

Caroline Halualani Bright
46-317 Halualani Place
Kane`ohe, HI 96744
Ph. 235-6789

February 25, 2008

TO: SEN. ROSALIND BAKER, CHAIR
AND MEMBERS
SENATE COMMITTEE ON WAYS & MEANS

FROM: CAROLINE HALUALANI BRIGHT
Kupa`aina of Ha`iku Valley
Kupuna, Komomua `Ohana

SUBJECT: **S.B. 3225, S.D. 1 – RELATING TO FISHING**

As an elder of the Komomua `ohana from He`eia, Ko`olaupoko, I wish to testify in strong support of this bill to protect our resources.

I have spent much of my life fishing and gathering in the waters of Kane`ohe Bay. That was our family's "ice-box", and we only gathered what we needed to sustain ourselves.

I still go and collect limu, crab, catch my own squid – and practice my lawai`a traditions to this day, even at my age.

One of my `ohana shared with me recently an advertisement from the internet of someone who was trying to sell fish caught from our island waters. These fish are hard to find any more. That means they are become less plentiful, and we should be more careful to protect is.

These people who collect our island fish for sale to aquarium owners don't seem to care that they are depleting the resource. If all of us did that same thing, there would be nothing left.

We survived in the old days by being careful not to take more than we needed, and our people never caught the babies or the mother fish about to give birth. Nowadays, new people are coming in with selfish attitudes, trying to make money by over-gathering the resource. This is so pono`ole.

You can help protect our resources. Please support this bill.

Mahalo.

FRANK KAWAIKAPUOKALANI HEWETT
45-349 Namoku Street
Kane`ohe, Hawai`i 96744

February 23, 2008

Senator Rosalind Baker, Chair
And Members
Senate Committee on Ways & Means
State Capitol
Honolulu, Hawai`i 96813

Re: S.B. 3225, S.D. 1, Relating to Fishing

Dear Senator Baker and Committee Members:

Although I cannot be present to offer this testimony in person, I extend my heartfelt aloha to all of you and wish you well as you continue your work through the remainder of this Legislative Session.

I wish to offer my mana`o regarding Senate bill 3225, S.D. 1, and ask that you approve this bill and report it to the Floor for ratification by the full Senate.

It troubles me that our islands have become the treasure chest from which others have come to take away those resources which we value, others whose greed or lack of respect for the islands has led the depletion and loss of things which are native to Hawai`i.

It troubles me to see, on the internet, our rare and endangered species of fish up for sale to the highest bidder. These people who are overgathering, or collecting fish which were once plentiful and are now rare, they are pono`ole – their misconduct should not be allowed to continue.

Perhaps the penalties are not strong enough, even in this bill. We note that our kupuna kahiko, our ancestors in ancient times, had very a very strong but effective kapu system governing our resources. If the violation was severe enough, if the resources stolen, broken or harmed was grievous enough, the violator was put to death.

I am not suggesting that these penalties should be taken to that extent, but we should recognize that the reason for the harsh penalties in ancient times was because we had to protect our resources for all future generations, for our very survival as a people.

To allow reckless overgathering, or selling of rare species of native fish, or damage to our coral reefs, with penalties that some may consider a “slap on the wrist” is to doom our islands to the complete loss of many natural resources that can never be recovered again.

It symbolically threatens the existence of all of us who aloha `aina, who aloha these islands. Even those who were not born here, those of you who came here to live because you love these islands, even you would have to admit that these kinds of problems must be corrected immediately, through strict enforcement and swift punishment.

Our old kapu system still works. When it was evident that a certain fish or seafood was declining in number, a kapu was imposed. When the food was abundant once again, the kapu was lifted.

Perhaps these closures will help, but I urge you to make sure there is adequate funding for conservation officers to enforce these new restrictions and protect our islands from further losses.

Mahalo for allowing me to share my mana`o.

Malamapono,

FRANK KAWAIKAPUOKALANI HEWETT
Cultural Practitioner

testimony

From: dakota@hawaiian.net
Sent: Monday, February 25, 2008 11:46 AM
To: testimony
Subject: Testimony for SB 3225

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

My_Testimony_is: I support SB 3225 to regulate aquarium collection, with amendments as noted:

Testimony to date is 3 to 1 in support over opposition. Support reflects a wide and varying cross section of community groups, advisory groups, user groups, Hawaiian Civic Clubs, Maui County's mayor and community leaders. Those opposed are all aquarium collectors, exporters, re-sellers and suppliers.

1) Establish an interim FRA for South Maui from Kahekeli Park heading south to Ahihi Keanou. This would span an open area between two existing management areas, and it takes up far less than the 30% of Maui's shoreline prescribed. Olowalu south past Ukumehame is all finger coral and could be a prime recovery area if protected.

2) Establish an interim FRA for Oahu covering all of Kaneohe Bay. Three Hawaii Civic clubs are clamoring for this recovery for their species and habitat. They have suffered massive coral destruction there.

3) Establish a limited entry program for all islands as drafted by the West Hawaii Fisheries Council and DAR, with the following changes: a) There will be no exceptions to the limited entry program for those licensed and permitted collectors outside West Hawaii. b) Permits will be non-transferable. c) Permits will be non-renewable outside West Hawaii.

4) Establish an interim no-take list effective immediately to include all species known to die in transit or soon after. This interim no-take list shall be replaced by a permanent no-take list once adequate science occurs to develop that list.

5) Permits will be valid only on the island for which they are issued.

6) Fines for collecting marine species in violation of any of the terms of this bill will be: \$50/fish for the 1st offense, \$100/fish for the 2nd offense, \$200/fish for the 3rd offense, permit revoked on the 4th offense.

I support DAR's request for verification of catch reports, and further request that any and all appropriation(s) be deleted from this bill.

Name: Dakota Bettencourt

Name-of-my-island: Kauai

Phone: 808-652-7036

SendTestimony: Send Testimony

email: dakota@hawaiian.net

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testimony

From: annalia@hawaii.rr.com
Sent: Monday, February 25, 2008 11:30 AM
To: testimony
Subject: Testimony for SB 3225

Committee: Senate Ways & Means Committee
Committee-Chair: Senator Roz Baker
Hearing-Date: Monday, Feb 25, 2008, 10:30am
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Name: A.Rusel

Name-of-my-island: Kaua'i

Phone: 822-2686

SendTestimony: Send Testimony

email: annalia@hawaii.rr.com

Late

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testimony

From: famousgailparis@yahoo.com
Sent: Monday, February 25, 2008 11:31 AM
To: testimony
Subject: Testimony for SB 3225

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: gail a. paris

Name-of-my-island: kauai

Phone: 808-639-2819

SendTestimony: Send Testimony

email: famousgailparis@yahoo.com

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testimony

From: Shannondenny123@netscape.net
Sent: Monday, February 25, 2008 12:16 PM
To: testimony
Subject: Testimony for SB 3225

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: Shannon Denny

Name-of-my-island: Kauai

Phone: 808-212-4970

SendTestimony: Send Testimony

email: Shannondenny123@netscape.net

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testimony

From: maui_jewels@yahoo.com
Sent: Monday, February 25, 2008 12:16 PM
To: testimony
Subject: Testimony for SB 3225

Committee: Senate Ways & Means Committee
Committee-Chair: Senator Roz Baker
Hearing-Date: Monday, Feb 25, 2008, 10:30am
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Name: Helen anne Schonwalter
Name-of-my-island: Maui
Phone: (808)575-9935
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email: maui_jewels@yahoo.com

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KO'OLAUPOKO HAWAIIAN CIVIC CLUB

February 21, 2008

To: Sen. Rosalind Baker, Chair, and Members
Committee on Ways & Means
Hawai'i State Senate

From: Mahealani Cypher, President

Subject: Support for S.B. 3225, SD1, Relating to Fishing

LATE

Aloha mai kakou!

The Ko'olaupoko Hawaiian Civic Club supports Senate Bill 3225, S.D. 1, and urges your committee to make sure that this legislation truly improves the protection of our native plant and animal species in island waters. Our civic club works with nine ahupua'a around Kane'ohe Bay, from Mokapu to Kualoa.

It is our deep concern that, due to lack of knowledge or understanding, there has been over-gathering of some types of fish and collection of rare fish and corals that should have better safeguards.

We are particularly worried about what is happening in Kane'ohe Bay, where our members see, almost daily, people recklessly turning over corals, collecting certain types of fish out of season, leaving gillnets out overnight, advertising on the internet rare fish caught here in our own waters.

Our kupuna utilized the kapu system very effectively in managing our near-shore waters. When we saw that certain types of fish or limu were declining in number, our people imposed a kapu – restriction – against any gathering of that type of seafood. When the population of those things increased to a healthy number, the kapu was lifted.

We appreciate all the hard work of those who are trying to find a reasonable solution to this problem, and we urge passage of this measure.

Mahalo for this opportunity to offer our mana'o.

P. O. Box 664
Kaneohe, HI 96744
Ph. (808) 235-8111
koolaupokohcc.org

testimony

From: Lisa Diaz [lisadiaz@hawaii.rr.com]
Sent: Monday, February 25, 2008 6:37 AM
To: testimony
Subject: TESTIMONY IN SUPPORT OF SB 3225 SD1

LATE

February 23, 2008

TO: Senate Ways & Means Committee
Senator Roz Baker, Chair; Senator Shan S. Tsutsui, Vice-Chair

From: Lisa Diaz
76-223 Haoa St.; Kailua- Kona, HI 96740
808-329-7928

Re: **TESTIMONY IN SUPPORT OF SB 3225 SD1**

To be heard on: Monday February 25, 2008 10:30 AM

Sergeant-at-Arms: Please make 35 copies of this testimony for submission to the committee

Dear Senator Baker, Senator Tsutsui and members of the Senate Ways and Means Committee,

I would like to ask that SB 3225 SD1 be amended per the recommendations of Ms. Thielen and Department of Land and Natural Resources (DLNR). The plan that DLNR/DAR recommends has been modeled on the highly successful plan from West Hawaii and represents sound management of the aquarium industry. In West Hawaii, we have seen that our current aquarium fish management plan has been successful, per more than 5 years of data. We are seeing an increase in the populations of aquarium fish species, which benefits the environment, and the aquarium collectors, plus a decrease in user conflict. Please amend SB 3225 SD1 per the DLNR/DAR recommendations and pass this bill without delay.

Thank you very much,

Lisa Diaz
76-223 Haoa St.; Kailua- Kona, HI 96740
808-329-7928 lisadiaz@hawaii.rr.com

Senator Rosalyn H. Baker, Chair
Senator Shan S. Tsutsui, Vice Chair
Committee on Ways and Means
Monday, February 25, 2008

LATE

In opposition to SB 3225, relating to fishing

I work as a commercial aquarium fish collector on Oahu. I also have a Bachelors of Science degree in Marine Biology from the University of Hawaii, and am an active scientific diver for the university. I am proud to be an aquarium collector, and I believe that, if properly managed, the aquarium fishery is a very sustainable resource and a valuable asset to the state of Hawaii. My fellow collectors and I depend upon Hawaii's fish for a living, and have no desire to see them depleted; we would welcome meaningful legislation to protect our resources. However, it is important to understand that, when regulating commercial fisheries, the livelihoods of many people are at stake; such legislation needs to be well planned and created with the interests of all concerned parties in mind.

As originally written, SB 3225 was a flawed and harmful bill, designed to destroy our industry under the guise of management. I applaud the Water and Land committee's decision to amend the bill as recommended by the DLNR. However, I am concerned that Senate Draft 1 was hastily drafted, is too closely patterned after the West Hawaii management system, and may not represent the best method for Oahu.

One of our concerns is that the proposed Fisheries Replenishment Areas apply only to aquarium fish collection. On Oahu, we are not the only fishermen who catch reef fish; they are also targeted for food by surround netters, spearfishermen, and trappers. Food fishermen are able to take far more fish than us, and some of their methods (especially surround nets) incur a large amount of bycatch that includes many aquarium species. Our fear is that if other fishermen are still able to operate within the FRAs, they will be ineffective at protecting our fish.

Also, the proposal to create FRAs covering a minimum of 30 percent of the coastlines of Maui and Oahu does not reflect the reality of our fishery. Much of Oahu's coastline is inaccessible to divers due to bad weather; we are rarely if ever able to dive on the windward side of the island and parts of the North Shore. Creating FRAs in these areas would be meaningless. Likewise, if the FRAs were all clustered on the leeward side of the island, it would unfairly limit access to fishermen and make it impossible for us to survive.

I would also like to draw attention to certain special interest groups from Maui, who are attempting to discredit us by spreading false information through the media. These people allege that we collect up to 10 million fish per year, and that 60 percent of our fish die before being sold. Neither of these is true. It is physically impossible for us to collect that many fish annually – for that to be the case there would have to be close to a thousand collectors in the state! Also, the 60 percent mortality figure is misleading, and

reflects the problem that many fish collected for the aquarium trade originate from 3rd world countries where destructive fishing techniques such as cyanide fishing are used. In Hawaii, responsible collection practices ensure that our mortality rate is much lower; I lose less than one percent of my catch and most collectors report similar success rates.

The committee is certain to receive a large volume of testimony from the website "savehawaiianreefs.org". Please be aware that these e-mails are from uninformed people who, although well intentioned, have little or no knowledge of how our fishery operates, and the measures proposed in these e-mails have no scientific basis. This effort, led by the author of the original draft of SB3225, is yet another veiled attempt to destroy our industry; among the amendments proposed by these testimonies is a provision to make our collection permits non-renewable. This would effectively mean that, when our permits expire in a year's time, we would no longer be able to earn a living. Please keep the malicious intent of these testimonies in mind when reviewing this bill, and be sure to consult with DLNR before approving any amendments.

I urge the committee to defer this hastily written bill until the DLNR has had time to consult with all interested stakeholders on Oahu and Maui, and draft appropriate legislation that will work to protect the interests of all of us who earn a living from the ocean, fishermen included.

Thank you for the opportunity to testify,

A handwritten signature in black ink, appearing to read "Matthew Ross", written in a cursive style.

Matthew Ross
Commercial Aquarium Permit #17653

testimony

From: avbmailbox-misc@yahoo.com
Sent: Sunday, February 24, 2008 8:01 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee
Committee-Chair: Senator Roz Baker
Hearing-Date: Monday, Feb 25, 2008, 10:30am
My_Testimony_is: I support SB 3225 to regulate aquarium collection.

I snorkel Maui reefs. Why should people be allowed to put our fish into glass bowls for their private enjoyment? Let them stay on the reefs where they belong. They are needed there for the health of the coral and to provide enjoyment to residents and tourists alike.

