

kim5 - Deborah

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 23, 2010 9:10 PM
To: WAM Testimony
Cc: hinessight@gmail.com
Subject: Testimony for HB2582 on 3/24/2010 9:30:00 AM

LATE

Follow Up Flag: Follow up
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Testimony for WAM 3/24/2010 9:30:00 AM HB2582

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Shannon Hines
Organization: Individual
Address: 141 Kaai Street Honolulu, HI
Phone: 808-491-2610
E-mail: hinessight@gmail.com
Submitted on: 3/23/2010

Comments:

The Ala Wai and Keehi SBHs are the only State harbors that are restricted to Recreational vessels, and have been so designated since their construction. This was done to better serve the most densely populated areas of the State.

The recreational only designation of the Ala Wai SBH also has roots in the provisions of the "Hobron Trust" (that provided the harbor area to the State) that the harbor property be limited to public recreational purposes. Similarly, the submerged lands of the Keehi SBH are also limited to public recreational use by a State of Hawaii agreement with the U.S. Department of the Interior that came about during the "Reef Runway" development project, and focused on the preservation of certain wild fowl habitats.

Also, the availability of the Kewalo Basin marina in the same general area served to compensate for the commercial needs. Moving commercial vessels from Kewalo harbor to Ala Wai small boat harbor largely increases the potential of major accidents to humans, especially to children and teenagers who are learning ocean right of way Laws by practicing sailing and canoeing down all the water ways in the Ala Wai small boat harbor, the harbor entrance is approximately 200 ft wide which leaves no room for boating errors.

It is true that many other small boat harbors have theoretic mixed use but what you find is commercial use predominates and that makes it all the more important that the one small boat harbor that is heavily used for recreational purposes with limited commercial operations be so maintained. Kewalo of course has slips for commercial vessels it has been unable to fill at the other end of Ala Moana Park. The State's major junior sailing programs are in that harbor as well as the largest concentration of canoes, not to mention Ala Moana park users. You can imagine the impact of just a handful of thrill craft let alone 129 commercial vessels using the turning basin on junior sailing, paddling, surfers, kayakers and stand-up paddlers.

I feel HB 2582 would not only alter the status of the land but cause irreparable harm to the recreational community who will be forced to vacate the area once commercial boats are allowed.

Large commercial vessels are going to pose a huge problem for paddlers and surfers who will be facing the gantlet of new commercial boats everyday. In addition, fumes generated by the large fishing boats will threaten not only the coral reefs, but the quality of life for boaters and for beach goers.

Please tell DLNR to separate the fee increase issue from the commercial issue. The Ala Wai Harbor is host to many other events such as the Molokai Hoi, and swimming and surfing events that have nothing to do with boating or slip fee issues.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 23, 2010 10:49 PM
To: WAM Testimony
Cc: rglivinghi@aol.com
Subject: Testimony for HB2582 on 3/24/2010 9:30:00 AM

Follow Up Flag: Follow up
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Testimony for WAM 3/24/2010 9:30:00 AM HB2582

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Ronald Livingston
Organization: Individual
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E-mail: rglivinghi@aol.com
Submitted on: 3/23/2010

Comments:

kim5 - Deborah

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 23, 2010 11:02 PM
To: WAM Testimony
Cc: malia_96825@yahoo.com
Subject: Testimony for HB2582 on 3/24/2010 9:30:00 AM

Follow Up Flag: Follow up
Flag Status: Completed

Testimony for WAM 3/24/2010 9:30:00 AM HB2582

Conference room: 211
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Bonnie Malia Livingston
Organization: Individual
Address: 7021 Kamilo St Honolulu, HI
Phone: 808-391-5372
E-mail: malia_96825@yahoo.com
Submitted on: 3/23/2010

Comments:

kim5 - Deborah

From: Gary W. Brookins [brookins.boats@hawaiiantel.net]
Sent: Tuesday, March 23, 2010 11:25 PM
To: WAM Testimony
Subject: burn HB 2582 SD1 and HB 2741 HD1 SD1

Follow Up Flag: Follow up
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Senators

I called each of your offices today, expressing my opposition to the two bills that suggest increasing live-aboard rates for the Ala Wai Small Boat Harbor. Your respective receptionists were cordial and attentive in your behalf. They are to be commended.

To summarize my position, opinion, and suggestions, I submit the following.

I have been an avid participant and supporter of boating in all manner since arriving to Hawaii by my own sailboat some 28 years ago. I have been in the business of servicing, restoring, and building boats since my arrival. I am intimately associated with both the recreational and commercial boating communities, as well as being a participant myself.

I operate both trailer and slipped boats out of the Ala Wai. For \$35 per year, I can launch & haul my trailer boat every day at the boat ramp. I can run two wash down hoses (1 for my boat and 1 for my engine) for as long as I want, all the while loading the dumpster with whatever I want ...neither functions are monitored by nothing other than another trailer boater who might be waiting to do the same. It gives me great peace of mind to know I can park my dully-truck with 35 ft trailer attached (about 55 feet overall) behind the Harbor Master's office, for FREE, all weekend or longer. All of this for only \$35 per year, and at any ramp on the island. On the mainland, many boat ramps command a \$35 fee PER USE.

When I walk just 100 yards down the way, I come to my moored sailboat. I now pay \$3,500 per year to tie it to a finger pier ...or 100 times as much as I pay for the same privileges afforded my trailer boat in the Ala Wai ...that is come & go use on a daily basis. If I park my car (1/4 the length of my truck & trailer) in front of my sailboat for an eight hour period, at \$1.00 per hour, I will pay \$8.00 per use, or \$240 per month or \$2,880 per year. That makes the \$300/year permit fee look wonderful, but I still pay \$3,800 net per year for the same privileges a \$35/year trailer boater gets. I guess I could save the \$300/year by pulling and parking my truck with empty trailer behind the harbor office and walking to my sailboat ...its good cardio exercise and I wouldn't have to drive around for 30 minutes looking for a parking space at \$1.00 per hour.

I am not currently a live-aboard, but if I were, HB 2582 or HB 2741 would triple my live-aboard mooring rate. I understand you have copy of the results of those formulas being applied. It is devastating to even think about. And it is also devastating when one realizes that roughly 125 boaters (families) are being targeted for this increase in order to make up deficits in the DLNR bank account. There are that many empty slips in the harbor. Why aren't they being offered and filled? DLNR is missing the money because they are missing the boats! Who is minding the store? If they want more live-aboard money ...offer more live-aboard slips and fill them. These bills feel punitive, if not retaliatory; for what reason(s) I don't know. Those are horrible thoughts, so **desperate** might be a more appropriate description. Add to this the fact that my mooring rates will go up 66% over the next five years, the live-aboard rate impact is astronomical, especially when compared to live-aboard rates across the country. If the Ala Wai was a gated community with piers, facilities, and security

similar to that of Ko Olina, the increases might be welcomed. But it is not, and I don't hear of any plans to parallel that.

With about 15,000 registered boats in the state, and 80% of them being trailer boats, this implies there are about 3,000 slipped boats vs. 12,000 trailer-able boats. If 2,000 are canoes that sit mostly in water front parks managed by DLNR, that leaves approximately 10,000 trailer boats using the ramps at \$35 per year. My parking fee (formerly called an Administrative Fee at \$25/year) was increased 12 fold this past year. If my boat ramp fee were likewise increased 12 fold, I would be paying only \$420 per year for the same Ala Wai usage I pay \$3,800 per year for my sailboat. What a disparity! How inequitable is that? And I find it more distressing to think that similar size boats to my sailboat moored at Waianae or Haleiwa Harbors, only half the mooring fee I pay; and park for fee as well. Why is there such a disparity between mooring rates at the different harbors? If D, C, and E mooring rate schedules were done away with, in favor of the A and B schedules, the deficit would once again be drastically reduced if not eliminated.

Increasing boat ramp fees, even only 10 fold could generate roughly \$3M per year. I think it is a suggestion that may be met with protest by trailer boaters. But then again, haven't you heard how desperately they want and need more ramps, and those we have to be repairs and upgraded? There a major struggle going on to recover the Ko Olina boat ramp. For a State whose major boating population functions from trailers, the number of ramps and their condition is pathetic. I think trailer boater would not find the increase so objectionable if they know there would be better facilities for it; take a look at mainland ramp facilities for comparisons. Having used all of the ramps on Oahu over the past 28 years, I can't recall any improvements at all, so it leaves me wondering were my increased ramp fees would go. Would it go the same way as the surplus that the Ala Wai generates now?

In summary, I understand more operating capital is needed. We've all been to the gas station. It is not going to get any better, and the population is growing, hence the demands on DLNR grow. But I also think all the alternatives have not been closely reviewed; cash sources that are already in place but unmonitored and untapped; that all of the harbors, including the ramps are not carrying their fair shares of the financial burdens they each bring; that there is an inequality of mooring fees/foot that needs to be brought closer. I think both of these bills and any vestiges of them will in the end, not make a much of a difference as calculated or hoped for; that they are inequitable, and should be burned ...don't cook your marsh mellows on them ...you will get as sick to your stomach as the hand full of boaters whom the bills target if they becomes law. It is shameful and a calculated injustice to 100 – 125 families. Please to do not pass these bills.

Lastly, when I read and see all the Aye votes these bills have received up until this point, I left wondering "What am I not seeing with the Big Picture." If someone could spare me a few minutes, I would appreciate some insights on the matter.

Thank you for your time; call at your leisure

Gary Brookins

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kim5 - Deborah

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 23, 2010 7:58 PM
To: WAM Testimony
Cc: zelei7ke@yahoo.com
Subject: Testimony for HB2741 on 3/24/2010 9:30:00 AM

LATE

Follow Up Flag: Follow up
Flag Status: Completed

Testimony for WAM 3/24/2010 9:30:00 AM HB2741

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Zelei Abordo
Organization: Individual
Address: 1727 S Beretania St. Honolulu, Hawaii
Phone: 808-741-5258
E-mail: zelei7ke@yahoo.com
Submitted on: 3/23/2010

Comments:

The reason the state is in such a sorry state of affairs is because the Administration has used poor judgment when investing the public's monies. Now, the administration has managed to take the attention off of their poor managing skills by keeping the people busy with fighting off their attempts to disenfranchise us. Now, part of the Administration's solution is to punish the boaters with exorbitant and ridiculous fee increases. I am not a boater but I've seen so much PILIKIA from this Administration and DLNR that I have to scream out and say ENOUGH ALREADY. DLNR has consistently undermined the public that they're supposed to serve. Every public meeting that they've held was a joke. They always claim to be getting public input so they can include it in their plan but its all a huge SHIBAI.

I've been to enough meetings to know that Legislators know all the facts and numbers that they need to know and that the question that should be asked is, ARE LEGISLATORS REALLY WILLING TO DO WHAT IS RIGHT FOR THE PEOPLE THAT THEY'RE SUPPOSED TO BE SERVING OR IS DLNR going to dictate what is right?

I OPPOSE THIS BILL IN ALL EARNEST. My suggestion is that the Legislators kill this bill and truly give the PUBLIC a chance to come up with some REAL solutions that won't hurt everyone. The solutions would be objective with both the boaters and DLNR's goals in mind. It wouldn't be a one sided solution like the one that DLNR is proposing. And if DLNR counters with we were given a chance to form an ad hoc committee and we came up with no report well the reason is because we were given a one year time table and DLNR decided to implement before the one year period was up. On top of that when the ad hoc committee asked DOBOR for certain records that were necessary to put together an informed completed report we were given information that had nothing to do with what we were asking for. VOTE NO!

JERRY SINAY
PhD Public Administration (ret)
350 Ward Ave, #106
Honolulu, Hawaii 96814
808-383-2525

TESTIMONY

3-23-2010

RE: HB2741 HD1 SD1
HB2582 SD1

FAX TO 808-587-7205
FAX FROM: 808-946-9456

Hearing date: 3-24-2010, 9:30AM

Please vote NO on these Bills

Honorable Senator Donna Kim, Chair

This testimony is from a 78 year old, elder long time local resident and retiree living aboard my boat in the Ala Wai Small Boat Harbor.

HB 2582 SD1 targets Senior Citizens and other Harbor residents on low fixed incomes for additional taxation.

HB 2741 HD1 SD1 has turned into a companion Bill that increases taxation upon Senior Citizen Retirees under the guise of a "fishing" bill. This was amended last minute without any public input duplicating the language in HB 2582.

If the State wishes to increase income, it would be more efficient to raise the live-aboard limitations from 15% of harbor occupants in all slips & moorage statewide to 100%, without raising rates and encouraging people to go off welfare and live in an affordable manor. The current wait list for live-aboard status is over 2 years to live in their own homes (their vessels) because of current Government restrictions. This doesn't seem to make any sense at all.

Why would you Honorable Senators, as our leaders, wish to burden seniors in their declining years?

The Ala Wai and Keehi Harbors are considered by the US boating community to be the worst in the nation. Crumbling piers, inadequate & unkempt toilet facilities, drug dealers abounding, monies collected from harbors being spent in other areas not related to the recreational boat harbors and needs of the recreational boaters, where it was intended.

It is noticeably absent in Legislative discussion that just last year regulations were passed that increased statewide slip fees 20% annually for the next five years, doubling the price during a economic depression. Parking which is usually included with slips all over America, have recently been raised here from \$20 annually to \$300.00 per vehicle.

In addition all State slip & mooring holders are now required to obtain costly liability insurance on their vessels and we are being unjustly overregulated.

If this is purely an attempt to rid the harbors of live-aboard tenants, some will move their boats out of state; others forced to sell at depression prices or just abandon their vessels and seek State welfare living in our parks and beaches. Adequate senior housing does not exist in our paradise State of Hawaii.

Our small boat harbors will be decimated because of overcharging, and empty slips means less revenue. The recent change from 25 cents an hour for parking to the new rate of \$1.00/hour has caused the Ala Wai parking lot which was full all the time to being empty all the time. This should demonstrate that the raising of rates does not necessary mean more revenues. The opposite just happened.

Live-aboards neither compete for subsidized senior housing which is not readily available, nor live on our beaches and parks at public expense and on State welfare.

1. Many are unable to live ashore on their retirement incomes here in Hawaii and are amongst the least able to afford the additionally proposed \$500.00 to \$800.00 monthly rental increases proposed in this legislation. Some have already been forced to give up their vehicles to pay their newly increased obligations.
2. Most boats in our Hawaiian harbors are very old vessels valued at \$20,000 to \$40,000 or less, and not owned by wealthy people. This typically represents mostly folks on social security and others that can't afford the high price of apartment rentals, or to even secure non existent affordable senior housing. They have no place else to go!

Principle habitation on boats is another effective solution for lower cost senior housing. It is poor public policy to enact irresponsible legislation.

I urge you to vote no on these two bills.

Respectfully,
Jerry Sinay

(2)

LINDA LINGLE
Governor



SANDRA LEE KUNIMOTO

Chairperson, Board of Agriculture

DUANE OKAMOTO
Deputy to the Chairperson

State of Hawaii
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WRITTEN TESTIMONY OF SANDRA LEE KUNIMOTO
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEE ON WAYS AND MEANS
WEDNESDAY, MARCH 24, 2010
9:30 A.M.
ROOM 211

HOUSE BILL NO. 2775, H.D. 2, S.D.1
RELATING TO AGRICULTURE

Chairperson Mercado Kim and Members of the Committee:

Thank you for the opportunity to testify on House Bill No. 2775, H.D. 2, S.D. 1. The department supports this bill and would like to take this opportunity to provide general comments and some suggested revisions for your consideration.

The department recognizes that this bill will strengthen the department's ability to (1) facilitate the processing and issuance of permits; (2) conduct post-entry monitoring activities; (3) train personnel and provide for workshops, including educational materials and equipment; and (4) carry out other purposes deemed necessary to accomplish the departmental goals with regard to the processing and issuance of permits, letters of authorization, or registration.

Under its current administrative rules for import of animals and microorganisms, the department charges user fees for the processing and issuance of permits, as well as for issuance of a letter of authorization for certain types of microorganisms or the registration of microbial products. However, only certain animals or microorganisms are currently assessed these user fees under Hawaii Administrative Rules Chapter 4-71 (Non-Domestic Animal Import Rules) and Chapter 4-71A (Microorganism Import Rules). This bill will expand the assessment of a user fee to include plants or soil as well as any request for a permit for plants, animals, or microorganisms that requires a rule change

to change the listing of an organism for importation or possession, or requiring board approval. The expanded assessments will provide the department with the means to evaluate import requests based upon available information on the organism requested for import, its intended use, and adequate safeguards and protocols to prevent escape or theft of the allowed species.

The department would like to offer the following revision of Section 2 that will reflect the need to preserve the department's discretion regarding the number of shipments allowed by permit for certain types of imports:

- Page 4, line 1, should read as follows, “(2) \$ _____ for a permit for up to an unlimited number of”

In addition, the department would like to offer the following minor revisions under Section 2 to the bill that will provide clarity and consistency throughout this section:

- Page 4, line 15, should read as follows, “permits for both importation and possession, as provided by”
- Page 5, line 13, should read as follows, “for both importation and possession;”
- Page 5, line 16, should read as follows, “require a permit for both importation or possession, as”