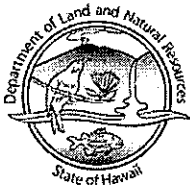


SB 27

RELATING TO FISHING.

Prohibits the sale and use of synthetic nets for gill net fishing. Restricts the use of throw nets for fishing.

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 Committee on
WATER AND LAND

Tuesday, January 29, 2013 (2:45 P.M.)
State Capitol, Conference Room 225

In consideration of
SENATE BILL 27, RELATING TO FISHING

Senate Bill 27 proposes to prohibit (after December 31, 2013) the sale of gill nets made of monofilament or other synthetic material that does not readily biodegrade. Exemptions are provided for throw-nets used in sandy or muddy bottoms without coral growths, government agencies for research (and other purposes), and individuals practicing traditional Hawaiian fishing using nets made of traditional Hawaiian materials. The Department of Land and Natural Resources ("DLNR") opposes this measure as drafted, but recommends a 5 year test registration process. The prohibition would be instituted in 2018 if the registration process does not succeed in protecting the ocean resources.

The bill presents a number of enforcement problems. While "readily biodegradable" is defined, it is difficult for an enforcement officer in the field to determine if the material meets this definition. In addition, to determine if the throw-net was used in a sandy or muddy bottom, the officer would have to stop the individual using the gill net **after** he or she placed the net in the water, determine whether the bottom was sandy or muddy without coral growths are present, and then decide whether a violation has occurred. There are other challenges as well. There are responsible gill net users that may be penalized by a ban.

Alternatively, we suggest two changes. First, we recommend that gill nets be registered with DLNR. The owners of gill nets should tag their nets to identify the owner. The owner will be held responsible for the proper use of the net. Second, the prohibition on sale should be pushed back 5 years (to December 31, 2018) to evaluate the impact of the registration process. If the registration process does not successfully protect the ocean resources, then the prohibition should be instituted.

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

ESTER 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



CONSERVATION COUNCIL FOR HAWAII

Testimony Submitted to the Senate Committee on Energy and Environment
and Senate Committee on Water and Land
Hearing: Tuesday, January 29, 2013 2:45 pm
Room 225

In Support of SB 27 Relating to Fishing

Aloha. The Conservation Council for Hawai'i supports SB 27, which prohibits the sale and use of synthetic nets for gill net fishing and restricts the use of thrown nets for fishing. Although we are not familiar with alternatives to synthetic nets, we are generally supportive of any measure to reduce the loss and injury of whales, monk seals, sea turtles, sharks, and non-target species of fish by synthetic nets, especially lay gill nets and ghost nets.

Please pass SB 27. Mahalo nui loa for the opportunity to testify.

Sincerely,

Marjorie Ziegler



Hawaii's Voice for Wildlife – *Ko Leo Hawai'i no na holoholona iohu*

Telephone/Fax 808.593.0255 • email: info@conservehi.org • web: www.conservehi.org
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President: Hannah Springer * Vice-President: Julie Leialoha * Treasurer: Bianca Isaki * Secretary: Wayne Tanaka
Directors: Rick Barboza * Lida Pigott Burney * Maka'ala Ka'aumoana * Koalani Kaulukukui * Robin Kaye
Executive Director: Marjorie Ziegler

THE SENATE
THE TWENTY-SEVENTH LEGISLATURE
REGULAR SESSION OF 2013

COMMITTEE ON ENERGY AND ENVIRONMENT

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

COMMITTEE ON WATER AND LAND

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

NOTICE OF HEARING

DATE: Tuesday, January 29, 2013
TIME: 2:45 p.m.
PLACE: Conference Room 225
State Capitol
415 South Beretania Street

Testimony in opposition to SB27

My name is Tony Costa and I am testifying on behalf of Hawaii Nearshore Fishermen, a loosely organized yet tight knit group of nearshore fishermen.

Hawaii nearshore Fishermen are opposed to this measure.

SB27 would prohibit fishing with or the sale of synthetic gill net material.

SB27 would require fishermen to use only biodegradable fishing net material that would biodegrade at a minimum rate of 60% in 28 days – thus causing fishermen to replace their fishing nets every month or so.

SB27 would only allow throw nets to be used in shallow waters with sandy or muddy bottoms without coral growth.

SB27's definition of gill net would broadly include all fishing nets whether they were for gill net fishing or pai pai or surround bag net fishing –

HNF believe SB27 would inhibit their ability to continue to provide island communities and markets with fresh nearshore caught fish species such as akule, opelu, weke, palani, and other species.

HNF provide the islands with between 75,000 to 150,000 lb of fresh nearshore caught species each month based upon commercial catch landing data. This renewable resource has been recorded by the State DLNR and consistently shown this biomass volume since the State started recording commercial landings in 1948.

This approximate 1 million to 1.5 million lb. of fish each year is only a fraction of what our resilient ocean provide us with each year – as these figures do not include a substantial subsistence, recreational and other incidental landings that there are no formal record of.

SB27 speaks of “traditional Hawaiian fishing practices” and “traditional Hawaiian nets” made of “traditional Hawaiian materials”

Olena fiber material netting is virtually none existent and impractical to obtain – furthermore, olena fiber probably would not qualify for the biodegradable standards outlined in the measure.

HNF applaud the legislature’s efforts and concerns regarding abandon net debris that does affect our reef especially in the NHWI and on our reefs and beaches on the windward side. But, we would like to point out that most all netting material debris on our reefs and beaches originate from deep ocean trawlers and cargo nets from the Pacific Northwest of the United States and well as from the Kamchatka Peninsula. Our island fishermen as a matter of practice do not leave netting on the reef.

Fishermen foremost feel the ocean resource and ecosystem should be protected and they have practiced responsible fishing methods for generations.

Additionally, and perhaps more importantly, the State Department of Land and Natural Resources has already addressed through administrative rule gill net fishing and has implemented a battery of measures such as registering nets, minimum lengths, soak times etc that address the potential abandoning of gill nets.

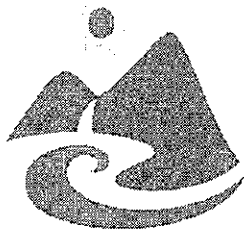
Regarding Throw net fishing, it is impractical to restrict a throw net fisherman from throwing in coral reef areas – coral grows everywhere. Even in the sandy areas you may have coral polyps. This is the art of throw net.

Along with surround net fishing and gill net fishing, throw net fishing is one of the most beautiful local fishing traditions – a true art. SB27 would neuter one of the great and historic fishing art forms of Hawaii-

Island Gill net fishing and throw net fishing do not cause the damage and destruction associated with abandon nets entangled on coral reefs nor to island fishermen leave their nets to “ghost fish”.

HNF respectfully ask this committee to please hold and do not pass SB27

Respectfully submitted,
Tony Costa



MACZAC

Marine and Coastal Zone Advocacy Council

Ke Kahu O Na Kumu Wai

MACZAC Members:

Lanai

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

Roy R. Takemoto

Kauai

Rhoda Makanani Libre

Bryan Mamaclay

Staff

Jessica C. Stabile

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: 2:45 p.m.

