



HB808 HD1 SD1
RELATING TO SHARK AND RAY PROTECTION
Senate Committee on Judiciary
Senate Committee on Ways and Means

April 3, 2019

10:00 a.m.

Room 211

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB808 HD1 SD1, which would prohibit the killing, capturing, or otherwise harming of any shark or ray species in state waters.

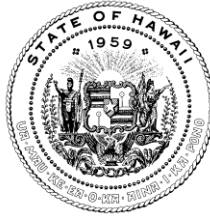
OHA supports strong protections for culturally important species that also serve critical ecological functions. As this bill recognizes, Hawai‘i’s shark and ray species may hold special cultural significance for Native Hawaiians. For example, sharks and rays are recognized as kinolau for Kū and Kanaloa, and certain individuals and species can be regarded as ‘aumakua by some families. Sharks and rays are also featured in mo‘olelo, ‘ōlelo no‘eau, and other cultural narratives that inform the Hawaiian understanding of the world and our natural environment. OHA also understands that the ecological services provided by apex predators such as sharks promote a healthy ocean environment, which is necessary for the continuation of Native Hawaiian cultural and subsistence practices. **Accordingly, OHA appreciates the proposed enhanced protections for shark and ray species in state waters.**

OHA notes that sharks and rays are also used for traditional and customary practices, including in the crafting of implements, weapons and ceremonial objects; OHA accordingly further appreciates the proposed statutory language explicitly allowing for the continuation of such cultural practices.

Finally, OHA appreciates the inclusion of Hawaiian names for sharks and rays, specifically the use of manō (shark) and hīhīmanu, hāhālua, hailepo, and lupe (various words for rays) in the respective section titles of the measure. Such terminology reinforces the cultural value of these species and is consistent with the measure’s purpose to expand protection to all species of rays.

Accordingly, OHA urges the Committees to **PASS** HB808 HD1 SD1. Mahalo nui for the opportunity to testify on this measure.

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
JUDICIARY
and
WAYS AND MEANS**

**Wednesday, April 3, 2019
10:00 AM
State Capitol, Conference Room 229**

**In consideration of
HOUSE BILL 808, HOUSE DRAFT 1, SENATE DRAFT 1
RELATING TO SHARK AND RAY PROTECTION**

House Bill 808, House Draft 1, Senate Draft 1 proposes to establish an offense of knowingly capturing, taking, possessing, abusing, entangling, or killing a shark in state marine waters, along with penalties and fines; expands the existing prohibition on knowingly capturing or killing a manta ray in state marine waters to apply to all rays and to also include knowingly taking, possessing, abusing, or entangling a ray; and provides certain exemptions. **The Department of Land and Natural Resources (Department) supports this measure, and offers the following comments.**

The Department recognizes the important role sharks and rays play in maintaining healthy marine ecosystems, and the detrimental impact from significantly depleting their populations in our waters. The Department also recognizes the importance of these species for native Hawaiian cultural beliefs and practices, as well as their value for ocean recreation and tourism.

The Department supports regulating the take of sharks and rays, and will implement this measure by adopting regulations through the administrative rulemaking process to evaluate and apply scientific management principles, give due consideration to public interests, and carefully craft language to avoid conflict with existing state and federal laws.

Thank you for the opportunity to comment on this measure.

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

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
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



SIERRA CLUB OF HAWAI'I

MĀLAMA I KA HONUA. *Cherish the Earth.*

SENATE COMMITTEE ON JUDICIARY

SENATE COMMITTEE ON WAYS AND MEANS

April 3, 2019 10:00 AM Room 211

In SUPPORT of HB 808 HD1 SD1: Relating to Shark and Ray Protection

Aloha Chair Rhoads, Chair Dela Cruz, and members of the committees,

On behalf of our 20,000 members and supporters, the Sierra Club of Hawai'i **supports HB 808 HD1 SD1**, which would outlaw the intentional killing, capture, abuse, or entanglement of sharks and rays in state marine waters with certain exemptions.

In 2010, Hawai'i became the first state to enact a ban on the sale of shark-fins or fin products. To this date, 13 states have adopted similar measures following Hawaii's foot steps. HB 808 HD1 SD1 would further complement existing law, which has now become a global initiative, and further maintain Hawaii's global conservation leadership in shark and marine conservation. While current laws prohibit the possession or sale of shark fins or fin products, there is no law preventing the capture, abuse or killing of sharks in state waters. Furthermore, current law prohibits the take of only Manta Ray species. This measure would extend this protection to all species of rays in state waters.

Sharks and rays keep our oceans in balance by regulating the food chain and ensuring our reef ecosystems are diverse and healthy. They are also a significant species in Native Hawaiian culture and important economically to ocean recreation industries. Simply put, these important species deserve our protection.

Thank you very much for this opportunity to provide testimony in **support of HB 808 HD1 SD1**.

Mahalo,

Jodi Malinoski

Jodi Malinoski, Policy Advocate

Testimony of The Nature Conservancy of Hawai'i
Supporting HB 808 HD1 SD1 Relating to Shark and Ray Protection
Senate Committee on Judiciary
Senate Committee on Ways and Means
Wednesday, April 3, 2019, 10:00 AM, Room 211

The Nature Conservancy of Hawai'i is a non-profit conservation organization dedicated to the preservation of the lands and waters upon which all life depends. The Conservancy has helped protect more than 200,000 acres of natural lands in Hawai'i and Palmyra Atoll. We manage 40,000 acres in 13 preserves and work in over 30 coastal communities to help protect the near-shore reefs, waters and fisheries of the main Hawaiian Islands. We forge partnership with government, private parties and communities to protect forests and coral reefs for their ecological values and the many benefits they provide to people.

The Nature Conservancy supports HB 808 HD1 SD1 and the effective management of reef associated sharks by protecting them in the state waters of Hawai'i.

As drivers of highly productive nearshore marine ecosystems in Hawai'i, sharks represent keystone species, the removal of which has disproportionate impacts to coral reef ecosystems. Data demonstrating the vital role sharks fill as apex predators, derived in part from surveys conducted in the unfished waters of what is now the Papahānaumokuākea Marine National Monument (Friedlander and Demartini, 2002), confirms that intact apex predator populations increase the efficiency and productivity of coral reef ecosystems by removing unfit individuals from the population and exerting top-down pressure on prey species.

Rather than suppressing prey populations, shark predation selects for fast growing, healthy individuals. Further, research cruises in other coral reef archipelagos demonstrates that shark dominated apex predator biomass positively correlates to live coral cover (Sandin *et al.*, 2008), confirming the importance of sharks from an ecosystem perspective.

Reef associated species of sharks are slow growing and vulnerable to rapid over-exploitation based on their predatory behavior and territorial range from tens to hundreds of kilometers. Because they are disproportionately important members of healthy coral reef ecosystems, and more vulnerable to exploitation than many other marine species, sharks should be afforded special management considerations.

Wide-ranging species such as sharks are best managed by species-specific rather than place-based regulations. Laws that protect sharks from harvest are an important component of effective management for these keystone species. It is important not to dilute such regulations based on the public perception that sharks are dangerous or undesirable. There is no demonstrable evidence that intact shark populations correlate to increased danger for swimmers. Indeed, where sharks have been protected and reefs well managed, such as in Palau, these apex predators are important and iconic cultural, economic and ecological components of healthy coral reef communities

Friedlander AM, DeMartini EE (2002) Contrasts in density, size, and biomass of reef fishes between the northwestern and the main Hawaiian Islands: the effects of fishing down apex predators. *Mar Ecol Prog Ser* 230:253–264. doi:10.3354/meps230253

Sandin SA, Smith JE, DeMartini EE, Dinsdale EA, Donner SD, et al (2008) Baselines and Degradation of Coral Reefs in the Northern Line Islands. *PLoS ONE* 3(2): e1548. doi:10.1371/journal.pone.0001548



April 3, 2019

Dear Honorable Chairs Rhoads, Dela Cruz and Members of the Senate Judiciary and Ways and Means Committees

Submitted By: Inga Gibson, Policy Consultant, For the Fishes, 808.922.9910,
ponoadvocacy@gmail.com

RE: STRONG SUPPORT for HB808, Relating to Shark and Ray Protection

For the Fishes respectfully urges your support of HB808 which would prohibit the capture or killing of sharks or rays in state waters (within 3 nm) except for research purposes, under DLNR issued Special Activity Permits, the use of shark parts/products for native Hawaiian cultural purposes and at the discretion of DLNR for any specific, emergency purposes. The bill does NOT apply to persons who may accidentally capture a shark or ray while fishing, and release the animal, or if a person should in self-defense injure or kill a shark.

Please note that just last week the IUCN Shark Specialist Group announced alarming declines in global in shark and ray populations. 17 species of sharks and rays were added to the list of species now facing extinction. More than half of the 400 species of sharks and rays already are threatened with extinction.

Please see: <https://www.iucnssg.org/press.html> and <https://phys.org/news/2019-03-sharks-closer-extinction-red.html> for additional information.

Why sharks need protection:

In 2010, Hawaii became the first state in the world to enact a prohibition on shark-finning and the sale of shark-fins or fin products. This measure would complement our existing law, which has now become a global initiative, by again poising Hawaii to be a leader in shark and marine conservation.

While current laws prohibit the possession or sale of shark fins or fin products there is no law preventing the intentional capture or killing of sharks. Most notably, there have been a number of cases in recent years where sharks appear to have been intentionally entangled, injured and harmed and current law does not provide for adequate enforcement or prosecution of such cases.

In addition, the Hawaii aquarium industry continues to take baby sharks for the aquarium pet trade, as seen in the below photo. Sharks are not appropriate animals to be kept in home aquaria due to their complex needs and growth rates.

Research from the University of Hawaii has shown that many species of shark, such as tiger and hammerhead, frequent state waters, especially the marine shelf around Maui, and are faced with numerous threats most notably human interactions and pollution.

Finally, sharks are apex predators; when they are removed our entire marine ecosystem is negatively impacted. In addition, sharks and rays are not a staple human food source as other fish species are. There are an estimated 40 species of sharks that may be found in Hawaii waters. DLNR notes that it is difficult to distinguish between certain species of shark thus this measure applies to all sharks.

Why Rays need protection:

Current law prohibits the take of only Manta Ray species. This measure would extend this protection to all species of rays in state waters, including Torpedo, Stingray, Devilray and Eagle ray, Manta alfredi (reef mantas) and Mobula tarapacana (sicklefin devilray).

While the trade has not yet hit Hawaii, China and other countries have begun mass harvesting of rays for their gills/gill soup, especially since shark populations are still facing serious decline and many states and island nations now prohibit selling shark fin products. This measure would prevent any future trade in harvesting Hawaii rays as we saw in 2015 with the mass commercial harvesting of our sea cucumbers by international companies.

Rays are known to be among the slowest marine species to reproduce. For example, new data on manta ray reproduction suggest that they may reproduce even more slowly than previously believed, with a maximum lifetime reproduction potential estimated at only 5 to 15 offspring. Such extremely low reproductive capacity shows that manta and mobula rays are far more vulnerable to exploitation than previously known, and that immediate investment in their conservation is necessary to avoid continued rapid declines (SEE: <http://www.wildaid.org/mantas>)

Thank you for the opportunity to testify on this important marine conservation issue.

HB-808-SD-1

Submitted on: 4/1/2019 12:47:08 PM

Testimony for JDC on 4/3/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Inga Gibson	Testifying for West Hawaii Humane Society	Support	Yes

Comments:

Dear Honorable Chairs Rhoads, Dela Cruz and Members of the Senate Judiciary and Ways and Means Committees

Submitted By: Inga Gibson, Policy Consultant, West Hawaii Humane Society, 808.922.9910, ponoadvocacy@gmail.com

RE: STRONG SUPPORT for HB808, Relating to Shark and Ray Protection

The West Hawaii Humane Society respectfully urges your support of HB808 which would prohibit the capture or killing of sharks or rays in state waters (within 3 nm) except for research purposes, under DLNR issued Special Activity Permits, the use of shark parts/products for native Hawaiian cultural purposes and at the discretion of DLNR if necessary for emergency purposes. This bill does not criminalize the capture of sharks and rays by person(s) who may unknowingly or accidentally capture a shark or ray while fishing, which is then released.

In 2010, Hawaii became the first state in the world to enact a prohibition on shark-finning and the sale of shark-fins or fin products. This measure would complement this existing law, which has now become a global initiative, by again poising Hawaii to be a leader in shark and marine conservation.

While current laws prohibit the possession or sale of shark fins or fin products there is no law preventing the capture or killing of sharks. Tens of millions of sharks are estimated to be killed annually for their fins. While anti-finning laws have improved shark populations, many species are still threatened and face possible extinction.

There is no directed commercial shark fishery in Hawaii waters so this would not be expected to have a negative economic impact on commercial fishing interests. Evidence suggests that juvenile reef sharks are taken in small numbers by Hawaii's aquarium trade for personal aquariums outside Hawaii, but, citing confidentially, DLNR does not release any specific data on the numbers of sharks taken for aquarium purposes.

Further, this measure does NOT preempt or impact federal fishing laws, and only applies to Hawaii state waters (3 nm).With the growing number of interactions between

ocean users and sharks this measure would prevent consideration of any ineffective culling efforts including individuals who may target sharks due to misinformation about their importance in overall ocean health and resiliency.

Finally, sharks are apex predators; when they are removed our entire marine ecosystem is negatively impacted. In addition, sharks and rays are not a staple human food source as other fish species are. There are an estimated 40 species of sharks that may be found in Hawaii waters. DLNR notes that it is difficult to distinguish between certain species of shark thus this measure applies to all sharks.

Current law prohibits the take of only Manta Ray species. This measure would extend this protection to all species of rays in state waters, including Torpedo, Stingray, Devilray and Eagle ray, Manta alfredi (reef mantas) and Mobula tarapacana (sicklefin devilray).

While the trade has not yet hit Hawaii, China and other countries have begun mass harvesting of rays for their gills/gill soup, especially since shark populations are still facing serious decline and many states and island nations now prohibit selling shark fin products.

Rays are known to be among the slowest marine species to reproduce. For example, new data on manta ray reproduction suggest that they may reproduce even more slowly than previously believed, with a maximum lifetime reproduction potential estimated at only 5 to 15 offspring. Such extremely low reproductive capacity shows that manta and mobula rays are far more vulnerable to exploitation than previously known, and that immediate investment in their conservation is necessary to avoid continued rapid declines.

Thank you for the opportunity to testify on this important measure.

HB-808-SD-1

Submitted on: 4/1/2019 4:03:05 PM

Testimony for JDC on 4/3/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Water Inspired	Individual	Support	No

Comments:

Dear committee members,

Please support HB808. Sharks and rays are a vital component of healthy marine ecosystems that have experienced rapid declines throughout the last decades. As apex predators sharks are at the top of the food chain, therefore maintaining the balance of the ecosystem by regulating the abundance of marine life in lower trophic levels and acting as the immune system of our oceans by picking off the weak, sick and overpopulated keeping fish stocks healthy.

Ecosystem models predict that the removal of sharks can result in complex community changes, including trophic cascades, mesopredator release, and consequent declines in some commercial fish and cascading changes in some coastal ecosystems (Ferretti et. al 2010). Additional research indicates that the removal of shark and rays may alter size, structure and population parameters in response to changes in species abundance (Stevens et. al 2000).

In the context of ecosystem-level changes specific to Hawaii, a study published in 2000 examined the potential long-term impacts of the removal of sharks with the use of a dynamic model ECOSIM that predicts changes in biomasses, yields, and consumption for each group through time. They found that when tiger sharks were removed from the model a total and rapid crash in the abundance of tuna and jacks, and an increase in bottom fishes occurred due to increases in seabird populations which compete with tunas and jacks for food and were no longer subject to top-down control by tiger sharks (Stevens et. al 2000). While ecological relationships are very complex and difficult to simulate this study highlights the potential for unforeseen and intended consequences when sharks are removed.

Based on the scientific studies cited above there is a very clear argument for protecting sharks and rays in Hawaiian waters for their ecological, cultural, and intrinsic value. The long-term ecological implications of the removal of apex predators are difficult to document, but when it comes to conserving such a vital component of our marine

ecosystems the precautionary approach should be taken to ensure healthy populations of these animals persist for future generations.

Sincerely,

Water Inspired Conservation Group

HB-808-SD-1

Submitted on: 4/1/2019 4:04:10 PM

Testimony for JDC on 4/3/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
One Ocean Conservation	Testifying for One Ocean Conservation	Support	No

Comments:

Dear committee members,

Please support HB808. Sharks and rays are a vital component of healthy marine ecosystems that have experienced rapid declines throughout the last decades. As apex predators, sharks are at the top of the food chain, therefore maintaining the balance of the ecosystem by regulating the abundance of marine life in lower trophic levels and acting as the immune system of our oceans by picking off the weak, sick and overpopulated, keeping fish stocks healthy.

A 2008 publication by the DLNR-DAR of Hawaii found that Oahu's reefs have around 1/10th the biomass of apex predators (Willaims et. al 2008), indicating that anthropogenic pressures through the main Hawaiian islands has dramatically reduced populations of sharks and rays that are particularly susceptible to over-exploitation due to life history characteristics including slow growth, late attainment of sexual maturity, long life spans, low fecundity (Stevens et. al 2000).

A study by the Hawaii Institute of Marine Biology (Dale et al. 2011) also provides support for the importance of apex predators and their influence on the healthy of the ecosystem. In which they state "there is growing evidence that removal of top predators from marine ecosystems may trigger trophic cascades resulting in phase shifts [2, 6, 16–19]. In coral reef ecosystems, these shifts appear to favor algal-dominated reefs populated by small planktivorous fishes and echinoderms, at the expense of reef-building scleractinian corals. Collectively these studies indicate that effective conservation of top level predators is important for coral reef ecosystem health" and concluding with "Removal of top predators would theoretically lead to large-scale trophic cascades suggesting ecosystem processes may be most impacted by predators through indirect effects of predation."

Further evidence for the ecological importance of sharks can be found when the density, size, and biomass of reef fishes in northwestern Hawaiian islands, a large, remote, and lightly fished area, and the main Hawaiian Islands (MHI), an urbanized, heavily fished area. The study by Friedlander & DeMartini in 2002 revealed dramatic

differences between the two ecosystems, as grand mean fish standing stock in the NWHI was more than 260% greater than in the MHI, more than 54% of the total fish biomass in the NWHI consisted of apex predators, (primarily sharks and jacks) whereas this trophic level accounted for less than 3% of the fish biomass in the MHI. The study concluded these differences represent both near-extirpation of apex predators and heavy exploitation of lower trophic levels in the MHI compared to the largely unfished NWHI (Friedlander & DeMartini 2002). A 2008 publication by the DLNR-DAR of Hawaii found that Oahu's reefs have around 1/10th the biomass of apex predators (Willaims et. al 2008), indicating that anthropogenic pressures through the main Hawaiian islands has dramatically reduced populations of sharks and rays that are particularly susceptible to over-exploitation due to life history characteristics including slow growth, late attainment of sexual maturity, long life spans, low fecundity (Stevens et. al 2000).

Based on the scientific studies cited above there is a very clear argument for protecting sharks and rays in Hawaiian waters for their ecological, cultural, and intrinsic value. The long-term ecological implications of the removal of apex predators are difficult to document, but when it comes to conserving such a vital component of our marine ecosystems the precautionary approach should be taken to ensure healthy populations of these animals persist for future generations.

Sincerely,

One Ocean Conservation

Center for Hawaiian Sovereignty Studies
46-255 Kahuhipa St. Suite 1205
Kane'ohe, HI 96744
(808) 247-7942
Kenneth R. Conklin, Ph.D. Executive Director
e-mail Ken_Conklin@yahoo.com
Unity, Equality, Aloha for all



To: SENATE COMMITTEE ON JUDICIARY and
SENATE COMMITTEE ON WAYS AND MEANS

For hearing Wednesday, April 3, 2019

Re: HB 808, HD1, SD1

RELATING TO SHARK AND RAY PROTECTION.

Establishes an offense of knowingly capturing, taking, possessing, abusing, entangling, or killing a shark in state marine waters, along with penalties and fines. Expands the existing prohibition on knowingly capturing or killing a manta ray in state marine waters to apply to all rays and to also include knowingly taking, possessing, abusing, or entangling a ray. Provides certain exemptions. Effective 7/1/2050.
(SD1)

TESTIMONY IN OPPOSITION, UNLESS THE BILL IS AMENDED TO ENSURE RACIAL EQUALITY IN THE PERMISSIVE EXEMPTIONS

This bill provides good reasons why sharks and rays should be protected. The bill provides severe penalties for anyone who captures, kills, or takes a shark or ray within state waters.

