

MAR 10 2023

SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
IMPLEMENT AN IMMEDIATE FINE FOR GROUNDED VESSELS THAT HAVE
REASONABLY CAUSED SIGNIFICANT DAMAGE TO THE ENVIRONMENT OR
CREATED A MATERIAL BURDEN ON THE STATE FOR ITS REMOVAL.

1 WHEREAS, grounded vessels can cause considerable damage to
2 the State's natural resources as the physical impacts from ship
3 hulls jostled by the tides can fracture and displace fragile
4 coral colonies; in addition, fuels and chemicals can leak from
5 ships, poisoning fish and other native marine wildlife; and
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7 WHEREAS, since 2002, the Department of Land and Natural
8 Resources' Division of Boating and Ocean Recreation has removed
9 nearly one hundred grounded or abandoned derelict vessels from
10 state waters costing the State approximately \$2.37 million from
11 the Boating Special Fund; and
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13 WHEREAS, in February 2023, a luxury yacht was grounded in
14 Honolua Bay, Maui, a conservation area, spilling diesel fuel and
15 grinding coral into pieces while it remained stuck for days in
16 state waters; and
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18 WHEREAS, the Department of Land and Natural Resources
19 estimates that the efforts to salvage the vessel, which
20 ultimately sank three miles off the coastline, cost the State
21 approximately \$460,000; and
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23 WHEREAS, under the current process, the Department of Land
24 and Natural Resources is required to submit a recommendation of
25 its proposed administrative penalties -- which may include,
26 among other things, fines, lost resource damage values, damages
27 to the public, and the cost of investigation and vessel salvage
28 -- to the Board of Land and Natural Resources; and
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30 WHEREAS, the process of gathering information and assessing
31 the total damage caused by a grounded vessel, often



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1 necessitating the expertise of Division of Aquatic Resources
2 biologists and technicians, can take weeks or months; and
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4 WHEREAS, an immediate fine for grounded vessels, in
5 addition to any other fines ultimately determined by the
6 Department, could serve as a deterrence to irresponsible vessel
7 owners and operators and simultaneously provide a cost offset
8 for the State while it salvages the vessel and investigates the
9 full extent of the damage; now, therefore,
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11 BE IT RESOLVED by the Senate of the Thirty-second
12 Legislature of the State of Hawaii, Regular Session of 2023, the
13 House of Representatives concurring, that the Department of Land
14 and Natural Resources is requested to implement an immediate
15 fine for grounded vessels that have reasonably caused
16 significant damage to the environment or created a material
17 burden on the State for its removal, while the State
18 investigates and finalizes its recommended penalties to the
19 Board of Land and Natural Resources; and
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21 BE IT FURTHER RESOLVED that the amount of the fine is
22 requested to be \$10,000; and
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24 BE IT FURTHER RESOLVED that a certified copy of this
25 Concurrent Resolution be transmitted to the Chairperson of the
26 Board of Land and Natural Resources.
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OFFERED BY: _____

