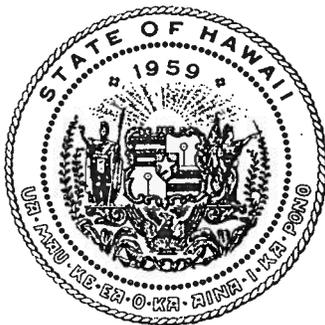


**DEPARTMENT OF TRANSPORTATION'S  
REPORT TO THE LEGISLATURE  
OF  
THE STATE OF HAWAII  
ON  
THE TEMPORARY HAWAII  
INTER-ISLAND FERRY OVERSIGHT TASK FORCE**



Pursuant to Act 2 of the Twenty-Fourth Legislature,  
2007 Second Special Session

June 27, 2008

### **Seventh OTF Meeting**

The Temporary Hawaii Inter-Island Oversight Task Force (OTF), pursuant to Act 2 of the Twenty-Fourth Legislature, 2007 Second Special Session, held its seventh meeting on June 13, 2008 at the Kahului Harbor, Pier 1 Passenger Terminal, Maui.

### **Members Present**

Michael Formby (DOT designee)  
Sandra Kunimoto (Chair DOA)  
Russell Tsuji (DLNR designee)  
John Garibaldi (President, large capacity ferry vessel company, designee)  
Randy Awo (Maui county)  
Sara Peck (Hawaii county)  
Michael Matsukawa (Hawaii county)  
Michael Q. Y. Lau (AG designee)  
Dennis Chun (Kauai county)  
Kauila Clark (Oahu county)  
Colette Machado (Maui county)  
Lynn McCrory (Kauai county)

### **Members excused**

William Aila, Jr. (Oahu county)

### **Other Attendees**

Domingo Cravalho, Jr. (DOA)  
Margaret Ahn (Deputy AG)  
Napua Brown (Mayor Kim's office)

The Agenda for the June 13, 2008 meeting was publicly posted with the Office of the Lieutenant Governor and distributed to the Governor's Liaisons for posting in the state and county office buildings on Maui, Hawaii and Kauai. A copy of the Agenda is attached hereto as Attachment "A."

The meeting was facilitated by Michael D. Formby, the DOT designee.

### **Call to Order**

The meeting was called to order at 11:12 a.m. with a roll call vote taken and 12 of 13 members present representing a quorum.

### **Approval of Minutes**

Lynn McCrory, Sandra Kunimoto, Colette Machado recused from adoption of minutes. Member Peck amended page 2, last sentence to read: "Member Tsuji stated that he previously represented NELHA and the former Kauai Shrimp operators had explained to him that although the frozen shrimp may contain a virus, it is safe to eat, but can transfer virus to live shrimp." Member Chun moved that the minutes of May 9, 2008, as amended, be adopted. Member Tsuji seconded the motion which passed unanimously. The approved minutes, with attachments representing the documents presented, are attached hereto and will be posted at:

<http://hawaii.gov/dot/harbors/hawaii-inter-island-large-capacity-ferry-vessel-oversight-task-force>.

### **Department of Agriculture (DOA) update by Domingo Cravalho, Jr. Copy of DOA handout attached to the June 13, 2008 Minutes.**

May 2008 Operations:

A second voyage added from May 9, 2008 (Sunday, Monday, Wednesday and Friday). A total of 44 roundtrips occurred between Oahu and Maui.

Passenger counts for Honolulu Harbor and Kahului Harbor are included in the report along with counts for domestic animals, certified domestic animals, other animals, fishing nets, natural resources, aquatic life and cut logs/trees.

### **Hawaii Superferry update by Terry O'Halloran. Copy of HSF handout attached to the June 13, 2008 Minutes.**

Statistics of HSF voyages from May 1-31, 2008. May 2008 was the first full month of daily service. The second round trip began on May 9, 2008. The Memorial Day weekend (Friday-Monday) had 5,728 pax and 1,527 vehicles.

Whale statistics of HSF voyages:

- Reporting to DOT and DLNR required through April 30 per Executive Order and HSF Whale Avoidance Policy.
- Dedicated whale lookouts continued through May 2008
- No whale approaches (less than 100 yards) during the reporting period
- Routes North and South of Molokai regularly used depending on sea conditions

**DOCARE update by Randy Awo and Officer Brooks Tamaye from Maui. Copy of PowerPoint presentation attached to the June 13, 2008 Minutes.**

DOCARE Inspections were done from April 11- June 9, 2008. 4575 vehicles from Kahului to Oahu were inspected with 50 vehicles rejected because of excessive dirt/mud/sand, excessive leaves/seeds, vehicle paperwork discrepancies, one late check in and one underage driver.

Some items that were found and prohibited were opihi, crustaceans, limu, fish, game (i.e. mouflon head and meat, goat head and meat, deer meat, pig meat), nets, plants, cut logs/trees, rocks/soil/sand/coral. These items were either confiscated or removed before entry of the vehicle onto the vessel.

Member Awo reported on the status of the proposed OTF letter to the judiciary regarding the possibility of DLNR violations being heard on a separate docket within the court system. The rationale supporting a separate docket for DLNR violations is that the judge and prosecutors handling those cases will acquire an expertise and familiarity with DLNR laws. Member Awo will meet with Judge Rhonda Loo and the Prosecutor's office on June 26, 2008. Member Awo will hold off on the proposed OTF letter until meeting with Judge Loo and the Prosecutor's office and the item will be returned to the OTF agenda for July 2008.

**Act 2 EIS and Rapid Risk Assessment update by Lesley Matsumoto, Belt Collins Hawaii, Ltd.**

Rapid Risk Assessment – Field observations started in January 2008 and ceased observations while HSF was in drydock. Observers completed their studies at the end of May. The draft report should be done by the end of next month (July 2008). 25 observations from the bridge of the ship (looking out for humpback whales), 5 observations of wastewater, fuel, etc., 11 traffic observations in Kahului in January 2008 and 18 traffic observations in Honolulu for May traffic, 25 observations for invasive species and 5 observations to evaluate cultural sensitivity issues. With respect to the Governor's Executive Order (EO), they found general compliance in the areas observed. They will be making recommendations for areas that need improvements primarily in the inspection area. Examples are: 1) staff not asking to have passengers declare items such as plants, etc., 2) inspections of vehicular interiors and wheel wells.

Member Peck observed approximately 115 vehicles inspected and concluded that there is a lot of pressure to have the vehicles move quickly. One of her concerns is that it is difficult to detect bees in the radiators of modern cars. She thinks HSF needs to develop an alternative plan to ensure that the vehicles are not carrying any bees between the islands. Member Awo stated that he noticed the inspections on Oahu are conducted differently than on Maui. Under the EO, hoods, trunks and doors should be inspected. Member Awo observed hoods of vehicles opened but not trunks and doors.

Member Formby inquired as to when the Rapid Risk Assessment would be provided to the Governor and the legislature. Ms. Matsumoto stated that within the next couple of weeks they will submit the report to DOT, DLNR and DOA for comments due back within a 7 day period. Thereafter, the finalized report should be submitted to the Governor and the Oversight Task Force by end of July. The estimated date for completion of the draft EIS is October 2008. The projected final EIS date is May 2009.

Ms. Matsumoto also noted that they completed the acoustic (sound) study (impacts on marine mammals) and the written survey of passengers on the vessel during the trips. Some passenger statistics were 48% from Oahu, 20% from Maui, average party size was 2.96 persons, the average stay was 5.2 nights, with approximately 60% bringing their vehicles.

**DLNR update with Russell Tsuji. Copy of the handout attached to the June 13, 2008 Minutes.**

Memo to Superferry Oversight Task Force from Director Laura H. Thielen regarding DOCARE Recommendations to Improve Hawaii Superferry Operations. Topics included in the memo are Recommendations to Improve Superferry Screening Procedures, Frequency with which DOCARE should conduct random monitoring of Superferry operations and Recommendations to Amend the Governor's Executive Order No. 07-10. Discussion followed regarding the need to clarify the proposed change with the existing requirement. Member Tsuji offered to work on the format and call for the issue to be put on the agenda for discussion at a future OTF meeting.

**OTF Recommendation Per Act 2 Mandate**

Member Peck called for a motion for the OTF to recommend to the Governor and Legislature to provide additional staffing and funding for DOA, DLNR and DOCARE to effectively accomplish the work identified in the conditions in Act 2. Member Clark seconded the motion and upon vote, the motion passed unanimously.

**Conclusion:** The Oversight Task Force requests Gubernatorial and Legislative support for additional funding for DOA, DLNR/DOCARE personnel to accomplish the work set forth in Act 2 passed.

The next meeting of the OTF is scheduled for 1:00 p.m., July 10, 2008, Honolulu International Airport, Inter-Island Terminal, 7<sup>th</sup> Floor, Conference Room C.

## **AGENDA**

**Act 2 Temporary Hawaii Inter-Island Ferry  
Oversight Task Force (OTF) Meeting  
Friday, June 13, 2008, 11:00 a.m.–3:00 p.m.  
Kahului Harbor Pier 1 Passenger Terminal  
128 Ala Luina Street  
Maui, Hawaii**

- I. ROLL CALL
- II. APPROVAL OF MINUTES – MEETING OF MAY 9, 2008
- III. INFORMATIONAL BRIEFINGS
  - A. DOA UPDATE ON INSPECTIONS/FINDINGS
  - B. HSF UPDATE ON OPERATIONS
  - C. DOCARE UPDATE ON INSPECTIONS/FINDINGS
  - D. REPORT ON STATUS OF OTF LETTER TO THE JUDICIARY
- IV. ACT 2 EIS UPDATE
- V. COMMUNITY INPUT
- VI. OTF FINDINGS AND RECOMMENDATIONS PER ACT 2 MANDATE (PAGES 44 AND 45)
- VII. NEXT MEETING/LOCATION/DATE/TIME
- VIII. ADJOURNMENT

To request language interpretation, an auxiliary aid or service (i.e., sign language interpreter, accessible parking, or materials in alternative format), contact Debbie Kuwaye at (808)587-3651 (Oahu) or Kathleen Watanabe at (808) 873-3353 (Maui) fourteen (14) days prior to the meeting date. TTY users may use TRS to contact our office.



**MINUTES  
TEMPORARY HAWAII INTER-ISLAND  
FERRY OVERSIGHT TASK FORCE MEETING  
KAHULUI HARBOR PIER 1 PASSENGER TERMINAL  
128 ALA LUINA STREET  
MAUI, HAWAII**

June 13, 2008

**Members Present**

Michael Formby (DOT designee)  
Sandra Kunimoto (Chair DOA)  
Russell Tsuji (DLNR designee)  
John Garibaldi (President, large capacity ferry vessel company, designee)  
Randy Awo (Maui county)  
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Colette Machado (Maui county)  
Lynn McCrory (Kauai county)

**Members excused**

William Aila, Jr. (Oahu county)

**Other Attendees**

Domingo Cravalho, Jr. (DOA)  
Margaret Ahn (Deputy AG)  
Napua Brown (Mayor Kim's office)

**Call to Order**

Member Formby, as the Oversight Task Force (OTF) facilitator, called the meeting to order at 11:12 a.m. Twelve members were present representing a quorum.

**Adoption of Minutes for May 9, 2008**

Lynn McCrory, Sandra Kunimoto, Colette Machado recused from adoption of minutes. Member Peck amended page 2, last sentence. Sentence should read "Member Tsuji stated that he previously represented NELHA and the former Kauai Shrimp operators had explained to him that although the frozen shrimp may contain a virus, it is safe to eat, but can transfer virus to live shrimp." Member Chun moved that the minutes of May 9, 2008, as amended, be adopted. Member Tsuji seconded the motion which passed unanimously.

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Ms. Matsumoto also noted that they completed the acoustic (sound) study (impacts on marine mammals) and the written survey of passengers on the vessel during the trips. Some passenger statistics were 48% from Oahu, 20% from Maui, average party size was 2.96 persons, average stay was 5.2 nights, with approximately 60% bringing their vehicles.

