

Aloha,

LATE

This is regarding Measure HB191, Relating to Small Boat Harbors.

I am adamantly opposed to the concept of the DLNR consulting with the HCDA on matters pertaining to Hawaii's small boat harbors. Contrary to HCDA's public relations fluff, the HCDA has proven itself to be dismally ineffective at operating, administrating and maintaining Kewalo Basin Harbor. I can't speak much to their planning and developing skills, but every time I see one of their "plans", the first thing that comes to mind is "what the hell are they thinking?" or "what are they smoking at their office parties?". When I see some of the ridiculousness they try to push through, I wonder what part of California they are from because they obviously have no clue about Hawaii or its culture.

As a business tenant in Kewalo Basin Harbor, I would rather put up with the any inadequacies of the DLNR than the repeated underhanded attempts by the HCDA to get the Harbor users to fund their pipe dreams for Kakaako Makai. ***We wish that Kewalo Basin Harbor was run by the DLNR.*** I do not wish the HCDA on anyone, and I especially do not want to see their ineptness forced upon any other innocent people of Hawaii. The DLNR may have its faults, but they will not find acceptable answers from the HCDA.

A little factual history of their accomplishments in the four years they have been managing Kewalo Basin Harbor:

- 1) The harbor is full. Not much of an accomplishment, they simply made available what was never available before (my 10 year old could have filled the harbor). The destruction of Keehi Marina and displacement of their tenants filled in the rest.
- 2) We have bike racks and a few benches.
- 3) We have inadequately maintained restrooms (unsanitary conditions, no soap, paper towels or toilet paper most of the time).
- 4) Lighting on the piers and sidewalks doesn't work (a huge liability issue at night). One would think that an effective harbor manager would use some of \$600,000.00+ profit per year to change a few light bulbs and fixtures on a regular basis to maintain a safe environment for their tenants.

- 5) The previously condemned piers are falling apart (no surprise to those of us who were here when the DOT contracted divers and engineers inspected them and closed them 8 years ago). Apparently, those State funded safety inspections and their reports magically disappeared or became null and void in the face of the almighty dollar. We've grown accustomed to the HCDA disregarding public safety to maximize profitability. Is this the future of Hawaii?
- 6) The brash, confrontational demeanor of the Harbormaster continues to alienate the business tenants. Rules are not enforced equally on all tenants.
- 7) The Executive Director of the HCDA does not even know the rules he helped create for the Harbor. I personally had a sit down meeting with the Executive Director, his entourage and the Harbormaster. During this meeting the Executive Director repeatedly deferred to the Harbormaster for interpretation of the rules. I kind of expected that the Executive Director of the HCDA (who was personally involved in the creation of the rules) would be the one to explain things to his subordinate (the Harbormaster who is an employee of Almar, Inc.), not the other way around.

The bottom line is; **if the HCDA cannot effectively manage one harbor without help from a private contractor, how can they give advice to the DLNR?**

The bill should read "Authorizes the DLNR to consult with and receive assistance from Almar, Inc. with regards to planning, developing, operating, administering, and maintaining small boat harbors.", because that is what will really happen.

Mahalo,

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01/24/2013

LATE

**HOUSE COMMITTEE on FINANCE
February 21, 2013, Public Hearing
House Conference Room 208
11:00 AM**

**HOUSE BILL 191
RELATING TO SMALL BOAT HARBORS**

Testimony in STRONG OPPOSITION submitted by Captain Michael DeRego

House Bill 191 proposes to grant the Hawaii Community Development Authority with the power to assist and advise the more experienced Department of Land and Natural Resources on "planning, developing, operating, administering, and maintaining small boat harbors" throughout Hawai'i. Rather than correct any deficiencies of the experienced and capable DLNR's Division of Boating and Ocean Recreation, HB 191 proposes to place the HCDA, which has proven to be problematic, at the center of management of all harbor operations. This is a move that will complicate and add an additional layer of bureaucracy.

HCDA does not manage harbors. Due to their inability to do so, harbor management was sub-contracted to a private party, adding an additional layer to the cost of managing the Harbor and increasing the overall cost to State taxpayers. Since gaining control of the management and operations of Kewalo Basin Harbor, HCDA and its managing partner, have seriously failed in many respects. The following are some examples:

Implementation of the rules as written and agreed upon with stakeholders.

Transferability of slips to new owners has become highly restrictive and near impossible in direct conflict with written and accepted rules. As provided by the rules, wait lists for commercial permits and/or slips are to be maintained and available as public knowledge. In a number of cases, bona fide commercial businesses were not able to obtain an assigned permanent slip when requested, while private users were able to do so. Kewalo Basin Harbor was designated primarily for commercial operations.

Lack of maintenance of docks and facilities

An ongoing example of poor or lack of maintenance is the current condition of my pier. HCDA does not employ a proper maintenance staff with the skills to repair and maintain the pier where customers are boarded. Rotting timbers were brought to the attention of harbor management in June 2012 with follow up requests in July 2012, again in November 2012, and again at a stakeholder meeting in January 2013. The repairs have not been completed posing a severe safety risk, exposing businesses, HCDA, and the State to potential lawsuits

and liability claims. Overhead security lights work inconsistently or are not repaired, and there is a lack of landscaping and general maintenance.

Decision making based on lack of management experience

The decision to prematurely evict office building tenants deprived the State of business revenue. The proposed new tenant has not materialized and the harbor has permanently lost the volume of business and visitor traffic previously drawn by the former tenants.

Repeated harassment by harbor management

Businesses have been confronted over trivial issues or fabricated problems where none exist. An example is the threat of fines and disagreement over the common practice of storage of water hoses neatly coiled on the pier.

Poor accounting practices involving harbor fees.

Mooring fees inadvertently over paid by a financial institution have not been credited to the proper account since Summer of 2012 despite repeated requests.

Lack of understanding of the needs of commercial stakeholders.

These area examples of mismanagement by an agency that does not have the skill or experience to manage the valuable harbor resources at Kewalo Basin or any of the other small boat harbors within the State of Hawai'i.

Please do not allow the passage of HB 191 in the greater public interest.

LATE

From: mailinglist@capitol.hawaii.gov
To: [FINTestimony](#)
Cc: swansongbvi@yahoo.com
Subject: *Submitted testimony for HB191 on Feb 21, 2013 11:00AM*
Date: Wednesday, February 20, 2013 7:12:20 PM

HB191

Submitted on: 2/20/2013

Testimony for FIN on Feb 21, 2013 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Nancy Terrell | Individual | Oppose | No |

Comments:

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HB191

Submitted on: 2/20/2013

Testimony for FIN on Feb 21, 2013 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Jonathan R Cole | Individual | Oppose | No |

Comments: Do not support.

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FINTestimony

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 20, 2013 8:50 PM
To: FINTestimony
Cc: jemray@hawaii.rr.com
Subject: Submitted testimony for HB191 on Feb 21, 2013 11:00AM

HB191

Submitted on: 2/20/2013

Testimony for FIN on Feb 21, 2013 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Janet Murray | Individual | Oppose | No |

Comments: I oppose HB191

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FINTestimony

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 20, 2013 9:00 PM
To: FINTestimony
Cc: naldajw@gmail.com
Subject: *Submitted testimony for HB191 on Feb 21, 2013 11:00AM*

HB191

Submitted on: 2/20/2013

Testimony for FIN on Feb 21, 2013 11:00AM in Conference Room 308

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Jw Nalda | Individual | Oppose | No |

Comments:

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HB191

Submitted on: 2/21/2013

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| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Toni Withington | Individual | Oppose | No |

Comments:

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| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Robert | Individual | Oppose | No |

Comments:

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| Submitted By | Organization | Testifier Position | Present at Hearing |
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| glenn n pang | Individual | Oppose | No |

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| Dana G. Moss | Individual | Oppose | No |

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| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Ann Marie Kirk | Individual | Oppose | No |

Comments:

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| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Kerri Marks | Individual | Oppose | No |

Comments:

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