

House Record

From: Karen Machida [kmachidahi@yahoo.com]
Sent: Wednesday, October 24, 2007 3:52 PM
To: House Record
Subject: Superferry

ATTN: House Committee on Transportation and House Committee on Finance
DATE: Thursday, October 25, 2007
TIME: 9:00 a.m. Auditorium, State Capitol

HB 1 RELATING TO TRANSPORTATION

Requires the Department of Transportation to perform an environmental impact statement (EIS) for certain improvements made to commercial harbors. Permits operation of large capacity ferry vessel company prior to completion of EIS upon meeting certain minimum conditions. Establishes a temporary Hawaii Inter-island Ferry Oversight Task Force.

Dear Chairs Souki and Oshiro:

My name is Karen L. Machida and I strongly support Hawaii Superferry.

I believe it is beneficial to have another form of transportation between the islands for people & cars.

Mahalo,

Karen L. Machida
1629 Palolo Ave.
Honolulu, HI 96816
735-8076

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House Record

From: Maurizia Zanin [maurizia@hawaii.rr.com]
Sent: Wednesday, October 24, 2007 4:21 PM
To: House Record
Subject: HB 1 RELATING TO TRANSPORTATION

TO: House Committee on Transportation and House Committee on Finance
DATE: Thursday, October 25, 2007
TIME: 9:00 a.m. Auditorium, State Capitol

HB 1 RELATING TO TRANSPORTATION

Requires the Department of Transportation to perform an environmental impact statement (EIS) for certain improvements made to commercial harbors. Permits operation of large capacity ferry vessel company prior to completion of EIS upon meeting certain minimum conditions. Establishes a temporary Hawaii Inter-island Ferry Oversight Task Force.

Dear Chairs Souki and Oshiro:

My name is Maurizia Zanin, I live on Kauai, and I strongly OPPOSE HB 1 and Hawaii Superferry, and call for an EIS first. I have many legitimate concerns about security and safety surrounding the superferry being able to operate before the proper assessments and studies have been conducted. Although I do not plan to testify in person I would appreciate my position to be acknowledged.

Sincerely,
Maurizia Zanin
PO Box 738
Hanapepe Hi 96716 (mailing)
2420 Alelo Rd.
Kalaheo HI
808-332-8049

House Record

From: Mitchell Kanekoa iii [mkanekoa@asbhawaii.com]
To: House Record
Cc:
Subject: Support Hawaii Superferry
Attachments:

Sent: Wed 10/24/2007 1:22 PM

ATTN: House Committee on Transportation and House Committee on Finance
DATE: Thursday, October 25, 2007
TIME: 9:00 a.m. Auditorium, State Capitol

HB 1 RELATING TO TRANSPORTATION

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Dear Chairs Souki and Oshiro:

My name is *Mitchell J. Kanekoa III*] and I strongly support Hawaii Superferry.

I believe the SUPERFERRY is one of the best things that have come to Hawaii. Please do not let a handful of rude activists destroy Hawaii's dream of traveling from island to island along with their vehicles. I believe if we had a poll today and everyone in the state could vote, more than the majority would vote to KEEP the SUPERFERRY. The SUPERFERRY creates new jobs and encourages more tourists. Our number one industry in Hawaii is tourism, so we must think of the future of our children and grandchildren. If we expect our heirs to continue their lives in the greatest state in the Nation, we need to make life easier for the people of Hawaii and create more jobs and opportunities. This is a democratic nation and we must not let a few narrow minded individuals dictate the future of Hawaii. This is AMERICA, the land of FREEDOM and not a third world country under the rule of a dictator. Allow us our freedom as Americans to pursue our dreams for the state of Hawaii. Save our SUPERFERRY!!!!

Mitchell Kanekoa III
99-540 B Kahilina Pl, Aiea, HI 96701

808-846-4645

Aloha,

Mitchell Kanekoa III
Consumer Loan Adjustor
Collections and Recovery Services
PH: 808-846-4645
FAX: 808-846-4628

E-MAIL: mkanekoa@asbhawaii.com

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House Record

From: Samantha K Edu [sedu@hawaii.edu]
Sent: Wednesday, October 24, 2007 3:58 PM
To: House Record
Subject: Hawaii Superferry

ATTN: House Committee on Transportation and House Committee on Finance
DATE: Thursday, October 25, 2007
TIME: 9:00 a.m. Auditorium, State Capitol

HB 1 RELATING TO TRANSPORTATION

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Dear Chairs Souki and Oshiro:

Hello! My name is Samantha Edu and I strongly support Hawaii Superferry.

The Hawaii Superferry will provide a new and exciting way to travel to the other Hawaiian Islands. Some of the people on the other islands may oppose this, but whatever happened to the aloha spirit? We should warmly greet anyone who visits our islands.

-Samantha Edu
Student at the University of Hawaii at Manoa

House Record

From: Karen Machida [kmachidahi@yahoo.com]
Sent: Wednesday, October 24, 2007 3:59 PM
To: House Record
Subject: Superferry

ATTN: House Committee on Transportation and House Committee on Finance
DATE: Thursday, October 25, 2007
TIME: 9:00 a.m. Auditorium, State Capitol

HB 1 RELATING TO TRANSPORTATION

Requires the Department of Transportation to perform an environmental impact statement (EIS) for certain improvements made to commercial harbors. Permits operation of large capacity ferry vessel company prior to completion of EIS upon meeting certain minimum conditions. Establishes a temporary Hawaii Inter-island Ferry Oversight Task Force.

Dear Chairs Souki and Oshiro:

My name is Albert K. Machida, Jr. and I strongly support Hawaii Superferry.

I believe it is another alternative for unique inter island travel.

A.K. Machida, Jr
1629 Palolo Ave.
737-9608

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House Record

From: Oxley, AJ [AJ.Oxley@boh.com]
Sent: Wednesday, October 24, 2007 4:13 PM
To: House Record
Subject: Support for Superferry

ATTN: House Committee on Transportation and House Committee on Finance

DATE: Thursday, October 25, 2007

TIME: 9:00 a.m. Auditorium, State Capitol

HB 1 RELATING TO TRANSPORTATION

Requires the Department of Transportation to perform an environmental impact statement (EIS) for certain improvements made to commercial harbors. Permits operation of large capacity ferry vessel company prior to completion of EIS upon meeting certain minimum conditions. Establishes a temporary Hawaii Inter-island Ferry Oversight Task Force.

Dear Chairs Souki and Oshiro:

My name is A.J. Oxley and I and I strongly support Hawaii Superferry.

Though I was born and raised here in Hawaii, I have lived in Asia and on the Mainland and have traveled extensively throughout the world. I have witnessed first hand how ferry operations are a basic and integral part of life in communities that are surrounded by or connected to water. It provides people with a viable and economical way to travel with minimal impact to the environment. In many cases, ships that are used in these locales are larger and travel faster than the Hawaii Superferry.

Water also connects and surrounds our island communities here in Hawaii. It seems more than obvious that a ferry operation would be a natural transportation option for Hawaii's people and visitors. The Hawaii Superferry will connect families and visitors and enable commerce to flow more freely, both contributing to the livelihood of the State. Please enact legislation that will enable the Superferry to sail immediately.

Sincerely submitted,

A.J. Oxley

A.J. Oxley
1808 Punahou St. #202
Honolulu, HI 96822
(808) 537-8545

10/24/2007

House Record

From: Dapon, Jessie [jdapon@honolulu.gov]
Sent: Wednesday, October 24, 2007 4:10 PM
To: House Record
Subject: HB 1 Relating to Transportation

Attn: House Committee on Transportation and House Committee on Finance
Date: Thursday, October 25, 2007
Time: 9AM Auditorium, State Capitol

Dear Chairs Souki and Oshiro:

I strongly support for the Hawaii Super ferry. It will attract local people and tourists to spend their dollars that improve the economy especially in other islands. Also it creates more jobs and to improve the quality of a lifestyle for those employees.

They should let Hawaii Super ferry operates while the case still in court in behalf of the environmentalist. In is very unfair to the management because they already spending lots of dollars and mostly unfair to those terminated employees.

Thank you very much,
Jessie A. Dapon
Dept. of Budget and Fiscal Services
City and County of Honolulu
650 S. King St. 4th floor
Honolulu, HI 96813
Phone: 768-8664
Fax: 527-6873
eMail: jdapon@honolulu.gov

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House Record

From: Tommie Sukanuma on behalf of Rep. Cindy Evans **Sent:** Wed 10/24/2007 1:18 PM
To: House Record
Cc:
Subject: FW: Testimony Regarding the Hawaii Super Ferry
Attachments: Super Ferry Comments.doc(36KB)

Ms. Tommie Sukanuma
Office Manager to
Representative Cindy Evans
Tel: (808) 586-8510
Fax: (808) 586-8514
www.repcindyevans.com

-----Original Message-----

From: Tom Daniel [mailto:tomdaniel@hawaii.rr.com]
Sent: Tuesday, October 23, 2007 10:38 PM
To: testimony
Cc: Rep. Josh Green; Rep. Cindy Evans; Sen. Lorraine R. Inouye; Sen. Russell Kokubun; Sen. Paul Whalen
Subject: Testimony Regarding the Hawaii Super Ferry

Sirs:

Please submit the testimony below (also attached as a MS Word document) to the Special Session of the Legislature that convenes on 24 October 2007. I presented the first part as written testimony at the hearing in Kona this evening, but the addendum is an important part of my testimony and I ask that it be included in the Special Session record.

Mahalo,

Tom Daniel
Kona

~~~~~

TO: testimony@capitol.hawaii.gov

SUBJECT: TESTIMONY Regarding the Hawaii SuperFerry.

Addressed to: Senate President Colleen Hanabusa, House Speaker Calvin Say and all Hawaii state legislators.

From: Thomas H. Daniel, Ph.D.  
73-1036 Ahikawa Street  
Kailua-Kona, HI 96740  
Phone: 808-325-7323  
Cell: 808-989-0171  
E-mail: tomdaniel@hawaii.rr.com

Presented To: Neighbor Island Legislative Hearing on the Hawaii Superferry, Kealakehe High School, October 23, 2007, 3:00PM

Testimony: My name is Tom Daniel. I have a PhD in oceanography from UH Manoa and I worked for the state for 21 years as technical director of the Natural Energy Laboratory of Hawaii at Keahole Point.

I think it would be great for Hawaii to have something like the super ferry, and I think that, if done properly, it could be an environmentally benign addition to our state's transportation system. I have worked on many projects which successfully provided needed services to the people of Hawaii while conforming to the environmental laws, and I believe that, with due diligence (and probably some extra expenditures), an inter-island ferry could be developed in conformance with those laws.

Although I understand that the super ferry raises legitimate concerns and I definitely recognize the need for delineation and study of the issues regarding vehicle traffic and invasive species proliferation, I don't have much expertise in these areas.

I have, however, worked for many years on various aspects, both military and civilian, of sonar and underwater sound, and I continue that work as a reviewer of advanced proposals for the National Defense Center of Excellence in the Ocean Sciences, located at Keahole Point. I know from this work that, at the present state of the art, detection of marine mammals from a fast moving platform such as the super ferry cannot be done reliably and quickly enough to provide the information needed for collision avoidance maneuvers. I was, therefore, dismayed when super ferry proponents initially said that they would purchase a collision avoidance sonar that would eliminate the problem. It was clear to me, however, that the law required that they do an environmental assessment, which would clarify the issue and point out the need for either development of a new sonar system (which may or may not be possible) or development of some other means of avoiding collisions with humpbacks or other important marine organisms.

A well-done environmental assessment for this type of project might include, for example, a determination of the maximum speeds that would be allowed for given levels of detection capability. It's possible that avoidance maneuvers are not required for vessels moving less than some speed, though empirical evidence from previous collisions indicates that some type of detection and avoidance should probably be required for most large vessels. The fact that previous inter-island transportation systems have not been required to perform environmental assessments of this and other issues makes it all the more important that any new system, especially one which cites the advantages of its high speed vessels, must be required to perform the appropriate assessment.

Unfortunately, our Governor chose, over vocal objections from many citizens and legislators, to disregard the law and grant the super ferry an illegal exemption to the critical environmental laws that have been carefully developed over the past few decades to protect our environment. As required by the law, the Supreme Court has found the Governor's exemption to be illegal.

It is inappropriate to blame the super ferry promoters for the current situation. The blame rests squarely on Governor Lingle and her administration for granting the promoters a clearly illegal exemption to state law. As many of us pointed out several years ago, the development plan for the super ferry should have included at the very least an environmental assessment that would have allowed a legal determination of

whether further steps were required to comply with HRS 343. Yes, it would have cost a significant amount, but that is part of the price of progress – a necessary and legally required contribution toward environmental preservation. If it had been factored into the cost of the project from the beginning, the developers might have had to accept a slightly smaller return on their investment, but it wouldn't have stopped the development any more than it has stopped any of the other successful businesses that have complied with Hawaii's environmental laws.

So, what do we do now?

Because I believe that the ferry system can probably be designed and constrained so as to make it environmentally acceptable, I think it would be unfortunate to allow the Governor's ill-considered action to kill the project completely. There is no question that the developers will bear an increased cost because of the delays caused by the Governor's actions, but I hope that the legislature can devise some ways to reduce that additional financial burden while allowing the project to proceed.

I hope that the legislature will find a solution to this impasse that will allow the super ferry project to proceed without endangering our environment. Constraints on operations, such as reduced speed, additional inspections and disinfections to ensure control of invasive species, and/or limitations on the number of vehicles allowed per trip should be developed which will allow environmentally safe operation during the period while the required environmental assessment is developed.

Whatever solution the legislature proposes – and any solution will be a compromise that may or may not be acceptable to the developer – it MUST NOT in any way weaken the environmental protections set forth in existing state and federal law. It must be made very clear that there can be NO exemptions to the law and that any concessions made to allow the super ferry to operate are one-time exceptions made to promote the near term public good in spite of the illegal actions of the Governor.

Addendum following discussion at the Kealakehe High School hearing:

Much of the impassioned testimony on both sides of this issue at tonight's hearing would have been unnecessary, negated or, at least, more factual IF the EA/EIS procedures of HRS 343 had been followed as they should have. That process would have provided most of the factual information that people didn't have, eliminating many of the disagreements that surfaced at the meeting – or at least clarifying the nature of remaining disagreements. Eloquent speakers presented many arguments on both sides of the issue that were based on mis-information and/or inaccurate data. The primary function of the EA/EIS process is collection of the relevant data to rationalize the discussion. Elimination of this necessary preparatory step dramatically diminishes the effectiveness and usefulness of discussions such as that I just attended for 4.5 hours.

It appears that the legislature will convene tomorrow morning to vote on the bill proposed by the Lingle administration and rubber-stamped with no substantive changes by the legislative attorneys. The proposed bill proposes a wholesale change to HRS 343 that will totally emasculate our environmental protection legislation. The legislature MUST NOT approve that bill, which would be a disaster for Hawaii and its people.

HRS 343 can certainly benefit from minor improvements, but the proposed legislation totally eviscerates the law and gives future administrations free license to do whatever they wish to improve the economy at the expense of the environment. This MUST NOT be allowed to happen.

I still believe that carefully crafted reform legislation could improve HRS 343 by clarifying requirements and enforcement procedures, and also allow the super ferry to proceed in some limited fashion while the appropriate EA/EIS is developed. As noted in testimony at tonight's hearing, the legislature will have to work diligently to craft such a bill so that it does not unfairly promote the interests of one commercial enterprise – the super ferry – but I believe that is possible.

I learned tonight, however, that the planned 5-day special session is not long enough to allow amendments to the bill that will be introduced in the morning. If that is indeed the case, the legislature has no choice other than to reject the bill.

Discussion with legislators and attorneys this evening indicated two possible avenues for alternative action:

1) The session could be extended to more than five days to allow sufficient time for adoption of amendments that might make the bill acceptable. This would exacerbate the valid public concern about the cost of the special session, but it might allow a workable compromise that would provide an environmentally acceptable way to allow the super ferry to begin operations. It appears from the precedent of previous sessions and the State Constitution 003-0010 that the Governor can extend a special session (e.g., Cayetano, 1998). According to the Constitution 003-0010, a special session may be convened "at the written request of two-thirds of the members to which each house is entitled", so such a request would presumably be sufficient to allow extension of the proposed 5-day session.

2) A legislator could introduce a "blank" or generic bill at the beginning of tomorrow's session that could be pursued in parallel with the Governor's unacceptable bill and "fleshed out" during the 5 days of the session to provide an acceptable alternative. This is a standard procedure for many bills in regular legislative sessions, and might work in the present situation.

I am not an attorney or constitutional expert, so I'm not sure whether either of these alternatives is viable under HRS and/or the Hawaii constitution. If either is viable, I encourage legislators to pursue it vigorously as the only means to save the super ferry and our environmental protection laws at the same time.

If these alternatives are unworkable, I urge legislators to follow the suggestion of other testifiers at tonight's hearing and adjourn the special session as soon as it opens. The Lingle-proposed legislation must not be passed, and there is no point in discussing it if amendments are not possible.

~~~~~

TO: testimony@capitol.hawaii.gov

SUBJECT: TESTIMONY Regarding the Hawaii SuperFerry.

Addressed to: Senate President Colleen Hanabusa, House Speaker Calvin Say and all Hawaii legislators.

From: Thomas H. Daniel, Ph.D.
73-1036 Ahikawa Street
Kailua-Kona, HI 96740
Phone: 808-325-7323
Cell: 808-989-0171
E-mail: tomdaniel@hawaii.rr.com

Presented To: Neighbor Island Legislative Hearing on the Hawaii Superferry, Kealahou High School, October 23, 2007, 3:00PM

Testimony: My name is Tom Daniel. I have a PhD in oceanography from UH Manoa and I worked for the state for 21 years as technical director of the Natural Energy Laboratory of Hawaii at Keahole Point.

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Although I understand that the super ferry raises legitimate concerns and I definitely recognize the need for delineation and study of the issues regarding vehicle traffic and invasive species proliferation, I don't have much expertise in these areas.

I have, however, worked for many years on various aspects, both military and civilian, of sonar and underwater sound, and I continue that work as a reviewer of advanced proposals for the National Defense Center of Excellence in the Ocean Sciences, located at Keahole Point. I know from this work that, at the present state of the art, detection of marine mammals from a fast moving platform such as the super ferry cannot be done reliably and quickly enough to provide the information needed for collision avoidance maneuvers. I was, therefore, dismayed when super ferry proponents initially said that they would purchase a collision avoidance sonar that would eliminate the problem. It was clear to me, however, that the law required that they do an environmental assessment, which would clarify the issue and point out the need for either development of a new sonar system (which may or may not be possible) or development of some other means of avoiding collisions with humpbacks or other important marine organisms.

A well-done environmental assessment for this type of project might include, for example, a determination of the maximum speeds that would be allowed for given levels of detection capability. It's possible that avoidance maneuvers are not required for vessels moving less than some speed, though empirical evidence from previous collisions indicates that some type of detection and avoidance should probably be required for most large vessels. The fact that previous inter-island transportation systems have not been

required to perform environmental assessments of this and other issues makes it all the more important that any new system, especially one which cites the advantages of its high speed vessels, must be required to perform the appropriate assessment.

Unfortunately, our Governor chose, over vocal objections from many citizens and legislators, to disregard the law and grant the super ferry an illegal exemption to the critical environmental laws that have been carefully developed over the past few decades to protect our environment. As required by the law, the Supreme Court has found the Governor's exemption to be illegal.

It is inappropriate to blame the super ferry promoters for the current situation. The blame rests squarely on Governor Lingle and her administration for granting the promoters a clearly illegal exemption to state law. As many of us pointed out several years ago, the development plan for the super ferry should have included at the very least an environmental assessment that would have allowed a legal determination of whether further steps were required to comply with HRS 343. Yes, it would have cost a significant amount, but that is part of the price of progress – a necessary and legally required contribution toward environmental preservation. If it had been factored into the cost of the project from the beginning, the developers might have had to accept a slightly smaller return on their investment, but it wouldn't have stopped the development any more than it has stopped any of the other successful businesses that have complied with Hawaii's environmental laws.

So, what do we do now?

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I hope that the legislature will find a solution to this impasse that will allow the super ferry project to proceed without endangering our environment. Constraints on operations, such as reduced speed, additional inspections and disinfections to ensure control of invasive species, and/or limitations on the number of vehicles allowed per trip should be developed which will allow environmentally safe operation during the period while the required environmental assessment is developed.

Whatever solution the legislature proposes – and any solution will be a compromise that may or may not be acceptable to the developer – it MUST NOT in any way weaken the environmental protections set forth in existing state and federal law. It must be made very clear that there can be NO exemptions to the law and that any concessions made to allow the super ferry to operate are one-time exceptions made to promote the near term public good in spite of the illegal actions of the Governor.

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HRS 343 can certainly benefit from minor improvements, but the proposed legislation totally eviscerates the law and gives future administrations free license to do whatever they wish to improve the economy at the expense of the environment. This MUST NOT be allowed to happen.

I still believe that carefully crafted reform legislation could improve HRS 343 by clarifying requirements and enforcement procedures, and also allow the super ferry to proceed in some limited fashion while the appropriate EA/EIS is developed. As noted in testimony at tonight's hearing, the legislature will have to work diligently to craft such a bill so that it does not unfairly promote the interests of one commercial enterprise – the super ferry – but I believe that is possible.

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of two-thirds of the members to which each house is entitled”, so such a request would presumably be sufficient to allow extension of the proposed 5-day session.

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If these alternatives are unworkable, I urge legislators to follow the suggestion of other testifiers at tonight’s hearing and adjourn the special session as soon as it opens. The Lingle-proposed legislation must not be passed, and there is no point in discussing it if amendments are not possible.

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House Record


From: Peter Dilwith [pldilwith@yahoo.com]

Sent: Wed 10/24/2007 1:03 PM

To: House Record

Cc:

Subject: My Support for the HAWAII SUPERFERRY!!

Attachments:  My Support for the HAWAII SUPERFERRY!!(4KB)

Note: forwarded message attached.

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House Record

From: Peter Dilwith [pldilwith@yahoo.com] **Sent:** Tue 10/23/2007 7:45 PM
To: House Testimony
Cc:
Subject: My Support for the HAWAII SUPERFERRY!!
Attachments:

ATTN: House Committee on Transportation and House Committee on Finance

DATE: Thursday, October 25, 2007

TIME: 9:00 a.m. Auditorium, State Capitol

HB 1 RELATING TO TRANSPORTATION

Requires the Department of Transportation to perform an environmental impact statement (EIS) for certain improvements made to commercial harbors. Permits operation of large capacity ferry vessel company prior to completion of EIS upon meeting certain minimum conditions. Establishes a temporary Hawaii Inter-island Ferry Oversight Task Force.

Dear Chairs Souki and Oshiro:

First of all I would like to introduce myself. My name is Peter Dilwith and I am a born and raised resident of Wahiawa, Hawaii. I speak for myself as well as my family when I ask that you as Legislators, favor the Hawaii Superferry in this upcoming special session. As a professional here in Hawaii, I speak with many of my colleagues and they agree that the Hawaii Superferry will not only benefit the economy, but will allow other natives of Hawaii to visit the rest of the state without the overwhelming cost of car rentals and such. I also feel that we need the Hawaii Superferry to keep the airlines in check, after all, they have been robbing us blind for years.

So if you conclude that an EIS is required, please allow the Superferry to run while it is being done. Also, it would only be fair if you were to require all other shippers (Young Brothers, Matson, etc.) to undergo an EIS of their own. That would be the fair thing to do. Once again, I would like to voice my STRONG SUPPORT for the Hawaii Superferry!

Mahalo and Aloha,

Pete Dilwith, Mortician
Mililani Mortuary
P.O. Box 457
Pearl City, HI 96782-0457

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<http://mail.yahoo.com>

House Record

From: Terry Paulson [terry@hoaka.com]
To: House Record
Cc:
Subject: RE: HB 1 Realting to Transportaion
Attachments:

Sent: Wed 10/24/2007 1:09 PM

ATTN: House Committee on Transportation and House Committee on Finance
DATE: Thursday, October 25, 2007
TIME: 9:00 a.m. Auditorium, State Capitol

HB 1 RELATING TO TRANSPORTATION

Requires the Department of Transportation to perform an environmental impact statement (EIS) for certain improvements made to commercial harbors. Permits operation of large capacity ferry vessel company prior to completion of EIS upon meeting certain minimum conditions. Establishes a temporary Hawaii Inter-island Ferry Oversight Task Force.

Dear Chairs Souki and Oshiro:

My name is Teresa Hermosa Paulson and I strongly support Hawaii Superferry.

I have been a resident of Hawaii since 1961 and have moved to the big island in 1997. Having the freedom of another means of transportation would be a convenience. I can understand the low percentage of sales to car rentals, airlines and local barges, etc., that it could possibly be a threat to their business income by how much I don't know? But, seeing the amount of people in our growing community, having another alternative to travel is inevitable. If we are so concerned about the environmental surrounding then let there be a task force/group of some kind that monitor say after 5 yrs the daily movements that may disrupt our reefs/fishes/whales/etc., and gather complaints/accidents and re-submit their evaluation. We haven't given it a try.

Teresa Hermosa Paulson

68-1889 Kawika Place

Waikoloa, HI. 96738

808-883-0123

House Record

From: Robert Watland **Sent:** Wed 10/24/2007 12:20 PM
To: Ashcoftop@aol.com
Cc:
Subject: RE: Testimony for HB 1 Relating to transportation, Oct 25, 2007
Attachments:

This document contains comments regarding HB NO. 1 Relating to Transportation, which is for members of the House Committees on Transportation and Finance during deliberations. Please retransmit your testimony to either of the following email addresses, as stated on the hearing notice:

HouseTestimony@Capitol.hawaii.gov

[For those who plan to testify in-person]

OR

HouseRecord@Capitol.hawaii.gov

[For those who do NOT plan to testify in-person.]

Comments will be inserted into the official record only.]

Mahalo.

From: Ashcoftop@aol.com [mailto:Ashcoftop@aol.com]
Sent: Wednesday, October 24, 2007 6:52 AM
To: House Record; All Reps; All Senators; governor.lingle@hawaii.gov; ltgov@hawaii.gov
Subject: Testimony for HB 1 Relating to transportation, Oct 25, 2007

ATTN: House Committee on Transportation and House Committee on Finance
DATE: Thursday, October 25, 2007
TIME: 9:00 a.m. Auditorium, State Capitol

HB 1 RELATING TO TRANSPORTATION

Requires the Department of Transportation to perform an environmental impact statement (EIS) for certain improvements made to commercial harbors. Permits operation of large capacity ferry vessel company prior to completion of EIS upon meeting certain minimum conditions. Establishes a temporary Hawaii Inter-island Ferry Oversight Task Force.

Dear Chairs Souki and Oshiro:

My name is *Alfred Ching, Jr., from Kihei, Maui* and I strongly support Hawaii Superferry.

I have lived on Maui since 1988 and prior to that on Oahu. I owned several businesses on Maui and the last one was a Cafe Called Ashley's Café located in Kihei, Maui. My wife and I are moving to Oahu to care for my mother and was counting on using the ferry service to help us move. My family roots goes back to the 1880's. I am also a registered voter. As well as a restaurant owner over the past few years I have also been a licensed commercial fisherman specializing in bottom fish and have fished for the past 14 years.

This testimony is to support of the Superferry traveling at high speed during whale season. I believe that they will be able to avoid whales at high speed travel.

The below is to support my above statement.

I used to fish with a 20' Boston Whaler Outrage, outfitter with twin 88 horsepower Evinrude outboard engines. Top speed in flat water is 40 MPH. I usually leave at daybreak or first light. This is so I can watch for obstructions when I drive the boat. I travel to my bottom fishing spot as fast as the conditions will allow me, this is anywhere between 20-35 MPH. Most of the time its above 30 MPH. My fishing partners call it a white knuckle ride. Every minute we save in travel time may mean more fish in the box or more fishing time. The winds come up early and chases you north toward Lahaina and that area is less productive.

I have made more than a 100 of these trips over the years. At the speed that we travel we are watching for whales, debris, other boats or any other thing that might be in our path. We have spotted whales several miles away and have been able to make slight changes in course to avoid them, I am also watching the pattern of the swells and the wave to be able to steer a path through all of this.

I have managed to spot whales and avoided them over all these years. Some days on a run of 10-15 miles we might come across 3-5 pods of whales that we spot. Not all that we spot we actually have to change course for. Travelling at high speed to and from the fishing grounds I have never come closer then the 100 yards or 300 yards in calving areas. I also have never been surprised by a whale popping up next to me.

If a vessel traveling at high speeds and has lookouts or spotters looking for whales they should be able to spot the whales in their area and steer a course to avoid the whale or pod. The lookout position on the Superferry is 40 feet above the water and the spotters has a stable platform to make his observations that they should be able to spot the whales or any other floating objects that cross their path better than me and my fishing partner that are only 6' above the water. The Superferry is maneuverable enough to alter its course by a few degrees to avoid the whales or objects. I have done the math a hundred times or more and made the course corrections so I know it is possible to avoid hitting a whale while under high speed.

I do not think that the whales are in any more danger then they already are. The whales are learning that boats and people are friendly and they are learning to come near these sightseeing tour boats that sell whale watching tours. As you know a whale watch boat injured a calf last season by a whale watching boat.

There is a big difference in avoiding the whales and whale watching trips.

The major difference is that some boats have lookouts and plan to avoid whales, while the sightseeing whale boats have lookouts to spot the whales and once spotted plot an intersecting course to come as close as the legally can. They start off at the legal distance cut the engines or put the boat in neutral and hope the whales will come up next to them. It's called giving the customer more for his/her money and also increasing the tip money at the end of the trip. The law says that you must be at least 100 yards away and in certain calving areas 300 yards away, but there is no one out there to enforce the law.

I can only speak from my experience, but in my years of being on the ocean I have never come close to a whale while running at high speeds.

There are a few commercial boats running faster than 13 knots. Some of the boats that travel faster than 13 Knots are the day tour boats that travel to Molokini, the whale watch boats at the end of their trips, the Lanai ferry, If you should restrict the speed of the Superferry then you should restrict the speed of all vessels traveling in the same waters. Size of the vessel does not matter.

Please do not restrict the speed of the Superferry, I am sure they can avoid the whales. If they should have an accident with a whale then it would only have been an accident. If the superferry has to many accidents then have them change their operating speed or course or both. Do not restrict them before they can show what kind of track record they can produce.

Alfred Ching, Jr.

2718 Puuhoolai Street

Kihei, Maui, Hawaii 96753

a Registered voter

E-mail ashcoftop@aol.com

telephone 808 874-9426

Cel phone 808 385-9919

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House Record

From: dino [dino@worldwidewindows.net]
To: House Record
Cc:
Subject: Hawaii Superferry
Attachments:

Sent: Wed 10/24/2007 12:56 PM

ATTN: House Committee on Transportation and House Committee on Finance
DATE: Thursday, October 25, 2007
TIME: 9:00 a.m. Auditorium, State Capitol

HB 1 RELATING TO TRANSPORTATION

Requires the Department of Transportation to perform an environmental impact statement (EIS) for certain improvements made to commercial harbors. Permits operation of large capacity ferry vessel company prior to completion of EIS upon meeting certain minimum conditions. Establishes a temporary Hawaii Inter-island Ferry Oversight Task Force.


Dear Chairs Souki and Oshiro:

My name is Constantin A. Pertzoff and I strongly support Hawaii Superferry.


I am the owner of World Wide Window Cleaning based in Honolulu. I have monthly work in Maui which I have to send several men over to perform. After paying airfare, room & Board plus the cost of renting a vehicle as well as shipping our gear, it is very difficult for us to be competitive. We have several customers in Maui that are willing to pay the extra money to have professional, SAFE window cleaners come from Honolulu, but many are unwilling or unable to pay the difference. I'm sure that Honolulu has many such businesses like mine that would expand in Maui if the Superferry were to resume service.

Thank You,

Dino Pertzoff
President, World Wide Window Cleaning, Inc.
Office: (808)529-0505
Fax: (808) 841-6830
Cel: (808)479-6737
"Competitive Performance"

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House Record

From: Ed Taguba [ed.taguba@xndi.com]
To: House Record
Cc:
Subject: HB 1 RELATING TO TRANSPORTATION
Attachments:  [untitled-2\(1KB\)](#)

Sent: Wed 10/24/2007 8:53 AM

ATTN: House Committee on Transportation and House Committee on Finance
DATE: Thursday, October 25, 2007
TIME: 9:00 a.m. Auditorium, State Capitol

HB 1 RELATING TO TRANSPORTATION

Requires the Department of Transportation to perform an environmental impact statement (EIS) for certain improvements made to commercial harbors. Permits operation of large capacity ferry vessel company prior to completion of EIS upon meeting certain minimum conditions. Establishes a temporary Hawaii Inter-island Ferry Oversight Task Force.

Dear Chairs Souki and Oshiro:

My name is *Dr. Edward Taguba* and I strongly support Hawaii Superferry.

I am in support for the Hawaii Superferry, this is another alternative way of travel besides travel via Airlines, a boat travel between Lana'i and Maui daily and have no problem, I feel that the Hawaii Superferry should be able to do business like usual while the conduction is being made. I see no problem if the Hawaii Superferry did it before why would this be a huge problem? Hawaii people just don't like the change and how things are run. Hawaii should open the eyes and see what is going on.

Dr. Edward Taguba
(808) 741-0867

--

Edward Taguba, Ph.D, MBA

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House Record

From: Stephen Gilbreath [Sgilbreath@bretthillcompanies.com]

Sent: Wed 10/24/2007 12:33 PM

To: House Record

Cc:

Subject: Hawaii Superferry

Attachments:

ATTN: House Committee on Transportation and House Committee on Finance

DATE: Thursday, October 25, 2007

TIME: 9:00 a.m. Auditorium, State Capitol

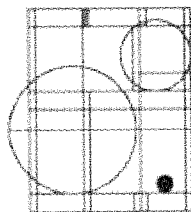
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Dear Chairs Souki and Oshiro:

My name is *Stephen Gilbreath* and I strongly support Hawaii Superferry.

The Hawaii Superferry represents another means of inter island transportation creating a better way of life for citizens of the State of Hawaii.



Stephen Gilbreath

Brett Hill Construction, Inc

808-330-7270 Cell

808-593-0036 Land Line

808-593-0037 Fax

House Record

From: BJ Allen [BJAllen@cbpacific.com]
To: House Record
Cc:
Subject: Testimony for HB 1
Attachments:

Sent: Wed 10/24/2007 12:31 PM

ATTN: House Committee on Transportation and House Committee on Finance
 DATE: Thursday, October 25, 2007
 TIME: 9:00 a.m. Auditorium, State Capitol

HB 1 RELATING TO TRANSPORTATION

Requires the Department of Transportation to perform an environmental impact statement (EIS) for certain improvements made to commercial harbors. Permits operation of large capacity ferry vessel company prior to completion of EIS upon meeting certain minimum conditions. Establishes a temporary Hawaii Inter-island Ferry Oversight Task Force.

Dear Chairs Souki and Oshiro:

My name is *BJ Allen (Betty Jo Allen)* and I strongly support Hawaii SUPERFERRY.

The majority of the population of the Hawaiian Islands want and support the SUPERFERRY for the **opportunities and advantages** it will bring to the **families and small businesses** in the islands. This "majority" do not scream, yell, stand in picket lines, vocally 'boo' others opinions and certainly do not physically restrain others from performing their jobs. These are called "riots" in the rest of the world and are treated accordingly. The majority generally trusts our government to make the right decisions for the majority, not the minority. We have chosen to let this take a timely and lawful course--but now it is that if the MAJORITY is not heard, the Legislators may make a decision that does not benefit the majority. Here us loud and clear please--the State (WE) can not afford to back down now from the operation of the SUPERFERRY. Please take a stand for the MAJORITY. Nothing remains the same--you either move forward or backward.

Can our Government allow this precedent of a rogue group like this to run things in our state? The small dissident group is not concerned about an EIS or an EA, they just want to stop "progress" and do not want other islanders to come to their island period. If the EIS or EA was their only concern they would have no disadvantage of letting the SUPERFERRY operate until they were proven 'right' by a failed EIS report. NO, what they want is to financially insure that the ferry will go away forever by refusing to let it operate in the meantime. That is their sole and specific purpose goal regardless of the outcome of the EIS.

This process has been allowed to foolishly turn into a circus. There are no reasons other than selfish, unfounded or political ones, to disallow the ferry to 1) operate as planned and approved by the State, and 2) be put back in service now & immediately with full police support if necessary until the EIS is done. Since when can we allow a handful of dissidents to turn our State into a joke and almost require Marshall law in order to conduct business. If any person or group, pro or con, obstructs and/or breaks the law then they should be charged accordingly. It is very unfortunate that the outlawing was not curtailed very early and cooler heads prevail in resolving this fiasco. Would it be accurate to say that if the SUPERFERRY was UNION, we would not have had any problem? Take a hard look at what and who is pulling the strings behind these dissident puppets.


LET THE SUPERFERRY OPERATE NOW AND PROTECT THOSE THAT CHOOSE TO USE IT! Thank You.

BJ Allen (R), ABR, CRS, GRI
434 Portlock Road; Honolulu, Hi 96825
Cell: 808-381-SOLD (7653) Home: 396-0210
Direct: 808-593-6417 Private Fax 808-748-8000
E-mail: BJAllen@cbpacific.com
Website: www.eHawaiiHomes.com




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House Record

From: Tom Witt [tom.witt@graylinehawaii.com]
To: House Record
Cc:
Subject: Superferry Testimonial
Attachments:  Superferry Testimonial.htm(13KB)

Sent: Wed 10/24/2007 12:20 PM

See attachment

Mahalo,

Thomas R. Witt

Kauai Station Mgr.

Office 808-256-0123 Cell 808-645-6572

Fax 808-632-0369

Email tom.witt@graylinehawaii.com



From: Tom Witt [tom.witt@graylinehawaii.com]
Sent: Wednesday, October 24, 2007 8:30 AM
To: 'HouseRecord@Capitol.hawaii.com'
Subject: Superferry Testimonial

Aloha, I am in support of the Superferry and wish it to be able to run while an EA is in progress. I find it amazing that such a small number of our population have effectively taken the rights of the many away. I also find it odd that this group that call themselves environmentalists, have taken that title and used it in such a way that the press refers to them as if they have credibility and hold some kind of degree or credentials of training. Many are alarmist and show up whenever there is a protest. They protest whatever is the popular movement of the day.

Kauai people for the most part are quiet, humble, and respectful. What you have seen from the protesters is not what Kauai represents. This segment of our population is new to Kauai. The lack of respect they have shown to others who do not share their views is deplorable. The majority can not be heard over the noise and disrespect shown by these few. The majority listen with respect and class. When they try to speak they are shouted down by this disrespectful low class few. It is disgusting that it has been allowed to continue at every gathering.

What I find threatening to our state is what the Superferry has exposed. We are no longer a united island state; it appears we are now a separated island state. We as a State should have open borders and freedom of movement within our State. When the airlines were affordable we traveled from island to island with ease enjoying what each island had to offer. We were closer as a State a few years ago. Today with the airlines being so expensive and the airports not being user friendly residents now do not travel thru out the State as we used to. We are more apt to go to the mainland than to a neighbor islands, the fares are not that much different.

When I listen to the protesters and their arguments concerning the environment erode away under scrutiny, they then turn their arguments towards keeping others off Kauai. It's as if they think of Kauai as a Gated Community. This is sad to think that this group considers Kauai as their private domain. In another State such as Michigan this would be the same as putting gates around Detroit so that the City folk could not get out and contaminate the surrounding country. We as a State need to free up travel between islands to bring us closer together as a State once again. I would be willing to bet that most of the protesters have a very short residency here in Hawaii. They have claimed Kauai as their Gated Community.


Many are wealthy and this makes me wonder why Senator Hooser and Representative Morita have both changed their agenda in mid stream. I also find it disturbing that Council woman Yukimura has used her position to gain audience at the Capitol. She does not represent all of Kauai and certainly not me. You may have noticed that very few locals are amongst the protesters. Don't let the 60,000 plus here on Kauai have our right to travel on the Superferry taken away by a few hundred noisy, disrespectful protesters. We are a democracy and rights of the many should not be dictated by the noisy few.

Mahalo,


Thomas R. Witt
Kauai Station Mgr.

Office 808-256-0123 Cell 808-645-6572
Fax 808-632-0369
Email tom.witt@graylinehawaii.com



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From: Melinda Cachero [mcachero@onlinetravel-services.com] **Sent:** Wed 10/24/2007 12:01 PM
To: House Record
Cc:
Subject: *****SPAM***** RE: HB 1 RELATING TO TRANSPORTATION
Attachments:  [RE: HB 1 RELATING TO TRANSPORTATION\(13KB\)](#)

This mail is probably spam. The original message has been attached along with this report, so you can recognize or block similar unwanted mail in future.

Content preview: ATTN: House Committee on Transportation and House Committee on Finance DATE: Thursday, October 25, 2007 TIME: 9:00 a.m. Auditorium, State Capitol HB 1 RELATING TO TRANSPORTATION Requires the Department of Transportation to perform an environmental impact statement (EIS) for certain improvements made to commercial harbors. Permits operation of large capacity ferry vessel company prior to completion of EIS upon meeting certain minimum conditions. Establishes a temporary Hawaii Inter-island Ferry Oversight Task Force. [...]

Content analysis details: (7.2 points, 7.0 required)
0.1 X_PRIORITY_HIGH Sent with 'X-Priority' set to high
0.8 EXTRA_MPART_TYPE Header has extraneous Content-type:...type= entry
1.2 SUBJ_ALL_CAPS Subject is all capitals
0.8 HTML_IMAGE_ONLY_32 BODY: HTML: images with 2800-3200 bytes of words
0.0 HTML_MESSAGE BODY: HTML included in message
0.3 HTML_FONT_BIG BODY: HTML tag for a big font size
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 This message was sent with high importance.

House Record

From: Melinda Cachero [mcachero@onlinetravel-services.com] **Sent:** Wed 10/24/2007 12:01 PM
To: House Record
Cc:
Subject: RE: HB 1 RELATING TO TRANSPORTATION
Attachments:

ATTN: House Committee on Transportation and House Committee on Finance
DATE: Thursday, October 25, 2007
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Dear Chairs Souki and Oshiro:

My name is *Melinda Cachero* and I strongly support Hawaii Superferry.


Mahalo,

Melinda Cachero

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House Record

From: Hideyuki Takahashi [hideyuki.takahashi@gaap-hawaii.com] **Sent:** Wed 10/24/2007 10:56 AM
To: House Record
Cc:
Subject: Hawaii Superferry
Attachments:

ATTN: House Committee on Transportation and House Committee on Finance

DATE: Thursday, October 25, 2007

TIME: 9:00 a.m. Auditorium, State Capitol

H.B. 1 RELATING TO TRANSPORTATION

“Requires the Department of Transportation to perform an environmental impact statement (EIS) for certain improvements made to commercial harbors. Permits operation of large capacity ferry vessel company prior to completion of EIS upon meeting certain minimum conditions. Establishes a temporary Hawaii Inter-island Ferry Oversight Task Force.”

Dear Chairs Souki and Oshiro:

My name is Hideyuki Takahashi and I am submitting this memo to express my strong support for allowing Hawaii Superferry to commence its operation while relevant authorities and/or consultants retained by the authorities conduct various studies to prepare an environment impact statement.

The reasons why I support initiatives to allow Hawaii Superferry to commence its operation as soon as possible are multifold. First of all, I believe that financial difficulty that the operator may be facing is truly serious and that unless the operator is allowed to commence its operation, any lenders or investors may become very nervous about the financial risks they may be exposed. Assuming it will take almost a year or so to complete the studies to prepare an environmental impact statement, I can not help worrying about upcoming financial crises the operator will inevitably face and eventual foreclosures. Secondly, I believe that the Hawaii government including both the Governor and the legislators should do their best to abide by their commitments to introduce and initiate large capacity ferry services to Hawaii and their promises to the operator expedite the process. After all, it was the government that came to a conclusion that an environmental impact statement can be legitimately and legally waived. Now that courts have judged that the waiver was not appropriate, the government should try to make its best efforts to rationalize its previous decision and protect the rights of a civilian operator who dutifully acted based on the decision of the government. Thirdly but not the least, I believe the Hawaii government should do their best to avoid any potential lengthy and burdensome litigations, and an expected big award to the operator. Understanding that hundreds of million dollars of borrowed and invested monies are involved, it is not difficult to imagine there shall be a case against people of Hawaii for a damage suffered by the operator. It is a very much smart way to pass a legislation to allow the operator to commence his operation and avert having any contingency

risks.

Having been residents of both Kauai and Oahu, I truly believe it is crucial for people to have more options to have accesses to each other. In this regard, Hawaii Superferry would bring in two additional alternative modes of transportation, sea and ground. Although, I am not planning to testify in person, I am hopeful the members of the House will allow Superferry to commence operations prior to completion of EIS in order that the operator may be able to avoid any financial disasters.

Hideyuki Takahashi

855 Makahiki Way, #410

Honolulu, Hawaii 96826

(808) 951-4904

Hideyuki Takahashi

GAAP

Global Access Advisory Partners LLC

1050 Bishop Street, #304

Honolulu, Hawaii 96813, U.S.A.

Phone: 808.779.9620

Facsimile: 808.356.1348
Phone (Japan): 050.5532.3518

Cell phone (Japan): 090.9204.5169

Facsimile (Japan): 03.4496.4423

E-Mail: hideyuki.takahashi@gaap-hawaii.com

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