

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

May 27, 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
Job No. D00CO68A, DOFAW Kawainui Marsh Baseyard Improvements
Oahu, Hawaii**

The Board of Land & Natural Resources approved the award of the construction contract for the subject project 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 project proposes to construct a new storage building to replace the existing temporary shipping containers and tarp currently used as stopgap storage use. The new building will be 3,460 square feet, less than 25 feet tall, and will occupy the same footprint used by existing shipping containers within the DOFAW Kawainui Marsh Baseyard located in Kailua, Oahu. The new building will be dedicated to the maintenance and management programs of Kawainui Marsh, and will improve the storage and access to small DOFAW vehicles (e.g. tractors), miscellaneous equipment, parts, supplies, and protects valuable assets from theft and vandalism.

In accordance with Hawaii Administrative Rule Section §11-200-8, and the Exemption List for the Department of Land and Natural Resources, as reviewed and concurred upon by the Environmental Council on June 5, 2015, the subject project is exempt from the preparation of an environmental assessment pursuant to Exemption Class 3: "Construction and location of single new, small facilities or structures and the alteration and modification of same and installation of new, small, equipment and facilities and the alteration and modification of same including but not limited to....", Item 3. "Construction and location of new, small facilities or structures necessary to support or enhance safe and effective management of state lands and waters, such as baseyards, caretaker's residences, work cabins and shelters, utility sheds, storage buildings, sanitation facilities, plant nurseries, etc."

The Office of Conservation and Coastal Lands has reviewed the preliminary plans and provided concurrence that a permit is not required from their division, and they have no objections. (Project is located outside of the conservation use area.)

ITEM L-1

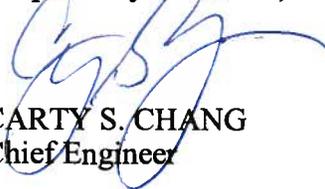
The State Historic Preservation Division (SHPD) has been consulted. Based on the revised project plans, project scope of work, and examination of the base yard during the January 26, 2016 site visit; SHPD determined that no historic properties are affected for the proposed project (Exhibit B).

A Special Management Area (SMA) Minor Permit (2015/SMA-52) for this project was also obtained from the City and County of Honolulu, Department of Planning and Permitting on November 27, 2015 (Exhibit C).

RECOMMENDATION:

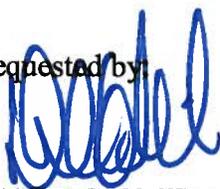
Declare that, after considering the potential effects of the proposed project, as provided by Chapter 343 HRS and Chapter §11-200, HAR, this project will probably have minimal or no significant effect on the environment. Therefore, it is exempt from the preparation of an environmental assessment.

Respectfully submitted,



CARTY S. CHANG
Chief Engineer

Requested by



DAVID G. SMITH, Administrator
Division of Forestry and Wildlife

Approved For Submittal:



SUZANNE D. CASE
Chairperson

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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

KEKO A KALUHIWA
FIRST DEPUTY

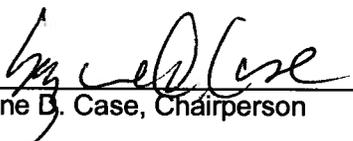
JEFFREY T. PEARSON
DEPUTY DIRECTOR - WATER

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, HRS and Chapter 11-200, HAR

Project Title:	DOFAW Kawainui Marsh Baseyard Improvements, Oahu, Hawaii
Project Number:	D00CO68A
Project Description:	The project proposes to construct a new storage building to replace the existing temporary shipping containers and tarp currently used as stopgap storage use. The new building will be 3,460 square feet, less than 25 feet tall, and will occupy the same footprint used by existing shipping containers within the DOFAW Kawainui Marsh Baseyard located in Kailua, Oahu. The new building will be dedicated to the maintenance and management programs of Kawainui Marsh, and will improve the storage and access to small DOFAW vehicles (e.g. tractors), miscellaneous equipment, parts, supplies, and protects valuable assets from theft and vandalism.
Chapter 343 Trigger(s)	Use of State Funds
Consulted Parties	DCAB, SHPD, & DPP (SMA Minor) have all been consulted with. Consultation with OCCL (CDUP) was not required.
Exemption Class & Description:	<u>Exemption Class No. 3</u> of the Department of Land and Natural Resources, as reviewed and concurred by the Environmental Council on June 5, 2015 states: "Construction and location of single new, small facilities or structures and the alteration and modification of same and installation of new, small, equipment and facilities and the alteration and modification of same including but not limited to....."
Exemption Item Number and Description:	<u>Item 3.</u> Construction and location of new, small facilities or structures necessary to support or enhance safe and effective management of state lands and waters, such as baseyards, caretaker's residences, work cabins and shelters, utility sheds, storage buildings, sanitation facilities, plant nurseries, trash containers, fire caches, radio repeaters, tollbooths, gates, installation of signage, safety enhancements (e.g., handrails, lighting), and other similar structures.
Recommendation:	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


Suzanne D. Case, Chairperson

5/10/10
Date

EXHIBIT A

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707

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

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
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BUREAU OF CONVEYANCES
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CONSERVATION AND COASTAL LANDS
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

February 19, 2016

Mr. David Smith, O'ahu Branch Manager
Division of Forestry and Wildlife
Department of Land and Natural Resources
2135 Makiki Heights Drive
Honolulu, HI 96822

Log No. 2015.03177
Doc. No. 1602KM24
Archaeology

Dear Mr. Smith,

**SUBJECT: Chapter 6E-8 Historic Preservation Review – REVISED COMMENTS
State of Hawaii, DLNR-Department of Forestry and Wildlife (DOFAW) –
Kawainui-Hāmākua Management and Research Station Storage Building Project
Proposed Exemption under HRS Chapter 343
Kailua Ahupua'a, Ko'olaupoko District, Island of O'ahu
TMK: (1) 4-2-013:005 por.**

Thank you for the opportunity to provide revised comments regarding the Department of Land and Natural Resources (DLNR), Division of Forestry and Wildlife (DOFAW) Research Station Storage Building Project. The original submittal was received on August 19, 2015, and indicated DOFAW proposes to construct a storage building in a 1-acre portion of the 14.5 acres comprising the Kawainui-Hāmākua Complex Management and Research Station. The proposed 3,460 sq. ft. storage building is designed to accommodate DOFAW vehicles, equipment, supplies, administrative activities, and additional storage areas. In response to the original submittal, the State Historic Preservation Division (SHPD) requested the project proceed under an archaeological monitoring plan with explicit procedural provisions regarding access and egress of construction equipment and machinery; treatment of inadvertent discovery of historic properties (non-burial and burial); and consultation with the community and other concerned groups (September 14, 2015; Log No. 2015.03177, Doc. No. 1509GC04).

In response to SHPD's letter dated September 14, 2015, DOFAW requested SHPD staff conduct a site visit of the research station. On January 26, 2016, SHPD archaeologists (Kimi Matsushima and Susan Lebo) conducted a site visit. DOFAW provided copies of updated project plans and clarified that the proposed storage facility will be constructed within the footprint of an existing garage facility in the baseyard and will be slab-on-grade with a retaining wall on the back side of the building. The retaining wall will stabilize the cutback hillside with minimal ground disturbance. SHPD staff examined the cutback hillside and determined no surface historic properties were present in the vicinity of the proposed building. The staging area for associated construction equipment will be opposite of the proposed building within an area previously graded and currently used as parking and staging area for DOFAW vehicles.

Based on the revised project plans and project scope of work, and examination of the baseyard during the January 26, 2016 site visit, SHPD's revised determination is **no historic properties affected** for the proposed project.

Please note that in the event that surface or subsurface historic resources, including human skeletal remains, structural remains, cultural deposits, artifacts, or sand deposits are identified during the project undertaking, cease work in the immediate vicinity of the find, protect the find from additional disturbance, and contact the State Historic Preservation Division at (808) 692-8015.

Exhibit B

Mr. David Smith
February 19, 2016
Page 2

Please contact Kimi Matsushima at (808) 692-8027 or at Kimi.R.Matsushima@hawaii.gov for questions or concerns regarding this letter.

Aloha,

A handwritten signature in black ink that reads "Susan A. Lebo". The signature is written in a cursive, flowing style.

Susan A. Lebo, PhD
Archaeology Branch Chief

cc: Ronald A. Sato, AICP HHF Planners (rsato@hhf.com)

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
 PHONE: (808) 768-8000 • FAX: (808) 768-6041
 DEPT. WEB SITE: www.honolulu.dpp.org • CITY WEB SITE: www.honolulu.gov

KIRK CALDWELL
 MAYOR



GEORGE I. ATTA, FAICP
 DIRECTOR

ARTHUR D. CHALLACOMBE
 DEPUTY DIRECTOR

2015/SMA-52(MT)

MINOR PERMIT:	SPECIAL MANAGEMENT AREA (SMA)
File Number:	2015/SMA-52
Project:	Division of Forestry and Wildlife (DOFAW) Kawainui-Hamakua Management and Research Station Storage Building Project.
(Valuation):	(\$400,000)
Owner:	State of Hawaii, Department of Land and Natural Resources (DLNR)
Applicant:	DOFAW, DLNR
Agent:	HHF Planners (Ronald Sato)
Location:	739 Ulukahiki Street - Kailua
Tax Map Key:	4-2-13: por. 5
Zoning:	P-2 General Preservation District
Date Received:	November 2, 2015

We have reviewed your request for a 3,460-square-foot storage building, and find that it lies within the Special Management Area (SMA) as established in Chapter 25, Revised Ordinances of Honolulu (ROH). We find that the proposed development has a stated valuation of less than \$500,000 and will have no significant effect on the SMA. Therefore, an SMA Permit (SMP) is hereby **APPROVED**, subject to the conditions listed below:

1. The current development on the site shall be in general conformance with the documents as shown on plans and drawings attached hereto (labeled as Exhibits A through E), which are now the approved plans for the project on file with the Department of Planning and Permitting (DPP). There shall be no modification to the approved plans for the project without prior review of and approval by Director of the DPP. Major modifications shall require a new SMA (Minor) Permit.
2. If the actual valuation of the proposed work ultimately exceeds \$500,000, then the project shall be returned to DPP for further review under Chapter 25, ROH.

Exhibit C

3. If, during construction, any previously unidentified archaeological sites or remains (such as artifacts, shell, bone, or charcoal deposits, human burials, rock, or coral alignments, pavings, or walls) are encountered, the Applicant shall stop work and contact the State Department of Land and Natural Resources, State Historic Preservation Division (SHPD) immediately. Work in the immediate area shall be stopped until SHPD is able to assess the impact and make recommendations for mitigative action.
4. This application has only been reviewed and approved pursuant to the provisions of ROH Chapter 25, and its approval shall not constitute compliance with the requirements of other governmental agencies. These are subject to separate review and approval. The Applicant shall be responsible for insuring that the final plans for the project approved under this permit comply with all applicable provisions and requirements of other government agencies, including compliance with the provisions of the LUO.
5. The Director of the DPP may modify the conditions of this approval by imposing additional conditions, modifying existing conditions, or deleting conditions deemed satisfied upon a finding that circumstances related to the approved project have significantly changed so as to warrant a modification to the conditions of approval. In the event of the noncompliance with any of the conditions set forth herein, the Director of the DPP may terminate all uses approved under this permit or halt their operation until all conditions are met or may declare this permit null and void or seek civil enforcement.

The proposed project would allow the construction of a 3,460 square-foot storage building with a maximum height of 25 feet. The building will provide secured storage for small vehicles, an open garage for vehicles and equipment, space for administrative activities, and additional storage areas for other equipment and supplies. The proposed structure will support the DOFAW task of preservation, protection, and enhancement of the Kawainui Marsh. Based on the conditions of approval listed above, the proposed development will have no significant adverse effect on the environment.

The proposal involves the use of State lands and is subject to the environmental disclosure provisions of Hawaii Revised Statutes Chapter 343. The Applicant has submitted a Declaration of Exemption from the State DLNR declaring the project exempt from the preparation of an environmental assessment.

Any person who is specifically, personally and adversely affected by the Director's action (in this case) and wants to appeal any part or requirement of the action may submit a written request for contested case hearing to the DPP within thirty (30) calendar days from the date of mailing, personal service, or publication of the action of the Director. Contested case hearings shall be conducted pursuant to Chapter 12 of the DPP Part 2 Rules Relating to Shoreline Setbacks and the Special Management Area. Essentially, these Rules require that a petitioner show that the Director based his action on an erroneous finding of a material fact, and/or that the Director otherwise acted in an arbitrary or capricious manner, or there are extenuating circumstances. The filing fee for a contested case hearing is \$400 (payable to the City and County of Honolulu).

A copy of this approval should accompany your application(s) for construction permits.

2015/SMA-52
Page 3

Should you have any questions or need additional information concerning this SMA Minor Permit, please contact Mark Taylor of our Land Use Approval Branch at (808) 768-8020.

Enclosures: Exhibits A through E
Receipt Nos. 105401 & 105402

cc: DBEDT Office of Planning (Shichao Li)

THIS COPY, WHEN SIGNED BELOW, IS NOTIFICATION OF THE ACTION TAKEN.

 *for* Director November 27, 2015
SIGNATURE TITLE DATE

This approval does not constitute approval of any other required permits, such as building or sign permits

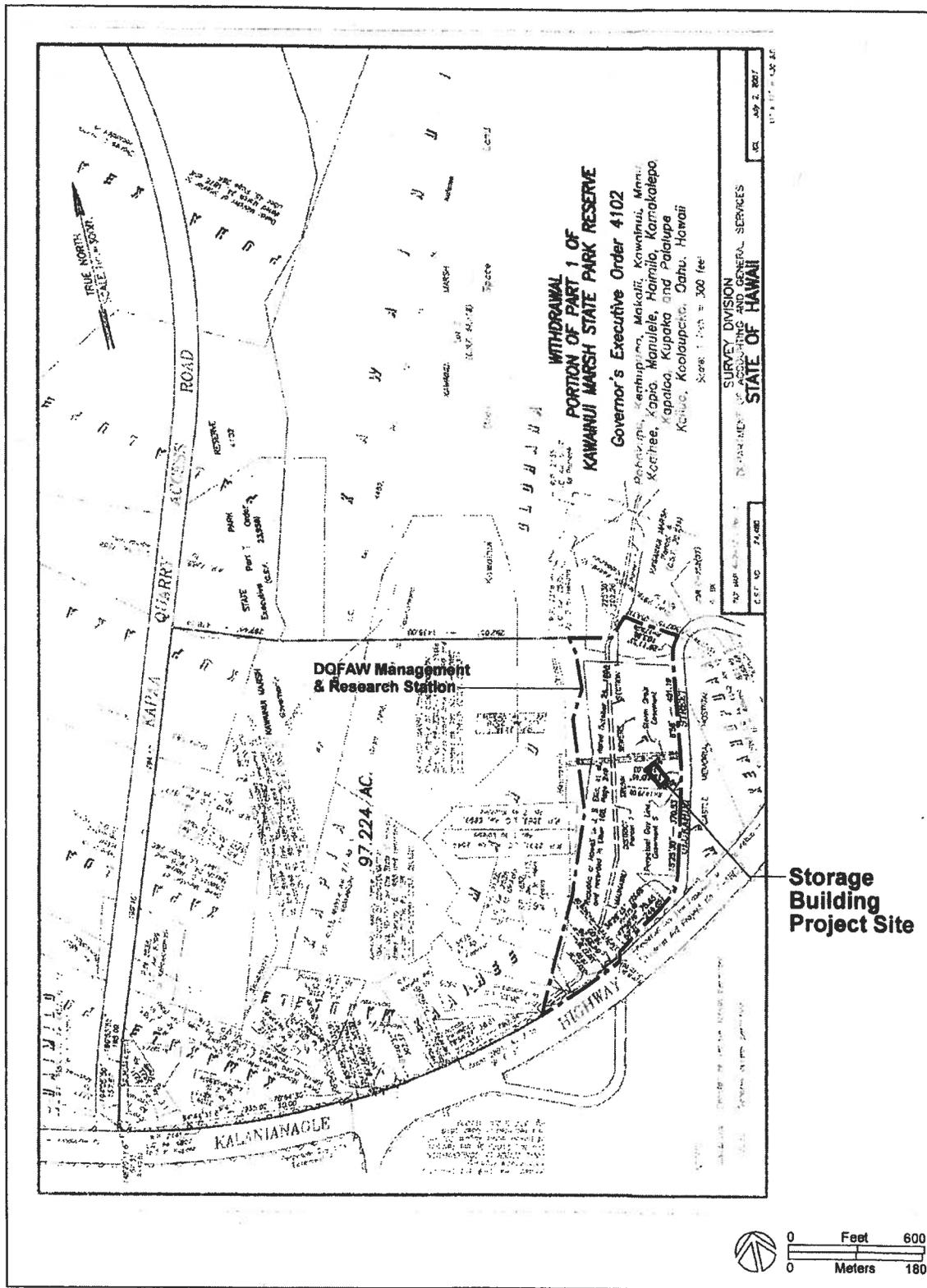
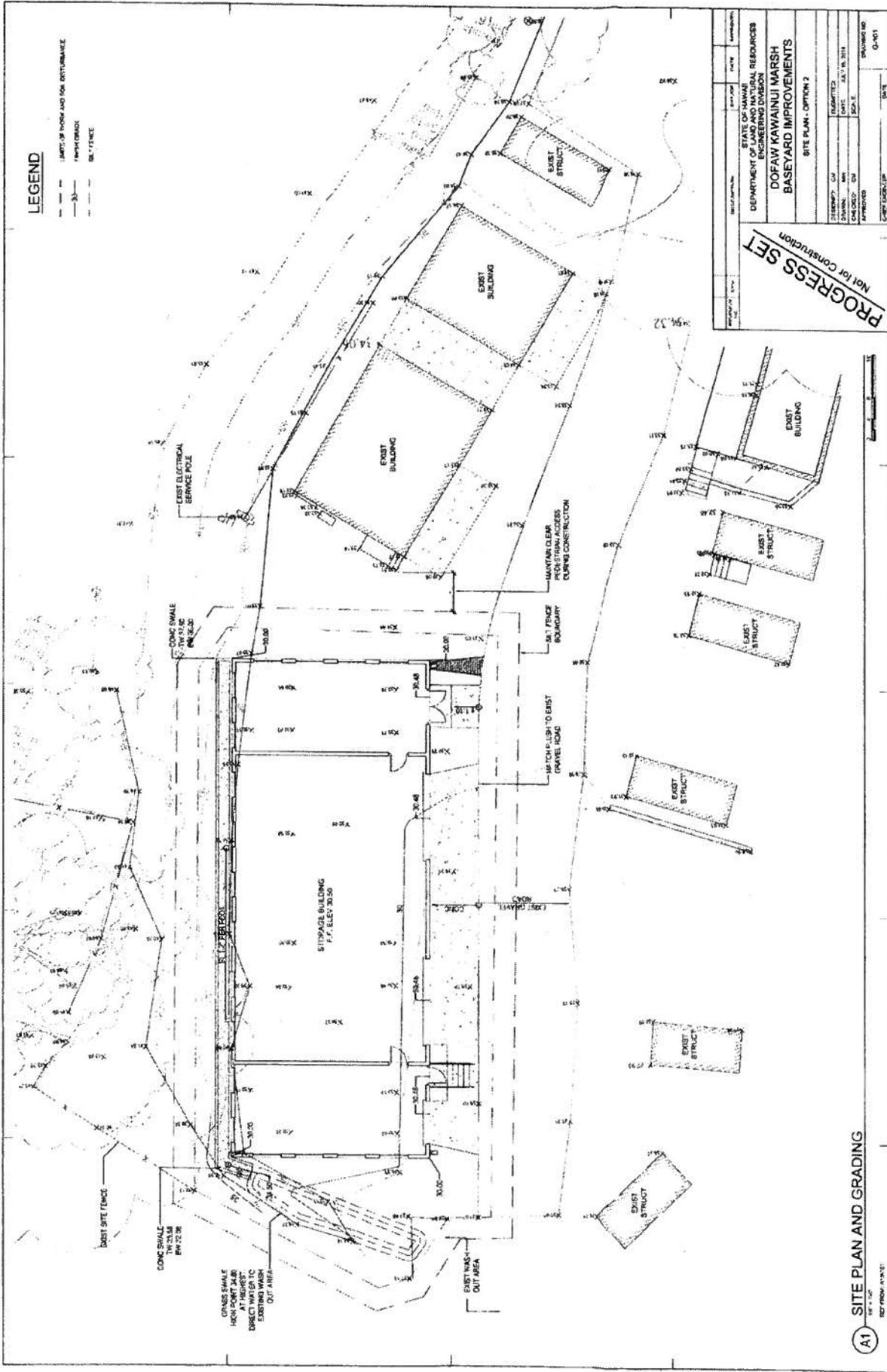


Figure 3
 State Surveyor Map (Parcel 5)

State DLNR, Division of Forestry and Wildlife
 Kawainui-Hāmākua Management & Research Station Storage Building Project
 Kailua, O'ahu, Hawaii

Prepared for:
 State of Hawai'i
 Department of Land and Natural Resources
 Division on Forestry and Wildlife



LEGEND

- LIMITS OF WORK AND FOR DISTURBANCE
- PROPOSED
- EXISTENCE

NOT FOR CONSTRUCTION

STATE OF HAWAII DEPARTMENT OF NATURAL RESOURCES ENGINEERING DIVISION		SITE PLAN - OPTION 2	
DESIGNED BY CHAWA	DATE 01/15/2011	CHECKED BY DM	SCALE
PROJECT NO. 10-00000000000000000000		SHEET NO. 01 OF 01	

**Dofaw Kawaiulu Marsh
Baseyard Improvements**

A1 SITE PLAN AND GRADING
1/15/11
10/27/2010 11:21:21

EXHIBIT B

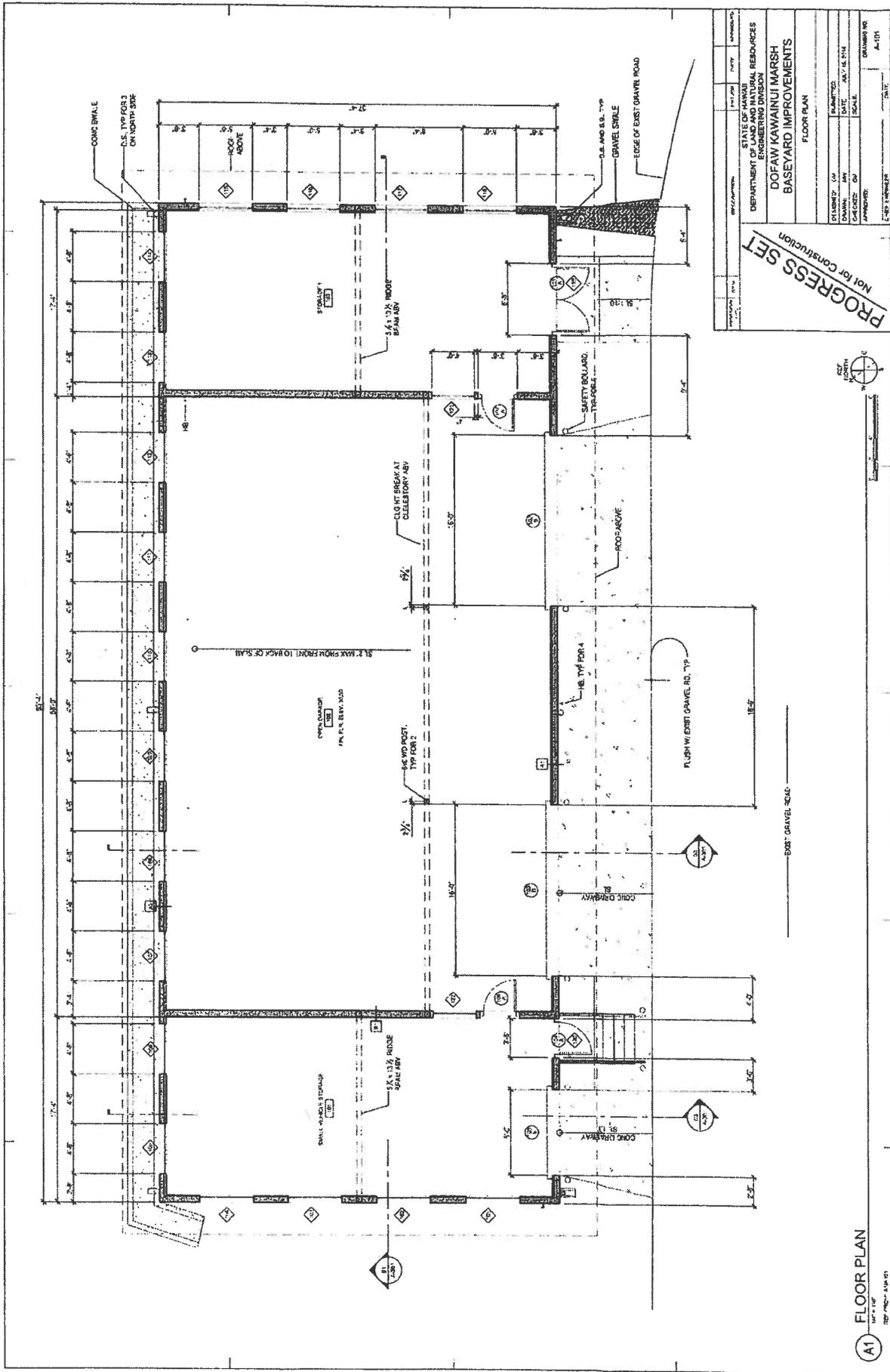
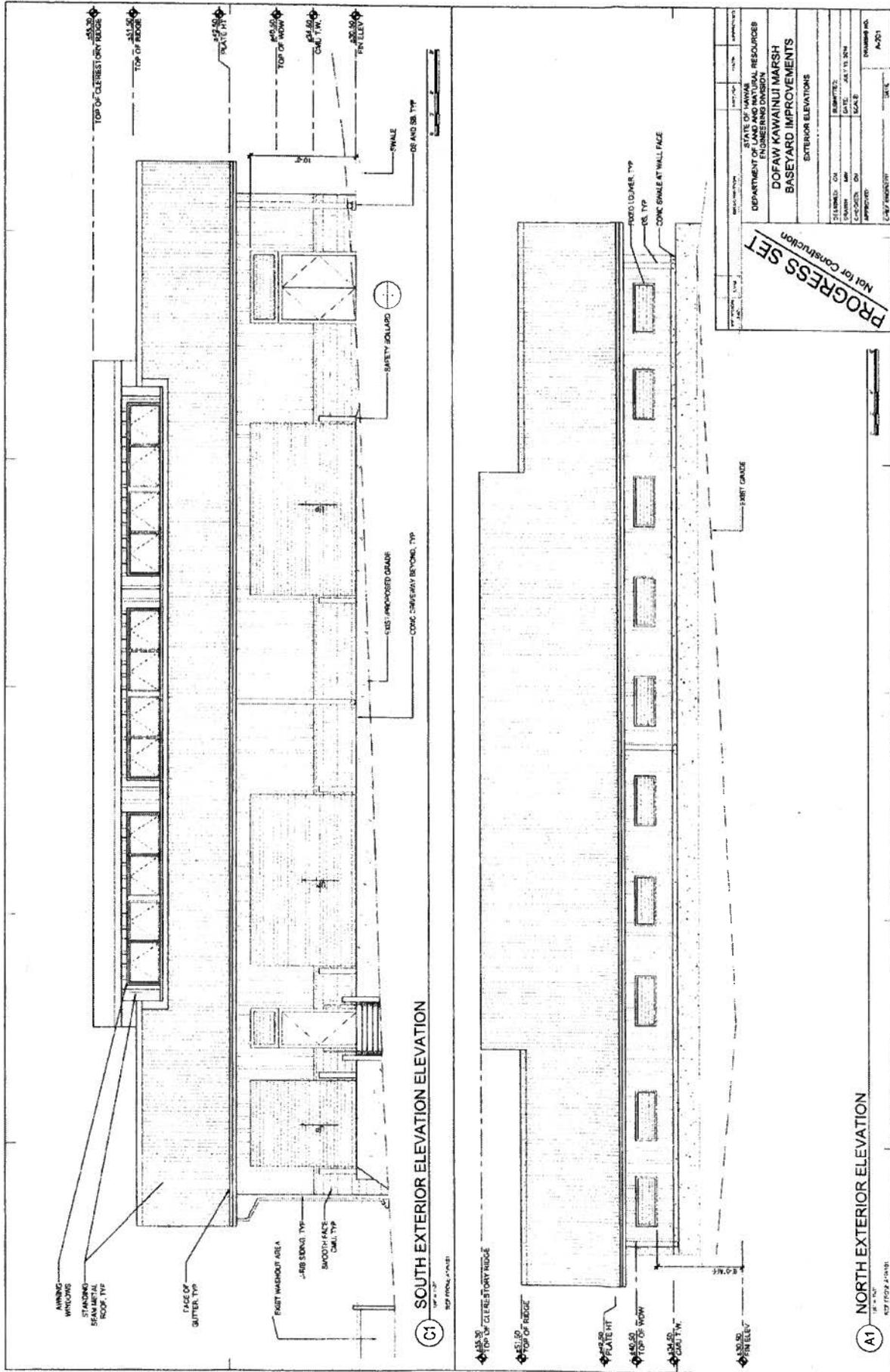


EXHIBIT C



Not for Construction

PROGRESS SET

DESIGNED BY	DATE	SCALE	PROJECT NO.
CHECKED BY	DATE	SCALE	PROJECT NO.
APPROVED BY	DATE	SCALE	PROJECT NO.

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION
**DOFAW KAWAIIKI MARSH
BASEYARD IMPROVEMENTS**
EXTERIOR ELEVATIONS

DATE: 04/11/2014
SCALE: AS SHOWN
PROJECT NO.: A-201
SHEET NO.: 01 OF 01

EXHIBIT D

