

STATE OF HAWAII

January 28, 2016

LAND USE COMMISSION

DEPT OF BUSINESS ECONOMIC DEVELOPMENT & TOURISM

P. O. BOX 2359

HONOLULU, HI. 96804A

Attention: Mr. Daniel Orodener-Executive Officer

Subject: Docket No. DR08-36/Ko Olina Development, LLC

Since the LUC meeting on October 16, 2015, where our original concerns were voiced, we, Creighton Chang, Rodney Ajifu, and myself, engaged in a meeting on November 5, 2015, with Ko Olina Community Association (KOCA) representative Ken Williams and Ko Olina Attorney Ben Matsubara, at the Law Office of Ben Matsubara in Honolulu.

Nothing new was afforded by Ko Olina, with Ken Williams going over the existing requirements for the ramp usage, as specified in their **Ko Olina Boat Ramp and Parking Agreement and Information And Rules For The Use Of The Ko Olina Boat Ramp And Parking**, which was previously distributed by the KOCA office.

It was apparent that we would have to again make our concerns noted at this time. First of all, let me note that when the original boat ramp was in existed, before being closed in MARCH OF 2005, there was no limitation of boat and trailer size, no insurance requirements (liability waiver only) and no parking and ramp fees. Now, after nearly 11 years later, what was originally described as a public boat ramp, is now reclassified as a private boat ramp-open to the public, with additional limitations and costs.

In regards to 40-foot truck & trailer length, I have a 25.5-foot boat, sitting on a trailer that is 31'-5" in length, and my truck length of 20'-2", which makes my overall truck-trailer length at 51'-7". We proposed changing this ruling so larger boats can be included. Solutions would be lesser parking stalls, or extending the length of the stalls on one side of the parking area to accommodate the larger trailers. Reference was made that Ko Olina had already gone beyond this requirement by allowing a triple axle trailer and full-size four door truck, which was well over 55-feet, the use of the ramp and parking area. Copies of the photographs were given to them as proof of observance.

In the matter of launch and parking fees, first proposal was to revert back to the original ramp-no launch and parking fee. Otherwise suggestions were to have yearly ramp fee of about \$125.00 for frequent users, and \$20-\$25 daily fee, for less that frequent users, with no parking fees being charged in both incidents.

The insurance requirements appeared to us as being excessive. Ko Olina wants a \$500,000 Bodily Injury-property damage insurance to match what the boats in the marina have to be covered with. Argument here is that a trailered boat is only on the Ko Olina property and marina for only a fraction of the time as that of a moored boat, smaller in size, and of less value. The moored boats have a greater potential of damage to property and waterways within the marina property. Trailered boats are not allowed to traverse amongst the mooring slips. We requested that the liability be lowered to \$300,000. They also want additional insurer by every entity of Ko Olina Development, each identified separately, ie, KOCA, KOM, KO300, and KORE, which most insurance companies don't like. This can be reflected by what Rodney Ajifu, who was a long-time employee for a large insurance company, has his properties insured by them, but was told to look elsewhere, for this type of insurance. I, myself, do not want to be shopping around for insurance of this type, which relieves Ko Olina of any liability which may arise from any wrong-doing on their behalf.

No decisions, or compromises were afforded by Ko Olina at this meeting, and said they would take these conditions into consideration. As of this writing, there has been no other correspondence with them, and no updates as to when another meeting or decision will be held. Now we are looking at the next LUC meeting on 2-10-2016, with nothing changing (Or maybe now they will wake up-knowing that the meeting is coming up).

Please note that I represent 55+ members of the Waialua Boat Club-whose membership encompasses all areas of Oahu, and that I afford information to HFACT(Hawai'i Fishermen's Alliance for Conservation & Tradition) , which corresponds to 2,000+ in the fishing community.

I leave for a trip to the mainland on the evening Of February 10th, and your calendar for the February meeting is for the 10th and 11th , so if I cannot make it to the meeting, let this be my correspondence and statement before the LUC Board of Directors.

Sincerely

Warren Von Arnswaldt

Concerned Fisherman