

STAND. COM. REP. NO. 177

Honolulu, Hawaii

FEB 13 2023

RE: S.B. No. 1265  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred S.B. No. 1265 entitled:

"A BILL FOR AN ACT RELATING TO KANEOHE BAY,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit commercial ocean use activity in Kaneohe Bay waters without a permit; and
- (2) Prohibit any person from advertising any commercial ocean use activity in Kaneohe Bay waters for which the person does not have a permit, lease, or license.

Your Committee received testimony in support of this measure from the Hawaii State Aha Moku, Ko'olaupoko Hawaiian Civic Club, Hawaiian Civic Club of Honolulu, Ko'olau Foundation, Hawaii Reef and Ocean Coalition, and three individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that Kaneohe Bay, including Ahu o Laka, known as the sandbar, has a rich cultural history and is sacred to the Native Hawaiian people. However, your Committee finds that the over-commercialization of Kaneohe Bay has been unnaturally encouraged by social media and through unpermitted tour operators



who advertise and operate without regard for rules, regulations, and cultural awareness. Consequently, online advertising and social media has increased the number of illegally parked private and rental vehicles at Heeia Boat Harbor and along both sides of Kamehameha Highway, creating traffic and unsafe crossing situations.

Your Committee further finds that the Kaneohe Bay master plan developed pursuant to Act 208, Session Laws of Hawaii 1990 (Act 208), established a framework for the sustainable management of Kaneohe Bay's natural resources while accommodating for a variety of uses. Your Committee finds that action is necessary to ensure that the vision of Act 208 is carried out and maintained for Kaneohe Bay's continued preservation and protection, and for its use and enjoyment of all. Therefore, this measure updates the law regarding restricted activities in Kaneohe Bay.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1265, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1265, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Water and Land,

  
LORRAINE R. INOUE, Chair



