
HOUSE CONCURRENT RESOLUTION

AUTHORIZING THE SALE OF ONE OR MORE LEASES OF SUBMERGED LANDS AT
STATE SMALL BOAT HARBORS.

1 WHEREAS, pursuant to section 200-3, Hawaii Revised
2 Statutes, the Division of Boating and Ocean Recreation of the
3 Department of Land and Natural Resources (DOBOR) is tasked with
4 thirteen statutory mandates, primarily including operation and
5 management of state small boat harbors and administration of the
6 ocean recreation management program; and

7
8 WHEREAS, the jurisdiction of DOBOR in state ocean waters
9 begins at the shoreline and extends to three nautical miles from
10 the shore; and

11
12 WHEREAS, due to statutory limitations, the Department of
13 Land and Natural Resources has been unable to fulfill its
14 statutory mandate of administering the Ocean Recreation
15 Management Program, instead needing to devote the majority of
16 its staff and resources to operation and management of the
17 sixteen state small boat harbors and numerous boat launch ramp
18 facilities around the State; and

19
20 WHEREAS, the vast majority of the boating and oceangoing
21 public falls under the Ocean Recreation Management Program of
22 DOBOR, rather than the Small Boat Harbor Program; and

23
24 WHEREAS, historically, DOBOR has never received adequate
25 staff or funding in previous legislative budgets; and

26
27 WHEREAS, the Small Boat Harbor Program is severely
28 underfunded, with approximately \$300,000,000 in deferred
29 maintenance and capital projects statewide, and an annual
30 operational budget of only around \$30,000,000, with rampant
31 inflation and material cost outpacing the rate that DOBOR is
32 able to address outstanding projects; and



1 WHEREAS, the level of underfunding for the Ocean Recreation
2 Management Program is almost impossible to quantify because
3 ocean recreation activities are widespread throughout the vast
4 expanse of state ocean waters and DOBOR has been unable to
5 adequately administer the Ocean Recreation Management Program;
6 and

7
8 WHEREAS, the inability of DOBOR to adequately administer
9 the Ocean Recreation Management Program has led to increased
10 user conflicts, safety concerns, and illegal commercial
11 activity; and

12
13 WHEREAS, engaging in alternate management options for state
14 small boat harbors would enable DOBOR to allocate more staff,
15 time, and resources to the Ocean Recreation Management Program;
16 and

17
18 WHEREAS, section 171-53(c), Hawaii Revised Statutes,
19 requires prior approval of the Governor and prior authorization
20 of the Legislature by concurrent resolution to lease state
21 submerged lands; and

22
23 WHEREAS, the Department of Land and Natural Resources
24 currently has the authority to lease all fast lands in small
25 boat harbors and submerged lands in select small boat harbors
26 for private management; and

27
28 WHEREAS, the Department of Land and Natural Resources would
29 greatly benefit from being able to expand leasing authority to
30 submerged lands in all state small boat harbors and boating
31 facilities; now, therefore,

32
33 BE IT RESOLVED by the House of Representatives of the
34 Thirty-second Legislature of the State of Hawaii, Regular
35 Session of 2024, the Senate concurring, that the Board of Land
36 and Natural Resources is hereby authorized to lease state
37 submerged lands at one or more state small boat harbors or
38 boating facilities, in part or in their entirety, for private
39 development, management, maintenance, and operation pursuant to
40 section 171-53(c), Hawaii Revised Statutes; and

41



H.C.R. NO. 98

1 BE IT FURTHER RESOLVED that the term of any lease entered
2 into pursuant to this Concurrent Resolution may be up to sixty-
3 five years; and

4
5 BE IT FURTHER RESOLVED that certified copies of this
6 Concurrent Resolution be transmitted to the Governor and the
7 Chairperson of the Board of Land and Natural Resources.

8
9
10

OFFERED BY: Linda L. Ching

MAR - 7 2024

