

JAN 27 2021

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# A BILL FOR AN ACT

RELATING TO HONOKOHAU SMALL BOAT HARBOR.

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

1           SECTION 1. The legislature finds that small boat harbors  
2 are a valuable state asset that are being underutilized and  
3 often mismanaged. In 1991, the Honokohau small boat harbor  
4 transferred management from the department of transportation to  
5 the department of land and natural resources. Since then,  
6 fishing charters, a submarine tour operation, and other private  
7 businesses have been using state land at the Honokohau small  
8 boat harbor to support their commercial activities without  
9 paying rent and without recorded agreements to use the land  
10 along the harbor's shoreline where they have built small  
11 structures to support their enterprises.

12           The legislature finds that the department of land and  
13 natural resources' division of boating and ocean recreation is  
14 grossly underfunded with inadequate staffing and communication  
15 and organizational challenges that disproportionately affect the  
16 neighbor islands. These issues have led to the lack of adequate  
17 management at facilities such as the Honokohau small boat



1 harbor. In response to these concerns, the division of boating  
2 and ocean recreation has been exploring ways to develop and  
3 improve their facilities and operations, including the two  
4 hundred seventy-slip Honokohau small boat harbor. The  
5 department of land and natural resources has formed a working  
6 group that includes department personnel from O'ahu and Hawai'i  
7 island, boaters, key elected officials, and relevant  
8 stakeholders who have actively been collaborating with one  
9 another to develop recommendations for the harbor to address  
10 concerns and provide recommendations for future plans at  
11 Honokohau small boat harbor.

12 The legislature finds that while the working group has  
13 improved communication between harbor tenants and state  
14 officials, that structured and consistent oversight of the  
15 division of boating and ocean recreation is necessary to ensure  
16 the working group's recommendations are formally recorded,  
17 presented to the public, and appropriately considered.  
18 Accordingly, the purpose of this Act is to establish and  
19 formalize the ongoing efforts of the working group to function  
20 as the management authority of Honokohau small boat harbor with



1 the support of the department of land and natural resources and  
2 the division of boating and ocean resources.

3 SECTION 2. (a) There is established within the department  
4 of land and natural resources for administrative purposes the  
5 Honokohau small boat harbor working group to be designated as  
6 the management authority of Honokohau small boat harbor.

7 (b) The working group shall include but is not limited to:

8 (1) The deputy director of the department of land and  
9 natural resources, or their designee;

10 (2) The administrator of the division of boating and ocean  
11 recreation, or the administrator's designee;

12 (3) One member of the senate representing the senatorial  
13 district in which the harbor is located, appointed by  
14 the president of the senate;

15 (4) One member of the house of representatives  
16 representing the house district in which the harbor is  
17 located, appointed by the speaker of the house of  
18 representatives;

19 (5) One representative of the governor;

20 (6) Two members appointed by the deputy director of the  
21 department of land and natural resources from among



1 the membership of the Hawaii Fishing and Boating  
2 Association; provided that these members are current  
3 occupants and shall represent different categories of  
4 marine users, such as charter boat operators,  
5 commercial fishers, tour boat operators, and  
6 recreational boaters;

7 (7) Two community-at-large members appointed by the  
8 senator representing the senatorial district in which  
9 the harbor is located; and

10 (8) Two community-at-large members appointed by the  
11 representative representing the house district in  
12 which the harbor is located.

13 The working group shall elect a chair from among its  
14 members.

15 (c) The working group shall:

16 (1) Establish bylaws;

17 (2) Create a sustainable business plan with community  
18 support;

19 (3) Explore the private-public framework and other  
20 management and planning opportunities for the  
21 management and operation of small boat harbors that



1 would allow for the State to contract harbor  
2 management or lease its assets to a private entity  
3 while retaining ownership, governmental oversight, and  
4 control of fees as their first order of business;

5 (4) Develop guidelines for new marina management rules, to  
6 be adopted by the department of land and natural  
7 resources, in accordance with chapter 91, Hawaii  
8 Revised Statutes, to address issues such as  
9 operations, enforcement, fee schedules, and  
10 performance standards for the Honokohau small boat  
11 harbor;

12 (5) Undertake the duties of performing harbor management,  
13 maintenance, and improvement project tasks under the  
14 supervision of the division of boating and ocean  
15 recreation;

16 (6) Cooperate with and provide assistance to the  
17 department of land and natural resources and other  
18 public and private agencies involved in developing and  
19 implementing programs related to the Honokohau small  
20 boat harbor; and



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1           (7) Review any bids or contractual agreements relating to  
 2                   Honokohau small boat harbor that were formalized on or  
 3                   after January 1, 2020.

4           (d) The working group is subject to chapter 92, Hawaii  
 5 Revised Statutes.

6           (e) The working group, in consultation with the department  
 7 of land and natural resources division of boating and ocean  
 8 recreation, shall:

9           (1) Conduct meetings virtually;

10          (2) Meet bi-monthly; and

11          (3) Submit quarterly reports of its findings and  
 12                   recommendations, including any proposed legislation,  
 13                   to the legislature beginning in 2022, and for three  
 14                   years thereafter.

15          (f) The working group shall be dissolved on June 30, 2026.

16          SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: 



# S.B. NO. 1404

**Report Title:**

Department of Land and Natural Resources; Division of Ocean and Boating Recreation; Working Group; Honokohau Small Boat Harbor

**Description:**

Establishes a working group to manage the Honokohau small boat harbor with the oversight and assistance of the division of boating and ocean recreation of the department of land and natural resources. Working group dissolves on 6/30/2026.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

