

Honolulu, Hawaii

FEB 15 2022

RE: S.B. No. 3328
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred S.B. No. 3328 entitled:

"A BILL FOR AN ACT RELATING TO KANEOHE BAY,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit commercial ocean use activity at Kaneohe Bay or within one thousand feet of the bay without a permit from the Department of Land and Natural Resources; and
- (2) Expand commercial ocean use activities requiring a permit to include those involving kayaks, canoes, surfboards, sailboards, dive tours, and fishing tours.

Your Committee received testimony in support of this measure from the State Aha Moku, He'eia National Estuarine Research Reserve, Ko'olau Foundation, Ko'olaupoko Hawaiian Civic Club, and three individuals. Your Committee received testimony in opposition to this measure from Kama'aina Kids and five individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the Kaneohe Bay Master Plan was developed pursuant to Act 208, Session Laws of Hawaii 1990, to establish a framework for the sustainable management of Kaneohe

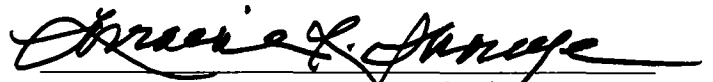


Bay's natural resources while accommodating a variety of uses. However, the limitations on commercial activity have been exceeded by other activities not previously envisioned, and by new technologies that support their proliferation such as pre-positioning of rental kayaks at Heeia State Park and Heeia Kea Pier, internet advertisements for kayaks, and the ability for customers to pay online. To perpetuate the vision of preservation and protection of Kaneohe Bay's natural resources for the continuing enjoyment of all, this measure updates permitted uses of Kaneohe Bay to reflect the intended purpose of the Kaneohe Bay Master Plan.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

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. 3328, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3328, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

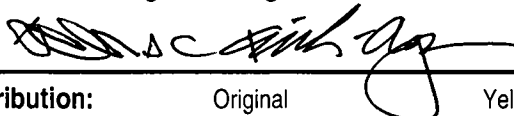
Respectfully submitted on
behalf of the members of the
Committee on Water and Land,


LORRAINE R. INOUE, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* SB 3328	Committee Referral: WTL, JDC/WAM	Date: 2/9/22		
<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
INOUE, Lorraine R. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
MISALUCHA, Bennette E.	X			
RIVIERE, Gil	X			
FEVELLA, Kurt	X			
TOTAL	5			
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