

Honolulu, Hawaii

FEB 17 2023

RE: S.B. No. 1034  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committees on Water and Land and Hawaiian Affairs, to which was referred S.B. No. 1034 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC PARKING AT ALA WAI BOAT HARBOR,"

beg leave to report as follows:

The purpose and intent of this measure is to require the maintenance of at least three hundred parking stalls at Ala Wai Boat Harbor at no cost for recreational ocean access and for the practice of traditional and customary Native Hawaiian rights.

Your Committees received testimony in support of this measure from Surfrider Foundation, Friends of Kewalos, Free Access Coalition, Sea Together Magazine, The Coral Conservancy, and over two hundred twenty individuals. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources, Hawaii State Aha Moku, Save our Surf, and fourteen individuals. Your Committees received comments on this measure from two individuals.

Your Committees find that the Ala Wai Boat Harbor serves as a melting pot of culture and activity in the community. Its ocean legacy is an asset to cultural and recreational practices and water sport opportunities, such as surfing, paddling, fishing, and Hawaii's voyaging traditions. For many keiki, the Ala Wai Boat



Harbor is their first introduction to canoe paddling, surfing, sailing, boating, and other water activities.

Your Committees further find that the Division of Boating and Ocean Recreation's approved plan was revised to require no fewer than three hundred free parking stalls; however, the current request for proposals states that the parking plan is subject to change depending on the type and configuration of the new development project for the Ala Wai Boat Harbor. Your Committees find that the removal of free public parking would adversely restrict access to Hawaii's natural resources for use by the community, increase the burden of transporting beach equipment from the proposed parking structure, and have potential safety consequences for surfers. Therefore, this measure requires the maintenance of at least three hundred parking stalls at Ala Wai Boat Harbor at no cost for recreational ocean access and for the practice of traditional and customary Native Hawaiian rights.

Your Committees have amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

Should your Committee on Ways and Means choose to deliberate on this measure, your Committees respectfully request that it consider further examining the creation of signage indicating that free parking stalls are for recreational use only and to request the Division of Boating and Ocean Recreation to draft administrative rules accordingly.

As affirmed by the records of votes of the members of your Committees on Water and Land and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1034, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1034, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on  
behalf of the members of the  
Committees on Water and Land  
and Hawaiian Affairs,



MAILE S.L. SHIMABUKURO, Chair



LORRAINE R. INOUE, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Water and Land**  
**WTL**

Bill / Resolution No.:* <b>SB 1034</b>	Committee Referral: <b>WTL/HWN, WAM</b>	Date: <b>2/16/23</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
<b>Members</b>	<b>Aye</b>	<b>Aye (WR)</b>	<b>Nay</b>	<b>Excused</b>
INOUYE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
CHANG, Stanley	✓			
MCKELVEY, Angus L.K.	✓			
FEVELLA, Kurt	✓			
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
Thirty-Second Legislature  
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**Record of Votes**  
**Committee on Hawaiian Affairs**  
**HWN**

Bill / Resolution No.:* <b>SB1034</b>	Committee Referral: <b>WTL/HWN, WAM</b>	Date: <b>02/16/2023</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SHIMABUKURO, Maile S.L. (C)	<input checked="" type="checkbox"/>			
FEVELLA, Kurt (VC)	<input checked="" type="checkbox"/>			
IHARA, Jr., Les	<input checked="" type="checkbox"/>			
KEOHOKALOLE, Jarrett		<input checked="" type="checkbox"/>		
RICHARDS, III, Herbert M. "Tim"	<input checked="" type="checkbox"/>			
<b>TOTAL</b>	<b>4</b>	<b>1</b>	<b>—</b>	<b>—</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
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