

Bill 34, CD2 Testimony

MISC. COM. 605

From: CLK Council Info
Sent: Wednesday, November 24, 2021 7:32 AM
Subject: Council Testimony

Written Testimony

Name Matt Kester
Phone
Email matt.kester@gmail.com
Meeting Date 11-24-2021
Council/PH Committee Council
Agenda Item Bill 34
Your position on the matter Oppose
Representing Organization Self

Aloha Councilmembers,

Written Testimony

My name is Matt Kester, and I am writing to express concern over the current iteration of Bill 34, which seeks to restrict commercial activity at public beach parks in my district. I am a resident of Hauula, a Kahuku graduate, and a business owner in the community. My company, Shootz Productions, in partnership with John Wells Productions, Warner Bros. Media, and HBO, just finished shooting a television pilot for HBOMax here on the North Shore called Ke Nui Road. My production budget was ~\$13,000,000.00, and \$8.5 million of that was spent in the local community here in the form of salaries, rents and leases, goods and services purchased for props and set design, lunches, and catering, and well, you name it. It was a big production. In success, I will shoot nine more episodes, each with an episodic budget of \$7,000,000.00. Our offices, and all our filming, will take place in District 2. The production employs approximately 200 people, the vast majority union jobs with full benefits.

Ke Nui Road is about our fantastic City and County of Honolulu Ocean Safety Division, specifically the men and women who serve as lifeguards watching over our world famous North Shore beaches, the most beautiful and dangerous in the world. I grew up with many of these lifeguards, they are my friends and neighbors. They don't make much money, certainly not enough to afford to live on the North Shore, where a studio apartment regularly rents for \$2,000/mo, a three bedroom home for upwards of \$6,000/mo, and illegal AirBnB's flourish (effectively ignored by the city and county regulators), driving up prices and pulling rental homes off the market. It is a struggle to live

here for many, and many work two and even three jobs to get by. You know this, of course.

Bill 34 carves out a generous exemption for my industry, film and television, and I appreciate your willingness to allow me and my team continued permits to use the parks and shorelines for our commercial activity. We shoot there a lot, it's obviously a big part of the show. My question is one of scale - why are some businesses (mine) allowed to access these commercial permits, and others are not? Is it fair to allow the World Surf League to operate commercially in public parks, and to allow me to operate in commercially in public parks, but not my friends and neighbors and classmates who operate smaller, but equally vital businesses, like surf schools? It seems unjust to me for the City Council to pick favorites in this regard. There is a permit and licensing process, and if followed, any business should be allowed to operate, so long as they do it legally. Fair is fair. Either everyone on the North Shore gets a chance to be permitted for commercial activity in beach parks, or nobody does. It makes zero sense to me how in the wake of a crippling economic event like a global pandemic, city government is seeking to cut local businesses off at the knees. It is not my business or the WSL that drives the economy of the North Shore, we are seasonal. It is the small, 3-4 employee, mom and pop North Shore businesses. And if I can get a permit to operate at a park, they should be able to get one, too.

City government is experiencing a crisis of legitimacy not because of lack of laws, you all pass plenty of those, but lack of enforcement. Illegal vacation rentals, illegal food establishments, open criminal activity - all of these things flourish on the North Shore. If you would like to limit commercial activity at the parks, the place to start is to crack down on unlicensed, unpermitted, fly by night operations who regularly skirt the law with impunity. Enforce existing laws. We don't need new legislation restricting legitimate local businesses trying to follow the rules, pay their rent and mortgage, and feed their families. And for god sakes, don't play favorites. Let the market handle that.

Thank you for your consideration of this matter.

Sincerely,

Matt Kester
Showrunner/Executive Producer
KE NUI ROAD

Testimony
Attachment

Accept Terms
and Agreement 1

From: CLK Council Info
Sent: Sunday, November 28, 2021 11:39 AM
Subject: Parks and Community Services Testimony

Written Testimony

Name	Jennifer
Phone	
Email	Walter-wilbur143@hotmail.com
Meeting Date	12-01-2021
Council/PH Committee	Parks and Community Services
Agenda Item	Bill34
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Sunday, November 28, 2021 3:06 PM
Subject: Council Testimony

Written Testimony

Name	Nancy Ravelo
Phone	
Email	Kynobliss@yahoo.com
Meeting Date	12-03-2021
Council/PH Committee	Council
Agenda Item	Bill 34
Your position on the matter	Oppose
Representing Organization	Self
Written Testimony	I'm opposed to the exclusions cause for surf school. Allowing access to safe beaches is imperative
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, November 29, 2021 8:00 AM
Subject: Council Testimony

Written Testimony

Name Tom Hawkins
Phone
Email Haleiwatom2014@gmail.com
Meeting Date 12-01-2021
Council/PH Council
Committee
Agenda Item BILL 34
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I oppose bill 34 because it does not have exceptions for the things such as the surf contests, surf lessons, and film making. Let's manage tourism not cancel it.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, November 29, 2021 8:04 AM
Subject: Council Testimony

Written Testimony

Name	Josh Fenners
Phone	
Email	Josh.fenners7@gmail.com
Meeting Date	12-01-2021
Council/PH Committee	Council
Agenda Item	Bill 34
Your position on the matter	Oppose
Representing Organization	Self
Written Testimony	I oppose bill 34 because it does not include and exception for surf related activities.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, November 29, 2021 8:04 AM
Subject: Council Testimony

Written Testimony

Name	Andre Hunt
Phone	
Email	anakele54@gmail.com
Meeting Date	12-01-2021
Council/PH Committee	Council
Agenda Item	Bill 34
Your position on the matter	Oppose
Representing Organization	Self
Written Testimony	Hundreds of north shore residents rely on surf school for thier livelihood and too support thier families,as well as keeping the tradition of showing Aloha through surfing to our valued toursits.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, November 29, 2021 8:33 AM
Subject: Council Testimony

Written Testimony

Name	Joan Craft
Phone	
Email	altra.joan@gmail.com
Meeting Date	12-01-2021
Council/PH Committee	Council
Agenda Item	Bill 34
Your position on the matter	Oppose
Representing Organization	Self
Written Testimony	this bill does not include an exemption for locally owned and operated businesses such as surf schools.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, November 29, 2021 10:18 AM
Subject: Parks and Community Services Testimony

Written Testimony

Name SharLyn Foo
Phone
Email Bpacker@maui.net
Meeting Date 12-01-2021
Council/PH Committee Parks and Community Services
Agenda Item Bill 34
Your position on the matter Oppose
Representing Organization Self

Written Testimony Surfing is what the North Shore is all about. We need to better regulate than completely eliminate surf schools that are by locals out here. Tour buses must also be limited in numbers

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, November 29, 2021 1:19 PM
Subject: Parks and Community Services Testimony

Written Testimony

Name kathy reinhart
Phone
Email kathyreinhart@hotmail.com
Meeting Date 12-01-2021
Council/PH Committee Parks and Community Services
Agenda Item Bill 34
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I am for small businesses being able to survive. Individuals willing to work and pay taxes should be encouraged to continue. Surf schools should be able continue teaching surfing skills to both tourists and locals.. Do not deny them their livelihood.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, November 29, 2021 1:19 PM
Subject: Parks and Community Services Testimony

Written Testimony

Name kathy reinhart
Phone
Email kathyreinhart@hotmail.com
Meeting Date 12-01-2021
Council/PH Committee Parks and Community Services
Agenda Item Bill 34
Your position on the matter Oppose
Representing Self
Organization

Written Testimony I am for small businesses being able to survive. Individuals willing to work and pay taxes should be encouraged to continue. Surf schools should be able continue teaching surfing skills to both tourists and locals.. Do not deny them their livelihood.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, November 29, 2021 1:46 PM
Subject: Council Testimony

Written Testimony

Name Amy Harrington
Phone
Email Amyharringtonlaw@gmail.com
Meeting Date 12-01-2021
Council/PH Council
Committee
Agenda Item Oppose bill 34
Your position on the matter Oppose
Representing Self
Organization
Written Testimony I oppose bill 34 because it does not include an exception for surf related activities like surf contests and the film industry.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, November 29, 2021 2:21 PM
Subject: Council Testimony

Written Testimony

Name Denise Boisvert
Phone
Email infofordenise@yahoo.com
Meeting Date 12-01-2021
Council/PH Committee Council
Agenda Item Bill 34 CD2
Your position on the matter Support
Representing Organization Self

I STRONGLY SUPPORT Bill 34 CD2. For the last several years I have had to tell dozens upon dozens of tourists to MOVE AWAY FROM THE RESTING TURTLES at Hale'iwa Ali'i Beach Park. Most of these tourists arrive to the sand as an unguided group and proceed to get their up-close-and-personal photo opportunities with the turtles.

The source of these "unguided" groups is usually the many passenger vans (often with no company name easily seen on them) that park on the side of the road. I always see the drivers get out with 6 to 10 people and point toward the beach on the other side of the large grass park.

Written Testimony Then most of the drivers will LIGHT UP CIGARETTES while waiting for their tourists to return; and when they do return, the drivers ALWAYS DROP THEIR CIGARETTES TO THE GROUND ON THE SIDE OF THE ROAD to stump them out, and leave the butts there.

I do not live in Hale'iwa and cannot be there every day to try to protect the resting turtles. But dozens of tour vans are there every day and dozens of tourists get too close to the turtles every day and dozens of cigarette butts are dropped on the side of the road every day.

THIS TYPE OF COMMERCIAL ACTIVITY IS DANGEROUS TO WILDLIFE AND DISRESPECTFUL TO THE AINA.

Testimony Attachment

From: CLK Council Info
Sent: Monday, November 29, 2021 2:48 PM
Subject: Council Testimony

Written Testimony

Name Kim Jorgensen
Phone
Email hawaiicondo@yahoo.com
Meeting Date 12-01-2021
Council/PH Council
Committee
Agenda Item Bill 34 CD2
Your position on the matter Support
Representing Self
Organization

Written Testimony I support Bill 34.
It seems like a Wild West Free-for-All at the beaches with all the commercial enterprises (all licensed and paying required taxes??) clogging the roads and crowding out the parking spaces, beaches, and surf breaks.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, November 30, 2021 8:25 AM
Subject: Council Testimony

Written Testimony

Name	Kathleen Flynn
Phone	
Email	Kynolive@gmail.com
Meeting Date	12-01-2021
Council/PH Committee	Council
Agenda Item	Bill 34
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Surf schools Ned safe access to teach
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, November 30, 2021 8:28 AM
Subject: Council Testimony

Written Testimony

Name	Kathleen Flynn
Phone	
Email	Kynolive@gmail.com
Meeting Date	12-01-2021
Council/PH Committee	Council
Agenda Item	Bill 34
Your position on the matter	Oppose
Representing	Self
Organization	
Written Testimony	Surf schools Ned safe access to teach
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, November 30, 2021 8:43 AM
Subject: Council Testimony

Written Testimony

Name Aimee Antipala
Phone
Email aimeeantipala@gmail.com
Meeting Date 12-01-2021
Council/PH Committee Council
Agenda Item Bill 34
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

Aloha from Haleiwa. I'm writing this to ask you please stop Bill 34. Before Covid, I worked as a concierge at Tuttle Bay Resort. As a single mom with a preschool age daughter, I found the long hours and rigid scheduling there very stressful. Now I work instructor at a North shore surf school. The flexibility of my schedule is a true blessing for my family. I am a long time resident of the North Shore, originally from Kauai. And even taught surfing in California. This is my vocation. I am begging you to not to take my job away.

We have just come out of the pandemic, unemployment is down. If you pass this bill, many of us will have to apply for government assistance, unemployment, and possibly even lose our homes. Honestly, it seems so unfair to single out the surf schools. Many other businesses that cater to tourists use the ocean. The safety record of surf schools is outstanding. Have you considered that tourists will rent boards and try to surf here with no skills and respect for the ocean. Can you imagine the danger? The surf schools also give tourists a chance to experience Hawaii life.

Isn't it the new direction for tourist industry promotions to emphasize Hawaii's unique culture? Surfing is Definitely part of that special culture Please don't let this bill pass. You will hurt so many for no good reason Here is a quote a North Shore online advertisement. Safety and Aloha always first. Thank you for listening to me. I pray you will do what is right.

Learning to surf on the North Shore of Oahu in the winter months is safe because we teach you to surf in a protected cove. With that said it can be very dangerous for beginner surfers to surf with out a surf coach or in a surf lessons. When in doubt don't paddle out...

From: CLK Council Info
Sent: Tuesday, November 30, 2021 9:29 AM
Subject: Council Testimony

Written Testimony

Name Joe Wilson
Phone
Email qwavesjoe@yahoo.com
Meeting Date 12-01-2021
Council/PH Committee Council
Agenda Item CR-336 Bill 34, CD2
Your position on the matter Support
Representing Self
Organization

I write in Support of BILL 34 (2021), CD2, with appreciation for the inclusion of additional public parks across the north shore to Waiale'e.

This will ensure that commercial activities prohibited at one, or a few, beach parks won't simply be pushed down the road to other beach parks in the same region.

Written Testimony

And it demonstrates that solutions to some of our biggest challenges must be addressed holistically, not simply piece by piece.

Joe Wilson
Malama Waiale'e Ohana
Ko'olau Waialua Alliance

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, November 30, 2021 3:18 PM
Subject: Council Testimony

Written Testimony

Name Greg Arndt
Phone
Email greg@privatetourshawaii.com
Meeting Date 12-01-2021
Council/PH Committee Council
Agenda Item Bill 34
Your position on the matter Oppose
Representing Organization Self

Written Testimony

I am a 48 year long resident of Hawaii. I love nature, the outdoors, the ocean, the trails. My solitude. I do not encounter visitors ruining my private time as is often mentioned in these testimonies. I also work for a private tour company taking small groups around the island. I love Hawaii, I would never do anything on my tour that disrespects this place or the people that live here. All along our route we are supporting local communities, people, businesses and eateries, etc. I have a degree in Pacific Island Studies from the University of Hawaii. We teach culture, a sense of place, and respect for our native species. Most of the places I go to are uncrowded. Even at the Pipeline the other day I was the only van. I avoid places like Pua Ena in Haleiwa if it looks crowded.

Bills 34 and 38 make it a crime for any visitor just to look at any beach or park along almost the entire coast. Do people understand that this bill makes me subject to arrest if I let my guests simply look at a beach or walk in a park, even for only ten minutes?!

Would you go on a tour if you were not allowed to get out and see anything, or be hosted by a local? No, you will be forced to rent a car if you want to see the island of Oahu.

Less than 2% of the traffic is from tour vehicles. Yet people are frustrated and lashing out at how all tour companies must be made illegal due to traffic congestion. Hardly any tour vans are at Laniakea at any given time, yet when a young visitor in a rental car touches a turtle, all tour guides and their guests are accused of trying to destroy Hawaii's native species. Yet I am the one protecting them by informing my people.

The list goes on. Go out and watch these places. There are almost no problems except at a couple "hotspots" and maybe a couple of "idiot"

tour companies. Deal with that situation specifically , do not take away my job for no reason.

I am a local. Why are you taking away visitor money from us and giving it to rental car companies? Why are there no actual physical studies to observe in detail what really is happening at any place in question, and then pro-active rules put in place if needed? Why is there a leap to 100% closure and the destruction of our way of life here?

We have to want to help each other. Bills based on hysteria and hate are turning Hawaii into a police state with a broken economy, making life harder for us, and the sad part is the so-called answers from our city council don't actually fix the actual problem.

By the way just the presence of tourists and the 4% taxes they pay alone puts millions into our beach and park systems. Also my income goes to my rent which pays my landlords mortgage. It is not true that visitors only take and don't help Hawaii.

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

TESTIMONY of KATHY WHITMIRE
SUPPORTING BILL 34, CD2
CITY COUNCIL MEETING
December 1, 2021

My name is Kathy Whitmire. I am a Board Member of the North Shore Outdoor Circle and chair of its Signs Committee. We support Bill 34 because we believe it will improve the appearance of our North Shore beaches and beach parks and make them more enjoyable for residents and visitors alike.

We believe that Bill 34's prohibition of commercial activities is necessary to end the visual blight that exists now in some of our North Shore beach parks and beach rights of way. As tourist activity is rapidly returning to the North Shore, excessive commercialization of our beach parks will only increase. Without protection of our parks and beaches, we can expect further degradation and loss of the beautiful natural resources for which the North Shore of Oahu is known around the world.

Please pass Bill 34 today.

We very much appreciate Councilmember Heidi Tsuneyoshi's hard work and determination to protect our North Shore parks from the overuse, erosion and visual blight that has been brought on by over-commercialization. In past years, City Council took action to limit commercial activities in beaches from Makapu'u to Kailua. Passage of Bill 34 will extend similar protections to the North Shore beaches.

Protecting Haleiwa Beach Park from sign clutter and visual blight has long been a goal of the North Shore Outdoor Circle. This Park fronts directly on Kamehameha Highway in the area near the iconic Haleiwa Bridge over Anahulu River. Unfortunately, in recent years commercial activities have overtaken the beauty of Haleiwa Beach Park with large vehicles displaying advertising signs sometimes parked 24 hours a day at the beach park blocking the view of the ocean. So, we are quite concerned that the developed portions of Haleiwa Beach Park were excluded from the protections against commercialization in the final version of Bill 34. This will require careful monitoring and enforcement of the permit process for commercial activities continuing in Haleiwa Beach Park.

Parks Department Rules pertaining to commercial activity in parks already prohibit commercial advertising on park property in connection with permitted activities. Unfortunately, these rules often were not enforced in the past. So, we appreciate the fact that the Council is now considering an additional Bill to improve enforcement procedures to better protect our parks.

Thank you for your consideration and for your commitment to keeping the Island of Oahu clean, green and beautiful.

Contact information:
Kathy Whitmire
808-226-9612
Kathyjwhit@aol.com

**TESTIMONY RE: BILL 34 CD2
FROM THE NORTH SHORE SURF COALITION**

November 30, 2021

Aloha, Councilmembers and Members of the Committee on Parks and Community Services!

My name is Carol Philips, owner of **North Shore Surf Girls – Surf School** and a representative for the North Shore Surf Coalition (the “Coalition”). The Coalition is comprised of owners and representatives from registered and permitted surf schools primarily doing business on the North Shore of Oahu. Members of the Coalition include:

- Achraf Marzouki, owner of **Hawaii Waves Surf School**
- Keola Kahauelio, owner of **Aloha Surfing Ohana LLC**
- Kala Grace, owner of **North Shore Oahu Surf School LLC**
- Heidi Burgoyne, owner of **Rainbow Water Sports**
- Steve Andreas owner of **Sea & Board Sports LLC**
- James Antunez, owner of **Hawaii Surfing Academy**
- Sergio Lima, owner of **Island Style Surf School**

The Coalition submits these comments regarding Bill 34 (2021) CD2 (“Bill 34”).

We note there appears to be a change from the previous version of Bill 34 – CD1, to this version, CD2. The ban on commercial activities previously identified “Haleiwa Beach Park” generally. However, this CD2 version changed that language to apply to “the undeveloped portions of Haleiwa Beach Park adjacent to Pua’ena Point.” ***It is therefore our understanding that legal and permitted surf lessons may still take place in the portion of Haleiwa Beach Park not specifically named in Bill 34.***

Assuming our understanding is correct, we would like to begin by thanking the Councilmembers, and Councilmember Tsuneyoshi in particular, for

considering our concerns and for amending the Bill so that there is still an opportunity for legitimate surf schools to remain in business on the North Shore.

We appreciate the change in CD2 that we think will allow us to still operate in a specific portion of the North Shore. Generally, we remain opposed to Bill 34 and would prefer that an exception be made to allow surf schools to continue to operate throughout the North Shore. As the Council is no doubt aware, surf breaks on the North Shore greatly varies and changes throughout the year and depending on the season. To best serve our customers, both visitors and locals, and the North Shore community, we need greater autonomy and the ability to choose which beaches are best and safest to provide lessons depending on the time of year.

Rather than regulating surf schools on the North Shore through legislation, we would suggest that it is more appropriate to allow the licensed and permitted surf schools to work with the Parks Department (**DPR**). If surf schools are truly an issue on the North Shore, we can work with DPR. We currently apply for a permit every month. DPR can restrict the beaches in which those permits are valid. There are miles and miles of beaches on the North Shore. We are confident that there is more than enough room for permitted surf schools to operate alongside the public. We can also work with HPD and the DLNR when it comes to unpermitted surf schools. We are happy to work directly with DPR to collaborate and reach an amicable solution that benefits the community, the surf schools, and our visitors.

The importance of surfing and legitimate surfing lessons on the North Shore cannot be understated. In the November 10, 2021 public hearing on Bill 34, the vast majority of testifiers opposed Bill 34, and of that opposition, most of it came from surf schools that call the North Shore home.

We are fully insured and registered to do business. We have permits from both DPR and DLNR. We understand the problems and frustration with over-tourism and the increased commercialization of the North Shore's famous beaches. We do not like it, either.

However, legally operating surf schools are an incredible asset to the North Shore community. A ban affecting locally owned, legally operating, and permitted surf schools from operating across most North Shore beaches will do nothing to address the true issue of over-commercialization on the North Shore. Most people who support Bill 34 are concerned with large tour buses and tour groups overcrowding the North Shore's beaches. The Coalition agrees. Large tour buses and tour groups consistently clogging our roadways and parking lots are a huge strain on our community and on our beaches.

We help preserve safety on the North Shore. Making it illegal for licensed surf schools to operate in most of the North Shore will not stop Hawaii's visitors from coming to the North Shore and attempting to surf. The North Shore now has a shortage of lifeguard stands and lifeguards. Removing licensed surf instructors from most of the

North Shore, all of whom are licensed open water lifeguards with CPR certification, may overwhelm the City's lifeguards and undoubtedly lead to more injuries and drownings of locals and visitors. We have personally saved dozens of people in open water over the years. We are experienced water men and water women. We are intimately familiar with the North Shore's several surf breaks. We follow necessary safety protocols with our students. We only offer surf lessons on those beaches where it is safe for beginners.

North Shore surf lessons has a significant direct and indirect impact on Oahu's and the North Shore's economies. The North Shore's surf schools gainfully employ dozens of local North Shore residents. When visitors travel to the North Shore for a lesson, they usually also patronize several of the North Shore's other shops and restaurants.

Our livelihood depends on being able to legally operate on and throughout the North Shore because of how the surf varies throughout the seasons. The Coalition seeks to make the North Shore safer while continuing to spread surfing and the Aloha spirit throughout the world. We look forward to working with the Council going forward to ensure that the primary purpose behind Bill 34, the over commercialization of the North Shore, is addressed while allowing surf schools to continue to steward the art and sport of surfing for Hawaii's visitors and residents.

Mahalo,

Carol Anne Philips
carolphilips1@gmail.com

From: CLK Council Info
Sent: Tuesday, November 30, 2021 5:47 PM
Subject: Council Testimony

Written Testimony

Name Kekai Grace
Phone
Email Kgrace993@hotmail.com
Meeting Date 12-01-2021
Council/PH Committee Council
Agenda Item Bill 34
Your position on the matter Oppose
Representing Self
Organization

Written Testimony Aloha ! My name is Kekai Grace I am a hawaiian born and raised in the North Shore and I oppose bill 34 for the reason of stopping surf schools in the north shore area. Surf schools on the North Shore are very important for public safety, for training future surfers, and for the economy on the North Shore. It is my understanding that the current version of Bill 34 – CD 2, allows surf schools to operate in a designated portion of Haleiwa Beach Park. If Bill 34 passes, please maintain this provision and make sure that it still allows surf schools to operate in certain parts of Haleiwa Beach Park, and hopefully in other key locations.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, November 30, 2021 5:51 PM
Subject: Parks and Community Services Testimony

Written Testimony

Name Betty Depolito
Phone
Email banzaib@hawaii.rr.com
Meeting Date 12-01-2021
Council/PH Committee Parks and Community Services
Agenda Item Bill 34
Your position on the matter Oppose
Representing Self
Organization

Written Testimony This is a bad bill that takes away a bit of income from the community that really needs some help right now. I oppose this bill as it does not exempt surf schools, yoga classes, bouncies, food caterers, photographers, etc. The term commercial is not defined well at all. What are our visitors going to experience here? Surfing is top of the list and and a cultural experience that surf schools do well. They govern themselves and are well trained and lifeguards that protect those in the water. This is just another thing that will going "underground" and the city ad state will lose tax revenue. Oppose. Oppose! Oppose!!

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, November 30, 2021 5:55 PM
Subject: Council Testimony

Written Testimony

Name Lilia De Wilde
Phone
Email liliadewilde@gmail.com
Meeting Date 12-01-2021
Council/PH Committee Council
Agenda Item Bill 34
Your position on the matter Oppose
Representing Organization Self

Written Testimony

Surf schools on the North Shore are very important for public safety, for training future surfers, and for the economy on the North Shore. It is my understanding that the current version of Bill 34 – CD 2, allows surf schools to operate in a designated portion of Haleiwa Beach Park. If Bill 34 passes, please maintain this provision and make sure that it still allows surf schools to operate in certain parts of Haleiwa Beach Park, and hopefully in other key locations.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, November 30, 2021 7:54 PM
Subject: Parks and Community Services Testimony

Written Testimony

Name	Larry McElheny
Phone	
Email	lkmcelheny@gmail.com
Meeting Date	12-01-2021
Council/PH Committee	Parks and Community Services
Agenda Item	Bill 34 2021
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Aloha Council Members Please join me in strongly supporting this important Bill. Mahalo, Larry McElheny
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

permit letter end October

Aloha Augie Tulba, Heidi Tsuneyoshi, Carol Fukunaga, Andria Tupola & to whom ever else this may concern,

This is Tamayo Perry with the surf school Oahu Surfing Experience. My sincerest apologies for waiting until the last minute to write to you all. Between working my lifeguarding job and helping my mother manage her cancer situation, I've been absolutely spread thin. Once again, I'm not asking for sympathy, but rather, I'm just explaining to you why it's taken me so long to respond to the drafting of & the contents of Bill 34.

I would like to start by thanking you all for always giving your best efforts of actually physically meeting with the people of Hawai'i, whom these major issues actually effect. So far, in my humble opinion, you are all doing an outstanding job in office & I appreciate your thoughtfulness very much so.

I am writing to you in presentation of offering a few possible solutions to the commercial surfing side of Bill 34.

However, I must make it known to you, if you haven't already noticed already, but there will be serious ramifications or rather, grave & unintended consequences that stem from Bill 34 by way of the main contents of the Bill using the verbiage, " Commercial Activities.... are Not Allowed At Any Time "!

This is not an insult but rather an astute observation & i hope you don't take this the wrong way, but unfortunately, last I checked, the Government of Hawai'i was not maintaining a realistic viability in the arena job of creation. In the State of Hawai'i, Livable Job Opportunities with wages that produce a realistic way to provide for your family are slim to none. Living out here on the North Shore is even much much more difficult to survive. Most of us are all living pay check to pay check & literally one pay check shy of becoming homeless.

If Bill 34 is passed, it would mean an upwards of 250 NorthShore residents, both Kanaka Maoli & Kama' āina alike, would be put out of a life sustaining job & one step closer to homelessness.

Myself, as well as many of my fellow surf instructors that reside here on the

North Shore, we pass on kuleana of Hawaiian Culture as we teach surfing. Our beautiful Hawaiian Island Chain is the Birth Place of surfing & surfing is one of the most amazing & inspirational lifestyles that has ever graced planet earth. The moving art, lifestyle & modern day sport of surfing nearly disappeared from existence back in the early 1900's & if it wasn't for a young Hawaiian named Duke Kahanamoku, one of the most fascinating aspects of Hawaiian Culture would have vanished into obscurity. We the next generation of Hawaiian surfers & surf instructors fill in where Duke left off, continuing to perpetuate one of the most vital pieces of Hawaiian Culture to the next generation Hawaiian as well as the traveling malahini alike, who comes to our islands clueless & uninformed of the sacredness of Hawaiian Culture. Many of our educational surf schools become this avatar to important maintenance of a potentially dying culture.

I need to get it straight off my chest by stating that I am opposed to Bill 34 & I kindly ask that you Kill Bill 34 in its tracks before it causes irreparable damage.

If your counsel is absolutely hell-bent on eradicating "All Commercial Activity" from the North Shore Coast Line, I will accept your decision only on one condition, and that one condition would have to be that you be fair to ALL!

What I'm saying, is that this Bill 34 effects the little Mom-N-Pop operations on the North Shore. The small entrepreneurs that have endured major lack of job opportunities & used their creativeness & survival skills to create self employment & work positions against all odds. For example, my business has been in operation for roughly about 12 years now.

So to be fare to ALL, you would need to ELIMINATE ALL COMMERCIAL SURFING COMPETITION from the North Shore as well!!!

Most Professional & Amateur Commercial Surfing Competition here on the North Shore is owned & operated generally by CORPORATE/FOREIGN ENTITIES who do a lot of major structural damage to our Public Owned BEACH PARKS. Please Do Not for one second use ambiguous semantics by acting like "A surfing Competition" or "Surfing Event" can be looped holed or maintain an exemption of being granted a permit by having the vague terminology such as "Commercial Filming Activities" in Bill 34, because no matter what terminology that is being used in Bill 34, a "Surfing Competition" with judges & competitors is still a "COMMERCIAL SPORTING EVENT/ COMMERCIAL ACTIVITY" no matter how one may be spinning it.

Not only do I teach the very beginner in the culture & skill of surfing, but I

also I teach & instruct young professional & amateur surfers before, during & after surfing competitions on the North Shore.

If you take away my permit because you are determined to pass Bill 34 without revising it so Surf Instructors have an exemption from this Bill, it would be a bizarre hypocrisy because i no longer would have the ability to legally instruct competitors in Commercial Competitions here on the North Shore.

So to be fare to the Kanaka Maoli & Kama' āina, the True Backbone & real residents of the North Shore, if you are going to terminate our livelihood, then ALL COMMERCIAL SURFING COMPETITIONS MUST NEVER BE ALLOWED to be permitted, held & operated again.

I hope I am making my plight for the little man crystal clear. Food on our tables & the roof over our head is very much at stake at this very moment.

To give you a better idea of my background & credibility, I am a former professional surfer who was endorsed and paid very well by major corporate surf companies such as Rip Curl Clothing & in my later years O'neill Inc. These companies didn't pay me to surf in competitions but rather they paid me for my skill set & expertise in surfing Pipeline, as well as surfing many of the other extremely dangerous & infamous waves of the world. What I'm about to present to you is by no means 2nd hand in nature but rather it is through my real life experiences & accumulated knowledge that has kept me safe & alive to this day. My whole life's formula has to do with safety, risk assessment & risk management. As well, I am a lifelong part of this North Shore Community & I to want to be in harmony with my community, especially while running my business. I pride myself through a self-created business formula on being community friendly, I stress the issue of keeping my community safe & as a community member, I to can not stand the eye sore that a few rogue surf schools have created with advertisement style commercial tents & an over saturation of surf students at certain surfing lineups out here on our North Shore beaches.

So here are my proposed solutions.

1. We have a C&C rule or law that currently exists that allows for 1 instructor to a 5 student ratio. This in my expertise is absolutely ludicrous. 1 lone instructor can not realistically safeguard 5 students in a rogue environment such as the wild ocean. Especially out here in our North Shore waters. It is by no means safe for students or the surfing public at large to allow a 1 instructor to a 5 student ratio. This law or rule needs to

be changed to No More than a 1 instructor to 3 student ratio. This will force schools to hire more qualified instructors to help manage their students. Not only will this create a few more jobs for our Northshore residents but also, this will help guarantee public safety in the lineups. More qualified instructors in the lineup will help keep their beginning students contained and from drifting off in the current without supervision. Rogue, unattended students is the catalyst for seriously hurting each other as well as the general public. Unattended students is always the biggest danger in the surf.

2. Renting any type of surfing equipment on the Northshore should be banned all together. You should Not be allowed what so ever to rent surfboards, bodyboards, SUPs or floating pool toys. These type of tourists who rent these kinds of equipment generally get sucked out to sea, causing unwanted stress on the already overburdened & overwhelmed lifeguard force. There have already been several documented cases of tourists drowning because of renting surfing equipment and not having a guide or professional instructor with them.
3. The C&C laws & rules that currently exist (and they really already need to be enforced by authorities), state that there is absolutely no soliciting, advertising or tents allowed to be set up in C&C Beach Parks or parking lots. I stress once again, that this existing rule needs to be enforced! Several rogue & lawless schools take advantage of the communities lack of awareness to what the rules really state. As I am quite convinced that this is one of the communities main irritations towards the surf schools. The left side right side & of Hale'iwa Beach Park (Puena Point) is loitered with illegal surf tents & advertisements posted up all over the park & beach entrances. I'm not sure on the standing rules as far as State DLNR is concerned & if there is a loop hole as to if a surf school can set up a tent & advertise on the actual beach, like how they do at Chuns Reef & now a new surf school tent that has just popped up on Laniakea Beach. Surf School Tents in the Chuns & Laniakea area are another major reason contributing to the heavy traffic. If this law was enforced, it will also curb the temptation for a school to solicit & illegally take cash payments for walk ins. Meaning tourists who see the tents & walk up for an unannounced lesson.
4. The Northshore geographically is a fairly small arena. In all hindsight, there eventually needs to be a Cap or limitation to the amount of permits that are allowed to be issued out here. I don't know how this can be done legally, but It should DEFINITELY NOT be a highest bidder solution. This would be absolutely unfair to small business such as myself who have been operating legally for nearly 10 years now. I pride myself in running a

business that is based on safety, being community friendly & flat out offering an exceptional cultural service. If it is based on the highest bidder, my small business would be squeezed out. As well, big business would only care about making as much money as possible & in return they would have no regard for the safety of their clients as well as the safety of the general public. Rather, I was thinking the solution might be to use the methodology of how they grant boat slips to people in harbors. A Grandfather clause or something? First come first served & the later folk who are attempting to get a permit get on a waiting list until another company loses their permit for breaking the existing rules, the owner of the permit possibly dies or just flat out gives up on running their surf school business. Then the next in line steps in.

5. Being that on Holidays, understandably, our beaches can become overwhelmingly crowded. Everyone island wide wants to go to the beach. Treat surf schools like the corporation known as the World Surf League (WSL)/Tripe Crown. Make it part of the law for surf schools to Not be able to operate on Holidays.
6. Last but not least. Please Do NOT even consider isolating surf schools to 1 to 3 beaches. This is by no means safe jamming everyone into a few small, isolated locations. It is very much the opposite & this thought process is just down right dangerous. As well, I have a special skill set that allows me to teach the very beginner all the way up to the highest levels of professional surfers. My wife & I coach the very same professional surfers that are competitors in the Triple Crown. We need access to coach at the same venues as the Triple Crown. This also goes hand in hand without creating a time restraint for this type of coaching. If the contest starts at 8:00am, I need to be allowed to get out there even earlier into the lineups with my students to get them ready for the competition. I sometimes have my professional clients out there as early as 6:00am so I can have them ready to perform once it's showtime.

I'm pretty sure that these are some good, well thought out solutions and a fair compromise towards the concerns of the tax paying public who want unhindered access to their beach parks and surfing locations. I hope this sheds a little light on this hot topic of interest. Thank you once again Heidi for all that you do & for sincerely listening to the little people of Hawai'i. I do not envy your difficult position in finding a proper solution, but I will always be there to help you in any way I can. Feel free to call, text or email me if you have any further thoughts or questions. Have a wonderful day Heidi and Mahalo nui for always sincerely listening to the little people of Hawai'i. Keep fighting the good fight my friend.

Sincerely yours,

Tamayo Perry

Phone # 1(808)497-7109

E-mail :

Oahusurfingexperience@aol.com

From: CLK Council Info
Sent: Tuesday, November 30, 2021 9:17 PM
Subject: Parks and Community Services Testimony

Written Testimony

Name Kai cunningham
Phone
Email maryd808@hotmail.com
Meeting Date 12-01-2021
Council/PH Committee Parks and Community Services
Agenda Item bill 34
Your position on the matter Oppose
Representing Self
Organization

Written testimony: Suggested testimony: "I oppose Bill 34 because it does not include an exception for surf schools, like surf contests and the film industry

Here is the attorney drafted testimony- please send it tonight.

Written Testimony Surf schools on the North Shore are very important for public safety, for training future surfers, and for the economy on the North Shore. It is my understanding that the current version of Bill 34 – CD 2, allows surf schools to operate in a designated portion of Haleiwa Beach Park. If Bill 34 passes, please maintain this provision and make sure that it still allows surf schools to operate in certain parts of Haleiwa Beach Park, and hopefully in other key locations. wich will decongest the limited spots you have given us

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

Kill bill 34

The Northshore is the Mecca of surfing

Reasons why you MUST amend bill 34 to include surf Lessons....

If we are not able to teach Surf Lessons, this will create an influx of un-licensed and non-professional coaches & instructors to flood the Northshore Coast. Illegal operations will be able to profiteer due to the very real void you create by not amending this completely unfair & inhumane Bill. It also halts tax revenue from returning back to The Hawai'i State Government.

Parents of military kids and local children alike, that are looking for an outlet to stay out of trouble, will no longer be allowed to utilize trained professionals who would be able to teach them valuable safety knowledge through taking surf lessons with trained educators on how to protect themselves & others in an extremely unpredictable environment. In one arbitrary swoosh of the pen, you will be taking a priceless opportunity & essential aspect of safe learning away from visitors & next generation keiki who grow up on this dynamic & unruly coastline. I repeat again, Surflessons equal a safe learning platform for potential ocean goers who the State & City & County truly have no control over, other then through the over worked & already overburdened C&C Lifegaurds.

The City & County Not allowing the teaching & instruction of beginners is like having a bunch of untrained & uneducated drivers out on our highways, not knowing the unwritten rules and regulations, which equals the City & County government being negligible towards the community of the Northshore by cutting of an integral learning process that helps the beginning surfer avoid danger to themselves, & more importantly, helps the novice surfer to avoid harming others.

Not only are we limited to teaching the traveling surfer, but as well, we teach a lot of Northshore residents how to stay safe and surf here in their

own backyard. We teach them how to pay close attention to the warning signs that C&C Lifeguards implement, we teach our students how to pay attention to & understand surf forecasts, how to read the weather maps and how to understand the very real dangers of ocean currents. If you eliminate Local Surfing Instruction here on the Northshore, where are these novice surfers going to go now if they have no guide???

If your council does away with Surfing Instruction here on the Northshore, there is a very real potential that through your committee's negligence to not conduct thorough research on this Bill, because of Cause & Effect, there is major potential for unwitting tourists to rent surfboards on their own volition because they can not find an educator or guide to facilitate them. If & when this happens, there is a tremendous possibility that these tourists may die. This will mean their Blood is on your hands.

You've already amended Bill 34 To allow surf contests and movies, which all promote surfing. Now you are going to usher in tons of tourists here... Advanced and Beginning surfers with no guidance on how to survive the Northshore and not so much as a clue whatsoever on how to play it safe .

Note: Here's a really interesting fact that is worthy of mention. As I was surfing at Haleiwa the other day, I couldn't help but notice the saturation of competitive surfers in the line up. These competitive surfers that were obviously practicing for the upcoming international surfing competition that you have permitted, had paid surfing coaches with them training them on how to potentially win the event. Amongst the foreign surfers out in the surfing lineup, there were five foreign coaches accompanying them, who needless to say,

Do Not have a working visa to enter our country and could barely speak a drop of English. All of these "Foreign Surfing Coaches" were all profiting off of the Haleiwa Surf Break and not paying a single cent of taxes to the state of Hawai'i. All of them were making money soliciting coaching lessons & utilizing our public beach parks. Will Bill 34 effect foreign coaching? Will Foreign Coaches be penalized for breaking the rules that exist in Bill 34 or does it only effect Local Hawai'i born businesses???

Because there is an International surf contest that you have permitted, you have welcomed this type of illegal behavior and have in return, made your potential voting constituents extremely angry. By allowing Foreign Corporations to be able to conduct business throughout our Northshore Beach Parks & giving favor towards Big International Companies & on the reciprocal end, abolishing & destroying your small, local Mom-n-Pop

businesses; this type of one sided discriminatory behavior that your council is allowing & expressing creates a deep disparity & lack of serious trust towards your policy making. We, the people of Hawai'i are the voting residents that vote for our appointees, not International Corporations.

I REPEAT, HOW CAN YOU PROMOTE SURFING TO THE WORLD AND NOT HAVE AN OUTLET FOR PEOPLE TO LEARN AND BE SAFE.

We are professionals. We are First Aid and CPR certified. We teach people to read rip currents and how to be aware of rip currents. We teach people the unforeseen Dangers of an unpredictable ocean. We know how to teach people to be aware of all of these dangers. How are we going to teach the next generation how to be Olympic Champions or just the community youth to be confident in the wild sea?

Because we teach many local residents how to enjoy their backyard safely, I genuinely ask you all, why are you taking this opportunity away from them???

By taking away surfing instruction, you take away an extra abundance of skilled, ocean professionals out of the surfing lineups. Bill 34, under your authority, will undoubtedly help cause needless strain & overburden our EMS/ First responders who are already extremely short staffed as it is.

So now the only legal place you're saying to teach Surf Lessons is going to be Waikiki! So the byproduct of Bill 34 is that you are going to also have hundreds of more people dangerously piling in at Waikiki. When you take away one surfing spot, you overwhelmingly crowd another.

The ocean is part of my religion & spirituality and I want to teach and preach how the Lord protects me and helps me when I'm surfing these waves and you are taking my freedom of religious expression away.

Another major problem I see, is when the waves are coming up on the north shore and a beginner wants to go for a surf thinking it's small and then all of a sudden there's an 8' to 10' foot set out of nowhere appearing before their eyes... If these people (tourists) had more knowledge and were educated about the unpredictability & power of the North Shore, then safety becomes paramount. Once again, Surf Lessons teach you how to pre-check the charts and what to be aware of. This is not just the burdens of a lifeguard, because the reality is, there are many surfing locations without any lifeguards present.

We have performed multiple surf rescues to random surfers while we were

teaching our clients and we have had to educate many people on the spot who we have no affiliation with.

We have also donated many hours to a Non-Profit Organization known as Surfers Healing. This is an organization that takes autistic children out surfing to give them an enjoyment of life & a momentary sense of normality from their handicap. We have done tours on the East Coast and also taught in Waikiki. Some of these people have become our good friends and also permanent clients... so now you are also taking Surf Lessons away from autistic kids who are not capable of going out in the ocean without a guide.

Here's a slippery slope in regards to Bill 34, "Professional Surf Photography", you will also have to ban this type of commercial business from Northshore Commerce & utilizing Public Parks. It's a very lucrative commercial business. Can you explain how that type of commercial activity will be regulated???

> YOU'VE ALREADY AMENDED Bill 34 to help & include a Foreign Corporation but you haven't amended it to give an exemption to help locals who were born and raised here. People who need these local business to stay afloat to provide for their families. People who through genuine concern give back to their community. For you to not give the little people, the people of this land, an exemption to conduct business as usual... This is extremely disheartening & gives a mixed message on what your councils real intentions are?

I sincerely request an answer from your council members on why t.v. , movies and surf contests are allowed to conduct commercial activity but not the local born & bred businesses????

> We are urgently & sincerely pleading with you, Please Do Not take our livelihood away from us!!! We are struggling Hawai'i Citizens going through life here in our Island Home the Pono Way. Please show some concern for us little people & help preserve our way of life & culture. Our survival depends on your kokua & understanding.

Mahalo nui ,
Tamayo Perry
at
Oahu Surfing Experience L.L.C.

emilia Perry
emiliadas@aol.com

From: CLK Council Info
Sent: Tuesday, November 30, 2021 9:23 PM
Subject: Parks and Community Services Testimony

Written Testimony

Name thomas Perry
Phone
Email Emiliaperryhawaii@icloud.com
Meeting Date 12-01-2021
Council/PH Committee Parks and Community Services
Agenda Item bill 34
Your position on the matter Oppose
Representing Self
Organization

Written Testimony

Surf schools on the North Shore are very important for public safety, for training future surfers, and for the economy on the North Shore. It is my understanding that the current version of Bill 34 – CD 2, allows surf schools to operate in a designated portion of Haleiwa Beach Park. If Bill 34 passes, please maintain this provision and make sure that it still allows surf schools to operate in certain parts of Haleiwa Beach Park, and hopefully in other key locations.

Testimony Attachment
Accept Terms and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, November 30, 2021 9:51 PM
Subject: Parks and Community Services Testimony

Written Testimony

Name Richard Whyte
Phone
Email whyte.richard@gmail.com
Meeting Date 12-01-2021
Council/PH Committee Parks and Community Services
Agenda Item Bill 34
Your position on the matter Support
Representing Self
Organization

Written
Testimony

Reduce the number of tourists abusing Hawaii's Beaches. Stop NOAA's turtle petting zoo at Laniakea. Name Laniakea in the Bill as a beach park: don't let this detail fall through the crack where it is not a beach park or a right of way and so tour vans will park outside of the parking area as they do now! More so with other actual beach parks closed. There are too many surf schools and too much commercial activity off the side of the highway. We need the corridor to stay open again for passage by the community so pass the bill! Good luck.
Thank you,

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, December 1, 2021 6:17 AM
Subject: Council Testimony

Written Testimony

Name	Zoraida Pagan
Phone	
Email	zoraidapagan@live.com
Meeting Date	12-01-2021
Council/PH Committee	Council
Agenda Item	Bill 34
Your position on the matter	Oppose
Representing Organization	Self
Written Testimony	I oppose Bill 34 because it does not include an exception for surf schools, like surf contests and the film industry
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, December 1, 2021 6:20 AM
Subject: Council Testimony

Written Testimony

Name	Gabriela Rivera
Phone	
Email	natty-surf@hotmail.com
Meeting Date	12-01-2021
Council/PH Committee	Council
Agenda Item	Bill 34
Your position on the matter	Oppose
Representing Organization	Self
Written Testimony	I oppose Bill 34 because it does not include an exception for surf schools, like surf contests and the film industry
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, December 1, 2021 6:22 AM
Subject: Council Testimony

Written Testimony

Name	Natividad Rivera
Phone	
Email	nati77rivera@gmail.com
Meeting Date	12-01-2021
Council/PH Committee	Council
Agenda Item	Bill 34
Your position on the matter	Oppose
Representing Organization	Self
Written Testimony	I oppose Bill 34 because it does not include an exception for surf schools, like surf contests and the film industry
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, December 1, 2021 6:25 AM
Subject: Council Testimony

Written Testimony

Name	Jose Pagan
Phone	
Email	paganfeliciano@yahoo.com
Meeting Date	12-01-2021
Council/PH Committee	Council
Agenda Item	Bill 34
Your position on the matter	Oppose
Representing Organization	Self
Written Testimony	I oppose Bill 34 because it does not include an exception for surf schools, like surf contests and the film industry
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, December 1, 2021 6:28 AM
Subject: Council Testimony

Written Testimony

Name Chris Owens
Phone
Email coachco@gmail.com
Meeting Date 12-01-2021
Council/PH Council
Committee
Agenda Item Bill 34
Your position on the matter Oppose
Representing Self
Organization

I oppose Bill 34 because it does not include an exception for surf schools, like surf contests and the film industry

Written
Testimony

I also oppose bill 34 because banning surf lessons at Pua'ena park is not in the interest of the majority of the citizens of Waialua/Haleiwa community on the north shore. There is nothing like the Aloha that tourist receive, shared from their surf instructors at a personal level, that allows tours, as well as local residents to live their memorable dreams, coming out to the beautiful North Shore to learn the Hawaiian lifestyle sport of surfing. There is absolutely nothing else the Hawaii tourist industry that can come close to the Aloha experience than this..... Surf Lessons should not be on the same bill as tour buses, that bring hundreds of inexperienced tourist a day to chase turtles around in the Pua'ena cove in a unsafe manner, with only one lifeguard. Surf instructors teach lessons with a team of lifeguard certified watermen and women, providing safety, not only for their own lessons, but for other lessons too. Pua'ena is the safest, most logical place for surf lessons on the North Shore that obstructs zero traffic..... Taking away surf lessons at Pua'ena will take away dozens and dozens, if not hundreds of jobs from the North Shore community, people who struggle to live on the expensive North Shore. This could also bankrupt most of the surf school owners who depend off their business to pay mortgage on their homes and provide these jobs. I am a painter by trade, but when I'm out of work, I depend off the local surf schools for work., Also teaching lessons at Pua'ena is not an everyday thing, it only happens when the waves are too big for other beginner breaks. The tour bus turtle tours are what all of the complaints are about and they show up at Pua'ena park on a daily

basis .Please consider what I said,,I am a surfer,long distance paddler
that has lived in Hawaii since 1966.Aloha,,,Chris Owens

Testimony

Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, December 1, 2021 6:28 AM
Subject: Council Testimony

Written Testimony

Name Heidi Burgoyne
Phone
Email hbhawaii@gmail.com
Meeting Date 12-01-2021
Council/PH Council
Committee
Agenda Item Bill 34
Your position on the matter Oppose
Representing Self
Organization

Thank you, Councilmembers, for suggesting a provision for certain beaches for surf instruction. However there are four points worthy of consideration.

1. Only allowing certain beaches for surf instruction poses a safety issue, since this will crowd out the few beaches that are allowed, increasing the threat of injury.

2. Bill 34 has not been presented to the North Shore Board itself. The North Shore community should have a chance to discuss this bill prior to its passing that will have severe impact on its culture and economy.

Written Testimony

3. Councilmember Tsuneyoshi has mentioned in a previous hearing that as she looked from the shore at Pua'ena, in her opinion, it was overcrowded. This may be the appearance to someone who doesn't understand the surf. At Pua'ena, there is an inner area that is suitable for surf instruction. It is not desirable for experienced surfers. There is a channel to the right where experienced surfers paddle out to the outer waves. I personally don't teach at Pua'ena, but I surf there very often, and can tell you there is a distinct line between where surfers surf and where the surf schools are; it is very rare to "cross paths", so to say, so it is not over crowded.

4. Surfing is a cultural heritage to O'ahu. I have a difficult time understanding how teaching this valuable piece of Hawaiian culture is offensive to Pua'ena's history.

From: CLK Council Info
Sent: Wednesday, December 1, 2021 7:13 AM
Subject: Parks and Community Services Testimony
Attachments: 20211201071314_gcreqkxvehsijkpvnxcd.pdf

Written Testimony

Name Alissa K Serrano
Phone
Email alissaserrano10@gmail.com
Meeting Date 12-01-2021
Council/PH Committee Parks and Community Services
Agenda Item Bill 34
Your position on the matter Oppose
Representing Organization
Organization Natty Surf School
Written Testimony I feel if this bill is passed, it will hinder many, many ppl. For instance Surf schools, Surf meets, The filming industry. U all must come to a compromise where this is concern. This will hinder ppl from doing their jobs. Tourism relies on the sport of surfing.
Mahalo
Testimony Attachment 20211201071314_gcreqkxvehsijkpvnxcd.pdf
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, December 1, 2021 7:15 AM
Subject: Council Testimony

Written Testimony

Name	Paige
Phone	
Email	Paige.Dolenar@gmail.com
Meeting Date	12-01-2021
Council/PH Committee	Council
Agenda Item	Bill 34
Your position on the matter	Oppose
Representing Organization	Self

Written Testimony	Surf schools on the North Shore are very important for public safety, for training future surfers, and for the economy on the North Shore. It is my understanding that the current version of Bill 34 – CD 2, allows surf schools to operate in a designated portion of Haleiwa Beach Park. If Bill 34 passes, please maintain this provision and make sure that it still allows surf schools to operate in certain parts of Haleiwa Beach Park, and hopefully in other key locations.
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Testimony Attachment	
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IP: 192.168.200.67

WASHINGTON

FOOTBALL TEAM, EST. 1932

2021 SEASON SCHEDULE

WEEK	DAY	DATE	OPPONENT	TIME (ET)
1	SUNDAY	SEPTEMBER 12	LOS ANGELES CHARGERS	1:00 PM*
2	THURSDAY	SEPTEMBER 16	NEW YORK GIANTS	8:20 PM*
3	SUNDAY	SEPTEMBER 26	AT BUFFALO BILLS	1:00 PM*
4	SUNDAY	OCTOBER 3	AT ATLANTA FALCONS	1:00 PM*
5	SUNDAY	OCTOBER 10	NEW ORLEANS SAINTS	1:00 PM*
6	SUNDAY	OCTOBER 17	KANSAS CITY CHIEFS	1:00 PM*
7	SUNDAY	OCTOBER 24	AT GREEN BAY PACKERS	1:00 PM*
8	SUNDAY	OCTOBER 31	AT DENVER BRONCOS	4:25 PM*
10	SUNDAY	NOVEMBER 14	TAMPA BAY BUCCANEERS	1:00 PM*
11	SUNDAY	NOVEMBER 21	AT CAROLINA PANTHERS	1:00 PM*
12	MONDAY	NOVEMBER 29	SEATTLE SEAHAWKS	8:15 PM*
13	SUNDAY	DECEMBER 5	AT LAS VEGAS RAIDERS	4:05 PM*
14	SUNDAY	DECEMBER 12	DALLAS COWBOYS	1:00 PM*
15	SUNDAY	DECEMBER 18 OR 19	AT PHILADELPHIA EAGLES	TBD
16	SUNDAY	DECEMBER 26	AT DALLAS COWBOYS	8:20 PM*
17	SUNDAY	JANUARY 2	PHILADELPHIA EAGLES	1:00 PM*
18	SUNDAY	JANUARY 9	AT NEW YORK GIANTS	1:00 PM*

BYE WEEK: WEEK 9 / HOME GAMES ARE IN BOLD / *SUBJECT TO FLEXIBLE SCHEDULING

From: CLK Council Info
Sent: Tuesday, November 30, 2021 11:55 PM
Subject: Council Testimony

Written Testimony

Name Kimeona Kane
Phone
Email kimeonakane@gmail.com
Meeting Date 12-01-2021
Council/PH Council
Committee
Agenda Item Resolution 21-252, Bill 38, CD1,
Your position on the matter Support
Representing Self
Organization

'Ano 'ai me ke aloha nui iā kākou,

'O Kimeona Kane kēia, 'O Waimānalo ku'u one hānau. Mahalo nui no kēia manawa kūpono e kūkākūkā ai.

I am in strong support of Resolution 21-252

Written
Testimony

Confirming the nomination of Anton C. Krucky to serve as the Director of Community Services of the City and County of Honolulu. In my role as the Chair for the Waimānalo Neighborhood Board, I have appreciated Mr. Kruckys support and genuine out of the box approach to the complex issues surrounding houselessness in our community. He has been fair, transparent and truthful in his dealings with our Community and Committees and I believe he will continue to be a great resource in this new role.

I am in support of Bill 38, CD1

Relating to commercial activities at public parks. (Addressing commercial activities at certain beach parks.) As shared previously in different Council meetings, as a lifetime resident of Waimānalo, we must preserve the integrity of our rural and culturally grounded community, its natural and cultural resources, and the genuine fabric that is Waimānalo. For too many years, our community concerns has fallen on deaf ears, and the impacts continue to put strains on all involved. We must acknowledge those that have been trying to be in compliance, and until we have better enforcement systems in place, and a system that truly adds value and benefit to the community, I

support the ban of commercial activities. I also want to add the importance in proper spelling of the names listed and ask that they be edited to reflect the appropriate diacritical markings. Lastly I want to offer a potential solution that I hope we may explore, in a joint conversation with the City and County of Honolulu Parks and Recreation, the appropriate elected officials, the Community, Commercial entities, the United States Marine Corps and the Bellows Airforce Command, and others, where we may be able to identify a location within the boundaries of the public use area in the Bellows Air Force Base and look at a better managed approach to commercial activity.

I am in support of Resolution 21-192

Initiating amendments to the Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, relating to the Affordable Housing Fund and do believe that changing the percentage will allow for additional and much overdue efforts to establish truly affordable housing.

I am in support of Bill 40, CD2 with reservations about the percentage breakdown

Relating to the transient accommodations tax. (Establishing a transient accommodations tax for the City and County of Honolulu, providing for its imposition and disposition, and facilitating the receipt and deposit of the revenues derived from the transient accommodations tax.) I am not in favor of the Honolulu Rail System and feel that it continues to pull critically important funding away from what I believe to be more priority focuses, such as our environment and preservation of our land. The recommended percentages demonstrates clearly where the priorities, and as a cultural practitioner, a Kumu, a steward that works in environmental restoration and preservation, a conservation advocate and more, I feel like this could have been an opportunity to truly give our future generations something to stand on in perpetuity. Sadly, we are left with the continued leech that is the Honolulu Rails System taking critically important funding away from the real priority, 'āina. We can build a new transit system, we cannot restore critical habitat, replace extinct species, stop invasive species from destroying important ecosystems, establish lucrative careers in green jobs, pursue restoration of lifestyles such as mahi'ai and lawai'a and spaces like lo'i, and loko i'a, and more if we do not invest in them now. Even in doing so, we may be too late to preserve the Hawai'i that we have come to love and that generations of our kanaka before have built relationship to.

I strongly support Bill 34, CD2

Relating to commercial activities at public parks. (Addressing commercial activities at certain beach parks.) I want to mahalo Councilmember Tsuneyoshi for her passionate advocacy for this community. I stand with the community and urge the Council to listen

to how these activities have changed the dynamics and nature of their rural town. Holo mua!

I am in support of Bill 47

Relating to public parks. (Addressing the enforcement of park laws and rules.) This concept is decades overdue, and a position such as a Park Ranger, grounded in the cultural aspects and history, can be all the difference in spaces as they are in other areas around the world. I would advocate that there not be added responsibilities to current positions as their focus should not be deterred by this, and I hope we can truly push the aspects of education, sustainability and accountability as it refers to enforcement.

I am OPPOSED to Resolution 21-23

CD1 and Findings of Fact To adopt the revised General Plan for the City and County of Honolulu as I believe it is a foot hole into the development of rural areas including the Ko'olaupoko, Ko'olaupoko, North Shore, and Wai'anae districts. DO NOT CHANGE or DECREASE the rural areas. The Conceptual Development Pattern on O'ahu map on page 21 of the Plan is irresponsible and threatens many rural established communities. Please honor the remaining rural designated boundaries and communities within and their value to Hawai'i. Keep the Country, Country. The plan is over due for sure, and is extremely complex. I appreciate the time and energy put into the updates and am concerned that we will continue to build and rezone to build way beyond our capacity.

Testimony
Attachment
Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, December 1, 2021 7:59 AM
Subject: Council Testimony

Written Testimony

Name	Larry McElheny
Phone	
Email	lkmcelheny@gmail.com
Meeting Date	12-01-2021
Council/PH Committee	Council
Agenda Item	Bill 34 2021
Your position on the matter	Support
Representing	Self
Organization	
	Aloha
Written Testimony	I strongly support this very important Bill.
	Mahalo,
	Larry McElheny
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, December 1, 2021 8:08 AM
Subject: Parks and Community Services Testimony

Written Testimony

Name Anita scheiblich
Phone
Email Acscheiblich@gmail.com
Meeting Date 12-01-2021
Council/PH Committee Parks and Community Services
Agenda Item Oppose bill 34
Your position on the matter Oppose
Representing Self
Organization

Written Testimony
Surf schools on the North Shore are very important for public safety, for training future surfers, and for the economy on the North Shore. It is my understanding that the current version of Bill 34 – CD 2, allows surf schools to operate in a designated portion of Haleiwa Beach Park. If Bill 34 passes, please maintain this provision and make sure that it still allows surf schools to operate in certain parts of Haleiwa Beach Park, and hopefully in other key locations.

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

**TESTIMONY RE: BILL 34 CD2
FROM THE NORTH SHORE SURF COALITION**

November 30, 2021

Aloha, Councilmembers and Members of the Committee on Parks and Community Services!

My name is Achraf Marzouki, **owner of Hawaii Waves Surf School** and a representative for the North Shore Surf Coalition (the "Coalition"). The Coalition is comprised of owners and representatives from registered and permitted surf schools primarily doing business on the North Shore of Oahu. Members of the Coalition include:

- Carol Philips, owner of **North Shore Surf Girls – Surf School**
- Keola Kahauelio, owner of **Aloha Surfing Ohana LLC**
- Kala Grace, owner of **North Shore Oahu Surf School LLC**
- Heidi Burgoyne, owner of **Rainbow Water Sports**
- Steve Andreas owner of **Sea & Board Sports LLC**
- James Antunez, owner of **Hawaii Surfing Academy**
- Sergio Lima, owner of **Island Style Surf School**

The Coalition submits these comments regarding Bill 34 (2021) CD2 ("Bill 34").

We note there appears to be a change from the previous version of Bill 34 – CD1, to this version, CD2. The ban on commercial activities previously identified "Haleiwa Beach Park" generally. However, this CD2 version changed that language to apply to "the undeveloped portions of Haleiwa Beach Park adjacent to Pua'ena Point." ***It is therefore our understanding that legal and permitted surf lessons may still take place in the portion of Haleiwa Beach Park not specifically named in Bill 34.***

Assuming our understanding is correct, we would like to begin by thanking the Councilmembers, and Councilmember Tsuneyoshi in particular, for considering our concerns and for amending the Bill so that there is still an opportunity for legitimate surf schools to remain in business on the North Shore.

We appreciate the change in CD2 that we think will allow us to still operate in a specific portion of the North Shore. Generally, we remain opposed to Bill 34 and would prefer that an exception be made to allow surf schools to continue to operate throughout the North Shore. As the Council is no doubt aware, surf breaks on the North Shore greatly varies and changes throughout the year and depending on the season. To best serve our customers, both visitors and locals, and the North Shore community, we need greater autonomy and the ability to choose which beaches are best and safest to provide lessons depending on the time of year.

Rather than regulating surf schools on the North Shore through legislation, we would suggest that it is more appropriate to allow the licensed and permitted surf schools to work with the Parks Department (**DPR**). If surf schools are truly an issue on the North Shore, we can work with DPR. We currently apply for a permit every month. DPR can restrict the beaches in which those permits are valid. There are miles and miles of beaches on the North Shore. We are confident that there is more than enough room for permitted surf schools to operate alongside the public. We can also work with HPD and the DLNR when it comes to unpermitted surf schools. We are happy to work directly with DPR to collaborate and reach an amicable solution that benefits the community, the surf schools, and our visitors.

The importance of surfing and legitimate surfing lessons on the North Shore cannot be understated. In the November 10, 2021 public hearing on Bill 34, the vast majority of testifiers opposed Bill 34, and of that opposition, most of it came from surf schools that call the North Shore home.

We are fully insured and registered to do business. We have permits from both DPR and DLNR. We understand the problems and frustration with over-tourism and the increased commercialization of the North Shore's famous beaches. We do not like it, either.

However, legally operating surf schools are an incredible asset to the North Shore community. A ban affecting locally owned, legally operating, and permitted surf schools from operating across most North Shore beaches will do nothing to address the true issue of over-commercialization on the North Shore. Most people who support Bill 34 are concerned with large tour buses and tour groups overcrowding the North Shore's beaches. The Coalition agrees. Large tour buses and tour groups consistently clogging our roadways and parking lots are a huge strain on our community and on our beaches.

We help preserve safety on the North Shore. Making it illegal for licensed surf schools to operate in most of the North Shore will not stop Hawaii's visitors from coming

to the North Shore and attempting to surf. The North Shore now has a shortage of lifeguard stands and lifeguards. Removing licensed surf instructors from most of the North Shore, all of whom are licensed open water lifeguards with CPR certification, may overwhelm the City's lifeguards and undoubtedly lead to more injuries and drownings of locals and visitors. We have personally saved dozens of people in open water over the years. We are experienced water men and water women. We are intimately familiar with the North Shore's several surf breaks. We follow necessary safety protocols with our students. We only offer surf lessons on those beaches where it is safe for beginners.

North Shore surf lessons has a significant direct and indirect impact on Oahu's and the North Shore's economies. The North Shore's surf schools gainfully employ dozens of local North Shore residents. When visitors travel to the North Shore for a lesson, they usually also patronize several of the North Shore's other shops and restaurants.

Our livelihood depends on being able to legally operate on and throughout the North Shore because of how the surf varies throughout the seasons. The Coalition seeks to make the North Shore safer while continuing to spread surfing and the Aloha spirit throughout the world. We look forward to working with the Council going forward to ensure that the primary purpose behind Bill 34, the over commercialization of the North Shore, is addressed while allowing surf schools to continue to steward the art and sport of surfing for Hawaii's visitors and residents.

Mahalo,

Ash Marzouki
hisurfschool@gmail.com

From: CLK Council Info
Sent: Wednesday, December 1, 2021 9:04 AM
Subject: Council Testimony

Written Testimony

Name andrey shirkin
Phone
Email a.shirkin@yahoo.com
Meeting Date 10-01-2021
Council/PH Committee Council
Agenda Item 34
Your position on the matter Oppose
Representing Self
Organization
Written Testimony
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, December 1, 2021 9:45 PM
Subject: Council Testimony

Written Testimony

Name Jimmy Antunez
Phone
Email kaponoeukai@gmail.com
Meeting Date 12-01-2021
Council/PH Committee Council
Agenda Item bill 34
Your position on the matter Oppose
Representing Self
Organization

Written
Testimony

Aloha City Council, I hope and pray that I have never offered anyone in the City & County of Honolulu! As I mention again I am not a politician and it sure is hard to communicate and try to communicate a testimony that is respectful and assertive to be an asset and not a hindrance to anyone or anything in our Home of Hawaii!

There is a big demand for commercial activity on the North Shore, of Oahu and part of the commercial activity is surfing lessons! This is what Duke Paoa Kahanamoku our dear Grandfather of surfing wanted and that is to share surfing with the whole world! You all are aware of this and I do not want to sound redundant or repeat this over and over! Once again there are only really 2 locations on the north shore to teach surfing and that is Puaena pt. and chuns reef ! Size of the swell determines which spot is safe for the beginners!

A comment I have heard from a council member is that Puaena pt. is being Desecrated! I have spoke to one of the kupuna from Haleiwa and asked what he thought and his reaction was this is politics ! He is a local from Puaena pt. and he does not agree with the council members comment! Of course there is always room for improvements and control and organization is always good, so that is my testimony to lift up and not break down! How can we help you DPR and how can you help us? I personally do not want anyone to feel like I am harming or not respecting a already hurting land (AINA) starting with a skill and career that we have established not knowing a council member would come along later and make a bill 34!

Putting things into perspective, all these problems and the reason we have these bills is from not carefully planning the future and looking at everything before a council member has to come in and try and correct a system that has been established, developed and utilized to

this very day and what I mean is our livelihoods! You don't hear of accidents and people getting hurt because part of your requirements to receive a commercial permit is to be certified with Red Cross LIFESAVING SKILLS! It is each and every surfing instructor's best interest to keep the students they are responsible for safe, and to insure future business! Well, as I write this testimony I am aware that amendments and revisions are being made! I am all for it let's do it together like one big OHANA . You are not our enemy and we are not your enemy we should be a team to better our lands and resources and to help the people who had the courage to follow Duke's footsteps in making people happy can continue their business in a clean, respectful, orderly fashion! To make the council members proud! We won't talk about the RAIL that is way over schedule other than it's over half way finished and my comparison is you won't have a bad taste in your mouth by surf schools trying to generate money v.s. whoever politicians idea was for a rail cost taxpayers money and people and the public are the ones who have to pay for the politicians decisions! And once again we are spending our time and energy to defend ourselves from a government official who sees us desecrating a area that I did look up in King David Kalakaua's books that he wrote about myths and legends of Hawaii does not mention Puaena pt. correct me if I am wrong! Once again please no offense, just a hope and prayer you will work together with us to make a bright future. Please forgive me I am not a council member or politician, just a surfing instructor ! Aloha Kakou

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Thursday, December 2, 2021 6:46 AM
Subject: Council Testimony

Written Testimony

Name	Jimmy Antunez
Phone	
Email	kaponoehukai@gmail.com
Meeting Date	12-01-2021
Council/PH Committee	Council
Agenda Item	Bill 34
Your position on the matter	Comment
Representing	Self
Organization	
Written Testimony	Error in my typing ! The word offered should be (OFFENDED)
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67