

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

October 23, 2020

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Ref: RP 7915

OAHU

Annual Renewal of Revocable Permit No. 7915; Resorttrust Hawaii, LLC,
Permittee; Waialae, Honolulu, Oahu, Tax Map Key (1) 3-5-023:041.

I. INTRODUCTION

This submittal concerns issuance or continuation of a revocable permit for a small area of urban land makai of The Kahala Hotel & Resort. The property has been subject to a revocable permit in one form or another since 1968. The “Premises” as defined under RP-7915 dated December 20, 2019 (the “RP”) is approximately 1.280 acres (55,757 square feet). Resorttrust Hawaii, LLC (“RTH”), the owner of the hotel was granted rights to use approximately 1,492.6 square feet, or less than 3% of the total. In return RTH pays rent and assumes responsibility to clean, maintain, and insure the Premises along with a maintenance obligation for the beach area and a small offshore island.

Staff supports continuation of the RP.

II. FACTS

This submittal concerns property located on or near the ocean in the Kahala area of the island of Oahu, State of Hawai‘i. The property and surrounding land were historically owned by the Estate of Bernice Pauahi Bishop/Kamehameha Schools (“KS”). KS used the property and surrounding lands for ranching. Part of the surrounding area had become the Waialae Country

Club by the 1920's.

The Kahala Hilton Hotel was developed and built in the early 1960s. As part of the development, the State, the Kahala Hilton Hotel Company, Inc., and KS agreed that the Hotel would create a new piece of fast land by filling submerged land makai of existing land. The new land would continue to be owned by the State and would be used by both the Hotel and the public. The Hotel occupies what is now TMK No. (1) 3-5-023:039, which is also designated as lot 228 of Land Court Application 828 ("Lot 39"). The filled and reclaimed land owned by the State is now TMK No. (1) 3-5-023:041 ("Lot 41"). The makai edge of Lot 41 is the shoreline. There is also a sandy beach makai of the shoreline.

Lot 41 was originally sand but has been covered with grass since at least 1986 and likely well before then.

The first revocable permit was issued to the Hotel in 1968. RP S-4220 authorized the Hotel to use 6250 square feet of the Premise for "recreational purposes." Since that time the Hotel has always had a revocable permit and the permit was always for recreation and maintenance only. (In most versions "commercial use" was not specifically prohibited.). The Board continued the permits on a yearly basis per HRS § 171-55, except that new permits were issued when ownership changed. Permits through 2020 are summarized in the following table:

RP NO.	DATE FIRST APPROVED BY THE BOARD
S-4220	9/27/1968
S-6317	2/28/1986
S-6903	12/17/1993
S-7430	12/8/2006
S-7849	10/10/14
S-7915	11/9/18

At its February 25, 2011 sunshine meeting, the Board designated Lot 41 as a property

particularly well adopted “for income generation to support the management of land under the jurisdiction of [the Board and department].”

RTH purchased the hotel in 2014. RP S-7849 (2014) was the first permit issued to RTH. The Board continued RP S-7849 on a yearly basis through December 31, 2018.

From time to time over the years, members of the community made some complaints about the Hotel’s use of the property. At all times, the department made good faith efforts to inspect the Premises and enforce the permit terms. The Hotel was generally cooperative and RTH in particular has made strong efforts to work with the community and cooperate with the department.

From time to time there was discussion of changing the Hotel’s rights in the Premises. There was discussion of leasing the Premises to the Hotel for its exclusive use. More recently there was discussion of and steps taken toward allowing a significant intensification of uses to be authorized under a grant of easement. In the end, RTH chose not to pursue this out of respect for the community.

In 2018, staff asked the Board to issue a new revocable permit that would clarify what was allowed within the scope the RP. This request was presented to and considered by the Board at its September 14, 2018, and November 9, 2018 sunshine meetings. Both RTH and staff wanted the Board to clarify the use allowed by the permit. RTH submitted a list of items that it wanted to place on the Premises. There was extensive public input – both in favor of and in opposition to the request. The Board carefully considered all of the testimony and papers submitted. It granted the RP for specified purposes subject to a list of conditions and clarifications including express requirements for public access and maintenance of the Premises and the beach makai of the Premises.

Despite the Board's careful consideration of RP 7915, Mr. David Frankel filed a lawsuit that challenged the issuance of the RP.

The Board renewed the RP again in 2019.

III. THE LAWSUIT

Mr. Frankel's lawsuit is filed in the First Circuit Court as Civil Number 18-1-1959-12.

The lawsuit challenges issuance of the permit on four bases:

- First, the Board cannot issue any revocable permits without rules to authorize doing so;
- Second, the Board was required to – but did not – consider factors set forth in HRS chapter 205A before issuing the permit;
- Third, an environmental assessment was required before issuance of the revocable permit; and
- Fourth, the Board was required to – but did not – consider its public trust duties before issuing the RP.

Judge Crabtree granted summary judgment in favor of the State as to all of these theories except HRS chapter 205A. Plaintiff voluntarily dismissed the chapter 205A and intends to appeal. Chapter 205A and the public trust are discussed further below.

IV. RP 7915 AND PROPOSED CHANGES

RP 7915 was issued to RTH pursuant to the approval by the Board at its meeting of November 9, 2018, agenda item D-18, commencing on January 1, 2019. The Board went to considerable effort to be clear about exactly what is and is not allowed under the RP. This effort was especially embodied in Paragraph 1.3 of the RP which set out a table of specific items that can be stored and preset on the Premises. These uses covered only approximately 3263.5 square feet (less than 6%) of the permit area.

RTH remained very interested in working with the community. It therefore asked the Board to further limit use of the permit area. At its meeting of October 25, 2019, under agenda Item D-7,¹ the Board approved the reduction of the permit area from 3,263.5 square feet to 1,492.6 square feet. Other significant terms of the prior RP remained in effect during 2020 and will remain in 2021. These include:

- RP 7915 covers about 1.280 acres², which is the grassy area at the subject location and the maintenance of the groins;
- Current monthly rent is \$1,360;
- RTH shall maintain, at its own cost, the beach and island located seaward and outside the Premises;
- The public has full rights of access to and use of the 97% of the Premises not occupied by a use allowed by the RP;
- RTH will insure the Premises and name the State as an additional insured;
- No wedding, surf lessons, or kayaking/boating activities are allowed on the Premises;
- RP 7915 requires two (2) public corridors, mauka to makai, on the Koko Head side of the Premises, between the beach chairs allowed under the RP;
- Other items may be used by RTH guests on the Premises provided that “user is physically present or such items have been placed on the Premises at the request of the user.”

Any member of the public, including hotel guests, can use the Premises, have a picnic, or set up chairs or umbrellas. The only difference for a hotel guest is the 70 chairs preset for their

¹ For full text of the 2019 Board submittal, please go to the following link.
<https://dlnr.hawaii.gov/wp-content/uploads/2019/10/D-7a.pdf>

² Area of RP 7915 (1.280 acres) was generated by a computer application, and did not undergo any survey process.

use. Of note, “RTH has instructed all Hotel employees that food and beverage service should not be provided” on the Premises. See Exhibit A2, page 3 of the 2019 renewal submittal.

V. COMMUNITY CONCERNS AND STAFF RESPONSE

In the 2019 submittal, staff detailed community concerns at that time. No significant problems or concerns have been noted during 2020. The Hotel is not operating on the beach during the COVID-19 impact. For the Board’s information, staff is not aware of any complaints received by the department regarding the subject RP during 2020.

VI. CHAPTER 343 - ENVIRONMENTAL ASSESSMENT³

In accordance with Hawaii Administrative Rules (HAR) § 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred on by the Environmental Council on March, 3, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1 that states, “Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing,” and Part 1, Item 45, which states the “Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing”. (**Exhibit A**)

VII. HRS CHAPTER 205A

HRS § 205A-2 provides a detailed list of objectives and policies to be considered. A copy is attached as **Exhibit B**. These policies and objectives in large part relate to coastal zone

³ The ICA ruled in *Carmichael v. Bd. of Land & Nat. Res.*, 2019 WL 2511192 (Ct. App. 6/18/19) that issuance of permits under HRS § 171-55 is not subject to HRS chapter 343. Review by the Supreme Court has been requested so in an excess of caution the staff also reviewed the exemption status.

management. To the extent the chapter is relevant to this permit, staff believes the objectives and policies of chapter 205A support issuance of the permit for the following reasons. *See also* discussion in Exhibit A.

Recreational resources. RTH cleans and maintains the Premises along with the beach and island. RTH provides access to these areas. Without the RP, either the Premises would not be maintained or department funding to do so would have to be reallocated from other projects. The RP area as presently constituted is unique among shoreline areas.

Limited area (less than 3% of the total) is presently used for presetting of chairs reserved for hotel guests. Staff does not believe the RP significantly reduces access for or diminishes the value to the public.

Historic resources. The RP covers filled land and no historic resources are implicated in its use.

Scenic and open space resources. The Premises is maintained at the highest level of scenic and open space. Staff is not aware of any evidence or contention that the Premises would be better left to revert to natural or less maintained condition. RTH's obligation to clean and maintain the Premises and other areas helps preserve and maintain shoreline open space and scenic resources.

Coastal ecosystems. The Premises undoubtedly benefits from RTH's meticulous care. Staff is not aware of any evidence or contention that the Premises or off shore resources would be better left to revert to natural or less maintained condition.

Economic uses. The existing and proposed use of the Premises is highly appropriate in terms of concentrating development in appropriate areas and locating visitor industry facilities to

minimize disruption to other values. The Premises is in the urban district. It is used and maintained in a manner that minimizes adverse impact to coastal zone management values.

Coastal hazards. This area is not particularly susceptible to flooding, erosion, or tsunamis.

Managing development. The Hotel is a mature property developed in the 1960's. Existing use is relatively non intensive, less than the historical use, and will be further reduced under the revised terms. No development is associated with the proposed permit.

Public participation. The public has robustly and repeatedly engaged in the permitting process. The public uses the Premises and adjacent beach.

Beach protection. The beach and access to it are scrupulously maintained and protected by RTH. No new structures contemplated or allowed by the permit.

Marine resources. No marine resources are used or impacted by the permit.

VIII. PUBLIC TRUST

Article XI, section 1 of the Hawai'i Constitution provides:

For the benefit of present and future generations, the State and its political subdivisions shall conserve and protect Hawaii's natural beauty and all natural resources, including land, water, air, minerals and energy sources, and shall promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the State.

All public natural resources are held in trust by the State for the benefit of the people.

The Hawai'i Supreme Court has never "define[d] the full extent of article XI, section 1's reference to 'all public resources'." *In re Water use Permit Applications*, 94 Hawai'i 97, 9 P.3d 409 (2000). Only last year, the Court again noted that "[t]his court has never precisely demarcated the dimensions of the public trust doctrine as incorporated in Article XI, Section 1."

Matter of Conservation Dist. Use Application HA-3568 for the Thirty-Meter Telescope, 143 Hawai'i 379, 431 P.3d 752, 773–74 (2018) (“*TMT*”).

In *TMT*, the Court held that conservation district lands owned by the State are in the public trust.

We therefore now hold that conservation district lands owned by the State, such as the lands in the summit area of Mauna Kea, are public resources held in trust for the benefit of the people pursuant to Article XI, Section 1.

However, the Court specifically declined to rule that other types of public land – such as the urban land at issue here – are covered.

Other types of public lands (and whether or how public trust principles should apply to such lands) are not before us at this time.

TMT, 431 P.3d at 774 fn. 23. Based on this statement, Judge Crabtree dismissed Mr. Frankel's public trust claim.

However, even if the Board does not have a legal duty to consider public trust in this situation, it may wish to do. Staff believes that public trust considerations clearly support issuance of the permit. In this regard, the actual language of the constitution is critical. The State as trustee is directed to “promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the State.” Again, the Premises is urban land, directly adjacent to private land fully developed with a luxury resort hotel built in the 1960s. The Board concluded years ago – in 2011 – that the Premises was designated to generate income sorely needed to fulfill the State's trust duties as to all properties.

As best we can discern Mr. Frankel's argument regarding the public trust seemed to make four points.⁴

⁴ We assume Mr. Frankel will appear and make his position clear.

First, the Board failed to make clear what RTH can and cannot do in terms of commercial use of the Premises. Staff disagrees. In any event, this new permit being recommended makes clear exactly what use is allowed – effectively nothing other than presetting a limited number of chairs and tables for hotel guests.⁵ The metaphysical question of whether or not this is “commercial” is irrelevant. The point is that the use allowed is crystal clear.

Second, the DLNR failed to “take any enforcement action.” Staff disagrees as noted above and as can be further discussed at the board meeting. Staff regularly monitors the Premises by site visits. In any event, a few isolated violations (if any) do not mean that the RP should not be continued. At most, the Board may wish to direct staff to devote even more of its limited resources to enforcement in this particular area.

Third, the Board and department “actually allowed RTH to exclude members of the public from land dedicated to public beach use.” Staff points out that this filled land was originally sandy. However, the mauka portion has been grassed for decades. Staff disagrees that the Board has a duty – trust or otherwise – to ensure in perpetuity that the land remain untouched and wholly open to the public. And staff also points out that the public has unfettered access to 97% of the Premises. Also the alleged “dedication” to public beach use arises out of the same 1963 agreement by which the developer made the filled land. The State agreed to the Hotel’s use as part of the agreement. Nothing in the 1963 agreement prohibits issuance of the RP. Staff does not agree that it is a breach of the public trust to allow RTH to use a small portion of the Premises for presetting, especially when the public interest is so well served by the money and services that the State receives in return.

⁵ The guests themselves can use the property just like any other person.

Fourth, the Board failed to consider alternatives. Specifically, the Board should just ask RTH to use its own property for the activities being done on the Premises. Staff believes that this “alternative” is simply another way of saying “do not issue the permit.” The Board most certainly did consider that alternative and can do so again this year.

In sum, staff recommends that the public trust be considered and that the permit be issued.

Recommendation: That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, HAR, this use of State land will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Declare, after considering the objectives and policies of Chapter 205A, HRS, that continuation of the permit fully complies with and reasonably advances those objectives and policies.
3. Declare, after considering the public trust, that continuation of the permit fully complies with public trust principles and reasonably advances the public interest.
4. Approve the continuation of Revocable Permit No. 7915 on a month-to-month basis for another one-year period from January 1, 2021 through December 31, 2021 subject to the following:
 - A. Monthly rent of \$1,360.
 - B. The review and approval by the Department of Attorney General.

Respectfully Submitted,

Barry Cheung

Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:

Suzanne D. Case

Suzanne D. Case, Chairperson

RT

List of Exhibits

Exhibit A - Environment Assessment Exemption Declaration

Exhibit B - Objectives and Policies, Chapter 205A, Hawaii Revised Statutes

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, Hawaii Revised Statutes (HRS), and Chapter 11-200.1, Hawaii Administrative Rules (HAR):

Project Title:	Annual renewal of Revocable Permit No. 7915, Resorttrust Hawaii LLC, permittee.
Project / Reference No.:	RP 7915.
Project Location:	Waialae, Honolulu, Oahu, Tax Map Key: (1) 3-5-023:041.
Project Description:	Annual renewal of revocable permit and reduction of items allowed in the revocable permit.
Chap. 343 Trigger(s):	Use of State Land
Exemption Class No. and Description:	In accordance with HAR § 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred on by the Environmental Council on March 3, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1 that states, "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing," and Item 45, which states the "Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing".
Cumulative Impact of Planned Successive Actions in Same Place Significant?	No. Similar uses have occurred at the location since late 1960s.
Action May Have Significant Impact on Particularly Sensitive Environment?	No. There are no particularly sensitive environmental issues involved with the proposed use of the property.
Analysis:	As described in the submittal, similar uses have been conducted on the subject location since 1960s. The proposed use will involve negligible or no expansion or change of use beyond that previously existing.
Consulted Parties:	Office of Conservation and Coastal Lands and Division of Boating and Ocean Recreation.

EXHIBIT A

Recommendation:

That the Board find this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

KeyCite Yellow Flag - Negative Treatment
Proposed Legislation

West's Hawai'i Revised Statutes Annotated
Division 1. Government
Title 13. Planning and Economic Development
Chapter 205A. Coastal Zone Management (Refs & Annos)
Part I. Coastal Zone Management

HRS § 205A-2

§ 205A-2. Coastal zone management program; objectives and policies

Currentness

(a) The objectives and policies in this section shall apply to all parts of this chapter.

(b) Objectives.

(1) Recreational resources;

(A) Provide coastal recreational opportunities accessible to the public.

(2) Historic resources;

(A) Protect, preserve, and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.

(3) Scenic and open space resources;

(A) Protect, preserve, and, where desirable, restore or improve the quality of coastal scenic and open space resources.

(4) Coastal ecosystems;

(A) Protect valuable coastal ecosystems, including reefs, from disruption and minimize adverse impacts on all coastal ecosystems.

(5) Economic uses;

(A) Provide public or private facilities and improvements important to the State's economy in suitable locations.

EXHIBIT "B"

(6) Coastal hazards;

(A) Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, subsidence, and pollution.

(7) Managing development;

(A) Improve the development review process, communication, and public participation in the management of coastal resources and hazards.

(8) Public participation;

(A) Stimulate public awareness, education, and participation in coastal management.

(9) Beach protection;

(A) Protect beaches for public use and recreation.

(10) Marine resources;

(A) Promote the protection, use, and development of marine and coastal resources to assure their sustainability.

(c) Policies.

(1) Recreational resources;

(A) Improve coordination and funding of coastal recreational planning and management; and

(B) Provide adequate, accessible, and diverse recreational opportunities in the coastal zone management area by:

(i) Protecting coastal resources uniquely suited for recreational activities that cannot be provided in other areas;

(ii) Requiring replacement of coastal resources having significant recreational value including, but not limited to surfing sites, fishponds, and sand beaches, when such resources will be unavoidably damaged by development; or requiring reasonable monetary compensation to the State for recreation when replacement is not feasible or desirable;

- (iii) Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value;
 - (iv) Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;
 - (v) Ensuring public recreational uses of county, state, and federally owned or controlled shoreline lands and waters having recreational value consistent with public safety standards and conservation of natural resources;
 - (vi) Adopting water quality standards and regulating point and nonpoint sources of pollution to protect, and where feasible, restore the recreational value of coastal waters;
 - (vii) Developing new shoreline recreational opportunities, where appropriate, such as artificial lagoons, artificial beaches, and artificial reefs for surfing and fishing; and
 - (viii) Encouraging reasonable dedication of shoreline areas with recreational value for public use as part of discretionary approvals or permits by the land use commission, board of land and natural resources, and county authorities; and crediting such dedication against the requirements of section 46-6;
- (2) Historic resources;
- (A) Identify and analyze significant archaeological resources;
 - (B) Maximize information retention through preservation of remains and artifacts or salvage operations; and
 - (C) Support state goals for protection, restoration, interpretation, and display of historic resources;
- (3) Scenic and open space resources;
- (A) Identify valued scenic resources in the coastal zone management area;
 - (B) Ensure that new developments are compatible with their visual environment by designing and locating such developments to minimize the alteration of natural landforms and existing public views to and along the shoreline;
 - (C) Preserve, maintain, and, where desirable, improve and restore shoreline open space and scenic resources; and
 - (D) Encourage those developments that are not coastal dependent to locate in inland areas;
- (4) Coastal ecosystems;

