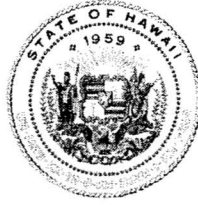
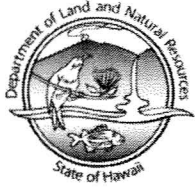


NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the House Committees on
WATER, LAND & OCEAN RESOURCES
and
ENERGY & ENVIRONMENTAL PROTECTION**

**Tuesday, February 15, 2011
9:30 AM
State Capitol, Conference Room 325**

**In consideration of
HOUSE BILL 850
RELATING TO FISHING**

House Bill 850 would establish a community-based fishery resource management area around the Island of Lanai, an advisory committee within the Department of Land and Natural Resources (Department), to develop traditional fishery management practices, and to advise the Department on proposed rules for the take of fishery resources. It also proposes an unspecified sum to be expended in Fiscal Year 2012 for the program's development. The Department opposes this bill.

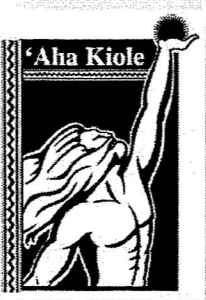
Establishing an advisory committee within the Department to provide advice on bill provisions relating to developing a plan for rule adoption, prioritizing important species for management and understanding their life cycles, other education and enforcement initiatives, would conflict with the existing mission of the Department, and would add another layer of management to the decision-making process. This would require Department staff to assist the committee on the bill's new initiatives, increase expenses, and tax an already-deficient manpower situation.

WILLIAM J. AILA, JR.
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
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ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS



Aha Kiole Advisory Committee

TESTIMONY to DEFER HB 850,
Relating to Fishing

Submitted to: Joint Hearing of the Committees on Water, Land, and Ocean Resources, Chair Jerry Chang; and Energy & Environmental Protection, Chair Hermina Morita

Hearing Date: February 15, 2011, 9:30am Room 325

Submitted by: Winifred Basques, Kiole, Lana'i

~~Atolia Chair Dela Cruz, Vice Chair Solomon, and Members of the Water, Land and Housing Committee~~

Thank you for the opportunity to testify on HB 850 which calls for the creation of a community-based fishery resource management area program for the Island of Lana'i. The bill quotes Act 212 as the foundation for the creation of this proposed program.

It was this Legislature who, in 2007, in answer to the critical and on-going concerns of Hawai'i residents on the continuing decline of the health of our natural and cultural resources, passed Act 212 through which the Aha Kiole Advisory Committee (AKAC) was created. The purpose of Act 212 was to initiate the process to create a system of best practices that is based upon the indigenous resource management practices of moku (regional) boundaries, which acknowledges the natural contours of land and ocean, the specific resources located within those areas, and the methodology necessary to sustain resources and the community.

The AKAC acknowledges and is grateful to this Legislature for acknowledging the importance of site-specific resource management. However while HB 850 recognizes Act 212, it in actuality conflicts with the Aha Moku Process that is the result of the Act. The conflict is in the following areas:

1. Establishment of the advisory committee to be placed within the Department of Land and Natural Resources. This "hui" is already established within the moku system. The bill calls for members with knowledge of traditional practices. What are needed are members with generational knowledge of the management and fishery resources of the specific ahupua'a and moku on Lana'i. The moku council for Lana'i has already been established and is in practice. What is needed is the formal recognition of the Aha Moku System.

2. The Lana'i community-based fishery resource management area advisory committee shall incorporate traditional Hawaiian caretaker (Konohiki) practices to implement traditional fishery management practices for the regulation of fishing and gathering to promote the sustainable use of marine resources. This actually duplicates the intent of Act 212 and while using it as a foundation, establishes another committee that is parallel to the Aha Moku Council on Lana'i that is already established.
3. The Dept. of Land and Natural Resources have publicly stated in testimony that they support the intent of the establishment of the Aha Moku System that would be recognized through the the Aha Kiole Commission which has come out of Act 212. HB 850 creates a committee that is identical to the Aha Moku System but falls under the management of DLNR and not under the management of the community.

The Aha Moku System is a true community consultation process through which communities can promote, educate and organize traditional resource management principles, practices and knowledge gleaned from thousands of years of Native Hawaiian kupuna (ancestral) knowledge and history that is site-specific.

We urge you to defer HB 850 until a mechanism is in place that will actively engage the Native Hawaiian community and the general public in consultation and decision-making on the community-based fishery resource management area program for the Island of Lana'i. That mechanism is going through the Legislature now.

Mahalo nui loa,

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