JOSH GREEN, M.D.
GOVERNOR | KE KIAʻĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIAʻĀINA

STATE OF HAWAIʻI | KA MOKUʻĀINA ʻO HAWAIʻI
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA ʻOIHANA KUMUWAIWAI ʻĀINA
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. KANAKAʻOLE
FIRST DEPUTY

CIARA W.K. KAHAHANE
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
RYAN K.P. KANAKAʻOLE
Acting Chairperson

Before the Senate Committee on
JUDICIARY

Tuesday, March 3, 2026
10:15 AM
State Capitol, Conference Room 016

In consideration of
SENATE BILL 2972, SENATE DRAFT 1
RELATING TO OAHU CORAL REEF RESTORATION

Senate Bill 2972, Senate Draft 1 proposes to temporarily prohibit the taking by spearing of uhu (Scaridae) or kala (*Naso unicornis*) after sunset or before sunrise in state marine waters around the island of Oʻahu until the Division of Aquatic Resources adopts regulations through the Holomua Marine Initiative process that that will recover uhu and kala populations to levels that prevent seaweed from smothering corals. **The Department of Land and Natural Resources (Department) appreciates the intent of this measure and provides the following comments.**

The Department recognizes the importance of herbivorous reef fish species in maintaining both ecosystem health and reef resilience. Coral reef herbivore populations in Hawaiʻi's nearshore waters are impacted by a multitude of factors, including but not limited to the negative impacts of coastal development, watershed degradation, and fishing pressure. In addition, seaweed smothering corals is also influenced by a multitude of factors including pollution, coral loss due to ocean heatwaves, invasive seaweed, and limited herbivory. Because these impacts are largely related to human population density, Oʻahu herbivores face greater challenges than less populated neighbor islands. Uhu and kala are important for fishers, serving as staple species for many subsistence fishers and cultural practitioners and supporting limited commercial fisheries and markets.

Fisheries managers primarily manage wild fish populations by managing the actions of people who harvest them. While creating fishing rules is in part a matter of science, the human dimension of resource management must also be considered if factors like culture,

food security, and regulatory compliance are important. Understanding this, the Department has developed a nearshore management strategy that is community driven and heavily rooted in consultation and partnership with stakeholders. This distinctly bottom-up approach is exemplified by the ongoing Holomua Marine Initiative (Holomua), which brings fishers, cultural practitioners, and community representatives to the table alongside the Department to develop management actions to address nearshore issues and set the course of nearshore management. Holomua, which in the Hawaiian language means "to progress and to move forward into the future," is the Department's multi-pronged strategy to manage the State's nearshore marine resources. Partnering with stakeholders is not only a strategy, but a commitment. In light of this commitment, the Department has concerns about supporting legislation (though well-intentioned) that would pre-determine the outcome of the Oʻahu Holomua process by setting management criteria and standards without consulting with the community planning team.

The Department acknowledges the concerns regarding the increased stress on coral reef ecosystems caused by depleted herbivore populations on the island of Oʻahu. The potential impacts of climate change in the near future may warrant prioritizing immediate action over lengthy processes and public engagement. However, simply establishing a prohibition does not guarantee its effectiveness. The benefits of quick legislative action could be undermined by a lack of compliance due to insufficient outreach and public support. The Department firmly believes that management measures are most effective when community voices are included, transparency is upheld, and there is local support from the fishing community for those measures.

In recent years, the Department developed and began implementing a Sustainable Herbivore Management Plan and has made significant improvements in increasing protections for key herbivorous reef fish species both at the statewide and place-based levels. In February 2024, the Department adopted statewide herbivore rules. These rules notably included new statewide non-commercial bag limits for uhu and kala, new licensing/permitting requirements for commercial uhu and kala fishers and dealers, commercial uhu and kala annual catch limits (ACLs), and the prohibition of commercial take of all uhu species except ulu ʻeleʻele and pālukaluka (redlip parrotfish, *Scarus rubroviolaceus*). Adoption of these statewide herbivore rules was the culmination of a multi-year process, which included multiple rounds of public scoping, stakeholder meetings, and statewide public hearings.

In January 2025, the Department approved the establishment of the Maunalua Bay Fisheries Management Area (FMA), a community driven effort created with support from the Department. The Maunalua Bay FMA includes a ban on night dive spearfishing in the area from the Diamond Head lighthouse to Kawaihoa Point (spitting caves, Portlock) to address what has been observed as a common practice in the area that is often associated with excessive and unlawful take of both uhu and kala. Today the Maunalua Bay FMA combines with the Waikīkī Marine Life Conservation District (MLCD) and the Waikīkī-Diamond Head Shoreline FMA to protect approximately 11miles of Oʻahu coastline from night diving.

As Holomua moves across the state, the Department continues to foster community-led place-based management, partnering with interested communities to establish island-

based rules, Community Based Subsistence Fishery Areas (CBSFAs) and FMAs. The Department maintains its commitment to improving the health of ocean resources for future generations with input from the public.

Lastly, as a practical matter, it is impossible to know whether new regulations, at the time they are first adopted, will recover uhu and kala populations to a certain level. Recovery takes time, often decades. Moreover, it is impossible to know whether certain population levels are sufficient to prevent seaweed from smothering corals. Even if herbivore numbers are healthy at the population scale, there are many factors that influence herbivore presence and abundance at smaller geographic scales, including human activity, water quality, and suitable habitat. Further, there are many species of seaweed, especially non-native seaweeds, that are unpalatable to herbivorous fish and can smother corals despite pristine herbivore populations. A prime example of this is the outbreak of the invasive seaweed *Chondria tumulosa* in Papahānaumokuākea. As such, the "sunset" provision of the measure is problematic.

Mahalo for the opportunity to comment on this measure.

SIERRA CLUB
OF HAWAIʻI

SENATE COMMITTEE ON JUDICIARY

February 27, 2026 10:15 AM Conference Room 016

In SUPPORT of
SB2972 SD1: RELATING TO OʻAHU CORAL REEF RESTORATION

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawaiʻi **SUPPORTS SB2972 SD1.** This measure will help to prevent the continued depletion of reef species vital to our subsistence, cultural, recreational, scientific, and economic interests, both as a direct fishery resource, and in their role in maintaining and protecting Oʻahu's highly threatened coral reefs.

Hawaiʻi's nearshore ecosystems - particularly around Oʻahu - are experiencing rapid declines driven by land-based pollution, climate-driven bleaching, sedimentation, invasive species, and cumulative overuse. These declines have had and will continue to have a significant and growing impacts on the public interest. The coral reefs and nearshore ecosystems we are witnessing being degraded are essential to our cultural and ecological integrity, food security, climate resilience, and economy, including by supporting subsistence and nearshore fisheries, protecting shorelines from erosion and sea-level rise, maintaining biodiversity and habitat integrity, and sustaining recreation and tourism. Without intervention, many of Oʻahu's impaired reef ecosystems will continue to degrade or collapse in the coming decades, to the significant detriment of present and future generations.

Addressing the declines in our herbivore species, including Hawaiʻi's uhu and kala species, may be a key part of the strategy needed to slow and reverse the decline in Oʻahu's reefs and nearshore waters. These fish species in particular can play a critical role in maintaining healthy reefs, through their control of coral-inhibiting algae. Unfortunately, our uhu and kala populations, especially on Oʻahu, are far from healthy, and may be at risk of further decline or collapse themselves. Notably, the value of these fish as table fare creates a significant financial incentive to harvest them for commercial gain, and their extreme vulnerability at night has enabled significant numbers of uhu in particular to be taken with devastating efficiency, particularly through the use of SCUBA gear and spears. Without greater protections against the overharvest of uhu and kala, we risk seeing the further depletion of these species, and ever-increasing impacts to the environmental, cultural, subsistence, recreational, scientific, and economic values they provide both directly, and through their role in maintaining healthy coral reefs.