PLACE: Conference Room 225

In consideration of **SB 27**

RELATING TO CONSERVATION

James E. Coon Councilmember

Speaking in Support of SB 27

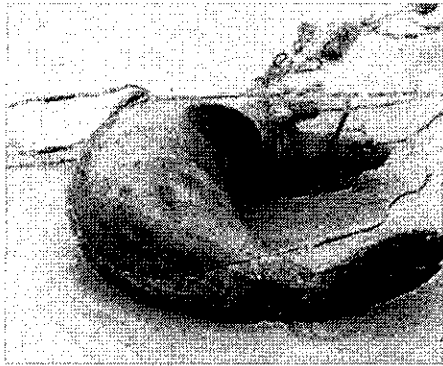
My name is James E. Coon, charter member of MACZAC. I speak in **Support of SB 27**

Ke Kahu O Na Kumu Wai is very concerned about the health of Hawaii's reefs and its fishes. Monofilament nets last for decades and continue to fish long after they have been abandoned. We think that SB 27 is a very important bill designed to reduce the "ghost fishing" problem associated with monofilament nets.

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



THE HUMANE SOCIETY
OF THE UNITED STATES

TO: Honorable Chairs Gabbard and Soloman and Committee Members

Senate Committees on Water, Land and Natural Resources and Energy and Environment, 1-29-13, 245pm

RE: In SUPPORT OF SB27; Relating to Conservation/Fishing

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 SB27; to prohibit the use of synthetic gill nets.

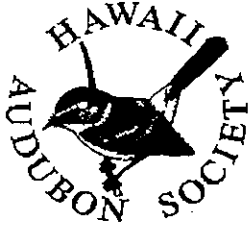
The avoidable death of Mikala (pictured above), a young critically endangered monk seal, outraged the community. She was only nine months old when she was found dead on Oahu on April 13, 2010.

Mikala was a healthy female Hawaiian monk seal, entangled and drowned in a synthetic gill net, in an area where she was known to swim and play. Her death is only the latest tragedy for this endemic, beleaguered and endangered species whose populations are estimated at less than 1100.

Monk seals, turtles, dolphins, whales, seabirds and many other species of both marine and avian wildlife who become entangled in a gill net cannot escape from it, and often drown. Those animals who can escape often have severe injuries, and ultimately die after prolonged suffering. Similarly, non-target fish species often suffer severe injuries to their gills and heads, and cannot survive even if they are removed from the nets and released. Between 2002 and 2006, four monk seals were entangled in near-shore gill nets. Observers have reported three more in the past three years.

Synthetic gillnets are inhumane, inefficient and indiscriminate, posing a serious threat to endangered species, sea birds, marine mammals, and other wildlife. There are more humane, effective and less in discriminate gear that can, and are, being used by responsible fishers.

We respectfully urge your support of this measure



For the Protection of Hawaii's Native Wildlife

HAWAII AUDUBON SOCIETY

850 RICHARDS ST., SUITE 505 • HONOLULU, HI 96813-4709

TELEPHONE (808) 528-1432 FAX (808) 537-5294

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**THE SENATE
TWENTY-SEVENTH LEGISLATURE
REGULAR SESSION OF 2013**

**COMMITTEE ON ENERGY AND ENVIRONMENT
Senator Mike Gabbard, Chair
Senator Russell E. Ruderman, Vice Chair**

**COMMITTEE ON WATER AND LAND
Senator Malama Solomon, Chair
Senator Maile S.L. Shimabukuro, Vice Chair**

**Tuesday, January 29, 2013
2:45 p.m., Conference Room 225, State Capitol**

SENATE BILL NO. 27

Prohibits the sale and use of synthetic nets for gill net fishing. Restricts the use of throw nets for fishing.

Senator Gabbard, Senator Solomon, Senator Ruderman, and Senator Shimabukuro, and members of the committee, my name is Linda Paul and I am testifying today on behalf of the 2,500 members of the Hawaii Audubon Society. The Hawaii Audubon Society, founded in 1939, is dedicated to the protection and restoration of native ecosystems and conservation of natural resources through education, science and advocacy in Hawaii and the Pacific. We support Senate Bill 27. We find that the use of monofilament gillnets, which indiscriminately catch undersized and out-of-season fish, protected species, and destroy marine habitat, have decimated our coral reef fish populations and should be prohibited throughout the State.

Monofilament gillnet fishing destroys Hawaii's marine resources and ecosystems so that a few individuals can fill up their freezers. The ocean is our refrigerator and unless the use of this fishing method is severely restricted, or banned, few fish will survive to reproduce and be enjoyed by the many users of our nearshore resources. Pole fishermen will continue to catch very little; snorkelers will continue to see almost barren reefs.

Entanglement in monofilament gillnets is also a significant source of mortality for the highly endangered Hawaiian Monk Seal. There is no way of protecting the monk seals from this hazard other than to prohibit the sale and use of these nets entirely.

Please pass SB27. The future health of our reefs, and our economy, depends on it. Thank you for giving us the opportunity to testify.

Sincerely,

Linda Paul
President of Hawaii Audubon Society
Former member of the State Lay Gillnet Task Force

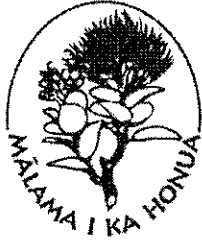
Submitted on: 1/27/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
big Island Association of fisherpersons	big Island Association of Fisherpersons	Support	No



Comments: The aim of this bill may be to contain gill netting but the by product is that it may put many other fishermen out of business. This is a poorly thought out bill that lacks science. Please re-do with accurate science and more consideration for other fisheries.



Sierra Club Hawai'i Chapter

PO Box 2577, Honolulu, HI 96803
808.538.6616 hawaii.chapter@sierraclub.org

SENATE COMMITTEE ON ENERGY AND ENVIRONMENT SENATE COMMITTEE ON WATER AND LAND

January 29, 2013, 2:45 P.M.
(Testimony is 1 page long)

TESTIMONY IN SUPPORT OF SB 27

Aloha Chair Gabbard, Chair Solomon, and Members of the Committees:

The Sierra Club, Hawaii Chapter, with over 10,000 dues paying members and supporters statewide, respectfully *supports* SB 27. This measure bans monofilament or synthetic gill nets.

Lay gill nets indiscriminately kill huge numbers of fish, with little regard to a fish's type, age, or season. Sometimes these nets are forgotten, left overnight or drift away, entangling endangered monk seals, turtles, or other marine life. Lay gill nets can also damage coral and seagrass beds, removing critical nursery, foraging, spawning, and refuge areas for fish and shellfish.

Unfortunately, because of irresponsible fishing practices, the health of Hawaii's coral reef ecosystems is in a prolonged, steep decline. The proposed measure would better protect our reef ecosystems by creating an enforceable mechanism to foster more responsible fishing practices. Sustainable fishing methods are critical to maintaining a sustainable fish population. West Hawai'i Island and other coastal states and nations which have enacted gill net bans have subsequently witnessed an increase in species previously impacted by lay gill nets.

Mahalo for the opportunity to testify.

SB27

Submitted on: 1/29/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
christiane schmidt	ESAIA e.V.	Oppose	No

Comments:

Senator Mike Gabbard, Chair

Senator Russell E. Ruderman, Vice Chair

Committee on Energy and Environment

Tues, January 29, 2013

Testimony in Opposition to SB 27

Hello, my name is Randy Fernley. I own Coral Fish Hawaii, in Aiea, and have been running the business with my wife for the past 35 years. As a small business, we have put a lot of blood, sweat and tears into making our store the best source of quality tropical fish in the islands. We've gone from a 1 person operation to one that employs over 15 employees- of which many are students studying biology or related sciences.

Year after year after year, the aquarium industry in Hawaii is viscously attacked and targeted by a select few animal rights activists. Often these activists use data that is riddled with inaccurate, misleading and false statements based on unscientific resources.

Likewise, year after year after year, the industry helps introduce more information and studies that proves beyond a shadow of a doubt that the industry is sustainable in the eyes of the DLNR and many other notable marine experts. Priding itself in its quality and environmentally safe practices, the aquarium industry is currently working with the DLNR on a rules package which would further solidify itself as a responsible and sustainable industry.

SB27 could kill not only kill this relatively small industry, but could kill Coral Fish Hawaii -- as it is written! This would put a severe burden on my family as we just renegotiated our rent and if we had to shut our doors, we would be responsible for over \$500,000 in rent for the term of the lease.

Please do not allow this bill to proceed. Allow the DLNR to continue regulating this scientifically proven sustainable industry which provides pleasure and education to thousands of residents in the islands.

I also sent in over 150 signatures from aquarists from my store who feel that a ban is unnecessary and that the DLNR is doing its job regulating the industry. **Please listen to their voices!!**

Thank you for your consideration



Randy Fernley / Owner- Coral Fish Hawaii

BIG ISLAND FISHERIES ALLIANCE
73-998 AHULANI STREET
KAILUA-KONA, HI 96740
CONTACT: 808-769-2427

Committee on Energy & Environment: Senator Mike Gabbard-Chair
Senator Russell E. Ruderman, Vice-Chair
Committee on Water & Land: Senator Malama Solomon, Chair
Senator Maile S. L. Shimabukuro, Vice Chair

Subject: OPPOSE SENATE BILL # SB27

We the members of BIFA oppose SB27 - Gill Net Fishing; Throw Net Fishing; Synthetic Nets

(Prohibits the sale and use of synthetic nets for gill net fishing. Restricts the use of throw nets for fishing.)

(Section c, is not pono with traditional Hawaiian fishing style that has been generational fishing knowledge. The sewing of throw nets is not a simple task, and very time consuming and costly, even when it is was made with natural fibers, such as olona (not readily available) or manmade material, who will have the authority to monitor such action of the use of throw nets as to when it will be retrieved immediately following fishing? This is not logical, for nets are not commonly thrown on sandy or muddy bottom fish. The marine bottom species do not lay waiting for the nets to show up on them at any given time. A fisherman does not go where there is no fish to catch, he knows when the fish are matured and follows traditional gathering rights along the natural rocky coastline.

We oppose SB 27 altogether especially-Section (d)- This section (d) contradicts this bill, and should be crossed out.

Section (e) This will prohibit and interfere with the Traditional Hawaiian Fishing style with the use of generational knowledge that has evolved like many other nations evolve with present modern use of synthetic materials. All nations evolve, America today with modern day machinery and uses the newest equipment to farm their crops and produce. They no longer use the horse plow. We oppose: SB 27

Approved e-mail signature: *BIG ISLAND FISHERIES ALLIANCE 1/29/2013*
PRINT NAME BIG ISLAND FISHERIES ALLIANCE
ADDRESS 73-1247 Old Homestead Road
CITY/STATE/ZIP Kailua-Kona, HI 96740

PHONE CONTACT 808-960-5268

SHANE AKONI NELSEN
President of the:
KUAKINI HAWAIIAN CIVIC CLUB OF KONA
82-6026 Manini Beach Road
Captain Cook, HI 96704
Shane.nelsen@gmail.com

SB 27
RELATING TO FISHING
Before the Senate Committees on:

ENERGY AND ENVIRONMENT
&
WATER AND LAND

Tuesday, January 29, 2013 2:45pm, Room 225

Aloha Chairman Gabbard and Madame Chair Solomon;

My name is Shane Nelsen, resident of Kealahou Bay, and President of Kuakini Hawaiian Civic Club, an organization that advocates for the Hawaiian Community, particularly but not limited to the South Kona region. Our organization **STRONGLY OPPOSES SB 27; RELATING TO FISHING.**

This measure is an attack on a specific community - Native Hawaiians. It has not considered doing research or outreach in the Native Hawaiian Communities regarding statistics or data that affect the entire Native Hawaiian population, statewide. Throw nets is still a means of providing provisions for households. We ask that this legislation call for a comprehensive study on the impact of throw-nets vs. eco-tourism, and that this information shall be disseminated to the Hawaiian Community, and that the Office of Hawaiian Affairs is notified during its course.

Although this measure stipulates that it does NOT impact the traditional practices of Native Hawaiians, it mentions that 'olona was the traditional material used to make nets. We don't ask this time, but DEMAND this legislation to call for a comprehensive study on the availability of olona and its customary practices of gathering and producing this type of fiber, and to make it ready and available for ALL gatherers and users of olona, including the hula and canoe community. I challenge this committee to research using other materials that are biodegradable to use in "open-ocean fishery cages".

The use of monofilament or other synthetic materials are no doubt an evolution process within the Native Hawaiian culture; no difference in the advancement from horse driven buggies to gasoline powered metal vehicles.

If these studies were conducted, then why weren't they readily available to Native Hawaiian Agencies and Organizations, such Office

of Hawaiian Affairs, the Association of Hawaiian Civic Clubs, and other Hawaiian Advocating groups in each district of each county?

As a Native Hawaiian Practitioner, and Professional, I challenge this legislation to assist and support Native Hawaiians and others who enjoy the practice of gathering their own food for their families in the wild, through traditional customs and methods. I urge both Committees to NOT support SB 27. Mahalo for allowing me to testify.

