



RE: Response to letter re:DR08-36/Ko Olina Development LLC

warvonarn

to:

[luc@dbedt.hawaii.gov](mailto:luc@dbedt.hawaii.gov)

02/05/2016 03:22 AM

Hide Details

From: <[warvonarn@aol.com](mailto:warvonarn@aol.com)>

To: "luc@dbedt.hawaii.gov" <[luc@dbedt.hawaii.gov](mailto:luc@dbedt.hawaii.gov)>

1 Attachment



STATE OF HAWAII FEBRUARY 2a.pdf

Attached is my response to last meeting with Ko Olina on Feb. 2, 2016.

Sent from [Mail](#) for Windows 10

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**From:** [warvonarn@aol.com](mailto:warvonarn@aol.com)

**Sent:** Thursday, January 28, 2016 10:21 AM

**To:** [luc@dbedt.hawaii.gov](mailto:luc@dbedt.hawaii.gov)

**Subject:** Response to letter re:DR08-36/Ko Olina Development LLC

This is my response to your letter in regards to the one meeting we had with KOCA representative Ken Williams and Attorney Ben Matsubara.

Reentered as it appears that the attachment was not received.

STATE OF HAWAII

FEBRUARY 2, 2016

LAND USE COMMISSION

DEPT OF BUSINESS ECONOMIC DEVELOPMENT & TOURISM

P. O. BOX 2359

HONOLULU, HI. 96804

ATTENTION: Mr. Daniel Orodener-Executive Officer

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

On February 2, 2016, we, Creighton Chang, Rodney Ajifu, and myself-Warren Von Arnswaldt, met with Ben Matsubara/Curtis Tabata, attorneys for Ko Olina, and Ben Williams of Ko Olina Community Association, at the residence of Creighton Chang in Waipahu, for what probably will be the last meeting prior to the next LUC meeting.

The issues again were in regards to the liability insurance, launch fees, and truck-trailer length. In regards to the insurance, Ko Olina will still require the \$500,00 liability insurance/property damage with additional insured for all entities of Ko Olina, ie-KOCA, KOM, KO300, KORE, and Ko Olina Development, LLC. They were asked to put it in writing as to what all these initials stand for, so insurance companies know who they are.

In regards to Launching fees, Ko Olina says that they will not change the present fees as stated-\$15.00 Launch Fee & \$10.00 Parking Fee, at this time, but might be negotiable at a later date, if there are more applicant's /users of the ramp. At this time they only have ten permitted users.

The only compromising item was the truck-trailer requirement. Ko Olina will change some of the parking stalls to accommodate 50-foot trailers, with construction completed in approximately two/three months. Nine of the parking stalls on the Makai side of the lot will be lengthened to 50.25 feet to accommodate the larger trailers, and one handicap parking stall at the Makai end of the ramp area will also be lengthened. This will mean that there will be 20 stalls for combinations below 40 feet, and 10 stalls for 50 foot combinations. I asked them to consider making subsequent changes to the permanent parking lot whenever they get around to completing that phase. No date was given for that phase.

Please attach this correspondence to my first reply on January 28, 2016, as part of my testimony for the upcoming LUC meeting this month.

Sincerely-

Warren Von Arnswaldt



Response to letter re:DR08-36/Ko Olina Development LLC

warvonarn

to:

luc@dbedt.hawaii.gov

01/28/2016 10:23 AM

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From: <warvonarn@aol.com>

To: "luc@dbedt.hawaii.gov" <luc@dbedt.hawaii.gov>

History: This message has been forwarded.

2 Attachments



STATE OF HAWAII-luc response.pdf STATE OF HAWAII-luc response.docx

This is my response to your letter in regards to the one meeting we had with KOCA representative Ken Williams and Attorney Ben Matsubara.

Reentered as it appears that the attachment was not received.

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 10<sup>th</sup>, and your calendar for the February meeting is for the 10<sup>th</sup> and 11<sup>th</sup> , 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