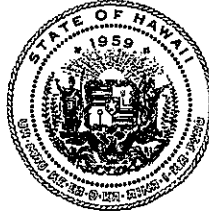


NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.  
INTERIM CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI  
FIRST DEPUTY

WILLIAM M. TAM  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

Testimony of  
WILLIAM J. AILA, JR.  
Chairperson

Before the House Committee on  
FINANCE

Tuesday, March 1, 2011  
2:00 P.M.  
State Capitol, Conference Room 308

In consideration of  
HOUSE BILL 1566  
RELATING TO SMALL BOAT HARBORS

House Bill 1566 permits commercial permits in Ala Wai and Keehi small boat harbors, establishes that small boat harbor fees can be used only for the operating and maintenance of the small boat harbors, authorizes a process for a public-private partnership to develop a portion of Ala Wai small boat harbor, and changes mooring fee rate process.

The Department of Land and Natural Resources (Department) supports parts this measure. Comments on each section of the measure are as follows:

- The Department supports the issuance of a limited amount of commercial use permits for vessels operating from the Ala Wai and Keehi Small Boat Harbors. The Department notes that these are the only two harbors that currently do not allow for commercial vessel activity. Commercial vessel mooring within the Ala Wai Small Boat Harbor should not be limited to specific areas. Defining the commercial mooring areas, limits the Departments ability to effectively manage the facility. Should an area become unusable for any reason, the Department needs the ability to relocate vessels whether they are commercial or not.
- Commercial catamarans are currently paying \$8.50 per year for the exclusive privilege of operating from Waikiki beach. The recommendation from the Department is to amend the language to clarify that commercial catamaran operations are required to be issued a commercial use permit from the Department and pay the same commercial use fees as all other commercial vessel operators.
- Because of the current fiscal condition of the State and the fact that capital improvement money is limited, the Department supports establishing use fees by appraised value. This way, the Department can be assured that it is receiving fair market return on the exclusive use of the public facilities. Revenues exceeding the actual operating cost of the facility

can be used for repairs, maintenance, and replacement of facilities that have exceeded their useful life.

- The Department notes that it currently has the statutory authority to lease fast lands and has recently entered into a Development Agreement for the development of the haul-out and fuel dock areas within the Ala Wai Small Boat Harbor. The Developer paid an initial development fee of \$150,000 and is currently paying \$15,000 per month while working to obtain the necessary permits. The Department supports offering the remaining site located at the harbor office on a Request for Proposals (RFP) basis.
- The Department also supports the leasing of submerged lands similar to the Hawaii and Waikiki yacht clubs. We note that the submerged lands surrounding the haul-out site need authorization to be leased. During the preparation of the RFP for this site, the Department found that no authority had been granted to lease the submerged lands located at the haul-out area. At a minimum, this area of submerged land needs to be authorized for lease to support the haul-out operation. By extending the leasable areas of the harbor to the submerged lands, a new funding stream will be opened to the department to support its long-range repair and maintenance goals for public harbor facilities. The Department has been in favor of such an initiative for many years and sees this as a stepping-stone to self-sufficiency.
- The Department is in favor of including office space and vehicle parking as a condition of the RFP to be used by the Division of Boating and Ocean Recreation but feels it may be more prudent to not set the square footage and number of parking stalls in statute in the event this needs to be modified during the RFP process.



# Ocean Tourism Coalition

*The Voice for Hawaii's Ocean Tourism Industry*  
1188 Bishop St., Ste. 1003  
Honolulu, HI 96813-3304  
(808) 537-4308 Phone (808) 533-2739 Fax  
timlyons@hawaiiantel.net

Testimony to the Committee on FIN  
Tuesday, March 1, 2011 2:00 pm  
Conference Room 308

Speaking in Opposition

RE: HB 1566 Relating to Small Boat Harbors

Chair Oshiro, Vice Chair Lee and Members of the Finance Committee:

My name is James E. Coon, President of the Ocean Tourism Coalition. The OTC represents over 300 small ocean tourism businesses across the State.

**We are in opposition to one part of this bill.** We could support the intent of this bill and we appreciate the efforts being made by the Legislature in addressing the need for more funds to operate our small boat harbors. We are uncomfortable with the appraisal of slip fee but can live with that. However we take exception to the wording of this bill that would impose an additional fee for common areas and maintenance water and electricity.

The State Small Boat Harbors are used by the communities they serve. In addition to the slip holders, there are many user groups that freely use the harbor as a focal point for their activities.

In some harbors slip holders already have individual meters and pay for the electricity they use. We would support that being standard in all harbors. We would support individual water meters for slips. However, it does not seem reasonable to expect the commercial slip holder pay both 3% of their gross revenue or two times the mooring permit as well as paying for the cost of utilities for the harbormasters office, the wages and expenses of harbor maintenance and related grounds upkeep, lighting, restrooms, sewer, water, and various other charges that can be lumped into this catch all category.

Small Boat Harbors are heavily utilized by the local communities where they are located. The cost of this must to be shared by more than just the slip holders for that harbor. There are small harbors with very few slips which will pay a disproportionately higher fee for the common area maintenance, utility and electrical costs than a large harbor with many slips. In harbors such as Lahaina, located in the middle of town where there is significant large cruise ship traffic (which are exempted from this fee), thousands of tourists, ferry

passengers, community members, etc. it could be argued that the majority of the harbor common area expense is incurred by the general public, not the slip holders.

Several years ago, the commercial boaters introduced legislation that gave DOBOR/DLNR the authority to lease fast lands to help create more revenue to pay for things like this. Just three years ago the commercial boaters sponsored legislation to raise the commercial fees by 50% so that harbors could be better maintained. It is not reasonable to now add another fee above and beyond the high commercial fees we are already paying.

We could support this bill if it were stated that these additional fees were made part of the slip fee, not an additional fee. As this bill is written, it puts an additional and unwarranted burden on the commercial operator who is already paying significantly more than the recreational boater. The commercial operators represent less than 3% of all the State's boaters but provide over 50% of all boating related revenue.

We hope that some compromise language to include the additional fees within the mooring fee would be incorporated in this bill. When the slips are assessed by the state approved assessor, then these are costs that can be incorporated in the regular slip fees.

Additionally, it was stated that the type A and Type B fees would be equal in five years, but according to the text of the bill it reaches parity by July 1, 2014 which is less than five years.

Please do not pass HB 1566 without amending it to exclude this additional fee.

Thank you for the opportunity to submit testimony. If you have any questions, please contact me at 808-870-9115.

Sincerely,

James E. Coon, President  
Ocean Tourism Coalition

Regarding HB1566 - Suggested Changes to this Bill  
In room 308 at 1400 on Tuesday, 1 March 2011  
House Committee on Finance

Chair Oshiro and Respected Members of the Committee;

My name is Reg White. I have been a tenant and resident of Ala Wai Small Boat Harbor for the past thirteen years. This bill seems to have been crafted by someone who is out of touch with recent history concerning DOBOR's management of the Harbor.

Frankly, I personally have never been against the present practice of using the overflow from one harbor to help to defray the deficit in some of the less able harbors. I have always, and still do now, object strenuously to the fact that the tenants of those losing harbors pay a lower fee towards their cost deficit than the fee I am charged at Ala Wai to create the surplus that bails them out each year. If they pay the same fee as I do then we're just brothers working towards the care and maintenance of all the harbors in Hawaii so that we achieve the original goal of having the state own and operate our harbors in the first place, namely to keep recreational boating affordable and available to all of Hawaii's residents.

There are also some 50 boat ramps in Hawaii. Only a few of these are located within the boundaries of a small boat harbor yet the boaters of the harbors are required to pay for most of the operation and maintenance costs for these ramps. This is a classic case of a misfit, and proposed SECTION 4, 200-8 (1) says that fees collected must be used only within the small boat harbors so there will be no future funds from the BSF to support these ramps that are not within a marina. These ramps, the ones that are not within the boundaries of a small boat harbor, should be under the parks division. Their share of federal gas tax money should be moved along with them into parks.

Under proposed SECTION 1 "The purpose of this act", was obviously written by someone who is very out of touch with the present operations of the department. They are well into negotiations to lease out for development both the boat repair facility and the fuel dock, presently waiting for the developers to get their permits approved by the City and County of Honolulu. This contract will put around \$1 Million into the boating special fund each year, adjusted for inflation going forward.

Leasing out part of the harbor to a private operator will not markedly reduce the department's costs while it will reduce their income potential. The department has already contracted out the parking franchise and it is putting as much as \$90,000.00 into the boating special fund each month! If we do allow a lease out of a portion of the harbor it must contain a provision that the number of slips and the linear feet of slips available to the general public may not be reduced.

Under proposed SECTION 5, 200-9 (c) If we are going to allow commercial vessels into Ala Wai and Keehi small boat harbors then we must in trade add: (5) In any small boat harbor that allows the operation and berthing of commercial vessels, recreational vessels moored in that same harbor shall have the rights of renewal and transferability of their permits in the event of change of ownership of the vessel the same as the commercial vessel permits using that same harbor, namely the seller may elect to keep the berthing permit and put a new vessel into the slip or they may choose to pay a transfer fee of \$2,600.00 to the department and allow the berthing permit to go with the boat to the new owner. This is only fair to the recreational boaters in the harbor who will have to endure the additional traffic that this move will require them to deal with, both on the water and on the roadways and at the trash collection points. This will also create a new industry for boat sales in Hawaii. Where at present the only person who can buy a boat put up for sale is the first person on the waiting list, the above suggestion will allow sales to become a tax and fee generating real and true business venture.

Under proposed SECTION 6 section 200-10 (c) (1) The proposed new text misses the entire point of MTSA 2000 (Maritime Transportation Security Act) and as amended in MTSA 2010 which states that with regard to vessels, a "fee" is limited to the recovery of the cost to provide a facility or a service to the vessel. The real estate appraiser setting fees has no relevance to the costs involved to supply the facility or any of its services and is therefor patently illegal under federal law. This also completely misses the point of why we had the state own and administer our harbors in the first place, namely to keep boating affordable and available for all the people of Hawaii. We also already passed this new set of similar fees two years ago approximately doubling the previous fees in hearings held by the department around the state and enacted into service about 18 months ago under the HAR's of DOBOR. We will, on 1 April, have the second of the five automatic rate increases as we move the existing tenants towards the top level fees of list B where all of the new tenants and the visitors are found. Once again, this list fails to make the fees collected the same statewide and so the use of the overflow income from the three successful harbors goes to bail out those harbors that pay far less in their fees towards their operating deficit than those who bail them out each year pay to create that surplus that bails them out. This is not proper! Either the money generated in one harbor stays in that harbor and the losers get their harbors closed due to lack of funds or we all work together and we all pay the same fee, statewide!! Fix this here and now please! Level the field by charging all tenants, statewide, the same fee as that used in Lahaina small boat harbor under the present A and B lists. If you will look at recent harbor history, about three years ago at hearings, we the harbor tenants of Hawaii, also approved a two step fee increase of 10% each time, dependent on the state authorizing \$25 million in reimbursable bonds to effect pier and marina repairs at our state harbors. The first of these bonds was issued, the fees increased by 10% and the money has been pretty well spent in repairing docks around the state. The second 10% and it's accompanying bond were never issued due to the department's management becoming distracted by trying to get the legislature to give her \$240 million without directions or restrictions as to how and where it would be spent.

While considering the actual need for fee increases, please do look at the real need for the additional income. The department management has not seemed to be very driven to make ends meet with the available opportunities at hand. Consider the attached list of inventory over the past several years of the empty and unassigned slips at Ala Wai Harbor and the resulting loss of revenue of as high as \$600,000.00 per year, all in the face of hundreds of people who must wait 3 to 6 years on the waiting lists to get a slip, depending on the slip size applied for. There are also many live aboard permits that have not been issued to the waiting list there as well, each one bringing in almost a doubling of the A list fee for a given vessel. This is due only to poor management practices. Now, what you must ask yourselves is: Which comes first, responsible fiscal management or fee increases?? The new management of DLNR may well fix this problem without your intervention to raise the fees again. Let's give them some time to come to grips with what they have inherited and fix it. I am quite sure they can and will.

When we come to proposed Section 6 (c) (6) Once again we return to MTSA for reference. The fee collected pays for all costs to provide the service or the facility so there is no need nor justification for a "common area maintenance fee" as proposed at (2). There is no required responsibility nor accounting under this proposal from which to establish or set this fee. Under our present rules, in order to set new fees the department must show justification and cause and go to public hearings that ensure responsible use of our funds by the department. Please do always remember that Boating in Hawaii receives no taxpayer support but is entirely self supporting, paid for entirely by the users. It is not a profit center for the state nor the department but is made to operate on a recovery of costs basis with the ultimate goal of keeping boating available and affordable for the people of Hawaii.

With regard to the request to allow commercial vessels into Ala Wai and Keehi harbors, why not instead correct another grievous oversight and fix this problem at the same time. Move Kewalo Basin from HCDA where it is a complete and unwelcome misfit, and place it under DOBOR along with the immediate surrounding real estate out to the first street ews and mauka, to the ocean on the makai side and to the wall of Ala Moana Park on the diamond head side. Use the rates and rules from Lahaina Small Boat Harbor. This will immediately give DOBOR the income from commercial passenger and fishing boats without changing the character of Ala Wai or Keehi harbors. This is an operating harbor that has a healthy positive cash flow at the present time and this will reduce the number of permitting organizations with which our boating operations must contend back to two as it had been for the thirty years preceding 2009 when HCDA was forced into the picture with it's own set of fees, rules and permits - none of them compatible with service in either of the other agencies' harbors or facilities. Just allowing commercial boats into Ala Wai will only result in moving a very small group, perhaps one small passenger sailboat, two or three sportfishers and maybe a parasail and speedboat or two to move from Kewalo to Ala Wai so they are four blocks closer to Waikiki. You will create no new revenue because

there is no waiting list for commercial slips anywhere on the island of Oahu. There are very long waiting lists for all of the recreational slips that you can make available.

Please amend this bill to consider these few oversights and then you just might have a bill that is ready for publication, but frankly, I think my suggestion to just wait and see a bit for the new administration to get their feet on the ground is the very best course of action here at the present time.

Respectfully,

Reg White

1540 S. King St.

Honolulu, HI 96826-1919

808-222-9794

[RawcoHI@cs.com](mailto:RawcoHI@cs.com)

AUADACIOUS II, berth 648 Ala Wai Small Boat Harbor



## FINTestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 27, 2011 4:55 PM  
**To:** FINTestimony  
**Cc:** concernedboater@hawaii.rr.com  
**Subject:** Testimony for HB1566 on 3/1/2011 2:00:00 PM

Testimony for FIN 3/1/2011 2:00:00 PM HB1566

Conference room: 308  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Robert Winter  
Organization: Individual  
Address:  
Phone:  
E-mail: [concernedboater@hawaii.rr.com](mailto:concernedboater@hawaii.rr.com)  
Submitted on: 2/27/2011

Comments:  
OPPOSE AN INCREASE IN MOORING FEES

Testimony opposing an increase in mooring fees.

In these difficult times, the last thing we, your constituents, need is an increase in our fees or taxes. We are already paying an 80% increase in moorage fees being implemented over a five year period. An additional increase to those fees whether set by an appraiser or not is unconscionable.

In lieu of raising fees for boaters, I would respectfully suggest that the State look into ways to improve the efficiency of the harbor management and concentrate on filling the large number of slips that have gone empty for long periods of time while hundreds of eager boaters have waited for 5 or more years for a slip assignment.

## FINTestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 27, 2011 5:04 PM  
**To:** FINTestimony  
**Cc:** concernedboater@hawaii.rr.com  
**Subject:** Testimony for HB1566 on 3/1/2011 2:00:00 PM

Testimony for FIN 3/1/2011 2:00:00 PM HB1566

Conference room: 308  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Robert Winter  
Organization: Individual  
Address:  
Phone:  
E-mail: [concernedboater@hawaii.rr.com](mailto:concernedboater@hawaii.rr.com)  
Submitted on: 2/27/2011

Comments:  
OPPOSE COMMERCIAL SLIPS AT ALA WAI HARBOR

Testimony opposing commercial mooring at Ala Wai Small Boat Harbor.

I am opposed to the traffic congestion, parking problems, and disruption that would be caused by allowing commercial operators to moor boats at the Ala Wai Harbor.

The State already has a facility for commercial operators at nearby Kewalo Basin, a location much better able to handle traffic, parking and general disruption.