Al Bayless
Kihei
Name: Al Bayless
Name-of-my-island: Maui
Phone: 808-875-8171
SendTestimony: Send Testimony
email: avbmailbox-misc@yahoo.com

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testimony

From: cemartin@hawaii.edu
Sent: Sunday, February 24, 2008 7:45 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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I support DAR's request for verification of catch reports, and further request that any and all appropriation(s) be deleted from this bill.

Name: Chelsea Martin

Name-of-my-island: Ohau

Phone: 3345469035

SendTestimony: Send Testimony

email: cemartin@hawaii.edu

This e-mail was generated from a form submission on your website:
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testimony

From: kstmarie99@hotmail.com
Sent: Monday, February 25, 2008 9:00 AM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

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Name: Katrina St. Marie

Name-of-my-island: Kauai

Phone: 808-742-0007

SendTestimony: Send Testimony

email: kstmarie99@hotmail.com

This e-mail was generated from a form submission on your website:
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testimony

From: sarahkauai@yahoo.com
Sent: Monday, February 25, 2008 9:00 AM
To: testimony
Subject: Testimony for SB 3225

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I support DAR's request for verification of catch reports, and further request that any and all appropriation(s) be deleted from this bill.

Name: Sarah Smith

Name-of-my-island: Kauai

Phone: 826-9819

SendTestimony: Send Testimony

email: sarahkauai@yahoo.com

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testimony

LATE

From: sonja_and_andy@yahoo.com
Sent: Sunday, February 24, 2008 7:30 PM
To: testimony
Subject: Testimony for SB 3225

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

My_Testimony_is: I support SB 3225 to regulate aquarium collection, with amendments as noted:

Testimony to date is 3 to 1 in support over opposition. Support reflects a wide and varying cross section of community groups, advisory groups, user groups, Hawaiian Civic Clubs, Maui County's mayor and community leaders. Those opposed are all aquarium collectors, exporters, re-sellers and suppliers.

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Name: Andy and Sonja Kass

Name-of-my-island: Kauai

Phone: 822 1794

SendTestimony: Send Testimony

email: sonja_and_andy@yahoo.com

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testimony

From: loriannsparks@yahoo.com
Sent: Sunday, February 24, 2008 7:30 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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I support DAR's request for verification of catch reports, and further request that any and all appropriation(s) be deleted from this bill.

Name: Lori Price

Name-of-my-island: Kaua'i

Phone: 808-346-8448

SendTestimony: Send Testimony

email: loriannsparks@yahoo.com

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testimony

From: annlouise@caradonna.com
Sent: Monday, February 25, 2008 4:45 AM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee
Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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I support DAR's request for verification of catch reports, and further request that any and all appropriation(s) be deleted from this bill.

Name: Ann Louise Tuke
Name-of-my-island: Kauai
Phone: 4074630251
SendTestimony: Send Testimony
email: annlouise@caradonna.com

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testimony

From: mailer@secureserver.net
Sent: Monday, February 25, 2008 6:45 AM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

My_Testimony_is: I support SB 3225 to regulate aquarium collection, with amendments as noted

I spent 37 years in the Marine Fish Industry. I retired in December 2006. I did not choose to retire but was forced to for the same reasons the Sugar Industry collapsed, which is the same road the Marine Fish export industry has gone.

It became impossible to compete on a professional level regarding taxes, workmans comp, medical insurance and record keeping along with provideing a liveing wage for employes.

Mainland fish companys would open up a shop here, bring in illigal workers and get around all the laws I had to comply with. This enabled them to pay a higher price, ship at cost to corprate on the mainland, who in turn would use the Yellow Tang as their loss header, which would promote sales of their Phillipine fish, drygoods, Ect. When it got to the point where I was landing a Yellow Tang in Honolulu for \$3.50 in cost and then selling it for \$3.75 I had to call it quits and walk away from my facility which had been profitable for over 30 years.

In the 80's and early 90's I spent time down here when a bill was passed instructing D.L.N.R. to set up guidelines for some regulation and control of the industry. It was not done so we have come to this day. However I urge you to pass a law that is workable. The way it is written you will only put the rest of the professional exporters out of business and the crooks will figuer a way around it.

Respectivly Submitted, Happie Chapman - Saltwater Fish Hawaii
Name: Happie Chapman
Name-of-my-island: Oahu
Phone: (808) 723-2932
SendTestimony: Send Testimony
email: dchapman 1671@ yahoo.com

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TESTIMONY IS OPPOSITION TO SB 3225

LATE

Senate Ways and Means committee
Sen. Rosalyn Baker, Chair
Sen. Shan Tsutsui, Vice Chair

Esteemed committee members, I am asking you to defeat SB 3225 in your committee. This bill is a thinly disguised attempt to cater to and protect a single special interest group, commercial dive tour operators. It is yet another attempt to set aside ocean use for one group while eliminating all other users. It is unfair and sets a bad precedent for future legislation.

Sincerely,
Brian Kimata

testimony

From: testimony@capitol.hawaii.gov
Sent: Monday, February 25, 2008 1:46 AM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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I support DAR's request for verification of catch reports, and further request that any and all appropriation(s) be deleted from this bill.

Name: leigh drachman

Name-of-my-island: kauai

Phone:

SendTestimony: Send Testimony

email:

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testimony

From: lauryn@poai.org
Sent: Monday, February 25, 2008 12:45 AM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: lauryn poaia'ka'ohu glaindo

Name-of-my-island: kaula'i

Phone: 639-6543

SendTestimony: Send Testimony

email: lauryn@poai.org

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testimony

From: nwe-mgmt@hawaii.rr.com
Sent: Monday, February 25, 2008 6:30 AM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: Noel W. Kennett

Name-of-my-island: Maui

Phone: 808 667-5054

SendTestimony: Send Testimony

email: nwe-mgmt@hawaii.rr.com

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testimony

From: carmelademarco@hotmail.com
Sent: Sunday, February 24, 2008 8:15 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: Carmela DeMarco

Name-of-my-island: Kauai

Phone: 808-652-5062

SendTestimony: Send Testimony

email: carmelademarco@hotmail.com

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testimony

From: judesfs@aol.com
Sent: Sunday, February 24, 2008 10:30 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

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Name: Judy Martin

Name-of-my-island: Kauai

Phone: 808-651-7383

SendTestimony: Send Testimony

email: judesfs@aol.com

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testimony

From: lisa@saveourseas.org
Sent: Sunday, February 24, 2008 10:16 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Please start the beginning of a sustainable way of life in all of our islands.

Name: Lisa Lucas

Name-of-my-island: Kauai

Phone: 808-645-0205

SendTestimony: Send Testimony

email: lisa@saveourseas.org

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testimony

From: deatrck_corp2000@yahoo.com
Sent: Sunday, February 24, 2008 9:46 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: Owen Deatrck

Name-of-my-island: Maui

Phone: 8083851401

SendTestimony: Send Testimony

email: deatrck_corp2000@yahoo.com

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testimony

From: Kenbonkers@yahoo.com
Sent: Sunday, February 24, 2008 9:30 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: Sue Matsuba

Name-of-my-island: Oahu

Phone: 808-737-5622

SendTestimony: Send Testimony

email: Kenbonkers@yahoo.com

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testimony

From: anitabanana@hawaiiantel.net
Sent: Sunday, February 24, 2008 9:30 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee
Committee-Chair: Senator Roz Baker
Hearing-Date: Monday, Feb 25, 2008, 10:30am
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6) Fines for collecting marine species in violation of any of the terms of this bill will be: \$50/fish for the 1st offense, \$100/fish for the 2nd offense, \$200/fish for the 3rd offense, permit revoked on the 4th offense.

