

LINDA LINGLE  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
LAURA H. THIELEN  
Chairperson**

**Before the House Committee on  
WATER, LAND, & OCEAN RESOURCES**

**Friday, February 13, 2009  
10:30 AM  
State Capitol, Conference Room 325**

**In consideration of  
HOUSE BILL 1766  
RELATING TO SMALL BOAT HARBORS**

House Bill 1766 permits the Board of Land and Natural Resources (Board) to lease submerged lands, in accordance with chapter 190 D, Hawaii Revised Statutes (HRS), by public auction for proposals, or negotiations pursuant to section 171-59, HRS, in a state boating facility; permits commercial use permits to be issued for vessels assigned moorings in Ala Wai and Keehi Harbors; directs the Department of Land and Natural Resources (Department) to provide for request for proposal (RFP) for the development of portions of the Ala Wai Small Boat Harbor for recreational and commercial vessels moorings, vehicular parking, offices, commercial and residential uses. The Department prefers House Bill 980 House Draft 1 (RELATING TO RECREATIONAL RENAISSANCE).

House Bill 980 House Draft 1, which is similar to the Administration's House 1131 (RELATING TO RECREATIONAL RENAISSANCE) addresses the broader needs of those that use the state parks and ocean recreation areas while House Bill 1766 only addresses the needs of those that use the small boat harbors. The current condition of the State's parks, trails, and harbors requires a comprehensive approach and the practice of addressing the needs of outdoor recreation places on piecemeal basis needs to end.

The Department recommends that if this bill is moved forward, that SECTION 3 regarding the commercial uses in the Ala Wai match the revised language in House Bill 980 House Draft 1. The Department does not feel that it is wise to establish the location of the commercial moorings in statute because, in the event a pier is damaged, destroyed, or temporarily removed due to replacement, the Department will need the ability to temporarily move boats to alternate piers. Limiting commercial mooring to specific slips identified in statute would preclude that ability. House Bill 980 House Draft 1 provides some assurance to the recreational boaters that the commercial uses will be confined and minimize disruption. It also instructs the Board to

**LATE TESTIMONY**  
LAURA H. THIELEN  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**RUSSELL Y. TSUJI**  
FIRST DEPUTY

**KEN C. KAWAHARA**  
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

establish the locations of the commercial uses through a public meeting process during which the affected boaters may weigh in. The Board will be able to move more quickly to make future modifications as necessary in the event of damage or renovations.

Finally, the Department would recommend that SECTION 5 either be removed from the bill or the language changed from “is directed to lease” to “may consider leasing”. The Department notes that the design of the 500 row will begin in the near future and the 700 row is presently in design. The Department currently has \$400,000 in construction money for the 700 row as well. The Department does not feel that it is prudent to further carve up the harbor at this time and that the leasing of fast land should be done through an administrative process through the Board as is already permitted by statute.

[REDACTED]

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**From:** [REDACTED]  
**ant:** Thursday, February 12, 2009 12:12 PM  
**ro:** Rep. Sharon Har  
**Subject:** HB1766

I AM A SENIOR CITIZEN LIVING IN THE ALA WAI HARBOR FOR 6 YEARS.  
I EXIST ON SOCIAL SECURITY ONLY.  
PLEASE DO NOT ALLOW THIS BILL TO GO FORWARD.  
MAHALO  
BERNARD MORRY

[REDACTED]

\*\*\*\*\*

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(<http://yellowpages.aol.com/search?query=florist&ncid=emlcntusyelp00000002>)

**Testimony for HB1766 on 2/13/2009 10:30:00 AM**

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

**Sent:** Thursday, February 12, 2009 12:43 PM

**To:** WLOtestimony

**Cc:** [REDACTED]

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Testimony for WLO 2/13/2009 10:30:00 AM HB1766

Conference room: 325

Testifier position: oppose

Testifier will be present: No

Submitted by: Antje Gruenewald

Organization: Individual

Address: [REDACTED]

Phone: [REDACTED]

E-mail: [REDACTED]

Submitted on: 2/12/2009

**Comments:**

I as Ala Wai small boat harbor tenant strongly oppose proposal HB 1766. I want you to hold the bill!

February 12, 2009

William D. Beadle  
1720 Ala Moana Boulevard, 1406A  
Honolulu, HI 96815

Comments on HB1766

Dear Legislators

I believe that you should place a hold on HB 1766. The provisions in this legislation have not been studied, have not been vetted through the public hearing process and could create irreparable harm. Good legislation is developed through consensus, not in the dark corridors of bureaucracy.

The proposed legislation raises issues such as privatization of public resources, raising fees for ocean recreation and only looks at the ocean as a profit center. Facilities such as our harbors are a public trust. There are so few small boat harbors available to the recreational user, that each harbor must be protected from the encroachment of commercialization. Each recreational user should be protected from the unbridled greed of the government bureaucracy trying to milk every penny out of every resource.

Thank you for your service.

Aloha,



William Beadle