

Honolulu, Hawaii

MAR 23 2012

RE: H.B. No. 2682

H.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committees on Economic Development and Technology and Water, Land, and Housing, to which was referred H.B. No. 2682, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS,"

beg leave to report as follows:

The purpose and intent of this measure is to authorize the Department of Land and Natural Resources to:

- (1) Regulate commercial activities in state waters including those operations originating from private marinas; provided that no new or additional permits shall be required for those commercial activities regulated by any other chapter; and
- (2) Add definitions for "commercial activity" and "compensation".

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Environmental Caucus of the Democratic Party of Hawaii, Hawaii Nearshore Fishermen, and seven individuals.

Your Committees find that the Waianae coast is very popular for commercial activities, such as dolphin watching, snorkeling, and visiting a turtle cleaning station. These commercial ocean activities are provided by vendors who use the Waianae boat harbor

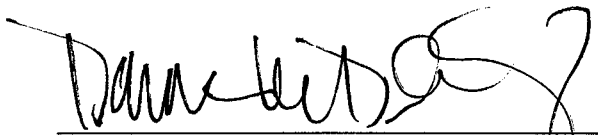


and a private marina for launching their boats, and the area can become quite crowded. Your Committees further find that the commercial activities originating from private marinas are transiting within the schooling and spawning zones of akule and opelu, which has had a negative impact on the behavior and sustainability of these species. On the other hand, commercial activities originating from public facilities have been following an agreement with local fishermen to transit outside these zones in order to protect the habitat areas preferred by these species.

Your Committees find that this measure will allow the Department of Land and Natural Resources to manage the State's ocean resources more effectively and balance environmental needs with those commercial activities that contribute to the State's economic base.

As affirmed by the records of votes of the members of your Committees on Economic Development and Technology and Water, Land, and Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2682, H.D. 1, and recommend that it pass Second Reading and be referred to the Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Economic  
Development and Technology and  
Water, Land, and Housing,

  
DONOVAN M. DELA CRUZ, Chair

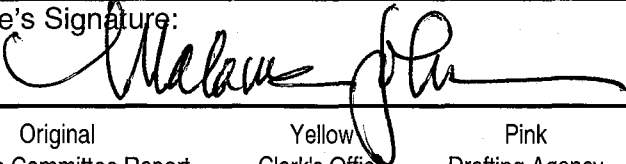
  
CAROL FUKUNAGA, Chair





The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Water, Land and Housing**  
**WLH**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2682 HD1	EDT/WLH, CPN	3-20-12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	✓			
SOLOMON, Malama (VC)	✓			
FUKUNAGA, Carol				✓
RYAN, Pohai	✓			
SHIMABUKURO, Maile	✓			
TOKUDA, Jill N.				✓
SLOM, Sam				✓
<b>TOTAL</b>	<b>4</b>			<b>3</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes