

Honolulu, Hawaii

FEB 15 , 2024

RE: H.B. No. 1554
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 1554 entitled:

"A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Expand the Department of Land and Natural Resources' rulemaking authority to include any rule to impose restrictions or requirements deemed necessary to protect certain aquatic life; and
- (2) Expand the Board of Land and Natural Resources' authority to temporarily adopt, amend, or repeal certain natural resource rules by formal action at a publicly noticed meeting if the Board finds that such adoption, amendment, or repeal is necessary to implement effective and adaptive management measures in light of newly available technology, or in light of newly available data.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Malama Pupukeya-Waimea; and four individuals. Your Committee received testimony



in opposition to this measure from Lahaina Divers Inc. and two individuals.

Your Committee finds that the Department of Land and Natural Resources is responsible for managing the aquatic resources of Hawaii. To effectively manage these resources, the Department utilizes a range of tools and methods to increase yields for the State's fishers and to conserve and protect aquatic resources to ensure abundant fisheries for future generations. Your Committee further finds that clarifying the rulemaking authority of the Department will allow the Department to effectively carry out its responsibility to manage Hawaii's aquatic resources.

Your Committee also finds that the Department is currently only authorized to adopt temporary rules if the rule is in response to "rapidly changing resource conditions". However, there are often other compelling reasons to authorize temporary rulemaking through the adaptive management process. Your Committee believes that allowing the Department to take adaptive management measures in light of newly available technology and data would allow for more timely protection of the State's aquatic resources.

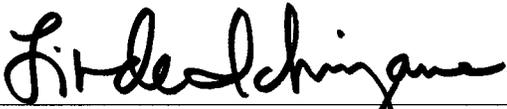
Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1554, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1554, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



Respectfully submitted on
behalf of the members of the
Committee on Water & Land,


LINDA ICHIYAMA, Chair



