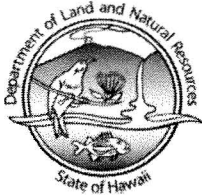


NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the House Committee on
WATER, LAND, & OCEAN RESOURCES**

**Friday, February 11, 2011
9:00 AM
State Capitol, Conference Room 325**

**In consideration of
HOUSE BILL 106
RELATING TO OCEAN SAFETY**

House Bill 106 requires the Department of Land and Natural Resources (Department) to review the safety records of nearshore areas statewide and appropriates funds for swimming buoys at Kaanapali Beach, Maui. The Department does not support this measure.

The Department does not keep safety records for nearshore areas except boating accident reports that are submitted by vessel operators following an accident. The Department has already created Ocean Recreation Management Areas throughout the State for the purpose of reducing user conflicts within the nearshore waters. Examples of this are the designated thrill craft and parasailing areas. Should the Department recognize potential safety concerns, the Hawaii Administrative Rules (HAR) can be revised to address the concerns. The Department is currently in the process of amending its HAR as they pertain to Kaneohe Bay, Oahu, and Hanalei Bay, Kauai, to address conflicts between recreational and commercial user groups. Also, this is an unfunded mandate that will take away valuable personnel and resource time that could be used on day to day operations.

The Department currently has designated ingress/egress corridors at Kaanapali Beach, Maui, for vessels to access the shoreline. Installing additional buoys to demarcate swim areas can be done but will require capital to initially purchase and install the buoys as well as maintain them. The Department has established designated swim areas in different locations throughout the State and these areas require continued monitoring because the buoys may be moved off station during inclement weather, stolen, or need maintenance to ensure that the mooring hardware will not fail. While the Department may use federal grant money to install aids to navigation, swim buoys are not covered by the grant. The Department is currently amending the HAR to require mandatory vessel education to all motor boat operators and feels this will go a long way to increasing boating safety and awareness in the nearshore waters.

WILLIAM J. AILA, JR.
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS



Testimony to the Committee on Water Land Oceans
Friday, February 11, 2011; 9:00 a.m.
Conference Room 325

Speaking in Support

RE: HB 106

Chair Representative Chang, Vice Chair Representative Har and Members of the Water, Land, Oceans Committee:

My name is James E. Coon, President of the Ocean Tourism Coalition. The OTC represents over 300 small ocean tourism businesses state wide. We appreciate the efforts being made by the Legislature in addressing the potential dangerous situation currently existing at Kaanapali Beach.

We believe this bill will go a long way in resolving the dangerous situation that currently exists at Kaanapali Beach and may be occurring elsewhere. **We would ask that the currently established vessel ingress and egress lanes continue to be kept as they are and be adequately buoyed.**

Please pass this bill which will make Kaanapali Beach a lot safer for residents and guests to enjoy.

Thank you for the opportunity to submit testimony. If you have any questions, please contact me at 808-870-9115.

Sincerely,

James E. Coon, President