

HB-414

Submitted on: 2/12/2021 10:42:08 AM

Testimony for WAL on 2/16/2021 8:30:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Randy Fernley | Individual | Oppose | No |

Comments:

We at Coral Fish bring in coral product from the mainland that is gotten far from the ocean. In fact it's origin is Arizona. We use it as base rock for aquariums.

The bill needs to be revised as this calcium based rock is no danger to the ocean or it's inhabitants.

Hawaii needs to take care of it's own resources- not resources found thousands of miles away.

HB-414

Submitted on: 2/12/2021 2:49:14 PM

Testimony for WAL on 2/16/2021 8:30:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------------------|--------------|--------------------|--------------------|
| Bronson Kainoa Kiyoshi Azama | Individual | Comments | No |

Comments:

Aloha mai kākou,

My name is Bronson Azama I am a youth advocate and cultural practitioner on the Windward side of O'ahu in the moku of Ko'olaupoko. I would like to raise concerns regarding this bill as it could bring a halt to efforts to restore and rehabilitate historic and cultural sites across the State. Ko'a is a very sacred resource to Kākou naka maoli, the indigenous people of these lands. Ko'a or coral was used to build fishponds, 'ahu, heiau, and various other culturally significant sites. Given its use as a construction material and for cultural sacraments, I worry that this bill would prohibit the purchase of coral for these reasons.

Especially when we have restoration efforts at He'eia fishpond and even CTAHR in Waimānalo erecting a new traditional style hale, with its pā (rockwall) made of ko'a. This bill could limit our ability to do such projects to not only restore and rehabilitate ancient sites but also prevent us from constructing new ones, therefore interfering with the continued perpetuation of our culture as a modern practice not just an ancient one.

I would like to request that there be an amendment to exempt the purchase of coral within the state for the purpose of rehabilitation and restoration of historic and culturally significant sites, for use of Hawaiian cultural practices/sacraments.

Possibly "Prohibited unless purchased for the following: rehabilitation and restoration of historic and culturally significant sites, for use of Hawaiian cultural practices/sacraments, and the construction of a cultural site."

Me ke aloha,

Bronson Azama

HB-414

Submitted on: 2/13/2021 1:34:35 PM

Testimony for WAL on 2/16/2021 8:30:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---|---|---------------------------|---------------------------|
| Hawaii Reef and Ocean Coalition (HIROC) | Hawaii Reef and Ocean Coalition (HIROC) | Support | No |

Comments:

To: Honorable Representative David A. Tarnas, Chair

Honorable Representative Patrick Pihana Branco, Vice Chair, and Members of the House Committee on Water and Land, and

From: HAWAI'I REEF AND OCEAN COALITION – HIROC (by Ted Bohlen)

Re: Hearing HB414 RELATING TO AQUATIC RESOURCES

Hearing Date: [Tuesday, February 16, 2021, 8:30 am](#), videoconference

Position: STRONG SUPPORT FOR HB414!

Aloha Chair Tarnas, Vice Chair Branco, and Water and Land Committee members:

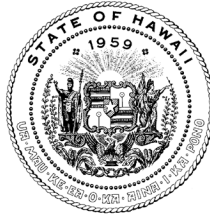
The HAWAI'I REEF AND OCEAN COALITION – HIROC – was formed in 2017 by coral reef scientists, educators, local Hawaii environmental organizations, elected officials, and others to address the crisis facing Hawaii's coral reefs and other marine life.

HB414 would prohibit the import of coral products into the State, the sale of coral products in the State, and the exporting of any coral product out of the State. The importing, sale, and exporting of coral products in Hawaii encourages destruction of coral reefs and should be stopped!

Please pass this bill!

Mahalo!

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

Tuesday, February 16, 2021
8:30 AM

State Capitol, Via Videoconference, Conference Room 430

In consideration of
HOUSE BILL 414
RELATING TO AQUATIC RESOURCES

House Bill 414 proposes to prohibit the sale of coral products in the State and the importing and exporting of coral product. **The Department of Land and Natural Resources (Department) appreciates the intent of this bill and offers the following comments.**

Live stony corals are fully protected in Hawaii. Pursuant to Section 13-95-70, Hawaii Administrative Rules, it is unlawful for any person to take, break, or damage any stony coral. It is also unlawful for any person to sell any stony coral; except that stony coral rubble pieces or fragments imported for the manufacture and sale of coral jewelry, or dead stony coral obtained through legal dredging operations in Hawaii for agricultural or other industrial uses, may be sold. This bill would be of little benefit for the protection of the State's coral reefs, but could help to address reef degradation in other parts of the world.

The bill, as written, does not define "coral." There are many different types of invertebrate organisms that are commonly referred to as coral, including stony corals (order Scleractinia) and precious corals, such as black coral (Order Antipatharia), gold coral (genus Gerardia), and pink or red coral (genus Corallium). The Department recommends amending the bill to establish a precise definition for the term "coral."

The Department has concerns that the bill would have adverse impacts on the import and export of coral samples for scientific research. While researchers in Hawaii could obtain a Special Activity Permit from the Department to allow them to legally import and export corals, a law prohibiting the sale, import, and export of coral products could result in shippers or carriers being unwilling to transport coral products to and from the State.

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



To: The Committee on WATER & LAND

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

Re: HB414 RELATING TO AQUATIC RESOURCES

Position: SUPPORT WITH AMENDMENT

Hearing Date: Tuesday, February 16, 2021 8:30 a.m. Via Videoconference

Aloha Chair Tarnas, Vice Chair Branco and Committee members,

The members of the Legacy Reef Foundation support HB414 with the following amendments: Please amend HB 414 to include a provision for the acquisition of live coral for research and educational purposes.

The intent of HB 414 is to protect our local reefs, which we support, but the unintended consequence of limiting access to live coral for research and educational purposes may be harmful to ongoing research and educational efforts.

We ask the bill to be amended to allow research and educational facilities to have access to live coral to ensure coral research and coral education efforts are not hampered.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Coney".

Bill Coney
Co-Founder
Legacy Reef Foundation



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
House Committee on Water and Land
Tuesday, February 15, 2021 at 8:30 a.m.

By

Judy Lemus, PhD
Interim Director
Hawai'i Institute of Marine Biology
School of Ocean and Earth Science
and Technology
University of Hawai'i at Mānoa

HB 414 – RELATING TO AQUATIC RESOURCES

Chair Tarnas, Vice Chair Blanco, and members of the Committee:

HB 414 seeks to protect coral reefs from decline and degradation by prohibiting the import of coral products into the State and the sale of coral products in the State.

As stated in testimony submitted by the Division of Aquatic Resources, live corals are already fully protected in Hawai'i, and this bill could have the potential effect of reducing degradation of corals elsewhere, but that it would not protect Hawai'i corals. While coral protection in places outside of Hawai'i is still warranted, as written the bill will have unintended consequences for scientific coral research in Hawai'i, the primary goal of which is to help conserve coral reef ecosystems in the State. Noted also by DAR and coral scientists, the bill does not specify the definition for "coral" which could be broadly interpreted as most species within the class Anthozoa of the phylum Cnidaria (both hard and soft corals).

There is great concern among researchers at the Hawai'i Institute of Marine Biology (HIMB) that this bill could shut down scientific exchange of research samples that are exchanged for study among museums and research institutions outside the State (such as the Smithsonian or Florida Museum of Natural History) and international partners (such as the Museum of Queensland or the Australian Institute of Marine Science) under our current federal CITES permitting process.

The exchange of coral samples for scientific study is necessary to directly compare skeletal and genetic similarity of coral samples for positive identification, to determine which species are Hawaiian endemics or broadly distributed species, and whether unusual corals discovered in the state are simply rare growth forms of common species, species that are newly discovered, or alien invaders that do not belong in Hawaiian waters. Without the ability to import or export scientific reference materials for study, such determinations will be impossible in the future,

which provide information that is vital to basic understanding, and therefore the conservation, of coral reef ecosystems.

HIMB suggests that language of the bill be revised to provide an exemption for scientific study or research activities performed by an accredited university or museum.

HB-414

Submitted on: 2/15/2021 11:52:50 PM

Testimony for WAL on 2/16/2021 8:30:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Henry boothe | Individual | Support | No |

Comments:

Aloha,

I support this bill that supports the protection of reefs in Hawaii and elsewhere.

Thank you,

Henry Boothe