

**House Testimony**

#161

**From:** Don Reeser [donbunr@maui.net]  
**Sent:** Wednesday, October 24, 2007 1:29 PM  
**To:** House Testimony  
**Subject:** #0161 Fw: HB 1 Relating to Transportation

**From:** Don Reeser [mailto:donbunr@maui.net]  
**Sent:** Tuesday, October 23, 2007 11:05 PM  
**To:** testimony  
**Subject:** HB 1 Relating to Transportation

**Relating to HB 1 Relating to Transportation  
 Requiring an Environmental Impact Statement, oversight Task force, etc.**

**DATE:** Thursday, October 25, 2007 **TIME:** 9:00am  
**PLACE:** Auditorium  
**Please distribute copies to the House members. Mahalo.**

Testimony on behalf of Friends of Haleakalā National Park  
 P. O. Box 322,  
 Makawao, HI 96768

During the EIS process for the expansion of Kahului Airport a biological assessment was required in accordance with Section 7 of the Endangered Species Act to assess the project's impact to the biological resources of Maui. A Technical Panel was assembled to prepare the assessment which was the basis for a biological opinion rendered by the U. S. Fish and Wildlife Service. The significant conclusion of the biological opinion essentially was that alien species that become established on Maui as a result the expansion can have far reaching and irreversible effects on endangered species throughout the 728 square mile island including Haleakalā National Park.

The same is most assuredly true of this new Hawai'i Superferry transportation mode to Maui: it too will have far reaching and irreversible effects to the environment and endangered species. There has been no legally valid analysis, no biological assessment and no biological opinion required during an EA/EIS process.

The legislature must acknowledge that an analysis of the no-action alternative, inherent to the EIS process, is impossible if it allows the Hawai'i Superferry to operate during the preparation of the EIS, simply because the operation becomes the no-action alternative. This makes the EIS process not only meaningless but ludicrous. The court, after weeks of testimony came to this same conclusion. Please don't subvert our precious environment laws. Don't be held hostage by the superferry, which threatens to leave unless our laws are modified to suit their wishes. Don't allow the Hawai'i Superferry to sail until the EIS has been completed.

Thank you for the opportunity to comment.

Donald W. Reeser  
 Vice President

10/24/2007

## House Testimony

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**From:** Bill [wsp2nd@cox.net]  
**Sent:** Wednesday, October 24, 2007 12:58 PM  
**To:** House Testimony  
**Subject:** #0162 HB 1 RELATING TO TRANSPORTATION

#162

HouseTestimony@Capitol.hawaii.gov

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 Bill Painter and I strongly support Hawaii Superferry.

For locals, travel amongst the islands has been tenuous and expensive at best.

Conducting business in the State Capitol from Maui (and the other islands) is also difficult and expensive.

I might add that few families can afford the \$200 per person price tag to see relatives living intra-island, and therefore, family "get-togethers" are unreachable for most.

The Super-Ferry can make that happen!

AND, I might add..... more taxes collected for a very hungry bureaucracy!

Thank you for your attention to this matter.

Wm. S. Painter II  
2575 S. Kihei RD. #P-207

**House Testimony**

#163

**From:** Real-Layos, Ruby [RubyR@kapiolani.org]  
**Sent:** Wednesday, October 24, 2007 2:22 PM  
**To:** House Testimony  
**Subject:** #0163 re: superferry

I am writing to support the Superferry.

The reason I support the Superferry is because it gives us another means of transportation to and from each Island, it also gives us a chance of the convince of bringing the whole family with our cars and not having someone pick up and waiting for you to come in. I know people would settle for the Superferry going to each Island at least once a week on a set schedule we this would also help businesses the option of shipping items for employees with cargo to move at once instead of having to ship things separately. This would also be a big factor in getting emergency help to each Island who need emergency help from a disaster or weather related emergency. You see we do need the Superferry and we could use this to our islands advantage. Thank you for your time and have a great day☺

Ruby Real-Layos  
Fetal Diagnostic Center  
Kapiolani Medical Center  
[RubyR@Kapiolani.org](mailto:RubyR@Kapiolani.org)  
PH: 983-8954 or 983-6489  
FAX: 983-8989

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10/24/2007

## House Testimony

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**From:** Hanna McCoy [hannamccoy@gmail.com]  
**Sent:** Wednesday, October 24, 2007 3:51 PM  
**To:** House Testimony  
**Subject:** #0164 Hawaii Superferry Testimony

#164

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 *Hanna McCoy* and I strongly support Hawaii Superferry.

*What about all the handicapped people in the islands who must make special arrangements for the airlines and pay so much.*

If we do not allow the Superferry then we should not allow anymore planes, boats, or submarines and just stick to Hawaiian Canoes. Hey I would not mind that at all.

Hanna McCoy

73-1095 Alihilani Dr.

Kailua-Kona, Hi.96740

1-808-325-6564

## House Testimony

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**From:** Carl Berg [cberg@pixi.com]  
**Sent:** Wednesday, October 24, 2007 4:51 PM  
**To:** House Testimony  
**Subject:** #0165

#165

Relating to HB 1 Superferry EIS

DATE: Thursday, October 25, 2007 TIME: 9:00am

PLACE: Auditorium

Please distribute copies to the House members. Mahalo.

Dr. Carl J. Berg, Ph.D.  
2637 Apapane Street  
Lihue, KAUAI 96766  
808 639-2968  
[cberg@pixi.com](mailto:cberg@pixi.com)

HOUSE OF REPRESENTATIVES  
THE TWENTY-FOURTH LEGISLATURE  
SECOND SPECIAL SESSION OF 2007

COMMITTEE ON TRANSPORTATION

Rep. Joseph M. Souki, Chair  
Rep. Scott Y. Nishimoto, Vice Chair

COMMITTEE ON FINANCE

Rep. Marcus R. Oshiro, Chair  
Rep. Marilyn B. Lee, Vice Chair

I believe strongly that the legislature should not be meeting in Special Session and discussing the draft bill.

The bill is unconstitutional, illegal, and definitely not in the best interests of the Moana, Aina or the Ohana. This bill must NOT be passed in its entirety.

The only part that should be enacted is Section 14 enabling a complete investigation of the Administration's role, but it should be broadened to include an investigation of those Representatives who have been key in pushing the business venture.

This bill will be overruled by the Supreme Court and we will be back to where we were two years ago. EIS first!

Key aspects of the Bill will be overridden and enforced by the Federal Government through the Marine Mammal Protections Act, the Endangered Species Act, and especially the National Environmental Protection Act. The State is setting itself for federal lawsuits.

10/24/2007

This Bill is blatantly wrong in numerous cases. The Superferry is not in the best interests of the public. It is not of critical importance. It is not a required public convenience and necessity. It is a frivolous adventure thrill ride for tourists and rich of Oahu. It is like a horizontal high speed roller coaster, where you vomit for 3 hours but have the added excitement of maybe seeing a whale killed.

What local families can afford to take off time from three jobs to come over to the neighbor islands at the outrageously high prices HSF is charging? The price of oil just exceeded \$90 a barrel and both Matson and Young Brothers are already raising their fuel surcharges. Can you imagine how expensive it will be to go fast on Superferry?

The State law HRS 343-5 is quite clear, an environmental assessment must be done before operation to avoid damage. Judge Cardoza stated, after hearing four weeks of expert testimony: "Plaintiffs have demonstrated the possibility of irreparable injury with respect to the environmental impacts of the Hawaii Superferry operations on natural resources, protected species, increased introduction of invasive species and causing social and cultural impacts."

**IRREPARABLE INJURY.** Legislators what don't you understand? This bill is proposing taking chances, playing "Russian roulette" with our natural, social and cultural environment for over a year, or until the Bill's study is completed. No! EIS FIRST!

Being reasonable, and assuming that the Legislature will not stand up to the Unified Command of the Governor, DOT and HSF, what conditions might I suggest while the Bill's study is being done?

1. To protect the marine life, HSF must go <15 knots and travel only in daylight hours. Speed kills!
2. To protect against invasive species, no vehicles
3. To protect against traffic congestion, no vehicles
4. To protect against further social and cultural damage, don't come to Kauai

**NO EIS, NO SUPERFERRY TO KAUAI !**

Plain and simple. Legislators do you get the message?

**NO EIS, NO SUPERFERRY TO KAUAI !**

By going at a safe speed and only during daylight hours, it is likely that HSF will only be able to make one trip a day. By going to only one island, there need be increases in agricultural inspectors, DOARE officers, and infrastructure improvements in just one place. Most of the tourists are on Oahu and Maui. That is where the Superferry customers are. But that is where the whales are. Don't sacrifice Maui also! Don't go to Hawaii until the EIS is completed!

As evident in the demonstrations that occurred in August, the Superferry is not welcome on Kauai until an EIS is completed.

**EIS FIRST !**

Specific comments on the Bill:

Page 2, Line 9. It is not in the public interest just for an alternative means of travel. This shows how trivial this operation really is. Just for variety?

Page 2, line 13. It may take only four hour's actual transit, but if the Superferry arrives on Oahu late at night the produce sits in the truck another eight hours. Better produce travels in cheaper refrigerated trailers on barges. Farmers don't want Superferry.

Page 3, line 1. Gen. Lee, head of Hawaii National Guard, testified that in recent events the military and commercial shipping/flights adequately handled neighbor island emergencies. The military capability is huge. The Superferry does not add appreciably to the State's emergency capabilities.

Page 3, line 5. The need for "as soon as possible" is not substantiated. Judge Cardoza declared that the operation would cause "irreparable injury". What is the rush? According to page 49 of the Harbors Operating Agreement between DOT and HSF, the HSF must carry business interruption insurance. So the insurance pays off the \$40 million. Has the legislature seen proof of coverage and the pay-off that HSF is getting?

Page 5, line 20. There is no documented or established "critical importance" that warrants overriding HRS 343.

Page 8, line 5. Conditions set by the governor? That is like asking the fox to set the conditions on guarding the hen house! She has no expertise and blatantly favors the Superferry position. The legislature must set the conditions. EIS FIRST.

Page 11, line 14. The Superferry must not be declared "a required public convenience and necessity". It is at best a frivolous adventure ride.

Page 12, line 3. It is un-constitutional for this bill to pre-empt County regulations, approvals, and permits. You will have the Counties laying suit against this precedent.

Page 12, line 10. The Gov. cannot not ethically impose such conditions because of her obvious conflict of interests. The Legislature must impose all conditions. The role of an EIS, done BEFORE operation, is to determine best mitigation measures.

Page 13, line 11. Conditions MUST be in place before the operation of the Superferry.

Page 41, line 10. The Task Force must not be under DOT. Conflict of interest yet again. Put it under OEQC or DLNR.

The State agency employees and HSF representative must be non-voting members of the task force, again, for reasons of conflict of interest.

How is the task force going to obtain information? Will there be DOCARE officers or NOAA/NMFS officers on the Superferry to record incidents? Will the hull and jet intake ports be examined for animal body parts after each voyage? Will the Task Force get weekly reports from DOCARE and Agriculture Inspectors? Will there be a black box on the HSF to monitor speed and collisions?

The Superferry must stop all operations if it takes an endangered marine mammal or turtle until an appropriate fine or settlement is made with the controlling State and Federal government agencies. Same goes if an invasive species (eg. Mongoose) is introduced to Kauai.

**Carl J. Berg, Ph.D.**  
**808 639-2968 cberg@pixi.com**

#164



2343 Rose Street, Honolulu, HI 96819  
Phone: (808) 848-2074; Neighbor Islands: 1-800-482-1272  
Fax: (808) 848-1921; e-mail: info@hfbf.org

October 25, 2007

HEARING BEFORE THE  
HOUSE COMMITTEE ON TRANSPORTATION  
HOUSE COMMITTEE ON FINANCE

TESTIMONY ON HOUSE BILL 1  
RELATING TO TRANSPORTATION

Co-chairs Souki, Oshiro and committee members:

My name is Alan Takemoto, Executive Director of the Hawaii Farm Bureau Federation. We are a non-profit organization representing the social and economic well being of about 1,600 farm family members throughout the state.

**The Hawaii Farm Bureau strongly supports HB 1 that allows the operation of the Super Ferry during the completion of an EIS.**

An overabundance of financial and personnel resources is not available in Hawaii. Therefore, strategic decisions need to be made to address societal, environmental and economic needs. We strongly believe that the Super Ferry provides the first step towards expanding interstate transportation capacity which has been determined to be in a critical state.

We are aware of the environmental risks associated with the Super Ferry, but place them in perspective with the rest of the modes of transportation. The Hawaii Department of Agriculture's data clearly indicates that the risks are greater from other existing transportation systems. The nettle caterpillar moved between islands and there was no Super Ferry. The volume of movement of product by these other modes of transportation is significantly greater than the Super Ferry. Therefore, we strongly believe that intrastate commerce poses a greater risk to Hawaii agriculture and ecosystem than interstate commerce. As such we are very concern of any redirection of resources from existing programs to Super Ferry. If there is such a redirection it should only be done with a complete understanding of the possible outcomes. It will be unreasonable to expect the Department to continue their existing programs as well as significantly increase the level of scrutiny of Super Ferry.



#166

Hawaii Farm Bureau  
Testimony on HB 1  
Page 2  
10/25/07

**The Super Ferry does offer alternatives in achieving Third Party Food Safety requirements.** Congested harbor and port facilities currently do not have the capacity to meet all of the conditions associated with Food Safety Certification. Loading a refrigerated container at the storage warehouse without need to transfer at the harbors and again transfer at the destination, reduces exposure of produce to the outside environment. These factors are critical in determining perishability of produce and ultimately food safety. Produce exposed to ambient temperatures of significant periods of time have a greater risk of increased pathogen loading than those kept under refrigerated conditions. A significant problem is also the “sweating” of produce as they are exposed to cold, then warm temperatures in multiple cycles. Rotting of this “wet” produce is greatly enhanced. **Good transportation systems are critical components to reaching the States’ goal of increased self sufficiency and sustainability.**

The Super Ferry may not be for all farmers. Some will continue to use their existing forms of transportation whether it by air or barge and others will only be able to fill existing markets on their respective island. Each farmer will decide for themselves which mode of transportation or a combination thereof would be most economically feasible for their specific type of business. Nevertheless, whatever choice the farmer makes, the Super Ferry provides the farmers with another option on moving their products to market.

