

## The Hawaii Superferry

*Information sharing leads to operational success.*

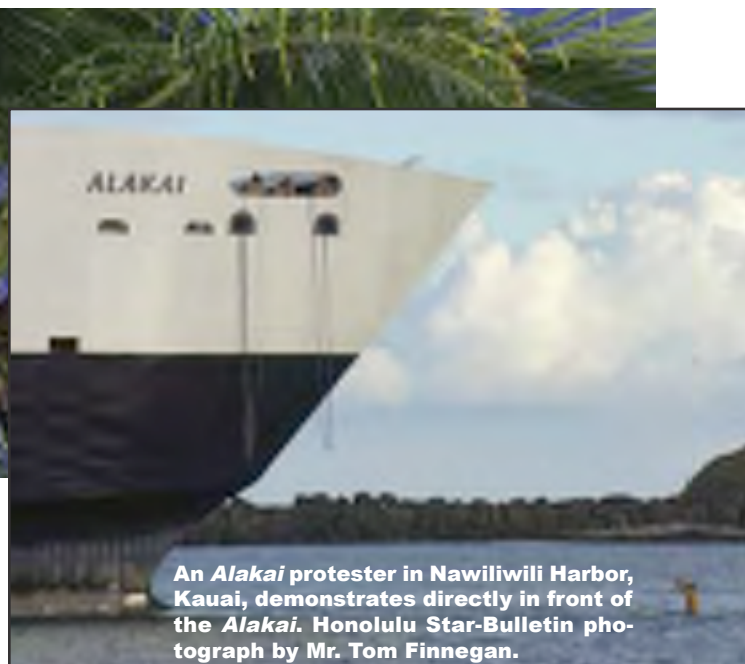
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*The complexities of maritime operations are often compounded by factors such as the variability of the sea itself, differing and sometimes overlapping legal authorities, and the presence of a wide range of concerned agencies with varying competencies and capabilities. Information sharing reduces operational complexity and sets the stage for success. A recent operation in Hawaii underscores how information sharing, taken in the broadest sense, can increase interagency effectiveness and public understanding.*

Hawaii Superferry (HSF) came to Hawaii to start a high-speed ferry service between the Hawaiian islands of Oahu, Maui, and Kauai. The Superferry vessel, the *Alakai*, is a 350-foot high-speed catamaran designed to carry 866 passengers and 282 vehicles.

Unfortunately, strong opposition from segments of the local population shadowed the start of *Alakai*'s service. Citizens and environmental groups opposed to this new service voiced several concerns, citing *Alakai*'s lack of an environmental impact study, the possibility of increased traffic congestion, and the potential for introducing invasive species and harming marine life. Legal challenges were initially successful in Maui, but did not preclude HSF operations into Kauai.



### A Hostile Operating Environment

*Alakai*'s initial operations were greeted by an estimated 300 protestors in Kauai. People gathered outside the ferry's shoreside facility, taunted would-be passengers, blocked vehicles, and, in some instances, caused minor property damage. Protesters on shore threw coconuts and other debris at Coast Guard responders and several scuffled with the Kauai Police. The crowd forced the HSF facility to close its gates due to security concerns.

While hundreds of protesters demonstrated on shore, some protesters entered the water and blocked the harbor with surfboards and kayaks, making it unsafe for the ferry to transit into the port. HSF decided to cancel its second Kauai port call, and, due to continuing public unrest, decided to temporarily halt its Kauai operations altogether.

Localized protests grew into a larger referendum on the pace of change in the Hawaiian Islands and dominated local headlines. Several court cases were initiated and court injunctions temporarily kept the *Alakai* from sailing. As the courts wrestled with the legalities of the situation, law enforcement agencies had to prepare for the ferry's possible return to full service and the subsequent widespread civil disturbances it could cause ashore and in the harbors.

Federal, state, and local authorities faced the challenge of balancing a number of seemingly contradictory objectives: upholding the law, ensuring public safety, ensuring the safe arrival and departure of the ferry in multiple ports and jurisdictions, and protecting and promoting constitutional freedoms. Information sharing was critical for successful operations. Further, information sharing needed to be viewed with the broadest scope—not just as an exchange among government agencies, but with the public at large.

### Unique Challenges

Multiple agencies had to consider the possibility of same-day operations on two different islands, Maui and Kauai. Island differences such as port geography, community reactions, and local forces were critical planning considerations. As it turned out, HSF decided to continue to defer operations in Kauai due to simmering public sentiments, so actual operations only occurred in Maui. Kauai had still not started operations as of this issue's publication.

Early protests in Kauai were relatively small, but endangered public safety at sea and ashore. By blocking *Alakai's* transit into the harbor, protesters violated well-established security zone regulations designed to protect large-capacity passenger vessels. Likewise, since many of the protesters were either swimming, on surfboards, or in kayaks, agencies were concerned they could not move out of the *Alakai's* way fast enough, endangering themselves and/or the ferry. Further, the pro-



**USCG Station Kauai's small boat is shown removing protesters on surfboards from the path of the *Alakai* into Nawiliwili Harbor, Kauai. Protesters were removed for their own safety and for the safety of the ferry and its passengers. USCG photo by Petty Officer 3rd Class Michael De Nyse.**

testers could have been injured by the propeller-driven boats working to enforce the security zone.

The geographical consideration that both Maui's and Kauai's ports were small and did not leave much room for maneuvering or navigational error compounded both security and safety concerns. Hawaii's Department of Transportation was also concerned that other harbor traffic would be greatly impacted. In an island state (with only one port each to service Kauai and Maui), free-flowing maritime commerce is not just a business concern, but is central to the state government's ability to take care of its citizens. Almost all food, fuel, and consumer products has to arrive through the ports. The state could not risk the ferry blocking a channel if she were to go aground while avoiding protestors. It also wanted to avoid sending a signal that corporate citizens did not enjoy equal protection under the law.

Operational planning and execution posed other complications, as they would involve different county authorities for the two ports as well as different policing capabilities. It was unclear what reception the ferry might receive when operations resumed. The press, in "man on the street" interviews, led officials to conclude that demonstrations would be larger. As the situation developed, constitutional issues of freedom of speech and assembly arose. Also, local and cultural expecta-



tions of unfettered access to the sea became operational planning factors.

Not all public expectations were aligned with the protestors, however. Some citizens and industry groups were, ironically, concerned by Coast Guard and state and local law enforcement restraint in this matter. Some characterized this restraint as an inability or unwillingness to enforce the law and safeguard commerce. Some incorrectly extrapolated the seeming inability to control protestors as an inability to safeguard against potential terrorists. They reasoned that, if law enforcement couldn't handle civilians on surfboards, how could it withstand a determined terrorist attack within our ports? Public confidence was at stake.

### **Achieving Interagency Alignment**

This unique situation of protesters operating both on land and in the water made it imperative for local, state, and federal agencies to work together in order to understand and align the various legal authorities and jurisdictional concerns. Pre-established, close interagency working relationships were essential to effective planning and mission execution. The Coast Guard; its port partners; and various county, state, and federal government officials routinely worked together on a number of committees, at exercises, and during other operational incidents. These mature relationships eased communications, created interagency trust, and en-

abled agreement on priorities and objectives, greatly increasing operational efficiency.

One local information sharing initiative paid huge dividends during this operation. The Hawaii State Law Enforcement Coalition (SLEC) is a multi-agency coalition of Hawaiian law enforcement agencies including the Coast Guard and the Hawaiian Departments of the Attorney General, Public Safety, Land and Natural Resources, and Transportation. The pre-established partnerships created by SLEC facilitated planning and logistics for this complex operation.

Another critical factor was the Coast Guard's excellent working relationship with the state of Hawaii. Direct communications between the district commander and the Hawaiian governor were frequent; discussions about operational courses of action and potential outcomes were frank; and decisions reflected the careful, necessary balance among public safety, maritime commerce, and the citizenry's right to lawful assembly and speech.

The mechanism that provided for information sharing and interagency alignment was a unified command structure consistent with the National Incident Management System. The Incident Command System (ICS) provides an organizational structure and process wherein agencies with differing authorities, competencies, and equities may come together to work toward a common goal. ICS provides a venue and process for information



**An *Alakai* protester in Nawiliwili Harbor, Kauai, demonstrating in front of the ferry, creating serious safety and port security concerns. USCG photo by Petty Officer 3rd Class Michael De Nyse.**

sharing, which can be especially helpful when there are complex issues to resolve.<sup>1</sup>

Not all involved agencies were ICS-conversant at the beginning of the operation, but this did not prove to be a problem, as ICS processes are easily explained and understood.

The operational challenges, varying agency concerns, and differing agency capabilities were laid bare and discussed thoroughly during the frequent meetings of the unified command. Alignment, cooperation, and compromise were essential in driving toward an operational plan that met the seemingly incongruent objectives.

### Execution of the Operation

The unified command worked together to develop a plan that recognized differing authorities and competencies. Operations were divided into two components: onshore and waterborne security operations. The local police department was in charge of onshore operations, while the Coast Guard took the lead in waterborne operations. The two groups collaborated and created an overall plan designed to reduce the number of on-water protesters, provided a pre-designated protest zone, and developed coordinated methods to deal with illegal and unsafe protests.

The relationship with the Maui County prosecutors and the Maui Police Department (MPD) was particularly important. Close coordination between federal and local prosecutors provided a plan that offered short-term support in processing illegal protesters and a long-term deterrent strategy to eventually reduce the numbers of protesters. MPD also worked extensively with the Coast Guard to ensure seamless jurisdiction from the shoreline into the water. The state Department of Land and Natural Resources (DLNR) provided jet skis to patrol the security zone boundaries. The state Department of Transportation provided logistics support essential to mission execution.

The coordinated plan required a temporary fixed security zone to ensure the safety of the vessel and its passengers. The Coast Guard issued an emergency regulation that permitted it to control harbor waters one hour prior to the ferry's arrival, during the time it was in port, and until 10 minutes after the ferry's departure. Concurrently, the fixed security zone provided for an area where protesters could legally assemble.

### Operational Success

The implementation of the new security zone required extensive public affairs efforts to ensure the affected maritime stakeholders and ocean recreation community understood the scope of the security regulations. DLNR and county mayoral offices helped the outreach effort by connecting the unified command with protest groups and canoe and surfer clubs.

To allay concerns regarding access by other users not interested in protesting the ferry, the Coast Guard granted access on a vessel-by-vessel basis while the security zone was in effect. To increase compliance, the unified command formed a joint public information staff to meet with the public on several occasions to outline security zone boundaries and explain the legal consequences of violating the zone.

Public outreach proved successful in deterring a large number of protesters from illegally entering the on-water security zone. Information sharing helped inform the general public of the unified command's objectives. Certainly, a number of citizens disagreed with the operation, but others grew to understand and support the unified command's objectives.

It's important to note that the intended result of this information sharing process and interagency collaboration was not to change the protesters' opinions regarding the ferry operation. In this instance, information sharing achieved its intended goals: allowing the *Alakai* to transit in and out of Maui without incident, allowing protesters to voice their dissent, and helping agencies to make the best use of unique authorities and competencies.

#### About the authors:

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#### Endnote:

<sup>1</sup> For more information about the National Incident Management System and Incident Command System, see the Winter 2006-2007 edition of *Proceedings*.