

H.B. NO. 2328

1 (16 U.S.C. §1434), title III of which act is known as the
2 National Marine Sanctuaries Act (16 U.S.C. §§1431-1445c-1).

3 § -3 **Lead agency.** The department is designated as the
4 lead state agency to co-manage the sanctuary in accordance with
5 the National Marine Sanctuaries Act, the 1998 compact agreement
6 between the State of Hawaii and the United States Department of
7 Commerce, National Oceanic and Atmospheric Administration, and
8 the 2010 memorandum of agreement between the Office of National
9 Marine Sanctuaries and the State of Hawaii."

10 SECTION 2. This Act shall take effect upon its approval.

11

12

13

INTRODUCED BY: _____



BY REQUEST

JAN 21 2014

H.B. NO. 2328

Report Title:

Hawaiian Islands Humpback Whale National Marine Sanctuary

Description:

Recognizes the State's role in co-managing the Hawaiian Islands Humpback Whale National Marine Sanctuary in the Hawaii Revised Statutes.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Land and Natural Resources

TITLE: A BILL FOR AN ACT RELATING TO THE HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY.

PURPOSE: To recognize the State's role in co-managing the Hawaiian Islands Humpback Whale National Marine Sanctuary (Sanctuary) in the Hawaii Revised Statutes (HRS).

MEANS: Add a new chapter to the HRS.

JUSTIFICATION: The Sanctuary, since 1998, has been co-managed by the National Oceanic and Atmospheric Administration (NOAA) and the State of Hawaii (State) by way of the "Compact Agreement for Coordinated Management of Hawaiian Islands Humpback Whale National Marine Sanctuary" signed May 4, 1998. The State accepted the Sanctuary in state waters and entered into the co-management agreement with NOAA to improve interagency coordination and enhance the management of Hawaii's humpback whales and other marine resources. When this co-management arrangement was entered into, the State did not give up any jurisdiction, authority, or responsibility to manage state lands and resources within sanctuary boundaries. However, the Sanctuary and the State's co-management program, has never been formally established under state law.

This bill seeks to ensure the State's commitment to co-management over the long-term, which promotes and protects state interests and enhances the management of our unique marine resources.

Impact on the public: The general public would benefit from the State's commitment to co-manage the Sanctuary's resources into perpetuity.

HB 2328

Impact on the department and other agencies:
None.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: LNR 906.

OTHER AFFECTED
AGENCIES: National Oceanic and Atmospheric
Administration; Department of Budget and
Finance

EFFECTIVE DATE: Upon approval.