By prohibiting the nighttime take of uhu or kala by spear in Oʻahu's nearshore waters, this measure provides a much-needed, targeted layer of protection that can help prevent the further decline of these critical resources, and the coral reefs that they help to maintain. **Notably, the increased abundance of uhu and kala that would be facilitated by this measure will provide greater opportunities for Oʻahu's subsistence and cultural**

practitioners as well as recreational fishers to sustainably enjoy and share these resources, without having to compete with commercial operations known to harvest these species en masse at night.

Accordingly, the Sierra Club respectfully urges the Committee to **PASS** this measure. Mahalo nui for the opportunity to testify.

To: The Honorable Chair Karl Rhoads and the Honorable Vice Chair Mike Gabbard, and Members of the Judiciary Committees.

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

Re: **Hearing SB2972 SD1 RELATING TO OAHU CORAL REEF RESTORATION.**

Hearing: Tuesday March 3, 2026, 10:15 a.m., room 016

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Judiciary Committee!

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.

The Hawai‘i Reef and Ocean Coalition STRONGLY SUPPORTS SB2972 SD1!

SB2972 SD1 temporarily bans night spearing of uhu (parrotfish) and kala (bluespine unicorn fish) in Oahu's state marine waters and prohibits their commercial sale until new regulations are adopted by the Division of Aquatic Resources' Holomua Marine Initiative. This bill is a temporary emergency measure to immediately begin to replenish populations of uhu and kala around O‘ahu until the Holomua process is completed. A stock assessment conducted by fisheries scientists from the National Oceanic and Atmospheric Administration found that parrotfish are experiencing overfishing (i.e., fish are being removed faster than they are replenished). The focus on prohibiting night spearfishing and the

commercial sale of speared fish is based on the experience of law enforcement officers familiar with the situation around O‘ahu.

The multi-year Holomua process will not begin on O‘ahu for years. Our reefs can’t wait any longer, given the poor state of our reefs and ever-warming ocean threatening to bleach and kill more of our corals. We need our reef saviors – the herbivores – to keep present and future dead reef surfaces clean so new coral larvae can settle, survive, and grow **NOW. The bill’s restrictions should not sunset at least until the Holomua Marine Initiative is completed on Oahu and new regulations are in place!**

Parrotfish, also known as uhu, and kala are critical species for the health of Hawai‘i’s coral reefs! These “lawnmower” fish graze on algae and seaweed that can smother coral. They scrape the reef free of all algae and other coral-competitors so that new corals can settle and grow to repair reefs, thereby helping to maintain the delicate balance necessary for reefs to thrive. Parrotfish and kala feeding on algae is **especially critical in the face of climate stressors such as warmer oceans and pollution**.

All herbivores are important for the health of the reef, but research shows that **herbivorous fish populations, particularly uhu and kala, have been severely depleted near human population centers in Hawai‘i. The depletion of these natural reef caretakers makes coral reefs more vulnerable to environmental stressors, leading to ecosystem degradation.** Reefs with increased herbivores see less coral mortality following severe heat stress compared to reefs with reduced fish populations.

The degradation of coral reef ecosystems affects not only marine life, but humans as well. **Healthy coral reefs provide essential shoreline protection against storm waves and coastal erosion, support fisheries that sustain local livelihoods, and hold cultural, recreational, and economic significance for all Hawai‘i’s people**. The largest parrotfish even help replenish Hawai‘i’s beaches by eating dead coral and excreting fine sand.

This bill’s protecting parrotfish and kala is an investment in the future of our oceans and our islands!

Please pass this bill with an extended sunset date to help preserve Hawai‘i’s reefs, strengthen coastal resilience, and preserve thriving marine ecosystems for future generations!

Mahalo!

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

SB-2972-SD-1
Submitted on: 2/27/2026 6:26:07 AM
Testimony for JDC on 3/3/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
George "Bud" Antonelis. PhD	Testifying for Na Kama Kai	Support	Written Testimony Only

Comments:

Aloha-- Please pass SB2972 SD1, a sensible temporary solution to the loss of Oahu's valuable coral reefs. The fishes that clean our reefs so corals can thrive are extremely depleted around Oahu, and night spearfishing of these reef saviors while they sleep is neither traditional nor pono. The state agency with the responsibility of addressing this natural resource emergency has failed to act. Please help save our coral reefs by passing SB2972 SD1.

SB-2972-SD-1
Submitted on: 3/2/2026 8:56:43 AM
Testimony for JDC on 3/3/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Jenny Yagodich	Testifying for Malama Pupukea-Waimea	Support	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

We support SB2972 SD1 to temporarily prohibit the taking by spearing of uhu or kala in state marine waters around the island of Oahu, and prohibit the commercial sale of uhu and kala so taken, until the Division of Aquatic Resources' Holomua Marine Initiative process adopts applicable regulations.

- Uhu and kala populations have declined over the past two decades.
- These species are key herbivores that control algae and support coral reef health.
- Without them, reefs struggle to recover from warming, pollution, and sedimentation.
- Night spearfishing targets fish while resting, giving them little chance to escape and accelerating depletion.
- The bill still allows daytime fishing of these species.

Current Hawaii Department of Land and Natural Resources Division of Aquatic Resources rules restrict nighttime spearfishing only in limited areas such as Maunalua Bay, the Waikiki Fisheries Management Area, and designated Marine Life Conservation Districts. An island-wide rule for O‘ahu is necessary to create meaningful protection.

This bill is a practical and balanced step forward. It does not eliminate fishing for these species; it simply removes the most harmful method and timing of take. If we are serious about reef recovery, we must protect the key species that make reef resilience possible.

Mahalo

The Nature Conservancy
Hawai'i and Palmyra

The Nature Conservancy, Hawai'i and Palmyra
923 Nu'uanu Avenue
Honolulu, Hawai'i 96817

Tel (808) 537-4508
nature.org/HawaiiPalmyra
hawaii@tnc.org

Testimony of The Nature Conservancy
Supporting SB2972 SD1, Relating to Oahu Coral Reef Restoration
Committee on Judiciary
March 3, 2026 at 10:15 am
Conference Room 016 and via Videoconference

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

Mahalo for the opportunity to testify today. The Nature Conservancy (TNC) Hawai'i and Palmyra supports SB2972 SD1, which temporarily prohibits the taking by spearing of uhu or kala in state marine waters around the island of Oahu until the Division of Aquatic Resources' Holomua Marine Initiative process adopts applicable regulations.

Herbivorous fishes such as uhu and kala are essential to the resilience of coral reefs in Hawai'i. These species graze seaweed and keep reef surfaces clear so new corals can settle and grow, helping reefs recover from bleaching, storms, and pollution. This bill would prohibit night spearing and prevent the commercial sale of illegally speared uhu and kala. It does not affect subsistence and recreational fishers who fish during the day, nor commercial fishers who use nets or traps.

There is strong scientific evidence that herbivore populations in Hawai'i are depleted. Communities across the state have voiced concerns that many species of herbivores are not as abundant as they used to be, and in-water surveys conducted by many organizations across the state show that herbivore populations in many areas are below what could and should be present on those reefs. A stock assessment conducted by fisheries scientists from the National Oceanic and Atmospheric Administration found that both the surgeonfish kala and parrotfish uhu are experiencing overfishing (i.e., fish are being removed faster than they are replenished).

Ensuring that reefs have healthy herbivore populations is one of the most important and effective actions we can take to make reefs as resilient as possible in a changing world. By curbing the most harmful forms of take and strengthening enforcement against illegal harvest, this bill supports healthier reefs, stronger fisheries, and the cultural, ecological, and economic benefits that thriving coral ecosystems provide.

Mahalo for the opportunity to testify in support of SB2972 SD1.

Guided by science, TNC is a non-profit organization dedicated to the preservation of the lands and waters upon which all life depends. The Conservancy has helped protect more than 200,000 acres of natural lands in Hawai'i and Palmyra Atoll. We manage 84,000 acres in 13 nature preserves and 18 managed areas and have supported over 50 coastal communities to help protect and restore the nearshore reefs and fisheries of the main Hawaiian Islands.

HAWAI'I FOOD+ POLICY
Honolulu, HI 96813
food@purplemaia.org

Date of hearing: 3 March, 2026

To: Chair Rhoads, Vice Chair Gabbard, and the Senate Committee on Judiciary.

Subject: **SB 2972 SD1**, Relating to Oʻahu Coral Reef Restoration

Aloha,

Hawaiʻi Food+ Policy is testifying in **support of SB 2972 SD1**which temporarily restricts the night spear fishing of Uhu (parrotfish, family Scaridae) and Kala (bluespine unicornfish, Naso unicornis) on Oʻahu.

Our coral reefs are the "gardens" of our ocean, and hold immense ecological and socioeconomic importance. Uhu and Kala serve as the essential caretakers of these gardens; by grazing on algae, they ensure the reef remains a productive habitat for all[1]. A healthy reef is a self-sustaining food source. We must continue to value and support the natural symbiotic relationship between the herbivorous fish and the reef as it is key for the preservation of the biological machinery that produces our food. Short-term restrictions ensure long-term food sovereignty of Hawaiʻi.

Spearing at night is a highly efficient method because these fish are stationary and resting. This allows for rapid depletion of the breeding population with very little effort i.e. overfishing. By prohibiting night-spearing, we can ensure that these fish have a temporary refuge, allowing the population to stabilize[2].

We want to note that in the amendments to this bill, the language prohibiting the commercial sale of uhu or kala that were caught by spearing has been deleted. This enables the potential for the taking of fish beyond the means of sustenance. By removing the commercial profit motive, we reduced the incentive for mass-harvesting. This would have ensured that the hunting activities were focused on fishing for self, families, and immediate communities to put food on their own tables, rather than for export or high-end commercial markets. The legislature explicitly notes “that the population of coral reef herbivores, while declining throughout the State, are especially threatened by the impacts of the high human population density of the island of Oahu.” While the focus of this legislation may be in preventing nighttime spearfishing activities, in an effort to restore fish populations, a temporary prohibition on the commercial sale of these same species we intend to protect may be beneficial. We urge the committee to consider a **temporary prohibition** of commercial sale of uhu and kala taken by spear fishing during this rehabilitation period.

Not only is this bill about species conservation, it is about protecting the long-term viability of Oʻahu’s reefs. As food system advocates, our priority is the long-term health and resilience of Hawaiʻi’s local food systems. With these comments, we support the committees in passing SB2972 SD1.

Mahalo,
Brandon Kinard & the Food+ Policy Team
#fixourfoodsystem

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[1] Brijs, J., Tran, L. L., Moore, C., Souza, T., Schakmann, M., Grellman, K., & Johansen, J. L. (2025). Outlasting the Heat: Collapse of Herbivorous Fish Control of Invasive Algae During Marine Heatwaves. Global change biology, 31(8), e70438. https://doi.org/10.1111/gcb.70438

[2] *Coral reefs could feed millions if we stop overfishing them.* Earth.com. (n.d.-b). https://www.earth.com/news/coral-reefs-could-feed-millions-if-we-stop-overfishing-them/

The Food+ Policy internship develops student advocates who learn work skills while increasing civic engagement to become emerging leaders. We focus on good food systems policy because we see the importance and potential of the food system in combating climate change and increasing the health, equity, and resiliency of Hawaiʻi communities.

In 2026, the cohort of interns are undergraduate and graduate students and young professionals working in the food system. They are a mix of traditional and nontraditional students, including parents and veterans, who have backgrounds in education, farming, public health, nutrition, and Hawaiian culture.

HAWAIʻI OCEAN LEGISLATIVE TASK FORCE

March 3, 2026

Hawaiʻi State Legislature
Senate Committee on Judiciary

Re: Testimony in **STRONG SUPPORT** for SB 2972 SD1, Relating to Oahu Coral Reef Restoration

Aloha Chair Rhoads, Vice Chair Gabbard, and esteemed members of the committee,

The Ocean Legislative Task Force—a coalition of more than 150 individuals across over 20 organizations statewide—**strongly supports** SB 2972 SD1, relating to Oʻahu coral reef restoration. This measure temporarily prohibits the taking by spearing of uhu or kala in state marine waters around the island of Oʻahu, and prohibits the commercial sale of uhu and kala so taken, until the Division of Aquatic Resources' Holomua Marine Initiative process adopts applicable regulations.

Uhu and kala play a keystone role within coral reef ecosystems. By grazing on algae and seaweed that would otherwise overwhelm corals, they help maintain the delicate balance necessary for reefs to thrive—an especially critical function in the face of climate stressors such as coral bleaching and pollution. Larger uhu also consume dead coral and excrete fine sand, contributing to the formation and replenishment of Hawaiʻi's beaches and supporting coastal stability and habitat preservation.

Research shows that herbivorous fish populations, particularly uhu, have been severely depleted near human population centers in Hawaiʻi. Without these natural reef caretakers, coral reefs struggle to recover from environmental stress, leading to ecosystem degradation that affects marine biodiversity, shoreline protection, and community well-being. Studies have also found that reefs with higher herbivorous fish populations experienced stronger coral cover trajectories before disturbances and reduced coral mortality following severe heat stress.

By establishing temporary protections while the Holomua Marine Initiative develops long-term, science-based management rules, SB 2972 SD1 takes a prudent and proactive approach to reef restoration on Oʻahu. Protecting uhu and kala now is an investment in healthier reefs, stronger coastal resilience, and the future of Hawaiʻi's nearshore ecosystems.

For these reasons, the Ocean Legislative Task Force respectfully urges the committees to support SB 2972 SD1. Mahalo for the opportunity to testify on this important measure.

1099 Alakea Street, #2530, Honolulu, HI | (808)447-1840

SB-2972-SD-1
Submitted on: 2/27/2026 9:46:49 AM
Testimony for JDC on 3/3/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Stuart Coleman	Testifying for WAI: Wastewater Alternatives & Innovations	Support	Written Testimony Only

Comments:

Aloha, Chair Rhoads, Vice Chair Vabbard and Committee Members,

I'm writing in strong support of SB2972 SD1, a sensible temporary solution to the loss of Oahu's valuable coral reefs. The fishes that help maintain our reefs so corals can thrive are extremely depleted around Oahu, and night spearfishing of these reef fish while they sleep is neither traditional nor pono. The state agency with the responsibility of addressing this natural resource emergency has not done enough to protect them, and Oahu's herbivore fish populations are dangerously low. This affects all of us, including fishermen, and will have disastrous consequences for our reefs if we don't do something to protect these fish who protect our reefs. Please help save our coral reefs by passing SB2972 SD1. Mahalo for your support.

Aloha, Stuart Coleman

Hibiscus Pl., Hon., HI 96815

SB-2972-SD-1
Submitted on: 2/24/2026 5:54:05 PM
Testimony for JDC on 3/3/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this bill. Mahalo.

TESTIMONY IN STRONG SUPPORT OF SB 2972 SD1
Relating to Oahu Coral Reef Restoration
Before the Senate Committee on Judiciary (JDC)
March 3, 2026, 10:15 am

Aloha Chair Rhoads, Vice Chair Awa, and Members of the Committee,

My name is Frederick Smith, a Hawai‘i resident and graduate student at UH Hilo focusing on marine conservation governance. I respectfully submit testimony in **strong support of SB 2972 SD1**.

This bill provides a narrow, temporary, and legally appropriate safeguard for O‘ahu’s depleted populations of uhu and kala by prohibiting only the nighttime spearing of these two species until the Division of Aquatic Resources completes island-specific regulations through the Holomua Marine Initiative. The scientific record developed during the WLA and AEN hearings clearly demonstrates that O‘ahu’s herbivore biomass is the lowest in the state and below the threshold needed to prevent macroalgal dominance. Given that evidence, a targeted interim protection is both prudent and necessary to prevent further ecological decline while long-term rules are developed. It is also significant that the Department of Land and Natural Resources, in its WLA/AEN testimony, raised no objections to this measure and acknowledged the need for additional herbivore protections on O‘ahu.

Importantly, SB 2972 SD1 does not impose a broad fishing ban or interfere with Native Hawaiian traditional and customary practices. Daytime harvest, subsistence fishing, shoreline gathering, and cultural use all remain fully intact. The bill restricts only a single, modern, high-efficiency method of take — nighttime spearfishing — which researchers, community members, and enforcement personnel have repeatedly identified as a major driver of rapid depletion of uhu and kala around O‘ahu. Although nighttime spearfishing is challenging across multiple islands, O‘ahu is experiencing the most acute impacts, and focusing regulation here makes sense given the urgency. By acting on the scientific findings already in the legislative record, the State is fulfilling its public trust obligations under Article XI and taking reasonable, temporary steps to prevent further resource collapse during the regulatory gap before Holomua rules are finalized.

Because the measure preserves all daytime subsistence, cultural, and traditional practices and regulates only a single, modern, high-impact method of take, SB 2972 SD1 presents no constitutional or litigation concerns. It is a proportionate, narrowly tailored response that enhances, rather than diminishes, long-term access to these species for Native Hawaiian practitioners, subsistence fishers, and local families who depend on healthy reef ecosystems.

O‘ahu’s reefs are in an ecologically fragile state, and the record before the Legislature contains ample evidence of depletion and urgent need for protection. SB 2972 SD1 offers a balanced, temporary safeguard that aligns with the State’s constitutional duties, supports the Holomua process, and ensures that these keystone herbivores are not further diminished while comprehensive regulations are being developed.

For these reasons, I respectfully urge the Committee to **pass SB 2972 SD1**.

Mahalo for the opportunity to testify.

Frederick Smith

SB-2972-SD-1
Submitted on: 2/25/2026 1:52:04 PM
Testimony for JDC on 3/3/2026 10:15:00 AM

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

Comments:

Aloha Chairs Rhoads and Gabbard and members of the committee -

Uhu in particular, are badly depleted, especially on Oahu. Protecting uhu & kala from night spearing will not only help the populations of these fish recover, but will also help the coral recover from algal overgrowth, upon which these fish graze. In my opinion, all spearfishing at night should be banned. However this is a good first step.

Mahalo for considering my comments.

SB-2972-SD-1
Submitted on: 2/25/2026 8:25:01 PM
Testimony for JDC on 3/3/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Johnnie-Mae L. Perry	Individual	Support	Written Testimony Only

Comments:

I, Johnnie-Mae L. Perry, Support

2972 SB RELATING TO OAHU CORAL REEF RESTORATION.

Aloha Chair Rhoads, Vice Chair Gabbard, and members of the JDC,

I am the Hsiao Endowed Professor of Marine Biology at UH Mānoa, testifying today as a private citizen. Because SB2972 SD1 has no introduction, please consider my take on its history and justification. I have studied Hawai'i's coral reefs since the 1970s, so I have personally witnessed the degradation of our reefs over the decades. It is a scientific fact that abundant and diverse herbivorous fishes – especially parrotfishes (uhu), surgeonfishes (kala, kole, etc.), and chubs (nenue) – are critically important for eating seaweeds that would otherwise smother and kill corals. With high levels in our coastal waters of leached sewage and run-off fertilizers, which stimulate the rapid growth of seaweeds, these fishes are more important than ever as the primary natural resilience mechanism on our reefs, literally our reef saviors. Unfortunately, the most important these fishes – uhu and kala – are severely overfished around O'ahu and some other regions (see data appended to the end of this letter). In my experience, these extremely low standing stocks would result in immediate emergency actions in other parts of the world.

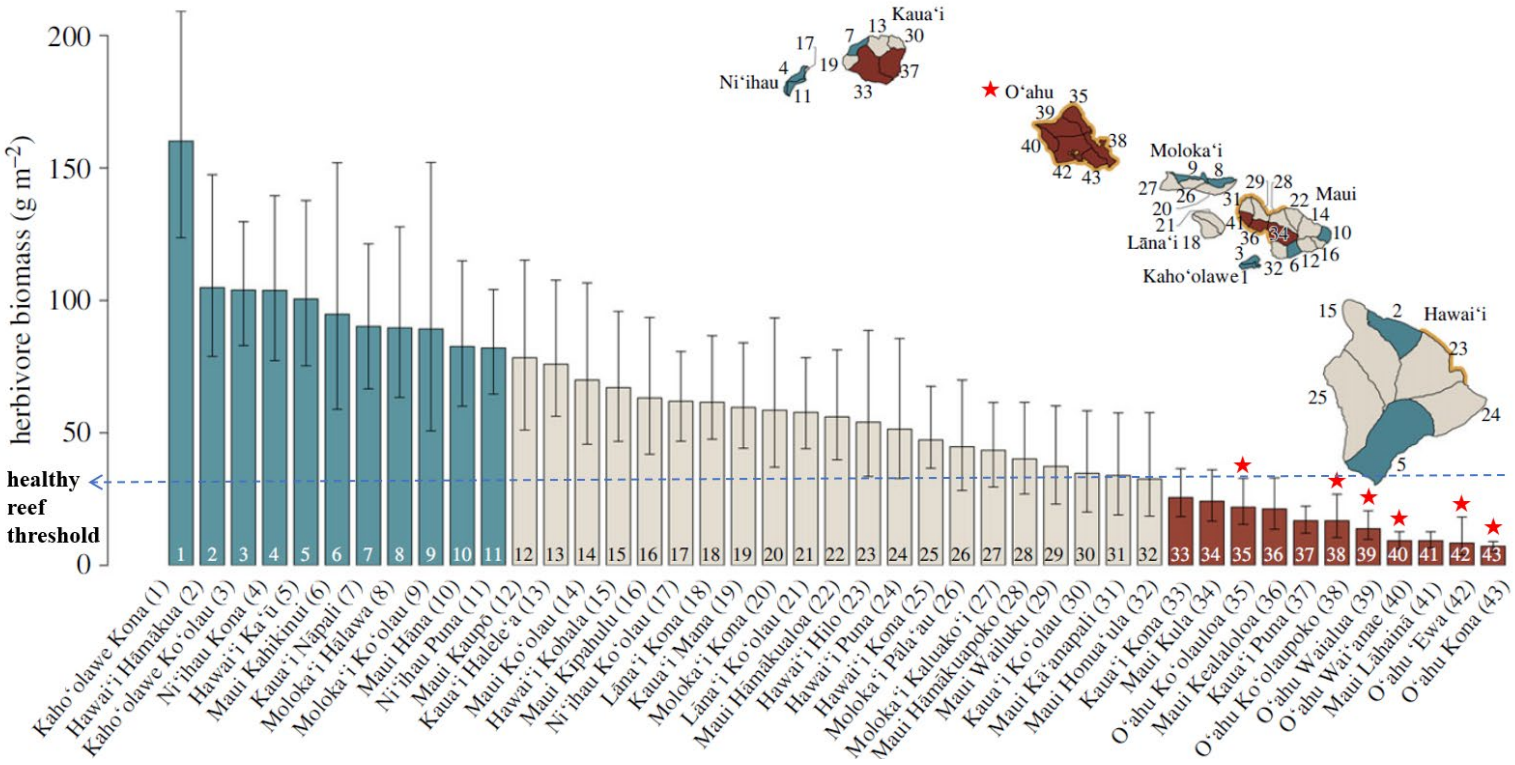
Until Hawai'i decides to address coastal water quality issues by cutting-off the sources of sewage and fertilizers, the best option we have to save our reefs is to replenish herbivore populations. Unfortunately, efforts and bills to do so have languished since at least the turn of the millennium due to a vocal and intimidating minority of the fishing community. During 2025, the Division of Aquatic Resources (DAR) convened an Herbivore Working Group of about a dozen scientific and enforcement experts at the request of marine scientists, including myself, increasingly concerned about the future of O'ahu's coral reefs in particular. Unfortunately, DAR chose not to act on our concerns, citing insufficient capacity, fear of breaking the trust of the fishing community, and reasserting that the Holomua Marine Initiative is the only way to address these issues. At least one DAR employee, not a scientist, did not even perceive an emergency. The experts were flabbergasted, especially given that the multi-year Holomua process will not begin on O'ahu for years. Our reefs simply cannot wait any longer to be restored, given their poor state and the ever-warming ocean threatening to bleach and kill more of our corals. We need our reef saviors – the herbivores – to keep present and future dead reef surfaces clean so new coral larvae can settle, survive, and grow NOW.

