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## A BILL FOR AN ACT

RELATING TO COMMUNITY-BASED MARINE RESOURCES STEWARDSHIP.

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

1           SECTION 1. The legislature finds that the nearshore marine  
2 resources of the State have declined over several generations,  
3 impacting native Hawaiian traditional and customary practices,  
4 residents' lifestyle, and the visitor industry. Land-based  
5 sources of pollution, invasive species, overuse, and poor  
6 management have all played a part in our nearshore ocean's  
7 decline. The people of Hawaii should be able to partake in the  
8 ocean as past generations once did. This situation necessitates  
9 the implementation of innovative and effective approaches,  
10 policies, and regulations informed by the values of the people  
11 of Hawaii.

12           Hawaii's people have a long tradition of resource  
13 stewardship and strong stewardship values that are essential to  
14 reversing resource declines. Community-based co-management of  
15 nearshore marine areas, or communities working with government,  
16 is recognized as an effective tool to increase opportunities for  
17 stakeholder involvement, re-invigorate Hawaii's history and



1 culture of malama 'aina, increase voluntary compliance with  
2 regulations, and ultimately improve resource conditions and  
3 availability for future generations. In more than two dozen  
4 coastal areas across the State, local communities long to engage  
5 in marine co-management to see their resources sustained and  
6 traditional practices preserved. These communities include  
7 families, fishermen, kupuna, youth, government, and many others  
8 with deep and caring ties to each of those areas. As such,  
9 these efforts are devised to bring users and other interests  
10 together, and not to further divide them. These efforts promote  
11 tradition and culture not as artifacts to be preserved in books  
12 and museums, but as solutions to be practiced as keys to a  
13 sustainable future.

14 Research and experience demonstrate that community-based  
15 co-management of marine resources can be a successful policy and  
16 management strategy because:

- 17 (1) It recognizes and honors the unique resources,  
18 habitat, condition, people, and tradition of each  
19 place;
- 20 (2) Community members have a high level of identification  
21 with and commitment to their place;



1           (3) Community members are respected as local leaders and  
2           directly involved in decisions and management with  
3           shared norms, trust, communication, and connection  
4           between networks and groups of stakeholders;

5           (4) Co-management fosters a sense of kuleana through  
6           genuine sharing of responsibility and authority with  
7           government in policy development, decisionmaking, and  
8           setting standards of conduct; and

9           (5) The engaged community has a shared commitment to  
10          compliance and achieving successful resource  
11          enhancement and sustainable use.

12          The legislature finds that the department of land and  
13          natural resources is mandated with the authority under chapter  
14          188, Hawaii Revised Statutes, to implement policies and  
15          management strategies, including community-based co-management,  
16          to preserve and protect Hawaii's marine resources and  
17          traditional practices. To successfully implement appropriate  
18          programs to grow and maintain the active participation and trust  
19          of communities, the department needs consistent technical staff  
20          capacity to engage with communities, stakeholders, and deliver  
21          government services effectively.



1           The legislature further finds that the increase in ocean  
2 use necessitates the development of innovative partnerships,  
3 policies, regulations, rules, and strategies in the department  
4 of land and natural resources to ensure the department meets its  
5 mandate. To accomplish community-based co-management of marine  
6 resources, the department needs essential staff members and  
7 programs that can engage with interested communities to:

- 8           (1) Coordinate traditional stewardship practices with the  
9           departmental systems and processes;
- 10          (2) Develop community-driven rules and standards of  
11          conduct that meet the State's regulatory requirements;  
12          and
- 13          (3) Implement a collaborative and effective approach to  
14          compliance with community-based standards and rules.

15          The purpose of this Act is to:

- 16          (1) Establish permanent positions in the department of  
17          land and natural resources; and
- 18          (2) Provide a grant-making program within the department,  
19          to support community-based co-management of the State's marine  
20          resources, ensure compliance with state and federal mandates,



1 and support effective rulemaking and compliance with adopted  
2 standards and rules for sustainable resource use and protection.

3 SECTION 2. The department of land and natural resources  
4 shall develop an open and competitive grant application and  
5 review process to support community-based co-management of the  
6 State's marine resources, ensure compliance with state and  
7 federal mandates, and support effective rulemaking and  
8 compliance with adopted standards and rules for sustainable  
9 resource use and protection. Grant awards may be awarded to an  
10 individual community and shall:

- 11 (1) Not exceed \$10,000 per year;
- 12 (2) Be subject to prior approval by the board of land and  
13 natural resources; and
- 14 (3) Be managed by a qualified nonprofit or governmental  
15 fiscal sponsor that charges no more than ten per cent  
16 overhead rate for financial management.

17 SECTION 3. There is appropriated out of the general  
18 revenues of the State of Hawaii the sum of \$ or so much  
19 thereof as may be necessary for fiscal year 2016-2017 for  
20 program operating costs and to establish three permanent full-  
21 time equivalent (3.00 FTE) positions in aquatic resources



1 (LNR401) within the department of land and natural resources,  
 2 which includes a community-based subsistence fishing area  
 3 planner, a marine regulation and policy specialist, and an  
 4 aquatic invasive species program specialist, to support  
 5 community-based co-management of nearshore marine resources and  
 6 to implement effective rulemaking.

7 SECTION 4. There is appropriated out of the general  
 8 revenues of the State of Hawaii the sum of \$ or so much  
 9 thereof as may be necessary for fiscal year 2016-2017 for  
 10 aquatic resources (LNR401) for funding a grantmaking program to  
 11 support planning, stakeholder outreach, and related activities  
 12 by communities engaged in nearshore marine resource co-  
 13 management programs with the department of land and natural  
 14 resources as provided for in section 2.

15 SECTION 5. There is appropriated out of the general  
 16 revenues of the State of Hawaii the sum of \$ or so much  
 17 thereof as may be necessary for fiscal year 2016-2017 for  
 18 funding program operating costs and to establish two permanent  
 19 full-time equivalent (2.00 FTE) in conservation and resource  
 20 enforcement (LNR405) within the department of land and natural  
 21 resources, which includes a makai watch coordinator and a marine



1 regulation and policy specialist to work with communities and  
2 state enforcement officers to help ensure compliance with  
3 resource use and protection standards and regulations.

4 SECTION 6. There is appropriated out of the general  
5 revenues of the State of Hawaii the sum of \$ or so much  
6 thereof as may be necessary for fiscal year 2016-2017 for the  
7 department of land and natural resources in funding conservation  
8 and resource enforcement (LNR405) to convert twelve positions  
9 from temporary to permanent and for personal services, training,  
10 equipment, motor vehicles, vessels, and other current expenses  
11 for community fisheries enforcement units to support enforcement  
12 as well as community engagement, outreach, and awareness of  
13 marine regulations.

14 SECTION 7. The sums appropriated by this Act shall be  
15 expended by the department of land and natural resources for the  
16 purposes of this Act.

17 SECTION 8. This Act shall take effect on July 1, 2016.

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Jake O'Brien

INTRODUCED BY:

Jett K. Lee  
Guthrie Thelen  
[Signature]



# H.B. NO. 1846

**Report Title:**

Marine Resource Stewardship; Appropriations

**Description:**

Appropriates funds to the Department of Land and Natural Resources for positions and programs in support of community-based co-management of nearshore marine resources.

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

