

BERT LYON  
P.O. BOX 742  
KILAUEA, HI 96754

October 22, 2007

TESTIMONY ON HOUSE BILL RELATING TO HAWAII SUPERFERRY (HSF)

I am strongly opposed to this bill, but since it appears that the Legislature is intent on passing it regardless, I would like to suggest some amendments to it, which would allay some of my concerns:

Conditions of Operation

1. The conditions and protocols to mitigate any significant environmental effects of the ferry operation should be imposed by the Legislature rather than the Governor, given her track record on environmental protection regarding this issue. The Legislature should also be the body to require DOA inspectors and DOCARE enforcement personnel on each inter-island voyage. You could always allow the Governor to impose conditions and protocols she deems necessary, in addition to those imposed by the Legislature, by executive order.
2. The conditions I would like to see are the same as those offered by Maui Tomorrow Inc. on October 18 and rejected by the Legislature in their entirety. I believe the least contentious conditions are #3, 4, 12, 13, 16, 18 & 20, and should be given your full consideration. The next least contentious conditions are #5-10, and should also be considered.
3. Condition #3 should be amended to include turtles.
4. Condition #4 should be amended to include turtles and any other species listed as endangered or threatened in Hawaii or Federal statutes.
5. A condition should be added that there shall be two qualified DOCARE inspectors present and participating in natural resource inspections at all times of embarkation and disembarkation at each port. The DOCARE inspectors shall supervise all HSF screeners.
6. A condition should be added that the DOT, in conjunction with the Governor, the Legislature, and the DLNR shall forthwith allocate positions and funds for the additional DOCARE positions necessary to staff the inspection personnel set forth in the above paragraph.
7. A condition should be added that no ferry operations take place after sunset.
8. A condition should be added to mitigate the traffic impacts caused by the ferry, similar to what the other judge (not Cardoza) required on Maui.

Temporary Hawaii Inter-Island Ferry Oversight Task Force

1. The Task Force should not include the following members:

NO

THE SENATE  
THE TWENTY-FOURTH LEGISLATURE

COMMITTEE ON JUDICIARY AND LABOR

**Senator Brian T. Taniguchi, Chair**

**Fax: 1.800.586.6659**

**Concerning: Hawaii Superferry**

**Reference: Wednesday, October 24, 2007 10:30am session**

As Executive Director of Maui Tomorrow I strongly oppose the operation of Hawaii Superferry while it undergoes an Environmental Review. To allow Superferry to operate during this process clearly violates unambiguous Hawaii law.

I urge the Legislature not to pass this unconstitutional special legislation for one single business. If legislation is passed and Superferry is allowed to begin service, I feel compelled to ask for conditions to limit the speed at which this vessel travels through Hawaiian waters, due to the high risk to humpback whales, a federally protected endangered species.

This fast ferry is unlike any other in Hawaiian waters; traveling at speeds of over 35knots. The US Coast Guard classifies "high speed" vessels as any traveling over 32knots; most vessels in Hawaii, including cruise ships, barges, and tankers, travel at maximum speeds of 20knots with average speeds much slower than that.

As stated in 11 days of testimony by recognized whale experts before Judge Cardoza, Superferry's plan of reduce speeds of 25knots when traveling through Sanctuary waters is clearly not slow enough.

Extensive research shows that at 18knots whales strikes result in the animal's death. NOAA recommends speeds of no more than 13knots when traveling through humpback whale breeding areas.

Hawaii Superferry's proposed speed is unacceptable and should be limited to 13 knots when traveling through a national preserve for an endangered species; please include this same 13 knot limitation to the first 10 miles of exits and entrances to Honolulu, Kahului, Kawaihae, and Nawiliwili harbors.

The Supreme Court stated in its unanimous decision, "The Superferry presents particular risks that are not borne by the existing methods of transportation." Please don't abandon the protection of the environment to the same administration that has been dedicated, for many years, to minimizing legitimate concerns about the Superferry project. Consider these risks and their consequences as you decide the fate of Hawaii Superferry and this state's environmental future. Please add meaningful conditions to this bill.

Thank you.

Irene Bowie/Maui Tomorrow Foundation, Inc.

PO Box 299, Makawao, HI 96768

808.268.0303

Submitted 10/23/07

Hawaii Superferry, Inc. is asking the Hawaii State Legislature, one (1) branch of State Government, to overrule another branch of our State Government, the Judiciary; the Supreme Court. This is wrong! This could be dangerous! This could set a dangerous precedent! If this happens, it should only happen once in my lifetime. Our system of Government works, and has worked well for over 231 years, because of our three (3) branches of Government. Each one, the Legislative, the Judiciary and Executive branch of our state government. Each one not ever overruling the other. Unless it is on appeal and with a court order. This is not. And it has to be constitutional. This is not, and will be appealed!!! And this issue was, is now and will be in court for years. Not might never ever be settled.

We are a country of laws. Not a country of men. Once lawmakers start writing, or re-writing laws to suit ourselves, someone else, or one business, or one over another, after another branch has made their wishes know, with a court order, with the will of law, we are only asking for trouble. Our system of government works and works well because of our separation of powers.

The four fathers of this country wrote that into the constitution. One branch of government is not suppose to be more powerful than the other!!! They are supposed to work separately, individually, but together.

One problem for sure we will run into is what about the people or businesses that lawmakers can not write, or re-write the law for? What happens to them? Government is supposed to be there for all of us, equally. Without favoritism. This is not healthy!!! At

the same time, the lawmakers should stay out of the fare wars between the three (3) airlines, Hawaiian, Aloha and go! Which have stayed out of.

There should be survival of the fittest. Supposed one of these airlines goes out of business? Than that was meant to happen. The strongest should survive. The weakest shall go out of business. As well it should be. Once we start this kind of favoritism, when does it end? Will it end?

What happens if the environment impact statement goes against the Hawaii Supperferry, Inc? Will the leave quietly? Or will they get lawyers, and lobbyists and fight the law?

Some island people on some islands will jump, never mind the danger, into the ocean and play tag with a 350 feet, multi-ton catamaran! I do not want anyone getting hurt, or killed. This not a game! Someone could get seriously hurt! Someone could even die!

Even if the lawmakers get into this private business affair, which the should not, and the Supperferry does sail, some island people will jump into the ocean trying to stop them. I am sure it is not a good idea to force the will of any business on to anyone.

My understanding is that they want no conditions put upon them. They want to be able to break and make-up the law to suite themselves. What would happen if all businesses do this to suit themselves? The system would be out of control!

Anonymous

testimony

NO

**From:** NoWorries Cleaning [noworriescleaning@hotmail.com]  
**Sent:** Monday, October 22, 2007 7:12 PM  
**To:** testimony  
**Subject:** superferry

THE SENATE  
THE TWENTY-FOURTH LEGISLATURE

COMMITTEE ON JUDICIARY AND LABOR  
Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS  
Senator J. Kalani English, Chair  
Senator Mike Gabbard, Vice Chair

COMMITTEE ON ENERGY AND ENVIRONMENT  
Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

NOTICE OF INFORMATIONAL BRIEFING  
DATE: Sunday, October 21, 2007  
TIME: 2:00 p.m.

PLACE:  
King Kaumualii Elementary School Cafeteria  
4381 Hanamaulu Road  
Lihue, HI

Todd Anderson  
1984 Haleukana St  
Lihue, HI 96766

Aloha Respected Elected Senators and Representatives,

Mahalo for taking time out of your Sunday to meet with the people of Kaua'i and hear what we have to say. I come to you with major concern. I am a resident of Kaua'i and I am very concerned about the effect that the Hawaii Superferry will have on our island. I was a protester on the 2 days the Superferry came to Kaua'i. I feel very strongly that even special businesses should have to follow the law. Especially when it pertains to possible endangerment to our island and ocean. Please listen to the people of Kaua'i. Please listen to the courts. We are saying that the Aina must be protected first, before the Superferry comes and does permanent damage to the island and ocean. How will the state fix permanent damage to the land? That is a huge responsibility to undertake. Please stand up for what is right. Protect the Aina and the people of the outer islands first. Please listen to our voices. We are just as much apart of Hawaii as Oahu and we have a lot to loose if the Superferry comes before an EIS is completed. If it comes down to a special session I ask you, please stop the Superferry until an EIS is done. Please follow the law.

Mahalo  
Todd Anderson

---

Peek-a-boo FREE Tricks & Treats for You! Get 'em!

10/23/2007

testimony

NO

**From:** Carol Ann Davis-Briant [cawalt@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 7:11 PM  
**To:** testimony  
**Subject:** Super Ferry EIS

**COMMITTEE ON JUDICIARY AND LABOR**

Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

**COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS**

Senator J. Kalani English, Chair  
Senator Mike Gabbard, Vice Chair

**COMMITTEE ON ENERGY AND ENVIRONMENT**

Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

October, 24, 2007

The state legislature should uphold the judicial ruling that the super ferry should be required to have an environmental impact study before it begins operation. Amending the judicial ruling with a bill passed in special session, would be a slap in the face to the 1000s of people on Kauai and Maui who have spent many hours begging for an EIS study. If the legislature votes this bill down the throats of the people of Kauai and Maui allowing the super ferry to open before an EIS it would be a great travesty.

The legislature must uphold the court ruling stating that an EIS is law. Otherwise the state legislative body will be eroding our democratic process. US president, George Bush, and his cabinet have eroded our basic freedom and rights. The Hawaii State Legislature should follow this bad example. I request that this special session be adjourned.

Carol Ann Davis-Briant  
2381 Kipuka St  
Koloa, Kauai, HI 96756  
808-742-6523

PS I am not a haole from the mainland. I was born and raised in the Territory of Hawaii, graduated from Punahou School and the University of Hawaii. My grandfather, Henry Davis, was a public accountant and served briefly as postmaster general and register of voters under Sanford Dole. My father, Elmer Davis, Parker Ranch trustee and head of Consolidated Amusement was born under the Hawaiian monarchy. My uncle Alan Davis owned Hawaii Tuna Packers, was chairman of the board of C Brewer and Campbell Estate. My Uncle Fred Davis was head of the Hawaii Republican Party, My father's cousin, Henry White was on the board of Dole Pineapple. So as you can see I am not a "just arrived person" protesting something in a culture I know nothing about"

10/23/2007

**testimony**

NO

---

**From:** Melissa Gibson [alohamelissag@hotmail.com]  
**Sent:** Monday, October 22, 2007 7:08 PM  
**To:** testimony  
**Subject:** superferry

THE SENATE  
THE TWENTY-FOURTH LEGISLATURE

COMMITTEE ON JUDICIARY AND LABOR  
Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS  
Senator J. Kalani English, Chair  
Senator Mike Gabbard, Vice Chair

COMMITTEE ON ENERGY AND ENVIRONMENT  
Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

NOTICE OF INFORMATIONAL BRIEFING  
DATE: Sunday, October 21, 2007  
TIME: 2:00 p.m.

PLACE:  
King Kaumualii Elementary School Cafeteria  
4381 Hanamaulu Road  
Lihue, HI

Melissa Gibson  
1984 Haleukana St  
Lihue, HI 96766

Aloha Respected Elected Senators and Representatives,

Mahalo for taking time out of your Sunday to meet with the people of Kaua'i and hear what we have to say. I come to you with major concern. I am a resident of Kaua'i and I am very concerned about the effect that the Hawaii Superferry will have on our island. I was a protester on the 2 days the Superferry came to Kaua'i. I feel very strongly that even special businesses should have to follow the law. Especially when it pertains to possible endangerment to our island and ocean. Please listen to the people of Kaua'i. Please listen to the courts. We are saying that the Aina must be protected first, before the Superferry comes and does permanent damage to the island and ocean. How will the state fix permanent damage to the land? That is a huge responsibility to undertake. Please stand up for what is right. Protect the Aina and the people of the outer islands first. Please listen to our voices. We are just as much apart of Hawaii as Oahu and we have a lot to loose if the Superferry comes before an EIS is completed. If it comes down to a special session I ask you, please stop the Superferry until an EIS is done.

Mahalo  
Melissa Gibson

---

Windows Live Hotmail and Microsoft Office Outlook – together at last. Get it now!

10/23/2007



testimony

NO

---

**From:** Valerie Weiss [weissv001@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 7:09 PM  
**To:** testimony  
**Subject:** Superferry hearing Kauai 10-21 Testimony

Testimony for the 10-21-07 KAUAI Superferry Hearing to  
Committee Members:

Senator Brian T Taniguchi  
Senator Clayton Hee  
Senator J Kalani English  
Senator Mike Gabbard  
Senator Ron Menor  
Senator Gary Hooser

Please do not allow the Superferry to run without an EIS first.

Besides the potential known and unknown environmental issues, the size of this  
ferry is inappropriate for the outer islands and the outer island infrastructures.

Respectfully submitted by

Valerie Weiss  
6616 Alahele St  
Kapaa HI 96746

10/23/2007

**testimony**

NO

---

**From:** Ellie Snyder [ellie.snyder@rare-dear.com]  
**Sent:** Monday, October 22, 2007 6:13 PM  
**To:** testimony  
**Subject:** Superferry needs an EIS!!

COMMITTEE ON JUDICIARY AND LABOR

Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS

Senator J. Kalani English, Chair  
Senator Mike Gabbard, Vice Chair

COMMITTEE ON ENERGY AND ENVIRONMENT

Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

Please do the right thing and don't force this Stryker Ferry down our throat!!

Aloha,  
Eleanor Snyder  
Lawai HI 96765

808-332-7988

10/23/2007

testimony

NO

**From:** Paul Jones [pauldouglasjones@gmail.com]  
**Sent:** Monday, October 22, 2007 7:05 PM  
**To:** testimony  
**Subject:** Superferry

COMMITTEE ON JUDICIARY AND LABOR

Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS

Senator J. Kalani English, Chair  
Senator Mike Gabbard, Vice Chair

COMMITTEE ON ENERGY AND ENVIRONMENT

Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

Dear Senators:

Please insist that an EIS be performed before the Superferry sails! Creating a special law to override the court's decision on this matter is an inappropriate (and possibly illegal) act. Do not allow the governor to pursue this totally unethical path.

Aloha,

--

Paul D. Jones  
tel: 808-823-8127  
[pauldouglasjones@gmail.com](mailto:pauldouglasjones@gmail.com)

10/23/2007

testimony

NO

**From:** Casey Holt [caseyholt@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 7:03 PM  
**To:** testimony  
**Subject:** Superferry - Dock until EIS is complete

**Please make 3 copies for submittal To:**

COMMITTEE ON JUDICIARY AND LABOR  
Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS  
Senator J. Kalani English, Chair  
Senator Mike Gabbard, Vice Chair

COMMITTEE ON ENERGY AND ENVIRONMENT  
Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

RE: Testimony for NOTICE OF INFORMATIONAL BRIEFING

DATE: Sunday, October 21, 2007  
TIME: 2:00 p.m.  
PLACE:  
King Kaumualii Elementary School Cafeteria  
4381 Hanamaulu Road  
Lihue, HI

Please do not allow big business interests to override environment laws put in place to protect our beloved Hawaiian islands. If we destroy our environment, we will lose our biggest business -- tourism. It's just NOT RIGHT for the Governor to rewrite laws she doesn't like. Don't let her do it.

And its not right to continue to make bad decisions that endanger our beautiful islands, our people and our culture. *Our quality of life depends on us making sustainable decisions STARTING NOW.*

Thank you for this hearing.

Respectfully,

Casey Holt  
7655 Koolau Road  
Kilauea, HI 96754

10/23/2007

testimony

NO

---

**From:** Suzanna Kennedy [suzannak@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 7:00 PM  
**To:** testimony  
**Subject:** Superferry -- Dock until EIS complete

To:  
COMMITTEE ON JUDICIARY AND LABOR  
Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS  
Senator J. Kalani English, Chair  
Senator Mike Gabbard, Vice Chair

COMMITTEE ON ENERGY AND ENVIRONMENT  
Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

RE: Tesitmony for NOTICE OF INFORMATIONAL BRIEFING

DATE: Sunday, October 21, 2007  
TIME: 2:00 p.m.  
PLACE:  
King Kaumualii Elementary School Cafeteria  
4381 Hanamaulu Road  
Lihue, HI

Please do not allow big business interests to override environment laws put in place to protect our beloved Hawaiian islands. If we destroy our environment, we will lose our biggest business -- tourism. It's just NOT RIGHT for the Governor to rewrite laws she doesn't like. Don't let her do it.

And its not right to continue to make bad decisions that endanger our beautiful islands, our people and our culture. Our quality of life depends on us making sustainable decisions STARTING NOW.

Thank you for this hearing.

Respectfully,

Suzanna Kennedy  
7655 Koolau Road  
Kilauea, HI 96754

10/23/2007

**testimony**

NO

---

**From:** DL Marrin [marrin@watersciences.org]  
**Sent:** Monday, October 22, 2007 6:52 PM  
**To:** testimony  
**Subject:** Proposed Superferry Bill

Dear Hawaii Legislators:

I attended the Superferry hearing yesterday (October 21, 2007) on Kaua'i and am submitting my written testimony in this email letter. I am opposed to the Hawaii Legislature passing any bill that would exempt the Superferry from environmental laws of the state that were in effect at the time that project was proposed, funded, and supposedly approved. The recent rulings of the Hawaii Supreme Court and Judge Cardoza clearly indicate that the Lingle Administration and representatives of the State Department of Transportation misinterpreted the law. Both an EA and EIS should have been performed under state and federal law, respectively. For both cultural and environmental reasons, it is critical that these documents be produced BEFORE the Superferry is permitted to operate anywhere within the state.

The attempt by the Lingle Administration to coerce the State Legislature into passing a bill for the sole purpose of exempting one corporation from Hawaii's environmental laws is unethical, unconstitutional, and sends a message that any corporation with enough money and political backing can maneuver around state law. The rule of law has been handed down by the judicial branch and it is the responsibility of the executive and legislative branches to honor those rulings. I strongly urge you to deny Governor Lingle a special legislative session and to defeat any bill written to exempt one entity from the law.

Respectfully yours,

DL Marrin, Ph.D.  
watersciences@earthlink.net

10/23/2007

testimony

NO

---

**From:** stephan blas [stephanblas@gmail.com]  
**Sent:** Monday, October 22, 2007 6:52 PM  
**To:** testimony  
**Subject:** Superferry

COMMITTEE ON JUDICIARY AND LABOR

Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS

Senator J. Kalani English, Chair  
Senator Mike Gabbard, Vice Chair

COMMITTEE ON ENERGY AND ENVIRONMENT

Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

Dear Senators:

Please insist that an EIS be performed before the Superferry sails. Creating a special law to override the court's decision on this matter is an inappropriate (and possibly illegal) act that will almost certainly cause undue stress on the neighbor island environments both in the short and long terms.

--

Stephan Blas  
823-1730 hm

10/23/2007

**testimony**

NO

**From:** Molly Okeeffe [mollyokeeffe2001@yahoo.com]  
**Sent:** Monday, October 22, 2007 6:42 PM  
**To:** testimony  
**Subject:** Supeferry must get an EIS first <no compromise>.

Dear friends,

It is a very different thing to allow people to bring their cars from island to island. It takes sacrifice to move to an outer island and with the super ferry that will not be the case. It will be a very casual thing for many people to move between the islands which may be attractive for many law abiding citizens but it will leave all of us more vulnerable to criminals who can easily steal from rural trusting kauai residents and then easily hop the ferry to another island. It will eliminate that easy going trust that the people of Kauai have. this trust is rare today in America and should be treasured! We who live here feel like the whole island is our home and we are safe to roam about without fear. This is not the case on the other islands. Please for the sake of a rare and precious gem that is Kauai, do not allow this Big City element to slip into rural Kauai because it's aggressive nature will cause problems for the people here who have sacrificed so much to live this kind of lifestyle.

Please for the Hawaiian resources like the rocks that got stolen on Maui for instance! A perfect example of the kind of havoc that can be reaped when you allow a more corrupted people free access to a more protected environment.

The super ferry will homogenize a unique group of islands which are precious for their unique ways, sacrificing the individuality for technological progress which can be monitored to make sure it will not have a damaging impact.

Invasive species is also a huge threat with coqui frogs being a prime example of a nightmare for the people of east Hawaii which we MUST NOT allow to happen to the other islands or we will see a drastic damage to our pristine tourist business.

My main concerns voiced I wish you the best!

-Molly Okeeffe  
 Raw Chef  
 Kamehameha rd. at Ka haku  
 Princeville Hawaii  
 Island of Kauai

Hearing notice for (10/21) Sunday's hearing that was here on Kauai:

*THE SENATE*

10/23/2007



## THE TWENTY-FOURTH LEGISLATURE

### COMMITTEE ON JUDICIARY AND LABOR

Senator Brian T. Taniguchi, Chair

Senator Clayton Hee, Vice Chair

### COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS

Senator J. Kalani English, Chair

Senator Mike Gabbard, Vice Chair

### COMMITTEE ON ENERGY AND ENVIRONMENT

Senator Ron Menor, Chair

Senator Gary L. Hooser, Vice Chair

### NOTICE OF INFORMATIONAL BRIEFING

DATE: Sunday, October 21, 2007

TIME: 2:00 p.m.

PLACE:

King Kaunualii Elementary School Cafeteria

4381 Hanamaulu Road

Lihue, HI

RAW CHEF

<http://www.geocities.com/mollyokeeffe2001/raw.jpg>

---

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around

<http://mail.yahoo.com>

**testimony**

---

?

**From:** kimberlee stuart [wavewahine1@yahoo.com]  
**Sent:** Monday, October 22, 2007 6:20 PM  
**To:** testimony  
**Subject:** Super ferry special session: Kauai  
**Attachments:** 2833827297-Kimberlee Stuart.doc

Please accept the attached testimony. You will find my name on the list of people that wanted to speak on Kauai.

---

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around  
<http://mail.yahoo.com>

**testimony**

*NO*

---

**From:** Sharon Pleas [kuine@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 6:23 PM  
**To:** testimony  
**Subject:** SUPERFERRY PUBLIC TESTIMONY FROM KAUAI

**PUBLIC TESTIMONY FROM SHARON PLEAS FOR:**

THE SENATE  
THE TWENTY-FOURTH LEGISLATURE

COMMITTEE ON JUDICIARY AND LABOR  
Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS  
Senator J. Kalani English, Chair  
Senator Mike Gabbard, Vice Chair

COMMITTEE ON ENERGY AND ENVIRONMENT  
Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

NOTICE OF INFORMATIONAL BRIEFING  
DATE: Sunday, October 21, 2007  
TIME: 2:00 p.m.  
PLACE:  
King Kaumualii Elementary School Cafeteria  
4381 Hanamaulu Road  
Lihue, HI

**PLEASE UPHOLD THE JUDICIAL DECISION AND VOTE NO TO THE SPECIAL  
SESSION BILL THAT WOULD ALLOW THE SUPERFERRY TO OPERATE  
DURING AN EIS.**

Thank you,  
Sharon Pleas  
PO Box 721  
Waimea, HI 96796

10/23/2007

testimony

---

NO

**From:** Chris [Chris@2Kauai.com]  
**Sent:** Monday, October 22, 2007 6:13 PM  
**To:** testimony  
**Subject:** Superferry Testimony: DATE: October 24, 2007

THE SENATE  
THE TWENTY-FOURTH LEGISLATURE  
SECOND SPECIAL SESSION OF 2007

DATE: Wednesday, October 24, 2007  
TIME: 10:30 a.m.  
PLACE: Auditorium, State Capitol  
415 South Beretania Street

COMMITTEE ON JUDICIARY AND LABOR  
Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS Senator J. Kalani English,  
Chair Senator Mike Gabbard, Vice Chair

COMMITTEE ON ENERGY AND ENVIRONMENT  
Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

Honorable Senators,

I respectfully ask you NOT to change the existing environmental laws that have served the state well for over 30 years. How will all the other companies that have paid for and complied with their respective EIS's react if the State Legislature waives the same rules for HSF? That does not sound fair or providing equal treatment under which business can rely upon and thrive.

Please consider the implications of facilitating a corporation to get key environmental laws waived. Environmental studies have been required of and completed by other harbor users and both new and existing business for far less change. HSF had plenty of time to comply with the law in the 2 years+ they have prepared to launch. As a result, HSF business leaders give the appearance of successfully buying influence through generous campaign contributions and hiring the children of influential politicians thus sending a message of political corruption in Hawaii. It is good business to respect the law.

This is not about turning back the clock or driving a wedge between the good people of Oahu and Kauai. Our visitors and locals are already impacted by near gridlock traffic on Kauai yet there have been no provisions announced to mitigate additional demands created by this new service on roads, DLNR, county/state parks, police and other affected personnel. This is why we need the EIS.

Please consider the impact on the communities affected. Come drive through Lihue, Kapaa and Poipu and see for yourself! Completing the EIS PRIOR launching ferry service is for the benefit of all Hawaii residents, future generations and our welcomed visitors. There is no reason to change the law

because of poor decisions by the governor and DOT. In the meantime, we can all still freely move about the state.

Sincerely,

Christopher White  
3794-D Omao Road  
Koloa, HI 96756  
808-742-1778

testimony

NO

---

**From:** GEORGE HOFFBERG [2geo@earthlink.net]  
**Sent:** Monday, October 22, 2007 5:55 PM  
**To:** testimony  
**Subject:** eir

i am opposed to the super ferry unless there is an eir 1st.  
g

GEORGE HOFFBERG  
2geo@earthlink.net  
EarthLink Revolves Around You.

10/23/2007

**testimony**

NO

**From:** mary neudorffer [medneu2@earthlink.net]  
**Sent:** Monday, October 22, 2007 5:57 PM  
**To:** testimony  
**Subject:** Superferry Testimony for Kauai Hearing

Please deliver the appropriate number of copies of my attached testimony on the Superferry for the Kaua'i Informational Briefing, Sunday, October 21, 2007, 2:00 p.m., King Kaumualii Elementary School Cafeteria, 4381 Hanamaulu Road, Lihue, HI, to the

COMMITTEE ON JUDICIARY AND LABOR Senator Brian T. Taniguchi, Chair Senator Clayton Hee, Vice Chair; to the

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS Senator J. Kalani English, Chair Senator Mike Gabbard, Vice Chair; and to the

COMMITTEE ON ENERGY AND ENVIRONMENT Senator Ron Menor, Chair Senator Gary L. Hooser, Vice Chair

Thank you.  
Mary Neudorffer  
[medneu2@earthlink.net](mailto:medneu2@earthlink.net)

---

To: Senator Brian T. Taniguchi, Chair Senator Clayton Hee, Vice Chair, COMMITTEE ON JUDICIARY AND LABOR  
Senator J. Kalani English, Chair Senator Mike Gabbard, Vice Chair, COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS  
Senator Ron Menor, Chair Senator Gary L. Hooser, Vice Chair, COMMITTEE ON ENERGY AND ENVIRONMENT

From: Mary Neudorffer  
Koloa, HI

Date: October 21, 2007

Subject: Superferry Testimony for the Kaua'i Informational Briefing, Sunday, October 21, 2007, 2:00 p.m. to ~8 p.m., King Kaumualii Elementary School Cafeteria, 4381 Hanamaulu Road, Lihue, HI

The Superferry must have an Environmental Impact Statement before operation.

**Do not override the existing law in order to let the Superferry operate before the**

10/23/2007



**completion of the Environmental Impact Statement (EIS).**

**Protect Kauai, the other neighbor islands and the marine life in between.**

**Insist that the EIS be completed before the Superferry is allowed to operate.**

**If it looks like your fellow legislators will push this proposed legislation through in spite of your best efforts to get the EIS first as the law intended, insist that it include specific protections for environmental impacts that are possible due to Superferry operation.**

The proposed legislation is both 1) inadequate in its proposed intermediate protections; and 2) inaccurate in its postulates.

**1) The proposed legislation is inadequate in its proposed interim protections.** Any proposed legislation for interim operation until an EIS is completed needs to spell out specific requirements that, at a minimum, protect Kauai and neighbor islands from invasive species; protect Kaua'i and neighbor islands from visitors taking/harvesting local resources such as limu, opihi and even stones and plants; and from over-crowding our camping areas; and **protect to marine life** from collision with the vessel. Such safeguards should include limiting Superferry speed and requiring inspections and penalties.

**Leaving such details to the governor and her selected staff is totally unacceptable.**

It would be like letting the wolf guard your sheep or having the fox protect your hen house (or sharks guard monk seal pups). It is definitely NOT acceptable given her track record with the Superferry.

Proposals to limit Superferry speed to protect whales and to require inspections of vehicles and carry-ons, as onerous as they might seem, are the kinds of things that will be needed to mitigate Superferry impacts to the environment.

**2) The proposed legislation is inaccurate and intentionally misleading: it says that the existing law concerning EIS needs to be amended and clarified because the legislature did not anticipate the judiciary actions in this case. In fact, all laws expect that the government will abide by them; no law anticipates the government acting as if the law were not made for them.** The state government totally ignored the legal requirement to do an EIS for the Superferry, in spite of repeatedly being reminded of the legal requirement and repeated requests to do the EIS first as required by law. The law assumes that, per our constitution, the judiciary can force require the law be followed. **The judiciary action for requiring an EIS before Superferry operation was not unintended by the legislators who passed it; just the opposite. It was expected in a case such as this.**

The legislature and the existing law did not overlook the "special circumstances of the Superferry". Rather they didn't anticipate the government blatantly assuming the law was not made for them.

You should remove language to the effect that the policy needs to be "amended and clarified" because it was not intended to apply in a case like this. In fact, it was the original intent that even for the Superferry the EIS be done before operation begins. And they had plenty of time

to do it!!!!

**There is not general consensus that the Superferry is needed in operation today.** You might get consensus on Oahu alone, but not if you give adequate weighting to the neighbor islands. Waiting until the EIS is completed is appropriate.

Kaua'i has very few people compared to Oahu. It may look to you like there are a lot of people who want it, but most of the people who want the ferry are not from here and they do not understand what it will mean to a place like this. They just want to get away from Oahu to a place that is isolated and not crowded. **That isolation is at the heart of the beauty of Kaua'i and its lure to tourists. The Superferry impacts have the capability to take that away from us, and we need mitigations in place before it operates.**

Again I ask you:

**Do not override the existing law in order to let the Superferry operate before the completion of the Environmental Impact Statement (EIS).**

**Protect Kauai, the other neighbor islands and the marine life in between by making sure adequate protections are in place before commencing operation.**

**If it looks like your fellow legislators will push this proposed legislation through in spite of your best efforts to get the EIS first as the law intended, insist that it include specific protections for environmental impacts that are possible due to Superferry operation.**

**Insist that the EIS be completed before the Superferry is allowed to operate.**

Mahalo for your support in this matter.

Mary Neudorffer  
2371 Ho'ohu Rd #206  
Koloa, HI, 96756-9708  
808-652-1337  
[medneu2@earthlink.net](mailto:medneu2@earthlink.net)

**testimony**

NO

---

**From:** Michael Sieradzki [lightrealm@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 5:56 PM  
**To:** testimony  
**Subject:** Superferry

Please do not let the superferry come to Kauai without an EIS. Do not break the law and hurt us because they buy you off.

It will be bad for you if you ignore the people here and impose the superferry on us. It is a terrible waste of money and damages Kauai.

Aloha  
Michael Sieradzki

10/23/2007

testimony

YES

---

**From:** mkober@hawaii.rr.com  
**Sent:** Monday, October 22, 2007 9:04 PM  
**To:** testimony  
**Subject:** Hawaii Superferry

As a voting resident of the Big Island, I am whole heartedly in favor of Interisland ferry service. We have been at the mercy of the interisland air monopoly for too long! I am looking forward to having relaxing trips to the other islands with my own car.

Maria Kober

**testimony**

*YES*

---

**From:** Gary Farkas [gary@garyfarkas.com]  
**Sent:** Monday, October 22, 2007 9:03 PM  
**To:** Rep. Calvin Say  
**Cc:** testimony  
**Subject:** Superferry

Dear Representative Say,

As my representative, I am hoping that you will make sure that the superferry can traverse our waters free of overly burdensome regulations. We need the superferry, for now and for the future. Please add my voice to those who desire transportation options in Hawaii.

Mahalo,

**Gary**

Gary M. Farkas, Ph.D., M.B.A., CSAC  
Clinical Psychologist and Human Resources Consultant  
1188 Bishop Street, Suite 2602  
Honolulu, Hawaii 96813  
(808) 521-2433  
For more information about my services, visit [garyfarkas.com](http://garyfarkas.com)

This e-mail is intended only for the person to whom it was addressed and may contain confidential material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons other than the intended recipient is prohibited. If you received this e-mail in error, please contact Dr. Farkas by replying to this e-mail and delete this e-mail and any attachments from all computers without reading or saving the same in any manner whatsoever. Thank You.

10/23/2007

**testimony**

*YES*

---

**From:** Greg Hogue [hogueg001@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 9:04 PM  
**To:** testimony  
**Subject:** Hawaii Super Ferry

I would like to testify in favor of the Hawaii Super ferry, it will allow smaller businesses to compete for interstate commerce, & help break up the monopoly American Savings Bank has somehow managed to contrive.

Sincerely  
*Greg Hogue*

10/23/2007

Dara Fukuhara  
98-1951 A Kaahumanu Street  
Aiea, Hawaii 96701

YES

October 22, 2007

**TESTIMONY TO THE SENATE COMMITTEES OF THE JUDICIARY AND LABOR,  
TRANSPORTATION AND INTERNATIONAL AFFAIRS,  
AND ENERGY AND ENVIRONMENT**

**Re: Second Special Session for the Proposed Superferry Bill**

My name is Dara Fukuhara and I'm speaking as a private citizen with a disability in support of the Hawaii Superferry.

When I heard the news that the Hawaii Superferry was coming to Hawaii, I was pleased to hear that people with disabilities now have an option to an alternative mode of inter-island transportation.

Currently, the only mode of inter-island transportation is air travel. But, flying for many people with physical disabilities find is difficult because the airplanes are not accessible. Airplane aisles are not wide enough for a person in a wheelchair to get through and must rely on others to transfer them into and out of the seats. Due to this, the person with a disability is confined to their seat and it can be difficult to go to the bathroom, as they need assistance to get to the bathroom and often times, the bathroom is not large enough to accommodate two people.

I personally toured the Superferry and was astounded by how accessible the ship was. With the Superferry, travelers with disabilities, limited mobility and those restricted from flying due to medical issues can travel more independently and could be their primary mode of transportation. They can bring their own wheelchair – manual or battery-powered – or medical equipment onboard. They can sit in their wheelchair wherever they chose or transfer onto the couches if they needed to stretch out or lay down. The aisles are wide enough for a wheelchair to maneuver through and there is an accessible bathroom large enough for a battery-powered wheelchair user to feel comfortable in.

Another benefit is they can bring their own vehicle. Many times, accessible transportation is difficult to find, especially on the neighbor islands, and bringing their own vehicle can alleviate this problem. Also, those needing specialized medical treatment on Oahu for an extended period of time won't need to spend extra money renting a car when they have their own.

The Superferry thought through every accessibility issue by not only making the ship "wheelchair friendly," but by close captioning the safety videos, brailing the menus and signs, and is receptive to our comments and concerns.

Dara Fukuhara  
98-1951 A Kaahumanu Street  
Aiea, Hawaii 96701

**The most important point is that people with disabilities now have a choice and we all, as people, should have the right to choose how to live our life. With all the controversy going on, it is time to look at the advantages of what the Superferry can bring to our community and to start working toward the betterment of Hawaii in science, technology, and medicine, which are the most important to improve the quality of life for people with disabilities.**

Thank you for the opportunity to present my testimony.

Respectfully yours,  
DARA FUKUHARA



testimony

YES

**From:** Cap in Hawaii [capinhawaii@mac.com]  
**Sent:** Monday, October 22, 2007 9:02 PM  
**To:** testimony  
**Subject:** Hawaii Superferry

Dear Sirs and Madams,

It is of the utmost importance that the Hawaii Superferry be allowed to operate during the Environmental Impact report for the continuance of a strong business climate in Hawaii. As I represent as a business individual here in Hawaii many strong investors whom wish to help bring new jobs to Hawaii and businesses to allow the families to continue to grow and prosper along with programs to help them. This must HAPPEN....

If the Superferry is allowed to be stopped by the environmentalists, whom the funding is by the airlines, just cause they want more highways and money for the wrong reasons, then that should be addressed by our governor to the Federal Agencies to get just that money for the DOT improvements needed. If we as a state allow the Superferry to go away then we will loose credibility among National and International Investors in an already tough economy facing our nation.

PLEASE ALLOW the SuperFerry to exist and operate IMMEDIATELY.

Regards,

Cap Havekorst  
Hawaii Businessperson and Resident in MAUI!!!!!!  
808-283-1221

**testimony**

*YES*

---

**From:** MARK GAVIN [GAVINSHI@HAWAII.RR.COM]  
**Sent:** Monday, October 22, 2007 9:03 PM  
**To:** testimony  
**Subject:** Interisland ferry

Please allow the interisland ferry (horribly named the Superferry) to operate, and join the rest of the world in having convenient, water, travel among the islands.

I cannot understand how Hawaii can be so far behind other, much less advanced, populations, in offering travel alternatives for it's citizens.

Mark Gavin

10/23/2007

**testimony**

---

*YES*

**From:** Heinz Somek [somekh001@hawaii.rr.com]

**Sent:** Monday, October 22, 2007 9:03 PM

**To:** testimony

**Subject:** Superferry

Aloha,

There might be a few reasons to prohibit the Superferry to service the outer islands, but the benefits outweigh the negatives 10 to 1

I hope the Superferry will be allowed to operate while the EIS is completed

Heinz Somek  
808-927-1463-Cell

10/23/2007

testimony

YES

---

**From:** stephi souza [stephisouza@yahoo.com]  
**Sent:** Monday, October 22, 2007 8:56 PM  
**To:** testimony  
**Subject:** Support of Superferry

I'm in support of the Superferry. I believe it will benefit all of the islands and enhance our state and economy. I feel the majority of people in this state are in support of this addition to our transportation options. I think it will generate increase in income for outer islands.

Thank you,  
Stephanie Souza

---

Do You Yahoo!?  
Tired of spam? Yahoo! Mail has the best spam protection around  
<http://mail.yahoo.com>

**testimony**

---

*YES*

**From:** Arbor [arbor21a@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 9:03 PM  
**To:** testimony  
**Subject:** Super Ferry

I SUPPORT the super ferry.

Please do not let my family down. We trusted you, that is why you are in office. It is your duty to listen to the people. Please do not let the .001% rule the majority.

For other businesses, for other family's, for other tourists that visit our islands.....do the right thing...let the super ferry run.

10/23/2007

testimony

YES

---

**From:** Gary Alden {GaryAlden@Hawaii.rr.com}

**Sent:** Monday, October 22, 2007 9:02 PM

**To:** testimony

**Subject:** Please approve the Superferry

Please approve the Superferry. I have a brother in-law that is confined to a wheel chair. We transport him in a specially made Van. Fifteen years ago he broke his back and has not been able to travel away from Oahu. He was so excited about the prospects of visiting Maui, but now it's in your hands. Please help!



Gary Alden

10/23/2007

**testimony**

---

*YES*

**From:** Michael Fors [mike@platinumc.net]

**Sent:** Monday, October 22, 2007 8:55 PM

**To:** testimony

**Subject:** In support of the superferry

I am in support of having the superferry in Hawaii and getting it immediately operational. Hawaii needs to become more business friendly.

Michael Fors

testimony

YES

**From:** kailianu nino [ha\_y\_n\_muneca96753@hotmail.com]  
**Sent:** Monday, October 22, 2007 9:01 PM  
**To:** testimony  
**Subject:** SUPERFERRY

October 22, 2007 8:58 p.m.

Dear Judiciary and Labor, Transportation and International Affairs, and Energy and Environment Committees,

I support of the bill that will permit interisland ferry service in Hawai'i while an environmental impact statement is being conducted. This is a great opportunity for my family and I to visit relatives on other islands like the island of Maui without the hassle of renting a car.

Thank you very much,  
● The Nino Family ●  
Mililani, Oahu

---

Boo! Scare away worms, viruses and so much more! Try Windows Live OneCare! [Try now!](#)

10/23/2007



**testimony**

*YES*

---

**From:** Mavis Jones [jonesmjj@hawaiiantel.net]  
**Sent:** Monday, October 22, 2007 9:01 PM  
**To:** testimony  
**Subject:** Support for the Hawaii Superferry transportation system

Our family strongly support the Hawaii Superferry's transportation system here in the State of Hawaii. There should be other means of interisland transportation other than only the airlines monopoly. The idea of transporting vehicles to the other islands is a very convenient way to use your own wheels while visiting friends and relative on the other islands. We would like to see this type of transportation for the State of Hawaii.

Thank you very much,

Mavis S. Jones and Family  
3030 Ala Ilima Street., #1101  
Honolulu, HI 96818-2741

10/23/2007

testimony

YES

---

**From:** Frank Kazmierczak [kazzak1@att.net]  
**Sent:** Monday, October 22, 2007 9:01 PM  
**To:** testimony  
**Subject:** Hawaii Superferry

We hope you will permit the superferry to run soon. We will be visiting the islands soon and would like to have an alternative to planes as a means to get between our timeshares.

The Kazs'

10/23/2007

**testimony**

*YES*

---

**From:** Mark [recordhunter@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 9:01 PM  
**To:** testimony  
**Subject:** supperferry

My wife and I went on the ferry while it was visiting Maui. We are in favor of having the ferry remain in the state and serve all the islands.

10/23/2007

testimony

YES

---

**From:** Susan Hopkins [shopkins8@yahoo.com]  
**Sent:** Monday, October 22, 2007 8:54 PM  
**To:** testimony  
**Subject:** In Support of Super Ferry

I am in support of the Super Ferry providing service to all Hawaiian Islands.

Susan Hopkins

---

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around  
<http://mail.yahoo.com>

**testimony**

YES

**From:** Neil Olsen [olsen1929@yahoo.com]  
**Sent:** Monday, October 22, 2007 9:00 PM  
**To:** testimony  
**Subject:** Super Ferry

I was a passenger aboard the inaugural voyage from Maui to Oahu last Sunday. I have never experienced a smoother, more trouble free and relaxing mode of transportation. The Maui infrastructure was not impeded in any way, there were no traffic jams, lines or traffic problems of any kind. In fact I had to call the police to inquire where exactly they were loading as there were no signs of unusual activity anywhere in Kahalui.

Since the Sierra club and the environmentalists of all descriptions and dubious qualifications are advocating the enforcement of a restraining order preventing this long awaited and much needed service on Maui, who will advocate enforcing the laws preventing those confused souls on Kauai from illegally interfering with harbor transportation right of way?

Shame on the US Coast Guard for allowing this law breaking group of short sighted individuals to control our harbors. If we are going to enforce some of the laws concerning this mode of transport, let's enforce them all.

Why no impact study requirement for Norwegian cruise lines and other cruise ships, as they bring far more people to Maui than does the Super Ferry?

Is it any wonder the investment environment in Hawaii is suspect at best, when a 300 million dollar expenditure is jeopardized by this small but very loud coalition.

Sincerely,

Neil Olsen  
President / CEO  
Carey Hawaii / Town & Country Limousines  
Executive Offices  
e-mail [olsen1929@yahoo.com](mailto:olsen1929@yahoo.com)  
direct line: 808 572- 5186  
executive fax: 808 572- 5195

Reservations / General Office  
ph. 808 572-3400  
fx. 808 573-1114  
Toll Free: 888 563-2888  
Web Site: [www.hawaiiilimo.com](http://www.hawaiiilimo.com)  
e-mail : [limomaui@yahoo.com](mailto:limomaui@yahoo.com)

---

Do You Yahoo!?  
Tired of spam? Yahoo! Mail has the best spam protection around  
<http://mail.yahoo.com>

10/23/2007

testimony

YES

---

**From:** Les Harunaga [lesvelos@hotmail.com]  
**Sent:** Monday, October 22, 2007 8:59 PM  
**To:** testimony  
**Subject:** Super Ferry

I am so disappointed with what is transpiring with the fate of the interisland ferry. I, as private citizen, was looking forward to visiting the neighbor islands via the ferry. I had even planned with some friends a bicycle trip around Maui in the near future, and going over by ferry. This is certainly a black eye for Hawaii, it confirms to some that Hawaii has NO aloha for small business.

Dr. Lester Harunaga  
1055 Kalo Place, Suite 101  
Honolulu, HI 96826

10/23/2007

**testimony**

*YES*

---

**From:** andy0935@aol.com  
**Sent:** Monday, October 22, 2007 9:00 PM  
**To:** testimony  
**Subject:** Hawaii Superferry sent from 440 Aleka Pl., Kapaa. Hi.

We urge you to allow the superferry to operate and that any environmental study requirements be applied equitably. We are at a loss as to how the ferry could affect the environment as much as all the barges, cruise lines and airlines that operate now. Thank you.

---

See what's new at [AOL.com](http://AOL.com) and [Make AOL Your Homepage](#).

10/23/2007

**testimony**

*YES*

---

**From:** James Eberle [eberlej001@hawaii.rr.com]

**Sent:** Monday, October 22, 2007 9:00 PM

**To:** testimony

**Subject:** Super Ferry

My name is Jim Eberle and I support the Superferry operations. I encourage you to support the operations and move quickly to ensure the State of Hawaii has this viable alternative mode of transportation available to us. There are many positive reasons to allow the Super Ferry to operate while the environmental study is being conducted. I'm sure you have heard all of them and I am in agreement with every one of them.

Thank you for you time

James Eberle

10/23/2007



**testimony**

*YES*

---

**From:** Brian [kapaabeach@gmail.com]  
**Sent:** Monday, October 22, 2007 9:00 PM  
**To:** testimony  
**Subject:** Support of superferry

Dear, Sir

Senate Committees: Judiciary and Labor, Transportation and International Affairs, and Energy and Environment

Hearing Date: Wednesday, October 24

Time and Location: 10:30 a.m. Auditorium, State Capitol

I am in support of the bill that will permit interisland ferry service in Hawaii while an environmental impact statement is being conducted. I feel that Hawaii should have another form of public transportation besides Airlines in case of any emergencies!

Thank you,

Brian McCracken

10/23/2007

testimony

YES

---

**From:** JAYNEEN LAYSA [jaynbg@msn.com]

**Sent:** Monday, October 22, 2007 8:57 PM

**To:** testimony

**Senate Committees:** Judiciary and Labor, Transportation and International Affairs, and Energy and Environment

**Hearing Date:** Wednesday, October 24

**Time and Location:** 10:30 a.m. Auditorium, State Capitol

To Whom it May Concern:

I feel the Super Ferry would be a great asset to Hawaii. The people had about 2 years to voice their opinion's instead they waited thill the Ferry was here. If the Ferry needs an impact statement the Cruise ships should have one done also. It's only fair. I know lots of people that don't like to fly, the ferry would be good for them. Hawaii can never get ahead because the people always protest and it's so sad because these people are not really locals they weren't born and raised here, they moved here 1 or 2 years ago and think they own everything. Wake up people the ferry is a good thing, let them operate it more jobs for our people.

Thank You

10/23/2007

**testimony**

*YES*

---

**From:** Dan and Leanne Howe [dandlhowe@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 8:59 PM  
**To:** testimony  
**Subject:** Superferry

My husband, daughter and I are voters in Ewa Beach.

We are in support of the Superferry and believe that it would be a benefit to the citizens and tourists alike to have such a service available.

**Please vote in favor of keeping the ferry here in Hawaii.**

Sincerely,  
Daniel Howe  
Leanne Howe  
Danielle Howe

Rep: Kimberly Pine  
Senator: Will Espero

10/23/2007

YES

**testimony**

---

**From:** Jamie Fife [hawaiifife0@gmail.com]  
**Sent:** Monday, October 22, 2007 9:00 PM  
**To:** testimony  
**Subject:** in favor of the Superferry

I am writing to urge you to allow the Superferry to go forward. My family has been looking forward to the Superferry for a long time, and we anxiously await the day we can travel on it. I see no reason why the Superferry might cause any more harm to the environment than the cargo vessels and airplanes already traveling to the neighbor islands. I am tired of a few very loud opponents trying to override the wishes of the majority who want the Superferry. Everyone I talk to about it is in favor of the Superferry. No solution is perfect, but I think that the residents of Hawaii are reasonable and intelligent and know what is in our best interests. Please listen to us and open this exciting opportunity to us.

Mahalo,

--

Jamie Fife  
Laie, Hawaii

10/23/2007

**testimony**

*YES*

---

**From:** Globalphx@aol.com  
**Sent:** Monday, October 22, 2007 8:59 PM  
**To:** testimony  
**Subject:** Superferry

As a construction worker that needs to take his truck and tools to jobs on the outer Islands, I am all for the Superferry. The sooner it is in service, the better. As one of the passengers on the maiden voyage to Maui, I found the Superferry to be a class operation and a benefit to the people of Hawaii and Tourism.

Tom Heinrich  
98-701 Iho Pl.  
Aiea, Hi. 96701

---

See what's new at [AOL.com](http://AOL.com) and [Make AOL Your Homepage](#).

10/23/2007

**testimony**

---

*YES*

**From:** Marie [Marieh@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 9:00 PM  
**To:** testimony  
**Subject:** I am FOR it

I think they should be allowed to run while the State gets busy doing what they should have done before they let them begin. Don't bankrupt the company by putting in new rules. And please assure Kauai that I will NEVER come there.

Thank you, Marie Hansen :-)

10/23/2007

**testimony**

*YES*

---

**From:** FELICIA BRAZILE [msfleab@earthlink.net]  
**Sent:** Monday, October 22, 2007 8:56 PM  
**To:** testimony  
**Subject:** Support of Hawaii Superferry

*Please, please, please allow the Superferry to operate while waiting for the EA/EIS. We need an alternative to flying between islands. We need to move forward as a state. Thanks.*

**Senate Committees:** Judiciary and Labor, Transportation and International Affairs,  
and Energy and Environment

**Hearing Date:** Wednesday, October 24

**Time and Location:** 10:30 a.m. Auditorium, State Capitol

FELICIA & KENNY BRAZILE  
95-1261 WIKAO STREET  
MILILANI, HI 96789-3994  
808.625.2984  
God Bless You and Yours!

10/23/2007

**testimony**

YES

---

**From:** james overmyer [jovermyer@msn.com]  
**Sent:** Monday, October 22, 2007 8:57 PM  
**To:** testimony  
**Subject:** Super Ferry Testimony

Aloha Friends

This email is to confirm my support for the Hawaii Super Ferry  
inter island and also as possible solution for the EWA to Downtown  
Commute Rush Hours

Suggest a trial period be made for EWZ to Downtown of one or  
two months in lieu of current small ferries that are slow ,  
fumeey and not so stable for the commuters .

Super Ferry would be a big success for this area .

Aloha

James

James Overmyer  
Natural Stone & Ceramic  
4999 Kahala Ave # 326  
Honolulu Hawaii 96816  
Tel 808 294 2270 / Fax 808 664 1252  
email [jovermyer@msn.com](mailto:jovermyer@msn.com)



testimony

YES

**From:** Michael A. Winchatz [Michael.Winchatz@resortquesthawaii.com]

**Sent:** Monday, October 22, 2007 8:58 PM

**To:** testimony

**Subject:** I support the bill that will permit inter-island ferry service in Hawaii while an environmental impact statement is being conducted.

I support the bill that will permit inter-island ferry service in Hawaii while an environmental impact statement is being conducted. It is important that we keep this important alternate transportation between our islands. If the bill is unsuccessful, Hawaii will lose the Superferry.

Michael A. Winchatz'  
620 McCully Street #1108  
Honolulu, Hawaii 96826-3943  
808.949.1351 residence  
808.923.9805 ext. 404 / business

The information contained in this e-mail message is intended only for the personal and confidential use of the recipient(s) named above. If you are not the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail and delete the original message. Thank you.

10/23/2007

testimony

YES

**From:** Win Bennett [EWBEN56@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 8:58 PM  
**To:** testimony  
**Subject:** Superferry

The possibility that one vessel would be subject to stringent requirements not necessary to other vessels is utterly ridiculous...Readers' Digest would make headlines of such a decision.

Is it possible to create a plan that would make the Superferry an opportunity for intelligent progress for this state???

show us what you can do for reasonable improvement in our lives!!!

THANK you,  
Win Bennett

testimony

---

NO

**From:** Craig [digitalparadise@earthlink.net]  
**Sent:** Monday, October 22, 2007 8:57 PM  
**To:** testimony  
**Subject:** Superferry

To Whom it May Concern,

I believe the Superferry should not be given an exemption from the court's order until an environmental impact study is complete. The court has heard testimony from experts that the Superferry will endanger whales and other marine life, as well as possibly spread invasive species. I also do not believe there is enough law enforcement to effectively protect the passengers of the Superferry against hostile behavior. There needs to be more policy in place from the Superferry as to how they will handle passenger's safety.

Mahalo,  
Craig Ellenwood

**testimony**

*YES*

**From:** James Petron [petronmaritimeservices@gmail.com]  
**Sent:** Monday, October 22, 2007 8:58 PM  
**To:** testimony  
**Subject:** Super Ferry

--  
Aloha Senators,

Sure I live on Oahu and not Kauai. I do support the Super Ferry. So does everyone else here I talk with except for only 1 guy. That makes my informal poll about 14 to 1.

Please represent my friends and I and get that boat running.

Instead of spending lots of tax money on a rail system with marginal support, let the HSF spend their money and run that boat for us.

Please dont let a rude minority destroy multiple options for the huge majority. We want it running for both family and business reasons. The tourists will use it also.

If HSF is ruled against because of some abstract reasoning, please be fair and apply the same rules to N.C.L, Matson, parasailing, Young Bros, jet skis, etc.....

Thanks,  
James Petron  
Maritime Services  
P.O. Box 75261  
Honolulu, HI 96836  
[petronmaritimeservices.com](http://petronmaritimeservices.com)  
808-497-6654

10/23/2007

**testimony**

YES

---

**From:** Respicio [executiveerrands@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 8:57 PM  
**To:** testimony  
**Subject:** Hawaii Superferry

As a Hawaii resident and business owner, I urge you to allow the continued running of the Hawaii Superferry during the time in which the impact study is being made.

The majority of Hawaii citizens want the inter island ferry!

Mahalo,  
Shirley J. Respicio

10/23/2007

**testimony**

YES

---

**From:** Marie [Marieh@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 8:58 PM  
**To:** testimony  
**Subject:** A vote FOR the SuperFerry

I really hope they approve the Superferry. It should have been clear in the beginning the requirements for it to run. It is unfair to chastise them at this point. Let them run for now instead of bankrupting them out front. Give them a chance.

I am FOR the SUPERFERRY.

Marie Hansen :-)

10/23/2007

**testimony**

---

NO

**From:** Jane Winter [healingvacation@gmail.com]

**Sent:** Monday, October 22, 2007 8:58 PM

**To:** testimony

**Subject:** Superferry Testimony

Aloha to all involved. I am totally against the Super Ferry coming to any islands without an EIS done. It is ridiculous that our government is using their power to back private business over our precious and fragile environment. *The Lingle administration has overstepped their own government's courts of law and made us vulnerable to be manipulated for future big business ventures.* The hearing have shown again and again through testimony, the people of Kauai have spoken. No Superferry without an EIS. Please follow the law. Jane Winter

10/23/2007

**testimony**

*YES*

---

**From:** J.Pourny [norma@hawaiiantel.net]  
**Sent:** Monday, October 22, 2007 8:56 PM  
**To:** testimony  
**Subject:** Superferry

Yes to the Superferry! We need this service!

J.Pourny  
N.Pourny

10/23/2007



testimony

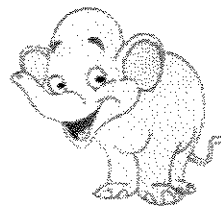
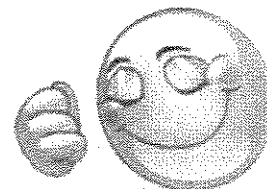
YES

**From:** Iris Nogami [inogami@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 8:56 PM  
**To:** testimony  
**Cc:** IRISinogami@hawaii.rr.com  
**Subject:** SAVE THE SUPERFERRY

DEAR SIRS,

PLEASE SAVE OUR SUPERFERRY" THE ALAKAI" IT'S THE BEST THING THAT HAWAII WILL HAVE ALWAYS HAVE TO SEVER THE ISLANDS. AND IT'S THE MOST BEAUTIFUL SHIP THAT I HAVE EVER SEEN. SO PLEASE SUPPORT THE SUPERFERRY.

IRIS.



FREE Animations for your email - by IncrediMail! [Click Here!](#)

10/23/2007

**testimony**

**YES**

---

**From:** Bernie Moore-Knowles [knowmoore1955@hawaii.rr.com]

**Sent:** Monday, October 22, 2007 8:56 PM

**To:** testimony

**Subject:** Hawaii Superferry

**To Whom It May Concern and It Should Concern Many:**

I have to ask when will the state of Hawai'i enter the 21st century? Are your state lobbyist that ingrained that they would stop a viable mode of interisland transportation? As a small business person on the Big Island, I ask for your reconsideration on the Superferry. It is a must. Your islands are getting to the point that a reasonable person and their family can no longer afford to live in these islands. Make interisland transportation of goods and peoples an affordable avenue. Vote YES.

Bernie Moore-Knowles  
Papa'aloa, Hawai'i

"I have Indian blood in me. I have just enough White blood for you to question my honesty." .....Will Rogers

10/23/2007

**testimony**

YES

**From:** David Patterson [davidjhpatterson@gmail.com]  
**Sent:** Monday, October 22, 2007 8:55 PM  
**To:** testimony  
**Subject:** Fwd: super ferry

Begin forwarded message:

**From:** David Patterson <davidjhpatterson@gmail.com>  
**Date:** October 10, 2007 5:53:33 PM HST  
**To:** sentokuda@capitol.hawaii.gov  
**Subject:** super ferry

Hi,

My name is David Patterson and I'm 24 years old. I've lived in Oahu all my life. I'm sad to see that the outer islanders don't appreciate such a great thing. It's such a great thing to Hawaii. For business and pleasure. I don't understand how big cargo ships and whale watching and all those other boats don't get singled out too. Cargo ships for example: They're huge! If they see a whale I don't think they could stop in time. They take all the food, and etc. that the outer islanders need. So I think it's unfair that the super ferry be singled out. I heard a comment that "the island (Maui) needs to survive on it's own." That's one of the most ridiculous comments I've ever heard. First off without Oahu they wouldn't have all the food and common needs shipped to them. Second, our construction guys are over there all the time building for them to make a better business economy that the island badly needs. Otherwise all the outer islands would be pretty much back in the stone age and hunting for food. I don't think thousands of people can survive hunting for food! I also believe that you have a right to say what you want to (protestors) but I think if you've lived in this state for less than a couple years or moved here from the mainland you have less a say in things from somebody that was born and raised here.

All in all, I think the super ferry is a great idea and that if they want to stop them from running their ships... they need to stop all ships (cargo ships w/ food and Etc) and do environmental testing on all of them and see how they survive. People tend to forget that although our islands are all spread out, we're still one state. Please let the super ferry run! Thank you!

-David Patterson

davidjhpatterson@gmail.com

testimony

YES

---

**From:** Mariaaloha@aol.com  
**Sent:** Monday, October 22, 2007 8:55 PM  
**To:** testimony  
**Subject:** Save the Super Ferry

I support of the bill that will permit interisland ferry service in Hawai'i while an environmental impact statement is being conducted.

We need the Super Ferry to offer various transportation options to everyone!

Thank you for your support.

Maria Zitney

322 Aoloa Street #1204

Kailua, HI 96734

808-226-9333

---

See what's new at [AOL.com](http://AOL.com) and [Make AOL Your Homepage](#).

10/23/2007

testimony

YES

---

**From:** Marty Davis [ehealer@hotmail.com]  
**Sent:** Monday, October 22, 2007 8:54 PM  
**To:** testimony  
**Subject:** superferry

Please allow the superferry to operate while the environmental impact study is being done. We need the superferry.

Martin Davis  
36-2775 Loyola  
Laupahoehoe, HI 96764

---

More photos; more messages; more storage—get 5GB with Windows Live Hotmail.  
[http://imagine-windowslive.com/hotmail/?locale=en-us&ocid=TXT\\_TAGHM\\_migration\\_HM\\_mini\\_2G\\_0507](http://imagine-windowslive.com/hotmail/?locale=en-us&ocid=TXT_TAGHM_migration_HM_mini_2G_0507)

**testimony**

*YES*

---

**From:** Carolyn Stanton [carolynstanton@hotmail.com]  
**Sent:** Monday, October 22, 2007 8:53 PM  
**To:** testimony  
**Subject:** SUPPORT FOR THE SUPERFERRY

To whom this may concern:

I would like to offer my testimony in support of the Hawaii Superferry. I believe it would make a tremendous contribution to Hawaii in terms of residents' lifestyles and the resulting economic impact for both neighboring islands and on Oahu, with more travel. The Superferry is beautiful and sound, and look forward to taking my next outer island trip on it. I would definitely go to the outer islands more if I could use the Superferry and take my own car along.

Sincerely,

Carolyn Stanton Ph: 779-5363

---

Boo! Scare away worms, viruses and so much more! Try Windows Live OneCare! [Try now!](#)

10/23/2007

**testimony**

YES

---

**From:** Annie Casella [Annie.Casella1@century21.com]  
**Sent:** Monday, October 22, 2007 8:50 PM  
**To:** testimony  
**Subject:** Super Ferry Needs your Support!



**Annie Casella, REALTOR®**

Residential Sales & Management

98-211 Pali Momi Street, Suite 401

Aiea, Hawaii 96701

Direct: (808) 447-4006

Fax: (808) 484-2302

[www.hawaiihomefinder.info](http://www.hawaiihomefinder.info)

To All Those Concerned:

The Super Ferry should be given a chance to operate. Have any of you heard of **"Sea Flite"**? This was a ferry that operated in the 70's and although it was not successful, it wasn't because of the controversies that the Super Ferry has had to endure. It was simply bad business/management. I believe with the Super Ferry, we are given a choice in the mode of transportation between inter-island trips. How can anyone be against people having choices?

---

Custom E-mail Stationery

10/23/2007

**testimony**

*YES*

---

**From:** Lon Ibaraki [libaraki@gmail.com]  
**Sent:** Monday, October 22, 2007 8:49 PM  
**To:** testimony  
**Subject:** Keep the Superferry going

Aloha ,

Please keep the Superferry alive. I voted for you guys. Listen to the people. We need this alternative transportation.

Lon and Diane Ibaraki  
Kaneohe residents

10/23/2007



**testimony**

---

YES

**From:** Joe Almony [joe.almony@hawaiiisuperferry.com]  
**Sent:** Monday, October 22, 2007 8:48 PM  
**To:** testimony  
**Subject:** hawaii superferry

Hawaii Superferry is an alternative means of public transportation that provides a service for the people of Hawaii and serves a public good. It must be permitted to continue service during the court directed environmental assessment or it will not be able to survive as a business.

10/23/2007

testimony

---

NO

**From:** Jake Hangartner [jakehang@yahoo.com]  
**Sent:** Monday, October 22, 2007 8:35 PM  
**To:** testimony  
**Subject:** ferry

I and my wife (full-time Maui resident for 26 yrs.) are adamantly opposed to the superferry. This island already is overused and suffers from acute shortages of water, hospital beds (less than 200), police, DLNR, and parks/recs staff.

We find any additional stress on the above support areas incredibly irresponsible. Please oppose any operation of the ferry.

Citizens concerned for sustainability of Maui,

Roger Hangartner and Linda Ion Hangartner Kihei

---

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around <http://mail.yahoo.com>

**testimony**

YES

**From:** Ruthtutu@aol.com  
**Sent:** Monday, October 22, 2007 8:27 PM  
**To:** testimony  
**Subject:** Inter Island Ferry Service Support

The Senate  
 24th Legislature---Second Special Session of 2007

Committee on Judiciary & Labor  
 Sen. Brian T. Taniguchi, Chair Sen. Clayton Hee, Vice Chair

Committee on Transportation & International Affairs  
 Sen. Kalani English, Chair Sen. Mike Gabbard, Vice Chair

Committee on Energy & Environment  
 Sen. Ton Menor, Chair Sen. Gary Hoose, Vice Chair

Hearing: Wed. Oct 24, 2007, 10:30 a.m. Capitol Auditorium  
 Number of pages not listed on Notice Guess -- 30 pgs

**IN SUPPORT Inter Island Ferry Service Draft #7**

Committees hearing a Senate Bill, that will be introduced at the convening of the Second Special Session, 2007 on Wed., October 24, 2007; and pending a referral to JDL/TIA/ENE. Subject will be to permit the operation of an inter-island ferry service in the State of Hawaii while an environmental statement is being conducted, while at the same time, ensuring that there is adequate protection of the environment. The bill will also establish an oversight task force for the purpose of examining the impact of inter-island ferry operations on the communities, environment, harbor and other infrastructures.

(NOTE: SB1066CD!--Act 9 Protection of "The Invasive Species" legislation that establishes a dedicated revenue source to inspect for, quarantine and eradicate invasive species, (the Gov. vetoed, but in Special Session the legislators overrode the VETO!) This should satisfy many objections.

My husband and I have read and approve this draft #7 completely. With a Task Force to "watchdog" everyone's actions, there is no "reasonable objections" for the "radicals" to keep the 90% of the state residents who approve this form of transportation choice. A Ferry system is much easier for Kupuna, disabled, and families to travel the highways of our state, use our parks and drive our own cars on the neighbor islands. The introduction of new products from one island to another will be a growing economic asset for all. If emergency supplies are needed and airports not available, it becomes another commercial asset for all. (We noted in the earlier testimony of the original bill that was approved for the ferry service, that many businesses of every kind testified in favor of the legislation, including air and water transportation businesses..

We have watched and listened to the TV reports of the radical, selfish and unbelievable actions of a very small percentage of Hawaii neighbor islanders and their unfavorable reactions to the ferry and of those from Oahu who may visit their islands! This extreme objectionable behavior to fellow state residents is hard to believe! We have not voiced our objections in this hateful manner and take their sick and injured into our hospitals for many emergencies. It is sad that a certain segment of our population shows so little respect when they do not agree. In doing so, many broke federal homeland security laws and should be properly charged. We also heard of their threats to their local police and others that "we know where your children are", which is beyond comprehension.

With the TASK FORCE in place to keep tabs on the ferry system, while the environmental impact review is finished, there is no reason to believe that any harm will come to our waters and islands.

10/23/2007

Mahalo for serving your community.  
Ruth and Harold Willenborg, 1015 Aoloa Pl., #360, Kailua, Hi. 96734

---

See what's new at [AOL.com](http://AOL.com) and [Make AOL Your Homepage](#).

**From:** Linda M. Karr [lkarr@aol.com]  
**Sent:** Monday, October 22, 2007 8:25 PM  
**To:** testimony  
**Subject:** Please Uphold Our Environmental Laws

### Aloha Legislators

Please help us to protect the things that we all love about Hawai'i by upholding our environmental laws. This corporation should not be exempted from its legal obligations to assess the likely harms of its actions before they occur. To do so will set a dangerous precedent for other corporations seeking to do business in Hawai'i. Regardless of how you may feel about the Superferry and the need for its services, changing the laws in this way cannot be justified.

Here are some of the reasons I feel so strongly about upholding Hawaii's current environmental laws:

- Hawai'i's EIS law should be upheld because it provides a crucial layer of protection for Hawai'i's irreplaceable natural and cultural beauty.
- The proposed legislation to exempt the Superferry from its obligations under the law is overbroad. It exempts the Superferry from every permit requirement and public oversight requirement currently on the books. Proposed conditions on the operation of the Superferry fail to address to legitimate concerns about the possible irreparable harms highlighted by the Maui Court.
- The Hawaii Constitution guarantees everyone the "right to a clean and healthful environment" (Haw. Const. Art. 11, sec. 9). The Constitution, however, does not guarantee anyone the right to a profit. If our elected officials grant an exemption to our environmental laws, then they will be placing the corporations' right to profit over the public's right to a healthy environment.
- Public participation is essential to a well-functioning democracy! Hawai'i's EIS law provides a rare opportunity for public hearings. This fundamental public right should not be side-stepped to serve special interests!
- A legislative decision of this magnitude cannot be made properly in the 7 days allotted for a special session called by the Governor. It does not provide a sufficient opportunity for lawmakers to hear from the communities most affected by this decision. If the process of decisionmaking lacks integrity, then so will the outcome.
- Special treatment for special interests creates a precedent of uncertainty about when and if Hawai'i's laws will be applied and upheld, and for whom. Good business and economic development requires wise governance and certainty about the rules by which all businesses must play. The rule of law must be respected by all levels of government to ensure our system functions properly.
- Strong protection of public trust natural and cultural resources depend on upholding the law. Laws that are not upheld or enforced are shibai and useless!
- The Maui Court decision found, after 22 days of expert testimony, that there will likely be irreparable harm from Superferry operations. Following the law as written and conducting a complete environmental review will help us to develop thoughtful, meaningful mitigations to these harms before they happen. Allowing this exemption now will not.

Linda M. Karr  
P.O.Box 6638  
POBox 6638  
Hilo, HI 96720

testimony

YES

---

**From:** Kylee Tyx [kyleetyx@hotmail.com]  
**Sent:** Monday, October 22, 2007 9:15 PM  
**To:** testimony  
**Subject:** Hawaii Superferry

**Senate Committees:** Judiciary and Labor, Transportation and International Affairs, and Energy and Environment

**Hearing Date:** Wednesday, October 24

**Time and Location:** 10:30 a.m. Auditorium, State Capitol

I am writing to support the continuation of the Hawaii Superferry. The Superferry is so much more convenient than going by air and allows passengers to have a wonderful view of the ocean while traveling. Please allow the Hawaii Superferry to continue and allow the people of Hawaii to have choices in interisland transportation.

Thank You,  
Kylee Tyx  
Kailua, HI

---

Boo! Scare away worms, viruses and so much more! Try Windows Live OneCare! [Try now!](#)

10/23/2007

**From:** Almony Margaret [almonyj001@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 9:16 PM  
**To:** testimony  
**Subject:** Please support the Superferry by allowing it to run during EIS

It is time for the state of Hawaii to recognize that we are a part of the 21st century. We should no longer allow certain segments of the population to "bully" us into believing that the legislature does not have the best interests of the state in mind when they make decisions. My reasons for asking you to support the Superferry are the following

1. Hawaii is a STATE. There are no other states in the United states or countries in the world that do not allow people to drive their own car to wherever they would like to travel ( in fact people travel to other countries and back in their cars).
2. Hawaii is a STATE. Other states allow ferry travel from one coast to other parts of the state eg. California to the Catalina Islands, Washington to the islands between Washington and Canada, Alaska to other islands, Rhode Island, New York, Connecticut, and Maine have ferries. Why can't Hawaii have a ferry?
3. Hawaii is a STATE, there should not be some rules that apply to some islands and not to other islands within a state.
4. Hawaii is a STATE, people should have equal access to resources, vacation spots, parks, recreation, business throughout the state just as there is equal access in other states.
5. Hawaii is a STATE, there should be the ability of people to do business within the state to provide services (transportation of people and goods) and not have it be a monopoly by a couple of shipping and air companies.
6. Hawaii is a STATE, people need to respect the fact that others in the state and the United States have the right to have access to all areas of the country not just the residents of that particular area.

I encourage you as STATE senators and representatives to do what's is right, fair and just in allowing the Superferry to run as a business. Allow the residents of this STATE the right to travel freely by sea to another island within the state and enjoy the beauty of the islands from a different perspective, enjoy the ability for families to travel in comfort with room for children to roam freely and adults to interact positively, and provide access to cheaper, more efficient shipping for small local business people. We need to connect our state population in a positive way so the stereotypes change to a better understanding and aloha between the population of Hawaii. I truly believe that the Superferry will bring about positive change in Hawaii if given the chance. Please put forth the effort to move our state ahead in a positive way by supporting the Superferry.

Thank you and aloha,  
Margaret Almony



**testimony**

YES

**From:** J&SM [morimotoj007@hawaii.rr.com]

**Sent:** Monday, October 22, 2007 9:16 PM

**To:** testimony

**Subject:** Senate Committee: Judiciary and Labor, Transportation and International Affairs and Energy and Environment

Hearing Date: Wednesday, October 24

Time and Location: 10:30 a.m. Auditorium State Capitol

We support the bill that will permit interisland ferry service in Hawaii while an environmental impact statement is being conducted.

We feel that the EIS being conducted should pertain to all transportation in Hawaii and not only the ferry.

Thank you.

Jerry & Susan Morimoto  
P. O. Box 734  
4543 Amakihi Rd  
Kekaha, HI 96752

10/23/2007

testimony

YES

---

**From:** Jared Abdul [sikryd@gmail.com]  
**Sent:** Monday, October 22, 2007 9:16 PM  
**To:** testimony  
**Subject:** Hawaii Superferry

**Senate Committees:** Judiciary and Labor, Transportation and International Affairs, and Energy and Environment

**Hearing Date:** Wednesday, October 24

**Time and Location:** 10:30 a.m. Auditorium, State Capitol

To whom it may concern,  
Let it be known that I am in support of the Hawaii Superferry.

I have to travel to Maui from Oahu often for personal and business reasons. It is very expensive to rent a car on the outer island as often as I do. Having the Hawaii Superferry would allow me to transport my personal vehicle back and forth, saving me a lot of money. Please allow the Hawaii Superferry to run while the environmental impact study is under way.

Thank you,  
Jared Abdul  
Chief Technical Officer  
Keao Technology Solutions LLC.

10/23/2007

**testimony**

YES

**From:** Gil Barden [gilbarden@gmail.com]  
**Sent:** Monday, October 22, 2007 9:15 PM  
**To:** testimony  
**Subject:** Legislature's Public Access Room; RE: Senate Committees: Judiciary and Labor, Transportation and International Affairs, and Energy and Environment

To: Legislature's Public Access Room

Senate Committees: Judiciary and Labor, Transportation and International Affairs, and Energy and Environment

Hearing Date: Wednesday, October 24

Time and Location: 10:30 a.m. Auditorium, State Capitol

-----

Please allow the Super Ferry permit their current schedule to establish service while conducting the EIS. I believe the EIS is necessary, however, considering our other forms of transportation, it is in the best interest of the people to continue and/or begin service immediately. For the sake of capitalism, our society and business that feeds our families AND our government jobs.

