

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

December 11, 2020

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

Land Board Members:

SUBJECT: Declare Use of An Existing Offshore Mooring Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200.1, Hawaii Administrative Rules

And

Approve Installation, After-The-Fact, of the Offshore Mooring Outside of an Established Offshore Mooring Area, Keauhou Bay, Kailua-Kona, Island of Hawaii, for Geerling Goosen

REQUEST:

The Division of Boating and Ocean Recreation (“DOBOR”) is requesting that the Board of Land and Natural Resources (“Board”) declare the installation and use of an existing offshore mooring within Keauhou Bay in Kailua-Kona on the Island of Hawaii exempt from the requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200.1, Hawaii Administrative Rules, to prepare an Environmental Assessment (“EA”), due to the use of submerged State land.

DOBOR is also requesting that the Board approve the installation and use of the existing offshore mooring within Keauhou Bay in Kailua-Kona on the Island of Hawaii that is outside of an established offshore mooring area. 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.

BACKGROUND:

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. Geerling Goosen (“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.

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:

The proposed action and use of the existing offshore mooring is exempt from the preparation of an environmental assessment under HRS Chapter 343 and HAR Chapter 11-200.1 because it is considered to de minimis and is under the Exemption List for the Department of Land and Natural Resources, concurred on by the Environmental Council on November 10, 2020, General Exemption Type 1, Part 1, Item 9:

“Operation, repair and maintenance of existing loading docks, piers, piles, boat launch ramps, offshore mooring facilities, and other similar support structures, as permitted by the U.S. Army Corps of Engineers, Honolulu District, under a Nationwide Permit.”

RECOMMENDATION:

Declare the installation and use of an existing offshore mooring within Keauhou Bay in Kailua-Kona on the Island of Hawaii exempt from the requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200.1, Hawaii Administrative Rules, to prepare an Environmental Assessment, due to the use of submerged State land and 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.

Approve Existing Offshore Mooring and
Outside Established Offshore Mooring Area
Mr. Geerling Goosen, Keauhou Bay, Kailua-Kona, Island of Hawaii

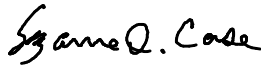
December 11, 2020
Page 3

Respectfully Submitted,



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

10-16-2020

To: The Board of Land and Natural Recourses

From: Geerling Goosen
78-6750 Makenawai St.
Kailua Kona
Hawaii 96740

Subject:
Request for Approval of an Existing Offshore Mooring Outside of a Designated
Offshore Mooring Area
Keauhou Bay Harbor Mooring Area Kailua-Kona, Island of Hawaii

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

Submitted by: Geerling Goosen

Request:
In accordance with HAR 13-23-235-9 Geerling Goosen requests approval of an existing
Offshore mooring at Keauhou Bay Harbor Mooring Area outside of a designated
Offshore mooring.

Reason and Justification for request.

Mooring of Hatteras 57 Vessel as in the engineered plan approved by Boating and
Recreation.

A permit from the U.S Army Corps of Engineers has been obtained, see attached permit
Verification Letter File No POH 2017-00088

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

Description of Offshore Mooring:

Two Point mooring Bow and Stern
30" surface mooring buoys secured with forged 1" anchor Eye-Eye-swivels
To 7/8 galvanized chain to submerged floats to 1" galvanized chain to concrete blocks,

EXHIBIT A

Followed by $\frac{3}{4}$ galvanized chain to a total of 3 500lb Danforth Anchors
2 at the bow mooring and 1 at the stern mooring.
All as described in the approved engineering plan.

Location:

Keauhou Bay Hawaii Island 19.561138* N, -155.963491* W

Purpose of Offshore mooring:

Securing of vessel in Keauhou Bay, Hawaii Island

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 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 border any National 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 and Recreation.

Impact on Historic Properties:

There are no historic properties located in the vicinity of the proposed offshore mooring.

Impact on Cultural Resources and Practices:

The proposed offshore mooring will not adversely impact cultural resources or practices.



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

October 16, 2020

SUBJECT: Nationwide Permit Verification for Geerling Goosen, Maintenance to Existing Mooring, Keauhou Bay, Kailua-Kona, Hawaii
Department of the Army File No. POH-2017-00088

Mr. Geerling Goosen
78-6750 Makenawai Street
Kailua-Kona, Hawaii 96740

Dear Mr. Goosen:

The Honolulu District, U.S. Army Corps of Engineers (Corps), Regulatory Branch has completed the review of your Pre-Construction Notification dated August 26, 2020 requesting authorization for maintenance improvements to an existing personal use vessel mooring system deployed in waters of the U.S. below the high tide (HTL) in approximately 30-foot depth. The substrate consists of sand and fine silt, at Keauhou Bay Harbor Mooring Area, 19.561138°, -155.963491°, approximately 0.15 miles southeast of the intersection of Kamehameha III Rd. and Ehukai St. in Kailua-Kona, Island of Hawaii, Hawaii.

This letter verifies your activity complies with the terms and conditions of Nationwide Permit (NWP) #3, (Maintenance) 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 proposal includes the new installation of (3) anchors to further secure the mooring. Two 500 LB. Danforth anchors would be connected to the existing concrete block of the bow mooring and one 500 LB. Danforth anchor connected to the existing stern concrete blocks attached with 20-foot long, 3/4-inch galvanized chain.

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).

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.

Your project complies with the requirements of the Clean Water Act, Section 401 Blanket Water Quality Certification (WQC0901.FNL.20) issued for this Nationwide Permit by the State of Hawaii Department of Health, Clean Water Branch. You are responsible for complying with the attached General Conditions of this WQC (Enclosure 3).

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 30 days of completion of work to the email address specified below or to the mailing address indicated on the letterhead above.

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 that reads "Frank Winter". The signature is written in a cursive, flowing style.

Frank Winter
Regulatory Specialist

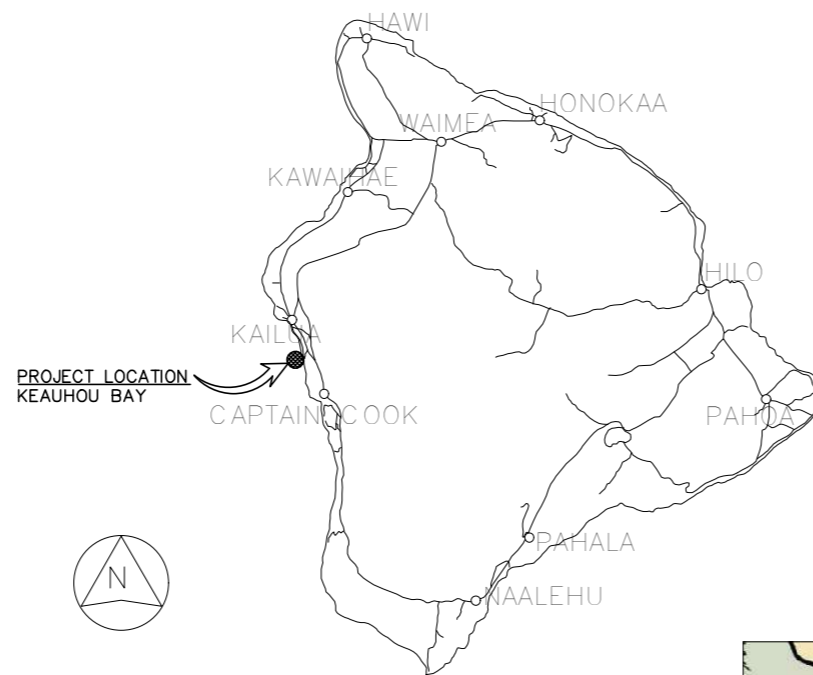
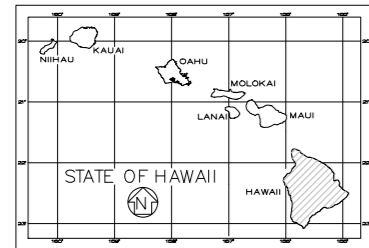
Enclosures

Electronic cc:

Mr. Daryl Lum, State of Hawaii Department of Health, Clean Water Branch

OFFSHORE MOORING - KEAUHOU BAY FOR GEERLING GOOSEN - INTREPID

GPS COORDINATES OF MOORING : 19°33.669'N, 155°57.803'W
APPROXIMATE WATER DEPTH : 22



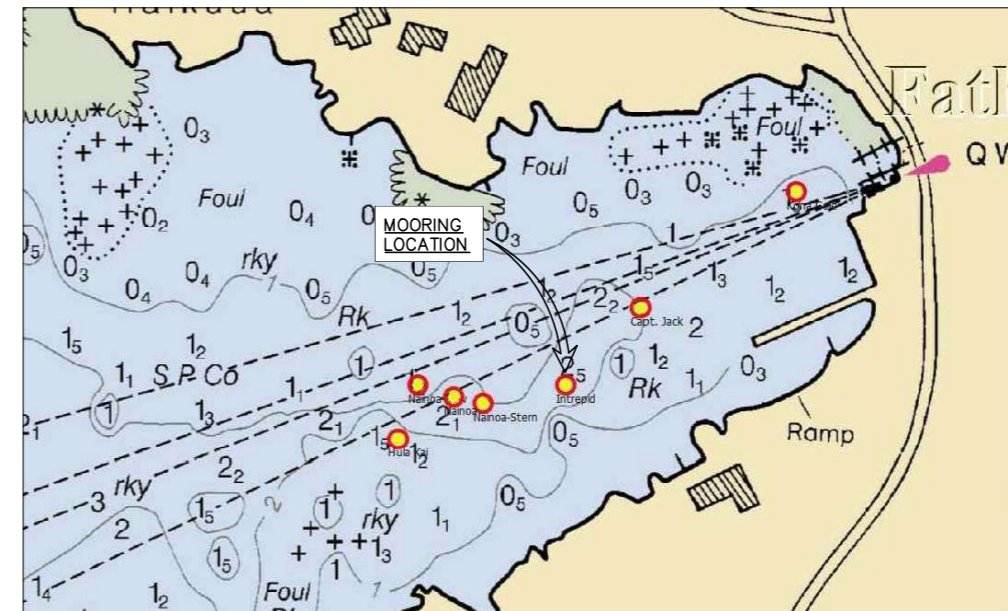
VICINITY MAP

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

- Approved
 Rejected
 Approved, as noted
 Revise & Resubmit

By: JMM Date: 12/20/2018

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	T-1	TITLE, INDEX TO DRAWINGS, AND VICINITY MAP
2	S-1	MOORING NOTES AND ELEVATION
3	S-2	STERN MOORING ELEVATION
4	S-3	MOORING PLAN

**PHREE
CREATIONS, LLC.**

61-655 KAMEHAMEHA HIGHWAY
HALEIWA, HAWAII 96712 • (808) 349-4990



JMM

EXPIRES DATE OF THE LICENSE 4/30/2020
THIS WORK WAS PREPARED BY
ME OR UNDER MY SUPERVISION
AND CONSTRUCTION OF THIS PROJECT
WILL BE UNDER MY OBSERVATION

GENERAL NOTES

CONTRACTOR/OWNER/BUILDER SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS AT THE JOBSITE BEFORE PROCEEDING WITH THE WORK AND NOTIFY ENGINEER OF ANY DISCREPANCIES FOR RESOLUTION.

ALL CONSTRUCTION SHALL CONFORM TO THE 2006 INTERNATIONAL BUILDING CODE AND THE LATEST COUNTY OF HAWAII/STATE OF HAWAII AMENDMENTS AND ORDINANCES AND/OR THE CITY AND COUNTY OF WHERE THIS PROJECT IS LOCATED AND HAVING JURISDICTION.

REVISION MARK • DATE • DESCRIPTION

PROPOSED PROJECT
OFFSHORE MOORING
KEAUHOU BAY
FOR:
GEERLING GOOSEN
78-6750 MAKENAWAI ST.
KAILUA KONA, HI 96740
PHONE: (808) 895-6334

GPS COORDINATES: 19°33.669'N
155°57.803'W

SHEET TITLE
TITLE SHEET

JOB NO. 2015-0007.39 DRAWING NO.
DRAWN JMM **T-1**
CHECKED JMM
DATE DEC. 18, 2018 SHEET 1 OF 4

GENERAL:

- A. WORKMANSHIP AND MATERIALS SHALL CONFORM TO THE BUILDING CODE AS STATED BELOW. HOWEVER, WHERE REFERENCE IS MADE TO PERFORMANCE CONFORMING TO OTHER STANDARDS THE MORE STRINGENT SHALL APPLY.
 - 1. COUNTY OF HAWAII AMENDED IBC, 2006
- B. THE CONTRACTOR SHALL TAKE FIELD MEASUREMENTS AND VERIFY FIELD CONDITIONS AND SHALL COMPARE SUCH FIELD MEASUREMENTS AND CONDITIONS WITH THE DRAWINGS BEFORE COMMENCING WORK. REPORT IN WRITING TO THE ENGINEER ALL INCONSISTENCIES AND OMISSIONS.
- C. THE CONTRACTOR SHALL BE RESPONSIBLE FOR METHODS OF CONSTRUCTION, WORKMANSHIP AND JOB SAFETY.
- D. DETAILS NOTED AS TYPICAL ON THE STRUCTURAL DRAWINGS SHALL APPLY IN ALL CONDITIONS UNLESS SPECIFICALLY SHOWN OR NOTED.
- E. PRODUCT DATA REQUIRED BY THESE NOTES SHALL BE SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL PRIOR TO FABRICATION.

DESIGN CRITERIA:

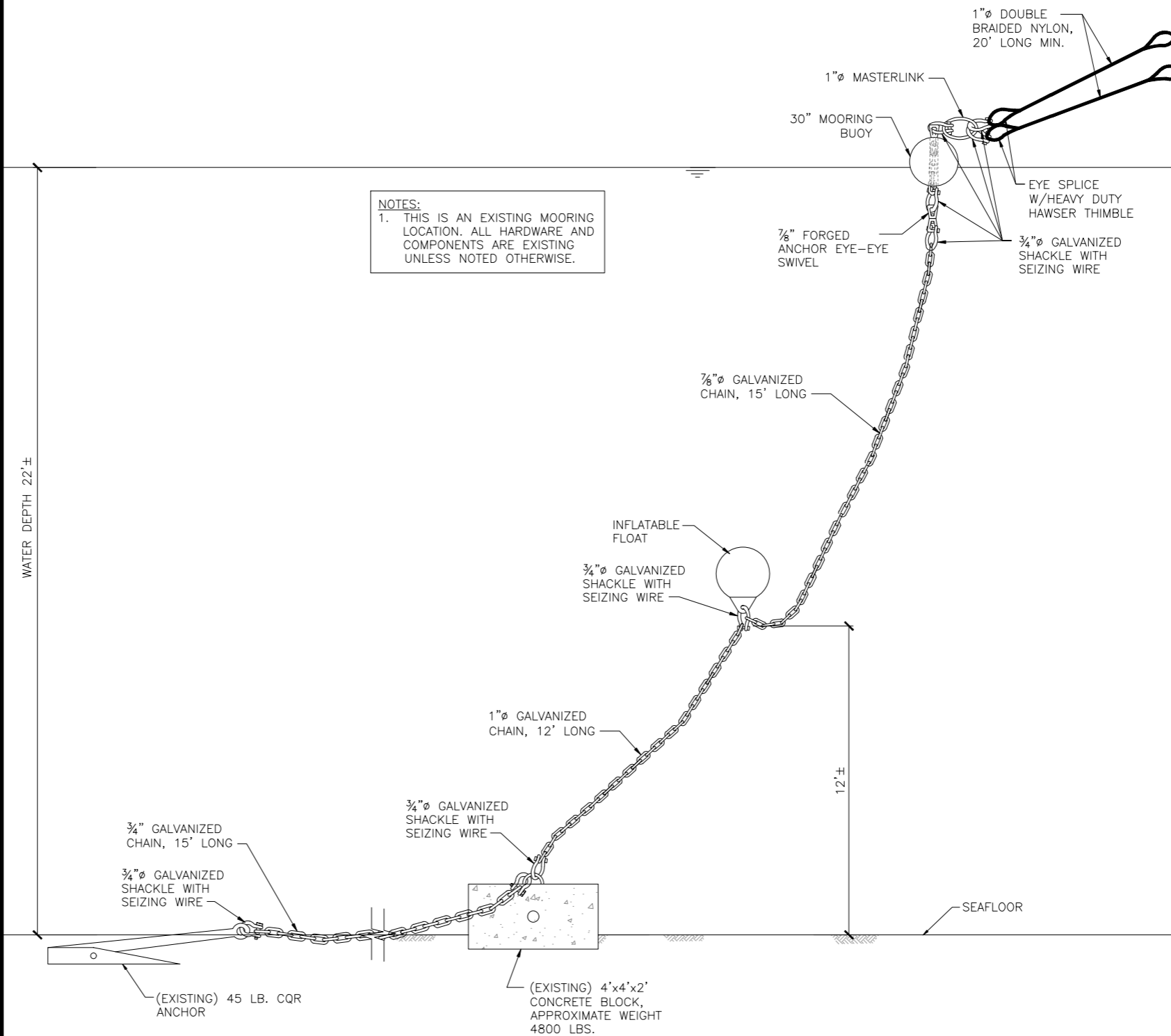
- A. MINIMUM DESIGN CRITERIA FOR MOORING IN ACCORDANCE WITH UFC 4-159-03:
 - 1. TYPE IIB STORM MOORING
 - B. WIND DESIGN DATA:
 - 1. BASIC WIND SPEED: 105 MPH
 - C. CURRENT:
 - 1. MAX CURRENT: 2 KNOTS
 - D. WAVES AND TIDAL VARIATIONS:
 - 1. PEAK WAVE HEIGHT: 4 FEET
- DESIGN VESSEL: "INTREPID"
- 1. LOA: 30'-0"
 - 2. BEAM: 9'-0"
 - 3. DRAFT: 3'-0"
 - 4. WEIGHT: 6,500 LBS.
- *MOORING IS DESIGNED FOR DESIGN VESSEL ONLY, ANY CHANGE IN MOORED VESSEL REQUIRES RE-ANALYSIS.

CHAIN, HARDWARE, ROPE, AND MOORING COMPONENTS

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

MOORING HARDWARE, MAINTENANCE AND INSPECTION

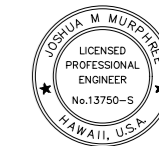
- A. THE VESSEL OWNER SHALL BE RESPONSIBLE FOR MAINTAINING THE VESSEL'S MOORING HARDWARE. ANY FAILURE RESULTING FROM NON MAINTAINED COMPONENTS OR UNREPAIRED DAMAGE OF THE MOORING RESULTING FROM NORMAL USE SHALL BE THE RESPONSIBILITY OF THE VESSEL OWNER.
- B. THE VESSEL OWNER SHALL INSPECT ALL MOORING 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.
- C. THE VESSEL OWNER IS RESPONSIBLE FOR INSTALLING AND MAINTAINING CHAFING GEAR ON ALL MOORING LINES.



BOW MOORING ELEVATION
NOT TO SCALE

PHREE CREATIONS, LLC.

61-655 KAMEHAMEHA HIGHWAY
HALEIWA, HAWAII 96712 • (808) 349-4990



JM
EXPIRES DATE OF THE LICENSE 4/30/2020
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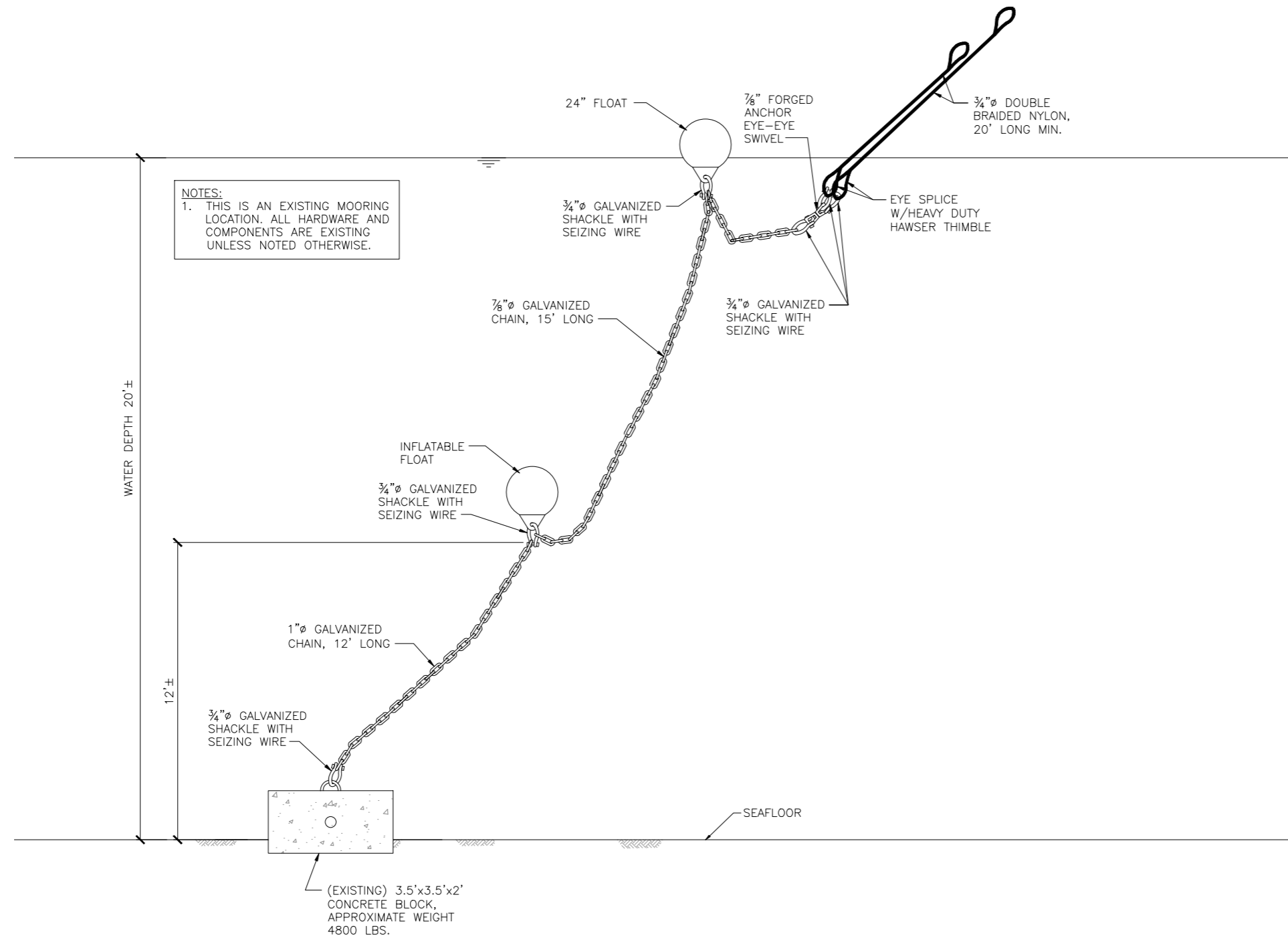
REVISION MARK • DATE • DESCRIPTION

PROPOSED PROJECT
OFFSHORE MOORING
KEAUHOU BAY
FOR:
GEERLING GOOSEN
78-6750 MAKENAWAI ST.
KAILUA KONA, HI 96740
PHONE: (808) 895-6334

GPS COORDINATES: 19°33.669'N
155°57.803'W

SHEET TITLE
**MOORING NOTES
AND ELEVATION**

JOB NO. 2015-0007.39 DRAWING NO. S-1
DRAWN JMM
CHECKED JMM
DATE DEC. 18, 2018 SHEET 2 OF 4



NOTES:
 1. THIS IS AN EXISTING MOORING LOCATION. ALL HARDWARE AND COMPONENTS ARE EXISTING UNLESS NOTED OTHERWISE.

PHREE CREATIONS, LLC.

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 HALEIWA, HAWAII 96712 • (808) 349-4990



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REVISION MARK	DATE	DESCRIPTION
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PROPOSED OFFSHORE MOORING KEAUHOU BAY FOR: **GEERLING GOOSEN**
 78-6750 MAKENAWAI ST. KAILUA KONA, HI 96740
 PHONE: (808) 895-6334

GPS COORDINATES: 19°33.669'N
 155°57.803'W

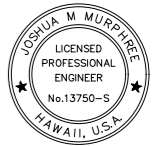
SHEET TITLE
STERN MOORING ELEVATION

STERN MOORING ELEVATION
 NOT TO SCALE

JOB NO. 2015-0007.39	DRAWING NO.
DRAWN JMM	S-2
CHECKED JMM	
DATE DEC. 18, 2018	SHEET 3 OF 4

**PHREE
CREATIONS, LLC.**

61-655 KAMEHAMEHA HIGHWAY
HALEIWA, HAWAII 96712 • (808) 349-4990

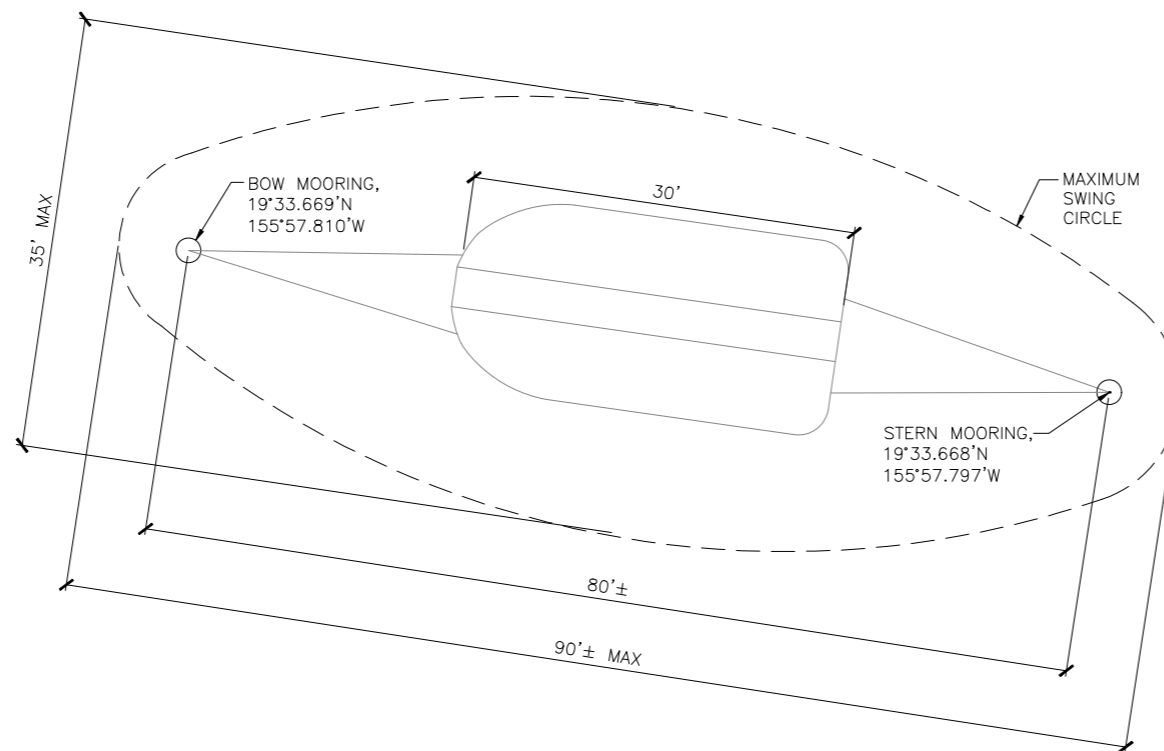


JM

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ME OR UNDER MY SUPERVISION
AND CONSTRUCTION OF THIS PROJECT
WILL BE UNDER MY OBSERVATION



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



MOORING PLAN
NOT TO SCALE

GENERAL NOTES

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SHEET TITLE
MOORING PLAN

JOB NO. 2015-0007.39 DRAWING NO.
DRAWN JMM
CHECKED JMM **S-3**
DATE DEC. 18, 2018 SHEET 4 OF 4