

MAR 10 2023

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# SENATE RESOLUTION

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO  
IMPLEMENT AN IMMEDIATE FINE FOR GROUNDED VESSELS THAT HAVE  
REASONABLY CAUSED SIGNIFICANT DAMAGE TO THE ENVIRONMENT OR  
CREATED A MATERIAL BURDEN ON THE STATE FOR ITS REMOVAL.

1           WHEREAS, grounded vessels can cause considerable damage to  
2 the State's natural resources as the physical impacts from ship  
3 hulls jostled by the tides can fracture and displace fragile  
4 coral colonies; in addition, fuels and chemicals can leak from  
5 ships, poisoning fish and other native marine wildlife; and  
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7           WHEREAS, since 2002, the Department of Land and Natural  
8 Resources' Division of Boating and Ocean Recreation has removed  
9 nearly one hundred grounded or abandoned derelict vessels from  
10 state waters costing the State approximately \$2.37 million from  
11 the Boating Special Fund; and  
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13           WHEREAS, in February 2023, a luxury yacht was grounded in  
14 Honolua Bay, Maui, a conservation area, spilling diesel fuel and  
15 grinding coral into pieces while it remained stuck for days in  
16 state waters; and  
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18           WHEREAS, the Department of Land and Natural Resources  
19 estimates that the efforts to salvage the vessel, which  
20 ultimately sank three miles off the coastline, cost the State  
21 approximately \$460,000; and  
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23           WHEREAS, under the current process, the Department of Land  
24 and Natural Resources is required to submit a recommendation of  
25 its proposed administrative penalties -- which may include,  
26 among other things, fines, lost resource damage values, damages  
27 to the public, and the cost of investigation and vessel salvage  
28 -- to the Board of Land and Natural Resources; and  
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30           WHEREAS, the process of gathering information and assessing  
31 the total damage caused by a grounded vessel, often  
32 necessitating the expertise of Division of Aquatic Resources  
33 biologists and technicians, can take weeks or months; and  
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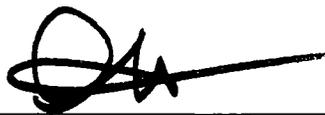


1           WHEREAS, an immediate fine for grounded vessels, in  
2 addition to any other fines ultimately determined by the  
3 Department, could serve as a deterrence to irresponsible vessel  
4 owners and operators and simultaneously provide a cost offset  
5 for the State while it salvages the vessel and investigates the  
6 full extent of the damage; now, therefore,  
7

8           BE IT RESOLVED by the Senate of the Thirty-second  
9 Legislature of the State of Hawaii, Regular Session of 2023,  
10 that the Department of Land and Natural Resources is requested  
11 to implement an immediate fine for grounded vessels that have  
12 reasonably caused significant damage to the environment or  
13 created a material burden on the State for its removal, while  
14 the State investigates and finalizes its recommended penalties  
15 to the Board of Land and Natural Resources; and  
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17           BE IT FURTHER RESOLVED that the amount of the fine is  
18 requested to be \$10,000; and  
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20           BE IT FURTHER RESOLVED that a certified copy of this  
21 Resolution be transmitted to the Chairperson of the Board of  
22 Land and Natural Resources.  
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24  
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OFFERED BY:  \_\_\_\_\_

