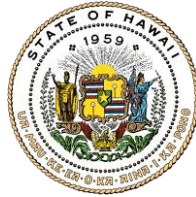


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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

P.O. BOX 621
HONOLULU, HAWAII 96809

Testimony of
RYAN K.P. KANAKA'OLE
Acting Chairperson

Before the House Committee on
WATER AND LAND

Tuesday, March 24, 2026
9:00 AM
State Capitol, Conference Room 411

In consideration of
SENATE BILL 2367, SENATE DRAFT 2
RELATING TO STATE BOATING FACILITIES

Senate Bill 2367, Senate Draft 2 proposes to require the Department of Land and Natural Resources (Department) to develop and implement a project to improve portions of Ala Wai Small Boat Harbor, as envisioned by the 2022 University of Hawai'i Community Design Center Ala Wai Small Boat Harbor Vision Report; and authorizes the Board of Land and Natural Resources to lease the remaining portion of Ala Wai Small Boat Harbor; provided that the lease shall expire on or before 6/30/2046. **The Department supports this measure.**

The Department notes that there are currently four harbor facilities under the jurisdiction of DOBOR on O'ahu already being managed under a public-private partnership (P3) model: La Mariana Sailing Club, Ke'ehi Marine Center, Waikiki Yacht Club, and Hawai'i Yacht Club. The Department believes that the P3 model for management and operation of small boat harbors is the most effective way to manage these facilities due to the private sector's ability to provide adequate staffing, faster responses for repairs & maintenance, and facility improvements, all while providing lease revenue to the State.

Kewalo Basin Harbor, which is under the jurisdiction of the Hawai'i Community Development Authority (HCDA), is also a prime example of a State-owned harbor under a P3 management model. The Department is grateful to HCDA, which has expressed its willingness to advise and work with the Department to help set up the lease of AWSBH, should this measure become law.

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

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHAHANE
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

The Department notes two common misconceptions among critics regarding the P3 management model proposed by this measure: (1) private management would lead to exorbitantly high mooring fee rates; and (2) private management would lead to the transfer of State lands under public trust to the private sector. The Department clarifies that: (1) the authority and method for determining fees remains unchanged, where the Department will set fees pursuant to Section 200-10, Hawai'i Revised Statutes (HRS), with the Board maintaining authority for approval of any proposed fee increases; and (2) this measure will not authorize any sale or transfer of State lands and only proposes to allow a lease for AWSBH and associated submerged lands in the State to attract private partners who plan to make improvements, provide adequate management, and transform AWSBH into the paragon that it should be as the Gateway to Waikiki. The Department has no plans to sell any State lands and will only offer a lease as part of a P3 model.

Mahalo for the opportunity to comment on this measure.



March 24, 2026

HOUSE COMMITTEE ON WATER & LAND

Rep. Mark Hashem, Chair; Rep. Dee Morikawa, Vice Chair; and Committee Members
Public Hearing, March 24, 2026, 9:00 a.m. – Conference Room 411, State Capitol

Testimony of William F. Anonsen
Managing Partner/Principal of The Maritime Group
Offering Comments on S.B. 2367 SD2, Relating to State Boating Facilities

My name is William F. Anonsen, Managing Partner of The Maritime Group, and a recreational boating stakeholder with a mooring at the Waikīkī Yacht Club. We respectfully offer these comments on S.B. 2367, SD2. This measure reflects a thoughtful and balanced approach to addressing long-standing challenges within the State’s small boat harbor system, particularly at Ala Wai Small Boat Harbor, which serves as a vital gateway to Waikīkī and an important public trust resource for residents and visitors alike.

As noted in the Senate WAM Committee Report, the Department of Land and Natural Resources has been required to devote disproportionate resources to harbor operations, limiting its ability to manage broader ocean recreation responsibilities.

The need is significant. The Division of Boating and Ocean Recreation is managing sixteen (16) harbors with approximately \$1.1 billion in deferred maintenance and a \$30 million annual budget. This reflects structural funding constraints that call for new approaches.

S.B. 2367, SD2 advances a reasonable path forward by improving shoreline access, authorizing a structured management lease, and requiring ongoing legislative oversight. Importantly, it preserves State ownership, public trust responsibilities, and civil service protections. As this moves forward, we respectfully emphasize the importance of maintaining public access, strong State oversight, clear performance accountability, and continued engagement with users and stakeholders.

This measure represents a meaningful step toward modernizing Ala Wai and strengthening Hawai‘i’s small boat harbor system. Mahalo for the opportunity to provide testimony, and for your leadership in advancing thoughtful solutions for Hawai‘i’s maritime and ocean recreation infrastructure.

Respectfully submitted,

William F. Anonsen

William F. Anonsen
Managing Partner/Principal
THE MARITIME GROUP



March 24, 2026

TESTIMONY IN OPPOSITION TO SB2367

House Water and Land Committee

Chair Hashem, Vice Chair Morikawa, and Members of the Committee:

My name is Katie Thompson. I have moored my sailboat at Ala Wai Small Boat Harbor for 28 consecutive years. I am a Registered Nurse, a USCG 50-ton Master (Captain), and Director of SurfParking.org. I respectfully submit strong opposition to SB2367 and urge this Committee to HOLD this measure.

“SB2367 reflects prior proposals to privatize harbor management and presents similar risks to public access and long-term control of public trust lands.”

PUBLIC TRUST OBLIGATIONS

The Ala Wai Small Boat Harbor consists of Section 5(b) Public Trust lands under the Hawai‘i Admission Act; lands protected by Executive Order 1795 (1958) for public recreational use; historically preserved lands dating back to the Great Māhele; and submerged lands protected under federal law.

Under the Public Trust Doctrine, the State has a constitutional obligation to preserve these lands for present and future generations. A long-term lease to a private entity represents a significant transfer of control over public trust lands.

SB2367 does not clearly define protections for free public access, the number of recreational boat slips guaranteed, limits on commercial expansion, protections for submerged lands, Duke Kahanamoku Beach access, or statutory guarantees for the approximately 300 free public parking stalls.

AFFORDABILITY AND COST OF LIVING

For 28 years, I have paid monthly mooring fees into the Boating Special Fund, totaling approximately \$100,000. Harbor users have continuously invested in this public system.

In 2024, new insurance requirements for wreckage removal increased my annual sailboat insurance from \$250 to \$1,816, representing a 620 percent increase in a single year.

Local families, retirees, and working boaters cannot absorb increases of this magnitude.

Kewalo Basin Harbor, often cited as a public-private partnership model, currently charges approximately \$21 per foot, compared to Ala Wai's current rate of about \$14 per foot. This represents roughly a one-third increase under private management.

As costs rise, local small boat owners are priced out, and harbors shift toward larger vessels and commercial use, often accompanied by restricted access, private yacht clubs, and limited public use.

LACK OF TRANSPARENT PROCESS AND PUBLIC INVOLVEMENT

DOBOR's Act 100 Report to the Legislature (2026) states that a working group was formed. However, in response to a formal request under the Uniform Information

Practices Act requesting meeting minutes, summaries, and dates, DLNR confirmed that no such working group had been started or documented.

This presents a discrepancy between what has been reported and what exists in the administrative record.

While a publicly funded “Future of the Ala Wai Harbor” community engagement process was conducted in 2017, it appears to have produced limited substantive data to support or guide a redevelopment project of this scale.

Taken together, this raises serious concerns about transparency, accountability, and the adequacy of the planning process.

PARKING ENFORCEMENT AND PUBLIC ACCESS

Parking is essential for ocean access and harbor use.

The 2022 changes under Act 163, which allow state harbors to enter into their own parking concession contracts, have had significant impacts on the public. Under the current framework, enforcement practices no longer consistently include a citation stage, and vehicles are now being towed for minor parking violations, such as meter overstays.

In 2025 alone, 2,589 vehicles were towed from Ala Wai Small Boat Harbor, while only 25 parking citations were issued. Over a four-year period from 2022 through 2025, 9,323 vehicles were towed, while only 34 citations were issued.

This is a sustained enforcement pattern where towing has effectively replaced citation-based enforcement, raising concerns about fairness, proportionality, due process, and public accountability.

FAILED MANAGEMENT AND MONETIZATION RISKS

Recent history at Ala Wai Harbor demonstrates a pattern of management challenges.

The Honey Bee LLC project ultimately ceased operations and left a significant outstanding financial obligation to the State, reportedly in excess of \$700,000.

There was also a significant incident involving the 85-foot catamaran Navatek II, which was allowed into the harbor despite not being operational. The vessel deteriorated over time, required repeated intervention to prevent sinking, and was ultimately dismantled on harbor land, reportedly at a cost to the State.

The closure of Blue Water Shrimp and Pau Hana Place resulted in the loss of small businesses and productive harbor use.

These examples reflect inconsistent management, delayed response, loss of functional use, and financial exposure without clear recovery.

STRUCTURAL LIMITATIONS AND PROJECT SCALE

DOBOR has acknowledged ongoing challenges in meeting its existing responsibilities. A large-scale redevelopment would increase—not reduce—the complexity and demands placed on the State.

Without a fundamentally different oversight structure, a public-private partnership of this scale will likely repeat and amplify existing management failures.

PUBLIC TRUST AND ACCESS

Certain areas and uses of state small boat harbors have long been preserved for public access, including shoreline access and parking. These are core public trust resources set aside for residents.

The goal should be a well-managed harbor that preserves fair and equitable public access, particularly as Hawai'i's cost of living continues to rise.

RECOMMENDATIONS

Before authorizing a long-term public-private partnership, the Legislature should require open public meetings, a vetted Master Plan, statutory guarantees for parking, limits on lease terms, and phased development.

CONCLUSION

The Ala Wai Small Boat Harbor was preserved for generations as a public recreational resource.

A measured approach focused on management, transparency, and public access is preferable to long-term leases or contractual arrangements that the State may not be adequately positioned to enforce.

For these reasons, I respectfully urge the Committee to HOLD SB2367.

Mahalo for the opportunity to testify.

Katie Thompson, R.N., MPH

Director, SurfParking.org

808-383-3334



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirty-Third Legislature, State of Hawaii
House of Representatives
Committee on Water & Land

Testimony by
Hawaii Government Employees Association

March 24, 2026


S.B. 2367, S.D.2 – RELATING TO STATE BOATING
FACILITIES

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO provides comments on S.B. 2367, S.D. 2, which requires the Department of Land and Natural Resources (DLNR) to develop and implement a project to improve portions of Ala Wai Small Boat Harbor, as envisioned by the 2022 University of Hawaii Community Design Center Ala Wai Small Boat Harbor Vision Report. This bill authorizes the Board of Land and Natural Resources (BLNR) to lease the remaining portion of Ala Wai Small Boat Harbor, provided that the lease shall expire on or before 6/30/2046. We have no objections to the redevelopment of the harbor envisioned by the 2022 University of Hawaii Community Design Center Vision Report.

The HGEA is opposed however, to the language that would allow the BLNR to lease the remaining portion of the harbor not included in the redevelopment plan(s). We strongly believe that the State should be the sole authority to operate and manage the harbor in its entirety. The harbor is a valuable public asset, and we do not believe the legislature and the State should surrender control of such assets via a lease to a private entity. Such leases would deprive the State of potential revenue that could be collected and reinvested back into the harbor or other essential State programs. In addition, the leasing of such public lands could result in the reduction of public access and the use of the harbor, which to us is an unacceptable price to pay for a long-term private lease.

Thank you for the opportunity to provide comments on S.B 2367, S.D.2

Respectfully submitted,


Randy Perreira
Executive Director



UNITED PUBLIC WORKERS

AFSCME Local 646, AFL-CIO

**HOUSE OF REPRESENTATIVES
THE THIRTY-THIRD LEGISLATURE
REGULAR SESSION OF 2026**

COMMITTEE ON WATER & LAND

Rep. Mark J. Hashem, Chair
Rep. Dee Morikawa, Vice Chair

Tuesday, March 24, 2026, 9:00 AM
Conference Room 411 & Videoconference

Re: Testimony on SB2367, SD2 – RELATING TO STATE BOATING FACILITIES

Chair Hashem, Vice Chair Morikawa, and Members of the Committee:

The United Public Workers, AFSCME Local 646, AFL-CIO (“UPW”) is the exclusive bargaining representative for approximately 14,000 public employees, which includes blue collar, non-supervisory employees in Bargaining Unit 1 and institutional, health, and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties.

UPW **strongly opposes** SB2367, SD2, which requires the Department of Land and Natural Resources to develop and implement a project to improve portions of Ala Wai Small Boat Harbor, as envisioned by the 2022 University of Hawaii Community Design Center Ala Wai Small Boat Harbor Vision Report. This measure also authorizes the Board of Land and Natural Resources to lease the remaining portion of Ala Wai Small Boat Harbor, provided that the lease shall expire on or before 6/30/2046 and repeals provisions relating to the leasing of certain fast and submerged lands of Ala Wai Small Boat Harbor.

By exempting the proposed lease from Sections 171-53(c) and 171-60(a), this bill privatizes the management of a public resource through legislative preauthorization. UPW understands that these exemptions may be necessary for DLNR’s Division of Boating and Ocean Recreation to maintain facilities that have historically proven to be a burden for managing agencies, but we believe that this public-private partnership, and others like it, degrade the working rights of public workers.

While this bill does attempt to preserve the rights the impacted civil service positions, we fear that the success of such a program will lead to the expansion of private-public partnerships for state boating facilities and the eventual loss of these types of positions in the future.

Mahalo for the opportunity to testify on this measure.

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Toll Free - Molokai/Lanai only

SB-2367-SD-2

Submitted on: 3/23/2026 12:52:34 PM

Testimony for WAL on 3/24/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Blake Parsons	Scouting America, Aloha Council	Comments	Written Testimony Only

Comments:

Chair and Members of the Committee,

My name is Blake Parsons, and I serve as Chief Executive Officer of Scouting America, Aloha Council. I appreciate the opportunity to provide comments on SB2367 SD2.

Scouting America operates Sea Scout units that provide maritime education, seamanship training, and leadership development for young people in Hawai'i. These units are volunteer led, supported by parents, and operate with limited financial resources. Access to harbor facilities is essential to their continued operation.

As this measure moves forward, we respectfully request inclusion of the following language to ensure clarity and continuity for nonprofit youth maritime education programs:

“Any lease executed pursuant to this section shall include terms to preserve continued access for Sea Scout units and other qualifying nonprofit youth maritime education programs. The lessee shall provide a reasonable number of slips or moorings, subject to availability, at no charge consistent with section 200 7, and may not impose additional fees inconsistent with this section. The board shall ensure such provisions are included in any lease agreement or management contract.”

We humbly ask that this language remain part of the measure.

Mahalo for your consideration.

Blake Parsons

Chief Executive Officer

Scouting America, Aloha Council



March 23, 2026

House Committee on Water & Land (for Hearing on Tuesday, March 24, 2026, 9:00am)
Representative Mark J. Hashem, Chair
Representative Dee Morikawa, Vice Chair

Testimony in opposition to SB2367_SD2

Chair Hashem, Vice Chair Morikawa, and Members of the Committee:

UNITE HERE Local 5 represents working people throughout Hawaii's hotel, food service and health care industries.

We strongly oppose the multi-year efforts to privatize Ala Wai Harbor via Public Private Partnerships or leases. We oppose the current iteration before us, SB2367_SD2, that aims to lease the Ala Wai Harbor. Multiple attempts have been made to privatize the Harbor and the public always opposed it.

The Ala Wai Harbor is cashflow positive (over \$3 million in net income in 2022 according to Civil Beat), but that income is diverted away instead of being re-invested into the Harbor's repair and maintenance. We suggest amending the bill to direct the income generated by the Harbor to improve the Harbor itself.

We are skeptical the State will be able to make up the lost net income from Ala Wai Harbor. The Ala Wai Harbor is a cash cow that subsidizes DOBOR with its positive cash flow. A private operator will need to pay enough rent to the State to cover what the State will lose in revenue. The State would also lose the opportunity to self-develop the harbor and capture increased value. The State must be made-whole on lost revenues in any privatization scheme.

Failing to protect the State's interests means SB2367_SD2 will effectively transfer money out of the state budget to a private company. In the past we recommended a percentage profit-sharing rent paid to the State so taxpayers get their fair share of income.

The deferred maintenance costs will not magically go away with a private operator; the money will have to be paid by someone. If privatized the slip and usage fees will have to cover repair, maintenance, improvements, lease payments, loan interests, and middle-man profit-taking. It is easy to imagine a large portion of the community will be priced out of or will be financially squeezed to access the harbor.

We are skeptical the initial 20-year lease term will provide adequate return on investment from a partner. We anticipate the 20-year term will evolve into much longer loss of public control of the harbor.

We have reminded lawmakers that privatizing public space for private profit is poor public policy. **Taxpayer supported government functions are not supposed to give high investment returns.** Viewing every function of government as a profit or loss center is the wrong way to view governance. It is the wrong way to look at Ala Wai Harbor.

We've pointed out during previous efforts to privatize Ala Wai Harbor that the arguments for the privatization make no sense. The primary reason is because the Ala Wai Harbor is a cashflow-positive crown jewel within the State's portfolio of harbors. The State would be giving away the cashflow from the most profitable public harbor that subsidizes the maintenance of the State's other harbors. Taxpayers will end up subsidizing the private profits of an unnecessary middle man.

In our past testimony we've highlighted shortcomings in the "Modernizing Ocean Recreation Management in Hawaii Strategic Action Plan – 2019" plan authored by DLNR and DOBOR. That plan laid out a rationale for why certain interests wanted to privatize the Ala Wai Harbor via public private partnership. While SB2367 is currently framed as a "lease" concept, we believe the privatization concerns are fundamentally the same.

We copied our past arguments against the plan in the Exhibit below and urge you to consider them.

UNITE HERE Local 5 opposes the intent of SB2367_SD2 to privatize public harbors via public private partnerships or leases. Thank you for your attention to this matter.

Exhibit

The Plan is flawed, and a critical analysis of its claims leads to the conclusion that **privatizing public harbors is not necessary or desirable**. The 24-page glossy document (averaging less than 240 words a page) contains repetitive rhetoric repeating the claim that a PPP will produce a promised result. The Plan provides no substance and the public has *not* shown it even wants that promised result. In 2019 Civil Beat reported on a vetoed harbor privatization bill and the State's other longtime efforts to offload harbor management. The Plan lacks guardrails, detail, context, objective metrics, statutory frameworks, financial context, guidelines, utilization data, investment expectations, and generally lacks convincing arguments for PPP.

