

har2-Samantha

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From: mailinglist@capitol.hawaii.gov  
Sent: Friday, January 27, 2012 8:27 AM  
To: WLOtestimony  
Cc: tony@pop-hawaii.com  
Subject: Testimony for HB2092 on 1/27/2012 9:00:00 AM

**LATE TESTIMONY**

Testimony for WLO 1/27/2012 9:00:00 AM HB2092

Conference room: 325  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Tony  
Organization: Individual  
E-mail: [tony@pop-hawaii.com](mailto:tony@pop-hawaii.com)  
Submitted on: 1/27/2012

Comments:

Re: TESTIMONY IN SUPPORT OF HB 2092  
From: Tony Costa  
Hawaii Nearshore Fishermen  
Honolulu, Hawaii  
540-1308 office

Testimony

Hawaii Nearshore Fishermen are in strong support of HB 2092

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 Kalauhahai, 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.

HB 2092 would allow a preference specific to the reconstruction, restoration, repair, or use 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 HB 2092

Tony Costa  
Hawaii Nearshore Fishermen

har2-Samantha

**From:** Tony Costa [tony@pop-hawaii.com]  
**Sent:** Friday, January 27, 2012 8:24 AM  
**To:** WLOtestimony; Rep. Jerry Chang  
**Subject:** HB 2092  
**Attachments:** FishPondExhibitAandExhibitB.PDF; HB2092Testimony.docx

HOUSE OF REPRESENTATIVES  
THE TWENTY-SIXTH LEGISLATURE  
REGULAR SESSION OF 2012

COMMITTEE ON WATER, LAND, & OCEAN RESOURCES

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

Rep. Rida T.R. Cabanilla	Rep. Derek S.K. Kawakami
Rep. Mele Carroll	Rep. Mark M. Nakashima
Rep. Denny Coffman	Rep. Gil Riviere
Rep. Robert N. Herkes	Rep. Cynthia Thielen
Rep. Ken Ito	

NOTICE OF HEARING

**DATE:** Friday, January 27, 2012  
**TIME:** 9:00 a.m.  
**PLACE:** Conference Room 325  
State Capitol  
415 South Beretania Street

Re: TESTIMONY IN SUPPORT OF HB 2092

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

Testimony

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Tony Costa  
Hawaii Nearshore Fishermen

EXHIBIT

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 Bertram, 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

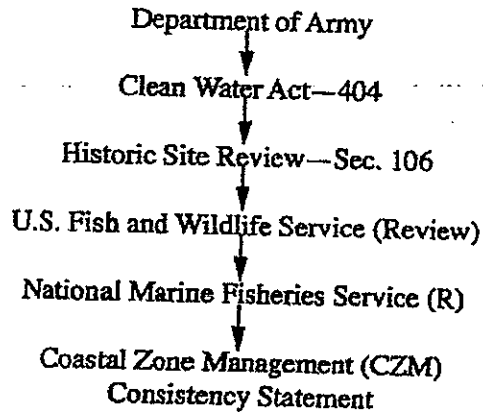
Tony Costa  
Hawaii Nearshore Fishermen

## Permit requirements

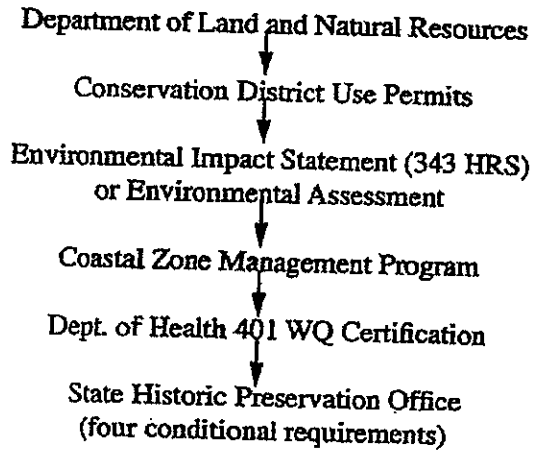
Here are the permits required for each government entity. The actual permit process may vary depending on the situation.

Exhibit B

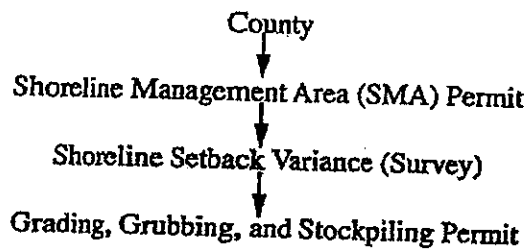
### Federal permits



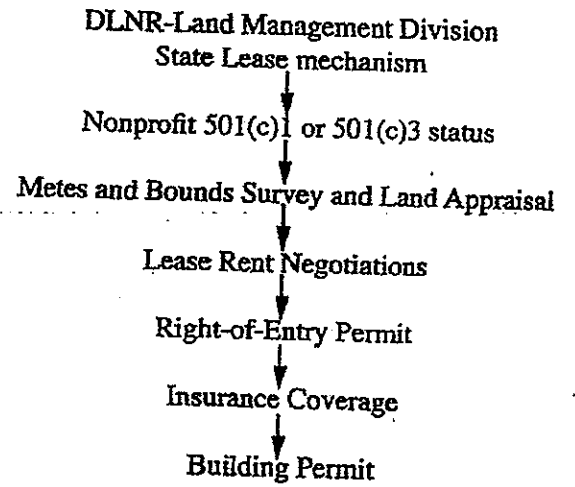
### State permits



### County permits



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



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 27, 2012 8:44 AM  
**To:** WLOtestimony  
**Cc:** lucas@kaulana.net  
**Subject:** Testimony for HB2092 on 1/27/2012 9:00:00 AM

Testimony for WLO 1/27/2012 9:00:00 AM HB2092

Conference room: 325  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Kai Lucas  
Organization: Maunalua Fishpond Heritage Center  
E-mail: [lucas@kaulana.net](mailto:lucas@kaulana.net)  
Submitted on: 1/27/2012

Comments:

Community stewardship of loko i'a is the most effective way to protect the nearshore, wetland, and coastal environments they are typically found in. Current regulations regarding Hawaiian fishponds are onerous, requiring years of administrative work for organizations costing time and money much better spent restoring and maintaining the ponds. Please pass this Bill.

Aloha,  
Kai Lucas



# LATE TESTIMONY

har2-Samantha

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, January 26, 2012 11:05 PM  
**To:** WLOtestimony  
**Cc:** KHMsteersman@gmail.com  
**Subject:** Testimony for HB2092 on 1/27/2012 9:00:00 AM

Testimony for WLO 1/27/2012 9:00:00 AM HB2092

Conference room: 325  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Kauwila Hanchett  
Organization: Individual  
E-mail: [KHMsteersman@gmail.com](mailto:KHMsteersman@gmail.com)  
Submitted on: 1/26/2012

Comments:  
Please support this bill. Mahalo.

# LATE TESTIMONY

har2-Samantha

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, January 26, 2012 8:12 PM  
**To:** WLOtestimony  
**Cc:** jeannine@hawaii.rr.com  
**Subject:** Testimony for HB2092 on 1/27/2012 9:00:00 AM  
**Attachments:** HB32092 testimony NB WLO 1-27-12.pdf

Testimony for WLO 1/27/2012 9:00:00 AM HB2092

Conference room: 325  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Jeannine Johnson  
Organization: Kuli'ou'ou / Kalani Iki Neighborhood Board #2  
E-mail: [jeannine@hawaii.rr.com](mailto:jeannine@hawaii.rr.com)  
Submitted on: 1/26/2012

Comments:

Jeannine Johnson, Legislative Sub-Committee Chair

**Kuli'ou'ou / Kalani Iki Neighborhood Board #2**

5648 Pia Street, Honolulu, Hawai'i 96821

Phone: 373-2874 (h) / 691-7261 (w)

January 26, 2012

**LATE TESTIMONY**

**House Committee on Water, Land, & Ocean Resources**

Rep. Jerry L. Chang, Chair

Rep. Sharon E. Har, Vice Chair

Re: HB2092 Relating to State Leases; Kanaka Maoli Fishponds

Hrg: Friday, January 27, 2012 at 9:00 am in Conf. Room 325

Aloha mai kākou,

Under Section 2-14-125 of the Neighborhood Board Plan, I have been appointed as a Delegate with responsibilities to represent the **Kuli'ou'ou / Kalani Iki Neighborhood Board #2** on matters approved by the Board. As Committee Chair of the **Kuli'ou'ou / Kalani Iki Neighborhood Board #2** Legislative Sub-Committee, I am pleased to inform you **Neighborhood Board #2** supports HB2092 which provides state lease preferences for the reconstruction, restoration, repair, or use of kanaka maoli (Hawaiian) fishponds. **Neighborhood Board #2** represents over 6,000 households, with a population of almost 20,000 people (State of Hawaii Data Book 2002) in East Honolulu.

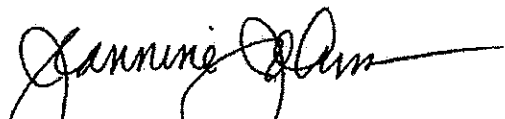
Before Westerners arrived in Hawai'i, native Hawaiians lived a life of self-subsistence and harmony with the land and sea. Native Hawaiians understood that by caring for the land and sea, they too, would be cared for by the land and sea. A great example of this is a native Hawaiian fishpond (loko i'a or loko kuapā) which were first built around the fifteenth century. Hawaiians built 488 fishponds statewide, however only about 60 fishponds remain recognizable today. O'ahu alone had 97 fishponds, but only six accessible ponds remain today. Thirteen fishponds have been restored statewide, with six ponds currently in use: three on Moloka'i, one on the island of Hawai'i, and two on O'ahu.

Currently, the Maunalua Fishpond Heritage Center is working to stop the sale of two remaining fishponds at auction by the Department of Transportation and obtain the leases. They are Kanewai Fishpond, a royal pond assessed to have the properties that make it eligible for listing on the National Historic Register, and Kalauha'iha'i (Lucas Spring and Fishpond) reported to be the location of a summer home of Kamehameha I and where Queen Ka'ahumanu was said to have renounced the ancient kapu system at the Kalauha'iha'i Assembly. Kalauha'iha'i refers to the scattering of the leaves and breaking of the ancient kapu and was listed as one of Hawai'i's Most Endangered Historic Sites in 2008 by the Historic Hawai'i Foundation.

Recognizing the important cultural significance these fishponds represent, at its November 6, 2008 meeting, **Neighborhood Board #2** voted to support preventing any governmental entity from selling culturally significant Native Hawaiian treasurers such as fishponds. Giving preference for the reconstruction, restoration, repair, or use of kanaka maoli fishponds when issuing leases for public land suitable for kanaka maoli fishponds will safeguard our last remaining fishponds for future generations.

Your support of HB2092 is respectfully requested.

'O au iho nō me ke aloha,



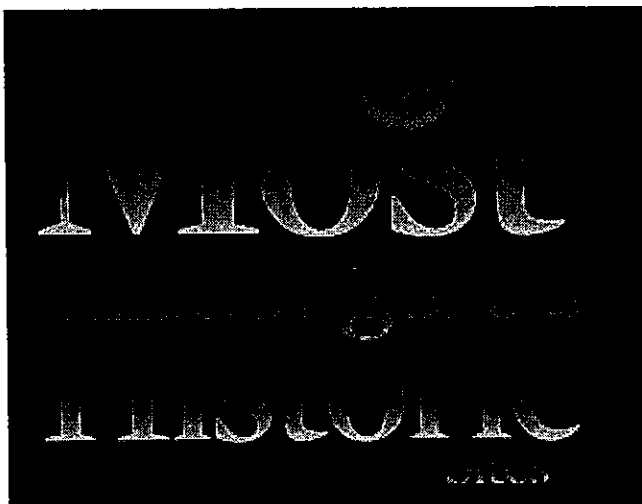
Jeannine Johnson, Legislative Sub-Committee Chair

**Kuli'ou'ou / Kalani Iki Neighborhood Board #2**

5648 Pia Street, Honolulu, HI 96821

Phone: 373-2874 / 537-7261 (work)

