

MAR 8 - 2019

S.C.R. NO. 166

SENATE CONCURRENT RESOLUTION

URGING ALL APPLICABLE STATE AGENCIES TO WORK TOGETHER WITH INTERESTED STAKEHOLDERS, INCLUDING THE HONOLULU HARBOR USERS GROUP, IN ASSESSING THE RISK OF AQUATIC INVASIVE SPECIES TO HAWAII, VECTORS, AND POSSIBLE MITIGATIONS, IN PREPARATION FOR THE ESTABLISHMENT OF NEW FEDERAL STANDARDS IN 2022.

1 WHEREAS, the State of Hawaii depends on healthy marine
2 environments and ecosystems to support its unique cultural
3 practices and recreational resources, preserve Hawaii residents'
4 quality of life, support local businesses, and provide habitat
5 and sustenance for a multitude of native species - many of which
6 are found nowhere else on Earth; and

7
8 WHEREAS, healthy reefs protect homes and infrastructure by
9 mitigating the impacts of storm events; and

10
11 WHEREAS, nearshore marine environments support the Hawaii
12 tourism, aquaculture, and fisheries industries, at an estimated
13 \$4,000,000,000 in gross revenue per year; and

14
15 WHEREAS, aquatic invasive species have proven to be
16 devastating on some nearshore reef environments in Hawaii, and
17 waters worldwide, harming the functioning of marine ecosystems,
18 public health, and industries; and

19
20 WHEREAS, the recognized vectors for the introduction of
21 aquatic invasive species to Hawaii's marine environment are
22 vessel ballast water and biofouling, which account for more than
23 half of all non-native marine and estuarine species, followed by
24 escapees or purposeful introduction from aquaculture, pet trade,
25 and research, with arrival and possible establishment of species
26 through marine debris; and

27
28 WHEREAS, the *Hawaii Interagency Biosecurity Plan 2017-2027*;
29



1 (1) Was developed through a public process and calls on
2 state agencies and industry stakeholders to work
3 together to close the gaps in Hawaii's biosecurity
4 programs;

5
6 (2) Recognizes that programs that prevent the introduction
7 of invasive species are far more cost effective and
8 achievable than mitigation and eradication programs;
9 and

10
11 (3) Lists the vector pathways of biofouling and ballast
12 water as areas in need of effective regulation and
13 management, and calls for ten new positions to assess
14 and manage risk of this and other marine invasive
15 species pathways; and
16

17 WHEREAS, the federal Vessel Incidental Discharge Act (VIDA)
18 was signed into law on December 4, 2018, and requires the
19 Environmental Protection Agency and the United States Coast
20 Guard to consult with states and establish federal standards and
21 a regulatory framework within four years for each discharge
22 incidental to the normal operations of a vessel, including
23 ballast water, vessel biofouling, and the in-water cleaning of
24 vessel hulls; and
25

26 WHEREAS, VIDA allows for states to pass regulations that
27 are no more stringent than the federal regulations and to co-
28 monitor, inspect, test, and enforce federal regulations in
29 coordination with the United States Coast Guard; and
30

31 WHEREAS, the State of Hawaii currently has a single person
32 assigned to the task of developing and implementing Hawaii's
33 ballast water and vessel biofouling program to prevent the
34 introduction and spread of marine invasive species from
35 commercial and recreational vessels; and
36

37 WHEREAS, the United States Coast Guard does not currently
38 test ballast water discharge, monitor efficacy of installed
39 ballast water management systems, inspect vessel hulls for
40 biofouling, or regulate the in-water cleaning of vessel hulls;
41 and
42



1 WHEREAS, purposeful introductions of species for
2 aquaculture, research, and pet trade in the State are now
3 regulated by the Department of Agriculture, yet species may
4 still escape or be released; and

5
6 WHEREAS, chapter 342D, Hawaii Revised Statutes, tasks the
7 Department of Health with administering water pollution control
8 regulations and enforcing water quality standards, including
9 incidental discharges, and such regulations may be preempted in
10 four years if new federal standards developed under VIDA are
11 less stringent; and

12
13 WHEREAS, the Department of Health is committed to
14 protecting water quality for the public health of humans, marine
15 life, and wildlife and participating in a process to develop and
16 implement Hawaii's ballast water and vessel biofouling program;
17 and

18
19 WHEREAS, the Department of Transportation Harbors Division
20 is committed to protecting Hawaii's unique, fragile, and
21 important environment and participating in a process to evaluate
22 invasive species vectors, including commercial shipping vessels,
23 prevention and mitigation alternatives, and quantification of
24 resources needed to curtail, if not prevent, the introduction of
25 alien species that have the potential to harm Hawaii's
26 environment; and

27
28 WHEREAS, the shipping maritime industry is an important
29 component of the State's economy; and

30
31 WHEREAS, a high level of coordination between various state
32 agencies and stakeholders will be required to assess the issues
33 and find workable solutions where necessary; and

34
35 WHEREAS, commercial shipping companies have made great
36 efforts to adopt mitigation technologies, including the use of
37 fresh water ballast, the application of less toxic protective
38 hull coatings, and by cleaning and reapplying coatings within
39 recommended timeframes; and
40



1 WHEREAS, non-commercial vessels, including recreational
2 vessels and fishing vessels also play a role in moving aquatic
3 species through biofouling, and some through ballast water; and
4

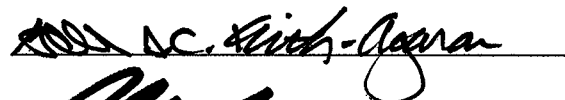
5 WHEREAS, because there are overlapping jurisdictions of
6 state agencies and new federal standards and regulations will
7 come into effect by the close of 2022, agencies, vessel
8 operators, and other stakeholders will need to work together to
9 assess the risks, and where necessary, develop and implement
10 aquatic alien species vector control programs; now, therefore,
11

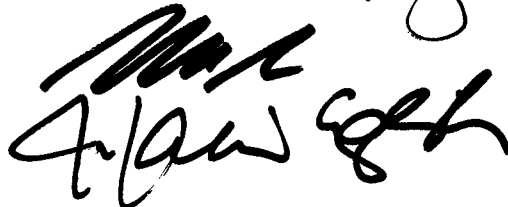
12 BE IT RESOLVED by the Senate of the Thirtieth Legislature
13 of the State of Hawaii, Regular Session of 2019, the House of
14 Representatives concurring, that all applicable state agencies
15 are urged to work together with interested stakeholders,
16 including the Honolulu Harbor Users Group, in assessing the risk
17 of aquatic invasive species to Hawaii, vectors, and possible
18 mitigations, in preparation for the establishment of new federal
19 standards in 2022; and
20

21 BE IT FURTHER RESOLVED that the Department of Land and
22 Natural Resources and Department of Transportation Harbors
23 Division are requested to submit a report on the status of their
24 findings and recommendations, including any proposed
25 legislation, to the Legislature no later than twenty days prior
26 to the convening of the Regular Sessions of 2020, 2021, and
27 2022; and
28

29 BE IT FURTHER RESOLVED that certified copies of this
30 Concurrent Resolution be transmitted to the Governor,
31 Chairperson of the Board of Agriculture; Director of Business,
32 Economic Development, and Tourism; Chairperson of the Board of
33 Land and Natural Resources; Director of Health; Director of
34 Transportation; Dean of the University of Hawaii College of
35 Tropical Agriculture and Human Resources; and Executive Director
36 of the Hawaii Harbors User Group.
37
38
39

OFFERED BY:  







S.C.R. NO. 166

Karl N. N. N.

