

SB 26

RELATING TO CONSERVATION.

Requires applicants for aquarium fish permits to specify in their application the species to be collected and the collection areas. In the case of indigenous species, the issuance or renewal of aquarium fish permits is prohibited unless a population survey has been conducted and the department has determined that the population of the indigenous species to be collected is sustainable in the collection areas specified in the application.

WTL/ENE, WAM

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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

Before the Senate Committees on

**WATER AND LAND
and
ENERGY AND ENVIRONMENT**

**Tuesday, January 29, 2013 (2:15 pm)
State Capitol, Conference Room 225**

**SENATE BILL 26
RELATING TO CONSERVATION**

Senate Bill 26 proposes to require any person applying for an aquarium permit to identify which species and where they will be collecting. Under the proposal, no indigenous species could be collected unless the Department of Land and Natural Resources (“DLNR”) conducts a population survey for that species. The main aquarium collecting areas in the State are the near shore waters around Oahu and West Hawaii.

DLNR has been issuing one year aquarium permits for almost 60 years (since 1953).

In 1998, the Legislature adopted Haw. Rev. Stat. chapter 188F, *West Hawaii Regional Fishery Management Area*, requiring DLNR to develop a West Hawaii Regional Fishery Management Area Plan, review the plan every five (5) years, and submit a report to the Legislature. DLNR has done the monitoring work (more than 25 permanent transects) and submitted reports every 5 years.

Since 1998, DLNR has actively managed the West Hawaii fishery. DLNR recently proposed and held public hearings on separate sets of administrative rules for West Hawaii and for Oahu. Each proposed rule package is tailored to the unique needs of the specific geographic area. Both will regulate aquarium collecting, although in different ways. These rules will manage aquarium fish in ways that reflect the resources of the particular area.

On Oahu, DLNR already does yearly underwater fish (transect) sight surveys in marine life conservation districts (including Hanauma Bay beginning in 1969), fisheries management areas, and areas under consideration for management. This data has been collected since the mid-1970s.

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

ESTHER KIA'AINA
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

DLNR already receives and analyzes the commercial catch data for all fish (including aquarium fish). This monthly commercial fishing activities report is cross checked against the commercial dealer's purchase report. This cross-checking has proven very successful in evaluating the accuracy of the catch data.

DLNR does not agree with the legal obligation to undertake additional population surveys beyond which DLNR is already doing.

Earthjustice is currently suing DLNR for not conducting an Environmental Assessment before issuing aquarium permits (both permits issued 120 days prior to the October 24, 2012 lawsuit, and subsequently). As a matter of law, DLNR does not think that an Environmental Assessment is required.

From: [Barbara Steinberg](#)
To: [WTLTestimony](#)
Subject: SB26 protect the reefs support
Date: Sunday, January 27, 2013 10:37:18 AM

I support SB26 to protect the reefs in Hawaii. thanks Barbara Steinberg
Maui Kindness Club
I teach children to paint the native fish and to protect the reefs and encourage our
legislators to vote in favor of protection of reefs .

Barbara Steinberg BFA
Watercolor Studio
<http://www.barbarasteinbergart.com>

"Animals have been regarded as property
for way too long.It's high time we took
on a more loving and responsible
relationship with our kindred beings in
the web of life on this beautiful
planet.I always think and act as a
guardian towards my kindred
beings, never as their owner"
Jim Mason, author
An unnatural Order

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: email@markschacht.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 8:23:00 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Schacht	Green Divers Productions	Support	No

Comments: We strongly support amending this critically important legislation with an appropriate definition of "sustain"/"sustainable". Hawaii's current efforts to regulate taking of wild fish from the reefs by collectors is too weak to be effective. For example, our understanding is that resource managers currently consider species populations as "sustained" even if they have been depleted by as much as 90%. The fact that some species MIGHT, POSSIBLY, VERY SLOWLY recover over a period of many years after having been depleted to the 90% level, does nothing to protect or preserve the other legitimate (non-aquarium) uses--recreational, cultural, local fishing, etc.--which are very significantly degraded when 90% of a species disappears. Please stop the plundering of Hawaii's reefs by unregulated collectors.

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: rmkona@hawaiiantel.net
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 2:16:41 PM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Menacho	West Hawaii Humane Society	Support	No

Comments: Please support this bill and amend with a strong definition of "sustainable". Mahalo

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Cc: towle@hawaiiantel.net
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 10:20:01 AM

SB26

Submitted on: 1/28/2013

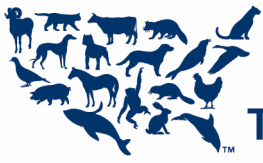
Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Ginger Towle	West Hawaii Humane Society	Support	No

Comments: We need to be continually aware and protect our natural treasures because once their gone their gone. We need strict laws and they need to be enforced. You only need to look at other areas in the state that have been seriously effected and that is everyones fault for not addressing this serious over aquarium fishing sooner.

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**THE HUMANE SOCIETY
OF THE UNITED STATES**

TO: Honorable Chairs Solomon and Gabbard and Committee Members

Senate Committees on Water, Land and Natural Resources and Energy and Environment, 1-29-13, 215pm

RE: In SUPPORT OF SB26; Relating to Conservation

Submitted by: Inga Gibson, Hawaii State Director, The Humane Society of the United States, P.O. Box 89131, Honolulu, HI 96830, igibson@hsus.org, 808-922-9910

On behalf of our members and supporters of The Humane Society of the United States in Hawaii, we thank you for the opportunity to speak in support of SB26, with the addition of critical amendments to define the term “collection area” to ensure an adequate sample size; and to define the term “sustainable/sustaining” to ensure depleted reef wildlife populations are protected.

Unbeknownst to many, Hawaii is the world’s 3rd largest exporter of reef wildlife for the U.S. aquarium trade, which itself is the largest consumer in the world. Hawaii’s aquarium take dwarfs, by many times, what aquarium collectors are allowed to take from Australia’s Great Barrier Reef, the largest reef in the world. For more than 40 years we have been literally giving away this natural resource—our native reef wildlife.

Unlike freshwater fish who are successfully raised in captivity and so survive in aquariums, the vast majority of saltwater fish are taken from the wild and fail to thrive in aquariums. They are basically treated like cut flowers; extracted for ornamental purposes then simply discarded when dead or dying and replaced with yet another-- For every dead fish, another is taken from our fragile reefs.

In fact, up to 40% of wildlife collected from our reefs dies before reaching their final destination—an astronomical rate that would never be tolerated for other animals taken for the “pet trade.” For the reef wildlife that DOES survive the initial journey to pet stores or hobby aquariums outside of Hawaii, these animals continue to die prematurely in captivity; with the vast majority living only a tiny fraction of their natural lives if left on their native reefs

In closing, a handful of collectors are benefiting from a natural resource—live animals, nearly half of whom are endemic and found only in Hawaii-- that should instead benefit ALL the peoples of Hawaii. Furthermore, the effects of over-collection have tremendous negative implications, far beyond the death of the individual animals. Commercial collection impacts species survival, other marine animal populations, and critical reef health and ecosystems.

Economically, socially, culturally and ethically, Hawaii’s reef wildlife belongs on Hawaii’s reefs.

We respectfully urge your support of this measure with the above-referenced amendments.

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: viviansuet@hotmail.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 8:00:12 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Vivian S. Toellner	Hui Pono Holoholona	Support	No

Comments: for SB26 to be effective, a key amendment is required: Hawaii resource managers currently consider populations depleted by as much as 90% as sustained. I would support a complete ban of the aquarium trade. Why remove our natural resource. Deplete our attractiveness to the tourism industry. At least ban all aquarium trade from public beaches.

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: m.wynne09@gmail.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 7:26:54 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Michelle Wynne	Mother Earth	Comments Only	No

Comments: Come on keep it real, cruelty free, leave beautiful species in their environment, worth more in the long run.

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From: [David Dart](#)
To: [WTLTestimony](#)
Subject: SB26 Opposed
Date: Sunday, January 27, 2013 3:38:34 PM

As a council member of the West Hawaii Fishery Council for the last several years I oppose SB26. I spent more time than anyone outside of DAR personal working on the species of special concern "white list" only allowing fish suitable in population and survivability to be on the list of fish to be caught. None of the species has a high vulnerability rating! The Marine Protected Areas (MPA), Fish Replenishment Areas (FRA), depth, and weather protected areas ensure sustainability. David Dart PO Box 5065 Kailua, Kona 96745. 808-936-5821

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: pbasabe@hawaii.rr.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 10:16:57 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Big Island Association of fisherpersons	Big Island Association of Fisherpersons	Oppose	No

Comments: This bill is not based on science. The state already has years of information that it is using to manage the fisheries. This fishery is the most managed fishery in the state. At this time the state has a plan to cut the amount of aquarium fish caught from 240 individuals to a max of 40 individuals that have been vetted by the state(with scientific input). We have forty members in our Association. Thank you.

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5420 W. 104th Street
Los Angeles, CA 90045 U.S.A
Ph: 310-645-1107 Fax: 310-670-8837
www.qualitymarine.com

January 28, 2013

State of Hawaii
Water & Land/Energy & Environment Committee
Re: Proposed Bill S.B. No.26

To whom it may concern,

While population studies for the heaviest targeted species in the West Hawaii Regional Fisheries Management area have been performed by the Department of Aquatic Resources division of the DLNR, it isn't currently feasible to collect the statewide data required by SB26 without provisions for very significant funding for the DAR/DLNR to perform the requested population studies in all areas where aquarium fishing occurs.

The findings of the DAR/DLNR of the population studies in the WHFRMA over the 10 year period beginning with the establishment of FRA's at the end of 1999 showed the effectiveness of this resource management strategy and the minimization of impacts to populations as a result of aquarium fishing activities. The DLNR has proposed additional regulatory tools for both the WHRFMA and the Oahu fishery which will lead to continued and evolving management of the resources.

Without precedent for any other fishery targeting the same species in Hawaiian waters, namely the sport and food fish spearing fishery which are free to continue fishing activities in the FRA's, target larger breeding sized fish which are critical to the sustainability of fish populations, and which are exempt from any of the proposed rules re: size and bag limits, it seems that the aquarium fish fishery, whose activities have been shown to be sustainable for the past 40 years is being targeted specifically. While it is clear that the intention of this bill is to ensure sustainability of harvest of specific species, the potential threats to the species that might actually impact their sustainability are not being similarly addressed in this bill.

Sincerely,

G. Christopher Buerner

President, Quality Marine

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: yvan.detry@gmail.com
Subject: *Submitted testimony for SB26 on Jan 29, 2013 14:15PM*
Date: Sunday, January 27, 2013 11:44:40 AM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Detry Yvan	IICAIF	Oppose	No

Comments:

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From: [daniel linehan](#)
To: [WTLTestimony](#)
Subject: SB26 and SB 27
Date: Monday, January 28, 2013 2:11:20 PM

I am opposed to these two bills.

--

DJ Linehan

Tropical Fish Emporium LLC

Tel: 808-754-7100

Fax: 808-744-6940

Testimony Opposed to SB 26 and SB 27 hearing Tuesday 1-29-13 2:15 PM room 225

Restricting the commercial collection of marine ornamental fishes to only studied areas required under SB 26 would effectively bring the fishery to a standstill, undermining over a decade of labor-intensive, sustainable resource legislation and related progress [i.e. the passing of House Bill 3457 (Act 306), subsequent enforcement provisions, and the establishment of the West Hawai'i Regional Fisheries Management Area with its network of Fish Replenishment Areas (FRAs)]. The state has spent millions in managing effectively Hawaii's tropical fish resources. Starting over with a much more labor intensive extremely cost bearing program proposed in SB 26 is scientifically unnecessary.

SB 26 restrictions on the collection of specific ornamental indigenous species lacks scientific substantiation and undercuts DAR initiatives to manage coastal resources based on the best scientific information available.

West Hawai'i Fishery Council Species of Special Concern Subcommittee to identify these criteria are not acknowledged. The West Hawai'i Fisheries Council Species of Special Concern Subcommittee (SSCS), chartered in late 2006, was engaged in outlining concerns for West Hawai'i reef species impacted by aquarium fishing and other marine activities, and has implemented it's findings via the Kona rules package which is well on it's way to becoming law in 2013.

Oahu researchers also collaborated especially considering species of significant concern with fishermen over the past two years to develop an Oahu Rules package. This rules package creates laws for no take species, bag limits, net restrictions, further size limits and many other rules to become law this year.

All other islands should not be of concern as the level of collecting there if any is insignificant.

SB 26 and 27 does not anticipate the probable limitations in enforcement capacity by DOCARE. Non Study banned fishing zones proposed by SB 26 on reef fishes collected commercially for the marine aquarium industry would only be effective if they could be very strictly enforced. The Hawai'i Division of Conservation and Resources Enforcement (DOCARE)—whose agents are currently taxed with enforcing various other state laws and rules involving historic sites, forest reserves, aquatic life and wildlife areas, coastal zones, conservation districts, and county parks—would be required to take on this additional responsibility for which they may lack the necessary manpower and resources to implement.

We must consider that, if we continue to ensure the sustainable use of our coastal resources through appropriate management action, the marine aquarium fishery in the Hawaiian Islands will serve as a model to the greater Pacific region where collection of ornamental species is practiced. Since Hawaiian aquarium fishes are captured using small-mesh fence and hand nets and not destructive methods or chemicals so if a complete shutdown of the fishery were to occur, a great shift in demand would follow, supporting Indo-Pacific nations whose policies continue to allow the employment of unsustainable fishing practices. This would only accelerate the destruction of coral reefs worldwide. I would urge all resource users, industry participants, scientists, conservationists, and concerned citizens to voice their opposition to this bill, as it would be an irresponsible and ineffective policy.

The idea that SB 26 has any scientific merit is unsubstantiated.

The cost of implementing a fish study as proposed by SB 26 would make the 5 million spent counting fish in Kona seem small. Man hours and cost for these fish counts need some scientific data to back before such an undertaking is even considered. All the studies done so far indicate a low vulnerability for nearly all of the species of aquarium fish collected. None of the species has a high vulnerability rating!

If SB 26 is passed what would the fishermen on Oahu do for a living? Aquarium fishermen would then focus on food fish. This would put significant strain on a much larger fishery issue.

Please do not pass SB 26 it is flawed and unscientific which could lead to much greater problems.
Thanks for your time, please do the right thing, Aaron Pagan

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: amcgoldrick@hawai.rr.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 12:36:17 PM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
alma mcgoldrick	Individual	Support	No

Comments: If the aquarium trade is allowed to be continued, which i dont really agree with!, i think there need to be stronger definition on what are the amount of catches, and sustainable numbers of fish left. However who is going to monitor these numbers!??soon we will not even have sustainable numbers except in reserve areas. I have seen tremendous depleteion in the numbeer of reef fish on our reef.

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To: [WTLTestimony](#)
Cc: nahacky@gmail.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 10:08:18 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Anthony Nahacky	Individual	Oppose	No

Comments: I am unable to attend as I live in Kona and cost to attend is prohibitive. This requirement should be for the take of all reef fish if the legislature believes it is required, rather than singling out the aquarium fisheries. Further the recreational take of reef fishes for all purposes except aquariums is not monitored or regulated so this should be included in any attempt to protect reef fish further. The aquarium fisheries of all reef fisheries has the most scientific studies showing it is a sustainable fisheries. Further it has the most regulations. Please check with the scientists at DLNR to see if this bill makes any sense and if singling out this one fisheries will provide anything but economic hardship. Tony Nahacky

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To: [WTLTestimony](#)
Cc: anujahalani@gmail.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 9:59:02 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Anuja Jhalani	Individual	Support	No

Comments: please urge an amendment with a strong definition for “sustainable”.

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Cc: Asaentin@hotmail.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 12:39:46 PM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
AsA entin	Individual	Support	No

Comments: Please amend with a strong definition of 'sustainable'. Thank you

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To: [WTLTestimony](#)
Cc: kamanaocasuga@gmail.com
Subject: *Submitted testimony for SB26 on Jan 29, 2013 14:15PM*
Date: Sunday, January 27, 2013 8:24:20 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
ben casuga	Individual	Oppose	No

Comments:

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To: [WTLTestimony](#)
Cc: knufben@yahoo.de
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 9:01:10 AM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Ben Funk	Individual	Oppose	No

Comments: I am opposed to this bill!

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To: [WTLTestimony](#)
Cc: bert.basabe@gmail.com
Subject: *Submitted testimony for SB26 on Jan 29, 2013 14:15PM*
Date: Saturday, January 26, 2013 4:59:00 PM

SB26

Submitted on: 1/26/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
BERTHA BASABE	Individual	Oppose	No

Comments:

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To: [WTLTestimony](#)
Cc: bstockly@hotmail.com
Subject: *Submitted testimony for SB26 on Jan 29, 2013 14:15PM*
Date: Sunday, January 27, 2013 3:49:31 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Bill Stockly	Individual	Oppose	No

Comments:

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Cc: bjesquire@gmail.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 4:07:30 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Bradley Jones	Individual	Support	No

Comments: The HTA must release funding for environmental programs such as SB26 and DLNR's underfunded rapid response contingency fund to combat the disease destroying Kauai's coral reefs. If the coral reefs die and thousands of fish are stolen from Hawaii's reefs every year for the aquarium trade, Hawaii will no longer have a viable tourism industry if visitors cannot snorkel and dive Hawaii's reefs and have a great experience. They will go to more pristine destinations such as Tahiti and the Cook Islands. The word is out in the press. Do the right thing and stop the aquarium trade from stealing Hawaii's valuable natural resources and fund the rapid response plan to save Hawaii's coral reefs. The HTA is spending millions of dollars on advertising in the mainland when Hawaii is already a well known brand around the world. How can our representatives stand by and watch Hawaii's marine environment degrade while letting the HTA continue to spend millions of dollars? It is disgusting. The HTA is required by law to spend at least \$1 million dollars a year on environmental projects around the state that are related to tourism and they can spend much more if needed. Mahalo.

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: carmenradu@hotmail.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 6:32:10 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Carmen Radu	Individual	Support	No

Comments: please urge an amendment with a strong definition for “sustainable”

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To: [WTLTestimony](#)
Cc: SB26@azelski.net
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Saturday, January 26, 2013 2:18:32 PM

SB26

Submitted on: 1/26/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Caroline Azelski	Individual	Support	No

Comments: Reef fishes have a far greater potential to benefit Hawaii economically (ecotourism), educationally (our keiki) and environmentally (reef health) if allowed to live out their lives on the reef. Please amend with a strong definition of "sustainable". Thank you.

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Date: Monday, January 28, 2013 5:06:31 PM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Cathy Goeggel		Support	No

Comments:

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SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Christian Bochud	Individual	Oppose	No

Comments:

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SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Christopher Biltoft	Individual	Support	No

Comments: To permit the continued taking of aquatic species for the aquarium trade it is necessary, as a minimum, to establish that the target species can be sustained in the face of acquisition pressure and that the reef sustains no damage in the acquisition process.

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Testimony for SB26

Committee on Water and Land, and Committee on Energy and Environment

DATE:

Tuesday, January 29, 2013

TIME:

2:15 p.m.

PLACE:

Conference Room 225

State Capitol

415 South Beretania Street

To whom it may concern,

I am writing this testimony in opposition to the proposed bill, SB26, relating to new regulations on the marine aquarium fishery in Hawai'i.

Let me first say that I wholeheartedly endorse the proposed intent of SB26, to ensure the sustainable management of marine fisheries in Hawai'i, but oppose this bill because it will not achieve its purpose of ensuring sustainable fisheries management and would have serious, unintended consequences in its current form.

This bill seeks to establish location-specific population estimates for all species taken for the aquarium trade and to grant aquarium collection permits only in those cases where DLNR deems that aquarium collection will be unlikely to interfere with the sustainability of each species in each proposed collection area. Currently, population estimates are only available for the 10 most collected fish species for the aquarium trade off of West Hawai'i (i.e., the Kona Coast off the Big Island of Hawai'i), though these estimates are very informative on the state of the fishery. Collectively the West Hawai'i fishery constitutes about 79% of total aquarium fishery in the state and the 10 most collected fish species constitute 95% of the total aquarium catch. The most heavily collected species, Yellow tang, makes up 81% of the catch.

DLNR's data clearly show that, since at least 1999, densities of Yellow tang off West Hawai'i in areas open to aquarium collection have been stable at about 40-60% of their abundance in areas closed to fishing. In fact, the overall population of Yellow tang has increased 15% over the last decade. Likewise, for Kole, the second most collected species (11% of the total) densities are stable in collected areas relative to areas closed to fishing and the overall population has increased over the last decade. None of the 10 most collected species show decreasing densities in areas open to aquarium collection relative to areas closed to fishing over the last decade. When the top 20 most collected species (comprising 99% of the total catch) are pooled there is likewise no difference in their abundance in areas open to aquarium collection vs. areas closed to fishing.

Thus, the West Hawai'i marine aquarium fishery has all the hallmarks of a sustainable fishery over at least the last decade. I strongly support DLNR's recent proposed regulations (e.g.,

creating a White List of Species, using limited entry to the fishery, etc.) to ensure that the fishery continues to be sustainable into the future. Given this strong evidence that even the most heavily targeted species (Yellow tang) in the most heavily fished area (West Hawai‘i) is a sustainable fishery, and the marine aquarium fishery has little or no impact on the vast majority of targeted species in this area, it is highly probable that the impact of the marine aquarium fishery is even smaller (negligible) outside of West Hawai‘i.

For example, DLNR lists the annual aquarium catch on Kaua‘i as a few thousand fish per year. In contrast, DLNR estimates that the recreational and commercial (food) fisheries on Kaua‘i harvest several hundred thousand reef fish per year, meaning that the Kaua‘i marine aquarium fishery constitutes less than 0.3% of the total annual catch of reef fish. Even if the Kaua‘i marine aquarium fishery doubled in size or more it would have no discernible impact on reef fish populations or coral reef health. However, if SB26 were passed, collecting fish for the marine aquarium trade would be instantly illegal on Kaua‘i while the recreational fishery remains essentially unregulated. Indeed, the O‘ahu marine aquarium fishery would also become immediately illegal as would fishing for all species for the marine aquarium trade except the 10 most highly targeted species off West Hawai‘i. Even in West Hawai‘i DLNR estimates that the marine aquarium fishery comprises less than half of the total catch of reef fish, with most of the catch taken by recreational fisherman which, again, would remain essentially unregulated.

This bill would not have the desired effect of maintaining a well-regulated, sustainable fishery and instead would simply make much of the marine aquarium fishery illegal throughout the state. Available evidence strongly suggests that the marine aquarium fishery has been sustainable to date, hence a near total ban is unwarranted. A de facto ban on aquarium collection would cost the state at least dozens of jobs and potentially millions of dollars of annual income, yet would provide no tangible benefit whatsoever. In addition, this bill does not appropriate any funding to DLNR (or a credible third party) to conduct population surveys which would be required to grant collection permits. Thus, passing this bill would constitute an immediate and effectively permanent ban on most collection for the marine aquarium trade without any discernible benefit.

Collection for “aquarium purposes” as defined by the bill specifically would include those “for scientific study”. This means that it would be legal for DLNR to grant a permit to a researcher, such as myself, to collect 1000 specimens of some fish or invertebrate species if I subsequently euthanized those specimens. However, it would be illegal for DLNR to grant me a permit where even a single individual would be kept alive during the course of the study (for example, for a behavioral study). Clearly this makes no sense, but is a consequence of the wording of the bill. Such a measure would have a chilling effect on many aspects of scientific research throughout the state.

Lastly, SB26 does not define what would constitute a collection “area”, how large of an area can be represented by a population estimate, or how DLNR is to determine if aquarium collection is or is not likely to be sustainable within an area. For example, “West Hawai‘i”, including the entire Kona coast (outside of restricted areas) could constitute a collection “area” under the language of the bill. Likewise, only a tiny patch of reef a few hundred feet in length precisely where DLNR conducts a fish survey could constitute the collection “area” for tens of miles of coastline under the language of the bill. Should DLNR consider a 99% reduction in the density

of a species to be sustainable if there is no indication of a declining population or imminent collapse? The language of the bill simply does not allow for effective implementation or management.

Therefore, I oppose SB26 because it does not achieve its objective of supporting a sustainable marine fishery—a goal I strongly endorse—and would have severe, unintended consequences as outlined above.

I strongly support the regulations packages recently proposed by DLNR for the West Hawai'i and the O'ahu marine aquarium fisheries. These packages give DLNR tools it needs to effectively manage these fisheries and ensure that they remain sustainable into the future while avoiding significant collateral damage. I urge the legislature to support DLNR in their efforts with those rules packages and to vote down SB26.

Sincerely,

Christopher P. Jury
Hawai'i Institute of Marine Biology
University of Hawai'i at Mānoa
P.O. Box 1346
Kāne'ohe, HI 96744

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SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Cindy Schrader	Individual	Oppose	No

Comments:

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Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 6:43:11 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Claudia Puertos	Individual	Support	No

Comments: please urge an amendment with a strong definition for “sustainable”

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Date: Monday, January 28, 2013 8:48:47 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Cory Harden	Individual	Support	No

Comments: Please add an amendment with a strong definition for “sustainable”, and support this excellent bill to protect our reefs!

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SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Cynthia Albers	Individual	Support	No

Comments: The collection of aquatic or other life rightly requires knowledge of a sustainable population count, the absence of which constitutes a breach of care and an utter lack of respect for the environment and non-human occupants. I strongly support SB26. Mahalo

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SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Dana Richardson	Individual	Support	No

Comments: Please urge an amendment with a strong definition for sustainable!

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SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Debbie Cebreco	Individual	Support	No

Comments:

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Cc: deborahbertrand@hotmail.com
Subject: *Submitted testimony for SB26 on Jan 29, 2013 14:15PM*
Date: Monday, January 28, 2013 10:04:04 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Bertrand	Individual	Support	No

Comments:

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Date: Sunday, January 27, 2013 5:37:27 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Wallace	Individual	Support	No

Comments: It is really important to stop the aquarium trade. The fish in the reefs are a resource to all share, not just a few poachers.

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January 28, 2013

Chairpersons and Committee Members,

Please do not pas SB 26. I have been a full time commercial fisherman for aquarium fish for 40 years and have been filing catch data with the DLNR since 1976; the first year monthly catch reports were mandated by law.

During these 40 years, there were numerous instances of naturally occurring yearly fluctuations in the fish populations we catch. There have been changes in demand for the various species we catch. What was once popular twenty years ago, or even five years ago, is not as desirous in 2013. Hawaii has also had two major hurricanes which affected our reefs. Despite all these events, I am still able to make a living catching aquarium fish. I fish the same reefs on Oahu I've been diving since the mid 1960's, and the DLNR has yet to designate any fish, despite 36 years of catch data, as unsustainable or endangered.

Please do not pass SB 26. Thank you.

Dennis Yamaguchi

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: derek.thomson@tropicalmarinecentre.co.uk
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Friday, January 25, 2013 11:36:54 PM

SB26

Submitted on: 1/25/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Derek Thomson	Individual	Oppose	No

Comments: I oppose this Bill being put forward

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Date: Sunday, January 27, 2013 6:24:41 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Diane Smith	Individual	Support	No

Comments: We need an amendment with a strong definition for “sustainable”.

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SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Dionne Miller	Individual	Support	No

Comments: Removing any wildlife from Hawaii's coral reefs is destructive and not sustainable. Ever. It has to stop before we see even more reef degradation and fish population decline. Our reefs are our legacy to the world.

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SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Dirk D	Individual	Oppose	No

Comments: I am opposed to this bill

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SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Donita Sparks	Individual	Support	No

Comments: PLEASE amend with a strong and clear definition of "sustainable".
PLEASE Protect reef wildlife. MAHALO!

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Cc: doreenvirtue444@aol.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
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SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Doreen Virtue	Individual	Support	No

Comments: As a scuba divemaster and Hawaiian homeowner and taxpayer, I strongly support SB26 to build a sustainable future for our Hawaiian reef, one that provides health and enjoyment for tourists who come to Hawaii to go scuba diving and look at the fish. The income from tourism scuba diving is very strong, as long as there are enough tropical fish to look at. Otherwise, tourist scuba divers will go to other destinations. Kona's waters are already barren and many tourist scuba divers complain that there are no pretty fish to look at underwater. The yellow tang population is now alarmingly small compared to 10 years ago. Then there's the cruelty factor of the aquarium fish dying much more quickly than on the reef. You would never allow this cruel treatment to a dog or a cat. Why is it okay for fish?

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SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Doug Fetterly	Individual	Support	No

Comments: In order for this bill to be effective, it must include a foundation that requires the sustainability of the various fish involved in the aquarium trade. Please ensure that "sustainability" becomes a key criteria. Mahalo!

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Cc: dougmillershawaii@gmail.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 8:44:52 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Douglas Miller	Individual	Support	No

Comments: Coral reef protection in Hawaii has to be mandatory and protect ALL reef life. Hawaii's reefs are a national treasure and need protection from those who take and sell that beauty for their own profit not thinking about what harm they are doing to Hawaii's unique underwater world.

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Cc: jjeckert@evc.net
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 5:20:50 AM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Eckert	Individual	Oppose	No

Comments: I am opposed to this bill

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SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Elaine Donnelly	Individual	Support	No

Comments:

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Cc: Enrico.Helwig@me.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Saturday, January 26, 2013 11:18:06 PM

SB26

Submitted on: 1/26/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Enrico Helwig	Individual	Comments Only	No

Comments: I am opposed to this bill!

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Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 11:42:41 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
F. DeWolfe Miller	Individual	Support	No

Comments: This is a very important bill and should be strengthen considerably. I have been fee diving for 20 yrs in Hawaii (never collecting or spearfishing) and have watched the destruction of our reefs. This bill needs stronger definition for sustainable. We need more "no take" zones. Please support our reefs. Mahalo

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Date: Monday, January 28, 2013 1:23:41 PM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Fred Barnett	Individual	Comments Only	No

Comments: I used to very closely associated with the Tropical fish collecting business (Coral Fish Hawaii Educational Program). Collectors are ruthless and desperate, and Yes, most of them would sell their mothers if they could get 50 cents for them. Fernley's Coral Fish Hawaii was the saddest place I've ever worked. God save the jewels of the sea from these pirates.

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Cc: ruedi.furter@mwaq.ch
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 5:13:12 AM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Furter Ruedi	Individual	Comments Only	No

Comments: I am opposed to this bill!

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Subject: *Submitted testimony for SB26 on Jan 29, 2013 14:15PM*
Date: Sunday, January 27, 2013 6:52:57 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Gastl Christian	Individual	Oppose	No

Comments:

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Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 4:45:45 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Geeti Mahajan	Individual	Support	No

Comments: I'm in favor of an amendment with a strong definition of "sustainable"

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Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 3:25:45 PM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Grant Heidrich	Individual	Support	No

Comments: I support this bill only if there s a strong definition of sustainable- i love the concept, but the devil is in the definition of sustainable. Thank you Grant Heidrich

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Cc: summitt72002@yahoo.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 11:40:01 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Gregg Gruwell	Individual	Support	No

Comments: As an avid snorkeler in Hawaii since 1985, I have observed a huge decline in coral reef fish off both Oahu and Kona. I support this bill as it would slow down the vacuum cleaner like collection that is dangerously depleting this wonderful natural resource. How many millions of tourist dollars will we lose when these fish are gone and our coral is dead?

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SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Gulizia Daniele	Individual	Comments Only	No

Comments: I am opposed to this bill!

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SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Guloim Zhapbarbergenova	Individual	Support	No

Comments: Please create an amendment with a strong definition for "sustain/sustainable". Thank you.

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Date: Monday, January 28, 2013 7:15:31 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Helen Malnar	Individual	Support	No

Comments: Please amend with a strong definition of sustainable.

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Marine and Coastal Zone Advocacy Council

Ke Kahu O Na Kumu Wai

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Robin Kaye

Maui

Donna L. Brown

James E. Coon

Henry T.S. Lau

Molokai

Michael Sabas

Oahu

Susan A. Sakai (chair)

Kimbal Thompson

Hawaii Island

Mike Gleason

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Staff

Jessica C. Stabile

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Senator Malama Solomon, Chair

Senator Maile S.L. Shimabukuro, Vice Chair

COMMITTEE ON ENERGY AND ENVIRONMENT

Senator Mike Gabbard, Chair

Senator Russell E. Ruderman, Vice Chair

DATE: Tuesday, January 29, 2013

TIME: 2:15 p.m.

PLACE: Conference Room 225

In consideration of **SB 26**

RELATING TO CONSERVATION

James E. Coon Councilmember

Speaking in Support of SB 26

My name is James E. Coon, charter member of MACZAC. I speak in **Support of SB 26**

Ke Kahu O Na Kumu Wai is very concerned about the health of Hawaii's reefs. We think that SB 26 will go a long way in establishing a method to determine if harvesting of indigenous species is sustainable. We would like to see a strong definition of "sustainable" included in this bill.

Thank you for the opportunity to submit testimony. If you have any questions, please contact me at 808-870-9115.

Sincerely,

James E. Coon,
808-870-9115 captcoon@gmail.com



COMMITTEE ON WATER AND LAND

Senator Malama Solomon, Chair
Senator Maile S.L. Shimabukuro, Vice Chair

COMMITTEE ON ENERGY AND ENVIRONMENT

Senator Mike Gabbard, Chair
Senator Russell E. Ruderman, Vice Chair

DATE: Tuesday, January 29, 2013
TIME: 2:15 p.m.
PLACE: Conference Room 225

In consideration of **SB 26**

RELATING TO CONSERVATION

James E. Coon, President
Ocean Tourism Coalition

Speaking in Support of SB 26

My name is James E. Coon, President of the Ocean Tourism Coalition (OTC) Hawaii's State-wide organization. We represent the 300 Small Commercial Passenger Vessels operating out of State Harbor facilities. We speak in **Support of SB 26**

Our industry is very concerned about the health of Hawaii's reefs. We think that SB 26 will go a long way in establishing a method to determine if harvesting of indigenous species is sustainable. We would like to see a strong definition of "sustainable" included in this bill.

Thank you for the opportunity to submit testimony. If you have any questions, please contact me at 808-870-9115.

Sincerely,

James E. Coon, President
Ocean Tourism Coalition 808-870-9115 captcoon@gmail.com

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Cc: lilbamboo@alohabroadband.net
Subject: *Submitted testimony for SB26 on Jan 29, 2013 14:15PM*
Date: Monday, January 28, 2013 11:53:32 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
JAY LOVELL	Individual	Oppose	No

Comments:

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Date: Monday, January 28, 2013 12:25:33 PM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
jaylovell	Individual	Oppose	No

Comments: I wonder if the sponsors of sb26 have ever seen a Aquarium fishing trip (as in daily) report. have they ever read hb306, or looked at the DARs 10 year study on the resorce

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SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jim Lovell	Individual	Oppose	No

Comments: I am opposed to this bill since the State is already collecting our daily catch reports and is performing ongoing monitoring of the resource. The State is already doing what this bill asks for.

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SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
jiyue wan	Individual	Support	No

Comments: sustainable

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SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Joshua Corey	Individual	Support	No

Comments:

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Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Thursday, January 24, 2013 8:50:57 PM

SB26

Submitted on: 1/24/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Joshua DeMello	Individual	Oppose	No

Comments: all fishery matters should be handled through the DLNR's Administrative Rulemaking process and not through legislative action which can be almost impossible to adjust without having to go through the lengthy legislative process or to file a lawsuit. Also, the bill says indigenous when it might mean to say endemic. Nearly all of our fish are indigenous (naturally occurring here) but there are also some that are endemic (occurs here and nowhere else)

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Date: Sunday, January 27, 2013 9:59:48 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Judith Cucco	Individual	Support	No

Comments: Please urge an amendment with a strong definition for "sustainable". A 90% depletion rate is NOT sustainable!

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SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Judith Perino	Individual	Oppose	No

Comments: I strongly oppose SB26 for the following reasons: 1. The state cannot financially and physically comply with conducting "population studies" on all species of fish being collected state wide in any given area. 2. The fishery has proven to be sustainable for more than 40 years - had it not, the industry would have met its demise long ago simply due to lack of supply and therefore, exporters and collectors would have not been able to sustain viable businesses nor earn income to support their families. This industry, in this way, IS self regulating - you cannot collect fish if they aren't there. 3. This bill does not provide any funding for any "population studies" and therefore could never be implemented, even if passed. It's an ill conceived bill and should not even be considered as it is not well thought and cannot be implemented, in any case.

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Date: Monday, January 28, 2013 4:15:15 PM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Juliana Atteberry	Individual	Support	No

Comments: please urge an amendment with a strong definition for “sustainable”.

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Date: Monday, January 28, 2013 2:08:53 PM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Julie Klaz	Individual	Oppose	No

Comments: I oppose SB26. the type of data requested by SB26 is beyond what is usually required to determine the health of a fishery, and there is nothing that would indicate that we should be shut down pending the availability of such data. This bill is not science based! Fisheries should be managed by marine scientists not by environmentalists nor by popular opinion. The numbers of tangs are increasing and show no sign of decline and this bill is simply not needed.

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SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
kamanao casuga	Individual	Oppose	No

Comments:

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SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Karin Riedel	Individual	Support	No

Comments: Please urge an amendment with a stronger definition for sustainable.

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SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Karleen M. Marshall	Individual	Support	No

Comments:

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SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Katie Weaver	Individual	Support	No

Comments:

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SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Katie	Individual	Support	No

Comments: Sustainable!!!

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SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kim Koch	Individual	Oppose	No

Comments: Many of the sponsors of this bill also have total ban bills. Do you want it banned or managed? I oppose this bill,

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SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kindermann	Individual	Oppose	No

Comments: I am opposed to this bill!

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Date: Sunday, January 27, 2013 6:26:56 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kristen Witherspoon	Individual	Support	No

Comments: please urge an amendment with a strong definition for “sustainable”

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Date: Monday, January 28, 2013 8:01:33 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Wendy Ahrens	For the Fishes	Support	No

Comments: We categorically support restrictions and a firm definition on "sustainability" of reef fish including but not limited to wording of sustainable reef fishing in order to stop and prohibit the devastation of reef fish; currently being obliterated by the aquarium fish trade.

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Date: Monday, January 28, 2013 5:09:05 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kristin Gottschalk	Individual	Support	No

Comments: an amendment with a strong definition of "sustainable".

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Date: Sunday, January 27, 2013 9:25:27 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kristina	Individual	Support	No

Comments: Please urge an amendment with a strong definition for "sustainable".

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Date: Monday, January 28, 2013 11:07:33 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
linda willaby	Individual	Support	No

Comments: In only four years I have seen the yellow tang population plummet on the Kehena Beach side of the Big Island. I used to see 50-60 yellow tang on a typical snorkle day off the beach and recently I only saw four or five.

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Date: Monday, January 28, 2013 8:23:39 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Liz Lees	Individual	Support	No

Comments: Please make sure to clearly define a strong definition for “sustainable”.

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Cc: lbc@hawaii.rr.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 11:27:39 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Lois Crozer	Individual	Support	No

Comments: I am appalled at the amount of fish the aquarium hunters are taking from OUR reefs! It is not okay to rape our reefs for profit. Coral reefs are what sustain our island from being washed away, and a healthy ecosystem is the only thing that maintains them. If you take away the fish, the algae grows, the coral dies, and the islands will be impacted by the next heavy storm. THINK please before you allow someone to disrupt this extremely important ecosystem! Also, tourism is our main moneymaker, what happens when the fish are gone??

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: briggs1002@hawaii.rr.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 6:05:15 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Lon Briggs	Individual	Support	No

Comments: I feel that depleted by as much as 90% is not a sustained population level. Please define a sustained population level of at least 50%.

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: lora@shinseidotherapy.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 7:23:12 AM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Lora Johnston	Individual	Support	No

Comments: I am a Hawaii resident. Please create an amendment with a strong definition for "sustainable". Please vote to keep Hawaii's reef wildlife safe. Thank you.

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: Lynn.all@maui.net
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 9:25:25 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Lynn Allen	Individual	Support	No

Comments: Our reef fish need protection. It is KEY that the definition of sustainable is accurate and attainable. Therefore an amendment to the bill defining sustainable is required.

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: maaria.kujala@wippies.com
Subject: *Submitted testimony for SB26 on Jan 29, 2013 14:15PM*
Date: Monday, January 28, 2013 12:54:29 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Maaria Kujala	Individual	Support	No

Comments:

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From: [Ron Tubbs](#)
To: [ENETestimony](#); [WTLTestimony](#)
Subject: Opposed to SB 26
Date: Monday, January 28, 2013 1:20:28 PM

Testimony Mal Smith opposed to SB 26 and SB 27 1-29-13 2:15 Room 225

Dear Senators,

I wish to have you know that I am opposed to bill SB No. 26 and 27 which will ban the Selling of aquatic life for aquarium purposes. Please vote against this bill.

I have a small retail business that specializes in the providing marine aquariums and its livestock to the general public. I also belong to 501 C(3) charity organizations which are organized to educate the public on the maintenance and care of marine aquariums and the related livestock. We participate in assisting schools and charities to have and care for marine aquariums as a source of a learning tool and appreciation of aquatic life.

The Aquarium industry has been hard hit in the recent recession as has many industries. The source of supply from Hawaii is very important to the trade and terminating the supply would have drastic negative effects to our business, the US economy and the businesses of Hawaii. You would be putting these businesses in Hawaii out of business over night. In addition, you will be hurting the entire U.S. economy. Without livestock, there is no need for aquariums and all of the manufactured products and related jobs that this industry provides.

Now that the economy is beginning to recover, this action will certainly be a step in creating significant further recession for us all. Taking this action is instantly cutting off the income of many Hawaiian residents and their fellow Americans.

Certainly, there are other means in order to address any problems that may be at hand. I have seen much of the information presented and believe it to be incorrect. I request that you make further study of the problems, gather the facts, and work to a mutual solution that will be beneficial to all concerned in the future.

Please vote against this bill. Thank you for your assistance and consideration.

Thank You

Mal Smith

From: [Ron Tubbs](#)
To: [WTLTestimony](#); [ENETestimony](#)
Subject: testimony
Date: Monday, January 28, 2013 1:21:27 PM

Testimony Opposed to SB 26 and 27 2-29-13 2:15 PM room 225

-
Opposed to SB26 and 27

-
Dearest WHL and ENE members,

My name is Mamoā Ntiua, I am from Christmas Island. My husband collects fish from Christmas Island to help and support our family and also our new born child.

Without wholesalers in Hawaii we cannot sell our fish. We depend on fish from Kona as a way to sell our countries fish worldwide. A loss of even one wholesaler could hurt us.

Some of my family members who depend on this income to pay for their life saving medical and food for their families.

About eighty percent of our countries economy depends on tropical fish. All these tropical fish are sold to the Hawaiian Marine Fish Wholesalers. Our whole economy depends on Hawaii's Tropical Fish Industry. In the south Pacific fifty nine million dollars is gained from tropical fish sales annually. Please do not restrict and take away this opportunity away from us for this industry. Like Hawaii our fishing industry has sustained catches for 30 years and more. Aquarium Fish industry is sustainable unless ecology groups are allowed to shut us down. Thanks you for your time.

Respectfully, Mamoā Ntiua

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: marco.bernasconiokroy@gmail.com
Subject: *Submitted testimony for SB26 on Jan 29, 2013 14:15PM*
Date: Sunday, January 27, 2013 11:50:19 AM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Marco Bernasconi	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: mariannealthalken@hotmail.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 9:33:22 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Marianne Thalken	Individual	Support	No

Comments: Please provide strong definitions for sustainable.

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: me14680@aol.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 6:14:19 AM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Mario	Individual	Oppose	No

Comments: I am opposed to this bill!

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To: [WTLTestimony](#)
Cc: merway@hawaii.rr.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Saturday, January 26, 2013 11:44:32 PM

SB26

Submitted on: 1/26/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Marjorie Erway	Individual	Support	No

Comments: This may or may not put reef fish collectors out of business and while that is sad, it is time to take action to do so. There are not enough collectors to really make much difference in the economy, but will definitely make a huge difference in the fish population and healthy reefs and ocean. Mahalo for your consideration!!

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: mark.worboys@ntlworld.com
Subject: *Submitted testimony for SB26 on Jan 29, 2013 14:15PM*
Date: Sunday, January 27, 2013 7:01:38 AM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
mark worboys	Individual	Oppose	No

Comments:

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To: [WTLTestimony](#)
Cc: mctim_stephan@yahoo.de
Subject: *Submitted testimony for SB26 on Jan 29, 2013 14:15PM*
Date: Sunday, January 27, 2013 1:14:07 AM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Stephan,Markus	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: martin.holzner@web.de
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 8:48:42 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Martin Holzner	Individual	Oppose	No

Comments: I am opposed to this bill!

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Testimony in Opposition to SB 26 and 27

These bills reflect simplistic thinking and were created on a false premise that Hawaii's Tropical Fish diver's practices are incompatible with sustaining Hawaii's indigenous ornamental fish species. This perception is not true, and the DLNR has already spent millions of dollars on scientific studies to find this out -in the most area most heavily impacted by the aquarium trade in Hawaii....Kona, Hawaii. I quote DNLR researcher Bill Walsh in a letter to the Hawaii County City Council, Sept., 2011:

"... there has been much talk about fish populations and the effects that aquarium collecting may or not be having on them. Indeed the resolution [implies] that the aquatic life of the reefs is being devastated by collection. This is simply not true. As I noted earlier the West Hawai'i aquarium fishery is one of the most thoroughly researched fisheries in the state of Hawai'i. We have a pretty good idea of what's going on out there on the reefs although people on both side of the issue often don't like to hear the details. The coral reef community is complex and dynamic and species abundances wax and wane even without human influence. Due to recent technological advances in coral reef habitat mapping we're now able to estimate and track the total population sizes of many reef fishes. For example over the past 12 years the West Hawai'i population of yellow tang in the 30'-60' prime reef habitat has increased by just over 337,000 fish. Similarly kole populations have increased by over 1,019,000 fish. These two species make up 91% of the total West Hawai'i aquarium catch. This is not devastation."

The evidence shows that in Kailua, Kona, an area of heavy aquarium diving, that there is little if any impact in the most sought after fish. Why would there be greater impact on Oahu, where there are far fewer total fish taken? These bills are redundant, and a total waste of taxpayer's money. They totally disregard existing research including Dr. Walsh' statement that fish counts can vary even without human influence, and disregard the reasonableness of statistical sampling where the findings of one area can be extrapolated to other areas.

By making an EIS study mandatory for every little nook and cranny on Oahu, the bill assumes that it is an aquarium diver who would be negatively impacting the reef/fish. There are other reasons for declining fish populations, not the least of which is pesticide run off. Should we make farmers pay for an environmental impact study before we issue them a permit to farm land, knowing that they must use pesticides to keep the bugs from eating their indigenous crops?

How are aquarium fish divers able to make a living and be sustainable? First and foremost, they happen to appreciate diversity, they rotate their dive spots, and are sure not to take too many of the species from any one spot. They need to keep the resource plentiful, in order to stay in business and feed their families.

Second, do the math. According to the head of the Waikiki Aquarium, one pair of yellow tangs has approximately 1 million fry each time they spawn. Divers have observed these "blooms" of baby fish and they typically happen a few times a year. Being conservative, if only 1% survive at each spawning, that's 10,000 fish from each spawning period, or 20,000 to 30,000 fish a year from one pair. There are many fish in the sea!

Please vote NO on SB 26 and SB 27.

Sincerely,

Mary Beth Tubbs
Tropical Fish Lover

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: mary1chris@yahoo.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 5:53:49 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Fleming	Individual	Support	No

Comments: I urge you to support a strong definition of "sustainable" such as the excepted one: conventional idea of a sustainable fishery is that it is one that is harvested at a sustainable rate, where the fish population does not decline over time because of fishing practices. Sustainability in fisheries combines theoretical disciplines, such as the population dynamics of fisheries, with practical strategies, such as avoiding overfishing through techniques such as individual fishing quotas, curtailing destructive and illegal fishing practices by lobbying for appropriate law and policy, setting up protected areas, restoring collapsed fisheries, incorporating all externalities involved in harvesting marine ecosystems into fishery economics, educating stakeholders and the wider public, and developing independent certification programs. With such a meaning of sustainable fishing or harvesting, and strict enforcement, our reef fish resource will continue to attract tourists and provide tax and revenue for Hawaii's future.

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To: [WTLTestimony](#)
Cc: heckman_lib@yahoo.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 10:03:48 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Heckman	Individual	Support	No

Comments: Please consider carefully what you mean by sustainable!

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: matt@cichlidrecipe.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 12:23:18 PM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Matt Pedersen	Individual	Comments Only	No

Comments: I have submitted numerous detailed testimonies on bills surrounding the aquarium trade in the past, so I'll be uncharacteristically brief. In general, I support the proper management of the aquarium fishery by DAR / DLNR, and regulations that make their job of real-time management should be enacted. Aquarists want to know that the fishes harvested are being harvested in a sustainable manner. That said, I'm not sure how these proposed regulations will benefit the fishery; on the surface they simply seem to create an added burden on the fisher when it comes to specifying data, particularly collection locations (which may or may not be considered trade secret). I welcome the regulations that seem to imply that fishes can only be collected when there is data shown that the fishery is sustainable, but I am concerned that this could create an unfunded mandate for DAR / DLNR... in essence, closing the fishery by not providing the resources to the management agency to properly manage the fishery in the first place. This seems very much like a very roundabout way to close the fishery without actually just closing it outright. Therefore, I strongly defer to the DAR / DLNR position on these regulations, as they are the ones tasked with overseeing them and executing them. For my part, I share a very long-term vision of the role that the aquarium industry plays in preserving our biodiversity (There are numerous examples of extinct or endangered species that flourish in captivity, solely because aquarists care to keep them - these species would otherwise be LOST completely were it not for the trade). Because of this long term understanding, I remind you all to work to better manage the resource, and understand the benefits that the aquarium industry brings to the table in a long term capacity. Banning of the fishery, or banning of individual species, simply to appease the moral or ethical claims of an extremely vocal activist minority, is not in the interest of science or even common sense. Afterall, when I see boxes of Achilles Tangs on ice, for sale at \$4.99 per lb in a local fish market, and I see those same fish for sale in the live aquarium trade for \$100 to \$300 retail value, I question which fishery provides a better economic return and long term conservation awareness, and I'm strongly inclined (As both a sport fisher and aquarist) to realize that the harvest of small juveniles for the aquarium trade has far less impact, and far more economic benefit, than the harvest of broodstock adults (The fish responsible for the next generation) solely for the dinner table. We cannot target one fishery and turn a blind eye on another...to do so is

to scapegoat a subset simply to appease the outcry of the aforementioned crowd would argue a moral or ethical issue.

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: matthias.koelsch@Gmx.net
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 6:11:16 AM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Matthias Kölsch	Individual	Comments Only	No

Comments: I am opposed to this Bill !

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To: [WTLTestimony](#)
Cc: melanie.monchar@sky.com
Subject: *Submitted testimony for SB26 on Jan 29, 2013 14:15PM*
Date: Sunday, January 27, 2013 9:45:34 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Melanie Monchar	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: michael.gwasda@arcor.de
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 4:59:34 AM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Gwasda	Individual	Comments Only	No

Comments: I am opposed to this bill!

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: mmmmahalo2000@aol.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 8:46:22 AM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Moran	Individual	Support	No

Comments: Please support this bill. Our natural environment is also our economy in HI. However, to strengthen what the bill needs to do, please use exacting language in order to truly protect the fish who support our reef systems (or what is left of them.)Mahalo.

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Milly Testimony Opposed to SB 26
Thursday 1-29-13 2:15pm room 225 WHL and ENE Committee

Please vote **NO** to SB 26

I love and care for tropical fish 24/7. I own an aquarium fish shop and rely on these fish to feed my family and pay my bills, as well as my suppliers. You may see those making aquariums and order aquarium supplies for these fish and also rely on their business. This billion dollar industry needs your support in this time of economic downturn.

We take very good care of our tropical fish. there's many different lines of tropical fish specialty foods. Our fish are well fed and taken care of. None suffer and very few die. We have a 99% arrive alive rate and have been in business for 21 years read Thanks for listening to what I had to say. I gladly appreciate it.

Sincerely Yours,

Milly All Seas Fisheries

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: misselflin@yahoo.no
Subject: *Submitted testimony for SB26 on Jan 29, 2013 14:15PM*
Date: Monday, January 28, 2013 12:38:59 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
ms Bjørndalen	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: Myshelle.mmm@gmail.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 9:17:49 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Myshelle-Marie McNamee	Individual	Support	No

Comments: Please stop removing our precious Fish for the purposes of entertainment. These reef fish help create a sustainable environment for the rest of the reef. Their purpose is not to entertain and die doing so. Some never make it through their first day. This is unfair and must be stopped!! Mahalo.

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: ndavlantes@aol.com
Subject: *Submitted testimony for SB26 on Jan 29, 2013 14:15PM*
Date: Thursday, January 24, 2013 3:43:43 PM

SB26

Submitted on: 1/24/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Davlantes	Individual	Support	No

Comments:

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To: [WTLTestimony](#)
Cc: happyagoda@hotmail.com
Subject: *Submitted testimony for SB26 on Jan 29, 2013 14:15PM*
Date: Sunday, January 27, 2013 8:49:35 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
nick ramirez	Individual	Oppose	No

Comments:

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To: [WTLTestimony](#)
Cc: mondera01@web.de
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 8:07:28 AM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Nico Müller	Individual	Comments Only	No

Comments: I am opposed to this bill

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To: [WTLTestimony](#)
Cc: nicolepetitions@gmail.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 3:39:33 PM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Nicole Goodfellow	Individual	Oppose	No

Comments: I support the bill SB26 to protect Hawaii's native reef wildlife from the aquarium trade by requiring per species, and in advance of collection, population survey's proving the species can be sustained. However, for SB26 to be effective, a key amendment is required: "sustain/sustainable" must be appropriately defined. Please protect wild tropical fish from this exploitation! There are some reputable breeders of tropical fish who have learned how to successfully raise fish for aquariums that have healthy and long lives. This is not the case with the fish who are taken from the wild. Many of the wild fish live at depths of 100 feet and deeper, and it's not healthy for them to be in shallow aquariums.

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: olischlagerkn@gmail.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 11:17:17 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Oliver	Individual	Comments Only	No

Comments: I am opposed to this bill

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: pb5@mac.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 10:00:15 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia Cadiz	Individual	Support	No

Comments: This bill would be better with a stronger definition of what "sustainable" really means. I'd also like to add that the reef fish are integral to keeping the reef itself vital and healthy. Hawaii beaches are sourced from our reefs and therefore a healthy reef is the first step in maintaining healthy beaches! Look at the cost of restoration of Waikiki beach and you will soon see another economic benefit of protecting all of Hawaii's reef fish! Mahalo!

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: oceanfishhi@aol.com
Subject: *Submitted testimony for SB26 on Jan 29, 2013 14:15PM*
Date: Monday, January 28, 2013 8:18:29 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Masterjohn	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: psmith264@aol.com
Subject: *Submitted testimony for SB26 on Jan 29, 2013 14:15PM*
Date: Sunday, January 27, 2013 6:24:25 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
paulette smith	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: pbasabe@hawaii.rr.com
Subject: *Submitted testimony for SB26 on Jan 29, 2013 14:15PM*
Date: Sunday, January 27, 2013 8:00:35 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
pete basabe	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: petersippel@gmx.de
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 2:26:54 AM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Peter Sippel	Individual	Comments Only	No

Comments: I'm opposed to this bill

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: Philippmetz@gmx.de
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 6:34:12 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
philipp	Individual	Oppose	No

Comments: I am opposed to this bill

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: sandra.u.daniel@googlemail.com
Subject: *Submitted testimony for SB26 on Jan 29, 2013 14:15PM*
Date: Monday, January 28, 2013 4:17:50 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Preis	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: koch.raphael@gmail.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 11:24:48 AM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Raphael KOch	Individual	Oppose	No

Comments: I am opposed to this bill!

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For the Fishes
Working to Protect Coral Reefs & Wildlife from the Aquarium Trade

Senate Committees on Water and Land/Energy and Environment; Hearing on 1-29-13, 2:15pm

Testimony on SB26 Relating to Conservation -- IN SUPPORT W/AMENDMENTS

Aloha Honorable Chairs Solomon and Gabbard and Committee Members,

Thank you for the opportunity to comment on this important bill. SB26 would potentially protect Hawaii's dwindling native reef wildlife from the aquarium trade by requiring, before permit approval, population surveys showing targeted species can be sustained in collection areas.

The practice of taking Hawaii's beautiful reef fish and shipping them off to die in mainland household aquariums is wasteful: the massive volume of wildlife leaving our reefs is directly related to their premature deaths in captivity. It is also completely unnecessary: many captive bred species are widely available to those who wish to keep saltwater tanks. We should not allow our reef fish and creature populations to be diminished for such a wasteful and disrespectful purpose.

We believe that with the addition of definitions for "collection area" and "sustain", SB26 would be a good vehicle for providing much needed protections for our native and endemic coral reef species.

Collection area: Hawaii's coral reefs are incredibly complex and dynamic ecosystems already experiencing severe impacts from the aquarium trade. Because coral reefs (and collection areas) are interconnected and not closed systems, it is essential to broaden the scope of the population surveys to include impact areas: zones adjacent to each collection area. To address this, we suggest amending with the following definition:

"Collection area' means five zones, as designated on the department aquarium fish catch report, comprised of the zone where aquarium collection will take place and bordered by the two zones adjacent to each of its boundaries."

Sustain/Sustainable: current ambiguity inherent in the common use of the word "sustainable" allows DLNR to sanction limitless take by the aquarium trade of species already severely depleted from decades of over-harvesting. Fish species with populations described by one set of department biologists as "collapsed" are described by another as "sustainable at current levels of take". To address the ambiguity we suggest amending SB26 with the following definition:

"Sustain" and "sustainable" means stable or increasing levels of natural abundance with no evidence of ongoing or prior decreasing numbers.

We believe any economic impacts to current aquarium collectors resulting from SB26 can be offset by jobs in marine aquaculture which will surely multiply once wildlife is protected.

Please pass SB26 with sound definitions for "collection area" and "sustained", ensuring an adequate sample size and also ensuring protection for populations already depleted by the aquarium trade.

Mahalo,
Rene Umberger
Director

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: Richardfurst@yahoo.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 4:16:13 PM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Furst	Individual	Support	No

Comments: I support stricter conservation measures for all our ocean resources.

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: realty@rickwoodford.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 4:04:41 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Rick Woodford	Individual	Support	No

Comments: a key amendment is required: "sustain/sustainable" must be appropriately defined. Hawaii resource managers currently consider populations depleted by as much as 90% as "sustained". Please help end this alarming disregard for a precious natural legacy:

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: robertfagan@gmail.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 12:07:59 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Fagan	Individual	Support	No

Comments: Please add an amendment with a strong definition of "sustainable".
Mahalo

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: Kayak@southpacifickayaks.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 12:06:01 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Roger simonot	Individual	Comments Only	No

Comments: Please support with a revised more specific definition for sustainable.
Mahalo

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From: [Ron Tubbs](#)
To: [WTLTestimony](#); [ENETestimony](#)
Subject: testimony
Date: Monday, January 28, 2013 1:21:27 PM

Testimony Opposed to SB 26 and 27 2-29-13 2:15 PM room 225

-
Opposed to SB26 and 27

-
Dearest WHL and ENE members,

My name is Mamoā Ntiua, I am from Christmas Island. My husband collects fish from Christmas Island to help and support our family and also our new born child.

Without wholesalers in Hawaii we cannot sell our fish. We depend on fish from Kona as a way to sell our countries fish worldwide. A loss of even one wholesaler could hurt us.

Some of my family members who depend on this income to pay for their life saving medical and food for their families.

About eighty percent of our countries economy depends on tropical fish. All these tropical fish are sold to the Hawaiian Marine Fish Wholesalers. Our whole economy depends on Hawaii's Tropical Fish Industry. In the south Pacific fifty nine million dollars is gained from tropical fish sales annually. Please do not restrict and take away this opportunity away from us for this industry. Like Hawaii our fishing industry has sustained catches for 30 years and more. Aquarium Fish industry is sustainable unless ecology groups are allowed to shut us down. Thanks you for your time.

Respectfully, Mamoā Ntiua

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: riffkeller@gmx.ch
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 12:52:30 PM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Ruettimann Daniel	Individual	Comments Only	No

Comments: I am opposed to this bill!

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: ryanr5789@gmail.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 8:43:39 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Ryan Rothwell	Individual	Oppose	No

Comments: I oppose SB26.

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: passionupp@hotmail.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 6:26:59 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
salma nassif	Individual	Support	No

Comments: please urge an amendment with a strong definition for “sustainable”.

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: snv@hawaiiantel.net
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 10:21:59 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
sandra bailey	Individual	Comments Only	No

Comments: Please urge an amendment with a strong definition for 'sustainable'.

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To: [WTLTestimony](#)
Cc: sbrien@hawaiiantel.net
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 5:01:58 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
SCOTT BRIEN	Individual	Oppose	No

Comments: I'm an aquarium fisherman and a member of the WHFC. We have data to show our fishery is sustainable banning or over burdened regulations are foolish and un warranted. Please go over the years of data from DAR and Dr Bill Walse before making any decisions and please take with a grain of salt the passionate testimony made with exaggerations and false statements.

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From: scott.folsom
To: [WTLTestimony](#)
Subject: Opposition to bill SB 26
Date: Monday, January 28, 2013 8:04:37 AM

I wish to provide input against further restrictions of aquarium fisherman in Hawaii. This fishery has been studied, and there has been no substantiated need. The aquarium fisherman agree with the general position of many of the conservationists that our environment and fishery need to be protected. However, many of the conservationists are overzealous and often operate out of emotion, rather than reality. The aquarium fisherman have a vested interest in sustaining their livelihood, and know that further restrictions are unnecessary.

At the request of the state legislature in 2010 aquarium fishermen met many times with Marine Biologist researchers working at the DLNR and developed a comprehensive plan to regulate aquarium fish. The result of that plan are the 22011 rules package.

The current Aquarium fish catch report stats for fiscal year 2012 show, there have been no major increases of catch number of fish collectors for many years.

DLNR reviews fish populations using all research information available. One source of this information is fish catch reports which are mandated by law for accuracy. They also join data with information collected on each fish species for food supply, swim speed, recruitment (breeding and repopulation ability), repopulation, maturity, reproduction, larvae stages, diseases, predators, introduced species, genetics, cites listings (federal restrictions on species of significant concern for protection), geographical distribution and fishing take. Other information sources used are L50 size at which the fish produces 50% of population. DNLR marine biologists have used the L50 which determines the breeding size for each species of fish at half the population.

These compiled data are used to determine a "Vulnerability" rating for fish. Numerous current laws enacted via DLNR are based on this information. When all the data is reviewed a "Vulnerability" level for each species is determined. Below is DLNR representatives Alton Miyasaka's presentation of the aquarium fish and their vulnerability rating. As you can see all Hawaiian aquarium fish are rated at a low to moderate level of concern for population issues!

Of all the major fish taken for aquarium purposes only Naso tangs rated moderate for concern. The factor weighing in on this species is the fact that larger breeders are taken in numbers for eating fish purposes.

According to DLNR's Francis Oishi, "Aquarium fish collecting is Sustainable" to KITV 4 news crew 11-17-11.

Since Hawaiian aquarium fishes are captured using small-mesh fence and hand nets and not destructive methods or chemicals, if a complete shutdown of the fishery were to occur, a great shift in demand would follow, supporting Indo-Pacific nations whose policies continue to allow the employment of unsustainable fishing practices. This would only accelerate the destruction of coral reefs worldwide. I would urge all resource users, industry participants, scientists, conservationists, and concerned citizens to voice their opposition to this bill, as it would be an irresponsible and ineffective policy.

The idea that SB 26 has any scientific merit is unsubstantiated.

The cost of implementing a fish study as proposed by SB 26 would make the 5 million spent counting fish in Kona seem small. Man hours and cost for these fish counts need some scientific data to back before such an undertaking is even considered. All the studies done so far indicate a low vulnerability for nearly all of the species of aquarium fish collected. None of the species has a high vulnerability rating!

If SB 26 is passed what would the fishermen on Oahu do for a living? Aquarium fishermen would then focus on food fish. This would put significant strain on a much larger fishery issue.

Tropical fish collectors love the ocean and agree with environmental groups about protecting and maintaining our oceans resources for all future generations. Aquariums educate about marine animals and ecosystems. Tropical fish collecting and the Hawaii aquarium trade promote Hawaii's economy and tourism. Many aquarium enthusiasts come to see the fish. Aquarium fish around the world our Hawaii's little ambassadors. Tourism is important and we want tourists to see our wonderful oceans with all their beauty. Aquarium Fish Collectors avoid tourist areas.

West Hawaii FRA 33% ocean closures were established to give untouched ocean areas to tourist groups. User conflict is not even a legitimate excuse for a ban as most fish collectors dive much deeper depths 60-100 feet which is more than most tourist will ever dive. Aquarium fish collectors recently gave up Pebble beach without a fight to residents and tourist. With the Kona rules package the Pebble Beach closure will soon become law. We want tourism and love to see tourist enjoy the ocean we love so much. Many tourist groups dive preserves and designated areas totally left alone by tropical fish collectors. Only Oahu and the Big Island see any fish collecting in numbers. On Oahu and the Big Island more than 80% of the oceans there are untouched by aquarium fish collectors.

The State of Hawaii DNLN has done a great job in both management and regulation of the States Fisheries. In Kona, millions of dollars in fish counts and catch report data prove our industry is not only sustainable but fish counts have increased. State laws creating 35% Fish Replenishment Area closures, size limits, permits, and many other laws have been very effective in managing our State ocean resources. Catch reports are done on time under penalty of law. Catch reports are accurate not only for legal purposes but DNLN has stated current catches may be used to set future catch limits. The aquarium Trade is one of the most regulated businesses in Hawaii. Permits and inspections are required from U.S. Fish and Wildlife services, USDA, State Department of Agriculture and certified veterinarians.

The ecology of the ocean is amazing. Reef fish are the most renewable resource producing one to five million fry per spawning. Adult size may be reached within a few months. Radio labeled and genetic studies show nearly 60% of the millions of fry return to the reef from where they were spawned. Many others spread out over a wide range repopulation far reefs. Most of these small fish do not reach adulthood. Eels, sharks, other predators and lack of food and or habitat all reduce populations. In the end 1-10% live to adult breeding stage. This is still 10,000-50,000 adult breeders per one original pair spawn and many pairs spawn many times per week and throughout the year. Aquarium fishermen collect the smaller size of abundant fish resulting in little impact to reef populations. "Survival of the fittest" even helps future populations. We are truly a sustainable fishery.

Aquarium fishermen love the ocean and the fish. Everything is done to keep the fish alive and healthy. With regular care, fish live longer in captivity. The national 7 billion dollar a year pet industry has many workers who rely on products to be sold for maintaining aquarium fish. Those who rely on aquarium fish and related products to feed their families depend on Hawaii's renewable fish resources. Numerous Hawaii residents, especially, many part-Hawaiians, depend on Tropical Fish collecting to support their families. The Hawaii businesses that have greatly benefited from the tropical fish industry are: boat dealers, boat repair shops, dive shops, fishing supply stores, aquarium pet stores, pet store wholesalers, box suppliers, bag suppliers, oxygen gas suppliers, aquarium maintenance, tourist aquariums in Hotels, Sea Life Park, Waikiki Aquarium, gas stations, computer repair, office supply, interisland cargo shippers, Fish and Wildlife inspections permits and fees, USDA inspections permit and fees, Department of Agriculture permits and fees, DNLN permit fees, and many other s depend on income from aquarium fishermen.

Of the world's marine aquarium fish, we are renowned for our sustainable, humane, and environmentally-friendly fishing methods (Wood 1985). Hawaii leads the world in using responsible collection methods and providing the highest quality fish to aquarists worldwide. By law, Hawaiian aquarium fishes can be captured using only small-mesh fence and hand nets, which does not harm the marine environment, ensures that the fish stay healthy, and allows us to release any unwanted fish unharmed.

Because fish suitable for aquariums are small, abundant, and reproduce quickly, the aquarium fishery

in Hawai'i has proven to be sustainable. The fishery is regulated and monitored by the state, and research conducted since 1997 by DLNR has shown that aquarium fish have not declined in numbers over the past ten years and also finds population increases for many reef fish in west Hawaii. The same studies have shown that our fishery does not harm coral or otherwise affect the health of the reef.

Aquarium fish collectors care and do many things to protect our fish and Ocean resources.

For years fish collectors have provided fish to educate schools across the nation. In Hawaii schools are taken on field trips to local aquarium fish wholesalers or children to ocean fieldtrips by some of our collectors. One program brought live fish to the classrooms for children education. Fish collection for major public aquariums locally and worldwide educate many on Ocean ecology. Many fish rarer or not have been caught and donated to Waikiki Aquarium for research and education.

Rare species are left alone and protected by collectors. Collectors have repopulated fish to areas where populations have declined due to extreme warm summers. Fish population issues are reported to researchers.

Turtles caught in nets are remove when found. Hooks and fishing line around turtles are removed. A hook found in monk seals mouth was reported and NOAA captured and removed the hook. Garbage and nets are removed by many collectors. Some even collect the old bottles found in the ocean. Illegal dumping grounds are reported. Old downed planes and wrecks are reported and identified by researchers.

Many boat rescues and ocean users have been aided by tropical fish collectors. Ocean abuses have been reported by aquarium collectors. Many aquarium fish collectors are Marine Biologists, Zoologist, and Ichthyologists. Information is shared by most collectors with other researchers to aid in ocean ecology. Black coral infestation of an invasive species was reported for observation. Pictures and video are shared. Fish populations are watched by collectors to aid researchers. Collectors supply research breed stocks and share information which can protect future populations though breeding programs.

The recent toxic killing of puffer fish in Hawaii has led to the self imposed no collection of all puffers until the natural or manmade poison can be identified or eliminated. Researchers are brought samples and taken to normally abundant puffer locations to help with the problem. Pregnant reef fish are collected with our help for researchers to aid breeding projects. Ocean food is supplied for captive breeding stocks. Trigger fish have been supplied for US Navel ocean propulsion studies.

Invasive species like Argus groupers and blue line snappers are targeted and eliminated with the help of the tropical fish collectors. These invasive species eat more marine fish than the aquarium fish collectors take for live aquariums!

Aquarium fish collectors have gone on TV shows and spoke for ocean ecology and shared information to protect our ocean. NOAA researchers and others studying fish are educated in fish collecting techniques for research purposes. We are the best eyes of Hawaii as we go many places other divers or tourists do not and can greatly help with the preservation and care of the oceans of Hawaii.

The ocean is our future more than anyone else's. We love to give back. If you need our help doing so contact us.

Scott Folsom

sfolsom1@gmail.com

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: shayla@blissfulhat.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 8:17:51 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Shayla Middleton	Individual	Support	No

Comments: please urge an amendment with a strong definition for “sustainable”.

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: gutmannstefan@web.de
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 12:56:13 AM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Stefan Gutmann	Individual	Comments Only	No

Comments: I am opposed to this bill!

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To: [WTLTestimony](#)
Cc: colehalevi@earthlink.net
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 7:11:47 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Suki Halevi	Individual	Support	No

Comments: It is imperative to add a strong definition of sustainable so that declining species will be fully protected by this law. I strongly support this measure. Please vote for it and make sure that it has real impact, so that the aquarium business can not continue to plunder Hawaii's reefs by pretending that what they are doing is sustainable. Mahalo. Suki Halevi, Maui

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To: [WTLTestimony](#)
Cc: suzanne.hammer@hawaiiantel.net
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 10:02:36 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Suzanne Hammer, M.D.	Individual	Support	No

Comments: We support the bill and please urge an amendment with a strong definition for "sustainable".

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Cc: pbasabe@hawaii.rr.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 8:20:58 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Taetuna Faavasi	Individual	Oppose	No

Comments: I do not have a computer so I sent this from my friends. Thank you

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Cc: btmy@live.com.au
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 2:22:06 PM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Theary	Individual	Support	No

Comments: I believe we need to protect the native fish species, they are an important part of the marine ecosystem in which they live in. Please protect their environment and please keep it beautiful for everyone who lives in Hawaii and those who come to visit, and for the the future generations for them to see. Thank you.

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To: [WTLTestimony](#)
Cc: tom.wallace@ml.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 5:40:20 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
tom wallace	Individual	Support	No

Comments: Please Please Please help save our fish! The aquarium trade takes from all residents in Hawaii for the benefit of a few. It is bad for tourism and harms our daily enjoyment and quality of life. The is really really really important! Please act to save the fish!

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Cc: wiesttrevina@live.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 8:22:19 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Trevina Wiest	Individual	Support	No

Comments: I want to protect the reefs and fishes in Hawaii from people who want to take them for aquariums. I believe the fish should be in their natural environment.

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Cc: kymoos@gmail.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 7:35:52 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Trina Vaughn	Individual	Comments Only	No

Comments: Please let the wild fish be wild. there are much more productive ways to keep these fish for entertainment. For instance farming.

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Cc: nahacky@lhawaii.net
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Monday, January 28, 2013 9:57:18 AM

SB26

Submitted on: 1/28/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Ulla Carmiencke	Individual	Oppose	No

Comments: Due to living in Kona I am unable to attend personally but I make my living packing Aquarium fish so this will put me out of work. DLNR has over forty years of catch data and numerous studies showing this fishery is sustainable. If the legislature feels further studies need to be undertaken licenses should only be restricted after the studies show there is an issue. My income should not be removed when the current data shows sustainability.

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Cc: volker-butters@online.de
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 7:55:36 AM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Volker Butters	Individual	Oppose	No

Comments: I am opposed to this bill!

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Cc: williams011@hawaii.rr.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Saturday, January 26, 2013 1:57:02 PM

SB26

Submitted on: 1/26/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Waimea Williams	Individual	Support	No

Comments: Fish are not a resource to be harvested greedily and recklessly.

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Cc: wowhawaii@aol.com
Subject: Submitted testimony for SB26 on Jan 29, 2013 14:15PM
Date: Sunday, January 27, 2013 8:24:42 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Wayne Sugiyama	Individual	Oppose	No

Comments: My name is Wayne Sugiyama, I OPPOSE Senate Bill 26.

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Cc: wen717@aol.com
Subject: *Submitted testimony for SB26 on Jan 29, 2013 14:15PM*
Date: Sunday, January 27, 2013 7:21:31 PM

SB26

Submitted on: 1/27/2013

Testimony for WTL/ENE on Jan 29, 2013 14:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
wendy bray	Individual	Support	No

Comments:

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