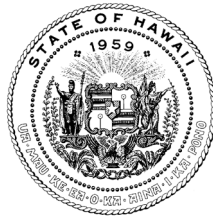


DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**  
POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of**  
**SUZANNE D. CASE**  
**Chairperson**

**Before the House Committee on**  
**WATER & LAND**

**Tuesday, March 16, 2021**  
**8:30 AM**

**State Capitol, Via Videoconference, Conference Room 430**

**In consideration of**  
**SENATE BILL 791, SENATE DRAFT 2**  
**RELATING TO VESSELS**

Senate Bill 791, Senate Draft 2 proposes to amend various sections within Chapter 200, Hawaii Revised Statutes, regarding impoundment and disposal of unauthorized and abandoned vessels on state property and in waters of the State. **The Department of Land and Natural Resources (Department) strongly supports this measure.**

This measure would allow the Department to respond quicker and more effectively to unauthorized, abandoned, grounded, and derelict vessels under its jurisdiction. Current statutes require the Department to provide seventy-two-hour notice of intent to impound a vessel before being able to take control of the vessel. However, in some instances the condition of a vessel rapidly deteriorates within this time period, leading to increased costs on the Department for impounding and disposing of the vessel. A vessel may break into multiple pieces, requiring additional work for impounding the vessel and creating an increased risk to public safety as well as to our State's natural resources. A vessel may also drift from its initial position and end up in a situation that increases the difficulty in retrieving it.

Thank you for the opportunity to comment on this measure.

**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ROBERT K. MASUDA**  
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

**SB-791-SD-2**

Submitted on: 3/14/2021 1:01:34 PM

Testimony for WAL on 3/16/2021 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ted Bohlen	Hawaii Reef and Ocean Coalition	Support	No

Comments:

Honorable Representative David Tarnas, Chair

Honorable Representative Patrick Pihana Branco, Vice Chair, and Members of the House Committee on Water and Land.

From: HAWAI'I REEF AND OCEAN COALITION – HIROC (by Ted Bohlen)

Re: Hearing SB791 SD2 RELATING TO VESSELS

**Hearing Date: Tuesday, [March 16, 2021, 8:30 am](#), by videoconference**

**Position: STRONG SUPPORT FOR SB791!**

Aloha Chair Tarnas, Vice Chair Branco, and Members of the House Committee on Water and Land:

HIROC was formed in 2017 by coral reef scientists, educators, local Hawaii environmental organizations, elected officials, and others to address the crisis facing Hawaii's coral reefs and other marine life. The HAWAI'I REEF AND OCEAN COALITION – HIROC – **strongly supports SB791 SD2!**

Our reefs and oceans are under great stress and need funding for protection! Coral bleaching, polluted runoff, unsustainable fishing, invasive species, certain petrochemical sunscreens, and abandoned or grounded vessels are all degrading our reefs and oceans that are critical for protecting our aquatic life and shorelines and maintaining our tourism and recreational economy.

This bill would speed the removal from State lands, including coral reefs, of abandoned and grounded vessels, which can do great harm to coral reefs. HIROC believes this bill would do much to help maintain the health of our reefs and ocean.

Please pass this Bill!

Mahalo!

Hawaii Reef and Ocean Coalition (by Ted Bohlen)

**SB-791-SD-2**

Submitted on: 3/14/2021 11:27:46 AM

Testimony for WAL on 3/16/2021 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Hugh Jones	Individual	Support	No

Comments:

Since after Christmas a large vessel has sit abanoned on the side of Kainalu Road in Kailua adjacent to the Kainalu Elementary School Playground. Clearly the last owner was too lazy or cheap to tow and pay it to a scrap yard or appropriate disposal site.

Government agencies have known about this abandoned vessel, eyesore and safety hazard for some time but apparently current laws constrain the ability of state and county agencies to deal effectively with abandon boats and vessels.

I strongly support legislation that would further empower government agencies to deal with abandoned boats particularly by owners too lazy and finacially irresponsible that they dump their boats along public roadsides and near DOE schools and parks where they become safety hazards and grafitti magnets and homes for squatters.

LATE \*Testimony submitted late may not be considered by the Committee for decision making purposes.

**SB-791-SD-2**

Submitted on: 3/15/2021 11:47:30 AM

Testimony for WAL on 3/16/2021 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Midori Marcia Sue Trent	Individual	Support	No

Comments:

Support

**SB-791-SD-2**

Submitted on: 3/15/2021 3:30:32 PM

Testimony for WAL on 3/16/2021 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Malia Espinda	Individual	Support	No

Comments:

Aloha Chair, Vice-Chair, and Members:

My name is Malia Espinda. I am testifying as a private citizen. I am a resident of Kailua.

There has been an abandoned large boat along one of our main roads for about 3 months. The community has repeatedly asked for this boat to be removed. This weekend, a Kailua friend of mine asked me for some assistance in researching options to that end. In that research, I learned that there is a lot already known about this boat's history. There is a 'previous owner' who contends that he 'donated' or 'gave' the boat to a 'new owner' and that 'new owner' is who dumped the vessel on the side of the road, stripping the boat of the HA number, leaving only the name of the boat - a key identifier that allowed the lead back to the 'previous owner'. It is clear to me that the 'previous owner' feels absolutely no responsibility to move that boat now.

I also understand that there are responsibility, storage space, and cost questions between the State and City occurring.

If the intent of this bill is to hold an owner responsible, I suggest that the question at hand in this Kailua situation is: Like a transfer in title for a car, did the 'previous owner' and the 'new owner' complete the transfer of the boat, per all DLNR requirements. If the 'new owner' did not, then does the 'previous owner' now default as the responsible party for the removal? It seems this bill is trying to remedy the situation of a registered owner abandoning a vessel, but I am concerned it will not account for situation like the one at hand in Kailua and thus will not hold any persons responsible.

Finally, it was hard but State and City figured out how to work together and share resources through Covid. Why? Because communities are communities. I have faith that reasonable government professionals can arrive at a reasonable, timely solution to moving this boat, please.