



# Sierra Club Hawai'i Chapter

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**HOUSE COMMITTEE ON WATER, LAND, & OCEAN RESOURCES**  
February 7, 2011, 9:00 A.M.

**(Testimony is 1 page long)**

## **TESTIMONY IN SUPPORT OF HB 377**

Aloha Chair Chang and Members of the Committee:

The Hawai'i Chapter of the Sierra Club, with 8,000 dues-paying members and supporters, supports HB 377. This measure would wisely give state lease preference to builders of Hawaiian fishponds.

Techniques for establishing and maintaining aquaculture have been increasingly criticized for their environmental impacts, including erosion, coastal degradation, and increased occurrence of harmful algal blooms (Maso & Garces 2006, Jayappa et al. 2006, Pergent-Martini et al. 2006). These environmental conditions have caused numerous ecological (i.e. fish die-offs, marine mammal strandings) as well as human health concerns, namely the consumption of infected fish and crustaceans and the ingestion of contaminated water (Sapkota et al. 2007, Vasas et al. 2007, Lopez-Rodas et al. 2006, Maso & Garces 2006).

Ironically, Hawai'i is cited as the home of an environmentally sensitive method to raise food for human consumption. Internationally, Hawaiian fishponds are being actively studied as a successful model for adoption (Chopin 2006, Troell et al. 2003). These systems were built to be self-sufficient, and used to grow a variety of fish, invertebrates, and algae. Fishponds, besides being steeped in cultural tradition and offering the potential of an environmentally sensitive source of food, can be a home to endangered marsh birds and other birds, fish and aquatic animals.

In short, we believe the state should encourage the preservation and development of new Hawaiian fishponds by giving preference to these projects when leasing state land. We respectfully request this committee advance this measure.

Thank you for this opportunity to provide testimony.

HB 377 Relating to Hawaiian Fishpond Lease Preference

Committee:WLO

Room: 325

Hearing Date:2/7/2011 9:00:00 AM

Aloha Rep. Chang and Rep. Har,

I wanted to thank you for hearing the fishpond bill HB377. The bill gives preference to those using Hawaiian fishponds for their intended purpose and streamlines the State application approval process. The State should be helping communities as they restore Hawaiian fishponds and not throwing up roadblocks that suck up money and volunteer momentum. Working fishponds increase the abundance of fish, strengthen communities and provide outstanding educational opportunities. They also benefit the State by safeguarding water resources like springs which often feed into fishponds.

This bill is long overdue. We have few historic fishponds left and this will help reverse the trend of fishponds being ruined from neglect. It's time to say no more. Let's keep our ponds from dying due to regulatory burdens. Many of these are redundant and not necessary since pond operators already have to go through stringent regulatory hurdles.

Mahalo for your consideration,

Chris Cramer

Chris Cramer

President

Maunaloa Fishpond Heritage Center 501(c)(3)

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HOUSE OF REPRESENTATIVES  
THE TWENTY-SIXTH LEGISLATURE  
REGULAR SESSION OF 2011

COMMITTEE ON WATER, LAND, & OCEAN RESOURCES

Rep. Jerry L. Chang, Chair  
Rep. Sharon E. Har, Vice Chair

Rep. Rida T.R. Cabanilla	Rep. Ken Ito
Rep. Mele Carroll	Rep. Hermina M. Morita
Rep. Pono Chong	Rep. Mark M. Nakashima
Rep. Denny Coffman	Rep. Gil Riviere
Rep. Robert N. Herkes	Rep. Cynthia Thielen

NOTICE OF HEARING

DATE: Monday, February 07, 2011  
TIME: 9:00 a.m.  
PLACE: Conference Room 325  
State Capitol  
415 South Beretania Street

Re: TESTIMONY IN SUPPORT OF HB377

From: Tony Costa  
Hawaii Nearshore Fishermen  
Honolulu, Hawaii  
540-1308 office

Testimony

Hawaii Nearshore Fishermen are in strong support of HB377.

In the 2010, Twenty-fifth Legislative Session, HB1665 – Preventing the sale of Government owned fishponds passed. The passage of this bill effectively took a historic fishpond, the Lucas Spring Fishpond otherwise known as Kalauhaihai, off the auction block but more importantly initiated a process to begin the preservation and rehabilitation of a great and historic Hawaiian Fishpond.

Critical to the successful restoration of fishponds are both the ability and feasibility for NGO groups or Government agencies to access and follow through with their work, and also the careful restoration, reconnection, and revival of the fresh water source that percolates through the subterranean lateral crevices into the ponds and onward into the nearshore environment.

Of the many impediments one faces in such work of property acquisitions and leases and management, particularly with fishponds, are the many State and Federal requirements and permits and certifications needed.

HB377 would allow a preference specific to developers of Hawaiian fishponds by streamlining the permitting process hopefully to lesson some of the many onerous requirements.

The Fishermen's position is firm and clear. In light of the importance that fresh water plays with respect to nearshore habitat and healthy recruitment levels for various nearshore species, we support any effort that helps to encourage the health and regeneration of our nearshore environment.

I attach herewith my testimony for HB1665 as exhibit "A" from last year's session as I believe it also contains relevant testimony toward fishponds and the importance of fresh water to the nearshore. I also attach exhibit "B" which is the lengthily list of Federal & State requirement currently needed to develop fishpond land.

Thank you very much for allowing me to testify and for your positive consideration in passing HB377

Tony Costa  
Hawaii Nearshore Fishermen

EX-200:IT  
X

HOUSE OF REPRESENTATIVES  
THE TWENTY-FIFTH LEGISLATURE  
REGULAR SESSION OF 2009

COMMITTEE ON HAWAIIAN AFFAIRS

Rep. Mele Carroll, Chair  
Rep. Maile S.L. Shimabukuro, Vice Chair

Rep. Della Au Belatti      Rep. Scott Y. Nishimoto  
Rep. Joe Bertrami, III      Rep. Ryan I. Yamane  
Rep. Tom Brower      Rep. Gene Ward  
Rep. John M. Mizuno

DATE: Wednesday, February 11, 2009  
TIME: 9:00 a.m.  
PLACE: Conference Room 329  
State Capitol  
415 South Beretania Street

Re: TESTIMONY IN SUPPORT OF HB1665

From: Tony Costa  
Hawaii Nearshore Fishermen  
Honolulu, Hawaii  
540-1308 office

Testimony

HNF are in strong support of HB1665

Fishermen believe there is nothing more important you can do for our nearshore fisheries than rehabilitate the nearshore estuarine habitat – one most important first step component being the fresh spring water revival.

Much has been proclaimed over the past ten years or so about “resource decline” and failed fisheries or other negative assessments about our oceans and reef. Never before has so much attention been given to nearshore resource conditions.

As the various groups rush to promote favorite measures to “save the reef”, we note that habitat loss, fresh water diversion, siltation or pollution rarely gets any attention as an important component in the condition of the reef. Yet, most all State and Non-Governmental groups do seem keener to focus on and malign traditional fishing practices as the single most urgent thing to prohibit as a fix.

While we understand the shortsighted world view most lay people have regarding the nearshore, fishermen remain optimistic that the misunderstanding about our ocean environments and the

fishermen themselves will in time, evolve into a better awareness that will eventually lead to a spirit of shared responsibility and coexistence.

The fishermen believe habitat loss is the primary culprit of any downside in fish population with recruitment being the important factor. Recruitment (new babies surviving) depends on many factors but condition of habitat surely is great. You can't have one without the other.

Biologists also tell us that recruitment is independent of spawning stock biomass (amount of pregnant egg bearing mothers). In other words, if conditions are just right (nursery habitat, water, temp, nutrients, stars lining up etc.) one single pregnant female can be responsible for millions of offspring (hypothetical).

When the kalalimu disappeared from Maunalua Bay due to the siltation associated from the dredging of Koko Marina in the 1950's, the Kala (fish) also disappeared -

We believe the single most effective thing you could do to help in recruitment of nearshore reef species and nearshore pelagic species would be to rehab the nursery grounds. One important ingredient in our nearshore nursery ground is the underground artesian spring waters that naturally percolate into our nearshore areas.

HB 1665 is one small step in insuring that some of these nearshore spring water systems remain not disturbed and as functional as possible by not allowing the sale of public fishpond lands.

The Fishermen want to commend the efforts and energies by all legislators and community members who wrote and are in support of this bill.

We strongly support HB1665

Tony Costa  
Hawaii Nearshore Fishermen

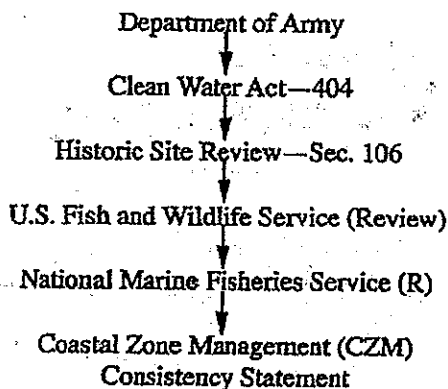
### Permit requirements

Here are the permits required for each government entity. The actual permit process may vary depending on the situation.

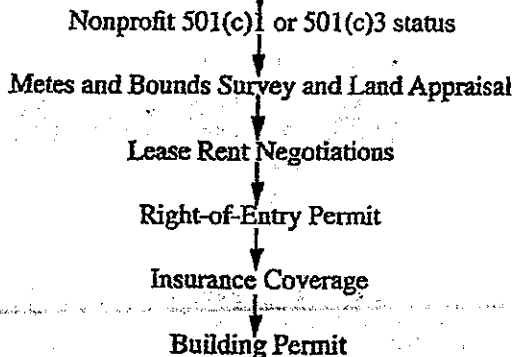
For state-owned loko i'a, additional requirements for state-leased fishponds are as follows:

EXHIBIT B

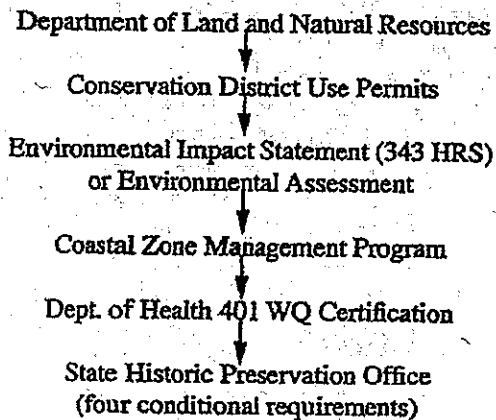
#### Federal permits



#### DLNR-Land Management Division State Lease mechanism



#### State permits



#### County permits