**Community Input**

Nine individuals provided input to the OTF. Issues raised included:

1. Concerns with the coral stockpile and the fishing hale. Wanted to make sure that DOT was not going to move the hale. Member Formby asked Member Awo if he knew whether the fishing hale is on DOT or DLNR land. Member Awo stated that he was not certain but believed it was on DOT land. Member Formby commented that DOT has no

short range plans to develop the coral stockpile area in Kahului, although development of the west harbor remains part of the Kahului 2030 Masterplan.

Compliments for DOCARE officers doing a good job on Maui. Worried that Oahu inspections are not as thorough as Maui inspections.

Concerns regarding Austal's construction of HSF's Alakai vessel.

Concerns regarding changes in the Kahului 2030 Master Plan. Member Formby stated that the HMP projects in Kahului have changed from \$348 million to probably less than \$150 million. Discussion followed.

Questions for Member Formby:

1. Does the new plan still include the dredging and elimination of the surf breaks?
2. Cruise vehicles and cargo will be stored on the west breakwater and how will the vehicles and cargo be moved there?
3. What is the current plan for relocating the Superferry? What are the alternatives being if the barge is no longer used and what will happen to the barge itself?

Member Formby stated that the HMP project list is separate and apart from the Kahului 2030 Masterplan. For long range planning purposes, there is no change to the Kahului 2030 Masterplan. However, for the short term HMP project list (those projects to be implemented within the aggressive six year project period), member Formby noted that the DOT recommendation is to:

1. Eliminate the west harbor cruise terminal.
2. Eliminate the west harbor ferry barge slip.
3. Hold plans to develop the west coral stockpile.
4. Focus on the acquisition of land in the existing east harbor with repaving, fencing and security considerations.
5. Strengthen Pier 2 B.
6. Make improvements to the Pier 1 fuel line.
7. Relocate the existing cement silos.
8. Initiate breakwater modeling studies at Kahului, including studies with the Corps of Engineers.

Member Formby noted that while DOT was advocating the reduction of the HMP project list, it was not abandoning its long range plans via the Kahului 2030 Masterplan. Formby indicated that the HMP project list is not finalized at this time and is subject to change.

Concerns were raised on traffic impacts at the Puunene intersection and how increased ridership will affect traffic.

The Hale Kiawe cultural group was present to raise concerns that the Hale is located on the west bank of the harbor and they would like to be a part of the EIS process. The concerns are many and varied and they would like to be part of the process.

Member Chun excused at 12:37 p.m.

A member of the community gave a short background on fire ants and their negative effect on the Hawaiian islands. A suggestion was made for the OTF to recommend the formation of a study group to tackle the issue. Member Kunimoto stated that there was an exercise at the DOA to address the fire ants. The DOA is working on treatments and protocols.

Concerns were expressed on the cost of DLNR/DOA personnel and the tug boats for the operation of HSF. It was noted that the police are doing an excellent job to move traffic but the main problem is at the First Hawaiian Bank, not at Puunene. They hope police assistance is retained even if the Judge relaxes the requirement. There was also a concern with the traffic sign not mirroring the street configuration.

A comment was offered that the night time HSF transits are dangerous to whales. A concern was also expressed that the monk seal might be sucked into the vessel engine intakes.

A question was asked if ramps on the Superferry being considered? Does the state have the ability to sell the barges? What is the estimate of how much fuel is being used? Member Garibaldi responded that no ramp decisions have been made as of this date.

Concerns were also expressed regarding too many DOCARE officers focused on Maui HSF operations. Is there enough to provide service for the rest of Maui?

Canoe club members would like to be invited to meetings and be involved.

**DLNR update with Russell Tsuji. Copy of the handout attached.**

Memo to Superferry Oversight Task Force from Director Laura H. Thielen regarding DOCARE Recommendations to Improve Hawaii Superferry Operations. Topics included in the memo are Recommendations to Improve Superferry Screening Procedures, Frequency with which DOCARE should conduct random monitoring of Superferry operations and Recommendations to Amend the Governor's Executive Order No. 07-10. Discussion followed regarding the need to clarify the proposed change with the existing requirement. Member Tsuji offered to work on the format and call for the issue to be put on the agenda for discussion at a future OTF meeting.

Member Machado noted that Maui Senator Rosalyn Baker was a big supporter of DOCARE initiatives this session. She strongly encouraged the public to speak to their legislators for action on the issues they cared about.

Member Peck called for a motion for the OTF to recommend to the Governor and legislators to provide additional staffing and funding for DOA, DLNR and DOCARE to

effectively accomplish the work identified in the conditions in Act 2. Member Clark seconded the motion and upon vote, the motion passed unanimously.

**Agenda items for the next OTF meeting:**

Status of meeting with Judge Rhonda Loo  
DOCARE proposed changes (if ready for presentation)  
Proposed resolution calling for a study group to be set up on fire ants

**Next Meeting**

1:00 p.m., July 10, 2008, Honolulu International Airport, Inter-Island Terminal, 7<sup>th</sup> Floor, Conference Room C

Kauila Clark made a motion to adjourn the meeting. Member Machado seconded and the motion passed unanimously. Meeting adjourned at 2:20 p.m.

