

MAR 11 2022

SENATE RESOLUTION

REQUESTING THE LEGISLATIVE REFERENCE BUREAU, IN CONSULTATION WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES DIVISION OF BOATING AND OCEAN RECREATION AND KANEOHE BAY REGIONAL COUNCIL, TO CONDUCT A STUDY OF COMMERCIAL ACTIVITY ON KANEOHE BAY TO QUANTIFY THE AMOUNT OF NON-PERMITTED COMMERCIAL ACTIVITY THAT IS OPERATING IN VIOLATION OF THE KANEOHE BAY MASTER PLAN.

1 WHEREAS, the Kaneohe Bay Master Plan was developed pursuant
2 to Act 208, Session Laws of Hawaii 1990, to establish a
3 framework for the sustainable management of Kaneohe Bay's
4 natural resources while accommodating a variety of uses; and
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6 WHEREAS, a compromise among competing interests resulted in
7 a cap on the number of commercial enterprises and volume of
8 commercial activity that would be permitted in Kaneohe Bay; and
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10 WHEREAS, the vision set forth by the Kaneohe Bay Master
11 Plan continues to center on the preservation and protection of
12 Kaneohe Bay's natural resources for the continued enjoyment of
13 Hawaii's people; and
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15 WHEREAS, limits on commercial activity have been exceeded
16 by other activities not previously envisioned, and by new
17 technologies that support their proliferation; and
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19 WHEREAS, examples of expanded commercial activity include
20 non-permitted or non-compliant boat excursions from Heeia Kea
21 Small Boat Harbor and pre-positioned kayak rentals at Heeia
22 State Park that are advertised, coordinated, and paid online;
23 now, therefore;
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25 BE IT RESOLVED by the Senate of the Thirty-first
26 Legislature of the State of Hawaii, Regular Session of 2022,
27 that the Legislative Reference Bureau, in consultation with the
28 Department of Land and Natural Resources Division of Boating and
29 Ocean Recreation and the Kaneohe Bay Regional Council, is
30 requested to conduct a study of commercial activity on Kaneohe
31 Bay to quantify the amount of non-permitted commercial activity



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1 that is operating in violation of the Kaneohe Bay Master Plan;
2 and

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4 BE IT FURTHER RESOLVED that the study is also requested to
5 investigate challenges to enforcement against illegal commercial
6 activity at Kaneohe Bay and offer recommendations to improve
7 compliance with the Kaneohe Bay Master Plan; and

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9 BE IT FURTHER RESOLVED that the Legislative Reference
10 Bureau is requested to submit a report of its findings and
11 recommendations, including any proposed legislation, to the
12 Legislature no later than twenty days prior to the convening of
13 the Regular Session of 2023; and

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15 BE IT FURTHER RESOLVED that certified copies of this
16 Resolution be transmitted to the Administrator of the Division
17 of Boating and Ocean Recreation, Director of the Legislative
18 Reference Bureau, and Chairperson of the Kaneohe Bay Regional
19 Council.

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OFFERED BY:

B. J. Riviere

