

Harry Kim
Mayor



FILE COPY

SEP 23 2018

Michael Yee
Director

Daryn Arai
Deputy Director

West Hawai'i Office
74-5044 Ane Keohokalole Hwy
Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770
Fax (808) 327-3563

County of Hawai'i
PLANNING DEPARTMENT

East Hawai'i Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720
Phone (808) 961-8288
Fax (808) 961-8742

August 30, 2018

Mr. Scott Glenn, Director
Office of Environmental Quality Control
Department of Health, State of Hawai'i
235 S. Beretania Street, Room 702
Honolulu, Hawai'i 96813

Dear Mr. Glenn:

SUBJECT: Withdrawal of the Draft Environmental Assessment and Anticipated Finding of No Significant Impact (DEA-AFONSI) for Kohala Shoreline, LLC Project
TMK: (3rd) 5-9-001:008, North Kohala, Island of Hawai'i

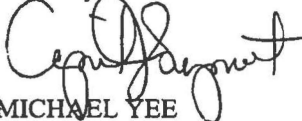
With this letter, the Hawai'i County Planning Department hereby withdraws the Draft Environmental Assessment and Anticipated Finding of No Significant Impact (DEA-AFONSI) for the proposed Kohala Shoreline, LLC Project, published on July 8, 2015, in the Environmental Notice. Our department was the approving agency for the DEA-AFONSI.

The applicant has informed us that since publication of the DEA-AFONSI, the project concept has changed substantially by reducing the number of proposed lots and moving all proposed development landward of the Ala Loa trail, among other features. A new Draft Environmental Assessment is in preparation.

Enclosed also is a completed OEQC Publication Form. We have provided an email to your office with an electronic copy of the publication form in MS Word.

If you have any questions, please feel free to contact Bethany Morrison of this department at (808) 961-8138.

Sincerely,


MICHAEL YEE
Planning Director

BJM:ja

\\COH33\planning\public\wpwin60\CH343\2018\Kohala Shoreline\KohalaShoreline-AntFonsiDEA Withdrawal.doc

Enclosure: Completed OEQC Publication Form

cc by email: Ron Terry, Geometrician Associates, Environmental Consultant, <rterry@hawaii.rr.com>
Greg Mooers, Mooers Enterprises, Planning Consultant, <gmooers@hawaii.rr.com>

www.hiplanningdept.com

Hawai'i County is an Equal Opportunity Provider and Employer

planning@hawaiicounty.gov

AUG 30 2018

19-081

APPLICANT PUBLICATION FORM

Project Name:	Kohala Shoreline, LLC Project
Project Short Name:	Kohala Shoreline, LLC Project
HRS §343-5 Trigger(s):	Use of State Lands
Island(s):	Hawaii
Judicial District(s):	North Kohala
TMK(s):	(3rd) 5-9-001:008
Permit(s)/Approval(s):	County of Hawai'i, Department of Public Works, Engineering Division: Grading Permit. County of Hawai'i, Planning Department, Variance and/or Planned Unit Development Permit and Subdivision Approval. County of Hawai'i, Leeward Planning Commission, Special Management Area Use Permit and Change of Zone Recommendation. County of Hawai'i, County Council, Change of Zone Approval. State Department of Transportation: Approval for Work within State Roadway Right-of- Way. State of Hawai'i, Department of Health: Underground Injection Control (UIC) permit. National Pollutant Discharge Elimination System (NPDES) permit.
Approving Agency:	Hawai'i County Planning Department
<i>Contact Name, Email, Telephone, Address</i>	Bethany Morrison Bethany.Morrison@hawaiicounty.gov 808-961-8138 101 Aupuni Street, Suite 3 Hilo HI 96720
Applicant:	Kohala Shoreline, LLC
<i>Contact Name, Email, Telephone, Address</i>	Jennifer Lim jlim@carlsmith.com 808.523.2557 c/o Carlsmith Ball LLP 1001 Bishop Street, Suite 2100 Honolulu, HI 96813
Consultant:	Geometrician Associates
<i>Contact Name, Email, Telephone, Address</i>	Ron Terry, rterry@hawaii.rr.com 808-969-7090 P.O. Box 396 Hilo, Hawai'i 96721

Status (select one)

___ DEA-AFNSI

Submittal Requirements

Submit 1) the approving agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the DEA, and 4) a searchable PDF of the DEA; a 30-day comment period follows from the date of publication in the Notice.

___ FEA-FONSI

Submit 1) the approving agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEA, and 4) a searchable PDF of the FEA; no comment period follows from publication in the Notice.

___ FEA-EISPN

Submit 1) the approving agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEA, and 4) a searchable PDF of the FEA; a 30-day comment period follows from the date of publication in the Notice.

___ Act 172-12 EISPN
("Direct to EIS")

Submit 1) the approving agency notice of determination letter on agency letterhead and 2) this completed OEQC publication form as a Word file; no EA is required and a 30-day comment period follows from the date of publication in the Notice.

___ DEIS

Submit 1) a transmittal letter to the OEQC and to the approving agency, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the DEIS, 4) a searchable PDF of the DEIS, and 5) a searchable PDF of the distribution list; a 45-day comment period follows from the date of publication in the Notice.

- FEIS Submit 1) a transmittal letter to the OEQC and to the approving agency, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEIS, 4) a searchable PDF of the FEIS, and 5) a searchable PDF of the distribution list; no comment period follows from publication in the Notice.
- FEIS Acceptance Determination The approving agency simultaneously transmits to both the OEQC and the applicant a letter of its determination of acceptance or nonacceptance (pursuant to Section 11-200-23, HAR) of the FEIS; no comment period ensues upon publication in the Notice.
- FEIS Statutory Acceptance The approving agency simultaneously transmits to both the OEQC and the applicant a notice that it did not make a timely determination on the acceptance or nonacceptance of the applicant's FEIS under Section 343-5(c), HRS, and therefore the applicant's FEIS is deemed accepted as a matter of law.
- Supplemental EIS Determination The approving agency simultaneously transmits its notice to both the applicant and the OEQC that it has reviewed (pursuant to Section 11-200-27, HAR) the previously accepted FEIS and determines that a supplemental EIS is or is not required; no EA is required and no comment period ensues upon publication in the Notice.
- Withdrawal Identify the specific document(s) to withdraw and explain in the project summary section.
- Other Contact the OEQC if your action is not one of the above items.

Project Summary

Provide a description of the proposed action and purpose and need in 200 words or less.

The Draft Environmental Assessment and Anticipated Finding of No Significant Impact (DEA-AFONSI) for the proposed Kohala Shoreline, LLC Project, notice of which was published on July 8, 2015, in The Environmental Notice, is being withdrawn. The project proposed in that Draft Environmental Assessment was a subdivision makai of Akoni Pule Highway, on a 37.88-acre parcel located 3 miles north of Kawaihae. Kohala Shoreline LLC's original development concept, as described in the DEA-AFONSI, was a 9-lot residential subdivision, with several building sites makai of the Ala Loa. The project also proposed a downzoning from Single-Family Residential (RS-15) to Residential and Agricultural (RA-3a) to permit less dense development. Kohala Shoreline LLC is no longer pursuing that project and for that reason the DEA-AFONSI is being withdrawn. Kohala Shoreline LLC intends to pursue a less dense project that has been substantially reduced in scale and moved away from the shoreline. A Draft EA for the reduced and reconfigured project is in preparation.