Na'u no,

Shane Nelsen

President - Kuakini Hawaiian Civic Club of Kona

Senator Mike Gabbard, Chair

Senator Russell E. Ruderman, Vice Chair

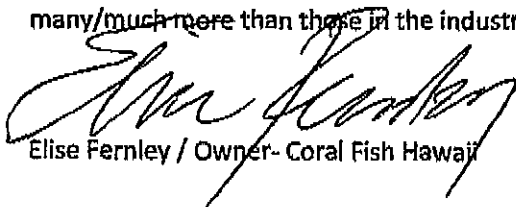
Committee on Energy and Environment

Tues, January 29, 2013

Testimony in Opposition to SB 27

My name is Elise Fernley, and I co-own Coral Fish Hawaii with my husband. The prohibition of the use of synthetic nets would be detrimental to our business and the tropical fish industry. My husband along with other tropical fish collectors, especially those that have been collecting for over 10-30 years, knows the importance of sustaining the areas where they collect. As a diver I have seen that collectors do not place their nets near corals since that would make catching the fish very difficult and also poses potential damage to their nets. The nets they use also do not harm the fish. It acts as a barrier. The fish do not become entrapped in the net. If it was harmful, they would lose too many fish. It wouldn't be feasible to collect tropical fish. They are also small/independent businessmen who cannot afford to leave fishing gear behind.

Please do not proceed with this bill. It would shut down the tropical fish industry, and affect many/much more than those in the industry.



Elise Fernley / Owner- Coral Fish Hawaii

To: Sen. Mike Gabbard, Sen. Russel Ruderman, Sen. Malama Solomon, Sen. Maili Shimabukuro

Testimony regarding SB27

I am opposed to SB27 on the fundamental principle that fisheries should be managed through the administrative rulemaking process that was established specifically for that purpose.

Fisheries management through legislation are seldom backed by specific scientific observations and studies, and are too easily compromised in the necessary legislative process of deal making. The end result is either ineffective or so restrictive that it harms the people the rule is supposed to serve.

I am also opposed to this bill for several other reasons.

First of all, it prohibits the use of nylon monofilament. The fact is that all fishing gear uses synthetic materials including fishing lines. It's not hard to imagine the next step of banning the use of monofilament fishing lines as well. This means all fishing comes to an end. That might well be the long-term goal of the people who proposed this bill.

SB27 specifies the use of biodegradable materials that break down by 60 percent in less than a month. A typical throw net can easily cost \$400 or more, and take months for someone to make by hand.

Throw nets are among the most selective forms of fishing. Fish have to be found, then carefully stalked before they can be netted. And even then there are no guarantees. Coral reefs are protected for the simple reason that if the coral is damaged, then so are the nets. And the people who use these nets are very careful to avoid risking their precious equipment.

This bill would force anyone who is simply trying to feed their family, to spend thousands of dollars and months of painstaking work, just to have a net disintegrate faster than they can be made. Who can support a bill that punishes humble, honest and hard-working people?

This bill means that other expensive nets have to be re-purchased constantly, including the type of nets that are used to bring akule and other fish to our markets. If this hardship is placed upon our fishermen, then the price of akule skyrockets. Or disappears from our markets. The people who feed their families and make a living providing our community with these fish then go on welfare or worse.

SB27 adversely affects food security. This law would also deprive our people of local food, and increase the consumption of other foods that have to be imported, have less nutritional value or even be unhealthy. At this point in our history we need to be finding ways to ensure local sources of nutrition. Not cutting them off.

There are already fishery rules in place that provide the kind of protections sought by SB27. Nets cannot be left unattended, must be tagged with positive identification, and cannot be left in place

more than 4 hours. These rules ensures that nets aren't abandoned, and their owners can be held accountable.

If anything needs to be legislated, it more funding for enforcement to make sure existing rules are followed. That alone can do much to protect the reef and our resources.

Thank you for your consideration in this matter.

Aloha,
Dean Sensui
Executive Producer
Hawaii Goes Fishing



QUALITY MARINE

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.27

To whom it may concern,

It appears that the proposed Senate Bill No. 27 is meant to minimize harm to both non-targeted species of fishes and potential damage to corals as a result of abandoned net materials left on the sea floor, and while clearly targeting unattended lay gill nets, and throw nets, we have concerns that SB27 would potentially include the ban of attended monofilament small-mesh barrier nets used for aquarium fish fishing activities.

Unlike unattended lay gill nets or the use of throw-nets which could be used without immediate observance of the sea-floor substrate, small-mesh barrier nets used for aquarium fish fishing minimize or completely eliminate the problem of unintended or unwanted by-catch, are always attended, are always removed from the sea immediately following any fishing activity, in most cases within minutes, and placed in such a way as to not interfere with coral substrate.

The banning of monofilament nets without a clear exemption for aquarium fish license holders could potentially lead to aquarium fishing practices which are less discriminate in their administration, and potentially more harmful to the environment and its inhabitants than the current practices which have minimal if any measurable impacts.

Sincerely,

G. Christopher Buerner
President, Quality Marine

Carlton Saito

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 24, 2013 3:41 PM
To: ENETestimony
Cc: ndavlantes@aol.com
Subject: *Submitted testimony for SB27 on Jan 29, 2013 14:45PM*

SB27

Submitted on: 1/24/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

TESTIMONY REGARDING
SB27 – RELATING TO FISHING

Submitted by: Cynthia K.L. Rezendes
Position: **Comments**

Thank you for the opportunity to provide comments regarding this measure.

While I would support utilizing natural fibers to construct nets, whether gill nets or throw nets and crab nets, to be used in Hawai'i, I am concerned about the limitation of what fibers may be utilized to construct these nets.

It is well known that fibers from traditional plants such as *olona* are difficult to come by (but could potentially provide a new business opportunity) at this time as it is a plant which must have the correct conditions in which to grow and be harvested and manufactured into materials to be used to construct these nets.

I would encourage the consideration of utilizing other natural fibers, as was used prior to the introduction of monofilament, i.e. linen, cotton/linen blends, which also eventually break-down. Linen gill nets and throw nets were all that were really available until the late 1950's to early 1960's and are probably an easier natural fiber to acquire than any made from traditional fibers for ocean nets, i.e. *olona*.

While a bit more time consuming to maintain properly, natural fiber nets such as linen and cotton or cotton/linen blends are still within the memory of many who have a long history of fishing with these methods and would not need to be re-investigated and experimented with as would need to be done with the scarce fibers of *olona*.

Please consider modifying the list of qualified natural fibers to include those which would meet the intent of decomposing in a shorter period of time than monofilament.

Thank you for the opportunity to provide comments.

Carlton Saito

From: mailinglist@capitol.hawaii.gov
Sent: Friday, January 25, 2013 12:38 PM
To: ENETestimony
Cc: philferna@gmail.com
Subject: Submitted testimony for SB27 on Jan 29, 2013 14:45PM

SB27

Submitted on: 1/25/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Philip Fernandez	Individual	Oppose	No

Comments: I am a resident of the Big Island and a frequent user of the ocean. I oppose this bill because it is a blatant attempt to stop people from net fishing, including throw net. Nets are expensive, so when it gets stuck on rocks, net fishers jump in the water to unhook nets from rocks. I have never seen people just leave a net that might be stuck on a rock. Please oppose this bill.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

To ENE/WTL Committee members,

I Oppose SB 27 because it is not needed and fish populations in the state are healthy and do not need further net restrictions. The use of these nets has seen many recent laws restricting their use and labeling. Many fishermen do not even fish this way anymore due to the fact the laws governing their use are so strict. I am sure many with the DLNR and Marine Biologist who know the fact regarding fish populations and need for ocean ecology will also oppose this overreaching extreme measure.

Thanks,

Ron Tubbs

From: Julie Klaz [<mailto:julie.klaz@gmail.com>]
Sent: Monday, January 28, 2013 2:29 PM
To: Sen. Mike Gabbard; Sen. Russell Ruderman
Subject: Sb27

I am opposed to your bill SB 27. This bill is completely anti- fishing and anti-Hawaiian fishing culture. Almost every throw net used is made from monofilament, a synthetic material. They would all be outlawed by this bill!

This bill would severely hurt every small business fishing store that sells monofilament and other synthetic net. What are we suppose to fish with ? Woven grass? Why are you trying to hurt small business owners who sell fishing supplies?!

What a waste of tax payers time and money to have you write a bill like this when our children could be fed by the fish caught by a synthetic nets. You are taking food out of our mouths in a time of recession and hurting small businesses that sell netting.

Please focus your future time and energy on the education of our keiki. Our public school system is a disgrace . They are the future and deserve our time and energy, not banning a useful type of netting used by Hawaiians to feed our families. This focus on environmental issues at the expense of our children's next meal is a disgrace . Please have the fortitude to say no to the environmentalists who are only Interested in banning fishing and who are obviously not interested in preserving Hawaiian fishing rights.

Mahalo,

Julie Klaz

Sent from my iPad

SB27

Submitted on: 1/25/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kurt Kawamoto	Individual	Oppose	No

Comments:

SB27

Submitted on: 1/25/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM 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.....

SB27

Submitted on: 1/26/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Kimata	Individual	Oppose	Yes

Comments: Distinguished Senators, I am strongly opposed to SB27 and it's attempt to curtail monofilament net fishing. I remind you that many individuals net fish to feed themselves and their ohana. Many do so out of necessity and not a desire for sport or to vary their tablefare. These are hard economic times and many individuals will not be able to comply to these regulations. I cannot support any legislations that would remove someone's ability to feed themselves and their family. Many food fish can only be caught by net fishing. Legislation already exist to prohibit "ghost nets" but are not enforced. Please consider those less fortunate than yourselves in your decision. Thank You.

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

As a representative for Christmas Island OPPOSED TO SB 26 and 27
To the WLH and ENE Committee,

From Snorkel Bob's website;

“Talking Points: Keep it brief. Avoid facts & figures. No matter what we say, the aquarium advocates will call it untrue. The committee will count support and opposition. Give the aquarium collectors NOTHING to grasp.”

Why would tourist based ecology groups testify against scientific based legislation? Many do not care about the science! Some do not care about the truth.

There were so many lies from groups and individuals trying to protect fish at all cost, even to the point of perpetuating lies in numerous media adds, we must slow down, assess the issues and logically and scientifically address the future of our oceans. If we don't make the right decisions jobs and incredible benefits will be lost for no reason. Closing large areas could increase impacts on other areas leading to serious ecosystem damage. Science and sound decisions must be done.

Christmas Island's whole economy depends upon our ability to sell fish to local Hawaii wholesalers who then send our fish around the world. Sales are down enough please do not make doing business any harder than it already is. I fear that if passed this bill will cause shutdowns of some wholesalers in Hawaii and in turn cause a major loss in our important economy.

Thanks for your time and I am sure you will do the right thing.

Sincerely,
Donna Namikin

SB27

Submitted on: 1/26/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Bertha Basabe	Individual	Oppose	No

Comments:

SB27

Submitted on: 1/26/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Daral Fujio	Individual	Oppose	Yes

Comments:

SB27

Submitted on: 1/27/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments: I am opposed to this bill

SB27

Submitted on: 1/27/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM 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!

SB27

Submitted on: 1/27/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments: „I am opposed to this bill!“

SB27

Submitted on: 1/27/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments: I am opposed to this bill!

SB27

Submitted on: 1/27/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM 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 !

SB27

Submitted on: 1/27/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments:

SB27

Submitted on: 1/27/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments: I am opposed to this bill!

SB27

Submitted on: 1/27/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM 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

SB27

Submitted on: 1/27/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments: I am opposed to this bill!

SB27

Submitted on: 1/27/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments: I am opposed to this bill!

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

SB27

Submitted on: 1/27/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments: I am opposed to this bill!

SB27

Submitted on: 1/27/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments:

Submitted By	Organization	Testifier Position	Present at Hearing
Carl Jellings Jr	Individual	Oppose	Yes

Comments: Aloha Senator's I am a part Hawaiian, I've fished most of my life with my father Carl Jellings Sr, I've seen things most people will never see. This bill will shut down, all near shore net fishing in the state of Hawaii. I will explain why this is bad. Fishing is a hard life, it burns you out, and can take a toll on your body. My family lives off of the Ocean, I feed my family, and pay my bills, from fishing. Hurting the resource, damaging the reef, hurts us, fishermen know that damaging the reef only hurts are selves pure and simple. There are laws in place that require everyone to check there nets every 30 minutes. I am always in the water. Building nets is a time consuming process, you have to order new mesh, then put floaters and lead on it. This process can take 4 to 5 days for one piece (100 feet). The point I am trying to make is, this bill is intended to stop ghost nets. Commercial fishermen are always in the water and we do not lose gear. Constantly replacing gear would not allow us fish, it would be to time consuming and unaffordable. We lose nets from old age, which is the only thing we can afford. Another thing you need to understand is we feed, millions of people every year, if you were to add up all the fish we provide for the people of Hawaii, you could say that for a few days everyone would be eating local fish, rather then eating food that was shipped here from the mainland, or other country's. Now I hold nothing against the container ships, but in order for those container ships to operate and ship products here. They have to burn a very low grade diesel fuel, known as Bunker Fuel. This fuel is such a low grade fuel its like a tar, it requires the ships to heat it up before they put it into the engine to burn. The exhaust ports are underwater in order for no one to notice just how much pollutants are being put in the environment. A standard Container ship burns 3,600 gallons an hour at top speed of about 29 mph, the distance between Hawaii and California is about 2500 miles. Add all of this up and a one way trip, for one container ship, comes up around 300,000 gallons of extremely bad fuel. Hawaii's net fishermen, such as my self and family stop the need for these container ships for a few days every year, this is something to be very proud of. Not something to destroy. By the way, these ghost nets that wash ashore and get stuck to Our reefs are cargo nets from ships as well as fishing nets from other country's. Thank you for your time, I am fully against this bill. Respectfully Carl Jellings Jr

SB27

Submitted on: 1/27/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments: I am an aquarium fisherman and a member of WHFC we have been working for years on a sustainability program and it seems the closer we get the harder people are trying to close us down with bans to overburdened regulations there is lots of passionate testimony full exaggeration and false information, please follow the years of scientific data collected by DAR and Dr. Bill Walse. Please don't base your decision on the testimony of those who will say and do almost anything to close us down because they just don't like what we do.

