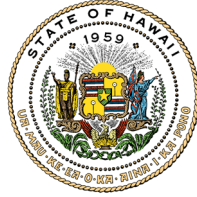


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**STATE OF HAWAII
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DEPARTMENT OF LAND AND NATURAL RESOURCES
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ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

REF: OCCL: TM

CDUA: OA-3991

TO: Mary Alice Evans, Director
Office of Planning and Sustainable Development
Environmental Review Program

A handwritten signature in black ink, appearing to read "R. Kanaka'ole".

July 16, 2026

FROM: Ryan K. P. Kanaka'ole, Chairperson
Department of Land and Natural Resources

Handwritten initials "mc" in black ink.

SUBJECT: Publication of the Final Environmental Assessment (FEA) for the Waterfront Improvements Located at 45-221 Ka Hanahou Circle, Kāne'ohe, O'ahu, Tax Map Key (TMK): (1) 4-5-047:051(seaward)

The Department of Land and Natural Resources has reviewed the FEA and has determined a Finding of No Significant Impact (FONSI) for the proposed construction of a dock and gangway offshore of the subject location within Kāne'ohe Bay. The Draft Environmental Assessment (DEA) was published in the Environmental Review Program's (ERP) February 23, 2026, Environmental Notice.

Comments on the DEA were sought from relevant agencies as well as the public and were included in the FEA along with responses to address those comments. Proposed mitigation measures will avoid, minimize, eliminate or reduce potential impacts on environmental resources. The FEA has been prepared pursuant to Hawaii Revised Statutes Chapter 343, and Hawaii Administrative Rules Chapter 11-200.1.

Please publish notice of this FEA and FONSI determination in the July 23, 2026, edition of The Environmental Notice. Should there be any questions, contact Tiger Mills of our Office of Conservation and Coastal Lands at kimberly.mills@hawaii.gov or at (808) 587-0382.

From: dbedt.opsd.erp@hawaii.gov
To: [DBEDT OPSD Environmental Review Program](#)
Subject: New online submission for The Environmental Notice
Date: Thursday, July 16, 2026 10:49:43 PM

Action Name

Kaneohe Bay Dock - Elhoff Waterfront Improvements

Type of Document/Determination

Final environmental assessment and finding of no significant impact (FEA-FONSI)

HRS §343-5(a) Trigger(s)

- (1) Propose the use of state or county lands or the use of state or county funds
- (2) Propose any use within any land classified as a conservation district

Judicial district

Ko'olaupoko, O'ahu

Tax Map Key(s) (TMK(s))

(1) 4-5-047:051

Action type

Applicant

Other required permits and approvals

Conservation District Use Permit, Dept. of the Army Permit, 401 Water Quality Certification, CZM Consistency Determination

Discretionary consent required

Use of state lands in the conservation district

Agency jurisdiction

State of Hawai'i

Approving agency

Department of Land and Natural Resources

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Is there a consultant for this action?

Yes

Consultant

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Action summary

The proposed project involves construction of a new, private fixed dock and gangway for recreational use at the 45-221 Ka Hanahou Circle residence for the purposes of berthing a sailboat. The proposed rectangular fixed dock would be 30 ft long by 10 ft wide and be constructed of aluminum with an open grating deck. The furthest limit of the structure would be situated approximately 25 ft makai of the mean high-water mark (at the base of the existing seawall) and roughly aligned with the existing 5-ft

bathymetric contour line. Six precast concrete footings measuring 4 ft square would be secured to the ocean floor beneath the dock. Vertical concrete columns would also be pre-cast into the center of each footing to support the dock. The top of the dock would be installed at approximately 5 ft above mean sea level. Access to the dock would be provided by a 14.9-ft-long, 4-ft wide aluminum gangway extending between the dock and a small concrete landing built just mauka of the existing seawall.

Reasons supporting determination

Comments on the DEA were sought from relevant agencies as well as the public and were included in the FEA along with responses to address those comments. Proposed mitigation measures will avoid, minimize, eliminate or reduce potential impacts on environmental resources. The FEA has been prepared pursuant to Hawaii Revised Statutes Chapter 343, and Hawaii Administrative Rules Chapter 11-200.1.

Attached documents (signed agency letter & EA/EIS)

- [2026-07-16_Final-EA_Elhoff-Waterfront-Improvements_Combined_ADA_rev2.pdf](#)
- [OA-3991_FONSI_DLNR-ERP-Publication-Request_rev1.pdf](#)

Shapefile

- The location map for this Final EA is the same as the location map for the associated Draft EA.

Action location map

- [Action-Location-Boundary2.zip](#)

Compliance certification (HRS §368-1.5):

The authorized individual listed below certifies that documents submitted are unlocked, searchable, and compliant with the Hawaii Electronic Information Technology Disability Access Standards (including, but not limited to transcripts, captions, and other descriptions accompanying audio/video files). The individual acknowledges that the submitter retains the responsibility for compliance after documents have been published and any compliance queries will be directed back to the agency and/or applicant.

Authorized individual

Taylor Caster

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Authorization

- The above named authorized individual hereby certifies that he/she has the authority to make this submission.

Final Environmental Assessment

Waterfront Improvements at

45-221 Ka Hanahou Circle, Kāneʻohe, Hawaiʻi

Prepared for:

Department of Land and Natural Resources

1151 Punchbowl St., Room 131

Honolulu, HI 96813

Prepared by:



Integral Consulting Inc.

66-590 Kamehameha Highway, Suite 2A

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July 16, 2026

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Acronyms and Abbreviations

Acronym	Definition
AMM	avoidance and minimization measures
DAR	Division of Aquatic Resources
BLNR	Board of Land and Natural Resources
BMP	best management practice
CDUA	Conservation District Use Application
CFR	<i>Code of Federal Regulations</i>
CZM	Coastal Zone Management
DEA	Draft Environmental Assessment
EFH	Essential Fish Habitat
ESA	Endangered Species Act
GST	green sea turtle
DLNR	Department of Land and Natural Resources
FEP	Fishery Ecosystem Plan
FESA	Federal Endangered Species Act
FMP	fishery management plan
FR	<i>Federal Register</i>
HAR	<i>Hawai'i Administrative Rules</i>
HRS	Hawai'i Revised Statutes
Integral	Integral Consulting Inc.
IPac	Information for Planning and Consultation
MLLW	mean lower low water
MMPA	Marine Mammal Protection Act
MSA	Magnuson-Stevens Fishery Conservation and Management Act
NOAA	National Oceanic and Atmospheric Administration
NMFS	National Marine Fisheries Service
NWHI	Northwestern Hawai'ian Islands
OCCL	Office of Conservation and Coastal Lands
Pac-SLOPES	Standard Local Operating Procedures for Endangered Species in the Central and Western Pacific Region
SE	southeast
SMA	special management area

Acronym	Definition
USACE	U.S. Army Corps of Engineers
USC	<i>United States Code</i>

1. Introduction and Background

This Draft Environmental Assessment (DEA) has been prepared for review by the Department of Land and Natural Resources (DLNR), Office of Conservation and Coastal Lands (OCCL) to support issuance of an authorization to construct a fixed dock and gangway within submerged land in the Conservation District. The Proposed Project is located in Kāneʻohe Bay, Hawaiʻi, and proposes to install a 30 ft by 10 ft fixed dock in shallow waters (above –5 ft mean sea level) within approximately 20 to 25 ft makai of the shoreline. The private dock would serve the residential property located at 45-221 Ka Hanahou Circle and be used for recreational purposes. Included herein is a description of the Proposed Project, including relevant information on the environmental setting, potential impacts, the proposed layout, and general installation and control methodologies that would be implemented to construct the Proposed Project.

1.1. Environmental Review

An action is subject to the environmental review process set forth in Chapter 343, Hawaiʻi Revised Statutes (HRS), Environmental Impact Statements when it hits one of 13 trigger statements identified in HRS 343-5(a). The Proposed Project meets the criteria in Trigger 1 and 2 for an action that:

1. “Proposes the use of state or county lands.”
2. “Proposes any use within any land classified as a conservation district by the state land use commission under chapter 205.”

State Land Use Districts are classified by the State of Hawaiʻi Land Use Commission, which defines the “Resource” Conservation District subzone as including all submerged lands seaward of the shoreline. Because the Proposed Project will be constructed within the Conservation District and the project is not eligible for the general types of actions exempt from environmental review as listed in the statute, an environmental

assessment is required. Based on the preliminary findings in this report, a finding of no significant impact is anticipated.

1.2. Project Site Location

The subject parcel is located on the northeastern side of Oahu Island within the Hawai'i State District of Ko'olaupoko and ahupua'a of Kāne'ohe (Figure 1-1). The parcel is identified by Tax Map Key #1-4-5-047:051, with a street address of 45-221 Ka Hanahou Circle, Kāne'ohe, Hawai'i 96744 (the Site) and is owned by the Michael Elhoff Living Trust. The 10,468 ft² rectangularly shaped parcel is zoned Residential and supports one approximately 2,150 ft² single-family dwelling originally built in 1953. The property is bound to the north by a seawall, which directly abuts the waters of Kāne'ohe Bay. A small, shallow boat slip exists in the northeast corner of the property, and an inoperative boat ramp exists in the northwest corner of the property (Figure 1-2). To the east, south, and west are similarly zoned residential properties supporting single-family dwellings. The property is landscaped with coconut trees, grassy lawn, and native and non-native shrubs (Figure 1-3).

Figure 1-1. Site Vicinity Map



Figure 1-2. Aerial View of Project Area



1.3. Environmental Setting

Kāneʻohe Bay is about 8 miles long by 2.6 miles wide and has an average depth of about 26 ft. It is the largest estuary in the State of Hawaiʻi and is valued for its natural beauty, marine resources, and recreational opportunities. The bay is protected from strong offshore swells by a barrier reef that marks the windward margin of the bay. This protection allows extensive coral reef development within the bay, including patch reefs and fringing reefs along most of the shoreline. The benthic substrate is primarily coral rubble, gray coral mud, and fine coral sands (Jokiel 1991).

In general, the climate in Kāneʻohe is mild and uniform, ranging from 71°F to 77°F with an average temperature of 74°F. Northeasterly trade winds prevail for 80 percent of the time and mean annual precipitation is 83.6 in. per year (Hydrologic Unit 3028, Heʻeia, DLNR 2020). The nearest freshwater body is 0.45 mile south of the Site, Keaʻahala Stream, with a mean daily flow of 3.4 million gallons per day (State of Hawaiʻi 1992).

The project Site is near the southern end of the bay, just west of due south from Moku o Loʻe (Coconut Island) at the base of Puʻu Pahu. The nearshore area fronting the Site was dredged during the late 1940s, allowing deep-water access suitable for a vessel with a draft of up to 5 ft to access the Site. However, isolated coral colonies, some of substantial size, have grown within the navigation channel to elevations greater than –5 ft mean lower low water (MLLW), inhibiting vessel passage in some areas.

1.4. Action Area

The Action Area will be limited to approximately 4,200 ft² of submerged lands immediately offshore of the Site as outlined in red in Figure 1-3. The limits of the Action Area include the proposed dock and associated structures, as well as areas that may be impacted during construction, such as vessel anchoring locations and turbidity curtain enclosures. All in-water construction will be conducted from the ocean as described further in Section 2.

Figure 1-3. Action Area



Conditions within the Action Area were evaluated during a biological survey conducted in 2021 (Appendix A). The survey was conducted along transects of varying lengths within and around the construction area and included an evaluation of coral colonies, including size, color, species, health, benthic cover types, and the number of fish species and rare or invasive species observed.

Depth within the Action Area ranges from 0 to 9 ft MLLW. The near shore benthic floor is characterized primarily by rubble covered in algal turf and sediment, which transitions to fine sand and silt in the deeper parts of the project area. Several isolated coral colonies are also present intermittently along the seafloor, with cover density ranging from 0.7 to 17.3 percent. No rare, endangered, or federally-protected species were observed during the survey. Coral colonies were mostly healthy with no signs of mass

paling or bleaching observed. Figure 1-4 is an oblique aerial photograph from 2021 showing the project site.

Figure 1-4. Aerial View of Marine Environment at the Project Site.



2. Project Description

The following sections describe project details, including objectives, background information, and parameters for work.

2.1. Project Purpose

The purpose of the project is to construct a new, private gangway and dock for recreational use at the 45-221 Ka Hanahou Circle residence for the purposes of berthing a recreational vessel. Details of the Proposed Project including the technical components of the design, location, and construction methods, are included herein. A discussion of the potential adverse effects and available alternatives are also considered.

2.2. Project Overview

Many of the oceanfront properties constructed in Kāneʻohe Bay, including the subject parcel, were constructed with boat slips, boat ramps, piers, docks, moorings, etc. to support the iconic ocean lifestyle renowned in Hawaiʻi during the mid to late 1900s. Over the last 70 years, some of these in-water structures and the associated single-family homes have languished into varying states of disrepair. The Michael Elhoff Living Trust purchased the property at 45-221 Ka Hanahou circle in 2021 and has since been repairing and improving the residence to return the property to livable condition. As part of this effort, Mr. Elhoff is seeking to construct a new fixed dock that would support berthing of a boat at the residence.

Construction of a fixed dock and gangway with open grating was identified as the preferred option, as detailed further in Section 3, Alternatives Analysis. The existing nearshore bathymetry maintains a reasonable depth for navigation from the subject parcel to the open waters of Kaneohe Bay. The area between the navigation channel

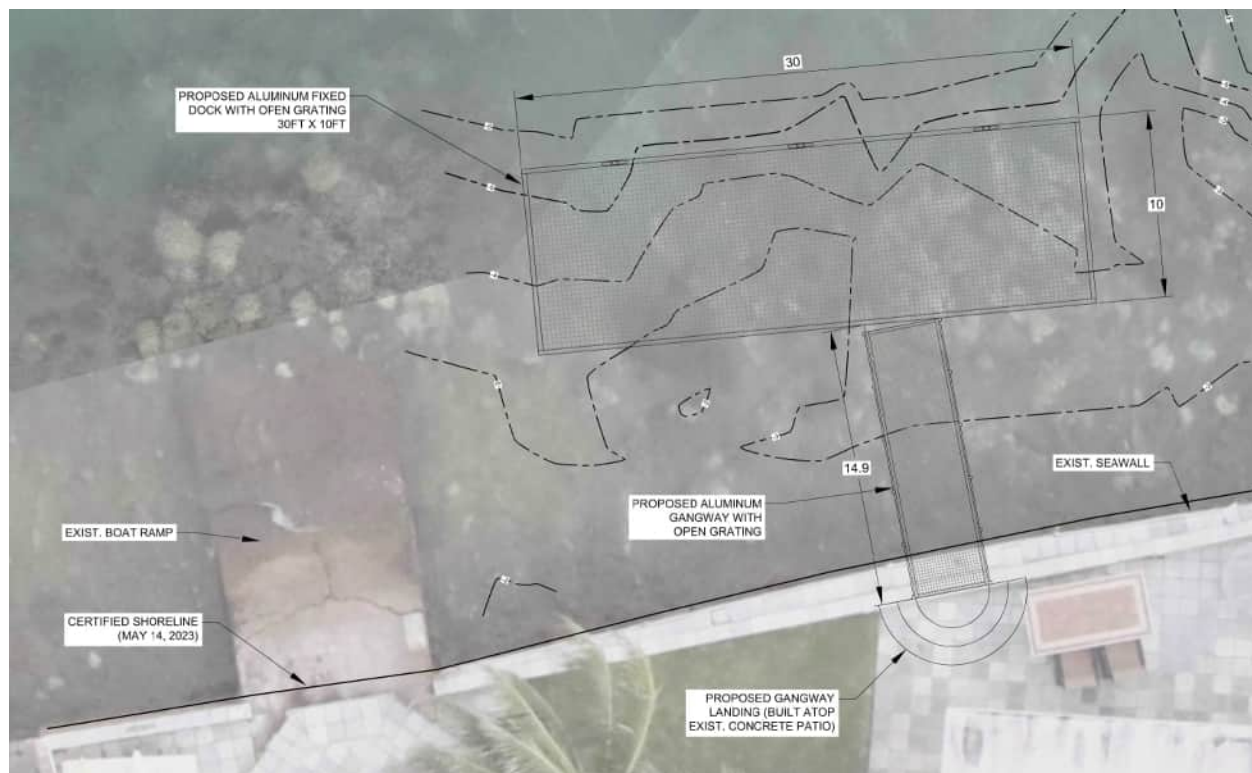
and the shoreline has seen limited recolonization by coral, and the proposed fixed-dock design will not impact any of the isolated coral colonies identified within this area.

2.3. Project Components

The proposed rectangular fixed dock would be 30 ft long by 10 ft wide and constructed primarily of marine grade aluminum with an open grating deck. The structure would be situated approximately 15–25 ft makai of the mean high-water mark (at the base of the existing seawall), with its makai face roughly aligned with the existing 5-ft bathymetric contour line (Figure 2-1). Six precast concrete footings measuring approximately 4 ft² would be secured to the ocean floor beneath the dock. The footings would be secured using screw-in earth anchors such as American Earth Anchors “Penetrator”, or similar, which are not expected to require pre-drilling. The anchors would be screwed into the ground through vertical pvc pipe channels pre-cast into the concrete footings. In addition, 12-in.-diameter concrete pilings would be pre-cast into the center of each footing, which would extend vertically out of the water to support the aluminum dock structure. This footing configuration is depicted in details 1 and 2 on sheet D3 of the permit drawings. The top surface of the dock would be installed at approximately 5.3 ft above MLLW.

Access to the fixed dock would be provided along a 14.9-ft-long, 4-ft-wide aluminum gangway, which will span the gap between the dock and a concrete gangway landing constructed atop the existing concrete patio mauka of the existing seawall. Permit drawings, including plan and section views, are provided in Appendix B.

Figure 2-1. Conceptual Site Layout



2.4. Construction

Mobilization of construction activities would include the installation of best management practices (BMPs) and implementation of avoidance and minimization measures (AMMs) as described herein. These controls include, but are not limited to, providing awareness training to the construction crew, establishing the physical limits of disturbance, and conducting laydown and assembly of turbidity curtains. Only once these controls are in place would any disturbance of the seafloor occur.

Construction of the dock and gangway would be completed using a combination of water- and land-based equipment. A barge or similar vessel capable of navigating the shallow waterways in the project area would be utilized to support the installation of the concrete footings, aluminum dock structure, and fiber-reinforced plastic (FRP) grating. The vessel would be outfitted with a crane, excavator, or similar equipment capable of

preparing the footing locations, lowering the precast concrete footings into place, and installing their associated anchor system. The dock footings have been designed to eliminate the need to drive footings into the seafloor by impact or vibratory methods. The aluminum dock structure and associated appendages would also be lowered into place atop the concrete pilings using the water-based equipment.

To support the gangway and provide access to the fixed dock, a concrete gangway landing would be constructed atop the existing concrete patio located mauka of the existing seawall. The 14.9-ft long, 4-ft-wide aluminum gangway structure would then be lowered into place using water- and/or land-based equipment, and affixed to brackets installed on the dock and gangway landing. Upon the dock's completion, the construction crew will demobilize, ensuring that all construction material and BMPs have been removed.

2.5. Cost and Schedule

A rough order of magnitude estimate was prepared for the Proposed Project to establish an estimation of the level of effort and cost involved in completing the project. The rough order of magnitude estimate evaluated costs associated with planning, design, engineering, implementation of BMPs and AMMs, materials, labor, and construction oversight. The total rough order of magnitude estimate is \$177,500. Prior to construction, all regulatory permits and approvals will be secured. Construction is anticipated to commence in early 2027 and is expected to take less than 1 month to complete.

3. Alternatives Analysis

This section summarizes the alternatives for the project.

3.1. Alternative 1: No Action

The no-action alternative would leave the subject property in its current condition and there would be no environmental impacts associated with this option. However, this alternative does not achieve the project purpose of providing vessel berthing for a recreational vessel.

3.2. Alternative 2: 10- by 40-ft Fixed Dock for 50-ft Catamaran

Alternative 2 represents the owner's original plans for the site, which would involve constructing a larger fixed dock (10 ft by 40 ft) capable of berthing a 50-ft, double hulled, catamaran style sailboat. The larger vessel originally proposed would have required a larger, more robust dock—and several large coral colonies would need to be cleared within the navigation channel and vessel berthing area to accommodate safe access. Several different dock configurations (e.g., fixed dock, floating dock) and sizes were evaluated for this alternative. Due to the risk of destabilizing or damaging aging infrastructure (i.e., the CRM seawall) located at the shoreline, as well as site access constraints that present significant challenges to the mobilization of the type of equipment necessary to drive pilings into the seafloor, this alternative was eliminated from further consideration. The site access constraints include the shallow and narrow navigation channel that leads to the project site from Kāneʻohe Bay, shallow depths within the proposed work area, and landside access limited by a narrow corridor beside the house. Furthermore, driving piles into the seabed in close proximity to nearby structures such as the CRM wall could risk compromising their structural integrity.

Alternative 2 has the greatest overall environmental impacts among the alternatives considered. The overall footprint is larger, extends farther from the shore, and requires

installation methodologies that present a higher risk of physical and environmental impacts. The potential for increased environmental impact also contributed to the decision to eliminate this alternative.

3.3. Alternative 3: 10- by 30-ft Fixed Dock (preferred alternative)

To overcome the site-specific challenges discussed above in Alternative 2, Alternative 3 proposes a non-traditional design involving precast concrete footings placed on the seafloor to support the dock structure. This alternative includes construction of a fixed 10 ft by 30 ft dock and 14.9 ft by 4 ft gangway, as presented in the project description above. This design would allow for ocean access to the property by a small recreational vessel without disturbing existing corals and would result in minimal short- and long-term effects to the environment. Due to site-specific constraints that limit construction means and methods for dock installations at this site, this alternative is also believed to be constructible without causing damage to existing shoreline infrastructure. The gangway landing abutment is proposed to be constructed makai of the certified shoreline. In contrast to Alternative 2, this alternative would not require the relocation of any coral colonies.

To minimize short- and long-term physical and environmental impacts resulting from the installation and future presence of the proposed dock, Alternative 3 (the preferred alternative) has been designed with precast concrete footings that are placed on the seafloor and secured in place with ground anchors. This approach avoids the need to drill or drive support piles or guide piles as is typical with most traditional dock designs. Plumes of sediment generated during pre-drilling and/or pile driving activities can settle on benthic organisms and reduce water clarity over a wide area, resulting in temporary impacts to photosynthetic organisms. Furthermore, traditional pile installation transmits mechanical energy through the ground, which could potentially damage existing structures in the vicinity. The expected physical and environmental impacts associated

with the placement of the 4- by 4-ft concrete footings is more predictable and confined to the placement area.

Furthermore, pile driving and drilling activities are known to produce in-air and in-water sound levels capable of injury or adverse behavioral modifications for marine mammals and other marine life (USACE 2020). These adverse impacts are avoided by utilizing an installation methodology that does not generate harmful levels of noise.

To minimize shading of the seafloor and support colonization of the area under the dock by coral and other flora and fauna, the deck will consist of fiber-reinforced plastic (FRP) grating to allow transmission of sunlight to the ocean floor. The proposed concrete footings will provide the largest surface area suitable for the attachment of stony corals and other benthic organisms among the proposed alternatives. The proposed design will also allow for the dock structure to adapt to rising sea levels in the future by raising the deck. Shoring jacks would be placed between the concrete footings and dock flange beams, the beams would be disconnected from the piles, and the dock structure would be jacked upward. Shims would be inserted, and the beams would be reconnected to the piles using threaded couplers or similar. These mitigation and minimization measures, as well as other environmental considerations specific to this alternative, are described in greater detail within this assessment.

In summary, Alternative 3 is the preferred alternative because it offers a balanced and environmentally responsible solution that meets project objectives while minimizing construction-related and long-term physical and environmental impacts. This alternative avoids traditional pile driving and drilling, thereby reducing the risk of noise-related impacts to marine life, avoiding sediment disturbance, and preventing potential damage to nearby infrastructure. The proposed design is feasible given the site-specific constraints, and also offers long-term adaptability to sea level rise, making it the most sustainable and least disruptive option for achieving safe ocean access at the project site.

3.4. Alternative 4: Restoration of Existing Features

The existing boat launch ramp and boat basin were built in 1953 and originally provided access to Kāneʻohe Bay for small, powered vessels. The shallow launching ramp, located on the northwest edge of the property, extends approximately 16 ft beyond the certified shoreline to a depth of approximately -1.5 ft MLLW. The concrete ramp has been partially colonized by coral over the last 70 years, with multiple coral colonies now covering the end of the ramp beyond the -1.5 ft MLLW contour line. Improvements to the ramp to regain full usability would require significant coral relocation and would not serve the project purpose of berthing a sailboat at the property.

The boat basin is located on the northeast portion of the property and lies inland of the certified shoreline. The limited depths within the boat basin (less than 3 ft) will only accommodate shallow-draft motorboats, with insufficient depth for deeper-draft vessel access. Dredging the boat basin would require significant structural improvements that would be cost prohibitive to the project and cause greater environmental impacts than the proposed fixed dock.

This option does not meet the project objectives. Furthermore, restoration of both features would result in the greatest impact to reestablished coral colonies.

3.5. Alternative 5: Floating Dock

This option would involve installation of a dock with comparable dimensions as Alternative 3, situated in roughly the same location but designed as a floating dock. The floating dock is expected to have greater environmental impacts when compared to the preferred alternative. To avoid contact with the seabed during extreme low tides, a floating dock would need to be located further makai than a similarly dimensioned fixed dock. Typical approaches to securing a floating dock include “stiff arm” mechanical connections to the adjacent shoreline, elastic mooring cables connected to ground anchors or mooring blocks installed in/on the seabed, and guide piles driven into the

seabed. The severity of environmental impacts associated with each of these approaches is driven by their method of installation, as well as their physical size and quantity which scale with the amount of force they are designed to withstand and how each approach transfers these forces between the dock and the shoreline or seabed. Stiff arms would likely experience the highest level of mechanical loading among the three approaches, due to leverage introduced by the necessary distance between the dock and adjacent shoreline. As a result, a suitable design would likely require structural members that are impractically large, and require constructing large concrete deadman anchors within the shoreline setback area. For these reasons, stiff arms are not considered a viable approach.

Guide piles, which must be driven into the ground adjacent to the dock footprint, have also been ruled out due to their associated environmental impacts, previously discussed in Alternative 3.

Given the above considerations, elastic mooring cables anchored to the seabed have been deemed the most appropriate approach to secure the proposed floating dock. Anchorage points for the cables would need to be installed along the seafloor to secure the dock in place and would likely consist of precast concrete blocks of comparable size to Alternative 3, or drilled ground anchors such as helical anchors. Anchoring and mooring systems associated with floating docks are in constant motion, preventing the permanent attachment of stony corals and other benthic organisms. Mooring lines, often consisting of heavy chains, are also prone to drag across the seafloor when slack further preventing benthic colonization over the long term.

While floating docks are attractive for their ease of installation and reduced permitting requirements, these in-water structures have design features that are less desirable from a longevity and maintenance perspective, in addition to the environmental impacts. Floating docks may incur physical damage if water levels exceed design thresholds, such as may be experienced during neap and spring tides, storm surges, and in the case of tsunamis. These docks also have a shorter life span than stationary docks and are more difficult to repair, as they remain partially submerged at all times.

Floating docks can also create greater levels of ambient noise as they croak and groan while flexing and can generate slapping and splashing noises as waves reflect off the partially submerged structure.

3.6. Least Environmentally Impactful Alternative

Alternative 1, No Action, is the least environmentally impactful alternative; however, as described above, this alternative does not achieve the project objectives. Alternative 3 is the Preferred Alternative and is proposed as the design for implementation. This alternative achieves the project purpose and has less environmental impact when compared to the other viable alternatives. The impacts and associated mitigation, minimization, and avoidance measures associated with this alternative are described in greater detail herein.

4. Relevant Plans, Policies, and Controls

The following sections discuss plans, policies, and controls that are relevant to the project.

4.1. Federal Endangered Species Act

The Federal Endangered Species Act (FESA) prohibits the “take” of any wildlife species listed by the National Oceanic and Atmospheric Administration (NOAA) Fisheries or the U.S. Fish and Wildlife Service (collectively referred to as “the Services”) as threatened or endangered, including the destruction of habitat that could hinder species recovery. The Services oversee the implementation of FESA (50 Code of Federal Regulations [CFR] § 402.7, Section 305(b)(4)(B)) and have regulatory authority over listed plants, wildlife, and fish. To remain compliant with FESA, federal agencies, such as the U. S. Army Corps of Engineers (USACE), are required to consult with the Services prior to issuance of a permit if a project may adversely affect a federally listed species. As a part of the consultation, the Services must confirm that a project is not likely to destroy or adversely modify critical habitat.

The Action Area was surveyed for regulated species and habitat, of which none were identified. Three federally listed species (green sea turtle, hawksbill sea turtle, and monk seal) were identified as having the potential to temporarily occur in the immediate vicinity of the project based on the known distribution of these species throughout the Hawaiian Islands. These species may experience low level, temporary impacts during the construction period, and no long-term negative impacts are anticipated. The identified species and associated AMMs are described in greater detail in Section 6.

4.2. Magnuson-Stevens Fishery Conservation and Management Act

The Magnuson-Stevens Fishery Conservation and Management Act (MSA; 16 United States Code [USC] §§ 1801–1884) was passed in 1976 to conserve and manage U.S. fishery resources, prevent overfishing, rebuild overfished stocks, and facilitate long-term protection of Essential Fish Habitat (EFH). The MSA (Section 3) defines EFH as “those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity.” Under the MSA, EFH includes the associated physical, chemical, and biological properties that are used by fish (50 CFR 600.10), and “adverse effect” means any impact that reduces either the quality or quantity of EFH (50 CFR 600.910(a)). The MSA is implemented by regional Fishery Management Councils that work with NOAA Fisheries to develop and implement fishery management plans (FMPs). In the U.S. Pacific Islands, the Western Pacific Regional Fishery Management Council has jurisdiction and is responsible for identifying the EFH for each fishery under its oversight. Section 305(b) of the MSA directs federal agencies to consult with NOAA Fisheries on all actions or proposed actions that may adversely affect EFH to obtain avoidance and minimization consultation as well as conservation and enhancement recommendations. No EFH areas were identified within the proposed Action Area.

4.3. Hawai‘i State Planning Act

All state agencies, including the Office of Planning, are guided by the Hawai‘i State Planning Act, which is a broad policy document that sets the framework for all activities, programs, and decisions made by local and state agencies.

The Hawai‘i State Planning Act was signed into law in 1978 to “improve the planning process in this state, to increase the effectiveness of government and private actions, to improve coordination among different agencies and levels of government, to provide for

wise use of Hawai'i's resources and to guide the future development of the state" (HRS § 226-1). The Act is codified under HRS Chapter 226.

The Act sets forth the Hawai'i State Plan, which is a long-range comprehensive plan that includes the overall theme, goals, objectives, policies, priority guidelines, and implementation mechanisms for the state. The Hawai'i State Plan is organized into three parts:

1. **Overall Theme, Goals, Objectives, and Policies.** Part I lists the state plan's overall theme and goals. Objectives and policies are listed in Sections 226-5 through 226-27. Objectives and policies focus on general topic areas, including population, economy, physical environment, facility systems, and socio-cultural advancement.
2. **Planning Coordination and Implementation.** Part II of the state plan establishes a statewide planning system to coordinate and guide all major state and county activities and to implement the overall theme, goals, objectives, policies, and priority guidelines. The system implements the state plan through the development of functional plans and county general plans. Functional plans, general plans, and the formulation, administration, and implementation of state programs must be in conformance with the state plan (HRS § 226-59).
3. **Priority Guidelines.** The purpose of this part is to establish overall priority guidelines to address areas of statewide concern (HRS § 226-101). This part lays out the overall direction for the state, as follows: "The state shall strive to improve the quality of life for Hawai'i's present and future population through the pursuit of desirable courses of action in five major areas of statewide concern which merit priority attention: economic development, population growth and land resource management, affordable housing, crime and criminal justice, and quality education" (HRS § 226-102).

4.4. Hawai‘i Environmental Rules and Regulations

This section provides an overview of the relevant State rules and regulations that have been considered during the environmental review process.

4.4.1. Hawai‘i State Land Use District

The State of Hawai‘i Land Use Commission regulates land use and classifies state lands into four districts: Urban, Agriculture, Conservation, and Rural. According to the State of Hawai‘i Land Use Commission, the State Land Use of the subject property is designated as Urban, as is the land in the vicinity of the subject property. The Urban District is characterized by city-like concentrations of people and supporting infrastructure on lot sizes that are primarily smaller than one-half acre. The Action Area, which is entirely within submerged waters of the U.S., is classified as Conservation.

OCCL is responsible for overseeing land in the Conservation District. This includes submerged lands out to the seaward extent of the State’s jurisdiction. The Proposed Project takes place on State submerged lands, which are considered a land use within the Resource subzone of the Conservation District. Permits are required in the Resource subzone for marine construction (land use identifier D-1), which is defined in the *Hawai‘i Administrative Rules* (HAR) 13-5-24 as “dredging, filling, or construction on submerged lands, including construction of harbors, piers, marinas, and artificial reefs”. Land uses identified with the letter “D” require a Conservation District Use Area permit approved by the Board of Land and Natural Resources.

4.4.2. Department of Land and Natural Resources, Shoreline Certification

All properties within the State of Hawai‘i that border the ocean must have a certified shoreline established for the purposes of implementing the shoreline setback law and other related laws. The purpose of the certification is to establish that the shoreline is as

shown on the map as of a certain date. The boundary is usually along the upper limit of debris left by the wash of the waves during high tide.

The shoreline for the subject property was established May 14, 2023, by a licensed professional land surveyor (Appendix C) and is the reference line used in the permit drawings included in Appendix B.

The 2023 shoreline certification survey was performed primarily as part of an effort to establish a disposition of State lands for the existing boat ramp and seawall footing, as further described in the next section. The certified shoreline was determined by a licensed surveyor to roughly follow the top edge of the existing boat ramp, along the makai face of the existing seawalls, and across the entrance to the existing boat basin. Because the certified shoreline at this site is fixed by artificial structures which have not been modified since the certification was made, it remains valid per HAR, §13-222-11. The certified shoreline survey will be updated if necessary in order to secure an additional disposition of State lands associated with the proposed dock construction.

4.4.3. Disposition of State Lands

The disposition of State lands is governed primarily by HRS Chapter 171, Public Lands, Management and Disposition, with oversight by the DLNR. Activities in State marine waters require a land disposition, such as a lease, be issued to ensure such activities are in alignment with public interest and do not adversely affect protected resources. DLNR issued a nonexclusive easement for the following existing features at the subject property on May 29, 2025: 1) boat ramp, 2) wall and footing, and 3) wall. This easement was issued to Mr. Michael Elhoff, granting him the “right, privilege and authority to use, repair and maintain the existing boat ramp and concrete wall.” A copy of the easement is included as Appendix D.

The Proposed Project will require a similar disposition from the Board of Land and Natural Resources. This disposition will be secured prior to initiating construction.

4.4.4. Hawai'i Coastal Zone Management

The entire state of Hawai'i is included in the Coastal Zone Management (CZM) area, per the definition of CZM provided in HRS 205-1. Projects affecting any coastal use or resource must be undertaken in a manner consistent with the state's CZM program, which takes into consideration, among other initiatives, public access rights, coastal hazards, effects of climate change, and Hawai'ian traditions and customs. The proposed action is consistent with the objectives and policies of the State CZM:

- **Recreational Resources.** The proposed action will improve existing recreational resources located in the area, as further discussed in Section 5.8 of this report.
- **Historical Resources.** The proposed action will not affect historical resources, as further discussed in Section 5.7 of this report.
- **Scenic and Open Space Resources.** The proposed action will result in minor impacts to scenic and open space resources, as further discussed in Section 5.9 of this report.
- **Coastal Ecosystems.** Impacts to coastal ecosystems, including threatened and endangered species, EFHs, coral, and live rock, are evaluated in Section 4.4.4 and Section 5.4. Minor, temporary impacts to coastal ecosystems are anticipated during construction and will be mitigated by implementing BMPs and AMMs. Long-term, permanent impacts are not expected.
- **Economic Uses.** Implementation of the Proposed Project will not result in any change to economic uses of Kāne'ohe Bay and surrounding area.
- **Coastal Hazards.** Resilience of the Proposed Project to coastal hazards was considered during selection of the preferred alternative and conceptual design of the dock. See Section 5.6. Implementation of the Proposed Project will not exacerbate coastal hazards.
- **Managing Development.** The proposed action is consistent with the objective of improving the development review process, communication, and public participation by undertaking the ongoing environmental assessment process.

- **Public Participation.** Consultation with federal, state, and county agencies is ongoing. Also, local representatives, community associations, and cultural and historical groups have been involved in the consultation. For a complete list of entities included in the consultation process, please refer to Section 7 of this report.
- **Beach Protection.** The Proposed Project is not in proximity to sandy beaches and will have no impact on this resource.
- **Marine Resources.** Water quality may be temporarily impacted at low levels during disturbance of the seafloor (setting and anchoring foundations). See Section 5.2.

Within the CZM program is oversight of the Special Management Area (SMA), which is generally restricted to the narrow band of land within 60 ft of the shoreline. Processing of an SMA Minor Use Permit is done by the City and County of Honolulu, Department of Planning and Permitting. Any development within the SMA requires an SMA Use Permit. The subject property is within this jurisdictional area; however, the actual area of impact, the Action Area, is entirely makai of the certified shoreline with the exception of the gangway abutment. The project would need to demonstrate consistency with the CZM objectives and policies, as outlined above. A Coastal Zone Federal Consistency Determination will also be required.

4.4.5. Coral and Live Rock Rules

The Division of Aquatic Resources, a division of DLNR, sets forth rules on coral and live rock. Under HAR 13-95-70 “it is unlawful to take, break or damage, with any implement, any stony coral from the waters of Hawai‘i.” This rule also pertains to “live rock,” which is defined as any natural hard substrate to which marine life is visibly attached or affixed. Dock footings will be placed such that impacts to coral and live rock are avoided.

4.5. City and County of Honolulu Plans and Policies

This section provides an overview of the relevant County codes that have been considered during the environmental review process.

4.5.1. O‘ahu General Plan

The Revised O‘ahu General Plan (General Plan) was adopted by the City and County of Honolulu to establish general social, economic, environmental, and design objectives to be achieved for the general welfare and prosperity of the population (City and County of Honolulu 2021). The General Plan is the first tier of planning for O‘ahu, with subsequent community development plans providing more specific objectives consistent with the General Plan. The Proposed Project is not in conflict with the objectives and broad policies for land use, development, and socioeconomics set forth in the General Plan. Specifically, the proposed dock will not impede public shoreline access in any way.

4.5.2. Kane‘ohe Bay Master Plan

In conformance with Act 208, Session Laws of Hawai‘i 1990, the Kane‘ohe Bay Master Plan (State of Hawai‘i 1992) was developed to set forth a comprehensive plan for the region. Development of the plan included extensive public participation and resulted in 176 recommendations on a range of topics, including water quality, conservation, commercial and recreational water uses, mooring, and fishing.

Of relevance to the Proposed Project is Recommendation No. 134, which states that, unlike the designated public mooring areas, private facilities should be exempt from the requirement of mooring permits. While this recommendation does not expressly endorse new private residential docks, it seeks to ensure their use is not subject to unnecessary regulations.

The plan does not otherwise address the construction of new private docks in any way. While the plan does support strict limits on permits issued for commercial activities in

the bay, it does not apply to the construction of a private dock that will be utilized for strictly recreational (non-commercial) purposes.

The plan also highlights “the urgent need to address ... the decline of fisheries and coral reefs.” The Proposed Project is consistent with this stated need by implementing the design considerations summarized in Section 3.3, which will minimize impacts to the benthic environment.

4.5.3. Ko‘olau Poko Sustainable Communities Plan

The Ko‘olau Poko Sustainable Communities Plan (Community Plan) was adopted by the City and County of Honolulu as Ordinance No. 17-042 on August 2017 (City and County of Honolulu 2017). There are seven key elements of the Community Plan:

1. Adapt the Concept of Ahupua‘a in Land Use and Natural Resource Management
2. Preserve and Promote Open Space and Agricultural Uses
3. Preserve and Enhance Scenic, Recreational and Cultural Features that Define Ko‘olau Poko’s Sense of Place
4. Emphasize Alternatives to the Private Passenger Vehicle as Modes for Travel
5. Define and Enhance Residential Character While Adapting to Changing Needs
6. Define and Enhance Existing Commercial and Civic Districts
7. Maintain the Community Growth Boundary to Protect Agricultural, Open Space and Natural Resources.

The Proposed Project conforms with the vision set forth by the Community Plan in so far as it maintains the general character of the Ka Hanahou residential community, which commonly promotes ocean access in the form of slips, docks, and boat ramps along ocean front properties. Private docks and piers have been a defining part of the “residential character” along Kāne‘ohe Bay shorelines for more than 100 years. Docks are commonly found in high-density areas, wherever the local bathymetry is suitable to allow access to the deeper waters of the Bay. Within the small Ka Hanahou neighborhood, there are 14 existing piers or dock structures.

The proposed dock will not degrade existing public shoreline access and will enhance the ability for the property owner, a member of the public and a part of the Kāneʻohe community, to access and utilize the shoreline and share that access with his 'ohana. Access to the bay by neighboring boaters will also not be affected, as the dock is not located within the typical navigational access route for any surrounding properties. The singular exception is the neighboring property to the east, the specific access concerns for which are addressed in Section 5.12.

4.5.4. Ka Paʻakai O Ka Aina

Evaluating coastal projects through the Ka Paʻakai framework is an important exercise in the planning process to ensure the consideration and protection of traditional and customary rights of Native Hawaiʻians. This environmental assessment provides information relevant to the consideration of the project within this framework, including discussion of the project's specific setting, historical context, design, and construction approach.

To summarize the aspects of this project relevant to this framework, the existing condition at the proposed dock location is a rocky shoreline dominated by seawalls and completely submerged during most tides. The proposed dock is of modest size (and has been reduced during the planning process) and is not anticipated to impede navigation. The dock has been designed to minimize both short-term (e.g., construction) and long-term adverse environmental impacts. The new, properly designed and permitted space to moor a sailing vessel will enhance the ability for the property owner and his 'ohana to access and enjoy Kāneʻohe Bay.

The entire Ka Hanahou neighborhood is built over what was once Ka Hanahou fish pond. To date, historical research of the area has not identified any ongoing or historical traditional practices that may be disrupted by the Proposed Project. The project team reached out to the Aha Moku for Koolaupoko, Rocky Kaluhiwa, for her input in this regard. In a phone conversation, she did not provide any feedback on the project other

than recommending that we present the project to the Kaneohe Bay Regional Council (KBRC) for their input. This recommendation was followed and the resulting presentation and discussion with the KBRC is provided in section 7.3.8.

4.5.5. County Zoning

The Land Use Ordinance of the City and County of Honolulu (Revised Ordinances of Honolulu §4-12) regulates land uses in accordance with the General Plan and Community Plan by establishing zoning designations that determine design standards for the location, such as height, bulk, size of structures, yard areas, and allowed uses. The subject property and surrounding vicinity are zone Residential-10, which is characterized by single-family dwellings with minimum lot areas of 10,000 ft². Zoning considerations are not relevant for the Proposed Project as there will be no change in land use or modification to the subject property.

4.5.6. City and County of Honolulu

Improvements landward of the certified shoreline may require authorization from the City of Honolulu. Prior to implementation of the project, the City will be consulted to identify any required approvals or authorizations for the 4 ft by 4 ft concrete gangway landing.

5. Project Impacts

A comprehensive evaluation of the potential environmental impacts that may be associated with the Proposed Project and mitigation measures to minimize identified impacts are discussed in detail below.

5.1. Sediment and Geology

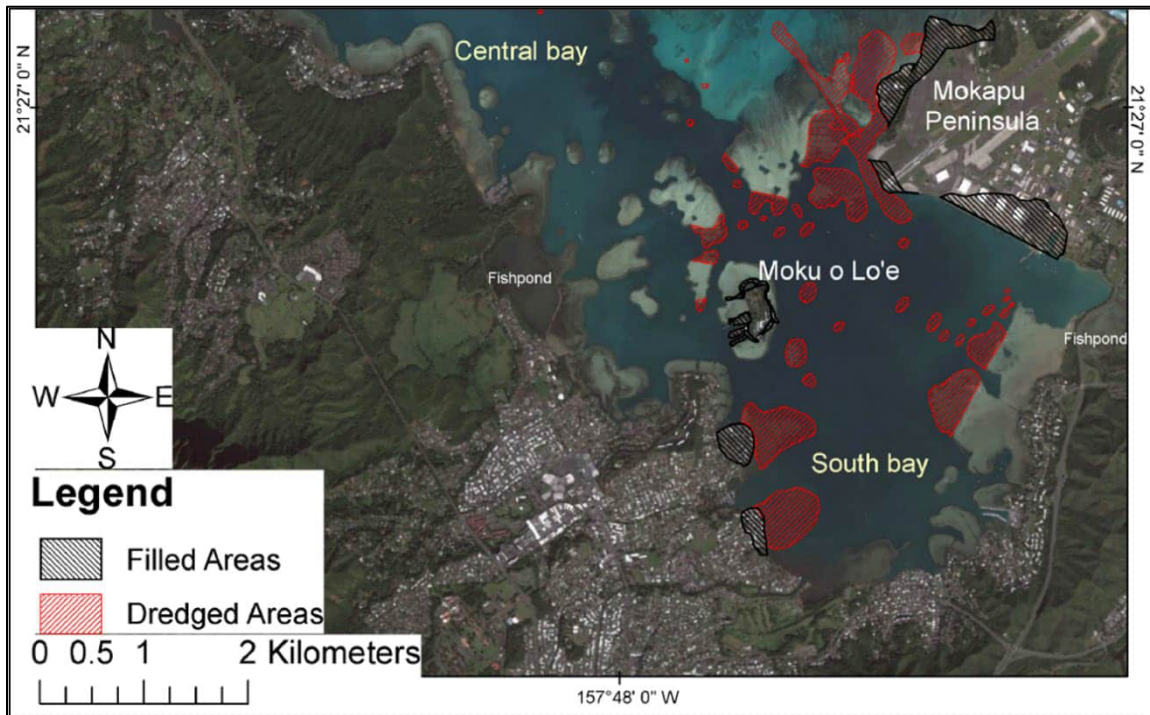
The project site lies within what is considered the Southeast (SE) Inner Bay (Bathen 1968; Smith 1981). This portion of Kāneʻohe Bay has lower salinities than other portions of the bay, due to its semi-enclosed geography, which restricts circulation and the influx of marine waters. Deeper portions of the SE Inner Bay are largely composed of sandy mud, while the nearshore areas are known to have larger concentrations of volcanic soils from land. Moreover, the SE Inner Bay is known to have higher concentrations of terrigenous material deposited from upstream agriculture and urban influence (Jokiel 1991).

The bathymetry within Kāneʻohe Bay and within the Action Area has been significantly modified over the years as a result of historical dredging (Shoreline Science & Engineering 2021):

Dredging and filling activities have drastically altered the geography and ecology of Kāneʻohe Bay over the years. Prior to 1939, dredging was limited to small areas associated with boat landings and piers. During the development of what was then known as the Kāneʻohe Bay Naval Air Station on Mōkapu peninsula (1939-1945), extensive dredging took place throughout the bay (Figure 5-1). These dredging activities resulted in alterations to 88% of the shoreline in the southern portion of the bay (Hunter et. al. 1993). In addition, nine fishponds were filled for land development between 1946 and 1948 (Bahr et al. 2015). The project property at 45-221 Ka Hanahou Circle is built on one of these historical

fishponds. The Kalokohanahou fishpond was filled during the above period and the Ka Hanahou residential development was built in its place in 1952 (Devaney 1982).

Figure 5-1. Historical Dredge and Fill Areas in Kāneʻohe Bay (Bahr et al. 2015)



Aside from the acute square footage lost for piling installment, long-term adverse impacts to sediment and geology of the project area and greater site vicinity are not anticipated. Temporary impacts will primarily stem from minor amounts of turbidity, which would be controlled by the use of turbidity curtains.

5.2. Water Quality

All Kāneʻohe Bay waters are classified as AA by the Hawaiʻi Department of Health, indicating that these waters are to remain in “pristine state as nearly as possible with an absolute minimum of pollution or alteration of water quality from any human-caused source or actions” (HAR 11-54). Each portion of Kāneʻohe Bay assessed within the

2024 State of Hawai'i Water Quality Monitoring and Assessment Report has been denoted as impaired for multiple water quality parameters and each has a "Low" priority.

Long term adverse surface or groundwater impacts are not anticipated. Temporary impacts will primarily stem from minor amounts of turbidity, which would be maintained through turbidity curtains.

Concerning mitigation measures, effects on water quality will be mitigated via implementation of BMPs throughout construction. These BMPs include the installation of pollution prevention devices such as floating turbidity curtains and adherence to recognized good practices during construction including, but not limited to, proper storage of hazardous materials, proper fueling practices, and proper waste storage/collection. These BMPs will be summarized in the pollution and erosion control plan that will be developed for the project as stipulated by the Department of the Army permit that will be issued by USACE.

Moreover, the construction contractor is responsible for applying the General Conditions of Effects of Implementing Standard Local Operation Procures for Endangered Species in the Central and Western Pacific Region (Pac-SLOPES; USACE 2020) during project construction which includes additional practices for the protection of Kāne'ohe Bay waters. General Conditions 12 through 14, pertaining to the protection of Bay waters, are provided in Section 6.3.

5.3. Air Quality

The most recent available State of Hawai'i Annual Summary of Air Quality Data (State of Hawai'i 2022), prepared by the Hawai'i Department of Health, reported Oahu as having met all necessary air quality standards put forth by the National Ambient Air Quality Standards. The air monitoring stations closest to the subject property are Honolulu (1250 Punchbowl Street), Sand Island (1039 Sand Island Parkway), and Pearl City (860 4th Street).

Hawai'i is situated within the northeast trade wind belt and has a consistent presence of east to northeast directional winds (approximately 70 percent of the year). These consistent wind patterns push air contaminants away from the main island and out to the ocean, resulting in reduced residence time for air pollutants.

5.3.1. Fugitive Dust

None of the proposed activities have the potential to generate fugitive dust except for construction of the gangway landing, where small amounts of concrete will be mixed and poured on site. During construction of the gangway, and throughout the project, reasonable precautions shall be taken to prevent the generation of fugitive dust. These measures will align with the general measures set forth by the Hawai'i Department of Health, Clean Air Branch, and be incorporated into the pollution and erosion control plan that will be developed and implemented throughout the project. The pollution and erosion control plan is specified as a mitigation measure in the environmental assessment as General Condition No. 12 in Section 6.2.

5.3.2. Vehicular Emissions

During construction of the gangway landing, there may be a temporary increase in vehicular traffic to the project site. This increase in traffic is comparable to what might be expected during a home renovation project over the course of approximately 1 week or less. Contractors will be instructed to minimize idle time to 3 minutes or less when on site.

5.3.3. Marine Emissions

Additional sources of project-related emissions include a single diesel boat engine and one small, gas-fired mobile generator as sources of air emissions during implementation. Temporary air quality impacts would be comparable to what might result from a household renovation project. Proper employment of BMPs and AMMs

would limit temporary impacts on air quality from project activities. No permanent impacts to air quality are anticipated.

5.4. Terrestrial and Marine Biological

A marine biological survey (Appendix A) was conducted by Shoreline Science & Engineering, LLC. in June 2021 to assess marine resources within the Site vicinity. The benthic communities are composed of common fish, coral, and invertebrate species common to nearshore waters of the Hawaiʻian Islands. No rare, endemic, endangered, or threatened marine species were observed within the Action Area during the survey.

In addition to the biological survey, the potential presence of listed species were also evaluated by reviewing the following sources:

- NOAA Fisheries Listed Species, Critical Habitat, EFH, and Marine Mammal Protection Act (MMPA) species lists (NMFS 2024a)
- NOAA Fisheries Critical Habitat shapefiles
- NOAA Fisheries EFH shapefiles
- NOAA Fisheries EFH Mapper (NMFS 2024b)
- NOAA Fisheries Environmental Consultation Organizer
- IPaC Information for Planning & Consultation
- Existing literature as cited in the text.

The above-listed resources were queried to identify all federal- and state-listed endangered, threatened, proposed, and candidate species, as well as designated critical habitat (defined as habitats determined to be essential for the survival of that species) and EFH. NOAA Fisheries shapefiles were used to map EFH (Appendix E. Essential Fish Habitat Map) and critical habitat (Appendix F. Critical Habitat Map) within the project site.

5.4.1. Terrestrial and Avian Impacts

The Action Area is fully within the aquatic environment and no impacts to terrestrial ecosystems are anticipated. Regionally occurring special-status terrestrial species are not expected to transit the project site due to a lack of suitable habitat and range overlap (Table 5-1).

Table 5-1. Upland Special-Status Wildlife Species—No Potential to Occur

Species	FESA Listing	Listing Citation and Date	Habitat Designation
Hawaiian Hoary Bat <i>Lasiurus cinereus semotus</i>	Endangered	35 FR 16047; October 13, 1970	No Critical Habitat
Band-rumped Storm-petrel, Hawaiian DPS <i>Hydrobates castro</i>	Endangered	81 FR 67786; September 30, 2016	No Critical Habitat
Hawaiian Common Gallinule <i>Gallinula galeata sandwicensis</i>	Endangered	32 FR 4001; March 11, 1967	No Critical Habitat
Alae ke'oke'o, Hawaiian Coot <i>Fulica alai</i>	Endangered	35 FR 16047; October 13, 1970	No Critical Habitat
Hawaiian duck <i>Anas wyvilliana</i>	Endangered	32 FR 4001; March 11, 1967	No Critical Habitat
Hawaiian Petrel <i>Pterodroma sandwichensis</i>	Endangered	32 FR 4001; March 11, 1967	No Critical Habitat
Hawaiian Stilt <i>Himantopus mexicanus knudseni</i>	Endangered	35 FR 16047; October 13, 1970	No Critical Habitat
Newell's Shearwater <i>Puffinus newelli</i>	Threatened	40 FR 44149; September 25, 1975	No Critical Habitat
Short-tailed Albatross <i>Phoebastria albatrus</i>	Endangered	65 FR 46643; July 31, 2000	No Critical Habitat
Ihi <i>Portulaca villosa</i>	Endangered	81 FR 67786; September 30, 2016	No Critical Habitat

No impacts to terrestrial biological resources are anticipated.

5.4.2. Marine Impacts

Potential impacts to the marine environment are evaluated below.

5.4.2.1. Federally Listed Species with No Potential for Occurrence

Because of a lack of suitable habitat and/or lack of range overlap, some of the known regionally occurring special-status species are not expected to occur within the Action Area. The Action Area is limited to the nearshore and shallow water environment, which excludes many of the pelagic, deep-water species (Table 5-2).

The North Pacific right whale calves and mates in coastal waters; however, its presence in Hawai'i is uncommon and is generally understood to be the southern extreme of its typical distribution (Rowntree et al. 1980; Salden and Micklesen 1999; Brownell et al. 2001). Giant manta rays have been documented at shallow depths; however, occurrence in shallow areas is limited to cleaning stations in offshore reefs (O'Shea et al. 2010; Marshall et al. 2011; Rohner et al. 2013). Leatherback, olive Ridley, and loggerhead sea turtles are not known to nest on the Hawai'ian Islands and are rarely observed within Hawai'ian waters (Balazs 1978).

The coral, *Acropora globiceps*, is known to occur in shallow waters. The Action Area has been surveyed for corals and *A. globiceps* were not observed.

Table 5-2. Special-Status Wildlife Species—No Potential to Occur

Species	FESA Listing	Listing Citation and Date	Habitat Designation	Potential to Occur in the Action Area
Blue Whale <i>Balaenoptera musculus</i>	Endangered	35 FR 8491; June 2, 1970	N/A	Not anticipated; pelagic
False Killer Whale – Hawai'ian Insular <i>Pseudorca crassidens</i>	Endangered	79 FR 42687; July 23, 2014	None within the AA	Unlikely; Prefer ≥25 fathom depth
Fin Whale <i>Balaenoptera physalus</i>	Endangered	35 FR 8491; June 2, 1970	N/A	Not anticipated; pelagic

Species	FESA Listing	Listing Citation and Date	Habitat Designation	Potential to Occur in the Action Area
Sei Whale <i>Balaenoptera borealis</i>	Endangered	35 FR 8491; June 2, 1970	N/A	Not anticipated; pelagic
North Pacific Right Whale <i>Eubalaena japonica</i>	Endangered	35 FR 8491; June 2, 1970	N/A	Rare in Hawai'ian waters
Sperm Whale <i>Physeter macrocephalus</i>	Endangered	35 FR 8491; June 2, 1970	N/A	Not anticipated; pelagic
Leatherback Turtle <i>Demochelys coriacea</i>	Endangered	35 FR 8491; June 2, 1970	N/A	Not anticipated; pelagic
North Pacific DPS Loggerhead Turtle <i>Caretta caretta</i>	Endangered	76 FR 58868; September 22, 2011	N/A	Not anticipated; pelagic
Olive Ridley Turtle Pacific DPS <i>Lepidochelys olivacea</i>	Threatened	79 FR 42687; July 23, 2014	N/A	Not anticipated; pelagic
Giant Manta Ray <i>Manta birostris</i>	Threatened	82 FR 2916; January 22, 2018	N/A	Not anticipated; pelagic
Oceanic Whitetip Shark <i>Carcharhinus longimanus</i>	Threatened	83 FR 4153; January 30, 2018	N/A	Not anticipated; pelagic
Coral <i>Acropora globiceps</i>	Threatened	79 FR 53852; September 10, 2014	N/A	Not found in previous surveys

Notes:

- N/A = Not Applicable

5.4.2.2. Federally Listed Species with Potential for Occurrence

Four regionally known special-status species with protected status have the potential to occur within the Action Area. These species are further discussed in the following sections (Table 5-3).

Table 5-3. Special-Status Wildlife Species—Potential to Occur

Species	FESA Listing	Listing Citation and Date	Habitat Designation
Honu, Green Sea Turtle <i>Chelonia mydas</i>	Threatened	81 FR 20057; April 6, 2016	N/A
Honu'ea, Hawksbill Sea Turtle <i>Eretmochelys imbricata</i>	Endangered	35 FR 8491; June 2, 1970	N/A
Koholā, Humpback Whale <i>Megaptera novaeangliae</i>	Protected under MMPA	N/A	National Marine Sanctuary (NOAA Fisheries)
ʻŌlio holo i ka uaua, Hawaiʻian Monk Seal <i>Neomonachus schauinslandi</i>	Endangered	41 FR 51611; November 23, 1976	Critical (Marine, not Terrestrial)

Notes:

- N/A = Not Applicable

The hawksbill sea turtle, humpback whale and monk seal are rarely sighted within waters of the Kāneʻohe Bay, and while these species have the potential to occur within or near the Action Area, it is unlikely. Should these species be observed in proximity of the Proposed Project, work would cease until the animal migrated to a safe distance away. The green sea turtle is frequently observed within the Action Area and the Project **may affect but is not likely to adversely affect** this species.

5.4.2.3. Essential Fish Habitat

EFH, as defined in the MSA, has been identified within the project area. Specifically, the Action Area is managed under two FMPs: the Fishery Ecosystem Plan (FEP) for Pacific Pelagic Fisheries and the FMP for Bottomfish and Seamount Groundfish by the Western Pacific Regional Fishery Management Council. These FMPs identify coral reefs as habitat that provide shelter and sustenance to marine fish. See Appendix E, Essential Fish Habitat Map, for a depiction of EFH throughout the project site and vicinity.

The Proposed Project has been designed to avoid disturbing any of the scattered coral colonies present within the Action Area. No impacts to EFH are anticipated.

5.4.2.4. Critical Habitat

The project site exists within designated critical habitat for the Hawai'ian monk seal. Hawai'ian monk seal critical habitat areas surrounding Kauai, Oahu, Maui Nui (including Kahoolawe, Lanai, Maui, Molokai), and Hawai'i are defined in the marine environment from the water's edge (MLLW) seaward to a 200-m depth boundary, including the seafloor and all subsurface waters and marine habitat within 10 m of the seafloor. Seven islets (near Oahu and Maui Nui) and numerous coastal locations (identified as lines in a separate data set) around the Main Hawai'ian Islands have critical habitat designated from the water's edge into the terrestrial environment where the boundary extends inland 5 m (in length) past the certified shoreline boundary. In locations where critical habitat does not extend inland to the terrestrial environment, the designation boundary is the MLLW line.

Currently, the project site is not utilized as habitat for Hawai'ian Monk Seal as the surrounding area does not offer appropriate landing or foraging habitat; therefore, impacts to Hawai'ian Monk Seal critical habitat are not anticipated.

5.4.2.5. Aquatic Invasive Species

The introduction of invasive marine species to a receiving body of water can irreparably disrupt the native ecosystem resulting in harm to the environment, human health, and the economy. Non-native species introduced to a new environment can quickly spread and overtake an ecosystem, displacing existing species entirely. In severe cases, invasive species can spread within marine environments to the extent that they overtake critical marine infrastructure, clogging intakes and tributaries, and render submerged structures unusable. Furthermore, attempts to eradicate invasive species, once widely distributed, are typically unsuccessful and costly.

Of particular concern are the following species: alien invasive algae (*Kappaphycus spp.*, *Eucheuma denticulatum*, *Gracilaria salicornia*, *Acanthophora spicifera*, *Hypnea musciformis* and *Avrainvillea amadelpha*), coral disease (Montipora white syndrome,

Porites trematodiasis, Porites tissue loss syndrome, and *Porites* spp. and *Montipora* spp. tumors, *Montipora* spp. growth anomaly), orange keyhole sponge (*Mycale armata/grandis*), and snowflake coral (*Carijoa riisei*). The biological survey (Attachment A) identified one species of invasive algae (*Gracilaria salicornia*) and one species of invasive sponge (*Mycale grandis*) at the project site, both of which are identified as species of particular concern. During implementation of the project, care will be taken to avoid the spread of these harmful organisms to other areas of the project site as well as other receiving water bodies through employment of the mitigation measures set forth in Section 5.4.3.2.

5.4.3. Impacts and Mitigation

The Proposed Project may affect but is not adversely affect the following marine resources:

- Green sea turtle
- Hawai'ian monk seal designated critical habitat
- EFH.

5.4.3.1. Cumulative Impacts to EFH

Kāne'ohe Bay has undergone extensive physical alteration over the past century, including dredging of navigation channels, filling of wetlands and shallow reef areas, and shoreline armoring associated with urban and residential development. These activities have resulted in documented reductions in coral cover and nearshore fish habitat.

The proposed private dock represents a small and localized addition to the built shoreline environment. Dock construction will not require dredging, filling, or shoreline modification and will be pile-supported, maintaining water circulation and minimizing shading. Standard BMPs will be implemented to control turbidity and prevent debris release during construction.

Although cumulative impacts from past activities are acknowledged, the incremental contribution of this project to overall bay-wide habitat loss is expected to be negligible. The project is consistent with similar residential docks previously permitted and will comply with applicable conservation and water quality requirements intended to prevent further degradation. The applicant and project team recognize the importance of continued coordination among agencies to manage the cumulative effects of multiple small projects in Kāneʻohe Bay and support any future programmatic or bay-wide studies that may be initiated by resource agencies.

5.4.3.2. Mitigation Measures

The Project design has been substantially revised to avoid and minimize potential impacts to the surrounding marine environment. The applicant now proposes a single fixed dock to accommodate a smaller vessel, and the dock surface will consist of open grating to reduce shading of benthic habitat. To further minimize impacts to the seafloor, the pier has been designed to be supported by six precast concrete footings, which will be carefully lowered into place on the seafloor from the work barge/platform and secured into place with screw-in ground anchors. This methodology has been developed as an alternative to typical, more invasive techniques such as vibratory or impact pile driving. Footing locations have also been redesigned to avoid impacts to existing coral colonies within the Action Area. Based on these design modifications and mitigation measures, the Project is not anticipated to contribute to cumulative adverse effects on the marine ecosystem of Kāneʻohe Bay. Temporary impacts to marine resources will be managed through implementation and adherence to AMMs and BMPs described in Section 6.

The vessels, equipment, and processes involved with implementing the Proposed Project have the potential to mobilize aquatic invasive species within the Bay. To minimize the introduction of harmful species, the following control measures will be followed:

- Equipment will be inspected and disinfected between conducting activities in different areas, to mitigate the spread of disease or parasitic organisms.
- All gear deployed must be visually checked for invasive algae/sponges/other organisms and disinfected with 10 percent bleach solution for 10 minutes before deployment in alternate location between multiple watersheds/distinct reef areas. If gear cannot be bleached, gear must be thoroughly rinsed with fresh water and dried in the sun for 24 hours before deployment in alternate location, sterilized with another viable method, or alternate gear should be utilized.

5.5. Noise

The area immediately inland of the project area is composed of single-family homes and is zoned for residential land use. The existing ambient noise environment is dominated by those sounds expected to be generated during everyday household activities. This may include noise from stereos or radios, televisions, air conditioners, lawn mowers, power tools used during home renovations and demolition, and construction noise from residential home improvement projects. Non-anthropogenic and anthropogenic noise sources from Kāneʻohe Bay also contribute to ambient sound within the project vicinity and can include wind, surface waves and surface scatter, rainfall, wildlife, propellers and boat engines. The project site is also in proximity to the Kaneohe Marine Corps Base (across the bay) and is subject to higher volumes of noise generated by frequent and routine aircraft training exercises.

5.5.1. Ambient Noise

Elevated levels of ambient noise are anticipated during the 1-month construction period due to sound generated by the barge or shallow draft crane vessel that will be utilized to deliver and install structural components of the proposed dock. Continuous sound will be generated from the boat engine and generator while in active use.

Community noise control is overseen by the Hawai'i Department of Health (HAR 11-46) wherein permissible sound levels are established from excessive noise sources including construction activities. Areas zoned for residential, conservation, preservation, public space and open space land use have a maximum permissible sound level specified for daytime activities (7 a.m. to 10 p.m.) of 55 dB as measured at or beyond the property line.

Typical in-air sound levels for activities that would be conducted during implementation of the Proposed Project are as follows (3M 2015):

- Mobile crane: 88 dB(A)
- Gas generator: 58 dB(A)
- Motorboat (at 50 m): 65 dB(A).

Ambient noise may be temporarily elevated during the 1-month construction window and is not expected to have a substantial adverse effect on the community within the project vicinity.

Long-term ambient noise may be generated during structure-environment interactions. This noise would consist largely of deck creaking or rattling, wave slap, boat hulls bumping fenders or piles, and human activity during recreational use of the proposed dock. These noise sources are both continuous (as in the case of wave action and boat bump) and intermittent (as in the case of human activity). In both cases, the level of noise generated is comparable with sounds expected to be generated from natural wave activity or during everyday household activities as described above and does not require mitigation. However, these low to moderate intensity noises can create a nuisance for immediate neighbors. The project owner has proposed to install plastic lumber edges to ensure no hard surfaces contact the deck (see [DocKushion HD](#)) as well as a supplemental dock cushioning system and inflatable buoys (see [Taylor Made Tuff-End Buoys](#)) to help silence boat action against the dock.

Noise is also minimized by design. With a fixed dock alternative (Alternative 2 and 3), ambient noise is minimized when compared to a floating dock of similar size (Alternative 5), primarily because it stays still and sits above the water, so chains and floats don't slap, rub, or rattle.

5.5.2. Underwater Noise

Underwater sound would also be generated during construction activities. Continuous, elevated sound levels from the boat engine and generator would be transmitted through the hull and intermittent, repetitive sounds would be generated while screwing anchors for the dock footings.

Elevated levels of underwater noise can adversely affect fish, sea turtles, and marine mammals within the vicinity of the project area. A study conducted by the California Department of Transportation titled Effects of Sound on Fish (Hastings and Popper 2005) found that exposures to underwater sound signals may result in changes in the hearing capabilities of some fish species or damage to the sensory structures of the inner ear. Exposure of marine mammals to elevated sound levels may result in mortality, temporary or permanent hearing impairment, non-auditory physical or physiological effects, and behavioral disturbances (NMFS 2023).

The level of observable impact to fish and wildlife from elevated levels of underwater noise depends on the intensity and periodicity of the sound generating activity, and attenuation or distance from the source. Furthermore, sounds generated from the Proposed Project must be placed into context with ambient levels of sounds within Kāneʻohe Bay.

Sound impacts are generally characterized based on sound pressure levels on the decibel and hertz frequency scale. Typical noise levels (Horizon 2018) from equipment

that may be utilized during implementation of the Proposed Project include the following continuous sound sources:

- Open skiff vessel 150hp at 5 knots: 75 dB(A)
- Generator: 58 dB(A)
- Crane, Derrick: 88 dB(A)
- Excavator mounted rotary drill: 110 dB(A).

Intermittent noise that is short in duration and higher in intensity is not expected to be a source of underwater sound during construction of the Proposed Project.

Marine mammals are not anticipated to be within the vicinity of the project except for the rare occurrence of the monk seal. Therefore, noise impacts to fish and sea turtles are of primary concern. Generally, smaller industrial activities do not meet the noise threshold for harassment or take of marine organisms as defined by the National Marine Fisheries Service, which has established sound thresholds for higher impact activities such as dredging, pile driving, and large-scale drilling operations. The most significant sources of underwater noise expected at the Site are sounds associated with vessel operation and rotary drilling. These activities are expected to be of short duration and frequency. Vessel operations will generate noise daily during transit to and from the Site for a total of 1 hour and drilling operations are anticipated to occur for 4–6 hours per day for no more than 3 days in total.

Based on the short duration (1 month) of construction and minimal number of days where moderate sound generating activities will occur, the Proposed Project is not expected to have a substantial adverse effect on underwater noise in the project vicinity. Furthermore, the dock footings have been designed to eliminate the need for direct or vibratory pile driving, an activity commonly known to generate noise levels that can affect marine mammals and fish.

To limit exposure to noise and minimize adverse effects on biological receptors, the following noise reduction mitigation measures shall be employed:

- Turn off boat engine when anchored.
- Limit travel speed to less than 6.8 knots.
- Observe Pac-SLOPES mitigation measures and BMPs (Section 6).
- If marine mammals are observed in proximity to the Action Area, stop work.

5.6. Light

Artificial lighting near the shoreline can disorient and disrupt the behavior of marine wildlife, such as sea turtles, fish, crabs, and birds. The disruption of their natural rhythms can have long-lasting consequences on their survival and population dynamics. To minimize the need for artificial lighting during construction, construction activities will be limited to occur during daylight hours.

New permanent lighting associated with the dock project will be limited to what is necessary for safe navigation and dock access. Lighting will be “wildlife friendly”: fully shielded, pointed downward, and long-wavelength (amber or warm-colored). Lights will be turned off when not necessary and the use of automatic sensors or timers will be utilized where practical to minimize the duration of operation..

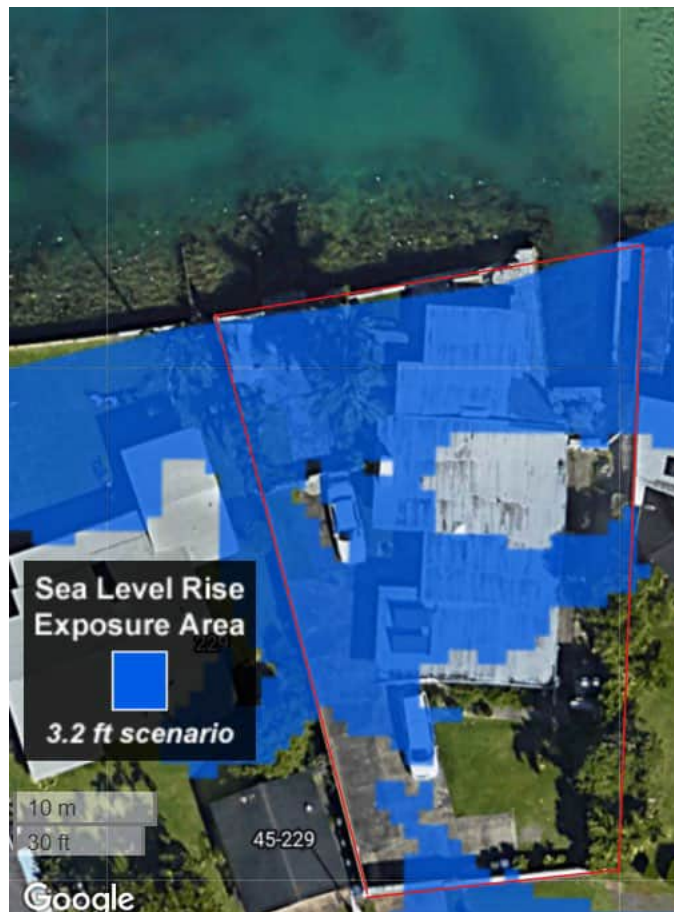
5.7. Coastal Hazards and Sea Level Rise

The project site is sheltered by a shallow fringing reef directly to the east and west, and Moku o Lo’e (Coconut Island) directly to the north, which limit the impact of coastal storms that may generate wind waves across Kaneohe Bay. The anchor design for the docks concrete footings will be engineered to withstand anticipated potential storm conditions, by a qualified marine/coastal engineer that is a licensed professional engineer in the state of Hawai‘i.

As opposed to floating docks, the deck elevation of a fixed dock is critical to ensuring safe vessel boarding during both high and low tide conditions. The proposed dock surface elevation is planned to be at approximately +5.3 ft MLLW, which is appropriate for present day tidal ranges. The design of the proposed dock will allow it to be modified/raised to adapt to future sea level rise. The City and County of Honolulu Climate Change Commission has recommended a planning benchmark of 3.2 feet of sea level rise; however, in this case accommodating 3.2 feet of sea level rise at initial construction would detract from the safe and effective use of the dock in present conditions. Ensuring the dock design allows for adaptation to potential future sea levels has been determined to be a more appropriate approach. The proposed design will allow for the dock structure to adapt to rising sea levels in the future by raising the dock. Shoring jacks would be placed between the concrete footings and dock flange beams, the beams would be disconnected from the piles, and the dock structure would be jacked upward. Shims would be inserted, and the beams would be reconnected to the piles using threaded couplers or similar.

Figure 5-2 below shows a screenshot of the Sea Level Rise Exposure Area (SLR-XA) as presented in the State of Hawai'i Sea Level Rise Viewer (the Viewer). The SLR-XA exposure area is meant to estimate a comprehensive future coastal hazard exposure zone, combining the potential impact areas of Passive/tidal flooding, Annual High Wave Flooding, and Coastal Erosion. The Viewer does not provide annual high wave flooding and coastal erosion estimates for any shoreline within Kaneohe Bay. Thus, the SLR-XA shown is equivalent to the estimated hazard area for passive flooding only. The presence of the dock is not expected to exacerbate the SLR-XA, and any hazards presented to the dock itself may be mitigated by modifying/raising the dock.

Figure 5-2. Exposure Area for a 3.2-ft Sea Level Rise Scenario



5.8. Historic, Archaeological, and Cultural Resources

The area immediately inland from the project site was historically a Hawai‘ian fishpond called Kalokohanahou (Figure 5-3), reportedly (Tinker 1939) in use until at least 1939. The pond was eventually filled and developed in the late 1940s during development of the Kaneohe Bay Naval Air Station (see Section 5.1). Remnants of the original fishpond walls are not known to exist within or near the project area and may have been removed or buried when the area was filled. Shallow excavations for footings in the submerged areas below the proposed dock are not expected to encounter any historic or archaeological resources. There are no other historic, archaeological, or cultural resources known to exist within the project vicinity.

No impacts to historic, archeological, and cultural resources are anticipated.

Figure 5-3. 1930s Photograph of Kalokohanahou Fishpond
(Hawai'i State Archives)



5.9. Recreation

Construction activities within the Action Area are not anticipated to block regular navigation of Kāneʻohe Bay. Transit of work vessels to and from the project site is not expected to impact recreation in the area beyond that which is typical of any transiting vessel.

There is no public shoreline access in close proximity to the Site and no public paths along the shoreline in this area. Swimmers and divers may approach the Action Area from the ocean; however, without a dedicated public access point nearby recreational

uses of this nature are likely limited to residents of neighboring properties. Impacts to swimmers and divers are not anticipated during construction of the dock.

5.10. Scenic and Aesthetic Resources

Impacts to scenic and aesthetic resources during construction are expected to be temporary and limited to the work vessels and equipment that are staged in the project area. The completed dock structure, considering its low proposed elevation, will not restrict scenic views of Kāneʻohe Bay for most of the surrounding area. The dock, piles, and boat (when docked) may have low visual impacts to properties immediately adjacent to the project site. However, given that the dock is offset from the neighboring properties' view plane (the dock is located immediately in front of the project owner's property), any obstruction of view would be partial. Furthermore, the aesthetics of the proposed dock structure are expected to be consistent with what is typically seen along the shoreline of other properties in the bay.

5.11. Public Infrastructure and Services

No public infrastructure or services are expected to be impacted by the project. No public utilities are known to exist within the Action Area. Vessels that may be used during construction of the Proposed Project may be launched and hauled out at the Heʻeia Kea Public Boat Harbor, which is a public facility managed by DLNR. No impacts from launching and hauling out are expected beyond what is typical at the facility.

5.12. Public Access

Public access to Kaneohe Bay from neighboring properties or public shoreline accesses will not be adversely impacted by the Proposed Project. The proposed dock location is not within the typical navigational route of any neighboring boaters to the west of the subject property or near any public access locations. There are 1-2 properties to the

east of the subject property that may be reasonably expected to share existing navigational area with the Proposed Project. Access to areas east of the subject property is currently achieved by either of two routes:

1. Entering the primary navigation channel located off the western edge of the subject property, then transiting east parallel to the existing shoreline/seawall. This route is approximately 40 feet wide at its narrowest point under existing conditions, with depths exceeding 5 feet throughout.
2. Entering a shallow-draft entrance channel located approximately 50 feet NE of the primary navigation channel and marked with a PVC channel marker. This shallow-draft channel is roughly 12.5 feet wide with depths exceeding 3 feet throughout, and provides a more direct route to the areas east of the subject property. Although this route is considered “shallow-draft” relative to Route #1, it is deeper than the navigable areas east of the subject property that it serves, where typical depths are shallower than 3 feet.

Based on the proposed dock location and size proposed in the preferred alternative, the proposed dock will not adversely impact safe navigation. Accounting for the proposed dock and a vessel with an 8.5-ft beam located alongside it, surveys performed by Integral Consulting Inc. (Integral) confirm that approximately 32 ft of unrestricted navigable width will remain through route #1. Navigation through Route #2 will not be impacted by the proposed project. See Figure 5-4 for a visual representation of navigation channels surrounding the project site.

EXIST. PVC CHANNEL MARKER

APPROX. REEF HAZARD AREA

SHALLOW DRAFT ACCESS CHANNEL
12.5FT WIDE, 3FT MIN DEPTH

UNRESTRICTED ACCESSWAY
32FT WIDE, 5FT MIN DEPTH

EXISTING NAVIGATIONAL ROUTE FOR
NEIGHBORING PROPERTIES TO THE
WEST (NOT IMPACTED BY THIS PROJECT)

FORCE 21 POWERBOAT
21FT X 8.3FT
(FOR EXAMPLE ONLY)

PROPOSED ALUMINUM
FIXED DOCK 30FT X 10FT

APPROX. REEF
HAZARD AREA

HMB BOAT SLIP
2.3FT MIN DEPTH

Integral Consulting Inc.

5.13. Land Use and Ownership

Oahu is divided into eight planning areas, each of which has a Development Plan or Sustainable Communities Plan adopted by City Council ordinance. The Ko'olau Poko Sustainable Communities Plan dated August 2017 designates the project area as “low density residential” land use, projected to have limited future population growth, and experienced an average annual population decline of approximately 0.2 percent between 2000 and 2010 (City and County of Honolulu, 2017). The Proposed Project does not conflict with maintaining a low-density residential neighborhood in that it will only be serving the single property owner.

6. Avoidance and Mitigation Measures

Measures that will be taken to mitigate and minimize adverse impacts described in previous sections are provided below.

6.1. Applicable Pac-SLOPES Measures

Four federally listed species have the potential to occur onsite or within vicinity of the project: the Humpback whale, Hawai‘ian monk seal, green sea turtle, and hawksbill turtle.

The Effects of Implementing Standard Local Operation Procures for Endangered Species in the Central and Western Pacific Region (Pac-SLOPES) on Endangered Species Act (ESA)-Listed Sea Turtles and Marine Mammals, dated July 2010 (NMFS 2010) provides AMMs to minimize or eliminate the possibility of “take” of these species during the project. Relevant AMMs from Pac-SLOPES are provided below. Some measures deemed irrelevant to the proposed project have been removed for brevity.

6.2. General Conditions

The construction contractor would apply the following set of general conditions during implementation of the project:

1. The Corps will retain the right of reasonable access to projects authorized under Pac SLOPES to monitor the compliance with and effectiveness of permit conditions.
2. For in-water work where ESA corals may occur, structures and substrate that could be affected by the proposed activity must be surveyed by personnel qualified to identify ESA listed corals. Where divers are to be used, before entering the water, all divers shall be made aware of ESA-listed corals, and the requirement to avoid contact with the corals while performing their duties. This

shall include taking measures to avoid kicking corals with fins and to secure dive and survey equipment in a manner that will prevent the equipment from being dragged across the substrate.

3. To minimize impacts to coral larvae, notably the listed species covered in this programmatic consultation, the permittee shall avoid in-water work during mass-coral spawning times or peak coral spawning seasons June 1 to September 30 if practicable. The Corps must consult with the NMFS biologist to determine the period and dates when coral spawning will occur for the given year.
4. Constant vigilance shall be kept for the presence of ESA-listed marine species (sea turtles, marine mammals, sharks, rays) during all aspects of the proposed action.
5. A responsible party (i.e. permittee/site manager/project supervisor) shall designate an appropriate number of competent trained observers to survey the areas adjacent to the authorized work area (i.e. proposed action) for ESA-listed marine species. The competent observer will not be simultaneously engaged in any other activity (e.g. captaining, operating equipment, etc.).
6. Surveys shall be made prior to the start of work each day, and prior to resumption of work following any break of more than one half hour. Additional periodic surveys throughout the work day are strongly recommended.
7. All work shall be postponed or halted when ESA-listed marine species are within 50 meters (54.7 yards, 164 feet) of the proposed work, and will only begin/resume after the animals have voluntarily departed the area. a. If ESA-listed marine species are noticed within 50 meters (54.7 yards, 164 feet) after work has already begun, that work may continue only if, in the best judgement of a biologist, the activity will not adversely affect (i.e. disturb or harm) the animal(s). For example: divers performing underwater work (excluding the use of toxic chemicals) such as surveys would likely be permissible, whereas operation of heavy equipment is not.
8. Project-related personnel shall NOT conduct activities resulting in a take of an ESA-listed species, a species proposed for listing, or listed or proposed critical

habitat. “Take” as defined under the ESA means “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct”. Activities that would qualify as take include attempting to disturb, touch, ride, feed, or otherwise intentionally interact with any protected species.

9. Sensitive resource areas, such as corals, coral reefs and seagrass beds known to occur within a project area must be identified on project figures. Project staff must be instructed to avoid the sensitive resource areas to the greatest extent practicable, including avoiding anchoring in these areas, flagging the areas if appropriate, and securing all in-water equipment in a manner that will prevent the equipment from being dragged across the substrate.
10. Project construction must cease under unusual conditions, such as large tidal events and high surf conditions, except for efforts to avoid or minimize resource damage.
11. When a diver is involved in the action, the diver will do their best to avoid ESA-listed species. If an animal traverses within 50 m, however, the diver will take into account his/her own personal safety. The diver will report the interaction via the reporting requirement in BMP A 13.
12. If an ESA-listed species is adversely affected as a result of the project, all work must stop until coordination with the Corps and NMFS has been completed.
13. Reporting
 - a. Any monk seal sightings:
 - i. At the time of observation, the observer will report the sighting to the NOAA Statewide Hawaii Marine Wildlife Hotline at 888-256-9840. The observer will be prepared to provide information to the hotline operator about the sighting location and other site-specific information to help the operator determine the most appropriate response, if any.
 - ii. The observer will email documentation of Hawaiian monk seal sightings (e.g., photos, video, reports, etc.) to: pifsc.monksealsighting@noaa.gov, with the subject line indicated as: “Monk seal sighting documentation per Pac SLOPES ESA section 7 consultation.” Documentation will always

include the specific sighting location and the contact information of the reporting party.

- b. Observer logs. All interactions with listed species must be documented and reported to the Corps and NMFS in monitoring logs.
 - i. Monitoring logs shall be completed daily. If no ESA-listed species are observed, the observer will record “0” in the daily report.
 - ii. The monitoring logs will be submitted in a digital and queryable format to NMFS reporting contact(s), with the following information:
 - (1) Total hours and dates of monitoring,
 - (2) Identification of which ESA species were observed and in what location and circumstances, including date, numbers of individuals of species observed, the outcome of the species observance relative to the authorized project, and any factors which may have affected visibility
 - (3) If applicable, observed ESA species behaviors and movement types relative to the project activity at time of observation
 - iii. All monitoring logs must be submitted to the NMFS within 90 calendar days of the completion of the project. The Corps will provide final reports to NMFS as part of the annual report.

As requested by DAR, additional BMPs shall be employed to prevent and mitigate harm to marine organisms:

- 1. Structures and components that create an entanglement hazard will be minimized.
- 2. All staff working onsite will receive training to recognize the Hawai’ian monk seal and sea turtles, as well as learn the necessary procedures to follow if these species are observed.
- 3. Any interaction between a protected species and the construction and repair activity proposed should be reported to the NOAA Protected Species Division and State of Hawai’i DOCARE: NOAA Marine Mammal Response Coordinators (Oahu): (808) 220-7802; NOAA Sea Turtles (Oahu): Monday-Friday, 7:30 a.m.–4

p.m. NOAA National Marine Fisheries Service - PIFSC Marine Turtle Biology and Assessment Program: (808) 725-5730.

6.3. Pac-SLOPES Special Conditions

The Pac-SLOPES biological evaluation also evaluates impacts from specific activities that can be reasonably expected to interact directly or indirectly with ESA-listed species. The following activity-specific BMPs may apply to the project.

6.3.1. Pac-SLOPES BMP 5.1. Collision with Vessels

BMPs for potential impacts to listed species from vessel operation within marine waters are as follows:

1. Vessel operators shall alter course to remain at least 100 yards from whales, and at least 50 yards from other marine mammals and sea turtles.
2. Vessel operators shall reduce vessel speed to 10 knots or less when piloting vessels in the proximity of marine mammals, and to 5 knots or less when piloting vessels in areas of known or suspected turtle activity.
3. If approached by a marine mammal or turtle, the vessel operator shall put the engine in neutral and allow the animal to pass.
4. Vessel operators shall not encircle or trap marine mammals or sea turtles between multiple vessels or between vessels and the shore.

6.3.2. Pac-SLOPES BMP 5.2. Direct Physical Impact

Direct physical impacts to listed species are mitigated through implementation of the following BMPs:

1. Before any equipment, anchor(s), or material enters the water, a responsible party (i.e., permittee/site manager/project supervisor) shall verify that no ESA-listed species are in the area where the equipment, anchor(s), or materials are

expected to contact the substrate. If practicable, the use of divers to visually confirm that the area is clear is preferred.

2. Equipment operators shall employ “soft starts” when initiating work that directly impacts the bottom. Buckets and other equipment shall be sent to the bottom in a slow and controlled manner for the first several cycles before achieving full operational impact strength or tempo.
3. All objects lowered to the bottom shall be lowered in a controlled manner. This can be achieved by the use of buoyancy controls such as lift bags, or the use of cranes, winches, or other equipment that affect positive control over the rate of descent.
4. Equipment, anchor(s), or materials shall not be deployed in areas containing live corals, sea grass beds, or other significant resources.

6.3.3. Pac-SLOPES BMP 5.3. Entanglement

1. BMPs for potential impacts to listed species from entanglement within marine waters are as follows: Mooring systems shall employ the minimum line length necessary to account for expected fluctuations in water depth due to tides and waves.
2. Mooring systems shall be designed to keep the line as tight as possible, with the intent to eliminate the potential for loops to form.
3. Mooring lines shall consist of a single line. No additional lines or material capable of entangling marine life may be attached to the mooring line or to any other part of the deployed system.
4. Mooring systems shall be designed to keep the gear off the bottom, by use of a mid-line float when appropriate, with the intent to eliminate scouring of corals or entanglement of the line on the substrate.
5. Any permanent or long-term deployments shall include an inspection and maintenance program to reduce the likelihood of failures that may result in loose mooring lines lying on the substrate or hanging below a drifting buoy.

6. Mooring systems, including those used for temporary markers, scientific sensor buoys, or vessel moorings, shall be completely removed from the marine environment immediately at the completion of the authorized work or the end of the mooring's service life. The only exceptions to this rule shall be mooring anchors such as eyebolts that are epoxied into the substrate and which pose little or no risk to marine life.

An additional BMPs shall be employed to prevent and mitigate entanglement of marine organisms as requested by DAR—namely, in-water structures or components that may potentially cause entanglement during operations (e.g., loops, holes, slack lines) shall be minimized to the extent feasible.

6.3.4. Pac-SLOPES BMP 5.5. Exposure to Elevated Noise Levels

1. BMPs for potential impacts to listed species from elevated noise levels are as follows: For any equipment used in undertaking the authorized work, the 160 dB and 120 dB isopleths shall not exceed the 50-yard shutdown range for impulsive and continuous sound sources, respectively.
2. Maintenance dredging, in-water excavation, movement of large armor stones, and benthic core sampling shall not be undertaken if any ESA-listed species is within 50 yards of the authorized work, and those operations shall immediately shut down if an ESA-listed species enters within 50 yards of the authorized work.

6.4. U.S. Fish and Wildlife Service BMPs

In addition to the above, the following measures (if applicable) will be incorporated into project planning to avoid or minimize impacts to fish and wildlife resources:

- Authorized dredging and filling-related activities that may result in the temporary or permanent loss of aquatic habitats will be designed to avoid indirect, negative impacts to aquatic habitats beyond the planned project area.
- Dredging/filling in the marine environment will be scheduled to avoid coral spawning and recruitment periods as well as sea turtle nesting and hatching periods.
- Turbidity and siltation from project-related work will be minimized and contained within the project area by silt containment devices and curtailed work during flooding or adverse tidal and weather conditions. BMPs will be maintained for the life of the construction period until turbidity and siltation within the project area is stabilized. All project construction-related debris and sediment containment devices should be removed and disposed of at an approved site.
- All project construction-related materials and equipment (dredges, vessels, backhoes, silt curtains, etc.) to be placed in an aquatic environment will be inspected for pollutants—including , but not limited to; marine fouling organisms, grease, and oil—and cleaned to remove pollutants prior to use. Project-related activities will not result in any debris disposal, non-native species introductions, or attraction of non-native pests to the affected or adjacent aquatic or terrestrial habitats. Implementing both a litter control plan and a hazard analysis and critical control point plan (HACCP; see Britton 2026) can help to prevent the attraction and introduction of non-native species.
- Project construction-related materials (fill, revetment rock, pipe, etc.) will not be stockpiled in, or in close proximity to aquatic habitats and will be protected from erosion (e.g., with filter fabric) to prevent materials from being carried into waters by wind, rain, or high surf.
- Fueling of project-related vehicles and equipment will take place away from the aquatic environment, and a contingency plan to control petroleum products accidentally spilled during the project will be developed. The plan will be retained on site with the person responsible for compliance with the plan. Absorbent pads

and containment booms will be stored on site to facilitate the cleanup of accidental petroleum releases.

- All deliberately exposed soil or underlayer materials used in the project near water will be protected from erosion and stabilized as soon as possible with geotextile, filter fabric, or native or non-invasive vegetation matting, hydro-seeding, etc.

7. Public Input

Development of the Final Environmental Assessment included a thorough public engagement effort, when interested parties were consulted and solicited for feedback. The public review process is summarized below, with detailed correspondence provided in Appendices F and G.

7.1. Pre-Consultation with Interested Parties

As required by the Hawai'i Environmental Policy Act process input on the EA was requested from agencies, citizen groups and individuals that might have jurisdiction or expertise with respect to the Proposed Project. Interested parties that were solicited for input during the pre-consultation process and their responses are provided in Table 7-1. Specific comments and responses to comments from each interested party have been included in Appendix G.

Table 7-1. Summary of Public Input on Draft EA, Pre-Consultation

Entity Name	Contact	Date of Transmittal	Comments Received	Response Provided	Notes
DLNR, Division of Engineering	Dina Lau	8/12/2025	8/26/2025	8/27/2025	Follow up questions received 8/26/25 from Dani Yoo; no further input provided
DLNR, Oahu District Land Office	Russell Tsuji	8/8/2025	N/A	N/A	No response received
DLNR, Division of Conservation and Resource Enforcement	Jason Redulla	8/12/2025	N/A	N/A	No response received
DLNR, Division of Aquatic Resources	Brian Neilson	8/8/2025	9/1/2025	11/14/2025	Extensive comments on water quality, coral, EFH, cumulative impacts, light pollution, marine species, and entanglement

Entity Name	Contact	Date of Transmittal	Comments Received	Response Provided	Notes
OPSD, Coastal Zone Management	Debra Mendes	8/15/2025	8/19/2025	8/21/2025	Will not comment on DEA until published in the environmental notice
Office of Hawaiian Affairs	Kaiali'i Kahele	8/8/2025	N/A	N/A	No response received
HDOH, Clean Water Branch	Not specified	8/8/2025	N/A	N/A	No response received
City & County of Honolulu, Department of Planning and Permitting	Dawn Takeuchi Aupuna	8/8/2025	N/A	N/A	No response received
Ralmar Partners, LLLP	Ralph & Margaret Kiessling	8/8/2025	9/1/2025	N/A	Extensive comments on construction, alternatives analysis, noise, coastal hazards, recreation, and scenic and aesthetic resources
Kyle Kodama, Residence	Kyle Kodama	8/8/2025	8/21/2025	N/A	Letter of support
Richard Nishida, Residence	Richard Nishida	8/13/2025	8/22/2025	N/A	Letter of support
UH, Hawaii Institute of Marine Biology	Andrew Brown	8/12/2025	8/12/2025	N/A	Letter of support

Notes:

- HDOH = Hawaii Department of Health
- N/A = Not Applicable
- OPSD = Office of Planning and Sustainable Development
- UH = University of Hawai'i

7.2. Public Comment on the Draft Environmental Assessment

The draft environmental assessment was published in the February 23, 2026, issue of the environmental notice, and public comments were received during the 30-day review period. Official comments were received from the entities listed in Table 7-2; where appropriate, the Final Environmental Assessment has been revised to incorporate their

input. Correspondence from the public and the applicant's response are included in Appendix H.

Table 7-2. Summary of Public Input on DEA and Conservation District Use Application (CDUA)

Entity Name	Contact	Comments Received	Notes	Response Provided
City and County of Honolulu, Department of Planning and Permitting	Dawn Takeuchi Apuna	2/24/2026	N/A	N/A
DLNR, Division of Aquatic Resources	Kendall Tucker	4/5/2026	Private applicants are not eligible for approval under the Special Activity Permit	6/16/2026
DLNR, Land Division	Darlene Bryant-Takamatsu	3/6/2026	It should be ensured that land disposition is obtained for use of state lands.	6/16/2026
DOH, Clean Air Branch	Marianne Rossio	3/3/2026	Conditions were specified requiring air pollution control permit and requirements to control fugitive dust.	6/16/2026
Kaneohe Neighborhood Board No. 30	Mo Radke, Chair, and David Keohi Shizuma, Vice Chair	3/31/2026	It was noted that the project does not align with general plan, master plan, Sustainable Communities Plan, or Ka Pa'akai framework.	6/16/2026
U.S. Fish and Wildlife Service	Nadiera Sukhraj, Ph.D.	3/16/2026	The contact requests a copy of the transplantation plan and incorporation of BMPs.	6/16/2026
UH, Hawaii Institute of Marine Biology	Megan Donahue	3/25/2026	It should be ensured that there is access to the UH property's existing boat slip.	6/17/2026

Notes:

- HDOH = Hawaii Department of Health
- N/A = Not Applicable
- UH = University of Hawai'i

7.3. Detailed Account of Public Review Process

A narrative of the dialogue that occurred between the public and the applicant's representative, Integral, over the course of the public review process is summarized below.

7.3.1. Division of Aquatic Resources (DAR)

Integral engaged with DAR at two distinct stages of the process. During pre-consultation, DAR's aquatic biologist provided detailed comments (August 29, 2025) addressing light pollution, water quality, essential fish habitat, protected marine species, invasive species, and cumulative impacts to Kāneʻohe Bay. DAR expressed support for the coral transplantation plan during the pre-consultation process and specified that an Special Activity Permit would be required to implement coral relocation efforts. Integral responded in writing on November 14, 2025, incorporating each recommendation (a table summarizing the DAR comments and Integral's response is included in Appendix G).

During the formal public comment period, DAR rescinded its support for coral relocation efforts because of a legal concern that the project did not meet criteria necessary to qualify for a special activity permit under HAR 13-95-70 and 13-95-71 and could not support the project as originally designed. To address this concern from DAR, the project was redesigned by offsetting two of the six dock footings onto sand and rubble substrate devoid of live coral, thereby eliminating the need for coral removal, a coral transplantation plan, or a special activity permit. Integral communicated these design changes in a response letter dated June 16, 2026.

7.3.2. Office of Planning and Sustainable Development, Coastal Zone Management Program

The Office of Planning and Sustainable Development was contacted during the pre-consultation process to request early input on the environmental assessment. The agency indicated that it would hold any comments until the assessment had been published in the environmental notice; however no input from the agency was received during the formal public comment period.

7.3.3. DLNR Oahu District Land Office

The Land Office confirmed via memorandum—dated March 6, 2026—that the project area falls within state-owned submerged lands under the jurisdiction of the Board of Land and Natural Resources (BLNR) and that any work makai of the certified shoreline would require a BLNR land disposition. Integral responded on June 16, 2026, confirming the applicant's acknowledgment of this jurisdictional requirement and commitment to obtain a BLNR land disposition prior to initiating work makai of the shoreline. Section 8 of the assessment has been revised to specify the requirement for a BLNR land disposition rather than the previously referenced DLNR grant of easement.

7.3.4. Hawai'i Department of Health, Clean Air Branch (CAB)

The Clean Air Branch of the Hawai'i Department of Health furnished its Standard Comments Letter for Land Use Reviews addressing compliance with HAR 11-60.1, permitting requirements, and fugitive dust control measures. Integral responded on June 16, 2026, acknowledging the comments and confirming that the project will comply with all applicable provisions of HAR 11-60.1. Section 5.3 has been revised to directly address these comments on fugitive dust, vehicular emissions, and marine emissions.

7.3.5. Neighboring Property Owners (Ralmar Partners/Kiessling)

Adjacent property owners Ralph and Margaret Kiessling submitted a detailed comment letter on August 30, 2025, posing specific questions regarding construction methods, the alternatives analysis, potential noise from a moored vessel, future modifications related to sea level rise, impacts to navigation and recreational boating access, and scenic and aesthetic impacts. Integral prepared a point-by-point written response on November 14, 2025, addressing each question, which resulted in substantive revisions to the environmental assessment's 1) noise analysis (Section 5.5) to evaluate long-term ambient noise and propose a dock cushioning system, and 2) scenic resources analysis (Section 5.9) to more accurately characterize partial-view impacts to neighboring properties.

7.3.6. Other Neighboring Property Owners (Kodama and Nishida)

Neighboring property owners Kyle Kodama and Richard Nishida each submitted letters expressing full support for the project, citing the dock's consistency with neighborhood character, its role in supporting responsible recreational water access, and its potential benefit in reducing anchor damage to the adjacent reef. Both letters have been incorporated as statements of support in Appendix G.

7.3.7. Kāneʻohe Neighborhood Board No. 30

The Kāneʻohe Neighborhood Board voted at the March 19, 2026, regular meeting to not support the project, citing concerns that the DEA overstated the project's consistency with the Oʻahu General Plan, Kāneʻohe Bay Master Plan, and the Koʻolau Poko Sustainable Communities Plan while also requesting a more explicit application of the Hawaiʻi Supreme Court's Ka Paʻakai framework. Integral responded on June 16, 2026, with a detailed, plan-by-plan analysis addressing each of the board's points, clarifying that the project does not conflict with the broader policy objectives of the cited plans and providing additional context regarding the site's cultural history, the projects consistency

with the existing character of the neighborhood, and the absence of ongoing traditional or customary practices at the project site. Section 4.4 of the environmental assessment has been revised to incorporate this expanded analysis and to add clarifying language regarding consistency with adopted plans and the Ka Pa‘akai review.

As a result of comments received from the Kāne‘ohe Neighborhood Board and subsequent discussions, members of the project team and the applicant presented a summary of the project to the board on May 21, 2026, which provided an opportunity for additional dialogue to address any outstanding questions or concerns. No additional concerns of note were raised at the May meeting, and multiple board members commended the project team for pursuing the project in a fashion consistent with all applicable rules and regulations, and engaging with the community. The board also suggested that they would defer their opinion on the project to the Kaneohe Bay Regional Council, who, in their opinion, is more qualified to evaluate the project.

7.3.8. Kāne‘ohe Bay Regional Council

At the recommendation of the Kāne‘ohe Neighborhood Board and the Oahu Aha Moku, the project team and applicant also presented the project to the Kāne‘ohe Bay Regional Council on June 3, 2026. A project summary was presented, covering the full history of the project from inception through environmental investigations, planning, and permitting. Concerns raised by the Kaneohe Neighborhood Board around compliance with various state, county, and community plans were addressed (as discussed in Section 4.5). Specific concerns raised by council member Elena Bryant around public access and maintaining the existing character of the Ka Hanahou neighborhood were addressed (as discussed in Sections 4.5.3 and 5.1.2). Following the presentation, the floor was opened to discussion and questions from the council. A question was raised about whether the Kaneohe Bay Regional Master Plan addresses the construction of private boat docks. The project team stated that they are only addressed indirectly (as discussed in Section 4.5.2) and are in no way discouraged or prohibited by the plan. Additionally, one member opined that no additional docks should be allowed to be

constructed within Kaneohe bay. The project team provided a rebuttal explaining that current State and County rules and regulations allow for such projects to be permitted and that an outright ban on such activities would likely increase the prevalence of illegal construction. Illegal construction projects often lack any level of regulatory or environmental review or oversight, or community input, and represent a much higher risk to the health of the bay than permitted projects.

7.3.9. U.S. Fish and Wildlife Service

The U.S. Fish and Wildlife Service reviewed the CDUA and DEA and, in comments dated March 16, 2026, requested an opportunity to review the coral transplantation plan, recommended incorporation of its standard BMPs for work in aquatic environments, and noted that the NOAA National Marine Fisheries Service (NMFS) should be consulted regarding ESA and EFH considerations if not already underway. Integral's response on June 16, 2026, confirmed that the project redesign—eliminating coral impacts—also resolved the need for a coral transplantation plan, that the agency's BMPs had been incorporated into Section 6.4 of the assessment, and that NMFS consultation is being conducted through the U.S. Army Corps of Engineers' permitting process alongside other required federal agency consultations.

7.3.10. University of Hawai'i, Hawai'i Institute of Marine Biology

The University of Hawai'i, Hawai'i Institute of Marine Biology—the owner of the adjacent property supporting Coconut Island research operations—was solicited for input during the pre-consultation process. Institute representatives responded to Integral's request for input on August 13, 2025, finding no issue with the proposed project and provided general support for the installation of a new dock, citing its potential to serve as fixed habitat for coral recolonization.

During the formal comment period, the Hawai'i Institute of Marine Biology expressed concern, in a letter dated March 25, 2026, that the proposed dock and associated

construction activity could narrow the navigable access corridor through which the institute accesses its existing boat slip and requested a detailed navigational analysis to ensure adequate egress. Integral responded on June 17, 2026, with a summary of a preliminary survey performed by the property owner and observed by HIMB personnel that demonstrated that at least 20 ft of unrestricted navigable width would remain under all tide conditions when accounting for the proposed dock and a moored vessel. The preliminary survey also found that an alternative route that is suitable for the institute's shallow-draft vessel exists to the northeast of the subject property, and access through this channel will not be impacted by the proposed project. Integral further committed to advance coordination with University of Hawai'i vessel operators during the estimated 1-month construction period, including radio and phone availability as well as the temporary suspension of construction activities to allow safe vessel passage.

An additional survey and in-depth navigational analysis was performed by Integral Consulting on July 3, 2026. The results of this analysis, as well as additional details about coordination with the contractor during construction has been incorporated into Section 5.12.

8. Permits and Approvals

The following authorizations are anticipated to be required for this project:

- USACE Individual Permit
- Section 401 Water Quality Certification
- Conservation District Use Permit
- Coastal Zone Management Federal Consistency Determination
- BLNR Land Disposition for proposed structures on submerged, state lands.

Applications for these authorizations are currently being prepared and will be submitted to the appropriate governing bodies within the next few months.

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Appendix A

Marine Biological Survey



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MEMORANDUM

To: U.S. Army Corps of Engineers, Honolulu District
From: Rob Walker
Date: July 10, 2024
Subject: Update to Marine Biological Survey
Waterfront Improvements at 45-221 Ka Hanahou Circle (Reduced Scope)
Project No.: C3967

The proposed Elhoff Waterfront Improvements project (Project) involves the construction of a new fixed dock in Kāneʻohe Bay to provide recreational access to the bay. The original (expanded) scope of the project included additional activities that would have required coral relocation. A Marine Biological Survey was developed in support of the original project.

The purpose of this memorandum is to highlight the relevant findings from the previous Marine Biological Survey (Attachment A) as it pertains to the final Project scope.

PROJECT BACKGROUND

The residential property at 45-221 Ka Hanahou Circle is located on the waterfront in south Kāneʻohe Bay, on the east side of the island of Oʻahu (Attachment A, Figure 1). The property includes a private boat basin, boat launch ramp, and deep-water access to Kāneʻohe Bay.

The original project included improvements to the existing boat basin, rehabilitation of the existing boat launch ramp, and construction of a new floating dock to support a 50-ft catamaran sailboat. The wide beam (width) of the proposed catamaran vessel would have required the relocation of live coral to support vessel navigation and berthing, and proposed improvements at the boat basin and boat launch ramp would have also involved impacts to corals.



June 2026 Update:

As discussed in the final EA, further design iterations have eliminated the need to disturb and/or transplant corals altogether. Please disregard any discussion of coral transplantation.

REDUCED PROJECT SCOPE

The scope of the Project has been significantly reduced to avoid and minimize environmental impacts. The applicant now proposes to install a 10- by 30-ft fixed dock to support a smaller boat, such as a monohull sailboat, and coral relocations for navigation and berthing the smaller vessel will no longer be required. The aluminum dock would be supported by six precast concrete piles and accessed by a 14.9- by 4-ft aluminum gangway ~~and 4- by 4-ft aluminum gangway landing~~. The dock deck, gangway, and gangway landing would all consist of open grating, thus allowing light to penetrate through these structures to support coral growth below. The Project no longer includes proposed improvements at the boat basin or boat launch ramp.

CORAL RESOURCES PRESENT WITHIN PROJECT AREA (FROM BIOLOGICAL SURVEY)

The biological survey inspected seven focus areas, referred to as donor areas, within the project impact area where corals were colonizing (see Attachment A, Methodology). For each donor area, every coral colony was identified, counted, and sized. Coral bleaching condition was assessed for colonies > 5cm with photographs taken of representative coral species. A summary of coral colony population counts and physical size is provided in Table 2 of the biological survey (Attachment A).

Of the original seven donor areas, only two are now within the proposed project area (D2 and D3). The reduction in Project scope avoids the largest and most populated donor areas, Boat Basin (BB) and Donor Area 1 (D1). Out of a total of 385 coral colonies identified at all donor areas, only 16 remain within the project impact area (15 colonies at location D2 and 1 colony at D3). These corals consist of three species common throughout Kāneʻohe Bay: *Montipora capitata*, *Porites compressa*, and *Leptastrea purpurea*. Table 1 provides a summary of live corals within the project impact area by colony size and species.

Table 1. Number of Live Coral Colonies in Each Size Class (cm) by Donor Area

	Colony Size (cm)						Total
	<5	=>5–10	>10–20	>20–40	>40–80	>80–160	
Donor site 2 (D2)							
<i>Leptastrea purpurea</i>		1					1
<i>Montipora capitata</i>			5	6	1	2	14
Total		1	5	6	1	2	15
Donor site 3 (D3)							
<i>Montipora capitata</i>						1	1
Total						1	1

Source: Adapted from Shoreline Science & Engineering (2021)

The biological survey also evaluated potential shading impacts as a result of the proposed new floating dock and gangway, as well as potential shading from the design catamaran vessel while berthed at the dock. To generate an idea of the quantities and types of organisms within range of potential shading, transects were surveyed via scuba to quantify percent coverage of live corals, algae, invertebrates, and bare substrate.

With the change in project scope from an opaque floating dock and gangway to a fixed (pile-supported) structure with open deck grating, potential shading impacts below the proposed gangway and dock structure are no longer a concern. Potential shading due to vessel berthing is still relevant; however, the reduced beam (width) of a smaller boat will have less impact. Table 2 presents the percent benthic cover by type for survey transects R2 and R3, located parallel to and approximately 5 ft and 10 ft (respectively) makai of the proposed fixed dock, representative of where the vessel would berth. Survey results identified minimal biological resources present within the vessel berthing area, with percent coverage dominated by bare substrate for both transects. Moreover, no endemic, federally listed, or state listed species were observed during surveying.

Table 2. Percent benthic cover by major types

Transect	n	Live coral		Algae		Inverts		Bare Substrate	
		Mean	STD	Mean	STD	Mean	STD	Mean	STD
R2	16	2.6%	10.4%	0.0%	0.0%	0.0%	0.0%	97.4%	10.4%
R3	17	4.5%	10.2%	6.7%	17.1%	0.5%	1.3%	88.3%	23.2%

Source: Adapted from Shoreline Science & Engineering (2021)

CONCLUSION

Given that the project scope has been significantly reduced, no new impacts have been identified beyond those documented within the original evaluation. Impacts to coral resources due to the construction of the dock support piles would be suitably addressed through implementation of a Coral Transplantation Plan that will be prepared and submitted to DLNR for review and approval prior to construction.

REFERENCES

Shoreline Science & Engineering. 2021. Marine Biological Survey 45-221 Ka Hanahou Circle. Haleiwa, HI. Shoreline Science & Engineering, LLC.

ATTACHMENTS

- Attachment A: Marine Biological Survey, 45-221 Ka Hanahou Circle



ATTACHMENT A.

Marine Biological Survey



New Fixed Dock Project Plans



Marine Biological Survey 45-221 Ka Hanahou Circle

Kāneʻohe Bay, Kāneʻohe, Hawaiʻi



SHORELINE
SCIENCE & ENGINEERING, LLC

July 2021

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Introduction

The residential property at 45-221 Ka Hanahou Circle is located on the waterfront in south Kāneʻohe Bay, on the east side of the island of Oʻahu (Figure 1). The property includes a private boat basin, boat launch ramp, and deep-water access to Kāneʻohe Bay and the Pacific Ocean beyond. The submerged area fronting the property is host to a significant amount of live coral which has effectively blocked or inhibited recreational access and use of the shoreline.

The property owner seeks to ~~restore the existing boat ramp and basin, as well as build~~construct a new floating dock~~fixed pier~~ to support berthing a ~~50 ft catamaran~~-sailboat at the site. This biological survey serves to provide information required to apply for regulatory permitting and to support a coral transplantation plan.

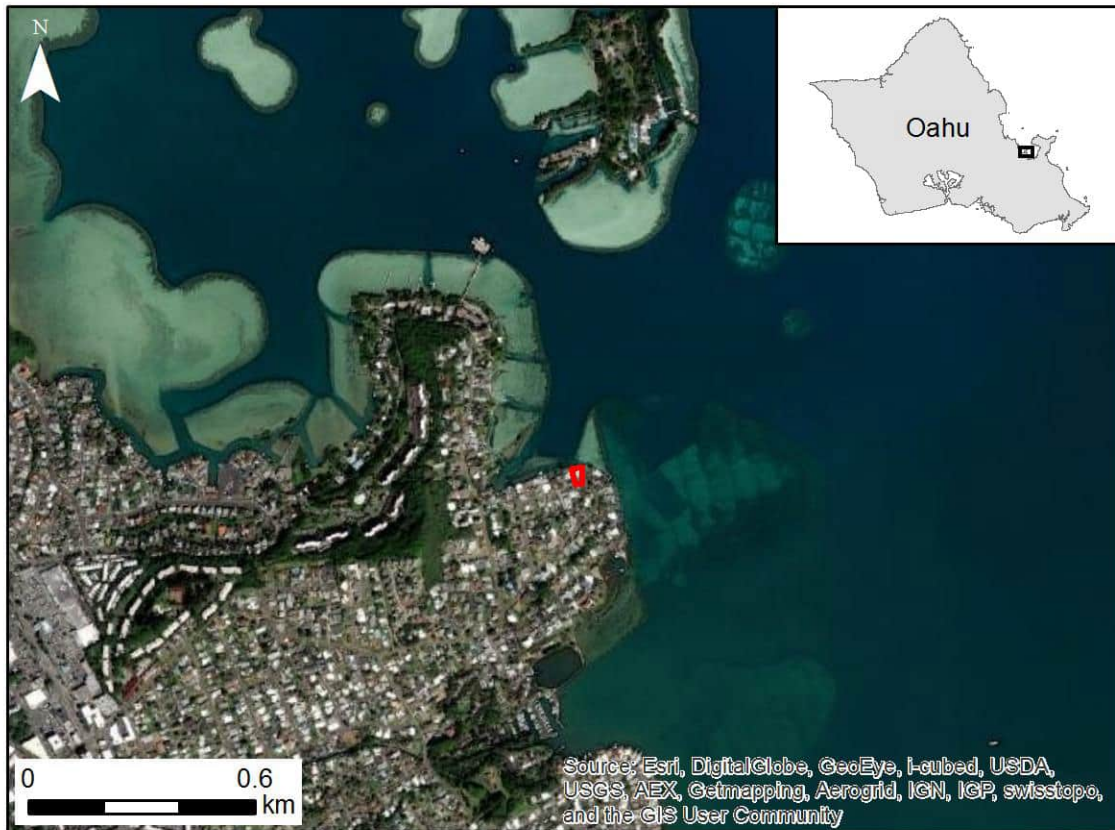


Figure 1. Site location map with property outlined in red, located in south Kāneʻohe Bay on the island of Oʻahu.

The proposed project has three objectives: 1) restore usability of the existing boat basin, 2) restore usability of the existing boat launch ramp, and 3) restore navigable depths and construct a new floating dock to support a 50-foot sailboat (Figure 2). Coral relocation is necessary to accomplish these modifications and the coral transplantation plan will be largely informed by this marine biological survey. Project activities may have further impacts on coral due to shading from the proposed floating dock and gangway, as well as berthing of the 50 ft sailboat. Installation of support piles for the floating

dock could also have impacts to marine life in terms of increased turbidity. This report describes existing marine biological resources in the project area which will be used to assess the potential effects of the project.



Figure 2. Plan view of the project site at 45-221 Ka Hanahou Circle. Proposed floating dock and access gangway is shown with a white dashed line. Note- this was the original design. Since the preparation of this draft report the design has been updated to specify a 10-ft by 30-ft fixed dock and 14.9-ft by 4-ft gangway (see memo at the beginning of this report).

Background Information

Kāneʻohe Bay is the largest sheltered body of water in the main eight Hawaiian Islands with a total surface area of 41.4 km² at average tide levels (Jokiel 1991). The inshore portion of the bay holds numerous patch reefs at depths of less than one meter from the surface and are partially exposed during extreme spring tides (Jokiel 1991). The entire shoreline, except parts of the Mōkapu Peninsula, is ringed by a shallow fringing reef. The deepest portion of the bay is 19 m, and the substrate is primarily coral rubble, gray coral mud, and fine coral sands (Jokiel 1991).

Kāneʻohe Bay has an interesting history of human influence beginning with colonization by Polynesians circa 1250 A.D. (Kittinger et al. 2011). The arrival of Westerners during the eighteenth century initiated

extensive plantation agriculture, land modification, species introductions, and eventually urbanization (Devaney et al. 1982). The bay is currently showing the effects of climate change with several major coral bleaching events beginning in 1996 through today (Bahr et al. 2017).

Dredging and filling activities have drastically altered the geography and ecology of Kāneʻohe Bay over the years. Prior to 1939, dredging was limited to small areas around boat landings and piers. During construction of what was then known as the Kāneʻohe Bay Naval Air Station on Mōkapu peninsula (1939-1945) extensive dredging took place throughout the bay (Figure 3). These dredging activities resulted in alterations to 88% of the shoreline in the south bay (Hunter 1993). Corals in the south bay have not recovered from dredging activities, particularly in areas of soft substrates or areas of high sedimentation (Jokiel 1991). In addition, nine fishponds were filled for land development between 1946 and 1948 (Bahr et al. 2015). The project property at 45-221 Ka Hanahou Circle is built on one of these historical fishponds (Figure 4). The Kalokohanahou fishpond was filled during the above period and the Ka Hanahou residential development was built in its place in 1952 (Devaney et al. 1982).

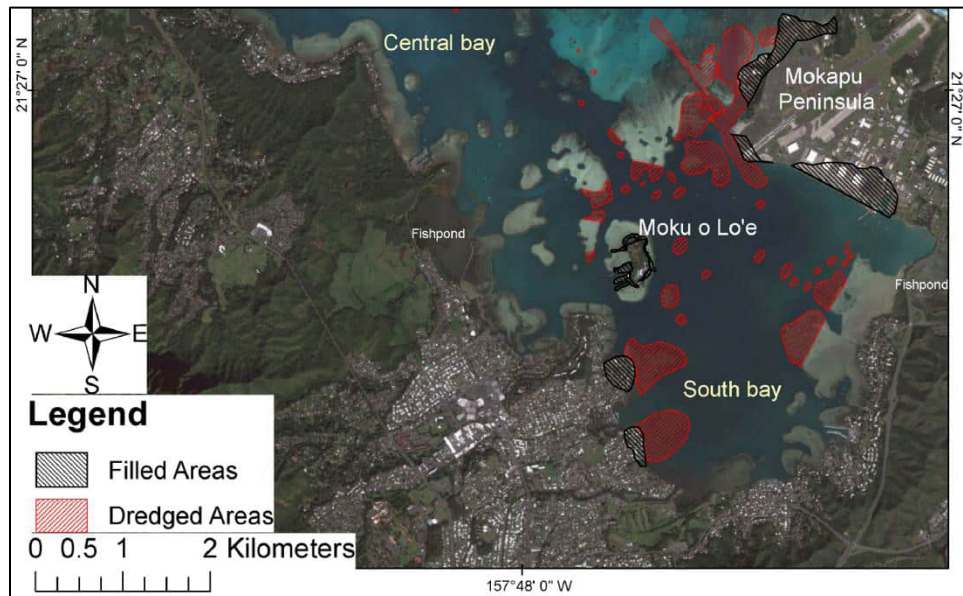


Figure 3. Dredging and filling areas in Kāneʻohe Bay, Oʻahu Hawaiʻi. Dredged areas (red) and filled areas (black) in Kāneʻohe Bay on the island of Oʻahu. Adapted from Bahr et al. (2015).

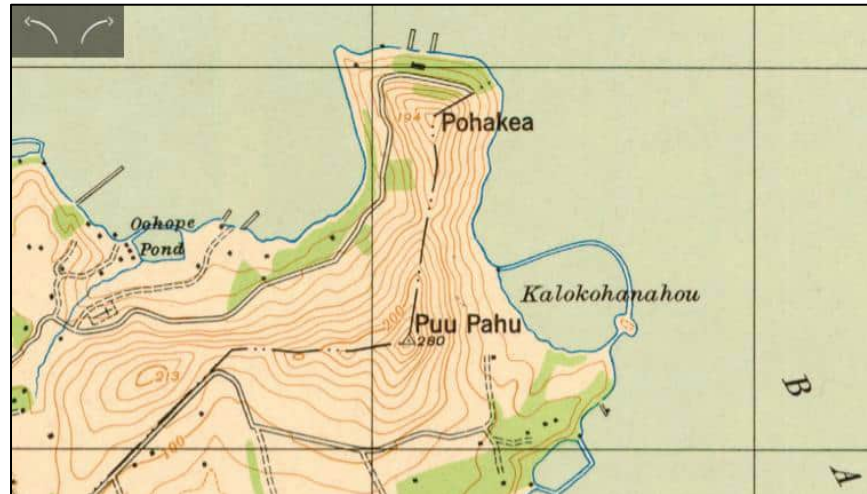


Figure 4. 1936 USGS topographic map of the project area showing the historical fishpond Kalokohanahou where the Ka Hanahou neighborhood is now located. <https://evols.library.manoa.hawaii.edu/handle/10524/49310>

Methodology

Based on the planned modifications, in several areas of the site coral will need to be relocated, while coral in other areas may be subject to shading impacts from the proposed floating dock and/or vessel. For this reason, survey areas within the site were designated as donor areas (where corals are to be removed), potential translocation or receiving areas (where coral is to be relocated), and potential shading areas (Figure 5). For each donor area, comprehensive inventories were conducted to count, size, identify to species, and determine the health of each coral colony > 5cm. This detailed information is necessary to support a coral transplantation plan. For the potential receiving and shading impact sites, transect-based photo quadrats were conducted to estimate benthic cover of coral species and other substrate types. Detailed methods are as follows.

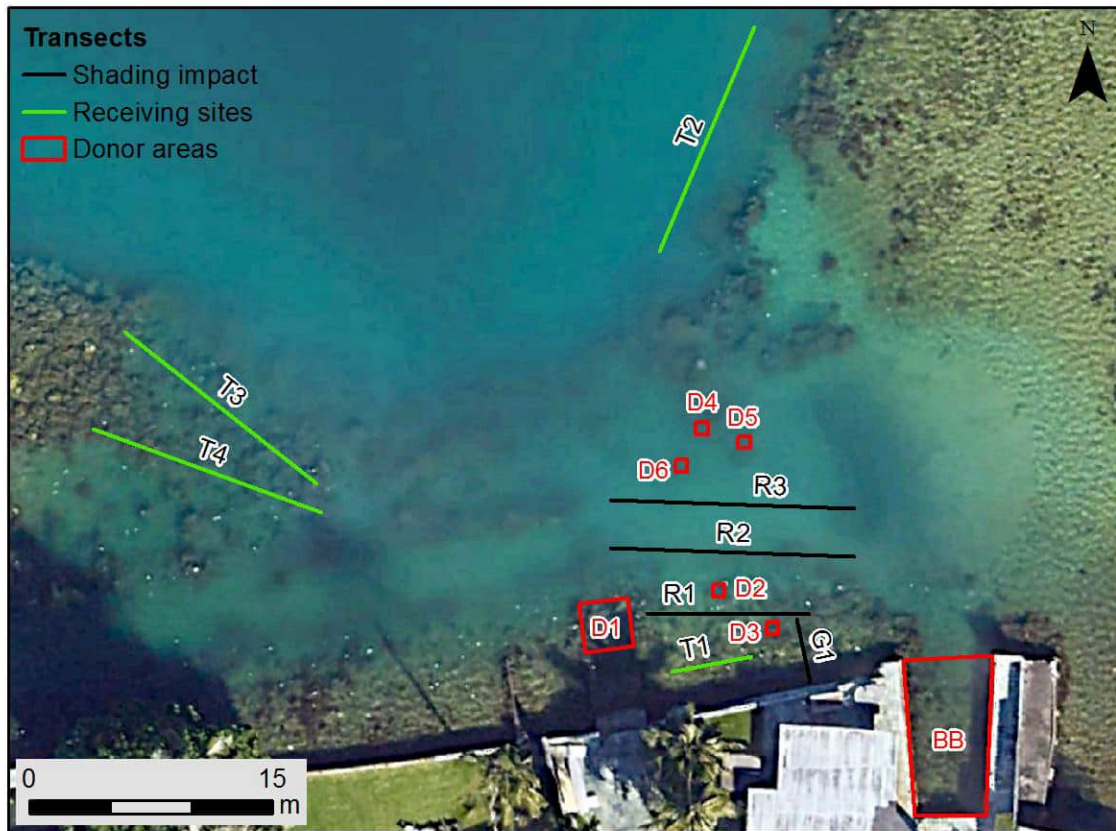


Figure 5. Overview of study site and survey locations. Donor areas are shown in red, potential shading impact transects shown in black, and potential receiving site transects shown in green.

Donor areas – coral inventories

In each pre-designated donor area (Figure 5), every coral colony was identified, counted, sized, and coral bleaching condition was assessed for colonies > 5cm with photographs taken of representative coral species. Coral colonies were sized using a measuring rod into 5cm size bins and bleaching condition was assessed using a Ko'a card, where coral color was matched to colors on the card (Figure 6). Colors on the Hawaiian Ko'a Card have been linked to physiological state and health (e.g., symbiont density, chlorophyll levels, photosynthetic performance) of common coral species in Hawai'i due to bleaching (Bahr et al. 2020). In addition, percent cover of major benthic cover types (Coral, Crustose Coralline Algae [CCA], Turf, Sand, Macroalgae, Rock) were visually estimated, rare and/or invasive species were counted, and fish species were documented. For areas greater than one square meter, a transect was deployed and the area was divided into 1m sections. Areas less than one square meter were surveyed as a single quadrat. Depth was measured at each meter along transects or in the center of single quadrats using a hand-held depth finder, Digital Sonar H22PX Handheld Sonar System (by HawkEye).

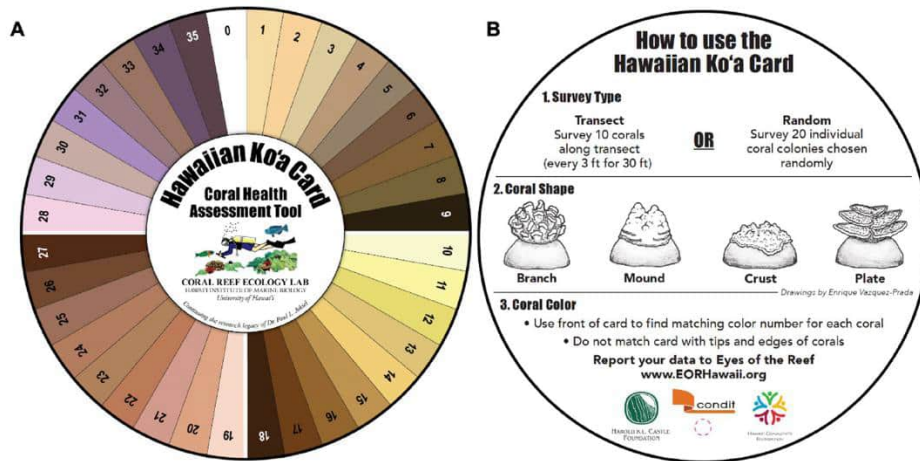


Figure 6. The Hawaiian Ko'a Card Coral Health Assessment Tool front (A) and back (B) Figure not to scale (card diameter = 18.5 cm)

Potential shading and receiving areas – transect based photo quadrats

Potential shading impact areas were determined based on project construction plans and located beneath the proposed floating dock, the dock gangway, and the future vessel berthing location. Potential coral receiving areas were determined based on proximity to the donor sites and similar environmental conditions. In the field, transects of varying lengths were laid out across each potential shading impact and receiving area (Figure 5). Underwater surveys were conducted utilizing SCUBA. All survey methods were noninvasive to the biological community.

To quantify benthic cover and the abundance of corals, photographic images of the seafloor (51 × 66 cm, 0.34 m²) were collected using a camera system with Canon G16 in an underwater housing attached to a monopod. Photographs were taken on the shoreward side of transect at every meter, including 0 m. The number of images taken on each transect depended on the transect length. The monopod was kept perpendicular to the sea floor preventing parallax. The CoralNet benthic analyses program for coral reefs (Beijborn et al. 2015) was used to process images and visually annotate species to generate benthic cover data. The program was parameterized to generate 25 stratified random points on each of the transect images. Substrate types or species under each generated point were visually identified to the lowest taxonomic level possible. Benthic categories included: (a) live coral species, (b) major algal groups, i.e., macroalgae, coralline algae, and turf, (c) macro-invertebrate species, and (d) substrate types. Substrate types were sub-categorized into rubble, pebble, fine sand/silt, dead coral with turf, turf with sediment, and rubble with turf and sediment. Proportions of benthic categories in total benthic composition were calculated for each image. Proportion data were summarized by arithmetic mean and standard deviation by transect and represented as percent cover.

Any rare or invasive species not captured in photo quadrats were noted and all observed fish species were documented. A hand-held depth finder, Digital Sonar H22PX Handheld Sonar System (by HawkEye), was used to measure depths at every meter along each transect.

Results

A total of 16 sites/transects were surveyed during May 27 and 28, 2021. The dimensions and depths of each survey area are listed in Table 1. Refer to Figure 5 for locations of each survey area/ transect.

Table 1. Site dimensions and depths. Area of each donor site and length of each potential shading and receiving site transect is listed in meters. Mean, minimum, maximum, and standard deviation of depth measurements in feet relative to Mean Lower Low Water (MLLW) are listed along with number of depth measurements (n).

Type	Site	Size (m)	n	Depth (ft MLLW)			SDM
				Mean	Min	Max	
Donor	BB	10 x 4	3	2.9	2.0	4.0	1.0
	D1	3 x 3	4	1.7	1.7	1.8	0.1
	D2	2 x 2	2	2.2	1.7	2.7	0.7
	D3	1 x 1	2	1.8	1.8	1.8	0.0
	D4	1 x 1	2	4.2	3.2	5.2	1.4
	D5	1 x 1	2	4.1	3.1	5.1	1.4
	D6	1 x 1	2	4.8	3.3	6.3	2.1
Shading	G1	4	7	3.0	2.1	4.1	0.8
	R1	10	9	3.6	3.3	4.4	0.4
	R2	15	12	7.2	6.2	8.3	0.6
	R3	15	10	7.8	6.9	9.0	0.8
Receiving	T1	5	5	3.0	2.1	4.5	1.1
	T2	15	18	5.6	4.0	7.4	0.9
	T3	15	16	4.9	3.1	7.3	1.2
	T4	15	16	4.5	3.3	6.8	1.0

Donor areas

Site descriptions

Boat basin (BB):

The boat basin measures 10m long, 3m wide at the closed (land) side and 5m wide at the open side. It ranges from 2-4 ft deep (MLLW). The first 5m is relatively devoid of live coral, while the second 5m has a mix of live and dead corals, primarily *Montipora capitata* and *Porites compressa*. (Figure 7, 8).

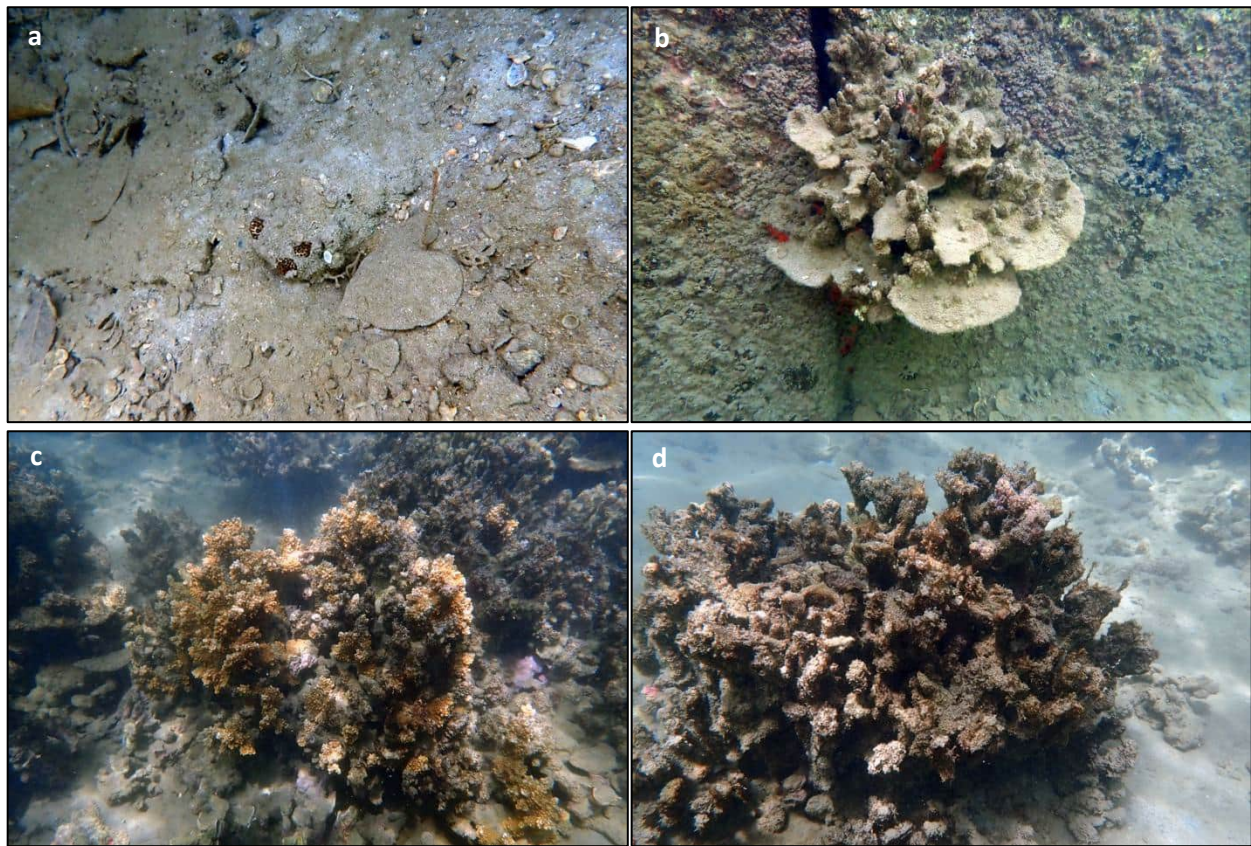


Figure 7. Donor site BB. a) Typical benthic cover for the first 5 m of the boat basin characterized with silt covered debris and small *Leptastrea purpurea* colonies. b) Dead *M. capitata* colonies on the wall for the first 5 m. c) Live *M. capitata* starts to show up around the middle of the basin. d) Dead *M. capitata* colony.

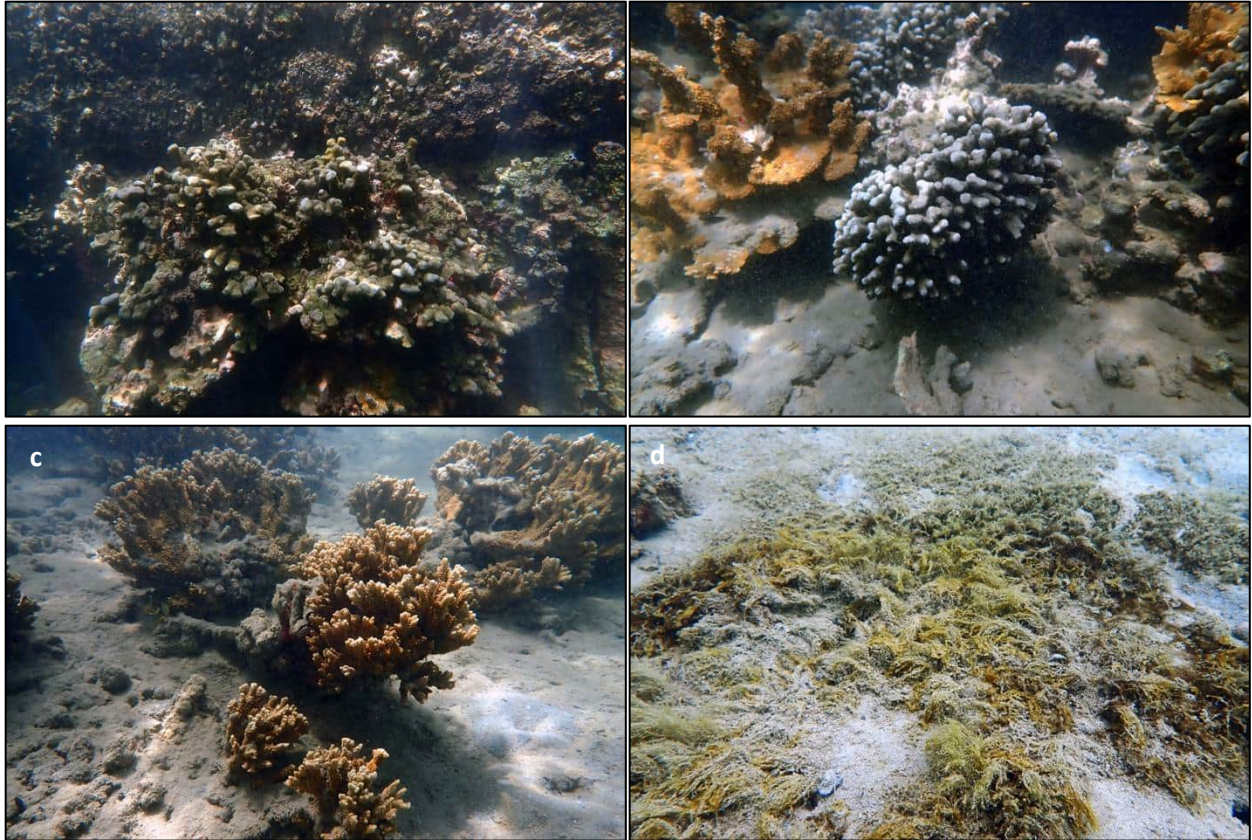


Figure 8. Donor site BB. a) Live *P. compressa* starts to show up just past the midpoint of the boat basin. More corals were found colonizing the surface of the wall as approaching the entrance. b) Live corals with relatively normal condition were found near the entrance. c) *M. capitata* on silt and silt-covered debris. d) A cyanobacterial mat at the entrance to the boat basin.

Donor area 1 (D1):

Located at the base of the existing boat ramp. A 3m x 3m area was surveyed excluding corals located deeper than 5 ft (depth beyond where removal is necessary) with an average depth of 2.0 ft (MLLW). This area is characterized by relatively healthy *P. compressa* colonies interspersed with crustose coralline algae (CCA) (Figure 9). The macroalgae *Dictyosphaera versluysii* was also present.