# **Hawaii Superferry Operations May 2008 Update**

**Oversight Task Force Meeting**

**June 13, 2008**

**Kahului, Maui**

**Domingo Cravalho, Jr.  
Plant Quarantine Branch**



# **May 2008 Operations**

- **A second voyage added from May 9th (Sun., Mon., Wed., Fri.)**
- **A total of 44 roundtrips between Oahu and Maui**
- **Increased passenger and vehicle ridership**
- **Increased movement of agricultural materials**

# Honolulu Harbor

# Kahului Harbor

Passenger	10,944	10,321
Vehicles	3,127	2,920
Equipment	142	61
Off-Road Vehicles	137	9
Dirty/Muddy Vehicles		
Treat/Release	6	15
Refuse Entry	0	3
Propagative Materials		
Insp/Release	89	2017
Refuse Entry	25	99
Non-Prop. Materials		
Cut Foliage	19	453
Produce	1,202 lbs	1,536 lbs

# Honolulu Harbor

# Kahului Harbor

Domestic Animals	55	57
Certified Dom. Animals	2	4
Other Animals		
Insects	19 (18 bees)	34 (23 bees)
Birds	1	1
Other	5 lbs (mussels)	20 lbs (clams) 7 assorted shells
Fishing Nets	10	2
Natural Resources		
Sand	0	22 lbs
Soil	0	3 lbs
Coral	0	2 lbs
Aquatic Life		
Opihi	0	5 lbs
Crustaceans	3 lbs	2 lbs
Fish	16 lbs	3 lbs
Algae	0	5 lbs
Cut Log/Tree	1	11



**Oversight Task Force  
May 2008 Status Update**

June 13, 2008



## Alakai Voyage Statistics

### Statistics of HSF voyages from May 1 - 31, 2008:

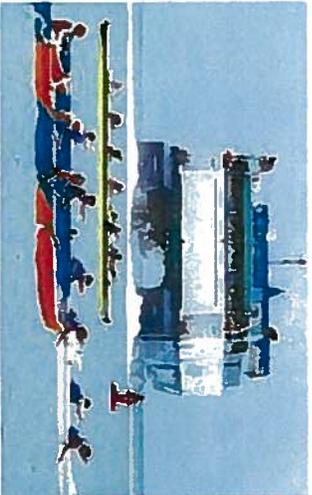
- May was the first full month of daily service
- 44 round trips between Maui and O'ahu
- One round trip daily and two round trips on Sundays, Mondays, Wednesdays, and Fridays
- Second round trip began May 9
- Memorial Day Weekend (Fri-Mon) 5,728 PAX and 1,527 vehicles





## Alakai Voyage Statistics

- May 2008 traffic: 21,882 PAX and 6,003 vehicles carried
- Average PAX load from O'ahu to Maui = 261 PAX / voyage
- Average PAX load from Maui to O'ahu = 237 PAX / voyage
- Average vehicle load from O'ahu to Maui = 72 / voyage
- Average vehicle load from Maui to O'ahu = 64 / voyage

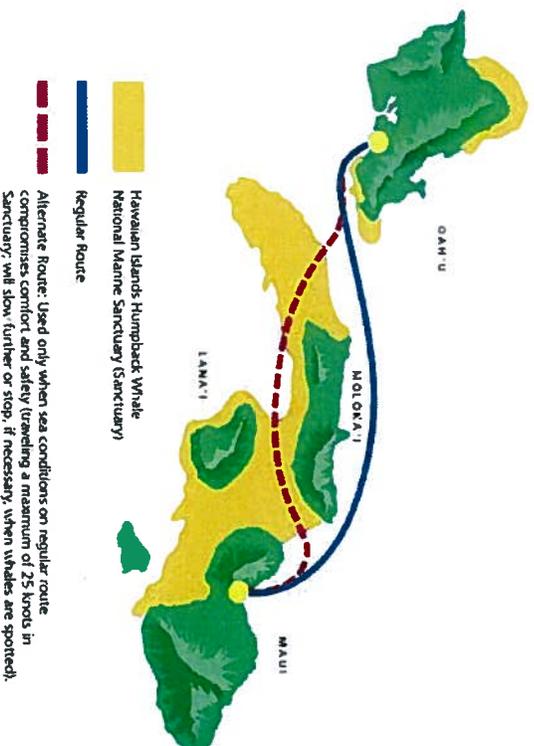




## Alakai Voyage Statistics

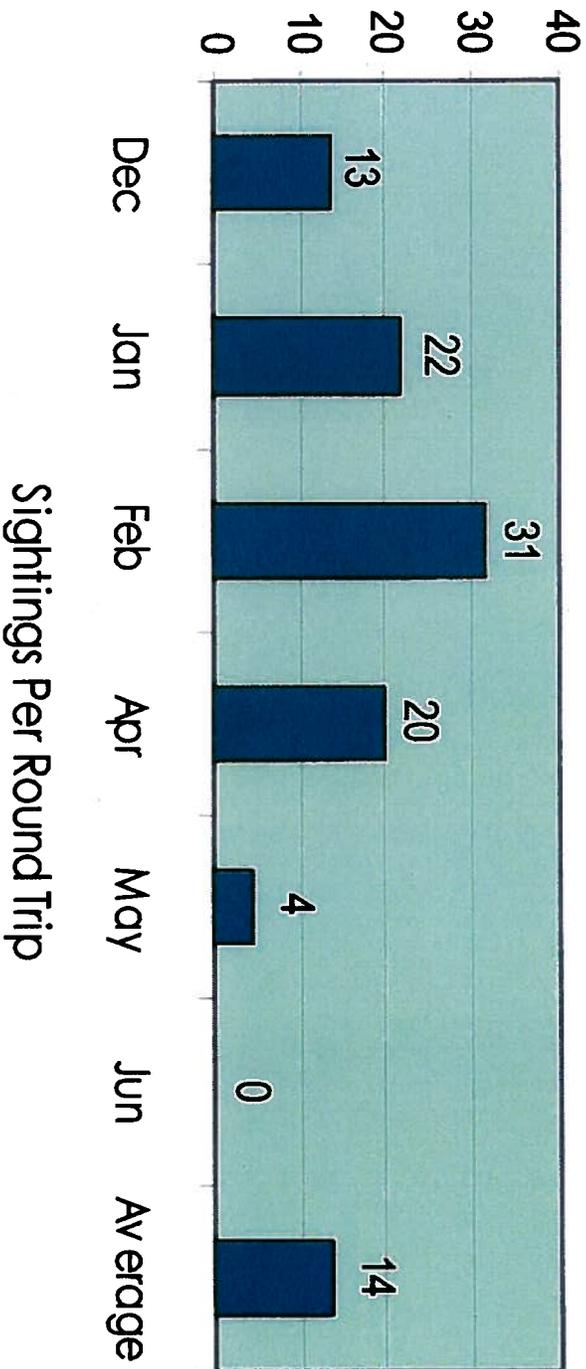
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- No whale approaches (less than 100 yds.)
- Routes North and South of Molokai regularly used depending on sea conditions





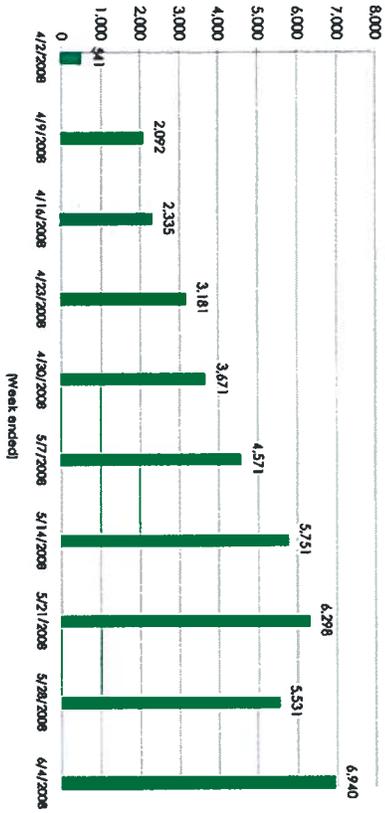
## Summary of Whale Sightings



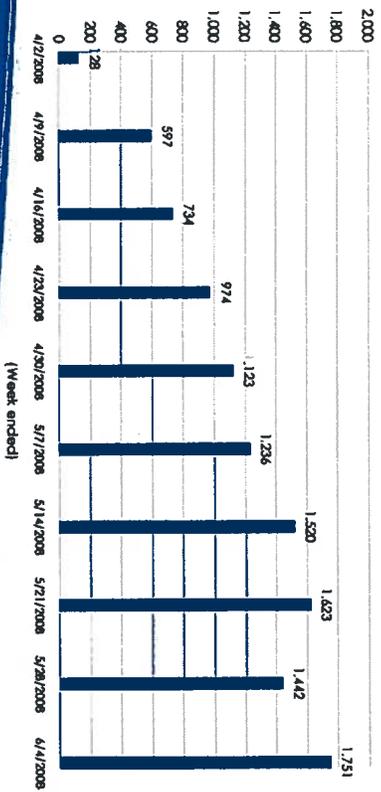


# Advance Bookings

Passengers Booked per Week



Vehicles Booked per Week



# DLNR - DOOCARIE

Hawaii Superferry Inspections

April 11 – June 9, 2008

# BACKGROUND

- Officers present for 65 departures from Kahului to Oahu.
- 4575 vehicles
- 50 vehicles rejected
  - 34 excessive dirt/mud/sand
  - 10 excessive leaves/seeds
  - 4 vehicle paperwork discrepancies
  - 1 late check-in
  - 1 underage driver

- 1475 Coolers/Boxes/Bags inspected
- 106 Contained Marine Life or other Natural Resources

# E.O. Prohibited Items in Coolers/Boxes/Bags

- 70 lbs opihī with shells
- 5 lbs opihī without shells
- Crustaceans
  - 1 box lobster (purchased)
  - 1 box shrimp (purchased)
  - 6 pcs shrimp (purchased)
  - 2 boxes crab (purchased)
  - 2 lbs. a'ama crab

# Natural Resources

## Other Items within Coolers

- LIMU
  - 438 lbs Wawae'iolo
  - 27 lbs Ogo
  - 3 lbs akiaki
  - 1 lb unidentified red limu
  - 5 lbs hypnea
  - 3 lbs caulerpa
- FISH (Whole)
  - 214 lbs aku
  - 25 lbs ahi
  - 15 lbs akule

■ FISH (whole) - continued

- 2 lbs. kumu
- 2 lbs. mumu
- 4 lbs. opakapaka
- 2 papio (no est. weight)
- 2 moelua – weke nono (no est. weight)
- 3 lbs nabeta
- 9 lbs kole
- 8 uhu (no est. weight)
- 85 lbs. of various reef fish (including menpachi, aholhole, moano, manini, kala, uhu, moi, pualu, roi)
- 58 lbs he'e - octopus

## ■ FISH (Cut)

- 1 slab mahimahi
- 2 bags ono fillets
- 1 lb ahi
- 1/2 lb ono
- 5 lb fish poke

## ■ GAME

- 1 mouflon head and meat
- 1 goat head and meat
- 25 lbs. deer meat
- 8 lbs. smoked deer meat
- 1 lb wild pig meat

# E.O. Prohibited Other Items

## ■ Nets

- 1 throw net
- 4 scoop nets

## ■ Plants

- 7 ti leaf stalks
- 2 coconuts
- 2 bulbs (unidentified)
- 5 palms w/soil
- 6 misc. plants w/soil
- 1 taro
- 1 box taro w/roots
- 1 water hyacinth
- 7 potted orchids
- 16 unspecified plants

# E.O. Prohibited Other Items

- Cut Logs / Cut Trees / Tree Limbs
  - 1 ½ boxes of cut ironwood limbs
  - 12 pieces kiauve
  - 5 cut bamboo poles
  - 10 pieces of driftwood
  - 3 cut limbs (unidentified type)
- Rocks / Soil / Sand / Coral
  - 5 river rocks
  - 4 lava rocks
  - 16 pieces dead coral
  - 2 poi pounders (allowed)

# DLNR Violations

- Citations Issued:
  - Undersize Opilhi (less than 1-1/4")
  - Undersize Uhu (less than 12")
  - (2) Ogo with nodes
  - Ogo with holdfasts

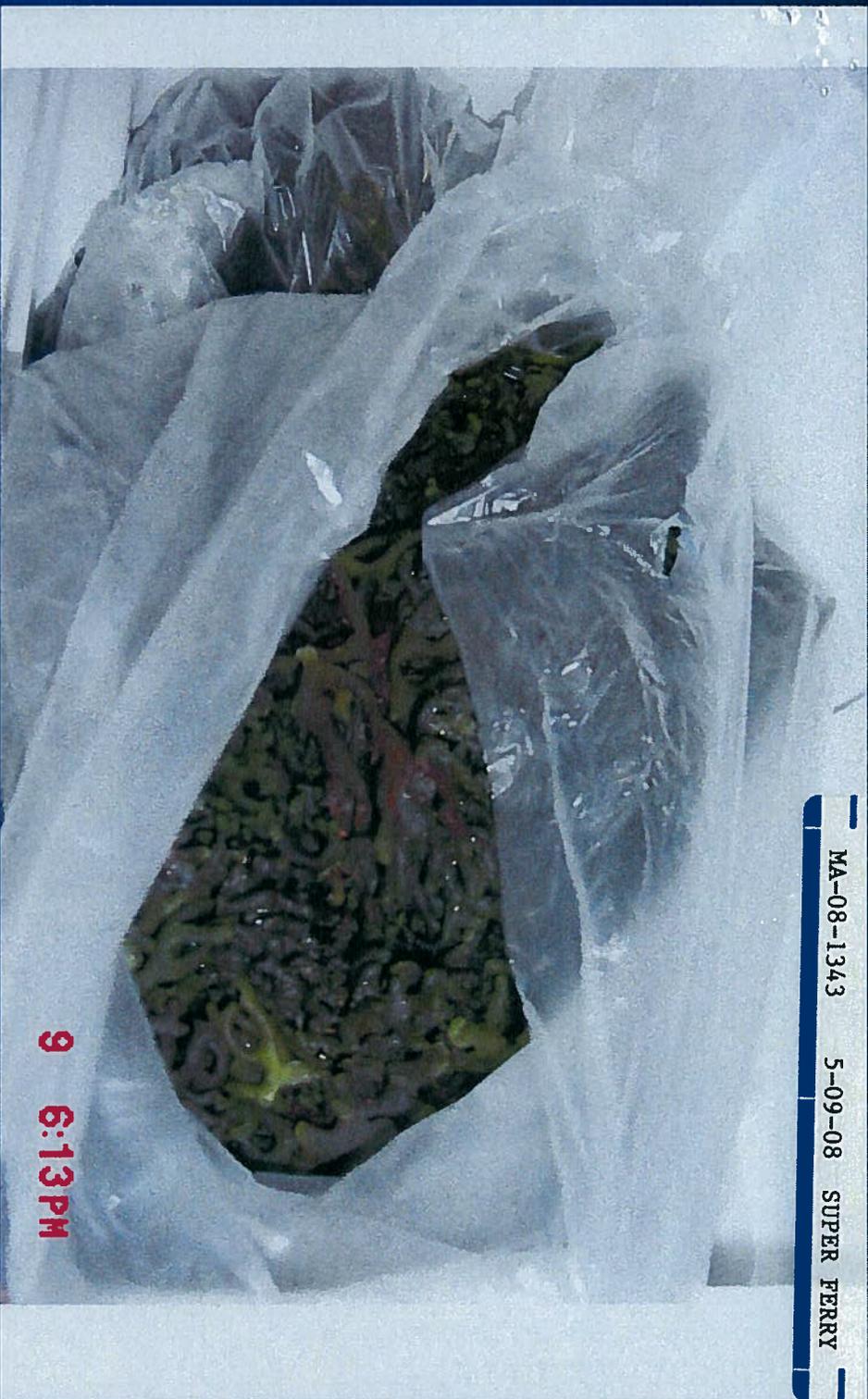


Approximately 6 lbs of opihi (called family to pickup)

