

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
SUZANNE D. CASE
Chairperson

Before the House Committee on
WATER & LAND

Thursday, February 4, 2021
9:00 AM

State Capitol, Via Video Conference, Conference Room 430

In consideration of
HOUSE BILL 1016
RELATING TO THE TAKING OF MARINE LIFE

House Bill 1016 proposes to clarify that a valid commercial marine vessel license shall satisfy the commercial marine license requirement for all persons taking marine life for commercial purposes aboard a validly licensed vessel; and requires any person who provides fishing charter services to obtain a commercial marine license. **The Department of Land and Natural Resources (Department) supports this Administration measure and offers the following comments.**

Currently each individual on a fishing vessel must have the individual's own commercial marine license (CML) to participate in a commercial fishing trip (where any portion of the catch may be sold). This places logistical and financial burdens on vessel captains when part-time crew members are needed for a commercial fishing trip, or when unscheduled or infrequent visitors are invited aboard. It also leads to confusion regarding who is responsible for submitting commercial catch reports for fishing activities onboard the vessel.

The Department intends to amend its CML rules to establish a new commercial marine vessel license (CMVL) category. The CMVL, which would cover everyone onboard under one license and eliminate the need for individual licenses, would be more convenient and cost-effective for Hawaii boat-based fishers. The CMVL rules would clarify who is responsible for submitting catch reports for the vessel.

The measure also provides clarification and consistency regarding the CML requirement for fishing charter services. Current statutory wording expressly requires vessel-based charters to obtain a CML. It is unclear however whether shore-based charters are also required to obtain a CML. The measure would clarify that any person providing fishing charter services, whether vessel-based or shore-based, must first obtain a CML. This will allow the Department to better understand and manage marine charter fishing activities in the State.

Thank you for the opportunity to comment on this measure.

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

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

ICE PARTNERS, LLC

1133 NORTH NIMITZ HIGHWAY
HONOLULU, HAWAII 96817
PHONE (808) 537-2905 * FACSIMILE (808) 536-3225

February 3, 2021

To: House Committee on Water and Land

RE: **Bill HB1016 – in support**

Committee – Water and Land

Dear Committee Members:

Ice Partners works directly with the Hawaii Longline Fishing fleet by supplying ice for the boats to hold the fish.

By allowing the Division of Aquatic Resources to establish a vessel Commercial Marine License that would allow any individual onboard a licensed vessel to fish, this would make the whole licensing and enforcing process more efficient. This would then help the longline fleet and in turn our business as well.

Therefore, Ice Partners is in full support of Bill HB1016. Thank you for your attention to this matter.

Sincerely,



Ann Iwasaki
Administrator

POP FISHING & MARINE



February 3, 2021

To: Senate Committee on Water and Land

RE: **Bill HB1016 – *in support***

Committee – Water and Land

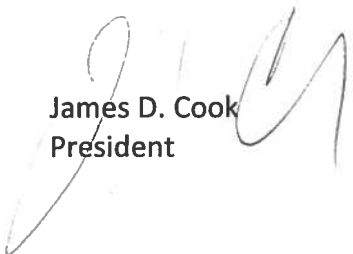
Dear Committee Members:

POP Fishing & Marine is in full support of Bill HB1016 as it will make the Commercial Marine Licensing more efficient.

Our commercial and sports fishing store works directly with all the various fishermen in the State of Hawaii. We directly support the Hawaii longline industry as well as the weekend fisherman. We feel the bill will make the licensing process more streamlined so all fishermen will benefit.

Thank you for your positive consideration in passing Bill HB1016.

Sincerely,


James D. Cook
President

POP-HAWAII.COM

TEL: 808 537-2905
FAX: 808 536-3225

1133 N. NIMITZ HWY.
HONOLULU, HI 96817

Vessel Management Associates, Inc.

1133 North Nimitz Highway

Honolulu, Hawaii 96817

Phone (808) 537-2905

Facsimile (808) 536-3225

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February 3, 2021

To: House Committee on Water and Land

RE: Bill HB1016 – *in support*

Committee – Water and Land

Dear Committee Members:

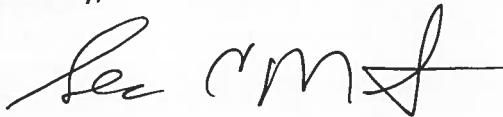
Vessel Management Associates runs a fleet of longline fishing boats in Hawaii. As such the longline fleet part of the largest food producer in the State of Hawaii both in terms of volume and value.

This bill will allow the Division of Aquatic Resources to license and enforce, once, with the vessel license, instead of licensing each individual fisherman. This will make things easier for all involved.

Vessel Management is in full support of Bill HB1016 because any bill that will make the Commercial Marine Licensing process more streamlined and efficient will serve to assist us in running our longline fleet. This efficiency will then pass through to affect the whole economy of the State.

Thank you for your attention to our support of Bill HB1016.

Sincerely,



Sean C. Martin
President

House Committee on Water & Land
February 4, 2021 9:00 am

LATE

House Bill 1016: Relating to the Taking of Marine Life

Chair Tarnas, Vice Chair Branco and members of the Committee, my name is Brooks Takenaka, General Manager of the United Fishing Agency aka the Honolulu Fish Auction.

We strongly support HB 1016.

HB 1016 will allow DLNR/DAR to establish a “vessel” commercial marine license (“CML”) that will satisfy an individual’s licensure requirement if aboard a licensed vessel.

A vessel’s “CML” will simplify the licensing requirements, be a more efficient permitting system and improve catch reporting. I ask for your favorable consideration that will support Hawaii’s fishermen and commercial fishing enterprises which provide fresh, high quality seafood that’s critical to our local food security and provides many cultural and economic benefits to the state.

Mahalo for this opportunity to testify and share our views in support of HB 1016.



LATE

Eric K. Kingma, Executive Director, Hawaii Longline Association

Committee: Water and Land

Committee Hearing Date/Time: February 4, 9 am

Bill: HB1016 – in support

To: House Committee on Water and Land Chair Tarnas, Vice-chair Branco, Members Ganaden, Kobayshi, Kong, Morikawa, Ohno, McDermott

The Hawaii Longline Association¹ supports HB1016255 because it would allow the Division of Aquatic Resources (DAR) to establish a vessel Commercial Marine License (CML) that satisfies an individual's licensure requirement if aboard a licensed vessel. A vessel CML would simply the regulatory requirements, be a more efficient permitting system, and would not reduce revenue to DAR.

Implementing permitting regulations that are effective and efficient should be a goal of government. This bill is necessary to provide DAR the ability to implement administratively efficient, effective, and enforceable vessel CML requirements that are supported by Hawaii's commercial fisherman.

The Hawaii longline fishery is the largest food producer in the State of Hawaii both in terms of volume and value. Commercial fishing is critical to Hawaii's food self-sufficiency and provides many cultural, social, and economic benefits. This bill both supports DAR and Hawaii's commercial fisheries, which provide fresh, high quality seafood that is important to Hawaii residents and visitors.

Mahalo for considering this testimony in support of HB1016.

Sincerely,

Eric K. Kingma, PhD
Executive Director

¹ For more information on HLA, please visit: www.hawaiilongline.org/

February 2, 2021

COMMITTEE ON WATER & LAND

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

Rep. Sonny Ganaden Rep. Dee Morikawa
Rep. Bertrand Kobayashi Rep. Takashi Ohno
Rep. Sam Satoru Kong Rep. Bob McDermott

NOTICE OF HEARING

DATE: Thursday, February 4, 2021
TIME: 9:00 a.m.
PLACE: VIA VIDEOCONFERENCE
 Conference Room 430
 State Capitol
 415 South Beretania Street

RE: HB1016 RELATING TO THE TAKING OF MARINE LIFE – STRONG SUPPORT

Clarifies that a valid commercial marine vessel license shall satisfy the commercial marine license requirement for all persons taking marine life for commercial purposes aboard a validly licensed vessel. Requires any person who provides fishing charter services to obtain a commercial marine license.

Chair Tarnas, Vice Chair Branco, and Members of the House Committee on Water and Land:

Thank you for this opportunity to submit testimony in **STRONG SUPPORT** of this measure that has been before this legislature for the past four sessions that I can remember and failing a fair hearing about the economic hardship this arcane requirement on the smallboat fishing community to have each individual aboard a vessel that sells its catch having to hold a valid State Commercial Marine License (CML). The current CML is \$100/ year and was to be increased to \$150-200 in 2020 but with the pandemic, we were spared an increase. This bill asserts:

“This places logistical and financial burdens on vessel captains when part time crew members are needed for a commercial fishing trip, or when unscheduled or infrequent visitors are invited aboard. It also leads to confusion regarding who is responsible for submitting commercial catch reports for fishing activities on board the vessel.”

We smallboat fishermen rely upon a rotating stand-by list of crew members as an individual’s availability to go fishing on a moment’s notice requires a broad list of potential crewmen. The pandemic exacerbated the availability problem in 2020 especially with older crewmembers as they feared for their health and well-being resulting in fewer fishing trips and lost revenues for the captains.

When the CML fee was at \$25 it was an easy sell to the captain and often the crewman would offer to spare the captain and pay the \$25 fee as they would receive more than \$25 worth of fish each trip. At \$100 it became the captain’s burden in fairness to his list of standby crewmen. Any future increase would create a considerable financial burden on a captain as the majority of small vessels are crewed by one to

three crewmembers. I personally have a list of five standby crewmen and even with that I have not been able to fish when conditions have allowed.

Currently this list of crewmen holding CMLs creates an unnecessary burden on the DAR administration by issuing fines on unfiled Fishing Reports and having to do subsequent research of CML holding crewman who did not submit "Did Not Fish Reports" but were reported by a Captain on his catch report to have fished with him. Also, it is only the vessel Captain that reports the sale of the catch making it unnecessary for a crewman from filing one.

Another concern held by many is that future increases to individual CMLs would result in fishermen not renewing individual CMLs creating a huge loss of catch and effort data for the State's marine resource monitoring and management capability and the move to a CMVL would help mitigate that.

Finally, the smallboat fishing community suspects that this measure has failed because the legislature's concern that the authorization to implement a single vessel based Commercial Marine Vessel License would support the suspected "human trafficking" to be occurring in Hawaii's fisheries. (See: SB1259) This concern is unfounded as it has been proven not to be true by federal law enforcement officials that enforces the nation's immigration laws.

Therefore, I humbly request that this bill be given a chance during this legislative session as we have all learned the importance of our smallboat and vessel-based fisheries on Hawaii's "blue economy" that provides jobs for the fishermen, the supporting industries and food for the community in its broadest sense. Our families, crews, neighbors and friends all benefit from the catch aboard our vessels that was exemplified by the sharing demonstrated during this pandemic when incomes are short or non-existent BUT there was fish on the table. Please seriously consider this measure for passage during this session and thank you again for this opportunity to testify in strong support of this long overdue measure. Mahalo a nui loa!

Respectfully yours,

Roy N. Morioka
CML Holder

HB-1016

Submitted on: 2/2/2021 11:08:23 PM

Testimony for WAL on 2/4/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shyla Moon	Individual	Support	No

Comments:

Please help support efforts to give our commercial marine license businesses an easier time financially to function. During the pandemic everyone struggling to stay afloat. I notice in testimonies of past and during hearings many politicians focus on longline vessels, and often don't talk about the small vessels who have commercial marine licenses.

LATE

HB-1016

Submitted on: 2/3/2021 2:14:19 PM

Testimony for WAL on 2/4/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
John Kaneko	Individual	Support	No

Comments:

February 3, 2021

Re: House Bill 1016 Testimony in SUPPORT

Comments:

The Hawaii Seafood Council (HSC) supports HB1016. It authorizes DLNR to create commercial fishing licenses covering everyone onboard a fishing vessel under one license. This is a common sense measure that creates efficiency for the DLNR staff while supporting sustainable fishery management by facilitating catch reporting by commercial and charter fishers. HSC is a non-profit organization that supports Hawaii's responsible fisheries, and safe and sustainable seafood.

John Kaneko

Program Manager

LATE

HB-1016

Submitted on: 2/3/2021 9:43:31 PM

Testimony for WAL on 2/4/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joshua DeMello	Individual	Support	No

Comments:

This bill makes sense because the vessel captain is responsible for everyone on board as well as the data. Their crew is not always the same so if they can't find a crew with a CML, a captain will go alone which is unsafe. Sometimes captains want to take their family or visiting friends as crew but can't count it as a commercial trip because of the current rules. This remedies that problem, keeps fishermen safe, and allows HAWAII's fishing traditions to continue. Please support this bill