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Sent: Sunday, March 16, 2008 8:45 AM
To: WLHtestimony
Subject: SB 3138, SD1

SB 3138, SD1

DATE: Monday, March 17, 2008
TIME: 9:30 a.m.
PLACE: Conference Room 312

http://www.capitol.hawaii.gov/session2008/Bills/SB3138_SD1_.pdf

COMMITTEE ON WATER, LAND, OCEAN RESOURCES & HAWAIIAN AFFAIRS

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

Honorable Members

COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Rep. Hermina M. Morita, Chair
Rep. Mele Carroll, Vice Chair

Honorable Members

RELATING TO THE WAIANAE COAST

Aloha Honorable Chair Ken Ito , Aloha Honorable Chair Hermina Morita

My name is Carl Pao Jellings Sr. Life Long resident of Waianae In Strong Support of SB 3138, SD 1

This Is Not a User Conflict Issue ,, This is an Ecosystem"s,, Resource / Species Displacement Issue

DLNR's Hierarchy of Priorities

Existing policy of DLNR when considering commercial activity proposals or management actions on

state owned lands and waters is to use the following hierarchy of priorities:

“a. The Natural or Cultural Resource – The highest priority should go to the conservation of the

resource. Only if an activity can be done in a way that does not unduly damage the resource should it be

allowed.

b. The General Public – If use or activity by the public can be done without undue damage to the

resource, it should be the next priority.

c. Commercial Activities – Commercial activities should be considered only if their impacts do

not impinge on the resource, #a above, or use by the general public, #b above.

this Bill is crucial to the Akule and Opelu Fishery especially Off the Waianae Coast Every Year for the last 8 years We have come to this legislature in hopes to protect Our fishing grounds / Akule Grounds/ Opelu Ko"as from over use and an increase of noise pollution from transitting high speed vessels ,, User conflicts between fishers and tourist related tours are just a tiny part of an overall wide spectrum of potential harms that are occurring offshore .

- 1) Akule are a Pelagic species and can choose what island to settle*
- 2) Akule as all fish have a memory gene that bring them home to thier place of origin*
- 3) Akule are sensitive to mechanical noise like no other species*
- 4) Akule are an important food fish here in Hawaii,*
- 5) Hahalalu a juvenile Akule are an important recreational fishery / foodfish here in our isles.*

Rep. Ken Ito, Chair, Committee on Water, Land, and Hawaiian Affairs
Rep. Hermina M. Morita, Chair, Committee on Energy & Environmental
Protection

March 17, 2008
9:30 am. Room 312

Testimony in strong support of SB 3138 SD1.

Chair Ito, Chair Morita, and members of the committees:

I am an employee of DLNR however the testimony that follows is that of my own as an individual.

SB 3138 SD1 seeks to amend Act 6, SLH Special Session 2005, by requiring an interim report on the baseline environmental study to be submitted to the 2008 legislature and the final report to the 2009 legislature.

The reason for this extension is that the initial contractor awarded the contract to complete the baseline study was found to have a conflict of interest. The contract was rescinded and contractor paid for the work completed to date.

A second contract was issued based upon the remaining funds available. During the conduct of the study several data gaps were identified. The passage of this bill would allow for the report deadlines to be pushed back a year, and allow for the filling of these data gaps.

There is an appropriation line in this bill as a place holder. Since the identification of data gaps was recently completed, the additional funds required to fill these gaps are unknown at this time.

I ask that pass this bill forward to Finance in order to buy time to identify the appropriate amount needed to fill the data gaps. This study is a very important study that will impact Wai'anae Coast policies for the next twenty years. The results of this study will likely be applicable to similar problems occurring on many coasts in the State.

Mahalo for the opportunity to testify in favor of SB 3138 SD1.
William J. Aila Jr.

Representative Ken Ito, Chair Committee on Water, Land, Ocean Resources & Hawaiian Affairs

Representative Hermina M Morita, Chair Committee on Energy & Environmental Protection

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In Strong Support of SB 3138, SD1 Relating to the Waianae Coast

I Georgette Jordan support SB 3138, SD1

As a Waianae community member who has been involved in the process of the Baseline Study for the Waianae Coast, I have come to realize that the study should be supplemented to truly complete the original scope of the work requested. A comprehensive study is needed to provide the proper information for the potential recommendation for an ocean recreation management area which helps preserves the traditional life style while allowing the shared use of our ocean resources with the increased pressure from the visitor industry and possible new recreational uses.

In 2005, the State Legislature heard SB 1262 Relating to the Waianae Coast. The original content of the bill requested an environmental impact assessment to be done for the purpose of determining the effects of current and future activities on the resources from Ka`ena Point to Kalaeloa considering the increase of user activities and conflicts along the coast. The bill was passed in the 2005 Special Legislative Session as Act 6. In the 2006 Legislative Session the work to be performed was appropriated a budget for \$120,000, far less than the \$1M quoted to do.

This study will be a document that will help to provide guidance to best manage the resource well into the future.

Therefore, I urge the committee to support SB 3138, SD1.

Thank you for the opportunity to testify.