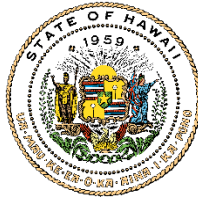


JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA

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**Testimony of  
DAWN N.S. CHANG  
Chairperson**

**Before the Senate Committees on  
WATER AND LAND  
and  
PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS**

**Monday, February 13, 2023  
3:02 P.M.  
State Capitol, Conference Room 225**

**In consideration of  
SENATE BILL 1477  
RELATING TO GOVERNMENT PROPERTY**

Senate Bill 1477 proposes to transfer certain wharfs, launching ramps, and small boat harbors on Maui from the Department of Land and Natural Resources (Department) to the County of Maui with the corresponding revenue from those harbors. **The Department opposes this measure and offers the following comments.**

When the small boat harbor and coastal areas programs were transferred from the Department of Transportation (DOT) to the Department in 1991, a \$300 million deferred maintenance backlog was also transferred with no immediate solutions for funding or reducing the backlog. The programs were transferred from DOT to the Department with no plan to address the numerous existing issues and challenges, as no additional positions or funding were included to adequately implement the coastal areas program. Since 1991, the Department has worked to reduce the maintenance backlog by nearly half but cannot keep up with maintenance needs due to a combination of insufficient funding and rampant inflation.

While the Department makes its best efforts to address deferred maintenance needs at small boat harbors and facilities, much of the work must be completed through the Capital Improvement Project (CIP) budget, which is determined by the Legislature, then needs to be released by the Governor. Additionally, due to the limited availability of CIP funding, the CIP budget is understandably allocated to more pressing and essential needs. Despite this severe underfunding, the Department has been able to keep all of its small boat harbors and facilities operational and open to the public.

DAWN N.S. CHANG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

LAURA H.E. KAAKUA  
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

Transferring the small boat harbor facilities to the County of Maui would result in four government agencies operating harbors throughout the State and would merely serve to transfer the existing issues and challenges from one government entity to another with no plan in place to resolve those issues and challenges, similar to what happened in 1991.

The Department's Division of Boating and Ocean Recreation prepared a Strategic Plan that would address the issues and challenges faced by the small boat harbor program and distributed it to all stakeholders, including the Legislature, in 2019. Since the Strategic Plan was published, the Department has continued to regularly submit legislation to implement the Strategic Plan but has not been successful in getting the legislation passed into law.

The Strategic Plan would execute leases of boating facilities to private partners who can manage the facilities on a 24/7 basis and allow State employees to focus on the coastal areas program, which would include monitoring for violations, educating the public, and engaging with the boating and ocean-going public on a more frequent basis. This management model is already in place in multiple locations in the State and has proven to be the most efficient way to operate and manage small boat harbor facilities. The Department encourages the Legislature to support House Bills 1089 and 1090, and Senate Bills 1387 and 1388 from this year's session.

Mahalo for the opportunity to testify on this measure.

Council Chair  
Alice L. Lee



Director of Council Services  
Traci N. T. Fujita, Esq.


Councilmembers  
Tom Cook  
Gabe Johnson  
Tasha Kama  
Tamara Paltin  
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**COUNTY COUNCIL**  
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February 11, 2023

TO: The Honorable Glenn Wakai, Chair  
Senate Committee on Public Safety and Intergovernmental and Military Affairs  
  
The Honorable Lorraine R. Inouye, Chair  
Senate Committee on Water and Land

FROM: Alice L. Lee  
Council Chair 

SUBJECT: **HEARING OF FEBRUARY 13, 2023; TESTIMONY IN SUPPORT WITH REVISIONS OF SB 1477, RELATING TO GOVERNMENT PROPERTY**

Thank you for the opportunity to testify in **support with revisions** on this important measure. The purpose of this bill would transfer operation, administration, and maintenance duties to certain wharfs, launching ramps, and small boat harbors (Lahaina, Manele, Mala, Maalaea, Kihei) from the Department of Land and Natural Resources to the County of Maui.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I **support the intent** of this measure for the following reasons:

1. This measure would allow small boat harbors to synchronize their transportation systems within Maui County.
2. This measure could help to create a locally based system of governance for small boat harbors, which are vital to interisland transportation.
3. This measure could help the County Department of Transportation fulfill its responsibility "for the planning and implementation of all modes of transportation in Maui County, including...those on water."
4. I suggest clarification in the bill that the County will be exempt from legal liability to the same degree that the State is now.

For the foregoing reasons, I **support** this measure **with revisions**.