Email: [jeannine@hawaii.rr.com](mailto:jeannine@hawaii.rr.com)



# LATE TESTIMONY

har2-Samantha

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, January 26, 2012 7:34 PM  
**To:** WLOtestimony  
**Cc:** clk@quixnet.net  
**Subject:** Testimony for HB2092 on 1/27/2012 9:00:00 AM

Testimony for WLO 1/27/2012 9:00:00 AM HB2092

Conference room: 325  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Carolyn L Knoll  
Organization: Individual  
E-mail: [clk@quixnet.net](mailto:clk@quixnet.net)  
Submitted on: 1/26/2012

**Comments:**

Restoring Hawaiian (kanaka maoli) fishponds is a pono approach for expanding supplies of local food by sustainable and culturally appropriate means. HB 2092 will help promote reconstruction, restoration, and use of kanaka maoli fishponds by directing the Board of Land and Natural Resources to grant preferences to state leases for such purposes, and to adopt rules streamlining the application process for kanaka maoli fishponds.

# LATE TESTIMONY

har2-Samantha

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 27, 2012 2:13 AM  
**To:** WLOtestimony  
**Cc:** lauracmoa@gmail.com  
**Subject:** Testimony for HB2092 on 1/27/2012 9:00:00 AM  
**Attachments:** fishpond\_testimony.docx

Testimony for WLO 1/27/2012 9:00:00 AM HB2092

Conference room: 325  
Testifier position: Support  
Testifier will be present: Yes  
Submitted by: Laura Moa  
Organization: Individual  
E-mail: [lauracmoa@gmail.com](mailto:lauracmoa@gmail.com)  
Submitted on: 1/27/2012

Comments:

# LATE TESTIMONY

HOUSE OF REPRESENTATIVES  
THE TWENTY-SIXTH LEGISLATURE  
REGULAR SESSION OF 2012

COMMITTEE ON WATER, LAND, & OCEAN RESOURCES

Rep. Jerry L. Chang, Chair

Rep. Sharon E. Har, Vice Chair

Rep. Rida T.R. Cabanilla	Rep. Derek S.K. Kawakami
Rep. Mele Carroll	Rep. Mark M. Nakashima
Rep. Denny Coffman	Rep. Gil Riviere
Rep. Robert N. Herkes	Rep. Cynthia Thielen
Rep. Ken Ito	

January 23, 2012

To: The Honorable Jerry L. Chang, Chair  
The Honorable Sharon E. Har, Vice Chair  
Members of the House Committee on Water Land and Ocean Resources

From: Laura Moa

Re: Testimony in Support of HB 2092

I would like to thank the committee for the privilege to share my testimony on this important issue. It is with deep passion and vitality that I express my support for HB 2092, which would provide preference when issuing leases for the repair, restoration, and reconstruction of Kanaka Maoli fishponds.

The Kanaka Maoli fishponds are a unique feature and attribute of Hawaiian culture and heritage. The movement to develop and restore such fishponds to a fluid and operational state has economic, historic, and environmental relevance for our unique islands. In previous times, these fishponds were a common feature of a self-sustaining agricultural system which promoted sustenance, health, and spirituality among Kanaka Maoli. They offer a tangible and powerful link to the past as they embody such spirituality and common practice, representing cultural relevance to current times.

As such the restoration of Kanaka Maoli fishponds offers vital importance to the efforts of preserving and renewing Hawaiian culture within these islands. Such efforts are symbolic of the fortitude and resilience of the Kanaka Maoli to restore an important cultural practice that in previous times has seen deterioration and decay. Giving lease preference and facilitation in the application approval process for lease applicants would help to restore this unique cultural feature at which it would further enhance culturally relevant teaching processes. Kanaka Maoli fishponds can be used as an important teaching tool in respect to, environmental studies, aquaculture practice, marine biology, community development, economic sustenance, and Hawaiian culture and history.

It is with great fortitude and honor that I provide my support towards the utilization and propagation of such an important attribute of Hawaiian culture. Therefore, I urge you to pass HB 2092. Thank you for the opportunity to present this testimony.