

JOSH GREEN, M.D.
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SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I
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 House Committee on
WATER AND LAND**

**Thursday, February 2, 2023
9:30 A.M.
State Capitol, Conference Room 430**

**In consideration of
HOUSE BILL 1318
RELATING TO GOVERNMENT PROPERTY**

House Bill 1318 proposes to transfer certain wharfs, launching ramps, and small boat harbors on Maui from the Department of Land and Natural Resources (Department) to the County of Maui with the corresponding revenue from those harbors. **The Department opposes this measure and offers the following comments.**

When the small boat harbor and coastal areas programs were transferred from the Department of Transportation (DOT) to the Department in 1991, a \$300 million deferred maintenance backlog was also transferred with no immediate solutions for funding or reducing the backlog. The programs were transferred from DOT to the Department with no plan to address the numerous existing issues and challenges, as no additional positions or funding were included to adequately implement the coastal areas program. Since 1991, the Department has worked to reduce the maintenance backlog by nearly half but cannot keep up with maintenance needs due to a combination of insufficient funding and rampant inflation.

While the Department makes its best efforts to address deferred maintenance needs at small boat harbors and facilities, much of the work must be completed through the Capital Improvement Project (CIP) budget, which is determined by the Legislature, then needs to be released by the Governor. Additionally, due to the limited availability of CIP funding, the CIP budget is understandably allocated to more pressing and essential needs. Despite this severe underfunding, the Department has been able to keep all of its small boat harbors and facilities operational and open to the public.

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

LAURA H.E. KAAKUA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Transferring the small boat harbor facilities to the County of Maui would result in four government agencies operating harbors throughout the State and would merely serve to transfer the existing issues and challenges from one government entity to another with no plan in place to resolve those issues and challenges, similar to what happened in 1991.

The Department's Division of Boating and Ocean Recreation prepared a Strategic Plan that would address the issues and challenges faced by the small boat harbor program and distributed it to all stakeholders, including the Legislature, in 2019. Since the Strategic Plan was published, the Department has continued to regularly submit legislation to implement the Strategic Plan but has not been successful in getting the legislation passed into law.

The Strategic Plan would execute leases of boating facilities to private partners who can manage the facilities on a 24/7 basis and allow State employees to focus on the coastal areas program, which would include monitoring for violations, educating the public, and engaging with the boating and ocean-going public on a more frequent basis. This management model is already in place in multiple locations in the State and has proven to be the most efficient way to operate and manage small boat harbor facilities. The Department encourages the Legislature to support House Bills 1089, 1090, and Senate Bills 1387, 1388, and 1485 from this year's session.

Mahalo for the opportunity to testify on this measure.



HOUSE OF REPRESENTATIVES
THE THIRTY-SECOND LEGISLATURE
REGULAR SESSION OF 2023

COMMITTEE ON WATER & LAND

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Rep. Mahina Poepoe, Vice Chair

Rep. Cory M. Chun Rep. Dee Morikawa
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NOTICE OF HEARING

DATE: Thursday, February 2, 2023
TIME: 9:30 AM
PLACE: VIA VIDEOCONFERENCE
 Conference Room 430
 State Capitol
 415 South Beretania Street

TESTIMONY OF THE OCEAN TOURISM COALITION IN CONDITIONAL SUPPORT OF HB1318

The Ocean Tourism Coalition (OTC) represents over 300 ocean tour operators statewide. OTC supports moving the management of Kihei Boat Ramp and Mala Boat Ramp to Maui County. However, the small boat harbors of Manele, Maalaea, and Lahaina would be better served by transferring them to the State's Department of Transportation Harbor Division (DOT) instead of Maui County.

Transferring the small boat harbors of Manele, Lahaina, and Maalaea from DLNR-DOBOR to the Department of Transportation (DOT) would bring several advantages. Firstly, the DOT has decades of experience managing harbors, including managing Manele, Maalaea, and Lahaina prior to 1994. The DOT also has the necessary infrastructure, resources, and expertise to improve coordination between different State and Federal agencies involved in the operation of State harbors.

Second, the addition of these harbors to the DOT's portfolio would also bring consistency and uniformity of regulations to a large number of commercial operators in the state. DOT currently manages commercial operators in other harbors located on Maui, Oahu, Kauai, and Hawai'i. The addition of Manele, Lahaina, and Maalaea harbor would allow for a more uniformed and centralized approach to commercial operator management.

Moreover, transferring the harbors to the DOT would allow DLNR-DOBOR to focus greater time and energy on conservation and enforcement efforts. By removing the responsibility

of harbor management, DLNR-DOBOR can concentrate on its core mission of protecting and conserving Hawai'i's natural resources and enforcing laws related to those resources.

In conclusion, the transfer of Manele, Lahaina, and Maalaea harbors to the Department of Transportation will benefit both the harbors and the commercial operators. With its resources, expertise, and infrastructure, the DOT is well-positioned to manage these harbors in an efficient and effective manner. Accordingly, **OTC humbly requests that HB1318 be modified to transfer Manele, Lahaina, and Maalaea harbor to the DOT instead of Maui County.**

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Coon', with a long horizontal line extending to the right.

Denver S. Coon
Director
OTC

HB-1318

Submitted on: 2/2/2023 1:48:57 AM

Testimony for WAL on 2/2/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Arika Hultquist	Individual	Support	Written Testimony Only

Comments:

Aloha,

I believe that the County of Maui can monitor and create rules that can be enforced to regulate the use of commercial boats and tours that are being done at these boat Harbors. Some of the smaller boat harbors are over used and are in very poor conditions. Flooded with tourists which is a safety issue at least. The wildlife that used to thrive in these spots should be better protected. Boats with illegal moorings should be told to go other places that are not high traffic areas such as these.

Mahalo!