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UNITED STATES DEPARTMENT OF COMMERCE
WASHINGTON, D.C.

PUBLIC HEARING RE: NORTHWESTERN HAWAIIAN ISLANDS
CORAL REEF RESERVE

TRANSCRIPT OF PROCEEDINGS

Taken on behalf of the United States Department of
Commerce, National Oceanic and Atmospheric
Administration at the King Kamehameha Hotel, 75-5660
Palani Road, Kailua-Kona, Hawaii, commencing at
6:15 p.m. on December 11, 2000, pursuant to Notice.

REPORTED BY:
DEBORAH A. NG, CSR 336
Registered Professional Reporter
Notary Public, State of Hawaii

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1 P R O C E E D I N G S

2

3 MR. FRANZEL: Good evening,
4 everybody. I wanted to welcome you to the Kona
5 public hearing. This is one of six that's being
6 held in Hawaii this week regarding President
7 Clinton's December 4th, 2000 Executive Order
8 establishing the Northwestern Hawaiian Islands Coral
9 Reef Ecosystem Reserve.

10 These hearings are being conducted on
11 behalf of the President who has requested comments
12 on the conservation measures for the Northwestern
13 Hawaiian Islands Coral Reef Ecosystem Reserve
14 outlining the Executive Order and its proposal to
15 make the reserved preservation areas permanent.

16 This meeting has been organized by the
17 National Oceanic and Atmospheric Administration
18 which is part of the U.S. Department of Commerce.
19 My name is David Franzel and along with my
20 colleague, Ken Fukunaga, we've been asked to
21 moderate the hearing and serve as independent
22 hearing officers. We are neutrals. We are not
23 employed by any of the various agencies.

24 We have present a number of
25 representatives from the Department of Commerce, the

1 Department of Interior. And I'd like them now to
2 identify themselves. Rob, U.S. Fish --

3 ROB SHALLENBERGER: Rob
4 Shallenberger, Fish & Wildlife Service.

5 MR. FRANZEL: And we have Mike Murphy
6 and Charles Karnella.

7 CHARLES KARNELLA: I'm Charles
8 Karnella with National Marine Fishery Service and
9 Murphy is in the back.

10 MR. FRANZEL: In a few minutes Ken
11 will be reading to you key portions from the federal
12 register announcement that brings us here tonight
13 and then open the floor for your comments.

14 First, I'd like to explain some of
15 tonight's procedures. If you have specific written
16 testimony that you'd like to submit tonight, we're
17 happy to accept it and we'll forward it to the
18 Department of Commerce after the meeting.

19 There are comment forms in the back. If
20 you'd like to send it yourself by fax or mail, we've
21 also posted the contact information for Roger
22 Griffis up here, if you'd like to take it after the
23 meeting, and also a web site.

24 As you can see, we also have with us
25 tonight a court reporter. Her name is Ms. Ng.

1 She's sitting up here. She'll be taking all the
2 testimony.

3 If you'd like to offer public comments on
4 the record, please sign up to speak. The sign-up
5 forms are out there. We have some people signed up
6 already. When you walked into the room, you should
7 have seen the sign-in sheet. It's right out there.
8 I don't think there is any names on it at this
9 point, but we do have about 17 people signed up so
10 far. We'll take the comments in the order people
11 sign up.

12 If you are going to comment, when you come
13 up to the mike, if you could please identify
14 yourself and spell your last name for the court
15 reporter so she's knows who you are so it we'll go
16 directly into the record.

17 We want everybody here tonight to have the
18 opportunity to speak if you'd like to. To do that,
19 though, we need to limit the comment period. The
20 first round of comment periods we suggest be
21 somewhere in the three to four minute range for each
22 person that's at least signed up for this point if
23 you have a comment. And then once those people have
24 finished their comment, if you'd like and you still
25 want to say more and it's before 9:00, we'll go

1 ahead and take some more comments. It's no
2 problem.

3 If you do speak, we encourage you to go to
4 the heart of your comments on the two topics, if you
5 could limit yourself to the two topics that the
6 President asked for public comment on.

7 Those are number one, making the reserve
8 preservation areas permanent which is up there, and
9 secondly, conservation measures for the reserve.
10 What you see is what you want to comment on now.

11 Once again, if the three minutes isn't
12 sufficient, we will be happy to give you a chance to
13 speak again after everybody has had a chance to
14 talk. We may do more than one round of comments.

15 I know all of you have been to public
16 hearings where you might have thought it didn't
17 quite work right, where people may have dominated
18 their own agenda, some didn't learn anything, some
19 didn't get a chance to express their ideas. We know
20 that people come to meetings with strong feelings.
21 Some of you are concerned about environment matters,
22 some about Hawaiian cultural issues, some about
23 commercial fishing, and some about all of these.

24 We request that all of you abide by the
25 following protocols and courtesies. First,

1 everyone's views are welcome. Nobody gets
2 excluded. Respect, we know that the differences in
3 opinion are inevitable, especially when we talk
4 about sensitive environmental and cultural issues.
5 Please listen hard, abide by the three, four minute
6 rule, and don't clap or boo because that can have a
7 way of shutting other people down. Once again, we
8 want everyone to have an opportunity to speak.

9 In Hawaii the one thing we all seem to be
10 able to do than other places is to handle our
11 differences with aloha and that's how we're going to
12 try to do things tonight.

13 Now, with that I'd like to ask Ken, Ken
14 Fukunaga, to go ahead and summarize key parts of the
15 announcement, and after that we will then be
16 available to go into the comment period.

17 MR. FUKUNAGA: Thanks, David. What
18 I'm going to do over the next five or six minutes is
19 just summarize for you the announcement that came
20 out in the federal register and go through some of
21 the background so that all of you have the same
22 information when we start the hearing tonight.

23 On December 4, 2000 President Clinton
24 issued Executive Order 13178 establishing the
25 Northwestern Hawaii Islands Coral Reef Ecosystem

1 Reserve. This Executive Order was in response to
2 the directive that he issued in May to the
3 Departments of Commerce and Interior to develop a
4 plan to provide strong and lasting protection for
5 the NWHI, the Northwestern Hawaiian Islands Coral
6 Reef Ecosystem. Specifically, the Secretaries of
7 Interior and Commerce in coordination with the State
8 of Hawaii and in consultation with the Western
9 Pacific Regional Fisheries Management Council
10 initiated a process to cooperatively develop
11 recommendations for a new coordinated management to
12 increase protection of the coral reef ecosystem and
13 provide for sustainability.

14 This process began with visioning
15 sessions, which were open hearings for public
16 comment on the future of the coral reef ecosystem.
17 These public visioning sessions provided extensive
18 input from a wide variety of groups that helped
19 shape the final recommendations.

