

HAWAII KAI MARINA

RULES
AND
REGULATIONS



COMMUNITY ASSOCIATION

COMMUNICATION WITH THE MARINA STAFF

Marina Office Business Hours:

- Monday thru Friday (9:00 a.m. - 5:00 p.m.)
- Saturday (9:00 a.m. - 1:00 p.m.)
(Excluding Holidays)

Marina Patrolmen Hours:

- Monday thru Sunday (8:30 a.m. - 6:00 p.m.)
(Including Holidays)

Communications:

- Office Phone 396-2469
- Office Facsimile 396-2470
- VHF Radio (Primary) Channel 65
- Marina Patrol - After Hours (*Emergencies Only*) 396-2469
- E-mail hkmca@lava.net

During normal office business hours, please call the marina office so that we may provide direct assistance. If it is on a weekend or holiday, calls are forwarded to a marina patrolman on duty. If you have an emergency or need a patrolman after hours, you can reach them through our emergency service by calling the office phone 396-2469 (Please emergencies only!).

Hawaii Kai Marina
Rules and Regulations
Updated

August 8, 2005

MARINA JURISDICTION

HISTORY. The Hawaii Kai Marina (previously called Kuapa Pond) was originally owned by the Bernice P. Bishop Estate and was initially leased to Kaiser Development Company to develop, maintain and manage, the marina. In 1979, the United States Supreme Court declared that the Hawaii Kai Marina was designated as private property and therefore, was not open to the general public. Ownership of the Hawaii Kai Marina was transferred from Bernice P. Bishop Estates to the Hawaii Kai Marina Community Association on July 5, 1991. The Hawaii Kai Marina Manager and Staff maintain and manage the marina for the Hawaii Kai Marina Community Association. This document contains the basic established policy for the rules and regulations that govern the use of the Marina.

WATERFRONT RESIDENTS. Every marina waterfront lot (which includes private single family dwellings, multiple family town homes, condominium units and commercial shopping centers, adjoining or having specified access to the marina) are subject to compliance with the Hawaii Kai Marina Rules and Regulations set forth in this document.

DECLARATION OF PROTECTIVE PROVISIONS. Every marina waterfront lot is also subject to a Declaration of Protective Provisions. The declaration sets forth certain rights and obligations of marina lot owners, including the right to use the marina and the obligation of paying assessments for the care, maintenance and operation of the marina, as well as, complying with the marina rules and regulations contained in this document.

REQUIREMENT FOR RULES AND REGULATIONS. These marina rules and regulations have been promulgated by the Hawaii Kai Marina Community Association Board of Directors in the interest of providing a safe and enjoyable marina for boaters and to ensure the privacy of our marina for its authorized users.

KOKO MARINA BOAT SLIPS. As a point of further clarification, the Koko Marina boat slips are presently managed by C.B Richard Ellis. The use of the marina by the boats moored at the Koko Marina boat slips are limited to ingress and egress Maunalua Bay via the shortest possible route (with the exception of authorized Hawaii Kai residents who have normal access of all waterways of the marina). Koko Marina boat slip renters must also abide by the Hawaii Kai Marina Rules and Regulations when operating their vessels on the marina.

I. DEFINITIONS

- A. **ASSOCIATION:** Shall mean the Hawaii Kai Marina Community Association, a non-profit Hawaii Corporation, hereafter referred to as the Marina Association.
- B. **ASSOCIATION PROPERTY:** Shall mean the property described in the deed which includes the Hawaii Kai Marina and all other property, real or personal, belonging to, held by, or under the control of the Association.
- C. **BOARD OF DIRECTORS:** Shall mean the Board of Directors of the Hawaii Kai Marina Community Association.
- D. **HAWAII KAI MARINA:** Sometimes referred to as the "Marina" shall mean that area originally referred to as Kuapa Pond which is legally owned by the Marina Association and controlled by the Board of Directors of the Hawaii Kai Marina Community Association (including water and certain land areas).
- E. **MARINA LOT OWNER:** Shall mean the Bishop Estate lessee or the fee simple owner (in case of a lease/fee conversion) of the lot adjoining or having specified access to the marina.
- F. **MARINA MANAGER:** Shall mean the General Manager hired for the specific purpose of controlling and managing the Hawaii Kai Marina for the Board of Directors of the Association.
- G. **MARINA RESIDENT:** Shall mean either the legal owner of the marina lot or, if the property is being rented, the tenant of the marina lot.
- H. **MARINA STAFF:** Shall mean the group of employees that are hired by the Marina Manager to support the policy and management objectives of the Marina Association Board of Directors.
- I. **MARINA RULES & REGULATIONS:** Shall mean the rules and regulations contained in this document that govern the Hawaii Kai Marina and the Marina Association property.
- J. **VESSEL:** Sometimes referred to "watercraft" shall mean all types of water craft, including, but not limited to, canoes, dinghies, inflatables, kayaks, power boats, motor boats, pedal boats, row boats, and sailboats, etc...

II. OPERATION OF VESSELS (WATERCRAFT)

A. RULES OF THE ROAD:

The Department of Land and Natural Resources, Division of Boating and Recreation, Hawaii Administrative Rules for Boating and Rules for Shore Waters and Shores (as now or hereafter amended) are incorporated as a part of these Hawaii Kai Marina Rules and Regulations as appropriate, and shall govern the use of the marina, except as may otherwise be provided herein.

B. COURTESY MARINE EXAMINATIONS:

The U.S. Coast Guard Auxiliary will provide all boaters with a free safety check of your boat's equipment covering Federal and State safety related requirements plus, additional standards recommended by the auxiliary. The examination is conducted only with the legal vessel owners consent. The examiners performing this service are all members of the Coast Guard Auxiliary who have been carefully trained to look for some of the more common problems which might occur in your boat or its associated safety related equipment. These safety inspections are strongly recommended for all boat owners of our Hawaii Kai Marina. A U.S. Coast Guard decal issue may result in a reduction of your boat insurance premiums.

C. BOATING SKILLS AND SEAMANSHIP COURSES OF INSTRUCTION:

The U.S. Coast Guard Auxiliary conducts periodic courses of instruction on boating skills and seamanship. A nominal fee is charged for the textbook materials. The local area courses are normally conducted during the evening at the Hawaii Kai Library. These courses provide an excellent base line understanding of boating navigation, seamanship, etc... for our Hawaii Kai boating community. Enrollment and satisfactory completion of these boating courses of instruction is strongly encouraged for all boaters of our Hawaii Kai Marina. Call the U.S. Coast Guard Auxiliary office at 541-2206 for more information. Satisfactory completion of this U.S. Coast Guard boating course may result in a reduction of your boat insurance premiums.

D. BOATING SAFETY:

All vessels shall be kept in a safe and sanitary condition and shall comply with all applicable laws, ordinances, rules and regulations promulgated by any governmental authority. In the event that the Marina Manager determines that any vessel is in violation of the foregoing, and such violation continues for a period of more than seventy-two (72) hours after proper notice is given to the owner or operator of such vessel, the Marina Manager may revoke the Hawaii Kai Marina vessel registration and prohibit such vessel from entering, using or mooring in the marina unless and until necessary remedial action is taken to correct such violation.

E. REGISTRATION:

1. Only bonafide Hawaii Kai residents, Koko Marina boat slip tenants and designated commercial enterprises, approved by the marina staff may operate their vessels on the Hawaii Kai Marina. Guest boaters of waterfront residents are permitted in accordance with paragraph 10.
2. No vessel shall be permitted to enter or remain within the marina without prior approval of the Marina Manager.
3. Every vessel operating on the marina shall have its vessel registration renewed annually not later than the fifteenth (15th) day of February. A late fee will be charged for late registration.
4. A marina resident who is a tenant of a marina lot must provide the marina staff with documented proof of residence (i.e., copy of property closing statement, rental agreement, Hawaii Kai Marina fee billing statement, etc...) before registering a vessel. Either the owner of a waterfront lot or the renter of the waterfront lot may register a vessel for operations on the marina, but not both parties concurrently.
5. All owners of vessels required to be registered with the State of Hawaii or documented with the Coast Guard must provide the marina staff with a copy of the current year registration/documentation prior to application for a Hawaii Kai Marina registration.
6. Vessels will not be registered unless all outstanding penalties, late fees, delinquent registration fees and marina fees/assessments are paid in full.
7. Vessels deemed unsafe or unsanitary by the marina manager will not be registered.
8. All vessels shall display the Hawaii Kai registration decal on both the port and starboard quarters (near the stern) so that registered and unregistered vessels can be readily identified. Small vessels such as inflatables, kayaks, etc... should place the decals where they can most readily be seen. Decals are the property of the Hawaii Kai Marina Association and can be removed from a boat by the marina staff, if directed by the marina manager
9. Vessel registration fees will be approved by the Board of Directors as recommended by the marina manager.
10. Marina waterfront residents may be allowed the privilege of sponsoring guest vessels to visit and use the marina, subject to such suspensions and other limitations as the Marina Manager may prescribe from time to time. Marina waterfront resident sponsors will be responsible for obtaining guest passes for visiting vessels 48 hours prior to the visit. The waterfront resident must sign the guest pass application and certify that they will be responsible for the actions of the visiting vessels and embarked guests and also ensure that the guest vessel is operated in such a manner as to comply with the rules and regulations of the marina. Passes will be issued for a maximum of one guest pass per waterfront resident for a period of 10 days per month. Guest boats will not be authorized to

conduct watersports, fish or crab, on the marina. Call the marina staff in advance to determine information required for the Guest Pass.

11. Commercial entities desiring the use of the marina may apply for a commercial water sport marina decal from the Marina Manager. The granting of such a decal by the Marina Manager shall be approved by the Board of Directors at their sole discretion.
12. Legal owners of all vessels registered for operations in the marina must notify the marina staff upon the sale of their boat and remove the Hawaii Kai decal issued for the boat. Hawaii Kai Marina decals are not transferable.

F. SIZE OF VESSELS:

No specific limitations on sizes and drafts of vessels are established by these Rules and Regulations due to the various depths and channel widths of the marina. Each vessel will be operated in the marina with due regard to safe navigation and prudent seamanship for clearances of waterway channel entrances to the marina, waterway clearances under bridges and to depths and widths of the numerous waterways throughout the marina.

G. SPEED AND USE OF VESSELS:

1. Inbound boats from Maunalua Bay transiting under the Kalia Highway bridge have the "right-of-way" over outbound boats. Outbound boats must wait in the marina until the inbound boat is clear of the bridge area.
2. No vessel shall travel in excess of slow/no wake speeds unless within a designated water sport zone (see Exhibit B). The speed limit for all boats is limited to 5 knots or less (no wash/no wake) from sunset to 8:00 a.m.
3. No vessel shall be operated in a manner that creates an unreasonable wash or wake against docks or vessels moored to docks or seawalls. Owners of subject vessels will be responsible and liable for any damage caused by the wake from their boat, including, but not limited to, wake damage to docks, vessels and seawalls.
4. No vessel shall create unsafe wave action in the vicinity of small craft such as canoes, dinghies, kayaks, inflatables, row boats, etc...
5. The racing of any vessels in the marina is specifically prohibited.
6. Power boat engine noise will be regulated at all times by boat operators so as not to create unnecessary noise levels on the marina. Vessels without mufflers or with dry stacks are prohibited in the marina.
7. The rules herein governing speed and use of vessels will always be subject to such lower speeds as may be reasonable and prudent in the circumstances. Should the marina patrol see a vessel that is creating an excessive wake, or being operated in an unsafe manner, they will direct the operator to curtail or terminate his use of the marina. A report of this type of incident will be made to the marina

manager.

8. All boats over 20' in length or more are limited to slow no wake speeds at all times on the marina.

H. MOORING AND FLOATING DOCKS:

1. All vessels moored in the marina shall be moored in accordance with the mooring zone as provided by Exhibit C.
2. Floating docks may be constructed and installed in front of waterfront residences providing that they are approved by the marina manager and the appropriate local homeowner association, city, state and federal civilian agencies. Guidelines on construction and the approval permit process are available at the marina business office.

DISCLAIMER. While it is our opinion that complying with the Boat Dock Guidelines will benefit all of our marina residents with respect to durability of docks and safety of navigation, it should be clearly understood that the HKMCA does not guarantee or warrant the effectiveness of the subject procedures and will not be responsible for any claims, damages or injury allegedly arising out of or in connection with compliance or failure to comply with these standards.

The location of every boat dock in our marina will be subjected to variables of wind, tidal action and various boat types, sizes, and shapes, moored to the dock. Each boat dock design should be carefully constructed accordingly within the basic guidelines of the policy directive.

That the permittee hereby recognizes the possibility that the structures authorized under the general permit may be subject to damage by wave wash from passing vessels. Authorization of the activity under this general permit does not relieve the permittee from taking all proper steps to insure the integrity of the authorized structure and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the HKMCA liable for any such damage.

That no attempt shall be made by the permittee to prevent the full and free use by those persons entitled to such use of the navigable waters at or adjacent to the activity authorized by this permit.

3. The use of tires in the marina on boat docks and seawalls to moor boats was prohibited as of January 1990. Although the use of tires on a seawall or boat dock is a relatively inexpensive mooring option, there has been and continues to be far too many tires that have broken loose and either floated down the marina or sank to the bottom of the marina canal. Either of these situations can and have caused a hazard to the safe navigation of our boaters. Accordingly, all waterfront homeowners are requested to remove any existing tires from the marina that are attached to your seawalls or boat docks.

I. NIGHT BOATING:

1. Vessels that are to be used for night boating in the marina must have the proper

U.S. Coast Guard approved appropriate lights installed and that they are fully operational and visible to other boaters in the marina.

2. The maximum speed limit for all vessels in the marina from sunset to 8:00 a.m. shall be limited to slow/no wake.
3. Be alert for any possible illegal unlit boats (including canoes and kayaks and any unlit low profile vessel) that could collide with your boat and cause serious injury.
4. Night boating requires precise night vision, an excellent understanding of marina navigation and a basic sound knowledge of seamanship. The extra precautions in operating your boat at night on the marina cannot be understated.

