

State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii 96819

May 27, 2022

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

Land Board Members:

SUBJECT: Approval of Nawiliwili Small Boat Harbor Wastewater System Improvements project; Nawiliwili, Kauai, Hawaii;

Declare Construction Project Exempt from the Preparation of an Environmental Assessment,

and

Delegate Authority to Chairperson to Approve, Procure and Award Consultant and Construction Contracts and Enter Into Any Supplemental Agreements or Other Agreements Necessary to Implement the Project

REQUEST:

The Division of Boating and Ocean Recreation ("DOBOR") is proposing to retrofit the existing wastewater treatment system at Nawiliwili Small Boat Harbor, Nawiliwili, Kauai, Hawaii in order improve treatment capacity of the system to meet the permitted wastewater discharge requirements of the Department of Health, Wastewater Branch ("DOH-WWB"). The proposed project includes the design and retrofit installation of microbial inoculator generator units within the existing wastewater treatment system aerobic treatment tanks. The proposed project will be a design-build project, a Draft Conceptual Plan for which is attached as **Exhibit A**.

DOBOR is requesting that the Board of Land and Natural Resources ("Board") approve the proposed project and declare it exempt from the requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200.1, Hawaii Administrative Rules.

DOBOR also requests the Board to delegate authority to the Chairperson to procure, award, and enter into consultant and construction contracts and supplemental agreements for consultant and construction contracts, and to enter into and execute any other documents or agreements, including, but not limited to, rights of entry or other permit applications, related to implementation of the project, if necessary and appropriate.

DISCUSSION:

The existing wastewater treatment system at Nawiliwili Small Boat Harbor is currently overloaded and unable to treat wastewater sufficiently to meet the permitted discharge requirements set forth by DOH-WWB. In order to meet the permitted discharge requirements, the treatment capacity of the existing wastewater treatment system must be improved. DOBOR is proposing a design-build project to retrofit microbial inoculator generator units inside the existing aerobic treatment tanks to increase the treatment capacity of the system and produce effluent that meets the discharge requirements of DOH-WWB.

Funding for this project is authorized under Act 88, Session Laws of Hawaii 2021, Item H-7 and other appropriations approved by the legislature for which funds have not lapsed.

All necessary permits and agency approvals we be obtained prior to starting construction.

The implementation of this project will comply with Budget Execution Policies issued by the Governor through the Department of Budget and Finance.

All procurements will be made in accordance with State Procurement Code, Hawaii Revised Statutes (HRS) Chapter 103D.

HRS CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

The project will comply with applicable provisions of HRS Chapter 343, and Title 11, Chapter 200.1, Hawaii Administrative Rules (HAR), regarding environmental assessments and impact statements. DOBOR is proposing that the project be declared exempt from the applicable provisions of HRS Chapter 343 and HAR Chapter 200.1 under the Exemption List for the Department of Land and Natural Resources, concurred on by the Environmental Council on November 10, 2020 as follows:

General Exemption Type 3, Part 1, Item 24:

“Construction required to maintain or upgrade existing utilities.”

DOBOR requests that the Board declare the project exempt from the preparation of an EA under the above exemption.

RECOMMENDATION:

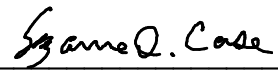
1. That the Board approve the Nawiliwili Small Boat Harbor Wastewater System Improvements project.
2. That the Board declare the project exempt from the preparation of an Environmental Assessment.
3. That the Board delegate authority to the Chairperson to procure, award, and enter into consultant and construction contracts and, if necessary, supplemental consultant and construction agreements, in accordance with HRS Chapter 103D and to enter into and execute any other documents or agreements necessary to implement the project, subject to available funding, release of funds by the

Governor, and review and approval as to form by the Department of the Attorney General.

Respectfully Submitted,


EDWARD R. UNDERWOOD, Administrator
Division of Boating & Ocean Recreation

APPROVED FOR SUBMITTAL:


SUZANNE D. CASE, Chairperson
Board of Land and Natural Resources

Attachment:

- A. Draft Conceptual Plans: Nawiliwili Small Boat Harbor Wastewater System Improvements

EXHIBIT A
Nawiliwili Small Boat Harbor Wastewater System Improvements
Draft Conceptual Plan

RETROFIT AEROBIC TREATMENT TANKS
WITH MICROBIAL INOCULATOR
GENERATOR UNITS
DESIGN-BUILD EST. COST: \$150,000

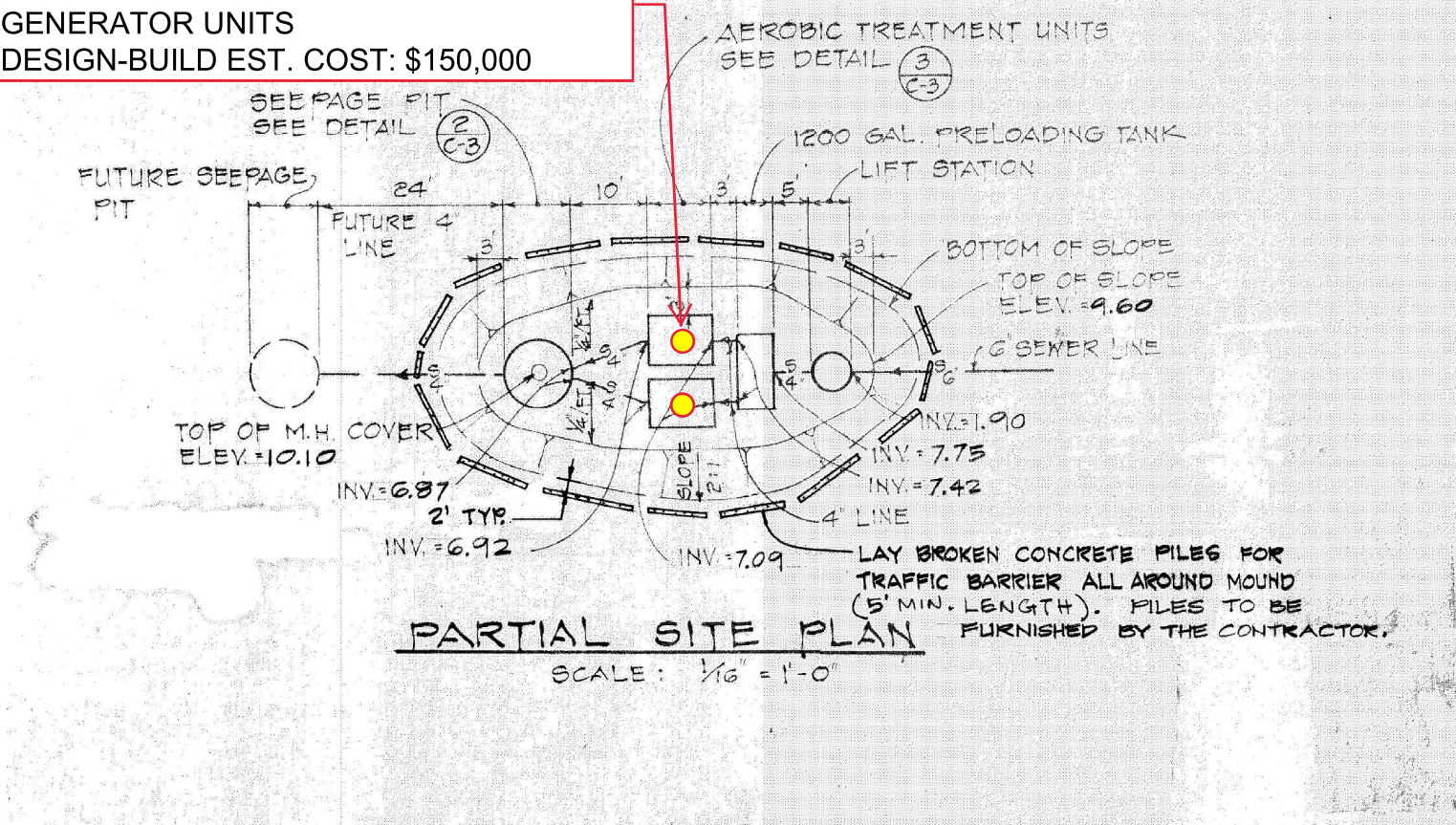


Exhibit A