

Public Hearing Notice

For the Proposed Adoption of Hawaii Administrative Rules Chapter 13-78 Implementing the Statutorily-Mandated Ocean Stewardship User Fee Pursuant to Section 187A-52, Hawaii Revised Statutes.

The Department of Land and Natural Resources (DLNR), Division of Aquatic Resources (DAR) will hold public hearings on the proposed adoption of Hawaii Administrative Rules (HAR) chapter 13-78, establishing provisions for the Ocean Stewardship User Fee. The proposed new chapter will implement §187A-52, Hawaii Revised Statutes, which requires all operators of commercial vessels, watercrafts, or water sports equipment that are required to have a commercial operator permit or commercial use permit pursuant to HAR §13-256-3 to collect a \$1 ocean stewardship user fee from each passenger carried or customer served and transfer these fees to DLNR. The proposed rules also establish the due date for the fees to be submitted to DLNR, the reporting and record keeping requirements for commercial operators, and applicable penalties for violations of the chapter.

Interested persons are urged to participate in the public hearings to present relevant information and individual opinion for DLNR to consider. There are three ways to participate: online via internet or telephone; in-person at one of our host locations; or by written testimony.

PUBLIC HEARING SCHEDULE

Maui, Molokaʻi, and Lānaʻi - Tuesday, July 25, 2023, 5:30-8:30 p.m.

- Online via Zoom (register at: <https://bit.ly/OSUFPH07-25>)
- Maui DAR Office, 130 Mahalani Street, Wailuku, Hawaiʻi 96793
- Kūlana ʻŌiwi, 600 Maunaloa Highway, Kaunakakai, Hawaiʻi 96748
- Division of Boating and Ocean Recreation – Lānaʻi Office, Mānele Small Boat Harbor, Mānele Harbor Road, Lānaʻi City, Hawaiʻi 96763

Hawaiʻi island - Wednesday, July 26, 2023, 5:30-8:30 p.m.

- Online via Zoom (register at: <https://bit.ly/OSUFPH07-26>)
- Aupuni Center Conference Room, 101 Pauahi Street, Suite #1, Hilo, Hawaiʻi 96720
- West Hawaiʻi Civic Center – Community Meeting Hale, 74-5044 Ane Keohokālole Highway, Kailua-Kona, Hawaiʻi 96740

Oʻahu and Kauaʻi - Thursday, July 27, 2023, 5:30-8:30 p.m.

- Online via Zoom (register at: <https://bit.ly/OSUFPH07-27>)
- Stevenson Middle School Cafeteria, 1202 Prospect Street, Honolulu, Hawaiʻi 96822
- Līhuʻe Neighborhood Center, 3353 ʻEono Street, Līhuʻe, Hawaiʻi 96766

TESTIMONY INSTRUCTIONS

1) Online Testimony

Persons can present live video/oral testimony via internet or telephone at any of the three online public hearings. Interested persons are encouraged to participate on the date that corresponds with the island that you identify as your primary residence (see schedule below) unless you are unable to attend on the date of your island's meeting. To participate, you will need a computer with internet access, video camera, and microphone, or a telephone. If you wish to testify online, you must register using the links included on the schedule above.

Please note that all fields are required to register to testify. Once you submit the online registration form, a confirmation will be emailed to you with instructions and the meeting link and call-in number. If you do not receive an email with a Zoom link, please email DLNR.Aquatics@hawaii.gov for assistance. We request that you register to testify at least one hour prior to the hearing to ensure that you receive the Zoom link on time. If you are unable to access the Zoom hearing, you may still provide oral testimony at one of the in-person host sites or you may also submit written testimony. If you do not wish

to testify but want to watch the public hearing online, you can view the online public hearing here:
<https://bit.ly/DARYouTubeChannel>

2) In-person Testimony

DLNR will set up sites throughout the state where persons can attend in person to present live video/oral testimony via computer on the dates and at the locations listed on the schedule above.

3) Written testimony

Persons can mail or email written testimony by August 4, 2023 to: Division of Aquatic Resources, 1151 Punchbowl Street, Room 330, Honolulu, HI 96813, DLNR.Aquatics@hawaii.gov.

Anyone with a hearing impairment who desires to testify, may request assistance of a sign language interpreter. The request will need to be received at least seven days before the hearing is scheduled to start. Additional information or a copy of the proposed rules will be mailed at no charge upon receipt of verbal or written request. The requests may be made in writing (to the DAR address in the preceding paragraph), or by calling 587-0100 (voice or TDD) in Honolulu. The proposed rules can be reviewed in person, by appointment only, at the O'ahu DAR office at 1151 Punchbowl St. Room 330, Honolulu, Hawai'i 96813 from 8:00 am to 3:30 pm, Monday through Friday, except Holidays. To schedule an appointment to review the proposed rules in person, email DLNR.Aquatics@hawaii.gov. The proposed rules can also be reviewed online at <http://ltgov.hawaii.gov/the-office/administrative-rules> or at <http://dlnr.hawaii.gov/dar/rules-and-public-notice>.



Dawn N. S. Chang, Chairperson
Board of Land and Natural Resources