I support DAR's request for verification of catch reports, and further request that any and all appropriation(s) be deleted from this bill.

Name: anita wintner
Name-of-my-island: maui
Phone: 808 874-8407
SendTestimony: Send Testimony
email: anitabanana@hawaiiantel.net

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testimony

From: Brismele@yahoo.com
Sent: Sunday, February 24, 2008 9:30 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: Brian Nakasone
Name-of-my-island: Big Island
Phone: 808-895-2449
SendTestimony: Send Testimony
email: Brismele@yahoo.com

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testimony

From: Kenbonkers@yahoo.com
Sent: Sunday, February 24, 2008 9:15 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: Ken Bonk

Name-of-my-island: Big Island

Phone: 808-896-5462

SendTestimony: Send Testimony

email: Kenbonkers@yahoo.com

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testimony

From: Bonkfamily@hotmail.com
Sent: Sunday, February 24, 2008 9:16 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: Dr William Bonk

Name-of-my-island: Big Island

Phone: 808-885-4035

SendTestimony: Send Testimony

email: Bonkfamily@hotmail.com

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testimony

From: LindaLumeria@yahoo.com
Sent: Sunday, February 24, 2008 9:15 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: Linda Molter

Name-of-my-island: Big Island

Phone: 808-895-1988

SendTestimony: Send Testimony

email: LindaLumeria@yahoo.com

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testimony

From: himled001@hawaii.rr.com
Sent: Sunday, February 24, 2008 6:15 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: David Himle

Name-of-my-island: M

Phone: 808-283-4324

SendTestimony: Send Testimony

email: himled001@hawaii.rr.com

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testimony

From: Bonkfamily@hotmail.com
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Subject: Testimony for SB 3225

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Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

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Name: Fumie Bonk

Name-of-my-island: Big Island

Phone: 808-885-4035

SendTestimony: Send Testimony

email: Bonkfamily@hotmail.com

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testimony

From: phylecia@hawaii.rr.com
Sent: Sunday, February 24, 2008 6:15 PM
To: testimony
Subject: Testimony for SB 3225

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Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: Phylecia Platte

Name-of-my-island: Maui

Phone: 808-214-2118

SendTestimony: Send Testimony

email: phylecia@hawaii.rr.com

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testimony

From: Kenbonkers@yahoo.com
Sent: Sunday, February 24, 2008 9:30 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

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Name: Mitsuru Matsuba

Name-of-my-island: Oahu

Phone: 808-737-5622

SendTestimony: Send Testimony

email: Kenbonkers@yahoo.com

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testimony

From: sacreearth@hawaii.rr.com
Sent: Sunday, February 24, 2008 6:15 PM
To: testimony
Subject: Testimony for SB 3225

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I support Kauai's being included in the protected areas, and that Reef Fish Replenishment Areas be established around Kaua'i as well.

Name: Eve Powers
Name-of-my-island: Kaua'i
Phone: 808 822 3112
SendTestimony: Send Testimony
email: sacreearth@hawaii.rr.com

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testimony

From: Rick Long [dhsc6411@hotmail.com]
Sent: Sunday, February 24, 2008 6:21 PM
To: testimony
Subject: SB 3225 SD1

LATE

To: The Hawai'i State Senate Ways and Means Committee
The Honorable Rosalyn Baker, Chair
From: Rick Long, Kihei (Maui), Hawai'i
Re: **SB 3225 SD1**

Dear Senator Baker,

I live on the island of Maui and volunteer with local social, civic, conservation and environmental groups.

As a volunteer, I must be knowledgeable of federal and state laws and regulations, and then integrate my knowledge with a respect for Hawaiian cultural practices.

I am a retired civil servant from Illinois, where I took great pride in using accurate information and data to carry out public policy.

I am very concerned about the **confusing language** in the so-called "Snorkel Bob" legislation to protection marine resources.

I volunteer with the Division of Aquatic Resources to count how many bites fish take in order to establish baseline data for the Herbivore Enhancement Area project underway at Kahekili (Old Airport) Beach in Ka'anapali. The concept of this project is to limit the take of herbivore (plant eating) fish on this specific reef, to slow and stop the destruction of the coral reef by invasive algae.

The Snorkel Bob legislation has good intentions, but the issue is much more complicated than the emotional issue of "how many Yellow Tangs" are left.

Please give serious consideration to the proposed legislation, but **do not confuse** data-driven recommendations from the Division of Land and Natural Resources, with the emotional appeal to declare a *Kapu* on all fish taking.

Thank you.

Rick Long
120 Manino Circle, #202
Kihei, HI 96753
email: dhsc6411@hotmail.com

testimony

From: general@horsies.net
Sent: Sunday, February 24, 2008 8:31 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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I support DAR's request for verification of catch reports, and further request that any and all appropriation(s) be deleted from this bill.

Name: Pam Pramuka

Name-of-my-island: Kaua'i

Phone: 302-264-1561

SendTestimony: Send Testimony

email: general@horsies.net

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testimony

From: denisejhy@hawaiiantel.net
Sent: Sunday, February 24, 2008 8:45 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee
Committee-Chair: Senator Roz Baker
Hearing-Date: Monday, Feb 25, 2008, 10:30am
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Name: Denise ham young
Name-of-my-island: Kauai
Phone: 8088269279
SendTestimony: Send Testimony
email: denisejhy@hawaiiantel.net

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LATE

THE SENATE
THE TWENTY-FOURTH LEGISLATURE
REGULAR SESSION OF 2008

COMMITTEE ON WAYS AND MEANS

Senator Rosalyn H. Baker, Chair
Senator Shan S. Tsutsui, Vice Chair

From: William Chang
Fisherman
Honolulu, Hawaii
808-448-2845 Office

NOTICE OF DECISION MAKING

DATE: Monday, February 25, 2008
TIME: 10:30 a.m.
PLACE: Conference Room 211
State Capitol
415 South Beretania Street

TESTIMONY (IN OPPOSITION) REGARDING SB3225

My name is William Chang and I am testifying in opposition to SB3225. SB3225 has been substantially changed from its earlier form and should not be considered as the same bill and further should not be passed out of committee. SB3225, as it is written now, is written to mirror the West Hawaii Regional Fisheries Management Plan P and was designed by and caters to and protects one commercial activity, the commercial dive tour industry and conspicuously leaves out and attempts to restrict other community ocean user groups – most specifically fishermen and aquarium fish collectors.

The establishment of day use mooring buoys although well intentioned and designed to minimize anchor damage to reefs, in practice has become a method in which reef areas are laid claim as “protected areas” then followed by fishing restrictions, in turn followed by and become the sole tour zones for ocean dive tours private reef tour activity.

I have never had a problem sharing the ocean with other user groups and I continue to believe that all ocean users can equitably coexist in our nearshore. However, reading through this bill seems as if a very narrowly focused commercial ocean user group is trying again to lay claim to our nearshore marine resource without regard to Hawaii’s Fishermen.

I believe SB3225, as it is written now, would mandate designating a minimum of 30% of coastal water on Oahu (and Maui) as these fishery management areas where aquarium fish collection would be prohibited. Further, within these areas food fish gathering or recreational take of fish would be prohibited. I opposed to this baseless 30% minimum claim.

I as a fisherman have repeatedly asked for science and that arbitrary regulations without sound rationale not be the basis for fishery management. I believe in sustainable fisheries. Management based on one commercial activity out maneuvering and prohibiting the other is, in my mind is unacceptable.

I also believe that "Native Hawaiian" subsistence fishing communities would also be eliminated from our ocean landscape if this bill were to pass.

I am steadfastly opposed to SB3225sd1 and respectfully ask this committee table this bill immediately.

Thank you for allowing me to testify.

Respectfully submitted,

William Chang

testimony

From: cstepath@yahoo.com
Sent: Sunday, February 24, 2008 6:31 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee
Committee-Chair: Senator Roz Baker
Hearing-Date: Monday, Feb 25, 2008, 10:30am
My_Testimony_is: Aloha,

I support SB 3225 to regulate aquarium collection, but hope it is expanded to include Kauai.

My name is Dr. Carl M. Stepath and I have lived in the Hawaiian Islands for over 30 years. I have been a business operator, an avid windsurfer, surfer, sailor and waterman who has done coral reef research around all the islands. My concern is that on Kauai, as well as the other islands, there has been a severe depletion of aquarium fishes, and especially yellow tangs on our reefs. It's apparent that Reef Fish Collectors are a serious problem to reef biodiversity and health.

This industry is unsustainable, severely depletes the fish populations and harms the health of our reefs in many ways. Bill SB3225 attempts to address the problems of this industry. Unfortunately for Kauai, in the current version of the Bill Kauai has been left out. It is a shame we are not taking care of these resources are leaving for our children.

I feel there is an aquarium fish trade on Kauai, and the reduced stocks of yellow tangs is proof, and if these stocks are replenished then collectors will return if the fish are not protected. Please include Kauai in Bill SB3225 -- Kauai also needs protection from Fish Replenishment Areas. It is important to impose bag limits on fish taken a day to support sustainable fish populations, healthy reefs, and protection of our future economy. It is important for the tourists to see fish when they snorkel. Please have bag limits into Bill SB3225 and set FRA's on Kauai.

Thank you for your time and attention to this matter.

Dr. Carl Stepath
Oceanography lecturer, Kauai Community College
Name: Dr. Carl M. Stepath
Name-of-my-island: Kauai
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testimony

From: swiryn@hotmail.com
Sent: Sunday, February 24, 2008 7:01 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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1) Establish an interim FRA for South Maui from Kahekeli Park heading south to Ahihi Keanou. This would span an open area between two existing management areas, and it takes up far less than the 30% of Maui's shoreline prescribed. Olowalu south past Ukumehame is all finger coral and could be a prime recovery area if protected.

2) Establish an interim FRA for Oahu covering all of Kaneohe Bay. Three Hawaii Civic clubs are clamoring for this recovery for their species and habitat. They have suffered massive coral destruction there.

3) Establish a limited entry program for all islands as drafted by the West Hawaii Fisheries Council and DAR, with the following changes: a) There will be no exceptions to the limited entry program for those licensed and permitted collectors outside West Hawaii. b) Permits will be non-transferable. c) Permits will be non-renewable outside West Hawaii.

4) Establish an interim no-take list effective immediately to include all species known to die in transit or soon after. This interim no-take list shall be replaced by a permanent no-take list once adequate science occurs to develop that list.

5) Permits will be valid only on the island for which they are issued.

6) Fines for collecting marine species in violation of any of the terms of this bill will be: \$50/fish for the 1st offense, \$100/fish for the 2nd offense, \$200/fish for the 3rd offense, permit revoked on the 4th offense.

I support DAR's request for verification of catch reports, and further request that any and all appropriation(s) be deleted from this bill.

Name: bob swiryn

Name-of-my-island: kauai

Phone: 808-822-4900

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testimony

From: greg@kauaifun.com
Sent: Sunday, February 24, 2008 7:01 PM
To: testimony
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Committee-Chair: Senator Roz Baker

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Name: Greg Davis

Name-of-my-island: Kauai

Phone:

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Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: Mary Rahilly

Name-of-my-island: Kauai

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Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: Kelly Ledford

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Committee-Chair: Senator Roz Baker

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Name: Marsha Bellinger

Name-of-my-island: Kaua'i

Phone: 808 742 1716

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email: marsha322@yahoo.com

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testimony

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LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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I support DAR's request for verification of catch reports, and further request that any and all appropriation(s) be deleted from this bill.

Name: Barbara Grosshouser

Name-of-my-island: The Big Island

Phone: 808-989-3653

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Name: Dan Grosshouser
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testimony

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Name: Brian Carter
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testimony

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LATE

Committee: Senate Ways & Means Committee
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Name: Brian Curl
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testimony

From: ccanha@hotmail.com
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Name: Charlene Burgess
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testimony

From: Ron Tubbs [rtmb@hawaiiantel.net]
Sent: Sunday, February 24, 2008 11:12 PM
To: testimony
Subject: OPPOSED TO SB 3225 2-25-08 ROOM 211 10:30 AM FROM Adam Snodgrass

STRONGLY OPPOSED TO SB 3225
Respectfully Submitted by Adam Snodgrass, Diver/Fisherman

LATE

AS A HAWAIIAN FOR HB 1848

To the Water Land Committee,

There is only one tropical fish diver on Maui and he has several other jobs so he only dives part time-these rich ecologist and dive shop owners have nothing better to do than lie about our industry and try to take the ocean for themselves.

They mostly dive the preserves bringing hundreds of people to these areas to take shells, corals and chase the fish away. They do not even go where we dive and do not see the huge populations of fish because they go to the same place over and over again till the fish are gone.

These idiots obviously know nothing about the tropical fish business. Why would you then listen to what they have to say about tropical fish collectors?

I think I will get a form letter and ask every employee of every aquarium shop in Hawaii and every person shopping at there stores to fill out testimony in opposition to SB 3225. Come on lets make a mountain out of one diver.

Only a few hundred thousand fish are taken in Hawaii. Ask DNLR. DNLR has the catch reports. Stop lying about the fish. There never has been 9 million fish taken!!!! What kind of drugs are these guys on. We do not use slurp guns only an idiot could say we do. Tangs will not eat the algae produced from rich houses causing runoff in Maui!! They only eat brown algae from rocks and corals not the thick stringy algae. What ecologist doesn't know this?? Maybe one who just reads books.

As long ago as 30 years ago my family dove on Maui and there has never been a big fish population there on the south shore.

I am strongly against this bill because I believe that this is the wrong way to take action against the supposed depletion of the fish. As a diver and fisherman for ten years I have seen an increase if the fish population on the Waianae coast and now on the Kailua Kona coast. Every year I see an abundance of species blooming. In 2006 Potters bloomed on the west coast of Oahu. They are still very abundant more than I have seen in ten years.

I also see tourism using more of the ocean resources, like with the Dolphin Excursions, and dive charters, etc... Waianae has (4) 100ft. ships that go out daily full of tourists between Waianae and Koalina! You don't hear any complaints from them about not seeing any fish, do

you? No, what you hear is complaints about how much rubbish is in the ocean, from all the runoff from the canals and developments. I believe a major driving force behind this bill is the tourist industry, which has hired ecologists to propose this bill. The need for this bill, is unfounded.

I do not understand what this bill is going to accomplish other than hurting everybody.

My livelihood depends the natural resources from the ocean, as did my father's. If this bill does go into affect it will hurt me and my childrens' children. I am strongly against this bill because my life is based on the ocean, and I know nothing else, being born and raised Hawaiian, and currently residing in Kailua, Kona but originally from the Waianae Coast, where jobs are scarce.

I am diversified by aquarium fish diving and commercial (eating) fishing, but this bill would hurt both of these occupations, leaving me with no choice but to collect assistance from the state, an option which I have worked hard to avoid.

In the Big Island, 80% of the island was not left for open usage, with only 20% of one area left in preserve. Instead, they tricked the people, and took 20% of the coastline on each side of each harbor, leaving fisherman to have to travel generally 20 miles on the water before they can fish. What was once a day trip, now has to generally be an overnight trip, motoring or diving to an available area. This is such a hardship.

I have a god given right to fish my fathers oceans and please do not let some pot smoking rich mainlanders take my fishing away from me.

If this bill goes through, I can't see myself being able to survive – what with paying for the gas, expenses, and being away from my family for so long. Please shelf SB 3225.

THE SENATE
THE TWENTY-FOURTH LEGISLATURE
REGULAR SESSION OF 2008

COMMITTEE ON WAYS AND MEANS

Senator Rosalyn H. Baker, Chair
Senator Shan S. Tsutsui, Vice Chair

LATE

From: Brea Tam
Kailua, Hi

NOTICE OF DECISION MAKING

DATE: Monday, February 25, 2008
TIME: 10:30 a.m.
PLACE: Conference Room 211
State Capitol
415 South Beretania Street

TESTIMONY IS OPPOSITION of SB3225

My name is Brea Tam and strongly oppose to SB3225 for the following reasons.

- I 'am an avid diver and see fish all the time, those who claim they do not to see fish and diversity must be in a swimming pool or tide pool.
- Opinion should not be the basis to create law, establishing law should be based on data and information gathered from a number of sources.
- Chapter 91 should be the process by which to develop this particular management proposal.
- Minority should not speak for the majority, many of my friends oppose this bill.
- Laws should not be made behind the scenes or in back room deals. This bill no longer represents what it started out to be.
- Law makers are out of their league in this bill as none are biologist or fisheries experts. So they should not be creating such a law.
- As a voter I will not vote for anyone politician that supports SB 3225.

Sincerely,

Brea Tam
Fishermen, Voter, Life long Hawaii resident

LATE

Aloha,

When attempting to manage natural resources—like Hawaiian coral reefs—that exhibit a high degree of environmental complexity and equally are influenced by multiple human activities, difficulty can rapidly arise. Often, incapacity to discern environmental variability from the effects of human activities like fishing can lead to disagreement and controversy over fishery regulation. The latest product of such controversy is Hawai‘i Senate Bill No. 3225, which imposes bag limits on certain species of ornamental fish and completely prohibits the collection of others. Although current regulations specific to the collection of aquarium fish are negligible and restrictions may be warranted to limit the individual size, number, season, or particular species collected, the mandates outlined by this hastily-proposed legislation are clearly intended to destabilize the Hawaiian aquarium fishery and the livelihoods of associated stakeholders rather than to produce helpful resource management solutions. The passing of this bill in its current form would haphazardly abandon decades of legislative progress in Hawai‘i and, without considering the latest scientific evidence, carelessly undermine the most economically significant inshore fishery in the state [valued at \$3.2 million in FY2002 (DAR 2002)].

The following points must be considered when evaluating the efficacy of S.B. 3225, as it is currently structured:

1.) Restricting the commercial collection of marine ornamental fishes to such numbers would effectively bring the fishery to a standstill, undermining over a decade of labor-intensive, sustainable resource legislation and related progress [i.e. the passing of House Bill 3457 (Act 306), subsequent enforcement provisions, and the establishment of the West Hawai‘i Regional Fisheries Management Area with its network of Fish Replenishment Areas (FRAs)].

2.) By distinguishing aquarium fishing as the sole cause of adverse fluctuations in coral reef fish populations, S.B. 3225 discounts the inherent complexity of coral reef environments that must be understood in order effectively manage associated resources. Areas of ecological uncertainty associated with coral reef environments include overall productivity, life cycles of targeted species, spawning seasonality, larval dispersal, patterns of recruitment, species interactions, species abundance, and historic conditions. These environmental and ecological influences are capable of generating effects similar to those produced by fishing. Furthermore, nearshore human activities other than aquarium collection—such as destructive gear and by-catch from other nearshore fisheries, alien species, coastal development, tourism, and pollution—can ultimately impact the abundance of species more adversely than the temporary effects of aquarium fishing. For those making decisions on resource allocation or investments that influence marine aquarium fisheries, it is critical to consider all nearshore human activities capable of causing adverse fluctuations in the abundance of species captured for the aquarium trade.

*3.) S.B. 3225 restrictions on the collection of specific ornamental species lack scientific substantiation and undercut DAR initiatives to manage coastal resources based on the best scientific information available. For specific ornamental fishes mentioned in S.B. 3225, section (a), such as yellow tang (*Zebrasoma flavescens*), flame angelfish (*Centropyge loriculus*), and “butterfly” (which we assume refers to butterflyfishes, or the family *Chaetodontidae*) existing and newly-gathered data must be more rigorously analyzed by DAR in order to discern whether bag limitations on those particular species should be recommended.*

4.) No criteria are provided for fishes identified as “no-take” species, and current efforts by the West Hawai‘i Fishery Council Species of Special Concern Subcommittee to identify these criteria are not acknowledged. The West Hawai‘i Fisheries Council Species of Special Concern Subcommittee (SSCS), chartered in late 2006, is presently engaged in outlining concerns for West Hawai‘i reef species impacted by aquarium fishing and other marine activities, and is now considering whether to recommend restrictions on the extractive use of certain ‘species of special concern’ in West Hawai‘i. Species may be identified based upon criteria such as rarity, specialized habitat, poor aquarium survivorship, declining trends in abundance, ecosystem importance and ecological services, and value to tourism and recreation. S.B. 3225 prevents further progress by the SSCS to solicit the involvement of resource users and other

industry participants to develop official criteria and subsequent management recommendations based on those criteria. No specific reasons are offered for “no-take” species identified in the bill, such as pufferfishes (*Tetraodontidae*, *Canthigasterinae*), boxfishes (*Ostraciidae*), eels (*Muraeninae*), and coral-eating species (such as butterflyfishes and parrotfishes). For explicit species mentioned, such as Potter’s angelfish (*Centropyge potteri*) and the Hawaiian cleaner wrasse (*Labroides phthirophagus*), further research may be warranted before policies prohibit their capture. Case in point, new information being prepared in a University of Hawai‘i at Hilo thesis study for Potter’s angelfish, a 2007 rebound in mean abundance of this species in West Hawai‘i to numbers greater than those seen in 1999, and seven years of data showing a *greater* abundance of *C. potteri* in areas *open* to aquarium fishing on the Big Island illustrate the need for further investigation.

5.) This bill presumes that bag limits are the most effective means of managing ornamental reef fishes, and does not take into consideration other fishery management tools—such as limited entry or an extension of the current system of fish replenishment areas—which may be more effective in addressing overall fishery concerns. Almost a decade of scientific evidence collected by the DLNR now suggests that the network of FRAs mandated by Act 306 has been effective in promoting the recovery of heavily-exploited fish stocks in Hawai‘i. In 2004, DAR reported that, from baseline assessments, the established FRAs had proven effective in yielding increased abundance for several targeted fishes. Some species have even experienced increases outside the FRAs, indicating possible ‘spill-over’ effects. The creation of a limited-entry fishery is currently under investigation by the West Hawai‘i Fisheries Council. Overall management of aquarium species throughout the Main Hawaiian Islands should be based on what has been previously proven effective. West Hawai‘i’s existing system of FRAs, in conjunction with a limited-entry system and species-specific regulations (when necessary) may well surpass bag limits as an effective systematic solution.

