

**LATE
TESTIMONY
SB 2091**

testimony

LATE TESTIMONY

From: Lane, David [laned@adv.newsltd.com.au]

Sent: Thursday, February 14, 2008 4:31 PM

To: testimony

Subject: COMMITTEE ON WATER AND LAND, Date: Friday, February 15, 2008, Time: 2.45pm

Please don't pass this bill, we are coming to Maui in July and will be hoping to sail at Kanaha everyday, we are hiring cars, houses, sailing equipment etc.....it would be a shame if we had to cancel and look elsewhere for our holiday destination.

DON'T PASS HE BILL!

Dave Lane

Account Manager - Agencies
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SB 2091



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testimony

LATE TESTIMONY

From: Gerhard Opel [gerhardo@earthlink.net]
Sent: Thursday, February 14, 2008 4:32 PM
To: testimony
Cc: Brian; Alan and Wendy Sheasgreen
Subject: COMMITTEE ON WATER AND LAND, Date: Friday, February 15, 2008, Time: 2.45pm

Report Title:

Ocean Recreation; Sailboards

Description:

Prohibits operators of sailboards from approaching within 200 feet of a swimmer or surfer in the ocean.

THE SENATE
TWENTY-FOURTH
LEGISLATURE, 2008
STATE OF HAWAII

S.B. NO.

2091

Please register my opposition to SB No 2091 on the ground that it is unrealistic as well as unenforceable.

To wit: A boardsailor who has lost his rig in a wave - quite a common occurrence - is now a swimmer. This bill would prohibit other boardsailors to come to his or her aid such as checking for injuries or offering a tow to shore.

Furthermore: On sailable days the conditions for swimmers and/or surfers are mostly not very favorable. In my 28 years of sailing the North shore launching at Kanaha beach park I have seldom seen any swimmers around my launching area at Kanaha beach park and never in the break area. I have encountered an occasional surfer or paddle boarder and the occasional jet ski and I have never witnessed or heard of any close encounters - let alone collisions - between swimmers and surfers and sail boarders.

Missing from this bill is a statistics of actual or near collisions between sail boarders , swimmers or surfers - taken from accident/incident reports over several

years, a fact that should give pause to the legislature before acting upon such an unrealistic and potentially economically destructive measure. A considerable number of visitors come to Maui specifically for its excellent sailing conditions. They will chose other locations if they are faced with arbitrary and unrealistic restrictions.

Finally the author of this bill should consider how this rule would be enforced. How many police officers on water craft would it take on an average sail day to patrol the sailing areas of the North Shore - just from Ho'okipa to Lower Kanaha to observe hundreds of sail boarders in the water - many of them in up to mast high + waves - wind blowing at 35 + mph?? If there are any swimmers out there - "endangered" by high speed sail boarders how would they spot them and ensure a measured 200 yard "safety zone" . How could they tell a "swimmer" from a sailor who lost his rig ?

Surely the community would be served better if our public parks were better patrolled to eliminate drug and alcohol use and dogs running around unleashed and unattended.

In comparison to the deplorable security situation in many of our parks the ocean is a very safe place !

Respectfully,

Gerhard Opel
808-572-2294
gerhardo@earthlink.net

LATE TESTIMONY

testimony

From: The Maui Water Lily Farm [mauiwaterlilyfarm@hawaiiantel.net]
Sent: Thursday, February 14, 2008 4:33 PM
To: testimony
Subject: Prohibits operators of sailboards from approaching within 200 feet of a swimmer or surfer in the ocean.

Prohibits operators of sailboards from approaching within 200 feet of a swimmer or surfer in the ocean.

To whom it may concern,

By the present e-mail I (Emmanuel Bouvet) want to strongly react against the above proposed bill. My wife and I are resident of Maui since 1993. Windsurfing is one of the reason why we moved to Hawaii. Since then we have enjoyed windsurfing and surfing on a daily basis, always respectful of others in water. It has always been pleasant to see that everybody could enjoy the ocean and practice these sports . Maui is the mecca of waves and wind related sports. Hawaii benefits greatly from that image, spreading the beauty of its islands all over the world, showing the power of its nature, attracting many tourists and investors who based their business in Hawaii for its unique R&D potential. I just can't believe such a bill has been proposed. What is the purpose? Who does it serve? What does safety has to do with it?

Aloha,

Emmanuel Bouvet

SB2091

testimony

LATE TESTIMONY

From: Jace Panebianco [jace570@hotmail.com]
Sent: Thursday, February 14, 2008 4:31 PM
To: testimony
Subject: http://www.capitol.hawaii.gov/session2008/bills/SB2091_.htm

Dear Sir / Madam,

I oppose this bill.

http://www.capitol.hawaii.gov/session2008/bills/SB2091_.htm

Thank you for your time.

Aloha,

Jace Panebianco

PO Box 791791

Paia, Hawaii 96779

(808) 283-8688

www.poorboyzwindurfing.com

testimony

LATE TESTIMONY

From: petervolwater [petervolwater@mac.com]
Sent: Thursday, February 14, 2008 4:04 PM
To: testimony
Cc: Vivienne Masters
Subject: Ocean Recreation; Sailboards S.B. NO. 2091

COMMITTEE ON WATER AND LAND

DATE: Friday 15, 2008

TIME: 2:45 p.m.

To whom it may concern,
Hereby I oppose to the passage of the bill that is being submitted,
concerning the banning of wind surfing and kite surfing from Hawaiian waters.

I have been coming to Hawaii since 1994 to windsurf and peacefully enjoy our ocean.

Aloha
Peter Volwater

On 15 feb 2008, at 8:23, Vivienne wrote:

Dear Sailors & Industry Members,

The STATE of HAWAII is proposing a bill will kill the windsurf business and could shut down sailing from our beaches, private land or public!

http://www.capitol.hawaii.gov/session2008/bills/SB2091_.htm

Please write a simple e-mail stating you do not agree with this and send it to: Committee on Water & Land <testimony@capitol.hawaii.gov>

Please indicate to which committee the testimony is being submitted and the date and time of the hearing. Email sent to individual offices or any other Senate office will not be accepted.

COMMITTEE ON WATER AND LAND

DATE:

Friday, February 15, 2008

TIME:

testimony

From: Brian Denny [brian@bestmedia.com]
Sent: Thursday, February 14, 2008 4:05 PM
To: testimony
Subject: SB2091 - Do NOT limit my access to the ocean

LATE TESTIMONY

As requested, here is the resend of my feelings with the appropriate bill number SB2091

To whom it may concern,

I am totally opposed to any form of limitation to beach access on either private or public lands!!!

Regarding http://www.capitol.hawaii.gov/session2008/bills/SB2091_.htm :

In addition, I feel that any limits on HOW people use the water is totally inappropriate. I enjoy windsurfing right along side with my friends who are surfers and we get along just fine and stay safely away from each other and have a mutual respect and understanding about how we move about the ocean.

I feel VERY strongly about this and feel that the ocean is my religion AND MY CHURCH. It is where I find my most pure connection with my spirituality and any denial of my access to the beach or the ocean is a complete and total violation of my rights. No one can own the ocean or the beaches and they should ALWAYS remain available for everyone to experience.

DO NOT limit my access to the beach or the ocean! DO NOT limit my access to my church!

Brian

Brian Denny
Master Communication
445 West 7th Street
San Pedro, CA 90731

Phone 310.832.3303, x223
Fax 310.832.0296
eMail brian@bestmedia.com
Web <http://www.bestmedia.com>

testimony**LATE TESTIMONY**

From: Ian Fox [aus001@ianfox.com]
Sent: Thursday, February 14, 2008 3:49 PM
To: testimony
Subject: Re : S.B. No. 2091 / COMMITTEE ON WATER AND LAND

COMMITTEE ON WATER AND LAND**DATE: Friday, February 15, 2008****TIME: 2:45 p.m.**

**Message sent at 3.45PM Hawaiian Time
Thursday, February 14, 2008.**

Re : S.B. No. 2091**Report Title: *Ocean Recreation; Sailboards*****Description:**

Prohibits operators of sailboards from approaching within 200 feet of a swimmer or surfer in the ocean.

To Whom it may concern,

On behalf of myself and many windsurfers who responsibly frequent the waters of the Hawaiian Islands, I would like request your opposition to this bill as proposed.

While ensuring the safety of all water users in Hawaii is an important issue, the incidence of damage resulting from unprovoked accidental collision between surfers/swimmers and windsurfers/kiteboarders is minimal.

Further, this bill (as proposed) will be exceptionally difficult to enforce or police in a practical and balanced manner.

Rather, by enacting this bill, the Senate provides a imbalanced and unfair opportunity for surfers or swimmers to create frictional conditions with windsurfers/kiters wishing to enjoy shared or nearby access. Rather than ensuring a balanced and safe level of access for all water users, this bill as proposed will (in practice) significantly allow a single surfer or swimmer to (legally) disrupt the otherwise harmless quiet enjoyment and shared access rights of the windsurfers or kiters in Hawaiian waters.

This bill would greatly affect in a negative way a very active windsurfing community that has a significant economic impact on the state of Hawaii.

This impact is not only in the form of tourism, but also in the form of businesses that have established Hawaii as a focal point of research and development, training, retail, rental, and image capturing for the sport of windsurfing. All of these businesses help perpetuate Hawaii as a tourist destination to millions worldwide.

On behalf of the many windsurfers and kieters who will be unfirly affected by the introduction of this bill, I ask you to vote against this bill.

Sincerely,

Ian Fox

Vice President & Multiple Past President / Australian Windsurfing Association

P.O. Box 345 CHELSEA 3196 AUSTRALIA

Ph +61 419772444

testimony**LATE TESTIMONY****From:** Peter Hughes [p.hughes@shaw.ca]**Sent:** Thursday, February 14, 2008 3:32 PM**To:** testimony**Subject:** COMMITTEE ON WATER AND LAND, Date: Friday, February 15, 2008, Time: 2:45pm

COMMITTEE ON WATER AND LAND

SB 2091

To whom it may concern,

Hawaii is world famous for water sports, in particular, surfing, windsurfing and kite-boarding. In addition to the many local residents and businesses benefiting from these activities, there are thousands upon thousands of people from all over the planer who visit the islands to experience the freedom the Hawaiian ocean offers. To restrict these sports may seriously damage the freedoms of choice and expression of this community.

My wife and I have enjoyed visiting the North Shore of Maui for many years and we have observed that windsurfers and kite-boarders generally focus there activity in areas where there is wind, whereas, wind tends to be counter-productive for both swimming and surfing. Therefore, wind conditions tend to act as a natural separator between these sports. As I understand it, on the North Shore of Maui windsurfers and kite-boarders are already prohibited from sailing before 11 am. This provides an exclusive time for swimmers, fishermen and surfers alike. Coincidentally, there is less wind before 11 am which tends to work out well for everyone. I windsurf and I surf and, in reality, there is very little difference between a threat to a swimmer from a surfer versus a windsurfer or a kite-boarder. I should know – I am a swimmer, a surfer and a windsurfer. To single-out two sports and impose restrictions upon them is contrary to the spirit of a shared ocean experience.

We live on a crowded planet and conflicts are ubiquitous in our lives. Snowboarding and skiing are dangerous to each other, but they manage to co-exist. Cars are dangerous to motorcycles, but they co-exist. The ocean and America represent freedom. The more we create restrictions, the more we live in an hyper-structured society where one freedom is favored over another and people begin to take less and less responsibility for their actions...they simply follow a million rules.

Kindest regards,

Peter

Peter Hughes
tel 604-732-0280
mobile 604-802-7372
fax 604-732-0284
email p.hughes@shaw.ca

2/14/2008



LATE TESTIMONY

testimony

From: Malcolm Cooper [malcolmwhy@yahoo.com]
Sent: Thursday, February 14, 2008 3:43 PM
To: testimony
Subject: S.B. NO. 2091 - Sailboating Restriction Bill

My name is Malcolm Cooper. I'm a swimmer and coach (coaching adults and children), organize ocean swim competitions, and also a windsurfer who lives on Maui - and I surf, too. In my professional life, I'm responsible for Pool and Ocean safety programs and lifeguards here on Maui. I'm writing to oppose the bill, SB 2091, making it illegal to have kiteboarders or windsurfers sail near a beach where swimmers are within 200 feet. I'm writing as a private citizen and ocean user.

From a legal perspective, there are already regulations and laws that Ocean Safety have to enforce safety at public beaches ... and specific to the conditions and safety of the beach on that day. They know the beaches, they know the conditions, they know the kinds of users, and they can use their professional judgement on a daily basis.

In addition, rather than going to the extremes in this bill, swimming areas can be set up, rules can be set up (eg; 10-man rule when surfers are on the water) that can adequately meet the needs of all ocean users and ensure safety of the public. There may be a law that could be written (or a regulation between DLNR, Ocean Safety, and other appropriate agencies) to address this without the simplistic view of this bill.

From a practical perspective there are multiple points:

- * There are beaches, or beach areas, that can be set up to launch away from swimmers.
- * Who's to enforce when a stand-up surfer goes downwind through a normal surfing area.
- * When it's really windy, swimming far from shore is not typical ... launching and landing areas are all that need to be set up.
- * Windsurfing and Kiteboarding are a huge draw for our tourist industry on Maui ... and some parts of Oahu.

From a safety perspective, look at the number of injuries between kiteboarders and surfers, kiteboarders and windsurfers, windsurfers and swimmers, etc. The real danger and rescues occur from surfing (neck injuries in shore breaks, collisions in the shore break between surfers/body boarders and swimmers or each other, all sorts of body parts breaking in the surf on the reefs). If safety is the concern, logically it would be surfing that would be banned ... but that would be a ridiculous request ... almost as ridiculous as this bill.

We struggle here on some beaches between kiteboarders and surfers, sailboarders ... and we're finding that the judgement of the Ocean Safety Officers, DLNR, Harbor Commission, FAA, etc. in conjunction with Kiteboarding and Windsurfing associations are addressing the issues better. It's not perfect, but it is an effective work in progress that respects the rights and provides safety to all beach users.

Forgive the brevity of this letter, but I only heard about this bill a few minutes ago and had to get this off quickly or I'd elaborate and provide other examples and considerations.

LATE TESTIMONY

testimony

From: David sternhufvud [david.sternhufvud@artesiums.se]
Sent: Thursday, February 14, 2008 3:26 PM
To: testimony
Subject: Testimony to bill SB 2091 COMMITTEE ON WATER AND LAND hearing of Friday February 15, 2008 2.45pm

Dear Sir/Mam,

A law like the proposed bill SB2091 would mean a huge damage to the windsurfing related industry (shops, tourists), that in Maui is pretty remarkable.

With a 200 feet limit, in fact, a single surfer on the break will virtually mean no sailboards on the break. And that'll be the end of wavesailing at Hookipa or Kanaha when there's waves and it's windy.

At Kanaha there's already the 11 o'clock rule (no windsurfing before 11am) that leaves plenty time to surfers to enjoy the less windy hours of the day.

At Hookipa there's already the 10 man rule (no windsurfing if more than 10 surfers in the water) that protects the surfers' safety.

A rule like the proposed bill SB2091 will not be fair towards windsurfers and kitesurfers.

Please, don't pass it. Thanks.

David Sternhufvud

Swedish windsurfer since 1984

First time in Maui 2003 - but with a bill such as SB2091 I will never come back again!

testimony

LATE TESTIMONY

From: Michael Roßmeier [rossmeier@gmx.at]
Sent: Thursday, February 14, 2008 3:18 PM
To: testimony
Subject: FW: Ocean Recreation; Sailboards S.B. NO. 2091

DEAR

COMMITTEE ON WATER AND LAND

DATE: Friday, February 15, 2008

TIME: 2:45 p.m.

