

MAR 10 2023

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

37 WHEREAS, the February 20, 2023, incident and resulting
38 public and media scrutiny have raised questions about
39 environmental laws and administrative rules that may have been
40 violated in connection with operation of the Nakoia and, more
41 broadly, about the legality of business practices engaged in by
42 Jones and Noelani Yacht Charters, LLC; and



1 WHEREAS, the preservation of access to Honolulu Bay and
2 protection of the greater Honolulu-Mokuleia Bay Marine Life
3 Conservation District require timely and consistent enforcement
4 of all applicable state laws and administrative rules governing
5 the use of these areas; now, therefore,
6

7 BE IT RESOLVED by the Senate of the Thirty-second
8 Legislature of the State of Hawaii, Regular Session of 2023,
9 that the Department of the Attorney General is requested to
10 conduct a thorough investigation and review of the February 20,
11 2023, incident involving the Nakoa at Honolulu Bay, and other
12 relevant incidents involving the Nakoa or Noelani Yacht
13 Charters, LLC, and pursue all applicable civil claims and
14 criminal charges against the vessel's owner, and its operators
15 Jim Jones and Noelani Yacht Charters, LLC; and
16

17 BE IT FURTHER RESOLVED that certified copies of this
18 Resolution be transmitted to the Attorney General, Chairperson
19 of the Board of Land and Natural Resources, Chairperson of the
20 Maui County Council, and President of the Save Honolulu
21 Coalition.
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OFFERED BY: _____

