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# 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  
18 involvement, re-invigorate Hawaii's history and culture of



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

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

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

- 19 (1) It recognizes and honors the unique resources,  
20 habitat, condition, people, and tradition of each  
21 place;



1 (2) Community members have a high level of identification  
2 with and commitment to their place;

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

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

11 (5) An engaged community has a shared commitment to  
12 compliance in preservation, achievement of successful  
13 resource enhancement, and promotion of sustainable  
14 use.

15 The department of land and natural resources has the  
16 statutory mandate to implement policies and management  
17 strategies, which include community-based co-management, to  
18 preserve and protect Hawaii's marine resources and traditional  
19 practices. In order to successfully implement appropriate  
20 programs and to grow and maintain the active participation and  
21 trust of communities, the department needs consistent technical



1 and staff capacity to engage with communities and other  
2 stakeholders and to deliver government services effectively.

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

17 The purpose of this Act is to make key positions permanent  
18 within the department of land and natural resources.

19 SECTION 2. There is appropriated out of the general  
20 revenues of the State of Hawaii the sum of \$ or so  
21 much thereof as may be necessary for fiscal year 2016-2017 for



1 program operating costs and to establish three permanent full-  
2 time equivalent (3.00 FTE) positions in the division of aquatic  
3 resources of the department of land and natural resources to  
4 include a community-based fishing area planner, a marine  
5 regulation and policy specialist, and an aquatic invasive  
6 species program specialist to support community-based co-  
7 management of near shore marine resources and implement  
8 effective rule-making.

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

11 SECTION 3. There is appropriated out of the general  
12 revenues of the State of Hawaii the sum of \$ or so  
13 much thereof as may be necessary for fiscal year 2016-2017 for  
14 program operating costs and to establish two permanent full-time  
15 equivalent (2.00 FTE) positions in the division of conservation  
16 and resources enforcement of the department of land and natural  
17 resources to include a makai watch coordinator and a marine  
18 regulation and policy specialist to work with communities and  
19 state enforcement officers to help ensure compliance with  
20 resource use and protection standards and regulations.



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

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

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

15           SECTION 5. This Act shall take effect on July 1, 2016.

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**Report Title:**

Department of Land and Natural Resources; Near Shore Marine Resources; Community Based Co-Management; Appropriation

**Description:**

Appropriates funds to DLNR for positions and expenses in support of community based co-management of near shore marine resources. (SD1)

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