Hawaii is the center of windsurfing in the world – every windsurfer knows Hawaii and is dreaming of being able to go there once in his live.

So please vote against this bill – it would be one step to destroying a wonderful sport!

Kind Regards

Michael Roßmeier

Michael Roßmeier – AUT 256
Autorengemeinschaft Roßmeier - Schennach
UID: ATU62054948
Riedgasse 10
6142 Mieders
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Tel: +43 699 13 90 90 40
Fax: +43 662 234 66 77 80
email: info@tricktionary.net
HP: www.tricktionary.net
Skype: [rossi256](#)

testimony

LATE TESTIMONY

From: Morgan Henderson [margnar831@yahoo.com]
Sent: Thursday, February 14, 2008 3:00 PM
To: testimony
Subject: Fw: testimony to bill SB 2091 committee on water and land

----- Forwarded Message -----

From: Morgan Henderson <margnar831@yahoo.com>
To: testimony@capital.hawaii.gov
Sent: Thursday, February 14, 2008 2:11:00 PM
Subject: testimony to bill SB 2091 committee on water and land

Aloha,

I am an avid surfer and diver from the island of Maui and appose this bill.

Here on Maui there is a diverse amount of water activities happening on windy days, and most of the participants have mutual respect for each other. By limiting the amount of activities allowed in the water you are also limiting a free persons right to enjoy the water.

I thought that the USA was a free nation. I have never had an altercation with a windsurfer in the water while diving because diving isn't ideal while there is strong wind. I have had altercations with other surfers though

while surfing. Surfing with a group of aggressive people is much more hazardous than windsurfing within 200 feet of of a surfer.

By trying to preemptively combat conflict in the water you aren't addressing the real issues which is aggressiveness by individuals.

You are also catering to laziness by surfers who don't get up in time to surf in the glassy conditions of the morning. Windsurfers are nice, friendly, have respect for all ocean activities and above all other things aren't aggressive towards other people for the most part. I cannot say that about surfers who are notorious for harming other individuals in the name of territorial aggression. Don't cater to non peaceful people, and don't vote to ban windsurfing and kiting.

Morgan Henderson
96 Amala Pl
Kahului Hi 96732

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testimony

LATE TESTIMONY

From: Derek Mangan [dereklemangan@yahoo.com]
Sent: Thursday, February 14, 2008 2:55 PM
To: testimony
Subject: SB2091 Water and Land Committee

A law like the proposed bill SB2091 would mean a huge damage to the windsurfing related industry (shops, tourists), that in Maui is extremely remarkable.
With a 200 feet limit, in fact, a single surfer on the break will virtually mean no sailboards on the break.
And that'll be the end of wavesailing at Hookipa or Kanaha when there's waves and it's windy.
At Kanaha there's already the 11 o'clock rule (no windsurfing before 11am) that leaves plenty time to surfers to enjoy the less windy hours of the day.
At Hookipa there's already the 10 man rule (no windsurfing if more than 10 surfers in the water) that protects the surfers' safety.
A rule like the proposed bill SB2091 will not be fair towards windsurfers and kitesurfers. Please, don't pass it. I URGE YOU TO SAVE WINDSURFING ON MAUI, WE HAVE EVERY RIGHT TO BE ON THE WATER THAT A SURFER OR SWIMMER HAS. WHY SHOULD THAT HAPPEN WHEN A SURFER HAS TO GIVE WAY TO THE SUPERFERRY? IT APPEARS THAT POLITICS IN HAWAII ARE TRULY CORRUPTED BY CORPORATE INTERESTS. PLEASE STOP DISCRIMINATING AGAINST THE FRIENDLY WINDSURFING COMMUNITY, IT IS ONE OF THE CLEANEST SPORTS ON EARTH, IF THIS BILL IS IN FACT PASSED, IT INFRINGES UPON THE CITIZENS OF HAWAII'S CIVIL RIGHTS, I PAY TAXES EACH AND EVERY YEAR AND I WILL NOT PUT UP WITH ANY MORE OF MY CIVIL LIBERTIES BEING TAKEN AWAY. WHEN I SPEAK, I DO NOT SPEAK FOR MYSELF, BUT FOR AN EXTREMELY LARGE COMMUNITY OF HAWAII.

Never miss a thing. Make Yahoo your home page.
<http://www.yahoo.com/r/hs>

testimony

LATE TESTIMONY

From: Ayesha Wadud [afrina@iwavesolutions.com]

Sent: Thursday, February 14, 2008 4:04 PM

To: testimony

Subject: Testimony to bill SB 2091 COMMITTEE ON WATER AND LAND hearing of Friday February 15, 2008 2.45pm

Bill SB2091 means willfully inflicting a huge blow to the windsurfing related industry (shops, tourists) & sport in Maui. At Kanaha there's already the 11 o'clock rule (no windsurfing before 11am) that leaves plenty time to surfers to enjoy the less windy hours of the day, as well as a designated & protected swim area.

At Hookipa there's already the 10 man rule (no windsurfing if more than 10 surfers in the water) that protects the surfers' safety.

This bill, if passed, will mean no more windsurfers coming on vacation to Maui with their family & friends. The economies of the North Shore of Maui, especially Paia, will be hard hit. Think of all the small business owners (food, beverage, clothing, sports shops) that depend on the tourism dollar of vacationing windsurfers. Maui is known around the world as the Windsurfing Mecca. Camp One, Sprecks, Jaws & Hookipa are familiar names to windsurfers from China to Norway, Brazil to Iceland. The Aloha Classic, the world reknowned windsurfing event that has run for the last 20 years draws hundreds of competitors from Japan, Brazil, Europe and all over North America.

It is NOT fair to punish sailboarders. Please, don't pass it.

-Ayesha Wadud
327 Kuualoha Street
Kahului, HI 96732

testimony

LATE TESTIMONY

From: Marilyn Knecht [mhknecht@msn.com]
Sent: Thursday, February 14, 2008 2:58 PM
To: testimony
Subject: SB2091

To whom it may concern,

I am writing to oppose the bill proposed to ban windsurfing/kiteboarding within 200 ft of swimmers or surfers. This bill is completely wrong and will destroy the sport of windsurfing and the economy it creates in Maui. As a windsurfer I am completely aware of others in the water and do everything in my power to avoid any proximity to anyone else using the water. In 25 years of windsurfing, I have never seen a windsurfer hit a swimmer or a surfer.

Sincerely,

Marilyn Knecht

testimony

LATE TESTIMONY

From: Maui Surf & Turf Vacation Rentals [info@mauisurfandturf.com]
Sent: Thursday, February 14, 2008 2:43 PM
To: testimony
Subject: testimony

This is not a fair rule. How can you decide what sports should be done in the ocean. What about sail boats verses canoe's. This is ridiculous. We are suppose to live in a free country and this sure does not sound like it. How many recorded accidents or injuries have occurred from a sailboarder colliding with a surfer? How about a surfer dropping in on a windsurfers wave and causing an accident. I actually am avid at both sports for over 20 years on Maui. I have never seen any such accidents happen.

Thank You, Andrea Young

SB 2091



testimony

LATE TESTIMONY

From: Bill Morrissey [billm@dakine.com]
Sent: Thursday, February 14, 2008 2:32 PM
To: testimony
Subject: FW: Ocean Recreation; Sailboards S.B. NO. 2091

To whom it may concern,

On behalf of Dakine Hawaii, Inc. and our numerous retail accounts on the islands of Oahu, Maui, The Big Island and Kauai, I would like to voice our concerns regarding the passing of such a bill. This bill would most definitely adversely effect not only retails sales but overall tourism in the state of Hawaii. May it please go on record that Dakine Hawaii Inc. opposes this bill

Respectfully submitted,

Bill Morrissey
Windsurf/Kiteboard Sales Manager
Dakine Hawaii, Inc.

