"Michael Hayton"
<MHAYTON@hawaii.rr.com>
11/20/2009 09:38 PM

To <RecreationalRenaissance@hawaii.gov>
cc <kauaiwestsidewatershedcouncil@go.com>, <giqpacific@gmail.com>, <rhoda@hawaiilink.net>
bcc
Subject Recreational Renaissance comments

To: DLNR Director
Laura Thielen
From: Kaua'I Westside Watershed Council Director
Rhoda Libre

RE: Recreational Renaissance

Aloha Laura,

My comments to the Recreational Renaissance proposal is that support be given to the regional community based programs and natural stewards (KWWC) that have taken care of the DOBOR's undesignated area of the kona district of Kaua'i. Our **regional community development master plan** of the kona district includes the watershed, ocean, and coastal areas of traditional fisheries practices, native gathering, and a cultural sanctuary for endemic species by the regional people for over 150 years.

Our Kaua'I Westside Watershed Community Development Master plan and Action strategies plan includes resources administration and management of natural and commercial activities that DOBOR has been soliciting to conduct unwarranted activities. DLNR has laxed in the area of proficient enforcement and maintenance of these areas and KWWC and our community has been the maka'ai nana for generation and wishes to continue to do so. We find the SORMA group undermining the regional community's culture and wishes as a whole. SORMA's director has been in conspiracy with highly questionable acts from outside businesses and we have not appreciated the years of intrusion upon our cultural area. The destruction and disturbances they have caused sparked our community development plan to include resources management, for the sake of our island treasures and lifestyle. Our food supplies are compromised as well as our sanctuary's integrity. I know we can make the wrongs into a right and stop the negative. The community has been implementing regional restoration and conservation programs and wishes to incorporate forces to maintain (conservation and enforcement assistance), monitor (environmental integrity), and enhance (safety) our regional area to accommodate our RR future plans. Our CDMP incorporates our marine conservation and watershed program in the areas of Lawai Kai to Kekaha in partnership with PMRF, Kaleo O Kekaha, Lawa'i Kai , DAR, coast guard, Ele'ele development committee, Salt Pond community, Kau-maka committee, westside Kupuna, boys and girls schoole, St. Theresa school, Kekaha school, Ele'ele elementary, and many na maoli and keiki o ka aina ohana. We have always been appreciative and welcome your assistance and support.

Our implementation programs for the ORMP in this region has been in active contribution and the stewards of this region welcome how the RR plan will empower and help us, in cooperation, to restore these degraded and abused natural areas. Poaching, illegal activities, and other abuses (i.e., coral poaching, breaking fringing reefs, chemical pollution, displacement of native gatherers and fishermen, illegal activities, stealing species, touching endangered species, trash, illegal anchor and fishing, diving,...)

of these areas have been documented by our natural stewards and the native gathers that have kuleana and ohana in the kona district for many years now and we wish to continue our work in protecting our food supplies, cultural treasures, and fragile and sacred coastline, ocean, species, and preservation of our cultural lifestyle so we can support our RR plan for a brighter future for our region. Protection and enhancement is our primary goal.

We look forward in working with you in our region of Kaua'i for effective and appropriate plans for community-based management in restoration, conservation, and the protection of our last remaining treasures. All plans for this area should be with the consensus of our regional community led by the regional stewards and implemented by the region for the prosperity of the region. It has been made clear to me by the community and especially kupuna that our regional peoples are more than the appropriate venue to lead such activities and protect what we have been protecting for over 150 years. There has been rumors of people from the north shore wanting to come and profit off of our resources and our kupuna and children do not feel that pono.

We humbly suggest that when conducting any plans in the areas of the kona district please contact our watershed council and we would be able to participate and contribute our knowledge, programs, and community consensus for cohesive and progressive programs and activities. These kona district cultural areas are important to our lives, children, kupuna, and we only wish to protect and continue our traditional practices in peace. Especially in these times of economic depression, our regional needs to maintain our socio-economic potential and I believe that this plan can help us, if we only try better.

Thank you for your time and I look forward in speaking with you real soon. Mahalo a nui loa, Laura for your time and support. Together we can make it right and good.

Sincerely,

Rhoda Libre
Kaua'i Westside Watershed Council
p.o. box 246
Kaumakani, Kaua'I Hi 96747
808-645-1210
Rhoda@hawaiilink.net

DLNR.CO.PublicDLNR/DLNR/StateHIUS
11/23/2009 02:00 PM

To RecreationalRenaissance@hawaii.gov
cc
bcc
Subject Fw: recreationjal Renaissance

----- Forwarded by DLNR.CO.PublicDLNR/DLNR/StateHiUS on 11/23/2009 01:58 PM -----

qmk@aol.com

11/19/2009 05:44 PM

To Dlnr@hawaii.gov
cc
Subject recreationjal Renaissance

I have recently been informed of the changes proposed in the mooring in official 'mooring Zones" . I understand the need to raise funds for the needed improvements and management of our harbors. However, this area is not well thought out. The mapping of the areas that will be considered Mooring Zones, is ambiguous and not set out making enforcement subjective and arbitrary. There is conflict already in the wording as there is now a 72 hour recreational exception that is in place.

Temporary mooring fees that exist presently in places like Hanalai bay on Kauai seem to be working well and are a reasonable price. The increase that is being proposed is not reasonable. It will mandate advanced payment that removes any chance of change in scheduling due to weather, sea conditions or schedules. For example I was last summer over on Kauai in Hanalai. There was prediction of a Hurricane that might hit the Hawaiian Islands. I choose to change my cruising schedule and left Hanala earlyi and came into Port Allen. This was not in advance and was done due to the conditions. We then left for Oahu where I came into other harbors on my way back to Kaneohe Bay. This was with the Hurricane well south of the Big Island. Having to prepay all ahead of time would have made an excessive payment for services or fees not used and no method to recover these payments. That is robbery !

It also would force those that came into mooring areas unannounced due to weather or equipment issues or just from fatigue in violation of the Law and subject to fines.

I understand the need the DLNR has to raise money especially in this time of cutback from other sources. I do not believe that this is the way to do it. Mooring fees in fixed harbors for those who use them is understandable. Raising the boat registration fees is also understandable as they are extremely low compared to other states. However, I believe most boats that are not in the water moored are not registered and if you raise the fees there will be less. Enforcement of this alone would be a big source of revenue.

The proposed law as being considered is poorly conceived and poorly written and needs to be evaluated. I do not support this proposal.

Sincerely,

Wayne R. Millar

Scott Fretz
<scottfretz@gmail.com>
11/19/2009 07:52 AM

To RecreationalRenaissance@hawaii.gov, Ed.R.Underwood@hawaii.gov
cc
bcc
Subject Re: comments on boating rules

Aloha Ed et al.

I would like to addend my comments based on new information related to my comments below.

1. I understand the Division will seek approval for an increase in the temporary mooring fee to $1/ft/day rather than $2. This still penalizes local slip holders that are traveling around the state, which is what the boating division should be encouraging and not discouraging. It is a heavy burden for responsible sailors and fishermen and I doubt it is much of a revenue gain for the division. Please consider this suggestion:

Allow a 7 day grace fee for a visiting boat that is in good standing with a permanent slip or mooring in another state harbor. This is reasonable and will still implement your desire to curtail irresponsible use of the privilege of temporary mooring.

2. I understand the fast land revenues from the Ala Wai will stay in the boating special fund but will be used to fund non harbor related needs. The activities at the fuel dock, parking lot, yacht clubs, and other areas on site directly impact and affect the harbor and should stay in the harbor.

Thank you for the improvements you are making,

Scott Fretz

On Sun, Nov 15, 2009 at 3:04 PM, Scott Fretz <scottfretz@gmail.com> wrote:

Comments of

J. Scott Fretz

on the Rec Ren Plan B proposed boating rule change

as a citizen and sailor

Thank you for the opportunity to provide comments on the rec ren rules package. These rules

will have a major financial impact on me if approved.

1) Issue: Rule change to increase permanent slip fees by $3.47 per foot

a) Position: Support, conditional on:

i) All land lease revenues generated from the Ala Wai, currently approximately $1.5M, remain in the boating special fund to be used for harbor management.

ii) That the chair seek budget change from the legislature to discontinue diversion of boating funds to DOCARE

iii) That the chair direct DOCARE to deploy officers to Keehi at least daily to enforce boating rules.

b) Justification

i) According to Ed Underwood, 1) the harbors are subsidized by "... extra money is coming from land leases on the public lands and fuel taxes. The revenue from both of these sources comes from the general public and should be used to support facilities that the general public uses i.e. launch ramps. We can no longer afford to subsidize the small boat harbors", and, 2) "The statute is clear that the mooring fees need to cover the cost of the mooring program".

I assume he is referring to the approximately $1.5M in land leases from Ala Wai harbor properties. Respectfully, the statements in 1) above are misleading, and my reading of the statutes indicates that statement 2) is false. It seems Ed was referring to land leases WITHIN Ala Wai Harbor, which, by statute, should stay in the boating special fund. Note the sections of the statute in bold below:

According to HRS: §200 2.5 "Disposition of state boating facility properties. (a) Notwithstanding any law to the contrary, the board may lease fast lands within an existing state boating facility by public auction or by direct negotiation pursuant to section 171-59, for private development, management, and operation. **For the purpose of this section, the term "state boating facility" means a state small boat harbor, launching ramp, offshore mooring, pier, wharf, landing, or any other area under the jurisdiction of the department pursuant to this chapter.** (b) The permissible uses under any lease disposed of under this section shall be consistent with the purpose for which the land was set aside by the governor pursuant to section 171 11. Permissible uses may include any use that will complement or support the maritime activities of state boating facilities. (c) Disposition of public lands of state boating facilities constructed, maintained, and

operated in accordance with this chapter shall not exceed a maximum term of fifty-five years. (d) **All revenues due to the State derived from leases of state boating facilities shall be deposited in the boating special fund.** [L 2001, c 299, §2]"

Clearly, the land revenues at Ala Wai are part of this definition of "state boating facilities". The yacht clubs, parking areas, fuel dock, etc. are all used by boaters and their use by boaters and non boaters impacts boaters and the harbor in general. Those fees should be used for harbor maintenance. Further, nowhere in the statutes does it say that the funds available for the harbor maintenance shall be limited to mooring fees.

The best approach here is to implement the fee increase and continue to direct the Ala Wai land revenues to harbor maintenance. This is reasonable and best for harbor maintenance and improvement. You have an opportunity to implement a fee increase that could truly benefit the harbors if you keep those revenues in the boating special fund. Do the right thing.

ii) Boaters pay $1.5M to DOCARE and get little enforcement in return.

iii) Keehi is a mess. Surely our fees can be used to deploy officers to Keehi to issue citations for loose dogs, illegal moorings, and clutter on the docks.

2) Issue: Rule change to increase temporary mooring fees to $2/ft/day for slips and $1/ft/day for offshore moorings.

a) Position: Opposed

b) Justification:

i) These fee increases are ill conceived and will have unintended consequences. Most temporary users are either responsible sailors and fishermen who pay their fees for permanent slips, carry insurance, and use their boats regularly to holoholo around the islands, or are boaters seeking a permanent slip on a wait list. This rule will severely penalize those boaters who will be forced to stop using their boats or hook offshore causing impacts to the offshore marine environment. I understand

the need to discourage uninsured temporary boaters that have no intention of boating responsibly. There are other ways to accomplish that goal that does not penalize responsible boaters.

ii) This rule change will kill the boat market and put all local yacht brokers out of business.

annalia
<annalia@hawaii.rr.com>
11/19/2009 07:43 AM

To RecreationalRenaissance@hawaii.gov
cc
bcc
Subject Draft Rules Changes

I, for one - and I know there are many more who do not take the time to write - agree with Frank. Rather than invent the wheel, I'll include his letter here for your information.

Aloha

I am writing to express my feeelings in respone to the "modest" fee increases that are being proposed by the DLNR on Hawaii's boaters (Section 13-234-5 of the Hawaii Administrative Rules Ammendments)

I own a small recreational sailboat which I keep on a permanent mooring inside the small boat harbor at Nawiliwili. For this, of course, I pay a fee. As I live on Kauai's North Shore, I also like to bring my boat up to Hanalei in the summer, as it is close to my home in Princeville

As you know, there are NO facilities for boaters in Hanalei Bay, which is one of the many reasons that boaters enjoy the pristine natural setting and beauty of Hanalei. I hang from my own anchor and ground tackle, and fend for myself. I am happy to pay a nominal temporary mooring fee for this (which of, course is IN ADDITION to the permanent mooring fee that I continue to pay for Nawiliwili - even though it is vacant while I am in Hanalei)

However, the "modest" fee increases being proposed for "temporary moorings" are nothing short of "OUTRAGEOUS" ($1.00 per foot per day)!! In my case, for my 32' boat, my "temporary mooring" fees would increase an ASTOUNDING 2400% - from the current $40 per month - to an OUTRAGEOUS $960 per month!! That's almost $4,000 for the summer season!! $4,000 to hang from my own hook in an open bay with no facilities for 4 months?? Surely this is a far cry from a "modest" fee increase.

As a member of the Nawiliwili Yacht Club, I can guesstimate that aprroximately 15 other NYC members, alone, also stay for all, or the majority of the summer season in Hanalei Bay. In addition to this ar the numerous Kauai based non NYC members, boaters from all over Hawaii, and the continual flow of worldwide cruising boats. It is not uncommon for 30 boats to be anchored in Hanalei in the summer. If you figure an average of 33' per boat, multipied by 30 boats - that works out to around $30,000 per month, or $120,000 for the summer!

$120,000 from 30 boaters for 4 months in a remote anchorage with NO facilities?? - Just to be able to drop your own hook and hang off of your own ground tackle!!

And where will that money go? Certainly not to improve the facilites at Hanalei Bay - because there ARE NO facilities at Hanalei Bay. Nor are any facilities wanted or warranted at Hanalei Bay..

The bulk of that money (along with all of the other money collected in fees from Kauai) will, most likely, go to Honolulu - more specifically to the renovation of the Ala Wai Small Boat Harbor.

The proposed $2.00 per foot per day "temporary mooring" fee for vessels moored inside a harbor is equally outrageous. $2,000 a month for a 33' boat??

As for the "permanent mooring" fee increases being proposed - keep in mind that we ALL are enduring the toughest economic times in recent history. Many of Hawaii's boaters (both commercial and recreational) are having a hard time making ends meet. A mooring fee (or any monthly expenditure) increase may be all that it takes to financially push them over the edge.

These proposed mooring fee increases have the potential to dramatically effect the boating environmment in Hawaii:

1. Local boaters, already financially stressed from the current economic recession, will not be able to, or simply will not pay these OUTRAGEOUS fees

2. Local boaters with boats in permanent, or temorary moorings, will be forced to sell their boats, and go "trailerable" to avoid the OUTRAGEOUS mooring fees. However what is now difficult in terms of selling a boat in a recession - will become almost impossible, because NOONE will want to buy a boat upon which they must pay OUTRAGEOUS mooring fees

3. So we end up with a "lose/lose" situation for everyone involved. The boaters can no longer afford to keep their boats, but also cannot sell them. The DLNR loses revenues from these boaters that have previously contributed - but no longer can

We all know that Hawaii's small boat harbors need some work. However hitting Hawaii's boaters HARD with DRAMATIC fee increases - at this time when we are enduring a recession - in my opinion is not the way to fix them

Aloha
Frank Henderson
--

In true Aloha - original meaning - "I intend, not merely wish, your very best for YOU!"
"Aloha is to learn what is not said, to see what cannot be seen & to know the unknowable." - Queen Lili'uokalani

"CreatorGod presence within and throughout all - every one, everything."

Annalia, Ph.D., D.D. CCT
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http://www.HumanDesign4U.com

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https://www.youngliving.org/148886

http://www.oil-testimonials.com/viewUser.php?uID=17b9

"None are more hopelessly enslaved than
those who falsely believe they are free." -Goethe
The 1st step to wisdom is silence, the 2nd is listening.

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"Bruce Raymond"
<bruce@r-elect.com>
11/19/2009 10:47 AM

To RecreationalRenaissance@hawaii.gov
cc "'NYC by Sharon'" <nyc@hawaiian.net>
bcc
Subject EMAIL FROM NAWILIWILI YACHT CLUB RE: RECREATIONAL RENAISSANCE

Aloha

My name is Bruce Raymond. I am the Commodore of the Nawiliwili Yacht Club. The Nawiliwili Yacht Club was created in 1978, over thirty years ago.
There are presently 225 members in good standing. We are actively involved in the community on Kauai. We promote safe boating and water safety programs. We sponsor many activities for the local residents and visitors of Kauai. Members of the club are actively involved in the Sea Scout Program and Youth Programs at local Schools and the Kauai Community College. We generously allow these organizations to use our facilities.
We adopted the Nawiliwili Harbor nearly ten years ago and we perform a Harbor Cleanup four times a year.

We held our Annual General Membership Meeting on November 14, 2009. The Recreational Renaissance was discussed at length and a motion was made and unanimously approved directing Commodore Bruce Raymond to express the members concerns regarding the fee increases that are proposed by the DLNR on Hawaii's boaters (Section 13-234-5 of the Hawaii Administrative Rules Amendments).

Many of our members have temporary and permanent slips or moorings inside the small boat harbor at Nawiliwili and Port Allen. Many of us enjoy anchoring our boats in Hanalei Bay during the summer months. It is a place where families can relax and play together. Please do not take this away from us or make it impossible for most of us to enjoy.

The members of the Nawiliwili Yacht Club unanimously object to the outrageous fee increases. It appears to be another way for the State to generate revenue to feed the out of control government spending. It will create an extreme hardship for most of our members, their families and friends who live on Kauai. Many of our Ohana will be forced to discontinue sailing, boating, and fishing. It will be impossible to sell their boats because, no one else can afford to pay the outrageous fees imposed by the State of Hawaii.

The residents of Kauai are a close knit Ohana. We love and respect each other and when times are difficult we pull together. Hurricane Iniki is a good example. Most of us are struggling, trying to survive the hard times.

Please listen to the people of Kauai. DO NOT TAKE THIS AWAY FROM US BY MAKING IT FINANCIALLY IMPOSSIBLE.

Sincerely,
Bruce A. Raymond
Commodore

"Ellis Brooks"
<ellis@seabrooks.com>
11/19/2009 09:30 AM

To <RecreationalRenaissance@hawaii.gov>
cc
bcc
Subject Recreational Renaissance Plan B

I would like to express my opposition to the proposed mooring fee increases.

As a lifelong recreational boater, I find the proposed fee increases exorbitant. I am a harbor tenant at Nawiliwili, as well as a ramp user at the other facilities around Kauai.

I support a modest fee increase, used to maintain/improve the facilities here on Kauai, but especially in light of the current economic situation, increases of 200% to over 2000% can hardly be considered modest, and the average recreational boater will be unable to absorb such increases.

Please reconsider this proposed fee structure.

Sincerely,

Ellis Brooks

[redacted]

Koloa, Hi 96756

808[redacted]

"Leary, William P CIV ESC Waterfront Structures Div" <william.leary@navy.mil>

11/19/2009 01:59 PM

To <RecreationalRenaissance@hawaii.gov>

cc

bcc

Subject Comment on Recreational Renaissance Plan B Proposed Rule Changes

The proposed rule changes in section 13-234-5 include fees for "temporary mooring". My understanding is that this just applies to the state's harbors and "dedicated mooring fields", but it does not specifically exclude temporary mooring or anchoring outside of these areas. The language should be revised to clearly indicate that this rule applies to dedicated mooring fields and state harbors only.

William Leary
[redacted]
Kaneohe, HI 96744
office (808) [redacted]
[redacted]
william.leary@navy.mil

"Ben Kuenzli "
<koonzeli@hotmail.com>

11/19/2009 12:19 PM

To "recreationalrenaissance@hawaii.gov "
<recreationalrenaissance@hawaii.gov>

cc

bcc

Subject Public Statement

To DOBOR,
I would like to voice the following:
-I am opposed to temporary mooring fees increasing to unjustifyable amounts which would effectively remove large revenue sources for your department and hamper a proposed recreational renaissance. Consider: An empty slip isn't bringing revenue for you. If nearly all boaters can't afford temporary mooring, then nearly all temporary slips will be empty. Therefore if nearly all boaters can't afford mooring, then you have no more revenues. Residents will no longer vacation in other harbors than their home port (if they have). Boats will stay put. Visitors will limit or avoid mooring altogether. Hawaii will increase its image as "non-boater friendly". Why with our world famous resources should we not be a destination and boater haven? I propose increasing enforcement on liable customers rather than looking to good customers for the difference.
-Please understand, increased fees should be negotiable... Inflation is innevitable. However, in my case a ONE THOUSAND PERCENT increase ($150/mo to $1,500/mo) overnight at $2/ft/day is clearly extreme. I believe 500% at $1/ft/day is also extreme. If we were to agree that even 100% is substancial, then we should be looking at more like 20¢/ft/day!
-Again my motives are two fold: help us help you! I want renaissance; but that means active, recreational boaters enjoying the comraudrie of their neighbors and their stories of voyages both local and afar... Not empty slips (i.e. seas of derelict anchored boats on our horizons and in our turn around basins and along our channel markers)!

There has to be a happy medium, thank you for your time,

-B.K.

"A good customer is your only asset"

jared christenot
<jchristenot@yahoo.com>
11/19/2009 02:44 PM

To RecreationalRenaissance@hawaii.gov
cc
bcc
Subject

Comments of Jared M Christenot on the Rec Ren Plan B proposed boating rule change.

Thank you for the opportunity to provide comments on the rec. ren. rules package. The boating rule change will have a major impact on not only myself but the boating community in Hawai'i if implemented without considering the implications of these rule changes. I am baffled at the fact that DOBR does not consult with the boating the community before developing ill conceived rule changes which is listed below.

1) Issue: Rule change to increase temporary mooring fees to $2/ft/day for slips and $1/ft/day for offshore moorings.

a) Position: Opposed

b) Justification:

i) These fee increases have no justification or thought out on the overall impact that this will have. I beg to see the evidence for these increases and why $2/ft/day for slips and $1/ft/day for offshore moorings? What numbers justify these rates? What will the impact be when you cut out a large source of this revenue from harbors due to the fact you will have a massive decline in temporary moorings. Also you will be punishing boaters from accessing outer-islands harbors and leaving their home port to cruise the Hawaiian Islands. DOBR is suppose to be set up to enhance ocean recreation; the renaissance plan is ending these dreams due to lavish cost to Hawaii residents to enjoy outer islands.

c) Solution:

i) Charging separate fees to permit slip/mooring holders, these people are responsible boaters who will cover insurance, updated inspection along with being a revenue source by paying permanent along with temporary fees which is generating revenue. With this rule change you a punishing all for a temporary mooring instead of trying to handle the issue of derelict boats without insurance. This can be handled by having a requirement for the boat to have a current inspection before issuing a permit along with enforcing the rules which are already in place.

I hope that these comments are taken to heart as the ill conceived temporary mooring fee change punishes all and does not fit within enhance ocean recreation but limits boaters to enjoy all the waters that Hawaiian Islands offers.

Aloha,

Jared Christenot

"Jordan, Christopher MD" <cjordan@WILCOXHEALTH.ORG>

11/19/2009 02:06 PM

To <RecreationalRenaissance@hawaii.gov>

cc

bcc

Subject Complaining

Unfair Hanalei fees

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Andrew Evans
<drewke09@gmail.com>
11/19/2009 03:24 PM

To RecreationalRenaissance@hawaii.gov
cc
bcc
Subject Recreational Rennisance 2

Aloha from Kauai,

I am writing to express my view on your proposed rulemaking for the package known as Recreational Rennisance. In general, I am in support of the fee increaeses required to upgrade and maintain our facilities. I am however completely OPPOSED to the fee increase to $2 per foot per day for recreational transient moorings alongside a dock, and $1. per foot per day at anchor.

While we are not opposed to paying a fee for services, DLNR provides no service for our boat while we are anchored in Hanalei. We currently pay DLNR a monthly fee of around $100. per month for permit to anchor in Hanalei during the summer months. This fee more that covers our cost of service in providing the benifit of rules. To charge us over 1500 per month, without providing us with a corresponding service is not acceptable. Simarly, paying $2 per foot per day to visit another harbor in th state is much more than is reasonable.

Your fee increase for transient vessels in not well thought out. Please do not pass this portion of your proposed rules.

Very Truly Yours,

Andrew Evans
P.O. Box 876
Eleele, hi 96705

ronald quade dds
<quaderondds@hotmail.com
>

11/19/2009 08:13 PM

To <recreationalrenaissance@hawaii.gov>
cc
bcc
Subject Part B Amendments to Chapter 12-234

1. I oppose mooring fee increases that are mandated in Amendments to Chapter 12-234

2. I oppose raising mooring fees from $1 a foot to $4.37 a foot per month on boatowner installed and boatowner maintained moorings.

3. I oppose not conducting stakeholder meetings requesting input.

4. I oppose not using past mooring fees for mooring improvements.

5. You are irresponsible for not publishing meetings which impact stakeholders.

6. I oppose using local mooring fees for improvements to far away marinas and facilities.

7. I oppose you ignoring our requests for a second boat ramp that trailerable rigged sailboats can use.

8. I oppose timing of the fee increase to the downturn in economy where everyone is struggling to make ends meet.

9. I believe raising fees will drive boaters away leaving small marine businesses out of business.

Ronald B. Quade DDS, Mountain View, Hi

Hotmail: Trusted email with Microsoft's powerful SPAM protection. Sign up now.

"Frank Henderson" <frank.henderson@hawaiiantel.net>

11/18/2009 10:08 AM

Please respond to "Frank Henderson" <frank.henderson@hawaiiantel.net>

To <RecreationalRenaissance@hawaii.gov>

cc

bcc

Subject

Aloha

I am writing to express my feeelings in respone to the "modest" fee increases that are being proposed by the DLNR on Hawaii's boaters (Section 13-234-5 of the Hawaii Administrative Rules Ammendments)

I own a small recreational sailboat which I keep on a permanent mooring inside the small boat harbor at Nawiliwili. For this, of course, I pay a fee. As I live on Kauai's North Shore, I also like to bring my boat up to Hanalei in the summer, as it is close to my home in Princeville

As you know, there are NO facilities for boaters in Hanalei Bay, which is one of the many reasons that boaters enjoy the pristine natural setting and beauty of Hanalei. I hang from my own anchor and ground tackle, and fend for myself. I am happy to pay a nominal temporary mooring fee for this (which of, course is IN ADDITION to the permanent mooring fee that I continue to pay for Nawiliwili - even though it is vacant while I am in Hanalei)

However, the "modest" fee increases being proposed for "temporary moorings" are nothing short of "OUTRAGEOUS" ($1.00 per foot per day)!! In my case, for my 32' boat, my "temporary mooring" fees would increase an ASTOUNDING 2400% - from the current $40 per month - to an OUTRAGEOUS $960 per month!! That's almost $4,000 for the summer season!! $4,000 to hang from my own hook in an open bay with no facilities for 4 months?? Surely this is a far cry from a "modest" fee increase.

As a member of the Nawiliwili Yacht Club, I can guesstimate that aprroximately 15 other NYC members, alone, also stay for all, or the majority of the summer season in Hanalei Bay. In addition to this ar the numerous Kauai based non NYC members, boaters from all over Hawaii, and the continual flow of worldwide cruising boats. It is not uncommon for 30 boats to be anchored in Hanalei in the summer. If you figure an average of 33' per boat, multipied by 30 boats - that works out to around $30,000 per month, or $120,000 for the summer!

$120,000 from 30 boaters for 4 months in a remote anchorage with NO facilities?? - Just to be able to drop your own hook and hang off of your own ground tackle!!

And where will that money go? Certainly not to improve the facilites at Hanalei Bay - because there ARE NO facilities at Hanalei Bay. Nor are any facilities wanted or warranted at Hanalei Bay..

The bulk of that money (along with all of the other money collected in fees from Kauai) will, most likely, go to Honolulu - more specifically to the renovation of the Ala Wai Small Boat Harbor.

The proposed $2.00 per foot per day "temporary mooring" fee for vessels moored inside a harbor is equally outrageous. $2,000 a month for a 33' boat??

As for the "permanent mooring" fee increases being proposed - keep in mind that we ALL are enduring

the toughest economic times in recent history. Many of Hawaii's boaters (both commercial and recreational) are having a hard time making ends meet. A mooring fee (or any monthly expenditure) increase may be all that it takes to financially push them over the edge

These proposed mooring fee increases have the potential to dramatically effect the boating environmment in Hawaii:

1. Local boaters, already financially stressed from the current economic recession, will not be able to, or simply will not pay these OUTRAGEOUS fees

2. Local boaters with boats in permanent, or temorary moorings, will be forced to sell their boats, and go "trailerable" to avoid the OUTRAGEOUS mooring fees. However what is now difficult in terms of selling a boat in a recession - will become almost impossible, because NOONE will want to buy a boat upon which they must pay OUTRAGEOUS mooring fees

3. So we end up with a "lose/lose" situation for everyone involved. The boaters can no longer afford to keep their boats, but also cannot sell them. The DLNR loses revenues from these boaters that have previously contributed - but no longer can

We all know that Hawaii's small boat harbors need some work. However hitting Hawaii's boaters HARD with DRAMATIC fee increases - at this time when we are enduring a recession - in my opinion is not the way to fix them

Aloha

Frank Henderson

kubotajordan@earthlink.net
11/18/2009 10:03 PM
Please respond to kubotajordan@earthlink.net

To RecreationalRenaissance@hawaii.gov
cc
bcc
Subject New DLNR Proposed Fees

Dear Sirs,
As a member of the Nawiliwili Yacht Club on Kauai and the owner of a 30 foot sailboat I would like to express my outrage at the proposed fees for anchoring in Hanalei Bay. Any other place outside of Hawaii that I have ever been does not charge anything for anchoring out.
If you must raise fees, do it on the existing slips that we rent from the state. However, these rates should also be based on a fair market value.
Sincerely,
Christopher Jordan
[redacted]
Lihue, Hi 96766

Frederic Berg
<808.284.4221@earthlink.net
>

11/18/2009 05:56 PM

To RecreationalRenaissance@hawaii.gov
cc Adam Sutton <asutton@ocean-pointe.com>
bcc
Subject DLNR Recreational Renaissance Plan B Comments by November 19th

"1.00/ft./day for vessels moored temporarily offshore"

Hawaii is blessed with great tropical climate, but along with the cool trade-winds comes the tradeoff for cruisers in Hawaii: some of the most difficult passages in the world year round. The nascent cruising industry will be completely devastated with $1.00/foot per day offshore mooring fee and the fee will be next to impossible to enforce uniformly across all offshore potential mooring areas.

Also, many of Hawaii's fishermen benefit from the safety of offshore anchorages while fishing overnight, while either fishing professionally or gaming with friends. This additional fee will greatly reduce this activity.

We all understand the State's need to generate income to balance the budget, but as with any market place, there should be a perceived benefit to the person paying the fee. In this case there is no benefit, perceived or real. The risk to the vessel owner is unchanged when moored offshore, with or with out the fee.

When I moved to Hawaii from Fairbanks, Alaska nearly 40 years ago I thought, "how strange to have parking meters in Hawaii, they don't have electrical sockets in them." In Alaska you have to heat your car when parked outside so parking meters with electrical outlets made perfect sense, but in Hawaii no heating is necessary. With age I came to realize that the roadways were not installed for free and they require continuous maintenance, an argument for parking meters. The ocean remains as undeveloped today as it was before the first Polynesian landed on Hawaii's shores. Let's keep it that way!

Aloha,
Frederic Berg
Project Director
Honolulu Seawater Air Conditioning, LLC
[redacted]
Honolulu, Hawaii 96813
808.[redacted]

Pam Temme
<pamtemme@hotmail.com>
11/18/2009 04:59 PM

To <recreationalrenaissance@hawaii.gov>
cc
bcc
Subject FW: DLNR fee increases for Kauai boaters

From: pamtemme@hotmail.com
To: recreationrenaissance@hawaii.gov
Subject: DLNR fee increases for Kauai boaters
Date: Thu, 19 Nov 2009 02:54:05 +0000

As a founder member of Nawiliwili Yacht Club I would like to express my feelings regarding the so called "modest" fee increases currently being proposed by the DLNR on Hawaii's boaters (Section 13-234-5 of the Hawaii Administrative Rules Amendments)

While the current mooring fees may be due for an increase the proposed amounts are outrageous. These will surely pose a severe jolt on the boating community. As a mother and grandmother I fear this will reduce the amount of family boating opportunities. This will be pricing many families out of the game.

The boat registration (which applies to all boats, not just those moored) could be increased slightly so that the increase in fees might be more fairly shared amongst those who use the small boat harbors for launching, etc. I do not know how many boats are currently registered but a small increase over all boats could be considered.

The proposed summer mooring fee increase for Hanalei is ridiculous - it's tantamount to "no taxation without representation". What are these fees for? There are no facilities. No facilities are warranted. Again a suggestion: rather than impose a huge increase on the Kauai boaters how about considering a higher/different charge for "off islanders", similar to the current charge at KCC for "out of state" tuition for "non residents".

Of course money is needed to maintain and improve the small boat harbors but the proposed
amounts are too excessive for the boating community to bear.

Regards,

Pamela Temme

Hotmail: Trusted email with Microsoft's powerful SPAM protection. Sign up now.

Windows 7: It works the way you want. Learn more.

"Adam Sutton"
<asutton@ocean-pointe.com>
11/18/2009 04:48 PM

To <RecreationalRenaissance@hawaii.gov>
cc
bcc
Subject Comments to Recreational Renaissance Plan B

Dear Mr. Underwood:

I respectfully request your reconsideration of proposed policy of **"Temporary Mooring Fees" of 1.00/ft./day**. As a member of WYC and KYC and a boater who regularly travels inter-island on all sorts of vessels, I feel this is unreasonable.

A charge for mooring (or anchoring ?) offshore is unreasonable, excessive, and difficult to administer without conflicts for several reasons.

1. The cost at 1.00/foot/day will range from $30.00-60.00 per night.
2. Many cruisers (most) do not wish to carry $500.00 in extra cash while cruising, or, can not afford this rate.
3. Cash collections offshore, by enforcement officers is a bad idea.
4. Collections will impose a burden on your department and on the users.
5. Credit cards and checks further complicate "offshore collections" and equipment.
6. Most Cruisers wish to avoid routine visits or encounters with enforcement officials. This imposes a requirement to encounter.
7. The fee is very high, and in most cases would cost more than the gas or the beer!
8. This policy will greatly increase the cost of "island hopping" by boaters, fishermen, international vessels, and recreational users, and will discourage the use of the ocean, and add to the building reputation of the unaccommodating Hawaiian waters. It will cause great collection efforts, and will result in protest by users who were unaware of the policy.
9. A harbor, where services are provided is very different. In the event this passed for "Within a Harbor" the fee should be no more than 50 cents/day/ft. If anything, and there should be a 72 hour grace period. "Harbor" should be clearly defined. Offshore fees is totally unreasonable and unfair.

We know you need funding, but this is not the correct type of fee or source. There are very limited safe harbor destinations in the Hawaiian Chain and they are increasingly unfriendly and unaccommodating. This will worsen the situation, and the States reputation. Please do not let this pass.

I would be glad to discuss with you anytime. Thank you for your consideration of the matter.

Adam Sutton
Kaneohe
Phone: 808-[redacted]

[redacted]
Fax: (808) 689-7982
Email: asutton@ocean-pointe.com
www.kamakana.com

Phillip Green
P.O. box 997
Kilauea, HI 96754

RECEIVED

'09 NOV 19 A9:01

DEPT. OF LAND
& NATURAL RESOURCES
STATE OF HAWAII

November 17, 2009

DLNR
Recreational Renaissance Rules
P.O. Box 621, Honolulu, HI 96809
RecreationalRenaissance@hawaii.gov

To all whom it concerns,

I own a small sailboat here on Kauai. I am not rich. I barely make ends meet. I pay DOBOR about a thousand dollars per year for mooring and temporary slip fees.

I live for sailing. My teenage son sails. We sail every day on Hanalei bay all summer (after work and weekends). We take Sea Scouts sailing. We belong to the yacht club here. We race sailboats. We repair sailboats. I know most of the boating community on Kauai. I have a constitutionally protected right to own a boat and navigate it on public waters.

DLNR's "recreational renaissance plan b" is attempting to enact legislation which may ultimately cause many people to lose their boats including myself.

If this agency chooses to amend the rules as proposed, I am hereby requesting that you (DLNR); issue a concise statement (as you are required[hrs91-3.2]) addressing the following objections:

#1. The erroneous wording of proposed 13-234-5 concerning the $1.00/$2.00 vessel foot per day fee structure for temporary permits over thirty days.

The Department, at least on Kauai, will only issue temporary permits of thirty days or less. This so-called "temporary fee structure" was included in the proposal (I believe) as a sort of "decoy" to divert attention from the real issue of the $3.47/foot increase (near doubling) of all slip fees.

This clause, if I am correct, will be deleted upon final approval of the amendment due to "public outcry" (the majority of public comment on these issues will probably have stemmed from this clause). You will most likely hail it as a compromise while the real issue is pushed through.

If this proves to be the case, I hereby make an objection and I might bring it up in a court proceeding as an attempt by your agency to mislead the public.

#2. The use of the words "modest increase of fees" (on the public hearing notice) when, in effect, the fees for slips (on Kauai) would be nearly doubled.

This could be interpreted as a violation of [hrs 91-3.1a] and another attempt by your agency to mislead the public.

#3. Reasonable charge for services.

The U.S. Supreme court allows that a state's harbors may impose a reasonable charge for it's services[296 u.s.261,262]

Our fee schedule was only just revised three years ago. How has the cost of operating DOBOR almost doubled since 2006? The public hearing notice states that the proposed fee increases are for maintenance and repair of facilities. Our facilities here on Kauai are almost beyond repair. Do you really plan to fix them? What is that plan? Can we see it?

Kauai has around six full-time Dobor employees. What do they do all day? Where is the district manager when he is not in his office or at one of the harbors? Why do we need extra office help flown in from Oahu twice a week? How does our harbormaster sustain surfing injuries while on duty? Would the DLNR's special boating fund's records reveal improprieties when subjected to the scrutiny of private sector attorneys?

The people have spoken out against these proposed changes at the public hearings. No one has spoken in favor of them. As a reminder, I would like to state that if the DLNR chooses to enact legislation which violates constitutional or statutory provisions, then we (the people), do have the right to bring action against the DLNR in our local circuit courts[hrs 91-7].

Copies of this letter will be sent via e-mail, priority mail and registered mail.

