



LATE

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

February 6, 2019
1:15 p.m.
State Capitol, Room 225

**S.B. 103
RELATING TO VESSELS**

Senate Committee on Transportation

The Department of Transportation (DOT) **opposes** S.B. 103 which proposes the DOT regulate noise that may emanate from vessels while using the commercial harbors, ports, roadsteads, docks, wharves, piers, quays, bulkheads and landings of the State, including by establishing noise limits.

Pursuant to Chapter 343F-3, the Department of Health (DOH) is the lead agency to establish noise standards, rules, and authority to enforce noise pollution. The DOH has authority to prevent, control, and abate noise pollution in the State. In the discharge of the duty, the Director of Health may make, amend, and repeal state rules controlling and prohibiting noise pollution. All rules shall be adopted pursuant to chapter 91. Any person heard at the public hearing shall be given written notice of the action taken by the department with respect to the rules. In addition, the Director of Health may appoint without regard to chapter 76, hearings officers to conduct public participation activities including public hearings and public informational meetings.

Vessel signals occur in the Harbors for safe navigation of commercial vessel. Generally, the navigational rules of the road as well as other USCG regulations require the use of sound signals – thus, cargo vessels test their sound devices prior to departing port to ensure the safety of vessel and crew. Passenger vessels are also required by law to perform abandon ship drill. These drills may occur while a passenger vessel is in port. Regulating the use of sound signals required by law would contradict safe seamanship and safe operation of commercial vessels.

Thank you for the opportunity to provide testimony.

Testimony of Ku'uhaku Park
On Behalf of Matson
Comments on SB103
Before the Senate Committee on Transportation
February 6, 2019

Dear Chair Inouye, Vice Chair Harimoto, and Members of the Committee on Transportation,

Thank you for considering Matson's comments on SB103, Relating to Vessels.

Matson's vessels must comply with International Regulations for Preventions of Collisions at Sea, 1972 (72 COLREGS) and U.S. Inland Navigation Rules. These rules and regulations establish sound signals for vessels to notify and communicate with other vessels. Federal regulations also require our vessels to perform equipment tests within twelve hours of departure (33 CFR 164.25). It is industry practice for harbor tug boats that assist our container ships to use sound signals to communicate with the ships and verify orders. Finally, maintenance of vessel whistles are done while the vessel is in port due to the whistles' inaccessible locations.

Audible signals and warnings play an important role in ensuring safety in Matson's land-based operations. Our land-based operations involve the constant movement of heavy equipment 24/7 throughout our entire terminal. Audible signals including horns and vehicle reverse alarms are essential for preventing accidents and keeping all on our terminals safe.

Matson is concerned that measures that seek to regulate noise from vessels could have a significant impact on the safety of our vessel and land-based operations. Thank you for considering our comments.



To: Committee on Transportation (TRS)
From: Chinatown Gateway Plaza Tenant Association (CGPTA)
Date: Wednesday, February 6, 2019
Time: 1:15 p.m.
Place: Conference Room 225, State Capitol, 415 South Beretania Street

Re: Strong Support for SB103, Relating to Vessels.

Aloha e Chair Inouye, Vice Chair Harimoto, and TRS Members,

My name is Steve Lohse, I'm an environmental scientist and a resident of Chinatown Gateway Plaza (CGP), a 27-story, city-owned, affordable housing project in Chinatown. I'm also chair of the CGP Tenant Association (CGPTA), organized by CGP residents in 2006 to represent our resident voice in matters of concern to our Chinatown community. On behalf of the CGPTA, thank you for this opportunity to submit written testimony in **Strong Support of SB103** for the following reasons:

(1) Honolulu Harbor is directly across the street from Honolulu's urban core, including Chinatown. On the one hand, this is part of Honolulu's charm. On the other hand, when harbor tours and cruise ships blast us with excessive late-night noise, we have no defense and no one to call. Unlimited noise can continue all night, unlike area bar noise that has decibel limits and cutoff times.

(2) It makes no sense to promote higher-density development and livable communities without safe and healthy limits and regulations for higher urban noise levels. Of course, urban Honolulu is going to be noisier than most communities, but that is sufficient reason to be mindful of excessive noise, NOT a reason to ignore excessive noise or to promote it for recreation or profit.

Please, do not allow Honolulu's urban core to become unlivable, especially at night, due to a simple failure to address increasing urban noise! **Please pass SB103.** We trust in your leadership to provide Hawaii with effective urban noise regulations and limits for safe and healthy communities for residents and visitors alike! Thank you.

Aloha no,
Steve Lohse, Chair
The Chinatown Gateway Plaza Tenant Association (CGPTA)
CGP.Tenant.Association@gmail.com