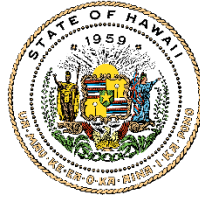


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA**

P.O. BOX 621
HONOLULU, HAWAII 96809

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CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
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CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

REF: OCCL: TF

CDUA: OA-3946

Acceptance Date: December 19, 2023

180-day Exp. Date: June 16, 2024

David B. Bills
Bills Engineering Inc.
1108 Fort Street Mall, Suite 4
Honolulu, HI 96813

Dec 19, 2023

Dear Mr. Bills:

NOTICE OF ACCEPTANCE AND PRELIMINARY ENVIRONMENTAL DETERMINATION

Conservation District Use Application (CDUA) OA-3946
(BOARD Permit)

This acknowledges the receipt and acceptance for the processing of your clients' CDUA for a proposed the subdivision, road repair, drainage improvements located at the Board of Water Supply (BWS) Booth Road 740' Reservoir Access Road, Por. Honolulu Watershed Forest Reserve, Pauoa, Oahu, Tax Map Keys (TMKs): (1) 2-2-041:001, (1) 2-2-041:003, and (1) 2-2-041:013. The subject properties lie in the Resource Subzone of the State Land Use Conservation District.

The applicants are proposing to subdivide an approximately 0.085-acre portion of TMK: (1) 2-2-041:001 owned by the State of Hawaii to create Lot 2. Lot 2 will contain the BWS 740' reservoir and other related BWS accessory structures that support the water reservoir.

The applicants are also proposing to construct various drainage improvements along the reservoir access road to protect the existing 4-inch water main that runs from the Booth Road 740' Reservoir to Pauoa Valley. The drainage improvements being proposed consist of the construction of approximately 406 linear feet of a 4ft-wide concrete swale running parallel to the access road. Where the swale will be constructed, the existing gravel road will be widened to create a 10ft wide lane. Additional improvements will be constructed to allow storm water to cross under the gravel access road. New chain link fencing will also be built for added security and safety.

After reviewing the application, the Department finds that:

1. The proposed uses are identified land uses in the Resource Subzone of the Conservation District, pursuant to Hawaii Administrative Rules (HAR), §13-5-23 P-8 **STRUCTURES AND LAND USE, EXISTING**, (C-1) *Moderate alteration of existing structures, facilities and equipment*; and HAR, §13-5-22 P-10 **SUBDIVISION OR CONSOLIDATION OF PROPERTY** (D-1) *Subdivision of property into two or more legal lots of record that serves a public purpose and is consistent with the objectives of the subzone*. Please be advised, however, that this finding does not constitute approval of the proposal;
2. Pursuant to HAR, §13-5-40, a Public Hearing will not be required;
3. In conformance with Hawaii Revised Statutes (HRS), Chapter 343, as amended, and HAR, Chapter 11-200.1-16 **Exemption lists**., the BWS and their agents believe that the proposed Booth Road 740' Subdivision, Road Repair, and Drainage Improvements Project is exempt from the preparation of an Environmental Assessment and Impact Statement. The BWS and their consultants believe the proposed project is exempted under exemption actions (1) #33 *Repair of drainage structures and storm drain lines*, #42 *Temporary and permanent road patching for repair and maintenance of water facilities*, (4) #3 *Construction of drainage ditches*, and #8 *Temporary access roads with minimal grading and tree removal to repair and maintain existing facilities* listed on the "COMPREHENSIVE EXEMPTION LIST FOR THE CITY AND COUNTY OF HONOLULU BOARD OF WATER SUPPLY". The Office of Conservation and Coastal Lands (OCCL) further notes that the subdivision portion of the project appears to exempt under exempted action (1) #41 *Subdivision or consolidation of lots not previously subdivided* listed on the "EXEMPTION LIST FOR THE DEPARTMENT OF LAND AND NATURAL RESOURCES". The BWS and their agents have consulted with the OCCL regarding the HRS, Chapter 343 compliance and the OCCL has concurred the proposed use is exempt from the filing of an Environmental Assessment;
4. The City and County of Honolulu Department of Planning and Permitting (DPP) confirmed that the project area does not lie in the Special Management Area (SMA) or a Special District on October 27, 2021 (Ref. 2021/ELOG-2235); and,
5. Please be informed that, the applicant's responsibility includes complying with the provisions of Hawaii Revised Statutes (HRS) 6E Historic Preservation that pertain to potential impacts and mitigation to historic and cultural property requirements administered by the State Historic Preservation Division (SHPD). Negative action by the Board of Land and Natural Resources on this application can be expected should you and your client fail to obtain and provide the Department with SHPD's HRS 6E concurrence regarding the proposed project.

This CDUA will be submitted to the Board of Land and Natural Resources for their consideration after all reviews and evaluations of the proposal have been made.

Should you have any questions regarding this matter, please contact Trevor Fitzpatrick of our Office of Conservation and Coastal Land at (808) 798-6660 or trevor.j.fitzpatrick@hawaii.gov.

Sincerely,



Dawn N. S. Chang, Chairperson
Board of Land and Natural Resources

mc

c: Oahu Board Member
CWRM/ODLO/DOFAW/NAH/ENG/DOCARE/OHA/DOH/ERP
DLNR – Aha Moku
City and County of Honolulu Department of Planning and Permitting
Honolulu Fire Department
Liliha Public Library
Nuuanu/Punchbowl Neighborhood Board No. 12