Sincerely, Phillip Green

"All political power of this state is inherent in the people and the responsibility for the exercise thereof rests with the people"
[article 1 section 1 Hawaii State Constitution]

Daniel Starsong
<strsng@yahoo.com>
11/17/2009 12:11 PM

To RecreationalRenaissance@hawaii.gov, laura.thielen@hawaii.gov, joy.watari@hawaii.gov, repchang@capitol.hawaii.gov, sengreen@capitol.hawaii.gov,
cc
bcc
Subject Recreational Renaisance Plan B

Dear Representatives,

I am writing to express my disgust at your plan to almost double mooring fees around the state. You've already raised mooring rates twice in the last few years, and now you want to double them in the next five years. I agree our rates are lower than most West Coast Marinas, but we have third world facilities. A typical West coast marina will have locked security gates, and restrooms with showers and hot water. Hawaii has none of that, except maybe at the Ala wai. I'm refering to Honokohau in Kona, but I imagine most of the other harbors in the state are in terrible shape as well. A typical weekend will have the toilets all plugged up and filthy, and no paper towels, only half of the sinks work, so where is all this money going. You say in your letter that no capital improvements are planned, that has to come from the legislature. I could see a very modest increase like maybe 3 to 5 percent every few years, but double, and in the middle of a huge recession, at the same time. You are going to put the already starving charter fishing fleet in Kona totally out of business.

You want to increase temporary mooring fees to an absolutly astromical rate! A dollar per ft. per day to be moored offshore, such as in Kailua bay in Kona. So a 35 foot sailboat visiting from the mainland, or an international cruiser would be paying $35 a day to anchor out on their own hook, thats $1050 for a month. Hawaii already has the worst reputation on the west coast for being unfriendly to cruisers, this would completey nail the coffin closed. Whats even worse is a temporary slip in the harbor; $2.00 a day per foot, $70. a night for that same 35 footer, $2100 a month, most cruisers can not afford that.

And what about the local boater that just needs to put his boat in the water for a couple of weeks while he gets his trailer repaired, it will cost more for the mooring, than for the trailer repairs. On top of that most tempory slips are permanent moorings that the primary boater is just out for drydock or something, and they are still paying for their slip as well, so what you are proposing is so astronomical it's absurd. Local residents can't afford these prices, only a few can and they usually own their own jets too.

I recently returned from a sailing trip to San Francisco; the average tempory slip was $15 a night for my 30 ft boat, some were a little more, but all came with a locked gate to our slip, and hot showers and clean bathrooms, you want to charge 4 times that, and you have no facilities, that is not right. And we already pay taxes to the state on top of all that.

I say no to Plan B. You should consult with real boaters from the fishing, sailing, and dive charter sectors, people that will be affected by any changes, before making a bunch of rules, decided by some consultant that probably doesn't even own a boat, and trying to shove them

down our throats.

Thank you for your time
Daniel Starsong

captjoel@aol.com
11/17/2009 06:22 PM

To RecreationalRenaissance@hawaii.gov
cc
bcc
Subject proposed increase in fees is irresponsible

DLNR

What are you thinking? Obviously nothing....and worse yet not caring for the people of Hawaii.....you work for the people and are entrusted to make boating enjoyable and affordable for the people of Hawaii and visitors from the US and other countries. I have never paid to anchor anywhere except here. You provide nothing to anchor in Nawiliwili or Hanalei and therefore should receive nothing. You disrespect me and all boaters with this ridiculous fee proposal. Shame on you for wanting to discourage boating for the masses and make it only affordable for the rich. Just as teens need recreation to keep them off drugs adults need hobbies and outlets to have a happy life.

Joel H. Ehrlich RPh
[redacted]
Lihue, HI 96766
[redacted]
Ph (808) [redacted]
e-mail captjoel@aol.com

john willeford
<johnwilleford@yahoo.com>
11/17/2009 04:23 PM

To RecreationalRenaissance@hawaii.gov
cc
bcc
Subject amendments

Just a comment on your proposal to make temporary mooring fees $1 a foot per day. I, and many of my friends, have enjoyed anchoring in Hanalei Bay for many years. This increase would put an end to all that, which means an end to summer transient slip availability in our harbor (Nawiliwili) and thus an end to your 'triple dip' fee collections. In effect, you'd be shooting yourselves in the foot. I completely understand the need foe occaisional fee increases but this is outrageous and beyond reason. I think a reasonable fee would be .25 cents a foot a day. That means my 40' boat would $300. a month instead of $1200. Last year it was $50 a month. How about giving Nawiliwili slip holders a special rate since when we're away, as I was this last summer (Tahiti), we still pay our slip fees. Thanks for listening. John Willeford Princeville, Kauai

Sue
<susan.cowsmeadow@gmail.com>
11/16/2009 11:58 AM

To RecreationalRenaissance@hawaii.gov
cc
bcc
Subject Increased Mooring Fees

I am writing as a resident of Kauai and a prospective boat owner: please do not increase the mooring fees to $1.00 per foot per day, as that would make boat ownership out of reach for all but the very rich.

Thank you for your consideration.

--
Sue

"Howard Plahy"
<hepfisher@hawaii.rr.com>

11/16/2009 08:49 PM

To <RecreationalRenaissance@hawaii.gov>
cc
bcc
Subject Plan B

Shelve the plan until someone comes to their senses and includes ALL revenue from operations at the boat harbors! Or wait until the state finds new means of producing revenue even when times are not hard....which will never happen.

On another note, Port Allen has not received any allotments for repair or maintenance when the great mahele happened last year! We got left out, wheel not squeaky enough? Tenants at the harbor should be exempt from any fee increases until that happens. Even sleepy Hana some how garnished in a cool million! Amazing.

HEP

Dear Mr. Underwood November 15, 2009

I am writing to comment on three aspects of the rule changes:

1. Public private partnerships in terms of marinas or harbors.
2. DLNR named as coinsured on boat registrations.
3. Enforcement and volunteers

1. As I understand it, the reluctance to privatize the marinas is the fear that only the rich will be able to get a slip. Of course this may seem unfair. But where is the fairness in the current situation? That is, no one can get a slip here on Maui. The slips are so cheap that no one will give one up. So cheap that the marinas are in terrible disrepair and substandard in function and amenities.

I support the notion that private operators could do a better job than the State in terms of providing high quality in the water boat storage facilities. The State could lease these locations and require the operators to bring them to high quality standards or lose the lease.

That is the State would get a good return on assets and be in the position to demand high standards from the operators. This would cost money. End users would have to pay the bill.

The current slip fees, even with the proposed increases, are too low. In a marina in California, for a 30 to 35' boat, the monthly rate is $500.00 to $600.00 per month. Larger slips get higher per foot rates as the longer boats are not only longer but wider.

The marinas are State assets. I believe the State has the obligation to see that these assets deliver the most for the general public in terms of revenue, and for the boating public as well. As a tax payer I think boaters should have to pay the bill not the general public. As a boater I trust that the market will ultimately deliver a better situation for everyone.

2. It was mentioned during the meeting at Maalaea that one of the reasons the State needs to charge higher fees for day mooring is the need for insurance. The subject was turned over a couple of times and it was suggested that boat owners could name the DLNR as coinsured, and submit proof of that with their registration fees annually. If a coinsured boat is using the mooring, the State has no need of further insurance for that vessel and could therefore reduce the fees for vessels so insured. Of course DOCARE could check at any time to be sure that the vessel was so registered and the insurance was still in force.

3. Enforcement. It is common knowledge that DOCARE is grossly over tasked. It seems to me that there is a large pool of people with varying interests in diverse locations who would be willing to volunteer. The Maui Police Department has this type of program, and there are similar programs all over the country. It is not that these people would actually do enforcement, but could act as reliable eyes for the actual authorities. I volunteer for the DAR doing reef surveys and I am in the water on a regular basis. I have observed a lot of behavior which is destructive to the reefs. I usually speak up if I feel I can do so without making a bad situation worse. I feel that with some training there are lots of people who could be helpful to other people, tourists and locals alike, but mostly trying to help protect our natural resources by working with the overwrought Officers. I personally have called DOCARE on several occasions when I have witnessed problems such as boats anchored in the coral and rarely had any result. Once, some officers showed up but they were not there about anchoring in the coral, but were there for dogs without leases or kayaks on the beach, I don't recall just now.

The point I'm trying to make is that if DOCARE had a trained group of volunteers with established protocols, it could make a vast difference to the preservation of the environment. The new herbivore sanctuary from Black Rock to Honokowai Park is a case in point, where extra eyes could be useful.

To summarize I believe privatizing marinas would be a vast improvement over the current situation. Naming the DLNR as a coinsured for boat registration could reduce the State insurance burden, with respect to day moorings, and thus help keep the fees lower. Finally I believe DOCARE could utilize a group of volunteers, to keep an eye out for problems.

John Seebart

808-[redacted]

[redacted]

[redacted]

PMB 178
Lahaina, HI 96761

"John Seebart"
<seebartj001@hawaii.rr.com>

11/15/2009 09:33 AM

Please respond to
"John Seebart"
<jseebart@pobox.com>

To <RecreationalRenaissance@hawaii.gov>
cc
bcc
Subject Comments DLNR Rule changes

Mr. Underwod,

Thank you for conducting a good meeting at Maalaea. I have attached my comments on three items.

Thank you,

John seebart Dobor letter.doc

someyoungguy
<moloaavista@gmail.com>
11/15/2009 05:04 PM

To RecreationalRenaissance@hawaii.gov
cc
bcc
Subject Proposed mooring fees increases

We most strongly oppose the proposed $1.00 per foot per day temporary mooring fee. You have lost all sense of reality to even propose such an increase.

Boaters in Hawaii cannot afford that. And will not pay such outrageous fees.

You as an agency have managed our Ocean Recources very poorly in the past and now you think that extreme increased fees are going to make you better stewards? You already are the laughing stock of Hawaii boaters. Don't make it worse for yourself.

Shame on you DLNR for putting us through these girations.

Gerard Hendrix

kim Pinkerton
<bubbakim007@yahoo.com>
11/14/2009 04:40 PM

To RecreationalRenaissance@hawaii.gov
cc
bcc
Subject State Fees today it is moorings

In looking at fortune 500 companies for the past year a vast majority have found acceptiable funding and profitiablity by cutting unnessary and wastefull spending.
Thus increasing there productivity per person ratio.
With our government who opperates for the most part under the damn the torpedo's full speed ahead plan. I notice that sustaniability is far fecteched at best.
Your excessive wastefull spending is something that you cannot even comprehend. By the standard of the average person you are exacting, (burdensom) and your ideas are being shoved upon the people without reguard of anything other than your personal greed.
History shows over and over that once the government fails to serve the people the people will revolt or reform that government.

These types of actions (to rase fees, = Taxation without representation.)

Hopefully you know your history.
Kim

"Mark Island Star Excursions" <mark@islandstarexcursions.com>
11/14/2009 02:09 PM

To <RecreationalRenaissance@hawaii.gov>
cc
bcc
Subject Fee Increases

Aloha,
Included is an e-mail I sent to Lynne Woods of the SBRRB. Please read it carefully.
One thing to take into consideration is that by increasing by what you are asking you may have problems with not enough people who will pay very high fees for facilities in a very bad state of repair.
The legislature is about to start it's session. I would support asking it for "reasonable" help. The Recreational Renaissance plan "A" was too much to ask for in a bad economy.

Mark Robinson

----- Original Message -----
From: Mark Island Star Excursions
To: lynne@billwoods.com
Cc: Dorvin@leisinc.com
Sent: Saturday, November 14, 2009 1:11 PM
Subject: SBRRB

Aloha Lynne Woods and Dorvin Leis,
I am a member of the business community on Maui. I operate a boating business with a website of WWW.IslandStarExcursions.com . I have been involved in boating since my arrival 36 years ago.
I am very concerned about the DLNR plans to increase the Mooring and Harbor fees by at least 90%. In todays current economy that is outrageous.
The boating fund for the state of Hawaii is self funded by legislative law. All of the revenue generated by Boating and Harbor fees goes into the general fund and then is supposed to go back to the Boating fund for Harbor expenses. Not a dime for any expenses comes from taxes.Perhaps a certain % should be funded by the Legislature.
Marina Del Ray, is one of the finest Boating facilities in the country. It's fee are quite reasonable and it is partially funded by L.A.county.
It is my understanding that the DLNR Boating pays 2.1 million dollars annually to the DLNR Docare officers for the enforcement of Boating rules.
Our current economy has caused the Governor to initiate an 8% pay reduction thru furlows to all state employees.
This includes DLNR Boating staff and Docare inforcement officers even though Boating is supposed to be self funded.These employees"Should Not" be affected by furlows.
With this in mind, there is an additional 8% from Boating Staff and 8% from DNLR Docare officers that should remain in the Boating fund. That is 16% that can be used for repairs on our decaying facilities. That will help a substantial amount.
Mr.Ed Underwood is asking for too much of an increase in fees,especially for the quality of the facilities we have.
I agree the fees should be increased somewhat,but not an increase of $3.47 per foot. My harbor fees are currently in excess of $2,000.00 per month. they would go up to about $3,500.00 per month. In todays current economy that is a major hardship.
I ask that you talk with your fellow members of the SBRRB and recommend that the DLNR take another look at how the facilities can be improved.
We live in the finest state in america. Our facilities should reflect that. I believe we need legislative help not massive increases in fees.
I can be reached on my cell phone anytime a[redacted]should you have questions.

Maurizia Zanin
<maurizia@hawaii.rr.com>
11/14/2009 11:14 PM

To RecreationalRenaissance@hawaii.gov
cc
bcc
Subject proposed fee increases DLNR

DLNR
In regards to the proposed rate increases for temporary mooring: the proposed fees are too high. A much smaller is reasonable but an increase of both the slip fees and temporary moorings is unreasonable.
Maurizia Zanin
Kalaheo, Kauai

"Chris Larson"
<larsonc002@hawaii.rr.com>
11/12/2009 08:46 AM

To <RecreationalRenaissance@hawaii.gov>
cc <roz@rozbaker.com>, <senenglish@Capitol.hawaii.gov>, <sentsutsui@Capitol.hawaii.gov>, <repcarroll@Capitol.hawaii.gov>,
bcc
Subject recreational renaissance plan

To all concerned,

I was unable to attend the meeting on Maui[11/4] but having a boat at Maalaea have been aware over the years of unsuccessful attempts to build a breakwall necessary to secure a safe harborage, the parking issues, the general decline/ deterioration of harbor facilities, etc.
And yes, it will take money to fix that and where will the money come from? Apparently from the proposed rate increases in mooring rates, registration fees.
If one were to take a drive to Maalaea harbor around 9 am., you would notice that all available parking has been filled by tourists along with the lot on corner of Hauoli and Maalaea rd. going on one of many commercial tours. The vacant lot located at 10 Hauoli st.[tmk-38014027] shows the state as owner and used presently to accommodate parking for commercial interests. What are the costs to the taxpayers for this? Why not charge for parking for commercial operations which clearly dominate harbor usage instead of impacting the non commercial user which to get access to their boat has to load up before 7 am for a parking spot?
Another idea is a fuel surcharge for revenue, booking fees to wholesalers,etc., bottom line is commercial interests should bear most of the burden instead of some small fisherman that has been a cultural part of Hawaii with their sampans for decades that will end with proposed fees.

Chris Larson
[redacted]
Kihei, HI. 96753
[redacted]

SkiprJohn@aol.com
11/12/2009 12:17 PM

To RecreationalRenaissance@hawaii.gov, laura.thielen@hawaii.gov, joy.watari@hawaii.gov, repchang@capitol.hawaii.gov, sengreen@capitol.hawaii.gov,
cc foote@hawaiiantel.net, glennshiroma@hawaiiantel.net, board@hilo-sailing.org
bcc

Subject Recreational Renaissance B Amendments to Chap 13-234

Addendum to written testimony by John Luchau, a Hawaii Boater since 1963. Resident of Kea'au, Hawaii since 1992.

I am in opposition to Recreational Renaissance B Amendments to Chap 13-234.

I must add that the reason for this written testimony is that Ms. Nancy Murphy-Thuet said at a meeting concerning Recreational Renaissance B on November 3, 2009 that Reeds Bay in Hilo Bay would also suffer an increase to mooring fees even though it was not mentioned in the written amendment proposal.

The reason for my disgust is that DLNR proposes raising fees on moorings that are boatowner installed and boatowner maintained. They are not state installed or maintained.

Sincerely yours,

John M. Luchau
[redacted]

In a message dated 11/10/2009 8:46:49 P.M. Hawaiian Standard Time, SkiprJohn@aol.com writes:
Written Testimony by John Luchau, a Hawaii Boater since 1963. Resident of Kea'au, Hawaii since 1992.

This is written testimony in opposition of plan B as it applies to Amendments to Chapter 13-234
I oppose Amendments to Chapter 12-234 for the following reasons:
The DLNR Boating has picked the most inopportune time to levy higher rates for the mooring of recreational boats. All residents of Hawaii are under economic pressure to pay their bills, their taxes and to eke out a living. Now is not the time to impose a further hardship on residents.
For years DLNR Boating has made few repairs to piers and catwalks in Wailoa and what repairs have been made have been done in opposition to the views of many boaters as has been voiced on several occasions. DLNR Boating has made no repairs or upgrades to moorings in Hilo Bay and yet DLNR Boating is targeting moorings and moored boats to be their cash cow for improvements made to other Hawaii harbors which our boaters will more than likely never use.
When the Hawaii coffers were full and the administration was looking for ways to spend taxpayer money no improvements came to Hilo Bay for moorings. Although many years and much of boater's time and effort have gone in to making legislators try to understand needed improvements to Hilo Bay this effort has fallen on deaf ears. What money that was obtained went to catwalks, piers, parking lots and closing of our only storage yard. Absolutely nothing was given for upgrades or improvements to moorings. Now that the state needs money boaters with moored boats are being targeted. During testimony boaters asked why DLNR

does not make improvements to harbors and then go out to the public with proposed amendments and ask for a raise in mooring rates. Their answer was because they had no money to make improvements. So, we as boaters are supposed to trust them to make necessary repairs and improvements? With DLNR Boating's track record I don't think so. For many years DLNR Boating has let the piers and moorings throughout the state get in such a dilapidated state that many now are beyond repair. Just in the last couple of years has there been an effort to improve conditions in the Ala Wai. Is the effort to raise fees for all boaters an attempt to pay for the improvements to one harbor, Ala Wai? If so why should boaters who do not use Ala Wai have to pay for its repair? Improvements to Ala Wai should be funded by all Hawaii residents and its specific users not boaters in other harbors throughout the state because it is an icon for tropical paradise featured in many posters and advertisements targeted for tourism.

Board mailing list
Board@hilo-sailing.org
http://hilo-sailing.org/mailman/listinfo/board_hilo-sailing.org

richard olmsted
<rlolmsted11@yahoo.com>
11/11/2009 11:04 AM

To RecreationalRenaissance@hawaii.gov
cc sens@Capital.hawaii.gov
bcc
Subject Fees at the moorages

I have moored my boat at the Ala Wai harbor for the past 10 yrs. I have observed your management skills over this period. Neglected responsibilities, arrogance, purposefully untrustworthiness, and greed are words that apply to your Recreational Renaissance Plan B. It is brainless to have 171 slips empty while creating a management style that purposely requires up to a seven years wait. If you need more money, you could also allow more live-aboards. The Ala Wai has proven to be a Cash-Cow. However you have shown that you are inept in understanding that a "win-win" situation exists for the boater's of the State, the people of Hawaii, and the money coffers of the State. In closing, I would like to know how the Ala Wai harbor can generate hundreds of thousands of dollars each year leading up to 2008, and now it operates in the "red"? Is that because of poor management or Hawaiian-style creative book keeping? Also, why is it necessary for
DBOR/DLNR to take such an adversarial stance toward boaters? I live on a fixed income so these attempted action spell perilous hardship for myself and many others of our State. The rate increases do not make sense. As in many cases in this State, there are often major issues of greed and corruption that lurk behind the scenes of the common man, this appears to be one of those cases.

By the way, I oppose Recreational Renaissance Plan B.
Thank you, Richard Olmsted

Thomas Bottrell
<livingoceanadventures@hotmail.com>

11/11/2009 10:56 AM

Please respond to <captain.tom@livingoceanadventures.com>

To <recreationalrenaissance@hawaii.gov>
cc
bcc
Subject Honokohau Harbor ,Kona mooring rate increases

DLNR;

In July of 2008 you increased my mooring rate by 20% telling us once again of the benefits we would receive. And once again we received nothing in return. And you have been doing that to us consistently for the 30+ years I've been here.

Now, in the middle of this recession you want to double our rates.Your actions will put local people like me out of business. I know you know this. Why are you not more effective in getting greater appropriations from the legislature? You should be held responsible for your ineffectiveness and lack of leadership.

DO NOT INCREASE OUR MOORING RATES.

Sincerely,

Capt. Thomas Bottrell

Hotmail: Trusted email with Microsoft's powerful SPAM protection. Sign up now.

Tom and Ann Carr
<skyeranch@mac.com>
11/11/2009 09:17 AM

To RecreationalRenaissance@hawaii.gov
cc
bcc
Subject Proposed harbor fees

To Whom it may Concern; I would like to weigh in on the proposal to increase fees for transient vessels. My wife and I have just arrived in Hawaii and secured temporary berthing in Ala Wai Harbor. We will be returning to the Puget Sound area next June after a 4 year cruise that took us to Central and South America the Galapagos Islands and French Polynesia on our 32 foot sailboat.

The cruising community that we encountered on our travels are extremely well connected via the internet and share information freely. The perception of many is that Hawaiian Port officials are generally unwelcoming and the facilities are wanting for visiting yachts of the average size (30 to 50 feet) and most recommend bypassing Hawaii and going directly to French Polynesia. French Polynesia on the other hand has a policy of encouraging yacht visitation and has about 1000+ yachts per year pass through and has much improved facilities and streamlined protocol.

We have been here for one month and have spent over $5000. The fees we pay now, though much higher than what locals pay, are within reason @ $400/month. A radical increase in fees would, I believe, further alienate the cruising community reduce drastically the number of yachts visiting the Islands which would result in loss of revenue from yachting visitors rather than an increase.

Respectfully, Tom & Ann Carr, SV 'Leonidas'

BHaywood@mauljim.com
11/10/2009 02:26 PM

To Douglas.S.Smith@hawaii.gov
cc RecreationalRenaissance@hawaii.gov
bcc
Subject Recreational Renaissance

Aloha Doug,

I am concerned specifically with proposed rate increase for Permit holders in the State small boat harbors.
I am a permit holder for slip #19 in Maalaea Harbor on Maui as Koni Au Fishing Co.. I am registered Commercial Fishing and comply with all requirements. I have always carried more than ample vessel and liability insurance at all times. When the notice of adding the State of Hawaii, DOBOR as "additional insured" was released I immediately contacted my carrier and had this applied to my policy.

Day Use Fee Increase to $2.00/ft./Day
For my 26' boat this is an increase from $4.81/ day to $52.00 / day, or a 1081% increase!
I am a present slip holder, as indicated above, and have insurance as well as having the State named as additional insured. I am paying for a slip monthly. When I leave to visit another harbor I pay for the day use. I should get some consideration for the fact that I am already paying for a slip and am only "moving stalls" for the day? I end up paying for two; the one I am permitted for the year and the day use permit (and the State can "rent" out my moored at permitted slip in my absence). In this case I feel financial consideration should be given to the permit holder so as not to be double dipped.
I feel the Registration fees should be greatly increased, not just by $5.00, instead of day use increases. However, if this is not to be then:
I suggest that permit holders in good standing be allowed a 50% reduction in day use fees given they are already paying regular mooring fees (that are being proposed to increase also).
Non-permit holders would be subject to approved day rates at 100%.

Registration Fee increase by $5.00:
This increase is suggested to improve Web based administration. I suggest you increase this substantially, instead of day use fees, and expand the application of generated funds.

Insurance:
It was said in the meeting (on Maui) that a reason for the day use fee increase was to pay for "insurance" for uninsured vessels using the slips and moorings. (An insinuation was that it was to clear out the riff raff from said transient slips).
On the subject of insurance requirements is concerned, I feel that all users of the harbors should have vessel and liability insurance, be they slip holders or trailer boats. I drive on the public roads and am required to have insurance. Why not boaters?
Again, it was said that the day use fee increase proposal was, in part, to cover uninsured boaters. Why am I underwriting others for services?

As an aside to the above, I am out of the slip for repairs and, as per the rules, continue to pay the monthly slip fees. I was scheduled to return in October '09. Unfortunately, my berth cleat dislodged from the concrete pier (this occurred during the first information meeting held in September) and I have subsequently submitted out of slip paperwork listing my return as March 2010. I can return sooner, but fear the dock will not be repaired until _____ (your guess here). How about the State give me consideration on slip fees until the dock cleat is repaired? If this were contractual in nature, as in a landlord / tenant contract, things would not be allowed to deteriorate. I do not wish to pay for something I am not getting.

Testimony for Public Hearing on HAR Amendments related to DLNR Recreational Renaissance Plan B -11/9/09 at Jefferson School, 6 p.m.

Renaissance Bookkeeping Sucks Revenue From Harbors

The primary objective of the Renaissance Plan B is to increase the DBOR SBH moorage user fees by $3.47 per foot of vessel length. The impact of this increase will differ for each of the five categories of harbors and are based on "along catwalk" mooring rates, (bow/stern rates are less, but the % of increase is greater):

Category A (Ala Wai)

- Current fee–$5.67 /ft. + Renaissance $3.47 = $9.14 /ft. = 61% increase

Category B (Keehi, Honokohau, Maalaea and Lahaina)

- Current fee–$4.32 /ft. + Renaissance $3.47 = $7.59 /ft. = 80% increase

Category C (Haleiwa, Heeia, Waianae, Port Allen, Nawiliwili, Kona, Keauhou and Manele)

- Current fee–$4.05 /ft. + Renaissance $3.47 = $7.52 /ft. = 86% increase

Category D (Wailoa, Kikiaola, Kukuiula, Kaunakakai, North Kawaihae)

- Current fee–$3.78 /ft. + Renaissance $3.47 = $7.25 /ft. = 92% increase

Category E (So. Kawaihae, Hana, Hale O Lono)

- Current fee–$1.62 /ft. + Renaissance $3.47 = $5.09 /ft. = 214% increase

For ease in presentation, I will use the Ala Wai SBH as the example. Bear in mind however, that the Plan B features will have similar effects at all harbors. At the Ala Wai, the 61% increase requires its harbor users to come up with about $1 million of additional user fees. (The total statewide increase in SBH user fees is estimated at $3.6 million by DLNR.)

In an effort to justify these fee increases at the October Waikiki Neighborhood Board meeting, the DBOR Administrator, Ed Underwood, dropped a bomb. He stated that the **Ala Wai SBH loses money every year** and that is why the mooring fees have to be increased. We know that most of the other harbors operate in the red, and have done so for many years; but never the Ala Wai!! We also know that it was/is the "surplus" Ala Wai revenue that was/is used to help compensate for the "red harbors" in the overall statewide DLNR/DBOR budget. How could the Ala Wai, the State's perennial top revenue harbor for the past 20 to 30 years suddenly drop into the RED??

I'll tell you how. It is the result of the new **RENAISSANCE BOOKKEEPING**. The recipe for Renaissance Bookkeeping calls for the removal of key Revenue ingredients from the DBOR Ala Wai SBH Revenue account that are *"generated from leases, fuel taxes and non-mooring fees,"* and mixing these ingredients in with *"a portion of the urban and industrial land rents."* These funds would then be used to *"support repair, maintenance, and operations of stand-alone boat ramps, piers, and ocean recreation areas **statewide**" (Plan B page 7).*

The Ala Wai can say *sayonara* to this (est.) $1.5 million of its revenue (see attachment). *Voila*, the Ala Wai SBH is now in the RED. And, the Renaissance Plan would have established a new revenue pool of primarily DBOR non-mooring fee funds diverted from the Ala Wai (and other SBHs) that could be used by the DLNR Director for any of the expenses that fall under the Parks/Trails/Land/Boating "Renaissance Plan" umbrella. Does paying the debt service on the $200 million reimbursable Renaissance GO Bonds come to mind??

Also of great concern and enlightenment is that the Renaissance Plan B (page 7) boasts that, *"All revenue generated in Parks will stay in Parks"* and *"All revenue generated in the Na Ala Hele Trail system will stay in fixing up trails."* But, for Boating, it says, *"All revenue **from mooring fees** will stay in fixing up the harbors and mooring areas."* We now have a good idea where all the Boating **non-mooring fee** revenues are headed!! It seems that this bookkeeping manipulation makes it permissible to use Boating revenue (non-mooring) for Parks/Trails/Land expenses, but not the other way around. It is also noted that "trailer boat" fees are not addressed at all.

Is the Renaissance burden equally and fairly distributed amongst its DLNR partners and users?? Is Boating getting a fair shake in the Renaissance Plan B?? NO, and NO. The Renaissance Bookkeeping caused the Ala Wai SBH (as an example) to lose roughly $1.5 million of its Revenue assets, > which caused it to go into the RED, > which caused a 61% increase in its mooring user fees (est. $1 million) to get out of the RED, > while also providing the lion's share ($373,670) of the $1.5+ million per year DBOR pays to subsidize the DOCARE. (DBOR is the only DLNR Division that is required to do so.) It is also important to note that all harbor users (commercial as well as recreational at other harbors) have had two or three fee increases over the past 7 or 8 years and are constantly fending off questionable special interests that aim to make a profit from "privatization" of our existing harbors at the expense of impairing public access to our ocean. In addition, it should be noted that the Boating operation places its user fee burden on its stable list of mooring permit holders who are nearly 100% local residents, while the Parks and Trails operations depend heavily on the economic ebb and flow of tourists for their "user fees."

Although this testimony focuses largely on the Ala Wai SBH, it is understood that the Renaissance Plan and Bookkeeping problems affect commercial as well as recreational users of all of the DBOR boating facilities. In this regard, the extreme Renaissance impact on commercial vessel fees must be mentioned:

Because the recreational moorage rate is the basis for the commercial rates, and that the minimum commercial rate is two times the recreational rate, the Renaissance $3.47 per ft. recreational fee increase will play out as follows: (Using Honokohau SBH as the Example (only "bow/stern mooring" available.)

Current recreational rate–$3.82 /ft. X 2 = $7.64 / ft. current min. commercial rate.

$3.82 /ft.+ **$3.47 Renaissance increase** X 2 = **$14.58 /ft. min. commercial rate, a 90% increase. This large increase is sure to have a severe impact on the 120 commercial operators at Honokohau, and the 180+ others at SBHs throughout the State.**

In addition to this 90% commercial (and recreational) fee increase at Honokohau, the DBOR Honokohau SBH Revenue account would no longer include the lease rent revenues of the Gentry and other lessors of harbor land and facilities, nor would it include the Honokohau share of the Federal Sportfish Restoration and Boating Safety Act or State fuel tax rebates–or any other "non-mooring fees."

Not only is the Renaissance Plan flawed and exorbitant, its timing is unfortunate. The State is broke. The widespread economic malaise is evident at all levels of our island society with teacher and public worker furloughs and layoffs, and you (DLNR) want to impose a Renaissance Plan that requires 61 to 92 per cent fee increases for all SBH users. This increase would require this segment of our population to cough up more than $3.6 million in additional SBH user fees. The Renaissance Plan also initiates more user fees at State Parks and Forestry and Wildlife that depend heavily on tourists, and proposes the lease of urban and industrial land, the purpose of which is to better position DLNR to acquire the Legislative authority for $200 million worth of reimbursable GO Bonds to enable full implementation of its Renaissance Plan. But that requires about $17 million per year debt service!! Unless DLNR can find a whole lot of urban and industrial land to lease, this Renaissance idea should be put on the shelf until we emerge from the economic doldrums we are in. Does the Governor know about the potential State revenue from the land leases that DLNR is proposing for the Renaissance??

William E. Mossman
Hawaii Boaters Political Action Association
[redacted] *Kailua, HI 96734*
Tel. 808[redacted]

Primary Categories of Ala Wai SBH Revenues That Would Be Taken Away by the Renaissance Bookkeeping

Rents of Land and Wharf: (Total–$699,048)
Seibu (Hawaii Prince Hotel)–$379,844
Waikiki YC–$164,980
Hawaii YC–$94,020
Ala Wai Marine–$60,204
Revocable Permits: (Total–$137,010)
Ala Wai Marine–$44,172
Forward One–$43,200
Honolulu Committee Transpac YC–$3,096
Magic Island Petroleum–$42,672
Royal Hawaiian Ocean Race Club–$480
Valerie L. Silva–$3,390
Federal and State Sources: (Total–$750,197)
Federal Aid Fish Restoration–$40,400 (DLNRwide allocation -$1,266,769)
Liquid Fuel Taxes–$375,400 (DLNRwide allocation–$1,444,976)
Boating Safety Act–$132,665 (DLNRwide allocation–$510,594)
Boat Registration–$79,309
Parking meter collection–$122,423

GRAND TOTAL–$1,586,255
Ala Wai SBH revenue from "leases, fuel taxes, and non-mooring fees."

Note: The foregoing data is from the "Hawaii Harbors Facilities and Financial Sheets"–2002 to 2005 and the Renaissance Plan B developed by the DLNR and posted on the internet. The currency of the data is not as important as understanding what the revenue sources are and which ones are included in the SBH Revenue and Expense Sheets and which ones are being removed.

ryan sonognini
<ryanadventure2@yahoo.com>
11/10/2009 08:50 AM

To RecreationalRenaissance@hawaii.gov
cc
bcc
Subject state recreational land use

I feel that it is not wise to raise the small boat harbor fee's and mark off Kapapa island as "off limits". I grew up in kaneohe and spent many weekends at kapapa island. My father taught me to fish on the back side of that island for Ulua. I believe that too many use the island theses days and some common sense could be used in taking care of it but that is just the old Hawaiian ways dying. No longer do the locals feel it is necessary to take care of the land they use, love and raise families on.
If you raise the fees's at small boat harbor's, will you use that money to update and repair the harbors that the moneys are derived from? I doubt it. there are already fees and ABSOLUTELY nothing is done. Now you want to raise the fees and taxes once again. You can't come up with budget shortfalls and just charge us for it. If you were a properly run business, you would have to make sacrifices. Your people have to work harder and accept lay off's. If you were a business right now, you'd have to file bankruptcy. Poor management on your part, don't take it out on us!

carol mcgovern
<mcgovernr001@gmail.com>
11/06/2009 01:09 PM

To RecreationalRenaissance@hawaii.gov
cc
bcc
Subject Recreational Renaissance Plan B

Dear Sirs:

As a Small Harbor Permit Holder in Maalaea , I am concerned about how the increase in mooring fees is going to be used in our harbor.
Currently I have to provide my own dock & under water mooring devices . There is no pump out station and the water pressure is so low
that if one other boat is using their hose their is no pressure left. Often times their are +/- 10 boats trying to wash off at the same time.
On a large South Swell there is very little protection for the boats on the North side of the Harbor.
Alot of the concrete walkways are falling apart and the parking lots are terrible.

Are the increased fees going to stay on Maui or funneled into other Harbors?

Are there ways to provide better Service without such a large fee increase? Such as reducing the Workload and therefore the Workforce?
Ideas for reduction:

Eliminate permits for any item less than $25.00--- This is probably the amount of time it takes just to fill in the forms let alone the cost of accounting, filing, etc.

Allow the Coast Guard Auxiliary to conduct Vessel inspections. They do a much more thorough job and it is free!--- Freeing up Harbor personnel .

Evaluate each task and rule to see if the"re really needed. Alot of the new rules seem to pertain to Commercial Operations. Maybe they should pay more if
their industry requires so many Rules.

Thank you for the opportunity to review and comment on the proposed Rule Changes and Fee increase.
I'm willing to assist in being part of the solution, if requested.

Sincerely,
Rick McGovern
808-[redacted]

"Charles J. Pedrido"
<cjpedrido@hotmail.com>
11/07/2009 01:35 PM

To <recreationalrenaissance@hawaii.gov>
cc
bcc
Subject FW: Commentary to meeting

From: cjpedrido@hotmail.com
To: recreationalrennaisance@hawaii.gov
Subject: FW: Commentary to meeting
Date: Sat, 7 Nov 2009 13:31:44 -1000

From: cjpedrido@hotmail.com
To: recreationalrenaissance@hawaii.goc
Subject: Commentary to meeting
Date: Sat, 7 Nov 2009 13:29:02 -1000

Aloha,
I am writing inresponse to your proposed Recreational Rennaissance plan recently rebuttled by boarters here in Kona. I am all for your changes and fully support you. Here in Kona we have boaters both commercial and private who utilize the boat launching ramps down in Keauhou, Honokohao Harbor and the Kona pier. These ramps are utilized by this special interest group (boaters) at the expense of us the Taxpayers who do not even own a boat. Yet it is our taxes that have paid for these facilities which only benefit a small select group. I think you should institute a pay system for launching and removing a boat to recoupe what is now a free ticket ride. Normal boat launching fees elsewhere are $5.00 in/$5.00 out.

Furthermore at each location above I have personally seen boaters hooking up to the fresh water bibb to flush out their engines. Some have left these flushing over 10 minutes while they cleaned the boat off & washed it down from other bibbs. Water is precious on an island and not free. This is not right that my tax money has to pay for this. Make THEM pay by installing meters for dispensing water. Charge a dollar/minute like elsewhere.

At Kona Pier commercial boaters are filling up on board water tanks from the water bibbs on the pier. I have seen hundreds of gallons loaded at a time all at the Taxpayer expense. This equates to tens of thousands of gallons per boat per year. I do not believe the 2% user fee you charge comes close to even covering this.
What about the gangways these operators leave on the pier? Why not charge them rent? Why not charge an additional dock fee everytime they dock up?

You also need to increase the 2% fee charged commercial operators. You should increase this to 10% for all non-Hawaiian owned companies & operators. Kona Bay is littered with about 12 moorings all are an eyesore and should be removed. Also increse Parking Permits to these businesses parking on the Kona Pier. Charge $100 a month like other places to pay for the guard so my Taxes do not have too.

Another source of lost potential revenue are the canoe clubs. Charge a launch/retrieve fee. Charge for Parking. Charge a Canoe Registration Fee. Charge for storage on State property.

Lastly, You should also be charging higher service and storage fees for all the boats stored at Honokohao Harbor. The yard is a waste dump of discarded boats on land & those in slips need to pay more. At a time when the State is huring for operatying revenues it is about time you charged your users properly to become self sufficient and not be a burden on us Taxpayers.

Aloha,
C. Pedrido

Hotmail: Trusted email with Microsoft's powerful SPAM protection. Sign up now.

Hotmail: Trusted email with powerful SPAM protection. Sign up now.

Find the right PC with Windows 7 and Windows Live. Learn more.

BHaywood@mauljim.com
11/05/2009 01:56 PM

To Ed.R.Underwood@hawaii.gov, Clifford.G.Inn@hawaii.gov
cc RecreationalRenaissance@hawaii.gov
bcc
Subject Mahalo

History: This message has been replied to.

Aloha Gentlemen,

Mahalo for your taking time to receive testimony and field questions last evening's meeting on Maui regarding the Recreational Renaissance "Plan B".

It was very positive to be a part of, rather than apart from, the process and the dialogue after the testimony was informative and reassuring.

I will send my input to Doug Smith regarding the proposed rule changes prior to the 19th this month.

Mahalo,
Bill

Office Director
Maul Jim Sunglasses
[redacted]
Lahaina, HI 96761

bhaywood@mauljim.com
888-357-8026 (Toll Free)
808-[redacted]
808-661-0351 (Fax)

Olayvars
<Olayvar@earthlink.net>
11/05/2009 10:35 AM

To <RecreationalRenaissance@hawaii.gov>
cc
bcc
Subject Changes

Director DLNR,

I understand the intent to increase the cost of mooring & vessel parking fee's within the state boat harbors and the plan to restructure of implement recreational fee's and activities within the proposed site's. Fact is even when the economy was stable and productive the DLNR leadership failed to maintain and improve the existing sites and facilities.

All I believe your doing is compromising those tax payers and business's already struggling to make ends meet. I don not agree and I disapprove, You need to re-evaluate these proposals.

G. OLAYVAR
Former DLNR Employee

Bill Rosehill
<konakanoeshawaii@yahoo.com>
11/04/2009 07:46 PM

To RecreationalRenaissance@hawaii.gov
cc
bcc
Subject Proposed $25 Permit Fee for Marine Event

History: This message has been forwarded.

I learned of the public hearings on this matter at the last minute and could not attend. I do however, want to provide testimony on the subject matter.

Any recreational/cultural marine event should NOT be assessed any fee. If anything, DLNR should be PAYING these events a fee. Cultural events is what makes Hawaii a unique and intriguing destination for tourists. Use of the ocean environment by native peoples was in place centuries before Statehood. It is the State who should be encouraging perpetuation of these ocean uses rather than discouraging the Hawaiian culture by assessing fees.

I would appreciate a response to this email so I know it has been received. Thank you.

Bill Rosehill
[redacted]
Kailua-Kona, HI. 96740
808[redacted]

"Ron"
<Ron@wagnereng.com>
11/03/2009 01:10 PM

To <RecreationalRenaissance@hawaii.gov>
cc
bcc
Subject HAR Amendments DLNR Boating & Recreation

Gentlemen - In reviewing the proposed rules amendments there appears a gross disparity with that proposed for Sec 13-234-5 re temporary mooring fees. The temp slip feet of $2 per ft per day would mean a 30' vessel would be charged $1800 per month and the same vessel on its own hook in Hanalei Bay with no facilitie would pay $900 per month or about $2700 for the summer. Unless I am reading the rules incorrectly, this is not justifiable. Please reconsider this rule change.

Ron Wagner
[redacted]
Hanalei, HI 96714
808[redacted]

65933

NOV 09 2009

KAI BEAR SPORTFISHING

4067 Hoolako Place
Lihue, Hi. 96766

808-639-4556
808-241-1440

kaibearinc@aol.com

November 3, 2009

GOVERNOR LINDA LINGLE
DLNR CHAIR LAURA H. THIELEN
KAUAI HARBOR MASTER JOE BORDEN

Dear Governor Lingle, Laura H. Thielen, and Joe Borden,

I gave testimony at the public hearing on Kauai regarding proposed fee increases to boaters. I am sending this letter to further show my disproval for anything other than decreasing the current fees. Our current harbor master, Joe Borden, and his staff have made huge improvements to Nawiliwili Harbor over the recent year and I have nothing but praises for their valiant efforts and customer service. If you had proposed a rate increase last year, or the year before, when business was booming, I would have understood. However, the current economic situation finds our business in dire need of financial relief, rather than higher fees. I run two (2) six pack fishing charters out of Nawiliwili Harbor and have paid my gross receipts and mooring diligently for the past 15 years. The current fees are 3% or a minimum of @$350 for each of my boats. For many, many months over the past years my company has well exceeded the minimum rate and paid on the 3% charge for amounts as high as @$900/boat. Since the economy has drastically slowed, and tourist dollars are not reaching the smaller companies like mine, I have not even come close to reaching the 3% mark. As a matter of fact, for the past few months, my minimum fees of @$350 have equalled closer to 6-10% of my gross income, and over 11% for the month of October

For the past 15 years Kai Bear Sportfishing has been Kauai's top "charter boat", revenue producing company. Unfortunately, at this time, I find it very hard to keep this business running at all. Any fee increase may just be the straw that broke the camel's back. Please take this into consideration while deliberating the proposed fee increases.

Sincerely yours,

Ben Ellsworth

C.O.O. Kai Bear Inc.

"mike mickelwait" <hawaiicharters@hawaii.rr.com>

10/26/2009 07:21 PM

To <RecreationalRenaissance@hawaii.gov>
cc
bcc
Subject Proposed Temporary mooring fees.

The last time I was in Manele Bay a temporary mooring fee
was approximately $6 a day for a 39' boat plus $2 a day per
person living aboard and a $5 issuance fee. $2 a foot a day
would be $78 a day plus the other fees mentioned above.
This is an outrageous rate hike and will cause a lot of difficult financial problems for many temporary berthers,
especially cruisers who stop by Hawaii from Mexico, the
South Pacific and other ports, not to mention the huge amount of bad press that will be generated about the new
anti-aloha Hawaii. I can see the marine press headlines
now. Hawaii, Cruisers Beware!

Mike Mickelwait
Honolulu Sailng Co.

TOM PARRISH
Attorney at Law

Tel. No. (808) 244-9848 Fax No: (808) 573-5289

Post Office Box 2773, Wailuku, Maui, Hawaii 96793

November 1, 2009

Department of Land and Natural Resources
Attn: Recreational Renaissance Rules
P.O. Box 621
Honolulu 96809.

Dear DLNR:

This letter is concerning the paddle boaters who have taken over more and more surf spots and which pose a severe danger to the traditional more pedestrian users of the waves.

When the paddle boaters first started coming out to spots historically used by surfers, they were few and most of them would defer to surfers, many of whom had been surfing these spots for the last 40 or so years.

Recently, with the overall general increase in the population, many of whom are surfers, together with the marketing of the paddle boaters as being the preferable vehicle for those who don't know how to surf or who aren't capable of catching waves on a traditional surfboard, many surf spots have been entirely lost to the masses of new paddle boaters.

While at first the paddle boaters were somewhat humble and apologetic regarding their ability to catch basically all the waves far outside of traditional surfers because of their motorized paddle technique and their huge oversized boat/boards, the large numbers of new paddle boaters has caused the paddle boaters to basically take over several spots altogether and given the paddle boaters the feeling of entitlement to these takeovers.

Presently there is an incredible hostility developing between the surfers and the paddle boaters as there were hardly enough surf spots to handle the surfers. body boarders and body surfers before the paddle boaters started taking over the surf spots. Now the paddle boaters are so numerous that they often fight among themselves and the surfers have been forced to crowd into the few spots which haven't been taken over thus far. The surfers risking trying to surf in the same lineup as the paddle boaters have often been run over and sometimes injured by the heavy oversized paddle boats.

Clearly the two uses are not compatible in the same area at the same time, much the same as the windsurf boards and surfers cannot use the same spots at the same time. Boards or boats under power whether it be from a mast and sail or from a paddle used as a motor are much too dangerous to be appropriate in the same lineup at the same time.

The paddle boaters, having the ability to motor out to new unused spots, could have taken it upon themselves to discover waves currently unused and somewhat inaccessible to surfers. Instead of respecting the historical use of certain spots by surfers, the easier way has been for the paddle boaters to simply take over the surf spots. For example, Judge Eric Romanchak was telling me the other day that his daughter had surfed Kanaha most all of her life, however, now with the inundation of paddle boaters, it is too dangerous and crowded for her to even go to Kanaha anymore to surf.

This situation is only going to get worse, more people will get injured, and the hostility between the groups will increase inevitably leading to more confrontations and injuries.

With traditional surfing there has always been a priority system whereby the better surfers sit further out and closer to the peak. The beginners usually sit inside and ride further on the shoulder, a general understanding and respect being necessary to keep injuries from occurring.

In contrast, all of the paddle boaters are much further out than the surfers. Beginner paddle boaters take priority over the most experienced surfers because of their motorized ability to catch the waves so much further outside the breaking point of the waves, all too often creating a very dangerous situation.

The other day my wife and I arrived at Shark Pit in Lahaina to find 2 paddle boaters and 8 surfers in the lineup. While contemplating whether it was a reasonable risk to be in the same proximity as the paddle boaters, we counted the paddle boaters each taking 8 waves while the surfer catching the most waves caught 2. The less aggressive surfers basically caught no waves while the paddle boaters took all they wanted. This pattern continued until the paddle boaters left a couple of hours later.

Even if someone thought it was acceptable for the paddle boaters take most all the waves leaving none for the surfers, the surfers have basically become targets for the out of control beginner paddle boaters whose heavy, oversized boards and paddles often run over surfers who dare to try to surf areas they have surfed most of their lives.

The solution is to regulate the paddle boaters and separate the groups of users. The paddle boaters being lowest on the historical use scale should be mandated to use their paddle boats at spots not yet used by surfers, boogie boarders and/or body surfers. Surfers, body boarders and body surfers have managed to co-exist somewhat harmoniously, however with the

great numbers of paddle boaters now taking over spots, all other users are being forced into unsafe and horribly overcrowded conditions.

A map could be drawn and the paddle boaters could only be allowed to use their motorized vehicles in designated areas.

For example, Kanaha should be returned to surfers and the paddle boaters should also not be allowed at Pier One, Outer Sprecklesville, Tavares Bay, Hookipa, Mama's Fish House, Paukukalo, Big Rights, River Mouth, Sandpiles, Maalaea, Kehoe's, Rusty Pipes, Thousand Peaks rights and lefts, Oluwalu, Launiupoko, Shark Pit lefts and rights in Lahaina, Lahaina Breakwall, Mala Wharf, S Turns, Honolua Bay, Little Makaha and other spots historically used by surfers, body boarders and body surfers.

There are many other unused spots next to Kanaha down to Pier One, spots next to Spreckesville down to Mama's Fish House and between Grandma's at the Pali and Thousand Peaks rights. from the end of Thousand Peaks lefts all the way down to Oluwalu, from Oluwalu down to Launiupoko and from Woody's down to Puuamana all of which could be designated as paddle boater accessible.

Please do something about this fast growing and serious problem, it has become almost impossible to go surfing anymore. If you let the paddle boaters continue to take over spots traditionally used by surfers, body boarders and body surfers, many more injuries are certain to happen whether it be by someone getting bowling pinned by a paddle boat or by users fighting over the greed of the paddle boaters.

Thank you for considering this letter. If you need more information or would like references from many many other surfers, body boarders and body surfers who feel the same way, please feel free to contact the address and/or phone above.

Sincerely,

Tom Parrish
Attorney at Law

Deborah L
Ward/DLNR/StateHIUS
10/27/2009 12:29 PM

To RecreationalRenaissance@hawaii.gov
cc
bcc
Subject Fw: Increase in Small Boat Harbor Fee's

Forwarding for attention and response.

----- Forwarded by Deborah L Ward/DLNR/StateHIUS on 10/27/2009 12:27 PM -----
Tom Berg <t.berg@capitol.hawaii.gov>

10/26/2009 03:18 PM

To "'Debbie.L.Ward@hawaii.gov'" <Debbie.L.Ward@hawaii.gov>
cc "'MAZDA4@aol.com'" <MAZDA4@aol.com>
Subject FW: Increase in Small Boat Harbor Fee's

Aloha DLNR Spokesperson Debbie Ward,

Please consider addressing the observation and inquiry from a constituent of Rep. Kym Pine's.
The text of the inquiry is pasted below.
MAHALO for your assistance and cooperation.
Tom Berg/Rep. Pine's Ofc/586/9730

From: MAZDA4@aol.com [mailto:]
Sent: Friday, October 23, 2009 8:30 AM
To: Rep. Kymberly Pine ,
Subject: Re: Increase in Small Boat Harbor Fee's

Dear Kymberly,

It has come to my attention the Department of Land and Natural Resources is planning to up mooring fee's
by more than 900% from $6.15 per day to $2.00 per foot per day. A 30 foot boat would be charged $60 per day or $1,800.00 per month with the current monthly rate being $184.50.

Can you please provide me with more information on this matter? Such as is this proposed legislation or a change in internal policy and by whom? How can anyone justify this kind of increase especially in today's economy?

The only legislation I could find is HB - 125 and SB - 1155 dealing with the transfer of Small Boat Harbors back to Department of Transportation.

Please advise.

Sincerely,

Bob Lloyd
Ewa Beach [redacted]

October 26, 2009

Aloha:

My name is Jeannie Light and my husband Michael and I own Ala Wai Yacht Brokerage. We are the largest yacht brokerage in the State in terms of volume of sales and boats sold. We sold more than 100 boats a year in 2006 and again in 2007. Last year, which was a down year for us, we sold 76 boats.

One of the biggest challenges that our brokers face when selling boats is finding a slip for that boat to go in and so while we understand and support the State's efforts to generate revenue to improve the condition of its Harbors, we are adamantly opposed to the proposed fee structure for temporary moorings.

I would like to ask the State, what is your purpose here? Is it to generate revenue? If so, then increasing the temporary mooring fees by more than 900% won't work because the majority of the people you are asking to pay don't have that kind of money. You will scare them away and your slips will sit empty with no money coming in.

Some of the transients are middle aged or older, retired couples who have saved their entire lives to be able to sail to Hawaii. After all, Hawaii is the gateway to the South Pacific and points beyond and so many transients stop here on their way to or from those areas. Other transients are members of our armed forces who arrive here, buy a boat, and sign up for temporary mooring while they wait for a slip on base. And yes, some of the boaters who have temporary slips are local people who are waiting for their names to come up on the boat waiting lists.

