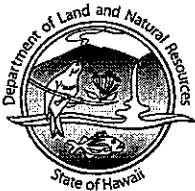


NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATEPARKS

Testimony of  
WILLIAM J. AILA, JR.  
Chairperson

Before the House Committee on  
FINANCE

Thursday, March 29, 2012  
1:30 A.M.  
State Capitol, Conference Room 308

In consideration of  
SENATE BILL 2850, SENATE DRAFT 1, HOUSE DRAFT 1  
RELATING TO GROUNDED VESSELS

Senate Bill 2850, Senate Draft 1, House Draft 1, proposes to authorize the Department of Land and Natural Resources (Department) to assume control of and remove a vessel grounded on a coral reef or in imminent danger of breaking up if the vessel cannot be removed by the owner within twenty-four hours of the grounding. The Department strongly supports this Administration measure with amendments.

Currently, Section 200-47.5(b), Hawaii Revised Statutes, allows vessels grounded on coral reefs or in imminent danger of breaking up to be removed by the owner within seventy-two hours. Seventy-two hours is deemed far too long to leave a vessel grounded on a coral reef or in imminent danger of breaking up. The Department has experienced vessels grounded: (1) on a coral reef causing extensive and irreparable damage; and (2) breaking apart due to wave action, which creates marine pollution and a hazard to the natural resource.

The House Draft added the language, "of actual notification to the vessel owner or the owner's representative by the department", that will defeat the purpose of the amendment initially proposed. The majority of the time, the Department is unable to locate the owner of a grounded or derelict vessel in a timely manner. Should the Department have to wait until the owner is notified before taking action, there is a very strong chance that the vessel will either cause irreparable damage to the natural resource, sink, or break apart causing a pollution hazard.

The Department recommends removing the language "of actual notification to the vessel owner or the owner's representative by the department" from lines 9-11, page 1 of this measure.



# Ocean Tourism Coalition

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March 29, 2012

Testimony To: House Committee on Finance  
Representative Marcus R. Oshiro, Chair

From: Tim Lyons, CAE  
Executive Director

Subject: S.B. 2850, SD 1, HD 1 – Relating to Grounded Vessels

Chair Oshiro and Members of the Committee:

I am Tim Lyons, Executive Director of the Ocean Tourism Coalition and we support this bill.

Although we are reducing the amount of time that an owner can begin his salvage operation from 72 hours to 24 hours we are also making it clear in HD 1 that this is within 24 hours of actual notification to the vessel's owner. Based on that, we can see the reduced time frame in which an owner has to react. Additionally, as noted in the bill, it also allows additional time as long as there are good faith efforts being made by the owner.

Again, based on the changes made in HD 1, we are fully supportive of this bill.

Thank you.