



# KO'OLAUPOKO HAWAIIAN CIVIC CLUB

March 13, 2009

To: Rep. Ken Ito, Chair  
And Members  
House Committee on Water, Land & Ocean Resources

From: Mahealani Cypher, President  
Ko'olaupoko Hawaiian Civic Club

Subject:

**H.R. No. 75, H.C.R. No. 96, Requesting the Department of Land & Natural Resources, Division of Conservation and Resources Enforcement, to Provide Limited Enforcement Services at Night on a Regular Basis and to Continue Providing Enforcement Services on Weekends and Holidays at Kaneohe Bay**

Aloha mai kakou from the Ko'olaupoko Hawaiian Civic Club, working with nine ahupua'a around Kane'ohe Bay, moku Ko'olaupoko, O'ahu.

Our civic club strongly supports both the Resolution and Concurrent Resolution, and urges your committee and the Legislature to adopt both resolutions.

We are deeply concerned about the health and safety, not just of the bay itself, but also of the people who come to Kane'ohe Bay for recreational purposes.

We were recently informed by DLNR staff that their enforcement officers will continue to provide monitoring and enforcement on weekends, but that the program has run out of funds and therefore cannot provide enforcement on holidays.

Our civic club finds it disturbing that the department has not allocated sufficient funding for this important public safety program. A year ago, when this legislature was deliberating over its budget, we urged you to make sure there are adequate funds in the state budget to provide conservation enforcement for the entire fiscal year.

We are concerned that Good Friday and Easter holidays are coming up, as well as Memorial Day and Kamehameha Day, all within the current fiscal year. Are we to understand that there will be no conservation enforcement during those days? What would happen if there are large gatherings, such as occurred three years ago, that result in wild and reckless behavior, fights, and hazardous situations? What happens if people are injured or killed as a result of these unsupervised activities? What happens if unsupervised inebriated boaters collide with coral reefs and other boaters? These holidays are when people tend to be much more likely to get carried away in their enjoyment of the day, and when conservation enforcement might be most necessary.

As for the “after-hours” emergency hotline which the administration has offered as a solution to this problem, we see it as more of an answering service, since enforcement officers are not immediately dispatched; instead, the unit is not informed of the emergency call until they are back at work on a regular work day. If you call that hotline, you will reach a recorded message, asking you to “leave a message”. This does not appear to respond effectively to emergencies that may arise in Kane`ohe Bay or anywhere else that would normally be monitored by conservation enforcement officers.

We hope that the state administration will redirect funds that may not be utilized by other agencies so that our ocean resources can be properly safeguarded on the remaining holidays of this year.

Mahalo for this opportunity to share our mana`o.

# KO`OLAU FOUNDATION

February 4, 2009

To: Rep. Mele Carroll, Chair  
And Members  
House Committee on Hawaiian Affairs

From: Leialoha "Rocky" Kaluhiwa

Subject: **Support for H.R. 75, H.C.R. 96, Requesting the Department of Land & Natural Resources Enforcement Branch to Provide Limited Enforcement Services at Night on a Regular Basis and to Continue Providing Enforcement Services on Weekends and Holidays at Kaneohe Bay**

Aloha kakahiaka kakou!

My name is Leialoha "Rocky" Kaluhiwa, and I am a life-long resident and kupa`aina of the ahupua`a of He`eia, moku Ko`olaupoko, O`ahu. I wish to offer this testimony on behalf of myself, my family, and the Ko`olau Foundation.

We strongly support passage of these resolutions.

I have lived on Kane`ohe Bay all of my life and have seen the changes on sandbar, as it is called, but which I was brought up to know as Ahu o Laka. I have witnessed the craziness of overcrowded boats and recreational users, of wild drinking parties and reckless operation of boats after a long day of sun and intoxication. I also witnessed a few boat accidents, including one that crashed into the reef and another that split the bow of his boat crashing into a tree alongside Kamehameha Highway, almost into the highway itself. I brought it to the attention of the DLNR after the fact, and nothing was really done about it, as far as I know.

My family was also at the sandbar on several holidays when there are actual riots and people fighting there. During one out-of-control fight there, my sons had to support the DOCARE officers because the crowd was too big.

Holidays is when Kane`ohe Bay is most enticing to these kinds of crowds. I`m afraid that it might get worse without the presence of enforcement there.

I also saw a speedboat speeding in from the sandbar one evening, almost hitting the pier near the gas pumps. It turned just in time to miss it, but crashed into the reef. Then, two occupants from the boat ended up fist-fighting on the reef. If the DLNR cannot protect our resources, then who will? This needs serious attention.

Page 2

Ko'olau Foundation Testimony

I feel it is a kakou thing for the DLNR, DOCARE officers, their union, and our community to make it a safer place for all of us.

Mahalo for this opportunity to testify.

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# LATE TESTIMONY

Rep. Ken Ito, Chair  
Rep. Sharon E. Har, Vice Chair  
Committee on Water, Land, & Ocean Resources  
Friday, March 13, 2009

In support of HCR 96 and HR 75

I am in strong support of both of these resolutions. As a commercial aquarium fisherman, the maintenance of healthy reefs and fish populations is essential to my livelihood, and I have always striven to fish in a responsible and sustainable manner. However, it is frustrating to see that enforcement of our marine laws is often insufficient. When one selfish person acts illegally, the responsible fishermen get blamed and it reflects badly on us.

It is especially disturbing that DOCARE may no longer be able to provide enforcement on nights, weekends, and holidays. Weekends and holidays are among the busiest times of the year, and are probably when enforcement is needed most. The lack of enforcement at specific times and days means that, if somebody intentionally wants to fish illegally, they will know when DOCARE is not on duty and can take advantage of it. In order for any sort of enforcement to be effective, it must be provided on some level 24 hours, 7 days a week.

Thank you for the opportunity to testify,



Matthew Ross

# LATE TESTIMONY

March 12, 2009

Chairman Ito and Committee Members,

Please pass HCR 96. I believe having an increased DOCARE presence in Kaneohe Bay will be beneficial to both aquarium fish collectors and Kaneohe Bay residents. While commercial aquarium collectors do utilize Kaneohe Bay, many of the commercial aquarium fishers feel we are often blamed for many violations such as coral destruction and trespassing on Coconut Island, unjustly. Perhaps if DOCARE were there to immediately address these violations, the commercial collectors would be cleared of many of these accusations. If any commercial aquarium collectors are caught in illegal activities, they could then be prosecuted and their license revoked. As a commercial aquarium fisherman, I don't want these violators ruining my livelihood.

Thank you,

Dennis T Yamaguchi