HB 653
COASTAL ZONE MANAGEMENT

Statement for
House Committees on
Planning, Energy and Environmental Protection
Transportation
Public Hearing - March 5, 1987

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HB 653 would revise HRS 205A-44 to prohibit the mining or taking of dead coral or coral rubble from the shoreline and restricted nearshore areas and the taking of any live stony coral of the Funjiidae or Pocilloporidae families for any reason.

The statement on this bill does not represent an institutional position of the University of Hawaii.

We recognize the intent of the legislature to protect both living and dead corals as an important natural biological resource of our marine environment. We wish to point out, however, certain concerns with the bill as presently drafted which should be considered in drafting its final form.

Page 1, lines 3-4. The prohibition of mining or taking of dead coral or coral rubble would appear to preclude its removal even for scientific purposes or the maintenance of public waterways and channels. This prohibition seems unduly restrictive. Amendment to include provision for state or county maintenance purposes, including the purposes under HRS 46-11.5 (management of storm waters) would be appropriate and we offer some suggested wording in the next paragraph.
Page 3, lines 19,20. The rationale for selectively protecting the two families of corals cited in HB 653 is not clear. The Acroporidae are rare in Hawaii and should be fully protected. We suggest that, except by permit from the Department of Land and Natural Resources, prohibition of taking or selling of any dead or live stony corals from Hawaiian waters would be more appropriate. Specific rules directing the conditions under which this permit would be issued can then be developed by DLNR so that the coral resources of the state can be appropriately managed consonant with other marine resources of the state.

We suggest that the proposed amendment to page 1, paragraph (a) be reworded as follows:

The mining, or taking of sand, dead or live coral or coral rubble, rocks, soil, or other beach or marine deposits from the shoreline area...is prohibited with the following exceptions:

(4) The taking or selling of dead or live coral from Hawaiian waters may be allowed under permit issued by the Department of land and Natural Resources. Such permits shall be based on an evaluation of the inventory and depletions proposed, sustainable yield, impacts to other marine activities such as diving, and issued pursuant to accepted fishery management practices; shoreline maintenance requirements; and scientific research needs.

To assist in the enforcement of this provision, without jeopardizing the imported coral, retail industry in the state, local retailers of corals should have proof of import to be sure that Hawaiian stony corals are not being marketed without the required permit.

If not already available, we suggest that DLNR be provided with funds to conduct a baseline inventory of the coral resources of the state and a summary of the collection/harvesting and retailing statistics for the various families/varieties of corals marketed in the state. The inventory should include such information as the location and the physical and environmental characteristics of the coral resources of the state, i.e. depth, substrate, families/species, size, numbers, etc. The department should also identify and consider present uses of coral resources including but not limited to, such uses as charter diving, tropical reef fish collecting, and fishing. It is our understanding that a significant percentage of the stony corals sold at the tourist stands in the state are imported from out of the state. A tabulation of the numbers, species, and volume of corals imported and sold along with relevant economic data reflecting the size of the local industry should be compiled. The Department of Land and Natural Resources should then be able to assess the total resource and the environmental, economic, management and enforcement implications of permitting either personal or commercial harvesting, or both, and advise on the content of legislative or regulatory action needed, if any, as supported by appropriate documentation.