



PO Box 1097, Kihei, HI 96753

The Office of the Ombudsman
State of Hawaii
complaints@ombudsman.hawaii.gov

Attn. Mr. Robin K. Matsunaga

Your ref: #22-03874(MI)

April 11, 2022

Dear Mr. Matsunaga,

Complaint re. Illegal Early 4PM Saturday Closure of Little Beach by DLNR

Ref. your letter dated April 4 2022: Your statement that you will not be responding to further correspondence is noted. You have asserted that The Friends of Little Beach complaint provided ***“no new information that would warrant another investigation,”*** subsequent to Mr. Everson’s complaint. That is not correct.

For the record, the Friends of Little Beach complaint included the following new information:

1. The justification provided for early Saturday closure to Mr Everson and the Ombudsman by the DLNR was only relevant to Sunday, not Saturday, and therefore misleading. HAR§13-146-4 proves that Early Saturday Closure is illegal because there are no circumstances that meet the criteria *“when necessary for the protection of the area or the safety and welfare of persons or property.”* This was highlighted in yellow, so the DLNR’s abuse of power would not escape your notice.
2. The early Saturday closure drives the public from Little Beach to Big Beach, which is a far more dangerous beach, at a time when the lifeguards are leaving. In doing so *“the safety and welfare of persons”* is reduced by the DLNR’s action.
3. Early Saturday closure is enforced by locking a gate, and obstructing a registered shoreline access corridor, which is not permitted under [HAR §13-146-4](#) and illegal under [HRS §115-9](#). The letter of the law was quoted and the key words highlighted in yellow, so the DLNR’s criminal act could not escape your notice.
4. The gate obstructing a registered shoreline access corridor, when open, continues to be illegal under [HRS §115-5](#). The letter of the law was quoted and the key words highlighted in yellow, so the DLNR’s criminal act could not escape your notice.
5. The scene of the criminal act was identified by reference to the Maui County Shoreline Access Inventory, pages 11 & 12, Shoreline Access Corridor #8.

No person or legal entity is above the law. We are extremely disappointed that Office of the Ombudsman ***“did not find that the DLNR acted unlawfully or unreasonably.”*** You have essentially endorsed the criminal actions of the DLNR that cause harm to the public, that the law is intended to protect.

Please include this letter in the case file.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Watts". The signature is fluid and cursive, with the first name "Bill" and last name "Watts" clearly distinguishable.

Bill Watts
Director and Secretary
Friends of Little Beach

Friends of Little Beach is a 501(c)(3) non-profit corporation formed to protect Little Beach, Maui, an internationally recognized Top 10 Nativist destination. Worldwide there are tens of thousands of naturists that love and revere Little Beach. On our website we report the DLNR's abuse of power directed at the Little Beach Community. <https://www.littlebeachmaui.org>