

FEB 06 2009

SENATE CONCURRENT RESOLUTION

URGING EITHER THE DEPARTMENT OF LAND AND NATURAL RESOURCES OR
THE DEPARTMENT OF TRANSPORTATION TO ACQUIRE THE BOATYARD
ADJACENT TO THE STATE PIER AND WHARF FACILITY AND BOAT
LAUNCH RAMP, AND TO ADDRESS PERMITTING AND USE CONFLICTS AT
HANALEI, KAUAI.

1 WHEREAS, in the past 20 years there has been an increasing
2 number of commercial and recreational ocean users in Hanalei
3 Bay, Kauai, resulting in countless conflicts between those users
4 in the area; and

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6 WHEREAS, the longstanding controversy over commercial
7 boating operations along the north shore of Kauai has been a
8 burden on both the residents of Hanalei and the businesses
9 operating in Hanalei Bay; and

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11 WHEREAS, state facilities for commercial boat operations at
12 Hanalei Bay include a pier, wharf, and boat ramp and launch; and

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14 WHEREAS, adjacent to the state facilities lies a privately-
15 owned boatyard also used by commercial boat operators in
16 conjunction with the state facilities; and

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18 WHEREAS, the overlapping and conflicting jurisdiction
19 between the county special management area provisions and the
20 State's ocean recreation rules, as well as the diverse ownership
21 of the facilities and boatyard create a complex regulatory
22 setting for users to navigate; and

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24 WHEREAS, as a result of this complexity, many unpermitted
25 activities continue to operate in Hanalei Bay while many
26 permitted activities have ceased to operate; now, therefore,



S.C.R. NO. 36

1 BE IT RESOLVED by the Senate of the Twenty-fifth
2 Legislature of the State of Hawaii, Regular Session of 2009, the
3 House of Representatives concurring, that the Department of Land
4 and Natural Resources (DLNR) or the Department of Transportation
5 (DOT), whichever has appropriate jurisdiction, is urged to
6 acquire, by lease or land exchange, the boatyard adjacent to its
7 existing facilities at Hanalei Bay, Kauai; and
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9 BE IT FURTHER RESOLVED that DLNR or DOT, whichever has
10 appropriate jurisdiction, is urged to operate the boatyard in
11 conjunction with existing state facilities to allow commercial
12 and recreational boating activities; and
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14 BE IT FURTHER RESOLVED that DLNR or DOT, whichever has
15 appropriate jurisdiction, is urged to resolve the commercial
16 permitting problems and to address the user conflict issues for
17 Hanalei Bay; and
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19 BE IT FURTHER RESOLVED that certified copies of this
20 Concurrent Resolution be transmitted to the Chairperson of the
21 Board of Land and Natural Resources and Director of
22 Transportation.
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OFFERED BY: 

