

LATE TESTIMONY

From: Sandra Arakaki, Hawaii resident living in Ewa Beach

To: Committee on Water, Land and Ocean Resources

RE: H.B. No. 641

Date of Hearing: January 30, 2009

Time: 0900

Place: Conference Room 325 State Capitol- 415 South Beretania St

Dear Committee members,

HB 641 is very important to me and my family because as growth on Oahu expands and prime property is the coastline of this island my family and I feel and believe that as citizens of this State we should have the right to access any coastline area which has been deemed open to the public. There are public shoreline access areas that have been closed for reasons unknown. **My family and I request that House Bill 641 be fully supported and made whole as written.**

MAHALO

Family in support of HB 641:

Michael Arakaki	Daisy Rosario
Daniel Arakaki, Jr	Jinei Arakaki
Wallace Maze	Nancy Arakaki
Nadine Maze	Song Chun
Amber Maze	Liberta Pacheco
Brittany Maze	Kalani Pacheco
Mrs Theresa Canto	Anna Pasion
Janis Ilar	Glenn Pasion
Cynthia Cantiberos	Prestin Maze
Roxanne Molina	
Christina Ilar	

JEANNINE JOHNSON

5648 Pia Street, Honolulu, Hawai'i 96821

Phone: 373-2874 (h) / 537-7261 (w)

January 29, 2009

LATE TESTIMON

COMMITTEE ON WATER, LAND, & OCEAN RESOURCES

Rep. Ken Ito, Chair

Rep. Sharon E. Har, Vice Chair

HB 641 RELATING TO BEACH ACCESS

Hearing: Friday, January 30, 2009 at 9 am in Conference Room 325

Aloha Chair Ito, Vice Chair Har and Honorable Committee Members,

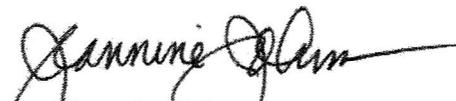
I strongly support HB641 which requires the department of land and natural resources to identify, publicize, and enforce access by the public to beaches. O'ahu has only 89 beach rights of ways (BROW) for over a hundred miles of coastline according to the Department of Planning and Permitting. Many shoreline paths were created with the intent to provide beach access and are tax assessed at only \$100, yet they remain closed to the public. In Niu Valley, two of these are blocked with walls that have no permit (TMKS 3-7-001:023 and 033).

On February 2, 2008, 250 to 300 people participated on every island in a state-wide protest for more beach access. My sons and I (here is a picture of my son Matt) braved the wind and rain for two hours to call attention to our lack of public access in Niu Valley and East Honolulu. Although the County is entrusted with enforcement of public access to beaches when development comes before it and it is its "duty" to be a watchdog for the public, the physical and visual access to the shoreline along Kalaniana'ole Highway has been severely limited over the years due to gated residential development being allowed to block both visual and physical access to the ocean. This has the effect of turning our public beaches into private beaches.



I humbly request your support. Mahalo for your consideration.

Sincerely,


Jeannine Johnson

cc: Sen. Sam Slom
Sen. Fred Hemmings
Rep. Lyla Berg
Rep. Barbara Marumoto
Rep. Gene Ward
Beach Access Hawai'i

LATE TESTIMONY

Jeannine Johnson, Legislative Sub-Committee Chair

Kuli'ou'ou / Kalani Iki Neighborhood Board #2

5648 Pia Street, Honolulu, Hawai'i 96821

Phone: 373-2874 (h) / 537-7261 (w)

January 29, 2009

COMMITTEE ON WATER, LAND, & OCEAN RESOURCES

Rep. Ken Ito, Chair

Rep. Sharon E. Har, Vice Chair

HB 641 RELATING TO BEACH ACCESS

Hearing: Friday, January 30, 2009 at 9 am in Conference Room 325

Aloha Chair Ito, Vice Chair Har and Honorable Committee Members,

As Committee Chair of the **Kuli'ou'ou / Kalani Iki Neighborhood Board #2** Legislative Sub-Committee, I am pleased to inform you **Neighborhood Board #2** strongly supports HB641 which requires the department of land and natural resources to identify, publicize, and enforce access by the public to beaches. **Neighborhood Board #2** represents over 6,000 households, with a population of almost 20,000 people (State of Hawaii Data Book 2002) in East Honolulu.

Hawai'i Revised Statutes (HRS) Chapter 115 states: "The legislature finds that miles of shorelines, waters, and inland recreational areas under the jurisdiction of the State are inaccessible to the public due to the absence of public rights-of-way; that the absence of public rights-of-way is a contributing factor to mounting acts of hostility against private shoreline properties and properties bordering inland recreational areas; that the population of the islands is increasing while the presently accessible beach, shoreline, and inland recreational areas remain fixed; and that the absence of public access to Hawaii's shorelines and inland recreational areas constitutes an infringement upon the fundamental right of free movement in public space and access to and use of coastal and inland recreational areas." The purpose of this chapter is to guarantee the right of public access to the sea, shorelines, and inland recreational areas, and transit along the shorelines, and to provide for the acquisition of land for the purchase and maintenance of public rights-of-way and public transit corridors. Many shoreline paths were created with the intent to provide beach access and are tax assessed at only \$100, yet they remain closed to the public. Beachfront homeowners intimidate the public with walls, gates, keep out signs, video cameras, dogs and an overall unwelcoming attitude to the shoreline has the effect of turning many Hawai'i beaches into private, exclusive ones. Thus, without enforcement, the public's rights of access to and use of coastal and inland recreational areas mandated in HRS Chapter 115 are meaningless.

At its November 6, 2008 meeting, **Neighborhood Board #2** voted to support appropriating funds to survey and map all existing public access ways to shoreline areas and

COMMITTEE ON WATER, LAND, & OCEAN RESOURCES

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nearby public parking areas and requiring state and county agencies to enforce the public's rights of access to and use of coastal and inland recreational areas as mandated in HRS Chapter 115 and increase penalties for the offense of obstructing access to public property.

Your support of HB641 is respectfully requested.

Mahalo,



Legislative Sub-Committee Chair

Kuli'ou'ou / Kalani Iki Neighborhood Board #2

cc via email: Chair Robert Chuck
Sen. Sam Slom
Sen. Fred Hemmings
Rep. Lyla Berg
Rep. Barbara Marumoto
Rep. Gene Ward

LATE TESTIMONY

HOUSE WATER LAND & OCEAN RESOURCES COMMITTEE

Rep. Ken Ito, Chair

Rep. Sharon Har, Vice Chair

January 29, 2009

RE: HB641 scheduled to be heard by WLO on Friday, 1/30/09 at 9:00 am
in conference room 325.

My name is Brian F. Funai and I am testifying in support of HB641.

Beach access in terms of what residents find necessary for activities such as fishing, diving and traditional gathering has slowly eroded as more and more development occurs. Many of the shoreline locations that were once easily accessible are no longer. Please provide a way in which our State residents are ensured fair and equal access to what is rightfully ours to utilize and care for.

I support this bill for these reasons and ask that you please pass HB641.

Thank you for your time and allowing me to testify.

Brian F. Funai
Kaneohe, HI 96744

har1-Tammy

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 29, 2009 11:01 PM
To: WLOtestimony
Cc: [REDACTED]
Subject: Testimony for HB641 on 1/30/2009 9:00:00 AM

LATE TESTIMONY

Testimony for WLO 1/30/2009 9:00:00 AM HB641

Conference room: 325
Testifier position: support
Testifier will be present: No
Submitted by: Robin Fujikawa
Organization: Individual
Address: [REDACTED]
Phone: [REDACTED]
E-mail: [REDACTED]
Submitted on: 1/29/2009

Comments:

Beach access ought to be identified, publicized, and enforced.

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LATE TESTIMONY

Gwen F. Ilaban
76-6182 Alii Drive
Kailua-Kona, HI 96740
(808) 329.1912

FAX: 1-800.535.3859

Committee on Water, Land & Ocean Resources
Date: Friday, January 30, 2009
Time: 9:00 a.m.
Place: Conference Room 325
HB 641
1 copies (including an original)

Committee Chairman Mr. Ito and members:

I'm urging you to SUPPORT this bill.

Since allowing development to occur near our coastal areas this bill will help to keep shoreline access open to the public.

The new statutory material that this bill states has been long over due. I'm very hopeful you will see the merits this bill represents.

Mahalo,

Gwen F. Ilaban