

**SB 2926**

Peter Courture P.O. Box 1455, 7312 Alealea Road, Hanalei HI 96714  
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11 February 2008

Senate Water and Land Committee  
Senator Clayton Hee, Chair  
Senator Russell S. Kokubun, Vice Chair  
c/o Senate Sergeant of Arms  
Fax +1 (808) 586-6659 [testimony@capitol.hawaii.gov](mailto:testimony@capitol.hawaii.gov)

Copy to:  
Senator Mike Gabbard  
Hawaii State Capitol  
Room 204  
415 South Beretani Street  
Honolulu HI 96813  
fax +1 808 586-6679 [sengabbard@capitol.hawaii.gov](mailto:sengabbard@capitol.hawaii.gov), [r.riggs@capitol.hawaii.gov](mailto:r.riggs@capitol.hawaii.gov)

Re: Senate Bill 2926  
Hearing Date: February 13, 2008  
Hearing Time: 2:45 p.m.  
Hearing Place: Room 414 Hawaii State Capitol

Please make 30 copies and accept this as my testimony (I am overseas on business).

Dear Committee and Senator:

I am a shoreline property owner on Kauai's north shore. I am writing to express full support of the Senate Bill (SB2926) which proposes to add criminal penalties to enforce the laws forbidding the use of private ATV's and motor vehicles on our state beaches.

My property is fronted by a dune crest, with native and natural growing plants on the mauka side. In the past, ATV's, motorcycles and other vehicles have used the dune crest for recreational frolics, digging away at the crest and crushing the plants. This not only detracts from the natural beach preservation abilities of the dune (eroding the shoreline), it also destroys the plants which help to preserve the dune.

ATV's and motor vehicles also present a safety hazard to people (walking, sitting or lying) and wildlife (i.e., monk seals) on the beach. ATV's and motor vehicles are noisy and smelly; their pollution seems so contrary to what the beach is intended for.

In my view, ATV's and motor vehicles are inconsistent with the intended enjoyment of our beaches and the beauty of their natural state. They should be kept off.

I understand that past enforcement efforts have been hampered by the lack of any meaningful penalties. This bill would allow the Department of Land and Natural Resources' Enforcement Division to make arrests, confiscate vehicles, and issue criminal citations. With this help, the damage, such as illustrated in the attached photo I took of the disruption caused by some inconsiderate and unlawful person, can be ended.

I hope you will pass the legislation and that the Department will vigorously enforce the resulting law.

Mahalo,

A handwritten signature in cursive script that reads "Peter Courtire".

Attachment: photo showing damage from ATV/motorcycles



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Dear Committee and Senator:

I am a shoreline property owner on Kauai's north shore. I am writing to express full support of the Senate Bill (SB2926) which proposes to add criminal penalties to enforce the laws forbidding the use of private ATV's and motor vehicles on our state beaches. My property is fronted by a dune crest, with native and natural growing plants on the mauka side. In the past, ATV's, motorcycles and other vehicles have used the dune crest for recreational frolics, digging away at the crest and crushing the plants. In some instances, I believe the damage was done intentionally. This not only detracts from the natural beach preservation abilities of the dune (eroding the shoreline), it also destroys the plants which help to preserve the dune.

ATV's and motor vehicles also present a safety hazard to people (walking, sitting or lying) and wildlife (i.e., monk seals) on the beach. ATV's and motor vehicles are noisy and smelly; their pollution seems so contrary to what the beach is intended for.

In my view, ATV's and motor vehicles are inconsistent with the intended enjoyment of our beaches and the beauty of their natural state. They should be kept off.

I understand that past enforcement efforts have been hampered by the lack of any meaningful penalties. This bill would allow the Department of Land and Natural Resources' Enforcement Division to make arrests, confiscate vehicles, and issue criminal citations. Please consider as part of your current action(s) clarifying the enforcement responsibilities of those Agencies charged with protecting our invaluable shoreline resources. Also, please bear in mind the funding requirements of the enforcement effort in your future budgetary considerations.

I hope you will pass the legislation and that the Department will vigorously enforce the resulting law.

Mahalo,

Joseph A. Brescia

February 12, 2008

Senator Russell S. Kokubun, Chair  
Senator David Y. Ige, Vice Chair

RE: SB 2926- Relating to Public Lands  
Committee on Water and Land

Aloha Senator Clayton Hee, Chair and Senator Russell Kokubun:

My name is Patty Kahanamoku Teruya the former Chair of the Wai'anae Neighborhood Board No. 24 and also residents of Nanakuli for over 38 years.

I will be in support of SB 2926 which will require the Department of Land and Natural Resources to enforce penalize with a petty misdemeanor and imposes mandatory fines for violators who operate motorized vehicles on or any other area that is not a designated roadway.

By supporting this bill, you will preserve our beaches, forest reserves, state parks and state land and most of all the sacred burial grounds and harm the natural ecosystem on public lands. These vehicular vehicles have been on notice for several years and observed by many of us of the lack of public safety for those who tend to use the beaches.

The Wai'anae Coast could be a unique place, with no illegal vehicular vehicles tracking our coast line beaches; it would bring community pride and values to the community and to our keikis in educating the value of our aina. Hopefully, we all should take better care of our community.

Thank you for your time and the submittal of my testimony on SB 2926. Should you require information, please contact me at [pteruya@hawaiiantel.net](mailto:pteruya@hawaiiantel.net) or 520-4483.

Malama Pono:

Patty Kahanamoku Teruya  
Nanakuli Ahupu'aa

February 12, 2008

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Senator David Y. Ige, Vice Chair

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Nanakuli Ahupu'aa



END

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