- Statewide, there are 20 small boat harbors in the DOBOR's care. The focus on privatizing the Ala Wai harbor is concerning for systemwide revenue if less desirable/profitable harbors will remain a State responsibility.
- It wrongly paints public agencies that are not "profitable" as a problem. Government provides services for taxpayers - its justification should not be based on its profit generation.
- It ignores or doesn't value the non-financial benefit of providing residents with ample free and paid public parking in Waikiki, and having affordable public boat harbor slips in urban Honolulu.
- The State wants to move away from boat harbor management to focus on "rule-making, oversight, enforcement, and safety education." Citizens may balk at the idea of agency staff doing more rule-making, oversight, and enforcement.
- There are other ways to address obstacles to harbor management.
- There are no guardrails to what kind of commercial development is allowed.

The 2019 Plan is confusing and doesn't provide a convincing argument for PPP. To summarize its main issues, the Plan simply repeats the belief that PPP will solve perceived problems, but provides no real substantive details. The Plan conflates the lack of resources to manage State harbors in a *statewide context*. After demonstrating the Ala Wai harbor is a crown jewel in terms of profitability, it makes claims about how unprofitable harbors are and then calls for the privatization of Ala Wai harbor. Moreover, a lack of resources is an issue that can be solved without resorting to giving away public land and resources to private companies.

We would like to share some key problems with the Plan itself. Excerpts from the Plan are quoted below followed by our counter points:

- *"Although the Ala Wai stands out as the highest net income generating harbor, its earning potential remains untapped. Like other State harbors, the harbor itself underperforms in revenue; it is the parking revenues that account for Ala Wai Small Boat Harbor's comparative "success."* (Page 5)
 - o The State is literally admitting the Ala Wai is its best profit generator! Why does the State want to privatize the crown jewel of its portfolio?
- *"DOBOR's regulatory scope covers a wide range of ocean-related matters, from issuance of use permits for harbors and ocean recreation management areas to regulation of ocean activities, such as diving, kayaking, surfing, and jet skiing."* (Page 4)
 - o We don't believe the State's public harbor management role should be abandoned or "sold" to private interests.
- *"The Ala Wai Small Boat Harbor is just one example of a State small boat harbor that can be better managed in order to protect the resource sustainably and serve the people of Hawai'i. Situated near Ala Moana Center, a premier retail complex that draws 48 million shopping visitations annually, the Ala Wai should offer safe and aesthetically pleasing facilities. Yet, the harbor languishes in disrepair."* (Page 5)
 - o As noted, Ala Wai is its best performing harbor. There's no nexus as to why it should be redeveloped to complement the Ala Moana Shopping Center customer experience.
 - o Magic Island, Ala Moana Beach Park, Waikiki and Kapiolani Blvd surround the Ala Wai harbor. Why does the Plan compare a boat harbor with those world class destinations? Furthermore, the scope of re-development needed for the harbor to *successfully* compete with or complement those destinations should worry any stakeholder.
- *"Although harbor management represents just a single statutory mandate, it depletes a disproportionate share of DOBOR's personnel resources. Furthermore, investing substantial funds and staff into the harbors has not produced a commensurate return. Revenue generated by the harbors does not even begin to offset*

management and maintenance costs. For the past several years, harbor management as a whole operated at a net loss. In fiscal year (FY) 2018, for example, Hawai'i's small boat harbors incurred a net loss of nearly \$2 million while consuming 69% of staff resources" (Page 7)

- Again, government public services are not meant to provide high investment returns.
- The State is not claiming Ala Wai harbor alone is losing \$2M a year; Ala Wai was its best profit generator.
- The statistics from FY2018 conflate the profitable Ala Wai harbor with the DOBOR harbor program's *statewide* unprofitability.
- A \$2 million single year deficit for 20 small boat harbors across all islands is not an unreasonable cost to provide such a significant public service.
- It would be more informative to provide detailed financial analysis over five, ten or more years.
- The "consumption" of 69% of staff resources for harbors should be taken in context. Boat harbors would necessarily require more manpower than managing something like a boat ramp (essentially a parking lot with a concrete ramp).
- *"In fact, over the past five years, an average of as much as 84.2% of staff resources were allocated towards harbor management."* (Page 7)
 - An objective analysis needs a more detailed breakdown of how work hours were allocated in the calculation of this statistic.
 - If SB2367 is to pass, which it shouldn't, we strongly support amendments that protect good union jobs in the face of privatization. A missing piece of information is how many workers would be reassigned from the Ala Wai asset (and what percentage of department staff that'd constitute). And it needs to be said that there is no payroll cost savings, merely the reassignment of staff away from the Ala Wai.
- *FY2018 financial chart (Page 8)*
 - There are many issues with this chart.
 - Providing a single year snapshot of narrow financial data is insufficient data for analysis.
 - The single year loss of \$2M was for the statewide harbor program *as a whole* and not just the Ala Wai harbor. Again, Ala Wai was the State's best performing harbor.
 - A lot of budgetary context is missing. We need longer trends, financial information about DOBOR as a whole and by segments, explanation of expenses and cashflow, allocation of DOBOR expenses to harbors versus other segments, etc.
 - Isolating a segment that loses money in an agency as large as DLNR/DOBOR may not be appropriate.
 - If harbors are labor intensive, then it may require the most staff payroll. In comparison, boat ramps probably require less staff resources.
 - The chart metrics are confusing.
 - Is the chart exhaustive of *all* DOBOR segments' attributable profit and loss? Or is it a narrow, tailored snapshot?
 - The "non-harbor admin" profit sources are not explained. Presumably it is revenues generated by fees, licenses, fines, leases, etc. The same questions arise with the "ocean recreation" category.
 - It's unclear why "non-harbor admin" is compared with "harbors", their titles seem like mutually exclusive segments.
 - Is it appropriate to break out and compare "boat harbors", "boat ramps", "ocean recreation" and "non-harbor administration" segments? They are not defined. Any inter-relationship or overlap is not explained.
 - What is "non-harbor admin" and how did it net \$2.5M in FY2018?
 - What is "ocean recreation" and how did it net \$540k in FY2018?
 - What is "boat ramps" and how did it net \$225k in FY2018?
 - Why does the chart use the terms "net revenue (+)" and "net revenue (-)" to describe what we assume is net income or loss? Are there material implications in the word selections?
 - Other than lease rent, profit is not going to be enjoyed by the State, it will be privatized profit. Failing to squeeze every last dime out of a public asset is not a reason to privatize.

