
A BILL FOR AN ACT

RELATING TO AQUATIC PROTECTION.

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

1 SECTION 1. The legislature finds that coral reefs provide
2 extremely valuable goods and services for the State and its
3 residents, including coastal protection from erosion due to
4 increasing sea levels and larger ocean swells as the ocean
5 warms; sand production that replenishes beaches; and fisheries,
6 recreation, tourism, and spiritual connection. Many reefs
7 around the island of Oahu are widely known to be among the most
8 degraded in Hawaii. This situation is due to poor agricultural
9 and development land use practices in the past, unchecked
10 ungulate populations that lead to erosion and sedimentation, and
11 run-off of excess nutrients from sewage and fertilizers.
12 Furthermore, increasing ocean warming is now causing more
13 frequent and severe coral bleaching events that kill corals and
14 are predicted to be annual events by about 2040. Ocean
15 acidification and other pollutants also adversely affect corals.
16 All of these factors, coupled with heavy fishing pressure and
17 recreational overcrowding on the island of Oahu, contribute to



1 degraded reefs and lower numbers of herbivorous fishes to keep
2 coral-reef degradation in check.

3 The legislature further finds that immediate action is
4 needed to protect and restore coral reefs around the State and
5 especially around the island of Oahu.

6 Therefore, the purpose of this Act is to require the
7 division of aquatic resources of the department of land and
8 natural resources to:

9 (1) Manage the aquatic life and aquatic resources of the
10 State, giving the highest priority to protecting,
11 restoring, and maintaining ecosystem integrity and
12 using the best scientific data available; and

13 (2) Set goals to substantially improve coral-reef
14 resilience around Oahu and develop a framework to meet
15 those goals with annual reports to the legislature.

16 SECTION 2. Section 187A-2, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "**§187A-2 Powers and duties of department.** The department
19 shall:

20 (1) Manage and administer the aquatic life and aquatic
21 resources of the State[+], giving the highest priority



1 to protecting, restoring, and maintaining ecosystem
2 integrity, including by collaborating with other
3 relevant agencies to restore and maintain good
4 condition of the water that encompasses these
5 ecosystems;

6 (2) Establish and maintain aquatic life propagating
7 station or stations;

8 (3) Establish, manage, and regulate public fishing areas,
9 artificial reefs, fish aggregating devices, marine
10 life conservation districts, shoreline fishery
11 management areas, refuges, and other areas pursuant to
12 title 12;

13 (4) Subject to this title, import aquatic life for the
14 purpose of propagating and disseminating the same in
15 the State and the waters subject to its jurisdiction;

16 (5) Distribute, free of charge, as the department deems to
17 be in the public interest, aquatic life, for the
18 purpose of increasing the food supply of the State;
19 provided that when, in the discretion of the
20 department, the public interest shall not be
21 materially interfered with by so doing, the department



1 may propagate and furnish aquatic life to private
2 parties, upon such reasonable terms, conditions, and
3 prices determined by the department;

4 (6) ~~[Gather]~~ Use the best available science to gather and
5 compile information and statistics concerning the
6 habitat and character of, and increase and decrease
7 in, aquatic resources in the State, including the care
8 and propagation of aquatic resources for protective,
9 productive, and aesthetic purposes, and other useful
10 information, which the department deems proper;

11 (7) Enforce all laws relating to the protecting, taking,
12 killing, propagating, or increasing of aquatic life
13 within the State and the waters subject to its
14 jurisdiction; and

15 (8) Formulate and from time to time recommend to the
16 governor and legislature such additional legislation
17 necessary or desirable to implement the objectives of
18 title 12."

19 SECTION 3. (a) No later than July 1, 2027, the division
20 of aquatic resources of the department of land and natural
21 resources shall:



1 (1) Publish goals to significantly increase coral-reef
2 resilience around the island of Oahu by December 31,
3 2030; and

4 (2) Create a framework for meeting these goals and the
5 qualitative measurement of progress each year by using
6 the best available science. The framework shall
7 include but not be limited to the following criteria:

8 (A) Water quality and quantity;

9 (B) Herbivore biomass;

10 (C) Fisheries management;

11 (D) Enforcement;

12 (E) Coral restoration; and

13 (F) Recreational-use impacts.

14 (b) Prior to adopting the framework required by subsection
15 (a)(2), the division of aquatic resources of the department of
16 land and natural resources shall coordinate with other relevant
17 management agencies in the State and hold at least one public
18 hearing on Oahu regarding the framework.

19 (c) The division of aquatic resources of the department of
20 land and natural resources may adopt temporary administrative
21 rules related to the framework required by subsection (a)(2),



1 with the approval of the board of land and natural resources and
2 without regard to chapter 91 and chapter 201M, Hawaii Revised
3 Statutes; provided that the temporary administrative rules shall
4 be repealed on December 31, 2030, or upon the adoption of rules
5 by the division of aquatic resources of the department of land
6 and natural resources pursuant to chapter 91, Hawaii Revised
7 Statutes, whichever is sooner.

8 (d) No later than December 1, 2026; December 1, 2027;
9 December 1, 2028; and December 1, 2029, the division of aquatic
10 resources of the department of land and natural resources shall
11 submit to the legislature a report regarding the implementation
12 of this section.

13 Each annual report shall include any recommendations for
14 additional funding, additional positions, or proposed
15 legislation.

16 SECTION 4. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 5. This Act shall take effect on July 1, 3000.



Report Title:

DLNR; Division of Aquatic Resources; Aquatic Life; Herbivores;
Coral-reef Resilience; Reports

Description:

Requires the Division of Aquatic Resources of the Department of Land and Natural Resources to: manage the aquatic life and aquatic resources of the State, giving the highest priority to protecting, restoring, and maintaining ecosystem integrity and use the best scientific data available; and set goals to substantially increase coral-reef resilience around Oahu and develop a framework to meet those goals, with annual reports to the Legislature. Effective 7/1/3000. (HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

