

**From:** [Miloli'i CBSFA](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony for Miloli'i CBSFA  
**Date:** Thursday, February 24, 2022 9:24:17 AM

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Testimony of **SUPPORT** for a Public Hearing to Consider  
Adoption of the Rules Package for Miloli'i Community-Based  
Subsistence Fishing Area

Aloha, my name is Wesley Basinga III. Everybody calls me Boi.

I **SUPPORT** having a public hearing on the proposed rules package for Miloli'i.

I live here in Miloli'i with my Dad and my Tutu

I am a student at Kua O Ka Lā Hīpu'u

I do my part of kilo data collection in my classroom

I support my family's fishing lifestyle

Please let me and my 'ohana be heard in a public hearing.

Mahalo,

BOI

RE: Friday February 25th, 2022, Meeting at 9:00 am AGENDA ITEM F-2

Aloha Board of Land and Natural Resources

My name is Wesley Kilakila Basinga Jr. I am a single father of 3 kids and I'm a Pastor to the youth here in Miloli'i and in Kailua Kona. I reside here in Miloli'i village and am a lineal descendant of this place through the Paulo line. My grandma is Margaret Basinga, maiden name Paulo.

As kids me and my 14 cuzzins were raised part time here in Miloli'i by our grandma and were taught to fish, dive and gather mostly along the shoreline as our ohana never had a boat. Growing up here we learned the importance of sustainability and taking care of what we have.

Currently I am a Konohiki apprentice and have participated in the ocean and nearshore surveying and monitoring of our resources for the past couple years.

Today, I testify in SUPPORT of the state having a public hearing for the proposed rules package for the Miloli'i Community Based Subsistence Fishing Area and in SUPPORT of the rules that are being presented in this package.

Mahalo, Wesley K Basinga Jr

**From:** [cambrad003](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Deep 7  
**Date:** Thursday, February 24, 2022 7:53:30 AM

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I support opening of the remaining BRAF.  
Thank you.

Sent from my Verizon, Samsung Galaxy smartphone

**From:** [Spencer Hisatake](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Yes to open BRFA's  
**Date:** Wednesday, February 23, 2022 3:24:11 AM  
**Importance:** High

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Aloha I am a semi-commercial fisherman Lic# 22872

And I say yes to opening these areas. Especially with the static's and new found facts that a lot of the snapper's are found to be "channel crosses" through the tagging program and are more current driven than location centric. These facts and through experience I say open it up for the local fisherman (small boat fleet) to utilize the resource of our waters and keep the money here in Hawaii.

Sincerely,  
Capt. Spencer Hisatake

**From:** [Miloli'i CBSFA](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony for Miloli'i CBSFA  
**Date:** Thursday, February 24, 2022 9:23:36 AM

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## Testimony of **SUPPORT** for a Public Hearing to Consider Adoption of the Rules Package for Miloli'i Community-Based Subsistence Fishing Area

Aloha, my name is Timoteo Casuga-Llanes.

I am testifying in **SUPPORT** of the state having a public hearing on the proposed rules package for the Miloli'i Community Based Subsistence Fishing Area.

Miloli'i CBSFA was designated in 2005. In 2019, Kalanihale a Miloli'i non-profit organization made its' request to the Department of Land and Natural Resources Division of Aquatic Resources to express it's readiness to create its' rules package.

I live here in Miloli'i with my parents, my Grandma & Grandpa. I am a student at Kua O Ka Lā Hīpu'u and I do my part of kilo data collection and science surveying in my classroom - Puakai'a Miloli'i. I support my family's fishing lifestyle and the work that my 'ohana is doing for the rules.

Please let me and my 'ohana be heard in a public hearing.

Mahalo,

Timoteo Casuga-Llanes

**From:** [Bob Douglas](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Upcoming Hearing: Miloli'i CBSFA before the BLNR  
**Date:** Wednesday, February 23, 2022 9:44:31 PM

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Aloha,

My name is Bob Douglas my heritage is of Belgian and Irish descent. I'm married to U'ilani Naipo a direct lineal descendant of Miloli'i. Our sons are lineal descendants as well.

Today I testify in SUPPORT of the state having a public hearing on the proposed rules package for the Miloli'i Community Based Subsistence Fishing Area (CBSFA).

Miloli'i CBSFA was designated in 2005 and in 2019, Kalanihale a Milolii non-profit organization made their formal request to the Department of Land and Natural Resource (DLNR) Division of Aquatic Resources (DAR) to express it's readiness to create its' rules package.

As the husband and father of lineal descendants of Miloli'i, the proposed rules package reflect their traditional practices passed down through generations and mana'o from them and my family. I ask that you allow a public hearing for the proposed rules package for Miloli'i CBSFA.

The Miloli'i CBSFA Strategic & Planning Hui has conducted self-evaluation of the community, in water and nearshore monitoring and surveying of marine and environmental resources, developed proposed rules, and conducted extensive outreach to gather feedback and comments. I ask that you allow the due process of conducting a public hearing for the proposed rules package for Miloli'i CBSFA.

Mahalo,

Bob Douglas  
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808 333-0402



## Hawai'i Wildlife Fund

*Post Office Box 1801, Kealahou, Hawai'i, HI 96750 &  
Post Office Box 790637, Paia, Maui, HI 96779*

*Celebrating 25 years of protecting  
Hawai'i's native wildlife through research, education and  
conservation.*

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Division of Aquatic Resources  
1151 Punchbowl Street, Room 330  
Honolulu, HI 96813

e: DLNR.aquatics@hawaii.gov / CBSFA@hawaii.gov (cc: kkaupiko@gmail.com, miloliicbsfa@gmail.com)

### **Re: Miloli'i proposed CBSFA rules and Marine Management Plan – South Kona, Hawai'i**

29 October 2021

Aloha DAR leadership,

Hawai'i Wildlife Fund (HWF) wholeheartedly supports the initiative of Kalanihale, of Miloli'i, South Kona in cooperation with the DLNR and their community members to restore abundance to Miloli'i reefs and nearshore waters. The proposed rules and Marine Management Plan for their Community-Based Subsistence Fishing Area (CBSFA) are critical for that restoration to occur and HWF supports Kalanihale's Marine Management Plan.

The rural Hawaiian fishing village of Miloli'i, South Kona is home to Kama'āina steadfast in traditional fishing practices and stewardship of their 'Āina. They have and continue to rely upon fishing and gathering of marine resources for their subsistence and well-being. The health and resilience of the fishery is integral to ensure that subsistence, cultural, and religious practices continue for current and future generations.

Kūpuna of Miloli'i have always and still remain the guiding voice for Kalanihale as it navigates its way in response to observing dramatic declining health and abundance of marine resources in their waters. HWF recognizes the great efforts Kalanihale has done over the years and we have supported Kalanihale to meet some of their objectives (listed here):

- ❖ *Community Engagements:* Facilitate community awareness and feedback with the 'Ohana Miloli'i; Establish partnerships with key agencies, fishery councils and cultural committees. Host communities for cultural enrichment.

- ❖ *Educational Programs:* Maintain community awareness; Develop in-residence proficiency of konohiki ways; Educate - 'Āina-based educational programs, 'Ohana learning of lawai'a pono, fishery rules, and stewardship.
- ❖ *Health & Wellness Programs:* Facilitate access to health services in Miloli'i Community; Host Health & Wellness events; provide enrichment programs to Miloli'i youth.
- ❖ *Community-based Monitoring:* Conduct frequent in-residence training and perform ongoing in-water, coastal, and marine species monitoring. Increase manpower and proficiency to sustain community-based monitoring objectives.
- ❖ *State Agencies & Legislation:* Advocate for the collective voice of the Miloli'i Community; Established Miloli'i Community-Based Subsistence Fishing Area (2005); Submission of Marine Management Plan (2021).

Hawai'i Nei is home to thousands of native species living from the depths of the pelagic environment and coral reefs to the very peak of Mauna Kea. Like many island ecosystems, a large percentage of the native wildlife living in the Hawaiian archipelago is endemic to this region. At the same time, island ecosystems are *much* more vulnerable to the threats of invasive species and natural disasters, and are consequently more at risk for extinction than their continental counterparts. In addition, and of utmost importance, the health and wellness of our island residents is intimately linked to the wellbeing of the surrounding environment (The Kohala Center 2016) and traditional ecological knowledge and lessons can be learned from the local community members and fishermen to help support and sustain these same marine resources into the future (Johannes 1981).

In this era of increasing anthropogenic threats to our coastal and marine ecosystems from climate change (sea-level rise, warming ocean temperatures, more frequent storm events, heightened drought / flooding patterns), coupled with excessive tourism, overdevelopment, and overfishing activities we need to take action immediately to both plan and to protect our natural resources and cultural practices (and think about generations to come). Such is the initiative that is being proposed at Miloli'i, and it is urgent that we act now to protect this Wahi Pana and the nearshore resources that Kalanihale and community members have sought to protect for the past two decades.

The following highlights three of the many reasons that our HWF team supports this effort:

- Securing the health and resilience of the fishery at Miloli'i is integral to ensuring that subsistence, cultural and spiritual practices continue for current and future generations. The success they have demonstrated has had a powerful positive influence with other communities throughout Hawai'i.
- We recognize that co-management efforts such as these will help the state achieve the goal of effectively managing 30% of nearshore marine waters by 2030. (More *effective* management means more fish in the sea - for their intrinsic value and for the sustenance of future generations.)
- This proposal was based on the collective knowledge of Kūpuna, Kama'āina families, and traditional and customary practices specific to their place.



Hawai'i Wildlife Fund (HWF) is a small nonprofit organization that has been working to conserve native species in Hawai'i since 1996. During that time, we have been actively involved in research, education, restoration and advocacy projects related to the protection of coastal and nearshore ecosystems around the Pae 'Āina. HWF was founded by two former National Marine Fisheries scientists, and we have been involved in community-based fisheries management efforts since 2003 at the invitation of the former Community Conservation Network (CCN), now Kua'āina Ulu Auamo (KUA) to join the E Alu Pū network. We are also co-founders of the original Makai Watch program (another community-based marine management program), together with CCN, The Nature Conservancy, DOCARE and the communities of Miloli'i, and 'Āhihi-Kīna'u Natural Area Reserve.

We support regulations that facilitate local communities, concerned fishermen, and the DLNR to improve current marine resource conditions on an Ahupua'a or Moku scale. Since traditionally managed fishery zones where the community is dedicated and involved have standing stocks of reef fishes equal to that in fully protected marine reserves (Poepoe et al., 2003), they should be fully supported for community co-management initiatives. We share the spirit embodied in the E Alu Pū Resolution No. 1-2013 regarding CBSFA designations, rules and the work of many communities seeking to mālama their place through co-management approaches. While this particular proposal extends to the bounds of nine Ahupua'a, Kalanihale has shown that this entire region has been utilized for generations to support the families that live there, and protecting this whole area for future generations is of utmost importance.

We support communities that wish to develop subsistence fishery management areas and plans, including Miloli'i and Ho'okena on the island of Hawai'i, Ha'ena on Kaua'i, Kīpahulu on Maui, Mo'omomi on Moloka'i, and will continue to back other Moku or Ahupua'a that seek the same.

**HWF advocates for the initiatives of Kalanihale and their Marine Management Plan for Miloli'i as we have with this community since 2003, and we encourage you to do the same.** Kalanihale and community members in Miloli'i have worked hard for decades on this CBSFA initiative and we urge you to move this process to completion. Mahalo for your time, consideration, and support of this proposal to sustain the native wildlife / habitats, cultural landscape, community connectivity and special, sacred place that is Miloli'i.

*Me ke aloha pumehana,*



**Megan R. Lamson, M.S.**  
*President & Hawai'i Program Director*  
[megan@wildhawaii.org](mailto:megan@wildhawaii.org)  
(808) 769-7629 (debris hotline)



**Hannah J. Bernard**  
*Co-founder & Executive Director*  
[hannah@wildhawaii.org](mailto:hannah@wildhawaii.org)  
(808) 280-8124

Cited references in SUPPORT of this CBSFA:

- Johannes, R.E. "Words of the Lagoon: Fishing and Marine Lore in the Palau District of Micronesia". University of California Press, Berkeley, USA. 1981.
- Poepoe, K. K., P. K. Bartram, and A.M. Friedlander. "The use of traditional knowledge in the contemporary management of a Hawaiian community's marine resources." *Fishers' knowledge in fisheries science and management* (2007): 119-143. (Avail for download here: [LINK](#))
- The Kohala Center. "Health Impact Assessment of the of the proposed Mo'omomi Community-Based Subsistence Fishing Area." Report from March 2016. (Avail for download here: [LINK](#))

**From:** [Jim Hori](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Please Open all BRFA  
**Date:** Tuesday, February 22, 2022 9:57:58 PM

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Aloha BLNR,

I am in full support of opening all BRFA's so that they can be used for fishing and feeding our ohana's in Hawaii!

Mahalo,  
Jim Hori, Founder of Lokahi Fishing

Sent from [Mail](#) for Windows

Board of Land and Natural Resources  
P.O. Box 621  
Honolulu, Hawaii 96809

Lisa Ann Mahealani Hua  
89-1777 Miloli'i Road  
Captain Cook, Hawaii 96704

RE: Friday, February 25th, 2022, Meeting at 9:00am; Agenda Item F-2.

Aloha Board of Land and Natural Resources members,

My name is Lisa-Ann Mahealani Hua and I am a decendent of the Paulo ohana of Miloli'i Fishing Village. I was born in Oahu, then moved to Miloli'i Village with my parents and siblings in 1969. Since then I was raised to participate in the traditional and cultural practices of the different styles of fishing. Such as; opelu fishing and preparing palu made of taro, pumpkin, and avacado; limu kohu harvesting; single spear fishing made of wire hangers, learning how to catch a'ama with my bare hands and a bucket with bait, night fishing for u'u on the shoreline, also fished hand-line for ahi, aku, marlin, mahimahi and ono.

Later on in life, I was married to George Hua Sr, a U.S. Army Retired and fishermen of Honaunau. We became fishing partners of a Commercial Fishing Business called "Silver Star Fishing Enterprises", in Miloli'i Village. For our business the main style of fishing was Shallow-Bottom Fishing, also known as, "Kaili".

As a student of Mohala Na Konohiki led by Uncle Mac Poepoe of Moloka'i, we are always in observation mode to malama our resources. Digging deeper into the understanding of how to protect and help sustain the resources, I volunteered in the Miloli'i Makai Watch program.

Today, I testify in SUPPORT of the State having a public hearing on the proposed rules package for the Miloli'i Community-Based Subsistence Fishing Area that was designated in 2005 and 2019.

Mahalo plenty,

Lisa Ann Mahealani Hua

**From:** [William Hui](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Written Testimony for 2-25-2022 F-2  
**Date:** Wednesday, February 23, 2022 10:09:01 PM

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**State of Hawai'i**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**  
**Division of Aquatic Resources**  
**Honolulu, Hawai'i 96813**

**February 25, 2022**

**Board of Land and Natural Resources**  
**State of Hawai'i**  
**Honolulu, Hawai'i**

F-2 REQUEST FOR APPROVAL TO HOLD PUBLIC HEARINGS TO ADOPT A NEW CHAPTER UNDER HAWAII ADMINISTRATIVE RULES ("HAR") AS TITLE 13 CHAPTER 60.XX, MILOLI'I COMMUNITY-BASED SUBSISTENCE FISHING AREA, HAWAI'I, TO MANAGE AND PROTECT FISH STOCKS AND TO REAFFIRM TRADITIONAL AND CUSTOMARY NATIVE HAWAIIAN SUBSISTENCE FISHING PRACTICES ALONG THE SOUTHWEST COAST OF HAWAI'I ISLAND

Aloha mai kakou Board of Land and Natural Resources,

My name is William K. Ma'e-Huihui a lawai'a practitioner of Moku o Keawe and resident of Miloli'i fishing village. I am testifying in SUPPORT of having a public hearing for the proposed adoption of the rules package for the Miloli'i CBSFA. With the rules package I believe this will help bring abundance back to Miloli'i and the surrounding area.

I am an apprentice of the Mohala Na Konohiki program here in Miloli'i under the direction of Uncle Mac Poepoe of Moloka'i. I have been a part of the program for four years now and I have learned so much through the guidance of Uncle Mac. I see we as a hui have to work together to help the abundance with the resources we have and aid them in growth and repopulation of area through pono harvesting and constant kilo. Myself and other Mohala Na Konohiki apprentices kilo continuously and see not only the depletion of certain species and habitat, we also see the potential of growth and abundance in these areas with pono practices.

Our community as a whole came together and helped with the zones, species, and rules that should be within the MCBSFA. One function of the Mohala Na Konohiki hui is to communicate with the 'ohana of Miloli'i after questions and concerns are brought up. Mohala Na Konohiki hui reaches out to the community and addresses the questions or concerns, gains their feedback, and from there reply with the voice of the community not as an individual. As Konohiki it is vital for open communication

between the community, the resources mauka to makai, and maintaining as much balance as possible between the resources and the community as a whole.

I have been kako'o to the non-profit Kalanihale for many years and have been part of their biological marine monitoring programs. Sharing of 'ike of lawai'a practices passed down to me from my father that was passed down to him from his father of i'a (fishes) and ko'a (home/habitat). I helped by getting in the water and sharing with students, scientists, and kanaka what I know and helped to give them a view of a different perspective. By working with other communities, marine biologists, conservation groups, and more it helped me gain more appreciation for what we have here in our community both below the waters and above .

In Conclusion I strongly urge that you support having a public hearing for the proposed adoption of the rules package for the Miloli'i CBSFA. With the gear restrictions, bag limits, and the pu'u honua it's a step towards better practices. With the selected species' closed and open seasons, size limits, and rest zone is a step towards better management. I feel the community has worked hard and is ready for the next steps as we continue this process and carry forward to a new and positive endeavor of marine conservation and the observance of traditional Hawaiian fishing practices in a place known as the last traditional Hawaiian fishing village of Hawaii nei. Mahalo for your time, energy and feedback as we continue this process may your day be blessed mahalo nui loa.

William K. Ma'e-Huihui

**From:** [Steve Kaiser](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Opening up Bottomfish areas  
**Date:** Wednesday, February 23, 2022 10:06:56 AM

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As a commercial fisherman located in Kohala on the big Island I employ you to open the closed area on the Hamakua Coast. The closure has impacted both subsistence and commercial fisherman substantially. Here in North Kohala our fisherman have traditionally fished these grounds for decades. And the reality is two fold. One the bottom fishing on the lee side is not productive and two weather plays a huge role in when the Hamakua side can be fished. So in reality the North side is impossible to fish as much as half the year do to weather.

Regardless the science says closures have restored to fishery. And it was promised on the closure that once restored areas would be open. Keep that promise by following science as the science said close and now it says open!

I will add i fish pono and hold the board to also be pono and open these areas

Best fishes,

Steve Kaiser  
Everything Fish Inc.  
PO Box 190612  
57-1820 Kohala Mtn. Rd.  
Hawi, Hawaii 96719  
Mobile +1808 895-9390

**From:** [Roy](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] OPENING EIGHT CLOSED BRFA'S  
**Date:** Wednesday, February 23, 2022 8:53:49 PM

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Sent from [Mail](#) for Windows  
Board of land and natural Resources  
State of Hawaii  
Honolulu , Hawaii

RE: Opening of Remaining eight closed BRFA's

My name is Roy Matsuoka part time commercial fisherman.  
I fully concur with DLNR that the remaining eight closed BRFA's should be opened and remained open.  
Deep 7 bottom fishery is by scientific data not being overfished.  
Please open remaining closed BRFA's as this gives fishers with small vessels more areas to fish.  
This allows recreational and commercial bottom fishers more area to spread out not congregate in one specific area.

Thank you  
Very Respectfully

Roy M Matsuoka



Board of Land and Natural Resources

Meeting of February 25, 2022

Alton Miyasaka Testimony for Item F-1,  
Request to Open the Eight Remaining Closed Main Hawaiian Island Bottomfish Restricted  
Fishing Areas; and Request to Delegate to the Chairperson the Authority to Implement the  
Decision.

I strongly urge the Board to approve this request to open the remaining bottomfish restricted  
fishing areas (BRFA).

I am Alton Miyasaka, Division of Aquatic Resources, Acting Commercial Fisheries Program  
Manager (retired). I worked my entire 37 years state service career at the Division of Aquatic  
Resources. I was personally involved with much of the history regarding the management of the  
Main Hawaiian Islands Bottomfish fishery, the creation of the administrative rules on bottomfish  
management, and served on the Western Pacific Fisheries Management Council during the early  
days of the joint Federal/State management of the fishery until my retirement in 2017.

The science used to develop the bottomfish stock assessment, in my opinion, is not only the best  
science available for any fishery in State waters, but the best stock assessment ever created for  
any fishery in Hawaii. The quality of this stock assessment cannot be overstated. If the Board  
doesn't recognize this milestone in the use of science in the management of fisheries in Hawaii,  
then no amount of science would be sufficient to manage any fishery in Hawaii.

The federal government has recognized this stock assessment as being the best scientific  
information available and is of such high quality that it should be used to make management  
decisions. This stock assessment has undergone a series of stringent expert reviews that resulted  
in this determination of scientific quality.

Simply put, the bottomfish stock assessments indicate that the bottomfish resources in the main  
Hawaiian islands are currently underutilized. The BRFA have caused considerable hardship on  
the bottomfish fishers by increasing travel distances, fuel costs, and at-sea risk. Now is the time  
to remove the BRFA because they are no longer useful in the management of this fishery, serve  
no biological benefit to the stock, and have become a significant liability. Rest assured that the  
other components of the comprehensive management scheme will continue, even after the BRFA  
are removed. The fishery management agencies will continue to monitor the fishery to ensure  
that it remains healthy and stable. The annual catch limit will still be in effect and alternative  
measures, besides BRFA, can be taken should the need arise.

Thank you for this opportunity to testify.

**From:** [Craig Severance](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Feb 25 Agenda Item F1: Open remaining BFRA, and Delegate to Chair  
**Date:** Wednesday, February 23, 2022 6:14:43 PM

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The establishment of the BRFA seemed appropriate at the time. However, the lack of adequate baselines and the lack of resources to adequately monitor and enforce them, has made it impractical if not impossible to definitively assess their effectiveness. They have been made superfluous with the new management of the commercial catch under an ACL: Annual Catch Limit, and the non-commercial catch under a bag limit. The recent stock assessments include an estimation of the non-commercial catch and have been subject to independent expert scientific review. The stocks are clearly healthy, and the remaining BRFA continue to be a burden on fishermen and perhaps even a safety issue for some. When the original BRFA were introduced fishermen were promised that if after 5 years it appeared they were not working they would be reviewed.

It is past time that they are re-opened. Mahalo  
Craig Severance, Fisherman, Member Council's SSC and SSPC

**From:** [Jim Silva](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Agenda F-1. Feb 25, 2022. REQUEST TO OPEN THE EIGHT REMAINING CLOSED MAIN HAWAIIAN ISLAND BRFAs  
**Date:** Tuesday, February 22, 2022 6:28:16 PM

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Aloha, I a commercial fisherman and I support opening the Hawaii BRFAs to commercial and recreational fishing and to delegate the implementation to the Land Board Chairperson.

Jim Silva (RS) 78528  
Harper Island Realty LLC  
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Honolulu, HI 96815  
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www.harperislandrealty.com

**From:** [Bree Tam](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] BRFA  
**Date:** Tuesday, February 22, 2022 9:46:42 PM

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To whom it may concern:

I, Brealand Tam am writing this in support of opening the BFRA's. Independent studies have shown clearly that the BFRAs don't work. However the QUOTAS do for a sustainable fishery. I would also be in support of opening the BFRAS every other year like diamond head MLC. I've been fishing my whole life and would like to see this fishery carry on to the next generation as well. I believe the science NOAA and PIFG have done should be sufficient enough to open the BFRAs.

Thank you Brealand Tam

**From:** [Michelle Toki](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Opening of BRFA  
**Date:** Tuesday, February 22, 2022 7:15:57 PM

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I Mr. and Mrs. Alexander Toki support opening of remaining BRFA.

As a retired commercial fisherman , I think it would help present and future fisherman , to support on making a living as these areas have been closed for quite sometime.

Aloha , Alexander M Toki

Respected Board Members,

My name is Ed Watamura. I am a bottom fisherman, the President of the Waialua Boat Club, Member and former Vice-President of HFACT, former Council Member of the WPRFMC, former Chair of the Advisory Panel to the WPRFMC, former member and keynote speaker at the National Recreational Fishermen's Summit. I was also a former member of the Bottomfish Working Group that worked in conjunction with the Pacific Islands Fishery Science Center to create and establish the Nationally revered Hawaiian Islands Bottomfish Stock Assessment.

I fully support DAR, and DLNR's proposal to open up all of the BRFA's. I have been passionately fighting for over 15 years for this to happen and am overjoyed to see this becoming a reality and at the same time saddened and disheartened that it has taken so long.

The sacrifices that have been made by fishermen are what hasn't been addressed. The risks to their safety by traveling greater distances, the increased costs in fuel and other expenses, including wear and tear, boat upgrades, maintenance, etc. and the loss of income is immeasurable. Many fishermen have dropped out of the fishery altogether, sold their boats and all their equipment because of the BRFA's. Many others have stopped bottom fishing and taking their kids fishing, thereby ending the essential passing down of knowledge and tradition to the next generation. In this fishery, especially, because of the level of difficulty and extreme amount of knowledge necessary, is an unimaginable loss. The loss of income was also a direct result of not being able to fish in all areas and making use of the changes in weather and currents. As an example, if the fish were not biting on the Sandy Beach side of Makapuu ledge, a fisherman could go to the Rabbit Island side where the current was more favorable to feeding bottom fish. Because of the BRFA's this was an unaccessible area. It is staggering to think about the total loss of income due to not being able to access areas where the fish are biting.

Having said this, I sincerely hope that you will approve DAR and DLNR's proposal to open up all of the BRFA's and put an end to the sacrifices that bottom fishermen have unnecessarily had to endure.

I am also enclosing a speech I gave during a meeting that fishermen had with Mufi Hanneman while running for Governor in 2012, to emphasize how long we have been fighting for this.

The issue of the BRFA is a prime example of conflict between the fishermen and the State of Hawaii, because it encompasses all levels of our concern: denied access, the Chapter 91 rule making process, management decisions not based on sound science, and the lack of fishermen's input in the decision making process.

To fully understand our frustrations, a brief history is necessary. In the mid 1990's the Federal Fisheries managers determined that there was overfishing for Hawaii's Bottom fish, specifically the Deep 7, onaga, ehu, opakapaka, hapu'upuu, gindai, lehi, and kalekale. They called for a 20% reduction in the annual take of these seven species. In 1998 the State established the BFRAs and subsequently closed 20% of the

recognized habitat along the 100 fathom contour. Along with this establishment, a stipulation to monitor and assess the efficacy of these closed areas was to be presented by July 1, 2003. The Department of Aquatic Resources has informed us that this was done in 2006. We have asked them to provide the findings of this report and have yet to receive any documents. Based on these alleged reports the State then proceeded to change the locations of the BFRAs. They reduced the number of BFRAs, but expanded the sizes to much larger areas. In 2007 a federal stock assessment requires that a 24% reduction in the mortality rate is necessary, thereby establishing a TAC or total allowable catch. When this total allowable catch is accomplished the season is closed for bottom fishing. Interestingly, the fishermen as a group favored the TAC over BFRAs as a management policy. The fishermen's assumption that the establishment of the TAC would in essence over rule the State's BFRA policy and deem them no longer necessary did not come to pass and so the struggle goes on.

Our objections to the State's BFRA policy can be enumerated as follows:

- 1) First and foremost NOAA has delisted Hawaii's Deep 7 Bottom Fish from its "List of Fisheries" publication. In other words it is no longer in a state of overfishing and has been deemed a healthy fishery.
- 2) It is unnecessary, now that the Fed's ACL is in place. The ACL is doing the job of keeping the fishery sustainable and there is no problem of compliance by the fishermen.
- 3) 11 of the 12 BFRAs extend into Federal waters ( outside of 3 miles) and of these one is totally in federal waters. The WESPAC (Western Pacific Fisheries Management) Bottom Fishing Working Group feels that the BFRAs are an unnecessary addition to the TAC and in fact overburdens the fishermen by going beyond the recommended percent of mortality reduction. This fact also leads to a question of jurisdiction, especially when it comes down to enforcement. The Coast Guard says it won't enforce because it is the State's rule and the State has no power to enforce in Federal waters.
- 4) Increased fishing pressure of the grounds that are not closed. Just look at the added pressure on the Main Hawaiian Islands when the NWHI became a National Monument and closed off more that 50% of the State's bottom fish supply.
- 5) The scientists at Coconut Island have discovered through the genetic studies of fin clips that onaga and opakapaka are travelers. Their genetic imprint is the same throughout the Main and Northwestern Hawaiian Islands. In addition, a tagging study has revealed that these fish do travel. Tagged fish caught in Makapuu have been caught on the Penguin Banks. Why close areas if the fish in question are swimming these distances.

The amount of resources spent trying to prove the efficacy of the BRFA's, including money, time, and effort are surely not justifiable given the present circumstances and if the general public were aware of the misuse of these resources, I am sure that any logical mind would not be very pleased, to put it mildly.

Please do the right thing and just get rid of the BRFA's

Sincerely,  
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