
A BILL FOR AN ACT

RELATING TO RESTORATIVE AQUACULTURE.

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

1 SECTION 1. The legislature finds that a 2021 study by The
2 Nature Conservancy establishes that "[r]estorative aquaculture
3 occurs when commercial or subsistence aquaculture provides
4 direct ecological benefits to the environment, with the
5 potential to generate net-positive environmental outcomes." The
6 legislature further finds that the term "restorative
7 aquaculture" has been applied to the cultivation of seaweeds and
8 bivalve species as both can benefit the ecosystem while
9 potentially producing commercially valuable crops.

10 However, the question remains whether restorative
11 aquaculture activities, such as the cultivation of seaweed and
12 oysters, are feasible in the State. Therefore, a feasibility
13 study on restorative aquaculture is a crucial step to assess the
14 potential benefits, risks, and impacts of restorative
15 aquaculture activities in the State and to provide valuable
16 information for decision-makers and stakeholders to make



1 informed choices about whether to proceed with a restorative
2 aquaculture initiative and how best to design and implement it.

3 Accordingly, the purpose of this Act is to:

4 (1) Require the department of agriculture's aquaculture
5 development program to conduct a feasibility study to
6 identify potential sites in the State for restorative
7 aquaculture activities; and

8 (2) Make an appropriation.

9 SECTION 2. (a) The department of agriculture's
10 aquaculture development program shall conduct a feasibility
11 study to identify potential sites in the State for restorative
12 aquaculture activities.

13 (b) The study shall include but not be limited to the
14 following considerations:

15 (1) Identification of locations that are technically
16 feasible to cultivate indigenous seaweed or bivalve
17 species based on:

18 (A) The physical oceanographic conditions with
19 respect to the equipment, cultivated species, and
20 operator requirements;



- 1 (B) The environmental conditions that would be
- 2 required for suitable growth of the cultivated
- 3 species; and
- 4 (C) The marine spatial planning constraints with
- 5 respect to existing marine sector infrastructure
- 6 and activity, including the aggregation and
- 7 integration of existing marine special planning
- 8 data sets;
- 9 (2) Evaluation of legal issues related to ownership,
- 10 carbon policy, and transfer of carbon rights,
- 11 including the negotiation of any necessary legal
- 12 agreements to register and sell offsets or credits and
- 13 the legal authority of landowners to participate in
- 14 market projects; and
- 15 (3) Exploration of the scope for beneficial interactions
- 16 and relationships with local communities and fishing
- 17 interests, including community-supported reforestation
- 18 of near-shore areas and traditional fishpond sites of
- 19 depleted seaweed and bivalve populations.



1 (c) The department of agriculture shall submit a report of
2 its findings and recommendations, including any proposed
3 legislation, to the legislature no later than twenty days prior
4 to the convening of the regular session of 2025.

5 SECTION 3. In accordance with section 9 of article VII of
6 the Hawaii State Constitution and sections 37-91 and 37-93,
7 Hawaii Revised Statutes, the legislature has determined that the
8 appropriations contained in Act 164, Regular Session of 2023,
9 and this Act will cause the state general fund expenditure
10 ceiling for fiscal year 2024-2025 to be exceeded by
11 \$ or per cent. This current declaration takes
12 into account general fund appropriations authorized for fiscal
13 year 2024-2025 in Act 164, Regular Session of 2023, and this Act
14 only. The reasons for exceeding the general fund expenditure
15 ceiling are that:

- 16 (1) The appropriation made in this Act is necessary to
17 serve the public interest; and
- 18 (2) The appropriation made in this Act meets the needs
19 addressed by this Act.



1 SECTION 4. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$300,000 or so much
3 thereof as may be necessary for fiscal year 2024-2025 for the
4 department of agriculture's aquaculture development program to
5 conduct a feasibility study to identify potential sites in the
6 State for restorative aquaculture activities.

7 The sum appropriated shall be expended by the department of
8 agriculture for the purposes of this Act.

9 SECTION 5. This Act shall take effect on July 1, 2024.



Report Title:

DOA; Aquaculture Development Program; Restorative Aquaculture; Feasibility Study; Report; Expenditure Ceiling; Appropriation

Description:

Requires the Department of Agriculture's Aquaculture Development Program to conduct a feasibility study to identify potential sites in the State for restorative aquaculture activities.

Requires a report to the Legislature. Declares that the general fund expenditure ceiling is exceeded. Makes an appropriation.

(SD1)

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