

CHAPTER 200D
KANEOHE BAY REGIONAL COUNCIL

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Note

L 2014, c 218, §8 purports to amend this chapter.

Cross References

Environmental courts, jurisdiction over proceedings arising under this chapter, see §604A-2.

" **§200D-1 Definitions.** As used in this chapter, unless the context clearly requires otherwise:

"Council" means the Kaneohe Bay regional council.

"Lead agency" means the department of land and natural resources.

"Master plan" means the Kaneohe Bay master plan developed pursuant to Act 208, Session Laws of Hawaii 1990, and amended by section 200D-3.

"Members" means the members of the Kaneohe Bay regional council. [L 1993, c 317, pt of §2, §7; am L 1998, c 4, §3 and c 129, §3; am L 2009, c 68, §1; am L 2010, c 19, §4]

" **§200D-2 Kaneohe Bay regional council; establishment.** (a) There is established within the department of land and natural resources, for administrative purposes only, the Kaneohe Bay regional council; provided that except for the participation on the council of the two representatives from the department of land and natural resources as ex officio nonvoting members pursuant to subsection (c) and except as provided under section 26-35, the department of land and natural resources shall not provide administrative support to the council, including providing staff, drafting, and other support at council meetings. The council shall be composed of seven voting members appointed by the governor in accordance with section 26-34 and ex officio nonvoting members as provided in subsection (c). The members shall serve without compensation.

(b) The voting members of the council shall include one representative from each of the following: the Kaneohe neighborhood board, the Kahaluu neighborhood board, the Kaneohe Bay Commercial Operators Association, the Kaneohe Bay fishing panel established by this chapter, a Kaneohe Bay recreational boating association, the Hawaii institute of marine biology of the University of Hawaii, and the office of Hawaiian affairs.

(c) The director of health; a representative of the department of land and natural resources division of boating and ocean recreation; the administrator of the aquatic resources division; the commanding officer of the Kaneohe Marine Corps Air Station; and the director of the office of planning; or their

designated representatives shall serve as ex officio[,]
nonvoting members of the council. Additionally, the council may
designate representatives of other appropriate agencies as ex
officio[,]
nonvoting members of the council.

(d) Four voting members shall constitute a quorum to do
business and any action taken by the council shall be validated
by a simple majority of the quorum.

(e) The chairperson shall be the administrator of the
aquatic resources division. [L 1993, c 317, pt of §2, §7; am L
1996, c 299, §3; am L 1998, c 4, §3; am L 2009, c 68, §1; am L
2010, c 19, §§1, 4; am L 2014, c 85, §1]

" **§200D-3 Kaneohe Bay regional council; general powers,
duties, and functions.** The council shall have the following
powers and duties and perform the following functions:

- (1) Facilitate the implementation of the master plan as it
relates to ocean use activities;
- (2) Review and periodically amend the master plan as it
relates to ocean use activities;
- (3) Serve as a central coordinative clearinghouse of
public and private activities in Kaneohe Bay, and as a
repository and disseminator of information on the bay;
- (4) Facilitate productive interaction between users of the
bay and the general public in order to develop a
common vision and make recommendations for public
policy related to the bay;
- (5) Recommend research, studies, data collection, and
planning activities designed to provide additional
information on Kaneohe Bay, with particular reference
to the specific needs of the bay, and to publicize the
results thereof, to the extent that these functions do
not duplicate or supplant activities provided by other
state or county agencies;
- (6) Advise and make recommendations to the State and the
county on matters regarding the use of Kaneohe Bay by
the general public, marine research programs, and
commercial ocean use activities, including legislative
matters;
- (7) Develop short- and long-term goals based on the master
plan, resources, and programs for Kaneohe Bay;
- (8) Educate the public and users of Kaneohe Bay on the
problems and needs of the bay through public education
programs;
- (9) Serve as the public advocate for Kaneohe Bay;
- (10) Initiate and maintain contact with public, private,
county, and state organizations, agencies, and
individuals engaging in activities in Kaneohe Bay;

- (11) Establish a Kaneohe Bay fishing panel to monitor fishing activities in the bay, as recommended in the master plan as it relates to ocean use activities; and
- (12) Hold quarterly meetings on the status of the implementation of the master plan. [L 1993, c 317, pt of §2, §7; am L 1998, c 4, §3 and c 129, §4; am L 2009, c 68, §1; am L 2010, c 19, §4; am L 2014, c 85, §2]

" **§200D-4 Annual meeting.** The council shall schedule and conduct a meeting in accordance with chapter 92 in each year of its operation. [L 1993, c 317, pt of §2, §7; am L 1998, c 4, §3; am L 2009, c 68, §1; am L 2010, c 19, §§2, 4]

" **§200D-5 Annual report.** The council shall submit an annual report on its activities to the governor and the legislature, which may include recommendations; provided that the recommendations are consistent with the purposes of this chapter. [L 1993, c 317, pt of §2, §7; am L 1998, c 4, §3; am L 2009, c 68, §1; am L 2010, c 19, §§3, 4]