J. RESIDENTIAL USE OF BOATS:

No vessels shall be used for any residential purposes in any area of the marina.

K. FUEL LOADING:

The loading or proper use of U.S. Coast Guard approved fuel containers of six (6) gallons or less is authorized for refueling small craft. The refueling of larger power boats by large 55 gallon fuel drums is prohibited. Due regard for the conduct of safe refueling practices to preclude the pollution of our marina from fuel spills is mandatory.

L. WATER BIKES, JET SKIS, MOTORIZED SURFBOARDS (*Thrill Craft*):

The operation of water bikes, jet skis, motorized surfboards and similar devices, including designated thrill craft, are prohibited from use on the marina. The list of the type of thrill type craft prohibited from use on the marina will be a policy decision by the Board of Directors at their sole discretion.

M. HANCOCK BOAT LANDING:

1. Boat launching and recovery operations may be conducted from Hancock Landing.
2. Boats launched or recovered from Hancock Landing must have a current valid Hawaii Kai decal.
3. Parking of trucks, cars, boat trailers and boats, at Hancock Landing is limited to a maximum of 48 hours. Violation of this regulation can result in a penalty fine, impounding of your boat and trailer and/or the towing of your boat and trailer, at the owners expense to another location.
4. Vehicles and boat trailers parked at Hancock Landing must be parked on the asphalt/black top area. Parking on the grass areas is prohibited as it will damage the sprinkler system.
5. Boat engine overhaul, cleaning, hull painting or cleaning, is prohibited at the landing.

III. OTHER ACTIVITIES

- A. Swimming and snorkeling are prohibited within the high speed zones of the marina, within 20 feet of the center line of any navigable waterway and within 200 feet of any bridge in the marina.

B. **WATER SPORTS USING TOW BOATS**

1. Tow boats used for water sports are to be under 21' in length with a hull design to create a minimum wake.
2. Water sports (using tow boats) on the marina will be permitted only between 8:00 a.m. and sunset in designated areas (see Exhibit B).
3. Towing shall be conducted in a counter clockwise circular direction in the lower marina (see addendum 1 for special instructions for the upper marina) without criss-crossing the course.
4. Only one water skier, one board, rubber raft or other water sport similar device, are authorized to be towed on the marina by a power boat (i.e. the towing of two or more water skiers, boards or water sport devices, behind the towing boat is prohibited).
5. Towing shall be done within designated areas and remain outside the slow/no wake zones.
6. Water sport activities may be suspended or revoked at any time by the marina manager and/or staff in the event such activities are deemed a hazard to safety or property.
7. The registered owner of a vessel shall assume the full responsibility for any and all liability arising out of or in connection with their water sport activity conducted on the marina.
8. Any person towed behind a vessel on the water must wear a life vest and the tow boat must have a safety observer in the boat in addition to the operator. The use of a wide-angle rear view mirror is allowed in a tow boat to substitute for the observer but this method is not recommended as it might distract the operator.
9. Boat owners that desire to use their boat for water sport towing in the marina must complete a briefing with and receive approval from the marina manager prior to issue of a water sports decal.
10. Visiting boats are not permitted to tow a water sports on the marina.
11. Inflatables are not authorized to tow water sports on the marina.
12. Additional information is contained in Exhibit D "Hawaii Kai Marina Water Sports Policy (Addendum 1)".

C. FISHING/CRABBING:

1. Pole fishing from private residences on the marina shoreline is permitted providing the fishing does not cause a safety hazard to boaters in the marina. Fishing from any boat on the marina is prohibited.
2. Net fishing is prohibited, except for the use of nets designed for the catching of shellfish (crabbing) and only when such nets do not interfere with the safe navigation of boaters. A maximum of ten (10) nets per vessel, or ten (10) nets per family if crabbing from residential shore lots is allowed.
3. Spear fishing or fishing by any method other than those permitted herein are prohibited. Any prohibited equipment used is subject to confiscation by the marina staff and may be recoverable upon payment of the applicable penalty as determined by the marina manager.

D. PROHIBITED ACTIVITIES:

1. Marina residents will be held responsible to pick up and recover for disposal their back yard tree trimmings or other debris that fall into the marina.
2. The anchoring of vessels on the marina, including anchoring to marina buoys, is prohibited. Underwater utility lines and the safety of navigation to other boats preclude this action.
3. Crabbing, fishing, diving or jumping from bridges into the marina, is not allowed.
4. No one is permitted on duck island (a wildlife sanctuary) or on the two rim islands (see chartlet, Exhibit "B")

IV. OTHER APPLICABLE COVENANTS, RULES AND REGULATIONS

These Rules and Regulations are adopted pursuant to, and are in addition to those contained in certain Declarations of Protective Provisions applicable to the Hawaii Kai Marina recorded in the Bureau of Conveyances of the State of Hawaii. In all cases involving interpretation of these Rules and Regulations or not specifically covered by the Rules and Regulations herein or by said Declarations, the marina manager is authorized to determine whether to allow, prohibit or otherwise limit any activity on marina waterways and/or marina association land areas.

V. PENALTIES AND SUSPENSION OF RIGHTS AND PRIVILEGES

- A. Penalties may be imposed for violations of these Marina Rules and Regulations or any applicable Declaration of Protective Provisions at the discretion of the marina manager. (See Exhibit A).
- B. The rights and/or privileges of any person to use the marina may be suspended for violations of the Marina Rules and Regulations or covenants contained herein or in any applicable Declaration of Protective Provisions. All or any activities regulated by these Rules and Regulations may be suspended by the marina manager during any period of emergency.

- C. The failure to impose a penalty or suspension for any violation of these Rules and Regulations shall not be considered a waiver of the right to set penalties or suspensions.

VI. ENFORCEMENT OF RULES AND REGULATIONS

- A. The marina manager and the marina staff are authorized to enforce the Marina Rules and Regulations. This authority may be delegated by the marina manager to any other individual(s) and/or organization(s) when it is deemed necessary and proper for the more effective enforcement of these Rules and Regulations.
- B. Threatening to use force or the use of such to intentionally obstruct the marina manager and the marina staff from carrying out their duties and/or refusing to comply with the marina patrol's attempts to enforce these Rules and Regulations shall be deemed a violation of these Rules and Regulations and is classified as an obstruction of marina operations. Appropriate penalties will be determined by the Marina Manager.

EXHIBIT A

HAWAII KAI MARINA FEES AND CLASSIFICATION OF VIOLATIONS

Registration of any vessel and the issuance of a commercial water sport company marina decal or guest pass involves contractual obligations which if breached may result in penalties, suspensions and claims for damages.

A. Vessel Registration:

- 1. Marina Waterfront Resident.....\$10.00 yearly
- 2. Non-Marina Hawaii Kai Resident.....\$315.00 yearly
(Prorated monthly for new vessel registrations)
- 3. Vessels with rented slip space at Koko Marina, commercial boats that are moored at commercial boat docks at the marina shopping centers.....\$10.00 yearly

NOTE: A \$25.00 late fee will be applied to all re-registrations not completed by the 15th of February each year.

B. VIOLATIONS:

Penalties will be assessed by the marina manager as appropriate, for violations of the Marina Rules and Regulations and/or the applicable Declaration of Protective Provisions. Violations are classified into three categories as follows:

CLASS A...maximum penalty for each offense is \$100.00 and/or the suspension of the right and privilege of using the marina.

CLASS B...maximum penalty for each offense is \$50.00 and/or the suspension of the right and privilege of using the marina.

CLASS C...maximum penalty for each offense is \$25.00 and/or the suspension of the right and privilege of using the marina.

Each violation shall be considered a separate offense. Repeat offenders may be subject to increased penalties for each offense as deemed appropriate by the marina manager. Examples of each class of violation are included at the end of this Exhibit.

C. NOTIFICATION AND COLLECTION PROCEDURES:

Whenever necessary, the marina patrolmen will provide a boater with a verbal warning or issue a citation to the operator of the vessel or the person violating these Marina Rules and Regulations. All verbal warnings and citations will be followed up with appropriate action by the marina manager.

Failure to pay the penalty for a marina violation within seven (7) to ten (10) working days of notification of the violation may result in an additional penalty fee and/or may result in one or more of the following actions by the marina manager:

1. All rights and privileges assigned with the vessel registration, guest pass and commercial license agreement, can be suspended and/or revoked.
2. All prepaid fees for use of the marina during the calendar year can be forfeited in whole or in part.
3. Police action and/or assistance can be requested for appropriate action.
4. Legal action can be initiated for collection of violation penalties due and/or injunction actions, as appropriate.

CLASSIFICATION OF VIOLATIONS

Description	Class A	Class B	Class C
Careless and/or reckless operation	X		
Causing an unreasonable wake	X		
Dumping/littering/pollution of the marina	X		
Obstruction of marina operations	X		
Operating a jet ski on the marina	X		
Speeding in a restricted speed zone (slow/no wake area)		X	
Speeding in the marina before 8 a.m. or after sunset		X	
Speeding in the marina with vessel greater than 20' in length		X	
Operating a vessel at night without appropriate lights		X	
Water sports in the marina without proper decals		X	
Water sports in restricted slow/no wake areas		X	
Water sports before 8 a.m. or after sunset		X	
Water sports without life vest		X	
Water sports without an observer or rear view mirror		X	
Tandem water skiing		X	
Installation of an unauthorized boat dock		X	
Mooring of boats that exceed the maximum mooring zone			X
Use of prohibited fishing equipment			X
Fishing or crabbing in unauthorized areas of the marina			X
Failure to properly register a vessel			X
Disturbing the peace, use and enjoyment, of the marina			X
Failure to obtain a boating guest pass			X

A violation of any declaration or marina rule or regulation, including the specifically mentioned violations above, will be evaluated and acted upon at the discretion of the marina manager

GENERAL INFORMATION ABOUT THE MARINA

Hawaii Kai is the only community on Oahu that has a large private inland body of water on which residents can live and have access to the ocean by boat.

