

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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HONOLULU, HAWAII 96809

Testimony of
WILLIAM J. AILA, JR.
Chairperson

Before the House Committee on
OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS

Wednesday, March 19, 2014
9:45 A.M.
State Capitol, Conference Room 325

In consideration of
HOUSE CONCURRENT RESOLUTION 170/HOUSE RESOLUTION 129
URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT
RULES TO MANAGE MANTA RAY DIVE SITES

House Concurrent Resolution 170/House Resolution 129 urges the Department of Land and Natural Resources (Department) adopt rules to better manage specific manta ray dive sites to ensure that safety and order are maintained. **The Department supports this resolution.**

The Department has created Ocean Recreation Management Areas across the state for the purpose of reducing user conflicts. We are aware of the increasing popularity of the night dives with manta rays. The Department's Division of Boating and Ocean Recreation and Division of Aquatic Resources will work with the SCUBA dive industry as well as other user groups to formulate rules to address the issues.

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

JESSE K. SOUKI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS



Ocean Tourism Coalition

The Voice for Hawaii's Ocean Tourism Industry
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timlyons@hawaiiantel.net

March 19, 2014

Testimony To: House Committee on Ocean, Marine Resources, & Hawaiian Affairs
Representative Faye P. Hanohano, Chair

From: Tim Lyons, CAE
Executive Director

Subject: HR 129/HCR 170 - URGING THE DEPARTMENT OF LAND AND
NATURAL RESOURCES TO ADOPT RULES TO MANAGE MANTA RAY
DIVE SITES.

Chair Hanohano and Members of the Committee:

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

It is clear to us that more regulation is needed in order to protect this activity and the natural resources however we are not sure if it is due to a lack of personnel or if it is due to the lack of rules and regulations. Whatever the case, we support curing the problem with additional rules or additional resources.

Thank you for the opportunity to testify.



**TESTIMONY TO THE JOINT COMMITTEES:
COMMITTEE ON WATER & LAND
COMMITTEE ON OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS**

March 19, 2014 Conference Rm: 325 9:45 AM

**Testimony in Strong Support of HR 129 & Companion HCR 170
URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
ADOPT RULES TO MANAGE MANTA RAY DIVE SITES.**

Chair Rep Faye Hanohano, Vice Chair Rep Ty JK Cullen and Committee Members,

My name is Melynda Dant, I am the Vice President of our third generation family snorkel business in Kona, Fair Wind, Inc.

The manta dive sites bring in millions of dollars to Hawaii Island and the State of Hawaii is currently recognized internationally as one of the world's top destinations for snorkeling and Scuba diving, therefore warranting better management practices."

The DLNR in Kona had asked the Kona manta tour operators to put together standards for safe viewing and boating last year. The DLNR needs to be open to our input for better managing these sites.

We need more mooring pins even for the current operators in the Keauhou Bay location. When the north site has "no shows" many of the boaters come down to the south site, Keauhou. The Keauhou site does not have the open sand area for anchoring, nor as much capacity for vessels as the north site offers.

The south site also has kayaks, free swimmers, and SUP coming out on their own, as uneducated, unguided viewers. These unguided viewers do not keep the column of water open to the manta's, they sometimes touch the manta's, they are in the channel where boaters can not see them in the dark and are an accident waiting to happen. This could potentially create a dangerous situation if not managed correctly.

DLNR needs to add the Manta education to their boater education program. The DLNR can do take many steps to bring control and safety to the manta tour dive

operations. This is needed to provide a safe environment for both humans and manta rays.

Dear Committee Members,

I write on behalf of the Hawaiian Islands Recreational Scuba Association (HIRSA). HIRSA is a state-wide association representing the dive and snorkel industry. We work to promote Hawaii as a dive destination and endorse safe practices within the industry.

On behalf of the HIRSA organization, I would like to offer our support to HR129 and HCR170 with the following changes:

LINE 10: replace "creating a dangerous situation" with "could potentially create a dangerous situation if not managed correctly."

While the current situation does not present a dangerous situation, the increase in operators in the area over the past few years has created a need for proper management.

On behalf of our Board of Directors,

Carlos A. Santana
President, HIRSA

cullen3

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 18, 2014 4:04 PM
To: omhtestimony
Cc: martinawedig@yahoo.com
Subject: Submitted testimony for HCR170 on Mar 19, 2014 09:45AM
Attachments: Testimony for HCR170.jpg

HCR170

Submitted on: 3/18/2014


Testimony for OMH on Mar 19, 2014 09:45AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Martina Wing	Ocean Wings Hawaii, Inc.	Support	No

Comments: Comments: My name is Martina Wing, and I am the owner of Ocean Wings Hawaii, Inc., the premier production company that services the Manta Ray Experience and community with underwater imagery since 1991. As pioneers of this incredible ocean encounter we have seen the industry grow and grow and grow. The number of boats at the two sites and people in the water has greatly increased over the last few years. In our opinion, the sites are over-capacity almost every night and the safety of animals, environment/coral reef and humans is being adversely impacted. If the growth goes unchecked, we don't see a bright future for the activity. Thus, we support HR129 and HCR 170. Attached we are sending a picture of one of the two Manta Rays Dive Site from December 30, 2013 to help visualize the amount of boats and people that occur on a nightly basis today. It is not safe and not sustainable.

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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Facts:

- 23 boats. 2 Kayak companies, approx. 330 humans, 3 Manta Rays
- 4 moorings available and used by 8 boats
 - = 10+ anchors on the reef and live boats maneuvering around groups
- (not visible: big swells rolling in)

LATE

cullen3

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 18, 2014 3:19 PM
To: omhtestimony
Cc: Captcoon@gmail.com
Subject: Submitted testimony for HR129 on Mar 19, 2014 09:45AM

HR129

Submitted on: 3/18/2014

Testimony for OMH on Mar 19, 2014 09:45AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
James E. Coon	MACZAC	Support	No

Comments: My name is James Coon and I am a representative of the Marine and Coastal Zone Advocacy Council (MACZAC) The Manta Ray sites need to be managed by DLNR and HR 129 and HCR 170 accomplish this. We urge you to pass them. Aloha, Jim Coon

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