

HB 1566 HD1

RELATING TO SMALL BOAT HARBORS.

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 small boat the harbors; authorizes a process for a public-private partnership to develop a portion of Ala Wai small boat harbor; changes mooring fee rate process. Effective July 1, 2030. (HB1566 HD1)

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the Senate Committee on
WATER, LAND, AND HOUSING**

**Tuesday, March 15, 2011
1:15 PM
State Capitol, Conference Room 225**

**In consideration of
HOUSE BILL 1566, HOUSE DRAFT 1
RELATING TO SMALL BOAT HARBORS**

House Bill 1566, House Draft 1 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 Department's 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

WILLIAM J. AILA, JR.
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

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. The Department notes 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.



WAIKIKI NEIGHBORHOOD BOARD NO. 9

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov>

March 14, 2011

Senate Committee on Water, Land and Housing

House Bills 1312 and 1566

Aloha Senator Donovan Dele Cruz and Committee Members,

The Waikiki Neighborhood Board is opposed to HB 1566 and HB 1312. Our vote at the March 8, 2011 WNB meeting was unanimous in opposing these bills. Over the years we have consistently opposed attempts to either privatize or commercialize the Ala Wai Harbor. HB 1312 would allow the leasing of fast and submerged lands for commercial purposes, while HB 1566 would specifically allow a certain number of commercial boats to reside and operate in a harbor which heretofore has been a residential, recreational harbor.

We believe that the Ala Wai needs to remain as a recreational, rather than commercial harbor. The varying uses are not compatible in the same harbor – for both safety and aesthetic considerations. Furthermore, Kewalo Basin is situated very close to the Ala Wai and currently has no waiting list for commercial slips. This means that there is no real need to create commercial slips for the Ala Wai, whereas there is a shortage statewide of recreational slips. It also means that it may fail to generate additional revenues, inasmuch as even if some boats were to move from Kewalo or some other harbor to the Ala Wai, it would just be a transfer of permit and the accompanying fees, as opposed to an infusion of new money.

For those reasons and the testimony of dozens of Ala Wai Boat Harbor users, the Waikiki Neighborhood Board stands in opposition to both measures.

Robert J. Finley
Chair





Testimony to the Senate Water, Land, & Housing Committee
Tuesday, March 15, 2011 1:15 pm
Conference Room 225

Speaking in Opposition

RE: **HB 1566 HD1** Relating to Small Boat Harbors

Chair Senator Donovan Dela Cruz, Vice Chair Malama Solomon and Members of the WLH 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 HD1 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



Ocean Tourism Coalition

*The Voice for Hawaii's
Ocean Tourism
Industry*

timlyons@hawaiiantel.net

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March 14, 2011

Senator Dela Cruz:

This is an amendment for H.B. 1566, SD 1 -
Relating to Small Boat Harbors. We hope you
will consider it as referenced in our testimony.

Tim Lyons, CAE
Executive Director

H.B. 1566, HD 1 - Relating to Small Boat Harbors, Proposed HD 2

S.B. 1549, SD 2 - Proposed SD 3

Section 6. Section 200-10 (c) (6)

- (6) The department is authorized to assess and collect utility fees, including electrical and water charges, and common area maintenance fees in small boat harbors; provided that the fees referenced in [Section 200-10(c) (4)] Section 200-10(c) (5) shall be considered inclusive of all utility and common area maintenance fees.

Notes:

Commercial boaters now pay 3% of their gross sales as a moorage fee (so, the equivalent of a 7% GET). This was raised 50% (from 2% to 3% of gross sales) several years in advance of any increase for the recreational boaters.

Commercial boaters account for something less than 3% of the total number of boats but pay around 50% of the total fees.

In **Opposition to HB1566** with proposed amendments
In room 225 at 1315 on Tuesday, 15 March 2011
Senate Committee on Water, Land and Housing

Chair Dela Cruz 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 eleven years. I propose the **following amendments to HB1566:**

Give DOBOR Commercial Boat Revenue by Moving Kewalo Basin into DOBOR:

Move Kewalo Basin, along with it's immediate surrounding real estate, out mauka to Ala Moana Blvd, makai to the ocean, ewa to Ahui St., and diamond head to the Ala Moana Park wall, from HCDA to DOBOR where it is a fine fit. HCDA does not want the harbor as it is a misfit into their expertise as neighborhood planners and developers. This will also get us back to only two types of permits for vessels to operate in Hawaii's harbors instead of the present three types of permits, DLNR, DOT and HCDA. Kewalo has a positive cash flow and will be a good addition to DOBOR's inventory and it will give them the commercial boat revenue that they have sought without making a mess out of Ala Wai Small Boat Harbor which has a waiting list years long for the recreational slips there.

Delete the Fee Increase Portions:

The fees were already doubled two years ago and then the boaters authorized two additional 10% increases dependant on issuance of two \$25 million dollar reimbursable bond issues. One has been issued and the increase taken to pay for harbor improvements. The second is yet to be authorized to finish the work. We are already on the fee lists A & B. The first increase of the A boats towards B has already been made and increase two is due to come into effect on 1 April. The new permittees and transients are already on list B. The present fees are right at the top of the list of all the municipal, county, and state owned and operated marinas on the west coast from San Diego to Bellingham.

Delete the Lease Out Directions to DOBOR:

The department has already entered into a contract for the boat repair yard and the fuel pier and is collecting space holder token rents while the permitting process takes place with the City & County of Honolulu.

The marina parking has been contracted out and presently is producing about \$60,000.00 per month into the Boating Special Fund.

The lease out of the present harbor office site is next on the list and will also produce revenue onto the BSF.

Any new law must make this clear: No lease may ever be negotiated that would result in fewer slips and or less linear feet of moorage available to the general public.

The work docks are under reconstruction right now and the 700 row condemned slips are next on the list at Ala Wai. The Loading dock at Waianae is contracted out and will start reconstruction very soon, the boat ramp piers are finished. At Keehi, dock repairs are under way.

Hold this Bill

Reg White, a tenant and resident of Ala Wai Boat Harbor
1540 S. King St.
Honolulu, HI 96826-1919
808-222-9794
RawcoHI@cs.com

Honorable Donovan M. Dela Cruz, Chair
Senate Committee on Water, Land and Housing

Robert R. Humphreys
Ilikai Association of Apartment Owners
1777 Ala Moana Blvd., #1204
Honolulu, HI 96815

Hearing on HB 1312 and HB 1566
March 15, 2011

Introduction. Mr. Chairman and Members of the Committee, I am Robert R. Humphreys, a resident of the State of Hawaii and owner of an apartment at the Ilikai Hotel and Condominium. I appear before you at the request of, and on behalf of, the Association of Apartment Owners of the Ilikai in opposition to certain provisions in HB 1312 and HB 1566, passed by the House and referred to your Committee. This Committee favorably reported two bills originating in this body, SB 1549 and SB 1555, which are somewhat similar to the House bills. Those bills passed the Senate and have been referred to the counterpart House committees. All four bills address leases and improvements at the Ala Wai and Keehi boat harbors. The focus of our testimony in opposition is on section 7 of HB 1566.

Statement. Section 7(b)(5) of HB 1566 authorizes the Department of Land and Natural Resources to award leases for “hotel, residential, and timeshare uses”. Such uses, if this provision becomes law, pose an exceptionally serious threat to the viability of the Ilikai Hotel and to the quiet enjoyment of the property by its resident apartment owners and guests. There appears to be only one location in the Ala Wai boat harbor that could support a hotel or other residence—the current parking area at the harbor. The Ilikai, a forty-five year old Waikiki landmark, would be permanently despoiled, the view of the ocean obliterated by such construction.

