

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**

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

COMMENTS

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

**Friday, February 5, 2010
9:00 AM
State Capitol, Conference Room 325**

**In consideration of
HOUSE BILL 2582
RELATING TO VESSELS AT ALA WAI AND KEEHI BOAT HARBORS**

House Bill 2582 authorizes limited commercial activity at the Ala Wai and Keehi Small Boat Harbors, clarifies that commercial catamarans operating from Waikiki Beach are required to have a commercial use permit issued by the department, and amends the liveaboard fees for the Ala Wai and Keehi Small Boat Harbors. The Department of Land and Natural Resources (Department) strongly supports this Administrative measure.

Currently, Section 200-9(b), Hawaii Revised Statutes, does not authorize commercial vessel mooring or activity at the Ala Wai and Keehi Small Boat Harbors. This bill proposes that the total number of valid commercial permits which may be issued for vessels assigned mooring in Ala Wai and Keehi Small Boat Harbors shall not exceed fifteen per cent and thirty-five per cent of the available berths, respectively.

Both harbors are located in areas of commerce with the Ala Wai Small Boat Harbor located at the entrance to Waikiki and the Keehi Small Boat Harbor in the Sand Island industrial area. Allowing moorage for a limited number commercial vessels and commercial vessel activities in the Ala Wai and Keehi Small Boat Harbors would be consistent with existing commercial activities in their respective vicinities. Additional commercial activity within state small boat harbors would increase vessel activity and stimulate existing marine related businesses. This would provide additional revenues for the Department and the additional revenues would be used to operate, maintain, and improve the ocean recreation facilities.

There are seven commercial catamaran operators working from Waikiki Beach. These operators have only been issued commercial equipment registrations and not commercial use permits like

all other commercial operators. They pay the Department approximately \$8.50 per year for exclusive use of Waikiki Beach. We believe that the intent of the original legislation was for these commercial operators to be issued a commercial use permit and pay the appropriate fees associated with exclusive use of a public resource similar to all other commercial operators.

Currently, moorage fees do not cover the costs of operating and maintaining the small boat harbors. While the Department recently raised certain boating fees by way of administrative rules, liveaboard fees are set in statute and have not changed since 1992. The current liveaboard fee is a flat rate no matter how many people live on the vessel. The proposed fee increase would be used to cover the additional costs associated with people using their vessels as their primary place of residence. These costs include, but are not limited to, increased use of electricity, water, rubbish service, and janitorial service.

In order to address the concerns of the liveaboards at the Ala Wai and Keehi Small Boat Harbors that commercial operations would be disruptive to the them, this bill offers a compromise. It provides that any harbor that excludes commercial operations, liveaboards will pay three times the mooring fee. This would provide compensation for the loss of commercial vessel revenue. If the harbor allows for commercial activities, a liveaboard would only have to pay two times the moorage rate.

The Department would prefer the ability to allow commercial vessel mooring and operations at the Ala Wai and Keehi Small Boat Harbors because it would stimulate commerce throughout the entire harbor. The intent of the small boat harbors, as stated in the statute, is for vessels regularly navigated beyond the confines of the harbor. The majority of individuals living on their vessels rarely take their vessels out of the harbor because of the preparation involved in making them ready for sea.

COMMENTS

From: Michael Kraft [mailto:mckraft@hotmail.com]
Sent: Thursday, February 04, 2010 4:29 PM
To: repbowler@capitol.hawaii.gov; Rep. Ken Ito; Rep. Sharon Har
Subject: hb582
Importance: High

Subject: HB2582

Thursday, February 04, 2010
Sir/Madam,

I cannot attend the February 05 meeting as I (and others) have to work.
Please take into account the following:

I own a boat moored at the Ala Wai marina and a resident of Hawaii for the last 7 years. I totally oppose HB2582. This bill on the surface appears to be a punitive action directed at the residents of the harbor. The residents are the watch dogs of the harbor and in the past have been the first to point out the transgressions of DLNR/DOBOR. Residents provide indirect oversight. It appears that DNLR's solution is to make it so expensive for residents that they will be forced to move, thereby eliminating a thorn in the side of the DLNR

Please take into consideration recent events:

1. Parking for boat owners has increased from an administrative fee of \$25 to \$300 year. (a 1200% increase). Traditionally parking is included in slip/mooring fees at most marinas.

