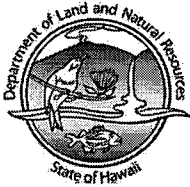


**SB 1549**

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  
WAYS AND MEANS**

**Thursday, February 24, 2011  
9:00 AM  
State Capitol, Conference Room 211**

**In consideration of  
SENATE BILL 1549, SENATE DRAFT 1  
RELATING TO SMALL BOAT HARBORS**

Senate Bill 1549, Senate 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 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. The Department recommends deleting the term "or existing registration certificate" for clarity.
- 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

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

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.

---

**From:** Bulent Terem [bterem@chaminade.edu]  
**Sent:** Wednesday, February 23, 2011 3:13 PM  
**To:** WAM Testimony  
**Subject:** SB1549 SD1

Ladies and gentlemen,

**re:**

**Committee: WAM**

**Room: 211**

**Hearing Date: 2/24/2011 9:00:00 AM**

I am writing to express my strong opposition to the SB1549 SD1.

While there is more than one reason which compels me to write this letter, I will focus mainly on the safety aspects of increased traffic in the Ala Wai Channel.

It has been documented by the US Coast Guard that increased traffic in the channel might have serious consequences. It has been two years now the Coast Guard mandated the traditional Friday evening races to start beyond the furthest channel buoys. Events such as Christmas Boat Parade are similarly banned from the Ala Wai area. While I am not exactly sure about the exact number of accidents, I have witnessed myself, in the last six months, some (unreported) minor incidents, which could have been very serious. I have also witnessed the careless ways some of the commercial boats have been operating within the channel. I must add that at the moment there are very few commercial boats with special docking arrangements. However, I have witnessed the impatience and lack of courtesy (to other boaters) with these boats even when they are getting fuel from the fuel dock. I strongly suggest that an environmental study, if not a full EI study, be carried out to assess the complete parameters of the partial commercialization of Ala Wai Small Boat Harbor.

Respectfully yours,  
Bulent Terem  
Professor of Chemistry

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**From:** Victoria L. Kalman [vkalman@hawaii.rr.com]  
**Sent:** Wednesday, February 23, 2011 3:40 PM  
**To:** WAM Testimony  
**Subject:** SB1549

I write in strong opposition of SB1549. For the last 8 years, our small boat harbors have been terribly mismanaged. Those of us who have spoken up have had assurances from our legislators and the governor that a fresh look at the entirety of the situation in the harbors would be undertaken. Passage of SB1549 at this time would be a barrier to that "fresh look" and would simply be a continuation of the historic "patch work quilt" approach that has been taken not just by the legislature, but by the DLNR/DBOR with regard to rulemaking.

As the owner of a boat that is moored in Honokohau small boat harbor, as a fulltime resident of the Big Island, as a member of the state bar, as a member of the Board of Directors of Hawaii Fishing & Boating Association (but speaking on my own behalf), I respectfully urge you to table this legislation until such time as an integrated approach to our harbors can be undertaken.

Sincerely,

Victoria L. Kalman  
Attorney-Mediator  
75-5995 Kuakini Highway, Suite 225  
Kailua-Kona, HI 96740  
Ph: 808.334.9888  
Fx: 1-866-468-9633  
[vkalman@hawaii.rr.com](mailto:vkalman@hawaii.rr.com)  
[www.kailua-konalawyer.com](http://www.kailua-konalawyer.com)

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**From:** chershouse@aol.com  
**Sent:** Wednesday, February 23, 2011 3:19 PM  
**To:** WAM Testimony  
**Subject:** SB 1549 SD1 ... hearing 2/24/11, 9:00 AM

DISTINGUISHED MEMBERS OF THE WAM COMMITTEE:

PLEASE PUT SB1549 SD1 ON HOLD! FURTHER CONSIDERATION MUST BE GIVEN TO SAFETY ISSUES WITHIN OUR RECREATIONAL HARBORS, MOST SPECIFICALLY THE ALA WAI. IT HADS BEEN PROVEN TIME AND TIME AGAIN THAT RECREATIONAL CRAFT AND COMMERCIAL VESSELS DO NOT MIX. LIVES HAVE BEEN LOST AND I AM TOLD ANOTHER LIFE LOST JUST YESTERDAY OFF THE BIG ISLAND.

SINCERELY,  
CHERYL VAN LAW  
1777 ALA MOANA BLVD. #1202

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 2:41 PM  
**To:** WAM Testimony  
**Cc:** bobby@surftech.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Robert A. Balouskus  
Organization: Individual  
Address:  
Phone:  
E-mail: [bobby@surftech.com](mailto:bobby@surftech.com)  
Submitted on: 2/23/2011

**Comments:**

The quality of services and improvements offered have DECLINED markedly since fees have been INCREASED recently already- should we have to pay even MORE for worse service and failing infrastructure and amenities?  
I'm happy to pay for a benefit but there is none here for the people footing the bill.

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 2:33 PM  
**To:** WAM Testimony  
**Cc:** lisalynnharrington@hotmail.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Lisa Harrington  
Organization: Individual  
Address:  
Phone:  
E-mail: [lisalynnharrington@hotmail.com](mailto:lisalynnharrington@hotmail.com)  
Submitted on: 2/23/2011

Comments:  
Unfair to recreational boat users



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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 2:48 PM  
**To:** WAM Testimony  
**Cc:** cowgirlinhawaii@yahoo.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
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: 2/23/2011

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 3:07 PM  
**To:** WAM Testimony  
**Cc:** swansongbvi@yahoo.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Nancy Terrell  
Organization: Individual  
Address:  
Phone:  
E-mail: [swansongbvi@yahoo.com](mailto:swansongbvi@yahoo.com)  
Submitted on: 2/23/2011

**Comments:**

I most definitely oppose this bill as I feel the boat owners will be made to make up for the deficiency of the state in totally mismanaging this marina in the first place.

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 2:34 PM  
**To:** WAM Testimony  
**Cc:** hawaiiansurfadventure@hotmail.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Trace Harrington  
Organization: Individual  
Address:  
Phone:  
E-mail: [hawaiiansurfadventure@hotmail.com](mailto:hawaiiansurfadventure@hotmail.com) Submitted on: 2/23/2011

Comments:  
Unfair to recreational boat users

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 2:35 PM  
**To:** WAM Testimony  
**Cc:** gshiromahi@hotmail.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Glenn S. Shiroma  
Organization: Individual  
Address:  
Phone:  
E-mail: [gshiromahi@hotmail.com](mailto:gshiromahi@hotmail.com)  
Submitted on: 2/23/2011

Comments:  
Testimony in STRONG OPPOSITION, please HOLD SB1549

1. DLNR Recreational Renaissance Plan called for a real estate appraiser to determine statewide mooring fees. However, during the legislative process, DLNR submitted an amendment to adjust the statewide mooring fees to take into considerations DLNR small boat harbors are publicly owned, NOT private facilities.

The above legislation FAILED.

2. DLNR Recreational Renaissance Plan B called for statewide mooring fees to be determined by cost of service before the Board of Land & Natural Resources' rule-making process.

However, the Office of Information Practices issued a Memorandum Opinion on December 20, 2010, stating the Board of Land & Natural Resources' agenda on August 14, 2009 FAILED TO COMPLY with Hawaii Sunshine Law.

<http://www.state.hi.us/oip/INFORMAL%20opinion%20summaries/S%20Memo%2011-5.htm>

3. Strongly OPPOSE DLNR adoption of Department of Transportation, Harbor Division tariffs due to the different stakeholders and cost of service.

On or about April 22, 2010, DLNR stop charging the cruise ships the off-shore anchorage fees for Lahaina SBH on Maui and Kailua-Pier on Island of Hawaii. DLNR since taking-over on July 1, 1992 was using DOT Harbors's Off-shore anchoring fees, but was informed by the Office of the Attorney General DLNR had NO jurisdiction to use DOT Harbor's tariffs.

4. During a UIPA request dated January 27, 2011, DLNR refused to provide the Division of Boating & Ocean Recreation's summary financial statement for FY Ending June 2010. DoBOR Administrator disclosed a summary financial statement was prepared for the former DLNR Director and BLNR Chairperson. UIPA refusal stated, "A statewide summary was never generated. If such existed it would be exempted as Inter-agency or Intra-agency Memoranda or Correspondence used in the agency's decision-making that falls under the "deliberative process privilege."

Thank you for this opportunity to testify.

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 2:42 PM  
**To:** WAM Testimony  
**Cc:** kmasda@aol.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Barbara Patterson  
Organization: Individual  
Address:  
Phone:  
E-mail: [kmasda@aol.com](mailto:kmasda@aol.com)  
Submitted on: 2/23/2011

Comments:

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 2:46 PM  
**To:** WAM Testimony  
**Cc:** captsmurf@hotmail.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Gary Beals  
Organization: Individual  
Address:  
Phone:  
E-mail: [captsmurf@hotmail.com](mailto:captsmurf@hotmail.com)  
Submitted on: 2/23/2011

Comments:

I oppose SB 1549 because:

1. No information has been given as to how the State would use the money from the increased fees.
2. All slips are not created equal and should not be charged as equal.

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 3:33 PM  
**To:** WAM Testimony  
**Cc:** karlguitarjohnson@gmail.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Karl Johnson  
Organization: Individual  
Address:  
Phone:  
E-mail: [karlguitarjohnson@gmail.com](mailto:karlguitarjohnson@gmail.com)  
Submitted on: 2/23/2011

**Comments:**

There aren't even enough slips on Oahu for current need for private boaters instead of taking more slips away and raising fees laws should be enacted to make more slips available for recreation and be more affordable. Thank you for listening to your people. Gov't for the people, by the people not special interests. Please hold bill..

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 3:34 PM  
**To:** WAM Testimony  
**Cc:** info@rainbowyachts.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: susan ray  
Organization: Individual  
Address:  
Phone:  
E-mail: [info@rainbowyachts.com](mailto:info@rainbowyachts.com)  
Submitted on: 2/23/2011

**Comments:**

I am opposed to this measure. It is not safe for boaters to have commercial activity in small boat harbors. It will also have a very negative impact on the environment and on the tourist industry near the harbors.

Thank you  
Susan Ray



---

**From:** richard olmsted [rlolmsted11@yahoo.com]  
**Sent:** Wednesday, February 23, 2011 1:55 PM  
**To:** WAM Testimony  
**Subject:** SB1549 SD1 2/23/11 @ 1:47 PM

Aloha, I have been a boat owner at the Ala Wai Boat Harbor for 10 years. I have witness management practices that are criminal. What is being proposed in the rape of the public's access to use of the resources that the sea provides. SHAME! Richard Olmsted

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 2:09 PM  
**To:** WAM Testimony  
**Cc:** captdave@boats4u.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
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: 2/23/2011

Comments:

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 2:07 PM  
**To:** WAM Testimony  
**Cc:** kaimanahila3@hotmail.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Brian Moore  
Organization: Individual  
Address:  
Phone:  
E-mail: [kaimanahila3@hotmail.com](mailto:kaimanahila3@hotmail.com)  
Submitted on: 2/23/2011

**Comments:**

Safety Issues. A swimmer/surfer was killed on the big Island this week by a boat. We don't want that happening here!

---

**From:** Les Parsons [cascadesunrise@hotmail.com]  
**Sent:** Wednesday, February 23, 2011 2:01 PM  
**To:** WAM Testimony  
**Subject:** Hearing Testimony - SB1549

To: Members of the Senate WAM Committee  
Hearing on SB1549, Feb. 24, 2011  
Room 211

Like cockroaches they're always around.

I speak of a seemingly unending series of bills backed by developers, the wealthy and others who seek to bring radical and undesirable change to our Small Boat Harbors and those who use them.

For many years bills such as SB1549 and others have been introduced - and in the end defeated.

Unfortunately, countless hours of the time of both legislators and affected members of the public, mainly boaters, have been consumed (wasted!) in this pointless exercise. Why?

If you've read this far, it's evident that I strongly oppose SB1549 and its onerous implications.

Please hold this needless, unfair and unpopular measure.

