From: Lex and Cheri Adams
To: DLNR.BLNR.Testimony

Subject: [EXTERNAL] Fw: Additional bouys at Makaiwa Bay, Kamuela, Island of Hawaii

Date: Tuesday, July 23, 2024 5:20:28 PM

From: Lex and Cheri Adams < lexandcheri@gmail.com>

Sent: Tuesday, July 23, 2024 5:15 PM

To: blnr.testimony@howaii.gov <blnr.testimony@howaii.gov>

Subject: Additional bouys at Makaiwa Bay, Kamuela, Island of Hawaii

Aloha, elders and leaders of Hawaii county and all fellow residents of Hawaii Island and enjoyers of Makaiwa Bay and our wonderful ocean blessings. This precious historic spot on the Big Island should be preserved for future generations. One existing buoy is sufficient. Even the existing buoy requires that any vessel moored during heavy surf must be moved. I have surfed it on such days. The proposed buoys are encroaching upon an historic surfing spot enjoyed for many generations. More commercial vessels in this tiny bay should not be allowed. On big surf days, the proposed inside buoy is actually in the break where we surf!

Preserve our precious bay and please deny any more buoys! We do not want more motored vessels in this surf area.

Families from many places on Hawaii Island love to surf in this bay. It is a family tradition. It is one of the most uncrowded breaks on the island. And it is part of the lifestyles of many local families, holding a special place in their hearts and lives, including ours. I taught five of our grandchildren to surf here.

Stop any commercial expansion of this sacred place where many can spend the day, surf with their families and enjoy the richness of this location. We do not need more commercial boats anchored in this extremely special little bay.

Let the applicants operate canoes and other non-motorized historic Hawaiian vessels from the shore... Preserving the Heritage of the islands and honoring the great Hawaiian ancestors which knew not of motored vessels. Make it a Hawaii Heritage site with historic relevance and educational value to exalt and teach the richness of Hawaii Island history. Canoes, not motored vessels!

Ke noi aku nei makou ia oe and

Ke ha aha aku nei mākou iā oe

He nui ka mahalo

Lex & Cheri Adams

lexandcheri@gmail.com 775-781-4822 (Lex) 775-846-2526 (Cheri) 68-1025 No. Kaniku Dr. #316 Kamuela, HI 96743



ISLAND OF HAWAI'I

Board of Land and Natural Resources

Item J-1
Friday, July 26, 2024 at 9:00am
DLNR Boardroom, Rm 132
Kalanimoku Building
1151 Punchbowl Street

In Support

As the General Manager of Mauna Lani, I would like to illustrate the thorough process that has taken place to ensure that the moorings we have applied for do not negatively affect the well being of any ocean life, nor the ability for patrons to enjoy Makaiwa Bay.

At Mauna Lani, we have prided ourselves on being stewards of the land and sea, and protecting this special area in which we inhabit, for over 40 years. Our hope with these moorings is to provide the resorts and community with a resource for exploring the ocean and highlighting the importance of environmental education.

I support this and the need for two moorings due to the needs and demands of the coast and the limited amount of moorings that are currently available outside of Honokohau Harbor and Kawaihae Harbor. Both mooring locations have undergone a rigorous study and have been deemed as safe locations. Trusted and relied upon resources, and a great deal of money, has been spent to ensure that all measures have been thoroughly examined. These locations have also been reviewed and approved by numerous federal and state agencies to ensure the well being of the environment and the safety of those who use Makaiwa Bay to swim, snorkel, surf, and kayak.

Mauna Lani has played a valuable role in Green Sea Turtle Conservation for four decades, releasing hundreds of turtles into the ocean over that time. We find it our responsibility to do everything possible to ensure a thriving environment for those turtles, and all sea life, that we spend every day educating the significance of to our guests. We do not take lightly anything that relates to the ocean environment and our place at Mauna Lani and on the island of Hawaii.

We appreciate the support and concern of all opinions regarding these moorings and ensure to protect the well being of every aspect related to these moorings.

Pete Alles General Manager Mauna Lani Resort, Auberge Resorts Collection

Attention Board of Land and Natural Resources

Re: Item J-1, July 26th Agenda

I write on behalf of long standing, regular visitors who have come to regard this island as their second home. I have returned yearly, several times a year, for 36 years. Unfortunately, I have witnessed deterioration of Hawaii County's beauty by ill-conceived developments designed solely to bring in high-end tourist dollars. The proposed moorings at Mauna Lani would be yet another such mistake, damaging precious, irreplaceable nature for the sole purpose of lining the Auberge hotel group's pockets.

My understanding is that potential approval of the 2 moorings came up suddenly, with little to no time for public comment and inadequate environmental review. As a retired attorney specializing in public agency rulemaking, I observe that this rush job is likely illegal and will get your agency sued. Please slow down, follow environmental review requirements, and provide a meaningful amount of time for the public weigh in. If you disregard government process, there is simply no way that approval of these moorings will survive legal challenge.

Please don't approve this project. Two moorings will inevitably bring (1) high levels of boat traffic to the water and (2) hordes of individuals to the shore as they board and disembark from their outings, overwhelming this small, beautiful bay. Used by snorkelers, swimmers and paddle boarders, it is only a matter of time before someone gets run over. The noise, garbage and disruption that accompany partying tourists will utterly destroy its idyllic atmosphere.

Those are human detriments. Additionally, reef-life, dolphins, and whales, will suffer from the intensely magnified human activity that 2 moorings will engender. Boats result in oil leaks and pollution, including underwater noise pollution that disrupts wildlife, particularly marine mammals like whales and monk seals. Boats damage the reef and all creatures that depend on it. Marine life comes first; the Auberge hotel group's profit motive comes in a distant second, if it matters at all.

As a tourist myself, I have no objection to concessions such as whale watches, sunset sails and the like. But there are already highly appropriate areas from which to conduct such activities. For example, both the Honokohau and Kawaihae harbors offer existing access to these amenities a short ride away. The proposed moorings are not needed in any way.

The only justification for the 2 moorings at issue is the Auberge hotel group's desire to offer these activities on its grounds, at considerable profit. Nature, history, and preservation of Hawaii County's precious resources must absolutely take precedence.

Rebecca Ceniceros, 11651 Hidden Valley Road, Carmel Valley CA 93924

To:

Subject: RE: [EXTERNAL] Opposition to proposed new moorings at Malawi's Bay, Hawaii Island

From: Wetimages@gmail.com <wetimages@gmail.com>

Sent: Tuesday, July 23, 2024 6:49 PM

To:

Cc: A - 2 Judi Jennet < jjennet@hawaiioceansports.com>

Subject: [EXTERNAL] Opposition to proposed new moorings at Malawi's Bay, Hawaii Island

To Whom it may concern,

I would like to voice my strong opposition to the two newly proposed moorings being discussed for installation in Makaiwa Bay at the Mauna Lani Bay Resort.

I have been diving and snorkeling all around the reef where the proposed installations are planned for more than 43 years and this is some of the most pristine and prolific reef on the entire S. Kohala coast.

In my opinion, the previously installed moorings in this area, which I personally helped install, were carefully planned and involved a long and thoughtful process with a number of community hearings and consideration by all potential stakeholders. This does not appear to be the case with these newly proposed moorings.

Additionally, the word is that these new moorings will be limited for exclusive use for just a few selected folks connected directly to the resort.

Previous permanent and day use moorings were installed for the benefit of a broad number of stakeholders representing a broad cross section of the water sports and boating community participants.

I can only hope that those DLNR representatives involved in the decision making process will reconsider these two new moorings and, at the very least, delay the decision to provide time for All members of the Kohala Coast ocean users to be allowed to give input by opening up the process for a number of community based hearings.

Please don't ignore our community opinions in making such a serious decision that will impact our beautiful coastline for years to come.

Thanks in advance for your reconsideration.

Sincerely yours with Aloha

Capt. Nicholas D Craig

Capt. Nick Craig

Retired USCG Captain & NAUI Diving instructor #3480 (since 1973)

From: <u>Carol Davies</u>

To: <u>DLNR.BLNR.Testimony</u>

Subject: [EXTERNAL] My comment on item J-1, July 24th Agenda: The Request to Approve Installation of two new

offshore moorings in Maka'iwa Bay, Kamuela

Date: Wednesday, July 24, 2024 8:00:33 AM

My name is Carol Davies and I have lived permanently at the Mauna Lani for 25 years. During that time I have swum and snorkeled as often as the weather allowed at Maka'iwa Bay. I have become very familiar with the fish in the bay, even to the extent of naming them: e.g. Gladys, our residential white tip, and Barry our very friendly but huge barracuda.

With hardly any notice (in fact, we were fortunate to get <u>any notice at all</u>) we heard about the Auberge plan to add two moorings in the bay. The community has not been given enough time to consider the implications of this proposal. After finally being given access to Exhibit A, which somehow was not added to the original document on the DNLR website, we can see the locations of the proposed 2 new moorings.

My own personal thoughts on Mooring 1 are

- A. way too close to the swimming area (substantially closer to shore than the mooring that the now departed Winona used)
- B. too close to the coral reef where the resident raccoon butterfly live
- C. too close to the coral regeneration that is happening in the sandy area on the old man-made artifact that has been there for years.

In addition, since COVID and the departure of Winona, the coral and fish populations have increased substantially. I cannot comment on Mooring 2 since I do not swim out that far, but there is a break out there during the winter months.

Since we've had no information, we do not know what plans there are for the 2 moorings. Possibly motor boats with big engines? Lights for Manta sightings? The community which looks after the surroundings should have some say in this matter.

-Carol Davies

68-1038 Honoka'ope Place Kamuela, HI96743

808-885-0671 or cell 408-482-0685 To:

Subject: RE: Maka'iwa Bay July 26th vote

From: Monica DeMeulemeester < Monica. DeMeulemeester @microsoft.com >

Sent: Wednesday, July 24, 2024 9:40 AM

To:

Subject: [EXTERNAL] Maka'iwa Bay July 26th vote

Good day,

We write to express our concerns about the proposed two buoys for Maka'iwa Bay set for the agenda on July 26th. It is essential to consider delaying the decision to allow sufficient notification and opportunity for community members to comment on the matter. Notification was not provided.

Maka'iwa Bay, being a historic and crucial community resource, serves as the only ocean access for locals in this area. It is frequented for various activities such as swimming, snorkeling, and even surfing during winter. Placing a 42' motor yacht in the bay would significantly hinder these recreational uses.

Additionally, the shift from a sailboat to a large motor yacht at the Winona mooring raises concerns about motor-generated pollution in a bay populated by swimmers and snorkelers. This could also have a detrimental effect on the reef and the usability of the existing Winona mooring.

The potential impact on this community resource is substantial and warrants a thorough community review before any major decisions are made.

Thank you,

Scott and Monica Demeulemeester

Get Outlook for iOS

 From:
 Steve Dennis

 To:
 DLNR.BLNR.Testimony

 Cc:
 Steve Dennis

Subject: [EXTERNAL] July 26 Agenda item J1 written testimony

Date: Wednesday, July 24, 2024 7:11:22 AM

Aloha,

As 20 year owners at the Mauna Lani Terrace (the closest project to the proposed moorings) of the Mauna Lani Resort, we are concerned about the proposed two buoys for Maka'iwa Bay on the agenda July 26 J1.

There are many reasons to not approve this as proposed, and to allow the many users of Maka'iwa Bay to be adequately notified and allowed to comment prior to a decision.

Maka'iwa Bay is a historic, important and heavily used community resource. It and its adjacent beach are the sole ocean access locally for this area. The bay, and the area proposed for the moorings, is heavily used for swimming, snorkeling and even surfing in the winter months. Semi-permanently mooring a 42' motor yacht there will seriously impair this use. We strongly suggest visiting the beach during busy times to watch the usage, especially near the proposed Mooring 1.

Historically, the Winona mooring has served as the mooring of a sailboat. Mooring a very large motor yacht there will certainly introduce motor-generated fumes and pollution to a small bay with many swimmers and snorkelers, and impact the important reef area there. Having three moorings in a small area like that is also excessive. It is quite possible that it will impact the usability of the existing Winona mooring.

The impacts on this historic community resource are significant and should be subject to careful community review before granting such a major change in usage.

Please postpone this decision until the public and Mauna Lani ownership can carefully review the proposal and comment.

Mahalo,

Steve & Sona Dennis
Steven J. Dennis
SJD Consulting

Email: oceansteward@hotmail.com

Mobile: 831 915-8332

Please consider the environment before printing this e-mail

 From:
 George Fry III

 To:
 DLNR.BLNR.Testimony

Subject: [EXTERNAL] moorings in Makaiwa Bay **Date:** Wednesday, July 24, 2024 9:33:29 AM

Aloha,

I would like to go on record in opposing the 2 new moorings in Makaiwa Bay. Proper protocol has not been followed and granting these moorings without that sets a dangerous precedent for the future.

Mahalo

George Fry Puakō Resident From: Georjean Adams
To: DLNR.BLNR.Testimony

Subject: [EXTERNAL] July 26, 2024 Agenda Item J.1. Date: Wednesday, July 24, 2024 10:55:20 AM

Board of Land and Natural Resources,

I request deferral of the following item on the Board's Jly 26, 2024, meeting:

- J. DIVISION OF BOATING AND OCEAN RECREATION
- 1. Approve Installation of two (2) New Offshore Moorings outside of an Established Offshore Mooring Area, Makaiwa Bay, Kamuela, Island of Hawaii, Hawaii, For DHL MAHI OPC), LLC.

The proposed addition of two new moorings have not been discussed with the affected community of residential owners at Mauna Lani Resort and other users of the Maka'iwa Bay. Furthermore, the "full" application (containing Exhibit A) to the DNLR Board at https://dlnr.hawaii.gov/wp-content/uploads/2024/07/J-1-1.pdf was only posted yesterday, July 23, giving inadequate time for public review. In addition, the application does not give needed background on the studies conducted by NMFS and USACE, nor does it support the claim that adding 2 additional moorings make it "de minimus" in impact and therefore does not need an Environmental Assessment.

Adding two new moorings to the currently existing, *unused* mooring for a total of THREE moorings in this relatively small bay may well have significant impact. I request additional time for discourse between the applicant DHL MAHI OPC, LLC and Mauna Lani Resort residential owners and to allow review of additional background information.

As a full time Mauna Lani Resort resident who walks by Maka'iwa Bay almost daily and who treasures watching mother whales with their calves hugging the shoreline along Mauna Lani - including passing in front of Maka'iwa Bay - I'm particularly concerned about potential disruption from mooring #2. I don't see any specific reference to whales in the application and appended materials. Overcrowding, noise and potential pollution of boats going to and from 3 moorings in the bay are of concern for fish populations, swimmers/snorkelers, and aesthetics, as well.

Mahalo for your consideration, Georjean Adams 68-1050 Mauna Lani Point Dr. Kamuela, HI From: <u>Jerry Wroblewski</u>
To: <u>DLNR.BLNR.Testimony</u>

Subject: [EXTERNAL] Land Board Submittal Meeting July 26,2024 Testimony

Date: Wednesday, July 24, 2024 2:28:04 PM

I am a resident owner of 205 at the Villages. I have owned for about 6 years and have use the bay for snorkeling. I am surprised the application for new moorings has been presented and is ready for approval. This bay is used by swimmers, snorkeling and other recreational activities. Traffic from the existing mooring never interrupted these activities. The existing mooring is not used. This bay is small and used by many in the community and we just were informed of this potential change. In the spirit of transparency should users get a chance to have input as this may disrupt usage of the bay. Could this approval be delayed for community input Gerald Wroblewski Sent from my iPad

To:

Subject: RE: [EXTERNAL] Mauna Lani additional mooring application

From: Jerry Wroblewski < moonbay22@gmail.com >

Sent: Tuesday, July 23, 2024 6:07 PM

To:

Subject: [EXTERNAL] Mauna Lani additional mooring application

Dear Ms Chang, Chairperson,

I am a resident owner of 205 at the Villages. I have owned for about 6 years and have use the bay for snorkeling. I am surprised the application for new moorings has been presented and is ready for approval. This bay is used by swimmers, snorkeling and other recreational activities. Traffic from the existing mooring never interrupted these activities. The existing mooring is not used. Do user not get a say or an opportunity to comment before approval.

Regards,

Gerald Wroblewski 68-1025 N Kaniku Dr #205 Kamuela, HI 96743 510 449 7800 To:

Subject: RE: [EXTERNAL] Makaiwa Bay Proposed Moorings

From: Judith Jennet < jjennet@gmail.com > Sent: Tuesday, July 23, 2024 10:22 PM

Tot

Subject: [EXTERNAL] Makaiwa Bay Proposed Moorings

Aloha Ms Chairperson Chang,

I would like to express my disagreement with the proposal to install two moorings at Makaiwa Bay, inside of the existing mooring and in an area heavily used by residents of the island and guests of the hotels fronting this beautiful bay.

Makaiwa is beautiful, appears to be healthy, the reef is shallow and pristine. There is an existing approved mooring as well as public day use moorings located in this area. Additional boat traffic and additional vessels permanently moored in this area will be detrimental to the environment and the safety of the stakeholders who use this area for swimming, snorkeling, scuba diving, paddle boarding, kayaking, canoeing and other ocean recreation activities. These moorings would pose additional risk to an already congested bay and would only serve a select few guests of the hotel. I am concerned for the safety of all who use this bay.

I would hope that DLNR would solicit the input of recreational users in the area, especially local residents to ensure that the needs of all ocean recreation users is, at minimum, allowed to be voiced. It would be beneficial to ensure that stakeholders agree with this use rather than have it quietly approved without ample time to solicit public input.

Please consider all ocean users in the important decision. I strongly disagree with this proposal.

Mahalo for accepting my email.

Cordially,

Judith Jennet
Resident and Ocean Recreation Participant

From: Rick Johnson
To: DLNR.BLNR.Testimony

Subject: [EXTERNAL] rjsetsail@gmail.com; ljsetsail@gmail.com

Date: Wednesday, July 24, 2024 9:31:35 AM

To the Board of Land and Natural Resources. The "Decision Makers" of maintaining and preserving our Island's pristine beauty, specifically Makaiwa Bay.

I truly hope that I speak for the hundreds if not thousands of individuals that enjoy the magic of our beloved Hawaii Island and its individual places of natural beauty. This is a specific request for you to include with your very impactful decision.

It is simply that this magical bay **does not become a mooring harbor** to accommodate the self-serving needs of a large corporation, being Auberge, at the cost to generations of local residents, visitors and guests. The magic of this specific bay is the tranquil waters, the sense of place enjoyed with breathtaking and unobstructed views of Maui, Kohala Mountain and the bright blue waters of the bay into the ocean.

Your decision is more important than a yes or no, it will maintain the current natural wonder and beauty, or forever change the vista one would see into a boat harbor! With all due respect, I individually, (and hopefully speak for the many that are unaware of this impactful decision), request that the new moorings at Makaiwa Bay be denied.

The email below is my source of this BLNR agenda J-1 which simply states that there is "no" environmental impact and <u>I strongly disagree</u>. **That vista would be forever changed.**

I will include that, as stated below, the Honokohau harbor is the only area to gas up, is a designated "harbor" and as such, is where boats belong, not in this Makaiwa pristine bay vista.

Sincerely,

Richard Kirwin Johnson

My source.

From: Rick Gaffney < rick.pacific@gmail.com >

Date: Mon, Jul 22, 2024 at 3:00 PM Subject: Re: Moorings in Makaiwa Bay The BLNR agenda J-1 item that you reference, is for the installation of new moorings in Maka'iwa Bay. This is essentially the last step in a long and very detailed federal and state environmental process which has determined that installation of 2 mooring balls in the area proposed, will have little to no environmental impact, per the recommendation from the Division, for approval.

The mooring anchors themselves consist of large concrete blocks that will be tightly grouped on the bottom with a chain and line to the surface and a 24" mooring ball at the surface. The blocks are being placed on a sand bottom far enough from any coral to be certain that there is no contact. The location of the moorings should not impact snorkeling, and we were very cognizant of the most popular snorkeling areas, and all of the coral in the adjacent areas, when we chose these mooring locations.

Initially the moorings will be used for Mauna Lani's 42' boat, which you have probably seen many times. Being able to keep the boat on a mooring at the resort for 2 or 3 days at a time will lessen its environmental footprint by reducing the number of trips it has to make to-and-from Honokohau Harbor, the only place one can fuel a boat in the water, on our entire coastline.

As you are aware, most of the resorts on the Kona-Kohala coastline have moorings, and have since tourism started here, to give their guests access to the ocean. The difference is that now permits are required, but only after a detailed analysis of the impacts of the moorings has been provided to the Department and the US Army Corps of Engineers, as part of the process. In the old days you simply dumped a hunk of steel in the ocean and called it good.

My role in all of this has been as consultant to DHL Mahi OPCO for the pursuit of the required federal and state approvals to establish these new moorings, so although I have been on property occasionally throughout this process, and surveyed the entire area in the water, you won't see me there any more regularly as a result of my involvement.

I have copied Auberg Resorts General Manager Pete Alles on this email as he may want to reach out to further discuss this initiative with you.

And I wish I could help you access Exhibit A, but the DOBOR has not shared that with me either.

I'm happy to answer any other specific question you or any of your friends might have about this effort.

Aloha, Rick (Rick Gaffney) From: Scott Jones

To: <u>DLNR.BLNR.Testimony</u>

Cc: <u>ICloud</u>

Subject: [EXTERNAL] July 26th Agenda item J1

Date: Wednesday, July 24, 2024 11:24:58 AM

>

Aloha,

As owners at the Mauna Lani Terrace (the closest project to the proposed moorings) of the Mauna Lani Resort, we are concerned about the proposed two buoys for Maka'iwa Bay on the agenda July 26 J1.

There are numerous reasons to not approve this as proposed, and to allow the many users of Maka'iwa Bay to be adequately notified and allowed to comment prior to a decision.

Maka'iwa Bay is a historic, important and heavily used community resource. It and its adjacent beach are the sole ocean access locally for this area. The bay, and the area proposed for the moorings, is heavily used for swimming, snorkeling and even surfing in the winter months. Semi-permanently mooring a 42' motor yacht there will seriously impair this use. We strongly suggest visiting the beach during busy times to watch the usage, especially near the proposed Mooring 1.

Historically, the Winona mooring has served as the mooring of a sailboat. Mooring a very large motor yacht there will certainly introduce motor-generated fumes and pollution to a small bay with many swimmers and snorkelers, and impact the important reef area there. Having three moorings in a small area like that is also excessive. It is quite possible that it will impact the usability of the existing Winona mooring.

The impacts on this historic community resource are significant and should be subject to careful community review before granting such a major change in usage.

Please postpone this decision until the public and Mauna Lani ownership can carefully review the proposal and comment.

Mahalo,

Scott & Vicki Jones

From: Melvin Malinowski
To: DLNR.BLNR.Testimony

Subject: [EXTERNAL] July 26 Agenda item J1 written testimony

Date: Wednesday, July 24, 2024 6:01:15 AM

Aloha,

As a long-time resident of the Mauna Lani Resort, I am concerned about the proposed two buoys for Maka'iwa Bay on the agenda July 26 J1.

There are many reasons to not approve this as proposed, and it should at the very least be delayed to allow the many users of Maka'iwa Bay to be adequately notified and allowed to comment prior to a decision.

Maka'iwa Bay is a historic, important and heavily used community resource. It and its adjacent beach are the sole ocean access locally for this area. The bay, and the area proposed for the moorings, is heavily used for swimming, snorkeling and even surfing in the winter months. Semi-permanently mooring a 42' motor yacht there will seriously impair this use.

Historically, the Winona mooring has served as the mooring of a sailboat. Mooring a very large motor yacht there will certainly introduce motor-generated fumes and pollution to a small bay with many swimmers and snorkelers, and impact the important reef area there. Having three moorings in a small area like that is also excessive. It is quite possible that it will impact the usability of the existing Winona mooring.

The impacts on this historic community resource are significant and should be subject to careful community review before granting such a major change in usage.

Mel Malinowski

To:

Subject: RE: [EXTERNAL] Makaiwa moorings

----Original Message-----

From: Pat Mullen <pwmullen1@aol.com> Sent: Tuesday, July 23, 2024 7:00 PM

To:

Subject: [EXTERNAL] Makaiwa moorings

This evening I was informed by a neighbor that you are considering two new moorings at Makaiwa. The applicant is DHL Mahi, otherwise known as the owners of the Auberge Mauna Lani.

I cannot protest this enough. This will destroy the ecosystem of the bay and impact the use by swimmers and paddle boarders.

Proper notice has not been given to the homeowners of the MLRA in order to voice their concern.

Please vote no.

~Pat Mullen Homeowner, Villages at Mauna Lani



Board of Land and Natural Resources

Item J-1
Friday, July 26, 2024 at 9:00am
DLNR Boardroom, Rm 132
Kalanimoku Building
1151 Punchbowl Street

In Support

I, Bullet Obra, am in support of item J-1, approval for mooring installation in Makaiwa Bay, off the Island of Hawaii. I have personally been snorkeling, spearfishing, surfing & paddling in the waters of Makaiwa Bay since I was born in 1990. As a child and young adult this area has always been a common playground, place of enjoyment & gathering place for myself & my family.

Over the past 10 years, I have had the opportunity to take my many ocean related passions into the professional workplace as the Director of Operations for Outdoor Adventures here at the Mauna Lani Resort. We get the opportunity to host guests to snorkeling in Makaiwa Bay everyday. From what I see daily, the aquatic ecosystem in the bay is thriving!

The areas of interest were strategically chosen to have no impact on this thriving ecosystem, particularly wide open sand with no coral outcrops near or within the reach of the projected swing. As a local and passionate Hawaiian waterman, I strive to continue the growth and evolution of like minded individuals in our community, in hopes that we can continue these traditions and be able to make a living doing so.

As we look to continue expanding our offerings the slip, mooring & commercial permitting limitations can be coupling. I have personally been on a waitlist at Kawaihae south since 2016 with no hope in sight. I feel that if the means are available these types of offshore moorings along the Kohala coast are really the only opportunities to continue the growth in our ocean recreation industry. I hope this testimony reaches you well & I mahalo you for taking the time to read it.

Bullet Obra Director of Operations, Outdoor Adventures Mauna Lani, Auberge Resorts Collection From: Rick Oliver

To: <u>DLNR.BLNR.Testimony</u>

Subject: [EXTERNAL] Installation of 2 new moorings in Makaiwa Bay

Date: Wednesday, July 24, 2024 11:47:10 AM

Aloha all,

My wife and I have been full-time residents and business owners within the Mauna Lani Resort for over 22 years. We are also daily users of Makaiwa Bay, enjoying surfing, openwater swimming, diving, and many other water activities the bay offers ourselves and thousands of users every year.

I am writing to state that two additional <u>commercial</u> mooring buoys in Makaiwa Bay are *inappropriate* relative to the overuse of a minimal natural resource in this area. The bay's name means Bird's Eye or Eye of the Iwa Bird, meaning "small" bay in Hawaiian, as many islanders have told me in years past. This tiny bay is geographically unique where current, constant activities already exist which have stretched the bay's limits relative to coral and wildlife health. I disagree with the DNLR letter where it stated that there is no proven impediment to fish spawning etc. caused by mooring buoys. This may be true for the buoy but not necessarily the negative effects of 3 boats attached that may or may not be moved regularly.

One proposed new, commercial, buoy is inappropriately located within the surf break area many use during the winter. Additionally, this commercial buoy is situated toward the shore directly in front of a Makaha related to the ancient fishpond that serves as the channel for outflowing brackish water. This area provides the "channel" needed to escape the breaking waves by surfers and will impede surf activity dangerously if installed with a moored, commercial vessel. It's also toward the shoreline and inside the current buoy that Mauna Lani Sea Adventures used for their Winona catamaran. Paragraph 5 in your letter is interesting as it seems to imply the applicant intends to take over that existing buoy also.

These are commercial-use buoys (3) with attached boats that would be hazardous in rough surf if someone did not relocate the boats. If nothing else, they would be an eyesore in our beautiful environment and impede typical daily water activities for one resort hotel owner's exclusive commercial use. The nearby Kawaiihae small boat harbor, not Makaiwa Bay, should be used as a commercial port.

Our resort will continue to expand its existing 2000 hotel rooms and residential properties with an upcoming proposed hotel on site M, located on Hoohana Street, by the same ownership group as the additional buoy applicant and many other planned residential developments shortly. The Mauna Lani owner's beach club and Makaiwa Bay are now crowded with activities from the owners and guests. I can't imagine three large commercial craft and their activity in this compact area. Our resort could have nearly 3000 hotel rooms or residential units at full development, with Makaila Bay as the primary water activity area.

Please protect our beautiful Makaiwa Bay for all users instead of allowing commercial, single owner use mooring buoys (3)!! The Bay does not need 3 buoys especially one located in the surf break.

Aloha,

Rick Oliver 808-960-7330 rickoliverjr@mac.com

J-1-1PDF Document · 3.9 MB

From: To:

Subject: FW: [EXTERNAL] Opposition of 2 new moorings at Makaiwa Bay, Kamuela, HI

Date: Wednesday, July 24, 2024 2:42:03 PM

----Original Message-----

From: Jez Perez <jez.w.perez@gmail.com> Sent: Tuesday, July 23, 2024 9:55 PM

To:

Subject: [EXTERNAL] Opposition of 2 new moorings at Makaiwa Bay, Kamuela, HI

Aloha DLNR,

My name is Jezreel Perez. I was born and raised in North Kohala on the Big Island of Hawaii and currently reside in Puako, Kamuela, HI.

I strongly oppose the approval of adding in 2 new moorings at Makaiwa Bay. Makaiwa Bay has always been a special place for my ohana and I. The cultural heritage and ocean diversity at Makaiwa Bay is unlike any other place. The rarity of sea life from the endemic lauwiliwili, the Honu, the hahalua, the Naia and the Kohola. Not only do you get to see these beautiful creatures in their natural habitat but you also get to see their nursery. How do we know that adding more noise pollution and pollution (oil from gasoline) itself won't change their natural behaviors? What are the long term consequences of this change?

On top of the negative impact this is going to have on our sea life, how is this going to benefit the native Hawaiians like myself who use the ocean for gathering? A swim zone will now be considered a boating or prop zone. This sounds like another mainland company with a lot of money coming into our home to push us out. This commercial company has been operating for a few years now. Why do we all need to suffer the consequences of the negative impacts of adding in more "private moorings" when there are actual boat harbors within a reasonable distance which they can operate from?

As a native Hawaiian, born and raised here on the Big Island we need to protect our homeland, our ocean, our resources and not continue to destroy whatever we have left because approving these private moorings will be a snowball effect for the rich.

Mahalo for your time, Jezreel Perez From: Lex Pinson

To: <u>DLNR.BLNR.Testimony</u>

Subject: [EXTERNAL] July 26 Agenda item J1 written testimony

Date: Wednesday, July 24, 2024 9:33:51 AM

Aloha,

As 9 year owners at the Mauna Lani Terrace (the closest project to the proposed moorings) of the Mauna Lani Resort, we are concerned about the proposed two buoys for Maka'iwa Bay on the agenda July 26 J1.

There are many reasons to NOT APPROVE this as proposed, and to allow the many users of Maka'iwa Bay to be adequately notified and allowed to comment prior to a decision.

Maka'iwa Bay is a historic, important and heavily used community resource. It is located next to centuries old fishponds in the Kalahuipua's Historic Park and the adjacent beach is the sole ocean access for this area. The bay, and the area proposed for the moorings, is heavily used for swimming, snorkeling and even surfing in the winter months. Semi-permanently mooring a 42' motor yacht there will seriously impair this use. We strongly suggest visiting the beach during busy times to watch the usage, especially near the proposed Mooring 1.

Contrary to the Applicant's request there is an existing mooring in vicinity of the proposed new moorings. For many years this existing facility was the home of a sailboat, the Winona, operated by Mauna Lani Sea Adventures. Unfortunately, the Applicant chose not to renew the lease for their land-side facilities and forced this Hawaiian family business to close. Lastly, the Applicant's proposal to moor very large motor yacht(s) there will certainly introduce motor-generated fumes and pollution to a small bay with many swimmers and snorkelers, and impact the important reef area there. Having three moorings in a small area like that is also excessive. It is quite possible that it will impact the usability of the existing Winona mooring.

The impacts on this historic community resource are significant and should be subject to careful community review before granting such a major change in usage.

Please postpone this decision until the public and Mauna Lani ownership can carefully review the proposal and comment.

Mahalo,

Lex & Ebby Pinson

To:

Subject: RE: [EXTERNAL] No mooring

-----Original Message-----

From: Sam Stevenson <puako135@gmail.com>

Sent: Tuesday, July 23, 2024 5:28 PM

Subject: [EXTERNAL] No mooring

I vote against putting any more moorings at Makaiwa. We use that anchorage a lot. It being one of the only sandy places left where boats can anchor. Please no moorings.

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Subject: RE: [EXTERNAL] exclusive moorings

----Original Message-----

From: Judy Stevenson < nanipuako 135@gmail.com >

Sent: Tuesday, July 23, 2024 8:08 PM

To:

Cc: Judy Stevenson < nanipuako 135@gmail.com >

Subject: [EXTERNAL] exclusive moorings

Aloha,

My name is Judy Stevenson. I live in Puako on the Big Island. I use the ocean for recreation and am writing to express my opposition to the DLNR for giving exclusive mooring rights to one boat that would take away the rights of others who may need safe harbor at this location. I have lived here for over 40 years and feel this is NOT PONO!

This area is one of the only big sandy spots to anchor in a storm. Why should one individual have exclusive rights to this area?

Please explain your reasons for giving this application approval without the input of the surrounding ocean users. Are you receiving funds to approve this? Why is there not more request for public input?

This takes away the rights of the normal everyday ocean user and gives exclusive rights to someone who may have the funds to purchase the only safe harbor on a coast line that does not have many such safe harbors.

This benefits the rich and not us locals who have lived and used the ocean for recreation and hope to continue to be able to do so.

I am in opposition and hope you hear my voice.

Judy Stevenson nanipuako135@gmail.com

Richard S. "Rick" Towill 47-460 Waihe'e Place Kaneohe, Hawai'l 96744

24 July, 2024

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

Via email: dlnr@hawaii.gov

Testimony RE:

APPROVE INSTALLATION OF TWO NEW OFFSHORE MOORINGS OUTSIDE OF AN ESTABLISHED OFFSHORE MOORING AREA, MAKAIWA BAY, KAMUELA, ISLAND OF HAWAII, FOR DLNRMAHI OPCO, LLC

Dear Chair and Land Board Members,

My name is Rick Towill, and want to provide some background and testimony for the subject request.

By way of background for clarity of understanding, please allow me a moment to provide some background on the intended visitor activities at Mauna Lani. The previous operator at the site led by father/son team Francis and Kawika Ruddle, provided scuba-dive and whale watching experiences for visitors of the Mauna Lani Resort. The operation was impeccable and profitable for all parties, and visitors made repeat bookings over the years. The Ruddles took great care in abiding by all of the rules. The "Winona" (catamaran) was kept in tip top condition and in addition all of the support vessels were routinely inspected by the Coast Guard. Of particular note, the Ruddles took the utmost of care in making sure that Winona was relocated to safe haven anytime that there was an impending storm /storm surge. Winona never broke loose from it's mooring, and the overall operation had no accidents of mishaps over the many years in operation. They always conducted themselves with Kinaole in whatever they did.

That said, when ownership of the hotel changed, the Ruddles were dismissed and asked to vacate the premises; another example of Locals getting "squeezed out"; they did not voluntarily shut down for other reasons. More-over the Ruddles were never approached by the applicant, to discuss a doubling up of the operation as it seems their intention based on the request for not one, but two new moorings. Additionally the applicant never made an effort to justly compensate the Ruddles for a transfer in ownership of the existing mooring.

While we understand that you have no control of these relationships or lack thereof, it is tragic to see local people with good hearts and intentions, get squeezed out and with the outcome of swallowing hard and being resolved to "but that's OK" as quiet locals always do. It was particularly heartbreaking to see so many of their longstanding dedicated employees be terminated.

In your deliberation of this request for two new moorings, please make an effort to be clear about how the applicant intends to protect the moored vessels in storm conditions; that nearshore reefs are safe from grounded vessels etc. After all it is not merely a case of physically installing the moorings, rather it is all of the responsibility that comes with it.

Secondly, if you choose to follow staff recommendation of using the existing mooring, then efforts should be made by the applicant to compensate the Ruddles for transfer of ownership of the existing mooring or a negotiated lease of it in good faith.

Mahalo for considering my testimony,

Rick Towill



Board of Land and Natural Resources

Item J-1
Friday, July 26, 2024 at 9:00am
DLNR Boardroom, Rm 132
Kalanimoku Building
1151 Punchbowl Street

In Support of item J1:

I, Ikaika Vivas, am in support of the installation of two new moorings in Makaiwa Bay. I am currently the captain of Kalama Kai. When we started this program, the vision was and still is, to provide an amazing experience for our guests out on the water, while teaching them of our history and lifestyle in the ocean. This includes fishing, snorkeling and other coastal excursions.

I support the installation of these two moorings in Makaiwa Bay because it will allow for a safer and more efficient boating operation within our Kainalu program. Currently, a typical day for our operations starts at Mauna Lani to gather supplies. We then drive to Honokohau Harbor to load everything on the boat before driving the boat back to Mauna Lani for a 3-6hr charter. After dropping the guests off at Mauna Lani, we take the boat back to Kona to clean and offload supplies before driving the car back to Mauna Lani to finish the day. This whole process can range between 10-12 hrs a day on the ocean and we cover 80-100 miles a day by boat.

If the installation of these mornings are approved it would not only provide a safer operation for the captain and crew of Kalama Kai, but also benefit our environment in a positive way by helping to reduce our carbon footprint.

In closing, I believe all the proper steps have been taken to ensure that the installation of these moorings will be no harm to the ocean and all marine life in Makaiwa Bay. Growing up we dive, fish, surf and swim along Makaiwa Bay as a lifestyle. Now we are extremely fortunate to do it as a profession. Allowing these moorings to be installed will provide us with the means to continue sharing our lifestyle and knowledge of the ocean with others.

Ikaika Vivas Boat Captain Mauna Lani, Auberge Resorts Collection From: Sheila Wroblewski
To: DLNR.BLNR.Testimony

Subject: [EXTERNAL] Regarding J1 on July 26 meeting Date: Wednesday, July 24, 2024 10:45:24 AM

My husband and I snorkel most days at Makaiwa Bay. This is a smallish bay with fantastic reefs, easy access and protection from big waves making it great for children and families. It has a mooring not used now previously used by the Winona which has been there for years. We think 2 new mooring buoys will negatively impact the swimmers, paddle boarders, kayakers, snorkelers and divers.

There has not been communication from the entity requesting buoys with local community, including homeowners, public beach users and others who are interested in the protection of this area. We as homeowners and daily bay users only received information about these buoys on July 23. We ask that any decision on this be delayed. We ask that before this comes up again we can have more information on what watercraft will be anchored in bay and show us where buoys will be. We would also like to see some environmental study be done as the bay is an amazing natural resource that needs protection. Even though there was an existing boat business in the area before this is now a new use of this site and should be treated as such.

Sheila Wroblewski

From: Paul Lombardi
To: DLNR.BLNR.Testimony

Subject: [EXTERNAL] Opposed to Proposed moorings at Mauna Lani

Date: Wednesday, July 24, 2024 3:52:19 PM

I have owned property on the Mauna Lani resort since 2004 and ha been full time on Island for over 4 years. This mooring is absolutely the worst idea. The chance of problems from a motor yatch moored in our small bay are many. Potential sewage and fuel spills being the most obvious. Beyond that I enjoy looking at Maui, whales and dolphins not some boat parked in the middle of a beautiful snorkeling area

I just head about this 2 gays before the hearing. What's up with that!!?? Auberge is not proving to be a good neighbor or embracing the spirit of Ohana that drew us to the Big Island in the first place.

Just say NO. Paul Lombardi 68/1025 n Kaniku. 722. Kamuela

From: <u>Judy Kunkle</u>

To: <u>DLNR.BLNR.Testimony</u>
Cc: <u>Stephen Brussels; Angie Dennis</u>

Subject: [EXTERNAL] Proposed Commercial Buoys in Makaila bay Hawaii

Date: Wednesday, July 24, 2024 3:55:17 PM

Aloha

My family and I live full time and are business owners in the Villages of Mauna Lani and Mauna Lani Resort. We are active users of Makaiwa Bay through the Mauna Lani beach club.

I am writing to state that two additional commercial mooring buoys in Makaiwa Bay have the potential to cause significant disruption and negative environmental/conservation impact to the ecosystem and environment.

One proposed new, commercial buoy is located too close to the surf break area many use during the winter. As such the unpredictable nature of the currents in this area during winter and at various times of the year could potentially affect not only surfing escape channels but also negatively impact the tidal pools that have long been a gateway for marine life and the appropriate mix of fresh, brackish and sea water needed to sustain a mix of marine life in and around Makaiwa Bay.

Additionally, during particularly high tides and rough surf large commercial vessels would be not only a marine hazard as many environmental studies have shown but also a hazard to man if not secured properly as we have seen with vessels inappropriately secured off our shores throughout our Hawaiian island history.

While I am for development to some degree Hawaiian island conservation and land/water management should also include being deliberate and conscious of our resources that are not always sustainable or suitable for expansion.

With Kawaiihae Harbor nearby and able to handle larger commercial vessels this expansion of commercial buoys into Makaiwa Bay makes no economic, commercial or environmental sense. The potential for devastation and restriction of already crowded water spot/beach/surf area is not in our best interests. There are plenty of already developed spaces near this proposed sight that would not have the same impact as what is being proposed by adding 2 buoys to an already fragile environment on Makaiwa Bay.

Thank you for your patience and willingness to hear from a local resident in Mauna Lani Resort

Respectfully

Judith Kunkle 734-674-9557 Jkunk001@yahoo.com

68-1025 N Kaniku Dr #616 Kamuela HI 96743 Sent from Yahoo Mail for iPhone

SUPPORT for approval of the installation of (2) New Offshore Moorings in Maka'iwa Bay, Kohala Coast, Island of Hawaii.

Testimony on BLNR Agenda item # J-1 July 26, 2024

Blnr.testimony@hawaii.gov

The ocean recreation industry in West Hawaii began on offshore moorings in Kailua Bay, in the early 1900's. The isolated resort areas on the Kona-Kohala coast, including Kona Village Resort, Waikoloa and Mauna Lani have had to rely on moorings in their sheltered bays to protect and utilize their essential watercraft, even long after Honokohau Harbor was opened in 1970, due to the great distances from the coast's only significant small boat harbor to these resorts.

Departure surveys conducted by the Hawaii Visitors and Conventions Bureau have confirmed that over 80% of visitors to our islands participate in some form of ocean recreation during their visits, and that a significant percentage of our visitors come here because of the exceptional ocean conditions and opportunities on the leeward coast of Hawaii Island: sportfishing, scuba diving, marine mammal observation, manta ray viewing, snorkeling, scenic and historic coastal adventure tours, and more.

Mauna Lani Resort has long shown an exemplary commitment to providing its guests with access to genuine cultural, historic and natural history opportunities, and in February 2022, that commitment led the resort to upgrade its ocean recreation experiences, with the purchase of a state-of-the-art vessel.

That new vessel would clearly benefit from a safe mooring near the resort, which soon led to the initiation of the BLNR's lengthy, complex and expensive offshore mooring approval process. The culmination of that process is your consideration today of the positive recommendation by the DLNR-BOR, which came after input, examination and approval by a wide array of federal and state agencies, most of which are laser focused on protection of our ocean environment.

It should also be noted that the Mauna Lani beach staff are daily observers of conditions and uses in the area proposed for these moorings. They are long time watermen and women who surf, dive, snorkel, paddle and lead guests on a variety of tours of the resort's entire nearshore environment. These local experts weighed in at every step in this process, and their expertise is reflected in the mooring locations selected, as having a minimal impact on the many other uses of the area, and providing the best protection, for moored vessels.

Without a dedicated mooring near the resort, the new vessel requires long daily runs to-and-from Honokohau Harbor which burns a significant amount of fuel, generating a significant climate footprint. That was and is unacceptable to a resort with a long track record of contributing to the protection of the ocean and to environmental education of its guests.

A legally established offshore mooring, located over a bare sand bottom, secured by structurally engineered concrete blocks, heavy chain and line with two 24" buoys, examined and re-secured regularly by expert divers, would assure the vessel is safe, and that it would never be a threat to the extensive coral reefs nearby, that have long been popular with snorkelers, kayakers, paddlers, swimmers and surfers, even before the resort opened in 1983.

The vessel would not be a permanent presence on the mooring as it can only stay on the mooring for a few days at a time, because it can only be fueled and fully serviced at Honokohau Harbor. It would also be removed from the mooring and moved to a safe harbor, in the event of any serious weather or surf events.

A second mooring was applied for at the same time in recognition that an additional vessel, like a sailing catamaran, would also be desirable. The time and expense of applying for the two moorings separately, made applying for them both in a single application, seem appropriate.

Two years and five months after starting the new offshore mooring approval process, and after everyone from the federal US Army Corps of Engineers and the National Marine Fisheries Service, and both the state DLNR Boating and Aquatic Resources divisions, the Department of Health, and the State Office of Planning, reviewed the engineering drawings, descriptions, locations, surveys, underwater photos and more, and then approved of the two requested moorings,

we stand before the Board of Land and Natural Resources and humbly request that you follow the recommendation before you from the DLNR-BOR and vote to approve our request to install two new offshore moorings in Maka'iwa Bay.

Mahalo, Rick Gaffney, President Rick Gaffney & Associates, Inc. Mooring Consultant to DHL Mahi OPCO, LLC
 From:
 Gregory B.Keller

 To:
 DLNR.BLNR.Testimony

Subject: [EXTERNAL] July 26, 2024 - Item J - Mooring Balls for Makaila Bay

Date: Wednesday, July 24, 2024 4:09:08 PM

Aloha Members of the BLNR:

I have read the recent submittal by DHL Mahi OPCO, LLC, requesting 2 new offshore moorings at Makaiwa Bay at Mauna Lani.

I swim at this beach daily and have been using this location for over 20 years for Scuba diving, stand-up paddle boarding and canoeing.

There is no need for two additional mooring balls -- especially as one is located quite close to shore, between the existing "Winona" mooring and the boat launch previously used by Mauna Lani Sea Adventures. This area is extremely shallow, home to some of the last bits of healthy coral reef we have, and full of tropical fish — many of them juveniles, along with turtles, spotted eagle rays, manta rays and an occasional Hawaiian monk seal.

This proposed mooring is dead set in the middle of an area where there are many swimmers and snorkelers, as well as a transit area for paddle boarders and kayakers heading towards Paniau, and snorkelers swimming to the nearby spot filled with pukas and underwater bridges, called "the Arches." In the winter this mooring ball would be in the direct line of the surf break that heads to shore between the Eva Parker Woods cottage and the old canoe house, impeding surfers' access to the break and posing a safety hazard.

It would also be a terrible addition to have a motorized boat moored there. Any diesel or oil leaks would damage the coral reef almost directly underneath, and the fumes would be an annoyance to nearby swimmers and snorkelers. Use of a motorboat so close to shore would also be an unnecessary noise nuisance to beachgoers, and definitely a safety hazard to all those in its path. There has also been no information forthcoming from the applicant about the intended commercial purpose and frequency of use for these additional moorings. I see no value that these moorings would add to the health and beauty of this area -- only detriments.

I urge the Board to deny this request, and remind the BLNR of its motto, to: "enhance, protect, conserve and manage Hawaii's unique and limited natural...resources held in public trust for current and future generations..."

This request has come from a single private-sector applicant who has offered no operating plan and has not asked for an iota of community input. This is rich in irony, considering their business boldly promotes: "Malama 'Aina," and they state that they have a "mission to protect, preserve and respect our island. It is our kuleana (responsibility) to nurture and sustain our Honua (earth) not only for our existing community, but for the generations to come."

Granting this request to promote the interests of a single private-sector applicant over the general will of the community would be a violation of the public trust you and your Board are charged with protecting, and would negatively impact everyone who enjoys this unique, pristine and tranquil section of the Kohala coast, not just now..."but for the generations to come."

Mahalo,

Gregory Keller Homeowner The Villages at Mauna Lani