

Testimony of Gary J. North  
On Behalf of the Hawaii Harbor Users Group  
Comments on SB2134  
Before the Committees on Transportation and Water and Land  
February 15, 2022

Dear Chair Lee, Chair Inouye, Vice Keith-Agaran, and Members of the Committees:

The Hawaii Harbor Users Group (HHUG) is a non-profit maritime transportation industry group comprised of key commercial harbor users. As an island state, Hawaii is very dependent upon our commercial harbors to ensure the continued and unimpeded flow of cargo in and out of our State. It is estimated that over 90 percent Hawaii's imported goods pass through our commercial harbors, including consumer goods, motor vehicles, construction materials, and fuel. Given the critical role of our commercial harbors, it is imperative that the State support dependable and efficient cargo transportation and handling to service our residents and businesses.

HHUG provides comments on SB2134, which authorizes the Department of Transportation to negotiate leases for the non-maritime use of commercial harbors, commercial harbor and waterfront improvements, ports, docks, wharves, piers, quays, bulkheads, and landings belonging to or controlled by the State.

While HHUG believes that commercial harbors, commercial harbor and waterfront improvements, ports, docks, wharves, piers, quays, bulkheads, and landings should be used for commercial maritime use to ensure goods are able to flow into our State, there are very narrow instances in which a non-maritime use may supplement or enhance our commercial harbors. Accordingly, should your Committees choose to pass this measure, HHUG respectfully requests that your Committees adopt the following amendment to page 2, lines 1 to 5 to read:

- (3) Have the authority to negotiate leases for the non-maritime use of commercial harbors, commercial harbor and waterfront improvements, ports, docks, wharves, piers, quays, bulkheads, and landings belonging to or controlled by the State; provided that the non-maritime use of commercial harbors, commercial harbor and waterfront improvements, ports, docks, wharves, piers, quays, bulkheads, and landings are located within the Aloha Tower complex designated boundaries as defined in section 206J-3 and does not conflict with an existing use relating to the receiving or loading of passengers or the loading and landing of merchandise;

HHUG also requests that should your Committees pass this measure, the Committee Report reflect that historically, the Aloha Tower Complex area as defined in section 206J-3, Hawaii Revised Statutes, has been used for non-maritime purposes for decades.

Thank you for considering our comments.



February 15, 2022

The Honorable Senator Chris Lee, Chair  
The Honorable Senator Lorraine R. Inouye, Chair (WTL) / Vice Chair (TRS)  
The Honorable Senator Gilbert S.C. Keith-Agaran, Vice Chair  
Senate Committee on Transportation / Senate Committee on Water and Land

**RE: Senate Bill 2134 – RELATING TO HARBORS**  
**Hearing date: February 15, 2022, 3:05 p.m.**

Aloha Chair Lee, Chair Inouye, Vice Chair Keith-Agaran, and Members of the Senate Committees on Transportation and Water and Land:

Thank you for allowing me to submit testimony on behalf of Young Brothers, LLC (“YB”) offering **COMMENTS** on Senate Bill 2134 – Relating to Harbors.

This measure would authorize the Department of Transportation to negotiate leases for the non-maritime usage of commercial harbors, commercial harbor and waterfront improvements, ports, docks, wharves, piers, quays, bulkheads, and landings belonging to or controlled by the State.

YB notes that commercial harbor space availability is currently scarce for maritime use within the state. Nevertheless, YB recognizes that there may be narrow instances in which a non-maritime use may supplement or enhance our commercial harbors. Accordingly, in order to avoid unintentionally limiting or displacing maritime use within this scarce harbor space, YB respectfully recommends the following language to focus the scope of this measure, should your Committee choose to move forward with this measure (see page 2, lines 1 to 5):

- (3) Have the authority to negotiate leases for the non-maritime use of commercial harbors, commercial harbor and waterfront improvements, ports, docks, wharves, piers, quays, bulkheads, and landings belonging to or controlled by the State; provided that the non-maritime use of commercial harbors, commercial harbor and waterfront improvements, ports, docks, wharves, piers, quays, bulkheads, and landings are located within the Aloha Tower complex designated boundaries as described in section 206J-3 and does not conflict with an existing maritime use;

Thank you for your service to the State of Hawaii, and for the opportunity to testify offering comments on this measure.

Sincerely,

Kris Nakagawa  
Vice President, External and Legal Affairs