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## A BILL FOR AN ACT

RELATING TO THE WAIANAЕ COAST.

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

1           SECTION 1. The legislature finds that one of the purposes  
2 of Act 6, Special Session Laws of Hawaii 2005, was to authorize  
3 a baseline environmental study of the Waianae coast ocean area.  
4 In February 2009, the Waianae baseline environmental study was  
5 prepared for the department of land and natural resources  
6 division of boating and ocean recreation.

7           The study noted that the division of boating and ocean  
8 recreation was unable to regulate commercial tour operators  
9 launching from private harbors. To address this issue, the  
10 legislature authorized the department of land and natural  
11 resources to regulate commercial enterprises that operate out of  
12 private marinas and use state waters or marine resources in Act  
13 289, Session Laws of Hawaii 2012.

14           Trying to replicate such success, the purpose of this Act  
15 is to authorize an update of the Waianae baseline environmental  
16 study and to complete the additional studies and monitoring  
17 recommended in the 2009 study.



1 SECTION 2. The department of land and natural resources  
2 shall prepare an update to the 2009 Waianae baseline  
3 environmental study. The update shall include the following:

4 (1) Any and all updates but at a minimum an update on the  
5 ocean uses off the Waianae coast;

6 (2) A review, assessment, and evaluation of the Hawaiian  
7 islands dolphin SMART program;

8 (3) The results of research studies and monitoring of the  
9 impacts of ocean use activities on marine mammals,  
10 especially spinner dolphins and the endangered  
11 Hawaiian monk seal, along the Waianae coast to  
12 estimate disturbance levels and the number of  
13 commercial tour operators that would minimize  
14 disturbance to the spinner dolphin, endangered  
15 Hawaiian monk seal, and other marine mammals;

16 (4) Rigorous analyses of long-term catch data to better  
17 characterize akule and 'opelu fisheries, specifically  
18 using smaller reporting grids to decipher changes in  
19 the fisheries and fishery-independent studies to  
20 evaluate the status of the fisheries;



1 (5) A review of commercial ocean recreational activities  
2 conducted from county beach parks;

3 (6) A review of land-based commercial ocean recreational  
4 activities, such as surf schools, kayaking tours,  
5 snorkeling, and kayaking or stand up paddle board  
6 equipment rental conducted along the Waianae coast and  
7 the impact on public recreational use;

8 (7) An assessment of thrill craft use along the Waianae  
9 coast; and

10 (8) A discussion of the incorporation of place-based,  
11 culture-based, and community-based strategies and  
12 activities as an integral part of the Waianae  
13 sustainable communities initiative.

14 The division of aquatic resources shall provide the  
15 department of land and natural resources with the technical  
16 assistance and information necessary to help prepare the update.

17 SECTION 3. For purposes of this Act, "ocean use  
18 activities" means commercial operation of thrill craft, high-  
19 speed boating, parasailing, water sledding, sailing and  
20 snorkeling tours, glassbottom boat tours, dolphin tours, or any



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1 other similar commercial activity as defined in section 200-  
2 4(a)(9), Hawaii Revised Statutes.

3 SECTION 4. The department of land and natural resources  
4 shall submit the update to the Waianae baseline environmental  
5 study to the legislature not later than twenty days prior to the  
6 convening of the regular session of 2018.

7 SECTION 5. This Act shall take effect upon its approval.  
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INTRODUCED BY:

GIE  
Cindy Evans  
AL. J. J. J.  
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**Report Title:**

Waianae Baseline Environmental Study

**Description:**

Authorizes an update of the Waianae baseline environmental study.

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