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# HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO  
DETERMINE IF THERE ARE ADDITIONAL AREAS OFF THE COAST OF  
MAUI THAT WOULD BE APPROPRIATE FOR COMMERCIAL THRILL CRAFT  
OPERATIONS AND TO ISSUE PERMITS FOR THOSE AREAS.

1           WHEREAS, the State has declared that the policy guiding  
2 regulation of ocean recreation shall be to promote and attain:

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4           (1) The full use and enjoyment of the waters of the State;

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6           (2) The safety of persons and the protection of property  
7 as related to the use of the waters of the State;

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9           (3) A reasonable uniformity of laws and rules regarding  
10 the use of the waters of the State; and

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12           (4) Conformity with, and implementation of, federal laws  
13 and requirements;

14  
15 and

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17           WHEREAS, section 200-37, Hawaii Revised Statutes, directs  
18 the Department of Land and Natural Resources (DLNR) to adopt  
19 rules to designate areas where, and time periods during which,  
20 thrill craft such as jet-skis may be operated; and

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22           WHEREAS, DLNR has adopted section 13-256-18, Hawaii  
23 Administrative Rules, that provides, in part, that no commercial  
24 thrill craft operations shall be conducted on the waters of the  
25 State unless the owner has applied for and been issued a  
26 commercial operating area use permit for a designated commercial  
27 thrill craft operating area; and



1           WHEREAS, DLNR has designated, by rule, ocean recreation  
2 management areas in west, south, and north Maui but has  
3 permitted commercial thrill craft activities in only one of ten  
4 areas or zones within these areas and has not designated any  
5 part of east Maui for commercial thrill craft operations; and  
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7           WHEREAS, one or more individuals or entities seek to  
8 establish thrill craft operations anywhere in Maui waters but  
9 have been told by DLNR that there are no permits available for  
10 such operations; now, therefore,  
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12           BE IT RESOLVED by the House of Representatives of the  
13 Twenty-third Legislature of the State of Hawaii, Regular Session  
14 of 2006, the Senate concurring, that DLNR is requested to review  
15 its ocean recreation management area designations to determine  
16 if additional areas should be designated for commercial thrill  
17 craft operations and if additional commercial thrill craft  
18 operations can be permitted within existing management areas  
19 consistent with the policy established by the Legislature for  
20 ocean recreation management; and  
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22           BE IT FURTHER RESOLVED that prior to making a determination  
23 whether additional ocean recreation management areas should be  
24 designated for commercial thrill craft operations, DLNR is  
25 requested to form and consult with ocean and harbor user  
26 advisory groups; and  
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28           BE IT FURTHER RESOLVED that DLNR is requested to report its  
29 findings and recommendations, including any proposed legislation  
30 or rule changes, not later than 20 days prior to the convening  
31 of the Regular Session of 2007; and  
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33           BE IT FURTHER RESOLVED that a certified copy of this  
34 Concurrent Resolution be transmitted to the Chairperson of the  
35 Board of Land and Natural Resources.  
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