MARINA STATISTICS:

Size.....	Approximately 266 Acres
Area.....	12 Miles of Shoreline
Depth.....	An Average of 6 Feet
Clearance Under Kalaniana'ole Highway Bridge.....	Approximately 13 Feet MLLW
Depth of Water Under Kalaniana'ole Highway Bridge.....	Approximately 6 Feet MLLW
Sand Bar Outside of the Marina (Use Caution).....	Approximately 3 Feet MLLW

BOAT SLIPS. There are boat slips at the Koko Marina Shopping Center for rent. For details, call the Koko Marina Management Office at 395-4737.

BOAT DOCKS. Marina waterfront residents can install and/or modify boat docks on the marina side of their homes providing the boat dock is approved by the marina manager and other appropriate local, city, state and federal, agencies. Approvals and/or permits must be obtained prior to the installation and/or modification of the boat dock.

BOATING GUEST PASSES. A marina waterfront resident can have one guest boat/visitor per month. A guest pass must be obtained by the waterfront resident from the marina business office prior to the day that the visiting boat enters the marina. Guest passes are issued by the marina staff during normal office business hours. Call the marina office to obtain information concerning the information required on the guest pass.

SAILBOATS. Sailboats up to 14' in length are very maneuverable in the marina. Interior marina bridge heights range from approximately 13' to 19' clearance at MLLW tide level. High masted sailboats and/or deep keel and fixed keel boats will have significant difficulty in the safe navigation of the marina due to the shallow existing water areas of the marina. If you wish to sail in both the marina and the ocean, consideration should be given to the choice of a boat with a retractable mast which will pass under the marina bridge structures.

SMALL AND MEDIUM SIZE POWER BOATS. Power boats of approximately 14' to 20' in length with flat stern are best all around boats for the marina. They create minimum wake, ride well at fast and slow speeds. They are also good for general cruising, as well as, for water skiing depending upon the power to weight ratio of the boat.

LARGE SIZE POWER BOATS. Power boats in excess of 20' in length with deep "V" or modified deep "V" hulls ride fairly well on ocean swells. These power boats can only be used in the marina at slow no wake speeds because of the large wake they generate. Check for bridge heights to make sure that your boat superstructure will clear. Also, insure that you have fishing outriggers and radio antennae that swivel or fold down for passing under bridges, if required.

MARINA SEAWALLS. The maintenance, repair and if necessary, replacement of waterfront seawalls in the Hawaii Kai Marina, are the sole responsibility of single family dwelling owners (for seawalls in front of their individual homes); the individual condominium associations (for

seawalls adjacent to condominium leased land, i.e., Koko Isle Circle, Kuapa Isle, etc...) and the shopping centers (for seawalls proximate to Koko Marina Shopping Center, the Hawaii Kai Shopping Center, the Marina Building and the Towne Center).

FREQUENTLY USED PHONE NUMBERS:

The Hawaii Kai Marina Office.....	396-2469
The Hawaii Kai Marina Office Facsimile.....	396-2470
Koko Marina Shopping Center (boat slip rentals).....	395-4737
DLNR/Division of Boating & Ocean Recreation (State registration).....	587-1970
The United States Coast Guard.....	541-2500
Federal Communications Commission (VHF radio licenses).....	677-3318
Local Weather Information.....	973-5286
Coast Guard Auxiliary (Rescue).....	292-1100

Exhibit "B"

LEGEND

●	SLOW; NO WAKE BUOY
⊗	OBSTRUCTION BUOY
○	CHANNEL MARKER BUOY
▨	SPEED/SKI ZONE
▩	MARINA LOTS
▧	MARINA PARKS
▬	COMMERCIAL VESSEL LANE 5 MPH (CC/CP/LA)

