

October 22, 2021

Honorable Suzanne D. Case, Chair, and Members
Board of Land and Natural Resources
1151 Punchbowl Street
Honolulu, Hawaii 96813

Re: Item J-4. Authorize alternative beach landing site to Welakahao Catamaran, Inc.(Revocable Permit 41) and King Parsons Enterprises, Ltd., (Revocable Permit 42) Catamaran Operators Permitted to Embark and Disembark Passengers on Waikiki Beach; and Declare the Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules

Dear Chairperson Case:

This testimony is submitted on behalf of Welakahao Catamaran, Inc., owner and operator of the catamaran HOLOKAI (hereinafter collectively “HOLOKAI”) and King Parsons Enterprises, Inc., owner and operator of the catamaran MAITA’I (hereinafter collectively “MAITA’I”).

HOLOKAI and MAITA’I and are among six (6) catamarans which have Revocable Permits (RP) from the State of Hawaii to install “deadman” anchors and pick up/drop off passengers on Waikiki Beach. HOLOKAI’s RP site is on the beach fronting the Outrigger Reef hotel. MAITA’I’s RP current site is located on the beach fronting the Sheraton Waikiki. This area of Waikiki Beach is known as “Gray’s Beach”.

Over the years, Gray’s Beach has become increasingly dangerous for HOLOKAI and MAITA’I to land and embark/disembark passengers. The beach has eroded substantially, exposing rocks, pipes and concrete structures previously buried by sand. Rising sea levels and increased tidal activity has resulted in the destruction of sidewalks, railings, retaining walls and other structures designed for safety of pedestrians and beach goers. These structures have not been repaired or replaced. Palm trees fronting the Outrigger Reef Hotel had to be removed because beach erosion exposed roots and compromised the integrity of the trees. These conditions render landing at Gray’s beach hazardous for passengers, crew and the vessels during periods of high tide, and especially during “King Tides”. The conditions also pose risks to pedestrians and users of the beach, who are forced to share increasingly limited space during periods of high tides.

To mitigate the dangers to passengers and crew, DOBOR has graciously granted variances under HAR 13-251-53(e) to HOLOKAI and MAITA’I to land at Fort DeRussy beach during periods of high tides or times when landing at Grays Beach is hazardous.

§13-251-53(e) states:

§13-251-53 Waikiki catamarans; mooring of. Each catamaran operator holding a commercial use permit or registration certificate authorizing operation in Waikiki nearshore waters or on Waikiki beach shall maintain their beach moorings in the position and condition that they have established and maintained since January 1, 2013, provided:

...

(a) Approval is obtained from the board of land and natural resources regarding the type and location of the mooring to be installed on Waikiki beach or ocean waters for the purpose of securing the catamaran while conducting business.

....

(e) Operators may apply to the department for temporary variance to its assigned mooring, as described in the attendant revocable permit, to accommodate governmental, natural or environmental conditions that make the regularly assigned moorings inaccessible or a danger to any of the catamarans operating in Waikiki. Such variance shall terminate upon the resolution of said dangerous condition. Such variance shall not encroach upon or adversely affect the operations of the other catamarans without the express written consent of the affected catamarans;

As the result of the variances, both catamarans have been using Fort DeRussy beach safely and responsibly, and only when necessary. The catamarans limit their time on the beach to what is required to embark and disembark passengers. To the best of the companies' knowledge, there have not been any injuries resulting from the catamarans landing on Fort DeRussy beach.

Nonetheless, it should be stressed that both companies prefer to land at their respective RP sites on Gray's Beach. These sites are closer to the companies' offices and check-in locations. For example, MAITA'I's check-in booth is in the Sheraton Waikiki, which is almost directly shoreside of MAITA'I's RP site. The current RP sites are therefore far more convenient for passengers and crew than the Fort DeRussy site.

The Waikiki Beach Improvement and Maintenance Program, currently in the environmental review and permitting phase, will result in dramatic changes and improvements to Gray's Beach and other areas of Waikiki Beach. However, the project may be several years away, and dangerous conditions continue to exist for the catamarans.

DOBOR has requested the Board approve a Revocable Permit for a permanent anchor at Fort DeRussy to be used intermittently when necessary. While HOLOKAI and

MAITA'I greatly appreciate DOBOR's efforts in this regard, they must advise the Board that it will be a substantial hardship for two vessels to use just one anchor.

First, it should be stressed that the anchor is important to secure the vessel for embarking and disembarking passengers. While the catamarans are able to conduct the operation without the anchor, in fact it is not the most ideal situation in certain conditions. Without the anchor, engines must be deployed to keep the vessel secure against the beach. Depending on surf conditions, unsecured catamarans may be more likely to shift positions, thereby posing an increased risk of injuries. For safety reasons, a "deadman" anchor is the more ideal way of securing the catamarans.

It will also be hardship if the catamarans are limited to landing one vessel on the beach at a time. Currently, HOLOKAI and MAITA'I have at least two sails at the same time each day. Changing the sail times in order to accommodate the restriction in beach access will require that the companies change their websites, social media accounts, brochures and advertising, as well as all the current and future bookings in their reservation systems. They will also have to advise vendors, affiliate sales agents and other such personnel of the changes and this may cause confusion for agents and potential customers.

HOLOKAI and MAITA'I understand that DOBOR is concerned about commercial activity on Fort DeRussy Beach. The companies want to assure the Board there is no solicitation of business nor any monies changing hands on Fort DeRussy beach. All passengers are pre-booked and pre-paid. In fact, the catamarans are simply picking up and dropping off passengers, much like a tour van may pick up and drop off passengers in front of a hotel.

For the above-reasons, HOLOKAI and MAITA'I respectfully request the Board consider issuing two RPs for alternative landing sites on Fort DeRussy beach. The sites will be used only when landing at Gray's beach is deemed unsafe.

We are grateful for the opportunity to present this testimony and welcome any questions the Board may have.

Holokai Catamaran Daily Sailing Schedule

9:00AM-11:30AM

12:00PM-2:30PM

3:00PM-4:30PM

5:00PM-6:30PM

Maita'i Catamaran Daily Sailing Schedule

11:00AM-12:30PM

1:00PM-2:30PM

3:00PM-4:30PM

5:00PM-6:30PM

*Private charter times vary as they are customized to the guest's request.