DAVID Y. IGE GOVERNOR OF HAWAII





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

ROBERT K. MASUDA

M. KALEO MANUEL DEPUTY DIRECTOR - WATER

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STATE OF HAWAII DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621 HONOLULU, HAWAII 96809

Testimony of SUZANNE D. CASE Chairperson

Before the Senate Committees on JUDICIARY and WAYS AND MEANS

Tuesday, February 23, 2021 10:30 AM State Capitol, Via Videoconference, Conference Room 211

In consideration of SENATE BILL 1313, SENATE DRAFT 1 RELATING TO SPORT FISH

Senate Bill 1313, Senate Draft 1 proposes to require the Department of Agriculture (HDOA) to allow for the permitted importation of northern largemouth bass and butterfly peacock bass into Hawai'i through issuances of permits to the Department of Land and Natural Resources (Department). Additionally, Senate Bill 1313, Senate Draft 1 proposes to require the Department's Division of Aquatic Resources (DAR) to establish a pilot project to restock the Wahiawā public fishing area with northern largemouth bass, butterfly peacock bass, or both. **The Department appreciates the intent of this measure and offers the following comments.**

Wahiawā public fishing area is an important sport fishery. The Department has supported and will continue to support responsible freshwater recreational fishing for introduced target species including the northern largemouth bass and butterfly peacock bass. Wahiawā is also an artificial reservoir, thus the Department approaches management differently at this reservoir compared to natural water bodies. Fishing opportunities have declined in recent years at Wahiawā and stakeholders, scientist, and mangers have identified several factors that may have contributed to this decline. These factors include lowering of the reservoir due to safety reasons, loss of shoreline habitat, undesirable introduced species preying on target species, limited prey or food for target species, poor genetics, limited stocking, and the uncertain future status of the Wahiawā reservoir due to private ownership. The Department is committed to working with stakeholders and partners to improve and enhance sport fishing opportunities at Wahiawā reservoir.

Comments regarding importation

In natural freshwater settings, the Department prioritizes management activities toward the conservation of indigenous species and habitats. Non-native species are one of the primary threats to indigenous species and the Department is committed to the prevention of non-native species introduction. Northern largemouth bass and butterfly peacock bass are considered invasive in natural water bodies due to their predatory nature, and both species have the potential to adversely impact Hawaii's native stream species such as the 'o'opu and 'opae. Given that these species already occur in Wahiawā reservoir, we see little threat in importing northern largemouth bass solely to be stocked in Wahiawā reservoir, assuming best management practices are followed to prevent disease and parasite transmission.

The Department notes that butterfly peacock bass is already on HDOA's conditionally approved import list, which means it may be imported with an appropriate HDOA permit. Largemouth bass is currently not on the HDOA approved list for importation and thus is prohibited from import without permit. The Department is concerned that reducing import restrictions would increase the likelihood of these species being introduced into natural freshwater settings inhabited by indigenous species in Hawai'i.

Release of the northern largemouth bass and butterfly peacock bass should only occur under the supervision of the Department. State law currently prohibits the "release [of] any live non-native fish or other live non-native aquatic life being held in an aquarium or other confinement for scientific study, exhibition, display, sale, or for any other purpose, into any waters of the State."¹ The Department supports the intent of the Bill to only allow HDOA to issue import permits to the Department for breeding and releasing these species. However, the Department suggests adding a sentence at the end of SECTION 2 (page 3, line 19) to clarify that "the Department of Agriculture may not issue permits for the importation or possession of northern largemouth bass or butterfly peacock bass to anyone other than the Department of Land and Natural Resources."

Comments regarding establishment of a pilot project

In principle, the Department appreciates the opportunity to engage the Legislature and other stakeholders to address any of the perceived detrimental factors mentioned above, including an activity to establish a pilot project to restock the Wahiawā public fishing area with northern largemouth bass, butterfly peacock bass, or both.

However, the Department simply does not have the resources to do this. With COVID-19 related budget reductions and an inability to fill vacancies, administrative staff are already stretched thin. Additionally, the biologist that managed Wahiawā reservoir activities has recently retired, and the position has been frozen due to budget restrictions. With no appropriations, we simply lack the capacity to expand operations at the reservoir.

Thank you for the opportunity to comment on this measure.

¹ Hawaii Revised Statutes §187A-6.5

JOSH GREEN Lt. Governor



PHYLLIS SHIMABUKURO-GEISER Chairperson, Board of Agriculture

> **MORRIS M. ATTA** Deputy to the Chairperson

State of Hawaii **DEPARTMENT OF AGRICULTURE** 1428 South King Street Honolulu, Hawaii 96814-2512 Phone: (808) 973-9600 FAX: (808) 973-9613

TESTIMONY OF PHYLLIS SHIMABUKURO-GEISER CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEES ON JUDICIARY AND WAYS AND MEANS

TUESDAY, FEBRUARY 23, 2021 10:30 AM CONFERENCE ROOM 211 & VIA VIDEOCONFERENCE

> SENATE BILL NO. 1313, SENATE DRAFT 1 RELATING TO SPORT FISH

Chairpersons Rhoades and Dela Cruz and Members of the Committees:

Thank you for the opportunity to testify on Senate Bill 1313, Senate Draft1, relating to sport fish. The bill requires the Department of Agriculture ("Department") to allow for the permitted importation of northern largemouth bass and butterfly peacock bass into Hawaii through issuance of permits to the Department of Land and Natural Resources ("DLNR") and requires the Division of Aquatic Resources, DLNR, to establish a pilot project to restock the Wahiawa public fishing area with northern largemouth bass, butterfly peacock bass, or both. The Department offers the following comments.

The Hawaii Revised Statutes ("HRS") Chapter 150A and Hawaii Administrative Rules ("HAR") §4-71 sets forth the framework and permit conditions for allowing the importation of non-domestic animals, including the northern largemouth bass, *Micropterus salmoides salmoides*, and the butterfly peacock bass, *Cichla ocellaris*. The process includes a science-based review designed to assess and manage the risk of importing any non-domestic animal and requires Hawaii Board of Agriculture ("Board") approval. Currently, the northern largemouth bass, is not on the



SB 1313 2

List of Conditionally Approved Animals ("CA List") as a species approved for importation and is prohibited from importation into the State. The butterfly peacock bass, however, is already on the CA List and is eligible for importation with Board approval, subject to appropriate permit conditions as determined by the Board.

Legislatively placing the northern largemouth bass on the CA List may set a dangerous precedent by dispensing with and bypassing the scientific review that is essential as a first line of defense against the introduction of harmful invasive species to Hawai`i. Placement on any list is appropriate only after a rigorous review of the potential for harm has been conducted and appropriate conditions for the proposed use have been determined and imposed. The existing regulatory process for importation of new species has improved significantly over the years, and barring any significant known or suspected adverse impacts, can be completed in a relatively timely manner through compliance with existing safeguards and review. Consequently, the Department believes that going through the existing review process is preferable to legislative placement on the CA List.

The Department has been informed that both species of bass are present in Lake Wilson. The presence or establishment of a species within the State is not a reasonable justification for further importation without proper review and assessment of their impacts on the environment. Over time, information about species and their effects on environments changes and the review process is designed to manage that risk. Additionally, if this position is adopted, smuggling and illegal release of prohibited animals would proliferate and be encouraged to legitimize future importation and possession of invasive or illegal species.

In recognition of the potential economic, recreational, and aquacultural benefits sought by this measure, modifications or enhancements to the review and approval process for new species could be considered. While maintaining the rigorous standards of review under HRS Chapter 343, the criteria for assessing impacts could be clarified to allow a track record over a significant period that demonstrates no significant impacts have occurred or is likely to occur from the presence of a previously established but currently unlisted species, and can be a basis for eligibility under a categorical exemption. Such eligibility could be further conditioned upon appropriate precautionary conditions being imposed on the proposed activity to mitigate any potential for harm, which the Board is already authorized to do. Additionally, the Board could also adopt additional controls to disincentivize the illicit importation of potentially invasive animals by allowing the application of these provisions to actions initiated and performed by governmental agencies only.

