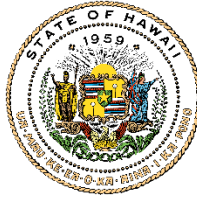


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

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**

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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

REF:OCCL:AW

SSBN KA 25-03

Ken Cheung, PhD, P.E.
Oceanit Center
828 Fort Street Mall, Suite 600
Honolulu, HI 96813

09/04/2025

SUBJECT: Re: Small Scale Beach Nourishment (SSBN) application for the beach fronting 968, 960, 950, 946 and 938 Niulani Road in Kapa'a, Kaua'i; Tax Map Keys (TMKs): (4) 4-3-009:002, (4) 4-3-009:003, (4) 4-3-009:028, (4) 4-3-009:027 and (4) 4-3-009:026 (seaward) respectively

Dear Mr. Cheung:

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 five properties between 938 and 968 Niulani Road, Kapa'a Kauai at Tax Map Keys (TMKs): (4) 4-3-009:002, (4) 4-3-009:003, (4) 4-3-009:028, (4) 4-3-009:027 and (4) 4-3-009:026 (seaward), submitted on behalf of the homeowners who have formed the Niulani Road Hui.

The Department of Land and Natural Resources (DLNR), Office of Conservation and Coastal Lands (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.

The application will be published in the Environmental Review Program (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. Once the evaluation is complete, the application will be provided to the DLNR Chairperson for review, and OCCL will notify you with a letter informing you of the decision.

According to the information provided in the application materials, you are proposing to place up to 10,000 cubic yards of beach-quality sand over a 15-year period on the shoreline as part of a beach nourishment project located seaward of the subject properties. The application materials also propose to construct three groins designed to retain the sand and reduce wave action at the subject beach. The project would utilize sand dredged from the Waipouli Drainage Canal. Initial placement of 2,000 cubic yards will include sand dredged from a previous project in addition to newly dredged sand intended for placement in the project area. Placement of sand may be proposed above and below the mean high-water mark. The footprint of the proposed groins may also include submerged land above and below the mean high-water mark.

The Department understands that extensive care has been taken in designing the project and choosing the location of the sand placement and quality to minimize user conflicts and environmental impacts, including impacts on water quality and local flora and fauna including coral reefs. A detailed accounting of Best Management Practices (BMPs) should be forwarded to OCCL for continued evaluation of the project. Please reference the standard BMPs published on July 23, 2020 in the Final Environmental Assessment and Finding of No Significant Impact for the proposed updates to the Small Scale Beach Restoration Program. These BMPs are designed to reduce impact to the environment and ensure the preservation of natural and cultural resources in the proposed project area.

After reviewing the application, we find that:

1. 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. Please be advised, however, that this letter does not constitute approval.
2. In conformance with Chapter 343, Hawaii Revised Statutes (HRS), as amended, and Chapter 11-200, HAR, a Final Environmental Assessment and Finding of No Significant Impact (FONSI) was published in the June 8, 2000 edition of the Environmental Notice for programmatic review of beach nourishment projects authorized under the SSBN.

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

Ken Cheung
Oceanit, Inc

SSBN KA-25-03

Wirts, Hawaii Sea Grant Extension Agent in the DLNR Office of Conservation and Coastal Lands at (808) 587-0376 or via email at awirts@hawaii.edu.

Sincerely,



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

mc

CC: Niulani Road Hui
Kauai County Planning
LAND
KDLO
HI CZM
USACE
USFWS
NMFS
OHA
Ruby Pap, Hawai'i Sea Grant Extension Agent