

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 House Committee on
FINANCE**

**Friday, February 24, 2017
2:00 PM
State Capitol, Conference Room 308**

**In consideration of
HOUSE BILL 1304, HOUSE DRAFT 1
RELATING TO MARINE EVENTS**

House Bill 1304, House Draft 1, proposes to: (1) require the submission of permit applications for regattas, marine parades, or surfing contests to the Department of Land and Natural Resources (Department) at least 45 days before a proposed event; (2) require the Department to approve or deny permits within 30 days of receiving a completed application; and (3) allow the Department to assess and collect a fee for permit processing. **The Department offers the following comments.**

The Department understands the need for advance planning for large marine events, such as surfing contests, because event organizers must typically address issues such as funding, marketing and promotion, community outreach, rules, logistics, safety procedures, and insurance requirements. For the North Shore of Oahu, the Department works closely with the City and County of Honolulu because all major events need to be staged on land and need permission from the land owner. Once the County determines who will be issued the land based permits, the Department issues the marine event permits. This similar approach can be used for other large scale events in popular locations throughout the State.

The Department recommends removing the language that states "If the Department does not approve or deny the permit within the thirty-day period, the application shall be deemed approved by the Department as of the first day following the expiration of the thirty-day period." The Department issues approximately five hundred marine event permits each year and an automatic approval may result in multiple permits being issued for the same location for the same day. Additionally, automatic approval of marine event permits could have the unintended consequence of creating liability for the State for approval of marine events that may not be properly insured or follow best management practices.

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

It is currently the Department's policy to expeditiously process marine event permits; however, the Department at times may not be able to respond within the proposed thirty-day time period due to the high volume of applications.

Thank you for the opportunity to testify on this measure.

**Testimony On HB 1304 HD1
RELATING TO MARINE EVENTS
Strong Support**

Chair Luke, Vice Chair Cullen and Finance Committee Members;

I see nothing but positive must needed change with the addition of HB1304 HD1.

I am in Strong Support of HB1304 HD1. As surf and stand up paddle events gain even more traction around the world, it is very important to make sure these events can be efficiently planned. Having the event sponsors know a year in advance if their permit is approved will help improve planning on all levels.

I also feel that this lead time will allow event sponsors to be able to be more responsive of community concerns while also enabling them to engage the community members in the event.

These events get worldwide attention. It is in everyone's best interest to make sure the event sponsors have the time to plan safe, successful and community friendly programs.

For these reasons and many more I ask that you support HB 1304 HD1.

Mahalo,

*John D Willard III
Director HSA Maui*



**HANDSOME BUGGA
PRODUCTIONS**

P.O. Box 324
Haiku, HI 96708
Handsome Bugga Productions

**Testimony On HB 1304
RELATING TO MARINE EVENTS**

To: Chair Yamane, Vice Chair Kong and Committee Members;

My name, **Rodney lash Nui Kilborn**: Owner Handsome Bugga Productions / WSL Event Manager

- **The WSL Event Manager provides the Organizers with the guidelines to ensure event quality is of the highest of standards, satisfying the needs our fans, athletes and partners, and to grow the great sport of professional surfing worldwide.**
- **A longtime Hawaiian Northshore resident, has been promoting surf, windsurf and now standup paddleboard events for over 30 years**
- **In charge of permitting, race safety teams, race logistics and community outreach.**

Event Permitting needs One Year (1) out to plan to plan and not plan to fail I'm asking to please support and pass the bill HA 1304 Marine Events and HB 1236 HD!

Here's some example why we need to plan one year out

- **To fulfill all Government and Regulatory Authority requirements as specified by local government and Alexander and Baldwin Property**
- **Big wave paddle-in surfing for both men and women and Stand Up Paddlers (SUP) comes from around the World**
- **Media Broad Casting Team for World live coverage. We had over 300 million viewers watching the Pe'ahi Challenge aka Jaw's on Maui**
- **Event Management, Traffic Management Plan, Security / Police, Waste Management, Medical plan / incident action plan, Temporary Event Structures. The list goes on with more to add to this list.**
-

The Handsome Bugga Productions / World Surf League is dedicated to raising the bar of professional surfing events and evolving to beyond what we can only dream of today. Each individual WSL License represents an extremely valuable and highly

sought-after property and we look forward to our partnership for the next part of this journey. We understand that every event is unique and requires different demands on event promoters; however, WSL has developed a singular set of rules and conditions that apply to all events.

The Handsome Bugga Productions / WSL Event Planner provides the Organizers with the guidelines to ensure event quality is of the highest of standards, satisfying the needs our fans, athletes and partners, and to grow the great sport of professional surfing worldwide.

Cooperation and communication throughout the planning and actual staging of the event is paramount to its success. Should there be any concern with this **Testimony On HB 1304 RELATING TO MARINE EVENTS**, please contact Handsome Bugga Productions Management and we will be happy to assist.

With best regards and aloha,

Rodney Kilborn
CEO Handsome Bugga Productions / Manage Director World Surf League Maui
Handsomebugga808@gmail.com
P: (808) 575 2842 C: 808 281 0049

Testimony on **HB 1304 HD1**
RELATING TO MARINE EVENTS.

COMMITTEE ON FINANCE
February 24, 2017
2:00pm, Room 308

Aloha Chairperson Luke, Vice Chair Cullen and members of the committee,

My name is Ka'ili Moikeha and I am testifying in opposition to HB1304 HD1. I am the Race Director for the Na Opio Canoe Racing Association (NOCRA). It is the non-profit organization that conducts canoe regattas during the winter season for students grades three thru twelve. As the Race Director, I am responsible for obtaining our regatta permits. I also serve as the Vice-President of Na Ohana O Na Hui Waa (Hui Waa), one of the six member associations of the Hawaiian Canoe Racing Association. (HCRA).

Having worked with DLNR to ensure our associations are compliant with the permitting procedures, the implementation of a fee to process the permit concerns me. Outrigger Canoe Paddling is the State of Hawaii's official team sport. We offer opportunities to learn the cultural significance of the sport, learn the skill, and practice it. Many associations, including NOCRA and Hui Waa, operate on tight budgets. Attaching a fee to the permit has the potential to affect paddlers as they are the ones who will see the increase in their paddler fees.

It is possible to have the fees set low, but as other factors come into play, we often see fees increase. This bill will allow for an increase that would significantly impact the paddling community, especially when fees are most likely set to target specific for-profit events.

I do believe that DLNR needs the resources to process permits in a timely manner and that a fee to process the permit will give them the needed resources, but I would like to see a way for that to happen without affecting the non-profit organizations.

For these reasons, I oppose HB1304HD1.

Thank you for your time and the opportunity to testify on this measure.

K. Ka'ilipakalua Moikeha
TBSSInc@gmail.com

Aloha Chairperson Luke and Members of the Committee,

I am submitting this testimony as an individual, although I am the Race Director for Maui County Hawaiian Canoe Association (MCHCA), the nonprofit organization that operates the canoe regattas on Maui, so I am responsible for submitting MCHCA's permit applications. I am also the Vice President of Maui Paddling Hui (MPH), the nonprofit organization that operates the one-person canoe races on Maui.

While I do appreciate the intent of the HB1304 to ensure permit applications are processed by DLNR in a timely manner, there is one part that concerns me:

"The department may assess and collect a fee for the processing of the permit."

In order to make Hawaii's official team sport, outrigger canoe paddling, as accessible to as many people as possible, MCHCA and other associations throughout Hawaii operate on a shoestring budget. MCHCA's member canoe clubs are responsible for permits for the distance races they host, and they also operate on shoestring budgets. Permit fees would have to ultimately be passed down to the paddlers, many of whom do not have the means.

This bill opens the door to set permit fees to level that could have a significant impact on outrigger canoe paddling. While I would hope that the current administration understands this and would keep permit fees very low, future administrations may set permit fees with other types of contests in mind, such as for-profit organizations with big-name sponsors. There are many outrigger canoe paddling events throughout the year, so these fees could quickly add up to an amount that would be extremely detrimental.

I do understand that DLNR would need to collect fees in order to be given the resources necessary to process the permits in a timely manner. However, in order to ensure that outrigger canoe paddling and other healthy and charitable events are not stifled, I would like to suggest the following amendment:

"The department may assess and collect a fee for the processing of the permit, except nonprofit organizations shall not be assessed a fee for the processing of the permit."

This would still allow DLNR to collect permit fees for the many marine events hosted by for-profit organizations with the resources to pay the fees.

Thank you for your consideration and the opportunity to testify.



Deren Ash
(808) 280-2087
deren@ash2o.com

Testimony on **HB 1304 HD1**
RELATING TO MARINE EVENTS.

COMMITTEE ON FINANCE
February 24, 2017
2:00pm, Room 308

Aloha Chairperson Luke, Vice Chair Cullen and members of the committee,

My name is Samantha Mokuahi Moikeha and I am testifying in opposition to HB1304 HD1. I am involved in outrigger canoe paddling throughout the State of Hawaii and have been in various leadership positions involved in obtaining permits for our racing events.

The paddling community stretches the state from Hawaii Island to Kaua'i. I support the intent of the bill that outlines a change in the deadline for permit application submissions, but I strongly oppose the implementation of a fee for processing the permit. Many associations charge their paddlers and members fees to cover their operating costs. By adding a fee to process the permit without any guidelines as to how the fee is determined, can adversely impact the organizations that are committed to preserving the art and sport of outrigger canoe paddling, which as of 1984 became the official team sport of our State.

For this reason, I oppose HB 1304 HD1.

Respectfully submitted,

Samantha Mokuahi Moikeha
smoikeha@gmail.com



Pailolo SUP Sports LLC
151 Kupuohi Street H-2
Lahaina, HI 96761

**Testimony in strong support of:
HB 1304 HD1
RELATING TO MARINE EVENTS**

To: Chair Luke, Vice Chair Cullen and Finance Committee Members;

Dear Sirs and Madams,

My name is Mike Jucker, I am a partner in *Pailolo SUP Sports LLC*, the organizer of the annual Maui2Molokai SUP Race.

As the person in charge of marketing and Public Relations for the Maui2Molokai SUP Race, I would like to submit this testimony in favor of HB 1304 H1.

Please allow me to make some points on why we need to be able to plan one-year in advance:

Finding Sponsors

Many companies decide early in the fiscal year where to allocate their money too. Therefore, we have to approach local businesses as early as possible so we can engage in a reasonable negotiation process.

Event registration

With the Maui2Molokai SUP Race we represent an 8year long running race that has gained popularity in the international community of professional SUP-Athletes. In order for us to provide a seamless experience to our participants we must be able to open registration at least 8 months prior in full confidence that our event is being approved and has the green light.

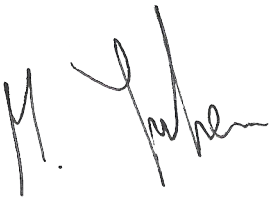
Many of our participants and competitors come from other countries. There are logistics that require the athletes to have enough time to plan and coordinate their travels as well as communicating with their sponsors.

Media and PR

We need time to set up our press releases leading up to the event. Media contacts are extremely important to the success of an event. Pre and post event exposure is key for our sponsors and athletes as this creates a direct value that can be measured and used for future events.

Thank you for your consideration. In case there are any questions regarding this testimony please feel free to contact me directly.

Kind regards and aloha,

A handwritten signature in black ink, appearing to read "M. Jucker". The signature is fluid and cursive, with a large initial "M" and a stylized "J" for "Jucker".

Mike Jucker
Marketing Manager | [Maui2Molokai](#)
info@maui2molokai.com
Phone: 808-205-4517

Testimony on **HB 1304 HD1**
RELATING TO MARINE EVENTS.

LATE

House Committee on Finance
February 24, 2017
2:00pm, Room 308

Aloha Chairperson Luke, Vice-Chair Cullen and Members of the Committee:

My name is Teri Skillman. I am a paddler with Kamehameha Canoe Club, a member club of Nā 'Ohana o Nā Hui Wa'a Association. I was also formerly the Secretary of the Board for the Hawai'i Canoe and Kayak Team, an official USACK club that supports Hawai'i's athletes in national and international racing competitions.

Outrigger canoe paddling is the Hawai'i State Team sport, designated by ACT 219 (see link for HB2173-86 HD1 SD1 below) in 1986. Canoe racing includes a large portion of the island population that actively participate in the sport from elementary school age to retirees (65+). The Hawaiian Canoe Racing Association sets the State Championship a year in advance and the island associations establish their pre-season distance races, the regatta season, and long distance races based on the State Championship date. On O'ahu, OCHRA and Hui Wa'a have to alternate paddling venues which are limited to Hale'iwa, Kailua, Ke'ehi, and Maili or Nanakuli for regatta season.

Charging a fee to process the permit for each race will become exorbitant for canoe clubs to cover, in addition to the event costs for escort boats, lane set up, sound system, sanitation, security, and race medals. There are varying sizes clubs with the smaller clubs on tighter budgets due to membership and fewer resources. Permit fees will be passed from the associations to the clubs and down to the individual members, adversely affecting families.

There needs to be a sliding fee scale established for local, non-profit race events and events that bring in out-of-State competitors, or, are international in focus with for-profit organizers, e.g., the Transpac Cup.

I am concerned that the fees will adversely affect paddling community. As our State Team sport, I would hope that the Legislature would endeavor to protect such a cultural tradition. Keeping the fees affordable will be a key factor.

For these reasons, **I oppose HB1304HD1 in this current draft.**

Mahalo for the opportunity to testify on this measure,
Teri Skillman-Kashyap

cc: Members of the Committee
Romy M. Cachola
Nicole E. Lower
Isaac W. Choy
Nadine K. Nakamura
Lynn DeCoite
Sean Quinlan
Cedric Asuega Gates
James Kunane Tokioka
Daniel Holt
Kyle T. Yamashita
Jarrett Keohokalole
Andria P.L. Tupola
Bertrand Kobayashi
Gene Ward
Matthew S. LoPresti

Attachment: HB2173-86 HD1 SD1 ACT219

<https://drive.google.com/file/d/0B2WfDjiC8uWVbW9GaGJTnFNvV0k/view?usp=sharing>



LATE

Pailolo SUP Sports LLC
151 Kupuohi Street H-2
Lahaina, HI 96761

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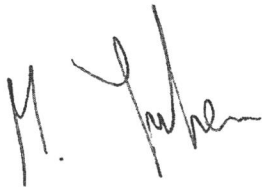
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Mike Jucker
Marketing Manager | Maui2Molokai
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