

## Maunalua Questions/Issues/Concerns/Suggestions regarding DOCARE

1. What number do we call when we see issues in the bay or have concerns? (7) Who do we call after hours during the week days or on weekends when something needs to be reported and handled?

*808 643 DLNR*

2. Community users are using the small park near the bridge by Portlock Beach to launch jet skis, aren't they supposing to be launching from the boat ramp? Does there need to be a no jet ski launch sign?

*HAR Section 13-256-16 (e) Recreational thrill craft may gain access to state waters only from launching or harbor facilities or from private beach front property.*

*Jet ski's have to launch at a harbor facility, which would be the Maunalua Bay Ramp. The area they are launching belongs to the City and County and they could put a sign up if they so choose. HPD would have to enforce on County property.*

3. Community members are seeing jet ski users under 15 years of age using jet skis in the bay. Isn't this illegal? Don't they need to be 15 years old to run a thrill craft and they also need to have a jet ski license?

*See HAR 13-256-16*

*a) No person under fifteen years of age shall operate a thrill craft. No person shall permit, or mislead another person into permitting, a person under fifteen years of age to operate a thrill craft.*

*d) Effective January 2005, all recreational thrill craft operators shall be required to possess, and make available upon demand of enforcement personnel, a certificate of completion from an accredited institution of higher education on the safe use and operation of a thrill craft.*

4. How do we know when calls go into the DLNR hotline that they are being followed up? What is the accountability?

*Calls are recorded and followed up on. Citizens could assist DOCARE by providing a description of suspect, description of activity, and license plate or HA number.*

*Maunalua can assist DOCARE in addressing gaps in the enforcement chain. Keeping a record of incidents builds a pattern that DOCARE can use to set up a response operation. Previously, in 2014 incident reports were used to plan a 2 week observation by DOCARE officers in the Maunalua Bay area.*

5. Can DLNR/DOCARE come monthly Hawaii Kai Neighborhood Board meeting to report on what's happening in Maunalua Bay?

*If there are specific issues that DOCARE can answer, the Board can contact us. Attendance at the monthly meeting cannot be guaranteed because of competing priorities, as a way to address updates, DOCARE is planning to conduct an annual community workshop for the entire DOCARE district to share what's been happening in the entire district, not just a single community. Maunalua is included in district 1 encompassing all communities from (Makapu'u Lighthouse to Hickam Airforce Base).*

6. Boats have been moored in Maunalua Bay for months, what's the requirements for mooring in the bay? Who enforces those rules?

*Currently, it is very difficult to enforce the mooring in that area as 13-235-9 states that they can moor for up to 72 hours without paying a fee. Most vessels will just move a few feet and state that they get another*

72 hours to moor. We have draft rule making language to clear up that section of the rules. We hope to go out to public hearing in a few months.

8. How many officers manage Maunalua Bay? If it is only a few, can there be more? How can we help?

*There are 5 officers and 1 supervisor assigned to the area; however the area they must patrol is very large with competing priorities. Depending on activity we may be able to get assistance from other districts to conduct enhanced patrols. Identifying issues and communicating with DOCARE is a great way to let us know about problems. Educating others who may not be aware of the rules will also help in compliance.*

9. Can off-duty fireman help to patrol Maunalua Bay?

*Any citizen can report violations to DOCARE, the effectiveness depends on the information provided and willingness to testify.*

11. Who enforces the speeding of boats out of Koko Marina?

*HAR 13-244-9 : The speed of all vessels on the waters of the State shall be 244-6 limited to a slow-no-wake speed so as to create no wake of appreciable wave height, when within two hundred feet of any:*

- (1) Shoreline;*
- (2) Float;*
- (3) Dock;*
- (4) Launching ramp;*
- (5) Congested beach;*
- (6) Swimmer;*
- (7) Diver's flag; or*
- (8) Anchored, moored or drifting vessel*

12. Community jet ski-ers are on the left side of the channel near Portlock Beach. They are speeding and pulling others on rafts. This is a non-thrill craft / jet ski area, can DLNR enforce the rules? There are swimmers and SUP users who are concerned about this activity.

*HAR 13-256-18 is only for Commercial thrill crafts, not recreational. No Commercial operator should be operating there. The recreational thrill craft operators shall only operate in designated areas and the area in question is not a riding area. Reports should be made to DOCARE.*

13. When will the swimming buoys for the left side of the channel in Portlock be re-installed?

*DOBOR is not aware of any swimming buoys in the area and no plans to do so. There were slow no wake buoys alongside Portluck over a decade ago but there are no plans to put them back in.*

14. There are community party boats that anchor off of Portlock Beach, there is alcohol involved and loud music, do they need a permit for this? If not, why not? They are close to neighbors homes at Portlock.

*If they are operating commercially, then they would need a Commercial Use Permit. If they are a recreational vessel, then they would not need a permit from DOBOR. As for drinking on a vessel, it is not*

*prohibited. Only the operator of the vessel is restricted from operating the vessel intoxicated. If there is loud music, they would still have to abide by the City and County level restrictions.*

15. For Commercial jet skis, what are the boundaries of where they are to operate?

*HAR 13-256-18 (b) Commercial thrill craft are limited to operating within a two hundred foot radius of the permitted designated location except as otherwise designated. 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 in said area.*

How many thrill crafts and activity can there be in a designated area?

*HAR 13-256-18 (c) No more than one vessel shall be permitted to operate under a commercial operating area use permit issued for high speed boating or water sledding.*

Can different thrill craft activity take place in the same area?

*HAR 13-256-88 (f) No other activity is permitted in designated commercial thrill craft operating areas or recreational and commercial water skiing or water sledding areas during the time of authorized operations for safety purposes.*

16. Commercial jet ski hours in Maunalua Bay are 9am - 5pm, but they go out before 9 and stay out after 5, especially in the summer time. Who will enforce the hours? What are the fines?

*HAR 13-256-88 (e)*

*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.*

17. Why is there commercial activity taking place in Maunalua bay on State Holidays? There is to be no commercial activity on weekends and holidays.

*HAR 13-256-88 (a)(1).*

*No commercial operator shall operate a thrill craft, engage in parasailing, water sledding or commercial high speed boating, operate a motorized vessel towing a person engaged in parasailing, or operate a motor vessel towing a person engaged in water sledding during all weekends, and state or federal holidays.*

18. There is commercial activity, dive boats and parasails, that are in the Maunalua Bay Ocean Recreation area on Sundays, why aren't the laws being enforced?

*HAR 13-256-88 (a)(2)*

*All commercial ocean recreation activities in Maunalua Bay waters are prohibited on Sunday, effective January 1, 1991.*

19. Community members are taking their boats up on the beach at Portlock and cleaning and scrapping their boats down. Isn't this illegal? *Department Of Health...*

20. Community members would like to see citations given. Just recently a community member called in an incident and a DLNR officer did show up but did not give a citation and told the community member

they wanted to give the person doing the offense "a break" and gave them a warning. When the officer left the activity continued. This community member feels things will change when citations are given.

*Officers have discretion in taking enforcement actions. Our first priority is to generate compliance. Whether through education, a written warning, citation or arrest, our end goal is for people to follow the rules. Depending on the type of violation, giving a warning may be the best option for us. It builds a record of our efforts to get a person to comply and a stronger reason to write a ticket after we have warned them. The courts also look on this process favorably.*

21. Hui Nalu Canoe club is concerned about the eroding sand by their canoes? Who should they contact?

*City and County Parks and Recreation*

22. Kuliouou river is blocked. Who should they contact to open river up?

*The flood control canal covers TMK (1) 3-8-004:014 [mauka of Kalaniana'ole Highway], (1) 3-8-003:026 [between Kalaniana'ole Highway and Summer St], and (1) 3-8-003:027 [between Summer Street and the stream mouth].*

*Instead of DOCARE, people who have concerns about the stream should approach the City's Department of Facility Maintenance. A possible office would be the Halawa Corporation Yard of the DFM @ 768-3622.*

23. People have witnessed illegal size throw and lay nets as well as people spearing undersized or out of season fish. Who enforces the fishing rules?

*DOCARE enforces fishing regulations from DAR.*

24. Concern from Fishermen / Recreational Boat Users

DLNR / DOCARE officers don't show up when illegal or dangerous activity is happening in the bay, but the DOCARE officers will show up to give parking tickets on expired trailer tickets or tickets to trailers or vehicles in wrong stalls. DOCARE is not addressing the critical concerns raised and called in by community to their office. How is enforcement being prioritized?

*DOCARE prioritizes their efforts to target significant threats to both natural and cultural resources. Minor violations and the appropriate enforcement action often prevent larger crimes from happening.*

25. I am a beachfront resident on Portlock Road. I have questions about the crumbling concrete drainage walls which are not on anyone's property. The one by us has fallen into the ocean and in Kona weather the alley fills with sand and sea water.

*City and County Facilities and Maintenance*

26. Mahalo for having your officers do a spot check recently at Maunalua Bay Park. Please do that at least once a week. You will catch violators consistently. Also consider doing that at night too because they are there at night as well.