we support every effort to empower the DLNR with additional staff, expertise, and resources to find the solutions necessary to ensure our oceans are healthy well into the future. This includes recommendations for removing seawalls, restoring natural streambeds, and prohibiting coastal development.

KAHEA: The Hawaiian-Environmental Alliance is an islands-wide network of over 2,000 members, including Native Hawaiian cultural practitioners, conservationists, fishers, kupuna, and scientists, working to protect Hawai'i's unique natural and cultural resources.

Mahalo,

A handwritten signature in black ink that reads "Marti Townsend".

Marti Townsend
Program Director

Testimony of The Nature Conservancy of Hawai'i
Supporting H.B. 3391 HD 1 Relating to Aquatic Resources
House Committee on Finance
Friday, February 22, 2008, 3:30 PM, Room 308

The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of Hawai'i's native plants, animals, and ecosystems. The Conservancy has helped to protect nearly 200,000 acres of natural lands for native species in Hawai'i. Today, we actively manage more than 32,000 acres in 11 nature preserves on O'ahu, Maui, Hawai'i, Moloka'i, Lāna'i, and Kaua'i. We also work closely with government agencies, private parties and communities on cooperative land and marine management projects.

The Nature Conservancy of Hawai'i supports H.B. 3391 HD 1.

Healthy reefs and fisheries have many economic, environmental and cultural benefits. We all have a stake in their future. Furthermore, fishing is integral to our cultural heritage and our island way of life. However, as anyone who has spent time in Hawaiian waters knows, many of our reefs and fisheries are at serious risk from a variety of threats and a precipitous decline in near shore populations of fishes. In fact, scientists estimate that our near shore fisheries are merely one-quarter of what they were a century ago—that is a decline of 75% over 100 years.

This bill points out the critical importance of assessing and mitigating the full range of impacts and threats to our aquatic resources.

The Nature Conservancy appreciates the amendments made by the Water, Land, Ocean Resources and Hawaiian Affairs Committee to help achieve this important goal by:

- Including assessment of additional impacts, such as alien species, over harvesting of resources, and fresh water inputs; and
- Providing the DLNR with additional resources to properly conduct this review and reporting.

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HOUSE FINANCE COMMITTEE

Rep. Marcus Oshiro, Chair
Rep. Marilyn Lee, Vice Chair

February 21, 2008

RE: HB3391 HD-1 scheduled to be heard by WLH on Wednesday,
2/22/08 at 3:30 am in conference room 308.

**My name is Brian F. Funai and I am testifying in support of HB3391
HD-1.**

HB3391 requires the Department of Land and Natural Resources to provide a comprehensive status of the States Marine ecosystem. I feel that effective management of our resources begins with knowing what is present or not present in the resource. Every year people come to the legislature with conflicting views of what they think the status of our ocean resources actually is and no doubt that there is much exaggeration. I believe that a scientifically accurate assessment has been neglected for years but it is essential to making sound management decisions for the future.

**I support this bill for these reasons and ask that you please pass HB3391
HD-1.**

Thank you for your time and allowing me to testify.

Brian F. Funai
Kaneohe, HI 96744

COMMITTEE ON FINANCE

Rep. Marcus R. Oshiro, Chair
Rep. Marilyn B. Lee, Vice Chair

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Rep. Faye P. Hanohano	Rep. John Mizuno	Rep. Colleen Rose Meyer	

From: Tony Costa

Hawaii Nearshore Fishermen
Honolulu, Hawaii
808-540-1308 Tel

Re.: Testimony in SUPPORT OF HB 3391hd1
Date: Friday, February 22, 2008
Time: 3:30 pm
Place: Conference Room 308 State Capitol
415 South Beretania Street

Copies needed: 5

TESTIMONY

My name is Tony Costa and I am testifying on behalf of Hawaii Near Shore Fishermen, a loosely organized, tight-knit group of nearshore fishermen. Hawaii Nearshore Fishermen are in SUPPORT OF HB3391.

HB3391 requires the Department of Land and Natural Resources to provide a comprehensive status of the States Marine ecosystem.

Each year new fishing rules and regulations are proposed and promulgated, citing crisis level indicators of "resource decline" and trauma in our marine resource as good and just cause.

However, fishermen's empirical evidence suggests many instances where fish populations are exploding. Examples are Papio and Ulua stocks – the huge explosion of papio, ulua catches and school sightings as well as tagging data proves this. The return of

the Omaka to Kaneohe Bay. And the continuing health and strength of the Akule fishery to name a few.

Yet, scientists tell us that an ocean water temperature change of just 2 degrees can kill off an entire species of coral on the reef. We also know that sunlight is necessary for coral to continue its symbiotic relationship with photosynthetic algae that live within the tissues of the coral polyp – the living reef. In other words, silt, runoff, and pollution are starving the life out of our reefs.

In addition, alien fish and algae species, a relatively new threat to our reef, is presently contributing greatly to native fish habitat destruction.

These are the impacts that fishermen see first hand and are directly threatened by.

HB3391 asks for a comprehensive status report on the marine ecosystem and that these impacts are investigated.

Moreover, without first knowing the condition of the resource, the management community would be shooting in the dark and will not be able to gauge any success or failure of ongoing regulations.

The fishermen see a dynamic and ever changing marine environment and fish population and feel management measures should change along with this changing environment and fish population. It is for this reason we feel that an important marine ecosystem barometer is taken such as what is suggested by HB3391hd1

HNF therefore are in support of HB3391hd1

Thank you for allowing me to testify on HB3391hd1

Respectfully submitted,

Tony Costa
Hawaii Nearshore Fishermen