5/26/08



Approximately 4 lbs opihi (called friend to pickup)  
6/2/08



Approximately 15 lbs. of Wawa'e'iole in cooler  
5/9/08

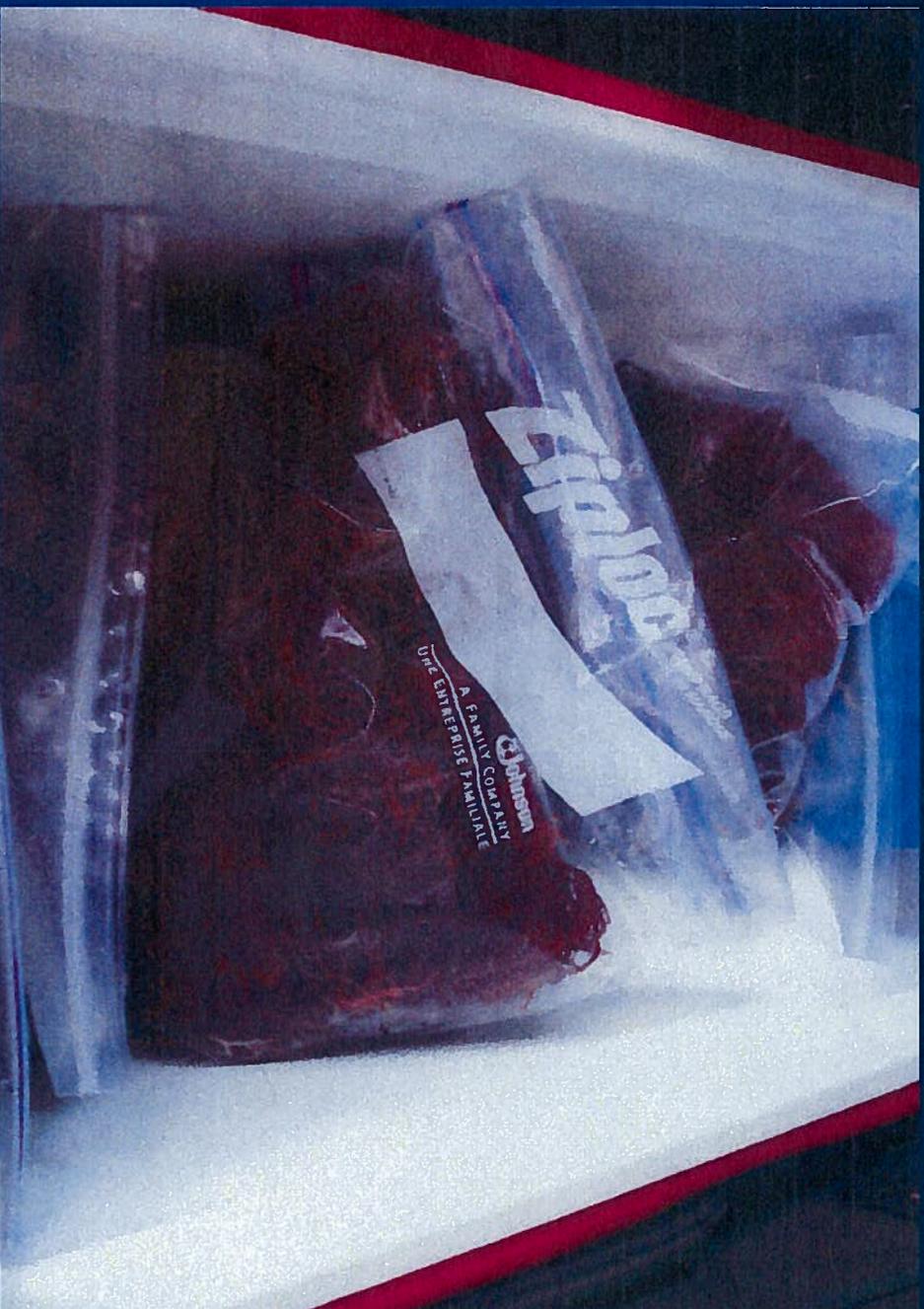


Approximately 17 lbs. of Wawa'e'iole in box  
5/18/08



Approximately 125 lbs. Wawa'e'iole in 4 boxes mixed with  
other items also 2 lbs of ogo (walk-on)

5/19/08



Approximately 7 lbs ogo collected over 8 day stay  
4/26/08



Approximately 3 lbs. Caulerpa and 4 lbs. Hypnea  
(walk on)  
5/26/08



Top photo cooler with aku  
bottom photo cooler with uhu

6/1/08



Approximately 3 lbs kolanut

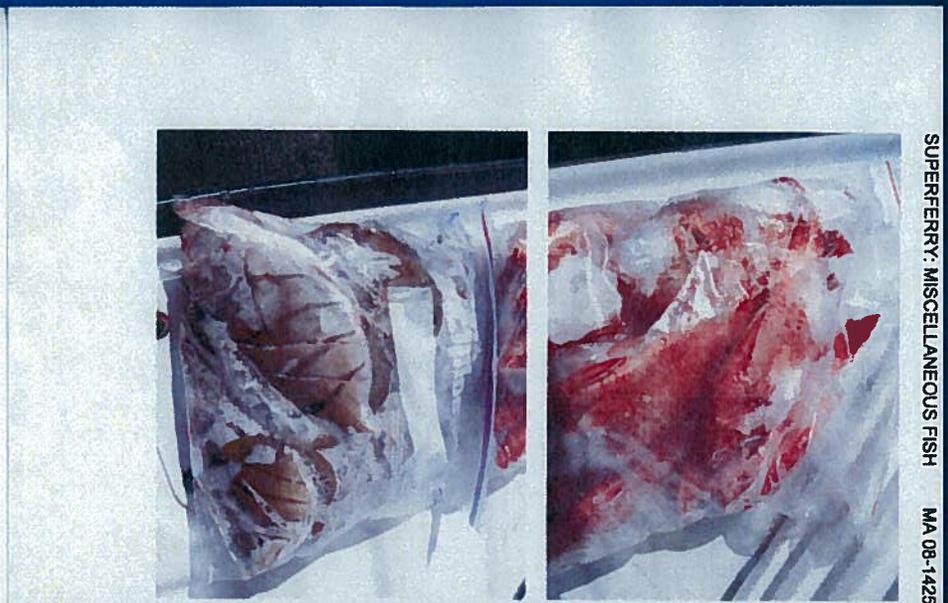
5/17/08



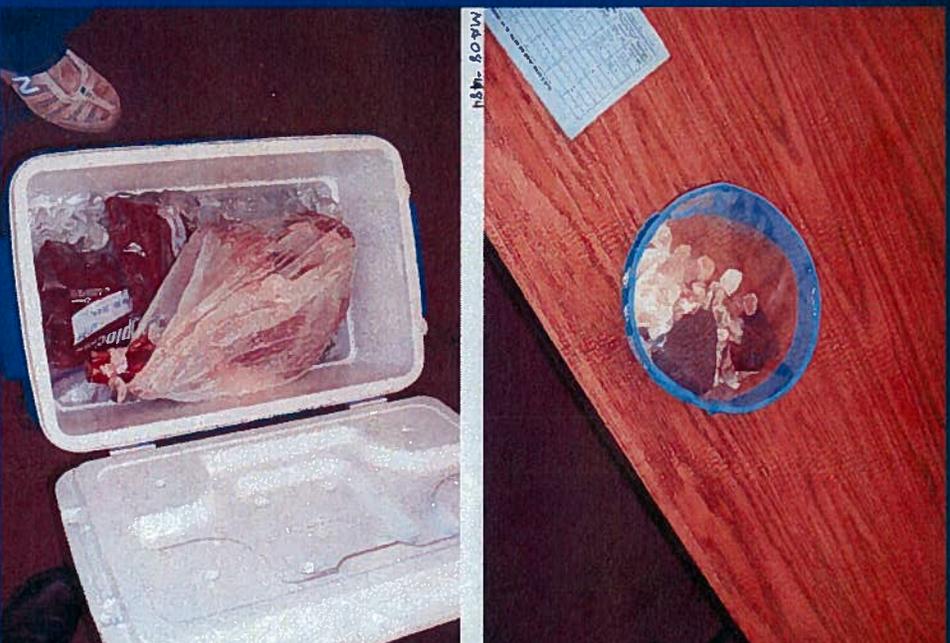
Cooler with uhu, palani, manini

5/18/08

SUPERFERRY: MISCELLANEOUS FISH MA 08-1425



Cooler with menpachi, manini,  
5-22-08



Top photo - Coral / shells and rocks

Bottom photo - Deer meat

5/30/08 (Walk-on)



Asiatic freshwater clams

6/7/08



Coral piece  
5/29/08



Cut bamboo stalks

5/11/08



Tree limbs that allegedly passed through Honolulu  
Seized on Maui on return trip

5/27/08



Thrownet allegedly passed through by Honolulu  
Seized on Maui on return trip

5/27/08



**Cooler/Container No. 2**

Total Number/Identity of Each Species Found (if possible)

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Check one: Locally caught \_\_\_\_\_ Purchased \_\_\_\_\_

Check one: Recreational \_\_\_\_\_ Commercial \_\_\_\_\_ Other (explain) \_\_\_\_\_

Violations (Check one) None \_\_\_\_\_ Exec. Order \_\_\_\_\_ DLNR \_\_\_\_\_

Disposition \_\_\_\_\_

**Cooler/Container No. 3**

Total Number/Identity of Each Species Found (if possible)

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Check one: Locally caught \_\_\_\_\_ Purchased \_\_\_\_\_

Check one: Recreational \_\_\_\_\_ Commercial \_\_\_\_\_ Other (explain) \_\_\_\_\_

Violations (Check one) None \_\_\_\_\_ Exec. Order \_\_\_\_\_ DLNR \_\_\_\_\_

Disposition \_\_\_\_\_

Total Number/Identify of Prohibited Animals Presented for Transport

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**Total Number/Type of Nets Prohibited For**

Disposition \_\_\_\_\_

**Total Number/Types of Rocks, Oil, Sand and Coral or Live Rock Prohibited Transport**

\_\_\_\_\_

Disposition \_\_\_\_\_

**Total Number/Types of Live, Propagative Plants Prohibited Transport (includes roots, root stock)**

\_\_\_\_\_

Disposition \_\_\_\_\_

**Total Number/Types of Pets Prohibited Transport**

\_\_\_\_\_

Disposition \_\_\_\_\_

**Iwi or Human Bones Prohibited Transport**

\_\_\_\_\_

Disposition \_\_\_\_\_

**Total Number/Types of Cut Logs, Trees, Limbs Prohibited Transport**

\_\_\_\_\_

Disposition \_\_\_\_\_

**Additional Information:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Officer's Name, Badge No.

\_\_\_\_\_  
Signature

LINDA LINGLE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

June 13, 2008

LAURA H. THIELEN  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI  
FIRST DEPUTY

KEN C. KAWAHARA  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

TO: Superferry Oversight Task Force

FROM: Laura H. Thielen, Chairperson

SUBJECT: DOCARE Recommendations to Improve Hawaii Superferry Operations.

**Recommendations to Improve Superferry Screening Procedures:**

Hawaii Superferry (HSF) should provide clear written instructions to their employees to identify and define how screenings shall be performed by superferry employees and under what circumstances state or county law enforcement, DLNR or DOA should be notified. DLNR and DOA can assist with developing these written instructions. Specific instruction will eliminate any hesitation HSF employees may have while screening passengers or cargo items whenever State Representatives (DLNR, DOT & DOT) are present in the screening area and will provide greater clarity and responsibility for superferry employees.

In the event DOCARE reports a confirmed or potential violation, a copy of the HAWAII SUPERFERRY REPORT form should be sent the HSF, DOA, the Office of the Attorney General and DOT Harbors for review and possible action. While we recognize that some of these violations may be inadvertent and some may not require response due to corrective action by HSF screeners, it is important to ensure that a clear picture of what is occurring is shared with all involved in HSF activities.

We also recommend that the HSF make relevant portions of their Federal Security Plans (FSP) for Superferry operations and port security available to appropriate law enforcement supervisors. The information contained in the FSP provides DLNR, DOA, DOT and local Police an opportunity to participate in information sharing in order to enhance operational efficiency.

**Frequency with which DOCARE Should Conduct Random Monitoring of Superferry Operations:**

DLNR DOCARE will continue to conduct random spot checks on HSF screenings. DLNR DOCARE Maui and Oahu Branches and Department of Agriculture inspectors should synchronize their schedules when possible so that Officers on both islands are present on the same days and for the same duration in order to conduct inspections in a more consistent manner. A revised inspection form will be used by DOCARE statewide to standardize and improve data

collection (Attachment A). In order to ensure consistency and continuity DOCARE will be sharing this amended form with DLNR Aquatics and Forestry, HSF, DOT and DOA so that they can share their comments and recommendation on the form content with us.

In addition, DOCARE will be seeking better communication with HSF whenever a cancellation or change in departure/arrival schedules is implemented. This will save Officer time, reduce our costs, while allowing for the timely redeployment of our Officers to other duties. More firm information regarding HSF departure and arrival schedules will also help to better facilitate random unannounced checks of screening activities by our Officers.

DLNR will continue to work closely with HSF, our partners, in order to better focus HSF screeners in an effort to ensure more thorough pre-departure inspections and to expedite the flow of vehicles, cargo and or passengers seeking transport on the HSF.

**Recommendations to Amend the Governor's Executive Order No. 07-10**

1. **Prohibited Transport of Opihi, Lobster, or other Crustaceans:**

Condition 2 should read: *The company shall agree that the transport of opihi, lobster, or crustaceans, that may be found and/or taken from within the waters of the State of Hawaii is prohibited and the company shall agree to notify passengers of this prohibition and shall prevent the transport of these species.*

2. **Recreational/Commercial Transport of Marine Life:**

- a. The Company shall agree that all aquatic/marine life found within the waters of the State of Hawaii is prohibited from being transported on the HSF, except that live and dead **finfish** may be transported with a valid Commercial Marine License or any other permit or license required by the DLNR and/or DOA that regulates the commercial take, possession, sale and/or transport of finfish.

Live or dead finfish may also be transported on the HSF for personal consumption if purchased from an authorized commercial retail outlet. Passengers attempting to transport finfish for personal consumption on the HSF shall provide proof of the legitimate purchase of the finfish presented for transport.

- b. The company shall advise passengers of all conditions and restrictions relating to Cultural and Natural Resources that are contained in the Governor's Executive Order No. 07-10.

**Attachments**

cc: DOCARE  
DAR  
DOFAW  
DOA