

**TESTIMONY**

**SB 378**

Jan 28, 2009

Sean Stodelle  
PO Box 37  
Kahului, HI 96733  
808-877-7502  
[sean@stodelle.com](mailto:sean@stodelle.com)

To Whom It May Concern:

I am concerned about the reading of the bill:

"§188- Uhu; goatfish; bag limit. (a) It shall be unlawful for any person to take, possess, or sell more than two kumu, two moano ukali, or two munu per day on Maui; provided that a commercial marine dealer may possess and sell more than two kumu, two moano ukali, and two munu, with receipts issued for the purchase pursuant to section 189-11.

(b) It shall be unlawful for any person to take, possess, or sell any kumu, moano ukali, or munu less than ten inches in length on Maui.

(c) It shall be unlawful for any person to take, possess, or sell more than two uhu per day on Maui; provided that a commercial marine dealer may possess and sell more than two uhu with receipts issued for the purchase pursuant to section 189-11.

(d) It shall be unlawful for any person to take, possess, or sell any uhu less than twelve inches in length on Maui.

(e) The department may issue permits to engage in activities otherwise prohibited by law, in accordance with section 187A-6, or as may be otherwise authorized by law.


*"Gear and Time restrictions would be easy to enforce, much like closed seasons/areas in place now. If you see a person with this gear, and these fish, then a violation has occurred. Obviously some people do/can scuba and gather, however, the commercial entities that do so are truly pillaging the areas. I witnessed a scuba operation out of Maliko gulch return with well over 150 fish among 3 divers and there may have been even more fish in their coolers already as these were merely laying out on the deck and not being properly dressed or iced down."*

The Commercial taking of Uhu via the use of Breathing apparatus such as Tanks or Hookah, as well as the use of nets should be prohibited given this species ability to 'sleep' in a comatose state and thus be able to be harvested so easily.

Our problems now are the commercial taking and selling. Walk into any fish market on Maui and you will see HUGE coolers of Uhu and every one of them have the same shot placement. The way this bill reads right now, I merely need to go and pay \$50 for my commercial license and then I can take more fish as long as I draw up some form of receipt.

This is unacceptable, especially given the known  
'underreporting' going on among commercial fishers.

So, while I do FULLY support a Bag Limit for all the  
species, I feel we need to look at controlling the take  
methods as well and include no night gathering as well as  
no scuba gathering for the protected fishes in the future.



Sean Stodelle

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, January 29, 2009 5:47 PM  
**To:** WTLTestimony  
**Cc:** sunshineorchids@gmail.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: Yes  
Submitted by: Darrell Tanaka  
Organization: Individual  
Address: Haiku, Hi  
Phone:  
E-mail: [sunshineorchids@gmail.com](mailto:sunshineorchids@gmail.com)  
Submitted on: 1/29/2009

**Comments:**

Maui's Uhu and Goatfish populations are being decimated, if nothing is done within the next 2 to 3 years, recovery of these species on Maui may not be possible. Our reefs are small with very little structure, the currents on parts of the island don't allow for good recruitment of juvenile fish. Taking fish off the reefs in unlimited numbers is not sustainable. It is not Pono.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, January 29, 2009 6:05 PM  
**To:** WTLTestimony  
**Cc:** robertw@snorkelbob.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Robert Wintner  
Organization: The Snorkel Bob Foundation  
Address:  
Phone:  
E-mail: [robertw@snorkelbob.com](mailto:robertw@snorkelbob.com)  
Submitted on: 1/29/2009

**Comments:**

Thank you Chair Hee & WTL Committee for hearing this vital bill. Uhu are pivotal to reef recovery. Unlimited extraction will cause reef collapse.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, January 29, 2009 6:55 PM  
**To:** WTLTestimony  
**Cc:** nakamura\_racing\_sports@hotmail.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Jay Nakamura  
Organization: Individual  
Address:  
Phone:  
E-mail: [nakamura\\_racing\\_sports@hotmail.com](mailto:nakamura_racing_sports@hotmail.com)  
Submitted on: 1/29/2009

**Comments:**

I support the bill because these fish are getting really scarce. We want our future generations to be able to enjoy these native fish as we have.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, January 29, 2009 8:25 PM  
**To:** WTLTestimony  
**Cc:** luchida@aol.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Lance Uchida  
Organization: Individual  
Address:  
Phone:  
E-mail: [luchida@aol.com](mailto:luchida@aol.com)  
Submitted on: 1/29/2009

**Comments:**

As a recreational fisher and diver, I wholeheartedly support this bill. Similar restrictions should be enacted for Oahu also. I would support even stricter limits of two fish per person per day for the entire goatfish family, not just two of each species along with minimum and maximum size limits.

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, January 29, 2009 8:39 PM  
**To:** WTLTestimony  
**Cc:** tmkyono@ucla.edu  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Trent Kyono  
Organization: Individual  
Address:  
Phone:  
E-mail: [tmkyono@ucla.edu](mailto:tmkyono@ucla.edu)  
Submitted on: 1/29/2009

**Comments:**

I was born and raised on Maui. I am 22 years old, and am currently in the mainland finishing up my graduate studies. I first started diving in high school about eight years ago. Since then, I have seen a dramatic decrease in the number of fishes. In particular Uhus and Goat fish. I can say with certainty that there has been a decrease in fish. When I leave for school, I am gone for about 9 months at a time, leaving a large span where I am not in the water diving. Each time I come back for summer vacation after being off the island for 9 months, I notice less and less fish. Each year the difference SEEMS minimal, but as years pass it adds up. I am not a marine biologist, nor an ecologist, but I do know that something needs to be done. I feel that passing size and bag limits on Uhus and Goat fish is a reasonable, ecological, and wise decision. Thank you.



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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, January 29, 2009 11:33 PM  
**To:** WTLTestimony  
**Cc:** bjk13@gmail.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Brandon J K Heath  
Organization: Individual  
Address: kula, HI  
Phone:  
E-mail: [bjk13@gmail.com](mailto:bjk13@gmail.com)  
Submitted on: 1/29/2009

**Comments:**

As a spearfishermen I support this bill because, even though I am still young; I have been diving and fishing long enough to see the decline in fish. All the areas where my uncles would take us diving, that were thriving with fish when I first started out, are now a lot more scarce with fish. I do want there to still be fish when I take my kids out, and I think this bill could help support that.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 7:05 AM  
**To:** WTLTestimony  
**Cc:** mmmmahalo2000@aol.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Mike Moran  
Organization: Individual  
Address: Kihei, HI  
Phone:  
E-mail: [mmmmahalo2000@aol.com](mailto:mmmmahalo2000@aol.com)  
Submitted on: 1/30/2009

Comments:  
Please help before the situation gets any worse. mahalo.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 7:39 AM  
**To:** WTLTestimony  
**Cc:** octopus@maui.net  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Rene Umberger  
Organization: Individual  
Address: Kihei, HI  
Phone:  
E-mail: [octopus@maui.net](mailto:octopus@maui.net)  
Submitted on: 1/30/2009

**Comments:**  
In Stong Support. This bill is critical for the health of Maui's reefs and people.

Mahalo!

