

JOHN WAIHEE
GOVERNOR OF HAWAII



WILLIAM W. PATY, CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES

DEPUTIES

KEITH W. AHUE
MANABU TAGOMORI
RUSSELL N. FUKUMOTO

AQUACULTURE DEVELOPMENT
PROGRAM
AQUATIC RESOURCES
CONSERVATION AND
ENVIRONMENTAL AFFAIRS
CONSERVATION AND
RESOURCES ENFORCEMENT
CONVEYANCES
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
PROGRAM
LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT

RECEIVED STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

'90 MAY 14 P12:39 P. O. BOX 621
HONOLULU, HAWAII 96809

REF: OCEA: SOR
OFC. OF ENVIRONMENTAL
QUALITY CONTROL

MAY 11 1990

FILE: HA-3/16/90-2341
DOC.: 5359E

MEMORANDUM

TO: The Honorable Marvin T. Miura, Director
Office of Environmental Quality Control

FROM: William W. Paty, Chairperson
Board of Land and Natural Resources

SUBJECT: Document for Publication in the OEQC Bulletin -
Environmental Assessment for Conservation District Use
Application for an After-the-fact Commercial Mooring Use
at Kealakekua Bay, South Kona

The above-mentioned Chapter 343 Document was reviewed, and a negative declaration was declared based upon the environmental assessment provided with the CDUA.

Please call me or Jay Lembeck of our Office of Conservation and Environmental Affairs, at 548-7837, if you have any questions.

Keith W. Ahue
WILLIAM W. PATY

Attachment

1990-05-23-AA-FAA

FILE COPY

February 1983

HA-2341

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
P. O. BOX 621
HONOLULU, HAWAII 96809

FOR DLNR USE ONLY

Reviewed by _____
Date _____
Accepted by _____
Date _____
Docket/File No. _____
180-Day Exp. _____
EIS Required _____
PH Required _____
Board Approved _____
Disapproved _____
Well No. _____

DEPARTMENT MASTER APPLICATION FORM

Blok Moving at Kealahou Bay

(Print or Type)

I. LANDOWNER/WATER SOURCE OWNER
(If State land, to be filled in by Government Agency in control of property)

Name _____

Address _____

Telephone No. _____

SIGNATURE _____

Date _____

II. APPLICANT (Water Use, omit if applicant is landowner)

Name William B. Blok

Address P.O. Box 641

202 Pipoko Rd.

Captain Cook, HI 96704

Telephone No. 328-2230

Interest in Property _____

(Indicate interest in property; submit written evidence of this interest)

*SIGNATURE William B. Blok

Date 11/20/89

*If for a Corporation, Partnership, Agency or Organization, must be signed by an authorized officer.

III. TYPE OF PERMIT(S) APPLYING FOR

() A. State Lands

(x) B. Conservation District Use

() C. Withdraw Water From A Ground Water Control Area

() D. Supply Water From A Ground Water Control Area

() E. Well Drilling/Modification

IV. WELL OR LAND PARCEL LOCATION REQUESTED

District _____

Island _____

County _____

Tax Map Key _____

Area of Parcel _____

(Indicate in acres or sq. ft.)

Term (if lease) _____

V. Environmental Requirements

Pursuant to Chapter 343, Hawaii Revised Statutes, and in accordance with Title 11; Chapter 200, Environmental Impact Statement Rules for applicant actions, an Environmental assessment of the proposed use must be attached. the Environmental assessment shall include, but not be limited to the following:

- (1) Identification of applicant or proposing agency;
William B. Blok
- (2) Identification of approving agency, if applicable;
DNLN
- (3) Identification of agencies consulted in making assessment;
DNLN
- (4) General description of the action's technical, economic, social, and environmental characteristics;
see attached
- (5) Summary description of the affected environment, including suitable and adequate location and site maps;
see attached
- (6) Identification and summary of major impacts and alternatives considered, if any;
see attached
- (7) Proposed mitigation measures, if any;
see attached
- (8) Determination;
see attached
- (9) Findings and reasons supporting determination; and
see attached
- (10) Agencies to be consulted in the preparation of the EIS, if applicable.
DNLN and DOT

VI. Summary of Proposed Use (what is proposed)

The proposed mooring will be used for a commercial fishing vessel. In the past we have caught our Ahi 150 miles out and then taken our catch to the Honolulu auction. Presently we want to bring the fish to the big island for local consumption. (Kona area and Hilo). My crew and I live in Napoopoo and want to be part of the economic impact of this area.

November 20, 1989

Re: Master Application Form, page #2, addressing environmental requirements items #4 and #5.

I am applying for a mooring in the bay for my personal use. In the past 15 years I have had a mooring in the bay for economic reasons. I am a commercial fisherman. In that time period the moorings used in the bay have always been in the sandy areas fronting Napoopoo. There is no environmental affect other than the heavy anchors or cement blocks gradually sinking into the sandy bottem. My current mooring is in 68-70 feet of water far enough from shore that when a storm passes through the area and the bay is closed by huge breakers, the boat is outside the beginning curls. The only safe place in the bay based on one, the position of the Leslie's mooring, and second, my personal observation over the last 15 years. See exhibit #1.

Item #6.

There are no major impacts to mooring in the bay. Fisherman respect the bay's environment, we live there, both my crew and myself. I can see the bay and my boats from my home and keep a close eye on weather and the comings and goings in the bay. I keep my boat clean and do major repair work at Honokohau or Honolulu. Alternatives to mooring in the bay are dangerous and virtually impossible. Kailua Bay has dangerous onshore breakers and winds. Most boats run for cover to Honokohau Harbor during storms making it crowded and unsafe without a slip. Honokohau Harbor would be a viable alternative if the waiting list wasn't four years long.

Item #7.

This kind of activity is not harmful to the Marine Life Conservation District. Instead it allows traditional lifestyles and values to remain in Napoopoo.

Items #8 and #9.

There is no need for an EIS pursuant to Chapter 343, Hawaii Revised Statutes. There are no significant environmental concerns anticipated.

INFORMATION REQUIRED FOR ALL USES

I. Description of Parcel

- A. Existing structures/Use. (Attach description or map).
map enclosed
 - B. Existing utilities. (If available, indicate size and location on map. Include electricity, water, telephone, drainage, and sewerage).
none
 - C. Existing access. (Provide map showing roadways, trails, if any. Give street name. Indicate width, type of paving and ownership).
by dingy
 - D. Vegetation. (Describe or provide map showing location and types of vegetation. Indicate if rare native plants are present).
N/A
 - E. Topography; if ocean area, give depths. (Submit contour maps for ocean areas and areas where slopes are 40% or more. Contour maps will also be required for uses involving tall structures, gravity flow and other special cases).
see attached information and maps.
 - F. If shoreline area, describe shoreline. (Indicate if shoreline is sandy, muddy, rocky, etc. Indicate cliffs, reefs, or other features such as access to shoreline).
N/A
 - G. Existing covenants, easements, restrictions. (If State lands, indicate present encumbrances.).
N/A
 - H. Historic sites affected. (If applicable, attach map and descriptions).
N/A
- II. Description: Describe the activity proposed, its purpose and all operations to be conducted. (Use additional sheets as necessary).
See attached sheet marked page 3, II. Description.
- III. Commencement Date: January 1, 1990

Completion Date: sale of boat

IV. TYPE OF USE REQUESTED (Mark where appropriate) (Please refer to Title 13, Chapter 2)

- 1. Permitted Use (exception occasional use);
DLNR Title 13, Chapter 2, Section _____; Subzone _____.
- 2. Accessory Use (accessory to a permitted use):
DLNR Title 13, Chapter 2, Section _____; Subzone _____.
- 3. Occasional Use: Subzone _____.
- 4. Temporary Variance: Subzone _____.
- 5. Conditional Use: Subzone Resource

November 20, 1989

Re: Master Application Form, Page 3, II, Description.

This is how mooring in the bay is done. Please refer to the map enclosed showing sites A, B, C, and landing.

1. A small dingy is left on the landing. The oars are taken home.
2. My fourteen foot work skiff is on a mooring (semi-permanent, on a chain and anchor that I myself can move and inspect) and has 25hp outboard. This is left on "C" location.
3. My fishing boat is located on a mooring marked "B". Currently this exists of two 200 pound anchors to chain, up to a float, from there to the bow of my boat.

I row my dingy to my skiff and then leave my dingy on the skiff mooring. Then you proceed to the landing and pick up your crew, food, bait, and gear. We take the skiff out to the fishing boat, unload and tie the skiff up to the fishing boat mooring "B". When we return from our fishing trip, we return to "B", tie up the fishing boat and unload our fish at the landing into a fish box for delivery to the local stores or to Hilo auction. After our work is finished we again tie the skiff on mooring "C" and row the dingy back to the landing. I am going to apply for a slip at Honokohau Harbor at the same time and would shift much of my operation to that harbor if and when I get a slip. That is how we need to use the bay and the relatively safe mooring opportunity the bay gives us.

(Indicate in acres or sq. ft.)

Name & Distance of Nearest Town or Landmark

Kealahou Bay

Boundary Interpretation (If the area is within 40 feet of the boundary of the Conservation District, include map showing interpretation of the boundary by the State Land Use Commission).

Conservation District Subzone Resource
County General Plan Designation _____

V. FILING FEE

1. Enclose \$50.00. All fees shall be in the form of cash, certified or cashier's check, and payable to the State of Hawaii.
2. If use is commercial, as defined, submit additional public hearing fee of \$50.00.

INFORMATION REQUIRED FOR CONDITIONAL USE ONLY

- I. Plans: (All plans should include north arrow and graphic scale).
 - A. Area Plan: Area plan should include but not be limited to relationship of proposed uses to existing and future uses in abutting parcels; identification of major existing facilities; names and addresses of adjacent property owners.
 - B. Site Plan: Site plan (maps) should include, but not be limited to, dimensions and shape of lot; metes and bounds, including easements and their use; existing features, including vegetation, water area, roads, and utilities.
 - C. Construction Plan: Construction plans should include, but not be limited to, existing and proposed changes in contours; all buildings and structures with indicated use and critical dimensions (including floor plans); open space and recreation areas; landscaping, including buffers; roadways, including widths; offstreet parking area; existing and proposed drainage; proposed utilities and other improvements; revegetation plans; drainage plans including erosion sedimentation controls; and grading, trenching, filling, dredging or soil disposal.
 - D. Maintenance Plans: For all uses involving power transmission, fuel lines, drainage systems, unmanned communication facilities and roadways not maintained by a public agency, plans for maintenance shall be included.
 - E. Management Plans: For any appropriate use of animal, plant, or mineral resources, management plans are required.
 - F. Historic or Archaeological Site Plan: Where there exists historic or archaeological sites on the State or Federal Register, a plan must be submitted including a survey of the site(s); significant features; protection, salvage, or restoration plans.
- II. Subzone Objective: Demonstrate that the intended use is consistent with the objective of the subject Conservation District Subzone (as stated in Title 13, Chapter 2).

CONSERVATION DISTRICT USE APPLICATION

- I. All persons must submit an application and have it approved prior to the initiation of any new, change in existing, or, expansion of land use within the Conservation District, except as provided in Subchapter 13-2-4 of the Department of Land and Natural Resources Administrative Rules. If a properly submitted application is not acted on within one hundred and eighty (180) days, the landowner may automatically put the land to the use(s) proposed. This is the normal processing time.

All applications must be signed by the landowner prior to submission to the Department of Land and Natural Resources. No application shall be considered submitted when the information required in the application is incomplete.

All applications are subject to the State and Federal environmental requirements. Any requirement must be satisfied prior to Board approval. The Administrative Rules relating to the environment may be obtained at the Office of Environmental Quality Control. For information, call 548-6915.

All applications are subject to County Special Management Area requirements. Any requirement must be satisfied from your County prior to Board action.

A public hearing is required for: 1) all commercial uses; 2) for any conditional use in the P Subzone; or 3) subdivision, or 4) any use which the Board determines is of substantial public interest.

Complete the application in the following manner:

1. For permitted, accessory, occasional use, or temporary variance, complete pages 1-3 only;
2. For conditional use, complete pages 1-4.

All correspondence will be directed to the applicant. Submit eighteen (18) copies of the completed application and all attachments. Reduce or fold attachments to 8 1/2" x 11". Mail application and attachments, to: Department of Land and Natural Resources, P.O. Box 621, Honolulu, Hawaii 96809. For information call 548-7837.

Mr. Roger Evans
Office of Conservation & Environmental Affairs

NOTE: You may call the OCEA office using a toll-free number:

1-800-468-4644 - give the operator who answers the
number listed above: 548-7837.

JOHN WAINCE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
P. O. BOX 621
HONOLULU, HAWAII 96809

WILLIAM W. PATY, CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES

LIBERT K. LANDGRAF
DEPUTY

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DOC.: 3046E

APPLICANT'S CHECKLIST
CONSERVATION DISTRICT USE APPLICATION
(CDUA)

- Eighteen (18) Copies of the CDUA
- \$50 Filing Fee
- \$50 Public Hearing Fee
- // Shoreline Management Act Permit (From County Planning Agency)
- // Tax Map Key(s) Determined
- // Conservation District Sub-Zone Determined
- // Landownership Determined
- // Agent Established
- // Applicant Has Signed the CDUA
- // Applicant Has Provided a Division Map
- // Applicant Has Provided a Zone Map
- // Applicant Has Provided a Section Map
- // Applicant Has Provided a Plat Map
- // Applicant Has Provided a Parcel Map
- // Applicant Has Provided Project Plans
- // Applicant Has Provided Project Photographs
- // Applicant Has Provided Eighteen (18) Copies of the
Environmental Assessment
- // Applicant Has Provided Eighteen (18) Copies of the
Environmental Impact Statement
- // Applicant has Filed a Previous CDUA: _____
- // Other

HAWAII COUNTY

Hawaii Island

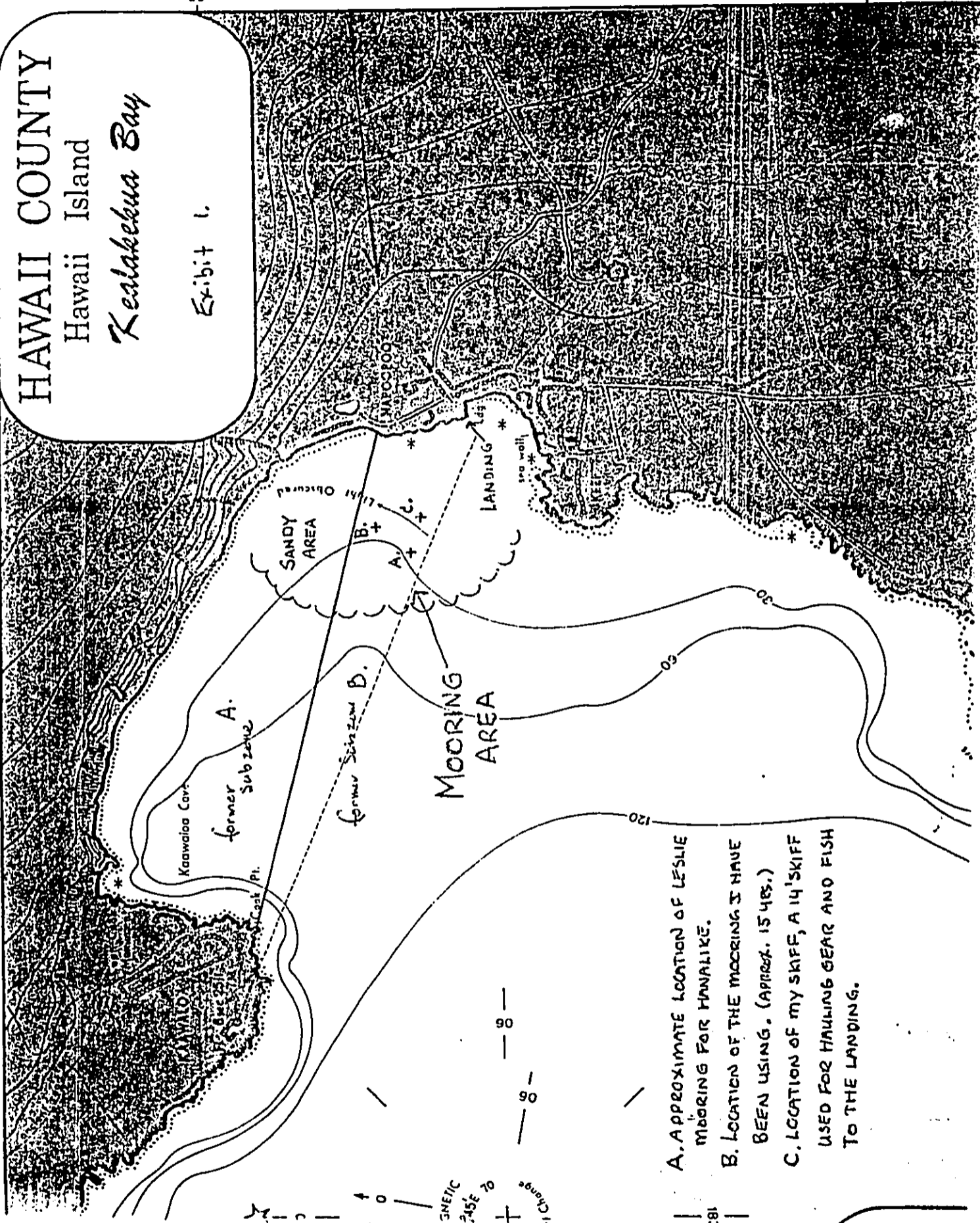
Kealahou Bay

Exhibit 1.

155°56'

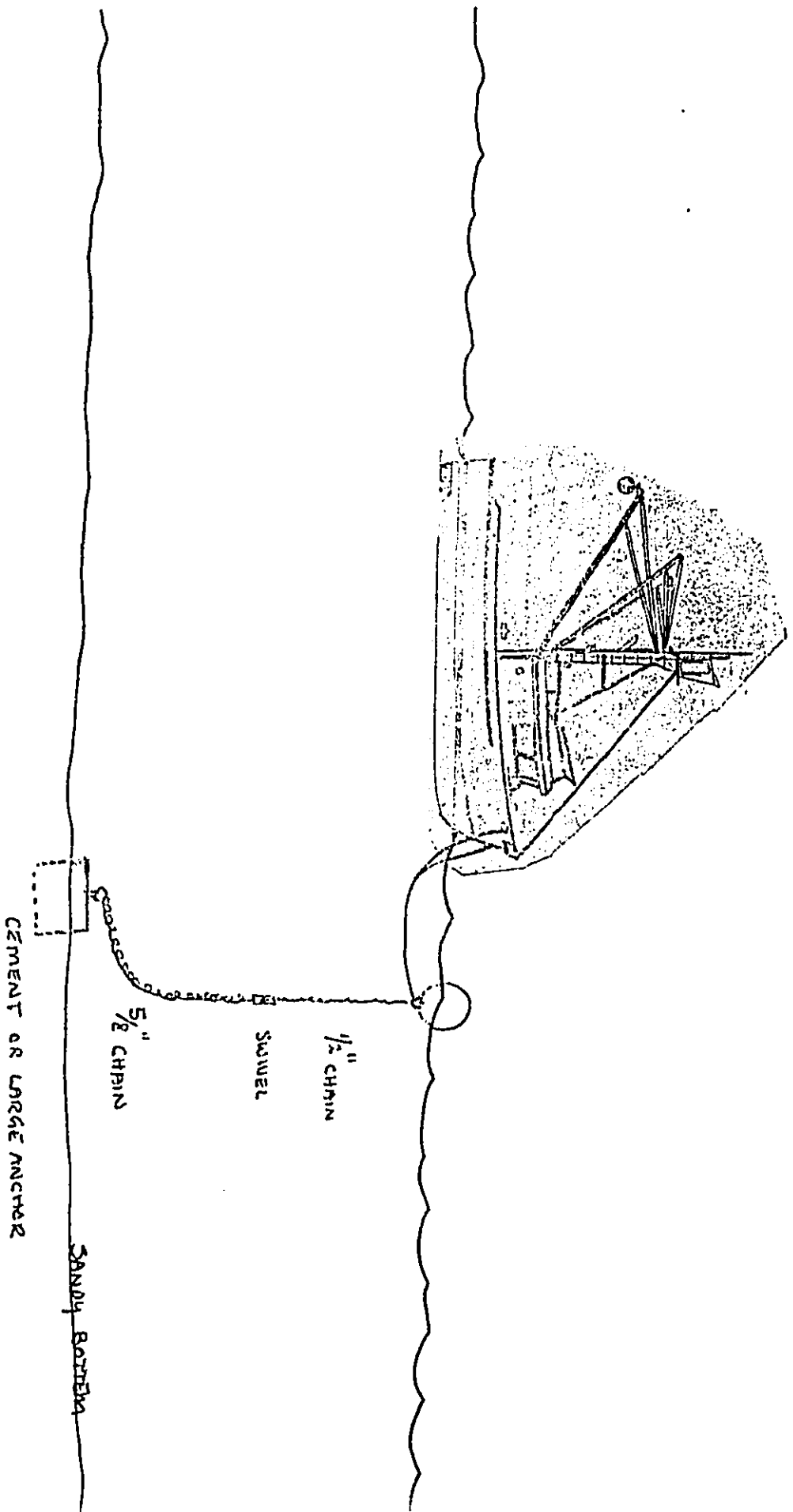
29'

159°28'



- A. APPROXIMATE LOCATION OF LESLIE MOORING FOR HAWALIKE.
- B. LOCATION OF THE MOORING I HAVE BEEN USING. (APPROX. 15 YRS.)
- C. LOCATION OF MY SKIFF, A 14' SKIFF USED FOR HAULING GEAR AND FISH TO THE LANDING.

Exhibit 2.



Boat will swing 360° as all the other anchor or moor in the Bay. There are 50 onshore winds in the afternoons and strong offshore breezes at night, so boats need to swing to the lines won't chafe.