

From:	mailinglist@capitol.hawaii.gov
Sent:	Monday, February 6, 2017 8:37 AM
То:	WTL Testimony
Cc:	makani.christensen@gmail.com
Subject:	Submitted testimony for SB258 on Feb 6, 2017 14:00PM

Submitted on: 2/6/2017 Testimony for WTL/TRE on Feb 6, 2017 14:00PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
makani	Hunting, Farming and Fishing Association	Oppose	No

Comments: We oppose SB258 in it current form. We agree that propeller guards add an additional safety element to boating. However, our fishermen and other ocean users who do not interact with swimmers, paddlers and divers should not force to purchase additional equipment. Why haven't organizers of events that require boat escorts pushed to require these boats to have propeller guards? Proposed addition to bill: State Permitted races must require propeller guards on all boats escorts. Additionally, commercial dive and snorkel operation must attach propeller guards at anytime motors are engaged and diver and snorlers are in the water. Dive operations using moorings are except from these provisions. Fishermen and other ocean users are exempt from these provisions.

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From:	mailinglist@capitol.hawaii.gov	
Sent:	Sunday, February 5, 2017 11:37 PM	
То:	WTL Testimony	
Cc:	jonikamiya@gmail.com	
Subject:	Submitted testimony for SB258 on Feb 6, 2017 14:00Pl	М

Submitted on: 2/5/2017 Testimony for WTL/TRE on Feb 6, 2017 14:00PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Joni Kamiya	Individual	Oppose	No

Comments: Is the problem the propellers or uneducated boating people? This bill sounds like one that may have unintended consequences if it doesn't fully address the actual problem.

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From:	mailinglist@capitol.hawaii.gov	
Sent:	Sunday, February 5, 2017 10:22 PM	
То:	WTL Testimony	
Cc:	hanapaaj@hotmail.com	
Subject:	Submitted testimony for SB258 on Feb 6, 2017 1	4:00PM

Submitted on: 2/5/2017 Testimony for WTL/TRE on Feb 6, 2017 14:00PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jim Hori, DDS	Individual	Oppose	No

Comments: Aloha, I oppose this bill because a propeller guard is not practical to install let alone operate with it and will not be of much benefit because the boat's hull and running gear will cause most of the damage. I believe that you should monitor recreational vessels such as kayaks, canoes, jet skis, etc that are much more of a safety issue especially at night with no safety/running lights. Sincerely, Jim Hori, DDS

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From:	mailinglist@capitol.hawaii.gov
Sent:	Sunday, February 5, 2017 9:55 PM
То:	WTL Testimony
Cc:	swhal@hawaii.rr.com
Subject:	Submitted testimony for SB258 on Feb 6, 2017 14:00PM

Submitted on: 2/5/2017 Testimony for WTL/TRE on Feb 6, 2017 14:00PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Stephen Lee	Individual	Oppose	No

Comments: As a long time boat owner I again oppose this bill as it is impractical, expensive and will not protect people from their own actions. There are few injuries and whenever one occurs the legislature jumps on the emotional nature of the even to pass more laws which it is ill equiped to enforce. You cannot protect the people from themselves and you cannot enforce such a requirement.

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From:	mailinglist@capitol.hawaii.gov		
Sent:	Sunday, February 5, 2017 9:43 PM		
То:	WTL Testimony		
Cc:	scottmurrayhilo@gmail.com		
Subject:	Submitted testimony for SB258 on Feb 6, 2017 14:00PM		

Submitted on: 2/5/2017 Testimony for WTL/TRE on Feb 6, 2017 14:00PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Douglas Murray	Individual	Oppose	No

Comments: My name is Douglas (Scott) Murray. I offer the following comments on S.B. NO. 258. I have spent much of my life on the ocean, certified USYRU now US Sailing, sailing instructor, former US Coast Guard 100 TON Ocean Operators license, three years sailing my own boat in the South Pacific, and currently own two small sail boats. I have a reputation for being extremely safety oriented. This bill must not pass in its current form. It is too 'broad brush'. I will not waste the reader's time by reiterating that which has already been said. I will however offer some simple scenarios which I feel need to be considered. The old local man who launches his boat at Laupahoehoe to catch fish for his family, and has been doing so for years. He goes out alone and rarely comes in contact with other boaters much less people in the water. Forcing him to put an expensive prop guard on his boat could put his operating cost over the top. The husband and wife with a small day sailor who have a small 8 horse power 'kicker' on their boat. They are on a fixed income and go out once or twice a month for a few hours. The 25 year old sailboat with a small diesel inboard, the maintenance and insurance of which make the ownership of a vessel such as this barely affordable in the first place. Now the owner must haul out the boat and come up with some insane refit of a ring around the propeller. A prop that is so far under the water that it is virtually impossible to come in contact with a human. Makes no sense. Times these three examples by perhaps hundreds if not thousands and think for a moment what will they do? They cannot afford to refit their boats. Do they risk paying \$250 fines? Would they be forced to sell? Would anyone buy their boats knowing that the refit would be cost prohibitive? I could go on and on with one example after another all of which would make very clear to all who have an interest in the outcome that this bill in its current writing would be a severe detriment to the boating community. I have included a link to the nationwide statistics. In brief in 2015 there were over 87 Million adults participating in recreational boating and almost 12 million registered vessels. Of that number there were 4,158 recreational boating accidents resulting in 626 deaths. Every single one of those 626 deaths and those which have occurred since are devastating and sad. But one must admit that 626 out of 87,000,000 does not warrant poorly thought out broad brush legislation of this sort. https://www.statista.com/topics/1138/recreational-boating/ As to the environmental aspects put forth in the bill. I would offer that the legislators

seek expert advice and statistical evidence as to 'damage' done by propellers. I would be willing to bet that what is stated in the bill is highly exaggerated. I will continue to speak with boaters and hopefully come up with some options and ideas which may satisfy the need for safety while addressing the cost and negative effects to the boating community at large. In the mean time I strongly suggest that this bill be shelved. Thank you for your consideration. DSM

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From:	mailinglist@capitol.hawaii.gov	
Sent:	Sunday, February 5, 2017 9:22 PM	
То:	WTL Testimony	
Cc:	Hooverkai@yahoo.com	
Subject:	Submitted testimony for SB258 on Feb 6, 2017 14:00	PM

Submitted on: 2/5/2017 Testimony for WTL/TRE on Feb 6, 2017 14:00PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kai Hoover	Waiopai Sportfishing	Oppose	No

Comments: Aloha, As both a commercial charter captain as well as a recreational boater I oppose this bill many of the other charter captains I've talked to oppose this bill as well. The way the bill is written will require almost every vessel in HI to install a prop guard as almost all vessel trips originate from a harbor so therefore the vessel would be within 500 meters of shore at some point in its trip. This bill would cost our company money both in the refit needed to add the prop guards to our charter vessel as well as the extra fuel costs associated with the increased drag and lower efficiency of our vessel with the guards installed. This bill would also cost me personally as I own a 17' skiff that I launch at a state launch ramp so therefore I would need to install guards to be legal if this bill becomes law. I dont believe this is the answer to make our waters safer I believe the answer lies in better education for all ocean users the recreational vessel operators certificate is a good start. Mahalo, Kai Hoover

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From:	mailinglist@capitol.hawaii.gov	
Sent:	Monday, February 6, 2017 11:31 AM	
То:	WTL Testimony	
Cc:	nathanabe@yahoo.com	
Subject:	*Submitted testimony for SB258 on Feb 6, 2017 14:0	0PM*
Follow Up Flag:	Follow up	
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Submitted on: 2/6/2017 Testimony for WTL/TRE on Feb 6, 2017 14:00PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Nathan Abe	Individual	Oppose	No

Comments:

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Heather Kimball 27-612 Kalaoa Camp Road Papaikou, HI 96781 808-333-1535 Hkimball98781@gmail.com

I am writing in support of SB258 because of my friend Faith, who, because of the life-threatening injury she received from a boat propeller, cannot write for herself. I was there that day when Faith was nearly killed and the image of the blood-filled water will be forever etched in my mind. At the time, I did not know it was Faith. It was only after the canoe race that I learned that this determine, kind, intelligent wonderful woman was mortally wounded. Faith was a gift to her community and her family, generous with her time and her compassion. This needless accident has forever changed her life, the lives of her family and the lives of her community.

