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DIRECTOR

Deputy Directors  
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IN REPLY REFER TO:

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

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

FROM: JADE T. BUTAY  
DIRECTOR OF TRANSPORTATION

SUBJECT: REQUEST TO PUBLISH ISSUANCE OF REVOCABLE PERMIT TO  
HAWAIIAN CEMENT TO REPLACE EXISTING REVOCABLE  
PERMIT SITUATED AT PIER 7, KALAELOA BARBERS POINT  
HARBOR, OAHU, TAX MAP KEY NO. (1) 9-1-014:024 (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 are any questions, please have your staff contact Mr. Eric Leong, Property Manager, at (808) 587-1943.

Enclosure

## AGENCY PUBLICATION FORM

Project Name:	ISSUANCE OF REVOCABLE PERMIT TO HAWAIIAN CEMENT TO REPLACE EXISTING REVOCABLE PERMIT SITUATED AT PIER 7, KALAELOA BARBERS POINT HARBOR, OAHU TAX MAP KEY NO. (1) 9-1-014:024 (PORTION)
Project Short Name:	RPs to Hawaiian Cement to replace existing RP
HRS §343-5 Trigger(s):	(a) (1)
Island(s):	Oahu
Judicial District(s):	Ewa, Oahu
TMK(s):	(1) 9-1-014:024 (PORTION)
Permit(s)/Approval(s):	BLNR
Proposing/Determining Agency:	Department of Transportation - Harbors Division (DOT-Harbors)
<i>Contact Name, Email, Telephone, Address</i>	Eric Leong, <a href="mailto:eric.leong@hawaii.gov">eric.leong@hawaii.gov</a> , 587-1943, 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**

This use is exempt from Office of Environmental Quality Control (OEQC) requirements pursuant to Section 11-200-8(a), Hawaii Administrative Rules (HAR), Exemption Class 1: where "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing."

Currently, the Applicant has an existing month-to-month permit for the purpose of operating a cement off loader to support the applicant's construction materials company operations under Harbor Lease no. H-98-10. The DOT Harbors has been reviewing all month-to-month permits to ensure compliance with and applicability to § 171-55, HRS. To do so, the DOT Harbors is currently in the process of re-issuing all current revocable permits to accurately describe current land usage, designated permit locations as well as updating monthly rental charges to appraised market value.



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

IN REPLY REFER TO:

## DECLARATION OF EXEMPTION

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

### 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 Chapter 11-200, HAR, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing." [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:** Hawaiian Cement ("Applicant")

**Project Name & Address/Location:** Re-issuance of month-to-month revocable permit between DOTH and the Applicant to revise the permit in terms of current land usage and rental at Harbors Division, Kalaeloa Barbers Point Harbor, Pier 7.

**Anticipated Start Date:** June 1, 2019

**Anticipated End Date:** Month-to-month permit; renewed pursuant to Section 171-55, HRS

**Tax Map Key:** (1) 9-1-14:024 (P)

## NARRATIVE

Currently, the Applicant has an existing month-to-month permit at Kalaeloa Barbers Point Harbor for an offloader to support the Applicant's operations under existing Harbor Lease No. H-98-10.

The DOTM has been reviewing all month-to-month permits to ensure compliance with and applicability to Section 171-55, HRS. To do so, the DOTM is currently in the process of re-issuing all current revocable permits to accurately describe current land usage, designated permit locations as well as updating monthly rental charges to appraised market value.

## CONSULTATION

The following parties have been consulted about this declaration exemption:

None.

## EXEMPT DECLARATION

The direct, cumulative, and potential impacts of the action described above have been considered pursuant to 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.

  
\_\_\_\_\_  
Jade T. Butay, Director of Transportation

APR 29 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 A



3,808 sq. ft. (56' x 68') of paved land for Cement Offloader

Cement Offloader



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ FT
1	Cement Offloader	Paved	56	68	3,808

