

JAN 27 2021

A BILL FOR AN ACT

RELATING TO NATURAL RESOURCE PROTECTION.

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

1 SECTION 1. The legislature finds that the Moku Manu islets
2 are located approximately seven hundred yards offshore of the
3 northeast side of Mokapu Point on the Kaneohe marine corps base
4 Hawaii between Kaneohe bay and Kailua bay. These two isolated
5 islets serve as important refuges for native plants, insects,
6 and especially nesting seabirds and their colonies. The reefs
7 surrounding these islets are full of rare species of coral and
8 are home to monk seals, turtles, and other native species. The
9 three underwater caves between the two islets house a variety of
10 rare invertebrates and other sensitive marine life. The Moku
11 Manu islets host a critical ecosystem similar to the
12 northwestern Hawaiian islands and are often cited as the last
13 healthy and unspoiled of its kind in the main Hawaiian islands.

14 The legislature further finds that although these islets
15 are located outside of the restricted security zone surrounding
16 the Kaneohe marine corps base Hawaii, it is still within
17 potential reach of the live munitions at the nearby firing



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1 range. Moreover, even though no boating activities are allowed
2 in or around the Moku Manu islets while the range is in use, the
3 department of land and natural resources receives increasing
4 reports of illegal fishing activities and landings in the area,
5 threatening this irreplaceable habitat. Accordingly, the
6 purpose of this Act is to recognize and maintain the unique and
7 diverse terrestrial and marine habitats in and around the Moku
8 Manu islets by:

- 9 (1) Establishing the Moku Manu marine state monument; and
- 10 (2) Managing certain ocean recreation activities within
11 the area of the monument.

12 SECTION 2. Chapter 6E, Hawaii Revised Statutes, is amended
13 by adding a new section to part II to be appropriately
14 designated and to read as follows:

15 "§6E- Moku Manu marine state monument. (a) There shall
16 be a Moku Manu marine state monument as a historical site on
17 Oahu to be administered by the department of land and natural
18 resources. The monument shall consist of the waters surrounding
19 the Mokapu peninsula, including the Moku Manu islets, bounded
20 by:



- 1 (1) The shoreline and a line drawn from the shoreline on
2 the western side of Mokapu peninsula where it
3 intersects with the 500-yard security buffer
4 (approximately 21.430, -157.762);
- 5 (2) From approximately 21.430, -157.762, a line drawn west
6 northwestward to the southernmost point of the Kaneohe
7 bay lay net prohibited area (approximately 21.446,
8 -157.796);
- 9 (3) From approximately 21.446, -157.796, northeastward
10 along the boundary of the Kaneohe bay lay net
11 prohibited area out to the 50-meter depth contour
12 (approximately 21.479, -157.772);
- 13 (4) From approximately 21.479, -157.772, eastward and
14 southward along the 50-meter depth contour to the
15 intersection with the northern boundary of the Kailua
16 bay lay net prohibited area (approximately 21.458,
17 -157.708); and
- 18 (5) From approximately 21.458, -157.708, due west along
19 the northern boundary of the Kailua bay lay net
20 prohibited area to the shoreline on the eastern side
21 of Mokapu peninsula (approximately 21.458, -157.722).



1 (b) In addition to the restrictions established for state
2 monuments and memorials pursuant to part V of chapter 6E, it
3 shall be prohibited within the Moku Manu marine state monument
4 for any person to:

5 (1) Fish for, catch, take, injure, kill, possess, or
6 remove any finfish, crustacean, or mollusk including
7 sea shell and opihi, live coral, algae or limu, or
8 other marine life, or eggs thereof, except as provided
9 for in subsection (c);

10 (2) Have or possess in the water, any spear, trap net,
11 crowbar, or any other device that may be used for the
12 taking or altering of marine life, geological feature,
13 or specimen;

14 (3) Take, alter, deface, destroy, possess, or remove any
15 sand coral, rock, or other geological feature, or
16 specimen;

17 (4) Feed or deliberately introduce any food material,
18 substance, or attractant, directly to or in the
19 vicinity of any aquatic organism, by any means for any
20 purpose, except as provided in subsection (c); or

21 (5) Anchor or moor a vessel.



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Report Title:

Moku Manu Marine State Monument; Historic Preservation

Description:

Establishes the Moku Manu marine state monument. Manages certain ocean recreation activities within the monument.

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