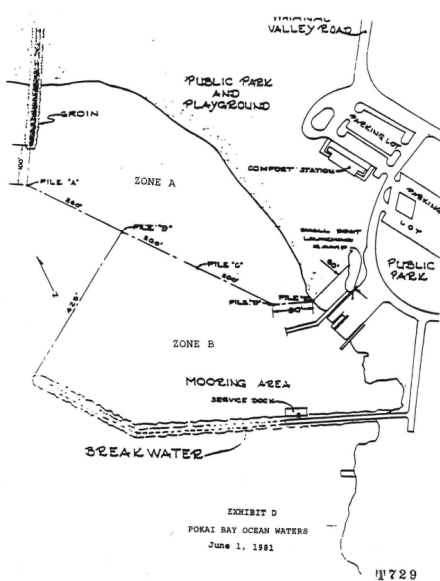


Statement of Proposal

The Wai'anae Community has expressed the need for change to the outdated rules for mooring, and coastal concerns in our District, and this draft proposal helps give effect to those changes. We need your help into the amendment of HAR 13-244-33 to ensure it is appropriate for our environment and for users of our coastal areas, including boaters using moorings. This draft includes provisions to enable the Harbormaster to allocate an emergency space, issue, vary, and review the conditions. This will provide some control over mooring areas, attempt to provide cleaner waters, which we currently don't have. With your help to push the communities feedback and signed signatures of the petition will help community to move forward and decide on the best way forward for the draft to amend HAR 13-244-33.

System Rule No. 209. [Eff 2/24/94, comp] (Auth: HRS §200-24) (Imp: HRS §§200-22, 200-24)



§13-244-33 Pokai Bay ocean waters.

(a) Definition. "Pokai Bay ocean waters" consists of Zone A and Zone B shown on Exhibit "D", attached hereto and made a part hereof. Zone A and Zone B are more particularly described as follows:

(1) Zone A.

(A) Beginning at a point sixty feet in a northerly direction measured along the mean high water mark from the northern edge of the launching ramp; (B) Along the mean high water mark in a northerly direction to a point where the groin intersects the shore; (C) In a seaward direction along a straight line connecting such point described in paragraph (2) to Pile "A"; (D) Along a straight line connecting Pile "A" to Pile "D"; and (E) Along a straight line to, and ending at, the point of beginning.

(2) Zone B.

(A) Beginning at the northern tip of the breakwater; (B) Along a straight line connecting to Pile "B"; (C) Along the seaward Boundary of Zone A to a point where this line intersects the mean high water mark at the beginning point of Zone A; (D) In a southerly direction along the mean high water mark to the breakwater; and (E) Along the breakwater to and ending at the point of beginning.

(B) Restrictions. (1) Zone A of the Pokai Bay ocean waters is reserved for bathing and swimming. No person shall operate, anchor or moor any vessel within the boundaries of Zone A, (2) Zone B is reserved primarily for outrigger canoe activity. No person shall operate, anchor or moor any other vessel within the boundaries of Zone B, other than non powered such as canoes, stand up paddle boards, canoes which is propelled manually described in this section provided that a vessel may temporarily anchor within Zone B for a period not to exceed seventy two hours on a not to interfere basis with scheduled outrigger canoe activities. No person shall swim within the boundaries of Zone B when outrigger canoes are operating within Zone B. This subsection shall not apply in the case of an emergency or to patrol or rescue craft. [Eff 2/24/94, comp] (Auth: HRS §200-24) (Imp: HRS §§200- 22, 200-24)

(3) Zone C.

(A) Beginning at the northern tip of the breakwater; (B) along a straight line connecting to Pile "A"

(B) Restrictions. (1) Zone B is reserved primarily for a vessel to temporarily anchor within Zone C for a period not to exceed seventy-two hours on a not to interfere basis with scheduled outrigger canoe activities.

Yellow: should be edited.

Stricken: should be removed

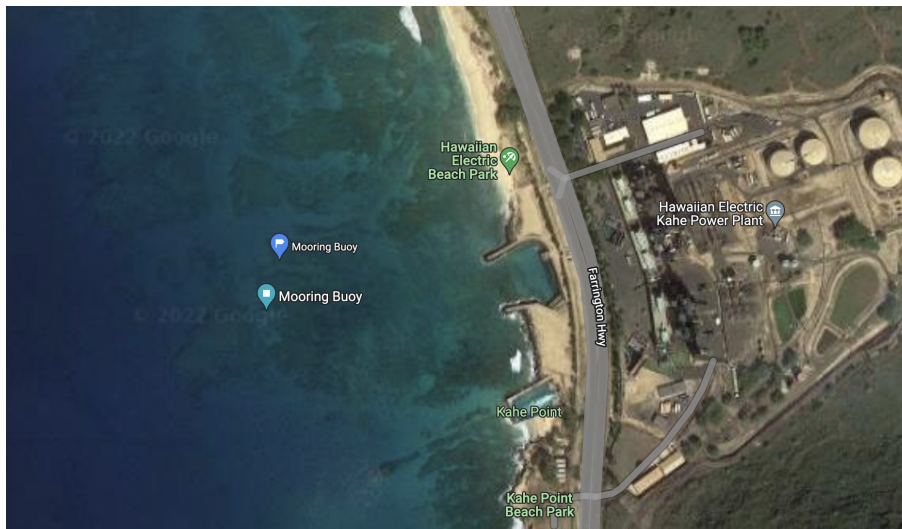
Blue: should be added

The Wai'anae Community is proposing amendments to [HAR §13-244-33](#) because vessels mooring at Pōka'i Bay has become a generational issue in regards to the water quality. It is an overdue concern that vessels bilge pumps and hazardous chemicals, dumping human waste into this area, has been a contributing factor in polluting our ocean and swimming areas. In addition, safety concerns that boaters have driven their vessels to the shoreline while children were swimming the reckless boater wouldn't slow down or stop. While moored so close to this recreational area, the vessels obstruct the view of the lifeguards. There was an incident where a young female drowned near the breakwater.

Zone B, at one point in time, there were launching ramps and service docks that were used to measure the buoy's correct azimuth. The measurements can't be effectively managed, and if it no longer complies with the rules, they should be removed and relocated. Reference: {[HAR §13-244-33](#) section (1) (A) Beginning at a point sixty feet in a northerly direction measured along the mean high water mark from the northern edge of the launching ramp}

Options considered by Wai'anae Community as part of the moorings review by Department of Boating and Ocean Recreations to consider the following options:

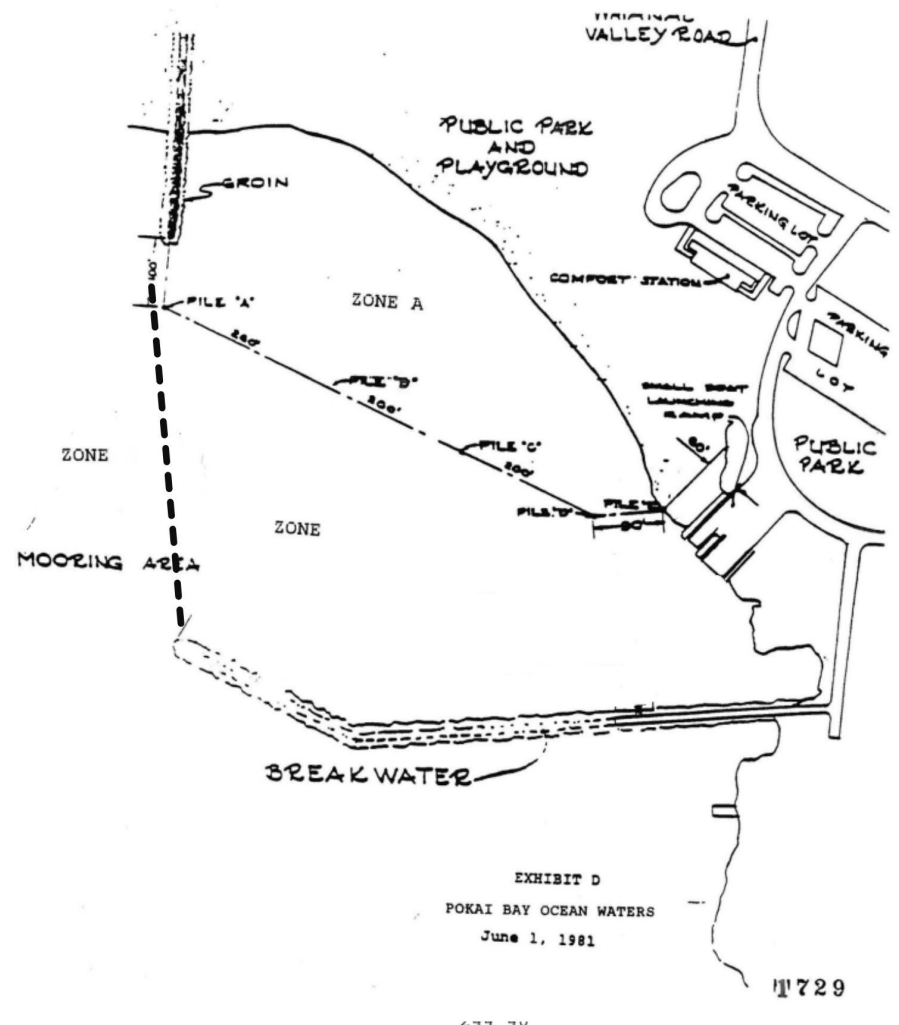
Option 1: to remove parts of Zone (B) in section (B) Restrictions. (2) **described in this section provided that a vessel may temporarily anchor within Zone B for a period not to exceed seventy two hours on a not to interfere basis with scheduled outrigger canoe activities.** To remove the 72-hour mooring in Zone B and relocate to Electric/Kahe Point Beach Park 92-201 Farrington Hwy, Kapolei, HI 96707; and or of DOBOR's own location of choosing relocated to open waters that the Mooring Areas will have conditions regarding the location, safety, and management of the Mooring.



Mooring Ball
(Underwater):
21.355508,
-158.134108

Mooring Ball
(Underwater):
21.356133,
-158.133931

Option 2: relocate the mooring to Zone C which would begin at the northern tip of the breakwater; along a straight line connecting to Pile "A"; and the amendment shall provide Mooring in an emergency case designated by the Harbormaster within the Wai'anae Small Boat Harbor. That Mooring Areas be permitted only to the suggested relocation of buoys, once-a-year permit, special permitting, i.e., for the Hokulea or E Ala, and or no more than three times a year or something along those lines.



Here are the Mooring Ball's that is currently in this location:

Ammo Reef 1 Latitude (GPS) – 21 26.717 N Longitude (GPS) – 158 11.924 W Mooring Depth – 45 feet
Ball Depth –15 feet Mooring Type – pin

Ammo Reef 2 Latitude (GPS) – 21 26.920 N Longitude (GPS) – 158 12.200 W Mooring Depth – 45 feet
Ball Depth – 15 feet Mooring Type – pin

Ammo Reef 3 Latitude (GPS) – 21 26.629 N Longitude (GPS) – 158 11.813 W Mooring Depth – 45 feet
Ball Depth – 15 feet Mooring Type – pin

Ammo Reef 4 Latitude (GPS) – 21 26.650 N Longitude (GPS) – 158 11.773 W Mooring Depth – 45 feet
Ball Depth – 15 feet Mooring Type – pin



References:

[HRS 188-35](#) Poka'i Bay is a conservation area from Kane'ilio point to Lahilahi point.

[HR 122](#): Urging The United States Army Corps Of Engineers, The Department Of Land And Natural Resources, The Department Of Health, The City And County Of Honolulu, And The University Of Hawaii To Collaborate To Create A Mechanism For Generating Water Circulation In Pokai Bay On Leeward Oahu. (2017)

[HR 128](#): Urging The Department Of Health To Prioritize The Testing And Research Of Beach Sand Contamination Levels At Pokai Bay On Oahu'S Leeward Coast And Requesting The City And County Of Honolulu To Renovate Its Public Facilities At Pokai Bay To Mitigate Environmental And Health Risks Caused By Pollution And Contaminants. (2020)

[HR 107](#): Urging the Department of Health to prioritize the testing and research of beach sand contamination levels at Poka'i Bay on Oahu's leeward coast and the City and County of Honolulu to renovate it's public facilities at Poka'i Bay to mitigate environmental and health risk caused by pollution and contaminants. (2020)

February 4th , 2021. WNB #24 [Resolution](#) Urging the City and County of Honolulu and the State of Hawaii to resolve multiple Community concerns at Maale'a Bay/Pokai Bay. 7) *The Department of Boating and Ocean Recreation will remove the 72 hour mooring zone from Pokai Bay and relocate it to another location, somewhere that is not within a Conservation Area and highly populated swimming area. Bilge pumps automatically pumps out water and could potentially pump hazardous chemicals from a vessels hull and into the ocean. Boaters have been seen dumping buckets of human waste over the side and into the ocean. These hazardous chemicals and human waste pollute our ocean and swimming areas.*