

OFFICE OF THE GOVERNOR
STATE OF HAWAII

**SECOND PROCLAMATION
RELATING TO INVASIVE MANJANO ANEMONE IN KĀNE'OHE BAY**

By the authority vested in me by the Constitution and laws of the State of Hawai'i, in order to provide relief from irreparable harm to the environment, I, JOSH GREEN, M.D., Governor of the State of Hawai'i, hereby determine, designate, and proclaim as follows:

WHEREAS, pursuant to chapter 127A, Hawaii Revised Statutes (HRS), emergency powers are conferred on the Governor of the State of Hawai'i to respond to disasters or emergencies, to protect public health, safety, and welfare, and to protect the environment of the State; and

WHEREAS, on March 24, 2026, a Proclamation was issued declaring an emergency as a result of emergency conditions caused by the rapid spread of *Anemonia manjano* in Kāne'ohe Bay;

WHEREAS, coral reef ecosystems are a component of the environment of the State and provide critical ecological, cultural, and economic benefits to the people of Hawai'i, including supporting fisheries, shoreline protection, biodiversity, cultural practices, and recreation; and

WHEREAS, the Manjano anemone (*Anemonia manjano*) is a rapidly spreading, non-native marine invertebrate that has become established on an isolated patch of reef, identified as Reef 8 (Attachment 1), in Kāne'ohe Bay and in Wai Momi of Pu'uloa (Pearl Harbor); and

WHEREAS, *Anemonia manjano* is known to aggressively overgrow and smother coral colonies and other benthic organisms, resulting in degradation of reef ecosystems and loss of native biodiversity; and

WHEREAS, the spread of *Anemonia manjano* threatens additional reef habitats, native species, and marine ecosystems of the State; and

WHEREAS, the waters of Wai Momi of Pu'uloa (Pearl Harbor) are under the control and jurisdiction of the United States Department of the Navy as a defensive sea area, pursuant to Executive Order 8143 signed by President Franklin D. Roosevelt on

May 26, 1939, and are therefore outside the jurisdiction of the State government, and are therefore not covered by this Proclamation; and

WHEREAS, Reef 8 in Kāneʻohe Bay is within the jurisdiction of the State and the Department of Land and Natural Resources, Division of Aquatic Resources, has identified a method to rapidly remove *Anemonia manjano*; and

WHEREAS, as *Anemonia manjano* is currently confined to a single patch of reef in Kāneʻohe Bay, the Department of Land and Natural Resources, Division of Aquatic Resources, has determined that its eradication is feasible if rapid response actions are implemented before it spreads to additional reefs within Kāneʻohe Bay or elsewhere in the State; and

WHEREAS, the Legislature has acknowledged, in Act 104, 2025 Session Laws of Hawaii, which was signed into law on June 27, 2025, the devastation that *Anemonia manjano* can cause to coral reefs and marine ecosystems in Kāneʻohe Bay and appropriated funds to the Department of Land and Natural Resources to support removing this anemone from Kāneʻohe Bay; and

WHEREAS, the Department of Land and Natural Resources, Division of Aquatic Resources, has monitored *Anemonia manjano* at Reef 8 in Kāneʻohe Bay since October 2024 and documented a rapid expansion of the affected area to more than 11,970 square feet as of January 2026; and

WHEREAS, the Department of Land and Natural Resources, Division of Aquatic Resources, has taken efforts to control *Anemonia manjano* in Kāneʻohe Bay, including smothering with epoxy since July 2020, but such efforts have not been effective; and

WHEREAS, failure to take immediate action may allow *Anemonia manjano* to spread to additional reef habitats, resulting in significant ecological damage, loss of coral reef function, and substantially greater long-term management costs; and

WHEREAS, rapid response and eradication are feasible when an invasive marine organism is contained to a limited area, but delays materially increase the risk of spread and long-term environmental damage; and

WHEREAS, in the case of *Anemonia manjano*, it spreads due to rapid asexual reproduction and fragmentation, which can result in exponential expansion of its infestation, and delay will risk the opportunity for effective eradication; and

