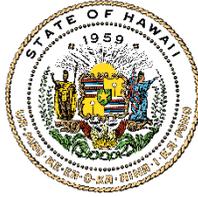


JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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

DIVISION OF STATE PARKS  
P.O. BOX 621  
HONOLULU, HAWAII 96809

Testimony of  
DAWN N.S. CHANG  
Chairperson

Before the Senate Committee on  
WATER AND LAND

Friday, March 14, 2025  
1:00 PM  
State Capitol, Conference Room 229

In consideration of  
HOUSE BILL 1316, HOUSE DRAFT 2  
RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES

House Bill 1316, House Draft 2, proposes to require that, beginning January 1, 2026, rental vessels be registered and numbered with the Department of Land and Natural Resources (Department) before being rented or leased, or offered for rent or lease, by the public for transiting the navigable waters of a state park and requires registration fees to be deposited into the State Parks Special Fund. **The Department supports this measure and offers the following comments.**

There is a robust market of rental kayaks and stand-up paddleboards (SUP) servicing the visitor industry statewide and a few specific State Parks that have natural resources with navigable water features that provide stunning backdrops and experience for kayaking and SUP use. Wailua River State Park (SP) on Kaua'i and Kealakekua Bay State Historic Park (SHP) on Hawai'i Island are the two major park units currently subject to the rental kayak and SUP industry. Ahupua'a O Kahana SP on O'ahu has a navigable stream that is used for noncommercial recreational kayak and SUP use, but there are no commercial permits issued for this park unit due to proximity to resident homes. Nāpali Coast State Wilderness Park is also a premier commercial kayak destination; however, use of the kayaks is on the ocean and not within the State Park boundaries and is regulated when landing in a park by camping and/or commercial use permit conditions.

Kealakekua Bay SHP is the only park unit where DSP has regulatory authority over the bay's waters. All noncommercial and commercial vessel use in the bay requires a special use permit with specific conditions to transit the bay. In 2025 there are 65 commercial kayaks with permits and required stickers issued for transiting the bay. These vessels are not allowed to land – only paddle and snorkel using a tether.

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

RYAN K.P. KANAKA'OLE  
FIRST DEPUTY

CIARA W.K. KAHAHANE  
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

**LATE**

At Wailua River SP, commercial kayak tours are restricted to weekdays only but there are a significant number of offsite kayak and SUP rentals on the weekends. This area is the largest source of complaints about overuse, and conflicts between resident users, and tourists using rented vessels from offsite. While the permitted guided trip vendors comply with weekend prohibitions on commercial use, the river is filled with rented kayaks presently not subject to any park rules oversight. The proposed registration system could be administered with conditions of use, including a restriction on weekend use within parks, similar to what other commercial permittees are already subjected to, allowing for weekend use by residents only, when the vast majority of residents recreate. This condition alone would alleviate many of the current complaints, conflicts and overuse.

As proposed under HB 1316, DSP may only regulate the use of kayaks and SUPs by rules adopted pursuant to Hawai'i Revised Statutes chapter 91. The statute should also allow the Department to establish conditions of use by special use permit. The Department may respond more quickly and creatively to ever-changing issues of overcrowding and overuse by imposing conditions through its special use permits than it can through the rulemaking process. Accordingly, the Department proposes the following amendments to HB 1316:

On page 2, line 18, adding after "may" a comma and "by special use permit or by", adding "ing" at the end of "adopt"; on page 2, line 19, adding a comma after "91" and removing "to." The proposed amendment to HB 1316 would read as follows:

SECTION 2. Chapter 184, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§184-           **Registration required for rental vessels; registration number; fees.** (a) Beginning January 1, 2026, no person shall rent or lease, or offer for rent or lease, a vessel to the public for transiting the navigable waters of a state park, unless the rental vessel is registered and numbered with the division of state parks of the department in accordance with rules adopted by the department pursuant to chapter 91 or authorized by a special use permit.

(b) Beginning January 1, 2026, every rental vessel rented or leased, or offered for rent or lease, to the public for transiting the navigable waters of a state park shall have a registration number affixed to the rental vessel.

