

STAND. COM. REP. NO.

1049

Honolulu, Hawaii

MAR 27 2009

RE: H.B. No. 1712
H.D. 2
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Water, Land, Agriculture, and Hawaiian Affairs, to which was referred H.B. No. 1712, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO FISHING,"

begs leave to report as follows:

The purpose of this measure is to require the Department of Land and Natural Resources (DLNR), in addition to the input the DLNR receives from the public at informational meetings, to consider and incorporate relevant data for rules adopted to regulate the taking of uhu, weke/moana kali, and ulua/papio.

This measure also directs DLNR to provide an appropriate monitoring and evaluation component to determine the effectiveness of rules adopted regarding the uhu, weke/moana kali, and ulua/papio fish stocks, and the effect that runoff, sedimentation, and other factors have on these fish population.

Testimony in support of this measure was submitted by three organizations and four public citizens. One public citizen provided comments. Testimony in opposition was submitted by one state agency, two organizations, and eleven public citizens. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that many in the fishing community have become disenchanted with DLNR's management of Hawaii's marine resources. Informational meetings conducted by DLNR for fishing

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rules have relied upon anecdotal evidence that has little justification to the fishing community, however, very little data is available about the status of Hawaii's fish stocks and how much fishing pressure they are able to sustain. This measure will ensure that DLNR uses public input from informational meetings, in addition to any available and relevant data on the fish stock. Your Committee believes that this measure will ensure that fishing rules adopted by DLNR address both the general public and the fishing community's concerns, and establishes monitoring programs to assist DLNR with future rulemaking.

Your Committee has amended this measure by:

- (1) Adopting the recommendations of the Nature Conservancy to require DLNR to include overharvesting in the monitoring and evaluation programs of the fish stocks;
- (2) Inserting the contents of S.B. No. 1, S.D. 1, relating to opihi, which was heard and adopted by your Committee, with amendments;
- (3) Inserting the contents of S.B. No. 378, S.D. 1, which establishes a fishing bag limit and size restrictions for Maui for uhu and goatfish, which was heard and adopted by your Committee; and
- (4) Making technical, nonsubstantive changes for the purpose of clarity.

As affirmed by the record of votes of the members of your Committee on Water, Land, Agriculture, and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1712, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1712, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committee on Water, Land,
Agriculture, and Hawaiian
Affairs,



CLAYTON HEE, Chair



