

DEPARTMENT OF LAND AND NATURAL RESOURCES

Adoption of Chapter 13-257
Hawaii Administrative Rules

July 14, 1995

SUMMARY

1. Chapter 13-257, Hawaii Administrative Rules, entitled "Day Use Mooring Rules", is adopted.

HAWAII ADMINISTRATIVE RULES

TITLE 13

DEPARTMENT OF LAND AND NATURAL RESOURCES

SUBTITLE 11

DIVISION OF BOATING AND OCEAN RECREATION

CHAPTER 257

DAY USE MOORING RULES

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- §13-257-2 Day use mooring permit
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§13-257-54 Recreational vessel use of Molikini day use
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§13-257-55 Speed Restrictions

§13-257-56 Anchoring restrictions

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Subchapter 6 Day Use Moorings, Island of Molokai

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§13-257-81 to §13-257-90 (Reserved)

Subchapter 8 Day Use Moorings, Island of Kauai

§13-257-91 to §13-257-120 (Reserved)

Subchapter 1 General Provisions

§13-257-1 Purpose and scope. (a) The purpose of the day use mooring rules and zones is to reduce damage to coral and other marine life as a result of continuous use of anchors by commercial and recreational vessels in zones of high dive and mooring activity statewide.

(b) The rules describe the provisions for mooring at state day use mooring buoys and the zones where the buoys are located. [Eff SEP 16 1995] {Auth: HRS §§200-2, 200-3, 200-4, 200-10) (Imp: HRS §200-10)

§13-257-2 Day use mooring permit. An owner of vessel using a day use mooring established under this chapter shall not be required to apply for a day use mooring permit from the department, except as otherwise provided in this chapter. Any use of a state day use mooring shall be at the sole risk of the owner or operator of the vessel using the mooring. [Eff SEP 16 1995] (Auth: HRS §§200-2, 200-3, 200-4, 200-10) (Imp: HRS §200-10)

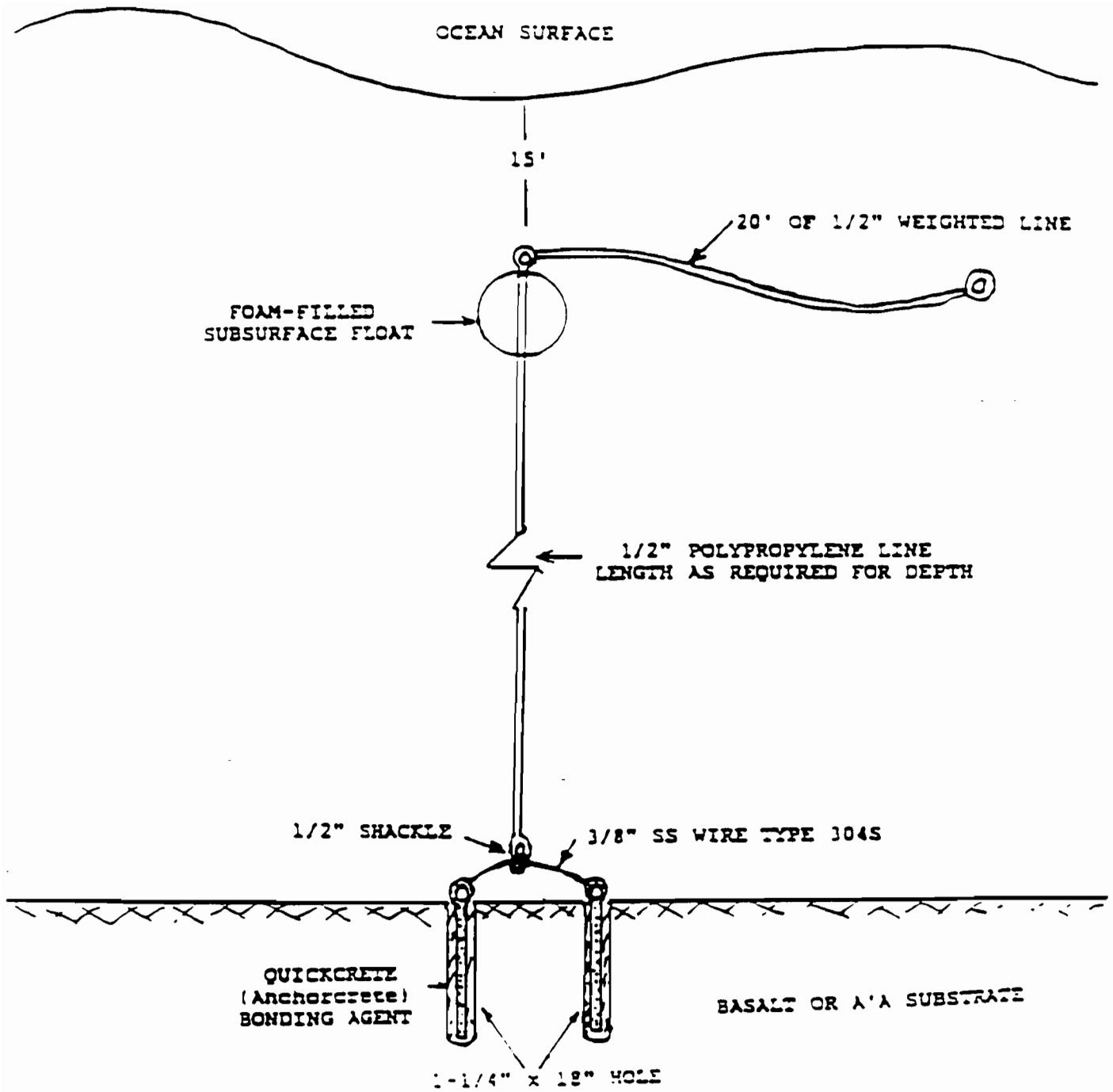
§13-257-3 Time limit. (a) The time limit for use of a day use mooring buoy by any one vessel shall not exceed two and one half hours when another vessel is waiting for the use of that mooring buoy, except as provided by section 13-37-3 for the old Kona airport marine life conservation district.

(b) Overnight mooring is prohibited except in case of emergency or by enforcement or rescue craft. [Eff SEP 16 1995] (Auth: HRS §§200-2, 200-3, 200-4, 200-10) (Imp: HRS §200-10)

§13-257-4 Anchoring restrictions. Anchoring is prohibited within one hundred yards of any day use mooring buoy, except as otherwise provided in these rules. Anchoring elsewhere in a day use mooring zone is permitted in areas of sand, rock, or rubble bottom types where no live corals exist. [Eff SEP 16 1995] (Auth: HRS §§200-2, 200-3, 200-4, 200-10) (Imp: HRS §200-10)

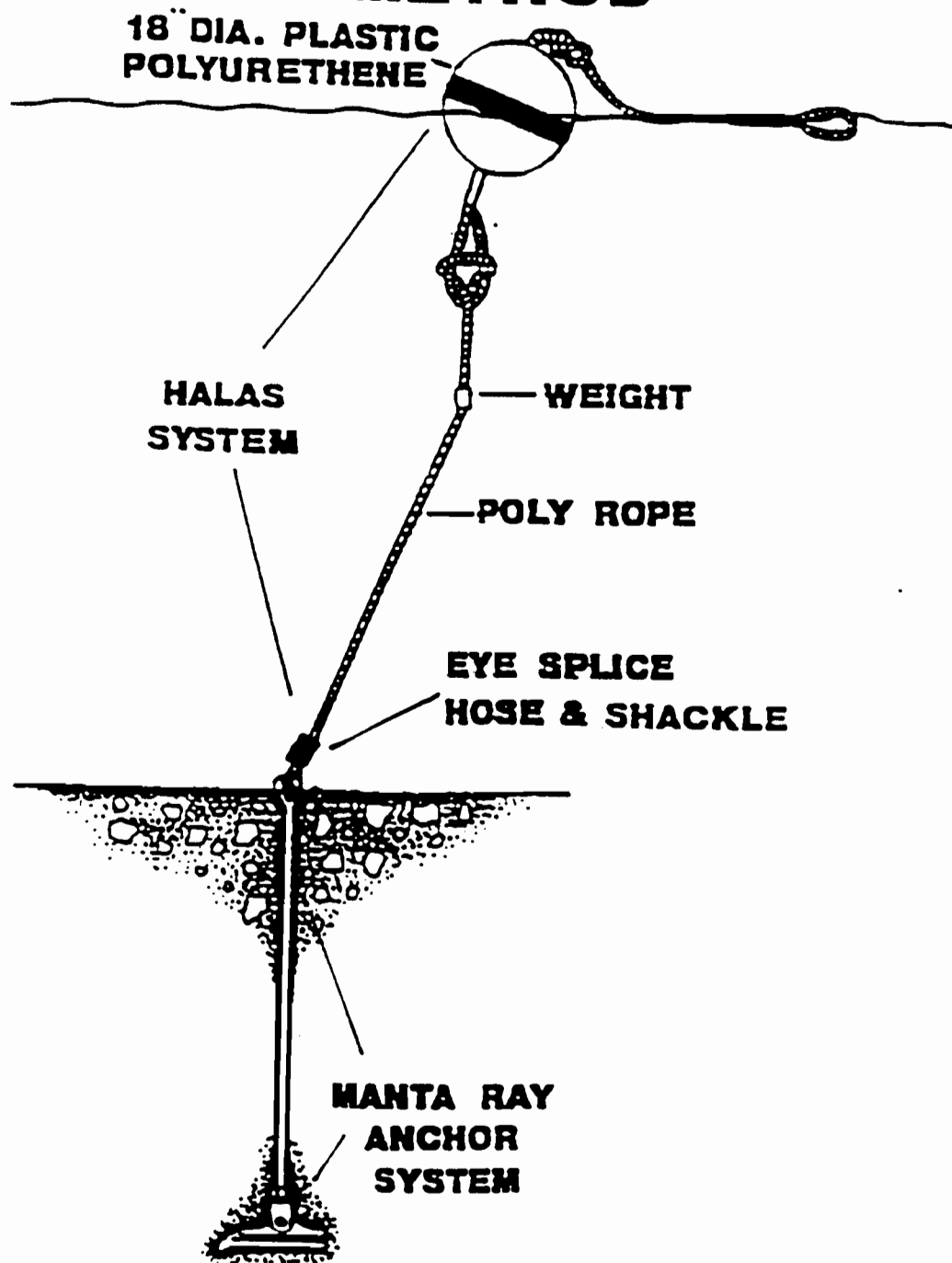
§13-257-5 Day use mooring buoy installation. Design guidelines for a typical day use mooring buoy installation is as shown on Exhibits "DM-00", "DM-00-A" and "DM-00-B", dated December 16, 1994, located at the end of this subchapter. [Eff SEP 16 1995] (Auth: HRS §§200-2, 200-3, 200-4, 200-10) (Imp: HRS §200-10)

§13-257-6 to §13-257-15 (Reserved)

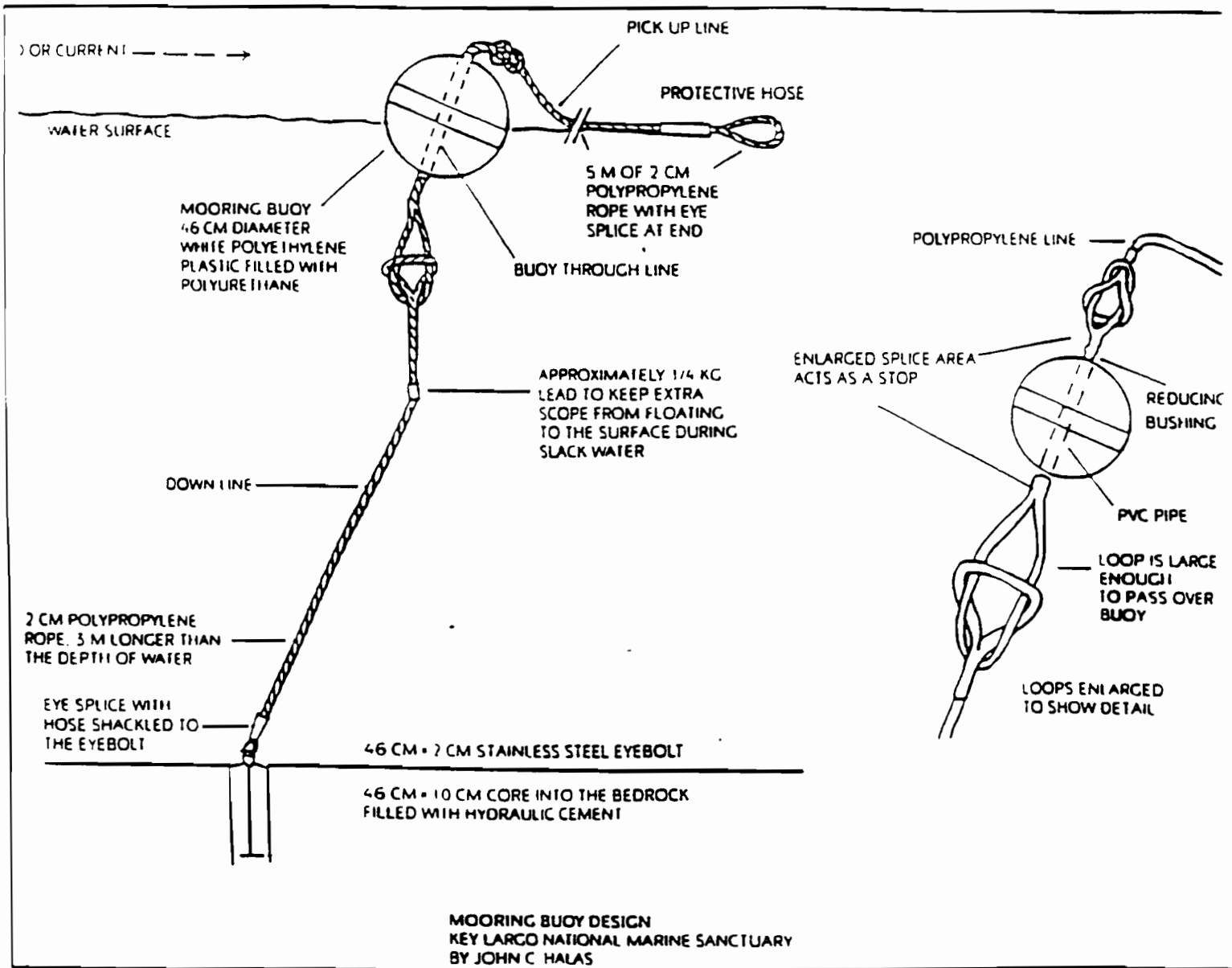


DAY USE MOORING RULES
 TYPICAL SUB-SURFACE DAY USE
 MOORING INSTALLATION
 EXHIBIT "DM-00"
 NOVEMBER 15, 1990

MOORING BUOY METHOD



DAY USE MOORING RULES
TYPICAL SUB-SURFACE DAY USE
"MANTA RAY"
MOORING INSTALLATION
EXHIBIT "DM-00-A"
DECEMBER 16, 1994



DAY USE MOORING RULES
TYPICAL SURFACE DAY USE
MOORING INSTALLATION
EXHIBIT "DM-00-B"
DECEMBER 16, 1994

Subchapter 2 Day Use Mooring, Island of Hawaii

§13-257-16 Kaiholena to Malae Point day use mooring zone.

(a) Kaiholena to Malae Point day use mooring zone is encompassed by the boundaries as shown on Exhibit "DM-01" dated November 15, 1990, located at the end of this subchapter and described as follows:

Beginning at a point at the high water mark at the tip of Malae Point and measured by azimuth clockwise from True South; 050 degrees for a distance of four hundred seventy-five feet; 161 degrees for a distance of four thousand eight hundred fifty feet; 150 degrees for a distance of two thousand feet; 167.5 degrees for a distance of seven thousand three hundred thirty feet; 246.5 degrees to the high water mark at the shoreline; then along the shoreline to the point of beginning.

(b) The following buoys are within the mooring zone described in this section.

- (1) Buoy "DM-01" located at a point on the water measured by azimuth clockwise from True South, 152.5 degrees for a distance of four thousand four hundred fifty feet from the southwest tip of Keaweula Bay.
- (2) Buoy "DM-02" located at a point on the water measured by azimuth clockwise from True South, 143 degrees for a distance of two thousand eight hundred ten feet from the southwest tip of Keaweula Bay.
- (3) Buoy "DM-03" located at a point on the water measured by azimuth clockwise from True South, 154 degrees for a distance of five hundred ninety feet from the southwest tip of Keaweula Bay. [Eff SEP 16 1995 (Auth: HRS §§200-2, 200-3, 200-4, 200-10) (Imp: HRS §200-10)]

§13-257-17 Malae Point to Kaiopae Point day use mooring zone. (a) Malae Point to Kaiopae Point day use mooring zone is encompassed by the boundaries as shown on Exhibit "DM-02" dated November 15, 1990, located at the end of this subchapter and described as follows:

Beginning at a point at the high water mark at the tip of Kaiopae Point and measured by azimuth clockwise from True South; 056 degrees for a distance of six hundred ten feet; 137 degrees for a distance of six thousand five hundred eighty feet; 151 degrees for a distance of forty thousand six hundred feet; 148 degrees for a distance of six thousand nine hundred ninety-five feet; then in a straight line to the high water mark at the Malae Point shoreline; then along the shoreline to the point of beginning.

(b) The following buoys are within the mooring zone described in this section.

- (1) Buoy "DM-04" located at a point on the water measured by azimuth clockwise from True South, 354 degrees for a

distance of one thousand feet from the northwest tip of Kalala Gulch Cove.

- (2) Buoy "DM-05" located at a point on the water measured by azimuth clockwise from True South, 333 degrees for a distance of two thousand six hundred feet from the northwest tip of Kalala Gulch Cove.
- (3) Buoy "DM-06" located at a point on the water measured by azimuth clockwise from True South, 113.5 degrees for a distance of one thousand one hundred feet from the southeast tip of Kamilo Gulch Cove.
- (4) Buoy "DM-07" located at a point on the water measured by azimuth clockwise from True South, 001 degrees for a distance of one thousand one hundred feet from the southeast tip of Kamilo Gulch Cove.
- (5) Buoy "DM-08" located at a point on the water measured by azimuth clockwise from True South, 314 degrees for a distance of two thousand six hundred fifty feet from the southeast tip of Kamilo Gulch Cove.
- (6) Buoy "DM-09" located at a point on the water measured by azimuth clockwise from True South, 095 degrees for a distance of one thousand one hundred ten feet from the northwest tip of Keawewai Gulch Cove. [Eff SEP 16 1995] (Auth: HRS §§200-2, 200-3, 200-4, 200-10) (Imp: HRS §200-10)

§13-257-18 Pauoa Bay to Honokaope Bay day use mooring zone.

(a) Pauoa Bay to Honokaope Bay day use mooring zone is encompassed by the boundaries as shown on Exhibit "DM-03" dated November 15, 1990, located at the end of this subchapter and described as follows:

Beginning at a point at the high water mark at the tip of Lae o Panipou Point and measured by azimuth clockwise from True South; 124 degrees for a distance of one thousand two hundred feet; 060 degrees for a distance of two thousand nine hundred twenty feet; 044 degrees for a distance of seven thousand two hundred fifty feet; then in a straight line to the high water mark at the Anaehoomalu "trig" shoreline; then along the shoreline to the point of the beginning.

(b) The following buoys are within the mooring zone described in this section.

- (1) Buoy "DM-10" located at a point on the water measured by azimuth clockwise from True South, 081.5 degrees for a distance of one thousand one hundred fifty feet from Keanapukalua Point.
- (2) Buoy "DM-11" located at a point on the water measured by azimuth clockwise from True South, 057 degrees for a distance of two thousand feet from Keanapukalu Point. [Eff SEP 16 1995] (Auth: HRS §§200-2, 200-3, 200-4, 200-10) (Imp: HRS §200-10)

§13-257-19 Kaauau Point to Kapalaoa Point day use mooring zone. (a) Kaauau Point to Kapalaoa Point day use mooring zone is encompassed by the boundaries as shown on Exhibit "DM-04" dated November 15, 1990, located at the end of this subchapter and described as follows:

Beginning at a point at the high water mark at the tip of Kaauau Point and measured by azimuth clockwise from True South; 053 degrees for a distance of four thousand one hundred eighty feet; then in a straight line to the high water mark at Kapalaoa Point shoreline; then along the shoreline to the point of beginning.

(b) The following buoy is within the mooring zone described in this section.

- (1) Buoy "DM-12" located at a point on the water measured by azimuth clockwise from True South, 219 degrees for a distance of three thousand fifty feet from Kapalaoa Point. [Eff SEP 16 1995 1 (Auth: HRS §§200-2, 200-3, 200-4, 200-10) (Imp: HRS §200-10)]

§13-257-20 Makako Bay to Kalihi Point day use mooring zone.

(a) Makako Bay to Kalihi Point day use mooring zone is encompassed by the boundaries as shown on Exhibit "DM-05" dated November 15, 1990, located at the end of this subchapter and described as follows:

Beginning at a point at the high water mark at the tip of Kalihi Point and measured by azimuth clockwise from True South; 062 degrees for a distance of five hundred fifty feet; 150 degrees for a distance of two thousand nine hundred seventy-five feet; 012.5 degrees for a distance of one thousand three hundred twenty-five feet; 040 degrees for a distance of three thousand four hundred feet; 270 degrees to the high water mark of the shoreline; then along the shoreline to the point of beginning.

(b) The following buoys are within the mooring zone described in this section.

- (1) Buoy "DM-13" located at a point on the water measured by azimuth clockwise from True South, 214 degrees for a distance of three thousand two hundred fifty feet from Keahole Lighthouse.
- (2) Buoy "DM-14" located at a point on the water measured by azimuth clockwise from True South, 178 degrees for a distance of one thousand three hundred forty feet from Keahole Lighthouse. [Eff SEP 16 1995](Auth HRS §§200-2, 200-3, 200-4, 200-10) (Imp: HRS §200-10)

§13-257-21 Wawaloli Beach to Maliu Point day use mooring zone. (a) Wawaloli Beach to Maliu Point day use mooring zone is encompassed by the boundaries as shown on Exhibit "DM-06" dated November 15, 1990, located at the end of this subchapter and described as follows:

Beginning at a point at the high water mark at the tip of Maliu Point and measured by azimuth clockwise from True South; 140 degrees for a distance of ten thousand five hundred feet; 158.5 degrees for a distance of four thousand five hundred forty feet; 180 degrees for a distance of two thousand two hundred fifty feet; 151 degrees for a distance of three thousand ninety feet; 242 degrees to the high water mark of the shoreline; then along the shoreline to the point of beginning.

(b) The following buoys are within the mooring zone described in this section.

- (1) Buoy "DM-15" located at a point on the water measured by azimuth clockwise from True South, 172 degrees for a distance of four thousand three hundred seventy-five feet from Puhili Point.
- (2) Buoy "DM-16" located at a point on the water measured by azimuth clockwise from True South, 170 degrees for a distance of two thousand six hundred twenty-five feet from Puhili Point.
- (3) Buoy "DM-17" located at a point on the water measured by azimuth clockwise from True South, 152 degrees for a distance of one thousand one hundred fifty feet from Puhili Point.
- (4) Buoy "DM-18" located at a point on the water measured by azimuth clockwise from True South, 002 degrees for a distance of nine hundred eighty feet from Puhili Point.
- (5) Buoy "DM-19" located at a point on the water measured by azimuth clockwise from True South, 121 degrees for a distance of one thousand six hundred feet from Wawahiwaa Point (Heiau).
- (6) Buoy "DM-20" located at a point on the water measured by azimuth clockwise from True South, 073 degrees for a distance of seven hundred fifty feet from Wawahiwaa Point (Heiau).
- (7) Buoy "DM-21" located at a point on the water measured by azimuth clockwise from True South, 005 degrees for a distance of seven hundred fifty feet from Wawahiwaa Point (Heiau).
- (8) Buoy "DM-22" located at a point on the water measured by azimuth clockwise from True South, 312 degrees for a distance of one thousand four hundred fifty feet from Wawahiwaa Point (Heiau).
- (13) Buoy "DM-23" located at a point on the water measured by azimuth clockwise from True South, 143 degrees for a distance of one thousand seven hundred feet from Kaloko Point.
- (14) Buoy "DM-24" located at a point on the water measured by azimuth clockwise from True South, 069 degrees for a distance of one thousand one hundred twenty-five feet from Kaloko Point. [Eff SEP 16 1995] (Auth: HRS §§200-2, 200-3, 200-4, 200-10) (Imp: HRS §200-10)

§13-257-22 Kaiwi Point to Kukailimoku Point day use mooring zone. (a) Kaiwi Point to Kukailimoku Point day use mooring zone **is** encompassed by the boundaries as shown on Exhibit "DM-07" dated November 15, 1990, located at the end of this subchapter and described as follows:

Beginning at a point at the high water mark at the tip of Kukailimoku Point and measured by azimuth clockwise from True South; 000 degrees for a distance of nine hundred fifty feet; 117.5 degrees for a distance of seven thousand three hundred eighty feet; 099 degrees for a distance of two thousand five hundred feet; 140 degrees for a distance of three thousand eighty feet; 159 degrees for a distance of one thousand nine hundred feet; 270 degrees to the high water mark of the shoreline; then along the shoreline to the point of beginning.

(b) The following buoys are within the mooring zone described in this section.

- (1) Buoy "DM-25" located at a point on the water measured by azimuth clockwise from True South, 001 degrees for a distance of seven hundred feet from Kaiwi Point.
- (2) Buoy "DM-26" located at a point on the water measured by azimuth clockwise from True South, 351 degrees for a distance of one thousand six hundred ninety feet from Kaiwi Point.
- (3) Buoy "DM-27" located at a point on the water measured by azimuth clockwise from True South, 115 degrees for a distance of one thousand five hundred fifty feet from Keahuolu Point.
- (4) Buoy "DM-28" located at a point on the water measured by azimuth clockwise from True South, 010 degrees for a distance of five hundred feet from Keahuolu Point.
- (5) Buoy "DM-29" located at a point on the water measured by azimuth clockwise from True south, 288 degrees for a distance of one thousand three hundred feet from Keahuolu Point.
- (6) Buoy "DM-30" located at a point on the water measured by azimuth clockwise from True South, 293 degrees for a distance of three thousand three hundred eighty feet from Keahuolu Point.
- (7) Buoy "DM-31" located at a point on the water measured by azimuth clockwise from True south, 113 degrees for a distance of four thousand three hundred ninety feet from Kukailimoku Point.
- (8) Buoy "DM-32" located at a point on the water measured by azimuth clockwise from True South, 107 degrees for a distance of two thousand three hundred fifty feet from Kukailimoku Point.
- (9) Buoy "DM-33" located at a point on the water measured by azimuth clockwise from True South, 039 degrees for a distance of six hundred feet from Kukailimoku Point.
[Eff SEP 16 1995] (Auth: HRS §§200-2, 200-3, 200-4, 200-10) (Imp: HRS §200-10)

§13-257-23 Kuamoo Bay to Paaaoa Bay day use mooring zone.

(a) Kuamoo Bay to Paaaoa Bay day use mooring zone is encompassed by the boundaries as shown on Exhibit "DM-08" dated November 15, 1990, located at the end of this subchapter and described as follows:

Beginning at a point at the high water mark at the Keauhou Coast "trig station" and measured by azimuth clockwise from True South; 090 degrees for a distance of eight hundred thirty feet; 335 degrees for a distance of eight thousand four hundred feet; 270 degrees to the shoreline of the northwest tip of Paaaoa Bay; then along the shoreline to the point of beginning.

(b) The following buoys are within the mooring zone described in this section.

- (1) Buoy "DM-34" located at a point on the water measured by azimuth clockwise from True South, 025 degrees for a distance of eight hundred fifteen feet from the Keauhou Coast "trig station"
- (2) Buoy "DM-35" located at a point on the water measured by azimuth clockwise from True South, 087 degrees for a distance of one thousand one hundred feet from Kalanui Point.
- (3) Buoy "DM-36" located at a point on the water measured by azimuth clockwise from True South, 073 degrees for a distance of seven hundred feet from Kuamoo Point.
- (4) Buoy "DM-37" located at a point on the water measured by azimuth clockwise from True South, 115 degrees for a distance of one thousand seventy-five feet from Leinokano Point. [Eff SEP 16 1995] (Auth: HRS §§200-2, 200-3, 200-4, 200-10) (Imp: HRS §200-10)

§13-257-24 Paaaoa Bay to Cook Point day use mooring zone.

(a) Paaaoa Bay to Cook Point day use mooring zone is encompassed by the boundaries as shown on Exhibit "DM-09" dated November 15, 1990, located at the end of this subchapter and described as follows:

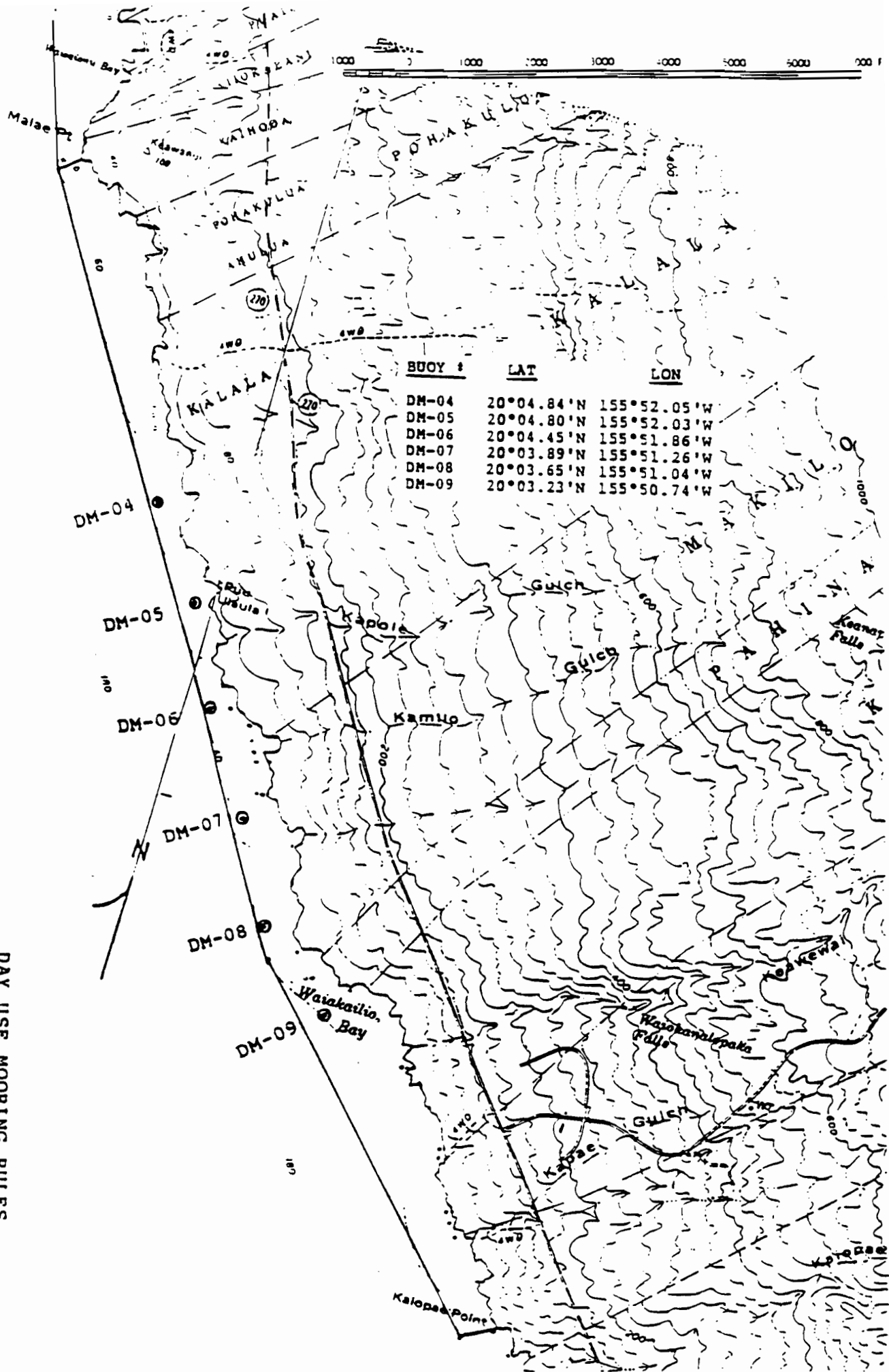
Beginning at a point at the high water mark at the northwest tip of Paaaoa bay and measured by azimuth clockwise from True South; 090 degrees for a distance of one thousand seventy-five feet; 015.5 degrees for a distance of five thousand nine hundred fifty-five feet; 329 degrees for a distance of eight thousand five hundred fifty feet; 009 degrees for a distance of three thousand three hundred feet; 335 degrees for a distance of one thousand nine hundred feet; 295 degrees for a distance of four thousand six hundred ninety feet; 213 degrees to the high water mark at Cook Point; then along the shoreline to the point of beginning.

(b) The following buoys are within the mooring zone described in this section.

- (1) Buoy "DM-33" located at a point on the water measured by azimuth clockwise from True South, 156 degrees for a distance of nine hundred eighty feet from Paaoao Point.
- (2) Buoy "DM-39" located at a point on the water measured by azimuth clockwise from True South, 090 degrees for a distance of eight hundred feet from Paaoao Point.
- (3) Buoy "DM-40" located at a point on the water measured by azimuth clockwise from True South, 155 degrees for a distance of eight hundred feet from Kekeiwaha Point.
- (4) Buoy "DM-41" located at a point on the water measured by azimuth clockwise from True South, 069 degrees for a distance of seven hundred fifty feet from Keikiwaha Point.
- (5) Buoy "DM-42" located at a point on the water measured by azimuth clockwise from True South, 130 degrees for a distance of two thousand seven hundred ten feet from the Puu Ohau "trig station".
- (6) Buoy "DM-43" located at a point on the water measured by azimuth clockwise from True South, 075 degrees for a distance of one thousand six hundred seventy-five feet from the Puu Ohau "trig station".
- (7) Buoy "DM-44" located at a point on the water measured by azimuth clockwise from True South, 000 degrees for a distance of two thousand one hundred feet from the Keauhou Coast "trig station".
- (8) Buoy "DM-45" located at a point on the water measured by azimuth clockwise from True South, 181 degrees for a distance of two thousand nine hundred ninety feet from Keawekaheha Point.
- (9) Buoy "DM-46" located at a point on the water measured by azimuth clockwise from True South, 168 degrees for a distance of one thousand three hundred fifty feet from Keawekaheha Point. [Eff SEP 16 1995] (Auth: HRS §§200-2, 200-3, 200-4, 200-10) (Imp: HRS §200-10)

§13-257-25 to §13-257-35

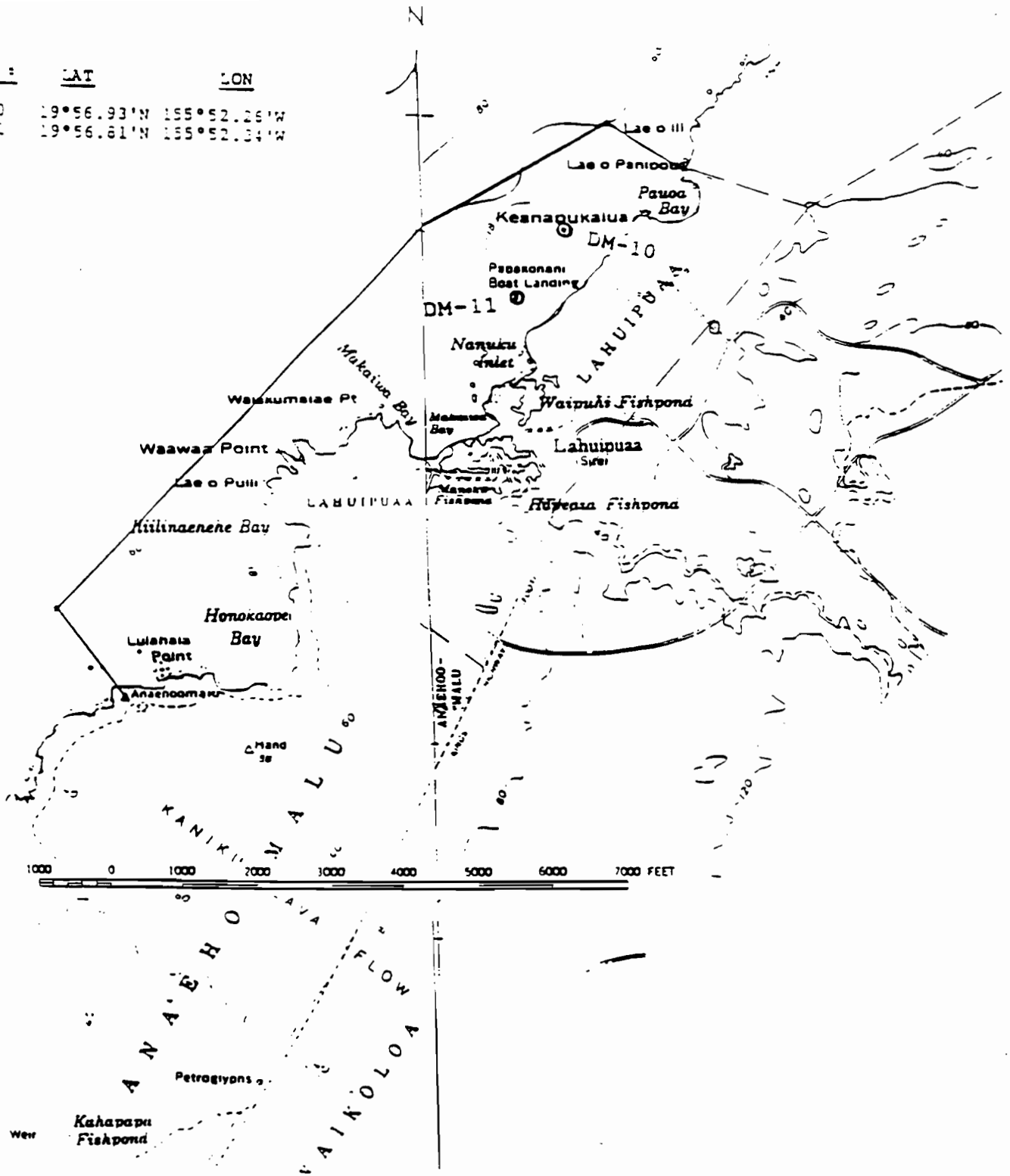
(Reserved)



BUOY #	LAT	Lon
DM-04	20°04.84' N	155°52.05' W
DM-05	20°04.80' N	155°52.03' W
DM-06	20°04.45' N	155°51.86' W
DM-07	20°03.89' N	155°51.26' W
DM-08	20°03.65' N	155°51.04' W
DM-09	20°03.23' N	155°50.74' W

DAY USE MOORING RULES
 WEST HAWAII - MALAE POINT TO KAILOPAE POINT
 NORTH KOHALA, HAWAII
 EXHIBIT "DM-02"
 NOVEMBER 15, 1990
 SOUNDINGS IN FEET

BUOY :	LAT	LONG
DM-10	19°56.93'N	155°52.26'W
DM-11	19°56.81'N	155°52.34'W

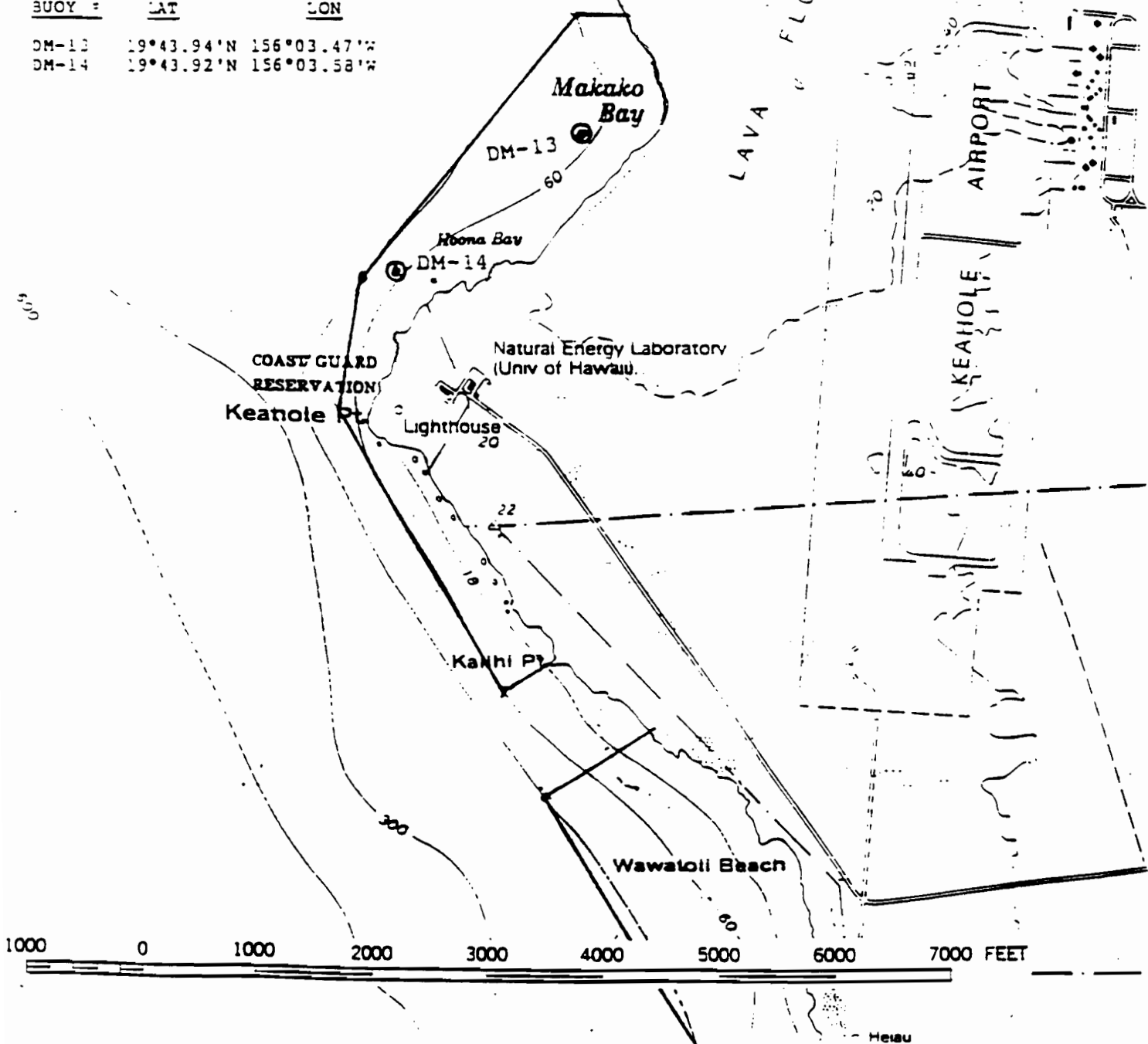


DAY USE MOORING RULES
 WEST HAWAII - PAUOA BAY TO HONOKAOPE BAY
 SOUTH KOHALA, HAWAII
 EXHIBIT "DM-03"
 NOVEMBER 15, 1990
 SOUNDINGS IN FEET

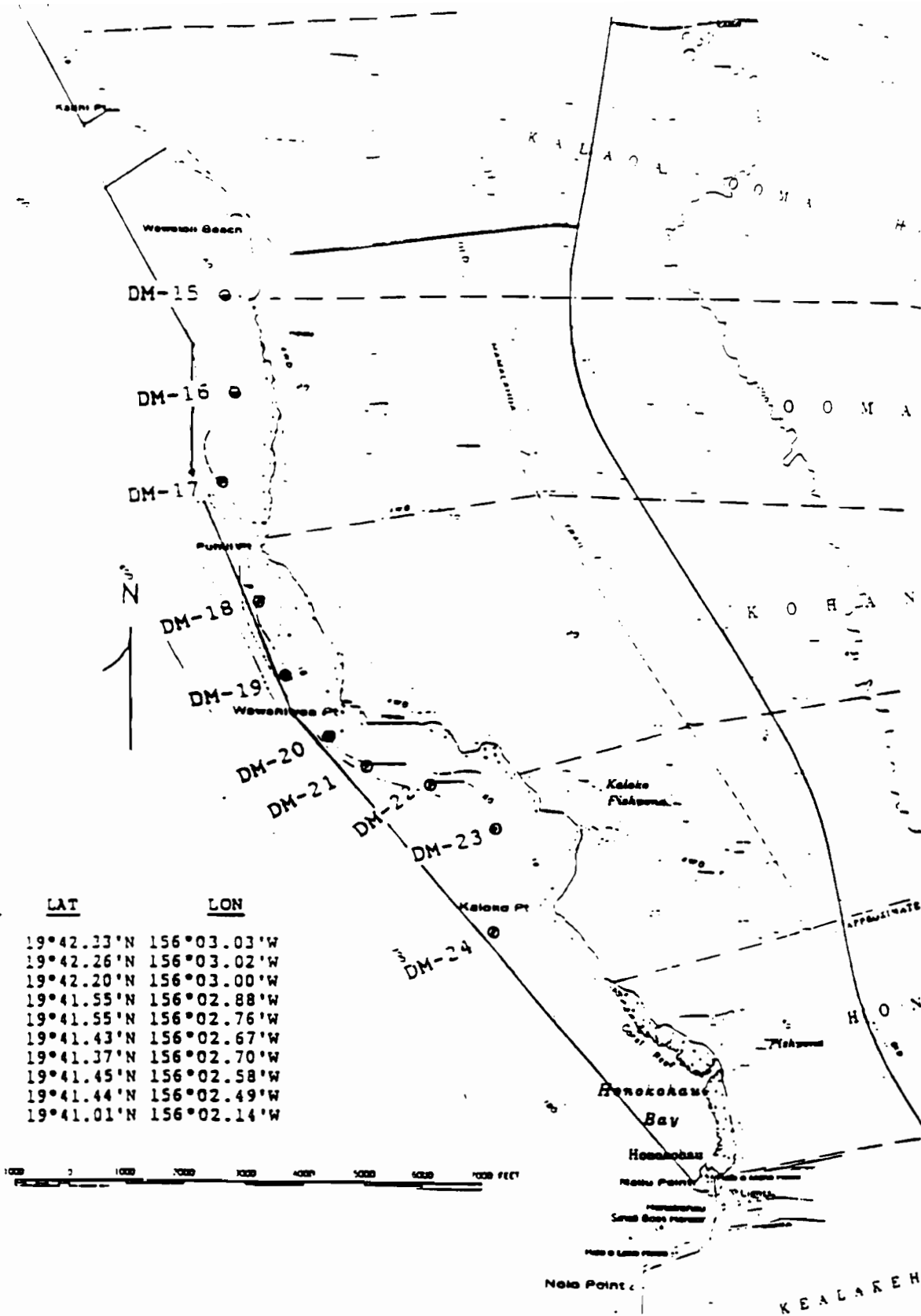
Original Pt



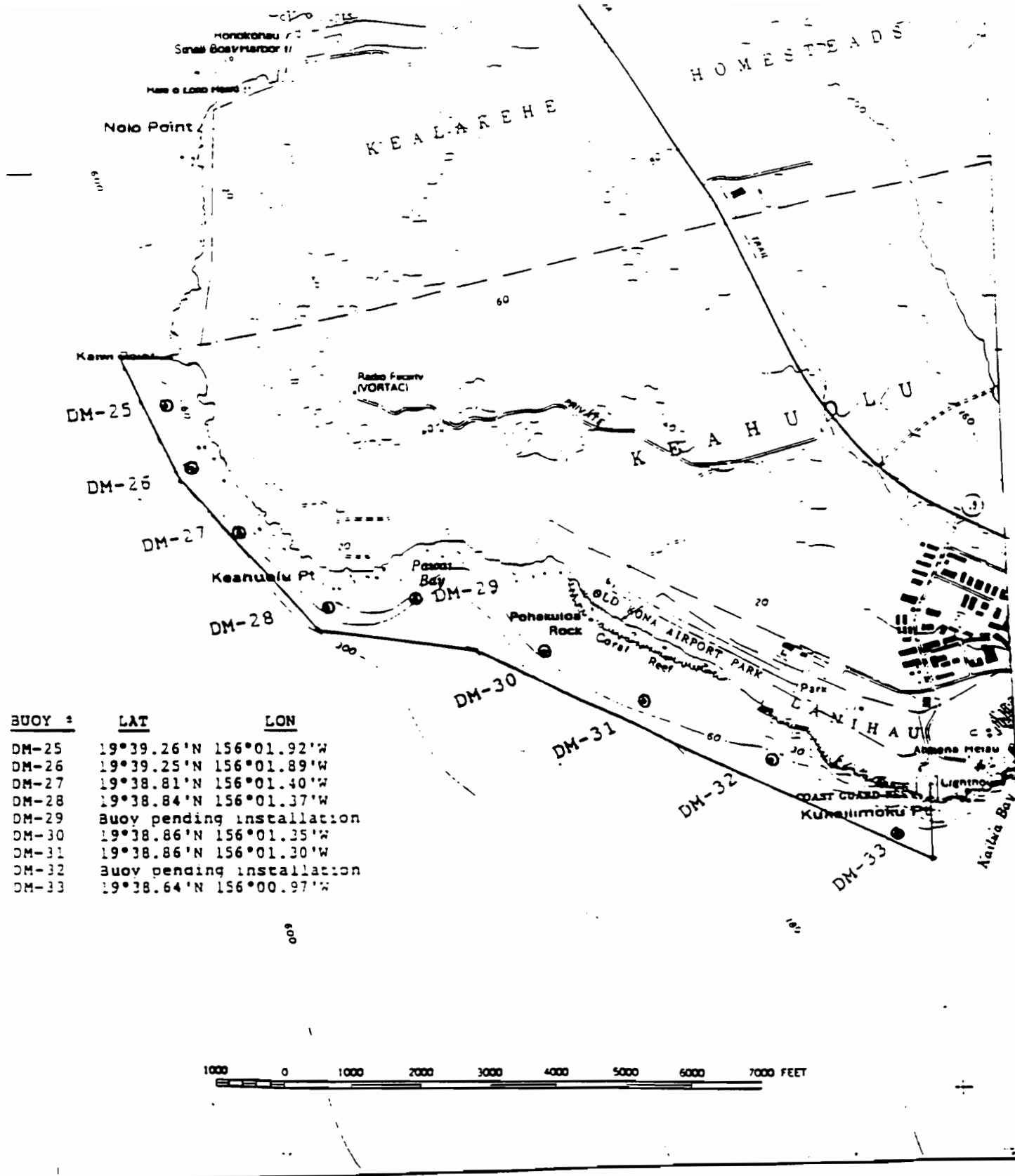
BUOY #	LAT	LONG
DM-13	19°43.94'N	156°03.47'W
DM-14	19°43.92'N	156°03.58'W



DAY USE MOORING RULES
 WEST HAWAII - MAKAKO BAY TO KALIHI POINT
 NORTH KONA, HAWAII
 EXHIBIT "DM-05"
 NOVEMBER 15, 1990
 SOUNDINGS IN FEET

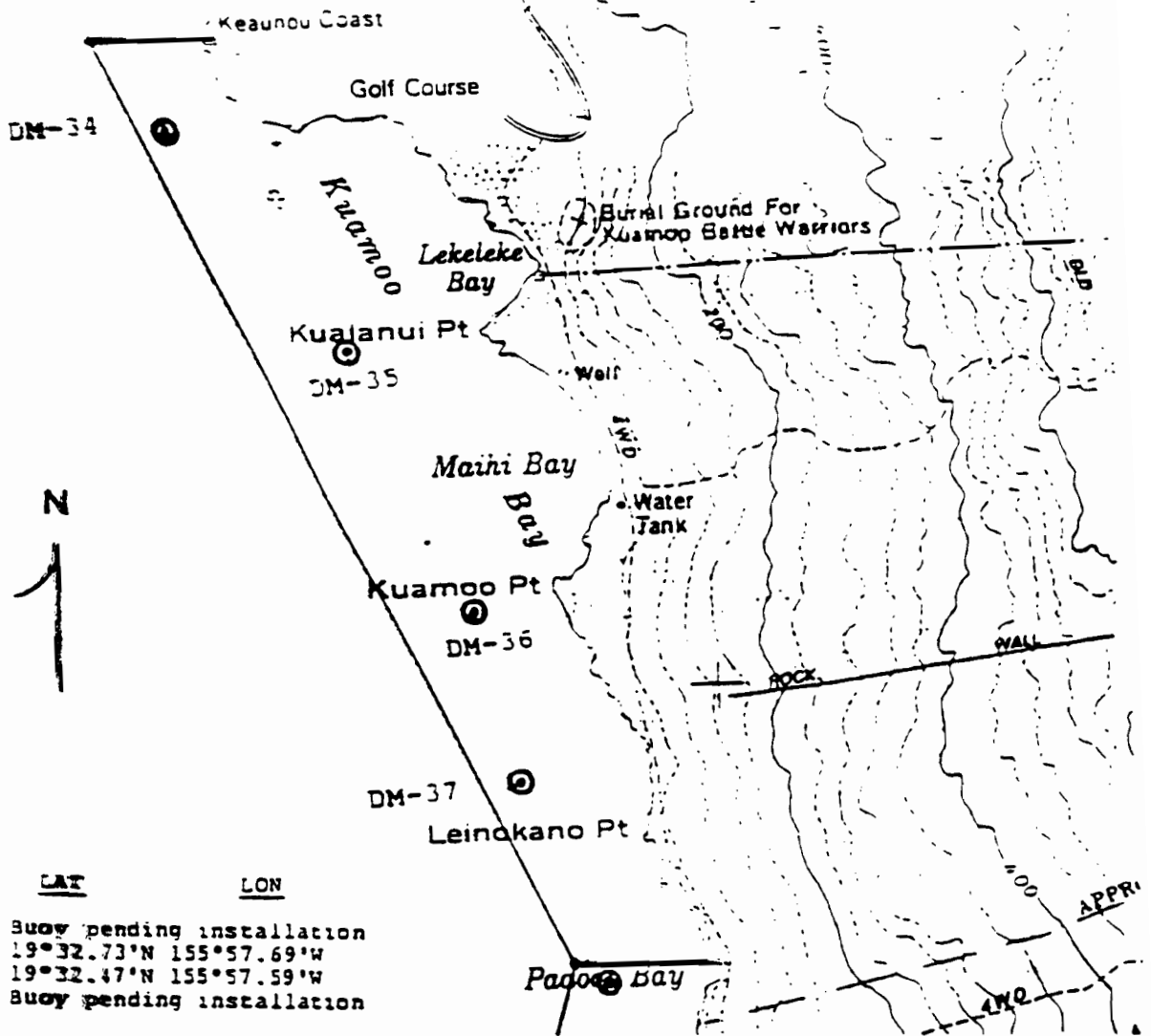


DAY USE MOORING RULES
 WEST HAWAII - WAWALOLI BEACH TO MALIU POINT
 NORTH KONA, HAWAII
 EXHIBIT "DM-06"
 NOVEMBER 15, 1990
 SOUNDINGS IN FEET



DAY USE MOORING RULES
 WEST HAWAII - KAIWI POINT TO KUKAILIMOKU POINT
 NORTH KONA, HAWAII
 EXHIBIT "DM-07"
 NOVEMBER 15, 1990
 SOUNDINGS IN FEET

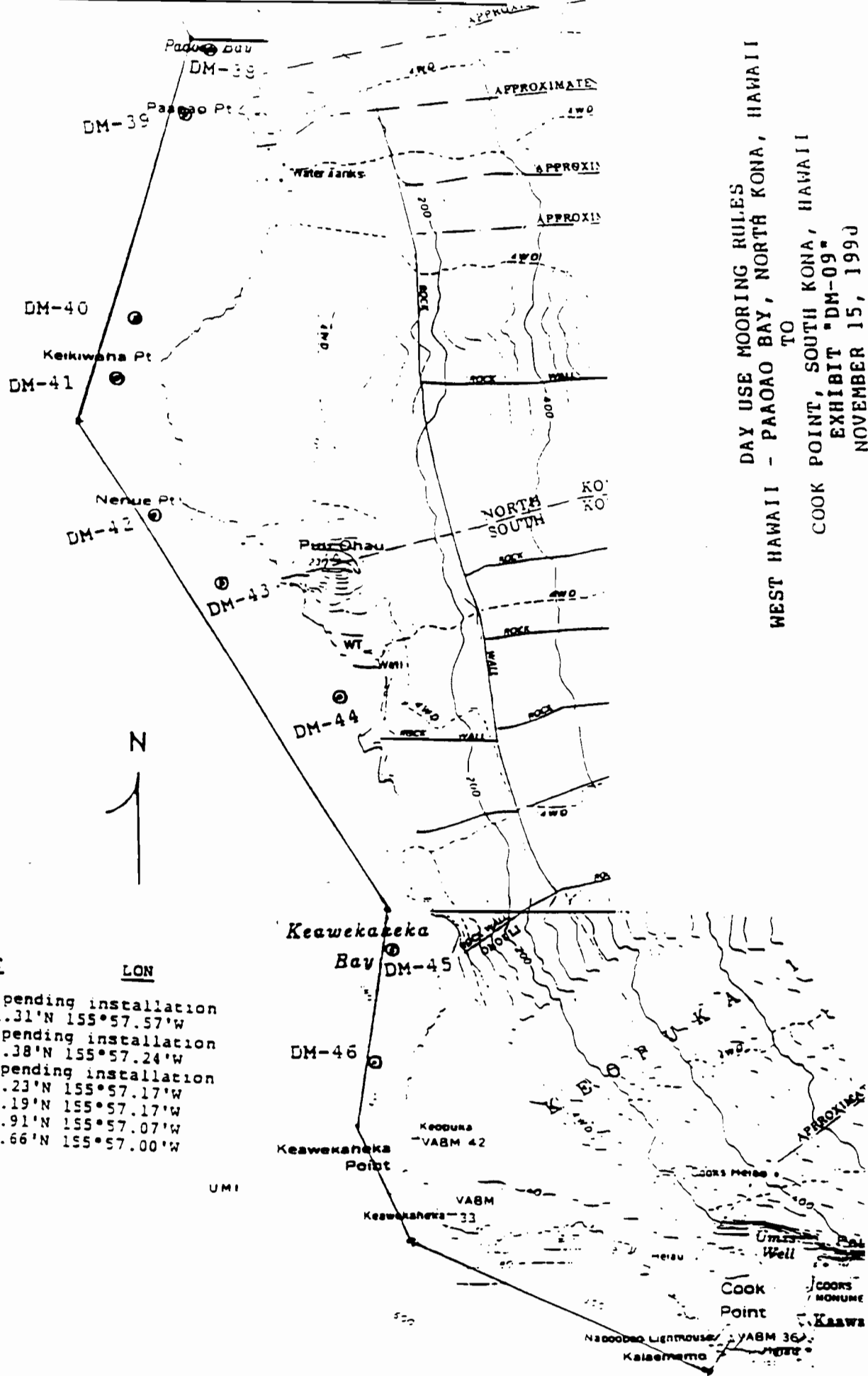
1000 0 1000 2000 3000 4000 5000 6000 7000 FEET



<u>BUOY</u>	<u>LAT</u>	<u>LON</u>
DM-34	Buoy pending installation	
DM-35	19°32.73'N	155°57.69'W
DM-36	19°32.47'N	155°57.59'W
DM-37	Buoy pending installation	

DAY USE MOORING RULES
 WEST HAWAII - KUAMOO BAY TO PAOAO BAY
 NORTH KONA, HAWAII
 EXHIBIT "DM-08"
 NOVEMBER 15, 1990
 SOUNDINGS IN FEET

Leinokano Pt
 700 1000 2000 3000 4000 5000 6000 7000 FEET



DAY USE MOORING RULES
 WEST HAWAII - PAAOAO BAY, NORTH KONA, HAWAII
 TO
 COOK POINT, SOUTH KONA, HAWAII
 EXHIBIT "DM-09"
 NOVEMBER 15, 1990

BUOY	LAT	LON
DM-38		Buoy pending installation
DM-39	19°31.31'N	155°57.57'W
DM-40		Buoy pending installation
DM-41	19°30.38'N	155°57.24'W
DM-42		Buoy pending installation
DM-43	19°30.23'N	155°57.17'W
DM-44	19°30.19'N	155°57.17'W
DM-45	19°29.91'N	155°57.07'W
DM-46	19°29.66'N	155°57.00'W

UMI

Naboohee Lighthouse VABM 36
 Kealahou

Subchapter 4, Day Use Mooring Area, Molokini Shoal Marine Life Conservation District

§13-257-51 Molokini island day use mooring area. The boundary of the Molokini island day use mooring area is contiguous with the boundary of Subzone A of the Molokini shoal marine life conservation district, as described in section 13-31-2, and as shown on Exhibit "DM-10", dated March 3, 1994, located at the end of this subchapter and described as follows:

Beginning at a point at the high water mark at Pahe'e O Lono Point; then in a straight line to the end of the shoal at the northwest point of Molokini island; then in a counter-clockwise direction along the shoreline of Molokini island to the point of beginning. [Eff SEP 16 1995) (Auth: HRS §§200-2, 200-3, 200-4, 200-10) (Imp: HRS §200-10)

§13-257-52 Commercial use restrictions. (a) No vessel shall use a day use mooring for commercial purposes unless the owner has been issued a marine life conservation district use permit by the department pursuant to section 13-31-5, as evidenced by its inclusion as an addendum to a commercial vessel use permit for the use of state boating facilities issued in accordance with section 13-231-57, or a commercial vessel registration issued in accordance with section 13-256-4 for that vessel.

(b) Mooring zone "A" is designated for use by commercial vessels carrying twelve or more passengers. Mooring zone "B" is designated for use by commercial vessels carrying less than twelve passengers. The use of any one particular mooring shall be on a first-come, first-served basis. Mooring zones "A" and "B" as shown on exhibit "DM-10" located at the end of this subchapter are generalized locations intended to reflect current mooring practices and are subject to revision, pending development of a final mooring plan prior to installation of permanent moorings.

(c) The department may authorize the owner of a commercial vessel not having a marine life conservation district use permit occasional or infrequent use of the day use moorings, not to exceed eight times a year, when application is made and approved not less than seven days in advance of the date of intended use. [Eff SEP 16 1995) (Auth: HRS §§200-2, 200-3, 200-4, 200-10) (Imp: HRS §200-10)

§13-257-53

§13-257-53 Commercial day use mooring permit fee. The commercial day use mooring permit fee for a commercial Molokini day use mooring shall be the greater of \$100 per month or two per cent of gross receipts, provided that this fee shall be waived for commercial operators who are presently paying commercial vessel user fees for the use of state boating facilities in accordance with section 13-234-5. This fee shall be in addition to the commercial use permit fee required under section 13-31-5. [Eff SEP 16 1995] (Auth: HRS §§200-2, 200-3, 200-4, 200-10) (Imp: HRS §200-10)

§13-257-54 Recreational vessel use of Molokini day use moorings. Mooring zone "C" is designated for primary use by recreational vessels, and is shown on exhibit "DM-10" located at the end of this subchapter. Recreational vessels may also use vacant moorings located in zones "A" and "B" except during the period from 8:30 a.m. to 11:30 a.m. [Eff SEP 16 1995] (Auth: HRS §§200-2, 200-3, 200-4, 200-10) (Imp: HRS §200-10)

§13-257-55 Speed Restrictions. No vessel shall operate at a speed in excess of "slow-no wake" within the Subzone A, as defined in section 13-257-51 and shown on exhibit "DM-10". [Eff SEP 16 1995] (Auth: HRS §§200-2, 200-3, 200-4, 200-10) (Imp: HRS §200-10)

§13-257-56 Anchoring restrictions. (a) Anchoring is prohibited within the Molokini island day use mooring area, provided that anchoring is permitted within the designated area at locations of sand, rock, or rubble bottom types where no live corals exist until such time as new day use moorings are installed.

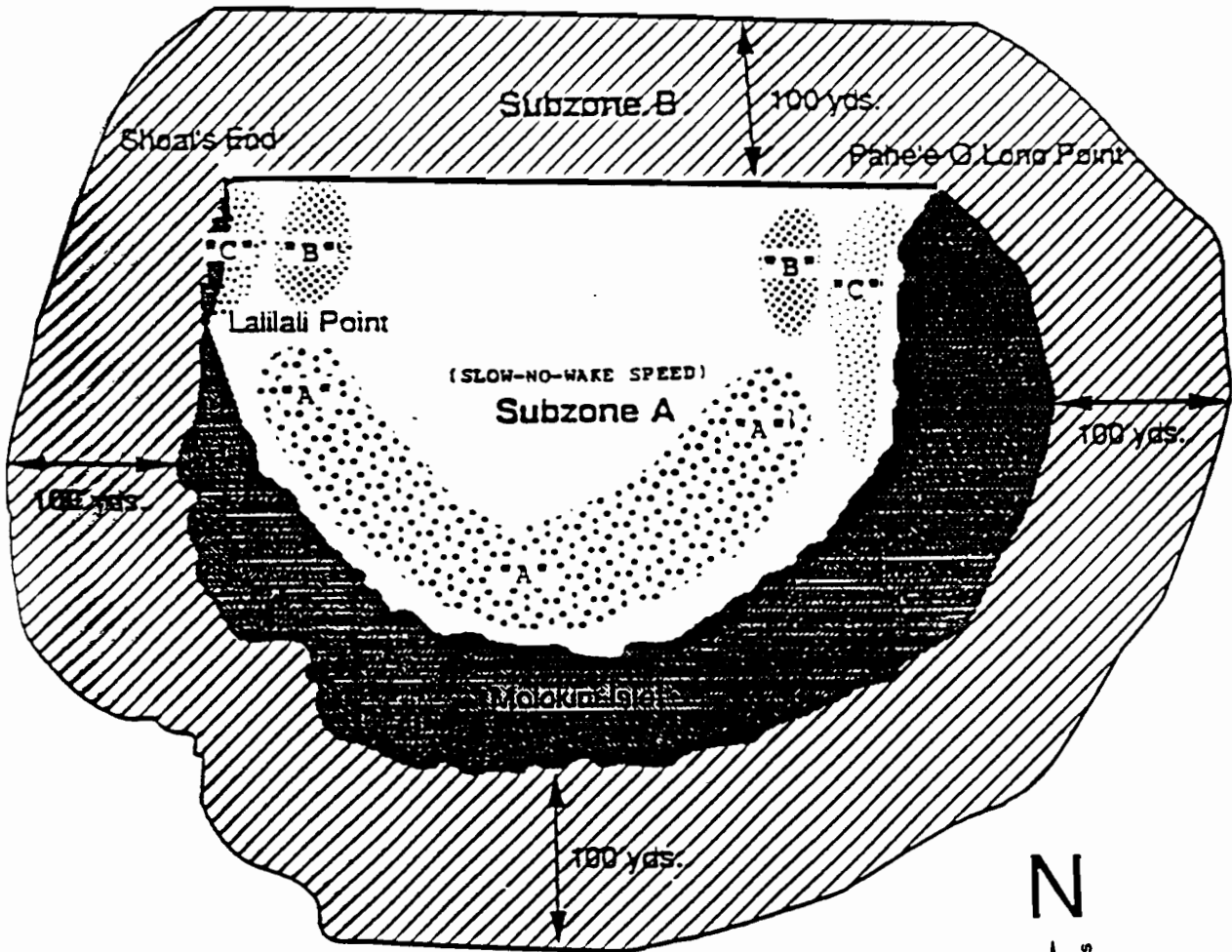
(b) Anchoring is prohibited within Subzone B of the Molokini shoal marine life conservation district. [Eff SEP 19 1995] (Auth: HRS §§200-2, 200-3, 200-4, 200-10) (Imp: HRS §200-10)

§13-257-57 to §13-257-60 (Reserved)

STATE OF HAWAII
MOLOKINI ISLAND DAY USE MOORING AREA
being a portion of the
MOLOKINI SHOAL MARINE LIFE CONSERVATION DISTRICT
EXHIBIT "DM-10"
DECEMBER 16, 1994

ALL DAY USE MOORINGS ON A "FIRST-COME, FIRST-SERVED BASIS".

1. Zone "A" is designated for use by commercial vessels carrying twelve or more passengers.
2. Zone "B" is designated for use by commercial vessels carrying less than twelve passengers.
3. Zone "C" is designated for primary use by recreational vessels. Recreational vessels may also use vacant moorings located in Zone "A" and "B", except from 8:30am to 11:30am.



Note: Exact locations of moorings will be determined at time of permanent installation.

DEPARTMENT OF LAND AND NATURAL RESOURCES

Chapter 13-257, Hawaii Administrative Rules, was adopted on July 14, 1995, by the Board of Land and Natural Resources, following public hearings held on December 13, 1994 at Kihei School Cafetorium and December 14, 1994, at Kealakehe Elementary School Cafetorium, after notice was given in the Honolulu Advertiser, Maui News and West Hawaii Today on November 13, 1994.

The adoption of Chapter 13-257 shall take effect ten days after filing with the Office of the Lieutenant Governor.

Michael D. Wilson
Michael D. Wilson, Chairperson and Member
Board of Land and Natural Resources

APPROVED:

Benjamin J. Cayetano
Benjamin J. Cayetano
Governor
State of Hawaii

Dated: September 5, 1995

APPROVED AS TO FORM:

[Signature]
DEPUTY ATTORNEY GENERAL

SEP 06 1995

Filed

95 SEP -6 AM 34
LIEUTENANT GOVERNOR'S
OFFICE