

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

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
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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 Senate Committees on
WATER AND LAND
and
PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

Thursday, March 16, 2017
2:15 PM
State Capitol, Conference Room 229

In consideration of
HOUSE BILL 14, HOUSE DRAFT 1
RELATING TO KEKAHA KAI STATE PARK

House Bill 14, House Draft 1 proposes to appropriate funds for the employment of lifeguards and for life-saving equipment at Kua Bay within Kekaha Kai State Park on the island of Hawaii under the jurisdiction of the Department of Land and Natural Resources (Department). **The Department supports this measure provided that its passage does not replace or adversely impact our priorities requested in the Executive Budget.**

Lifeguards serve an essential function in a state surrounded by the ocean. Due to the increasing popularity at Kua Bay, it has come to the attention of the Department that there is a growing need for lifeguard services based on the increase in water safety incidents. The State does not have its own lifeguards, and contracts with the counties for those services at selected State Parks beaches. Currently, each county provides lifeguards at one State Park beach.

ISLAND	LOCATION	Current Annual Amount	MOF
Oahu	Keawa'ula Beach @ Kaena Point State Park	\$584,216	Special
Hawaii	Hapuna Beach State Recreation Area	\$465,785	Special
Maui	Makena Beach State Recreation Area	\$606,469	General
Kauai	Ke'e Beach @ Haena State Park	\$200,065	General

Two of the lifeguard contracts come out of the existing general fund allocation to State Parks and the other two contracts are paid for out of special fund income. Therefore, it is essential that any new lifeguard contract receive a new and general fund appropriation.

Thank you for the opportunity to comment on this measure.

DAVID Y. IGE
GOVERNOR

SHAN S. TSUTSUI
LIEUTENANT GOVERNOR



LINDA CHU TAKAYAMA
DIRECTOR

LEONARD HOSHIJO
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813
www.labor.hawaii.gov
Phone: (808) 586-8844 / Fax: (808) 586-9099
Email: dliir.director@hawaii.gov

March 14, 2017

The Honorable Clarence Nishihara, Chair
Committee on Public Safety, Intergovernmental,
and Military Affairs
The State Senate
State Capitol, Room 214
Honolulu, Hawaii 96813

The Honorable Karl Rhoads, Chair
Committee on Water and Land
The State Senate
State Capitol, Room 204
Honolulu, Hawaii 96813

Dear Chairs Nishihara and Rhoads:

Subject: House Bill (HB) 14 House Draft (HD) 1 Relating to Kekaha Kai State Park

I am Manuel P. Neves, Chair of the Hawaii State Fire Council (SFC). The SFC supports HB 14, HD 1, which proposes to save lives and prevent injuries at Kua Bay by appropriating funds for the employment of lifeguards and necessary equipment. This bill would appropriate money to purchase a lifeguard tower, an all-terrain vehicle, radios, and rescue and personal protective equipment.

Since 2008, the Hawaii County Fire Department responded to many deaths and injuries to local residents and visitors at Kua Bay.

The SFC urges your committees' passage of HB 14, HD 1 for the safety and general welfare of individuals utilizing this West Hawaii facility.

The Honorable Clarence Nishihara, Chair
The Honorable Karl Rhoads, Chair
Page 2
March 14, 2017

Should you have questions, please contact SFC Administrator Socrates Bratakos at 723-7105 or sbratakos@honolulu.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. P. Neves', with a stylized flourish at the end.

MANUEL P. NEVES
Chair

MPN/LR:clc

Hawai'i State Fire Council
c/o Honolulu Fire Department
636 South Street
Honolulu, HI 96813

March 15, 2017

The Honorable Clarence Nishihara, Chair
Committee on Public Safety, Intergovernmental,
and Military Affairs
The State Senate
State Capitol, Room 214
Honolulu, Hawaii 96813

The Honorable Karl Rhoads, Chair
Committee on Water and Land
The State Senate
State Capitol, Room 204
Honolulu, Hawaii 96813

Dear Chairs Nishihara and Rhoads:

Subject: House Bill (HB) 14 House Draft (HD) 1 Relating to Kekaha Kai State Park

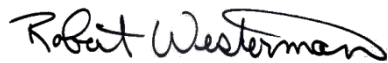
I am Robert F. Westerman, Vice-Chair of the Hawaii State Fire Council (SFC). The SFC supports HB 14, HD 1, which proposes to save lives and prevent injuries at Kua Bay by appropriating funds for the employment of lifeguards and necessary equipment. This bill would appropriate money to purchase a lifeguard tower, an all-terrain vehicle, radios, and rescue and personal protective equipment.

Since 2008, the Hawaii County Fire Department responded to many deaths and injuries to local residents and visitors at Kua Bay.

The SFC urges your committees' passage of HB 14, HD 1 for the safety and general welfare of individuals utilizing this West Hawaii facility.

Should you have questions, please contact SFC Administrator Socrates Bratakos at 723-7105 or sbratakos@honolulu.gov.

Sincerely,



Robert Westerman
Vice Chair, Hawai'i State Fire Council

RFW/dag

March 14, 2017

Senator Karl Rhoads
Chair, Committee on Water and Land
Hawaii State Capitol, room 204
415 South Beretania St.
Honolulu, HI 96813

Chair Rhoads,

I am a Battalion Chief in the Hawaii Fire Department, and I am submitting this testimony in support of HB14 that appropriates funds for the employment of lifeguards and for life-saving equipment at Kua Bay. As a Battalion Chief of Special Operations, part of my duties is to oversee the Ocean Safety division on the island of Hawaii.

Kua Bay is located in a remote location in west Hawaii. Until recently, Kua Bay was not routinely visited by beach patrons due to the unimproved beach access. However, in the recent years, there have been many improvements to this beautiful beach that is now easily accessible by many locals and visitors alike. With the increased number of beach patrons, the amount of ocean related incidents including spinal injuries and drowning has increased. Kua Bay is now one of the top ten locations in the state where spinal injuries occur.

In January of this year, a male visitor from the mainland in his fifties had died after being pulled from the water by bystanders who were on the beach. The victim was in cardiac arrest and the bystanders performed CPR but without success. The nearest rescue or medical assistance to Kua Bay was approximately 15 to 20 minutes away that seemed like an eternity for someone in this condition.

With the absence of lifeguard services or lifesaving equipment at Kua Bay, the chances of someone surviving who sustains a major injury or medical condition is very low.

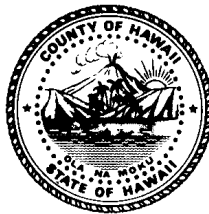
I have gotten many calls, including some from our own lifeguards who inform me that they performed many rescues at Kua Bay on their days off due to the absence of lifeguards there. I have also received a call from a victim who was rescued by a bystander after being caught in the rip current. He stated that he would have drowned if he didn't get help, and questioned why we do not have lifeguards there.

Our lifeguards are in full support of this bill and have testified at our council meeting pleading their case. I understand that there are many budgetary constraints moving forward, however, we cannot put a price on a life and I have been in position too many times having to be the bearer of bad news to families who have come to visit paradise that ends in tragedy.

Sincerely,

Gerald Kosaki
Battalion Chief, Hawaii Fire Department

Karen Eoff
Council Vice Chair
Council District 8 - North Kona



Phone: (808) 323-4280
Fax: (808) 329-4786
Email: karen.eoff@hawaiicounty.gov

HAWAI'I COUNTY COUNCIL

County of Hawai'i
West Hawai'i Civic Center, Bldg. A
74-5044 Ane Keohokalole Hwy.
Kailua-Kona, Hawai'i 96740

March 15, 2017

Senate Committee on Water and Land
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Senate Committee on Public Safety, Intergovernmental, and Military Affairs
Senator Clarence K. Nishihara, Chair
Senator Glenn Wakai, Vice Chair

Re: Testimony Supporting HB14, HD1; A BILL RELATING TO KEKAHA KAI STATE PARK - Appropriates funds for the employment of lifeguards and for life-saving equipment at Kua Bay.
Hearing Date and Time: March 16, 2017 at 2:15 p.m., Conference Room 229

Dear Committees:

On behalf of myself and constituents of Council District 8, North Kona, support for the above referenced Bill is expressed, with brief testimony provided as follows:

The Hawai'i County Council voted unanimously in favor of Resolution No. 49-17 to urge the Hawai'i State Legislature to appropriate funds to employ lifeguards and to purchase a lifeguard tower and rescue equipment for Kua Bay at Kekaha Kai State Park.

Skilled lifeguards, appropriate rescue equipment and a lifeguard tower for adequate field of sight are essential to save lives and prevent injuries at the heavily-visited Kua Bay, and West Hawai'i residents have voiced strong concerns regarding the alarming number of reported and unreported incidents which have occurred at Kua Bay.

This measure comes before you heavily armed with support from DLNR, the Sayre Foundation, Ho'omana Pono, the Kohala Coast Resort Association and many other individuals. I strongly recommend the passing of this bill.

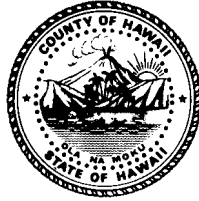
Sincerely,

Handwritten signature of Karen Eoff in cursive script.

KAREN EOFF, Council Vice Chair
Council District 8, North Kona

KE.wpb

DRU MAMO KANUHA
Council Member
District 7, Central Kona



PHONE: (808) 323-4267
FAX: (808) 323-4786
EMAIL: dru.kanuha@hawaiiicounty.gov

HAWAII COUNTY COUNCIL

West Hawai'i Civic Center 74-5044 Ane Keohokālole Highway, Kailua-Kona, Hawaii 96740

March 15, 2017

TO: The Honorable Karl Rhoads, Chair
Committee on Water and Land

The Honorable Clarence K, Nishihara, Chair
Committee on Public Safety, Intergovernmental, and Military Affairs

FROM: Councilman Dru Kanuha
Hawaii County Council, District 7

SUBJECT: HEARING OF MARCH 16, 2017; TESTIMONY IN STRONG SUPPORT TO HB14, HD1, RELATING TO KEKAHA KAI STATE PARK

Thank you for the opportunity to testify in support to this measure. The purpose of this bill is to appropriate funds for the employment of lifeguards and in their work at Kua Bay, Kekaha Kai State Park in North Kona on the island of Hawaii.

I **support** this measure for the following reasons:

1. Kua Bay is one of the most beautiful and popular beach parks with both visitors and locals but its treacherous currents and shore breaks are hidden hazards which have put community members and visitors at risk.
2. The presence of skilled lifeguards and lifesaving equipment at Kua Bay will significantly improve the chance of survival of someone who sustains major injury or medical condition.
3. The Hawai'i County Council passed Resolution No. 49-17 unanimously to urge the Hawai'i State Legislature to appropriate funds to employ lifeguards and to purchase a lifeguard tower and rescue equipment for Kua Bay at Kekaha Kai State Park.

For the foregoing reasons, I **support** this measure.



P.O. Box 454, Holualoa, HI 96725
808.937.8907 / kawehiinaba@gmail.com

March 15, 2017

[COMMITTEE ON WATER AND LAND](#)

Senator Karl Rhoads, Chair

Senator Mike Gabbard, Vice Chair

[COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS](#)

Senator Clarence K. Nishihara, Chair

Dear Senators and Committee members:

As CEO of Kupa'a Business Planners, I wholeheartedly support HB14 HD1 which will provide life-saving Ocean Safety Officers at Kua Bay.

For years, there have been near drownings, drownings, and severe injuries that have occurred at this highly frequented beach. On many occasions, off-duty lifeguards and good Samaritans have risked their own lives to save beach-goers caught in the strong currents and shore breaks. It's imperative that the State take responsibility and be proactive in the safety of all residents and visitors.

For years, Representatives and Senators from Hawaii Island have been asking for financial support from the State budget to protect those who visit this beach. Despite treacherous conditions and tragic endings, the State Finance Committee has chosen not to fund Ocean Safety Officers for this dangerous beach and more lives have been lost.

As a State beach, it is the kuleana of the State to provide funding to ensure safety for all beach users. I would support a fee being assessed for non-residents in order to subsidize the cost of providing Ocean Safety Officers to prevent additional potential injuries and loss of life.

Please move HB14 through and provide the funding for our Ocean Safety Officers at Kua Bay to provide safety for users and limit the liability exposure for the State of Hawaii.

Sincerely,

Rebecca Kawehi Inaba

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 15, 2017 11:22 AM
To: WTL Testimony
Cc: kathleen.berman@gmail.com
Subject: Submitted testimony for HB14 on Mar 16, 2017 14:15PM

HB14

Submitted on: 3/15/2017

Testimony for WTL/PSM on Mar 16, 2017 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Kathleen Berman	Individual	Support	No

Comments: Please we need life guards at Kua Bay! It is a dangerous surf, but it is a very popular beach to visit and spend time. Mahalo, Kat Berman

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 15, 2017 11:04 AM
To: WTL Testimony
Cc: malamaopuna@yahoo.com
Subject: *Submitted testimony for HB14 on Mar 16, 2017 14:15PM*

HB14

Submitted on: 3/15/2017

Testimony for WTL/PSM on Mar 16, 2017 14:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Rene Siracusa	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: [evans1 - Joana](#)
To: [WTL Testimony](#)
Subject: Testimony on behalf of our constituent
Date: Wednesday, March 15, 2017 11:50:59 AM

I moved to the Big Island in 2007 and Kua Bay is one of my favorite beaches which I visit often. Three years ago in late January I was at Kua Bay and was standing on the shore in knee deep water next to my partner. I was swept away by a rip tide and ended up in a vortex in the rock formations and could not get out. My partner turned around and I was gone, she came to my rescue and put me on the rocks multiple times but I was washed off the rocks and back into the water each time. I was exhausted and told her to just let me go, I knew I was going to drown and I had no strength to fight anymore. I remember looking at the sky and thinking what a beautiful day it was and how sad that I was going to die before my birthday in February. Two young men saw what was happening and came to help her. They told me that they were going to take me out 20 sets in order to bring me back in and that all I had to do was hold my breath when they told me. I lived to tell the story and am still grateful (crying right now) for their help. I laid on the beach for an hour where they left me due to exhaustion until I could get up and leave. I have always been a water person and a swimmer but this experience has made me fear the ocean. I have worked very hard to overcome the fear and am now going back into the ocean to swim and snorkel, even at Kua Bay; however I strongly urge you to pursue lifeguards for this beautiful beach.

Beverly Jefferson
81-905 Nape Street
Kealahou, HI 96750

From: [Dorothy Bowers](#)
To: [WTL Testimony](#)
Subject: HB14, HD1
Date: Wednesday, March 15, 2017 2:01:00 PM

Please pass this measure HB14, HD1 to provide lifeguards at Kua Bay on Hawaii Island. This is a very popular beach and it needs lifeguards.

Thanks very much,
Dorothy Bowers
Kona, Hawaii
808-333-6305