I ask you to heed the emphatic wishes of people - your constituents - not the pressures from paid lobbyists.

Thank you for your attention and consideration.

Les Parsons  
Ala Wai Harbor tenant  
1741 Ala Moana Blvd.  
Honolulu, HI 96815  
945-3648

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 1:40 PM  
**To:** WAM Testimony  
**Cc:** info@luau.de  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Antje Gruenewald  
Organization: Individual  
Address:  
Phone:  
E-mail: [info@luau.de](mailto:info@luau.de)  
Submitted on: 2/23/2011

Comments:

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 1:37 PM  
**To:** WAM Testimony  
**Cc:** jbdobson4777@hotmail.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: James B. Dobson  
Organization: Individual  
Address:  
Phone:  
E-mail: [jbdobson4777@hotmail.com](mailto:jbdobson4777@hotmail.com)  
Submitted on: 2/23/2011

Comments:

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 1:33 PM  
**To:** WAM Testimony  
**Cc:** pfefferr001@hawaii.rr.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Roger Pfeffer  
Organization: Individual  
Address:  
Phone:  
E-mail: [pfefferr001@hawaii.rr.com](mailto:pfefferr001@hawaii.rr.com)  
Submitted on: 2/23/2011

**Comments:**

I am opposed to commercialization of Ala Wai Harbor because it creates a dangerous mix of large commercial boats and small sailing boats which lack motors and because of the surfers who paddle across the channel from magic island.

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 1:33 PM  
**To:** WAM Testimony  
**Cc:** pfefferr001@hawaii.rr.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Roger Pfeffer  
Organization: Individual  
Address:  
Phone:  
E-mail: [pfefferr001@hawaii.rr.com](mailto:pfefferr001@hawaii.rr.com)  
Submitted on: 2/23/2011

**Comments:**

I am opposed to commercialization of Ala Wai Harbor because it creates a dangerous mix of large commercial boats and small sailing boats which lack motors and because of the surfers who paddle across the channel from magic island.



---

**From:** YIDISHACUP@aol.com  
**Sent:** Wednesday, February 23, 2011 1:33 PM  
**To:** WAM Testimony  
**Subject:** SB1549. Committee: WAM Room: 211 Hearing Date: 2/24/2011 9:00:00 AM

My name is Rachel Simon. I have had my boat in the Ala Wai for over 18 years.

I am against allowing commercial vessels into the Ala Wai Small Boat Harbor.

Not only will it be dangerous to the people who have private boats for pleasure, but it will also be dangerous to the kids learning to sail in the Ala Wai.

I believe we have enough commercial harbors that we don't have to ruin it for all the people who have invested in and love sailing their boats without being worried about being run over by a commercial vessel.

Thank You

Rachel Simon  
PO BOX 22814  
Honolulu, HI 96823  
[yidishacup@aol.com](mailto:yidishacup@aol.com)

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 1:31 PM  
**To:** WAM Testimony  
**Cc:** blenkeit@hawaii.rr.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Bruce Lenkeit  
Organization: Individual  
Address:  
Phone:  
E-mail: [blenkeit@hawaii.rr.com](mailto:blenkeit@hawaii.rr.com)  
Submitted on: 2/23/2011

Comments:

I am a boat owner who opposes the raising of rates when other existing revenue sources go untapped.

I conduct a physical survey of vacant slips in the Ala Wai Harbor for the last couple of years.

Currently there are 110 vacant slips (a total of 750 available) with a 3 to 5 year wait list.

Recently there have been as many as 218 vacant slips with a 5 to 8 year wait list.

This cost to the State of Hawaii in direct and indirect loss is several million dollars per year. Why raise the rates when existing revenue sources are available. This is just the Ala Wai Harbor. Similiar conditons exist statewide.

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 1:30 PM  
**To:** WAM Testimony  
**Cc:** paulfreebairn@gmail.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Paul H. Freebairn  
Organization: Individual  
Address:  
Phone:  
E-mail: [paulfreebairn@gmail.com](mailto:paulfreebairn@gmail.com)  
Submitted on: 2/23/2011

**Comments:**

I oppose this bill which privatizes slips and takes them away from the residents and those that use the Ala Wai for recreational purposes. I have been a boat owner now for over 30 years, and I do not want to have the state government limit use and charge more than they already do -- also safety issues are involved if this bill passes. Please do NOT pass this bill.

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 1:23 PM  
**To:** WAM Testimony  
**Cc:** hm49a@aol.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Howard Mednick  
Organization: Individual  
Address:  
Phone:  
E-mail: [hm49a@aol.com](mailto:hm49a@aol.com)  
Submitted on: 2/23/2011

Comments:

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 4:20 PM  
**To:** WAM Testimony  
**Cc:** concernedboater@hawaii.rr.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
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: 2/23/2011

**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.

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.

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**From:** Susan Oliver [susan.d.oliver@gmail.com]  
**Sent:** Wednesday, February 23, 2011 2:57 PM  
**To:** WAM Testimony  
**Subject:** SD 1549 SD1

Re: Measure SD 1549 SD1, Committee WAM, Room 211, Hearing Date: 2/24/11 9:00:00 AM

For the record, I am opposed to raising fees statewide, privatizing areas for development and converting recreational slips to commercial slips in any of the small boat harbors. It appears the state is planning to ask for maximum dollar possible out of *EVERYONE and everything - everywhere*.

*I oppose the bill, for safety reasons, a recent death on the Big Island is an example. Also fairness-why should more slips be taken from recreational users? It is my culture to be on the water, the changes proposed will deny my rights. There may need to be some private harbors but the current harbors should remain public and affordable and for the people-especially recreational users. The bill needs to be held.*

*The public and users of the harbors must be considered.*

*I once had a slip in Honokohau Small Boat Harbor, Ed Underwood and his coworkers stole it from me. I waited 5 years for my slip and Ed Underwood randomly took it from me. He is able to bend the rules anyway he feels appropriate. This is wrong. I still have not had my due process.*

*The rules certainly need revision but in a systematic and rationale way.*

*Thanks you for your time and consideration.*

*Respectfully submitted by:*

*Susan Oliver  
Resident of the Big Island of Hawaii  
808 929-9818*

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 4:22 PM  
**To:** WAM Testimony  
**Cc:** concernedboater@hawaii.rr.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
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: 2/23/2011

**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.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 3:59 PM  
**To:** WAM Testimony  
**Cc:** hawaiilava@gmail.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
Testifier position: oppose  
Testifier will be present: Yes  
Submitted by: Lawrence Muttick  
Organization: Individual  
Address:  
Phone:  
E-mail: [hawaiilava@gmail.com](mailto:hawaiilava@gmail.com)  
Submitted on: 2/23/2011

Comments:



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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 4:42 PM  
**To:** WAM Testimony  
**Cc:** lilley.j@gmail.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Jeff Lilley  
Organization: Individual  
Address:  
Phone:  
E-mail: [lilley.j@gmail.com](mailto:lilley.j@gmail.com)  
Submitted on: 2/23/2011

**Comments:**

Please oppose this bill. There are MORE than enough commercial slips available in Hawaii while private slips have a 6-8 year waiting list. Reclassifying private slips to commercial, especially in the Ala Wai will lead to unmanageable traffic, accidents, and worse parking than there is now! In addition, converting the Ala Wai to a private vendor will be counter productive to its mission as a recreational harbor for all residents of Hawaii, not just the ultra wealthy.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 23, 2011 4:47 PM  
**To:** WAM Testimony  
**Cc:** terryconlan@aol.com  
**Subject:** Testimony for SB1549 on 2/24/2011 9:00:00 AM

Testimony for WAM 2/24/2011 9:00:00 AM SB1549

Conference room: 211  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Terrence Conlan  
Organization: Individual  
Address:  
Phone:  
E-mail: [terryconlan@aol.com](mailto:terryconlan@aol.com)  
Submitted on: 2/23/2011

**Comments:**

I only became aware of this bill today and have not had enough time to review it. Let's not get in such a hurry that we make things worse. Please delay this bill until people have had time to consider it and the results it might produce. Rushing these things doesn't produce the best results.