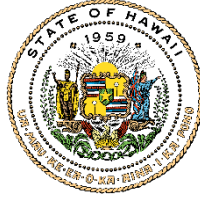


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
Office of Conservation and Coastal Lands
P.O. BOX 621
HONOLULU, HAWAII 96809

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CHAIRPERSON
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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

DLNR:OCCL:AW

SSBN OA-23-02

Acceptance Date: Apr 3, 2023

Michael Foley, Ph.D., P.E.
Oceanit Center
828 Fort Street Mall, Suite 600
Honolulu, HI 96813

SUBJECT: RE: Small Scale Beach Nourishment Category II Application for Pāhonu Beach Restoration, Pāhonu Beach Community Restoration Foundation, Inc 41-473 Kalaniana'ole Highway, Waimanalo, HI 96795; TMKs (1) 4-1-001:002, (1) 4-1-001:003, (1) 4-1-001:004, (1) 4-1-001:006, (1) 4-1-001:007, (1) 4-1-001:008, (1) 4-1-001:009, and (1) 4-1-001:012 (seaward).

Dear Mr. Foley:

NOTICE OF ACCEPTANCE AND ENVIRONMENTAL DETERMINATION

This acknowledges the receipt and acceptance for processing of the Category II Small-Scale Beach Nourishment (SSBN) Application for Pāhonu Beach Restoration, 41-473 Kalaniana'ole Highway, Waimānalo, HI 96795; TMKs (1) 4-1-001:002, (1) 4-1-001:003, (1) 4-1-001:004, (1) 4-1-001:006, (1) 4-1-001:007, (1) 4-1-001:008, (1) 4-1-001:009, and (1) 4-1-001:012 (seaward) submitted on behalf of Pāhonu Beach Community Restoration Foundation, Inc.

The Department of Land and Natural Resources (DLNR), Office of Conservation and Coastal Lands (OCCL) accepts the application for processing, noting the following items which will be completed prior to final recommendation to the Chair:

1. General Contractor information will be provided to OCCL no less than 30 days in advance of project construction or nourishment in accordance with SSBN application guidelines;
2. Proof of \$1,000,000 general liability insurance will be provided to OCCL upon selection of a contractor for the project, no less than 30 days in advance of project construction or nourishment;
3. A final assessment of sand recovery options must be presented, and the preferred method proposed for final processing of the application. The preferred method must be made available

for comment by resource agencies and the public via publication of the SSBN application in the Environmental Review Program (ERP) Environmental Notice. This may either delay initial publication of the application or require two rounds of publication in the Environmental Notice to provide ample opportunity for review and comment.

OCCL is in the process of reviewing the submitted documentation for this request. The request will be evaluated for potential impact to the local nearshore ecosystem before a determination can be made. Our staff will contact you if additional information is needed. Currently, OCCL requests the following:

1. Please clarify whether you intend to recover 10,000 cubic yards of sand during the initial recovery operations for placement over ten years, or if you intend to conduct additional recovery operations for each proposed placement.
2. OCCL has been made aware of community concern regarding the potential impacts of the proposed project on the surrounding marine waters, Kaiona Beach Park, and Pāhōnu Loko ʻĀ. It is the responsibility of the applicant to conduct a Ka Pa`akai analysis, including community consultation and provide a report to OCCL. OCCL recommends that you consult with the Waimānalo Neighborhood Board, community organizations, and neighboring property owners regarding the proposed project in advance of publication in the Environmental Notice.

According to the information provided, you seek to recover up to 10,000 cubic yards of sand from an offshore site for placement on the beach fronting the subject TMKs and place the recovered sand on the beach during up to three separate nourishment events over a 10-year period. The initial nourishment effort would include recovery and placement of approximately 5,000 cubic yards of sand, with up to two subsequent nourishment efforts of no more than 2,500 cubic yards each over the following 10 years. All existing temporary erosion control structures on the shoreline fronting the subject properties will be removed as part of this project. In addition, your proposal includes the construction of five temporary beach stabilization structures which will be monitored for effectiveness and potential impacts using high resolution cameras and site visits for three years. After the three-year evaluation period, you will determine whether to seek permanent approval of the stabilization structures.

After reviewing the application, we find that:

The proposed activity (Beach Restoration) is an identified land use within the Conservation District, according to Hawaii Administrative Rules HAR §13-5-22 (P-16), Beach Restoration (C-1) *Sand placement not to exceed 10,000 cubic yards per occasion, with minor sand retention structures, extraction of sand from submerged lands, and transportation or transmission of sand from an offshore extraction site to the replenishment site.* Please be advised, however, that this letter does not constitute approval. In accordance with HAR §13-5-33, if the chairperson determines that the scope of the proposed use or public interest requires it, then this application shall require a board permit rather than a departmental permit.

The proposed project is covered by the programmatic Environmental Assessment and Finding of No Significant Impact (FONSI) for the SSBN permitting program. Applications for Category II projects will be published in the ERP Environmental Notice allowing 30 days for public comment. OCCL also offers various regulatory agencies 30 days to comment on the proposed project concurrently with the Environmental Notice public comment period. Our staff will contact you after comments have been received and evaluated with a request for your response to the comments.

Your SSBN application will be provided to the Chair of the Board of Land and Natural Resources for consideration after all reviews and evaluations of the proposal have been made. Should you have any questions on the matter, please feel free to contact Amy Wirts, Hawai'i Sea Grant Extension Agent in the DLNR Office of Conservation and Coastal Lands at (808) 798-7556 or via email at awirts@hawaii.edu.

Sincerely,



DAWN N.S. CHANG, CHAIRPERSON
DEPARTMENT OF LAND AND NATURAL RESOURCES

mc

CC: Chairperson
LAND
City and County of Honolulu DPP
DOH Clean Water Branch
HI CZM
USACE
USFWS
NMFS
OHA
Waimānalo Neighborhood Board
Ku Kula Nui O Waimānalo