From: Vivienne [mailto:info@pwaworldtour.com]
Sent: Thursday, February 14, 2008 3:23 PM
Subject: Ocean Recreation; Sailboards S.B. NO. 2091

Dear Sailors & Industry Members,

The STATE of HAWAII is proposing a bill will kill the windsurf business and could shut down sailing from our beaches, private land or public!

http://www.capitol.hawaii.gov/session2008/bills/SB2091_.htm

Please write a simple e-mail stating you do not agree with this and send it to: Committee on Water & Land <testimony@capitol.hawaii.gov>

Please indicate to which committee the testimony is being submitted and the date and time of the hearing. Email sent to individual offices or any other Senate office will not be accepted.

COMMITTEE ON WATER AND LAND

DATE:

Friday, February 15, 2008

TIME:

2:45 p.m.

MUST BE SUBMITTED BEFORE 2.45 TODAY

testimony

LATE TESTIMONY

From: Pablo - Hot Sails Maui [Pablo@hotsailsmaui.com]
Sent: Thursday, February 14, 2008 1:46 PM
To: testimony
Subject: SB2091

To who this may concern,

A law like the proposed bill SB2091 would mean a huge damage to the windsurfing related industry (shops, tourists), that in Maui is pretty remarkable.

With a 200 feet limit, in fact, a single surfer on the break will virtually mean no sailboards on the break. And that'll be the end of wavesailing at Hookipa or Kanaha when there's waves and it's windy.

At Kanaha there's already the 11 o'clock rule (no windsurfing before 11am) that leaves plenty time to surfers to enjoy the less windy hours of the day.

At Hookipa there's already the 10 man rule (no windsurfing if more than 10 surfers in the water) that protects the surfers' safety.

A rule like the proposed bill SB2091 will not be fair towards windsurfers and kitesurfers. Please, don't pass it. Thanks.

As a guy who works in the windsurfing industry and a guy who sails everyday I'm really worried how this bill will negatively effect my lively hood.

Mahalo, Dazza

testimony**LATE TESTIMONY****From:** Mark Moquin [MMOQ@mac.com]**Sent:** Thursday, February 14, 2008 2:50 PM**To:** testimony**Subject:** COMMITTEE ON WATER AND LAND, Date: Friday, February 15, 2008, Time: 2.45pm

As a 20 year resident of the state, and daily user of Maui's north shore beaches, I would like to offer my opinion on the so called "danger" that windsurfers and kitesurfers pose to swimmers and surfers. This bill being proposed seems to be a veiled attempt by a non-windsurfer and non-kiteboarder (most likely a surfer or body boarder) to limit access to the ocean for a large segment of both residents and tourists alike.

As far as the "danger" is concerned, I would bet that there are less accidents involving these groups in an entire year than there are involving surfer versus surfer every single day in Hawai'i. Perhaps the person introducing this bill would have the committee amend the bill to keep all surfers and body boarders from approaching within 200 feet of each other also. Probably not.

The two most frequented beaches on Maui for combined windsurf/kitesurf/surf/swimming activities are Kanaha Beach and Ho'okipa beach. Both of these beaches have (formal or informal) designated areas for respective activities; areas at the beaches where the different activities sometimes co-mingle are ruled by unwritten codes of ethics, perhaps which could be posted beachside for everyone's benefit and safety (i.e. right of way, etc...).

In my opinion, restrictions on windsurfing and kitesurfing activities are unnecessary.

Mark Moquin
Kula, Maui, Hawaii
(808) 269-2341
MMOQ@mac.com

SB 2091

testimony

From: Lindsay Hogan [lindsay@desilvadmc.com] on behalf of lindhogan@aol.com
Sent: Thursday, February 14, 2008 2:33 PM
To: testimony
Subject: Opposition to S.B. No. 2091

LATE TESTIMONY

Dear State of Hawaii,

I was born and raised on Maui and oppose S.B. No. 2091 relating to Sailboards. This Act, if passed, will prove detrimental to the county of Maui.

Much Aloha,

LINDSAY HOGAN

DeSilva Meeting Consultants, Inc.

P.O. Box 1056

Haiku, HI 96708

Phone: 808-575-5400

Fax: 808-575-5032

Email: Lindsay@desilvadmc.com

Website: www.desilvadmc.com

testimony

LATE TESTIMONY

From: Afrina [afrina72@yahoo.com]
Sent: Thursday, February 14, 2008 2:27 PM
To: testimony
Subject: COMMITTEE ON WATER AND LAND - S.B. NO.2091

I ABSOLUTELY oppose this legislation! Windsurfing & Kiting are clean, environmentally-friendly, family activities that have shared the waters without incident with swimmers and surfers for decades. This is unjust, BIASED legislation and should NOT be supported.

Afrina L.
Kahului, Hawaii

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testimony

LATE TESTIMONY

From: Jason [polakow@mac.com]
Sent: Thursday, February 14, 2008 5:07 PM
To: testimony
Subject: COMMITTEE ON WATER AND LAND

To Whom it May Concern,

I would like to register my opposition to the proposed bill : Ocean Recreation; Sailboards S.B. NO. 2091

The passing of this bill would be extremely detrimental both to the sport of windsurfing and the very active windsurfing industry that has established itself in the state of Hawaii and consequently this would negatively impact on both tourism and local businesses adversely affecting the economy of Hawaii

As an active windsurfer that regularly travels to Hawaii specifically to enjoy the sport of windsurfing I ask you to vote against this bill.

Kind regards

Jason Polakow KA1111

**34 Nonohe Pl
Paia
HI 96779**

testimony

LATE TESTIMONY

From: Robert Swift [robbyswift@mac.com]
Sent: Thursday, February 14, 2008 5:09 PM
To: testimony
Subject: COMMITTEE ON WATER AND LAND

To Whom it May Concern,

I would like to register my opposition to the proposed bill : Ocean Recreation; Sailboards S.B. NO. 2091

The passing of this bill would be extremely detrimental both to the sport of windsurfing and the very active windsurfing industry that has established itself in the state of Hawaii and consequently this would negatively impact on both tourism and local businesses adversely affecting the economy of Hawaii

As an active windsurfer that regularly travels to Hawaii specifically to enjoy the sport of windsurfing I ask you to vote against this bill.

Kind regards

Robby Swift K-89

46 Nonohe Pl,
Paia,
HI 96779

testimony

From: Matt Pritchard [usten@attglobal.net]
Sent: Thursday, February 14, 2008 5:24 PM
To: testimony
Subject: BILL SB2091

LATE TESTIMONY

COMMITTEE ON WATER AND LAND

DATE: February 14, 2008

Hearing date:

Friday, February 15, 2008

TIME:

2:45 p.m.

Dear Committee,

The proposal for BILL SB2091 should not be passed due to an unfair regulation. You would be restricting windsurfers from being able to use the ocean. This is totally unfair and should be further looked into on how it would impact the community in Maui.

Please deny this act.

Sincerely,

Matt Pritchard

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Version: 7.5.516 / Virus Database: 269.20.5/1278 - Release Date: 2/14/2008 10:28 AM

testimony

LATE TESTIMONY

From: John Gerry [john.gerry@expertune.com]
Sent: Thursday, February 14, 2008 5:27 PM
To: testimony
Subject: COMMITTEE ON WATER AND LAND, Date: Friday, February 15, 2008, Time: 2.45pm

To the committee:

I oppose this S.B. No 2091 that would "prohibit operators of sailboards from approaching within 200 feet of a swimmer or surfer in the ocean."

There has been no accidents of swimmers or surfers and sailboards. Section 1 incorrectly states that kiteboards and sailboards are "much heavier" than surfboards. All have rights to the ocean and kiteboarding and sailboarding is also a recreational activity.

This bill would damage tourism and a 20 year-old industry with a very good safety record. Please do not allow this bill to pass.

John Gerry
80 Laenani
Haiku, HI 96708
808-214-5305

LATE TESTIMONY

testimony

From: Peter Downes [Peter.Downes@maxgaming.com.au]
Sent: Thursday, February 14, 2008 5:09 PM
To: testimony
Subject: Testimony to bill SB 2091 COMMITTEE ON WATER AND LAND hearing of Friday February 15, 2008 2.45pm

A law like the proposed bill SB2091 would mean a huge damage to the windsurfing related industry (shops, tourists), that in Maui is pretty remarkable.

With a 200 feet limit, in fact, a single surfer on the break will virtually mean no sailboards on the break. And that'll be the end of wavesailing at Hookipa or Kanaha when there's waves and it's windy.

At Kanaha there's already the 11 o'clock rule (no windsurfing before 11am) that leaves plenty time to surfers to enjoy the less windy hours of the day.

At Hookipa there's already the 10 man rule (no windsurfing if more than 10 surfers in the water) that protects the surfers' safety.

A rule like the proposed bill SB2091 will not be fair towards windsurfers and kitesurfers. Please, don't pass it.

Thanks,

Peter Downes (Australia).

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testimony

From: jong coloso [jit_jugal@yahoo.com]
Sent: Thursday, February 14, 2008 8:35 PM
To: testimony
Subject: We oppose to bill

LATE TESTIMONY

15 Feb. 2008

To whom it may concern,

Good day. As we all know Hawii is the most famous place for windsufing. Because of this tourist, most specially surfers, from all over the world wish to visit the place. Your bill would definitely stop all of this things and will greatly affect the tourism of Hawaii. We don't know how did your goverment come out to this bill but for sure you'll damage the good emage and income of your state.

We pray for this opposal.

Best regards,

Engr. John Paul Coloso
QS and QA/QC Engineering Section
TOA Corporation
23 Pandan Crescent, Singapore
Tel. no.: (+65) 9326 0266
Email add.: jit_jugal@yahoo.com
jpcoloso@yahoo.com.sg
jpcoloso@gmail.com

SB2091

Send instant messages to your online friends <http://uk.messenger.yahoo.com>

testimony

From: vale vale [vale_mare@hotmail.com]
Sent: Thursday, February 14, 2008 9:56 PM
To: testimony
Subject: Bill Act for sailboarders and kiteboarders

LATE TESTIMONY

**Dear readers,
I really do not agree with the Act You are proposing,**

**Sincerely,
Valentina Crugnola**

SB 2091

MSN Video [Interviste, concerti, news e videoclip!](#) Solo su MSN Video!

testimony

From: timo.bygden@amroy.fi
Sent: Thursday, February 14, 2008 9:52 PM
To: testimony
Subject: Fw: Fwd: Ocean Recreation; Sailboards S.B. NO. 2091

LATE TESTIMONY

Dear Sir/Madam,

How many people kill each other at USA?
How many people are killed by surfboards collision?
How many people are killed by sharks?

Maybe you make a bill that no person should have right to meet another living person?
Or ban and fine the shards.
Or ban simply cars in Hawaii!!

Take a holiday and have a nice weekend!
Timo Bygden
Finland

--- Alkuperäinen viesti ---
Aine: Fwd: Ocean Recreation; Sailboards S.B. NO. 2091
Lähetetty: 15.2.2008 9:44
Lähetetty: Tuomo Naalisvaara <naali3@gmail.com> Mooro, tsekatkaa toi

Dear Sailors & Industry Members,

The STATE of HAWAII is proposing a bill will kill the windsurf business and could shut down sailing from our beaches, private land or public!

http://www.capitol.hawaii.gov/session2008/bills/SB2091_.htm

Please write a simple e-mail stating you do not agree with this and send it to: Committee on Water & Land <testimony@capitol.hawaii.gov>
Please indicate to which committee the testimony is being submitted and the date and time of the hearing. Email sent to individual offices or any other Senate office will not be accepted.

*
* *COMMITTEE ON WATER AND LAND
*DATE:
Friday, February 15, 2008
TIME:
2:45 p.m.

MUST BE SUBMITTED BEFORE 2.45 TODAY

Best Regards,
Professional Windsurfers Association
info@pwaworldtour.com
<http://www.pwaworldtour.com>

Copy of Jimmy Diaz letter to Committee on Water & Land <testimony@capitol.hawaii.gov>
*COMMITTEE ON WATER AND LAND
DATE: Friday, February 15, 2008
TIME: 2:45 p.m.
*

To Whom it may concern,

On behalf of the Professional Windsurfers Association, I would like to say we oppose the

testimony

LATE TESTIMONY

From: Dan Kaseler [dkaseler@olyphen.com]
Sent: Thursday, February 14, 2008 9:54 PM
To: testimony
Subject: SB2091

I strongly disagree with the proposed SB2091. Safety is a huge concern as we share the ocean environment, but this legislation is not the solution.

Dan Kaseler
Raptor Sails Inc /Gaastra R&D
dkaseler@olyphen.com

testimony

LATE TESTIMONY

From: Sebastian Zartmann [freebasse@gmail.com]

Sent: Thursday, February 14, 2008 10:00 PM

To: testimony

Subject: Testimony to bill SB 2091 COMMITTEE ON WATER AND LAND hearing of Friday February 15, 2008 2.45pm

A law like the proposed bill SB2091 would mean a huge damage to the windsurfing related industry (shops, tourists), that in Maui is pretty remarkable.

With a 200 feet limit, in fact, a single surfer on the break will virtually mean no sailboards on the break.

And that'll be the end of wavesailing at Hookipa or Kanaha when there's waves and it's windy.

At Kanaha there's already the 11 o'clock rule (no windsurfing before 11am) that leaves plenty time to surfers to enjoy the less windy hours of the day.

At Hookipa there's already the 10 man rule (no windsurfing if more than 10 surfers in the water) that protects the surfers' safety.

A rule like the proposed bill SB2091 will not be fair towards windsurfers and kitesurfers.

Please, don't pass it. Thanks.

Best regards

Sebastian Zartman

Gothenburg, Sweden

testimony

From: Jesper Vesterstrøm [info@vesterstrom.com]
Sent: Thursday, February 14, 2008 9:07 PM
To: testimony
Subject: Ocean Recreation; Sailboards S.B. NO. 2091

LATE TESTIMONY

To Whom it May Concern,

I would like to register my opposition to the proposed bill : Ocean Recreation; Sailboards S.B. NO. 2091

The passing of this bill would be extremely detrimental both to the sport of windsurfing and the very active windsurfing industry that has established itself in the state of Hawaii and consequently this would negatively impact on both tourism and local businesses adversely affecting the economy of Hawaii

As an active windsurfer that regularly travels to Hawaii specifically to enjoy the sport of windsurfing I ask you to vote against this bill.

Kind regards
Jesper Vesterstrøm DEN-111
Paltholmvej 104, 2mf
3520 Farum
Denmark

LATE TESTIMONY

testimony

From: Philip Horrocks [phil@ripandslash.com]

Sent: Thursday, February 14, 2008 8:43 PM

To: testimony

Subject: FW: S.B. NO. 2091 - Prohibits operators of sailboards from approaching within 200 feet of a swimmer or surfer in the ocean.

RE: COMMITTEE ON WATER AND LAND

DATE:

Friday, February 15, 2008

TIME:

2:45 p.m.

To Whom it may concern,

I strongly urge you to reconsider your proposal here, this is an unnecessary piece of legislature that will only increase friction between factions within the recreational water using community.

Throughout the rest of the entire world (in places a lot busier than Hawaii) water users co-exist with virtually no restrictions, it's a simple matter of respect for each other and an understanding/education of what is and isn't safe that needs to be undertaken.

Maui is a Mecca to windsurfers worldwide.

I suggest any legislation of this kind being pushed by a hardcore minority that encourage localism and violence will do no favours to the residents, business's or image of Maui in particular.

I hope you make the right choice and block this bill.

