
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROHIBIT THE TETHERING OF ANY NON-DEPARTMENT OF LAND AND NATURAL RESOURCES SANCTIONED VESSEL TO A DEPARTMENT OF LAND AND NATURAL RESOURCES-INSTALLED BUOY OR MOORING WITHIN A MARINE LIFE CONSERVATION DISTRICT.

1 WHEREAS, Section 1 of Article XI of the Hawaii Constitution
2 declares that the State and its political subdivisions are
3 responsible for the conservation and protection of Hawaii's
4 natural beauty and all natural resources, including marine
5 resources; and
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7 WHEREAS, Section 6 of Article XI of the Hawaii Constitution
8 vests in the State the power to manage and control the marine,
9 seabed, and other resources located within state boundaries; and
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11 WHEREAS, the Department of Land and Natural Resources
12 (DLNR) is authorized to administer a marine life conservation
13 area pursuant to section 190-1, Hawaii Revised Statutes (HRS),
14 to establish marine life conservation districts (MLCDs) pursuant
15 to section 190-2, HRS, and to adopt rules under sections 190-3
16 and 190-4.5, HRS; and
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18 WHEREAS, DLNR has established 11 MLCDs pursuant to its
19 statutory authority; and
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21 WHEREAS, the state's marine waters that constitute the
22 marine life conservation areas contain fish, crustaceans,
23 mollusks, live coral, algae, and other marine life and
24 geological features that comprise some of the state's most
25 precious, unique, and fragile resources; and
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27 WHEREAS, MLCDs are designed to conserve and replenish
28 marine resources to provide fish and other aquatic life with a
29 protected habitat in which to grow and reproduce; and



1 WHEREAS, Hawaii's recent history has shown that the state's
 2 growing population and steady stream of visitors, all intent on
 3 experiencing the natural beauty and recreational activities that
 4 MLCDs have to offer, can have an adverse effect on aquatic life
 5 in the area; and

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 7 WHEREAS, watercraft may present an additional danger to
 8 nearshore marine habitats due to the need to occasionally moor
 9 the craft; and

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 11 WHEREAS, mooring is accomplished in several ways, including
 12 through the use of mooring buoys or permanent anchor moorings
 13 that require the use of fixtures installed on the ocean floor as
 14 well as heavy cables or chains used to affix the craft to the
 15 mooring; and

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 17 WHEREAS, non-sanctioned tethering to buoys and moorings may
 18 cause significant damage to reefs and aquatic life in MLCD
 19 nearshore habitats; now, therefore,

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 21 BE IT RESOLVED by the House of Representatives of the
 22 Twenty-fifth Legislature of the State of Hawaii, Regular Session
 23 of 2010, the Senate concurring, that DLNR is requested to
 24 prohibit the tethering of any non-DLNR sanctioned vessel to a
 25 DLNR-installed buoy or mooring in MLCDs; and

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 27 BE IT FURTHER RESOLVED that certified copies of this
 28 Concurrent Resolution be transmitted to the Chairperson of the
 29 Board of Land and Natural Resources.

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OFFERED BY: Yule B. Beg
Dennis G...
Raymond...
M...

MAR 10 2010