

TESTIMONY
HCR 347

My name is Chris Evans and I am one of the Marine Science faculty at Hawai'i Pacific University and a Board member of the non-profit organization "Reef Check Hawaii". I am writing in support of HCR #347 to be presented at a public meeting on April 9th, 2008 at 2:45 pm in Conference room 414. I have done extensive coral reef research in Kane`ohe Bay and other areas around O`ahu and believe that this resolution would help protect our fragile and unique marine resources here in Hawai'i.

The ornamental fishery industry has been growing considerably over the years here in Hawai'i and is having a significant impact to our fragile and unique living marine resources. It has always been of some issue but now more than ever because of the number of commercial fishermen and the numbers of fish, invertebrates, and live rock that are being permanently removed from our reefs there is no denying that they are having a significant impact on these public resources.

Many of these fish and other resources are being taken by destructive means that not only puts the organism at risk of survival but also does permanent damage to the coral reefs here in Hawai'i. Many fishermen do not know that much about the organisms and the reefs and break corals, roll over rocks, and prod and poke into any hole in the reef to obtain their prey. Many use nets and some even use poisons like bleach to stun the fish in order to catch them. Feather duster worms being removed by the thousands in some cases actually live inside the coral or rocks and to get the animal the coral or reef rock must be pried apart or broken to obtain the whole worm. In the process many of the animals die before ever getting to the pet shop and the corals that surrounded the worm are permanently damaged sometimes completely killing the coral or other plants and animals that were living beside these creatures.

To tell you the truth, there are not that many fish out there to begin with to even take any. Hawai'i's reefs have already been so damaged and fished out that they are often a sorry example of a healthy coral reef. Just go and dive somewhere that has not been so impacted by people and you will see the difference in the numbers of fish, different kinds of fish, and the health of the reef. Even someplace like Hanauma Bay that is overrun by thousands and thousands of visitors but protected has many more fish than anywhere else I can dive from the shore.

Another terrible aspect of this fishery is that many beautiful fish that are taken from the reef will never last more than a few weeks without live coral or other live food to feed on. Many butterfly fish only eat live coral. Moorish Idols, cleaner wrasses, other wrasses, and many of the angel fish are almost impossible to keep in an aquarium unless you are an expert and have the right kind of environment and food. Many fish including some butterfly fish and other organisms like barber pole shrimp have one and only one mate and when the collectors come through, they don't care that these animals have a significant other and are being separated from their mates forever.

The other problem is that very few of the employees who work in the pet shops know enough to advise the home aquarist of what to buy and not to buy and how to maintain them. I know through experience and I am a marine biologist. I have worked as an aquarist in a public marine aquarium and have set-up and maintained my own salt water aquariums. Even with the best of my efforts very few of the fish that I have bought have survived for more than a few months, or if I was really lucky for more than a year in my home aquariums. This is much shorter than their natural life span and not a pleasant thing to experience if you care about living things. Many of the fish and invertebrates in the pet shops should never have been collected and sold as there is little to no chance that they will

survive at all given their special needs. Yet, this does not deter the collectors from collecting them and the stores in selling them.

It is about time we do something about this and at least set some limits and rules to what can and cannot be taken, how many, and how they are removed from the reef. Of course the Department of Land and Natural Resources (DLNR) does not want to do this. They have hardly ever been proactive in regards to protecting our natural marine resources but that is the agency that is best suited to deal with this problem.

In addition to the wording in the Resolution I recommend that the language be further clarified to include other resources besides fish including invertebrates, marine algae, and live rock. It may also be needed to clarify that DLNR be requested to confer with not only all geographic area stakeholders but geographic and natural resource stakeholders which would include organizations like Reef Check, the National Marine Sanctuary Program, and others that also have interests in all of Hawai`i's natural marine resources. For Kane`ohe Bay it might also be recommended to include researchers at the University of Hawai`i's Hawai`i Institute of Marine Biology that conduct research throughout the Bay and not only have a vested interest but also have significant expertise in this area.

Thank you so much for your time and consideration of my testimony and I hope that you all vote to support this Resolution.

Sincerely, Christopher W. Evans

Senator Clayton Hee, Chair
Senator Russell S. Kokubun, Vice Chair
Committee on Water and Land
Wednesday, April 9, 2008

In support of HCR 347

As an aquarium fish collector on Oahu, I have no desire to see our resources depleted and would welcome effective regulations to ensure that our fisheries are managed in a sustainable and responsible manner. Appropriate and reasonable regulations will not only help to sustain our business for the future, but ensure that others are able to enjoy our fish through ocean recreation and other activities.

Recently, it has become evident that there is an issue on Maui with user conflict between the small number of aquarium fishermen and the large dive tour industry. As a result, tour operators are upset and fishermen are facing intimidation and harassment. Resolving this issue is important to the well being of both sides, and HCR 347 provides a much needed avenue for this process. Although Oahu does not suffer from this problem, the development of regulations for our fishery will benefit us in the future.

When creating regulations concerning commercial fisheries, it is important to understand that the livelihoods of many people are at stake. As such, any new fishing regulations must have a sound scientific basis, and be created with the interests of all concerned parties in mind. The DLNR's ability to create administrative rules under HRS Chapter 91, with significant public input, provides the best avenue for this process.

I strongly support HCR 347, and urge the committee to pass it.

Thank you for the opportunity to testify,



Matthew Ross
Commercial Aquarium Permit #17653

To: Senate Sergeant-At-Arms Office
Regarding: HCR 347

TESTIMONY

I am in support of the house resolution as long as there is reasonable regulations imposed that are established by all parties involved.

I am a licensed commercial tropical fish collector in Maui. This is my occupation and is also my main form of income. I dive several days a week; it is a full time job. My territory is mainly West Maui, Lanai, & occasionally Molokai. I fish for a wide variety of fish and do not emphasize on one species in particular. This can be verified by submitted C-6 catch reports that I fill out monthly in detail. I feel that this resolution stemming from SB3225 is not necessary unless scientific data states that it is, however, I also do not feel like wasting anymore of my time or resources to fight with a special interest group that has deep pockets. I, as one of the very few commercial fishermen on Maui, am willing to work with the DLNR to establish FRA's for the entire island of Maui, not just the south region. If the point is to create breeding grounds for fish replenishment, then we should take into account that reefs and fish surround the whole island and one area is just as acceptable as another, and would prove to be just as effective! Without scientific data to verify anyones opinions, then we must proceed with caution and allow DLNR to do the research and provide them the funding needed to accomplish this task.

Bag limits are not necessary, and would cripple the licensed collectors. This could be explained in detail with DLNR when the discussion is to be had. FRA's cannot make up 33% of Maui solely based on the leeward side of the island as proposed in SB 3225 as this would shut the entire fishery down. The rest of Maui is inaccessible due to no harbor access causing excess fuel consumption, and the most important being rough water conditions. The entire South east, East, and North shore is under small craft advisory the majority of the year. The two full time collectors, myself included can only operate on the leeward side of the island. This is also why dive companies operate on the leeward side, its dangerous on the other parts of Maui's coastline. The vast majority of (around 75%) Maui's coastline does not get fished!!!! And this should be taken into consideration, as these are already non defined FRA's. The leeward side is where the argument lies, this is because of user conflict amongst a snorkel company operator and a couple of dive companies. I will work with DLNR to compose a FRA system for the whole coastline of Maui with emphasis on areas where the diving/snorkel companies operate so that there are no future problems.

Proposing regulations for Kaneohe Bay, and South Maui seems skewed. Kaneohe Bay is a very small area, that is not the main fishing grounds in Oahu where most

collectors operate. There are many more collectors in Oahu than Maui, Maui is a larger island. Maui has two commercial companies, boasting two full time divers, and three part time divers, yet the language being used regarding South Maui seems to be very excessive. This is to appease one industry while disregarding another. The ocean does not belong to ANY industry and should be shared by all!!

So, to summarize, I am in support of a resolution and would be happy to collaborate with DLNR in some fair regulations that will quell the unrest.

**Respectfully submitted,
Eric Koch
Maui
License # 20150**

David A. Krupp, Ph.D.

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Honorable Clayton Hee: Chair
Committee on Water and Land
Senate
Twenty-Fourth Legislature, 2008
State of Hawai'i

Dear Senator Hee and Members of the Committee:

I offer written testimony in **Support of HCR 347:**

Urging the Department of Land and Natural Resources (DLNR) to proceed immediately with the adoption of rules to regulate the ornamental reef fishery industry in south Maui and Kāne'ohe Bay.

At the Public Hearing:
Committee on Water and Land
April 9th, 2008
Conference Room #414

I am a coral reef biologist teaching marine and biological sciences and coordinating the Pacific Center for Environmental Studies (PaCES) and Marine Option Program at Windward Community College. I also hold an Affiliate Faculty position at the Hawai'i Institute of Marine Biology where I study various aspects of the biology and ecology of coral reefs. As President of Reef Check Hawai'i, a non-profit coral reef monitoring organization, I am heavily engaged in promoting the conservation of Hawai'i's coral reefs. Finally, as Chair of the Kāne'ohe Bay Regional Council, I frequently hear from the community about the importance of protecting our reefs so that future generations of Hawai'i's people will have opportunities for partaking of the bounty these reefs have to offer.

My experiences tell me that Hawai'i's reefs are in trouble. From land-based pollution, to global environmental change, to invasive species, to destructive resource extraction practices (e.g., overfishing), Hawai'i's coral reefs need the additional help that legislative action can provide.

Therefore, I support HCR 347, which urges the Department of Land and Natural Resources (DLNR) to proceed immediately with the adoption of rules to regulate the ornamental reef fishery industry in south Maui and Kāne'ohe Bay.

I believe that effective management of the marine aquarium trade is necessary to ensure that this valuable resource can be sustained for years to come. Possible management options may include the establishment of no-take marine protected areas (MPAs) to reestablish the fish populations that are essential components of healthy reef ecosystems – ***there is a growing body of scientific evidence that suggests that MPAs may actually enhance a fishery in adjacent areas outside the MPAs.*** In addition, the DLNR should consider the establishment of bag limits where ornamental fish are allowed to be collected.

It is also my belief that specific management decisions be based on the best science available. Consequently, I would recommend that language be included that solicits and heavily weighs the professional opinions of marine fisheries scientists with specific expertise in marine ornamental fisheries and coral reef ecologists with specific expertise in the biology and ecology of Hawaiian coral reef fishes. The researchers at the Hawai'i Institute of Marine Biology (HIMB) may have much to offer in these regards. HIMB should also be specifically listed as one of the to-be-consulted stakeholders when DLNR confers with its geographic stakeholders.

Finally, the resolution should also include language that directs and funds DLNR to conduct objective scientific studies designed to assess the effectiveness of the specific rules and regulations enacted. In the interest of all of the stakeholders, fisheries management must be a fluid process, one that requires constant reassessment and readjustment to be sure that management decisions are sound.

Hawai'i's coral reefs are important resources that protect our shores from erosion, contribute millions of dollars to our economy, provide food, medicines and recreation for the people who live here, and serve as the foundation for our unique island lifestyle. We must protect these important natural resources.

Earlier this year, the legislature recognized that 2008 has been designated as the International Year of the Reef. Resolution HCR 347 translates this recognition into action by helping our islands to sustainably manage important natural resources that are being overexploited to the detriment of the reef. I urge the passage of HCR 347.

Thank you for this opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to read "David A. Krupp". The signature is fluid and cursive, with the first name "David" being the most prominent.

David A. Krupp

TESTIMONY
HCR 347
(END)