
**RAPID RISK ASSESSMENT
OF
OPERATIONAL COMPLIANCE
AND ENVIRONMENTAL RISKS
OF THE
HAWAII SUPERFERRY**

Prepared for:



State of Hawai'i
Department of Transportation
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TABLE OF CONTENTS

1	PURPOSE.....	1
2	METHODOLOGY.....	1
2.1	Marine Mammals Research Consultants	1
2.2	Mr. John Clark, Planning Consultant.....	1
2.3	Fehr & Peers/Kaku Associates.....	1
2.4	Bishop Museum, Department of Natural Sciences.....	2
2.5	Rev. Dr. Kaleo Patterson.....	2
3	FINDINGS AND RECOMMENDATIONS.....	2
3.1	Ocean Life and Marine Animals and Plants	3
3.2	Water Resources and Quality / Public Safety and Security	5
3.3	Vehicular Traffic	6
3.4	Invasive Species / Cultural and Natural Resources	8
3.5	Native Hawaiian Cultural Sensitivity and Awareness	12
3.6	Other Considerations	13

TABLES

Table 1	Summary of HSF's Operational Compliance with Executive Order No. 07-10.....	14
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APPENDICES

Appendix A	Executive Order No. 07-10
Appendix B	Department of Transportation – Rapid Risk Assessment Scope of Work
Appendix C	Marine Mammals Research Consultants
Appendix D	Mr. John Clark, Planning Consultant
Appendix E	Fehr & Peers/Kaku Associates
Appendix F	Bishop Museum, Department of Natural Sciences
Appendix G	Rev. Dr. Kaleo Patterson

1 PURPOSE

Pursuant to Act 002 Second Special Session of 2007 (Act 2), the Hawaii Superferry (HSF) is allowed to operate during the preparation of an environmental impact statement (EIS), subject to the employment of measures to mitigate significant environmental effects. As the final EIS may not be completed until June 2009, the purpose of this Rapid Risk Assessment (RRA) is to provide early and independent assessment of: 1) operational compliance with mitigation measures enumerated in section 4(a) of Act 2, Executive Order 07-10 and the Agreement between Hawaii Superferry, Inc. and the State of Hawai'i, and 2) observed environmental risks associated with the HSF operation.

2 METHODOLOGY

Belt Collins Hawaii (BCH) contracted the following subconsultants to conduct the RRA investigations in their respective fields of expertise:

- Marine Mammals Research Consultants (MMRC) – Ocean Life and Marine Animals and Plants
- Mr. John Clark, Planning Consultant – Water Resources and Quality / Public Safety and Security
- Fehr & Peers/Kaku Associates – Vehicular Traffic
- Bishop Museum, Department of Natural Sciences – Invasive Species / Cultural and Natural Resources
- Rev. Dr. Kaleo Patterson – Native Hawaiian Cultural Sensitivity and Awareness

Field investigations commenced on 9 January 2008, but were interrupted in February 2008 because the HSF cancelled voyages due to high seas and annual maintenance and repairs. Field investigations continued when the HSF resumed operations in April 2008. The final field investigation was completed on 26 May 2008.

The operational ports of the HSF during the RRA consisted only of Honolulu Harbor and Kahului Harbor. A description of the field work conducted by each subconsultant team is presented below.

2.1 Marine Mammals Research Consultants

Field investigations onboard the HSF vessel were conducted by one of two experienced MMRC consultants and included a total of 25 one-way trips (legs) traveled between Honolulu and Kahului. Observations were recorded on the bridge of the vessel with access to instrument displays and direct communication with the HSF Captain and the able-bodied seamen serving as whale lookouts. Distance estimations to whales were made using a hand-held clinometer, which measures sighting angles to whales.

2.2 Mr. John Clark, Planning Consultant

Field investigations conducted by John Clark consisted of a complete tour of the HSF vessel, including all of its wastewater systems, while in port in Honolulu. The vessel tour was guided by the HSF Director of Engineering and included a walk-through of the support facilities warehouse in Honolulu. Observations of vessel cleaning (i.e., freshwater wash down), fueling, and wastewater discharge operations, which are all conducted daily in Honolulu, were made. Field investigations also consisted of five one-way trips onboard the HSF vessel to observe wastewater disposal and security operations while underway.

2.3 Fehr & Peers/Kaku Associates

Field investigations conducted by Fehr & Peers/Kaku Associates were performed over holiday periods when passenger and vehicular loads were anticipated to be greatest: Martin Luther King Jr. holiday weekend in January (Friday, 20 January 2008 through Monday, 23 January 2008) and Memorial Day

weekend in May (Friday, 23 May 2008 through Monday, 26 May 2008). During the January observations, field investigations consisted of:

- four embarking observations in Honolulu,
- three disembarking observations in Honolulu, and
- four overlapping disembarking/embarking observations in Kahului.

During the May observations, field investigations consisted of:

- four embarking observations in Honolulu,
- three overlapping disembarking/embarking observations in Honolulu,
- four disembarking observations in Honolulu, and
- seven overlapping disembarking/embarking observations in Kahului.

2.4 Bishop Museum, Department of Natural Sciences

The field investigation team consisted of six Bishop Museum staff members tasked with observing the HSF screening operations for departing passengers and vehicles. Field work was conducted in pairs, except for the first observation which included all six staff members to standardize the field work procedures. Twenty-five (25) total observations of the screening operations were made, consisting of:

- 15 at Honolulu, and
- 10 at Kahului.

Each observation covered the two hours immediately preceding the HSF departure, and data was recorded for as many arriving passengers and vehicles as could reliably be tracked. RRA investigations also included inspection of: the HSF web site, ticket purchase process, and electronic documents provided by HSF upon ticket purchase.

2.5 Rev. Dr. Kaleo Patterson

Field investigations conducted by Rev. Dr. Kaleo Patterson and Dr. Lou Ann Ha'aheo Guanson consisted of five one-way trips on the HSF vessel to observe the operations with respect to cultural sensitivity and awareness of the Hawaii's host culture. Observations included an assessment of: online ticketing, port operations, passenger screening, boarding and disembarking, ocean travel and routing, video and audio programming, printed material, marketing, branding, workplace culture, and employee training.

3 FINDINGS AND RECOMMENDATIONS

Based on the field investigations and information provided by the HSF Director of Business Development, Mr. Terry O'Halloran, the HSF appears to be in general compliance with the conditions and protocols enumerated in Executive Order No. 07-10 (E.O. 07-10; provided in Appendix A). Table 1 itemizes the E.O. 07-10 protocols and conditions observed for compliance, identifies the corresponding RRA Scope of Work (SOW; provided in Appendix B) conditions, and indicates whether or not the conditions were met.

