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CITY COUNCIL
HONOLULU, HAWAII

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March 16, 2005

Honorable Donovan M. Dela Cruz,
Council Chair and Members
City and County of Honolulu
Honolulu Hale
530 South King Street
Honolulu, Hawaii 96813

Dear Chair and Members:

Transmitted herewith is a copy of Resolution No. 05-46, which was adopted by the Council of the County of Maui, State of Hawaii, on March 11, 2005.

Respectfully yours,

A handwritten signature in black ink, appearing to read "R. T. Hiraga".

ROY T. HIRAGA
County Clerk

/jym

Enclosure

Misc. Com. No. 905

PT

Resolution

No. 05-46

REQUESTING PREPARATION OF AN ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED STATEWIDE HAWAII SUPERFERRY PROJECT

WHEREAS, the Hawaii Superferry, in association with Austal USA, is proposing to provide non-stop, roundtrip ferry services daily between the islands of Hawaii, Kauai, Maui, and Oahu, commencing in 2007; and

WHEREAS, this service will provide Hawaii with the world's newest and largest passenger vehicle catamaran, connecting the islands with a new "H4 highway", and could transform the State and Maui, positively and/or negatively; and

WHEREAS, this interisland transportation system plans to expand its service by 2008 with the capability of transporting 1,732 people and 564 vehicles daily to Kahului Harbor on Maui; and

WHEREAS, Hawaii Superferry intends to provide an efficient, environmentally friendly, state-of-the-art ferry service for passengers and vehicles between the islands at approximately half the price of flying; and

WHEREAS, this system could expand our State's transportation infrastructure and economy by possibly lowering the cost of travel and shipment of goods and agricultural products; and

WHEREAS, although this service promises many benefits to Maui's residents, it could also create or exacerbate existing problems for Maui's rural environment; and

WHEREAS, Chapter 343 of Hawaii Revised Statutes (HRS), Environmental Impact Statements, requires the preparation of an Environmental Assessment and/or Environmental Impact Statement for any proposed action that utilizes State lands or State funds; and

WHEREAS, the National Environmental Policy Act requires an Environmental Impact Statement for the use of Federal funds, including requests for appropriations; and

Resolution No. 05-46

WHEREAS, State lands and State funds, including \$40 million currently being requested as a line-item appropriation in the State Harbors Administration budget will be utilized for barges and ramps to facilitate loading and unloading of passengers and vehicles on the Superferry, and

WHEREAS, \$140 million of public funds from the Title XI Federal Maritime Loan Guarantee Program is being utilized for financing of the Superferry system; and

WHEREAS, the State Department of Transportation, Harbors Division, has exempted the Hawaii Superferry from the required environmental review pursuant to HRS Chapter 343 under Class 6 of its Comprehensive Exemption list, which exempts "Construction or placement of minor structures accessory to existing facilities"; and

WHEREAS, Section 8 of Class 6 further defines this exemption class as "Alteration or addition of improvements with associated utilities, which are incidental to existing harbor and boat ramp operations, in accordance with master plans that have met the requirements of Chapter 343, Hawaii Revised Statutes"; and

WHEREAS, the master plan for Kahului Harbor does not include plans for a Statewide ferry system; therefore, it does not appear that the Class 6 exemption qualifies the Superferry for exemption from environmental impact review; and

WHEREAS, no plans have been presented to mitigate the cumulative impact to the harbor and its access roadways of the potential 564 cars exiting and entering daily for transport on the Superferry, or for the potential 1,000-plus cars arriving daily with departing travelers, many of whom will need a place to park their car while traveling on the Superferry; and

WHEREAS, many other potential impacts have not been addressed or mitigated with sound plans available for public review that provide a thorough and methodical discussion of impacts and the identification and implementation of ways to prevent or mitigate the negative impacts; and

WHEREAS, the Kauai County Council unanimously adopted Resolution No. 2005-15, entitled "RESOLUTION REQUESTING THAT AN ENVIRONMENTAL IMPACT STATEMENT BE PREPARED ON THE HAWAII SUPERFERRY", on January 26, 2005; and

Resolution No. 05-46

WHEREAS, it is not the Council's intention, in the absence of convincing analysis, to stop or obstruct the Superferry; rather, it is the intention of the Council to protect Maui's land and people from environmental and social degradation by encouraging a proper planning and review process that would prevent or mitigate the Superferry's potential negative impacts to an acceptable level; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby requests the State Department of Transportation, Harbors Division, to prepare a joint Federal/State Environmental Impact Statement (EIS) prior to commencement of the Hawaii Superferry operation to identify and address potential adverse impacts of this new interisland transportation service to Maui; and
2. That certified copies of this resolution be transmitted to the Honorable Linda Lingle, Governor of the State of Hawaii; John E. Cole, Executive Director, Division of Consumer Advocacy, State Department of Commerce and Consumer Affairs; the State Department of Transportation, Harbors Division; the State Department of Agriculture, Quarantine Division; the Maui County Delegation to the State Legislature; the Hawaii Delegation to the United States Congress; the Honorable John McCain, United States Senator; Don Reeser, Superintendent, Haleakala National Park; the Hawaii County Council; the Honolulu City Council; the Kauai County Council; the Honorable Mufi Hannemann, Mayor of the City and County of Honolulu; the Honorable Harry Kim, Mayor of the County of Hawaii; the Honorable Alan Arakawa, Mayor of the County of Maui; Timothy W. Dick, Chairman, Hawaii Superferry; John Garibaldi, CEO, Hawaii Superferry; Greg Metcalf, CEO, Austal USA; the Hawaii Wildlife Fund; the Hawaiian Canoe Club; the Kahului Harbor Coalition; Matson Navigation Company; the Maui Invasive Species Committee; the Na Kai Ewalu Canoe Club; Pacific Whale Foundation; the Sierra Club, Hawaii Chapter; and Young Brothers, Limited.

COUNCIL OF THE COUNTY OF MAUI

WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that RESOLUTION NO. 05-46 was adopted by the Council of the County of Maui, State of Hawaii, on the 11th day of March, 2005, by the following vote:

MEMBERS	G. Riki HOKAMA Chair	Robert CARROLL Vice-Chair	Michelle ANDERSON	Jo Anne JOHNSON	Dain P. KANE	Dennis A. MATEO	Michael J. MOLINA	Joseph PONTANILLA	Charmaine TAVARES
ROLL CALL	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye



COUNTY CLERK