

NOTICE OF PUBLIC HEARINGS

Pursuant to Chapter 91, Hawaii Revised Statutes, notice is hereby given that the State of Hawaii, Department of Transportation, Harbors Division, will hold public hearings to consider the adoption of proposed amendments to Chapter 19-44, Hawaii Administrative Rules, entitled "Rules Relating to Services and Procedures, Charges, Tolls and Fees".

The amendments to Chapter 19-44 being proposed by the Harbors Division will result in increases to fees and charges (tariffs) collected by the Division. The Division is required by law to be self-sustaining, and must impose and collect fees and charges necessary to cover operating and maintenance costs, as well as the cost of capital improvement projects. Tariffs have not been increased since March 1997, a period of over twelve (12) years. During that time, the costs to operate, maintain, and improve the State's commercial harbors have increased significantly. Aging harbor facilities are in need of upgrades. Additionally, congestion and limited cargo handling space have highlighted the need to expand and modernize the harbors to provide an efficient gateway for incoming cargo. A Harbors Modernization Plan (HMP) was developed in partnership with the Hawaii Harbors Users Group (HHUG), a non-profit maritime transportation industry group, to address the need to improve inadequate cargo facilities at the State's commercial harbors. The HMP is a comprehensive system-wide strategy to modernize and expand Hawaii's commercial harbors, and consists of infrastructure improvements totaling \$618 million. HMP will be funded by the issuance of Harbor Revenue Bonds, with debt service costs to be paid by the Harbors Division. The HMP was approved by the State Legislature, and signed into law as Act 200 in June 2008. The increases in the tariff provided by the proposed amendments are critical to fund the increasing operating and maintenance costs of our State's commercial harbors, as well as to provide sufficient revenue over time to underwrite the various HMP projects.

The public hearings will be held as follows:

<u>DATE</u>	<u>TIME</u>	<u>PLACE</u>
Nov. 30, 2009	10:00 a.m.	Harbors Division Conference Room No. 1, Third Floor 79 S. Nimitz Highway Honolulu, Hawaii 96813
Dec. 1, 2009	10:00 a.m.	Hilo Harbor Conference Room 80 Kuhio Street Hilo, Hawaii 96720
Dec. 2, 2009	10:00 a.m.	Kahului Harbor Conference Room 103 Ala Luina Street Kahului, Maui 96732
Dec. 3, 2009	10:00 a.m.	Nawiliwili Harbor Conference Room 3242 Waapa Road Lihue, Hawaii 96766
Dec. 4, 2009	10:00 a.m.	Kaunakakai Elementary School Cafeteria 30 Ailoa Street Molokai, Hawaii 96748
Dec. 4, 2009	6:00 p.m.	Lanai High School Cafeteria 555 Fraser Avenue Lanai City, Lanai 96763

Interested persons are invited to present their views on the proposed rules at the public hearings. Written comments will be accepted until December 11, 2009, at the following address:

State of Hawaii
Department of Transportation
Harbors Division
79 S. Nimitz Highway
Honolulu, Hawaii 96813-4898

Chapter 19-44, with its proposed amendments, can be accessed by visiting the following website:

<http://hawaii.gov/dot/harbors/library/admin-rules-2>, and clicking on "Proposed Admin Rules." If online access is not available or if preferred, a copy of the proposed rules may be requested by calling Harvalee Limm at 587-3653 or 587-2164. Upon receiving such a request, a copy will be mailed at no cost to the requester. Copies may also be obtained or reviewed at the Harbors Division's offices located in Honolulu, Hilo, Kahului and Nawiliwili, Monday through Friday (except state holidays), between the hours of 7:45 a.m. and 4:30 p.m.

To request language interpretation, an auxiliary aid or service (i.e., sign language interpreter, accessible parking, or materials in alternative format), contact Harvalee Limm at 587-3653 or 587-2164 fourteen (14) days prior to the hearing date. TTY users may use TRS to contact our offices.

for Francis Paul Keeno
BRENNON T. MORIOKA, Ph.D, P.E.
Director of Transportation