

State of Hawaii  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Boating and Ocean Recreation  
Honolulu, Hawaii 96813

March 11, 2016

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

**Declare Project Exempt From Requirements of Chapter 343, HRS, and Title 11,  
Chapter 200, Hawaii Administrative Rules**

**Job No. HA14-03  
Honokohau Small Boat Harbor Mauka Boat Ramp Loading Dock Replacement  
Kailua-Kona, Island of Hawaii, Hawaii**

The Board of Land and Natural Resources approved the award of the construction contract for the subject project on July 12, 2013. Pursuant to Chapter 343, Hawaii Revised Statutes (HRS), and Chapter 11-200, Hawaii Administrative Rules (HAR), the attached Exemption Notification labeled Exhibit A was prepared.

The Division of Boating and Ocean Recreation (DOBOR) is proposing to replace the existing concrete loading docks at the mauka boat ramp at Honokohau Small Boat Harbor. Both loading docks are badly deteriorated, one of which has been condemned since 2014. The replacement loading docks will also be constructed of pre-cast concrete, be the same size, capacity, and dimensions.

In accordance with Hawaii Administrative Rule Section 11-200-8(A) and the Exemption List for the Department of Land and Natural Resources (DLNR), Approved by the Environmental Council, on June 5, 2015, this project is exempt from the preparation of an Environmental Assessment (EA) pursuant to the following exemptions:

Exemption Class No. 2, Item No. 6: Replacement or reconstruction of existing loading docks, piers, piles, boat launch ramps, offshore moorings facilities, and other similar structures, not to exceed the footprint of the existing facility, as permitted by the U.S. Army Corps of Engineers, Honolulu District, under a Nationwide Permit No. 3 (Maintenance).

**REMARKS**

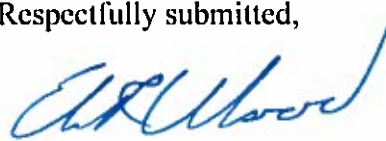
DOBOR has submitted a permit application to the U.S. Army Corps of Engineers (USACOE) and have received confirmation that the scope of work for this project falls under a Nationwide Permit No. 3 (Maintenance). USACOE will issue a permit upon receipt of a Clean Water Act, Section 401 Water Quality Certification (401 WQC) from the State Department of Health (see attached USACOE letter as Exhibit "B"). DOBOR submitted an application for 401 WQC to DOH on March 5, 2015 and has gone through several revisions to address DOH comments. A second revision was submitted on February 22, 2016 and is currently under review.

Bids for the project were opened on June 26, 2014 and the project was awarded to the low bidder on August 22, 2014. The construction contract was executed on November 10, 2014. The contractor was given a Notice to Proceed date of April 1, 2016.

## RECOMMENDATION

Declare that, after considering the potential effects of the proposed project as provided by Chapter 343, HRS, and Chapter 11-200, HAR, these projects will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

Respectfully submitted,



EDWARD R. UNDERWOOD  
Administrator

Approved For Submittal:



SUZANNE D. CASE  
Chairperson

Attachments: Exhibit "A" – Exemption Notification  
Exhibit "B" – USACOE Permit Evaluation Letter  
Exhibit "C" – Location map of proposed improvements

DAVID Y. IGE  
GOVERNOR OF HAWAII



SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA  
FIRST DEPUTY

JEFFREY T. PEARSON  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND KAYAK RECREATION  
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COMMISSION ON WATER RESOURCE MANAGEMENT  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

March 11, 2016

**EXEMPTION NOTIFICATION**

Regarding the preparation of an environmental assessment pursuant to Chapter 343, Hawaii Revised Statutes (HRS), and Chapter 11-200, Hawaii Administrative Rules (HAR).

Project Title:	Honokohau Small Boat Harbor Mauka Boat Ramp Loading Dock Replacement Kailua-Kona, Island of Hawaii, Hawaii
Project Number:	Job No. HA14-03
Project Description:	This project consists of the removal and replacement of two (2) existing concrete loading docks at the mauka boat ramp at Honokohau Small Boat Harbor.
Chapter 343 Trigger(s)	Use of State Funds and Lands
Exemption Class & Description:	Exemption Authority: Exemption List for the Department of Land and Natural Resources approved by the Environmental Council on June 5, 2015.  <u>Scope of Work:</u> Removal and replacement of existing loading docks.  Exemption Class No. 2: Replacement or reconstruction of existing structure and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height, and dimensions as the structure replaced.
Exemption Item Number and Description:	Item No. 6: Replacement or reconstruction of existing loading docks, piers, piles, boat launch ramps, offshore moorings facilities, and other similar structures, not to exceed the footprint of the existing facility, as permitted by the U.S. Army Corps of Engineers, Honolulu District, under a Nationwide Permit No. 3 (Maintenance).
Recommendation:	It is anticipated this project will have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment

Suzanne D. Case, Chairperson

Date



DEPARTMENT OF THE ARMY  
HONOLULU DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
FORT SHAFTER, HAWAII 96858-5440

September 11, 2014

Regulatory Office

File No. POH-2014-00144

SUBJECT: Permit Evaluation Complete for Honokohau Small Boat Harbor Boat Ramp Loading Dock Replacement, Kailua-Kona, Island of Hawaii, Hawaii

Mr. Edward R. Underwood  
State of Hawaii Department of Land & Natural Resources  
Division of Boating & Ocean Recreation  
333 Queen Street, Suite 300  
Honolulu, Hawaii 96813

Dear Mr. Underwood:

The U.S. Army Corps of Engineers, Honolulu District, has completed its review of your request for authorization dated July 15, 2014 for the proposed Honokohau Small Boat Harbor Boat Ramp Loading Dock Replacement Project. This office has verified that your proposed activity complies with the terms and conditions of Nationwide Permit #3 (Maintenance Activities) and the overall Nationwide Permit Program issued on March 17, 2012. Please reference file number POH-2014-00144 in any future correspondence relating to this permit.


This letter is to inform you that the Corps has completed the evaluation of your permit application. However, the Corps **cannot** issue a final verification for NWP #3 until the State of Hawaii Department of Health, Clean Water Branch issues a Section 401 Water Quality Certification (WQC) or waiver. As of the date of this letter, our office has not been provided a copy of the Section 401 WQC or waiver for the boat ramp loading dock replacement therefore, we will administratively suspend verification of the proposed action. Upon receipt of the Section 401 WQC or waiver and submittal of a copy to this office, the Corps will resume processing of your permit application and send you a final NWP verification letter. Be advised, should the state deny issuance of a Section 401 WQC for the subject project, then the Corps must deny the DA permit without prejudice.

Thank you for your cooperation with the Honolulu District Regulatory Program. Should you have any questions, please contact Ms. Shelly Lynch at 808.835.4300 or via e-mail at [michelle.r.lynch@usace.army.mil](mailto:michelle.r.lynch@usace.army.mil). You are encouraged to provide comments on your experience with the Honolulu District Regulatory Office by accessing our web-based customer survey form at [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=136:4:0](http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0).

EXHIBIT B

Please reference file number POH-2014-00144 in any future correspondence relating to this permit.

Sincerely,

  
for Ryan H. Winn  
Acting Chief, Regulatory Office

Enclosures

cc:

Engineering Partners, Inc., Yen Wen Fang [sent via email]  
NOAA Fisheries, Habitat Conservation, [sent via email]  
NOAA, Fisheries, Protected Resources, [sent via email]  
Dr. Wendy Wiltse, U.S.E.P.A., Region IX, Honolulu Branch, [sent via email]  
John Nakagawa, Office of Planning, CZM Program, [sent via email]  
Darryl Lum, Clean Water Branch, State DOH, [sent via email]  
State Historic Preservation Division, [sent via email]  
Commander, U.S. Coast Guard, Civil Engineering Unit [sent via email]

EXHIBIT B

Honokohau Small Boat Harbor Mauka Boat Ramp Loading Dock Replacement – Location Map  
Job No. HA14-03