Right now transient fees at the Ala Wai are $6.15/day for a 31' boat and $8.41/day for a 38' boat. Under the proposal, those rates would jump to $62/day and $76/day, respectively. None of these groups have $50-$75+/day or $1500-2250+/month to pay the outrageous fees that the State is proposing they pay. Even the beautiful marinas in Southern California do not charge that much and they have wonderful facilities to go with their rates. We do not! Our military deserve better, our elders deserve better, our locals and our visitors to Hawaii deserve better.

This is a bad proposal on so many different levels. Do you want to chase the visiting boaters away? Do you want to further harm Hawaii's reputation by gouging its touring boaters? Instead of welcoming boaters with open arms, you're telling them, "We don't want you here unless you're rich enough to pay our exhorbitant fees." Where is the Aloha Spirit?

You would think that a State surrounded by water should be the most boat-friendly state in the nation. Unfortunately, what we have experienced is just the opposite.

Raise you rates, but don't be ridiculous about it and be respectful of the people whose lives you are affecting.

Mahalo!

Jeannie and Michael Light
Owners, Ala Wai Yacht Brokerage
1778 Ala Moana Blvd., Suite 207, Honolulu, Hawaii 96815
Ph: 808[redacted]
Email: hiyachts@aloha.com www.yachtworld.com/alawai

"Scott Robeson"
<Wainiha3@hawaii.rr.com>
10/26/2009 06:08 PM

To <RecreationalRenaissance@hawaii.gov>
cc
bcc
Subject

Regardless of the need for money 1800 dollars a month is too much.

Mel Wills
<captmelwills@msn.com>
10/24/2009 08:33 AM

To <recreationalrenaissance@hawaii.gov>
cc
bcc
Subject RE: Recreational Renaissance Plan B - DLNR holds Public Hearings for Hawaii Administrative Rule Amendments

Aloha,

A question for you , let's use the offshore mooring as an example. Does this mean you would create an offshore mooring for me to use. The ground tackle , the float the line to tie to, and you would be responsible if it were not in good enough shape to secure my vessel to. At that rate per day you then would assume all liability if it were to brake and my vessel went on the rocks. You do not mean I drop my own anchor in Hanalei Bay and last year I paid $1.00 per day , so for the summer I paid basically $30.00 per month , a month for my vessel would be $1,050.00? If this new proposal is me using my own ground tackle and I pay $ 1,050.00 per month you need to change the name of the proposal to " Rape the Boaters" Can I ask what you are trying to accomplish exactly by such fees. Explain to me your intent. What service will you provide with these fees. What infrastructure comes with these new fees.

Regards

Mel Wills III
Operations Manager
808-[redacted]
Holoholo Charters
[redacted]
Ele'ele, Kaual HI. 96705

To: captmelwills@msn.com
Subject: RE: Recreational Renaissance Plan B - DLNR holds Public Hearings for Hawaii Administrative Rule Amendments
From: RecreationalRenaissance@hawaii.gov
Date: Fri, 23 Oct 2009 15:26:28 -1000

Aloha,

Thank you for your interest in the Recreational Renaissance Plan B. This message is to confirm that you have submitted comments or questions on the proposed rule amendments for Recreational Renaissance Plan B.

The exact increase proposed for current slip holders is $3.47 per vessel foot for all harbors implemented over a five year period. The temporary mooring fee proposed is $2.00 per foot per day for a berth and

$1.00 per foot per day for an offshore mooring.

No change in trailer storage rate.

No change in dry storage haul out fees.

Registration renewal fees proposed increase is $5.00 from what you are currently paying.

Mahalo,

Recreational Renaissance Team
Department of Land and Natural Resources

Mel Wills <captmelwills@msn.com>
10/23/2009 12:21 PM

To <recreationalrenaissance@hawaii.gov>
cc
Subj RE: Recreational Renaissance Plan B - DLNR holds Public Hearings for Hawaii ect Administrative Rule Amendments

Aloha,

Please send me the exact complete rate hikes your proposing for slip owners , anchorage at Hanalei Bay , trailer storage, dry storage haul out fees and my registation renewal fees hike. These are all fees that I pay now for my private sailing vessel here on Kauai.

Regards,

Mel Wills III
Operations Manager
808[redacted]
Holoholo Charters
[redacted]
Ele'ele, Kauai HI. 96705

To: RecreationalRenaissance@hawaii.gov
Subject: Recreational Renaissance Plan B - DLNR holds Public Hearings for Hawaii Administrative Rule Amendments
From: RecreationalRenaissance@hawaii.gov

October 24, 2009

Re: DLNR Division of Boating and Recreation
Proposed Amendments to Chapter 13-234
Hawaii Administrative Rules

Dear Chairperson,

Your proposed Amendments (Schedules A and B) raise the mooring fees charged by Hawaii's Small Boat Harbors. You have described the fee increase as 'modest.'

But for one section of the boating community, under Section B, the proposed increase is sudden and extremely high, and will cause serious hardship if approved.

You have ignored the population of boaters who are classified as temporary while on the waiting lists for permanent moorings at Ala Wai and Ke'ehi Harbors, as well as at a number of harbors on the other islands. As you know, the period of waiting is indefinite; it can continue for years.

Those on the waiting lists are not transient tourists. We are State of Hawaii residents, legitimately obeying the harbor rules re: permanent mooring availability. The Small boat Harbors are State institutions and facilities; others, such as the University of Hawaii, set a precedent by charging much lower fees for residents than non-residents, generally less than half.*

Yet we will be charged Schedule B rates. (See below.) Plus unknown additional percentages as stated under 'Length of Stay Fee' – an additional 10% to 30%.

For example, our 27' boat temporarily moored in a slip is now charged under $12 per day, approximately $360 per month.

At Schedulé B rates of $2 per foot per day, it will cost $54 per day, or at least $1,620 per month.

The difference is an immediate increase of $1,260 in monthly fees for a mooring which is basically a short stretch of water and 2 cleats.

This is 4 ½ times the present rate. This could not possibly be described as 'modest.'

Surely the rulemakers responsible for these changes cannot be aware of the drastic consequences and the injustice of a sudden increase of this kind.

As State residents and taxpayers, we demand an amendment or provision for boaters in our position, reflecting 'kama'aina' rates which discriminate between residents and non-residents in Hawaii's State facilities.

Specifically, we State residents request a fee increase like that provided for permanently moored Schedule A boaters, of less than half the tourist rate, imposed gradually during the waiting period for moorings and/or over a five-year period.

Sincerely,

Julia Trott and Cynthia Clement

[redacted]

1. Section 13-234-1

(3)Schedule B shall apply to all new mooring applicants and transient slips on or after the effective date of these 2009 rule amendments
(4)
(5)13-234-5
3.
4. Mooring fees for vessels assigned temporary moorings or occupying moorings without permission.
(a) Persons assigned a mooring for a temporary period [of more than thirty days] shall make the security deposit and pay mooring fees as prescribed this chapter.

The temporary fee structure is as follows:

$2.00/per vessel foot per day for a slip and $1.00/per vessel foot per day on offshore mooring.

(b) Those assigned a mooring for a period of thirty days or less shall not be required to make the security deposit as provided in section 13-234-2, but shall be required to pay fees in advance.
(c)The fees described in subsection [(d)](a) shall apply for the entire period the vessel is in the state boating facility.
[(d) The mooring fees for a vessel assigned a mooring for thirty days or less shall be as provided in section 13-234-3 or 13-234-4, plus ten percent for each twenty-four hours or any fraction of that time.]

Length of stay Fee
(1) 30 days or less 1-1/2 times the fees stated in subsection [(d)](a);
(1) 31 to 60 days 2 times the fees stated in subsection [(d)](a) for the period over 30 days;
(3) More than 60 days 3 times the fees stated in subsection [(d)](a) for the period over 60 days.

*** For Fall 2009, the University fees and tuition per credit are $474.30 for residents, and $976.30 for non-residents. Residents therefore pay less than half the amount paid by non-residents.**

<Wainiha3@hawaii.rr.com>
10/22/2009 09:25 PM

To <RecreationalRenaissance@hawaii.gov>
cc
Subject

Will the increase in fees be spread over the useful life of the improvements or will the present users be paying the total cost over a short periods?

James I
Hong/DLNR/StateHIUS
10/14/2009 03:08 PM

To recreationalrenaissance@hawaii.gov
cc
bcc
Subject Concerns about proposed DBOR temporary moorage rates

Good afternoon, Ms. Thielen.

My name is James Hong, and I am a Harbor Agent II at the Ala Wai Small Boat Harbor. I wanted to express my concerns as a professional in the recreational boating industry over the increase in temporary mooring rates at small boat harbors island-wide.

It is a given that our current rate structure is outdated and does not reflect rates more aligned with the market. However, the proposed $2.00/ft./day is grossly out-of-reach for most, if not all, of the temporary tenants that come through my harbor. Those who could afford those rates would most likely have a permanent berth at a private marina without having to "harbor hop" while waiting for a permanent berth at one of our state marinas. As far as I know, even the private yacht clubs do not charge more than $1.00/ft/day for temporary moorage.

If we want the State of Hawaii to have a vibrant recreational boating community, we need to first make it affordable. Temporary tenants range from school teachers to jewelers to retired people. Even with the smallest size vessel (20') we can accommodate, $40/day or $1200/month (without liveaboard) is incredibly expensive. To put things in perspective, a roughly 40' LIVEABOARD boat at Ko'olina is approximately $1000/month.

Another issue is that of selling vessels. Vessels that are in a permanent berth here at the Ala Wai must go on a temporary basis once sold if space is available to accommodate the temporary vessel. However, if a prospective buyer knows that exhorbitant rate of being in a temporary berth, it will be that much more difficult for both the buyer, the seller, and the broker. It will affect the boat selling and boat broker business.

Ms. Thielen, I ask that you reconsider the current proposal of $2.00/ft/day for temporary moorage to a more reasonable rate. I suggest between $0.75/ft/day to $1.00/ft/day.

Thank you for your time and consideration.

Sincerely,

James Hong
Harbor Agent II
Ala Wai Small Boat Harbor

October 13, 2009

Re: DLNR Division of Boating and Recreation
Proposed Amendments to Chapter 13-234
Hawaii Administrative Rules

Dear Chairperson,

Your proposed Amendments (Schedules A and B) raise the mooring fees charged by Hawaii's Small Boat Harbors. You have described the fee increase as 'modest.'

But for one section of the boating community, under Section B, the proposed increase is sudden and extremely high, and will cause serious hardship if approved.

You have ignored the small population of boaters who are classified as temporary while on the waiting lists for permanent moorings at Ala Wai and Ke'ehi Harbors. As you know, the period of waiting is indefinite; it can continue for years.

We are not transient tourists. We are State of Hawaii residents. State institutions and facilities, such as the University of Hawaii, set a precedent by charging much lower fees for residents than non-residents, generally less than half.*

Yet we will be charged Schedule B rates. (See below.) Plus unknown additional percentages as stated under 'Length of Stay Fee.'

For example, our 27' boat temporarily moored in a slip is now charged under $12 per day, approximately $360 per month.

At Schedule B rates of $2 per foot per day, it will cost $54 per day, or $1,620 per month.

The difference is an immediate increase of $1,260 in monthly fees.

This is 4 ½ times the present rate.

This could not possibly be described as 'modest.'

We would like to request an amendment or provision for boaters in our position, reflecting 'kama'aina' rates which discriminate between residents and non-residents in Hawaii.

Specifically, we State residents request a fee increase like that provided for permanently moored Schedule A boaters, of less than half the tourist rate, imposed gradually during the waiting period for moorings and/or over a five-year period.

Finally, in this time of great stress, there is no precise information available. When will the new fee schedules come into effect? Harbor personnel are unable to answer questions as to timing or exact calculations of fees.

Will the protests of the public have any effect on the approval of the Amendments at all?

It is really difficult to make contingency plans in this situation.

Sincerely,

Julia Trott and Cynthia Clement

[redacted]

1. Section 13-234-1

(3)Schedule B shall apply to all new mooring applicants and transient slips on or after the effective date of these 2009 rule amendments

(4)13-234-5

3. Mooring fees for vessels assigned temporary moorings or occupying moorings without permission.
(a) Persons assigned a mooring for a temporary period [of more than thirty days] shall make the security deposit and pay mooring fees as prescribed this chapter.

The temporary fee structure is as follows:

$2.00/per vessel foot per day for a slip and $1.00/per vessel foot per day on offshore mooring.

(b) Those assigned a mooring for a period of thirty days or less shall not be required to make the security deposit as provided in section 13-234-2, but shall be required to pay fees in advance.
(c)The fees described in subsection [(d)](a) shall apply for the entire period the vessel is in the state boating facility.
[(d) The mooring fees for a vessel assigned a mooring for thirty days or less shall be as provided in section 13-234-3 or 13-234-4, plus ten percent for each twenty-four hours or any fraction of that time.]

Length of stay Fee
(1) 30 days or less 1-1/2 times the fees stated in subsection [(d)](a);
(1) 31 to 60 days 2 times the fees stated in subsection [(d)](a) for the period over 30 days;
(3) More than 60 days 3 times the fees stated in subsection [(d)](a) for the period over 60 days.

*** For Fall 2009, the University fees and tuition per credit are $474.30 for residents, and $976.30 for non-residents. Residents therefore pay less than half the amount paid by non-residents.**