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## HOUSE RESOLUTION

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REQUESTING THAT THE DIRECTOR OF TRANSPORTATION INCREASE THE  
MINIMUM NUMBER OF OCCUPANTS REQUIRED IN A VEHICLE OPERATING  
IN THE ZIPPER LANE.

1 WHEREAS, many Oahu residents spend hours in gridlock or  
2 stop-and-go traffic during their commute each morning and  
3 afternoon; and  
4

5 WHEREAS, the East-bound traffic in the morning hours is  
6 especially heavy, particularly on the H1 and H2 Freeways, due in  
7 large part to the high volume of vehicles and a lack of  
8 incentive to carpool; and  
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10 WHEREAS, the zipper lane was created as an express lane on  
11 the freeway to benefit carpooling commuters and mitigate  
12 traffic; and  
13

14 WHEREAS, the State currently requires that vehicle  
15 operators who choose to use the zipper lane contain a minimum of  
16 two passengers; and  
17

18 WHEREAS, the two passenger requirement does not  
19 sufficiently encourage meaningful carpooling and the zipper lane  
20 remains prone to gridlock traffic; and  
21

22 WHEREAS, the purpose of the zipper lane would be better  
23 achieved by increasing the number of passengers required to be  
24 in each vehicle in order for that vehicle to be able to use the  
25 zipper lane, which would lessen the traffic in the zipper lane;  
26 now, therefore,  
27

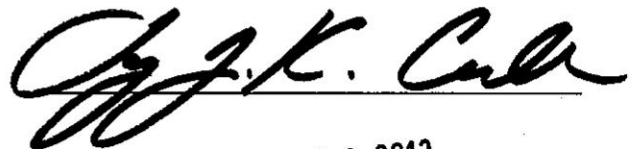
28 BE IT RESOLVED by the House of Representatives of the  
29 Twenty-seventh Legislature of the State of Hawaii, Regular  
30 Session of 2013, that the Director of Transportation is  
31 requested to increase the minimum number of occupants required  
32 in a vehicle for use of the zipper lane from two individuals to  
33 three individuals; and  
34



1 BE IT FURTHER RESOLVED that should the Director of  
2 Transportation find that the zipper lane remains inefficient  
3 after the minimum passenger number increases to three, the  
4 Director is requested to further increase the minimum number of  
5 occupants a vehicle operating within the zipper lane must carry  
6 to increase the efficiency of the zipper lane; and  
7

8 BE IT FURTHER RESOLVED that a certified copy of this  
9 Resolution be transmitted to the Director of Transportation.  
10  
11  
12

OFFERED BY:



MAR 13 2013





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

IN REPLY REFER TO:  
(808) 586-2165

April 10, 2013  
11:15 am  
State Capitol, Room 309

**H.C.R. 143 / H.R. 114 proposed HD1  
REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS  
TO EXEMPT CERTAIN CORAL SPECIES IN ALL COMMERCIAL HARBORS IN THE  
STATE OF HAWAII FROM RECLASSIFICATION UNDER A PROPOSED FEDERAL  
RULE CHANGE**

House Committee on Transportation

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The Department of Transportation (DOT) strongly **supports** the proposed HD1 for these resolutions to exempt certain candidate coral species in the state's commercial harbor system from reclassification under a proposed federal rule change, which requests that certain types of reef-building candidate coral species be exempt from reclassification as endangered or threatened species in all harbors in the State of Hawaii. Hawaii is critically dependent upon ocean transportation and commerce that occurs through the State's commercial harbors. The proposed rule for reclassification of 82 reef-building coral species (which has been reduced to 66 species) includes two species, Montipora patula and Montipora flabellate, which are the fourth and fifth most abundant coral in the waters surrounding Hawaii. This resolution seeks to have these two flourishing coral species within all harbors in the State of Hawaii exempted from reclassification under the proposed rule to ensure that there are no significant impacts to harbor operations.

There is significant economic harm and no justification or value for the listing of these two coral species under the Endangered Species Act. See attached, "Summary of Scientific Review, "Status Review Report of 82 Candidate Coral Species Petitioned under the U.S. Endangered Species Act" NOAA Technical Memorandum NMFS-PIFSC-27 September 2011" letter authored by recognized local and national coral experts.

Thank you for the opportunity to provide testimony on this critical resolution.



Testimony of Kekoa Kaluhiwa on behalf of Horizon Lines, Inc.

House Committee on Transportation

April 10, 2013 11:15am

Conference Room 309

Hawaii State Capitol

**Re: HCR 143 / HR 114**

**Requesting the President of the United States and the Congress to exempt certain coral species in all commercial harbors in the State of Hawaii from reclassification under a proposed federal rule change**

Aloha Chair Yamane, Vice Chair Ichiyama, and Members of the House Committee on Transportation:

Horizon Lines wishes to submit its **support** of both HCR 143 and HR 114.

As the most isolated archipelago in the world, the State of Hawaii relies on the shipping industry to provide nearly 99% of all goods for Hawaii's residents, tourists, and military personnel. Most of these goods are shipped to Honolulu Harbor on Oahu, and then transported by barge to the outer islands. With such heavy reliance on ocean transportation and a "just-in-time" delivery of goods, it is imperative that commercial harbors throughout the state, and Honolulu Harbor in particular, receive needed upgrades and expansion of harbor facilities.

Horizon Lines supports the intent of HCR 143 and HR 114 in requesting that President Obama and the U.S. Congress exempt the *Montipora patula* and the *Montipora flabellate* species of coral in all harbors in the State of Hawaii from reclassification. In particular, studies done on the *Montipora patula* species over the last three decades indicate that these species are prevalent throughout Hawaii's near shore waters. An exemption within Hawaii's commercial harbors will ensure that needed improvements to Honolulu Harbor can proceed as scheduled, greatly benefitting Hawaii's residents and military communities.

Thank you for this opportunity for Horizon Lines, Inc. to testify in support of the passage of HCR 143 and HR 114.



**HOUSE COMMITTEE ON TRANSPORTATION**  
**THE HONORABLE RYAN I. YAMANE, CHAIR**  
**THE HONORABLE LINDA ICHYAMA, VICE CHAIR**

**HCR 143 / HR 114, HD 1, scheduled for hearing on April 10, 2013, 11:15 a.m.**

**Testimony of Roy Catalani,  
Vice President of Strategic Planning and Government Affairs, Young Brothers, Limited**

Chair Yamane, Vice Chair Ichiyama, and Members of the House Committee on Transportation:

**Young Brothers, Limited (*Young Brothers*) supports House Concurrent Resolution 143 (*HCR 143*) and House Resolution 114, HD 1, and offers the following comments.**

Young Brothers is a water carrier that provides essential cargo services to the Neighbor Islands and is a member of the Hawaii Harbor Users Group (HHUG). We support HCR143 and HR 114, HD 1, in seeking the exemption of two coral species (specifically, *Montipora patula* and *Montipora flabellata*) in commercial harbors of the State of Hawaii from classification as endangered species in a proposed federal rule change under the federal Endangered Species Act (ESA). At a minimum, a rigorous re-evaluation of the scientific process by which these reportedly very common coral species were selected for listing should be undertaken before any federal rule change is approved.

In Act 200 (2008), commonly referred to as the Harbors Modernization Plan, the Legislature found it imperative to the public interest to move forward with certain key harbor modernization projects. In that Act, the Legislature specifically found:

Ocean surface transportation is our state's lifeline. It remains the only viable means to service the largest share of Hawaii's economic needs. However, Hawaii's aging commercial harbor system has not kept pace with our growing economy, and Hawaii's commercial ports statewide are experiencing competition for berthing rights for cargo, fuel, and cruise ship activities, and severe congestion in harbor facilities. Harbor users, the state administration, and the legislature recognize that it is now extremely critical to upgrade existing port facilities and develop harbor improvements in an expedited manner. The Hawaii Harbors Users Group, a maritime transportation industry group, was formed in 2005 because the industry recognized that Hawaii is facing a shortage of port facilities statewide. Its goal is to help the State identify and prioritize Hawaii's harbor improvement needs. The Hawaii Harbors Users Group has completed research that

predicts that if Hawaii's harbor infrastructure is not improved, the loss of real domestic product (in 2007 dollars) could amount to more than \$50,000,000,000 by the year 2030. In comparison, an assessment of immediate commercial harbor needs statewide is estimated to cost in the range of \$850,000,000.

One of the key projects identified in Act 200 is the development of Kapalama Container Terminal (KCT) in the area now known as the Kapalama Military Reservation. KCT will provide much needed terminal space for cargo arriving from the U.S. mainland via major shipping companies that serve mainland routes. The added capacity will allow Young Brothers to work more efficiently with these carriers in handling cargo arriving in Honolulu but destined for a Neighbor Island. Since the majority of goods transported into or within the State flows through Honolulu Harbor as the hub, it is equally critical to the welfare of Oahu and each Neighbor Island to complete needed infrastructure at KCT.

The Legislature recognized this fact even before Act 200 when, in Senate Concurrent Resolution 33 (2006), it cited a 2005 report commissioned by HHUG. In SCR 33, the Legislature pointed out that the report by the research firm Mercator Transport Group identified Kapalama Terminal Development as one of three priority projects that should be completed in the timeframe of five or more years. Mercator noted that "the calculated throughput per acre at the existing Sand Island terminals is about 8800 TEU/acre, which is the highest of any North American terminal." The Legislature also cited Mercator's report with respect to the looming shortage of port facilities, the loss of reserve capacity of existing facilities, and impending reduction of the ability of ports and port users to efficiently serve the existing market, respond to new service requirements, or recover quickly from the natural and man-made service disruptions that invariably occur.

Because the proposed KCT project will require in-water construction activities, aquatic resources such as corals are expected to be affected during construction. Recent marine surveys have identified multiple coral species in the harbor at the KCT project site, including one of the two species cited in this proposed resolution, *Montipora patula* and *Montipora flabellata*. We understand that the State Department of Transportation (DOT) has begun a process to develop a mitigation plan that would address potential impacts on corals under the Section 404 permitting requirements of the federal Clean Water Act (CWA). Notwithstanding DOT's efforts to mitigate the project's impacts on coral, there are strong concerns about the possibility of intensified project delays not only as a result of the CWA Section 404 process, as recently happened in the Hilo Harbor New Day Work Project (cited in this proposed resolution), but additionally if these corals were to be listed as endangered species. In other words, the proposed ESA listings of reportedly commonly found coral will pose another administrative hurdle where regulatory protections already exist.

For these reasons, we support the proposed resolutions that promote the important public interests identified in the proposed resolution as well as in Act 200 (2008) and SCR 33 (2006).

Thank you for this opportunity to testify.

## ichiyama1 - Tate

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, April 08, 2013 3:12 AM  
**To:** TRNtestimony  
**Cc:** dmelloj@hawaii.edu  
**Subject:** Submitted testimony for HR114 on Apr 10, 2013 11:15AM

### HR114

Submitted on: 4/8/2013

Testimony for TRN on Apr 10, 2013 11:15AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Jared Dmello	Individual	Support	No

Comments: It would incentivize carpooling and help with the State's traffic problem.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)