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 7:54 AM  
**To:** WTLTestimony  
**Cc:** lynn.all@maui.net  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Lynn Allen  
Organization: Individual  
Address:  
Phone:  
E-mail: [lynn.all@maui.net](mailto:lynn.all@maui.net)  
Submitted on: 1/30/2009

**Comments:**

I fully support the setting of bag limits for the collection of uhus.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 8:55 AM  
**To:** WTLTestimony  
**Cc:** severns@mauigateway.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Pauline Fiene  
Organization: Individual  
Address:  
Phone:  
E-mail: [severns@mauigateway.com](mailto:severns@mauigateway.com)  
Submitted on: 1/30/2009

**Comments:**

We need to let our reefs recover. One of the things that could help is lessening fishing pressure. Please support this bill.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 8:48 AM  
**To:** WTLTestimony  
**Cc:** dtokishi@kirc.hawaii.gov  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Dean Tokishi  
Organization: Individual  
Address: 811 Kolu St. Wailuku  
Phone: (808)243-5889  
E-mail: [dtokishi@kirc.hawaii.gov](mailto:dtokishi@kirc.hawaii.gov)  
Submitted on: 1/30/2009

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 6:48 PM  
**To:** WTL Testimony  
**Cc:** scubaphotos@gmail.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: maren springer  
Organization: Extended Horizons SCUBA  
Address: Makawao, Hawaii  
Phone:  
E-mail: [scubaphotos@gmail.com](mailto:scubaphotos@gmail.com)  
Submitted on: 1/30/2009

**Comments:**

Unlimited Uhu fishing is decimating our delicate reef system. Please support protecting a vital natural resource.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 7:02 PM  
**To:** WTLTestimony  
**Cc:** kdyogini@gmail.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Kathie Divers  
Organization: KCA  
Address: 2387 S Kihei Rd A203  
Phone: 808-879-9389  
E-mail: [kdyogini@gmail.com](mailto:kdyogini@gmail.com)  
Submitted on: 1/30/2009

Comments:



From: mailinglist@capitol.hawaii.gov  
Sent: Friday, January 30, 2009 1:41 PM  
To: WTLTestimony  
Cc: anitabanana@hawaiiantel.net  
Subject: Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: anita wintner  
Organization: Individual  
Address: kihei HI  
Phone: (808) 874-8407  
E-mail: [anitabanana@hawaiiantel.net](mailto:anitabanana@hawaiiantel.net)  
Submitted on: 1/30/2009

Comments:

It is time for change. Please put these regulations in place before we lose our reefs!  
Mahalo

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 2:05 PM  
**To:** WTLTestimony  
**Cc:** victoriamartocci@gmail.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Victoria Martocci  
Organization: Individual  
Address:  
Phone:  
E-mail: [victoriamartocci@gmail.com](mailto:victoriamartocci@gmail.com)  
Submitted on: 1/30/2009

Comments:

I support this bill because it is important that we act now to protect our fisheries, before populations decline to the point that it is too late. There are more people on the planet, more people in Hawaii, more mouths to feed, and fewer fish on our reefs. It is scientifically documented and recognized by state experts that these species numbers are in decline. If we practice moderation NOW, as this bill proposes, and is in alignment with traditional Hawaiian customs, we have a chance of salvaging, protecting, and making this resource available for future generations. I'm an American who has always experienced instant gratification, and have found in our current global and local community that that time has ended, and as difficult as it is to practice moderation, it is now necessary and our responsibility to do so; therefore, I support this bill. Thank you, Victoria Martocci

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 2:30 PM  
**To:** WTLTestimony  
**Cc:** bryce@livingoceanproductions.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Bryce Groark  
Organization: Living Ocean Productions  
Address: PO BOX 390555 HI  
Phone: 808 345-4538  
E-mail: [bryce@livingoceanproductions.com](mailto:bryce@livingoceanproductions.com) Submitted on: 1/30/2009

**Comments:**

I'm in full support of this bill to protect the uhu and goatfish. They are an integral part of the reef system which is struggling as is. Please pass this important bill.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 3:26 PM  
**To:** WTLTestimony  
**Cc:** fitchk@maui.net  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Kathi Fitch  
Organization: Individual  
Address: Kihei  
Phone:  
E-mail: [fitchk@maui.net](mailto:fitchk@maui.net)  
Submitted on: 1/30/2009

Comments:  
Aloha Kakou,

The Uhu bag limit bill has been scheduled for hearing on Monday, Feb. 2, that's this coming Monday. Darrell Tanaka has worked 2 years on this bill, to stop the carnage on our parrotfish. Uhu are a lynchpin species--once they're gone, the reefs can collapse. Please take a minute to submit your testimony on this vital bill for Maui. The harsh reality: commercial speargunners from Oahu are decimating Maui's reefs at night with scuba--when the uhu are sleeping. DLNR has watched this destruction for years and continues to respond with "scoping meetings."

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 4:02 PM  
**To:** WTLTestimony  
**Cc:** dive4mantas@hawaii.rr.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Warren Blum  
Organization: Individual  
Address: Kihei, HI  
Phone:  
E-mail: [dive4mantas@hawaii.rr.com](mailto:dive4mantas@hawaii.rr.com)  
Submitted on: 1/30/2009

**Comments:**

The future survival of the uhu on Hawaiian reefs is in danger. The ecosystem of the coral reef is a delicate balance. If any one species disappears it affects the whole reef. Please impose a limit on the taking of this fish.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 4:14 PM  
**To:** WTLTestimony  
**Cc:** bcbonse@yahoo.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Bonnie Bonse  
Organization: Individual  
Address: Makawao, HI  
Phone:  
E-mail: [bcbonse@yahoo.com](mailto:bcbonse@yahoo.com)  
Submitted on: 1/30/2009

Comments:

We cannot put off strict protection of uhu and other fish any longer. We are at a critical point; it is time to realize our food sources need much better regulation, and these regulations must be enforced.

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 4:30 PM  
**To:** WTLTestimony  
**Cc:** FloB2@aol.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Florence Bahr  
Organization: Individual  
Address: Kauhale St. Kihei, HI  
Phone: 808 874-0661  
E-mail: [FloB2@aol.com](mailto:FloB2@aol.com)  
Submitted on: 1/30/2009

**Comments:**

Please pass this bill. Bag limits are most important. They are easier to enforce and easier to comply with than size limits.

Thank you!

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 4:46 PM  
**To:** WTLTestimony  
**Cc:** daoust@hawaii.rr.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Mary P. Daoust  
Organization: Individual  
Address: 190 Hauoli St #305 Wailuku, HI 96793  
Phone: 808 249-2393  
E-mail: [daoust@hawaii.rr.com](mailto:daoust@hawaii.rr.com)  
Submitted on: 1/30/2009

Comments:

Please support this bill. The uhu is disappearing from our reefs due to overfishing. Its loss is upsetting the balance of all life on the reef. We need to protect the uhu!



---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 4:48 PM  
**To:** WTLTestimony  
**Cc:** honuwatch@earthlink.net  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Steven Williams  
Organization: Individual  
Address: Maui, Hawaii  
Phone:  
E-mail: [honuwatch@earthlink.net](mailto:honuwatch@earthlink.net)  
Submitted on: 1/30/2009

**Comments:**

Please vote yes on this bill. Overtake of this species of fish is damaging our reefs. The proposed limit will help maintain and protect our reefs.

Healthy reef systems are a valued resource that is important to residents and vital to our tourism industry.

Thank you

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 4:54 PM  
**To:** WTLTestimony  
**Cc:** mauirobin@aol.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Robin Newbold  
Organization: Individual  
Address: Kihei, Hi  
Phone:  
E-mail: [mauirobin@aol.com](mailto:mauirobin@aol.com)  
Submitted on: 1/30/2009

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 5:02 PM  
**To:** WTLTestimony  
**Cc:** pbc5@mac.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Patricia Cadiz  
Organization: Individual  
Address: 2406 Waipua Street Paia, HI  
Phone: 808 871 2526  
E-mail: [pbc5@mac.com](mailto:pbc5@mac.com)  
Submitted on: 1/30/2009

**Comments:**

Please support this bill. Don't be fooled by the short term argument for saving jobs. The abundance of Uhu are directly related to the quantity of new sand produced for our beaches. UHU create Hawaiian beach sand by eating the algae off the reef and excreting the bits of coral that they ingest with the algae. They are our sand supply makers! They are becoming more and more rare and need the protections that this bill offers. The loss of jobs a a few collectors is nothing compared to the losses to our economy and culture when our beaches are eroded away. the UHU are part of the solution to erosion. Please pass this bill.

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 5:16 PM  
**To:** WTLTestimony  
**Cc:** Mark@SkyShadesHawaii.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Mark Coronesi  
Organization: Individual  
Address: 685 Kumulani Drive Kihei, HI 96753  
Phone: 808-874-8941  
E-mail: [Mark@SkyShadesHawaii.com](mailto:Mark@SkyShadesHawaii.com)  
Submitted on: 1/30/2009

**Comments:**

Unfortunately I can not attend, but please note my strong support of this important bill. We must protect what we have ... it is disappearing before our eyes!  
Mahalo!

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 5:18 PM  
**To:** WTLTestimony  
**Cc:** hanamaui@yahoo.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Deborah J. Williams  
Organization: Individual  
Address: Makawao  
Phone: 8085736764  
E-mail: [hanamaui@yahoo.com](mailto:hanamaui@yahoo.com)  
Submitted on: 1/30/2009

Comments:  
Please protect the Parrot fish!

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 5:25 PM  
**To:** WTLTestimony  
**Cc:** elamm001@hawaii.rr.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Michael Elam  
Organization: Individual  
Address:  
Phone:  
E-mail: [elamm001@hawaii.rr.com](mailto:elamm001@hawaii.rr.com)  
Submitted on: 1/30/2009

Comments:

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 5:52 PM  
**To:** WTLTestimony  
**Cc:** keciamau@yahoo.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Kecia Joy  
Organization: Individual  
Address:  
Phone:  
E-mail: [keciamau@yahoo.com](mailto:keciamau@yahoo.com)  
Submitted on: 1/30/2009

**Comments:**

parrotfish are incredibly important to our reefs, as a marine biologist and marine science educator for almost 20 years, I know that we are dangerously close to many ecological disasters if we do not take strong measures of protection. Please- do the right thing for our planet. Thank you.

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 6:05 PM  
**To:** WTLTestimony  
**Cc:** TCroly@maui.net  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Thomas Croly  
Organization: Individual  
Address: Akala Drive Kihei, HI  
Phone: 808-879-7044  
E-mail: [TCroly@maui.net](mailto:TCroly@maui.net)  
Submitted on: 1/30/2009

Comments:



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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 6:05 PM  
**To:** WTLTestimony  
**Cc:** TCroly@maui.net  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Thomas Croly  
Organization: Individual  
Address: Akala Drive Kihei, HI  
Phone: 808-879-7044  
E-mail: [TCroly@maui.net](mailto:TCroly@maui.net)  
Submitted on: 1/30/2009

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 6:13 PM  
**To:** WTLTestimony  
**Cc:** tbuyaspearfishing@hotmail.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Troy baker-Sato  
Organization: Individual  
Address: 1806 Hana hwy Hana, Hi  
Phone: 809-248-7639  
E-mail: [tbuyaspearfishing@hotmail.com](mailto:tbuyaspearfishing@hotmail.com)  
Submitted on: 1/30/2009

**Comments:**

As an avid spearfisherman, Chef and also a part time commercial spearfisher I support the uhu bill. Yes it would impact my finances and current lifestyle, but there is a dire need for regulation before our resources diminish. Please consider and pass this bill into law for everyones sake. Mahalo, Troy

COMMITTEE ON WATER, LAND, AGRICULTURE, AND HAWAIIAN AFFAIRS

Senator Clayton Hee, Chair  
Senator Jill N. Tokuda, Vice Chair

From: Tony Costa  
Hawaii Nearshore Fishermen  
325 Puamamane Street  
Honolulu, Hawaii 96821  
808-664-3513 Home  
808-540-1308 Office

Re.: Testimony in OPPOSITION to **SB 378**  
Date: Monday, February 2, 2009  
Time: 3:15 pm  
Place: Conference Room 229 State Capitol  
415 South Beretania Street

**TESTIMONY**

My name is Tony Costa and I am testifying on behalf of Hawaii Nearshore Fishermen, a loosely organized, tight-knit group of nearshore fishermen. Hawaii Nearshore Fishermen are in opposition to SB378.