(c) The department may, by special use permit or by adopting rules pursuant to chapter 91, establish conditions of use for rental vessels transiting the navigable waters of a state park and reasonable fees for the initial registration, annual renewal registration, and ancillary decals of those rental vessels, to be deposited to the credit of the State Parks Special Fund.

(d) As used in this section, “vessel” has the same meaning as in section 200-6 and includes but is not limited to barges, boats, canoes, catamarans, charter boats, cruisers, ferryboats, fishing boats, flatboats, floating cabanas, houseboats, jet skis, kayaks, motor vessels, motorboats, party boats, powerboats, rafts, rowboats, sailboats, scows, ships, stand-up paddleboards, towboats, tugs, windsurfers, or any similar buoyant devices permitting or capable of free flotation.”

The Department appreciates the clarification by the Consumer Protection & Commerce Committee that the funds will be deposited into the State Parks Special Fund.

Mahalo for the opportunity to provide comments in support of this measure.

## **Opposition to Hawaii HB 1316: Protecting Small Businesses and Public Access**

Dear Nadine K. Nakamura and Luke A. Evslin

I am writing to formally express my opposition to Hawaii House Bill 1316, which, if passed, would provide an unfair advantage to larger tour companies at the expense of small rental businesses that rely on equitable access to public rivers and state parks.

### **Unfair Advantage to Larger Businesses**

The bill seeks to impose restrictions on access to state parks, which would disproportionately harm small rental businesses. These small businesses are vital to the local economy, providing services that cater to both residents and tourists. By granting tour companies preferential access, this bill undermines competition and limits opportunities for smaller operators to thrive.

### **Public Access to Rivers**

Rivers are a public resource, and access to them should be governed by principles of fairness and equality. Restricting access to rivers via state parks limits the ability of small businesses to operate in these public spaces and creates an unfair market. Public areas should remain accessible to all businesses that respect environmental standards, contributing to a diverse and robust economy.

### **Call for a Fair and Balanced Approach**

We urge lawmakers to reconsider the provisions of HB 1316 and focus on policies that foster equal access to public spaces. A fair approach to river and state park access will not only protect small businesses but also preserve the open, diverse, and competitive nature of Hawaii's economy.

Thank you for your time and attention to this important issue.

Sincerely,  
Tara Hancock  
[tarahancock1@yahoo.com](mailto:tarahancock1@yahoo.com)

808-212-8337



**HB-1316-HD-2**

Submitted on: 3/13/2025 4:45:57 PM  
Testimony for WTL on 3/14/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Charles Rifembark	Testifying for Scotty's Surf Co	Oppose	Written Testimony Only

Comments:

I am in opposition of HB1316 as it is currently written. Reading through the testimony provided it highlights Wailua River specifically. The division between those who want to have a limited number of companies who provide guided kayak tours (along with the unguided rental option) against those who want to rent kayaks for Wailua without the guides and without putting shops out of business.

Having each vessel registered and numbered might not be a bad idea at all. The language is broad and given my experience trying to work with or contact DLNR I fear that this would effectively put me out of business.

If the argument is business practice and impact we have on the area. A shop like mine has a very low footprint. We don't try and put out a bunch of kayaks, we are small, and plan to stay small. We created a really cool walking/dolly option to keep cars out of the parking lot. I am very open and flexible for example on days when the canoe races are on – I am more than happy to close. As long as I know about it. I will make sure to do my part to keep the ramp and river open.

Safety is our top priority, and we do everything we can to caution and/or close when the weather calls for it. The guides are great and extremely helpful for some people in the more difficult conditions. If a "tour" company rents a kayak unguided that is the same as if I rent the kayak out.

I think we do an amazing job and my fear with HB1316 is that we would be put out of business. How would the implementation and enforcement work is my question. We have been met with a lot of hostility since starting and the continued cold shoulder. I am very happy to communicate with any of the other kayak companies and work together to provide a better experience for tourists and locals.

I would urge everyone to think about the effect this may have on small businesses in the area.

Thank you

Charlie Scott Rifembark

**HB-1316-HD-2**

Submitted on: 3/12/2025 6:22:50 PM

Testimony for WTL on 3/14/2025 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Uilani Naipo	Individual	Support	Written Testimony Only

Comments:

I am in support of this measure, HB1316 HD2.