

DAVID Y. IGE  
GOVERNOR



FILE COPY

MAY 23 2019

JADE T. BUTAY  
DIRECTOR

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STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:  
HWY-DE 2.7794

May 2, 2019

TO: THE HONORABLE BRUCE S. ANDERSON, Ph.D.  
DIRECTOR OF HEALTH

ATTN: SCOTT GLENN  
OFFICE OF ENVIRONMENTAL QUALITY CONTROL

FROM: JADE T. BUTAY   
DIRECTOR OF TRANSPORTATION

SUBJECT: DECLARATION OF EXEMPTION  
KAMEHAMEHA HIGHWAY COASTAL ROAD REPAIRS  
VARIOUS LOCATION, ISLAND OF OAHU (SITES 1, 3, AND 4)

The State of Hawaii, Department of Transportation, Highways Division has considered the potential primary, secondary, and cumulative effects of the above the subject project as provided by Chapter 343, Hawaii Revised Statutes and Chapter 11-200 Hawaii Administrative Rules and have determined that this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

Enclosed for your reference and record is the Declaration of Exemption for the subject project. Our agency will also keep a copy of this record for our public files.

Should you have any questions, please call Curtis Matsuda, Acting Engineering Program Manager, at (808) 692-7559, Design Branch, Highways Division or email at [Curtis.Matsuda@hawaii.gov](mailto:Curtis.Matsuda@hawaii.gov).

Enclosure (Declaration of Exemption)

c: Planning Solutions, Inc.

19-366

STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
HIGHWAYS DIVISION  
DESIGN BRANCH  
M E M O R A N D U M

HWY-DE 2.7793  
April 12, 2019

**TO:** MARSHALL H. ANDO, HWY *John*  
**THRU:** CURTIS MATSUDA, ACTING HWY-D *Curtis Matsuda*  
**FROM:** MISAHO K. MIMURA, ACTING HWY-DE *HK*  
**SUBJECT:** DECLARATION OF EXEMPTION

In accordance with the Revised Exemption List for the Department of Transportation, as approved by the Environmental Quality Commission on November 15, 2000, we request your approval with our determination that improvements for the projects listed below are within those classes of action presently exempt from preparation of an environmental assessment. These exempted actions are agency actions as defined by Section 343-5(b) Hawaii Revised Statutes (HRS) and Section 11-200-5 Hawaii Administrative Rules (HAR).

With your approval, the projects will be advanced in accordance with the usual Department of Transportation and State procedures:

<u>Project No.</u>	<u>Project Title</u>	<u>Exemption Class</u>
	Kamehameha Highway Coastal Road Repairs, Various Locations, Island of Oahu	
N/A	Sites 1	1.B.1
N/A	3, and 4	1.B.4

The proposed project includes various sites along Kamehameha Highway on the northeast side of Oahu.

Site 1

The roughly 50 linear foot repair will consist of driving galvanized guardrail post I-beams into the ground in a line along the right-of-way (ROW) and near the existing drop from the roadway embankment to the beach. The I-beams will alternatively be driven into the ground along the edge of the ROW to create a linear barrier to further shoreline erosion and roadway undermining. All work within the ROW.

Sites 3 and 4

New riprap will be placed within the ROW. Woven geotextile fabric and backfill between the exposed roadway prism and the new riprap or existing feature.

The State of Hawaii Department of Transportation Highways Division (HDOT) has consulted with the appropriate agencies regarding their approach, including the Army Corp of Engineers Division of Aquatic Resources (DAR), Division of Forestry and Wildlife (DOFAW) and Office of Conservation and Coastal Lands.

DOFAW expressed concern that the fledgling period for wedge-tailed shearwaters lasts from mid-September through mid-December. They had two concerns regarding the fledgling season:

1. A survey be done at Kualoa to ensure there are no active burrows present. DOFAW does not believe there is enough sand at any of the other locations for burrows to be present. HDOT committed to contacting DOFAW at least two weeks prior to the start of work at Kualoa so that a survey can be done.
2. Bright lights at night can disorient the fledglings, causing them to fly around until exhausted. DOFAW requested that if night work is done, lights be shielded and aimed downward, and if fallen seabirds are noticed, that they be turned over to the DOFAW Wildlife Biologist (Jason Misaki) for rehabilitation. HDOT is not planning night work. Should night work be necessary, they will notify DOFAW and implement Best Management Practices.

Other mitigative/conservation measures are as follows:

1. In the unlikely event of endangered sea turtles or monk seals hauling out near a construction site work must stop and HDOT must contact National Oceanic and Atmospheric Administration at 808-725-5161 and DAR at 808-587-0100.
2. If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted and the State Historic Preservation Division (SHPD) will be notified as soon as possible.
3. If human remains are discovered, further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and SHPD will be contacted immediately. If discovery occurs on Saturday, Sunday or a holiday, the Division of Conservation and Resource Enforcement will be notified.

**APPROVAL:**

I have considered the potential effects of the above listed project(s) as provided by Chapter 343 HRS and Chapter 11-200 HAR. I declare that the action described above will have minimal or no significant impact on the environment and is therefore exempt from the preparation of an environmental assessment.



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MARSHALL H. ANDO  
Administrator, Highways Division  
Department of Transportation

Apr 15, 2019

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Date

c: HWY-L, HWY-O, HWY-DE