

MAR 10 2010

SENATE RESOLUTION

REQUESTING RECONSIDERATION AND REISSUANCE OF COMMERCIAL USE
PERMITS FOR THE MOLOKINI SHOAL MARINE LIFE CONSERVATION
DISTRICT AFTER CONSULTATION WITH AND THE PROVISION OF
ADVANCE NOTICE TO COMMERCIAL TOUR OPERATORS.

1 WHEREAS, the ocean tourism industry is a vibrant and
2 important industry to the State of Hawaii; and
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4 WHEREAS, the National Ocean Economics Program reported that
5 Hawaii's direct ocean economy generated \$5,400,000,000 in 2004
6 which represents about 10.7 per cent of the State's gross
7 domestic product; and
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9 WHEREAS, this industry employs almost one hundred thousand
10 people with total wages exceeding \$2,500,000,000, making Hawaii
11 the lead state for employment in the ocean economy sector; and
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13 WHEREAS, the health of the ocean tourism industry is
14 dependent upon the health of Hawaii's unique yet fragile ocean
15 environment; and
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17 WHEREAS, the ocean and its resources must be managed to
18 accommodate not only commercial operators, but all the people of
19 Hawaii, including those with recreational and cultural interests
20 in our resources; and
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22 WHEREAS, a limited number of commercial tour operators have
23 the privilege of conducting tours to the Molokini Shoal Marine
24 Life Conservation District using permits issued by the Division
25 of Aquatic Resources, Department of Land and Natural Resources,
26 which are typically issued for a set amount of time and subject
27 to certain terms and conditions; and
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29 WHEREAS, those terms and conditions are important for the
30 maintenance of a pristine ocean environment at Molokini, and
31 must be adjusted from time to time in order to respond to
32 legitimate concerns regarding the future health of our ocean
33 resources; and
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1 WHEREAS, these terms and conditions may also have a
2 significant economic impact on the operation of the tours, the
3 conduct of the passengers, employment and sales contracts,
4 working conditions, advertising materials, and the fulfillment
5 of expectations by those who pay to participate in tours; and
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7 WHEREAS, thorough discussions with affected operators prior
8 to the establishment of new permit terms and conditions may
9 alleviate unnecessary impacts on their operations, while still
10 addressing the resource protection concerns that fall under the
11 primary responsibilities of the Department of Land and Natural
12 Resources; and
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14 WHEREAS, advance notice of new permit terms and conditions
15 may also provide operators adequate time to adjust their
16 operations to further alleviate any impacts; and
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18 WHEREAS, recently commercial use permits with additional
19 conditions were issued to commercial tour operators with no
20 advance notice, little consultation, and resulted in
21 jeopardizing existing tour contracts; now, therefore,
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23 BE IT RESOLVED by the Senate of the Twenty-fifth
24 Legislature of the State of Hawaii, Regular Session of 2010,
25 that the Department of Land and Natural Resources is requested
26 to reconsider and reissue the commercial use permits for the
27 Molokini Shoal Marine Life Conservation District after
28 consultation with and the provision of advance notice to
29 commercial tour operators; and
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31 BE IT FURTHER RESOLVED that the Department of Land and
32 Natural Resources is requested to ensure that Molokini Shoal
33 Marine Life Conservation District commercial use permittees are
34 provided at least ninety days written notice of any changes in
35 conditions for commercial use permits; and
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37 BE IT FURTHER RESOLVED that the Department of Land and
38 Natural Resources is requested to consult with commercial use
39 permittees on any changes in permit conditions and seek input
40 from the permittees on the advisability, practicality, and ease
41 of implementation of the proposed permit conditions; and
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1 BE IT FURTHER RESOLVED that a certified copy of this
2 Resolution be transmitted to Chairperson of the Board of Land
3 and Natural Resources.
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OFFERED BY:



