



COMMITTEE ON WATER AND LAND

Senator Lorraine R. Inouye, Chair

Senator Brandon J.C. Elefante, Vice Chair

NOTICE OF HEARING

DATE: Monday, February 3, 2025  
TIME: 1:06 PM  
PLACE: Conference Room 229 & Videoconference  
State Capitol  
415 South Beretania Street

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**TESTIMONY OF THE OCEAN TOURISM COALITION ON SB1017.**

Dear Chair Inouye, Vice Chair Elefante, and Members of the Committee on Water and Land:

My name is Denver Coon. I am the president of the Ocean Tourism Coalition (“OTC”). OTC represents hundreds of locally owned ocean tourism businesses statewide, many being family businesses. We strongly oppose SB1017 (the “bill”) in its current form, as it grants overly broad rulemaking authority to the Board of Land and Natural Resources (“BLNR”), potentially allowing for sweeping regulatory changes without legislative oversight.

**Concerns**

This bill seeks to expand the BLNR’s authority by granting it the ability to adopt and implement any federal regulation in place as of January 1, 2025, relating to public lands, water and coastal areas, aquatic life, wildlife, boating, and ocean recreation—all without requiring further review by the Legislature.

While we respect the role of the BLNR in managing Hawai‘i’s natural resources, this bill raises serious concerns for small businesses and ocean users across the state. The bill effectively bypasses the Legislature, allowing BLNR to adopt federal regulations as state law without the public transparency and debate that legislative review provides.

This shift eliminates the essential checks and balances that ensure local stakeholders, including small businesses and residents, have a say in how public lands and coastal resources are regulated.

In addition, the bill states that BLNR’s rulemaking must comply with Chapter 91, but it is unclear whether this applies to the adoption of federal regulations or just to BLNR’s general rulemaking authority. If Chapter 91 does not apply, then BLNR would have the power to automatically implement federal regulations without public hearings, stakeholder input, or legislative oversight. If Chapter 91 does apply, this needs to be

explicitly stated to ensure full transparency and public participation before any federal regulations are enforced at the state level.

The phrase 'all activities it deems are in the public interest' is extremely broad and subjective. Without clear limits, this could be used to restrict or regulate nearly any activity on state waters, creating uncertainty for businesses, boaters, and recreational users alike.

### **Recommendation**

We urge the Committee to not pass this bill in its current form. At a minimum, the bill should be amended to:

1. Amend the bill to apply Chapter 91 rulemaking to the adoption of federal regulations.
2. Limit the BLNR's authority to adopt only specific, identified federal regulations, rather than granting blanket approval for all regulations in existence as of a particular date.
3. Require public and industry stakeholder engagement before adopting any new rules.

### **Conclusion**

Hawai'i's ocean tourism industry depends on responsible, predictable, and well-balanced regulations that protect the environment while allowing small businesses and residents to continue enjoying and benefiting from our waters. This bill, as written, would grant excessive regulatory power without the necessary safeguards of legislative oversight and public input.

For these reasons, we respectfully urge the Committee to reject or amend this bill to ensure proper transparency and accountability in the rulemaking process.

Sincerely,

Denver S. Coon  
President, Ocean Tourism Coalition

## **Testimony in Support of Hawaii Senate Bill 1017**

*Date: January 31, 2025*

*Submitted to: Hawaii State Senate Committee on Water and Land*

**Aloha Chair Inouye, Vice Chair Elefante, and Members of the Committee,**

My name is Chad Walton, and I am a private citizen. I am writing to express my **support for Hawaii Senate Bill 1017**, which authorizes the Board of Land and Natural Resources to adopt by rule any federal rule or regulation relating to the public lands of the State as it existed on January 1, 2025, that it deems to be in the public interest.

This bill gives the power to the Board to efficiently integrate pertinent federal regulations into state management practices, ensuring that Hawaii's public lands are governed by the most current and standards. By aligning state rules with federal regulations, we can promote consistency, reduce redundancy, and enhance the stewardship of our natural resources.

This approach allows for a more streamlined regulatory process, enabling the Board to respond promptly to evolving environmental challenges and federal policy changes without the need for prolonged legislative procedures and hearings. This type of efficiency is paramount for addressing issues such as conservation efforts, land use planning, and resource management.

In conclusion, I believe that SB 1017 represents a proactive measure to enhance the governance of Hawaii's public lands. I respectfully urge the committee to pass this bill, thereby supporting the Board of Land and Natural Resources in its mission to manage our state's precious natural resources responsibly and sustainably.

Thank you for considering my testimony.

Sincerely,  
Chad Walton