SB378 arbitrarily sets a two fish per day bag limit for selected species of uhu and kumu. Restricting the take to two fish per day would effectively halt a known number of licensed reporting commercial fishermen from targeting these species - yet allow an unknown number of sport divers, recreational night divers, subsistence divers, or other fishermen to take two fish per day.

If there is no stock analysis or assessment of uhu/kumu biomass to begin with and the number of harvesters not required to report catches (sport, recreational and subsistence free divers) are not known, then the halting of a few licensed commercial fishermen would absolutely not provide any conclusive protection for this species.

The only effect with certainty SB378 would have is allow an unknown number of unlicensed and non-reporting fishermen to take two fish per day - while prohibiting licensed commercial fishermen from their traditional catches and livelihood.

One or two commercial fishermen may take 100 - 200 lb of uhu a day, while the combined catch of Maui's sport, subsistence, and recreational divers may total 2000 lb. - Yet these figures are just speculation and unknown. Which is exactly why this bill

should not move forward – It singles out one user group without any supporting data and sets a bias against an honorable, licensed, reporting, and law abiding livelihood.

Furthermore, the Department of Land and Natural Resources is currently scoping public sentiment toward this very issue and is set to address the subject through their chapter 91 rule process.

Therefore we recommend not passing SB 378 .

Thank you for allowing me to testify.

Tony Costa

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 8:31 PM  
**To:** WTLTestimony  
**Cc:** msch4@ccmaui.net  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Madge Schaefer  
Organization: Individual  
Address: Kihei, HI  
Phone:  
E-mail: [msch4@ccmaui.net](mailto:msch4@ccmaui.net)  
Submitted on: 1/30/2009

**Comments:**

Save Maui reefs from further destruction--Uhu must be protected so they can do the job nature intended--keep our reefs algae free.

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 9:30 PM  
**To:** WTLTestimony  
**Cc:** makaiprop@gmail.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Mike Newbro  
Organization: Individual  
Address: 117 Kuau Beach Place Paia, HI  
Phone: 264-6678  
E-mail: [makaiprop@gmail.com](mailto:makaiprop@gmail.com)  
Submitted on: 1/30/2009

Comments:  
Please protect our precious marine environment!

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 9:42 PM  
**To:** WTLTestimony  
**Cc:** uluaz808@yahoo.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Brandon Shim  
Organization: Individual  
Address: Kahului  
Phone: 808-268-1878  
E-mail: [uluaz808@yahoo.com](mailto:uluaz808@yahoo.com)  
Submitted on: 1/30/2009

**Comments:**

This bill must be passed! If not for us, then for our children. Then for our children's children. The love of the ocean is what makes us all responsible to see that the generations that follow us will be able to enjoy it to. Kids will not need drugs and alcohol to fill there lives if they have beaches to play on and fish to see and catch. Please don't let a few hurt so many that might not get the chance to enjoy what I LOVE so much!!!

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 10:00 PM  
**To:** WTLTestimony  
**Cc:** ziggyliv@hotmail.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Zvi Livnat  
Organization: Individual  
Address: 82-6302 puuhonua road Captain Cook, HI  
Phone: 8086405240  
E-mail: [ziggyliv@hotmail.com](mailto:ziggyliv@hotmail.com)  
Submitted on: 1/30/2009

**Comments:**

I strongly support The Uhu bag limit bill. We need the parrots on the reef while the ignorants take as much as they can.  
thank you.



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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 10:37 PM  
**To:** WTLTestimony  
**Cc:** ellecochran@gmail.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: ELLE COCHRAN  
Organization: Individual  
Address:  
Phone:  
E-mail: [ellecochran@gmail.com](mailto:ellecochran@gmail.com)  
Submitted on: 1/30/2009

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 30, 2009 10:48 PM  
**To:** WTLTestimony  
**Cc:** ronvaught@hawaii.rr.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Ronald Vaught  
Organization: Individual  
Address: 170 Ohukai Rd Kihei  
Phone: 808 879-2008  
E-mail: [ronvaught@hawaii.rr.com](mailto:ronvaught@hawaii.rr.com)  
Submitted on: 1/30/2009

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 31, 2009 4:40 AM  
**To:** WTLTestimony  
**Cc:** dterawaki@gmail.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: derek terawaki  
Organization: Individual  
Address: 693 imihale street kihei, hi  
Phone:  
E-mail: [dterawaki@gmail.com](mailto:dterawaki@gmail.com)  
Submitted on: 1/31/2009

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 31, 2009 6:43 AM  
**To:** WTLTestimony  
**Cc:** mtntfamily@gmail.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Rich Salem  
Organization: Individual  
Address: Paia, HI  
Phone:  
E-mail: [mtntfamily@gmail.com](mailto:mtntfamily@gmail.com)  
Submitted on: 1/31/2009

**Comments:**

Limiting the number of uhu for harvest is extremely important to help restore the uhu species population on our reefs. The uhu are critical members of the ecosystem and are currently being over-fished and the ecosystem upon which we all rely and from which we derive benefits is being irreparably harmed by such over-fishing. The Maui uhu bill (SB378) is a positive piece of legislation that needs to be passed to help sustain our environment and economy. I sincerely and respectfully ask that SB378 be approved.

Thanks for your consideration.

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 31, 2009 8:56 AM  
**To:** WTLTestimony  
**Cc:** foxaloha@aol.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Pat Fox  
Organization: Individual  
Address: Kapahulu Honolulu, Hawaii  
Phone:  
E-mail: [foxaloha@aol.com](mailto:foxaloha@aol.com)  
Submitted on: 1/31/2009

**Comments:**

Let the parrotfish rebuild its numbers. I think these incredible fish switch from male to female in order to reproduce. They are a renewable resource only if managed.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 31, 2009 8:57 AM  
**To:** WTLTestimony  
**Cc:** hansloff@hawaii.rr.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Hans Loffel  
Organization: Individual  
Address: Honolulu, HI  
Phone:  
E-mail: [hansloff@hawaii.rr.com](mailto:hansloff@hawaii.rr.com)  
Submitted on: 1/31/2009

