

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

January 14, 2022

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 After-The-Fact, Makaiwa Bay, Kamuela, Island of Hawaii, Hawaii, for Kawika Ruddle

**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 Makaiwa Bay offshore of Mauna Lani Resort 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.

The existing mooring within Makaiwa Bay has been in use since the 1950s and is currently maintained by Mr. Kawika Ruddle.

The applicant, Mr. Kawika Ruddle (“Applicant”), has been using and maintaining the existing offshore mooring in Makaiwa Bay that has been in place since the 1950s. 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 (“USACE”). 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 USACE 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 USACE Permit and approved Mooring Installation Plan are attached with Exhibit A.

Item J-3

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 USACE 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:

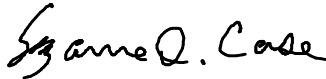
Approve the use of an existing offshore mooring within Makaiwa Bay, Kamuela, Island of Hawaii, located outside of an established offshore mooring area, after-the-fact.

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

October 25, 2021

Kawika Ruddle

P.O. Box 651

Kamuela, HI 96743

**SUBJECT:** Request for Approval of an Existing Offshore Mooring Outside of a Designated Offshore Mooring Area  
Kamuela/ Makaiwa Bay, Island of Hawaii

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

Submitted by:  
Kawika Ruddle

### Request:

In accordance with HAR 13-235-9, Kawika Ruddle hereby requests approval of an existing offshore mooring within Makaiwa Bay outside of a designated offshore mooring.

### **Reason and Justification for Request**

#### Installation of Offshore Mooring Outside of an Existing Offshore Mooring Area:

The mooring is an old family mooring that was installed back in the 1950's. The mooring was handed down to the Ruddle family who has maintained to mooring and use it to keep the catamaran WINONA moored in Makaiwa bay.

#### Permitting and DOBOR Approval:

A permit from the U.S. Army Corps of Engineers has been obtained, see attached permit verification letter POH-2021-00161.

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:

This is a single point mooring that is attached to a steel plate sitting in sand. The plate had a large hoop that the mooring chain is attached to. There are 5 4" diameter chain links that provide give to the mooring, then there is a 7/8 shackle and 12' of 3/4 galvanized chain that is shackled to 5/8 chain with a 3/4 shackle. This chain is shackled with a 3/4 shackle to a 1" swivel that is attached to a 18" mooring ball. The pennant chain runs out from the top of the swivel with 12' of 5/8 chain to a 3 point fish plate made out of 1" steel plate. All 3 points on the fish plate use 3/4 shackles. 1 point of the fish plate is attached to the 12' feet of pennant chain and the other two points have 1 1/4 3 strand nylon with stainless steel thimbles that attach to the boat.

#### Location of Offshore Mooring:

Kamuela, Makaiwa Bay, on the Island of Hawaii

Latitude N19 56.644'  
Longitude W155 52.332''

Purpose of Offshore Mooring:

Securing of vessel in Makaiwa 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 or 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 border any 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 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 Ocean 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**  
HONOLULU DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
FORT SHAFTER, HAWAII 96858-5440

October 20, 2021

SUBJECT: Nationwide Permit Verification for Kawika Ruddle, Winona Vessel Mooring, Makaiwa Bay, Puako, Island of Hawaii, Hawaii  
Department of the Army File No. POH-2021-00161

Kawika Ruddle  
Mauna Lani Sea Adventures  
P.O. Box 651  
Kamuela, Hawaii 96743

Dear Mr. Ruddle:

The Honolulu District, U.S. Army Corps of Engineers (Corps), Regulatory Branch has completed review of your Pre-Construction Notification dated September 13, 2021 requesting authorization for the proposed after the fact mooring buoy verification located at 19.94407, -155.8722 in Makaiwa Bay, Puako, Island of Hawaii. Please reference Department of the Army (DA) file number POH-2021-00161 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. This NWP verification letter is being issued pursuant to Section 10 of the Rivers and Harbors Act of 1899 for work or structures in 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):

This project is an after-the-fact buoy verification with no additional work being done. The existing mooring buoy is comprised of a deadweight and danforth anchor buried under 3-feet of sandy substrate attached to a 10-foot chain held up by a 24-inch midpoint float, connected to a 12-foot mooring chain. Its purpose is a commercial use mooring system deployed in waters of the U.S. below the high tide line (HTL) at approximately a 23-foot depth below the HTL. The substrate consists of sand and fine silt

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 Clean Water Act and/or 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 Water Quality Certification (WQC) issued for this Nationwide Permit by the State of Hawaii Department of Health, Clean Water Branch during the Nationwide Permit reissuance process in 2017. Individual WQC is not required. Your project complies with the requirements of the Coastal Zone Management Consistency Concurrence for this Nationwide Permit issued by the State of Hawaii Department of Business, Economic Development and Tourism, Office of Planning during the Nationwide Permit reissuance process in 2017. Individual Coastal Zone Management consistency review is not required.

Thank you for your cooperation with the Honolulu District Regulatory Program. Should you have any questions related to this authorization, please contact Michael Maaninen at 808-835-4307 or via e-mail at Michael.A.Maaninen@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](http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0).

Sincerely,

A handwritten signature in cursive script that reads "Michael Maaninen".

Michael Maaninen  
Regulator, Regulatory Branch

Enclosures  
Enclosure 1 - Drawings

