

Honolulu, Hawaii

FEB 16 2023

RE: S.B. No. 1153
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred S.B. No. 1153 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish a Honolua Bay Advisory Board to administer the Honolua Bay Special Fund and oversee the conservation of Honolua Bay;
- (2) Establish the Honolua Bay Special Fund for conservation purposes and the upkeep and maintenance of Lipoa Point;
- (3) Establish a fee system for tour boats entering Honolua Bay and marine life conservation district;
- (4) Require the Department of Land and Natural Resources to include and incorporate Honolua Bay into the Division of State Parks' online reservation system; and
- (5) Appropriate funds.

Your Committee received testimony in support of this measure from the Hawaii State Aha Moku, one member of the Maui County Council, and one individual. Your Committee received testimony in



opposition to this measure from the Department of Land and Natural Resources, Ocean Tourism Coalition, Trilogy, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the purchase of Lipoa Point, which is the home of the iconic Honolua Bay, was a milestone in the State's preservation of important natural areas. However, your Committee also finds that despite this monumental acquisition, the Department of Land and Natural Resources has squandered this historic investment by failing to allocate sufficient funds for much needed remediation of erosion and other types of necessary care for the area. Your Committee finds that numerous visitors frequent Honolua Bay and that visitor fees could provide a meaningful source of revenue to heal and protect Honolua Bay and preserve it for the future use of all. Therefore, this measure establishes the Honolua Bay Special Fund for conservation purposes and the upkeep and maintenance of Lipoa Point.

Your Committee has heard the testimony of the Ocean Tourism Coalition, requesting that the fee system for tour boats that enter the Honolua Bay marine life conservation district be removed. The Ocean Tourism Coalition testified that in 2021, they collaborated with the Division of Aquatic Resources to pass legislation that will charge boat operators a \$1 per passenger fee starting in 2024, known as the Ocean Stewardship Fee, and that fees to support the Honolua Bay should come from those who are not already paying.

Your Committee has also heard the testimony of the Hawaii State Aha Moku, requesting that members who are generational and lineal descendants from the Honolua and Honokohau ahupuaa be added to the advisory board to ensure that direct descendants are represented in the advisory board's decision-making process.

Therefore, your Committee has amended this measure by:

- (1) Eliminating the proposed fee system for tour boats that enter the Honolua Bay marine life conservation district;
- (2) Adding one member to the advisory board who is a generational and lineal descendant of the Honolua ahupuaa and one member to the advisory board who is a



generational and lineal descendant of the Honokohau ahupuaa;

- (3) Amending section 1 to reflect its amended purpose;
- (4) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (5) 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. 1153, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1153, 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,


LORRAINE R. INOUE, Chair



The Senate
Thirty-Second Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* SB 1153	Committee Referral: WTL, WAM	Date: 02 /13/2023		
<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
INOUYE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
CHANG, Stanley	✓			
MCKELVEY, Angus L.K.	✓			
FEVELLA, Kurt	✓			
TOTAL	5	φ	φ	φ
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:	Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy

*Only one measure per Record of Votes