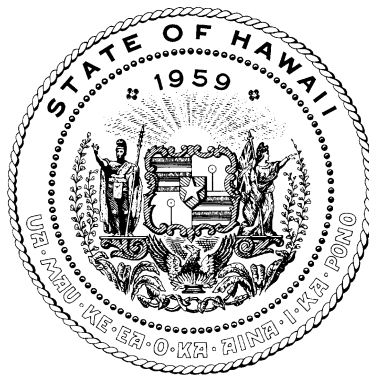


**REPORT TO THE THIRTIETH LEGISLATURE  
STATE OF HAWAI'I  
REGULAR SESSION OF 2020**

**REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF BOATING AND OCEAN RECREATION AND COUNTY OF HAWAII  
TO WORK TOGETHER TO IDENTIFY AND PURSUE THE BEST PLAN OF ACTION  
TO ADDRESS ISSUES AT KAHALU'U BEACH PARK ON HAWAII ISLAND.**



Prepared by  
STATE OF HAWAI'I  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF BOATING AND OCEAN RECREATION

In response to  
Senate Concurrent Resolution 209, Senate Draft 1,  
Regular Session of 2019

November 2019

**REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF BOATING AND OCEAN RECREATION AND COUNTY OF HAWAII  
TO WORK TOGETHER TO IDENTIFY AND PURSUE THE BEST PLAN OF ACTION  
TO ADDRESS ISSUES AT KAHALU‘U BEACH PARK ON HAWAII ISLAND.**

Senate Concurrent Resolution (SCR) 209, Senate Draft (SD) 1, adopted during the Regular Session of 2019, requests the Department of Land and Natural Resources (DLNR), Division of Boating and Ocean Recreation (DOBOR) to work together with the County of Hawai‘i to address issues at Kahalu‘u Beach Park, namely the issues of overcrowding and safety; improving, identifying, and protecting native Hawaiian rights and customary and traditional practices; and streamlining the state waters and beach and shoreline commercial use permit processes for Kahalu‘u Beach Park. SCR209 SD1 requested that DOBOR collaborate with the County of Hawai‘i to identify and pursue the best plan of action to address the issues.

In June of 2019, Suzanne Case, DLNR Chairperson, Robert Masuda, DLNR First Deputy, and Stephen Schmelz, DOBOR Hawai‘i District Manager, met with Hawai‘i County Mayor Harry Kim and the Hawai‘i County Department of Parks and Recreation to discuss plans for moving forward with rules and regulations for Kahalu‘u Beach Park and affected ocean waters. DOBOR's jurisdiction covers ocean waters up to the high wash of the waves, and Hawai‘i County's jurisdiction covers the land portion of Kahalu‘u Beach Park.

As a result of the meeting, DLNR and Hawai‘i County agreed that DOBOR would now take the lead on drafting and implementing administrative rules regarding commercial surfing instruction at Kahalu‘u Bay. After DOBOR establishes its administrative rules, Hawai‘i County will develop counterpart administrative rules to ensure that rules for both jurisdictions are in alignment. Commercial surf instruction permittees approved by DOBOR will receive accompanying permits from Hawai‘i County to operate on land at Kahalu‘u Beach Park. DOBOR is in the process of determining a fair and equitable method to issue the limited number of commercial surfing instruction permits for Kahalu‘u ocean waters.

DOBOR has also been engaging with Kahalu‘u commercial operators and community members to develop its administrative rules and estimates that Kahalu‘u ocean waters rules will be implemented by the end of 2020, barring any unforeseen delays. DOBOR believes that auctioning commercial use permits is a fair method of issuance which may need statutory authorization for