

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

June 26, 2020

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

Land Board Members:

SUBJECT: APPROVE INSTALLATION OF AN OFFSHORE MOORING OUTSIDE
OF AN ESTABLISHED OFFSHORE MOORING AREA, KEAUKOU
BAY, KAILUA-KONA, ISLAND OF HAWAII, HAWAII, FOR WILLIAM
MURTAGH

REQUEST:

The Division of Boating and Ocean Recreation (“DOBOR”) is requesting that the Board of Land and Natural Resources (“Board”) approve the installation of an existing offshore mooring within Keauhou Bay in Kailua-Kona on the Island of Hawaii. As required by HAR 13-235-9, any applicant requesting to moor a vessel outside of an established offshore mooring area must obtain approval from the Board.

Keauhou Bay is a designated offshore mooring area identified in the “Documentation of Facilities for the Boating Program Transfer to the Department of Land and Natural Resources,” when the Boating Program was transferred from the Department of Transportation to DLNR. However, Keauhou Bay was never established as an offshore mooring area in HAR 13-235. Therefore, as required by HAR 13-235-9, the installation of all moorings within Keauhou Bay must obtain approval from Board.

The applicant, Mr. William Murtagh (“Applicant”), has been using an existing offshore mooring in Keauhou Bay that has been in place for several years. He is requesting that the Board approve installation of the mooring outside of an established offshore mooring zone, as required by HAR 13-235-9. The Applicant’s request is attached with Exhibit A.

PERMITS AND COMPLIANCE WITH STATE AND FEDERAL LAW:

In order to comply with Federal Law (Section 10 of the Rivers and Harbors act of 1899), DOBOR is requiring that all offshore moorings under their jurisdiction obtain a permit from the U.S. Army Corps of Engineers (“ACOE”). In addition, to ensure that the mooring system is structurally sound, DOBOR is requiring that all offshore mooring permittees submit an Offshore Mooring Installation Plan, prepared by a licensed structural engineer, for approval.

Approve Existing Offshore Mooring and
Outside Established Offshore Mooring Area

June 26, 2020

Mr. William Murtagh, Keauhou Bay, Kailua-Kona, Island of Hawaii
Page 2

The Applicant has obtained a Nationwide Permit Verification Letter from the ACOE authorizing the installation and use of the existing mooring. An Offshore Mooring Installation Plan, prepared by a licensed structural engineer, has also been submitted to and approved by DOBOR Engineering Branch. The ACOE Permit and approved Mooring Installation Plan are attached with Exhibit A.

In accordance with HAR 13-235-6, the National Marine Fisheries Service (NMFS) and DLNR, Division of Aquatic Resources (DAR) must determine whether an offshore mooring is detrimental to the habitat or spawning ground of marine life. Through the ACOE permitting process, NMFS has been consulted and determined the offshore moorings have no detrimental effect to the habitat or spawning ground of marine life. DAR has also been consulted and concurred that the offshore moorings have no detrimental effect to the habitat or spawning ground of marine life.

HRS CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

Compliance with HRS Chapter 343 and HAR Chapter 11-200.1 is not required as the offshore mooring is existing and therefore no new action is being proposed.

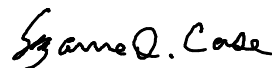
RECOMMENDATION:

Approve the installation of the existing offshore mooring within Keauhou Bay, Kailua-Kona, Island of Hawaii, located outside of an established offshore mooring area, after-the-fact.

Respectfully Submitted,

FOR 
EDWARD R. UNDERWOOD, Administrator
Division of Boating & Ocean Recreation

APPROVED FOR SUBMITTAL:


SUZANNE D. CASE, Chairperson
Board of Land and Natural Resources

Attachment:

- A. Applicant's request for approval of mooring, approved Offshore Mooring Installation Plan, Nationwide Permit Verification Letter from Army Corps of Engineers

EXHIBIT A

February 14, 2020

Bill Murtagh
Po Box 533, Kailua Kona, Hi. 96745

Subject: Request approval of an existing offshore mooring at Keauhou Bay, Island of Hawaii.

Submitted to: Board of Land & Natural Resources, 1151 Punchbowl Street, Honolulu, Hi., 96813

Request:

I, Bill Murtagh, respectfully request approval of an existing offshore mooring within Keauhou Bay, Island of Hawaii.

Reasoning and Justification for Request

Permitting and DOBOR Approval:

A permit from the U.S. Army Corps of Engineers has been obtained, see attached permit verification letter POH-2019-00124.

An offshore mooring plan prepared by a licensed structural engineer in the State of Hawaii, has been approved by the Division of Boating & Ocean Recreation, see attached approved offshore mooring plan.

Description of Offshore Mooring:

See attached document.

Location of Offshore Mooring:

Pacific Ocean, Keauhou Bay, Island of Hawaii. Latitude 19 33.681N, Longitude 155 57 803W

Purpose of Offshore Mooring:

Nationwide Permit (NWP) #9 used to secure vessel within Keauhou Bay.

Impact on Coastal Ecosystem and Marine Habitat:

The impact of the offshore mooring is negligible. The mooring site is not within the Special Management Area, Shoreline Setback Area, or within a State Conservation District. The site does not provide habitat for any known endangered species, plants, birds, or mammals. The site is not within and does not bordering National Area Reserve, Marine Conservation District, or estuary. The site is not on or close to any coral reef or coral colonies. No dredge or fill activities will be involved with the use of the mooring. The mooring is installed in an area approved for the installation of offshore moorings by the DLNR Division of Boating & Ocean Recreation.

Bill Murtagh



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

November 29, 2019

SUBJECT: Nationwide Permit Verification for B. Murtagh Mooring System, Keauhou Bay, Hawaii, Department of the Army File No. POH-2019-00124

Mr. William Murtagh
P.O. Box 533
Kona, Hawaii 96745

Dear Mr. Murtagh:

The Honolulu District, U.S. Army Corps of Engineers (Corps), Regulatory Branch has completed review of your Pre-Construction Notification dated July 19, 2019 requesting after-the-fact authorization for an offshore mooring located below the high tide line (HTL) in the Keauhou Offshore Mooring Location/Zone, 19.561350°, -155.963383°, Kailua-Kona, Island of Hawaii, Hawaii. Please reference Department of the Army (DA) file number POH-2019-00124 in any future correspondence related to this permit.

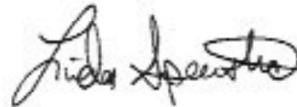
This letter verifies your activity complies with the terms and conditions of Nationwide Permit (NWP) #9, (Structures in Fleeting and Anchorage Areas) issued on March 19, 2017 (82 FR 1860, January 6, 2017). This NWP verification letter is being issued pursuant to Section 10 of the Rivers and Harbors Act of 1899 for work or structures in, over, under or affecting navigable waters of the U.S. You are authorized to conduct the following work as described below and as depicted on the enclosed drawings (Enclosure 1).

The existing mooring would consist of attaching two pre-existing 3-foot by 3-foot concrete blocks (approximately 4050 pounds) which originated from an old mooring that is no longer in use. The pre-existing concrete block anchors will be repositioned (approximately 20 feet) next to the existing anchors to provide additional support to the mooring. The repositioned blocks would be secured to the existing mooring by connecting a 1-inch galvanized shackle with seizing wire to a 5-foot long, $\frac{5}{8}$ -inch galvanized long link chain to the existing 4-foot by 4-foot concrete blocks (approximately 7200 pounds). The existing blocks are connected to a 35-foot long, $\frac{5}{8}$ -inch galvanized long link chain which travels to the mooring buoy secured by a 1-inch galvanized shackle with seizing wire and a 1-inch forged anchor eye-eye swivel. A mid-line float is secured to the anchor chain with a $\frac{1}{2}$ -inch galvanized shackle with seizing wire and continues to the mooring buoy and secured with a $\frac{1}{2}$ -inch galvanized shackle and seizing wire. The mooring buoy connects to the 20-foot long, 1-inch thick, 12-strand double braided nylon pendant vessel tie up with a $\frac{1}{2}$ -inch galvanized shackle and seizing wire to a $\frac{5}{8}$ -inch galvanized long link chain. The vessel tie up has an additional mooring buoy secured to the chain by a 1 $\frac{1}{4}$ -inch galvanized shackle with seizing wire and an eye splice with thimble.

Verification of your project under this NWP is valid until **March 19, 2022** unless this NWP is modified, reissued, or revoked prior to that date. It is incumbent upon you to remain informed of changes to the NWPs. If the Corps modifies, reissues, or revokes any NWP at an earlier date, we will issue a public notice announcing the changes. Failure to comply with all terms and conditions of this NWP verification invalidates this authorization and could result in a violation of the Rivers and Harbors Act 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.

Thank you for your cooperation with the Honolulu District Regulatory Program. Should you have any questions related to this authorization, please contact Mr. Frank Winter via e-mail at Frank.J.Winter@usace.army.mil or at (808) 835-4107.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Speerstra". The signature is fluid and cursive, with the first name "Linda" being more prominent than the last name "Speerstra".

Linda Speerstra
Chief, Regulatory Branch

Enclosures

Description of Mooring

There are three (3) mooring blocks total. Each is roughly 4ft L x 4ft W x 3ft H, constructed of concrete and steel rebar, with a 1.25" x1ft L galvanized eye bolt center/top.

One (1) block is used as a single bow mooring and is currently buried in sand.

The other two (2) blocks are used for the stern. One (1) stern block would be the primary and the second block would act as a anchor to the primary.

Connected to the eyebolt of the bow block will be a 1" shackle connecting a 1' swivel. The swivel will connect to approx. 20ft. of 5/8" long link chain. Approx. five feet (5') above the block attached to the chain via 1/2" shackle is a A-3 Red Buoy to keep the chain from sinking and coming in contact with both the seabed and block.

On the surface end of the chain (approx. 5ft. from the end) is a second A-3 buoy attached via 1/2" shackle. This buoy keeps the chain from sinking and allows for scope.

At two feet (2ft) from the end of the chain, there is a third A series buoy, A-2, for the purpose of making accessible the last remaining chain-links that will have two (2) 1/2" shackles connecting to a 1/2" swivel. There will be mooring line from each swivel going to both port and starboard cleats on the bow of the vessel.

The primary stern block will be constructed the same as the bow mooring.

The secondary stern block will have a 1" shackle attached to the eyebolt with ten ft (10') of 1" chain connecting both stern blocks. If needed to prevent the connecting chain from coming in contact with the seabed, an A series buoy will be used.

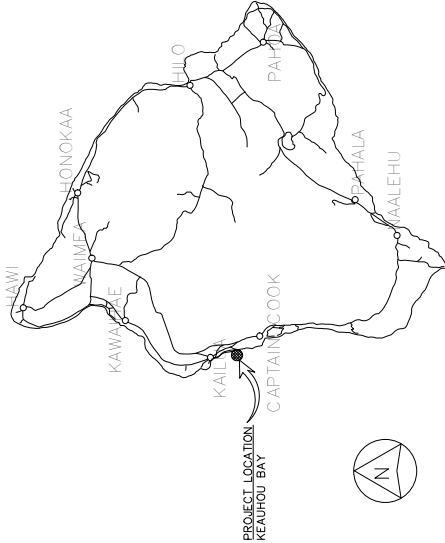
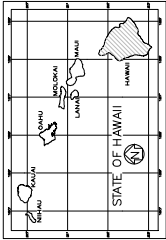
The position for the existing mooring(s) are roughly

Bow Mooring Block N19 33.681 W155 57.803

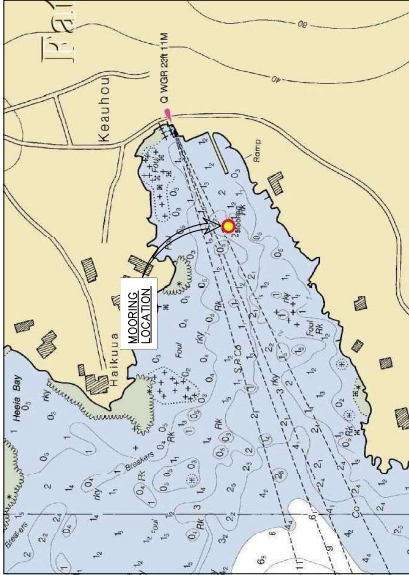
Stern Mooring Block N19 33.674 W155n57.792

OFFSHORE MOORING - KEAUHOU BAY
FOR BILL MURTAGH

GPS COORDINATES OF MOORING : 19°33.681'N, 155°57.803'W
APPROXIMATE WATER DEPTH : 21'



VICINITY MAP



LOCATION MAP

INDEX TO DRAWINGS	
SHEET NUMBER	DESCRIPTION
1	T-1 TITLE, INDEX TO DRAWINGS, AND VICINITY MAP
2	S-1 MOORING NOTES AND ELEVATION
3	S-2 MOORING PLAN

PHREE
CREATIONS, LLC.
61-555 KAMEHAMEHA HIGHWAY
HALENA, HAWAII 96712 • (808) 349-4990



DATE OF THE PLAN: 1/20/2020
THIS PLAN WAS PREPARED BY
ME OR UNDER MY CLOSE PERSONAL
SUPERVISION AND I AM A LICENSED
ENGINEER UNDER MY LICENSE NO. 13752-S

GENERAL NOTES
CONTRACTOR/OWNER SHALL CHECK AND VERIFY ALL DIMENSIONS
AND CONDITIONS OF THE SITE BEFORE PROCEEDING WITH THE WORK.
ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE ROAD.
ALL CONSTRUCTION SHALL COMPLY TO THE 2008 INTERNATIONAL
BUILDING CODE AND THE LATEST COUNTY OF HAWAII CODE OF ORDINANCES.
THIS PROJECT IS LOCATED IN THE COUNTY OF HAWAII.

REVISION MARK • DATE • DESCRIPTION

PROJECT
EXISTING MOORING
OFFSHORE MOORING
KEAUHOU BAY
FOR:

BILL MURTAGH

78-6831 ALI DRIVE STE. 144
KAILUA KONA, HI 96740
PHONE: (808) 895-0003

GPS COORDINATES: 19°33.681'N
155°57.803'W

SHEET TITLE
TITLE SHEET

JOB NO. 2015-0007.115 DRAWING NO.
DRAWN: JMM T-1
CHECKED: JMM
DATE: APRIL 12, 2019 SHEET 1 OF 3

GENERAL:

- WORKMANSHIP AND MATERIALS SHALL CONFORM TO THE BUILDING CODE AS STATED BELOW. HOWEVER, WHERE OTHER STANDARDS THE MORE STRINGENT SHALL APPLY.
 - COUNTY OF HAWAII AMENDED IBC, 2006
- THE CONTRACTOR SHALL TAKE FIELD MEASUREMENTS AND VERIFY FIELD CONDITIONS AND SHALL COMPARE SUCH FIELD MEASUREMENTS AND CONDITIONS WITH THE DRAWINGS AND SPECIFICATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CORRECTING ALL INCONSISTENCIES AND OMISSIONS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR METHODS OF CONSTRUCTION, WORKMANSHIP AND JOB SAFETY.

- DETAILS NOTED AS TYPICAL ON THE STRUCTURAL DRAWINGS SHALL APPLY IN ALL CONDITIONS UNLESS SPECIFICALLY SHOWN OR NOTED.
- PRODUCT DATA REQUIRED BY THESE NOTES SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL PRIOR TO FABRICATION.

DESIGN CRITERIA:

- MINIMUM DESIGN CRITERIA FOR MOORING IN ACCORDANCE WITH UFG-159-C3
 - TYPE IIB STORM MOORING
- WIND DESIGN DATA:
 - BASIC WIND SPEED: 105 MPH
- CURRENT:
 - MAX CURRENT: 2 KNOTS
- WAVES AND TIDAL VARIATIONS:
 - PEAK WAVE HEIGHT: 6 FEET

- DESIGN VESSEL: "KALE KAI"
- LOA: 41'-6" (UP TO 45'-0")
 - BEAM: 12'-6"
 - DRAFT: 7'-6"
 - WEIGHT: 7 TONS

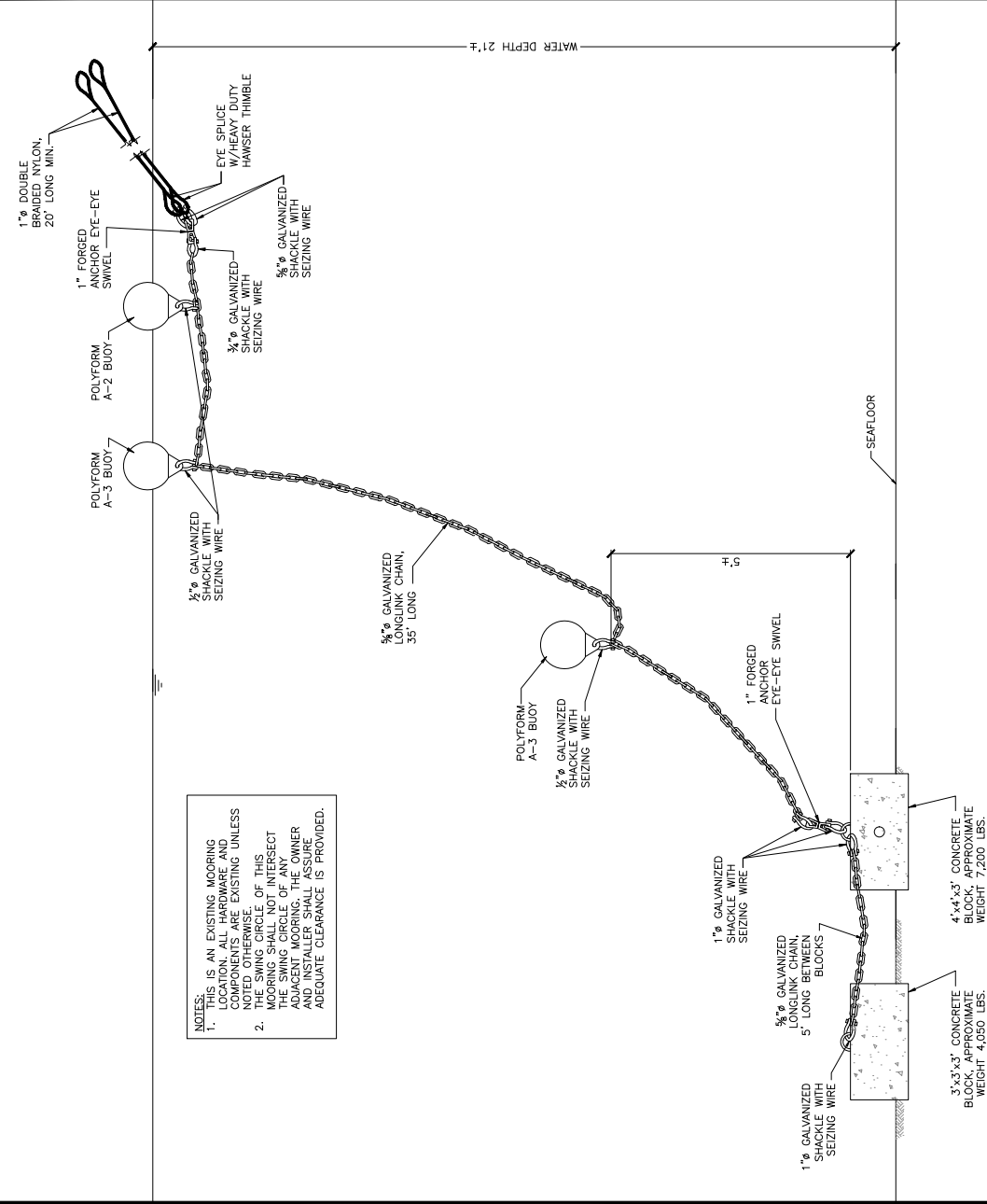
*MOORING IS DESIGNED FOR DESIGN VESSEL ONLY, ANY CHANGE IN MOORED VESSEL REQUIRES RE-ANALYSIS.

CHAIN, HARDWARE, ROPE AND MOORING COMPONENTS

- ALL CHAIN AND HARDWARE SHALL BE HOT DIP GALVANIZED IN ACCORDANCE WITH ASTM A153.
- THIMBLES OR CHAFE GUARDS SHALL BE USED WITH ROPES AT ALL POINTS OF CONTACT.
- SUBMIT PRODUCT DATA OF ALL CHAINS, HARDWARE, ROPE, AND MOORING COMPONENTS TO ENGINEER FOR APPROVAL PRIOR TO FABRICATION.

MOORING HARDWARE, MAINTENANCE AND INSPECTION

- THE VESSEL OWNER SHALL BE RESPONSIBLE FOR MAINTAINING THE VESSEL'S MOORING HARDWARE. ANY FAILURE RESULTING FROM NON MAINTAINED COMPONENTS OR UNREPAIRED DAMAGE OF THE MOORING RESULTING FROM CORROSION SHALL BE THE RESPONSIBILITY OF THE VESSEL OWNER.
- THE VESSEL OWNER SHALL INSPECT ALL MOORING HARDWARE, ROPES, AND CHAINS FROM SEA FLOOR TO PENDANT FOR SAFETY AND SECURITY NO LESS THAN TWO TIMES PER YEAR. INSPECTION REPORT/RECORDS SHALL BE KEPT BY VESSEL OWNER.
- THE VESSEL OWNER IS RESPONSIBLE FOR INSTALLING AND MAINTAINING CHAFING GEAR ON ALL MOORING LINES.



TYPICAL BOW AND STERN MOORING ELEVATION
NOT TO SCALE

**PHREE
CREATIONS, LLC.**
61-655 KAMEHAMEHA HIGHWAY
HALENA, HAWAII 96712 • (808) 349-4990
CREATED BY PHREE CREATIONS, LLC



M. Murtagh
DATE OF THE SEAL: 10/20/20
THIS SEAL IS VALID FOR TWO YEARS
AND MUST BE REPAIRED BY
THE ENGINEER AT THE END OF THE
PERIOD UNDER A PENALTY OF
FIVE HUNDRED DOLLARS

GENERAL NOTES
CONTRACTOR/OWNER SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS OF THE MOORING SYSTEM PRIOR TO THE WORK. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE MOORING. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE MOORING. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE MOORING. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE MOORING.

REVISION MARK • DATE • DESCRIPTION

PROJECT
EXISTING
OFFSHORE MOORING
KEAUHOU BAY
FOR:

BILL MURTAGH
78-6831 ALI DRIVE STE. 144
KAILUA KONA, HI 96740
PHONE: (808) 895-0003
GPS COORDINATES: 19°33.661'N
155°57.803'W

SHEET TITLE
**MOORING NOTES
AND ELEVATION**

JOB NO. 2015-0007.115 DRAWING NO.
S-1
DRAWN: JMM
CHECKED: JMM
DATE: APRIL 12, 2019 SHEET 2 OF 3

PHREE
CREATIONS, LLC.
61-655 KAMEHAMEHA HIGHWAY
HALEIWA, HAWAII 96712 • (808) 349-4990



M. Murtagh
DATE OF THE SEAL: 12/15/2018
THE SEAL IS VALID FOR TWO YEARS
AND MUST BE REPAIRED BY
THE ENGINEER AT THE END OF
THE TWO-YEAR PERIOD.

GENERAL NOTES
CONTRACTOR/OWNER SHALL CHECK AND VERIFY ALL DIMENSIONS
AND CONDITIONS OF THE EXISTING MOORING BEFORE PROCEEDING WITH THE WORK.
ALL DIMENSIONS SHALL BE IN FEET AND INCHES, UNLESS OTHERWISE NOTED.
ALL CONSTRUCTION SHALL COMPLY TO THE 2008 INTERNATIONAL
BUILDING CODE AND THE LATEST COUNTY OF HAWAII CODE OF ORDINANCES.
THIS PROJECT IS LOCATED AND MAINTAINED UNDER THE JURISDICTION OF THE

REVISION MARK • DATE • DESCRIPTION

PROJECT
EXISTING MOORING
KEAUHOU BAY
FOR:

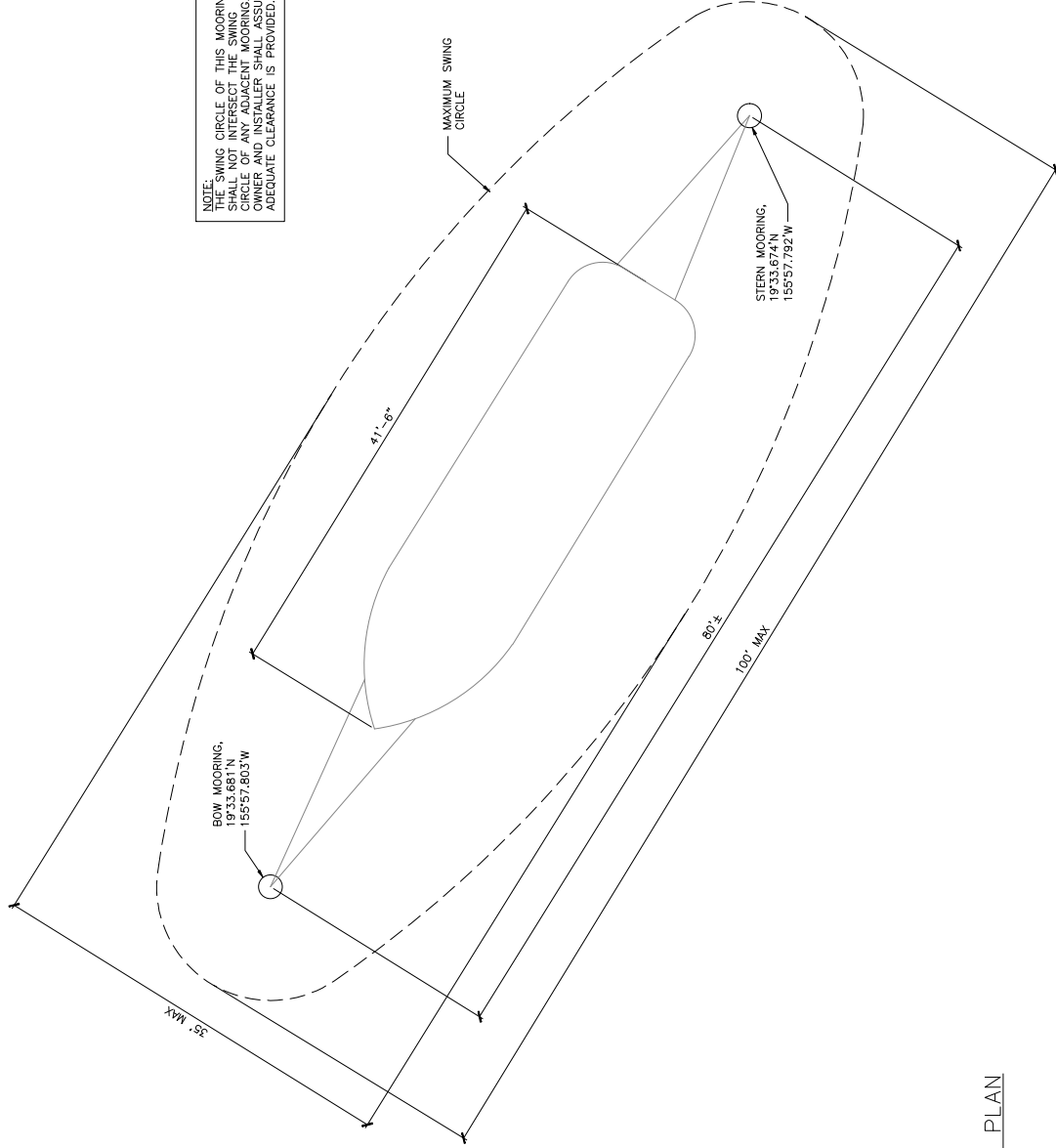
BILL MURTAGH
78-6831 ALI DRIVE STE. 144
KAILUA KONA, HI 96740
PHONE: (808) 895-0003
GPS COORDINATES: 19°33'68.1"N
155°57'28.3"W

SHEET TITLE
MOORING PLAN

JOB NO. 2015-0007.115 DRAWING NO.
S-2
DRAWN: JMM
CHECKED: JMM
DATE: APRIL 12, 2019 SHEET 3 OF 3



NOTE:
THE SWING CIRCLE OF THIS MOORING
SHALL NOT INTERSECT THE SWING
CIRCLE OF ANY ADJACENT MOORING. THE
OWNER AND INSTALLER SHALL ASSURE
ADEQUATE CLEARANCE IS PROVIDED.



MOORING PLAN
NOT TO SCALE