**Education of those using the Superferry should be of high priority.** There is a responsibility associated with the privilege of having access to this transportation alternative.

We, therefore, urge your support and passage of this very important matter.

## House Testimony

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#167

**From:** TOMIRANTE@aol.com  
**Sent:** Wednesday, October 24, 2007 5:13 PM  
**To:** House Testimony  
**Subject:** #0167 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:

I know that you are getting lots of e-mails concerning the ferry, but please think of all the people that it could help in an emergency or for all the people who have keep quite and hoped for a boat to start up. Now we have the chance, and maybe the EIS should have been done first, but now the ferry is here, so lets use it till the study is over.

If during along the study they find it is not right for Hawaii, than there will be plenty of time to stop it, but if it leaves for other ports, it will not come back.

Sincerely,

Tom Mirante

PO Box 6283

OceanView, Hi. 96737

808-93908508

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10/24/2007

## House Testimony

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**From:** Bobbie Pang [birthpang@hotmail.com]  
**Sent:** Wednesday, October 24, 2007 5:17 PM  
**To:** House Testimony  
**Subject:** #0168 Support for Superferry

#168

Re: Meeting on Thurs, Oct 25, 9Am Superferry Support

Dear Chairs Souki and Oshiro,

We ask that you work towards allowing the Superferry to become an added attraction for our Islands. This vessel is more environmentally safe than so many others (military, commercial, private) that are now in our waters.

It is concerning how at this late time the political/legal process has not upheld the right of the Superferry to do business.

Why are we listening to these concerns now when the processes were in place long ago? The Superferry would not have gone ahead with all these mounting expenses. This whole process of a Special Task Force is only going to cost us taxpayers more money.

We hope the Legislature will represent the majority who are in favor of the Superferry . The minority is costing everyone a lot of time and money.

As representatives of 3rd and 4th generation Chinese medical and business families in Hawaii, we do not consider these tactics in keeping with the spirit of Aloha.

Sincerely,

Dr and Mrs Derek Pang, MD  
2228 Liliha Street Ste 401  
Honolulu, Hawaii 96817

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Help yourself to FREE treats served up daily at the Messenger Café. Stop by today!

10/24/2007

October 24, 2007

TESTIMONY TO HOUSE COMMITTEE ON TRANSPORTATION AND HOUSE  
COMMITTEE ON FINANCE

Hearing Date: **Thursday, OCTOBER 25, 2007, 9:00 a.m.**, State Capitol Auditorium

Honorable Representatives Joseph M. Souki, Chair, Scott Y. Nishimoto, Vice Chair, and Members  
of the House Committee on Transportation

Honorable Representatives Marcus R. Oshiro, Chair, Marilyn B. Lee, Vice Chair, and Members of  
the House Committee on Finance

Subject: **HB1, Relating to Transportation**

Dear Chairs Souki and Oshiro, and Committee Members,

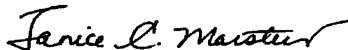
I am in **STRONG OPPOSITION** to this bill permitting the operation of a large capacity ferry vessel  
company prior to their compliance with the Hawaii's environmental law under HRS Chapter 343.

You have heard me testify many times, as a partner in a local small-business engineering firm, in  
favor of pro-business legislation. I am not opposed to the idea of the ferry and believe it could be a  
great thing for our islands, provided that the appropriate environmental review is conducted and  
mitigative measures are in place to address environmental concerns. Personally, my business would  
benefit by having an alternative travel means to neighbor islands, and I believe there are other  
benefits. But there are also valid concerns and these should be addressed through the appropriate  
means of an environmental review.

I am gravely concerned about the precedent of allowing a company that should have conducted an  
environmental review under HRS Chapter 343 to engage in the questionable activity **BEFORE** the  
requirements under Chapter 343 are fulfilled. Our environmental law was enacted after considerable  
discussion, effort, time and compromise by the Legislature. The requirement for the environmental  
review to be conducted precedent to the action of concern is a vital component of the law that  
should not be tampered with. The law has served us well, by providing adequate protection for our  
environment before a project begins. I believe that to change this requirement for the Superferry is a  
mistake and does not benefit the long-term interests of Hawaii's cherished environment or its  
citizens. Businesses come and go but damage to our environment is difficult to mend, and  
tampering with our environmental protection law should not be taken lightly.