Provided DLNR has the resources and capability to manage the risks for introduction of the two species of bass, the Department will continue to collaborate and work with DLNR to implement the purpose of this measure, such as with rainbow trout for Kauai.

The Department recognizes the need for aquaculture for food and other activities such as sport fishing, and supports these efforts, however, the Department believes that the processes that are already in place can adequately achieve those important objectives without compromising the State's efforts to keep out harmful invasive species.

Thank you for the opportunity to testify.

Support for S.B 1313, Relating to Sport Fishing

Aloha Chairs Senator Rhoads, Senator Dela Cruz, and Members of the Committee,

My name is Kevin Hirokane, I am a resident of Wahiawa, avid fisherman, member of Hawaii Freshwater Fishing Association, and a registered voter. I am testifying in support of SB1313.

I've been fishing Lake Wilson/Wahiawa reservoir for over 35 years. I started fishing as a young kid with friends walking along the banks of Lake Wilson. Nowadays, I fish a few times a week for recreation with my own children and competitively with my Bass Fishing Club (HFFA) on bass fishing boats. I have seen a drastic decline in catch rates throughout the years, especially for largemouth bass. These days it's so rare to catch a largemouth bass, even after multiple outings, we are lucky to even catch one. Sport fish like the northern largemouth bass have been in Hawaii and fished here for over a century. Many generations of inbreeding and lack of genetic diversity, I feel, has been a detriment to the species, resulting in less fish.

One of the common reservations people have is the reluctance to bring in new species of fish to our island. I too am conscious of environmental impacts which is why I support this bill. SB1313 only seeks to remove the clerical barriers of bringing in additional stock of fish that are already pre-existing in Lake Wilson. The State, through DAR, has been supporting the Wahiawa largemouth bass hatchery for many years, for restocking bass into Lake Wilson. However, the existing bureaucratic process means that the State Division of Aquatic Resources cannot import new breeding stock to improve current and future population. As a result, the largemouth and peacock bass population has been on a steady decline due to limited genetic diversity.

Keeping importation within the State departments and not open to public import is very important. This bill seeks only to release bass in the artificial reservoir of the Wahiawa public fishing area.

Brought in by the DLNR, this SB1313 intends to increase the quality of existing and future fish by improving the genetic pool. Thus, creating a better fishing experience for families and sport fishermen. There are many potential economic benefits that will make a positive impact for our communities. Bass fishing is a billion dollar industry in the United States. Hawaii and Florida are the only 2 states where both species exist, and can be caught in the same body of water. Tourists travel to Florida and spend hundreds of millions of dollars each year to catch these species. Oahu's Lake Wilson, is a hidden gem. Hawaii, like Florida, could attract tourists from all over the county, Japan, ect. to catch one or both of our hard fighting sport fish.

The best part is all of these improvements would be very low to zero cost for the State of Hawaii. Organizations such as the Hawaii Freshwater Fish Association (HFFA) are willing to fund the purchase of these fish. We just need your support of SB1313

In addition to the potential financial benefits and promotion of tourism this bill will benefit Hawaii Residents. Many residents of Wahiawa and across the island have been bass fishing at Lake

Wilson for many generations. Now their kids and grandchildren continue this pastime and are creating lifelong memories of fishing themselves.

I ask that you please consider supporting SB1313 so myself, my children, and many others can share the love for bass fishing for generations to come. Thank you for your time and effort. Mahalo and Aloha.

Sincerely, Kevin Hirokane

<u>SB-1313-SD-1</u> Submitted on: 2/21/2021 5:17:23 AM Testimony for JDC on 2/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Arthur Hamabata	Testifying for Hawaii Freshwater Fishing Association	Support	No

Comments:

As a registered voter and avid freshwater fisherman, I like the rest of you senetors who voted against this bill to please support it.

Every since I was a little kid, my dad use to take me fishing there. I remember catching alot of largemouth bass. This is where I learn to fish and learned about "catch and release".

However, every since i've returned home from the military and just recently retired from the HIANG, I've noticed that there seems to be not many largemouth bass any more. Don't know why that is.

