

JAN 19 2018

A BILL FOR AN ACT

RELATING TO BOATING.

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

1 SECTION 1. The legislature finds that the day use mooring
2 buoy program of the division of boating and ocean recreation of
3 the department of land and natural resources is an effective
4 recreational and commercial ocean use management tool. The day
5 use mooring buoy program also simultaneously helps to preserve
6 Hawaii's delicate and unique marine resources for future
7 generations through sustainable and responsible ocean practices.
8 Most notably, the program:

- 9 (1) Helps to protect Hawaii's fragile coral reef
10 ecosystems, which provides sustenance to state
11 residents and visitors alike;
- 12 (2) Supports the multi-million dollar annual ocean
13 recreation industry; and
- 14 (3) Slows shoreline erosion by reducing damaging wave
15 action.

16 Act 272, Session Laws of Hawaii 1991, and Act 296, Session
17 Laws of Hawaii 1996, transferred the jurisdiction over



1 administering and enforcing ocean recreation and coastal area
2 programs from the department of transportation and the
3 department of public safety to the department of land and
4 natural resources in recognition that high levels of boating
5 activity have great potential to negatively affect marine
6 resources. The department of land and natural resources has
7 implemented the day use mooring buoy program with the stated
8 purpose of reducing damage to coral and marine life due to
9 continuous dropping of anchors by commercial and recreational
10 vessels.

11 The legislature further finds the division of boating and
12 ocean recreation is responsible for administering the day use
13 mooring buoy program. The division acts as the liaison for
14 nongovernmental organizations that need regulatory permits and
15 approvals to work with appropriate state and federal authorities
16 to ensure compliance with applicable state laws and
17 administrative rules. The division is the permit holder and
18 contact point for all regulatory compliance matters, however the
19 nongovernmental organizations currently bear the burden of
20 supplying the needed manpower and paying for costs related to
21 buoy installation, repair, and maintenance.



1 The legislature additionally finds that the division of
2 boating and ocean recreation has been unable to realize its
3 plans for an entirely state-run day use mooring buoy program due
4 to a lack of funding and dedicated personnel. Instead, the
5 division has been working with nongovernmental organizations to
6 coordinate the installation, repair, and maintenance of buoys.

7 The legislature further finds that the management of the
8 day use mooring buoy program must be uniform at every harbor
9 throughout the State to ensure uniformity in buoy installation,
10 repair, and maintenance, which is problematic when relying on
11 nongovernmental organizations.

12 The purpose of this Act is to appropriate funds for the
13 initial operational expenses of the day use mooring buoy
14 program.

15 SECTION 2. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$1,000,000 or so much
17 thereof as may be necessary for fiscal year 2018-2019 for the
18 initial operational expenses of the day use mooring buoy
19 program; provided that the department of land and natural
20 resources shall endeavor fiscal resources in subsequent fiscal



1 years to make the program self-sustainable through user fee
2 collections.

3 The sum appropriated shall be expended by the department of
4 land and natural resources for the purposes of this Act.

5 SECTION 3. This Act shall take effect on July 1, 2018.

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S.B. NO. 2223

Report Title:

DLNR; Day Use Mooring Buoy Program; Appropriation

Description:

Appropriates funds for the initial operational expenses of the day use mooring buoy program. Requires the department of land and natural resources to endeavor fiscal resources in subsequent fiscal years to make the program self-sustainable through user fee collections.

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