

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKI'ĀINA 'O HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

**Testimony of
DAWN N. S. CHANG
Chairperson**

**Before the Senate Committee on
GOVERNMENT OPERATIONS
and
WATER AND LAND**

**Tuesday, February 7, 2023
3:10 P.M.
State Capitol, Conference Room 225**

**In consideration of
SENATE BILL 1485
RELATING TO CAPITAL IMPROVEMENT PROJECTS AT STATE SMALL BOAT
HARBORS AND STATE PARKS**

Senate Bill 1485 proposes to allow the Department of Land and Natural Resources (Department) to engage in capital improvement project work at state small boat harbors and state parks without prior approval from the Legislature and Governor. **The Department strongly supports this measure.**

While the Department already has the authority to complete repair and maintenance work without the need for capital improvement project (CIP) funding, construction and some types of repair work require CIP funding. In many instances, these CIP needs arise when the Legislature is not in session, so the Department would need to wait for the next upcoming Legislative Session so that a CIP request can be made.

In addition to having to wait for the next upcoming Legislative Session to begin, the Department must also wait for the budgeting process to complete, which means it cannot even begin the contracting and funding process until July. This results in facilities falling into further disrepair, increasing costs to the State, and causing further inconvenience to the public. This measure would allow the Department to respond to CIP needs in a faster and more efficient way. The Department will continue to follow proper procurement methods when issuing contracts for CIP work.

Mahalo for the opportunity to provide testimony in strong support of this measure.

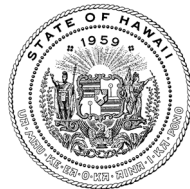
DAWN N.S. CHANG
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BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
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MANAGEMENT
CONSERVATION AND COASTAL LANDS
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

JOSH GREEN, M.D.
GOVERNOR



LUIS P. SALAVERIA
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SABRINA NASIR
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
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ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT

TESTIMONY BY LUIS P. SALAVERIA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEES ON GOVERNMENT OPERATIONS
AND WATER AND LAND
ON
SENATE BILL NO. 1485

February 7, 2023
3:10 p.m.
Room 225 and Videoconference

RELATING TO CAPITAL IMPROVEMENT PROJECTS AT STATE SMALL BOAT
HARBORS AND STATE PARKS

The Department of Budget and Finance (B&F) opposes this bill.

Senate Bill (S.B.) No. 1485 proposes to allow the Department of Land and Natural Resources to undertake capital improvement projects for State small boat harbors and State parks without authorization by the Legislature and Governor.

It is important to point out that Article VII, Section 5, of the Hawai'i Constitution expressly states that "[n]o public money shall be expended except pursuant to appropriations made by law." This means that expenditures for capital improvement projects need to be authorized by the Legislature. Section 5 also states that "[p]rovision for the control of the rate of expenditures of appropriated state moneys . . . shall be made by law." Chapter 37, HRS, Budget, provides the statutory structure and processes for expenditure of public moneys that have been authorized by the Legislature. These processes involve allotment control and approval by the Governor. Consequently, B&F strongly opposes S.B. No. 1485.

Thank you for your consideration of our comments.

SB-1485

Submitted on: 2/6/2023 1:12:15 PM

Testimony for GVO on 2/7/2023 3:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Denver Saxton Coon	Testifying for Trilogy Corporation	Support	Written Testimony Only

Comments:

I am writing to express my strong support for SB 1485. As a resident of Hawaii and a frequent user of the State's small boat harbors, I understand the importance of these recreational hubs for residents, commercial operators, and visitors of the state.

I am excited about the purpose of SB 1485, which is to provide more flexibility in funding for repair and construction projects. This increased funding will allow DOBOR to address capital needs in a timely manner and with the best cost-efficiency. By removing the requirement of prior approval from the legislature and governor for these projects, the state can respond to repair and maintenance needs without delay, preventing further deterioration of facilities and increased costs.

I believe that SB 1485 is a crucial step in ensuring that state small boat harbors and state parks continue to be valued and well-maintained recreational hubs for Hawaii's residents, commercial operators, and visitors. I strongly encourage you to pass this bill and provide the necessary support to these important facilities.

Thank you for your time and consideration.

SB-1485

Submitted on: 2/6/2023 8:25:34 AM

Testimony for GVO on 2/7/2023 3:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Zachary LaPrade	Testifying for Calypso Charters	Comments	Written Testimony Only

Comments:

I am writing in support of SB 1388 in the Hawaii State Legislature. This bill recognizes the importance of state small boat harbors and state parks as recreational hubs for both residents and visitors of the state. Both these areas have faced extensive wear and tear from numerous vessels and visitors, resulting in a backlog of critical infrastructure repair and maintenance.

I fully support the efforts of the Division of Boating and Ocean Recreation and the Division of State Parks to repair and redevelop the small boat harbors and to standardize routine repair and maintenance efforts in state parks. I believe that these efforts will provide attractive, high-quality, and safe experiences for Hawaii's residents and visitors.

I also support the purpose of this bill, which is to provide the divisions with more flexibility in funding repair and construction projects at state small boat harbors and state parks. This will allow them to address capital needs in a timely manner and with the best cost-efficiency for the state. By removing the requirement of prior approval from the legislature and governor for these projects, the state can respond to repair and maintenance needs without delay, preventing further deterioration of facilities and increased costs.

In conclusion, I believe that SB 1388 is a crucial step in ensuring that state small boat harbors and state parks provide attractive and safe experiences for Hawaii's residents and visitors, and I strongly support its passage.

SB-1485

Submitted on: 2/6/2023 9:24:25 AM

Testimony for GVO on 2/7/2023 3:10:00 PM

Submitted By	Organization	Testifier Position	Testify
ROBERT DUERR	Testifying for Wailoa River and Reeds Bay Boating and Users Associaiton 501 c-3	Oppose	Remotely Via Zoom

Comments:

Wailoa River and Reeds Bay Association Strongly Opposes this bill. DLNR's Division of Boating and Ocean Recreation has not been transparent to boaters, fishers and ocean access users about their stated strategic plan to privatize Hawaii Small Boat Harbors.

DBOR's harbors and launch ramps are the primary ocean access for fishing food security and offshore recreation.

DBOR has not shared with Hawaii ocean users their plans to privatize. DBOR considers contracts with private vendors as confidential and not open to public review. DBOR undertaking CIP projects on its own would be troublesome.

DBOR contracts with Capital Improvement Projects needs transparency, scrutiny and oversight. Boaters, fishers and ocean users certainly don't have this now. Unimpeded ocean access is critical and guaranteed constitutionally.

The Legislature and the Governor must review DBOR and it's budgets, strategic plans and CIP requests.

Mahalo, Wailoa River and Reeds Bay Boating and users Association 501-c3.

Wailoa River, Hilo Harbor.

SB-1485

Submitted on: 2/4/2023 10:18:50 AM

Testimony for GVO on 2/7/2023 3:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Edwin Watamura	Testifying for Watamura	Support	Written Testimony Only

Comments:

I am in support of this bill. As a small boat fisherman, I can attest to the numerous problems the Small Boat Harbors are needing to be addressed as soon as possible. Some of these issues are causing thousands of dollars of damage to boats and thereby limiting boaters from going fishing for fear of damage. The domino effect of this has the potential of exponentially reducing commerce. Furthermore, as history has proven, an advisory board comprised of a core group of resource users would be recommended to insure that the money is spent efficiently to provide the best and most usable repair or upgrade. As an example, at the Hawaii Kai Boat Ramp, a fisherman, Roy Morioka, had to advise DOBOR in how to turn three washdown stations into six by simply restriping the area and adding a bit of pavement. The fisherman also recommended that the new pier be a floating dock to accommodate the more extreme tide changes that we are experiencing. They did not heed our warning and sure enough the pier makes it extremely difficult to board and deboard our boats. Even to the extent of limiting older boaters and physically challenged boaters, thereby causing a safety hazard.

SB-1485

Submitted on: 2/4/2023 11:22:56 AM

Testimony for GVO on 2/7/2023 3:10:00 PM

Submitted By	Organization	Testifier Position	Testify
William K. Chang	Individual	Support	Written Testimony Only

Comments:

I support SB 1485. Our Hawaii Small Boat Harbors are in terrible condition and have been neglected to a point where they are a danger to boaters and and the general public. This bill is intended to expedite mainrenance and repair. Thank you for your attention to this bill.

William Chang

SB-1485

Submitted on: 2/6/2023 7:18:11 AM

Testimony for GVO on 2/7/2023 3:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Troy A. Ogasawara	Individual	Support	Written Testimony Only

Comments:

Dear Committee Members,

As an active boater using all ramp facilities, I fully support SB1485. Given the extreme length of time our harbors and ramps sit deteriorating for lack of basic repairs creates unsafe and unusable facilities. Many basic repairs are needed and have been kicked down the road for months or years exasperating the situation. Our ramps and harbors remain in a deplorable situation. I urge you to pass this Bill.

Thank you for your consideration in this matter.

Troy Ogasawara

commercial and recreational fisherman

LATE

SB-1485

Submitted on: 2/7/2023 9:31:35 AM

Testimony for GVO on 2/7/2023 3:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Zachary LaPrade	Testifying for Ocean Tourism Coalition	Support	Written Testimony Only

Comments:

The Ocean Tourism Coalition (OTC) writes in support of SB 1485 in the Hawaii State Legislature. This bill acknowledges the vital role that state small boat harbors and state parks play as recreational hubs for both residents and visitors of the state. Both these areas have experienced significant wear and tear from numerous boats and visitors, leading to a backlog of necessary infrastructure repairs.

OTC fully supports the efforts of the Division of Boating and Ocean Recreation and the Division of State Parks to renovate the small boat harbors and to standardize routine repair and maintenance efforts in state parks. We believe that these efforts will provide appealing, high-quality, and safe experiences for Hawaii's residents and visitors, which is crucial for the tourism industry.

OTC also supports the purpose of this bill, which is to provide the divisions with more funding flexibility to repair and construct projects at state small boat harbors and state parks. This will allow them to address their capital needs efficiently and in a timely manner, without delay. By removing the requirement of prior approval from the legislature and governor, the state can respond to repair and maintenance needs, preventing further deterioration of facilities and increased costs.

In conclusion, OTC believes that SB 1485 is a critical step in ensuring that state small boat harbors and state parks provide attractive and safe experiences for Hawaii's residents and visitors, and we strongly support its passage.