
A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL PROTECTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that plastic marine
2 debris is fouling Hawaii's iconic beaches and the ocean, harming
3 recreation and the State's largest industry: tourism. Most of
4 this debris comes not from Hawaii, but from around the world,
5 transported by ocean currents and accumulated in the State from
6 the North Pacific Gyre, also known as the Great Pacific Garbage
7 Patch. Plastic marine debris is essentially indestructible. It
8 does not go away over time but breaks down into smaller and
9 smaller fragments, especially on beaches where it is exposed to
10 sunlight and wave action. Both larger and smaller pieces of
11 plastic marine debris have significant negative impacts on the
12 environment and contribute to the potential death of marine
13 animals and bird populations through ingestion. The smaller
14 fragments, referred to as microplastics (less than five
15 millimeters, or about the size of a sesame seed and smaller),
16 are much more difficult to remove. Therefore, it is important,



1 where feasible, to remove plastic marine debris before it breaks
2 down into smaller fragments.

3 Harmful substances attached to plastic marine debris pose a
4 risk to the marine environment and humans. Persistent
5 bioaccumulative and toxic ("PBTs") chemicals or substances
6 resist degradation and are biomagnified up the food web, leading
7 to toxic effects. PBTs include persistent organic pollutants
8 ("POPs"), such as DDT dioxins and PCBs, which are essentially
9 persistent, bioaccumulative, and toxic. This poisonous plastic
10 food chain impacts many ocean species, including birds, whales,
11 turtles, seals, corals, small organisms, the fish that form the
12 foundation of the local fishing industry, and potentially even
13 humans that eat fish. It is estimated that by 2050, there will
14 be more plastic than fish by weight in the world's oceans.

15 Removal of plastic marine debris from beaches is critical
16 to Hawaii's economy and environment. However, the legislature
17 finds that removal has been hampered by disagreement over which
18 agencies have responsibility and jurisdiction. Hawaii's
19 counties are charged with "removing and clearing all seaweed,
20 limu, and debris which are likely to create an unsanitary
21 condition or to otherwise become a public nuisance from the



1 shores and beaches situated within the respective counties", per
2 section 46-12, Hawaii Revised Statutes. However, despite this
3 mandate, the counties, to date, generally have not been removing
4 and clearing plastic marine debris from their beaches and
5 shorelines.

6 The purpose of this Act is to require the department of
7 land and natural resources to convene a working group to
8 recommend how the counties should protect their beaches and
9 shorelines from the unsanitary conditions and public nuisances
10 plastic marine debris.

11 SECTION 2. (a) The department of land and natural
12 resources shall convene a working group to recommend how the
13 counties should protect their beaches and shorelines from the
14 unsanitary conditions and public nuisances caused by plastic
15 marine debris. This working group shall be known as the plastic
16 marine debris working group.

17 (b) The working group shall consist of:

18 (1) One designee of the board of land and natural
19 resources, to be appointed by the chairperson of the
20 board of land and natural resources, to serve as chair
21 of the working group;



- 1 (2) One designee for each county, to be appointed by the
- 2 respective county mayor;
- 3 (3) One designee from the National Oceanic and Atmospheric
- 4 Administration Marine Debris Program;
- 5 (4) One representative from the Surfrider Foundation;
- 6 (5) One representative from Sustainable Coastlines; and
- 7 (6) One representative from the University of Hawaii water
- 8 resources program.
- 9 (c) Each county shall cooperate with and participate in
- 10 the plastic marine debris working group.
- 11 (d) The plastic marine debris working group shall consult
- 12 and coordinate with experts from the National Oceanic and
- 13 Atmospheric Administration Marine Debris Program, other coastal
- 14 states, and non-profit organizations regarding the most
- 15 efficient and effective practices, equipment, and technologies.
- 16 (e) The plastic marine debris working group shall submit a
- 17 report of its findings and recommendations, including any
- 18 proposed legislation, on the best practices, equipment, and
- 19 technologies available to remove plastic marine debris, to the
- 20 legislature no later than twenty days prior to the convening of



1 the regular session of 2021. The working group shall include in
2 its report each county's:

- 3 (1) Plan of how it will collect plastic marine debris and
4 transport the debris to solid waste management
5 systems;
- 6 (2) Annual estimate of compliance costs; and
- 7 (3) Plan for how it will coordinate with and facilitate
8 the efforts of volunteer groups who notify the county
9 that the volunteer group is conducting beach cleanups.

10 SECTION 3. There is appropriated out of the general
11 revenues of the State of Hawaii the sum of \$100,000 or so much
12 thereof as may be necessary for fiscal year 2019-2020 and the
13 same sum or so much thereof as may be necessary for fiscal year
14 2020-2021 to the department of land and natural resources to
15 administer the working group and, if necessary, retain a
16 facilitator to coordinate with the National Oceanic and
17 Atmospheric Administration and other jurisdictions regarding
18 best practices on removing plastic marine debris from beaches
19 and shorelines.

20 The sums appropriated shall be expended by the department
21 of land and natural resources for the purposes of this Act.



1 SECTION 4. This Act shall take effect upon its approval;
2 provided that section 3 shall take effect on July 1, 2019.

3



Report Title:

Department of Land and Natural Resources; Counties; Plastic
Marine Debris Working Group; Report; Appropriation

Description:

Creates the plastic marine debris working group to research best
practices of plastic marine debris disposal and report to the
legislature. Appropriates funds. (SD1)

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not legislation or evidence of legislative intent.*