I fully support prop guard legislation but not in the current form of this bill. It is too ambiguous to pass. I would suggest the following improvements:

- 1. Limit to marine motor craft with outboard motors.
- 2. Limit to activities where entering from the water and exiting to the water from the marine motor craft are part of the anticipated activities of the craft. Such as escort boating, official boating, snorkel tours, dive tours, etc.
- 3. Include propeller guard requirements as part of the MOWE permit process for events with activities covered in item 2.

Those of us who are regular paddlers in channel races know that many little things went wrong the day that Faith was hurt. Any one thing having been different could have prevented this tragedy. The only thing that would have prevented it with certainty would have been prop guards.

Thank you for your time and consideration,

Heather Kimball



Faith Kalei-Imaizumi



From:	mailinglist@capitol.hawaii.gov	
Sent:	Monday, February 6, 2017 3:20 PM	
То:	WTL Testimony	
Cc:	tulsigreenlee@icloud.com	
Subject:	*Submitted testimony for SB258 on Feb 6, 2017 14:00	OPM*
Follow Up Flag:	Follow up	
Flag Status:	Flagged	

Submitted on: 2/6/2017 Testimony for WTL/TRE on Feb 6, 2017 14:00PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Tulsi Greenlee	Individual	Support	No

Comments:

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LATE TESTMONY

Testimony against Bill S.N. No. 258



From: Cormac O'Carroll. Owner Operator, Hawaii Water Sports Center.

Date: February 6th, 2017

I am opposed to Bill S.N. No. 258, the following is my testimony.

Good afternoon, I'm the owner operator of Hawaii Water Sports Center, a water activity company operating in the waters of the Hawaii Kai Marina. The business has been in existence for 45 years and teaches wakeboarding and waterski-ing and also operates the towable activities of Banana Boating and Bumper Tubing.

The vessels we operate are Correct Craft Ski Nautique boats specially designed for the safety of the user in the water. The propeller is situated well back under the boat away from the stern and the boarding platform. The following statistics are testament the absolute safety of these vessels. In the 45 years of operation, we have retrieved close to half a million customers from the water by means of the stern platform without the occurrence of any propeller injury. The question I have, is how much safer can you make these boats if there has not been one injury in a half a million users, and that just my operation alone.

Additionally, these boats are not designed for the installation of prop guards which would be costly (if practical), require high maintenance and greatly reduce the vessels operation, maneuverability and fuel consumption. Based on the above, I would strongly advise against the need for the installation of prop guard on all high performance ski boats and that they be exempt from this bill.

Thank you

Cormac O'Carroll

President Hawaii Sports Inc. DBA Hawaii Water Sports Center, Cell 8083751433

Stats: Approx. 30 customers per day, x 360 days x 45 years. 486,000.

RONALD TAM

LATE TESTIMONY





From: Sent: To:	mailinglist@capitol.hawaii.gov Monday, February 6, 2017 1:45 PM WTL Testimony	LAT
Cc:	troyo@geotechsolutions.com	
Subject:	Submitted testimony for SB258 on Feb 6, 2017 14:0	OPM
Follow Up Flag:	Follow up	
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Submitted on: 2/6/2017 Testimony for WTL/TRE on Feb 6, 2017 14:00PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Troy A. Ogasawara	Individual	Oppose	No

Comments: HB436 Submitted on: 2/6/2017 Testimony for OMH on Feb 7, 2017 09:00AM in Conference Room 312 Submitted By Organization Testifier Position Present at Hearing Troy A. Ogasawara Individual Oppose No Comments: Dear Mr. Chair and members of the senate. I oppose this bill as it places unnecessary burden on boaters in nearshore waters. I frequently transit nearshore waters and believe that rather than placing this prop guard requirement on boaters, it would be far more effective to make all users aware of and follow ocean use rules. I frequently come upon divers without flags, kayakers in rough water with no markers or flags to enable them to easily be seen between swells. Moreover, ocean users, other than boats frequent harbor entrances. Boat strikes by the hull could be just as fatal as a prop strike. Boaters have already been mandated to undergo safety training and ceritification. Rather than placing undue burden on boaters, making all users more responsible and educated especially when using nearshore waters shared with boaters would be a more effective solution. Thank you for your consideration in this matter.