Best Regards,

Gil Barden  
Pacific Island Investments LLC  
PO Box 874  
Hilo, HI 96721  
808.896.4557 (Cell)  
800.648.2798 (fax)

"Dost thou love life? Then do not squander time, for that is the stuff life is made of." --Benjamin Franklin

"Luck is what happens when preparation meets opportunity." -- Seneca, Roman philosopher

testimony

YES

From: Michelle [totalesassy@yahoo.com]

Sent: Monday, October 22, 2007 9:08 PM

To: testimony

I would love to see the Super Ferry in operation already.

It is SO incredulous that we are even having to have a hearing for OR against it. I have been looking forward to it for over a year.

I wish that Hawai'i would look into more pressing issues at hand such as affordable housing, the homeless and recycling, trying to reduce the crime rate, giving back to us Kanakas in some way ( WHICH the Super Ferry can improve so that we can visit our loved ones on neighbor Islands at a reasonable fair like GO! Airlines is trying to do ) Where is the help for locals, and tourist, in which their money has ever yet to trickle down to anyone living and paying taxes ever contributes to? It's time that Hawai'i's government sees the people of this State as a Union for the people of the people BY the people.

Our Governor needs to weigh the AFFORDABILITY of the working class.

I read that Hawai'i is 15% millionaires, let us not forget about us working middle class. We have barges that ( Matson and such) move within our waters daily, nightly and no one is protesting them? So why, and why now?

Aloha Nui Loa for reading while this may fall upon deaf ears and eyes....

Michelle

10/23/2007

testimony

YES

**From:** pearlkras7@aol.com  
**Sent:** Monday, October 22, 2007 9:15 PM  
**To:** testimony  
**Subject:** Interisland Ferry

Dear Legislators:

I am writing to express support of the bill that will permit interisland ferry service in Hawai'i while an environmental impact statement is being conducted.

I believe that the ferry is a wonderful thing for the people of our island state, who have to contend with so many economic and transportation challenges due to our globally isolated location. Finally, an innovative way to help the people of Hawaii get from island to island without breaking the bank!

Please allow the Superferry to continue operating.

Much mahalo for your time and attention to this email.

Shalom and aloha!

Mrs. Pearl Krasnjansky

Chabad of Hawaii, Bringing Judaism to Life!

In our 21st year of Service to the Jewish community of Hawaii!

[www.chabadofhawaii.com](http://www.chabadofhawaii.com) [www.chabadofhawaii.blogspot.com](http://www.chabadofhawaii.blogspot.com)

[chabadhawaii@aol.com](mailto:chabadhawaii@aol.com)

office - 808-735-8161

cell - 808-478-8892

---

Email and AIM finally together. You've gotta check out free AOL Mail! - <http://mail.aol.com>

testimony

YES

**From:** diana [islandmermaid1@yahoo.com]  
**Sent:** Monday, October 22, 2007 9:08 PM  
**To:** testimony  
**Subject:** Hawaii Super Ferry

I for one am extremely upset that the Hawaii Super Ferry may be discontinued...I have been hoping for years that something like this would come along and make it possible for me to enjoy the outer islands without having to spend huge amounts of money for airline and car rental fees...It is not fair that the Hawaii Super Ferry should have to bare the brunt of environmental laws...the huge ocean liners that pollute our seas to bring thousands of tourists here should also be under the same scrutiny...I am a lover of whales and dolphins but I believe that this thing is being blown out of proportion...why don't the activists do the same to the barges and cruise lines? Just does not make sense to me...Mahalo Marie Alm

---

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around <http://mail.yahoo.com>

testimony

YES

---

**From:** JHRPlews@aol.com  
**Sent:** Monday, October 22, 2007 9:15 PM  
**To:** testimony  
**Subject:** Superferry hearing

I am old enough to remember sailing between Nāwiliwili and Honolulu on the S.S. Waiyaleale and Hualālai. It seems to me that ocean going vessels are the natural way to travel between islands. It certainly was the way the ancient Hawaiians did it, now a lost part of the culture. The Superferry seems the best chance of reviving it.

Is there any record of a ship (excluding whaling ships that pursued them) ever hitting a whale?

John H. R. Plews  
3066 Wailani Rd  
Honolulu, HI 96813-1006

---

See what's new at [AOL.com](http://AOL.com) and Make AOL Your Homepage.

10/23/2007

**testimony**

YES

---

**From:** Mike Jordan, Jordan Services [jordanservices@earthlink.net]  
**Sent:** Monday, October 22, 2007 9:13 PM  
**To:** testimony  
**Subject:** Hearing on Wednesday, October 24, 2007 at 10:30 a.m. at the State Capitol's Auditorium

To the Judiciary and Labor, Transportation and International Affairs, and Energy and Environment committees of the Hawaii State Senate:

Re: Hearing on Wednesday, October 24, 2007 at 10:30 a.m. at the State Capitol's Auditorium

Dear Senators,

I am a self-employed contractor that services large road construction equipment. Whenever I need to travel to neighboring islands to perform repair and maintenance on this very specialized machinery, I am unable to transport all the appropriate tools and diagnostic equipment necessary to perform my tasks efficiently. This frequently results in the need to fly back to Maui, gather the identified proper tools, and then return back to the other island, resulting in significantly escalated costs for my customers.

If the Superferry were operational, I could travel with my service vehicle, and thus confidently have every tool that I might need right at my fingertips. The machinery I work on would be fixed and placed back into service sooner, benefitting the end user, and in turn, the local economy.

I urge you to pass legislation to allow the Super ferry to operate efficiently during the period of environmental review.

With many thanks,

M. G. Jordan, 2481 Kaanapali Parkway, Lahaina, HI 96761 (808) 661-6568.



**testimony**

NO

---

**From:** Maria Maitino [mmaitino@gmail.com]  
**Sent:** Monday, October 22, 2007 9:14 PM  
**To:** testimony  
**Subject:** SUPERFERRY

**To:** THE SENATE  
THE TWENTY-FOURTH LEGISLATURE

**COMMITTEE ON JUDICIARY AND LABOR**

Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

**COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS**

Senator J. Kalani English, Chair  
Senator Mike Gabbard, Vice Chair

**COMMITTEE ON ENERGY AND ENVIRONMENT**

Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

From Maria Maitino  
PO Box 223874  
Princeville, HI

I support having an EIS before letting the superferry run again. An EIS would allow those of us on Kauai to feel safe knowing this issues has been thoroughly looked at, studied, and recommendations made by a team of experts before allowing the ferry to create issues we are trying to avoid by having the EIS done FIRST.

Thank you for your time,

Maria Maitino

10/23/2007

**testimony**

*YES*

---

**From:** Diane Kubo [dnkubo@hawaiiantel.net]

**Sent:** Monday, October 22, 2007 9:13 PM

**To:** testimony

We should give the Superferry a try before stopping it's run altogether. I hear the concern of the opponents, but wonder how much of a threat the ferry would actually be to whales ,transport of unwanted pests to other islands, traffic problems and all the other voiced issues. I would suggest a run of the ferry with monitoring of all concerns that have been expressed. IAt this time the concerns have not been substantiated to my satisfaction. Of course in the run modifications could be made to ensure that a negative impact as described by opponents is addressed.

10/23/2007

**testimony**

---

YES

**From:** Walter Bahnsen [BAHNSENW001@Hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 9:14 PM  
**To:** testimony  
**Subject:** I support the Superferry

Aloha Legislature's Public Access Room, I want to support the Superferry. It is good for the economy, good for competition, free enterprise and good for the people of Hawaii. I rode the Superferry on the inaugural voyage to Maui and returned the same day. It was exciting, scenic and a good adventure. Please join me in supporting the Superferry for the better of the state of Hawaii.  
Walter Bahnsen

testimony

YES

**From:** Angela Mowinski [angelamowinski@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 9:13 PM  
**To:** testimony  
**Subject:** I am in Support of the Hawaiian SuperFerry. !!!!!

Aloha Judiciary and Labor, Transportation and International Affairs, and Energy and Environment,

I understand there is a meeting on Wednesday, October 24 regarding the Hawaiian SuperFerry.

I am composing this email on October 22, 2007 @ 9:01pm.

I am in support of the Hawaiian SuperFerry. I think that the SuperFerry will

Improve business in Hawaii. I also think the Ferry will help people like myself

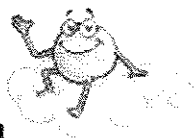
Able to travel to other islands.

Right now, there is a legal battle trying to oust GO! Airlines out of Hawaii. Now,

I feel like they are trying to oust the SuperFerry. If Kauai is against it, then skip that Island.

Please consider all the people in Hawaii not just the ones that petition in the water against it.

Love and blessings,



Angela

FREE Animations for your email - by IncrediMail! [Click Here!](#)



**testimony***YES*

**From:** Shirlak [shirlak@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 9:14 PM  
**To:** testimony  
**Subject:** HELP! Pleas Save the Ferry  
**Importance:** High

Dear Senate Committee,

We the people of Hawaii have waited decades for transportation to take us to and from other islands by boat. Now that it is actually here, why are we letting technical difficulties let it slip by. So what if Lingle, or whoever made the mistake, let's make it right by working together and not badger each other. Pointing the finger, calling names, threatening one another is not what Hawaii is all about.

So some of the folks from other islands may not like the idea now, well I'll tell you what...when they see how they will benefit from the ferry later down the road, they will realize what a mistake they made. Whether we realize it or not, we all need to help each other, one way or another. Elderly folks from the outer island may not be able to fly, but they can travel in the convenience of their own van and get the medical attention they need. This will also open up opportunities for small companies to bid on jobs on other islands, rather than depend only on their own island. No doubt this will definately impact our tourism industry. The opportunities are endless for our state.

Most important and very sad, so much people are upset at Lingle right now. Well guess what folks, have you forgotten she's human too. If anyone of you out there haven't screwed up once in your lifetime then go ahead and condemn her all you want. But if you have made mistakes yourself, then put yourself in her shoes for a change and see how it must feel. All she ever wanted to do was help our state the best way she knew how. She's not God, she's not Ms. Perfect, so stop criticizing her.

Let's all take the high road and band together as Ohana. Remember what that word means?

A. Kinoshita  
Makakilo, HI

10/23/2007

**testimony**

YES

**From:** dizanne [dizanne@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 9:13 PM  
**To:** testimony  
**Subject:** Let the Superferry ride the waves!

**To:**

**Senate Committees:** Judiciary and Labor, Transportation and International Affairs, and Energy and Environment

**Hearing Date:** Wednesday, October 24

**Time and Location:** 10:30 a.m. Auditorium, State Capitol

Please vote to maintain Superferry service initially to Maui and Kauai during the environmental study. It is important to travellers in between islands to have this option, especially when wanting to drive their own vehicle as a cost effective alternative. It is important that the study is made and it is important that the Superferry abide by the varied restrictions that will help save whales and other life during the study and afterwards.

The environmental study and process should have taken place prior to the Superferry arrival. Not sure who is at fault, but the mere fact that the Superferry is here now and not running is putting the Superferry at a huge financial loss which in the end will probably be a burden on Hawaii's tax payers.

Sincerely, Diane Ward

Dizanne Productions  
P. O. Box 241046  
Honolulu, Hawaii 96824-1046

Office: 808-373-4112  
Cell: 808-386-0810

[www.dizanneproductions.com](http://www.dizanneproductions.com)  
[dizanne@hawaii.rr.com](mailto:dizanne@hawaii.rr.com)

10/23/2007

**testimony**

*YES*

---

**From:** Vernie Nekota [vnekota@hawaii.rr.com]

**Sent:** Monday, October 22, 2007 9:13 PM

**To:** testimony

I am not sure if this makes a difference..but have the outer islands ever thought that when they have a disaster, we can have all these companies come over to help by the super ferry?...it would help the hawaiian electric and other emergency vehicles...just thought i put my input...

10/23/2007

testimony

---

YES

**From:** Stacey Kimura [ktntt@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 9:13 PM  
**To:** testimony  
**Subject:** Let the Superferry operate!

I am totally in favor of allowing the Superferry to operate while an environmental impact statement is being conducted.

Stacey Kimura  
2272 Apoepoe St.  
Pearl City Hi 96782  
Wk #: 527-7551



**testimony**

*YES*

---

**From:** Alan Yue [ayue@prenetsys.com]  
**Sent:** Monday, October 22, 2007 9:06 PM  
**To:** testimony  
**Subject:** Please Support Interim Operation of the Superferry  
**Signed By:** ayue@prenetsys.com

Good day,

I urge the Senate of the State of Hawai'i to support interim service of the interisland "Superferry" service while an environmental impact statement is being conducted.

If this were a "show stopper" issue, it should have been identified and addressed long ago before the nearly \$40 million in harbor improvements were spent, the additional millions in private investment were committed, and the 239 families who's jobs are now in limbo were created, and now lost.

A vocal minority has once again caused the State of Hawai'i to be looked upon as some backward land where a small group of surfers can block a United States harbor. This is how we are painted in USAToday. How embarrassing!

Honolulu is the 11<sup>th</sup> largest metropolitan area in the United States. We should start acting that way.

Aloha and Be Well!

Alan E. Yue, PMP, CISSP, CBCP, IAM/IEM  
President  
PreNetSys, Inc.  
Fort Lauderdale / Honolulu  
+1.954.646.4253 Voice  
+1.808.356.0692 Fax  
ayue@prenetsys.com

This message and its contents are confidential and intended exclusively for the designated recipient. If you have received this message in error, please contact us at legal@prenetsys.com. Any opinion or advice which may be conveyed in this message should be reviewed with a licensed attorney in your jurisdiction. Information contained in this email may not be distributed and may be protected by copyright law.

10/23/2007

**testimony**

YES

---

**From:** Richard\_Young/MAUIDO/HIDOE@notes.k12.hi.us

**Sent:** Monday, October 22, 2007 9:13 PM

**To:** testimony

**Subject:** Give the ferry a chance

To Whom it May Concern:

I would like to testify in favor of the Superferry. I feel that an injustice has been done to this company. They should be treated how all the other vessel's traveling between our islands have been treated. This could be a viable alternative for our State. Let's conclude this process and move forward.

Mahalo for your time on this matter,

Richard Young  
Athletic Director  
Hana High and Elementary  
4111 Hana Hwy  
P.O. Box 128  
Hana, HI 96713  
ph/fax 808-248-4836  
richard\_young@notes.k12.hi.us

10/23/2007

testimony

YES

---

**From:** Sherri Iha [pixie@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 9:13 PM  
**To:** testimony  
**Subject:** Superferry

Dear Senators,

I am strongly in favor of saving the Superferry. Hawaii needs to start being more business friendly. We are an economy that is not self-sufficient and the publicity generated from this fiasco is embarrassing. The atmosphere that is constantly being created in Hawaii is suffocating for small businesses. The result is less choices for consumers and higher prices for everyone. We need a viable alternative to air travel to keep traveling between islands affordable.

Thank you for allowing me to voice my opinion. If you have any questions please feel free to contact me at 383-6041.

Sincerely,

Sherri Iha

10/23/2007

testimony

YES

**From:** Marc A. Lefebvre (US-775) [lefebvre@iwavesolutions.com]  
**Sent:** Monday, October 22, 2007 9:06 PM  
**To:** testimony  
**Subject:** Hawaii Superferry Legislation

Aloha,

Since I am unable to attend the day time Superferry meetings locally on Maui, I wanted to voice my support through email since I have to work for a living, and trying to make the silent majority less silent. The minority activists will likely be out in force, and hopefully the emails and calls you have received leading up this legislation is convincing enough to let the Superferry sail before the EIS is complete. I am sure there are those who would rather sink the ferry before it gets a chance to succeed or impose so many conditions that NO ferry service could ever survive. While I don't agree that a ferry service needs an EIS at all as it is just one more harbor user among many who inflict the EXACT same risks that the Superferry does, a compromise is necessary to bring this foolishness to an end and set the boat free.

I have read through the draft of the legislation and so far it is agreeable.  
Just be careful about how many provisions in you intend to add to the draft before we move forward.

Mahalo Nui Loa,

--  
Marc A. Lefebvre  
iWave Solutions, Inc.  
327 Ku'uialoha Street  
Kahului, HI 96732  
Phone: (808)871-4917  
Fax: (808)871-1555, Mobile: (808)298-3560  
Email: lefebvre@iWaveSolutions.com  
WWW: <http://www.iWaveSolutions.com/>

access1

YES

---

**From:** McKenna Hawaii [mckennahawaii@hotmail.com]  
**Sent:** Monday, October 22, 2007 9:52 PM  
**To:** testimony; hawaiiisuperferry@hawaiiisuperferry.com  
**Subject:** Testimony in Support of Hawaii Superferry

**Senate Committees:** Judiciary and Labor, Transportation and International Affairs, and Energy and Environment

**Hearing Date:** Wednesday, October 24

**Time and Location:** 10:30 a.m. Auditorium, State Capitol

We are in favor of the Hawaii Superferry because it will provide options for residents and visitors of/to the State of Hawaii to access and enjoy the outer islands. The outer islands are NOT just for the residents of those islands to visit and enjoy. The opposition is the great minority in this issue - do what is right for the people of Hawaii and not just a handful of those who are making the most noise.

Thank You,

Jon & Rosie McKenna

---

Climb to the top of the charts! Play Star Shuffle: the word scramble challenge with star power. [Play Now!](#)

access1

YES

---

**From:** Mario Monico [mmc@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 10:53 PM  
**To:** testimony  
**Subject:** FW: Testimony in Support of Hawaii Superferry

**Hearing Date:** Wednesday, October 24

**Time and Location:** 10:30 a.m. Auditorium, State Capitol

To: State of Hawaii

Senate Committees: Judiciary and Labor, Transportation and International Affairs, and Energy and Environment

This testimony is in support of the bill that will permit interisland ferry service in Hawai'i while an environmental impact statement is being conducted. As an Oahu resident and business owner, I look forward to another transportation option to visit friends and family, and to do business on the neighbor islands. The convenience and cost savings of being able to bring my own vehicle is an added benefit of having a ferry service in Hawaii.

I also support environmentalism. However, I feel it is unfair that the Hawaii Superferry is subject to certain conditions dictated by the environmentalists, even after meeting the requirements of the State Department of Transportation. Why weren't the other transportation companies that currently use our Hawaii harbors subject to the same conditions? There are more people that travel by air everyday. Can the environmentalists guarantee 100%, that all footwear worn, or stored in luggage, have no invasive species that can be transmitted from one island to another?

Please listen to the public majority---I urge you to support the bill to allow the Hawaii Superferry to resume service as soon as possible, before it is forced to leave our islands.

Respectfully submitted,

Mario Monico  
MARIO MONI CO., LLC  
P. O. Box 3585  
Honolulu, HI 96811  
Email: mmc@hawaii.rr.com

10/23/2007

access1

YES

**From:** Cathy Owen [chowen1@attglobal.net]  
**Sent:** Monday, October 22, 2007 10:54 PM  
**To:** testimony  
**Subject:** Testimony in support of Hawaii Superferry

**Senate Committees:** Judiciary and Labor, Transportation and International Affairs, and Energy and Environment

**Hearing Date:** Wednesday, October 24

**Time and Location:** 10:30 a.m. Auditorium, State Capitol

Honorable Senators,

I would like to express my support for permitting the Hawaii Superferry to conduct business while the environment impact statement is being prepared. It is my understanding that the Superferry met all of the conditions required by the State of Hawaii in order to successfully conduct their business. I am all for protecting Hawaii's environment but I believe the Superferry has been singled out for the neighbor island hostility towards overdevelopment. Having alternative transportation modes between the islands is important to meet the needs and desires of all of the citizens of the State. I am extremely disappointed that the population of Kauai and Maui are so unwelcoming to the residents of Oahu unless we fly in on an environmental-unfriendly airplane and rent one of their fuel-guzzling rental cars. I support the operation of the Superferry for interisland transportation and interisland commerce for all State residents.

As the CEO of a local high tech company, I have personally experienced the difficulty in raising financing from investors outside of the State of Hawaii. In my recent trips to California and Washington to raise venture capital, I heard comments about the dispute "over the ferry" and the perceived lack of commitment to building a viable technology sector. The controversy over the Superferry has negatively impacted my mainland fundraising efforts over the past few months. Even the most Hawaii-friendly venture capitalists are looking at our deals and suggesting we relocate the companies back to the mainland. I implore the Senators to weigh the impact to our economy and the future of our technology sector if the Superferry is forced to move its operations to a more business-friendly location.

Sincerely,

Cathy Owen

President, Nanopoint, Inc.

No virus found in this outgoing message.

Checked by AVG Free Edition.

Version: 7.5.488 / Virus Database: 269.15.5/1085 - Release Date: 10/22/2007 10:35 AM

10/23/2007

access1

YES

---

**From:** Kelly Kay Rivera [kellykayrivera@gmail.com]  
**Sent:** Monday, October 22, 2007 11:27 PM  
**To:** testimony  
**Subject:** Testimony in Support of Hawaii Super Ferry

I would anticipate the fare to take the Super Ferry in between the islands would make traveling more economical. I have 3 tickets to purchase when traveling by airplane.

In my opinion - the Super Ferry doesn't create any more of an environmental "problem" as Cargo ships or Cruise ships.(Pride of Aloha to name one) If the Super Ferry causes problems environmentally - so should the other ships that go through the island chain. For that matter .. I would categorize military ships the same as well. Please don't single out the Super Ferry when there are so many other vessels crossing the island chain just as the Super Ferry.

I would also consider adding Molokai to the Ferry's route as I have recently wanted to travel to Molokai from Oahu and could not find a reasonable rate for traveling. I had 3 tickets to buy. The Ferry would allow all 3 of us to travel.

Kelly Kay Rivera

808-342-6393  
[kellykayrivera@gmail.com](mailto:kellykayrivera@gmail.com)

10/23/2007



access1

YES

---

**From:** Dwight Martin [dwightmartin@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 11:37 PM  
**To:** testimony  
**Subject:** TESTIMONY IN SUPPORT OF ALLOWING HAWAII SUPERFERRY'S OPERATIONS TO RESUME DURING ENVIRONMENTAL IMPACT STUDY

October 22, 2007  
Honolulu, Hawaii

TO: Senate Energy and Environment Committee

**RE: TESTIMONY IN SUPPORT OF HAWAII SUPERFERRY'S OPERATIONS DURING ENVIRONMENTAL IMPACT STUDY**

Aloha. I live on Oahu and am a Hawaii resident and voter. I am in favor of Hawaii Superferry's operations as planned, and am specifically in favor of it being allowed to resume operations during the conduct of an Environmental Impact Study.

I believe that Hawaii Superferry's operations will be very good for Hawaii's small businesses and for its citizens. I do not think its possible operations in the longrun should be summarily eliminated by refusing to let it operate in the short run, something which is an economic necessity for the Superferry organization to remain intact during the time necessary to trudge through the final outcome of all studies, laws and arbitrations. I think it should be allowed to resume operations and continue until all pending matters conclude, at which point its future operations will be known.

I urge you to PASS the bill which will allow Hawaii Superferry to resume operations while the environmental impact study is being prepared.

Mahalo,

Dwight T. Martin  
11th Sen. District  
Oahu, Hawaii

10/23/2007

YES

October 22, 2007

To: Senate Sergeant-At-Arms Office

Fax Number: 808/586-6659

Regarding: Senate Committees: Judiciary and Labor, Transportation and  
International Affairs, and Energy and Environment  
Hearing Date: Wednesday, October 24, 2007  
Time and Location: 10:30 a.m. Auditorium, State Capitol

Please accept this letter as my personal testimony in support for inter-island travel via the Superferry.

I operate a millwork installation company and regularly have projects on each of the various islands. Currently, when I send a crew over to another island I have to ship all of our tools prior to the start of the job and I also have to rent a truck for my crew while they are on each of the various islands. By having the option to travel inter-island on the Superferry, I would be able to eliminate having to rent a truck and ship tool because I would be able to supply the truck with what was necessary then send the truck, tools, and my crew all at once on the Superferry.

Please allow inter-island travel by the Superferry.

Respectfully,



Tony M. Stefanik  
68-1781 Puu Nui Street  
Waikoloa, HI 96738  
808-883-9380

YES

**Attn: Senate Sergeant-At-Arms Office  
(800) 586-6659 Fax**

**Senate Committees: Judiciary and Labor, Transportation and International Affairs, and Energy and Environment**

**Hearing Date: Wednesday, October 24**

**Time and Location: 10:30 a.m. Auditorium, State Capitol**

**I am writing this letter in support of the Hawaii Superferry. The Hawaii Superferry is something that the Hawaiian Islands have needed for some time now. It will serve as an alternate mode of interisland transportation. It's affordable and convenient for locals and will enhance the quality of life for Hawaii.**

**Kirsten Haspe**

## access1

**From:** Paul Massey [paul@kauainature.com]  
**Sent:** Monday, October 22, 2007 9:53 PM  
**To:** testimony  
**Subject:** Testimony on A Bill For An Act related to a large capacity ferry vessel company

**Testimony on A Bill For An Act related to a large capacity ferry vessel company**

Submitted to: **Committee of Energy and Environment**

Testifier: Paul Massey 1659 Wanaao Road Kapaa, HI 96746

The following comments refer to the line numbers and pages as listed in the draft Bill as posted on the legislature's website at [http://www.capitol.hawaii.gov/splsession2007b/bills/HB\\_Superferry\\_Proposed.pdf](http://www.capitol.hawaii.gov/splsession2007b/bills/HB_Superferry_Proposed.pdf)

1. Section 9, paragraph 6?(pages 25, line 20-22, and page 26, lines 1-9)?requires ?A description of the environmental setting, including a description of the environment in the vicinity of the action, **as it exists before commencement of the action**, from both a local and regional perspective. Special emphasis shall be placed on environmental resources that are rare or unique to the region and the project site, including natural or human-made resources of historic, archaeological, or aesthetic significance; specific reference to related projects, public and private, existent or planned in the region shall also be included for purposes of examining the possible overall cumulative impacts of such actions? [emphasis added]. This requirement of the EIS process, which sets the mandatory baseline for analyzing secondary and cumulative impacts, is not possible to achieve if the action in question (operation of a large capacity ferry vessel) is occurring during the collection of this baseline data.?

2. Section 9, paragraph 5 on Pages 23-24. ?The section shall include a rigorous exploration and objective evaluation of the environmental impacts of all such alternative actions. Particular attention shall be given to alternatives that might enhance environmental quality or avoid, reduce, or minimize some or all of the adverse environmental effects, costs, and risks. Examples of alternatives include: (a) the alternative of no action?. This alternative will not be realistically possible if, as stated on page 11, lines 14-18: ?The operation of large capacity ferry vessels between the islands of Oahu, Maui, Kauai, and Hawaii, including the use of harbor facilities on each island and improvements at Kahului harbor, is declared to be a **required** public convenience and necessity?, and Pages 3-4, lines 19-22 & ?This Act adopts a new policy, and further clarifies and amends existing law, with respect to this new type of inter-island ferry service to provide that, during the period in which any required environmental review and studies, including environmental assessments and environmental impact statements, are prepared, **and also following their completion: A large capacity ferry vessel company and large capacity ferry vessels may operate** subject to the employment of measures to prevent significant adverse environmental impacts? [emphasis added].

These first two points, taken together, reveal that it is logically impossible to conduct a real and meaningful Environmental Impact Study while the ferry service is in operation, and when its operational status is mandated by legislative declaration.

3. Page 6, line 3-8: ?Due to the unique nature and critical importance of the inter-island ferry service industry to the people of our state, the construction and use of harbor improvements to facilitate this new type of interisland ferry service is to be governed by this Act, and not by chapter 343?. How does the legislature determine that any industry is unique enough to not be governed by Chapter 343? Is there a unique exemption clause somewhere in state law? Has any other industry been excluded due to its uniqueness factor? And where is the proof of critical importance to the people of our state??Why is it critical that a company conduct ferry service before an environmental review process is completed??These declarations of the industry's nature and importance need to be explicitly substantiated.

4. ?These hearings are assumedly to determine if the provisions in this Bill are in the public interest?that?s the reason for public input. Stating already on Page 3, lines 7-14, ?that it is clearly in the public interest that a large capacity ferry vessel company be allowed to operate...while any environmental studies, including environmental assessments and environmental impact statements, are conducted? suggests that the drafters of this bill have already made up their minds about what is in the public interest. A definition of ?public interest? would also be appropriate here.

5. ?Page 3, lines 7-14 states that ?The legislature also finds that the immediate operation of a large capacity ferry vessel company is in the public interest?. Does ?a? mean ?one? or ?any? large capacity ferry vessel company? If it

means "one", wouldn't this constitute a monopoly? If it means "any", could a Hawaii Superferry competitor show up right now and start running without an EA or EIS being done beforehand? Will there be a limit on the # of large capacity ferry vessel companies that can operate concurrently? Will the impact of multiple ferries & companies be addressed in the EIS?

6. Section 1 asserts that the judicial determination of overturning harbor improvements and business operations that were previously authorized by the government and approved by the lower court approximately two years earlier is not the intent of the legislature. Supreme court rulings that overturn previous decisions of lower courts should certainly be the intent of the legislature to endorse. The Bill seems to suggest that this standard judicial process is flawed. If this passage is referring to the two year period it took for the Supreme Court's ruling, this needs to be made clear.

7. The Bill makes many broad assumptions about the character of "a large capacity ferry vessel company". Since the Bill avoids specifically naming Hawaii Superferry, we are by default talking about any and all "new class" (which is undefined) large capacity ferry vessels. Therefore the statements made about the character of these vessels and the companies that operate them are merely speculative. For example:

? Page 2, lines 13-16: "a large capacity ferry vessel would also utilize technology that produces less carbon emissions when compared to inter-island aircraft transportation with the same carrying capacity." The study that produced this finding should be noted. Even if this is true of current and planned HSF vessels, it may not be true of other large capacity ferry vessels that will be regulated by this act.

? Page 2, lines 18-21: "agricultural produce would suffer less heat damage in transit, resulting in higher quality produce and fresh food products at a lower cost for all residents of the State." The study that produced this finding should be noted. And what about for the residents of Moloka'i, Lanai, and Ni'ihau? Certainly they are part of all the residents of the State. Will they be eating food delivered on these large capacity ferry vessels? If Oahu begins to attract a large supply of organic vegetables produced on Kaua'i, it seems to me that the cost to Kaua'i consumers will get higher, not lower, as the local supply diminishes. If the legislature is really interested in fostering diversified agriculture and sustainability, it should be looking at how each island can provide for its own needs.

8. Page 3, lines 3-6: It is suggested here that a large capacity ferry vessel **could** provide the means to rapidly deploy disaster relief personnel, equipment and supplies in times of natural or other disasters. If this is being used as justification for accommodating the I.C.F.V. with special legislation, a (the) vessel company should be compelled to provide these services. Suggesting that it could doesn't amount to anything substantive. Besides, the I.C.F.V.C. currently in question already has an agreement with the military that could likely preclude its availability at such times. And on that note, Hawai'i, and Kaua'i specifically are among the most equipped places in the world to respond to natural or other disasters, given that we have P.M.R.F. and Pearl Harbor to come to our aid in the legion of ships and aircraft already at their disposal.

Thank you for considering my testimony.

YES

access1

---

**From:** MEROSEHI@cs.com  
**Sent:** Monday, October 22, 2007 9:46 PM  
**To:** testimony  
**Subject:** Testimony in support of the Superferry service

To Whom It May Concern:

I am in support of the Superferry operating while completing an environmental assessment. We need another mode of transportation between islands and the type of service that the Superferry will offer is unique here in Hawaii. It also seems unfair, and perhaps illegal, to hold the Superferry responsible for an assessment and not hold all our other modes of transportation and shipping to the same requirement.

Thank you for your attention.

Mark Rose  
Kaneohe

10/23/2007

YES

access1

---

**From:** Georgette Luppino [georgetteluppino@hawaii.rr.com]

**Sent:** Monday, October 22, 2007 10:09 PM

**To:** testimony

**Subject:** Testimony in support of the superferry

Dear Sirs, please do not hinder the continuance of the Superferry for interisland travel. The superferry is a viable option both for my business and for personal travel to visit with family members on Maui and the Big Island. The ease with which we can travel via ferry WITH our vehicles will streamline the travel process considerably and economically, as well.

Please consider our vote FOR the Superferry.

Thank you,

Georgette Luppino  
Executive Producer, Destination Dance Groove Hawaii, KHNL TV  
Outer island Representative, Anne Namba Designs  
Representative, The Meng Dynasty

10/23/2007

YES

**access1**

---

**From:** Jeff Crawford [ExecDevelopment@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 11:14 PM  
**To:** testimony  
**Subject:** Testimony in Support of the Superferry

Senators,

Thank you for accepting my testimony in support of a bill to allow the Superferry to operate while an Environmental Assessment or Impact Study is being conducted.

The Superferry has followed all of the mandates laid before it by the executive, legislative, and judicial branches of our government yet is unable to operate and loses money daily. I urge you to correct this injustice by passing a bill that allows the Superferry to operate with no more restrictions than are placed upon current operators of transport services between the islands.

Sincerely,

Jeff Crawford, Ph.D.  
2269 Okoa St.  
Honolulu, Hawaii 96821  
Voice 808-373-1172  
Fax 1-800-346-7512  
[ExecDevelopment@Hawaii.rr.com](mailto:ExecDevelopment@Hawaii.rr.com)

10/23/2007



access1

---

**From:** RawcoHI@cs.com  
**Sent:** Monday, October 22, 2007 10:10 PM  
**To:** testimony  
**Subject:** Testimony in support of the Hawaii Superferry

Testimony in Support of the Hawaii Superferry

Senate Committees: Judiciary and Labor, Transportation and International Affairs, and Energy and Environment

Hearing Date: Wednesday, October 24, 10:30 a.m, Auditorium, State Capitol

Respected Chairs and Members of the Committees,

My name is Reg White. I have been a licensed U.S. Merchant Marine Officer for over 54 years. I am vice president, project development, for Paradise Cruise, Ltd. of Honolulu.

The Superferry has taken even more precautions and is using much more advanced electronic navigation gear than was available 33 years ago when I served as one of the two captains in charge of the Seaflite Hydrofoil, "KAMEHAMEHA", which operated on a more whale hazardous route than the Superferry contemplates, because we had to go into Maalaea and Kona rather than Kahukui and Kawaihae. The Superferry destinations makes a much more whale friendly routing possible than was available to Seaflite, yet Seaflite ran for three years between our islands, three boats making a total of five interisland round trips each day at a cruising speed of 43 knots, without injuring a single whale. The Superferry is well prepared to do this as well.

The Hawaii Superferry deserves the opportunity to serve us. Young Brothers carries many vehicles as well as containers that serve as the body of the trailer carrying them on our roads and so are just as contaminated with road dust as any other vehicle. They have been transporting freight between our islands for nearly 100 years and they have never inspected nor washed any of them to prevent spread of invasive species. The same goes for the freight and the vehicles that come from the mainland via Matson and Horizon Lines as well as the stuff that arrives from foreign via all the other carriers that regularly visit us from around the world.

Harbors builds all of the facilities to accommodate these other shippers, so why shouldn't they also build the facilities to allow the Superferry to operate?

As for traffic on our roads, 100 cars to Kauai from Honolulu and 100 cars from Kauai to Oahu on the return voyage, even in my public school upbringing, comes out to zero impact on the local traffic. If I visit the island via an airline, I rent a car and drive around the destination island. If I take my car on the ferry, it's still only me in one car, mine or one from rent a wreck, so again, no impact on existing traffic.

We do not want to start holding up harbor progress for protracted EIS proceedings every time someone brings in a higher technology in shipping. If we do, we may well run out of toilet paper in the store in five days while we all fool around contemplating the impacts of a better shipping method.

Respectfully,

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

10/23/2007

YES

**access1**

---

**From:** Emma Sousa [lesousa@hawaiiantel.net]  
**Sent:** Monday, October 22, 2007 10:29 PM  
**To:** testimony  
**Subject:** Testimony in Support of the HAWAII SUPERFERRY

We are very appreciative that all of you are attempting to support the operations of Hawaii Superferry during your emergency legislative session. Remember that we, the majority, are relying on your efforts to place the Hawaii Superferry back into immediate operation. The protestors do not represent the majority of the residents!

Thank you for allowing us to provide our input in this very crucial matter that will affect the future of the State of Hawaii.

Thank you!

Emma Sousa

10/23/2007

YES

access1

---

**From:** Chad Morikawa [cmorikawa@gmail.com]  
**Sent:** Monday, October 22, 2007 10:47 PM  
**To:** testimony  
**Subject:** Testimony in support of the Hawaii Superferry

**Senate Committees:** Judiciary and Labor, Transportation and International Affairs, and Energy and Environment

**Hearing Date:** Wednesday, October 24

**Time and Location:** 10:30 a.m. Auditorium, State Capitol

To whom it may concern,

Im emailing to support the Hawaii Superferry. I believe having such a service would be greatly beneficial to the state as a whole. It would bring economic opportunities for all the islands and offer an alternate form of transportation for local travelers as well as tourists. To pass up such an opportunity would be a travesty.

Regards,  
Chad Morikawa

10/23/2007

YES

access1

---

**From:** Randall S. Bricker [bricker-1@rocketmail.com]  
**Sent:** Monday, October 22, 2007 9:05 PM  
**To:** testimony  
**Subject:** testimony in support of the bill that will permit interisland ferry service in Hawai'i

**Senate Committees:** Judiciary and Labor, Transportation and International Affairs, and Energy and Environment

**Hearing Date:** Wednesday, October 24

**Time and Location:** 10:30 a.m. Auditorium, State Capitol

I support of the bill that will permit interisland ferry service in Hawai'i while an environmental impact statement is being conducted.

**Randall S. Bricker**

Principal/Project Manager  
Bricker & Son Development, Inc.  
719 Walea Place  
Honolulu, HI 96817  
(808) 692 2682

Partner/Project Manager  
Spring Creek Development Co., Inc.  
6 East Main Street  
Palmyra, PA 17078



---

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around  
<http://mail.yahoo.com>

10/23/2007

access1

YES

**From:** caroline@azelski.net  
**Sent:** Monday, October 22, 2007 9:00 PM  
**To:** testimony  
**Cc:** caroline@azelski.net  
**Subject:** Testimony in support of the bill for interisland ferry service

Senate Committees: Judiciary and Labor, Transportation and International Affairs, and Energy and Environment Hearing Date: Wednesday, October 24 Time and Location: 10:30 a.m. Auditorium, State Capitol

Dear Legislators:

I am writing in support of the bill that will permit interisland ferry service in Hawai'i while an environmental impact statement is being conducted. I believe that if ferry service is suspended while the statement is being conducted, they may have to ultimately raise ticket prices to cover the loss in revenue. This will not benefit the residents of Hawaii.

Thank you for reading my letter.

Sincerely,  
Caroline Azelski  
PO Box 6718  
Kamuela, HI 96743  
808-895-1323

access1

YES

**From:** Stephanie Kaneshiro [sekaneshiro@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 9:51 PM  
**To:** testimony  
**Subject:** testimony in support of Superferry

Senate Committees:

\*Judiciary and Labor, Transportation and International Affairs, and Energy and Environment  
Wednesday, October 24, 2007 10:30 am Auditorium, State Capitol

\*

To Whom It May Concern,

I am in favor of having the Superferry operate its service while the Environmental impact statement is being conducted. I believe that we should have other options available to us other than by air. I see nothing wrong with giving the superferry a chance to provide service during the time that the impact statement is being done.

Sincerely,

Stephanie E. Kaneshiro  
sekaneshiro@hawaii.rr.com

YES

access1

**From:** faithworks! [faithworks2@hawaiiantel.net]  
**Sent:** Monday, October 22, 2007 10:28 PM  
**To:** testimony  
**Subject:** Testimony in Support of SuperFerry

**Senate Committees:** Judiciary and Labor, Transportation and International Affairs, and Energy and Environment

**Hearing Date:** Wednesday, October 24

**Time and Location:** 10:30 a.m. Auditorium, State Capitol

I am emailing to ask you to allow the SuperFerry to continue to operate while the environmental impact study is being conducted. My name is Cheryl Sue Sargis and I have lived in Hawaii since 1971. I realize I am not a native of Hawaii, nor do I have any bloodline that ties me to the aina, however I do have one son who was born here and another who has been here since he was 18 months old. This is our home, and I love our aina as much as anyone native to the islands. I hope all of our voices will be heard.

One of my sons lives on the Big Island now with his wife and my grandson. I would love to see them more often and was counting on the day when the SuperFerry began inter-island voyages. I also work in the tourism industry where people from all over the world were looking forward to this new adventure and way to travel our Islands. Especially excited about the SuperFerry are some of our Japanese partners who have already booked both the SuperFerry and made car rental reservations so that they would not have to go through the car rental process on each island. They were looking forward to the leisure journey as well as driving right off the boat and onto great adventures in both Kauai and Maui.

I believe it is a great disservice to our entire island ohana when a small contingency is heard while the vast majority of local residents who support and look forward to inter-island travel by ferry is ignored. I watched wild fires destroy San Diego County today and I grieve the thought that we could have a very viable alternative to move thousands of us to safety should such acts of nature threaten our lives. The SuperFerry is not only a business that followed all the rules any other sea vessel in our waters has followed, they are also a potential life line in times of disasters, and for me personally they are an affordable means to stay connected with my children and grandchildren. The SuperFerry deserves to stay afloat while we back up and do the study that the court in Maui determined must be done.

I ask you, please allow SuperFerry to continue to operate while the study is conducted.

*Aloha and Blessings!*  
*Sue Sargis*

No virus found in this outgoing message.

Checked by AVG Free Edition.

Version: 7.5.503 / Virus Database: 269.15.5/1085 - Release Date: 10/22/2007 10:35 AM

10/23/2007

access1

YES

---

**From:** Daniel Meier [dani@danielmeier.net]  
**Sent:** Monday, October 22, 2007 10:47 PM  
**To:** testimony  
**Subject:** testimony in support of superferry

**This is testimony in support of the Superferry. Please forward it accordingly.**

**Senate Committees:** Judiciary and Labor, Transportation and International Affairs, and Energy and Environment

**Hearing Date:** Wednesday, October 24

**Time and Location:** 10:30 a.m. Auditorium, State Capitol

To the committees on Judiciary and Labor, Transportation and International Affairs, and Energy and Environment.

I strongly SUPPORT a bill that would allow the superferry to be in business while an environmental impact statement is being conducted.

I believe that an energy-efficient and therefore environmentally friendly alternative to flying is needed in Hawaii. I also believe that the superferry should not be singled out: Other vessels, including military ones, can easily reach speeds similar or higher to the superferry's speed and these do not have any restrictions placed on them.

Also, I am horrified at the idea that Hawaii's image as a place for business gets tainted nationally and internationally. The superferry problems have already received media attention in international media, casting a negative light on Hawaii's business climate.

Finally, I believe that the superferry would support small local business and especially local agriculture by providing a way of fast transportation of goods from island to island. I would much prefer to buy local produce than produce from the mainland or places even further away. The superferry can play an important role here.

Thank you for considering my testimony.

Daniel Meier, Psy.D.

Resident of Kalihi Valley

10/23/2007



**testimony**

No

**From:** Rev. Jeff - Kauai Earth Network [earth@GoKauai.org]  
**Sent:** Monday, October 22, 2007 7:34 PM  
**To:** testimony  
**Subject:** SUPERFERRY 10/24 10:30am Testimony for Submittal

TO: COMMITTEE ON JUDICIARY AND LABOR  
RE: [http://www.capitol.hawaii.gov/splsession2007b/hearingnotices/JDL-TIA-ENE\\_10-24-07\\_.htm](http://www.capitol.hawaii.gov/splsession2007b/hearingnotices/JDL-TIA-ENE_10-24-07_.htm)  
DATE: Wednesday, October 24, 2007  
TIME: 10:30 a.m.  
8 copies for submittal

Aloha,

I submit the following testimony on behalf of a Higher Law which I AM interpreting in order to bring new life to your perception of the issues regarding this special session on behalf of Gov. Linda Lingle and the Hawaii Superferry.

Simply put, the virus which has infected the legislature is at such a critical level that, like frogs in a pot of water being heated to boiling, it appears many do not notice that they are about to implode/explode if it reaches that point. You must vaccinate immediately... Are you going to be good lawmakers or sad lawbreakers? Will you cool things down for the people and the 'aina? Or will you turn up the heat and abuse the will of the 'aina and the caring people?? The flashback I am being told will be catastrophic. You are in a great position of power to create great good and set powerful healing forces in motion.... Or continue to support a regime which is cut off from communication with the Higher Law and risk great misfortune. Maybe such a tragedy is needed to wake people up. So be it then. Maybe we all could buy some expensive riot gear so instead of talk story toward resolution, we just keep fighting like immature citizens of Earth are known to do. We deserve better than to perpetuate our sad history of violence and allowing 'governments' or 'corporations' to continue abusing the general public. It is time to evolve.

Much gratitude to those Senators who joined us on Kauai for the briefing. Many of you seem to notice yet I realize it is difficult for you to pull the fire alarm on an administration gone astray. I understand. The problem is deep and systemic. We can see, we can feel, and it is quite transparent to many of us, how about you? Is it reaching you? The Light of the Most High?!! Even for me, it gets noisy and challenging to hear, yet like a bolt of lightening, there is no mistake in what has been shown and it takes great courage for me to risk sharing from this place. Yet, we must do what we must do. THE TIME IS AT HAND. ALL GOOD MEN AND WOMEN MUST COME TO THE AID OF THE PARTY.... The Conscious Party.

No more FREE WILL ABUSE. Even though many who vocalize opposition are a minority throughout Hawaii, they represent the MAJORITY as far as the Spirit of the Land is concerned. This I know beyond doubt. E ola pono.

Quiet the noise, be still, and know. First, go into session and ADJOURN IMMEDIATELY! We shall see where to go from there.

Respectfully submitted,

Rev. Jeffrey Charles Fishman  
PO Box 903  
Kapaa HI 96746

--  
\*\* Information contained in this e-mail is intended for the use of the addressee only, is confidential and may be legally privileged. Any further dissemination, distribution, copying or use of this communication without prior permission of the sender is strictly prohibited. If you have received this e-mail in error, consider notifying the sender by return e-mail and delete this message. Thank you.

10/23/2007

testimony

NO

---

**From:** Gabrielle [gabrielle@gabriellepla.com]  
**Sent:** Monday, October 22, 2007 7:44 PM  
**To:** testimony  
**Subject:** Super Ferry Testimony

I am opposed to the Hawaiian Super Ferry sailing while the Environmental Assessment is being done. I personally have the opinion that this mode of transportation is not cost effective, that it is not needed for Kauai, and has the potential to be very dangerous.

*Aloha & Smiles,*

*Gabrielle Pla (R)*

**BROKER, ABR, ASR, SRES**

Broker, Accredited Buyer's Representative, Accredited Seller's Representative, Seniors Real Estate Specialist

**[gabrielle@gabriellepla.com](mailto:gabrielle@gabriellepla.com)**

**808-639-2146**

**Serving *The Garden Island* of Kauai with 17 Years Experience**

**Keller Williams Realty Maui**



**testimony**

*YES*

---

**From:** Sharon Pomroy [pomroys001@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 7:46 PM  
**To:** testimony  
**Subject:** Senate Hearing for Superferry- Wednesday Oct 24

Senator Kalani English, Chairman of the Senate Committee on Transportation & International Affairs:

Dear Senator English,

I am a native Hawaiian. I am also a farmer on 6 acres of Hawaiian Homestead land in Anahola on the island of Kaua'i. I am asking for your support of Hawaii Superferry. I am also asking for you to allow the Hawaii Superferry to operate while the Environmental Impact Statement is being done. Having the Hawaii Superferry will allow me to expand my current limited market here on Kaua'i to O'ahu.

Thank you, Sharon Pomroy, P.O.,Box 600 Anahola, HI. 96703 ph: 808-346-6725

10/23/2007

testimony

NO

---

**From:** Bruce Pleas [hisurf3@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 7:40 PM  
**To:** testimony  
**Subject:** SUPERFERRY TESTIMONY SPECIAL SESSION

**PUBLIC TESTIMONY FROM Bruce Pleas FOR:**

**THE SENATE  
THE TWENTY-FOURTH LEGISLATURE  
SECOND SPECIAL SESSION OF 2007**

**COMMITTEE ON JUDICIARY AND LABOR**  
Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

**COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS**  
Senator J. Kalani English, Chair  
Senator Mike Gabbard, Vice Chair

**COMMITTEE ON ENERGY AND ENVIRONMENT**  
Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

**NOTICE OF HEARING**

**DATE:** Wednesday, October 24, 2007  
**TIME:** 10:30 a.m.  
**PLACE:** Auditorium State Capitol  
415 South Beretania Street

**I AM OPPOSED TO ANY SPECIAL SESSION TO PROVIDE AFTER THE FACT  
LEGISLATION ON THE JUDICIAL DECISIONS ON THE ADMINISTRATIONS  
ACTION NOT TO REQUIRE AN EIS FOR STATE EXPENDITURES ON THE  
SUPERFERRY.**

**PLEASE UPHOLD THE TWO JUDICIAL DECISIONS AND VOTE NO TO ANY  
SPECIAL SESSION BILL THAT WOULD ALLOW THE SUPERFERRY TO  
OPERATE DURING AN EIS.**

Thank you,  
Bruce Pleas  
PO Box 721  
Waimea, HI 96796

10/23/2007

testimony

NO

**From:** Sandy Herndon [pb1wahine@yahoo.com]  
**Sent:** Monday, October 22, 2007 7:10 PM  
**To:** testimony  
**Subject:** Superferry Legislation?

COMMITTEE ON JUDICIARY AND LABOR

Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS

Senator J. Kalani English, Chair  
Senator Mike Gabbard, Vice Chair

COMMITTEE ON ENERGY AND ENVIRONMENT

Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

NOTICE OF INFORMATIONAL BRIEFING

DATE: Sunday, October 21, 2007

TIME: 2:00 p.m.

PLACE:

King Kaumualii Elementary School Cafeteria  
4381 Hanamaulu Road  
Lihue, HI

RE: Kauai's Briefing

The idea that the Governor can override the State Supreme Court by calling a Special Session to write new laws in favor of her pet Corporations is more than inappropriate, it's ludicrous! She is forcing the citizens to place themselves in danger in order to uphold the law that she is ignoring... to me that is really impeachable! NO EIS - NO Superferry! It really is that simple. They should NOT be resuming service prior to completion of the study. Please hold HSF and the Governor accountable to the laws which CLEARLY say the EA must be done first!

Mahalo nui for your strength and your support!

Sandy Herndon  
4433 Panihi Rd  
Kapaa, HI 96746

Aloha Hugs,  
Sandy

**"Peace IS the Religion"**

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around  
<http://mail.yahoo.com>

10/23/2007

**testimony**

NO

**From:** Arius Hopman [ahopman@earthlink.net]  
**Sent:** Monday, October 22, 2007 7:26 PM  
**To:** testimony  
**Subject:** Superferry only with EIS, no new Senate Bill!

COMMITTEE ON JUDICIARY AND LABOR  
Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS  
Senator J. Kalani English, Chair  
Senator Mike Gabbard, Vice Chair

COMMITTEE ON ENERGY AND ENVIRONMENT  
Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

NOTICE OF INFORMATIONAL BRIEFING  
DATE: Sunday, October 21, 2007  
TIME: 2:00 p.m.  
PLACE:  
King Kaumualii Elementary School Cafeteria  
4381 Hanamaulu Road  
Lihue, HI

**EIS First, It's the Law**

Open Letter to State Senators

Ua mau ke ea o ka aina I ka pono

The Life of the Land is Perpetuated in Righteousness

Arius Hopman

PO Box 441

Hanapepe, HI 96716

808-335-5616

Date: 10/20/07

10/23/2007

Aloha Senators:

Welcome to Kauai. I hope you have a chance to enjoy this beautiful place before returning to your offices, because you will understand why we want to kokua o ka aina.

If anyone should set a good example of respecting the law, it should be elected officials.

The governor and the State make mockery of the law if they attempt to shirk it. A bad precedent is set for anyone required to get an EIS or a permit for anything. There has been a rash of after-the-fact permit requests in recent years. They should not be allowed. Here, enforcement is weak.

Instead, enforcement, both police and the Coast Guard went after peaceful protesters who were merely insisting that the EIS laws be honored. Therefore, this must be seen as illegal and potentially prosecutable strong-arm enforcement. When enforcement defends an illegal act promoted by elected officials, you have a police state. Let's not go there. Instead, the police and Coast Guard should have been defending Kauai against the illegal entry of the Superferry.

Who are the protesters, and why do they protest? These are the citizens with a conscience and a strong sense of integrity. They insist on what is pono. They are precisely the citizens the State should be proud of. They keep government on track when it veers off.

The Superferry issue demonstrates how far things have been turned upside-down during this administration, both State and Federal. In the Sept. 21 Issue of the Garden Island it was reported that when confronted with the military connection to the Superferry "The governor said there was no 'major deception' and she does not know what the Superferry has to do with national security..." (p.A5) Can we believe that? Either she is unacceptably uninformed or is lying. Every one else seemed to know, and yes, it was a major deception until the truth came out.

Kauai has more endangered species per acre than anywhere in the USA. We are in the middle of a marine sanctuary and a whale sanctuary. If we don't kokua these treasures, who will? The planet is sick because our policies are sick. Who is the enemy? Not people, but greed, corruption, hatred, egotism and official terrorism. We must turn things around again. At 40 knots/hr the Superferry is a killing machine. It should never have been built for this planet and it should not be permitted anywhere. A violation to the environment anywhere is a violation to the environment everywhere.

Keep an eye on officials who are supporting these sick policies and lets vote these bums out of office, for God's sake!

Mahalo, Arius Hopman Ps. Please stop the Senate Bill to allow the Superferry to operate without an EIS: IT IS

10/23/2007

ILLEGAL TO DO SO, IT IS DISRESPECTFUL TO THE SUPREME COURT RULING AND IT WILL  
BACKFIRE...you can fool some of the people some of the time...

10/23/2007



**testimony**

NO

**From:** Sue Craig [fscraig@aloha.net]  
**Sent:** Monday, October 22, 2007 7:28 PM  
**To:** testimony  
**Subject:** Superferry Informational Meeting on Kauai-Testimony

THE SENATE  
THE TWENTY-FOURTH LEGISLATURE

COMMITTEE ON JUDICIARY AND LABOR  
Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS  
Senator J. Kalani English, Chair  
Senator Mike Gabbard, Vice Chair

COMMITTEE ON ENERGY AND ENVIRONMENT  
Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

NOTICE OF INFORMATIONAL BRIEFING  
DATE: Sunday, October 21, 2007  
TIME: 2:00 p.m.

PLACE:  
King Kaumualii Elementary School Cafeteria  
4381 Hanamaulu Road  
Lihue, HI

Aloha Senators:

Thank you for coming to Kauai and listening to our concerns. We cannot have the superferry run before the EIS. We are the minority of the total island population but the outer islands are the ones that will be impacted horribly by the superferry. Stand up for the rights of the minority and do not have a special session and let the superferry run.

Susan Craig  
PO Box 819  
Anahola, HI. 96703

10/23/2007

testimony

---

ND

**From:** Boreas v [boreasv@gmail.com]  
**Sent:** Monday, October 22, 2007 7:24 PM  
**To:** testimony  
**Subject:** superferry

There's no legitimate reason to make an exception for the superferry to operate while the EIS is performed. The law is fine the way it is.  
Let it stand.

Boreas van Nouhuys  
Princeville

testimony

NO

From: Edelle Sher [shermom@usa.net]  
Sent: Monday, October 22, 2007 7:19 PM  
To: testimony  
Subject: "Superferry must get an EIS first"

10/22/07

TO WHOM IT MAY CONCERN:  
COMMITTEE ON JUDICIARY AND LABOR  
Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS Senator J. Kalani English,  
Chair Senator Mike Gabbard, Vice Chair

COMMITTEE ON ENERGY AND ENVIRONMENT  
Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

NOTICE OF INFORMATIONAL BRIEFING  
DATE: Sunday, October 21, 2007  
TIME: 2:00 p.m.  
PLACE:  
King Kaumualii Elementary School Cafeteria  
4381 Hanamaulu Road  
Lihue, HI

Superferry must get an EIS first  
Edelle Sher  
5880 Kahiliholo Road  
Kilauea, HI 96754  
808-828-0808

**From:** Stuart Scott [gaiaware-2@yahoo.com]  
**Sent:** Monday, October 22, 2007 6:59 PM  
**To:** testimony  
**Subject:** Please Uphold Our Environmental Laws

### Aloha Legislators

Please help us to protect the things that we all love about Hawai'i by upholding our environmental laws. This corporation should not be exempted from its legal obligations to assess the likely harms of its actions before they occur. To do so will set a dangerous precedent for other corporations seeking to do business in Hawai'i. Regardless of how you may feel about the Superferry and the need for its services, changing the laws in this way cannot be justified.

Here are some of the reasons I feel so strongly about upholding Hawaii's current environmental laws:

- Hawai'i's EIS law should be upheld because it provides a crucial layer of protection for Hawai'i's irreplaceable natural and cultural beauty.
- The proposed legislation to exempt the Superferry from its obligations under the law is overbroad. It exempts the Superferry from every permit requirement and public oversight requirement currently on the books. Proposed conditions on the operation of the Superferry fail to address to legitimate concerns about the possible irreparable harms highlighted by the Maui Court.
- The Hawaii Constitution guarantees everyone the "right to a clean and healthful environment" (Haw. Const. Art. 11, sec. 9). The Constitution, however, does not guarantee anyone the right to a profit. If our elected officials grant an exemption to our environmental laws, then they will be placing the corporations' right to profit over the public's right to a healthy environment.
- Public participation is essential to a well-functioning democracy! Hawai'i's EIS law provides a rare opportunity for public hearings. This fundamental public right should not be side-stepped to serve special interests!
- A legislative decision of this magnitude cannot be made properly in the 7 days allotted for a special session called by the Governor. It does not provide a sufficient opportunity for lawmakers to hear from the communities most affected by this decision. If the process of decisionmaking lacks integrity, then so will the outcome.
- Special treatment for special interests creates a precedent of uncertainty about when and if Hawai'i's laws will be applied and upheld, and for whom. Good business and economic development requires wise governance and certainty about the rules by which all businesses must play. The rule of law must be respected by all levels of government to ensure our system functions properly.
- Strong protection of public trust natural and cultural resources depend on upholding the law. Laws that are not upheld or enforced are shibai and useless!
- The Maui Court decision found, after 22 days of expert testimony, that there will likely be irreparable harm from Superferry operations. Following the law as written and conducting a complete environmental review will help us to develop thoughtful, meaningful mitigations to these harms before they happen. Allowing this exemption now will not.

Stuart Scott  
2801-N2 La-I Road  
Honolulu, HI 96816

Yes

175 Ehilani Street  
Makawao, HI 96768  
October 20, 2007

Senator J. Kalani English  
Senate Chair, Transportation & International Affairs  
6th Senatorial District  
Hawaii State Capitol, Room 205  
415 South Beretania Street  
Honolulu, HI 96813  
phone 808-587-7225; fax 808-587-7230  
From Maui, toll free 984-2400 + 77225

Relating to Transportation

Dear Senator English:

We are writing testimony in favor of Senate Bill which will be introduced at the convening of the Second Special Session of 2007 on Wednesday, October 24, 2007, permitting the operation of an inter-island ferry service in the State of Hawaii while an environmental impact statement is being conducted, while at the same time, ensuring that there is adequate protection of the environment. The bill will also establish an oversight task force for the purpose of examining the impact of inter-island ferry operations on the communities, environment, and harbor and other infrastructures.

We are Edwin P & Barbara Tanner, Hawaii lifetime residents of 175 Ehilani Street, Makawao, HI 96768. Phone: 808-572-7505. We favor this Senate Bill because it would enable Hawaii residents and visitors have another mode of transportation to visit all of the counties of Hawaii. A large ferry system would allow another means to address the "recovery" needs in case of natural or man-made disasters. The ferry services would allow Maui farmers to transport their produce to Oahu markets arriving in fresher conditions. The ferry would allow contractors to ship their trucks loaded with equipment and manpower to compete and complete jobs on other islands. High school sports teams and other competitive sport teams such as soccer and canoe paddlers may travel with their equipment, buses to play in interscholastic and or community competitions across the state.

It is imperative that the Environment Impact study be completed while the ferry company continues operations. The establishment of the inter-island temporary Hawaii ferry oversight taskforce needs to be funded. We believe the ferry system would benefit the economy of the state of Hawaii. Please support and enact this bill for the above stated reasons. We need the ferry system.

Yours truly,

  
Barbara Tanner

  
Edwin Tanner

Cc: Senators Ron Menor, Brian T. Taniguchi, & Senator Rosalyn Baker, Chair Ways & Means

No

RE: Inter-island ferry service

I am opposed to a special session of the Hawaii Legislature to discuss special legislation for the Hawaii Super Ferry. The Hawaii Legislature should not be apart of the Attorney General's and Governor Linda Lingle's apparent attempt to over turn a final ruling of the court concerning the need for an EIS for the Hawaii Super Ferry to operate. This would be a violation of the separation of powers requirements under the Constitution. I realize that the public has seen a lot of the violation of public trust on the National level by the break down of our system of checks and balances. The Hawaii Legislature should set a good government example by saying, we uphold the courts ruling and we regret that Hawaii Super Ferry personnel may have been given incorrect info by the Governor's administration, but the EIS Law is the LAW and above all the aina

is scared. I strongly oppose the introduction of a special senate bill to permit the inter-island ferry service while an EIS study is being done. The Hawaii Legislature's integrity is on line now. If the Hawaii Super Ferry personnel choose to go elsewhere, so be it.

Aloha nui loa!

GB

10/20/07 9:02 PM

--  
Gene Bridges

Unitarian Universalist Minister \ Divorce Lawyer • Travel Agent • Bed & Breakfast Operator [In

short: Occupationally Confused]

3242 Kaohinani Dr, Honolulu, HI 96817 • 808 595 7533r/b • 808 595 2030 fax •  
<mailto:Gene@HawaiiBnB.com>

Syd & Judy Pryne  
1626 Hoolana Street  
Pearl City, HI 96782

Yes

October 20, 2007

The Senate  
The twenty-Fourth Legislature

Committee On Judiciary And Labor  
Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee Vice Chair

Committee On Transportation and International Affairs  
Senator J. Kalani English, Chair  
Senator Mike Gabbard, Vice Chair

Committee On Energy and Environment  
Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

### Testimony

We support the Hawaii Superferry for the following reasons:

1. The overall service the Hawaii Superferry offers to the entire state is extremely beneficial. In addition to another choice of inter-island travel the advantages to our business community will be immeasurable. Along with this the case in Judge Ferris' court involving Hawaiian and Go Airlines could impact our inter-island travel immensely. The days of the competitive air travel fares may be numbered. In view of that the Superferry will provide a great service to our state.



2. It appears to us that any risk to our environment is minimal and the Superferry operators have certainly been cooperative. Their plans to be diligent in providing personnel to monitor any cautionary areas appears to be more than adequate. The decision made by Judge Cardoza after hearing one month of testimony was based on the fact that Statute 343 had not been followed. His decision was not based on any threat to the environment.

3. The recent polls taken by several different groups has shown that the support for this endeavor is overwhelming. The existence of this support from the residents of the state of Hawaii speaks for itself.

4. While it is important to provide a venue for opinions to be heard we hope that the legislators of our state listen and heed to the majority.

Aloha,  


Judy & Syd Pryne

Senate Sergeant-At-Arms Office at 586-6659

Senate Committees: Judiciary and Labor, Transportation and International Affairs, and  
Energy and Environment

Hearing Date: Wednesday, October 24

Time and Location: 10:30 a.m. Auditorium, State Capitol

YES YES YES to the Superferry!!!

Please don't deny the many thousands who want the Superferry

Please do not allow the squawking of a few to be more important than our Hawaii's  
future.

Please do not confuse the loud, boisterous, clamoring of special interests with sound  
judgement. Their voice is NOT the voice of the people of Hawaii!

aloha

Linda Butts  
Kaneohe, Hawaii

HD-47  
SD-23

PS

Please require an impact study on the environmental groups who represent an exces-  
sive few. Their voice is NOT the voice of the people of Hawaii!

Testimony for informational Briefing Tuesday, October 23, 2007, 3 pm,  
Kealakehe High School Cafeteria, Kailua-Kona, Hawaii

To:

Committee on Judiciary and Labor

To:

Committee on Transportation and International Affairs

To:

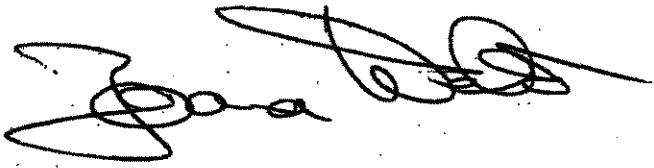
Committee on Energy and Environment

Testimony:

- 1) To pass a law for one company, for one occasion, with the intend to null a court ruling, is not only illegal in most democratic countries, but it also endangers the separation of the three powers judiciary, legislation, executive.
- 2) This law is trying to resolve the negligence of the Hawaii state government to request an EIS, as it is obligatory for receiving federal funds. Instead of working with foresight, the Hawaii state government disregards the enforcement of laws, strictly for monetary reasons.
- 3) Due to last year's earthquake, Kawaihae is still limited in receiving barge shipments. The dock limitations need to be resolved first.
- 4) When cruise ships dock in Hilo, barges are being redirected to Kawaihae, increasing barge traffic at Kawaihae harbor, and increasing container hauling (several hundred containers) from and to Kawaihae.
- 5) The companies at NELHA are increasing their output of water production, requiring more barge traffic from Kawaihae. This will make the ferry landing more challenging.
- 6) The Kawaihae harbor is not as protected against serious weather conditions, as are Nawiliwili or the Hilo harbor. During fall/winter season, frequently barges either are redirected to Hilo, or are delayed docking due to high surf.
- 7) Traffic Kona-Kawaihae, and Hilo-Waimea-Kawaihae, is already serious, without the addition of 200 – 300 additional vehicles. Currently, traffic starts to back up at about 10 am, with traffic jams from the airport to South Kona/Kealahou after 3 pm. The

widening of the road between the airport and Henry Street will only temporarily help, and result in the same back-up just a little bit later than currently. Other by-passes are still far away in becoming reality.

- 8) Truckers already have to deal with long standing-by times in Kawaihae, due to the distance between the harbor and their base station (Kona, industrial parks, Hilo). Increased traffic, docking complications, etc., will increase the transportation cost, and consequently living cost on the Big Island.
- 9) The Superferry is not a cost-efficient alternative to traveling via air. First of all, the rates to/from Honolulu are higher for the Superferry. Second, if you come from Kona, drive more than one hour to Kawaihae (or 1.5 hours from Hilo), spend 30 minutes boarding, 3.5 hours on the trip, some more time disembarking, it will be a 5 to 6 hour trip one way. To do any business etc., you will have to plan at least a two day trip, or three day trip, instead of being able to do it all in one day. Additional expenditures for accommodations will increase the overall expense. Using your own van, or car, would also be far more expensive than renting a vehicle on Oahu (or vice versa) for several days. Whether it's sport teams, classes, etc., the travel cost, and travel time, will be considerably higher. Any reduction in cost will mean that taxpayer's money will be used to subsidize the ferry.



Joanna Weber



Franz Weber

76-789 To Place

Kailua-Kona, HI 96740

No

October 20<sup>th</sup>, 2007

To: The Committee on Judiciary and Labor (Senators Taniguchi and Hee)  
The Committee on Transportation and International Affairs (Senators English and Gabbard)  
The Committee on Energy and Environment (Senators Menor and Hooser)

From: Mary Alexander, Kauai Citizen  
5905 Ahakea Street  
Kapaa, HI 96746

RE: My testimony for the Informational Briefing to be held on Sunday, October 21, 2007 at 2:00 p.m. at King Kaumualii Elementary School regarding the convening of a Special Session bill to permit the operation of an inter-island ferry service while an EIS is being conducted

Number of copies needed: 3

*Honorable Senators:*

Thank you for taking the time to listen to my testimony.

I find the subject of this bill to be illegal. In light of Judge Joseph Cardoza's opinion, it is illegal for the Hawaii Superferry to operate while an EIS is being conducted. In addition, the Hawaii Supreme Court ruled in August against the ferry's operation while an EIS is being conducted 5-0. The County Councils of Maui, Kauai and the Big Island have all asked for an EIS (Kauai's in '05!). The law is clear. Any compromise to save this private company, who took a bad business risk, is illegal.

Therefore, to write to you about how I believe Kauai's environment must be protected if the Superferry operates before an EIS is conducted feels like an illegal compromise. But if I must do so, here is what I want:

1. Reduced speeds. This ferry must travel no faster than a cruise ship. Visitors come to our Islands to see dolphins, whales and monk seals. Killing our marine life will do nothing for this and will severely damage our ocean ecosystem.
2. No vehicles to be transported on the Ferry before an EIS.

How can the rules for vehicle inspections possibly be drafted before the conduction of an EIS? I am concerned:

- That the inspection guidelines be determined by the appropriate personnel (perhaps the DLNR?) and not rushed into and written by the Executive Branch, who is not neutral on this issue.
- That vehicle searches be complete, and thorough, and check for invasive species (like coqui frogs, mongoose), agricultural products that may contain diseases (like backyard banana bunchy top virus), natural resources taken or gathered in excess and with intent to sell (like maile, mokihana, river rocks), illegal drugs and the ways to make them, and stolen goods which could be taken one day and returned to Oahu the next to be sold anonymously at the Swap Meet.
- That State monies for additional personnel to handle the influx of residents suddenly able to bring their 4X4s loaded with hunting and camping gear, and cars loaded with kayaks and windsurfers and surfboards. We need more lifeguards, more DLNR personnel, more police before the ferry is operational. Unfortunately, we also need more social workers to help us handle the influx of the homeless in their vehicles to our beaches.

Thank you for listening.

Sincerely yours,

Mary Alexander

October 21, 2007  
2:00PM  
King Kaumuali'i Elementary School  
Lihue, Hawaii

NO

**THE SENATE  
THE TWENTY-FOURTH LEGISLATURE**

**COMMITTEE ON JUDICIARY AND LABOR**

Senator Brian Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

**COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS**

Senator Kalani English, Chair  
Senator Mike Gabbard, Vice Chair

**COMMITTEE ON ENERGY AND ENVIRONMENT**

Senator Ron Menor, Chair  
Senator Gary Hooser, Vice Chair

**WRITTEN TESTIMONY IN OPPOSITION TO  
SUPERFERRY LEGISLATION AND SPECIAL SESSION**

Submitted by: Elaine Yadao  
P.O. Box 861  
Lihue, HI 96766

I had prepared a line by line correction of the flawed and laughable piece of paper that Attorney General Bennet presented as a bill and decided not to provide the free legal analysis; to let the administration hang from its own rope of deception.

The bill is a piece of garbage. It's an affront to many of you who hold a real education and a sincerity to uphold the laws. To those also who take their oaths seriously. The crafters of this bill also know that there is no such

thing as a concurrent EIS; once the impacts become realities the purpose has been defeated. The door is open, forever.

This bill is a criminal act disguised as legislation and many of us have decided not to comment on certain specifics because of its damning capabilities to those involved in the attempt to thwart the constitution.

One thing I can divulge is the inevitable precedent this will set as there is no way to designate Hawaii Superferry as an exception and the generic provision in the bill is also in error and has no legal doublespeak to prevent the precedent.

So, I have questions in place of argument.

Is the Superferry one of the subcontract military items that required creative thinking for new sources of financing because they were refused by Congress? Is financing from the public's monies the creative aspect as described in the strategy of the Project for a New American Century?

How does state intend to supersede federal marine mammal protections?

Pg. 2-Yadao

There were rocks taken on the Superferry which Superferry officials claim to know nothing about. Is that a sneak preview of Superferry's security measures? Has



anyone been charged yet? If a large contraband of 1000 imu size rocks just slip past purported security, how difficult will smaller rocks such as ICE be to transport? I'm sure all of you are aware that dogs cannot detect ICE. Where are the protections for parents and their children? There are none. Because protections can't be implemented if the dangers have not been assessed. A condition precedent EIS is mandated.

Does this legislative body now say "we don't care about your children because this bill is to save the Superferry"?

The water inside the Nawiliwili Harbor was chummed by Superferry employees. This falls into the category of a heinous crime. Is Mark Bennet concerned about that? Is it on his priority list as high as gender confusion is? Has anyone been charged yet?

Superferry boat operators were coming into the harbors for several days at 40-50 miles an hour and practicing 360s creating massive wakes 100 yards from the cruise boats. Has anyone been charged yet?

There have been numerous internet death threats by Superferry supporters suspected to be military people.

Pg. 3-Yadao

Have there been any charges filed yet? Or IP addresses tracked?

It is apparent that not only is the private business Hawaii Superferry exempt from EISs, they have some sort of

immunity. How did this come to be? And the shocker is...they haven't even commenced operations.

Who in state government will explain away the separation of powers doctrine and the impeachable offenses when all have played a consenting part in passing this abuse of power poorly disguised as legislation?

Before any Special Session can occur the horse must go before the cart, so will the investigation into Lingle et al be conducted first as is right? Anything else is disingenuous and too late.

In case some legislators don't realize it, the courage and integrity to uphold the constitution is not going to go unpunished. The only bargaining chip is to conduct the investigation first because once the ferry is in service the non compliant legislators will be powerless. The Lingle administration and HSf have sent the message that your livelihoods and reputations are disposable by the very coercive manner in which this has been handled.

Pg. 4-Yadao

The draft is so bad it is unbelievable. Therefore, I can only surmise it is subterfuge to move up the start date.

Some legislators' good names will be taken down with this ship. There's a dark agenda of which maybe many of you are only seeing the tip of the iceberg.

As Mr. Lehman has stated, the Superferry is in high demand in other places. Let them go then. But maybe that's another lie too as there has been nothing but deception from these people.

An EIS is condition precedent to operations. It's simple.

cc: Federal Bureau of Investigation

N10

**testimony**

---

**From:** Gail Jackson & Bill Simonsma [billgail@retiredinparadise.net]  
**Sent:** Sunday, October 21, 2007 11:49 PM  
**To:** testimony; Sen. Brian Taniguchi; Sen. J. Kalani English; Sen. Ron Menor  
**Cc:** Rep. Calvin Say; Rep. Kirk Caldwell; Sen. Colleen Hanabusa; Sen. Gary Hooser; Rep. Josh Green; Cindy Evans  
**Subject:** Superferry Information Briefing

To Honorable Committee Members,

We are sorry we are unable to attend the Superferry Informational Briefing Tuesday at the Kealahou High School Cafeteria. We wish to testify by email.

We believe it is clear the DOT made a serious error in granting an environmental review exemption to the Superferry. The Hawaii Superferry made a serious error in "not being prepared" for the possibility of the correct Hawaii Supreme Court decision.

Telling Honolulu Advertiser coverage statements:

"Hawaii's Revised Statutes, Chapter 343 — requires an environmental review of projects using state or county lands or funds, but it also allows for exemptions."

"The review includes consulting with other agencies and affected parties, and if it is determined the project would not result in major "primary or secondary" impacts, the exemption can be granted."

"However, if it is apparent there might be major impacts, then an environmental assessment must be done, or even a more comprehensive environmental impact statement."

"The court also said, "Stated simply, the record in this case shows that DOT did not consider whether its facilitation of the Hawaii Superferry Project will probably have minimal or no significant impacts, both primary and secondary on the environment.""

"In a follow-up 104-page opinion issued Aug. 31, the higher court said the exemption determination was "restricted to the harbor improvements and does not consider the secondary impacts that may result from the use of the Hawaii Superferry in conjunction with Kahului Harbor. ... Rather, DOT appears to studiously restrict its consideration of environmental impact to the physical harbor improvements themselves."

We believe the Hawaii Superferry operation will result in increased traffic, the spread of invasive species, conflicts with harbor recreational users, and endangering humpback whales.

Please do not circumvent current Hawaii State Law. An environmental assessment, and if needed, an environmental impact statement needs to take place BEFORE ferry operation. Circumventing the law just gives everyone the message .... if you are a large and powerful business, you do not have to obey the law of the land.

Sincerely,

Gail Jackson  
William Simonsma  
68-1907 Lina Poepoe St.  
Waikoloa, HI 96738

10/22/2007

The court also questioned why the DOT, "purposely or not," ignored the language used by the Office of Environmental Quality Control in its sample exemption memorandum: "I declare that this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment."

Instead, Fukunaga's Feb. 23, 2005, exemption letter says the harbor projects "will not produce or create any adverse air quality, noise or water quality impact."

No

**testimony**

---

**From:** fr8dog [fr8dog@gmail.com]  
**Sent:** Sunday, October 21, 2007 8:21 PM  
**To:** testimony  
**Subject:** Superferry hearing testimony

Senators:

My name is Jake Jacobs. I live in Kona. Unfortunately, I will be off island on Tuesday when you will be here so please accept my written testimony.

First of all, I am sick of big corporations deliberately breaking the law, knowing with a high degree of certainty that in the end, they will get their way when they complain that if they don't, they will lose too much money. I don't believe for one second that they really give a damn about their employees who will also lose their jobs. The rogue of the day is Superferry, but we have seen this countless times over the 30 years I have lived on the Big Island. I am sure that you will hear from others in face to face testimony of numerous past incidents as well as how the owners of the Superferry knew full well that what they were up to would put them at odds with Hawaii's environmental protection laws. But the more money they spent, and once they got YOU to spend state money too, the more confident they had every reason to be, that their flouting of the laws would be ignored...AND rewarded. Add to that the 140 million dollar loan guarantee, and they figured they were home free. Well, YOU passed the laws they laughed at. I hope you won't be as spineless as the majority of democrats on the national scene, but if, out of fear of the usual sound bites passed off as news, you cave to the greed and lust for power of Bush cronies like Governor Linda Lingle and Superferry chief financier John Lehman, be assured that I and thousands of other Hawaii voters will back a legal challenge that will make your heads spin. And that will be followed by plenty of information for the voters come election time. This issue is a microcosm of the Democrat spinelessness and Republican cronyism going on at the national level, and the people of Hawaii and America just aren't going to take it anymore. You do not have the power to overrule the courts. You do not have the right to change the law retroactively. The court correctly ruled on our laws and we have the right to expect them to be upheld.

Secondly, the Superferry, like the war in Iraq, like No Child Left Behind, like the Patriot Act and the Military Commissions Act is based on fear mongering and lies. The idea that Superferry will offer some new mode of transportation, some "choice" to the people of Hawaii is bull. We have Young Brothers. The vast majority of people interested in moving themselves or their goods faster than that will want to fly. The real reason for the Superferry (as anyone who has been paying attention knows) is to move huge military vehicles and troops. Residents of Kona do not want Strykers shooting their Depleted Uranium munitions off at Pohakuloa. We already have the highest incidents of cancer and tumors in the state, thank you very much.

Lastly, if you grant any dispensation to Superferry now, it will be all the foot in the door they need to assure their successful subversion of our environmental laws. After that, one way or another, the Superferry will one day be running over and killing our humpback whales, spreading invasive species and helping the federal government waste our nation's treasure on needless wars of conquest to benefit the super rich owners of the corporations whose troughs nearly all of you wallow at.

Tell Superferry they should have obeyed the law and done the environmental impact study. Tell them that now they can either wait for it to be completed or take their damn troop ship somewhere else.

10/22/2007

With no faith whatsoever that you will do what's right, and near total disgust with each and every one of you, I implore you to make me wrong.

Sincerely,

Jake Jacobs  
Kona

"In an age of universal deceit, telling the truth is a revolutionary act."

----George Orwell

No

**testimony**

**From:** Margaret Clark [mclark@ntbg.org]  
**Sent:** Sunday, October 21, 2007 6:55 PM  
**To:** testimony  
**Cc:** Clay Trauernicht; ofstone@aol.com; 'William G. Laidlaw'; 'Ellen Coulombe'  
**Subject:** to:COMMITTEE ON JUDICIARY AND LABOR; COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS; COMMITTEE ON ENERGY AND ENVIRONMENT;

Dear Senators,

I am writing today to provide my observations and opinions on the proposed Special Session of the Legislature for the purpose of considering legislation to exempt the Super Ferry from the usual process of law, and from the court order prohibiting it from operating until an environmental assessment is completed.

First it should be obvious to all of you that you are sticking your necks out to consider legislation in a special session which gives explicit benefit to only one corporation. Your political credibility (like your necks) is strained when you stretch so far. There are any number of risks associated with launching this vessel, and any outcome that is negative will come to be associated with you and your unusual efforts to support this corporation. These might include increased crime rates on neighbor islands, multiple whale strikes with resulting Federal penalties under the Endangered Species Act, collision with other vessels, and of course, the real possibility of bankruptcy and default of this company because their business model is overly optimistic about the revenues that can be generated.

Secondly, you should be looking to more environmentally sound methods of transportation. Moving automobiles from one island to another makes no sense. Comparisons with Washington State Ferries are absurd. No crossing in Puget Sound is nearly as long, as fraught with weather issues, as dangerous to wildlife or as expensive as this vessel intends to be. No one is going to commute on the Superferry, which is the primary use of the Washington ferries. The Washington Ferry system has also made great efforts to encourage passengers over cars, by providing parking and public transportation at the terminals. The Washington Ferries are fun, you can go out on deck and breathe fresh air. You can visit with your neighbors and co-workers. None of that applies to the Superferry.

Thirdly, the State Transportation Department seems to be suffering from not only a lack of integrity in exempting the Superferry from standard legally required environmental studies, but from a real lack of imagination, vision and gumption. Why can't we have leadership that will wrap their collective minds around the problems of traffic congestion on these islands and come up with some fresh ideas? We are not the first nor the last area to face these difficulties, and we can learn a lot from cities, counties, and countries who have come to terms with human density and found humane and environmentally less impactful solutions. Where are the descendants of those courageous minds that dared to cross the Pacific by wind and sail and stars? The fact that other vessels in Hawaiian waters have not been required to do environmental assessments does not signify. It is a problem; they should be so required. We know that the cruise ships have negative impacts that are not being addressed. We know that barge freight costs will become prohibitive, and we should be exploring alternative energies to power these vessels.

I am completely opposed to this bill for these reasons. It is bad policy, poor governance and bad precedent to create such special legislation for one company. It is not environmentally sound. It is unimaginative and retrograde and not worthy of us.

Sincerely,

Margaret A. Clark, Conservation Technician  
Dept. of Conservation, Living Collections and Horticulture (Lawai Valley Offices)

10/22/2007



National Tropical Botanical Garden  
3530 Papalina Rd.  
Kalaheo, HI 96741  
(808) 742-1011 x 301  
mclark@ntbg.org

NO**testimony**

**From:** athena peanut [medicinetalk@hotmail.com]  
**Sent:** Sunday, October 21, 2007 5:38 PM  
**To:** testimony  
**Subject:** Senate Bill, 2nd Special Session 2007

**TESTIMONY**

**TO: Committee on Judiciary and Labor, Transportation, Senator Brian T. Taniguchi, Chair and Senator Clayton Hee, Vice Chair, October 23, 2007, 3:00 p.m. Copies to Chair, Vice Chair and all committee members.**

**FROM: Athena Peanut, RR 2, Box 4573, Paho, Hawaii 96778, senior citizen and resident of Puna, Hawaii for 18 years.**

**RE: Senate Bill, Second Special Session of 2007, Wednesday, October 24, 2007, 3:00 p.m. -- To permit Superferry service operation while an environmental impact statement is being conducted....**

I am shocked by the unlawful proposition Governor Lingle is ordering the legislature to pass in an attempt to override a superior court decision. WHAT HAS HAPPENED TO THE RULE OF LAW?

How many times do the people have to say the same thing over again? Every Island's County Council has issued bills that the Superferry must complete an Environmental Impact Statement before service. How many hearings have the people already attended, how many letters have we sent, and petitions signed?

**It is common knowledge that the Superferry is another thinly disguised military project with the disastrous impacts of all military projects to life on the land, sea and air with only immediate collateral fringe benefits for the public.** Just enough enticements to justify Hawaii taxpayers footing the bill. Yes, Hawaii does need a ferry service, but not the military Superferry program.

When the Governor ignores the Constitution, the Rule of Law, resolutions from all the county councils demanding an environmental impact statement to be completed before the service begins, and orders the Legislature to override the superior court's decision with yet another law, this is the end of government as we know it --democratic government. Is it too late? Has our government already become a dictatorship while we were sleeping? There will be no doubt if this outrageous bill is passed. You will be known by your works.

At one with the Earth, Athena Peanut

Yes

**testimony**

---

**From:** msquiltbee@aol.com  
**Sent:** Sunday, October 21, 2007 5:53 PM  
**To:** testimony  
**Subject:** Superferry Special Session

**RE: Superferry Special Session Testimony**

**WHEN:** Tuesday, October 23, 2007 - 3:00 PM

**WHERE:** Kealakehe High School Cafeteria  
74-5000 Puohulihuli Street  
Kailua-Kona, HI

**COPIES TO:**

Committee on Judiciary and Labor (2 copies) Committee on Transportation and International Affairs  
(2 copies) Committee on Eneregy and Environmnet (2 copies)

My name is Deborah Donaldson and I am writing to express my support of the Superferry and encourage the Committees gathering testimony and the Legislators making decisions to please allow to Superferry to begin operating. I agree with the legislation currently proposed and feel the best way to prove the Superferry will not bring harm to our environment is to supervise the already stringent rules and regulations already in place for it's operation and let it begin serving our citizens.

I do not agree with the tactics of the environmental protestors for hire that have made a mockery of our courts and the best intests of the people of the State of Hawaii. I am unable to attend the meetings scheduled for the Big Island because of the distance I would have to travel and the time of day they are scheduled, but I must tell you that I would be fearful of attending these meetings in person after the disgraceful show of Aloha exhibited on Kauai for Govenor Lingle's visit.

I hope to one day be able to travel from the Big Island to the other islands of Hawaii on the Superferry. I am sure that you have heard and read about all the advantages the Superferry brings to our islands - these future advantages REALLY mean something positive for the people of these islands.

Please pay attention to the polls and the over 80% approval for the Superferry and give our islands a future.

Deborah Donaldson  
HCR 1, Box 5148  
Keaau, HI 96740-9510

808-982-9577

---

Email and AIM finally together. You've gotta check out free AOL Mail! - <http://mail.aol.com>

Yes w/R

testimony

---

**From:** patrick hopkins [macculough2@yahoo.com]  
**Sent:** Sunday, October 21, 2007 12:48 PM  
**To:** testimony  
**Subject:** Super Ferry Legislation

Committee on Energy and Environment  
Monday October 22, 2007  
3:00 pm  
Henry Baldwin High School Auditorium  
1650 Kaahumanu Avenue  
Wailuku Hawaii

Dear Sirs,

Thank you for this opportunity to present my opinions.

I would like to take this opportunity to let you know my concerns on this legislation.

The proposed framing of the new super ferry law lists a short window of time for the super ferry to operate while an EIS/EA is done. The proponents of this legislation declare that they are writing it with the best intentions with an eye on the environment and business working in harmony. This delicate balancing act which has made Hawaii what it is today, is a natural outcome of progress, for the betterment of all, and the Super Ferry is here to serve all. To that end, and in light of all the restrictions that may be placed upon it during this time, it would be unconscionable to place an arbitrary time limit on it, as its opponents have plainly shown that they are capable of using the courts as a further delaying tactic to stop the ferry, denying the people of this state this public necessity and leaving them with nothing but the bad taste of the bill already generated by these obstacles.

Next, as to environmental issues and special provisions focused SOLELY on the Super Ferry. The environmentalist, DO NOT SPEAK for the majority of us here in Maui, and it is truly regrettable that issues of invasive species and whale avoidance have played such an exaggerated significance and the MINORITY is given center stage in preventing the rest of us residents from enjoying a service we were eagerly awaiting. Invasive species WILL continue to invade these islands whether we legislate the Super Ferry into oblivion or not. All we will have done will be to have deprived the majority of an efficient, competitive alternate source of transportation enabling them to 'drive' to another island, as the minority, that is the Sierra Club, Maui Tomorrow, and the Kahului Harbor Coalition, become more empowered in the future to impose their will all over again on the majority. Case in point, have we not experienced the coqui frog epidemic, that has come over in containers of trees, the result of less stringent rules and enforcement? What about the spikey caterpillar currently making its home here from the Big Island??

The public has endured Mr. Hall and the plaintiffs ad nauseam, in fact we consider them all public nuisances. We resent their dictating the terms of this legislation and the black mail that they will challenge this issue further in the Supreme Court.

Were you to further refine your law to accomodate these special interests as his 29 points require, you would all but turn the harbor into a mini 'police state' where ferry users would be automatically treated like criminals (presuming that they all ARE transporting contraband), while cruise ship passengers can veritabily thumb their noses, as they come from outside the state and don't have to be personally inspected for drugs, illegal flora and fauna, etc.

When you read Mr Halls rules that he expects to be included in the new law proposed by the special session of the legislature, you see that Mr Hall categorizes everybody who uses the super ferry as a criminal, smuggling drugs, homeless, purveyor or prostitution, desecrator of the 'aina', cultural reprobate, and all around undesirable. His conditions remind one of the best policies of Aldoph Hitler and Joseph Stalin. I was not aware that the State of Hawaii in its entirety was a hoodlum nation that

Mr Hall has to protect the tourist and him from. "What's in the Christmas present? Unwrap it, open it! We wanna make sure you don't got drugs in there!" Get the picture, Committee Members? Yes we do want the Ferry to operate, but ferry goers should not have to endure extreme measures due to the plaintiffs influence on the legislature.... and to add insult to injury at the discretion of the plaintiffs who will police the ferry for violations???

We have read everything available and we are concerned about our individual rights, and the ferry's rights which may become casualties of a project that went awry from day one because the EIS/EA was not done when it was supposed to be done.

Patrick Hopkins  
31 Kopi Lane Unit 102  
Wailuku Hawaii 96793

I don't know if I will show up at the hearing, but please present copies to relevant committee members.

---

See what's new at AOL.com and Make AOL Your Homepage.

---

See what's new at AOL.com and Make AOL Your Homepage.

---

Do You Yahoo!?  
Tired of spam? Yahoo! Mail has the best spam protection around  
<http://mail.yahoo.com>

testimony

No

**From:** Gillian M. Bruce [gillyjam@gmail.com]  
**Sent:** Sunday, October 21, 2007 11:38 AM  
**To:** testimony  
**Subject:** superferry schedule hearing

COMMITTEE ON JUDICIARY AND LABOR  
COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS  
COMMITTEE ON ENERGY AND ENVIRONMENT

October 22 2007 3:00 PM Baldwin High School Auditorium  
Twelve copies please or a copy for each committee member.

I am extremely opposed to the Maui, and all other islands, Superferry. Akin to killing the golden goose with hordes of insensitive off-islanders and their cars clogging the already insufficient roads, all those nasty critters finding a new niche. Palm rust, anyone? Coqui frogs, anyone? Hau blight, anyone? How about the latest, nettle stinging caterpillar? And don't get me started on miconia, or the theft of sand, imu rocks and cultural resources. All for money, AUWE!!! It is an absolute disgrace announcing this public hearing on Friday, for the following Monday at 3:00 pm while most people have to be at work? Quite obviously hoping no one from the public will participate.

Shame on you.

Gillian Bruce  
1299 Kauhikoa Rd.  
Haiku, Hi. 96708

10/22/2007

Yes

**testimony**

**From:** ashcoftop@aol.com  
**Sent:** Sunday, October 21, 2007 11:36 AM  
**To:** testimony; All Senators; All Reps; governor.lingle@hawaii.gov; ltgov@hawaii.gov  
**Subject:** Testimony for Ferry bill held over several days between Oct. 21-22, 2007

**Testimony of Alfred Ching Jr. for Hearing held at the below address and time and for the below stated agenda.**

**NOTICE OF INFORMATIONAL BRIEFING**

**DATE:** Monday, October 22, 2007  
**TIME:** 3:00 p.m.  
**PLACE:** Henry Perrine Baldwin High School Auditorium  
 1650 Kaahumanu Avenue  
 Wailuku, HI

**A G E N D A**

The Committees will be hearing a Senate Bill that will be introduced at the convening of the Second Special Session of 2007 on Wednesday, October 24, 2007. The subject of this bill will be to permit the operation of an inter-island ferry service in the State of Hawaii while an environmental impact statement is being conducted, while at the same time, ensuring that there is adequate protection of the environment. The bill will also establish an oversight task force for the purpose of examining the impact of inter-island ferry operations on the communities, environment, and harbor and other infrastructures.

**My name is** Alfred Ching, Jr.  
**My address is** 2718 Puuhoolai Street  
 Kihei, Maui, Hawaii 96753  
**Telephone:** 808 874-9426  
**Cell phone:** 808 385-9919  
**E-mail address** ashcoftop@aol.com

**Background Information:**

I have lived on Maui since 1988 and prior to that on Oahu. I have 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 here in the Islands. I am also a registered voter. A restaurant owner over the past few years and also a licensed commercial fisherman specializing in bottom fish and for the past 14 years.

**This testimony is to support of the Superferry traveling at high speed during whale season.**

I used to fish with a 20' Boston Whaler Outrage, outfitted with twin 88 horsepower Evinrude outboard engines. Top speed in calm seas is 40 MPH. I usually leave at daybreak or first light on my dat fishing trips and return before sunset. This is so I can watch for obstructions when I drive the boat early in the morning. 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

10/22/2007

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 do 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 you are paying attention and actively watching for whales or other objects you will and can avoid them on the ocean.

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 positions on the Superferry is 40 feet above the water and the spotters have a stable platform to make their observations from. They should be able to spot the whales or any other floating objects that cross their path a lot easier than me and my fishing partner that were 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. Whales are curious and will come close to slow moving boats or boats stopped in the water. A whale watch boat injured a calf last season and these guys are supposed to be the professionals, a Pacific Whale Foundation boat injured the whale calf, did they let money get in their way of better judgement of keeping to the 100 yard rule or 300 yard calving rule. The customers on a whale watch boat sometimes tip the crew for good trips, could this potential of extra money may have been cause for the accident.

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

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 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. Thru the years I have seen a lot of visitor's pictures where the whale in no more than 20 or 30 feet from the boat, I was in the restaurant business and talked to a lot of my customers. The law says that you must be at least 100 yards away and in certain calving areas 300 yards away.

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, charter fishing boats going to or coming home from the grounds. If you should restrict the speed of the Superferry then you should restrict the speed of all vessels traveling in the same waters. Size and speed of the vessel matters alot, but what matters most to keep accidents from happening or collisions with whales or other objects is paying attention to the driving and having proper lookouts doing their job and communicating all necessary information to the helmsman on a timely manner.

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.

Our country has always operated on the principle of innocent until proven guilty.

If you have not been on the ocean going at high speed and in full control of that watercraft it can be related to driving a car. You will have less accidents if you follow all the road rules, no drinking when driving, no cell phone use or any othe type of distraction. If you paid 100% attention to your driving and focused on driving you would have less of a chance of being in an accident. Automobile accidents and loss of life is an accepted thing in our society today and most of these accidents would not happen if the drivers paid attention to their job of driving the vehicle. Hopefully you can relate to this example. The same holds true for water travel.



Alfred Ching, Jr.  
2718 Puuhoolai Street  
Kihei, Maui, Hawaii 96753  
a Registered voter

E-mail: [ashcoftop@aol.com](mailto:ashcoftop@aol.com)

---

Email and AIM finally together. You've gotta check out free [AOL Mail!](#)

**testimony**

**From:** Paul Kelley [paulck\_99@yahoo.com]  
**Sent:** Sunday, October 21, 2007 10:51 AM  
**To:** testimony  
**Subject:** Superferry Special Legislation--NO!

*NO*

Dear Senators and Representatives:

I have read the proposed legislation regarding "large capacity ferry". This terrible legislation is a mockery. It is all so wrong and so corrupt and the message you are sending is that we disregard the environmental laws which are already too minimal, in favor of any big business. Please do not hold a special legislative session. Tell the Superferry they must conduct the proper EA/EIS before they can proceed with ferry service. It is only right. There should be no special session but if you have to, please vote "no" to this doggy do-do. It leaves the determination in the hands of the governor. What a sham! How corrupt can we become. Hello!? Anyone want to buy our islands. They are for sale. Just call "the honorable" Linda Lingle who will sell our state for a couple of 100 million dollars. If this goes through, what else will go through.

Also, since when do the majority rule on environmental issues. Those most severely impacted are not alive or eligible to vote yet. Besides, it is 3 islands to 1 against the superferry disobeying environmental laws. The outer islands, who would be most affected by any negative impacts, all want the EIS to be conducted first. Just because O'ahu has the biggest population, it shouldn't rule such a major decision as this.

If our governor and DOT made mistakes, then tell them to apologize, take their medicine like a man and move on. The further you go with this, the deeper you are digging us into a big web of deceit. Why can't you just admit that a mistake has been made and apologize to the people of Hawai'i and to the bigwigs of the Superferry and move on?

Please have the backbone to say "no" to no EIS, and start saying "no" to other out-of-control development projects. But if you are going to pass it then please slip in a rider to disallow any "large capacity development in Koloa town" and at least save something. And if you abstain, plant a tree.

Please take a thoughtful and righteous stand for the environment as those from the outer islands have done (except for our Mayor--who is a weenie!)

Paul Kelley and Debbie Friedman  
Kalaheo

Aloha

Paul Kelley

808-635-5836

---

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around  
<http://mail.yahoo.com>

10/22/2007

**testimony**

---

yes

**From:** Paul Baillie [baillieandsons@yahoo.com]  
**Sent:** Sunday, October 21, 2007 11:24 AM  
**To:** testimony  
**Subject:** Testimony for Superferry Hearing on Hawaii Island

**To:** COMMITTEE ON ENERGY AND ENVIRONMENT

**DATE:** Tuesday, October 23, 2007  
**TIME:** 3:00 p.m.  
**PLACE:** Kealahou High School Cafeteria  
74-5000 Puuhuluhuli Street  
Kailua-Kona, HI

Dear Legislators:

Since the neighbor island input hearings scheduled by the legislature have completely by-passed East Hawaii (it is a 100 mile, 3 hour drive to Kailua-Kona from Hilo), I must make my position known via email.

I fully support immediate resumption of Superferry operations during the EIS process and the arrest and prosecution of those who break the law by trying to impede the ferries' operations. In an even-handed and responsible government, anything less would demand that the same requirements be placed upon other interisland transport companies - i.e., an EIS and cessation of operations of Matson Navigation, Horizon Shipping, Young Brothers, and especially the cruise ship industry.

Sincerely,

Paul Baillie  
HCR 1 Box 4010  
Keaau, HI 96749

---

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around  
<http://mail.yahoo.com>

10/22/2007

testimony

No

**From:** paulalee [paulalee@hawaii.rr.com]  
**Sent:** Sunday, October 21, 2007 11:26 AM  
**To:** testimony  
**Subject:** super ferry parking problem

Aloha Legislators,

I am not able to attend and I haven't been to any of the meetings, but has any one ever raised the question about parking for the Super Ferry?

There is no place to park your car if you don't take it with you.

I took a trip on the first day. I had to leave my car at the airport and take a taxi. When I flew back the next day I noticed the airport lot and overflow lot at the airport was filled. I also heard that they were towing cars from the Maui Mall that parked there overnight.

I talked with some people from Oahu who had the same problem with no parking. When we got off there. if you walk off, you get off in a random location on Nimitz, near no bus stops and it took the rental car company 1/12 hours to find us because they only have signs for people driving on and off, which at another entrance.

I found this to be a major problem with my trip on the super ferry. I am sure that it impacted all the major parking lots in the vicinity of the super ferry on all the islands.

Aloha,  
Paula Lee Phillips  
P.O.Box 790860  
Paia, HI 96779

10/22/2007

**From:** Lisa Schiffer [leeza62@wildmail.com]  
**Sent:** Monday, October 22, 2007 8:28 PM  
**To:** testimony  
**Subject:** superferry

THE SENATE  
THE TWENTY-FOURTH LEGISLATURE  
SECOND SPECIAL SESSION OF 2007

For the hearing on october 24th 2007

COMMITTEE ON JUDICIARY AND LABOR  
Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS Senator J. Kalani English,  
Chair Senator Mike Gabbard, Vice Chair

COMMITTEE ON ENERGY AND ENVIRONMENT  
Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

**SUPERFERRY MUST GET AN EIS FIRST!!!!**

from Lizabeth Schiffer  
Po Box 1885  
Kapaa, HI 96746

Care2 make the world greener!

<http://toolbar.Care2.com> Make your computer carbon-neutral (free).

<http://www.Care2.com> Green Living, Human Rights and more - 7 million members!

## testimony

NO

**From:** greensong [greensong@planet-save.com]  
**Sent:** Monday, October 22, 2007 8:20 PM  
**To:** testimony  
**Subject:** Superferry Testimony for hearing 10/21/07 Lihue - COMMITTEE ON JUDICIARY AND LABOR

### Superferry Testimony

Testimony for the following hearing:  
**NOTICE OF INFORMATIONAL BRIEFING**  
**DATE:** Sunday, October 21, 2007  
**TIME:** 2:00 p.m.  
**PLACE:** King Kaumualii Elementary School Cafeteria  
4381 Hanamaulu Road  
Lihue, HI

To the following committees:  
**COMMITTEE ON JUDICIARY AND LABOR**  
Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

**COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS** Senator J. Kalani English,  
Chair Senator Mike Gabbard, Vice Chair

**COMMITTEE ON ENERGY AND ENVIRONMENT**  
Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

**From:**  
Lisa Parker  
5956 Lokelani Rd.  
Kapaa, HI 96746

**NO SUPERFERRY UNTIL THE EIS IS SUCCESSFULLY PERFORMED.** It is a travesty to our state, people and our children to override the law put in place to make sure that our fragile island ecosystems are not overwhelmed and decimated by private business interests. These islands are like nowhere else on the planet. The law was made to make sure the islands would be around for many centuries more. Short sighted profit at the expense of the living systems that support us is a way of life that does not work. It serves no good purpose to neglect and abuse that which provides life for many, many organisms on the planet. We are not an isolated species. We require the diversity of life around us to keep all of us alive. There is no greater threat to life and national security than our continuous plundering and disregard of those resources, ecological organisms, and systems that make our very lives possible. These threats become much more extreme on a series of small isolated islands.

Laws are meant to be for the good of the majority. Why, when our own state Supreme Court has ruled that the law should be followed and upheld is it necessary to overrule this law that supports the common good for a private interest group? How many businesses require military escorts and SWAT teams to operate? I have never seen any other. How good and desirable of a business can it be if it

must be forced on people with brute force? What is the good of forcing people to accept something which is in flagrant violation of the law?

It is said that many people want this. I have not seen or heard very many of them. Even those who think that it will serve them have not looked at the cost to go round trip from Maui to Kauai. It is about as affordable an alternative to travel interisland as the \$400,000 affordable housing here on Kauai. Who do you think can really afford to ride this? And since the cost of fuel only continues to go up are the fares going to hold steady?

Fuel surcharges will make it exorbitantly expensive to run. It requires more fuel than the airlines so how can it remain affordable?

If, as the Superferry people have said, they have other options perhaps they should exercise them until the EIS is complete. If Hawaii is such an important route then why not do things properly so people can support it.

That way they will not loose money in the meantime.

Please, if you have any integrity or conscience do not vote to let the Superferry run before the EIS is complete. Think about Easter Island. They continued to chop down trees until the last one was gone and there was no way to get them back. Only then did they realize that there was nothing left on their island to support them. We are at a similar critical period of history here. Not yet to the last tree like Easter Island but most definitely rapidly approaching that. Is that where we want to go? Oil will not be available at the levels it has been or at the prices it has been. We need to start looking towards the future and not lock ourselves into the ways that have served the past.

Thank you for you time and your ability to serve.

Sincerely,  
Lisa Parker

testimony

NO

From: Ellen Caldwell [buntulily@yahoo.com]  
Sent: Monday, October 22, 2007 8:11 PM  
To: testimony  
Subject: Superferry should not run until full EIS

THE SENATE  
THE TWENTY-FOURTH LEGISLATURE

COMMITTEE ON JUDICIARY AND LABOR  
Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS Senator J. Kalani English,  
Chair Senator Mike Gabbard, Vice Chair

COMMITTEE ON ENERGY AND ENVIRONMENT  
Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

NOTICE OF INFORMATIONAL BRIEFING  
DATE: Sunday, October 21, 2007  
TIME: 2:00 p.m.  
PLACE:  
King Kaumualii Elementary School Cafeteria  
4381 Hanamaulu Road  
Lihue, HI

Dear Senators,

Thank you for coming to Kauai and listening to the statements of we, the people of Kauai. I ask you not to pass this bill you'll be voting on. The decisions of the Hawaii courts must be respected: The Superferry should not run in Hawaii's waters before a thorough EIS is completed.

*It is impossible to ensure the environment will be protected during operations.* I attended a meeting in 2006 with Superferry leaders, John Garibaldi and Terry O'Hallorhan. They could not give us any reasonable or believable answers when we asked them how harm to Kauai's environment would be avoided with the Superferry. That is because this harm cannot be avoided with an operation like the Superferry.

It is not only the priceless environment at stake in your decision, but the unique identities of the individual islands. Tourists come to Kauai because of the more rural feel, quiet nights (no coqui frogs), large native bird population not found on the other islands, and the feeling of being in a safe place with very little crime. Linking Kauai to Oahu is a huge threat to all of these crucial aspects of Kauai.

Please choose to honor and respect the neighbor islands to Oahu. Vote no on Wednesday.

Sincerely,

Ellen Caldwell



1770 Pe'e Road  
Koloa, HI 96756

---

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around <http://mail.yahoo.com>

**testimony**

NO

**From:** Michelle Carroll [makaifarms@aloha.net]  
**Sent:** Monday, October 22, 2007 8:11 PM  
**To:** testimony  
**Subject:** Superferry

Superferry must get an EIS first. If an EIS had been performed at the proper time, the operators of the Superferry would not be in this situation. No one should be above the law, especially being aided by the state. Kauai does not need the Superferry. Kauai roads are already congested and can barely handle the local traffic plus all the visitors already on the island. The ferry would bring hundreds of people plus their cars everyday to further congest our one road. The ferry service should never have been started without an EIS. The islands are fragile, the sea is unpredictable, the ferry is unneeded. While the idea of taking your car on the ferry to Oahu has some appeal, the very real negatives of highway congestion, invasive pests, added crime, and not the least, the threat to sea creatures large and small that live in the path of the Superferry. Those on Kauai who would look past the perceived convenience and recognize the true consequences should be acknowledged. Please, no Superferry hopefully at all, but surely not until a proper EIS has been done. Thank you for listening.

Michelle Carroll  
PO Box 93  
Kilauea, Hi. 96754

THE SENATE  
THE TWENTY-FOURTH LEGISLATURE

COMMITTEE ON JUDICIARY AND LABOR

Senator Brian T. Taniguchi, Chair  
Senator Clayton Hee, Vice Chair

COMMITTEE ON TRANSPORTATION AND INTERNATIONAL AFFAIRS

Senator J. Kalani English, Chair  
Senator Mike Gabbard, Vice Chair

COMMITTEE ON ENERGY AND ENVIRONMENT

Senator Ron Menor, Chair  
Senator Gary L. Hooser, Vice Chair

NOTICE OF INFORMATIONAL BRIEFING

DATE: Sunday, October 21, 2007

TIME: 2:00 p.m.

PLACE:

King Kaumualii Elementary School Cafeteria  
4381 Hanamaulu Road  
Lihue, HI

--  
Michelle Carroll  
530-273-5153 voice  
240-248-0566 fax

**testimony**

*YES*

**From:** Carmela DeMarco [carmelademarco@hotmail.com]  
**Sent:** Monday, October 22, 2007 8:04 PM  
**To:** testimony  
**Subject:** Superferry

Please support the Superferry. This is a needed alternative transportation and Hawaii needs this service.  
Mahalo.

Carmela DeMarco  
5178 Hoona Rd.  
Koloa, HI 96756

---

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

testimony

NO

---

**From:** Mercedes Maza [mercedes@maza-art.com]

**Sent:** Monday, October 22, 2007 6:41 PM

**To:** testimony

**Subject:** Superferry

Hearing notice for (10/21) Sunday's hearing that was here on Kauai:

THE SENATE  
THE TWENTY-FOURTH LEGISLATURE

COMMITTEE ON JUDICIARY AND LABOR

Senator Brian T. Taniguchi, Chair

Senator Clayton Hee, Vice Chair

COMMITTEE ON TRANSPORTATION AND  
INTERNATIONAL AFFAIRS

Senator J. Kalani English, Chair

Senator Mike Gabbard, Vice Chair

COMMITTEE ON ENERGY AND  
ENVIRONMENT

Senator Ron Menor, Chair

Senator Gary L. Hooser, Vice Chair

NOTICE OF INFORMATIONAL BRIEFING

DATE: Sunday, October 21, 2007

TIME: 2:00 p.m.

PLACE:

King Kaumualii Elementary School Cafeteria

4381 Hanamaulu Road

Lihue, HI

Honorable Senators,

Thank you for your having come to Kaua'i to listen to our testimony re: the Superferry. I am sure that you must have been made aware of how much we are passionate about taking care of our environment and having come out on a Sunday for myself as well as yourselves was quite the effort.

Please do not allow this superferry to go forward until the EIS is completed.

Mahalo for listening to us. I am going to keep you in my prayers that God touch your hearts to do what is pono. We will all have to answer to Him if not each other sooner or later.

Aloha and may God Bless you.

Mercedes Maza, owner

**testimony**

---

YES

**From:** Harvey [yamauchih001@hawaii.rr.com]

**Sent:** Monday, October 22, 2007 9:13 PM

**To:** testimony

**Subject:** I Support Hawaii Superferry

I am in support of the bill that will permit interisland ferry service in Hawai'i while an environmental impact statement is being conducted.

Cynthia Yamauchi  
1819-A 9th Avenue  
Honolulu, HI 96816  
email: yamauchih001@hawaii.rr.com

10/23/2007

testimony

YES

---

**From:** deb bellafonte [de\_bellafonte@yahoo.com]  
**Sent:** Monday, October 22, 2007 9:11 PM  
**To:** testimony  
**Subject:** Hawaii Superferry

Dear Senate Committees, Judicial & Labor, Transportation 7 International Affairs, Energy & Environmental,

Please consider keeping the Super ferry! It is a wonderful asset to the communities. It allows, not only tourism wonderful possibilities, but also opens the door for employment opportunities, families to come together with an ease as never before.

I do not believe that there will be a substantial enviromental impact, if any at all. Our community depends on shipping. I've researched the Superferries operations people and standards. Our ferry will be maintained to the highest of standards at all times.

I want the ferry to remain in operation,  
Sincerely,  
Deborah Bellafonte

---

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around  
<http://mail.yahoo.com>

10/23/2007



**testimony**

---

YES

**From:** wpf [frazierw001@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 9:18 PM  
**To:** testimony  
**Subject:** Support for the Super Ferry

Sir or Madam,

I and 90% of my friends look forward to having an addition option other than the airlines for travel to and from the Big Island and Oahu. As a disable veteran/retiree (Army) it would be a great way to travel to Tripler for treatment using my own vehicle and would ease the financial burden for transportation to and from Oahu for treatment.

Additionally, once one of the big three of the airlines folds, prices for inter-island flights will once again be unaffordable and we will not have an option other than pay whatever price the airlines say!

Please do whatever is needed to provide us with an option other than the airlines for inter-island travel...

Sincerely

William P. Frazier  
MSG, U.S. Army (Retired)  
PO Box 103  
HVNP, Hawaii 96718-0103

Cell: 808-937-1957

10/23/2007

**testimony**

*YES*

---

**From:** Dave & Cathy Kienzl [cdkienzl@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 9:18 PM  
**To:** testimony  
**Subject:** KEEP the Superferry

We want the Superferry. What a convenient way to go see relatives on the other islands without having to rent a car. I love the idea. KEEP IT. KEEP IT. KEEP IT.

David and Catherine Kienzl

10/23/2007

**testimony**

YES

---

**From:** Paul M Bellanca [paul.bellanca@gmail.com]  
**Sent:** Monday, October 22, 2007 9:17 PM  
**To:** testimony  
**Subject:** Hawaii Superferry

To whom it may concern:

Ferries was main form of transportation before the advent of big bridges and expressways. As a child raised on the east coast, I was always excited when the road came to an end and we could take a ferry.

It will be a sad day for the children when we can not offer this mode of transportation to the next generation. Children don't get much of an education in airplanes!!

Paul Bellanca, DDS  
Honolulu, Hawaii 96822

10/23/2007

**testimony**

*YES*

**From:** Diane Plotts [dplotts@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 9:17 PM  
**To:** testimony  
**Subject:** Super Ferry

Please get the Super Ferry in service soon with a minimum of restrictions that do not apply to other sea going vessels entering and leaving our harbors daily.

The unrealistic low air fares will not last forever and our citizens deserve to have this alternative method of interisland transportation or the future ("Go!" wasn't on the scene when everyone was clamoring to have the Super Ferry rushed into service. How quickly everyone forgets).

We need to stop changing the ground rules on projects after investors put in hundreds of millions. Make the laws clear so we don't issue the permits in the first place if the project is not good for Hawaii but don't say yes, take the money and then change the rules. We will have a hard time attracting future capital – as if we needed a worse reputation than we have already.

Whales are special but at some point we need to put the needs of people first. How many whales were hit in Alaskan waters by ferries? Have not seen any statistics to back up the wild claims made by the nay sayers.

Show some political strength and don't listen to a minority group of people who speak very loudly and in some cases make physical threats to scare off supporters (Kauai). Do what is right for the silent majority.

Thank you.

Diane J. Plotts  
1221 Victoria St., #PH-2  
Honolulu, HI 96814-1456  
Phone 808-284-0370

**testimony**

*YES*

---

**From:** Kristin Walker [walkerk024@hawaii.rr.com]  
**Sent:** Monday, October 22, 2007 9:17 PM  
**To:** testimony  
**Subject:** support for the Superferry

To whom it may concern;

My husband & myself are in **support** of the Superferry. We live in Maui and would appreciate having an alternative form of transportation to the neighbor islands with the option of traveling with our own vehicle.

Thank you,  
Kristin & Ian Walker  
54 Kuuhale Place  
Kahului, HI 96732

10/23/2007

**testimony**

*YES*

---

**From:** Rob James [grjames@gmail.com]  
**Sent:** Monday, October 22, 2007 9:17 PM  
**To:** testimony  
**Subject:** da superferry

Aloha Senators and Representatives,

My wife and I both hope that the Hawaii Superferry will be allowed to sail in Hawaii soon. This business provides a very needed alternative for inter island travel and commerce and will be invaluable the next time a natural disaster strikes our state. They played by the rules set forth by both the Administration and the Legislature, and to not allow them to continue with their business plan would be tragic for the vast majority of Hawaii's residents. Please let them operate now.

Aloha,

Rob and Farris James  
Oahu

10/23/2007

testimony

YES

From: Lisa Menor [lamenor@hawaii.rr.com]  
Sent: Monday, October 22, 2007 9:13 PM  
To: testimony  
Subject: In support of Hawaii Superferry

Importance: High

October 22, 2007

To the following Senate Committees: Judiciary and Labor, Transportation and International Affairs, and Energy and Environment

RE: Hearing Date: Wednesday, October 24, 10:30 a.m. Auditorium, State Capitol

Dear Ladies and Gentlemen:

We are writing to urge you to support the Hawaii Superferry and the requested special session of the legislature.

This whole issue has become a ridiculous mess, which makes Hawaii look terrible in general and has especially made the business environment in Hawaii seem even more protectionist/unfriendly.

Spending more money in the typical "probe/investigate/stall/block" mentality of certain parties in the legislature needs to be stopped. This situation needs a pro-business response to reflect the facts of the situation. The Superferry followed the laws of the state and is being penalized unfairly. It should be allowed to operate. Should the laws need to be changed going forward, than so be it, but in this case, they should not be penalized for following what they were told, regardless of whether or not the executives had one-on-one personal discussions with each legislator (which seems to be a very vain requirement on the part of certain legislators holding that position to most of us).

Hawaii already has a shaky reputation in the business community. People forget that Hawaii businesses are active supporters of the community and their employees. Without growing business, there are less jobs, less money, less taxes, and less charity.

Please also re-evaluate the 29 "requirements" of the environmentalists. They are ridiculous and punitive as they ONLY affect the Superferry and do not address the same concerns that should exist with ALL modes of transportation of plants, goods, etc. between the islands, if required of the Superferry.

You have the power as senators to make a difference and help correct this situation. We look forward to your contribution to helping resolve the issue and getting the Hawaii Superferry back on track before it becomes some other state or country's ferry.

Aloha,

Lisa A. Menor & Michael C. Miller

Oahu Address:  
2122 Booth Road  
Honolulu, HI 96813  
Maui Address:

888 Puiki Place  
Lahaina, Hawaii 96761-1528



**testimony**

*YES*

**From:** phildeaq@hawaiiantel.net  
**Sent:** Monday, October 22, 2007 9:17 PM  
**To:** testimony  
**Subject:** Let us help ourselves

To all concerned:

Hawaii is a group of islands, it needs the superferry.

Hawaii is the aloha country, I don't believe that Kauai will be a republic among the Hawaiian Islands.

We have air transportation, can it transport cars? Air costs much more, yet we must see our islands in the the horizontal perspective.

Hawaii life blood is tourism, and with the Superferry, people like me will be tourists in Kauai, Maui or Big Island. Tourists spend money, yet that money is left where they go.

We are kamaaina people, let us unite not live alone in our own county separated by sea.

Nobody hates anybody in Hawaii. We love our neighbors, our friends and our people, yet we are separated by distant waters, let that separation weld us together as one and indivisible, yet varied ethnicity. We are now all Hawaiians, let us work together, pray together and love one another.

Not so, fast man. The question we must resolve is that we must not fast forward our laws to fit into what we like, but follow them. The superferry is a business, so let it follow the rules as embodied by our present laws. Dont short cut a business emergence.

However, since, the damage is done and if we do not do what we need to do now, the Superferry will loss millions before it works for the good of the people. So

let the legislature do its work to find ways the Superferry can immediately operate in order to minimize losses. If legislators can amend the law, they should not ask more unnecessary questions, do it and let everyone move forward. Can we do that?

Legislators, Superferry, people of the Aloha country, wake up and move forward.

Teofilo De Aquino of Oahu

**testimony**

*YES*

---

**From:** NTANABEM@aol.com  
**Sent:** Monday, October 22, 2007 9:16 PM  
**To:** testimony  
**Subject:** Hawaii Super Ferry

Dear Honorable Senators of the State of Hawaii,

My wife and I are in full support of the Hawaii Super Ferry and we ask that you consider allowing the ferry system to operate while an environmental impact study is conducted. As residents of Kauai, we believe that the Hawaii Super Ferry will provide an attractive and much needed option for outer-islanders to travel to and from Oahu. This ferry system will also allow my daughter who has a fear of flying to visit us on Kauai. This ferry will also allow us to use our own personal vehicle when we visit our aging and ailing parents on Oahu.

Although it appears that some of the more vocal folks on Kauai and Maui are not in favor of the ferry, I believe the vast majority supports the Hawaii Super Ferry. I know that of all the local residents that I have spoken to about the subject, all but one was in favor of allowing the Hawaii Super Ferry to operate. We should also note that we tried to attend both hearings held on Kauai but was so turned off by the rowdy and disrespectful crowd.

Your truly,

Miles and Nancy Tanabe  
Wailua, Kauai, HI

---

See what's new at [AOL.com](#) and [Make AOL Your Homepage](#).

10/23/2007

YES

From: mauimo@hotmail.com  
To: reps@capitol.hawaii.gov  
Subject: The Ferry is wanted  
Date: Monday Oct 22, 2007 19:38:40 -1000

.ExternalClass .EC\_hmessage P {padding:0px;} .ExternalClass EC\_body.hmessage {font-size:10pt;font-family:Tahoma;} Dear Legislator: I have lived on Maui for 20 years, and I am a registered voter, I have also worked for The State of Hawaii 18 years. I am so tired of hearing, and witnessing first hand all the embarrassing "stunts" and poor judgment calls our local and State Representatives have made. Just when I think we have moved into the 20th (not even the 21st) century the court pulls this. If I were the ferry folks I would have said forget it, and gone where I was wanted and appreciated. It is a beautiful, modern, and much needed option for us here on Maui. The Ferry people went through so much to come to Hawaii. Now Hawaii is abandoning them. Not only did they do a class remodel of the Harbor, they also did traffic adjustments, hire "Local Staff", hold an open house, and give local resident \$10.00 trial tickets. I didn't see the Cruise lines do any of that. They tried to please all those fanatical activists "save the bugs" kind of people. It is always the same group of people who create a stir. Aren't these the same people who claimed to have gotten rashes from the water upcountry? I guess these people want to go on living in the 60"s. Maybe they should move to Pennsylvania and live with the Omish.

I support a special session of the Hawaii State Legislature to identify a solution that would enable Hawaii Superferry to continue operation while the environmental assessment is being conducted.

The people of Hawaii want interisland transportation choices. Hawaii Superferry is a transportation alternative that is wanted and needed by residents and businesses of Hawaii and will bring many benefits to our state.

Prompt action is needed to save this transportation option and protect Hawaii's business climate.

Mahalo,



Monique L. LeBlanc

15 Kulanihakoi Place

#16C

Kihei, Maui, Hawaii 96753

808-385-1880

**testimony**

YES

**From:** EvergreenbyDebra@cs.com

**Sent:** Monday, October 22, 2007 9:11 PM

**To:** testimony

**Subject:** Hawaii Superferry - Hearing Date: Wednesday, October 24

**Senate Committees:** Judiciary and Labor, Transportation and International Affairs, and Energy and Environment

**Hearing Date:** Wednesday, October 2

WE SUPPORT, and ask for your support that The Hawaii Superferry should proceed, sail and operate concurrent with the EIS process.

If this request cannot be granted, then out of respect for the serious concerns of our fellow citizens on Maui and Kaua'i, the services provided by Young Brothers, Matson and Horizon Lines, and air freight should be ceased until such time that all these freight services meet the all the SAME requirements that are being demanding of the Hawaii Superferry.

Aloha,

Jeff and Debra Pompadur  
47-388 Kamehameha Hwy  
Kaneohe, HI 96744-4736 USA  
Phone: 808-239-6599  
Fax: 808-239-8556  
E-mail: [Jeff@EvergreenbyDebra.com](mailto:Jeff@EvergreenbyDebra.com)

10/23/2007

**testimony**

*YES*

**From:** Seamus \_Murphy [starboardguy@mac.com]  
**Sent:** Monday, October 22, 2007 7:14 PM  
**To:** testimony  
**Subject:** Hawaii Super Ferry support

**Senate Committees:** Judiciary and Labor, Transportation and International Affairs, and Energy and Environment

**Hearing Date:** Wednesday, October 24

**Time and Location:** 10:30 a.m. Auditorium, State Capitol

I am submitting my support for the Hawaii Super Ferry and I want to see it in use through out these islands.

I teach kids sailing, and I have a dream of taking my students on inter island trips where they can sail their own sailboats in various locations on the neighbor islands. The Hawaii Super Ferry makes this dream a reality by merely driving a van with a trailer towed behind it and these kids can sail in different island locations within a few hours during the weekend.

The Hawaii Super Ferry will make this dream come true! I support this project.

Thank you in advance,

Séamus Murphy 808-372-7321