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# HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO  
REPORT TO THE LEGISLATURE ON EXISTING MARINE PROTECTED  
AREAS.

1 WHEREAS, Section 187A-2, Hawaii Revised Statutes, requires  
2 the Department of Land and Natural Resources to establish,  
3 manage, and regulate public fishing areas, artificial reefs,  
4 fish aggregating devices, marine life conservation districts,  
5 shoreline fishery management areas, refuges, and other areas;  
6 and  
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8 WHEREAS, the Department of Land and Natural Resources  
9 defines marine protected areas as any area of the marine  
10 environment established by law or regulation to protect and  
11 enhance part or all of the natural resources therein; and  
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13 WHEREAS, scientific studies on the impacts of marine  
14 protected areas vary depending upon the purpose, scope, and  
15 situation applied, and are not the solution to many fishery  
16 management issues; and  
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18 WHEREAS, marine protected areas have been shown to increase  
19 biomass within the closed area if it is effectively placed,  
20 monitored, and enforced; and  
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22 WHEREAS, in the past, Hawaii's fishing community has been  
23 opposed to the Department of Land and Natural Resource's use of  
24 marine protected areas and questioned the agency's ability and  
25 willingness to plan, monitor, and enforce area closures; and  
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27 WHEREAS, the Department of Land and Natural Resources'  
28 report entitled, "Approach to Marine Resource Management"  
29 revealed that the agency was unable to improve its strategy to  
30 monitor fishery resources in a manner that will help determine  
31 stock status and effectiveness of the management program; and  
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1 WHEREAS, nineteen bottomfish marine protected areas were  
2 created in 1998 and the Department of Land and Natural Resources  
3 should have reported on these marine protected areas by 2003;  
4 and  
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6 WHEREAS, the Department of Land and Natural Resources'  
7 inability to effectively manage and conserve bottomfish  
8 resources has resulted in concerns raised by the United States  
9 Secretary of Commerce and discussions of a possible federal  
10 intervention; and  
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12 WHEREAS, the scientific information and analysis in the  
13 Department of Land and Natural Resources' December 2004 report  
14 to the Legislature entitled, "A Report on the Findings and  
15 Recommendations of Effectiveness of the West Hawaii Regional  
16 Fishery Management Area" was not peer-reviewed, was  
17 misinterpreted, and continues to be misrepresented in validating  
18 predetermined management actions; and  
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20 WHEREAS, the establishment of many marine protected areas,  
21 including Hanauma Bay, Pupukea, and Kealakekua Bay, have  
22 resulted in the displacement of some local and traditional  
23 family ocean-related activities due to the introduction and  
24 establishment of commercial tourism-related businesses in these  
25 areas; and  
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27 WHEREAS, management strategies, such as gear restrictions,  
28 seasonal closures, catch limits, size limits, and others, have  
29 been and continue to be effectively used to manage fisheries in  
30 Hawaii and throughout the world; now, therefore,  
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32 BE IT RESOLVED by the House of Representatives of the  
33 Twenty-fourth Legislature of the State of Hawaii, Regular  
34 Session of 2007, the Senate concurring, that the Department of  
35 Land and Natural Resources is requested to prepare a report to  
36 the Legislature that includes:  
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- 38 (1) An inventory of all marine protected areas in the  
39 State where fishing is restricted;  
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41 (2) The stated objectives or goals for each marine  
42 protected area, as defined in its establishment;  
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- 1 (3) A description of the management strategy, baseline  
2 data, and controls used in the establishment of each  
3 of the current marine protected areas;  
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5 (4) A description of the monitoring, control, and  
6 enforcement programs implemented by the respective  
7 divisions in support of each marine protected area;  
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9 (5) A descriptive evaluation and summary analysis of the  
10 effectiveness of each marine protected area in:  
11  
12 (A) Achieving the stated management objectives or  
13 goals; and  
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15 (B) Fulfilling the monitoring, control, and  
16 enforcement programs; and  
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18 (6) A summary of public comments and responses on the  
19 draft report to the Legislature, to be collected  
20 following public meetings in each county; and  
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22 BE IT FURTHER RESOLVED that the Department of Land and  
23 Natural Resources, is requested to submit its report to the  
24 Legislature not later than twenty days prior to the convening of  
25 the Regular Session of 2008; and  
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27 BE IT FURTHER RESOLVED that certified copies of this  
28 Concurrent Resolution be transmitted to the Governor, and the  
29 Chairperson of the Board of Land and Natural Resources.