Comments:  
Stop the carnage on the parrotfish

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 31, 2009 9:11 AM  
**To:** WTLTestimony  
**Cc:** info@coconutcovemaui.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: L. Severson  
Organization: Individual  
Address: 19 papaua Lahaina, HI  
Phone: 8086695140  
E-mail: [info@coconutcovemaui.com](mailto:info@coconutcovemaui.com)  
Submitted on: 1/31/2009

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 31, 2009 9:57 AM  
**To:** WTLTestimony  
**Cc:** pas444@gmail.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Phil  
Organization: Individual  
Address:  
Phone:  
E-mail: [pas444@gmail.com](mailto:pas444@gmail.com)  
Submitted on: 1/31/2009

Comments:



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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 31, 2009 10:43 AM  
**To:** WTLTestimony  
**Cc:** director@maui-tomorrow.org  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Irene Bowie  
Organization: Maui Tomorrow Foundation, Inc.  
Address:  
Phone: 808.268.0303  
E-mail: [director@maui-tomorrow.org](mailto:director@maui-tomorrow.org)  
Submitted on: 1/31/2009

Comments:  
S.B. No. 387

Relating to Fishing

Maui Tomorrow Foundation, Inc. supports the practice of sustainable fishing techniques and observance of size and catch limits. Unregulated fishing practices have left 75 percent of reef fishes depleted or in critical condition around the main Hawaiian Islands. Many of these species are important native food fishes; they also play a critical role within Hawaii's unique reef ecosystem.

The declining fish stock is disrupting the ecological balance of many reefs which rely on herbivorous fish to keep algal growth in check. Over-fishing is one of a growing list of pressures on Hawaii's coral reefs; uhu are a lynchpin species—our reefs may suffer a complete collapse if these fish are decimated. Maui Tomorrow Foundation supports the passing of this Act to require bag limits for uhu and goatfish.

Thank you,

Irene Bowie  
Executive Director

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 31, 2009 11:35 AM  
**To:** WTLTestimony  
**Cc:** jmerch99@yahoo.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: james merchant  
Organization: Individual  
Address:  
Phone:  
E-mail: [jmerch99@yahoo.com](mailto:jmerch99@yahoo.com)  
Submitted on: 1/31/2009

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 31, 2009 1:36 PM  
**To:** WTLTestimony  
**Cc:** alohapatricia@hawaii.rr.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Patricia Stillwell  
Organization: Individual  
Address: Kihei HI  
Phone:  
E-mail: [alohapatricia@hawaii.rr.com](mailto:alohapatricia@hawaii.rr.com)  
Submitted on: 1/31/2009

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 31, 2009 1:44 PM  
**To:** WTLTestimony  
**Cc:** stoteman@hotmail.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Stote Farnham  
Organization: Individual  
Address: 1517 Makiki St #404 Honolulu, HI  
Phone: 808-372-0028  
E-mail: [stoteman@hotmail.com](mailto:stoteman@hotmail.com)  
Submitted on: 1/31/2009

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 31, 2009 3:18 PM  
**To:** WTLTestimony  
**Cc:** donnaboat@webtv.net  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Donna Rolens  
Organization: Individual  
Address: 760 So Kihei Rd. #511 Kihei Hi 96753  
Phone: 879-8198  
E-mail: [donnaboat@webtv.net](mailto:donnaboat@webtv.net)  
Submitted on: 1/31/2009

Comments:  
Our reefs being overfished is a proven fact Please help end this terrible behavior

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 31, 2009 4:41 PM  
**To:** WTLTestimony  
**Cc:** beachdee@hotmail.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Danene Warnock  
Organization: Individual  
Address:  
Phone:  
E-mail: [beachdee@hotmail.com](mailto:beachdee@hotmail.com)  
Submitted on: 1/31/2009

**Comments:**

It is inconcievable to me that damage, destruction, abuse, and overexploitation of the Hawaiian Island reefs would be tolerated by the people and agencies whose job it is to protect them, for all the peoples of the islands, for even a nanosecond. Sadly, this has been the case--but now there is a chance to do what should be done, and protect what is left so that hopefully the ecosystem can survive and repair itself. It is vital to protect keystone species such as the uhu and goatfish. Therefore it is vital that SB378 be supported and carried through with until such time as it is acknowledged that there need to be many more, larger protected areas of marine preserve. Look at the model of such places as the Cayman Islands, who long ago realized the value of both fisheries and preservation, and made designated areas for each, that were substantial enough to be effective in preserving species. Thank you.



## Hawai'i Wildlife Fund

### COMMITTEE ON WATER, LAND, AGRICULTURE AND HAWAIIAN AFFAIRS

Sen. Clayton Hee, Chair  
Sen. Jill Tokuda, Vice Chair

IN SUPPORT OF SB 378

Hearing: Mon, 2/2/09, 3:15pm in Room 229

Dear Chairman Hee and Vice Chair Tokuda:

Thank you for the opportunity to testify in support of SB 378. I am submitting testimony on behalf of Hawai'i Wildlife Fund, a Maui and Hawai'i Island based non-governmental organization dedicated to the protection of Hawai'i's native marinelife.

We support the passage of SB 378 as an emergency action (with reservations stated below) in recovering the thriving health of Maui's nearshore ecosystem. **However, DOCARE must be better-supported if this bill is to be truly effective.**

As you are well aware, makai-side communities around the Hawaiian Islands are concerned about the decline in near-shore fisheries and are taking action to reverse that decline. These communities, while sometimes diverse in constituents, are united in their shared love of and recognized dependence on the ocean. These communities care deeply about having long-term access to healthy stocks of fish, shellfish and limu, and clean, healthy water. To restore these stocks and thriving health of our nearshore ecosystem, our communities and DLNR need access to every possible management tool and a tremendous amount of cooperation within and without.

We prefer measures that are even more regionally specific, e.g., ahupa'a or moku-sized, but realize that the rate of decline of our neashore ecosystem sometimes warrants sweeping actions. We appreciate the Legislature's effort to respond to our current natural resources crisis with this bill, but humbly offer a few suggestions that could be simultaneously pursued to maximize its effectiveness.

1. We prefer regulations that facilitate local communities, concerned fishermen, and the DLNR to improve current marine resource conditions on an ahupua'a or moku scale. Since traditionally managed fishery zones where the community is dedicated and involved have standing stocks of reef fishes equal to that in fully protected marine reserves (Friedlander et al., 2003), they should be fully supported. An

example of this type of successful management structure can be found at Mo'omomi on Moloka'i. **Please support communities that wish to continue to develop subsistence fishery management plans and zones e.g., Miloli'i and Ho'okena on the island of Hawai'i, Ha'ena on Kaua'i and Mu'olea on Maui and support other moku or ahupua'a that wish to do the same. If the Aha Moku Councils were funded would these community efforts be better supported?**

2. Many communities have started to take action in collaboration with the DLNR to improve management -- community-based subsistence fishing areas and Makai Watch are two examples. Additional communities are interested in participating in these promising activities. The DLNR also is expanding its biological monitoring efforts and needs an **increase** in its enforcement budget. These actions promise to improve the health of our nearshore marine resources, but the DOCARE division must be better supported in every way in order to be more effective. **Simply adding new regulations without a concurrent level of support for DOCARE is not enough.** It's my current understanding that the Governor has abolished DOCARE vacancies due to the current economic downturn. This is a mistake as it takes many years for DOCARE to recover lost positions. **Please assist DOCARE in recovering these positions.**

We are not supportive of many blanket, statewide or countywide regulations that do not take into account regional differences in marinelife spawning cycles and other crucial biological, ecological and Hawaiian cultural factors. However, this is the type of bill that can show positive results on a time scale that at least matches the urgency of our natural resource crisis. It will be much more effective in that it is at least island-based; fishermen and marine biologists were involved in crafting it; and it assists in the recovery of our reef ecosystem as well as the recovery of these species of fish. **Please consider our concerns regarding more support for DOCARE to enforce this law once rules are written, and to elevate the value of regional community-based fishery management efforts to this same level of importance.**

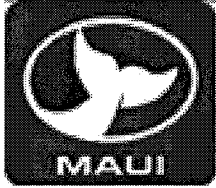
More *effective* management means more fish in the sea - for their intrinsic value and for the sustenance of future generations.

Mahalo for your kind consideration,

*Hannah Bernard*

Hannah Bernard  
President, Hawai'i Wildlife Fund





# PACIFIC WHALE FOUNDATION

To: Hawaii State Legislature  
From: Brooke Porter, Conservation Director, Pacific Whale Foundation  
Re: SB378 (Support)  
Date: 2/2/09

We are blessed to have the North Western Hawaiian Islands as an example of a healthy Hawaii-Pacific reef ecosystem subject to minimal anthropogenic pressures. A 2002 study by Friedlander & De Martini, 2002 revealed the obscene difference in populations of apex and herbivorous fish biomass between the North Western Hawaiian Islands and the Main Hawaiian Islands. With specific regards to the endemic spectacled parrotfish, a fish prized by subsistence fisherman, Friedlander & DeMartini found that this species accounted for 20% of the biomass of herbivorous fishes in the North Western Hawaiian Islands and only 3% in the Main Hawaiian Islands. Furthermore the size of the spectacled parrotfish is notably smaller in the Main Hawaiian Islands due to increased fishing pressure.

The smaller size of fishes in the Main Hawaiian Islands is of grave concern. When population sizes are reduced, genetic composition of the population may change from generation to generation, also known as genetic drift. Genetic drift can quickly shift towards poor genotypes or in the case of over-fishing.

Within a species, physical maturity and increased size directly correlate to individual fitness. In the case of minimum size restrictions more reproductively capable fishes are targeted.

Further research has been conducted on assessing consequences of fisheries pressures. According to Bush (2000), there are two evolutionary predictions that arise when only larger fishes are targeted. The first prediction is that by removing larger fishes from a population a strong selective pressure against growing larger is created leaving only smaller fishes to reproduce. The second prediction comes from leaving a population of physically small fishes to survive. Resultant from this is that small genes become favored meaning that reproduction at a smaller size will also be favored. With continued pressure on size selection, the reproductive size and of a species becomes smaller over time.

Fish maturing at a smaller size divert energy from growth to reproduction. They do not grow as large and they grow more slowly. The tonnage of catchable fish declines as the size of the fish decreases equating to a decreased maximum sustainable yield. For these reasons we fully support bag limits and size restrictions presented in SB378.

REFERENCES:

Friedlander, A.M. & DeMartini, E.E. 2002. Contrasts in density, size, and biomass of reef fishes between the northwestern and the main Hawaiian islands: the effects of fishing down apex predators. *Marine Ecology Progress Series* 230: 253-264.

Bush, M.B. 2000. *Ecology of a Changing Planet*. Upper Saddle River, New Jersey: Prentice Hall.

HOUSE WATER LAND & OCEAN RESOURCES COMMITTEE

Rep. Clayton Hee, Chair  
Rep. Jill N. Tokuda, Vice Chair

February 2, 2009

RE: **SB378** scheduled to be heard by WTL on Monday, 2/2/09 at 3:15 am  
in conference room 229.

**My name is Brian F. Funai and I am testifying in opposition to SB378.**

I agree that stricter regulation of the subject species is necessary but do not agree that creating management rules through the legislative process is proper. The Department of Aquatic Resources is bound by law to create regulations through the Chapter 91 process that was set forth by this legislature.

In addition, the Department is in the process of reviewing regulations concerning the subject species presently by holding statewide input meetings. The Chapter 91 process and these meetings allow statewide participation in a timely manner as opposed to the short fused, limited participation process of the legislative process.

**I oppose this bill for these reasons and ask that you please do not pass SB378.**

Thank you for your time and allowing me to testify.

Brian F. Funai  
Kaneohe, HI 96744

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 31, 2009 6:21 PM  
**To:** WTLTestimony  
**Cc:** laulimachristine@excite.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Christine Andrews  
Organization: Individual  
Address: Makawao  
Phone: 8085720177  
E-mail: [laulimachristine@excite.com](mailto:laulimachristine@excite.com)  
Submitted on: 1/31/2009

**Comments:**

A bag limit is a reasonable approach to safeguarding the proliferation of these species and the protection of the reef structure in Maui waters. Thank you.

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 31, 2009 8:21 PM  
**To:** WTLTestimony  
**Cc:** doctord@hawaii.rr.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Diane Shepherd  
Organization: Individual  
Address: 300 Ohukai Rd Kihei, HI  
Phone: 8088749372  
E-mail: [doctord@hawaii.rr.com](mailto:doctord@hawaii.rr.com)  
Submitted on: 1/31/2009

**Comments:**

As a diver for forty years in Hawaiian waters I can testify to the scarcity of uhu in recent years. This important species should not be fished commercially. Please support the bag limit on uhu.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 31, 2009 9:27 PM  
**To:** WTLTestimony  
**Cc:** luannvodder@hotmail.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Luann Vodder  
Organization: Individual  
Address: Kihei, HI  
Phone:  
E-mail: [luannvodder@hotmail.com](mailto:luannvodder@hotmail.com)  
Submitted on: 1/31/2009

**Comments:**

We need to protect this unique and vital species of fish. Please do not continue to allow rampant destruction of these creatures.

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 31, 2009 9:28 PM  
**To:** WTLTestimony  
**Cc:** kclnp@hotmail.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Keoni Catugal  
Organization: Individual  
Address: Wailuku  
Phone:  
E-mail: [kclnp@hotmail.com](mailto:kclnp@hotmail.com)  
Submitted on: 1/31/2009

**Comments:**

We need a change of our fishing regulations as the fish populations throughout our islands have become scarce. I see Filipino markets on a daily basis selling just barely "legal size" reef fish including but not limited to uhu. At a young age of 28 years old, I have noticed a big difference from diving 10 years ago to now. It has become extremely difficult to bring home some dinner. For many places on Maui, it has come to a point of not even seeing any uhu while diving let alone spearing one. Please make a change as it is necessary to bring back the populations of our reef fish.  
Aloha

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 31, 2009 9:30 PM  
**To:** WTLTestimony  
**Cc:** jking@mauitvnews.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position:  
Testifier will be present: No  
Submitted by: Jeff King  
Organization: Individual  
Address: 1800 Elima Place Kihei, HI  
Phone: 808-891-6397  
E-mail: [jking@mauitvnews.com](mailto:jking@mauitvnews.com)  
Submitted on: 1/31/2009

**Comments:**

Please add my name in support of bag limits on Uhu. These fish are at the base of the reef ecosystem. The loss or continuing decline could render an underwater climate change that would irreversibly alter life in our near-shore waters. And not for the better.

As an avid snorkler and outrigger canoe paddler, I have noticed their decline in the beautiful reefs of South Maui. They are easy to spot and point out to visitors who are always amazed at the color of teeming life just below the surface. Their lack of fear also makes them easy prey for spear fishers. Their size also means a good price on the black market.

It boils down to greed. A quick buck at the expense of an entire species means little or nothing to the poachers who will simply move on to their next target once the Uhu are gone.

Please pass SB 378. Do it for our keiki and their keiki. It's prudent and it's the right thing to do.



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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 31, 2009 11:53 PM  
**To:** WTLTestimony  
**Cc:** jennaconnect@yahoo.co.uk  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Jenna de Buretel  
Organization: Individual  
Address: 475 Laulea Pl. Paia, HI  
Phone: 669 5140  
E-mail: [jennaconnect@yahoo.co.uk](mailto:jennaconnect@yahoo.co.uk)  
Submitted on: 1/31/2009

**Comments:**

The Uhu need to be protected - if for no other reason, they are our little sand makers and with sand depletion such a huge issue we need their populations to be sustained.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 01, 2009 3:14 AM  
**To:** WTLTestimony  
**Cc:** mail@tehaas.plus.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Timothy Haas  
Organization: Individual  
Address:  
Phone:  
E-mail: [mail@tehaas.plus.com](mailto:mail@tehaas.plus.com)  
Submitted on: 2/1/2009

**Comments:**

Please limit fishing for parrotfish in Hawaiian waters. As an ocean swimmer for six years, seeing the decrease in wildlife is sad and can be corrected. With your assistance, marine life will not be something in an aquarium!

Malaho, Tim

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 01, 2009 9:10 AM  
**To:** WTLTestimony  
**Cc:** reefgirlmaui@hotmail.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position:  
Testifier will be present: No  
Submitted by: Cheryl Sterling  
Organization: Individual  
Address: Wailuku, Hi  
Phone:  
E-mail: [reefgirlmaui@hotmail.com](mailto:reefgirlmaui@hotmail.com)  
Submitted on: 2/1/2009

**Comments:**

I have monitored the discussions on overfishing of certain species on Maui for commercial sale and am in support of SB378 that will impose bag limits on uhu and goatfish.



The Nature Conservancy  
Hawai'i Program  
923 Nu'uuanu Avenue  
Honolulu, HI 96817

tel (808) 537-4508  
fax (808) 545-2019  
www.nature.org/hawaii

Testimony of The Nature Conservancy of Hawai'i  
Supporting S.B. 378 Relating to Fishing  
Senate Committee on Water, Land, Agriculture & Hawaiian Affairs  
February 2, 2009, 3:15PM, Room 229

The Nature Conservancy supports S.B. 378 as an important step toward protecting some of Hawaii's most heavily impacted reef fish species.

Hawaii's coral reefs generate more than \$350 million of income annually in recreation, fishing, aquarium capture, research and other uses. They provide for our unique way of life in Hawai'i, being a source of sustenance as well as recreation.

However, scientific evidence points to serious declines in near-shore fish populations, especially among the large fishes that are so important for replenishing the reef. A recent analysis of DLNR Division of Aquatic Resources and federal National Oceanic & Atmospheric Administration data shows that 75 % of targeted reef fishes in the main Hawaiian islands are in critical or depleted condition as compared to the same species in northwestern Hawaiian islands.<sup>1</sup> Another study published in the journal *Environmental Conservation* shows that over-fishing is the chief threat to popular reef fishes in the main islands.<sup>2</sup>

There is particular concern for local populations of uhu and other herbivorous fishes, many of which are depleted and appear to be targeted more heavily in recent years by commercial fishers. More science points to the vital role herbivores play in maintaining reef health and to their likely positive impact on reducing the level of invasive algae. A 2007 study of Hawai'i Marine Life Conservation Districts and comparable fished areas published in *Marine Ecology Progress Series*, shows that reefs with abundant herbivorous fish tend to have little or no problem with algal blooms, whereas reefs with few grazing fishes often have abundant seaweeds.<sup>3</sup>

We believe that the most important steps we can take to help restore fish populations are:

1. **Encourage responsible fishing** – Take what you need not what you can. Indiscriminate fishing methods, like lay gill nets and fishing on SCUBA, should be tightly controlled or banned.
2. **Support community based marine management** – Help the communities across the state that are managing marine resources, working to ensure compliance with laws, and monitoring human use and biological change over time.
3. **Create replenishment areas for fish** – The process must be based on the best available science and credible local knowledge, involving fishers, local communities, scientists, and government. Examples include Maui's proposed herbivore replenishment area and the Fisheries Replenishment Areas on the Big Island.
4. **Strengthen enforcement capacity** – Everyone agrees that enforcement needs to be improved. Hawaii's enforcement capacity is underfunded and understaffed.
5. **Manage statewide threats** - Invasive species and land-based sources of pollution (e.g., sewage injection wells, cesspools, illegal grading, stream channelization) are killing our reefs and must be reduced through statewide action and policy.

