

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii 96819

May 27, 2022

Chairperson and Members
Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Land Board Members:

Subject: Administrative enforcement action and recommended penalties for alleged violation of Hawaii Administrative Rule (HAR) § 13-231-26 (Use of a vessel as a place of principal habitation), Ala Wai Small Boat Harbor, against William G. Friel III for using a vessel as a place of principal habitation without a valid principal habitation permit or alternatively, for alleged violation of HAR § 13-231-28 (Staying aboard vessels moored at Ala Wai or Keehi small boat harbor), Ala Wai Small Boat Harbor, for staying aboard a vessel without prior notice and without a stay aboard permit; and delegation of authority to the Chairperson to approve or deny a contested case hearing for this matter, if requested.

SUMMARY:

This submittal requests that the Board of Land and Natural Resources (Board) find William G. Friel III in violation of HAR § 13-231-26 Use of a vessel as a place of principal habitation, for illegally using a vessel as a place of principal habitation at Ala Wai Small Boat Harbor (AWSBH) or alternatively, to find Mr. Friel in violation of HAR § 13-231-28 Staying aboard vessels moored at Ala Wai or Keehi small boat harbor, for illegally staying aboard a vessel at AWSBH.

The Division of Boating and Ocean Recreation (DOBOR) recommends that the Board issue a fine of thirty thousand dollars (\$30,000.00), revoke all DOBOR use permits held by Mr. Friel, including the regular mooring permit for AWSBH, and prevent Mr. Friel from obtaining any DOBOR permits for twenty-four (24) months.

DOBOR hereby alleges the following violations:

Against: William G. Friel III

Vessel Doc. No. & Name: HA 6708 K; "THE SUN II"

Date of incidents: September 11, 2021
October 23, 2021
December 11, 2021
January 15, 2022
February 26, 2022
March 5, 2022

Location of incidents: Ala Wai Small Boat Harbor
1651 Ala Moana Boulevard
Honolulu, HI 96816
Island of O'ahu, Hawai'i

Violations: Six (6) counts of illegally using a vessel as a place of principal habitation, in violation of HAR § 13-231-26 or alternatively, six (6) counts of illegally staying aboard a vessel, in violation of HAR § 13-231-28.

Recommended Penalties: 1. Administrative fine of thirty thousand dollars (\$30,000.00) pursuant to HRS § 200-14.5(c), broken down as follows:

DATE OF VIOLATION	RECOMMENDED FINE
September 11, 2021	\$5,000.00
October 23, 2021	\$5,000.00
December 11, 2021	\$5,000.00
January 15, 2022	\$5,000.00
February 26, 2022	\$5,000.00
March 5, 2022	\$5,000.00

2. Revocation of all DOBOR use permits held by Mr. Friel, including the regular mooring permit for "THE SUN II", Hawaii Registration Number HA 6708 K, applicable to AWSBH; and

3. Prohibit Mr. Friel from obtaining any DOBOR use permits for a period of twenty-four (24) months.

INTRODUCTION:

Pursuant to HAR § 13-231-26, persons who want to live aboard their vessel may only do so in the Ala Wai and Ke'ehi Small Boat Harbors, must hold a regular mooring permit, and must obtain a principal habitation permit. Pursuant to HAR § 13-231-28, persons may also stay aboard their vessels between midnight and 6:00am by meeting

certain requirements and subject to certain restrictions.¹ Therefore, when staff perform checks for persons illegally living aboard their vessels, such checks are done on weekends and are between the hours of midnight and 6:00am to also enforce stay aboard rules.

Over the years, DOBOR staff have observed individuals illegally using their vessels as places of principal habitation and have also received numerous complaints regarding individuals illegally using their vessels as a place of principal habitation within the Ala Wai and Ke'ehi Small Boat Harbors.

Mr. Friel is the owner of the vessel "THE SUN II" that is also identified with Hawaii Registration Number HA 6708 K (the Vessel). **Exhibit A.**

DOBOR staff and Division of Conservation and Resources Enforcement (DOCARE) officers conducted night inspections and observed indications of a person aboard the Vessel (as detailed DOCARE Report No. 22-00088, attached as **Exhibit B**). Mr. Friel does not hold a valid principal habitation that would authorize a person to live aboard the Vessel, did not provide the required stay aboard notification, and did not hold a valid stay aboard permit.

FACTUAL BACKGROUND:

Mr. Friel obtained mooring Permit No. 20-103933 for the Vessel for AWSBH, which is effective from September 1, 2021 to August 31, 2022. On July 23, 2021, Mr. Friel was notified that he was in violation of HAR § 13-231-26(a) and/or HAR § 13-231-28(a) for using the Vessel as a place of principal habitation and/or staying aboard the Vessel without authorization from the Department. **Exhibit C.**

In response to complaints, DOCARE Officers Pang and Lime coordinated with DOBOR staff to patrol AWSBH for persons illegally living aboard their vessels. Patrols were conducted on several Saturdays between the hours of 12:15 am and 3:00 am from August 2021 to March 2022. DOBOR staff first verified whether a stay aboard request was received pursuant to HAR § 13-231-28 before conducting the patrol. **Exhibit B.**

The DOCARE Officers and DOBOR staff consistently found indications of a person aboard the Vessel without a valid principal habitation permit, without a stay aboard notification, and without a valid stay aboard permit on the following dates and times (**Exhibit B**):

¹ HAR § 13-231-28, Staying aboard vessels moored at Ala Wai or Ke'ehi small boat harbor, allows regular mooring permittees to stay aboard their vessel between the hours of midnight and 6:00am if the permittee provides written notification to DOBOR staff in advance of the dates/times they intend to stay aboard, not to exceed three nights in any one week and not to exceed one hundred twenty nights in any one calendar year. Staying aboard a vessel for more than three days in one week may be allowed by a stay aboard permit issued by DOBOR.

1. Saturday, September 11, 2021 at approximately 12:32am
2. Saturday, October 23, 2021 at approximately 12:17am
3. Saturday, December 11, 2021 at approximately 2:52am
4. Saturday, January 15, 2022 at approximately 1:25am
5. Saturday, February 26, 2022 at approximately 12:45am
6. Saturday, March 5, 2022 at approximately 12:41am

DOCARE Officers initially encountered William Fielder, who is not the mooring permittee, aboard the Vessel and informed him that living aboard or staying aboard a vessel in AWSBH is prohibited without a valid permit. In one or more of the instances noted above, DOCARE Officers and DOBOR staff made a number of observations supporting a conclusion that a person was aboard the Vessel (**Exhibit B**):

- A motorcycle belonging to Mr. Fielder was regularly parked outside the Vessel, supporting the conclusion that Mr. Fielder was aboard the Vessel.
- The Vessel's port hatches and port holes were opened, likely for ventilation.
- DOCARE Officers announced that police were present and observed that a dog barked at them from within the vessel. No person emerged from the vessel, but staff then observed that the dog would stop barking all of a sudden, indicating that a person may have been aboard the Vessel to stop the dog from barking.
- Also after DOCARE Officers announced their presence, the Vessel would begin to rock back and forth as if a person was moving around on the Vessel.

REGULATORY AUTHORITY FOR ENFORCEMENT:

I. Applicable Hawaii Administrative Rules Provisions

a. Administrative Rule Violated

HAR § 13-231-26(a) requires any person who wants to live aboard a vessel in the Ala Wai or Ke'ehi small boat harbors to obtain both a regular mooring permit and a principal habitation permit: "A vessel owner who holds a valid regular mooring permit issued by the department authorizing the owner to moor the owner's vessel in Ala Wai or Keehi small boat harbors may use that vessel as a place of principal habitation if the owner has applied for and secured a principal habitation permit issued by the department in accordance with these rules, provided that the owner and the vessel meet the requirements set forth in these rules."

b. Relevant Definitions

Living Aboard Vessels:

HAR § 13-230-8 defines "living aboard" as "the substantial use of a vessel as a place of abode, dwelling, living quarters, or residence, including, but not limited to, the regular use for such purposes during weekends."

HAR § 13-231-3(a)(5) defines a "principal habitation permit" as "[a] use permit which

authorizes use of the small boat harbor by the permittee for the purpose of using the vessel as a principal place of habitation while moored in Ala Wai or Keehi small boat harbor or in the Keehi Lagoon mooring area."

Staying Aboard Vessels:

HAR § 13-230-8 defines "stay aboard" or "staying aboard" as "a person or persons aboard any vessel with prior notice to the department or a stay aboard permit between the hours of 12:00 midnight and 6:00 A.M., while the vessel is moored in a state small boat harbor or offshore mooring area."

HAR § 13-231-3(a)(3) defines a "stay aboard permit" as "[a] use permit which authorizes use of a state small boat harbor or offshore mooring by the permittee for the purpose of staying aboard a vessel while moored in a state small boat harbor or at an offshore mooring or at anchor."

c. Other Relevant Authority

HAR § 13-231-1(d) gives the Department the authority to refuse to issue a permit for persons who violate laws and rules of the Department: "The department reserves the right to restrict the use of state facilities to those who are in compliance with all state and federal laws and rules and make full and timely payment of their fees and charges. Failure to comply with this section shall be cause for termination of any use permit and for refusal or withholding the granting of any future use permit requests."

HAR § 13-231-3(b) provides that the Department shall only issue a use permit to persons complying with all applicable laws: "Use permits, or where applicable, Waikiki catamaran registration certificates, shall be issued only after the department has determined that all applicable laws have been complied with and that all fees and charges have been paid."

HAR § 13-231-5(a) authorizes the Department to refuse to renew a use permit if the permittee is in violation of any conditions of the applicable permit: "[...] No type of use permit shall be renewed unless 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 and navigable waters managed of the department of land and natural resources have been fully complied with."

HAR § 13-231-6(a) authorizes the Department to revoke a use permit for a violation: "If after notice and lapse of a reasonable period of time set by the department, the permittee fails to remedy any breach of the duties, covenants or conditions of the use permit or to desist from violating or permitting violation of these rules, the department may revoke the permittee's use permit."

Tenants who want to moor a vessel in any state small boat harbor are required to sign an agreement before being able to obtain a mooring permit for their vessel. The

mooring permit agreement contains, among other terms and conditions, a certification that the signer agrees to abide by all rules, regulations, and policies of the department (see **Exhibit C** for agreement terms included as part of DOBOR mooring permit).

HAR § 13-231-28(a) prohibits staying aboard any vessel at Ala Wai or Keehi Small Boat Harbors, except when a vessel owner holds a valid mooring permit and submits a written notification to the Department in advance of the intended stay aboard date. Staying aboard a vessel for more than three nights in a week is prohibited, except where the vessel owner has obtained a valid stay aboard permit from the Department in advance of the intended stay aboard period. Even if a person holds a valid stay aboard permit, the maximum length that they can stay aboard their vessel is one hundred twenty days in any one calendar year.

II. Administrative Fines Authorized for Violation of HAR § 13-231-26

HAR § 13-230-4(b) provides: "Except as otherwise provided by law, the board is authorized to set, charge, and collect administrative fines and to recover administrative fees and costs, including attorney's fees and costs, or bring legal action to recover administration fines, fees and costs, including attorney's fees and costs, or payment for damages or for the cost to correct damages resulting from violation of subtitle 8 of title 12 or any rule adopted thereunder in accordance with section 200-14.5, Hawaii Revised Statutes. Each day or instance of violation shall constitute a separate offense."

HRS § 200-14.5(a) also affirms the Board's authority and discretion to levy administrative fines: "Except as otherwise provided by law, the board is authorized to set, charge, and collect administrative fines and to recover administrative fees and costs, including attorney's fees and costs, or bring legal action to recover administrative fines and fees and costs, including attorney's fees and costs, or payment for damages or for the cost to correct damages resulting from a violation of subtitle 8 of title 12 or any rule adopted thereunder. Each day or instance of violation shall constitute a separate offense."

HRS § 200-14.5(c) sets the limitations on fine amounts for all violations not involving pollution of the waters of the State as follows:

- (1) For a first violation or a violation beyond five years of a previous violation, a fine of not more than \$5,000;
- (2) For a second violation within five years of a previous violation, by a fine of not more than \$10,000; and
- (3) For a third or subsequent violation within five years of the last violation, by a fine of not more than \$15,000.

Additionally, HAR Section 13-231-1 (General statement and restrictions on mooring dormant vessels) provides, in relevant part:

(d) The department reserves the right to restrict the use of state facilities to those who are in compliance with all state and federal laws and rules and make full and timely payment of their fees and charges. Failure to comply with this section shall be cause for termination of any use permit and for refusal or withholding the granting of any future use permit requests.

Under HAR § 13-231-1(d), the Board therefore has the authority to prevent a person from obtaining a future DOBOR use permit if the person is not in compliance with state and federal laws and rules, and the Board may determine the amount of time this restriction will be in place.

APPLICATION OF LAW AND RECOMMENDED PENALTY:

I. Mr. Friel's vessel is moored and being used as a place of principal habitation in the Ala Wai small boat harbor and is therefore subject to administrative action.

Mr. Friel's vessel "THE SUN II", Hawaii Registration Number HA 6708 K, was moored at a slip in AWSBH in each instance where DOCARE Officers and DOBOR staff observed indications of a person aboard between the hours of midnight and 6:00am. **Exhibit A, Exhibit B.**

II. Mr. Friel did not comply with HAR requirements and restrictions.

Mr. Friel received a July 23, 2021 notice from DOBOR staff that he was violating principal habitation and stay aboard restrictions. **Exhibit C.** Mr. Friel continued to repeatedly violate principal habitation and stay above restrictions, as evidenced by the several instances where DOCARE Officers and DOBOR staff found indications of a person aboard the Vessel between the hours of midnight and 6:00am spanning from September 2021 to March 2022. **Exhibit B.**

III. Administrative fines are authorized by HRS.

Pursuant to HRS § 200-14.5(c)(1), Mr. Friel can be fined five thousand dollars (\$5,000.00) for each instance of illegally using a vessel as a place of principal habitation at AWSBH. There are no mitigating factors that DOBOR staff believes would justify a lesser fine for the violations listed above.

Persons illegally living aboard and staying aboard their vessels are a recurring problem that DOBOR staff and DOCARE officers coordinate to enforce at state small boat harbors. DOBOR staff have made, and continue to make, numerous attempts to address these issues, including verbal notifications, written letters, and random night inspections. Due to the limited resources and staff time, these approaches produce

results in the short term, but the unwanted behavior eventually returns, and staff is required to repeat the process.

Additionally, as seen in this case, persons illegally living or staying aboard vessels attempt to avoid DOCARE Officers and DOBOR staff by staying below the deck of the vessel when liveaboard and stay aboard checks are conducted. DOBOR is currently consulting with the Department of the Attorney General regarding DOCARE's authority to enter into a vessel to inspect for persons illegally living aboard or staying aboard the vessel.

DOBOR staff believes that unless there are consequences for violating HRS and HAR restrictions, people do not have an incentive to abide by the rules or the directions of the Department. In the case of Mr. Friel's violations, Mr. Friel received notice that he was violating principal habitation and stay aboard rules and continued to blatantly violate the principal habitation and stay aboard rules on multiple occasions.

In order to send a strong message and curb continued violation of the rules, DOBOR staff recommends that the Board (1) issue an administrative fine totaling thirty thousand dollars (\$30,000.00), (2) authorize DOBOR to revoke all DOBOR use permits held by Mr. Friel, including the regular mooring permit for AWSBH, and (3) prevent Mr. Friel from obtaining any type of DOBOR use permit for a period of twenty-four (24) months.

RECOMMENDATIONS:

DOBOR requests that the Board:

1. Find that William G. Friel III committed six (6) administrative violations of HAR § 13-231-26(a) for illegally using his vessel as a place of principal habitation, or alternatively find that William G. Friel III committed six (6) administrative violations of HAR § 13-231-28(a) for illegally staying aboard his vessel;
2. Authorize the following penalties for Mr. Friel's violations:
 - a. Issue an administrative fine totaling thirty thousand dollars (\$30,000.00) against Mr. Friel for his six (6) administrative violations;
 - b. Revoke all DOBOR use permits held by Mr. Friel, including the regular mooring permit for "THE SUN II", Hawaii Registration Number HA 6708 K, applicable to Ala Wai Small Boat Harbor; and
 - c. Prohibit Mr. Friel from obtaining any type of DOBOR use permit for twenty-four (24) months from the date of this submittal, pursuant to HAR § 13-231-1(d);
3. Delegate authority to the Chairperson to take further action as is determined to

be in the best interests of the State in furtherance of enforcing the subject violations; and

4. Delegate authority to the Chairperson to approve or deny a contested case hearing for this matter, if requested, and to take any and all actions necessary to effectuate its decision including, but not limited to, appointing a Hearing Officer.

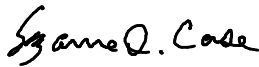
All of the foregoing shall be subject to review and approval by the Department of the Attorney General.

Respectfully Submitted,



EDWARD R. UNDERWOOD
Administrator
Division of Boating & Ocean Recreation

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE
Chairperson
Board of Land and Natural Resources

Attachments:

- A. Registration Information for HA 6708 K
- B. DOCARE Report 22-00088
- C. Documents Relating to DOBOR Mooring Permit for William G. Friel III

IMPORTANT!
ALWAYS CARRY THIS CERTIFICATE ON VESSEL WHILE IN USE

REGISTRATION ID: 24807

STATE OF HAWAII
CERTIFICATE OF NUMBER FOR UNDOCUMENTED VESSEL

VESSEL NUMBER	HULL IDENTIFICATION NUMBER	EXPIRATION DATE	STATE OF PRINCIPAL USE
HA 6708 K	CABI0028M78F	12/31/2022	HI

MAKE & MODEL Cal Boats Cal 39

TYPE VESSEL	MODEL YEAR	LENGTH	HULL MATERIAL	ENGINE DRIVE	FUEL	PROP	USE
AUX	1978	39'00"	FB	IB	D	PROP	P

LIEN HOLDER

CO-OWNER 1

WILLIAM FRIEL, III



**SAFE
BOATING
IS
NO
ACCIDENT!**



SEE REVERSE SIDE FOR IMPORTANT INSTRUCTIONS

A VESSEL'S REGISTRATION CANNOT BE RENEWED/TRANSFERRED IF THERE ARE UNPAID FEES.



State of Hawaii | Department of Land and Natural Resources | Division of Conservation and Resources Enforcement

Log Number OA-22-00088	District NORTHERN	Lead Investigator Lime, Vance K - LIMEV
Date/Time Reported 08/16/2021 2200	Location ALA WAI SMALL BOAT HARBOR	Classification
Status PEND PENDING FURTHER ACTION	Activity Code Small Boat Harbors	

Incident and Report Control

A. COMPLAINT

Taken By: **Lime, Vance K** Reported Date/Time: **8/16/2021 10:00:00 PM**

How Taken: **ON BEAT**

Location: **ALA WAI SMALL BOAT HARBOR**

Occurred From: **8/16/2021 2200**
Occurred To: **3/15/2022 0300**

B. REPORT CONTROL

Branch: **OAHU**

District: **ODI**

Lead Investigator: **Lime, Vance K**

C. NOTES/DISPOSITION/OTHER INFO

Disposition: **PENDING FURTHER ACTION**



State of Hawaii | Department of Land and Natural Resources | Division of Conservation and Resources Enforcement

Log Number OA-22-00088	District DISTRICT I (OAHU)	Lead Investigator Lime, Vance K - LIMEV
Date/Time Reported 08/16/2021 2200	Location ALA WAI SMALL BOAT HARBOR	Incident Type Boating Investigation
Status PEND PENDING FURTHER ACTION	Activity Code Small Boat Harbors	

Investigation Report

☐ Fishing ☐ Hunting ☒ Boating ☐ Drug Rel. ☐ Forestry ☐ NOAA ☐ JEA ☐ Land - OCCL ☐ CWRM ☐ Historic ☐ State Parks ☐ KAIC ☐ Other

BASIC	
Classification	Source ONBEAT ON BEAT
Location of Incident / Intersecting Street 1651 ALA MOANA BLVD. HONOLULU HI 96815 X-Street:	Island OAHU Branch OAHU
Date / Time Occurred From 8/16/2021 2200	Date / Time Occurred to 3/15/2022 0300
Category PICK	Weather

WEAPONS USED:

INVOLVED VEHICLES

Type	Auto/Truck	Year	Make	Model	Color	License / HA Number	Length	Involvement	SUSPV
TWIN-ENGINE, PROPELL	1979					939160 HI		SUSPECT VEHICLE	
TWIN-ENGINE, PROPELL	1975					936686 HI		SUSPECT VEHICLE	
BOAT						HA 6708 K HI		SUSPECT VEHICLE	

PERSONS

Name (Last, First, Middle) ALPERT, ERIC ROGER	Juvenile <input type="checkbox"/>	Sex MALE	Race	Age	Date of Birth
Address					
Category SUSPECT	CODE: SUSP	Home Phone	Other Phone		
Name (Last, First, Middle) FRIEL, WILLIAM GREGORY	Juvenile <input type="checkbox"/>	Sex MALE	Race	Age	Date of Birth
Address					
Category SUSPECT	CODE: SUSP	Home Phone	Other Phone		
Name (Last, First, Middle) PIERCE, DONALD LEONARD	Juvenile <input type="checkbox"/>	Sex MALE	Race	Age	Date of Birth
Address					
Category SUSPECT	CODE: SUSP	Home Phone	Other Phone		
Name ALA WAI SMALL BOAT HARBOR					
Category BUSN	Business Address 1651 ALA MOANA BLVD. HONOLULU, HI 96815				
Phone 1 973-9727	Phone 2	Phone 3			

RESPONDING / INVOLVED UNITS, OFFICERS, AND TIMES

Division OAHU	Supervisor Redulla, Jason K.	REDUJ
Unit Number	Officer / ID (Ofcr 1 / Ofcr 2)	Officer / ID (Ofcr 3 / Ofcr 4)
	Lime, Vance K	LIMEV
	PANG, JOHN-BRANDON	PANGJK

Written By: **Lime, Vance K**
04/08/2022

Approved By:

**State of Hawaii | Department of Land and Natural Resources | Division of Conservation and Resources Enforcement**

Log Number OA-22-00088	District DISTRICT I (OAHU)	Lead Investigator Lime, Vance K - LIMEV
Date/Time Reported 08/16/2021 2200	Location ALA WAI SMALL BOAT HARBOR	Incident Type Boating Investigation
Status PEND PENDING FURTHER ACTION	Activity Code Small Boat Harbors	

INVESTIGATION

Narrative Created By / Created On

Lime, Vance K**04/08/2022**

Approved By / On

Ala Wai Report

ASSIGNMENT/ARRIVAL

On numerous Friday nights, as a uniformed Division of Conservation and Resources Enforcement (DOCARE) Officers, Officer PANG and I (LT. V. LIME) were on patrol of the Ala Wai Small Boat Harbor (SBH) to check on Boating Violations within the Small Boat Harbor, including illegal live aboards.

SCENE

The scene of this investigation is 1651 Ala Moana Blvd. Honolulu, HI 96815, on the south shore of the island of Oahu.

OFFICERS ACTIONS

On the following time frame from August 2021 to March 2022, Officer PANG and I conducted enforcement actions within Ala Wai Small Boat Harbor. One of those actions were to perform "Illegal Liveaboard" inspections between the hours of 12:15am and 3:00am. These inspections consisted of inspecting vessels that were on a list created by the DOBOR staff. The vessels listed were suspected of having individuals onboard without first obtaining permission or notifying the Ala Wai SBH staff of such activity. During these "Illegal Liveaboard" inspections, there were 3 vessels that were consistently in violation of Hawaii Administrative Rule (HAR) 13-231-26(a) No notification of persons onboard.

OFFICERS OBSERVATIONS

During the time frame mentioned above and during our inspections, Officer PANG and I observed numerous violations consistent with 3 vessels. These 3 vessels were observed with people being onboard the vessel without proper notification for such activity. The notifications were to notify Ala Wai SBH Staff that the owner and guest were to stay aboard during the hours of 12:00am-5:00am. The 3 vessels consistently in violation of this rule were:

"Cruzin Hawaii": Eric Alpert

"HEATHER": Donald Pierce

HA 6708 K: William Friel III

"Cruzin Hawaii" Eric Alpert CONTACT MADE

At approximately between the hours or 1215-0300 hours, we contacted a male party later identified as Eric ALPERT. We made several inspections throughout the timeframe above and each inspection consisted of a positive contact with Mr. ALPERT. Upon first contact we informed ALPERT that we were Officer PANG and Officer LIME with DLNR Conservation Police. We further advised him that we were contacting him because his vessel was on an illegal live aboard list. We further advised him that he was in violation of HAR 13-231-26(a)

"Cruzin Hawaii" Eric Alpert CONTACT MADE CONTINUED:

Written By: **Lime, Vance K**
04/08/2022

Approved By:

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**State of Hawaii | Department of Land and Natural Resources | Division of Conservation and Resources Enforcement**

Log Number OA-22-00088	District DISTRICT I (OAHU)	Lead Investigator Lime, Vance K - LIMEV
Date/Time Reported 08/16/2021 2200	Location ALA WAI SMALL BOAT HARBOR	Incident Type Boating Investigation
Status PEND	Activity Code Small Boat Harbors	
PENDING FURTHER ACTION		

Use of a vessel as a place of principal habitation and HAR 13-231-28(a) Staying aboard vessels moored at Ala Wai or Keehi small boat harbor. Each subsequent contact thereafter Mr. ALPERT was reminded of the HAR rules that he was in violation of. ALPERT was contacted on these dates and times;

08-28-2021 @ approx. 1239 hrs.
10-02-2021 @ approx. 0113 hrs.
11-06-2021 @ approx. 0159 hrs.
11-27-2021 @ approx. 0246 hrs.
01-29-2022 @ approx. 0217 hrs. (2 unknown males onboard sleeping)
03-05-2022 @ approx. 0133 hrs.

ALPERT was positively identified with his State of Hawaii Driver License. For further information refer to submitted photographs.

SUSPECT ERIC ALPERT's INFORMATION

The suspect under this investigation is Eric ALPERT. Block information for ALPERT is:

Eric ALPERT

DOB: [REDACTED]

SSN: [REDACTED]

PHYSICAL/MAILING ADDRESS:
[REDACTED]

VESSEL "HA 6708 K" William FIELDER CONTACT MADE:

At the approximate hours of 1215-0300 hours, we contacted a male party later identified as William FIELDER, FIELDER is not the registered owner of the vessel. We made several inspections throughout the timeframe above and each time made a positive observation through fact gathering that someone was aboard the vessel. Upon first contact we informed FIELDER that we were Officer PANG and Officer LIME with DLNR Conservation Police. We further advised him that we were contacting him due to the fact that his vessel was on the illegal live aboard list and that he was in violation of HAR 13-231-26(a) Use of a vessel as a place of principal habitation and HAR 13-231-28(a) Staying aboard vessels moored at Ala Wai or Keehi small boat harbor. With each subsequent contact with the Vessel in slip #812, we observed Mr. FIELDER's motorcycle that he often operates in the harbor area, the female's bicycle leaning on the storage that belongs to slip #812, port hatches, port holes opened for air, and Mr. FIELDER's dog barking at us. After the first encounter with Mr. FIELDER and the warnings we stated to him, he went silent, but, his dog always barked at us. Each time we knocked and announced police on Mr. FRIEL's vessel, FIELDER's

VESSEL "HA 6708 K" William FRIEL CONTACT MADE CONTINUED:

dog would barked at us and then all of the sudden go silent. As we continued to knock and announce, the dog would let out

Written By: Lime, Vance K
04/08/2022 [Signature]

Approved By:

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**State of Hawaii | Department of Land and Natural Resources | Division of Conservation and Resources Enforcement**

Log Number OA-22-00088	District DISTRICT I (OAHU)	Lead Investigator Lime, Vance K - LIMEV
Date/Time Reported 08/16/2021 2200	Location ALA WAI SMALL BOAT HARBOR	Incident Type Boating Investigation
Status PEND	Activity Code Small Boat Harbors	
PENDING FURTHER ACTION		

a bark and back to silent, until it makes no noise. On several occasions, as we knocked and announced, Officer PANG and I would observe the vessel rock back and forth as if someone was moving around inside the vessel. During these times, we could not make contact with the person onboard nor could we identify him/her. These were the contact dates and times;

09-11-2021 @ 1232hrs.

10-23-2021 @ 1217hrs.

12-11-2021 @ 0252hrs.

01-15-2022 @ 0125hrs.

02-26-2022 @ 1245hrs.

03-05-2022 @ 1241hrs.

SUSPECT INFORMATION

The suspect under this investigation is William FRIEL. Block information for FRIEL is:

William FRIEL

HDL: [REDACTED]

DOB: [REDACTED]

SSN: [REDACTED]

PHYSICAL/MAILING ADDRESS:
[REDACTED]

William FIELDER (person onboard)

"HEATHER" Donald PIERCE CONTACT MADE:

At approximately between the hours of 1215-0300 hours, we contacted a male party later identified as Donald PIERCE. We made several inspections throughout the timeframe above and several of those inspections consisted of a positive contact with Mr. ALPERT. Upon first contact we informed ALPERT that we were Officer PANG and Officer LIME with DLNR Conservation Police. We further advised him that we were contacting him because his vessel was on an illegal live aboard list. We further advised him that he was in violation of HAR 13-231-26(a) Use of a vessel as a place of principal habitation and HAR 13-231-28(a) Staying aboard vessels moored at Ala Wai or Keehi small boat harbor. Each subsequent contact thereafter Mr. PIERCE was reminded of the HAR rules that he was in violation of. MR. PIERCE was contacted on several times as listed below. Also, during our inspections, we observed slippers on the deck, television on, lights on in the cabin, port holes open, Mr. PIERCE's truck in the parking lot, but no person would come out upon our knock and announcement. These were the contact dates and times;

"HEATHER" Donald PIERCE CONTACT MADE CONTINUED:

08-28-2021 @ approx. 1218hrs.


10-02-2021 @ approx. 1257hrs.

Written By: Lime, Vance K
04/08/2022

Approved By: [Signature]



State of Hawaii | Department of Land and Natural Resources | Division of Conservation and Resources Enforcement

Log Number OA-22-00088	District DISTRICT I (OAHU)	Lead Investigator Lime, Vance K - LIMEV 
Date/Time Reported 08/16/2021 2200	Location ALA WAI SMALL BOAT HARBOR	Incident Type Boating Investigation
Status PEND PENDING FURTHER ACTION	Activity Code Small Boat Harbors	

11-16-2021 @ approx. 0152hrs.
11-27-2021 @ approx. 0252hrs.
01-29-2022 @ approx. 0223hrs.
03-05-2022 @ approx. 0140hrs.

PIERCE was positively identified with his State of Hawaii Driver License. For further information refer to submitted photographs.

SUSPECT DONALD PIERCE'S INFORMATION

The suspect under this investigation is Donald PIERCE. Block information for PIERCE is:

Donald PIERCE


PHYSICAL/MAILING ADDRESS:


PHOTOS

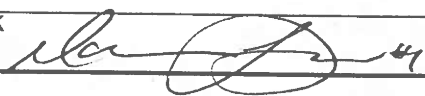
A photographic record has been submitted.

VIOLATION

A copy of Hawaii Administrative Rule 13-231-26(a) Use of a vessel as a place of principal habitation and HAR 13-231-28(a) Staying aboard vessels moored at Ala Wai or Keehi small boat harbor has been submitted.

DISPOSITION


Refer incident and all violations over to DOBOR and DLNR-Board of Land and Natural Resources.

Written By: Lime, Vance K
04/08/2022 

Approved By:




State of Hawaii | Department of Land and Natural Resources | Division of Conservation and Resources Enforcement

Log Number OA-22-00088	District DISTRICT I (OAHU)	Lead Investigator Lime, Vance K - LIMEV 
Date/Time Reported 08/16/2021 2200	Location ALA WAI SMALL BOAT HARBOR	Incident Type Boating Investigation
Status PEND PENDING FURTHER ACTION	Activity Code Small Boat Harbors	

IMAGES

N/A refer to photographs as attachments

Written By: Lime, Vance K
04/08/2022 

Approved By:



BASIC

[illegible]

PAGE 7

temporary permittee shall indemnify and hold harmless the State from any liability for damages arising out of a failure to vacate the berth and the small boat harbor and from the removal of the vessel to an impounding area by the department in accordance with this rule. [Eff 2/24/94; am and comp 9/25/14] (Auth: §§200-2, 200-4, 200-10) (Imp: HRS §§200-2, 200-4, §§200-9, 200-10)

§13-231-25 Exchange of berths. A permittee holding a regular mooring permit to moor in a small boat harbor may, upon approval by the department, exchange the permittee's berth with another permittee holding a regular mooring permit to moor in the same small boat harbor if:

- (1) The vessels are suitable for the berths as determined by the factors enumerated in section 13-231-5;
- (2) There is mutual agreement between the permittees; and
- (3) The berths to be exchanged are of the same characteristics, (e.g. category, length, size, configuration). [Eff 2/24/94; am and comp 9/25/14] (Auth: HRS §§200-2, 200-4, 200-10) (Imp: HRS §§200-2, 200-4, 200-9, 200-10)

§13-231-26 Use of a vessel as a place of principal habitation. (a) A vessel owner who holds a valid regular mooring permit issued by the department authorizing the owner to moor the owner's vessel in Ala Wai or Keehi small boat harbors may use that vessel as a place of principal habitation if the owner has applied for and secured a principal habitation permit issued by the department in accordance with these rules, provided that the owner and the vessel meet the requirements set forth in these rules.

(b) A permit authorizing the use of a vessel as a place of principal habitation shall not be issued if the vessel is owned by a corporation.

§13-231-28 Staying aboard vessels moored at Ala Wai or Keehi small boat harbor. (a) Staying aboard a vessel moored at Ala Wai or Keehi small boat harbor is prohibited except that:

(1) Owners holding a valid regular mooring permit, the spouse or personal partner of each, their legal dependents, and their nonpaying guests, when in the company of the owner, may stay aboard the vessel without a use permit upon written notification to the department on or before the date of stay; provided that the period does not exceed any three nights in a week and a total of any one hundred twenty nights in a calendar year, including vessels used as a vacation site;

(2) Staying aboard a vessel in excess of any three nights in a week may be permitted when done in accordance with a valid:

- (A) Stay aboard permit issued pursuant to section 13-231-22 (staying aboard transient or visiting vessels);
- (B) Stay aboard permit issued pursuant to section 13-231-29 (vessel used as a vacation site);
- (C) Stay aboard permit issued to a vessel owner holding a valid principal habitation permit authorizing a nonpaying bona fide guest to stay aboard the vessel in the company of the owner for a period not to exceed any thirty days in a calendar year.

(b) When staying aboard in accordance with subsection (a)(1), and the stay is extended past the third day, the entire period of stay will be counted against time used as a vacation site in accordance with section 13-231-29.

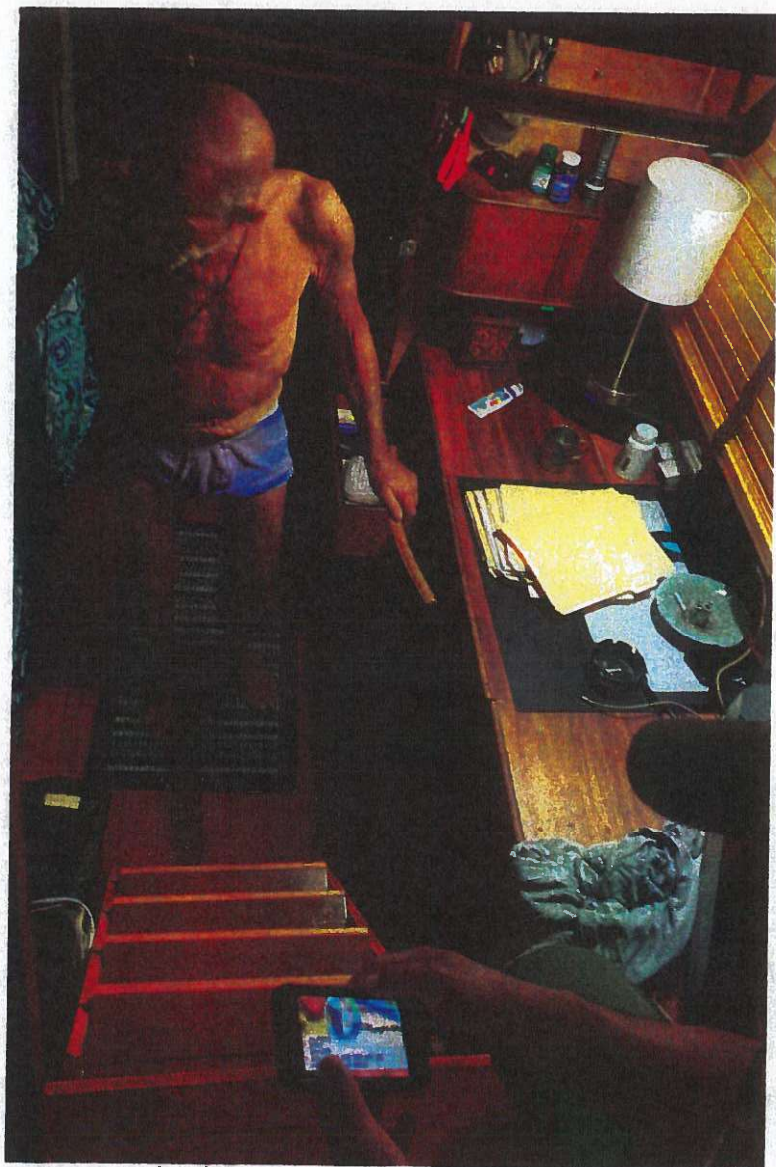
(c) Each harbor resident or other person authorized by the department to stay aboard a vessel in a small boat harbor in accordance with this chapter, except for those under the age of six, may secure one shower facility key. Prior to receiving

Photographic Report

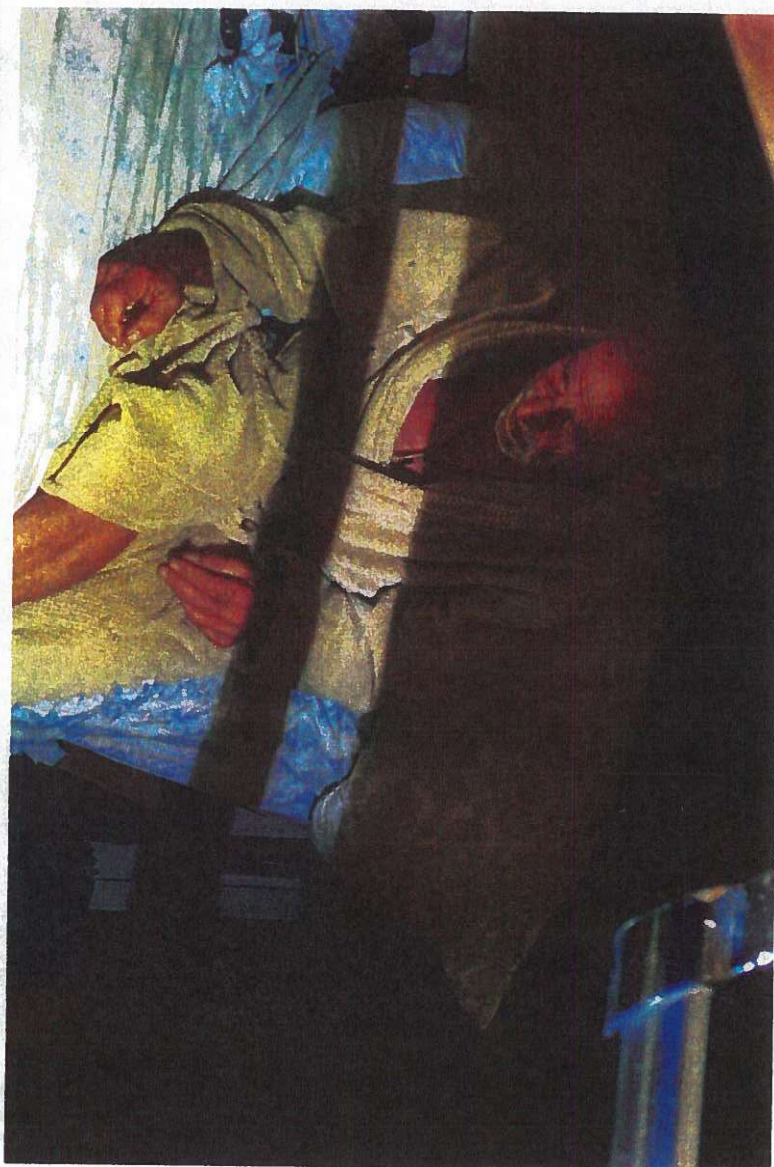
CA - 22 - 00088

7 of 7 pages

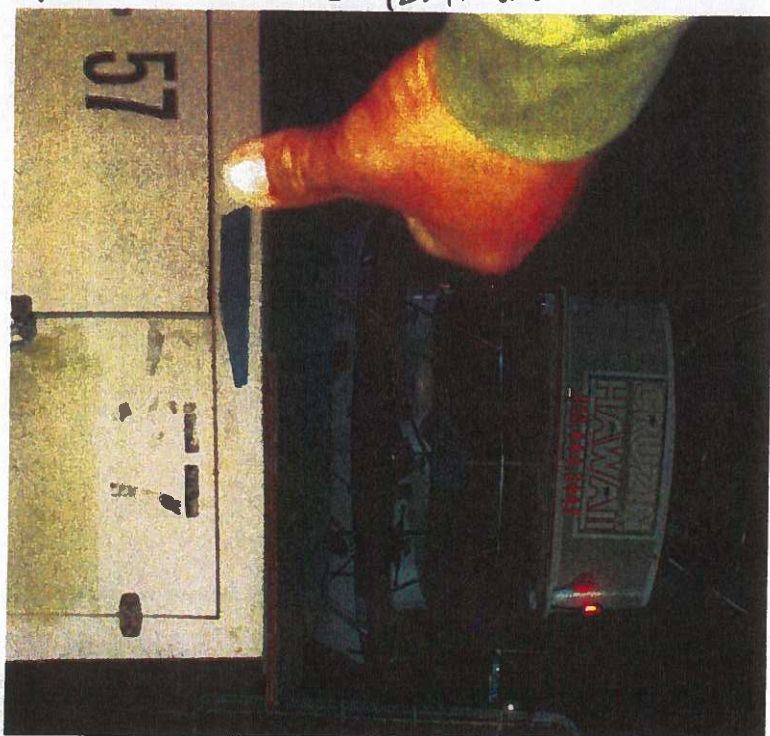
PHOTO DEPICTS RIPTIDE ON HIS VESSEL. BOTH TIMES HE Woke UP
TO greet us.



TAKEN 8-28-21 @ 12:41 am



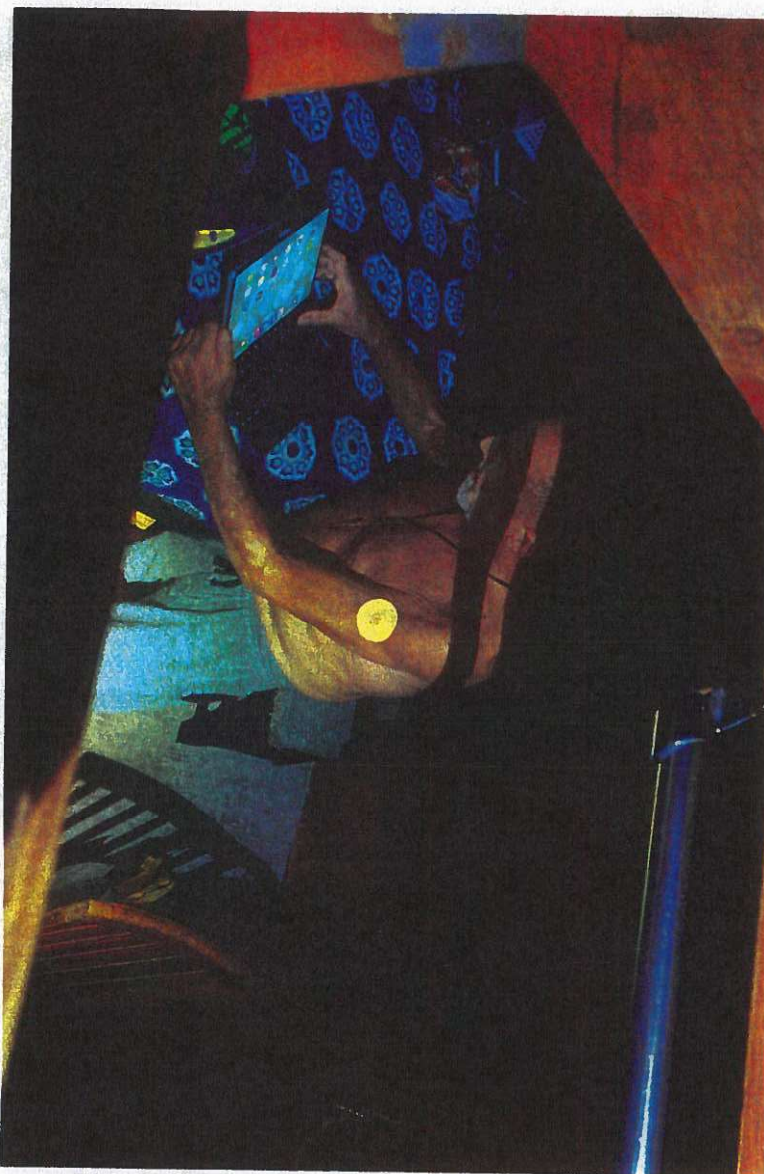
10-2-2021 @ 1:13 am



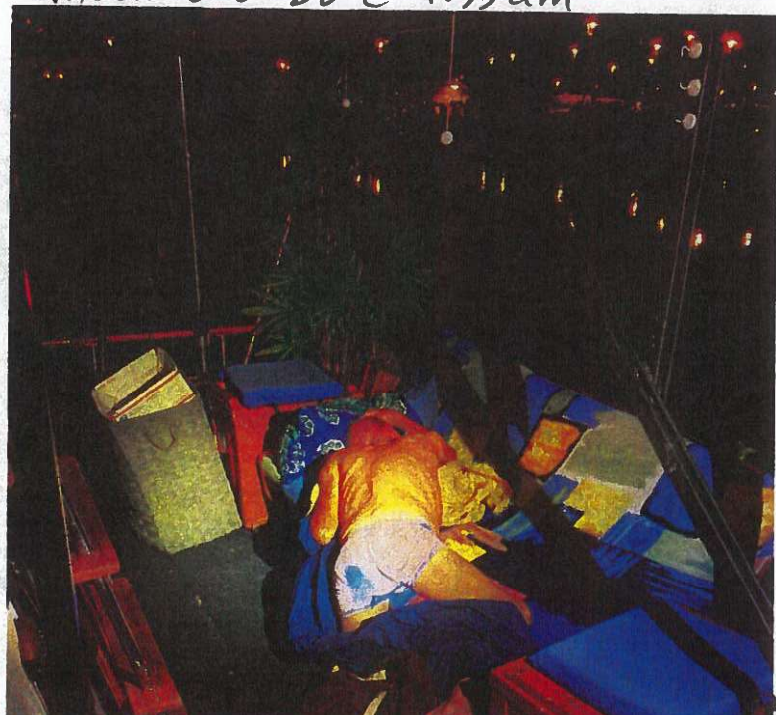
PHOTOS depict ALBERT MBOALA and sleeping on his vessel.
Also depicts 2 unknown males on another date.



Taken 10-2-21 @ 1:13 am



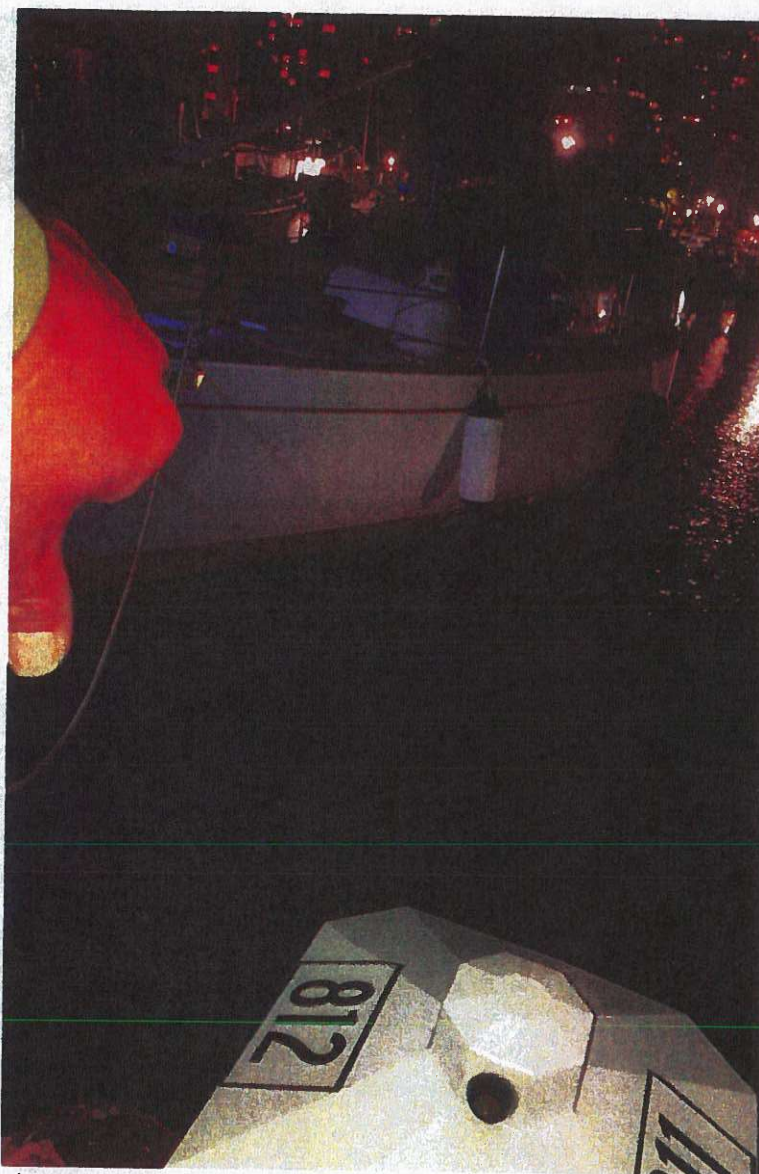
Taken 3-5-22 @ 1:33 am



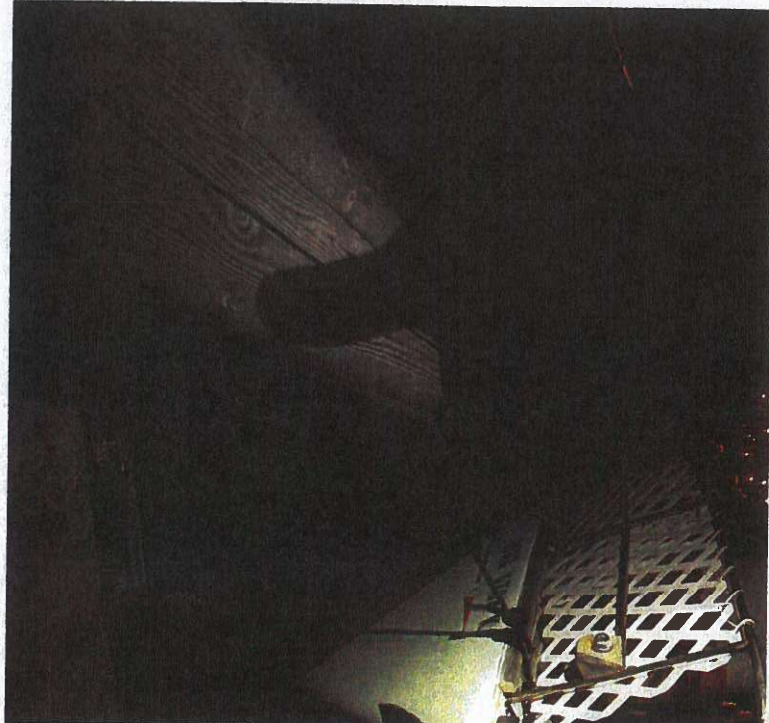
on the vessel with no registered owner on board and no notice to the harbor master.



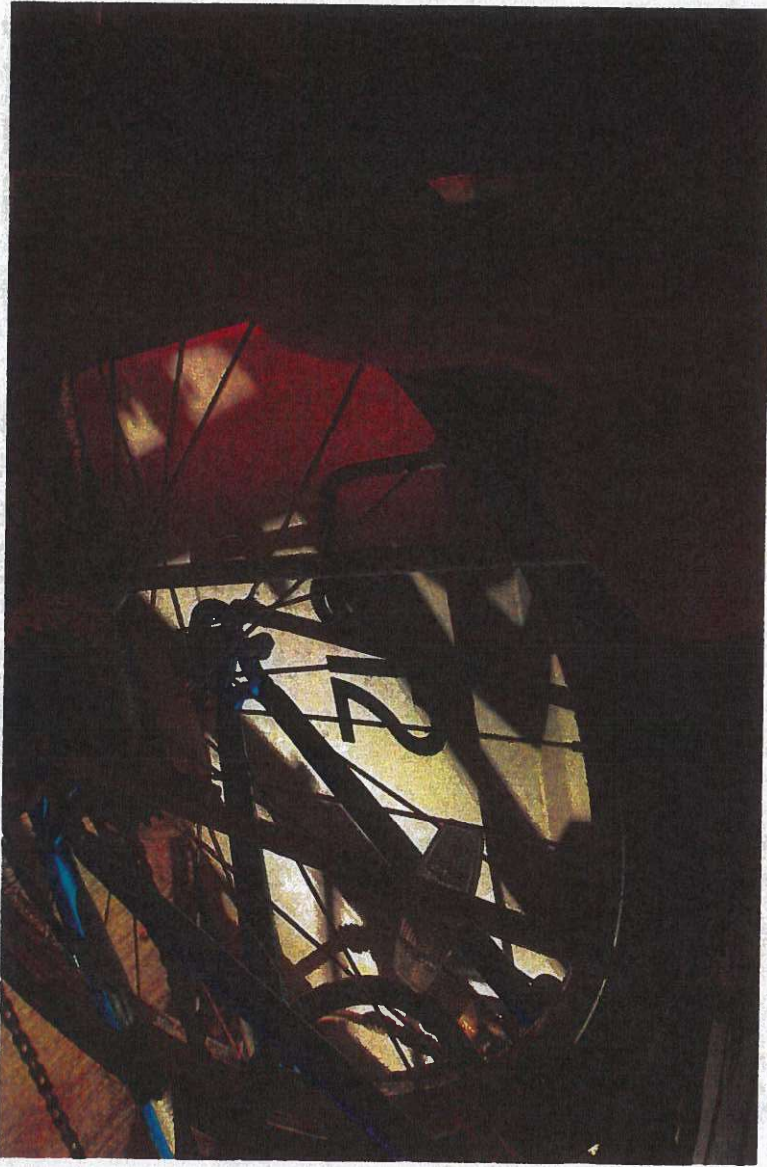
Taken 9-11-21 @ 12:32am



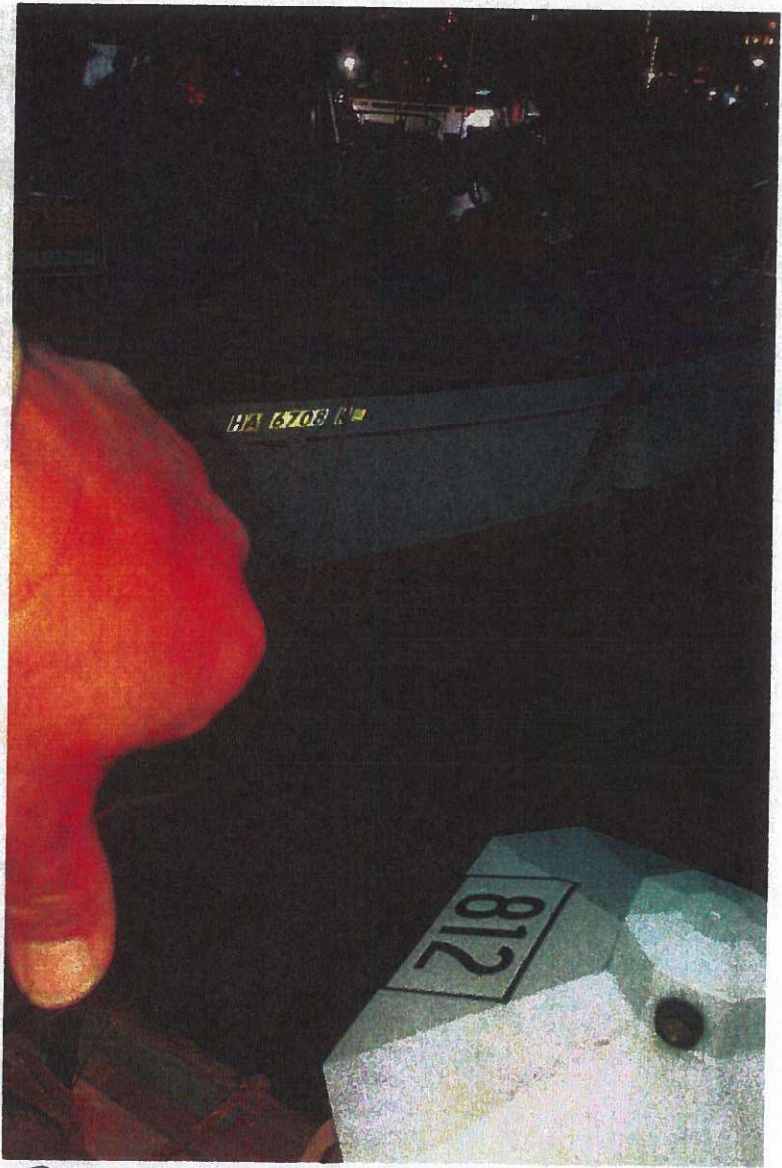
Taken 02-26-22 @ 12:45am



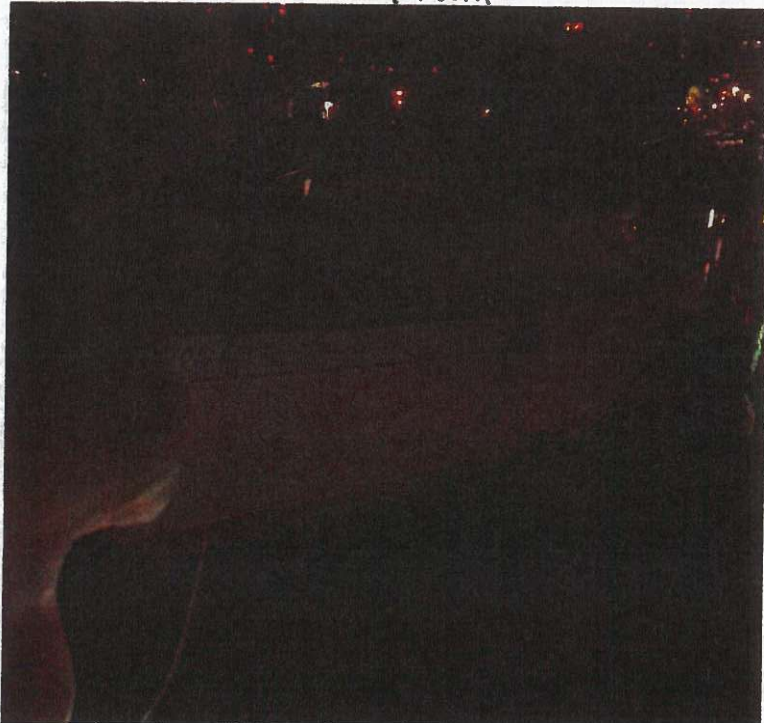
THESE PHOTOS DEPICT CASE INCIDENT THAT WE OBSERVED PK MERRID FIELDS DOG ON THE VESSEL, THE VESSEL ROCKING SIDE TO SIDE, AND A BICYCLE THAT IS USED BY A FEMALE THAT IS OBSERVED ON THE BOAT.



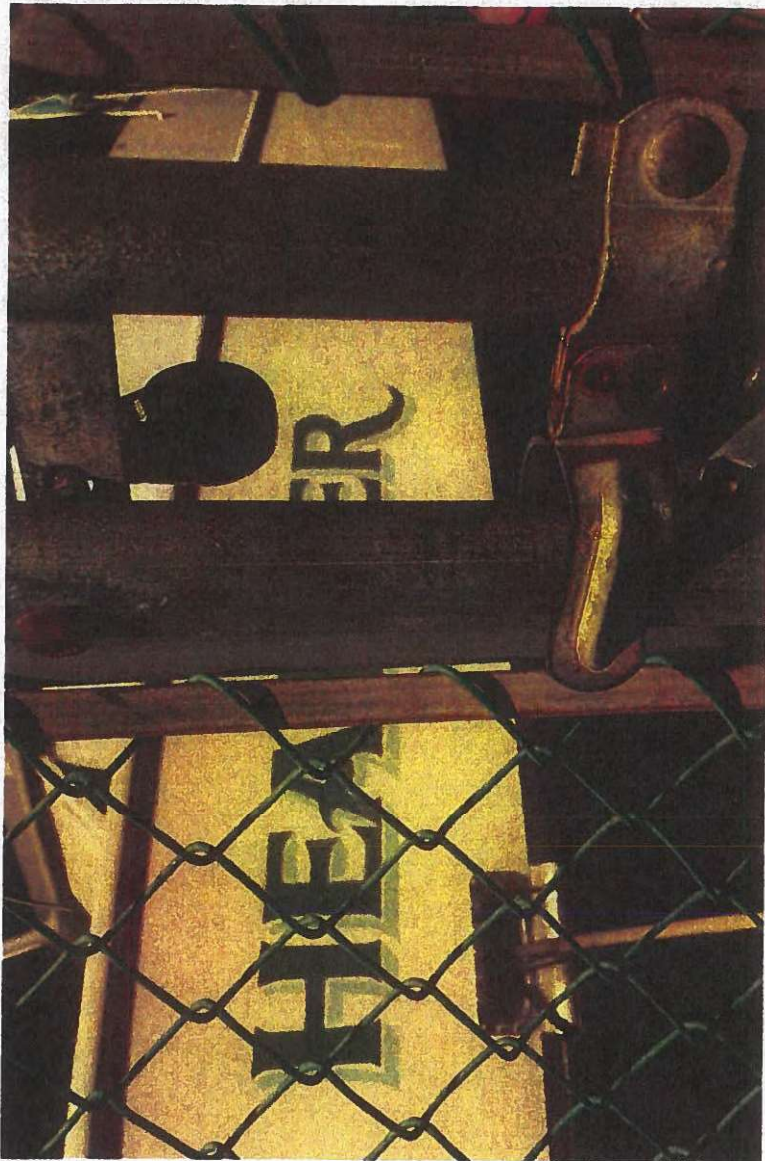
TAKEN 10-23-21 @ 12:17 am



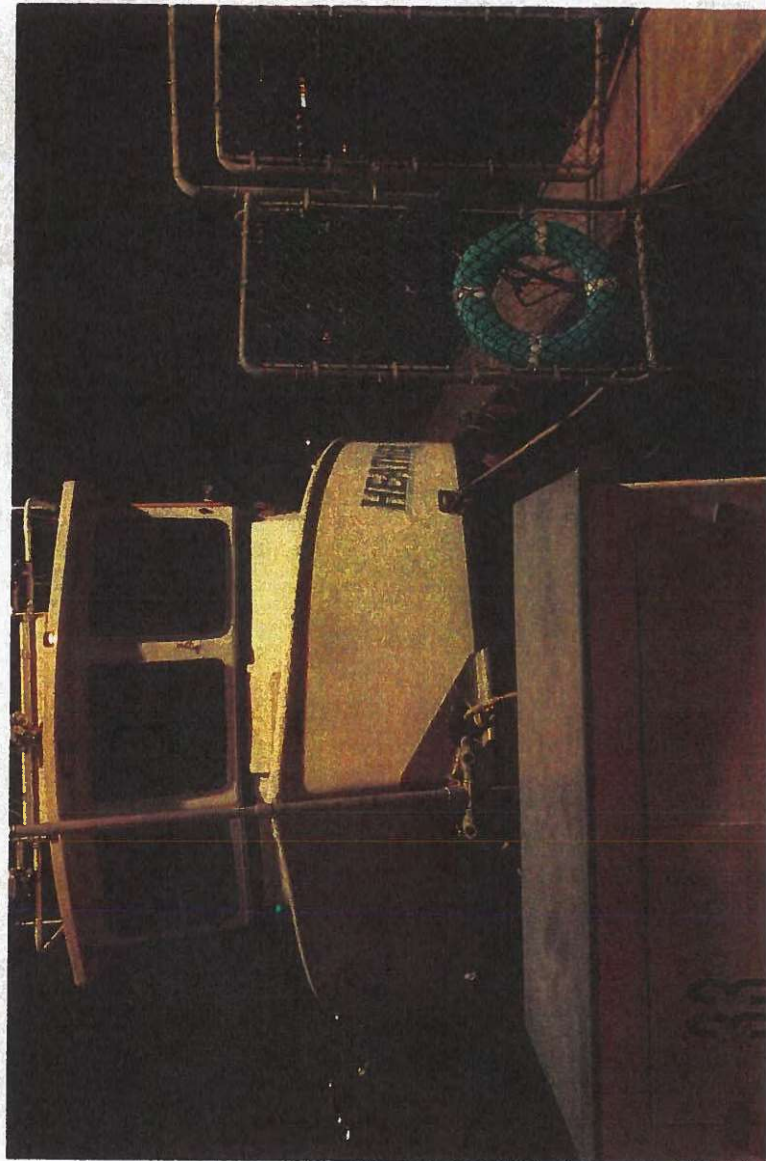
TAKEN 12-11-21 @ 2:52 am



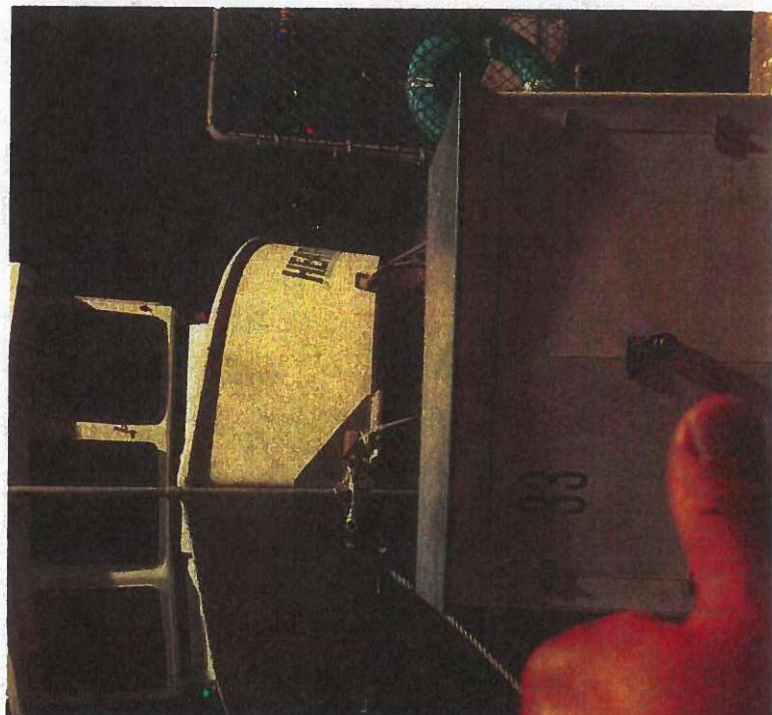
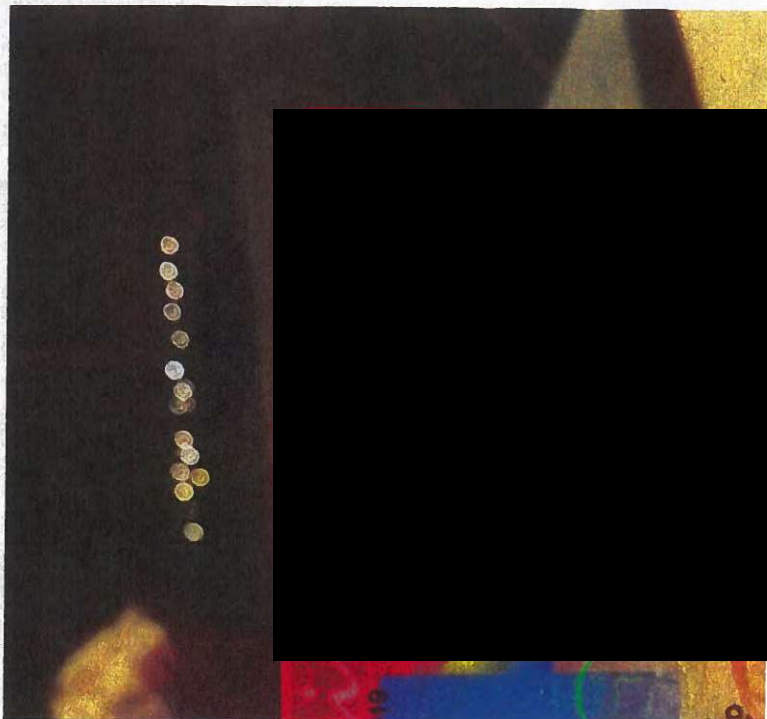
PHOTOS DEPICT PIERCE, DONALD'S RUC AND VESSEL "HEATHER". IT ALSO DEPICTS GATE BEING DOUBLE LOCKED FROM THE INSIDE OF THE GATE TO PIERCE'S VESSEL.



Taken 10-2-21 @ 12:57



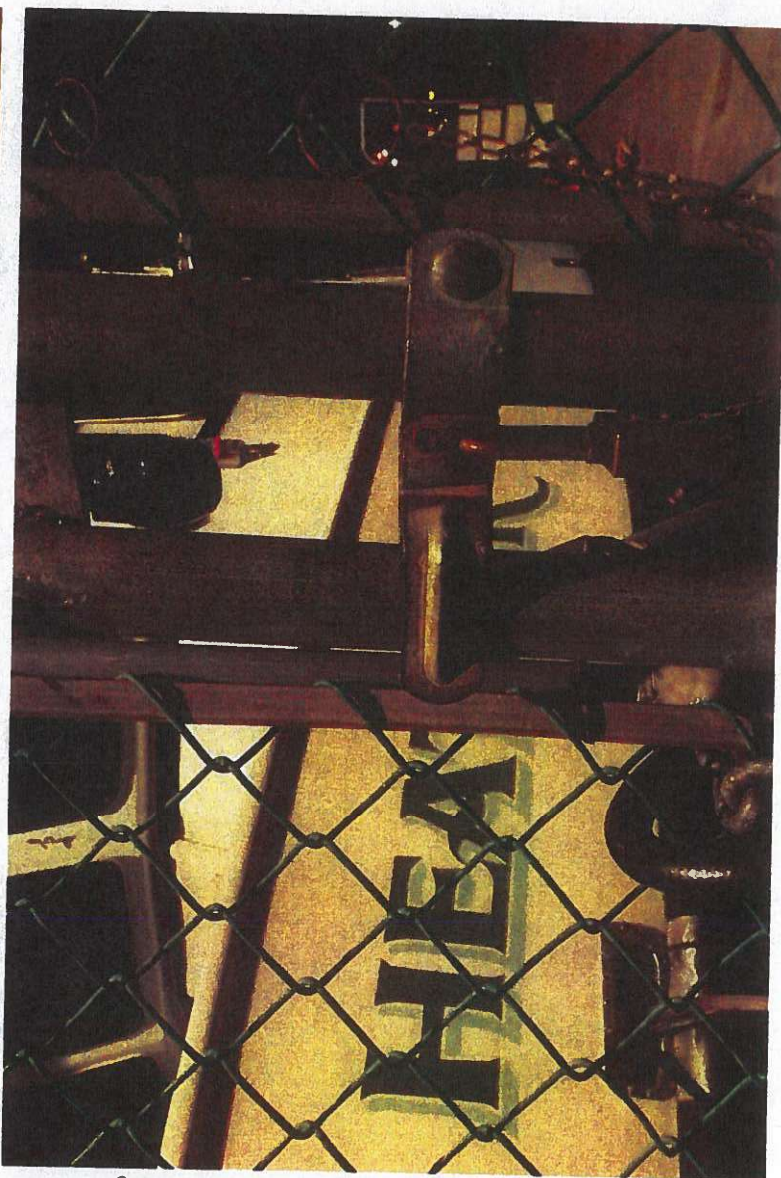
Taken 8-28-21 @ 12:20 am



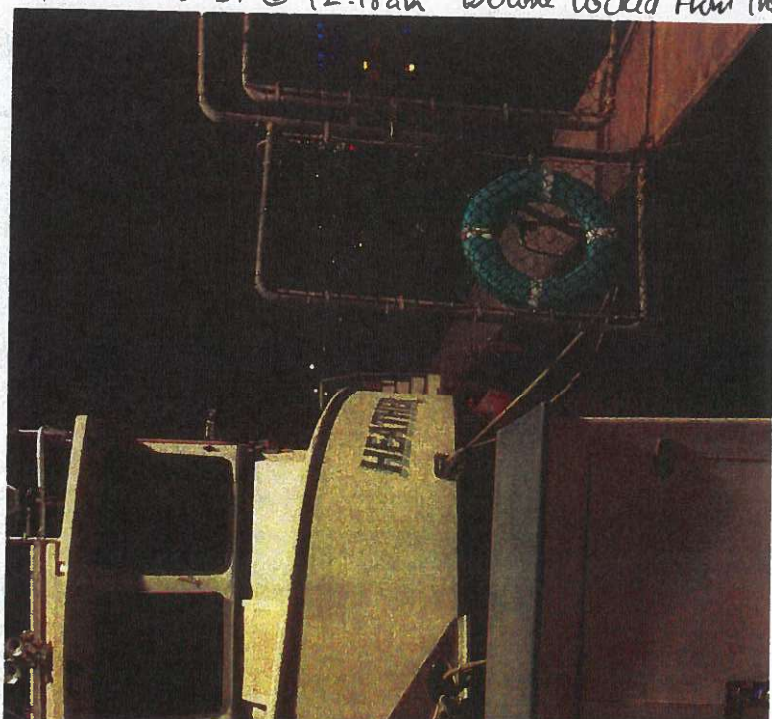
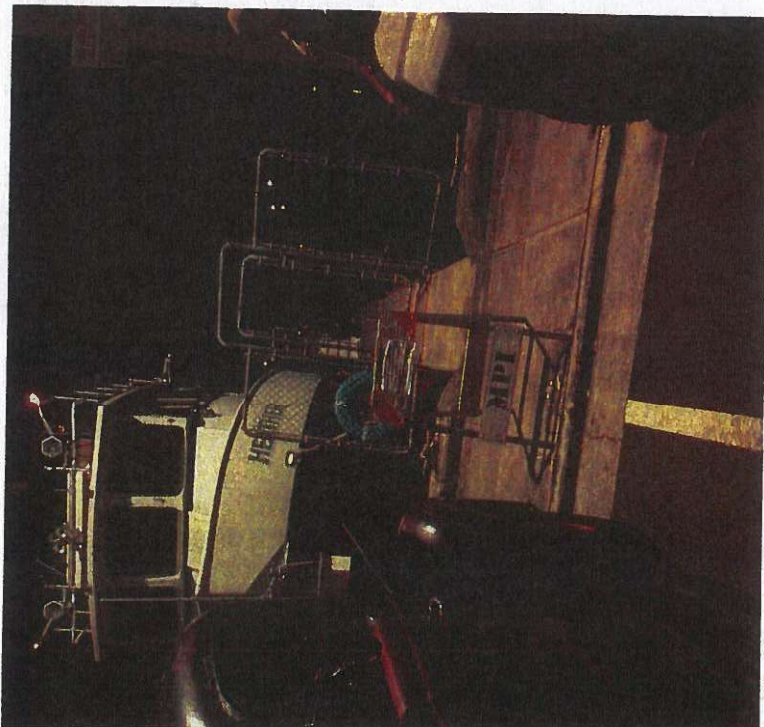
PHOTOS DEPICT PIERCE GOING BACK ONTO HIS VESSEL. DOUBLE LOCKED GATE FROM THE INSIDE. ALSO DEPICTS PIERCE'S BLACK TRUCK THAT HE COMMONLY DRIVES TO THE HARBOR.



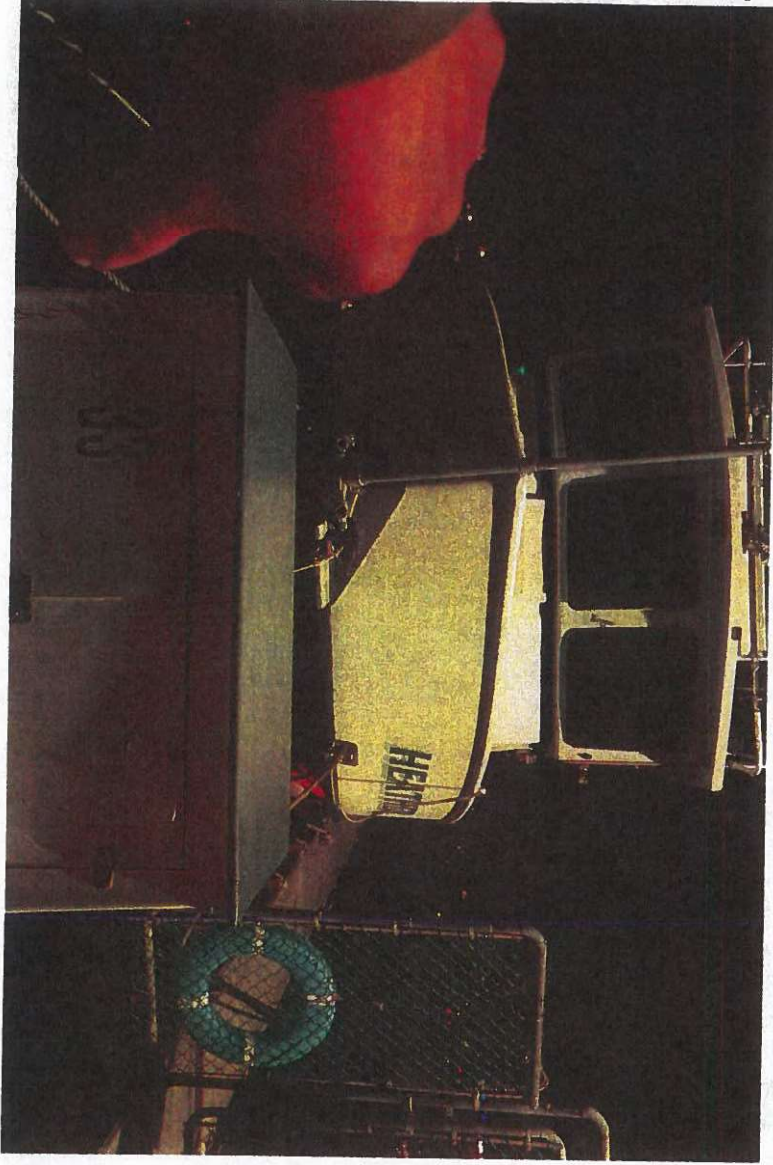
Taken 10-2-21 @ 10:1am



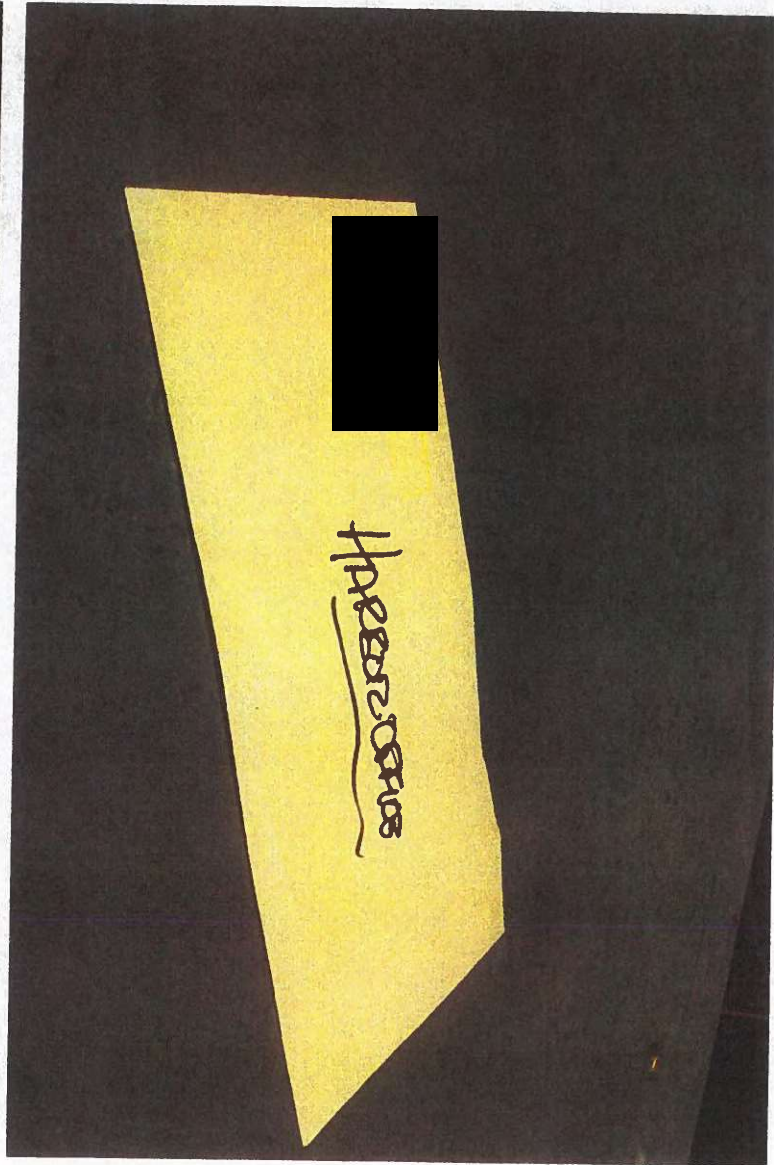
TAKEN 8-28-21 @ 12:18am Double locked from inside



WE WAKE PIERCE FROM SLEEPING. ALSO, TV ON, TRUCK IN GAIL, SLIPPERS AND
LIGHTS ON. NOBODY CAME OUT TO IDENTITY.



Taken 3-5-72 @ 1:40am



taken 10-2-21 @ 1:01am

VESSEL INFORMATION

FOR ALL 3 SUSPECTS
ARE ATTACHED.

@

ERIC ALPERT
INFORMATION

@

DAVID Y. IGE
GOVERNOR OF HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

EDWARD R. UNDERWOOD
ADMINISTRATOR
BOATING AND OCEAN RECREATION

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF BOATING AND OCEAN RECREATION

ALA WAI SMALL BOAT HARBOR
1651 ALA MOANA BOULEVARD
HONOLULU, HAWAII 96815

BOR-OA 0030.22

July 23, 2021

Eric Alpert

SUBJECT: NOTICE OF VIOLATION FOR PERSON(S) LIVING/STAYING ABOARD THE VESSEL WITH DOC NO. 939160 WITHOUT VALID AUTHORIZATION

Dear Eric Alpert:


The vessel named above, for which you are owner of record, is moored at the Ala Wai Small Boat Harbor (SBH), under the jurisdiction of the Division of Boating and Ocean Recreation (DOBOR). Hawaii Administrative Rule (HAR) Section 13-231-26(a) states that no person may use a vessel as a place of principal habitation without a valid permit. Further, HAR Section 13-231-28(a) states that staying aboard a vessel (defined as being aboard a vessel between the hours of 12:00am and 6:00am) at the Ala Wai SBH is prohibited without a valid permit.

YOU ARE HEREBY NOTIFIED that you are in violation of HAR Section 13-231-26(a) and/or 13-231-28(a). You do not have authorization from DOBOR to use your vessel as a place of principal habitation or to stay aboard. DOBOR has observed one or more persons living aboard your vessel and/or you using your vessel as a place of principal habitation. This violation is regardless of whether you are aware persons are living aboard your vessel or whether you gave permission for the person(s) to live aboard your vessel.

ALL PERSONS LIVING OR STAYING ABOARD YOUR VESSEL MUST IMMEDIATELY VACATE THE VESSEL. If DOBOR or law enforcement personnel find anyone living aboard your vessel in the future, you may be subject to criminal and civil penalties including, but not limited to, fines, mooring permit revocation, and impoundment of your vessel.

If you have any questions, please contact our office at (808) 973-9727 between 7:45am to 4:00pm, Monday through Friday, except state holidays.

Sincerely,


Corey S. Fujioka
Harbor Master

c: DOCARE

VIA REGULAR AND CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Aloha I am responding in writing, to defend any and all actions, regarding sleeping on my boat. I currently lease a home in [REDACTED] My brother Steve and I share a 3 bedroom condo with 2 cats. I am guilty of staying on the boat 2 times. Once I simply fell asleep and left about 3:00 am. The second time was about a week ago. I made a police report, someone used a bat and broke out the passenger window on my porsche, it could not be driven safely, so I spent the nite on board, it was late at nite and I thought it was wise to not drive the car. Tomorrow they are putting in the new window, about \$1,000.00 bucks. And my deductible is \$1,000.00. I thought this decision was the wisest choice at the time. I apologize for breaking the rules. Unfortunately I well be having surgery (date uncertain at this moment) I am having 22 screws and 2 rods inserted into my spine. Operation in I may need some flexibility about spending a few nites on board, depending on the recovery time, Doctors appointments and physical therapy appointments. I well use your form and try and keep you up to date on this.

One other item I have on board several solar lanterns that stay on all night, one reason is safety, people won't wander on my boat with the lanterns on. If this is a problem although I really like the lites, if it presents a problem I can remove them with 10 minutes notice. It is my desire to be a good tenant, and to follow (ALL) the rules. I well not sleep on the boat between 12am and 6am.

Please forgive me for breaking the rules, I well do my best to not let it happen ever again.

Eric R Alpert-slip 57 [REDACTED]



Results for Vessel: CRUZIN HAWAII

Vessel Information:

Vessel Name: CRUZIN HAWAII
Primary Vessel Number: 939160 (*Official Number (U.S.)*)
Hull Identification Number: N/A
Manufacturer Hull Number: DCN43GME0279
IMO Number: N/A
Vessel Flag: UNITED STATES
Vessel Call Sign: WAD3215

Vessel Particulars:

Service: Passenger (Uninspected)
Length: 43.00 ft
Breadth: 13.00 ft
Depth: 2.00 ft
Build Year: N/A
Alternate VINs:

- CG017612 (*Coast Guard Number*)

Service Information:

Service Status: Active
Out Of Service Date: N/A
Last Removed From Service By: N/A

Tonnage Information:

Cargo Authority: N/A
Tonnage:

- 7 - Simplified, Gross Ton
- 5 - Simplified, Net Ton

Vessel Documents and Certifications

Document	Agency	Date Issued	Expiration Date
CERTIFICATE OF DOCUMENTATION	USCG	July 29,2021	August 31,2024

Summary of Coast Guard Contacts

To View Contact Data **From:** 03/11/2017 **To:** 03/11/2022 (*MM/DD/YYYY*)

AIPOBT

Hawaii DRIVER LICENSE **USA**

1. ALBERT
2. ERIC
3. [REDACTED]

15. Gender: [REDACTED]

8. Cl: 3
9a. END: NONE
10. RSE: F

AND
DONOR

HLH 0011 HPW12721 1402

2. RESTRICTIONS
Outside Mirror

9a. ENDORSEMENTS

9. CLASS
PASSENGER VEHICLES OF ANY GVWR BUSES DESIGNED
TO TRANSPORT FIFTEEN OR FEWER OCCUPANTS
TRUCKS AND VANS W/16 000 LBS GVWR OR LESS

Name and Address of Sender
 Ala Wai Small Boat Harbor
 1651 Ala Moana Blvd
 Honolulu, HI 96815

07/23/2021

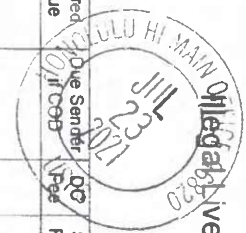
Article Number

1.
7020 2450 0001 4389 1280

Addressee (Name, Street, City, State, & ZIP Code)

- Check type of mail or service:
- ☒ Certified
 - ☐ COD
 - ☐ Delivery Confirmation
 - ☐ Express Mail
 - ☐ Insured
 - ☐ Recorded Delivery (International)
 - ☐ Registered
 - ☐ Return Receipt for Merchandise
 - ☐ Signature Confirmation

Affix Stamp Here
 (If issued as a certificate of mailing, or for additional copies of this bill) Postmark and Date of Receipt



BOA-OA 0030.22

- 2. 7020 2450 00
- 3. 7020 2450 00
- 4. 7020 2450 00
- 5. 7020 2450 00
- 6. 7020 2450 00
- 7. 7020 2450 00
- 8. 7020 2450 00

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Eric Alpert
 [Redacted]
 BOR-OA 0030.22
 ILLEGAL LIVEBOARD NOTICE



9590 9402 6472 0346 9735 73

2. Article Number (Transfer from service label)
 7020 2450 0001 4389 1280

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 [Signature]
 B. Received by (Printed Name)
 [Signature]
 C. Date of Delivery
 [Signature]

D. Is delivery address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below:

HLE8 MAI JUL 30 '21 14:45

3. Service Type
- ☐ Adult Signature
 - ☐ Adult Signature Restricted Delivery
 - ☐ Certified Mail
 - ☐ Certified Mail Restricted Delivery
 - ☐ Collect on Delivery
 - ☐ Collect on Delivery Restricted Delivery
 - ☐ Insured Mail
 - ☐ Insured Mail Restricted Delivery or \$500
 - ☐ Priority Mail Express
 - ☐ Registered Mail
 - ☐ Registered Mail Restricted Delivery
 - ☐ Signature Confirmation
 - ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

Postage	Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	QC Fee	SC Fee	SH Fee	RD Fee	RR Fee
\$0.51	\$3.60									\$2.85
\$0.51	\$3.60									\$2.85
\$0.51	\$3.60									\$2.85
\$0.51	\$3.60									\$2.85
\$0.51	\$3.60									\$2.85
\$0.51	\$3.60									\$2.85
\$0.51	\$3.60									\$2.85
\$0.51	\$3.60									\$2.85

See Privacy Act Statement on Reverse

Postmark, Ink, or Ball Point Pen



APPLICATION FOR MOORING PERMIT OR MOORING WAITLIST (Continued)

4. VESSEL TYPE AND PROPULSION (If you have NOT yet purchased or registered your vessel, skip this step and proceed to section 6.)

Vessel Type (✓one): ☐ Open Motorboat ☒ Motor Vessel (more than 65) ☐ Sailing Vessel ☐ Houseboat ☐ Runabout
☐ Auxiliary Powered Sailing Vessel ☐ Cabin Motorboat ☐ Thrillcraft ☐ Dinghy or Skiff
☐ Barge ☐ Platform ☐ Other: _____

Principle Use (✓one): ☒ Pleasure ☐ Charter Fishing ☐ Commercial Fishing ☐ Commercial Passenger ☐ Charter Bare Boat
☐ Dealer ☐ Manufacturer ☐ Charter Sail ☐ Water Taxi ☐ Other Commercial: _____

Primary Propulsion Type (✓one): ☒ Power ☐ Sail ☐ None ☐ Other: _____

If Power: Engine Type(s) (✓one): ☐ Outboard ☒ Inboard ☐ Outboard / Inboard ☐ Manual ☐ None ☐ Other: _____

Engine Manufacturer: Chrysler Horsepower: 350 Number of Engines: 2

If Sail: Rigging Type: ☐ Sloop ☐ Schooner ☐ Three-Masted Schooner ☐ Four-Masted Schooner ☐ Ketch ☐ Brig
☐ Brigantine ☐ Barque ☐ Barquentine ☐ Fully Rigged Ship ☐ Snow ☐ Yawl ☐ Cutter ☐ Clipper

Auxiliary Propulsion for Sail:

Engine Type(s) (✓one): ☐ Outboard ☐ Inboard ☐ Outboard / Inboard ☐ None

Engine Manufacturer: _____ Horsepower: _____ Number of Engines: _____

Fuel Type (✓one): ☒ Gasoline ☐ Diesel ☐ Electric ☐ Other (specify): _____

5. VESSEL PURCHASED INFO (If you have NOT yet purchased or registered your vessel, skip this step and proceed to section 6.)

I, the undersigned, (✓one) ☒ Purchased ☐ Leased ☐ Other (specify): _____

the aforementioned vessel on (date): 12/20/18 from: Swan Boat Broker

The vessel described on this application is free of all liens, mortgages, or other encumbrances except as follows:

Provide the name or institution holding security interest.

Name (Last) or Institution: _____

Address: _____

City: _____ State: _____ Zip: _____

Name (Last) or Institution (if jointly held): _____

Address: _____

City: _____ State: _____ Zip: _____

6. DECLARATION OF HAWAII RESIDENCY

Proof of residency must be presented at Harbor office within seven (7) days of application submission. Failure to present proof will result in automatic denial of the application and forfeiture of fees. Applicant will be required to resubmit in person their application and documentation at a DoBOR office.

☒ I claim legal residence in Hawaii

7. AGREEMENT & SIGNATURE

I agree to comply with the provisions of the Hawaii Administrative Rules as promulgated by the Division of Boating and Ocean Recreation applicable to this permit.

Signature of Applicant

4/12/21

Date

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF BOATING AND OCEAN RECREATION
HARBOR USE PERMIT

Type of Permit:

- ☒ Mooring Permit – REMOOR FROM 46 TO 57
☐ Dry Land Use/Storage

Date: 04/28/2021

Permit No.: 20-73259

Account No.: t0000911

ALA WAI JUN15/21 15:01

This permit is between the State of Hawaii and Eric Alpert for a berth in the Ala Wai Small Boat Harbor at berth/slip 57 for Vessel CRUZIN HAWAII with Registration/Document No. 939160 and Length Overall of 45'.

I agree to the following terms, conditions and charges:

1. I agree to abide by all rules promulgated by the Department of Land and Natural Resources and conditions of this permit. Rules are available online at <http://hawaii.gov/dlnr/dbor/borrules.htm>.
2. The vessel will be moored at the location designated by the official representative of the Department of Land and Natural Resources and tied up in a manner approved by the representative.
3. This mooring permit shall not exceed (1) year from 04/27/2021 (date) and the mooring privilege under this permit terminates on 03/31/2022 (date). A new mooring permit may be obtained within ninety (90) days prior to the termination date listed above only if all fees and charges due, per Hawaii Administrative Rules, have been paid and upon completion of a satisfactory vessel inspection. Failure to obtain a new mooring permit prior to the termination date listed above shall result in the vessel owner being charged the rate for vessels moored without a permit and may result in the vessel being required to vacate the harbor, offshore mooring area, and/or ramp facility.
4. The PERMITTEE will pay the STATE fees and charges in advance or before the first day of each month for the use of the berth and any additional facilities or services assigned or provided to the PERMITTEE by the STATE, in such sums as are prescribed by the HAWAII ADMINISTRATIVE RULES, SMALL BOAT HARBORS, DEPARTMENT OF LAND AND NATURAL RESOURCES, STATE OF HAWAII, in effect on the date of issuance of this permit, and in the future as prescribed by any amendments thereto. The fees in effect are as follows:

Description	Amount
Mooring Charges	650.00
Gear Locker Rental	10.00
Grand Total	660.00

5. A mooring permit may be cancelled by a boat owner upon thirty (30) days written notification as prescribed in Section 13-231-9, and charges will be made in accordance with Section 13-234-2(d) of the Small Boat Harbor Rules. The Security Deposit of \$1,320.00 will be applied to any outstanding balance. The remaining will be returned via mail within a reasonable time.
6. This mooring privilege may be terminated by the Department of Land and Natural Resources by written order of the said representative and the boat will be moved from the mooring at any time on order of the said representative should necessity arise. Failure to do so may result in the impoundment of the vessel.

7. This mooring permit and related use permits will AUTOMATICALLY EXPIRE if the vessel is absent from its assigned berth, mooring, and/or assigned offshore anchorage area for more than fourteen (14) days unless the holder of the permit applies for and receives permission from the Department to retain the use of the assigned berth and related permits upon the vessel's return (Sec. 13-231-11 of the Small Boat Harbors Rules)
8. A new mooring permit may be obtained within ninety (90) days prior to the termination dated listed above only if all fees and charges due, per Hawaii Administrative Rules, have been paid and upon completion of a satisfactory vessel inspection and buoy run. Failure to obtain a new mooring permit prior to the termination date listed on the permit, shall result in the owner being charged the rate for vessels moored without a permit and a one-time payment of \$250.00 shall be paid as long as it is within 30 days from the date of the expiration. Failure to comply with the 30 day extension shall result in the vessels being required to vacate the harbor, offshore mooring area, and/or ramp facility.
9. The department retains the right to not issue a new permit after the termination date of this permit.
10. I shall obtain and continue to secure a Certificate of Insurance policy for General Liability insurance in the amount of \$500,000 and name the State of Hawaii as an additional insured, for as long as my permits is valid. Commercial Permittees shall refer to HAR-13-231-65 on minimum insurance requirements.

Vessel owners will be required to show proof of insurance when applying or reapplying for mooring permits. Acceptable coverage would include a minimum of \$500,000 in boat liability insurance (protection and indemnity) that names the State of Hawaii, Division of Boating and Ocean Recreation as additional insured.

Signed by (Authorized Representative) _____

Print Permittee Name Eric Alpert

Date Signed: 6/15/21

Address: _____

Email Address: _____

Business Phone: _____

Cellular Phone: _____

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF BOATING AND OCEAN RECREATION

BY: Corey S. Fujioka

Printed Name

BY: _____

Signature

Date: _____

ALA HRI JUN15'21 15:01



APPLICATION FOR MOORING PERMIT / MOORING WAITLIST

Division of Boating and Ocean Recreation
Department of Land and Natural Resources, State of Hawaii

Ala Wai Small Boat Harbor, State of Hawaii
1651 Ala Moana Blvd
Honolulu, HI 96815
Phone: (808) 973-9727
Fax: (808) 973-9739



1. PERMIT INFORMATION

Date: 4/12/21 Island (✓ one): ☐ Hawaii ☐ Kauai ☐ Lanai ☐ Maui ☐ Molokai ☒ Oahu

Location: Ala Wai Harbor Category: D

OFFICE USE ONLY

Date Received: 4/12/2021
Received By: [Signature]

2. APPLICANT INFORMATION

ALA WAI APR 12 '21 14:02

Name (Last): ALPERT (First): ERIL (M.I.): _____ Suffix: _____

Date of Birth: [REDACTED] Gender: ☐ Female ☒ Male Occupation: mostly retired

Employer: _____

Phone (business): [REDACTED] (home): [REDACTED] Email: [REDACTED]

Mailing Address: [REDACTED]

City: [REDACTED]

Billing Address: SAME Apt #: [REDACTED]

City: _____ State: _____ Zip: [REDACTED]

3. VESSEL INFORMATION (If you have NOT yet purchased or registered your vessel, skip this step and proceed to section 6.)

