
HOUSE RESOLUTION

STRONGLY REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES
TO ENFORCE ITS MOORAGE PERMITTING RULES IN KANEOHE BAY.

1 WHEREAS, in late 2003, a raft with a shack affixed to it
2 that is best described as a "squatter barge" was anchored off
3 the shore at Laenani Park; and
4

5 WHEREAS, shortly thereafter, residents registered many
6 complaints with the City & County of Honolulu and various State
7 agencies regarding the litter left in Laenani Park by the owner
8 of the barge and suspected drug trafficking off of the barge;
9 and
10

11 WHEREAS, the numerous complaints and public scrutiny
12 apparently forced the "squatter barge" to weigh anchor in 2005;
13 and
14

15 WHEREAS, undeterred, the "squatter barge" anchored off
16 another part of the Kaneohe Bay shoreline, going so far as to
17 moor the "barge" on trees located on the property of another
18 without permission, and destroying foliage on the property in
19 order to provide easy access from shoreline to road; and
20

21 WHEREAS, as was the case when the floating shack moored off
22 Laenani, residents in the immediate area began to report
23 incidences of theft and break-ins, litter, and heavily increased
24 foot traffic to and from the "barge" and drug trafficking
25 activities; and
26

27 WHEREAS, residents registered many complaints with the City
28 & County of Honolulu, various State agencies, and elected
29 officials about the activities of the owner of the "barge", as
30 well as elected officials from the area; and
31

32 WHEREAS, the residents of the area have complained about
33 physical threats and a history of violence by the owner and



1 occupants of the "barge", and have been victimized by
2 retaliation; and
3

4 WHEREAS, in response to a request for a legal opinion from
5 the representative of the area, the Attorney General opined that
6 the owner of the "barge" could moor on the edge of Kaneohe Bay
7 only if the owner obtained a permit from the Division of Boating
8 and Ocean Recreation of the Department of Land and Natural
9 Resources; and
10

11 WHEREAS, the Attorney General also found that the owner of
12 the "barge" does not have the required permit; and
13

14 WHEREAS, after receiving the complaints and the opinion of
15 the Attorney General, the Department of Land and Natural
16 Resources has not acted to enforce its own rules, allowing a
17 known threat to the community and lawbreaker to remain when the
18 Department has the means to remove him; now, therefore,
19

20 BE IT RESOLVED by the House of Representatives of the
21 Twenty-third Legislature of the State of Hawaii, Regular Session
22 of 2006, that this body strongly requests the Department of Land
23 and Natural Resources to enforce its permitting rules with
24 respect to this "squatter barge", as set forth by the Attorney
25 General in its expedited opinion; and
26

27 BE IT FURTHER RESOLVED that the Department of Land and
28 Natural Resources is requested to amend its rules such that the
29 Department can clearly deal with this "squatter barge" and
30 future similar problems without delay and confusion due to
31 misguided interpretations of its own administrative rules; and
32

33 BE IT FURTHER RESOLVED that certified copies of this
34 Resolution be transmitted to the Chairperson of the Department
35 of Land and Natural Resources, the Administrator of the Division
36 of Boating and Ocean Recreation, the Attorney General, and the
37 Kahaluu Neighborhood Board.
38
39
40
41



H.R. NO. 179

OFFERED BY:

Collen Meyer

Barbara Nanamoto

Ka L.

Guthrie Hiebert

MAR 15 2006

