STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS
Honolulu, Hawaii

180-Day Exp. Date: July 13, 2025

June 13, 2025

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

REGARDING:	Conservation District Use Application (CDUA) OA-3961, for the Maunalua Bay Boat Launch Ramp Facility Improvements and Maintenance Dredging Project
APPLICANT:	Department of Land and Natural Resources, Division of Boating and Ocean Recreation
AGENT:	Robert Walker of Integral Consulting Inc.
LOCATION:	Maunalua Bay, Honolulu, Oahu
TAX MAP KEYs (TMKs):	(1) 3-9-007:011, 032, & 034 and seaward
PROJECT AREA:	Dredge Area 1.66-acres, Facility Improvements Area 0.84-acres
SUBZONE:	Resource
EXHIBITS:	1. Project Location/Conservation District Map 2. Photos 3. Coastal Hazard Assessment Map 4. Overall Facility Improvement Plan 5. Dredged Material Containment Structure Plans and Location 6. Seawall Plans and Photos 7. Navigational Channel Dredge Areas 8. Beneficial Reuse of Dredged Materials 9. Sediment Samples and Locations 10. Channel Marker Plans and Locations 11. Environmental Assessment Exemption 12. Coastal Zone Management Review

Conservation District Use Application OA-3961 and associated documents are available online at https://dlnr.hawaii.gov/occl/current-applications/.

Summary

The Department of Land and Natural Resources (DNLR) Division of Boating and Ocean Recreation (DOBOR) proposes facility improvements to the Maunalua Bay Boat Launch Ramp facility, maintenance dredging in the Maunalua Bay navigational channel, and beneficial reuse of dredged materials on portions of Tax Map Keys (TMKs): (1) 3-9-007:011, 032 & 034 and seaward. See **Exhibit 1a**. Portions of the proposed project lie upon fill and submerged lands within the Resource Subzone of the State Land Use Conservation District.

Description of Area and Current Use

Maunalua Bay Boat Launch Ramp Facility

In 1961 Bishop Estate leased 6,000 acres of land to Kaiser Aetna Corporation to develop the area, now known as Hawaii Kai. Kaiser built housing and created the Hawaii Kai Marina by dredging and filling Kuapa Pond. The shoreline at Maunalua Bay Beach Park was extended seaward with the dredge materials by 330 feet.

The boat launch ramp facility is on Maunalua Bay on the southeast shoreline of the island of Oahu and is accessible via Kalanianaole Highway. The site is made up of dredged fill material that consists of coral rubble, sand, silt, and basalt gravel placed there between the 1940's and the 1970's. It lies in the Urban and Conservation State Land Use Districts. See **Exhibit 1b**. The urban designated portion of parcel 034 is paved with asphalt concrete to provide parking for vehicles and boat trailers.

The facility has undergone several improvements since it was originally constructed. Improvements include construction of a concrete boat ramp and finger pier, installation of cement rubble masonry seawalls flanking the ramp, additional small revetments along the shoreline of the facility extending away from both sides of the boat ramp, and paved parking and boat washdown areas.

CDUA OA-778 was approved on May 27, 1976, by the Board of Land and Natural Resources for the Department of Transportation (DOT) Harbors Division to construct a boat loading dock, launching ramp, and cement rubble masonry (CRM) wall. The concrete boat launch ramp is located at the shoreline of the facility, with two lanes separated by a fixed pier loading dock. In 1993, the current extents of the seawalls were completed by the DOT. Vertical CRM seawall (Type A Wall) was installed on both sides of the boat ramp, which transition to slope CRM walls (Type B Wall) that extend further east and west along the shoreline.

The west side of the facility is host to several canoe clubs. Canoes are stored within a modern hale structure as well as in the upland area on the westernmost portion of the facility. See **Exhibit 2a**. Towards the east end of the facility is a small beach, referred to as East Beach, that is approximately 300 feet in length. See **Exhibit 2b**. Erosion at both ends of East Beach has resulted in the collapse of a portion of the asphalt parking lot.

Navigational Channel

A dredged navigational channel, approximately 100-foot wide with depths ranging between 6 to 9-feet relative to mean lower low water (MLLW), provides access for vessels to transit between the Facility and the deeper waters of the bay to the southeast. See **Exhibit 2c**. The navigational channel was originally dredged in the late 1950's and early 1960's under a State Harbors Division Revocable Permit, with several maintenance dredging efforts occurring since. In recent years, isolated areas within the navigational channel have experienced significant shoaling, creating hazards to navigation. CDUP OA-669 was approved on October 10, 1975, by the Board of Land and Natural Resources for the DOT Harbors Division to dredge approximately 1,200 feet of the shoreline area at a 7:1 slope to a depth of -5 feet.

The action area is primarily subtidal habitat characterized by open water and a soft sediment seafloor. The further-most part of the action area is characterized by large spans of sandy bottom with hard-substrate composed of limestone fossil reef and cauliflower coral skeletons lining some sides of the navigational channel.

Moving closer inshore, running parallel to the boat facility and East Beach, the submerged environment consists of fine-grained sand and silt towards the middle of the channel and of large-grained sand, coral rubble, gravel and rocks towards the edges of the channel.

Floral and Fauna

As the facility site is a man-made landmass developed through the placement of dredged materials, it does not support any rare, threatened, or endangered plant or animal species and lacks natural terrestrial or undisturbed marine habitats.

Paiko Lagoon Wildlife Sanctuary lies across the bay, to the east of the Maunalua Bay Launch Ramp facility. Some native species found at the sanctuary may travel to the launch ramp area to feed. Birds commonly seen at Paiko Lagoon include the aeo, alaeula, alaekeokeo, aukuu, kolea, akekeke, and ulili.

Aquatic Floral and Fauna

A benthic survey of the Maunalua Bay channel was conducted in April 2024. The surveys were performed entirely using SCUBA. Fish species observed during the survey included the Moorish idol, Hawaiian sergeant, saddled butterflyfish, Hawaiian dascyllus, and the Pacific bullethead parrotfish.

The project area is limited to the near-shore and shallow environment; many regionally occurring species are pelagic species that live in the open ocean, often far from land or the seafloor.

Much of the proposed dredge path is populated with highly invasive algae species, gorilla ogo and leather mudweed. Patches of halophila seagrasses can be found in dredge areas #1, #5, and #7 of the channels as well as macroalgae. The biological resources existing

at the further-most portion of the action area consist of patches of cyanobacteria and macroalgae.

Corals observed during surveys were primarily limited to two species, *Leptastrea coral* and Cauliflower coral. Both species are stony corals that are reef-building and are common in turbid harbor-type waters in Hawaii. Two small, roughly fist-sized Cauliflower coral colonies exist in dredge area #3, and five small Cauliflower coral colonies exist attached to the existing damaged channel marker #16.

Green sea turtles, Hawksbill Sea Turtles, and Hawaiian monk seals could visit the area but are not expected to occur within the project area. Maunalua Bay in not a major nesting site for the Hawaiian green sea turtle.

Historical & Cultural Resources

The ahupuaa of Maunalua was known for its' large, 523-acre, fishpond named Keahupua-O-Maunalua, which spanned from Kuliouou headland to what is now Portlock. Keahupua-O-Maunalua was the largest fishpond on Oahu and was used to raise mullet and was also home to a multitude of water birds. The coastal plains of Maunalua were a famous sweet-potato planting area referred to as Ke-kula-O Kamauwai

The traditional activities that take place in the area include gathering, fishing, diving, ocean recreational activities, and canoe launch. Several paddling events use Maunalua Bay as their launch or finish location, including the popular Hawaii Kai Run paddling course that beings at Maunalua Bay and ends at Ala Moana Beach Park.

Hazards

The Atlas of Natural Hazards in the Hawaiian Coastal Zone shows that the overall hazard assessment for Maunalua Bay is moderately high due to the high tsunami zone, stream flooding zone, and storm zone. See **Exhibit 3a**.

A Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) shows that the majority of the project area is located within Flood Zone VE, with a 12-foot flood elevation.

The entirety of the facility is within the Tsunami Evacuation Zone.

The Sea Level Rise Exposure Area (SLR-XA) projections indicate significant impacts to the Facility starting at 2.0 feet of sea level rise. See **Exhibit 3b.**

Proposed Use

The summary of work proposed in the Conservation District for the Maunalua Bay maintenance dredging and facility improvements project include:

Facility Improvements:

The overall facility improvement plan is shown in **Exhibit 4**.

Dredged Material Containment Structure and Backfilling

The existing low, rock seawall extending west from the boat ramp is proposed to be removed and be replaced with an approximately 415-linear-foot containment structure. The containment structure will be approximately 6.5 feet above the MLLW, and approximately 2.5 feet higher than the existing wall. The containment structure will be used to permanently contain fill material within a roughly 5,500 square feet previously filled area that has eroded in the southwest portion of the site. See **Exhibit 5.** The dredged material containment structure will consist of the following:

- A driven steel sheet pile wall topped with a reinforced 32-inch concrete cap
- Steel tie-back anchors installed below grade near the western terminus of the structure to provide anchoring to the portion of the sheet pile near Dredge Area 1.
- The eroded area behind the containment structure will be backfilled with dredged material placed in controlled layers of specified gradation, separated by layers of non-woven geotextile fabric.
- Dredged coral rubble will primarily be used for the bottom layer of material below mean higher high water.
- The surface of the dredged material mauka of the dredged material containment structure will be at an elevation of 5.5 ft., leaving only the top 1 ft. of the dredged material containment structure's concrete cap exposed.

Seawall Repair

Seawall repairs are proposed for the existing vertical seawall surrounding the small peninsula off the east edge of the boat ramp by filling voids per the project plans and specifications. A new sheet pile wall is proposed to be installed behind the existing seawall and extend roughly another 40 ft. perpendicularly in the mauka direction at the west end of East Beach, to prevent flanking. The sheet pile wall is proposed to be approximately 6.5 ft. above the MLLW. The mauka side of the wall will be filled with dredged material to a surface elevation of roughly 4.5 ft. There will be a roughly 2 feet of wall extending above the final grade looking from the mauka side. See **Exhibit 6** for seawall plans.

At the east end of East Beach, a 71 ft. long and 17 ft. wide rock revetment is proposed to be installed to stabilize the eroding area and to prevent further damage to the paved parking lot. A sloped seawall that extends east from the proposed rock revetment to the facility's eastern property boundary is proposed to be repaired. The repairs will be done by removing the existing un-reinforced concrete camp and all loose stones above grade, followed by preparation of subgrade behind the wall, placement of geotextile fabric, placement of underlayer stones, and placement and grouting of the armor stone. A steel-reinforced concrete cap will be formed and poured on top of the re-built wall. The repairs will terminate approximately 170 ft. east of the proposed rock revetment. From the termination point, perpendicularly in the mauka direction, an approximately 15 ft. long and 3 ft. high, vertical concrete masonry rock wall is proposed to abut the repaired seawall.

The proposed seawall repairs, extensions, and new revetment are proposed to have a

height increase of approximately 10%. OCCL considers 10% to be a minor change pursuant to Hawaii Administrative Rules (HAR) § 13-5-2 Definitions. *Minor alteration means work done to an existing structure, facility, or use that results in a ten percent or less increase in the size of the structure, facility, or use.*

Maintenance Dredging of Navigational Channel:

Approximately 5,850 cubic yards of material is proposed to be dredged from seven areas in the Maunalua Bay's navigational channel. See **Exhibit 7**.

The dredged material will be transported to the shore via barge for offload, dewatering, sorting and reuse at the facility. The dredged material is proposed to be placed into four different stockpiles in the area behind the proposed containment structure, to the east of the current canoe storage. The materials will be sorted according to type of material.

1. Dredge Area 7 Stockpile: This stockpile is expected to be beach-quality sand that is proposed to be placed along the shoreline at the canoe launch beach and East Beach areas following evaluation and testing.
2. Coral Rubble Stockpile: Coral rubble and other sediment larger than ¾-inch in diameter shall be screened using a grizzly screen, a mechanical screener, or alternative method as accepted by the engineer, to separate out the larger coral rubble material from the rest of the silts and sands dredged material.
3. Fine Material Stockpile: Finer dredged material containing more than 10% fines shall be stockpiled separately from the dredged material containing higher concentrations of sand. The fine material stockpile will be used within specific fill lifts at various locations throughout the facility.
4. Coarser Material Stockpile: Coarser dredged material containing less than 10% fines shall be stockpiled separately from dredged material containing higher concentrations of fines. The coarser material stockpile will be used in the facility improvements throughout the site.

Beach quality sand is clean, composed mostly of medium to coarse grains, and resists erosion better than sand with excessive fines. Staff notes that "fines" in beach sand refer to the small particles in the sand, typically silt and clay-sized grains that are often carried away by water.

<u>Beneficial Reuse of Dredged Materials:</u>

Beneficial reuse of dredged materials at the canoe launch area would involve placement of beach quality dredged sand along approximately 130 linear feet of existing shoreline. Beneficial reuse of dredged materials at East Beach would involve pushing coral rubble that has accumulated above the existing natural slope of the beach toward the mauka edge of the proposed fill area, creating a berm feature with a crest elevation of 8 ft., designed to protect the adjacent parking area from storm surge and wave over wash during high wave and/or high tide events. The beach quality dredged sand will be placed along the shoreline of East Beach. See **Exhibit 8** for locations of beneficial reuse of dredged materials.

Dredge area sediment sampling was collected on June 8, 2023, at various locations proposed for dredging. See **Exhibit 9**. The results of the sediment sampling suggest that all proposed dredge areas are feasible to dredge and contain material that will be suitable for upland reuse at the Facility.

The analysis of the dredge sand proposed for placement on East Beach and the canoe beach area indicates that it would enhance the beach resources at the Maunalua Boat Launch Ramp facility. The existing beach is a product of past dredging and placement of fill. It is composed of a small percentage of coarse pebbles and coral fragments, with the largest proportion of the beach being medium-fine grain sand. The dredged sand has a more uniform makeup than the beach material. The largest proportion of the dredged material is slightly coarser-grained than the beach. The slightly coarser sand is likely to have a higher residence time on the beach, extending the life of the beach and slowing the natural re-accumulation of material in the channel. The low percentage of fine material in the dredge sand indicates that the uncontained placement of this material on the beaches should not cause turbidity in the nearshore waters.

Prior to final placement, DOBOR shall submit the analyses to OCCL from profiles sediment samples collected at East Beach to ensure a good match. Additionally, DOBOR shall provide physical samples of the dredged sand and resident materials on the beach for visual inspection to ensure quality and appearance match.

Channel Marker Replacement**:**

Channel Markers #1A and #16 are proposed to be reinstalled. Pile driving, using the vibratory method, would be required for the installation of the new channel markers. See **Exhibit 10**.

- Channel Marker #1A will consist of a 16.5-inch octagonal, pre-stressed concrete pile.
- Channel Marker #16 will consist of a concrete-filled galvanized steel pipe pile

Options Considered

Plan A: Repairing the existing seawalls located along the shoreline of the facility. After review of the cost elements for repairing versus installing new sheet pile walls it was determined that repairing the walls would be just as costly, or more so, than installing new sheet pile walls.

Plan B: New sheet pile walls proposed in place of repairing the existing seawalls, Plan B involves repairing portions of the seawalls at the facility as well as installing a new sheet pile wall just mauka of one of the existing seawalls, which will raise the seawall elevation to better protect against future sea level rise threats. According to the applicant, the proposed sheet pile walls will provide the State with a longer lasting and more resilient facility when compared to repairing and rehabilitating the old, dilapidated seawall. For

these reasons, Alternative B is expected to provide the State with additional benefits at an equivalent or lower cost.

Best Management Practices

According to the applicant, a U.S. Army Corps of Engineers permit is required. The USACE permit is the regulatory authorization required for certain activities affecting navigable waters and the discharge of dredged or fill material into those waters.

Best Management Practices (BMPs), Avoidance and Minimization Measures shall be followed to avoid, mitigate and minimize effects on listed species, and the aquatic resource in accordance with Pac-SLOPES (Standard Local Operating Procedures for Endangered Species), a standardized process used by the USACE and NMFS (National Marine Fisheries Service) in the Pacific region to streamline consultation for projects that may affect Endangered Species Act-listed marine species.

Mitigation for Coral and Seagrass:

- Two small, roughly fist-sized Cauliflower coral colonies exist in dredge areas #2 and #3, and five small coral colonies exist attached to the existing damaged channel marker #16.

- Prior to initiating construction activities, the Cauliflower coral in the proposed dredging area will be removed and delivered to the local non-profit organization Malama Maunalua for their use in ongoing coral restoration research under the purview of their existing permit with the State of Hawaii Division of Aquatic Resources. The five small coral colonies attached to the existing damaged channel marker #16 cannot be transplanted due to their secure attachment to the pile, and likelihood of damage if removal were attempted. The project intends to not disturb the corals on the damaged channel marker by leaving the channel marker in place along the seafloor in its current location. However, if it is determined that leaving the old pile will pose a navigational hazard to boaters, it will be removed.

- DOBOR will attempt to relocate the seagrasses in efforts to minimize impacts encountered during dredging. The project team plans to work with local groups with seagrass transplantation experience, such as Malama Maunalua and the State of Hawaii Division of Aquatic Resources, to devise a method of transplanting native seagrass with the use of a modified excavator. The top 6 inches of sediment within the areas occupied by seagrass would be removed and placed on an adjacent platform or barge where salvageable seagrass would be retrieved for transplant. The seagrass would then be relocated approximately 5-10 feet away from impact locations.

Summary of Comments

The Office of Conservation and Coastal Lands referred this application to the following agencies and organizations for review and comment:

State Agencies:

- DLNR: Commission on Water Resource Management, Engineering Division, Oahu District Land Office, Conservation and Resource Enforcement, Aha Moku Council, Division of Aquatic Resources
- Office of Planning and Sustainable Development-Coastal Zone Management
- Office of Hawaiian Affairs
- Department of Health-Clean Water Branch

County Agencies:

- City and County of Honolulu, Department of Planning and Permitting
- Honolulu Fire Department
- Honolulu Police Department

Other Organizations:

- Malama Maunalua
- Hui Nalu Canoe Club

Additionally, the CDUA was also sent to the nearest public library, the Hawaii Kai Public Library and is accessible online on OCCL's website to make this information readily available to those who may wish to review it.

Comments were received by the following agencies and organizations and summarized by Staff as follows:

Engineering Division:

The rules and regulations of the National Flood Insurance Program, Title 44 of the Code of Federal Regulations, are in effect when development falls within a Special Flood Hazard Area. State projects are required to comply with 44CFR regulations as stipulated in Section 60.12

Applicant's Response:

Appropriate certifications for the proposed non-substantial improvements within the flood zone will be submitted.

Division of Aquatic Resources:

Sediment and Water Quality Monitoring:

Implement regular monitoring programs to evaluate sediment levels and water quality around the construction site. Train all contractors and personnel on sedimentation prevention, emphasizing its importance and practical control measures. Notify DAR when above-average sedimentation occurs, including photo documentation, GPS coordinates, and a brief impact assessment.

Protected Species Protocols:

If Hawaiian monk seals, marine mammals, or sea turtles are observed near construction and might be disturbed modify or cease activities until the animals leave on their own and increase buffers if a pup is present. All interactions with protected species must be reported to NOAA Marine Mammal Response, NOAA Sea Turtles Program, and DLNR DOCARE.

Alien Invasive Species Prevention:

All gear used in Maunalua must be visually inspected for invasive algae and disinfected with 10% bleach for 10 minutes before being used elsewhere. Corals must be inspected and not transported if invasive algae are present.

Coral and Seagrass Transplantation:

DOBOR plans to collaborate with Malama Maunalua using their Special Activity Permit. Ensure the permit is active before proceeding, if it is inactive, partner with another organization such as Kuleana Coral Restoration. If DOBOR is unable to find a partner organization, the project must apply for its own Special Activity Permit.

Additionally, DAR request a report on the success of the seagrass and coral relocation by tracking organism health over time.

Applicant's Response:

The project team will comply with the comments provided by DAR. All regulations and permit conditions related to the control of sedimentation, turbidity, and water quality will be followed. All regulations and permit conditions related to the protection of protected species will be followed. Measures to avoid the spread of invasive species will be implemented as requested by DAR. The success of seagrass and coral relocation efforts will be monitored, and a report will be provided to DAR.

Office of Planning and Sustainable Development

Maintenance dredging of Maunalua Bay navigation channel and facility improvements to the Maunalua Bay Launch Ramp Facility may be subject to a Coastal Zone Management Act federal consistency review based Title 15 Code of Federal Regulations Part 930 Subpart D – Consistency for Activities Requiring a Federal License or Permit.

Applicant's Response:

An application for Coastal Zone Management consistency was submitted on April 29, 2025. A public notice for the CZM review was published in the State Environmental Review Program publication, *The Environmental Notice,* on May 8, 2025, with the public review and comment period running through May 22, 2025.

City and County of Honolulu Department of Planning and Permitting

A Shoreline Setback Variance and Minor Shoreline Structure Permit may be required from DPP if structures or activities are proposed within the shoreline setback area. The extension or expansion of a shoreline hardening structure and/or addition of a sheet wall to support a shoreline hardening structure requires a Shoreline Setback Variance.

Applicant's Response:

The Department of Land and Natural Resources, Division of Boating and Ocean Recreation is exempt from requirements to obtain a Shoreline Setback Variance and Minor Shoreline Structures Permit, in accordance with HRS 266.

Honolulu Fire Department

The Honolulu Fire Department requires that all fire apparatus access roads remain open for the project's duration.

Applicant's Response:

All fire apparatus access roads will remain open for the project's duration.

Hui Nalu Canoe Club

Timeline Questions: What is the approximate start date and length of the project? How much of the parking lot will be used for staging and how long will the parking area be used? When will our canoes need to be relocated from their storage area? Will we be able to use the other end of the park? Will the canoes be able to navigate through the channel during the project?

Dredge fill area, sand fill area, and gravel parking area questions: Will the coral rubble topping for our eroded area be smooth enough to use as additional canoe storage? We have lost a large area over the years and would like to have some of it returned for canoe storage. Currently we have cement pillars dividing the parking area and canoe storage area. Some of those pillars have eroded into the fill area. Will they be replaced to divide the parking ad canoe storage area? Will there be marking to divide the canoe storage area from the public access area to the channel? Currently the parking area is very uneven. More than half of the parking lot is under water after a heavy rain and large pools of water remain for days after. Will this be evened out to prevent the pooling of water after it rains?

Applicant's Response:

The project is expected to begin no earlier than May 2025 and will last approximately six months. Portions of the parking lot near the canoe club, specifically in the containment structure fill area and the contractor laydown area, will be used for staging throughout the entire duration of the project, while the beach fill area will be used for about one week during sand placement. Canoes stored on the carpeted area should be relocated for the full length of the project, and additional canoes may need to be temporarily moved during active work in the beach fill area. Coordination with the contractor is encouraged, as they will aim to accommodate canoe club activities where feasible. Use of the other end of the park for canoe storage may be possible with approval from DOBOR. Despite ongoing construction, canoes will still be able to navigate through the channel, although coordination with the contractor is advised to ensure safe passage around work vessels.

The coral rubble topping to be placed in the eroded area is expected to be similar in texture to the existing material and may be suitable for additional canoe storage. The concrete pillars that previously marked the boundary between the parking lot and canoe

storage area, some of which have shifted into the fill zone, will be relocated to their original positions. However, no new markings are planned to delineate the canoe storage area from the public access channel. There are no plans to level or improve drainage beyond the specific fill and grading areas outlined in the project plans.

Analysis

On January 14, 2025, the Department notified the applicant that:

1. The proposed use is an identified land use in the Resource Subzone of the State Land Use 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. On July 28, 2023, the Board of Land and Natural Resources delegated authority to the Chairperson to declare applicable projects exempt from the preparation of an environmental assessment (EA), or to approve an EA and issue a Finding of No Significant Impact (FONSI), for projects in which an EA is prepared and result in such findings. On April 22, 2024, the Chairperson concurred with the exemptions proposed by DOBOR and declared the project exempt from the preparation of an EA. A copy of the approved exemption memo which outlines the applicable exemptions for this project is included with the application materials. See **Exhibit 11** for a list of exemptions.

4. DOBOR is exempt from a Special Management Activity permit pursuant to HRS § 171-6 **Powers**. *Except as otherwise provided by law, the board of land and natural resources shall have the powers and functions granted to the heads of departments and the board of land and natural resources under chapter 26. (19) Notwithstanding part II of chapter 205A to the contrary, plan, design, construct, operate, and maintain any lands or facilities under the jurisdiction of the division of boating and ocean recreation of the department without the need to obtain a special management area minor permit or special management area use permit;*

Conservation Criteria

The following discussion evaluates the merits of the proposed land use by applying the criteria established in HAR, §13-5-30:

1) *The proposed use is consistent with the purpose of the Conservation District.*

The objective of the Conservation District is to conserve, protect, and preserve the important natural and cultural resources of the State through appropriate management and use to promote their long-term sustainability and public health, safety, and welfare. The Maunalua Bay Boat Ramp facility is situated on a man-made landmass created through historical dredging and fill activities. As such, it does not constitute a natural or undisturbed terrestrial or marine environment. Despite its artificial origin, the facility plays an important role in supporting the public's recreational access to Maunalua Bay. Dredging near the boat ramp will eliminate a hazard to boaters and their property, as well as public safety and welfare.

2) *The proposed land use is consistent with the objectives of the Subzone of the land on which the use will occur.*

The objective of the Resource Subzone is to ensure, with proper management, the sustainable use of the natural resources of those areas. The proposed use is an identified land use in the Resource Subzone of the Conservation District, pursuant to the Hawaii Administration Rules (HAR) § 13-5-22, P-6 PUBLIC PURPOSE USES, not for profit land uses undertaken in support of a public service by an agency of the county, state, or federal government.

As such, it is subject to the regulatory process established in HRS Chapter 183C and detailed further in HAR Chapter 13-5. This process provides for the application of appropriate management tools to protect the relevant resources, including objective analysis and thoughtful decision-making by the Department and Board of Land and Natural Resources.

The proposal includes dredging to restore navigable depths and facility improvements to protect the public recreational facility will support the continued sustainable use of natural resources in this area.

3) *The proposed land use complies with the provisions and guidelines contained in Chapter 205A, HRS entitled "Coastal Zone Management", where applicable.*

Staff believes the proposal will comply with the provisions and guidelines of Chapter 205A, HRS. As the project is the restoration and maintenance of existing facilities and channel depths, the proposed use does not conflict and is consistent with CZM objectives and policies to protect such resources and activities such as

recreational use, scenic and open space, coastal ecosystems, and shoreline protection. The project site is not a naturally occurring beach and therefore the typical prohibitions on shoreline hardening structures do not apply. Furthermore, the project serves a public purpose by supporting essential infrastructure that benefits the community. The Coastal Zone Management review was completed on May 28, 2025, and can be viewed in **Exhibit 12**.

4) *The proposed land use will not cause substantial adverse impact to existing natural resources within the surrounding area, community, or region.*

The proposed project includes mitigation of all potential biological impacts, including actions to protect and enhance seagrass habitat. No other adverse impacts to existing natural resources are expected to occur as a result of the proposed project.

5) *The proposed land use, including building, structures and facilities, shall be compatible with the locality and surrounding areas, appropriate to the physical conditions and capabilities of the specific parcel or parcels.*

The proposed project will enhance the physical aspects of the canoe launching area and beach area, as well as repair hazardous eroded area, improving natural beauty and the ability for the public to enjoy the open areas. The proposed project does not change the existing land use and maintains ocean views and the open space characteristics of the area.

6) *The existing physical and environmental aspects of the land, such as natural beauty and open space characteristics, will be preserved or improved upon, whichever is applicable.*

No changes to the existing use are proposed.

7) *Describe how subdivision of land will not be utilized to increase the intensity of land in the Conservation District.*

No subdivision of land is proposed for this project.

8) *The proposed land use will not be materially detrimental to the public health safety, and welfare.*

The proposed project is intended to improve public health, safety, and welfare.

Cultural Impact Analysis

Traditional Hawaiian canoe paddling is practiced by several canoe clubs at the western edge of the facility. The facility is also used by surfers, fisherman, divers and gatherers.

The proposed project will enhance the use by Hawaiian outrigger canoe paddlers by improving the shoreline, canoe storage areas, and parking areas utilized by the paddlers. The proposed project will also repair revetment structures utilized by fishermen on land and remove hazards to navigation.

Ka Paakai Analysis

A Ka Paakai Analysis is a legal framework used in Hawaii to assess how a proposed land use or development might affect Native Hawaiian traditional and customary rights. It originates from the Ka Paakai o ka Aina v. Land Use Commission case (2000), in which the Hawaii Supreme Court established a structured method for state and county agencies to evaluate and protect these rights. The three parts of the Ka Paakai Analysis are reviewed below:

Identification of cultural practices and resources

Several traditional activities take place at the project area, including canoe paddling, surfing, subsistence fishing, diving, gathering, and ocean recreation activities.

Assessment of impacts on these practices

The proposed project may cause temporary delays to those attempting to access sites for such activities; however, once the work is completed, it is anticipated that access should return to pre-project patterns. The proposed project action is not expected to have any long term impacts or interfere with any of the cultural practices mentioned above on a long-term basis.

Actions needed to protect these practices

Specific mitigation measures may not be necessary for this project; however, a condition of this authorization will state: The permittee acknowledges that the approved work shall not hamper, impede, or otherwise limit the exercise of traditional, customary, or religious practices of native Hawaiians in the immediate area, to the extent the practices are provided for by the Constitution of the State of Hawaii, and by Hawaii statutory and case law.

Discussion

The shoreline at the Maunalua Bay Boat Ramp facility is comprised of dredged material from the former Kuapa Pond and the offshore navigational channel. Beneficial reuse of dredged material has historically been utilized to create the facility.

The Division of Boating and Ocean Recreation proposes facility improvements to the Maunalua Bay Launch Ramp facility, maintenance dredging to the Maunalua Bay navigational channel, and beneficial reuse of dredged materials for facility and shoreline improvements on portions of TMKs (1) 3-9-007: 011, 032, & 034. The proposed project will provide needed maintenance dredging to the channel where sediment has accumulated and will provide a safe passage between the bay and the Pacific Ocean.

The proposed dredged material containment structure and seawall repairs will mitigate ongoing erosion and restore the facility to its originally constructed extents.

Any dredged material from Dredge Area 7 that is determined to be NOT appropriate for placement on the beach will be used as upland fill behind the Dredged Material Containment Structure and/or sheet pile walls to raise the grade elevation in those areas. If there is excess material above which the project can support, such material will be transported off-site to an approved disposal site.

Consultations between OCCL and DOBOR took place in September 2023, followed by site visits conducted by staff in December 2024 and May 2025.

Staff believes the project will be beneficial to the public because the facility improvements will restore lost landmass and mitigate public safety hazards resulting from erosion that has been ongoing since the facilities initial construction. The shoreline stabilization activities will help protect the public recreation facility that enable use of natural resources. Additionally, the navigational channel dredging will improve safe passage between the bay and the Pacific Ocean. The project enjoys widespread community support, with canoe clubs playing a particularly active role

During construction Standard Best Management Practices will be observed. Additionally, DOBOR will implement measures from the USACE permit. Furthermore, the proposed project will follow all relevant conditions of the Blanket Section 401 Water Quality Certification.

After reviewing the comments and conducting consultations and site visits, OCCL recommend the following special conditions be included in the permit:

- Prior to final placement of dredged material, DOBOR shall submit the analysis from profiles sediment samples to ensure a good match. Additionally, DOBOR shall provide physical samples to OCCL of the dredged sand and resident material on the beach for visual inspection to ensure quality and appearance match.

- All interactions with protected species must be reported to NOAA Marine Mammal Response, NOAA Sea Turtles Program, and DLNR DOCARE.

- All gear used in Maunalua must be visually inspected for invasive algae and disinfected with 10% bleach for 10 minutes before being used elsewhere.

- If DOBOR is unable to partner with an organization with an active Special Activity Permit, DOBOR must apply for its own Special Activity Permit.

- Two reports shall be provided to DAR on the success of the seagrass and coral relocation by tracking organism health over time, one at 6 months after relocation and one at 1 year after relocation;

Based on the information provided, staff believes the project will have negligible adverse environmental or ecological effects provided that best management practices and mitigation measures, as described in the application are fully implemented.

Recommendation

Based on the preceding discussion, staff recommends that the Board of Land and Natural Resources approve Conservation District Use Permit OA-3961 for the proposed Maunalua Bay Boat Launch Ramp facility improvements and maintenance dredging project located at Maunalua Bay, Honolulu, Oahu, Tax Map Keys: TMKs (1) 3-9-007: 011, 032 & 034 and seaward, subject to the following standard and special conditions:

1. The permittee shall comply with all applicable statutes, ordinances, rules, and regulation of the federal, state, and county governments, and applicable parts of this chapter;
2. The permittee shall comply with all applicable Department of Health rules;
3. Before proceeding with any work authorized by the department or the board, the permittee shall submit copies of the construction plans and specifications to the chairperson or authorized representative for approval for consistency with the conditions of the permit and the declarations set forth in the permit application. Plan approval by the chairperson does not constitute approval required from other agencies;
4. Unless otherwise authorized, any work or construction to be done on the land shall be initiated within one year of the approval of such use, in accordance with construction plans that have been signed by the chairperson and shall be completed within three years of the approval of such use. The permittee shall notify the department in writing when construction activity is initiated and when it is completed;
5. The permittee shall comply with the mitigation and Best Management Practice representations and conditions stated in their application;
6. The permittee understands and agrees that the permit does not convey any vested right(s) or exclusive privilege;
7. In issuing the permit, the department and board have relied on the information and data that the permittee has provided in connection with the permit application. If, subsequent to the issuance of the permit such information and data prove to be false, incomplete, or inaccurate, this permit may be modified, suspended, or revoked, in whole or in part, and/or the department may, in addition, institute appropriate legal proceedings;
8. When provided or required, potable water supply and sanitation facilities shall have the approval of the department of health and the county department of water supply;

9. Provisions for access, parking, drainage, fire protection, safety, signs, lighting, and changes on the landscape shall be provided;

10. Where any interference, nuisance, or harm may be caused, or hazard established by the authorized activities/uses, the permittee shall be required to take measures to minimize or eliminate the interference, nuisance, harm, or hazard;

11. The permittee shall plan to minimize the amount of dust generating materials and activities. Material transfer points and on-site vehicular traffic routes shall be centralized. Dusty equipment shall be located in areas of least impact. Dust control measures shall be provided during weekends, after hours and prior to daily start-up of project activities. Dust from debris being hauled away from the project site shall be controlled. Landscaping and dust control of cleared areas will be initiated promptly;

12. Should historic remains such as artifacts, burials, or concentration of charcoal be encountered during the construction activities, work shall cease immediately in the vicinity of the find, and the find shall be protected from further damage. The contractor shall immediately contact SHPD (692-8015), who will assess the significance of the find and recommend appropriate mitigation measures, if necessary;

13. The permittee shall implement both site specific and standard Best Management Practices including, but not limited to, the ability to contain and minimize silt in nearshore waters and clean up fuel, fluid, or oil spills immediately. Equipment must not be refueled in the shoreline area. If visible petroleum, persistent turbidity or other unusual substances are observed in the water as a result of the proposed operations, all work must cease immediately to ascertain the source of the substances;

14. Obstruction of public roads, trails, lateral shoreline access, and pathways shall be avoided or minimized. If obstruction is unavoidable, the permittee shall provide alternative roads, trails, lateral beach access, or pathways acceptable to the department;

15. During construction, appropriate mitigation measures shall be implemented to minimize impacts to off-site roadways, utilities, and public facilities;

16. No night work that requires outdoor lighting during seabird fledging season from September to December;

17. Prior to final placement of dredged material on East Beach and the canoe beach area, DOBOR shall submit the analyses from profiles sediment samples to ensure a good match. Additionally, DOBOR shall provide physical samples to OCCL of the dredged sand and resident material on the beach for visual inspection to ensure quality and appearance match;

18. All interactions with protected species must be reported to NOAA Marine Mammal Response, NOAA Sea Turtles Program, and DLNR DOCARE;

19. All gear used in Maunalua must be visually inspected for invasive algae and disinfected with 10% bleach for 10 minutes before being used elsewhere;

20. If DOBOR is unable to partner with an organization with an active Special Activity Permit, DOBOR must apply for its own Special Activity Permit;

21. Two reports shall be provided to DAR on the success of the seagrass and coral relocation by tracking organism health over time, one at 6 months after relocation and one at 1 year after relocation;

22. The activity shall not adversely affect a federally listed threatened or endangered species or a species proposed for such designation, or destroy or adversely modify its designated critical habitat;

23. The permittee acknowledges that the approved work shall not hamper, impede, or otherwise limit the exercise of traditional, customary, or religious practices of native Hawaiians in the immediate area, to the extent the practices are provided for by the Constitution of the State of Hawaii, and by Hawaii statutory and case law;

24. Other terms and conditions as prescribed by the chairperson; and

25. Failure to comply with any of these conditions shall render this Conservation District Use Permit void under Chapter 13-5, as determined by the chairperson or the board.

Respectfully submitted,

Kariann Stark, Staff Planner
Office of Conservation and Coastal Lands

Approved for submittal:

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

Exhibit 1a: TMK and Location Map

Exhibit 1b: Urban and Conservation State Land Use District Map

Exhibit 2a: Canoe Launch Area

Exhibit 2b: East Beach

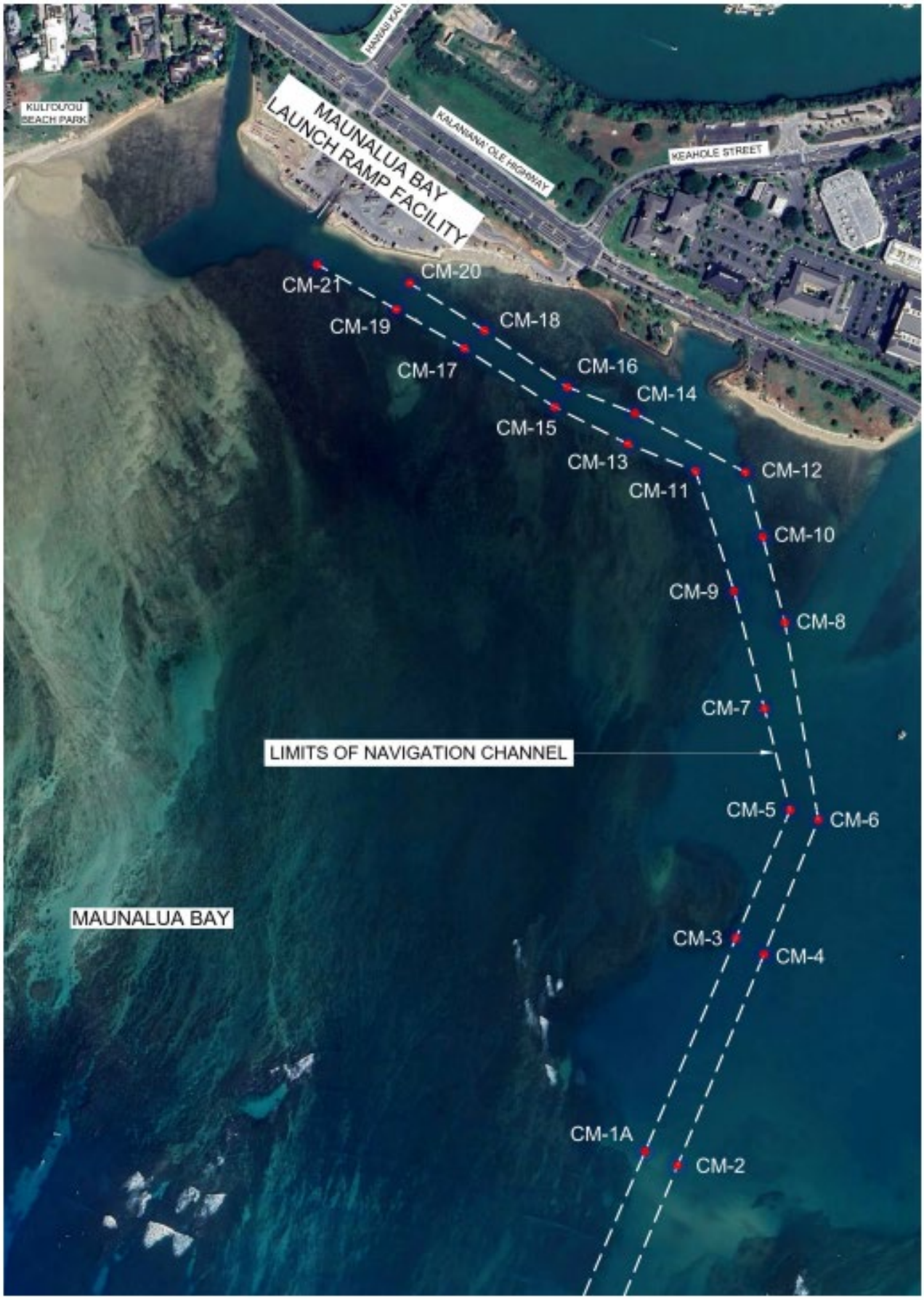


Exhibit 2c: Navigational Channel

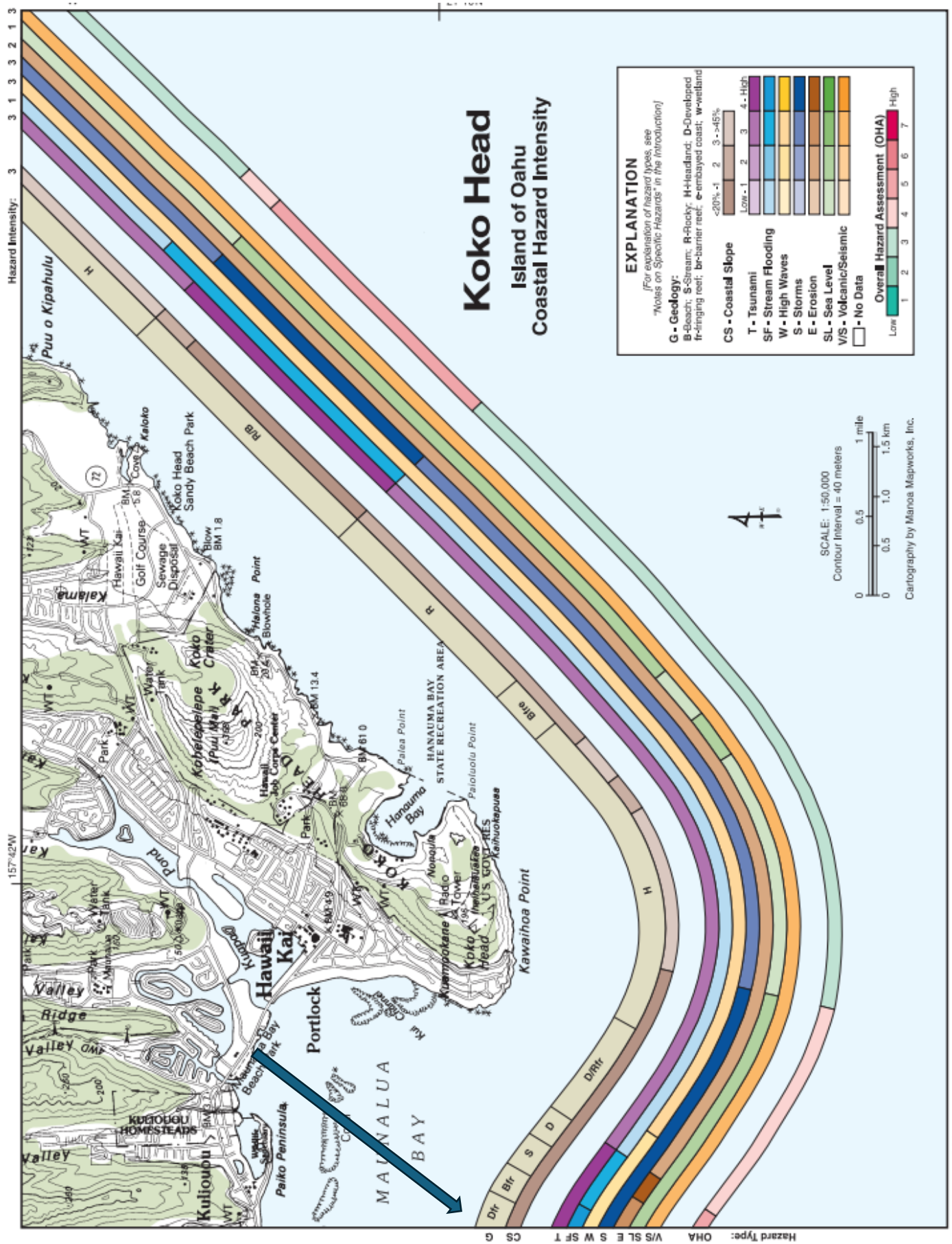


Exhibit 3a: Atlas of Natural Hazards Map

Exhibit 3b: SLR-XA 2.0 feet of Sea Level Rise

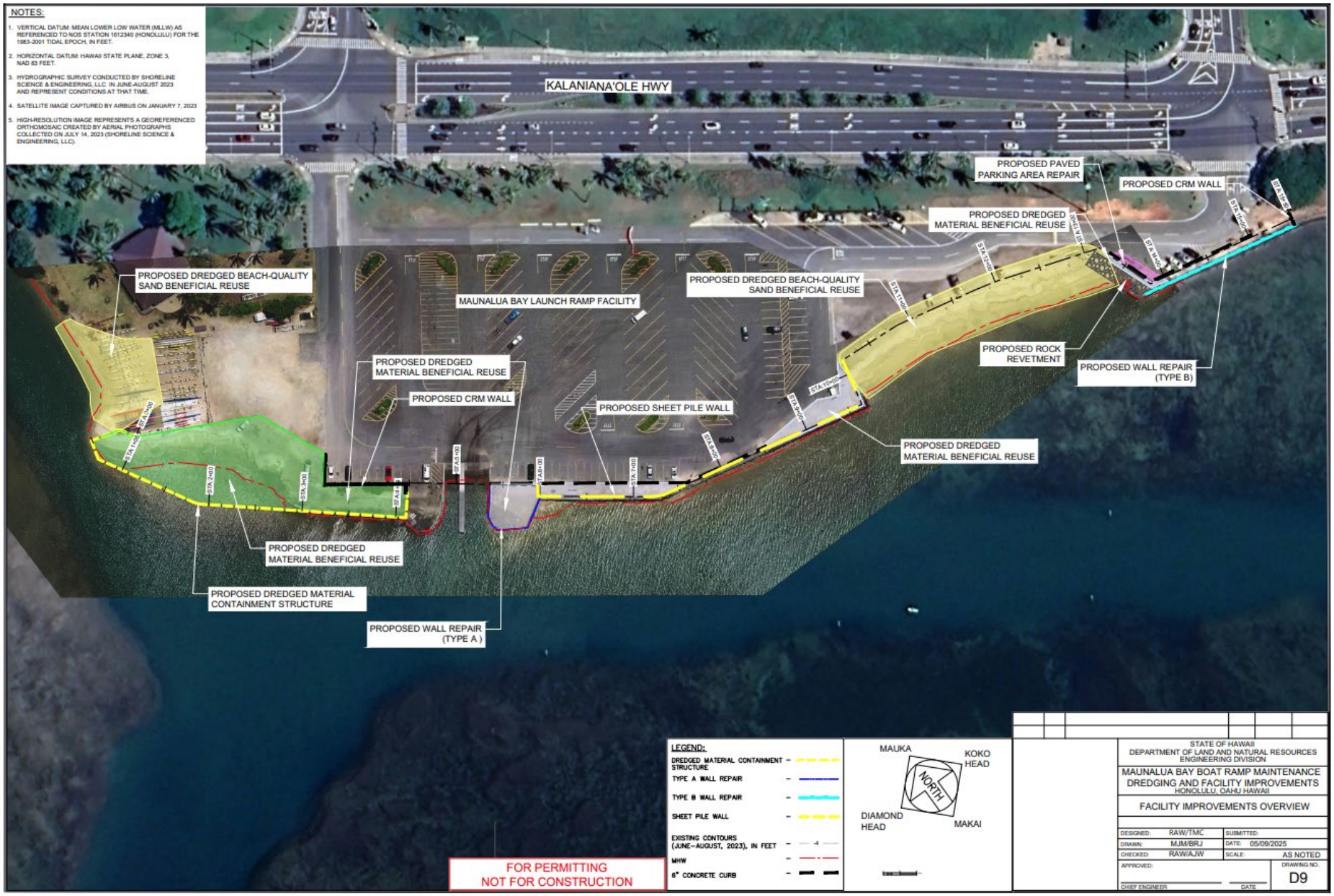


Exhibit 4: Overall Facility Improvement Plan

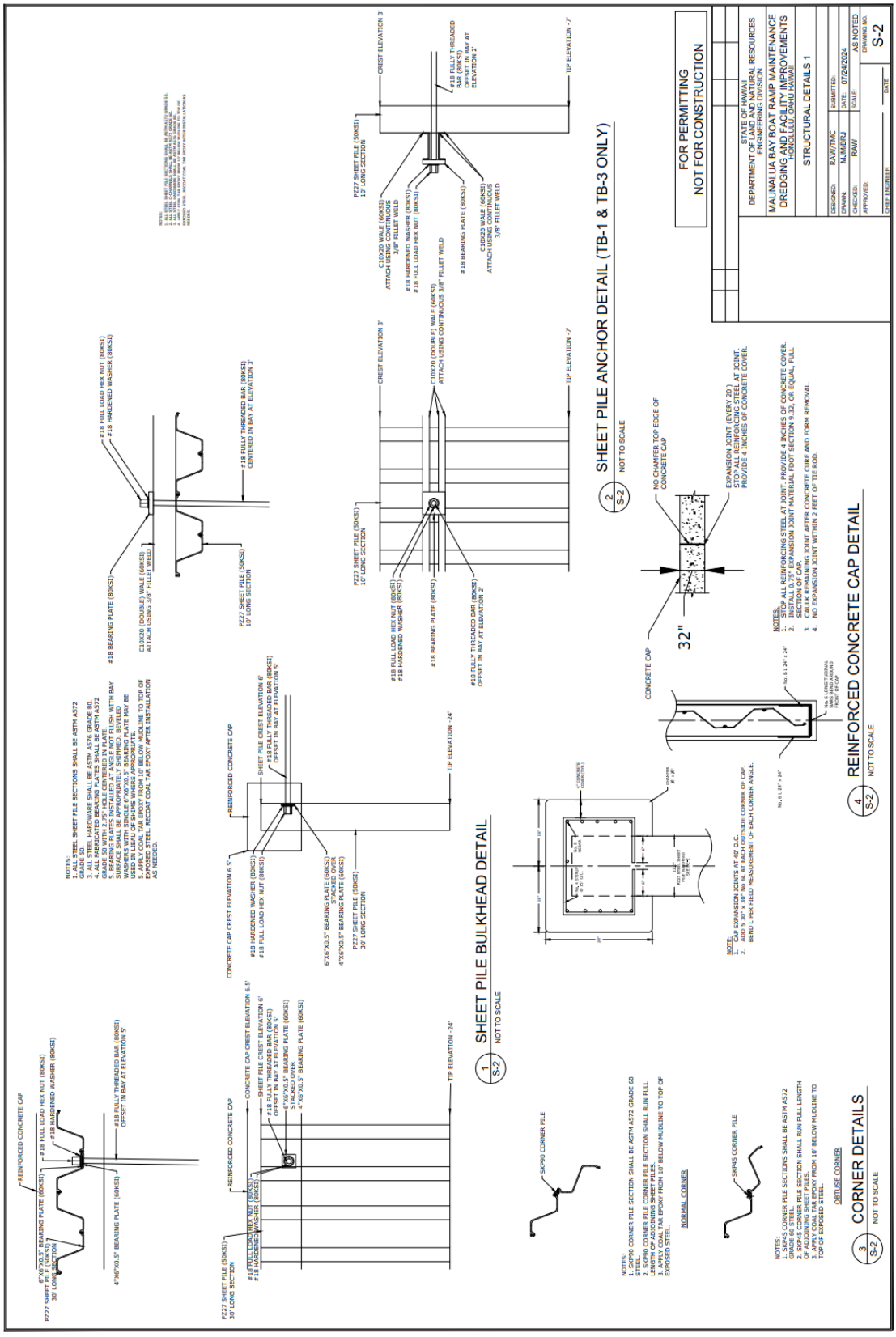
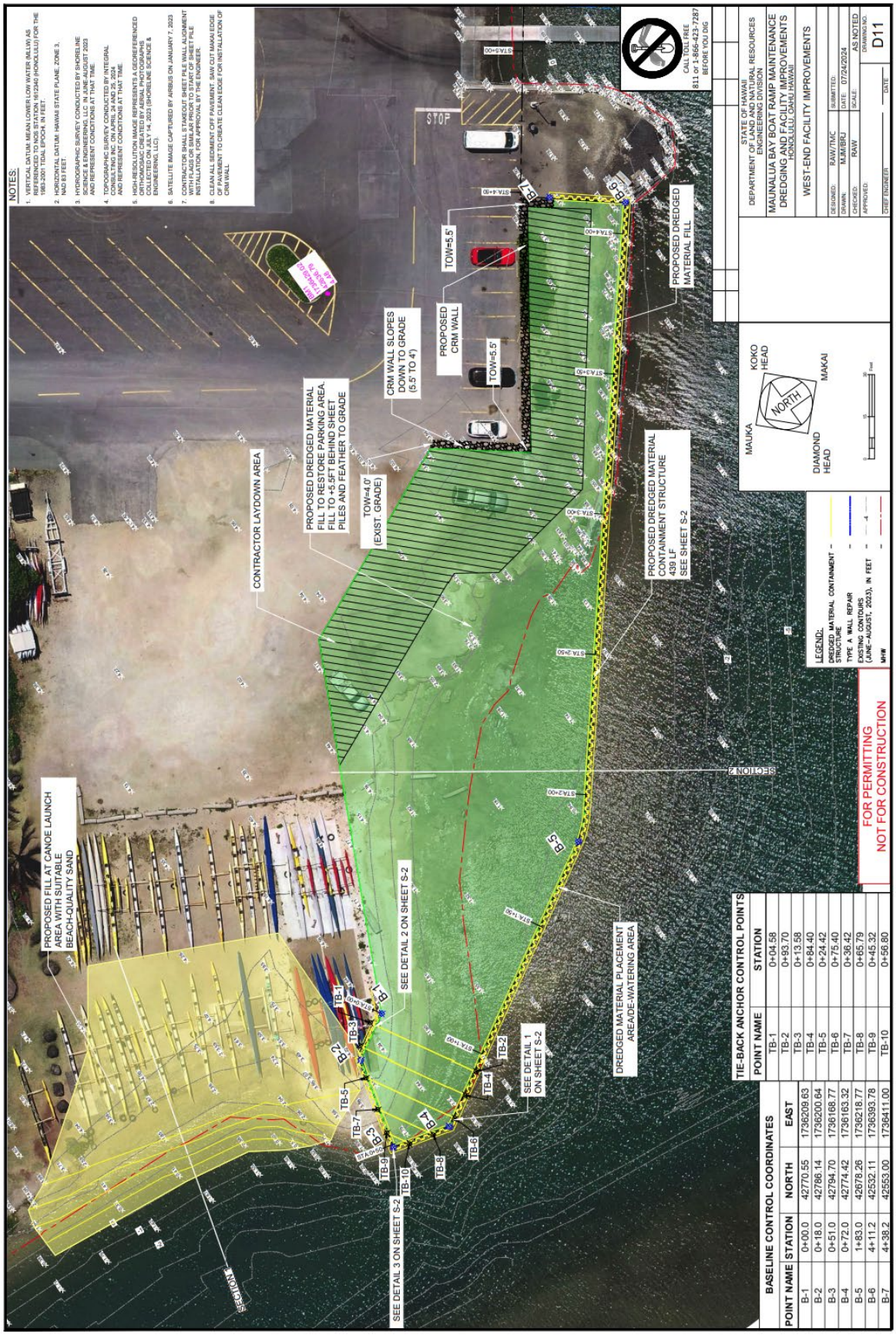


Exhibit 5: Dredged Material Containment Structure Plans



BASELINE CONTROL COORDINATES

POINT NAME	STATION	NORTH	EAST
B-1	0+00.0	42770.55	1736209.63
B-2	0+18.0	42786.14	1736200.64
B-3	0+51.0	42794.70	1736168.77
B-4	0+72.0	42774.42	1736163.32
B-5	1+83.0	42678.26	1736218.77
B-6	4+11.2	42532.11	1736393.78
B-7	4+38.2	42553.00	1736411.00

TIE-BACK ANCHOR CONTROL POINTS

POINT NAME	STATION
TB-1	0+04.58
TB-2	0+93.70
TB-3	0+13.58
TB-4	0+84.40
TB-5	0+24.42
TB-6	0+75.40
TB-7	0+36.42
TB-8	0+65.79
TB-9	0+45.32
TB-10	0+56.80

Exhibit 5: Dredged Material Containment Structure Plans

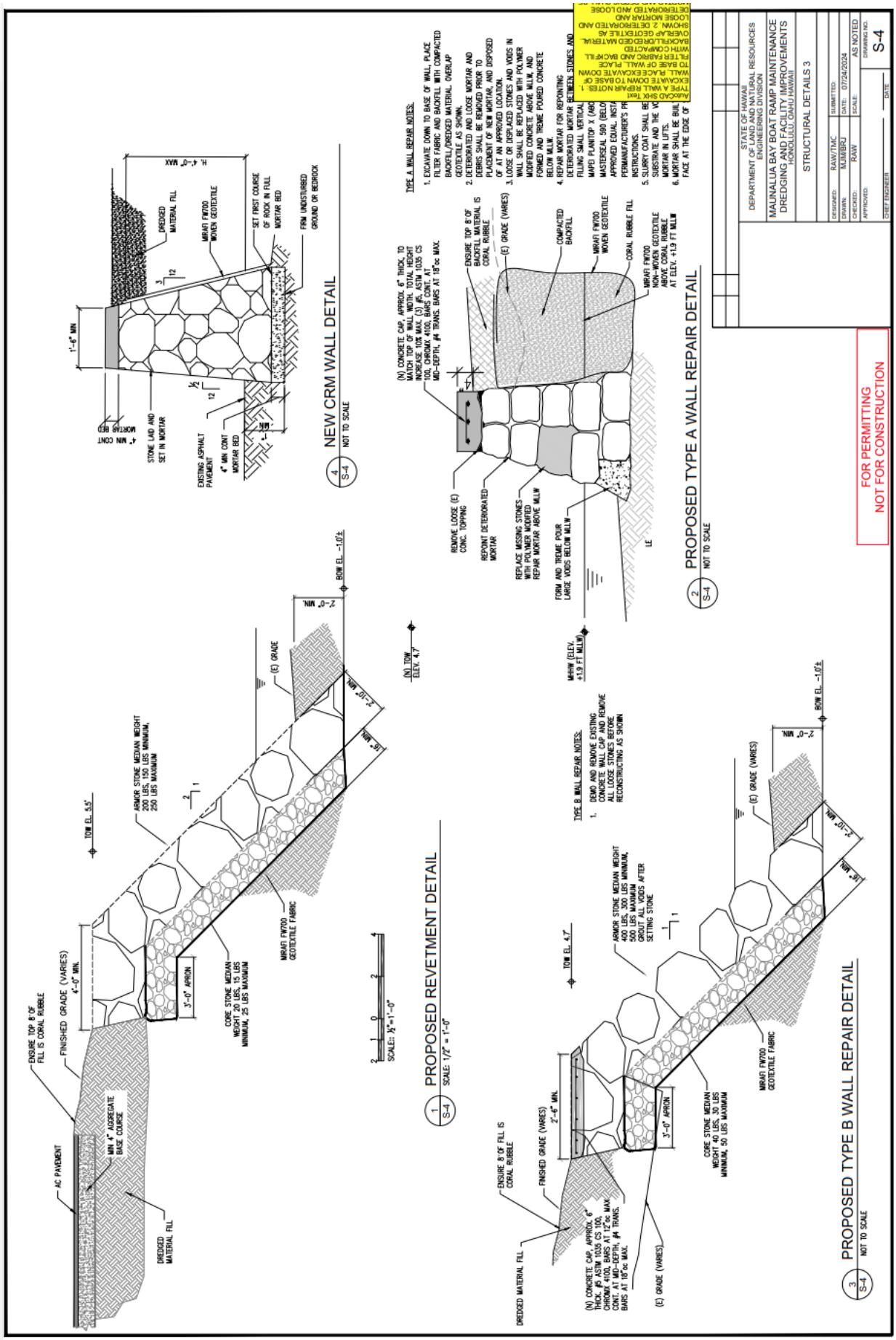


Exhibit 6: Sea Wall Plans and Types

Seawall, Vertical CRM

Seawall, Revetment

Exhibit 6: Sea Wall Plans and Types

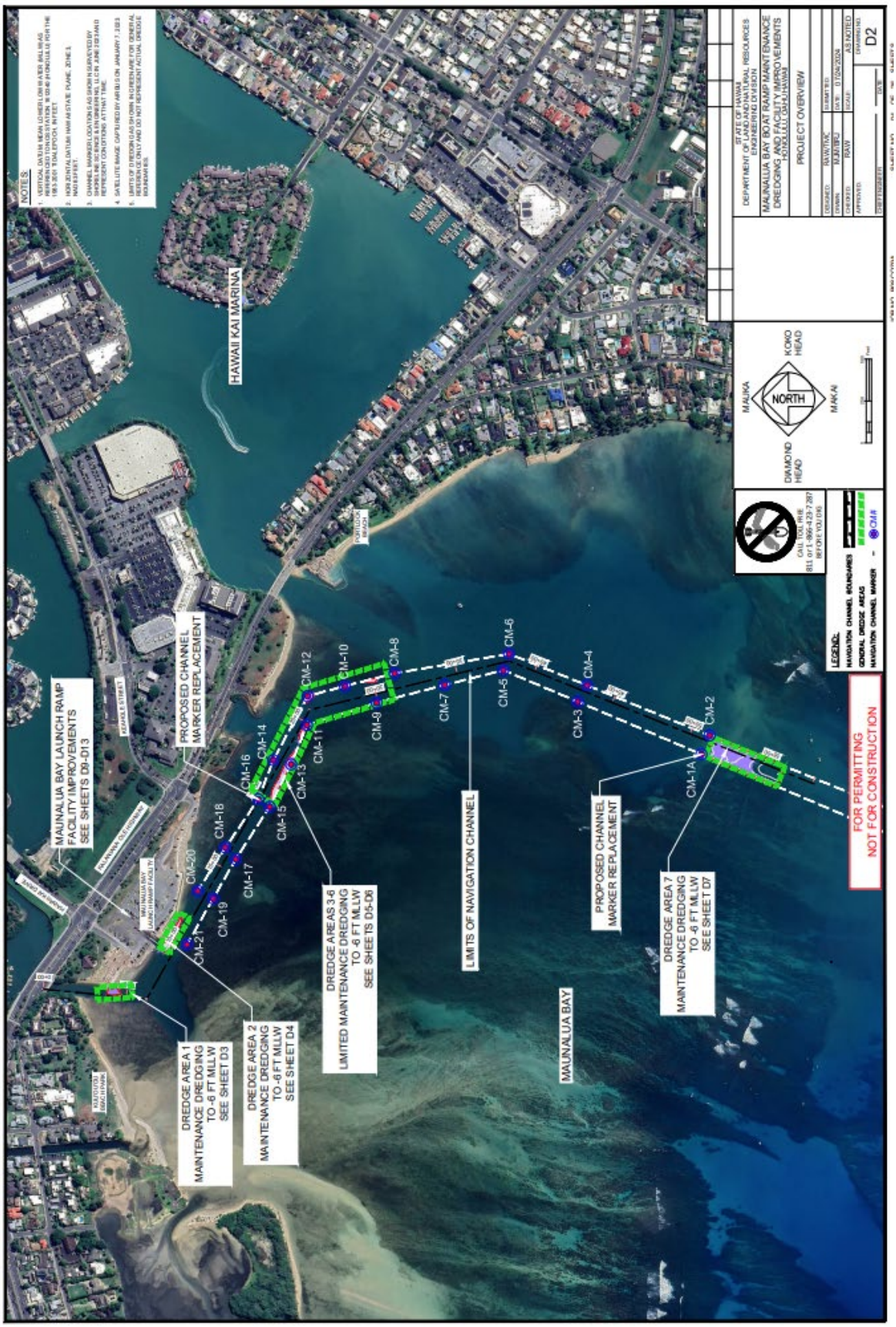
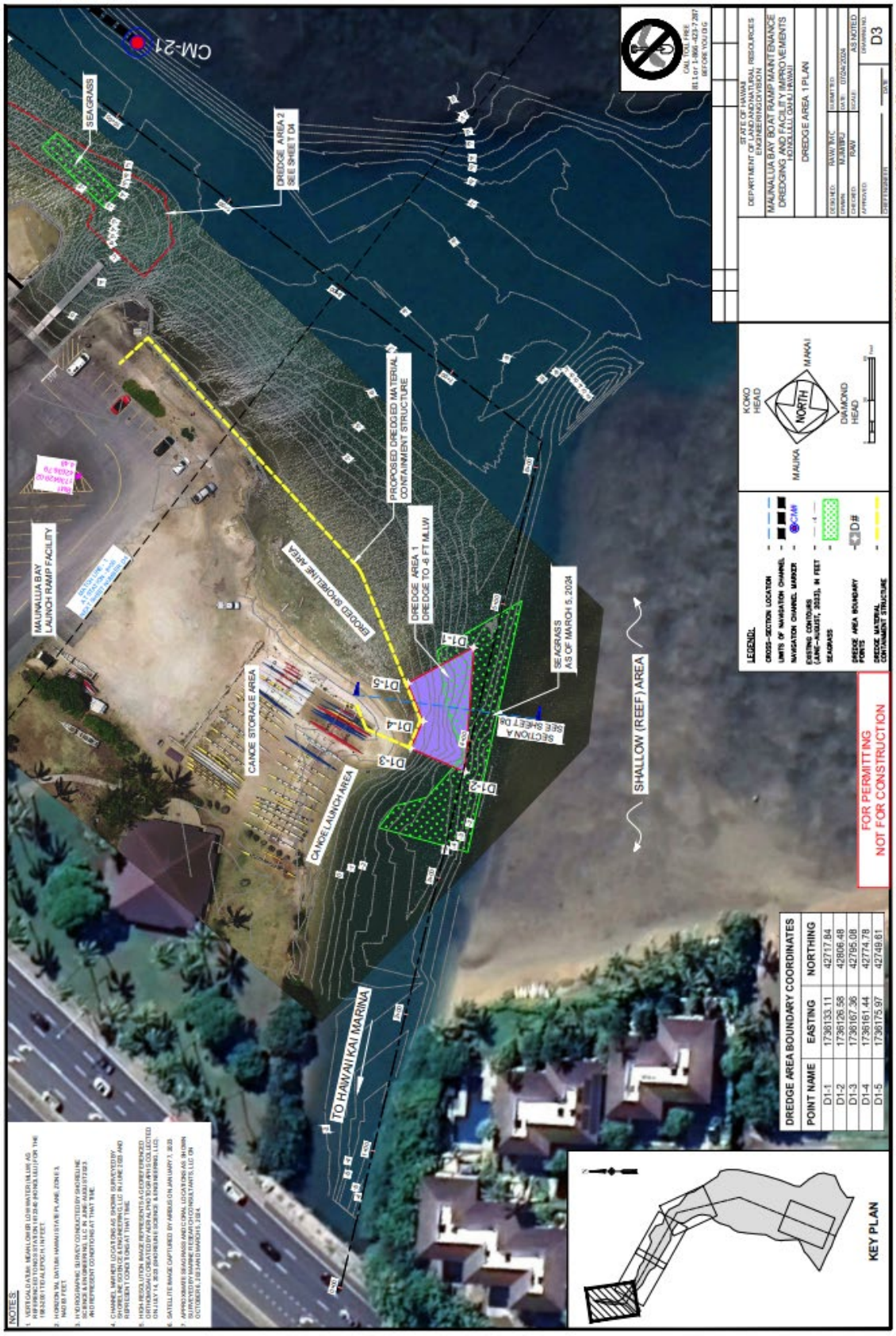


Exhibit 7: Navigational Channel Dredge Areas



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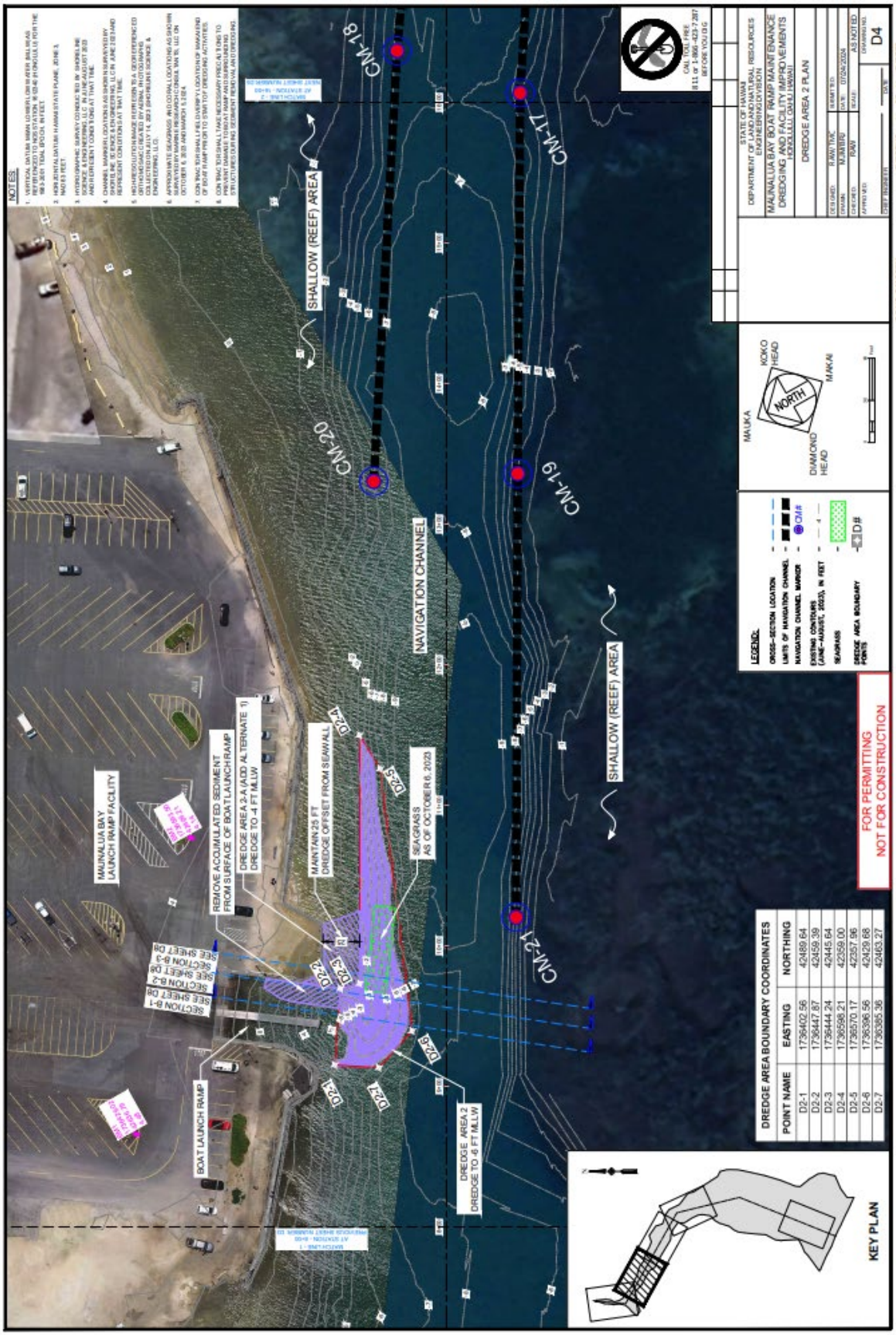

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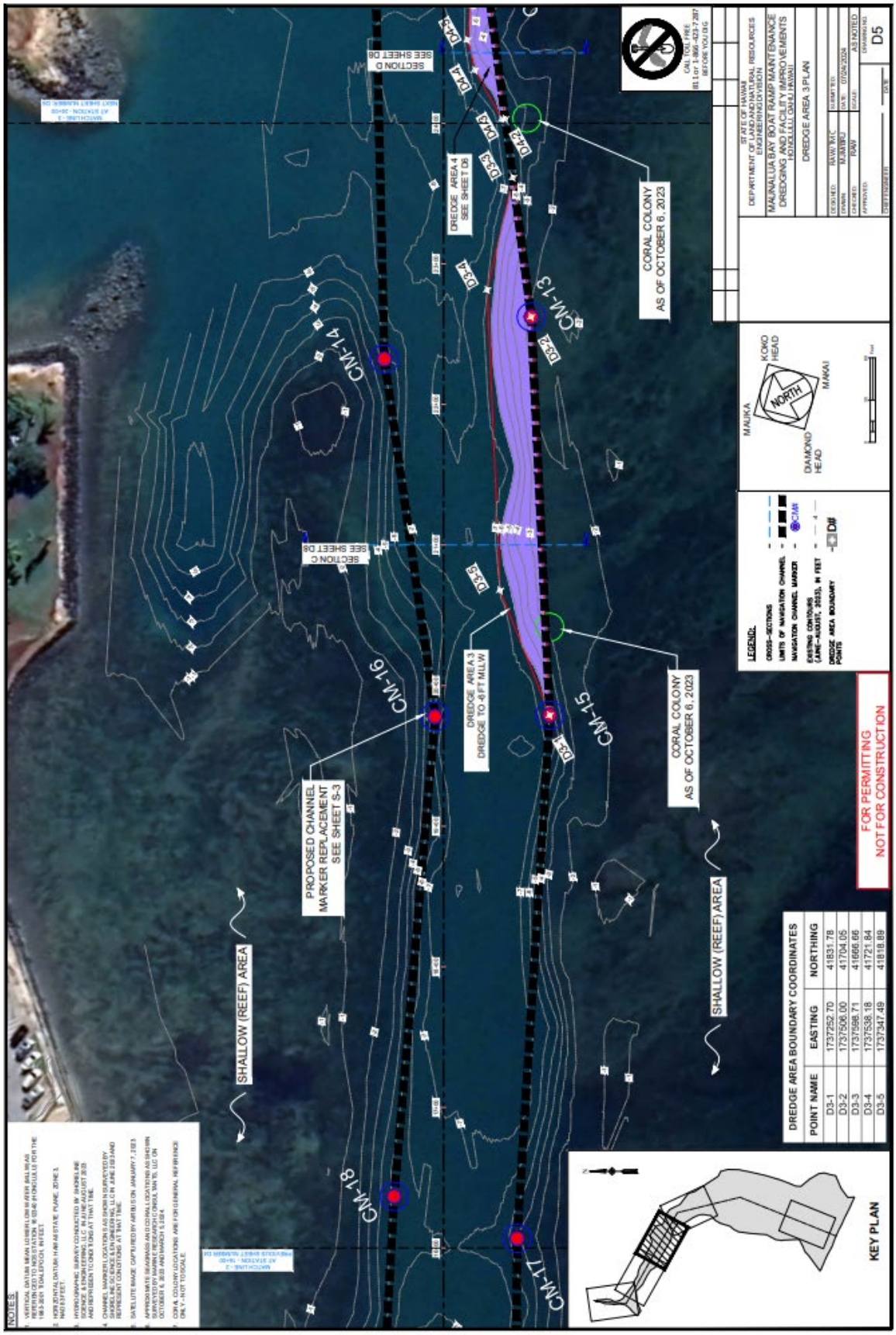

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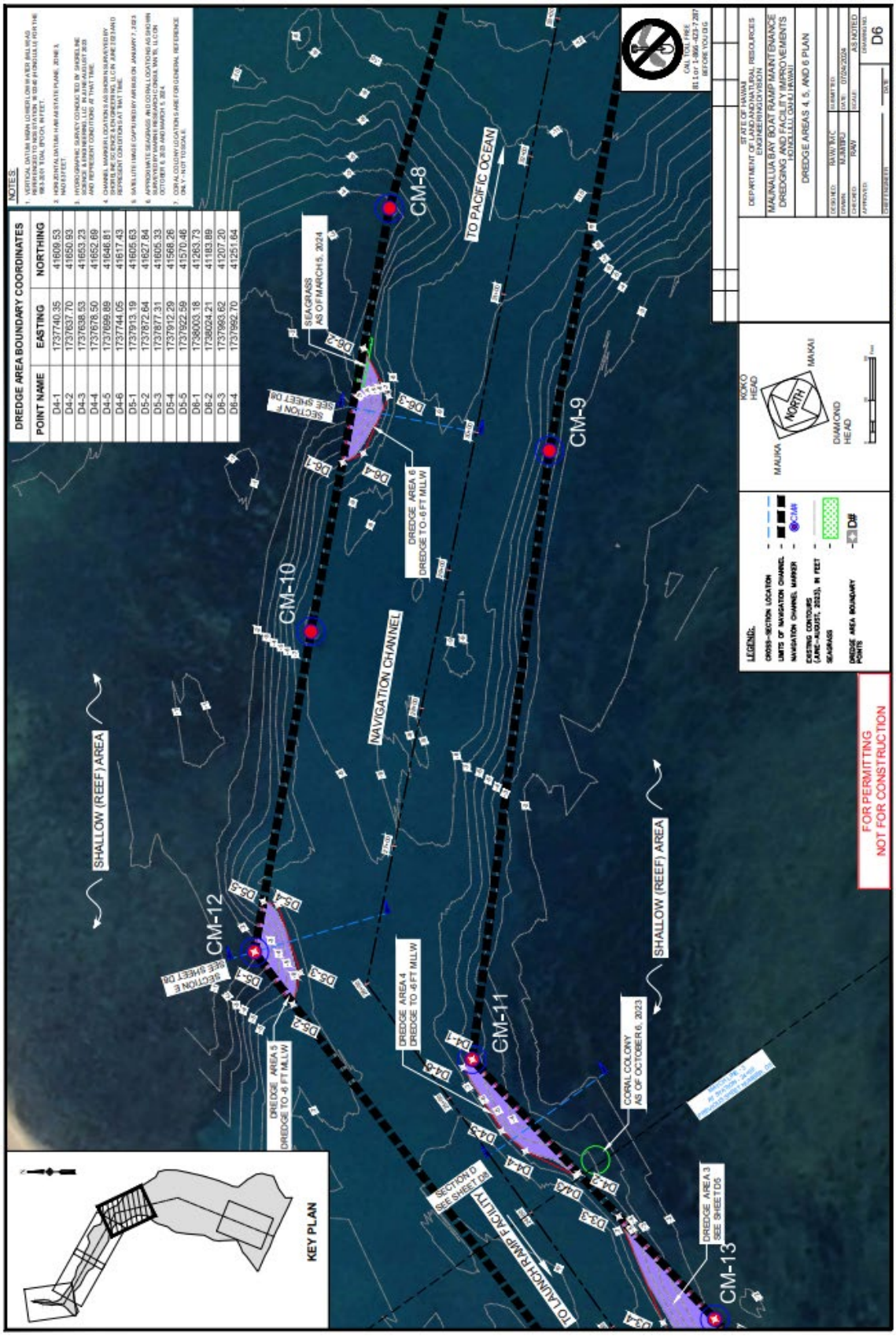

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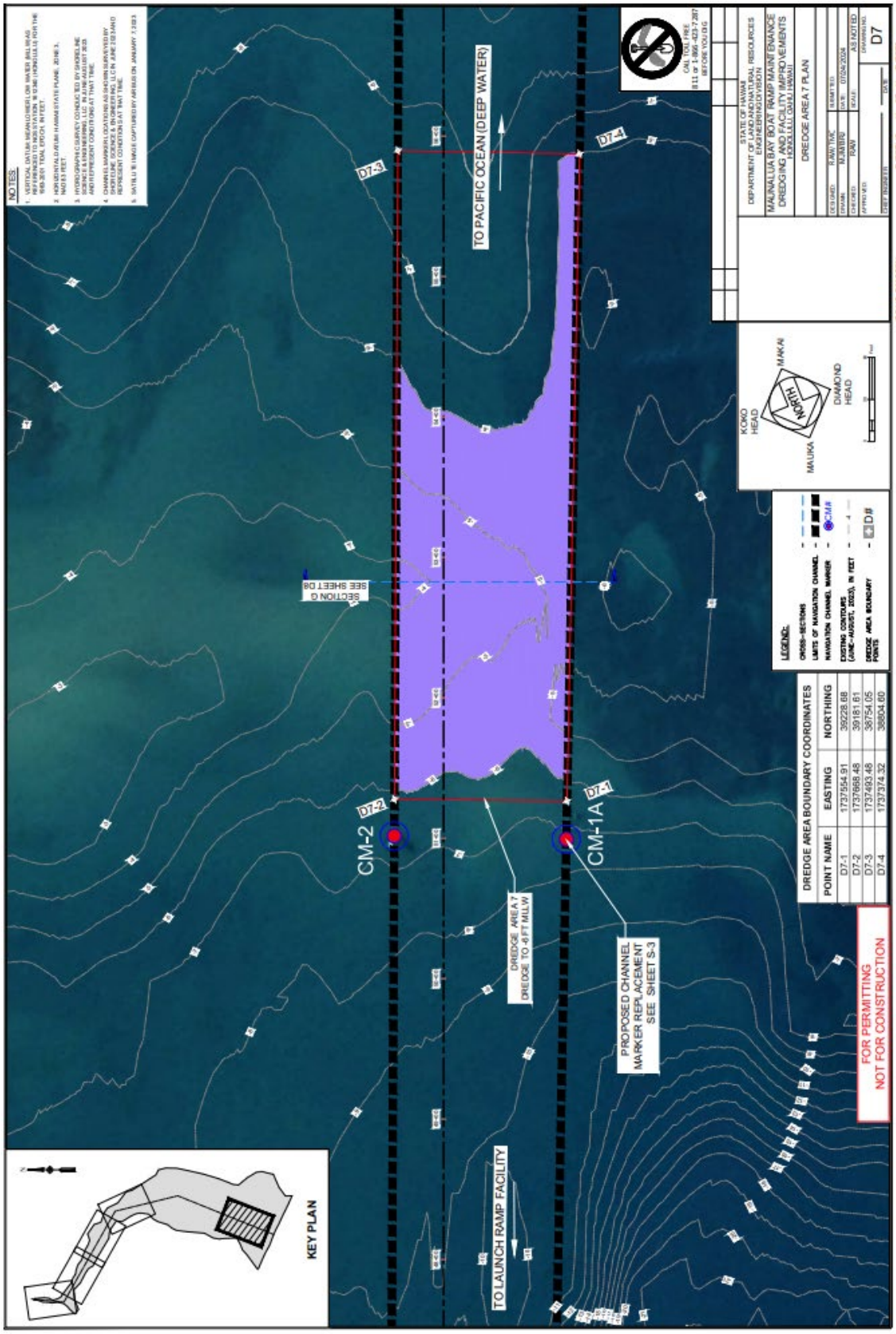

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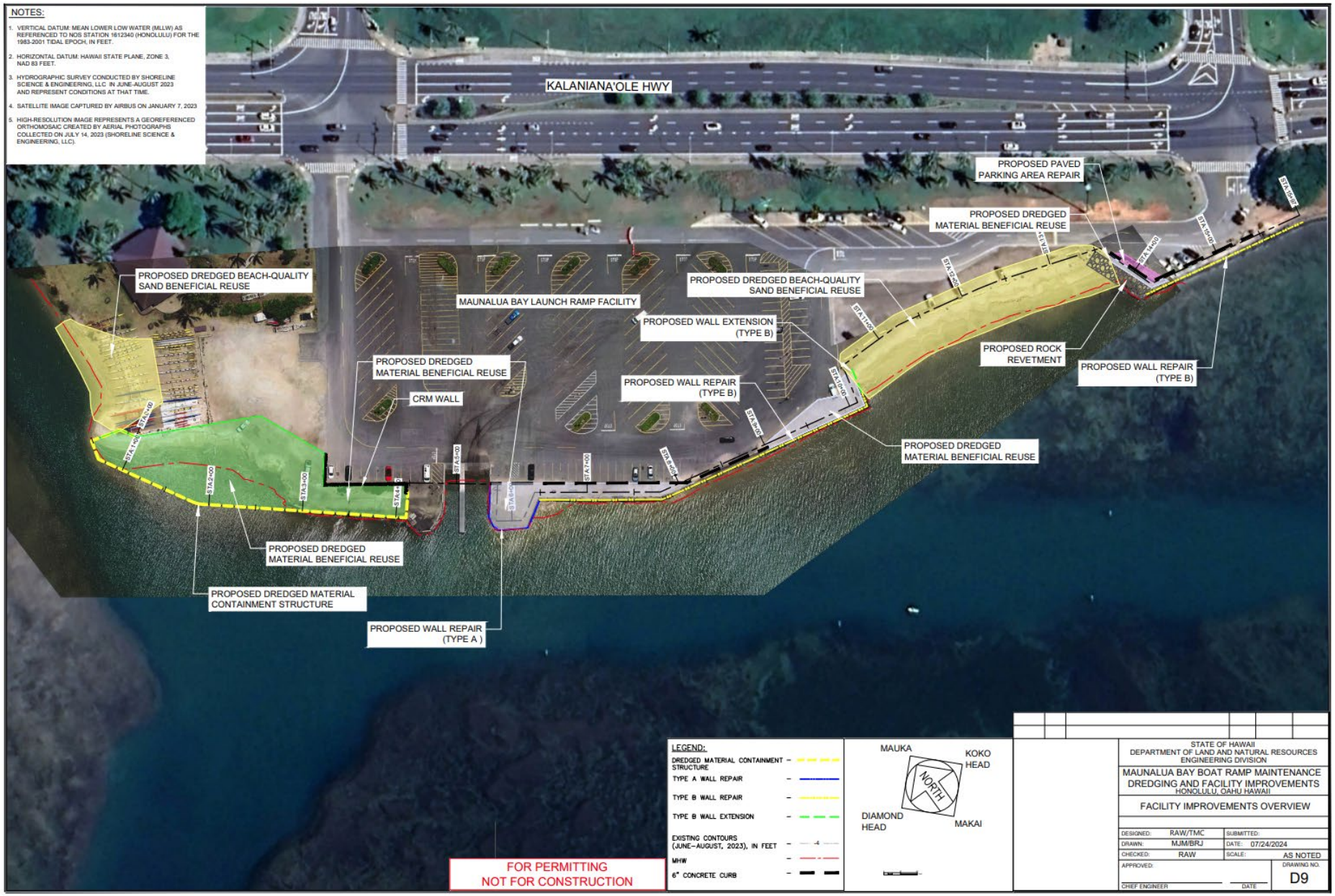

Exhibit 8: Beneficial Reuse of Dredged Materials

BASELINE CONTROL COORDINATES

POINT NAME	STATION	NORTH	EAST
B-1	0+00.0	42770.55	1736209.63
B-2	0+18.0	42786.14	1736200.64
B-3	0+51.0	42794.70	1736168.77
B-4	0+72.0	42774.42	1736163.32
B-5	1+83.0	42678.26	1736218.77
B-6	4+11.2	42532.11	1736393.78
B-7	4+38.2	42553.00	1736411.00

TIE-BACK ANCHOR CONTROL POINTS

POINT NAME	STATION
TB-1	0+04.58
TB-2	0+93.70
TB-3	0+13.58
TB-4	0+84.40
TB-5	0+24.42
TB-6	0+75.40
TB-7	0+36.42
TB-8	0+85.79
TB-9	0+45.32
TB-10	0+56.80

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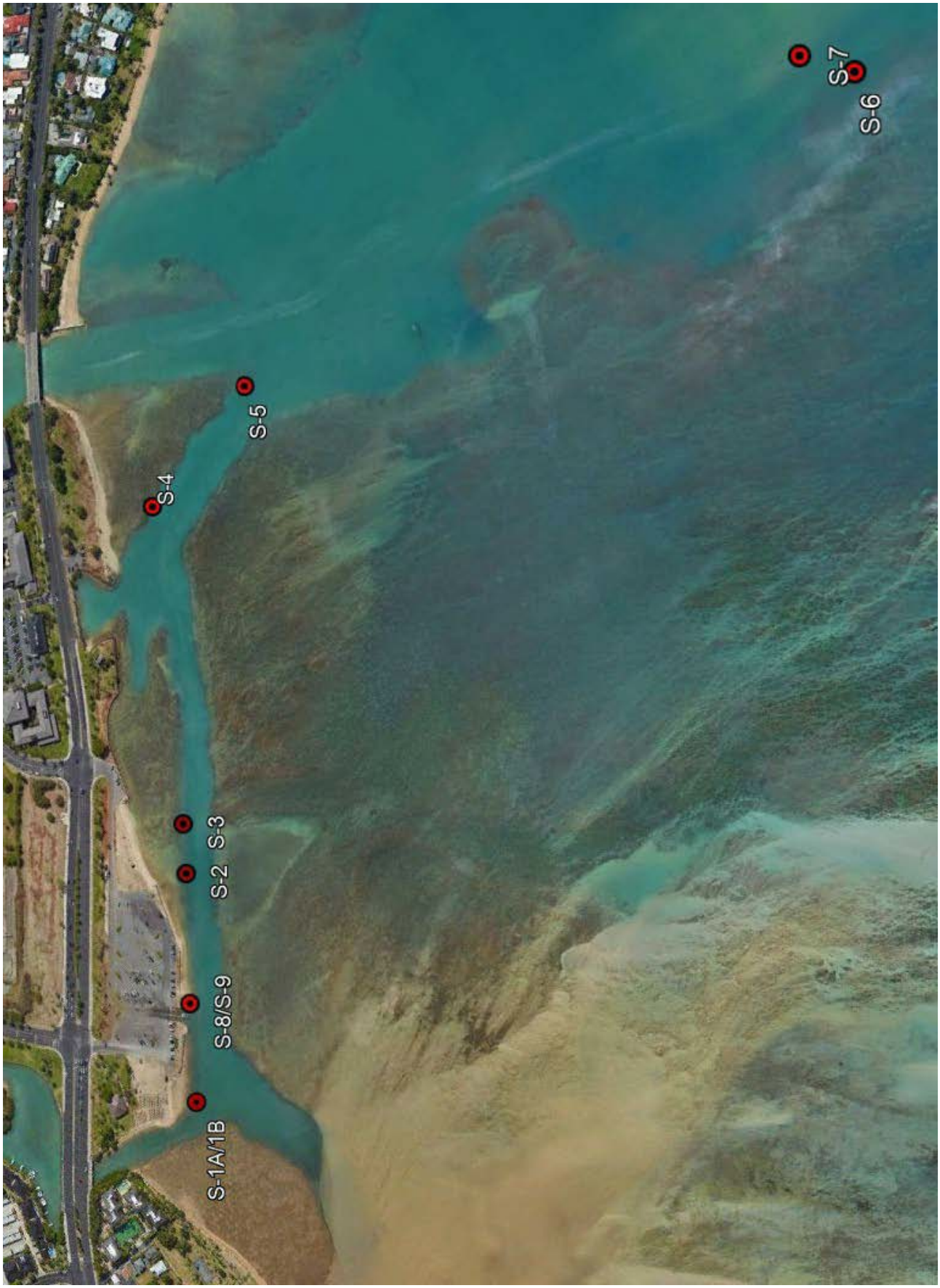

Exhibit 9: Sediment Sampling Locations

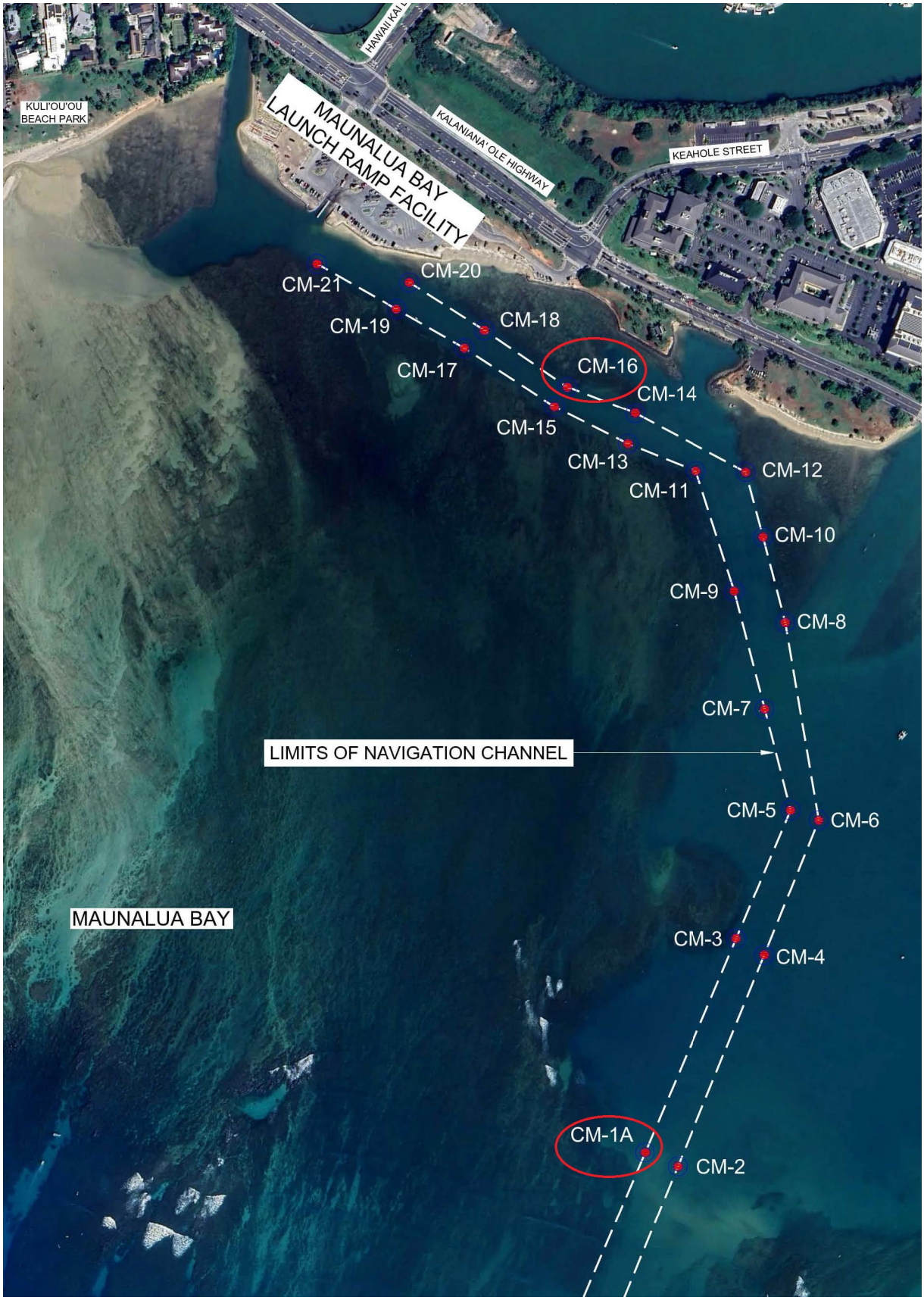

Exhibit 10: Channel Markers Locations

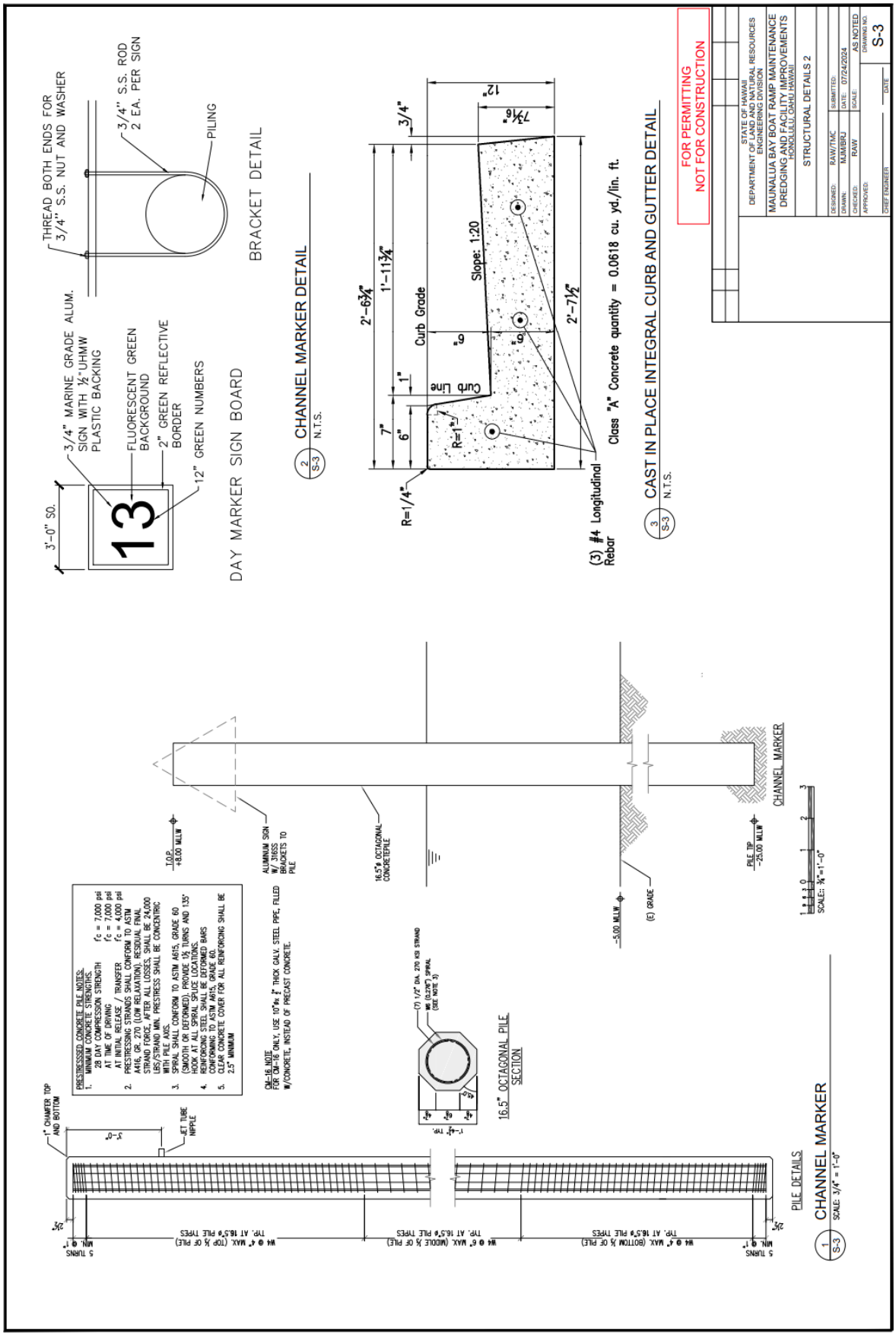

Exhibit 10: Channel Marker Plans

DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation

Apr 22, 2024

TO: Dawn N. S. Chang, Chairperson

FROM: Edward R. Underwood, Administrator

SUBJECT: **Declare a Project Exempt from the Preparation of an Environmental Assessment under Chapter 343 HRS and Title 11, Chapter 200.1 HAR**

Job No. B08CO79A Maunalua Bay Boat Ramp Maintenance Dredging and Facility Improvements, Honolulu, Oahu, Hawaii

We request your concurrence to declare the proposed construction project exempt from preparation of an environmental assessment and determine the specific activities to be de minimis. See attached draft project plans for reference.

The proposed project involves the following scope of work:

- Maintenance Dredging: Dredging shoaled areas of the entrance channel and boat ramp to previously authorized limits and depths.
- Facility Improvements: Placement of dredge material within eroded shoreline areas adjacent to the boat ramp; repair to existing damaged retaining walls along the shoreline; rock revetment along eroded access road; replacement of broken channel marker pile; and shoreline containment structures to protect from future erosion and stormwater runoff.

The limits of dredging and dredge depth will be within previously permitted limits and depths. This portion of the project will be permitted under the U.S. Army Corps of Engineers, Nationwide Permit (NWP) Program under NWP #35 (Maintenance Dredging of Basins). The Facility Improvements portion of the project will be permitted under NWP #3 (Maintenance).

The purpose of this project is to restore water depths at the boat ramp and entrance channel that have experienced shoaling and causing a navigational and safety hazard. This project will also beneficially reuse the dredge material to be placed within eroded areas of the shoreline adjacent to the boat ramp and include containment structures to protect the eroded areas of the shoreline from future erosion and stormwater runoff into adjacent waters. Placement of dredge material within eroded shoreline areas will also restore the previous extent of fill material that was used for parking and storage of paddling canoes. Repair to existing damaged retaining walls and rock revetment along an eroded area of the facility access road will protect the facility from future erosion and nearby waters from stormwater runoff.

This project will use Capital Improvement Program (CIP) Funds for which the delegation of authority to the Chairperson of the Board of Land and Natural Resources (BLNR) to declare the project exempt from the preparation of an Environmental Assessment, was approved by the

BLNR at its July 28, 2023 meeting. A copy of the Board approval for this project is attached for reference.

After considering the potential effect(s) of the proposed project, we have determined that this project falls within the following exemptions of the Department of Land and Natural Resources (Department) Exemption List as reviewed and concurred on by the Environmental Council on November 10, 2020:

Maintenance Dredging:

General Exemption Type 1, Part 1, Item 3 (De Minimis):

Maintenance dredging of small quantities of material from existing launching ramps, navigation channels, and berthing areas, not to exceed their originally designed depths and as permitted by the U.S. Army Corps of Engineers, Honolulu District, under a Nationwide Permit 35 (Maintenance Dredging of Basins), with disposal of dredged material at approved landfill sites or the placement of sand on adjacent areas in accordance with Haw. Rev. Stat. § 205A-44.

Facility Improvements (Placement of Dredge Material in Eroded Shoreline Areas):

General Exemption Type 4, Part 1, Item 1:

Improvements of previously existing graded parking and storage areas, including paving, infilling, grading, and compacting.

Facility Improvements (Repair of Damaged Retaining Walls):

General Exemption Type 1, Part 1, Item 12:

Operation, repair and maintenance of existing bollards, walls, gates, fences, lighting, and other similar items necessary for the security and continued operation of a facility or structure.

Facility Improvements (Rock Revetment Along Eroded Access Road):

General Exemption Type 3, Part 1, Item 16:

Construction of walls, fencing, or screens around buildings, structures, facilities, or equipment.

Facility Improvements (Replacement of Channel Marker Pile):

General Exemption Type 2, Part 1, Item 2:

Replacement or reconstruction of existing signs, markers, buoys, or aids to navigation.

In accordance with Section 11-200.1-16(a)(1), HAR, this project is considered a routine activity and ordinary function within the jurisdiction or expertise of the Department that by its nature does not have the potential to individually or cumulatively adversely affect the environment more than negligibly and that the Department considers to not rise to the level of requiring Chapter 343, HRS environmental review.

CONCUR:

DAWN N. S. CHANG, Chairperson

Apr 22, 2024
Date

Exhibit 11: Environmental Exemption Letter

STATE OF HAWAI'I
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT

235 South Beretania Street, 6th Floor, Honolulu, Hawai'i 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawai'i 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: https://planning.hawaii.gov/

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

MARY ALICE EVANS
DIRECTOR

Coastal Zone Management Program

Environmental Review Program

Land Use Commission

Land Use Division

Special Plans Branch

State Transit-Oriented Development

Statewide Geographic Information System

Statewide Sustainability Branch

DTS 202505021255ME

May 28, 2025

TO: Ms. Dawn Chang, Director
Department of Land and Natural Resources

THROUGH: Ms. Meghan L. Statts, Administrator
Division of Boating and Ocean Recreation

FROM: Mary Alice Evans, Director Mary Alice Evans
Office of Planning and Sustainable Development

SUBJECT: Hawaii Coastal Zone Management Program Federal Consistency Review for Proposed Maunalua Bay Launch Ramp Facility Improvements, Maunalua Bay, Island of Oahu

The Hawaii Coastal Zone Management (CZM) Program has completed the federal consistency review, received on April 30, 2025, for Division of Boating and Ocean Recreation (DOBOR) proposed Maunalua Bay Launch Ramp Facility (Facility) Improvements. This CZM federal consistency review covers the following project elements, as represented in the CZM federal consistency application and supporting information:

The proposed activity involves the construction of a 415 linear foot dredged material containment structure to permanently contain fill material within a 5,500 square foot area in the southwest portion of the site. Approximately 130 linear feet of an existing wall will be demolished and removed in preparation for the new sheet pile structure to restore the Facility to its originally constructed extents. The eroded area behind the containment structure will be filled with dredged material in lifts of specific gradations, separated by non-woven geotextile fabric. The bottom layer of material below mean higher high water (MHHW) will primarily consist of dredged coral rubble material.

Seawall repairs will involve filling of voids and repointing existing mortar. Collapsed walls will be partially re-built (as needed), by removing the existing un-reinforced concrete cap and loose stones above grade and re-constructing. All voids will be fully grouted, and the walls will be topped with a reinforced concrete cap. Repairs to walls will include increasing the height of the walls (including the new reinforced concrete cap) by approximately 10 percent to a final post-construction top of wall elevation of +4.7 ft MLLW to +5.2 ft MLLW.

Wall extension will consist of extending the length of the existing wall at the west end of the beach (after it turns towards the mauka direction) by 25 linear feet. A new revetment will be constructed at the eastern end of the beach, extending the length of the existing shoreline armoring by roughly 45 feet to address shoreline erosion that has undermined the existing sparking area and threatens the adjacent drive aisle.

The Hawaii CZM Program published a public notice in the State Environmental Review Program publication, "The Environmental Notice," on May 8, 2025, with the public review and comment period concluding on May 22, 2025. During the public notice period no public or agency inquiries were received.

We conditionally concur with the certification by the State Department of Land and Natural Resources Division of Boating and Ocean Recreation that the proposed activity complies with and will be conducted in a manner consistent with the enforceable policies of the Hawaii CZM Program. The following conditions shall apply to this consistency concurrence:

1. The proposed activity shall be constructed as represented in the CZM federal consistency application and certification. Any changes to the proposed activity shall be submitted to the Hawaii CZM Program for review and approval. Changes to the proposed activity may require a full CZM federal consistency review, including publication of public notice and provision for public notice and provision for public review and comment. This condition is necessary to ensure that the proposed action is implemented as reviewed for consistency with the enforceable policies of the Hawaii CZM Program. Hawaii Revised Statutes (HRS) Chapter 205A Coastal Zone Management, is the federally approved enforceable policy of the Hawaii CZM Program that applies to this condition.

2. The proposed activity shall be in compliance with State water quality standards and requirements, specified in Hawaii Administrative Rules (HAR) Chapter 11-53 Section 401 Water Quality Certification, Chapter 11-54 Water Quality Standards and HRS Chapter 342D Water Pollution, including the Blanket Section 401 Water Quality Certification (WQC 1092) issued by the Department of Health effective April 28, 2022. This condition is necessary to ensure consistency with the Hawaii CZM Program federally approved enforceable policies HRS Chapter 342D and HAR Chapter 11-54.

3. The proposed activity shall be in compliance with State water pollution control requirements including obtaining a National Pollutant Discharge Elimination System (NPDES) Permit issued by the State Department of Health, as specified in HAR Chapter 11-55 Water Pollution Control and HRS Chapter 342D Water Pollution. This condition is necessary to ensure consistency with the Hawaii CZM Program federally approved enforceable policies HRS Chapter 324D and HAR Chapter 11-55.

4. The proposed activity shall be in compliance with the conservation district requirements including Conservation District Use Permit (OA-3961) from the Department of Land and Natural Resources as specified in HRS Chapter 183C Conservation District and HAR Chapter 13-5 Conservation District. This condition is necessary to ensure consistency with the Hawaii CZM Program federally approved enforceable policies HRS Chapter 183C and HAR Chapter 13-5.

5. The best management practices that are represented in the Project Description (dated July 25, 2024) which was included as supplemental information in support of the CZM consistency certification, shall be fully implemented. This condition is necessary to ensure consistency with Hawaii CZM Program federally approved enforceable policies HRS Chapter 205A Coastal Zone Management, Section 205A-2 Coastal Ecosystems, HRS Chapter 195D Conservation of Aquatic Life, Wildlife, and Land Plants, and HAR Chapter 124 Indigenous Wildlife, Endangered and Threatened Wildlife, Injurious Wildlife, Introduced Wild Birds, and Introduced Wildlife.

6. The proposed activity shall be in compliance with the requirements of the State Historic Preservation Division (SHPD) consultation under HRS Chapter 6E Historic Preservation. HRS Chapter 6E is the federally approved enforceable policy of the Hawaii CZM Program that applies to this condition.

7. Disruption of public access to, and use of, beach and ocean areas by the proposed activity shall be temporary and only for the duration of the proposed activity. This condition is necessary to ensure consistency with Hawaii CZM Program federally approved enforceable policies HRS Chapter 205A Coastal Zone Management, Section 205A-2 Recreational Resources.

If the requirements for conditional concurrences specified in 15 CFR § 930.4(a), (1) through (3), are not met, then all parties shall treat this conditional concurrence letter as an objection pursuant to 15 CFR Part 930, subpart D. Furthermore, you are hereby notified that, pursuant to 15 CFR § 930.63(e) and 15 CFR Part 930, subpart H, you have the opportunity to appeal an objection resulting from not meeting the requirements of 15 CFR § 930.4(a), (1) through (3), to the Secretary of Commerce within 30 days after receiving this conditional concurrence letter, or 30 days after receiving notice from the U.S. Army Corps of Engineers that your Department of the Army Permit will not be approved as amended by the conditions required by this concurrence.

This CZM consistency conditional concurrence does not represent an endorsement of the proposed activity nor does it convey approval with any other regulations administered by any state or county agency. Thank you for your cooperation in complying with the Hawaii CZM Program. If you have any questions, please contact Debra Mendes of our CZM Program at Debra.L.Mendes@hawaii.gov. If you respond to this comment letter, please include DTS 202505021255ME in the subject line.

ec: U.S. Army Corps of Engineers, Honolulu District Regulatory Office
Hawaii Dept of Health, Clean Water Branch
Hawaii DLNR, Historic Preservation Division
Hawaii DLNR, Division of Aquatic Resources
Hawaii DLNR, Office of Conservation and Coastal Lands
Integral Consulting Inc. (Rob Walker)