
A BILL FOR AN ACT

RELATING TO AQUATIC LIFE.

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

1 SECTION 1. Hawaii's reef wildlife is in danger.
2 Populations of nearshore species have disappeared over the last
3 fifty years. Increased threats from climate change, ocean
4 acidification, and the effects of past and current habitat
5 degradation and pollution seriously interfere with nearshore
6 species' ability to survive in the proliferate numbers that were
7 once present in nearshore waters.

8 The legislature finds that there has been an ongoing
9 failure to meaningfully limit the increasing pressure on reef
10 wildlife from poaching and improper commercial collection.
11 These practices benefit only a small number of local permit
12 holders who may make profits of tens of thousands of dollars per
13 day from unsustainable collection practices, illegal profiteers
14 and commercial collectors who purport to collect under color of
15 a legitimate permit, and the large industry that has become
16 accustomed to acquiring cheap wildlife to fill aquariums and
17 tempt collectors with promises of beautiful and unique species.



1 Claims of sustainable fisheries are misplaced in Hawaii, as
2 current law contains no limits on the number of aquarium
3 collection permits issued, no requirements for sustainable
4 collection practices, and no requirements for review of the
5 environmental impact of aquarium collection.

6 The aquarium industry primarily targets herbivorous species
7 like the yellow tang. A decline in herbivorous fish is a known
8 stressor to coral reefs. Abundant and diverse communities of
9 herbivorous fish are necessary for coral reefs to recover from
10 the recent, unprecedented coral bleaching that occurred
11 throughout the State. Without herbivorous fish, the long term
12 stability of fragile reef ecosystems is in jeopardy.

13 The presence of naturally occurring wildlife in reef
14 ecosystems benefits the reefs. Maintaining herbivorous fish and
15 aquatic wildlife populations and restoring populations that have
16 declined or been lost is essential for the protection of
17 Hawaii's coral reefs and of the present and future well-being of
18 Hawaii's people, which is tied to the unique marine environment.
19 Healthy coral reefs produce myriad economic and environmental
20 benefits, far beyond the tourist dollars that currently drive
21 the State's economy.



1 The legislature finds that there are many current
2 opportunities to drive economic growth in research and
3 development for the cultivation of reef wildlife. Hawaii can
4 contribute to the preservation and protection of diverse reef
5 wildlife species by studying how to raise them without the harm
6 that comes from over-collecting and selling this important
7 natural resource. This research and development can lead to new
8 jobs and industries related to aquatic marine life. Under
9 current law, however, there is little incentive to invest in
10 these long-term, sustainable opportunities because it is cheaper
11 in the short term for profiteers to collect aquatic wildlife
12 directly from Hawaii's reefs.

13 SECTION 2. Chapter 188, Hawaii Revised Statutes, is
14 amended by adding a new section to be appropriately designated
15 and to read as follows:

16 "§188- Nearshore reef wildlife protection. (a) The
17 division of aquatic resources shall promote education about
18 nearshore reef wildlife and shall implement programs and
19 policies to increase reef health and restore nearshore reef
20 wildlife populations to their historically naturally occurring
21 levels.



1 (b) No program or policy implemented pursuant to this
2 section shall prohibit the exercise of traditional and customary
3 rights for subsistence, cultural, or religious purposes,
4 including native Hawaiian gathering rights and traditional
5 cultural practices, and subject to the right of the State to
6 regulate such rights, as specified in article XII, section 7, of
7 the Hawaii state constitution.

8 (c) No program or policy implemented pursuant to this
9 section shall prohibit the issuance of special activity permits
10 pursuant to section 187A-6; provided that a program or policy
11 may impose limitations or conditions on special activity permits
12 for the taking of fish or other aquatic life in designated
13 limited-entry areas.

14 (d) No program or policy implemented pursuant to this
15 section shall prohibit the taking of fish or other aquatic life
16 for human consumption or for sale for human consumption,
17 including the taking of fish for bait.

18 (e) For purposes of this section, "nearshore reef
19 wildlife" means marine life that occurs naturally in coral reef
20 ecosystems within three miles of the shoreline."



1 SECTION 3. The department of land and natural resources
2 shall develop a comprehensive plan for the sustainable
3 management of nearshore reef wildlife, which shall include
4 requirements for sustainable fishing and marine life collection
5 practices and limits on total rates of taking and collection.
6 The department shall submit a report of its plan, including any
7 recommended legislation, to the legislature no later than twenty
8 days prior to the convening of the regular session of 2018.

9 SECTION 4. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 5. This Act shall take effect upon its approval.

12

INTRODUCED BY:



JAN 25 2017



H.B. NO. 1457

Report Title:

Nearshore Reef Wildlife; Education; Sustainability Plan

Description:

Requires the Division of Aquatic Resources to promote education about nearshore reef wildlife and to develop a comprehensive plan, programs, and policies for its sustainable management.

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