

---

---

# A BILL FOR AN ACT

RELATING TO AQUATIC RESOURCES.

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

1           SECTION 1. The legislature finds that marine protected  
2 areas are effective tools for preserving Hawaii's nearshore  
3 resources. The department of land and natural resources defines  
4 a marine protected area as any area of the marine environment  
5 established by law or regulation to protect or enhance part or  
6 all of the natural and cultural resources therein. Studies of  
7 marine protected areas in Hawaii and worldwide have shown large  
8 increases in biomass, density, size, and diversity of marine  
9 organisms in the area. Marine protected areas promote healthy  
10 diverse ecosystems, which are more likely to survive  
11 disturbances caused by people, weather, or climate-related  
12 changes. In a study of sixty fishing sites in the main Hawaiian  
13 islands, no-take marine protected areas had over twice the  
14 biomass, higher diversity, and larger fish than partially  
15 protected and open access sites. Marine protected areas have  
16 also been shown to result in sustainable fisheries, to promote



1 marine education and recreation, and to stimulate the economy  
2 through ecotourism and education.

3 The purpose of this Act is to require the department of  
4 land and natural resources to establish a network of marine  
5 protected areas to protect Hawaii's marine resources and  
6 effectively manage thirty per cent of the State's nearshore  
7 resources by 2030.

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

11 "§188- Designation of marine protected areas. (a) The  
12 department of land and natural resources, through its division  
13 of aquatic resources, shall designate a network of marine  
14 protected areas and carry out marine management strategies for  
15 such areas for the purpose of preserving the State's nearshore  
16 marine resources. The department shall adopt administrative  
17 rules pursuant to chapter 91 to designate and manage marine  
18 protected areas.

19 (b) The network of marine protected areas shall include  
20 no-take areas and herbivore replenishment areas in coastal  
21 fishing areas with the most critical depletion of fish stock.



1 The location of the coastal fishing areas to be designated as  
2 marine protected areas, including no-take areas and herbivore  
3 replenishment areas, shall be based on the most relevant  
4 statistical data and reports.

5 (c) When designating a network of marine protected areas  
6 and carrying out marine management strategies for such areas,  
7 the department shall consider and provide for the preservation  
8 of traditional and customary native Hawaiian practices.

9 (d) The department of land and natural resources shall  
10 submit a report to the legislature no later than twenty days  
11 prior to the convening of each regular session on its progress  
12 towards the goal of effective management of thirty per cent of  
13 the State's nearshore resources by 2030.

14 (e) For the purposes of this section:

15 "No-take area" means an area that is closed to all taking  
16 of aquatic life.

17 "Herbivore replenishment area" means an area that is closed  
18 to the taking of herbivorous fish."

19 SECTION 3. New statutory material is underscored.



1 SECTION 4. This Act shall take effect on December 24,  
2 2088.



**Report Title:**

Marine Protected Areas; Department of Land and Natural Resources

**Description:**

Requires the Department of Land and Natural Resources, through its Division of Aquatic Resources, to establish a network of marine protected areas, which includes no-take areas and herbivore replenishment areas, in coastal fishing areas with the most critical fish depletion. (HB 1751 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

