

State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Engineering Division
Honolulu, Hawaii 96813

March 23, 2012

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

**Declare Project Exempt From Requirements of Chapter 343, HRS, and Title 11,
Chapter 200, Hawaii Administrative Rules for
Job No. B94DK71A, Port Allen Small Boat Harbor, Loading Dock Repairs
Eleele, Kauai, Hawaii**

The Board of Land & Natural Resources approved the award of the construction contract for the subject project on July 8, 2011. Pursuant to Chapter 343, Hawaii Revised Statutes (HRS), and Chapter 11-200, Hawaii Administrative Rules (HAR), the attached Exemption Notification labeled Exhibit A was prepared.

The project consists of the removal and reconstruction of the loading dock at the boat launch ramp, and other related work.

In accordance with Hawaii Administrative Rule Section 11-200-8(a) (1) & (4), and the Exemption List for the Department of Land and Natural Resources, Division of Boating and Ocean Recreation as reviewed and concurred upon by the Environmental Council on March 22, 1995, the subject project is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 2, that states, "Replacement or reconstruction of existing structures and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height and dimensions as the structure replaced".

RECOMMENDATION:

Declare that, after considering the potential effects of the proposed project as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

Respectfully submitted,


CARTY S. CHANG
Chief Engineer

Requested by:


EDWARD R. UNDERWOOD, Administrator
Division of Boating and Ocean Recreation

Approved For Submittal:


WILLIAM J. AILA, JR, Chairperson

Item L-2

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

ENGINEERING DIVISION
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WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
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CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAIKOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, Hawaii Revised Statutes (HRS), and Chapter 11-200, Hawaii Administrative Rules (HAR).

Project Title:	Port Allen Small Boat Harbor Loading Dock Repairs Eleele, Kauai, Hawaii
Project Number:	Job No. B94DK71A
Project Description:	The project consists of the removal and reconstruction of the loading dock at the boat launch ramp, and other related work.
Chapter 343 Trigger(s)	Use of State Funds
Exemption Class & Description:	<u>Exemption Class No. 2</u> of the Department of Land and Natural Resources, Division of Boating and Ocean Recreation, as reviewed and concurred upon by the Environmental Council on March 22, 1995 states: "Replacement or reconstruction of existing structures and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height and dimensions as the structure replaced".
Exemption Item Number and Description:	<u>Exemption Item No. 5</u> of Class No 2 states: "Replacement or repair of existing deteriorated and/or damaged structures to their original/better condition within areas under the jurisdiction of the Division of Boating and Ocean Recreation such as pier, boat ramps, loading docks, catwalks, mooring buoys, single story office buildings, warehouses, sheds, comfort station, and shelters".
Recommendation:	It is anticipated this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment

William J. Aila, Jr, Chairperson

3/13/12
Date

EXHIBIT A