2. Slip fees will increase 66% over the next 5 years. This slip fee increase was justified by comparing to full service commercial marinas. Full service marinas generally have full service, including 24 hour security, swimming pool, deluxe - well equipped bathrooms, pump-out facilities etc. Commercial facilities also have additional expenses such as bank loans, income taxes and property taxes. The Ala Wai marina does not have these additional expenses as the property was gifted to the state as a recreational facility to be used by the general public and not to be used for commercial use.

3. Slip Fees equate to fees similar to a Condo maintenance fee. A Condo owner owns his residence and pays a supplemental to operate the structure. A boat owner owns his boat (residence) and pays a supplemental (slip fee/live on board fee) to operate the marina. Condo fees are used to pay staffing, security, building maintenance, swimming pool, hot tub, cable, taxes, etc). The Marina has far less responsibility or facilities. One would surmise its expenses would be less. As it stands now, most slip fees exceed most Condo fees and when adding the current Live on Board fees, the fee far exceeds a condo fee.

4. The DNLR wants to increase Live on Board (LOB) fees 200 to 300 percent. The fee is based on the length of the boat. Currently the fee is: \$5.20 a foot, this is on top of the regular slip fee for mooring a boat at the harbor. The current (LOB) fee is in excess of what most marina charge. Most marinas charge \$50 per month for two occupants and do not take length of the boat in account. DOBOR has increased the regular slip fee based on what fees other marinas charge, but ignores other traditional marinas fee

practices when it conflicts with their goal. DOBOR wants it both ways.

5. DOBOR claims it is losing money. Over the past several years it has allowed over 150 slips to remain vacant (there is a 2-7 year wait for slips). Losing \$30,000 to \$40,000 a month. They have blamed this on the way the administrative rules are written but have not found the time to change.. yet they have forced through several unpopular administrative rule changes that have had a negative effect on boaters. If DOBOR had chosen first to change the administrative rules that affect granting slips, this action would have increased revenue and would have had a positive effect on boaters.

6. Over a year ago the Landboard approved paid parking at the harbor at \$.25 an hour. DLNR started generating additional revenue. This month they have increased the parking fee to \$1.00 an hour. The parking lot now is empty, people are not as wealthy as the DLNR feels they are. The DLNR will now start losing money and start crying poor again. The solution is obvious.. reduce the price back to \$.25 hour. DLNR will undoubtedly find another painful solution. Mismanagement at its finest.

7. The working dock has been vacant and losing revenue for the last two years while DLNR is looking for a new operator. One of the reasons they could not find an operator as they had over estimated the value of the lease. They have now found a taker.. a wedding chapel.. this doesn't even require comment.

8. Since the loss of the working facility DOBOR has strengthened the inspection requirements to have a buoy run every year and added a requirement to carry insurance. If a boat is having maintenance problems and cannot comply there is no local working dock to take the boat for repair. Very boater unfriendly.

I am a believer in democracy. Recent events have left me in doubt that the people's views have value. I have sat through numerous DLNR/DOBOR meetings for the purpose of requesting Public Comment. Most Public Comment opposes much of what is submitted by the DLNR. Their comments have traditionally been ignored by the DLNR. The director submits what she wants to the Land Board and gets a rubber stamp. At times I feel as if the DLNR is run by a small county dictator. Case in point: The DLNR submitted its Renaissance Plan to the legislators, it was defeated. The DLNR has now done an "end run" around the legislators and has or is in the process of getting what it wants in the plan. Any "Fee" increase is tantamount to a tax increase and should be subject to legislative review. DLNR employees are not elected officials. These decisions should be made by elected officials.

Boaters are not rich people if this additional fee gets enacted it will force boaters off their boats and into the streets.

Many residents are fearful of speaking out. I hope by speaking out, DLNR will not take punitive action on me.

