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GOVERNOR OF
HAWAII



SUZANNE D. CASE
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COMMISSION ON WATER RESOURCE MANAGEMENT

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LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
SUZANNE D. CASE
Chairperson

Before the House Committee on
WATER & LAND

Friday, February 5, 2016
8:30 AM
State Capitol, Conference Room 325

In consideration of
HOUSE BILL 1733
RELATING TO USE PERMITS FOR SMALL BOAT FACILITIES

House Bill 1733 proposes to authorize commercial permit holders for small boat harbors to submit permit renewal applications early and be informed of any reasons for a nonrenewal prior to the expiration of the commercial permit. The measure also authorizes a thirty-day grace period for persons who fail to timely file a commercial permit renewal application. **The Department of Land and Natural Resources (Department) does not support this measure.**

The Hawaii Administrative Rules (HAR) allow a permittee to submit a commercial permit renewal application up to ninety days in advance and also provides for a thirty day grace period in the event a permittee fails to submit the renewal application prior to the expiration of the commercial permit. The HAR also assesses a penalty of \$250.00.

This measure also requires the Department to review an application submitted sixty days prior to expiration and, within thirty days of receipt of the application, either renew the permit or notify the applicant that the application is incomplete or cannot be renewed for other reasons and explain the reasons for the nonrenewal. The Department makes every effort to respond in a timely manner; however, there are many factors that come into play when renewing a commercial use permit i.e. review of corporate standing, gross receipts review and possible audit, change of ownership, vessel lease review, staffing, etc. Due to these and other factors, the Department does not support placing deadlines in the Hawaii Revised Statutes and recommends that commercial permittees continue to follow the current HAR.

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 03, 2016 11:47 AM
To: waltestimony
Cc: jeff@mauidiveshop.com
Subject: Submitted testimony for HB1733 on Feb 5, 2016 08:30AM

HB1733

Submitted on: 2/3/2016

Testimony for WAL on Feb 5, 2016 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jeff Strahn	Maui Dive Shop	Support	No

Comments: I sent Testimony to oppose this by mistake. I am in support of this bill.
Thanks, Jeff

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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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 04, 2016 10:34 AM
To: waltestimony
Cc: christopher@fair-wind.com
Subject: *Submitted testimony for HB1733 on Feb 5, 2016 08:30AM*

HB1733

Submitted on: 2/4/2016

Testimony for WAL on Feb 5, 2016 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Christopher Blunt	Fair WInd Cruises	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 03, 2016 11:06 PM
To: waltestimony
Cc: denver.coon@sailtrilogy.com
Subject: Submitted testimony for HB1733 on Feb 5, 2016 08:30AM

HB1733

Submitted on: 2/3/2016

Testimony for WAL on Feb 5, 2016 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Denver Saxton Coon	Trilogy Corporation	Support	Yes

Comments: Commercial operators are dependent on the renewal of their permits. Because of this, many operators submit their renewal application up to 90 days prior to their permits expiration. However, the department frequently does not review or inform the operators about deficiencies in their renewal application until only days before the permit expires, thus jeopardizing a company's permit and ability to operate. This legislation will help to ensure that efficiency and clarity is brought to the permit renewal process while eliminating the serious threat that commercial operators face in what should be a routine and predictable act.

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To: waltestimony
Cc: strsnng@yahoo.com
Subject: *Submitted testimony for HB1733 on Feb 5, 2016 08:30AM*

HB1733

Submitted on: 2/4/2016

Testimony for WAL on Feb 5, 2016 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Starsong	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 03, 2016 9:26 PM
To: waltestimony
Cc: Captcoon@gmail.com
Subject: Submitted testimony for HB1733 on Feb 5, 2016 08:30AM

HB1733

Submitted on: 2/3/2016

Testimony for WAL on Feb 5, 2016 08:30AM in Conference Room 325

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

Comments: HB 1733 will facilitate annual permit renewal by asking DOBOR to give a response within 30 days of receiving the permit application. This will be good for DOBOR as well as the permit applicant. Please pass HB 1733

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To: waltestimony
Cc: penn@fair-wind.com
Subject: *Submitted testimony for HB1733 on Feb 5, 2016 08:30AM*

HB1733

Submitted on: 2/4/2016

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Submitted By	Organization	Testifier Position	Present at Hearing
Penn Henderson	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 04, 2016 2:47 PM
To: waltestimony
Cc: jackie@fair-wind.com
Subject: *Submitted testimony for HB1733 on Feb 5, 2016 08:30AM*



HB1733

Submitted on: 2/4/2016

Testimony for WAL on Feb 5, 2016 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jackie Moore-Andresen, PHR	Fair Wind Cruises	Support	No

Comments:

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 04, 2016 5:08 PM
To: waltestimony
Cc: malmaraz@atlantisadventures.com
Subject: Submitted testimony for HB1733 on Feb 5, 2016 08:30AM

HB1733

Submitted on: 2/4/2016
Testimony for WAL on Feb 5, 2016 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Almaraz	Atlantis Adventures	Support	No

Comments: Atlantis Adventures supports this bill as written.

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Kahikolu Ltd., d/b/a Quicksilver
150 Lahainaluna Rd
Lahaina, HI 96761
(808) 667-0990 Office
(808) 667-6707 Fax

LATE

COMMITTEE ON WATER & LAND

Rep. Ryan I. Yamane, Chair
Rep. Ty J.K. Cullen, Vice Chair

Date/Time of Hearing: February 5, 2016, 8:30 AM
Measure No. and Title: HB1733

SUPPORTIVE TESTIMONY

Chair Yamane, Vice Chair Cullen and Senators of the WLA Committee:

Quicksilver Charters and its affiliates (the “Company”) employ close to 100 people in Hawaii’s boating and tourism industries.

We support this bill. HB1733 promotes communication and fairness during a permit renewal process. HB1733 allows permit holders to submit their permit renewals early so they can be informed of any issues or concerns before the expiration of the permit. HB1733 will facilitate annual permit renewals by asking DOBOR to give a response within 30 days of receiving the permit application.

This will allow the parties involved in the permit application to have ample time to respond to issues. This bill will also provide a reasonable extension of 30 days past the permit renewal deadline to respond to any concerns raised by DOBOR. This time period will allow companies to keep their employees employed, and keep their businesses running while they are responding to DOBOR issues.

Overall, this bill creates reasonable and flexible standards in the permit renewal process.

Sincerely,

Zachary LaPrade



COMMITTEE ON WATER & LAND
Rep. Ryan I. Yamane, Chair
Rep. Ty J.K. Cullen, Vice Chair



Date/Time of Hearing: February 5, 2016, 8:30 AM
Measure No. and Title: HB1733

**TESTIMONY OF THE OCEAN TOURISM COALITION IN THE SUPPORT TO
HB1733**

Chair, Vice Chair & Senator of the Committee:

My name is Zachary LaPrade, and I am a member of the Ocean Tourism Coalition (OTC) speaking in the SUPPORT TO HB1733.

We support this bill. Members of OTC have expressed a concern that the permit renewal process needs to be improved to promote communication and fairness during a permit renewal process. HB1733 allows permit holders to submit their permit renewals early so they can be informed of any issues or concerns before the expiration of the permit. HB1733 will facilitate annual permit renewals by asking DOBOR to give a response within 30 days of receiving the permit application.

This will allow the parties involved in the permit application to have ample time to respond to issues. This bill will also provide a reasonable extension of 30 days past the permit renewal deadline to respond to any concerns raised by DOBOR. This time period will allow companies to keep their employees employed, and keep their businesses running while they are responding to DOBOR issues.

Overall, this bill creates reasonable and flexible standards in the permit renewal process.

Sincerely,

Zachary LaPrade, Member

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 04, 2016 3:09 PM
To: waltestimony
Cc: melanie@fair-wind.com
Subject: *Submitted testimony for HB1733 on Feb 5, 2016 08:30AM*



HB1733

Submitted on: 2/4/2016

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Submitted By	Organization	Testifier Position	Present at Hearing
Melanie Eccard	Individual	Support	No

Comments:

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