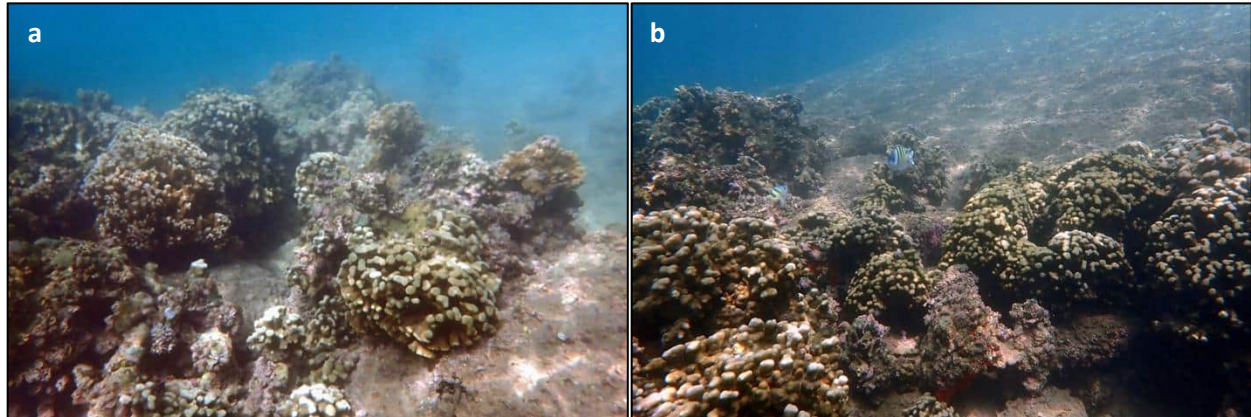


Figure 9. Donor site D1. a) Healthy *P. compressa* colonies interspersed with CCA. b) *P. compressa* colonies interspersed with CCA and damselfish *Abudedefduf vaigiensis*.

Donor area 2 (D2):

Near the edge of the reef flat in front of the property. 2m x 2m area with an average depth of 2.2 ft (MLLW). This area encloses a cluster of *M. capitata* colonies on a mix of silt and silt-covered rubble (Figure 10).



Figure 10. Donor site D2 composed of *M. capitata* colonies on a mix of silt and silt covered rubble.

Donor area 3 (D3):

On the reef flat inshore of D2 at a depth of 1.8 ft (MLLW). A single colony of *M. capitata* close to one meter in diameter (Figure 11).



Figure 11. Donor site D3 *M. capitata* colony. Measurement bar is one meter long.

Donor area 4 (D4):

Single colony of *P. compressa* located at the seaward margin of the study area at a depth of 5.2 ft (MLLW) (Figure 12).

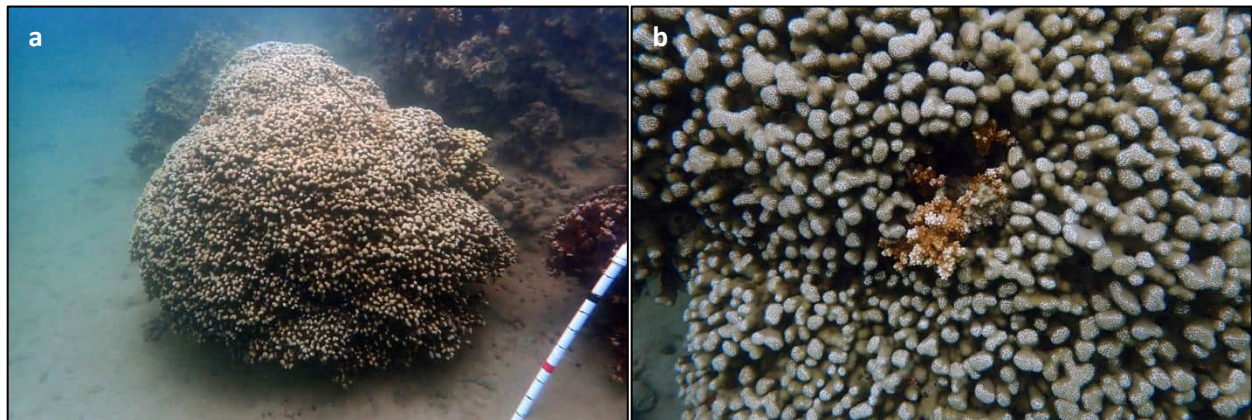


Figure 12. Donor site D4. a) *P. compressa* colony. b) Small *M. capitata* colony embedded on top of *P. compressa*.

Donor area 5 (D5):

Old, dead coral head located at the seaward margin of the study area at a depth of 5.1 ft (MLLW). Covered with mix of silt, CCA, orange-colored sponge *Mycale grandis*, and the invasive macroalga *Gracilaria salicornia* (Figure 13).

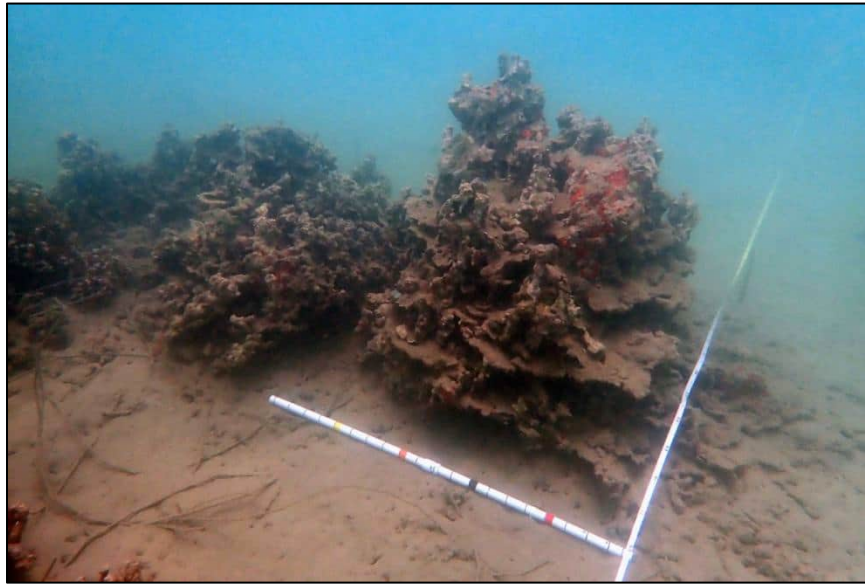


Figure 13. Donor site D5 dead coral head covered with silt, CCA, sponge (*M. grandis*), and macroalga *G. salicornia*.

Donor area 6 (D6):

Large dead coral head adjacent to live *M. capitata* colony near edge of dredged area towards seaward end of the study area at a depth of 6.3 ft (MLLW) (Figure 14).



Figure 14. Donor site D6 dead coral head and live *M. capitata* with D4 *P.compressa* shown in the background.

Coral size distributions and percent cover

Total of 523 colonies were recorded across all six donor areas. No rare and/or endemic corals were observed including *Montipora dilatata* and *Porites duerdeni*. The majority of live coral colonies were found in the boat basin (BB) and donor site 1 (D1) (Table 2). Most coral colonies ranged between 5 and 20 cm overall (Table 2).

In the boat basin (BB) which is the largest donor area (10 x 4m), 385 colonies including *Montipora capitata* (rice coral), *Porites compressa* (finger coral), *Leptastrea purpurea* (crust coral), and *Pocillopora damicornis* (lace coral) were identified and classified into five size-classes (Table 2). The most frequently observed species was *M. capitata* up to 20 cm diameter with 160 of these < 5 cm (Figure 15). Thirteen colonies each of *M. capitata* and *P. compressa* were found in size classes >20 cm, however, two colonies of each species between 40 – 80 cm were found partially dead. There were no live coral colonies > 80 cm at BB. Live coral cover accounted for 10.4% of benthic substrate (Table 3).

At donor area one (D1, 3 x 3m) the most frequently observed species was *P. compressa* ranging from 5 to 40 cm (Figure 16). In addition, there were six colonies of *P. compressa* between 40-80 cm and two *P. compressa* colonies larger than 80 cm (Table 2). There were also 18 colonies of *M. capitata* across a range of sizes as well as 33 *Leptastrea purpurea* colonies < 5 cm. Live coral cover was estimated to be 42% at D1 (Table 3).

Donor site two (D2) encompassed 12 colonies of *M. capitata* between 10-80 cm and two colonies larger than 80 cm (Table 2). The live coral cover within the 2 x 2 m area at D2 was approximately 50% while silt and silt-covered rubble represented the remaining cover (Table 3). Donor site three (D3) was a single colony of *M. capitata* and donor site four (D4) was a single colony of *P. compressa* with *M. capitata* settled on top. The estimated percent cover of live coral was thus 100 % for D3 and 99.5% for D4 (Table 3). Donor areas five (D5) and six (D6) were represented by dead coral heads. The dead coral head of D5 was covered with mix of silt, CCA, the orange keyhole sponge *Mycale grandis*, and the invasive macroalga *Gracilaria salicornia* (locally known as gorilla ogo). D6 included a large dead coral and an adjacent live *M. capitata* between 20-40 cm.

Table 2. Number of live coral colonies in each size class (cm) by donor area.

	Colony size (cm)						Total
	<5	=>5-10	>10- 20	>20-40	>40-80	>80-160	
Boat basin (BB)	224	77	58	11	15	0	385
<i>Leptastrea purpurea</i>	62						62
<i>Montipora capitata</i>	160	66	34	6	5		271
<i>Montipora capitata*</i>					2		2
<i>Porites compressa</i>		11	24	5	6		46
<i>Porites compressa*</i>					2		2
<i>Pocillopora damicornis</i>	2						2
Donor site 1 (D1)	38	21	34	16	8	2	119
<i>Leptastrea purpurea</i>	33						33
<i>Montipora capitata</i>	1	8	5	2	2		18
<i>Pavona varians</i>		1					1
<i>Porites compressa</i>	3	9	29	14	6	2	63
<i>Pocillopora damicornis</i>	1	3					4
Donor site 2 (D2)		1	5	6	1	2	15
<i>Leptastrea purpurea</i>		1					1
<i>Montipora capitata</i>			5	6	1	2	14
Donor site 3 (D3)							
<i>Montipora capitata</i>						1	1
Donor site 4 (D4)							2
<i>Montipora capitata</i>			1				1
<i>Porites compressa</i>						1	1
Donor site 5 (D5)							
(Dead coral head)							
Donor site 6 (D6)							
<i>Montipora capitata</i>				1			1

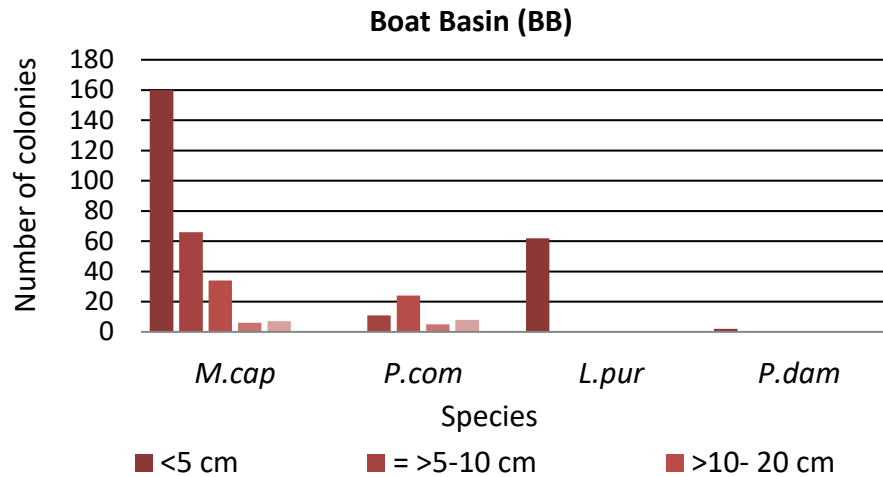


Figure 15. Number of live coral colonies in each size class by species at the boat basin (BB).

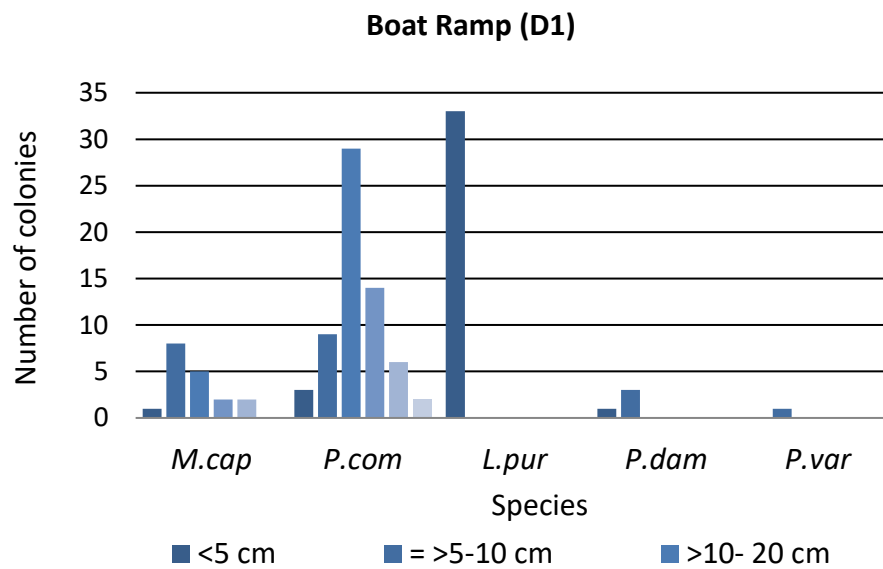


Figure 16. Number of live coral colonies in each size class by species at the boat ramp (D1).

Table 3. Estimated percent cover of major benthic types in each donor area. The category 'Other' includes macro-invertebrates.

Site	Live coral	CCA	Turf	Macroalgae	Rubble	Silt	Other
BB	10.4	0.9	0.8	0.0	16.3	51.1	20.3
D1	41.9	19.4	28.9	0.3	2.1	0.0	7.5
D2	50.0	0.0	0.0	0.0	40.0	10.0	0.0
D3	100.0	0.0	0.0	0.0	0.0	0.0	0.0
D4	99.5	0.0	0.0	0.0	0.0	0.0	0.5
D5*	0.0	1.0	0.0	0.0	10.0	74.0	15.0
D6	5.0	70.0	0.0	0.1	0.0	20.0	4.9

* A discrete dead coral head covered with mix of silt, CCA, orange sponge spp., and macroalgae.

Coral color and bleaching condition

Representative coral colors were associated with 12 variations on the Ko'a card (Table 4). Identified colors on the Ko'a card were typical for live corals with normal conditions, characterized by dark photosynthetically active areas and white-colored growing tips and margins of the skeletal structure. Representative colors of corals were mostly similar and uniformly distributed within and among colonies for each species. No signs of mass-paling and/or bleaching were observed among colonies across all survey areas. The two most dominant species, *M. capitata* and *P. compressa*, encompassed seven color numbers of the Ko'a card (Figure 17, see Figure 6 for examples of the corresponding colors). Two color numbers, #15 and 16, were the most observed and common between *M. capitata* and *P. compressa*. *Leptastrea purpurea* was also mainly identified with #16.

Table 4. Number of coral colonies by species and color numbers of Ko'a card in the donor areas/points. *denote partially dead colonies.

Species	Ko'a card color number											
	#4	#5	#7	#12	#15	#16	#17	#20	#21	#23	#24	#26
<i>Leptastrea purpurea</i>						95	1					
<i>Montipora capitata</i>			16		103	42	41				22	82
<i>Montipora capitata</i> *					1							1
<i>Porites compressa</i>	5	3		1	98	3						
<i>Porites compressa</i> *					2							
<i>Pocillopora damicornis</i>								4	1	1		
<i>Pavona varians</i>												1
Total	5	3	16	1	204	140	42	4	1	1	22	84

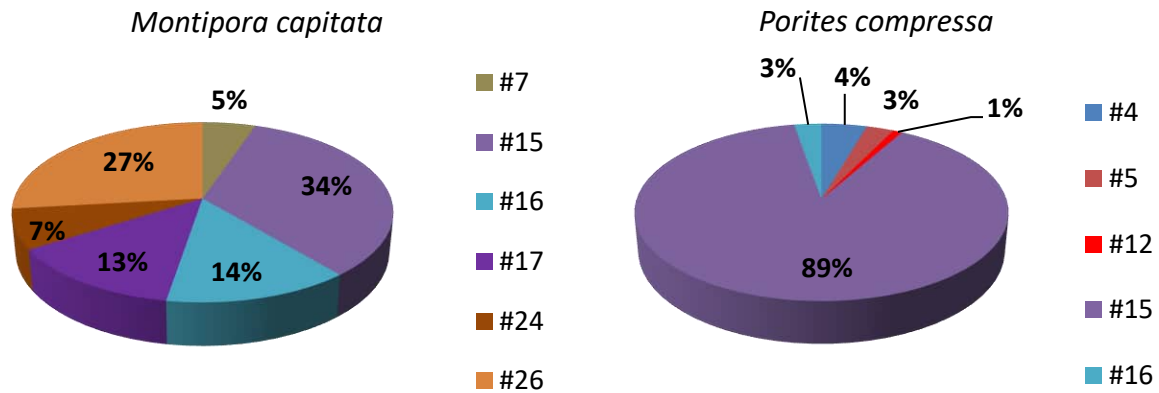


Figure 17. Percentage of Ko'a card color numbers associated with *Montipora capitata* (306) and *Porites compressa* (110) colonies across all donor areas.

Potential shading impact and translocation (receiving) areas

Site descriptions – potential shading impact sites

Proposed gangway (G1):

Four meter transect in the location of the proposed gangway connecting the seawall in front of the residence to the proposed floating dock, average 3.0 ft depth (MLLW). Substrate consists of rubble covered with turf and sediment (Figure 18).

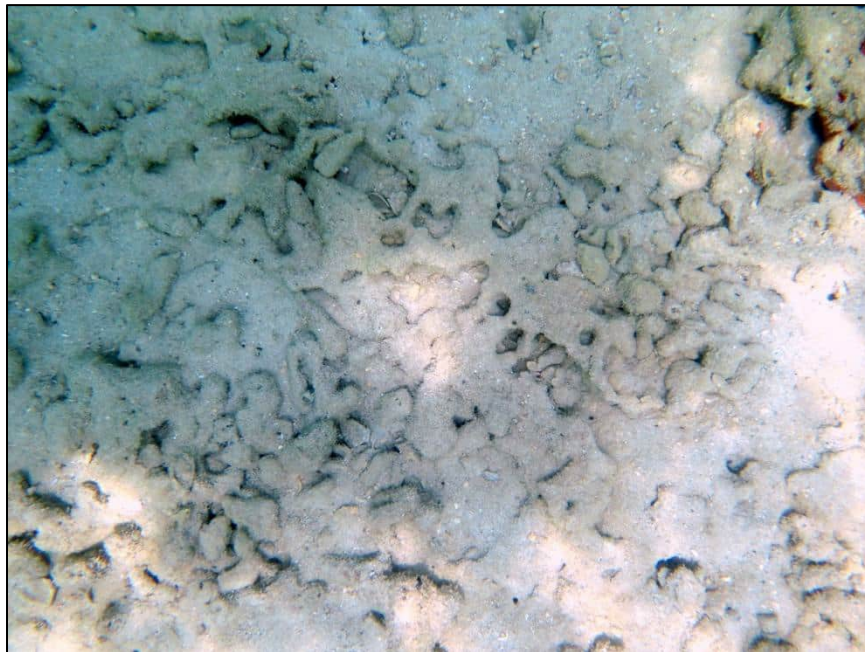


Figure 18. Potential shading impact site G1 benthic composition, rubble covered with fine sand and silt.

Proposed floating dock (R1):

Ten meter transect in the location of the proposed floating dock at an average depth of 3.6 ft (MLLW). The seafloor was characterized primarily by rubble covered in turf and sediment with several live coral colonies present (Figure 19).

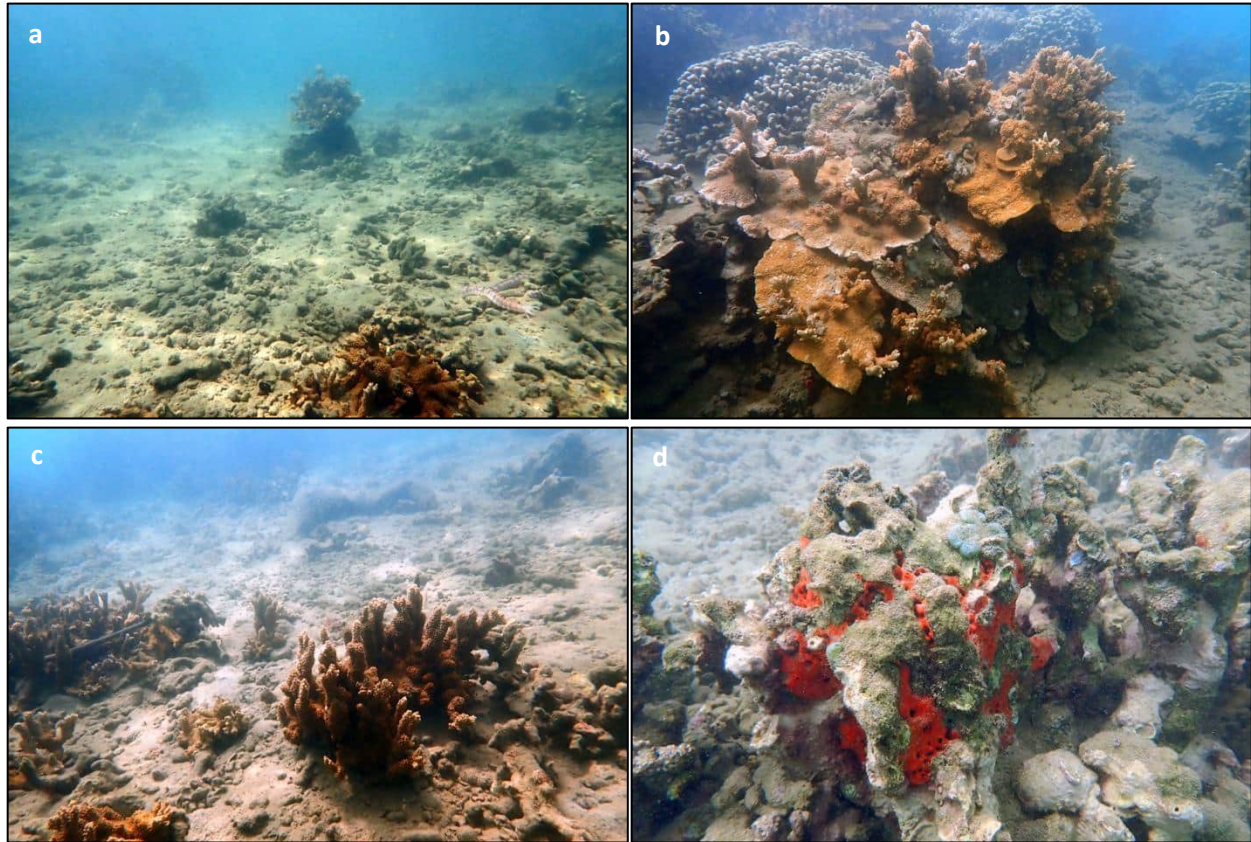


Figure 19. Potential shading impact site R1. a) Seafloor predominately characterized by rubble covered in turf and sediment. b) *M. capitata* located near the start of transect facing towards the boat ramp. c) View towards the reef slope. d) An invasive marine sponge, the orange keyhole sponge (*Mycale grandis*) boring a dead coral. While a macroalga *Dictyosphaera versluisii* was present in the image, its abundance was very low at R1

Sailboat berth adjacent to proposed dock (R2)

Fifteen meter transect located adjacent to the proposed floating dock in an average depth of 7.2 ft (MLLW). Seafloor is characterized by fine sand and silt with some live coral located at the very beginning and ends of the transect (Figure 20).

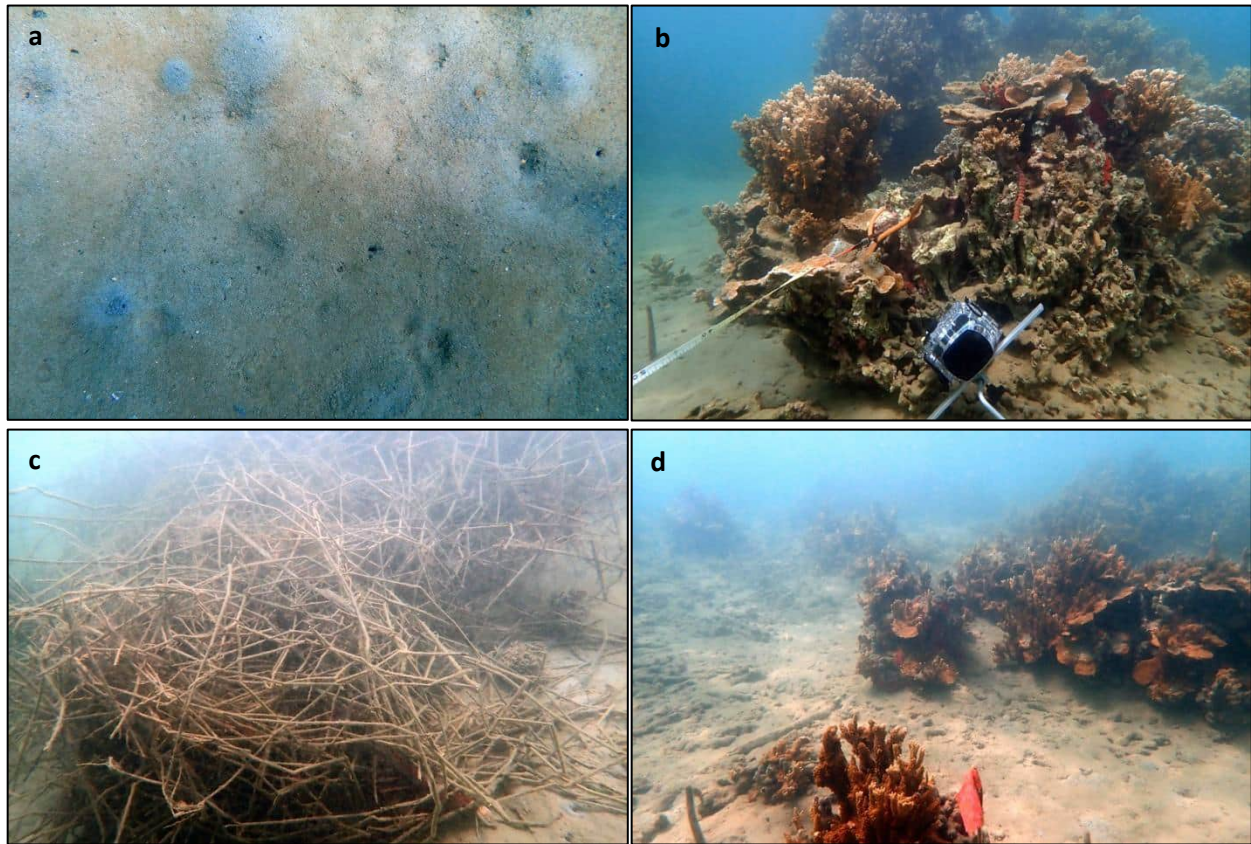


Figure 20. Potential shading impact site R2. a) Typical benthic cover for the transect, sand and silt. b) Dead coral head at the beginning of the transect colonized by *M. capitata*. c) Terrestrial debris (grass) found at the shallower, southeast end of the transect. d) General seascape near the R2 transect at the edge of fine sand/silt-covered seafloor (to the left) and the reef slope (to the right). Observed benthic cover types included *M. capitata*, silt, and silt-covered rubble.

Sailboat berth seaward of proposed dock (R3)

Fifteen meter transect located seaward of proposed floating dock and R2 at an average depth of 7.8 ft (MLLW). Substrate composed primarily of fine sand and silt interspersed and on top of coral rubble with a few small *M. capitata* colonies (Figure 21).

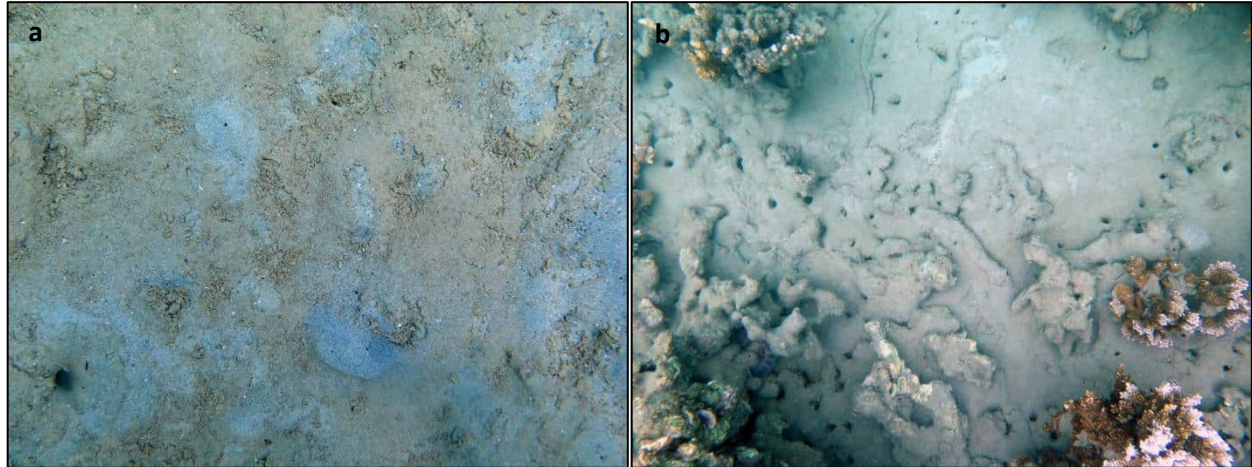


Figure 21. Potential shading impact site R3 a) Representative benthic cover: fine sand/ silt. b) Representative benthic cover: fine sand/silt, coral rubble, small *M. capitata* colonies.

Site descriptions – potential receiving areasTranslocation site 1 (T1):

Four meter transect adjacent and parallel to seawall on reef flat in front of the house with an average depth of 3.0 ft (MLLW). Primarily coral rubble covered in turf and silt with a few isolated coral colonies (Figure 22).

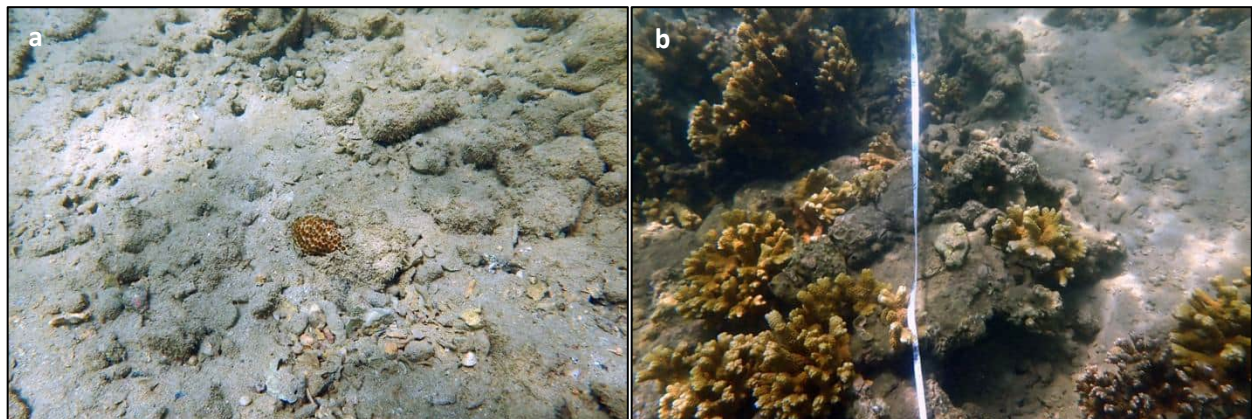


Figure 22. Potential receiving site T1 a) Typical substrate, rubble covered in silt and turf algae with small *L. purpurea* colony. b) *M. capitata* and rubble covered in sediments.

Translocation site 2 (T2):

Fifteen meter transect located on the reef in front of the property between drop off and shallow soft bottom on the East side of the channel with an average depth of 5.6 ft (MLLW). Near the broken reef marker/post that is west of the large, emerged marker. Benthic cover is characterized by scattered *M. capitata* colonies on fine silt/sand bottom (Figure 23).

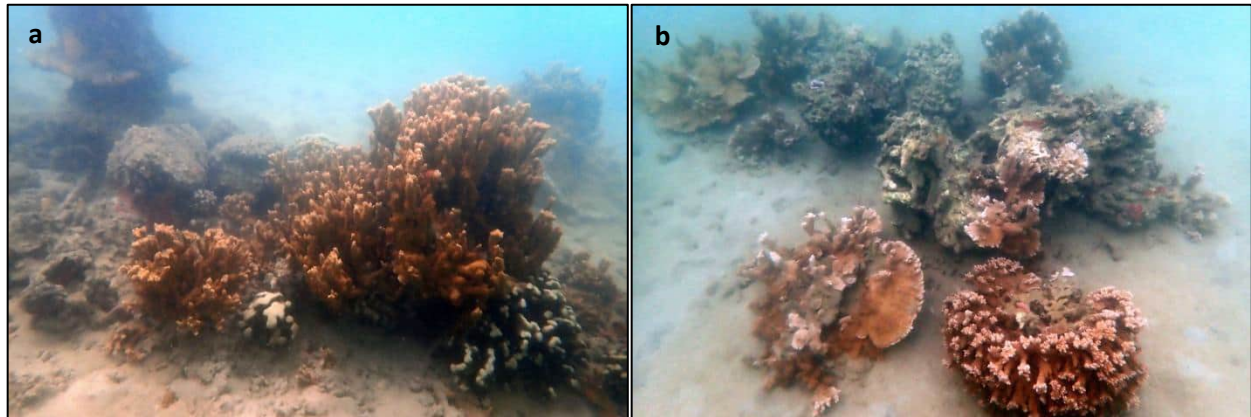
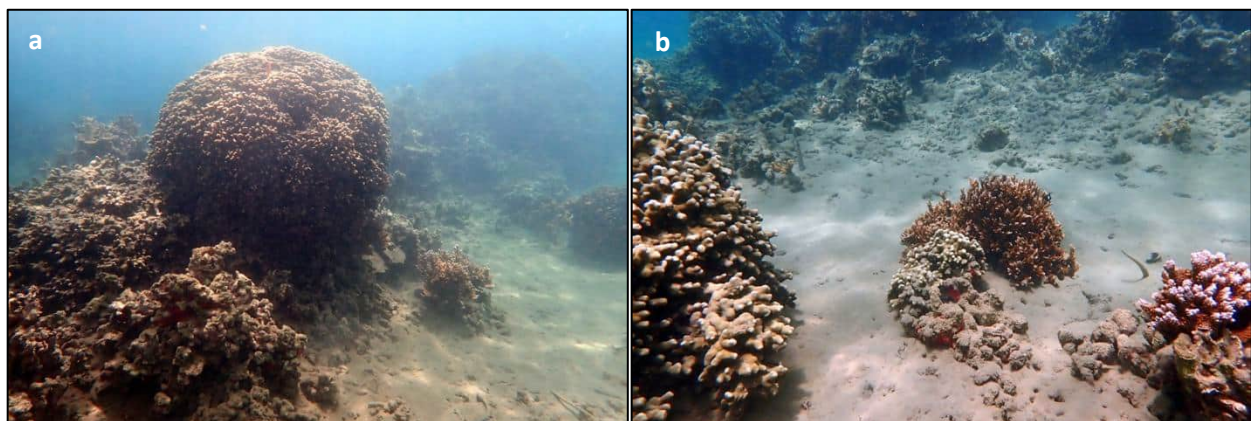


Figure 23. Potential receiving site T2 a) Representative substrate: *M. capitata* with some *P. compressa* on silt, rubble bottom. b) Mix of live and dead coral colonies on fine silt/sand bottom.

Translocation site 3 (T3):

Fifteen meter transect on the reef outside of the neighboring property near the drop off on the West side of the channel with an average depth of 4.9 ft (MLLW). Benthic cover is a mix of soft and hard substrates. Encrusting CCA, *Dictyosphaeria versluysii*, and *Mycale grandis* were common on the hard substrates (Figure 24).



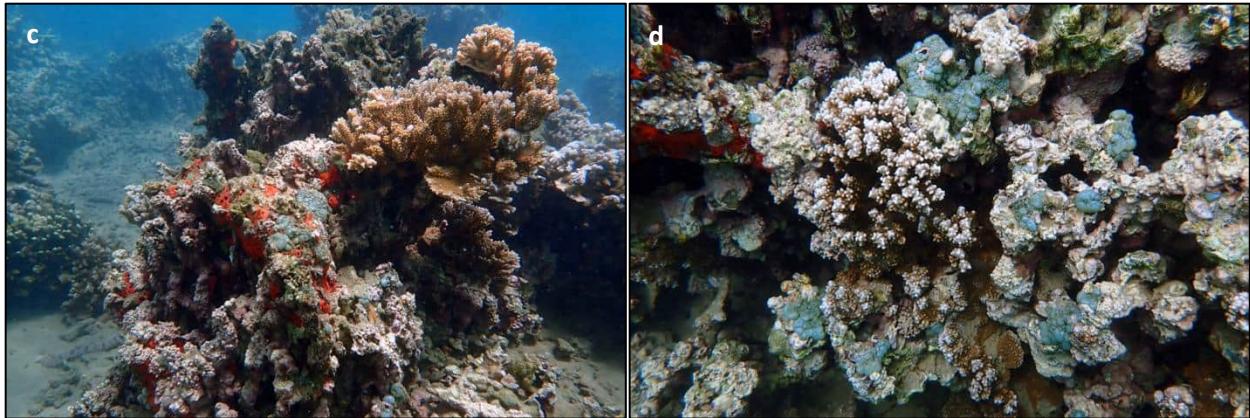


Figure 24. Potential receiving site T3. a) Large *P. compressa* colony. b) *P. compressa* and *M. capitata* colonies interspersed with soft substrate. c) Orange keyhole sponge (*M. grandis*), bubble algae (*D. versluisii*), *M. capitata*, and CCA. d) *M. capitata* and *D. versluisii* colonizing dead coral with CCA.

Translocation site 4 (T4):

Fifteen meter transect located on the reef outside of the of the neighboring property between T3 and the sandy channel inshore with an average depth of 4.5 ft (MLLW). Mix of soft and hard substrate. Encrusting CCA, *D. versluisii*, and *Mycale grandis* were common on the hard substrate (Figure 25). A ball of *Gracilaria salicornia* was also present on transect.

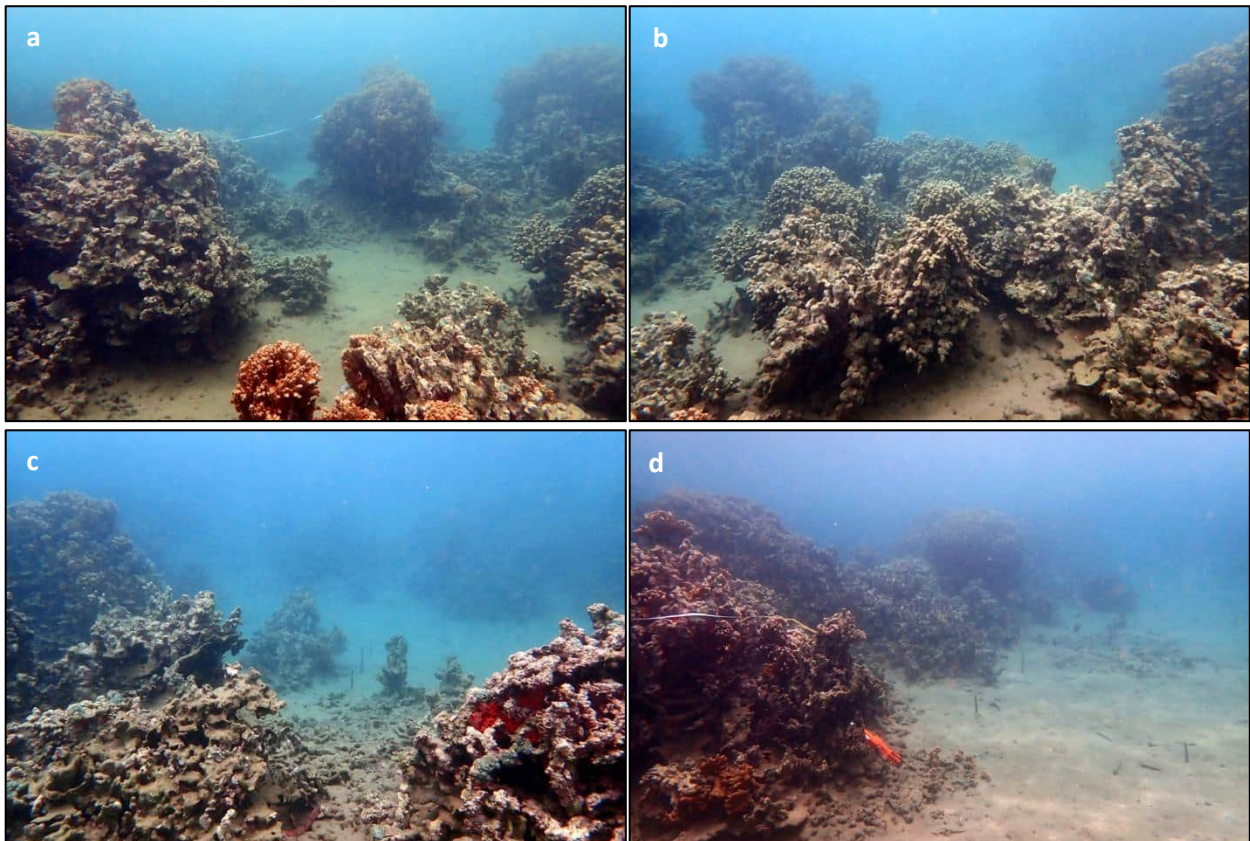


Figure 25. Potential receiving site T4. a) Representative mix of live and dead coral interspersed with soft substrate. b) Mix of dead and live *P. compressa*. c) View toward the sandy inshore channel. d) End of T4 transect at reef edge adjacent to inshore channel.

Coral and benthic composition

Live coral cover ranged from 0.7% to 17.3% with the highest live coral cover found on transect R1, followed by T2 (Table 5, Figure 26). Live coral cover was primarily represented by *Montipora capitata* (rice coral), followed by *Porites compressa* (finger coral), and a few small colonies of *Leptastrea purpurea* (crust coral) (Figure 26). The greatest percentage of benthic cover was comprised of abiotic substrate with turf and sediment deposits, ranging between approximately 61% and 97 % across all transects (Table 5). Of these, rubble with turf and sediment and fine sand/silt represented the majority of benthic substrates across all transects (Figure 27).

Algal cover types included turf, CCA, and macroalgae. Turf had the greatest cover across transects in both potential shading impact and translocation areas except R2 (Figure 28). CCA represented about 15% of overall benthic covers on T3 and T4. Macroalgal percent cover was solely represented by *Dictyosphaera versluysii* (hard bubble seaweed). The mean cover of macro-invertebrates was less than one percent represented by the echinoderm *Opheodesoma spectabilis* (conspicuous sea cucumber) although it was commonly observed in habitats with both consolidated and unconsolidated abiotic substrate types.

Table 5. Overall percent benthic cover by major types. n = number of images analyzed for each transect. STD = standard deviation of the mean.

Area	Transect	n	Live coral		Algae		Inverts		Substrate	
			Mean	STD	Mean	STD	Mean	STD	Mean	STD
Shading		64	8.8%	22.6%	4.9%	14.1%	0.2%	0.9%	86.1%	26.3%
	G1	6	0.7%	1.6%	5.3%	7.0%	0.0%	0.0%	94.0%	7.9%
	R1	9	17.3%	31.1%	4.4%	9.3%	0.0%	0.0%	78.3%	29.7%
	R2	16	2.6%	10.4%	0.0%	0.0%	0.0%	0.0%	97.4%	10.4%
	R3	17	4.5%	10.2%	6.7%	17.1%	0.5%	1.3%	88.3%	23.2%
Translocation		55	7.5%	14.1%	25.2%	28.2%	0.3%	1.3%	67.0%	29.4%
	T1	6	2.0%	4.9%	4.9%	11.9%	0.0%	0.0%	93.1%	11.9%
	T2	16	13.5%	17.2%	17.8%	18.6%	0.0%	0.0%	68.8%	24.9%
	T3	16	6.4%	16.9%	32.2%	30.5%	0.3%	1.0%	61.1%	32.2%
	T4	17	4.8%	7.6%	32.9%	33.4%	0.7%	2.1%	61.6%	31.6%

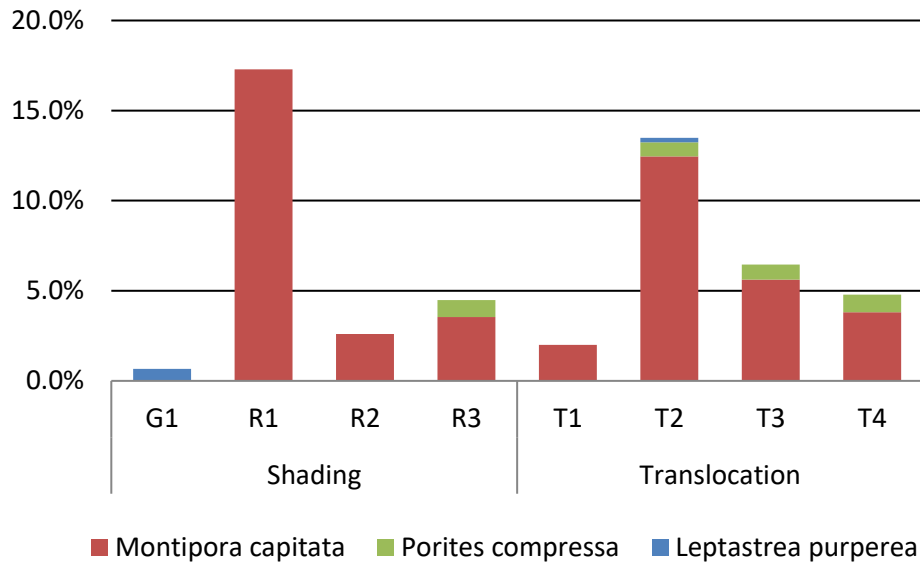


Figure 26. Percent of live coral cover by transect and species.

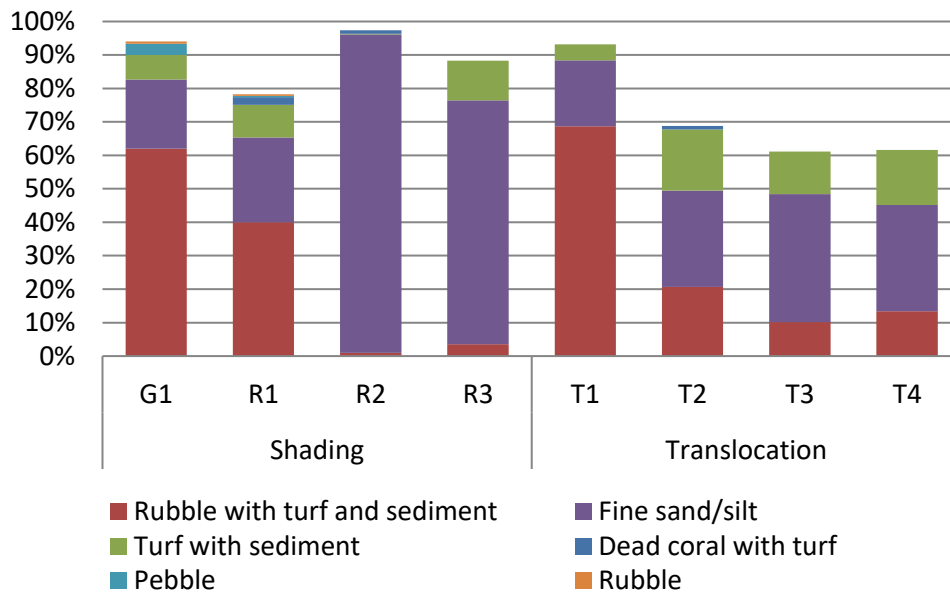


Figure 27. Percent cover of other (non coral) substrate types by transect.

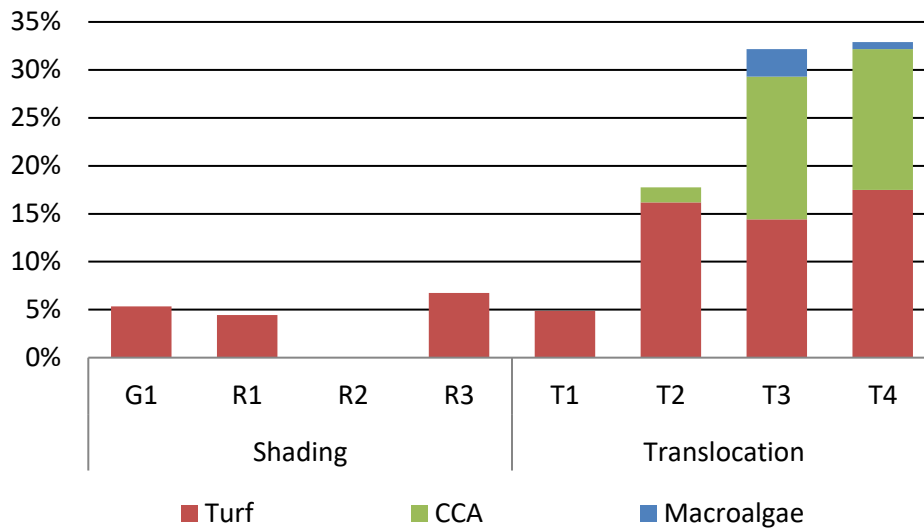


Figure 28. Percent algal cover by type and transect. Macroalgae represented by a single species: *Dictyosphaeria versluysii*.

Other benthic organisms

No rare and/or endemic benthic organisms were observed including *Lingula reevii*, *Pinctada galtsoffi* (Hawaiian pearl oyster), and/or seagrass species at all survey sites in the donor, potential shading impact, and potential translocation areas. *Mycale grandis*, an invasive marine sponge was commonly observed on dead corals and consolidated reefs (ex. Figure 19d). Old, dead coral colonies at D5 and D6 were encrusted by turf, CCA and *Mycale grandis*. Other burrowing organisms such as polychaete worms, vermetid snails, and brittlestars were abundant on hard substrates. A red-colored sponge species *Monanchora clathrata* was also recorded at R1. It is found in Kāneʻohe bay and Pearl Harbor but not considered invasive (Vicente, personal comm.) The only and occasionally observed invasive species of macroalgae was *Gracilaria salicornia*. Hard bubble seaweed, *Dictyosphaeria versluysii* was common on hard substrate at the potential translocation areas. Hawaiian oysters with CCA were common on hard surfaces including vertical concrete surfaces and the existing boat ramp. Barnacle spp. were common at intertidal zone on the existing boat ramp. A cyanobacterial mat was observed on silt bottom (Figure 8d) at the end of 10 m-transect of BB.

Fishes

A total of 24 fish species were observed among all survey sites in areas of the donor, potential shading impact, and potential translocation (Table 6). Fish species observed on site represent species common in Kāneʻohe Bay. The greatest number of fish species was observed at donor site D1 (Table 6). Gobi species (*Psilogobius mainlandi*, *Gnatholepis* spp.) were present at all sites on soft bottom, while *Asterropteryx semipunctatus* present at most sites (Table 6).

Table 6. List of fish species observed at each survey site.

	Sites	Donor							Shading				Translocation (Receiving)			
Family	Species	BB	D1	D2	D3	D4	D5	D6	G1	R1	R2	R3	T1	T2	T3	T4
Synodontidae (Lizardfishes)	<i>Saurida gracilis</i>	x														
Lutjanidae (snappers)	<i>Lutjanus fulvus</i>										x	x			x	x
Mullidae (Goatfishes)	<i>Parupeneus multifasciatus</i>									x						
Kyphosidae (Chubs)	<i>Kyphosus species</i>	x														
Chaetodontadae (Butterflyfishes)	<i>Chaetodon auriga</i>		x													x
	<i>Chaetodon ephippium</i>		x													
	<i>Chaetodon lunula</i>								x							
	<i>Chaetodon lunulatus</i>		x												x	
Pomacentridae (Damselfishes)	<i>Abudefduf abdominalis</i>		x						x	x			x	x		
	<i>Abudefduf sordidus</i>	x	x						x	x						
	<i>Abudefduf vaigiensis</i>		x							x			x			
	<i>Dascyllus albisella</i>									x	x			x	x	
Labridae (Wrasses)	<i>Stethojulis balteata</i>								x							
	<i>Thalassoma duperrey</i>													x		
Scaridae (Parrotfishes)	<i>Chlorurus spilurus</i>								x				x	x	x	x
	<i>Scarus psittacus</i>								x				x	x		
Gobiidae (Gobies)	<i>Asterropteryx semipunctatus</i>	x	x	x	x	x	x	x	x	x	x		x		x	x
	<i>Gobiidae species</i>			x	x	x	x	x			x	x		x	x	x
Acanthuridae (Surgeonfishes)	<i>Acanthurus blochii</i>	x	x			x	x	x	x	x		x		x	x	x
	<i>Acanthurus triostegus</i>		x						x	x				x	x	
	<i>Acanthurus xanthopterus</i>									x						
	<i>Zebrasoma flavescens</i>		x							x						
	<i>Zebrasoma veliferum</i>								x	x					x	x
Diodontidae (Porcupinefishes)	<i>Chilomycterus reticulatus</i>		x													
Number of species		3	13	2	2	3	3	3	10	11	4	3	5	8	9	7

Discussion

The marine area in front 45-221 Ka Hanahou Circle is colonized by several species of live coral common in Kāneʻohe Bay. Among the proposed donor (removal) sites, the majority of live coral colonies were found in the boat basin and donor site 1 at the base of the existing boat ramp, the largest donor areas. Most coral colonies ranged between 5 and 20 cm overall. While the proposed donor areas contained a mix of live and dead corals, no signs of mass-paling and/or bleaching were observed. This detailed inventory of live coral colonies in the proposed donor areas will support a coral transplantation plan which will be submitted as part of the applicable regulatory agency permitting applications. Receiving sites should have similar environmental conditions to those at the donor sites with respect to depth, light quality, water movement, and community composition (Jokiel et al. 1999). The environment of the potential receiving areas surveyed in this report have similar environmental conditions to the donor areas with respect to depth and community composition. Dominant coral species are *M. capitata* and *P. compressa* at both the donor and potential receiving areas. Light quality and water movement are also similar based on close proximity to the donor areas, meaning that the potential receiving areas surveyed are likely suitable for coral transplantation. Live coral cover in areas corresponding to the proposed gangway and vessel berthing area were low (0.7%-4.5%), while live coral cover in the location of the proposed floating dock was 17.3%. For this reason, the floating dock is a potential source of shading impacts to corals from project activities.

Protected and Listed Species

No state-or federally-listed (endangered or threatened; DLNR 2015, USFWS 2018) marine species were observed in our May 2021 survey. Listed marine species—green sea turtle (*Chelonia mydas*), hawksbill sea turtle (*Eretmochelys imbricata*), and monk seal (*Neomonachus schauinslandi*) could occur in the general vicinity of the project based on the distribution of these species throughout the Hawaiian Islands. *Montipora dilatata* is a stony coral species known to occur in Kāneʻohe Bay which is classified as endangered by the International Union for Conservation of Nature (IUCN) and on the NOAA-NMFS Species of Concern list. No colonies of *M. dilatata* were observed at the project site. Hawaiʻi has one endemic seagrass, *Halophila hawaiiiana*, one indigenous seagrass, *Ruppia maritima*, and one non-native seagrass, *Halophila decipiens*. In general, seagrasses thrive in areas with low sedimentation, adequate water flow, and low wave energy and have been observed elsewhere in Kāneʻohe Bay. Seagrass beds are classified as special aquatic sites in the federal Clean Water Act (Subpart E of 40 CFR Part 230). No seagrass was observed at the project site. The State of Hawaiʻi regulates shellfishes and it is prohibited to “catch, take, kill, possess, remove, sell or offer for sale”, without a permit, seven species of shellfishes (DLNR 2014). None of these species were observed at the project site.

While not explicitly protected or listed, *Porites duerdeni* is a rare, endemic species of coral known to occur in Kāneʻohe Bay and also not observed at the project site. The inarticulated brachiopod, *Lingula reevii* Davidson (1880) is a filter-feeding invertebrate that burrows vertically in sandy or mixed sediments. Its only recorded occurrence is from Kāneʻohe Bay, Oʻahu, Hawaiʻi, southern Japan, and Ambon, Indonesia. *Lingula reevii* was not observed at the project site.

Invasive Species

One species of invasive algae (*Gracilaria salicornia*) and one species of invasive sponge (*Mycale grandis*) were observed at the project site. Both of these species are widespread in Kāneʻohe Bay. Other invasive algae species common in Kāneʻohe Bay (*Acanthophora spicifera*, *Kappaphycus alvarezii*, and *Euchema denticulatum*) were not observed at the project site.

Essential Fish Habitat

Essential Fish Habitat (EFH) Regulatory Guidelines (NOAA 2002) set provisions to identify and protect habitats of federally-managed marine fish species. Federal agencies that fund, permit, or carry out activities that could negatively affect EFH must consult with the National Marine Fisheries Service (NMFS).

EFH is defined by Congress as “those waters and substrate necessary to fish[es] for spawning, breeding, feeding, or growth to maturity” (MSFCMA 1996, NOAA 2002). EFH provisions state that species that require fisheries management are subdivided into Management Unit Species (MUS) groups. In Hawaiian waters, there are five MUS groups that are currently managed: pelagics, bottomfish, crustaceans, precious corals, and coral reef ecosystem. In Hawaiian waters, EFH for coral reef ecosystem MUS is defined by the Final Coral Reef Ecosystem Fishery Management Plan (WPRFMC 2001) and subsequent Fishery Ecosystem Plan for the Hawaiian Archipelago (WPRFMC, 2009a, 2009b, 2016). These documents state that EFH for coral reef ecosystem MUS “includes all waters and habitat at depths from the sea surface to 50 fathoms extending from the shoreline (including state and territorial land and waters) to the outer boundary of the Exclusive Economic Zone (EEZ).”

Impacts to EFH may result from modification due to shading of the bottom from the installation of the floating dock. Overwater structures, such as the proposed fixed piers, cause a reduction of light levels below the structure. The shadow cast by such a structure can affect marine flora and fauna below the structure and may reduce prey organism abundance and habitat complexity (Kahler et al. 2000, Haas et al. 2002). Installation of support piles for the floating dock could also have impacts to marine life due to increased turbidity (Fabricius 2005). This report documents the corals and other benthic organisms that may potentially be affected by shading and/or reduced water quality. A detailed impact assessment will consider the final dimensions, materials, and procedures used in construction which are yet to be determined.

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Appendix B

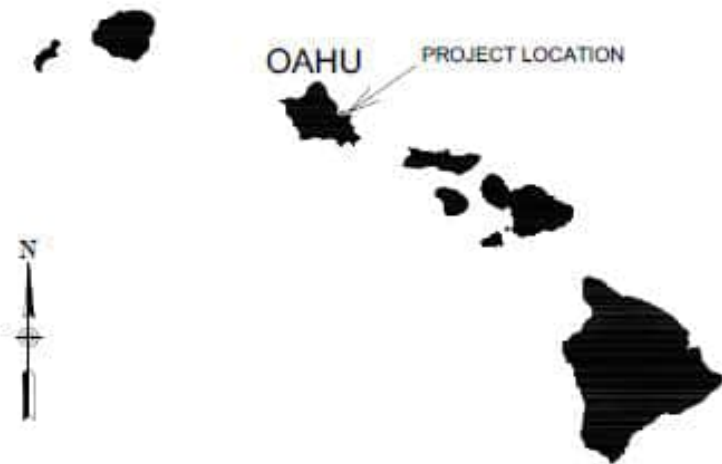
Permit Drawings

JAMES MICHAEL ELHOFF RESIDENCE

NEW FIXED DOCK

45-221 KA HANAHOU CIRCLE
KANEIOHE, HAWAII 96744
TMK:4-5-047-051

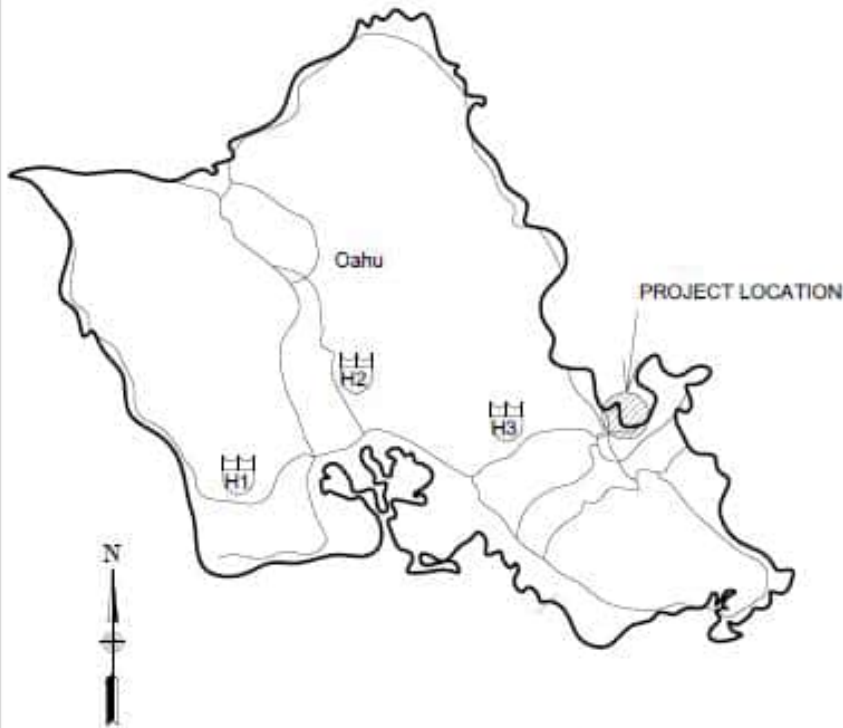
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SHEET NO.	DWG NO.	DESCRIPTION
1		COVER, SHEET INDEX, VICINITY MAPS
2	D1	EXISTING CONDITIONS
3	D2	SITE PLAN
4	D3	DOCK DETAILS
5	D4	GANGWAY DETAILS
6	D5	BEST MANAGEMENT PRACTICES DETAILS



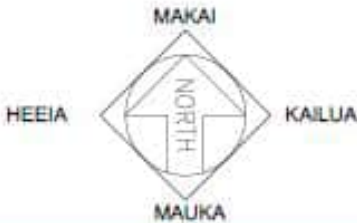
REGIONAL MAP



VICINITY MAP



LOCATION MAP



FOR PERMIT REVIEW
NOT FOR CONSTRUCTION

CONSULTANT:
integral
consulting inc.

STRUCTURAL ENGINEER:
ALLSHORE ENGINEERING, LLC

APPROVED: _____ DATE: _____
JAMES MICHAEL ELHOFF
PROPERTY OWNER

NOTES:

1. AERIAL PHOTOGRAPH COLLECTED BY RESOURCE MAPPING HAWAII - ROSS WINANS, AUGUST - NOVEMBER 2015.
2. APPROXIMATE CORAL LOCATIONS AS SHOWN SURVEYED BY SHORELINE SCIENCE & ENGINEERING, LLC ON MAY 27 AND 28, 2021.



NEW FIXED DOCK
45-221 KA HANAHOU CIRCLE
KANELOHE, HAWAII 96744
TMK:4-5-047-051

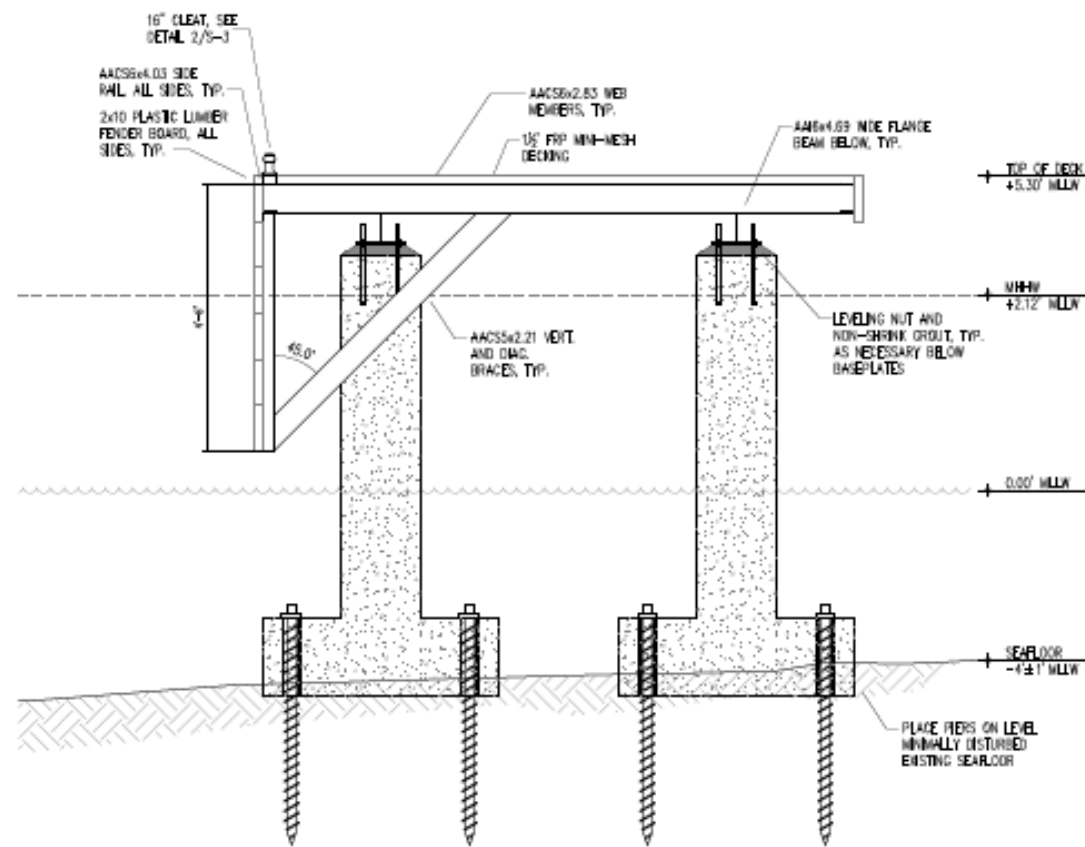
PERMIT DRAWINGS
NOT FOR CONSTRUCTION

EXISTING CONDITIONS

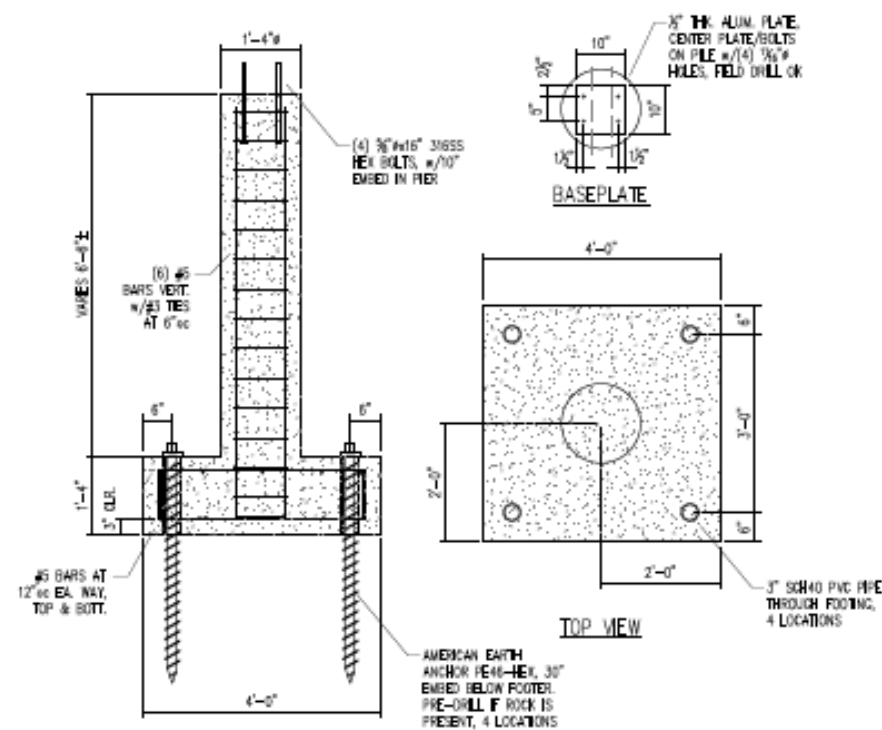
FIGURE
D1

2 OF 6

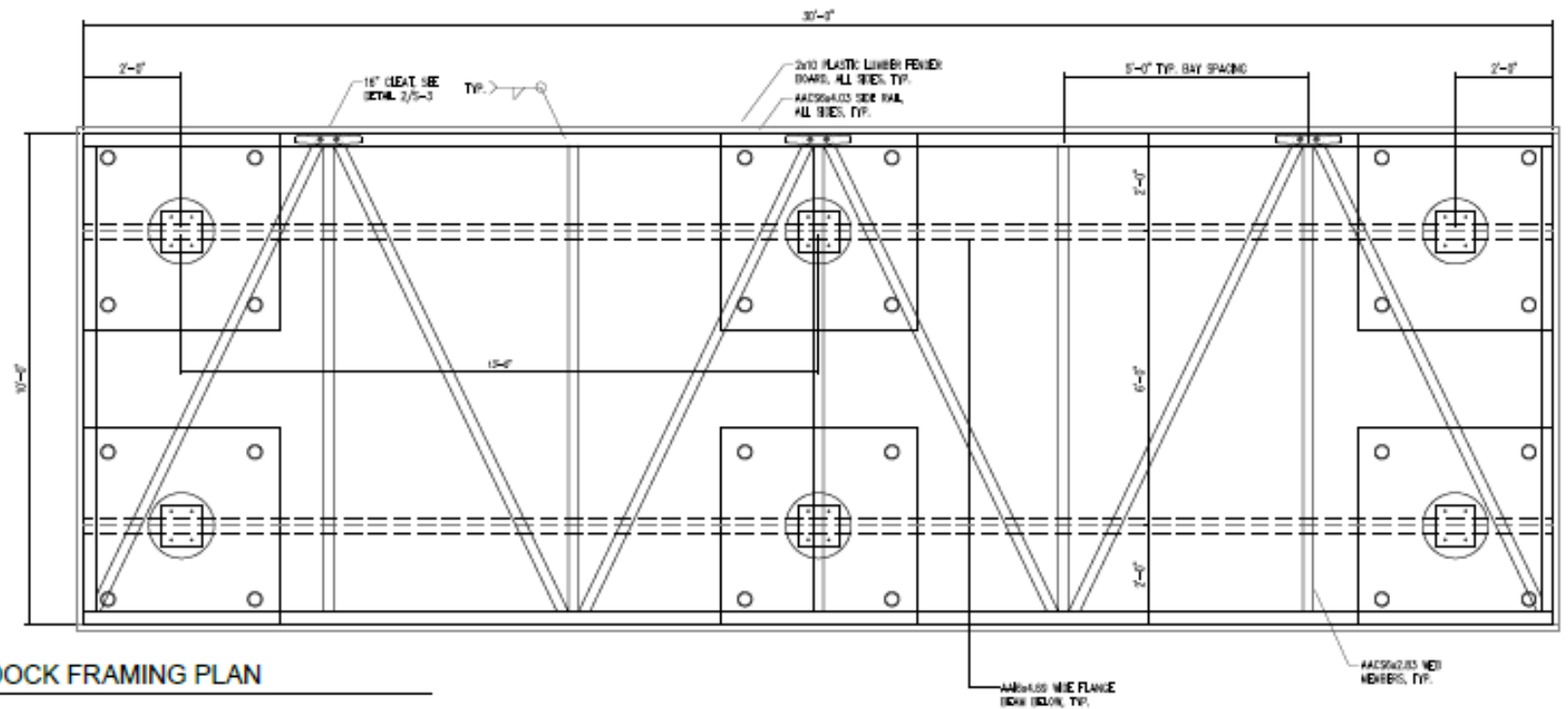




1
D3
TYPICAL DOCK SECTION

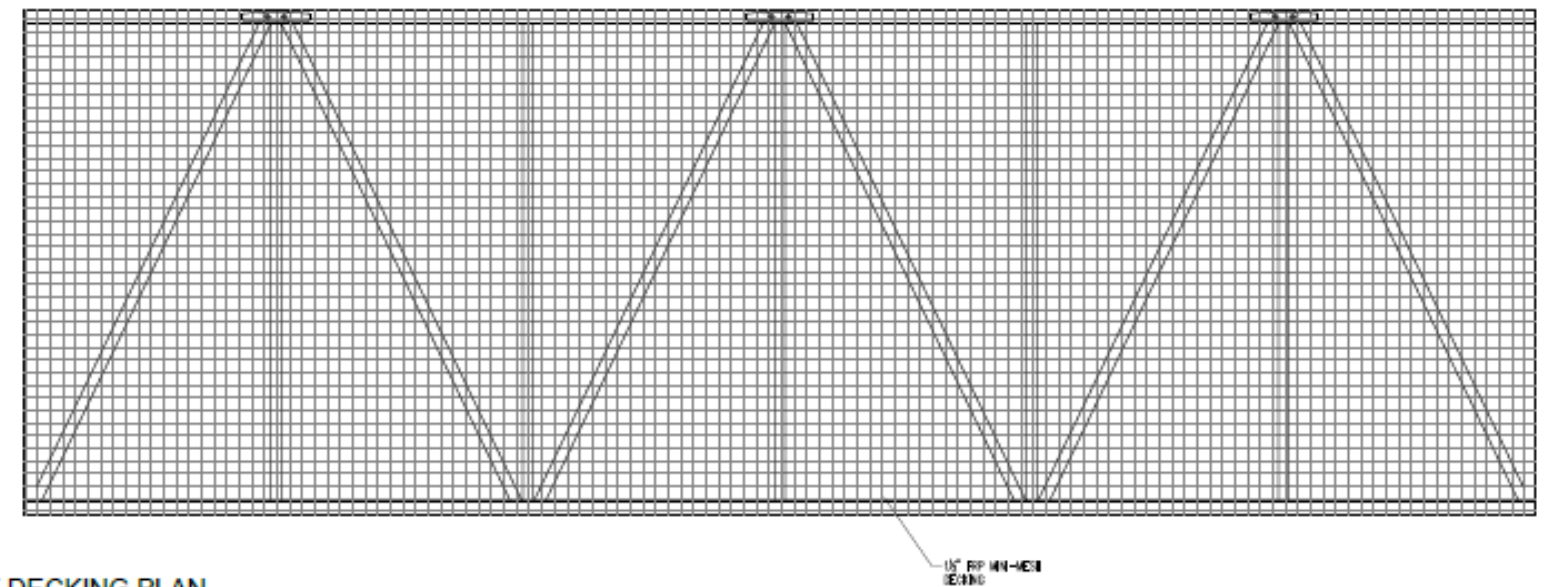


2
D3
PIER DETAILS

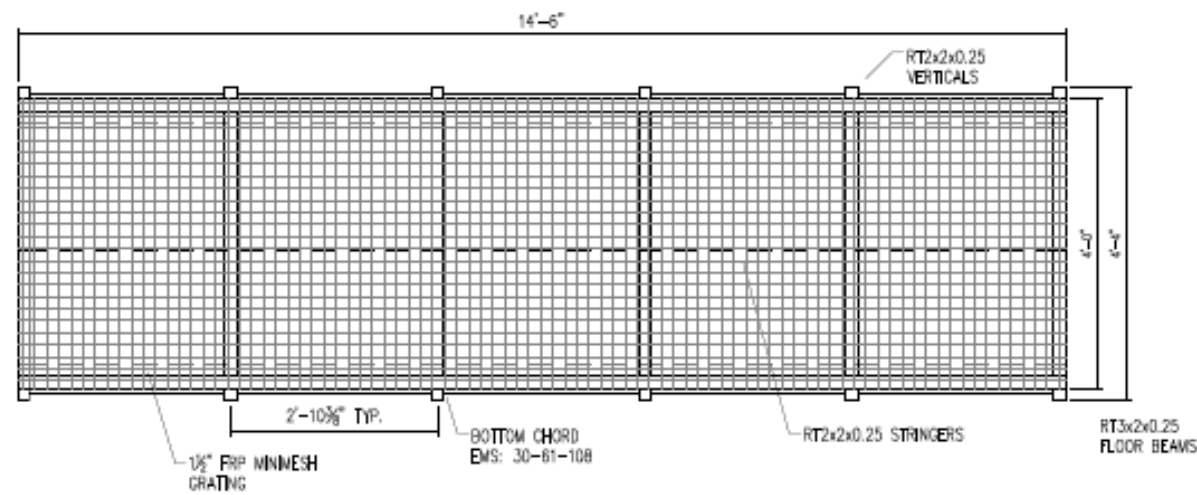


3
D3
DOCK FRAMING PLAN

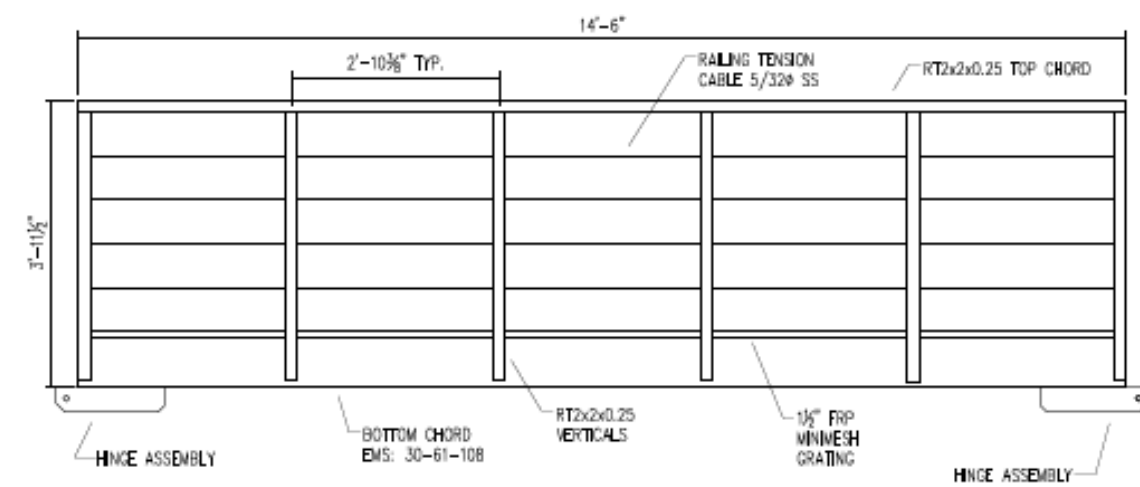
NOTE: DOCK FRAMING PLAN SHOWN IS FOR GENERAL REFERENCE ONLY.
FINAL FRAMING DESIGN WILL BE ADJUSTED TO REFLECT REVISED FOOTING
LOCATIONS TO AVOID LIVE CORALS (SEE SHEET D2 FOR REFERENCE)



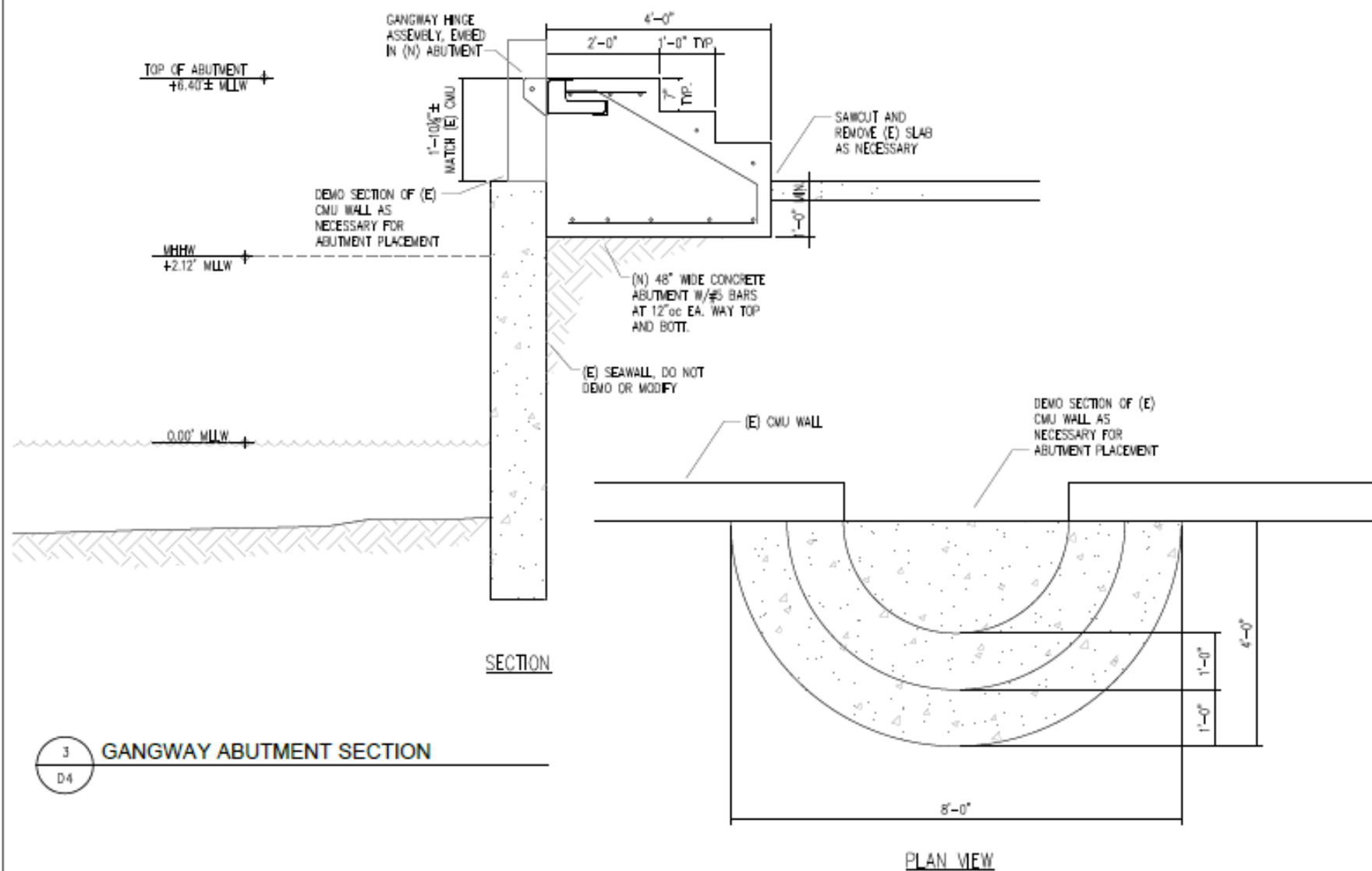
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D3
DOCK DECKING PLAN



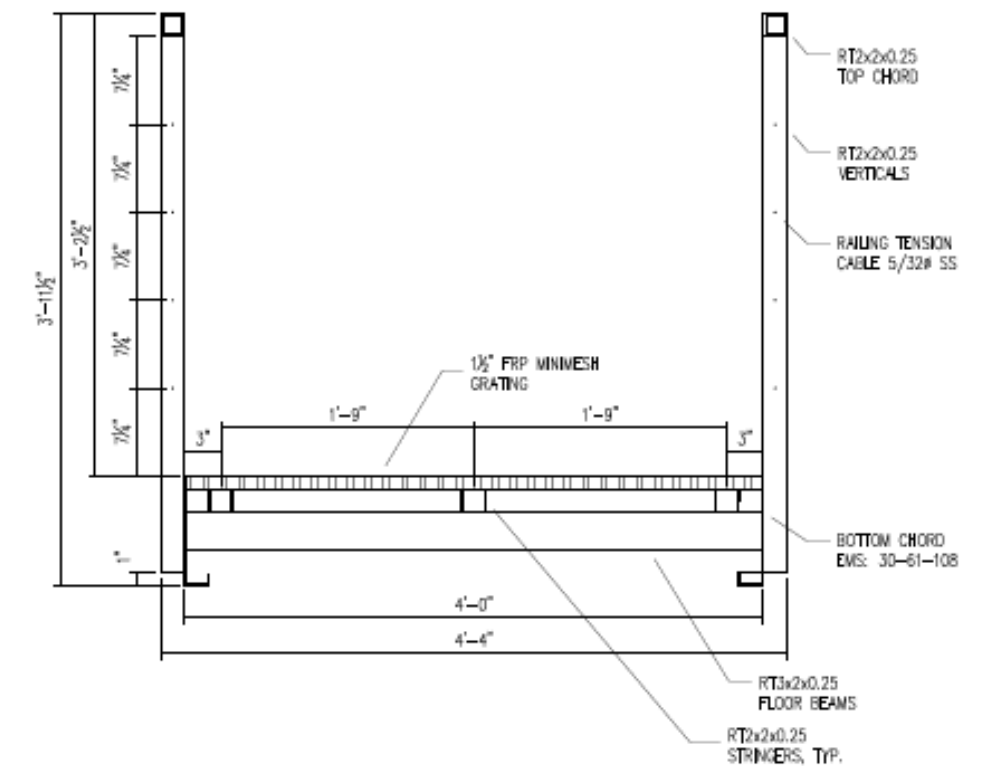
1
D4
GANGWAY FRAMING PLAN



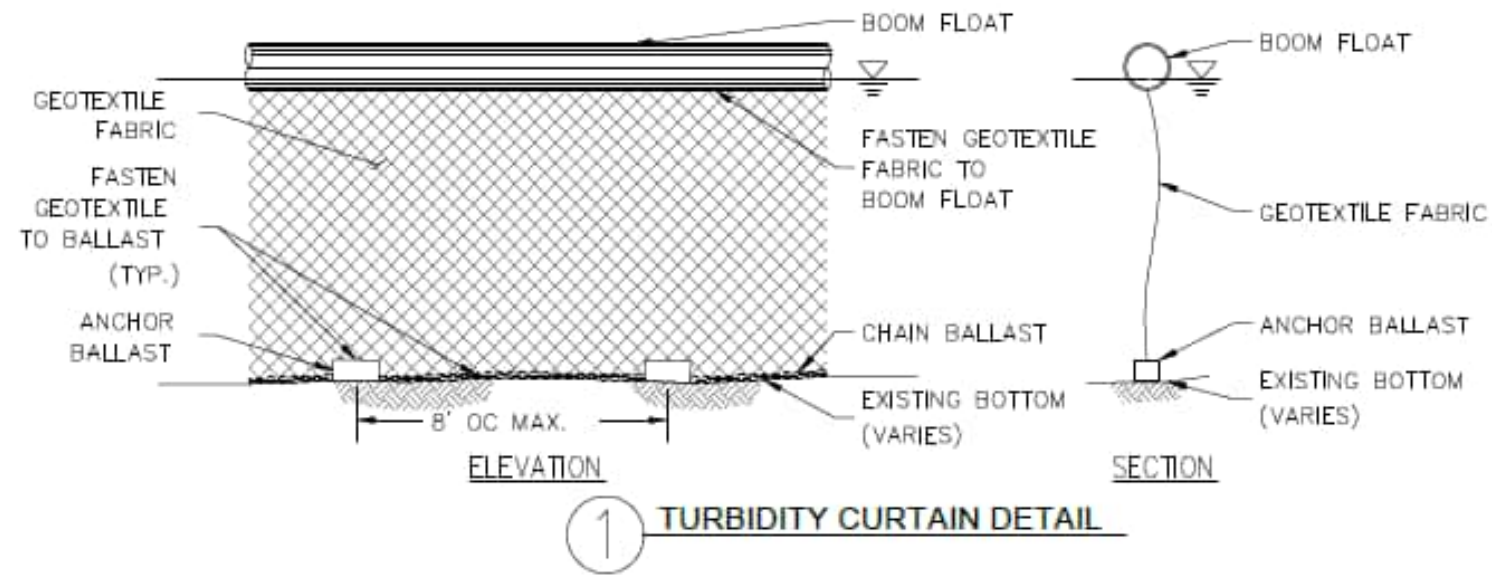
2
D4
GANGWAY ELEVATION



3
D4
GANGWAY ABUTMENT SECTION



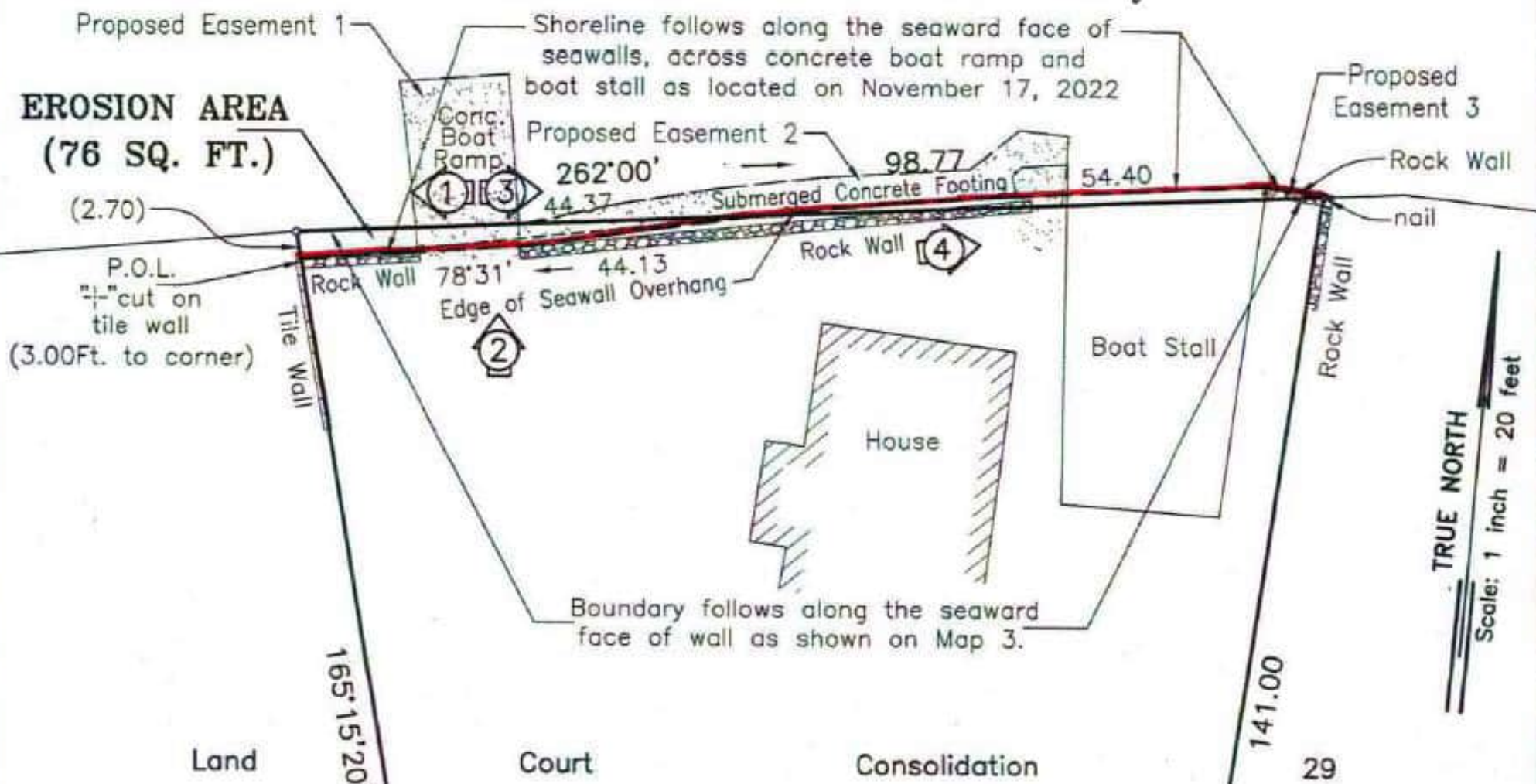
4
D4
GANGWAY SECTION



Appendix C

Shoreline Certification

Kaneohe Bay



LOT D-29
10,468 SQ. FT.
(10,392 SQ. FT.)

The shoreline as delineated in red is hereby certified as the shoreline as of

MAY 14 2023

Chairperson, Board of Land and Natural Resources

K A - H A N A H O U C I R C L E

SHORELINE SURVEY MAP
LOT D-29
 as shown on Map 3
 of Land Court Consolidation 29
 Kaneohe, Koolaupoko, Oahu, Hawaii
 Tax Map Key: 4-5-047:051
 Scale: 1 inch = 20 feet
 Date: November 21, 2022

Owner: Michael Elhoff Trust
 45-221 Ka-Hanahou Circle
 Kaneohe, Hawaii 96744



[Signature] Exp. 4/30/24

NOTES:

1. Only improvements shown were located.
2. Denotes direction and number of photographs.

This work was prepared by me or under my direct supervision.

Appendix D

Easement

JOSH GREEN, M.D.
GOVERNOR | KE KUA'ĀINA

SYLVIA LUKE
LEUTENANT GOVERNOR | KA HOPE KUA'ĀINA



DAWN N. S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
LAND DIVISION

P.O. BOX 621
HONOLULU, HAWAII 96809

May 30, 2025

Ref. No.: GL6201

James Michael Elhoff, Trustee
45-221 Ka Hanahou Circle
Kaneohe, Hawaii 96744

Dear Mr. Elhoff:

Subject: Grant of Non-Exclusive No. S-6201 to James Michael Elhoff,
Trustee for Boat Ramp and Concrete Wall Purposes; Kaneohe,
Koolaupoko, Oahu, TMK (1) 4-5-047: seaward of 051

Enclosed, for your records, is one fully recorded copy of the above referenced document
and a copy of the appraisal report.

If you have any questions, please do not hesitate to contact us at (808) 587-0430. Thank
you.

Sincerely,

A handwritten signature in black ink, appearing to read "Barry Cheung".

Barry Cheung
District Land Agent

Enclosures

DATE _____ Doc A 92B1000660
DOCUMENT NO. _____ 5/30/2025 10:57 AM

LAND COURT SYSTEM		REGULAR SYSTEM	
Return by Mail ()	Pickup (/)	To:	

DEPT. OF LAND AND NATURAL RESOURCES
LAND DIVISION

Total Number of Pages:

Tax Map Key No. (1) 4-5-047: seaward of 051

GRANT OF NON-EXCLUSIVE EASEMENT S-6201

THIS INDENTURE, made and entered into this 29 day of MAY, 2025, by and between the STATE OF HAWAII, by its Board of Land and Natural Resources, hereinafter referred to as the "Grantor," and JAMES MICHAEL ELHOFF, Trustee of the Michael Elhoff Living Trust dated November 30, 2017, whose address is 45-221 Ka Hanahou Circle, Kaneohe, Hawaii 96744, hereinafter "Grantee."

WITNESSETH THAT:

The Grantor, pursuant to Section 171-13, Hawaii Revised Statutes and Section 183C-5, Hawaii Revised Statutes, to the extent applicable, for and in consideration of the rent to be paid and of the terms, conditions, and covenants herein contained, all on the part of the Grantee to be kept, observed, and performed, does hereby grant unto the Grantee, the following non-exclusive and term easement rights:



Right, privilege and authority to use, repair, and maintain existing boat ramp and concrete wall,

over, under and across that certain portion of submerged land ("easement area"), also referred to as "premises," situate at Kaneohe, Koolaupoko, Oahu, Hawaii, being identified as "NON-EXCLUSIVE EASEMENTS BOAT RAMP EASEMENT 1, WALL AND FOOTING EASEMENT 2, AND WALL EASEMENT 3," containing areas of 169 square feet, 194 square feet, and 5 square feet, respectively, more particularly described in Exhibit "A" and delineated on Exhibit "B," both of which are attached hereto and made parts hereof, said exhibits being respectively, a survey description and survey map prepared by the Survey Division, Department of Accounting and General Services, State of Hawaii, designated C.S.F. No. 26,072 and dated October 7, 2024, TOGETHER WITH the rights of ingress and egress to and from the easement area for all purposes in connection with the rights hereby granted.

TO HAVE AND TO HOLD the easement rights unto the Grantee, its successors and assigns, SUBJECT, HOWEVER, to the following terms, conditions and covenants:

1. The term of this easement shall be twenty-five (25) years, commencing on the 1st day of JUNE, 2025, up to and including the 30th day of MAY, 2050, unless sooner terminated as hereinafter provided, the Grantor reserving and the Grantee yielding and paying to the Grantor at the Office of the Department of Land and Natural Resources, Honolulu, Oahu, State of Hawaii, a one time payment, payable in advance, without notice or demand of TWENTY-FOUR THOUSAND THREE HUNDRED AND NO/100 DOLLARS (\$24,300.00).

THE GRANTOR AND THE GRANTEE COVENANT AND AGREE AS FOLLOWS:

1. The Grantee shall at all times with respect to the easement area use due care for public safety and agrees to release, indemnify, defend, and hold the Grantor harmless from and against any claim or demand for loss, liability, or damage, including claims for bodily injury, wrongful death, or property damage, arising out of or resulting from: a) any act or omission on the part of the Grantee relating to the Grantee's use, occupancy, maintenance, or enjoyment of the easement area; b) any failure on the part of the Grantee to maintain the easement area and sidewalks, roadways, and parking areas

adjacent thereto in the Grantee's use and control, and including any accident, fire or nuisance, growing out of or caused by any failure on the part of the Grantee to maintain the easement area in a safe condition; and c) from and against all actions, suits, damages, and claims by whomsoever brought or made by reason of the Grantee's non-observance or non-performance of any of the terms, covenants, and conditions of this grant of non-exclusive easement or the rules, regulations, ordinances, and laws of the federal, state, municipal or county governments.

2. The Grantor reserves unto itself, its successors and assigns, the full use and enjoyment of the easement area and the authority and right to grant to others rights and privileges for any and all purposes affecting the easement area, provided, however, that the rights herein reserved shall not be exercised by the Grantor and similar grantee(s) in any manner which interferes unreasonably with the Grantee in the use of the easement area for the purposes for which this easement is granted.

3. The placement of all improvements in or upon the easement area by the Grantee shall be done without cost or expense to the Grantor and shall remain the property of the Grantee and subject to the terms of paragraphs 11 and 15 may be removed or otherwise disposed of by the Grantee at any time; provided, that the removal shall be accomplished with minimum disturbance to the easement area which shall be restored to its original condition, or as close thereto as possible, within a reasonable time after removal.

4. Upon completion of any work performed in or upon the easement area, the Grantee shall remove therefrom all equipment and unused or surplus materials, if any, and shall leave the easement area in a clean and sanitary condition satisfactory to the Grantor.

5. Throughout the term of this easement (unless sooner abandoned or otherwise terminated herein) this easement shall run with the land and shall inure to the benefit of the real property described as tax map key no. (1)4-5-047:051, provided however, that the Grantee shall carry the required liability insurance covering the easement area and comply with all other terms and conditions as provided herein, and that the Grantee, or authorized representative of the Grantee's estate, shall notify the Grantor in writing when this easement is sold,



assigned, conveyed, or otherwise transferred, and Grantee shall notify the Grantee's successors or assigns of the insurance requirement in writing, separate and apart from this easement document.

6. The Grantee shall keep the easement area and the improvements thereon in a safe, clean, sanitary, and orderly condition, and shall not make, permit or suffer, any waste, strip, spoil, nuisance or unlawful, improper, or offensive use of the easement area.

7. The Grantee covenants, for itself, its successors and assigns, that the use and enjoyment of the land herein granted shall not be in support of any policy which discriminates against anyone based upon race, creed, sex, color, national origin, religion, marital status, familial status, ancestry, physical handicap, disability, age or HIV (human immunodeficiency virus) infection.

8. The Grantee, in the exercise of the rights granted herein, shall comply with all of the requirements of the federal, state, and county authorities and shall observe all county ordinances and state and federal laws, rules and regulations, now in force or which may hereinafter be in force.

9. These easement rights shall cease and terminate, and the easement area shall automatically be forfeited to the Grantor, without any action on the part of the Grantor, in the event of non-use or abandonment by the Grantee of the easement area, or any portion thereof, for a consecutive period of one (1) year.

10. The Grantee shall, at the end of the term or other sooner expiration, termination or revocation of this easement, peaceably deliver unto the Grantor possession of the premises, together with all improvements existing thereon or Grantee shall remove such improvements and shall restore the premises to their original state, at the option of the Grantor. If the Grantee does not remove the improvements or restore the premises to the satisfaction of the Grantor, the Grantor may effect such action and the Grantee agrees to pay all costs and expenses for such action. Furthermore, upon the expiration, termination, or revocation of this easement, should the Grantee fail to remove any and all of Grantee's personal property from the premises, after notice thereof, the Grantor may remove any and all of Grantee's personal property from the premises, and

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either deem the property abandoned and dispose of the property or place the property in storage at the cost and expense of Grantee and the Grantee does agree to pay all costs and expenses for disposal, removal, or storage of the personal property. This provision shall survive the expiration, termination or revocation of the easement.

11. The Grantee shall procure and maintain, at its own cost and expense, in full force and effect throughout the term of this easement, general liability insurance, or its equivalent, with an insurance company or companies licensed or authorized to do business in the State of Hawaii with an AM Best rating of not less than "A-VIII" or other comparable and equivalent industry rating, in an amount of at least \$1,000,000.00 for each occurrence and \$2,000,000.00 aggregate, and with coverage terms acceptable to the Chairperson of the Board of Land and Natural Resources. The policy or policies of insurance shall name the State of Hawaii as an additional insured. A copy of the policy or other documentation required by the Grantor shall be filed with the State of Hawaii, Department of Land and Natural Resources. The insurance shall cover the entire easement area, including all buildings, improvements, and grounds and all roadways or sidewalks on or adjacent to the easement in the use or control of the Grantee.

The Grantee, prior to entry and use of the easement area or within fifteen (15) days after the effective date of this easement, whichever is sooner, shall furnish the Grantor with a policy(s) or other documentation required by the Grantor showing the policy(s) to be initially in force, keep the policy(s) or other documentation required by the Grantor on deposit during the entire easement term, and furnish a like policy(s) or other documentation required by the Grantor upon each renewal of the policy(s). This insurance shall not be cancelled, limited in scope of coverage, or nonrenewed until after thirty (30) days written notice has been given to the Grantor. The Grantor may at any time require the Grantee to provide Grantor with copies of the insurance policy(s) that are or were in effect during the easement term or other documentation required by the Grantor.

The Grantor shall retain the right at any time to review the coverage, form, and amount of the insurance required by this easement. If, in the opinion of the Grantor, the insurance provisions in this easement do not provide adequate



protection for the Grantor, the Grantor may require Grantee to obtain insurance sufficient in coverage, form, and amount to provide adequate protection. The Grantor's requirements shall be reasonable but shall be designed to assure protection for and against the kind and extent of the risks which exist at the time a change in insurance is required. The Grantor shall notify Grantee in writing of changes in the insurance requirements and Grantee shall deposit copies of acceptable insurance policy(s) or other documentation required by the Grantor thereof, with the Grantor incorporating the changes within thirty (30) days after receipt of the notice.

The procuring of the required policy(s) of insurance shall not be construed to limit Grantee's liability under this easement nor to release or relieve the Grantee of the indemnification provisions and requirements of this easement. Notwithstanding the policy(s) of insurance, Grantee shall be obligated for the full and total amount of any damage, injury, or loss caused by Grantee's or the Grantee's employees, agents, officers, or invitees' negligence or neglect connected with this easement.

It is agreed that any insurance maintained by the Grantor will apply in excess of, and not contribute with, insurance provided by Grantee's policy.

12. Grantor reserves the right to withdraw the easement for public use or purposes, at any time during the term of this easement upon the giving of reasonable notice to Grantee. Upon withdrawal of the easement, Grantor shall return to Grantee a portion of the one-time payment described in paragraph 1. For purposes of determining the amount to be returned to the Grantee, the term "net payment" shall mean the one-time payment described in paragraph 1 reduced by any non-refundable portion of the one-time payment, if any, that Grantor was required by statute to pay to any other entity or body. The amount returned to Grantee shall be the net payment prorated for the unused term of the easement.

13. The Grantee shall not mortgage, hypothecate, or pledge the premises, any portion, or any interest in this easement without the prior written approval of the Chairperson of the Board of Land and Natural Resources and any mortgage, hypothecation, or pledge without the approval shall be null and void.



14. Time is of the essence in this agreement and if the Grantee shall abandon the premises, or if this easement and premises shall be attached or taken by operation of law, or if any assignment is made of the Grantee's property for the benefit of creditors, or if Grantee shall fail to observe and perform any of the covenants, terms, and conditions contained in this easement and on its part to be observed and performed, and this failure shall continue for a period of more than sixty (60) calendar days after delivery by the Grantor of a written notice of breach or default, by personal service, registered mail or certified mail to the Grantee at its last known address and to each mortgagee or holder of record having a security interest in the premises, the Grantor may, subject to the provisions of Section 171-21, Hawaii Revised Statutes, at once re-enter the premises, or any part, and upon or without the entry, at its option, terminate this easement without prejudice to any other remedy or right of action for any preceding or other breach of contract; and in the event of termination, at the option of Grantor, all improvements shall remain and become the property of the Grantor or shall be removed by Grantee.

15. In the event the Grantor seeks to forfeit the privilege, interest, or estate created by this easement, each recorded holder of a security interest may, at its option, cure or remedy the default or breach within sixty (60) calendar days, from the date of receipt of the Grantor's notice, or within an additional period allowed by Grantor for good cause, and add the cost to the mortgage debt and the lien of the mortgage. Upon failure of the holder to exercise its option, the Grantor may: a) pay to the holder from any moneys at its disposal, including the special land and development fund, the amount of the mortgage debt, together with interest and penalties, and secure an assignment of the debt and mortgage from the holder or if ownership of the privilege, interest, or estate shall have vested in the holder by way of foreclosure, or action in lieu thereof, the Grantor shall be entitled to the conveyance of the privilege, interest, or estate upon payment to the holder of the amount of the mortgage debt, including interest and penalties, and all reasonable expenses incurred by the holder in connection with the foreclosure and preservation of its security interest, less appropriate credits, including income received from the privilege, interest, or estate subsequent to the foreclosure; or b) if the property cannot be reasonably reassigned without loss to the State, then terminate the outstanding privilege,



interest, or estate without prejudice to any other right or remedy for any preceding or other breach or default and use its best efforts to redispense of the affected land to a qualified and responsible person free and clear of the mortgage and the debt secured; provided that a reasonable delay by the Grantor in instituting or prosecuting its rights or remedies shall not operate as a waiver of these rights or to deprive it of a remedy when it may still otherwise hope to resolve the problems created by the breach or default. The proceeds of any redistribution shall be applied, first, to reimburse the Grantor for costs and expenses in connection with the redistribution; second, to discharge in full any unpaid purchase price or other indebtedness owing the Grantor in connection with the privilege, interest, or estate terminated; third, to the mortgagee to the extent of the value received by the State upon redistribution which exceeds the fair market value of the land as previously determined by the State's appraiser; and fourth, to the owner of the privilege, interest, or estate.

16. In case the Grantor shall, without any fault on its part, be made a party to any litigation commenced by or against the Grantee as a result of this grant of non-exclusive easement (other than condemnation proceedings), the Grantee shall pay all costs, including reasonable attorney's fees and expenses incurred by or imposed on the Grantor; furthermore, the Grantee shall pay all costs, including reasonable attorney's fees and expenses, which may be incurred by or paid by the Grantor in enforcing the covenants and conditions of this grant of non-exclusive easement, or in the collection of delinquent rental, fees, taxes, and any and all other applicable charges attributed to said easement area.

17. The Grantee shall not cause or permit the escape, disposal or release of any hazardous materials except as permitted by law. Grantee shall not allow the storage or use of such materials in any manner not sanctioned by law or by the highest standards prevailing in the industry for the storage and use of such materials, nor allow to be brought onto the easement area any such materials except to use in the ordinary course of Grantee's business, and then only after written notice is given to Grantor of the identity of such materials and upon Grantor's consent which consent may be withheld at Grantor's sole and absolute discretion. If any lender or governmental agency shall ever require testing to ascertain whether or not there has been any release of hazardous materials by Grantee, then the Grantee

shall be responsible for the reasonable costs thereof. In addition, Grantee shall execute affidavits, representations and the like from time to time at Grantor's request concerning Grantee's best knowledge and belief regarding the presence of hazardous materials on the easement area placed or released by Grantee.

The Grantee agrees to release, indemnify, defend, and hold Grantor harmless, from any damages and claims resulting from the release of hazardous materials on the easement area occurring while Grantee is in possession, or elsewhere if caused by Grantee or persons acting under Grantee. These covenants shall survive the expiration or earlier termination of this easement.

For the purpose of this easement "hazardous material" shall mean any pollutant, toxic substance, hazardous waste, hazardous material, hazardous substance, or oil as defined in or pursuant to the Resource Conservation and Recovery Act, as amended, the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, the Federal Clean Water Act, or any other federal, state, or local environmental law, regulation, ordinance, rule, or bylaw, whether existing as of the date hereof, previously enforced, or subsequently enacted.

18. No building, structure or improvements other than the existing boat ramp and concrete wall shall be placed or constructed within the easement area.

19. The Grantee acknowledges and agrees that the existing boat ramp and concrete wall described in Exhibit "A" and delineated on Exhibit "B" herein is nonconforming and, further, that the Grantee is prohibited from rebuilding or altering said existing boat ramp and concrete wall without first obtaining the appropriate permission (e.g., conservation district use permit) from Grantor. In no event may Grantee extend the existing boat ramp and concrete wall seaward of its present location. Furthermore, Grantee shall keep the existing boat ramp and concrete wall in good condition and repair; provided, however, if the existing boat ramp and concrete wall is damaged or destroyed by any means (including voluntary demolition) to an extent of more than fifty percent (50%) of its replacement cost at the time of destruction as determined by the Grantor, this easement and all rights granted herein shall cease and terminate automatically without further action on the part

of the Grantor.

20. The public shall have access across the easement area at all times.

21. The Grantee shall release, hold harmless, defend, and indemnify the State of Hawaii, its boards, departments, agencies, and public and appointed officials from any and all claims for harm, taking, damages, loss of land, or specific performance that may arise out of or result from the existence and effect of the existing boat ramp and concrete wall on the flow of the ocean water that, in turn, may affect or cause lateral erosion of the shoreline land in either direction along the shore from the existing boat ramp and concrete wall.

22. This easement is subject to any shoreline hardening policy that may be adopted by the State of Hawaii, Board of Land and Natural Resources prior to execution of the grant of easement.

23. The Grantee shall comply with all applicable federal and state environmental impact regulations.

24. The Grantee shall maintain and employ debris, pollution, and contamination control measures, safeguards and techniques to prevent debris, pollution or contamination to the ocean waters, streams or waterways resulting from the Grantee's, Grantee's invitees, or Grantee's agent's use, maintenance, repair and operation of the easement area, and shall take immediate corrective action in the event such pollution or contamination to immediately remove the cause of such pollution or contamination, and shall immediately clean the easement area and its surrounding waters of such pollutant or contaminant and restore to the Grantor's satisfaction the areas affected by such pollution or contamination, all at the Grantee's own cost and expense.

25. The Grantee shall maintain, repair, and upkeep the existing boat ramp and concrete wall in a condition satisfactory to the Grantor, and in a manner that will enhance the public shoreline and access thereto. Any improvements to the existing boat ramp and concrete wall shall be subject to the prior written approval of the Board of Land and Natural Resources and any other appropriate permission. Upon abandonment, expiration or termination of this easement, if desired by the Grantor, the Grantee, Grantee's successors and assigns, and at their own cost

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and expense, shall remove the existing boat ramp and concrete wall and restore the area to a condition satisfactory to the Grantor.

26. Should future development necessitate a relocation of the easement granted herein, or any portion thereof, the relocation shall be accomplished at the Grantee's own cost and expense, subject to the approval of the Grantor in Grantor's sole and absolute discretion.

27. The introduction of noxious, invasive, or exotic plant and animal species to the easement area shall not be permitted. The Grantee shall be solely responsible for the removal, at no cost to the Grantor, of any and all noxious, invasive, or exotic plant and animal species on the easement area. This provision shall not apply to native species.

28. If there is more than one Grantee under this grant of easement, then the obligation of each Grantee shall be joint and several such that each Grantee is jointly and severally liable for all obligations under this grant of easement.

29. Section 171-53(c), Hawaii Revised Statutes, requires the prior approval of the Governor of the State of Hawaii to be obtained for this term easement. The Governor of the State of Hawaii's approval was obtained on July 10, 2024.

30. Section 171-53(c), Hawaii Revised Statutes, requires the prior authorization of the legislature by concurrent resolution to be obtained for this term easement. Said concurrent resolution was adopted on April 19, 2024.

IN WITNESS WHEREOF, the STATE OF HAWAII, by its Board of Land and Natural Resources, has caused the seal of the Department of Land and Natural Resources to be hereunto affixed and the parties hereto have caused this Indenture to be executed as of the day, month, and year first above written.

STATE OF HAWAII

Approved by the Board of
Land and Natural Resources
at its meeting held on
August 26, 2022.

By



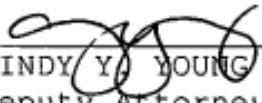
DAWN N.S. CHANG

Chairperson
Board of Land and
Natural Resources



APPROVED AS TO FORM:

GRANTOR


CINDY Y. YOUNG
Deputy Attorney General

Dated: May 9, 2025

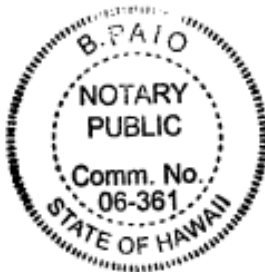

JAMES MICHAEL ELHOFF, Trustee
aforesaid

GRANTEE



STATE OF HAWAII)
) SS.
CITY AND COUNTY OF HONOLULU)

On this 27th day of May, 2025, before me personally appeared JAMES MICHAEL ELHOFF to me known to be the person described in and who executed the foregoing instrument and acknowledged that ~~she~~ ^{he} executed the same as ~~her~~ ^{his} free act and deed.



B. Paio
Notary Public, State of Hawaii

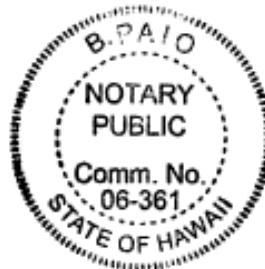
B. Paio

My commission expires: 6/18/2026

NOTARY PUBLIC CERTIFICATION

Document Date: none at the time of notarization # pgs: 13+5 pgs attachments
Notary Name: B. Paio First Circuit
Doc. Description: Grant of Non-Exclusive Easement S-6201

B. Paio 05/27/2025
Notary Signature Date





STATE OF HAWAII
LAND SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
HONOLULU

C.S.F. No. 26,072

October 7, 2024

NON-EXCLUSIVE EASEMENTS
BOAT RAMP EASEMENT 1
WALL AND FOOTING EASEMENT 2
AND WALL EASEMENT 3
Affecting Lot D-29 of Land Court Consolidation 29
Kaneohe, Koolaupoko, Oahu, Hawaii

BOAT RAMP EASEMENT 1:

Comprised of the following:

- A. Portion of the submerged land within Lot D-29 as shown on Map 3 of Land Court Consolidation 29.
- B. Portion of the submerged land of Kaneohe Bay.

Beginning at the southeast corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PAHU" being 767.03 feet North and 1343.04 feet East, thence running by azimuths measured clockwise from True South:-

1. Across concrete boat ramp along the shoreline as certified on May 14, 2023, the direct azimuth and distance between points along said shoreline being:
80° 23' 30" 9.91 feet;
2. 168° 30' 16.60 feet;
3. 260° 30' 10.50 feet;



4. 350° 32' 16.57 feet to the point of beginning and containing an
AREA OF 169 SQUARE FEET.

WALL AND FOOTING EASEMENT 2:

Comprised of the following:

- A. Portion of the submerged land within Lot D-29 as shown on Map 3 of Land Court Consolidation 29.
- B. Portion of the submerged land of Kaneohe Bay.

Beginning at the southwest corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PAHU" being 767.03 feet North and 1343.04 feet East, thence running by azimuths measured clockwise from True South:-

- 1. 170° 32' 2.12 feet;
- 2. 252° 30' 10.00 feet;
- 3. 255° 20' 9.30 feet;
- 4. 257° 50' 10.50 feet;
- 5. 261° 00' 14.00 feet;
- 6. 226° 00' 6.10 feet;
- 7. 270° 40' 4.70 feet;
- 8. 357° 20' 2.80 feet;
- 9. 0° 46' 50" 3.87 feet;
- 10. 82° 00' 29.33 feet along Lot D-29 as shown on Map 3 of Land Court Consolidation 29;

11. Thence along the seaward face of seawall along the shoreline as certified on May 14, 2023, the direct azimuth and distance between points along said shoreline being: 76° 43' 20" 23.01 feet to the point of beginning and containing an AREA OF 194 SQUARE FEET.

WALL EASEMENT 3:

Being a portion of the submerged land of Kaneohe Bay.

Beginning at the southeast corner of this easement and at the northwest corner of Lot D-30 as shown on Map 3 of Land Court Consolidation 29, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PAHU" being 779.89 feet North and 1419.30 feet East, thence running by azimuths measured clockwise from True South:-

- | | | |
|----|----------|--|
| 1. | 82° 00' | 5.90 feet along Lot D-29 as shown on Map 3 of Land Court Consolidation 29; |
| 2. | 182° 45' | 1.48 feet; |
| 3. | 273° 00' | 5.80 feet; |



4. 3° 20' 20"

0.35 of a foot to the point of beginning and containing
an AREA OF 5 SQUARE FEET.

LAND SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By: Meyer Cummins
Meyer A. Cummins
Land Surveyor

Compiled from map and desc.
furn. by Jaime Alimboyoguen,
Licensed Professional Land Surveyor.
Said map and desc. have been
examined and checked as to form
and mathematical correctness but
not on the ground by the
Land Survey Division.



K A N E O H E B A Y

**BOAT RAMP-
EASEMENT 1
169 SQ. FT.**

WALL EASEMENT 3 5 SQ. FT.

Shoreline follows along the seaward face of seawalls, and across concrete boat ramp as certified on May 14, 2023.

Consolidation

Lot D-28 (Map 3)

Lot D-30 (Map 3)

29

WALL—
EASEMENT 3
5 SQ. FT.

EXHIBIT "B"

NON-EXCLUSIVE EASEMENTS
BOAT RAMP EASEMENT 1
WALL AND FOOTING EASEMENT 2
AND WALL EASEMENT 3

Affecting Lot D-29 of Land Court Consolidation 29

Kaneohe, Koolaupoko, Oahu, Hawaii

Scale: 1 inch = 20 feet

LAND SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

C.S.F. NO. 26.072

MAC October 7, 2024

Appendix E

Essential Fish Habitat Map



Appendix F

Critical Habitat Map



Appendix G

Pre-Consultation Process

Table 1. Summary of Public Input on Draft EA, Pre-Consultation

Entity Name	Contact	Date of Transmittal	Follow up	Notes	Comments Received
DLNR, Division of Engineering	Dina Lau	8/12/2025	--	Follow up questions received 8/26/25 from Dani Yoo. No further input provided	8/26/2025
DLNR, Oahu District Land Office	Russell Tsuji	8/8/2025	--	no response	--
DLNR, Division of Conservation and Resource Enforcement	Jason Redulla	8/12/2025	--	no response	--
DLNR, Division of Aquatic Resources	Brian Neilson	8/8/2025	--	Complete	9/1/2025
OPSD, Coastal Zone Management	Debra Mendes	8/15/2025	--	Complete. Will not comment on DEA until published in the Environmental Notice	8/19/2025
Office of Hawaiian Affairs	Kaiali'I Kahele	8/8/2025	--	no response	--
DOH- Clean Water Branch	not specified	8/8/2025	--	no response	--
CoH- Department of Planning and Permitting	Dawn Takeuchi Aupuna	8/8/2025	--	no response	--
Ralmar Partners, LLLP	Ralph & Margaret Kiessling	8/8/2025	--	Complete	9/1/2025
Kyle Kodama, Residence	Kyle Kodama	8/8/2025	--	Complete	8/21/2025
Richard Nishida, Residence	Richard Nishida	8/13/2025	--	Complete	8/22/2025
UH, Hawaii Institute of Marine Biology	Andrew Brown	8/12/2025	--	Complete	8/12/2025



Integral Consulting Inc.
66-590 Kamehameha Hwy
Suite 2A
Haleiwa, HI 96712

telephone: 808.374.4440
www.integral-corp.com

August 08, 2025

Project No. C3967

Dina Lau
Acting Chief Engineer
DLNR-Engineering
1151 Punchbowl St. #221
Honolulu, HI 96813

Subject: **Request for Input on Draft Environmental Assessment
Proposed Private Dock at 45-221 Ka Hanahou Circle, Kaneohe**

Dear Ms. Lau:

The property owner of the single-family residence located at 45-221 Ka Hanahou Circle, Kaneohe, Oahu plans to construct a new private fixed dock to support recreational use of Kaneohe Bay. The proposed rectangular dock would be 30 ft long by 10 ft wide and be constructed of aluminum with an open grating deck. The structure would be situated approximately 15-25 ft makai of the existing seawall at the property.

A Draft Environmental Assessment (EA) has been prepared as required by Chapter 343, Hawai'i Revised Statutes, Environmental Impact Statements. An EA is required because the proposed use is within the State of Hawaii Conservation District which includes all submerged lands seaward of the shoreline. The applicant is seeking input from agencies, citizen groups and individuals that might have jurisdiction, expertise, or interest in the proposed action.

Please find the enclosed Draft EA for your review. Should you wish to provide any comments or questions, you may do so via email to Erin Petrosian at epetrosian@integral-corp.com or by mail to the letter head address above. If you do not anticipate providing comment, please let us know at your earliest convenience so that we may note your response in the final Environmental Assessment. We ask that any responses be received by September 1 to allow for the continuation of the permitting process.



Dina Lau
August 08, 2025
Page 2

Sincerely,



Robert A. Walker, PE
Principal, Coastal Engineering



Erin Petrosian
Permitting Specialist

Enclosure I. Draft Environmental Assessment



Re: Draft EA - new dock at 45-221 Ka Hanahou - request for review/comments

From Erin Petrosian <epetrosian@integral-corp.com>

Date Wed 8/27/2025 2:40 PM

To Yoo, Dani <dani.yoo@hawaii.gov>

Hi Dani,

Thanks for the inquiry. In answer to your questions:

1. This is a request for early consultation on the EA. The DEA has not been officially published in the Environmental Notice yet.
2. The letter has not been sent to the DLNR Chairperson, but we have issued individual requests for early consultation to the following agencies within DLNR, among other agencies:
 - a. Oahu District Land Office
 - b. DoCARE
 - c. DAR

If you think there are additional divisions within DLNR that would be interested in participating in the early consultation process, please let me know, or feel free to forward my original message to them.

Much Obligated,

Erin

ERIN PETROSIAN

Tel: 808.374.4442 | Cell: 808.989.2823

INTEGRAL CONSULTING INC.

From: Yoo, Dani <dani.yoo@hawaii.gov>

Sent: Tuesday, August 26, 2025 2:34 PM

To: Erin Petrosian <epetrosian@integral-corp.com>

Subject: RE: Draft EA - new dock at 45-221 Ka Hanahou - request for review/comments

You don't often get email from dani.yoo@hawaii.gov. [Learn why this is important](#)

CAUTION: External email. Think before you click links or open attachments.

Hi Erin,

I'm following up to confirm whether the attached comment request letter was also sent to the DLNR Chairperson's office. Typically, we ask applicants to send these types of letters to the Chairperson so that she can distribute them to the appropriate divisions within DLNR.

Additionally, could you please kindly confirm that this request is for early consultation on the EA, and not for an actual DEA that has already been published?

Thank you,

Dani

Dani Yoo, P.E.
Department of Land and Natural Resources
Engineering Division



1151 Punchbowl Street, Room 221
Honolulu Hawaii 96813
Phone: 808.587.0258
Email: dani.yoo@hawaii.gov

From: Erin Petrosian <epetrosian@integral-corp.com>
Sent: Tuesday, August 12, 2025 3:12 PM
To: DLNR.Engr <dlnr.engr@hawaii.gov>
Cc: Robert Walker <rwalker@integral-corp.com>
Subject: [EXTERNAL] Draft EA - new dock at 45-221 Ka Hanahou - request for review/comments

Aloha,

The property owner of the single-family residence at 45-221 Ka Hanahou Circle in Kāne'ohe is proposing to construct a new fixed dock to support recreational use of the bay. As a neighboring property owner, we would appreciate your review of the attached project information and would welcome any comments you may have.

If possible, please provide your comments by **September 1, 2025**.

Thank you in advance for your time and consideration.

ERIN PETROSIAN | Consultant

Tel: 808.374.4442 | Cell: 808.989.2823 | Kamuela | HI

epetrosian@integral-corp.com





Integral Consulting Inc.
66-590 Kamehameha Hwy
Suite 2A
Haleiwa, HI 96712

telephone: 808.374.4440
www.integral-corp.com

August 08, 2025

Project No. C3967

Russell Tsuji
Administrator
DLNR-Oahu District Land Office
1151 Punchbowl St. #220
Honolulu, HI 96813

Subject: **Request for Input on Draft Environmental Assessment
Proposed Private Dock at 45-221 Ka Hanahou Circle, Kaneohe**

Dear Mr. Tsuji:

The property owner of the single-family residence located at 45-221 Ka Hanahou Circle, Kaneohe, Oahu plans to construct a new private fixed dock to support recreational use of Kaneohe Bay. The proposed rectangular dock would be 30 ft long by 10 ft wide and be constructed of aluminum with an open grating deck. The structure would be situated approximately 15-25 ft makai of the existing seawall at the property.

A Draft Environmental Assessment (EA) has been prepared as required by Chapter 343, Hawai'i Revised Statutes, Environmental Impact Statements. An EA is required because the proposed use is within the State of Hawaii Conservation District which includes all submerged lands seaward of the shoreline. The applicant is seeking input from agencies, citizen groups and individuals that might have jurisdiction, expertise, or interest in the proposed action.

Please find the enclosed Draft EA for your review. Should you wish to provide any comments or questions, you may do so via email to Erin Petrosian at epetrosian@integral-corp.com or by mail to the letter head address above. If you do not anticipate providing comment, please let us know at your earliest convenience so that we may note your response in the final Environmental Assessment. We ask that any responses be received by September 1 to allow for the continuation of the permitting process.



Russell Tsuji
August 08, 2025
Page 2

Sincerely,



Robert A. Walker, PE
Principal, Coastal Engineering



Erin Petrosian
Permitting Specialist

Enclosure I. Draft Environmental Assessment





Integral Consulting Inc.
66-590 Kamehameha Hwy
Suite 2A
Haleiwa, HI 96712

telephone: 808.374.4440
www.integral-corp.com

August 08, 2025

Project No. C3967

Jason Redulla
Enforcement Chief
DLNR-Division of Conservation and Resource Enforcement
1151 Punchbowl St. #311
Honolulu, HI 96813

Subject: **Request for Input on Draft Environmental Assessment
Proposed Private Dock at 45-221 Ka Hanahou Circle, Kaneohe**

Dear Chief Redulla:

The property owner of the single-family residence located at 45-221 Ka Hanahou Circle, Kaneohe, Oahu plans to construct a new private fixed dock to support recreational use of Kaneohe Bay. The proposed rectangular dock would be 30 ft long by 10 ft wide and be constructed of aluminum with an open grating deck. The structure would be situated approximately 15-25 ft makai of the existing seawall at the property.

A Draft Environmental Assessment (EA) has been prepared as required by Chapter 343, Hawai'i Revised Statutes, Environmental Impact Statements. An EA is required because the proposed use is within the State of Hawaii Conservation District which includes all submerged lands seaward of the shoreline. The applicant is seeking input from agencies, citizen groups and individuals that might have jurisdiction, expertise, or interest in the proposed action.

Please find the enclosed Draft EA for your review. Should you wish to provide any comments or questions, you may do so via email to Erin Petrosian at epetrosian@integral-corp.com or by mail to the letter head address above. If you do not anticipate providing comment, please let us know at your earliest convenience so that we may note your response in the final Environmental Assessment. We ask that any responses be received by September 1 to allow for the continuation of the permitting process.

Sincerely,





Robert A. Walker, PE
Principal, Coastal Engineering



Erin Petrosian
Permitting Specialist

Enclosure I. Draft Environmental Assessment





Integral Consulting Inc.
66-590 Kamehameha Hwy
Suite 2A
Haleiwa, HI 96712

telephone: 808.374.4440
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August 08, 2025

Project No. C3967

Brian Neilson
Administrator
DLNR-Division of Aquatic Resources
1151 Punchbowl St. #330
Honolulu, HI 96813

Subject: **Request for Input on Draft Environmental Assessment
Proposed Private Dock at 45-221 Ka Hanahou Circle, Kaneohe**

Dear Mr. Neilson:

The property owner of the single-family residence located at 45-221 Ka Hanahou Circle, Kaneohe, Oahu plans to construct a new private fixed dock to support recreational use of Kaneohe Bay. The proposed rectangular dock would be 30 ft long by 10 ft wide and be constructed of aluminum with an open grating deck. The structure would be situated approximately 15-25 ft makai of the existing seawall at the property.

A Draft Environmental Assessment (EA) has been prepared as required by Chapter 343, Hawai'i Revised Statutes, Environmental Impact Statements. An EA is required because the proposed use is within the State of Hawaii Conservation District which includes all submerged lands seaward of the shoreline. The applicant is seeking input from agencies, citizen groups and individuals that might have jurisdiction, expertise, or interest in the proposed action.

Please find the enclosed Draft EA for your review. Since DAR is also a nearby land owner, please review the Draft EA from both the perspective of both agency and owner of Coconut Island. Should you wish to provide any comments or questions, you may do so via email to Erin Petrosian at epetrosian@integral-corp.com or by mail to the letter head address above. If you do not anticipate providing comment, please let us know at your earliest convenience so that we may note your response in the final Environmental Assessment. We ask that any responses be received by June 15 to allow for the continuation of the permitting process.



Brian Neilson
August 08, 2025
Page 2

Sincerely,



Robert A. Walker, PE
Principal, Coastal Engineering

Erin Petrosian
Permitting Specialist

Enclosure I. Draft Environmental Assessment



Fw: AR6955 Draft_EA_New_dock_at_45-221 Ka Hanahou Circle between State of Hawaii and Brian Neilson is Signed and Filed!

From Tucker, Kendall L <kendall.l.tucker@hawaii.gov>

Date Fri 8/29/2025 3:37 PM

To Erin Petrosian <epetrosian@integral-corp.com>

Cc Weber, Honor N <honor.n.weber@hawaii.gov>

 4 attachments (11 MB)

AR6955 Draft_EA_New_dock_at_45-221 Ka Hanahou Circle (part 1) - signed.pdf; AR6955 Draft_EA_New_dock_at_45-221 Ka Hanahou Circle (part 2) - signed.pdf; AR6955 Draft_EA_New_dock_at_45-221 Ka Hanahou Circle (part 3) - signed.pdf; AR6955 Draft_EA_New_dock_at_45-221 Ka Hanahou Circle - audit.pdf;

You don't often get email from kendall.l.tucker@hawaii.gov. [Learn why this is important](#)

CAUTION: External email. Think before you click links or open attachments.

Aloha Erin,

Attached you will find the Division of Aquatic Resources comments on the construction of a new private dock in Kaneohe Bay. Please let me know if you have any additional questions for DAR, or if you have any problems with accessing the document.

Thank you

Kendall

From: Adobe Sign <adobesign@adobesign.com>

Sent: Friday, August 29, 2025 3:24 PM

To: Neilson, Brian J <brian.j.neilson@hawaii.gov>; Tucker, Kendall L <kendall.l.tucker@hawaii.gov>

Cc: Weber, Honor N <honor.n.weber@hawaii.gov>

Subject: AR6955 Draft_EA_New_dock_at_45-221 Ka Hanahou Circle between State of Hawaii and Brian Neilson is Signed and Filed!

 Company Logo  Blank Image

 Adobe Acrobat Sign Logo  Right Stack Plain White bar
 Bottom Stack Plain White bar

AR6955 Draft_EA_New_dock_at_45-221
Ka Hanahou Circle between State of
Hawaii and Brian Neilson is Signed and
Filed!

To: Brian Neilson and Kendall Tucker

Cc: Honor Weber

Attached is a final copy of **AR6955**
Draft_EA_New_dock_at_45-221 Ka Hanahou Circle.

Copies have been automatically sent to all parties to the agreement.

You can view [the document](#) in your Adobe Acrobat Sign account.

Why use Adobe Acrobat Sign:

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JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL
RESOURCES DIVISION OF AQUATIC RESOURCES
1151 PUNCHBOWL STREET, ROOM 330
HONOLULU, HAWAII 96813

Date: 8/29/2025

DAR # AR6955

DAWN N. S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

FIRST DEPUTY

M. KALEO MANUEL
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

MEMORANDUM

TO: Brian J. Neilson
DAR Administrator

FROM: Jesse Boord, Aquatic Biologist

SUBJECT: Draft EA - New Dock at 45-221 Ka Hanahou Circle - Request for Review

Request Submitted by: Robert Walker, P.E. | Principal Coastal Engineering

Waterfront Improvements at 45-221 Ka Hanahou Circle,
Kāne'ohe, Hawai'i TMK: 1-4-5-047:051

Location of Project: _____

Brief Description of Project:

The Draft Environmental Assessment requests approval to construct a 10 ft x 30 ft fixed private dock with a gangway at 45-221 Ka Hanahou Circle in Kāne'ohe Bay to berth a small sailboat. The project would use precast concrete footings placed on the seafloor to avoid pile driving, with decking designed to reduce shading. Construction is expected to take about a month, using turbidity curtains, BMPs, and Pac-SLOPES species protection measures. A Coral Transplantation Plan will be implemented for colonies within the footprint. Of the five alternatives analyzed, the preferred option minimizes coral disturbance, avoids dredging, and is designed to reduce long-term environmental impacts, and the applicant anticipates a Finding of No Significant Impact (FONSI).

Comments:

☐ No Comments ☒ Comments Attached

Thank you for providing DAR the opportunity to review and comment on the proposed project. Should there be any changes to the project plan, DAR requests the opportunity to review and comment on those changes.

Comments Approved:  Date: 08/29/2025
Brian J. Neilson
DAR Administrator

Comments

Water Quality and Turbidity

DAR is concerned about temporary turbidity during construction. Kāneʻohe Bay waters are classified as Class AA, which require protection to remain as close to a pristine state as possible. Even minor sediment plumes can settle on corals and seagrass, reducing photosynthetic capacity and potentially causing localized mortality. The EA mentions use of turbidity curtains and BMPs; DAR requests detailed specifications and monitoring commitments to ensure they are properly installed, maintained, and removed. Turbidity monitoring should be conducted during all in-water construction to ensure compliance with DOH water quality standards. DAR would like to request notification, photo-documentation, and GPS-coordinates for any occurrence where above-average amounts of sediment have entered the water, in order to assess impact, if any.

Impacts to Native Corals

The marine survey documented isolated but healthy coral colonies in the project footprint. Hawaiʻi Administrative Rules (HAR 13-95) prohibit take or damage to corals without authorization. DAR supports the requirement for a Coral Transplantation Plan, but emphasizes the need for: Qualified marine biologists to conduct relocation. Transplant sites selected to ensure comparable depth, light availability, and protection from future disturbance. Post-transplant monitoring to assess survival and report outcomes to DLNR/DAR. Consider educating all personnel on site about the importance of minimizing any impacts to coral.

Note: An SAP permit or state biologist is required to relocate coral and other biospecimens.

Essential Fish Habitat (EFH)

The project area is designated EFH for reef-associated species. While the EA concludes impacts are minor and temporary, DAR notes that even small-scale coral removal and turbidity can cumulatively degrade EFH in Kāneʻohe Bay, where reefs are already stressed by land-based runoff and historical dredging. DAR recommends minimizing the footprint of construction and avoiding coral relocation whenever feasible.

Cumulative Impacts

Kāneʻohe Bay has experienced decades of dredging, filling, and shoreline hardening, with resulting losses in coral cover and fish habitat. While this project is small in scale, DAR emphasizes the importance of evaluating cumulative impacts of additional private docks and piers. Incremental habitat loss may undermine fisheries and nearshore ecosystem health.

DAR# AR6955

Comments

Light Pollution

Artificial lighting from construction sites can disorient and confuse marine wildlife such as sea turtles, fish, crabs, and birds. The disruption of their natural rhythms can have long-lasting consequences on their survival and population dynamics.

DAR recommends that construction activities occur during the daylight hours to the extent possible. All outdoor lighting should be fully shielded and pointed downward. Outdoor lighting should be turned off when not necessary, and automatic sensors are recommended.

Seabird fledgling season occurs during Sept 15th - Dec 15th, and nighttime activity should be halted during this time. Fledglings become easily confused by artificial lighting, which can cause them to crash or land on the ground. Downed fledglings become easy prey for cats, mongoose, or other predators. If downed or injured fledglings are observed in the construction area, they should be reported for rescue.

DAR# AR6955

Comments

Protected Marine Species

In the event that protected species such as the Hawaiian monk seal, other marine mammal, or sea-turtle is observed in close proximity to the construction site, and the activities being conducted may be considered as a "negligent or intentional act which results in disturbing or molesting a marine mammal", contractors should take appropriate action to modify activities in order to avoid disturbance to the regular behavior and activities of the animal. Appropriate action would include but is not limited to ceasing construction activity until the animal leaves the area of its own accord. If a pup is observed in the area, particular caution should be taken including creating a larger buffer between construction and the animals.

All staff working on-site will receive training to recognize the Hawaiian monk seal and sea turtles, as well as learn the necessary procedures to follow if these species are observed.

Any interaction between a protected species and the construction and repair activity proposed should be reported to the NOAA Protected Species Division and State of Hawaii DOCARE:

NOAA Marine Mammal Response Coordinators (Oahu): 808-220-7802

NOAA Sea Turtles (Oahu): Monday-Friday, 7:30am-4pm NOAA National Marine Fisheries Service - PIFSC Marine Turtle Biology and Assessment Program: (808) 725-5730

Entanglement

DAR recommends that the applicant utilize best management practices to eliminate any potential for incidental entanglement of any marine organism. Entanglement prevention practices will include but are not limited to: minimizing the amount of in-water structures or components that may potentially cause entanglement during operations (loops, holes, slack lines).

At the end of each day and upon completion of the construction project, all construction-related debris that could potentially endanger species by causing entanglement shall be cleared from the construction area.

DAR# AR6955

Comments

Invasive Species

The applicant will mitigate the spread of invasive species between areas of activity. Equipment will be inspected and disinfected between conducting activities in different areas, to mitigate the spread of disease or parasitic organisms. All gear deployed must be visually checked for invasive algae/sponges/other organisms and disinfected with 10% bleach solution for 10 minutes before deployment in alternate location if collecting between multiple watersheds/distinct reef areas. If collection gear cannot be bleached, gear must be thoroughly rinsed with fresh water and dried in sun for 24 hours before deployment in alternate location, sterilized with another viable method or alternate sampling gear should be utilized. If sampling disease or anomalous growth specimens, gear should be sterilized between each specimen or new collection gear should be used. The following species remain a concern to the division: Alien invasive algae (*Kappaphycus* spp., *Eucheuma denticulatum*, *Gracilaria salicornia*, *Acanthophora spicifera*, *Hypnea musciformis* and *Avrainvillea amadelpha*), Coral disease (*Montipora* White Syndrome, *Porites trematodiasis*, *Montipora* white syndrome, *Porites* tissue loss syndrome, and *Porites* spp. and *Montipora* spp. tumors, *Montipora* spp. growth anomaly), Orange keyhole sponge (*Mycale armata/grandis*), and snowflake coral (*Carijoa riisei*).

Kāneʻohe Bay: All gear deployed in or adjacent to Kāneʻohe Bay must be visually checked for invasive algae or sponges (*Kappaphycus* spp., *Eucheuma denticulatum*, *Gracilaria salicornia* and *Mycale grandis/armata*) and disinfected with 10% bleach solution for 10 minutes before deployment in an alternate location other than Kāneʻohe Bay.

Summary

Alternative 3 (10 ft x 30 ft Fixed Dock with open grating): Of the proposed alternatives, this design presents the least risk. It avoids pile driving, reduces shading via grated decking, and minimizes coral relocation. Provided that turbidity controls and coral transplanting are executed carefully, this option is the most balanced between project objectives and resource protection.

DAR recommends that if the project proceeds, Alternative 3 be approved with conditions: Implementation of a DLNR-approved Coral Transplantation Plan. In-water turbidity monitoring with adaptive management if thresholds are exceeded. Post-construction biological monitoring of coral transplant survival and water quality. Strict adherence to Pac-SLOPES mitigation measures for protected species.

DAR requests continued coordination and reporting to ensure that impacts to coral reef ecosystems and fisheries resources in Kāneʻohe Bay are minimized.



Integral Consulting Inc.
66-590 Kamehameha Hwy
Suite 2A
Haleiwa, HI 96712

telephone: 808.374.4440
www.integral-corp.com

November 14, 2025

Project No. C3967

Brian Neilson
Administrator
DLNR – Division of Aquatic Resources
1151 Punchbowl St. #330
Honolulu, HI 96813

Subject: **Response to Comments on the Draft Environmental Assessment
Elhoff Waterfront Improvements- Proposed Private Dock at 45-221 Ka
Hanahou Circle, Kaneohe**

Dear Mr. Neilson:

We have reviewed your input on the Draft Environmental Assessment (EA) for the Elhoff Waterfront Improvements as detailed in your letter dated 8/29/2025 (DAR File #AR6955). We fully agree with the Division of Aquatic Resources' recommendations and have incorporated or provided explanation for all input as detailed in Enclosure I.

The Draft EA will be submitted to the DLNR Office of Conservation and Coastal Lands (OCCL) as an attachment to the Conservation District Use Application. Once reviewed by OCCL and deemed complete the Draft EA will be published by the Office of Planning and Sustainable Development and available for public comment in the Environmental Notice.

Should you have any additional comments or questions, you may contact Erin Petrosian at epetrosian@integral-corp.com or at the letter head address above.

Sincerely,

A handwritten signature in black ink, appearing to read "Erin Petrosian", is written over a light blue circular stamp that contains a stylized "E" and "P".

Robert A. Walker, PE
Principal, Coastal Engineering

Erin Petrosian
Permitting Specialist

Enclosure I. Response to DAR Comments on Draft EA- Elhoff Waterfront Improvements

Response to DAR Pre-Consultation Input Dated August 29, 2025 (DAR #AR6955)

Reference	Agency Comment	Response
Comments on the DEA		
Water Quality and Turbidity	DAR is concerned about temporary turbidity during construction. Kāne'ohe Bay waters are classified as Class AA, which require protection to remain as close to a pristine state as possible. Even minor sediment plumes can settle on corals and seagrass, reducing photosynthetic capacity and potentially causing localized mortality. The EA mentions use of turbidity curtains and BMPs; DAR requests detailed specifications and monitoring commitments to ensure they are properly installed, maintained, and removed. Turbidity monitoring should be conducted during all in-water construction to ensure compliance with DOH water quality standards. DAR would like to request notification, photo-documentation, and GPS-coordinates for any occurrence where above-average amounts of sediment have entered the water, in order to assess impact, if any.	The PacSLOPES General Conditions, which will be incorporated into the Department of the Army permit under Section 10 of the Rivers and Harbors Act, specifies that a pollution and erosion control plan be prepared and implemented for the project, the contents of which are specified in Section 6.3 of the DEA. We fully understand and share DAR's concern about maintaining the high water quality of Kāne'ohe Bay and will implement all recommended best management practices (BMPs) and monitoring measures. Specifically, we will: • Install, maintain, and remove turbidity curtains in accordance with detailed manufacturer specifications and best practices to ensure proper performance throughout the duration of in-water work. • Conduct turbidity monitoring during all in-water construction activities to ensure compliance with Hawai'i Department of Health (DOH) water quality standards. • Immediately notify DAR of any occurrence of above-average turbidity or sedimentation, including providing photo documentation and GPS coordinates to assist with impact assessment. • Ensure that all contractors are briefed on the importance of minimizing sediment disturbance and maintaining barriers and controls in optimal condition at all times.
Impacts to Native Corals	The marine survey documented isolated but healthy coral colonies in the project footprint. Hawai'i Administrative Rules (HAR 13-95) prohibit take or damage to corals without authorization. DAR supports the requirement for a Coral Transplantation Plan, but emphasizes the need for: Qualified marine biologists to conduct relocation. Transplant sites selected to ensure comparable depth, light availability, and protection from future disturbance. Post-transplant monitoring to assess survival and report outcomes to DLNR/DAR. Consider educating all personnel on site about the importance of minimizing any impacts to coral. Note: An SAP permit or state biologist is required to relocate coral and other biospecimens.	As of May 1, 2025, DAR requires a Special Activity Permit be obtained for Coral Restoration/Relocation efforts within the State of Hawaii. The Project Coral Transplantation Plan will be updated to conform with the Guidelines for Coral Restoration and submitted via the DAR SAP Framework Tool. The SAP will be secured prior to construction commencement.
Essential Fish Habitat	The project area is designated EFH for reef-associated species. While the EA concludes impacts are minor and temporary, DAR notes that even small-scale coral removal and turbidity can cumulatively degrade EFH in Kāne'ohe Bay, where reefs are already stressed by land-based runoff and historical dredging. DAR recommends minimizing the footprint of construction and avoiding coral relocation whenever feasible.	Alternative #3 has been identified as the preferred alternative partially because it minimizes the need to relocate coral colonies when compared to other alternatives. Only two colonies are identified for relocation. No impact to other EFH is anticipated during implementation of the preferred alternative. Additional language has been added to the DEA, Section 5.4.2.3 to specify that the footprint during construction shall be minimized to avoid any additional impacts to corals. Additional measures to minimize the footprint of construction will be implemented as specified in PacSLOPES General Condition #9. (Section 6.3)

Response to DAR Pre-Consultation Input Dated August 29, 2025 (DAR #AR6955)

Reference	Agency Comment	Response
Cumulative Impacts	Kāne'ohe Bay has experienced decades of dredging, filling, and shoreline hardening, with resulting losses in coral cover and fish habitat. While this project is small in scale, DAR emphasizes the importance of evaluating cumulative impacts of additional private docks and piers. Incremental habitat loss may undermine fisheries and nearshore ecosystem health.	For this proposed project, the applicant's intent is to construct a small, single-family private pier and fixed dock, consistent with existing residential structures in the area and designed to comply with all applicable state and federal requirements. Given the limited footprint and absence of dredging, filling, or shoreline hardening, we anticipate no measurable contribution to cumulative habitat loss within the bay. While a quantitative cumulative-effects analysis of all private docks in Kāne'ohe Bay is beyond the scope of this project-specific Environmental Assessment, we have included a qualitative discussion acknowledging past and ongoing pressures in the bay and describing how this project's design, construction methods, and BMPs will avoid or minimize new impacts (Section 5.4.3.1, Cumulative Impacts).
Light Pollution	Artificial lighting from construction sites can disorient and confuse marine wildlife such as sea turtles, fish, crabs, and birds. The disruption of their natural rhythms can have long-lasting consequences on their survival and population dynamics. DAR recommends that construction activities occur during the daylight hours to the extent possible. All outdoor lighting should be fully shielded and pointed downward. Outdoor lighting should be turned off when not necessary, and automatic sensors are recommended. Seabird fledgling season occurs during Sept 15th - Dec 15th, and nighttime activity should be halted during this time. Fledglings become easily confused by artificial lighting, which can cause them to crash or land on the ground. Downed fledglings become easy prey for cats, mongoose, or other predators. If downed or injured fledglings are observed in the construction area, they should be reported for rescue.	Construction activities will be limited to occur during daylight hours only, eliminating impacts to fledgling seabirds from artificial light that may be generated during construction.
Protected Marine Species	In the event that protected species such as the Hawaiian monk seal, other marine mammal, or sea-turtle is observed in close proximity to the construction site, and the activities being conducted may be considered as a "negligent or intentional act which results in disturbing or molesting a marine mammal", contractors should take appropriate action to modify activities in order to avoid disturbance to the regular behavior and activities of the animal. Appropriate action would include but is not limited to ceasing construction activity until the animal leaves the area of its own accord. If a pup is observed in the area, particular caution should be taken including creating a larger buffer between construction and the animals. All staff working on-site will receive training to recognize the Hawaiian monk seal and sea turtles, as well as learn the necessary procedures to follow if these species are observed. Any interaction between a protected species and the construction and repair activity proposed should be reported to the NOAA Protected Species Division and State of Hawaii DOCARE: NOAA Marine Mammal Response Coordinators (Oahu): 808-220-7802; NOAA Sea Turtles (Oahu): Monday-Friday, 7:30am-4pm NOAA National Marine Fisheries Service - PIFSC Marine Turtle Biology and Assessment Program: (808) 725-5730	Implementation of and strict adherence to the PacSLOPES measures specified in Section 6.3 will prevent the inadvertent disturbance or molestation of marine mammals. These measures include ceasing/pausing work if marine mammals are within 50 yards of the proposed work (General Condition #7). Additional BMPs have been added to Section 6.3, General Conditions, specifying that staff working at the site will receive training on Hawaiian monk seal and sea turtles, and that interactions with protected species and the construction activity shall be reported to NOAA as specified in his comment.
Entanglement	DAR recommends that the applicant utilize best management practices to eliminate any potential for incidental entanglement of any marine organism. Entanglement prevention practices will include but are not limited to: minimizing the amount of in-water structures or components that may potentially cause entanglement during operations (loops, holes, slack lines). At the end of each day and upon completion of the construction project, all construction-related debris that could potentially endanger species by causing entanglement shall be cleared from the construction area.	PacSLOPES Special Conditions, BMP 5.3 (Section 5.4.3 of the DEA) specifically addresses BMPs that will be followed to prevent entanglement of marine organisms. An additional BMP has been included to specify that structures and components that create an entanglement hazard be minimized. A plan to prevent trash and debris from entering the marine environment during the project will be developed as per PacSLOPES General Condition 12.g as part of the Pollution and Erosion Control Plan.

Response to DAR Pre-Consultation Input Dated August 29, 2025 (DAR #AR6955)

Reference	Agency Comment	Response
Invasive Species	The applicant will mitigate the spread of invasive species between areas of activity. Equipment will be inspected and disinfected between conducting activities in different areas, to mitigate the spread of disease or parasitic organisms. All gear deployed must be visually checked for invasive algae/sponges/other organisms and disinfected with 10% bleach solution for 10 minutes before deployment in alternate location if collecting between multiple watersheds/distinct reef areas. If collection gear cannot be bleached, gear must be thoroughly rinsed with fresh water and dried in sun for 24 hours before deployment in alternate location, sterilized with another viable method or alternate sampling gear should be utilized. If sampling disease or anomalous growth specimens, gear should be sterilized between each specimen or new collection gear should be used. The following species remain a concern to the division: Alien invasive algae (Kappaphycus spp., Eucheuma denticulatum, Gracilaria salicornia, Acanthophora spicifera, Hypnea musciformis and Avrainvillea amadelpha), Coral disease (Montipora White Syndrome, Porites trematodiasis, Montipora white syndrome, Porites tissue loss syndrome, and Porites spp. and Montipora spp. tumors, Montipora spp. growth anomaly), Orange keyhole sponge (Mycale armata/grandis), and snowflake coral (Carijoa riisei). Kāne'ohe Bay: All gear deployed in or adjacent to Kāne'ohe Bay must be visually checked for invasive algae or sponges (Kappaphycus spp., Eucheuma denticulatum, Gracilaria salicornia and Mycale grandis/armata) and disinfected with 10% bleach solution for 10 minutes before deployment in an alternate location other than Kāne'ohe Bay.	A discussion of aquatic invasive species, the potential environmental impacts of these species, and the identification of alien species of particular concern has been included in Section 5.4.2.5, Aquatic Invasive Species. Mitigation measures to prevent the introduction and spread of these harmful organisms has also been addressed in Section 5.4.3, Impacts and Mitigation.
Summary	Alternative 3 (10 ft x 30 ft Fixed Dock with open grating): Of the proposed alternatives, this design presents the least risk. It avoids pile driving, reduces shading via grated decking, and minimizes coral relocation. Provided that turbidity controls and coral transplanting are executed carefully, this option is the most balanced between project objectives and resource protection. DAR recommends that if the project proceeds, Alternative 3 be approved with conditions: Implementation of a DLNR-approved Coral Transplantation Plan. In-water turbidity monitoring with adaptive management if thresholds are exceeded. Post-construction biological monitoring of coral transplant survival and water quality. Strict adherence to Pac-SLOPES mitigation measures for protected species. DAR requests continued coordination and reporting to ensure that impacts to coral reef ecosystems and fisheries resources in Kāne'ohe Bay are minimized.	



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August 15, 2025

Project No. C3967

Debra Mendes
Coastal Zone Management Program
Office of Planning and Sustainable Development
State of Hawai'i
PO Box 2359
Honolulu, HI 96804-2359

Subject: **Request for Input on Draft Environmental Assessment
Proposed Private Dock at 45-221 Ka Hanahou Circle, Kaneohe**

Dear Ms. Mendes:

The property owner of the single-family residence located at 45-221 Ka Hanahou Circle, Kaneohe, Oahu plans to construct a new private fixed dock to support recreational use of Kaneohe Bay. The proposed rectangular dock would be 30 ft long by 10 ft wide and be constructed of aluminum with an open grating deck. The structure would be situated approximately 15-25 ft makai of the existing seawall at the property.

A Draft Environmental Assessment (EA) has been prepared as required by Chapter 343, Hawai'i Revised Statutes, Environmental Impact Statements. An EA is required because the proposed use is within the State of Hawaii Conservation District which includes all submerged lands seaward of the shoreline. The applicant is seeking input from agencies, citizen groups and individuals that might have jurisdiction, expertise, or interest in the proposed action.

Please find the enclosed Draft EA for your review. Should you wish to provide any comments or questions, you may do so via email to Erin Petrosian at epetrosian@integral-corp.com or by mail to the letter head address above. If you do not anticipate providing comments, please let us know at your earliest convenience so that we may note your response in the final Environmental Assessment. We ask that any responses be received by September 1 to allow for the continuation of the permitting process.



Coastal Zone Management Program
August 15, 2025
Page 2

Sincerely,



Robert A. Walker, PE
Principal, Coastal Engineering

Erin Petrosian
Permitting Specialist

Enclosure I. Draft Environmental Assessment



Re: Draft EA - new dock at 45-221 Ka Hanahou - request for review/comments

From Erin Petrosian <epetrosian@integral-corp.com>

Date Thu 8/21/2025 5:58 AM

To Mendes, Debra L <debra.l.mendes@hawaii.gov>; Robert Walker <rwalker@integral-corp.com>

Thanks for the response, Debra. We will ensure you receive a request for input when the DEA is published.
-Erin

ERIN PETROSIAN

Tel: 808.374.4442 | Cell: 808.989.2823

INTEGRAL CONSULTING INC.

From: Mendes, Debra L <debra.l.mendes@hawaii.gov>

Sent: Tuesday, August 19, 2025 12:08 PM

To: Erin Petrosian <epetrosian@integral-corp.com>; Robert Walker <rwalker@integral-corp.com>

Subject: Re: Draft EA - new dock at 45-221 Ka Hanahou - request for review/comments

You don't often get email from debra.l.mendes@hawaii.gov. [Learn why this is important](#)

CAUTION: External email. Think before you click links or open attachments.

Aloha Erin and Robert,
When the DEA is published then agency (OPSD) will have the opportunity to review and provide comments.

Debra Mendes

Planner | [Coastal Zone Management Program](#)

Office of Planning & Sustainable Development



**STATE OF HAWAII
OFFICE OF PLANNING & SUSTAINABLE DEVELOPMENT**

Leiopapa A Kamehameha
235 South Beretania Street, 6th Floor · Honolulu, Hawai'i · 96813
PO Box 2359 · Honolulu, Hawai'i · 96804-2359
Phone (808) 587-2846 · Fax (808) 587-2824

From: Erin Petrosian <epetrosian@integral-corp.com>

Sent: Tuesday, August 19, 2025 11:53 AM

To: Mendes, Debra L <debra.l.mendes@hawaii.gov>; Robert Walker <rwalker@integral-corp.com>

Subject: [EXTERNAL] Re: Draft EA - new dock at 45-221 Ka Hanahou - request for review/comments

Aloha Mrs. Mendes,

I am working with Rob Walker on the DEA for the Elhoff Waterfront Improvements. The DEA has not yet been published. We have submitted a draft to OCCL for initial review and at their request will not be publishing the DEA until we've obtained and incorporated initial comments from interested parties.

Please let me or Rob know if you have any additional questions.

-Erin

Erin Petrosian | Consultant

Tel: 808.374.4442 | Cell: 808.989.2823 | Kamuela | HI

epetrosian@integral-corp.com



From: Mendes, Debra L <debra.l.mendes@hawaii.gov>

Sent: Tuesday, August 19, 2025 10:56 AM

To: Robert Walker <rwalker@integral-corp.com>

Cc: Erin Petrosian <epetrosian@integral-corp.com>

Subject: Re: Draft EA - new dock at 45-221 Ka Hanahou - request for review/comments

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Mr. Walker,

What is the publication date of the DEA?

Debra Mendes

Planner | [Coastal Zone Management Program](#)

Office of Planning & Sustainable Development



**STATE OF HAWAII
OFFICE OF PLANNING & SUSTAINABLE DEVELOPMENT**

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Phone (808) 587-2846 · Fax (808) 587-2824

From: Robert Walker <rwalker@integral-corp.com>

Sent: Friday, August 15, 2025 5:04 PM

To: Mendes, Debra L <debra.l.mendes@hawaii.gov>

Cc: DBEDT OP CZM Program <dbedt.op.czm@hawaii.gov>; Erin Petrosian <epetrosian@integral-corp.com>

Subject: [EXTERNAL] Draft EA - new dock at 45-221 Ka Hanahou - request for review/comments

Aloha,

The property owner of the single-family residence at 45-221 Ka Hanahou Circle in Kāneʻohe is proposing to construct a new fixed dock to support recreational use of the bay. We would appreciate your agency's review of the attached project information and welcome any comments you may have.

If possible, please provide your comments by **September 1, 2025**.

Thank you in advance for your time and consideration.

Robert Walker, P.E. | Principal

Coastal Engineering

Tel: 808.374.4440 | Cell: 808.202.1920 | Haleiwa | HI

rwalker@integral-corp.com | [Bio](#)





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August 08, 2025

Project No. C3967

Kaiali 'i Kahele
Chair
Office of Hawaiian Affairs
560 N. Nimitz Hwy #200
Honolulu, HI 96817

Subject: **Request for Input on Draft Environmental Assessment
Proposed Private Dock at 45-221 Ka Hanahou Circle, Kaneohe**

Dear Chair Kahele:

The property owner of the single-family residence located at 45-221 Ka Hanahou Circle, Kaneohe, Oahu plans to construct a new private fixed dock to support recreational use of Kaneohe Bay. The proposed rectangular dock would be 30 ft long by 10 ft wide and be constructed of aluminum with an open grating deck. The structure would be situated approximately 15-25 ft makai of the existing seawall at the property.

A Draft Environmental Assessment (EA) has been prepared as required by Chapter 343, Hawai'i Revised Statutes, Environmental Impact Statements. An EA is required because the proposed use is within the State of Hawaii Conservation District which includes all submerged lands seaward of the shoreline. The applicant is seeking input from agencies, citizen groups and individuals that might have jurisdiction, expertise, or interest in the proposed action.

Please find the enclosed Draft EA for your review. Should you wish to provide any comments or questions, you may do so via email to Erin Petrosian at epetrosian@integral-corp.com or by mail to the letter head address above. If you do not anticipate providing comment, please let us know at your earliest convenience so that we may note your response in the final Environmental Assessment. We ask that any responses be received



Kaiali'i Kahele
August 08, 2025
Page 2

Sincerely,



Robert A. Walker, PE
Principal, Coastal Engineering



Erin Petrosian
Permitting Specialist

Enclosure I. Draft Environmental Assessment



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August 08, 2025

Project No. C3967

Department of Health-CWB
State of Hawaii, Clean Water Beach
2827 Waimano Hone Road #225
Pearl City, HI 96782

Subject: **Request for Input on Draft Environmental Assessment
Proposed Private Dock at 45-221 Ka Hanahou Circle, Kaneohe**

To Whom It May Concern:

The property owner of the single-family residence located at 45-221 Ka Hanahou Circle, Kaneohe, Oahu plans to construct a new private fixed dock to support recreational use of Kaneohe Bay. The proposed rectangular dock would be 30 ft long by 10 ft wide and be constructed of aluminum with an open grating deck. The structure would be situated approximately 15-25 ft makai of the existing seawall at the property.

A Draft Environmental Assessment (EA) has been prepared as required by Chapter 343, Hawai'i Revised Statutes, Environmental Impact Statements. An EA is required because the proposed use is within the State of Hawaii Conservation District which includes all submerged lands seaward of the shoreline. The applicant is seeking input from agencies, citizen groups and individuals that might have jurisdiction, expertise, or interest in the proposed action.

Please find the enclosed Draft EA for your review. Should you wish to provide any comments or questions, you may do so via email to Erin Petrosian at epetrosian@integral-corp.com or by mail to the letter head address above. If you do not anticipate providing comment, please let us know at your earliest convenience so that we may note your response in the final Environmental Assessment. We ask that any responses be received by September 1 to allow for the continuation of the permitting process.



Sincerely,



Robert A. Walker, PE
Principal, Coastal Engineering



Erin Petrosian
Permitting Specialist

Enclosure I. Draft Environmental Assessment



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August 08, 2025

Project No. C3967

Dawn Takeuchi Apuna
Director
County of Honolulu-Department of Planning and Permitting
650 S. King St.
Honolulu, HI 96813

Subject: **Request for Input on Draft Environmental Assessment
Proposed Private Dock at 45-221 Ka Hanahou Circle, Kaneohe**

Dear Director Apuna:

The property owner of the single-family residence located at 45-221 Ka Hanahou Circle, Kaneohe, Oahu plans to construct a new private fixed dock to support recreational use of Kaneohe Bay. The proposed rectangular dock would be 30 ft long by 10 ft wide and be constructed of aluminum with an open grating deck. The structure would be situated approximately 15-25 ft makai of the existing seawall at the property.

A Draft Environmental Assessment (EA) has been prepared as required by Chapter 343, Hawai'i Revised Statutes, Environmental Impact Statements. An EA is required because the proposed use is within the State of Hawaii Conservation District which includes all submerged lands seaward of the shoreline. The applicant is seeking input from agencies, citizen groups and individuals that might have jurisdiction, expertise, or interest in the proposed action.

Please find the enclosed Draft EA for your review. Should you wish to provide any comments or questions, you may do so via email to Erin Petrosian at epetrosian@integral-corp.com or by mail to the letter head address above. If you do not anticipate providing comment, please let us know at your earliest convenience so that we may note your response in the final Environmental Assessment. We ask that any responses be received by September 1 to allow for the continuation of the permitting process.



Dawn Takeuchi Apuna
August 08, 2025
Page 2

Sincerely,



Robert A. Walker, PE
Principal, Coastal Engineering



Erin Petrosian
Permitting Specialist

Enclosure I. Draft Environmental Assessment



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August 08, 2025

Project No. C3967

Ralph and Margaret Kiessling
Ralmar Partners, LLP
45-229 Ka Hanahou Circle
Kaneohe, HI 96744

Subject: **Request for Input on Draft Environmental Assessment
Proposed Private Dock at 45-221 Ka Hanahou Circle, Kaneohe**

Dear Mr. and Mrs. Kiessling:

The property owner of the single-family residence located at 45-221 Ka Hanahou Circle, Kaneohe, Oahu plans to construct a new private fixed dock to support recreational use of Kaneohe Bay. The proposed rectangular dock would be 30 ft long by 10 ft wide and be constructed of aluminum with an open grating deck. The structure would be situated approximately 15-25 ft makai of the existing seawall at the property.

A Draft Environmental Assessment (EA) has been prepared as required by Chapter 343, Hawai'i Revised Statutes, Environmental Impact Statements. An EA is required because the proposed use is within the State of Hawaii Conservation District which includes all submerged lands seaward of the shoreline. The applicant is seeking input from agencies, citizen groups and individuals that might have jurisdiction, expertise, or interest in the proposed action.

Please find the enclosed Draft EA for your review. Should you wish to provide any comments or questions, you may do so via email to Erin Petrosian at epetrosian@integral-corp.com or by mail to the letter head address above. If you do not anticipate providing comment, please let us know at your earliest convenience so that we may note your response in the final Environmental Assessment. We ask that any responses be received by September 1 to allow for the continuation of the permitting process.

Sincerely,



Ralph and Margaret Kiessling

August 08, 2025

Page 2



Robert A. Walker, PE
Principal, Coastal Engineering



Erin Petrosian
Permitting Specialist

Enclosure I. Draft Environmental Assessment



Re: Request for Input on Draft Environmental Assessment Proposed Private Dock at 45-221 Ka Hanahou Circle, Kaneohe (Project No. C3967)

From Ralph <ralmar@hawaii.rr.com>

Date Sat 8/30/2025 8:32 PM

To Erin Petrosian <epetrosian@integral-corp.com>

You don't often get email from ralmar@hawaii.rr.com. [Learn why this is important](#)

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Dear Mr. Walker and Ms. Petrosian,

Thank you for giving us an opportunity to respond to your draft Environment Assessment (EA) for the proposed private dock at 45-221 Ka Hanahou Circle, Kaneohe. While we support your wish to improve your home and property, we hope that any development you undertake will be made with the least impact to the bay as well as your neighbors' quality of life. The EA draft you sent us is quite long and complex, but here are some of our questions at this time. They are listed according to the sections in your EA.

Section 2.4 Construction - Just to confirm, will the turbidity curtain be removed with all other construction material once the dock is completed?

Section 3 Alternatives – One of your previous alternatives was a floating dock that had a 6' wide by 30' long dock with a 12-foot gangway (see Figure 2 in the Marine Biological Survey, dated July 2021). We understand that your current proposal is not a floating dock, but is it possible to scale your fixed dock to be more like this alternative, i.e., downsize the dock width from 10' to 6' wide and the gangway from 15' to 12' long? This would lessen the structure's surface impact by around 38%. Your preferred design increases both the bulk of the dock as well as its distance out from the property line.

Section 5.5 Noise – Does your EA address additional noise that will come from a boat moored at the fixed dock, especially overnight? It is not as loud as a floating dock, but a boat constantly banging into a fixed dock will create a similar noise.

Section 5.6 Coastal Hazards and Sea Level Rise - The design of the proposed dock will allow it to be modified/raised to adapt to future sea level rise. Will any future change or modification to the dock structure, including changing the dock height or size, be subject to review at that time?

Section 5.8 Recreation - Does the EA address the impact the dock will have on other boaters in the area? Many residences with boats in the area use the navigation channel along the shoreline to access the bay. Will the new dock impact access to the bay for other boaters in the area? After the proposed dock is built, what will the distance be between the reef and your moored boat and the mauka reef? How can the reef be clearly marked so boats using the navigation channel don't run into it or your dock/moored boat when trying to access the bay?

- The proposal states that "the new dock will enhance recreational access to the bay from the residential home" and will not impact public recreational access or use of the bay. Please confirm whether the public will have any public access rights to the dock? Please confirm that the dock or any boat moored to it will not be used for any public or commercial activities. Will multiple boats, perhaps guests of the resident be allowed to moor there? Could two or more boats be docked there at the same time?

Section 5.9 Scenic and Aesthetic Resources - Your EA avers that the "completed dock structure, considering its low proposed elevation, will not restrict scenic views of Kāne'ohe Bay in any way." Over 356 square feet of dock/gangway secured by six 4x4' concrete anchors, no matter how close to the water level, will definitely impact the bay's smooth, scenic serenity and aesthetically calm, natural flow. The dock will be above the waterline, and a 30-foot catamaran would double that space in the water.

Other questions may come to mind, but we sincerely appreciate you reaching out to us for our input and concerns at this time. It would be great to request input from other neighbors along the bay line and in the area, but we are not sure how many you have contacted so far.

Mahalo,

Ralph and Marge Kiessling



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November 14, 2025

Project No. C3967

Ralph and Margaret Kiessling
Ralmar Partners, LLLP
45-229 Ka Hanahou Circle
Kaneohe, HI 96744

Subject: **Response to Comments on the Draft Environmental Assessment
Elhoff Waterfront Improvements- Proposed Private Dock at 45-221 Ka
Hanahou Circle, Kaneohe**

Dear Mr. and Mrs. Kiessling:

We have reviewed your input on the Draft Environmental Assessment (EA) for the Elhoff Waterfront Improvements as detailed in your email dated 8/30/2025 and have incorporated or provided explanation for all input as detailed in Enclosure I.

The Draft EA will be submitted to the DLNR Office of Conservation and Coastal Lands (OCCL) as an attachment to the Conservation District Use Application. Once reviewed by OCCL and deemed complete the Draft EA will be published by the Office of Planning and Sustainable Development and available for public comment in the Environmental Notice.

Should you have any additional comments or questions, you may contact Erin Petrosian at epetrosian@integral-corp.com or at the letter head address above.

Sincerely,

A handwritten signature in black ink, appearing to read "Erin Petrosian", with a stylized flourish at the end.

Robert A. Walker, PE
Principal, Coastal Engineering

Erin Petrosian
Permitting Specialist

Enclosure I. Response to DAR Comments on Draft EA- Elhoff Waterfront Improvements

Response to Kiessling Pre-Consultation Input Dated August 30, 2025

Reference	Comment	Response
Comments on the DEA		
Section 2.4 Construction	Just to confirm, will the turbidity curtain be removed with all other construction material once the dock is completed?	Confirmed, turbidity curtains will be removed once construction activities are complete.
Section 3 Alternatives	One of your previous alternatives was a floating dock that had a 6' wide by 30' long dock with a 12-foot gangway (see Figure 2 in the Marine Biological Survey, dated July 2021). We understand that your current proposal is not a floating dock, but is it possible to scale your fixed dock to be more like this alternative, i.e., downsize the dock width from 10' to 6' wide and the gangway from 15' to 12' long? This would lessen the structure's surface impact by around 38%. Your preferred design increases both the bulk of the dock as well as its distance out from the property line.	A handful of different design iterations have been considered since the original design presented in the Marine Biological Survey completed in 2021. The design presented in Alternative #3 has incorporated a number of restrictions and limitations, including prevention of structural deterioration of existing marine structures (i.e., the existing seawall), addressing sea level rise and impacts from extreme storm events, minimizing impacts to existing coral colonies, berthing and navigability, constructability, installation techniques, and other environmental factors. We acknowledge that the dock presented in the preferred alternative has a larger footprint than what was considered in 2021. However, we believe that the design in Alternative #3 balances these variables in a more optimal way as described in Section 3.3 of the DEA.
Section 5.5 Noise	Does your EA address additional noise that will come from a boat moored at the fixed dock, especially overnight? It is not as loud as a floating dock, but a boat constantly banging into a fixed dock will create a similar noise.	Section 5.5.1 has been updated to include an evaluation of long-term ambient noise. Noise from structural interactions with the environment (waves, wind, etc.) and from human activity (use of the dock and boating facility) are comparable in frequency and intensity to everyday household activities and generally do not require mitigation. However, the owner has proposed to install plastic lumber edges and a dock cushioning system to minimize nuisance levels of noise that may be generated by the proposed dock.
Section 5.6 Coastal Hazards and Sea Level Rise	The design of the proposed dock will allow it to be modified/raised to adapt to future sea level rise. Will any future change or modification to the dock structure, including changing the dock height or size, be subject to review at that time?	Future modifications to the proposed dock will likely be permitted under a U.S. Army Corps Nationwide Permit. This process generally does not include a public review period.

Response to Kiessling Pre-Consultation Input Dated August 30, 2025

Reference	Comment	Response
Section 5.8 Recreation	Does the EA address the impact the dock will have on other boaters in the area? Many residences with boats in the area use the navigation channel along the shoreline to access the bay. Will the new dock impact access to the bay for other boaters in the area? After the proposed dock is built, what will the distance be between the reef and your moored boat and the mauka reef? How can the reef be clearly marked so boats using the navigation channel don't run into it or your dock/moored boat when trying to access the bay? The proposal states that "the new dock will enhance recreational access to the bay from the residential home" and will not impact public recreational access or use of the bay. Please confirm whether the public will have any public access rights to the dock? Please confirm that the dock or any boat moored to it will not be used for any public or commercial activities. Will multiple boats, perhaps guests of the resident be allowed to moor there? Could two or more boats be docked there at the same time?	The proposed dock is not anticipated to have any impacts on other boaters in the area. The only neighbor that accesses the area is the neighbor to the south who has an existing boat slip that is used on a routine basis. The angle at which they approach their boat slip is well outside the footprint of the proposed dock and the boat that may be moored there. Other than the immediate neighbor(s), this area is not frequented by other boaters. Regarding reef markers, it is generally the boaters responsibility to successfully navigate marine obstacles. Given that this area is only frequented by the neighboring property owner(s), who are familiar with the nearshore bathymetry, we do not believe channel markers are warranted. We confirm that the dock will be for private, residential use only and that the dock is not designed to accommodate more than one, small sailing vessel.
Section 5.9 Scenic and Aesthetic Resources	Your EA avers that the "completed dock structure, considering its low proposed elevation, will not restrict scenic views of Kāne'ohe Bay in any way." Over 356 square feet of dock/gangway secured by six 4x4' concrete anchors, no matter how close to the water level, will definitely impact the bay's smooth, scenic serenity and aesthetically calm, natural flow. The dock will be above the waterline, and a 30-foot catamaran would double that space in the water.	The EA has been updated to specify that scenic views to neighboring properties may be partially impacted by the proposed project. These impacts are estimated to be low to moderate and only partial, given that the dock is offset from the neighboring properties' view plane (Section 5.10). Also, the property owner has proposed to build a dock capable of berthing a small sailing vessel (Alternative #3), rather than a larger catamaran-style vessel as proposed in Alternative #2, which will further minimize scenic impacts.



Integral Consulting Inc.
66-590 Kamehameha Hwy
Suite 2A
Haleiwa, HI 96712

telephone: 808.374.4440
www.integral-corp.com

August 08, 2025

Project No. C3967

Kyle Kodama
45-210 Ka Hanahou Circle
Kaneohe, HI 96744

Subject: **Request for Input on Draft Environmental Assessment
Proposed Private Dock at 45-221 Ka Hanahou Circle, Kaneohe**

Dear Mr. Kodama:

The property owner of the single-family residence located at 45-221 Ka Hanahou Circle, Kaneohe, Oahu plans to construct a new private fixed dock to support recreational use of Kaneohe Bay. The proposed rectangular dock would be 30 ft long by 10 ft wide and be constructed of aluminum with an open grating deck. The structure would be situated approximately 15-25 ft makai of the existing seawall at the property.

A Draft Environmental Assessment (EA) has been prepared as required by Chapter 343, Hawai'i Revised Statutes, Environmental Impact Statements. An EA is required because the proposed use is within the State of Hawaii Conservation District which includes all submerged lands seaward of the shoreline. The applicant is seeking input from agencies, citizen groups and individuals that might have jurisdiction, expertise, or interest in the proposed action.

Please find the enclosed Draft EA for your review. Should you wish to provide any comments or questions, you may do so via email to Erin Petrosian at epetrosian@integral-corp.com or by mail to the letter head address above. If you do not anticipate providing comment, please let us know at your earliest convenience so that we may note your response in the final Environmental Assessment. We ask that any responses be received by September 1 to allow for the continuation of the permitting process.



Kyle Kodama
August 08, 2025
Page 2

Sincerely,



Robert A. Walker, PE
Principal, Coastal Engineering



Erin Petrosian
Permitting Specialist

Enclosure I. Draft Environmental Assessment



Re: Draft EA - new dock at 45-221 Ka Hanahou - request for review/comments

From Kyle Kodama <kylekodama@gmail.com>

Date Thu 8/21/2025 12:03 AM

To Robert Walker <rwalker@integral-corp.com>

Cc Erin Petrosian <epetrosian@integral-corp.com>

You don't often get email from kylekodama@gmail.com. [Learn why this is important](#)

CAUTION: External email. Think before you click links or open attachments.

Dear Mr. Walker and Mrs. Petrosian,

I have reviewed the Draft Environmental Assessment for the Elhoff Waterfront Improvements at 45-221 Ka Hanahou Circle and would like to express my written support for the project. The proposed recreational pier would enhance property values, conforms to the general aesthetic in our neighborhood and supports the ocean lifestyle prevalent within our community. I am deeply supportive of maintaining recreational boat access along Kaneohe Bay; it is part of what has attracted me and my neighbors to this area. Environmental impacts associated with construction of the pier are minor in nature and the proposed mitigation measures appear to be more than adequate.

I have no further comment on the Draft Environmental Assessment and encourage the department to approve the project for construction. Feel free to call me if you have any questions. (808)551-5953

Sincerely,
Kyle Kodama

On Aug 8, 2025, at 8:08 PM, Robert Walker <rwalker@integral-corp.com> wrote:

Aloha,

The property owner of the single-family residence at 45-221 Ka Hanahou Circle in Kāneʻohe is proposing to construct a new fixed dock to support recreational use of the bay. As a neighboring property owner, we would appreciate your review of the attached project information and would welcome any comments you may have.

If possible, please provide your comments by **September 1, 2025**.

Thank you in advance for your time and consideration.

ROBERT WALKER, P.E. | Principal
Coastal Engineering

Tel: 808.374.4440 | Cell: 808.202.1920 | Haleiwa | HI
rwalker@integral-corp.com | [Bio](#)

[<integral_1a04a855-2877-4c4f-bd98-b89de3950d0f.png>](#)

<Draft_EA_New_dock_at_45-221 Ka Hanahou Circle.pdf>

<Letter_RequestForInputOnDEA_NPO_Across.pdf>



Integral Consulting Inc.
66-590 Kamehameha Hwy
Suite 2A
Haleiwa, HI 96712

telephone: 808.374.4440
www.integral-corp.com

August 12, 2025

Project No. C3967

Richard Nishida
45-247A Ka Hanahou Circle
Kaneohe, HI 96744

Subject: **Request for Input on Draft Environmental Assessment
Proposed Private Dock at 45-221 Ka Hanahou Circle, Kaneohe**

To Whom It May Concern:

The property owner of the single-family residence located at 45-221 Ka Hanahou Circle, Kaneohe, Oahu plans to construct a new private fixed dock to support recreational use of Kaneohe Bay. The proposed rectangular dock would be 30 ft long by 10 ft wide and be constructed of aluminum with an open grating deck. The structure would be situated approximately 15-25 ft makai of the existing seawall at the property.

A Draft Environmental Assessment (EA) has been prepared as required by Chapter 343, Hawai'i Revised Statutes, Environmental Impact Statements. An EA is required because the proposed use is within the State of Hawaii Conservation District which includes all submerged lands seaward of the shoreline. The applicant is seeking input from agencies, citizen groups and individuals that might have jurisdiction, expertise, or interest in the proposed action.

Please find the enclosed Draft EA for your review. Should you wish to provide any comments or questions, you may do so via email to Erin Petrosian at epetrosian@integral-corp.com or by mail to the letter head address above. If you do not anticipate providing comments, please let us know at your earliest convenience so that we may note your response in the final Environmental Assessment. We ask that any responses be received by September 1 to allow for the continuation of the permitting process.



Richard Nishida
August 12, 2025
Page 2

Sincerely,



Robert A. Walker, PE
Principal, Coastal Engineering



Erin Petrosian
Permitting Specialist

Enclosure I. Draft Environmental Assessment



Re: Draft EA - new dock at 45-221 Ka Hanahou - request for review/comments

From Erin Petrosian <epetrosian@integral-corp.com>

Date Fri 8/22/2025 8:19 AM

To Richard Nishida <richardnishida@yahoo.com>

Good Morning Richard,

Thank you very much for such an eloquently written letter of support! I have filed your email and will incorporate your statement into the draft EA.

Have a wonderful day!

-Erin

ERIN PETROSIAN

Tel: 808.374.4442 | Cell: 808.989.2823

INTEGRAL CONSULTING INC.

From: Richard Nishida <richardnishida@yahoo.com>

Sent: Thursday, August 21, 2025 7:02 PM

To: Erin Petrosian <epetrosian@integral-corp.com>

Subject: Re: Draft EA - new dock at 45-221 Ka Hanahou - request for review/comments

CAUTION: External email. Think before you click links or open attachments.

Richard Nishida

808-306-1272

8/15/25

To Whom It May Concern,

I am writing to express my full support for my neighbor, Mike Elhoff, in their application to construct a permanent dock on their waterfront property located at 45-221 Ka Hanahou Circle.

They have consistently demonstrated a deep respect for our shared environment and a commitment to maintaining the natural beauty and integrity of our community. Their proposed dock project reflects this same thoughtful approach.

The addition of a permanent dock would not only enhance the functionality and safety of their property, but also contribute positively to the neighborhood by promoting responsible water access and recreational use. Importantly, it would help reduce the need for boats to anchor directly on the reef—a practice that can cause significant damage to fragile marine ecosystems. By providing a designated, stable access point, the dock would help preserve the health of our reef system while still allowing for responsible enjoyment of the water.

I understand that Mike Elhoff has taken steps to ensure the design complies with all relevant environmental and zoning regulations, and I trust that the construction will be carried out with minimal disruption to the surrounding ecosystem.

In a coastal community like ours, access to the water is a cherished part of our lifestyle. Supporting well-planned infrastructure like this dock helps preserve that access while encouraging stewardship and care

for our natural resources.

I respectfully urge the relevant authorities to approve this application and allow Mike Elhoff to proceed with their plans. Please feel free to contact me if further input or clarification is needed.

Thank you for your time and consideration.

Warm regards,
Richard Nishida

On Wednesday, August 13, 2025 at 09:06:18 AM HST, Erin Petrosian <epetrosian@integral-corp.com> wrote:

Aloha,

The property owner of the single-family residence at 45-221 Ka Hanahou Circle in Kāne'ohe is proposing to construct a new fixed dock to support recreational use of the bay. As a neighboring property owner, we would appreciate your review of the attached project information and would welcome any comments you may have.

If possible, please provide your comments by **September 1, 2025**.

Thank you in advance for your time and consideration

ERIN PETROSIAN | Consultant

Tel: 808.374.4442 | Cell: 808.989.2823 | Kamuela | HI
epetrosian@integral-corp.com





Integral Consulting Inc.
66-590 Kamehameha Hwy
Suite 2A
Haleiwa, HI 96712

telephone: 808.374.4440
www.integral-corp.com

August 08, 2025

Project No. C3967

Andrew Brown
Auxiliary and Facilities Services Officer
P.O Box 1346
Kaneohe, HI 96744

Subject: **Request for Input on Draft Environmental Assessment
Proposed Private Dock at 45-221 Ka Hanahou Circle, Kaneohe**

Dear Mr. Brown:

The property owner of the single-family residence located at 45-221 Ka Hanahou Circle, Kaneohe, Oahu plans to construct a new private fixed dock to support recreational use of Kaneohe Bay. The proposed rectangular dock would be 30 ft long by 10 ft wide and be constructed of aluminum with an open grating deck. The structure would be situated approximately 15-25 ft makai of the existing seawall at the property.

A Draft Environmental Assessment (EA) has been prepared as required by Chapter 343, Hawai'i Revised Statutes, Environmental Impact Statements. An EA is required because the proposed use is within the State of Hawaii Conservation District which includes all submerged lands seaward of the shoreline. The applicant is seeking input from agencies, citizen groups and individuals that might have jurisdiction, expertise, or interest in the proposed action.

Please find the enclosed Draft EA for your review as Hawai'i Institute of Marine Biology, lease holder of Coconut Island. Should you wish to provide any comments or questions, you may do so via email to Erin Petrosian at epetrosian@integral-corp.com or by mail to the letter head address above. If you do not anticipate providing comment, please let us know at your earliest convenience so that we may note your response in the final Environmental Assessment. We ask that any responses be received by September 1 to allow for the continuation of the permitting process.

Sincerely,



Hawai'i Institute of Marine Biology

August 08, 2025

Page 2



Robert A. Walker, PE
Principal, Coastal Engineering



Erin Petrosian
Permitting Specialist

Enclosure I. Draft Environmental Assessment



Re: Draft EA - new dock at 45-221 Ka Hanahou - request for review/comments

From Erin Petrosian <epetrosian@integral-corp.com>

Date Wed 8/13/2025 6:48 AM

To Andrew Brown <abrown4@hawaii.edu>

Cc Robert Walker <rwalker@integral-corp.com>

Good Morning, Drew,

Thank you very much for the prompt reply! We appreciate your support of the project. Mike Elhoff or a representative from Integral Consulting, Inc (likely Rob Walker, cc'd here, or myself) will be in touch as the project progresses to keep you informed.

Have a beautiful Wednesday morning!

-Erin

ERIN PETROSIAN

Tel: 808.374.4442 | Cell: 808.989.2823

INTEGRAL CONSULTING INC.

From: Andrew Brown <abrown4@hawaii.edu>

Sent: Wednesday, August 13, 2025 2:26 PM

To: Erin Petrosian <epetrosian@integral-corp.com>

Cc: Robert Walker <rwalker@integral-corp.com>

Subject: Re: Draft EA - new dock at 45-221 Ka Hanahou - request for review/comments

CAUTION: External email. Think before you click links or open attachments.

Good Morning Erin.

I have reviewed the environmental assessment draft and request for input. I see no issues with the request or installation of the dock at this location, If anything the Installation of the dock will provide much needed habitat for some of the local fish populations, this is a good thing as Kaneohe bay stocks are at a low.

Many Thanks.

Any questions please contact me directly.

Drew

I have reviewed the

Andrew Brown

Hawaii Institute of Marine Biology

Auxiliary and Facilities Services Officer

808-489-7749

abrown4@hawaii.edu

P.O Box 1346

Kaneohe, HI96744

On Tue, Aug 12, 2025 at 3:39 PM Erin Petrosian <epetrosian@integral-corp.com> wrote:

Aloha,

The property owner of the single-family residence at 45-221 Ka Hanahou Circle in Kāne'ohe is proposing to construct a new fixed dock to support recreational use of the bay. As a neighboring property owner, we would appreciate your review of the attached project information and would welcome any comments you may have.

If possible, please provide your comments by **September 1, 2025**.

Thank you in advance for your time and consideration.

ERIN PETROSIAN | Consultant

Tel: 808.374.4442 | Cell: 808.989.2823 | Kamuela | HI

epetrosian@integral-corp.com



Appendix H

Public Comments on DEA

Table 1. Summary of Public Input on Draft Environmental Assessment and Conservation District Use Permit

Entity Name	Contact	Comments Received	Notes	Response Provided
City Planning & Permitting	Dawn Takeuchi Apuna	2/24/2026	No comment	NA
DLNR, Division of Aquatic Resources	Kendall Tucker	4/5/2026	Private applicants are not eligible for approval under SAP	6/16/2026
DLNR, Land Division	Darlene Bryant-Takamatsu	3/6/2026	Ensure land disposition is obtained for use of State Lands	6/16/2026
HDOH, Clean Air Branch	Marianne Rossio	3/3/2026	Conditions requiring air pollution control permit and requirements to control fugitive dust	6/16/2026
Kaneohe Neighborhood Board No. 30	Mo Radke, Chair, and David Keohi Shizuma, Vice Chair	3/31/2026	Project does not align with General Plan, Master Plan, SCP, Ka Paakai Framework.	6/16/2026
U.S. Fish and Wildlife Service	Nadiera Sukhraj, Ph.D.	3/16/2026	Requests copy of Transplantation Plan and incorporation of BMPs	6/16/2026
UH, Hawaii Institute of Marine Biology	Megan Donahue	3/25/2026	Ensure access to UH Property's existing boat slip	6/17/2026

JOSH GREEN, M.D.
GOVERNOR | KE KĀ'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KĀ'ĀINA



FEB 25 P2

STATE OF HAWAII
KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
OFFICE OF CONSERVATION AND COASTAL LANDS
P.O. BOX 521
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
RYAN K.P. KANAKA'OLE
FIRST DEPUTY
CIARA W.K. KAHANE
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

REF:OCCL:TM

CDUA: OA-3991

Acceptance Date: February 18, 2026

180-Day Expiration Date: August 17, 2026

SUSPENSE DATE: 21 Days from stamped date

FEB 24 2026

MEMORANDUM

TO:

☐ DLNR-O'ahu District Land Office	☐ Office of Hawaiian Affairs
☐ DLNR-Aquatic Resources	☐ City-Planning & Permitting
☐ DLNR-Resource Enforcement	☒ US Army Corps Engineers
☐ DLNR-Forestry & Wildlife	☐ US Fish Wildlife Services
☐ Aha Moku Council	
☐ DOH- Clean Water Branch	

FROM: K. Tiger Mills, Staff Planner *K. Tiger Mills*
Office of Conservation and Coastal Lands

SUBJECT: REQUEST FOR COMMENTS
Conservation District Use Application (CDUA) OA-3991
Waterfront Improvement Project

APPLICANT: Michael Elhoff

TMK: Submerged Land Makai of TMK: (1) 4-5-047:051

LOCATION: Makai of 45-221 Ka Hanahou Circle, Kāne'ohe, Ko'olaupoko District,
island of Oahu

PUBLIC HEARING: No

Attached please find our Department's notice to the applicant regarding the subject CDUA. The projects CDUA and draft EA may be found on our website at dlnr.hawaii.gov/occl under current applications noted as the Waterfront Improvement Project CDUA OA-3991. We would appreciate your agency's review and comment on this application. If no response is received by the suspense date, we will assume there are no comments. The suspense date starts from the date stamp.

Contact Tiger Mills at (808) 587-0382 or kimberly.mills@hawaii.gov should you have any questions on this matter.

() Comments Attached

Signature

Christi Keller

(X) No Comments

Christi Keller, LUAB Branch
Print your Name and Title *Chief(CTA)*
for: Dawn Takeuchi Apuna,
Director

JOSH GREEN, M.D.
GOVERNOR | KE KĀĀĀNA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KĀĀĀNA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF LAND AND NATURAL
RESOURCES DIVISION OF AQUATIC RESOURCES
1151 PUNCHBOWL STREET, ROOM 330
HONOLULU, HAWAII 96813

Date: 4/7/2026

DAR # AR7063

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHANE
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



MEMORANDUM

TO: Brian J. Neilson
DAR Administrator

FROM: Kendall Tucker, Aquatic Biologist

SUBJECT: Waterfront Improvements 45-221 Ka Hanahou Circle, Kāne'ohe, Hawaii

Request Submitted by: OCCL

Location of Project: Seaward of the shoreline, Kaneohe Bay, Hawaii

Brief Description of Project:

The proposed use is construction of a new, private gangway and dock for recreational use at the 45-221 Ka Hanahou Circle residence for the purposes of berthing a sailboat. The proposed use is needed because the existing site is currently inadequate to berth a sailboat. The proposed rectangular fixed dock would be 30 ft long by 10 ft wide and be constructed of aluminum with an open grating deck. The furthest limit of the structure would be situated approximately 25 ft makai of the mean high-water mark (at the base of the existing seawall) along the 5-ft bathymetric contour line (see Attachment 2). Six precast concrete footings measuring 4 ft square would be secured to the ocean floor at evenly spaced intervals beneath the dock. continued on next page

Comments:

☐ No Comments ☒ Comments Attached

Thank you for providing DAR the opportunity to review and comment on the proposed project. Should there be any changes to the project plan, DAR requests the opportunity to review and comment on those changes.

Comments Approved: Brian J. Neilson Date: 04/08/2026
Brian J. Neilson
DAR Administrator

DAR# AR7063

Brief Description of Project

Vertical concrete piers would also be pre-cast into the center of each footing to support the dock. The top of the dock would be installed at approximately 5 ft above mean sea level. Access to the fixed dock would be provided by a 14.9-ft-long, 4-ft wide aluminum gangway extending at a right angle from the existing seawall to the dock

DAR# AR7063

Comments

Thank you for allowing the Division of Aquatic Resources (DAR) the opportunity to comment on CDUA OA-3991. DAR provided comments to the applicant during the pre-consultation phase of the environmental assessment regarding the removal and relocation of coral associated with the proposed dock construction.

Upon further review by DAR's permitting and legal teams, it has been determined that there is no legal pathway for the applicant to remove coral or to mitigate the anticipated damage to live rock during construction. Pursuant to HAR §§ 13-95-70 and 13-95-71, it is unlawful to take, break, or damage stony corals or live rock. Additionally, the proposed project does not meet the criteria necessary to qualify for a Special Activity Permit under HRS § 187A-6.

Accordingly, DAR cannot support the proposed activities as currently described.



Integral Consulting Inc.
66-590 Kamehameha Hwy
Suite 2A
Haleiwa, HI 96712

telephone: 808.374.4440
www.integral-corp.com

June 16, 2026

Project No. C3967

Kendall Tucker, Aquatic Biologist
Division of Aquatic Resources
Hawaii State Department of Land and Natural Resources
1151 Punchbowl Street, Room 330
Honolulu, HI 96813

**Subject: Response to Comments on Conservation District Use Application OA-3991
DAR File #AR7063
Elhoff Waterfront Improvements—Proposed Private Dock at
45-221 Ka Hanahou Circle, Kaneohe**

Dear Kendall Tucker:

We have reviewed the memorandum (April 8, 2026) submitted to the Department of Land and Natural Resources, Division of Aquatic Resources regarding Conservation District Use Application (CDUA) OA-3991. Thank you for taking the opportunity to review the project and provide additional perspective on proposed coral relocations by private property owners.

In response to your comments, the project has been redesigned to avoid impacts to coral and live rock. Specifically, two of the six dock footings have been offset from center such that they are now situated on portions of the seafloor that are characterized by sand and rubble, devoid of live coral and rock. Relocating the footings in this way eliminates the need to remove and relocate coral colonies. The project description provided in the CDUA and Environmental Assessment has been updated to remove references to the Coral Transplantation Plan and Special Activity Permit.

The final Environmental Assessment, incorporating your comments and other input received during the public review period, will be published by the Office of Planning and Sustainable Development and available for public comment in the Environmental Notice.



Should you have any additional questions, you may contact Erin Petrosian at epetrosian@integral-corp.com or at the letterhead address above.

Sincerely,

A handwritten signature in black ink, appearing to read 'EP', with a horizontal line extending to the right.

Erin Petrosian
Permitting Specialist



JOSH GREEN, M.D.
GOVERNOR | KE KA'ĀINA
SYLVIA LUNE
LIEUTENANT GOVERNOR | KA HOPE KA'ĀINA



FEB 24 PM 2:28

DEPARTMENT OF LAND &
NATURAL RESOURCES
STATE OF HAWAII



STATE OF HAWAII
KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
OFFICE OF CONSERVATION AND COASTAL LANDS
P.O. BOX 621
HONOLULU, HAWAII 96806

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
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RYAN K.P. KAHAKA'OLE
FIRST DEPUTY
CIARA W.K. KAHANE
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AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
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ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

REF:OCCL:TM

CDUA: OA-3991

Acceptance Date: February 18, 2026

180-Day Expiration Date: August 17, 2026

SUSPENSE DATE: 21 Days from stamped date

MEMORANDUM

FEB 24 2026

TO: ☒ DLNR-O'ahu District Land Office ☐ Office of Hawaiian Affairs
☐ DLNR-Aquatic Resources
☐ DLNR-Resource Enforcement ☐ City-Planning & Permitting
☐ DLNR-Forestry & Wildlife
☐ Aha Moku Council ☐ US Army Corps Engineers
☐ DOH- Clean Water Branch ☐ US Fish Wildlife Services

FROM: K. Tiger Mills, Staff Planner *K. Tiger Mills*
Office of Conservation and Coastal Lands

SUBJECT: REQUEST FOR COMMENTS
Conservation District Use Application (CDUA) OA-3991
Waterfront Improvement Project

APPLICANT: Michael Elhoff
TMK: Submerged Land Makai of TMK: (1) 4-5-047:051
LOCATION: Makai of 45-221 Ka Hanahou Circle, Kāne'ohe, Ko'olaupoko District,
island of Oahu

PUBLIC HEARING: No

Attached please find our Department's notice to the applicant regarding the subject CDUA. The projects CDUA and draft EA may be found on our website at dlnr.hawaii.gov/occl under current applications noted as the Waterfront Improvement Project CDUA OA-3991. We would appreciate your agency's review and comment on this application. If no response is received by the suspense date, we will assume there are no comments. The suspense date starts from the date stamp.

Contact Tiger Mills at (808) 587-0382 or kimberly.mills@hawaii.gov should you have any questions on this matter.

(X) Comments Attached

Signature _____

() No Comments

Print your Name and Title

JOSH GREEN, M.D.
GOVERNOR | KE NIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES

STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
LAND DIVISION

P.O. BOX 621
HONOLULU, HAWAII 96809

March 6, 2026

MEMORANDUM

Ref. No.: CDUA: OA-3991

TO: Office of Conservation and Coastal Lands

FROM: Darlene Bryant-Takamatsu, Land Agent

SUBJECT: Conservation District Use Application (CDUA) OA-3991
Waterfront Improvement Project

LOCATION: Makai of 45-221 Ka Hanahou Circle, Kaneohe, Koolaupoko District,
Oahu

APPLICANT: Michael Elhoff

We received the subject request for comments. The subject area located in Kaneohe Bay is under the jurisdiction of the Board of Land and Natural Resources and therefore any work and/or use of State land makai of the title boundary and/or certified shoreline shall require a disposition from the Board of Land and Natural Resources. If you have any questions about this response, please contact Darlene Bryant-Takamatsu at (808) 587-0447, email at darlene.bryant@hawaii.gov. Thank you.

Enclosure



Integral Consulting Inc.
66-590 Kamehameha Hwy
Suite 2A
Haleiwa, HI 96712

telephone: 808.374.4440
www.integral-corp.com

June 16, 2026

Project No. C3967

Darlene Bryant Takamatsu, Land Agent
Hawaii State Department of Land and Natural Resources
Land Division
PO Box 621
Honolulu, HI 96809

**Subject: Response to Comments on Conservation District Use Application OA-3991
Elhoff Waterfront Improvements- Proposed Private Dock at 45-221 Ka
Hanahou Circle, Kaneohe**

Dear Ms. Bryant Takamatsu:

We have reviewed the memorandum (March 6, 2026) submitted to the Department of Land and Natural Resources, Office of Conservation and Coastal Lands regarding Conservation District Use Application (CDUA) OA-3991. The applicant acknowledges that the location of the proposed project is on state, submerged lands and is under the jurisdiction of the Board of Land and Natural Resources (BLNR). The applicant affirms that prior to initiating any work makai of the certified shoreline a land disposition will be obtained.

To be consistent with your memorandum, Section 8, "Permits and Approvals," has been updated to revise the list of required authorizations to specify "BLNR Land Disposition" (formerly referred to as "DLNR Grant of Easement").

The Final Environmental Assessment, incorporating your comments and other input received during the public review period, will be published by the Office of Planning and Sustainable Development and available for public comment in the Environmental Notice.



Should you have any additional questions, you may contact Erin Petrosian at epetrosian@integral-corp.com or at the letterhead address above.

Sincerely,

A handwritten signature in black ink, appearing to read 'Erin Petrosian', with a horizontal line extending to the right.

Erin Petrosian
Permitting Specialist



Fugitive Dust Fact Sheet

Prepared by the Department of Health, Clean Air Branch (CAB), Revised April 2019

Hawaii Administrative-Rules, Section 11-60.1-33, Fugitive Dust-states, in part:

11-60.1-33(a): No person shall cause or permit visible fugitive dust to become airborne without taking reasonable precautions.

11-60.1-33(b): ...no person shall cause or permit the discharge of visible fugitive dust beyond the property lot line on which the fugitive dust originates.

Examples of Reasonable Precautions

The following six (6) categories list related examples of reasonable precautions. The examples are **NOT REQUIREMENTS** and are solely intended to aid in complying with the fugitive dust rules. The examples below are common precautions used for various activities that may generate visible fugitive dust and are not meant to be exclusive nor comprehensive.

1. General Measures

- Design, develop and implement a dust control plan.
- Use water or suitable chemical compounds in the demolition of existing structures, construction operations, and grading or clearing of land.
- Apply water, dust suppressants, or suitable compounds on roads and material stockpiles.
- Pave ingress and egress points to the site.
- Establish and monitor speed limits for onsite vehicles.
- Cover all moving, open-bodied trucks transporting dusty materials.
- Install and use enclosures, screens, hoods, vacuums, and filters to control the handling, sanding or finishing of dusty materials.
- Use trash chutes to direct waste downwards to the ground from upper levels
- Clean up material spills as soon as possible.
- Promptly remove soil or other "carry out" materials from roads adjacent to the site.
- Install dust screens or wind barriers around construction site.
- Where practical, provide a buffer zone between fugitive dust activities and residential areas.

2. Agricultural Activities

- Keep fallow land to a minimum.
- Use cover crops to minimize exposed soil.
- Limit vehicular speed during plowing activities and while traveling onsite.

3. Earth-moving Activities

- Pre-apply and re-apply water as necessary to maintain soils in a damp condition.
- Limit the amount of exposed areas through planning and timing of project phases.
- Cover temporarily exposed areas with mulch.

4. Crushing and Screening Activities

- Pre-wet material.
- Monitor crusher's visible dust emissions.
- Apply water to crushed material.
- Apply water at material transfer points.
- Stabilize material immediately after screening.
- Drop material through the screen slowly and minimize drop height.
- Install wind barrier upwind of screen.

5. Stockpiles

- Stabilize stockpile materials.
- Keep stockpiles wet or damp as needed
- Cover stockpile when not in use. Use mulch or synthetic cover based on usage of stockpile.
- Keep drop or pile height as low as possible.
- Install wind barriers
- Add or remove material from downwind portion of stockpile
- Maintain storage piles to avoid steep sides or faces.

6. Trucking

- Provide water while loading and unloading to prevent fugitive dust.
- Maintain at least six inches of freeboard on haul vehicles. Level the height of load.
- Limit vehicular speed while traveling onsite.
- Cover your load while travelling.
- Install a gravel pad and grizzly at exit.
- Reduce carry out with a tire wash or spray system.

The CAB does not require specific precautions. Which precaution(s) to implement is/are the responsibility of the owner, project manager or operator of the site. Reasonable precautions to control fugitive dust are determined on a case-by-case basis. The site topography and surroundings, soil conditions, meteorological conditions, site activities, site equipment, and types of material processed must be considered. The use of any or all of the example measures does not automatically mean compliance with the fugitive dust requirements.

The owner, project manager or operator should assess the project activities and conditions daily and make adjustments so that reasonable precautions are taken to prevent fugitive dust from becoming airborne and crossing the property line. Generally, dry and windy conditions will require more control measures than rainy and calm periods.

Failure to comply with the fugitive dust requirements may result in civil and administrative fines of not more than \$25,000 per day per violation. An air permit for a facility may contain additional or more stringent fugitive dust requirements.

For questions regarding the fugitive dust rules, please contact the Clean Air Branch at 586-4200 or cab@doh.hawaii.gov.



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'ŌIHANA OLAKINO
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

24-288A CAB

July 3, 2024

MEMORANDUM

TO: Agencies and Project Owners

FROM: MARIANNE ROSSIO, P.E., CHIEF
Clean Air Branch

A handwritten signature in blue ink, appearing to read "Marianne Rossio".

SUBJECT: Clean Air Branch Standard Project Comments

This memo is provided for your information and sharing. You are encouraged to share this memo with your project partners, team members, and appropriate personnel.

The Department of Health (DOH), Clean Air Branch (CAB), will no longer be responding directly to requests for comments on the following documents (including pre-consultation, early consultation, preparation notice, draft, final, addendums, and/or supplements):

- Environmental Impact Statements (EIS)
- Environmental Assessments (EA)
- Anticipated Finding of No Environmental Significant Impacts (AFONSI)
- Conservation District Use Applications (CDUA)
- Special Management Area Permits (SMAP)

For agencies or project owners requiring DOH-CAB comments on one or more of these documents, please utilize the DOH-CAB Standard Comments below regarding your project's responsibilities to maintain air quality and any necessary permitting. DOH-CAB Standard Comments are also available on the DOH-CAB website located at:
https://health.hawaii.gov/cab/files/2024/07/Standard-Comments-for-Land-Use-Reviews-Clean-Air-Branch-July_2024.pdf.

If you have any questions, please the Clean Air Branch at (808) 586-4200.

CH:rkb

Standard Comments for Land Use Reviews
Clean Air Branch
Hawaii State Department of Health
July 3, 2024

All project activities shall comply with Hawaii Administrative Rules (HAR), Chapter 11-59 and 11-60.1.

If your proposed project:

Requires an Air Pollution Control Permit

- You must obtain an air pollution control permit from the Clean Air Branch and comply with all applicable conditions and requirements. If you do not know if you need an air pollution control permit, please contact the Permitting Section of the Clean Air Branch.
- Permit application forms can be found here: <https://health.hawaii.gov/cab/permit-application-forms/>

Has the potential to generate fugitive dust

- You must reasonably control the generation of all airborne, visible fugitive dust. Note that construction activities that occur near existing residences, businesses, public areas and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne, visible fugitive dust. The plan, which does *not* require Department of Health approval, should help you recognize and minimize potential airborne, visible fugitive dust problems.
- Construction activities must comply with the provisions of Hawaii Administrative Rules, §11- 60.1-33 on Fugitive Dust. In addition, for cases involving mixed land use, it is strongly recommended that buffer zones be established, wherever possible, in order to alleviate potential dust concerns.
- You must provide reasonable measures to control airborne, visible fugitive dust from the road areas and during the various phases of construction. These measures include, but are not limited to, the following:
 - Planning the different phases of construction, focusing on minimizing the amount of airborne, visible fugitive dust-generating materials and activities, centralizing on-site vehicular traffic routes, and locating potential dust-generating equipment in areas of the least impact;
 - Providing an adequate water source at the site prior to start-up of construction activities;
 - Landscaping and providing rapid covering of bare areas, including slopes, starting from the initial grading phase;
 - Minimizing airborne, visible fugitive dust from shoulders and access roads;
 - Providing reasonable dust control measures during weekends, after hours, and prior to daily start-up of construction activities; and
 - Controlling airborne, visible fugitive dust from debris being hauled away from the project site.
- If you have questions about fugitive dust, please contact the Enforcement Section of the Clean Air Branch. Please also see fugitive dust fact sheet at: <https://health.hawaii.gov/cab/files/2024/02/Hawaii-Fugitive-Dust-Fact-Sheet-February-2024.pdf>.

Includes construction, demolition, or renovation activities that involve potential asbestos and lead containing materials

- Please contact the Indoor and Radiological Health Branch at (808) 586-4700 or visit: <https://health.hawaii.gov/irhb/>

Increases the population and potential number of vehicles in an area

- The creation of apartment buildings, complexes, and residential communities may increase the overall population in an area. Increasing the population in an area may inadvertently lead to more air pollution via vehicle exhaust. Vehicle exhaust releases pollutants in the air that can negatively impact human health and air quality, including lung irritants, carcinogens, and greenhouse gases.
- Ensure that drivers keep vehicle idling times to three (3) minutes or less.
- Consider and incorporate support for alternative transportation options such as bike racks and/or electric vehicle charging stations where possible.

If you have any questions, please contact the Clean Air Branch at (808) 586-4200 or at cab@doh.hawaii.gov.



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June 16, 2026

Project No. C3967

Marianne Rossio, P.E.
Chief, Clean Air Branch
Hawaii State Department of Health
P.O. Box 3378
Honolulu, HI 96801-3378

Subject: **Response to Comments on the Draft Environmental Assessment
Elhoff Waterfront Improvements—Proposed Private Dock at
45-221 Ka Hanahou Circle, Kaneohe**

Dear Ms. Rossio:

Thank you for providing the Clean Air Branch (CAB) Standard Comments for Land Use Reviews (CAB File #24-288A) regarding the Draft Environmental Assessment for the Elhoff Waterfront Improvements—Proposed Private Dock at 45-221 Ka Hanahou Circle, Kaneohe. The project team acknowledges the CAB comments and recommendations. The proposed project will comply with applicable provisions of Hawaii Administrative Rules Chapter 11-60.1 and other applicable air quality requirements.

Construction activities associated with the project are limited in duration and scale. Appropriate best management practices will be implemented during construction to minimize potential air quality impacts, including reasonable measures to control fugitive dust, minimize unnecessary vehicle and equipment idling, and maintain compliance with applicable State of Hawaii air quality regulations.

CAB comments will be addressed in the Final Environmental Assessment and incorporated into the project record.

Mahalo for your review and consideration.

Sincerely,

A handwritten signature in blue ink that reads "Robert Walker".

Robert Walker, P.E.
Principal





KĀNE'OHE NEIGHBORHOOD BOARD NO. 30

NEIGHBORHOOD COMMISSION • 925 DILLINGHAM BOULEVARD SUITE 160 • HONOLULU, HAWAII, 96817

PHONE (808) 768-3710 • FAX (808) 768-3711 • WEBSITE: <http://www.honolulu.gov>

MEMORANDUM FOR THE RECORD & SUMMARY OF DISCUSSION

1. At the Kaneohe Neighborhood Board Regular Meeting on 3/19/26, the board voted to not approve and does not support approval of this project. The Board found that statements within the Environmental Assessment (EA) asserting consistency with established plans (O'ahu General Plan, Kāne'ohe Bay Master Plan, and Ko'olaupoko Sustainable Communities Plan) overstate alignment and do not accurately reflect the intent and policy direction of those plans.
2. Elaboration of details:
 - a. **O'ahu General Plan**

The EA states alignment with the O'ahu General Plan; however, the Plan emphasizes public shoreline access for residents and visitors and does not explicitly support private, exclusive access structures such as residential docks.
 - b. **Kāne'ohe Bay Master Plan**

While the EA references moorings within the Bay, the Master Plan identifies specific geographic areas for such uses, which do not include the project location. Therefore, the cited policy does not apply to this site.
 - c. **Ko'olaupoko SCP**

The EA asserts consistency based on existing neighborhood character; however, the Plan emphasizes preservation of shoreline character and public access, and does not provide policy support for new private access structures such as residential docks.
3. **Ka Pa'akai Framework Consideration**

Consistent with the Hawai'i Supreme Court's Ka Pa'akai O Ka 'Āina framework, the Board believes it is important to understand: (1) the cultural and traditional practices associated with Kāne'ohe Bay, (2) how the proposed action may impact those practices, and (3) what feasible actions can be taken to avoid or mitigate those impacts. Kāne'ohe Bay is a living cultural and subsistence resource with deep historical ties to fishing, gathering, and community-based stewardship. The EA does not sufficiently demonstrate how the addition of a new private dock—extending into public trust submerged lands—has been evaluated through this framework, particularly in terms of cumulative impacts to access, use, and the shared nature of the resource. The Board believes a more explicit application of this framework would strengthen the analysis and better inform decision-making.
4. The Board voted unanimously (11-0) to not support the project.

Mo Radke, Chair

David Keoni Shizuma, Vice Chair



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telephone: 808.202.1920
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June 16, 2026

Kāneʻohe Neighborhood Board No. 30
Neighborhood Board Commission
925 Dillingham Boulevard, Suite 160
Honolulu, HI 96817

Subject: **45-221 Ka Hanahou Circle**

Dear Chairperson Radke and Vice Chairperson Shizuma:

Thank you for your memorandum summarizing the Kāneʻohe Neighborhood Board's discussion regarding the proposed improvements at 45-221 Ka Hanahou Circle during the March 19, 2026, Regular Meeting. We appreciate the Board's thoughtful review of the project, including the concerns raised regarding consistency with adopted planning documents and consideration of the Ka Paʻakai framework.

We have reviewed both the memorandum and the meeting recording carefully and respectfully offer the following responses for your consideration.

1. Consistency with Adopted Plans

Oahu General Plan

KNB Comment: *The EA states alignment with the Oahu General Plan; however, the Plan emphasizes public shoreline access for residents and visitors and does not explicitly support private, exclusive access structures such as residential docks.*

Response: We agree that the Oahu General Plan does not explicitly address private access structures such as residential docks. The General Plan addresses much broader objectives and policy goals for the City and County of Honolulu, as opposed to individual, residential-scale projects of any kind. However, we are not aware of any policy within the Oahu General Plan that specifically precludes or conflicts with the proposed project.

The following revision is suggested to the project's Environmental Assessment: "The Proposed Project is not in conflict with objectives and broad policies for land use, development, and socioeconomics set forth in the General Plan. Specifically, the proposed dock will not impede public shoreline access in any way"

Kāneʻohe Bay Master Plan

KNB Comment: *While the EA references moorings within the Bay, the Master Plan identifies specific geographic areas for such uses, which do not include the project location. Therefore, the cited policy does not apply to this site.*

Response: We agree that Recommendations 129–137 of the Kāneʻohe Bay Master Plan address designated public mooring areas and related management considerations. The Master Plan highlights that “the existing State designated mooring areas in the Bay are inadequate.” The proposed residential dock will, in small part, contribute toward the alleviation of the mooring shortage by allowing this resident boater to avoid relying on public moorings.

Further, the plan addresses “private piers” specifically in Recommendation 134, stating that unlike the designated public mooring areas, private facilities should be exempt from the requirement of mooring permits. While this recommendation does not expressly endorse new private residential docks, it seeks to ensure their use is not subject to unnecessary regulations.

The plan does not otherwise address the construction of new private docks in any way. While there are currently strict limits on permits issued for commercial activities in the bay, this does not apply to a private dock being proposed for strictly non-commercial use.

In addition, the Master Plan, having been published 34 years ago, is currently undergoing revision by the Kāneʻohe Bay Regional Council. The latest proposed revisions, published by the council on September 23, 2025, include no changes to Recommendations 129–137, and do not propose any additional revisions related to private docks.

We will revise the project’s Environmental Assessment to reflect these more limited and nuanced connections to the plan’s recommendations and remove references to recommendations that strictly address public mooring areas. Further, we will clarify that the proposed dock does not conflict with any of the plan’s recommendations, including any revisions being considered.

Koʻolau Poko Sustainable Communities Plan

KNB Comment: *The EA asserts consistency based on existing neighborhood character; however, the Plan emphasizes preservation of shoreline character and public access, and does not provide policy support for new private access structures such as residential docks.*

Response: We acknowledge that the Koʻolau Poko Sustainable Communities Plan (SCP) does not specifically address new residential dock construction. Similar to the Oahu General Plan, the SCP establishes broader regional planning policies and objectives rather than detailed policy direction regarding individual residential shoreline structures.

Private docks and piers have been a defining part of the “residential character” along Kāneʻohe Bay shorelines for more than 100 years. Docks are commonly found in high density areas wherever the local bathymetry is suitable to allow access to the deeper waters of the Bay. Within the small Ka Hanahou neighborhood, there are 14 existing piers or dock structures. The proposed dock will not

degrade existing public shoreline access and will enhance the ability for the property owner, a member of the public and a part of the Kāneʻohe community, to access and utilize the shoreline and share that access with his '.

We will add additional information to the Environmental Assessment that clarifies these points, and provides additional context about the surrounding area and how the proposed dock will fit in to existing public access and uses.

2. Ka Paʻakai Framework

KNB Comment: *Consistent with the Hawaiʻi Supreme Court's Ka Paʻakai O Ka ʻĀina framework, the Board believes it is important to understand: (1) the cultural and traditional practices associated with Kāneʻohe Bay, (2) how the proposed action may impact those practices, and (3) what feasible actions can be taken to avoid or mitigate those impacts. Kāneʻohe Bay is a living cultural and subsistence resource with deep historical ties to fishing, gathering, and community-based stewardship. The EA does not sufficiently demonstrate how the addition of a new private dock—extending into public trust submerged lands—has been evaluated through this framework, particularly in terms of cumulative impacts to access, use, and the shared nature of the resource. The Board believes a more explicit application of this framework would strengthen the analysis and better inform decision-making.*

Response: We agree that evaluating coastal projects through the Ka Paʻakai framework is an important exercise in the planning process to ensure the consideration and protection of traditional and customary rights of Native Hawaiians. The Environmental Assessment provides information relevant to the Board of Land and Natural Resources consideration of the project within this framework, including discussion of the project's specific setting, historical context, design, and construction approach.

To summarize, the existing condition at the proposed dock location is a rocky shoreline dominated by seawalls and completely submerged during most tides. The proposed dock is of modest size (and has been reduced during the planning process) and is not anticipated to impede navigation. The dock has been designed to minimize both short- (e.g., construction methods) and long-term adverse environmental impacts. The new, properly designed and permitted space to moor a sailing vessel will enhance the ability for the property owner and their 'ohana and community to access and enjoy Kāneʻohe Bay.

We acknowledge in the Environmental Assessment that the entire Ka Hanahou neighborhood is built over what was once Ka Hanahou fish pond. We have reached out to the ʻAha Moku Advisory Committee in an effort to gain additional understanding about any cultural concerns associated with the specific project site. To date, our historical research of the area has not identified any ongoing or historical traditional practices that may be disrupted by the proposed project. We are continuing to pursue connections with knowledgeable individuals in order to gain additional understanding from their perspective and experience with the site and wider historical fish pond.

Again, we appreciate the Kāneʻohe Neighborhood Board's thoughtful review of the project and the opportunity to respond to these comments. We remain committed to working through the

environmental review process in a transparent and respectful manner and will continue refining the final Environmental Assessment to address agency and community input as appropriate.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Walker".

Robert Walker, P.E.
Principal

Mills, Kimberly T

From: McCarthy, Nadiera <Nadiera_McCarthy@fws.gov>
Sent: Monday, March 16, 2026 10:31 AM
To: Mills, Kimberly T
Cc: Hendrix, Alicia M; Nadig, Aaron; Sachs, Elyse M
Subject: [EXTERNAL] Comments on CDUA OA-3991, Ka Hanohou Circle
Attachments: Final BMPs For Work in Aquatic Environment 2014.doc

Aloha Ms. Mills-

The U.S. Fish and Wildlife Service (Service) has received the Conservation District Use Application (CDUA) OA-3991 for submerged waterfront improvements at Ka Hanahou Circle in Kaneohe, Oahu, as well as the Draft Environmental Assessment (DEA) for the same project. The proposed action would permit the construction of a 30 ft. by 10 ft. aluminum fixed dock for the purpose of berthing a sailboat behind a private residence. This response from our agency is under the provisions of the Fish and Wildlife Coordination Act of 1934 [16 U.S.C. 661 et seq.; 48 Stat. 401], as amended (FWCA); the Clean Water Act of 1977 [33 USC 1251 et seq.; 91 Stat. 1566], the Rivers and Harbors Act of 1899 [33 U.S.C. 403 et seq.], as amended; the Endangered Species Act of 1973 [16 U.S.C. 1531 et seq.; 87 Stat. 884], as amended (ESA); and other authorities mandating the Service's review and recommendations to conserve trust resources.

The DEA contained biological information collected in 2021 and identified other existing structures in the project footprint such as a boat ramp that currently extends from the existing property seawall. In the Alternatives Analysis, the preferred option Alternative 3 was identified as a fixed dock and gangway with open grating on top, as the design would allow for sunlight to continue to penetrate the water column where live coral colonies are currently present. The construction would be completed using a combination of water and land-based equipment. A barge would also have to operate in very shallow water to support the installation of the concrete footings, aluminum dock, and the top grating.

At this time there are no concerns with the proposed actions or the documented natural resources present. Coral colonization was limited in 2021, with only 16 live coral colonies remaining in the reduced project impact area. However 3 of those colonies were measured at greater than 80 cm diameter (Table 1 of Attachment A in DEA). Section 6.1 of the DEA mentions a Coral Transplantation Plan where corals located within the pile footprint will be transplanted to suitable nearby habitat under an approved coral transplantation plan. The Service would like to request an opportunity to review the Coral Transplantation Plan when it is available. Of interest are the recipient locations, methods for translocation, and the success criteria that will be required for post-transplantation monitoring.

A copy of the Service's Best Management Practices for work in the aquatic environment is included for incorporation into project planning to avoid or minimize impacts to fish and wildlife resources. Two invasive species, the invasive algae gorilla ogo (*Gracilaria salicornia*) and the invasive keyhole sponge (*Mycale grandis*) were documented in the action area and actions should minimize their breakage and spread to other areas of Kaneohe Bay or attachment to any vessels or equipment that are used during the project construction.

If the National Oceanographic and Atmospheric Administration's National Marine Fisheries Service (NOAA/NMFS) has not been contacted yet about consultations related to ESA species and Essential Fish Habitat, that should be included in this process.

The Service appreciates the early coordination and the opportunity to provide input on the proposed project. If there are questions regarding the comments, please contact Fish and Wildlife Biologist Nadiera Sukhraj (Nadiera_McCarthy@fws.gov or 808-210-6125).

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Nadiera Sukhraj, Ph.D
Aquatic Ecosystems Conservation
and Environmental Contaminants
U.S. Fish and Wildlife Service
Pacific Islands Fish and Wildlife Office
300 Ala Moana Blvd., Rm 3-122
Honolulu, HI 96850
(808) 210-6125
Nadiera_McCarthy@fws.gov

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U.S. Fish and Wildlife Service
Recommended Standard Best Management Practices

The U.S. Fish and Wildlife Service (USFWS) recommends the following measures to be incorporated into project planning to avoid or minimize impacts to fish and wildlife resources. Best Management Practices (BMPs) include the incorporation of procedures or materials that may be used to reduce either direct or indirect negative impacts to aquatic habitats that result from project construction-related activities. These BMPs are recommended in addition to, and do not over-ride any terms, conditions, or other recommendations prepared by the USFWS, other federal, state or local agencies. If you have questions concerning these BMPs, please contact the USFWS Aquatic Ecosystems Conservation Program at 808-792-9400.

1. Authorized dredging and filling-related activities that may result in the temporary or permanent loss of aquatic habitats should be designed to avoid indirect, negative impacts to aquatic habitats beyond the planned project area.
2. Dredging/filling in the marine environment should be scheduled to avoid coral spawning and recruitment periods, and sea turtle nesting and hatching periods. Because these periods are variable throughout the Pacific islands, we recommend contacting the relevant local, state, or federal fish and wildlife resource agency for site specific guidance.
3. Turbidity and siltation from project-related work should be minimized and contained within the project area by silt containment devices and curtailing work during flooding or adverse tidal and weather conditions. BMPs should be maintained for the life of the construction period until turbidity and siltation within the project area is stabilized. All project construction-related debris and sediment containment devices should be removed and disposed of at an approved site.
4. All project construction-related materials and equipment (dredges, vessels, backhoes, silt curtains, etc.) to be placed in an aquatic environment should be inspected for pollutants including, but not limited to; marine fouling organisms, grease, oil, etc., and cleaned to remove pollutants prior to use. Project related activities should not result in any debris disposal, non-native species introductions, or attraction of non-native pests to the affected or adjacent aquatic or terrestrial habitats. Implementing both a litter-control plan and a Hazard Analysis and Critical Control Point plan (HACCP – see <http://www.haccp-nrm.org/Wizard/default.asp>) can help to prevent attraction and introduction of non-native species.
5. Project construction-related materials (fill, revetment rock, pipe, etc.) should not be stockpiled in, or in close proximity to aquatic habitats and should be protected from erosion (e.g., with filter fabric, etc.), to prevent materials from being carried into waters by wind, rain, or high surf.
6. Fueling of project-related vehicles and equipment should take place away from the aquatic environment and a contingency plan to control petroleum products accidentally spilled during the project should be developed. The plan should be retained on site with the person responsible for compliance with the plan. Absorbent pads and containment booms should be stored on-site to facilitate the clean-up of accidental petroleum releases.
7. All deliberately exposed soil or under-layer materials used in the project near water should be protected from erosion and stabilized as soon as possible with geotextile, filter fabric or native or non-invasive vegetation matting, hydro-seeding, etc.



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telephone: 808.374.4440
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June 16, 2026

Project No. C3967

Nadiera Sukhraj, Ph.D.
Aquatic Ecosystems Conservation and Environmental Contaminants
U.S. Fish and Wildlife Service
300 Ala Moana Blvd., Rm 3122
Honolulu, HI 96850

**Subject: Response to Comments on Conservation District Use Application OA-3991 and Draft Environmental Assessment
Elhoff Waterfront Improvements—Proposed Private Dock
at 45-221 Ka Hanahou Circle, Kaneohe**

Dear Dr. Sukhraj:

We have reviewed your comments (April 8, 2026) submitted to the Department of Land and Natural Resources, Office of Conservation and Coastal Lands regarding Conservation District Use Application (CDUA) OA-3991. The U.S. Fish and Wildlife Service's (USFWS) primary comments were 1) a request to review the Coral Transplantation Plan; 2) that the project plan incorporate the USFWS Best Management Practices (BMPs) for work in aquatic environments; and 3) that NOAA NMFS also be consulted as it pertains to Endangered Species Act species and Essential Fish Habitat.

1. **Coral Transplantation Plan:** The project has been redesigned to situate the dock footings to avoid impacting coral and live rock altogether. Specifically, two of the six dock footings have been offset from center such that they are situated on portions of the sea floor that are characterized by sand and rubble, devoid of live coral and rock. Resituating the footings in this way eliminates the need to remove and relocate coral colonies. The project description provided in the CDUA and Environmental Assessment has been updated to remove reference to the Coral Transplantation Plan and Special Activity Permit.
2. **USFWS BMPs:** Section 6, "Avoidance and Mitigation Measures," of the Environmental Assessment, has been updated to incorporate the USFWS BMPs.
3. **NOAA Consultation:** Thank you for raising this important point. This project requires authorization from the U.S. Army Corps of Engineers. Through that permitting



process, NOAA NMFS is being consulted with respect to the Endangered Species Act and Essential Fish Habitat along with other federal agency consultations.

The final Environmental Assessment, incorporating your comments and other input received during the public review period, will be published by the Office of Planning and Sustainable Development and available for public comment in the Environmental Notice.

Should you have any additional questions, you may contact Erin Petrosian at epetrosian@integral-corp.com or at the letterhead address above.

Sincerely,



Erin Petrosian
Permitting Specialist





March 25, 2026

Ms. Erin Petrosian
Consultant
Integral Consulting Inc.
66-590 Kamehameha Hwy, Suite 2A
Hale'iwa, Hawai'i 96712

RE: COMMENTS ON DRAFT ENVIRONMENTAL ASSESSMENT FOR PROPOSED
WATERFRONT IMPROVEMENTS, LOCATED MAKAI OF 45-221 KA HANAHOU
CIRCLE, KĀNE'OHE, KO'OLAUPOKO, O'AHU, TAX MAP KEY: (1) 4-5-047: 051

Dear Ms. Petrosian:

The University of Hawai'i ("UH" or "University") has reviewed the Draft Environmental Assessment ("DEA") that was published in the February 23, 2026 issue of The Environmental Notice, and offers the following comments.

The University understands that the owner of 45-221 Ka Hanahou Circle intends to construct proposed waterfront improvements, including a new private fixed dock measuring 30 feet in length by 10 feet wide and a 15-foot gangway ("Project"). The University owns the adjacent property located at 42-215 Ka Hanahou Circle ("UH Property"), which supports operations associated with the Hawai'i Institute of Marine Biology ("HIMB") at the University of Hawai'i at Manoa. The University has concerns regarding the potential impacts of the Project on vessel navigational access to the UH Property's existing boat slip, which is used regularly by UH staff to access the HIMB's marine research facilities on Moku o Lo'e, also known as Coconut Island.

Due to the shallow water conditions and surrounding reef structure in the area, vessel navigation is limited to a narrow access corridor. Based on the University's understanding of the proposed dock location, the Project may affect the ability of the University's vessel(s) to safely enter and exit the UH Property's existing boat slip during construction and post-construction. As a result, the Project could interfere with the University's ongoing marine research operations. The University would like to ensure that the existing access corridor remain wide enough so that the University can continue to utilize the UH Property's existing boat slip, and in compliance with applicable Federal, State, and County laws.

The University respectfully requests that the Final EA document include additional analysis of navigational access impacts to ensure that University vessels will maintain safe access to the boat slip on UH property. This analysis should include both the navigational impact of the dock, and a recommendation for the size vessel that the dock can support while maintaining safe navigational access to UH property. The University requires access by vessels similar to a 22-ft

Boston Whaler Guardian with 8-ft beam and twin 115-HP outboard motors with 24-inch draft. The University remains committed to working collaboratively to identify a mutually acceptable solution that protects marine research operations, preserves coastal resources, and minimizes impacts to all affected parties.

If you have any questions, please do not hesitate to contact Michael Shibata at shibatam@hawaii.edu or myself at donahuem@hawaii.edu.

Sincerely,

A handwritten signature in blue ink that reads "Megan J. Donahue". The signature is written in a cursive, flowing style.

Megan J. Donahue, Director
Hawai'i Institute of Marine Biology

c: Michael Shibata, University of Hawai'i



Integral Consulting Inc.
66-590 Kamehameha Hwy
Suite 2A
Haleiwa, HI 96712

telephone: 808.374.4440
www.integral-corp.com

June 17, 2026

Project No. C3967

Megan J. Donahue, Director
Hawai'i Institute of Marine Biology
University of Hawai'i Manoa
P.O. Box 1346
Kaneohe, HI 96744-1346

**Subject: Response to Comments on the Draft Environmental Assessment
Elhoff Waterfront Improvements—Proposed Private Dock
at 45-221 Ka Hanahou Circle, Kaneohe**

Dear Ms. Donahue:

We have reviewed your letter (March 25, 2026) regarding the draft Environmental Assessment for the Elhoff Waterfront Improvements, which requests additional analysis of navigational access to the University of Hawaii (the University) property's existing boat slip at 42-215 Ka Hanahou Circle (UH property). Based on your letter, the University requires access by vessels similar to a 22-ft Boston Whaler Guardian with 8-ft beam and twin 115-HP outboard motors with 24-inch draft. Access to the UH property is currently achieved by navigating through the gap between the existing seawall at 45-221 Ka Hanahou Circle (the Subject Property) and the shallow fringe reef offshore. The proposed dock, as well as the associated construction activity, will narrow this gap to a varying degree. Per your request, we have further analyzed what effect this may have on navigation access to the UH property in both the short and long term.

Based on the dock location and size described in the permit design drawings, the proposed dock will not obstruct safe navigation to the UH boat slip. Accounting for the proposed dock and a vessel with an 8.5-foot beam located alongside it, surveys performed by Integral scientists confirm that approximately 20 feet of unrestricted navigable width will remain during all tide conditions. When accounting for the shallow 24-inch draft of the HIMB vessel, the safely navigable width increases to approximately 66 feet¹ during most tide conditions.

¹ The Subject Property owner (Mr. Mike Elhoff) collected depth measurements in the area between the seawall and the fringe reef on April 7, 2026, at a tide level of approximately 1.1 feet above mean lower low water (MLLW). Two HIMB personnel were also present for the measurements. Mr. Elhoff found that depths of approximately 2.5 feet below MLLW or deeper are maintained out to approximately 106 feet from the existing seawall.

During the estimated 1-month construction period, tentatively scheduled for early 2027, some coordination may be required between UH vessel operators and the contractor in order to ensure safe navigation during negative tides. Such coordination will be planned in advance, and the contractor will remain reachable via VHF radio or phone at all times to facilitate coordination. Construction equipment deployed in the navigable area may include a spud barge, small boats, and turbidity curtains. To allow passage, work will be suspended and equipment will be moved out of the way. Once UH vessels have transited the area, construction equipment will be redeployed and work resumed.

The additional evaluation of access to the UH property during and after construction, as summarized herein, has been incorporated into Section 5.12 of the final Environmental Assessment. The final Environmental Assessment, incorporating comments received during the public review period, will be published by the Office of Planning and Sustainable Development and available for public comment in the Environmental Notice.

Should you have any additional questions, you may contact Erin Petrosian at epetrosian@integral-corp.com or at the letterhead address above.

Sincerely,



Erin Petrosian
Permitting Specialist

cc: Michael Shibata, University of Hawai'i