- (A) Exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources;
 - (B) Improve the technical basis for natural resource management;
 - (C) Preserve valuable coastal ecosystems, including reefs, of significant biological or economic importance;
 - (D) Minimize disruption or degradation of coastal water ecosystems by effective regulation of stream diversions, channelization, and similar land and water uses, recognizing competing water needs; and
 - (E) Promote water quantity and quality planning and management practices that reflect the tolerance of fresh water and marine ecosystems and maintain and enhance water quality through the development and implementation of point and nonpoint source water pollution control measures;
- (5) Economic uses;
- (A) Concentrate coastal dependent development in appropriate areas;
 - (B) Ensure that coastal dependent development such as harbors and ports, and coastal related development such as visitor industry facilities and energy generating facilities, are located, designed, and constructed to minimize adverse social, visual, and environmental impacts in the coastal zone management area; and
 - (C) Direct the location and expansion of coastal dependent developments to areas presently designated and used for such developments and permit reasonable long-term growth at such areas, and permit coastal dependent development outside of presently designated areas when:
 - (i) Use of presently designated locations is not feasible;
 - (ii) Adverse environmental effects are minimized; and
 - (iii) The development is important to the State's economy;
- (6) Coastal hazards;
- (A) Develop and communicate adequate information about storm wave, tsunamis, flood, erosion, subsidence, and point and nonpoint source pollution hazards;

- (B) Control development in areas subject to storm wave, tsunami, flood, erosion, hurricane, wind, subsidence, and point and nonpoint source pollution hazards;
 - (C) Ensure that developments comply with requirements of the Federal Flood Insurance Program; and
 - (D) Prevent coastal flooding from inland projects;
- (7) Managing development;
- (A) Use, implement, and enforce existing law effectively to the maximum extent possible in managing present and future coastal zone development;
 - (B) Facilitate timely processing of applications for development permits and resolve overlapping or conflicting permit requirements; and
 - (C) Communicate the potential short and long-term impacts of proposed significant coastal developments early in their life cycle and in terms understandable to the public to facilitate public participation in the planning and review process;
- (8) Public participation;
- (A) Promote public involvement in coastal zone management processes;
 - (B) Disseminate information on coastal management issues by means of educational materials, published reports, staff contact, and public workshops for persons and organizations concerned with coastal issues, developments, and government activities; and
 - (C) Organize workshops, policy dialogues, and site-specific mediations to respond to coastal issues and conflicts;
- (9) Beach protection;
- (A) Locate new structures inland from the shoreline setback to conserve open space, minimize interference with natural shoreline processes, and minimize loss of improvements due to erosion;
 - (B) Prohibit construction of private erosion-protection structures seaward of the shoreline, except when they result in improved aesthetic and engineering solutions to erosion at the sites and do not interfere with existing recreational and waterline activities;
 - (C) Minimize the construction of public erosion-protection structures seaward of the shoreline;

(D) Prohibit private property owners from creating a public nuisance by inducing or cultivating the private property owner's vegetation in a beach transit corridor; and

(E) Prohibit private property owners from creating a public nuisance by allowing the private property owner's unmaintained vegetation to interfere or encroach upon a beach transit corridor;

(10) Marine resources;

(A) Ensure that the use and development of marine and coastal resources are ecologically and environmentally sound and economically beneficial;

(B) Coordinate the management of marine and coastal resources and activities to improve effectiveness and efficiency;

(C) Assert and articulate the interests of the State as a partner with federal agencies in the sound management of ocean resources within the United States exclusive economic zone;

(D) Promote research, study, and understanding of ocean processes, marine life, and other ocean resources to acquire and inventory information necessary to understand how ocean development activities relate to and impact upon ocean and coastal resources; and

(E) Encourage research and development of new, innovative technologies for exploring, using, or protecting marine and coastal resources.

Credits

Laws 1977, ch. 188, § 3; Laws 1993, ch. 258, § 1; Laws 1994, ch. 3, § 1; Laws 1995, ch. 104, § 5; Laws 2001, ch. 169, § 3; Laws 2010, ch. 160, § 5, eff. June 2, 2010.

Notes of Decisions (9)

H R S § 205A-2, HI ST § 205A-2

Current through Act 286 of the 2019 Regular Session, pending classification of undesignated material and text revision by the revisor of statutes. Some statute sections may be more current; see credits for details.