

MAR 10 2010

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# SENATE CONCURRENT RESOLUTION

REQUESTING RECONSIDERATION AND REISSUANCE OF COMMERCIAL USE  
PERMITS FOR THE MOLOKINI SHOAL MARINE LIFE CONSERVATION  
DISTRICT AFTER CONSULTATION WITH AND THE PROVISION OF  
ADVANCE NOTICE TO COMMERCIAL TOUR OPERATORS.

1 WHEREAS, the ocean tourism industry is a vibrant and  
2 important industry to the State of Hawaii; and

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4 WHEREAS, the National Ocean Economics Program reported that  
5 Hawaii's direct ocean economy generated \$5,400,000,000 in 2004  
6 which represents about 10.7 per cent of the State's gross  
7 domestic product; and

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9 WHEREAS, this industry employs almost one hundred thousand  
10 people with total wages exceeding \$2,500,000,000, making Hawaii  
11 the lead state for employment in the ocean economy sector; and

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13 WHEREAS, the health of the ocean tourism industry is  
14 dependent upon the health of Hawaii's unique yet fragile ocean  
15 environment; and

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17 WHEREAS, the ocean and its resources must be managed to  
18 accommodate not only commercial operators, but all the people of  
19 Hawaii, including those with recreational and cultural interests  
20 in our resources; and

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22 WHEREAS, a limited number of commercial tour operators have  
23 the privilege of conducting tours to the Molokini Shoal Marine  
24 Life Conservation District using permits issued by the Division  
25 of Aquatic Resources, Department of Land and Natural Resources,  
26 which are typically issued for a set amount of time and subject  
27 to certain terms and conditions; and

28  
29 WHEREAS, those terms and conditions are important for the  
30 maintenance of a pristine ocean environment at Molokini, and  
31 must be adjusted from time to time in order to respond to



1 legitimate concerns regarding the future health of our ocean  
2 resources; and

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4 WHEREAS, these terms and conditions may also have a  
5 significant economic impact on the operation of the tours, the  
6 conduct of the passengers, employment and sales contracts,  
7 working conditions, advertising materials, and the fulfillment  
8 of expectations by those who pay to participate in tours; and

9  
10 WHEREAS, thorough discussions with affected operators prior  
11 to the establishment of new permit terms and conditions may  
12 alleviate unnecessary impacts on their operations, while still  
13 addressing the resource protection concerns that fall under the  
14 primary responsibilities of the Department of Land and Natural  
15 Resources; and

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17 WHEREAS, advance notice of new permit terms and conditions  
18 may also provide operators adequate time to adjust their  
19 operations to further alleviate any impacts; and

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21 WHEREAS, recently commercial use permits with additional  
22 conditions were issued to commercial tour operators with no  
23 advance notice, little consultation, and resulted in  
24 jeopardizing existing tour contracts; now, therefore,

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26 BE IT RESOLVED by the Senate of the Twenty-fifth  
27 Legislature of the State of Hawaii, Regular Session of 2010, the  
28 House of Representatives concurring, that the Department of Land  
29 and Natural Resources is requested to reconsider and reissue the  
30 commercial use permits for the Molokini Shoal Marine Life  
31 Conservation District after consultation with and the provision  
32 of advance notice to commercial tour operators; and

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34 BE IT FURTHER RESOLVED that the Department of Land and  
35 Natural Resources is requested to ensure that Molokini Shoal  
36 Marine Life Conservation District commercial use permittees are  
37 provided at least ninety days written notice of any changes in  
38 conditions for commercial use permits; and

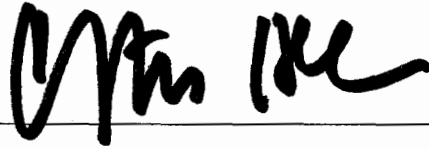
39  
40 BE IT FURTHER RESOLVED that the Department of Land and  
41 Natural Resources is requested to consult with commercial use  
42 permittees on any changes in permit conditions and seek input  
43 from the permittees on the advisability, practicality, and ease  
44 of implementation of the proposed permit conditions; and



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BE IT FURTHER RESOLVED that a certified copy of this  
Concurrent Resolution be transmitted to Chairperson of the Board  
of Land and Natural Resources.

OFFERED BY:

A handwritten signature in black ink, appearing to be 'J. P. Mc...', written over a horizontal line.