SB2972 SD1 is a temporary emergency measure to immediately begin to replenish populations of uhu and kala around O'ahu until the Holomua process is completed. The focus on prohibiting night spearfishing is based on the experience of law enforcement officers familiar with the situation around O'ahu. Spearing fish while they sleep at night is clearly neither traditional nor pono.

You will certainly hear the opposition berating this bill for trampling on traditional fishing rights, destroying commercial fishing, and being based on worthless data by clueless scientists and erroneous assertions by alarmist environmentalists. I have witnessed similar scenarios play-out elsewhere in the world multiple times. In all cases, ignoring the science resulted in collapsed fisheries and ecosystems. I urge you to pass SD2972 SD1 and lobby for its passage into law.

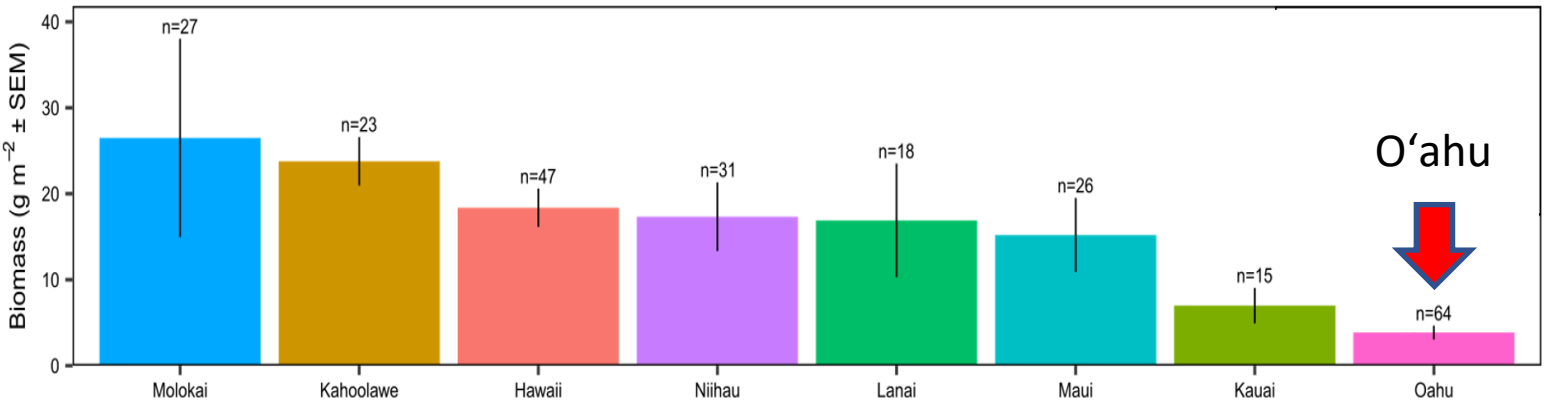
Mahalo,
Mark Hixon
[data on next page]

Scientific Survey Data:
Extreme Depletion of Herbivorous Fishes Around O‘ahu



Abundance of herbivorous fishes (grams of fish per square meter of reef) in each moku of the main Hawaiian Islands. Red stars indicate the extreme depletion of herbivores around O‘ahu (10,000s of surveys analyzed by Donovan et al. 2023 *Proceedings of the Royal Society B*). The “healthy reef threshold” is the approximate abundance of herbivores necessary for reefs to remain healthy (Brock 1979 Univ Wash PhD thesis).

2024 total herbivores: *uhu*, *nenue*, *kala*, other surgeonfishes (*manini*, *kole*, etc)



Abundance of herbivorous fishes (grams of fish per square meter of reef) around each of the main Hawaiian Islands from NOAA’s 2024 surveys (n is the number of survey sites per island). Note the extremely low abundance of herbivores around O‘ahu (far right) despite the high number of surveys (n = 64) distributed around the *entire* island (not just polluted areas).

SB-2972-SD-1
Submitted on: 2/26/2026 2:55:22 PM
Testimony for JDC on 3/3/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Jeddie Kawahatsu	Individual	Support	Written Testimony Only

Comments:

Aloha -- I'm writing to urge you to pass SB2972 SD1, a reasonable short-term measure to address the alarming decline of Oahu's coral reefs. The fish that keep our reefs healthy by grazing on algae have been severely overfished in Oahu's waters, and spearing them at night while they rest is not a traditional practice and goes against the spirit of pono. The agency responsible for managing this crisis has not taken the necessary steps to fix it. Please do the right thing for our reefs and pass SB2972 SD1.

SB-2972-SD-1
Submitted on: 2/26/2026 3:38:08 PM
Testimony for JDC on 3/3/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Dennis Mahaffay	Individual	Support	Written Testimony Only

Comments:

Aloha-- Please pass SB2972 SD1, a sensible temporary solution to the loss of Oahu's valuable coral reefs. The fishes that clean our reefs so corals can thrive are extremely depleted around Oahu, and night spearfishing of these reef saviors while they sleep is neither traditional nor pono. The state agency with the responsibility of addressing this natural resource emergency has failed to act. Please help save our coral reefs by passing SB2972 SD1.

SB-2972-SD-1
Submitted on: 2/26/2026 6:51:12 PM
Testimony for JDC on 3/3/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Daniela Escontrela	Individual	Support	Written Testimony Only

Comments:

Aloha-- Please pass SB2972 SD1, a sensible temporary solution to the loss of Oahu's valuable coral reefs. The fishes that clean our reefs so corals can thrive are extremely depleted around Oahu, and night spearfishing of these reef saviors while they sleep is neither traditional nor pono. The state agency with the responsibility of addressing this natural resource emergency has failed to act. Please help save our coral reefs by passing SB2972 SD1.

SB-2972-SD-1
Submitted on: 2/27/2026 11:36:21 AM
Testimony for JDC on 3/3/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Brian Belet	Individual	Support	Written Testimony Only

Comments:

TESTIMONY IN STRONG SUPPORT OF SB 2972 SD1

Relating to Oahu Coral Reef Restoration

Before the Senate Committee on Judiciary (JDC)

March 3, 2026

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Judiciary Committee,

My name is Brian Belet, a Hawai‘i resident, retired university professor, and a person with deep respect for and admiration of our state’s natural beauty and resources. I respectfully submit testimony in strong support of SB 2972 SD1.

This bill provides a narrow, temporary, and legally appropriate safeguard for O‘ahu’s depleted populations of uhu and kala (important fish species that clean our coral reefs) by prohibiting the nighttime spearing of these two species until the Division of Aquatic Resources completes island-specific regulations through the Holomua Marine Initiative. The scientific record developed during the WLA and AEN hearings clearly demonstrates that O‘ahu’s herbivore biomass is the lowest in the state and below the threshold needed to prevent macroalgal dominance. Given that evidence, a targeted interim protection is both prudent and necessary to prevent further ecological decline while long-term rules are developed. It is also significant that the Department of Land and Natural Resources, in its WLA/AEN testimony, raised no objections to this measure and acknowledged the need for additional herbivore protections on O‘ahu.

Because the measure preserves all daytime subsistence, cultural, and traditional practices and regulates only a single, modern, high-impact method of take, SB 2972 SD1 presents no

constitutional or litigation concerns. It also enhances, rather than diminishes, long-term access to these species for Native Hawaiian practitioners, subsistence fishers, and local families who depend on healthy reef ecosystems.

O‘ahu’s reefs are in an ecologically fragile state, and the record before the Legislature contains ample evidence of depletion and urgent need for protection. SB 2972 SD1 offers a balanced, temporary safeguard that aligns with the State’s constitutional duties, supports the Holomua process, and ensures that these keystone herbivores are not further diminished while comprehensive regulations are being developed.

For these reasons, I respectfully urge the Committee to pass SB 2972 SD1.

Mahalo for your time and consideration.

Brian Belet

SB-2972-SD-1
Submitted on: 2/27/2026 12:45:16 PM
Testimony for JDC on 3/3/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
kellycollinsjk@gmail.com	Individual	Support	Written Testimony Only

Comments:

Aloha - I encourage you to pass SB2972 SD1 to help coral gardener species recover and to ease the demise of Oahu's coral reefs. Spearfishing of these and other species, including when they are sleeping at night, has depleted their populations and is neither traditional nor pono. Action must be taken now. Mahalo.

SB-2972-SD-1
Submitted on: 2/27/2026 2:17:06 PM
Testimony for JDC on 3/3/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Brian Bowen	Individual	Support	Written Testimony Only

Comments:

Aloha

I am writing to endorse bill SB2972 SD1, a miminmal effort to protect our reef fishes. The fishes that clean our reefs are extremely depleted around Oahu, and these fishes are essential to reef health. Night spearfishing of these reef dwellers while they sleep is neither traditional nor pono. The state agency with the responsibility of addressing this natural resource emergency has failed to act. Please help save our coral reefs by passing SB2972 SD1.

SB-2972-SD-1
Submitted on: 2/28/2026 1:44:08 PM
Testimony for JDC on 3/3/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Edward Emile DeMartini	Individual	Support	Written Testimony Only

Comments:

Sirs, I am an experienced fish ecologist who can say without any reservation, based on a 27-yr career as a Research Fisheries Biologist with the NMFS (!990-2016) studying the reef and other nearshore fishes of Hawaii. that the herbivorous (seaweed-eating) fishes that clean our reefs so corals can thrive are extremely depleted around Oahu. Night spearfishing of these fishes while they sleep is also neither traditional nor pono.

The state agency with the responsibility of addressing this natural resource emergency has failed to act. Please help save our coral reefs by passing SB2972 SD1.

Dear Chairman Rhoads, Vice Chairman Gabbard, and all members of the JDC,

SB2972 SD1 correctly states that herbivorous reef fishes are essential to maintaining the health and resilience of Hawaiian coral reefs. As you know, nutrients from careless land-management enhance the growth of algae which overgrow the foundation corals. Herbivorous fishes are an essential key to keeping the algae under control and maintaining the healthy operation of the coral-reef ecosystem. In 2004, Hawaii's coral reefs annually generate about $800 million in gross revenues (Hawaii Living Reef Economics 2004) and the reefs protect shoreline facilities against storm waves. Hawaii's reefs could provide more fisheries resources if managed better, as directed by SB2972 SD1 and explained below.

The USA is almost unique in allowing spearfishing at night with scuba and lights. Nearly all tropical countries (e.g., Philippines, Okinawa, New Caledonia, Galapagos, Palau, Yap, Chuuk, Pohnpei, Kosrae, Samoa, American Samoa, Tonga, Fiji, Solomon Islands, Northern Marianas, French Polynesia, Queensland Australia (Great Barrier Reef), Tahiti and the rest of the Society Islands, Vanuatu, Marquesas, Tuamotus, Gambier Islands, Austral Islands, Seychelles, Cocos Keeling, Mexico, Bahamas, Bermuda, Belize, Curaçao, Bonaire and most others) have banned the use of spearfishing with scuba because viable fisheries cannot be maintained if the removal of the breeding stock of larger fishes becomes too thorough. Spearfishing with free-diving (mask, snorkel and fins) is an honorable sport and a viable fishery can be maintained, but the added technology of scuba allows the fishers to be very effective in targeting sleeping herbivorous parrotfishes at night and can be selective in targeting the larger fishes.

Studies of hundreds of species of fishes have demonstrated that when the age or size structure of a fish population is "truncated" (older or larger individuals are "chopped off" and the size distribution is abbreviated) by selective removal of larger individuals, then recruitment or population replenishment seriously declines, becomes sporadic, and the fisheries population loses resilience and sustainability (Longhurst 2002; Anderson et al. 2008; Venturelli et al. 2009, 2010; Hidalgo et al. 2011; Rouyer et al. 2011; Stewart, J. 2011). Although gill nets can be detrimental because of wasted bycatch and by catching large numbers of fishes, spearfishing with scuba can have a greater effect on the sustainability of fisheries by selectively targeting the larger fishes which can lead to the exponential reduction in the number of eggs and larvae produced, shorten the population's reproductive season and thereby reducing the chance that

some of the larvae will encounter favorable conditions, lowering the average survival potential of larvae produced, selection for slower growth and reproduction at a smaller size, and in extreme cases, lowering genetic heterogeneity (Birkeland and Dayton 2005).

How does effectively catching large fish have a greater impact on population replenishment than several times the total weight of medium-sized fishes? In nature, the fecundity goes up by about the cube (volume of gonads are length X height X width) of the gonads. It has been measured that a large snapper (61 cm length, 12.5 kg weight) has the same fecundity as 212 medium-sized snappers (42 cm each totaling 233 kg). Therefore, some Pacific islanders wisely harvest medium-sized fishes (e.g., 233 kg) and leave the big ones, because taking only one big one (12.5 kg) has the same effect on the sustainability of the population. In the modern world, people tend to be disconnected from nature and want the glory of taking a big one and don't think about the sustainability of the harvest, nor the value of 233 kg over 12.5 kg for the same cost to the system.

The late Robert Johannes spent much of his career learning the wisdom of the elder fishermen in Micronesia in resource management. He pointed out that the wise elders could see through the complex interactions and unpredictable recruitment patterns in assessing the state of their fisheries resources with straightforward observations as to whether the big ones were still there. Although there is still a great diversity and large numbers of colorful aquarium fishes on our reefs, the large fishes are scarce. In Hawaii. the movies by the late local fisherman Louis K. (Buzzy) Agard show that there was an abundance of large fishes immediately following World War II. But this was the time that scuba arrived and the large ones have substantially deceased since fishers have been given the power of high technology of scuba. It does not take rocket science to realize that we must ban the use of scuba with spearfishing, especially at night.

In addition to reducing the sustainability of the fisheries, the taking of a substantial portion of large individuals of parrotfishes can have serious detrimental effects on the coral-reef ecosystem. Larger parrotfishes actually scrape the substratum when removing seaweed, thereby keeping the seaweed under control and facilitating coral growth for healthy systems. The smaller parrotfishes are relatively ineffective and so the decrease in large parrotfishes in Hawaii can lead to an increase in seaweed and the resulting degeneration of the Hawaiian coral-reef ecosystem. Kathrine Howard (2008) in her PhD dissertation at the University of Hawaii at Manoa on the

"Community structure, life history, and movement patterns of parrotfishes: large protogynous fishery species" found that large individuals of the parrotfish *Scarus rubroviolaceus* were ten times as abundance in Hanauma Bay where they were protected from spearfishers than other places with similar reef structure around Oahu. She calculated that only Hanauma Bay and a couple of other small areas largely inaccessible to divers had viable populations. It is urgent to ban the use of high technology such as scuba and night lights to harvest parrotfishes. For both the viability of parrotfish populations and the health of coral reef ecosystems, we must not allow scuba to be used with spearfishing. In the late 1970s, I observed the elimination of the large humphead parrotfish *Bolbometopon muricatum* from Guam. They were spectacular to observe until they were removed by commercial spearfishers when they began using scuba. The same was observed in American Samoa when commercial fishers began to use scuba (Page 1998).

I have heard several times in Micronesia and in American Samoa, the fishers say "Our resources do not belong to us, we are borrowing them from our children and our future generations." This is why most other countries and coastal villages allow spearfishing by free-diving, but prohibit the use of high-technology scuba.

Charles Birkeland

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SB-2972-SD-1
Submitted on: 3/1/2026 11:06:33 AM
Testimony for JDC on 3/3/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
An Vo	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is An and I'm a public health student on O'ahu. I am a member of Climate Future Forum who shared this bill with me. Please support SB2972 SD1.

Mahalo,
An
Honolulu

SB-2972-SD-1
Submitted on: 3/1/2026 11:18:40 AM
Testimony for JDC on 3/3/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Sarita Rich	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and members of the JDC,

I am a teacher and artist living in Honolulu, and I strongly support SB2972 SD1. I've been researching Hawai'i's coral reefs since 2022 and have learned that our reefs are invaluable resources for our people as they provide food sources, jobs, stimulate our tourism and economy, protect shorelines from erosion, and offer recreation and spiritual connection. These benefits disappear when our reefs are degraded by unsustainable fishing practices.

Coral reefs all over the world are threatened by a rapidly warming planet, but reefs in Hawai'i face other dangers: sedimentation from poor land use practices, boat groundings and anchor drags, ever-increasing plastic debris, runoff of fertilizers and sewage that encourage seaweed growth that smothers corals. Fortunately, we have natural defenses in our reef healers, namely uhu (parrotfish) and kala (surgeonfish), that eat the seaweeds that smother corals. But our uhu and kala populations are being wiped out by overfishing, specifically night spear fishing. The state agency with the responsibility of addressing this natural resource emergency has failed to act, and we can't afford to wait for recommendations by the Holomua Marine Initiative to fix this problem.

One action we can take now to counteract the effects of reef degradation is to protect the fish that can save our reefs. Studies in Hawai'i show correlations between protecting herbivorous fishes and coral reef health:

1) Responses of Herbivorous Fishes and Benthos to 6 Years of Protection at the Kahekili HFMA (Maui), by Williams ID, et al. (2016). This scientific paper shows how herbivore protection (including parrotfish) at the Kahekili Herbivore Fisheries Management Area led to significant increases in herbivorous fish biomass and changes in benthic communities (more crustose coralline algae, lower macroalgae). This study directly quantifies the impact of the fishing ban on herbivores — including parrotfish — and links it to benthic changes associated with reef resilience.

2) Kahekili Herbivore Fishery Management Area – Results Brief (State of Hawai'i), by Division of Aquatic Resources. This state summary report includes data that show large increases in parrotfish biomass after herbivore protection began in 2009.

3) Hawai‘i DLNR Herbivore Management Plan (2021) by DLNR & DAR This comprehensive management plan includes figures showing parrotfish and herbivore biomass changes over ~10 years in the KHFMA — built on state monitoring data. The plan contains multiple years of data and ecosystem context linking herbivore protections to healthy reef conditions.

Studies of reefs in Caribbean waters also conclude that enforcing strict, science-based fishing bans help parrotfish populations recover and can greatly increase coral resilience to stress:

“Parrotfish protection & no-take zones improve coral reef resilience,” PJ Mumbly et al. (2013)

“Fishing management thresholds for parrotfish help coral recovery,” Bozec et al. (2016)

“Global evidence linking parrotfish abundance to coral growth,” **Cramer & Norris (2017)**

“Marine protected area design improves parrotfish populations,” Pedro H. Pereira et al. (2022)

“Science-based Solutions help Bonaire’s Coral Reefs Thrive,” Fedrizzi (2025)

I urge you to pass SB2972 SD1 and fulfill our kuleana to be good stewards of our precious resources. Passing SB2972 SD1 will show the people of Hawai’i that we value our natural resources and ensure that coral reefs will thrive with their benefits accessible to future generations.

Mahalo nui loa,

Sarita Rich

Honolulu, Oahu

SB-2972-SD-1
Submitted on: 3/1/2026 11:38:54 AM
Testimony for JDC on 3/3/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Phil Rarick	Individual	Support	Written Testimony Only

Comments:

Honorable chairman and committee members, I wish to testify IN SUPPORT of this bill.

As a resident of Oahu, I have first hand witnessed the decline of Kala and Uhu fish stocks in nearshore waters. These important fish are being over fished primarily due to night diving spear fishing. This bill will still allow the day time fishing of these fish. Currently the DLNR DAR restrictions of taking @ night with spears is only in Maunalua Bay, Waikiki Fisheries FMA (fisheries management areas), and closed Marine Life Conservation Districts.

In essence this takes it island wide for Oahu only. Long overdue to help support the reefs around Oahu, and these two herbivore fish species.

Please pass this bill out of committee.

Mahalo,

Phil Rarick

Oahu resident

SB-2972-SD-1
Submitted on: 3/1/2026 4:30:28 PM
Testimony for JDC on 3/3/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Jesse Rich	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and members of the JDC,

My name is Jesse Rich, and I am a concerned citizen of Honolulu who strongly supports SB2972 SD1 as a necessary temporary emergency measure to replenish Oahu's uhu and kala fish populations. These species play a critical role in controlling algae growth and maintaining healthy coral reefs, which are foundational to Hawai‘i's marine ecosystems, local fisheries, cultural practices, and economy.

Our reefs are under increasing stress from climate change, warming waters, and pollution. Protecting herbivorous fish is one of the most immediate and effective actions we can take to give coral reefs a chance to recover and remain resilient. SB2972 D1 represents a science-based, proactive step that prioritizes long-term environmental health for current and future generations.

Mahalo for your consideration and for your commitment to protecting Hawai‘i's reefs,

Jesse Rich

Honolulu, Oahu

Dear committee,

I am a researcher at the Hawai‘i Institute of Marine Biology, but I am speaking today as a private citizen. I strongly support SB2972 SD1. One of my major areas of study is the effects of climate change on coral reefs in Hawai‘i. The effects of ocean warming on our reefs will be severe over the next few decades, but one of the best things we can do as a community and as a state to prepare for these challenges is to build robust communities of limu-eating fish. Limu (seaweeds) are natural on our reefs, but without enough fish that eat them, the corals quickly become choked off and don’t have a chance to recover after heatwaves. Recent work by my colleagues in Hawai‘i has shown that the abundance of limu-eating fish on a reef is a fundamental determinant of whether that reef recovers after a heat-wave, or collapses. The challenges facing our reefs from not having enough limu-eating fish will become much more severe as we have future heatwaves, and as the climate changes.

The population of herbivorous, limu-eating fish around O‘ahu has been dramatically depleted due to decades of overfishing. This is an emergency situation and we need to put measures in place now if we hope to have reefs, fisheries, coastal protection, surf breaks, and all the things we get from coral reefs around O‘ahu in the future.

I am in favor of this bill because it puts rapid limits on the overfishing of uhu (parrotfish) and kala (blue-spine unicornfish), which are essential herbivores on our reefs, and because they have been so substantially overfished around O‘ahu.

I know that this bill will result in substantial push-back from a vocal, yet small minority of fishermen. Most fishermen appreciate mālama ‘āina (protection and care of the land and this place). Most fishermen, and most people, will understand we must take steps to protect O‘ahu, our home, and ensure that it remains bountiful for generations to come.

I support this bill, and I encourage you to support it as well.

Sincerely,

Chris Jury

TESTIMONY ON SENATE BILL 2972 SD1

March 2, 2026

Aloha Chair Rhoads, Vice-Chair Gabbard, and members of the JDC:

I recently retired as NOAA's research coordinator for the Papahānaumokuākea National Marine Sanctuary, and maintain affiliate faculty status with UH Manoa. I am testifying today as a private citizen. I have spent over 40 years studying Hawaii's coral reef ecosystems, and have also been an avid recreational diver and fisher for all of my adult life. In this time span, I have witnessed the serious degradation of our coral reefs. Specifically, we have over-harvested herbivorous fishes, the so-called "lawnmowers of the reef", to levels so low that we are at risk of losing our coral reefs entirely in coming years. In the wake of a major perturbation, such as a tsunami or major hurricane, herbivorous fishes are needed to keep the algae in check until new corals can settle on the reef and grow. Without herbivores such as uhu (parrotfish) and kala (surgeonfish), the algae takes over and corals may never recover.

The scientific data documenting this precipitous drop in herbivore abundance is incontrovertibly documented in the scientific literature (see testimony and data provided separately by Drs. Mark Hixon, Alan Friedlander, and others). Herbivore abundances on O'ahu's reefs are BELOW FIVE PERCENT of the pristine stocks in the Northwestern Hawaiian Islands. This constitutes an emergency by any definition of the word, and requires immediate action. We are literally one coral bleaching event away from losing a majority of our coral reefs.

Coral reefs are critically important to modern Hawaiian society. A recent study put their valuation in the hundreds of millions of dollars a year in terms of the protection they provide from storms and coastal inundation. As residents of this state, many (if not most) of us partake of ocean recreation, whether it involves swimming, diving, fishing, surfing, paddling, sailing, or just sitting on a sandy beach while enjoying the sunset. Coral reefs make all of these things possible. These ecosystem services are also a large draw for tourism, the economic engine upon which our state is heavily dependent. Finally, during recent economic and social upheavals due to the COVID pandemic, coral reef fisheries also provided a measure of food security for many local families.

SB2972 is a temporary measure to begin restoration of Oahu's fish populations immediately. Coral reef restoration truly requires a multi-pronged approach, one that ultimately must be inclusive of watershed restoration, cessation of pollution, etc. However, given the urgency of herbivore depletion on our reefs. I strongly support SB2972 as a measure that can be quickly, inexpensively, and effectively deployed

ASAP. At risk of sounding alarmist, I believe very strongly that urgent action is needed. I thus ask for your support on SB2972.

Thank you for your consideration.

Randall Kosaki, Ph.D.

TESTIMONY IN STRONG SUPPORT OF SENATE BILL 2972 SD1

Relating to Oahu Coral Reef Restoration
Before the Senate Committee on Judiciary (JDC)
March 3, 2026, 10:15 am

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

I recently retired as Chief Scientist for the National Geographic Society's Pristine Seas program and am currently an affiliate researcher at the Hawai'i Institute of Marine Biology. Over the past 40 years, I have spent thousands of hours underwater from South Point to Kure Atoll working to identify and address major issues in fisheries and marine conservation throughout Hawai'i and the broader Pacific region. Having conducted research on marine ecosystems from the poles to the tropics and to depths of thousands of meters, I have a unique perspective on the importance of the health of these ecosystems to people and nature and the gradients of human-induced and environmental impacts to these vital ecosystems.

I am writing in strong support of SENATE BILL 2972 SD1, which would temporarily prohibit the taking by nighttime spearing of uhu or kala in state marine waters around the island of O'ahu, and prohibit the commercial sale of uhu and kala so taken. These measures, while temporary, are a first step in helping to restore the populations of these species, which have become so low that we are in danger of losing them and the coral reefs on which they depend.

Studies authored my myself and others have shown a severe decline in herbivorous fish populations across Hawai'i, some dangerously low, imperiling our coral reefs statewide. Maintenance and recovery of coral reefs require herbivores, which graze on limu and help reefs recover from climate-driven bleaching, as well as local threats from poor water quality, overfishing, and habitat loss. O'ahu's herbivore populations are in crisis with populations at less than 5% of their potential capacity. This is particularly true for large species like uhu, kala, which are important food fish and critical to reef health. A major contributor to herbivore depletion is spearing, especially at night when these species sleep on the reef and are most vulnerable. This bill would help to address this issue and aid in the recovery of these keystone species. I have worked on nearshore fisheries and coral reefs in Hawai'i and across the global for over 4 decades and have documented significant declines in fish stocks, particularly in populated islands such as O'ahu. Many locations have passed the tipping point but there is still hope for Hawai'i. This legislation is a critical step in helping to ensure we can restore severely depleted herbivore populations and build coral reef resilience in the face of climate impacts and local stressors. Restoring herbivore populations is essential for reef recovery and for the people of Hawai'i.

Mahalo, Alan Friedlander, Ph.D.

SB-2972-SD-1
Submitted on: 3/3/2026 6:58:22 AM
Testimony for JDC on 3/3/2026 10:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Hannah Rozendo	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and our other valued members of the JDC,

My name is Hannah Rozendo, and I am writing in strong support of SB2972 SD1. I am a marine ecologist by trade, but this testimony represents my personal opinions and not those of my employer. In my professional role I work directly with fishers across Hawai‘i who have intimate understanding and concerns about the long-term health of our nearshore reefs and fisheries. Over their lifetimes, most of these fishers have experienced increasing grief at the deterioration of nearshore enviornments.

I regularly hear concerns from fishers about declining reef health, reduced fish abundance, and the cumulative impacts of land-based stressors on coastal ‘āina. These are individuals and families whose ancestry, livelihoods, food security, and cultural practices are directly tied to healthy reefs. They are not asking for less stewardship, but rather more effective management that ensures Hawai‘i's marine abundance will be restored for future generations.

SB2972 SD1 represents an important step toward proactive, responsible management. By restricting take of kala and uhu at night, this measure supports both ecological resilience and the communities that depend on these resources. Healthy reefs are foundational to local fisheries, coastal protection, tourism, and cultural continuity in Hawai‘i.

Educational and enforcement plans to support the passing of this legislation, ready for implementation by its effective date will help the rule meets its full potential. I respectfully request that the bill’s effective date be set no later than for January 1, 2027. A clear and practical implementation timeline will help agencies, fishers, and other stakeholders prepare for a smooth and successful rollout.

Based on my professional experience and the concerns consistently raised by the fishing community, I respectfully urge you to pass SB2972 SD1 with an implementation date of no later than January 1, 2027.

Mahalo for your care on this matter, Hannah Rozendo