

STAND. COM. REP. NO.

2229

Honolulu, Hawaii

, 2023

APR 17

RE: S.C.R. No. 219

S.D. 1

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred S.C.R. No. 219, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF LAND AND NATURAL RESOURCES ADOPT ADMINISTRATIVE RULES REGULATING VESSEL SPEED NEAR HUMPBACK WHALES,"

begs leave to report as follows:

The purpose of this measure is to request the Department of Land and Natural Resources to adopt administrative rules regulating vessel speeds near humpback whales.

Your Committee received testimony in support of this measure from Animal Rights Hawai'i and one individual. Your Committee received testimony in opposition to this measure from the Ocean Tourism Coalition. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the majestic and much-loved humpback whale is not only an endangered species but the official marine mammal of the State. However, as humpback whale populations have slowly recovered, their increasing numbers have led to more frequent collisions with vessels. In response, in 2022, representatives from the Pacific Whale Foundation, National Oceanic and Atmospheric Administration, State of Hawaii, tour

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operators, private boaters, fishers, and other community members collaborated to develop a set of voluntary recommendations intended to keep whales and whale watchers safe. This measure, which requests the Department of Land and Natural Resources to adopt those voluntary recommendations as administrative rules, reaffirms the State's commitment to protecting the humpback whale.

Your Committee has amended this measure by:

- (1) Modifying some of the administrative rules requested to be adopted, including linking them to humpback whale season; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 219, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 219, S.D. 1, H.D. 1.

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


FOR LINDA ICHIYAMA, Chair



Record of Votes of the Committee on Water & Land

Bill/Resolution No.: SCR 219, SD1	Committee Referral: WAL	Date: 4/13/23		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WAL Members	Ayes	Ayes (WR)	Nays	Excused
1. ICHIYAMA, Linda (C)	/			
2. POEPOE, Mahina (VC)	/			
3. CHUN, Cory M.	/			
4. GANADEN, Sonny				/
5. HASHEM, Mark J.	/			
6. MORIKAWA, Dee	/			
7. TAKAYAMA, Gregg	/			
8. SOUZA, Kanani	/			
TOTAL (8)	7	0	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: <u><i>Kirde Schizone</i></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				