

MACZAC

Marine and Coastal Zone Advocacy Council

Ke Kahu O Na Kumu Wai

MACZAC Members:

Hawaii Island

Michael Gleason

Roy Takemoto

Kauai

Rhoda Makanani Libre

Bryan Mamaclay

Lanai

Robin Kaye

Maui

Donna L. Brown

James E. Coon

Henry T.S. Lau

Molokai

Michael Sabas

Oahu

Susan A. Sakai

Kimbal Thompson

Testimony to House Finance

Wednesday, April 4, 2012, 2:30pm

Conference Room 308

Speaking in Support of SB 2933_SB2_HD1

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

My name is James E. Coon. I am a Maui Representative and Charter Member of the Marine and Coastal Zone Advocacy Council, (MACZAC), and sit on the Ocean Resources Management Plan Working Group.

We appreciate the efforts being made by the Legislature in addressing swimmer vessel safety issues. The required Swim Buoys and Ingress Egress Zone Buoys are especially important.

We request that you also support the need for Kaanapali ORMA Permitted Vessel access to nearby state boating facilities when wind and sea conditions make beach loading either impossible or quite dangerous. We support the language that is currently outlined in SB 2933_SB2_HD1.

We humbly ask you to please pass SB 2933_SD2_HD1

Sincerely,

James E. Coon,

808-870-9115



Testimony to the Committee on Water Land and Ocean Resources
Wed, April 4, 2012; 1:00 p.m.

Speaking in Support

RE: SB 2933 S2. HD-1

Chair Representative Chang, Vice Chair Representative Har and Members of the
Water, Land, Oceans Committee:

My name is Tim Johnston, Operations Manager of Ka'anapali Kai Charters. We have two commercial sailing catamarans, Teralani 2 & Teralani 3 that operate and beach load on Ka'anapali, Maui. We have been in business since 1994 and currently employ 26 people.

We appreciate the efforts being made by the Legislature in addressing swimmer vessel safety issues. We request that you also support the need for Kaanapali ORMA Permitted Vessel access to nearby state boating facilities when wind and sea conditions make beach loading either impossible or quite dangerous.

We would like to see language like this put into SB 2933 that would guide DLNR to adopt rules to allow for the use of nearby State boating facilities on the island of Maui by the vessels with Kaanapali ORMA permits when wind and sea conditions make Kaanapali Beach untenable and accommodate their regular provisioning at nearby State Boating facilities for safety, and economic development.

Currently, when surf conditions prevent us from safely loading, we have no other option but to cancel our trips – even if conditions on the ocean are ideal. Having this option would allow us to operate in a safe manner and continue to keep the economy going strong.

We humbly ask you to please pass SB 2933 HD1 with amendments.

Sincerely,

Tim Johnston

Council Chair
Danny A. Mateo

Vice-Chair
Joseph Pontanilla

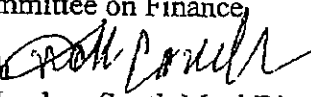
Council Members
Gladys C. Baisa
Robert Carroll
Elle Cochran
Donald G. Couch, Jr.
G. Riki Hokama
Michael P. Victorino
Mike White



Director of Council Services
Ken Fukuoka

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/council

TO: The Honorable Marcus Oshiro, Chair
House Committee on Finance

FROM: Don Couch 
Council Member, South Maui District

DATE: Wednesday, April 4, 2012

SUBJECT: **SUPPORT OF SB 2933, SD2, HD1, RELATING TO OCEAN SAFETY**

Thank you for the opportunity to testify in support of SB 2933, SD2, HD1. I provide this testimony as an individual member of the Maui County Council.

The purpose of this measure is to promote greater safety of ocean users in the State's nearshore waters and to appropriate funds for swim zone buoys at Kamaole beach. The measure would also require the Department of Land and Natural Resources to impose stricter regulations for the safety of ocean users, and to report back to the Legislature on the status of measures taken to address ocean safety concerns.

The safety of our nearshore waters has become increasingly important as the numbers of residents and visitors enjoying ocean activities has increased. A recent tragic incident at Hanakoo beach park underscores the need for clearly marked areas to protect swimmers and divers in areas with multiple ocean activities. The installation of swim zone buoys and establishment of stricter regulations will ensure a greater measure of safety in popular ocean activity areas.

Council Chair
Danny A. Mateo

Vice-Chair
Joseph Pontanilla

Council Members
Gladys C. Baisa
Robert Carroll
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April 4, 2012

The Honorable Marcus R. Oshiro, Chair
House Committee on Finance
Hawaii State Capitol, Conference Room 308
Honolulu, Hawaii 96813

Dear Chair Oshiro:

**Re: Testimony in Support of SB 2933 SD 2, HD 1 relating to Ocean Safety
(Public Hearing on April 04 2012 at 2:30 pm in Conference Room 308)**

As the Lana`i member on the Maui County Council, I would like to offer testimony in support of SB 2933, SD 2, HD1. This measure requires the department of land and natural resources to adopt rules that promote greater safety of ocean users in the State's nearshore waters; appropriates funds for swim zone buoys at Kamaole beach; requires a report to the legislature.

I support the proposed measure, because it attempts to address the increasing danger of collisions between boats and divers/swimmers. In 2011, Maui County had two fatal boating mishaps involving divers. On July 31, 2011, a diver was fatally struck by a motorized inflatable commercial Zodiac outside the breakwater of Kaunalapau Harbor on the Island of Lana`i. Then on December 29, 2011, a diver, who was preparing lanes for a high school canoe paddling race, was fatally hit by a 19-foot recreational ski boat at Hanakao Beach on the Island of Maui.

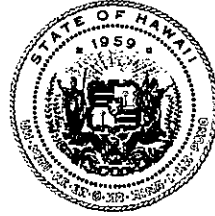
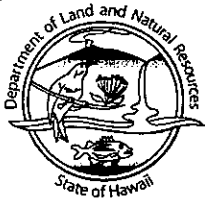
Thank you for the opportunity to offer this testimony in support.

Sincerely,

Riki Hokama, Councilmember- Lana`i

cc: Council Chair Danny Mateo

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.
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

Wednesday, April 04, 2012
2:30 P.M.
State Capitol, Conference Room 308

In consideration of
SENATE BILL 2933, SENATE DRAFT 2, HOUSE DRAFT 1
RELATING TO OCEAN SAFETY

Senate Bill 2933, Senate Draft 2, House Draft 1 proposes to: (1) Require the Department of Land and Natural Resources (Department) to adopt rules that promote greater safety of ocean users in the State's nearshore waters; (2) Appropriate funds for swim zone buoys at Kamaole Beach; and (3) Establish the West Maui ocean recreation management area advisory committee comprised of users of the ocean to work with the Department on issues relating to the area, particularly the waters of Kaanapali. The Department acknowledges the intent of this measure and offers the following comments.

The Department already has rules in place for the purpose of reducing user conflicts in the near shore waters of the State. Vessels are not permitted to operate in swim zones as it stands now, and establishing safe zones for free diving will be very difficult because the activity takes place statewide and is not limited to specific areas.

The Department is open to having discussions with regards to increasing commercial vessel activity within the state small boat harbors when sea conditions make shoreline landings unsafe within designated ingress and egress zones. The Department will need to ensure that the increased commercial activity will not disrupt nor displace existing recreational use of the facility.



Ocean Tourism Coalition

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

April 4, 2012

Testimony To: House Committee on Finance
Representative Marcus R. Oshiro, Chair

Presented By: Tim Lyons, CAE
Executive Director

Subject: H.B. 2933, SD 2, HD 1 – RELATING TO OCEAN SAFETY

Chair Oshiro and Members of the Committee:

I am Tim Lyons, Executive Director of the Ocean Tourism Coalition an organization representing the commercial boating interests throughout the state.

We are in support of this bill as amended. We agree the bill addresses a problem of extreme importance and that is the safety of individuals utilizing the ocean recreation management area. Section 2 deals with the state developing rules for safe zones for free divers and swimmers as well as enforcement of the boating regulations.

It also deals with safety of passengers when loading and unloading on commercial use permitted boats in unforeseen weather conditions and also requests the Department to make rules for the utilization of these facilities under those conditions.

We would like to comment that we think the Advisory Committee in Section 7. will function better and achieve a more balanced result if it includes participation by a commercial use permit holder since the cooperation of commercial permit holders will be essential to the use and maintenance of state waters.

Based on the above, we can highly recommend the passage of this bill and would respectfully request your Committee's favorable consideration.

Thank you.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, April 04, 2012 2:20 PM
To: FINTestimony
Cc: dweiss@bamhawaii.com
Subject: Testimony for SB2933 on 4/4/2012 2:30:00 PM

Testimony for FIN 4/4/2012 2:30:00 PM SB2933

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: dave weiss
Organization: Teralani Sailing, Kaanapali Kai Charters
E-mail: dweiss@bamhawaii.com
Submitted on: 4/4/2012

Comments:

please consider SUPPORTING SB2933. this is viatally important to the safety of the near shore swimmers. it is tragic that it took the death of William Gonzales to bring this important issue to legislature.

Dave Weiss
808-205-0266

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, April 04, 2012 1:47 PM
To: FINTestimony
Cc: tim@teralani.net
Subject: Testimony for SB2933 on 4/4/2012 2:30:00 PM

Testimony for FIN 4/4/2012 2:30:00 PM SB2933

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Tim Johnston
Organization: Kaanapali Kai Charters
E-mail: tim@teralani.net
Submitted on: 4/4/2012

Comments:

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, April 04, 2012 1:54 PM
To: FINTestimony
Cc: lianne@sailtrilogy.com
Subject: Testimony for SB2933 on 4/4/2012 2:30:00 PM

Testimony for FIN 4/4/2012 2:30:00 PM SB2933

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: LiAnne Coon
Organization: Trilogy Excursions
E-mail: lianne@sailtrilogy.com
Submitted on: 4/4/2012

Comments:

Thank you for hearing this bill.

We support the HD1 draft.

-This is very important to allow vessels to load safely out of a harbor when weather forbids us to beach load. This is a safety issue.

-There needs to be at least 1 person from the Ocean Tourism Industry on the advisory board.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, April 04, 2012 2:45 PM
To: FINTestimony
Cc: kupuna@wisperhawaii.com
Subject: Testimony for SB2933 on 4/4/2012 2:30:00 PM

Testimony for FIN 4/4/2012 2:30:00 PM SB2933

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Na Kupuna O Maui
Organization:
E-mail: kupuna@wisperhawaii.com
Submitted on: 4/4/2012

Comments:

Please support this Bill for the safety of the public. West Maui needs this SB 2933 to be heard and to be approved.

Mahalo

Nishiyama

Na kupuna O Maui

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, April 04, 2012 2:00 PM
To: FINTestimony
Cc: tambry.young@gmail.com
Subject: Testimony for SB2933 on 4/4/2012 2:30:00 PM

Testimony for FIN 4/4/2012 2:30:00 PM SB2933

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Tambry R. Young
Organization: Na Ohana O Na Hui Waa
E-mail: tambry.young@gmail.com
Submitted on: 4/4/2012

Comments:

As the past president of one of the largest canoe paddling associations here in Hawaii I would like to speak in strong support of this bill. I have been a paddler for more than 20 years and although I paddle mostly on Oahu, I have done many races across the state including on Maui.

As the president of Hui Waa I was responsible to ensure that all the activities associated with a canoe race ensured that all paddlers were safe. This bill would assist in making the waters which we as paddlers utilize more safe.

Again I ask you to pass SB2933, thank you for this opportunity.

Tambry R. Young
Past President - Na Ohana O Na Hui Waa

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, April 04, 2012 3:02 PM
To: FINTestimony
Cc: chelsey_vierra@yahoo.com
Subject: Testimony for SB2933 on 4/4/2012 2:30:00 PM

Testimony for FIN 4/4/2012 2:30:00 PM SB2933

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Hali'ilaulani Vierra
Organization: Individual
E-mail: chelsey_vierra@yahoo.com
Submitted on: 4/4/2012

Comments:

Please approve this bill we really need it. I utilize Hanakao'o beach every day and it needs to be a safe place for all the children of Lahaina and the public

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, April 04, 2012 2:25 PM
To: FINTestimony
Cc: MSmatson@hawaii.rr.com
Subject: Testimony for SB2933 on 4/4/2012 2:30:00 PM

Testimony for FIN 4/4/2012 2:30:00 PM SB2933

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Michelle Matson
Organization: Individual
E-mail: MSmatson@hawaii.rr.com
Submitted on: 4/4/2012

Comments: