

(Date)

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

Amendments to Chapter 13-244
Hawaii Administrative Rules

(Date of Adoption)

Section 13-244-33, Hawaii Administrative Rules, is amended to read as follows:

§13-244-33 Pōka`i Bay ocean waters. (a) Definition. "Pōka`i 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;~~] Beginning at the existing northern groin.

(B) [~~Along the mean high water mark in a northerly direction to a point where the groin intersects the shore;~~] Along the mean high water mark in a westerly direction to the breakwater;

(C) [~~In a seaward direction along a straight line connecting such point described in paragraph (2) to Pile "A";~~] In a seaward direction along a curved buoy line established by the department extending from the breakwater across the bay to a point offshore of the northern groin described in subparagraph (A), as depicted on Exhibit "D";

(D) ~~Along a straight line connecting Pile "A" to Pile "D";~~]

~~(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";]~~
Along the seaward boundary of Zone A described in paragraph (1);

(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]~~ northerly direction along the mean high water mark to the ~~[breakwater]~~ groin; and

(E) ~~[Along the breakwater to and ending at the point of beginning].~~ The department may install and maintain a regulatory buoy within the outer boundary of Zone B displaying a "No Boats" symbol or sign to clearly identify the restricted area and assist with public awareness and enforcement of the Zone B restrictions.

(b) Restrictions.

(1) Zone A of the Pōka'i Bay ocean waters is reserved for bathing and swimming. No person shall operate, anchor or moor any vessel within the boundaries of Zone A described in this section. This subsection shall not apply in the case of an emergency or to patrol or rescue craft.

(2) Zone B is reserved primarily for outrigger canoe and non-motorized recreational activity. No person shall operate, anchor or moor any other vessel within the boundaries of ~~[Zone B]~~ Pōka'i Bay. ~~, 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. (Auth: HRS §200-24) (Imp: HRS
§§200-22, 200-24)