

State of Hawaii  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Boating and Ocean Recreation  
Honolulu, Hawaii 96813

March 11, 2016

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**

**Nawiliwili Small Boat Harbor Improvements  
Lihue, Kauai, Hawaii**

The Board of Land and Natural Resources approved the award of the construction contract for the subject project(s) on July 10, 2015. 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 Division of Boating and Ocean Recreation is proposing improvements to the Nawiliwili Small Boat harbor which include: 1) Repairs to concrete fixed piers and fenders; 2) New comfort station to replace the existing comfort station; 3) New floating dock in multi-hull mooring area; 4) Replace old tire fenders at the loading dock at the boat ramp with "D" type rubber fenders; 5) Removal and disposal of sunken/derelict (abandoned vessels); 6) Replacement of the existing vessel sewage pump out station; and 7) Paving of existing paved parking and roadway areas.

In accordance with Hawaii Administrative Rule Section 11-200-8(A) and the Exemption List for the Department of Land and Natural Resources (DLNR), Approved by the Environmental Council, on June 5, 2015, this project is exempt from the preparation of an Environmental Assessment (EA) pursuant to the following exemptions:

Scope of Work #1: Repairs to concrete fixed piers and fenders.

Exemption Class 2, Item No. 6: Replacement or reconstruction of existing loading docks, piers, piles, boat launch ramps, offshore mooring facilities, and similar support structures, not to exceed the footprint of the existing facility, as permitted by the U.S. Army Corps of Engineers, Honolulu District, under a Nationwide Permit 3 (Maintenance).

Scope of Work #2: New comfort station to replace the existing comfort station

Exemption Class 1, Item No. 1: Replacement or reconstruction of existing Departmental structures and facilities, including baseyards, offices, cabins, sheds and fencing.

Scope of Work #3: New floating dock in multi-hull mooring area.

Exemption Class 3, Item No. 4: Construction and location of new, small facilities or structures necessary to support or enhance public recreational use of state lands and waters, such as comfort stations and related individual wastewater disposal systems, sanitation facilities, outdoor showers, signage, interpretive kiosks, viewing platforms, pavilions, shelters, tables, grills, cabins, campgrounds, lifeguard stations, improvements necessary for compliance with the American with Disabilities Act, and other similar structures.

Scope of Work #4: Replace old tire fenders at the loading dock at the boat ramp with “D” type rubber fenders.

Exemption Class 1, Item No. 12: Operation, repair and maintenance of existing loading docks, piers, piles, boat launch ramps, offshore mooring facilities, and similar support structures, not to exceed the footprint of the existing facility, as permitted by the U.S. Army Corps of Engineers, Honolulu District, under a Nationwide Permit 3 (Maintenance).

Scope of Work #5: Removal and disposal of sunken/derelict (abandoned vessels).

Exemption Class 1, Item No. 40: Clearing of shoreline areas and submerged lands of non-natural hazardous objects and materials such as sunken/derelict craft remnants, oil spill residues, etc.

Scope of Work #6: Replacement of the existing vessel sewage pump out station.

Exemption Class 3, Item No. 12: Installation of marine vessel sewage pump out stations and supporting facilities.

Scope of Work #7: Paving of existing paved parking and roadway areas.

Exemption Class 2, Item No. 21: Replacement or reconstruction of existing roadways, roadway shoulders, road structures and signage, parking areas, walkways, bikeways, multi-use pathways, driveways, and boat launch ramps.

## RECOMMENDATION

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

Respectfully submitted,



EDWARD R. UNDERWOOD  
Administrator

Approved For Submittal:



SUZANNE D. CASE  
Chairperson

Attachments: Exhibit “A” – Exemption Notification  
Exhibit “B” – Location Map



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

March 11, 2016

**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**KEKO KALUIHWA**  
FIRST DEPUTY

**JEFFREY T. PEARSON**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE 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:	Nawiliwili Small Boat Harbor Improvements, Lihue, Kauai, Hawaii
Project Number:	To be determined
Project Description:	This project consists of: 1. Repairs to concrete fixed piers and fenders; 2. New comfort station to replace the existing comfort station; 3. New floating dock in multi-hull mooring area; 4. Replace old tire fenders at the loading dock at the boat ramp with "D" type rubber fenders; 5. Removal and disposal of sunken/derelict (abandoned vessels); 6. Replacement of the existing vessel sewage pump out station; 7. Paving of existing paved parking and roadway areas.
Chapter 343 Trigger(s)	Use of State Funds and Lands
Exemption Class & Description:	<p>Exemption Authority: Exemption List for the Department of Land and Natural Resources approved by the Environmental Council on June 5, 2015.</p> <p><u>Scope of Work #1:</u> Repairs to concrete fixed piers and fenders. Exemption Class 2: Replacement or reconstruction of existing structure 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.</p> <p><u>Scope of Work #2:</u> New comfort station to replace the existing comfort station. Exemption Class 1: Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing.</p> <p><u>Scope of Work #3:</u> New floating dock in multi-hull mooring area Exemption Class 3: Construction and location of single new, small facilities or structures and the alteration and modification of same and installation or new, small, equipment and facilities and the alteration and modification of same including, but not limited to: (A) Single family residences not in conjunction with the building of two or more such units; (B) Multi-unit structures designed for more than four dwelling units if not in conjunction with the building of two or more such structures; (C) Stores, offices and restaurants designed for total occupant load of twenty persons or less, if not in conjunction with the building of two or more such</p>

	<p>structures; and (D) Water, sewage, electrical, gas, telephone, and other essential public utility service extensions to serve such structures or facilities; and (E) accessory or appurtenant structures including garages, carports, patios, swimming pools, and fences.</p> <p><u>Scope of Work #4:</u> Replace old tire fenders at the loading dock at the boat ramp with "D" type rubber fenders. Exemption Class 1: See above description.</p> <p><u>Scope of Work #5:</u> Removal and disposal of sunken/derelict craft (abandoned vessels). Exemption Class 1: See above description.</p> <p><u>Scope of Work #6:</u> Replacement of the existing vessel sewage pump out station Exemption Class 3: See above description.</p> <p><u>Scope of Work #7:</u> Paving of existing paved parking and roadway areas. Exemption Class 2: See above description.</p>
<p>Exemption Item Number and Description:</p>	<p><u>Scope of Work #1:</u> Item No. 6 of Class 2 – Replacement or reconstruction of existing loading docks, piers, piles, boat launch ramps, offshore mooring facilities, and similar support structures, not to exceed the footprint of the existing facility, as permitted by the U.S. Army Corps of Engineers, Honolulu District, under a Nationwide Permit 3 (Maintenance).</p> <p><u>Scope of Work #2:</u> Item No. 1 of Class 1 - Replacement or reconstruction of existing Departmental structures and facilities, including baseyards, offices, cabins, sheds and fencing.</p> <p><u>Scope of Work #3:</u> Item No. 4 of Class 3 - Construction and location of new, small facilities or structures necessary to support or enhance public recreational use of state lands and waters, such as comfort stations and related individual wastewater disposal systems, sanitation facilities, outdoor showers, signage, interpretive kiosks, viewing platforms, pavilions, shelters, tables, grills, cabins, campgrounds, lifeguard stations, improvements necessary for compliance with the American with Disabilities Act, and other similar structures.</p> <p><u>Scope of Work #4:</u> Item No. 12 of Class 1 – Operation, repair and maintenance of existing loading docks, piers, piles, boat launch ramps, offshore mooring facilities, and similar support structures, not to exceed the footprint of the existing facility, as permitted by the U.S. Army Corps of Engineers, Honolulu District, under a Nationwide Permit 3 (Maintenance).</p> <p><u>Scope of Work #5:</u> Item No. 40 of Class 1 - Clearing of shoreline areas and submerged lands of non-natural hazardous objects and materials such as sunken/derelict</p>

Exemption Notification

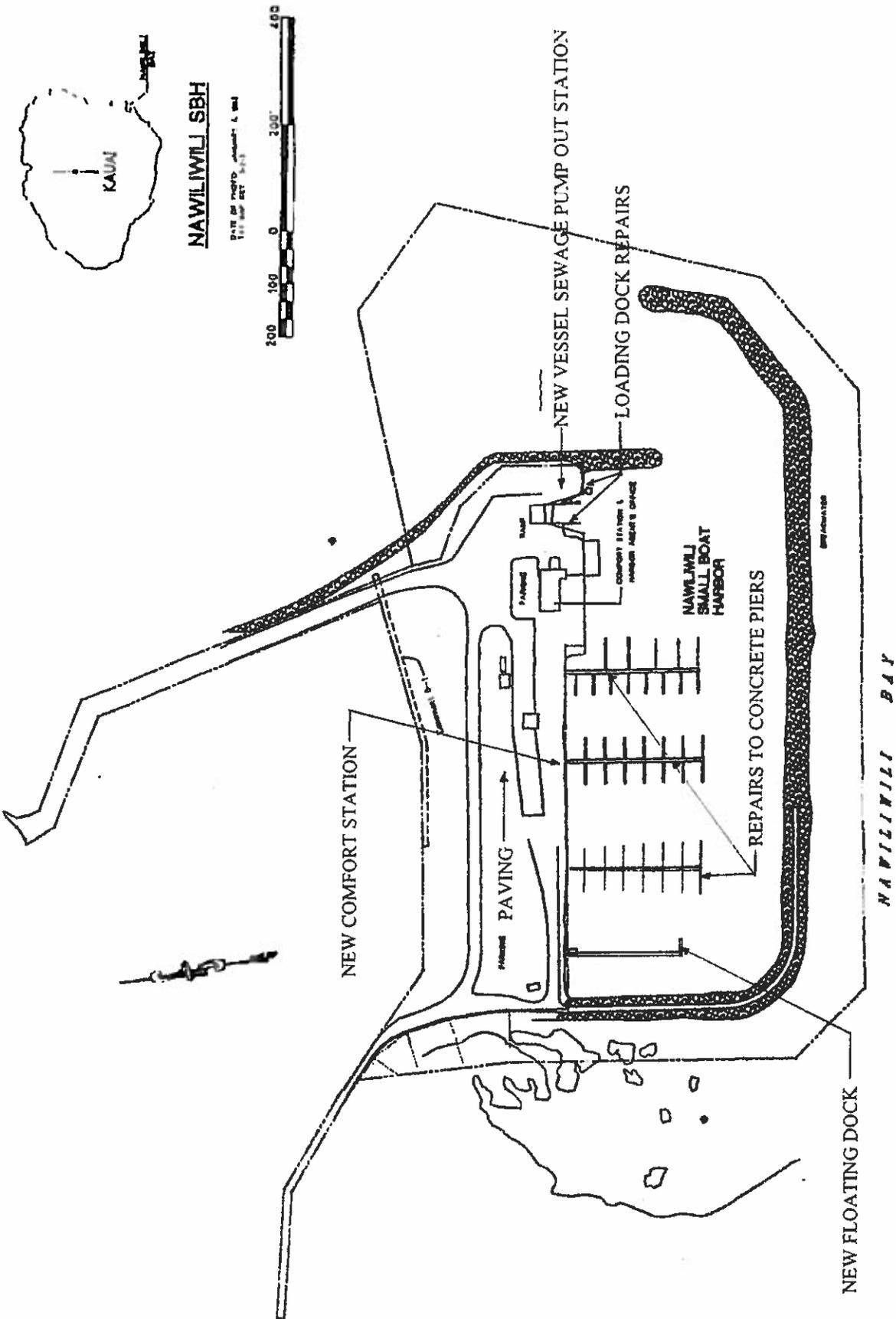
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	<p>craft remnants, oil spill residues, etc.</p> <p><u>Scope of Work #6:</u> Item No. 12 of Class 3 -: Installation of marine vessel sewage pump out stations and supporting facilities.</p> <p><u>Scope of Work #7:</u> Item No. 21 of Class 2 – Replacement or reconstruction of existing roadways, roadway shoulders, road structures and signage, parking areas, walkways, bikeways, multi-use pathways, driveways, and boat launch ramps.</p>
<p>Recommendation:</p>	<p>It is anticipated this project will have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment</p>

  
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Suzanne D. Case, Chairperson

2/26/16  
Date



**NAWILIWILI SBH**  
 DATE OF PHOTO: 11/11/01  
 1:11 SCALE



**EXHIBIT B - LOCATION MAP**