

ACT 34

S.B. NO. 2767

A Bill for an Act Relating to Fish Aggregation Devices.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that the State's system of fish aggregation devices, or FADs, maintained by the Hawaii institute of marine biology provides enhanced fishing opportunities for island fishers. In the vast open ocean, natural and human-made floating objects will commonly attract a microcosm of marine life, including large pelagic fish species sought by local anglers. The State's FADs are highly utilized by Hawaii's pelagic small boat, non-longline fishers, especially those targeting tuna species.

Maintenance of the FAD program is labor-intensive as the devices are prone to breaking off and frequently need to be replaced or recovered and re-deployed. As of January 13, 2022, twenty-two of the State's fifty-five FADs were missing or off-station. The impact of a missing FAD or series of FADs to individual fishers can be great as some depend on them heavily to locate targeted pelagic species. A missing FAD can result in less fish for personal or community consumption and increased operational costs as fishers shift to targeting distant FADs. It is highly important that the State maintain funding to sufficiently carry out timely upkeep and replacement of the FADs, thereby minimizing the length of time off-station and the resulting lost fishing opportunities.

The average cost of replacing a missing FAD is \$12,000. Additional funding sources for the FAD program are currently in development, including the implementation of a non-resident recreational marine fishing license issued by the division of aquatic resources of the department of land and natural resources. Until additional funds are secured, gap funding in the interim will ensure that the FAD program can be maintained effectively.

The purpose of this Act is to provide the department of land and natural resources with one-time funding to bring the state FAD program up to full capacity.

SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$350,000 or so much thereof as may be necessary for fiscal year 2022-2023 to support the fish aggregation device program.

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

SECTION 3. This Act shall take effect on July 1, 2022.

(Approved June 8, 2022.)