

STAND. COM. REP. NO. 3098

Honolulu, Hawaii

MAR 20 2008

RE: H.B. No. 3176  
H.D. 1  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Madam:

Your Committee on Water and Land, to which was referred H.B. No. 3176, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PENALTIES FOR DAMAGE TO STONY CORAL AND LIVE ROCK,"

begs leave to report as follows:

The purpose of this measure is to authorize the Chairperson of the Board of Land and Natural Resources to impose additional administrative penalties for per square meter of area damaged to Hawaii's stony coral reefs and live rocks.

Your Committee received testimony in support of this measure from the Ocean Tourism Coalition, The Nature Conservancy, the University of Hawaii Environmental Center, Hawaii Nearshore Fishermen, and three individuals. The Department of Land and Natural Resources submitted testimony in opposition but supports the original version of this measure.

Your Committee finds that Hawaii's live coral reefs provide food and shelter for the myriad of native and endemic reef organisms that populate the State's coastal waters. This unique ecosystem serves as a backbone of the State's vibrant marine tourism industry, creating many of our world-famous wave breaks, providing subsistence, recreational, and commercial fishing for residents and visitors alike.



Your Committee also finds that there has been an increase in the number of human and non-human damage to Hawaii's living coral colonies and live rock environments, and therefore understands the importance this measure provides in protecting Hawaii's unique ocean ecosystem and natural resources for the benefit of its residents and future generations.

Your Committee has amended this measure by:

- (1) Authorizing the Chairperson of the Board of Land and Natural Resources to assess additional fines of up to \$10,000 per square meter of area damaged for breaking stony coral or live rock or using an accepted economic valuation method; and
- (2) Changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3176, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 3176, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Labor.

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

  
CLAYTON HEE, Chair



