

DAVID Y. IGE  
GOVERNOR OF  
HAWAII



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

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**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the House Committee on  
WATER & LAND**

**Monday, February 1, 2016  
10:00 A.M.  
State Capitol, Conference Room 325**

**In consideration of  
HOUSE BILL 2374  
RELATING TO TRANSFERABILITY OF MOORING PERMITS**

House Bill 2374 proposes to allow a holder of a mooring permit within state small boat harbors to transfer the mooring permit to the new vessel owner under certain terms and conditions. **The Department of Land and Natural Resources (Department) strongly supports this Administration measure.**

Currently, no use permit for state small boat harbors issued by the Department is transferrable unless provided for by law. As such, there is no law allowing the transfer of mooring permits that are presently issued by order of seniority from a waitlist. This method of issuance limits the ability of vessel owners to sell their vessels because the potential buyer of the vessel may not already have a place to berth the vessel or have difficulty in procuring a mooring permit for the vessel.

House Bill 2374 would establish a procedure to allow a mooring permit to be transferred to the next vessel owner by way of sale at fair market value to ensure that the sale price of vessels will not be unreasonably inflated in order to profit from the transfer of a mooring permit.

**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**KEKOA KALUHIWA**  
FIRST DEPUTY

**JEFFREY T. PEARSON, P.E.**  
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  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

From: mailinglist@capitol.hawaii.gov  
Sent: Saturday, January 30, 2016 5:01 PM  
To: waltestimony  
Cc: rgaffney@pacificboatsales.com  
Subject: Submitted testimony for HB2371 on Feb 1, 2016 10:00AM

**HB2371**

Submitted on: 1/30/2016

Testimony for WAL on Feb 1, 2016 10:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rick Gaffney	Hawaii Fishing & Boating Association	Oppose	No

Comments: This bill is poorly thought out, illogical and over-burdensome. Moreover a major change like this should only be undertaken after a series of public meetings and hearings that allow the general public to weigh in and all impacts on the boating community fully considered. The appraisal process is unworkable in most neighbor island communities. The sale price terms ignore market realities. This rule change disenfranchises those on the wait lists at every small boat harbor in the State. This bill seems to be looking for a problem that does not exist. Please vote against this bill and send it back to whoever requested it for reconsideration in a public forum.

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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January 31, 2016

COMMITTEE ON WATER & LAND

Date: Feb 1, 2016  
Time: 10:00 am  
Place: Conference Room 325

**OPPOSE HB2374**

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

Thank you for the opportunity to give testimony on bill HB2374. My name is Melynda Dant. I am the Vice President of Fair Wind Cruises and Kona Sunrise Charters in Keauhou Kona. Our corporations are a family owned snorkel cruise 45 year old business. We have 4 vessels in the companies we own. I am against this bill for two reasons.

The first reason: I do not believe the state of Hawaii should be limiting a business from selling assets at the price the free market place determines, whether tied to an appraisal or not. In the United States, the government does not tell businesses what dollar amount assets MUST be sold.

The other part of this bill is vague, and confusing. IF this bill would allow non-commercial permit holders access to commercial permits by way of purchasing a commercial vessel and changing mooring holder name to a corporation then this is going to promote more over-crowding. Many commercial snorkel destinations are crowded and often unavailable due to high surf conditions, making the few protected locations very crowded and over sold. We need to make sure we aren't turning our paradise to an overly commercialized experience, ruining our natural resources for those visiting as well as those that live here.

Thank you for giving me this opportunity, please oppose this bill.

Melynda Dant  
Vice President  
Fair Wind Cruises  
Kona Sunrise Charters  
Keauhou Bay, Hawaii