The problem with this bill is that it contains language strongly implying that exceptions should be made only for members of one particular racial group. But those exceptions should not be based on race. The exceptions should be for the exercise of traditional or customary cultural or religious practices which were done by some native Hawaiians prior to 1778 but which are now done by some Hawaii residents of many races and cultures. The exceptions should be defined by cultural or religious practices regardless of the race of today's Hawaii residents who engage in those practices.

There are four places in this bill where the language should be amended to make the exceptions culture-based or religion-based rather than race-based.

Page 2, lines 2-3 should be amended to say "... valued figures in certain cultures or religions and are economically important ..."

Page 2 lines 9-10 should be amended to say "their value to specific cultural or religious practices;"

Page 5, section 2(f) lines 11-13 should be reworded to say "Nothing in this section shall be construed to restrict the exercise of traditional and customary cultural or religious practices engaged in by some native Hawaiians prior to 1778 which now are engaged in by Hawaii residents of various races, as protected by article XII, section 7, of the Hawaii State Constitution."

Page 7, section 3(f) should be reworded to say "Nothing in this section shall be construed to restrict the exercise of traditional and customary

cultural or religious practices engaged in by some native Hawaiians prior to 1778 which now are engaged in by Hawaii residents of various races, as protected by article XII, section 7, of the Hawaii State Constitution."

The point of these amendments is that the exceptions should include all people regardless of race who are exercising practices which were traditionally and customarily engaged in by the native Hawaiians who lived in that ahupua'a prior to 1778.

Let me illustrate with an example. We know that in ancient times native Hawaiians, who were the entirety of the population in Hawaii, had the right to gather food and building materials from anywhere in the land controlled by their ali'i or konohiki, and also had the right to cross any land for the purpose of going to the ocean. Such rights were preserved after the Mahele, when royal patent deeds were awarded to create private ownership of land — but the gathering rights and shoreline access rights were preserved for the tenants (residents) of each ahupua'a. Those rights were race-neutral; i.e., every person (kanaka) who was a tenant (hoa'aina) had those rights regardless of race. Although such rights for hunting and fishing and gathering were probably not exercised very often by wealthy foreigners, there was no prohibition against them. The words "kanaka" and "hoa'aina" were race-neutral words not limited to people with native blood.

Today the laws of Hawaii recognize that all residents (hoa'aina), regardless of race, have the right to cross public lands as well as undeveloped or even partially developed private land to go to the beach. This right survives from ancient times right up to the present, for all residents regardless of race.

There are many residents of Hawaii whose heritage is from various Pacific island nations such as Samoa, Tonga, Marshall Islands who engage in Polynesian or Micronesian cultural practices, and should be allowed to continue doing so, even if they have no Hawaiian native ancestry. Likewise there are thousands of residents of Hawaii of Asian

or Caucasian ancestry, with no Hawaiian native blood, who participate actively in hula halaus, for example, where their kumu hula might expect them to make their own sharkskin drums or sharktooth martial weapons.

So if this committee wishes to make an exception, then the exception should NOT be for people on account of their race, but rather should be for the traditional and customary activities formerly engaged in by native Hawaiians before 1778 but which are now engaged in by residents of all races. If you are unwilling to allow the exceptions for cultural activities regardless of race, then I believe the U.S. Constitution, 14th Amendment Equal Protection clause, requires you to entirely delete any exceptions based on culture or religion.

There is no good reason to make the exemption racial. The exemption should be based on preservation of historic skills or ongoing cultural or religious uses, regardless of race. Examples of acceptable circumstances for automatic exemption would include harvesting sharkskin for making a drum, or harvesting shark teeth to make an ornament for personal adornment or a replica of an ancient weapon for use in museum displays or school lessons.

HB-808-SD-1

Submitted on: 4/2/2019 9:47:01 AM

Testimony for JDC on 4/3/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for O`ahu County Democrats Legislative Priorities Committee	Support	No

Comments:

The O`ahu County Democrats Legislative Priorities Committee supports HB808, HD1, SD1, because sharks and rays are extremely important to ocean ecosystems as they keep the ecosystem balanced, regulate populations of other marine life, and ensure healthy fish stock and reefs. In addition, sharks and rays must be protected as they are revered by Native Hawaiians and are protected under for their customary and traditional rights bestowed by the Hawaii State Constitution. As a result, Hawaii's valuable sharks and rays require special and unique protections.

Mahalo nui loa.

Melodie Aduja

Chair, OCDLPC

LATE



On behalf of our five international chapters, I would like to voice our **strong support** for bill HB 808. While there is no targeted shark fishery in state waters, dead and sometimes mutilated sharks have continued to be found along our coastlines. Over the last few years, we have witnessed juvenile sharks strung up from street signs in beach parking lots to rot in the sun and images of sharks found with their jaws or fins missing that had been tossed in the bushes. What is more disturbing than the condition these animals are found in is that there is no crime being done. There is no law to protect these animals from these purposeful and unnecessary deaths.

This bill does not target those who may have accidentally caught or injured a shark as bycatch while recreationally fishing or for those who tag sharks for research. It is for the purposeful catch, injury, or death of these animals of which we have plenty of incidents of.

Mahalo for your time and consideration.

Natalie Parra
Keiko Conservation
keikoconservation.org



Yesterday in Kaneohe.

Sandbar shark found with a rope tied around its caudal fin and dragged up the beach. The rope was staked in the sand so the shark would suffocate as the tide lowered at Waimea. This behavior occurred multiple times.



Fishermen using scalloped hammerhead pups as live bait by flying them from a drone.





Sharks strung up in a beach parking lot to dry and rot in the sun.



Haleiwa
Tiger shark found with large hook and chain that was dislodged from a buoy after a storm

HB-808-SD-1

Submitted on: 4/2/2019 6:06:53 PM

Testimony for JDC on 4/3/2019 10:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Nakachi	Testifying for Moana Ohana, Malama Mano	Support	No

Comments:

Aloha kakou Chairman Rhoads and Chairman Dela Cruz and other comittee Senators, As a Kanaka Maoli and Keiki O Ka aina of Hawaii Nei. This bill is long overdue. Our connection to place, Mano, Kanaka and in the intent of Malama Aina and make things MOMONA again it is time to protect Mano, Hihimanu, & Hahalua! Generations have been lost and may never recover in the Moana. Please do the right thing and pass this bill with a effective date ASAP. Daily Mano and other animals of Hawaii Nei are disrespected, exploited commercially in more ways then one. I as a modern day Kamaka and practicing Kahu Mano have long fought for them to be recognized as the Ohana they are to many of us Kanaka across the Islands of Hawaii Nei, My family comes from a line of Kahu Mano and it is time to do the right thing and make things PONO. As Ohana of ours Aunty Pilahi Paki so eloquently put it " Aloha Spirit is alive today and always will be as Kanaka's are alive". Time for legislators and the Executive branch to protect our culture and Aumakua, Support and pass, nuff said. Malama Mano and Mahalo nui, Mike Nakachi

LATE

HB-808-SD-1

Submitted on: 4/3/2019 12:31:52 AM
Testimony for JDC on 4/3/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kai Hoover	Testifying for Capt Bobs Kona Fishing Charters	Oppose	No

Comments:

This bill doesn't seem very logical or will be beneficial in any way I am unaware of any targeted shark sportfishery or targeted commercial fishery and while sharks may be caught incidentally the majority of fishermen I interact with throughout the state respond to these incidents the same we do whatever we can to release the animals as quickly and safely as possible.

HB-808-SD-1

Submitted on: 3/29/2019 2:44:21 PM

Testimony for JDC on 4/3/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Crystal Dombrow	Individual	Support	No

Comments:

HB-808-SD-1

Submitted on: 3/29/2019 6:35:07 PM

Testimony for JDC on 4/3/2019 10:00:00 AM

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

Comments:

From: [Tracy Pillows](#)
To: [JDCTestimony](#); [WAM Testimony](#)
Subject: Support for HB 808
Date: Monday, April 1, 2019 4:09:18 PM

Please please support this bill. Please support and protect sharks and rays. We need them in our beautiful oceans and only in our oceans.

Thank you.

Tracy Pillows

Tracy Pillows
McKinley + Pillows Fundraising
O 916-441-6855
C 916-595-5929
tracy@mckinleypillows.com

From: [Elan Stopnitzky](#)
To: [JDCTestimony](#)
Subject: In Support for HB808
Date: Monday, April 1, 2019 4:12:08 PM

My name is Dr. Elan Stopnitzky and I would like to register my support for HB808. Sharks and rays are more valuable to the state of Hawaii, and to the world, alive. They must be protected.

From: [Alicia Rifkin](#)
To: [JDCTestimony](#)
Subject: In support for HB808
Date: Monday, April 1, 2019 4:19:36 PM

From: [Kimberly Hermann](#)
To: [JDCTestimony](#); [WAM Testimony](#)
Subject: In SUPPORT for HB808
Date: Monday, April 1, 2019 4:42:01 PM

Hi, my name is Kimberly Matucci, a concerned US citizen for the current status of of sharks and rays, particularly in Hawaiian waters.

I see that public decision making is taking place for this bill on April 3 at 10am. I would, once again, like to show my immense support for this bill and convey the urgency in this bill being passed. Sharks and rays need full protection in Hawaiian waters.

Sharks and rays are vital to our ocean's prosperity and without then the oceans will collapse. Sharks, in particular, keep the entire marine food web in balance. They also play a key role in shifting prey (thus protecting habitats such as seagrass beds and coral reefs from becoming overgrazed) & ridding the oceans of the weak and diseased (preventing spread of these illnesses, etc). Sharks, and rays as well, also bring in a large amount of ecotourism dollars to the Hawaiian economy, particularly through the diving industry. Hawaiian waters (and all of the world's oceans) NEED sharks and rays in order to thrive. Hawaii's future depends on this bill being passed. These incredible animals NEED our protection.

Thank you so much for your time in reading this email in support of HB808. I hope that you too will support HB808 and protect sharks and rays in Hawaii.

Mahalo!
Kimberly Matucci

From: [Rifkin](#)
To: [JDCTestimony](#)
Subject: In support for HB808
Date: Monday, April 1, 2019 4:59:26 PM

Sent from my iPad

From: [Flonda Rifkin](#)
To: [JDCTestimony](#)
Subject: In support for HB808
Date: Monday, April 1, 2019 5:01:24 PM

Sent from my iPhone

From: [Alan Campbell](#)
To: [JDCTestimony](#)
Subject: In Support for HB808
Date: Monday, April 1, 2019 9:26:47 PM

Dear Sir/ Madam,

I fully support the HB808 bill to protect sharks and rays in Hawaiian waters.

This is an opportunity for Hawaii to show leadership in the protection of the apex predators that are so vital in ensuring the health of our oceans.

The benefits will extend beyond the oceanic ecosystem to the Hawaiian Islands in the shape of increased tourism and public awareness.

I thank you in anticipation for your support.

Alan Campbell

From: [Andrea Lopez](#)
To: [JDCTestimony](#); [WAM Testimony](#)
Subject: In Support for HB808
Date: Tuesday, April 2, 2019 4:13:22 AM

Hello,

I am emailing to support the ban of shark finning. It is insanely inhumane for any such creature to succome to their death bed because a body part gets stolen from them. Their traumatized eyes and drowning bodies are not given a chance to fend for themselves while trade offs are happening out of greed for shark flesh. Please do not let this happen.

Sincerely,
Andrea

HB-808-SD-1

Submitted on: 4/2/2019 9:24:32 AM

Testimony for JDC on 4/3/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kim Holland	Individual	Oppose	Yes

Comments:

I am the founder and senior scientist of the Shark Research Group, Hawaii Institute of Marine Biology, University of Hawaii. For over 30 years, research performed by our group has made significant contributions to shark conservation in Hawaii and has helped to shape state government policy regarding sharks. I am presenting this as personal testimony.

I am strongly opposed to this legislation for a variety of reason - the legislation is **unnecessary, inappropriate** and **unenforceable** and may in fact have **negative unintended consequences** by impeding research necessary for continued wise management of Hawaii's marine resources.

Unnecessary. Hawaii shark populations are not significantly impacted by people "knowingly fishing" for sharks in State Waters. Shark fishing occurs very rarely and when it does, most sharks are released alive. Shark finning is already prohibited by federal and state laws. Shark populations in Hawaii are quite healthy and mainly limited by their food supply. This brings up the next point -

Inappropriate. Single issue legisilation such as HB 808 detracts from the need for a comprehensive management plan for Hawaii 's nearshore marine resources that would ensure a helathy ecosystem to support all levels of marine life - including sharks. Human resources involved with implementing this bill would be much better used to shape an overall management policy and to servicing existing laws that really do make a difference.

Unenforceable. The types of fishing gear that catch sharks are the same as those for catching tuna, ulua and verious species of bottom fishes such as opakapaka. It will be virtually impossible to prove that someone is "knowingly" fishing for sharks. Enforcement resources are already too thin to enforce Hawaii's existing fishing regulations. Also, under the language of the bill (e.g., "harassment") could be interpreted to mean that tour operators are not allowed to show sharks to tourists. The language of the bill is very vague and open to a variety of interpetations.

Unintended Consequences, The impact of this bill will be mostly felt by legitimate scientific researchers that will be required to obtain permits through Division of Aquatic Resources, Department of Land and Natural Resources. Whereas this seems

straightforward, it is not. There is no shark population science expertise within state agencies and, even if there were, there are virtually no data upon which to make an evaluation. Further, the bill gives little guidance but extreme latitude to DLNR as to what constitutes a "take" (i.e., fishing), what constitutes "harrasment" and what constitutes "knowingly fishing for sharks". This means that issuance of research permits will depend on agency staff with little training and that are subject to turnover and/or to the personal perspectives of senior managers. This is not an envvironment that is conducive to the long-term perspectives or stability that are necessary to foster the research upon which science-based management depends. These are unintended consequences that work against meaningful conservation of Hawaii's sharks.

From: [Paul Friese](#)
To: [JDCTestimony: WAM Testimony](#)
Subject: In Support for HB808
Date: Tuesday, April 2, 2019 12:32:49 PM
Attachments: [mercury_PR.pdf](#)
[07.Liver_Results.PDF](#)
[Keehi Hammerheads notes.pdf](#)
[Kyoshin Maru case.pdf](#)



Aloha Senators,

Please accept my support for HB 808. Besides the obvious environmental & cultural reasons please consider the following.

1. People that consume sharks are unaware the species are full of mercury, lead, arsenic and other neurotoxins which are not regulated by FDA or USDA. State of Hawaii should take responsibility to protect and educate their consumers. The World Health Organization recommends the safe level of mercury to be 0.5ppm (parts per million,) while sharks consistently contain much higher levels. (1.0 - 4.0 ppm) *references attached
2. Hawaii is far behind in the IUU (Illegal Unreported, Unregulated) Fisheries battle. Last year despite Hawaii's Shark Finning Law passing in 2010, 75+ unborn Hammerhead pups were dumped at Keehi Lagoon. Based on evidence it appears the came from pregnant sharks. This past November, Indonesian "mules" trafficking 962 shark fins (off the Japanese flagged vessel Kyoshin Maru) were arrested at the airport.

In 2017, the commercial long-liner 'Pacific Paradise' ran up the reef at Kaimana beach in Waikiki. Their permit allows for a crew of 6. However the vessel was not fishing & had picked up 20 foreigners (from America Samoa) to staff Hawaii's Long-line industry. 19 other Hawaii Longline boats made similar runs to America Samoa since mid 2016 which is human trafficking. (<http://globalfishingwatch.org/map/workspace/udw-v2-f9080272-267a-4978-b88e-6efdd9241ca7>) That equates to 400 undocumented workers staffing Hawaii's fishing industry. Since they don't officially exist, they are often used to support illegal fisheries. Hawaii's resources become laundered & often for oversea beneficiaries. The black market demand for shark product, i.e. fins, squalene (liver oil), cartilage, gills, etc. are a main driver for these additional crimes along with the non transparent & mislabeled meat tainted with neurotoxins.

The 'Keehi Dumping' and airport bust (reports attached) expose Hawaii as a notorious transnational IUU fishery hub. Since 2012, the Japanese Kyoshin Marus' have pulled up 12-15 miles outside Honolulu Harbor 21 times. (<https://youtu.be/DfsYtbOQYow>.) Besides shark finning, Kyoshin Marus' are illegally transshipping and violating human rights which Hawaii caters to. The shark black market will continue regardless, however with the passage of this law at least they are aware the state is aware of the criminal activities.

Passing this law not only respects the environment and culture, it is a progressive step in cleaning up Hawaii's fishery and helps mitigate IUU issues. Feel free to contact me if additional clarifications are needed.

Mahalo,
Paul Friese
MRRM.org / The IUU Files

Bali Sharks Rescue Center

The KYOSHIN MARUs' and Shark Fin Smuggling Bust in Hawaii (The IUU Files)

On November 8, 2018, Hawaii News Now reported that Indonesian nationals had been apprehended at Honolulu's International Airport with suitcases full of shark fins. The US Fish & Wild Services filed a federal complaint as it violates the Hawaii [§ 188-40.7] Shark fins prohibited law along with the Endangered Species Act, 16 U.S.C. §§ 1538(c)(1) and 1538(g) which makes it illegal to possess, trade, sell, ship, export, etc. any endangered species.

Agents bust alleged shark fin smuggling ring at Honolulu's airport

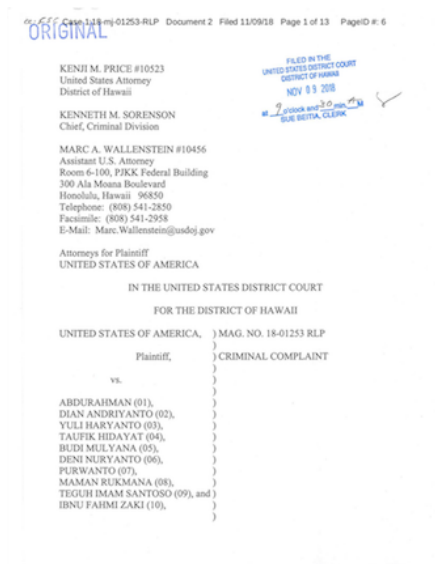
The men reportedly had the shark fins in their luggage



The men, with their suitcases boarded the bus to the federal jail Thursday afternoon (Kawano, Lynn)

(link = <https://www.hawaiinewsnow.com/2018/11/09/agents-bust-alleged-shark-fin-smuggling-ring-honolulu-airport/>)

According to court documents, 18 fishermen from the Japanese vessel **KYOSHIN MARU #20** were picked up by a water taxi and taken to Pier 36 in Honolulu Harbor. The 18 foreigners were then taken to HNL airport for an ANA (All Nippon Airways) flight back to Indonesia through Japan. However, 10 of the nationals were arrested with 962 shark fins in "their" luggage. Fins from the Oceanic Whitetip Shark, a protected species were found in the batch.



Shimizu Port

The **KYOSHIN MARU #20** originated from, then after fishing and making its Hawaii drop, headed back to Japan's Shimizu Port. The port is 154 kilometers away from Narita Airport (NRT) which is All Nippon Airway's connecting hub from Honolulu. It makes no sense for a vessel headed to Tokyo to drop foreign workers off in Hawaii spending \$1000 per ticket to fly them back into Tokyo without some sort of massive benefit or cover up. Perhaps exploiting Hawaii's relaxed enforcement towards smuggling contraband and human rights labor laws are less risk than bringing foreign Indonesian workers back to fly out from Japan.



Smugglers or Mules?

Foreign crews are usually contracted through agents and not by the deep water fishing vessels they are placed on. They do not speak English. Furthermore fishermen do not have suitcases when they are out at sea and would not be able to book flights much less be able to pay for airfare.

- Who gave them new suitcases upon arrival in Hawaii to place fins in?
- Who booked & paid for their ANA tickets?
- Where was the final destination for the luggage and travelers?
- Who arranged their water taxi pick up & airport transfer?
- Who hired the Attorney that represented one of the fisherman?

Based on how organized the incident was and past pattern of consistency, it appears to be an ongoing crime with domestic involvement.

Kyoshin Marus’ (21 times since 2012)

According to Global Fishing Watch’s platform we can cross reference the **KYOSHIN MARU #1, #20, and #31** past movements. Since 2012, the boats have pulled up 10-15 miles off Honolulu Hawaii 21 times avoiding Harbor entry.

(Video link = <https://youtu.be/DfsYtbOQYow>)



WCPFC Finning & Transshipping violations

The Western Central Pacific Fishery Commission (WCPFC) considers it a violation to have over a 5% weight of shark fin too carcass ratio. The act of transporting fish product from a Japanese fishing vessel to another boat, even a water taxi, in USA’s Economic Zone (EEZ) is considered a transshipping violation.



SEVENTH REGULAR SESSION

Honolulu, Hawaii, USA

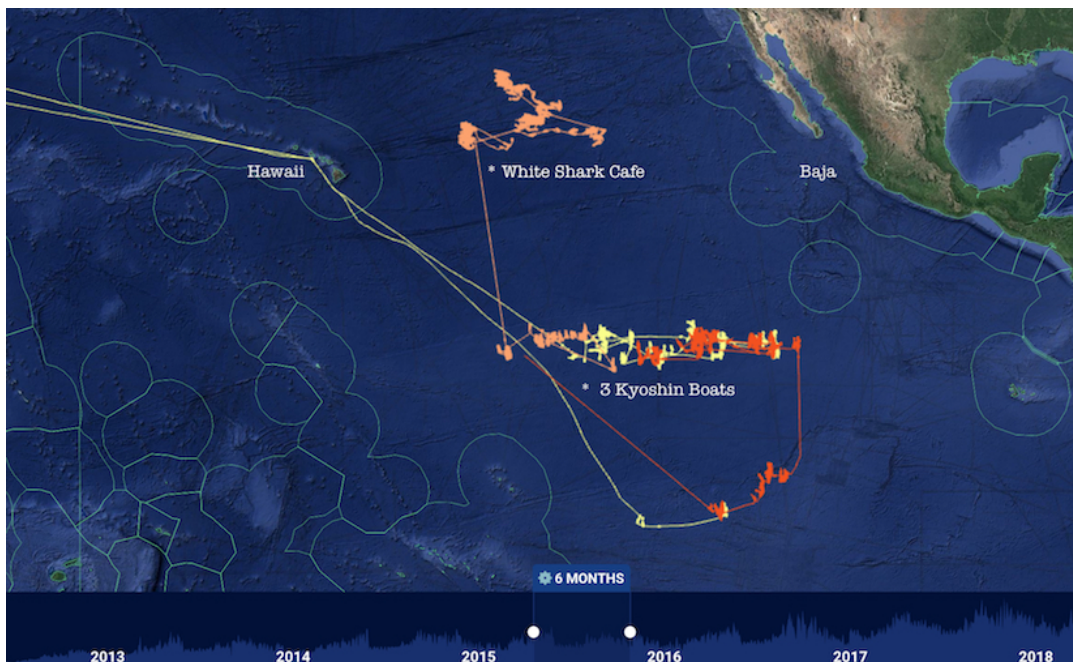
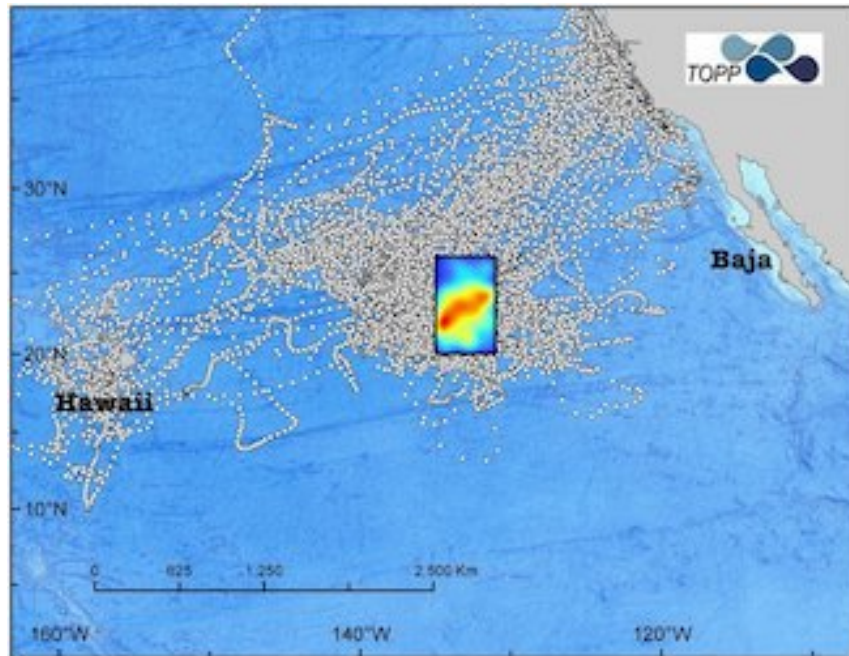
6-10 December 2010

CONSERVATION AND MANAGEMENT MEASURE FOR SHARKS

7. CCMs shall require their vessels to have on board fins that total no more than 5% of the weight of sharks on board up to the first point of landing. CCMs that currently do not require fins and carcasses to be offloaded together at the point of first landing shall take the necessary measures to ensure compliance with the 5% ratio through certification, monitoring by an observer, or other appropriate measures. CCMs may alternatively require that their vessels land sharks with fins attached to the carcass or that fins not be landed without the corresponding carcass.

Poaching the White Shark Cafe (Targeting sharks - part 1)

According to Schmidt Ocean Institute and Stanford University’s Center for Ocean Solutions, an area of research between Hawaii and Baja, California is considered “the White Shark Cafe.” It is named after a Great White Shark aggregation site being studied in hopes of turning it into a UNESCO World Heritage Site.



No Dorsal or Caudal fins. (Targeting sharks - part 2)

Based on evidence provided it appears “the smugglers” were not in possession of premium higher valued fins such as the larger Dorsal & Caudal (tail) fins. They most likely remained on the **KYOSHIN MARU** headed back to Japan.



Other Potential Relevant Law Infractions

Based on evidence it would appear the Indonesians were mules for a much larger fishery syndicate consistent with other Illegal, Unregulated, Unreported (IUU) violations. These violations include human rights issues such as modern day slavery laws and international fishery violations such as transshipping violations.

- **Shark Finning Prohibition Act** On December 21, 2000, United States Congress enacted the law making it unlawful for vessels to catch & cut off shark fins with in United States Exclusive Economic Zone. (EEZ)
- **U.S. Code, Title 22, Chapter 78 - Trafficking Victims Protection** Protecting against transnational crime including forced labor and involves significant violations of labor, public health, and human rights standards worldwide.
- **The Victims of Trafficking and Violence Prevention Act** (TVPA) combats trafficking in persons, especially into the sex trade, slavery, and involuntary servitude.

****December 14, 2018 Court Filing update**

http://www.hawaiinewsnow.com/2018/12/14/indonesian-fishermen-caught-trying-smuggle-shark-fins-hawaii-get-off-with-fine/?fbclid=IwAR2_VoHITzD6Ah-2Cc1OKJoJxV-H9zctKDK4bf-hv5AtNwVr2r9HJw2JRd4

***December 11, 2018 Court Filing update**

<https://www.kitv.com/story/39627208/five-japanese-nationals-charged-with-smuggling-nearly-1000-shark-fins-in-and-out-of-hawaii>

Not much has changed...

Hawaii's Shark Fin smuggling History

Although its difficult to detect when shark finning originated within Hawaii, the first documented case gets interesting. In what was anticipated as a huge possible drug bust, became Hawaii's first exposure to a massive shark fin trade. Carroll Cox, a former U.S. Fish & Wildlife Special Agent recounts the 1999 incident,

“an illegal shipment of 11 tons of shark fin with the commercial long line fishing vessel ‘Two Star.’ The ‘Two Star’ met the foreign vessel ‘M/T Unam Poseiden’ on 1/15/99, 0800 hours, at N17.55 / West L59.35, approximately 271 miles from Honolulu, where the fins were ‘transshipped.’ The shark fins were spread over the pier because they were accidentally exposed to sea water during the transfer. The owners informed officials that they were sorting the tainted fins and would be dumping them. Subsequently the entire load was placed on the tractor trailer and shipped out of the United States.”

Prior to that, in April 1998 National Marine Fisheries Services (NMFS) documents American fishing vessels in Hawaii, transshipping thousands of pounds of shark fin from foreign fishing vessels. As explained by a shipping agent at the time,

“A supply vessel roams the world's oceans, refueling and resupplying fishing boats. The fishing boats sell their shark fins to the supply vessel, where they are accumulated until they rendezvous with an American fishing vessel approximately 200 miles from Hawaii, on the high seas. The American vessel transports the fins to Honolulu where they are placed in containers and shipped out.”



©Carroll Cox/Envirowatch

Indonesian near shore shark poaching comparisons
for 6/26/18 Hammerhead dump incident @ Keehi Lagoon



1. Gill net damage on Black Tip Reef pup in Bali.
2. Dermal pigmentation darkening shark's skin from sun.
3. Neonate's (newborn) fins stretched out and firm from swimming.



© SoulWater Productions

1. Unborn Hammerheads gutted from pregnant mother in Lombok.
2. Shark skin pale w/out any darkened pigmentation from sun.
3. Skin is pink from rubbing inside womb.
4. Undeveloped fins are soft and wrinkled.

“Aging the Pups”
The Keehi Hammerheads - page 2



1. Appear to be (endangered) Scalloped Hammerhead species.
2. Fins wrinkled and not yet stretched out from swimming.
3. Pale skin with no coloration from the sun.
4. Sharks have “3rd party” dried blood indicating some sort of processing.



“Open Umbilical Scars”
The Keehi Hammerheads - page 3



1. Fresh umbilical scars appears visible in several stills taken from news video.
2. Disfiguration is consistent with “scrunched” sharks removed from a womb.



*scars naturally close within a few days of birth and do not remain open



Gill net possibility?
The Keehi Hammerheads - page 5



There was no visible gill net damage on any of the sharks.
No other net debris (seaweed, trash, by-catch) found at location.
Pups take 20 to 40 minutes each to be born.
75 pups would equate to taking at least 25 hours to be born.
HammerHeads birth an average 20 to 30 pups.
Based on volume 75 pups most likely came from 2-4 different mothers.
Multiple litters or not, all sharks would have stayed grouped together after birth.
If this was the case, it has scientific ramifications based on shark behavior.

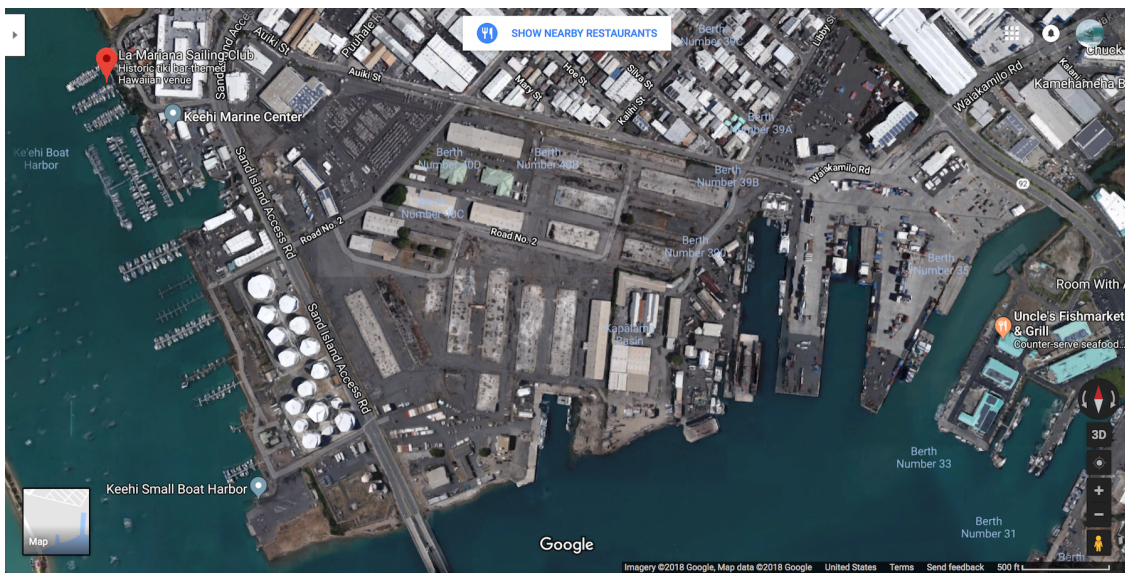


Commercial Fisheries probability? The Keehi Hammerheads - page 6



The dumping was species specific.
The evidence is consistent of unborn neonates.
The Hammerheads were reported at 7:30 am in morning.
Commercial boats arrive & unload overnight night for the fish auction.
Convenient access from fish auction & longliner's pier too La Mariana.
They were dumped against a street parking piling.

Adult Hammerhead fins are worth \$2,000 or more on black market.
Hawaii offers no financial opportunity for dead pups such as pet food &/or fertilizer markets.



Longliner activity over night Monday, June 25th

Although there may be CCTV in the area, Hawaii's Vessel Monitoring System (VMS) data would show boats that came in overnight Monday, June 25, 2018. Alternatively using Automatic Identification System (AIS) boats can also be tracked. Using GlobalFishingWatch.org it does appear several boats came in around the time of the incident. Some of the boats include;

- Captain J3
- Captain Kevin
- Jennifer Lynn
- Lady Alice
- Miss Julie
- Captain Millions I (sample tracking below)

CAPT. MILLIONS I

Owner Name: CAPT T LLC

Owner Address:

1019 MCCANDLESS LANE APT. B, HONOLULU, HI 96817, USA

Master Name: HOANG, JEFFERSON

Master Nationality: United States of America

Reg Port: Honolulu

Built in Country: United States of America

Built in Year: 1989

Crew: 6

Length: 78.40

Length Units: Feet

Length Type: REGISTERED

Moulded Depth: 10.30

Moulded Depth Units: Feet

Beam: 24.10

Beam Units: Feet

Tonnage: 132.00

Tonnage Type: GRT

Engine Power: 660

Power Units: HP

Freezer Types: Ice

Flag: United States of America

Registration Number: 944388

IRCS: WDH3493

Vessel Type: Tuna longliner

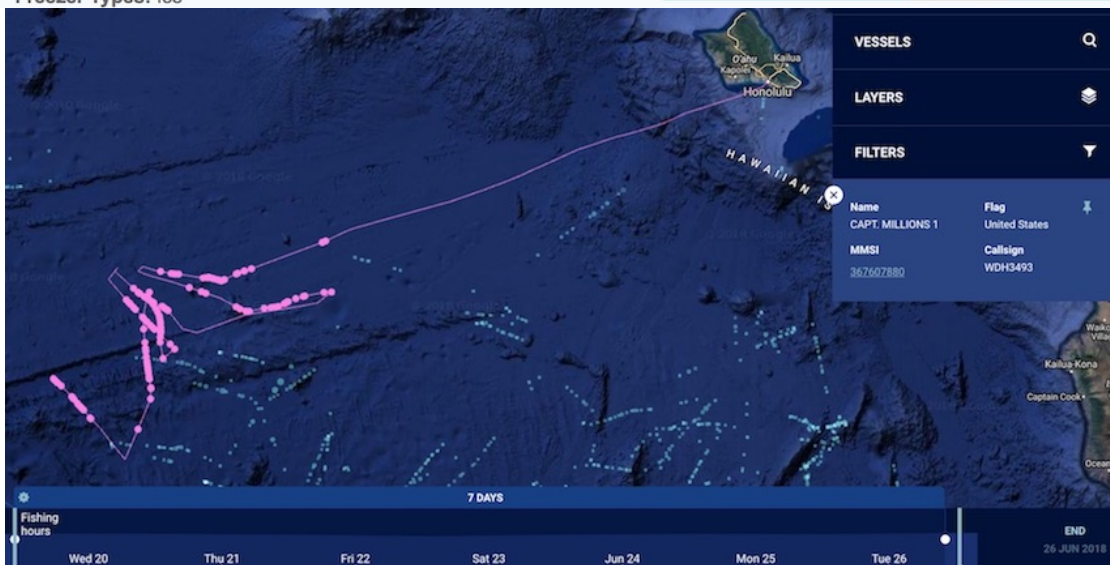
WIN: WDH3493

IMO-LR: 8847844

VID: 5700

Submitted by CCM: United States of America

Attachments:



.zip file available

REPORT OF CHEMICAL TEST

No : 17237219410
 Applicant : BALI SHARKS
 JL. TUKAD PUNGGAWA
 Date Received : February 14, 2017
 Date of Testing : February 16, 2017
 Sample Submitted by : Applicant

Method reference		: Mercury Analysis System "Mercury/MA-2000 - Japan, (NIC-600 -2009 -05)		
Code of Sample	Kind of Sample	PDC	Sample Group	Mercury (ppm)
				Result
1	Bull Shark Meat	-	Individual Test	2.780
2	Bull Shark Liver	-		3.564

Remarks: The test results valid for samples received at the laboratory
 ppm : part per million

..... End of Report

Bali, 16 January 2017
 Respectfully issued by PT. Seafood Inspection Laboratory
 Head of Laboratory





Contact: Lucia Ticoalu
+62 85857320471
balisharks@gmail.com

FOR IMMEDIATE RELEASE

SHARK MEAT FROM INDONESIA - CONTAMINATION WARNING!

Unregulated, tainted shark product being exported and consumed Worldwide.

DENPASAR, INDONESIA, Feb. 2, 2017 – Shark tissues tested in Indonesia reveal mercury levels above regulatory limits of 0.5 / 1.0 ppm – parts per million. Since inception in 2012, the Seafood Inspection Laboratory test Tuna, Marlin, Groupers, and Mahi-Mahi, and other popular restaurant fish. They have confirmed the toxicity levels are more common each year which is consistent with the increasing ocean pollution. Until last year, the lab had yet to test shark meat due to specialized processing for the additional body parts such as fins, liver oil, skin, jaw bone and teeth. The meats eventually are put back into the distribution channel mixing with fish and ending up in the marketplace.

While fins may fetch up to 2.5 million rupiah (approx. \$200 usd) per set, the meat sells for as little as 25k (approx. \$2 usd) rupiah per kg. Indonesia considers shark meat to be lower class cuisine and used in street foods like sate, fish cakes and meat balls for soup. Skins are deep fried to make chips called kerupuk.

This seems to be a case of the old saying “One man's garbage is another man's treasure...”, fillets are exported to neighboring Australia, New Zealand, Singapore and other Countries. The meat is often breaded and deep fried into fish burgers or Fish 'n' Chips, known in Australia as flake. Consumers are unaware of the type of fish being sold and ultimately ingested. In November 2014, Shark documentary filmmaker Madison Stewart tested a store bought fillet labelled as Tiger Shark. The test results were positive at 1.0 ppm mercury and 39.0 ppm arsenic level, but the DNA test revealed it was a sevengill shark.

Bali Sharks Rescue Center, partnered with Green School Bali, to collect and tested a sample of shark from the local Jimbaran Fish Market. On May 2nd, 2016, the Seafood Inspection Laboratory tested their first shark sample, which resulted in a 1.368 ppm mercury. A Bronze Whaler, commonly used for flake, resulted in a level of 1.829 ppm on January 20, 2017 and recently on January 26, 2017 a bull shark tested at 2.431 ppm mercury level. All samples in Bali were collected after the sharks had been processed and sent for consumption. Both Indonesia's and Australia's maximum level for mercury consumption is 1.0 ppm for any fish species.

more



Seafood Inspection Laboratory Mercury PPM results

Jan. 27, 2017	Bull Sharks	2.018 parts per million
Jan. 26, 2017	Bull Sharks	2.431 parts per million
Jan. 20, 2017	Bronze Whaler	1.829 parts per million
May 2, 2016	Bull Shark	1.368 parts per million

Shark fins also continue being exported to Hong Kong, Taiwan, China, and Singapore markets. On Dec. 15, 2014, Agri-Food & Veterinary Authority of Singapore (AVA) rose their maximum safe level of mercury in predator fish to 1.0 ppm up from 0.5 ppm in all other fish. AVA reasoned most fish consumed in Singapore are smaller non-predator fish. All sharks species are categorized as predatory while Singapore continues to be a top per capita shark fin consumer. Fillets are distributed to supermarkets and restaurants, and entire sharks can be found in wet markets avoiding any regulatory measures. Shark Rescue Center's Founder points out, "While logically larger sharks contain higher levels of toxicity, common sense tells us as seas become more polluted, fish contamination will outpace regulatory level increases." Seafood Inspection Laboratory confirmed this trend looking over their five years of testing.

Bali Sharks Rescue Center will continue to work with Education Institutions and Government Regulators in efforts to keep consumers updated with health and fishery issues.

###

Please contact balisharks@gmail.com for supporting media document requests.

From: [Nadean Lane](#)
To: [JDCTestimony](#)
Subject: SUPPORT HB-808
Date: Tuesday, April 2, 2019 2:25:09 PM



Aloha,

Please pass bill HB-808 I have seen so many sharks dead on the beach that have been obviously killed for no reason. There needs to be laws protecting these animals, I am disappointed that Hawaii doesn't already protect sharks and rays giving the culture here. Hawaii gains nothing positive from allowing abuse and unnecessary killings to do with animals, if anything it looks absolutely horrible to the world and the people who live here and visit.

I strongly support this bill

Nadean

LATE

HB-808-SD-1

Submitted on: 4/2/2019 3:10:25 PM

Testimony for JDC on 4/3/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Quinn	Individual	Support	No

Comments:

Dear Honorable Committee Members:

Please support HB808. Sharks are a keystone species and by protecting them you protect the marine ecosystem, which is responsible for generating so many of our tourism dollars.

Thank you for the opportunity to present my testimony.

Sincerely,

Andrea Quinn

Kihei

LATE

HB-808-SD-1

Submitted on: 4/2/2019 4:04:50 PM

Testimony for JDC on 4/3/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ocean Ramsey	Individual	Support	No

Comments:

Please pass bill HB808 for the protection of sharks and rays in Hawaii.

Sharks are culturally important, vital to healthy fisheries and coral reefs, and economically more valuable alive to the state of Hawaii.

Growing up in Hawaii and actively surveying and recording shark populations I have seen first hand the decline in shark populations. Many sharks I grew up seeing on a regular basis are no longer around. Many sharks have been killed by shoreline fisherman and if caught could've been released but because they don't have protection they leave them on the beach. A few days ago a tiger shark was killed and it's jaw cut out and body left near the harbor. Sharks are slow to reproduce and Hawaii has an isolated population. Sharks and rays need protection from wasteful killing. It would be a great respect to Hawaiian culture to protect manā• as they are considered sacred aumakua for some ohana. To me they are like ohana, spending time with them and getting to know them as individuals it breaks my heart to see the way they are treated. I have a scientific data set that documents this decline and I work actively in the community to educate others about the importance of sharks, now there are more people than ever that want this law to pass, we will keep persisting until it does. Please help Hawaii's current and future generations by protecting manā• now. Those in the scientific field who oppose this bill do so selfishly for their own convenience to avoid permit paperwork, please don't let them stop what is right for the greater good. There are amendments for research and cultural practices. Let's look at the bigger picture and what's right for Hawaii.

Mahalo nui loa,

Ocean Ramsey, Laie and Haleiwa

Marine biologist, One Ocean Research & Conservation

LATE

HB-808-SD-1

Submitted on: 4/2/2019 5:41:45 PM
Testimony for JDC on 4/3/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carl Meyer	Individual	Oppose	No

Comments:

Despite being a passionate advocate for shark conservation and a shark researcher in Hawaii for over 25 years, I cannot support this bill. Sharks are rarely targeted in Hawaii waters and their populations are healthy. We already have laws in effect that prevent shark finning in Hawaii – this was the single most important conservation step for Hawaii sharks because it removed commercial incentives to fish for them. This current bill is obviously well-intentioned but the simple fact is that very, very few sharks are deliberately targeted in Hawaii waters by anyone other than scientists seeking to provide knowledge to improve management and conservation. Unnecessary killing of sharks is anathema to Hawaiian culture and Hawaii fishers have no interest in catching sharks – they seek to avoid them wherever possible. Enacting this bill into law will further stretch already-limited state resources for conservation of marine resources and enforcement of laws already on the books. It will create yet another layer of completely unnecessary bureaucracy for scientists who provide vital data that enable fact-based management of our marine resources.

LATE

HB-808-SD-1

Submitted on: 4/2/2019 5:57:10 PM
Testimony for JDC on 4/3/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lyndia Wagner	Individual	Support	No

Comments:

I fully support this measure to protect Hawai'ian sealife. We must show respect for our environment.

LATE

HB-808-SD-1

Submitted on: 4/2/2019 8:29:59 PM

Testimony for JDC on 4/3/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Morgan Porter	Individual	Support	No

Comments:

My name is Morgan Porter, and I am a scientist currently residing in Oahu. I studied marine biology in college and fell so deeply in love with these beautiful creatures. Along with this intense admiration came an overwhelming sense of worry when I began to learn the facts about where our ecosystem really was with sharks and rays. These poor animals are being brutalized left and right for absolutely no reason. Sharks are finned and left for dead; rays are killed and cut up for their gills and hides. Sharks are so vital to both our environment and global economy. They keep the food-chain in check, which affects everything... even down to the air that we breathe! Rays are so widely distributed that they play an important role in nearly every oceanic ecosystem. I could sit here for years and list off all of the reasons that I love and appreciate sharks, but at the end of the day the thing that matters most is how crucial they are to us as a species. I hope you will take this testimony into serious consideration. Thank you for your time!

HB-808-SD-1

Submitted on: 4/2/2019 9:04:56 PM

Testimony for JDC on 4/3/2019 10:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Angel Seery	Individual	Support	No

Comments:

Mā• lama Man• ! Culturally the man• are needed. Already so much of that culture has been lost. You hear stories of uncles who used to take care of the sharks, LOVE the sharks. In ancient times, they all had their own names, own lineages, own histories. So don't they deserve a place under protection laws just as other ancient practices are protected through practice today? Those ancient practices may have already been lost but, we can't afford to lose their presence in our oceans too.

Mahalo nui and blessed be

HB-808-SD-1

Submitted on: 4/2/2019 9:22:53 PM

Testimony for JDC on 4/3/2019 10:00:00 AM



Submitted By	Organization	Testifier Position	Present at Hearing
Melanie Hutchinson	Individual	Oppose	No

Comments:

Aloha,

I am submitting testimony in **OPPOSITION** of the shark bill HB808 HD1 SD1 on behalf of myself as a private citizen. My views do not necessarily reflect those of the organizations that I am affiliated. I am a shark biologist and fisheries researcher based in Hawaii. I have spent the last 13 years working to reduce the impact of commercial fishing on shark populations. I have worked with every commercial fishery targeting tuna and related species in the Pacific Ocean (tuna and swordfish longline, purse seine and small scale handline and troll) to improve fishing practices that will reduce mortality to sharks incidentally captured in these fisheries. All of my research programs are designed to fill data gaps to provide sound scientific advice to managers to promote healthy shark populations. Having outlined my qualifications and research endeavors I would like to outline why I am in opposition of this bill (HB808):

1. There is no directed fishery for sharks in Hawaii. Almost all shark interactions are incidental interactions.
2. The state of Hawaii does not require a fishing license to fish recreationally within state waters, nor does it require anyone to report shark catches or interactions. A result of this is there is NO DATA on shark population sizes, growth rates, residency or habitat use available for assessments of population health.
3. The most effective means of gathering these data is to work with resource users that interact with sharks on a regular basis. In Hawaii, there is a lot of effort spent fishing with abundant opportunities to collect the information that is needed to understand baseline details about the elasmobranch populations that utilize insular habitat. This bill will effectively make it illegal for any fisher to capture a shark thus alienating the one community in Hawaii that could provide the data necessary for effective conservation measures.
4. There is mounting evidence that there are several methods that can be used to deter sharks from an area, that post release survival rates are high if best handling practices are utilized and that the fishing industry will be a very important community to engage in any shark conservation methods. If this bill is passed fishing will essentially become illegal because shark depredation rates are very high. People in Hawaii consume a lot

of seafood. If the local fishers cannot deliver that will mean more imports of seafood products from countries that have ZERO regulations concerning sharks.

5. There is no means of enforcement of this bill. Regulations without a biological basis for regulation and then no means of enforcement further undermine the credibility of the agency.

6. The bill states: (1) Special activity permits allowed under section 187A-6 or research permits authorized by law; provided that the permit issued does not allow a take that exceeds the potential biological removal level; provided further that the department of land and natural resources may adopt rules pursuant to chapter 91 to define "take" for purposes of this subsection and to determine when a take exceeds the potential biological removal level;"

How will the special activity permits person ever be able to determine what the 'potential biological removal level' is without any baseline data on population status? Again these data do not currently exist for the state of Hawaii. The only abundance estimates that can be generated from within state waters would be from catch records from state sponsored shark culls. There are several scientific efforts in place currently to fill some of these data gaps. If this bill goes into effect the research and permitting agency will be in a perpetual state of no action because the state will be unable to make any determinations. Hawaii is a very unique ecosystem that attracts a lot of marine species for purposes of biological imperatives. It is absolutely imperative that this research moves forward because the data being generated in these studies have implications beyond Hawaii into regional waters and population conservation efforts for highly migratory species in addition to insular species.

7. If the definition of "take" as determined by DLNR at some point is based on the definition of take under the US ESA "as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect any threatened or endangered species" it will apply to any entity that influences the behavior of an elasmobranch. This will have broad impacts to the tourism industry and Hawaii's economy beyond the devastating blows to the fishing industry.

I sincerely hope that legislators realize the importance of balanced conservation measures that are based on data and actual conservation needs. I hope the State of Hawaii's DLNR takes this opportunity to implement better data collection protocols into natural resource management of sensitive species.

Thank you for your consideration,

Melanie Hutchinson, Ph.D.

Fisheries Bycatch Researcher

HB-808-SD-1

Submitted on: 4/2/2019 9:41:45 PM

Testimony for JDC on 4/3/2019 10:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Kaikea Nakachi	Individual	Support	No

Comments:

My name is Kaikea Nakachi and I am in full support of HB808. I am a kanaka scholar from the Island of Hawaii where I am completing my Master's degree studying sharks using non-intrusive methods of Photo-ID and Photogrammetry. As a Hawaiian I have studied our rich history as it pertains to sharks and am deeply disappointed to see the chiefs of the sea who were protected by strict kapu now free for anyone to catch, kill, harass, and abuse.

Just this morning a dead tiger shark was found ashore near Kaneohe with its jaw cut out. A cruel deed like this needs direct representation against it in our laws. Please do not let our culture and the identity that embody us be disrespected any longer. Their genealogy was once well known and understood, and in today's world we have let our modern lives be disconnected to these beings, which negatively impacts us both.

The main Hawaiian Islands have a significantly lower percentage of apex predators due to man's impact (<https://www.int-res.com/articles/meps2002/230/m230p253.pdf>). We fought for 15 years in West Hawaii to protect sharks and rays, it is time we extend that protection across the pae 'aina. I believe these figures of Hawaiian culture and important ecological beings deserve our utmost respect and should be protected by our laws. There is absolutely no reason for the purposeful killing, abusing, harassing, or entangling of sharks in Hawaii. While I don't agree with intrusive research of a cultural being, this bill does permit exemptions for research and public safety. Any other argument against this bill is impertinent when you take into account Hawaiian traditions, culture, and essence, which should be first and foremost in any behavior, activity, law, and practice in Hawaii. Please make the right decision for Hawaii.

LATE

HB-808-SD-1

Submitted on: 4/2/2019 9:52:20 PM

Testimony for JDC on 4/3/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tyrus Lum	Individual	Oppose	No

Comments:

Aloha,

I am submitting testimony in **OPPOSITION** of the shark bill HB808 HD1 SD1. I would like to outline why I am in opposition of this bill (HB808):

1. There is no directed fishery for sharks in Hawaii. Almost all shark interactions are incidental interactions.
2. The state of Hawaii does not require a fishing license to fish recreationally within state waters, nor does it require anyone to report shark catches or interactions. A result of this is there is NO DATA on shark population sizes, growth rates, residency or habitat use available for assessments of population health.
3. The most effective means of gathering these data is to work with resource users that interact with sharks on a regular basis. In Hawaii, there is a lot of effort spent fishing with abundant opportunities to collect the information that is needed to understand baseline details about the elasmobranch populations that utilize insular habitat. This bill will effectively make it illegal for any fisher to capture a shark thus alienating the one community in Hawaii that could provide the data necessary for effective conservation measures.
4. There is mounting evidence that there are several methods that can be used to deter sharks from an area, that post release survival rates are high if best handling practices are utilized and that the fishing industry will be a very important community to engage in any shark conservation methods. If this bill is passed fishing will essentially become illegal because shark depredation rates are very high. People in Hawaii consume a lot of seafood. If the local fishers cannot deliver that will mean more imports of seafood products from countries that have ZERO regulations concerning sharks.
5. There is no means of enforcement of this bill. Regulations without a biological basis for regulation and then no means of enforcement further undermine the credibility of the agency.
6. The bill states: (1) Special activity permits allowed under section 187A-6 or research permits authorized by law; provided that the permit issued does not allow a take that

exceeds the potential biological removal level; provided further that the department of land and natural resources may adopt rules pursuant to chapter 91 to define "take" for purposes of this subsection and to determine when a take exceeds the potential biological removal level;"

How will the special activity permits person ever be able to determine what the 'potential biological removal level' is without any baseline data on population status? Again these data do not currently exist for the state of Hawaii. The only abundance estimates that can be generated from within state waters would be from catch records from state sponsored shark culls. There are several scientific efforts in place currently to fill some of these data gaps. If this bill goes into effect the research and permitting agency will be in a perpetual state of no action because the state will be unable to make any determinations. Hawaii is a very unique ecosystem that attracts a lot of marine species for purposes of biological imperatives. It is absolutely imperative that this research moves forward because the data being generated in these studies have implications beyond Hawaii into regional waters and population conservation efforts for highly migratory species in addition to insular species.

7. If the definition of "take" as determined by DLNR at some point is based on the definition of take under the US ESA "as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect any threatened or endangered species" it will apply to any entity that influences the behavior of an elasmobranch. This will have broad impacts to the tourism industry and Hawaii's economy beyond the devastating blows to the fishing industry.

I sincerely hope that legislators realize the importance of balanced conservation measures that are based on data and actual conservation needs. I hope the State of Hawaii's DLNR takes this opportunity to implement better data collection protocols into natural resource management of sensitive species.

LATE

HB-808-SD-1

Submitted on: 4/2/2019 10:25:02 PM

Testimony for JDC on 4/3/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Cory Fults	Individual	Oppose	No

Comments:

This bill is misguided and ineffective in it's current form. While sharks and rays are an important component of any marine ecosystem and conservation management measures have been implemented, in some regions, to reduce the impact of overfishing on several populations. These measures were based on data (ie catch and fishing effort) that indicated population declines and or overfishing. This is not the case in Hawaii as Hawaii has zero regulations that require reporting of fishing effort or shark catches. As such, there is ZERO data to support a need for a (unenforceable) measure in a state that does not require fishing licenses or require reporting of catch. While the pre-cautionary approach to resource management must be invoked in some cases, it should be based on data that indicates declines in population status or some other issue. This bill will create a blanket regulation, to ban interactions on populations that the state knows absolutely nothing about, where there is no fishery for sharks nor is there a market for them. This measure is an unnecessary and irresponsible means of managing natural resources. There is a process for effective governance, it is data driven and enforceable. This bill is neither. The most obvious way forward is to implement reporting requirements, set catch limits based on stock sizes, spawning biomass, natural mortality and fishing mortality and other indicators of population health. Again there is a process for effective conservation management -- it is data driven -- exists almost everywhere else in the world -- and is enforceable.

LATE

HB-808-SD-1

Submitted on: 4/2/2019 10:29:36 PM

Testimony for JDC on 4/3/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Mohler	Individual	Oppose	No

Comments:

Hello,

Although I would like to see better protections for our fisheries, I do not feel this bill adequately provided those, therefore, am submitting testimony in **OPPOSITION** of the shark bill HB808 HD1 SD1. I would like to outline why I am in opposition of this bill (HB808):

1. There is no directed fishery for sharks in Hawaii. Almost all shark interactions are incidental interactions.
2. The state of Hawaii does not require a fishing license to fish recreationally within state waters, nor does it require anyone to report shark catches or interactions. A result of this is there is NO DATA on shark population sizes, growth rates, residency or habitat use available for assessments of population health. Further, there is very little staff available to provide enforcement of existing regulations.
3. The most effective means of gathering these data is to work with resource users that interact with sharks on a regular basis. In Hawaii, there is a lot of effort spent fishing with abundant opportunities to collect the information that is needed to understand baseline details about the elasmobranch populations that utilize insular habitat. This bill will effectively make it illegal for any fisher to capture a shark thus alienating the one community in Hawaii that could provide the data necessary for effective conservation measures.
4. There is mounting evidence that there are several methods that can be used to deter sharks from an area, that post release survival rates are high if best handling practices are utilized and that the fishing industry will be a very important community to engage in any shark conservation methods. If this bill is passed fishing will essentially become illegal because shark depredation rates are very high. People in Hawaii consume a lot of seafood. If the local fishers cannot deliver that will mean more imports of seafood products from countries that have ZERO regulations concerning sharks.

5. There is no means of enforcement of this bill. Regulations without a biological basis for regulation and then no means of enforcement further undermine the credibility of the agency.

6. The bill states: (1) Special activity permits allowed under section 187A-6 or research permits authorized by law; provided that the permit issued does not allow a take that exceeds the potential biological removal level; provided further that the department of land and natural resources may adopt rules pursuant to chapter 91 to define "take" for purposes of this subsection and to determine when a take exceeds the potential biological removal level;"

How will the special activity permits person ever be able to determine what the 'potential biological removal level' is without any baseline data on population status? Again these data do not currently exist for the state of Hawaii. The only abundance estimates that can be generated from within state waters would be from catch records from state sponsored shark culls. There are several scientific efforts in place currently to fill some of these data gaps. If this bill goes into effect the research and permitting agency will be in a perpetual state of no action because the state will be unable to make any determinations. Hawaii is a very unique ecosystem that attracts a lot of marine species for purposes of biological imperatives. It is absolutely imperative that this research moves forward because the data being generated in these studies have implications beyond Hawaii into regional waters and population conservation efforts for highly migratory species in addition to insular species.

7. If the definition of "take" as determined by DLNR at some point is based on the definition of take under the US ESA "as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect any threatened or endangered species" it will apply to any entity that influences the behavior of an elasmobranch. This will have broad impacts to the tourism industry and Hawaii's economy beyond the devastating blows to the fishing industry.

There are many scientists around the islands, including a number of folks already working with DLNR/DAR, not to mention the federal fisheries teams. Scientists already do outreach and research with the fishing community, including shark tagging programs. Shark and dive tourism are important to the islands and any action needs to appropriately define that interaction. I sincerely hope that legislators realize the importance of balanced conservation measures that are based on data and actual conservation needs. I hope the State of Hawaii's DLNR takes this opportunity to implement better data collection protocols into natural resource management of sensitive species.

LATE

HB-808-SD-1

Submitted on: 4/2/2019 10:38:10 PM

Testimony for JDC on 4/3/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
paige wernli	Individual	Oppose	No

Comments:

This bill is misguided and ineffective in it's current form. While sharks and rays are an important component of any marine ecosystem and conservation management measures have been implemented, in some regions, to reduce the impact of overfishing on several populations. These measures were based on data (ie catch and fishing effort) that indicated population declines and or overfishing. This is not the case in Hawaii as Hawaii has zero regulations that require reporting of fishing effort or shark catches. As such, there is ZERO data to support a need for a (unenforceable) measure in a state that does not require fishing licenses or require reporting of catch. While the pre-cautionary approach to resource management must be invoked in some cases, it should be based on data that indicates declines in population status or some other issue. This bill will create a blanket regulation, to ban interactions on populations that the state knows absolutely nothing about, where there is no fishery for sharks nor is there a market for them. This measure is an unnecessary and irresponsible means of managing natural resources. There is a process for effective governance, it is data driven and enforceable. This bill is neither. The most obvious way forward is to implement reporting requirements, set catch limits based on stock sizes, spawning biomass, natural mortality and fishing mortality and other indicators of population health. Again there is a process for effective conservation management -- it is data driven -- exists almost everywhere else in the world -- and is enforceable.

LATE

HB-808-SD-1

Submitted on: 4/2/2019 11:48:09 PM

Testimony for JDC on 4/3/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alohi Nakachi	Individual	Support	No

Comments:

From: [Kaipolani Barros](#)
To: [JDCTestimony](#)
Subject: In support for HB808
Date: Tuesday, April 2, 2019 4:21:32 PM

LATE

























All these photos are of one shark. I just went a little crazy trying to get all angles. This was this morning @approx. 1030-1100 am. A little past the Heeia Kea Pier, on the stretch heading toward Kahaluu.

[Sent from Yahoo Mail on Android](#)

LATE

Name: Kayleigh Storm
Title: PADI Divermaster
Date: Tuesday, April 2, 2019 at 2:42 PM

Abiko.

These photos were taken April 2, 2019 near the Harbor in Kaneohe. This is why we need this bill. Because killing sharks is happening in Hawaii frequently. This shark was needlessly killed for its jaw. Please pass HB888.



Makalo and Abiko.

Kayleigh Storm
PADI Divermaster
One Ocean Diving
Water Inspired Conservationist
Mobile: (215) 288-6412
IG: @stormand_kayleigh
FB: Kayleigh Nicole Storm

From: [Tereza](#)
To: [JDC Testimony](#); [WAM Testimony](#)
Subject: In Support for HB808
Date: Tuesday, April 2, 2019 8:39:43 PM



LATE

HB-808-SD-1

Submitted on: 4/3/2019 8:48:39 AM
Testimony for JDC on 4/3/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Klayton Kubo	Individual	Oppose	No

Comments: