

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

April 11, 2025

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

SUBJECT: Request approval for installation and use of one (1) new offshore mooring outside of a designated offshore mooring area, in Ma'alaea Bay, Kihei, Maui, by Scott Haley

APPLICANT:

Scott Haley (the "Applicant")

LOCATION:

Ma'alaea Bay, Kihei, Maui

LEGAL AUTHORITY:

Hawaii Administrative Rule ("HAR") Section 13-235-9(d)

REMARKS:

The Applicant is requesting approval to install and use one (1) new offshore mooring within Ma'alaea Bay, offshore of Kealia Resort, on the Island of Maui, outside of a designated mooring area, due to there being no available mooring space for his vessel within any designated mooring areas identified in administrative rules for Maui. HAR Section 13-235-9(d) provides that the Board of Land and Natural Resources ("Board") may approve installation of moorings in a location outside of a designated mooring area. The Applicant's request is included in **Exhibit A**.

Pursuant to Section 10 of the Federal Rivers and Harbors act of 1899, the Division of Boating and Ocean Recreation ("DOBOR") requires that all offshore moorings installed within State jurisdiction are properly permitted by the U.S. Army Corps of Engineers ("USACE"). In addition, to ensure that the mooring system is structurally sound, DOBOR requires that all offshore mooring applicants submit an Offshore Mooring Installation Plan ("OMIP"), prepared by a licensed structural engineer, for DOBOR approval.

The Applicant has obtained a Nationwide Permit Verification Letter from USACE authorizing the installation and use of the proposed mooring. The Applicant has also submitted the required OMIP, prepared by a licensed structural engineer, and DOBOR's Engineering Branch has approved this OMIP. The USACE Permit and approved OMIP are included in **Exhibit A**.

Pursuant to HAR Section 13-235-6, an application for mooring at a location which is found

to be detrimental to the habitat or spawning ground of marine life by the National Marine Fisheries Service ("NMFS") or the Division of Aquatic Resources ("DAR") shall be denied. Through the USACE permitting process, NMFS has been consulted and determined the proposed offshore mooring will have no detrimental effect to the habitat or spawning ground of marine life. DAR has also been consulted and concurred that the proposed offshore mooring will have no detrimental effect to the habitat or spawning ground of marine life.

HAWAII REVISED STATUTES ("HRS") CHAPTER 343 COMPLIANCE:

The proposed installation and use of the offshore mooring is exempt from the preparation of an Environmental Assessment under HRS Chapter 343 and HAR Chapter 11-200.1 because it is de minimis and is included in the Exemption List for the Department of Land and Natural Resources, concurred on by the Environmental Council on March 3, 2020, Exemption Class 3, Part 1, Item 20:

*"Placement or construction of accessory structures such as office trailers, trash enclosures, bus shelters, picnic shelters, parking and fee collection facilities, dock boxes, mooring cleats, bumpers, and **mooring buoys**, blocks and piles, and other similar structures accessory to existing facilities."* (Emphasis added)

RECOMMENDATION:

That the Board approve Scott Haley's proposed installation and use of one (1) new offshore mooring within Ma'alaea Bay, Kihei, Maui, outside of a designated offshore mooring area.

Respectfully Submitted,



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MEGHAN L. STATTS, Administrator  
Division of Boating & Ocean Recreation

APPROVED FOR SUBMITTAL:



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DAWN N.S. CHANG, Chairperson  
Board of Land and Natural Resources

Attachment:

- A. Applicant's request for approval of mooring; approved Offshore Mooring Installation Plan; and Nationwide Permit Verification Letter from USACE

# EXHIBIT A

November 21, 2024

Scott Haley

PO Box 99

Kihei HI, 96753

**SUBJECT:** Request for Approval of a New Offshore Mooring Outside of a Designated Offshore Mooring Area and Declare the Mooring Exempt from Requirement for Preparation of Environmental Assessment  
Kihei, Island of Maui

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

Submitted by:  
Scott Haley

## Request:

In accordance with HAR 13-235-9, [Insert name] hereby requests approval from the Board of Land and Natural Resources ("Board") to install a new offshore mooring within [insert location of offshore mooring] outside of a designated offshore mooring area. In accordance with HRS Chapter 343 and HAR 200.1-8 [Insert name] further requests that the Board declare installation and use of the mooring exempt from the requirement to prepare an environmental assessment due to the use of submerged state land.

## Reason and Justification for Request

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

No space in designated area

### Environmental Assessment Exemption:

The proposed offshore mooring falls under the Department of Land and Natural Resources' Exemption List, approved by the Environmental Council on June 5, 2015 under the following exemption:

Class 6: Construction or placement of minor structures accessory to existing facilities.

Item 13: Placement of construction of accessory structures such as utility sheds, storage or maintenance sheds, office trailers, trash enclosures, comfort stations or sanitation facilities and related individual wastewater disposal systems, bus shelters, pavilions or picnic shelters, parking and fee collection facilities, checking stations, interpretive kiosks and displays, dock boxes, mooring cleats, bumpers, and mooring buoys, blocks, and piles, and other similar structures accessory to existing facilities on state lands and waters.

### Permitting and DOBOR Approval:

A permit from the U.S. Army Corps of Engineers has been obtained, see attached permit verification letter #: POH-2024-00175.

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:

One anchor block and one manta earth anchor (see attached approved engineering drawings for detail)

Location of Offshore Mooring:

Kihei Mooring Zone, Kihei, Maui HI  
20° 46.803' N  
156° 28.348' W

Purpose of Offshore Mooring:

Securing of vessel in Kihei Mooring Zone, Kihei, Maui HI.

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. 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**  
U.S. ARMY CORPS OF ENGINEERS, HONOLULU DISTRICT  
230 OTAKE STREET, CEPOH-RO  
FORT SHAFTER, HAWAII 96858-5440

January 24, 2025

SUBJECT: Nationwide Permit Verification for Offshore Mooring Installation, Pacific Ocean, Kihei, Island of Maui, Hawaii Department of the Army File No. POH-2024-00175

Scott Haley  
P.O. Box 99  
Kihei, HI 96753

Dear Mr. Haley:

The Honolulu District, U.S. Army Corps of Engineers (Corps), Regulatory Branch has completed review of your Pre-Construction Notification dated November 11, 2024, requesting authorization for the proposed mooring buoy installation located in Maalaea Bay, Kihei, Island of Maui, Hawaii (20.780050°, -156.472467°). Please reference Department of the Army (DA) file number POH-2024-00175 in any future correspondence related to this permit.

This Nationwide Permit (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 activities:

- The installation of a mooring for use by a vessel up to 43-feet-long intended for recreational use deployed in waters of the U.S. below the Mean High Water Mark (MHW). The mooring will be located in 37-foot-deep water and have a maximum vessel swing radius of 133 feet. The mooring anchoring system will be comprised of one concrete block anchor no larger than 4-foot-long by 4-foot-wide by 18-inches-tall, and one manta anchor connected to the anchor block by chain. Attached to the anchor block will be a 75-foot-long section of chain with a midline float and 24-inch-diameter surface buoy. Two 20-foot-long pendants will be attached to the surface buoy of each mooring for vessel securement.

Based upon the information and plans you provided, we hereby verify that the work described above, which would be performed in accordance with the enclosed plan (sheets 1-3), dated November 14, 2024, complies with the terms and conditions of and is authorized by NWP 10, (Mooring Buoys) issued on February 25, 2022. The full text of NWP 10 and its associated Regional and General Conditions can be accessed at:

<https://www.poh.usace.army.mil/Missions/Regulatory/Permits/Nationwide-Permits>. You must comply with all terms and conditions associated with NWP 10, as well as with the special conditions listed below:

- a. You must implement and abide by the applicable Pac-SLOPES BMPs (Enclosure 2) including completion of the monitoring form (Enclosure 3).
- b. You must implement and abide by the applicable EFH Conservation Recommendations (Enclosure 4).

Verification of your project under this NWP is valid until **March 15, 2026**, 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 (WQC) WQC1092 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 5).

Your project complies with the requirements of the Coastal Zone Management Consistency Concurrence for this NWP issued by the State of Hawaii Department of Business, Economic Development and Tourism, Office of Planning during the NWP reissuance process in 2021.

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 6) 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 David Rojek at 808-459-0179 or via e-mail at [david.j.rojek@usace.army.mil](mailto:david.j.rojek@usace.army.mil) and CEPOH-RO@usace.army.mil, referencing the project number POH- 2024-00175 in the email subject. You are encouraged to provide comments on your experience with the Honolulu District Regulatory Branch by accessing our web-based customer survey form at <https://regulatory.ops.usace.army.mil/customer-service-survey>.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeremy Morgan".

Jeremy Morgan Regulatory Specialist,  
Regulatory Branch

Enclosures

1. Drawings
2. Pac-SLOPES BMPs
3. Pac-SLOPES Monitoring Form
4. EFH Conservation Recommendations
5. WQC 1092
6. Compliance Certification

Electronic cc:

State of Hawaii Department of Health, Clean Water Branch

Darryl C Lum [darryl.lum@doh.hawaii.gov](mailto:darryl.lum@doh.hawaii.gov)

[CleanWaterBranch@doh.hawaii.gov](mailto:CleanWaterBranch@doh.hawaii.gov)

State of Hawaii Office of Planning, Coastal Zone Management Program

[Debra.L.Mendes@hawaii.gov](mailto:Debra.L.Mendes@hawaii.gov)

U.S. Coast Guard, [SecHonoWaterWays@uscg.mil](mailto:SecHonoWaterWays@uscg.mil)

USCG District 14 Waterways Management, [d14-dg-pj-dpw@uscg.mil](mailto:d14-dg-pj-dpw@uscg.mil)

[USCG\\_Robert.L.Davis1@uscg.mil](mailto:USCG_Robert.L.Davis1@uscg.mil)

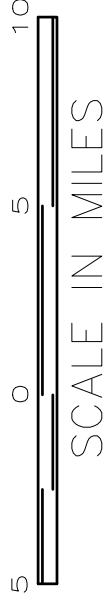
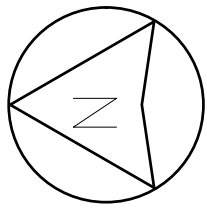
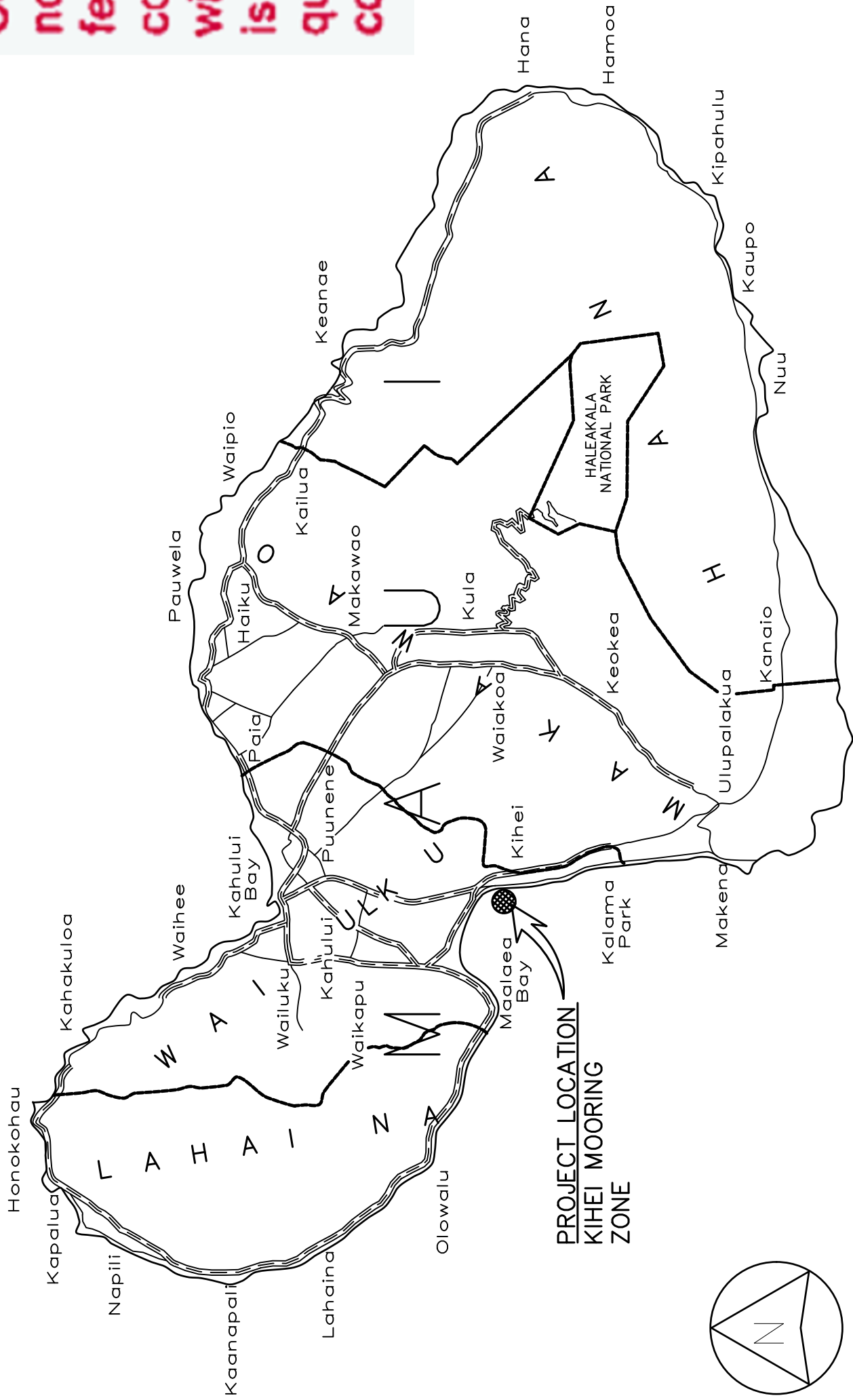
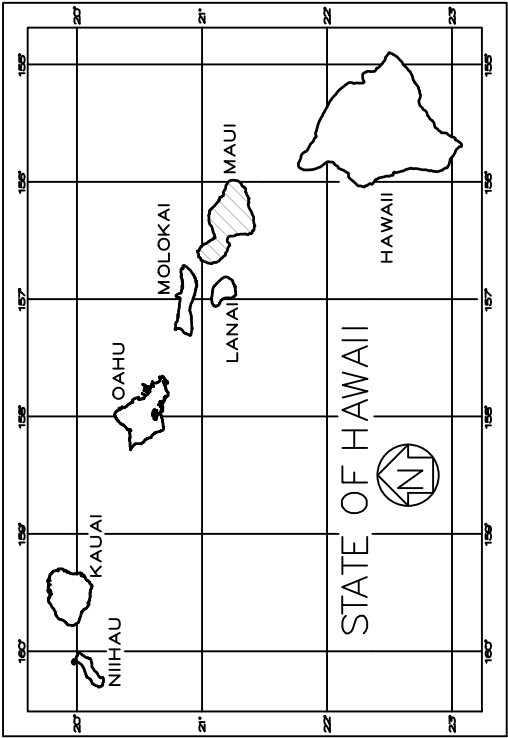




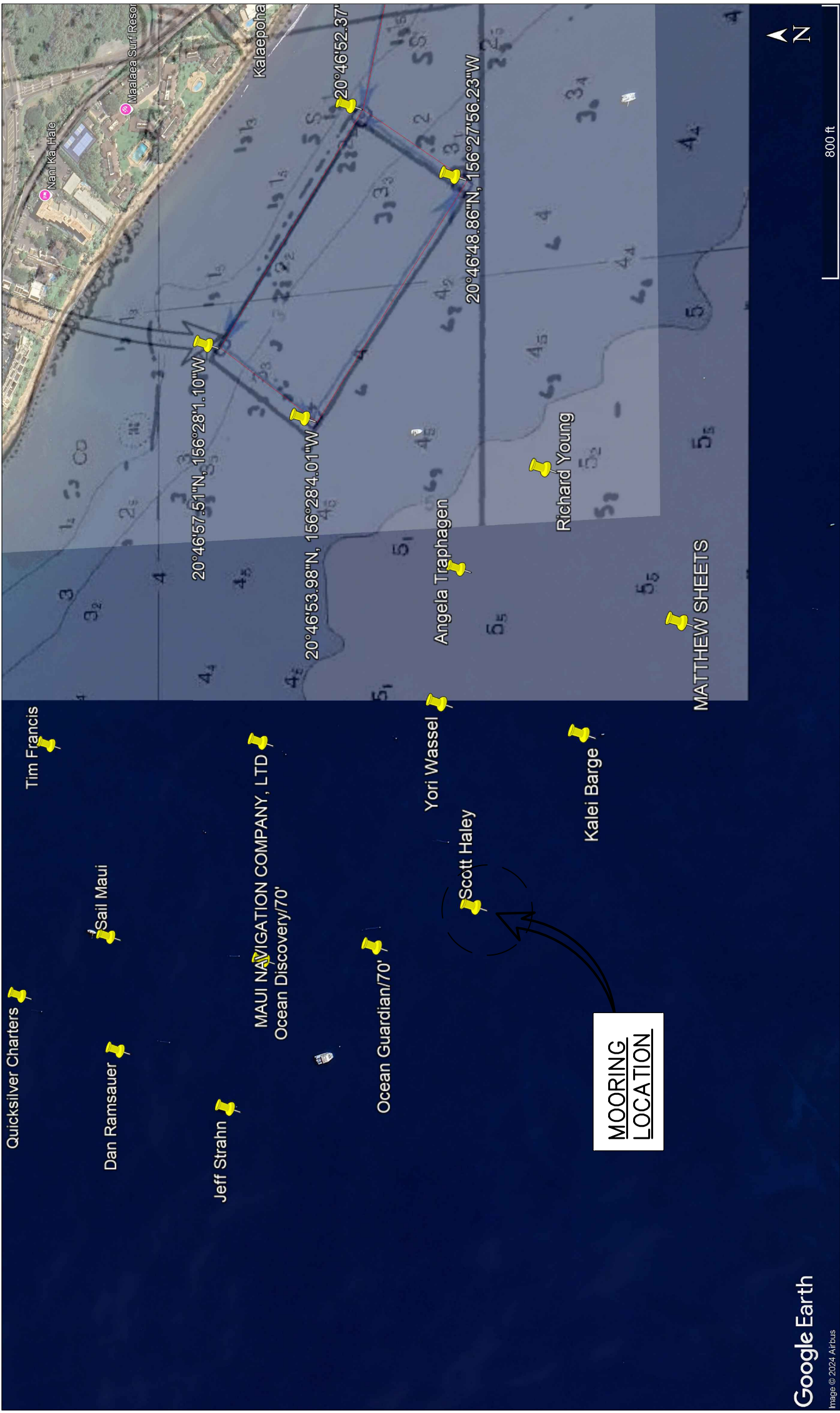
# KIHEI OFFSHORE MOORING

## FOR: SCOTT HALEY

GPS COORDINATES OF MOORING : 20°46.803'N, 156°28.348'W  
APPROXIMATE WATER DEPTH : 37'



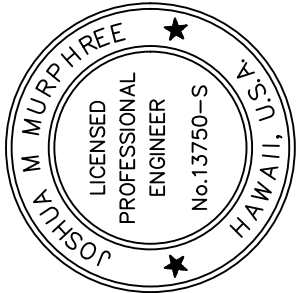
VICINITY MAP



LOCATION MAP

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

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



*[Signature]*  
THIS WORK WAS PREPARED BY  
JOSHUA M. MURPHY, P.E.  
ON BEHALF OF ALLSHORE  
ENGINEERING, LLC.  
AND CONSTRUCTION OF THIS PROJECT  
WILL BE UNDER MY OBSERVATION

GENERAL NOTES  
CONTRACTOR/OWNER SHALL CHECK AND VERIFY ALL DIMENSIONS  
AND CONDITIONS AT THE JOB SITE BEFORE PROCEEDING WITH THE WORK  
AND NOTIFY ENGINEER OF ANY DISCREPANCIES FOR RESOLUTION.  
ALL CONSTRUCTION SHALL CONFORM TO THE 2018 INTERNATIONAL  
BUILDING CODE AND THE LATEST COUNTY OF MAUI/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

PROJECT  
PROPOSED  
KIHEI OFFSHORE MOORING  
FOR:

VESSEL  
"05"

CONTACT: SCOTT HALEY  
1051 S. KIHEI ROAD  
KIHEI, HI 96753  
PHONE: (808) 494-9959

GPS COORDINATES: 20°46.803'N  
156°28.348'W

SHEET TITLE

TITLE SHEET

JOB NO. 2015-0007.195 DRAWING NO.  
DRAWN JMM  
CHECKED JMM  
DATE NOV. 14, 2024 SHEET 1 OF 3

T-1





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 MAUI AMENDED IBC, 2018
- 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.

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 KNOT
- D. WAVES AND TIDAL VARIATIONS:
1. PEAK WAVE HEIGHT: 5 FEET
- DESIGN VESSEL: "05"
1. LOA: UP TO 42'-8"
2. BEAM: UP TO 30'-0"
3. DRAFT: UP TO 4'-4"
4. DISPLACEMENT: UP TO 17 GRT
- \*ANY INCREASE IN THE MOORED VESSEL SIZE REQUIRES RE-ANALYSIS.

CHAIN, HARDWARE, ROPE, AND MOORING COMPONENTS

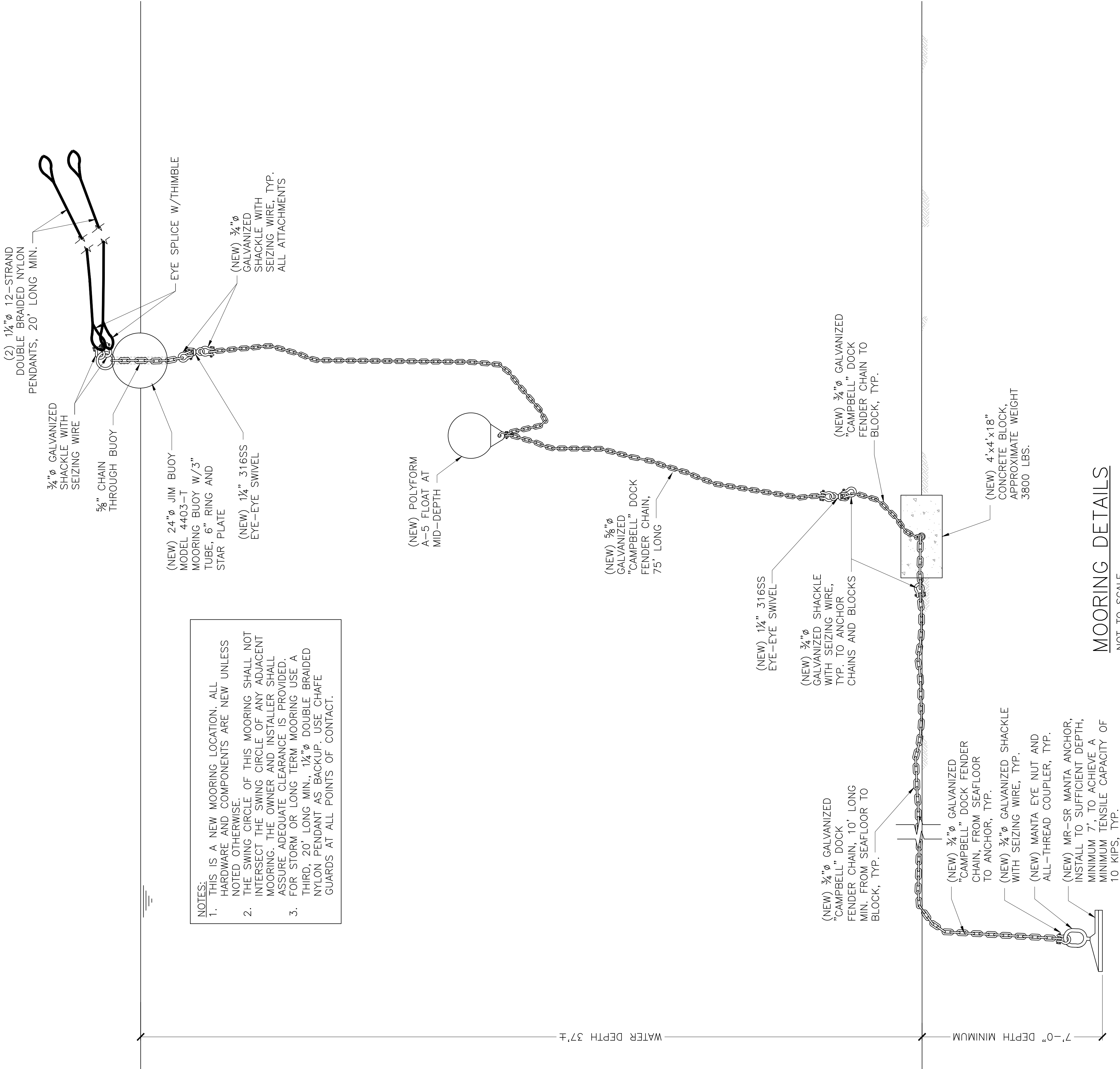
- A. ALL CHAIN AND HARDWARE SHALL BE HOT DIP GALVANIZED IN ACCORDANCE WITH ASTM A153.
- B. THIMBLES OR CHAFE GUARDS SHALL BE USED WITH ROPES AT ALL POINTS OF CONTACT.

EARTH ANCHORS:

- A. SELECTION OF ANCHOR TYPE SHALL BE BASED UPON SURVEY SITE AND SOIL PROBING TO MINIMUM DEPTH OF 10' AT PROPOSED ANCHOR LOCATION.
- B. INSTALL ANCHORS PER MANUFACTURERS INSTRUCTIONS. PROOF TEST TO MINIMUM UPLIFT CAPACITY STATED ON DESIGN DRAWINGS.
- C. MANTA ANCHORS SHALL NOT BE INSTALLED IN LOCATIONS WHERE SHIFTING SAND MAY RESULT IN REDUCED SOIL COVER OVER ANCHOR HEAD. GENERAL INDICATIONS OF THESE LOCATIONS ARE WATER DEPTHS OF LESS THAN 30' AND SAND BOTTOMS WITH LITTLE MARINE GROWTH.

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.

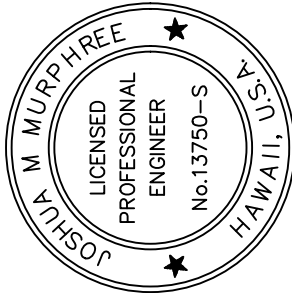


MOORING DETAILS

NOT TO SCALE

ALLSHORE  
ENGINEERING, LLC.

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



*[Signature]*  
THIS WORK WAS PREPARED BY  
ME, JOSHUA M. MURPHY, A  
LICENSED PROFESSIONAL ENGINEER  
AND CONSTRUCTION OF THIS PROJECT  
WILL BE UNDER MY OBSERVATION

GENERAL NOTES

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

ALL CONSTRUCTION SHALL CONFORM TO THE 2018 INTERNATIONAL BUILDING CODE AND THE LATEST COUNTY OF MAUI/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

PROJECT

PROPOSED

KIHEI OFFSHORE MOORING

FOR:

VESSEL

"05"

CONTACT: SCOTT HALEY  
1051 S. KIHEI ROAD  
KIHEI, HI 96753  
PHONE: (808) 494-9959

GPS COORDINATES: 20°46.803'N  
156°28.348'W

SHEET TITLE

MOORING NOTES  
AND DETAILS

JOB NO. 2015-0007.195 DRAWING NO.

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CHECKED JMM

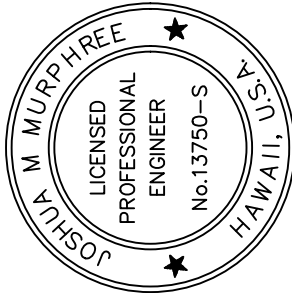
DATE NOV. 14, 2024

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SHEET 2 OF 3



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



*[Signature]*  
THIS WORK WAS PREPARED BY  
ME OR UNDER MY CLOSE PERSONAL  
SUPERVISION AND I AM AWARE OF  
THE CONTENTS AND CONSTRUCTION OF THIS PROJECT  
AND WILL BE UNDER MY OBSERVATION

GENERAL NOTES  
CONTRACTOR/OWNER/BUILDER SHALL CHECK AND VERIFY ALL DIMENSIONS  
AND CONDITIONS AT THE URGEST BEFORE PROCEEDING WITH THE WORK  
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KIHEI OFFSHORE MOORING  
FOR:

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CONTACT: SCOTT HALEY  
1051 S. KIHEI ROAD  
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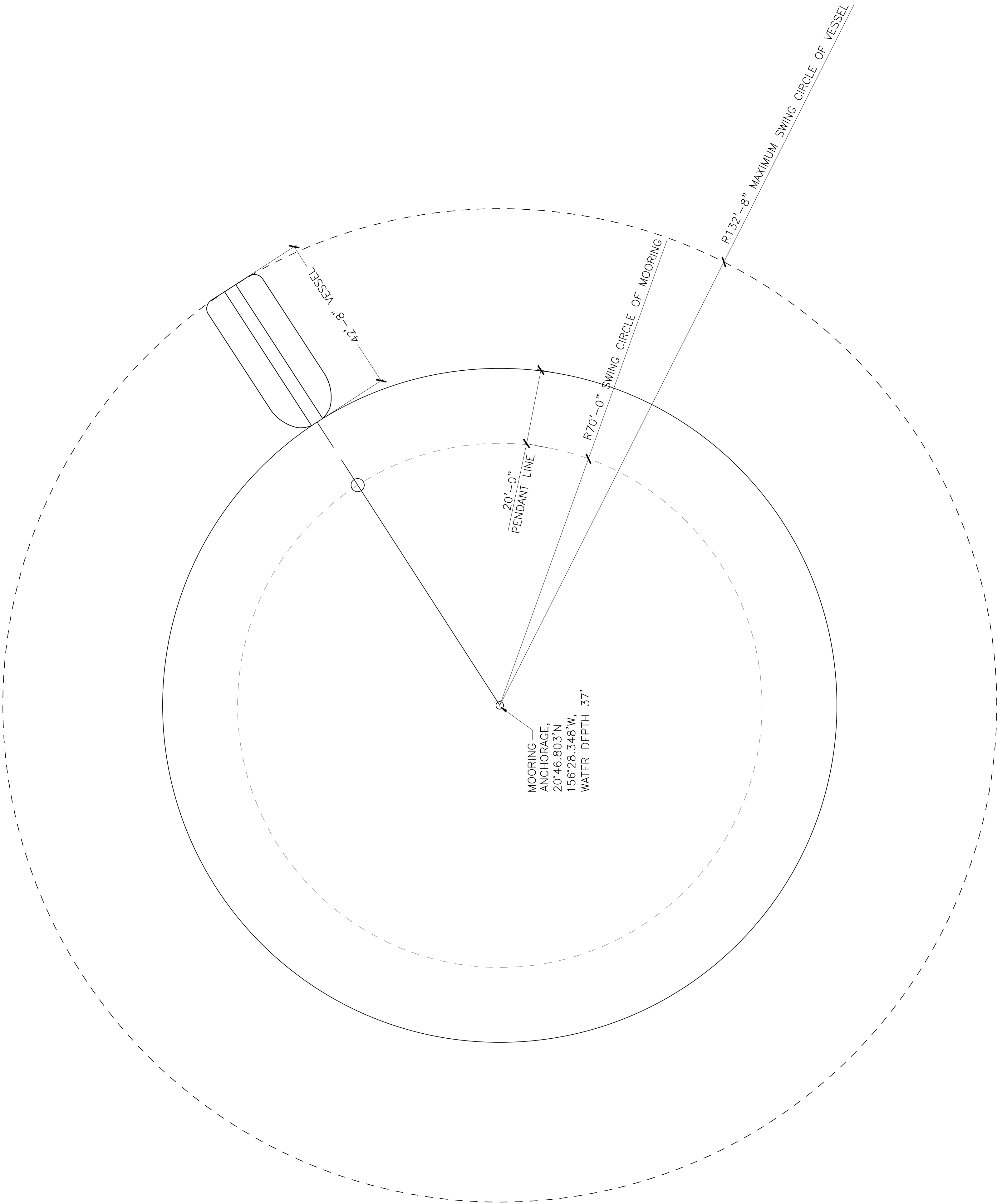
SHEET TITLE

MOORING PLAN

MOORING PLAN

SCALE: 1/8" = 1'-0"

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.



JOB NO. 2015-0007.195 DRAWING NO.  
DRAWN JMM  
CHECKED JMM  
DATE NOV. 14, 2024 SHEET 3 OF 3