This would be great for Hawaii's economy by bring in tourist to fish for Hawaii's largemouth and especially the Peacock bass. The only other place the has Peacock bass in the U.S. is Fla. In fact, alot of them probably don't know we even have freshwater fishing here.

A couple of our bass fishing club members are fishing tour guides. They take folks out on fishing tours from all over.

Other then here, When I go to Louisiana to visit one of my daughters, I also go bass fishing up there on either on my brother-in-law's 30+ arce lake or at some other lakes. We even drive an hour away just to go fishing, in a boat of course.

<u>SB-1313-SD-1</u> Submitted on: 2/21/2021 3:52:39 PM Testimony for JDC on 2/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Morris Tyson	Testifying for Hawaii Freshwater Fishing Association	Support	No

Comments:

My name is Morris Tyson I am the V.P. of Hawaii Freshwater Fishing Association. I have been a member for about 5 or more years and became a member as a former fisherman from all over the mainland USA and from the banks of Lake Wilson in Wahiawa, Hawaii. As a U.S.M.C. when traveling from different states I would love fishing and the thrill of reeling one in no matter how large or small, but once I became a member of the H.F.F.A. it really became a sport like i.e., Basketball, Football, etc. I can remember my first fish caught in Lake Wilson with my daughter watching her surprise to the fight the fish gave her she was so excited a memory I will always cherish.

As of lately Lake Wilson has seen some drastic changes, and better days due to water level and the type of fish caught, or I should say not caught. Peacock Bass, Smallmouth Bass, and Largemouth Bass use to be so plentiful. There was a couple of times where I would catch seven plus Largemouth bass in one day, now we are lucky as HFFA members with Fishing tournaments monthly to catch one in three or so months. We still love to take our children there, but it is not extremely exciting when you fish all day in the hot sun and do not catch a thing.

If it is possible to bring a strain of Largemouth Bass into the lake, I know for sure the members of HFFA will be good stewards and report violations of the Catch-And-Release policy of the lake, and as tournament fishermen we only use lures to fish with preventing any kind of invasive species as live bait.

I sure hope this bill gets passed, not so much for us veterans but for our Keiki's, grandchildren and more so the generations to come can enjoy freshwater fishing from the banks, from the boats and the thrill of the catch from a simple fishing pole sold at Walmart, Longs/CVS drug store, ACE hardware and the like. As V.P. of HFFA and a member we will continue to follow the rules of the land with fishing license, Park Permits, trailer and boat registration and get the word out that Lake Wilson is alive and thriving like the days of old. With COVID-19 ravishing our lives the outdoors is now a safe place for exercise and fun, and memories.

Thank you in advance for considering our request.

Morris Tyson

808.292.5167

321 Clark ST

Wahiawa HI, 96786

<u>SB-1313-SD-1</u> Submitted on: 2/22/2021 8:14:50 AM Testimony for JDC on 2/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Clinton Dingal	Testifying for Hawaii Freshwater Fishing Association	Support	No

Comments:

Aloha Senators,

The following is my written testimony for Bill SB1313 (Importation of Northern Largemouth Bass & Butterfly Peacock Bass)

As a avid fisherman and registered voter, I ask you to please schedule, hear, and support SB1313 Relating to Sport Fish, which would help improve the pre-existing population of fresh-water sport fish that have been fished in our state for over a century.

With this bill, it can boost the economy in so many ways. It can create jobs in supporting industries/ local areas. It can create more fisherman to be motivated to fish in our lake and be beneficial to the surrounding business areas. This bill passing will catch the attention of other fisherman worldwide. This will boost tourism thus boosting our economy.

The state could also implement a parking fee which will also be beneficial to the economy. The fees collected from the parking could possibly be used to fund the stocking program. I would not mind at all paying a parking fee if this bill goes through and our fishery gets stocked regularly.

I have only been fishing the lake for about a year now, and hearing stories of how great the fishing was back then, makes me want to experience the joy of fishing a well stocked/maintained lake. Creating joyful and unforgettable memories with the family along with their generations to follow is priceless (not considering the parking fee stated above). Regular stocked fish will bring more people, with more people equals an economy boosted.

Northern Largemouth Bass and Peacock Bass are currently in the lake and have been for centuries now. They have been in the lake as long as 1896 (Largemouth) and 1957 (Peacock). But their population has dwindled which caused the catch rate to be very difficult.

On the environmental standpoint, a well stocked lake will assist the natural processes of an aquatic ecosystem, which will improve water quality and control of pest species.

Thank you for your consideration, and please feel free to contact me if you would like to discuss this issue further.

Mahalo,

Clinton Dingal

Hawaii Freshwater Fishing Association

808-673-1173

clinton_dingal@yahoo.com

<u>SB-1313-SD-1</u> Submitted on: 2/19/2021 10:05:28 PM Testimony for JDC on 2/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Albert Gomes	Individual	Support	No

Comments:

Aloha all!!! Writing in support of the SB1313 bill for sport and recreational fishing. Let's keep our foot on the gas and keep the momentum going!!! All we are tryna do is make fresh water fishing great again in Hawaii!!! Let's get these kids outta the house and off of these poisonous social media sites. Let them grow up the way we did with real life skills and values!! Nothing but positivity can come out of this. It wouldn't even really cost anything. We , the fisherman would raise the money to bring in the fish and do all the leg work to raise and stock the lakes. It's not like we're tryna bring in invasive species. These bass have already been here since the 50's having been introduced for sport fishing!!! Thank you for taking the time and listening to the people who you represent, and in turn support you!! You are greatly appreciated!!!

SB-1313-SD-1

Submitted on: 2/20/2021 8:30:07 AM Testimony for JDC on 2/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Harvey Ahina Jr.	Individual	Support	No

Comments:

To Whom it May Concern,

As an active registered voter, and supporter. I ask you to please schedule, hear, and support SB1313, Relating to Sport Fish, which would help improve the pre-existing population of fresh-water sport fish that have been fished in our state for over a century. I truly believe that by helping the management our freshwater fishery here on Oahu would help increase tourism which will create more jobs for our Kamaaina and help the economy for our local businesses and over all. Fishing here in Hawaii is not only for sport, but also for food. Although we do most of our fishing from the ocean, there are times when it is best to teach our Keiki to fish out of our lake at Lake Wilson. I do remember as a Keiki getting sea sick in the ocean, but never out of Lake Wilson. I enjoyed a catch and release fishing day with my Ohana and friends at the lake and feel that a better stocked Lake Wilson will also bring joy to many Keiki in years to come. Back in the day we would catch lots of Largemouth Bass, a species that has been in our lake ever since I've fished it, but now it's a rare thing to get a Largemouth Bass ever. I believe by supporting this bill we can help bring back fishing memories for our Ohana and fun days at Lake Wilson.

Thank you for your consideration, and please feel free to contact me if you would like to discuss this issue further.

Sincerely,

Harvey A. Ahina Jr. Fishermen, Registered Voter and Condo Manager 94-360 Hokuala Street #189 Mililani, HI 96789

<u>SB-1313-SD-1</u> Submitted on: 2/20/2021 8:34:49 AM Testimony for JDC on 2/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ralf G. Oide	Individual	Support	No

Comments:

As an avid fisherman both ocean and freshwater I would like to express my support for SB 1313 as regards the importation of a new generation of largemouth bass and peacock bass to stock lake Wilson. This would help improve the genetic makeup of the fish now existent there.

I have fished Lake Wilson for over 40 years with friends and family, enjoying the facility immensely. In recent years I have noticed a steady decline in the amount of largemouth and peacock bass. This has seriously reduced the amount of fish that I and others are able to catch.

I have been made aware that there is a restocking process occurring but the genetics of the fish are the same as those originally placed in the lake. By passage of this bill there will be a greater diversity of genes in future generations of fish that eventually reproduce.

I'm sure that like myself there are many in our community who would experience many pleasant memories in the future when restocking occurs and the fish spawn.

There is also a segment in our community who provide guide services to clients worldwide generating both income and taxes. Restocking would enhance these businesses and generate even more taxes as well as peripheral spending in our community.

Please consider passage of this bill. Your consideration of this matter is greatly appreciated by me, my family and other fisher friends of mine.

