

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 House Committee on  
WATER AND LAND**

**Tuesday, January 31, 2023  
9:00 A.M.  
State Capitol, Conference Room 430**

**In consideration of  
HOUSE BILL 200  
RELATING TO VESSELS**

House Bill 200 proposes to require rental kayaks to be registered and numbered with the Department of Land and Natural Resources (Department) and affix the number to the rental kayak. **The Department supports this measure and offers the following comments.**

The Department currently has a commercial equipment registration process in place, and this can be expanded to include rental kayaks. The Department could create a separate decal for rental kayaks so Enforcement Officers can distinguish between commercial tour operators and rental companies. Currently, the Department does not consider the renting of equipment to individuals for personal use as commercial activity. Kayak operators who escort paying customers into State waters are considered commercial and are issued commercial use permits.

Thank you for the opportunity to testify on this measure.

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

LAURA H. E. KAAKUA  
DEPUTY DIRECTOR - LAND

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  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS



January 30, 2023

Rep. Linda Ichiyama, Chair  
Rep. Mahina Poepoe, Vice Chair  
COMMITTEE ON WATER AND LAND

DATE: Tuesday, January 31, 2023  
TIME: 9:00AM

Regarding: HB 200 RELATING TO VESSELS

### **Support**

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 supports HB200. HFACT supports the registration and affixing of an identification number to kayaks. Occasionally kayaks are found floating on the ocean with no occupant. When this happens, boaters report the unmanned kayak to the U.S. Coast Guard or the local 911 emergency number. This report to emergency authorities triggers the deployment of emergency search and rescue teams to look for a kayak operator that may have fallen into the ocean. This is a highly costly effort which may utilize teams of skilled emergency workers, boats, and helicopters. These costly efforts could be alleviated if kayaks have identification numbers and the owner can be quickly contacted to confirm whether the kayak was in use or simply a wayward kayak that may have floated away from a beach or mooring.

It should also be noted that in Hawaii as well as the rest of the United States, federal law (46 USCS sec. 2304) requires the master of any vessel subject to U.S. jurisdiction to “render assistance to any individual found at sea in danger of being lost,” so long as the assistance can be rendered without endangering the rescuing vessel or individuals on board. Thus, in addition to the resources of federal and state emergency service agencies, fishers in the area that hear a Coast Guard notice of a “man overboard” also joins the search effort.

The cost of deploying a professional search and rescue team could run into tens of thousands of dollars, and more importantly, could be diverting important emergency resources from true emergencies. Additionally, fishing boats also incur costs and time to join these searches.

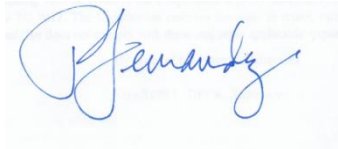
***Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.***  
***75-796 Hiona Street, Holualoa HI 96725***

HFACT suggests that the bill be extended to include non-rental kayaks as well as canoes.

HFACT asks that the committees to vote in favor of HB200.

HFACT thanks the chair, vice-chair, and committee members for this opportunity to provide comment.

Sincerely and Aloha,

A handwritten signature in blue ink, appearing to read "Phil Fernandez", is centered below the text "Sincerely and Aloha,". The signature is fluid and cursive.

Phil Fernandez  
President

**HB-200**

Submitted on: 1/28/2023 3:39:56 PM

Testimony for WAL on 1/31/2023 9:00:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|---------------------|---------------------|---------------------------|---------------------------|
| Gerard Silva        | Individual          | Oppose                    | Written Testimony<br>Only |

Comments:

To much Government Control witch we need to Get Ride of!!