The offending provision, if enacted, would conflict with existing State law. Under HRS §200-2.5, permissible uses under any lease of state boating facility properties are limited to those which “will complement or support the maritime activities of state

boating facilities.” We recognize and understand that HB 1566 would amend the statute by adding “ocean recreation” to the permissible uses, but in our opinion the additional wording would not, and should not, support the construction of a hotel. Moreover, such purposes must be consistent with the purpose for which the land was set aside by the governor pursuant to section 171-11, HRS. Clearly, hotel, residential condominium, and timeshare uses are not designed to enhance or support maritime activities, but have the opposite potential of distorting the proper and intended uses of the Ala Wai harbor.

Other provisions of the House bills relating to permissible lease uses are also concerning to the Ilikai Association of Apartment Owners. Specifically, neither the size nor the potential location for the proposed seawater air conditioning cooling facility (HB 1566, Section 7(b)(8), is described in that bill. What impact would the construction of the facility have on the ecology and the beauty and ambiance of the boat harbor and surroundings? The Ilikai Association is also concerned about provisions to provide substantial, possibly overwhelming, commercial boat mooring at the pier located on the mauka side of the harbor nearest the Ilikai, Edition Hotel, and Ilikai Marina in both House bills (HR 1312 and HR 1566). The ecological impact of such mooring activity and the traffic it would generate is unknown, but potentially damaging

Conclusion. The Ilikai AOA agrees with the Governor and the legislature on the need for additional revenue to properly maintain and improve the Ala Wai boat harbor. For that reason we are not prepared to object to many of the lease purposes identified in Section 7(b) of HB 1566 and Section 2 of HB 1312. Upon enactment and approval of the Ala Wai and Keehi improvement legislation, the Ilikai AOA pledges to work with the Department of Land and Natural Resources in the development of the Ala Wai boat harbor and its environs. Certainly, the date of enactment of these bills, July 1, 2030, will provide ample time for productive consultation among all the stakeholders.

The Ilikai Association appreciates the opportunity to testify, and we urge your Committee to recommend the deletion from HB 1566 and HB 1312 those provisions which could irreparably damage our aina.

* * * * *

**TESTIMONY OF CHRIS McCLURIN
IN SUPPORT OF H.B. NO. 1566
Senate Committee on Water, Land and Housing
Hearing Date: 3/15/2011 – 1:15 p.m.**

Chris McClurin
57 Arizona Memorial Drive, #105
Aiea, HI 96701

My name is Chris McClurin and I am a concerned boater. I formerly worked at Ala Wai Marine, Ltd., which operated the haul-out repair facility in the Ala Wai Boat Harbor until January, 2009. I am submitting this written testimony in support of House Bill 1566.

As a boater the state needs to improve the condition of all of its harbors, including both the Ala Wai and Keehi harbors. While recent efforts have been made to renovate slips at the Ala Wai Small Boat Harbor, conditions are still poor. What makes it difficult is in these economic times it is difficult to justify the state apportioning money to improve these harbors. That is why I support the intent of House Bill 1566, which would encourage the leasing of the fast lands in both Ala Wai and Keehi as a means for the state to obtain revenue necessary to repair and maintain these harbors. A private developer, such as the developer selected by the Division of Boating and Ocean Recreation in November of 2008, is better equipped to both improve the condition of the harbor and provide the state with needed revenue. The legislature should encourage such partnerships.

I am concerned about a portion of the bill that would allow commercial boats. Fifty-six commercial boats are far too many commercial boats in the Ala Wai. While a limited number of commercial boats could serve to help the businesses that will be located in the harbor after improvements are made, too many commercial boats would interfere with the ocean recreation, which includes kayakers and canoe paddlers, that use the Ala Wai Channel.

**TESTIMONY OF CHARLES BELLMAN
IN SUPPORT OF H.B. NO. 1566
Senate Committee on Water, Land and Housing
Hearing Date: 3/15/2011 – 1:15 p.m.**

Charles Bellman
57 Arizona Memorial Drive, #105
Aiea, HI 96701

My name is Charles Bellman and I am the former general manager of Ala Wai Marine, Ltd. Ala Wai Marine, Ltd. operated the haul-out repair facility in the Ala Wai Boat Harbor until January, 2009. I am submitting this written testimony in support of House Bill 1566.

As the former manager of Ala Wai Marine I can testify to the conditions of the improvements in the Ala Wai Boat Harbor. Despite the recent improvements put in by the state in recent years the condition of the harbor remains very poor. The harbor should be the “jewel of the Pacific”, a center for ocean recreation. Given the state’s present economic condition making improvements to the Ala Wai and other harbors around this state is not possible without the state being able to receive a fair rent for its fast lands. The RFP issued by the Division of Boating and Ocean Recreation in November of 2008 is an important first step towards the state receiving a fair return for its lands with those rent monneys being used to renovate and maintain our small boat harbors. It is for this reason that I support the intent of House Bill 1566, which encourages a public-private partnership to lease the fast lands to provide needed revenue. Before Ala Wai Marine, Ltd. closed the state was only receiving approximately \$132,000 a year for its fast lands. Under the development agreement that the state has pursuant to the November, 2008 RFP, this is now increased to over \$564,000 a year for the fast lands, with an additional \$100,000 a year in other rent paid by the same developer. The legislature should encourage such partnerships because it would also result in improved conditions in the harbor.

I take no position on the portion of the bill that proposes that the small boat harbors at Ala Wai and Keehi be privatized but I would prefer that the legislature first focus on leasing the fast lands in these harbors to provide needed revenue. I am concerned about the number of commercial boats that would be operating in the Ala Wai under this proposal. While I think that there is room in that harbor for some commercial boats, this needs to be balanced with the intended use of the harbor under the November 2008 RFP as a center for ocean recreation that includes training center for kayaks and canoes.

Idlewild Charters Inc DBA
FROGMAN CHARTERS
156 Lahainaluna Rd. Lahaina, HI 96761
808-667-0990



TESTIMONY

HB 1566, HD 1.

Tuesday, March 15 at 1:15 pm in Room 225

This letter is sent in support of OTC president Jim Coon's testimony on the bill.
We support the amendment that Mr. Coon suggested amendment to the bill.
Thank you ,

Phillip Kasper,
President

From: mailinglist@capitol.hawaii.gov
To: [WLH Testimony](#)
Cc: nancymueting@hotmail.com
Subject: Testimony for HB1566 on 3/15/2011 1:15:00 PM
Date: Monday, March 14, 2011 3:18:40 PM

Testimony for WLH 3/15/2011 1:15:00 PM HB1566

Conference room: 225
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Nancy Mueting
Organization:
Address:
Phone:
E-mail: nancymueting@hotmail.com
Submitted on: 3/14/2011

Comments:
Testimony will be submitted.

From: mailinglist@capitol.hawaii.gov
To: [WLH Testimony](#)
Cc: concernedboater@hawaii.rr.com
Subject: Testimony for HB1566 on 3/15/2011 1:15:00 PM
Date: Monday, March 14, 2011 4:36:13 PM

Testimony for WLH 3/15/2011 1:15:00 PM HB1566

Conference room: 225
Testifier position: oppose
Testifier will be present: No
Submitted by: Robert Winter
Organization: Individual
Address:
Phone:
E-mail: concernedboater@hawaii.rr.com
Submitted on: 3/14/2011

Comments:
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.

Furthermore, allowing a state approved appraiser to set mooring fees would blatantly circumvent the current process requiring public legislative hearings or public administrative hearings which at least give stakeholders a chance to comment on proposed changes.

If fees are going to be set by appraisal, there should be an arbitration process that allows stakeholders to choose an appraiser who would work with a state appraiser, and possibly a mutually chosen third appraiser to set fees that consider the concerns of all parties.

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.

From: mailinglist@capitol.hawaii.gov
To: [WLH Testimony](#)
Cc: concernedboater@hawaii.rr.com
Subject: Testimony for HB1566 on 3/15/2011 1:15:00 PM
Date: Monday, March 14, 2011 4:40:29 PM

Testimony for WLH 3/15/2011 1:15:00 PM HB1566

Conference room: 225
Testifier position: oppose
Testifier will be present: No
Submitted by: Robert Winter
Organization: Individual
Address:
Phone:
E-mail: concernedboater@hawaii.rr.com
Submitted on: 3/14/2011

Comments:

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.

From: mailinglist@capitol.hawaii.gov
To: [WLH Testimony](#)
Cc: captdave@boats4u.com
Subject: Testimony for HB1566 on 3/15/2011 1:15:00 PM
Date: Monday, March 14, 2011 8:40:25 PM

Testimony for WLH 3/15/2011 1:15:00 PM HB1566

Conference room: 225
Testifier position: oppose
Testifier will be present: No
Submitted by: Dave Cooper
Organization: Individual
Address:
Phone:
E-mail: captdave@boats4u.com
Submitted on: 3/14/2011

Comments:

Hawaii State Senate
Water, Land and Housing Committee

March 14, 2011

Subject: Testimony on HB 1566 HD1 – Relating to Small Boat Harbors
Public Hearing March 15, 2011 at 1:15 PM, Conference Room 225

To the esteemed legislative members,

I am writing today to **oppose HB 1566 HD1**. I have been a boat owner for the past six years. I am an active sailor, and spend the vast majority of my free time organizing and participating in sailboat regattas. I am also a member of Hawaii Yacht Club and am currently serving as the Rear Commodore for Sail.

The proposed bill would allow up to 15% of the slips in the Ala Wai Harbor to be leased for commercial purposes. This is a bad decision for several reasons:

- The waiting list to get a slip in the Ala Wai Harbor is approximately 5 years. Removing 15% of the inventory from recreational use would increase this duration, which is already too long.
- Commercial slips are currently available at nearby Kewalo Basin (only about 1 mile away from Ala Wai Harbor). Until recently, Kewalo Basin was used strictly for commercial vessels. However, due to the large number of vacancies, that harbor now allows recreational boaters. This implies that there is little demand for commercial slips in Honolulu.
- Commercial boating activity in the Ala Wai Harbor would add undue congestion with regards to parking. This would be a serious inconvenience to recreational boaters who already have challenges finding parking for crew members for regattas, fishing tournaments, and other recreational activities.
- Vessel traffic through the Ala Wai Harbor Channel would increase *dramatically* if commercial activity were to occur. **This would lead to unsafe conditions and increase the possibility of an accident for other recreational users of the Ala Wai, including canoe clubs and junior sailing.**

I appreciate your time in considering this testimony.

Aloha,
Joseph Shacat

From: mailinglist@capitol.hawaii.gov
To: [WLH Testimony](#)
Cc: nurseducator@gmail.com
Subject: Testimony for HB1566 on 3/15/2011 1:15:00 PM
Date: Tuesday, March 15, 2011 5:26:51 AM

Testimony for WLH 3/15/2011 1:15:00 PM HB1566

Conference room: 225
Testifier position: oppose
Testifier will be present: No
Submitted by: William Marshall RN PHN
Organization: Individual
Address:
Phone:
E-mail: nurseducator@gmail.com
Submitted on: 3/15/2011

Comments:

Please do not commercialize out state harbors: Ala Wai small boat harbor and the Keehi Lagoon small boat harbor. It should remain non-commercial to be used by our local residents as an affordable fun recreational harbor. Thank you, W. Marshall RN

Susan Pany

HB1566

I am opposing an increase in mooring fees.

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.

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

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.