SB27

Submitted on: 1/27/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments: I am opposed to this bill

SB27

Submitted on: 1/27/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments:

SB27

Submitted on: 1/27/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments:

SB27

Submitted on: 1/27/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments:

SB27

Submitted on: 1/27/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments:

SB27

January 28, 2013

Chairpersons and Committee Members,

I am opposed to SB 27. I am a full time commercial fisherman for aquarium fish. Without netting material we will not be able to fish, and earn a living. At present, I don't know of anyone selling biodegradable linen netting anymore. All modern netting seem to be made of synthetic materials.

Please do not pass SB 27. Thank you.

Dennis Yamaguchi

TESTIMONY IN STRONG OPPOSTION TO SB27

Honorable Chairs, Vice Chairs and Members of the Senate Committees on Energy and Environment and Water Land. I am Roy N. Morioka, and reside at 1190-A Iki Place, Honolulu, HI 96821.

Thank you for this opportunity to write in STRONG OPPOSITION to SB27.

- 1) This bill circumvents the HRS Chapter 91 Administrative Rule Procedure that the Legislature provided the Departments and Divisions in the State of Hawaii with a process that would afford the broadest participation by communities statewide with regard to rules and practices that would govern their daily lives and activities. The procedure allows for public informational meetings and the public hearing process across the State to inform, discuss, clarify, consult, and receive comments and testimony, on measures that will affect their lives and in some cases their livelihood.
- 2) This bill does not require the fundamental scientific, social and economic impacts to be studied and deliberated and bypasses critical consideration of such impacts before legislation is proposed. The majority of our nearshore pelagic and reef species are caught by small scale fishermen who use nets to bring important marine resource products to market at the most affordable cost. It also fails to consider the economic impacts and effects on small scale throw net makers. Fibers that will degrade 60-percent of the time within 28 days will adversely affect fishermen who will be faced with extraordinary economic effects due to costs in replacing their fishing gear that will suffer from the degrading nature of the gear.
- 3) This bill fails to consider the availability of pre-1900 materials such as the "olona fiber" for the construction of nets and references a resource not available to many today and will definitely adversely affect the fishing practices of our Hawaiian and non-Hawaiian communities.
- 4) This bill creates great fear within the fishing community as it opens the door to potential legislation that may prohibit the use of synthetic materials such as monofilament and braided fishing lines used the majority of fishermen today.
- 5) Kamaaina are respectful of our corals and apply common sense when using a thrownet. However, it has become common knowledge that many malihini who come from regions where such sensitivities to our marine environment are not paramount, education and training is necessary.

I therefore strongly urge that these committees kill SB27 and properly return the aquatic resource management process to the Department of Land and Natural Resources and its Division of Aquatic Resources as provided by previous Legislative action. The implementation of such ill-thought out and draconian measures without the proper process of comprehensively investigating and studying the potential impacts and engaging the largest number of stakeholders throughout the State is unconscionable.

Respectfully Yours,

Roy N. Morioka

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments: I am opposed to this bill!

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments: My name is Wayne Sugiyama, and I OPPOSE Senate Bill 27.

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Reid Nagai	Individual	Oppose	Yes

Comments:

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments:

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Brea Tam	Individual	Oppose	No

Comments: COMMITTEE ON ENERGY AND ENVIRONMENT Senator Mike Gabbard, Chair Senator Russell E. Ruderman, Vice Chair COMMITTEE ON WATER AND LAND Senator Malama Solomon, Chair Senator Maile S.L. Shimabukuro, Vice Chair Dear Committee members, I Brea Tam Oppose Bill SB 27 for the following reasons: 1) Nets Feed People: My Family relies on nets to feed our family, requiring nets to made of organic materials such olona shrub as suggested in this bill will cause my family to go hungry. Please do your research as to how long it will take to make a thrownet or lay net out of natural fiber, people like yourself who have no skills in making nets do not understand what you are proposing. 2) Unintended Consequences: Pressure on obtaining enough native olona shrubs to make nets will cause a decline and possible deforestation of our mauka lands. Have any of you studied or know where there is enough olona shrubs to make nets for all of Hawaii? 3) Regulations: Enforce the current net regulations you have there is no need to create new ones, if everyone did their part and take care of our aina no need to worry. Make rules to help people not hurt them. Mahalo, B. Tam Local fishermen/voter

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments: I oppose SB27

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 2011 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. DLNR 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 representative 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.

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 removed 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 through 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

Submitted By	Organization	Testifier Position	Present at Hearing
GEOFF WALKER	Individual	Oppose	No

Comments: TESTIMONY IN STRONG OPPOSTION TO SB27 Honorable Chairs, Vice Chairs and Members of the Senate Committees on Energy and Environment and Water Land. I am Roy N. Morioka, and reside at 1190-A Iki Place, Honolulu, HI 96821. Thank you for this opportunity to write in STRONG OPPOSITION to SB27. 1) This bill circumvents the HRS Chapter 91 Administrative Rule Procedure that the Legislature provided the Departments and Divisions in the State of Hawaii with a process that would afford the broadest participation by communities statewide with regard to rules and practices that would govern their daily lives and activities. The procedure allows for public informational meetings and the public hearing process across the State to inform, discuss, clarify, consult, and receive comments and testimony, on measures that will affect their lives and in some cases their livelihood. 2) This bill does not require the fundamental scientific, social and economic impacts to be studied and deliberated and bypasses critical consideration of such impacts before legislation is proposed. The majority of our nearshore pelagic and reef species are caught by small scale fishermen who use nets to bring important marine resource products to market at the most affordable cost. It also fails to consider the economic impacts and effects on small scale throw net makers. Fibers that will degrade 60-percent of the time within 28 days will adversely affect fishermen who will be faced with extraordinary economic effects due to costs in replacing their fishing gear that will suffer from the degrading nature of the gear. 3) This bill fails to consider the availability of pre-1900 materials such as the "olona fiber" for the construction of nets and references a resource not available to many today and will definitely adversely affect the fishing practices of our Hawaiian and non-Hawaiian communities. 4) This bill creates great fear within the fishing community as it opens the door to potential legislation that may prohibit the use of synthetic materials such as monofilament and braided fishing lines used the majority of fishermen today. 5) Kamaaina are respectful of our corals and apply common sense when using a thrownet. However, it has become common knowledge that many malihini who come from regions where such sensitivities to our marine environment are not paramount, education and training is necessary. I therefore strongly urge that these committees kill SB27 and properly return the aquatic resource management process to the Department of Land and Natural Resources and its Division of Aquatic Resources as provided by previous Legislative action. The implementation of such ill-thought out and draconian measures without the proper process of comprehensively investigating and studying the potential impacts and engaging the largest number of stakeholders throughout the State is unconscionable. Respectfully Yours, Geoff Walker