Field investigation findings and associated recommendations that address potential environmental risks follow. The full reports submitted by the subconsultants are provided as Appendices C through G.

3.1 Ocean Life and Marine Animals and Plants

General compliance with E.O. 07-10 conditions associated with ocean life and marine animals and plants (Section A) was observed during the field observations. Humpback whales were sighted on all legs during the designated whale season (i.e., between January 1 and April 30) and during each of the three daytime legs observed in May 2008. No whales were sighted during the three corresponding nighttime legs observed in May 2008; however, the sightings earlier on those days suggest that whales were likely to have been present but were undetected. No collisions with or near misses of whales occurred.

- Mr. O'Halloran confirmed that, in compliance with E.O. 07-10 condition A.1, the HSF requested that National Marine Fisheries Service (NMFS) certified fisheries observers be onboard the vessel to help monitor and document all marine life sighting and potential impacts to marine life by the vessel.
- In compliance with E.O. 07-10 condition A.2, the HSF Captain avoided vessel operations within the boundaries of the Hawaiian Humpback Whale National Marine Sanctuary waters unless compelling reasons of passenger safety and comfort existed to the contrary. Due to high winds and/or high seas along the alternate route, the Captain made the decision to travel inside Sanctuary waters on seven of the observed legs, with only four of these occurring during the designated whale season. When operating within Sanctuary waters, the HSF maintained speeds of less than 25 knots at all times and courses were taken that minimized the potential for contact with whales based on whale locations maps posted on the bridge. The Captain maintained a logbook of the course taken on each leg, and noted any evasive maneuvering required to avoid whales. The observer reported that at the end of each day, a digital copy of the Captain's logbook is forwarded to the Department of Transportation (DOT) and the DLNR by the HSF Director of Operations.

Based on the observer's conversation with the Captain during the early part of the field investigations during the designated whale season, there appeared to be some confusion as to whether a reduced speed was *required* when traveling in waters less than 100 fathoms while outside of Sanctuary boundaries. It should be clarified to the HSF that during the designated whale season, speeds of 25 knots or less be maintained in all waters less than 100 fathoms, regardless of whether the HSF is operating inside or outside of Sanctuary waters.

- In compliance with E.O. 07-10 condition A.3, two able-bodied seamen were posted as whale lookouts at all times on the bridge wings. Both lookouts demonstrated vigilance (i.e., actively scanning for whales) during at least 90 percent or more of the total time observed, and notified the Captain when whales were sighted. Although the level of vigilance is high, it is recommended that the HSF take measures that would help maintain a consistent level of vigilance beyond the current RRA process. A third party observation team should be implemented whereby observers are brought onboard the HSF at random intervals to ensure compliance with whale avoidance protocol during future whale seasons.
- The HSF vessel maintained a minimum of 500 meters distance from sighted whales whenever possible, as required by E.O. 07-10 condition A.4. On at least three recorded occasions, however, the vessel passed within 500 meters of whales. It should be noted that 500 meters is a substantial distance (approximately 1/3 mile) and given average densities of whales within nearshore Hawaiian waters, the stringent requirement of maintaining a 500-meter minimum distance from sighted whales should be reevaluated.
- E.O. 07-10 condition A.5 requires that the HSF agree to utilize radar, night vision equipment, and bow-mounted cameras to detect whales and try to avoid collisions. Radar equipment was kept operational during all transits, though it was not specifically used to detect whales. It should be noted that the use of radar as a means to detect whales is currently still in the research and

development phase. At present, the only means of reliably detecting a whale at the surface is by visual detection, so reliance on the two lookouts should be considered sufficient during daylight hours.

On the nighttime legs, hand-held, monocular night vision devices were employed by the two lookouts. Although vision at twilight is impaired due to low light, night vision equipment was not typically used immediately following sunset. In addition, the hand-held and monocular aspects of the night vision device appeared to produce fatigue after just several minutes of use. Significant variation in usage of the night vision equipment by the two lookouts occurred; one used the device approximately 75 percent of the time, while the other used the device as little as 15 percent of the time. It is recommended that a binocular night vision device with a head harness be used to free up hands and avoid fatigue, and that use of the night vision equipment be standardized so that it is used consistently and continuously following sunset. It is also recommended that a study demonstrating the effectiveness of the night vision system at detecting whales be performed using scientifically accepted methods.

Bow-mounted cameras are not currently employed on the HSF vessel, as no such cameras were available during the RRA observation period. The HSF, however, has contracted Current Corporation to develop a bow-mounted infrared sensor system to aid in detecting whales. As with radar equipment, the efficacy of these sensors in detecting whales is still in the research and development phase. Given that the utility of radar and bow-mounted sensors in detecting whales has yet to be demonstrated, the requirement to use both radar and bow-mounted cameras should be reevaluated. At present, during daylight hours, all whale avoidance measures should focus on visual detection.

- E.O. 07-10 condition A.6 requires documentation of any collision or whale approach less than 100 meters from the vessel, and in the event of a collision, requires noting observable damage or injury to the whale, remaining on the scene until rescue arrives (if safe and possible), and submitting a detailed written report to DOT and DLNR within 24 hours. Because no collisions or whale approaches less than 100 meters from the vessel occurred, operational compliance was confirmed by reviewing the HSF's "Whale Avoidance Policy," which states that in the event of any whale collision, the ship's Master shall call the National Marine Fisheries Service (NMFS), the U.S. Coast Guard (USCG), and the Hawaiian Islands Humpback Whale National Marine Sanctuary to report the incident, and that the vessel is to remain in the area for as long as practical and, if possible, take photos and/or video of the injured animal. In addition, the HSF's "Whale Avoidance Policy" states that a detailed written report is to be submitted to the Director of Marine Operations within 24 hours of any such incident (and presumably forwarded to DOT and DLNR).
- Mr. O'Halloran confirmed that, in compliance with E.O. 07-10 condition A.7, the HSF staff have been trained by DLNR personnel on proper procedures for retrieving downed seabirds and turning the birds over to DLNR biologists or rehabilitation specialists. Between September 15 and December 15, DLNR-trained crew members are present onboard the HSF vessel to retrieve and care for downed seabirds.

Recommendations

The following recommendations are offered:

- It should be clarified that during the designated whale season, speeds of 25 knots or less be maintained in all waters less than 100 fathoms, regardless of whether the HSF is operating inside or outside of Sanctuary waters.
- In order to maintain a consistent level of vigilance beyond the RRA process, a third party observation team should be implemented whereby observers are brought onboard the HSF at

random intervals to ensure compliance with whale avoidance protocol during future whale seasons.

- The requirement of maintaining a 500-meter minimum distance from sighted whales should be reevaluated.
- A binocular night vision device with a head harness should be used to free up hands and avoid fatigue, and use of the night vision equipment should be standardized so that it is used consistently and continuously following sunset.
- A study should be performed to demonstrate the effectiveness of the night vision system at detecting whales using scientifically accepted methods.
- The requirement to use radar and bow-mounted cameras should be reevaluated until the utility of this equipment in detecting whales has been clearly demonstrated. At present, during daylight hours, all whale avoidance measures should focus on visual detection.

3.2 Water Resources and Quality / Public Safety and Security

Full compliance with all E.O. 07-10 conditions associated with water resources and quality (Section B) and public safety and security (Section D) was observed during the field observations.

- Mr. O'Halloran confirmed that the HSF is in compliance with HRS chapter 342D, "Water Pollution," and such other laws, rules, or regulations adopted by the Department of Health, Clean Water Branch, as required by E.O. 07-10 condition B.1.
- In compliance with E.O. 07-10 condition B.2, the HSF does not discharge any wastewater into the ocean. Grey water (from the vessel's sinks and freshwater wash down) and black water (from the vessel's toilets and urinals) generated onboard the vessel are contained within their own disposal systems and gravity-flow into a combined 10,000-liter holding tank that is emptied daily in Honolulu by Aqua Pumping, a commercial vendor contracted by the HSF. The grey and black wastewater systems are completely enclosed and there is no valve in either system where wastewater can be discharged at sea.

Bilge water (any water that could be contaminated with petroleum products) generated onboard the vessel is contained within its own disposal system and gravity-flows into a 500-liter holding tank that is emptied periodically in Honolulu by Aqua Pumping when the tank is one-half to three-quarters full. If bilge water is suspected of any petroleum contamination, it is diverted into portable 400-gallon containers (cubitainers) and the oily water is disposed of by Penco or Unitek. The vessel is equipped with an oily water separator and discharge valve which enable the HSF to discharge bilge water that meets federal requirements into the ocean; however, per company policy, the oily water separator and discharge valve are never used and all bilge water is discharged in port in Honolulu.

In the event that any vehicle on the vessel's decks should leak fuel, oil, grease, or any other liquid, the HSF is equipped with spill kits. The absorbent material is spread on the spill, picked up and bagged, and then disposed of in Honolulu. Petroleum spills onboard the HSF are not washed down, but if rainwater should interact with a spill, the oily water would drain into the gutters on the decks which connect to the bilge water disposal system. There are no scuppers (drains) that drain off the decks into the ocean.

All the HSF fueling operations are performed in Honolulu. Diesel is pumped from a Chevron fuel truck into two fuel storage tanks in the vessel's hull. In the event of a leak in the fuel system piping, the fuel would be captured by the bilge water disposal system.

The HSF's Finance Section maintains the records that verify that wastewater generated onboard the HSF vessel, including bilge water, is discharged in port in Honolulu. The HSF vessel does not carry ballast water and is not equipped with ballast tanks. Based on the above findings, there are no recommendations for improvements to the HSF's wastewater disposal operations.

- The HSF's Safety Management System Main Manual, written for the HSF by Hornblower Marine Services, includes both a facility security plan and a vessel security plan. In compliance with E.O. 07-10 condition D.1, the USCG issued the HSF a Certificate of Inspection, which includes approval of the manual, on 24 May 2007. The certificate is valid for five years, requires the HSF to conduct periodic drills to test its procedures, and subjects the HSF to an annual audit of its procedures by the USCG. The HSF Operations Support Manager is responsible the implementation of the policies and procedures in the Safety Management System Main Manual.
- In compliance with E.O. 07-10 condition D.2, the HSF Port Managers have coordinated visits to the port facilities in their respective counties and onboard the vessel for the first responders, fire departments, and police departments. The HSF Port Managers maintain a cordial relationship with the fire and police departments, and additional visits may be requested at any time.

Recommendations

None.

3.3 Vehicular Traffic

Full compliance with all E.O. 07-10 conditions associated with vehicular traffic (Section C) was observed during the field observations.

- Mr. O'Halloran confirmed that the HSF contracted CH2M Hill to conduct traffic studies at each harbor in November 2006, as required by E.O. 07-10 condition C.1. These reports can be viewed on the HSF web site.
- The HSF has implemented vehicle movement and management plans for its port terminal facilities in Honolulu and Kahului, as required by E.O. 07-10 condition C.2. Vehicle movement and management operations were observed to be in accordance with the site plan diagrams published on the HSF web site.
- Mr. O'Halloran confirmed that, in compliance with E.O. 07-10 condition C.3, the CH2M Hill traffic studies were used to adjust the HSF's arrival and departure schedules to lessen the impact of vehicular traffic associated with the HSF on local traffic patterns in the immediate vicinity of each operating port.
- E.O. 07-10 condition C.4 requires the HSF to: (a) design its harbor facilities to, insofar as practicable, hold departing vehicles within the terminal area; (b) employ trained staff to manage traffic entering and exiting each port terminal facility; (c) permit vehicles to enter each port terminal facility a minimum of two hours prior to departure of the vessel to reduce local traffic impacts; and (d) as required by DOT, retain and post security guards or off-duty police officers to direct traffic, control signals, and respond to unforeseen traffic problems during vehicle loading or unloading in ports of operation.

The harbor facilities in both Honolulu and Kahului are designed such that departing vehicles can be accommodated within the terminal area. Trained HSF staff managed the traffic entering and exiting the terminal facilities. At both ports, HSF personnel were positioned at each entry/exit point to direct traffic. The HSF staff also directed traffic inside the terminal facilities and managed the passenger pick-up/drop-off areas. Terminal facilities in both Honolulu and Kahului are opened to passenger vehicles a minimum of two hours prior to the scheduled vessel departure.

In Honolulu, private traffic control contractors were posted at each access point along Nimitz Highway for the midday overlapping arrival/departure on 23 May 2008 and 26 May 2008 (Friday and Monday of the Memorial Day weekend, respectively). The contractors coned off the right lane of Diamond Head-bound Nimitz Highway creating freeflow right turns into and out of Kukahi Street and the passenger pick-up/drop-off area. On peak demand days when traffic control contractors were not present, the queue of exiting vehicles on Kukahi Street extended from Nimitz Highway to Gate 3. In order to avoid queuing of outbound vehicles on Kukahi Street, traffic control should be implemented at Nimitz Highway (e.g., flagger to direct traffic). It is also recommended that the coning operation be continued during future peak demand days to facilitate traffic flow of the concurrently embarking and disembarking vehicles.

In Kahului, traffic control officers (TCOs), presumed to be off-duty police officers, were posted along Pu'unene Avenue on all observation days. During several observation days in May, TCOs manually controlled the traffic signal at the Pu'unene Avenue and Ka'ahumanu Avenue intersection. The heavy presence of TCOs (as many as five) at the exit during off-loading operations seemed to make some drivers apprehensive about their actions, hindering the outbound flow of traffic. In order to maintain off-loading efficiency, the number of TCOs should be reduced. In addition, it is recommended that while manually controlling the traffic signal, TCOs should maintain a regular signal timing pattern to allow for more efficient operation of the intersection.

In Honolulu, vehicle traffic associated with the HSF did not impact traffic operations on Nimitz Highway during any of the observed time periods. Traffic in/out of the vehicle entrance and on/off of the HSF vessel operated efficiently given the volume of vehicles handled. Lack of clear signage, however, caused confusion for drivers entering the HSF port area, as vehicles were observed using the wrong entrance and needing to circle back around. It is recommended that the HSF post signage on both the Diamond Head and 'Ewa directions of Nimitz Highway which clearly marks upcoming turns for the vehicle entrance and the passenger pick-up/drop-off area. In addition, a sign should be suspended over Kukahi Street at Gate 3 (the commercial vehicle entrance) indicating that general passenger vehicles proceed to Gate 1.

Vehicles arriving on the 'Ewa-bound Nimitz Highway would often make a U-turn at Kukahi Street onto the Diamond Head-bound Nimitz Highway to access the HSF port area, forcing them to cut across all lanes of Nimitz Highway to turn into the passenger pick-up/drop-off area. In order to avoid this potential traffic safety hazard, signage on the 'Ewa-bound Nimitz Highway should indicate that vehicles turn at Pacific Street (rather than making a U-turn at Kukahi Street). If signage proves to be insufficient, it is recommended that a barrier be installed to limit access to the right lane of Nimitz Highway, such that vehicles making a U-turn at Kukahi Street will not be able to cut across the highway and turn into the passenger pick-up/drop-off area. It is also recommended that a sidewalk be constructed from Nimitz Highway into the HSF passenger terminal to safely accommodate passengers that arrive on foot.

In Kahului, the intersections of Ka'ahumanu Avenue with Pu'unene Avenue and Ka'ahumanu Avenue with Wharf Street currently operate at an acceptable level of service during all peak traffic periods, even with the addition of HSF-related traffic, and there were no traffic operational problems observed at these intersections. On one occasion, however, an operational issue was observed between entering commercial vehicles and exiting general vehicles at Gate 14, creating a brief back up on Pu'unene Avenue. It is recommended that commercial vehicles be required to arrive early, possibly even before the general public, to avoid the potential conflict with disembarking vehicles.

Recommendations

The following recommendations are offered:

- Traffic control should be implemented at Nimitz Highway (e.g., flagger to direct traffic) in order to avoid queuing of outbound vehicles on Kukahi Street.
- The coning operation along Nimitz Highway should be continued during future peak demand days to facilitate traffic flow of the concurrently embarking and disembarking vehicles.
- The number of TCOs at Kahului should be reduced in order to maintain off-loading efficiency.
- While manually controlling the traffic signal at the intersection of Pu'unene Avenue and Ka'ahumanu Avenue, TCOs should maintain a regular signal timing pattern to allow for more efficient operation of the intersection.
- Signage should be posted on both the Diamond Head and 'Ewa directions of Nimitz Highway which clearly marks upcoming turns for the vehicle entrance and the passenger pick-up/drop-off area. In addition, a sign should be suspended over Kukahi Street at Gate 3 (the commercial vehicle entrance) indicating that general passenger vehicles proceed to Gate 1.
- Signage on the 'Ewa-bound Nimitz Highway should indicate that vehicles turn at Pacific Street, rather than U-turn at Kukahi Street, in order to avoid the potential traffic safety hazard of vehicles cutting across all lanes of Nimitz Highway to turn into the passenger pick-up/drop-off area. If signage proves to be insufficient, a barrier should be installed to limit access to the right lane of Nimitz Highway.
- A sidewalk should be constructed from Nimitz Highway into the HSF passenger terminal to safely accommodate passengers that arrive on foot.
- Commercial vehicles should be required to arrive early, possibly even before the general public, in order to avoid the potential conflict with disembarking vehicles (particularly in Kahului).

3.4 Invasive Species / Cultural and Natural Resources

General compliance with E.O. 07-10 conditions associated with invasive species (Section E) and cultural and natural resources (Section F) was observed during the field observations. However, because the quality and consistency of inspections were not maintained, certain aspects of the inspections were deemed noncompliant. Although the operational conditions do not call for recurrent training, updated training should be required at regular intervals to reinforce standards for prohibited items and inspection diligence, as well as to ensure that newly hired staff receives consistent training.

- As dictated by E.O. 07-10 condition E.1, the HSF staff conducted agricultural screenings of its passengers and visual inspections and agricultural screening of all vehicles; however, inspections and screenings were carried out with varying levels of diligence. Observations suggest that the thoroughness of inspections and screenings declined when the HSF staff were pressed for time (due to a backlog of vehicles or passengers) or distracted by other processing glitches (e.g., problems with the boarding pass). Adoption of a system that staggers vehicle arrival times, within the two-hour period in which vehicles are allowed to enter the port terminal facility, is recommended to limit vehicle backlog and the associated decline in inspection diligence. Also, a checklist of the required inspection actions and screening questions should be integrated into the existing electronic pre-boarding checklist so that potential invasive species risks are not overlooked. Because of the inconsistent visual inspections of vehicular engines, interiors (23% of interiors were not inspected), undercarriages, wheel wells (30% of wheel wells were not

inspected), trunks, beds of pickup trucks, and trailered equipment, the HSF was deemed not in compliance with E.O. 07-10 condition E.1.

- In compliance with E.O. 07-10 condition E.2, all vehicles are required to pass through the inspection and screening process prior to boarding the HSF vessel. In addition to verbal screenings for prohibited items, the HSF staff consistently opened coolers for inspection, but other luggage and transported items were virtually uninspected. Depending on legal limitations, consideration should be given to increasing the number of random baggage inspections to prevent potential smuggling of plants, animals, and other biological materials.
- In compliance with E.O. 07-10 conditions E.3 and E.4, the notification provided to all passengers upon HSF ticket purchase states that all vehicles, camping, hiking, hunting, snorkeling, diving, fishing, and boating equipment (including boats and trailers) should be thoroughly washed with fresh water and be free of any debris, and that all vehicles, including “off road” or four-wheel drive vehicles, including trucks, dirt bikes, and all-terrain vehicles, will be subject to screening and inspection, including for dirt or mud. It is recommended that the notification put greater emphasis on the necessity to remove mud from vehicles, as many arriving passengers do not seem to take this requirement seriously. Additional pre-arrival vehicle cleaning procedures, including vacuuming of the interior and removal of accumulated vegetative material from under the hood, around the trunk, or inside the truck bed, should also be added to the notification.
- E.O. 07-10 condition E.5 requires the HSF to deny boarding of vehicles that are excessively dirty or muddy, or that have caked-on mud. In several cases, however, the HSF staff allowed boarding of vehicles that contained significant quantities of mud that the Bishop Museum staff would have prohibited. The HSF staff had a tendency to overlook mud hidden on fenders of pickup trucks, as well as seeds, grass, and leaf litter under vehicle hoods, in trunks, and on interior floorboards. Because of the lenient allowances for muddy vehicles (several vehicles were allowed to board that contained significant quantities of mud), the HSF was deemed not compliant with E.O. 07-10 condition E.5. While RRA observers recommended that an undercarriage pressure-wash system and a vacuum cleaner be available to better ensure that vehicles will be clean and free of invasive species before boarding the HSF vessel, it is highly unlikely that an undercarriage pressure-wash system could be accommodated given constraints on space and water within certain harbors, along with concerns about permitting and water disposition at all harbors.
- In compliance with E.O. 07-10 condition E.6, living plants and propagative plant parts that were not accompanied by a DOA certificate of inspection were invariably forfeited to the HSF staff, and DOA personnel were present to inspect other non-propagative plant parts, including cut or harvested flowers, foliage, fruits, and vegetables, as required by E.O. 07-10 condition E.7.
- As dictated by E.O. 07-10 conditions E.8 – E.10, the only animals permitted on the vessel without a DOA certificate were domestic cats, dogs, pigeons, and rabbits, as there were no known attempts to transport uncertified domestic livestock, uncertified poultry, or swine of any kind.
- In compliance with E.O. 07-10 conditions E.11 – E.13, the notification provided to all passengers upon HSF ticket purchase states that valid hunting licenses are required by DLNR in the State of Hawai‘i, prior to hunting, and indicates that potential invasive species vectors banned from the vessel include fishing nets of any kind, as well as rocks, soil, sand, dirt, or dead coral, except for soil or dirt in potted plants inspected and cleared for transport by the DOA.
- Boot scrubbers are provided at both the Honolulu and Kahului passenger terminals, as required by E.O. 07-10 condition E.14; however, passenger use of the boot scrubbers was not observed. It is recommended that informative signage be put in place to encourage use of the boot scrubbers when necessary.

- As dictated by E.O. 07-10 condition E.15, the HSF requires passengers to declare all plants, fruits, seeds, and any other biological medium, as indicated in the notification provided to all passengers upon ticket purchase. Verbal querying of passengers traveling without vehicles to elicit such declarations, however, was observed to be inconsistent. The HSF staff frequently omitted questions regarding non-plant materials and occasionally did not query passengers about prohibited items at all. Animals or other banned non-plant materials should be explicitly mentioned when conducting verbal screenings for prohibited items. Because of the inconsistent questioning of passengers (17% of passengers traveling without vehicles were not verbally queried), the HSF was deemed not in compliance with E.O. 07-10 condition E.15.
- Pests for control or eradication purposes (e.g., insects hitch-hiking on vehicles) and invasive species were removed by the HSF staff, and DOA personnel confirmed that the HSF staff have been trained to screen for and identify the same, as required by E.O. 07-10 condition E.16.
- E.O. 07-10 condition E.17 requires the HSF to fully cooperate in any risk assessment performed by the DOA. Although the DOA has not yet performed any risk assessment directly involving HSF operations, the HSF staff has been working cooperatively with both DOA and DLNR personnel that are present at the inspection stations, as required by E.O. 07-10 condition E.18.
- In compliance with E.O. 07-10 conditions F.1 – F.5, the notification provided to all passengers upon HSF ticket purchase indicates that cultural and natural resources banned from the vessel include iwi or human bones; opihi, lobster, and other crustaceans; and cut logs, cut trees, and tree limbs. In addition, the notification states that marine life, including live or dead fish, may only be transported with a valid commercial marine license issued by DLNR, except that recreational fishers may transport fish subject to any limitations established by DLNR, and asks that passengers be sensitive to the use of cultural and natural resources, including but not limited to hunting and fishing rules and camping permit requirements.
- Mr. O'Halloran confirmed that the HSF is currently working toward adding information about Hawai'i's cultural and natural resources to its onboard programming, as required by E.O. 07-10 condition F.6.

In addition to the notification provided to all passengers upon HSF ticket purchase, information regarding inspection procedures and banned items is also displayed on signage that is posted at both the vehicle inspection stations and the passenger terminals. Unfortunately, the current signage is confusing in its identification of prohibited items versus permitted items. In addition, the signs are placed in inconspicuous locations which seem to elicit little notice from arriving passengers. It is recommended that the signage be rewritten for clarity and that signs be hung from the front of the vehicle inspection stations and in passenger waiting areas where they are more likely to be seen.

Another concern is lighting for vehicle inspections during the pre-dawn and nighttime hours. The HSF staff relied on hand-held flashlights of varied quality to inspect wheel wells, under hoods, and in trunks. Some flashlights provided insufficient lighting for inspection purposes. In order to ensure that thorough inspections occur during low-light conditions, the HSF should provide its staff with reliable flashlights of uniformly high quality.

During the pre-dawn and nighttime hours, the HSF staff also used flashlights to illuminate vehicle undercarriages by reflecting light off of the trollied mirrors. Although the trollied mirrors are a sensible means of inspecting undercarriages, the reflected lighting from a flashlight seems inadequate for inspection purposes in low-light conditions. It is recommended that the HSF use a trollied mirror that incorporates a bank of forward-directed lights to more effectively illuminate vehicle undercarriages.

An important qualification of the RRA observations is that HSF staff was aware of the field team's presence and may have altered their behavior accordingly. Thus, it is possible that typical inspection

performance of the HSF is lower than that observed by the field team. In order to ensure inspection vigilance beyond the duration of the RRA process, it is recommended that HSF consider hidden camera surveillance (to be screened by a third party) and/or random assessments by DOT personnel of the HSF inspection process for compliance.

Recommendations

The following recommendations are offered:

- Updated training should be required at regular intervals to reinforce standards for prohibited items and inspection diligence, as well as to ensure that newly hired staff receives consistent training. Training should be consistent so that inspections at each harbor are consistent; distribution of the same written/printed materials used to reinforce understanding to all trainees should help provide consistency.
- Standards for allowable dirt on vehicles (E.O. 07-10 condition E.5) and inspection of wheel wells (E.O. 07-10 condition E.1) seem especially in need of improvement. Training should define “excessively dirty”, “muddy”, “caked-on mud”, and “debris”, and more importantly, explain the reasons why these conditions can spread invasive species and the implications of the spread of such species. For vehicles having low clearance, HSF staff needs to be trained to make observations in low areas that are difficult to observe.
- A system that staggers vehicle arrival times (within the two-hour period in which vehicles are allowed to enter the port terminal facility) should be adopted to limit vehicle backlog and the associated decline in inspection diligence.
- A checklist of the required inspection actions and screening questions should be integrated into the existing electronic pre-boarding checklist so that potential invasive species risks are not overlooked.
- Depending on legal limitations, consideration should be given to increasing the number of random baggage inspections to prevent potential smuggling of plants, animals, and other biological materials. Inspections should not be limited to a type of container, e.g., coolers, as this may result in the transport of banned items in containers not subject to inspection.
- The notification provided upon ticket purchase should put greater emphasis on the necessity to remove mud from vehicles. Additional pre-arrival vehicle cleaning procedures, including vacuuming of the interior and removal of accumulated vegetative material from under the hood, around the trunk, or inside the truck bed, should also be added to the notification.
- A vacuum cleaner should be available to better ensure that vehicles will be clean and free of invasive species before boarding the HSF vessel. Cost for use could be charged to the passenger.
- Informative signage should be put in place to encourage use of the boot scrubbers when necessary.
- Querying of passengers for banned items is inconsistently applied. Animals or other banned non-plant materials should be explicitly mentioned when conducting verbal screenings for prohibited items. Alternatively, the objective of limiting the transport of undesirable species might be more easily met by asking all passengers whether they have any plants, fruits, seeds, animals, soils, or other living items.
- The inspection signage should be rewritten for clarity and signs should be hung from the front of the vehicle inspection stations and in passenger waiting areas where they are more likely to be seen.

- The HSF should provide its staff with reliable flashlights of uniformly high quality in order to ensure that thorough inspections occur during low-light conditions.
- A trolled mirror that incorporates a bank of forward-directed lights to more effectively illuminate vehicle undercarriages should be used.
- The HSF should consider hidden camera surveillance (to be screened by a third party) and/or random assessments by DOT personnel (or other third parties) of the HSF inspection process in order to ensure continued inspection vigilance.
- The HSF should consider posting a supervisor at the inspection area to address customers who do not agree with inspectors' determinations. The supervisor would have a thorough understanding of E.O. 07-10 and could explain determinations to customers. Designating a supervisor to handle the difficulties of customer relations would allow inspectors' decisions to be based solely on criteria and trained judgment, without concern for anticipated confrontations with customers.

The DOA and the DLNR provided comments during the review of the Draft RRA. Substantive comments that enhance the RRA observations and findings were incorporated in the above recommendations. Additional recommendations identified by DOA and DLNR follow.

- DLNR recommends that HSF develop standard written protocols for disposition of illegal contraband and prohibited items discovered during inspections. Different protocols should be made available for (1) illegal items and (2) items prohibited under E.O. 07-10, but not illegal.
- DLNR recommends that HSF establish and implement a centralized inspection reporting system that reports: number, types, dates, and locations of infractions of E.O. 07-10; whether prohibited items were voluntarily disclosed or discovered during inspections; and the ultimate disposition of the items.
- DLNR recommends that periodic third-party assessments of the HSF inspection process be submitted to DLNR and DOA on a monthly basis, and that reports of illegal contraband be submitted to appropriate county agencies.
- DLNR believes a pre-boarding email or phone recorded message reminding passengers of (1) items that may not be transported and (2) the fact that vehicles should not be "excessively dirty" or "muddy" and should not have "caked-on mud" and "debris" could be helpful.
- In addition to revising signage pertaining to restricted and prohibited items and displaying them from the front of the vehicle inspection stations and in passenger waiting areas, the DOA and DLNR recommend that these signs also be displayed prior to entering each port terminal facility.
- DLNR believes that the HSF web site is currently text-heavy and that pictures would help attract customers' attention as it pertains to prohibited items. Pictures could show unauthorized items and cars that are considered "excessively dirty".

3.5 Native Hawaiian Cultural Sensitivity and Awareness

Although not explicitly defined in the RRA scope of work, the DOT requested that input on cultural sensitivity and awareness be obtained and included in this assessment. The Rev. Dr. Kaleo Patterson accepted this challenge and opportunity to evaluate aspects of the HSF relative to cultural sensitivity and awareness of the host culture of Hawai'i. Rev. Dr. Patterson's findings and recommendations are provided in his report (Appendix G). Because the complexity and depth of the sentiment and concerns expressed cannot be easily described, let alone summarized, this RRA does not attempt to do so. Rather, only a few of the overarching concerns are presented herein.

- Current HSF operations could be viewed by some within the native Hawaiian community as lacking in understanding and integration of the host culture, language, and values. For this reason, the HSF should consider initiating dialogue with a group of respected Hawaiian leaders and collaborating with the community. The forum would demonstrate the HSF's commitment in obtaining input from the native Hawaiian community, which could serve as a step toward repairing relations.
- In addition to developing a working relationship with the native Hawaiian community, the HSF can demonstrate increased sensitivity and awareness toward native Hawaiian culture, language, and values through the following:
 - Integration of the Hawaiian language and culture into HSF operations, for example, by requiring cultural sensitivity and language training for all HSF employees;
 - Redevelopment of naming and branding of the HSF through collaboration with the native Hawaiian community; and
 - Development and implementation of educational materials on Hawaiian culture and the environment, for example, by incorporating information about travel routes (e.g., place names, names of channels, and points of interest such as Hulu Island Bird Sanctuary and Kalaupapa) and mo'olelo (stories) about Kanaloa of the ocean, the moku Kanaloa (i.e., Kaho'olawe), and related environmental issues.

Again, the background and sentiment supporting these briefly summarized findings and recommendations are provided in the Rev. Dr. Patterson's report (Appendix G). The Rev. Dr. Patterson's findings and recommendations help bring to light the depth and complexity of some of the sentiment and ongoing concerns of Native Hawaiians in our ever-changing community.

3.6 Other Considerations

The HSF was found to be in full compliance with the remaining E.O. 07-10 conditions (Section G).

- Mr. O'Halloran confirmed that, in compliance with E.O. 07-10 condition G.1, the HSF is currently in the process of developing a special transport rate for locally-grown agricultural products and products made from locally-grown agricultural products.
- The HSF fully cooperated with the RRA investigations, as required by E.O. 07-10 condition G.2.

Table 1. Summary of HSF’s Operational Compliance with Executive Order No. 07-10

Executive Order No. 07-10 Conditions and Protocols	Corresponds with RRA SOW Condition 2.b.(2)	Full Operational Compliance? (Yes / No)	Comments
<p>A.1. The large capacity ferry vessel company (“company”) shall agree to request that National Marine Fisheries Service (NMFS) certified fisheries observers, currently residing in Hawaii, such as graduates and members of Alu Like’s Marine Stewardship Program, be onboard its vessels to help monitor and document all marine life sightings and potential impacts to marine life by its vessels, to warn the bridge in a timely manner about potential impacts, to collect data on appropriate NMFS forms of general and unusual marine life observations, to appropriately document observations, and, in the event of an interaction with an endangered species by one of its vessels, to document and follow applicable federal requirements, if any.</p>	---	Yes	
<p>A.2.(a) The company shall agree that company vessels shall avoid operating within the boundaries of the Hawaiian Islands Humpback Whale National Marine Sanctuary or in waters less than 100 fathoms from January 1 to April 30 of each calendar year unless: (i) the Master of the vessel determines that this operation is in the interest of passenger safety and comfort or vessel safety; or (ii) the vessel is making an immediate approach to or departure from the ports of Honolulu, Kahului, Nawiliwili, or Kawaihae.</p> <p>(b) The company shall agree that if the Master of a vessel makes a determination that operation within the boundaries of the Hawaiian Islands Humpback Whale National Marine Sanctuary or in water less than 100 fathoms from January 1 to April 30 of each calendar year other than when the vessel is making an immediate approach to or departure from the ports of Honolulu, Kahului, Nawiliwili, or Kawaihae (“said operation”) is in the interest of passenger safety and comfort or vessel safety, the Master shall, when feasible, refer to and consider existing data on aerial and shore-based systematic surveys of whale densities to select areas of lesser densities.</p>	(f)	Yes	

Executive Order No. 07-10 Conditions and Protocols	Corresponds with RRA SOW Condition 2.b.(2)	Full Operational Compliance? (Yes / No)	Comments
<p>A.2. (continued)</p> <p>(c) The company shall agree that if the Master of a vessel makes a determination that “said operation” is in the interest of passenger safety and comfort or vessel safety, the vessel shall not exceed twenty-five knots at any time during “said operation.”</p> <p>(d) The company shall agree that if the Master of a vessel makes such a determination that “said operation” is in the interest of passenger safety and comfort or vessel safety; the Master shall, with respect to “said operation”: (i) document this determination in the vessel’s log book with a certification by the Master that the vessel did not exceed twenty-five knots during “said operation,” (ii) document the time, location, course and any evasive actions taken by the vessel, and (iii) provide a copy of the vessel log book entry(ies) to the Director of Transportation and the Chairperson of the Board of Land and Natural Resources.</p>	(f)	Yes	
<p>A.3. The company shall agree to post two persons to act as whale lookouts on any vessel and allow for direct communications between the lookouts and the Master of the vessel, and the observers identified in Section A.1 may serve as these whale lookouts.</p>	(g)	Yes	
<p>A.4. The company shall agree that each vessel shall maintain a minimum of 500 meters distance from whales whenever possible when whales are sighted.</p>	(h)	Yes	Recommend that 500-meter minimum distance requirement be reevaluated.
<p>A.5. The company shall agree to utilize radar, night vision equipment, and bow-mounted cameras to detect whales and try to avoid collisions.</p>	(i)	Yes	<p>Recommend that required use of radar and bow-mounted cameras be reevaluated.</p> <p>Recommend that hands-free, binocular night visions devices be used.</p>

Executive Order No. 07-10 Conditions and Protocols	Corresponds with RRA SOW Condition 2.b.(2)	Full Operational Compliance? (Yes / No)	Comments
<p>A.6. The company shall agree that any vessel’s Master shall document and report any collision or whale approach less than 100 meters from the vessel, that in the event of a collision, the company shall document observable damage or injury to the whale and, if safe and possible, remain on scene with the whale until rescue response arrives, and within twenty-four hours of any whale collision, provide a detailed written report of the collision to the Director of Transportation and the Chairperson of the Board of Land and Natural Resources.</p>	(j)	Yes	
<p>A.7. The company shall agree that it shall designate a crew member or crew members to be trained by the Department of Land and Natural Resources to monitor its vessel for downed seabirds. Between September 15 and December 15 of each calendar year, prior to evening departures from the ports of Nawiliwili, Kahului and Honolulu and prior to morning departures from any harbor after being docked overnight, the company shall agree to retrieve and care for any and all downed seabirds on a vessel in accordance with DLNR policies and procedures, if any.</p>	(k)	Yes	
<p>B.1. The company shall agree to comply, at all times, with HRS chapter 342D, “Water Pollution,” and such other laws, rules or regulations adopted by the State of Hawai‘i, Department of Health (DOH), Clean Water Branch, if any, as may apply to vessel operations in the State of Hawai‘i.</p>	---	Yes	
<p>B.2. The company shall agree that it will not, at any time, discharge wastewater into the ocean, including but not limited to the coastal waters of the State of Hawai‘i, and that in the event of any discharge, the company shall document and report said discharge to the Director, DOH, within twenty-four hours of discharge.</p>	(l)	Yes	

Executive Order No. 07-10 Conditions and Protocols	Corresponds with RRA SOW Condition 2.b.(2)	Full Operational Compliance? (Yes / No)	Comments
C.1. The company shall agree to complete traffic studies, including traffic counts, with the first studies to be furnished to the State Department of Transportation (DOT) by January 1, 2008, but furnishing such studies shall not be a condition precedent to commencing operation before January 1, 2008.	(m)	Yes	
C.2. The company shall agree to implement a vehicle movement and management plan for each port of operation as may be directed by the DOT.	(n)	Yes	
C.3. The company shall agree that the traffic studies shall be used to adjust vessel arrival and departure schedules as necessary to lessen the impact of ferry vehicular traffic on local traffic patterns in the immediate vicinity of each operation port (with any adjustments to vessel arrival and departure schedules subject to advance DOT approval).	---	Yes	
C.4. The company shall agree to: (a) design its harbor facilities to, insofar as practicable, hold departing vehicles within the terminal area; (b) employ trained staff to manage traffic entering and exiting each port terminal facility; (c) permit vehicles to enter each port facility a minimum of two hours prior to the departure of the vessel to reduce local traffic impacts; and (d) as required by DOT, retain and post security guards or off-duty police officers to direct traffic, control signals, and respond to unforeseen traffic problems during vehicle loading and unloading in ports of operation.	(o) (p) (q)	Yes	Recommend that presence of traffic control officers in Kahului be reduced.
D.1. The company shall agree that, prior to the commencement of operations, a Facility Security Plan (FSP), by operational port, and a Vessel Security Plan (VSP) shall have been submitted for approval to the United States Coast Guard, and if necessary for operation, approved by the United States Coast Guard.	(r)	Yes	

Executive Order No. 07-10 Conditions and Protocols	Corresponds with RRA SOW Condition 2.b.(2)	Full Operational Compliance? (Yes / No)	Comments
D.2. The company shall agree to coordinate its operational plans as necessary with county fire and police departments.	(s)	Yes	
E.1. The company shall agree to conduct agricultural screenings of its passengers and visual inspections and agricultural screening of all vehicles, including visual inspection of engines, interiors, undercarriages, wheel wells, trunks, beds of pickup trucks, and trailered equipment and vehicles.	(d) (t)	No	17% of passengers (without vehicles) were not verbally queried about possession of prohibited items; interiors had a 23% rate of non-inspection; and wheel wells had a 30% rate of non-inspection.
E.2. The company shall agree that vehicles that have not been inspected and screened will not be allowed to board, and that vehicles containing prohibited items will not be allowed to board.	(u)	Yes	
E.3. The company shall agree that passengers will be notified in advance that all vehicles, camping, hiking, hunting, snorkeling, diving, fishing, and boating equipment (including boats and trailers) should be thoroughly washed with fresh water and be free of any debris.	(v)1	Yes	Recommend that notification put greater emphasis on importance of mud removal and also include pre-arrival cleaning procedures of vacuuming vehicle interiors and removing any accumulated vegetative materials.
E.4. The company shall agree that passengers will be notified in advance that all vehicles, including “off road” or four-wheel drive vehicles, including trucks, dirt bikes, and all-terrain vehicles, will be subject to screening and inspection, including for dirt or mud.	(v)2	Yes	
E.5. The company shall agree that it will not permit boarding of any vehicles that are excessively dirty, muddy, or have caked-on mud on a vehicle and/or its tires.	(w)	No	Several vehicles with a significant quantity of mud were allowed to board.

Executive Order No. 07-10 Conditions and Protocols	Corresponds with RRA SOW Condition 2.b.(2)	Full Operational Compliance? (Yes / No)	Comments
E.6. The company shall agree that it will allow living plants and propagative plant parts (e.g., roots and root stock) on the vessel only if accompanied by a valid DOA certificate of inspection, and that the company shall permit no other living plants on the vessel.	(x)	Yes	
E.7. The company shall agree to permit DOA inspections of cut or harvested flowers, foliage, fruits, vegetables and/or other non-propagative plant parts.	(y)	Yes	
E.8. The company shall agree to permit only the following animals on the vessel without a DOA certificate: Domestic cats, dogs, pigeons, and rabbits.	(z)	Yes	
E.9. The company shall agree to permit domestic livestock and poultry, limited to domestic cattle, horses, donkeys, goats, sheep, chickens and roosters, on the vessel only if accompanied by a valid DOA certificate.	(aa)	Yes	
E.10. The company shall agree not to permit swine of any kind on the vessel, including but not limited to, pigs, pot-bellied pigs, hogs, boars, and sows.	(bb)	Yes	
E.11. The company shall agree to notify passengers in advance that valid hunting licenses are required by DLNR in the State of Hawai'i, prior to hunting.	(v)3	Yes	
E.12. The company shall agree that transport of fishing nets of any kind is prohibited and to notify passengers that transport of fishing nets of any kind is prohibited.	(a)2	Yes	
E.13. The company shall agree that transport of rocks, soil, sand, dirt, or dead coral, except for soil or dirt in potted plants inspected and cleared for transport by the DOA, is prohibited, and to notify passengers that transport of such items is prohibited.	(a)3 (a)4	Yes	

Executive Order No. 07-10 Conditions and Protocols	Corresponds with RRA SOW Condition 2.b.(2)	Full Operational Compliance? (Yes / No)	Comments
E.14. The company shall agree to provide boot scrubber approved by DOA at each of its port terminal facilities	(cc)	Yes	Recommend that informative signage be placed at boot scrubbers.
E.15. The company shall agree to require passengers to declare, orally or in writing, all plants, fruits, seeds, and any other biological medium.	(b) (dd)	No	17% of passengers (without vehicles) were not verbally queried about possession of prohibited items.
E.16. The company shall agree to confiscate any “pests for control or eradication purposes” and invasive species, and to work with DOA on learning how to screen for and identify the same.	(c) (ee)	Yes	
E.17. The company shall agree to fully cooperate in any risk assessment that may be performed by DOA, including but not limited to any Maritime Risk Assessment with USDA’s Western Region and Center for Plant Health Science and Technology.	(ff)	Yes	
E.18. The company shall agree to fully cooperate with any monitoring or inspections by any state officials, employees, or contractors.	(ff)	Yes	
F.1. The company shall agree that transport of iwi or human bones is prohibited and to notify passengers that transport of iwi or human bones is prohibited.	(a)1	Yes	
F.2. The company shall agree that transport of opihi, lobster, or other crustaceans is prohibited and to notify passengers that transport of opihi, lobster, or other crustaceans is prohibited.	(a)5 (a)6	Yes	

Executive Order No. 07-10 Conditions and Protocols	Corresponds with RRA SOW Condition 2.b.(2)	Full Operational Compliance? (Yes / No)	Comments
<p>F.3. The company shall agree: (a) that live or dead fish or live coral may only be transported with a valid commercial marine license issued by DLNR except that recreational fishers may transport fish subject to any limitations established by DLNR and, (b) to notify passengers that marine life, including live or dead fish or live coral, may only be transported with a valid commercial marine license issued by DLNR except that recreational fishers may transport fish subject to any limitations established by DLNR.</p>	---	Yes	
<p>F.4. The company shall agree to provide to passengers information provided by the State of Hawai‘i and/or the counties concerning restrictions on the use of cultural and natural resources, including but not limited to hunting and fishing rules and camping permit requirements.</p>	(gg)	Yes	
<p>F.5. The company shall agree that transport of cut logs, cut trees, and tree limbs is prohibited, and to notify passengers that the transport of cut logs, cut trees, and tree limbs is prohibited.</p>	(a)8	Yes	
<p>F.6. The company shall agree to consider adding a cultural briefing on Hawaii’s cultural and natural resources to its on-board programming and education.</p>	(hh)	Yes	
<p>G.1. The company shall agree to consider whether to establish a special transport rate for agricultural products.</p>	(ii)	Yes	
<p>G.2. The company shall agree to fully cooperate with any risk assessment conducted by or authorized by the State of Hawai‘i Department of Transportation.</p>	---	Yes	
<p>* Prompt notification to the appropriate governmental agency regarding any violation or potential violation of invasive species, agricultural, conservation or other law.</p>	(e)	Yes	

* Note: Additional condition introduced in RRA SOW.