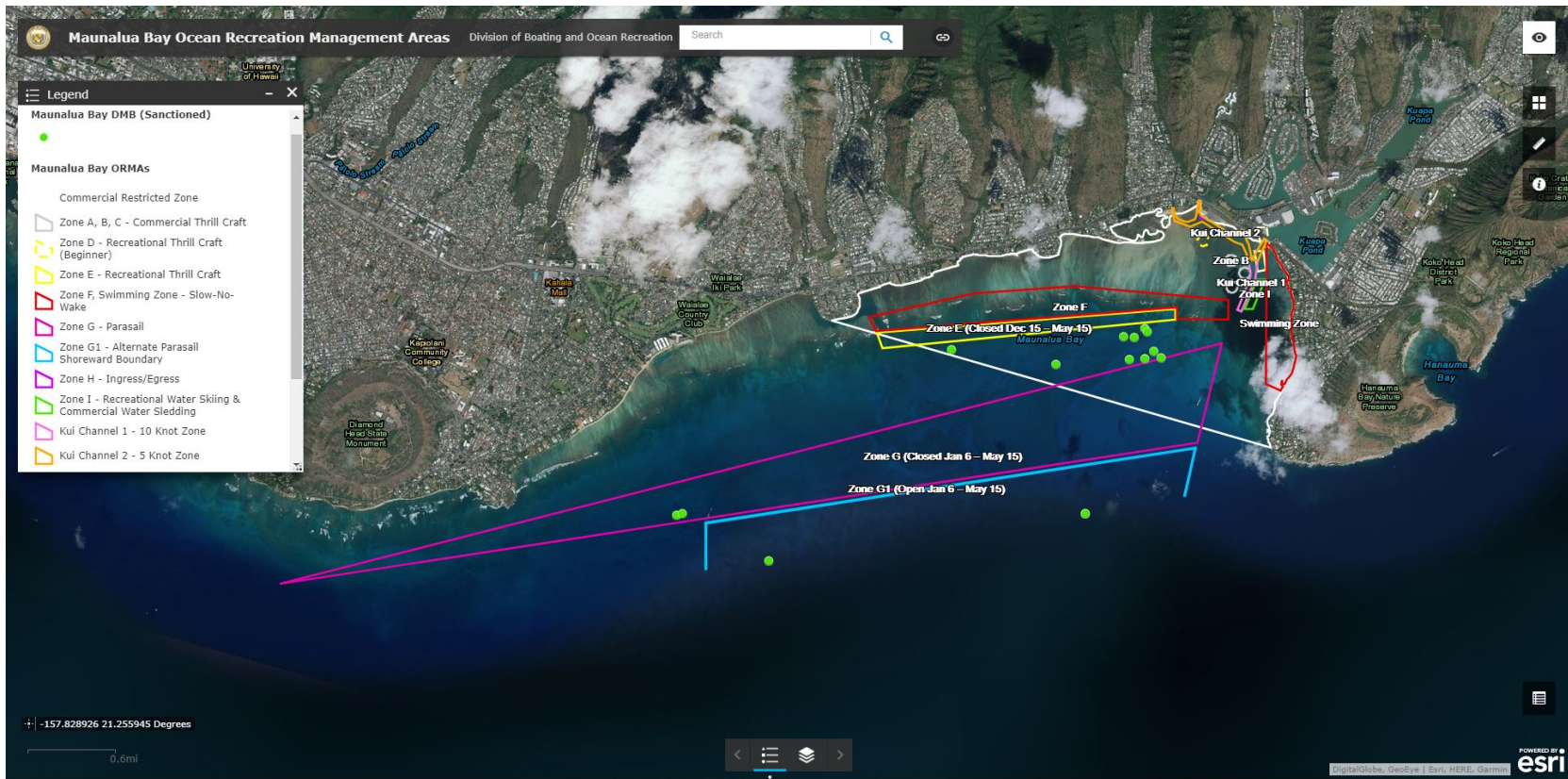


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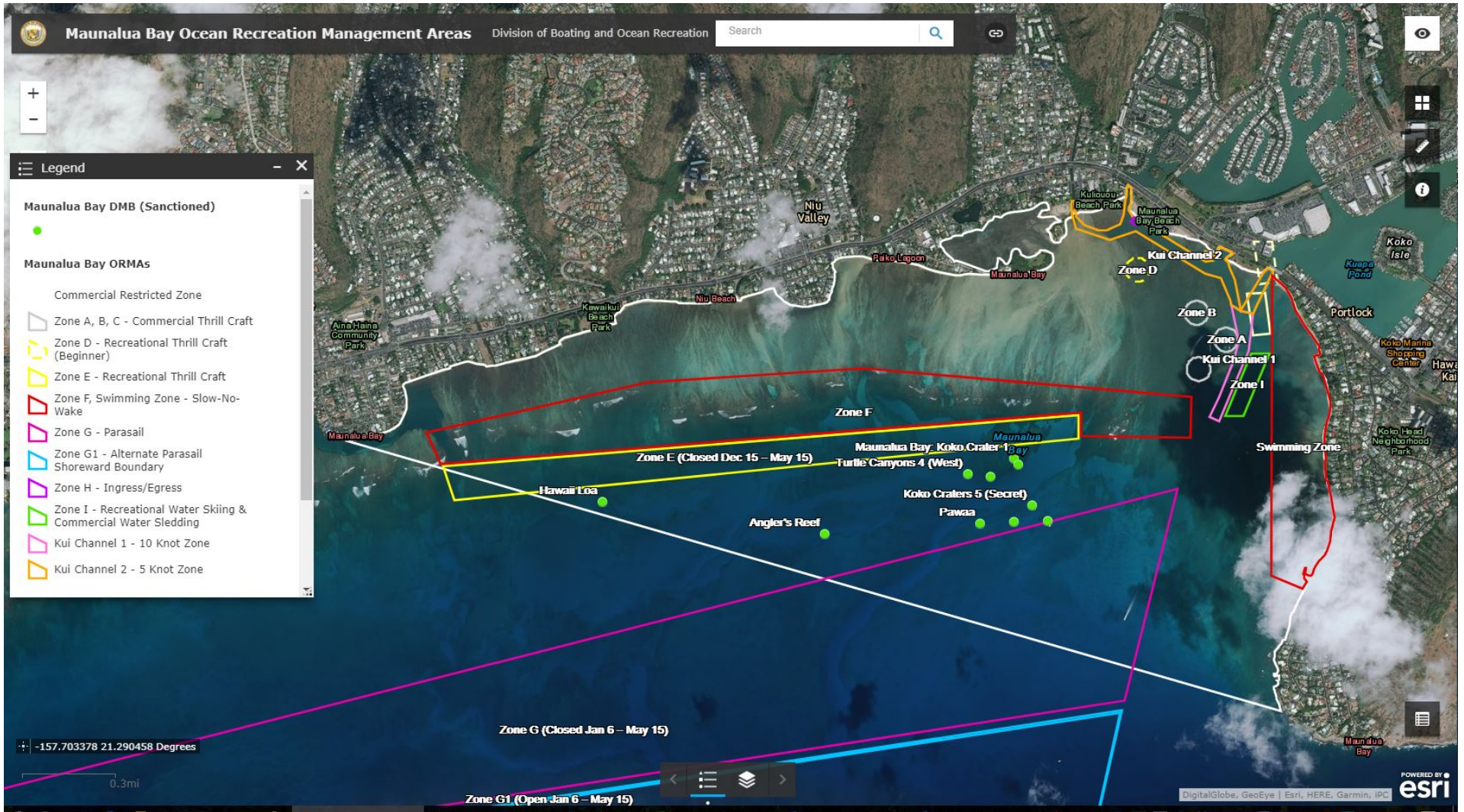
Maunaloa Bay Ocean Waters Boundaries

- To view this interactive ArcGIS online map and other MRAC information, go to DOBOR's website:
<http://dlnr.hawaii.gov/dobor/mrac/>
- The “Maunaloa Bay Inside” map provides a more detailed depiction of each specific zone established by HAR §13-256-88 (Maunaloa Bay ORMA Zones A through I).



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Maunaloa Bay Inside:



Types of DOBOR Permits

1. Ramp Permits
2. Ocean Recreational Management Area Use Permits – Thrillcraft/Parasail only
3. Commercial Use Permits

1. Ramp Permits

- Ramp permits are issued for the use of Maunalua Bay launch ramp.
- No commercial operator can use the launch ramp unless they are issued a permit from the Division.
- Hawaii Administrative Rule set the limit of 5 ramp permits for Maunalua Bay launch ramp.
- The cost for the ramp permit is \$200 per month or 3% of the gross receipts.
- All ramp permittees shall meet the minimum gross receipts each year which is based on the vessel's passenger capacity.
- There is currently a waitlist for ramp permits at Maunalua Bay.
- The ramp permit allows for commercial operators to load and unload passengers at the ramp in Maunalua Bay.
- On Sundays, all commercial ocean recreation activities are prohibited in Maunalua Bay Ocean Waters.
- If a permittee fails to renew a use permit on or before the date on which it expires, that person can be granted a thirty (30) calendar day period to reinstate the permit as long as all the conditions or covenants of the original issuance, including the requirement of prompt monthly payment of charges in advance, have been met and the rules governing small boat harbors of the Department have been fully complied with. The person shall pay a one-time penalty fee of \$250.00 as well as all other applicable fees.
- If the permittee has met all of the conditions of the permit during the previous year and re-applies for the permit, and provides all supporting documentation, the permit will be renewed for another year.

2. ORMA Permit for Thrill Craft or Parasail

- Commercial thrill craft or parasail operators must obtain a permit to operate a thrill craft or parasail in the designated zones in the Ocean Recreation Management Area. (ORMA)
- Hawaii Administrative Rule sets the limit of 2 commercial parasail ORMA permits and 3 commercial thrill craft ORMA permits.

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- DOBOR has issued 2 parasail permits and 2 thrill craft permits. DOBOR has not offered out the 3rd thrill craft permit for the last 10 years and will be eliminating that permit through proposed rules changes.
- The monthly cost for each permit varies, depending on the auction bid price but each permittee shall pay the bid price each month or 3% of the gross receipts.
- During all weekends and state and federal holidays, no commercial operator shall operate a thrill craft, or engage in parasailing, water sledding, or commercial high speed boating, or operate a motor vessel towing a person engaged in water sledding or parasailing in Maunalua Bay.
- All commercial use and operator permits issued by the department for commercial thrill craft, and parasailing activities shall be fully transferable upon the payment of a business transfer fee in an amount determined by the department, which shall be no greater than six per cent of the transfer price; provided that no more than one transfer every two years shall be authorized with respect to any given permit, except transfers between family members for the purpose of business reorganization.
- All vacant permits shall be made by public auction under sealed bid after public notice.
- Commercial thrill craft are limited to operating within a two hundred (200) foot radius of the permitted designated location.
- No commercial thrill craft shall be operated within Zones A, B and C except between the hours of 9:00 a.m. and 5:00 p.m., Mondays through Fridays.
- The number of thrill craft permitted to operate within each commercial thrill craft operating area shall be as directed by the department, not to exceed a limit of six rental units and two safety units per area.
- Water sledding operations may be conducted in the designated thrill craft areas only if no other thrill craft activity is ongoing.
- Commercial thrill craft operators must establish a safety instruction program for customers that includes, but is not limited to, the safe use of a thrill craft, boundaries of operating areas and the use of a personal flotation device.
- Parasail operations are prohibited from operating more than one parasail vessel with a parasail aloft in the designated parasailing operating area.
- If a permittee fails to renew a use permit on or before the date on which it expires, that person can be granted a thirty (30) calendar day period to reinstate the permit as long as all the conditions or covenants of the original issuance, including the requirement of prompt monthly payment of charges in advance, have been met and the rules governing small boat harbors of the Department have been fully complied with. The person shall pay a one-time penalty fee of \$250.00 as well as all other applicable fees.
- If the permittee has met all of the conditions of the permit during the previous year, including meeting the minimum gross receipts and re-applies for the permit, and provides all supporting documentation, the permit can be renewed for another year.

3. Standard Commercial Use Permit

- Any company that is providing a tour or instruction on State ocean waters shall obtain a Commercial Use Permit (CUP), except for those operating out of a state commercial harbor or Kewalo Basin. (Examples: surf, SUP instruction, canoe or kayak tours, fishing tours, scuba diving tours/instruction, whale watching tours, or day cruises)
- Any commercial operation originating from Kewalo Basin is not required to obtain a CUP from DOBOR. We are currently working on revising our Hawaii Administrative Rules to ensure that any tours originating from Kewalo Basin would be required to obtain a CUP from DOBOR.
- The cost for the CUP is \$200 per month. A 3% payment would be added only IF the company is coming out of a small boat harbor or other DOBOR property.
- A company would have to apply for a CUP, submit and fill out a questionnaire and provide all the necessary documentation which includes a letter from the property owner stating that they have permission to access the property to conduct their commercial operations. If a company does not obtain approval for the use of the land, DOBOR will not issue a CUP for use of state ocean waters.
- Currently, there are no limitations on the number of CUP's that can be issued for use of state ocean waters, including Maunalua Bay.

Maunalua Bay Commercial Operators

- For commercial permits that have been issued, see the list below.
 - There are currently sixteen (16) operator permits issued that are applicable to Maunalua Bay Ocean Waters.
 - The Maunalua Bay Commercial Operator List provides the:
 - Name of the party to which the permit was issued
 - Permit number and expiration date
 - Areas covered by each permit
 - Activities allowed under each permit
 - Permit type (commercial use, ramp, parasail, or thrill craft)

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Maunaloa Bay Commercial Operator List

BUSINESS NAME	OWNER/REP NAME	PERMIT NO.	EXP. MONTH	SHORES & SHOREWATERS	PERMIT TYPE	PERMIT TYPE
AkuaCat Watersports L.L.C. dba Dynaglide	Ben Brandt, Owner	CO31746	12/31/2017	Maunaloa Bay	Commercial Use	Commercial Use
Bob's Hawaii Adventure LLC	Sam Montgomery, Owner	CO034351	5/31/2018	Maunaloa Bay and all Oahu Ocean Waters	Commercial Use	Commercial Use
Fish N Dive LLC	Matthew Zimmerman, Owner	CO033556	4/30/2018	Maunaloa Bay Ocean Waters	Commercial Use	Commercial Use
Hawaii Kai LLC dba Hawaiian Surf Adventures	Satoshi Mitsuda, Owner	CO033335	4/30/2018	Maunaloa Bay OW, Makai Pier Waters, Kaimana Beach OW, all Oahu offshore waters	Commercial Use	Commercial Use
Honolulu Diving Co., Inc.	John Hansen, Operations Manager	CR026808	2/28/2018	Maunaloa, Sand Island, Waianae & Haleiwa	Ramp and Commercial Use	Ramp and Commercial Use
Island Parasail, LLC	Jeffrey & Courtney Krantz, Owner	OR032291	2/28/2018	Maunaloa Bay Commercial Parasail	ORMA Parasail	ORMA Parasail
Island Watersports Hawaii, Inc.	Sam Montgomery, Owner	CR034072	5/31/2018	Maunaloa Bay and all Oahu Ocean Waters	Ramp and Commercial Use	Ramp and Commercial Use
Mud Man, Inc.	Koji Takeda, Owner	CR033528	4/30/2018	Maunaloa, Sand Island, Waianae & Haleiwa	Ramp and Commercial Use	Ramp and Commercial Use
Ohana Dive Company, LLC	Warren D Murray, Owner	pending	pending	Ocean Waters off of Portlock and other Oahu Waters	Commercial Use	Commercial Use
Sea Breeze Jetski, LLC	Jeffrey & Courtney Krantz, Owner	OR032295	2/28/2018	Maunaloa Bay Commercial Thrill Craft Zone C	ORMA Thrill craft	ORMA Thrill craft
Sea Breeze Parasailing, Ltd.	Jeffrey & Courtney Krantz, Owner	OR032294	2/28/2018	Maunaloa Bay Commercial Parasail	ORMA Parasail	ORMA Parasail
Sea Eagle Diving Corporation	Shinichi Yoshimiya, Director	CR030152	9/30/2017	Maunaloa, Sand Island, Waianae & Haleiwa	Ramp and Commercial Use	Ramp and Commercial Use
Sea Fox Charters LLC	Matthew Zimmerman, Owner	CO033562	4/30/2018	Maunaloa Bay and Mamala Bay Ocean Waters	Commercial Use	Commercial Use
SeaBreeze Jetlev, LLC	Jeffrey & Courtney Krantz, Owner	OR032296	2/28/2018	Maunaloa Bay Commercial Thrill Craft Zone A	ORMA Thrill craft	ORMA Thrill craft
Takumi Horiuchi dba Hawaiian Rainbow Cruise	Takumi Horiuchi, Owner	CO030275	9/30/2017	Offshore of Maunaloa Bay, East and South Shores	Commercial Use	Commercial Use
Waikiki Dive Center, LLC	Nicholas Fidelibus, Owner	CR034330	6/30/2018	Maunaloa, Sand Island, Waianae & Haleiwa	Ramp and Commercial Use	Ramp and Commercial Use

Possible Violations Applicable to Maunalua Bay Ocean Waters

- Littering or polluting ocean waters or shores. HAR §13-252-6.
- Operating a thrill craft, operating a motorized vessel towing a person engaged in parasailing, or operating a motor vessel towing a person engaged in water sledding on weekends and state or federal holidays. HRS §200-37(g), HRS §200-38(a), and HAR §13-256-88(b)(1).
- Engaging in parasailing, water sledding, or commercial high speed boating on weekends and state or federal holidays. HRS §200-37(g), HRS §200-38(a), and HAR §13-256-88(b)(1).
- Conducting commercial activities on any Sunday. HRS §200-37(h), HRS §200-38(b), and HAR §13-256-88(b)(2).
- For Zones A, B, and C, operating more than six (6) commercial thrill craft in any one zone. HAR §13-256-88(e).
- For Zones A, B, and C, operating commercial thrill craft between the hours of 9:00 a.m. and 5:00 p.m., Mondays through Fridays. HAR §13-256-88(e).
- Operating commercial thrill craft in Zones D or E at any time. HAR §13-256-88(f); HAR §13-256-88(g).
- Operating any thrill craft in Zone E during the whale season, from December 15 to May 15 of the following year. HAR §13-256-88(g).
- Operating a vessel at a speed greater than slow-no-wake [about 5 miles per hour] in Zone F. HAR §13-256-88(h).
- Engaging in parasail operations outside of Zones G or G1. HAR §13-256-88(i); HAR §13-256-88(j).
- Parasail permittee operating more than one (1) vessel with parasail aloft in Zone G at any one time. HAR §13-256-88(i).
- Engaging in parasail operations in Zone G within one thousand (1,000) feet of a buoy with parasail aloft. HAR §13-256-88(i).
- Engaging in parasail activities in Zone G between January 6 and May 15 of each year. HAR §13-256-88(i).
- Engaging in parasail activities in Zone G1 at times other than January 6 to May 15. HAR §13-256-88(j).
- Parasail permittee operating more than one (1) vessel with parasail aloft in Zone G1 at any one time. HAR §13-256-88(j).
- Parasail vessel exceeding a speed of eighteen (18) knots in Zone G1. HAR §13-256-88(j).
- Operating or mooring a vessel, surfboard, or sailboard within Zone H. HAR §13-256-88(k).

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- Engaging in activities other than recreational water skiing and commercial water sledding in Zone H. HAR §13-256-88(l).

Statutory Provisions Regarding Maunalua Bay

- Statutory provisions that are generally applicable to thrill craft, parasailing, water sledding, and commercial high speed boating are found in HRS 200-37.
 - No person shall operate a thrill craft unless that person is at least fifteen (15) years old. HRS §200-37(a).
 - No person shall operate thrill craft in State waters unless in areas & during times designated by the Department or unless authorized by the Department. HRS 200-37(c).
 - No person shall engage in parasailing unless in areas & during times designated by the Department. HRS §200-37(d).
 - No person shall engage in water sledding unless in areas & during times designated by the Department. HRS §200-37(e).
 - No person shall engage in commercial high speed boating or operate an open power boat capable of exceeding forty (40) mph for commercial high speed boating purposes unless in areas, routes, and times designated by the Department. HRS §200-37(f).
- Statutory provisions specifically covering Maunalua Bay regarding thrill craft and parasailing are found in HRS §200-37(g) & (h):
 - Under HRS §200-37(g), during all weekends and state and federal holidays, no commercial operator shall operate a thrill craft, or engage in parasailing, water sledding, or commercial high speed boating, or operate a motor vessel towing a person engaged in water sledding or parasailing in Maunalua Bay.
 - Under HRS §200-37(h), on Sundays, all commercial ocean recreation activities prohibited in Maunalua Bay.