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**By email**

June 1, 2010

Members of the Maui County Council  
200 South High Street  
Wailuku, HI 96793-2155

**Re: PS-25 (Aquatic Life Animal Control)**

Dear Members,

I write as a California business principal with more than two decades' experiences diving on Mau'i County reefs (as a licensed divemaster, broadcast videographer, and volunteer reef protection advocate) to urge the County Council to enact a strong enforceable regulation of the aquarium collector business that also incorporates prohibitions against inhumane treatment of Mau'i fishes that are common industry practices.

### **WHERE ARE ALL THE BEAUTIFUL REEF FISHES?**

I have literally hundreds of logged dives over the past twenty years at dozens of reefs in Mau'i County (including sites in Mau'i, Lana'i and Moloka'i) and my own experience convinces me there has been a vast decline in the quantity and variety of common reef fishes at many locations.

Indeed, it has reached the point that when friends or potential clients (planning a snorkeling or diving vacation) ask me if they 'will see lots of beautiful reef fish' in Mau'i, I have to tell them that it depends on where they go...that some locations no longer have large concentrations of fish due to unregulated fish collecting.

### **WHY ALLOW INHUMANE COLLECTION PRACTICES WHICH HAVE THE EFFECT OF FACILITATING THE REMOVAL OF THOUSANDS OF MAU'I REEF FISH?**

Mau'i County, as the first Hawai'i county to require a business license/permit for this activity, has a unique opportunity to ensure that collection occurs in a manner that does not allow industry convenience (fin removal, bladder puncturing, starvation) to trump humane practices.

It is imperative that for-profit-collectors be required to conduct this activity as humanely as possible. For that reason, I urge you to adopt amendments to Mau'i animal cruelty law that will expressly prohibit the common industry practices which lead to the mutilation and/or death of reef fish as part of collection for sale activities.

**ROUGHLY 10,000 REEF FISH ARE TAKEN FROM MAU'I EACH YEAR, AND NO MEANINGFUL RECORD IS REQUIRED TO DOCUMENT SPECIFICALLY WHERE THEY WERE TAKEN**

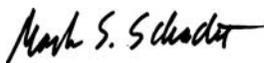
The proposed ordinance requires disclosures of this general type of information, which we support, but it should be made much more specific (i.e., to require approximate GPS shore coordinates, road mileage markers, reef names commonly used, etc.). Otherwise, public monitoring of collectors' takes through review of their reports is going to suffer from the reports' vagueness and/or ambiguity as to location of take.

**PUBLIC MONITORING AND REPORTING OF VIOLATIONS NEEDS TO BE ENHANCED AND PROMOTED**

Licensed collectors should be required to display a highly visible County-issued placard on their vehicle whenever they are engaged in collecting activity. This will enable members of the public who observe violations to accurately report them to authorities. In an era of tight budgets, enlisting the public in enforcement monitoring is only prudent, and all reasonable proposals that further this objective should be considered.

Thank you for your consideration of our views. If you have any questions, feel free to contact me at 510.812.5399.

Sincerely,



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