☒ check if same as Applicant

Owner's Name (Last): _____ (First): _____ (M.I.): _____ Suffix: _____

Date of Birth: [REDACTED] Gender: ☐ Female ☐ Male Phone: _____

Co-owner's Name (Last): ALPERT (First): JUSTIN (M.I.): _____ Suffix: _____

Date of Birth: [REDACTED] Gender: ☐ Female ☒ Male Phone: [REDACTED]

Vessel Name: Cruzin Hawaii Port of Registry: _____

Documentation Type: ☐ Registration ☒ Coast Guard Documentation ☐ None

Registration or Doc. #: 939160 Expiration Date: 8/31/21

Hull Manufacturer: Delta County BOATS Year Built: 1979 Length Overall: 46'

Hull ID#: [REDACTED] Number of Hulls: 1 Length Over Deck: 43'

Hull Color: white Cabin Color: white Draft of Vessel: 2'

Top Deck Color: white Trim Color: blue Beam of Vessel: 13'



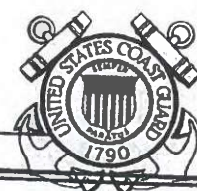
UNITED STATES OF AMERICA

OMB APPROVED
1625-0027DEPARTMENT OF HOMELAND SECURITY
UNITED STATES COAST GUARD

NATIONAL VESSEL DOCUMENTATION CENTER

CERTIFICATE OF DOCUMENTATION

VESSEL NAME CRUZIN HAWAII		OFFICIAL NUMBER 939160	IMO OR OTHER NUMBER DCN43GME0279	YEAR COMPLETED UNKNOWN	
HAILING PORT HONOLULU HI		HULL MATERIAL FRP (FIBERGLASS)		MECHANICAL PROPULSION YES	
GROSS TONNAGE 7 GRT	NET TONNAGE 5 NRT	LENGTH 43.0	BREADTH 13.0	DEPTH 2.0	
PLACE BUILT UNKNOWN					
OWNERS ERIC R ALPERT JUSTIN D ALPERT		OPERATIONAL ENDORSEMENTS RECREATION			
MANAGING OWNER ERIC R ALPERT		REL HWT APR 12 21 14:02			
RESTRICTIONS NO COASTWISE - BUILD EVIDENCE NOT PRESENTED; NO FISHERY - BUILD EVIDENCE NOT PRESENTED					
ENTITLEMENTS NONE					
REMARKS NONE					
ISSUE DATE AUGUST 31, 2020					
THIS CERTIFICATE EXPIRES AUGUST 31, 2021		DIRECTOR, NATIONAL VESSEL DOCUMENTATION CENTER			

Christian H. Walker



State of Hawaii

Vessel Safety Check (VSC)

Department of Land and Natural Resources
Division of Boating and Ocean Recreation
1651 Ala Moana Blvd, Honolulu, HI 96815
Tel: (808) 973-9727 Fax: (808) 973-9739



Owner/Operator Name: ALPERT, ERIC
State Approved Boater Safety Course: YES: ☒ NO: ☐
County: Honolulu, Oahu Harbor: Ala Wai Small Boat Harbor
Date of Safety Check: 4/21/21 VHF Radio: YES: ☒ NO: ☐
Registration or Documentation Number: 939160 EPIRB: YES: ☐ NO: ☒
Hull Identification Number: DCN43GME0279 EPIRB BATT. DATE: _____
Length Overall: 44'8" (45') Length Over Deck: 42'
Vessel Description: CRUZIN HAWAII
Vessel Type: Open ☐ Cabin ☒ PWC ☐ Other ☐
Powered By: Gas ☒ Diesel ☐ Sail ☐ Other ☐

Vessel Safety Check Requirements:

Item	Pass	Fail	N/A
1. Display of Numbers <u>exp: 8/31/2021</u>	<input checked="" type="checkbox"/>		
2. Registration/Documentation	<input checked="" type="checkbox"/>		
3. Personal Floatation Devices (PFD) <u>(16) Type II (1) Type III</u>	<input checked="" type="checkbox"/>		
4. Visual Distress Signals (VDS) <u>Electric Flare</u>	<input checked="" type="checkbox"/>		
5. Fire Extinguishers <u>(4) B-1</u>	<input checked="" type="checkbox"/>		
6. Ventilation	<input checked="" type="checkbox"/>		
7. Backfire Flame Control <u>Chrysler 318 x 2 160 HP x 2</u>	<input checked="" type="checkbox"/>		
8. Sound Producing Device <u>Bell, Whistle, Air Horn</u>	<input checked="" type="checkbox"/>		
9. Navigation Lights	<input checked="" type="checkbox"/>		
10. Pollution Placard	<input checked="" type="checkbox"/>		
11. MARPOL Trash Placard	<input checked="" type="checkbox"/>		
12. Marine Sanitation Devices (must be closed and secured at all times while in port)	<input checked="" type="checkbox"/>		
13. Navigation Rules	<input checked="" type="checkbox"/>		
14. Operational Check of the Vessel (Buoy Run)	<input checked="" type="checkbox"/>		
15. Overall Vessel Condition: as applies: <u>Bombast 30 chain 200' rode</u>	<input checked="" type="checkbox"/>		
a. Deck Free of Hazards/Clean Bilge <u>Auto</u>	<input checked="" type="checkbox"/>		
b. Electrical - Fuel Systems	<input checked="" type="checkbox"/>		
c. Galley - Heating Systems & Backflow Prevention Device			<input checked="" type="checkbox"/>

I certify that I have personally examined this vessel and find that it meets the above requirements at the time of this Vessel Safety Check. I am a qualified Vessel Examiner/Harbor Agent for the State of Hawaii.

Printed Name of the Examiner: Florence Holtz, Harbor Agent II, Ala Wai Small Boat Harbor

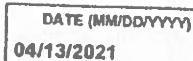
Examiner Signature: _____

Additional Comments: This is not an official boarding for law enforcement purposes. There is no assumption of liability of any kind for advice given or opinions expressed in connection to this safety check. By signing the Vessel Safety Check form, you are pledging to maintain your boat and equipment to the standard of safety exhibited during this safety check. Safety check is valid for two years and must be conducted by either a Harbor Agent or state approved Marine Inspector. Vessel Owner MUST maintain a copy of this safety check to prove validity



I am consenting to this Vessel Safety Check and I understand and agree that my receipt of this Vessel Safety Check shall not constitute or be construed as a warranty or guarantee as to either the qualification, knowledge, or skills of the operator, the seaworthiness of this vessel; or the serviceability or adequacy of any equipment aboard.

Owner/Operator Signature: _____

Date: 4/21/21



THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

PRODUCER  Wil Chang, Agent 6700 Kalanianaʻole Hwy Suite 204 Honolulu, HI 96825		CONTACT NAME: Wil Chang PHONE (A/C No. Ext): 808-395-5433 E-MAIL ADDRESS: wil@wilchanginsurance.com PRODUCER CUSTOMER ID:		FAX (A/C. No): 808-495-0488
INSURED ERIC R ALPERT 		INSURER(S) AFFORDING COVERAGE INSURER A : State Farm Fire and Casualty Company INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :		NAIC # 25143
COVERAGES 81-71 17-12-00 100 0-10		CERTIFICATE NUMBER:		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

LOCATION OF PREMISES / DESCRIPTION OF PROPERTY (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Location: Ala Wai Boat Harbor Boat: 1979 DeltaCounty Boat Grand Mariner 43
 Motor: 1979 Chrysler 300 Hp

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.									
INBR LTR	TYPE OF INSURANCE		POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	COVERED PROPERTY	LIMITS		
	<input type="checkbox"/>	PROPERTY				<input type="checkbox"/>	BUILDING	\$	
		CAUSES OF LOSS				DEDUCTIBLES	<input type="checkbox"/>	PERSONAL PROPERTY	\$
	<input type="checkbox"/>	BASIC				BUILDING	<input type="checkbox"/>	BUSINESS INCOME	\$
	<input type="checkbox"/>	BROAD				CONTENTS	<input type="checkbox"/>	EXTRA EXPENSE	\$
	<input type="checkbox"/>	SPECIAL					<input type="checkbox"/>	RENTAL VALUE	\$
	<input type="checkbox"/>	EARTHQUAKE					<input type="checkbox"/>	BLANKET BUILDING	\$
	<input type="checkbox"/>	WIND					<input type="checkbox"/>	BLANKET PERS PROP	\$
	<input type="checkbox"/>	FLOOD				<input type="checkbox"/>	BLANKET BLDG & PP	\$	
	<input type="checkbox"/>					<input type="checkbox"/>		\$	
	<input type="checkbox"/>					<input type="checkbox"/>		\$	
<input type="checkbox"/>		<input type="checkbox"/>		\$					
A	<input checked="" type="checkbox"/>	INLAND MARINE	TYPE OF POLICY	03/20/2021	03/20/2022	<input type="checkbox"/>	Watercraft Liability	\$	
		CAUSES OF LOSS	Boat Owner's Policy				<input type="checkbox"/>	each occurrence	\$ 500,000
	<input type="checkbox"/>	NAMED PERILS	POLICY NUMBER			<input type="checkbox"/>	Watercraft Med	\$	
	<input type="checkbox"/>	CRIME	51-BM-V352-0 F			<input type="checkbox"/>	each person	\$ 5,000	
	<input type="checkbox"/>	TYPE OF POLICY				<input type="checkbox"/>		\$	
	<input type="checkbox"/>					<input type="checkbox"/>		\$	
	<input type="checkbox"/>	BOILER & MACHINERY / EQUIPMENT BREAKDOWN				<input type="checkbox"/>		\$	
	<input type="checkbox"/>					<input type="checkbox"/>		\$	
	<input type="checkbox"/>					<input type="checkbox"/>		\$	
SPECIAL CONDITIONS / OTHER COVERAGES (ACORD 101, Additional Remarks Schedule, may be attached if								\$	

SPECIAL CONDITIONS / OTHER COVERAGES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

Ala Wai Small Boat Harbor
1651 Ala Moana Blvd.
Honolulu, Hawaii 96815

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

William FRIEL'S VESSEL
information and information
on William Fielder who was
OBSERVED on the vessel at the
time of inspection.

@

DAVID Y. ICE
GOVERNOR OF HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

AL KALEO MANUEL
DEPUTY DIRECTOR - WATER

EDWARD R. UNDERWOOD
ADMINISTRATOR
BOATING AND OCEAN RECREATION

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF BOATING AND OCEAN RECREATION
ALA WAI SMALL BOAT HARBOR
1651 ALA MOANA BOULEVARD
HONOLULU, HAWAII 96815

July 23, 2021

BOR-OA 0030.22

William Friel III

SUBJECT: NOTICE OF VIOLATION FOR PERSON(S) LIVING/STAYING ABOARD THE VESSEL WITH REG. NO. HA 6708 K WITHOUT VALID AUTHORIZATION

Dear William Friel III:

The vessel named above, for which you are owner of record, is moored at the Ala Wai Small Boat Harbor (SBH), under the jurisdiction of the Division of Boating and Ocean Recreation (DOBOR). Hawaii Administrative Rule (HAR) Section 13-231-26(a) states that no person may use a vessel as a place of principal habitation without a valid permit. Further, HAR Section 13-231-28(a) states that staying aboard a vessel (defined as being aboard a vessel between the hours of 12:00am and 6:00am) at the Ala Wai SBH is prohibited without a valid permit.

YOU ARE HEREBY NOTIFIED that you are in violation of HAR Section 13-231-26(a) and/or 13-231-28(a). You do not have authorization from DOBOR to use your vessel as a place of principal habitation or to stay aboard. DOBOR has observed one or more persons living aboard your vessel and/or you using your vessel as a place of principal habitation. This violation is regardless of whether you are aware persons are living aboard your vessel or whether you gave permission for the person(s) to live aboard your vessel.

ALL PERSONS LIVING OR STAYING ABOARD YOUR VESSEL MUST IMMEDIATELY VACATE THE VESSEL. If DOBOR or law enforcement personnel find anyone living aboard your vessel in the future, you may be subject to criminal and civil penalties including, but not limited to, fines, mooring permit revocation, and impoundment of your vessel.

If you have any questions, please contact our office at (808) 973-9727 between 7:45am to 4:00pm, Monday through Friday, except state holidays.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey S. Fujioka".

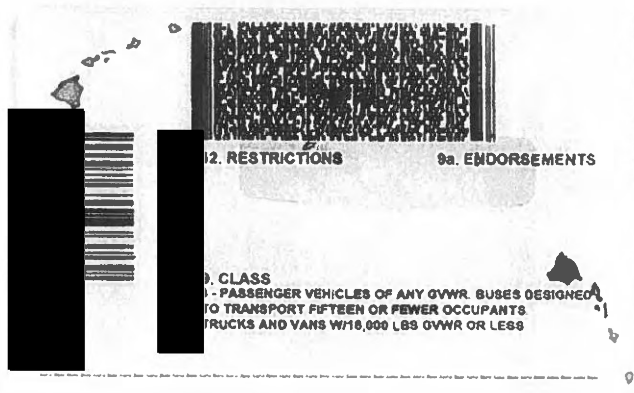
Corey S. Fujioka
Harbor Master

c: DOCARE

VIA REGULAR AND CERTIFIED MAIL - RETURN RECEIPT REQUESTED



ALA WAI AU627'21 13:18



ALA WAI AUG27'21 13:18

IMPORTANT
ALWAYS CARRY THIS CERTIFICATE ON VESSEL WHILE IN USE

STATE OF HAWAII									
CERTIFICATE OF NUMBER FOR UNDOCUMENTED VESSEL									
HA-6708 K		REGISTRATION NUMBER 8250174W							
EXPIRATION DATE 12/2021	TYPE OF VESSEL 1	LENGTH 32	MAX. HORSEPOWER 8	REGISTRATION FEE 3	FUEL 2	PROP 1	USE 1	CO-OWNERS	
WILLIAM FRIEL HUONG FIELDER [REDACTED]									
ALWAYS CARRY THIS CERTIFICATE ON VESSEL WHILE IN USE SEE REVERSE SIDE FOR IMPORTANT INSTRUCTIONS									

**SAFE
BOATING
IS
NO
ACCIDENT!**



A VESSEL'S REGISTRATION CANNOT BE RENEWED/TRANSFERRED IF THERE ARE UNPAID FEES.

Registration Id: 3130

Functions

Data

Reports

Applicant

Detail

Vessel ID HA 6708 K
 Type Recreation
 HIN Exist? Yes
 HIN# CABI0028M78F
 Registration Status Active
 Vessel Status Active
 Renewal To 24807

Property 811vess
 Registration Period 01/01/2021 12/31/2021
 Notes

Primary Operation Pleasure
 Operation Notes

Do you ever use your vessel for non-commercial (Recreational, Subsistence) Fishing? Yes

Edit

New

Close

Help

Terminate

Vessel Insurance

Commercial

Questionnaire

User Defined

Summary

Principal Owner

CoOwner

Periods

Vessel Information

Application Date 12/10/2020
 Last Renewal Date
 Active Date 01/04/2021
 Temporary Registration Printed? Yes
 Temporary Registration Printed Date 05/27/2021
 Registration Printed? Yes
 Registration Printed Date 12/23/2020

Co-Owners Yes
 HAZ Verified
 Boat Sticker# V20840
 Boat Sticker Printed Date 01/04/2021
 Ramp Sticker Printed?
 Ramp Sticker#

FR161

Registration Id: 3130

Functions

Data

Reports

Applicant

Detail

Vessel ID HA 6708 K
 Type Recreation
 HIN Exist? Yes
 HIN# CABI0028M78F
 Registration Status Active
 Vessel Status Active
 Renewal To 24807

Property 811vess
 Registration Period 01/01/2021 12/31/2021
 Notes

Primary Operation Pleasure
 Operation Notes

Do you ever use your vessel for non-commercial (Recreational, Subsistence) Fishing? Yes

Edit

New

Close

Help

Terminate

Vessel Insurance	Commercial	Questionnaire	User Defined
Summary	Principal Owner	Co-owner	Vessel Information

Customer/Vessel Owner c0003850
 Business Name WILLIAM FRIEL, III
 Last Name FRIEL, III
 First Name WILLIAM
 Middle Name GREGORY
 Citizenship of Owner United States
 Contact Phone [REDACTED]
 Business Phone [REDACTED]
 Date of Birth [REDACTED]
 Email Address [REDACTED]
 Drivers Licence No. [REDACTED]
 Tax ID Number(EIN)
 State ID Number
 Passport Number N/A

Mailing Address

Address [REDACTED]

City [REDACTED]

State-Zip [REDACTED]

Country 1us

Street Address

Address [REDACTED]

City [REDACTED]

State-Zip [REDACTED]

Country 1us

Courses Attended	Boating Course Completion Date	Certificate No

FRIEL

Registration Id: 3130

Functions

Data

Reports

Applicant

Detail

Vessel ID HA 6708 K
 Type Recreation
 HIN Exist? Yes
 HIN# CABI0028M78F
 Registration Status Active
 Vessel Status Active
 Renewal To 24807

Property 811vess
 Registration Period 01/01/2021 12/31/2021
 Notes

Primary Operation Pleasure
 Operation Notes

Do you ever use your vessel for non-commercial (Recreational, Subsistence) Fishing? Yes

Edit

New

Close

Help

Terminate

Vessel Insurance

Commercial

Questionnaire

User Defined

Summary

Principal Owner

CoOwner

Periods

Vessel

Vessel

Hull Information

Name II Shea
 State of Principal Use HI
 Year Built 1978
 Model Year 1978
 Length 39.00
 Width 12.00
 Home Built No
 Manufactured In United States
 Moored Water
 Vessel Type Auxiliary Sail
 Notes Moored in Ala Wai SBH on Oahu

Number of Hulls 1
 Make Cal Boats
 Model Cal 39
 Hull Country of Origin United States
 Hull Manufacturer Cal Boats
 Hull Color White
 Cabin Color
 Deck Color Sand
 Trim Color Red
 Hull Material Fiberglass
 Notes

Vessel Details

Fuel Diesel
 Engine Drive Type Inboard
 Notes

Propulsion Type Propeller
 Notes

Engine Manufacturer Perkins
 Engine Serial# Unknown
 Horse Power
 Number of Engines

Trailer Information

Length
 Registration Number

Sail Information

Rigging
 Auxiliary Propulsion for Sail

FILE

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF BOATING AND OCEAN RECREATION
HARBOR USE PERMIT

Type of Permit:

- ☒ Mooring Permit
☐ Dry Land Use/Storage

Date: 09/01/2021

Permit No.: 20-103933

Account No.: t0000454

This permit is between the State of Hawaii and William Friel III for a berth in the Ala Wai Small Boat Harbor at berth/slip 812 for Vessel THE SUN II with Registration/Document No. HA 6708 K and Length Overall of 39.

I agree to the following terms, conditions and charges:

1. I agree to abide by all rules promulgated by the Department of Land and Natural Resources and conditions of this permit. Rules are available online at <http://hawaii.gov/dlnr/dbor/borrules.htm>.
2. The vessel will be moored at the location designated by the official representative of the Department of Land and Natural Resources and tied up in a manner approved by the representative.
3. This mooring permit shall not exceed (1) year from 09/01/2021 (date) and the mooring privilege under this permit terminates on 08/31/2022 (date). A new mooring permit may be obtained within ninety (90) days prior to the termination date listed above only if all fees and charges due, per Hawaii Administrative Rules, have been paid and upon completion of a satisfactory vessel inspection. Failure to obtain a new mooring permit prior to the termination date listed above shall result in the vessel owner being charged the rate for vessels moored without a permit and may result in the vessel being required to vacate the harbor, offshore mooring area, and/or ramp facility.
4. The PERMITTEE will pay the STATE fees and charges in advance or before the first day of each month for the use of the berth and any additional facilities or services assigned or provided to the PERMITTEE by the STATE, in such sums to be calculated according to the provisions of Hawaii Revised Statutes Section 200-10 (c) and Hawaii Administrative Rules Chapter 13-234, and amendment or increase of such fees. As of the date of this permit's issuance of this permit's issuance, the fees in effect are as follows:

Description	Amount
Mooring Charges (09/2021)	312.00
Electricity Reimburse (09/2021)	40.00
Shower Fee (09/2021)	15.00
Gear Locker Rental (09/2021)	10.00
Grand Total	377.00

5. A mooring permit may be cancelled by a boat owner upon thirty (30) days written notification as prescribed in Section 13-231-9, and charges will be made in accordance with Section 13-234-2(d) of the Small Boat Harbor Rules. The Security Deposit of \$804.00 will be applied to any outstanding balance. The remaining will be returned via mail within a reasonable time.
6. This mooring privilege may be terminated by the Department of Land and Natural Resources by written order of the said representative and the boat will be moved from the mooring at any time on order of the said representative should necessity arise. Failure to do so may result in the impoundment of the vessel.

7. This mooring permit and related use permits will AUTOMATICALLY EXPIRE if the vessel is absent from its assigned berth, mooring, and/or assigned offshore anchorage area for more than fourteen (14) days unless the holder of the permit applies for and receives permission from the Department to retain the use of the assigned berth and related permits upon the vessel's return (Sec. 13-231-11 of the Small Boat Harbors Rules)
8. A new mooring permit may be obtained within ninety (90) days prior to the termination dated listed above only if all fees and charges due, per Hawaii Administrative Rules, have been paid and upon completion of a satisfactory vessel inspection and buoy run. Failure to obtain a new mooring permit prior to the termination date listed on the permit, shall result in the owner being charged the rate for vessels moored without a permit and a one-time payment of \$250.00 shall be paid as long as it is within 30 days from the date of the expiration. Failure to comply with the 30 day extension shall result in the vessels being required to vacate the harbor, offshore mooring area, and/or ramp facility.
9. The department retains the right to not issue a new permit after the termination date of this permit.
10. I shall obtain and continue to secure a Certificate of Insurance policy for General Liability insurance in the amount of \$500,000 and name the State of Hawaii as an additional insured, for as long as my permits is valid. Commercial Permittees shall refer to HAR-13-231-65 on minimum insurance requirements.

Vessel owners will be required to show proof of insurance when applying or reapplying for mooring permits. Acceptable coverage would include a minimum of \$500,000 in boat liability insurance (protection and indemnity) that names the State of Hawaii, Division of Boating and Ocean Recreation as additional insured.

Signed by (Authorized Representative) _____

Print Permittee Name: William Friel II

Date Signed: 8-27-21

Address: _____

Email Address: _____

Business Phone: _____

Cellular Phone: _____

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF BOATING AND OCEAN RECREATION

BY: Corey S. Fujioka

Printed Name

BY: _____

Signature

Date: 8/27/21

ALA WAI AUG27'21 13:41



APPLICATION FOR MOORING PERMIT / MOORING WAITLIST

Division of Boating and Ocean Recreation
Department of Land and Natural Resources, State of Hawaii

Ala Wai Sm Boat Harbor, State of Hawaii
1651 Ala Moana Blvd
Honolulu, HI 96815
Phone: (808) 973-9727
Fax: (808) 973-9739



1. PERMIT INFORMATION

Date: 8/27/21 Island (☒ one) : ☐ Hawaii ☐ Kauai ☐ Lanai ☐ Maui ☐ Molokai ☒ Oahu
Location: ALA WAI Category: 36-45-C

OFFICE USE ONLY

Date Received:
8/27/21
Received By: [Signature]

2. APPLICANT INFORMATION

ALA WAI AUG27'21 13:48

Name (Last): FRIEL (First): WILLIAM (M.I.): G. Suffix: III
Date of Birth: [Redacted] Gender: ☐ Female ☒ Male Occupation: RETIRED
Employer: _____
Phone (business): [Redacted] (home): [Redacted] Email: [Redacted]
Mailing Address: [Redacted] Apt #: _____
City: [Redacted]
Billing Address: SAME Apt #: _____
City: _____ State: _____ Zip: _____

3. VESSEL INFORMATION (If you have NOT yet purchased or registered your vessel, skip this step and proceed to section 6.)

☐ check if same as Applicant

Owner's Name (Last): FRIEL (First): WILLIAM (M.I.): G. Suffix: III
Date of Birth: [Redacted] Gender: ☐ Female ☒ Male Phone: _____
Co-owner's Name (Last): FRIELDER (First): HUONG (M.I.): T Suffix: _____
Date of Birth: [Redacted] Gender: ☐ Female ☐ Male Phone: _____

Vessel Name: HE SUN II Port of Registry: HO-20
Documentation Type: ☐ Registration ☒ Coast Guard Documentation ☐ None
Registration or Doc. #: 6708 K Expiration Date: 9/30/2025
Hull Manufacturer: CAL Year Built: 88 Length Overall: 39'
Hull ID#: CAB10028MBF Number of Hulls: 1 Length Over Deck: _____
Hull Color: WHITE Cabin Color: SAND Draft of Vessel: 6'
Top Deck Color: SAND Trim Color: RED Beam of Vessel: 12'



APPLICATION FOR MOORING PERMIT OR MOORING WAITLIST (Continued)

4. VESSEL TYPE AND PROPULSION (If you have NOT yet purchased or registered your vessel, skip this step and proceed to section 6.)

Vessel Type (✓one): ☐ Open Motorboat ☐ Motor Vessel (more than 65) ☒ Sailing Vessel ☐ Houseboat ☐ Runabout
☐ Auxiliary Powered Sailing Vessel ☐ Cabin Motorboat ☐ Thrillcraft ☐ Dinghy or Skiff

☐ Barge ☐ Platform ☐ Other: _____

Principle Use (✓one): ☒ Pleasure ☐ Charter Fishing ☐ Commercial Fishing ☐ Commercial Passenger ☐ Charter Bare Boat
☐ Dealer ☐ Manufacturer ☐ Charter Sail ☐ Water Taxi ☐ Other Commercial: _____

Primary Propulsion Type (✓one): ☐ Power ☒ Sail ☐ None ☐ Other: _____

If Power: Engine Type(s) (✓one): ☐ Outboard ☐ Inboard ☐ Outboard / Inboard ☐ Manual ☐ None ☐ Other: _____

Engine Manufacturer: PERKINS

Horsepower: 50

Number of Engines: 1

If Sail: Rigging Type: ☒ Sloop ☐ Schooner ☐ Three-Masted Schooner ☐ Four-Masted Schooner ☐ Ketch ☐ Brig
☐ Brigantine ☐ Barque ☐ Barquentine ☐ Fully Rigged Ship ☐ Snow ☐ Yawl ☐ Cutter ☐ Clipper

Auxiliary Propulsion for Sail:

Engine Type(s) (✓one): ☐ Outboard ☒ Inboard ☐ Outboard / Inboard ☐ None

Engine Manufacturer: PERKINS

Horsepower: 50

Number of Engines: 1

Fuel Type (✓one): ☐ Gasoline ☐ Diesel ☐ Electric ☐ Other (specify): _____

5. VESSEL PURCHASED INFO (If you have NOT yet purchased or registered your vessel, skip this step and proceed to section 6.)

I, the undersigned, (✓one) ☐ Purchased ☐ Leased ☐ Other (specify): _____

the aforementioned vessel on (date): 8-27-21

from: WILL FIELDER

The vessel described on this application is free of all liens, mortgages, or other encumbrances except as follows:

Provide the name or institution holding security interest.

Name (Last) or Institution: NONE

Address: _____

City: _____

State: _____

Zip:

Name (Last) or Institution (if jointly held): NONE

Address: _____

City: _____

State: _____

Zip:

6. DECLARATION OF HAWAII RESIDENCY

Proof of residency must be presented at Harbor office within seven (7) days of application submission. Failure to present proof will result in automatic denial of the application and forfeiture of fees. Applicant will be required to resubmit in person their application and documentation at a DoBOR office.

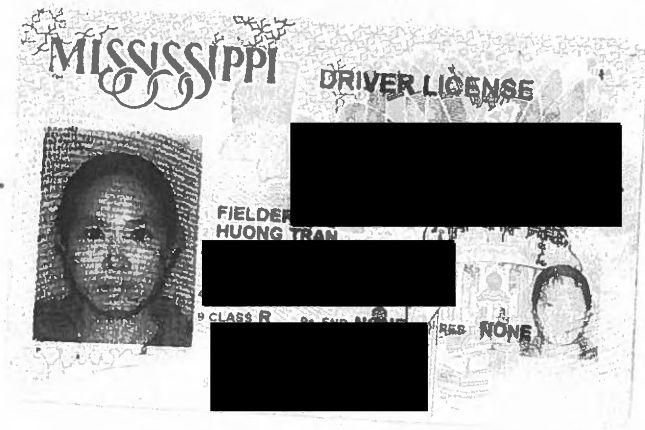
☐ I claim legal residence in Hawaii

7. AGREEMENT & SIGNATURE

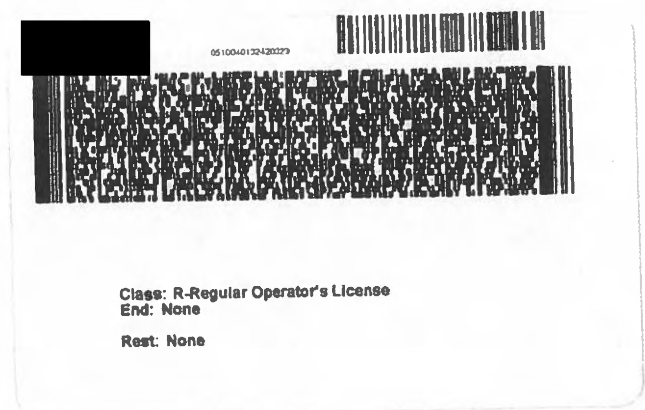
I agree to comply with the provisions of the Hawaii Administrative Rules as promulgated by the Division of Boating and Ocean Recreation applicable to this permit.

Signature of Applicant

Date



ALA WAI SEP28'21 13:22

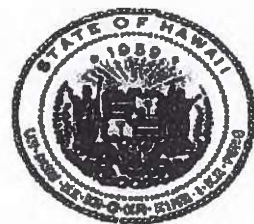




State of Hawaii

Vessel Safety Check (VSC)

Department of Land and Natural Resources
Division of Boating and Ocean Recreation
4 Sand Island Access Road Honolulu, HI 96819
Tel: (808) 587-1966 Fax: (808) 587-1977



Owner/Operator Name: Fielder, William Robert Jr
State Approved Boater Safety Course: YES: ☐ NO: ☐
County: Honolulu, Oahu Harbor: Ala Wai Small Boat Harbor
Date of Safety Check: 11/20/20 VHF Radio: YES: ☒ NO: ☐
Registration or Documentation Number: 982501 EPIRB: YES: ☐ NO: ☒
Hull Identification Number: CAB10028M78F
Length Overall: 38' 9" (39') Length Over Deck: 37' 8" (38') EPIRB BATT. DATE: _____
Vessel Description: HE SUN II
Vessel Type: Open ☐ Cabin ☒ PWC ☐ Other ☐
Powered By: Gas ☐ Diesel ☒ Sail ☒ Other ☐ ALA WAI AUG27'21 13:18

Vessel Safety Check Requirements:			
Item	Pass	Fail	N/A
1. Display of Numbers <u>exp: 9/30/2025</u>	<input checked="" type="checkbox"/>		
2. Registration/Documentation	<input checked="" type="checkbox"/>		
3. Personal Floatation Devices (PFD) <u>(2) Type I (1) Type I child (2) Type II</u>	<input checked="" type="checkbox"/>		
4. Visual Distress Signals (VDS) <u>Flag, Electric</u>	<input checked="" type="checkbox"/>		
5. Fire Extinguishers <u>(5) B-1</u>	<input checked="" type="checkbox"/>		
6. Ventilation	<input checked="" type="checkbox"/>		
7. Backfire Flame Control <u>Perkins, 50 HP</u>			<input checked="" type="checkbox"/>
8. Sound Producing Device <u>Bell, whistle</u>	<input checked="" type="checkbox"/>		
9. Navigation Lights	<input checked="" type="checkbox"/>		
10. Pollution Placard	<input checked="" type="checkbox"/>		
11. MARPOL Trash Placard	<input checked="" type="checkbox"/>		
12. Marine Sanitation Devices (must be closed and secured at all times while in port)			<input checked="" type="checkbox"/>
13. Navigation Rules	<input checked="" type="checkbox"/>		
14. Operational Check of the Vessel (Buoy Run)	<input checked="" type="checkbox"/>		
15. Overall Vessel Condition: as applies: <u>Brown 90' chain, 1,000' line</u>	<input checked="" type="checkbox"/>		
a. Deck Free of Hazards/Clean Bilge <u>Auto, Manual</u>	<input checked="" type="checkbox"/>		
b. Electrical - Fuel Systems	<input checked="" type="checkbox"/>		
c. Galley - Heating Systems & Backflow Prevention Device			<input checked="" type="checkbox"/>

I certify that I have personally examined this vessel and find that it meets the above requirements at the time of this Vessel Safety Check. I am a qualified Vessel Examiner/Harbor Agent for the State of Hawaii.

Printed Name of the Examiner: Flora Holtz Harbor Agent Ala Wai Small Boat Harbor

Examiner Signature: [Signature]

Additional Comments: This is not an official boarding for law enforcement purposes. There is no assumption of liability of any kind for advice given or opinions expressed in connection to this safety check. By signing the Vessel Safety Check form, you are pledging to maintain your boat and equipment to the standard of safety exhibited during this safety check. Safety check is valid for two years and must be conducted by either a Harbor Agent or state approved Marine Inspector. Vessel Owner **MUST** maintain a copy of this safety check to prove validity.

I am consenting to this Vessel Safety Check and I understand and agree that my receipt of this Vessel Safety Check shall not constitute or be construed as a warranty or guarantee as to either the qualification, knowledge, or skills of the operator; the seaworthiness of this vessel; or the serviceability or adequacy of any equipment aboard.

Owner/Operator Signature: [Signature]

Date: 11-20-20

for William Fielder



EVIDENCE OF PROPERTY INSURANCE

DATE (MM/DD/YYYY)
11/20/2020

THIS EVIDENCE OF PROPERTY INSURANCE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE ADDITIONAL INTEREST NAMED BELOW. THIS EVIDENCE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS EVIDENCE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE ADDITIONAL INTEREST.

AGENCY State Farm Agent Susan Yanabu Ihle 100 Kahelu Ave., Ste 102 Mililani, HI 96789		PHONE (A/C, No, Ext): 808-625-2226		COMPANY State Farm Fire and Casualty Company NAIC # 25143	
FAX (A/C, No): 866-291-3760		E-MAIL ADDRESS: www.susanihle.com			
CODE:		SUB CODE:			
AGENCY CUSTOMER ID #:		LOAN NUMBER			
INSURED Friel, William & Fielder, Huong Tran [REDACTED]		POLICY NUMBER 518MM2236		EXPIRATION DATE 11/13/2021	
		EFFECTIVE DATE 11/20/2020		CONTINUED UNTIL TERMINATED IF CHECKED	
THIS REPLACES PRIOR EVIDENCE DATED:					

PROPERTY INFORMATION

LOCATION/DESCRIPTION

Location: Ala Wai Boat Harbor, Honolulu, HI 96815
Description: Boat Owners Policy -1988 Cal

ALA WAI AUG27'21 13:18

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS EVIDENCE OF PROPERTY INSURANCE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

COVERAGE INFORMATION

COVERAGE / PERILS / FORMS	AMOUNT OF INSURANCE	DEDUCTIBLE
Coverage A - Boat Physical Damage	\$25,000	\$1000
Coverage L - Watercraft Liability	\$500,000	

REMARKS (Including Special Conditions)

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

ADDITIONAL INTEREST

NAME AND ADDRESS State of Hawaii DLNR Division of Boating & Ocean Recreation 1651 Ala Moana Blvd Honolulu, HI 96815-1487	<input type="checkbox"/> MORTGAGEE	<input checked="" type="checkbox"/> ADDITIONAL INSURED
	<input type="checkbox"/> LOSS PAYEE	
	LOAN #	
AUTHORIZED REPRESENTATIVE Susan Ihle by <i>Ku Du</i> <small>Digitally signed by Susan Ihle by Kevin Ito DN: cn=Susan Ihle by Kevin Ito, o=State Farm Insurance, ou=Team Member, email=KevinIto@susanihle.com, c=US Date: 2013.05.07 08:56:30 -1000</small>		

ACORD 27 (2009/12)

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1004363 142988.1 01-28-2013

Name and Address of Sender
Ala Wai Small Boat Harbor
1651 Ala Moana Blvd
Honolulu, HI 96815

07/23/2021

Check type of mail or service:

- ☒ Certified
☐ COD
☐ Delivery Confirmation
☐ Express Mail
☐ Insured
- ☐ Recorded Delivery (International)
☐ Registered
☐ Return Receipt for Merchandise
☐ Signature Confirmation

Affix Stamp Here
(If issued as a
certificate of mailing,
or for additional
copies of this bill)
Postmark and
Date of Receipt

Illegal Liveboard Notice



Article Number	Addressee (Name, Street, City, State, & ZIP Code)	Postage	Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	DC Fee	SC Fee	SH Fee	RD Fee	RR Fee
1. 7020 2450 0001 4389 0665	[Redacted]	\$0.51	\$3.60									\$2.85
2. 7020 2450 0001 4389 0672	[Redacted]	\$0.51	\$3.60									\$2.85
3. 7020 2450 0001 4389 0689	[Redacted]	\$0.51	\$3.60									\$2.85
4. 7020 2450 0001 4389 0696	[Redacted]	\$0.51	\$3.60									\$2.85
5. 7020 2450 0001 4389 0702	[Redacted]	\$0.51	\$3.60									\$2.85
6. 7020 2450 0001 4389 0719	William Friel III [Redacted] BOA-OA 0030.22	\$0.51	\$3.60									\$2.85
7. 7020 2450 0001 4389 0726	[Redacted]	\$0.51	\$3.60									\$2.85
8. 7020 2450 0001 4389 0733	[Redacted]	\$0.51	\$3.60									\$2.85

Total Number of Pieces Listed by Sender
8

Postmaster, Per (Name of receiving employee)

[Signature]

See Privacy Act Statement on Reverse

**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF BOATING AND OCEAN RECREATION
ALA WAI SMALL BOAT HARBOR**

M-E-M-O-R-A-N-D-U-M

On 8/26/2021, I have observed the vessel, THE SUN II / Friel III, William,
(Date) (Vessel Name/Registered Owner)

Reg/Doc. No. HA 6708 K, move by its own propulsion Power,
(Power or Sail)

at an adequate speed indicating the vessel was in good operating condition, from the harbor

Ala Wai SBH / 812 to Buoy # 1, the route
(Starting Location) (Designated Location)

designated by the harbor agent for this vessel.

Authorized Signature: _____

(Harbor Agent)

Date: 08/26/2021

ALA WAI AUG26'21 8:39

Brief Explanation of VSC Required Items:

1. NUMBERING: The boat's registration number must be permanently attached to each side of the forward half of the boat and characters must be plain, vertical, block style, not less than three (3) inches high, and in a color contrasting with the background. A space or hyphen must separate the letters from the numbers. Place State validation sticker according to State policy. (e.g. HA 1234 AB or HA-4234-AB)

2. REGISTRATION/DOCUMENTATION: Registration or Documentation papers must be on board and available. Documentation numbers must be permanently marked on a visible part of the interior structure. The documented boat's name and hailing Port must be displayed on the exterior hull in letters not less than 4 inches in height.

3. PERSONAL FLOTATION DEVICES (PFDs): Acceptable PFDs (also known as Life Jackets) must be U.S. Coast Guard approved and in good, serviceable condition. A wearable PFD of suitable size is required for the each person on the boat. Children must have properly fitted PFDs designed for children. Wearable PFDs shall be "readily accessible." Boats 16 Feet or longer, must also have one Type IV (throwable) device, which shall be "immediately available." PFDs shall NOT be stored in unopened plastic packaging. For Personal Watercraft riders, the PFD must be worn. An impact rating is recommended, but not required.

4. VISUAL DISTRESS SIGNALS: Recreational boats 16 feet and over used on coastal waters or the Great Lakes are required to carry a minimum of either 1) three day and three night pyrotechnic devices, 2) one day non-pyrotechnic device (flag) and one night non-pyrotechnic device (auto SOS light) or 3) a combination of 1) and 2). Recreational boats less than 16 feet on coastal waters or the Great Lakes need only carry night visual distress signals when operating from sunset to sunrise. It is recommended, but not required, that boats operating on inland waters should have some means of making a suitable day and night distress signal. The number and type of signals is best judged by considering conditions under which the boat will be operating.

5. FIRE EXTINGUISHERS: Fire extinguishers are required if one of the following conditions exists: 1) Inboard engine(s); 2) Double bottom hulls not completely sealed or not completely filled with flotation materials 3) Closed living space 4) Closed stowage compartments that contain flammable materials or 5) Permanently installed fuel tanks. Recreational boats less than 26 feet, and propelled by outboard motors are NOT required to have fire extinguishers unless one or more of the conditions (2-5) listed above applies. NOTE: Fire extinguishers must be readily accessible and verified as serviceable.

Minimum number of extinguishers required

Boat Length	No Fixed System	With Fixed System
Less than 26'	one B-1	0
26' to less than 40'	two B-1 or one B-2	one B-1
40' to 65'	three B-1 or one B-1 & one B-2	two B-1 or one B-2

6. VENTILATION: Boats with gasoline engines in closed compartments, built after 1 August 1980 must have a powered ventilation system. Those built prior to that date must have natural or powered ventilation. Boats with closed fuel tank compartments built after 1 August 1978 must meet requirements by displaying a "certificate of compliance." Boats built before that date must have either natural or powered ventilation in the fuel tank compartment.

7. BACKFIRE FLAME ARRESTER: All gasoline powered inboard/outboard or inboard motor boats must be equipped with an approved backfire flame control device.

8. SOUND PRODUCING DEVICES: To comply with Navigation Rules and for distress signaling purposes all boats must carry a sound producing device (whistle, horn, siren, etc.) capable of a 4-second blast audible for 1/2 mile.

9. NAVIGATION LIGHTS: All boats must be able to display navigation lights between sunset and sunrise and in conditions of reduced visibility. Boats 16 feet or more in length must have properly installed, working navigation lights and an all-around anchor light capable of being lit independently from the red/green/white "running" lights.

10. POLLUTION PLACARD: Boats 26 feet and over with a machinery compartment must display an oily waste "pollution" placard.

11. MARPOL TRASH PLACARD: Boats 26 feet and over in length, operating in U.S. navigable waters, must display a "MARPOL" trash placard. Oceangoing boats 40 feet and over must also have a written trash disposal plan available onboard.

12. MARINE SANITATION DEVICE: Any installed toilet must be a Coast Guard approved device. Overboard discharge outlets must be capable of being sealed. All overboard discharge valves must be closed and secured while in port.

13. NAVIGATION RULES: Boats 39.4 feet and over must have on board a current copy of the Navigation Rules.

14. OPERATIONAL CHECK OF VESSEL: Inspector must observe the vessel operate by its own propulsion, at an adequate speed, and able to navigate beyond the harbor entrance indicating the vessel is in good operating condition.

15. OVERALL BOAT CONDITION: As it applies to this Vessel. Including, but not limited to:

a. **Deck free of hazards and clean bilge** - The boat must be free from fire hazards, in good overall condition, with bilges reasonably clean and visible hull structure generally sound. The use of automobile parts on boat engines is not acceptable. The engine horsepower must not exceed that shown on the capacity plate. Vessels equipped with an inboard motor shall maintain an oil absorbent pad in bilge to separate petroleum products from bilge water.

b. **Electrical and Fuel Systems:** The electrical system must be protected by fuses or manual reset circuit breakers. Switches and fuse panels must be protected from rain or water spray. Wiring must be in good condition, properly installed and with no exposed areas or deteriorated insulation. Batteries must be secured and terminals covered to prevent accidental arcing. If installed, self-circling or kill switch mechanism must be in proper working order. All PWCs require an operating self-circling or kill switch mechanism.

c. **Fuel Systems - Portable fuel tanks** (normally 7 gallon capacity or less) must be constructed of non-breakable material and free of corrosion and leaks. All vents must be capable of being closed. The tank must be secured and have a vapor-tight, leak-proof cap. Each permanent fuel tank must be properly ventilated.

d. **Galley - Heating Systems & Back-flow Prevention Devices:** System and fuel tanks must be properly secured with no flammable materials nearby. No person shall connect a vessel's water supply system to a small boat harbor water supply system unless an approved backflow prevention device has been installed at the hose bib or other point of connection.

For more information visit:



<https://dlnr.hawaii.gov/dobor/>

Donald pierce
vessel information

@



APPLICATION FOR MOORING PERMIT / MOORING WAITLIST

Division of Boating and Ocean Recreation

Department of Land and Natural Resources, State of Hawaii

ALA MOANA SMALL BOAT HARBOR
1651 ALA MOANA BOULEVARD
HONOLULU, HAWAII 96815
PHONE 808-973-9727 FAX 808-973-9739



1. PERMIT INFORMATION

Date: 8/6/21 Island (✓ one): ☐ Hawaii ☐ Kauai ☐ Lanai ☐ Maui ☐ Molokai ☒ Oahu

Location: ALA WAI Category: D

☐ I have NOT yet purchased or registered a vessel; add me to the waitlist. (Complete only sec. 1, 2, 6 & 7.)

OFFICE USE ONLY

Date Received: 8/6/21

Received By: JD

2. APPLICANT INFORMATION

Name (Last): PIERCE (First): DONALD (M.I.): L Suffix: _____

Date of Birth: [REDACTED] Gender: ☐ Female ☒ Male Occupation: RETIRED

Employer: _____

Phone (business): N/A (home) [REDACTED] Email: [REDACTED]

Mailing Address: [REDACTED]

City: [REDACTED]

Billing Address: SAVE Apt. / #: _____

City: _____ State: _____ Zip: _____

3. VESSEL INFORMATION (If you have NOT yet purchased or registered your vessel, skip this step and proceed to section 6.)

☒ Check if Same as Applicant

Owner's Name (Last): _____ (First): _____ (M.I.): _____ Suffix: _____

Date of Birth: / / Gender: ☐ Female ☐ Male Phone: _____

Co-owner's Name (Last): _____ (First): _____ (M.I.): _____ Suffix: _____

Date of Birth: / / Gender: ☐ Female ☐ Male Phone: _____

Vessel Name: HEATHER Port of Registry: HONOLULU HI ALA WAI AUG 6/21 13003

Documentation Type: ☐ Vessel Registration ☒ Coast Guard Documentation ☐ Other: _____

Registration or Doc. No. 936684 Expiration Date: 5/31/22

Hull Manufacturer: UNITRAC Year Built: 1975 Length Overall: 54' (feet) 0" (inches)

Hull ID #: SOUB 745 Number of Hulls: _____ Length Over Deck: 50' (feet) 0" (inches)

Hull Color: BLUE Cabin Color: WHITE Draft of Vessel: 6' (feet) 0" (inches)

Top Deck Color: WHITE Trim Color: BLUE Beam of Vessel: 14' (feet) 6" (inches)

PIERCE



APPLICATION FOR MOORING PERMIT OR MOORING WAITLIST (Continued)

4. VESSEL TYPE AND PROPULSION (If you have NOT yet purchased or registered your vessel, skip this step and proceed to section 6.)

Vessel Type (✓one): ☐ Open Motorboat ☐ Motor Vessel (more than 65) ☐ Sailing Vessel ☐ Houseboat ☐ Runabout
☐ Aux. Powered Sailing Vessel ☒ Cabin Motorboat ☐ Thrillcraft ☐ Other:

Principle Use (✓one): ☒ Pleasure ☐ Charter Fishing ☐ Commercial Fishing ☐ Commercial Passenger
☐ Dealer or Manufacturer ☐ Commercial Other:

Primary Propulsion Type (✓one): ☐ Sail ☒ Power ☐ None ☐ Other:

If Power, Engine Type: ☐ Onboard ☒ Inboard ☐ Inboard/Stem Drive

Engine Manufacturer: GM DETROIT Horsepower: 175 Number of Engines: 1

If Sail, Rigging Type: ☐ Sloop ☐ Schooner ☐ Three-Masted Schooner ☐ Four-Masted Schooner ☐ Ketch ☐ Brig
☐ Brigantine ☐ Barque ☐ Barquentine ☐ Fully Rigged Ship ☐ Snow ☐ Yawl ☐ Cutter ☐ Clipper

Aux. Propulsion Type: ☐ Sail ☐ Power ☐ None ☐ Other:

Engine Manufacturer: _____ Horsepower: _____ Number of Engines: _____

Fuel Type (✓one): ☐ Diesel ☐ Electric ☐ Gas ☐ Other (specify): _____

5. VESSEL PURCHASED INFO (If you have NOT yet purchased or registered your vessel, skip this step and proceed to section 6.)

I, the undersigned, (✓one) ☒ Purchased ☐ Leased ☐ Other (specify): _____

the aforementioned vessel on (date): 3/2/17 from: Thomas & Anna Heather

The vessel described on this application is free of all liens, mortgages, or other encumbrances except as follows:
Provide the name or institution holding security interest.

Name (Last) or Institution: _____

Address: _____

City: _____

State: _____

Zip: _____

Name (Last) or Institution (if jointly held): _____

Address: _____

City: _____

State: _____

Zip: _____

6. DECLARATION OF HAWAII RESIDENCY

Proof of residency must be presented at Harbor office within seven (7) days of application submission. Failure to present proof will result in automatic denial of the application and forfeiture of fees. Applicant will be required to resubmit in person their application and documentation at a DoBOR office. ☒ I claim legal residence in Hawaii.

7. AGREEMENT & SIGNATURE

I agree to comply with the provisions of the Hawaii Administrative Rules as promulgated by the Division of Boating and Ocean Recreation applicable to this permit.

[Signature]
Signature of Applicant

8/6/21

Date

PLATE



UNITED STATES OF AMERICA

DEPARTMENT OF HOMELAND SECURITY
UNITED STATES COAST GUARD

NATIONAL VESSEL DOCUMENTATION CENTER

CERTIFICATE OF DOCUMENTATION

VESSEL NAME HEATHER		OFFICIAL NUMBER 936686	IMO OR OTHER NUMBER NONE	YEAR COMPLETED 1975	
HAILING PORT HONOLULU HI		HULL MATERIAL FRP (FIBERGLASS)		MECHANICAL PROPULSION YES	
GROSS TONNAGE 29 GRT	NET TONNAGE 23 NRT	LENGTH 50.0	BREADTH 14.6	DEPTH 6.0	
PLACE BUILT BELLINGHAM WA					
OWNERS DONALD LEONARD PIERCE			OPERATIONAL ENDORSEMENTS RECREATION		
MANAGING OWNER DONALD LEONARD PIERCE [REDACTED]					
RESTRICTIONS NONE					
ENTITLEMENTS NONE					
REMARKS None					
ISSUE DATE APRIL 13, 2021		THIS CERTIFICATE EXPIRES MAY 31, 2022			

ALA WAI AUG 6 '21 13:00

Christina H. Walker
DIRECTOR, NATIONAL VESSEL DOCUMENTATION CENTER



810551788708

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF BOATING AND OCEAN RECREATION
HARBOR USE PERMIT

Type of Permit:

- ☒ Mooring Permit
☐ Dry Land Use/Storage

Date: 09/01/2021

Permit No.: 20-103933

Account No.: t0000454

This permit is between the State of Hawaii and William Friel III for a berth in the Ala Wai Small Boat Harbor at berth/slip for Vessel THE SUN II with Registration/Document No. HA 6708 K and Length Overall of 39.

I agree to the following terms, conditions and charges:

1. I agree to abide by all rules promulgated by the Department of Land and Natural Resources and conditions of this permit. Rules are available online at <http://hawaii.gov/dlnr/dbor/borrules.htm>.
2. The vessel will be moored at the location designated by the official representative of the Department of Land and Natural Resources and tied up in a manner approved by the representative.
3. This mooring permit shall not exceed (1) year from 09/01/2021 (date) and the mooring privilege under this permit terminates on 08/31/2022 (date). A new mooring permit may be obtained within ninety (90) days prior to the termination date listed above only if all fees and charges due, per Hawaii Administrative Rules, have been paid and upon completion of a satisfactory vessel inspection. Failure to obtain a new mooring permit prior to the termination date listed above shall result in the vessel owner being charged the rate for vessels moored without a permit and may result in the vessel being required to vacate the harbor, offshore mooring area, and/or ramp facility.
4. The PERMITTEE will pay the STATE fees and charges in advance or before the first day of each month for the use of the berth and any additional facilities or services assigned or provided to the PERMITTEE by the STATE, in such sums to be calculated according to the provisions of Hawaii Revised Statutes Section 200-10 (c) and Hawaii Administrative Rules Chapter 13-234, and amendment or increase of such fees. As of the date of this permit's issuance of this permit's issuance, the fees in effect are as follows:

Description	Amount
Mooring Charges (09/2021)	312.00
Electricity Reimburse (09/2021)	40.00
Shower Fee (09/2021)	15.00
Gear Locker Rental (09/2021)	10.00
Grand Total	377.00

5. A mooring permit may be cancelled by a boat owner upon thirty (30) days written notification as prescribed in Section 13-231-9, and charges will be made in accordance with Section 13-234-2(d) of the Small Boat Harbor Rules. The Security Deposit of \$804.00 will be applied to any outstanding balance. The remaining will be returned via mail within a reasonable time.
6. This mooring privilege may be terminated by the Department of Land and Natural Resources by written order of the said representative and the boat will be moved from the mooring at any time on order of the said representative should necessity arise. Failure to do so may result in the impoundment of the vessel.

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7. This mooring permit and related use permits will AUTOMATICALLY EXPIRE if the vessel is absent from its assigned berth, mooring, and/or assigned offshore anchorage area for more than fourteen (14) days unless the holder of the permit applies for and receives permission from the Department to retain the use of the assigned berth and related permits upon the vessel's return (Sec. 13-231-11 of the Small Boat Harbors Rules)
8. A new mooring permit may be obtained within ninety (90) days prior to the termination date listed above only if all fees and charges due, per Hawaii Administrative Rules, have been paid and upon completion of a satisfactory vessel inspection and buoy run. Failure to obtain a new mooring permit prior to the termination date listed on the permit, shall result in the owner being charged the rate for vessels moored without a permit and a one-time payment of \$250.00 shall be paid as long as it is within 30 days from the date of the expiration. Failure to comply with the 30 day extension shall result in the vessels being required to vacate the harbor, offshore mooring area, and/or ramp facility.
9. The department retains the right to not issue a new permit after the termination date of this permit.
10. I shall obtain and continue to secure a Certificate of Insurance policy for General Liability insurance in the amount of \$500,000 and name the State of Hawaii as an additional insured, for as long as my permits is valid. Commercial Permittees shall refer to HAR-13-231-65 on minimum insurance requirements.

Vessel owners will be required to show proof of insurance when applying or reapplying for mooring permits. Acceptable coverage would include a minimum of \$500,000 in boat liability insurance (protection and indemnity) that names the State of Hawaii, Division of Boating and Ocean Recreation as additional insured.

Signed by (Authorized Representative) _____

Print Permittee Name: William Friel II

Date Signed: 8-27-21

Address: _____

Email Address: _____

Business Phone: _____

Cellular Phone: _____

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF BOATING AND OCEAN RECREATION

BY: Corey S. Fujioka

Printed Name

BY: [Signature]

Signature

Date: 8/27/21

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DAVID Y. IGE
GOVERNOR OF HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

EDWARD R. UNDERWOOD
ADMINISTRATOR
BOATING AND OCEAN RECREATION

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF BOATING AND OCEAN RECREATION

ALA WAI SMALL BOAT HARBOR
1651 ALA MOANA BOULEVARD
HONOLULU, HAWAII 96815

BOR-OA 0030.22

July 23, 2021

William Friel III



SUBJECT: NOTICE OF VIOLATION FOR PERSON(S) LIVING/STAYING ABOARD THE VESSEL WITH REG. NO. HA 6708 K WITHOUT VALID AUTHORIZATION

Dear William Friel III:

The vessel named above, for which you are owner of record, is moored at the Ala Wai Small Boat Harbor (SBH), under the jurisdiction of the Division of Boating and Ocean Recreation (DOBOR). Hawaii Administrative Rule (HAR) Section 13-231-26(a) states that no person may use a vessel as a place of principal habitation without a valid permit. Further, HAR Section 13-231-28(a) states that staying aboard a vessel (defined as being aboard a vessel between the hours of 12:00am and 6:00am) at the Ala Wai SBH is prohibited without a valid permit.

YOU ARE HEREBY NOTIFIED that you are in violation of HAR Section 13-231-26(a) and/or 13-231-28(a). You do not have authorization from DOBOR to use your vessel as a place of principal habitation or to stay aboard. DOBOR has observed one or more persons living aboard your vessel and/or you using your vessel as a place of principal habitation. This violation is regardless of whether you are aware persons are living aboard your vessel or whether you gave permission for the person(s) to live aboard your vessel.

ALL PERSONS LIVING OR STAYING ABOARD YOUR VESSEL MUST IMMEDIATELY VACATE THE VESSEL. If DOBOR or law enforcement personnel find anyone living aboard your vessel in the future, you may be subject to criminal and civil penalties including, but not limited to, fines, mooring permit revocation, and impoundment of your vessel.

If you have any questions, please contact our office at (808) 973-9727 between 7:45am to 4:00pm, Monday through Friday, except state holidays.

Sincerely,

A handwritten signature in black ink, likely belonging to Corey S. Fujioka, is written above the printed name.

Corey S. Fujioka
Harbor Master

c: DOCARE

VIA REGULAR AND CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Name and Address of Sender
Ala Wai Small Boat Harbor
1651 Ala Moana Blvd
Honolulu, HI 96815

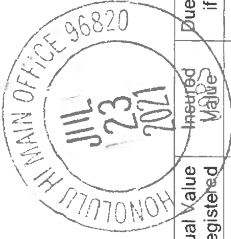
07/23/2021

Check type of mail or service:

- ☒ Certified
☐ COD
☐ Delivery Confirmation
☐ Express Mail
☐ Insured
- ☐ Recorded Delivery (International)
☐ Registered
☐ Return Receipt for Merchandise
☐ Signature Confirmation

Affix Stamp Here
(If issued as a
certificate of mailing,
or for additional
copies of this bill)
Postmark and
Date of Receipt

Illegal Liveaboard Notice



Article Number	Addressee (Name, Street, City, State, & ZIP Code)	Postage	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	DC Fee	SC Fee	SH Fee	RD Fee	RR Fee
1. 7020 2450 0001 4389 0665	<div>William Friel III</div> <div>BOA-OA 0030.22</div>	\$0.51	\$3.60								\$2.85
2. 7020 2450 0001 4389 0672		\$0.51	\$3.60								\$2.85
3. 7020 2450 0001 4389 0689		\$0.51	\$3.60								\$2.85
4. 7020 2450 0001 4389 0696		\$0.51	\$3.60								\$2.85
5. 7020 2450 0001 4389 0702		\$0.51	\$3.60								\$2.85
6. 7020 2450 0001 4389 0719		\$0.51	\$3.60								\$2.85
7. 7020 2450 0001 4389 0726		\$0.51	\$3.60								\$2.85
8. 7020 2450 0001 4389 0733		\$0.51	\$3.60								\$2.85

Total Number of Pieces Listed by Sender
8

Postmaster, Per (Name of receiving employee)

See Privacy Act Statement on Reverse

Complete by Typewriter, Ink, or Ball Point Pen