20 Additional input on the future of the
21 NWHI, Northwestern Hawaiian Islands, was gathered
22 from other sources such as the extensive public
23 input and research conducted by the Western Pacific
24 Regional Fisheries Management Council in development
25 of their own draft Coral Reef Ecosystem Fishery

1 Management Plan.

2 The Reserve encompasses an area of the
3 marine waters and submerged lands of the
4 Northwestern Hawaiian Islands extending
5 approximately 1,200 nautical miles long and 100
6 nautical miles wide. The Reserve is adjacent to and
7 seaward of the boundary of Hawaii State waters and
8 submerged lands and the Midway Atoll National
9 Wildlife Refuge, and includes the Hawaiian Islands
10 National Wildlife Refuge to the extent it extends
11 beyond Hawaii State waters and submerged lands.

12 The Reserve will be managed by the
13 Secretary of Commerce or his or her designee under
14 the National Marine Sanctuaries Act and the
15 Executive Order. The Secretary will also initiate
16 the process to designate the Reserve as a National
17 Marine Sanctuary. The management principles and
18 implementation strategy and requirements for the
19 Reserve are found in the Executive Order which you
20 can find at the web site for NOAA.

21 The President has initiated a 30-day
22 period during which the public may submit written
23 comments on his proposal to make the Reserve
24 preservation areas permanent. The President is also
25 requesting public comment on the conservation

1 measures for the Reserve. The President has
2 directed the Secretary of Commerce to receive such
3 comments and to hold, on the President's behalf,
4 seven public hearings to accept written and oral
5 comments on the proposal. Comments will be
6 considered if postmarked no later than January 8,
7 2001. Comments may be submitted by mail, fax, or
8 electronically, in addition to what is recorded here
9 today. And the sheet that's up on the wall to my
10 right has the telephone numbers, fax number, and web
11 site information for you to use to contact the
12 persons who are receiving comments.

13 Today's hearing, that is tonight's
14 hearing, is seeking comments on behalf of the
15 President on two main topics which are on the next
16 sheet to my right.

17 The first topic is the conservation
18 measures that were established by the President in
19 the Executive Order for the Reserve. Now, that's
20 the first topic. The second topic is the
21 President's proposal to make the Reserve
22 preservation areas within the larger Reserve
23 permanent. So the two things to keep in mind are
24 these two topics, the ones we are taking comments on
25 tonight.

1 The first topic, the conservation measures
2 that were established by the President in the
3 Executive Order for the Reserve include such
4 activities as, by way of example, exploring for,
5 developing, or producing oil, gas, or minerals;
6 having a vessel anchored on any living or dead coral
7 when visibility is such that the seabed can be seen.

8 Another example is drilling into,
9 dredging, or otherwise altering the seabed, or
10 constructing, placing or abandoning any structure,
11 material, or other matter on the sea floor or the
12 seabed, except as an incidental result of anchoring
13 vessels. That includes the commercial fishing and
14 recreational fishing areas.

15 The second area of the President's
16 proposal to make the Reserve preservation areas
17 within the larger Reserve permanent means that in
18 addition to the Reserve wide conservation measures,
19 the Executive Order establishes 15 Reserve
20 preservation areas where all consumptive activities
21 are prohibited except as expressly provided in the
22 Executive Order. These areas provide a greater
23 level of protection to the coral reef ecosystem
24 resources in certain areas of the Reserve. Certain
25 areas around the following islands are included in

1 these Reserve preservation areas. You can see that
2 most clearly on the map, the various areas that
3 we're talking about, and I won't name all the
4 areas.

5 In addition to the conservation measures
6 that are mentioned earlier that apply throughout the
7 Reserve, the Executive Order provides that the
8 following activities are prohibited.

9 Number one is commercial and recreational
10 fishing, except when bottomfishing where expressly
11 allowed in the Executive Order. Two, anchoring in
12 any area that contains available mooring buoys or
13 anchoring outside an available designated anchoring
14 area when such area has been designated by the
15 Secretary. Three, any type of touching or taking of
16 living or dead coral. Four, discharging or
17 depositing any material or other matter except
18 cooling water or engine exhaust. And five, such
19 other activities the Secretary identifies.

20 The President took these actions pursuant
21 to the authority that was provided to him in the
22 National Sanctuary Amendments Act of 2000. This Act
23 gave the President the authority to designate any
24 Northwestern Hawaiian Islands Coral Reef Ecosystem
25 as a coral reef Reserve to be managed by the

1 Secretary of Commerce. This same Act states that
2 any closures shall not become permanent without
3 adequate review and comment which is why the
4 President is having these public hearings such as
5 the one tonight. This Act also directs the
6 Secretary of Commerce to begin the designation of
7 the Reserve as a new National Marine Sanctuary.

8 These hearings are occurring here, on each
9 of the islands, and in Washington D.C. There is
10 more information at the entrance to this hearing
11 room as to the dates and locations of all these
12 hearings and other ways to submit comments.

13 The Department of Commerce will pull
14 together all the comments received or postmarked by
15 January 8th, 2001 at these hearings and through
16 e-mail, fax, and mail and will transmit them to the
17 President/White House. The President will then
18 review them and make a decision on what further
19 action may be needed. Thank you for listening to
20 that introduction. I hope that's of some use before
21 you make your public comments, and I'll turn it over
22 to David.

23 MR. FRANZEL: What we're going to do
24 now is I have a sign-up list here. People who have
25 signed up recently, there is still a list out there,

1 I'll also call those people. But I'm just going to
2 start in the same order that people signed up to
3 testify tonight.

4 Could you please come up when I call your
5 name to the microphone and you'll have about three
6 minutes to make your comments? Also, spell your
7 name for the court reporter, so we have clearly who
8 you are identified on the record.

9 The first person is Dennis Rattinger.

10 MR. RATTINGER: Can I defer until
11 later?

12 MR. FUKUNAGA: Sure. Don't all do
13 that. Otherwise, we'll just come back to Dennis
14 again. You should take your shot now, I would
15 think. The next person is Tina Owens.

16 TINA OWENS: My name is Christine
17 Owens, O-w-e-n-s, also known as Tina Owens. I am
18 very much in support of the establishment of the
19 Northwestern Hawaiian Islands Coral Reef Ecosystem
20 Reserve. The extraordinary array of biological and
21 environmental treasures to be found there as
22 evidenced by the preliminary findings of the latest
23 scientific survey taken in the region just a few
24 months ago is reason enough to wish this area to be
25 put off limits to destructive impacts by human

1 beings.

2 In addition, we have the rare and lucky
3 opportunity to do this before environmental
4 degradation has set in and do this with virtually no
5 one hurt by the process. The community and
6 specifically the fishing community has been the
7 target of a massive campaign of misinformation
8 designed to excite them into opposing the proposed
9 reserve.

10 I believe you will find that the Western
11 Pacific Regional Fisheries Management Council or
12 WESTPAC is primarily responsible for this negative
13 media campaign. The objections to the Reserve are
14 unfounded and are based on patently false
15 information.

16 Since the structure of the Reserve does
17 not diminish present fishing levels, WESTPAC's
18 opposition strongly indicates that they wish to
19 continue to have complete control and unlimited
20 future access to marine resources around these
21 islands and atolls.

22 I am convinced that WESTPAC is not
23 competent to make live management decisions
24 concerning the invaluable and often irreplaceable
25 marine resources of the region in question. Above

1 and beyond the obvious conflict of interest caused
2 by fishing industry owners being entrusted with
3 protecting the very resource they are exploiting for
4 profit, WESTPAC's performance has been laughable.

5 At least one of the leaders of this
6 organization has been found in violation of
7 WESTPAC's own management rules. Long line boats,
8 some of which were owned by one of the WESTPAC
9 leaders were recently the subject of a court
10 injunction stopping them from fishing in a large
11 portion of the Northwestern Hawaiian Islands until
12 government observers could be posted on their
13 boats.

14 WESTPAC was also responsible due to
15 appallingly bad decisions on allowable catches for
16 the complete crash of the lobster fishery in that
17 region.

18 Considering their dreadful score card on
19 fishery management issues in the Northwestern
20 Hawaiian Islands, I would very much like to see
21 WESTPAC and its self-interest removed from having
22 any jurisdiction whatsoever over the region. I
23 would prefer to have the entire preserve left in the
24 hands of the Department of Commerce to be handled as
25 carefully as any one of our national parks.

1 Setting aside this large area for
2 preservation will ensure the large corals and fishes
3 continues in this region in the Pacific, thereby
4 enhancing local fishing stocks and replenishing
5 local reefs. And despite the low probability of
6 most of us ever reaching that region to see its
7 wonders for ourselves, I, for one, would be glad
8 just knowing that it is there untouched and
9 untouchable.

10 This region should be our bank vault. It
11 should be the storehouse for our greatest national
12 treasures, not as individual units in a museum but
13 as a living ecosystem, a reminder of how our earth
14 should have been, could have been, and still might
15 be.

16 I strongly support the immediate and
17 permanent establishment of the Northwestern Hawaiian
18 Island Coral Reef Ecosystem Reserve. Thank you.

19 MR. FUKUNAGA: Thank you, Christine.

20 MR. FRANZEL: Thank you.

21 MR. FUKUNAGA: The next person is Bob
22 Owens.

23 BOB OWENS: My name is Bob Owens,
24 O-w-e-n-s, and I'm a Kona resident and a member of
25 the West Hawaii Fisheries Council. I'm here

1 testifying in support of the Reserve.

2 While I would like to see the Reserve with
3 its 15 preservation areas prohibit all consumptive
4 activities, the present plan allows some fishing and
5 it merits support.

6 With coral reefs around the world in
7 decline, it is extremely rare to have the
8 opportunity to have a coral reef relatively free of
9 human influence. A very important part of managing
10 this treasure is to minimize the demands of the
11 Western Pacific Regional Fisheries Management
12 Council, WESTPAC, and those persons who would
13 extract its marine resources for profit.

14 I personally had the opportunity to dive
15 the reef at Midway Island a little over a year ago.
16 Compared to our reef ecosystems around our main
17 Hawaiian Islands, the Midway reef was spectacular.

18 Schools of giant trevally, ulua species,
19 endemic Hawaiian groupers, sharks, and other large
20 predators were abundant. Diving with schools of
21 ulua is an unheard experience in the main islands
22 these days and gives us an idea of what our reefs
23 were like here before human impact.

24 In particularly, the Hawaiian grouper
25 would approach me in 30 feet of water. I've seen

1 what spearfishing can do to these curious animals
2 which is why they are almost gone from waters around
3 the main islands. The only Hawaiian grouper I've
4 seen in years was last winter near South Point and
5 within a week I read that someone had speared a
6 grouper in the same area, an event uncommon enough
7 to rate a photo in the newspaper here. They don't
8 last long in areas where people can take them.

9 In Midway Isle I also saw and photographed
10 a number of species like a spectacle parrot fish,
11 the Hawaiian hog fish, and the Hawaiian big-eye,
12 aweoweo. These species, according to marine
13 scientists, abundant and obtain a larger size than
14 those same species do in our main islands. This is
15 undoubtedly due to overfishing of these animals in
16 our own waters. There were also schools of large
17 kumu, goat fish. Such a sight is rare on our main
18 islands and I wonder why.

19 These marine animals need our protection.
20 Who will speak up for them and their natural right
21 to exist as nature intended? Let us, therefore,
22 approve and maintain this Reserve permanently,
23 relatively free of human influence as a model for
24 the rest of the world to emulate.

25 And as for the second recommendation of

1 conservation measures, I can only say enforcement,
2 enforcement, enforcement.

3 MR. FUKUNAGA: Thank you, Mr. Owens.
4 The next person is Janice Kerr.

5 JANICE KERR: Hi, thank you. My last
6 name is Kerr, spelled K-e-r-r, and I strongly
7 support the creation of the coral reef ecosystem
8 Reserve for the Northwestern Hawaiian Islands as a
9 permanent protection for the fragile reef ecosystem
10 because it is the last remaining habitat for many
11 endangered species. It should be left wild and
12 especially protected from human greed.

13 The ultimate goal should be to allow this
14 area to thrive, not to decide how much we can take,
15 destroy, or "use for immediate personal profit."
16 Ultimate depletion of precious resources always
17 follows.

18 There are unlimited examples of this
19 pattern of destruction. This could be a chance to
20 do the right thing. Let nature be. We can't
21 deplete every earthly resource. Thank you.

22 MR. FUKUNAGA: Thank you, Ms. Kerr.
23 Next speaker is Tom Frio [ph]. We'll pass
24 Mr. Frio. We'll go to Tom Shackley.
25 Mr. Shackley -- Shockley. Defer. Next speaker is

1 Nita Isherwood.

2 NITA ISHERWOOD: My name is Nita
3 Isherwood, I-s-h-e-r-w-o-o-d. I have an ecotourist
4 B&B here on the Big Island and I'm a past board
5 member of the Hawaiian Islands B&B Association.

6 Most of the comments that I would have
7 liked to have made have already been made and I
8 thoroughly applaud them. I think all of us that
9 meet with guests from all over the world are very
10 aware of the fact of how important it is to them
11 that somehow Hawaii remain a sanctuary for the rest
12 of the world. And we can only do this by protecting
13 our northern Hawaiian islands.

14 Therefore, I hope that you will do
15 everything you can to make the Reserve preservation
16 areas permanent, to institute the conservation
17 measures necessary in every realm to keep this
18 going. And I would have to agree with my friend
19 before and say enforce, enforce, enforce because
20 that is the area that seems to be most effective.
21 Thank you.

22 MR. FUKUNAGA: Thank you,
23 Ms. Isherwood. The next speaker is Rick Gaffney.

24 MR. GAFFNEY: Aloha, my name is Rick
25 Gaffney. The last name is spelled G-a-f-f-n-e-y.

1 I've been sitting here tearing my testimony apart,
2 trying to narrow it down to three minutes and I'm
3 going to have to shoot from the hip and turn in a
4 lot of written testimony because, frankly, this is
5 sort of a lifetime goal of mine to see the Northwest
6 Hawaiian Islands further preserved.

7 And I have been a lifetime resident of
8 Hawaii. I've have a had a chance to visit marine
9 preserves all over the world, observed the way
10 they're managed, and frankly I've got a lot to say
11 on the subject. So let me try to -- I apologize to
12 everybody here in the first place for having my back
13 to you and the second place for being a little chop
14 chop here.

15 There is a couple of points I would like
16 to make. Although I'm primarily here to testify in
17 favor of the Executive Order and in favor of the
18 direction that the President created in establishing
19 the coral reef ecosystem Reserve and the process
20 which will later establish a National Marine
21 Sanctuary, I do believe there are a couple of
22 limitations to what has been proposed and
23 particularly with regard to the Reserve preservation
24 areas.

25 This is an extremely complex subject, and

1 I think that in many ways the decisions to establish
2 the Reserve preservation areas in the areas that
3 they have been established were based on very old
4 and very limited input and an input that was
5 primarily oriented toward commercial harvest of
6 species in that area. And for that reason Reserve
7 preservation areas after they have been established
8 are not oriented toward broader ecosystem management
9 which is what the Northwestern Hawaii Islands Coral
10 Reef Ecosystem Reserve should be oriented toward.

11 So I feel there is a lot of work that
12 needs to be done there. I feel very strongly that
13 the proposed Reserve Council can provide a lot of
14 solid input toward correcting the weaknesses of
15 those Reserve preservation areas.

16 The other area that I'd like to speak to
17 briefly has to do with something that I feel is
18 somewhat short-sighted; and that is, the way that
19 recreational fishing has simply been lumped as a
20 sort of afterthought and lumped in parallel with
21 commercial fishing as apparently a negative thing in
22 the sanctuary.

23 I don't believe that that's correct.
24 Recreational tag-and-release angling subsidizes the
25 cost of tagging and furthers the opportunity for

1 marine scientists, educators, and resource managers
2 to track and observe the movements of a number of
3 important Central Pacific species.

4 I have five examples, but due to the lack
5 of time I'm not going to repeat them all here. I
6 would like to point out three examples whereby I
7 think that recreational fishing has proven to be a
8 very good member of the Northwestern Hawaiian
9 Islands' community.

10 University of Hawaii, JIMAR researcher
11 David Itano was able to tag well over 2,000
12 yellowfin and big-eye tuna by teaming up with the
13 Midway recreational fishing program using their
14 vessels, captains, and crew to access sea mounts and
15 atolls that he might not have otherwise been able to
16 visit.

17 As a result of that tag-and-release
18 program, we have learned important new information
19 about the travels of these tuna; tuna, by the way,
20 which have travelled both to the coast of Japan and
21 the coast of the main Hawaiian Islands. We would
22 not have previously had this information if it
23 weren't for the tag-and-release program supported by
24 recreational fishing at Midway Atoll.

25 I would also point out that the Waikiki

1 Aquarium in association with the University of
2 Hawaii, Hilo, has developed and begun to implement a
3 series of education, oriented group visits to the
4 Northwestern Hawaiian Islands, some of which focus
5 on tag-and-release fishing for sharks and other
6 species. These efforts serve to introduce and
7 further educate the public to the Northwestern
8 Hawaiian Islands while at the same time furthering
9 scientific research. The Executive Order's cap on
10 recreational fishing could limit the expansion of
11 the worthwhile program.

12 MR. FUKUNAGA: Mr. Gaffney, I'm going
13 to ask you to stop right there.

14 RICK GAFFNEY: Fine.

15 MR. FUKUNAGA: But because we don't
16 have many speakers, we'll go right through the order
17 of speakers we have. And if you want to say the
18 rest of -- if you want to read the rest of your
19 statement, you can do so at that time. Would that
20 be fine with you?

21 RICK GAFFNEY: Yes, that would be
22 fine.

23 MR. FUKUNAGA: Thank you. The next
24 speaker is Amy Fine.

25 AMY FINE: My name is Amy Fine,

1 F-i-n-e. Like Rick Gaffney, I've kind of prepared
2 some remarks that were not quite as pertinent to
3 those specific topics, so I'm going to try to lump
4 my two pages here into something more cohesive for
5 tonight.

6 I'm here to support the action by
7 President Clinton in designating the Northwest
8 Hawaiian Islands Coral Reef System Reserve. My
9 understanding is that the limits being placed upon
10 the commercial fishermen are based upon current
11 catch and will only prevent an increase in the take
12 in the area. Natural resource are not finite and
13 overuse only leads to a loss of the resource.

14 When I was a child, I read a book about a
15 native Hawaiian family that lived on Nihoa Island.
16 The remoteness of their home to the Hawaii with
17 which I was familiar was fascinating to me. They
18 lived on Nihoa because of the commercial industry
19 based in the Northwest Islands, the mining of guano
20 or bird shit. I was very fascinated by the story of
21 their hard way of life both on Nihoa and then also
22 upon their return to Honolulu when they were jobless
23 and poor.

24 For thousands of years millions of birds
25 have been piling their poop on those remote

1 islands. People were sent to work there loading
2 barges and boats with what seemed like a limitless
3 bounty, but it wasn't limitless even though there
4 are still millions of birds and people who depended
5 upon this resource soon lost their jobs and their
6 way of life.

7 Now we have another industry that has
8 turned its attention to these islands and atolls.
9 The fishing lobsters that they want to harvest are
10 not in unlimited supply. The birds, seals, turtles,
11 dolphins, and the hundreds of thousands of other
12 organisms that depend on this resource will not
13 survive if too many fish are taken and if the reef
14 systems are damaged. The people who are complaining
15 about their livelihood being at risk will indeed
16 find it so if we do not protect this area from
17 overfishing.

18 Too often over the years I have seen our
19 state government put the short-term gain of a few
20 over the long-term gain of the many. I hope this
21 will not be another example of this.

22 I would like to interject here, too, that
23 I have had the pleasure of going to Midway and
24 seeing the incredible number of birds there. The
25 reef was beautiful, abundance of fish was really

1 impressive, and I think that it's valuable to have
2 parts of the Northwest Islands where people can
3 actually witness this, but I strongly support the
4 preservation of large areas where there will not be
5 any human interference again. Thank you.

6 MR. FUKUNAGA: Thank you, Ms. Fine.
7 The next speaker is Bill Wakefield.

8 BILL WAKEFIELD: Hi, I'm Bill
9 Wakefield, W-a-k-e-f-i-e-l-d. I currently hold a
10 mile zone permit to fish up in the Northwest
11 Hawaiian Islands, and I'd like to see all these
12 decisions based on science and not on fuzzy, warm
13 decisions, you know.

14 The status of the Northwest Hawaiian
15 Island Fishery is really healthy right now, the
16 spawning potential ratios are in line, so I think
17 things should be based on science. And we've got a
18 problem with not being able to have mixed bottomfish
19 trips up there.

20 Sometimes 80 to 100 percent of our fish up
21 there are ahi, ono, mahimahi, and marlin, and so
22 according to this Executive Order, that shuts that
23 down. We need to fish those species.

24 And I think this reserve is a good idea.
25 You know, I got no problem with it. I think it's

1 great. We don't have any known seal mortalities or
2 negative impact on the seal population up there. I
3 think that maybe the Reserve could hire the
4 fishermen to go up to French Frigate Shoals and take
5 care of some of the rogue sharks that are killing
6 the pups, you know. The pups aren't familiar with
7 the behavior of the predators, and I think we could
8 do some good up there, you know, to give us a bounty
9 or something to take care of these big predators.

10 And also, I'd like to say that we've got
11 no marine to breed going into the water up there.
12 That's all foreign, nets and floaters. We got
13 nothing. Everything is kept on board, brought into
14 shore and thrown away. And I think the Northwest
15 Hawaiian Islands is really valuable. To see the
16 overfished main Hawaiian Islands, you know, some
17 species could be taken back and put over here in
18 closed areas so the main Hawaiian Islands can get
19 back to normal.

20 So I'm not really prepared so that's
21 pretty much all I want to say. Yeah, pretty much
22 the other species are really important to us up
23 there and we need to fish them, too. That's all.

24 MR. FUKUNAGA: Thank you,
25 Mr. Wakefield. Mike Nakachi?

1 MIKE NAKACHI: My name is Mike
2 Nakachi, and that's spelled N-a-k-a-c-h-i. I
3 apologize to the people that are seeing my back
4 right now -- okay, I can turn around.

5 I have no formal speech planned or written
6 down but to wing it from the heart. My dad was a
7 commercial fisherman, ex aku boat captain for 11
8 years and black coral diver, spearfisherman. He
9 taught me a lot of the same things.

10 And as a young man growing up on the
11 island of Oahu in the town of Waimanalo, I had the
12 privilege to dive pretty much throughout the entire
13 Hawaiian Island chain. And moving to the Big
14 Island, it's a special place. I've always learned
15 from my dad, he said that this was a very special
16 grounds, and I am concerned with a lot of issues
17 that are brought up in this. And as a native
18 Hawaiian, I would hate to see use of any kind
19 restricted, even if it was allowed for some use of
20 different kinds in this Executive Order.

21 But I was enlightened twice this summer to
22 visit the Northwest Hawaiian Islands, specifically
23 Midway Atoll. And I don't know, I think a lot of
24 people in this room have dived or have been in the
25 ocean. When you can see schools of manini that keep

1 going for thousands of yards and schools of nenue
2 that are probably three times the size of this room,
3 hapapuu, spiny lobster walking around, it is a very
4 impressive place and it's very awe inspiring to
5 witness and I feel very privileged this past summer
6 to have witnessed it twice.

7 And I am for preservation. I also would
8 love to see a lot of other things done, but
9 enforcement is the key thing. It's such a remote
10 place that I can see it very possible for fishermen
11 to get to, and the fishermen that do make the
12 dedication to get out there have a lot at stake and
13 I see that.

14 But as for our planet shrinking, it's got
15 to be done and something has to be done in this
16 particular area. When you have predators as for
17 sharks, I don't see them being taken out in no way,
18 shape, or form. I had the privilege to dive with
19 over 30, 40 Galapagos sharks and witness 5 or 6 very
20 large tigers in Midway come within five feet. They
21 look at me, they move away. They know in my heart,
22 my heart is right, and I know that they're not going
23 to offend me in any way, shape, or form.

24 So I don't see predators taken out, shark
25 fishing taking anything or should be done up in that

1 area. I think things that they have done, they
2 probably resourced it to a great degree. And I'm
3 for the conservation measures that would be taking
4 place.

5 But the key thing, again, is enforcement.
6 Same thing here in the Big Island, we have the same
7 issues. And if it can be done correctly, I'm all
8 for it. Thank you.

9 MR. FUKUNAGA: Thank you,
10 Mr. Nakachi. The next speaker is Dick Dresie.

11 DICK DRESIE: My name is Dick Dresie,
12 and that's spelled with one s, D-r-e-s-i-e. I am
13 going to be as brief as possible because I want this
14 proposition to be as brief as possible.

15 The best way to do it is to leave it alone
16 completely, period. That's KISS, keep it simple
17 stupid, and then it can be enforced. If you make
18 too many rules, too many opportunities to have it
19 enforced, it will be difficult and will not be
20 enforced.

21 We have found that out by the tropical
22 fish collection along the coast of West Hawaii, and
23 since it's unenforceable it is being abused. It
24 will be in the Northwest Hawaiian Islands also.

25 Also, make it permanent so that our

1 grandchildren can enjoy it, too. Thank you.

2 MR. FUKUNAGA: Thank you,
3 Mr. Dresie. The next speaker is Lisa Choquette.
4 We'll pass her to the end. The next speaker is
5 Kindra Choquette.

6 KINDRA CHOQUETTE: Hi, I'm Kindra
7 Choquette, C-h-o-q-u-e-t-t-e. And I didn't come
8 prepared with a speech, so like Mike I'm going to
9 wing it.

10 I am greatly in favor of the Northwestern
11 Hawaiian Islands becoming an ecosystem Reserve, and
12 I also do believe that it should be permanent. I
13 have had the privilege of diving in Midway, as a lot
14 of people have here in this room, and I have to say
15 that the fish life is incredible. It is just mind
16 blowing. It's much more extensive than we have here
17 and I think a big part of it is because of its
18 inaccessibility. It is -- how do I say? It has not
19 been touched by our human hands.

20 I think we should -- I'm sorry, I'm not
21 really prepared. I think we should not take
22 anything out, have it be a no-take zone limited to
23 very limited ecotourism, people allowed on maybe
24 just Midway Atoll since there are already people
25 living there. All the other islands should be shut

1 down to any human activity whatsoever.

2 I believe that interfering with the
3 ecosystem by removing all big predators, albeit big
4 fish or sharks, is a big mistake. We have
5 interfered with the ecosystem on our main Hawaii
6 Islands by removing big predators and by introducing
7 fish such as the ta'ape and the grouper, and we have
8 seen what destruction it has done to our ecosystem.

9 Leave it alone. Nature is doing what it's
10 supposed to do on its own and it needs to be left to
11 do that by itself. So once again I support the
12 Northwest Hawaiian Islands as an ecosystem Reserve.
13 I support it. It needs to be permanent. Otherwise,
14 there is no use in doing it at all with this fragile
15 place and that's it. Thank you.

16 MR. FUKUNAGA: Thank you,
17 Ms. Choquette. The next speaker is Douglas Blake.

18 DOUGLAS BLAKE: My name is Douglas
19 Blake, B-l-a-k-e, and I work with the Conservation
20 Council for Hawaii. It's a state affiliate of the
21 National Wildlife Federation.

22 Conservation Council for Hawaii is an
23 organization of 50 years dedicated to environmental
24 preservation and protection. And I have been asked
25 to present testimony regarding this Northwest

1 Hawaiian Islands Coral Reef Ecosystem Reserve on
2 behalf of our organization along with a host of
3 other organizations nationally and statewide.

4 The Conservation Council for Hawaii
5 strongly supports the President's National Marine
6 Sanctuary proposal, and we urge its adoption as soon
7 as is readily possible. What would be -- the most
8 recently released data on worldwide coral reef
9 deterioration showing greater damage that had been
10 previously supposed, it would seem that there is a
11 time imperative that we would do well to not
12 neglect. And therefore, we support this proposal
13 and thank you very much for coming.

14 MR. FUKUNAGA: Thank you, Mr. Blake.
15 The next speaker is Karen, and last name is E-o-f-f.

16 KAREN EOFF: Aloha, my name is Karen
17 Eoff, that's E-o-f-f, and I am speaking on behalf of
18 Angel Palago and the Kona Iki Ohana. The Kona Iki
19 is a grass roots community organization made up of
20 Native Hawaiian cultural practitioners and
21 environmentalists whose mission is to protect our
22 unique natural and cultural resources in Hawaii.

23 We are advocates for strong protection of
24 our land and water resources and for citizens'
25 participation in the process. We would like to

1 thank you for coming to the islands to listen to
2 comments regarding President Clinton's Executive
3 Order to establish a Northwestern Hawaiian Islands
4 Coral Reef Ecosystem Reserve.

5 We took part in the workshops to create
6 the document that was submitted by KA HEA, the
7 Hawaiian Environmental Alliance, to the President.
8 Much of the language in that document was included
9 in the Executive Order.

10 We wish to thank President Clinton for
11 listening to the public and for creating a
12 sanctuary. We support permanent protection to
13 ensure healthy marine resources for the future.

14 And I would just add one thing. We firmly
15 believe that by protecting the islands in the
16 Northwestern area, that we ensure our subsistence
17 fishermen here to always have all the fish that we
18 need. Thank you.

19 MR. FUKUNAGA: Thank you, Ms. Eoff.
20 That's the last of the speakers signed up. What I
21 said I was going to do and I will do now, we'll go
22 through the list again of those who didn't have a
23 chance to speak. And if you haven't signed up yet,
24 you can still do so.

25 If there are people in the audience who

1 want to speak who did not sign up, there are still
2 sheets out there you can sign your name to because
3 we'll go through the list one more time and that
4 will give you time to decide whether you want to
5 testify or not.

6 So we're back to Dennis Rattinger.

7 DENNIS RATTINGER: I'm Dennis
8 Rattinger, R-a-t-t-i-n-g-e-r, citizen of Hawaii. I
9 just wanted to add my personal voice in support of
10 this measure. I think anything to do with ecology,
11 preservation is a good idea. Thank you.

12 MR. FUKUNAGA: Thank you,
13 Mr. Rattinger. Tom Frio? Tom Frio, are you here?
14 Does anyone know if he's coming back to testify?
15 Tom Shackley, is Mr. Shackley here or Shockley, Tom
16 Shockely?

17 Rick Gaffney, if you want to finish the
18 statement you were making, Mr. Gaffney.

19 RICK GAFFNEY: I'm Rick Gaffney. Let
20 me just briefly go back to a few of the points that
21 I wanted to make earlier.

22 President Clinton's Executive Order
23 creating the Northwestern Hawaiian Islands Coral
24 Reef Ecosystem Reserve created the world's second
25 largest, and I would say arguably most important,

1 marine reserve. The largest, of course, is the
2 Great Barrier Reef Marine Reserve in Australia.
3 There is a lot that we can learn from the Great
4 Barrier Reef Reserve. There is a lot that the
5 council has been established by this Executive Order
6 can learn from that Reserve and I hope will learn.

7 The Northwestern Hawaiian Islands are a
8 local, national, and international treasure.
9 Nowhere else in the world is there such a high
10 percentage of marine creatures which have evolved
11 into unique species, and perhaps nowhere else in the
12 world can we afford such a unique marine ecosystem,
13 broader protection before it is too badly scarred by
14 humankind.

15 I spoke earlier about some concerns I have
16 about the limitations on recreational fishery
17 because I believe that it does contribute to the
18 expansion of scientific knowledge. I would say the
19 recreational fishery in the Northwestern Hawaiian
20 Islands has contributed toward the scientific
21 knowledge of species ranging from Galapagos and
22 tiger sharks to little known jacks and the most
23 important recreational game fishing, in the main
24 Hawaiian Islands the ulua and also to a number of
25 internationally important pelagic species.

1 (Inaudible) that was tagged and released
2 by the sport fishermen in Midway Atoll travelled
3 further than any (inaudible) that's ever been tagged
4 and released anywhere in the world. And it happened
5 at Midway Atoll, it has released more Pacific blue
6 marlin than any other (inaudible) in the year 1999.

7 All of those fish are being released from
8 a place where they have never been caught and
9 released before and the information that they are
10 generating is important to our knowledge of those
11 fisheries.

12 What I'd like to lean into now is some
13 discussion about the Reserve Council itself because
14 I think this is a critical aspect of this. I agree
15 with Dick Dresie that we need to keep this as simple
16 as possible, but like everything else that we do,
17 particularly in conservation, the devil is in the
18 details.

19 I would like to state that the empowerment
20 of a broadly representative Reserve Council, which
21 carefully considers all the ramifications of the
22 Executive Order, will assure that the Northwestern
23 Hawaiian Island National Marine Sanctuary which is
24 where we're going with this process will fully and
25 responsibly protect this area, in perpetuity.

1 I would, therefore, urge the various
2 individuals, agencies, and branches of government
3 who will be involved in the process of selecting and
4 empowering the Reserve Council to be absolutely
5 impartial and totally apolitical in your selection,
6 and that you stay open to the input of that Reserve
7 Council.

8 The Reserve Council should then carefully
9 review and learn from the management parameters and
10 experience of the Great Barrier Reef Marine
11 Authority and those of marine protected areas in
12 Belize, the Maldives, Costa Rica, Panama, Hawaii,
13 and the rest of the United States to gain clues as
14 to how to more fully protect and better manage the
15 Northwestern Hawaiian Islands.

16 In closing, I'd like to say that I believe
17 the Northwestern Hawaiian Islands Coral Reef
18 Ecosystem Reserve Executive Order was a positive
19 step toward assuring more complete protection of one
20 of the world's most important marine ecosystems,
21 while at the same time further protecting an
22 important nursery area that contributes to the help
23 and productivity of the waters of the main Hawaiian
24 Islands. Thank you for this opportunity to testify
25 tonight. Thank you.

1 MR. FUKUNAGA: Thank you,
2 Mr. Gaffney. Jeff Bearman?

3 JEFF BEARMAN: Hi, my name is Jeff
4 Bearman, B-e-a-r-m-a-n. Thanks for giving me the
5 opportunity. I don't have any cute fish stories for
6 you. I haven't swam with any sharks lately.

7 My understanding of this plan is actually
8 a political compromise, and I got a little bit of
9 that clarification just before I came up. My
10 understanding is that the President was looking at
11 doing much more than what is included here.

12 I also understand this is subject to
13 change. So as much as I'm delighted to hear
14 everybody support this, I think the message is this
15 is wholly inadequate and you tell Bill to get off
16 his ass and do the right thing.

17 MR. FUKUNAGA: Thank you,
18 Mr. Bearman. Bill Brooks?

19 BILL BROOKS: Aloha, thank you for
20 coming and listening to us. I don't know enough
21 about this to make any critical judgments of exactly
22 how this area should be preserved, but preserved I
23 feel it must be. And I would leave it to those
24 people who have the expertise to determine exactly
25 how.

1 To take such a precious resource and not
2 preserve it would be a waste that this planet just
3 can't afford right now. Thank you.

4 MR. FUKUNAGA: Thank you,
5 Mr. Brooks. That ends the list of people who have
6 signed up. If anybody -- oh, are there more people
7 here? Why don't you come up.

8 LISA CHOQUETTE: My name is Lisa
9 Choquette, C-h-o-q-u-e-t-t-e. I'm co-owner of Dive
10 Makai Charters and a member of the West Hawaii
11 Fisheries Council. I have been privileged also to
12 dive at Midway Atoll and experience the wondrous and
13 myriad life that exists there. I am convinced that
14 the Northwestern Hawaiian Islands are a priceless
15 and irreplaceable treasure. Their remoteness so far
16 has kept exploitation reasonably low, but it is not
17 untouched.

18 The islands deserve our utmost
19 protection. I believe the Northwestern Hawaiian
20 Islands should be totally protected from all
21 consumptive uses. If fishing must be allowed, and I
22 don't know why, at current levels it should be
23 gradually phased out over the years so that this is
24 truly a preserve.

25 My feelings by the way, sorry, Rick,

1 include sport fishing. The only uses that should be
2 allowed are tightly limited and controlled
3 scientific and educational programs and low key
4 ecotourism.

5 I support the permanent Reserve
6 preservation areas, and I hope that we will evolve
7 to bring the entire chain to permanent protection
8 from all consumptive uses. Thank you.

9 MR. FUKUNAGA: Thank you,
10 Ms. Choquette. Was there another person in the
11 back?

12 CHRIS O'LEARY: My name is Chris
13 O'Leary, O-'-L-e-a-r-y, and I oppose this Executive
14 Order. I have fished in the Northwestern Hawaiian
15 Islands since I was in high school, since 1984.
16 I've spent more time out there than I have on land
17 in the last 15 years.

18 This place is already one of the most
19 strictly regulated areas in the world. The place is
20 pristine, totally pristine because none of you guys
21 are there. We are so highly regulated we only fish
22 one month a year now, one month. We used to fish up
23 there 12 months a year.

24 Now we're cut back to one month. Now you
25 guys are trying to take that one month away from

1 us. I totally oppose it.

2 We have never had any interaction
3 documented by seals in the Northwestern Hawaiian
4 Island fleet, not one. But U.S. Fish & Wildlife can
5 tell you there has been 29 documented monk seal
6 deaths due to direct experimentation on monk seals.
7 So after they poke and prod these seals, extracting
8 sperm, collecting blood, they get the beauty of
9 cutting this animal open and looking in their
10 stomach to see what's inside the stomach of these
11 seals. And they have 160 documented confirmed
12 species of prey of the Hawaiian monk seals and
13 they're trying to blame us.

14 Again, the finger gets pointed at us, the
15 fishermen. Give me a break, people. We are so
16 highly regulated. This place is pristine. I
17 guarantee because none of you guys will ever go
18 there. And if you do, you'll fly up there on a
19 plane to Midway and jump off on some dive boat and
20 jump in the water and say I saw the Hawaiian
21 Islands. I've fished and been and lived on every
22 bank up there, you know. You guys, it's unreal.
23 That's all I got to say.

24 MR. FUKUNAGA: Thank you,
25 Mr. O'Leary. Now, is there anybody else who even if

1 you've testified before, you still feel you have to
2 say something or want to say something or anyone
3 else in the audience who is interested in saying
4 something that you haven't said so far? I guess
5 everyone is talked out.

6 Well, if there is no one else in the
7 audience, I'm going to turn it over to David to
8 complete the hearing tonight.

9 NITA ISHERWOOD: I wonder if you
10 could be a little more explicit in the next steps
11 that will occur over the year as this is put into
12 effect? Is it possible at this time to do that?

13 CHARLES KARNELLA: The next step will
14 be try to take this Reserve and make it a marine
15 sanctuary, and there is a law that governs the way
16 sanctuaries are designated. So that's sort of the
17 long-range goal.

18 I guess in the immediate future, the
19 Secretary of Commerce will have to do a number of
20 things; that is, determine the caps on fishing
21 permits, determine the caps on the level of
22 fishing -- fish that have been removed from the area
23 and put together this Council to provide the
24 Secretary with advice and guidance on how to
25 proceed. And there will be additional opportunity

1 for public participation and involvement.

2 NITA ISHERWOOD: I remember in the
3 earlier hearings that there was a great deal of
4 discussion about educational uses of the atolls and
5 the northern channel of Hawaiian Islands and I've
6 heard nothing about that here, with the exception of
7 Mr. O'Leary's very interesting remarks. Is that
8 part of the total sanctuary order?

9 CHARLES KARNELLA: Yes, it is. The
10 reason you didn't hear anything about it here, I
11 think, is because I'm having senior moments. But if
12 you look at the -- if you have a copy of the notice
13 that appeared in the federal register, there are
14 references in there to programs for outreach and
15 education.

16 MR. FRANZEL: We have one additional
17 person who wanted to offer testimony and then go
18 back to your comments.

19 MIKAHALA ROY: Aloha, ladies and
20 gentlemen. My name is Mikahala Roy and the
21 communities that are from Hawaii seem to be barraged
22 of late with a multitude of issues that call for
23 speaking deeply, multigenerationally.

24 My bloodline originates in these islands
25 back to antiquity, and I'm a Keiki O' Ka Aina O

1 Kona. These lands that are being discussed tonight
2 are a part of my future, our future, our children's
3 future.

4 You know there is a movie Back to the
5 Future. Well, to go to the future in the dictionary
6 they also call it ka'wa i hope. It means the past.
7 To know who we are, we need to know where we come
8 from.

9 These Hawaiian Islands are a part of this
10 entire archipelago, the lands which we're talking
11 about tonight. This is untold history. It needs to
12 be saved for that aspect. At what cost, people's
13 souls, the restoration of a people's soul. That's
14 the Hawaiian people, but I'm speaking really for all
15 people because when we restore a soul for one
16 culture, it is a soul saved for the earth.

17 We say malama aina, aloha aina because we
18 are not separate from the earth, so I say to you
19 tonight from the generations we need to save these
20 lands. And I advocate the importance of these lands
21 for, not only the Hawaiians, but for mankind.

22 If we do not begin to malama this earth,
23 we already are feeling the effects of noncare. So
24 help us please by hearing that the generations speak
25 to you as I'm speaking tonight. We need to malama

1 these lands.

2 When I teach a class in Hawaiian on these
3 islands that are being discussed tonight, I say only
4 of late is the current atlas of Hawaii able to list
5 the names of these lands, of these islands. Prior
6 to this nothing has been available.

7 You know as well as I that part of that is
8 because we almost have lost a native language. This
9 is paramount in this point in time to be active and
10 proactive in saving this. If we do not, it will not
11 be here to tell us the wisdom of our ages for this
12 part of the world. Thank you.

13 MR. FRANZEL: Any other comments or
14 questions? Yes.

15 LARRY FORD: May I just give my
16 comments?

17 MR. FRANZEL: Sure. Go ahead.

18 LARRY FORD: I'm Larry Ford, F-o-r-d,
19 and I wholeheartedly agree with making the
20 Northwestern Hawaiian Islands become permanently
21 preserved and the conversation effort should be
22 hands off.

23 As you've heard before, we've had some
24 problems with enforcement in this area and many
25 people have already spoken about their concerns

1 about enforcement. I want to reiterate not only
2 about the enforcement, but I want to be assured that
3 we will have funds for enforcement efforts.

4 If we decide this area should be preserved
5 forever and we don't have any enforcement, we have
6 all in this room seen the results of that. And if
7 the enforcement efforts are not funded, then there
8 will be abuses that will be -- as the lady said
9 before me very, very clearly, there will be effects,
10 and all of these effects will last for generations.

11 I really expect also for this area, this
12 preserve, as pristine as it is to become a very
13 critical baseline for scientific study in the future
14 and that is good for all of our children, our
15 grandchildren and onward.

16 And something that we haven't done, many
17 people have not spoken tonight, I would like
18 everyone to raise their hand who is in favor of this
19 going into effect. I would like for you to put
20 those numbers down because a lot of people did not
21 speak, but still -- they didn't speak before the
22 microphone, but they're ready to speak with their
23 hands right now.

24 MR. FRANZEL: 37. Thank you.

25 LARRY FORD: Thank you for the

1 opportunity to speak.

2 VIRGINIA ISBELL: Aloha. I was
3 hesitating to get up because everybody has pretty
4 much said everything that needs to be said. My name
5 is Virginia Isbell, I-s-b, as in boy, e-l-l like a
6 ding-dong bell, and I very much am supportive of
7 what the President is doing, but I'm absolutely
8 amazed at the speed of which this is happening.

9 I've never seen a President Executive
10 Order signed and out to the public in one month. Of
11 course, the fact that he's not going to be as
12 President very soon, I guess, has something to do
13 with that. But I would like to suggest to you that
14 on his way out of office, and I think this came out
15 very clearly with Jeff Bearman, that we start
16 writing letters to him, e-mailing to him, and
17 explaining to him the importance of enforcement and
18 the funds to protect this area because putting it on
19 a piece of paper and a map is going to do nothing.

20 And I think that the individual who
21 mentioned, Mr. O'Leary, that he fishes out of there,
22 those people who have been allowed to fish for
23 years, I think it came up rather clearly that
24 through attrition, as they retire, that that would
25 be one way of reducing the numbers. But to simply

1 cut him all off I think has to be looked at
2 carefully because one month out of the year, as long
3 as they don't overdo it, seems to be reasonable and
4 then gradually like all of us he'll soon be too old
5 and so will his boat. So I would suggest to you
6 that we consider some of these people and the needs
7 that they have.

8 As far as recreational fishing goes, how
9 do you enforce that? How do you know that they're
10 not out there fishing and they're just doing tagging
11 and releasing? And again, that's the biggest
12 problem with this whole thing is enforcement so I
13 would hope that all of us start writing to the
14 President.

15 He's not going to be there very long and
16 we don't know who the next president is going to be
17 so I suggest you write to all of them because it may
18 turn out that we have Bush as one president and Gore
19 as a vice president, just as a parting shot. Thank
20 you very much.

21 RYAN CATRON: My name is Ryan Catron,
22 C-a-t-r-o-n. I think that making the Reserve area
23 permanent are a good idea. I think that
24 conservation measures for the Reserve should be
25 complete and total including all scientists, except

1 for those given permission by the Hawaiian nation.

2 I think it's a good idea that the U.S.
3 enforce these measures completely and very strongly,
4 make it crippling to those who break these rules,
5 make it crippling so that they can't go back and do
6 it again. And I think that they, like I said,
7 enforce it strongly until the Northwestern Hawaiian
8 Islands are returned to their rightful owners.
9 Thank you.

10 RICK GAFFNEY: I have a question for
11 the representatives of the federal agencies who are
12 here tonight. Could you explain the background for
13 the Reserve, the 15 Reserve preservation areas that
14 are currently being suggested as part of the
15 Executive Order? Where did they come from, how are
16 they determined, on what basis are they
17 established?

18 CHARLES KARNELLA: I can't give you
19 an exposition on that, but I can refer you to the
20 handouts that are on the table. And I think they
21 address the significance of each of those 15 areas
22 and give you some idea of how and why they were
23 selected as Reserve preservation areas.

24 RICK GAFFNEY: The reason I asked the
25 question is because I wanted it to be public

1 information. I wanted it to be presented to
2 everyone here. We haven't all had a chance to read
3 that. I think it's a significant part of what we're
4 being asked --

5 CHARLES KARNELLA: I said that I
6 couldn't give you an exposition on that.

7 MR. FUKUNAGA: One more question?

8 MS. EOFF: It was my understanding
9 that the current permits that are out to the
10 fishermen, that those will be allowed to continue so
11 there wouldn't really be a change; is that right?

12 MR. O'LEARY: No, that's not right.
13 The way it's written it's going to be remained at
14 the now current levels. We're so regulated that we
15 didn't even fish this year so that's what goes into
16 effect in the next 10 years because we did not fish
17 this year because we are so highly managed as it
18 is. It's the lobster fishery, not the bottom
19 fishing.

20 MR. FUKUNAGA: What we'd like to do
21 is take anymore testimony people have tonight to
22 offer whether it's supplemental testimony or if you
23 haven't gotten up and said anything yet.

24 If not -- I don't see any hands up. If
25 not, I'd like to thank you very much for coming here

1 tonight and giving us your comments. They are all
2 part of the record. The court reporter will type
3 this all up, make it available to the Secretary of
4 Commerce and others and eventually it will get to
5 the White House. Thank you.

6 (The proceedings concluded at 7:30 p.m.)

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1 STATE OF HAWAII)

2) SS.

3 CITY & COUNTY OF HONOLULU)

4 I, DEBORAH A. NG, RPR, CSR 336, Notary
5 Public, State of Hawaii, hereby certify:

6 That on December 11, 2000, at 6:15 p.m.
7 the above-mentioned proceedings are contained;

8 That the proceeding was taken by me in
9 machine shorthand and was thereafter reduced to
10 typewriting by me;

11 That the foregoing represents, to the best
12 of my ability, a full, true and correct transcript
13 of said proceedings

14 I further certify that I am not attorney
15 for any of the parties hereto, nor in any way
16 concerned with the cause.

17 Dated: Honolulu, Hawaii, December 12,
18 2000.

19 _____
20 DEBORAH A. NG, RPR, CSR 336
21 Registered Professional Reporter
22 Notary Public, State of Hawaii
23 My commission expires 6/20/2002
24
25

