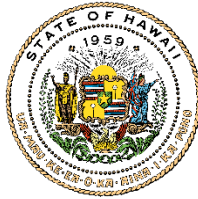


JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

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

P.O. BOX 621  
HONOLULU, HAWAII 96809

Testimony of  
DAWN N. S. CHANG  
Chairperson

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

Monday, April 3, 2023  
3:01 PM  
State Capitol, Conference Room 225

In consideration of  
SENATE CONCURRENT RESOLUTION 221/SENATE RESOLUTION 159  
URGING THE DIVISION OF BOATING AND OCEAN RECREATION OF THE  
DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE COUNTY OF  
MAUI TO FACILITATE A STATE AND COUNTY PARTNERSHIP FOR THE  
MANAGEMENT OF ALL SMALL BOAT HARBORS LOCATED  
ON THE ISLAND OF MAUI.

Senate Concurrent Resolution 221/Senate Resolution 159 urge the Division of Boating and Ocean Recreation (DOBOR) of the Department of Land and Natural Resources (Department) and the County of Maui to partner for management of all small boat harbors on the Island of Maui. **The Department offers the following comments.**

The Department's Chair and/or Deputy Director is already planning to request a meeting after this legislative session with Maui Mayor Richard Bissen and potentially other Maui County leadership to discuss partnership options.

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 roughly half but cannot keep up with maintenance needs due to a combination of insufficient funding and rampant inflation.

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

The Small Boat Harbor and Coastal Areas Programs are funded by the Boating Special Fund, which derives revenues from harbor and ocean users and is not funded by any taxpayer money. Special funding ensures that small boat harbor costs are paid only by those who actually utilize the facilities.

The Department makes its best efforts to address deferred maintenance needs at small boat harbors and facilities, but 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. While the Department regularly submits small boat harbor CIP requests totaling tens of millions of dollars to the Legislature each year, the Department usually receives less than \$10 million in the Legislature's CIP budget each year for those projects. 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.

Pursuant to Section 200-8, Hawaii Revised Statutes, fees collected within state small boat harbors are used for operation, upkeep, maintenance, and improvement of all 16 small boat harbors statewide, regardless of which facility the fee was collected from. Without the ability to allocate funding between facilities as needed, most small boat harbors would not be self-sustaining and would therefore need to offer limited services or be closed down altogether.

DOBOR 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 regularly submitted legislation that would provide DOBOR with the authority 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. In the absence of adequate funding by the Legislature or a different management model, the small boat harbor program will continue to operate with the same issues as when it was transferred from DOT, regardless of which agency runs the program.

When Department leadership meets with Maui County leadership, the Department will remain open to new ideas, and will also share the small boat harbor program's high annual repair and maintenance costs, as well as the significant deferred maintenance need.

Mahalo for the opportunity to comment on these measures.

Council Chair  
Alice L. Lee

Vice-Chair  
Yuki Lei K. Sugimura

Presiding Officer Pro Tempore  
Tasha Kama

Councilmembers  
Tom Cook  
Gabe Johnson  
Tamara Paltin  
Keani N.W. Rawlins-Fernandez  
Shane M. Sinenci  
Nohelani U'u-Hodgins



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

Deputy Director of Council Services  
David M. Raatz, Jr., Esq.

## COUNTY COUNCIL

COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauiCounty.us](http://www.MauiCounty.us)

March 31, 2023

TO: The Honorable Senator Lorraine R. Inouye, Chair, and  
Members of the Committee on Water and Land

The Honorable Senator Glenn Wakai, Chair, and  
Members of the Committee on Public Safety and Intergovernmental and  
Military Affairs

FROM: Alice L. Lee  
Council Chair 

SUBJECT: **HEARING OF APRIL 3, 2023; TESTIMONY IN SUPPORT OF SCR 221 AND SR 159, URGING THE DIVISION OF BOATING AND OCEAN RECREATION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE COUNTY OF MAUI TO FACILITATE A STATE AND COUNTY PARTNERSHIP FOR THE MANAGEMENT OF ALL SMALL BOAT HARBORS LOCATED ON THE ISLAND OF MAUI**

Thank you for the opportunity to testify in **support** of these important resolutions. These resolutions would request the Department of Land and Natural Resources Division of Boating and Ocean Recreation to execute a partnership agreement with the County of Maui for management of Maui's small boat harbors.

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 strongly support these resolutions for the following reasons:

1. Maui's small boat harbors have fallen into disrepair.
2. A State-County partnership could ensure that the small boat harbors are adequately repaired and maintained.

For the foregoing reasons, I **support** these resolutions.



# Ocean Tourism Coalition

*The Voice for Hawaii's Ocean Tourism Industry*

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Honolulu, HI 96813-3304

Phone (808) 533-2739 Fax

timlyons@hawaiiantel.net

COMMITTEE ON WATER AND LAND (808) 537-4308

Senator Lorraine R. Inouye, Chair

Senator Brandon J.C. Elefante, Vice Chair

COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS

Senator Glenn Wakai, Chair

Senator Brandon J.C. Elefante, Vice Chair

NOTICE OF HEARING

DATE: Monday, April 3, 2023  
TIME: 3:01 PM  
PLACE: Conference Room 225 & Videoconference  
State Capitol  
415 South Beretania Street

**TESTIMONY OF THE OCEAN TOURISM COALITION IN STRONG OPPOSITION  
SCR221/SR159**

Aloha Chairs Inouye and Wakai, Vice Chairs Elefante and WTL/PSM Committee:

The Ocean Tourism Coalition representing the commercial ocean tourism industry on Maui and Statewide is in **strong opposition to this Resolution**. While we appreciate the intent to have better maintenance in Maui's small boat harbors, we do not believe that involving the County of Maui will help at all. We believe this will just make it more difficult to get anything done and reduce the accountability of the Division of Boating. If real positive change is wanted, we would recommend sending certain Small Boat Harbors that are largely commercial back to DOT Harbors where the expertise is already in place.

We would also like to point out the tens of millions of dollars that have been spent on Maui Small Boat Harbors in the past few years including but not limited to: Major renovations at Manele Small Boat Harbor including new Ferry Dock, Comfort Station, Harbor Master's building, Concrete Paving, New Parking Lot, Finger Piers, New Pump out Station; Lahaina Small Boat Harbor: Periodic Dredging of the Entrance Channel, New Ferry Dock, Harbor Master Building, New Marginal Wharf. Maalaea Small Boat Harbor: New Harbormaster Building, Sewer Pump out facilities, New Finger Piers, New Comfort Station.

In short, we think this resolution will add to costs and bureaucracy but will not solve anything.

Sincerely, James E. Coon, President OTC

**SCR-221**

Submitted on: 3/30/2023 3:00:17 PM

Testimony for WTL on 4/3/2023 3:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
ROBERT DUERR	Testifying for Wailoa River and REeds Bay Boating and Users Association Inc. 501(c)3	Comments	Written Testimony Only

Comments:

SCR221. MAUI TO FACILITATE A STATE AND COUNTY PARTNERSHIP FOR THE MANAGEMENT OF ALL SMALL BOAT HARBORS LOCATED ON THE ISLAND OF MAUI.

Small boat harbors throughout Hawaii are meant by law to be sustainably funded by the Special Boating Fund. Boaters though out the state have questioned the ability of Division of Boating to run small boat harbors. Maui boaters seem to be saying the same with SCR221.

DOBOR in their strategic plan “Modernizing Ocean Recreation Management in Hawai’i Strategic Action Plan 2019.” agrees with these boaters calling for a change: “*At the core of the problem lies an inefficient harbor management mode.*” Strategic Action Plan. Pp7

SCR244 and HCR27 have both been passed. These bills are “REQUESTING THE AUDITOR TO CONDUCT A COMPREHENSIVE MANAGEMENT AUDIT OF DOBOR.”

A DOBOR audit will help understand why DOBOR insists that boating is losing money and therefore harbors are derelict. With this audit insight it may be possible to come up with solutions that ensure sustainable harbors.

Small boat harbor and ramp access and infrastructure are critical in providing locally caught fish for Hawaii’s food security.



## COMMITTEE ON WATER AND LAND

Senator Lorraine R. Inouye, Chair Senator Brandon J.C. Elefante, Vice Chair

## COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS

Senator Glenn Wakai, Chair Senator Brandon J.C. Elefante, Vice Chair

Date: Monday, April 3, 2023

Time: 3:01 PM

Regarding: SCR 221/SR 159 Maui Boat Ramps

### Strong Support

HFACT strongly supports this recommendation, as we have confirmation from the community of Maui's small boat fishermen, that there is disarray and disrepair at the small boat ramps and any efforts to combine resources and funding to bring these Harbors up to the standards necessary are encouraged. There are safety concerns as well due to inadequate pier and docking capabilities. Surfaces need repair and new cleats need to be installed. In addition, the sanitation services need to be reviewed and improved. Recently, a few fishermen took it upon themselves to load hundreds of bags of refuse in their truck beds and take them to the refuse locations, as some of the garbage was blowing into the ocean.

HFACT also would like to emphasize that the improvements be equal for the small boat fishing areas as well as the commercial boat areas. It is evident that repairs and improvements are targeted more towards commercial/tourist activity. On the surface, it may appear that the value of commercial/tourist activity has more importance, however the value provided by the fish caught by the small boat community is also extremely important in feeding the local population, as well as providing high quality fresh fish for restaurants and tourists.

HFACT is a not-for-profit, IRS 501c(5) organization, that advocates for small boat commercial, non-commercial, and recreational fishermen throughout Hawaii. HFACT board members sit on a number of federal fisheries management and endangered species advisory committees as well as state marine and coastal zone advisory committees; and HFACT is thoroughly familiar with and participates in ocean and marine resource management in Hawaii and the central Pacific.

HFACT thanks the chair, vice-chair, and committee members for this opportunity to provide comment and to assist in providing food to the people of Hawaii and to assist in the conservation of Hawaii's natural resources.

***Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.  
2015 Leiloke Drive, Honolulu, HI.96822***

Sincerely and Aloha,

A handwritten signature in black ink, appearing to read "Edwin Watamura". The signature is fluid and cursive, with the first name being the most prominent.

Edwin Watamura  
Executive Director.  
watafishing @ gmail.com