

# SB 2174

Measure Title: RELATING TO SEA URCHINS.

Report Title: Sea Urchins; Department of Land and Natural Resources;  
Harvesting Restrictions

Description: Restricts any person from taking, collecting, or harvesting three or more sea urchins within a seven-day period without a permit, and allows the department of land and natural resources to enact rules related to sea urchin harvesting.

Companion:

Package: None

Current Referral: EET/WLA, WAM

Introducer(s): ESPERO, GREEN, RUDERMAN, Dela Cruz, Galuteria,  
Nishihara

JAN 22 2016

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## A BILL FOR AN ACT

RELATING TO SEA URCHINS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the marine ecosystem  
2 of Hawaii is a crucial part of the state's ecological and  
3 cultural heritage and that, without the protection of the State,  
4 that ecosystem can be placed in jeopardy. In June 2015, mass  
5 harvesting of sea cucumbers caused the department of land and  
6 natural resources to enact an emergency rule banning any further  
7 harvesting of sea cucumbers. In December 2015, the department  
8 of land and natural resources enacted a permanent ban on large  
9 scale commercial harvesting of sea cucumbers, and the department  
10 continues to monitor populations of sea cucumbers to determine  
11 whether the new rules will keep sea cucumber populations at  
12 sustainable levels.

13           The legislature further finds that sea urchins are also an  
14 important component of the marine ecosystem of Hawaii. Sea  
15 urchins are considered a delicacy in many areas of the world,  
16 and large scale commercial harvesting could have a similar



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1 devastating effect on populations of sea urchins as it has had  
2 on populations of sea cucumbers.

3 The purpose of this Act is to limit the number of sea  
4 urchins that may be harvested without a permit, and to empower  
5 the department of land and natural resources to regulate future  
6 harvesting of sea urchins.

7 SECTION 2. Chapter 188, Hawaii Revised Statutes, is  
8 amended by adding a new section to be appropriately designated  
9 and to read as follows:

10 "§188- Sea urchins; restrictions. (a) It shall be  
11 unlawful for any person to take, collect, or harvest three or  
12 more sea urchins within a seven-day period without a permit  
13 issued by the department of land and natural resources.

14 (b) The department of land and natural resources may issue  
15 permits to take, collect, or harvest three or more sea urchins  
16 within a seven-day period. The permits may be issued by the  
17 department upon terms and conditions the department may deem  
18 necessary to preserve the sustainable population of sea urchins  
19 within state waters. The permit may be summarily revoked for a  
20 violation of any term or condition of the permit, and any or all  
21 permits may be revoked summarily whenever, in the judgment of



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1 the department, the action is necessary to preserve the  
 2 sustainable population of sea urchins within state waters.

3 (c) The department of land and natural resources may adopt  
 4 rules pursuant to chapter 91 for the purposes of this section."

5 SECTION 3. This Act does not affect rights and duties that  
 6 matured, penalties that were incurred, and proceedings that were  
 7 begun before its effective date.

8 SECTION 4. New statutory material is underscored.

9 SECTION 5. This Act shall take effect upon its approval.

10

INTRODUCED BY:

Will Evers

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]



# S.B. NO. 2174

**Report Title:**

Sea Urchins; Department of Land and Natural Resources;  
Harvesting Restrictions

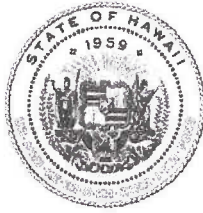
**Description:**

Restricts any person from taking, collecting, or harvesting three or more sea urchins within a seven-day period without a permit, and allows the department of land and natural resources to enact rules related to sea urchin harvesting.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*



DAVID Y. IGE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

Testimony of  
SUZANNE D. CASE  
Chairperson

Before the Senate Committees on  
ECONOMIC DEVELOPMENT, ENVIRONMENT, AND TECHNOLOGY  
and  
WATER, LAND, AND AGRICULTURE

Friday, February 12, 2016  
1:20 PM  
State Capitol, Conference Room 414

In consideration of  
SENATE BILL 2174  
RELATING TO SEA URCHINS

Senate Bill 2174 proposes to establish take limits on sea urchins and authorizes the department to adopt rules for this purpose. **The Department of Land and Natural Resources (“Department”) appreciates the intent of this measure but believes this measure is unnecessary.**

The Department already has the authority to adopt rules to manage the take of sea urchins. The recent news about sea cucumbers being harvested in large numbers was a good example of the potential threats to Hawaii’s marine resources. We were able to respond immediately by implementing emergency rules to stop this take as authorized under Section 91-3, Hawaii Revised Statutes (HRS). The Department was then able to adopt longer term rules to better manage this threat as authorized under Section 187A-5, HRS. We believe that the Department already has the necessary authority to respond to these kinds of situations, and we appreciate the flexibility to develop more science or community based rules that protect the resources while taking into consideration current uses. The proposed bag limits may not be the most effective way to deal with this threat and we would need to evaluate each situation before suggesting potential management options.

