

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

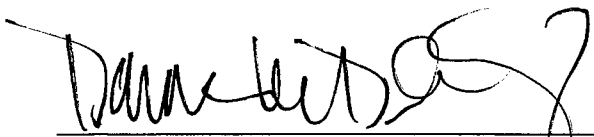


and a private marina for launching their boats, and the area can become quite crowded. Your Committees further find that the commercial activities originating from private marinas are transiting within the schooling and spawning zones of akule and opelu, which has had a negative impact on the behavior 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



