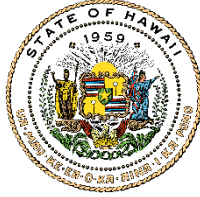


JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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

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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

REF: OCCL: KS

CDUA: OA-3950  
Acceptance Date: October 8, 2024  
180-Day Expiration Date: April 6, 2025

Todd Nishioka, Project Manager  
WSP USA, Inc.  
1001 Bishop Street, Suite 2400  
Honolulu, HI 96813

Oct 15, 2024

Dear Todd Nishioka:

**NOTICE OF ACCEPTANCE AND PRELIMINARY ENVIRONMENTAL DETERMINATION**  
**Conservation District Use Application (CDUA) OA-3950**  
**(BOARD Permit)**

This acknowledges the receipt and acceptance for the processing of the CDUA for the proposed Realigning of Kamehameha Highway at Laniakea Beach project at Kawailoa, Waialua, Oahu, Tax Map Keys (TMKs): (1) 6-1-005:024, (1) 6-1-009:021, 022, (1) 6-1-010:019, and 020 (seaward). Portions of the proposed project lie makai of the shoreline in the Resource Subzone of the State Land Use Conservation District.

The State of Hawaii Department of Transportation, Highway Division (HDOT) is proposing roadway improvements to address pedestrian safety, shoreline erosion, congestion, and roadway reliability along Kamehameha Highway in the vicinity of Laniakea Beach on the island of Oahu.

The proposed work in the Conservation District associated with the realignment of Kamehameha Highway includes:

- Modifying existing cross streets and driveways to allow access to the realigned Kamehameha Highway;
- Constructing a new bridge at Lauhulu Stream on the mauka side of the existing Lauhulu Stream Bridge. A portion of the wing wall on the proposed new bridge, along with a drainage swale, is in the Conservation District;

- Establishing a parking area with grass pavers on the existing makai side of Kamehameha Highway in the 60-foot-wide by 400-foot-long space;
- Re-purposing the highway by converting the mauka lane of the existing Kamehameha Highway to a 16-foot-wide shared use path for bicycles and pedestrians. The makai lane will be partially demolished, removed, and landscaped with coastal plants to naturalize the area.

After reviewing the application, the Department finds that:

1. The proposed use is an identified land use in the Resource Subzone of the Conservation District, pursuant to the Hawaii Administrative Rules (HAR) §13-5-22 P-6 PUBLIC PURPOSE USES (D-1) *Not for profit land uses undertaken in support of a public service by an agency of the county, state, or federal government, or by an independent non-governmental entity, except that an independent non-governmental regulated public utility may be considered to be engaged in a public purpose use. Examples of public purpose uses may include but are not limited to public roads, marinas, harbors, airports, trails, water systems and other utilities, energy generation from renewable sources, communication systems, flood or erosion control projects, recreational facilities, community centers, and other public purpose uses, intended to benefit the public in accordance with public policy and the purpose of the conservation district.* Please be advised, however, that this finding does not constitute approval of the proposal;
2. Pursuant to HAR §13-5-40(a), a Public Hearing may not be required. However, the Chairperson has the authority to require a public hearing should the public interest necessitate a public hearing on the application;
3. In conformance with the Hawaii Revised Statutes (HRS), Chapter 343, as amended, and HAR Chapter 11-200.1, the Final Environmental Assessment has been reviewed and accepted by the Hawaii Department of Transportation. The finding of no significant impact (FONSI) was published in the December 23, 2021, issue of the Environmental Notice; and,
4. Pertaining to the Special Management Area (SMA) requirements, the Council of the City and County of Honolulu approved SMA Use Permit 2022/SMA-77 (with conditions-Reso 23-90, CD1, FD1) and shoreline setback variance (SV) 2022/SV-4 effective June 7, 2023, to allow roadway and pedestrian safety improvements along Kamehameha Highway in Haleiwa, North Shore.

Further, the OCCL offers the following early comments on the CDUA:

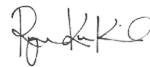
1. OCCL stands by previous statements made in correspondences regarding the proposed DOT project and realignment of Kamehameha Highway, and its support of the “Most Realignment” alternative to address modeled and potential effects from sea level rise and associated impacts.

2. Please provide an overlay with the site plans of proposed work, sea level rise exposure area, and the 2023 certified shoreline.
3. The frequency and severity of coastal inundation events can be expected to increase with sea level rise in the coming decades. Based upon the SLR-XA and the location of the certified shoreline, dated January 18, 2023, the highway and proposed improvements potentially will be inundated. How will HDOT manage the proposed improvements as the sea level rises and impacts the project area?
4. The applicant should consider coordinating with the other agencies and utility providers regarding the potential removal of existing utilities away from the shoreline or realignment with the relocated highway.
5. The Application states that no threatened or endangered species were observed within the project area. U.S. Fish and Wildlife Service (USFWS) and community organizations report that Hawaiian Monk Seals and Hawaii Green Sea Turtles, both endangered and protected species, are known to haul out, rest, and nest at Laniakea and nearby Papailoa Beach. Please provide mitigation for the endangered marine species that may frequent the vicinity.
6. Please provide mitigation during construction for traditional cultural practices on the shoreline that may include fishing, diving, recreation, gathering, and contemplation.

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 application, please contact Kariann Stark of our Office of Conservation and Coastal Lands at (808) 587-0380 or at [kariann.stark@hawaii.gov](mailto:kariann.stark@hawaii.gov).

Sincerely,



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

*mc*

CC: Oahu Board Member  
DOFAW/ODLO/ENG/OHA/ERP/DAR/CWRM  
City and County of Honolulu, DPP/DDC/DES  
Honolulu Fire Department  
Honolulu Police Department  
Hawaii State Library  
Waialua Public Library  
North Shore Neighborhood Board No. 27  
Hawaiian Electric Company, Inc.