Thanks

Phil

phil@ripandslash.com

Skype Name: philiphorrocks

+44 (0) 7733267669

www.RipandSlash.com

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testimony

From: Finian Maynard [finianmaynard@mac.com]
Sent: Thursday, February 14, 2008 8:22 PM
To: testimony
Subject: Subject: Ocean Recreation; Sailboards S.B. NO. 2091

LATE TESTIMONY

COMMITTEE ON WATER AND LAND

DATE: Friday, February 15, 2008

TIME: 2:45 p.m.

The content of your email should read something like:

To Whom it May Concern,

I would like to register my opposition to the proposed bill : Ocean Recreation; Sailboards S.B. NO. 2091

The passing of this bill would be extremely detrimental both to the sport of windsurfing and the very active windsurfing industry that has established itself in the state of Hawaii and consequently this would negatively impact on both tourism and local businesses adversely affecting the economy of Hawaii

As an active windsurfer that regularly travels to Hawaii specifically to enjoy the sport of windsurfing I ask you to vote against this bill.

Kind regards

NAME - Finian Maynard

SAIL NUMBER - KV11

ADDRESS - PO BOX 474, EAST END, TORTOLA, BRITISH VIRGIN ISLANDS

testimony

LATE TESTIMONY

From: Johan Jeppsson [kj.jeppsson@gmail.com]

Sent: Thursday, February 14, 2008 9:07 PM

To: testimony

Subject: Testimony to bill SB 2091 COMMITTEE ON WATER AND LAND hearing of Friday February 15, 2008 2.45pm

A law like the proposed bill SB2091 would mean a huge damage to the windsurfing related industry (shops, tourists), that in Maui is pretty remarkable.

With a 200 feet limit, in fact, a single surfer on the break will virtually mean no sailboards on the break.

And that'll be the end of wavesailing at Hookipa or Kanaha when there's waves and it's windy.

At Kanaha there's already the 11 o'clock rule (no windsurfing before 11am) that leaves plenty time to surfers to enjoy the less windy hours of the day.

At Hookipa there's already the 10 man rule (no windsurfing if more than 10 surfers in the water) that protects the surfers' safety.

A rule like the proposed bill SB2091 will not be fair towards windsurfers and kitesurfers.

Please, don't pass it. Thanks.

testimony

LATE TESTIMONY

From: Philip Horrocks [phil@ripandslash.com]

Sent: Thursday, February 14, 2008 8:41 PM

To: testimony

Subject: S.B. NO. 2091 - Prohibits operators of sailboards from approaching within 200 feet of a swimmer or surfer in the ocean.

To Whom it may concern,

I strongly urge you to reconsider your proposal here, this is an unnecessary piece of legislature that will only increase friction between factions within the recreational water using community.

Throughout the rest of the entire world (in places a lot busier than Hawaii) water users co-exist with virtually no restrictions, it's a simple matter of respect for each other and an understanding/education of what is and isn't safe that needs to be undertaken.

Maui is a Mecca to windsurfers worldwide.

I suggest any legislation of this kind being pushed by a hardcore minority that encourage localism and violence will do no favours to the residents, business's or image of Maui in particular.

I hope you make the right choice and block this bill.

Thanks

Phil

phil@ripandslash.com

Skype Name: philiphorrocks

+44 (0) 7733267669

www.RipandSlash.com

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2/14/2008

testimony

LATE TESTIMONY

From: Steven Bard [stevenbard@verizon.net]

Sent: Thursday, February 14, 2008 9:23 PM

To: testimony

Subject: COMMITTEE ON WATER AND LAND, Date: Friday, February 15, 2008, Time: 2.45pm

Please do not regulate windsurfing in Hawaii. We will all go to Mexico instead of Hawaii. If you remember the last major resession, windsurfing helped save Maui's economy.

Steven Bard

SB 2091

testimony

From: Justyna S [justinasurf@gmail.com]

Sent: Thursday, February 14, 2008 9:47 PM

To: testimony

Subject: Ocean Recreation; Sailboards S.B. NO. 2091

I oppose against this bill (Sailboards S.B. NO. 2091)

Justina Sniady

LATE TESTIMONY

testimony

From: Micah Buzianis [micahbuzianis@mac.com]
Sent: Thursday, February 14, 2008 12:55 PM
To: testimony
Subject: Opposition of SB No 2091

Dear Sirs,

I am writing to oppose the introduction/passing of S.B. NO. 2091 regarding the prohibition of operation of a Windsurfer or Kitesurfer within 200 feet of a surfer or swimmer. I lived on Maui since 1986 and have windsurfed all over Maui and Oahu throughout this entire time. I am a professional windsurfer so i spend almost every day on the water at some time or another and never once have I witnessed a collision of a windsurfer with a swimmer or surfer. In my professional opinion a windsurfer provides a lot more maneuverability than a surfer or a swimmer. I am also an american and I feel that a bill like this is limiting our freedoms, windsurfing is a natural sport free of motors or pollutants such as air and noise. To put a ban or limitation on something as clean and environmentally friendly as this is truly against what are values and goals should be as Americans.

Sincerely yours,
Micah Buzianis
111 Makahiki St.
Paia, Hi 96779

LATE TESTIMONY

testimony

From: Tristan Boxford [tristan@tropicalenergy.com]
Sent: Thursday, February 14, 2008 6:03 PM
To: testimony
Subject: Sailboards S.B. No. 2091

To whom this may concern

I would like to voice my opposition to this proposed bill, as it is unwarranted and discriminates against a large percentage of water users unnecessarily. Imposing guidelines and usage times is one thing, but this kind of action is unjust, especially considering the lack of incidents of any kind to bring about such a bill.

Regards

Tristan Boxford
CEO
Tropical Energy
Hawaii
T: 808 822 7451
C: 808 269 4515
E: tristan@tropicalenergy.com
W: www.tropicalenergy.com

LATE TESTIMONY

testimony

From: dan [danro3@comcast.net]

Sent: Thursday, February 14, 2008 6:21 PM

To: testimony

Subject: COMMITTEE ON WATER AND LAND, Date: Friday, February 15, 2008, Time: 2.45pm

To the committee on water and land

I am opposed to your new bill.

SB 2091

This bill could outlawing windsurfing and kite sailing around Maui. Are you going to outlaw surfing near swimmers also they travel much faster than swimmers? In the mainland we have issues with boats both large and small, jet skies, water skiers, fishermen and swimmers we have all found a way to work with each other why can't you? This bill does nothing but drive a stake between all involved.

Signed

Dan Robinson
Fort Collins Colorado
Windsurfer for 23 years and Maui visitor for 18 years.

LATE TESTIMONY

testimony

From: Mike Pritchard [rmp933@yahoo.com]

Sent: Thursday, February 14, 2008 6:13 PM

To: testimony

LATE TESTIMONY

COMMITTEE ON WATER AND LAND

DATE:

Friday, February 15, 2008

TIME:

2:45 p.m.

SB 2091

I am a Hawaii resident, and I oppose this bill.

Here on Maui, the windsurfing industry is an important part of the economy, and this bill would be devastating to us. Please do not pass this bill.

Thank you,

Mike Pritchard

70 Mau'u Pl

Haiku, Hi. 96708

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testimony

From: Lara Coldicutt [larac@neilpryde.com]
Sent: Thursday, February 14, 2008 6:08 PM
To: testimony
Subject: Ocean Recreation; Sailboards S.B. NO. 2091

LATE TESTIMONY

COMMITTEE ON WATER AND LAND

DATE: Friday, February 15, 2008

TIME: 2:45 p.m.

To Whom it May Concern,

We would like to register our opposition to the proposed bill : Ocean Recreation; Sailboards S.B. NO. 2091

The passing of this bill would be extremely detrimental both to the sport of windsurfing and the very active windsurfing industry that has established itself in the state of Hawaii and consequently this would negatively impact on both tourism and local businesses adversely affecting the economy of Hawaii.

As a manufacturer of windsurfing equipment with a retail and rental operation in Maui in addition to it being the hub for our design and development work, the impact of this bill would be significant to our business as it would seriously impede our ability to sustain our operations in Maui. Our business brings many visitors to Maui each year supporting the local economy.

We recognise the safety concerns pertaining to swimmers and always advise participants in the sport of windsurfing and our own staff to exercise caution in this regard however in our experience windsurfing in Maui is largely conducted in conditions that are less than ideal for swimming so the two activities are rarely conducted in the same area at the same time.

A large number of the participants in our sport are also regular swimmers and surfers so understand the need to respect other water users and we are firmly of the belief that all beach and water users can exist in harmony without the need for this bill. Therefore we ask you to please vote against it.

Yours sincerely

The Management of Neil Pryde Limited
400 Hana Highway
Kahului
HI 96732
USA

testimony

From: Kuuipo Goonetilleke [kuuipo@tropicalenergy.com]
Sent: Thursday, February 14, 2008 6:26 PM
To: testimony
Subject: Ocean Recreation: Sailboards S.B. No. 2091

To whom this may concern,

I am writing this mail to disagree wholeheartedly with the proposed bill regarding windsurfing and kitesurfing in the State of Hawaii. It discriminates unjustly against a vast percentage of Ocean users and for no real reason. Each day there are accidents caused by surfers in the water and boards hitting others, yet there are very few, if any incidents of windsurfers hitting anyone else. Why therefore is it fair to impose such a rule and effectively rule out local residents from practising their sport at all the beaches that are most suited to it?

Maui is a windy island - when it is suited to windsurfing, there are definitely no swimmers and more often than not, few or no surfers. Only at the bridge hours as the trades start to strengthen is there a cross over occurring and very rarely is there any complaints or resentment from anyone. Why would it be fair to rule out a huge cross section of ocean users because there are 2 or 3 surfers on the water on a windy day? Windsurfing as a sport is very sensitive to surfers and respect their rights and place on the water - even just the respecting the usage hours shows this, not to mention the lack of any attitude or confrontation from them towards any other Ocean Users.

This bill quite simply does not make sense and would be completely unjust.

Kuuipo
808 822 7451

LATE TESTIMONY

testimony

From: Mike and Melissa Houston [M3Houston@Verizon.net]

Sent: Thursday, February 14, 2008 6:31 PM

To: testimony

Subject: COMMITTEE ON WATER AND LAND, Date: Friday, February 15, 2008, Time: 2.45pm

For the record, I strongly oppose the bill that restricts use of sailboards and kiteboards in surrounding waters of Maui. Windsurfing has brought much growth and prosperity to the North Shore of Maui and established it as the "birthplace" modern windsurfing. I would hate to see it be the burial ground as well. As far as dangers to swimmers, I have never heard of a swimmer injured by a windsurfer and believe that all windsurfers respect others rights when in the water.

Respectfully,

Mike Houston

LATE TESTIMONY

SB 2091

testimony

LATE TESTIMONY

From: trent [trent@cobrainter.com]
Sent: Thursday, February 14, 2008 6:09 PM
To: testimony
Subject: FW: Ocean Recreation; Sailboards S.B. NO. 2091

Attention : COMMITTEE ON WATER AND LAND

DATE:

Friday, February 15, 2008

TIME:

2:45 p.m.

Please note as an active Windsurfer and visitor to Hawaii, I completely disagree with this proposal.

Thanks

Trent Pedersen

Sales and Marketing Manager
Windsurf & X-Sports Business Unit
COBRA Intl. Co. Ltd.
700/478 Bangpakong Ind. Park 2
Moo 7, Donhwaror, Muang District
Chonburi 20000, THAILAND

Tel. ++66/3845 4219-28 (ext. 253)
Fax ++66/3845 4210
Mob: +66 818018507
Skype: trent-pedersen

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From: Vivienne [mailto:info@pwaworldtour.com]
Sent: Friday, February 15, 2008 6:23 AM
Subject: Ocean Recreation; Sailboards S.B. NO. 2091

Dear Sailors & Industry Members,

The STATE of HAWAII is proposing a bill will kill the windsurf business and could shut down sailing from our beaches, private land or public!

<http://www.capitol.hawaii.gov/session2008/bills/SB2091 .htm>

Please write a simple e-mail stating you do not agree with this and send it to: Committee on Water & Land <testimony@capitol.hawaii.gov>

testimony

From: salvatore.luca@gmail.com on behalf of Luca [luca@isurf.it]
Sent: Thursday, February 14, 2008 7:46 PM
To: testimony
Cc: Vivienne
Subject: against sb 2091 on ocean ricreation

LATE TESTIMONY

Dear Senators of the State of Hawaii,

Hawaii is not just the matherland to Hawaiians or part of the United States, but like many other unique places on earth it belongs to the world cultural heritage.

It is in the best interest of whoever happens to inhabit any particular place on earth to do its best effort to preserve it for future generations.

National legislations - safe for a few undemocratic places on earth - are always intended to be as non-discriminatory, making it possible for everybody on earth to experience and enjoy nature 's beauty and power and experience a new culture, while insuring at the same time that nature and human beings are respected and treated fairly.

Hawaii has a very strong tradition and is at the world forefront preserving the ocean and making sure that local culture is respected and trasmitted to future generations.

Not just to surfers and swimmers, but also to the world windsurfing and kiteboarding community Hawaii is indeed what is Rome to Christians, Mecca to Muslims and Tibet to Buddhist and Varanasi to Hindus.

Hawaii is respected and held in high consideration, Hawaii is a dream, a religion, made target of at least a onetime visit in a lifetime, often in connection with a honeymoon, due to the very high cost implied for most non-americans and non-japanese.

Besides having a much negative impact on turism (provided that turism be still an interest of hawaiian community, given recent developments) such proposed legislation would discriminate the practice of windsurfing and kiteboarding on the island, making it de facto impossible in presence of surfers or swimmers.

Please ponder carefully before passing such a bill.

It's probably as close to an infringement of human rights as it could possibly be.

Promote tollerance and cohabitation, not prohibitionsm.

In the best ancient Hawaiian tradition.

Respectfully yours,

Luca Salvatore
www.isurf.it
Rome

testimony

From: Rachel Charis Ng [rachel@welovewindsurfing.com]
Sent: Thursday, February 14, 2008 7:31 PM
To: testimony
Cc: Jimmy Diaz
Subject: Re: Ocean Recreation; Sailboards S.B. NO. 2091

LATE TESTIMONY

COMMITTEE ON WATER AND LAND

DATE:

Friday, February 15, 2008

TIME:

2:45 p.m.

Dear Sir/Madam,

I would like to join in PWA's appeal against the ban of windsurfing on Hawaii. Hawaii is known, famous and thrives on windsurfing, without which Hawaii is in danger of losing its many tourists, reputation and status. It may be more viable to educate sea users on safety precautions, right-of-way rather than implementing bans. Is it right to say then that surfers and swimmers are favoured over windsurfers? Why? There are also surfers who surf dangerously on the same water, posing a danger to windsurfers. Similarly, on the same road/highway, there're some vehicles which are faster than others by means of more expensive/better cars or motorbikes, then do we ban them from the roads? Let's derive a more fair solution to this issue than to ban windsurfing. Please kindly consider our appeal. Thank you.

Rachel Charis Ng
The Windsurfing Shop Pte Ltd

shop: +65 64491955

m: +65 97733045

fax: +65 6836 4995

www.rachelng.net

www.welovewindsurfing.com

www.uranium.sg

1390, East Coast Parkway, Singapore 468961

skype: rachelcharis

North, Fanatic, Naish, Exocet, Slingshot, Underground, Mistral, Fiberspar, Streamlined, Dakine, O'Neill, Uranium Eyewear, Ozone, Aquapac, Dry Tek...

Copy of Jimmy Diaz letter to Committee on Water & Land <testimony@capitol.hawaii.gov>

COMMITTEE ON WATER AND LAND

LATE TESTIMONY

testimony

From: Andrea Trita [andrea.trita@unipv.it]

Sent: Friday, February 15, 2008 5:57 AM

To: testimony

Subject: Testimony to bill SB 2091 COMMITTEE ON WATER AND LAND hearing of Friday February 15, 2008 2.45pm

A law like the proposed bill SB2091 would mean a huge damage to the windsurfing related industry (shops, tourists), that in Maui is pretty remarkable.

With a 200 feet limit, in fact, a single surfer on the break will virtually mean no sailboards on the break. And that'll be the end of wavesailing at Hookipa or Kanaha when there's waves and it's windy.

At Kanaha there's already the 11 o'clock rule (no windsurfing before 11am) that leaves plenty time to surfers to enjoy the less windy hours of the day.

At Hookipa there's already the 10 man rule (no windsurfing if more than 10 surfers in the water) that protects the surfers' safety.

A rule like the proposed bill SB2091 will not be fair towards windsurfers and kitesurfers.

Please, don't pass it. Thanks.

Andrea Trita

testimony

LATE TESTIMONY

From: Barabas, James [JBarabas@gibsondunn.com]
Sent: Friday, February 15, 2008 8:47 AM
To: testimony
Subject: FAO Committee on Water & Land

RE. S.B. NO. 2091 / TWENTY-FOURTH LEGISLATURE, 2008 / A BILL FOR AN ACT RELATING TO SAILBOARDS.

Dear Sir / Madam --

It has come to my attention that a Bill is being considered to ban kiteboarding within 200m. of swimmers. In various parts of the world where swimmers and kiteboarders share the water, exclusive zones are established either year round or in busy seasons to help regulate and share the water.

If regulation is thought wise, may I commend this approach.

If a blanket ban is introduced, I will not be vacationing in Hawaii any more.

Kind regards,

James Barabas
London, UK

"MMS <Gibsondunn.net>" made the following annotations.

This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

testimony

From: bill-gilbert [bill-gilbert@magma.ca]
Sent: Friday, February 15, 2008 8:31 AM
To: testimony
Subject: sb 2091

LATE TESTIMONY

Dear legislators: I am in the process of booking an annual windsurfing vacation on Maui/Oahu. However if the proposed legislation passes I will certainly be taking my \$\$\$\$ to other windsurfing hotspots (South America & Caribbean Europe etc).

Even the fact that this is being considered is making me question my decision on where to spend my tourist dollars.

common sense for all
less government = better government

Willi

testimony

From: Richard Salem [salem@rmi.net]
Sent: Friday, February 15, 2008 8:53 AM
To: testimony
Subject: SB 2091

LATE TESTIMONY

I write to express my profound concern and objection to the proposed SB 2091. I am a sailboarder who consistently practices safety and awareness for all swimmers, boogie boarders, surfers, etc. In my many years of enjoying the sport of sail boarding, I have never seen or experienced any conflict or safety danger with others in the water.

Sail boarders are extremely considerate of others and are always striving to learn more including being courteous and safe around others in the water and on the beach. The primary reason I live in and own a residence in Hawaii is to enable my sail boarding. If such legislation were passed, it would have huge negative consequences for people like me and certainly for the many businesses and employees focused on the sport of sail boarding.

Please reject such an unreasonable and harsh piece of legislation.

Thank you for your attention.

--Rich Salem
320 Paani Place
Paia, HI 96779

testimony

From: benjamin pink [benpfree@yahoo.com]
Sent: Friday, February 15, 2008 8:47 AM
To: testimony
Subject: Testimony to bill SB 2091 COMMITTEE ON WATER AND LAND hearing

LATE TESTIMONY

Hello,

I wanted to comment on the bill SB 2091.

Please DO NOT pass this bill. Sailboards are not the problem.

A law like the proposed bill SB2091 would mean a huge damage to the windsurfing related industry.

With a 200 feet limit, in fact, a single surfer on the break will virtually mean no sailboards on the break. And that'll be the end of wavesailing at Hookipa or Kanaha when there's waves and it's windy.

At Kanaha there's already the 11 o'clock rule (no windsurfing before 11am) that leaves plenty time to surfers to enjoy the less windy hours of the day.

At Hookipa there's already the 10 man rule (no windsurfing if more than 10 surfers in the water) that protects the surfers' safety.

A rule like the proposed bill SB2091 will not be fair towards windsurfers and kitesurfers.

Please, don't pass it. Thanks.

Benjamin Pink

P.S. I come to maui every year for windsurfing. I spend lots of my money in the local economy on restaurants, shops, etc. I would not come and spend my money there if I couldn't windsurf.

Looking for last minute shopping deals? [Find them fast with Yahoo! Search.](#)

testimony

From: Norah Jackson [norah@roarockit.com]
Sent: Friday, February 15, 2008 8:26 AM
To: testimony
Subject: S.B. No. 2091 Sailboarding Restriction Bill

LATE TESTIMONY

I am a Canadian from Toronto Canada and a frequent visitor to Maui for the sole reason of windsurfing. This proposed bill would effectively stop me, my husband and our many friends and family from ever returning to Maui.

For the past 25 years, I have used every single vacation without exception, to windsurf in locations all over the world. 8 years ago, my first visit to Maui proved that it is by far the best place in the world for recreational and competition windsurfing. My husband and I return every year to Maui even though there are other places much closer to us.

Since coming to Maui I have also improved my swimming and surfing skills, and of course have been aware of safety issues. My experience in Maui is that there is great respect for the ocean, the fish in it, and the people using it! I agree there may be a potential for injury when swimming and windsurfing is mixed along the shore, however I think the current situation works very well. Marked swimming areas that can be monitored by life guards, as well as the "do not sail before 11 am" works just fine. The only thing I've ever noticed, (and it's never been an issue) are when swimmers use a windsurf launch after 11 am instead of the designated swim areas.

I know of no other place in the world that has enforced a bill such as this, and certainly do not feel that it is warranted. I use the ocean as a swimmer, surfer and a windsurfer, and common sense and a healthy respect, which I believe exists now, makes this bill unnecessary and even an insult to our intelligence.

Please give responsibility TO people, instead of taking it away by creating more rules. I do not think this bill has been thought out carefully, and I truly believe this will create more aggravation between different "sides" by promoting discrimination and hatred between groups.

Sincerely,
Norah Jackson

www.roarockit.com

testimony

LATE TESTIMONY

From: Alessandro Venezia [a.venezia@libero.it]
Sent: Friday, February 15, 2008 1:14 AM
To: testimony
Subject: http://www.capitol.hawaii.gov/session2008/bills/SB2091_.htm

COMMITTEE ON WATER AND LAND
DATE: Friday, February 15, 2008

To Whom it may concern,

I would like to say I oppose the passage of this bill.
http://www.capitol.hawaii.gov/session2008/bills/SB2091_.htm

This bill would greatly affect in a negative way a very active windsurfing industry that has a significant economic impact on the state of Hawaii. This impact is not only in the form of tourism, but also in the form of businesses that have established Hawaii as a focal point of research and development, training, retail, rental, and image capturing for the sport of windsurfing. All of these businesses help perpetuate Hawaii as a tourist destination to millions worldwide.

I ask you to vote against this bill.

Sincerely,

Alessandro Venezia

testimony

From: Alicia Ageno [ageno@lsi.upc.edu]
Sent: Friday, February 15, 2008 12:21 AM
To: testimony
Subject: Ocean Recreation; Sailboards S.B. NO. 2091

LATE TESTIMONY

COMMITTEE ON WATER AND LAND

DATE: Friday, February 15, 2008

TIME: 2:45 p.m.

To Whom it may concern,

On behalf of the many windsurfers from Spain who visit Hawaii for enjoying windsurfing, I would like to say we oppose the passage of this bill.

Many many of us go for holidays very often to Hawaii because of the gorgeous windsurfing conditions we enjoy there. If the bill was applied, we would not do it anymore. There is a very important industry and touristic sector around windsurfing in Hawaii that would die if the bill is applied.

Therefore, I ask you to vote against this bill.

Sincerely,

Alicia Ageno
08034 Barcelona
Spain

**LATE
TESTIMONY
SB 2091
(END)**