

Honolulu, Hawaii

MAR 24 2011

RE: H.B. No. 850
H.D. 1
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Water, Land, and Housing, to which was referred H.B. No. 850, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FISHING,"

begs leave to report as follows:

The purpose and intent of this measure is to implement a community-based fishery resource management area program for the island of Lanai.

Your Committee received testimony in support of this measure from Hawaiian Electric Company, Inc.; Sierra Club, Hawai'i Chapter; Lanai Hunters Advisory; Janice Palma-Glennie; George Purdy; Mele Davis; Max Renigado; Ken Esclito; and H. Mei Lani Aki. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources and Carl Jellings, Sr.

Your Committee finds that resource management is site specific. Natural resource management practices that encompass traditional Hawaiian fishing practices must be adapted to the local environments and applied with a local understanding of the environmental and ecological conditions affecting the natural resources.

The Lanai community, in particular, has voiced concerns about the impacts of overfishing, invasive species, and the impact of marine cage aquaculture on its subsistence lifestyle. This



measure recognizes that the residents of Lanai are in the best position to understand the yields, cycles, and patterns of their fisheries, and takes advantage of that historical knowledge by implementing a community-based fishery resource management area program.

Your Committee has amended this measure by:

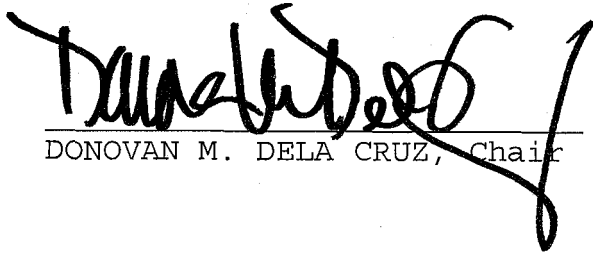
- (1) Changing the membership criteria for the Lanai Community-based Fishery Resource Management Area Advisory Committee and the mandate for the Committee to focus on fishing cultural practices that emphasize sustaining the fishery;
- (2) Deleting the reference to "konohiki" on page 4, line 15 to avoid confusion with section 187A-23, Hawaii Revised Statutes, which governs konohiki fisheries;
- (3) Requiring the plan that establishes the management framework for fishery resources to be based on best available information, regardless of whether that information is based on personal observation of and adjustments or responses to environmental changes, or otherwise;
- (4) Requiring the Advisory Committee to establish a community-based fishery resource management area system that, among other things, can respond quickly to environmental changes and changes in the fishery stock;
- (5) Providing that the rules proposed by the Advisory Committee and adopted pursuant to chapter 91, Hawaii Revised Statutes, shall be incorporated as the fishery management structure for the island of Lanai upon the implementation of the 'aha kirole or 'aha moku system;
- (6) Changing the effective date to July 1, 2011; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 850, H.D. 1, as amended herein, and recommends that it



pass Second Reading in the form attached hereto as H.B. No. 850,
H.D. 1, S.D. 1, and be referred to the Committee on Ways and
Means.

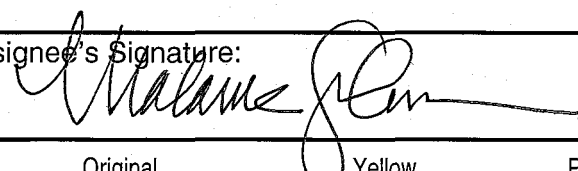
Respectfully submitted on
behalf of the members of the
Committee on Water, Land, and
Housing,


DONOVAN M. DELA CRUZ, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Water, Land, and Housing
WLH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 850 HDI	WLH, WAM	3/22/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	✓			
SOLOMON, Malama (VC)	✓			
FUKUNAGA, Carol	✓			
RYAN, Pohai	✓			
SHIMABUKURO, Maile				✓
TOKUDA, Jill N.	✓			
SLOM, Sam				✓
TOTAL	5			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes