

## DRIP Committee

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**From:** Kaakua, Laura <laura.kaakua@hawaii.gov>  
**Sent:** Wednesday, March 29, 2023 7:10 PM  
**To:** DRIP Committee  
**Cc:** Chang, Dawn; Tamara A. Paltin  
**Subject:** RE: Maritime Disasters - Maui County Council's DRIP Committee (DRIP-2(1))

Aloha Members of the DRIP Committee,

Please find below answers to the four questions that the DRIP Committee posed to DLNR in your letter dated March 28, 2023, following the DRIP Committee meeting on March 22, 2023

where as Agenda Item DRIP-2(1) Maritime Disasters, DLNR provided a presentation focused on boat groundings and response. Though it is every boat owner's responsibility to ensure that their boat does not run aground, DLNR is working on possible changes to help prevent future groundings.

Mahalo,

Laura Kaakua

1. Please provide the amount of revenue that is generated by the State Department of Land and Natural Resources ("DLNR") and sent to the State Office of Hawaiian Affairs each year.

TRANSFERS TO THE OFFICE OF HAWAIIAN AFFAIRS (OHA)	
FISCAL YEAR	AMOUNT
2018	4,741,264.93
2019	5,092,093.82
2020	5,588,062.81
2021	7,128,178.55
2022	8,486,638.23

DLNR provides 20% of revenue generated by DLNR to OHA annually. This is set in law and DLNR is compliant and takes this

responsibility very seriously. The comment that was made during the DRIP Committee meeting by a member of the public asking DLNR to provide OHA with

its share of funds is moot. Not only does DLNR already provide OHA with its 20% of revenue as required by law, but DLNR also

supports this requirement in principle.

2. Please provide the amount of revenue generated by DLNR for vessels with commercial permits operating out of the West Maui Ocean Recreation Management Area, as defined by Section 13-256-106, Hawai'i Administrative Rules.

WEST MAUI OCEAN RECREATION MANAGEMENT AREA COMMERCIAL PERMIT REVENUE	
FISCAL YEAR	AMOUNT
2018	30,943
2019	207,536

2020	166,474
2021	185,223
2022	307,171

3. Please provide the amount of revenue generated by DLNR from Mala Wharf & Boat Ramp and Lāhainā Harbor, respectively, each year for the past five years.

TOTAL REVENUES		
FISCAL YEAR	MALA WHARF AND BOAT RAMP	LAHAINA HARBOR
2018	172,763	1,140,600
2019	179,501	1,192,667
2020	172,405	1,144,737
2021	135,705	875,588
2022	257,385	1,731,456

4. Please describe the process DLNR follows to issue commercial boating permits. Please include references to applicable provisions, the cost to obtain a commercial permit, and the cost to transfer a commercial permit.

Please note that DLNR's statutory authority as well as the Hawaii Administrative Rules that pertain to commercial boating under DLNR are complicated and dense. In most cases (other than the cost to apply for a commercial use permit being \$25), the answers to the Committee's commercial boating permitting questions are not simple. Therefore to explain each sub question in writing would require lengthy copied language from the Hawaii Administrative Rules. Instead, we think it would be more helpful to simply cite to the appropriate Hawaii Revised Statute and/or Hawaii Administrative Rule.

The Hawaii Revised Statutes that gives DLNR the authority to issue commercial use permit can be found in Chapter 200, subchapters 200-3, 200-4, and 200-9.

The process to apply for a commercial use permit can be found in [Hawaii Administrative Rules \(HAR\), Title 13, Subtitle 11, Ocean Recreation and Coastal Areas, Part 1](#), Small Boat Facilities and Provisions Applicable to all State Navigable Waters, [HAR Title 13, Subtitle 11, Chapter 231, Subchapter 3](#) Operation of Boats, Small Boat Harbors, and Use Permits for all Navigable Water.

The cost to obtain a commercial Use Permit can be found in [HAR, Part I, Chapter 234, Subchapter 13-234-16](#). The cost to apply for a commercial use permit is \$25.00.

The cost to transfer a commercial use permit can be found in HAR, Subchapters [13-234-33](#). West Maui specific rules are in 13-256-7.

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**From:** Kaakua, Laura  
**Sent:** Tuesday, March 28, 2023 12:13 PM  
**To:** DRIP Committee <[DRIP.Committee@mauicounty.us](mailto:DRIP.Committee@mauicounty.us)>  
**Cc:** Chang, Dawn <[dawn.chang@hawaii.gov](mailto:dawn.chang@hawaii.gov)>; Tamara A. Paltin <[Tamara.Paltin@mauicounty.us](mailto:Tamara.Paltin@mauicounty.us)>  
**Subject:** RE: Maritime Disasters - Maui County Council's DRIP Committee (DRIP-2(1))

Aloha,  
Confirming receipt.  
Mahalo,  
Laura

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**From:** DRIP Committee <[DRIP.Committee@mauicounty.us](mailto:DRIP.Committee@mauicounty.us)>  
**Sent:** Tuesday, March 28, 2023 11:53 AM  
**To:** Kaakua, Laura <[laura.kaakua@hawaii.gov](mailto:laura.kaakua@hawaii.gov)>  
**Cc:** Chang, Dawn <[dawn.chang@hawaii.gov](mailto:dawn.chang@hawaii.gov)>; Tamara A. Paltin <[Tamara.Paltin@mauicounty.us](mailto:Tamara.Paltin@mauicounty.us)>; DRIP Committee <[DRIP.Committee@mauicounty.us](mailto:DRIP.Committee@mauicounty.us)>  
**Subject:** [EXTERNAL] Maritime Disasters - Maui County Council's DRIP Committee (DRIP-2(1))

Aloha Ms. Ka'akua,

Please see the attached correspondence from Disaster, Resilience, International Affairs, and Planning (DRIP) Committee Chair Tamara Paltin, dated 03/28/2023, relating to the above subject. Please respond by April 10, 2023.

Mahalo,  
DRIP Committee Staff