

STAND. COM. REP. NO.

2382

Honolulu, Hawaii

FEB 15 2018

RE: S.B. No. 3105
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred S.B. No. 3105 entitled:

"A BILL FOR AN ACT RELATING TO ENVIRONMENTAL CONSERVATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish a Lipoa Point visitor fee to each paying passenger of a maritime commercial vessel engaging in commercial activity that requires travel through certain ocean waters seaward of Lipoa Point; and
- (2) Establish the Lipoa Point management special fund for the purposes of:
 - (A) Supporting the management of the Lipoa Point area, including operational and maintenance costs; and
 - (B) Providing educational awareness to visitors of the Lipoa Point area that the stewardship activities are being funded through the Lipoa Point visitor fee and that all monies collected in the fund are being used for the stewardship of the Lipoa Point area.



Your Committee received testimony in support of this measure from the Hawaiian Civic Club of Honolulu. Your Committee received testimony in opposition to this measure from Quicksilver Charters and Ocean Tourism Coalition. Your Committee received comments on this measure from the Department of Land and Natural Resources and Department of Budget and Finance.

Your Committee finds that pursuant to Act 241, Session Laws of Hawaii 2013, the Department of Land and Natural Resources acquired a parcel of land located at Lipoa Point to become part of the public trust. Lipoa Point in Honolulu is one of the most iconic landmarks in Hawaii. Honolulu is rich in marine resources and historical and archaeological sites, and is one of the most popular recreational areas for locals and tourists, offering some of the best snorkeling and surfing conditions on Maui. This measure provides the commensurate funding to assist the Department in managing and maintaining the Lipoa Point area.

Your Committee notes the comments submitted by the Department of Land and Natural Resources that there are approximately four commercial operators that engage in commercial activities in Honolulu Bay, which is located near Lipoa Point. These four commercial operators do not embark or disembark passengers on the shore or access the land at Lipoa Point. Thus, the Department has concerns that the proposed visitor fee for each paying passenger of a maritime commercial vessel engaging in commercial activity in the ocean waters, as proposed by this measure, may not relate sufficiently to land-based impacts on the Lipoa Point area.

Accordingly, your Committee has amended this measure by:

- (1) Removing the language that establishes a Lipoa Point visitor fee and any references to the fee;
- (2) Appropriating \$100,000 to be deposited into the Lipoa Point management special fund for the Department of Land and Natural Resources to support the management of the Lipoa Point area and provide educational awareness to visitors of the Lipoa Point area; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.



As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3105, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3105, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Water and Land,

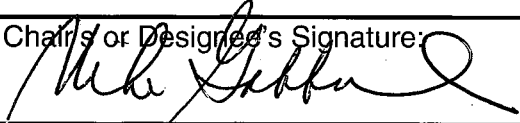
Karl Rhoads

KARL RHOADS, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* SB 3105	Committee Referral: WTL, WAM	Date: FEB. 9, 2018		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
INOUYE, Lorraine R.				✓
RIVIERE, Gil	✓			
THIELEN, Laura H.	✓			
TOTAL	4	—	—	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes