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HB 728 RELATING TO DISCLOSURE OF MONTHLY FISH CATCHES

Statement for
House Committee on
Ocean and Marine Resources
Public Hearing, 1 March 1979

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HB 728 would amend HRS 189-3, a section requiring monthly catch reports from commercial fishermen. With the amendment, the monthly catch reports would not be considered matters of public record, but the Department of Land and Natural Resources (DLNR) would be authorized to compile and make available for public inspection certain summaries from them. This statement on the bill does not reflect an institutional position of the University.

The DLNR has justified HB 728 on the basis that certain aspects of the monthly catch reports should be considered in the nature of trade secrets, and hence be held confidential. There is some merit in this. If one fisherman has found a particularly good fishing area he may not want his competitors to profit from his experience. However, the public, and researchers of the effects of fish harvesting, whether individual or employed by public or private agencies, should be entitled to learn, in the aggregate, what catches are made of what species of fish and in what regions. The withholding of fish catch records from the public is justified only to the extent necessitated, and to whatever extent the records are withheld, the DLNR should be mandated, and not merely authorized, to make available to the public whatever summaries are necessary to determine the effects of fish harvesting on fish populations and on the environmental effects of the changes in population.

A particular problem with HB 728 as now drafted and in the context of the section of the law which it would amend relates to the fact that the term fish, as used in HRS 189, includes corals--not just the stony corals of our reefs but the precious corals in deep waters. Harvesting precious corals is a fairly recent occupation, and the sustainable yields of the precious coral resources are in many cases not firmly established. There is special reason for making available to the public and to researchers the coral harvest data collected by DLNR.