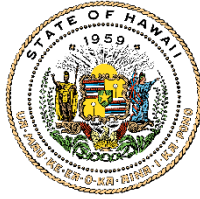


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHANE
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

Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committees on
WATER AND LAND
and
AGRICULTURE AND THE ENVIRONMENT

Wednesday, February 12, 2025
1:05 P.M.

State Capitol, Conference Room 229 & Videoconference

In consideration of
SENATE BILL 22
RELATING TO FISHERIES

Senate Bill 22 proposes to amend [chapter 343, Hawaii Revised Statutes \(HRS\)](#), also known as the Hawai'i Environmental Policy Act (HEPA), to provide an exemption for "actions involving the operation and management of all fisheries in the State." **The Department of Land and Natural Resources (Department) supports the intent of this bill and offers the following comments and suggested amendment.**

To provide a little context for this bill:

The aquarium trade, within recent years, has been the topic of contentious legal battles that have resulted in potentially problematic interpretations of HEPA by Hawai'i courts. On September 6, 2017, the Hawai'i Supreme Court ruled in Umberger, et al. v. DLNR, 140 Hawai'i 500 (2017), that all permits issued pursuant to section 188-31, HRS, (or "Aquarium Fish Permits") are subject to HEPA. Subsequently, on November 27, 2020, the First Circuit Court ruled in Kaupiko et al. v. DLNR, Case No. 1CCV-20-0000125, that HEPA also applies to the taking of aquatic life for commercial aquarium purposes under licenses issued pursuant to section 189-2, HRS (or "Commercial Marine Licenses" or "CMLs"). As a result of this ruling, the Department continues to issue CMLs for the commercial harvest of marine resources for food and other non-aquarium purposes but does not issue CMLs for commercial aquarium purposes. Most recently, on November 12, 2024, a group of aquarium fishers filed a lawsuit seeking, among other things, 1) a

declaratory ruling that all CMLs should be treated the same and 2) a declaratory ruling that either all CMLs are not subject to HEPA, or that all CMLs are subject to HEPA.

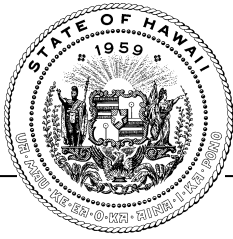
The Department recognizes the court's intent to ensure proper environmental review of fishing practices that have the potential for substantial environmental impacts. However, the Department has serious concerns that applying HEPA to the issuance and usage of all CMLs would have far-reaching impacts on government functions and the local economy. If HEPA were to apply to all CMLs, all commercial fishing would come to a screeching halt: Local commercial fishers would be out of a job, fishing charter businesses would cease to operate, and local seafood, such as opelu, akule, and ahi, would be unavailable in markets until HEPA is complied with. The HEPA process could take well over a year to complete.¹

Although the Department believes that the intent of this bill is well placed, the Department has concerns that the current language is vague and overbroad. For example, the "operation and management of all fisheries" could include the installation of artificial reef structures to improve fisheries, which is a type of action that the Department believes is appropriate for HEPA review. The Department suggests that the language be narrowed to address the specific concern about HEPA's applicability to CMLs rather than a blanket exemption for all "actions involving the operation and management of all fisheries in the State." The Department suggests amending the bill to specifically exempt the issuance and usage of CMLs from HEPA as follows (changes highlighted in yellow):

"§343- Fisheries; exemption. Actions involving the
[operation and management of all fisheries in the State]
issuance of commercial marine licenses pursuant to section 189-2
and any activity conducted under a commercial marine license
shall be exempt from the requirements of this chapter."

Mahalo for the opportunity to comment on this measure.

¹ The HEPA process for the issuance of aquarium permits for West Hawai'i took six years to complete.



**STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

JOSH GREEN, M.D.
GOVERNOR

MARY ALICE EVANS
DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawaii'i 96813
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Statement of
MARY ALICE EVANS, Director

before the
SENATE COMMITTEES ON WATER AND LAND
and
AGRICULTURE AND ENVIRONMENT

Wednesday, February 12, 2025, 1:05 PM
State Capitol, Conference Room 229

in consideration of
SB 22
RELATING TO FISHERIES

Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and Members of the Senate Committees on Water & Land and Agriculture & Environment.

The Office of Planning and Sustainable Development (OPSD) offers the following **comments with concerns** on SB 22, which would exempt actions involving the operation and management of all fisheries on the State from the requirements of HRS Chapter 343.

We note the term “exempt” has a defined meaning in HAR 11.200.1-15 –17. These rules spell out Hawaii’s environmental review process (aka HEPA) and direct agencies to undertake an analysis applying criteria to make a determination that a specific action is eligible for an exemption from preparing an environmental assessment. To ensure public awareness, the agency must create an exemption notice and transmit it to the Environmental Review Program in OPSD to be published in *The Environmental Notice*, a public document. The use of the word, “exempt”, as offered in this bill is not consistent with the current statutory meaning and thus would lead to confusion or misunderstanding.

We also note the bill does not provide a definition for “fisheries,” which could lead to uncertainty as to what actions are intended to be covered by this bill.

The findings section of this bill highlights the need for careful fisheries and ecosystem analysis to ensure sustainable harvesting practices, along with the protection of environmental and cultural resources. The HEPA process established by HRS Chapter 343 has long been recognized as the appropriate vehicle for undertaking such an analysis in a way that provides transparency and public participation.

SB 22 RELATING TO FISHERIES - COMMENTS
State Office of Planning and Sustainable Development
February 12, 2025

We support the fundamental purpose of HEPA that provides the ability for agencies to make specific determinations on proposed actions as to whether an Exemption, Environmental Assessment (EA) or Environmental Impact Statement (EIS) is appropriate. By broadly exempting all fisheries operation and management actions from HEPA, this bill would remove that important agency management tool, along with transparency and public participation.

Thank you for the opportunity to testify on this measure



**TESTIMONY IN OPPOSITION ON SB22
RELATING TO FISHERIES.**

Senate Committee Water and Land
Senate Committee on Agriculture and the Environment
Hawai'i State Capitol

February 12, 2025

1:05pm

Rm. 229

Aloha e Chairs Inouye and Gabbard, Vice Chairs Elephante and Richards, and Members of the Senate Committees on Water and Land and Agriculture and the Environment:

The Office of Hawaiian Affairs (OHA) submits this testimony in **OPPOSITION** to SB22, which proposes to exempt operation and management of State fisheries from environmental review under Hawai'i Revised Statutes (HRS) Chapter 343, the Hawai'i Environmental Policy Act (HEPA). This measure is vague as to the scope and intent of the exemption and would lead to diminishing protections for Native Hawaiian practices and Hawai'i's fisheries. Further, it would increase the risk of ecosystem degradation which disproportionately harms Native Hawaiians and local communities.

All fisheries in Hawai'i are significant to the health and well-being of local families and Native Hawaiian communities that depend on ocean resources for subsistence and other non-commercial uses. SB22 would have serious impacts and negative implications for Native Hawaiians for the following reasons:

1. **Potential Overfishing and Resource Depletion:** Without proper environmental review, the management of fisheries could prioritize short-term economic gains over long-term sustainability, which can lead to overfishing and depletion of our natural resources. Because many Native Hawaiian communities rely on fishing as a primary source of sustenance, any harm to fish stock abundance can and will disproportionately affect them. OHA notes that it does not appear from publicly available information that the Department of Land and Natural Resources, Division of Aquatic Resources, has completed the type of data-driven, ecosystem management plan alluded to in Section 1 of SB22, other than for the federally co-managed fisheries. In the absence of such planning, HEPA is a backstop to ensure proper resource management.

2. **Cultural and Environmental Connection:** For many Native Hawaiians, the ocean and its resources are integral to cultural identity and traditional practices. Fisheries are not just a commercial resource but are also deeply tied to ancestral knowledge, spiritual beliefs, and community practices. Exempting fisheries from environmental review will make it harder to assess the impact of fishery operations on these vital cultural and spiritual connections. Often, HEPA review—which facilitates public review and comment—is the primary means by which agencies comply with their duties under the Hawai'i Constitution to assess how their actions impact Native Hawaiian traditional and customary practices and the feasibility of measures to mitigate such impacts.¹ Eliminating HEPA review makes it even less likely that the State's management of fisheries will comply with constitutional mandates. .
3. **Environmental Justice:** The removal of environmental review could mean that the environmental risks associated with fishery operations (like pollution, habitat destruction, and the introduction of invasive species) are not adequately addressed. Historically, marginalized communities, including Native Hawaiians, bear a disproportionate burden of environmental harm, and are more likely to be excluded from consultation on important decisions affecting their communities. Exempting these actions from review could further exacerbate environmental injustice in Hawai'i.

In conclusion, the exemption from environmental review provisions in **SB22** will diminish protections for Native Hawaiian cultural practices, the sustainability of fishery resources, and the ability of Native Hawaiians to participate in decision-making about their ancestral lands and waters. Accordingly, OHA respectfully requests that the Committees **HOLD** this measure.

¹ See *Ka Pa'akai O Ka 'Āina*, 94 Hawai'i 31, 47, 7 P.3d 1068, 1084 (2000); Hawai'i Administrative Rules § 11-200.1-18(d)(7), (8).



SENATOR LORRAIN R. INOUE, CHAIR
SENATOR BRANDON J.C. ELEFANTE, VICE CHAIR
SENATE COMMITTEE ON WATER & LAND

SENATOR MIKE GABBARD, CHAIR
SENATOR HERBERT M. "TIM" RICHARDS, VICE CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

TESTIMONY IN **STRONG OPPOSITION** TO SENATE BILL SB 22,
RELATING TO FISHERIES

February 12, 2025, 1:05 p.m.
Conference Room 229
State Capitol
415 South Beretania Street

Dear Chairs Inouye and Gabbard, Vice-Chairs Elefante and Richards, and members of the Senate Committees on Water & Land and Agriculture & Environment:

Earthjustice **strongly opposes SB 22**, which, if passed, would make the Hawai'i Environmental Policy Act ("HEPA") completely ineffective and meaningless for ***all state fisheries***, which are public trust resources protected for public use. Please reject and hold this bill.

HEPA has long been one of Hawai'i's bedrock environmental laws and gives the public and local and scientific communities a voice in formally assessing the environmental impacts of a proposed action. The legislature established HEPA over 50 years ago to mandate the disclosure and analysis of environmental impacts and "ensure that ***environmental concerns*** are given appropriate consideration in decision making" so that "environmental consciousness is enhanced, cooperation and coordination are encouraged, and ***public participation*** during the review process benefits all parties involved and society as a whole." Hawai'i Revised Statutes ("HRS") § 343-1 (emphases added). These purposes are just as or even more important today as when the law was originally passed.

HEPA is, moreover, a "law[] relating to environmental quality" and, as such, helps to define and protect every Hawai'i citizen's constitutional "right to a clean and healthful environment." Haw. Const. art. XI § 9; *In re Maui Elec. Co.*, 141 Hawai'i 249, 264, 408 P.3d 1, 16 (2017). Marine and other aquatic resources, including Hawai'i's fisheries, also comprise a key component of the "public natural resources . . . held in trust by the State for the benefit of the people." Haw. Const. art. XI § 1. HEPA provides the means for citizens to raise "environmental

concerns” and ensure that agencies have the best information possible in issuing approvals for activities that affect Hawai‘i’s natural resources.

SB 22 runs in the opposite direction from these statutory and constitutional mandates and proposes to allow the Department of Land and Natural Resources (“DLNR”) to *sidestep HEPA altogether* regarding “all fisheries in the State,” which encompass virtually all state waters. It further seeks carte blanche for private and commercial permittees and applicants to avoid HEPA review by exempting the “operation” of “all fisheries” from environmental review. SB 22’s preamble attempts to justify this heavy-handed and exclusive carve-out by leaning on DLNR’s “analysis of data on the fishery and its ecosystem,” but unspoken in this bill is that, if passed, it would serve to directly silence the “public participation” regarding “environmental concerns” that the legislature determined is necessary to fully inform agency decision-making. See HRS § 343-1.

HEPA also serves to protect the public’s interests over the long term. DLNR, as an administrative agency, undergoes regular changes in leadership and staffing, and its priorities and focuses shift with the political leanings of the executive branch. The legislature should not sacrifice HEPA’s important public safeguards just so that today’s DLNR and commercial permittees can write their own tickets to public fisheries. Fully informed decision-making regarding our ocean resources is all the more important in the face of a shifting changes in ocean conditions fueled by climate change. Now perhaps more than ever, DLNR’s decision-making should be based on comprehensive information, and should involve input from the concerned public (including the larger scientific community) as HEPA requires, and not just the information assembled by DLNR staff and private interests.

HEPA’s process, and the public’s ability to enforce it, are essential long-term safeguards that should be kept in place for all environmental concerns; DLNR’s management of fisheries, in particular, has at times required and benefited from public input through the environmental review process. SB 22 baldly attempts to silence community voices and pull a curtain over DLNR’s disposition of marine resources, directly contrary to HEPA’s core purposes of ensuring transparency, cooperation, and public participation.

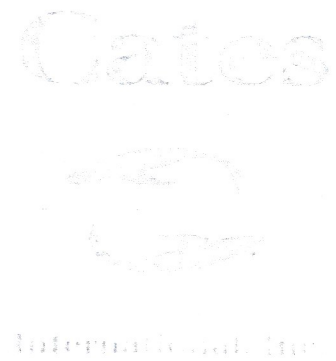
For these reasons, Earthjustice strongly opposes SB 22 and respectfully requests that it be held. Mahalo nui for this opportunity to testify. Please do not hesitate to contact us with any further questions or for further information.

Mahesh Cleveland



Senior Associate Attorney
Earthjustice, Mid-Pacific Office

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



February 10, 2025

Testimony in Support of SB22

Committee on Water & Land

Senator Lorraine R. Inouye, Chair

Senator Brandon J. C. Elefante, Vice Chair

Committee on Agriculture & Environment

Senator Mike Gabbard, Chair

Senator Herbert M. Tim Richards, III, Vice Chair

Aloha Chairs, Vice Chairs and Committee Members,

I am in full support of SB 22 which would exempt Hawaii's fisheries and Fishers from the HEPA 343 Environmental review process, while I support the intent and use of HEPA 343 process and have personally conducted three EA/EIS for Aquaculture as well as participated in many others, I think it is not needed nor appropriate to be used as a management tool in this case.

Hawaii fisheries and resource are entrusted to be managed by DLNR/DAR and has been for decades, the Legislator has always supported DLNR and provided them with the proper legislation such as "Adaptive Manage" laws to ensure DLNR is able to properly manage our resources. To now apply HEPA 343 EIS for all fisheries is redundant and potentially very costly to Hawaii taxpayers as well as causing years of delay in its passage which will interrupt the supply of fresh seafood to our communities. The requirement for an EIS will add no value of protection to our fisheries and environment as well.

We must recognize that our fisheries have a department who continually monitors the resource, it has Scientist on staff as well as collection of data

reports that enable the agency to monitor the sustainable use, other commercial use sectors do not have an agency available to monitor them in a similar manner. For this reason, I feel this is a proper request for an exemption from HEPA 343 process.

If this law does not pass, it is clear that a major interruption will occur soon that will have impacts to Hawaii's fishers and the supply of seafood, this will impact the outer Islands in a big way, but all of Hawaii will feel the pain when we are 100% reliant upon foreign imports.

Please support the passage of SB 22.

Mahalo,

A handwritten signature in black ink, appearing to read "Randy Cates", with a stylized flourish at the end.

Randy Cates



SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON WATER AND LAND SENATE COMMITTEE ON WATER & LAND

February 12, 2025

1:05 PM

CR229

In **OPPOSITION** to **SB22**: Relating to Fisheries

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and Members of the Committees,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i **OPPOSES SB22**, which could result in significant and unnecessary environmental, cultural, socioeconomic, and economic impacts to the public interest, from fisheries decisions that it would exempt from our environmental review law.

Our ocean waters are a foundation of life on these islands. With our limited and fragile nearshore environment, fisheries decisions may have significant, generations-long impacts to our islands' environmental and cultural integrity, food security, climate resilience, recreational opportunities, economy, and overall quality of life. Notably, decades of management decisions that utilized a Western, top-down approach heavily favoring commercial fisheries development have left us with severely depleted nearshore waters, discontinued traditions - including constitutionally protected Native Hawaiian traditional and customary fishing practices - and an ever-growing vulnerability to food and climate insecurity. **With the current, fragile state of our local and global ocean ecosystems, more, not less, thoughtfulness and care in fisheries decisionmaking is critically needed.**

Accordingly, exempting all fisheries decisionmaking from environmental review, as proposed in this bill, is a dangerous step in the wrong direction. **The Sierra Club emphasizes that a broad exemption from our environmental review law may result in significant, unnecessary, and irreversible impacts to a range of public interests in our limited aquatic resources.** Our environmental review law has, for 40 years, played a critical role in ensuring that certain decisions potentially impacting our islands' environmental, cultural, and socioeconomic integrity are carefully and transparently assessed by government decisionmakers. The environmental review law also helps to ensure that decisionmakers explicitly consider ways to avoid such impacts, to the extent feasible. Notably, the environmental review process includes opportunities for decisionmakers with limited experiences to be informed by those with a wide range of expertise, insight, and perspectives - including Native Hawaiian cultural practitioners and fishers with intimate knowledge of and deep care for the health of our marine areas. Without environmental review, fisheries managers and the public alike will have no meaningful and structured opportunity to assess or mitigate any number of issues regarding unintended and



avoidable consequences of fisheries decisions - including but not limited to the issuance of permits for the unlimited take of ecologically vital marine species for the aquarium trade, or other commercial purposes.

Accordingly, the Sierra Club respectfully urges the Committees to **HOLD** SB22. Thank you very much for this opportunity to testify.

SB-22

Submitted on: 2/11/2025 10:07:14 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Isaac Harp	Testifying for NWHI hui	Oppose	Remotely Via Zoom

Comments:

I oppose SB 22.

Hawaii fisheries have never been sustainably managed as evidenced by the poor conditions of fish populations around Hawaii, particularly lobster populations around the Northwestern Hawaiian Islands (NWHI).

The State relinquished their jurisdiction over NWHI fisheries to NOAA who allowed Wespac lobster fishers and poachers to devastate lobster populations causing the starvation and population decline of endangered Hawaiian Monk Seals. This is the only location on the planet that I am aware of where berried female and juvenile lobsters were allowed to be harvested leading to very little recovery quarter of a century later.

Do not be fooled by those supporting this bill. Sufficient data is not available to conduct proper analysis of fisheries because recreational fishing licenses and reporting have never been required by the State. Only recently has recreational fishing licenses been introduced for non-residents.

Give data collection more time to catch up before considering reducing compliance with environmental laws.



Testimony Before The
Senate Committee on Water and Land (WTL)
Senate Committee on Agriculture and Environment (AEN)
IN OPPOSITION TO SB22

February 12, 2025, 1:05 p.m., Room 415 & Via Videoconference

We are Olan Leimomi Fisher and Kevin Chang, Kua'āina Advocate and Executive Director, respectively, testifying on behalf of [Kua'āina Ulu 'Auamo \(or KUA\)](#). "Kua'āina Ulu 'Auamo" stands for "grassroots growing through shared responsibility," and our acronym "KUA" means "backbone." **Our mission is to connect and empower communities to improve their quality of life through the collective care for their biocultural (natural and cultural) heritage, serving as a "backbone organization" that supports creative and community-driven solutions to problems stemming from environmental degradation.** Hawai'i's biocultural resources continue to be negatively impacted by political, economic, and social changes, and the increasing dangers of climate change make fostering and empowering resilient communities acutely critical.

Currently KUA supports three major networks of: (1) over 40 mālama 'āina (caring for our 'āina or "that which feeds") community groups collectively referred to as E Alu Pū (moving forward together); (2) over 60 loko i'a (fishpond aquaculture systems unique to Hawai'i) and wai 'ōpae (anchialine pool systems) sites in varying stages of restoration and development, with numerous caretakers, stakeholders, and volunteers known as the Hui Mālama Loko I'a ("caretakers of fishponds"); and (3) the Limu Hui made up of over 50 loea (traditional experts) and practitioners in all things "limu" or locally-grown "seaweed." **Our shared vision is to once again experience what our kūpuna (ancestors) referred to as 'ĀINA MOMONA – abundant and healthy ecological systems that sustain our community resilience and well-being.**

We strongly oppose SB22, as a dangerous threat to achieving 'āina momona.

This measure would exempt any actions by the state Department of Land and Natural Resources (DLNR) involving the operation and management of all fisheries in the state from necessary environmental review requirements. SB22 is not only vague and overly broad, but it also threatens the health of our nearshore ecosystems, Native Hawaiian cultural and traditional rights, and community stewardship practices, while undermining the necessary public participation and transparency provided through established environmental review laws. It would create *more* stress and more *work* for DLNR, not less, and for the benefit of only a small vocal minority of commercial operators.

The communities in our KUA networks, including Native Hawaiians and kama'āina alike, depend on the health and balance of our nearshore ecosystems in order to continue their traditional and customary practices and to mālama their 'āina. Not only is SB22 vague, but its broad impacts would make way for far-reaching negative effects on our already suffering i'a (sea life) that do not justify the supposed need to appease the well-documented (and litigated) exploitation by a small handful of aquarium fishing operators. Hawai'i's Environmental Policy Act

(HEPA) through Hawai'i Revised Statutes, Chapter 343, serves to ensure public awareness and participation from as many stakeholders as possible, including Native Hawaiian traditional and customary practitioners protected under our Hawai'i State Constitution. HEPA also provides stability for public participation with the constant changes in DLNR leadership and staff.

As the recent Umberger and Kaupiko Supreme Court decisions made clear, DLNR severely lacks capacity to provide proper management and protection of our nearshore resources and Native Hawaiian rights involving aquarium fishing permits alone. This measure would saddle DLNR with *even more* responsibility and discretion than it already has, which will only lead to more lawsuits, more contested cases, and more community distrust and division. **This exemption will create even more work for everyone, not less, and for the benefit of only a small minority of commercial operators.** Undermining HEPA is *not* the answer, especially with increasing threats (invasive species, pollution, overtourism, natural disasters, etc.) to the fragile biocultural resources that we ALL depend on to live and thrive here in Hawai'i.

SB22 works directly against achieving 'āina momona to ensure healthy and thriving biocultural resources for generations to come.

Mahalo for considering our testimony in strong opposition. Please hold SB22.

Aloha 'Āina Momona no nā kau ā kau.



February 12, 2025, 105pm

Senate Committees on Water & Land and Agriculture and the Environment

RE: STRONG OPPOSITION to HB123; Exempts fisheries from Environmental Review (Hawaii Environmental Policy Act)

Dear Chairs Inouye & Gabbard and Committee Members,

For the Fishes, a Maui-based non-profit organization dedicated to the protection of coral reef wildlife **STRONGLY OPPOSES SB22**, to exempt an entire industry from the formal Environmental Review process per HRS Chapter 343, as outlined below:

1. SB22 is **Fear not Fact-driven**: this bill is intended to reverse a 2017 HSC decision that determined that commercial aquarium collecting must undergo environmental review given its high probability of negatively impacting **essential coral reef ecosystems** as a result of decades of unbridled extraction that in some years approached 1 million coral reef fishes and invertebrates. Fear of the slippery slope, that a future court **might** similarly determine another commercial fishery could be subject to legitimate environmental review, is driving this effort.

2. **DLNR-DAR analyses of the environmental, social, cultural, and economic impacts of their proposed actions are grossly insufficient.** This bill suggests that DAR staff analysis of a fishery is comparable to formal environmental analysis, however, nothing could be further from the truth. DAR lacks the resources to conduct comprehensive analyses that are comparable to those required by HRS Chapter 343. Case in point: according to a new DAR report to the legislature on the West Hawaii Fishery Management Area, the division lacks social science/socioeconomic expertise to “better understand the motivations, drivers, and sentiments surrounding resource uses and ensure proposed management actions are both aligned with resources uses and likely to achieve their stated goals.” Notably, there is also not a single mention of culture in the entire 130-page report. In additional documents, DAR “analyses” of social and cultural concerns amount to mere single sentence acknowledgements that those are important parts of the decision-making process but that they are unable to undertake that.

Further, DAR data is often lacking which should require application of the precautionary principle. However, DAR instead prioritizes commercial activities over the protection of natural and cultural resources as well as public (versus private) access to the resource which contradicts the hierarchy of priorities mandate of the Board of Land and Natural Resources. This is demonstrated by **DAR staff repeatedly supporting environmental impact statements**

proposed by the aquarium pet trade that were overwhelmingly opposed by the public and repeatedly rejected by the Board of Land and Natural Resources for being grossly inadequate.

3. Sets a dangerous precedent by exempting an entire industry from environmental review.

No other industry (e.g. development, military, tourism) has a blanket exemption from environmental review as is what is proposed here for fisheries. This sets a dangerous precedent where other industries could similarly be exempt from environmental review, and where state agencies would become even more beholden to commercial interests and the environmental, social, cultural and economic impacts of actions are given even less consideration. This bill **ignores a main purpose of Chapter 343—providing for public participation—which the legislature found “benefits all parties involved and society as a whole”** (see excerpt below). In the environmental review process, substantive public comments *require a response*. However, there is no equivalent in agency management and rulemaking (e.g. public comments receive no agency response; they are simply tallied). Public interests lose.

Chapter 343-1 Findings and Purpose:

*"[t]he legislature finds that the quality of humanity's environment is critical to humanity's wellbeing, that humanity's activities have broad and profound effects upon the interrelations of all components of the environment, and that an environmental review process will integrate the review of environmental concerns with existing planning processes of the State and Counties and alert decision makers to significant environmental effects which may result from the implementation of certain actions. **The legislature further finds that the process of reviewing environmental effects is desirable because environmental consciousness is enhanced, cooperation and coordination are encouraged, and public participation during the review process benefits all parties involved and society as a whole.**"*

We urge the Committee to defer this measure in its entirety.

SB-22

Submitted on: 2/10/2025 8:43:46 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
John & Rita Shockley	Testifying for Free Access Coalition	Oppose	Written Testimony Only

Comments:

Aloha!

The Free Access Coalition opposes SB22. Fisheries and fishing entities should not be able to skirt environmental review by the DLNR.

Mahalo for yorur time

SB-22

Submitted on: 2/10/2025 8:47:08 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Culbertson	Testifying for Big Island Reef Keepers hui	Oppose	Written Testimony Only

Comments:

Aloha Senators,

The proposed bill would carve out a broad exemption from our environmental review law for fisheries management actions - such as authorizing the unlimited take of marine life for the aquarium trade - and allow other unlawfully approved actions (like stream diversions) to proceed for years or decades while environmental review challenges are resolved and environmental impact statements are completed. These bills are obvious end-runs around recent court rulings that affirmed the DLNR's noncompliance with the environmental review process.

We say, NO way!

Please hold SB 22

Mahalo!

SB-22

Submitted on: 2/10/2025 9:15:37 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Matyas Kreidler	Testifying for Ka Hana Lawaia LLC	Support	Written Testimony Only

Comments:

I support SB 22.



To: The Honorable Chairs Lorraine Inouye and Mike Gabbard, the Honorable Vice Chairs Brandon Elefante and Herbert M. “Tim” Richards, III, and Members of the Committees on Water and Land and Agriculture and Environment.

From: Hawai'i Reef and Ocean Coalition (by Ted Bohlen)

Re: **Hearing SB22 RELATING TO FISHERIES**

Hearing: Wednesday February 12, 2025, 1:05 a.m., room 229

Aloha Chairs Inouye and Mike Gabbard, Vice Chairs Elefante and Richards, and Members of the Committees on Water and Land and Agriculture and Environment!

The Hawai'i Reef and Ocean Coalition respectfully OPPOSES SB22!

The Hawai'i Reef and Ocean Coalition (HIROC) is a group of scientists, educators, filmmakers and environmental advocates who have been working since 2017 to protect Hawaii's coral reefs and ocean. We support environmental review of ocean and fisheries actions, projects, and programs.

The Hawai'i Reef and Ocean Coalition **appreciates the bill's intent** to avoid duplicative review. The bill would exempt DLNR actions involving the operation and management of all fisheries in the State from environmental review requirements under chapter 343, Hawaii Revised Statutes.

Hawai'i Reef and Ocean Coalition has concerns with this bill. It seeks to exempt entire huge ecosystems and a large industry (fisheries) from environmental review on the grounds that they and it are already regulated by DLNR. The preamble to the bill notes that DLNR manages fisheries, analyses data, and determines if the fishery can be sustainably harvested. The fact that DLNR does these things does not make it unique; many of our regulatory agencies perform similar functions.

The environmental review requirements that DLNR would be exempt from are not actually duplicative with DLNR's functions. I served for fourteen years as the Deputy Attorney General representing the State's environmental review agencies, the Office of Environmental Quality Engineering and the Environmental Council, as well as several permitting branches of the

Department of Health. I can state definitively based on my experience that **environmental reviews serve a wholly different function than permitting and program management.**

Environmental review under HRS c. 343 is just a disclosure requirement. It does not decide issues the way DLNR does on permitting and sustainable fisheries issues.

Environmental reviews can have the following benefits:

- ensure that decisionmakers and the public have full information up front on environmental impacts and risks of proposed activities before those activities and their impacts are allowed to proceed;
- provide policymakers with essential information about the potential environmental consequences of proposed actions, enabling more informed decisions;
- require projects to assess their potential impacts on the environment, including air and water quality, wildlife, ecosystems, and cultural resources;
- help identify measures to mitigate negative effects, ensuring that projects are designed to minimize harm to the environment;
- include opportunities for public comment and participation, allowing community members to express concerns and provide input on proposed projects;
- promote transparency and accountability in decision making;
- help balance economic development with environmental protection, ensuring that the benefits of projects are weighed against their potential harms;
- help protect critical habitats, endangered species, and other natural resources by identifying potential impacts and recommending protective measures;
- encourage sustainable practices that protect resources for future generations;
- help ensure that projects comply with existing environmental regulations and standards, reducing the risk of legal challenges and penalties;
- by requiring assessments and mitigation plans, these laws aim to prevent environmental degradation and promote responsible resource management;
- require the evaluation of alternative project designs or locations that may have less environmental impact, promoting innovative and sustainable solution;
- facilitate better project design. As project proponents explore alternatives, they may discover less harmful ways to achieve their goals, leading to better overall outcomes;
- involve multiple governmental agencies, thereby possibly fostering communication and collaboration among different levels of government and sectors;
- may include provisions for long-term monitoring of environmental impacts, ensuring that any unforeseen effects can be addressed promptly;
- allow for adaptive management strategies, where project operations can be adjusted based on observed environmental changes;
- ensure that decisionmakers have full information so they can balance and mitigate potential long-term impacts to the public interest from certain proposed activities; and
- ensure prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

This bill would prevent the public and decision makers from having complete information on environmental impacts during planning. The benefits listed above would be lost. Alternatives and possible mitigation measures would not be fleshed out. The lack of full information if fisheries are exempt from environmental review is likely to lead to less informed decision making, potentially yielding irreparable harms to our marine life and the vast public interest in our ocean environment.

Please defer this bill! Mahalo!

Hawai'i Reef and Ocean Coalition (by Ted Bohlen)



February 10, 2025

COMMITTEE OF WATER LAND

Senator Lorraine Inouye, Chair, Senator Brandon Elefante, Vice Chair

COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Senator Mike Gabbard, Chair, Senator Herbert M. “Tim” Richards III, Vice Chair

Date: February 12, 2025

Time: 1:05 pm

SB 22 Relating to Fisheries

STRONG SUPPORT

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 federal fisheries management and endangered species advisory committees as well as state marine and coastal zone advisory committees; and HFACT is thoroughly familiar with and participates in ocean and marine resource management in Hawaii and the central Pacific.

The reason for the need to pass SB 22 is complicated and involves court cases that go back several years. Certain parties object to fishing and rather than managing fisheries through government regulators, fisheries managers, and use of science have determined that barriers such as onerous environmental impact statements can be used to slow down fishermen. Regular day-to-day commercial fishermen do not have the economic wherewithal or technical knowledge to develop complicated environmental impact statements.

HFACT presents the following information to inform the legislature on how Hawai'i Revised Statutes (“HRS”) 343 Environmental Impact Statements have been weaponized against commercial fishing.

(1) Commercial fishing is a highly regulated activity that is based on sound scientific analysis of the ecological condition of key species that are under management by the Department of Land and Natural Resources (DLNR). Hawai'i's commercial fishers have been highly compliant to fishing rules. To wit:

Fishing, including commercial fishing of all kinds, is an endemic part of life in Hawai'i . Commercial fishing is practiced in Hawai'i for decades, and is recognized by the legislature as an approved, permissible activity. HRS § 189.

Any person taking marine life for commercial purposes must first obtain a commercial marine license under HRS § 189-2. However, HRS Chapter 189 does not include

Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.
2015 Leiloke Drive, Honolulu, HI.96822

substantive regulations on where, how, or when commercial fishing may be conducted. All such regulations come from other sources.

(2) Issuance of Commercial Marine Licenses is mandatory, ministerial act of the Department of Land and Natural Resources, exercising no discretion in the issuance of CML. However, DLNR has the right to regulate and exercise control of fish caught by CML holders. To wit:

The Department of Land and Natural Resources and its governing Board of Land and Natural Resources, are responsible for managing, administering, and exercising control over the State's water resources, ocean waters, and coastal areas, including the State's aquatic life and aquatic resources. HRS §§ 171-3, 187A-2(1), 187A-5. DLNR has the authority and responsibility to issue and renew commercial marine licenses for commercial harvest and sale of marine resources, and to make rules concerning the use of such licenses. HRS § 189-2; see also Haw. Admin. R. ("HAR") §§ 13-74-2(4), 13-74-20.

The right to fish in the sea is a constitutional right in Hawai'i. Article XI, Section 6 of the Hawai'i Constitution states that "All fisheries in the sea waters of the State not included in any fish pond, artificial enclosure or state-licensed mariculture operation shall be free to the public, subject to vested rights and the right of the State to regulate the same."

The DLNR has always treated, and continues to treat, the issuance of HRS § 189-2 Commercial Marine Licenses as a mandatory, ministerial act of the Department, exercising no discretion in the issuance of CMLs.

Any person taking marine life for commercial purposes must first obtain a commercial marine license. HRS § 189-2 requires any person who "take[s] marine life for commercial purposes whether the marine life is caught or taken within or outside of the State" to first obtain either a commercial marine license ("CML"), or commercial marine vessel license ("CMVL"). However, HRS Chapter 189 includes only very limited provisions concerning who may obtain CML or where, how, or when commercial fishing may be conducted. All other such regulations come from sources other than HRS Chapter 189.

(3) If CMLs are mandatory and DLNR has no discretion in the issuance of a CML then why is this bill needed? The following relates to court cases regarding the aquarium collection fishery and how the court orders regarding aquarium collection fishery affect all CMLs and Environmental Impact Statements under HRS Chapter 343.

In 2012, a group of plaintiffs sued the DLNR, seeking to force the DLNR to conduct or require environmental review under HRS Chapter 343 before issuing HRS § 188-31 permits. That case was *Umberger v. DLNR*, Case No. 12-1-2325-10, filed October 24, 2012. The Circuit Court granted the DLNR's motion for summary judgment, holding that environmental review was not required, and the plaintiffs appealed.

In September 2017, the Hawai'i Supreme Court issued its ruling in *Umberger v. Department of Land and Natural Resources*, 140 Hawai'i 500, 403 P.3d 277 (2017). In *Umberger*, the Supreme Court held that the issuance of aquarium fish permits under

***Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.*
2015 Leiloke Drive, Honolulu, HI 96822**

HRS § 188- 31 was discretionary and that environmental review under HEPA - HRS Chapter 343 - was required.

Certain parties filed suit against the DLNR, seeking a declaration that the DLNR's practice of allowing commercial aquarium collection under HRS § 189-2 was illegal. *Kaupiko v. DLNR*, Case No. 1CCV-20-0000125. The Circuit Court therein ruled partly in favor of the plaintiffs in that action, finding that a) aquarium collection under HRS § 189-2 was independently authorized without an HRS §188-31 permit, and b) that collection with the HRS § 189-2 commercial marine license required compliance with HEPA. The court stated "In other words, obtaining, renewing, or suspending a CML is clearly not a ministerial function as simple as sending in the required fee along with a return envelope. Rather, DLNR has discretion in issuing and in renewing CMLs, and therefore the discretionary consent required for HEPA review is present." (Emphasis added) See, memorandum ruling on Plaintiffs' Motion for Summary Judgment, Docket No. 113, November 27, 2020 and Order Granting in Part and Denying in Part Plaintiffs' Motion for Summary Judgment Filed May 5, 2020, Docket No. 119, December 8, 2020.

As of now, DLNR continues to issue CMLs, but there is severe confusion as to the future of license issuance. The exemption requested under this bill will once-and-for-all clarify and re-establish that CML license issuance authority under HRS § 189-2 is a ministerial and mandatory act of DLNR.

If CML licenses become subject to HRS343, fish wholesale dealers will not be able to buy fish from fishermen, fishermen will not be able to go fishing nor sell fish in Hawaii. This means no fresh ahi, no opakapaka, no mahimahi, no ono, no fresh caught fish of any kind will be available to the public to buy. Individual fishermen will not be able to produce an EIS which must be specific to where they fish, what species they target, which gear type they use, etc. Every fisherman is different thus each fisherman must write an EIS that needs to be compliant to HRS343. This is an impossible task for fishermen to comply with. The Judge Crabtree in *Kaupiko I* stated that application of his ruling would be absurd to implement, but his job is not to worry about the absurdity of the result of this ruling, but his job is to interpret the law however absurd in its implication.

HFACT thanks the chair, vice-chair, and committee members for this opportunity to provide comment and to assist in providing food to the people of Hawaii and to assist in the conservation of Hawaii's natural resources.

Sincerely and Aloha,



Edwin Watamura
Executive Director.
watafishing @ gmail.com

SB-22

Submitted on: 2/11/2025 8:36:18 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan B Roberts Emery	Testifying for Green Party of Hawai'i	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Susan RobertsEmery, I am Co-chair of the Green Party of Hawai'i. The Green Party believes in transparency in our governing body, with that in mind, we **strongly oppose SB22**, which would allow the Department of Land and Natural Resources to evade any assessment of the environmental impacts of its fishery management decisions - including decisions that may open up our ocean resources to unmitigated commercial exploitation.

In summery this bill strips away public trust while turning our environmental review process into an afterthought, legitimizing illegal agency practices that have inflicted and that will continue to inflict potentially irreparable harms to our marine life and the vast public interest in our ocean environment.

We urge you to **HOLD SB22**.

Mahalo,

Susan RobertsEmery
Co Cahir GPH
Green Party of Hawai'i
Paauilo



Native Hawaiian LEGAL CORPORATION

1164 Bishop Street, Suite 1205 • Honolulu, Hawai'i 96813
Phone (808) 521-2302 • www.nativehawaiianlegalcorp.org



SB22 RELATING TO FISHERIES

SENATE COMMITTEE ON WATER & LAND
SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

February 12, 2025

1:05 p.m.

Room 229 & Videoconference

Aloha e Chairs Inouye and Gabbard, Vice-Chairs Elefante and Richards, and members of the Senate Committees on Water & Land and Agriculture & Environment:

The Native Hawaiian Legal Corporation **opposes SB22**, because it would “exempt actions involving the operation and management of all fisheries in the state from environmental review requirements” under the Hawai‘i Environmental Policy Act (“HEPA”), Hawai‘i Revised Statutes (“HRS”) Chapter 343, in conflict with the State’s duties under the Hawai‘i Constitution.

Article XI, § 1 of Hawai‘i’s Constitution establishes that “all public natural resources are held in trust by the State for the benefit of the people[.]” As trustee, the State has a duty to protect and maintain public trust resources, including marine and aquatic resources.¹ Additionally, Article XI § 9 declares that “[e]ach person has the right to a clean and healthful environment.” Finally, Article XII, § 7 directs that the State “shall protect” Native Hawaiian traditional and customary practices.

¹ See, e.g., *State v. Zimring*, 58 Haw. 106, 121, 566 P.2d 725, 735 (1977) (“Under public trust principles, the State as a trustee has the duty to protect and maintain the property and regulate its use.”); *Ching v. Case*, 145 Hawai‘i 148, 152, 449 P.3d 1146, 1150 (2019) (recognizing “an obligation to protect and preserve the resources however they are utilized”); see also *In re Water Use Permit Applications*, 94 Hawai‘i 97, 143, 9 P.3d 409, 455 (2000) (holding that the State “must not relegate itself to the role of a mere umpire passively calling balls and strikes for adversaries appearing before it, but instead must take the initiative in considering, protecting, and advancing public rights in the resource at every stage of the planning and decisionmaking process[.]”).

HEPA furthers these constitutional mandates with “an environmental review process [that] will integrate the review of environmental concerns with existing planning processes of the State and counties and alert decision makers to significant environmental effects which may result from the implementation of certain actions.” HRS § 343-1. It also requires an assessment of cultural impacts in determining the significance of a proposed action.

In enacting HEPA almost five decades ago, the legislature declared that “the process of reviewing environmental effects is desirable because environmental consciousness is enhanced, cooperation and coordination are encouraged, and public participation during the review process benefits all parties involved and society as a whole.” Since that time, this statute has been an important vehicle for communities across the pae ‘āina to come to the table as part of the formal process to assess environmental impacts of proposed actions and provide agencies with the most comprehensive information to guide its decisionmaking.

SB22 upends these important policies and constitutional protections by eliminating environmental review of the operation and management of all fisheries. It also disregards the state’s kuleana to protect and preserve traditional Native Hawaiian practices, which would benefit from the information gathered during the environmental review process.² Ultimately, SB22 would allow DLNR to make decisions about marine and aquatic resources without the critical information necessary to uphold its duties as trustee to protect our public natural resources and cultural practices or to ensure a clean and healthful environment. The result could be catastrophic – both to the public natural resources involved and the subsistence communities and traditional and customary practices that rely on them. Indeed, these outcomes could also form the basis of a legal claim against the state for failure to meet its constitutional duties. To declare, as SB22 does in its preamble, that it is not “necessary” for DLNR or those engaged in the business of operating/maintaining fisheries to comply with a fundamental Hawai‘i law is concerning.

² See Haw. Const. Art. XII § 7; *Ka Pa ‘akai O Ka ‘Āina v. Land Use Comm’n*, 94 Hawai‘i 31, 47, 7 P.3d 1068, 1084 (2000) (requiring the state and its agencies independently identify, analyze, and mitigate impacts on traditional and customary practices whenever it makes a decision).

The State must make decisions based on relevant, comprehensive data and informed by scientific and cultural expertise and perspectives that embrace its kuleana to mālama Hawai‘i’s resources. In light of the constitutional protections and environmental interests at stake, **NHLC OPPOSES SB22** and requests that it be held.

Mahalo for the opportunity to testify.

A handwritten signature in dark ink, appearing to read 'Ashley K. Obrey', with a stylized, flowing script.

Ashley K. Obrey
Senior Staff Attorney
Native Hawaiian Legal Corporation

SB-22

Submitted on: 2/11/2025 10:36:12 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
HN Warrington	Testifying for Kupuna for the Moopuna	Oppose	Written Testimony Only

Comments:

Kupuna for the Mo‘opuna is in **STRONG OPPOSITION to SB22**, which would allow the Department of Land and Natural Resources to evade any assessment of the environmental impacts of its fishery management decisions - including decisions that may open up our ocean resources to unmitigated commercial exploitation. Hewa!

This bill would turn our environmental review process into an afterthought, legitimizing illegal agency practices that have inflicted and that will continue to inflict potentially irreparable harms to our marine life and the vast public interest in our ocean environment now and for the next generations to come. **Please HOLD SB22.** Mahalo.



LATE

February 11, 2025

Testimony in Support SB22

Aloha Chair, Vice Chair and Committee Members,

The Hawaii Longline Association (HLA) supports SB22. HLA's membership is comprised of 150 active longline vessels operating out of Honolulu Harbor, the United Fishing Agency (Honolulu Fish Auction) and associated businesses. The Hawaii longline fleet is the largest food producer in Hawaii, landing approximately 30 million pounds fish annually worth around \$120 million in dockside value. The Hawaii longline fleet, which primarily targets tuna and other highly migratory species, is also Hawaii's largest fishery, comprising over 85% of Hawaii's commercial marine landings. Approximately 80% of our fleet's landings stay in Hawaii, with the remainder sold in US mainland markets.

Because the Hawaii longline fishery does not operate in state waters (0-3 nautical miles (nm) from shore), it is solely managed and regulated by the federal government. In fact, under the federal regulations that govern the fleet, it does not fish within 75 nm of the Main Hawaii Islands. Approximately 85 % of fleet's fishing effort is in international waters (beyond 200 nm from shore), with the remainder in the US Exclusive Economic Zone.

Even though the Hawaii longline fleet does not fish in state waters, Hawaii longline captains and crew obtain CMLs¹. Collectively, Hawaii longline captains and crew pay nearly \$200,000 annually to the Hawaii Division of Aquatic Resources (DAR) for CML issuances and renewals.

HEPA applies to activities that propose to use "state or county lands." Because the Hawaii longline fleet operates outside of state lands and waters, HLA does not believe HEPA applies to CMLs (or vessel CMLs) issued to Hawaii longline captains and crew. Still, HLA supports HB123 because it provides an important and express clarification that DAR's continued issuance of CMLs is exempt from HEPA. This will provide welcome regulatory clarity for Hawaii's commercial fisheries as well as stem potential unnecessary and costly litigation directed towards Hawaii commercial fisheries. Hawaii's fisheries provide important contributions to Hawaii's food self-sufficiency and resiliency while generating significant economic activity – and to ensure continued benefits that Hawaii's fisheries provide, the legislature needs to resolve this matter.²

Mahalo,

Eric K. Kingma, Ph.D.
Executive Director

¹ Individuals or vessels engaged in taking, selling or offering for sale any marine life for commercial purposes (including charter fishing services), whether the marine life is caught or taken within or outside of the State, must obtain a Commercial Marine License. HRS 189-2.

² Hawaii's commercial fishing and seafood industry has been estimated by the US Department of Commerce to annually generate around \$867 million in sales impacts, \$269 million in income impacts, \$392 million in value-added impacts, and 9,900 full-and part-time jobs. National Marine Fisheries Service. 2018. Fisheries Economics of the United States, 2016. U.S. Dept. of Commerce, NOAA Tech. Memo. NMFS-F/SPO-187a, 243 p

SB-22

Submitted on: 2/11/2025 4:07:24 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Diane Shepherd	Testifying for Sierra Club, Maui Group	Oppose	Written Testimony Only

Comments:

Dear Senators:

Multiple studies as well as personal experience by ocean users testify to the dire conditions of nearshore waters in the main Hawaiian Islands. The Department of Land and Natural Resources has a history of failing to act in the public interest, and not protecting public resources. Fishery management decisions must be subject to environmental review. This bill should be not go forward.

Please hold SB22

Thank you, Diane Shepherd Sierra Club, Maui Group

808-283-2024 diane.shepherd@outlook.com 3329 Kehala Dr, Kihei, HI 96753

SB-22

Submitted on: 2/8/2025 11:03:51 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Bianca Isaki	Individual	Oppose	Remotely Via Zoom

Comments:

Please oppose SB22, which "exempts actions involving the operation and management of fisheries in the State from environmental review requirements." The bill refers to state "careful analysis of data" on fisheries, but if the State is doing that analysis, why wouldn't the state also prepare environmental disclosure documents or a statement about why whatever fishery action they are taking is exempt from environmental review?

Fisheries management needs more, not less scrutiny. Please do not pass SB22.

Bianca Isaki

SB-22

Submitted on: 2/11/2025 3:21:36 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Kim	Individual	Comments	Remotely Via Zoom

Comments:

I oppose as written and suggest further comments

SB-22

Submitted on: 2/11/2025 8:19:50 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Adrienne Isham	Individual	Support	Remotely Via Zoom

Comments:

Aloha my name is Adrienne Isham and im Hawaiian! I am 100 percent in support SB 22, Local fisherman can not afford the cost of an EIS nor have the 1-3 years it would take to complete one. I feel these kind of requirments and laws are whats holding our people back from being able to afford food and housing in Hawaii. Please protect our Local Fisherman and pass sb 22 Mahalo!

LATE

SB-22

Submitted on: 2/11/2025 10:11:58 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Eric Moennich	Individual	Support	Remotely Via Zoom

Comments:

My name is Eric Moennich and I am in strong support of SB22.

This bill makes so much sense and allows the departments and agencies in charge of fisheries to continue to manage them as they have done so well for decades.

Fisherman do not have the time or financial ability to complete Environmental Impact Statements, especially if it means that they are out of work and can't fish while trying to complete this very lengthy process.

I know this firsthand as I have tried and failed to complete an Environmental Impact Statement. Let fishermen be fishermen and let state departments handle their job of managing fisheries instead of putting that burden on the individual.

Please pass this bill it's the right thing to do.

User conflict does exist in fisheries but currently those who do not like fishermen are exploiting Chapter 343 of Hawaii Revised Statutes as a tool to shut down fisheries.

This is a dangerous practice and does not strike a balance of the interests and rights of both sides to the user conflict over fisheries. I believe that there is a balance that can be had that protects the fisheries resources and stakeholders on both sides.

That balance has been historically achieved and maintained by state departments that regulate fisheries in Hawaii. If we exempt fisheries from Environmental Impact Statements then we can continue to allow our departments to regulate fisheries as they have always done instead of stripping them of their power and turning every fishing trip over to a legal battle in the courts.

Please pass this bill and allow our departments that we have entrusted with these duties to do their job instead of allowing only one side of the user conflict to control our fisheries.

Much Mahalos for your time and consideration regarding this important matter.

SB-22

Submitted on: 2/12/2025 7:31:43 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
James T Lovell	Individual	Oppose	Remotely Via Zoom

Comments:

I am opposed to the Bill.

How can we say that we care about the enviroment and then eliminate eviromental review. This makes no sense.

Jim Lovell

SB-22

Submitted on: 2/7/2025 5:46:33 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
penny levin	Individual	Oppose	Written Testimony Only

Comments:

This bill is too broad. It fails to define fisheries, and in doing so could be interpreted to include a number of fisheries related or within fisheries projects that raise community and environmental concerns. This could include marine research and invasive species removal, regulation and management of fishing practices, quotas and seasons, and establishment or lifting of marine protected areas, it could also include offshore dredging and within fisheries energy development, trawling, caged fish and shellfish rearing, and buoy/anchoring placement, some of which have environmental concerns that should be addressed in public review.

SB-22

Submitted on: 2/8/2025 10:19:15 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Douglas Perrine	Individual	Oppose	Written Testimony Only

Comments:

SB22 appears to have been written specifically to enable the resurrection of the unpopular aquarium collecting industry which shipped millions of fish from our reefs, including Hawaiian endemic species, to overseas destinations, where most die in short order and none contribute to the genetic future of our reef populations. The lawsuits challenging the environmental reviews for this fishery were launched precisely because the DLNR did not do an adequate job of managing this fishery. Therefore to claim that the EIS are unnecessary because of the DLNR management is not credible. Please kill SB22 for the benefit of our reef fish populations, which are recovering magnificently since the collection industry was stopped.

SB-22

Submitted on: 2/8/2025 10:49:54 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Sheldon Plentovich	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Fisheries have had substantial impacts on ocean ecosystems. Now it's not the time to ease environmental review. Please do not exempt fishing operations from environmental review. This is morally bankrupt and not the right decision to protect our ocean ecosystems.

SB-22

Submitted on: 2/10/2025 9:53:22 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
ANDREW ISODA	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Andrew Isoda and I **strongly oppose SB22**, which would allow the Department of Land and Natural Resources to evade any assessment of the environmental impacts of its fishery management decisions - including decisions that may open up our ocean resources to unmitigated commercial exploitation.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the Department of Land and Natural Resources has a long and notorious history of turning a blind eye to its critical statutory and public trust responsibilities, such as by authorizing a fishery program that permits the take of an unlimited amount of marine life for aquarium purposes, without any environmental review. This measure would not only legitimize this longstanding practice that has been affirmed as illegal by the Hawai'i Supreme Court, but excuse the department from its environmental review responsibilities for similar fisheries-related actions with potentially deleterious ecological, cultural, recreational, climate resilience, and economic impacts.

This bill would turn our environmental review process into an afterthought, legitimizing illegal agency practices that have inflicted and that will continue to inflict potentially irreparable harms to our marine life and the vast public interest in our ocean environment.

I urge you to **HOLD SB22**.

Sincerely,
Andrew Isoda
Lahaina, Mau'i

SB-22

Submitted on: 2/8/2025 3:26:31 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Angela Huntemer	Individual	Oppose	Written Testimony Only

Comments:

Dear Committee Chairs and Members,

As a long time ocean user, (sailing, snorkeling and swimming), I'm am alarmed and perplexed by the intention SB22 to exempt DNLR fisheries management actions from state laws requiring environmental review. Sounds like someone is trying to use the current Washington playbook. I strongly oppose this measure. Hasn't the state just updated its reef fish regulations? How would another round of letting people collect reef fish to sell as decorations fit into that management plan? With lack of environmental review?
mahalo for your time,

Angela Huntemer

COMMITTEE ON WATER AND LAND, COMMITTEE ON AGRICULTURE AND ENVIRONMENT:
Wednesday, February 12, 2025 TIME: 1:05 PM PLACE: Conference Room 229

Honorable Senators,

I am a retired spouse of an ocean tourism event photographer who was forced out of the aquarium fishery by Act 343 and could not make much of a living as an eating fisherman. I am on a fixed income. I am in **STRONG SUPPORT OF SB22**. Hawaii's fishers aim for sustainability so they can keep their livelihoods. Hawaii's fisheries have been highly regulated for decades by the BLNR Division of Aquatic Resources. In the case of AQ fishing, there is weekly and monthly reporting, data collection and comparisons, fish counts, observations from enforcement personnel, and studies. The requirement of a HEPA/Environmental Impact Statement, brought on by Earth Justice to hold the state hostage to their lawsuits, is a waste of taxpayer money. Hawaii's Aquarium Fishery has been supported by written testimony from over 23 leading Marine Biologists and is founded in over 20 years of fish counts. Please end a plague of unfounded lawsuits and shut-down bills for all BLNR/DAR fisheries by supporting SB22.

Respectfully,

Mary Tubbs, M.Ed.
NEA Retired Teacher

SB-22

Submitted on: 2/8/2025 9:25:56 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Laa Poepoe	Individual	Oppose	Written Testimony Only

Comments:

please oppose this measure. the EA/EIS review process is designed to be a safeguard for compliance with safety measures aligned with the precautionary principles applied to publicly shared sources to protect the public from overextraction by commercial users. commercial folks will show up to oppose something that interferes with their ability to profit disproportionately from a shared public source without invoking the ka pa‘akai analysis, hierarchy of uses, or a definition of subsistence/sustainability. thank you.

SB-22

Submitted on: 2/9/2025 8:12:19 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Keoni Shizuma	Individual	Oppose	Written Testimony Only

Comments:

Aloha committee members of the Senate Committees on Water and Land and Agriculture and Environment,

I am testifying in opposition to SB22.

Fisheries definitely have an impact on the environment, there is no doubt about that. The increased population of any species results in increased waste product, increased feed/organic material, and increased potential for disease, at a very minimum. Fisheries have the potential to disrupt the ocean ecosystem in the nearby waters. These increases may have a significant impact on the environment around it and must be considered before a project is to be implemented. Simply because the state waters is the responsibility of DLNR, and that they are required to do a careful analysis, should not exempt the proposed project from conducting an environmental review.

Our state waters are a food resource for us. We need to care for it as if our lives depended on it, because one day, it might.

Mahalo for your consideration,

Keoni Shizuma, from Kaneohe, Oahu

SB-22

Submitted on: 2/9/2025 8:19:02 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
jesse white	Individual	Support	Written Testimony Only

Comments:

I support

SB-22

Submitted on: 2/9/2025 9:27:15 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
James souza	Individual	Support	Written Testimony Only

Comments:

I support sb22

SB-22

Submitted on: 2/9/2025 12:05:27 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
CHARLES W WALL	Individual	Support	Written Testimony Only

Comments:

Against unfair regulation of collecting tropicals

SB-22

Submitted on: 2/9/2025 12:08:05 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Randy Fernley	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members,

I strongly support SB 22

As a long time commercial fisherman, I believe that fisheries are the life blood of Hawaii. However, due to recent lawsuits and litigation, **fisheries are now in peril** .

HEPA (Hawaii's environmental review process) has threaten all fisheries in the state by requiring a costly environmental review process. If initiated, commercial and recreational fishing could and would come to an abrupt halt until funds could be raised to pay for the expensive environmental review process or EIS.

Please exclude Hawaii's fisheries that are already permitted and regulated by the DLNR by passing SB 22.

HEPA must be revised to allow exemptions from actions involving the operation and management of Hawaii's fisheries.

Many thanks for your time and consideration

SB-22

Submitted on: 2/9/2025 12:28:42 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Lynn Voorhies	Individual	Oppose	Written Testimony Only

Comments:

STRONG OPPOSITION to SB22 to exempt actions involving the operation and management of all fisheries in the State from environmental review requirements under chapter 343, Hawai'i Revised Statutes.

There should be NO EXEMPTION to the chapter 343 process which is in place to protect our environment, especially our fragile marine environment. The legislature has already determined that environmental review requirements through the chapter 343 process ensure environmental concerns/threats are given appropriate consideration in decision making.

*"§343-1 Findings and purpose. The legislature finds that the quality of humanity's environment is critical to humanity's well being, that humanity's activities have broad and profound effects upon the interrelations of all components of the environment, and that an environmental review process will integrate the review of environmental concerns with existing planning processes of the State and counties and alert decision makers to significant environmental effects which may result from the implementation of certain actions. **The legislature further finds that the process of reviewing environmental effects is desirable because environmental consciousness is enhanced, cooperation and coordination are encouraged, and public participation during the review process benefits all parties involved and society as a whole.***

It is the purpose of this chapter to establish a system of environmental review which will ensure that environmental concerns are given appropriate consideration in decision making along with economic and technical considerations."

SB22 says that since DLNR "must conduct careful analysis of data on the fishery and its ecosystem to determine if the fishery can be sustainably harvested while ensuring the protection of the environmental and cultural values of the ecosystem of which it is a part.", the legislature finds that it is "not necessary for the department or those engaged in operating or managing the fishery to also prepare documentation to comply with chapter."

However, their analysis is internal and not a public process as it should be. In addition, DAR's data is minimal at best.

Our resources are worth the process. No to this bill.

SB-22

Submitted on: 2/9/2025 9:19:59 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
spencer vanderkamp	Individual	Support	Written Testimony Only

Comments:

SUPPORT

Aloha, I am writing in strong SUPPORT of SB22 and HB123. As without it, small-scale, local and eco-friendly fishers will be essentially put out of business. As stated in the bill, it is the responsibility of the DLNR to issue Commercial marine licenses based on the health of the fisheries.

Failure to support this bill would take income opportunities away from local families, while forcing consumers to buy fish from foreign, and less eco-friendly methods of fishing. Not supporting this bill would kill small businesses and hurt many local families and ethical consumers.

Thank you for your time, please SUPPORT this bill.

SB-22

Submitted on: 2/10/2025 7:32:21 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Lei Fisher	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

I am a Hawai'i resident & Native Hawaiian from a long line of Native Hawaiian lawai'a (fishers) on both my mother's and husband's family sides. I **strongly oppose SB22**, which would allow the Department of Land and Natural Resources to evade any assessment of the environmental impacts of its fishery management decisions - including decisions that may open up our ocean resources to unmitigated commercial exploitation.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the Department of Land and Natural Resources has a long and notorious history of turning a blind eye to its critical statutory and public trust responsibilities, such as by authorizing a fishery program that permits the take of an unlimited amount of marine life for aquarium purposes, without any environmental review. This measure would not only legitimize this longstanding practice that has been affirmed as illegal by the Hawai'i Supreme Court, but excuse the department from its environmental review responsibilities for similar fisheries-related actions with potentially deleterious ecological, cultural, recreational, climate resilience, and economic impacts.

This bill would turn our environmental review process into an afterthought, legitimizing illegal agency practices that have inflicted and that will continue to inflict potentially irreparable harms to our marine life and the vast public interest in our ocean environment.

I urge you to **HOLD SB22**.

Me ke aloha,

Lei Fisher

SB-22

Submitted on: 2/10/2025 7:53:46 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Sharde Freitas	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Sharde Freitas and I **strongly oppose SB22**, which would allow the Department of Land and Natural Resources to evade any assessment of the environmental impacts of its fishery management decisions - including decisions that may open up our ocean resources to unmitigated commercial exploitation.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the Department of Land and Natural Resources has a long and notorious history of turning a blind eye to its critical statutory and public trust responsibilities, such as by authorizing a fishery program that permits the take of an unlimited amount of marine life for aquarium purposes, without any environmental review. This measure would not only legitimize this longstanding practice, which has been affirmed as illegal by the Hawai'i Supreme Court, but also excuse the department from its environmental review responsibilities for similar fisheries-related actions with potentially deleterious ecological, cultural, recreational, climate resilience, and economic impacts.

This bill would turn our environmental review process into an afterthought, legitimizing illegal agency practices that have inflicted and that will continue to inflict potentially irreparable harms to our marine life and the vast public interest in our ocean environment.

I urge you to **HOLD SB22**.

Sincerely,

Sharde Freitas

SB-22

Submitted on: 2/10/2025 8:38:24 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Patricia Blair	Individual	Oppose	Written Testimony Only

Comments:

Hold. Do not evade any assessment of the environmental impacts of fishery management decisions.

SB-22

Submitted on: 2/10/2025 9:14:56 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary True	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is [Your name] and I **strongly oppose SB22**, which would allow the Department of Land and Natural Resources to evade any assessment of the environmental impacts of its fishery management decisions - including decisions that may open up our ocean resources to unmitigated commercial exploitation.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the Department of Land and Natural Resources has a long and notorious history of turning a blind eye to its critical statutory and public trust responsibilities, such as by authorizing a fishery program that permits the take of an unlimited amount of marine life for aquarium purposes, without any environmental review. This measure would not only legitimize this longstanding practice that has been affirmed as illegal by the Hawai'i Supreme Court, but excuse the department from its environmental review responsibilities for similar fisheries-related actions with potentially deleterious ecological, cultural, recreational, climate resilience, and economic impacts.

This bill would turn our environmental review process into an afterthought, legitimizing illegal agency practices that have inflicted and that will continue to inflict potentially irreparable harms to our marine life and the vast public interest in our ocean environment.

I urge you to **HOLD SB22**.

Aloha and mahalo, Mary True, Pepekeo

SB-22

Submitted on: 2/10/2025 9:43:15 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Micah kobayashi	Individual	Support	Written Testimony Only

Comments:

I support SB22

SB-22

Submitted on: 2/10/2025 10:31:14 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Cullen Hayashida	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Cullen Hayashida of the Moanalua Gardens Community and I **strongly oppose SB22**, which would allow the Department of Land and Natural Resources to evade any assessment of the environmental impacts of its fishery management decisions - including decisions that may open up our ocean resources to unmitigated commercial exploitation.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the Department of Land and Natural Resources has a long and notorious history of turning a blind eye to its critical statutory and public trust responsibilities, such as by authorizing a fishery program that permits the take of an unlimited amount of marine life for aquarium purposes, without any environmental review. This measure would not only legitimize this longstanding practice, which has been affirmed as illegal by the Hawai'i Supreme Court, but also excuse the department from its environmental review responsibilities for similar fisheries-related actions with potentially deleterious ecological, cultural, recreational, climate resilience, and economic impacts.

This bill would turn our environmental review process into an afterthought, legitimizing illegal agency practices that have inflicted and that will continue to inflict potentially irreparable harms to our marine life and the vast public interest in our ocean environment.

I urge you to **HOLD SB22**.

Sincerely,
Cullen T. Hayashida, Ph.d.

SB-22

Submitted on: 2/10/2025 10:37:51 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Natasha Hopkins-Moniz	Individual	Support	Written Testimony Only

Comments:

I support the fisherman of hawaii and the fisheries. Fishing and selling fish as a job is part of hawaiian culture and should be allowed to continue without additional hinderances.

SB-22

Submitted on: 2/10/2025 10:44:22 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Joseph Nakoa III	Individual	Support	Written Testimony Only

Comments:

I support SB22.

SB-22

Submitted on: 2/10/2025 10:47:16 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Aiko Yamashiro	Individual	Oppose	Written Testimony Only

Comments:

Aloha. I OPPOSE SB22 that would loosen our environmental review requirements for state-run projects. This issue reminds me of the saying "measure twice, cut once." Though environmental review takes time and resources, it takes way more time and resource to remediate an problem after a major project is underway or during a major project. We are growing and evolving as a community, as we learn more about environmental impacts on the science side, and as we return to important island values of aloha 'āina on the cultural side. The DLNR or other State agencies should have no problem following the same laws and processes as any other project has to follow. They should model best practices instead of be exempt from them.

I grew up in Kāneʻohe on Oʻahu in the 90s, third generation local Okinawan on my dad's side. Kāneʻohe Bay, used to be so abundant in fish, is now mostly barren or dirty water. Cannot fish, cannot swim. If you want to go beach, you have to. drive miles to Kailua (also polluted) or Kaʻaʻawa. I wish past generations and decisionmakers had made more cautious and protective decisions about the environment in their time, so I could have grown up knowing what it meant to have a relationship with my own bay and place I live—fishing, swimming, enjoying, and taking care. I am very grateful for nonprofits like Paepae o Heʻeia who are bringing back the health and abundance of certain fishery areas through the strategies of smart and rigorous environmental regulation and stewardship borne out of deep relationship to the place. That is a success story we should model after!

SB-22

Submitted on: 2/11/2025 4:58:59 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Denise Boisvert	Individual	Oppose	Written Testimony Only

Comments:

I STRONGLY OPPOSE this bill; please HOLD it.

SB-22

Submitted on: 2/11/2025 5:02:09 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
David Williams	Individual	Support	Written Testimony Only

Comments:

I support this bill. I support local fisherman!! Stop making it hard for us to make a living.

SB-22

Submitted on: 2/11/2025 5:13:03 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Kim Jorgensen	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE this bill for all the right reasons!

SB-22

Submitted on: 2/11/2025 5:18:55 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Jodi Rodar	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Jodi Rodar and I **strongly oppose SB22**, which would allow the Department of Land and Natural Resources to evade any assessment of the environmental impacts of its fishery management decisions - including decisions that may open up our ocean resources to unmitigated commercial exploitation.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the Department of Land and Natural Resources has a long and notorious history of turning a blind eye to its critical statutory and public trust responsibilities, such as by authorizing a fishery program that permits the take of an unlimited amount of marine life for aquarium purposes, without any environmental review. This measure would not only legitimize this longstanding practice that has been affirmed as illegal by the Hawai'i Supreme Court, but excuse the department from its environmental review responsibilities for similar fisheries-related actions with potentially deleterious ecological, cultural, recreational, climate resilience, and economic impacts.

This bill would turn our environmental review process into an afterthought, legitimizing illegal agency practices that have inflicted and that will continue to inflict potentially irreparable harms to our marine life and the vast public interest in our ocean environment.

I urge you to **HOLD SB22**.

Sincerely,

Dr. Jodi Rodar

SB-22

Submitted on: 2/11/2025 6:09:16 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Vernon ikeda	Individual	Support	Written Testimony Only

Comments:

I support this bill

SB-22

Submitted on: 2/11/2025 6:31:58 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Ben Walin	Individual	Support	Written Testimony Only

Comments:

In support

SB-22

Submitted on: 2/11/2025 6:56:56 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Lauren Ballesteros-Watanabe	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Lauren Ballesteros-Watanabe and I **strongly oppose SB22**, which would allow the Department of Land and Natural Resources to evade any assessment of the environmental impacts of its fishery management decisions - including decisions that may open up our ocean resources to unmitigated commercial exploitation.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the Department of Land and Natural Resources has a long and notorious history of turning a blind eye to its critical statutory and public trust responsibilities, such as by authorizing a fishery program that permits the take of an unlimited amount of marine life for aquarium purposes, without any environmental review. This measure would not only legitimize this longstanding practice that has been affirmed as illegal by the Hawai'i Supreme Court, but excuse the department from its environmental review responsibilities for similar fisheries-related actions with potentially deleterious ecological, cultural, recreational, climate resilience, and economic impacts.

This bill would turn our environmental review process into an afterthought, legitimizing illegal agency practices that have inflicted and that will continue to inflict potentially irreparable harms to our marine life and the vast public interest in our ocean environment.

I urge you to **HOLD SB22**.

Sincerely,
Lauren Ballesteros-Watanabe

SB-22

Submitted on: 2/11/2025 6:58:57 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Jason Nakasato	Individual	Support	Written Testimony Only

Comments:

Support this bill as it supports maintaining supplemental income for many local families by not subjecting them to misguided regulations that target larger corporations.

SB-22

Submitted on: 2/11/2025 6:59:48 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Breanne Fong	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Breanne Fong, and I **strongly oppose SB22**, which would allow the Department of Land and Natural Resources to evade any assessment of the environmental impacts of its fishery management decisions - including decisions that may open up our ocean resources to unmitigated commercial exploitation.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the Department of Land and Natural Resources has a long and notorious history of turning a blind eye to its critical statutory and public trust responsibilities, such as by authorizing a fishery program that permits the take of an unlimited amount of marine life for aquarium purposes, without any environmental review. This measure would not only legitimize this longstanding practice that has been affirmed as illegal by the Hawai'i Supreme Court, but excuse the department from its environmental review responsibilities for similar fisheries-related actions with potentially deleterious ecological, cultural, recreational, climate resilience, and economic impacts.

This bill would turn our environmental review process into an afterthought, legitimizing illegal agency practices that have inflicted and that will continue to inflict potentially irreparable harms to our marine life and the vast public interest in our ocean environment.

I urge you to **HOLD SB22**.

Sincerely,
Breanne Fong

SB-22

Submitted on: 2/11/2025 7:16:07 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Diane Ware	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Diane Ware and I **strongly oppose SB22**, which would allow the Department of Land and Natural Resources to evade any assessment of the environmental impacts of its fishery management decisions - including decisions that may open up our ocean resources to unmitigated commercial exploitation. I, like the majority of Hawaii residents, oppose AQ collection of our reef fish for the benefit of the Pet Trade. Please vote to uphold the public trust doctrine and the native Hawaiians who oppose this untraditional practice.

This bill would turn our environmental review process into an afterthought, legitimizing illegal agency practices that have inflicted and that will continue to inflict potentially irreparable harms to our marine life and the vast public interest in our ocean environment.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the Department of Land and Natural Resources has a long and notorious history of turning a blind eye to its critical statutory and public trust responsibilities, such as by authorizing a fishery program that permits the take of an unlimited amount of marine life for aquarium purposes, without any environmental review. This measure would not only legitimize this longstanding practice, which has been affirmed as illegal by the Hawai'i Supreme Court, but also excuse the department from its environmental review responsibilities for similar fisheries-related actions with potentially deleterious ecological, cultural, recreational, climate resilience, and economic impacts.

I urge you to **HOLD SB22.**

Sincerely,

SB-22

Submitted on: 2/11/2025 7:45:08 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Laura Leonberger	Individual	Oppose	Written Testimony Only

Comments: My name is Laura Leonberger and I strongly oppose SB22, which would allow the Department of Land and Natural Resources to evade any assessment of the environmental impacts of its fishery management decisions - including decisions that may open up our ocean resources to unmitigated commercial exploitation. Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations. Unfortunately, the Department of Land and Natural Resources has a long and notorious history of turning a blind eye to its critical statutory and public trust responsibilities, such as by authorizing a fishery program that permits the take of an unlimited amount of marine life for aquarium purposes, without any environmental review. This measure would not only legitimize this longstanding practice that has been affirmed as illegal by the Hawai'i Supreme Court, but excuse the department from its environmental review responsibilities for similar fisheries-related actions with potentially deleterious ecological, cultural, recreational, climate resilience, and economic impacts. This bill would turn our environmental review process into an afterthought, legitimizing illegal agency practices that have inflicted and that will continue to inflict potentially irreparable harms to our marine life and the vast public interest in our ocean environment. The requirement of an environmental assessment ensures the balance of what is right for both fisheries and the environment. I urge you to HOLD SB22. Sincerely, Laura Leonberger

SB-22

Submitted on: 2/11/2025 7:50:50 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Charles KH Young	Individual	Oppose	Written Testimony Only

Comments:

Aloha: My name is Charles Young. I reside in Kealia South Kona, Hawaii Island. I strongly oppose SB22. The prevailing sentiment among the vast majority of residents of Hawaii is that resource management efforts should be strengthened in response to the continued overuse and misuse of those resources. SB22 proposes to eliminate critical conditions and oversight for resource protection and management in favor of commercial interests and expediency. SB22 is an apparent attempt to circumvent a well established practice and invaluable tool for public scrutiny and comment on the management of their public trust.

Mahalo for allowing me to submit testimony in opposition to SB22

Charles Young

SB-22

Submitted on: 2/11/2025 8:01:56 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Jerry Isham	Individual	Support	Written Testimony Only

Comments:

Aloha, My name is Jerry Isham resident of Waianae and I fully support sb22. This bill is greatly needed to protect local people and the average fisherman. These eis laws are designed to hold back the little guy. The average person cannot afford the cost of an eis. Enviromental activast are using these laws to end businesses and industrys, and fisheries they do not like. Even when one does an eis they just keep fighting it in court bankrupting the aplicant. If this law is not passed protecting the average fisherman regaurdless of the fishery we could wake up one day with no fish in our markets. Please let Dlnr manage the fisheries. Mahalo!

SB-22

Submitted on: 2/11/2025 8:08:10 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Joseph Soares	Individual	Support	Written Testimony Only

Comments:

We need support of SB22 to keep fisherman able to provide for their families and to continue to provide fresh quality fish to the community they live

SB-22

Submitted on: 2/11/2025 8:44:48 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Oppose	Written Testimony Only

Comments:

Hello

Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is [Your name] and I **strongly oppose SB22**, which would allow the Department of Land and Natural Resources to evade any assessment of the environmental impacts of its fishery management decisions - including decisions that may open up our ocean resources to unmitigated commercial exploitation.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the Department of Land and Natural Resources has a long and notorious history of turning a blind eye to its critical statutory and public trust responsibilities, such as by authorizing a fishery program that permits the take of an unlimited amount of marine life for aquarium purposes, without any environmental review. This measure would not only legitimize this longstanding practice that has been affirmed as illegal by the Hawai'i Supreme Court, but excuse the department from its environmental review responsibilities for similar fisheries-related actions with potentially deleterious ecological, cultural, recreational, climate resilience, and economic impacts.

This bill would turn our environmental review process into an afterthought, legitimizing illegal agency practices that have inflicted and that will continue to inflict potentially irreparable harms to our marine life and the vast public interest in our ocean environment.

I urge you to **HOLD SB22**.

me ke aloha 'āina,

Nanea Lo

Mō'ili'ili, HI 96826

Sierra Club of Hawai'i Executive Commission Member

Board Member, Hawai‘i Workers Center
Kanakanaka Maoli/Lineal Descendant of the Hawaiian Kingdom

SB-22

Submitted on: 2/11/2025 10:15:45 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Madison Owens	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Madison Owens and I **strongly oppose SB22**, which would allow the Department of Land and Natural Resources to evade any assessment of the environmental impacts of its fishery management decisions - including decisions that may open up our ocean resources to unmitigated commercial exploitation.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the Department of Land and Natural Resources has a long and notorious history of turning a blind eye to its critical statutory and public trust responsibilities, such as by authorizing a fishery program that permits the take of an unlimited amount of marine life for aquarium purposes, without any environmental review. This measure would not only legitimize this longstanding practice that has been affirmed as illegal by the Hawai'i Supreme Court, but excuse the department from its environmental review responsibilities for similar fisheries-related actions with potentially deleterious ecological, cultural, recreational, climate resilience, and economic impacts.

This bill would turn our environmental review process into an afterthought, legitimizing illegal agency practices that have inflicted and that will continue to inflict potentially irreparable harms to our marine life and the vast public interest in our ocean environment.

I urge you to **HOLD SB22**.

Sincerely,
Madison Owens

SB-22

Submitted on: 2/11/2025 9:59:01 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Keli'i Alapai	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Keli'i Alapai. I am a Native Hawaiian lawai'a (fisher) from Ha'ena, Kaua'i, and **I strongly oppose SB22**, which would allow the Department of Land and Natural Resources to evade any assessment of the environmental impacts of its fishery management decisions - including decisions that may open up our ocean resources to unmitigated commercial exploitation.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the Department of Land and Natural Resources has a long and notorious history of turning a blind eye to its critical statutory and public trust responsibilities, such as by authorizing a fishery program that permits the take of an unlimited amount of marine life for aquarium purposes, without any environmental review. This measure would not only legitimize this longstanding practice that has been affirmed as illegal by the Hawai'i Supreme Court, but excuse the department from its environmental review responsibilities for similar fisheries-related actions with potentially deleterious ecological, cultural, recreational, climate resilience, and economic impacts.

This bill would turn our environmental review process into an afterthought, legitimizing illegal agency practices that have inflicted and that will continue to inflict potentially irreparable harms to our marine life and the vast public interest in our ocean environment.

I urge you to **HOLD SB22**.

Me ke aloha,

Keli'i Alapai

SB-22

Submitted on: 2/11/2025 11:47:11 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Glenn Choy	Individual	Oppose	Written Testimony Only

Comments:

i strongly oppose this bill. Thank you

SB-22

Submitted on: 2/11/2025 12:47:22 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Lory Ono	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Lory Ono, and I **strongly oppose SB22**, which would allow the Department of Land and Natural Resources to evade any assessment of the environmental impacts of its fishery management decisions - including decisions that may open up our ocean resources to unmitigated commercial exploitation.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the Department of Land and Natural Resources has a long and notorious history of turning a blind eye to its critical statutory and public trust responsibilities, such as by authorizing a fishery program that permits the take of an unlimited amount of marine life for aquarium purposes, without any environmental review. This measure would not only legitimize this longstanding practice that has been affirmed as illegal by the Hawai'i Supreme Court, but excuse the department from its environmental review responsibilities for similar fisheries-related actions with potentially deleterious ecological, cultural, recreational, climate resilience, and economic impacts.

This bill would turn our environmental review process into an afterthought, legitimizing illegal agency practices that have inflicted and that will continue to inflict potentially irreparable harms to our marine life and the vast public interest in our ocean environment.

I urge you to **HOLD SB22**.

Sincerely,

Lory Ono

SB-22

Submitted on: 2/11/2025 1:07:31 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Best	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

This measure would not only legitimize this longstanding practice that has been affirmed as illegal by the Hawai'i Supreme Court, but excuse the department from its environmental review responsibilities for similar fisheries-related actions with potentially deleterious ecological, cultural, recreational, climate resilience, and economic impacts. Please HOLD SB22

Mahalo,

Bill and Bobbie Best, Wailuku

Aloha Chair Inouye, Vice Chair Elefante, and members of the committee on Water and Land,

I strongly oppose SB22 as it would carve out a broad exemption of activities from environmental review law for fisheries management actions - such as authorizing the unlimited take of marine life for the aquarium trade - and allow other unlawfully approved actions (like stream diversions) to proceed for years or decades while environmental review challenges are resolved and environmental impact statements are completed.

This bill as well as bills SB1074, HB661, HB123, and HB658 are attempting to undo the check and balance that the State must comply with. This is their mission, the first and foremost responsibility – to protect and preserve cultural and natural resources. They must assure that permitted activities are done in a way that does not negatively impact our cultural and natural resources. This bill allows the Department of Land and Natural Resources to be off the hook from conducting its responsibility – to manage our public trust resources by bypassing HEPA compliance.

HEPA has long been one of Hawai'i's bedrock environmental laws and gives the public and local and scientific communities a voice in formally assessing the environmental impacts of a proposed action. The legislature established HEPA over 50 years ago to mandate the disclosure and analysis of environmental impacts and “ensure that **environmental concerns** are given appropriate consideration in decision making” so that “environmental consciousness is enhanced, cooperation and coordination are encouraged, and **public participation** during the review process benefits all parties involved and society as a whole.” Hawai'i Revised Statutes (“HRS”) § 343-1 (emphases added). These purposes are just as or even more important today as when the law was originally passed.

HEPA provides the means for citizens to raise “environmental concerns” and ensure that agencies have the best information possible in issuing approvals for activities that affect Hawai'i's natural resources.

Our environmental review law allows decision makers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Please hold SB22.

Mahalo,

U'ilani Naipo

SB-22

Submitted on: 2/11/2025 3:46:16 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrew Grandinetti	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Andrew Grandinetti, and I **strongly oppose SB22**, which would allow the Department of Land and Natural Resources to evade any assessment of the environmental impacts of its fishery management decisions - including decisions that may open up our ocean resources to unmitigated commercial exploitation.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures prudent planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the Department of Land and Natural Resources has a long and notorious history of turning a blind eye to its critical statutory and public trust responsibilities, such as by authorizing a fishery program that permits the take of an unlimited amount of marine life for aquarium purposes, without any environmental review. This measure would not only legitimize this longstanding practice that has been affirmed as illegal by the Hawai'i Supreme Court, but excuse the department from its environmental review responsibilities for similar fisheries-related actions with potentially deleterious ecological, cultural, recreational, climate resilience, and economic impacts.

This bill would turn our environmental review process into an afterthought, legitimizing illegal agency practices that have inflicted and that will continue to inflict potentially irreparable harms to our marine life and the vast public interest in our ocean environment.

I urge you to **HOLD SB22**.

Sincerely,
Andrew Grandinetti

SB-22

Submitted on: 2/11/2025 6:27:15 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Johnny Isham	Individual	Support	Written Testimony Only

Comments:

Hello my Name is Johnny Isham and this bill is Greatly needed as fishermen cannot afford to pay for EIS and it's only a matter of time before all fisheries and other commercial industries are sued to do an EIS and shut down. Please pass this bill and protect our commercial industries

Mahalo nut loa

Johnny

LATE

SB-22

Submitted on: 2/11/2025 8:23:27 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Eric Morgensen	Individual	Support	Written Testimony Only

Comments:

Hello, My name is Eric Morgensen and I want to share my thoughts on supporting SB22. This is what we need to protect local fishermen to be able to continue fishing. It is not possible for them to continue fishing if they have to wait for years and pay huge amounts of money to get an EIS study done. Please pass SB22 and support local fishermen.

SB-22

Submitted on: 2/11/2025 8:29:01 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Theresa Isham	Individual	Support	Written Testimony Only

Comments:

Hi my name is Theresa and I support sb 22, I am a mother of 3 Comercial fisherman in Waianae. Comercial fishing is a way of life in Hawaii and should be managed by the DLNR. Please protect our fisherman and pass sb22 Mahalo!

SB-22

Submitted on: 2/11/2025 8:29:28 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Daniel Cottrell	Individual	Support	Written Testimony Only

Comments:

I am in full support of Bill 22.

LATE

SB-22

Submitted on: 2/11/2025 9:03:36 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Paul Kimsel	Individual	Support	Written Testimony Only

Comments:

I support SB 22

please respect and honor our local independent fisherman who have the kuleana of caring for our oceans, maintaining cultural traditions and the duty of feeding our people who have forgotten how to feed themselves. Requiring them to conduct an EIS will surely decimate these fisherman who can already barely survive with our priced out of paradise policies and regulated out of existence climate protections. And again... our tourist industry is full steam ahead without any balance and the people of Hawai'i are unheard on the matter.

Paul Kimsel

Commercial Fisherman

Waianae

SB-22

Submitted on: 2/11/2025 9:20:56 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Richard xie	Individual	Support	Written Testimony Only

Comments:

I support of SB22. It exempts all fishery from having to do any EIS. It is too costly for any Hawaiian fisherman.

LATE

SB-22

Submitted on: 2/11/2025 9:47:26 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Nickolas Grinwis	Individual	Support	Written Testimony Only

Comments:

Aloha,

The people of Hawaii share both the responsibility for and rights to use our natural resources. Unfortunately lobbying groups have successfully employed court injunctions to block the collection of aquarium species, outside of the EIS survey process used to monitor the impact fish collection has on our environment.

It is equally unfortunate that many have lost their main source of income due to a lobbying group with a large portion of their funding coming from out of State and Corporate interests. While it would be ideal to continue to use EIS to determine whether we should disallow or allow aquarium collecting, the situation we are in now proves this is impossible. Instead, we are following the emotions (and dollars) of the few individuals using the court system to block collecting.

As such I support sb22. Allowing fish collectors to return to work should happen as soon as possible. I believe that we should monitor and limit aquarium collecting using scientific data, and not emotional testimony or court injunctions.

EIS surveys as the law is written are supposed to be provided by every single business using our ocean resources. Instead the law has only been used against aquarium collectors. The law requiring EIS is supposed to be applied to every commercial operation on the water and instead has been used to single one group out.

If sb22 does not pass; I implore the state legislature to look into current EIS requirements and what businesses these should be applied to. We haven't been following the letter of the law for many many years, allowing tourism industry operators to use state waters without providing EIS surveys. Laws need to be fairly applied to promote equity between locals and tourism interests.

Mahalo for your time,

Nickolad Grinwis

SB-22

Submitted on: 2/11/2025 9:55:11 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Paige Isham	Individual	Support	Written Testimony Only

Comments:

Hello, my name is Paige Isham. I fully support SB22. I support this bill because it is essential to back our local fisherman and fisheries. We need to manage our fisheries without outside influence. Locals are being priced out of paradise and it's important to protect the local fisherman and fisheries.

mahalo, Paige Isham

LATE

SB-22

Submitted on: 2/11/2025 9:59:54 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Nick Foti	Individual	Support	Written Testimony Only

Comments:

I am in full support of SB22. Hawaii's fisheries should be managed and regulated by DLNR and should not be interrupted by outside groups or organizations that take positions based on emotions rather than science. Furthermore, fisheries should be allowed to remain open during the environmental review process as a way to fund the required review process and continue to support their family.

SB-22

Submitted on: 2/11/2025 10:03:45 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Kelly Isham	Individual	Support	Written Testimony Only

Comments:

Aloha my name is Kelly Isham I'm in support of this bill to help protect our local fishermen

LATE

SB-22

Submitted on: 2/11/2025 10:05:37 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
adele balderston	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inouye and Gabbard, Vice Chairs Elefante and Richards, and members of the Water and Land and Agriculture and Environment Committees,

My name is Adele Balderston, and I strongly oppose SB22, which would exempt all fisheries management decisions from Hawai‘i’s environmental review process. This bill violates the public trust doctrine, removes critical safeguards for the long-term health of marine ecosystems, and allows the Department of Land and Natural Resources (DLNR) to evade accountability for fisheries policies that may lead to irreparable environmental, cultural, and economic harm.

Hawai‘i’s environmental review law exists to ensure that decision-makers and the public have the necessary information to evaluate potential long-term impacts before actions are taken. By categorically exempting fisheries management from these requirements, SB22 prevents meaningful oversight and eliminates public participation in decisions that directly affect marine resources. Recent court decisions have affirmed that DLNR cannot bypass environmental review for actions with significant ecological impacts, yet this bill seeks to override those rulings and enshrine the agency’s ability to operate without transparency or accountability.

Hawai‘i has already seen the devastating consequences of unchecked fishery exploitation, from the mass extraction of reef fish for the aquarium trade to the overharvesting of culturally significant marine species. The notion that DLNR’s internal processes alone provide sufficient environmental safeguards ignores decades of regulatory failures, where the agency has permitted harmful activities without fully assessing their impacts. The public trust doctrine, enshrined in Article XI, Section 1 of the Hawai‘i Constitution, charges the State with an affirmative duty to protect marine resources for the benefit of present and future generations. SB22 directly contradicts that duty by removing an essential layer of oversight meant to prevent irreversible environmental harm before it occurs.

This bill is not about responsible fisheries management—it is about deregulating one of the State’s most ecologically and culturally significant resources at the expense of public trust obligations. It would shield the DLNR from legal and public scrutiny, allowing fisheries policies that prioritize short-term commercial interests over the long-term health of Hawai‘i’s ocean ecosystems.

Environmental review should not be optional when it comes to managing the public’s natural resources. I urge this committee to HOLD SB22.

Mahalo for your time and consideration.

Sincerely,
Adele Balderston
Pu'unui, O'ahu

SB-22

Submitted on: 2/11/2025 10:16:16 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Malia Awana	Individual	Support	Written Testimony Only

Comments:

Aloha, my name is Malia Awana. I fully support SB22 and I fully support the local fisherman and fisheries. As a Hawaiian it is sad to see that locals are being forced out of their homes, jobs and way of life due to people that can outbid us locals.

Wealthy foreign individuals are coming to our islands and can afford these outrageously priced EIS studies while locals can't afford them.

Please support this bill and our local fisherman and fisheries and help put a stop to outside influences that are changing our culture and Aina.

Mahalo, Malia Awana

SB-22

Submitted on: 2/11/2025 10:38:43 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Rufus Kimura	Individual	Support	Written Testimony Only

Comments:

I support SB 22 as it is a common sense approach to fisheries management. Requiring each individual fishery/fisherman to be responsible for financing and creating their own EIS will devastate all of Hawaii's fisheries.

SB-22

Submitted on: 2/11/2025 11:04:39 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Patrice Choy	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB22. Please hold SB22.

LATE

SB-22

Submitted on: 2/11/2025 11:12:51 PM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
andy walters	Individual	Support	Written Testimony Only

Comments:

I am in support of this bill

SB-22

Submitted on: 2/12/2025 6:37:43 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Ryan Rothwell	Individual	Support	Written Testimony Only

Comments:

I support SB22, this exemption will streamline fisheries management, allowing for more efficient and effective practices that support our local fishing communities and economy.

SB-22

Submitted on: 2/12/2025 7:27:18 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Nick Mealey	Individual	Support	Written Testimony Only

Comments:

Hello, I want to share my thoughts on supporting SB22. This is what we need to protect local fishermen to be able to continue fishing. It is not possible for them to continue fishing if they have to wait for years and pay huge amounts of money to get an EIS study done. Please pass SB22 and support local fishermen.

SB-22

Submitted on: 2/12/2025 8:12:48 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Jordan Hall	Individual	Support	Written Testimony Only

Comments:

I support this bill.

LATE

SB-22

Submitted on: 2/12/2025 9:42:29 AM

Testimony for WTL on 2/12/2025 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Kylie Hopkins	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chairs Inuoye and Gabbard, Vice-Chairs Elefante and Richards, and members of the Water & Land and Agriculture & Environment Committees,

My name is Kylie Hopkins and I STRONGLY OPPOSE SB22, which would allow the Department of Land and Natural Resources to evade any assessment of the environmental impacts of its fishery management decisions. Which including decisions that may open up our ocean resources to unmitigated commercial exploitation.

Our environmental review law allows decisionmakers and the public to make more fully-informed decisions that can balance and mitigate potential long-term impacts to the public interest from certain proposed activities, before those activities and their impacts are allowed to proceed. This ensures planning while reducing conflict, minimizing adverse outcomes, and safeguarding the health and well-being of present and future generations.

Unfortunately, the Department of Land and Natural Resources has a long and notorious history of turning a blind eye to its critical statutory and public trust responsibilities, such as by authorizing a fishery program that permits the use of otherwise unlawful gear to take an unlimited amount of marine life for aquarium purposes, without any environmental review. This measure would not only legitimize this longstanding practice that has been affirmed as illegal by the Hawai'i Supreme Court, but excuse the department from its environmental review responsibilities for similar fisheries-related actions with potentially deleterious ecological, cultural, recreational, climate resilience, and economic impacts.

This bill would turn our environmental review process into an afterthought, legitimizing illegal agency practices that have inflicted and that will continue to inflict potentially irreparable harms to our marine life and the vast public interest in our ocean environment.

I strongly urge you to HOLD SB22!!!!

Sincerely,

Kylie Hopkins