

MAR 08 2019

SENATE RESOLUTION

URGING ALL APPLICABLE STATE AGENCIES TO WORK TOGETHER WITH INTERESTED STAKEHOLDERS, INCLUDING THE HONOLULU HARBOR USERS GROUP, IN ASSESSING THE RISK OF AQUATIC INVASIVE SPECIES TO HAWAII, VECTORS, AND POSSIBLE MITIGATIONS, IN PREPARATION FOR THE ESTABLISHMENT OF NEW FEDERAL STANDARDS IN 2022.

1 WHEREAS, the State of Hawaii depends on healthy marine
2 environments and ecosystems to support its unique cultural
3 practices and recreational resources, preserve Hawaii residents'
4 quality of life, support local businesses, and provide habitat
5 and sustenance for a multitude of native species – many of which
6 are found nowhere else on Earth; and
7

8 WHEREAS, healthy reefs protect homes and infrastructure by
9 mitigating the impacts of storm events; and
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11 WHEREAS, nearshore marine environments support the Hawaii
12 tourism, aquaculture, and fisheries industries, at an estimated
13 \$4,000,000,000 in gross revenue per year; and
14

15 WHEREAS, aquatic invasive species have proven to be
16 devastating on some nearshore reef environments in Hawaii, and
17 waters worldwide, harming the functioning of marine ecosystems,
18 public health, and industries; and
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20 WHEREAS, the recognized vectors for the introduction of
21 aquatic invasive species to Hawaii's marine environment are
22 vessel ballast water and biofouling, which account for more than
23 half of all non-native marine and estuarine species, followed by
24 escapees or purposeful introduction from aquaculture, pet trade,
25 and research, with arrival and possible establishment of species
26 through marine debris; and
27

28 WHEREAS, the *Hawaii Interagency Biosecurity Plan 2017-2027*:
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- 30 (1) Was developed through a public process and calls on
31 state agencies and industry stakeholders to work



1 together to close the gaps in Hawaii's biosecurity
2 programs;

3
4 (2) Recognizes that programs that prevent the introduction
5 of invasive species are far more cost effective and
6 achievable than mitigation and eradication programs;
7 and

8
9 (3) Lists the vector pathways of biofouling and ballast
10 water as areas in need of effective regulation and
11 management, and calls for ten new positions to assess
12 and manage risk of this and other marine invasive
13 species pathways; and
14

15 WHEREAS, the federal Vessel Incidental Discharge Act (VIDA),
16 was signed into law on December 4, 2018, and requires the
17 Environmental Protection Agency and the United States Coast
18 Guard to consult with states and establish federal standards and
19 a regulatory framework within four years for each discharge
20 incidental to the normal operations of a vessel, including
21 ballast water, vessel biofouling, and the in-water cleaning of
22 vessel hulls; and
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24 WHEREAS, VIDA allows for states to pass regulations that
25 are no more stringent than the federal regulations and to co-
26 monitor, inspect, test, and enforce federal regulations in
27 coordination with the United States Coast Guard; and
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29 WHEREAS, the State of Hawaii currently has a single person
30 assigned to the task of developing and implementing Hawaii's
31 ballast water and vessel biofouling program to prevent the
32 introduction and spread of marine invasive species from
33 commercial and recreational vessels; and
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35 WHEREAS, the United States Coast Guard does not currently
36 test ballast water discharge, monitor efficacy of installed
37 ballast water management systems, inspect vessel hulls for
38 biofouling, or regulate the in-water cleaning of vessel hulls;
39 and
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41 WHEREAS, purposeful introductions of species for
42 aquaculture, research, and pet trade in the State are now



1 regulated by the Department of Agriculture, yet species may
2 still escape or be released; and

3
4 WHEREAS, chapter 342D, Hawaii Revised Statutes, tasks the
5 Department of Health with administering water pollution control
6 regulations and enforcing water quality standards, including
7 incidental discharges, and such regulations may be preempted in
8 four years if new federal standards developed under VIDA are
9 less stringent; and

10
11 WHEREAS, the Department of Health is committed to
12 protecting water quality for the public health of humans, marine
13 life, and wildlife and participating in a process to develop and
14 implement Hawaii's ballast water and vessel biofouling program;
15 and

16
17 WHEREAS, the Department of Transportation Harbors Division
18 is committed to protecting Hawaii's unique, fragile, and
19 important environment and participating in a process to evaluate
20 invasive species vectors, including commercial shipping vessels,
21 prevention and mitigation alternatives, and quantification of
22 resources needed to curtail, if not prevent, the introduction of
23 alien species that have the potential to harm Hawaii's
24 environment; and

25
26 WHEREAS, the shipping maritime industry is an important
27 component of the State's economy; and

28
29 WHEREAS, a high level of coordination between various state
30 agencies and stakeholders will be required to assess the issues
31 and find workable solutions where necessary; and

32
33 WHEREAS, commercial shipping companies have made great
34 efforts to adopt mitigation technologies, including the use of
35 fresh water ballast, the application of less toxic protective
36 hull coatings, and by cleaning and reapplying coatings within
37 recommended timeframes; and

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39 WHEREAS, non-commercial vessels, including recreational
40 vessels and fishing vessels also play a role in moving aquatic
41 species through biofouling, and some through ballast water; and
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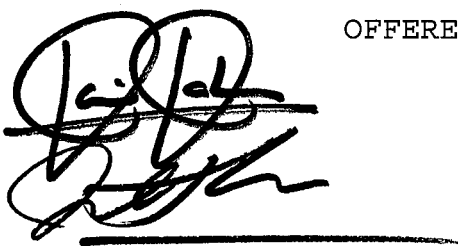


1 WHEREAS, because there are overlapping jurisdictions of
 2 state agencies and new federal standards and regulations will
 3 come into effect by the close of 2022, agencies, vessel
 4 operators, and other stakeholders will need to work together to
 5 assess the risks, and where necessary, develop and implement
 6 aquatic alien species vector control programs; now, therefore,
 7

8 BE IT RESOLVED by the Senate of the Thirtieth Legislature
 9 of the State of Hawaii, Regular Session of 2019, that all
 10 applicable state agencies are urged to work together with
 11 interested stakeholders, including the Honolulu Harbor Users
 12 Group, in assessing the risk of aquatic invasive species to
 13 Hawaii, vectors, and possible mitigations, in preparation for
 14 the establishment of new federal standards in 2022; and
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16 BE IT FURTHER RESOLVED that the Department of Land and
 17 Natural Resources and Department of Transportation Harbors
 18 Division are requested to submit a report on the status of their
 19 findings and recommendations, including any proposed
 20 legislation, to the Legislature no later than twenty days prior
 21 to the convening of the Regular Sessions of 2020, 2021, and
 22 2022; and
 23

24 BE IT FURTHER RESOLVED that certified copies of this
 25 Resolution be transmitted to the Governor, Chairperson of the
 26 Board of Agriculture; Director of Business, Economic
 27 Development, and Tourism; Chairperson of the Board of Land and
 28 Natural Resources; Director of Health; Director of
 29 Transportation; Dean of the University of Hawaii College of
 30 Tropical Agriculture and Human Resources; and Executive Director
 31 of the Hawaii Harbors User Group.
 32
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OFFERED BY: ~~AC. [unclear]~~

