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# HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO  
CONDUCT A STUDY OF THE COMMERCIAL VESSEL PERMITS IN STATE  
SMALL BOAT HARBORS INVOLVING OCEAN-RELATED ACTIVITIES FOR  
OCEAN WATERS BETWEEN KALAELOA POINT AND KAENA POINT,  
CONSULT WITH THE WAIANAE COAST COMMUNITY ON THE EXISTING  
AND FUTURE OCEAN-USE ACTIVITIES.

1           WHEREAS, along the Waianae Coast, the growing population of  
2 west Oahu and the visitor industry are affecting the traditional  
3 uses of the area and have cumulative economic, environmental,  
4 social, and cultural effects on the many communities along the  
5 coastline; and

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7           WHEREAS, the increased usage of beach parks and state  
8 boating facilities to accommodate commercial ocean recreation  
9 activities between Kalaeloa Point and Kaena Point has had a  
10 significant impact on traditional commercial fishing activities  
11 and other non-commercial recreational activities; and

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13           WHEREAS, Act 6, Special Session Laws of Hawaii 2005 (Act  
14 6), placed a moratorium on the issuance of new state small boat  
15 harbor facility commercial permits for vessels engaged in ocean-  
16 use activities in ocean waters between Kalaeloa Point and Kaena  
17 Point; and

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19           WHEREAS, Act 6 also required the Department of Land and  
20 Natural Resources to prepare a baseline environmental study to  
21 be used in the preparation of draft management area rules; and

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23           WHEREAS, the Department of Land and Natural Resources  
24 Division of Boating and Ocean Recreation published the Waianae  
25 Baseline Environmental Study in February 2009; and

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27           WHEREAS, one of the recommendations of the Waianae Baseline  
28 Environmental Study was to clarify existing regulations to allow  
29 the Department of Land and Natural Resources to require



1 commercial ocean tour operators state-wide to obtain a permit to  
2 operate in state waters; and

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4 WHEREAS, Act 289, Session Laws of Hawaii 2012 (Act 289),  
5 authorizes the Department of Land and Natural Resources to  
6 regulate commercial enterprises that operate out of private  
7 marinas and use state waters or marine resources; and

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9 WHEREAS, Act 6, the Waianae Baseline Environmental Study,  
10 and Act 289 are all necessary first steps to addressing the  
11 increased usage of beach parks and state boating facilities  
12 between Kalaeloa Point and Kaena Point; and

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14 WHEREAS, commercial ocean recreation activities between  
15 Kalaeloa Point and Kaena Point have continued to increase since  
16 2005, despite the moratorium on the issuance of new state small  
17 boat harbor facility commercial permits for vessels engaged in  
18 ocean-use activities in ocean waters between Kalaeloa Point and  
19 Kaena Point; now, therefore,

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21 BE IT RESOLVED by the House of Representatives of the  
22 Twenty-seventh Legislature of the State of Hawaii, Regular  
23 Session of 2013, the Senate concurring, that the Department of  
24 Land and Natural Resources is requested to:

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26 (1) Conduct a study of the state small boat harbor  
27 facility commercial permits for vessels engaged in  
28 ocean-use activities in ocean waters between Kalaeloa  
29 Point and Kaena Point that were in existence at the  
30 time of the moratorium in 2005, the uses for such  
31 permits, and the revenue generated and the current  
32 commercial vessel permits, the uses for such permits,  
33 and the revenue generated; and

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35 (2) Consult with the Waianae coast community regarding the  
36 existing and future ocean-use activities; and

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38 BE IT FURTHER RESOLVED that the Department of Land and  
39 Natural Resources is requested to submit a report of its  
40 findings and recommendations, including proposed legislation, to  
41 the Legislature no later than 20 days prior to the convening of  
42 the Regular Session of 2014; and

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1 BE IT FURTHER RESOLVED that a certified copy of this  
2 Concurrent Resolution be transmitted to the Chairperson of the  
3 Board of Land and Natural Resources.  
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