

Honolulu, Hawaii

March 20, 2012

RE: S.B. No. 2933
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Water, Land, & Ocean Resources, to which was referred S.B. No. 2933, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO OCEAN SAFETY,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources to adopt and enforce stricter rules and regulations that protect ocean users; and
- (2) Appropriate moneys for swim zone buoys at Kamaole Beach on Maui.

Two individual members of the County Council of the County of Maui supported this measure. The Ocean Tourism Coalition, Kaanapali Kai Charters, and the Kaanapali Beach Resort Association supported this measure with amendments. The Department of Land and Natural Resources commented on this measure.



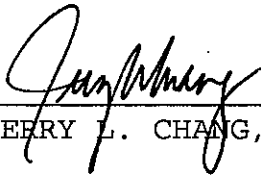
Your Committee has amended this measure by:

- (1) Permitting vessels holding a valid ocean recreation management area commercial use permit to use a state small boat harbor or boat launching ramp when unsafe wind and sea conditions prevent safe access to the shoreline through a designated ingress or egress zone;
- (2) Changing the source of appropriations for the installation of eight swim buoys at Kamaole beach to the Ocean-Based Recreation Fund;
- (3) Directing the Department of Land and Natural Resources to relocate the buoys in the waters off Kaanapali beach between Mala Wharf and Black Rock to waters beyond the lanes or area used by canoe paddlers;
- (4) Creating the West Maui Ocean Recreation Management Area Advisory Committee to advise the Department of Land and Natural Resources on issues related to the uses and maintenance of state waters within the West Maui Ocean Recreation Management Area, particularly within the waters adjacent to Kaanapali;
- (5) Requiring that the Department of Land and Natural Resources submit a report to the legislature before the regular session of 2013, regarding the findings and recommendations of the West Maui Ocean Recreation Management Area Advisory Committee; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2933, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2933, S.D. 2, H.D. 1, and be referred to the Committee on Finance.



Respectfully submitted on
behalf of the members of the
Committee on Water, Land, &
Ocean Resources,



JERRY L. CHANG, Chair



