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

MAY 08 2019

IN REPLY REFER TO:

HAR-PM
6656.19

TO: SCOTT GLENN, DIRECTOR
OFFICE OF ENVIRONMENTAL QUALITY CONTROL
DEPARTMENT OF HEALTH

FROM: JADE T. BUTAY
DIRECTOR OF TRANSPORTATION

SUBJECT: REQUEST TO PUBLISH ISSUANCE OF A CONSTRUCTION
RIGHT-OF-ENTRY AND REVOCABLE PERMIT TO MATSON
NAVIGATION COMPANY, INC., FOR SUBMERGED LANDS AT
PIER 7, HONOLULU HARBOR, OAHU, TAX MAP KEY NO.
(1) 2-1-1:001, 058 (PORTION)

The Department of Transportation hereby transmits a copy of the above-referenced declaration of exemption from the preparation of an environmental assessment under the authority of Chapter 343, Hawaii Revised Statutes and Title 11-200, Hawaii Administrative Rules for your files. We request that this declaration of exemption be published in the next available issue of The Environmental Notice.

If there is any questions, please have your staff contact Mr. Eric Leong, Property Manager, at (808) 587-1943.

Enclosure

AGENCY PUBLICATION FORM

Project Name:	Issuance of a Construction Right-of-Entry and Revocable Permit to Matson Navigation Company, Inc., For Submerged Lands
Project Short Name:	Existing Asphalt Plant/Gravel Storage
HRS §343-5 Trigger(s):	(a) (1)
Island(s):	Oahu
Judicial District(s):	Honolulu Harbor, Oahu
TMK(s):	(1) 2-1-1:001, 058 (P)
Permit(s)/Approval(s):	BLNR
Proposing/Determining Agency:	Department of Transportation Harbors Division (DOTH)
<i>Contact Name, Email, Telephone, Address</i>	Davis Yogi, davis.yogi@hawaii.gov , 587-1928, 79 S. Nimitz Highway, Honolulu, HI 96813
Accepting Authority:	(for EIS submittals only)
<i>Contact Name, Email, Telephone, Address</i>	N/A
Consultant:	N/A
<i>Contact Name, Email, Telephone, Address</i>	N/A

Status (select one) DEA-AFNSI**Submittal Requirements**

Submit 1) the proposing 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 proposing 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 proposing 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 proposing 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 accepting authority, 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 accepting authority, 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 accepting authority simultaneously transmits to both the OEQC and the proposing agency 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

Timely statutory acceptance of the FEIS under Section 343-5(c), HRS, is not applicable to agency actions.

 Supplemental EIS
Determination

The accepting authority simultaneously transmits its notice to both the proposing agency 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

The project allows the current lessee under Lease H-87-30 a Construction Right-of-Entry to conduct due diligence on the repair and rehabilitation of wooden piers along the Ewa side of Pier 7, a portion of the wooden pier has been condemned and out of service. The lessee will assess the risks of adding submerged lands including the condemned wooden piers therein to the demised premises under the lease. The action further grants a subsequent month-to-month Revocable Permit upon conclusion of due diligence actions to allow continued access, so the Applicant may initiate repair and rehabilitation work with the scope of the environmental exemption.



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DECLARATION OF EXEMPTION

From the preparation of an environmental assessment under the authority of Chapter 343, Hawai'i Revised Statutes (HRS), the State's Environmental Impact Statement law, and Hawai'i Administrative Rules (HAR) Section 11-200-8(a)(8).

AGENCY OR APPLICANT ACTION:

- This exempted action is an agency action as defined by Section 343-5(b), HRS, and Section 11-200-5, HAR
- This exempted action is an applicant action as defined by Section 343-5(c), HRS, and Section 11-200-6, HAR

SPECIFY EXEMPTION CLASS:

In accordance with Section 11-200, HAR the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 2. "Replacement or reconstruction of existing structures and facilities where the new structure will be located, generally on the same site, dimensions as the structure replaced." (A.5.) Replacement or repair of existing deteriorate and/or damaged structures to their original/better condition within areas under the jurisdiction of the Department of Transportation such as piers, mooring buoys, single story office buildings, warehouses, sheds, comfort stations, and shelters. [Reference: Comprehensive Exemption List for the State of Hawaii Department of Transportation, amended, November 15, 2000.]

DESCRIPTION OF ACTION:

Proposing Agency: Department of Transportation, Harbors Division ("DOTH")

Proposing Applicant: Matson Navigation Company, Inc.

Project Name & Address/Location: Issuance of A Construction Right-Of-Entry and Revocable Permit to Matson Navigation Company, Inc. For Submerged Lands at Pier 7, Honolulu Harbor, Oahu.

Anticipated Start Date: May 25, 2019

Anticipated End Date: May 31, 2020

Tax Map Key: (1) 2-1-1:001, 058 (P)

NARRATIVE:

On December 20, 2017, DOT consents to the assignment of Lease H-87-30 from the Hawaii Maritime Center to Matson Navigation Company, Inc.

The Applicant is the current lessee under Lease H-87-30 and seeks to add submerged lands including the condemned wooden piers therein to the demised premises under the lease. This action grants a Construction Right-of-Entry for the Applicant to conduct its due diligence on the repair and rehabilitation of these condemned wooden piers. The action further grants a subsequent month-to-month Revocable Permit upon conclusion of its due diligence for continued access, so the Applicant may initiate repair and rehabilitation work with the scope of the environmental exemption. Later, once the requisite approvals are granted, the DOT will request approval of the Board for an amendment to Lease H-87-30 for use, if amended, and addition of the wooden piers and submerged lands.

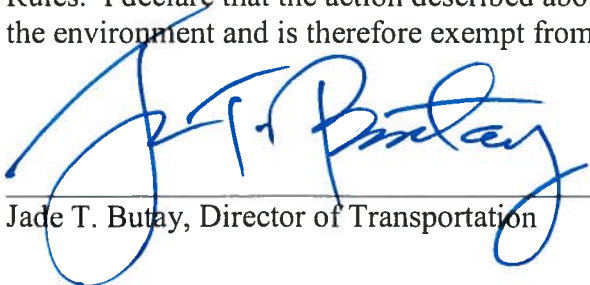
CONSULTATION:

The following parties have been consulted about this declaration exemption:

- Matson Navigation Company, Inc.
- Aloha Tower Development Corp. by its Chairman

EXEMPT DECLARATION:

The direct, cumulative, and potential impacts of the action described above have been considered pursuant to Chapter 343, Hawaii Revised Statutes, and Chapter 11-200, Hawaii Administrative Rules. 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.



Jade T. Butay, Director of Transportation

MAY 08 2019
Date

- This document is on file in our office and is available for public review.
- This document has been submitted to the Office of Environmental Quality Control for publication in The Environmental Notice.

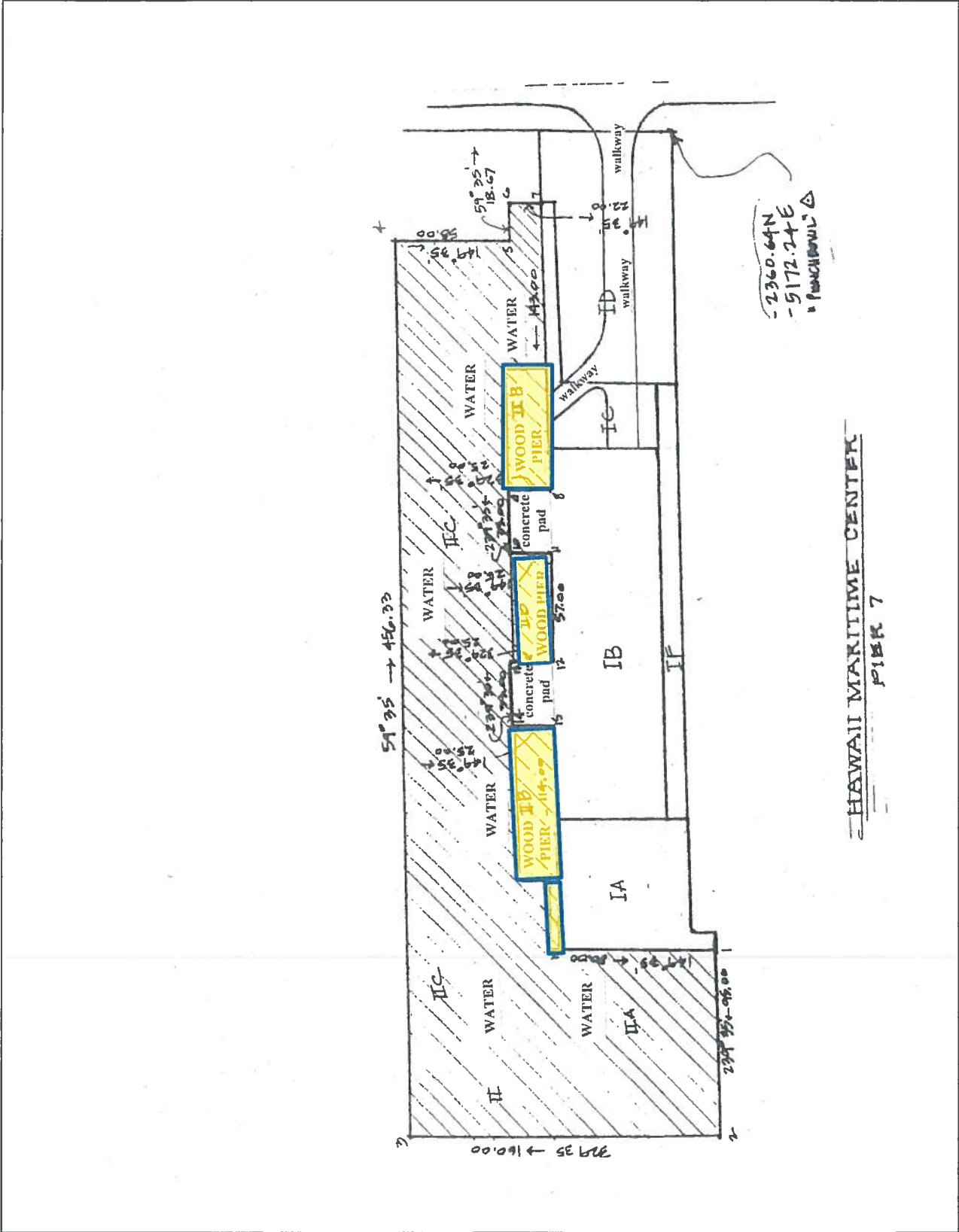


EXHIBIT B-1



EXHIBIT B-2

