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# A BILL FOR AN ACT

RELATING TO OCEAN HEALTH CONSENSUS.

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

1           SECTION 1. The legislature finds that many traditional and  
2 local management methods have survived the test of time and that  
3 local-community involvement is critical to effective ocean  
4 resource management. The legislature also finds that catch and  
5 fishing-effort limits, time and area closures, and various  
6 fishing method restrictions will work when they are followed and  
7 that Hawaii's public trust doctrine provides principled  
8 guidelines to leaders concerned about tensions between  
9 development and preservation and about the rights of native  
10 Hawaiians and non-indigenous peoples.

11           The legislature further finds that lack of consensus among  
12 Hawaii's numerous economic, scientific, and local-community  
13 ocean health stakeholders is a primary reason that known  
14 solutions do not effectively address known threats to ocean  
15 health. The key to consensus and to adherence or enforcement is  
16 building long-term commitments among all stakeholders to  
17 identify knowledge gaps, communicate findings, resolve



1 conflicts, ensure fairness, and enlist local and indigenous-  
2 community expertise. A consensus-building approach usually  
3 requires more time at the beginning of the process than in the  
4 later stages, but in the long term, a consensus approach takes  
5 no longer and costs less than top-down approaches. Consensus  
6 builds broad solidarity and agreement, getting stakeholders to  
7 accept shared solutions that combine expertise with  
8 responsibility. An educated and participating public, in  
9 particular, has tremendous potential to influence future  
10 policies toward sustainable ocean health.

11 The purpose of this Act is to fund an ocean health  
12 consensus project to build community-based consensus in  
13 establishing a coordinated, transparent process for developing  
14 marine resource regulation to manage Hawaii's ocean resources  
15 for the benefit of all.

16 SECTION 2. (a) The center for conservation research and  
17 training of the University of Hawaii shall develop an ocean  
18 health consensus project to build community-based consensus to  
19 explore viable options to establish a coordinated, transparent  
20 process for developing marine resource regulation to manage  
21 Hawaii's ocean resources. Two key principles will be critical  
22 to this project. First, any consensus must be based on equity,



1 fairness, and best available scientific knowledge. All  
2 stakeholders must be responsible for their actions, with  
3 decision making and accountability shared cooperatively by all  
4 stakeholders and government officials. Second, given the  
5 inherent variation and complexity of the ocean, the project must  
6 employ an adaptive management approach to consider long- and  
7 short-term temporal and spatial changes and fluctuations.

8 The ocean health consensus project shall consist of the  
9 following:

- 10 (1) Convening key stakeholder representatives to exchange  
11 ideas in ways that invite productive problem solving.  
12 Key stakeholder groups shall include commercial and  
13 recreational fishing, federal and state resource-  
14 management agencies, policymakers, scientists,  
15 environmentalists, tourism, ocean tourism, local  
16 communities, and kupuna, and the general public and  
17 consumers;
- 18 (2) A professional facilitator to assist participants in  
19 determining roles and responsibilities, ground rules,  
20 and desired goals, outcomes, and benchmarks;
- 21 (3) The facilitation of group problem solving;



1 (4) Reaching consensus agreement on the ideas discussed  
2 and considered;

3 (5) Holding participants to their commitments; and

4 (6) Consultation with the following:

5 (A) Director of the Joint Institute of Marine and  
6 Atmospheric Research, University of Hawaii;

7 (B) Director of the Hawaii Institute of Marine  
8 Biology;

9 (C) Director of the National Marine Fisheries Service  
10 Pacific Islands Fisheries Science Center; and

11 (D) Administrator of the United States Fish and  
12 Wildlife Service, Pacific Islands.

13 (b) The center for conservation research and training  
14 shall submit its report to the legislature, no later than twenty  
15 days prior to the convening of the regular session of 2008, on  
16 the outcomes of the ocean consensus project to build community-  
17 based consensus that explores viable options to establish a  
18 coordinated, transparent process for developing marine resource  
19 regulations to manage Hawaii's ocean resources.

20 SECTION 3. There is appropriated out of the general  
21 revenues of the State of Hawaii the sum of \$ , or so much  
22 thereof as may be necessary for fiscal year 2007-2008, for the



1 center for conservation research and training to develop,  
2 implement, and coordinate an ocean health consensus project to  
3 build community-based consensus in Hawaii for managing ocean  
4 ecosystem resources.

5 The sum appropriated shall be expended by the University of  
6 Hawaii for the purposes of this Act.

7 SECTION 4. This Act shall take effect on July 1, 2020.



**Report Title:**

Ocean Health Consensus Project; Appropriation

**Description:**

Appropriates funds for the center for conservation research and training at the University of Hawaii to develop and implement an ocean health consensus project to build community based consensus in Hawaii for managing ocean ecosystem resources.  
(SB1093 HD1)

