

DAVID Y. IGE  
GOVERNOR OF  
HAWAII



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

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BOATING AND OCEAN RECREATION  
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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the House Committee on  
WATER AND LAND**

**Wednesday, March 1, 2017  
11:00 AM  
State Capitol, Conference Room 325**

**In consideration of  
HOUSE BILL 117, HOUSE DRAFT 2  
RELATING TO MARINE RESOURCES**

House Bill 117, House Draft 2, proposes to require all motorized recreational vessels operating in nearshore waters to observe no-wake zones at specified beaches. **The Department of Land and Natural Resources (Department) offers the following comments.**

The Hawaii Administrative Rules (HAR), §13-244-9, states, "Speed restrictions. (a) The speed of all vessels on the waters of the State shall be limited to a slow-no-wake speed so as to create no wake of appreciable wave height, when within two hundred feet of any: (1) Shoreline; (2) Float; (3) Dock; (4) Launching ramp; (5) Congested beach; (6) Swimmer; (7) Diver's flag; or (8) Anchored, moored or drifting vessel. (b) No person shall operate a vessel at a rate of speed greater than is reasonable having regard to conditions and circumstances such as the closeness of the shore and shore installations, anchored or moored vessels in the vicinity, width of the channel, and if applicable, vessel traffic and water use, or as posted by buoy or sign."

The Department generally believes that regulating the speed of vessels on State waters should be accomplished through the HAR rulemaking process which would allow for all user groups to provide input as well as enabling the Department to amend the HAR as needed without having to return to the Legislature.

Thank you for the opportunity to comment on this measure.

# HO`OMANA PONO, LLC

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89-354 Palikea St., Wai`anae, HI 96792 | (808)450-6055 | blawaiianlvr@icloud.com

**February 27, 2017**

Rep. Ryan I. Yamane, Chair  
Rep. Sam Satoru Kong, Vice Chair  
Committee on Water & Land

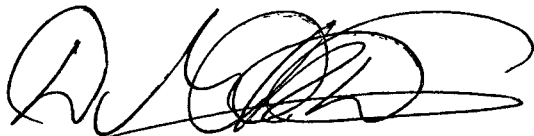
**Dear Rep.'s Yamane & Kong & Committee Members:**

We are a native Hawaiian Advocacy Corporation that operates out of the Wai`anae Coast, and are headquartered within the Nanakuli Homestead. Nanakuli Homestead is embedded within the Ahupa`a O Nanakuli.

We are in STRONG SUPPORT of HB117, HD2 (HSCR 508), but humbly seek an AMENDMENT that includes the Ahupua`a O Nanakuli for the "No Wake" zone. Our specific intent is to ensure the protection of our families that enjoy the shore break, the canoe paddlers & Stand Up boarders, the divers that use the reef and our most treasured Lawai`a who is our first line of defense in our waters, yet, are repeatedly of having their fishing interrupted by reckless tour boat operators & other commercial boat operators who rip through our waters without concern.

We the same seven hundred & fifty (750) feet from shoreline protection. We greatly appreciate your due consideration and support for this AMENDMENT.

**Mahalo Piha,**



**De-MONT R. D. CONNER, Co-Manager  
Ho`omana Pono, LLC**

Cc: Rep. Ty J.K. Cullen  
Rep. Cindy Evans  
Rep. Linda Ichiyama  
Rep. Chris Lee  
Rep. Nicole E. Lowen  
Rep. Calvin K.Y. Say  
Rep. Beth Fukumoto

**waltestimony**

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**Sent:** Friday, February 24, 2017 4:12 PM  
**To:** waltestimony  
**Cc:** prentissc001@hawaii.rr.com  
**Subject:** Submitted testimony for HB117 on Mar 1, 2017 11:00AM

**HB117**

Submitted on: 2/24/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Charles Prentiss	Kailua Neighborhood Board	Support	Yes

Comments: The establishment of a "slow-no-wake" zone in Kailua Bay is the number one legislative priority for the Kailua Neighborhood Board. We have held numerous community meetings where this problem has been discussed including our last meeting where over 75 Kailua residents supported a no-wake zone. We asked DLNR last year to make this change, but they declined saying that their existing rule is sufficient. Obviously, the existing DLNR rule has not worked. Kailua Bay not only serves the 45,000 residents of the Kailua area and residents from other Oahu neighborhoods, but DLNR has issued commercial permits for hundreds of kayak and canoe tourists on a daily basis. The beach and waters have become extremely congested with numerous different activities all occurring at the same time -- Kayaks, paddle boards, boogie boards, canoe clubs, snorkeling, Kite surfing, sailboards, divers and swimmers who use the entire waters from the beach to Popoia (flat island) and the Mokulua islands. Fishermen also use it, but they troll at slow speeds. There is no longer any way for speeding boats to operate in a manner that is safe for themselves and everyone else. We have already had one tragic death of someone with a diver flag, and serious injury to a nearby swimmer from a speeding boat. This bill will not restrict boats navigating the reef as that is beyond where all the other activities, except surfing, take place. It would be better if the no-wake zone extended to the islands since the activities occur all the way to the islands, and it would be more understandable than 750' for users and for enforcement. We urge you to adopt this important safety bill.

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## kong2 - Crystal

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**To:** waltestimony  
**Cc:** onshore.offshore@outlook.com  
**Subject:** Submitted testimony for HB117 on Mar 1, 2017 11:00AM



### HB117

Submitted on: 2/28/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Vierling	Windward Boating Association	Oppose	No

Comments: Apologies - didn't properly register as an organization and am submitting again to fix that. Aloha my name is Mike Vierling and I am writing on behalf of the Windward Boaters. We are an informal group of Koolaupoko residents from Kaneohe, Kailua, and Waimanalo who have worked over the last two decades through our partners on the Kaneohe Bay Regional Council and more recently in Kailua Bay. While we understand the direction of this bill to promote safety, we are respectfully against this bill because it will have unintended consequences that will create a more dangerous situation than there is today. Boaters, fishermen, and our longtime residents know that the safest way to launch from the Kailua Boat Ramp is to head straight out toward Flat Island and run parallel to the reef. Making the area a no-wake zone will make it more dangerous to get through the swells and breakers in the area. It will also prevent the Kailua and Lanikai canoe clubs from practicing in the bay since they use support craft which have to move at speed. The tragic accident that made the neighborhood board start to push no-wake zones occurred far outside where this no-wake zone would be established and it wouldn't have prevented it. Instead, this would make the situation worse and punish local residents for the actions of one individual. Kailua boat ramp is the only place to launch in all of Kailua and Waimanalo until the Makai Pier. We respectfully ask that you not take that away. It is the only place local residents can go to get small craft into the water. Thank you for the chance to voice our concerns and mahalo.

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**waltestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 26, 2017 6:52 PM  
**To:** waltestimony  
**Cc:** ctomasa@gmail.com  
**Subject:** Submitted testimony for HB117 on Mar 1, 2017 11:00AM

**HB117**

Submitted on: 2/26/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Claudine Tomasa	Individual	Support	No

Comments: My name is Claudine Tomasa. I live in Kailua (96734) and I am testifying in support of HB 117. This Bill is long overdue and serves as a safety net for the public - both local and visitors- who are using the entire waters from the beach to Flat Island and to the Mokes (Mokulua Islands). The area is always congested with people swimming, snorkeling, paddle boarding, kite surfing, fishing - all at the same time. There is no room for motorized vessels operating at high speed. Kailua has already experienced a tragic death as a result of a speeding boat. Please protect public safety and pass HB117HD2. Thank you for allowing me to testify in support of HB117HD2.

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**waltestimony**

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**To:** waltestimony  
**Cc:** rnvfishing@gmail.com  
**Subject:** Submitted testimony for HB117 on Mar 1, 2017 11:00AM

**HB117**

Submitted on: 2/24/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Roy N Morioka	Individual	Support	No

Comments: This measure appropriately addresses the need to reduce vessel speed while transiting recreational zones for the safety and well-being of all.

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## waltestimony

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**Sent:** Tuesday, February 28, 2017 3:18 PM  
**To:** waltestimony  
**Cc:** aaronchong@yahoo.com  
**Subject:** \*Submitted testimony for HB117 on Mar 1, 2017 11:00AM\*

### **HB117**

Submitted on: 2/28/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Aaron Chong	Individual	Oppose	Yes

#### Comments:

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**kong2 - Crystal**

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**Sent:** Tuesday, February 28, 2017 7:40 PM  
**To:** waltestimony  
**Cc:** plimorales78@gmail.com  
**Subject:** \*Submitted testimony for HB117 on Mar 1, 2017 11:00AM\*



**HB117**

Submitted on: 2/28/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Patrick Li	Individual	Oppose	No

Comments:

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**kong2 - Crystal**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 28, 2017 7:56 PM  
**To:** waltestimony  
**Cc:** lee\_shapiro@yahoo.com  
**Subject:** Submitted testimony for HB117 on Mar 1, 2017 11:00AM



**HB117**

Submitted on: 2/28/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lee Shapiro	Individual	Oppose	No

Comments: Stop letting all these people take our beaches away. They DON'T EVEN LIVE HERE.

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**kong2 - Crystal**

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**Sent:** Tuesday, February 28, 2017 7:58 PM  
**To:** waltestimony  
**Cc:** skalima1972@yahoo.com  
**Subject:** Submitted testimony for HB117 on Mar 1, 2017 11:00AM



**HB117**

Submitted on: 2/28/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sharon Kalima	Individual	Oppose	No

Comments: Again!! We just found out about this bill and its not right that we only learned about it now. Our family has been protecting Kailua bay for generations and doing this bill is NOT how to do it. So many tourists have been overcrowding the place and now the commercial companies have pushed out local residents. The neighborhood board has been pushing to take over the bay and kayak companies totally control them. Everyone knows they don't respect the real families here and don't represent us. They just want to push out local people and force us way offshore so the commercial companies can run their kayak tours. It's not right. Stop this thing before it goes any farther.

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**To:** waltestimony  
**Cc:** nikkysaito@outlook.com  
**Subject:** \*Submitted testimony for HB117 on Mar 1, 2017 11:00AM\*



**HB117**

Submitted on: 2/28/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nicole Saito-Okuna	Individual	Oppose	No

Comments:

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**Sent:** Tuesday, February 28, 2017 8:45 PM  
**To:** waltestimony  
**Cc:** seanandcaseystax@gmail.com  
**Subject:** \*Submitted testimony for HB117 on Mar 1, 2017 11:00AM\*



**HB117**

Submitted on: 2/28/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Casey Wong	Individual	Oppose	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 28, 2017 9:13 PM  
**To:** waltestimony  
**Cc:** kristenkmlau@gmail.com  
**Subject:** \*Submitted testimony for HB117 on Mar 1, 2017 11:00AM\*



**HB117**

Submitted on: 2/28/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kristen Lau	Individual	Oppose	No

Comments:

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**Sent:** Tuesday, February 28, 2017 9:17 PM  
**To:** waltestimony  
**Cc:** parksjamey@yahoo.com  
**Subject:** Submitted testimony for HB117 on Mar 1, 2017 11:00AM



**HB117**

Submitted on: 2/28/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jamey Parks	Individual	Oppose	No

Comments: I just found out about this and they say we only have hours to send in our comments!  
How is this right??

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**Sent:** Tuesday, February 28, 2017 9:20 PM  
**To:** waltestimony  
**Cc:** richkanhi@yahoo.com  
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**HB117**

Submitted on: 2/28/2017  
Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Rich	Individual	Oppose	No

Comments: My name is Rich Kanahale. They just let us know about this law being passed. How can this be done without any public input at all? Our canoe clubs use two whalers in Kailua Bay and we practice five days a week. We've been doing this since 1976 and have never had a single incident. Making the bay a no wake zone doesn't make sense. If you've ever even been out on the water you would know that the swells and white caps are already bigger than any wake a boat could make. There are swimming buoys that clearly define the swimming area already. And how will our paddlers practice? They practice and race faster than many boats go. None of this makes sense.

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**Sent:** Tuesday, February 28, 2017 9:22 PM  
**To:** waltestimony  
**Cc:** pkanijames@gmail.com  
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**HB117**

Submitted on: 2/28/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kalani James	Individual	Oppose	No

Comments:

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**To:** waltestimony  
**Cc:** melissakanoho@gmail.com  
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**HB117**

Submitted on: 2/28/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melissa Kanoho	Individual	Oppose	No

Comments:

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**kong2 - Crystal**

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**Sent:** Tuesday, February 28, 2017 9:55 PM  
**To:** waltestimony  
**Cc:** scotthumilde@gmail.com  
**Subject:** \*Submitted testimony for HB117 on Mar 1, 2017 11:00AM\*



**HB117**

Submitted on: 2/28/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Scott Humilde	Individual	Oppose	Yes

Comments:

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**Sent:** Tuesday, February 28, 2017 9:57 PM  
**To:** waltestimony  
**Cc:** windward.boats.assn@outlook.com  
**Subject:** Submitted testimony for HB117 on Mar 1, 2017 11:00AM



**HB117**

Submitted on: 2/28/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jansen Reiser	Individual	Comments Only	No

Comments: Aloha honorable Legislators, I'm Jansen Reiser with the Windward Boaters. We're a volunteer group made up of members of our canoe clubs, fishing community, and local boaters who love the water. We're writing against this bill that sounds nice but might cause some problems. We're all for safety, but this sounds like a bill that isn't actually doing anything helpful for the conditions in Kailua Bay and may make the situation worse. Mahalo, Jansen.

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**Sent:** Tuesday, February 28, 2017 10:00 PM  
**To:** waltestimony  
**Cc:** grantsakima@yahoo.com  
**Subject:** Submitted testimony for HB117 on Mar 1, 2017 11:00AM



**HB117**

Submitted on: 2/28/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Grant Sakima	Individual	Oppose	No

Comments: Respectfully, this was bad the first time around, but not it expanded to even more area and will block our canoe clubs from using safety boats. Please stop this. Thank you.

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**kong2 - Crystal**

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**Sent:** Tuesday, February 28, 2017 10:13 PM  
**To:** waltestimony  
**Cc:** bootsntootles@hotmail.com  
**Subject:** Submitted testimony for HB117 on Mar 1, 2017 11:00AM



**HB117**

Submitted on: 2/28/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
stacy sasaki	Individual	Oppose	No

Comments: I'm writing against bill 117. It's already hard that the legislature did a bait and switch with the bills when they found out we opposed it, but it's just a bad bill for our island. The rich beachfront owners pushing this bill have conned the neighborhood board into trying to run the longtime homeowners that have been here for generations out of our own beach. Kailua belongs to everyone and the transplants trying to keep our canoe clubs and boaters out of the bay is disgraceful. These people that bought these homes don't even live here. They want to privatize our beach and keep the locals out and this bill will do that. They already came after all our hobbies and canoes that everyone used to park on the beach since back in the fifties and sixties, and now they want the water too. Stop this madness and keep our beaches for everyone.

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**kong2 - Crystal**

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**Sent:** Tuesday, February 28, 2017 10:16 PM  
**To:** waltestimony  
**Cc:** ronkaiwi@outlook.com  
**Subject:** Submitted testimony for HB117 on Mar 1, 2017 11:00AM



**HB117**

Submitted on: 2/28/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ronald Kaiwi	Individual	Oppose	No

Comments: this isnt about safety at all. why do you keep giving in to the wealthy rich people grabbing all our land so regular people cannot use?! WERE the ones who LIVE here not the other way around

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**kong2 - Crystal**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 28, 2017 10:27 PM  
**To:** waltestimony  
**Cc:** davinmurakami@gmail.com  
**Subject:** \*Submitted testimony for HB117 on Mar 1, 2017 11:00AM\*



**HB117**

Submitted on: 2/28/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Davin Murakami	Individual	Oppose	No

Comments:

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**kong2 - Crystal**

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**To:** waltestimony  
**Cc:** hwnridah@outlook.com  
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**LATE**

**HB117**

Submitted on: 2/28/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brandon Kahele	Individual	Oppose	No

Comments: To the Water and Land committee: I'm against this bill. I know it's about safety, but it doesn't make anything safer. It's not even realistic to navigate the reef without enough speed to match the conditions. I know there was an accident but it's not even in this area. This is just targeting the boaters. There's no logical reason other than that so please oppose this. Mahalo, Brandon

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**kong2 - Crystal**

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**To:** waltestimony  
**Cc:** stephtakeda808@gmail.com  
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**HB117**

Submitted on: 2/28/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Stephanie Takeda	Individual	Oppose	No

Comments:

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**kong2 - Crystal**

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**To:** waltestimony  
**Cc:** michaeljhiga@hotmail.com  
**Subject:** Submitted testimony for HB117 on Mar 1, 2017 11:00AM



**HB117**

Submitted on: 2/28/2017

Testimony for WAL on Mar 1, 2017 11:00AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mike Higa	Individual	Oppose	No

Comments: To the Water and Lands Committee at the State House of Representatives, my name is Mike Higa and I've been a part-time life guard at Kailua Beach and paddle in our canoe clubs here. I'm asking for you to respectfully vote no on bill 117. Safety is a priority, but changing no-wake zones isn't actually going to help. We have coordinated with our friends at the Department of Land and Natural Resources and they have been helping us already. Thank you for your attention.

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