

State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii 96819

May 26, 2017

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

Hawai'i

**Installation and Modification of Four (4) Existing Offshore Moorings and
Declare Project Exempt From Requirements of Chapter 343, HRS, and Title 11,
Chapter 200, Hawaii Administrative Rules for
Fair Wind, Inc. (Vessel: Fair Wind II)
Kona Sunrise Charters, Inc. (Vessel: Hula Kai)
Keauhou Boating Ltd. (Vessel: Captain Jack)
Charisma Hawaii, Inc. (Vessel: Kona Gold)
Keauhou Bay, Island of Hawaii, Hawaii**

The Division of Boating and Ocean Recreation (DOBOR) is requesting that the Board of Land and Natural Resources (Board) approve the installation and modification of four (4) existing permanent offshore moorings for the subject companies/vessels and declare installation and modification of the moorings exempt from the requirements of Hawaii Revised Statutes, Chapter 343 to prepare an Environmental Assessment (EA), due to the use of submerged State land and the existing offshore moorings being located within the basin of Keauhou Bay Small Boat Harbor.

The applicant, Mendy Dant, is the owner of the four (4) subject companies and vessels and is requesting approval for the installation and modification of their four (4) existing offshore moorings within the basin of Keauhou Bay Small Boat Harbor. The modification of the existing moorings involves the installation of Manta Ray type mooring anchors to strengthen the existing mooring anchor systems for each vessel. See Exhibit B attached for details on the mooring installation and modification for each vessel.

In accordance with Hawaii Administrative Rule (HAR) Section 11-200-8(A) and the Exemption List for the Department of Land and Natural Resources (DLNR), approved by the Environmental Council, on June 5, 2015, it has been determined that the installation of the four (4) existing moorings is exempt from the preparation of an EA pursuant to the following exemptions:

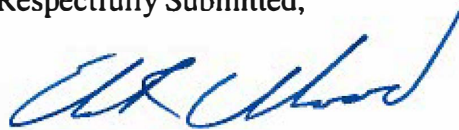
Item No. 13 of Exemption Class 6: "Placement or construction of accessory structures such as...mooring buoys, blocks, and piles, and other similar structures accessory to existing facilities on state land and waters."

Pursuant to Chapter 343, HRS, and Chapter 11-200, HAR, the attached Exemption Notification labeled Exhibit A was prepared for the four (4) moorings. Also attached is the applicant's request for installation and modification of the moorings and EA Exemption approval, approved Mooring Installation Plans, and the U.S. Army Corps of Engineers Nationwide Permit No. 3 (Maintenance) Verification Letter authorizing installation of the mooring in navigable waters of the U.S. for the four (4) moorings, labeled Exhibit B.

RECOMMENDATION:

Approve the installation and modification of four (4) existing offshore moorings within Keauhou Bay and declare that, after considering the potential effects of the installed moorings as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

Respectfully Submitted,



EDWARD R. UNDERWOOD
Administrator

Approved for Submittal:



SUZANNE D. CASE
Chairperson

Attachments: Exhibit A – Exemption Notification
Exhibit B – Applicant's request for approval of mooring
installation and modification, EA Exemption, approved Mooring
Installation Plans, and Nationwide Permit Verification Letter from
Army Corps of Engineers

DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

May 12, 2017

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, Hawaii Revised Statutes (HRS), and Chapter 11-200, Hawaii Administrative Rules (HAR).

Project Title:	Installation and modification of four (4) existing offshore moorings for Fair Wind, Inc. (Vessel: Fair Wind II), Kona Sunrise Charter, Inc. (Vessel: Hula Kai), Keauhou Boating Ltd. (Vessel: Captain Jack), and Charisma Hawaii, Inc. (Vessel: Kona Gold), Keauhou Bay, Island of Hawaii, Hawaii
Project Number:	None
Project Description:	Installation and modification of four (4) existing offshore moorings.
Chapter 343 Trigger(s)	Use of State Lands (submerged)
Exemption Class & Description:	Exemption Authority: Exemption List for the Department of Land and Natural Resources approved by the Environmental Council on June 5, 2015. Scope of Work: Installation of offshore mooring. Exemption Class 6: Construction or placement of minor structures accessory to existing facilities.
Exemption Item Number and Description:	Item No. 13 of Class 6: Placement or construction of accessory structures such as utility sheds, storage or maintenance sheds, office trailers, trash enclosures, comfort stations or sanitation facilities and related individual wastewater disposal systems, bus shelters, pavilions or picnic shelters, parking and fee collection facilities, checking stations, interpretive kiosks and displays, dock boxes, mooring cleats, bumpers, and mooring buoys, blocks and piles, and other similar structures accessory to existing facilities on state lands or waters.
Consultation:	The following agencies/entities were consulted, see attached records of consultation. <ul style="list-style-type: none">• U.S. Army Corps of Engineers, Honolulu District• Keauhou Canoe Club• State of Hawaii, Office of Planning, Coastal Zone Management Program Office
Recommendation:	It is anticipated this project will have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment


Suzanne D. Case, Chairperson


Date

EXHIBIT A



KEAUHOU CANOE CLUB

P.O. BOX 390755.....Keauhou Kona, Hawali 96739

April 7, 2017

To: BLNR Representatives

From: Carolyn Carter, Keauhou Canoe Club President

Re: Support of Fair Wind application for Mooring System Renovation in Keauhou Bay

Keauhou Canoe Club is pleased to write a letter of support for Mendy Dant and FairWinds Corporation for their installation of new mooring systems for their vessels in Keauhou Bay. Keauhou Canoe Club, as a member of the Keauhou Bay Stakeholders, has consistently supported the use of mooring systems such as they propose for the past 4 1/2 years. The proposed mooring system is more technologically advanced, environmentally friendly, and less conducive to the propagation of invasive species than the system recommended by the DLNR in the 2016 Environmental Assessment for DLNR moorings in Keauhou Bay.

Again, Keauhou Canoe Club supports the Fair Wind application for four mooring sites in Keauhou Bay. Thank you for your time and consideration.

Mahalo nui.



3 messages

Tue, Mar 21, 2017 at 3:52 PM

To: john.d.nakagawa@hawaii.gov

Dear Mr. John Nakagawa,

I am the owner of four vessels that have moorings in Keauhou Bay, Kona Hawaii. The DLNR has mandated that all offshore moorings have a USACE approved and permitted mooring system. We have been given until this summer to get this permit. We have recently received our permits from the USACE. All four of our vessels, Fair Wind II, Hula Kai, Capt Jack and the Kona Gold have new earth anchors planned for installation to replace their current moorings. We have had an engineer design the mooring system and have received approval from DLNR engineers in addition to the USACE.

Our next step is to consult with you as a government agency that may be concerned. I do understand from speaking to my colleague Richard Kersten, Sea Paradise that the CZM is satisfied with the NWP No. 3 approval that USACE has given and does not require the CZM federal consistency review.

The DLNR says I need an email from you stating that your department is satisfied. If you could please provide me with an email stating your department is satisfied this will allow me to move forward in this process. If you need my permits to be emailed to you for your perusal please let me know. I'd be more than happy to provide them to you.

**Respectfully,
Mendy Dant**

Mendy Dan
Executive Vice President
Fair Wind Cruises
Kona Sunrise Charters
78-6775 Box A Makenawai St
Kailua Kona, HI 96740
www.fair-wind.com
808-345-6211

Cruising the beautiful Kona Coast since 1971
Exploring, snorkeling in Kealahou Bay and along the South Kona Coast

Tue, Mar 21, 2017 at 3:57 PM

To: Mendy Dant <mendy@fair-wind.com>

Cc: "Damico, Katy R POH" <Katy.R.Damico@usace.army.mil>

Ms. Dant:

The Corps of Engineers authorized your mooring buoys under the 2012 Nationwide Permit no. 3. The 2012 NWP 3 was issued CZM concurrence on March 16, 2012, therefore, no further review or verification from the Hawaii CZM Program is required.

John Nakagawa

Hawaii Coastal Zone Management (CZM) Program

Email: john.d.nakagawa@hawaii.gov

3/21/2017

Fair Wind Cruise Mail - Kenilworth knitings

Phone: (808) 587-2878

From: Mendy Dant [mailto:mendy@fair-wind.com]
Sent: Tuesday, March 21, 2017 3:52 PM
To: Nakagawa, John D <john.d.nakagawa@hawaii.gov>
Subject: Keauhou moorings

[Quoted text hidden]

Nakagawa, John D <john.d.nakagawa@hawaii.gov>
To: Mendy Dant <mendy@fair-wind.com>
Cc: "Damico, Katy R POH" <Katy.R.Damico@usace.army.mil>

Tue, Mar 21, 2017 at 4:00 PM

BTW – the authorization letters sent to you by the Corps of Engineers states that no additional authorization is required from the Hawaii CZM Program.

John Nakagawa
Hawaii Coastal Zone Management (CZM) Program
Email: john.d.nakagawa@hawaii.gov
Phone: (808) 587-2878

From: Nakagawa, John D
Sent: Tuesday, March 21, 2017 3:58 PM
To: 'Mendy Dant' <mendy@fair-wind.com>
Cc: 'Damico, Katy R POH' <Katy.R.Damico@usace.army.mil>
Subject: RE: Keauhou moorings

Ms. Dant:

The Corps of Engineers authorized your mooring buoys under the 2012 Nationwide Permit no. 3. The 2012 NWP 3 was issued CZM concurrence on March 16, 2012, therefore, no further review or verification from the Hawaii CZM Program is required.

John Nakagawa
Hawaii Coastal Zone Management (CZM) Program

EXHIBIT B

Request for Exemption from Requirement for Preparation of Environmental Assessment for Installation of an Offshore Mooring within Keauhou Bay, Kona Hawaii

**Submitted in compliance with
Hawaii Revised Statutes Chapter 343 and HAR §§11-200-8, 11-200-8(b)**

**Submitted to:
Board of Land & Natural Resources
State of Hawaii, Department of Land & Natural Resources (DLNR)
Division of Boating and Ocean Recreation
4 Sand Island Access Road
Honolulu, HI 96819
Email: linn.d.mccall@hawaii.gov
Phone: (808) 587-7478**

Vessel Name: Fair Wind II
Submitted by:

**Mendy Dant – Fair Wind Inc
78-6775 Makenawai St**

**Kailua Kona, Hawaii 96740
Email: mendy@fair-wind.com
Phone: (808) 345-6211**

Request

Mendy Dant, (hereinafter referred to as "Petitioner") requests exemption from requirement for environmental assessment report associated with the proposed mooring installation, as the proposed mooring will have little to no environmental impact, as discussed herein below:

Reasoning and Justification for Request

Environmental Assessment Exemption

- 1) The reason for the Environmental Assessment is due to the use of State submerged lands**
- 2) Petitioner requests exemption from requirement for environmental assessment report associated with the proposed mooring installation, as the proposed installation will have little or no impact on the environment in the proposed location.**
- 3) The current exemption list for the Department of Land and Natural Resources dated June 5, 2015 provides as follows under Exemption Class 6:**

"13. Placement or construction of accessory structures such as...mooring cleats, bumpers, and mooring buoys, blocks and piles, and other similar structures accessory to existing facilities on state land and waters."

Project Description

Installation of a replacement mooring system, using a Manta Spade anchor system in Keauhou Bay Kona, Hawaii

Technical Description of Proposed Installation – MANTA Spade anchor, a patented labor and time saving device, will be driven into the ground with no holes, no digging, and no concrete. Unlike other anchoring systems, the MANTA Spade actually compacts the soil around itself providing a safe and environmentally sensitive installation. MANTA Spade anchors are driven with conventional hydraulic/pneumatic equipment that is readily available worldwide. Once driven to the proper depth, an upward pull on the anchor tendon rotates the MANTA Spade into a perpendicular "anchor lock" position in undisturbed soil. The mooring anchor will be installed by Jack's Diving Locker, approved by NOAA and the Army Corps of Engineers

Location of Proposed Installation –

The proposed mooring buoy would be located at center coordinates Latitude: 19.560803 and Longitude: 155.964259 The location is approximately 600 feet from the Keauhou Bay pier

Purpose of Proposed Installation – The proposed mooring will be used by the Petitioner solely for the purpose of mooring a catamaran used for commercial use.

Impact on Coastal Ecosystems – NEGLIGIBLE

The mooring site is 600ft from the Keauhou Bay pier, and 150' from nearest shore and is not within the Special Management Area or Shoreline Setback Area, nor is the site within a State Conservation District. This site does not provide habitat for any known endangered species of plants, birds, or mammals. The site is not within, and does not border any National Area Reserve, Marine Conservation District, or estuary. The site is not on or close to any reef or coral colonies. No material will be displaced or discharged in the project area. An earth anchor, Manta Spade anchor will be utilized in order to protect the natural resources in the area. The Manta Spade anchor is an environmentally friendly anchor system that installs easily under water with conventional equipment. No dredge or fill activities will be involved in the installation of the earth anchor mooring system. The mooring will be placed within an existing designated DLNR mooring zone.

Impact on Marine Resources – NONE

The proposed mooring does not involve or affect the use or development of any marine or coastal resources.

Impact on Historic Resources – NONE

The project site is not within a designated historic or cultural district and has not been listed or nominated for the Hawaii or National Register of Historic Places. The proposed project site contains no known historic or archeological resources and is not within or adjacent to any Hawaiian fishpond or historic settlement area.

Impact on Scenic and Open Space Resources – NEGLIGIBLE

A catamaran will be located at the proposed mooring location and will be visible. The mooring ball will be visible floating on the surface of the water.

Enclosure: As Stated.



DEPARTMENT OF THE ARMY
HONOLULU DISTRICT, U.S. ARMY CORPS OF ENGINEERS
FORT SHAFTER, HAWAII 96858-5440

February 22, 2017

SUBJECT: Nationwide Permit Verification for Fair Wind II Mooring, Keauhou Bay, Kailua Kona, Hawaii; DA File No. POH-2017-00016

Ms. Melynda Dant
Fair Wind Inc.
78-6775 Makenawai Street
Kailua Kona, HI 96740

Dear Ms. Dant:

The U.S. Army Corps of Engineers, Honolulu District, has completed its review of your request for authorization dated January 3, 2017 for the proposed maintenance/replacement of the Fair Wind II Mooring located in Keauhou Bay, Kailua Kona, Hawaii (Center Coordinates: Latitude: 19.560803; Longitude: 155.964259). This office has verified that your proposed activity complies with the terms and conditions of Nationwide Permit 3 (NWP-3), *Maintenance*, and the overall NWP Program issued on March 17, 2012. Please reference Department of the Army (DA) file number POH-2017-00016 in any future correspondence relating to this permit.

This NWP verification is being issued pursuant to Section 10 of the Rivers and Harbors Act of 1899 (Section 10) and authorizes the following work as described below and as depicted on the enclosed drawings (Enclosure 1):

This project will involve the maintenance/replacement of the existing Fair Wind II commercial mooring with new "spade" type anchors with a 7-foot by 1-foot shank that will be driven into the sand by an underwater hydraulic hammer. The new anchor will be installed immediately adjacent to the existing boulders and within sandy areas only. New chains and hardware will be installed with the new mooring system. The existing chains around boulders will be cut and removed carefully to avoid damaging corals. If the chains will disturb corals, they will be abandoned in place. All existing anchor blocks/boulders will be abandoned and no longer used for the mooring. No discharge of dredged or fill material will be required.

In order for this NWP authorization to be valid, you must ensure that the work is performed in accordance with the *Nationwide Permit General Conditions* and the *Honolulu District Regional Conditions* (Enclosure 2), and the following project-specific special conditions:

- a. Incidents where any individuals of Green Sea Turtle (*Chelonia mydas*), Hawksbill Turtle (*Eretmochelys imbricata*), Humpback Whale, (*Megaptera novaeangliae*), Loggerhead Sea Turtle (*Caretta caretta*), Hawaiian Monk Seal, (*Monachus schauinslandi*) listed by NOAA Fisheries under the Endangered Species

Act appear to be injured or killed as a result of discharges of dredged or fill material into waters of the United States or structures or work in navigable waters of the United States authorized by this NWP shall be reported to NOAA Fisheries, Office of Protected Resources at (301) 713-1401 and the Regulatory Office of the Honolulu District of the U.S. Army Corps of Engineers at (808) 835-4303. The finder should leave the animal alone, make note of any circumstances likely causing the death or injury, note the location and number of individuals involved and, if possible take photographs. Adult animals should not be disturbed unless circumstances arise where they are obviously injured or killed discharge exposure or some unnatural cause. The finder may be asked to carry out instructions provided by NOAA Fisheries, Office of Protected Resources, to collect specimens or take other measurements to ensure that evidence intrinsic to the specimen is preserved.

b. For compliance with Section 7 of the Endangered Species Act: You must comply with the attached Pacific Standard Local Operating Procedure for Endangered Species (Pac-SLOPES) general conditions, special conditions, and activity-specific best management practices (BMPs) to avoid effects to threatened or endangered marine species (Enclosure 3).

c. For compliance with Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and to ensure adverse effects to essential fish habitat (EFH) are minimal, you must implement the following conservation measures:

(1) You should anchor all support vessels and install the manta anchors only in sandy areas devoid of corals, seagrass and Halimeda algae, with enough buffer to avoid indirect impacts from installation activities (i.e. increased turbidity), and to ensure sufficient mooring chain travel.

(2) You should remove existing chains without adverse effects to sensitive and hard-to-replace EFH resources, especially corals that have attached to the chains.

(3) You should have a long term maintenance plan for each mooring and buoy to ensure its integrity. Once it is no longer needed, you are responsible for removing all components of the mooring buoy to ensure that it does not become marine debris. This will avoid impacts to nearby resources from broken and derelict buoys and vessels.

(4) You should avoid discharge of pollutants from moored vessels into the marine environment. This will avoid a contribution to reduced water quality of the water column EFH in the area.

d. You may conduct maintenance, repair and/or replacement of the existing mooring gear (i.e. chains, ropes, floats, shackles, etc.), as deemed necessary, without obtaining any additional written authorization from this office. Although written authorization is not required from this office for maintenance activities associated with this existing mooring, we recommend use of best management practices (BMPs) to avoid and minimize adverse impacts to aquatic resources.

The State of Hawaii Department of Business, Economic Development and Tourism, Office of Planning issued a Coastal Zone Management consistency general concurrence for the 2012 NWP's on March 16, 2012, so no additional authorization is required.

This verification is valid until the NWP's are modified, reissued, or revoked. All of the existing NWP's are scheduled to be modified, reissued, or revoked prior to March 18, 2017. It is incumbent upon you to remain informed of changes to the NWP's. We will issue a public notice when the NWP's are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permits are modified or revoked, you will have twelve (12) months from the date of the modification or revocation of the NWP's to complete the activity under the present terms and conditions of these nationwide permits. Failure to comply with all terms and conditions of this NWP verification invalidates this authorization and could result in a violation of Section 10 and subsequent enforcement action. This authorization does not relieve you of the responsibility to obtain any other Federal, State, and/or local authorizations required by law.

Finally, General Condition #30 requires a signed certification be submitted to this office upon completion of work. Therefore, please sign, date and return the enclosed *Compliance Certification* form (Enclosure 4) within seven (7) days of completion of work to CEPOH-RO@usace.army.mil or to Katy.R.Damico@usace.army.mil.

Thank you for your cooperation with the Honolulu District Regulatory Program. Should you have any questions related to this determination, please contact me via telephone at (808) 835-4160 or via e-mail at Katy.R.Damico@usace.army.mil. You are encouraged to provide comments on your experience with the Honolulu District Regulatory Office by accessing our web-based customer survey form at http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.

Sincerely,



Katy R. Damico
Project Manager
Guam Regulatory Field Office

Enclosure(s)

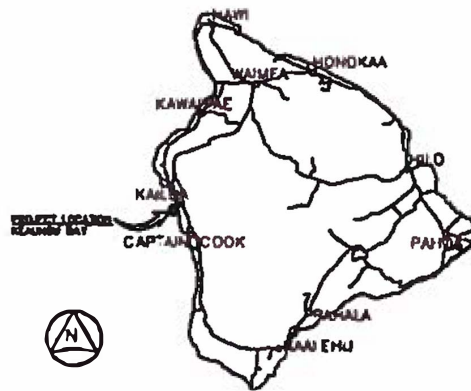
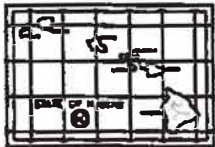
cc:

Mr. Finn McCall, State of Hawaii, DLNR-DOBOR
Mr. John Nakagawa, State of Hawaii DBEDT Office of Planning
Mr. Randy McIntosh, NOAA-NMFS Protect Resources Division
Ms. Ian Lundgren, NOAA-NMFS Habitat Conservation Division

US Army Corps of Engineers
Honolulu District Regulatory Office
Received by POH (District Office)
Date: January 3, 2017
DA File No.: POH-2017-00016
ENCLOSURE 1

OFFSHORE MOORING - KEAUHOU BAY FOR MENDY DANT - FAIR WIND II

APPROXIMATE WATER DEPTH: 20'

**VICINITY MAP**

**Department of Land and Natural Resources
Division of Boating and Ocean Recreation
PLAN REVIEW:**

☒ Approved
☐ Rejected

By: 1-14 Date: 11/22/16

Corrections, comments or approval of plans shall not relieve the contractor from other local, state, federal or other agency regulations or permit conditions. This review is for general conformance with engineering design guidelines. The contractor is responsible for confirming all dimensions, quantities, fabrication requirements, and coordination with all other trades.



LOCATION MAP.

INDEX TO DRAWINGS

Sheet	Drawing Name	Description
1	1-1	FILE SHEET TO DRAWING AND CHECK MAP
2	2-1	GROUND WAGES AND ELEVATION
3	3-2	GROUND PLAN

**PHREE
CREATIONS, LLC.**
81-102 WILSON, HIGHT
MILWAUKEE, WISCONSIN 53211 • (262) 340-4222



REPORT DATE : 1962 : REPORT NO.

PROPOSED
OFFSHORE WINDING
CLIMBER DAY
FOR

MENDY DANT

FIVE NEW COUNTRIES
 TO BE VISITED IN 1974
 TRAVEL TO BE IN 1974
 TRAVEL TO BE IN 1974

OPS 11-50000
CPL 11-50000

TITLE SHEET

NAME GRADE
 FIRST LAST
 TEL. NO. FAX

4. DESIGNER AND OWNER SHALL CONTRIBUTE TO THE BUILDING COST AS FOLLOWS (SEE ATTACHED SCHEDULE OF CONTRIBUTION) IN ORDER TO PERMANENTLY COMPENSATE TO OTHER ADJACENT LANDS THE MOIST EXCESSION SHALL APPLY.

1. COUNTRY OF ORIGIN: INDONESIA INC. 2000

5. THE CONTRACTOR SHALL TAKE FIELD MEASUREMENTS AND VERIFY FIELD CONDITIONS AND SHALL CONDUCT FIELD FLOOD OBSERVATIONS AND CONDITIONS WITH THE OWNER BEFORE CONSTRUCTION BEGINS. REPORT IS ISSUED TO THE OWNER AT CONSTRUCTION AND COMPLETION.

6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR METHOD OF CONSTRUCTION, CONSTRUCTION AND JOB SAFETY.

7. PERMITS ISSUED AS PERMIT ON THE STRUCTURE, PERMITS SHALL APPLY IN ALL CIRCUMSTANCES UNLESS SPECIFICALLY NOTED ON PERMIT.

8. PERMIT DATA DERIVED FROM THESE PERMITS SHALL BE SUBMITTED TO THE OWNER FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION.

1. VEHICLE DESIGN CRITERIA FOR MOORING IN ~~APPLICABLE~~ WITH UFG 4-150-02
 2. TYPE OF DESIGN MOORING
 3. VESSEL DESIGN DATA
 4. DRAFT AND SPREAD LOG LOGS
 5. CRITERIA:
 A. WIND CURRENTS 2 DRAFTS
 B. WINDS AND TIDES, WINDSPEEDS
 1. FINE TIME WINDSPEED 5 FEET
 BEHIND VESSEL FROM WINDS 5
 1. LOW 30'-4"
 2. HIGH 37'-4"
 3. DRAFT 8'-4"
 4. WINDS 10 TONS
~~WINDS~~ 5 IS DESIGNED FOR DESIGN VESSEL ONLY, ANY OTHERS IN MOORED VESSEL, RELEASED

A. SELECTION OF ANCHOR TYPE SHALL BE BASED UPON ANCHOR SIZE AND SHALL PROTECT TO MINIMUM DEPTH OF 12 IN. AT ANCHORED ANCHOR LOCATION. CONTRACTOR SHALL PROVIDE DETAILS OF ANCHORS, SOIL PROFILES, AND PROPOSED ANCHOR TYPE TO ENGINEER FOR APPROVAL, PRIOR TO INSTALLATION.

B. INSTALL ANCHORS FOR ANCHORAGE OF RETAINING WALLS. PROVIDE DETAIL OF ANCHORS (LIFT CAPACITY, ETC.) TO ENGINEER. SUBMIT EVIDENCE OF PROPER LOAD TESTING TO ENGINEER FOLLOWING INSTALLATION.

C. INSTALL ANCHORS SHALL NOT BE INSTALLED IN LOCATIONS WHERE SHOTFIRE SALES MAY OCCUR IN ANCHORED SOIL. CHECK WITH ANCHOR SOLO.

4. ALL OVEN AND FURNACE SHALL BE HOT UP GUARANTEED TO CONFORM WITH ASTM A122.

5. DOUBLES DE CHATE BLANKS SHALL BE USED WITH ROPS AT ALL POINTS OF CONTACT.

6. EXACT PRODUCT DATA OF ALL OVEN, FURNACE, PIPE, AND WORKING COMPONENTS TO BE PROVIDED FOR APPROVAL PRIOR TO PRODUCTION.

A. THE VESSEL OWNER SHALL BE RESPONSIBLE FOR MAINTAINING THE VESSEL'S RECORDING PROCEEDING, ANY FAILURE RESULTING FROM NON COMPLIANCE COULD BE CONSIDERED EVIDENCE OF THE VESSEL'S INVOLVEMENT FROM A CRIMINAL ACT SHALL BE THE RESPONSIBILITY OF THE VESSEL OWNER.

B. THE VESSEL OWNER SHALL COMPLETE ALL GOVERNMENT INSURANCE, REPORTS AND CLAIMS FROM REPAIRS FOR DAMAGE TO THE VESSEL AND ALL DAMAGE TO THE HULL FOR EACH YEAR. INSURANCE COVERAGE SHALL BE IN ACCORD WITH VESSEL, OWNER.

C. THE VESSEL OWNER IS RESPONSIBLE FOR REPAIRS AND MAINTENANCE CHARGES DUE ON ALL EQUIPMENT.

1. FOR STEAK OR LONG TERN MEETING
LIKE A WOLF, BY LONG WAY, OF
SOMEONE'S EYES FROM POINTS IN
SUNSHINE, THE ONLY CHANGE AT ALL
POINTS OF CONTACT.
2. THIS IS AN EXTREMELY MEETING
LOCATION. THE ONLY ADVANCEMENT
SYSTEM IS WITH ALL FORWARD AND
COMPARISON AND EXTENSIVE LISTS
WITH EXTENSIVE.



81-422 CANTONMENT REPORT
CANTONMENT, WASH DC 1073-0 (10) 30-0000

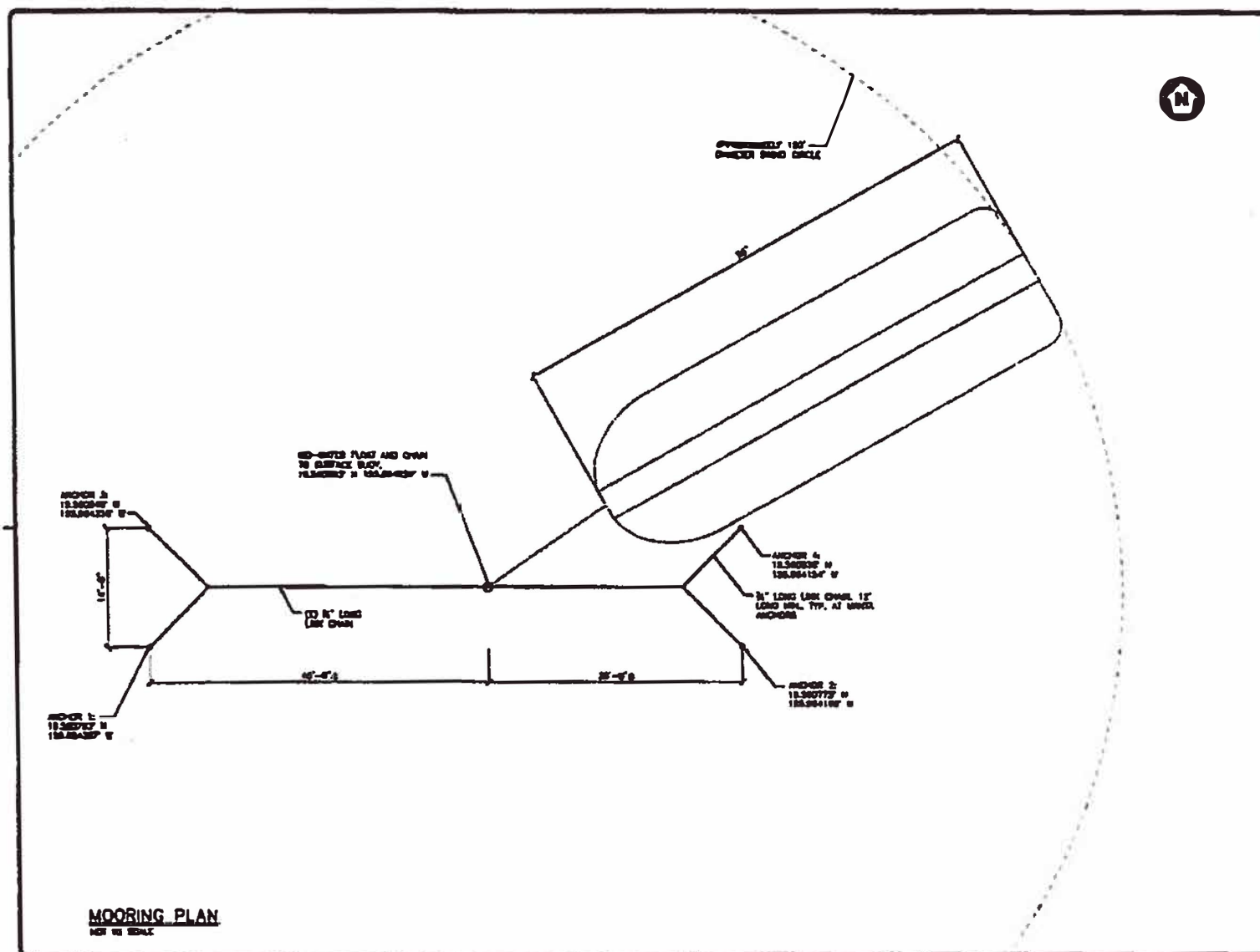


1000

MENDY DANT

01 ~~SECRET~~ ~~RESTRICTED~~

姓名: 性别: 年龄: 职业: 籍贯: 民族: 身份证号: 联系电话: 电子邮箱: 联系地址: 邮政编码: 备注: S-1



MOORING PLAN
NOT TO SCALE

**THREE
CREATIONS, LLC.**

11-100 CHURCH STREET
HONOLULU, HAWAII 96813-1000



Handwritten signature
REGISTERED PROFESSIONAL ENGINEER
HAWAII

DATE: 2017

THIS PLAN IS THE PROPERTY OF THREE CREATIONS, LLC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THREE CREATIONS, LLC.

DESIGNED BY: [Signature] CHECKED BY: [Signature]

PROPOSED
OFFSHORE MOORING
KEALOHA BAY
FOR:

MENDY DANT

FOR THE CHAIRMAN
10-000000' W 100.000000' W
CHAIRMAN'S OFFICE
HONOLULU, HAWAII 96813-1000

DATE: 2017-01-03
100.000000' W 100.000000' W

MOORING PLAN

DATE: 2017-01-03
DRAWN BY: [Signature]
CHECKED BY: [Signature]
SCALE: 1" = 100'

Request for Exemption from Requirement for Preparation of Environmental Assessment for Installation of an Offshore Mooring within Keauhou Bay, Kona Hawaii

**Submitted in compliance with
Hawaii Revised Statutes Chapter 343 and HAR §§11-200-8, 11-200-8(b)**

**Submitted to
Board of Land & Natural Resources
State of Hawaii, Department of Land & Natural Resources (DLNR)
Division of Boating and Ocean Recreation
4 Sand Island Access Road
Honolulu, HI 96819
Email: finn.d.mccall@hawaii.gov
Phone: (808) 587-7478**

**Vessel Name: Hula Kai
Submitted by:
Mendy Dant – Kona Sunrise Charters Inc
78-6775 Makenawai St
Kailua Kona, Hawaii 96740
Email: mendy@fair-wind.com
Phone (808) 221 3787**

Request

Mendy Dant (hereafter referred to as "Petitioner") requests exemption from requirement for environmental assessment report associated with the proposed mooring installation, as the proposed mooring will have little to no environmental impact, as discussed herein below

Reasoning and Justification for Request

Environmental Assessment Exemption

- 1) The reason for the Environmental Assessment is due to the use of State submerged lands**
- 2) Petitioner requests exemption from requirement for environmental assessment report associated with the proposed mooring installation, as the proposed installation will have little or no impact on the environment in the proposed location**
- 3) The current exemption list for the Department of Land and Natural Resources dated June 5, 2015 provides as follows under Exemption Class 6:**

"13. Placement or construction of accessory structures such as...mooring, cleats, bumpers, and mooring buoys, blocks and piles and other similar structures accessory to existing facilities on state land and waters."

Project Description

Installation of a replacement mooring system, using an earth anchor system in Keauhou Bay, Kona Hawaii

Technical Description of Proposed Installation – Manta Spade anchors, a patented labor and time saving device, will be driven into the ground with no holes, no digging, and no concrete. Unlike other anchoring systems, the Manta Spade anchor actually compacts the soil around itself providing a safe and environmentally sensitive installation. Manta Spade anchors are driven with conventional hydraulic/pneumatic equipment that is readily available worldwide. Once driven to the proper depth, an upward pull on the anchor tendon rotates the anchor into a perpendicular "anchor lock" position in undisturbed soil. The mooring anchor will be installed by Jack's Diving Locker, approved by NOAA and the Army Corps of Engineers.

Location of Proposed Installation –

The proposed mooring buoy would be located at center coordinates: Latitude 19.560951 and Longitude 155.964042. The location is approximately 300 feet from the Keauhou Bay pier and 100' from nearest shoreline.

Purpose of Proposed Installation – The proposed mooring will be used by the Petitioner solely for the purpose of mooring a catamaran for commercial purposes.

Impact on Coastal Ecosystems – NEGLIGIBLE

The proposed mooring site is 300ft from the Keauhou Bay pier and 100' from the nearest shoreline and is not within the Special Management Area or Shoreline Setback Area, nor is the site within a State Conservation District. This site does not provide habitat for any known endangered species of plants, birds, or mammals. The site is not within, and does not border any National Area Reserve, Marine Conservation District, or estuary. The site is not on or close to any reef or coral colonies. No material will be displaced or discharged in the project area. A MANTA Spade anchor will be utilized in order to protect the natural resources in the area. The MANTA Spade anchor is an environmentally friendly anchor system that installs easily under water with conventional equipment. No dredge or fill activities will be involved in the installation of the MANTA Spade mooring anchor. The mooring will be placed within an existing designated DLNR mooring zone.

Impact on Marine Resources – NONE

The proposed mooring does not involve or affect the use or development of any marine or coastal resources.

Impact on Historic Resources – NONE

The project site is not within a designated historic or cultural district and has not been listed or nominated for the Hawaii or National Register of Historic Places. The proposed project site contains no known historic or archeological resources and is not within or adjacent to any Hawaiian fishpond or historic settlement area.

Impact on Scenic and Open Space Resources – NEGLIGIBLE

A catamaran will be located at the proposed mooring location and will be visible. The mooring ball will be visible floating on the surface of the water.

Enclosure: As Stated.



DEPARTMENT OF THE ARMY
HONOLULU DISTRICT, U.S. ARMY CORPS OF ENGINEERS
FORT SHAFTER, HAWAII 96858-5440

February 22, 2017

SUBJECT: Nationwide Permit Verification for Hula Kai Mooring, Keauhou Bay, Kailua Kona, Hawaii; DA File No. POH-2017-00017

Ms. Melynda Dant
Kona Sunrise Charters, Inc.
78-6775 Makenawai Street
Kailua Kona, HI 96740

Dear Ms. Dant:

The U.S. Army Corps of Engineers, Honolulu District, has completed its review of your request for authorization dated January 3, 2017 for the proposed maintenance/replacement of the Hula Kai Mooring located in Keauhou Bay, Kailua Kona, Hawaii (Center Coordinates: Latitude: 19.560951; Longitude: 155.964042). This office has verified that your proposed activity complies with the terms and conditions of Nationwide Permit 3 (NWP-3), *Maintenance*, and the overall NWP Program issued on March 17, 2012. Please reference Department of the Army (DA) file number POH-2017-00017 in any future correspondence relating to this permit.

This NWP verification is being issued pursuant to Section 10 of the Rivers and Harbors Act of 1899 (Section 10) and authorizes the following work as described below and as depicted on the enclosed drawings (Enclosure 1):

This project would involve the maintenance/replacement of the existing Hula Kai commercial mooring with new "spade" type anchors with a 7-foot by 1-foot shank that would be driven into the sand by an underwater hydraulic hammer. The new anchor would be installed immediately adjacent to the existing anchor blocks/boulders and within sandy areas only. New chains and hardware would be installed with the new mooring system. The existing chains around anchor blocks/boulders would be cut and removed carefully to avoid damaging corals. If the chains will disturb corals, they would be abandoned in place. All existing anchor blocks/boulders would be abandoned and no longer used for the mooring. No discharge of dredged or fill material would be required.

In order for this NWP authorization to be valid, you must ensure that the work is performed in accordance with the *Nationwide Permit General Conditions* and the *Honolulu District Regional Conditions* (Enclosure 2), and the following project-specific special conditions:

- a. Incidents where any individuals of Green Sea Turtle (*Chelonia mydas*), Hawksbill Turtle (*Eretmochelys imbricata*), Humpback Whale, (*Megaptera novaeangliae*), Loggerhead Sea Turtle (*Caretta caretta*), Hawaiian Monk Seal,

(Monachus schauinslandi) listed by NOAA Fisheries under the Endangered Species Act appear to be injured or killed as a result of discharges of dredged or fill material into waters of the United States or structures or work in navigable waters of the United States authorized by this NWP shall be reported to NOAA Fisheries, Office of Protected Resources at (301) 713-1401 and the Regulatory Office of the Honolulu District of the U.S. Army Corps of Engineers at (808) 835-4303. The finder should leave the animal alone, make note of any circumstances likely causing the death or injury, note the location and number of individuals involved and, if possible take photographs. Adult animals should not be disturbed unless circumstances arise where they are obviously injured or killed discharge exposure or some unnatural cause. The finder may be asked to carry out instructions provided by NOAA Fisheries, Office of Protected Resources, to collect specimens or take other measurements to ensure that evidence intrinsic to the specimen is preserved.

b. For compliance with Section 7 of the Endangered Species Act: You must comply with the attached Pacific Standard Local Operating Procedure for Endangered Species (Pac-SLOPES) general conditions, special conditions, and activity-specific best management practices (BMPs) to avoid effects to threatened or endangered marine species (Enclosure 3).

c. For compliance with Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and to ensure adverse effects to essential fish habitat (EFH) are minimal, you must implement the following conservation measures:

(1) You should anchor all support vessels and install the manta anchors only in sandy areas devoid of corals, seagrass and Halimeda algae, with enough buffer to avoid indirect impacts from installation activities (i.e. increased turbidity), and to ensure sufficient mooring chain travel.

(2) You should remove existing chains without adverse effects to sensitive and hard-to-replace EFH resources, especially corals that have attached to the chains.

(3) You should have a long term maintenance plan for each mooring and buoy to ensure its integrity. Once it is no longer needed, you are responsible for removing all components of the mooring buoy to ensure that it does not become marine debris. This will avoid impacts to nearby resources from broken and derelict buoys and vessels.

(4) You should avoid discharge of pollutants from moored vessels into the marine environment. This will avoid a contribution to reduced water quality of the water column EFH in the area.

d. You may conduct maintenance, repair and/or replacement of the existing mooring gear (i.e. chains, ropes, floats, shackles, etc.), as deemed necessary, without obtaining any additional written authorization from this office. Although written authorization is not required from this office for maintenance activities associated with this existing mooring, we recommend use of best management practices (BMPs) to avoid and minimize adverse impacts to aquatic resources.

The State of Hawaii Department of Business, Economic Development and Tourism, Office of Planning issued a Coastal Zone Management consistency general concurrence for the 2012 NWP's on March 16, 2012, so no additional authorization is required.

This verification is valid until the NWP's are modified, reissued, or revoked. All of the existing NWP's are scheduled to be modified, reissued, or revoked prior to March 18, 2017. It is incumbent upon you to remain informed of changes to the NWP's. We will issue a public notice when the NWP's are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permits are modified or revoked, you will have twelve (12) months from the date of the modification or revocation of the NWP's to complete the activity under the present terms and conditions of these nationwide permits. Failure to comply with all terms and conditions of this NWP verification invalidates this authorization and could result in a violation of Section 10 and subsequent enforcement action. This authorization does not relieve you of the responsibility to obtain any other Federal, State, and/or local authorizations required by law.

Finally, General Condition #30 requires a signed certification be submitted to this office upon completion of work. Therefore, please sign, date and return the enclosed *Compliance Certification* form (Enclosure 4) within seven (7) days of completion of work to CEPOH-RO@usace.army.mil or to Katy.R.Damico@usace.army.mil.

Thank you for your cooperation with the Honolulu District Regulatory Program. Should you have any questions related to this determination, please contact me via telephone at (808) 835-4160 or via e-mail at Katy.R.Damico@usace.army.mil. You are encouraged to provide comments on your experience with the Honolulu District Regulatory Office by accessing our web-based customer survey form at http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.

Sincerely,



Katy R. Damico
Project Manager
Guam Regulatory Field Office

Enclosure(s)

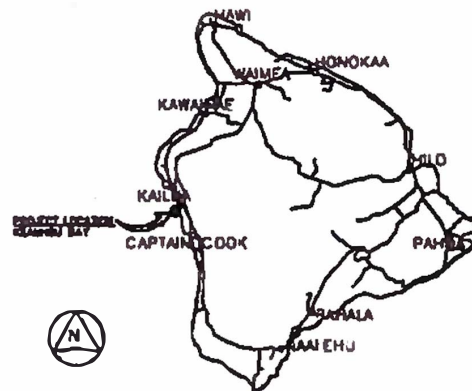
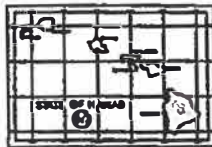
cc:

Mr. Finn McCall, State of Hawaii, DLNR-DOBOR
Mr. John Nakagawa, State of Hawaii DBEDT Office of Planning
Mr. Randy McIntosh, NOAA-NMFS Protect Resources Division
Ms. Ian Lundgren, NOAA-NMFS Habitat Conservation Division

ENCLOSURE 1

OFFSHORE MOORING - KEAUHOU BAY FOR MENDY DANT - HULA KAI

GPS COORDINATES OF MOORING: 18.91651°N, 155.84027°W
APPROXIMATE WATER DEPTH: 15'



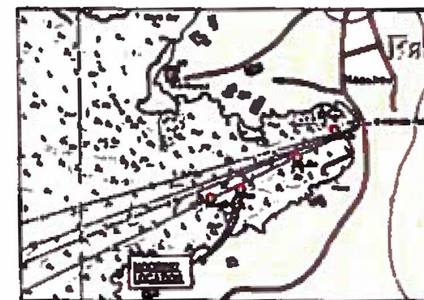
VICINITY MAP

Department of Land and Natural Resources
Division of Boating and Ocean Recreation
PLAN REVIEW:

☒ Approved ☐ Approved, as noted
☐ Rejected ☐ Revise & Resubmit

By: 1-10 Date: 1/10/17

Corrections, comments or approval of plans shall not relieve the contractor from other local, state, federal or other agency regulations or permit conditions. This review is for general conformance with engineering design guidelines. The contractor is responsible for confirming all dimensions, quantities, fabrication requirements, and coordination with all other trades.



LOCATION MAP

INDEX TO DRAWINGS

DRAWING NUMBER	DRAWING NAME	DESCRIPTION
1	1-1	TITLE, INDEX TO DRAWINGS, AND VICINITY MAP
2	2-1	MOORING NOTES AND ELEVATIONS
3	3-2	MOORING ELEVATION AND PLAN

PHREE
CREATIONS, LLC.

61-400 KULANAN, HONOLULU, HI 96813
PHONE: (808) 943-1111 FAX: (808) 943-1111



PROPOSED
OFFSHORE MOORING
DRAWING
FOR
MENDY DANT
12345 KULANAN, HONOLULU, HI 96813
PHONE: (808) 943-1111 FAX: (808) 943-1111

GPS COORDINATES: 18.91651°N, 155.84027°W

DATE: 1/10/17

PROJECT NO.: 12345

SCALE: 1"=100'

BY: 1-10

CHECKED: 1-10

APPROVED: 1-10

DATE: 1/10/17

PROJECT NO.: 12345

SCALE: 1"=100'

BY: 1-10

CHECKED: 1-10

APPROVED: 1-10

DATE: 1/10/17

PROJECT NO.: 12345

SCALE: 1"=100'

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APPROVED: 1-10

DATE: 1/10/17

PROJECT NO.: 12345

SCALE: 1"=100'

BY: 1-10

CHECKED: 1-10

APPROVED: 1-10

DATE: 1/10/17

PROJECT NO.: 12345

SCALE: 1"=100'

BY: 1-10

1. The first step is to identify the problem. This involves understanding the current situation and the goals that need to be achieved.

MEMPHIS
OFFICE MEMPHIS
CLARKSON BAY
FOR

WENDY DANT

FOR INFO CALL
RS-8075 OR A UNIVERSITY ST.
MALL STOR, IN 807-60
FROM (214) 34-8711

SPS NUMBER **CLASSIFICATION**

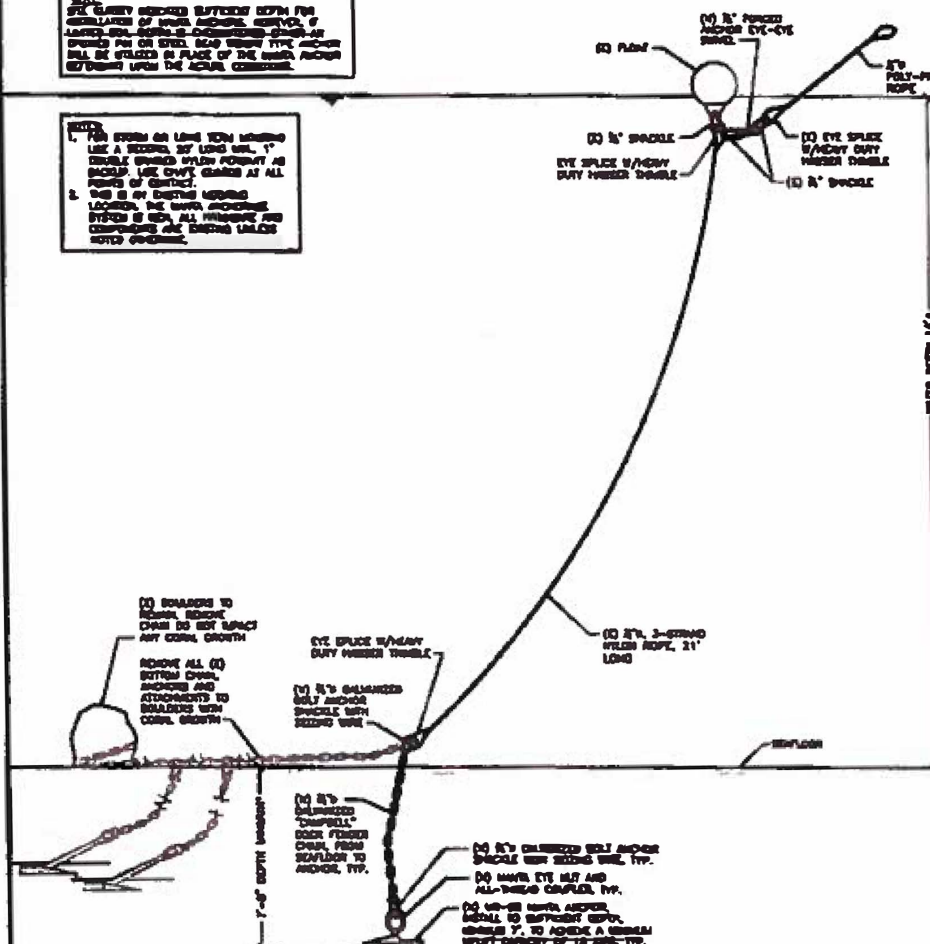
1992

MOORING NOTES AND ELEVATION

姓名: 王小明 性别: 男
年龄: 25 职业: 教师
住址: 北京市朝阳区 邮编: 100000
电话: 13800138000 身份证号: 110101199801010001

- A. THE VEHICLE OWNER SHALL BE RESPONSIBLE FOR ENSURING THE VEHICLE IS PROPERLY MAINTAINED, NOT EXCEEDING THREE (3) MONTHS OR 10,000 MILES, WHICHEVER COMES FIRST, OF THE LAST INSPECTION OR LATEST POINT OF THE INSPECTION EXPIRY FROM WHICH THE VEHICLE IS THE RESPONSIBILITY OF THE VEHICLE OWNER.
- B. THE VEHICLE OWNER SHALL INSURE ALL REQUIRED PERSONNEL, DRIVER, AND PASSENGER FROM AND AGAINST INJURY AND DEATH FOR A PERIOD OF NOT LESS THAN 30 DAYS FOR EACH INSPECTION EXPIRY/RENEWAL SHALL BE NOTED BY VEHICLE OWNER.
- C. THE VEHICLE OWNER IS RESPONSIBLE FOR REPAIRING AND MAINTAINING DAMAGE FROM AN ALLEGEDLY LIQUID.

1. FOR STORM OR LONG TERM WEATHER
LIKE A SECOND, 20' LONG GUL. 1"
DIAGNOL SPUNDED W/FLN FORMAT AS
SHOULDER. LATE CRYST. GRAINS AT ALL
POINTS OF CONTACT.
2. THIS IS AN EXTENSIVE WEATHER
LOCATION. THE WINDY WEATHER
SYSTEM IS IN ALL. ALL WEATHER AND
CONSIDERING THE EXTENSIVE LATE
WINDY WEATHER.



STERN MOORING ELEVATION
NOT TO SCALE

ENCLOSURE 1

11-0000000000
11-0000000000



1. The first part of the document is a header section containing the title "RESEARCH REPORT" and the author's name "J. H. HARRIS".

2. The second part of the document is a section titled "SUMMARY" which contains a brief overview of the research findings.

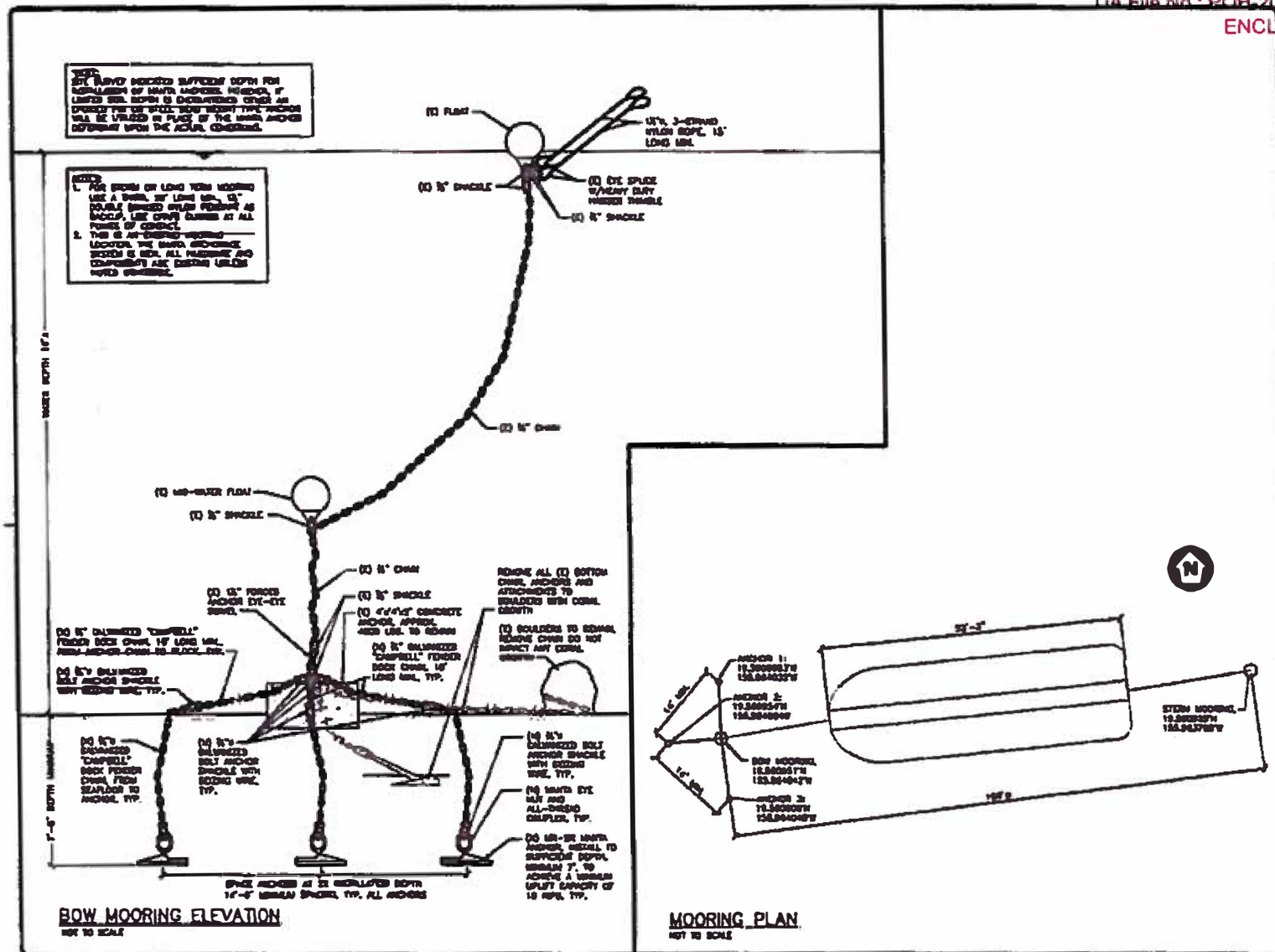
3. The third part of the document is a section titled "CONCLUSIONS" which contains the final results and recommendations of the study.

REPORT ONE • ONE • REPORT TWO

79-0029 201 A JOURNAL OF
THE
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

OP'S OPPORTUNITIES **FLUOROPOLY**

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 01-11-2011 BY 60322
U.S. DEPARTMENT OF JUSTICE



Request for Exemption from Requirement for Preparation of Environmental Assessment for Installation of an Offshore Mooring within Keauhou Bay, Kona Hawaii

Submitted in compliance with
Hawaii Revised Statutes Chapter 343 and HAR §§11-200-8, 11-200-8(b)

Submitted to:

Board of Land & Natural Resources

State of Hawaii, Department of Land & Natural Resources (DLNR)

Division of Boating and Ocean Recreation

4 Sand Island Access Road

Honolulu, HI 96819

Email: finn.d.mccall@hawaii.gov

Phone: (808) 587-7478

Vessel Name: Captain Jack
Submitted by:

Mendy Dant- Keauhou Boating Ltd.

78-6775 Makenawai St

Kailua Kona, Hawaii 96740

Email: mendy@fair-wind.com

Phone: (808) 345-6211

Request

Mendy Dant, (hereinafter referred to as "Petitioner") requests exemption from requirement for environmental assessment report associated with the proposed mooring installation, as the proposed mooring will have little to no environmental impact, as discussed herein below:

Reasoning and Justification for Request

Environmental Assessment Exemption

1) The reason for the Environmental Assessment is due to the use of State submerged lands

2) Petitioner requests exemption from requirement for environmental assessment report associated with the proposed mooring installation, as the proposed installation will have little or no impact on the environment in the proposed location.

3) The current exemption list for the Department of Land and Natural Resources dated June 5, 2015 provides as follows under Exemption Class 6:

"13. Placement or construction of accessory structures such as, mooring, cleats, bumpers, and mooring buoys, blocks and piles, and other similar structures accessory to existing facilities on state land and waters."

Project Description

Installation of a replacement mooring system, using a Manta Spade anchor system in Keauhou Bay Kona, Hawaii

Technical Description of Proposed Installation – MANTA Spade anchor, a patented labor and time saving device, will be driven into the ground with no holes, no digging, and no concrete. Unlike other anchoring systems, the MANTA Spade actually compacts the soil around itself providing a safe and environmentally sensitive installation. MANTA Spade anchors are driven with conventional hydraulic/pneumatic equipment that is readily available worldwide. Once driven to the proper depth, an upward pull on the anchor tendon rotates the MANTA Spade into a perpendicular "anchor lock" position in undisturbed soil. The mooring anchor will be installed by Jack's Diving Locker, approved by NOAA and the Army Corps of Engineers.

Location of Proposed Installation –

The proposed mooring buoy would be located at center coordinates. Latitude 19.561437 and Longitude 155.963091. The location is approximately 100 feet from the Keauhou Bay pier.

Purpose of Proposed Installation – The proposed mooring will be used by the Petitioner solely for the purpose of mooring a catamaran used for commercial use.

Impact on Coastal Ecosystems – NEGLIGIBLE

The mooring site is 100ft from the Keauhou Bay pier, and is not within the Special Management Area or Shoreline Setback Area, nor is the site within a State Conservation District. This site does not provide habitat for any known endangered species of plants, birds, or mammals. The site is not within, and does not border any National Area Reserve, Marine Conservation District, or estuary. The site is not on or close to any reef or coral colonies. No material will be displaced or discharged in the project area. An earth anchor, Manta Spade anchor will be utilized in order to protect the natural resources in the area. The Manta Spade anchor is an environmentally friendly anchor system that installs easily under water with conventional equipment. No dredge or fill activities will be involved in the installation of the earth anchor mooring system. The mooring will be placed within an existing designated DLNR mooring zone.

Impact on Marine Resources – NONE

The proposed mooring does not involve or affect the use or development of any marine or coastal resources.

Impact on Historic Resources – NONE

The project site is not within a designated historic or cultural district and has not been listed or nominated for the Hawaii or National Register of Historic Places. The proposed project site contains no known historic or archeological resources and is not within or adjacent to any Hawaiian fishpond or historic settlement area.

Impact on Scenic and Open Space Resources – NEGLIGIBLE

A motor vessel will be located at the proposed mooring location and will be visible. The mooring ball will be visible floating on the surface of the water.

Enclosure As Stated.



DEPARTMENT OF THE ARMY
HONOLULU DISTRICT, U.S. ARMY CORPS OF ENGINEERS
FORT SHAFTER, HAWAII 96858-5440

February 22, 2017

SUBJECT: Nationwide Permit Verification for Capt Jack Mooring, Keauhou Bay, Kailua Kona, Hawaii; DA File No. POH-2017-00019

Ms. Melynda Dant
Keauhou Boating LTD.
78-6775 Makenawai Street
Kailua Kona, HI 96740

Dear Ms. Dant:

The U.S. Army Corps of Engineers, Honolulu District, has completed its review of your request for authorization dated January 3, 2017 for the proposed maintenance/replacement of the Capt Jack Mooring located in Keauhou Bay, Kailua Kona, Hawaii (Center Coordinates: Latitude: 19.561437; Longitude: 155.963091). This office has verified that your proposed activity complies with the terms and conditions of Nationwide Permit 3 (NWP-3), *Maintenance*, and the overall NWP Program issued on March 17, 2012. Please reference Department of the Army (DA) file number POH-2017-00019 in any future correspondence relating to this permit.

This NWP verification is being issued pursuant to Section 10 of the Rivers and Harbors Act of 1899 (Section 10) and authorizes the following work as described below and as depicted on the enclosed drawings (Enclosure 1):

This project will involve the maintenance/replacement of the existing Capt Jack commercial mooring with new "spade" type anchors with a 7-foot by 1-foot shank that will be driven into the sand by an underwater hydraulic hammer. The new anchor will be installed immediately adjacent to the existing anchor blocks/boulders and within sandy areas only. New chains and hardware will be installed with the new mooring system. The existing chains around anchor blocks/boulders will be cut and removed carefully to avoid damaging corals. If the chains will disturb corals, they will be abandoned in place. All existing anchor blocks/boulders will be abandoned and no longer used for the mooring. No discharge of dredged or fill material will be required.

In order for this NWP authorization to be valid, you must ensure that the work is performed in accordance with the *Nationwide Permit General Conditions* and the *Honolulu District Regional Conditions* (Enclosure 2), and the following project-specific special conditions:

- a. Incidents where any individuals of Green Sea Turtle (*Chelonia mydas*), Hawksbill Turtle (*Eretmochelys imbricata*), Humpback Whale, (*Megaptera novaeangliae*), Loggerhead Sea Turtle (*Caretta caretta*), Hawaiian Monk Seal,

(*Monachus schauinslandi*) listed by NOAA Fisheries under the Endangered Species Act appear to be injured or killed as a result of discharges of dredged or fill material into waters of the United States or structures or work in navigable waters of the United States authorized by this NWP shall be reported to NOAA Fisheries, Office of Protected Resources at (301) 713-1401 and the Regulatory Office of the Honolulu District of the U.S. Army Corps of Engineers at (808) 835-4303. The finder should leave the animal alone, make note of any circumstances likely causing the death or injury, note the location and number of individuals involved and, if possible take photographs. Adult animals should not be disturbed unless circumstances arise where they are obviously injured or killed discharge exposure or some unnatural cause. The finder may be asked to carry out instructions provided by NOAA Fisheries, Office of Protected Resources, to collect specimens or take other measurements to ensure that evidence intrinsic to the specimen is preserved.

b. For compliance with Section 7 of the Endangered Species Act: You must comply with the attached Pacific Standard Local Operating Procedure for Endangered Species (Pac-SLOPES) general conditions, special conditions, and activity-specific best management practices (BMPs) to avoid effects to threatened or endangered marine species (Enclosure 3).

c. For compliance with Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and to ensure adverse effects to essential fish habitat (EFH) are minimal, you must implement the following conservation measures:

(1) You should anchor all support vessels and install the manta anchors only in sandy areas devoid of corals, seagrass and *Halimeda* algae, with enough buffer to avoid indirect impacts from installation activities (i.e. increased turbidity), and to ensure sufficient mooring chain travel.

(2) You should remove existing chains without adverse effects to sensitive and hard-to-replace EFH resources, especially corals that have attached to the chains.

(3) You should have a long term maintenance plan for each mooring and buoy to ensure its integrity. Once it is no longer needed, you are responsible for removing all components of the mooring buoy to ensure that it does not become marine debris. This will avoid impacts to nearby resources from broken and derelict buoys and vessels.

(4) You should avoid discharge of pollutants from moored vessels into the marine environment. This will avoid a contribution to reduced water quality of the water column EFH in the area.

d. You may conduct maintenance, repair and/or replacement of the existing mooring gear (i.e. chains, ropes, floats, shackles, etc.), as deemed necessary, without obtaining any additional written authorization from this office. Although written authorization is not required from this office for maintenance activities associated with this existing mooring, we recommend use of best management practices (BMPs) to avoid and minimize adverse impacts to aquatic resources.

The State of Hawaii Department of Business, Economic Development and Tourism, Office of Planning issued a Coastal Zone Management consistency general concurrence for the 2012 NWP's on March 16, 2012, so no additional authorization is required.

This verification is valid until the NWP's are modified, reissued, or revoked. All of the existing NWP's are scheduled to be modified, reissued, or revoked prior to March 18, 2017. It is incumbent upon you to remain informed of changes to the NWP's. We will issue a public notice when the NWP's are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permits are modified or revoked, you will have twelve (12) months from the date of the modification or revocation of the NWP's to complete the activity under the present terms and conditions of these nationwide permits. Failure to comply with all terms and conditions of this NWP verification invalidates this authorization and could result in a violation of Section 10 and subsequent enforcement action. This authorization does not relieve you of the responsibility to obtain any other Federal, State, and/or local authorizations required by law.

Finally, General Condition #30 requires a signed certification be submitted to this office upon completion of work. Therefore, please sign, date and return the enclosed *Compliance Certification* form (Enclosure 4) within seven (7) days of completion of work to CEPOH-RO@usace.army.mil or to Katy.R.Damico@usace.army.mil.

Thank you for your cooperation with the Honolulu District Regulatory Program. Should you have any questions related to this determination, please contact me via telephone at (808) 835-4160 or via e-mail at Katy.R.Damico@usace.army.mil. You are encouraged to provide comments on your experience with the Honolulu District Regulatory Office by accessing our web-based customer survey form at http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.

Sincerely,



Katy R. Damico
Project Manager
Guam Regulatory Field Office

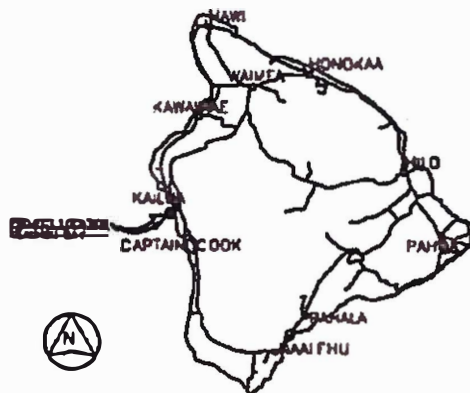
Enclosure(s)

cc:

Mr. Finn McCall, State of Hawaii, DLNR-DOBOR
Mr. John Nakagawa, State of Hawaii DBEDT Office of Planning
Mr. Randy McIntosh, NOAA-NMFS Protect Resources Division
Ms. Ian Lundgren, NOAA-NMFS Habitat Conservation Division

OFFSHORE MOORING - KEAUHOU BAY FOR MENDY DANT - CAPTAIN JACK

GPS COORDINATES OF MOORING: 19.814374, 155.800211W
APPROXIMATE WATER DEPTH: 24' - 80W MOORING
12' - STERN MOORING



VICINITY MAP

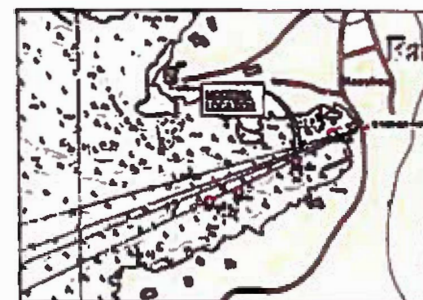
INDEX TO DRAWINGS

DRAWING NUMBER	DESCRIPTION
1	TITLE, DATA TO DRAWING, AND VICINITY MAP
2	GENERAL NOTES AND ELEVATION
3	GENERAL ELEVATION AND PLAN

Department of Land and Natural Resources
Division of Boating and Ocean Recreation
PLAN REVIEW:

☒ Approved ☐ Approved, as noted
☐ Rejected ☐ Revise & Resubmit

By: f. d. f. Date: 1/22/17
Corrections, comments or approval of plans shall not relieve the contractor from other local, state, federal or other agency regulations or permit conditions. This review is for general conformance with engineering design guidelines. The contractor is responsible for confirming all dimensions, quantities, fabrication requirements, and coordination with all other trades.



LOCATION MAP

PHREE
CREATIONS, LLC.

21-45 HONOLULU, HAWAII
HONOLULU, HAWAII 96813 • (808) 246-1111



PROPOSED
OFFSHORE MOORING
KEAUHOU BAY
FOR
MENDY DANT

THE HAWAIIAN ENGINEERING SOCIETY
20-0075 BOX A WASHINGTON ST.
HONOLULU, HAWAII 96813
PHONE: (808) 246-4310

GPS COORDINATES: 19.814374
155.800211W

DATE: 1/22/17

PROPOSED
OFFSHORE MOORING
KEAUHOU BAY
FOR
MENDY DANT

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PROPOSED
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THE HAWAIIAN ENGINEERING SOCIETY
20-0075 BOX A WASHINGTON ST.
HONOLULU, HAWAII 96813
PHONE: (808) 246-4310

ENCLOSURE 1

● 2000年10月1日・新入会者



附錄一

THE

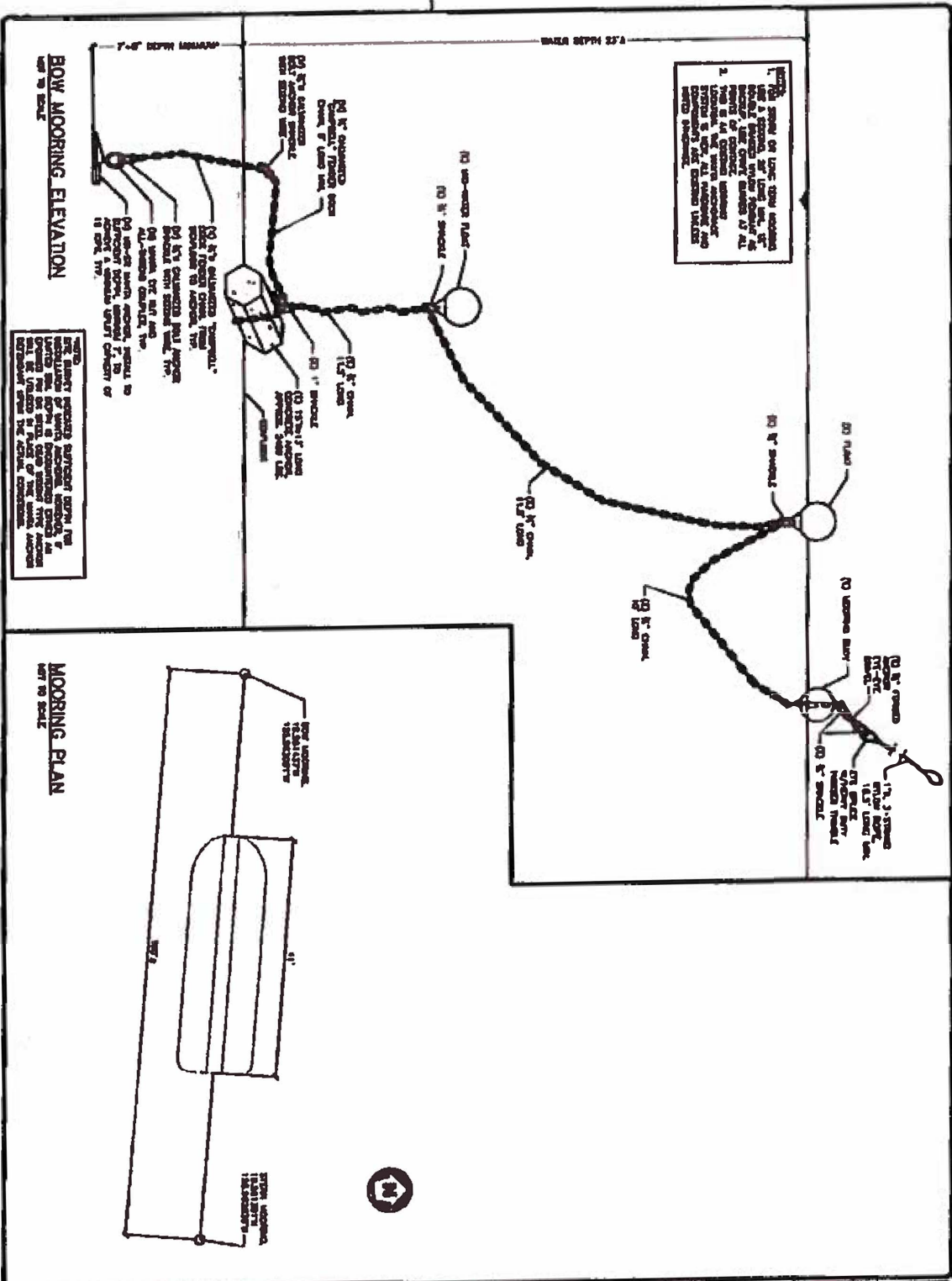
MENDY DANT

2015年12月

11.5014576
11.5014576

AND PLAN

1992.12.1



五、加緊

STANDARD FORM NO. 284, PREVIOUS EDITIONS

457 10 2012

1992.12.1

Request for Exemption from Requirement for Preparation of Environmental Assessment for Installation of an Offshore Mooring within Keauhou Bay, Kona, Hawaii

**Submitted in compliance with
Hawaii Revised Statutes Chapter 343 and HAR §§ 11-200-8, 11-200-8(b)**

**Submitted to
Board of Land & Natural Resources
State of Hawaii, Department of Land & Natural Resources (DLNR)
Division of Boating and Ocean Recreation
4 Sand Island Access Road
Honolulu, HI 96819
Email: finn.d.mccall@hawaii.gov
Phone: (808) 587-7478**

**Vessel Name: Kona Gold
Submitted by:
Mendy Dant – Charisma Hawaii, Inc
78-6775 Makenawai St
Kailua Kona, Hawaii 96740
Email: mendy@fair-wind.com
Phone: (808) 345-6211**

Request

Mendy Dant, (hereinafter referred to as "Petitioner") requests exemption from requirement for environmental assessment report associated with the proposed mooring installation, as the proposed mooring will have little to no environmental impact, as discussed herein below:

Reasoning and Justification for Request

Environmental Assessment Exemption

- 1) The reason for the Environmental Assessment is due to the use of State submerged lands.
- 2) Petitioner requests exemption from requirement for environmental assessment report associated with the proposed mooring installation, as the proposed installation will have little or no impact on the environment in the proposed location.
- 3) The current exemption list for the Department of Land and Natural Resources dated June 5, 2015 provides as follows under Exemption Class 6:

"13. Placement or construction of accessory structures such as...mooring, cleats, bumpers, and mooring buoys, blocks and piles, and other similar structures accessory to existing facilities on state land and waters."

Project Description

Installation of a replacement mooring system, using a Manta Spade anchor system in Keauhou Bay, Kona, Hawaii

Technical Description of Proposed Installation – MANTA Spade anchor, a patented labor and time saving device, will be driven into the ground with no holes, no digging, and no concrete. Unlike other anchoring systems, the MANTA Spade actually compacts the soil around itself providing a safe and environmentally sensitive installation. MANTA Spade anchors are driven with conventional hydraulic/pneumatic equipment that is readily available worldwide. Once driven to the proper depth, an upward pull on the anchor tendon rotates the MANTA Spade into a perpendicular "anchor lock" position in undisturbed soil. The mooring anchor will be installed by Jack's Diving Locker, approved by NOAA and the Army Corps of Engineers.

Location of Proposed Installation –

The proposed mooring buoy would be located at center coordinates Latitude: 19.561778 and Longitude: 155.962611. The location is approximately 75 feet from the Keauhou Bay pier.

Purpose of Proposed Installation – The proposed mooring will be used by the Petitioner solely for the purpose of mooring a motor vessel used for commercial use.

Impact on Coastal Ecosystems – NEGLIGIBLE

The mooring site is 75ft from the Keauhou Bay pier, and is not within the Special Management Area or Shoreline Setback Area, nor is the site within a State Conservation District. This site does not provide habitat for any known endangered species of plants, birds, or mammals. The site is not within, and does not border any National Area Reserve, Marine Conservation District, or estuary. The site is not on or close to any reef or coral colonies. No material will be displaced or discharged in the project area. An earth anchor, Manta Spade anchor will be utilized in order to protect the natural resources in the area. The Manta Spade anchor is an environmentally friendly anchor system that installs easily under water with conventional equipment. No dredge or fill activities will be involved in the installation of the earth anchor mooring system. The mooring will be placed within an existing designated DLNR mooring zone.

Impact on Marine Resources – NONE

The proposed mooring does not involve or affect the use or development of any marine or coastal resources.

Impact on Historic Resources – NONE

The project site is not within a designated historic or cultural district and has not been listed or nominated for the Hawaii or National Register of Historic Places. The proposed project site contains no known historic or archeological resources and is not within or adjacent to any Hawaiian fishpond or historic settlement area.

Impact on Scenic and Open Space Resources – NEGLIGIBLE

A motor vessel will be located at the proposed mooring location and will be visible. The mooring ball will be visible floating on the surface of the water.

Enclosure As Stated.



DEPARTMENT OF THE ARMY
HONOLULU DISTRICT, U.S. ARMY CORPS OF ENGINEERS
FORT SHAFTER, HAWAII 96858-5440

February 22, 2017

SUBJECT: Nationwide Permit Verification for Kona Gold Mooring, Keauhou Bay, Kailua Kona, Hawaii; DA File No. POH-2017-00018

Ms. Melynda Dant
Charisma Hawaii Inc.
78-6775 Makenawai Street
Kailua Kona, HI 96740

Dear Ms. Dant:

The U.S. Army Corps of Engineers, Honolulu District, has completed its review of your request for authorization dated January 3, 2017 for the proposed maintenance/replacement of the Kona Gold Mooring located in Keauhou Bay, Kailua Kona, Hawaii (Center Coordinates: Latitude: 19.561778; Longitude: 155.962611). This office has verified that your proposed activity complies with the terms and conditions of Nationwide Permit 3 (NWP-3), *Maintenance*, and the overall NWP Program issued on March 17, 2012. Please reference Department of the Army (DA) file number POH-2017-00018 in any future correspondence relating to this permit.

This NWP verification is being issued pursuant to Section 10 of the Rivers and Harbors Act of 1899 (Section 10) and authorizes the following work as described below and as depicted on the enclosed drawings (Enclosure 1):

This project will involve the maintenance/replacement of the existing Kona Gold commercial mooring with new "spade" type anchors with a 7-foot by 1-foot shank that will be driven into the sand by an underwater hydraulic hammer. The new anchor will be installed immediately adjacent to the anchor block and within sandy areas only. New chains and hardware will be installed with the new mooring system. The existing chains around anchor blocks will be cut and removed carefully to avoid damaging corals. If the chains will disturb corals, they will be abandoned in place. All existing anchor blocks will be abandoned and no longer used for the mooring. No discharge of dredged or fill material will be required.

In order for this NWP authorization to be valid, you must ensure that the work is performed in accordance with the *Nationwide Permit General Conditions* and the *Honolulu District Regional Conditions* (Enclosure 2), and the following project-specific special conditions:

a. Incidents where any individuals of Green Sea Turtle (*Chelonia mydas*), Hawksbill Turtle (*Eretmochelys imbricata*), Humpback Whale, (*Megaptera novaeangliae*), Loggerhead Sea Turtle (*Caretta caretta*), Hawaiian Monk Seal, (*Monachus schauinslandi*) listed by NOAA Fisheries under the Endangered Species

Act appear to be injured or killed as a result of discharges of dredged or fill material into waters of the United States or structures or work in navigable waters of the United States authorized by this NWP shall be reported to NOAA Fisheries, Office of Protected Resources at (301) 713-1401 and the Regulatory Office of the Honolulu District of the U.S. Army Corps of Engineers at (808) 835-4303. The finder should leave the animal alone, make note of any circumstances likely causing the death or injury, note the location and number of individuals involved and, if possible take photographs. Adult animals should not be disturbed unless circumstances arise where they are obviously injured or killed discharge exposure or some unnatural cause. The finder may be asked to carry out instructions provided by NOAA Fisheries, Office of Protected Resources, to collect specimens or take other measurements to ensure that evidence intrinsic to the specimen is preserved.

b. For compliance with Section 7 of the Endangered Species Act: You must comply with the attached Pacific Standard Local Operating Procedure for Endangered Species (Pac-SLOPES) general conditions, special conditions, and activity-specific best management practices (BMPs) to avoid effects to threatened or endangered marine species (Enclosure 3).

c. For compliance with Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and to ensure adverse effects to essential fish habitat (EFH) are minimal, you must implement the following conservation measures:

(1) You should anchor all support vessels and install the manta anchors only in sandy areas devoid of corals, seagrass and Halimeda algae, with enough buffer to avoid indirect impacts from Installation activities (i.e. increased turbidity), and to ensure sufficient mooring chain travel.

(2) You should remove existing chains without adverse effects to sensitive and hard-to-replace EFH resources, especially corals that have attached to the chains.

(3) You should have a long term maintenance plan for each mooring and buoy to ensure its integrity. Once it is no longer needed, you are responsible for removing all components of the mooring buoy to ensure that it does not become marine debris. This will avoid impacts to nearby resources from broken and derelict buoys and vessels.

(4) You should avoid discharge of pollutants from moored vessels into the marine environment. This will avoid a contribution to reduced water quality of the water column EFH in the area.

d. You may conduct maintenance, repair and/or replacement of the existing mooring gear (i.e. chains, ropes, floats, shackles, etc.), as deemed necessary, without obtaining any additional written authorization from this office. Although written authorization is not required from this office for maintenance activities associated with this existing mooring, we recommend use of best management practices (BMPs) to avoid and minimize adverse impacts to aquatic resources.

The State of Hawaii Department of Business, Economic Development and Tourism, Office of Planning issued a Coastal Zone Management consistency general concurrence for the 2012 NWP's on March 16, 2012, so no additional authorization is required.

This verification is valid until the NWP's are modified, reissued, or revoked. All of the existing NWP's are scheduled to be modified, reissued, or revoked prior to March 18, 2017. It is incumbent upon you to remain informed of changes to the NWP's. We will issue a public notice when the NWP's are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permits are modified or revoked, you will have twelve (12) months from the date of the modification or revocation of the NWP's to complete the activity under the present terms and conditions of these nationwide permits. Failure to comply with all terms and conditions of this NWP verification invalidates this authorization and could result in a violation of Section 10 and subsequent enforcement action. This authorization does not relieve you of the responsibility to obtain any other Federal, State, and/or local authorizations required by law.

Finally, General Condition #30 requires a signed certification be submitted to this office upon completion of work. Therefore, please sign, date and return the enclosed *Compliance Certification* form (Enclosure 4) within seven (7) days of completion of work to CEPOH-RO@usace.army.mil or to Katy.R.Damico@usace.army.mil.

Thank you for your cooperation with the Honolulu District Regulatory Program. Should you have any questions related to this determination, please contact me via telephone at (808) 835-4160 or via e-mail at Katy.R.Damico@usace.army.mil. You are encouraged to provide comments on your experience with the Honolulu District Regulatory Office by accessing our web-based customer survey form at http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.

Sincerely,



Katy R. Damico
Project Manager
Guam Regulatory Field Office

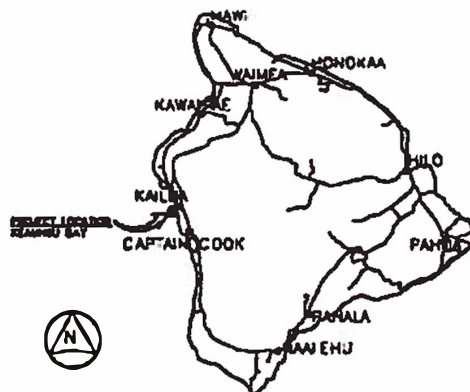
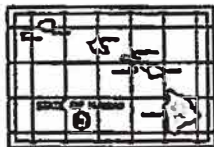
Enclosure(s)

cc:

Mr. Finn McCall, State of Hawaii, DLNR-DOBOR
Mr. John Nakagawa, State of Hawaii DBEDT Office of Planning
Mr. Randy McIntosh, NOAA-NMFS Protect Resources Division
Ms. Ian Lundgren, NOAA-NMFS Habitat Conservation Division

OFFSHORE MOORING - KEAUHOU BAY FOR MENDY DANT - KONA GOLD

GPS COORDINATES OF MOORING: 19.817777N 155.828111W
APPROXIMATE WATER DEPTH: 12'



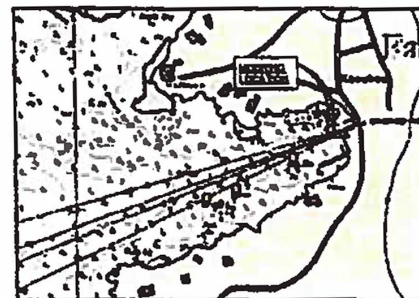
VICINITY MAP

Department of Land and Natural Resources
Division of Boating and Ocean Recreation
PLAN REVIEW:

☒ Approved ☐ Approved, as noted
☐ Rejected ☐ Revise & Resubmit

By: 4:10 Date: 11/22/18

Corrections, comments or approval of plans shall not relieve the contractor from other local, state, federal or other agency regulations or permit conditions. This review is for general conformance with engineering design guidelines. The contractor is responsible for confirming all dimensions, quantities, fabrication requirements, and coordination with all other trades.



LOCATION MAP

INDEX TO DRAWINGS

SHEET NUMBER	DRAWING NUMBER	DESCRIPTION
1	S-1	W.P., NOTES TO CHAIRMAN, AND VICINITY MAP
2	S-1	MOORING NOTES AND ELEVATION
3	S-2	MOORING ELEVATION AND PLAN

PHREE
CREATIONS, LLC
87-000 KONA ROAD, SUITE 100
KONA, HAWAII 96741 • (808) 348-0000



PHREE
11/22/18

REVIEWED BY: _____
DATE: _____
APPROVED BY: _____
DATE: _____

ENCLOSURE 1

PROPOSED
OFFSHORE MOORING
KEAUHOU BAY
FOR

MENDY DANT
FOR THE CHAIRMAN
20-0000 1000 A WILSON ST.
KONA, HAWAII 96741
PHONE (808) 348-0211

GPS COORDINATES: 19.817777N
155.828111W

TITLE SHEET

DAE 10-2000-0001.11 (10/11/11) (10/11/11)
T-1
REV. 10/11/11 (10/11/11) (10/11/11)

ENCLOSURE 1

電話 03-3461-1111



THE UNIVERSITY OF CHICAGO PRESS

FOR

AND ELEVATION

REF. H. 201. MAR. 1 1971



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ALL-PURPOSE BINDER, 110.

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THE UNIVERSITY OF CHICAGO

五、**「三民主義」**：「三民主義」為建國之綱領，其要義如下：

THE NEW YORK PUBLIC LIBRARY
ASTOR LENOX TILDEN FOUNDATION
500 5TH AVENUE
NEW YORK 17, N.Y.

一、二、三、四、五、六、七、八、九、十、十一、十二、十三、十四、十五、十六、十七、十八、十九、二十、二十一、二十二、二十三、二十四、二十五、二十六、二十七、二十八、二十九、三十、三十一、三十二、三十三、三十四、三十五、三十六、三十七、三十八、三十九、四十、四十一、四十二、四十三、四十四、四十五、四十六、四十七、四十八、四十九、五十、五十一、五十二、五十三、五十四、五十五、五十六、五十七、五十八、五十九、六十、六十一、六十二、六十三、六十四、六十五、六十六、六十七、六十八、六十九、七十、七十一、七十二、七十三、七十四、七十五、七十六、七十七、七十八、七十九、八十、八十一、八十二、八十三、八十四、八十五、八十六、八十七、八十八、八十九、九十、九十一、九十二、九十三、九十四、九十五、九十六、九十七、九十八、九十九、一百。

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CO-ORDINATOR: **MR. J. H. HARRIS**

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PROPOSED
OFFSHORE MOORE
HEADQUARTERS
FOR:

MENDY DANT

FOR THE CHAIR
70-609 SEE A MEMBER OF
THEIR TEAM, OR 607-60
FROM (200) 3-6-67

DATE RECEIVED **FILED**

MOORING ELEVATION
AND PLAN

S-2

