



LATE

VIA Capitol Website

March 30, 2009

Senate Committee on Transportation, International and  
Intergovernmental Affairs  
Hearing Date: Monday, March 30, 2009, 1:45 p.m. in CR 224

**Comments Regarding SCR 109 and SR 68**  
**ENCOURAGING THE ESTABLISHMENT OF A FERRY SYSTEM FROM THE  
HOAKALEI RESORT IN EWA BEACH TO DOWNTOWN HONOLULU**

Honorable Chair J. Kalani English, Vice Chair Mike Gabbard and Members of the Senate  
Committee on Transportation, International and Intergovernmental Affairs:

My name is Shannon Alivado and I am submitting **comments** on behalf of the Leeward Oahu Transportation Management Association ("LOTMA"), which was incorporated in 1990, in an effort to collaboratively unite all of the major Leeward and Central Oahu region's landowners and developers to address mobility issues and accommodate the increasing transportation needs of this rapidly growing region. LOTMA's mission is to advocate, develop, and implement, in cooperation with government and the community, a coherent program aimed at improving mobility in Leeward and Central regions of Oahu; and to promote and facilitate the development and use of alternative transportation opportunities that would maximize the use of existing and proposed transportation systems in the Leeward/Central region.

While LOTMA and its members support and encourage transportation alternatives that could help alleviate traffic between Leeward Oahu and Downtown Honolulu, and **support the general intent of this Senate Concurrent Resolution 109 (SCR 109) and Senate Resolution 68**, LURF also has the following **comments and concerns**: (1) We are concerned whether these resolutions could be considered illegal "special legislation" directed at one specific landowner and development - - We believe that the Hoakalei Resort and Marina project (Hoakalei) should not be specifically singled out as the target of these resolutions; (2) instead of focusing on only one location, the State Department of Transportation (DOT) and City and County Department of Transportation Services (DTS) should do a study of all possible location alternatives for a ferry operation from Ewa Beach or Kapolei to Honolulu; (3) a ferry operation should not be a government requirement or mandate on a landowner or developer; and (4) that the DOT, DTS, and State and County law-makers should identify and implement financial incentives which would encourage landowners and developers to include a ferry operation as part of their projects.

**SENATE CONCURRENT RESOLUTION NO. 109 AND SENATE RESOLUTION NO. 68**. The purpose of these resolutions is to encourage the DOT to engage in and facilitate discussions with DTS, private developers, and other stakeholders to explore the possibility of establishing a ferry operation from the Hoakalei Resort and Marina to downtown Honolulu; and the resolutions also encourage the respective parties to request the assistance of Hawaii's congressional delegation to identify possible funding sources for a ferry system.

**LOTMA's POSITION.** SCR 109 and SR 68 encourage the establishment of a ferry system to be launched from the new Hoakalei Resort and Marina to downtown Honolulu. While LOTMA members are in general support of the initiative that SCR 109 and SR 68 seek to achieve, which is to provide an alternative mode of transportation, namely ferry service, from Ewa Beach to Downtown Honolulu, LOTMA has the following comments, questions and concerns: whether this is improper "special legislation," which specifically targets the Hoakalei project as the only developer and location for a future ferry service; respectfully recommends that the location of a future ferry operation should be based on a review and evaluation of all possible location alternatives; that the implementation of such a ferry service be a voluntary initiative and not a mandatory requirement placed upon any private landowner; and lastly, in addition to requesting that Hawaii's congressional delegation identify possible funding sources for the ferry system, the DOT, DTS and State and county government should work with the various landowners and other stakeholders to identify and implement various financial incentives to encourage the development of a ferry operation from Leeward Oahu to Downtown Honolulu.

**LOTMA supports a ferry service from Ewa Beach to Downtown Honolulu.** LOTMA's members understand the traffic congestion problems which affect leeward and Central Oahu residents, and thus support other transportation alternatives, including, but not limited to a ferry service. We note that other cities like San Francisco, New Jersey and Seattle have been successful in implementing daily ferry systems between surrounding cities to central downtown areas in order to alleviate traffic and decrease fossil fuel emissions. Oahu has also been somewhat successful with DTS' implementation of TheBoat. TheBoat started in September 2007 and provides morning and afternoon ferry service from Kalaeloa Barbers Point Ferry Dock to the Aloha Tower Ferry Dock. The ferry service was targeted at relieving traffic from Kapolei into downtown and back during peak hour traffic periods, and includes 3 morning and 3 afternoon scheduled sailings. We understand that there has been steady ridership in both directions, with between 200-400 daily riders, depending on the month and the weather.

**These resolutions specifically target the Hoakalei project, and may be improper "special legislation."** Recently, the Supreme Court has raised the issue of improper special legislation which is targeted to effect only one business. Since the current versions of these resolutions specifically target one landowner and developer – and one project - the Hoakalei project as the only location for a future ferry service, we question whether these resolutions may be improper "special legislation."

**All possible ferry locations should be studied and evaluated.** Given the relative success of TheBoat, many have urged that a ferry system be initiated from the Ewa Beach area, which could serve a larger population base. LOTMA encourages the government agencies to review and evaluate all possible alternative locations for the operation of a ferry service to provide a transportation alternative to residents living in Leeward Oahu.

**A new Ferry operation should be a voluntary initiative, not a mandate imposed by government.** While LOTMA has always strongly supported a ferry transportation alternative from Leeward Oahu to Honolulu, LOTMA would oppose any government mandate of a ferry system upon a developer or landowner. LOTMA's position is that the implementation of such a ferry system should be a voluntary initiative, and encourages discussions and a voluntary partnership between DOT and DTS with private developers, land owners, other interested stakeholders, and Hawaii's congressional delegation.

Such voluntary discussions, negotiations and a partnership with private developers or land owners, the State, City and Federal officials would be necessary in order for such a ferry system to work, especially because of the development factors and land use issues involved in providing such a service to a large population of people. For example, in order to a ferry to be launched from a private development area, the following development and land use issues must be addressed and resolved: changes in the development plan and entitlement documents and prior representations to government approval authorities; public access to the marina or harbor, substantial parking and bus service connections for the ferry riders. Moreover, a loading and unloading area must also to be designated for use at all times when the ferry is running at both locations. In addition to land use issues, there are also a number of logistical and operational issues which must be addressed and resolved to ensure that the implementation of such a system will be successful. The City's experience with TheBoat ferry operation from Kalaeloa Harbor to Aloha Tower in Downtown Honolulu has addressed such complicated issues, including, but not limited to parking (onsite and park and ride sites), expanded shuttle buses, appropriate launch times, alternative weather related transportation issues, and most of all, cost. The Super Ferry also experienced the issue of security inspections of passengers and other security measures and infrastructure.

**The government should provide incentives to encourage transportation alternatives such a ferry operation.** In considering whether to establish a ferry operation on their property or within a planned development, landowners and developers must face a multitude of thorny development and land use issues and logistical and operational factors – as well as increased costs and additional government regulations. To encourage the development of ferry operations from Leeward Oahu to Downtown Honolulu, government should establish and implement financial incentives for landowners and developers.

Given all of the above issues, it seems clear that the implementation of such a ferry system should be based on a review and evaluation of all possible location alternatives; that it should also be a voluntary initiative, rather than a government requirement; and that government should provide incentives to landowners and developers to encourage such ferry operations within their projects.

Thank you for the opportunity to provide comments regarding SCR 109 and SR 68.



LAND USE RESEARCH  
 FOUNDATION OF HAWAII  
 700 Bishop Street, Ste. 1928  
 Honolulu, Hawaii 96813  
 Phone 521-4717  
 Fax 536-0132

VIA Capitol Website

March 30, 2009

**Senate Committee on Transportation, International and  
 Intergovernmental Affairs**  
**Hearing Date: Monday, March 30, 2009, 1:45 p.m. in CR 224**

**Comments Regarding SCR 109 and SR 68**  
**ENCOURAGING THE ESTABLISHMENT OF A FERRY SYSTEM FROM THE  
 HOAKALEI RESORT IN EWA BEACH TO DOWNTOWN HONOLULU**

Honorable Chair J. Kalani English, Vice Chair Mike Gabbard and Members of the Senate  
 Committee on Transportation, International and Intergovernmental Affairs:

My name is David Arakawa, and I am the Executive Director of the Land Use Research  
 Foundation of Hawaii (LURF), a private, non-profit research and trade association  
 whose members include major Hawaii landowners, developers and a utility company.  
 One of LURF's missions is to advocate for reasonable, rational and equitable land use  
 planning, legislation and regulations that encourage well-planned economic growth and  
 development, while safeguarding Hawaii's significant natural and cultural resources and  
 public health and safety.

While LURF and its members support and encourage transportation alternatives that  
 could help alleviate traffic between Leeward Oahu and Downtown Honolulu, and  
**support the general intent of this Senate Concurrent Resolution 109 (SCR  
 109) and Senate Resolution 68**, LURF also has the following **comments and  
 concerns**: (1) We are concerned whether these resolutions could be considered illegal  
"special legislation" directed at one specific landowner and development - - We believe  
 that the Hoakalei Resort and Marina project (Hoakalei) should not be specifically  
 singled out as the target of these resolutions; (2) instead of focusing on only one  
 location, the State Department of Transportation (DOT) and City and County  
 Department of Transportation Services (DTS) should do a study of all possible location  
 alternatives for a ferry operation from Ewa Beach or Kapolei to Honolulu; (3) a ferry  
 operation should not be a government requirement or mandate on a landowner or  
 developer; and (4) that the DOT, DTS, and State and County law-makers should identify  
 and implement financial incentives which would encourage landowners and developers  
 to include a ferry operation as part of their projects.

**SENATE CONCURRENT RESOLUTION NO. 109 AND SENATE**

**RESOLUTION NO. 68.** The purpose of these resolutions is to encourage the DOT to engage in and facilitate discussions with DTS, private developers, and other stakeholders to explore the possibility of establishing a ferry operation from the Hoakalei Resort and Marina to downtown Honolulu; and the resolutions also encourage the respective parties to request the assistance of Hawaii's congressional delegation to identify possible funding sources for a ferry system.

**LURF's POSITION.** SCR 109/SR 68 encourage the establishment of a ferry system to be launched from the new Hoakalei Resort and Marina to downtown Honolulu. While LURF members are in general support of the initiative that SCR 109 and SR 68 seek to achieve, which is to provide an alternative mode of transportation, namely ferry service, from Ewa Beach to downtown Honolulu, LURF has the following comments, questions and concerns: whether this is improper "special legislation," which specifically targets the Hoakalei project as the only location for a future ferry service; respectfully recommends that the location of a future ferry operation should be based on a review and evaluation of all possible location alternatives; and that the implementation of such a ferry service be a voluntary initiative and not a mandatory requirement placed upon any private landowner; and lastly, in addition to requesting that Hawaii's congressional delegation identify possible funding sources for the ferry system, the DOT, DTS and State and county government should work with the various landowners and other stakeholders to identify and implement various financial incentives to encourage the development of a ferry operation from Leeward Oahu to Downtown Honolulu.

**LURF supports a ferry service from Ewa Beach to Downtown Honolulu.** LURF's members understand the traffic congestion problems which affect leeward and Central Oahu residents, and thus support other transportation alternatives, including, but not limited to a ferry service. We note that other cities like San Francisco, New Jersey and Seattle have been successful in implementing daily ferry systems between surrounding cities to central downtown areas in order to alleviate traffic and decrease fossil fuel emissions. Oahu has also been somewhat successful with DTS' implementation of TheBoat. TheBoat started in September 2007 and provides morning and afternoon ferry service from Kalaeloa Barbers Point Ferry Dock to the Aloha Tower Ferry Dock. The ferry service was targeted at relieving traffic from Kapolei into downtown and back during peak hour traffic periods, and includes 3 morning and 3 afternoon scheduled sailings. We understand that there has been steady ridership in both directions, with between 200-400 daily riders, depending on the month and the weather.

**These resolutions specifically target the Hoakalei project, and may be improper "special legislation."** Recently, the Supreme Court has raised the issue of improper special legislation which is targeted to effect only one business. Since the current versions of these resolutions specifically target one landowner and one project - the Hoakalei project as the only location for a future ferry service, we question whether these resolutions may be improper "special legislation."

**All possible ferry locations should be studied and evaluated.** Given the relative success of TheBoat, many have urged that a ferry system be initiated from the Ewa Beach area, which could serve a larger population base. LURF encourages the government

agencies to review and evaluate all possible alternative locations for the operation of a ferry service to provide a transportation alternative to residents living in Leeward Oahu.

**A new Ferry operation should be a voluntary initiative, not a mandate imposed by government.** While LURF has always strongly supported a ferry transportation alternative from Leeward Oahu to Honolulu, LURF would oppose any government mandate of a ferry system upon a developer or landowner. LURF's position is that the implementation of such a ferry system should be a voluntary initiative, and encourages discussions and a voluntary partnership between DOT and DTS with private developers, land owners, other interested stakeholders, and Hawaii's congressional delegation.

Such voluntary discussions, negotiations and a partnership with private developers or land owners, the State, City and Federal officials would be necessary in order for such a ferry system to work, especially because of the development factors and land use issues involved in providing such a service to a large population of people. For example, in order to a ferry to be launched from a private development area, the following development and land use issues must be addressed and resolved: changes in the development plan and entitlement documents and prior representations to government approval authorities; public access to the marina or harbor, substantial parking and bus service connections for the ferry riders. Moreover, a loading and unloading area must also to be designated for use at all times when the ferry is running at both locations. In addition to land use issues, there are also a number of logistical and operational issues which must be addressed and resolved to ensure that the implementation of such a system will be successful. The City's experience with TheBoat ferry operation from Kalaehoa Harbor to Aloha Tower in Downtown Honolulu has addressed such complicated issues, including, but not limited to parking (onsite and park and ride sites), expanded shuttle buses, appropriate launch times, alternative weather related transportation issues, and most of all, cost. The Super Ferry also experienced the issue of security inspections of passengers and other security measures and infrastructure.

**The government should provide incentives to encourage transportation alternatives such a ferry operation.** In considering whether to establish a ferry operation on their property or within a planned development, landowners and developers must face a multitude of thorny development and land use issues and logistical and operational factors – as well as increased costs and additional government regulations. To encourage the development of ferry operations from Leeward Oahu to Downtown Honolulu, government should establish and implement financial incentives for landowners and developers.

Given all of the above issues, it seems clear that the implementation of such a ferry system should be based on a review and evaluation of all possible location alternatives; that it should also be a voluntary initiative, rather than a government requirement; and that government should provide incentives to landowners and developers to encourage such ferry operations within their projects.

Thank you for the opportunity to provide comments regarding SCR 109 and SR 68.