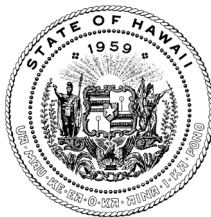


DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**  
POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of**  
**SUZANNE D. CASE**  
**Chairperson**

**Before the Senate Committee on**  
**WATER AND LAND**

**Monday, March 22, 2021**  
**1:45 P.M.**  
**State Capitol, Conference Room 229**

**In consideration of**  
**SENATE CONCURRENT RESOLUTION 227/SENATE RESOLUTION 187**  
**REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES'**  
**DIVISION OF BOATING AND OCEAN RECREATION TO ESTABLISH AND**  
**FORMALIZE THE HONOKOHAU SMALL BOAT HARBOR WORKING GROUP**

Senate Concurrent Resolution 227/Senate Resolution 187 requests the Department of Land and Natural Resources (Department) to formalize the Honokohau Small Boat Harbor Working Group for the purpose of managing the Honokohau Small Boat Harbor. **The Department appreciates the intent but has some serious concerns on certain elements of this measure.**

The Department's Division of Boating and Ocean Recreation (DOBOR) formed the Honokohau Small Boat Harbor Working Group (Working Group) as an informal working group in August 2018 to discuss a variety of harbor topics. The Working Group consists of harbor users, recreational users, commercial users, the Governor's Liaison for Hawai'i Island, key state Legislators, and DOBOR representatives.

The Department believes that formalizing the Working Group is unnecessary because doing so would subject it to the requirements of Chapter 92, Hawaii Revised Statutes (HRS), Public Agency Meetings and Records, and would require additional meeting requirements that may inhibit the Working Group's effectiveness. The Department foresees difficulties in meeting the quorum, bi-monthly meeting requirements, notice, and reporting requirements. These requirements would increase the workload and demands on the members of the working group as well as DOBOR staff. DOBOR would likely need to allocate one staff member of the already short-staffed Hawai'i District Office for managing and attending each of the Working Group's meetings.

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

**ROBERT K. MASUDA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
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

Additionally, the Department has serious concerns with the Working Group's authority as contemplated in these measures because some functions are more than a simple advisory capacity. Authority to develop marina management rules for the Department to adopt, undertake duties of harbor management, and review Departmental contracts relating to the Honokohau Small Boat Harbor may only be conducted by state employees.

DOBOR has laid out functions for a public-private partnership (PPP) small boat harbor management model in its strategic plan. Therefore, if the Legislature intends to transition the State out of managing the Honokohau Small Boat Harbor, the Department recommends that the Legislature instead allow DOBOR to conduct a pilot program for PPP management of the Honokohau Small Boat Harbor. The Department recommends using House Bill 1032, Conference Draft 1 from the Regular Session of 2019 as the basis for such a pilot program.

Thank you for the opportunity to comment on these measures.



**THE SENATE  
THE THIRTY-FIRST LEGISLATURE  
REGULAR SESSION OF 2021**

**COMMITTEE ON WATER AND LAND**  
Senator Lorraine Inouye, Chair  
Senator Gilbert Keith-Agaran, Vice Chair

Monday, March 22, 2021, 1:45 PM  
Conference Room 229 and via Videoconference

**Re: Testimony on SCR227/SR187 – REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES’ DIVISION OF BOATING AND OCEAN RECREATION TO ESTABLISH AND FORMALIZE THE HONOKOHAU SMALL BOAT HARBOR WORKING GROUP**

Chair Inouye, Vice Chair Keith-Agaran, and Members of the Committee on Water and Land:

The United Public Workers, AFSCME Local 646, AFL-CIO (“UPW”) is the exclusive bargaining representative for approximately 14,000 public employees, which includes blue collar, non-supervisory employees in Bargaining Unit 1 and institutional, health, and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties. The UPW also represents 1,500 members in the private sector.

UPW **would like to provide the following comments** on SCR227/SCR187 which requests the Department of Land and Natural Resources’ (DLNR) Division of Boating and Ocean Recreation to establish and formalize the Honokohau Small Boat Harbor Working Group. We understand the intent of these resolutions and recognize that the DLNR’s Division of boating and Ocean Recreation is responsible for administering the State’s small boat harbor and ocean recreation management programs and has experienced funding and staffing issues in the past.

As this resolution also mentions, the Honokohau Small Boat Harbor Working Group was formed to address these issues and help discuss potential uses and revenue generating strategies for vacant lands at the small boat harbor. UPW has members that provide custodial services currently at Honokohau, and we hope that if the Working Group does become formalized, that they take into account the role that our members play. As we consider investments that look at trying to improve our state’s infrastructure, we ask that it does not come at the expense of the workers who are presently keeping these facilities operational.

Thank you for the opportunity to submit this testimony.

**UNITED PUBLIC WORKERS  
AFSCME Local 646, AFL-CIO**



**LATE**

**SCR-227**

Submitted on: 3/22/2021 1:37:17 PM

Testimony for WTL on 3/22/2021 1:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kaliko chun	Individual	Oppose	No

Comments:

Respectfully to the Chair and members of this committee:

This testimony is in **OPPOSITION to both resolutions.**

HB 1404 failed to recognize the critical presence of the Kaloko-Honokohau National Historical Park, and these resolutions, SCR 227/SR 187, continue that failure. The harbor sits in the midst of the Park.

This resolution seeks to formalize the informal working group. The resolution seeks to allow the DLNR to lease assets of the harbor to the public. If DLNR is to collect mooring fees, lease rent, etc., then they ALREADY LEASE ASSETS of the harbor. Apparently, DLNR, according to HB 1404 has Not collected fees and rent Due the department. Violators and their violations will now be formalized.

The public ? the people ? The Park is where the harbor lives.

OPPOSE.