

State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii

April 25, 2014

Board of Land and Natural Resources
State of Hawaii
Honolulu, HI

REQUEST TO ENTER INTO A CONTRACT FOR THE REPLACEMENT OF NINE EXISTING OFFSHORE MOORINGS IN KEAULOHU BAY SMALL BOAT HARBOR AND THE INSTALLATION OF ANOTHER SEVEN OFFSHORE MOORINGS BASED ON THE FINDINGS OF A STUDY CONDUCTED BY SEA ENGINEERING, INC.; FIND THAT THE PROJECT IS EXEMPT FROM CHAPTER 343 IN ACCORDANCE WITH THE DIVISION OF BOATING AND OCEAN RECREATION'S COMPREHENSIVE EXEMPTION LIST, APPROVED BY THE ENVIRONMENTAL COUNCIL.

Background

In 2012, the Division of Boating and Ocean Recreation (DOBOR) began to address the numerous unpermitted offshore moorings that have been installed throughout the State. The first area being addressed was Keauhou Bay small boat harbor on the island of Hawaii because DOBOR was planning on adding eight additional moorings based on a September 1985 Department of Army study that indicated there were twenty four moorings in the Bay and all were occupied at the time and the 1992 "Documentation of Facilities for the Boating Program Transfer to the Department of Land and Natural Resources", conducted by R.M. Towill Corporation, on behalf of the Department of Transportation, indicating that Keauhou Bay contained facilities for a total of 19 moorings (See Exhibit A). The existing offshore moorings were installed years ago by the vessel owners and the required Department of Army permits were never obtained.

DOBOR met with the existing offshore mooring permittees to discuss the steps that would need to be taken in order to obtain the necessary permit for the Department of Army. At this meeting, the existing permittees indicated that the Bay could not accommodate an additional eight vessels so in order to ensure what the appropriate amount of vessels that could safely moor in Keauhou Bay Sea Engineering, Inc. was hired to survey the existing mooring facilities and design an adequate mooring system that would ensure the mooring would be sufficient to protect the natural resources as well as effectively moor the vessels.

The initial survey and mapping of existing conditions was conducted on November 29, 2012, followed up with a feasibility survey on March 6 & 7, 2013 and followed up again with a final survey on June 12, 2013.

The March and June 2013 surveys involved a thorough evaluation of the existing seafloor conditions and investigation of the marine environment at various proposed mooring anchor locations. The results of these surveys resulted in a proposed mooring layout with a total of 16

vessels of varying lengths and drafts. These moorings would accommodate the nine (9) existing moorings and seven (7) additional moorings. (See Exhibit B)

The proposed mooring plan involves replacement of nine (9) existing moorings and installation of seven (7) additional moorings. Six of the nine existing moorings to be replaced are for existing commercial operations and no additional commercial moorings will be permitted. The seven additional moorings will be for recreational purposes only. DOBOR does not anticipate that the addition of seven recreational moorings will have an adverse impact on the current uses of the bay. Most of the traffic and congestion experienced at Keauhou Bay are due to the existing commercial operations utilizing the boat launch ramps and loading dock.

Chapter 343-ENVIRONMENTAL ASSESSMENT:

Keauhou Bay is considered a small boat harbor and has been used to launch and retrieve vessels from the launch ramp as well as moor vessels in the offshore mooring prior to statehood. The loading dock and launch ramp were constructed in the 1950's and the facility was transferred to the Department of Transportation in 1978 and then to the Department of Land and Natural Resources in 1992.

It is important to note that the existing moorings within the bay have not been engineered or properly permitted and do not account for their potential environmental impacts. In fact, results of the November 29, 2012 survey of the existing moorings within the bay revealed that many of the unpermitted moorings were not properly installed causing impacts to marine and coral resources. DOBOR's intent is to remove the existing moorings and replace them with new, Federally permitted moorings designed to minimize impacts to the marine environment.

The Army Corps of Engineers (Army Corps) permit application submitted for the proposed mooring project includes a detailed Marine Resources Survey of Keauhou Bay with photos and detailed descriptions of all coral and marine life located in the vicinity of each proposed mooring anchor location. Also noted in the Army Corps permit is a detailed plan describing approved techniques and procedures for safely relocating all coral colonies that will be affected by placement of the proposed mooring anchors.

Based on the fact that the Keauhou Bay small boat harbor has been in existence since before statehood, the use remains the same, and there is no expansion of the existing mooring area, DOBOR believes that this project meets the exemption requirements found in the Comprehensive Exemption List, approved by the Environmental Council, and the project is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1 that states, "Operation, repairs, or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond previously existing." (See Exhibit C).

DOBOR notes that the Keauhou Canoe Club has filed a lawsuit challenging, among other things, that an Environmental Assessment is needed for the project because the addition of seven offshore moorings constitutes as a new use. They also allege that the additional moorings will affect paddlers ability to navigate the Bay even though all the offshore moorings are located within the same foot print as the existing offshore moorings.

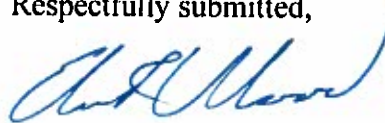
DOBOR disputes these claims because the Keauhou Bay small boat harbor has been used for vessel mooring for decades. The Army Corp of Engineers study and the R.M Towill Corporation report both indicate that there were between 15 to 24 vessels moored offshore in the Bay at any given time. The area where the sixteen mooring are being installed is the same footprint as where the current moorings are located. The new mooring design will relocate the three vessels that are currently moored in the United States Coast Guard navigation channel and will ensure that all vessels have access to the Bay including the Keauhou Bay canoe club.

RECOMMENDATIONS:

That the Board:

1. Authorize the issuance of a contract for the upgrade and installation of sixteen offshore moorings for Keauhou Bay small boat harbor;
2. Find that the project is exempt from the preparation of an Environmental Assessment pursuant to Hawaii Administrative Rules, Section 11-200-8, Exemption Class 1.


Respectfully submitted,



Edward R. Underwood
Administrator

Attachments: Exhibit A
Exhibit B
Exhibit C

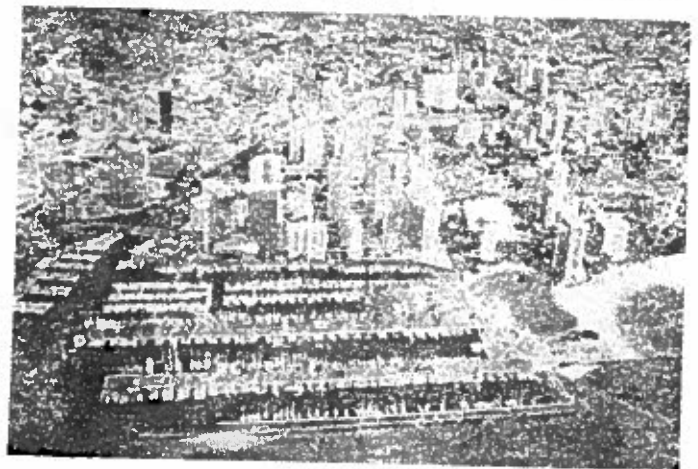
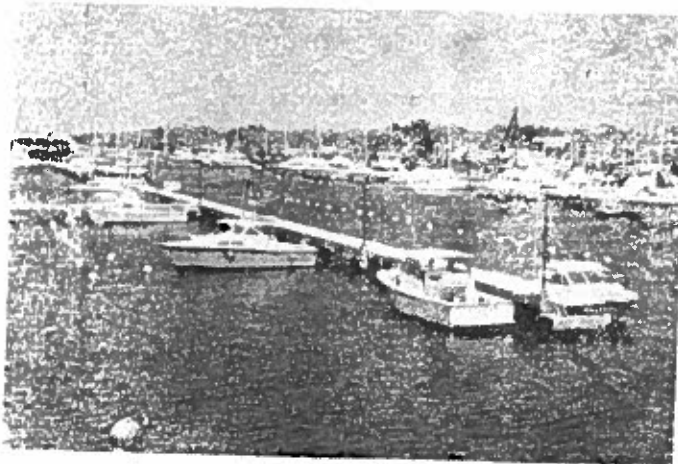
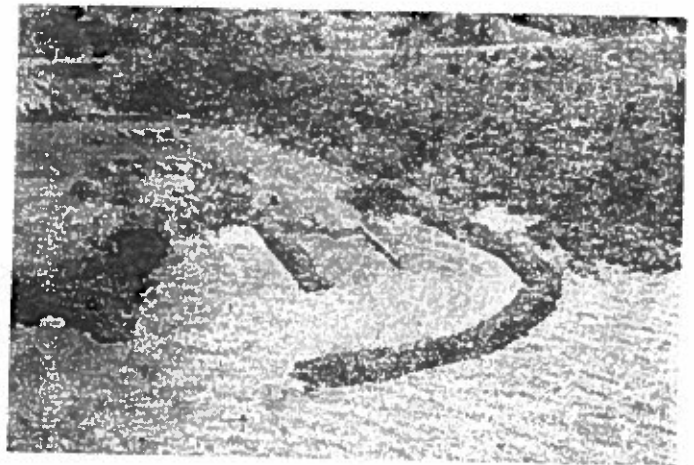
APPROVED FOR SUBMITTAL



William J. Aila, Jr.
Chairperson

FINAL

**Documentation of Facilities
for the Boating Program Transfer
to the Department of Land and Natural Resources**



RMTC

R.M. Towill Corporation
420 Waiakamilo Road Suite 411
Honolulu, HI 96817-4941
(808) 842-1133 Fax 842-1937

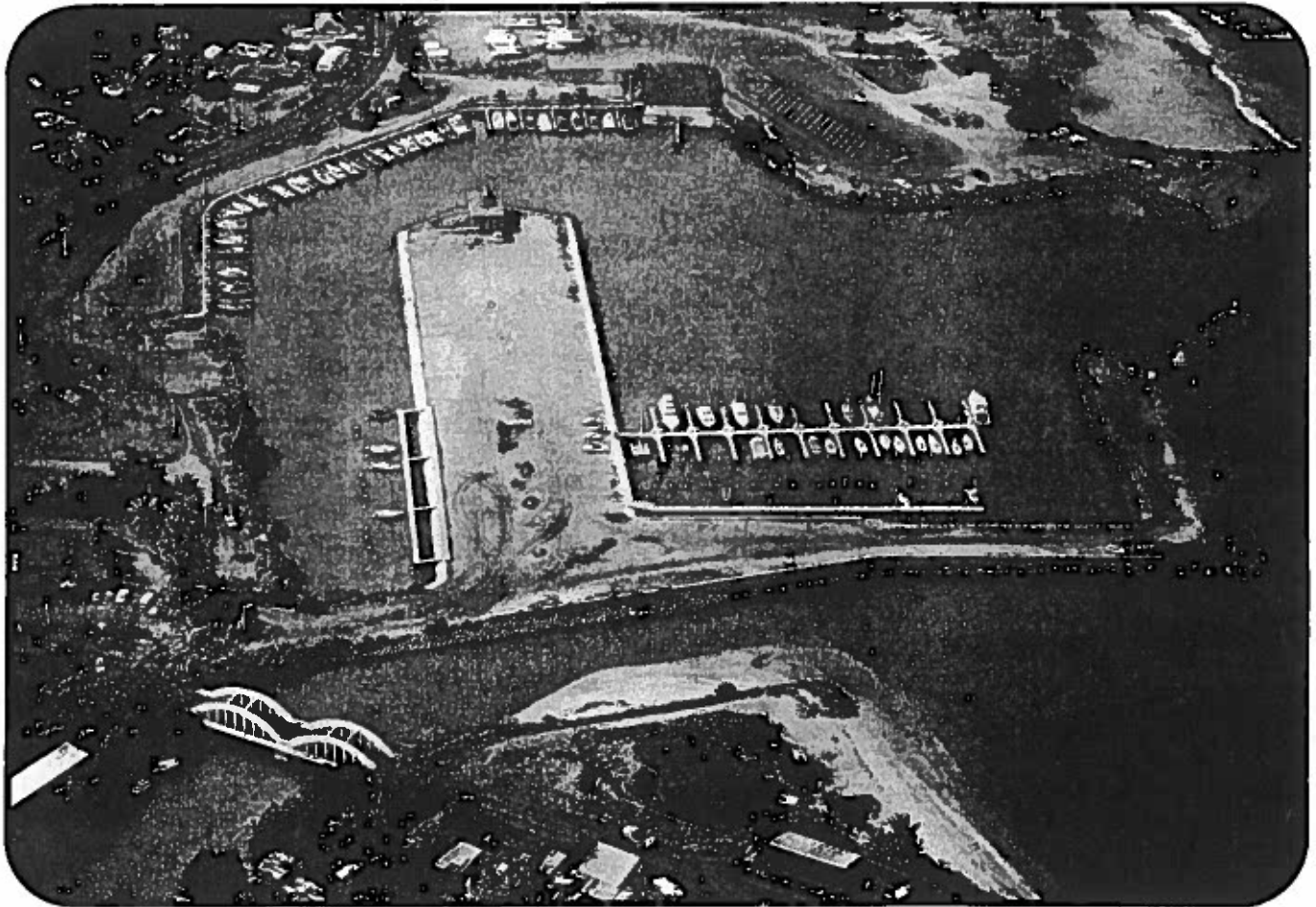
January 1993

State of Hawaii
Department of Transportation
Harbors Division

EXHIBIT A

Number	09
Name	Keauhou Small Boat Harbor
Island	Hawaii
TMK	7-8-12: 55,8
Location	Keauhou Bay is located on the west coast of Hawaii, approximately 5 miles south of Kailua-Kona. The bay is 300 yards wide and lies between two lava flows.
Description	This very well protected small boat harbor includes slips and moorings for 19 vessels, a double-lane, 30 foot wide launching ramp which was donated to replace a former marina railway, and a fishing hoist. The SBH was transferred to the jurisdiction of the Department of Transportation in 1978.
Authorization Construction Phases & Costs	1950, Catwalk (Data incomplete), \$11,370, #848 1957, Ramp
Why Built	
Current Use	Recreational and charter fishing and tour boats.
Jurisdiction	State of Hawaii Department of Transportation, Harbors Division - Boating Branch.
Acreage	0.879
Recreational Berths	4
Moorings	15
Ramps	2
Piers	1
Buildings	
Utilities	Water (tank)
Parking Stalls	Paved parking area
EO#, Statute, ROE	EO# 1862, 9/15/58; EO# 2060, 6/8/62; EO# 2769, 6/10/75;
Commercial Permits	4
Leases	
Surrounding Uses	
Future Plans	

State of Hawaii



Small Craft Navigation Facilities



US Army Corps
of Engineers
Pacific Ocean Division

September 1985

Reed's Bay is located between Radio Bay boat harbor and the Wailoa Sampan Basin in Hilo Bay. The harbor consists of an open bay with no docks or piers. Reed's Bay has no launch ramp but does have 16 mooring buoys. The majority of the boats in the bay are sail boats.

Radio Bay is situated on the east side of the Hilo commercial harbor. Radio Bay Harbor has 12 mooring buoys but no existing launch ramp.

POHOIKI

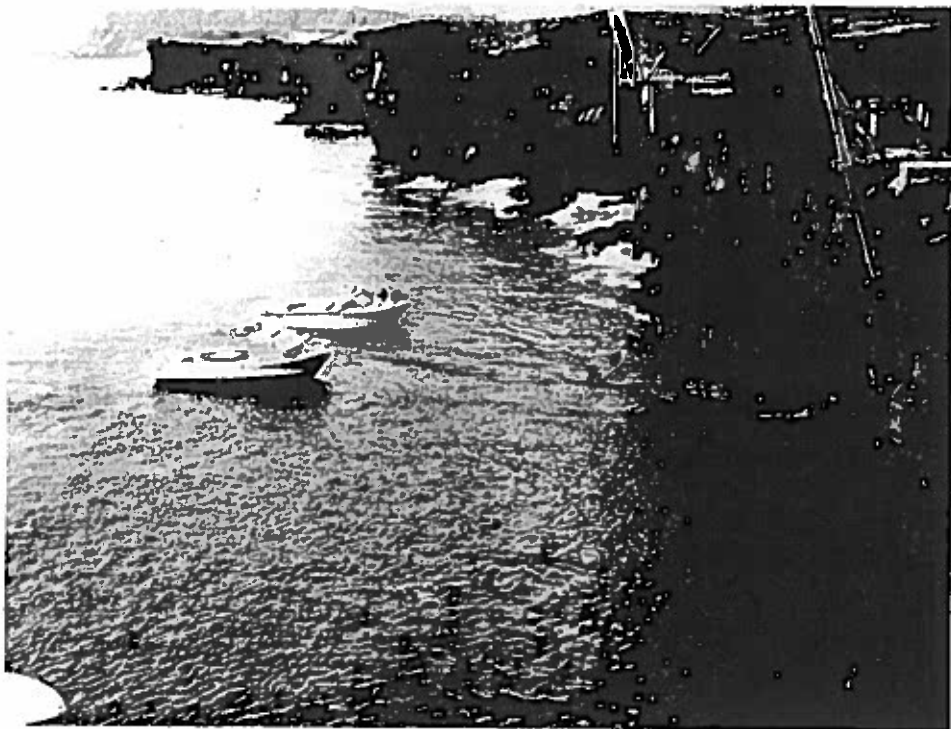
The only launching facility located in the Big Island's Puna District is an 18-foot wide, single lane concrete ramp at Pohoiki Bay. The ramp, constructed in 1963, is within the County's Isaac Hale Beach Park. A break-water was constructed and funded by the Army Corps of Engineers in 1979. The State maintains the facility. The principal activity of boaters launching at this site is fishing.

PUNALUU

Punaluu is located on the southeast coast of Hawaii, 19 miles south of Keaoi Islet. Punaluu, formerly a shipping point, has an old landing that is no longer used. A privately owned launch ramp has been constructed by C. Brewer & Co. This ramp is open to the public via an access road through Punaluu Beach Park. The ramp is fairly steep and is in poor condition but provides improved launching facility for local boaters between Pohoiki and Kaulana.

KAULANA

The Kaulana launch ramp, located at the southernmost tip of the island, is a 20-foot wide, single lane concrete ramp constructed in 1963. The ramp is located in a small cove on the Naalehu side. Unrestricted parking is available on adjacent open range land. There is some silting at the foot of the ramp, and the site is rough during trade wind conditions. This launch has been approved for upgrading as a joint Federal-State project.



Kaulana Bay Launch Ramp, Hawaii

HONAUNAU

A paved landing was constructed by local boaters in the early 1960's using materials supplied by the County at Honaunau, on the west coast of the Big island. The ramp, a 12-foot wide single lane, is located adjacent to the city of Refuge National Historical park, administered by the National Park Services. The launch area is shallow restricting launching to high tide. An S-type natural channel further restricts the use of this facility. No parking area has been designated, and boaters park along the roadway near the site. Most launchings are by boaters engaged in pleasure or commercial fishing.

KEAUHOU

Keauhou Bay located on the west coast of Hawaii, approximately 5 miles south of Kailua-Kona, lies between two lava flows at the foot of a gentle slope. Though small, it is one of the best protected bays along the west coast. It is marked by the Keauhou Bay light, 35 feet above the water atop a 30-foot pipe at the head of the bay. A three-color directional light is shown 10 feet below on the same structure; the fixed white sector of the beam marks the centerline of the entrance channel on course 066. The harbor bottom is extremely irregular and has many coral heads, with water depths of 5 to 6 feet over them. A reef

extends 100 yards off the north entrance point. Boats requiring greater than 4 foot draft should not enter the bay for anchorage. Keauhou Bay has a capacity of 24 moorings and 4 berthing slips in water 10-15 feet deep; however, all are occupied. There is no room for visiting boats. Additional facilities include a double lane ramp for trailer boat launching.

water depth of 10 feet and coral bottom are all occupied; however, there is room in the basin for boats to moor via own anchor with water depth at 30 to 60 feet and sand and coral bottom. Boaters are advised to anchor as close to shore as possible to avoid surge. Parking is limited with only 7 designated parking stalls for cars with trailers available.

HONOKOHAU

Honokohau Small Boat Harbor located on the west coast of Hawaii at the head of Honokohau Bay, a proximately 3 miles northwest of the Kailua-Kona Wharf. Entrance through a dredged channel, 5 feet deep, which leads to two basins. Water depth in the east basin is 8 feet and 15 feet in the west basin. The bottom is rock. When entering from seaward there is an entrance channel directional light which is white 2 degrees east side of centerline of channel bearing 060, red when right and green when left of the white beam. There are 12 mooring buoys in the harbor however, all are occupied. There is no room for visiting boats, which should moor only in case of emergency. The majority of the boats moored at Honokohau are charter fishing boats. There are two double lane ramps constructed in 1979. Parking is available in an unpaved parking area. Honokohau is a joint Federal and State project.



Keauhou Pier, Hawaii

KAILUA-KONA

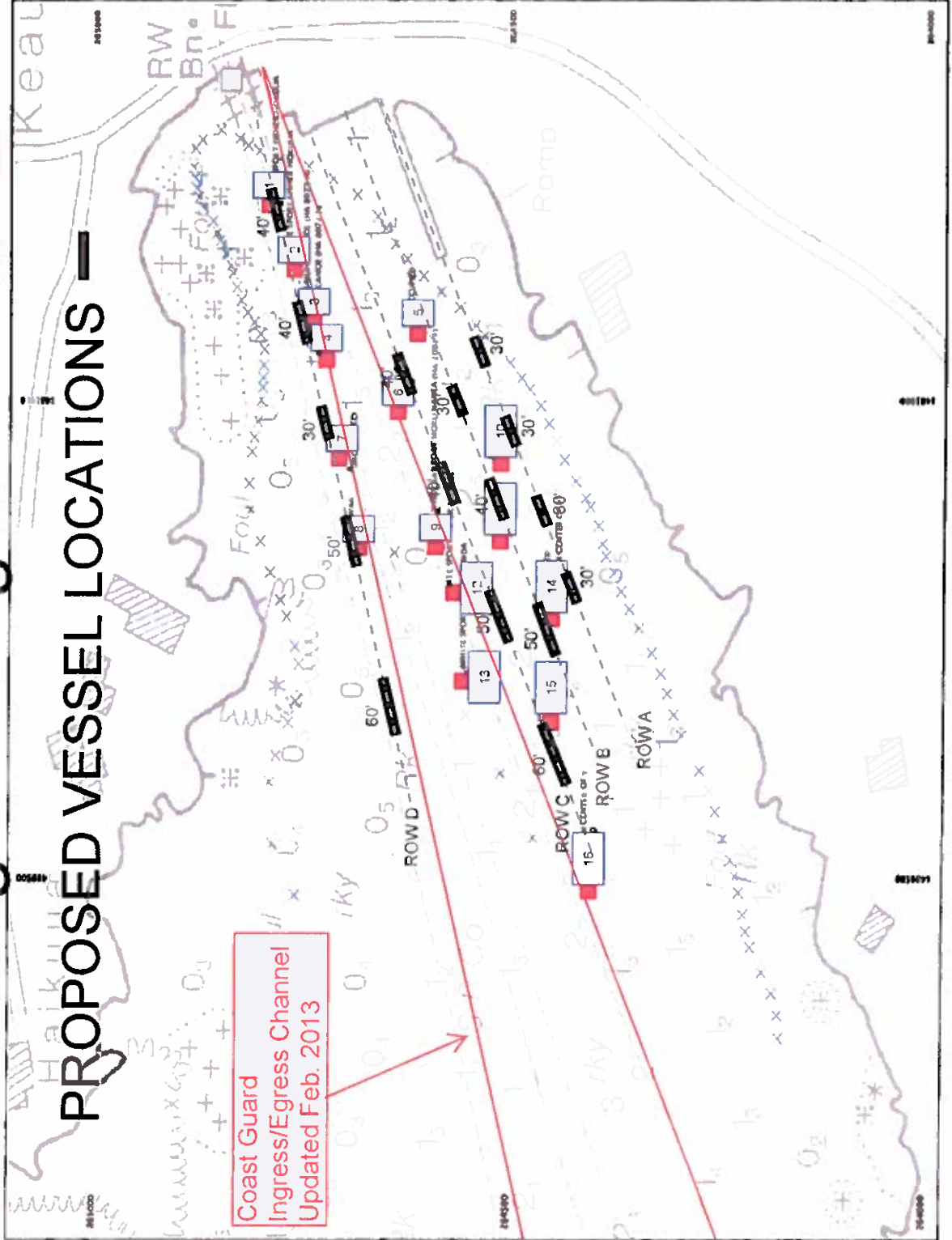
Kailua-Kona Wharf is located on the west coast of Hawaii, marked by Kailua Light, which is a flashing 2.5 second light atop a white pyramidal tower 32 feet above the water on the northwest side of the bay entrance. No breakwater protects this exposed facility. Access is good and no channel is required to reach open water. The turning basin is 12 to 20 feet deep and about 500 feet square. The wharf is State-owned and is 350 feet long. A single lane 16 foot wide launch ramp, constructed in 1955 by the State Harbors Division, is located on the north side of the wharf. Nine berths with



Kailua-Kona Harbor, Hawaii

Existing Mooring Locations ■

PROPOSED VESSEL LOCATIONS —



Coast Guard
Ingress/Egress Channel
Updated Feb. 2013

**KEAUNOHOU BAY
MOORINGS SURVEY:**
SAGA, HAWAII
10 Dec. 2012

**Plate 1: Planned Positions of
Existing Moorings**

LEGEND

- X FOUL WATER BIDPY
- EXISTING MOORING ANCHOR
- 182. HOKULIA (39)
- 384. SAILING CANOE (42)
- 566. CAPT. JACK (41)
- 728. HOKUHELE (50)
- 9A&9B. MOKU HANEA (29)
- 10&11. KALA KAI (21)
- 12&13. HAINOA (29)
- 7&8.15. HULA KAI (55)
- 16. FAIRWINDS II (60)
- PROPOSED VESSEL



S&B Engineering, Inc.
4400 Kalia Road, Suite 200, Honolulu, HI 96814
Tel: 808-735-7888 Fax: 808-735-7889
www.sandbeng.com



GRAPHIC SCALE
0 20 40 60 80
SCALE IN FEET

**COMPREHENSIVE EXEMPTION LIST
FOR THE
DIVISION OF BOATING AND OCEAN RECREATION
DEPARTMENT OF LAND AND NATURAL RESOURCES
STATE OF HAWAII
AS CONCURRED IN BY THE
ENVIRONMENTAL COUNCIL, STATE OF HAWAII**

Pursuant to Section 11-200-8, Hawaii Administrative Rules, the following enumerated types of actions, where they fall within the given classes of action, shall generally be exempt from requirements regarding preparation of an environmental assessment, provided that the Division shall determine whether notice be sent to other affected government agencies.

EXEMPTION CLASS 1: Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing.

A. STRUCTURES

1. Buildings: repainting, re-roofing, and repairs to and maintenance of furnishings, framework, walls, roof sheathing, flooring, floor coverage, windows, doors, electrical, plumbing, and communication systems, and heating/ventilation/air conditioning units.
2. Termites and pest control treatment using Environmental Protection Agency and State Department of Agriculture approved pesticides under the supervision of certified applicators provided that treatment be limited to existing structures, facilities or equipment.
3. Grooving of existing concrete pavements and approaches to launching ramps to improve skid resistance and safety.
4. Cleaning, chipping, painting, patching of damaged concrete and replacement of structural members to existing roadway structure within State boating facilities.
5. Modification required to existing buildings and equipment to meet new codes and regulations, i.e., Occupational Safety & Health Administration, building, fire, security, accessibility for physically challenged persons, etc.
6. Repairs and modifications to sewage and water pumping stations and treatment facilities to maintain established codes and standards, provided that modifications that expand the capacity or geographical service area of existing facilities shall not be exempt.

B. FACILITIES

1. Resurfacing, sealing, and/or repairing of roadways, roadway shoulders, parking areas, walkways, bikeways, and harbor storage areas.

2. Repair or replacement of fender systems, utilities, manholes, and navigational aids.
3. Repairs or improvements to catwalks, subsidences, loading docks and mooring facilities.
4. Repairs to rock walls, curbing, perimeter seawalls, groins, dikes, breakwaters, boat launching ramps, loading docks, and storm drains.
5. Temporary storage of construction equipment and materials on vacant boating facility properties.

C. EQUIPMENT

1. Repair and maintenance of automobiles, trucks, and maintenance and construction equipment used in the performance of duty.
2. Repair and maintenance of machinery such as tools, mowers, pumps, generators, etc.

D. TOPOGRAPHICAL FEATURES

1. Planting, trimming, mowing, and irrigating State boating facility areas.
2. Clearing and grading, for which grading permits are not required, to maintain safety standards for vehicular traffic.
3. Clearing of swales and drainage conduits to maintain existing flow characteristics.
4. Removal of silt and debris from above high water mark and of sand and limu from boat launching ramps.
5. Clearing of shoreline areas and submerged lands of non-natural hazardous objects and materials such as sunken/derelect craft remnants of World War II invasion protection structures, oil spill residues, etc.
6. Setting aside of State lands to the Division of Boating and Ocean Recreation and provided that an environmental assessment shall be prepared when the Division of Boating and Ocean Recreation proposes a change in existing use of these lands.
7. Transfer of State lands by Governor's Executive Order to the Division of Boating and Ocean Recreation from other State agencies and provided that an environmental assessment shall be prepared when the Division of Boating and Ocean Recreation proposes a change in existing use of these lands.
8. Maintenance dredging of small quantities of material of 100 cubic yards or less from launching ramps, navigation channels and berthing areas at small boat harbors, not to exceed their originally designed depths, with disposal of dredged material at approved landfill sites or the placement of sand on adjacent areas in accordance with Chapter 205A-44, Hawaii Revised Statutes.
9. Subdivision of lot(s) within State boating facilities not within the conservation district.