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments:

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments: The reasons for the ban of these nets due not apply when they are used for aquarium collection. Nets are small and always under the supervision of the aquarium collector. Ulla Carmiencke

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments: I am an aquarium collector and my net is small and always under my supervision. I have never lost a net as it is always with me. No nets are left unattended. This reasons for this bill are not applicable to aquarium fishing, so please amend this bill or do not pass it. Anthony Nahacky

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
david Kelly	Individual	Oppose	No

Comments: I am in direct opposition to this bill!! My wife is a public school teacher for the DOE and teaches sped in elementary school. I dive for aquarium fish to supplement our income. I will lose my job if this bill passes. Who is going to feed my 4 kids that I am supporting? The environmentalists? The Government? Are you going to give my wife a big raise anytime soon? I am a second generation commercial fisherman in Hawaii, and I have been making my living and supporting my family off the ocean my whole life. I have been a professional bodyboarder I also served as a lifeguard for the city and county for 8 years and I have been fishing commercially for 30 years. Please don't take away my livelihood by voting for this bill. It's not about who's right it's about what's right...do the right thing!!!! Aloha DK

Re. SB27

Testimony:

My name is Ronald Tam. I am a senior citizen, born and raised in Hawaii, and fished in Hawaii since my teens.

I view the proposed legislation to prohibit the sale and use of gill nets made of monofilament or other synthetic material that does not readily biodegrade to be without basis in need. While I recognize that abandoned monofilament gill nets can cause damage to the reefs and other wild life, there are restrictions in place to preclude/prevent improper use of gill nets. Is there statistical data that provides basis for the proposed legislation? What is the level of intensity of efforts to enforce rules in place relating to gill nets?

The inclusion of throw nets in the proposed legislation is completely unsupportable. I cannot envision a throw net fisherman abandoning his/her throw net unless he/she is in an emergency situation where, as a last resort, the net has to be abandoned. Such an occasion is truly a rarity.

In general, kamaaina fishermen, including gill net and throw net fishermen, fish responsibly. Accordingly, I view the proposed legislation as draconian in nature.

Thank you for the opportunity to provide the foregoing testimony.

Sincerely,
Ronald Tam
1082 Lunalilo Home Road
Honolulu, HI 96825

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Junedale Palacat	Individual	Oppose	No

Comments: In a society without nails or man-made fibers, olona fibers were a true blessing to the life of the people. In the 1800's. In this society with nails and prefab fibers the olona fibers is very hard to impossible for most to gather, but Synthetic material" means artificially made material invented after 1900 is a true blessing to the life style of the people. 2000's we have evolved from olona fibers then to synthetic material now. But the fisherman's still gather the same old way's we take only what we need. By respecting the surroundings the coral, fishes and surrounding have time to replenish for future harvesting by all who need to feed their ohana. Throw net fishing is a way of life for most small families to gather fish,(food)for ones ohana. I Junedale Palacat opposing this act! Mahalo Nui Loa

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments: this will kill AQ in hawaii, nothing like a unintended consequence or maybe that is the intent. ?

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Godfrey Palacat	Individual	Oppose	No

Comments: I Godfrey Palacat Sr. is a long line of shore line fisherman's. I have been taught by my father before me and his father before him to respect what nature has given us and to keep it going. As I was taught what you take you must put back twice of what you are gathering or by the least leave it the same way you find it. As we say Malama the land. Throw net fishing was always a means of me providing fish for my ohana. Now, that I am a grandfather. I find great pleasure with my throw net. Teaching another generation the art and skill of using the net to gather fish. Along with that I also teach the the right ways our people gather anything from our land. For we are just the keeper's of this land. I Godfrey Palacat Sr. strongly opposed the act. Mahalo Nui Loa,

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments: I believe that for the most part, I am in sound agreement with the proposed regulations as they make good sense from an environmental standpoint. My only concern would be to look at the use of barrier nets as used in the aquarium fishery, and to ensure that such sustainable practices are not accidentally targeted through the proposed regulations. I would encourage the committee to consider the testimony of DAR / DLNR in this matter, but also any testimony submitted by aquarium fishers, to ensure that aquarium-trade best practices are not inadvertently outlawed in this well-intentioned regulation. I am concerned that the description in line 17-19 comes too close to describing the Barrier Net used to gently collect marinelife from the reef; such a practice is done under the direct supervision of a collector, whereas a "gill net" by nature is intended to be set, and left for hours or days, to later be retrieved and examined for trapped fish, be it alive, dying or dead. Because a "gill net" may be left unattended, and is indiscriminate in it's catch, it makes sense to regulate this practice. However, since a barrier net, used directly by aquarium fishers, is used to enable the selective harvest of marine fish under the direct supervision of the diver(s) using it, it should not be inadvertently lumped into the "gill net" category. As such, this regulation requires further refinement so as to discern between the fishing methods which do employ arguably similar equipment, but with very divergent methodologies and results.

Subject: OPPOSE BILL # SB27

I oppose SB 27, I am a responsible resident, voter, stakeholder, and fisherman. I opposed this Senate Bill 27- it will hurt us economically and cause harm to us financially. We fish to feed our ohana and we manage our local traditional Hawaiian fishing of our natural resources as we have evolved with flexibility of the modern tools and products to be sustainable. To ban man made materials (monofilament) hurts our economy in the wholesale and retail business, not to mention the local economy and our taxes that we pay to our local and state entity.

I oppose : SB 27

Approved e-mail signature: Teresa L Nakama 1-25-2013

Signature

Date

PRINT NAME Teresa L. Nakama
ADDRESS 73-998 Ahulani Street
CITY/STATE/ZIP Kailua-Kona, HI 96740

PHONE CONTACT: 808-325-7157

Senator Mike Gabbard, Chair
Senator Russell E. Ruderman, Vice Chair
Committee on Energy and Environment

Senator Malama Solomon, Chair
Senator Maile Shimabukuro, Vice Chair
Committee on Water and Land

Tuesday, January 29, 2013

Testimony in Opposition to SB 27

I support a well regulated tropical fish industry in Hawaii. The aquarium fishery has been monitored by the state for nearly 40 years, and has proven to be sustainable at current levels. Senate Bill 27 would outlaw the use of monofilament barrier nets, which are a safe, clean, and sustainable fishing method that does not damage the reef, cause injury to fish, or produce any bycatch. This would shut down the industry in Hawaii, without any scientific basis or possibility of compromise. Please do not pass this bill.

Signature: Whitney Kawata

Name (printed): Whitney Kawata

Date: 1/25/2013

Zip Code: 96819

This same form
letter from 118
individuals.

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments: I am concerned that this bill does not have clear language that exempts the "Barrier" nets that we use for Aquarium Collecting. We do not leave our nets in the water and so they are not part of the problem that this bill is addressing.

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

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Pooya Motlagh	Individual	Oppose	No

Comments:

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica O. Kaikaina	Individual	Oppose	No

Comments: Aloha Committee Chairs, My name is Jessica Kaikaina, and I am originally from Papakolea Homestead on the island of O'ahu. I oppose SB27 because it prohibits me, as a Native Hawaiian and Practioner of my culture, to practice the traditional fishing methods and practices of gathering food from the kai (ocean) for me and my 'ohana. This bill would like for me to use traditional cordages made of traditional materials such as 'olona, however this material is not readily available to us at all times, in amounts that are necessary to make our traditional nets and/or fishing equipment, and therefore is not available at a feasible cost to the majority of Hawaiian Natives such as myself. I ask the Committee to NOT support this bill! I ask the legislation to do a study on the availability of 'olona and other traditional biodegradable fibers, and on the traditional practices of growing and gathering these fiber-providing plants, and on the traditional amounts necessary to make our fishing, gathering, and other tools necessary to support our livelihood and traditional ways. Then I ask that this legislation make these fiber-providing plants available to the Native Hawaiian Community (and everyone else who fishes in these Hawaiian Waters) at a feasible cost so that the majority of the Native Hawaiians can afford it. Mahalo for giving me the oppotunity to give my personal testimony. Me ke aloha, Jessica Oilipua- Kaikaina

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Coogan Kealohilani Mitchell	Individual	Oppose	No

Comments: Aloha, My name is Coogan Kealohilani Mitchell of the Na Puu ahu and I oppose the banning of "throw nets". I was born and raised learning the ways of my kupuna and am teaching those learnings to my children today. Mahalo and aloha, Coogan K. Mitchell

Raymond Genegabuas
421 Kupuohi Place
Hilo, Hawai'i 96720

SB27; Relating to Fishing

Senate Committee on Energy and Environment & Water and Land
Tuesday, January 29, 2013 2:45pm, Room 225

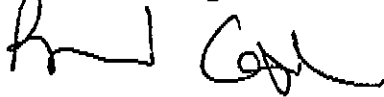
Aloha Committee Chairs,

My name is Raymond Genegabuas and I oppose the throw net band. I oppose the bill because I know many people who have fished in this way for many generations. To take away a net from a fisherman is like taking a hammer away from a carpenter. I am a diver who normally uses spears and other tools to catch fish for my family and friends and occasionally I will throw net. I am still learning the techniques of this type of fishing from traditional practitioners and hope to continue this learning and practicing so that I can pass this knowledge on to the younger generation.

I would like the Committee to oppose SB27!

Mahalo for allowing my testimony to be heard.

Sincerely,
Raymond S. Genegabuas

A handwritten signature in black ink, appearing to read 'Raymond S. Genegabuas', written in a cursive style.

From: Dave & Charlie [<mailto:dierking74@gmail.com>]
Sent: Monday, January 28, 2013 2:09 PM
To: Sen. Mike Gabbard; Sen. Russell Ruderman
Subject: SB 27

I oppose your proposal to ban throw net fishing. What is this "biodegradable" line? Most fishermen sew their own nets, which takes time and money. Throwing net on muddy bottoms? Like rivers? That's where the young fish are small and growing until they live in the sea. Fishermen don't throw nets there. What about the problem that there aren't limu (edible seaweed) we used to gather to eat because there are too much turtles? Or how about the growing numbers of tiger sharks around our islands? Some divers think it's because of the prevalent turtle population.
Cancel this bill and move on to something more important.

Thank you,
Charlene Dierking
Volcano, Hawaii

Sent from my iPhone

Testimony for SB27

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

DATE:

Tuesday, January 29, 2013

TIME:

2:45 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, SB27, relating to the prohibition on sale and use of synthetic nets for gill net fishing

Let me first say that I wholeheartedly endorse the proposed intent of SB27, to prohibit the sale and use of synthetic nets for the purpose of lay gill net fishing. As stated in Section 1 of the bill, lay gill nets made of non-biodegradable materials continue "ghost" fishing long after they are lost or abandoned and I absolutely agree that they present a major hazard to marine life and the marine environment.

Unfortunately, the language of the bill would also prohibit other, legal activities unrelated to lay gill net fishing. In particular, the restrictions on the sale or use of monofilament (or other synthetic material) gill nets would prevent the use of these materials during the collection of marine fish for aquarium purposes and for scientific research.

Lay gill nets are typically left unattended for long periods of time and may be abandoned or lost during fishing, thereby posing a hazard to marine life. In contrast, barrier gill nets used in aquarium fishing or some fish collection for scientific research purposes are monitored constantly during use and therefore not subject to loss or abandonment in the way that lay gill nets may be. Hence, while aquarium fisherman or scientific researchers may use materials similar to lay gill nets during fish collection (and which would be prohibited by this bill), these uses do not result in the detrimental phenomenon of "ghost" fishing and should not be restricted in the same way. For many marine fish, use of such nets is essentially the only way feasible to safely collect the target species and minimize damage to the habitat (e.g., coral damage).

A possible solution I would offer to this problem is to amend the bill to allow for the sale and use of these nets by individuals with commercial aquarium collection permits and individuals with scientific collection permits. This would solve the problem of "ghost" fishing by abandoned or lost lay gill nets without the unintended consequence of severely restricting aquarium collection and scientific research which are not, themselves, responsible for the serious problem addressed by this bill.

I would happily support a bill which effectively focuses on eliminating lay gill net fishing but without the unintended consequences which I have identified above.

Sincerely,

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

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Eric Nourrie	Individual	Oppose	Yes

Comments:

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Matthew Hanato	Individual	Oppose	Yes

Comments: I am opposed to this bill. Because my family Depends on diving and net fishing. To support our family not only with food but money as well.

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Donnalynn peterson	Individual	Oppose	Yes

Comments: i was born&raise around fishing my children&my husband fish for our meals wkly

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Ellen Malabey	Individual	Oppose	Yes

Comments: i come from a family who has been fishing for last 60yrs.now our next generation will be cheated by this bill so it cant be passed this is a main food supply of our ohana

SB27

Submitted on: 1/28/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Steven Shgemoto	Individual	Oppose	Yes

Comments: i come from a family of fisherman and divers. the uhu is our favorite fish for eating and sport.

SB27

Submitted on: 1/29/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
George Matsuda	Individual	Oppose	No

Comments: I am a US citizen and a commercial fisherman. I think DLNR should handle this matter and bring it to the table for public action. This bill affects my livelihood and i strongly oppose SB27.

SB27

Submitted on: 1/29/2013

Testimony for ENE/WTL on Jan 29, 2013 14:45PM in Conference Room 225

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

Comments: Gill nets are my way to provide food for my family. Taking this away will not only take food off the table for my family, but it would also destroy our culture.