<u>SB-1313-SD-1</u> Submitted on: 2/20/2021 1:29:04 PM Testimony for JDC on 2/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brent Young	Individual	Support	No

Comments:

SUPPORT

Please consider passing SB1313, as a fisherman that grew up fishing with my family on the lake i would like to give my children the same wonderful experiences that i have had. I have noticed that the bass now are more and more weak and sickly. They no longer put up the same fight as i remember.

I believe that giving the bass gene pool a boost will help with them thrive!

Lake Wilson is the only spot with public access where everyone can fish. The sportfishing on the lake is important for all, locals, tourists and our military. Businesses and community will also benifit from s stronger population of the largemouth as more people will want to fish the lake and support the shops that carry gear and tackle, but their food and snacks to take on the water. This will also bring awarness for everyone to help keep the park clean.

SB-1313-SD-1

Submitted on: 2/20/2021 2:30:22 PM Testimony for JDC on 2/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Glenn Yoshida	Individual	Support	No

Comments:

To the Honorable Legislators of the State of Hawaii,

Thank you for the opportunity to submit my testimony in support of Senate Bill 1313.

I have been enjoying fishing at Lake Wilson for Largemouth bass and Peacock bass for the past 20 or so years. We fish from the shoreline and by boat and enjoy the experience of fishing for these game fish. Through the years, I can say that at times the experience has been trying and frustrating and sometimes the experience is very gratifying, but that is fishing.

Having new stock introduced into the Lake would be a great assest to the fisheries. This would help to sustain the specific species targeted and create new populations of the bass and peacock bass.

Having the catch and release rule also helps, it not only ensures that there is protection to the fish, but also teaches the new fishers to preserve the species so that the future generations can enjoy the sport.

As a Parent, Assistant Scoutmaster of BSA Troop 329, and also a BSA Certified Angling Instructor, having Lake Wilson on Oahu is a great resource to teach Scouts, Youths and their families the sport of fishing. It is safe and access to the shore is available. Having a healthy population of Fish will help greatly to inginte the passion in the skill of fishing.

Please accept this written testimony.

Mahalo,

Glenn Yoshida

Kaneohe, Oahu, Hawaii



WAHIAWA

Community Based Development Organization (WCBDO)

wahiawacbdo.org

PO Box 861191, Wahiawa HI 96786 February 23, 2021

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TESTIMONY IN SUPPORT OF SB1313 RELATED TO SPORT FISH

Aloha Senators:

Thank you for your further consideration of SB1313, relating to sport fish. The **Wahiawa Community Based Development Organization dba Wahiawa Fresh!**, continues its strong support of this initiative, which would help restock Lake Wilson with imported sport fish to improve the existing population that has existed in the lake for decades.

This bill has important implications for our Wahiawa community, and specifically, we feel it can have an important economic impact for our historic plantation town. Like many towns that have had to pivot from their historic industries, we are seeking new diverse opportunities. Sport fishing, enhanced recreation, and the improvement of a real, natural gem (Lake Wilson) on the island will bring positive changes, including new business ventures and increased traffic to existing businesses.

Further, freshwater sports fishing will attract enthusiasts from around the world, and it will introduce the sport to residents, particularly our youth and seniors. It would have ecological benefits as well—diversifying the fish population, improving lake quality, and perhaps easing fishing activity from our ocean shores.

I know there are reservations about the importation of these species, but theses fishes have been in the lake for decades. A larger gene pool will support a stronger population into the future. In addressing budgetary and logistical concerns of this proposal, please know that there are current hatchery resources at the lake, and that groups like ours stand ready to help with volunteer conservation and to support management of any restocking program.

Please note that in support of this bill we are also open to any amendments to the language of the bill. Further, we are in agreement with the house companion bill HB1274 HD1 asking the involved departments to work together and begin a pilot program by January 2022. The house language also asks the relevant boards and divisions to work together until a permitting process and pilot program are established. Also, HB1274 would not require the Division of Aquatic Resources to fund this program with its own resources, but could instead seek assistance from public or private entities.

I urge you to support this important initiative for Wahiawa, and I thank you for your consideration.

Sincerely,

Darin Uesugi Board Vice President