Very Respectfully,

Michael C Kraft
PO Box 88691
Honolulu, Hawaii 96830 Phone 808 372 4661

Representative Ken Ito, Chair
Representative Sharon Har, Vice Chair
Committee on Water, Land and Ocean (WLO)

Dear Chair Ito, Vice Chair Har and members of the committee,

HB2582 attempts to authorize commercial vessel operations and mooring in Hawaii's only "non-commercial" Small Boat Harbors, the Ala Wai and Keehi, by creating a new fee structure that would levy an extra high "live aboard" fee at these harbors if the commercial operations authorization proposed is not allowed.

This proposal becomes highly unfair and discriminatory when all of the 1000 plus users of these two harbors (who strongly favor remaining non-commercial) are told that if they want to maintain their non-commercial status, the fees of the live aboards (principle habitation), 129 at Ala Wai and 35 at Keehi, would be increased by more than 250 % (details below). This, of course, would be in addition to the 61% to 92% moorage fee increase proposed by the Recreational Renaissance Plan for all boaters. Damn the "users", lets milk 'em dry!! appears to be the DLNR battle cry.

Proposed live aboard (principle habitation) fees for the Ala Wai and Keehi SBHs based on a 35 ft. vessel per month

1. For State residents:

a. SBH exclusive, Non-commercial

Today (35X 5.67 mooring fee + 5.20 liveaboard fee = \$380.45

With HB2582 and the Renaissance fee increases,
(35X 9.14 mooring fee X 3 (HB2582) 959.70

252 % increase

b. SBH with -commercial

Today (same as above) \$380.45

With HB2582 and the Renaissance fee increases,
(35 X 9.14 mooring fee X 2 (HB2582) = 639.80

168% increase

2. Non-residents:

a. SBH exclusive, non-commercial

Today – (35 X 5.67 mooring fee + 7.80 liveaboard) = \$471.45

With HB2582 and the Renaissance fee increases,
(35 X 9.14 mooring fee X 3.5 (HC2582) = 1119.65

237% increase

b. SBH with commercial

Today (same as above) = \$471.45

With HB2582 and Renaissance fee increases,
(35 X 9.14 mooring fee X 2.5 (HB2582) = 799.75

170% increase

It is perplexing to note that while this extreme pressure is being placed on the larger group of DBOR boating facility users to extract as much revenue as possible, there are some DBOR facility users whose fees remain at status quo. This is generating a growing “fair and equitable” concern. Check out:

- Cruiseline passenger fees collected at Lahaina and Kailua-Kona SBHs are currently \$1.40 per psg. while comparable fees are \$40.per psg. in Alaska and our own DOT is doubling its psg. fee to \$20.50.
- All of the estimated 12000 trailer boat/ramp users fees remain unaffected,
- All of the commercial users of our DBOR facilities who are in the “3% of gross” revenue fee category remain status quo.
- Land and wharf lease/rent rates remain unchanged.

There may be more. The public administration of these fee increases is far from being “fair and equitable”.

Thank you for allowing me the opportunity to point out the reasons why this Bill should be killed.

Sincerely,

William E. Mossman

-----Original Message-----

From: mailinglist@capitol.hawaii.gov [mailto:mailinglist@capitol.hawaii.gov]

Sent: Wednesday, February 03, 2010 2:34 PM

To: WLOtestimony

Cc: Hossellman@aol.com

Subject: Testimony for HB2582 on 2/5/2010 9:00:00 AM

SUPPORT

Testimony for WLO 2/5/2010 9:00:00 AM HB2582

Conference room: 325

Testifier position: support

Testifier will be present: Yes

Submitted by: Jeff Hossellman

Organization: Individual

Address: 3081 Wailani Rd. Honolulu, HI

Phone: 808 225 7173

E-mail: Hossellman@aol.com

Submitted on: 2/3/2010

Comments:

I am an Attorney, current board member of the Hawaii Yacht Club and 25 plus year tenant in the Ala Wai. My wife and I race our sailboat every Friday night. I have also served numerous years on the Waikiki Yacht Club Board.

Regarding commercial activity, it is long overdue. This harbor is in the center of our State's biggest "factory", Waikiki. Our tourists can only look at the boats in the Ala Wai and wonder why we don't let them take a ride.

Instead we put them on a bus to crowd our roads. 80% of the boats in the harbor never move. It's way past time for a change to help energize our tourist industry and the boating industry. Both are big revenue for the State. To keep tourists out of the Ala Wai is very selfish of us, where is the Aloha?.

As for fees to live on a boat, the rate was three times the regular fee many years ago. How it got lowered is a small mystery to me. I assume it was political as the lucky few who have a slip fight like mad to protect their interest in keeping the fees well below market.

In conclusion it is time to stop the Ala Wai from continuing on it's downhill slide and let the DLNR do what is right.

To rep. Ken Ito Chair Rep Sharon Har, Vice Chair,
House Committee on water land and Ocean Resources,

Subject: HB2582

Testimony

I am Curtis Collins 808-286-5202
Boater and live aboard and owner of Harbor yacht sales LLC
Have been in Hawaii for 26 years.
I use my boat 2-3 times per week.
I had worked for the State of Hawaii PSD CI for 22 years.

I find My self very up set with the way the DLNR has been going about its plan to KILL boating in Hawaii.

As a boater and live aboard I feel Extorted By DLNR

Why: The DLNR staff Lie and are underhanded and intimidate and know matter how the boaters say No to something we still get it RAMMED DOWN ARE THROATS.

Standard practice with in Hawaii state DLNR staff workers.

Ed Underwood is the kind of person that would rather line his pockets with Honeybee Co. (sell out to the highest bidder) Wedding Chapels That will have nothing to do with Boating in Hawaii. And bring no money to the state Is this why the Ala wai and Keehi need commercial boats in them? There was a commercial harbor and that went BUST!

So who would think that will be the save all.

Raising the slip fees is understandable and welcome in a rate increase that is none by increments per year until we meet the target Rate. And it would need to be across the board.

Not just two Harbors Ala Wai Keehi and not just the live a boards.

Do Not Approve this bill HB2582

HB 2582 Friday, 5 February 2010 at 0900 in Room 325

House Committee on Water, Land & Ocean Resources

OPPOSE

Chair Ito and Respected members of the Committee;

This bill, HB 2582, is a classic example of the department's refusal to listen to reason or to research other successfully managed marinas for possible management solutions.

I have here rate sheets from three publicly owned and operated marinas in Washington state. They have to deal with a five month boating season each year, cut short by inclement weather for the rest of the year, weather that includes ice, snow and freezing temperatures. They also have to deal with a 14 foot rise and fall of the tide twice each day, not just two feet like we have here in Hawaii, and freezing winter winds of fifty miles per hour and more, yet they operate fine well kept marinas that recover all of their costs through fees that are reasonable. They also have no empty slips attributable to inefficient management. Their liveaboard fee varies from marina to marina. They range from a flat fee of \$50.00 per month, through \$55.75 per month for the first two people to live aboard and then and then \$22.00 for each additional person. They all do charge additional fees for electrical power consumption related to the size of the vessel involved unless you have your own meter from the provider. Here we charge by the foot of length. This means our average boat of 35 feet in length costs \$180.00 to live aboard, compared to their \$50 to \$56 dollars..

Here we charge the liveaboard fee based on the size of the vessel, which has nothing to do with the cost to provide support to the people living aboard. The cost is purely dependant on the number of people not the length of the vessel. The present vicious attack on liveaboard fees is unsupported by any cost data of just what it takes to provide the service and there most certainly is no relationship between cost to provide the additional services for liveaboards and whether or not there are commercial vessels allowed into our recreational harbors, so where does this proposed three times increase if we do not allow commercial vessels come from? Commercial operations at Ala Wai are not opposed by only the liveaboard population. Look around you and you will see that local apartment owners are even more concerned than we are about the affect of commercial operations on our neighborhood. Any harbor that has liveaboards has less security problems than an unattended harbor. Liveaboards are the original "Neighborhood Watch". Any harbor master will tell you this is true. I kept my boat, unattended, at Keehi Marine Center for many years and never had a security incident because I was moored between two liveaboards and a third was directly across the headwalk in front of me.

The additional costs to support liveaboards is truly very small as the restrooms must be maintained for all tenants on a daily basis and the grounds and facilities must be

maintained whether tenants live aboard or just visit on weekends. The true additional costs are a very small increase in water consumption, an increase in the amount of rubbish generated, and a reasonable increase in electrical usage if the tenant does not have power supplied directly from the utility. The increase in rubbish collection costs is very hard to calculate as the general public is allowed to use our rubbish collection services as well as all of the harbor tenants.

I suggest you leave the liveaboard fees, high though they may be, just as they are, and concentrate on other ways to make our marina pay for itself. Commercial operations will not accomplish this goal. I have checked, and there is no demand for additional commercial boating space here on Oahu. Kewalo Basin, just down the street, has no waiting list and presently has several empty commercial slips available. Applicants could move in today if they were ready. Authorizing 129 commercial slips at Ala Wai Harbor is a joke! I have pointed out over and over to the department that if revenue is all they are concerned about, then liveaboards at our present fee level pay almost the same as a commercial vessel of the same size and the costs to support the operations are way less than the additional maintenance, traffic and security problems caused by commercial operations. And there is a waiting list for liveaboards.

I refer you to the expert on this subject, Charles Barkley, Harbor Master for Kewalo Basin, a successful marina manager from just down the street. He can best answer your questions as to the problems brought on by commercial operations in a busy recreational harbor, (808) 594-0849.

Should you feel that we live aboard because it's cheap, a rumor that resurfaces from time to time, I keep books on my boat which show what I spend to maintain and operate my boat each year. This turns out to be an average annual expense of \$28,000.00 into the local economy, year after year. So to sum it up: I buy the boat for somewhere around \$750,000.00, then I pay slip rental much like leased land under your condo of \$400.00 each month, and then a liveaboard fee, much like your homeowner's fee, of \$291.00 each month. Then I spend the additional \$28,000.00 each year to maintain and operate the vessel. So, no, I don't think it's "living on the cheap"!

Repeatedly we have recommended to the department that the harbor office should be relocated to above the fuel dock building so that the harbor agent can see the entrance channel conditions and can enforce traffic regulations. Presently the harbor agent has no idea what is going on inside the harbor that he must manage and be held responsible for. Look at Lahaina harbor for an example. The harbor agent fronts directly onto the very difficult entrance channel. He is always aware of what is going on in his harbor and so manages to operate a small, difficult harbor at a traffic density of about three times that predicted by any harbor traffic management expert. This relocation would also allow for real estate development of the present office location to return even more money onto the boating special fund.

Speaking of the boating special fund. Please compare the bookkeeping from past years with the present distribution of funds from what has, up until now, been harbor income. Just this year, the income from fast lands immediately surrounding the marina has been removed from the marina income statement. No explanation as to where it has been diverted to, but it is no longer in the marina statement. One can only assume this is to make the marina look as if it does not support itself in order to justify fee increases. I assume the same practice was initiated at Honokohau for the same reason. Also, \$600,000.00 was recently diverted from the boating special fund to pay for lifeguards at Makena Beach, not exactly a boating expense. One has to wonder, as for years, the audited books from Marion Higa have shown that Ala Wai marina was generating a surplus above costs of about \$1.5 million each year. This surplus went into the boating special fund and was used to support the deficit run by some of the state's more remote marinas that could never be expected to support themselves. Unfortunately, several times we had directors who looted the surplus to direct the money to special projects within the department but outside of boating. This was money that should have been used to rebuild and maintain our harbor facilities. Now we are being asked to pay again in order to rebuild our facilities. We want to stop this redirecting of funds.

There is some good language in this bill. For years the catamaran operators off Waikiki Beach have been operating on a permit that cost them almost nothing while the rest of us must pay the deficit to maintain their waters and beaches and provide a safe operating environment for their operations. This suggested permit structure will make them equal to all of the other commercial operators in our ocean waters.

The rest of this bill is scrap and must be sent to the shredder.

Respectfully,

Reg White

Tenant and resident of Ala Wai Boat Harbor

Commercial operator from Honolulu, Waianae, Kewalo and Lahaina harbors

(808) 222-9794

RawcoHI@cs.com

COMMENTS

Aloha Chair Ito and Members of the Water, Land & Ocean Resources committee:

I am against HB 2582.

