



Ocean Tourism Coalition

The Voice for Hawaii's Ocean Tourism Industry
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COMMITTEE ON ECONOMIC DEVELOPMENT AND TAXATION

Senator Carol Fukunaga, Chair
Senator Will Espero, Vice Chair

COMMITTEE ON WATER AND LAND

Senator Clayton Hee, Chair; Senator Russell S. Kokubun, Vice Chair

DATE: Tuesday, February 12, 2008

TIME: 10:45 AM.

PLACE: Conference Room 224

SPEAKING IN STRONG OPPOSITION TO SB 2196 AS WRITTEN

My name is James E. Coon, President of the Ocean Tourism Coalition (OTC) Hawaii's State-wide organization celebrating twenty-five years of representing the Ocean Tourism Industry. We represent the 300 Small Commercial Passenger Vessels operating out of State Harbor facilities. We speak in **Strong Opposition of SB 2196:**

We agree with what we believe to be this bills intent; which is to regulate vessels which operate out of non DLNR or DOT harbors. Yet the way this bill is written would also add an additional level of regulation on top of a very highly regulated industry. Taken to the extreme this could bankrupt many of these small family businesses and cause unnecessary harm to them and their communities. Many of these businesses have been operating responsibly for many decades, employ many people and are well respected both by the environmental community as well as the local communities of which they are a vital part. Most of these companies are also servicing a significant amount of debt for money borrowed to build and refurbish these vessels often costing well over one Million Dollars each. These small companies need the flexibility to offer several types of cruises in any given season to create the income necessary to service the debt.

The Ocean Tourism Industry is highly regulated. It is mature and stable. There have been very few new permits issued within the past 20 years, so our industry is not the problem with out of control growth. We represent less than 3% of the boats in the state, yet we provide close to 50% of all boating income to DLNR.

We are the industry that pioneered eco-tourism. It is our industry that installs and uses day use moorings, does not anchor in coral, does not take live specimens, promotes various NGO naturalists and work with them to train our staff and educate the visiting public. We have led the charge in the protection of the Humpback Whale and other endangered species. Our motto is to “take pictures and leave bubbles”.

We feel this bill is too badly flawed to be salvaged. If there was a way to exempt the companies that already hold a commercial permit from either DLNR or DOT then we could support this bill, otherwise we would humbly ask you not to pass it.

Please do not pass SB 2196 as written.

Sincerely,

James E. Coon,

President

Ocean Tourism Coalition

testimony

From: RawcoHI@cs.com
Sent: Monday, February 11, 2008 6:21 PM
To: testimony
Subject: Testimony in opposition to SB2196 as written

Testimony in Opposition to SB2196 as Written and Directed

Senate Committee on Economic Development and Taxation
Tuesday, 12 February 2008 at 1045 in Room 414

Chair Fukunaga, Chair Hee and respected Members of the Committees;

My name is Reg White. I speak to you as one who has been actively operating passenger boats in the Oahu and Maui tourist industries for over thirty five years. While this bill is well intended, and seeks to somehow control the operations of vessels that do not already have state permits to operate in our near costal waters, it will also drastically affect the operations of our state permitted tourism fleet as well. We cannot afford yet another layer of permits and fees let alone the bureaucratic procrastination that comes along with adding this additional layer. This will not accomplish the original purpose of the bill, which was to force accountability onto some few new comers to the business who operate from private marinas in the state and so cannot be held to the same standards of behavior, accountability and operation as those of us who must annually qualify to renew our permits in order to continue in business.

This act, as written, also misses the fact that the commercial operators of Hawaii are the number one supporters of maintaining and preserving our natural resources. These resources are their future! It is only the cruise passenger who is personally supervised while entering the water to view our natural resources. It is only the cruise passenger who is given a personal briefing prior to being allowed to enter our waters. This briefing makes them aware of the actions that must be avoided so as not to endanger our resources. The industry's standard is "Take only pictures and leave only bubbles". Each operator has a well trained crew that not only guards the resource, but who also brief their charges as to why they too want to protect the resource. This cannot be said of the general, non commercial visitor to these same sites, but this bill does not do anything to address this oversight.

Sadly, I agree with the original goal of this bill, which was to preserve our natural resources from damage by humans, but as written it attacks only the folks who have been given the informational orientation and stimulated to take a personal interest in the preservation of these resources and who are under constant professional supervision at all times while in the water. This is not true of the general public, which this bill ignores.

Please do not pass this bill out from this committee.

Sincerely,

Reg White
Vice president, project development
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testimony

From: JoBear55@aol.com
Sent: Tuesday, February 12, 2008 5:07 AM
To: testimony
Subject: SB 2196

Senator Carol Fukunaga, Chair Committee on Economic Development and Taxation
Senator Clayton Hee, Chair Committee on Water and Land

Tuesday, February 12, 2008
10:45 a.m., Conference Room 224

In Support of SB2196 Relating to Commercial Activities on Ocean Waters

Chair Fukunaga, Chair Hee and members of the committees:

I Georgette Jordan, support SB 2196.

Currently the State regulates activities who utilize our state facilities we do not regulate those who launch from private facilities all of whom utilize the ocean waters which DLNR is incharge with managing. We must manage our natural resources wisely, provide for sustainable uses of our natural resources, wildlife-watching coexisting with fishing coexisting with snorkeling, etc. To do that we must manage all of the commercial activities in our ocean waters which cause the majority of the pressures on our natural resources and have the potential to affect our life-styles and the treasure that we all enjoy.

Therefore, I urge the committee to support SB2196.

Thank you for the opportunity to testify.

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Senator Carol Fukunaga, Chair Committee on Economic Development and Taxation
Senator Clayton Hee, Chair Committee on Water and Land

Tuesday, February 12, 2008
10:45 a.m., Conference Room 224

In Support of SB 2196 Relating to Commercial Activities on Ocean Waters

Chair Fukunaga, Chair Hee and members of the committees:

I am Cynthia K.L. Rezentes, and I am in support of SB 2196.

Currently, the Department of Land and Natural Resources (DLNR), as stewards of the state ocean waters, regulates commercial activities which initiate from small boat harbors or other state boating facilities. This management scheme has been appropriate for many years since most small boat harbors or boating facilities were owned and operated by the state.

Today, the attraction of our ocean waters encourage different active uses of our ocean resources and has placed some of our traditional uses, i.e. subsistence and commercial fishing, under pressure and at odds with these new activities in addition to placing stress on our natural resources. Wildlife-watching (whether marine mammals or turtles), snorkeling, diving, surf schools, etc. is on the increase throughout the state.

While we regulate those who utilize our state facilities, we do not regulate those who launch from private facilities and utilize the ocean waters which DLNR is supposed to manage. We must manage our natural resources wisely, provide for sustainable uses of our natural resources, wildlife-watching along-side of fishing along-side of snorkeling, etc. To do that we must manage all of the commercial activities in our ocean waters which cause the majority of the pressures on our natural resources and have the potential to affect our life-styles and the treasure that we have and enjoy.

Therefore, I urge the committee to support SB2196.

Thank you for the opportunity to testify.