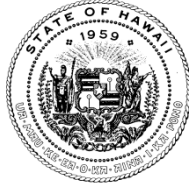


DAVID Y. IGE  
GOVERNOR



**TESTIMONY BY:**

JADE T. BUTAY  
DIRECTOR

Deputy Directors  
LYNN A.S. ARAKI-REGAN  
DEREK J. CHOW  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN

**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

Monday, April 1, 2019  
1:15 P.M.  
State Capitol, Room 225

**S.C.R. 133 / S.R. 102, Proposed S.D. 1**  
**REQUESTING THE HARBORS DIVISION OF THE DEPARTMENT OF**  
**TRANSPORTATION TO INFORM THE MARITIME COMMUNITY OF**  
**THE PROCEDURES TO BE TAKEN IN PREPARATION OF A STORM**  
**AND ASSIST THE MARITIME COMMUNITY WITH SUBMITTING**  
**THEIR APPLICATION FOR A MARITIME HEAVY WEATHER AND**  
**HURRICANE PLAN.**

Senate Committee on Transportation

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The Department of Transportation, Harbors Division **supports** the intent of these resolutions. Furthermore, the Harbors Division is committed to educating the maritime community about preparing for storm weather conditions and will be conducting briefings on storm preparations and procedures on the islands of Hawai'i, Kauai, Maui and Oahu.

Thank you for the opportunity to provide testimony.

THE SENATE  
THE THIRTIETH LEGISLATURE  
REGULAR SESSION OF 2019

COMMITTEE ON TRANSPORTATION

Senator Lorraine R. Inouye, Chair  
Senator Breene Harimoto, Vice Chair

NOTICE OF HEARING

DATE: Monday, April 1, 2019  
TIME: 1:15 P.M.  
PLACE: Conference Room 225  
State Capitol  
415 South Beretania Street  
MEASURE: **SCR133\_SD1\_PROPOSED**

**TESTIMONY BY CALYPSO CHARTERS IN STRONG SUPPORT TO  
RESOLUTION “SCR133\_SD1\_PROPOSED” RELATING TO HARBORS:**

Chair Inouye, Vice Chair Harimoto & Senators of the Committee:

If a resolution is all we can get, we will take it. The need for communication and a plan during difficult weather is absolutely necessary. **I have searched and been unable to find** a heavy weather and hurricane plan application procedure for vessels seeking safe refuge in a commercial harbor during abnormal weather conditions.

Frankly, in Maui, the plan is simply to tie-off to the docks in Kahului Harbor. Even that simple option was not available to small passenger vessels during Hurricane Lane. Also, even if hurricane plan guidelines were available, the process for submitting a plan was unclear during Hurricane Lane. The requirement came on short notice and there was no time to prepare a hurricane plan (assuming we knew where to find the plan requirements—which we didn’t).

To refresh, in August 24, 2018, Hurricane Lane, a deadly Category 4 Storm, was heading directly for Maui’s South shores. Vessels in the Maui fleet immediately began preparations to take safe refuge in Kahului Harbor on the North shore. However, on the eve of Hurricane Lane, the Department of Transportation denied vessels entry into Kahului Harbor, and sent Hawaii residents into dangerous offshore storm conditions.

In the past, if a hurricane was heading for Maui’s South shores, vessels moored on the South shore would travel around Maui to seek shelter in Kahului Harbor on the North shore. Kahului Harbor is on the leeward side of the island during a storm from the South. This same emergency protocol has been followed for 30 years. However, as stated above, DOT Harbors Maui District Manager ordered that no that “all vessels, regardless of size, that have not already received express permission by USCG and DOT-Harbors to remain in port, are hereby ordered to depart Kahului, Kaunapau and Kaunakakai Harbors....”

Maui has a large fleet of approximately 100 vessels permanently moored offshore. Our two main small boat harbors are Ma'alaea and Lahaina. During a storm, perhaps a dozen boats can take refuge in each harbor. That still leaves 75 boats with no harbor of safe refuge. The USCG wisely understands the danger of leaving its small craft in Ma'alaea and Lahaina Harbor during a storm from the South, and the USCG move their vessels to Kahului for safety.

*These are just the stories from Maui, and we understand many other vessels were also ordered out of Honolulu Harbor.*

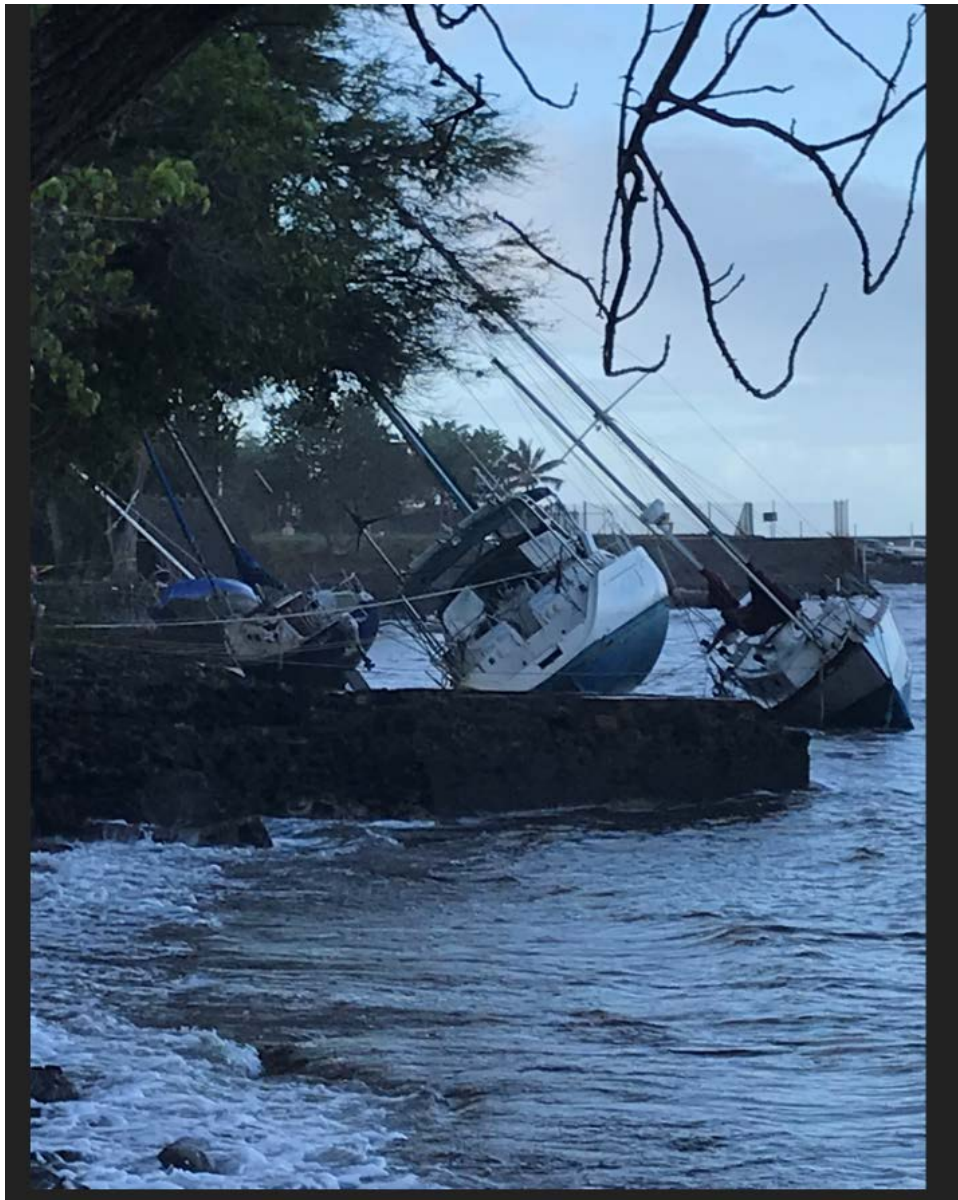
For the safety of the crewmembers and their family members, DOT Harbors should support the long-standing policy of making non-critical areas available for vessels under 200 tons during storm weather. Running offshore away from an approaching hurricane is a foolish plan. Vessels can be repaired or replaced, but the spouses and families of the crew will never be able to replace lives lost to a hurricane.

**\*\*Update**

On February 10, 2019, a strong storm hit Maui's west shores. Please see the attached image of the destruction a storm can cause to vessels that are unable to take safe refuge in a harbor on leeward shores.

Sincerely,

Zachary LaPrade





**Passenger Vessel  
Association**

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Toll Free 1-800-807-8360

[pvainfo@passengervessel.com](mailto:pvainfo@passengervessel.com)  
[www.passengervessel.com](http://www.passengervessel.com)

April 1, 2019

The Honorable Lorraine R. Inouye  
Chair, Committee on Transportation  
Hawaii State Senate  
State Capitol  
415 South Beretania Street  
Honolulu, HI

**LATE**

Dear Senator Inouye:

The Passenger Vessel Association (PVA) – the national trade association representing owners and operators of U.S.-flagged passenger vessels of all types – thanks you for your efforts (including action on SB1505) addressing the proper emergency protocol and procedures for Hawaii’s harbors and harbor users should potential disasters threaten the State and for demonstrating your interest in the protection of commercial passenger vessels when hurricanes and tropical storms strike.

PVA hopes that eventually SB1505 will be enacted. Now, PVA wishes to express its support for action on proposed SCR 133/SD 1 requesting the Harbors Division of the Department of Transportation to inform the maritime community about its heavy weather and hurricane plan, to make every effort to assist the maritime community in fulfilling the necessary procedures to submit a complete application for a heavy weather and hurricane plan, and to conduct informational hearings with the maritime community on the islands of Kauai, Maui, Oahu, and Hawaii.

PVA’s membership includes 22 companies operating passenger vessels in Hawaii. We are concerned about the policy change that was abruptly put in place last year that appears to preclude our members from seeking refuge in commercial harbors under the jurisdiction of the Department of Transportation.

There may be some confusion as to what is U.S. Coast Guard policy regarding vessels remaining in commercial harbors during severe weather. It is accurate that vessels 200 gross tons and over will be required to leave commercial harbors unless the owner/operator receives approval to remain in port from both the Coast Guard and state transportation officials. However, the Coast Guard has

no policy requiring vessels under 200 gross tons (such as those operated by PVA members in Hawaii) to leave commercial harbors; it is solely up to state transportation officials to set this policy, which is why enactment of SB 1505 and SCR 133/SD 1 is needed.

The Passenger Vessel Association urges your continued support for SB1505 and thanks you for acting on SCR 133/SD 1 as an interim step. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert J. Lawler Jr.", written in a cursive style.

Robert J. Lawler Jr.  
President - 2019

**LATE**

**SCR-133**

Submitted on: 3/31/2019 1:43:21 PM

Testimony for TRS on 4/1/2019 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kristie Wrigglesworth	Testifying for PacWhale Eco Adventures	Support	No

Comments: