

**HB-1017**

Submitted on: 2/8/2021 4:38:34 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
William K. Chang	Individual	Support	No

Comments:

I support this bill

**HB-1017**

Submitted on: 2/8/2021 5:19:39 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Troy A. Ogasawara	Individual	Support	No

Comments:

Dear Committee Members,

I write in support of HB1017. Regulation of Crustacia via the Administrative Rules Process is the logical direction to head in managing our State's resources.

Thank you for your consideration in this matter.

Troy Ogasawara

**HB-1017**

Submitted on: 2/8/2021 11:18:05 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dean Sensui	Hawaii Goes Fishing	Support	No

Comments:

I support HB1017.

This will help correct a problem created by legislation with good intentions.

Carefully conducted scientific surveys and analysis have discovered the unintended consequences of a law that was passed in hopes of protecting a resource. This is a good example of why resource management should always be done with scientifically acquired knowledge, and through the adaptive administrative rulemaking process.

Thank you for your consideration.

Aloha,  
Dean Sensui, executive producer, Hawaii Goes Fishing.

**HB-1017**

Submitted on: 2/9/2021 6:32:49 AM

Testimony for WAL on 2/11/2021 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Darrell Tanaka	Individual	Support	No

Comments:

DLNR needs to be able to manage all reef life, please pass this bill.

**HB-1017**

Submitted on: 2/8/2021 9:28:18 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joshua DeMello	Individual	Support	No

Comments:

Please support this bill. The regulations that would be removed are now duplicated thanks to the efforts of DLNR to do adaptive management. By removing the legislative rules, DLNR-DAR can focus on properly managing these species through it's Holomua 30x30 management plan. Researchers have found that in order for males to mate with females, they need to pull them out of the sand. By having restrictions on not taking females along with a size limit, the only available crabs to catch are large males...or the ones that can actually pull females out of the sand to mate. While good intentioned, the no take of females should be when they are berried (with eggs). Fishermen have also found that the season for berried females may have shifted later, so removing this regulation allows the state scientists and managers to look at rules and regulations that can allow for sustainable fishing and a sustainable resource. Also, Samoan or Mangrove Crab is an invasive species. Putting protections on them is insane and they should be removed to abate any harm being done to the ecosystem. Thank you for your support

**HB-1017**

Submitted on: 2/9/2021 10:10:45 AM

Testimony for WAL on 2/11/2021 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Klayton Kubo	Individual	Support	No

Comments:

I am support.



February 9, 2021

HOUSE OF REPRESENTATIVES  
THE THIRTY-FIRST LEGISLATURE  
REGULAR SESSION OF 2021

Rep. David A. Tarnas, Chair  
Rep. Patrick Pihana Branco, Vice Chair

COMMITTEE ON WATER & LAND

DATE: Thursday, February 11, 2021  
TIME: 8:30 a.m.  
PLACE: VIA VIDEOCONFERENCE Conference Room 430

TESTIMONY IN **STRONG SUPPORT** of HB1017 RELATING TO CRUSTACEANS

Aloha Honorable Chair Tarnas, Vice Chair Branco and Members of the Committee on Water, & Land:

HFACT is a not-for-profit, IRS 501c (5) organization, that advocates for small boat commercial, non-commercial, and recreational fishermen throughout Hawaii. HFACT board members sit on a number of international, regional, and federal fisheries management and endangered species advisory committees as well as state marine, coastal zone, and fisheries advisory committees and working groups; and, HFACT is thoroughly familiar with and participates in ocean and marine resource management in Hawaii and the western and central Pacific.

**HFACT STRONGLY SUPPORTS HB1017** that seeks to repeal the statutory prohibition of taking or killing female spiny lobsters, Kona crabs and Samoan crabs. Extensive scientific studies and management measures implemented in Australia, where Kona crabs (*Ranina ranina*) or spanner crabs exists as a large fishery, advises against the taking of only large male crabs as it severely impacts the reproductive capability of the species. Additionally, a recent assessment by NOAA Fisheries show that Kona crabs are abundant in the waters around Hawai'i, are not overfished, no overfishing is occurring, and recent catch levels are sustainable. Even better, the stock could withstand increased fishing activity.

This Act will remove any conflicts that may exist between Hawai'i Administrative Rules and the Hawai'i Revised Statutes regarding the taking or killing of certain crustaceans creating confusion.

***Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.***  
***75-796 Hiona Street, Holualoa, HI 96725***



HFACT supports management of crustaceans in all Hawaiian waters. Repeal of HRS Sec 188-58.5 will allow the Division of Aquatic Resources to work with knowledgeable fishers and use scientific information to efficiently and effectively manage this fishery.

Thank you, Chair Tarnas, Vice-chair Branco, and committee members for this opportunity to provide testimony in strong support on this critically important matter that can affect the sustainability of our crustacean fisheries and aquatic resource conservation and management.

Sincerely,

A handwritten signature in blue ink, which appears to read 'Phil Fernandez', is placed below the word 'Sincerely,'. The signature is fluid and cursive.

Phil Fernandez  
President



**HB-1017**

Submitted on: 2/9/2021 2:40:13 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Steve Kaiser	Individual	Support	No

Comments:

As a fisherman on the Big Island I support this bill as the take of Kona Crab has been all but extinguished by not taking female Kona Crab. Australia has the largest fishery for this species and have tried to regulate the fishery by banning the take of females, This made sex ratios a problem and the severely limited the fishery. The then opened the fishery up to allow the take of females and they fishery has been healthy. I believe we should manage our fishery with the best available science and that says taking females is not a problem. Please pass and allow DLNR to manage by science

**HB-1017**

Submitted on: 2/9/2021 7:18:50 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shyla Moon	Individual	Support	No

Comments:

Support correct management of crustaceans under DAR.

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 House Committee on**  
**WATER & LAND**

**Thursday, February 11, 2021**  
**8:30 AM**

**State Capitol, Via Videoconference, Conference Room 430**

**In consideration of**  
**HOUSE BILL 1017**  
**RELATING TO CRUSTACEANS**

House Bill 1017 proposes to repeal Section 188-58.5, Hawaii Revised Statutes (HRS), which prohibits the taking or killing of female spiny lobsters, Kona crabs, and Samoan crabs. **The Department of Land and Natural Resources (Department) supports this Administration bill and offers the following comments.**

The Department currently regulates the take of spiny lobster, Kona crab, and Samoan crab through administrative rules. Regulations include minimum size limits, seasonal restrictions, gear restrictions, and a prohibition on the take of egg-bearing females. The Department has recently amended its spiny lobster, Kona crab, and Samoan crab rules to adopt the provisions of Section 188-58.5, HRS, into chapter 13-95, Hawaii Administrative Rules. Thus, Section 188-58.5, HRS, is no longer necessary and should be repealed.

Section 188-58.5, HRS, limits the Department's ability to properly manage these species based on the best available scientific information. Since the 2006 enactment of Section 188-58.5, HRS, scientific information about Kona crabs has grown to the point where management measures for this species should be updated. A 2018 National Oceanic and Atmospheric Administration benchmark stock assessment concluded that Kona crab populations in the Main Hawaiian Islands are very healthy. Other studies have suggested that the prohibition on the taking of females could potentially create a sex ratio and size imbalance that may inhibit successful reproduction.

Repealing Section 188-58.5, HRS, would enable the Department to adopt more appropriate, science-based regulations for the management of Kona crab. This would be done through the Chapter 91, HRS, administrative rulemaking process, which provides ample opportunity for

**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

public input in the development of rules. As more information is known about spiny lobsters and Samoan crabs, changes to the management of these species may be warranted as well.

Thank you for the opportunity to comment on this measure.

**HB-1017**

Submitted on: 2/10/2021 3:45:01 PM

Testimony for WAL on 2/11/2021 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ron Dellinger	Individual	Support	No

Comments:

I support HB1017

**Cates Marine Service, LLC**  
**24 Sand Island Access Road**  
**Box #27**  
**Honolulu HI 96819**  
**Ph. 808 841-4956**  
**Fax 808 841-4957**



**February 10,2021**

HOUSE OF REPRESENTATIVES  
THE THIRTY-FIRST LEGISLATURE  
REGULAR SESSION OF 2021

COMMITTEE ON WATER & LAND

Rep. David A. Tarnas, Chair  
Rep. Patrick Pihana Branco, Vice Chair

Rep. Sonny Ganaden	Rep. Dee Morikawa
Rep. Bertrand Kobayashi	Rep. Takashi Ohno
Rep. Sam Satoru Kong	Rep. Bob McDermott

Dear Committee Members,

I am in full support to repeal Section 188-58.5 which prohibits the taking of female Lobsters, Kona Crabs and Samoan Crabs, when this bill was first introduced I testified against the measures due to the science at the time which shows such measure are actually harmful to the fishery. At the time there was a robust Kona Crab fishery in the State of Hawaii and it was sustainable, once this law was implemented it quickly killed all commercial sales of Lobster and Kona Crab. Due to this commercial landings drastically reduced to nearly zero, it triggered a full review by WESPAC where they brought in leading Scientists from Australia and other areas recently, their review further showed that since the restriction taking of females was the sole reason for the total collapse of commercial sales and not that the fishery had any problems.

The full review that WESPAC conducted also brought in some very useful outside Science/knowledge which showed that Lobster/Kona crabs need a certain balance of males to females, and when the fishery has such catch limitations it can cause severe problems in the future. The basic reason is that there needs to be enough males to have competition to mate.

We as fisherman/fisherwomen are all for protecting the resources, however we need to have laws that do not harm our fisheries. DLNR has participated in all of these past meetings are in full agreement that this law should be repealed. The DLNR and Fisherman/Fisherwomen are in full support of this repeal.

Please consider this repeal seriously.

Randy Cates