

MAR 10 2023

SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO
INVESTIGATE, REVIEW, AND PURSUE ALL APPLICABLE CIVIL CLAIMS
AND CRIMINAL CHARGES AGAINST THE OWNER AND COMMERCIAL
OPERATOR OF THE YACHT "NAKOA".

1 WHEREAS, Honolua Bay is treasured by many people as a
2 natural and cultural resource, and the bay is a popular location
3 for recreational activities such as snorkeling, SCUBA diving,
4 and surfing; and

5
6 WHEREAS, the "Nakoa" was a ninety-four foot, one hundred
7 twenty-ton luxury yacht owned by the Albert Trust and operated
8 by Jim Jones and Jones' luxury tour company Noelani Yacht
9 Charters, LLC; and

10
11 WHEREAS, the Nakoa reportedly ran aground the morning of
12 February 20, 2023, on a reef approximately seven hundred feet
13 outside the Honolua-Mokuleia Bay Marine Life Conservation
14 District; and

15
16 WHEREAS, media coverage of the incident included the
17 following details:

- 18
19 (1) The vessel was attached overnight to a day-use-only
20 mooring having a two-hour time limit per use, when the
21 mooring line snapped, causing the vessel to drift onto
22 the reef;
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24 (2) On February 21, 2023, one day after the vessel ran
25 aground, fuel was observed leaking from the vessel
26 into the ocean;
27
28 (3) Due to the environmental threat posed by the vessel,
29 the Coast Guard Federal On-Scene Coordinator opened
30 the National Oil Spill Liability Trust Fund to support



1 efforts to mitigate potential oil and hazardous
2 substance pollution;

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- 4 (4) Cleanup efforts included the placement of absorbent
5 materials inside the vessel to capture loose
6 substances; placement of a containment boom around the
7 vessel to capture other discharges; and pumping of
8 diesel from the vessel's fuel tanks into
9 fifty-five-gallon drums, followed by removal of the
10 drums via airlift to an offsite location for safe
11 disposal;
- 12
- 13 (5) Personnel from the Maui Police Department, Department
14 of Land and Natural Resources, United States Coast
15 Guard, and multiple private contractors assisted with
16 response, cleanup, and salvage efforts;
- 17
- 18 (6) Removal of the Nakoia from Honolulu Bay was arranged by
19 the Department of Land and Natural Resources using a
20 private contractor, at a cost of approximately
21 \$460,000, not including significant administrative and
22 staffing costs;
- 23
- 24 (7) Noelani Yacht Charters, LLC, operates commercial tours
25 to numerous locations in the State, including Honolulu
26 Bay, and advertises tour packages from Maui starting
27 at \$9,800; and
- 28
- 29 (8) The Department of Land and Natural Resources indicated
30 that it is investigating the February 20, 2023,
31 incident, will conduct an assessment of any
32 environmental harm caused by the Nakoia, and has raised
33 the possibility that Jones may face fines for any
34 violations of boating laws that occurred, and
35 reimbursement of costs incurred by the State for
36 removal of the vessel and repairs of damage caused by
37 the vessel to coral reefs and live rock in Honolulu
38 Bay; and
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40 WHEREAS, the February 20, 2023, incident and resulting
41 public and media scrutiny have raised questions about
42 environmental laws and administrative rules that may have been



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1 violated in connection with operation of the Nakoia and, more
2 broadly, about the legality of business practices engaged in by
3 Jones and Noelani Yacht Charters, LLC; and
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5 WHEREAS, the preservation of access to Honolulu Bay and
6 protection of the greater Honolulu-Mokuleia Bay Marine Life
7 Conservation District require timely and consistent enforcement
8 of all applicable state laws and administrative rules governing
9 the use of these areas; now, therefore,
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11 BE IT RESOLVED by the Senate of the Thirty-second
12 Legislature of the State of Hawaii, Regular Session of 2023, the
13 House of Representatives concurring, that the Department of the
14 Attorney General is requested to conduct a thorough
15 investigation and review of the February 20, 2023, incident
16 involving the Nakoia at Honolulu Bay, and other relevant incidents
17 involving the Nakoia or Noelani Yacht Charters, LLC, and pursue
18 all applicable civil claims and criminal charges against the
19 vessel's owner, and its operators Jim Jones and Noelani Yacht
20 Charters, LLC; and
21

22 BE IT FURTHER RESOLVED that certified copies of this
23 Concurrent Resolution be transmitted to the Attorney General,
24 Chairperson of the Board of Land and Natural Resources,
25 Chairperson of the Maui County Council, and President of the
26 Save Honolulu Coalition.
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OFFERED BY: _____