WHEREAS, the Department of Land and Natural Resources, Division of Aquatic Resources, seeks to immediately remove all *Anemonia manjano* from Reef 8 in Kāneʻohe Bay, as delineated in Attachment 1 (“Treatment Area”); and

WHEREAS, the Department of Land and Natural Resources, Division of Aquatic Resources, proposes to eradicate *Anemonia manjano* at the Treatment Area using two methods: (1) primarily using temporary containment barriers, combined with the controlled and temporary application of chlorine, followed by a secondary application of chemical compounds to neutralize the chlorine prior to removal of the containment barriers (“Primary Method”), and (2) secondarily using targeted chlorinated paste to treat small, discrete colonies, where the containment barriers are not practicable or necessary due to reef complexity or limited colony size (“Satellite Colony Treatment Method”) (cumulatively, the “Emergency Response”); and

WHEREAS, the Emergency Response will occur only at the Treatment Area within physically contained areas beneath sealed tarps, with continuous monitoring and neutralization of residual oxidants prior to tarp removal to prevent release of chlorine or reaction byproducts into surrounding waters; and

WHEREAS, chemical treatment conducted beneath containment barriers has been successfully used in prior marine invasive species eradication efforts, including treatments targeting invasive algae and invertebrates, and represents the most effective available method to eradicate localized infestations of *Anemonia manjano*; and

WHEREAS, for the treatment of satellite colonies, the chlorinated paste will be applied directly to targeted *Anemonia manjano* colonies by trained divers and a clay cap would be placed over the paste, which acts as a seal to prevent dispersal and ensure the treatment remains localized to the targeted organism; and

WHEREAS, the Satellite Colony Treatment Method is consistent with methods successfully used in other invasive aquatic invertebrates, including work at Palmyra Atoll; and

WHEREAS, Chapter 342D, HRS, provides a legal framework for prosecuting discharges of water pollutants to State waters; and

WHEREAS, Chapter 342D, HRS, does not provide the type of rapid response required to prevent further spread of *Anemonia manjano*; and

WHEREAS, the United States Army Corps of Engineers has permitted the in-water Emergency Response and associated activities under Department of the Army Permit File No. POH-2025-00078; and

WHEREAS, the Department of Land and Natural Resources, Office of Conservation and Coastal Lands has issued a Site Plan Approval, SPA OA 26-04, and determined that the Emergency Response may be exempt from a conservation district use permit, subject to specific conditions; and

WHEREAS, the Department of Land and Natural Resources shall document and maintain records of monitoring activities, treatment efficacy, and any observed impacts to native species, and may provide a summary of outcomes to the Board of Land and Natural Resources; and

WHEREAS, to prevent the further spread of *Anemonia manjano* and the subsequent environmental harm it will cause, it is necessary to provide time-limited emergency authority and narrowly tailored regulatory relief, with strict operational controls, monitoring, chemical neutralization, and reporting requirements; and

WHEREAS, the Department of Land and Natural Resources has implemented the Emergency Response during the pendency of the Proclamation by deploying tarps, treating those areas, continuously monitoring the area, and using sodium thiosulfate neutralization before tarp removal and has documented strong treatment results in those areas; and

WHEREAS, the Emergency Response is not complete and the Department of Land and Natural Resources needs to complete: continued treatment of tarped areas, re-treatment or treatment of any remaining or newly detected *Anemonia manjano* in Reef 8; and

WHEREAS, the Department of Land and Natural Resources has relied on the Proclamation to implement the time-sensitive Emergency Response and will continue to rely on the Proclamation to finish the Emergency Response; and

WHEREAS, the Department of Land and Natural Resources continues to coordinate with the Department of Health, Clean Water Branch on the Emergency Response; and

WHEREAS, the Department of Land and Natural Resources indicates that the Emergency Response appears to be working well, as it has not observed *Anemonia manjano* survival in the treated tarped zones and it has not observed any unintended lethality outside of the tarped zones; and

WHEREAS, the Department of Land and Natural Resources wishes to finish the Emergency Response within the next sixty days until it is finished and does not want to have a regulatory or operational gap before the Emergency Response is complete; and

WHEREAS, delaying the remaining Emergency Response increases the risk that any potential surviving *Anemonia manjano* or newly detected satellite colonies would continue to spread, undermining the rapid response objective that has already been started; and

WHEREAS, the current threat to the health, safety, and welfare of the State's environment and Kāne'ōhe Bay caused by the rapid spread of *Anemonia manjano* constitutes an emergency under sections 127A-1 and 127A-14, HRS, and warrants preemptive and protective actions;

NOW, THEREFORE, I, JOSH GREEN, M.D., Governor of the State of Hawai'i, hereby determine that an emergency contemplated by section 127A-14, HRS, exists at Kāne'ōhe Bay, on the Island of O'ahu, State of Hawai'i, and do hereby authorize and invoke the following emergency provisions:

I. **Invocation of Laws**

Pursuant to subsection 127A-12(b), HRS, I hereby direct all state agencies and officers to cooperate with and extend services, materials, and facilities as may be required to assist in all efforts to address the objectives of this Proclamation.

II. **Emergency Response Authorized**

The suspension of laws and emergency response authorized is strictly limited to the Department of Land and Natural Resources, Division of Aquatic Resources' Emergency Response relating to *Anemonia manjano* at Reef 8, Kāne'ōhe Bay, O'ahu, as described herein.

- A. **Area and Duration of Emergency Response.** This Proclamation applies only to the delineated Treatment Area. This Proclamation shall be effective for

sixty (60) days from the date of signature, unless terminated, superseded, or extended by separate Proclamation.

- B. Authorized Emergency Response. The Department of Land and Natural Resources, Division of Aquatic Resources, is authorized to plan and implement rapid response eradication actions at the Treatment Area, including the Primary Method and the Satellite Colony Treatment Method. The Primary Method involves the temporary installation of containment tarps, controlled application of chlorine-based treatment compounds within contained treatment areas, the neutralization of chlorine-based treatment compounds with sodium thiosulfate prior to tarp removal, and post-treatment monitoring. If deemed necessary while responding to the emergency, the Satellite Colony Treatment Method involves the application of chlorinated paste in a targeted manner to target small, discrete satellite colonies of *Anemonia manjano* when the containment tarp method is not practical or necessary due to reef complexity or limited colony size. The chlorinated paste consists of a biodegradable base mixture (glycerol, carboxymethylcellulose, calcium carbonate, sodium hydroxide, and water) and chlorine is added immediately prior to application.
- C. Department of Health Coordination. The Department of Land and Natural Resources, Division of Aquatic Resources, shall coordinate with the Department of Health, Clean Water Branch, on operational safeguards, monitoring, discharge prevention, neutralization verification, and reporting.
- D. Interagency Notification. The Department of Land and Natural Resources, Division of Aquatic Resources, shall notify and coordinate as appropriate with relevant federal partners and resource agencies (including the United States Army Corps of Engineers and the National Oceanic and Atmospheric Administration) about its in-water work, best management practices, and protected resources considerations.
- E. Conditions and Limitations to Ensure Public Health and Environmental Protection. The Department of Land and Natural Resources, Division of Aquatic Resources, shall adhere to the following conditions and limitations

to ensure public health and environmental protection during the Emergency Response:

- i. Containment. Treatment chemicals shall only be introduced within a sealed containment system designed to prevent off-site migration. If the Satellite Colony Treatment Method is used, the chlorinated paste will be contained beneath a clay cap to minimize disturbance to the surrounding coral substrate and prevent off-site migration.
- ii. Monitoring. A monitoring plan (Attachment 2) that includes: perimeter checks of containment integrity; real-time or frequent oxidant/residual monitoring at containment boundaries; field logs; and incident reporting protocols.
- iii. Neutralization. The containment tarps shall not be removed until monitoring verifies that residual oxidant levels within the containment zone have been neutralized in accordance with the monitoring plan (Attachment 2) and any applicable criteria imposed by the Department of Health. The clay caps and paste will be removed after 24-48 hours of treatment.
- iv. Contingencies. There shall be immediate response measures (Attachment 3) for any suspected containment loss, including suspension of chemical application, on-site neutralization, and notification to the Department of Health, Clean Water Branch.

III. **Suspension of Laws**

I suspend the following provisions of law under section 127A-13(a)(3) to the extent that the law impedes or tends to impede or be detrimental to the expeditious and efficient execution of, or to conflict with, emergency functions, including laws which by this chapter specifically are made applicable to emergency personnel:

Chapter 103D, HRS, **Hawaii public procurement code**, to the extent necessary to respond to the emergency;

Section 127A-30, HRS, **rental or sale of essential commodities during a state of emergency; prohibition against price increases**, as it related to this Proclamation and emergency. The invocations and suspensions of section 127A-30,

HRS, contained in any other emergency proclamations are not affected by this Proclamation;

Chapter 128D, HRS, **environmental response law**, and its implementing administrative rules in Hawaii Administrative Rules (HAR) chapter 11-451, to the extent necessary to respond to the emergency;

Chapter 171, HRS, **public lands, management and disposition of**, and its implementing administrative rules in HAR chapter 13-221, to the extent necessary to respond to the emergency;

Chapter 183C, HRS, **conservation district**, and its implementing administrative rules in HAR chapter 13-5, to the extent necessary to respond to the emergency;

Chapter 187A, HRS, **aquatic resources**, and its implementing administrative rules in HAR chapters 13-83 through 13-95, to the extent necessary to respond to the emergency;

Chapter 194, HRS, **invasive species council**, and its implementing administrative rules in HAR chapter 13-326, to the extent necessary to respond to the emergency;

Chapter 195D, HRS, **conservation of aquatic life, wildlife, and land plants**, and its implementing administrative rules in HAR chapter 13-124, to the extent necessary to respond to the emergency;

Chapter 200, HRS, **ocean recreation and coastal areas programs**, and its implementing administrative rules in HAR chapters 13-230 through 13-257, to the extent necessary to respond to the emergency;

Chapter 200D, HRS, **Kaneohe Bay regional council**, to the extent necessary to respond to the emergency;

Chapter 205A, HRS, **coastal zone management**, and its implementing administrative rules in HAR chapter 13-5, to the extent necessary to respond to the emergency;

Chapter 342D, HRS, **water pollution**, and its implementing administrative rules in HAR chapters 11-53, 11-54, and 11-55, to the extent necessary to respond to this emergency;

Chapter 343, HRS, **environmental impact statements**, and its implementing administrative rules in HAR chapter 11-200.1, to the extent that compliance with this chapter requires additional time detrimental to the expeditious and efficient execution of emergency actions;

IV. **Severability**

If any provision of this Proclamation is rendered or declared illegal for any reason, or is invalid or unenforceable, such provision shall be modified or deleted, and the remainder of this Proclamation and the application of such provision to other circumstances shall not be affected thereby but shall be enforced to the greatest extent permitted by applicable law.

V. **Enforcement**

No provision of this Proclamation, or any rule or regulation hereunder, shall be construed as authorizing any private right of action to enforce any requirement of this Proclamation, or of any rule or regulation. Unless the Governor or his designee issues an express order to a non-judicial public officer, no provision of this Proclamation shall be construed as imposing any ministerial duty upon any non-judicial public officer and shall not bind the officer to any specific course of action or planning in response to the emergency or interfere with the officer's authority to utilize his or her discretion.

I FURTHER DECLARE that this Proclamation is not intended to create, and does not create, any rights or benefits, whether substantive or procedural, or enforceable at law or in equity, against the State of Hawai'i, the counties of the State, or any State or county agencies, departments, entities, officers, employees, or any other person.

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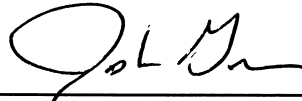
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I **FURTHER DECLARE** that the disaster emergency relief period shall commence immediately and continue through July 21, 2026, unless terminated or superseded by separate proclamation, whichever shall occur first. Following the termination of this disaster emergency relief period, any contracts, agreements, procurements, programs, or employment of personnel entered into, started, amended, or continued by reason of the provisions of the Proclamation relating to this emergency shall continue in full force and effect to the extent allowed by law.

DONE at the Capitol in Honolulu, State of Hawai'i, this 22nd day of May, 2026.



JOSH GREEN, M.D.,
Governor of Hawai'i

APPROVED:

Anne E. Lopez

ANNE E. LOPEZ,
Attorney General
State of Hawai'i