It's interesting to note that Kewalo Basin does not have enough demand from commercial operators to fill its slips and has begun allowing recreational boaters to use the facilities.

Considering the 5 year or longer waiting list for recreational slips at the Ala Wai, and the lack of demand for commercial slips at Kewalo Basin, it seems that your constituents would be much better served by leaving the Ala Wai Harbor dedicated solely to recreational use.

## FINTestimony

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**From:** mailinglist@capitol.hawaii.gov  
**ent:** Monday, February 28, 2011 7:09 AM  
**to:** FINTestimony  
**Cc:** drgeorgepc@yahoo.com  
**Subject:** Testimony for HB1566 on 3/1/2011 2:00:00 PM

Testimony for FIN 3/1/2011 2:00:00 PM HB1566

Conference room: 308  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Dr. George Carayannis  
Organization: Individual  
Address:  
Phone:  
E-mail: [drgeorgepc@yahoo.com](mailto:drgeorgepc@yahoo.com)  
Submitted on: 2/28/2011

**Comments:**

I am a resident of Ala Wai boat harbor since 1963 (48 years). I oppose HB1566 for the same well documented reasons stated by Mr. Reg White (a 13 year resident of Ala Wai) in his testimony of 4 February 2011 to the House Committee on Water, Land and Ocean Resources. Before proceeding with legislation such as HB1312, efforts should be made to address the poor DOBOR management practices that have been wasteful or have prevented increases in revenue - without raising the slip fees beyond the already programmed increases.

This bill contains many oversights and needs to be amended and restructured.

Sincerely,

Dr. George Carayannis  
(Ala Wai boater since 1963)

## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**ent:** Monday, February 28, 2011 6:54 AM  
**To:** FINTestimony  
**Cc:** pfeffer001@hawaii.rr.com  
**Subject:** Testimony for HB1566 on 3/1/2011 2:00:00 PM

Testimony for FIN 3/1/2011 2:00:00 PM HB1566

Conference room: 308  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Roger Pfeffer  
Organization: Individual  
Address:  
Phone:  
E-mail: [pfeffer001@hawaii.rr.com](mailto:pfeffer001@hawaii.rr.com)  
Submitted on: 2/28/2011

### Comments:

I am opposed to raising fees by appraisal because it is an arbitrary standard which can be used at will by administrators to force owners out of the harbor who don't agree with them. Commercialization will lead to conflict with boaters and non-boating use of the land and harbor area such as a wedding chapel at the gas dock or at the boatyard. You could make more money by leasing the land for a hotel, but that is not the purpose of a harbor.

## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 28, 2011 7:08 AM  
**To:** FINTestimony  
**Cc:** drgeorgepc@yahoo.com  
**Subject:** Testimony for HB1566 on 3/1/2011 2:00:00 PM

Testimony for FIN 3/1/2011 2:00:00 PM HB1566

Conference room: 308  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Dr. George Carayannis  
Organization: Individual  
Address:  
Phone:  
E-mail: [drgeorgepc@yahoo.com](mailto:drgeorgepc@yahoo.com)  
Submitted on: 2/28/2011

**Comments:**

I am a resident of Ala Wai boat harbor since 1963 (48 years). I oppose HB1566 for the same well documented reasons stated by Mr. Reg White (a 13 year resident of Ala Wai) in his testimony of 4 February 2011 to the House Committee on Water, Land and Ocean Resources. Before proceeding with legislation such as HB1312, efforts should be made to address the poor DOBOR management practices that have been wasteful or have prevented increases in revenue - without raising the slip fees beyond the already programmed increases.

This bill contains many oversights and needs to be amended and restructured.

Sincerely,  
Dr. George Carayannis  
(Ala Wai boater since 1963)

## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 28, 2011 7:33 AM  
**To:** FINTestimony  
**Cc:** patwoodauthor@gmail.com  
**Subject:** Testimony for HB1566 on 3/1/2011 2:00:00 PM

Testimony for FIN 3/1/2011 2:00:00 PM HB1566

Conference room: 308  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Patricia Kesling-Wood  
Organization: Individual  
Address:  
Phone:  
E-mail: [patwoodauthor@gmail.com](mailto:patwoodauthor@gmail.com)  
Submitted on: 2/28/2011

**Comments:**

I am against raising fees especially by appraisal and reflect that it takes weeks for the state to cash my monthly slip fees AND there are numerous empty slips that remain unoccupied. These two issues seem to be a better way of getting revenue-

I see this happen every day- I am a professional writer who lives on her boat as a permitted live aboard.

## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**ent:** Monday, February 28, 2011 7:41 AM  
**To:** FINTestimony  
**Cc:** drcarolyn.forbes@hawaiiantel.net  
**Subject:** Testimony for HB1566 on 3/1/2011 2:00:00 PM

Testimony for FIN 3/1/2011 2:00:00 PM HB1566

Conference room: 308  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Carolyn Forbes  
Organization: Individual  
Address:  
Phone:  
E-mail: [drcarolyn.forbes@hawaiiantel.net](mailto:drcarolyn.forbes@hawaiiantel.net) Submitted on: 2/28/2011

Comments:  
Please see comprehensive testimony submitted by Reg White for WLO Friday 04February2011

## FINTestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 28, 2011 7:46 AM  
**To:** FINTestimony  
**Cc:** gwood.inja@gmail.com  
**Subject:** Testimony for HB1566 on 3/1/2011 2:00:00 PM

Testimony for FIN 3/1/2011 2:00:00 PM HB1566

Conference room: 308  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Gordon Wood  
Organization: Individual  
Address:  
Phone:  
E-mail: [gwood.inja@gmail.com](mailto:gwood.inja@gmail.com)  
Submitted on: 2/28/2011

### Comments:

I oppose this bill because it (1) fails to establish an equitable and reasonable methodology for appraisals and appeals of appraisals; (2) does not address the potential for establishing a landlord-tenant relationship between boaters and the State (which the present fee/permit system avoids); 3) threatens to reduce the number of recreational slips when there is a clear un-met demand for those slips; (4) has not examined or considered the potential negative impacts to Hawaii's recreational boating industry; 5) does not acknowledge the existing supply of commercial slips available at Kewalo Basin; 6) fails to establish there is demand for commercial slips that cannot be satisfied through use of the Kewalo Basin slips; and (7) fails to address the limited viability of commercial operations on the 800 row at Ala Wai Small Boat Harbor (that row is not served by adjacent parking for patrons, does not have finger-piers (meaning that patrons would have to use inherently-dangerous gangplanks), and cannot be made compliant with ADA-requirements that would be imposed on the businesses operating from that locale. I urge to reject this ill-conceived bill.



## FINTestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 28, 2011 10:51 AM  
**To:** FINTestimony  
**Cc:** mtchandl@hawaii.edu  
**Subject:** Testimony for HB1566 on 3/1/2011 2:00:00 PM

Testimony for FIN 3/1/2011 2:00:00 PM HB1566

Conference room: 308  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Michael Chandler  
Organization: Individual  
Address:  
Phone:  
E-mail: [mtchandl@hawaii.edu](mailto:mtchandl@hawaii.edu)  
Submitted on: 2/28/2011

**Comments:**

I do not support any bill that allows commercial vessels to moor at Ala Wai harbor. Ala Wai is a recreational harbor and is highly utilized by the community for such purposes.

However, there are some positive aspects to the bill, such as requiring that harbor income be used solely for harbor maintenance and management, amending permit fees for Waikiki catamarans, and to utilize fast lands for haul out and other boating related uses.

## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 28, 2011 9:00 AM  
**To:** FINTestimony  
**Cc:** crjohnson@hawaii.rr.com  
**Subject:** Testimony for HB1566 on 3/1/2011 2:00:00 PM

Testimony for FIN 3/1/2011 2:00:00 PM HB1566

Conference room: 308  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: crjohnson  
Organization: greenvision  
Address:  
Phone:  
E-mail: [crjohnson@hawaii.rr.com](mailto:crjohnson@hawaii.rr.com)  
Submitted on: 2/28/2011

Comments:

## FINTestimony

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 28, 2011 11:36 AM  
**To:** FINTestimony  
**Cc:** rr@hawaii.rr.com  
**Subject:** Testimony for HB1566 on 3/1/2011 2:00:00 PM

Testimony for FIN 3/1/2011 2:00:00 PM HB1566

Conference room: 308  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Robert Romo  
Organization: Individual  
Address:  
Phone:  
E-mail: [rr@hawaii.rr.com](mailto:rr@hawaii.rr.com)  
Submitted on: 2/28/2011

**Comments:**

There isn't any room for commercial ventures in that area. Let's keep that beautiful area for the entire public, residents and tourists. The area is too congested as it is now.

## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**ent:** Sunday, February 27, 2011 10:50 AM  
**To:** FINTestimony  
**Cc:** captdave@boats4u.com  
**Subject:** Testimony for HB1566 on 3/1/2011 2:00:00 PM

Testimony for FIN 3/1/2011 2:00:00 PM HB1566

Conference room: 308  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Dave Cooper  
Organization: Individual  
Address:  
Phone:  
E-mail: [captdave@boats4u.com](mailto:captdave@boats4u.com)  
Submitted on: 2/27/2011

Comments:

## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**ent:** Sunday, February 27, 2011 7:41 PM  
**To:** FINTestimony  
**Cc:** captdave@boats4u.com  
**Subject:** Testimony for HB1566 on 3/1/2011 2:00:00 PM

Testimony for FIN 3/1/2011 2:00:00 PM HB1566

Conference room: 308  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Dave Cooper  
Organization: Individual  
Address:  
Phone:  
E-mail: [captdave@boats4u.com](mailto:captdave@boats4u.com)  
Submitted on: 2/27/2011

Comments:

## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 28, 2011 11:37 AM  
**To:** FINTestimony  
**Cc:** cowgirlinhawaii@yahoo.com  
**Subject:** Testimony for HB1566 on 3/1/2011 2:00:00 PM

Testimony for FIN 3/1/2011 2:00:00 PM HB1566

Conference room: 308  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Beth Malvestiti  
Organization: Individual  
Address:  
Phone:  
E-mail: [cowgirlinhawaii@yahoo.com](mailto:cowgirlinhawaii@yahoo.com)  
Submitted on: 2/28/2011

Comments:

## FINTestimony

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From: mailinglist@capitol.hawaii.gov  
Sent: Monday, February 28, 2011 11:44 AM  
To: FINTestimony  
Cc: cascadesunrise@hotmail.com  
Subject: Testimony for HB1566 on 3/1/2011 2:00:00 PM

Testimony for FIN 3/1/2011 2:00:00 PM HB1566

Conference room: 308  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Les Parsons  
Organization: Individual  
Address:  
Phone:  
E-mail: [cascadesunrise@hotmail.com](mailto:cascadesunrise@hotmail.com)  
Submitted on: 2/28/2011

### Comments:

Aloha, Reps. Oshiro, Lee and FIN Committee Members, Hearing March 1, 2011, 2PM Rm. 308

My name is Les Parsons, a boater at the Ala Wai.

At least some members of this Committee have either read or heard the loud, clear and emphatic message delivered in the past - as far back as the Cayatano administration - WE DO NOT WANT COMMERCIAL BOATS BROUGHT INTO THIS HARBOR.

Think safety. Think danger. Have you not seen a small flotilla of keiki being given sailing lessons in and around the Ala Wai Channel? Paddlers, and sometimes even swimmers are in those waters as well. Commercially operated high-speed boats have absolutely no business being there.

Notice the speeds as some of these boats enter and leave the Kewalo harbor!

Did I mention Cayatano? Yes.

He too waged an all-out effort to try to help a mainland private marina corporation take over the Ala Wai by freeing submerged lands. The term is "privatization", and it can be ugly. Fortunately, in the past our lawmakers have rejected any and all of these schemes. (I was tempted to write "nefarious schemes.") It is my hope that this Committee will do likewise.

This package of three boating-related measures would do little, if anything, to ease our state's financial condition. The Boating Special Fund is not the General Fund. I am mystified as to why these measures are even being considered by this Committee at this critical time.

Boaters throughout the state wonder why year-after-year these onerous, boater-unfriendly bills (they seem like Xerox copies) keep coming back. Some of us have a pretty good idea...

I was tempted to submit NO testimony to this Committee pertaining to these three boating bills believing it to be a futile exercise since Hawaii's boating community has no paid lobbyists to argue our case.

But, as in Wisconsin, all we have is our individual and collective voices.

And if I may address HB931, please ask the Ala Wai Harbormaster how he could possibly manage to "observe" more than 600 boats leave and return to the harbor every 90 days. This proposal is preposterous!

My last point - to end on a positive note:

Yes, as a responsible boater I support the provision to hold irresponsible owners of derelict or abandoned vessels responsible for all disposal costs.

Mahalo for your attention and consideration.

Les Parsons  
Ala Wai Small Boat Harbor  
1741 Ala Moana Blvd. #82  
Honolulu, HI 96815  
945-3648



## FINTestimony

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m: mailinglist@capitol.hawaii.gov  
ent: Monday, February 28, 2011 1:04 PM  
To: FINTestimony  
Cc: aloha@boxbe.com  
Subject: Testimony for HB1566 on 3/1/2011 2:00:00 PM

Testimony for FIN 3/1/2011 2:00:00 PM HB1566

Conference room: 308  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Robert Clarkin  
Organization: Individual  
Address:  
Phone:  
E-mail: [aloha@boxbe.com](mailto:aloha@boxbe.com)  
Submitted on: 2/28/2011

### Comments:

Aloha, I have owned a boat in the Ala Wai Boat Harbor for over 50 years. The bills that have been put forth have been ill conceived by DOBOR. There has been no work done on the social and environmental effects this bill will create. I respectfully ask that this bill and others that relate to this concept be tabled for this session and allow the new head of DLNR to assess the totality of the erroneous ideas and plans that DOBOR has put forth on a very obvious agenda. A better bill would be to ask for an audit of DOBOR. With Aloha.

## FINTestimony

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n: mailinglist@capitol.hawaii.gov  
Sent: Monday, February 28, 2011 12:57 PM  
To: FINTestimony  
Cc: streamfellow@yahoo.com  
Subject: Testimony for HB1566 on 3/1/2011 2:00:00 PM

Testimony for FIN 3/1/2011 2:00:00 PM HB1566

Conference room: 308  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Dwight Streamfellow  
Organization: Individual  
Address:  
Phone:  
E-mail: [streamfellow@yahoo.com](mailto:streamfellow@yahoo.com)  
Submitted on: 2/28/2011

Comments:

Please do not approve HB 1566 as would create additional conflict in the management of the Ala Wai Harbor. Additional commercial activities would be a detriment to the safe use of this Harbor. Dwight Streamfellow

## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 28, 2011 12:55 PM  
**To:** FINTestimony  
**Cc:** harborflotsam@hotmail.com  
**Subject:** Testimony for HB1566 on 3/1/2011 2:00:00 PM  
**Attachments:** Harbor Testimony.wps

Testimony for FIN 3/1/2011 2:00:00 PM HB1566

Conference room: 308  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Julia Trott  
Organization: Individual  
Address:  
Phone:  
E-mail: [harborflotsam@hotmail.com](mailto:harborflotsam@hotmail.com)  
Submitted on: 2/28/2011

Comments:

## **FINTestimony**

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**m:** mailinglist@capitol.hawaii.gov  
**sent:** Monday, February 28, 2011 12:48 PM  
**To:** FINTestimony  
**Cc:** nancymueting@hotmail.com  
**Subject:** Testimony for HB1566 on 3/1/2011 2:00:00 PM

Testimony for FIN 3/1/2011 2:00:00 PM HB1566

Conference room: 308  
Testifier position: oppose  
Testifier will be present: Yes  
Submitted by: Nancy Mueting  
Organization: Individual  
Address:  
Phone:  
E-mail: [nancymueting@hotmail.com](mailto:nancymueting@hotmail.com)  
Submitted on: 2/28/2011

Comments:

## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**ent:** Tuesday, March 01, 2011 8:33 AM  
**To:** FINTestimony  
**Cc:** robertcsinclair@yahoo.com  
**Subject:** Testimony for HB1566 on 3/1/2011 2:00:00 PM

Testimony for FIN 3/1/2011 2:00:00 PM HB1566

Conference room: 308  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Robert Sinclair  
Organization: Individual  
Address:  
Phone:  
E-mail: [robertcsinclair@yahoo.com](mailto:robertcsinclair@yahoo.com)  
Submitted on: 3/1/2011

Comments: