

SB 3028

DAVID Y. IGE
GOVERNOR OF
HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committees on
WATER, LAND, AND AGRICULTURE
and
ECONOMIC DEVELOPMENT, ENVIRONMENT, AND TECHNOLOGY**

**Friday, February 12, 2016
2:00 P.M.
State Capitol, Conference Room 414**

**In consideration of
SENATE BILL 3028
RELATING TO ENVIRONMENTAL PROTECTION OF MAUNALUA BAY**

Senate Bill 3028 proposes to establish the Maunalua Bay Task Force to study and develop recommendations for the Maunalua Bay master plan. **The Department of Land and Natural Resources (Department) opposes this measure. The Department has lead jurisdiction for regulation of activities in Maunalua Bay and is actively engaged with stakeholders in current planning efforts for the bay.**

Maunalua Bay fronts one of Hawaii's most highly populated areas, with a population of over 60,000 immediately adjacent to the bay. The Department's jurisdiction over activities impacting the bay includes forestry and wildlife, aquatic resources, boating and ocean recreation, historic preservation, and conservation and resource enforcement, among others. Examples of resources and threats over which the Department has oversight are upland forest quality and degradation, the freshwater streams in the many watersheds emptying into the bay and issues of water quality and sediment; coastal shorebirds and habitat stewardship; historic fishponds; the marine resources including seagrass beds, reefs and open waters and issues of fisheries depletion and invasive algae; and the many commercial and recreational boating uses including swimming, surfing, fishing, paddling, diving, and thrill craft and user conflicts and safety issues. All of these resources are the public trust responsibility of the Department.

This Department jurisdiction brings responsibility for regulating activities through both local and statewide regulations. Many of these regulations need to be brought up to date to address current conditions. The Department has been actively involved in bay-wide initiatives for community engagement in recent months.

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

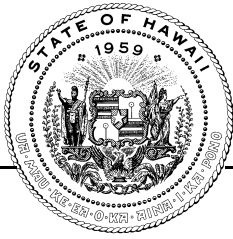
KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
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

- The Department's Division of Boating and Ocean Recreation (DOBOR) recently formed the Maunalua Bay Recreational Advisory Committee (M-RAC). The purpose of forming the M-RAC is to create a framework to solicit public input on DOBOR rules for ocean recreation in Maunalua Bay. The M-RAC will be given short term (six mos), Mid-range (1-3 yrs), and Long-term (ongoing) goals for the management of Maunalua Bay and will submit recommendations to DOBOR who will then review and propose amendments to the Hawaii Revised Statutes (HRS) or Hawaii Administrative Rules (HAR) if warranted. A full description of the M-RAC can be found on the DOBOR website at <http://dlnr.hawaii.gov/dobor/mrac/>.
- A comprehensive community initiative is underway by Mālama Maunalua to begin a marine spacial planning process, which is a public process used successfully around the world in a broad collaborative method of gathering input and analyzing and allocating the spatial and temporal distribution of human activities in marine areas to achieve identified ecological, economic, and social objectives. This includes a comprehensive array of stakeholders in the bay, including fishers, boaters, recreational users, and others totaling close to 30 stakeholder groups, with a goal to engage in broad and deep dialogue to resolve user conflicts and propose updated regulations to manage our natural and cultural resources and recreational and commercial uses. The Department has been participating in an ex-officio capacity.

The Department is the necessary lead governmental entity for these community engagement initiatives, since the end result of proposed regulations would need to be approved by the Board of Land and Natural Resources and implemented by the Department. The Department believes these initiatives are already well underway and should be allowed to continue, in their current form or as otherwise initiated by the Department to ensure comprehensive stewardship oversight, without being supplanted by a new task force, nor one led by the Office of Planning which does not have the jurisdictional responsibility for regulating activities for the bay that the Department has.



**OFFICE OF PLANNING
STATE OF HAWAII**

DAVID Y. IGE
GOVERNOR

LEO R. ASUNCION
DIRECTOR
OFFICE OF PLANNING

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <http://planning.hawaii.gov/>

Statement of
LEO R. ASUNCION
Director, Office of Planning
before the
**SENATE COMMITTEE ON WATER, LAND, AND AGRICULTURE
AND
SENATE COMMITTEE ON ECONOMIC DEVELOPMENT, ENVIRONMENT, AND
TECHNOLOGY**

Friday, February 12, 2016
2:00 PM
State Capitol, Conference Room 414

in consideration of
SB 3028
RELATING TO ENVIRONMENTAL PROTECTION OF MAUNALUA BAY.

Chairs Gabbard and Wakai, Vice Chairs Nishihara and Slom, and Members of the Senate Committees on Water, Land, and Agriculture, and Economic Development, Environment, and Technology.

The Office of Planning (OP) opposes SB 3028, which proposes to establish the Maunalua Bay Task Force whose purpose and function is to create a comprehensive Maunalua Bay master plan. The proposed task force may be duplicative of existing and ongoing initiatives in the area involving the Department of Land and Natural Resources (DLNR), the agency that has lead jurisdiction for regulation of activities in the Bay.

The Maunalua Bay Recreation Advisory Committee (M-RAC) provides an existing framework for the public to submit input on DLNR, Division of Boating and Ocean Recreation rules for ocean recreation in Maunalua Bay. The M-RAC is also charged to develop and provide to DOBOR short-term, mid-range, and long-term management goals for Maunalua Bay.

“Imua Maunalua” is a recent community initiative to begin a marine spatial planning process that will encourage robust dialogue to resolve user conflict and propose updates to regulations to better manage natural and cultural resources, as well as recreational and commercial uses, in Maunalua Bay.

The Office of Planning feels that these initiatives should be allowed to run their course without an additional layer and duplication that the proposed Maunalua Bay Task Force would impose.

Thank you for the opportunity to testify on this measure.



'ĀINA HAINA COMMUNITY ASSOCIATION

c/o 'Āina Haina Library, 5246 Kalaniana'ole Highway, Honolulu, HI 96821
ainahainaassoc@gmail.com; www.ainahaina.org

Jeanne Ohta, President • Melia Lane-Kanahele, Vice-President • Art Mori, Treasurer • Kathy Takemoto, Secretary • Directors At Large: Jeff Carlson, Wayson Chow, Patricia Moore, Marie Riley

February 12, 2016

To: Senator Mike Gabbard, Chair
Senator Clarence K. Nishihara, Vice Chair and
Members of the Committee on Water, Land, and Agriculture

To: Senator Glenn Wakai, Chair
Senator Sam Slom, Vice Chair and
Members of the Committee on Economic Development, Environment, and Technology

From: Jeanne Y. Ohta, President

RE: SB 3028 Relating to Environmental Protection of Maunalua Bay
Hearing: Friday, February 12, 2016, 2:00 p.m., Room 414

The Board of Directors of the 'Āina Haina Community Association write in support of SB 3028 Relating to Environmental Protection of Maunalua Bay, which creates a task force comprised of representatives from active community organizations and appropriate state agencies to study and recommend measures to promote the health and viability of the Bay and to resolve conflicts among users of the Bay.

The proposal is a joint effort of community-based organizations in East Oahu who see the need for community input over the use and protection of Maunalua Bay. This proposal is based on the development of the Kaneohe Bay Master Plan and establishment of the Kaneohe Bay Regional Council. The current approach and management has been inadequate in reducing user conflict and preventing degradation of the bay by overuse and misuse.

Ten watersheds in East Oahu flow into Maunalua Bay. Communities from Waialae Nui to Portlock are stakeholders because their streams flow into Maunalua Bay and affect the health of the bay. They are also users of the bay. The Maunalua Bay Region covers approximately 22 square miles of land and seven miles of shoreline,

The bill before the committee grew directly from a community initiative and evolved through years of discussion about the threats to Maunalua Bay and possible remedial actions. The 1988 Aotani Study of the Bay and the competing uses resulted in no significant improvements.

The intent is that the task force provides the opportunity for persons who have different perspectives about the bay to come together and draft a master plan for a healthy bay for all to enjoy.

We respectfully request that the committee pass this measure. Thank you for the opportunity to provide testimony in support.

From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: yamaguchd009@hawaii.rr.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Thursday, February 11, 2016 12:56:51 PM

SB3028

Submitted on: 2/11/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Dennis Yamaguchi	Individual	Oppose	No

Comments:

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To: [WLA Testimony](#)
Cc: surfboardkado@yahoo.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Wednesday, February 10, 2016 2:20:16 PM

SB3028

Submitted on: 2/10/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
robin jones	HK Marina Community Association	Oppose	Yes

Comments:

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Aloha,

On behalf of Huli, we support SB 3028. Huli is collective of ocean-based individuals who promote environmental stewardship and cultural awareness through our “Maunalua Junior Konohiki Program” based out of Paiko Wildlife Sanctuary within Maunalua Bay. The program brings students from the surrounding public schools to participate in outdoor educational field days at Paiko Wildlife Sanctuary. The aim is to connect local students to this precious natural resource within their own backyard in hopes of educating them about how to enjoy and take care of our sacred natural resources like Maunalua Bay for future generations.

Being waterman who have been out in Maunalua bay for over two decades week in and week out, we are very aware of the many challenges that Maunalua Bay now faces. Working with the next generation of Maunalua residents has only given us more of a desire to see positive and lasting change happen now so that Maunalua Bay can be a healthier and better managed stretch of ocean in the years to come. While there are no simple solutions, we do believe that the community is in a dire need for a space where the different stakeholders of Maunalua Bay can come together to critically and constructively work towards solutions to help better the health and human use of Maunalua Bay for the future. It is our understanding that the overall intention of the task force is to do just that, and thus why we support SB 3028.

The past is the past. Our organization points the finger at no one for the problems that have evolved over time to degrade Maunalua Bay. We are 100% focused on coming up with solutions and working with the various stakeholders to achieve meaningful impact in the present. We are not saying that we have all the answers, but we believe that some type of formal process needs to be established to convene the stakeholders of Maunalua Bay to develop a logical, practical, and strategic plan that incorporates science, indigenous wisdom, and community input to address the current issues Maunalua Bay faces. After working with several of the groups who have come together to put forth this initiative, we agree that establishing a task force is a positive step in the right direction for better management of Maunalua Bay.

Mahalo for your time.

Huli
Austin Kino & Jesse Yonover
www.hulithemovement.com

Malama Maunalua testimony on HB 2176 and companion bill SB 3028

As a community-based organization with the vision of *a Maunalua Bay where marine life is abundant, the water is clean and clear, and people take kuleana in caring for the Bay*, Malama Maunalua **supports** the bill. Malama Maunalua believes a community-based process is the best way to address the serious improvements needed to heal and conserve this precious marine resource, while considering the many different uses of Maunalua Bay.

We offer the following suggestions for your consideration:

1. The task force membership should be broadened to ensure that the wider community is fully represented.
2. The Bill should call for an ecosystem-based approach to the Master Plan, as previously stated by the Chair of the Department of Land and Natural Resources (DLNR).
3. As the state agency with established management authority over Maunalua Bay, DLNR would be the appropriate agency to be charged with creating the Maunalua Bay Task Force to create a comprehensive, ecosystem-based Master Plan. The designated agency should be provided funding to perform its functions identified in the Bill.

Malama Maunalua believes it is important that both the ecological and economic integrity of the Bay are understood, taken into consideration, and protected and we support a Maunalua Bay Task Force that achieves this balance.

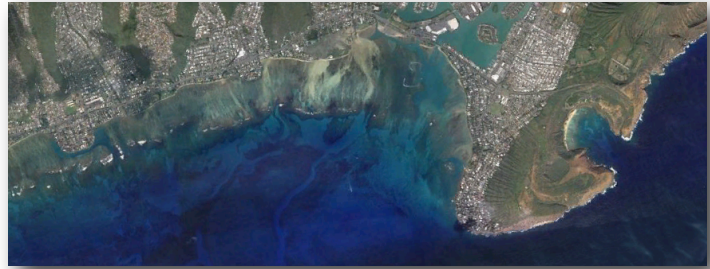
The Board of Directors
Malama Maunalua

Senate Bill 3028

Relating to the Environmental Protection
of Maunalua Bay

Meeting: Friday, Feb. 12th, 2016
Hawaii State Capitol Room 414
Time: 2pm

Livable Hawaii Kai Hui
Sensible Growth, Respect for the land



February 10, 2016

Aloha to the Senate Water, Land and Agriculture Committee and the Economic
Development, Environment and Technology Committee,

The Livable Hawaii Kai Hui is a 501(c)(3) non-profit, non-partisan community organization serving East Honolulu, established in 2004. Our mission is to uphold the integrity of the East Honolulu Sustainable Communities Plan which sets guidelines for sensible development respectful of Hawaiian cultural and natural resources that make East Honolulu a unique place to live. Our projects in Maunalua go mauka to makai and include: Hawea Heiau Complex, Keawawa Wetlands, the agricultural lands in Kamilonui Valley, Pahua Heiau, and Ka Iwi coast and mauka lands with Maunalua Bay an area of strong interest.

The Livable Hawaii Kai Hui strongly supports Senate Bill 3028 seeking to create and establish a Maunalua Bay Task Force. We understand the Task Force would include representatives from active community organizations in Maunalua, commercial operators and appropriate State Agencies to come together to identify, study and recommend ways to address use, protection and care for Maunalua Bay now and for the future.

Numerous community groups from the Maunalua area recognize that the status quo must be addressed. We have come together to do our part to ensure we have a voice in the health, care, use and protection of Maunalua Bay. SB 3028 provides the process of how the Task Force will be put together.

SB 3028 also allows the stakeholders of Maunalua Bay to have a seat at the Task Force table and to have an equal say in the future of Maunalua Bay.

The Maunalua community groups from Hawaii Kai to Aina Haina in this initiative are:

Aina Haina Community Association
Fisher Hui of Maunalua
Hui Nalu Canoe Club
HULI
Livable Hawaii Kai Hui
Maunalua Fishpond Heritage Center
Malama Maunalua
Portlock Community Association

As you can see, these Maunalua community groups represent a large number and wide range of users of Maunalua Bay, all who want to have an active voice in working for the health and care of Maunalua Bay through the establishment of the Maunalua Bay Task Force with SB 3028.

Many of these groups have worked for years for the care of the bay and through this community initiative, which we worked on together, it allows a true voice for our community in policy making. It's an unprecedented initiative for the Maunalua community, with all of these groups coming together, for the same shared goal; the health of Maunalua Bay. In addition, this initiative did not start, and is not part of, any Federal agency. This initiative was created for and by Maunalua community groups.

Currently, the Dept. of Land and Natural Resources has put in place the Maunalua Recreation Advisory Committee (M-RAC). However, M-RAC only serves one purpose for Maunalua Bay and that is to review new commercial permits for the bay. The Maunalua Bay Task Force will be a far more comprehensive process and one which will have the Maunalua community discuss and identify the environmental issues of the bay that are a shared cause of concern. The Task Force will work together to execute policy for how to help care for Maunalua bay.

We do hope the Senate Water, Land and Agriculture Committee and the Economic Development, Environment and Technology Committees support this amazing community initiative for Maunalua and Maunalua Bay.

PLEASE SUPPORT Senate Bill 3028.

Mahalo,
Ann Marie Kirk
Livable Hawaii Kai Hui
Cultural and Natural Resource Committee
www.hawaiiikai.org

Aloha,

On behalf of the Hui Nalu Canoe Club and its board of directors, I am writing in support of the establishment of the Maunalua Bay Task Force to address ecological challenges to the health of Maunalua Bay arising from the following:

- * Population Growth - span of 50 years from over 2,000 people in 1959 people to over 60,000 in 2015 (Hawaii Kai to Kahala)
- * Channelizing of the natural streams in Maunalua
- * Outdated and ineffective management of bay activities, leading to conflict and overuse
- * Illegal fishing and lack of enforcement of fishing rules in the bay
- * Pollution from unfiltered land sources
- * Endangerment to fish and coral population

As users of the bay, the health and responsible use of Maunalua Bay is not only important but integral to our continued enjoyment and use of such a precious place and resource. It is our hope that through this public and open process, we can not only participate in but ultimately benefit from a community driven process to identify responsible management of and healthy choices for Maunalua Bay, its users, and its ocean resources.

Mahalo for the opportunity to submit testimony on behalf of this initiative.

Tia Brown
Board Member for Hui Nalu Canoe Club

From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: cdh@ksqlaw.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Thursday, February 11, 2016 6:53:24 AM

SB3028

Submitted on: 2/11/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Charles Hunter	H2OSportsHawaii	Oppose	Yes

Comments:

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To: [WLA Testimony](#)
Cc: amymonk99@hotmail.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Wednesday, February 10, 2016 4:29:35 PM

SB3028

Submitted on: 2/10/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Monk	Individual	Support	No

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From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: annyuen2@aol.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Thursday, February 11, 2016 11:18:13 AM

SB3028

Submitted on: 2/11/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Ann Yuen	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: ogee@h2osportshawaii.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Monday, February 08, 2016 2:32:25 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Augustus Santos	Individual	Oppose	Yes

Comments:

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It appears to me that this bill is a vehicle for a number of Private Citizens with personal agendas attempting to gain control of a process that has already been started.

DLNR has already set up an advisory board (M-RAC) to provide input to the State for the preservation of Maunalua Bay.

The bill attempts to use the Kaneohe Bay Task Force as a framework but the KBTF was composed of PUBLIC groups where this bill cites private interest groups.

Duplication of effort cannot help when the membership of the groups mentioned in the bill are largely unknown, but what is known of the groups is their consistent opposition to commercial interests, regardless of their size or impact on the bay.

From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: mrdeal702@yahoo.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Monday, February 08, 2016 10:57:29 AM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Brandon Deal	Individual	Oppose	Yes

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: cmjaxon@me.com
Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Thursday, February 11, 2016 5:39:39 PM

SB3028

Submitted on: 2/11/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Carol Jaxon	Individual	Support	No

Comments: I support SB3028 to create a Maunalua Bay Task Force to address ecological challenges to the health of Maunalua Bay. The population has more than doubled since guidelines were originally set up for the Bay. The permitting process is out of date. There are unpermitted businesses operating in the Bay with no fear because there is no enforcement of the rules. It is unclear what the correct mix of conservation and use is now appropriate for Maunalua Bay and a task force is needed to address this. I strongly believe that all parties need to be included in this process: community members, businesses, conservationists, etc. Mahalo!

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From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: lee8502@pacificu.edu
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Saturday, February 06, 2016 10:42:47 PM

SB3028

Submitted on: 2/6/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Charles	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: cherie@eastoahu.com
Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Thursday, February 11, 2016 1:55:19 PM

SB3028

Submitted on: 2/11/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Cherie Tsukamoto	Individual	Comments Only	No

Comments: I am not against the formation of a task force; however, there needs to be better balance on the task force. I recommend appointing someone who represents the Hawaii Kai Marina Association, several residents who reside on the marina, as well as business owners who are directly impacted by marina activities. I also recommend a Realtor representative that can speak to the impact of property values should use of the marina be overly restricted.

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To: [WLA Testimony](#)
Cc: chris@h2osportshawaii.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Monday, February 08, 2016 2:29:06 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Chris Ramirez	Individual	Oppose	Yes

Comments:

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February 11, 2016

Senator Mike Gabbard – Chair

Senator Clarence Nishiharu – Vice Chair

Re: Testimony in Opposition to SB 3028

Dear Senators:

I submit this testimony in opposition to SB 3028.

This bill is redundant with regards to regulatory agencies already in place and is also based on inaccurate information.

First of all, the DL&NR is currently working on the M-RAC program which has the same purpose as this bill. Secondly, this bill states “demands on the bay have increased many fold, due in part to intensive commercial use of the bay and its appeal to tourists”. This is factually incorrect. Several years ago the DL&NR put an ORMA permitting system in place. Since its inception, the ORMA permits in Maunalua Bay have steadily decreased if not gone away totally. Initially there were 4 Thrill Craft permits, now there are 2. There was a towing permit, that one is gone. There was also some high speed boat permits which are also gone. These particular permits are heavily regulated and limited on operating days and times, they are also required to pay 3% of their gross to the DL&NR. Some of these regulations were put in place to prevent user conflicts, which has been successful. Commercial, special interest and private users have co-existed in this bay for several years without incident.

I have been unable to find any useful purpose for this bill. Please DO NOT pass this bill.

Thank you,

Courtney Krantz

From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: dipilato@gmail.com
Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Thursday, February 11, 2016 11:32:01 AM

SB3028

Submitted on: 2/11/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
David DiPilato	Individual	Oppose	No

Comments: I feel like we just went through this with NOAA and now we are dealing with it yet again? If it was a balanced approach I would consider it, but it is more PRIVATE INTEREST GROUPS and not true representation of those who use the bay!

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To: [WLA Testimony](#)
Cc: david@DCLivingston.com
Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Thursday, February 11, 2016 12:12:57 PM

SB3028

Submitted on: 2/11/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
David Livingston	Individual	Oppose	No

Comments: The bill states the bay is heavily used by the general public, sports related special interest groups, and commercial recreation entities and further that "Demands of the bay have increased many fold due in part to intensive commercial use of the bay". These statements do not provide any data or support that indicate the motivations behind the bill.

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Cc: hawaiifishingfanatic@gmail.com
Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Thursday, February 11, 2016 10:01:05 AM

SB3028

Submitted on: 2/11/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Don Aweau	Individual	Support	No

Comments: In full support of legislation and passage of this bill. Maunalua Bay is an important natural resource to the island of O'ahu. It's shared usage as a recreational as well as commercial resource is reason that a task force is warranted and recommendations considered for further action to protect Maunalua Bay. Mahalo.

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Cc: duy@h2osportshawaii.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Monday, February 08, 2016 1:57:01 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Duy Nguyen	Individual	Oppose	Yes

Comments:

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Cc: dylan@h2osportshawaii.com
Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Monday, February 08, 2016 12:48:27 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan Krantz	Individual	Oppose	Yes

Comments: This legislation must NOT be passed. It is harmful to tourism and business; it is presented by special interest groups that have named private interest groups as members of the task force; there is no science to support any of the statements made in the pre-ambule. Please do NOT move this forward.

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Cc: emi@h2osportshawaii.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Monday, February 08, 2016 2:35:45 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Emi Skelton	Individual	Oppose	Yes

Comments:

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Cc: frank@h2osportshawaii.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Monday, February 08, 2016 12:35:26 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Frank A Chun	Individual	Oppose	Yes

Comments:

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Cc: takahashimark@yahoo.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Monday, February 08, 2016 10:56:40 AM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Frederick Takahashi	Individual	Oppose	Yes

Comments:

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Date: Monday, February 08, 2016 1:37:58 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Jackie Midwin	Individual	Oppose	Yes

Comments: I oppose this bill and it should not be passed. This bill would usurp the power of DLNR to regulate Maunalua Bay in favor of private interest groups.

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Cc: jim@h2osportshawaii.com
Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Monday, February 08, 2016 12:17:30 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
James Montenero	Individual	Oppose	Yes

Comments: This is special interest legislation and should NOT be passed. These groups have a personal agenda they have not been successful with using DL&NR/DOBOR. Please do not consider moving this legislation forward. Thank you.

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Cc: janet@manameans.com
Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Thursday, February 11, 2016 12:25:17 PM

SB3028

Submitted on: 2/11/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Janet Scheffer	Individual	Oppose	Yes

Comments: I oppose these bills, SB3028 and HB2176. I am a user of the bay, a homeowner and an active yacht racer/sailor, paddleboarder, scuba diver, fisherman, and sometimes surfer. These bills aim to create a task force where most of the members are from specific private and special interest groups. These groups should not be granted a special privilege to dictate policy to the DLNR when there is no indication that they represent the interests of our community as a whole. Many of these groups have vocally opposed both recreational and commercial activity in the Bay. Some membership of these groups is also largely unknown. The Bills prejudice the reason and goals for the Task force. The Bills state, the Bay is "heavily used by the general public, sport-related special interest groups, and commercial ocean recreation entities," and further that "demands on the Bay have increased many fold, due in part to intensive commercial use of the Bay and its appeal to tourists." These statements do not provide any data or support, yet indicate the motivations behind the Bills. The Bills circumvent the existing DLNR M-RAC Process currently in place. The Department of Land and Natural Resources, Division of Boating and Ocean Recreation, recently set up the Maunalua Bay Recreation Advisory Committee (M-RAC) pursuant to HAR § 13-256-3. The stated purpose of M-RAC is "to have a framework in place to solicit public input on DOBAR rules" for Maunalua Bay. This group represents interests of surfing, fishing, paddling, thrill craft (commercial), dive (commercial) and Maunalua Bay Area Residents. M-RAC will examine short term, mid-range (1-3 years), and long-term goals for Maunalua Bay. Details of the M-RAC process can be found at <http://dlnr.hawaii.gov/dobor/mrac/>. The Bills seek to circumvent M-RAC which was a democratic process that is open to the public. The nomination and voting process occurred in July 2015 and M-RAC members have been selected as the result. If enacted, the Bills would usurp the power of the DLNR to regulate Maunalua Bay in favor of private interest groups. The Bills state the master plan "shall be used by all appropriate state agencies in the adoption and implementation of policies, rules and regulations relating to Maunalua Bay." The DLNR will have no power to deviate from the master plan which is the product of the task force. Mahalo!

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RE: SB 3028 – Testimony in Opposition to SB3028

Aloha senators thank you for giving me the opportunity to testify before you today!

I am part of the Hawaii Kai community and a stakeholder in the area for 30 years. I found it rather bothersome that I had never heard of this Measure as it focuses on community involvement user conflict and commercial use.

I have owned my business in Hawaii Kai for over 30 years and have seen many changes in the bay and in the Island. This Bill represents of a small part of the community who have a special interest in imposing their will on to the bay and on the community at large. They are not looking to solve issues, these group are looking to control the bay in a dictatorship approach.

The bay is a treasured asset for all ocean users both commercial and private; we are all saddened by the degradation of the bay due to silt, uncontrolled road run off and drainage culverts that run directly into our water.

The bill before you does not aim to address these concerns but rather wants to focus on micromanaging and giving directives that will only further divide our common interest. We should be all be working together unified as one to address the above issues that are the problem and creating real community base projects. This could easily be accomplished by reaching out to the whole community and being transparent.

Henry Kaiser developed Hawaii Kai and there were not adequate measures taken to protect the environmental aspect of the bay.

The activities that are within the bay are not the sources of the derogation as noted from the EIS done from 1988 to 1990 and then reconfirmed by the UH in 2015.

This is a bad bill and should be noted for future reference as to the groups involved in prescribing it.

There is no way to eliminate the reality of politics, but their impact *can* be mitigated. I would encourage a strong message be sent from this legislative committee that this type of overreaching bill will not be tolerated again.

1. Taskforces without clear purpose are more likely to be influenced by those with (hidden agendas.)!
2. If the quality of the individual members is not worthy of the purpose of the task force, they may succumb to peer influence.
3. If information about the task force's work isn't transparent and shared and

if decisions are controlled by the chair or chairs, there will be significant questions as to the integrity of the group's work and, ultimately, the integrity and quality of their recommendations.

Successful task forces set meaningful **Ground Rules and Goals** for how they'll complete their work. These ground rules go beyond platitudes that look good on laminated cards and posters. The first is to include all in the process, and that is not what is happening here!

Task forces that do good work understand their specific place and their community dynamics and set ground rules accordingly.

Thank you
Jeffrey Krantz

From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: jendypod@comcast.net
Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Tuesday, February 09, 2016 8:08:25 PM

SB3028

Submitted on: 2/9/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Jennie Maruyama	Individual	Support	No

Comments: We moved from Kaimuki to Hawaii Kai in 1970 when I was 8yrs old. Then, there was nothing in Maunalua Bay but fish and a handful of surfers. Although I live in the San Francisco Bay Area now, it pains me to see the circus the bay has become every time I come home in the summer. Between jet skis, jet packs, and parasailing, the use of the bay has become over-commercialized, changing the ecosystem and simple beauty of Maunalua. Current problems facing Maunalua are overfishing, disruption of sea life, air, noise, and water pollution, and the alteration of natural waterways. We as children of Maunalua, cannot stand by, passively watching as a few change the dynamic of this natural resource for profit. We must take action to monitor the effects of commercialization of the bay, and to make it healthy and safe for ALL who would like to enjoy it. Mahalo.

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Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Monday, February 08, 2016 12:59:38 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Krantz	Individual	Oppose	Yes

Comments:

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Cc: joanne@h2osportshawaii.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Monday, February 08, 2016 1:41:35 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Joanne Moncrief	Individual	Oppose	Yes

Comments:

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Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Monday, February 08, 2016 2:46:54 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Joe Yu	Individual	Oppose	Yes

Comments:

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Cc: joey@h2osportshawaii.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Monday, February 08, 2016 2:38:26 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Joey Reposa	Individual	Oppose	Yes

Comments:

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Cc: toadie@h2osportshawaii.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Monday, February 08, 2016 12:29:05 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
John Charleston	Individual	Oppose	Yes

Comments:

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To: [WLA Testimony](#)
Cc: rydeaway@yahoo.com
Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Thursday, February 11, 2016 9:25:53 AM

SB3028

Submitted on: 2/11/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
John Hansen	Individual	Oppose	No

Comments: To whom it may concern, I am a user of the maunalua bay as well as a concerned environmentalist. I feel that the health of the bay is of paramount concern and its future should be carefully managed. This proposal is NOT in the best interest of the bay. In fact, having this group of people making decisions affecting the future of the bay is a huge step backward from where the bay is now, in the hands of the state. This proposal sets up a group of people who are not representing the community at large, or the majority of bay users to make decisions based on their own special interests. This is the very sort of proposal that our democratic system is set up to prevent. Please vote for the continued health of the bay, please vote in opposition of this bill.

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Cc: jourdan@h2osportshawaii.com
Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Monday, February 08, 2016 1:11:43 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Jourdan Krantz	Individual	Oppose	Yes

Comments: I am opposed to this bill. It tries to replace the M-RAC group that has been formed but has not yet been active. The members were elected and are set to meet once the necessary protocols are completed.

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Testimony in Opposition to SB 3028, Relating to Environmental Protection of
Maunalua Bay

February 11, 2016

My name is Judy Sobin and I am here today on behalf of me and my family. We live near Maunalua Bay and go to the bay as often as we can. We enjoy swimming, surfing, fishing and boating as do many families who come to the bay from all parts of the island.

When NOAA tried to turn the bay and many of our islands' waters into federally regulated ecosystems, people from all islands rose up and said "no". In Hawaii Kai, a meeting regarding NOAA's proposal turned out more than 500 men, women and children in vocal opposition.

On the heels of what we all thought was a good sign when NOAA withdrew its proposal, here we are with some of the same private interest groups pushing a takeover, dividing the community once again.

Nearly two years ago, DLNR held a community meeting and asked for volunteers to serve on a committee, M-RAC, Maunalua Bay Recreation Advisory Committee. Through an election representative were selected to represent different interests. M-RAC will meet and solicit public input on rules. SB 3028 is an attempt to circumvent this committee and instead put in place a regulating body of mostly private interest groups.

Maunalua Bay is a treasure for the all who enjoy ocean activities. Of course, we always want it to improve and will always work toward that goal. DLNR does an admirable job enforcing rules and regulations, but could certainly use more personnel. City, State and private sectors can all work together to do more to resolve run-off issues.

I believe this joint committee understands that the protection and the improvement of our waters can best be advanced with full cooperation and participation of all sectors and all interest groups. SB 3028, if enacted, would severely undermine any change for the better.

Please do not let this bill go any further.

Judy Sobin

748 Kalanipuu Street

Honolulu, HI 96825

808-358-8828

From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: jung@h2osportshawaii.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Monday, February 08, 2016 1:15:19 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Jung Kwon	Individual	Oppose	Yes

Comments:

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Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Monday, February 08, 2016 8:45:22 AM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Kathy Takahashi	Individual	Oppose	Yes

Comments: There are a number of valid reasons why this bill should NOT be passed.
1. This is special interest legislation where a majority of the members are private interest groups. 2. MRAC is just getting started and is charged with hearing and recommending solutions for some of the issues surrounding Maunalua Bay. 3. The preamble has information that is factually incorrect and biased. "intensive commercial use of the bay". In fact, ORMA permits have been reduced. Please do not support or pass this skewed legislation.

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Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Thursday, February 11, 2016 12:08:56 AM

SB3028

Submitted on: 2/11/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Kaulu Lu?uwai	Individual	Support	No

Comments:

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Cc: kyoko@h2osportshawaii.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Monday, February 08, 2016 1:44:43 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Kyoko Morishima	Individual	Oppose	Yes

Comments:

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Cc: luana.zier@eastoahu.com
Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Thursday, February 11, 2016 1:57:07 PM

SB3028

Submitted on: 2/11/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Lajuanna Zier	Individual	Comments Only	No

Comments: I am a long-term marina-front property owner. I am in agreement with an unbiased task force being formed, however believe that NOAA's proposal could restrict the State's ability to effectively manage its own resources. NOAA should focus on complementing state functions, not hindering them.

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**Testimony to the Senate Committee on Water, Land, and Agriculture
and the Senate Committee on Economic Development, Environment,
and Technology**

**Friday, February 12, 2015 at 2:00 P.M.
Conference Room 414, State Capitol**

**RE: SENATE BILL 3028 RELATING TO ENVIRONMENTAL PROTECTION OF
MAUNALUA BAY**

Aloha Chairs Gabbard and Wakai and members of the Joint Committee,

My name is Lo Kaimulua. My husband Clyde and I are residents of the community that surrounds Maunalua Bay. We **strongly support** SB3028, which proposes to establish a task force to study and develop recommendations for a Maunalua Bay master plan.

Over the course of many years, we have seen use of the bay by the general public, commercial recreation companies, tourists, and sport-related groups grown exponentially. Moreover, as a result of population growth in East Honolulu, demands on Maunalua Bay have also grown. A master plan that provides guidance to state agencies is desperately needed if we are going to protect and preserve this natural resource.

Thank you for this opportunity to testify.

From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: mailetakahashi@gmail.com
Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Monday, February 08, 2016 10:55:34 AM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Maile Takahashi	Individual	Oppose	Yes

Comments: This legislation will hurt tourism and businesses without any real (scientific) justification. Please do NOT pass this measure.

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From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: marian243@hawaiiantel.net
Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Thursday, February 11, 2016 2:20:05 PM

SB3028

Submitted on: 2/11/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Marian Grey	Individual	Oppose	No

Comments: I strongly oppose this proposal. Although it was written with good thoughts on "Saving Maunalua Bay", the undercurrent thinking that activities in the Bay, by over usage of commercial activity is causing destruction. As someone that lives on the Marina for 20 years I have observed what happens to the water after every heavy rain. Debris, road dirt, and other materials flow freely into the Marina and into the ocean. Unless this runoff is stopped, or severely curtailed, the efforts to stop ocean activity won't solve the problem. However if this does move forward, all meetings of the task force should be open to the public, and announced well in advance to allow those interested to observe and comment as this continues. If this is turned over on October 1, 2017, and some master plan is adopted, what sort of enforcement would be required? Currently if something doesn't seem to be done properly, there unfortunately is no one on duty to call. Has any requirement been set to enforce any RULES and REGULATIONS that may be developed? To me the bottom line is why write more laws or regulations, when no enforcement officers are there? Vote NO on SB 3028 I am submitting this as a private citizen, but must disclose that I currently serve on Livable Hawaii Kai Hui Board, the Hawaii Kai Neighborhood Board, and the Hawaii Kai Marina Community Association Board.

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February 9, 2016

To: Senator Mike Gabbard, Chair
Senator Clarence K. Nishihara, Vice Chair and
Members of the Committee on Water, Land, and Agriculture

RE: SB 3028 Relating to Environmental Protection of Maunalua Bay
Hearing: Friday, February 12, 2016, 2:00 p.m., Room 414

I am writing in support of SB 3028 Relating to Environmental Protection of Maunalua Bay, which creates a task force comprised of representatives from active community organizations and appropriate state agencies to study and recommend measures to promote the health and viability of the Bay and to resolve conflicts among users of the Bay.

The bill before the committee grew directly from a community initiative and evolved through years of discussion about the threats to Maunalua Bay and possible remedial actions.

The bill is different in other respects from other prior efforts to address problems at Maunalua Bay: for one, the bill does not challenge the right of any group to enjoy, make a living, or seek to establish a sanctuary in or from the Bay. All positions have a right to be heard, a seat at the table; secondly, the bill seeks to establish a means to allow the E. Honolulu community to affect and implement policy, and not simply provide a sounding board; additionally, the bill does not focus on issues per se but seeks to establish a mechanism, a tool, by which issues of concern to all can be addressed in a civil manner; finally, the bill leaves to the task force the job of ascertaining just what issues are common cause to all of the constituent groups.

The intent is that the task force provide the opportunity for persons of divergent positions to participate in a civil dialogue and find worth in compromise for the benefit of the larger public interest. In this sense, the task force may be a blueprint for success in other areas of conflict in the Islands.

The bill does not request state funds. This choice is neither naïve nor pollyanna. Members are prepared to be resourceful, to involve the entire community in meeting its needs. For example, to enlist the assistance of the University of Hawaii to facilitate meetings (as what's been done with other community initiatives), to obtain pro bono legal assistance in making sure of adherence to open meetings provisions and possible legal research, and to bring Hawaiian kupuna and community scientists into the discussions. We believe people will step forward to help when it's a matter of improving the Bay as this is what's been done in the past in Maunalua.

I respectfully request that the committee pass this measure. Thank you for the opportunity to provide testimony in support.

Mahalo,
Marie Riley
Aina Haina, Hawaii

From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: maureen96821@mac.com
Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Thursday, February 11, 2016 11:55:34 AM

SB3028

Submitted on: 2/11/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
maureen schaeffer	Individual	Support	No

Comments: Lived on Maunalua Bay most of my life - over fifty years. I have watched the tragic destruction of the fishponds, streams, reefs and the loss of fish and native limu populations. We must halt the desecration of the natural systems that keep us all healthy. Please take this step to restore the bay and its inhabitants. Unrestricted growth and commercial exploitation are destroying our lovely home and the environment that supports us. Please act now and pass SB 3028 so that the work of healing can begin. Aloha, Maureen

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From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: mayumi@h2osportshawaii.com
Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Monday, February 08, 2016 1:52:01 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Mayumi Moylan	Individual	Oppose	Yes

Comments: Please oppose this bill that was written by private interest groups and to further an agenda by private interest groups. The M-RAC process by DL&NR was designed to manage community input. This was designed to be sure only one group has input.

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Friday, February 12, 2016
2:00 PM
Conference Room 414

Testimony to
Senate Committee on Water, Land and Agriculture &
Senate Committee on Economic Development, Environment, and Technology

RE: SB 3028 – A bill to establish a Maunalua Bay task force to study and develop recommendations for a Maunalua Bay master plan.

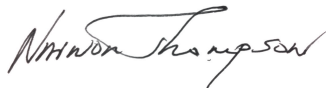
Chair Thielen and members of the Committee:

Our family has been longlong residents of Maunalua Bay and we are deeply concerned about the future of Maunalua Bay. I apologize that my family is unable to attend the Senate hearing tomorrow.

The Thompson Family has no position for SB 3028, a bill to establish a Maunalua Bay task force to study and develop recommendations for a Maunalua Bay master plan. Our family has not been involved in the creation of this bill, and therefore, we are unable to take position at this time.

Thank you to the Senate for your leadership and support.

Sincerely,

A handwritten signature in cursive script that reads "Nainoa Thompson".

Nainoa Thompson
(On behalf of the Thompson family)

From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: nmscoles@sbcglobal.net
Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Thursday, February 11, 2016 11:38:10 AM

SB3028

Submitted on: 2/11/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Natalie Scoles Hansen	Individual	Oppose	No

Comments: As an avid user of the Maunalua Bay as well as a concerned environmentalist, I am deeply opposed to SB3028. This proposal is NOT in the best interest of the bay and does NOT benefit the users of the Bay, only private special interest groups. Additionally, DLNR's M-RAC already fulfills the role as the proposed bill's task force. The task force, as written in the bill, therefore represents a gross mismanagement of our tax dollars and government resources. Please represent the voice of the community and your voters and vote in opposition of this bill. Thank you!

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Cc: nick@h2osportshawaii.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Monday, February 08, 2016 12:10:48 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Nick Yuzawa	Individual	Oppose	Yes

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: paula-carroll@hotmail.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Thursday, February 11, 2016 11:38:10 AM

SB3028

Submitted on: 2/11/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Paula Carroll	Individual	Support	No

Comments:

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February 10, 2016

Testimony in support of SB3028

To the honorable Senator Gabbard, Chair; Senator Nishihara, Vice Chair, and Senator Wakai and Senator Slom for the Water, Land and Agriculture Committee hearing on SB3028 Relating to Environmental Protection of Maunalua Bay:

Thank you for hearing this important bill. Maunalua Bay is not in good health, as I suspect you know, and continues to decline due to increasing use, poor enforcement of the rules that do exist, and increasing conflicts between people as they all try to compete for space for their varied activities. Pollution from runoff and overfishing appear to have also negatively affected the health of the bay.

To some extent, the NOAA proposal to expand the marine sanctuary was an attempt to address the problems. However, this was a misguided approach that aroused much anger in the community and further increased conflicts between groups of users. NOAA wisely withdrew the proposal but this still leaves us with the problems.

As a resident of Maunalua (Hawaii Kai) I strongly support this bill to establish a true task force, consisting of the relevant user groups as well as state government officials, to study the problems in depth and come together in agreement on productive recommendations for a master plan.

Thank you for your consideration,

Sincerely,

Rene' M. Garvin

974 Maniniholo Street

Honolulu, HI 96825

Testimony Submission regarding HB2176 and SB3028

February 11, 2016

While I agree that Maunalua Bay is a treasure like all Hawai'i bays and that should be preserved and protected, where is the evidence that it is a threatened resource? This appears to be one of those "if it ain't broke, don't fix it" situations.

I have live in Hawaii Kai for over 30 years, most of that, on properties on the water. My activities have included paddling, scuba diving and sailing. I disagree that the bay is heavily used. There are only a handful of commercial activities operating in the bay. The fact is that the population growth in East Honolulu has been small amounting to only [2500 in the last 15 years!](#) Most all the traffic is boats transiting in and out of the marina to the open ocean.

The land use of watersheds is a separate issue and should be addressed as such.

Furthermore, in a democratic process *open to the public* M-RAC members were already nominated, voted on and selected in July 2015 from adjoining communities. Why this attempted usurpation by private interests?

Kaneohe Bay is entirely different. I have and still do spend plenty of time there also. That bay is several times larger, is filled with innumerous reefs, and is heavily used by commercial companies.

Richard J Smith
857 Kalalea St
Honolulu, HI 96825
808-754-4793

Opposition to HB 2176 / SB 3028 (the "Bills")

- 1) **Circumvention of DLNR M-RAC Process** – The Department of Land and Natural Resources, Division of Boating and Ocean Recreation, recently set up the Maunalua Bay Recreation Advisory Committee (M-RAC) pursuant to HAR § 13-256-3. The stated purpose of M-RAC is “to have a framework in place to solicit public input on DOBAR rules” for Maunalua Bay. This group represents interests of surfing, fishing, paddling, thrill craft (commercial), dive (commercial) and Maunalua Bay Area Residents. M-RAC will examine short term, mid-range (1-3 years), and long-term goals for Maunalua Bay. Details of the M-RAC process can be found at <http://dlnr.hawaii.gov/dobor/mrac/>. The Bills seek to circumvent M-RAC which was a democratic process that is open to the public. The nomination and voting process occurred in July 2015 and M-RAC members have been selected as the result.
- 2) **Special Interest Group Legislation** – The Bills aim to create a task force where 8 of 12 members are from specific PRIVATE interest groups. These groups include: (1) the Portlock Community Association, (2) Aina Haina Community Association, (3) the Maunalua Fishpond Heritage Center, (4) Livable Hawaii Kai Hui, (5) the Fishermen’s Hui, (6) HULI, (7) Hui Nalu, and (8) Malama Maunalua. These groups should not be granted a special privilege to dictate policy to the DLNR when there is no indication that they represent the interests of the greater community as a whole. Many of these groups have vocally opposed both recreational and commercial activity in the Bay. The membership of these groups is also largely unknown.
- 3) **Not Similar to Kaneohe Bay Task Force** - The Bills claim the Kaneohe Bay master plan should serve as the “blueprint” for Maunalua Bay; however, the Kaneohe Bay Task Force was comprised of only PUBLIC groups including: (1) members from the departments of transportation, health, and land and natural resources, (2) elected members from neighborhood boards, (3) a director from the University of Hawaii, (4) the commander of the Kaneohe Marine Corps Air Station, and (5) members appointed by the governor. There were no private interest groups in the Kaneohe Bay Task Force.
- 4) **Harmful to Business and Tourism Without Justification** – The Bills prejudge the reason and goals for the Task force. The Bills state, the Bay is “heavily used by the general public, sport-related special interest groups, and commercial ocean recreation entities,” and further that “demands on the Bay have increased many fold, due in part to intensive commercial use of the Bay and its appeal to tourists.” These statements do not provide any data or support, yet indicate the motivations behind the Bills. Not in my back yard!
- 5) **Delegation of Public Trust Mandate** – If enacted, the Bills would usurp the power of the DLNR to regulate Maunalua Bay in favor of private interest groups. The Bills state the master plan “*shall* be used by all appropriate state agencies in the adoption and implementation of policies, rules and regulations relating to Maunalua Bay.” (emphasis added). The DLNR will have no power to deviate from the master plan which is the product of the task force.

From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: scott@h2osportshawaii.com
Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Monday, February 08, 2016 11:04:13 AM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Scott Ng	Individual	Oppose	Yes

Comments: This legislation should NOT be passed. The bill claims it will follow the Kaneohe Master plan - there were no private interest groups part of the Kaneohe Master Plan. There is also absolutely no science to support any Task Force recommendations. We recommend an EIS be performed prior to moving forward. Mahalo

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Cc: sean@h2osportshawaii.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Monday, February 08, 2016 1:54:14 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Sean Neal	Individual	Oppose	Yes

Comments:

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Cc: Mail4Tay@gmail.com
Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Thursday, February 11, 2016 12:56:25 PM

SB3028

Submitted on: 2/11/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Taylor Krantz	Individual	Oppose	No

Comments: Senator Mike Gabbard - Chair Senator Clarence Nishiharu - Vice Chair
RE: Opposing Testimony I believe there are already systems with regards to Maunaloa Bay and this bill is not necessary. I also believe that if Hawaii is going to continue to be supported by tourism, we should support tourism! I oppose this bill.
Thank you

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To: [WLA Testimony](#)
Cc: tristan@h2osportshawaii.com
Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Monday, February 08, 2016 1:03:42 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Tristan Alexander	Individual	Oppose	Yes

Comments:

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Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Monday, February 08, 2016 1:47:23 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Tsukasa Morishima	Individual	Oppose	Yes

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WLA Testimony](#)
Cc: wendy.oshiro.d@gmail.com
Subject: Submitted testimony for SB3028 on Feb 12, 2016 14:00PM
Date: Thursday, February 11, 2016 1:59:22 PM

SB3028

Submitted on: 2/11/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Wendy Dinnocenti	Individual	Oppose	No

Comments: I am for the task force, however being an owner on the marina, I believe the task force needs to be more balanced and not just special interest groups who want to preserve the Bay. Votes will always be unbalanced when the environmentalists outnumber the votes on the panel. Need more residents, business owners, and Realtors who know how preserving Maunaloa will impact real estate prices and the economy.

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Subject: *Submitted testimony for SB3028 on Feb 12, 2016 14:00PM*
Date: Monday, February 08, 2016 2:23:42 PM

SB3028

Submitted on: 2/8/2016

Testimony for WLA/EET on Feb 12, 2016 14:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Wesley Ogata	Individual	Oppose	Yes

Comments:

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