

TESTIMONY
SB 1199

LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**Testimony of
LAURA H. THIELEN
Chairperson**

**Before the Senate Committee on
WATER, LAND, AGRICULTURE, AND HAWAIIAN AFFAIRS**

**Friday, February 27, 2009
2:45 PM
State Capitol, Conference Room 229**

**In consideration of
SENATE BILL 1199
RELATING TO FISHING**

Senate Bill 1199 would designate the waters around the Island of Molokai as a community-based subsistence fishing area. Although the Department of Land and Natural Resources (Department) recognizes the appeal of community-based management, the Department considers the measure not feasible under current circumstances, and therefore cannot support this bill.

The Department is currently holding public meetings statewide, including on Molokai, to discuss possible rule changes for more sustainable management of certain nearshore marine fishes. The Department notes that its previous management actions for nearshore fisheries have taken into consideration subsistence needs, as witnessed by less restrictive lay gill net regulations for Molokai in comparison to other islands. During the lay gill net rule making process, testimony from residents suggested that Molokai's ocean resources were abundant and not in need of further protection.

The Department further notes that creating a very large community-based subsistence fishing management area will exceed current Department staff capacity available for such efforts. Specifically, much of the Department's Division of Aquatic Resources' commitment for community-based management is already devoted to developing rules for similar community-based fishing areas at Milolii on Hawaii Island and Haena on Kauai, which were mandated in previous legislative sessions. This has proven to be a complex task, and these efforts are not near completion. Given the funding restrictions, proposed funding reductions, and personnel freezes related to current economic circumstances, it is not feasible for the Department to oversee creation of yet another subsistence fishing management area on a vastly larger scale at Molokai.

Finally, the Department expresses concern as to how extensively this bill would propose to limit commercial activity, particularly commercial fishing, in waters surrounding Molokai. The area

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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

has popular and productive bottomfishing and pelagic trolling grounds, the catch from which benefits many citizens of the State, including inhabitants of Molokai.

From: Ron Tubbs [rtmb@hawaiiantel.net]
Sent: Wednesday, February 25, 2009 7:15 AM
To: WTLTestimony
Subject: Testimony opposed to SB 1199

Friday, February 27, 2009

2:45 p.m.

Conference Room 229

415 South Beretania Street

OPPOSED TO SB 1199

One of the least impacted areas to fishing and we are to give it to a special interest group. I understand the need but they already have access and are already the primary users as residents of Molokai.

According to law this bill is not legal. The ocean belongs to all and cannot be given away to any one group no matter how special. The precedence set by this bill could allow another special interest group to lay claim to other ocean resources! Other states have faced legal battles over similar legislation and lost in court. Ocean regulatory laws must be fair to all parties as no single group can lay claim to public domain.

United Nations Conference on Environment and Development Laws state "the Oceans and their resources are the common heritage of man". The bible states Man has been given dominion over Earth's creatures. The Bible has laid the foundation to many laws. We have the responsibility to care for and share with all our Oceans resources. No one group in Hawaii can make claim or shut out another group. International law states no one group can lay claim to the ocean or it's resources. U.S. laws are based on these UN resolutions. State law should follow this precedence. We must all share in caring for and utilizing our States Ocean resources.

THIS BILL CAN NOT BE LEGALLY APPLIED AND WILL SET DANGEROUS PRECEDENCE IF PASSED.

Ron Tubbs B.S. N.D.

From: walter ritte [rittew@hotmail.com]
Sent: Thursday, February 26, 2009 1:15 PM
To: WTLTestimony
Subject: Testimony

Hearing Friday Feb. 27, 2009 2:45pm Committee on Water Land Agr. and Hawaiian Affairs

~~SB 633~~

~~My Name is Walter Ritte, and I am in strong support of this Bill. The purpose of the Molokai Irrigation System was to serve Native Hawaiian Homesteaders. The vast majority of the water is being used by non homesteaders. The advisory board is stacked against homesteaders and the last two years have seen the board go against homesteader interest and leadership, Even the department of Ag. has been at odds with homesteaders on legislative issues regarding the MIS.~~

SB1199

I am in strong support of this bill. Fishing pressure, sediment run off, global warming and other factors has depleted the food resources in the ocean. Management plans for the shoreline of all islands is needed to change this trend. Molokai would like to begin that process to insure food security for their future generations.

SCR44 and SR26

I am in strong support of these resolutions. This is a very good report, it is well done and accurate. It has excellent recommendations for solutions to many problems facing the reef system of Molokai. The recommendations will increase the food security for Molokai, create many green jobs and protect the land and sea.

SB 709, SD1

I am in strong support of this bill. Taro is not just a plant to Hawaiians, it is important to understand the sacredness and family ties Hawaiians have with the taro. To not understand this relationship will translate into major future problems in agriculture. The Hawaiians are united in their responsibility to protect Haloa the taro, and we do not want our family member genetically modified.

Mahalo for this opportunity to testify on these important bills. Walter Ritte

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TESTIMONY

SB 1199

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