I urge you to act in the interest of Hawaii's environmental law and all that it protects, and defeat this  
bill. Thank you for the opportunity to provide testimony.

Respectfully,



Janice C. Marsters, Ph.D.

**UNIVERSITY OF HAWAII AT MANOA**  
**Environmental Center**

A UNIT OF THE WATER RESOURCES RESEARCH CENTER

**#170**

RL:2150

**HB 1**  
**RELATING TO TRANSPORTATION**

House Committee on Transportation  
House Committee on Finance

Public Hearing – October 25, 2007  
9:00 a.m., State Capitol Auditorium

By

Peter Rappa, Environmental Center  
John Harrison, Environmental Center  
Kem Lowry, Urban and Regional Planning

HB 1 requires the Department of Transportation to perform an environmental impact statement (EIS) for certain improvements made to commercial harbors, to permit the operation of a large capacity ferry vessel prior to completion of an EIS upon meeting certain minimum conditions and to establish a temporary Hawaii Inter-island Ferry Oversight Task Force. Our statement on this measure does not represent an institutional position of the University of Hawaii.

As part of the State's government infrastructure for environmental quality management established in 1970, the Environmental Center was instrumental in creating the State's EIS law. On two occasions since the EIS Law's initial enactment in 1974, the Center has conducted detailed analyses of the theory and practice of its implementation, with specific attention to problems and proposed improvements to the law. Hence, we speak with recognized authority on matters such as proposed in this measure.

The purpose of this bill is to allow the Hawaii SuperFerry to operate while an environmental assessment and possibly an environmental impact statement are prepared. Completion of the state environmental review process is normally required prior to receiving a permit to operate, commence or construct a proposed action. The state's environmental review process under Chapter 343 HRS with all its flaws has operated well to identify potentially harmful environmental impact while finding ways to mitigate them for this type of project. The decision to allow the ferry to operate while an environmental review is still in the initial stages is political. Lacking the benefit of examining the potential for harm to be caused to our islands fragile natural resources and to our social and cultural resources, there is little objective basis to

#170

allow the ferry to proceed. Following the precautionary principle, it would be better to conduct an assessment of the potential for significant impacts prior to allowing the ferry to proceed.

The bill should address the issue of the ferry's operation without altering the nature of the state EIS process. We believe that passage in its present form will lead to proponents of major projects seeking legislative relief from parts of Chapter 343. We object to this *ad hoc* approach in the application of planning tools meant to protect Hawaii's fragile environment.

We take issues with the findings in Section 1 that the operation of a large capacity ferry vessel is clearly in the public interest and should commence as soon as possible. It is hard to determine what is in the best interest of the public in this case. Expanding transportation choices, moving goods and people between islands and having another means to respond to disasters may be in the public interest, but injuring marine mammals and sea turtles and potentially spreading invasive species from one island to the next may not be in the public interest. We believe that after all the pros and cons are weighed in the environmental review, we will have a better notion of what is in the best interest of the public.

We disagree with Section 5 of this bill that would exempt the SuperFerry from Chapter 343 in favor of an abridged environmental review process that applies to this project alone. This bill spells out the applicable environmental review process in Section 7 through 12. The requirements set forth in this bill are the same or similar to those set out in Chapter 343 and the Hawaii Administrative Rules Chapter 11-200. Why bother to design a duplicate system to conduct an environmental review? There is already a well established process in place that agencies, consultants and the public are familiar with. This bill need only to require the use of the present environmental review process under Chapter 343 and everyone involved will understand what will take place.

Finally, Section 13 calls for the creation of an inter-island ferry oversight task force. We question its necessity. It seems unlikely that a task force made up of business people, environmentalist and cultural practitioners will be qualified to examine the ferry vessel's impact on the ocean life and marine animals and plants, on the state's water resources and quality, etc. These seem like tasks for professionals in several different fields whose job it is to conduct this type of monitoring.

Thank you for the opportunity to comment on this bill.

## House Testimony

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**From:** LARRY V. NG [ngy002@hawaii.rr.com]  
**Sent:** Wednesday, October 24, 2007 6:23 PM  
**To:** House Testimony  
**Subject:** #0171 support for Hawaii Super Ferry

#171

I am a voting member of the "silent majority" and our family consists of well over 10 members who diligently vote in all past elections in Hawaii for decades. We support the Hawaii Super Ferry and urge the State Government (State Senate and House Members) to pass laws to allow the ferry to operate during the E.I.S.

SINCERELY,  
LARRY V. NG  
KAHULUI, MAUI, HAWAII

**House Testimony**

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**From:** Weatherboy [weatherboy@weatheronline.com]  
**Sent:** Wednesday, October 24, 2007 6:15 PM  
**To:** House Testimony  
**Subject:** #0172 Testimony with Regards to Hearing on Superferry

#172

As a meteorologist, I have tremendous respect for the environment and all things related to Mother Nature. However, as a rationale person, I also understand the need to balance human needs with human impact. Of all of the options available to Hawaiians and our visitors, I believe the Superferry has the least negative impact and greatest positive impact on our islands, our environment, and our economy.

As such, I support legislation that allows the Superferry to operate as soon as possible. After reviewing all sides of the debate, I believe the Superferry is right and justified to provide inter-island ferry service and I believe the impact created by non-Superferry devices such as inter-island aircraft does far more harm than the ferries will ever cause.

As a tax payer on the Island of Hawaii, I think it is vital to the well-being of this and all islands that Superferry service be allowed to operate and flourish throughout our great state.

Michael J. Konowicz



## House Testimony

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**From:** joancsj@hawaii.rr.com  
**Sent:** Wednesday, October 24, 2007 7:08 PM  
**To:** House Testimony  
**Subject:** #0173 Superferry

#173

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

I strongly support Hawaii Superferry. I was fortunate to be able to take the Maiden Voyage to Maui. It is a wonderful way of transportation. It gave me a chance to see the beauty of the neighbor islands. I was thrilled to be able to go by both sides of Moloka'i.

This means of transportation is needed. Many handicapped people will be able to move from Island to Island. More of us are not able to pay the transportation on the Airlines and the Superferry is an answer to that. The ability to take a car to another Island is helpful for families that have relatives and friends on the Neighbor Islands.

I have a great respect for the whales and I do want them protected but I am not convinced that the Superferry is any more harmful than the cruise ships or submarines. Until it is proven that the Superferry is harmful, I urge you to vote to have the Superferry serve the people of Hawaii.

Joan Goulden  
1735 Ala Aolani Street  
Honolulu, HI 96819  
808-836-8575

## House Testimony

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#174

**From:** Jim Albertini [ja@interpac.net]  
**Sent:** Wednesday, October 24, 2007 7:41 PM  
**To:** House Testimony; House Record  
**Subject:** #0174 Testimony Against HB 1

Aloha Representatives:

I speak against HB1.

The question is NOT for or against the Superferry. The question is why would the legislature and the governor allow the Superferry to go forward without the required EA/EIS? The issue is clear. EIS FIRST before the Superferry operates. The purpose of the law is clear. You need to study the possible impacts before you impact. Superferry PR money has been used to distort the question and the issues. Don't be fooled and play into the hands of special interests. Don't vote to allow the Superferry to sail before a full EIS is complete. If you want to do something for the Superferry, work to defer payments on the Superferry Federal loan till an EIS is done. Mahalo.

Jim Albertini, President  
Malu `Aina Center For Non-violent  
Education & Action  
P.O. Box AB  
Ola`a (Kurtistown), Hawai`i 96760  
808-966-7622  
[ja@interpac.net](mailto:ja@interpac.net)  
[www.malu-aina.org](http://www.malu-aina.org)

## House Testimony

#175

**From:** Bill's Laptop [skc001@wave.bicv.net]  
**Sent:** Wednesday, October 24, 2007 8:02 PM  
**To:** House Testimony  
**Cc:** !Bill Home  
**Subject:** #0175 SuperFerry HB 1 (10/25/07)

Do whatever you need to do to GET THE SUPER FERRY GOING!

People of Hawaii need alternative to airlines for purpose of keeping rates lower across the board (i.e., competition is no better), safety in case of emergencies (remember Iniki?), and simply because most people want to have it.

Don't add so many conditions to its operations that you kill it -- we live here too, not just the whales.

Don't let noisy, protesting jackasses dictate how everyone should live. Show some leadership, do what's best for Hawaii as a whole, and quit hiding from the noisy people.

Fix the law so lawyers can't twist them to their own ends.

Mahalo,

Bill Shontell  
Hawi  
Big Island

## House Testimony

#176

**From:** valerie ching moss [MossVal@hawaii.rr.com]  
**Sent:** Wednesday, October 24, 2007 9:36 PM  
**To:** House Testimony  
**Subject:** #0176 support for the superferry

ATTN: House Committee on Transportation and House Committee on Finance

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 *Valerie Moss* and I strongly support Hawaii Superferry.

*I encourage you to allow the Superferry to continue their ferry interisland operation before the environmental impact statement is completed. If they do not resume their operations soon they will have to close their business due to lack of revenue. If you wish to discuss with me, I can be reached at the number below. Thank you.*

Valerie Ching Moss  
1972 Alaeloa St.  
Honolulu, HI 96821  
ph: 808-292-8393

10/24/2007

## House Testimony

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**From:** Janice Palma-Glennie [palmtree7@hawaiiantel.net]  
**Sent:** Wednesday, October 24, 2007 9:38 PM  
**To:** House Testimony; House Record  
**Subject:** #0177 Superferry should follow the law, be a good neighbor -- Legislators step up to plate.  
**Importance:** High

RE: Superferry should follow the law, be a good neighbor. Legislators must step up to plate.

Hearing date: Thursday, October 25, 2007

TIME: 9:00 a.m.

PLACE:  
Auditorium  
State Capitol  
415 South Beretania Street

### A G E N D A

#### 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.

Pending Referral to TRN/FIN

Testimony against proposal and in favor of Superferry being required to do an EIS *before* setting sail in Hawaii's waters.

Aloha:

Like many people in Hawai'i, I've always considered my job to be a pleasant one. But the last few years it's become more and more difficult to be a nurseryman -- more and more of a headache and a worry. With increasing introduction of invasive species -- from coqui frog to fire ants that can painfully blind a pet, to giant, bionic mealy bugs and white fly -- having an IPM plant nursery has become a daunting challenge. (IPM uses principles of integrated pest management which means using the lowest, most judicious use of pesticides and herbicides, focusing on using nontoxic chemicals whenever possible). How much more daunting would it be if invasive species had yet another entry point to Hawai'i Island and my plant nursery?

Of course, that's just my selfish story of how Superferry could pose a serious threat to my personal livelihood. However, I know I'm not alone in my pursuit of a safe, green, low-impact, agricultural lifestyle, and that my worries about what Superferry can do to agriculture and the balance of natural ecosystems are widespread. My contribution to my community through my work is greater than the tax dollars I generate. I live in quiet harmony (usually) with my neighbors who also follow agricultural pursuits for at least part of their living. We make up a rural neighborhood in an increasingly bustling community, and the continuation of the ag lifestyle to us is very important for future generations to follow.

I'm now i'm also not alone in my broader concerns of how our Governor and other leaders could contemplate overriding a unanimous Supreme Court decision that insists that Superferry do a proper environmental assessment before it sets sail in Hawai'i's waters.

**By not requiring superferry to follow the law, our State and the waters beyond its shores are at untold risk of being altered in ways that cannot be predicted without a proper environmental review.**

**The gravity and clarity of the protective law which Superferry must follow is that which led to the unanimous Supreme Court decision.**

The proposed legislation which will apparently come before you today or tomorrow undermines environmental law and sets a treacherous precedent regarding the protection of corporate entities over the concerns of communities and their control over their islands' natural, cultural, and social resources.

Indirectly, those who support this new law also support civil rights abuses by aligning with a corporate enterprise that, in order to be

10/24/2007

#177

Superferry should follow the law, be a good neighbor -- Legislators step up to plate.

Page 2 of 2

successful, not only requires a major, open-ended infusion of taxpayer money, but also requires the restriction of free speech, freedom of assembly, and public access to the shoreline by those who would disagree -- peacefully and lawfully -- with Superferry disobeying State law.

Mysteriously, Superferry has received more attention from Hawai'i's governor and some legislators than homelessness, educational deficits, environmental degradation, widespread infrastructural overload, affordable health care, and foreign relations (a rigorously planned trip to south korea, japan and china canceled!). And yet it remains a mystery why some people seem so hell-bent on having a ferry service that few seem to need and even less had ever asked for.

Mahalo for consideration of my views.

Best regards,  
Janice Palma-Glennie

PS as far as YB or other shippers not having to go through environmental review...two wrongs have never made a right.

#177

10/24/2007

## House Testimony

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**From:** markandster Van Doren [markandster@msn.com]  
**Sent:** Wednesday, October 24, 2007 10:43 PM  
**To:** House Testimony  
**Subject:** #0178 Superferry

#178

From: Mark Van Doren  
P.O. Box 943  
Kurtistown, HI 96760 Oct. 24, 2007  
Phone- (808) 938-4612 or 968-7393  
Registered Voter

Testimony:

No one should be above the law. The Superferry must not sail until the legal requirement of an Environmental Impact Statement (EIS) has been completed. The issue is THAT simple. Thank-you, Mark Van Doren

Kurtoistown, Hawaii 96760

**House Testimony**

#179

**From:** Jason Nagashima [nagashimj001@hawaii.rr.com]  
**Sent:** Wednesday, October 24, 2007 11:25 PM  
**To:** House Testimony  
**Subject:** #0179 Re: Support Hawaii Superferry

To the Hawaii State House of Representatives,

I AM IN SUPPORT OF THE HAWAII SUPERFERRY WHILE AN EIS IS PERFORMED.

In January of this year, my wife and I treated ourselves to a first ever cruise and we decided to go to Tahiti. We flew in on Hawaiian airlines and the first part of our vacation was a three night stay on the island of Moorea. Our travel agent had booked us on the local interisland ferry called Aremiti and when we got to the dock, we were directed to the Aremiti 5. There were several of these ferries and these were very similar to the Hawaii Superferry in that it had a catamaran design and also carried vehicles. The sail was about forty minutes to Moorea and the ride was very scenic and comfortable. Arriving in Moorea from the water was a truly awesome sight and it seemed a very natural and practical way to travel. As we were crossing the channel, we saw another Aremiti and the competitor company Moorea Express. This company also had several vessels to its fleet and it seemed to me like the people here use the ferries like how we use the Bus. There was a mix of tourists and the everyday local people. Some of the locals I talked to live on Moorea, but work on Tahiti. There are also humpback whales here. Somehow, everyone here seemed to work out these issues and the ferries has become an integral part of their lives.

Last month, my wife and I visited relatives in Seattle and sidetracked a part of our trip to visit Victoria. We jumped on the Victoria Clipper(a ferry) and although a longer and bumpier ride than the Aremiti 5 in Tahiti, we still thought it was a pleasant and scenic way to view the coastline. Arriving in Victoria on the water was absolutely stunning. Here also, were several other competing ferries, and even seaplanes. The waters here are home to Orcas and somehow, the ship sailed its route as efficiently as it could and we arrived when we were scheduled to arrive. We even saw large zodiacs conducting Orca tours daily. I must say that here also, this seemed a very natural and practical way to travel.

I know that all around the world, ferries are used as a means of transportation and especially here in Hawaii. where we have a group of islands surrounded by a vast Pacific Ocean, it seems only natural and practical to travel to and from other islands by boat or ferry. Tahiti has quite a large ferry system to several of the islands(Moorea, Raietea, Huahine, Bora Bora). Yet, Tahiti has a much smaller local population and tourist base in comparison to Hawaii. Their ferry system has become a daily fact of life for many of its business, tourism, and local people. Another point is that the humpback whale population in Hawaiian waters is actually on a comeback. Approximately 7% annual growth(up to 10,000 whales are expected here this season), I would venture to say that despite the whales being on an endangered species list, the addition of the Hawaii Superferry to Hawaiian waters would have a marginal effect on whale population. It is our hope to see the Hawaii Superferry remain in Hawaii and thrive like how we saw it in Tahiti and Victoria.

Aloha and God Bless,  
Jason Nagashima

10/25/2007



# #180

Subject: Support of HB1, Hawaii Superferry

We wish to speak in support of HB1, Relating to an Environmental Assessment/ Environmental Impact Statement for the Hawaii Superferry in the Special Session of the Hawaii State House of Representatives.

We were on the ferry trip to Nawiliwili Harbor, Kauai on August 27, 2007. We were held hostage outside of the harbor for approximately four hours because "so called" protestors illegally blocked our entry into the harbor. We returned to Honolulu after the four hour layover because the ship's crew work day was coming to an end. We were extremely disappointed as we had looked forward to another visit to Kauai. Although we did not reach our destination, we had a wonderful trip on the Superferry. We cannot say enough about how well the crew treated us during the ten hours on the ferry. Most Hawaii businesses and government agencies could learn a lot about serving the public from the Superferry crew and executives.

The primary reason that we have looked forward to the Superferry becoming operational is because Susan suffers from a lesser known disability called **multiple chemical sensitivity**. She suffers from the effects (odor, etc.) of chemicals such as petroleum, fragrances, smoke, formaldehyde, etc. Since we have had to fly to reach a neighbor island, we were forced to rent a car. Most rental car companies now restrict smoking in their cars, but smokers often tend to be disobedient. In order to mask the smoke or other odors, the car companies usually spray their cars with a deodorant that Susan cannot tolerate. We were elated when we realized that we could now take our own car with us to the neighbor islands. We are very disappointed that the Superferry, which was approved by the State Department of Transportation after 22 hearings is now held up by some judges who have a record of legislating from the bench.

We have heard from friends on the Mainland and even in Europe that they do not understand Hawaii's history of undermining business within the State. The very people who should be building a good business environment in Hawaii seem to be trying to destroy it.

Again we wish to express our **strong support for the Superferry and efforts to have it sailing as soon as possible**. It will be a big loss for Hawaii if the Superferry is forced to leave for economic or any other reason. We understand that there are places on the Mainland and other countries that would love to get these vessels.

Respectfully Submitted,

**George and Susan Krueger**  
1568 Molina St.  
Honolulu, HI 96818-1837