

Honolulu, Hawaii

MAR 15 2019

RE: H.B. No. 1133
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred H.B. No. 1133, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO MARINE LIFE CONSERVATION DISTRICTS,"

begs leave to report as follows:

The purpose and intent of this measure is to limited access to the Maui Molokini Shoal Marine Life Conservation District (MLCD) to fifty percent of commercial permit holders at any time.

Your Committee received testimony in support of this measure from the Ocean Tourism Coalition, Trilogy Corporation dba Trilogy Excursions, Malolo Charters, Calypso Charters, Alii Nui Charters, Kai Kanani Sailing, Maui to Molokai Sea Cruises, Maui Classic Charters, PacWhale Eco Adventures, Blue Water Rafting, Animal Rights Hawai'i, Yuki Gatsu Seafoods Inc., and nine individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, God's Country Waimānalo, The Nature Conservancy Hawai'i, and twenty-three individuals.

Your Committee finds that the Maui Molokini Shoal MLCD is an area about three miles off of Maui's southwestern coast containing the crescent shaped islet of Molokini. Access is by boat only, and there is no sand beach on Molokini. The area includes the



cove with sand patches, coral, and basaltic boulders on the bottom, and a shallow reef in less than thirty feet of water. The diversity of fish and other marine life within the MLCD is among the most impressive in the State; even humpback whales have been known to enter the cove, making it a popular attraction for visitors. As the popularity of the MLCD continues to increase, it is essential to set limits to ensure the sustainability and health of this precious resource for present and future generations.

Your Committee has amended this measure by:

- (1) Inserting language to prohibit the issuance of more than forty access permits for the MLCD;
- (2) Clarifying that access to the MLCD at any one time shall be limited to no more than fifty percent, rounded to the lesser of the nearest whole number, of the current number of permit holders; 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 H.B. No. 1133, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1133, H.D. 2, S.D. 1, and be referred to your Committee on Commerce, Consumer Protection, and Health.

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




KAIAMA I. KAHALE, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>HB 1133, HD2</i>	<i>WTL, CPH</i>	<i>3/11/19</i>		
<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
KAHELE, Kaiali'i (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
NISHIHARA, Clarence K.	X			
RIVIERE, Gil	X			
FEVELLA, Kurt	X			
TOTAL	<i>5</i>			<i>0</i>
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