Honolulu, Hawaii

FEB 15 , 2024

RE: H.B. No. 1554 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2024 State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 1554 entitled:

"A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Expand the Department of Land and Natural Resources' rulemaking authority to include any rule to impose restrictions or requirements deemed necessary to protect certain aquatic life; and
- (2) Expand the Board of Land and Natural Resources' authority to temporarily adopt, amend, or repeal certain natural resource rules by formal action at a publicly noticed meeting if the Board finds that such adoption, amendment, or repeal is necessary to implement effective and adaptive management measures in light of newly available technology, or in light of newly available data.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Malama Pupukea-Waimea; and four individuals. Your Committee received testimony

in opposition to this measure from Lahaina Divers Inc. and two individuals.

Your Committee finds that the Department of Land and Natural Resources is responsible for managing the aquatic resources of Hawaii. To effectively manage these resources, the Department utilizes a range of tools and methods to increase yields for the State's fishers and to conserve and protect aquatic resources to ensure abundant fisheries for future generations. Your Committee further finds that clarifying the rulemaking authority of the Department will allow the Department to effectively carry out its responsibility to manage Hawaii's aquatic resources.

Your Committee also finds that the Department is currently only authorized to adopt temporary rules if the rule is in response to "rapidly changing resource conditions". However, there are often other compelling reasons to authorize temporary rulemaking through the adaptive management process. Your Committee believes that allowing the Department to take adaptive management measures in light of newly available technology and data would allow for more timely protection of the State's aquatic resources.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1554, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1554, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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Respectfully submitted on behalf of the members of the Committee on Water & Land,

LINDA ICHIYAMA, Chai

State of Hawaii

House of Representatives
The Thirty-second Legislature

HSCR 423-24

Record of Votes of the Committee on Water & Land

Bill/Resolution No.: HB 1554	Committee Referral: Date: 02/06/2024			24
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
WAL Members	Ayes	Ayes (WR)	Nays	Excused
1. ICHIYAMA, Linda (C)	V			
2. POEPOE, Mahina (VC)				
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3. CHUN, Cory M.			in in the second of the second	
4. GANADEN, Sonny				
		gagaran mengeli salah PRENISTRAN		
5. HASHEM, Mark J.				## 6
6. MIZUNO, May Besario				
MODIZAWA D				
7. MORIKAWA, Dee				
8. TAKAYAMA, Gregg			<u> </u>	
		Anna A		
9. SOUZA, Kanani				
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TOTAL (9)	9		,	
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				