

JAN 21 2016

A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES.

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

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

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



1 involvement, re-invigorate Hawaii's history and culture of
2 mālama 'āina, increase voluntary compliance with regulations, and
3 ultimately improve resource conditions and availability for
4 future generations. In more than two dozen coastal areas across
5 the State, local communities want to engage in marine co-
6 management to sustain resources and preserve traditional
7 practices. All of these processes include families, fishermen,
8 kūpuna, youth, government, and many others with deep and caring
9 ties to their coastal areas.

10 The legislature further finds that efforts need to be
11 devised to bring users and other interests together rather than
12 further dividing them. These efforts promote tradition and
13 culture not as artifacts to be preserved in books and museums,
14 but as solutions to be practiced as keys to a sustainable
15 future.

16 Research and experience in Hawaii and around the world
17 demonstrate that community-based co-management of marine
18 resources in partnership with government can be a successful
19 policy and management strategy because:



- 1 (1) It recognizes and honors the unique resources,
2 habitat, condition, people, and tradition of each
3 place;
- 4 (2) Community members have a high level of identification
5 with and commitment to their place;
- 6 (3) Community members are respected as local leaders and
7 directly involved in decisions and management with
8 shared norms, trust, communication, and connection
9 between networks and groups of stakeholders;
- 10 (4) Co-management fosters a sense of kuleana through
11 genuine sharing of responsibility and authority with
12 government in policy development, decision-making, and
13 setting standards of conduct; and
- 14 (5) An engaged community has a shared commitment to
15 compliance in preservation, achievement of successful
16 resource enhancement, and promotion of sustainable
17 use.

18 The department of land and natural resources has the
19 statutory mandate to implement policies and management
20 strategies, which include community-based co-management, to
21 preserve and protect Hawaii's marine resources and traditional



1 practices. In order to successfully implement appropriate
2 programs and to grow and maintain the active participation and
3 trust of communities, the department needs consistent technical
4 and staff capacity to engage with communities and other
5 stakeholders and to deliver government services effectively.

6 The legislature further finds that the increase in ocean
7 use and threats necessitates the development of innovative
8 partnerships, policies, regulations, and strategies in the
9 department of land and natural resources to ensure the
10 department meets its mandate to properly manage and administer
11 the aquatic resources of the State. In the area of community-
12 based co-management of marine resources, this includes having
13 the essential staff members who can engage with interested
14 communities and help them to coordinate traditional stewardship
15 practices with the departmental systems and processes, to
16 develop community-driven rules and standards of conduct that
17 meet the State's regulatory requirements, and to implement a
18 collaborative and effective approach to compliance with
19 community-based standards and rules.



1 The purpose of this Act is to establish a community-based
2 marine resources grant program and make key positions permanent
3 within the department of land and natural resources.

4 SECTION 2. Chapter 171, Hawaii Revised Statutes, is
5 amended by adding a new section to be appropriately designated
6 and to read as follows:

7 "§171- Community-based marine resources grant program.

8 (a) There is established a community-based marine resources
9 grant program for communities engaged in near shore marine
10 resource co-management programs with the department. The grant
11 program shall be developed and administered by the department.
12 Grant moneys shall be applied to support planning, stakeholder
13 outreach, and related activities.

14 (b) Individual grant awards under this program shall:

15 (1) Not exceed \$10,000 per community each year;

16 (2) Be subject to prior approval by the board of land and
17 natural resources; and

18 (3) Be managed by a qualified non-profit or government
19 fiscal sponsor that charges no more than a ten per
20 cent overhead rate for financial management.



1 (c) The department shall adopt rules pursuant to chapter
2 91 to develop and administer the community-based marine
3 resources grant program."

4 SECTION 3. There is appropriated out of the general
5 revenues of the State of Hawaii the sum of \$ or so
6 much thereof as may be necessary for fiscal year 2016-2017 for
7 the development and administration of the community-based marine
8 resources grant program for communities engaged in near shore
9 marine resource co-management programs with the department of
10 land and natural resources.

11 The sum appropriated shall be expended by the department of
12 land and natural resources for the purposes of this Act.

13 SECTION 4. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so
15 much thereof as may be necessary for fiscal year 2016-2017 for
16 program operating costs and to establish three permanent full-
17 time equivalent (3.00 FTE) positions in the division of aquatic
18 resources of the department of land and natural resources to
19 include a community-based subsistence fishing area planner, a
20 marine regulation and policy specialist, and an aquatic invasive
21 species program specialist to support community-based co-



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1 management of near shore marine resources and implement
2 effective rule-making.

3 The sum appropriated shall be expended by the department of
4 land and natural resources for the purposes of this Act.

5 SECTION 5. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$ or so
7 much thereof as may be necessary for fiscal year 2016-2017 for
8 program operating costs and to establish two permanent full-time
9 equivalent (2.00 FTE) positions in the division of conservation
10 and resources enforcement of the department of land and natural
11 resources to include a makai watch coordinator and a marine
12 regulation and policy specialist to work with communities and
13 state enforcement officers to help ensure compliance with
14 resource use and protection standards and regulations.

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

17 SECTION 6. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$ or so
19 much thereof as may be necessary for fiscal year 2016-2017 for
20 conversion of twelve temporary positions in the division of
21 conservation and resources enforcement of the department of land



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1 and natural resources to permanent positions and for personal
 2 services, training, equipment, motor vehicles, vessels, and
 3 other current expenses for community fisheries enforcement units
 4 to support enforcement and community engagement, outreach, and
 5 awareness of marine regulations.

6 The sum appropriated shall be expended by the department of
 7 land and natural resources for the purposes of this Act.

8 SECTION 7. New statutory material is underscored.

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

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INTRODUCED BY:

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Report Title:

Department of Land and Natural Resources; Community-Based Marine Resources Grant Program; Appropriation

Description:

Establishes the community-based marine resources grant program. Appropriates funds to DLNR for positions and programs in support of community based co-management of near shore 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.