- *“The management model that DOBOR inherited at its inception does not allow the division to fulfill its statutory mandates and meet its needs – it was and continues to be a system that shackles the division”. (Page 9)*
 - o There are many ways to help the State in its work, or to move the work to a more appropriate department, instead of defaulting to a PPP.
- *“The division is proposing to shift to public-private partnership small boat harbor management, moving staff away from day-to-day direct harbor management, allowing staff to prioritize the exclusive governmental functions of ocean recreation management, rulemaking, oversight, and enforcement.” (Page 10)*
 - o State agencies are best suited to actively manage public lands on behalf of voters.
- *“The State is underutilizing the opportunity to generate revenue from State-owned fast lands. Fast lands have immense commercial development potential to attract greater foot traffic in harbor areas and yield higher income to the State. Through this strategic plan, DOBOR can realize a more efficient management and development scheme that takes advantage of this opportunity.” (Page 11)*
 - o Again, the State is not a money-making venture. It should not pursue maximization of profit.
 - o Ala Wai is a public boat harbor to serve boaters.
- *“DOBOR already has demonstrated the economic viability of the concept on a small scale with Waikiki Yacht Club, Hawai‘i Yacht Club, La Mariana Sailing Club and Ke‘ehi Marine Center. These four operations pay DOBOR just under \$825,000 per year through long-term leases of fast lands, and manage their own boating operations on those lands”. (Page 13)*
 - o Private yacht clubs with monthly dues, minimum food and beverage spend requirement, rules, wait lists, sponsorship process, etc. is **not** something a public agency should promote. The \$825k paid in rent to the agency is money from local taxpayers (and visitors) who can afford private yacht club memberships. It’s a form of taxation that segregates rich and poor ocean enthusiasts.
- *Moreover, because firms aim to increase their customer base, they are adept at making business decisions that satisfy consumer needs and can respond more quickly to change as needs arise. (Page 13)*
 - o Ala Wai boat harbor is finite in size. It’s not clear how any private partner will “expand” its “customer base” (boaters).
- *“At the time of the division’s transfer from DOT to DLNR, there was approximately \$300 million dollars in deferred maintenance in the recreational small boat harbors, launch ramps, and other related facilities. Some progress has been made, but this list continues to grow as the facilities age.” (Page 4)*
 - o The DOT to DLNR transfer took place about thirty years ago in 1991 (Session Act 272). If the statewide deferred maintenance was \$300M then, what are the more recent figures and the figures for Ala Wai?



Ala Wai Small Boat Harbor
1651 Ala Moana Blvd, Slip 499, Honolulu, HI 96185

Aloha Chair and Committee Members,

My name is Brynn Rovito, and I am the **owner and operator of the historic yacht Vida Mia**, a 61-foot classic wooden motor yacht built in 1929 and moored at Slip 499 in the Ala Wai Small Boat Harbor since the 1960s. Vida Mia crossed the Pacific during the Transpac race in 1963 as an escort vessel and has been a cherished part of Hawaii's maritime heritage ever since. As the first woman to own and helm this rare antique yacht—one of only a handful left in the world—I offer daily private charters, sunset cruises and coffee tours. We are hugely popular with local residents and visitors alike.

In the last five years, we have created six full-time professional apprenticeship positions for captains and tradesmen and generated over \$1 million in annual revenue—all while navigating the constraints of the current state-managed facility. This shows the real economic potential right here in the harbor when dedicated operators have better infrastructure and support.

I am writing to **strongly support SB2367**. This bill offers a practical path to restore and revitalize what should be Waikiki's premier community harbor.

This is not about privatization for profit alone; **it's smart stewardship**. The bill retains strong state oversight with annual legislative reports and public trust protections. Private partners can deliver the investment, innovation, and urgency that state resources alone have struggled to provide.

The current condition of Ala Wai Small Boat Harbor is **unacceptable and worsening**. As a daily user and business operator, I see the chronic deferred maintenance backlog—estimated statewide at over \$1 billion for DOBOR facilities, with Ala Wai shouldering a major share. Docks and piers are deteriorating (many condemned), sunken boats remain unrecovered and crumbling pilings and derelict or impounded vessels occupy valuable berths without generating revenue. Infrastructure shows obvious neglect, turning a once-vibrant gateway into an eyesore that detracts from Waikiki's appeal.

This neglect directly hampers businesses like mine. Maintaining a historic wooden vessel demands reliable docks, safe access, and modern services—yet we face clunky state processes for slips, moorings, and repairs. Without change, revenue potential stagnates, and **historic assets like Vida Mia struggle in a facility meant to support them**.

SB2367 **enables private management expertise** to fix these issues efficiently. Historically, Ala Wai generated substantial net income—averaging \$2.6 million annually for the Boating Special Fund—subsidizing other harbors statewide. Under private stewardship, we could unlock even greater revenue through improved operations: better slip utilization (now limited by infrastructure failures), enhanced commercial tenant performance (e.g., high-earning parasail and charter



Ala Wai Small Boat Harbor
1651 Ala Moana Blvd. Slip 499, Honolulu, HI 96185

operators), added services (marine repairs, events, eco-friendly retail), and innovative activations that draw more visitors without compromising public access.

Recreational harbors like Ala Wai **naturally attract both money and community**, serving as vibrant hubs that drive economic growth while fostering social connection. They facilitate recreation and tourism, creating immediate revenue streams and powerful ripple effects throughout the local economy. Small boat harbors support boating, charters, fishing, and events, where boaters spend significantly on fuel, maintenance, dining, lodging, shopping, and more. Studies show multipliers of \$6.50–\$10 in community spending for every dollar spent at a marina. **Tourism gets a major boost** as harbors draw visitors for stunning scenic views, water-based activities (such as charters, whale watching, paddle sports, and surfing), and lively events like boat parades and festivals—translating to higher spending at local hotels, restaurants, shops, and attractions.

Beyond the numbers, **harbors are simply fun places where people love to gather**—strolling the docks, admiring the boats, soaking in the ocean vistas, and watching surfers ride the waves. They create welcoming public spaces that **build community pride, encourage repeat visits**, and turn everyday waterfront moments into cherished experiences for residents and visitors alike.

For my operation alone, a well-maintained harbor means safer, more attractive charters—boosting bookings, creating jobs (crew, maintenance, marketing), and contributing taxes and fees to the state. Scaled up, private management could generate millions more in direct revenue while reducing DOBOR's maintenance burden on taxpayers—freeing funds for other ocean recreation needs.

I urge the Committee to advance SB2367 swiftly. Ala Wai deserves to shine again as a community jewel—honoring its heritage, supporting local businesses like Vida Mia, and delivering economic and recreational wins for all of Hawaii.

Mahalo for your dedication to our coastal resources. I am available for questions and would welcome the opportunity to provide oral testimony.

Sincerely,

Brynn Rovito

Owner/Operator, Vida Mia Hawaii
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**Testimony Requesting Amendment of SB 2367, SD2
Relating to State Boating Facilities**

Submitted to House Committee on Water and Land
Tuesday, March 24, 2026, 11 AM, Hearing in State Capitol Room 411

Please amend SB 2367, SD2 to require that:

Any lease of fast lands and submerged lands of Ala Wai Small Boat Harbor shall provide for the maintenance of at least three hundred public parking stalls at no cost to users for recreational ocean access and for the practice of traditional and customary Native Hawaiian rights.

This amendment will guarantee future Hawaii residents the same recreational ocean access that I had. I am 78. I have parked at Ala Wai Harbor for access to Waikiki Beach and surf spots for 61 years. For a few years, before my wife talked some sense into me, I owned a 22' trimaran daysailer moored in a slip at Ala Wai Harbor. When my friends and family went sailing with me, we all used the public parking at Ala Wai Harbor.

Public parking for beach access should NOT be used to generate revenues. Public parking lots which Hawaii residents use for recreational ocean access should be managed like a kind of park facility. It's simply wrong for public agencies to charge fees for Hawaii residents to park on public property to use the beach, swim, fish, or surf. And it's simply wrong to allow private lessees, concessions, or contractors to charge fees for Hawaii residents to park on public property to use the beach, swim, fish, or surf.

SB-2367-SD-2

Submitted on: 3/21/2026 11:01:18 AM

Testimony for WAL on 3/24/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Johnnie-Mae L. Perry	Individual	Comments	Written Testimony Only

Comments:

I, Johnnie-Mae L. Perry, Comment

IRAN WAR IS COSTING TAXPAYERS 1BILLION \$ A DAY. LEGISLATURES MUST BE FISCAL RESPONSIBLE THIS SESSION WITH MEASURES SEEKING APPROPRIATES, FUNDING, ETC.

2367 SB RELATING TO STATE BOATING FACILITIES.

Objection SB2367 SD2 – Expands Privatization to Ala Wai and ANY State Harbor
– Constitutional Objection
Hearing Tuesday, March 24, 2026 9am.

Dear Legislators, Friends, and Community Supporters,

The same old Hotel interests and Hughes Lobbyists at Ward Properties are at it again this year paying to play to take over our harbors so their friends and investors can have a private place to keep their toys.

Our harbors are for our local boaters, surfers and ocean goers. DLNR and our Legislature have neglected our harbor maintenance to create a “need” to privatize. Hawaii laws and supreme court decisions prevent that.

SB2367 SD2 no longer targets only Ala Wai Small Boat Harbor. It creates a framework that allows the same leasing structure — segmentation, private management, and reduced oversight — to be applied to **Ala Wai and any state harbor across Hawai‘i.**

This is not a minor amendment. It is a statewide policy shift.

THIS IS NOT ABOUT ONE HARBOR ANYMORE

This bill allows the State to:

- Segment a public harbor into an “improvement” portion and a “remaining” portion
- Lease the operational core — including fast lands and submerged lands — for private development, management, and operation
- Apply that structure to **any state harbor**

That means Ala Wai, Honakahau, Kaunakakai etc.

That means community harbors across Hawai‘i.

THIS IS NOT ABOUT BEING ANTI-DEVELOPMENT

This is not about being anti-development. It is about constitutional limits and local identity.

Ala Wai Small Boat Harbor — and every state harbor — is a public trust resource. These harbors were built by local taxpayers, are used by local families, and are held under Article XI of the Hawaii Constitution for the benefit of the people.

Courts have made clear that the State cannot abdicate control of a public harbor in a way that materially shifts its character or subordinates public access to private management.

Segregating a shoreline portion while leasing the operational heart of a harbor raises serious constitutional questions about functional control and long-term public access.

Ala Wai is one of the last places in Waikiki where kids learn to surf, where families can park without hotel validation, where fishermen launch before sunrise. The same is true, in different ways, for harbors like Keehi that serve working local communities.

These harbors are part of the local heart of Hawai'i — not simply assets to be repositioned for outside investors or commercial interests.

THE ENTIRE HARBOR FUNCTIONS AS ONE SYSTEM

Harbors are not just slips and docks.

They are integrated systems that include:

- Public parking
- Restrooms
- Sidewalks and shoreline access
- Showers
- Boat ramps
- Boating and recreational support facilities

These elements work together to provide real public access.

At Ala Wai alone, the harbor supports hundreds of public parking spaces, multiple restrooms, showers, and pedestrian access — all tied directly to ocean use. Many boating support facilities have been closed and must be redeveloped in like kind.

You cannot divide that system into pieces and expect the public trust to remain intact.

Segmentation breaks the system.

SEGMENTATION UNDERMINES PUBLIC TRUST LAW

Under Article XI, Section 1 of the Hawaii Constitution, all public natural resources are held in trust for the benefit of the people.

The United States Supreme Court in *Illinois Central Railroad Co. v. Illinois* held that a state cannot abdicate control over a public harbor in which “the whole people are interested.”

The Hawaii Supreme Court in *Waiahole I* held that public trust duties are “affirmative duties of the highest order” and that any balancing begins with a presumption in favor of public use and access.

These principles apply to Ala Wai and to **any state harbor**.

Public trust law requires preservation of public resources in “like kind” — meaning the essential public character must remain.

If boating support facilities have been closed, they must be restored in like kind.

If parking supports access, it must remain public.

If shoreline access exists, it must remain meaningful.

A segmentation model that removes operational control from unified public management makes it impossible to guarantee like-kind preservation within the framework required by these decisions.

The State may manage.

The State may regulate.

But the State may not partition a trust resource in a way that thwarts the letter and intent of the law.

THE 2024 MAUI CIRCUIT COURT DECISION

In 2024, the Maui Circuit Court reaffirmed that DLNR must conform to Hawaii Supreme Court public trust standards before allowing commercial use of public trust lands.

The court required:

- Conformance with *Waiahole I* and related precedent
- Demonstration that public trust purposes are protected

- Consideration of feasible alternatives
- Compliance with environmental review requirements

The ruling made clear:

Public trust obligations are constitutional, not discretionary.
They must be satisfied **before** commercial use is authorized.

SB2367 SD2 moves in the opposite direction — authorizing broad leasing authority first and leaving constitutional compliance uncertain.

STATE NEGLIGENCE IS NOT JUSTIFICATION

Deferred maintenance is being used to justify this shift.

But neglect is not a constitutional loophole.

The State cannot allow facilities to deteriorate and then use that deterioration as a reason to transfer control of a public trust resource.

The solution is stewardship — not surrender.

THIS IS ABOUT WHO THESE HARBORS ARE FOR

If this framework is adopted, harbors across Hawai'i — including Ala Wai and Keehi — can gradually shift from working local harbors into controlled, revenue-driven environments.

That affects:

- Local fishermen
- Small boaters
- Families teaching keiki ocean skills
- Everyday public access

The public trust doctrine exists to prevent exactly this kind of incremental transformation.

STEWARDSHIP AND KULEANA

State harbors are not surplus land.
They are not development parcels.
They are not simply revenue streams.

They are public trust resources — held for present and future generations.

With that trust comes kuleana:

- To preserve integrated public access
- To maintain traditional ocean practices
- To protect working harbor communities
- To ensure these places remain accessible to local residents

Once functional control is transferred, it is rarely restored.

CONCLUSION

Objections to SB2367 SD2:

- Expands leasing authority to Ala Wai and **any state harbor**;
- Authorizes segmentation of public trust resources;
- Enables long-term private control of operational harbor areas;
- Raises serious constitutional concerns under Article XI;
- Conflicts with *Illinois Central*, *Waiahole I*, and the 2024 Maui Circuit Court ruling requiring strict compliance with public trust law.

The Legislature shall not authorize what the Constitution prohibits.

Public trust protection applies to **every harbor in Hawai'i**.

For these reasons, I respectfully urge strong opposition to SB2367 SD2.

Respectfully submitted,

Sam Monet
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8082581611
Ala Wai Small Boat Harbor

SB-2367-SD-2

Submitted on: 3/22/2026 8:41:12 PM

Testimony for WAL on 3/24/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
arleen velasco	Individual	Oppose	Written Testimony Only

Comments:

I strongly support public control of our harbor. We can make this a shining pearl of the Pacific despite the fact the harbor has been declining into a state of disrepair over the course of many years.

The boat pump-out station was removed, reducing safe waste disposal options and increasing the risk of improper discharge of raw sewage into the harbor. The gas station for boats was shut down, raising environmental concerns. A vibrant store that provided food and boat supplies was also shut down. Privatizing the harbor will likely result in losing free parking, restricting the ability of locals to access the ocean.

Shutting down these facilities and not making needed repairs to roads and restrooms has contributed to the narrative that the state lacks sufficient funding and manpower to maintain the harbor.

The harbor should and could be providing a revenue stream for the state. Privatization could shift revenue and decision-making authority away from the public and toward private interests.

I recommend the state invest in hiring a manager with experience in running and maintaining public harbors. Both California and Texas have beautiful public harbors with facilities that serve boaters and other users, such as community meeting rooms and welcome centers. Not only could the harbor become a beautiful jewel of the state, but it could also generate revenue for the state. For example, Santa Cruz Harbor, governed by the Santa Cruz Port District, operates more than 1,000 slips and generates revenue through slip rentals, parking, fuel sales, and commercial leases. Over the past decade, the district has consistently maintained revenues above operating costs, with a net positive of over \$36 million in FY2024.

The revamping of the harbor could also provide an excellent opportunity to involve UH students from various disciplines, such as architecture, civil engineering, and marine science.

Please do not privatize the harbor. Use this opportunity to involve the community and create a harbor that serves the common good.

SB-2367-SD-2

Submitted on: 3/23/2026 12:11:56 PM

Testimony for WAL on 3/24/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
donn viviani	Individual	Oppose	Written Testimony Only

Comments:

I am Donn Viviani, I live in Kailua. I oppose this bill for the following reasons

- 1) Leasing to a for profit company makes public use, welfare, and access subserviant to corporate profit
- 2) A 20 year lease is a long time. During which time the State loses the benefit of the appreciation of the fast and submerged lands the development of which would accrue to the State and reinvested in the community

SB-2367-SD-2

Submitted on: 3/23/2026 3:52:36 PM

Testimony for WAL on 3/24/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Wendy Gibson-Viviani	Individual	Oppose	Written Testimony Only

Comments:

To: COMMITTEE ON WATER & LAND

From: Wendy Gibson-Viviani BSN/RN

RE: **Opposition to SB2367** SD2, RELATING TO STATE BOATING FACILITIES

Hearing: Tuesday, March 24, 2026 at 9:00AM, VIA VIDEOCONFERENCE and Conference Room 411. State Capitol 415 South Beretania Street.

Dear Rep. Mark J. Hashem, Chair, Rep. Dee Morikawa, Vice Chair and esteemed Committee Members,

My name is Wendy Gibson-Viviani and I’m **opposed** to the proposed privatization of public lands for profit and gentrification. I’m opposed to the leasing of the historically preserved and submerged lands.

I spent many of my 31 years of living on Oahu visiting the Ala Wai Small Boat Harbor and the Hawaii Yacht Club. I am a sailor and a former Rear Commodore of Hawaii Women’s Yacht Racing Association. I crewed on many types of raceboats out of the Ala Wai and have many friends down there. Over the years, I’ve watched many attempts to fix the old fuel dock, the dilapidated slips and the abandoned, contaminated haul-out area, yet the harbor continues to fall into a state of disrepair.

According to this bill, “The legislature notes that the division has historically been severely **underfunded, understaffed, and unable** to meet its statutory mandates to manage and maintain the sixteen small boat harbors. Due to inflation and increased construction costs, the division had approximately \$1,100,000,000 in deferred maintenance costs as of 2024.”

I believe that the solution should not be a public-private partnership but rather fixing the underfunding and understaffing issues at a State level. That could help ensure that:

- construction jobs and funds stay in Hawaii
- the harbor will provide a more inviting atmosphere for all users
- enable the division to better devote its time and resources to the administration of the ocean recreation management program.

- ensure safe and meaningful public access and parking for residents and visitors heading to the shoreline for relaxation and recreation, including to a boat ramp.

According to UH Ala Wai Small Boat Harbor Vision Report (see page 25), the construction of buildings and roads in urban areas lead to “Urban Heat Islands”, which lead to increased energy costs (eg. Air conditioning), increased air pollution levels and heat-related illnesses.

(See <https://www.uhcdc.manoa.hawaii.edu/work/ala-wai-small-boat-harbor>)

Please hold off on this bill while we consider the potential environmental impact of increased traffic in Ala Wai Boat Harbor and the surrounding areas such as the Hilton’s Lagoon and Magic Island. We need to consider the potential impact of reopening a fuel dock and redesigning the harbor to accommodate larger vessels.

I believe it is likely that the small boat harbor will become a BIGGER boat harbor as small boat owners get priced out or evicted.

We also need to consider what might happen to people who live-aboard their vessels. They may have trouble finding affordable housing and become homeless/boatless as a result.

And, we have at least a few examples of how PPPs are not working well.

- The Honey Bee development project was supposed to gentrify the old fuel dock area. After many years, the corporation went bankrupt, leaving about \$700,000 of debt to the State of Hawaii.
- The PPP in Kewalo Basin is a good example of what happens to affordability. Current slip fees are about \$21.00 per foot in Kewalo while slip fees in the Ala Wai Small Boat harbor are about \$14.00 per foot.

Please defer this bill until more work can be done. Ideally, this should include holding public meetings so the public can have input on the final plan(s) and rollout as well as shorter lease term caps. Legislation should include preservation of greenspaces and free Kama’aina parking spaces.

Thank you for this opportunity to oppose SB2367. Please fully fund the State so they can adequately manage the 16 small boat harbors and we won't need to engage in a PPP.

Wendy Gibson-Viviani BSN/RN

Kailua

SB-2367-SD-2

Submitted on: 3/24/2026 5:42:29 AM

Testimony for WAL on 3/24/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Margaret Hallahan	Individual	Oppose	Written Testimony Only

Comments:

March 24, 2026

TESTIMONY IN OPPOSITION TO SB2367

House Water and Land Committee

Chair Hashem, Vice Chair Morikawa, and Members of the Committee:

My name is Maggie Hallahan, and I respectfully submit testimony in opposition to SB2367.

I have directly participated in the administrative process related to parking enforcement and concession contracts at Ala Wai Small Boat Harbor. In response to decisions made by the Board of Land and Natural Resources (BLNR), I filed two separate requests for contested case hearings regarding the approval and implementation of parking concession contracts.

Both requests were denied on the basis that I did not have “standing.”

These denials raise serious concerns about the ability of affected community members to participate in or challenge decisions that have direct, daily impacts on public access and use of state lands.

The need for meaningful review is not theoretical. Basic oversight measures were not required or conducted in connection with these contracts, including:

- The State did not require or consistently obtain complete towing records
- There was no requirement for regular public reporting of towing activity
- No analysis was conducted on enforcement practices, including the time between meter expiration and towing
- The State did not ensure that proportional enforcement measures, such as citation-based systems, were implemented

- In some cases, the State did not maintain full visibility into subcontracting relationships, including towing arrangements associated with parking contractors

These are fundamental elements of contract oversight and public accountability.

These gaps are not minor administrative issues—they go directly to whether enforcement practices are fair, proportional, and consistent with the State’s public trust obligations.

Without access to contested case hearings, there is no meaningful mechanism for the public to raise these issues or require corrective action.

This experience highlights a broader structural concern.

The BLNR process, as currently structured, is not designed to evaluate or oversee decisions of this scale involving public trust lands. Board members serve in a part-time capacity and are required to review large volumes of material within limited timeframes, often in settings that do not allow for extended deliberation or meaningful public participation.

The current BLNR process is not structured to evaluate or oversee a long-term, multi-decade public-private partnership involving public trust lands.

Decisions that significantly alter the use, access, or management of public trust lands should remain at the legislative level, where there is full public process, accountability, and transparency.

For these reasons, I respectfully urge the Committee to HOLD SB2367.

Mahalo for the opportunity to testify.

Maggie Hallahan

SB-2367-SD-2

Submitted on: 3/24/2026 7:07:40 AM

Testimony for WAL on 3/24/2026 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
John Fitzpatrick	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha Chair, Vice Chair, and Members of the Committee:

My name is John Fitzpatrick. I am a science educator and boat captain from Makawao. I am writing in **strong opposition to SB2367**.

Our state harbors are precious public assets held in the public trust. This bill moves toward the privatization of these resources by authorizing long-term leases (until 2046) to private entities for the development and management of "the entirety" of the Ala Wai Small Boat Harbor, including submerged lands.

I oppose this measure for the following reasons:

1. **Violation of the Public Trust:** The State has a fiduciary duty to manage public lands for the benefit of the people. Outsourcing this responsibility to private corporations, whose primary motive is profit rather than public service, risks restricted access and the "pay-to-play" commercialization of our shoreline.
2. **Displacement of Local Boaters:** We have seen in other "public-private partnerships" that infrastructure "improvements" are often followed by fee hikes that price out local families and traditional ocean users in favor of high-end commercial slips.
3. **Dangerous Precedent:** While this bill specifically targets the Ala Wai, it establishes a framework for a "State Boating Facility Management Lease Program." As a Maui resident, I am deeply concerned that our local harbors, like Ma'alaea or Lahaina, could be next on the list for privatization.

As an educator, I teach my students about the importance of protecting our shared environment. We should be investing in the DLNR's ability to manage our own resources effectively, rather than surrendering public control to private developers for the next 20 years.

I urge the Committee to **Kill SB2367**.

Mahalo,

Fitz