

Marine Resources



Since 2006, the DLNR Marine Law Fellowship has provided tremendous support to the Division of Aquatic Resources (DAR) in the critical areas of legal research, administrative rulemaking, legislation, and prosecution of civil resource violations. The great success of this original Fellowship led DLNR to establish it as a permanent civil service position in 2018 and has contributed to the establishment of other Legal Fellowships within DLNR.

For more information please contact David Sakoda at David.Sakoda@hawaii.gov

Resources Enforcement Law Fellow



Ian Garrod is the Legal Fellow for the Division of Conservation and Resources Enforcement (DOCARE). The mission of DOCARE is to effectively uphold the laws that serve to protect, conserve, and manage Hawai'i's unique and limited natural, cultural, and historic resources held in public trust for current and future generations. The DOCARE Legal Fellow is funded by NOAA with matching funds from the Castle Foundation.

The DOCARE Legal Fellow supports the division in resource management related issues and strengthens DOCARE's enforcement effectiveness. This is accomplished by tracking and supporting criminal prosecutions, enhancing collaboration between the many divisions of DLNR as well as the county prosecutors, by assisting with the roll out of various programs, and providing other critical legal support on special projects relating to resources and enforcement.

Thanks to the efforts of the DOCARE Legal Fellow, the rate of positive dispositions for resource cases on Oahu has increased by 69% from 2017.

For more information please contact Ian Garrod at ian.vk.garrod@hawaii.gov

Forestry and Wildlife



Kathryn Stanaway works as the Division of Forestry and Wildlife (DOFAW) Law Fellow, focusing on forestry and public access projects with the division. The DOFAW Law Fellow position is one of the most recent additions to the rapidly expanding Law Fellows Program. The DOFAW Fellow is tasked with a wide variety of issues from urban green spaces to access to hiking trails deep within the forests of the Hawaiian Islands.

For more information contact Kathryn Stanaway at kathryn.e.stanaway@hawaii.gov

Invasive Species



Andrew Porter is the Aquatic Invasive Species Law Fellow (AIS Fellow) for the Coordinating Group on Alien Pest Species (CGAPS) with a focus on preventing the introduction of aquatic invasive species (AIS) into the state of Hawai'i. CGAPS is a partnership of agencies and non-governmental organizations working together to protect Hawai'i from invasive species. The CGAPS AIS Fellow is funded by the Hau'oli Mau Loa Foundation and works closely with the Hawai'i Department of Land and Natural Resources, Division of Aquatic Resources (DAR) with a focus on the regulation of ballast water (the seawater pumped into and out of ballast tanks to stabilize vessels — this water can contain and transport pathogenic diseases and aquatic invasive species) and biofouling (the organisms growing on the outside surfaces of vessels that are exposed to sea water). These two vectors alone account for up to 78% of the over 400 aquatic invasive species introduced to Hawai'i's waters.

The AIS Fellow worked closely with Senate staff in drafting the Vessel Incidental Discharge Act (VIDA) which is federal legislation that sets national or regional standards for thirty-five discharges incidental to the normal operation of a vessel, including ballast water and biofouling. Moving forward, the AIS Fellow will focus on consultations with the EPA and USCG in the development of regulations for incidental discharge from ships under VIDA, assist in the state implementation of VIDA which will include drafting state ballast water and biofouling regulations that complement the federal regulations, and the development of procedures for state enforcement of both the state and federal regulations.

For more information please contact Andrew Porter at andrew.n.porter@hawaii.gov

Boating and Ocean Recreation Law Fellow



Todd Tashima is the Law Fellow for the DLNR Division of Boating and Ocean Recreation (DOBOR), the division responsible for regulating recreational and commercial use of state small boat harbors, moorings, and facilities as well as most activities occurring in and on state waters. DOBOR's regulatory scope covers a wide range of ocean-related matters, from issuance of use permits for harbors and ocean recreation management areas to regulation of recreational activities, such as diving, kayaking, surfing, and jet skiing.

DOBOR's jurisdiction includes state ocean waters (high water mark to 3 nautical miles out), state navigable streams, state small boat harbors and boating facilities, and portions of Waikiki Beach.

DOBOR administers the ocean recreation management area (ORMA) system, which is unique to Hawai'i. ORMAs are regions of state waters whose boundaries extend 3,000 feet from shore and designate areas where certain ocean activities can be conducted. The ORMA system helps to reduce user conflict, promote safety, and preserve natural and cultural resources.

The Boating and Ocean Recreation Law Fellow position is funded by the Boating Special Fund. Sources of revenue for this fund include harbor fees, mooring fees, commercial use fees, lease rent from property under DOBOR's jurisdiction, and penalty collections from boating and ocean recreation violations.

For more information please contact Todd Tashima at todd.h.tashima@hawaii.gov

Development of the Law Fellows Program

The Hawai'i Law Fellows Program is a collaboration between the Environmental Law Program at the University of Hawai'i William S. Richardson School of Law and the Department of Land and Natural Resources (DLNR) to provide recent law school graduates with experience working in environmental resource management and to provide added capacity for DLNR in addressing legal issues as they arise.

Legal fellows work closely with DLNR staff to effectively communicate agency needs to the Department of the Attorney General, the department responsible for representing DLNR in all legal matters. The expansion of the fellows program has created an intra-agency network between divisions that provides increased communication and coordination. Fellows also provide guidance on overlapping jurisdictional issues and agency responsibilities and provide support for the Division of Conservation and Resources Enforcement (DOCARE) and Hawai'i's environmental courts.

The Law Fellows program was created by Associate Dean Denise Antolini at the University of Hawai'i William S. Richardson School of Law in 2006 with a single fellowship position focused on marine management housed in DLNR's Division of Aquatic Resources.

Due to the resounding success of the program, it has expanded rapidly and currently includes several positions spanning eight of DLNR's ten divisions. There is also a growing interest in using the program as a model to increase environmental resources management capacity in other Hawai'i state agencies and departments as well as jurisdictions throughout the Pacific Islands, Caribbean Islands, and mainland United States.

Future Expansion



The Law Fellows Program is interested in assisting other jurisdictions in expanding capacity in the field of environmental resource management. While each jurisdiction is different and will require a uniquely tailored program, the Hawaii Law Fellows Program has worked through many of its growing pains and the experience garnered along the way could be useful in overcoming similar issues elsewhere. For more information on the structure of the Hawaii Law Fellows Program or to set up a brainstorming session for your jurisdiction, please contact Andrew Porter at andrew.n.porter@hawaii.gov.
