

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 23, 2013 8:30 PM
To: waltestimony
Cc: mjellings@hawaii.rr.com
Subject: Submitted testimony for HCR120 on Mar 25, 2013 08:45AM

HCR120

Submitted on: 3/23/2013

Testimony for WAL/OMH on Mar 25, 2013 08:45AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Carl P Jellings Sr	Individual	Support	Yes

Comments: Honorable House of Representative's In Support of Resolution's HCR 120/HR91 Mahalo For Your Support of these measure's Carl P Jellings Sr,

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 23, 2013 11:29 AM
To: waltestimony
Cc: rezentesc@aol.com
Subject: Submitted testimony for HCR120 on Mar 25, 2013 08:45AM

HCR120

Submitted on: 3/23/2013

Testimony for WAL/OMH on Mar 25, 2013 08:45AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Cynthia K.L. Rezentes	Individual	Support	No

Comments: Aloha, I urge your support of this measure and HR91 to authorize a study be conducted on the efficacy of Act 6 (SLH2005) and Act 289 (SLH2012) The continuing and increasing trend of commercial near shore activities threatens local personal and commercial use of areas once known for fish aggregation or recreational use. Many of our near shore waters have now become a visitor industry versus allowing local subsistence gathering or usage for traditional enjoyment. While it is appropriate that we share our treasures with others, it should not be to the detriment of time-honored tradition and to the detriment of those who have relied upon historic uses of our near shore waters. It is not uncommon to see 6-10 or more commercial boats with visitors off of the Kahe Point shoreline on a weekend while visitors attempt to experience seeing wildlife in the real world, i.e. dolphins, turtles, other snorkeling flora and fauna. But to what detriment to the natural environment and near shore resources? This trend will continue to grow as KoOlina grows but do we as a State do nothing until we lose our resources as was done in Maunalua Bay until it becomes a major effort to restore those resources, both for the health of the environment and for traditional uses? Let's do the study to make sure we understand what impacts we continue to have as we stress our natural resources more and more. Mahalo, Cynthia K.L. Rezentes

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HOUSE OF REPRESENTATIVES
THE TWENTY-SEVENTH LEGISLATURE
REGULAR SESSION OF 2013

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NOTICE OF HEARING

DATE: Monday, March 25, 2013

TIME: 8:45AM

PLACE: Conference Room 325
State Capitol
415 South Beretania Street

SUBJECT: Testimony in **STRONG SUPPORT** of HCR120/HR91

Good Morning Honorable Chairs Evans and Hanohano, Vice Chairs Lowen and Cullen, and members of the House Committee on Water & Land and Committee on Ocean, Marine Resources, & Hawaiian Affairs:

Thank you for this opportunity to testify in strong support of HCR120 and HR91 as they serve to cause the Department of Land and Natural Resources to study the current status and provide updates associated with Acts 6 and 289 necessary to effectively manage the growing use of the waters of the coast between Kalaeloa Point and Kaena Point. These generally calm waters off the west coast of Oahu offer access to all ocean users almost all year long. As such, the proliferation of commercial activities has accelerated over the years that has required the enactment of the previously noted acts.

Your call to engage the Department of Land and Natural Resources to study the potential for conflicts among the boat based commercial activities and environmental impacts to these coastal waters is timely as the growing numbers of whale and dolphin watching tour groups, dive tours and other activities have added to the congestion at Waianae Boat Harbor and the waters off this coast. There is growing concern that tensions between user groups have been increasing and therefore time for a comprehensive management review. Thank you again for this opportunity to provide testimony.

Respectfully Submitted,

Roy N. Morioka – A sometime user of the Waianae Small Boat Harbor
96821

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the House Committees on
WATER & LAND
and
OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS**

**Monday, March 25, 2013
8:45 A.M.
State Capitol, Conference Room 325**

**In consideration of
HOUSE CONCURRENT RESOLUTION 120/HOUSE RESOLUTION 91
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.**

House Concurrent Resolution 120 and House Resolution 91 requests the Department of Land and Natural Resources (Department) 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. **The Department appreciates the intent of these resolutions and offers the following comments.**

The Department notes that there has been no increase in the number of commercial recreational activities originating out of the Waianae Small Boat Harbor because the number of commercial permits authorized for that facility are limited by administrative rules promulgated by the Department. Any increase in commercial activity would require an amendment to the administrative rules which has not occurred.

While Act 289, Session Laws of Hawaii 2012, allows the Department to regulate commercial activities taking place in state waters, the administrative rules need to be drafted and approved in order to implement the statute. Consideration must also be given to federal law because the state does not have the ability to restrict a federally documented vessel from navigating within state waters. Also, the Department does not have the authority to restrict commercial activity originating from public and private property outside its area of jurisdiction.

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KIA'AINA
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

The Department recommends meeting with the various user groups to discuss the 2009 Waianae Baseline Environmental Study and determine whether an Ocean Recreation Management Area should be created off West Oahu and what types of HAR, if any, should be implemented.