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# A BILL FOR AN ACT

RELATING TO STATE BOATING FACILITIES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that climate change and  
2 sea level rise are not only real phenomena but are also two of  
3 the most preeminent challenges of the twenty-first century and  
4 are pivotal issues for the State. In 2017, the legislature  
5 created the Hawaii climate change mitigation and adaptation  
6 commission which eventually recommended the exploration of  
7 potential public-private partnerships as a way to preserve  
8 coastal resources.

9           The purpose of this Act is to establish a state boating  
10 facility lease pilot program for Manele small boat harbor on the  
11 island of Lanai to allow the board of land and natural resources  
12 to lease Manele small boat harbor in its entirety, and fast  
13 lands and submerged lands within it, by public auction, request  
14 for proposals, or direct negotiation for private development,  
15 management, and operation; provided that the board first finds  
16 that the lessee has met certain community involvement



1 requirements. This Act also streamlines the lease process by  
2 not requiring legislative approval to award a lease.

3 SECTION 2. (a) There is established a state boating  
4 facility lease pilot program within the department of land and  
5 natural resources to be implemented and managed by the division  
6 of boating and ocean recreation to allow the board of land and  
7 natural resources to lease Manele small boat harbor in its  
8 entirety, and fast lands and submerged lands within it, by  
9 public auction, request for proposals, or direct negotiation for  
10 private development, management, and operation; provided that  
11 the board first finds that the lessee has met certain community  
12 involvement requirements including:

13 (1) Has given public notice of any proposed development  
14 plans;

15 (2) Has engaged with the community to be affected in  
16 regard to the development plans;

17 (3) Has considered community concerns; and

18 (4) Has developed a plan to address adverse impacts.

19 (b) Prior authorization from the legislature shall not be  
20 required for a lease under this pilot program.



1 (c) The board of land and natural resources through  
2 assistance from the division of boating and ocean recreation  
3 shall submit a report of its findings and recommendations,  
4 including any proposed legislation, to the legislature no later  
5 than twenty days prior to the convening of the regular sessions  
6 of 2022, 2023, and 2024. The reports shall include a  
7 recommendation on whether the pilot program should be continued,  
8 modified, or terminated.

9 (d) The state boating facility lease pilot program shall  
10 cease to exist on June 30, 2024.

11 SECTION 3. This Act does not affect rights and duties that  
12 matured, penalties that were incurred, and proceedings that were  
13 begun before its effective date.

14 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

State Boating Facilities; DLNR; Manele Small Boat Harbor

**Description:**

Establishes a state boating facility lease pilot program to allow the Board of Land and Natural Resources to lease Manele Small Boat Harbor in its entirety, and fast lands and submerged lands within it. (HB1032 CD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

