
A BILL FOR AN ACT

RELATING TO THE ISLAND OF NI'HAU

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

1 SECTION 1. The legislature finds that the island of Niihau
2 occupies a vulnerable position in the Hawaiian island chain. As
3 the last bastion of native Hawaiian fishers, Hawaiian cultural
4 practitioners, and native speakers of the Hawaiian language,
5 Niihau stands to lose much if it is not properly protected.

6 The legislature further finds that the public shore access
7 and domain on Niihau up to the vegetation mark exacerbates
8 Niihau's vulnerability. Recreational beachgoers and fishers
9 abuse the right to access Niihau's precious shores, often
10 leaving behind their debris, fishing gear, and, at times, even
11 their personal excrement. These senseless infractions have
12 caused Niihau's residents to worry about their onshore and
13 offshore resources, and many residents feel unsafe because they
14 maintain an open-door policy.

15 The purpose of this Act is to designate the waters
16 surrounding the island of Niihau as a marine life conservation
17 district.



1 SECTION 2. The waters surrounding the island of Niihau, as
2 defined in the administrative rules of the department of land
3 and natural resources, shall be designated a marine life
4 conservation district, as provided in chapter 190, Hawaii
5 Revised Statutes. The department of land and natural resources,
6 in consultation with the 'aha kiolo advisory committee, and when
7 established, the 'aha moku council, shall adopt exceptions to the
8 conservation district and other rules and prohibitions
9 consistent with sections 190-3 and 190-4, Hawaii Revised
10 Statutes; provided that the department of land and natural
11 resources shall at a minimum adopt rules permitting the
12 following activities:

- 13 (1) Residents of the island of Niihau may take and possess
14 enough limu kohu and limu lipe'epe'e, for subsistence
15 (combined total, squeezed dry) by hand harvest only;
16 provided that the limu holdfast is left in place;
- 17 (2) Residents of the island of Niihau may take and possess
18 any finfish with hook-and-line from the shoreline;
19 provided that each person may use not more than two
20 poles; provided further that each pole may have no
21 more than one line; provided further that each line
22 may have no more than two hooks; and



1 (3) To take with legal nets and possess 'opelu during
2 August and September, and akule during the appropriate
3 season.

4 SECTION 3. This Act shall take effect upon its approval.



Report Title:

Island of Niihau; Marine life conservation district

Description:

Establishes the waters surrounding the island of Niihau as a marine life conservation district. (HB3440 HD1)