Taken together, these actions form a comprehensive program that will enable the State to turn the tide and begin to preserve the biological, cultural, and economic values of Hawaii's reefs.

<sup>1</sup> Friedlander, A.M., presentation at the International Coral Reef Symposium, July 2008.

<sup>2</sup> Williams, I.D., et al., *Assessing the importance of fishing impacts on Hawaiian coral reef fish assemblages along regional-scale human population gradients*. *Environmental Conservation*, 2008. **35**(3): p. 261-272.

<sup>3</sup> Friedlander, A.M., E. Brown, and M.E. Monaco, *Defining reef fish habitat utilization patterns in Hawai'i: comparisons between marine protected areas and areas open to fishing*. *Marine Ecology-Progress Series*, 2007. **351**: p. 221-233.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 01, 2009 10:09 AM  
**To:** WTLTestimony  
**Cc:** pkuo@hawaii.edu  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: P Kuo  
Organization: Individual  
Address:  
Phone:  
E-mail: [pkuo@hawaii.edu](mailto:pkuo@hawaii.edu)  
Submitted on: 2/1/2009

**Comments:**

I have been spearfishing for years, and will always defend it as the most environmentally sound way to catch fish. Like anything else, this must be done responsibly. I can say first hand that Oahu south shore now has more uhu than Maui south shore.

Time to do something before it is too late.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 01, 2009 10:11 AM  
**To:** WTLTestimony  
**Cc:** mahiai@sandwichisles.net  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Randy Awo  
Organization: Individual  
Address: Wailuku, Hawaii  
Phone: 808 760-8318  
E-mail: [mahiai@sandwichisles.net](mailto:mahiai@sandwichisles.net)  
Submitted on: 2/1/2009

**Comments:**

I support this bill because I agree that there has been a significant decline in the population of fish species identified in this bill that now require protection through the establishment of bag limits.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 01, 2009 10:12 AM  
**To:** WTLTestimony  
**Cc:** mahiai@sandwichisles.net  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Momilani Awo  
Organization: Individual  
Address: Wailuku, Hawaii  
Phone: 808 760-8318  
E-mail: [mahiai@sandwichisles.net](mailto:mahiai@sandwichisles.net)  
Submitted on: 2/1/2009

**Comments:**

I support this bill because I agree that there has been a significant decline in the population of fish species identified in this bill that now require protection through the establishment of bag limits.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 01, 2009 10:13 AM  
**To:** WTLTestimony  
**Cc:** mahiai@sandwichisles.net  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Nainoa Awo  
Organization: Individual  
Address: Wailuku, Hawaii  
Phone: 808 760-8318  
E-mail: [mahiai@sandwichisles.net](mailto:mahiai@sandwichisles.net)  
Submitted on: 2/1/2009

**Comments:**

I support this bill because I agree that there has been a significant decline in the population of fish species identified in this bill that now require protection through the establishment of bag limits.



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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 01, 2009 10:13 AM  
**To:** WTLTestimony  
**Cc:** mahiai@sandwichisles.net  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Ehukai Awo  
Organization: Individual  
Address: Wailuku, Hawaii  
Phone: 808 760-8318  
E-mail: [mahiai@sandwichisles.net](mailto:mahiai@sandwichisles.net)  
Submitted on: 2/1/2009

**Comments:**

I support this bill because I agree that there has been a significant decline in the population of fish species identified in this bill that now require protection through the establishment of bag limits.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 01, 2009 10:13 AM  
**To:** WTLTestimony  
**Cc:** mahiai@sandwichisles.net  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Konane Awo  
Organization: Individual  
Address: Wailuku, Hawaii  
Phone: 808 760-8318  
E-mail: [mahiai@sandwichisles.net](mailto:mahiai@sandwichisles.net)  
Submitted on: 2/1/2009

**Comments:**

I support this bill because I agree that there has been a significant decline in the population of fish species identified in this bill that now require protection through the establishment of bag limits.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 01, 2009 12:13 PM  
**To:** WTLTestimony  
**Cc:** don@doncouch.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Don Couch  
Organization: Individual  
Address: PO Box 1212 Kihei, HI 96753  
Phone:  
E-mail: [don@doncouch.com](mailto:don@doncouch.com)  
Submitted on: 2/1/2009

**Comments:**

Our reefs are dying. I have been observing their decline for 18 years. Part of the cause is over fishing of Uhu and goatfish. We need these fish as they are the major part of maintaining the health of the reefs AND the beaches (uhu contribute to the generation of a lot of the sand on our beaches.

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 01, 2009 1:43 PM  
**To:** WTLTestimony  
**Cc:** maurmick@aol.com  
**Subject:** Testimony for SB378 on 2/2/2009 3:15:00 PM

Testimony for WTL 2/2/2009 3:15:00 PM SB378

Conference room: 229  
Testifier position: support  
Testifier will be present: No  
Submitted by: Maureen Ross  
Organization: Individual  
Address:  
Phone:  
E-mail: [maurmick@aol.com](mailto:maurmick@aol.com)  
Submitted on: 2/1/2009

**Comments:**

I seldom see parrotfish anymore when I snorkel. As little as five years I saw them regularly. They are such docile and friendly fish they don't seem to even know to swim away quickly. Therefore, they need our protection even more than some other varieties.

I've read many articles regarding Maui's sand disappearing for construction use. Allowing the killing of our parrot fish just compounds that problem.

Please pass regulations to protect them.

## S.B. No. 378 (Oppose)

I am giving my testimony because I feel that this bill is prejudice against all commercial fishermen. This bill seems only to benefit the recreational fisherman, mainly the free dive spearfishermen.

The commercial fishermen are the ones that will feel the results when you apply a bag limit. They are the ones that are legally stimulating the economy with their traditional methods of fishing. They buy fuel, fishing gear and equipment for their boats. They create jobs for fish markets and a balanced supply of fresh island fish. **The money stays home!** When you limit the species, you are messing with our livelihood, by forcing us out of a job we live for.

I personally feel that this bill should be killed and suggest that other ways should be considered, such as seasonal closures to protect the species, before making it law.

George Matsuda (will not testify in person)

Address: 94-400 Nui St. Mililani, HI  
Phone: 808-627-1607  
E-mail: [trapdiver55@yahoo.com](mailto:trapdiver55@yahoo.com)

**TESTIMONY**

**SB 378**

**(END)**