6.) S.B. 3225 does not anticipate the probable limitations in enforcement capacity by DOCARE. Bag limits on reef fishes collected commercially for the marine aquarium industry would only be effective if they could be very strictly enforced. The Hawai‘i Division of Conservation and Resources Enforcement (DOCARE)—whose agents are currently taxed with enforcing various other state laws and rules involving historic sites, forest reserves, aquatic life and wildlife areas, coastal zones, conservation districts, and county parks—would be required to take on this additional responsibility for which they may lack the necessary manpower and resources to implement.

We must consider that, if we continue to ensure the sustainable use of our coastal resources through appropriate management action, the marine aquarium fishery in the Hawaiian Islands will serve as a model to the greater Pacific region where collection of ornamental species is practiced. Since Hawaiian aquarium fishes are captured using small-mesh fence and hand nets rather than harmful explosives or chemicals, a high survival rate is generally ensured for the collected animals when compared with tropical fisheries that employ destructive methods such as cyanide fishing. If years of progress were dismissed and a complete shut down of the fishery were to occur, a great shift in demand would follow, supporting Indo-Pacific nations whose policies continue to allow the employment of unsustainable fishing practices. This would only accelerate the destruction of coral reefs worldwide.

I would urge all resource users, industry participants, scientists, conservationists, and concerned citizens to voice their opposition to this bill, as it would be an irresponsible and ineffective policy.

Mahalo,

Brandon C. Chapin



Tropical Conservation Biology and Environmental Science Graduate Student
University of Hawai‘i at Hilo

testimony

From: Ron Tubbs [rtmb@hawaiiantel.net]
Sent: Sunday, February 24, 2008 11:28 PM
To: testimony
Subject: OPPOSED TO SB 3225 2-25-08 ROOM 211 10:30 AM FROM MaryBeth Tubbs

LATE

FROM MARY TUBBS

To the Honorable Committee Members:

In staunch opposition to bill 3225 SD1, I state my viewpoint as an elementary teacher born and raised in Hawaii, and as the wife of a tropical fish distributor:

1. Why you would approve a bill to restrict fishing areas and put more fishing pressure on unprotected areas. Especially when 95% of Maui is untouched by tropical fish collectors and 50% of Oahu is not collected from either. The best way to sustain the Tropical Fish Industry is to rotate fishing spots and allow minimal fishing to one area!! There is only one part time tropical fish guy on Maui.
3. Why are eating fish fishermen being left out of this legislation? Because they would all be up in arms and 30% of Hawaii's population likes to fish. So only a few are targeted and any conservation is only partly address as the majority of all fishermen are left out of the equation.
- 4.
5. This bill asks for a costly, redundant action. The person proposing this bill appears uninformed and does not appear to have visited the DLNR website where several fish count studies have already been conducted. Why waste taxpayer's money with another study?
6. This hastily drafted bill started out with misinformation and lies on the behalf of snorkel groups. Why is it assumed the puffers are somehow endangered? If what is caught is any indication of fish counts in the ocean, then let it be known that in (7) years of my observation, spotted and saddleback puffers are a very abundant fish. They are always in abundant supply, and sell for very little money as they secrete a poison. The bill was downright stupid in draft. Now to save some face another hastily drafted bill emerges.
7. And speaking of money, let's realize the proponent of this bill is not an ecologist. He is a businessman in the tourist industry trying to ensure the future of his snorkel business, in an industry which was just fined \$650,000 for tearing up the coral at Molokini. Of course there is a reduction in fish when one's industry recklessly tears up the coral and disturbs the reef! Is he trying now to point the finger at "ornamental" fish divers to divert attention away from his own industry's negligence?

testimony

From: Leonetta Moniz [sunshine2004@hawaii.rr.com]
Sent: Sunday, February 24, 2008 11:57 PM
To: testimony
Subject: testimony for SB3225 SD1; relating to fishing

LATE

TESTIMONY:
Bill: SB3225 SD-1
Date: Monday; February 25, 2008
Time: 10:30am
Place: Conference Room #211
Committee: WAM: Way and Means

To Senator Rosalyn H. Baker: Chair of WAM
Senator Shan S. Tsutsui: Vice Chair of WAM & Other committee members
Subject: OPPOSING SB 3225 SD-1, FRA & Ornamental Fish

Dear Senators:

My name is Leonetta Moniz and I am a senior citizen of Hilo, Hawaii. I was born here and have lived here in Hilo all my life. I grew up fishing along the shoreline with my parents and grandparents and continue to fish, now with my own children and grandchildren and other family members and friends. Now that I am retired, fishing is a major part of my life. I ask you please DO NOT STOP the people of Hawaii from having fun at the beach and fishing together. It keeps family close and children learning a wholesome activity. I have watched youngsters begging their parents to stay at the beach and fish just a little while longer..... I have seen teens in groups coming to the beach to fish on days when school is out..... just good, clean fun. I smile when I see them so excited and remember my childhood. Please don't take this away from our children.

PLEASE DO NOT PASS SB3225 SD-1 out of committee.

Thank you,
Leonetta Moniz
Hilo Fisherwoman
Hawaii

testimony

From: welc1713@hotmail.com
Sent: Sunday, February 24, 2008 9:01 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

My_Testimony_is: I support SB 3225 to regulate aquarium collection, with amendments as noted:

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2) Establish an interim FRA for Oahu covering all of Kaneohe Bay. Three Hawaii Civic clubs are clamoring for this recovery for their species and habitat. They have suffered massive coral destruction there.

3) Establish a limited entry program for all islands as drafted by the West Hawaii Fisheries Council and DAR, with the following changes: a) There will be no exceptions to the limited entry program for those licensed and permitted collectors outside West Hawaii. b) Permits will be non-transferable. c) Permits will be non-renewable outside West Hawaii.

4) Establish an interim no-take list effective immediately to include all species known to die in transit or soon after. This interim no-take list shall be replaced by a permanent no-take list once adequate science occurs to develop that list.

5) Permits will be valid only on the island for which they are issued.

6) Fines for collecting marine species in violation of any of the terms of this bill will be: \$50/fish for the 1st offense, \$100/fish for the 2nd offense, \$200/fish for the 3rd offense, permit revoked on the 4th offense.

I support DAR's request for verification of catch reports, and further request that any and all appropriation(s) be deleted from this bill.

Name: jared welch

Name-of-my-island: maui

Phone: 8082057072

SendTestimony: Send Testimony

email: welc1713@hotmail.com

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testimony

From: katekanoewelch@yahoo.com
Sent: Sunday, February 24, 2008 9:01 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: kate welch

Name-of-my-island: maui

Phone: 8082057072

SendTestimony: Send Testimony

email: katekanoewelch@yahoo.com

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testimony

From: bobstropicals@yahoo.com
Sent: Monday, February 25, 2008 8:30 AM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: Esti Grinpas

Name-of-my-island: Kauai

Phone: 808 822 5599

SendTestimony: Send Testimony

email: bobstropicals@yahoo.com

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testimony

From: ajwatson61@hotmail.com
Sent: Sunday, February 24, 2008 11:30 AM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: Amy Watson

Name-of-my-island: Maui

Phone:

SendTestimony: Send Testimony

email: ajwatson61@hotmail.com

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testimony

From: sheerjoy4ever@aol.com
Sent: Sunday, February 24, 2008 9:01 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

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Name: sheri joy

Name-of-my-island: hawaii

Phone: 808 965 6320

SendTestimony: Send Testimony

email: sheerjoy4ever@aol.com

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testimony

From: ksd@globalfamilyeducation.com
Sent: Sunday, February 24, 2008 8:01 PM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: Kay Snow-Davis

Name-of-my-island: Kau'ai

Phone: 808.822.4332

SendTestimony: Send Testimony

email: ksd@globalfamilyeducation.com

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testimony

From: skippy hau [fishkbay5@yahoo.com]
Sent: Monday, February 25, 2008 8:12 AM
To: testimony
Subject: SB3225 SD1 Testimony

LATE

The Hawaii State Senate Ways and Means Committee

Senator Rosalyn Baker, Chair and Members of the Ways and Means Committee

From: Skippy Hau

RE: SB 3225 SD1

I am writing as a resident and an aquatic biologist. I support the eventual establishment of FRA's to improve fisheries and the sustainability of the coral reef ecosystem.

I strongly recommend that the percentage of areas be clearly identified. For example, in calculating protected areas will military bases or harbor areas that have restrictions on public access and fishing & gathering must be taken into account.

Each time a proposal to close areas is introduced, we receive complaints from the public that areas such as Kaho'olawe (whose jurisdiction is managed by KIRC) or the commercial harbor side of Kahului Harbor has not been taken into account. These areas are restricted for (TSA) security zones or certain types of fishing such trolling are allowed on open weekends (around Kaho'olawe).

Thank you for the opportunity to testify.

Aloha,
Skippy Hau
40 Kapi Lane#104
Wailuku, HI 96793
Telephone#(808) 244-3894

Be a better friend, newshound, and know-it-all with Yahoo! Mobile. Try it now. [http://mobile.yahoo.com/;](http://mobile.yahoo.com/)
_ylt=Ahu06i62sR8HDtDypao8Wcj9tAcJ

testimony

From: shannonmbrunner@yahoo.com
Sent: Monday, February 25, 2008 9:45 AM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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I support DAR's request for verification of catch reports, and further request that any and all appropriation(s) be deleted from this bill.

Name: Shannon Brunner

Name-of-my-island: Kauai

Phone: 808-346-5730

SendTestimony: Send Testimony

email: shannonmbrunner@yahoo.com

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testimony

From: bethel@iwado.com
Sent: Monday, February 25, 2008 10:00 AM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

My_Testimony_is: I support SB 3225 to regulate aquarium collection, with amendments as noted:

Testimony to date is 3 to 1 in support over opposition. Support reflects a wide and varying cross section of community groups, advisory groups, user groups, Hawaiian Civic Clubs, Maui County's mayor and community leaders. Those opposed are all aquarium collectors, exporters, re-sellers and suppliers.

1) Establish an interim FRA for South Maui from Kahekeli Park heading south to Ahihi Keanou. This would span an open area between two existing management areas, and it takes up far less than the 30% of Maui's shoreline prescribed. Olowalu south past Ukumehame is all finger coral and could be a prime recovery area if protected.

2) Establish an interim FRA for Oahu covering all of Kaneohe Bay. Three Hawaii Civic clubs are clamoring for this recovery for their species and habitat. They have suffered massive coral destruction there.

3) Establish a limited entry program for all islands as drafted by the West Hawaii Fisheries Council and DAR, with the following changes: a) There will be no exceptions to the limited entry program for those licensed and permitted collectors outside West Hawaii. b) Permits will be non-transferable. c) Permits will be non-renewable outside West Hawaii.

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Name: Bethel Cabiles

Name-of-my-island: Maui

Phone: 808/244-3163

SendTestimony: Send Testimony

email: bethel@iwado.com

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testimony

From: markmag@hawaiian.net
Sent: Monday, February 25, 2008 10:00 AM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: Mark Magennis

Name-of-my-island: Kauai

Phone: 808-86-9545

SendTestimony: Send Testimony

email: markmag@hawaiian.net

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testimony

From: calihowlys@hotmail.com
Sent: Monday, February 25, 2008 9:31 AM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: sharina Busse

Name-of-my-island: Maui

Phone: 808 264 0717

SendTestimony: Send Testimony

email: calihowlys@hotmail.com

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testimony

From: wild@aloha.net
Sent: Monday, February 25, 2008 9:31 AM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: Hannah Bernard

Name-of-my-island: Maui

Phone:

SendTestimony: Send Testimony

email: wild@aloha.net

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testimony

From: marywerthwine@gmail.com
Sent: Monday, February 25, 2008 9:31 AM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: Mary Lynn Werthwine

Name-of-my-island: Kaua'i

Phone: 808 212 9791

SendTestimony: Send Testimony

email: marywerthwine@gmail.com

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From: lanetabrigo@yahoo.com
Sent: Monday, February 25, 2008 9:16 AM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: Lanet Abrigo

Name-of-my-island: Maui

Phone: (808) 757-1430

SendTestimony: Send Testimony

email: lanetabrigo@yahoo.com

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testimony

From: testimony@capitol.hawaii.gov
Sent: Monday, February 25, 2008 9:15 AM
To: testimony
Subject: Testimony for SB 3225

LATE

Committee: Senate Ways & Means Committee

Committee-Chair: Senator Roz Baker

Hearing-Date: Monday, Feb 25, 2008, 10:30am

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Name: Lanet Abrigo

Name-of-my-island: Maui

Phone:

SendTestimony: Send Testimony

email:

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testimony

From: Damien Kenison [namamo@yahoo.com]
Sent: Monday, February 25, 2008 9:43 AM
To: testimony
Subject: SB 3225 support

LATE

To: The Hawaii State Senate Ways and Means Committee
The Honorable Rosalyn Baker, Chair
From: Damien Kenison Sr., Vice President, KUPA
RE: SB 3225 SD1

Aloha,

I am writing this letter in support of SB 3225 SD1. In 1998 the community of Hookena, South Kona on Hawaii island formed a not for profit organization- KUPA - in response to the conflicts between residents here and the aquarium collectors. Through meetings and participation with the West Hawaii Fisheries Council Act 306 was passed. Fish Replenishment Areas (FRA) prohibiting aquarium fish collecting were established along the coast.

The collectors vigorously opposed the process but a majority of stakeholders succeeded in getting the FRA's established. After a five year study it was found that the collectors were harvesting more or the same amount of fish outside of the FRA's as before. This is a good example of communities working with DLNR to establish rules for the benefit of the public. The increase in fish and the lucrative business of collecting has resulted in a greater number of fishermen trying to access the areas along the Kona Coast. This competition has resulted in pressure to push the boundaries of the FRA's and also to a small degree, violate the rules by collecting at night when they will not be observed.

The DLNR has established a good working relationship with our communities and will continue to do so in the future. As Vice President of KUPA, Kama'aina United to Protect the 'Aina, I would like to support SB 3225 SD1 on behalf of our community

Damien Kenison Sr.
Vice President KUPA
PO Box 38, Honaunau, HI, 96726

Support for SB 3225 SD1
Damien Kenison Sr. VP KUPA
Hookena Beach South Kona, Hawaii Island

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