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From:	mailinglist@capitol.hawaii.gov	
Sent:	Tuesday, February 7, 2017 3:59 PM	
То:	WTL Testimony	
Cc:	duffyboats@hawaii.rr.com	
Subject:	Submitted testimony for SB258 on Feb 8, 2017	7 13:41PM

Submitted on: 2/7/2017 Testimony for WTL/TRE on Feb 8, 2017 13:41PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Bob Raben	Duffy Electric Boats of Hawaii	Oppose	No

Comments: I am currently in japan and cannot get a file uploaded but wish to vehemently oppose a measure that was evidently envisioned by people with no operational marine knowledge. Commercial catamarans in Waikiki have have guards on them for over 20 years because of the mix of swimmers and boats in a small area and in close proximity. Trying to duplicate that statewide is a waste of time and effort. A better use of state resources would be the enforcement of the requirement already in effect to have every boat operator be certified. How do you plan on checking on the presence of the proposed guards? How do you plan on the division of recreational boats and commercial ones?

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GAYLE G. CARR 3100 NE 28TH STREET | #106 | FT. LAUDERDALE, FL 33308 LOCAL: 954.563.4969 Email: marinaqueen@comcast.net 7524 MAKAA STREET | HONOLULU, HAWAII 96825 Home: 808.396.9326 | Cell: 808.284.4986 Email: marinaqueen@hawaii.rr.com



February 5, 2017

Gayle Carr 7524 Makaa Street Honolulu, HI 96825

Re: SB 258 - In opposition to the Bill

Honorable Legislators

Everyone strives for safe boating. I don't think the plan has been thought through enough to guarantee the result that you want. It would force boaters into a project that would create confusion and expense. Perhaps this should be something the manufacturers of the boats should consider when designing their products.

Aftermarket prop guards are currently manufactured for outboards and outdrives, NOT inboards, common in competition ski boats and sailboats. Forcing boat owners to adapt their vessels to this standard could void their boat's warranty. Make shift/homemade untested equipment could be a hazard in itself.

I think that more time is needed to consider this Bill or totally kill it. Boating in Hawaii is not as popular as in the past. The boat harbors are in bad shape, and the number of registered vessels had gone down because the cost of living has risen.

The State has continually made boating in Hawaii very difficult.

Thank you for your consideration.

Gayle Carr

WTL Testimony

Sent: To: Cc:	WTL Testimony mendezj@hawaii.edu	
Subject: Follow Up Flag: Flag Status:	*Submitted testimony for SB258 on Feb 8, 2017 13:41P Follow up Flagged	M^

<u>SB258</u>

Submitted on: 2/7/2017 Testimony for WTL/TRE on Feb 8, 2017 13:41PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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WTL Testimony

From: Sent: To: Cc:	mailinglist@capitol.hawaii.gov Tuesday, February 7, 2017 3:11 PM WTL Testimony victor.ramos@mpd.net	LATE
Subject: Follow Up Flag:	*Submitted testimony for SB258 on Feb 8, 2017 13:41PM Follow up	*
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SB258

Submitted on: 2/7/2017 Testimony for WTL/TRE on Feb 8, 2017 13:41PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Victor K. Ramos	Individual	Support	No

Comments:

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TESTIMONY OPPOSING SB258



Submitted: February 8, 2017

From: Robert Dolormente

As an avid recreational boater on Oahu, I take ocean safety very seriously. However, I oppose SB258 for the following reasons:

- Boating Safety certification was required as of November 2014. It is too soon to see the impact of that initiative. That needs more time to gage effectiveness and needs to be enforced.
- The language in the bill is too general as there are many different types of boats with propellers (i.e. outboards, inboard/outboards and in-boards) and not all should require propeller guards.
- Consideration should be also given to the differences for commercial, recreational and escort boats and their uses.
- Boats launching and going to the open ocean via boat channels should be exempt.
- Consideration must also be given to the lack of availability of propeller guards locally and the difficulty of even finding one online for the different types of boats and uses.
- Safe operators of marine vessels should not bear the costly burden of purchasing a propeller guard. The focus should be on the enforcement of already existing laws.
- Lastly, more research needs to be done to better understand the root cause of the 5 tragic incidents that happened over the past 5 years ... were the victims demonstrating safe behaviors, did they have buoys, were they within 500 meters of land, etc.

Safety is of the utmost priority for me as a boat owner. I commend the sentiment of SB258 but feel it is simply another costly law that does not have an effective enforcement component. The root cause is not being addressed and SB258 won't achieve its objective.

Thank you for your consideration of my testimony.

Robert Dolormente 98-1675 Hoomaike Street Pearl City, HI 96782 808-220-3812 rdolormente@hotmail.com

From:	mailinglist@capitol.hawaii.gov	
Sent:	Wednesday, February 8, 2017 8:20 AM	
То:	WTL Testimony	
Cc:	bob@aerospire.com	
Subject:	Submitted testimony for SB258 on Feb 8, 2017 13:41PM	

Submitted on: 2/8/2017 Testimony for WTL/TRE on Feb 8, 2017 13:41PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
BOB LI	Individual	Oppose	No

Comments: I oppose SB258 for the following reasons: 1) There has been no research done on whether propellers are the main cause of boating accidents in Hawaii. To create a law based purely on a few cases is wrong. 2) Do not be swayed by pictures of whales or dolphins being hurt by propellers. They could have been just as badly injured by the boat hull itself in a speed situation causing blunt force trauma. 3) Prop guards cannot be installed on a range of boats which include shaft driven boats and dual propeller legs. Both widely used in Hawaii. 4) Prop guards interferes with the proper thrust dynamics of a boat. It introduces unnecessary drag and causes decreased fuel efficiency. It may also cause a hazardous situation at high speed if it detaches. 5) Canoe/paddleboard race escorting is inherently more dangerous since it places many more boats and people in the water at the same time. Participants are also constantly getting in and out of the boat. Whether prop guards would have prevented prior accidents is on a case-by-case basis. The entire boating community should not have to suffer due to a few. Thank you for your time and consideration.

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То:	WTL Testimony	
Cc:	rliu4@hawaii.rr.com	
Subject:	Submitted testimony for SB258 on Feb 8, 2017 13:41PM	

Submitted on: 2/7/2017 Testimony for WTL/TRE on Feb 8, 2017 13:41PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Rouen Liu	Individual	Oppose	No

Comments: Aloha Chairs Inouye and Rhoads, VC Dela Cruz and Gabbard, and Members of the Senate Committee on TRE and WTL: I Oppose SB258 as it presents an unnecessary and costly burden on boaters transiting nearshore waters. A prop guard would not prevent boat strikes. I strongly urge your committee to direct the DLNR/DOBOR to first perform a comprehensive assessment of current rules and regulations against the numerous aquatic activities in our nearshore waters and employ the Administrative Rule process to have a comprehensive, inclusive/transparent informational briefings with discussion and debate of proposed rules. Thank you for this opportunity to testify and comment.

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From:	mailinglist@capitol.hawaii.gov	
Sent:	Tuesday, February 7, 2017 8:10 PM	
То:	WTL Testimony	
Cc:	shyla.moon@ymail.com	
Subject:	*Submitted testimony for SB258 on Feb 8, 2017 13:41PM*	

Submitted on: 2/7/2017 Testimony for WTL/TRE on Feb 8, 2017 13:41PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Shyla Moon	Individual	Oppose	No

Comments:

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