This bill authorizes moorage for commercial vessels and commercial vessel activities in the Ala Wai and Keehi Boat Harbors and adjusts fees for permittees of vessels that are used for a place of principal habitation in state small boat harbors. The bill limits the number of liveaboards at the Ala Wai to 129 (15% of moorage space) and reserves commercial boaters get 15% of total berths

I'm against commercial vessels coming into this harbor.

We have enough traffic w/ the surfers and swimmers, paddle boarders and canoes.

I'm against it for people's safety. Big boats don't mix with people.

I have sailed to New Zealand from Mexico. I have spent time in Europe. You would never see commercial vessels in a small boat harbor.

There is no more aloha. Not as much as there used to be. So sad! This fact is published in mainland magazines about bad service they get from this state. People cannot believe the poor maintenance of the harbor.

I've paid taxes here for 47 years and they want to charge me these outrageous fees and I just can't handle it.

Bill Cruz

942-1894

-----Original Message-----

From: mailinglist@capitol.hawaii.gov [mailto:mailinglist@capitol.hawaii.gov]

Sent: Thursday, February 04, 2010 10:35 AM

To: WLOtestimony

Cc: careyandwally@hotmail.com

Subject: Testimony for HB2582 on 2/5/2010 9:00:00 AM

OPPOSE

Testimony for WLO 2/5/2010 9:00:00 AM HB2582

Conference room: 325

Testifier position: oppose

Testifier will be present: No

Submitted by: Carey Johnston

Organization: Individual

Address:

Phone:

E-mail: careyandwally@hotmail.com

Submitted on: 2/4/2010

Comments:

Testimony re: H.B. 2582

February 4, 2009

House Committee on Water, Land and Ocean Resources

Representative Ken Ito, Chair

Representative Sharon Har, Vice Chair

The DLNR's proposal to allow commercial vessels to moor in Ala Wai Small Boat Harbor (AWSBH) and Keehi Small Boat Harbor has no justification. These harbors are intended and needed for our recreational vessels as there is already a shortage of mooring space in the state harbor system. Currently, commercial vessels have their own harbor on Oahu, Kewalo Basin—which has NEVER been filled to capacity. Because of this, Kewalo Basin has been opened up to recreational vessels, under private management, to create additional revenue for the state.

Further, DLNR's proposal to assess additional fees to persons using their vessel in AWSBH and Keehi Small Boat Harbor as their principal place of habitation is out of line. DLNR states that :

"The Department presently does not assess any of its mooring permittees, who use state small boat harbors as their principal place of habitation, additional fees to address utility (i.e. water and electricity) and common area maintenance expenses."

This is an untrue statement. Currently, these permittees pay an additional fee per month to cover these costs. In addition, vessels holding these permits that are moored in a slip with HECO service, pay their own electricity bills. Those who do not have HECO service at their slip pay a fee each month to DOBOR for electricity and water. In addition, any permittee (whether live board or not) who wish to utilize the comfort stations (i.e. shower and toilet facilities) in the harbors pay an additional fee, per person, per month for that use.

In fairness, we believe that a reasonable increase in mooring for all permittees, not just live-aboard permittees, in ALL state harbors is justified, but don't use excuses to try to justify an unreasonable amount of increase, especially by allowing these two harbors to become commercial use harbors.

Respectfully submitted,

Carey Johnston
Ala Wai Small Boat Harbor Permittee

OPPOSE

-----Original Message-----

From: mailinglist@capitol.hawaii.gov [mailto:mailinglist@capitol.hawaii.gov]

Sent: Thursday, February 04, 2010 2:48 PM

To: WLOtestimony

Cc: nancymueting@hotmail.com

Subject: Testimony for HB2582 on 2/5/2010 9:00:00 AM

Testimony for WLO 2/5/2010 9:00:00 AM HB2582

Conference room: 325

Testifier position: oppose

Testifier will be present: Yes

Submitted by: Nancy Mueting

Organization: Ilikai Association

Address: 1777Ala Moana Blvd. # 939 Honolulu, Hawaii

Phone: (808) 946-6724

E-mail: nancymueting@hotmail.com

Submitted on: 2/4/2010

Comments:

A blanket allowance for commercial vessels in Ala Wai Harbor, contradicts a current deed agreement in place by the State. There is a landside marine restriction, against commercial moorings, adjacent to lots 23 and 25. Its location exists as the first dock row in the Ala Wai. The mapped area and deed 196552 will be provided for your review.

-----Original Message-----

From: mailinglist@capitol.hawaii.gov [mailto:mailinglist@capitol.hawaii.gov]

Sent: Wednesday, February 03, 2010 6:55 PM

To: WLOtestimony

Cc: siestarace@yahoo.com

Subject: Testimony for HB2582 on 2/5/2010 9:00:00 AM

OPPOSE

Testimony for WLO 2/5/2010 9:00:00 AM HB2582

Conference room: 325

Testifier position: oppose

Testifier will be present: No

Submitted by: curtis collins

Organization: Individual

Address: 1741 Ala wai #64 Honolulu Hawaii

Phone: 808-286-5202

E-mail: siestarace@yahoo.com

Submitted on: 2/3/2010

Comments:

To rep. Ken Ito Chair Rep Sharon Har, Vice Chair, House Committee on water land and Ocean Resources,

Subject: HB2582

Testimony

I am Curtis Collins 808-286-5202

Boater and live aboard and owner of Harbor yacht sales LLC Have been in Hawaii for 26 years.

I use my boat 2-3 times per week.

I had worked for the State of Hawaii PSD CI for 22 years.

I find My self very up set with the way the DLNR has been going about its plan to KILL boating in Hawaii.

As a boater and live aboard I feel Extorted By DLNR

Why: The DLNR staff Lie and are underhanded and intimidate and know matter how the boaters say No to something we still get it RAMMED DOWN ARE THROATS.

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Ed Underwood is the kind of person that would rather line his pockets with Honeybee Co.

(sell out to the highest bidder) Wedding Chapels That will have nothing to do with

Boating in Hawaii. And bring no money to the state Is this why the Ala wai and Keehi

need commercial boats in them? There was a commercial harbor and that went BUST!

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Not just two Harbors Ala Wai Keehi and not just the live a boards.

Do Not Approve this bill HB2582

-----Original Message-----

From: mailinglist@capitol.hawaii.gov [mailto:mailinglist@capitol.hawaii.gov]

Sent: Wednesday, February 03, 2010 3:16 PM

To: WLOtestimony

Cc: blenkeit@hawaii.rr.com

Subject: Testimony for HB2582 on 2/5/2010 9:00:00 AM

OPPOSE

Testimony for WLO 2/5/2010 9:00:00 AM HB2582

Conference room: 325

Testifier position: oppose

Testifier will be present: No

Submitted by: Bruce Lenkeit

Organization: Individual

Address: 1741 Ala Moana Blvd. #93 Honolulu, HI

Phone: 808 3844550

E-mail: blenkeit@hawaii.rr.com

Submitted on: 2/3/2010

Comments:

DLNR has chosen to raise fees rather than fill existing vacant slips. This is not good financial responsibility.

June 2009, 218 vacant @\$250 = \$54,500 / month and \$654,000 / year. Harbor office has lower numbers but even that is unsatisfactory.

October 2009, 211 vacant @ \$250 = \$52,750 / month and \$633,000 / year.

January, 155 vacant @ \$250 = \$38,750 / month and \$465,000 / year.

During the 6 months between June 2009 and January 2010, 71% remained unfilled with a waiting list in excess of 5 years.

There has been progress but too little too slow.

My neighbor. On wait list for 8 years living out of the country. Had family in Hawaii and wanted to come here.

This is what it cost the State of Hawaii.

8 years slip fee (60 feet). \$275/mo x 96 months = \$26,400 plus another \$24,000 live-a-board fee.

8 years spending in the community (\$30,000 / year) = \$240,000.

\$9960 (4.15%) directly to the State in excise tax plus additional taxes (income/ vehicle/ etc.) Times this by 100+ vacant slips and equates to millions of dollars.

ISSUE: DLNR wants to raise revenue and appears that they have chosen raising fees rather than filling slips.

During the last few years:

Slip fees increased 2X and now approved to be 2X again.

Live-a-board fees proposed to be increased 2X. HB2582 Daily parking rates have increased (Feb 1) by 4X.

Permit parking increased 15X.