

LINDA LINGLE  
GOVERNOR



**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

BRENNON T. MORIOKA  
INTERIM DIRECTOR

Deputy Directors  
MICHAEL D. FORMBY  
FRANCIS PAUL KEENO  
BRIAN H. SEKIGUCHI

IN REPLY REFER TO:

February 22, 2008

TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION

HOUSE BILL NO. 2917, H.D.1

COMMITTEE ON FINANCE

The Department of Transportation (DOT) supports the intent of this bill, which is to allow a vessel having a Kewalo Basin use permit to moor in Honolulu Harbor at no additional cost due to inclement weather; and while docking, to unload its commercial fishing catch to a business operating within Honolulu Harbor or to otherwise conduct business. HD1 further allows a vessel with a Honolulu Harbor use permit to also moor at Kewalo Basin, subject to the discretion of the harbor manager. Vessels that are authorized for entry must be current in their payments to the State.

To avoid ambiguity, we recommend that the bill be amended to clarify that only commercial fishing vessels will be provided with reciprocal benefits of entry. We further point out that the disposition of the management of Kewalo Basin's submerged lands is currently undecided and the DOT may not have the authority to "allow" vessels with a Honolulu Harbor use permit into Kewalo Basin, as intended by the proposed legislation.



# Ocean Tourism Coalition

*The Voice for Hawaii's Ocean Tourism Industry*  
820 Mililani Street, #810  
(808) 205-1745 Phone (808) 533-2739 Fax  
office@oceantourism.org

February 22, 2008

Testimony To: House Committee on Finance  
Representative Marcus R. Oshiro

Presented By: Tim Lyons, CAE  
Executive Director

Subject: H.B. 2917, HD 1 – RELATING TO HARBORS.

Chair Oshiro and Members of the Committee:

I am Tim Lyons, Executive Director of the Ocean Tourism Coalition and we support this bill.

This bill will allow vessels to interchange between Kewalo Basin and Honolulu Harbor under certain conditions. Although both basins were under the jurisdiction of DOT/HCDA, it would appear that there is some shift in the making. Therefore, we find that this bill is necessary in order to provide for a smooth transition and continuation of operations.

We would like to note however, that the Harbor Master for Kewalo Basin works a typical 7:30 a.m. to 4:00 p.m., Monday-Friday work week and therefore, it is very important that the rules to be developed will allow for this transfer without having to wait for the Harbor Master's

permission, as long as you meet certain conditions. We believe that these things can be clarified in the Administrative Rules and therefore we support this bill.

Thank you.

## FINtestimony

---

**From:** RawcoHI@cs.com  
**Sent:** Tuesday, February 19, 2008 8:35 PM  
**To:** FINtestimony  
**Subject:** Testimony in support of HB2917 with suggestions for amendment

TESTIMONY IN SUPPORT OF HB2917 WITH SUGGESTED IMPROVEMENT ON WORDING House Committee on Finance Friday 22 February 2008 at 1045 in room 308

Chair Oshiro and Respected Members of the House Finance Committee;

My name is Reg White. I am vice president, project development, for Paradise Cruise, Ltd. Paradise Cruise has been operating cruise vessels out of Kewalo Basin for over fifty years. Now the control of the Basin is in limbo. Up to now there has never been a problem because Kewalo Basin was managed and operated by DOT Harbors as is Honolulu Harbor and when weather or other causes made the entrance into Kewalo unsafe or otherwise unusable or when the sea conditions made it unsafe to work alongside the piers in the basin we could, with DOT Harbors permission, move our operations into Honolulu Harbor until conditions at Kewalo Basin returned to normal. Now with the management of the Basin left up in the air, and probably going to some other non maritime agency, we have a problem if this bill is not passed. This bill will allow us to operate in Honolulu Harbor or for Honolulu boats to operate in Kewalo basin when necessary in the course of business or for safety reasons on their existing permits from their harbor of principle residence and not make us into foreign vessels when we must transit between the two jurisdictions.

The only problem with this bill as presently worded is that the harbor agent for Kewalo is not on duty 24-7 like the staff of Honolulu Harbor is. This means that we cannot always get the agent's authorization when condition changes at the Basin require a change of harbors. This is also true for the commercial fishermen who must pass regularly between the two harbors in the normal operation of their daily business. The decision to use the alternate harbor must be by the master of the vessel involved, with the permission from Honolulu Harbor's tower operator during those times when the Kewalo Basin agent cannot be reached. The Kewalo agent is scheduled between 0730 and 1600 M-F other than holidays only. This leaves a lot of time that the Basin is unattended while our businesses, both tourism and commercial fishing, must be allowed to continue to operate. This has worked just fine in the past, there is no reason it cannot be enabled by this legislation to continue as in the past.

Respectfully,

Reg White  
1540 S. King St.  
Honolulu, HI 96826-1919  
(808) 222-9794  
RawcoHI@cs.com