



# University of Hawai'i at Mānoa

## Environmental Center

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RL:01231

### HB 750 RELATING TO FISHPONDS

House Committee on  
Ocean and Marine Resources

Public Hearing - January 30, 1995  
8:30 A.M., Room 1310 SOT

By  
John T. Harrison, Environmental Center  
Malia Akutagawa, Environmental Center  
Marion Kelly, Ethnic Studies  
Luciano Minerbi, Urban and Regional Planning  
James Parrish, Hawaii Cooperative Fishery Unit

HB 750 would amend Section 183-44, HRS, to establish a definition of "fishpond."

Our statement on this measure does not constitute an institutional position of the University of Hawaii.

In testimony during the 1994 Legislative session on HB 2075, the Environmental Center drew attention to the absence of a legal definition of a Hawaiian fishpond in the Hawaii Revised Statutes. The present measure addresses that deficiency, albeit in a somewhat vague manner. Our reviewers note that although the language requires that the pond be constructed in a manner consistent with traditional Hawaiian fishpond management, there is no specificity as to how traditional it must be. No description of materials, particular design, or location relative to other hydrologic or physiographic features is included, leaving the interpretation of exactly what constitutes a fishpond very broad.

Our concern is that given the breadth and vagueness of the proposed definition, potentially extensive modifications, "reinforcements", or adaptations of coastal features might be brought under the blanket exemption of fishpond maintenance and repairs from chapter 343 which already is found in this section. In view of the sensitivity of the coastal environment, particularly to placement or modification of structural features, such an omission from review is unwise.