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA  
FIRST DEPUTY

JEFFREY T. PEARSON P.E.  
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



**Department of Land and Natural Resources  
Aha Moku Advisory Committee  
State of Hawaii  
Post Office Box 621  
Honolulu, Hawaii 96809**

Testimony of  
Leslie Kuloloio, Chair

Before the Senate Committees on  
Economic Development, Environment, and Technology  
Water, Land and Agriculture

Friday, February 12, 2016  
1:20 PM  
State Capitol, Conference Room 414

**In Consideration of  
SENATE BILL 2174  
RELATING TO SEA URCHINS**

House Bill 2174 appropriates funds to the Department of Agriculture for research and mitigation efforts relating to the rapid ohia death disease in the State. It requires the Department to submit a report to the legislature and makes appropriations. **The Aha Moku SUPPORTS this measure but asks that an amendment be added to Section 2 §188 – Sea urchins; restrictions. (a) It shall be unlawful for any person to take, collect, or harvest three or more sea urchins within a seven-day period without a permit issued by the department of land and natural resources. This section exempts Native Hawaiian cultural and resource practitioners who traditionally harvest sea urchin for subsistence, religious and medicinal practices.**

The Aha Moku encompasses the eight main Hawaiian Islands, which in turn is comprised of 47 moku and 607 ahupua'a, each one of which is individual and unique with its own natural resources. The commonality among all of them is that the *vana* or sea urchin is a large part of every island - their diet, gathering practices, medicinal practices (*la'au lapa'au*) and embedded in their culture. The *vana* is significantly listed in the *Kumulipo* – The Hawaiian Creation Chant –

*Hanau ka 'Ina, ka 'Ina*

Born was the sea urchin, the sea urchin

*Hanau kana, he Halula, puka*

Born was the short-spiked sea urchin, came forth

*Hanau ka Hawa'e, o ka Wana-ku kana keiki, puka*

Born was the smooth sea urchin, his child the long-spiked came forth

*Hanau ka Ha'uke'uke, o ka 'Uhalula kana keiki, puka*

Born was the ring-shaped sea urchin, his child the thin-spiked came forth

The very logo for the Aha Moku contains the image of the sea god, Ku'ula, reaching toward land holding the *vana* in hand. The *vana* or sea urchin represents the "truth of the Hawaiian people" because of the physical characteristics representing tongues when one opens the urchin itself. (attached)

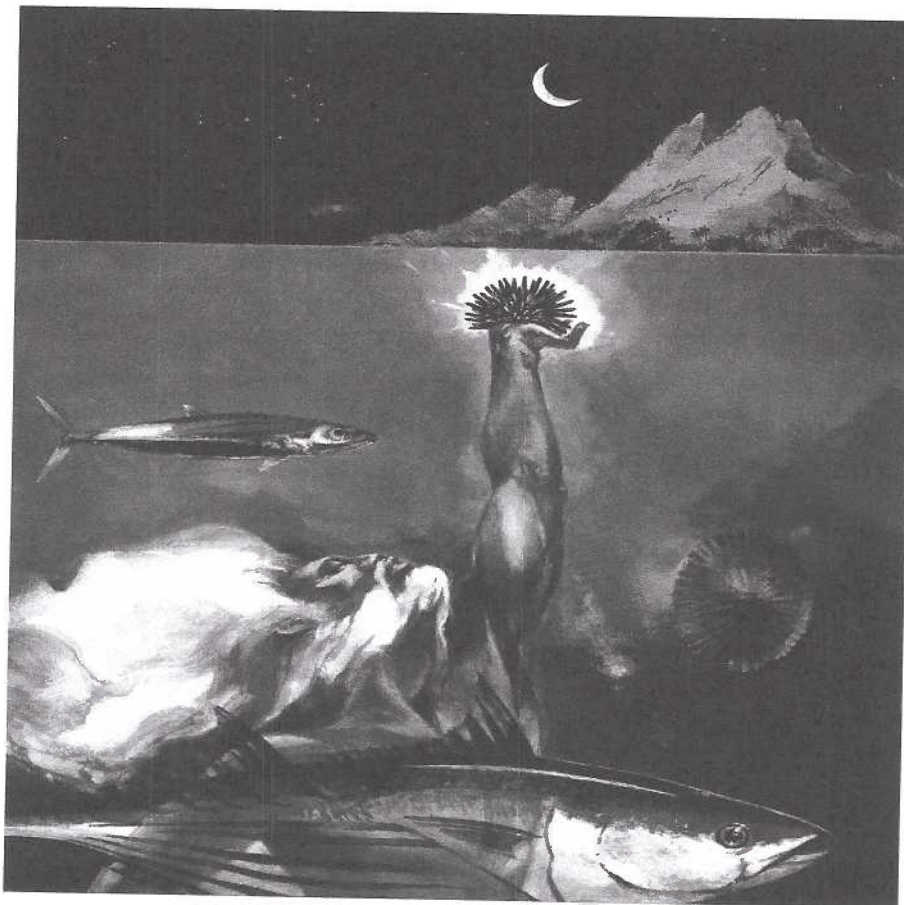


**Department of Land and Natural Resources  
Aha Moku Advisory Committee  
State of Hawaii  
Post Office Box 621  
Honolulu, Hawaii 96809**

The focus of the Aha Moku System, as stated by this Legislature is to assist the State in the protection and sustainability of its distinctive natural and cultural resources by bringing forward Native Hawaiian empirical resource methodology that together with scientific expertise may further protect our natural assets. Because we truly believe this, we support this bill but ask that our recommended language be added to the measure.

Thank you for the opportunity to offer testimony and we urge this committee to pass this measure if it contains the additional language.

**Aha Moku Logo**







Department of Land and Natural Resources  
Aha Moku Advisory Committee  
State of Hawaii  
Post Office Box 621  
Honolulu, Hawaii 96809

**AHA MOKU ADVISORY COMMITTEE (AMAC) LOGO**

*The logo of the AMAC is profound and has much kaona (meaning). It is derived from the vision of Kumu John Kaimikaua, a noted and respected Native Hawaiian historian and teacher. Bringing forth the reminder that the Aha Moku process has continued within the culture of the Hawaiian people from as far back as the 9<sup>th</sup> century until today. His vision was captured in an oil painting by Oliver Kinney, a Native Hawaiian artist well-known in Hawaii and was done in 2006.*

*The painting is of Ku'ula, the Hawaiian god of the sea who is reaching up to the ahupua'a connecting the ocean to the land. He is holding a vana (sea urchin) in his hand. It represents the "truth of the Hawaiian culture" because of the tongues within the vana.*

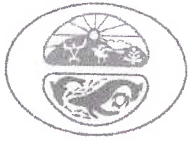
*The Opelu and the Aku (the small and large fish) represent the dry and wet seasons of the Hawaiian calendar.*

*The opihi represents how the Native Hawaiian is "pa'a" or sticks to the truth of their culture as it pertains to natural and cultural resources.*

*In the upper left hand corner of the picture is a rendition of the Makali'i, the cluster of stars that represents the Makahiki – a time of resource sustainability and peace.*

*The painting is done in the night because all Hawaiians practice (plant, harvest and fish during a lunar calendar.*

*The moon is of Akua representing the spirituality and connection between those who use traditional and generational natural and cultural resource methods, Ke Akua and their aumakua. This represents the dedication and commitment of the Hawaiian culture to the well-being of the land, water, ocean and all natural resources.*



Conservation Council  
for Hawai'i

*Hawai'i's voice for wildlife*

*Kō Hawai'i | leo no nā holoholona lōhiu*

Testimony Submitted to the  
Senate Committee on Economic Development, Environment, and Technology  
And Senate Committee on Water, Land, and Agriculture  
And Senate Committee on Hearing: Friday, February 12, 2016 1:20 pm  
Conference Room 414

In Support of SB 2174 Relating to Sea Urchins

Chair Wakai, Chair Gabbard, Vice Chair Slom, Vice Chair Nishihara, and Members of the  
Committees.

Aloha. The Conservation Council for Hawai'i supports SB 2174, which restricts any person  
from taking, collecting, or harvesting three or more sea urchins within a seven-day period  
without a permit, and allows the department of land and natural resources to enact rules  
related to sea urchin harvesting.

We are not qualified to comment on the number of sea urchins allowed in a 7-day period,  
but we support the intent of SB 2174. Are sea urchins harvested in Hawai'i for sale in the  
aquarium trade or as food? If so, we encourage you to consider prohibiting all harvesting  
of sea urchins except for subsistence or cultural purposes.

Please support SB 2174. Mahalo nui loa for the opportunity to testify.

Sincerely,

Marjorie Ziegler

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President: Julie Leialoha | Vice President: Koalani Kaulukukui | Secretary: Wayne Tanaka  
Treasurer: Ryan Belcher | Directors: Rick Barboza | Anne Huggins Walton  
Executive Director: Marjorie Ziegler | Administrator: Jonnetta Peters



**wakai1 - Lilinoe**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 09, 2016 12:31 PM  
**To:** EET Testimony  
**Cc:** cathyg@animalrightshawaii.org  
**Subject:** \*Submitted testimony for SB2174 on Feb 12, 2016 13:20PM\*

**SB2174**

Submitted on: 2/9/2016

Testimony for EET/WLA on Feb 12, 2016 13:20PM in Conference Room 414

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cathy Goeggel	Animal Rights Hawai'i	Support	Yes

**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.

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