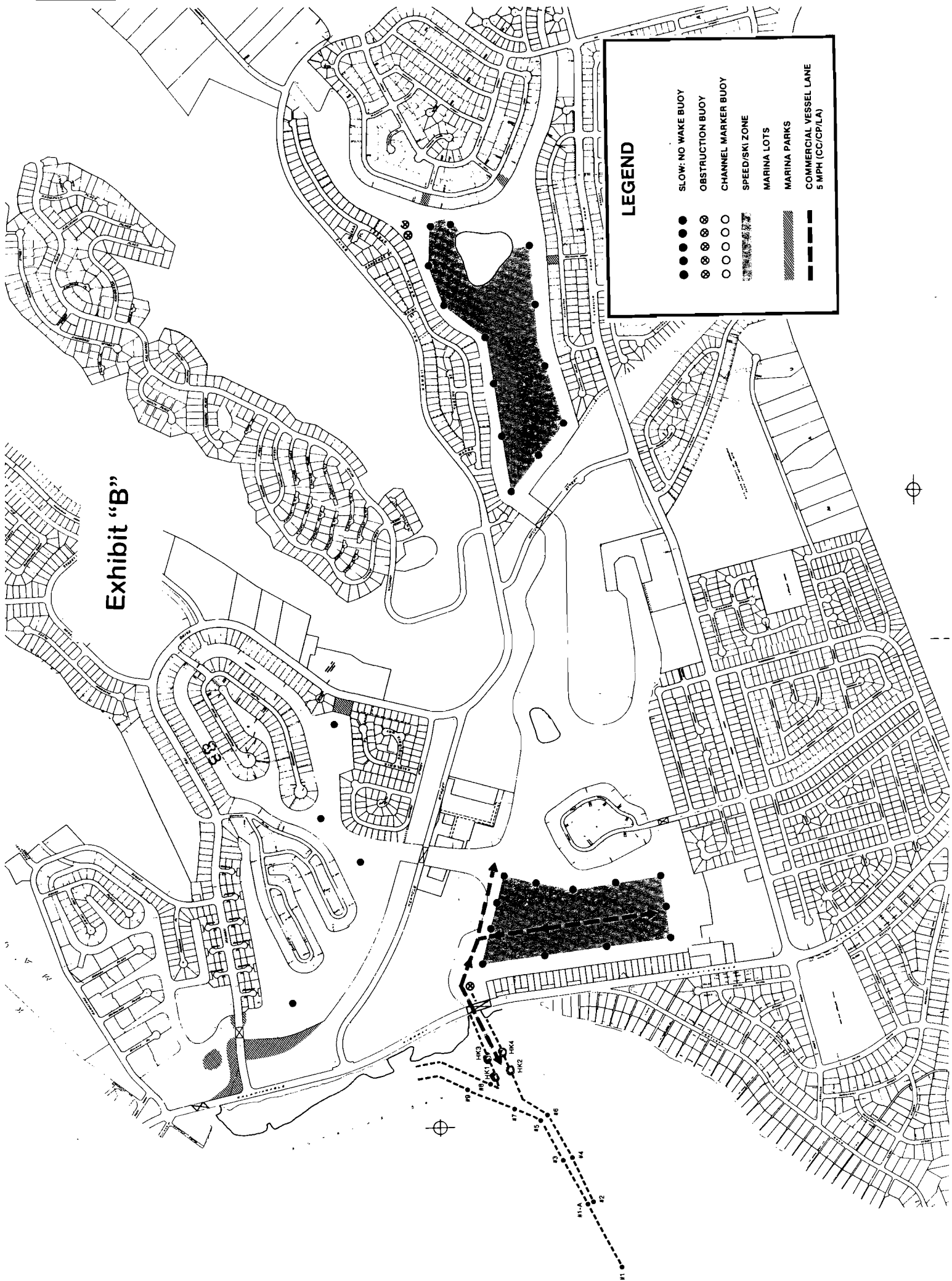
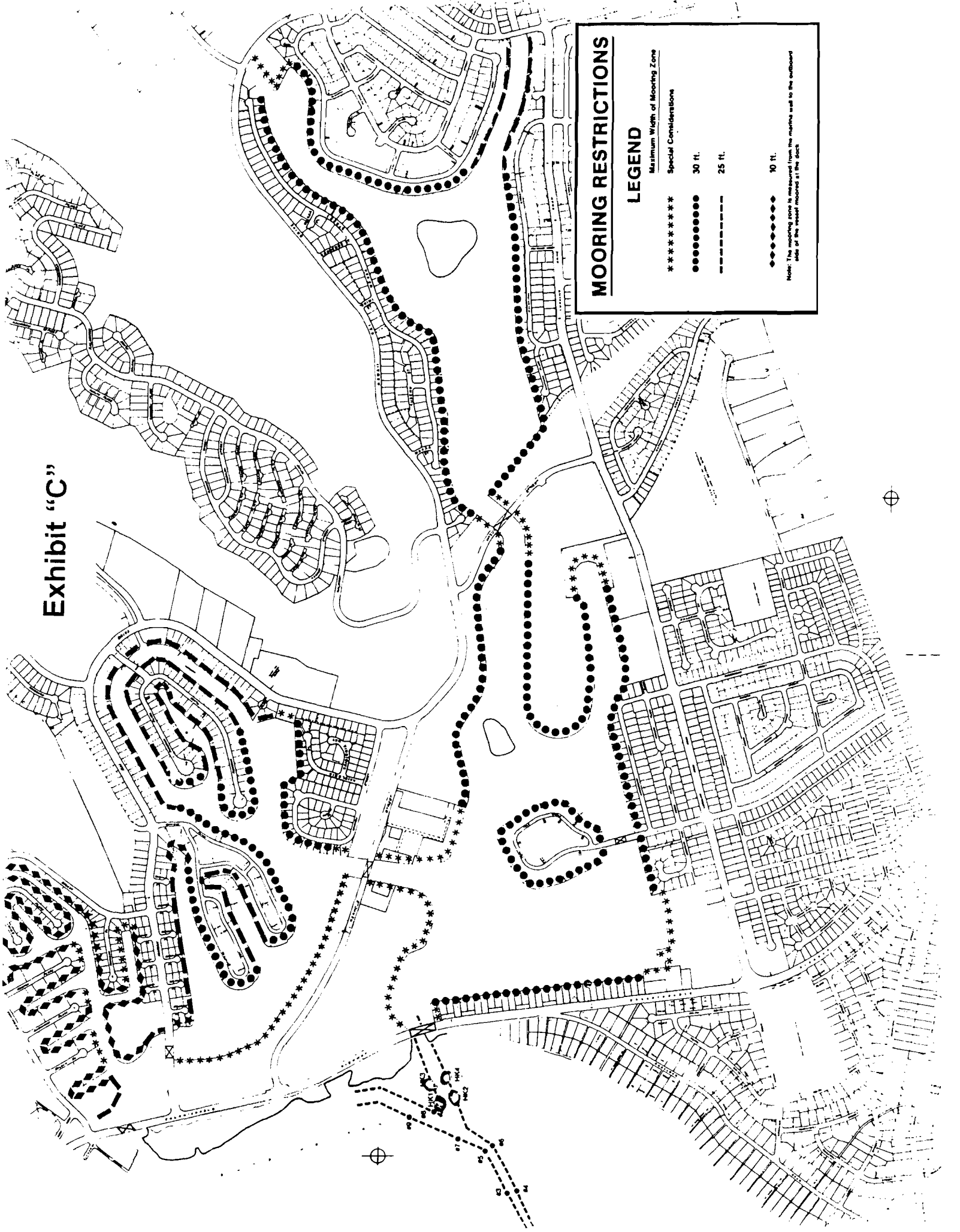


Exhibit "C"



MOORING RESTRICTIONS

LEGEND

- ***** Maximum Width of Mooring Zone
- Special Considerations
- 30 ft.
- 25 ft.
- 10 ft.

Note: The mooring zone is measured from the marina wall to the outboard side of the vessel moored at the dock.

Exhibit "D"

HAWAII KAI MARINA WATER SPORTS POLICY (Addendum 1)

Rule 1. a) A total of 5 passengers including the person in the water, plus the driver for a maximum of six people.

b) However, not to exceed the rated weight capacity for the boat. If none is stated than not to exceed 1,100 lb.

Rule 2. While engaging in water sports activities, all boats shall proceed to plane as quickly as possible. No boat shall operate in a manner that creates a plowing effect, created by operating below plane.

Rule 3. In the upper pond, when more than one boat is present, all water sports activities must commence from the no wake buoy at the north end of rim island #2. All boats shall operate in a rotation, with only one boat conducting water sports activities at a time. Boats coming into the area for water sports activities shall proceed at no wake speed, outside of the course, to the north end to get into rotation.

a) Although the rules "on one boat in rotation" stands, two boats may operate at one time, if both boat drivers first agree to share the course.

Rule 4. Boats operating in the upper pond shall use the center of the course, returning from the south end by implementing a counterclockwise circular turn through their own wake and back down the center of the course.

Rule 5. Weather permitting, a boat should utilize the full length of the upper pond before returning to the start zone.

Rule 6. When more than one boat is engaged in water sports activities in the upper pond, each boat may operate a maximum of three round-trips or ten (10) minutes before allowing the next boat an opportunity to commence operation.

Rule 7. When returning to a non-injured water sports participant in the water, boats must immediately throttle down and return through their own wake a 5 knots or less. No hotdogging or sharp turns shall be allowed unless the water sports participant demonstrates by his/her actions that injury may have occurred.

Rule 8. All boat owners approved for water sports activities must provide the marina office with proof of boat insurance with at least \$300,000 liability limits and personal injury and property damage or their decals will be revoked. Proof of insurance must be provided to the marina office within 90 days of implementation of the new water sports activities rules by the full marina board.

Rule 9. All boat owners approved for water sports activities in the marina must sign a form that they have read the new rules and regulations and agree to their terms.

I have been provided the above information and will comply with the Hawaii Kai Marina Water Sports Policy (Addendum 1).

Signature of Legal Owner

Date