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IN REPLY REFER TO:

HAR-ED  
6798.04

March 12, 2004

TO: GENEVIEVE SALMONSON, DIRECTOR  
OFFICE OF ENVIRONMENTAL QUALITY CONTROL  
DEPARTMENT OF HEALTH

FROM: RODNEY K. HARAGA   
DIRECTOR OF TRANSPORTATION

SUBJECT: FINDING OF NO SIGNIFICANT IMPACT FOR KAHULUI  
COMMERCIAL HARBOR PIER 1C MOORING DOLPHIN PROJECT

The State Department of Transportation Harbors Division has reviewed the comments received during the 30-day public comment period, which began January 23, 2004.

The Department of Transportation has therefore determined that this project will not have significant environmental effects and hereby issues a finding of no significant impact. Please publish this notice in the March 23, 2004 OEQC Environmental Notice.

We have enclosed a completed OEQC Environmental Notice Publication Form and four copies of the final Environmental Assessment. Should you have any questions, please ask your staff to contact Marshall Ando, Harbors Division Design Engineer, at 587-1961.

Enc.

c: Gary Moniz, Matson Navigation Company  
Gail Atwater, AICP, R. M. Towill Corporation

OFFICE OF ENVIRONMENTAL QUALITY CONTROL

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**2004-03-23 FONSI  
KAHULUI COMMERCIAL HARBOR, PIER 1C  
MOORING DOLPHIN**

**FINAL ENVIRONMENTAL ASSESSMENT  
AND FINDING OF NO SIGNIFICANT IMPACT**

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MAR 23 2004  
**FILE COPY**

**Kahului Commercial Harbor  
Pier 1C Mooring Dolphin**  
District of Wailuku, Maui, Hawai'i  
TMK 3-7-01:22

March 2004

**PREPARED FOR:**  
**Matson Navigation Company**  
Pier 51B Sand Island Parkway  
Honolulu, Hawai'i 96819

**PREPARED BY:**  
**R.M. Towill Corporation**  
420 Waiakamilo Road, Suite 411  
Honolulu, Hawai'i 96817-4941  
19829-OP

**Kahului Commercial Harbor  
Pier 1C Mooring Dolphin  
District of Wailuku, Maui, Hawai'i  
TMK 3-7-01:22**

**FINAL ENVIRONMENTAL ASSESSMENT**

Submitted pursuant to Hawaii Revised Statutes, Chapter 343, and Hawaii Administrative Rules, Title 11, Chapter 200 by the State of Hawaii Department of Transportation, Harbors Division.

March 11, 2004  
Date of Approval

  
Rodney K. Haraga, Director  
Department of Transportation

The following persons may be contacted for additional information concerning this document:

Mr. Marshall Ando, Design Engineer  
State of Hawaii, Dept. of Transportation  
Harbors Division  
79 S. Nimitz Highway  
Honolulu, Hawaii 96813  
808) 587-1961

The State of Hawaii, Department of Transportation, Harbors Division, proposes to construct the Pier 1C mooring dolphin, and a catwalk leading from the pier to the dolphin, to provide sufficient mooring capability for container ships and other large vessels at Kahului Commercial Harbor, Maui. Currently mooring of large ships at Pier 1C must be supplemented by use of tug boats to maintain safe working conditions during loading and unloading procedures. The project involves the installation of precast, prestressed concrete piles in the harbor. Approximately 16 piles will be needed to support the mooring 400-square foot mooring dolphin, and catwalk leading to the mooring dolphin. Eight piles will be used to support the 9-foot wide catwalk. Impacts include noise and minor traffic impacts during construction. Construction impacts will be mitigated through Best Management Practices. The project will not alter the character of the Kahului Commercial Harbor and will not result in changes of land use.

**FINAL ENVIRONMENTAL ASSESSMENT  
AND FINDING OF NO SIGNIFICANT IMPACT**

**Kahului Commercial Harbor  
Pier 1C Mooring Dolphin**

**District of Wailuku, Maui, Hawai'i  
TMK 3-7-01:22**

**March 2004**

**PREPARED FOR:  
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APPENDIX A	Department of Land and Natural Resources, Historic Preservation Division, "No Effect" Letter, dated July 30, 1999
APPENDIX B	Department of the Army Determination Letter, dated September 19, 2003
APPENDIX C	Department of the Army Letter of Permission, File No. 200300587, U.S. Army Engineer District, Honolulu
APPENDIX D	Preconsultation Letter to Peter Young, Chairperson, Board of Land and Natural Resources, dated December 15, 2003.
APPENDIX E	Fax to DLNR, Subject: "Kahului Pier 1C - Followup re Letter Dated 12/15/03," dated December 24, 2003
APPENDIX F	Letter to R.M. Towill Corporation, Subject: "Installation of a Mooring Dolphin at Kahului Harbor, Maui," from Acting Administrator, DLNR, Office of Conservation and Coastal Lands, dated December 31, 2003
APPENDIX G	DBEDT, Office of Planning, CZM Determination Letter, dated November 26, 2003

## SUMMARY OF PROPOSED ACTION

Project:	Kahului Commercial Harbor, Pier 1C Mooring Dolphin
Landowner	State of Hawai'i, Department of Transportation, Highways Division
Applicant	Matson Navigation Company
Accepting Agency	State of Hawai'i, Department of Transportation, Highways Division
Agent	R.M. Towill Corporation
Location	Wailuku District, Island of Maui
Tax Map Key	3-7-01:22
Proposed Action	Construct one mooring dolphin as an extension of Pier 1C, Kahului Commercial Harbor
Land Area	0.85 acres (Construction Area: approximately 2,000 square feet; Staging area: 35,000 square feet)
Present Use	Commercial Harbor
State Land Use District	Urban (landside); Conservation (submerged lands)
Present Zoning	Urban (landside); Preservation (submerged lands, under the jurisdiction of the State of Hawai'i, Department of Land and Natural Resources)
Special Management Area	No <sup>1</sup>
Anticipated Determination	Finding of No Significant Impact (FONSI)
Required Permits and Approvals	Department of the Army Permit, Letter of Permission; Coastal Zone Management Act Federal Consistency Determination; Noise Permit

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<sup>1</sup>According to a pre-consultation letter from the County of Maui Planning Department, dated December 9, 1998, for the Draft Environmental Assessment for the Pier 1C Extension, Kahului Harbor, Maui, Hawai'i, Job H.C. 3296, Kahului Commercial Harbor is excluded from the Special Management Area (DOT-Harbors, January 2000).



## CHAPTER 1 INTRODUCTION

### 1.1 INTRODUCTION

Kahului Commercial Harbor is one of ten commercial harbors in the State of Hawai'i. It is the only deep-draft commercial harbor that services ocean shipping for the island of Maui. In addition, Kahului Commercial Harbor is the island's busiest major commercial, industrial and transportation center and the busiest neighbor island port.

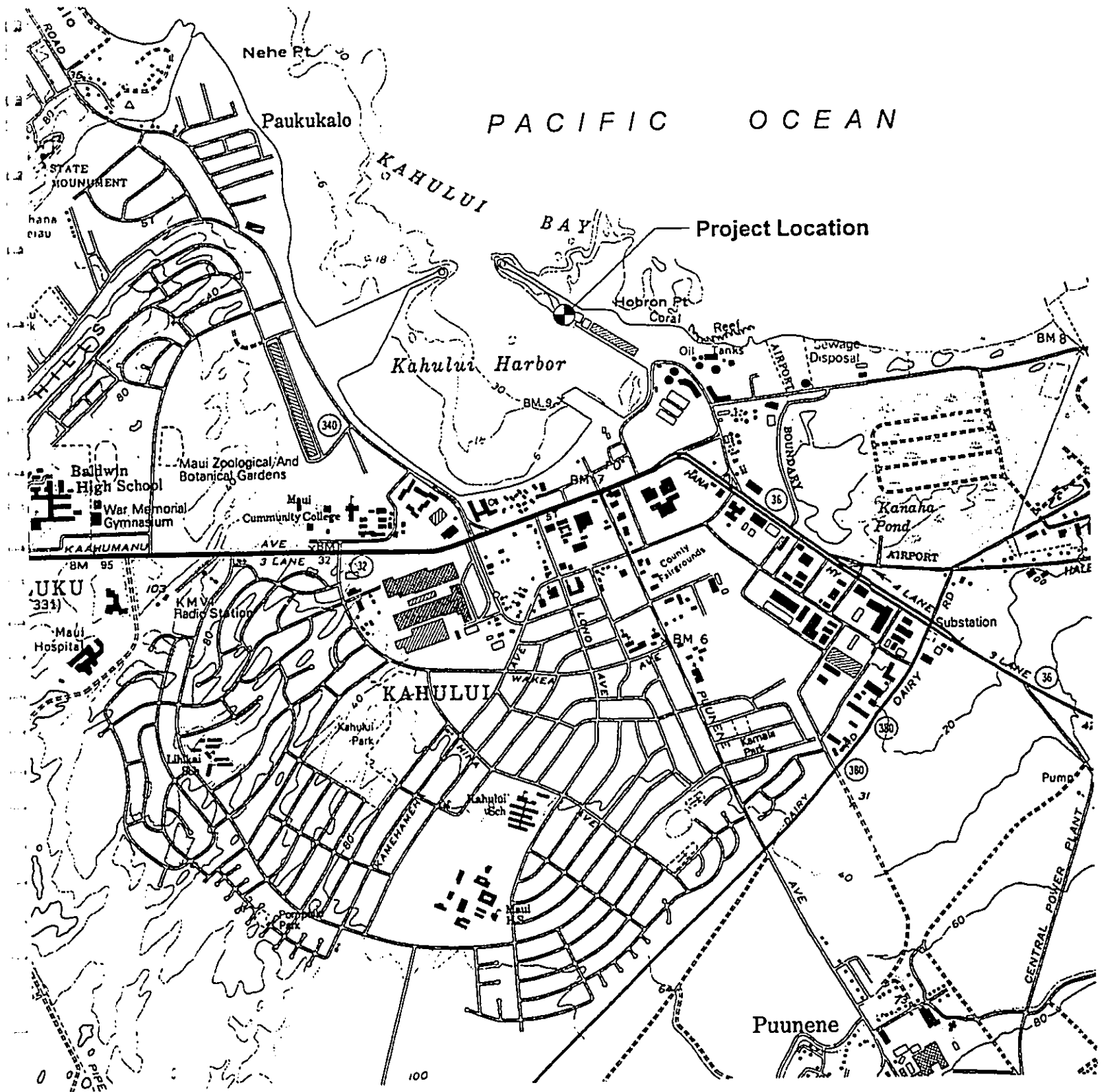
Centrally positioned in Kahului Bay, Kahului Commercial Harbor is located on the north shore of the isthmus connecting east and west Maui. The man-made port was dredged from the natural bay. The harbor basin is 2,050 feet wide by 2,400 feet long and has a project depth of 35 feet (DOT-Harbors, January 2000). The facility is owned and operated by the State Department of Transportation, Harbors Division.

The existing land areas surrounding the harbor facilities consist mainly of private lands. Hotels are located along the southwestern shoreline, while the larger public land areas near the harbor are designated as public parks (Kahului Commercial Harbor Park and Hoaloha Park) (DOT-Harbors, January 2000).

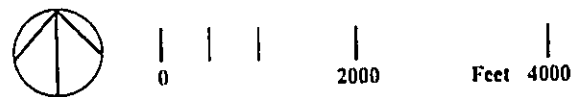
Matson Navigation Company proposes to install a mooring dolphin and catwalk at Pier 1C of the harbor (FIGURE 1, Construction of Mooring Dolphin). A mooring dolphin is a cluster of piles used as a support for mooring devices. A catwalk is a concrete deck built across the piles for use by motorized docking equipment.

### 1.2 PROJECT LOCATION

Wailuku town is located approximately two miles west of Kahului Commercial Harbor. Maui Community College, Kaahumanu and Kahului Shopping Centers are located to the south. Pier 1 is located just off of Hobron Point and abuts the eastern breakwater of the harbor. The reference Tax Map Key is 3-7-01:22 (DOT-Harbors, January 2000).



**FIGURE 1**  
**CONSTRUCTION OF MOORING DOLPHIN**  
**Pier 1C, Kahului Commercial Harbor**  
**Kahului, Maui, Hawaii**



R. M. TOWILL CORPORATION

Dec 2003

Base drawing reference: USGS Wailuku and Paia, Maui, Quads, 1983

### 1.3 PURPOSE OF THE ENVIRONMENTAL ASSESSMENT

An environmental assessment is required because the project will be constructed on State of Hawai'i submerged lands and will adjoin the Kahului Commercial Harbor, which is a State-owned property. This document has been prepared pursuant to Hawai'i Revised Statutes, Chapter 343 and Title 11, Chapter 200, State Department of Health Administrative Rules.

The project proponent, Matson Navigation Company, has prepared this Final Environmental Assessment to expedite the construction schedule of the project. At a later date, the project will also be described in an environmental assessment to be prepared by DOT-Harbors for all actions recommended in the Kahului Commercial Harbor 2025 Master Plan in 2000.

Pier 1C recently underwent a 300-by -200-foot extension, Job H.C. 3296 (FIGURE 2, Pier 1C Extension). The Final Environmental Assessment for the Pier 1C Extension, Kahului Commercial Harbor, Maui, Hawai'i, received a Finding of No Significant Impact in January 2000.<sup>2</sup>

### 1.4 PROJECT PURPOSE

Currently, mooring of large ships at Pier 1C of Kahului Commercial Harbor must be supplemented by use of tug boats to maintain safe working conditions during loading and unloading procedures. The dolphin and catwalk superstructure will be used to provide sufficient mooring capability to extend the useful area of Pier 1C for container ships and other large vessels. The mooring will also provide much-needed space and meet safety concerns for proper securing of moored ships.

### 1.5 ALTERNATIVES TO THE PROPOSED ACTION

Construction of the mooring dolphin is the preferred alternative at this time due to the urgency of safety concerns at Pier 1C.

#### 1.5.1 NO ACTION ALTERNATIVE

Under the No Action Alternative, the mooring dolphin would not be constructed and the potential for environmental, social, and economic impacts disclosed in this Assessment would be precluded.

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<sup>2</sup> The Final EA served as the basis for some information contained in this document and is referenced throughout as "DOT-Harbors, January 2000." The 2025 Master Plan for Kahului Harbor, also published by DOT-Harbors in the year 2000, is referred to in this document as "DOT-Harbors, September 2000."

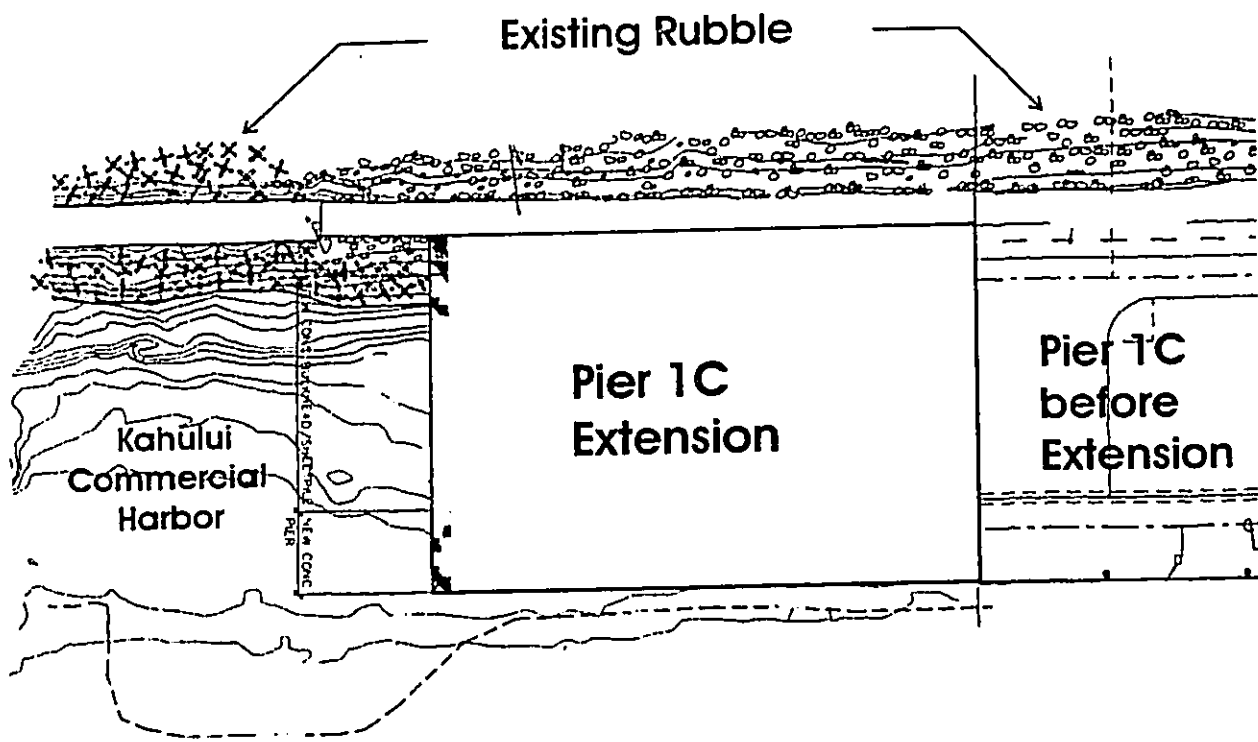


FIGURE 2  
 PIER 1C EXTENSION  
 Pier 1C, Kahului Commercial Harbor  
 Kahului, Maui, Hawaii



*No Scale*

R. M. TOWILL CORPORATION

Reference: DOT-Harbors, January 2000

However, taking no action does not accomplish the stated purpose of the proposed action which is to increase harbor safety.

### **1.5.2 DELAYED ACTION ALTERNATIVE**

Delaying construction of the mooring dolphin would involve waiting for a FONSI for all actions in the Environmental Assessment for the 2025 Master Plan for Kahului Commercial Harbor, currently under preparation by DOT-Harbors, and until State of Hawai'i funds are available for the project. Delay of construction will not address the urgency of safety and operational concerns at Pier 1C.

### **1.5.3 NEW COMMERCIAL HARBOR ON MAUI ISLAND**

Since Kahului Commercial Harbor is Maui's only deep draft commercial harbor, construction of an additional facility has been raised from time to time as an alternative to improving the existing harbor.

Following recommendations in the Kahului Commercial Harbor 2010 Master Plan (DOT-Harbors, 1989), the U.S. Army Corps of Engineers (ACOE) investigated a proposal for the location of a second commercial harbor for Maui at Kealia Pond. The ACOE found that the proposal for a second harbor was not feasible at the time due to economic factors, construction and maintenance costs and environmental concerns. Some concerns cited were undesirable economic and social impact such as displacement of beachfront homes and recreational areas, relocation of public and privately owned facilities, dividing of communities and costly land acquisition and infrastructure improvements (DOT-Harbors, January 2000).

## CHAPTER 2

### DESCRIPTION OF THE PROPOSED PROJECT

#### 2.1 EXISTING CONDITIONS

There are three piers at Kahului Commercial Harbor: Piers 1, 2 and 3 (FIGURE 3, Piers 1, 2 and 3 at Kahului Commercial Harbor).

- Pier 1 is utilized by Matson's overseas container operations, domestic cruise ship operations and various utility and sugar concerns. Since Pier 1 handles cruise ship operations in addition to cargo vessels, berthing conflicts have become a common operational problem. Pier 1C, from which the proposed mooring dolphin will extend, is used by Matson Navigation Company to load and unload rolling stock, cargo containers and autos from its ships and barges (Personal Communication, Ed Stephens, Matson Navigation Company, January 2004).
- Pier 2 is utilized by Young Brothers interisland cargo operations, overseas shipping containers and liquid bulk cargo shipments (DOT-Harbors, September 2000).
- Pier 3 serves Young Brothers interisland cargo as well as liquid bulk fuel operations of energy companies and Maui Electric Company, as well as dry bulk operations of cement companies (DOT-Harbors, September 2000).

In addition to providing normal harbor operations, Kahului Commercial Harbor is used for various recreational activities such as surfing, canoeing, and boating. Kahului Commercial Harbor Park is located adjacent to the western breakwater, while the County's Kanaha Beach Park and the Kahului Community Center are also located in the vicinity of the harbor (DOT-Harbors, January 2000).

#### 2.2 CONSTRUCTION OVERVIEW

The project involves the installation of 24 piles. Each pile will be octagonal, 24 inches in diameter, and made of precast, prestressed concrete. Each of the piles will be driven to a pile tip elevation of (-) 90 feet MLLW (mean lower low water), which will be the surface of the Kahului Commercial Harbor bottom. Approximately 16 piles will be needed to support the dolphin. Eight additional piles will be used to support the catwalk leading to the mooring dolphin.

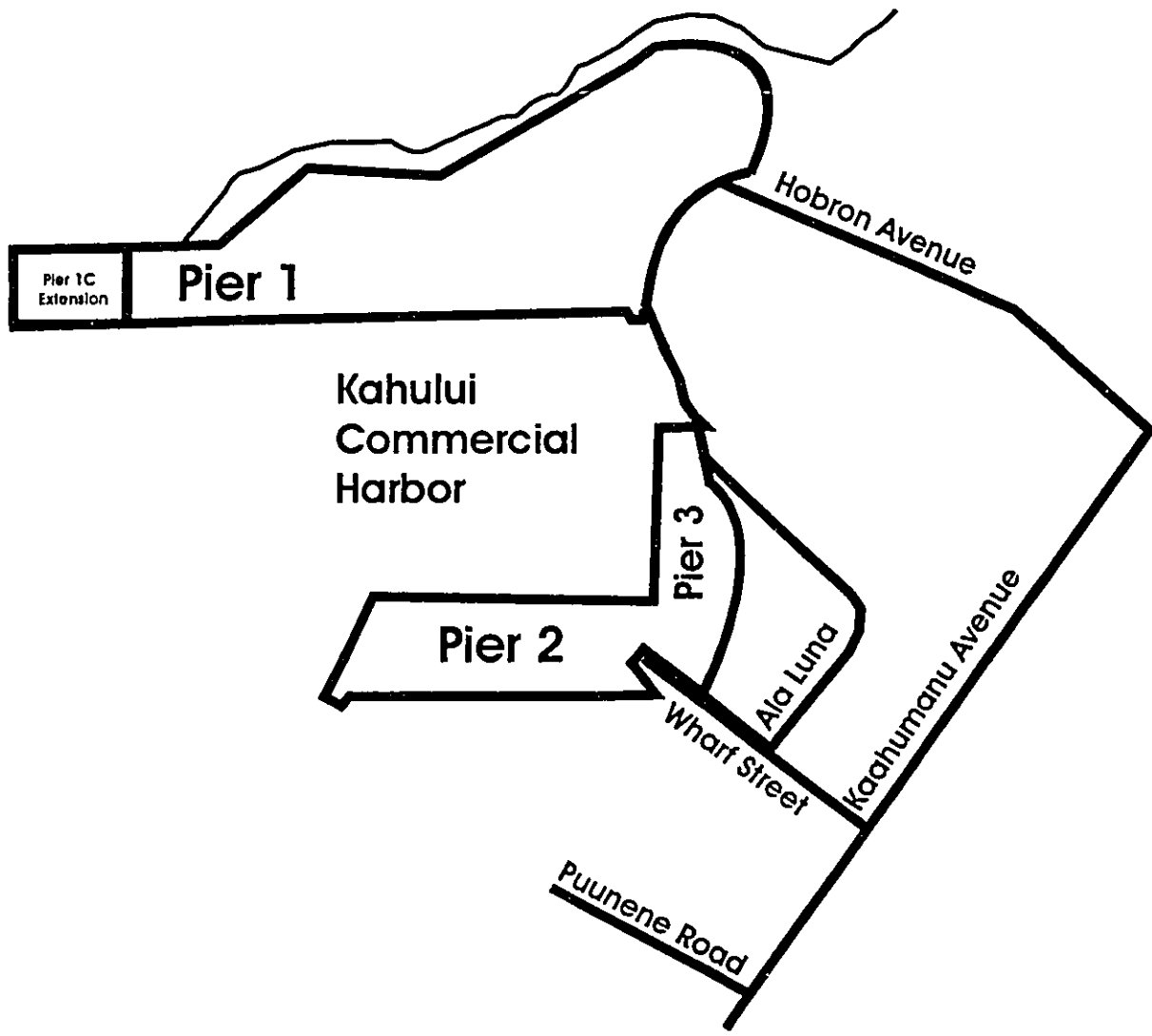
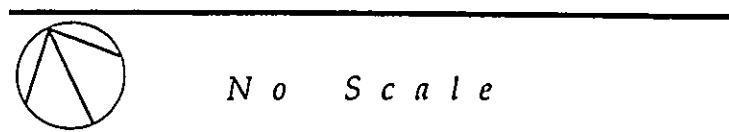


FIGURE 3  
 PIERS 1, 2 AND 3  
 Pier 1C Mooring Dolphin, Kahului Commercial Harbor  
 Kahului, Maui, Hawaii



R. M. TOWILL CORPORATION

Reference: DOT-Harbors, January 2000

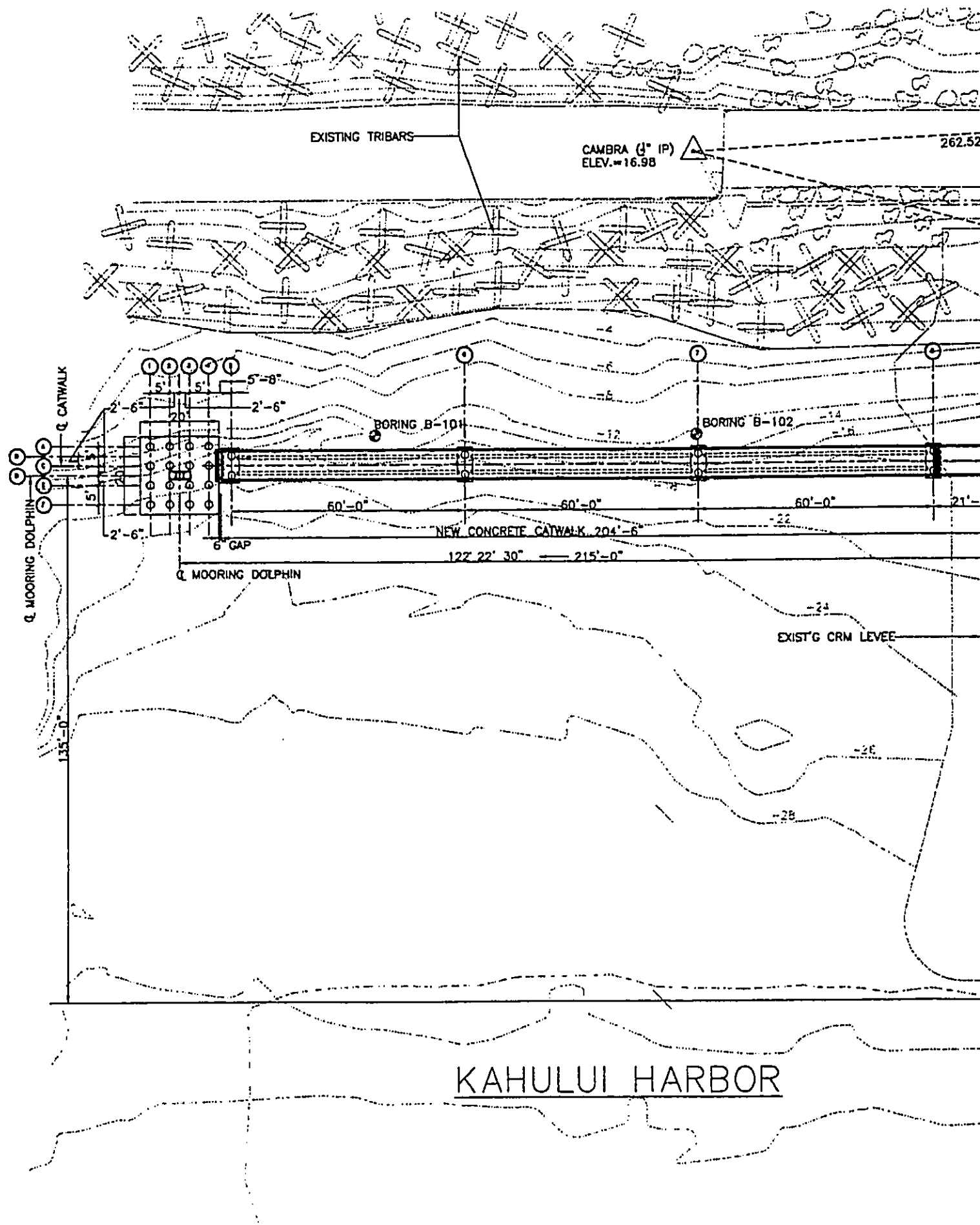
Elevation of the surface of the dolphin and catwalk superstructure will be (+)10.04 feet from MLLW. The structural elements of the superstructure will be made of precast, prestressed concrete and reinforced steel. Poured concrete will supplement structural elements and provide a working surface for the dolphin and catwalk areas. Guardrails will be stainless steel and placed for safety of users.

Construction drawings are provided in the following figures:

- FIGURE 4 Mooring Dolphin and Catwalk Layout
- FIGURE 5 Mooring Dolphin Plan
- FIGURE 6 Catwalk Section and Pipe Detail
- FIGURE 7 Mooring Dolphin and Catwalk Framing



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KAHULUI HARBOR

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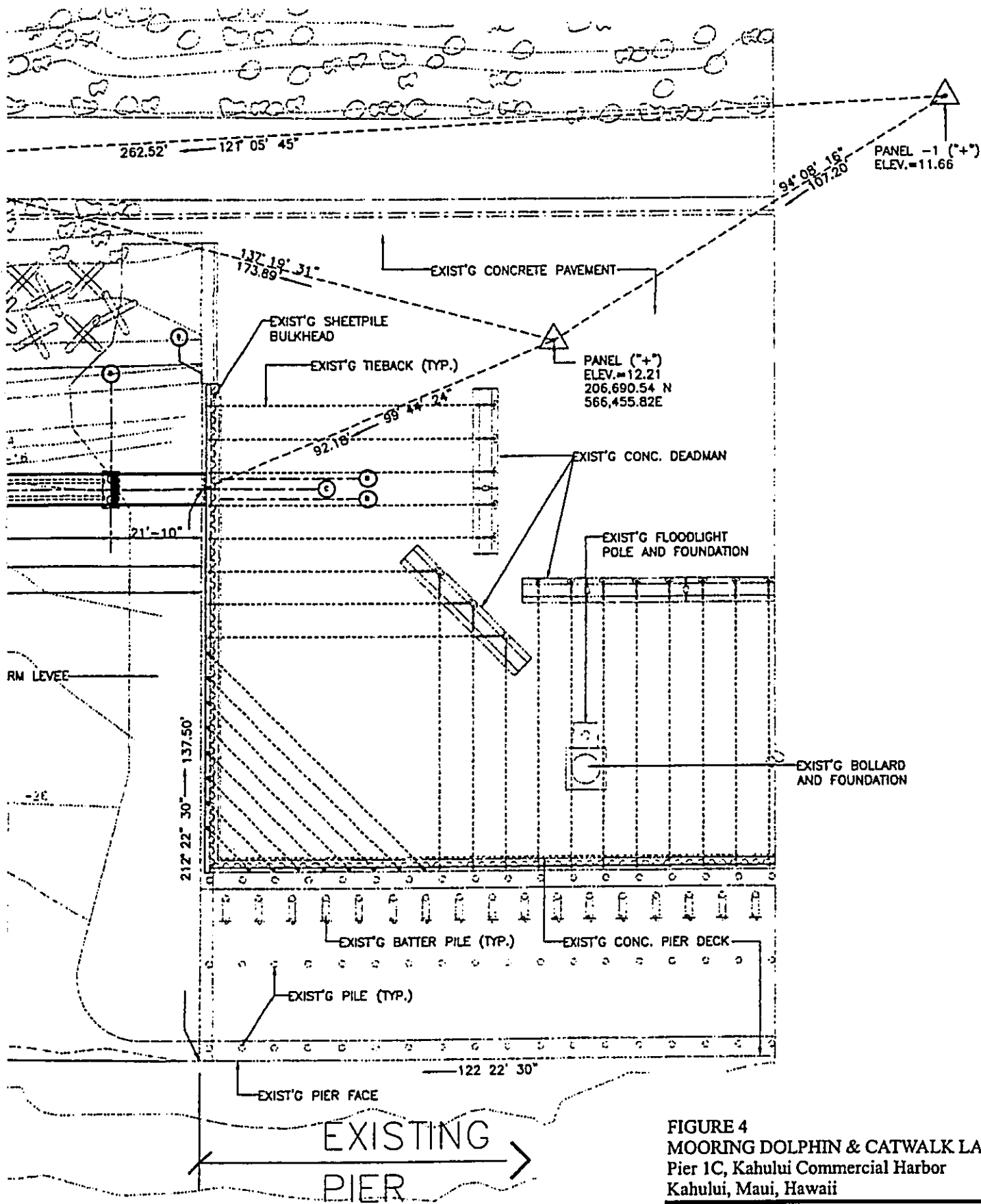


FIGURE 4  
MOORING DOLPHIN & CATWALK LAYOUT  
Pier 1C, Kahului Commercial Harbor  
Kahului, Maui, Hawaii



R. M. TOWILL CORPORATION

Source: Sheet S-2, Mooring Dolphin and Catwalk Layout Plan,  
Construction of Mooring Dolphin at Pier 1C, Alvin Zane & Assoc., 2003

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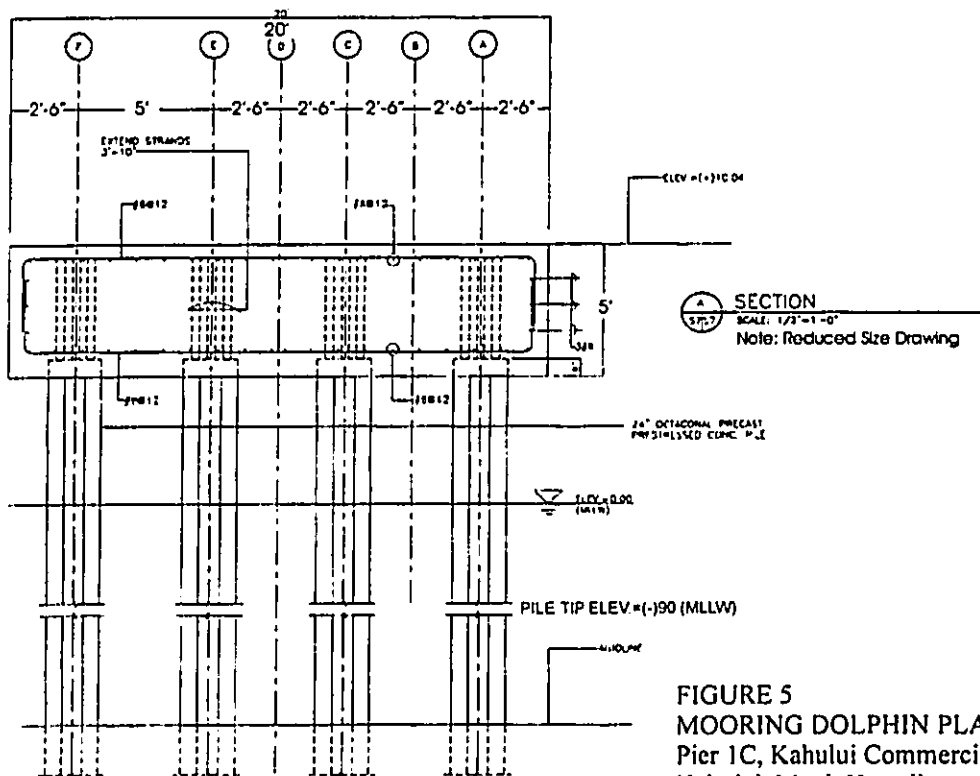
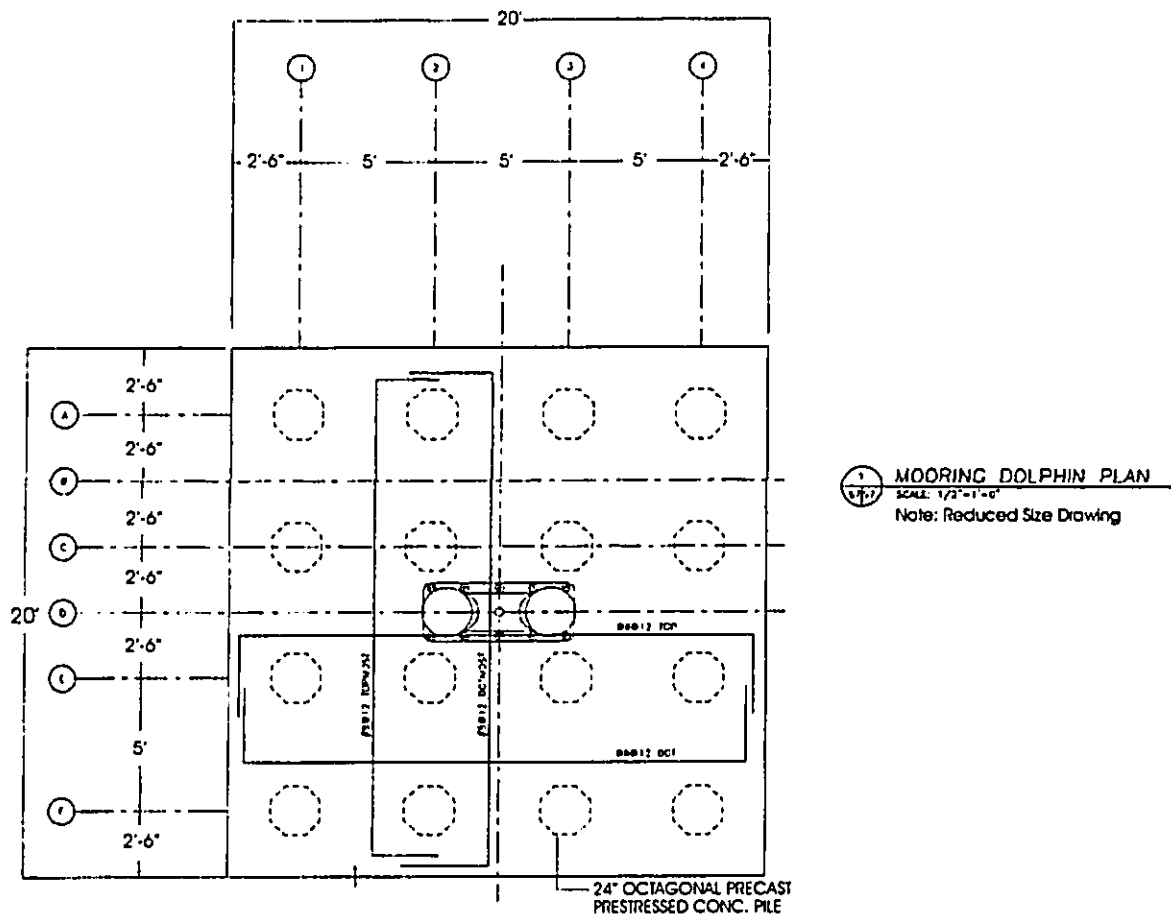
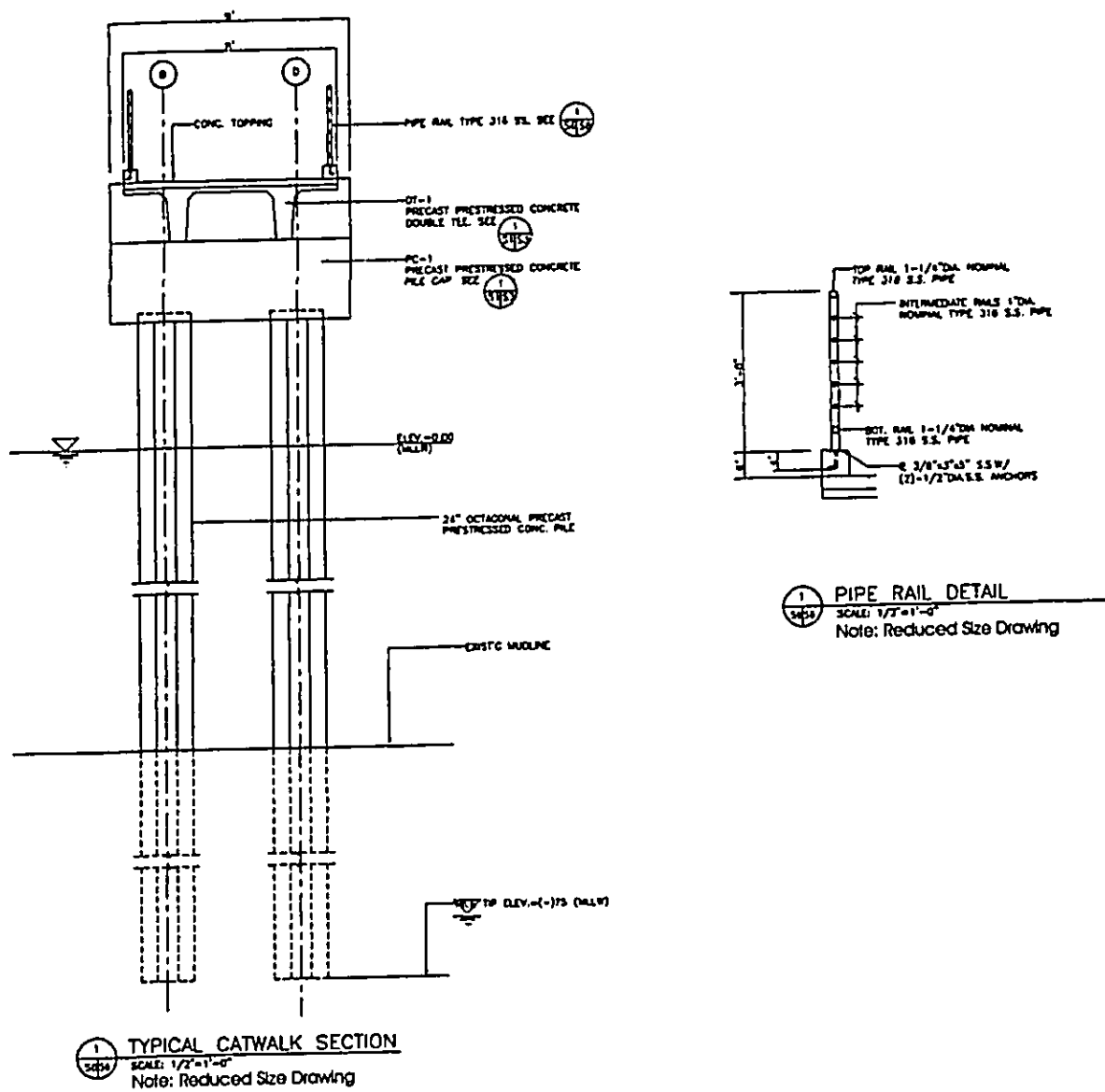


FIGURE 5  
MOORING DOLPHIN PLAN  
Pier 1C, Kahului Commercial Harbor  
Kahului, Maui, Hawaii

No Scale

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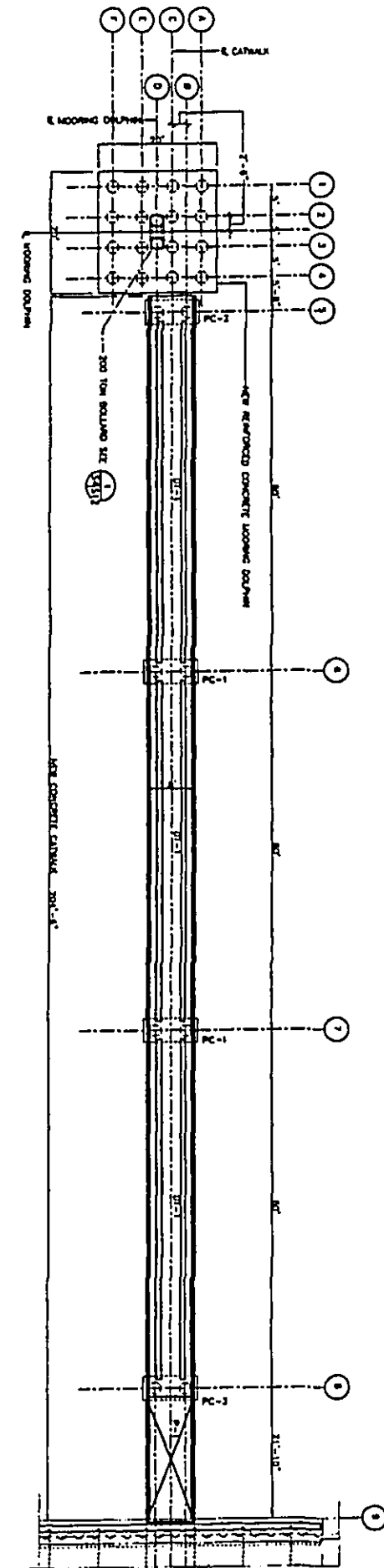
Source: Sheet S-8, Catwalk Section and Pipe Rail Detail, Construction of Mooring Dolphin at Pier 1C, Alvin Zane & Assoc., 2003

FIGURE 6  
CATWALK SECTION & PIPE DETAIL  
Pier 1C, Kahului Commercial Harbor  
Kahului, Maui, Hawaii

No Scale

R. M. TOWILL CORPORATION

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1 MOORING DOLPHIN AND CATWALK FRAMING PLAN  
SCALE: 1/8"=1'-0"  
Note: Reduced Size Drawing

FIGURE 7  
MOORING DOLPHIN & CATWALK FRAMING  
Pier 1C, Kahului Commercial Harbor  
Kahului, Maui, Hawaii

No Scale

Source: Sheet S-4, Mooring Dolphin and Catwalk Framing Plan,  
Construction of Mooring Dolphin at Pier 1C, Alvin Zane & Assoc., 2003

R. M. TOWILL CORPORATION

### 2.3 CONSTRUCTION SEQUENCE

All superstructure work will be performed above harbor waters. The following sequence of work will be followed.

1. Prefabricate precast prestressed concrete piles, double tees, and plank.
2. Prefabricate precast reinforced concrete pile caps.
3. Install precast and prestressed concrete piles for dolphin and catwalk. Install steel "H" piling and steel beams for temporary supports for precast reinforced concrete pile caps grid lines 5 through 8 (see construction drawings).
4. Install steel "H" piling and steel beams to form support at dolphin.
5. Install bottom form under port openings at precast pile caps at grid lines 5 through 8.
6. Install form work at dolphin.
7. Remove (above water) portion of existing concrete bulkhead to receive precast plank at grid line 9. Ensure sufficient provision to prevent falling debris into water. Such provision to include, but not be limited to, use of geotextile fabric.
8. Install precast reinforced concrete pile caps at grid lines 5 through 8. Place concrete into pile pocket.
9. Install precast prestressed double tees, and plank for catwalk.
10. Install reinforcing steel for catwalk topping and dolphin. Also, set bollard anchor bolts at dolphin.
11. Place concrete topping in two phases. First, place concrete at pile caps (16 feet from grid lines 5 to 8) and over plank (line 8 to 9). Second, place concrete at remaining sections between the first concrete placement.
12. Construct concrete bullrail on each side of catwalk and concrete pedestal supports for light poles at grid line 5 through 8.
13. Place concrete for dolphin.
14. Construct concrete bullrail at dolphin.
15. Install expansion joint at dolphin and at grid line 8.
16. Install electrical conduits and light poles.
17. Install stainless steel railing for catwalk and dolphin.

#### **2.4 PROJECT SCHEDULE AND COST**

The proposed project is slated for start of construction during the February to March 2004 time frame. Project duration will be approximately 4 months.

The project is projected to cost approximately \$980,000, which will be paid by Matson Navigation Company. Matson may be reimbursed by the State of Hawai'i for this expense at a later time when State funds become available.

**CHAPTER 3**  
**AFFECTED ENVIRONMENT:**  
**IMPACTS AND MITIGATION MEASURES**

**3.1 TOPOGRAPHY**

Pier 1C of Kahului Commercial Harbor is located in an open area bounded by an existing paved container area to the east, a driveway to the north, and open water to the east and south (DOT-Harbors, January 2000). The Pier 1C mooring dolphin will extend over open water on three sides.

The topography of the Pier 1 ranges from approximately +2 to +8 feet MLLW. The harbor floor in the area of the project site gently slopes down seaward at a gradient of about 15 percent until the mudline reaches an elevation of roughly -10 feet MLLW. Following this, the elevation of the harbor floor drops off sharply to -28 feet MLLW along the southeastern boundary of the existing Pier 1C extension before flattening out again toward the ocean (Geolabs, Inc., 1999).

**Impacts and Mitigation Measures**

The proposed mooring dolphin will not impact topography. The structure will be built as a perpendicular extension of the existing Pier 1C. Concrete piers supporting the mooring dolphin will be constructed to follow the natural topography of the harbor floor, with piers increasing in length as the harbor floor deepens to maintain a level surface for the catwalk.

**3.2 CLIMATE**

Rainfall in the project area averages less than 20 inches per year, with heavier periods occurring from December to February. Temperatures range from approximately 68 degrees (Fahrenheit) in February to approximately 82 degrees in August. Northeast trade winds average between 8 and 18 miles per hour. Although storms usually occur during the autumn and winter months, intense local convection storms of short duration can occur at any time of the year (DOT-Harbors, 1997).

**Impacts and Mitigation Measures**

The project is not expected to impact climatic conditions at the project site.



### 3.3 SOILS

Soils on the landside of Pier 1C are classified as Fill Land (Fd). Fill land primarily consists of areas filled with bagasse and slurry from mills or material from dredging and soil excavations. Fill material is generally deposited over marshes, low-lying areas along the coastal flats, coral sand, coral limestone, or areas shallow to bedrock (U.S. Department of Agriculture, 1972).

Soil borings taken at the Pier 1C site determined subsurface conditions of soft harbor sediments at depths between 35 and 45 feet. Loose coral detritus occurred at depths between 40 and 55 feet, while stiff alluvial soils were found at depths of 50 to 95 feet. Hard basalt rock formation occurred at approximately 105 to 133 feet (Geolabs, Inc., 1999).

#### **Impacts and Mitigation Measures**

The project is expected to have minimal impact on existing landside and harbor soil conditions at the project site. The project will involve driving 24, 2-foot-diameter rectangular piles into the substrate. This small-scale, short-term activity will not require mitigation for soil conditions.

### 3.4 GEOLOGY

The island of Maui was formed by the West Maui and Haleakala volcanoes. Three different types of volcanic rocks were produced: the Wailuku Volcanic Series, the Honolua Volcanic Series, and the Lahaina Series (DOT-Harbors, 1997).

The convergence of volcanic material from the Haleakala and West Maui volcanoes, along with the natural erosion processes, resulted in the formation of Maui's isthmus. The isthmus was created primarily by a combination of old and young alluvium. Following the West Maui eruptions, deep valleys in the lava formations were formed from erosion. A sloping alluvial plane extending from Waihee to Maalaea was eventually formed as deposits of older alluvium accumulated in the valleys and alluvial fans coalesced. Over time, silt, sand and gravel were deposited over the plains at the bases of the alluvial fans (GMP Associates, 1996).

#### **Impacts and Mitigation Measures**

The project is not expected to impact existing geological conditions at Kahului Commercial Harbor.

## 3.5 OCEANOGRAPHIC CONDITIONS

### 3.5.1 WAVES

During July 1966 to March 1969, wave gauge data for the Kahului area was measured from a sensor located approximately 1,860 feet north of the east breakwater head. Results of the data showed recorded wave heights of 9 feet or less 96.1 percent of the time. The highest recorded wave height was 28 feet with a period of 16 seconds which occurred during a storm event (DOT-Harbors, 1997; DOT-Harbors, January 2000).

### 3.5.2 CURRENTS

Within Kahului Commercial Harbor, currents typically run clockwise during the flood tide and counterclockwise during the ebbtide. Currents along the west and south shores of the harbor generally appear to flow eastward since build-up occurs at Pier 2. Outside of Kahului Commercial Harbor, currents typically run east to west and northward along Maui's coastline (DOT-Harbors, 1997; DOT-Harbors, January 2000).

### 3.5.3 TIDES

Tidal data are based on a primary tidal benchmark for Kahului Commercial Harbor located at the northeast corner of a warehouse at the shore end of Pier 2. The benchmark consists of a standard disc stamped as "2 1929" that is set in the concrete deck floor of the warehouse (DOT-Harbors, 1997; DOT-Harbors, January 2000).

The U.S. Coast and Geodetic Survey recorded tidal data for nine years, between the years of 1951 and 1959. The highest observed tide was recorded at 3.6 feet, while the lowest observed tide was -1.2 feet. The Mean High Water, Mean Tide Level, and Mean Low Water were measured at 1.9 feet, 1.15 feet, and 0.4 feet, respectively (DOT-Harbors, 1997; DOT-Harbors, January 2000).

#### **Impacts and Mitigation Measures**

The long-term effects of the proposed mooring dolphin on the oceanographic conditions of natural currents, tidal action or shoreline erosion within Kahului Commercial Harbor are expected to be negligible (DOT-Harbors, January 2000). Since the proposed mooring dolphin will be placed on a series of 2-foot wide piles, obstruction of oceanic conditions within the harbor will be minimal.

### 3.6 WATER QUALITY

According to the Department of Health's Water Quality Standard Maps and Title 11, Chapter 54 - Water Quality Standards, Kahului Commercial Harbor is a part of Kahului Bay and falls under the "Class A" classification. The objective of Class A waters is to protect their use for recreational purposes and aesthetic enjoyment. Other uses within these waters can be permitted if the use is compatible with the protection and propagation of fish, shellfish, and wildlife, and with recreation in and on these waters (DOT-Harbors, January 2000). This project is located in Kahului Bay, where the embayment (including the project site) is currently listed under Section 303(d) of the Clean Water Act as a waterbody in which water quality is impaired by excessive amounts of nutrients and turbidity. The State's current Clean Water Act Section 303(d) list is updated every two years.

Storm water runoff and high surf conditions can contribute to high turbidity levels, while algal blooms may be attributed to poor circulation within the harbor (DOT-Harbors, January 2000).

#### Impacts and Mitigation Measures

Pile driving is not expected to affect the water quality of Kahului Commercial Harbor in the area of the project site. The use of pre-cast concrete piles is in part a Best Management Practice to reduce the potential for discharges of concrete and debris into the water. Concrete columns shall be properly cured before use; only clean material will be permitted to be used; equipment to drive piles will be in proper repair; and any equipment found to be a source of leakage will be replaced or repaired. No dripping concrete, debris, or other discharges to waters in the harbor will be permitted. Where small amounts of poured concrete will be needed, the viscosity of the mix will be designed to reduce the potential for spillage. Watertight formwork will also be used. In addition: nets may be placed under work areas of the mooring dolphin and catwalk to catch falling debris; containers used to store liquids or other materials which could fall or mix with waters of the harbor will be capped and disposed of promptly; and lidded dumpsters will be used.

### 3.7 WETLANDS

No wetlands exist in the immediate area of the proposed Pier 1C mooring dolphin. However, the U.S. Army Corps of Engineers has delineated a nearby 280-foot unlined portion of a drainage channel as a wetland. This wetland area is located roughly 2,000 feet away from Pier 1C and is part of a drainage channel owned by the County of Maui that extends from Kaahumanu Avenue and empties into Kahului Commercial Harbor (DOT-Harbors, 1997; DOT Harbors, January 2000).

#### **Impacts and Mitigation Measures**

Since the Pier 1C mooring dolphin project site is located roughly 2,000 feet away from the nearest wetland area, no adverse impacts are expected during construction.

### **3.8 FLOOD HAZARD**

According to Panel No. 150003 0190B of the "Flood Insurance Rate Map," the harbor's coastal area is designated as "Zone V23," or areas of a 100-year coastal flood with velocity (or wave action) where base flood elevations and flood hazard factor have been determined (DOT-Harbors, January 2000; see FIGURE 8, Flood Zone Map).

#### **Impacts and Mitigation Measures**

Construction of the proposed mooring dolphin will not affect the coastal flood elevations within the harbor area. No watercourses will be altered, relocated or will have their flood-carrying capacities reduced. The project will be constructed in accordance with County of Maui flood hazard requirements in Chapter 19.62, Flood Hazard Areas, in the Maui County Code (DOT-Harbors, January 2000).

RECEIVED AS FOLLOWS

**Zone V**

Zone V is the flood insurance rate zone that corresponds to areas within the 1-percent annual chance coastal floodplains that have additional hazards associated with storm waves. Because approximate hydraulic analyses are performed for such areas, no Base Flood Elevations are shown within this zone. Mandatory flood insurance purchase requirements apply.

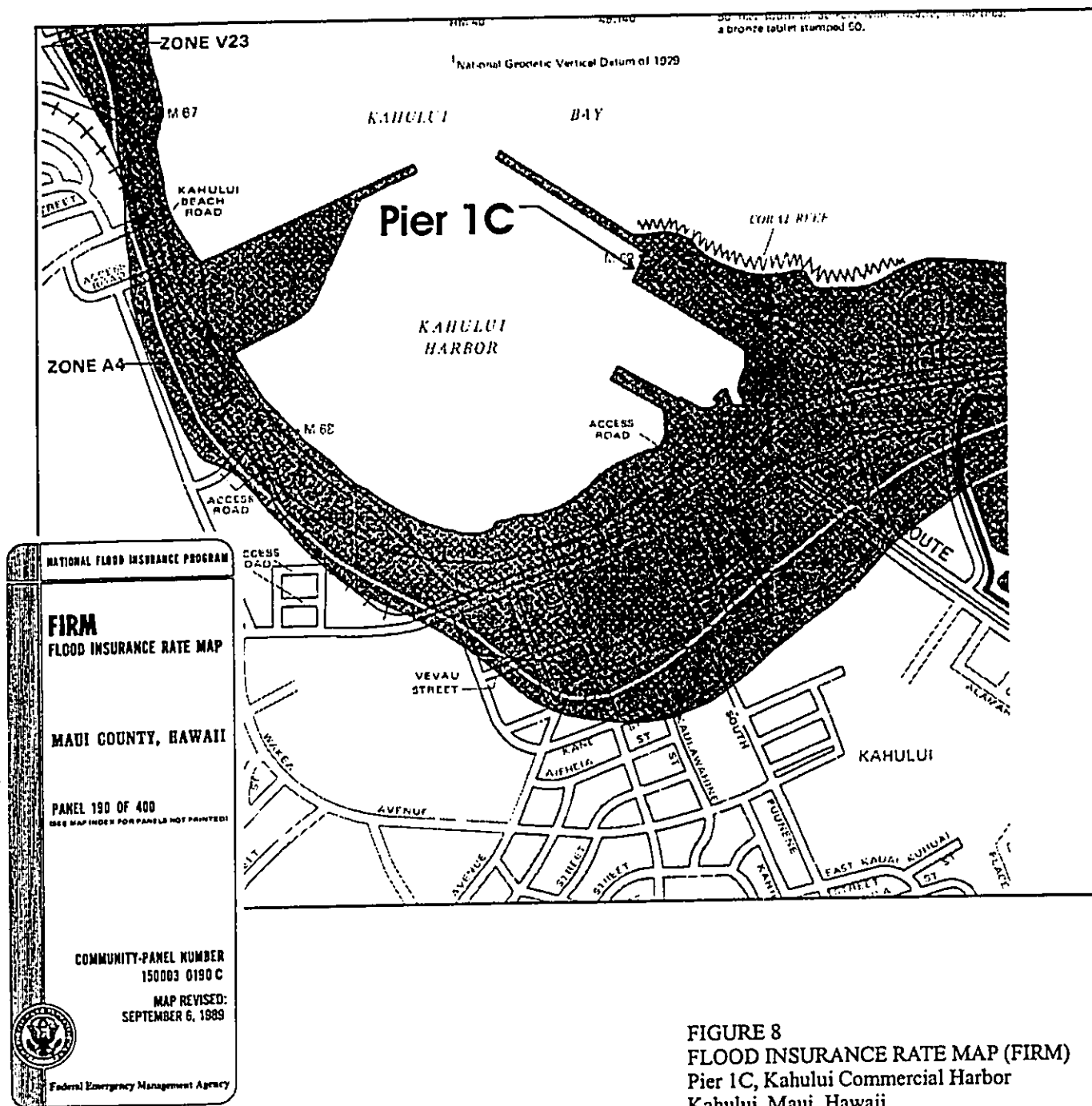


FIGURE 8  
FLOOD INSURANCE RATE MAP (FIRM)  
Pier 1C, Kahului Commercial Harbor  
Kahului, Maui, Hawaii



No Scale

R. M. TOWILL CORPORATION

Reference: Federal Emergency Management Agency, 1989

### 3.9 DRAINAGE

Drainage for the Pier 1 area is served by an existing 18-inch line that runs beneath the pier and discharges into Kahului Commercial Harbor. Storm water runoff that does not sheet flow directly into the harbor is directed to grated inlets which connect to the 18-inch drain line. This existing drain line is not expected to be affected by the proposed Pier 1C mooring dolphin.

#### **Impacts and Mitigation Measures**

The runoff from the non-permeable surfaces will sheet flow into Kahului Commercial Harbor. The project specifications will require the Contractor to take appropriate measures during construction to prevent fuel, oil and cement products from discharging or leaching into the ocean.

### 3.10 AIR QUALITY

The majority of the data from the State Department of Health air quality monitoring stations in the Kahului region indicate levels in accordance with the State's air quality standards (DOT Harbors, 1997). Although levels of particulate matter increase when agricultural burning takes place, prevailing trade winds from the north and northeast minimize nuisance air quality problems in the Kahului area (DOT-Harbors, 2000).

The existing air quality around the Pier 1C mooring dolphin is consistent with the land uses of the harbor. Air quality in the area is typically affected by emissions from large vessels and barges in the harbor, and, to a lesser extent, motorized mooring equipment.

#### **Impacts and Mitigation Measures**

During construction, the air quality on Pier 1C is not expected to be affected by exhaust fumes from construction equipment, as such equipment will be deployed in an area above the harbor waters.

Construction-related exhaust emissions will be mitigated by ensuring the project contractor maintains internal combustion engines in proper working order and immediately repairs or replaces faulty equipment. The contractor, at his own expense, will keep the project area and surrounding area free from dust nuisance. The work will be in conformance with the air pollution control standards contained in Hawai'i Administrative Rules, Title 11, Chapters 59, "Ambient Air Quality Standards," and Chapter 60, "Air Pollution Control." Long-term air

quality impacts resulting from use of the mooring dolphin are not expected to cause significant increases in air pollution over existing levels. No long-term mitigation is needed.

### 3.11 NOISE EMISSION

The ambient noise levels in the Kahului Commercial Harbor are consistent with the industrial and deep draft harbor activities that regularly occur. Vehicular noise from nearby Kaahumanu Avenue as well as trucks, cranes, powered ramps and other equipment associated with loading and unloading the ships also contribute to the high ambient noise levels in the harbor area. Since the land use around the harbor area is designated as industrial and business, such high noise levels should be expected (DOT-Harbors, January 2000).

#### Impacts and Mitigation Measures

An increase in noise levels is unavoidable during construction. Noise from construction equipment and pile driving may be a nuisance to property owners and businesses in the Pier 1C area. However, unnecessary noise should be reduced through the use of mufflers on construction equipment and/or trucks, and through the adequate and proper maintenance of construction equipment and vehicles. The community and nearby businesses will be given ample notice of construction activities, including pile driving, and the elevated noise levels that are anticipated (DOT-Harbors, January 2000).

All activities will be coordinated with the Department of Health to minimize noise generation and shall comply with the provisions of Title 11, Chapter 42 "Vehicular Noise Control," and Chapter 46, "Community Noise Control" of the Hawai'i Administrative Rules (HAR). The Contractor will be required to obtain a Community Noise Permit in accordance with HAR Title 11, Chapter 46 for construction activities proposed during regular daylight working hours. Should any night work be required to minimize disruptions to the nearby businesses, the Contractor will be required to obtain a Community Noise Variance from the Department of Health pursuant to HAR Title 11, Chapter 46 (DOT-Harbors, January 2000).

### 3.12 FLORA / FAUNA

Some of the aquatic species known to exist within the waters of Kahului Commercial Harbor include the nehu (*Stolopherus purpureus*), seasonal runs of oama (*Mulloides flavolineatus*), and halalu (*Selar crumenophthalmus*). Fish habitats within the harbor are commonly located in the interstices of the armor stone revetment and the pilings of the wooden dock near the western breakwater and the

existing boat launch ramp. The western breakwater also provides an artificial habitat for intertidal organisms such as a'ama crab (*Grapsus tenuicrustatus*), periwinkles (*Littorina spp.*), false opihi (*Siphonaria normalis*), and various algae (*Ulva sp.*) (DOT-Harbors, 1997; DOT-Harbors, January 2000).

Avifauna were also observed as a part of the Barge Terminal Improvement project. Some of the species that were identified include the house sparrow, common mynah, doves, wandering tattle (*Heteroscelus incanus*), and ruddy turnstone (*Arenraria interpres*) (DOT-Harbors, January 2000).

The State Wildlife Sanctuary Kanaha Ponds are located approximately one half of a mile east of the project site. This sanctuary provides habitat to two known endangered species: the Hawai'ian Stilt (*Himantopus mexicanus knudseni*) and the Hawaiian coot (*Fulica americana alai*). A native Hawaiian seabird called the Newell's Shearwater may also exist around the Kahului Commercial Harbor area even though most of these birds are found on the island of Kauai (DOT-Harbors, January 2000).

#### **Impacts and Mitigation Measures**

According to the State Department of Land and Natural Resources, Division of Aquatic Resources, the proposed activity is in a highly developed and modified area and is not likely to further diminish the existing aquatic resource values within Kahului Commercial Harbor (DOT-Harbors, January 2000).

Night work at the project site will be minimized since there may be the possibility of Newell's Shearwaters flying around the harbor area during the evening. These birds are naturally attracted to bright lights and can become temporarily blinded, confused or stunned, thereby causing them to fall to the ground. Should any night work be necessary, precautions will be taken to prevent bright lights from potentially attracting these birds (DOT-Harbors, January 2000).

Potential long term lighting impacts on wildlife such as the Newell's Shearwater will be mitigated by providing cutoff luminaries that will be shielded and oriented downwards. In addition, the lighting control system for the catwalk will be designed to allow the user to turn off most of the lights when the dolphin is not in use while allowing several lights to remain in operation for security and safety purposes (DOT-Harbors, January 2000).



The arrival of large overseas vessels and barges in Kahului Commercial Harbor has the potential to introduce alien pest species into the State. Harmful alien pest species include organisms, plants, predators and insects which can damage native forests, streams and watersheds; compete with and cause the extinctions of native flora and fauna; carry diseases that affect native species, agricultural crops and humans; and interrupt the shipment of local produce (USDOT-FAA, 1997). Alien pests may be present aboard the incoming ships, especially in areas such as the ballast water. The additional berthing sites provided by the proposed Pier 1C mooring dolphin would increase the potential for such species to be introduced in the islands (DOT-Harbors, January 2000).

In order to prevent harmful alien pest species from entering the State, the U.S. Department of Agriculture and the State of Hawai'i, Department of Agriculture monitors, inspects, quarantines and certifies cargo from foreign ports, and inter-state / intra-state cargo, respectively. DOT-Harbors is also participating in a task force to monitor and resolve the potential introduction of alien pest species (DOT-Harbors, 1997). Continual coordination between Federal agencies, State agencies, businesses, and private organizations will help to ensure more effective protection measures against harmful alien pests are established (DOT-Harbors, January 2000).

In the meantime, Hawai'i's status as primarily an import state minimizes somewhat the potential for alien species to be introduced. Cargo ships typically come in laden with cargo and minimum ballast water. As cargo is off-loaded from the ship, ballast water is taken on rather than discharged (DOT-Harbors, January 2000).

### **3.13 HISTORIC, ARCHAEOLOGICAL AND CULTURAL CHARACTERISTICS**

Pier 1C is located within the Wailuku ahupua'a. Although the project site is near to the historic Kahului District, it is located well outside of the district boundaries. An archaeological inventory survey was recently performed for a nearby DOT-Harbors Barge Terminal Improvement Project located approximately 2,000 feet east of the Pier 1C site. Results of the archaeological survey revealed no surface cultural remains but uncovered isolated historic remains during the trench testing (Aki Sinoto Consulting, 1997).

No archaeological work has been conducted in the harbor waters where the mooring dolphin and catwalk will be installed. On the landside, according to the State Department of Land and Natural

Resources, Historic Preservation Division (SHPD), Pier 1C has undergone extensive disturbance due to prior groin extension and dredging activities, making it unlikely that significant historic sites remain (see APPENDIX A, Department of Land and Natural Resources, Historic Preservation Division, "No Effect" Letter, dated July 30, 1999).

Archaeological monitoring was also performed for the DOT-Harbors Storage Yard Paving and Utility Improvement project located near to the Barge Terminal Improvement project area. Although the Maui State Historic Preservation Division had previously identified one subsurface historic site within this project area, no significant cultural remains were found during the archaeological monitoring of the trench excavations (Scientific Consultant Services, Inc., 1998).

#### **Impacts and Mitigation Measures**

No impacts to cultural resources or practices are expected to result from the proposed underwater pile driving. In the highly unlikely event that archaeological remnants are unearthed, work will be halted and the State Historic Preservation Division notified to assess impacts and implement mitigative measures deemed necessary (DOT-Harbors, January 2000).

### **3.14 SCENIC RESOURCES**

The current Kahului Commercial Harbor affects few sight lines. The most significant change in the harbor was the recent extension of Pier 1C.

#### **Impacts and Mitigation Measures**

The completed 24 by 24-foot mooring dolphin and 8-foot wide catwalk will resemble a narrow finger extending into the harbor from Pier 1C. Therefore, the aesthetic quality of the Kahului Commercial Harbor area will essentially remain unchanged.

### **3.15 RECREATIONAL ACTIVITIES**

In addition to providing normal harbor operations, Kahului Commercial Harbor is used for various recreational activities such as surfing, canoeing, and boating. Kahului Commercial Harbor Park is located adjacent to the western breakwater, while the County's Kanaha Beach Park and the Kahului Community Center are also located in the vicinity of the harbor (DOT-Harbors, January 2000). After the terrorist attacks of September 11, 2001, the entire Kahului Commercial Harbor was closed to recreational fishing due harbor security concerns.

**Impacts and Mitigation Measures**

Activities such as surfing and canoeing are not expected to be impacted. The nearest surf sites are located across the turning basin, over 2,000 feet away from Pier 1C. The distant location of the canoeing activities (practices and races) near Kanaha Beach Park will ensure no impacts during construction.

Following construction, full use of the harbor for recreational activities such as surfing and canoeing are expected to be restored (DOT-Harbors, January 2000).

## CHAPTER 4

### SOCIO-ECONOMIC CONDITIONS: IMPACTS AND MITIGATION MEASURES

#### 4.1 REGIONAL OVERVIEW

The County of Maui's 2002 Wailuku-Kahului Community Plan describes the project region as such:

*"In addition to the urban centers of Wailuku-Kahului, the region also includes the more rural settlements of Waihe'e to the north and Waikapu and Pu'unene to the southeast. Agricultural lands are adjacent on the lower slopes of the West Maui Mountains and in the central plain south and east of Kahului. This green border is a significant part of the settlement pattern because of its open space and economic value. Kahului Commercial Harbor and Airport are major land users along the Kahului shoreline. As major ports of entry for people and goods, they serve as an important center of jobs and economic activity."(County of Maui, 2002).*

#### 4.2 ECONOMIC IMPORTANCE OF KAHULUI COMMERCIAL HARBOR

Approximately 98.6 percent of the goods shipped into the State of Hawai'i enter through the State's commercial harbor system. This renders the island of Maui almost wholly dependent on ocean transportation for its basic sustenance and economy. Since Kahului Commercial Harbor is Maui's only commercial harbor, the proposed project is needed to meet the projected demands of Maui's growing population and its increasing economic activities (DOT-Harbors, January 2000).

#### 4.3 DEMOGRAPHICS, POPULATION AND ECONOMIC CHARACTERISTICS

In the 2000 census, the resident population of Kahului town was 20,146. Neighboring Wailuku town, located approximately 1 mile west of Kahului, had a recorded resident population of 12,296 persons (DBEDT, 2001).

The Wailuku-Kahului region is considered to be the central commerce area of Maui. A wide range of commercial, service, and governmental activities is located in this region. Nearby agricultural land uses include sugar cane, pineapple and macadamia nut production.

#### Impacts and Mitigation Measures

Development of the mooring dolphin and catwalk will not materially change the character

of the area. On a short-term basis, the proposed project will support construction and construction-related employment. In the long term, the mooring dolphin will not have an impact on employment opportunities, nor will it have a significant impact on population levels. Therefore, no mitigation measures are necessary or proposed.

Due to the anticipated traffic congestion in the project area during construction, access to nearby businesses and facilities may be temporarily inconvenienced. Mitigation measures include implementing an approved traffic control plan that is developed with the input of the affected harbor users.

## CHAPTER 5

### PUBLIC SERVICES - IMPACTS AND MITIGATION MEASURES

#### 5.1 TRAFFIC AND ROADWAYS

The Kahului and Wailuku regions are linked by a network of arterial roadways, collector roads, and local roads. Kaahumanu Avenue is a six-lane divided highway that serves as the main connector roadway between Kahului and Wailuku towns. Other major roadways which serve the Kahului area include Kahului Beach Road / Lower Main Street, Hana Highway, and Puunene Avenue. Access to Kahului Commercial Harbor is mainly provided via Hobron Avenue, Wharf Street and Puunene Avenue which all intersect Kaahumanu Avenue. Pier 1C can be accessed directly through Hobron Avenue or via Wharf Street/Ala Luina Street (DOT-Harbors, January 2000).

The growing volume of cargo within Kahului Commercial Harbor has consequently led to an increase in truck traffic to and from the harbor. Intersections around the harbor area frequently experience heavy congestion particularly during construction periods. A traffic study was recently conducted on the intersections of Kaahumanu Avenue with Wharf Street and Puunene Avenue. Results of the study showed that traffic demand in the general vicinity of Kahului Commercial Harbor is expected to be reduced following the completion of two major roadway improvement projects: the Maui Lani Parkway and the Puunene Bypass Road (DOT-Harbors, December 1997; DOT-Harbors, January 2000).

Access to the mooring dolphin will be through existing Pier 1C. No improvements to roadway facilities leading to the harbor or within the harbor area are needed for construction of the mooring dolphin. Access to the extremities of the mooring dolphin will be via the concrete deck to be constructed over the waters of the harbor (DOT-Harbors, January 2000).

#### **Impacts and Mitigation Measures**

During construction, a slight increase in traffic congestion can be anticipated in the Kahului Commercial Harbor area, especially near the Pier 1C facilities. The transportation of construction equipment, materials and wastes to and from the project site will affect normal harbor traffic and can cause temporary inconveniences to customers or businesses in the area. An approved traffic control plan will be developed with the input of affected harbor users and implemented to ensure the most efficient flow of traffic through the project

area.(DOT-Harbors, January 2000).

## **5.2 WASTEWATER**

The mooring dolphin will not require additional wastewater facilities. Workers will continue to use existing wastewater facilities within the existing pier areas.

### **Impacts and Mitigation Measures**

Continued use of sanitary disposal facilities at Kahului Commercial Harbor will conform with Hawai'i Administrative Rules, Chapter 11-62, "Wastewater Systems." No mitigation measures are needed or planned.

## **5.3 POTABLE WATER**

Maui County's Department of Water Supply provides domestic water to Kahului Commercial Harbor. The specific water source serving the harbor is the Central Maui System. The major source of water for this system is the Iao Aquifer, designated in November 2002 as a State Groundwater Management Area by the State Commission on Water Resource Management (DOT-Harbors, 2000).

### **Impacts and Mitigation Measures**

Because the mooring dolphin will not result in an increase in potable water usage, no adverse impacts will occur with regard to the potable water supply. No permits or mitigation measures are necessary.

## **5.4 SOLID WASTE**

Solid waste will not be generated by use of the mooring dolphin. The dolphin will be used to moor vessels to Pier 1C and for vehicles associated with docking and mooring operations.

### **Impacts and Mitigation Measures**

No mitigation measures are needed.

## **5.5 POLICE AND EMERGENCY SERVICES**

The Kahului Commercial Harbor is covered by the Kahului Police Station.

#### **Impacts and Mitigation Measures**

There will be no significant impact on police or emergency services as a result of the proposed mooring. No mitigation measures are needed.

### **5.6 FIRE PROTECTION SERVICES**

The property is under the jurisdiction of the Maui County Fire Department located in Kahului.

#### **Impacts and Mitigation Measures**

The construction of the mooring dolphin will not affect fire control resources on the island of Maui, as the piles and catwalk will be constructed of concrete and no buildings are proposed.

### **5.7 ELECTRICAL AND COMMUNICATION FACILITIES**

Electrical power for the Kahului area is provided by Maui Electric Company; and telephone service by Verizon Hawai'i. Existing electrical, telephone and cable connections are located within the Pier 1C boundary.

#### **Impacts and Mitigation Measures**

The only utility service required for the mooring dolphin is electrical. No adverse impacts are expected from the mooring dolphin connecting to existing electrical facilities. If a telephone call box is required on the mooring dolphin, communications will be integrated into the telephone system serving the remainder of Kahului Commercial Harbor.

In order to minimize disruptions to these existing services, construction activities will be coordinated with the appropriate agencies. In addition, the Contractor will be required to coordinate all work with the Harbors District Manager to prevent interference or interruptions with harbor operations. Should accidental disruptions to existing utilities occur during construction, the appropriate utility agencies will be notified immediately so that service can be promptly restored (DOT-Harbors, January 2000).

In response to comments from Maui Electric Company to the Draft Environmental Assessment for the Pier 1C Extension, Kahului Harbor, Maui, Hawai'i, Job H.C. 3296, (DOT-Harbors, January 2000), the following mitigative action will be taken with regard to



barge shipments of fuel for electrical generation:

*"The State DOT will require the Contractor to be familiar with the various facets of the existing fuel barge service and fuel handling operations occurring nearby and will coordinate this schedule with Maui Electric Company, Ltd. (MECO) and notify them of any changes to the construction schedule which could disrupt normal fueling operations. In addition, the Contractor and MECO will work together with the DOT Harbormaster's office to develop mitigation procedures to minimize construction impacts to existing fueling operations before the Contractor mobilizes on-site." (Letter to MECO, dated September 22, 1999, from Akinaka & Associates, Ltd.)*

## CHAPTER 6

### RELATIONSHIP TO LAND USE POLICIES AND CONTROLS OF THE AFFECTED AREA

#### 6.1 OVERVIEW

State and County policy, land use plans and controls are established to guide development in a manner that enhances the overall living environment of Hawai'i, and that ensures the long-term social, economic, environmental, and land use needs of the State are met. The use of the site for the mooring dolphin is in accordance with State and County land use plans and policies, as discussed below.

#### 6.2 FEDERAL LAND USE PLANS AND POLICIES

Land use policies, plans, and controls administered by the Federal government which affect the proposed action are described in the following sections.

##### 6.2.1 CLEAN WATER ACT (CWA)

The Clean Water Act, Section 404:

- Defines requirements for discharges of dredged or fill materials in waters of the United States.
- Sets limits on such discharges.

Construction of the mooring dolphins will not involve dredging or filling. Therefore, a Section 404 permit is not required for the action.

##### 6.2.2 WATER QUALITY CERTIFICATION (Section 401, Clean Water Act)

A Water Quality Certification (WQC) is required when proposed construction or operation may result in discharges into State waters pursuant to the Federal CWA. Since it has been determined by the U.S. Army Corps of Engineers (USACE) that the proposed action will not result in the discharge of fill materials requiring a CWA Section 404 permit, a CWA Section 401 Water Quality Certification (WQC) will not be required.

### **6.2.3 NPDES PERMIT (Section 402, Clean Water Act)**

Discharges of point sources of pollutants into surface waters of the U.S. are regulated under the National Pollutant Discharge Elimination System (NPDES) program, pursuant to CWA, Section 402. In Hawai'i, the DOH administers the NPDES program under HAR 11-55.

A NPDES storm water permit will be not required for the proposed mooring dolphin. The entire surface area of the dolphin and catwalk is approximately 2,000 square feet, and staging area is 35,000 square feet, totaling 0.85 acres, thus below the one-acre threshold for the Notice of Intent Form C.

### **6.2.4 RIVERS AND HARBORS ACT**

The Rivers and Harbors Act, Section 10, requires the issuance of a Department of the Army permit for any activity that obstructs or alters navigable waters of the U.S., or modifies the course, location, condition, or capacity of any port, harbor or refuge, or enclosure within the limits of any breakwater or of the channel of any navigable water. The USACE was consulted prior to the preparation of this document, and has required a permit under Section 10, Rivers and Harbors Act (see **APPENDIX B, Department of the Army Determination Letter**, dated September 19, 2003). The approved Letter of Permission is presented as **APPENDIX C, Department of the Army Letter of Permission, File No. 200300587, U.S. Army Engineer District, Honolulu**, approved and dated December 22, 2003.

### **6.2.5 ENDANGERED SPECIES ACT AND MARINE MAMMAL PROTECTION ACT**

The Endangered Species Act of 1973 and the Marine Mammal Protection Act of 1972 require that actions will not jeopardize the continued existence of endangered or threatened marine and terrestrial plant and animal species. The U.S. Fish and Wildlife Service (USFWS) has jurisdiction over certain Federally-listed threatened and endangered (T&E) species that occur in terrestrial and marine environments. The National Marine Fisheries Service (NMFS) has jurisdiction over marine mammals and fishes (DOT-Harbors, January 2000).

It is not anticipated that there will be any significant impacts to T&E marine and non-marine species as a result of the proposed project. However, protected marine species have been known to "wander into" commercial harbors. Therefore, close coordination and consultation with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service will be maintained during project planning and construction (DOT-Harbors, January 2000).

## **6.2.6 NATIONAL HISTORIC PRESERVATION ACT**

Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations (36 CFR 800), are intended to provide for the protection and use of historic properties for the benefit of the public.

The archaeological investigation report determined that there were no significant historic structures on the project site (see Section 3.13). The State Department of Land and Natural Resources - Historic Preservation Division (SHPD), oversees the historic preservation compliance process. The SHPD has determined that no historic sites exist in the project area. See **APPENDIX A, Department of Land and Natural Resources, Historic Preservation Division, "No Effect" Letter, dated July 30, 1999**.

## **6.2.7 COASTAL ZONE MANAGEMENT ACT**

The purpose of the Coastal Zone Management Act of 1972, as amended through P.L. 104-150, The Coastal Zone Protection Act of 1996, is to "preserve, protect, develop, and where possible, restore or enhance, the resources of the Nation's coastal zone for this and succeeding generations" (National Oceanic and Atmospheric Administration, 2001). Any development under the Hawai'i Commercial Harbors 2020 Master Plan will comply with the Coastal Zone Management Act. See **Section 6.3.4, Coastal Zone Management Program, under "State Land Use Plans and Policies."**

## **6.3 STATE HARBOR PLANS, LAND USE PLANS AND POLICIES**

### **6.3.1 2025 MASTER PLAN FOR KAHULUI COMMERCIAL HARBOR**

The 2025 Master Plan for Kahului Commercial Harbor (DOT-Harbors, September 2000) serves as a the State's long-range planning guide for the development of Kahului Commercial Harbor. The dynamic plan was completed in 2000 in a cooperative planning effort by the local community, private businesses, the Kahului Commercial Harbor Task Force and DOT-Harbors. The plan acknowledged the need to consider additional overseas berthing for Pier 1 since berthing conflicts would result from any increase in the scheduled uses of the existing pier (DOT-Harbors, September 2000).

### 6.3.2 HAWAII STATE PLAN (Hawai'i Revised Statutes, Chapter 226)

The Hawai'i State Plan is provided for under Hawai'i Revised Statutes, Chapter 226, (1995) to serve as a guide for the future growth of the State of Hawai'i. The Hawai'i State Plan, adopted in 1978, consists of three parts:

- An overall theme with broad goals, objectives and policies
- A system designed to coordinate public planning to implement the goals, objectives and policies of the State Plan; and
- Priority guidelines which are statements of Statewide interrelated problems deserving immediate action.

The proposed action is consistent with the objectives and policies of the Hawai'i State Plan. Specifically, the proposed action will increase and diversify the State's economic base through upgrading facilities for the shipping industry. Described below are sections of the Hawai'i State Plan's objectives, and policies that are relevant to the proposed action.

**Hawai'i State Plan, SEC. 226-11 Objectives and policies for the physical environment land-based, shoreline, and marine resources.**(a) Planning for the State's physical environment with regard to land-based, shoreline, and marine resources shall be directed towards achievement of the prudent use of Hawai'i's land-based, shoreline, and marine resources.

#### **Hawai'i State Plan, SEC. 226-17 Objectives and Policies for Facility Systems - Transportation**

- (1) Provide for improved accessibility to shipping, docking, and storage facilities.
- (2) Encourage transportation systems that serve to accommodate present and future development needs of communities.
- (3) Increase the capacities of airport and harbor systems and support facilities to effectively accommodate transshipment of storage needs.
- (4) Encourage the development of transportation systems and programs which would assist statewide economic growth and diversification.

### 6.3.3 STATE LAND USE LAW (Hawai'i Revised Statutes, Chapter 205)

The State of Hawai'i classifies all land into four districts: Urban, Conservation, Agricultural, and Rural. The proposed pier extension project involves the use of submerged lands which are

considered to be within the State's Conservation District. However, based on an existing Conservation District Use Permit (CDUP) for Kahului Commercial Harbor that was approved on February 9, 1990, the proposed project will not need to fulfill further CDUP requirements. The existing CDUP (MA-2302) allows for the future use of submerged lands within Kahului Commercial Harbor (DOT-Harbors, January 2000). This was confirmed informally with DLNR, Land Division, and a confirming letter is to follow (personal communication, Sam Lemmo, DLNR, Land Division, December 30, 2003).

Preconsultation regarding the requirement for a new Conservation District Use Permit for the subject project is presented in the following appendices:

**APPENDIX D, Preconsultation Letter to Peter Young, Chairperson, Board of Land and Natural Resources, dated December 15, 2003.**

**APPENDIX E, Fax to DLNR, Subject: "Kahului Pier 1C - Followup re Letter Dated 12/15/03," dated December 24, 2003.**

**APPENDIX F, Letter to R.M. Towill Corporation, Subject: "Installation of a Mooring Dolphin at Kahului Harbor, Maui," from Acting Administrator, DLNR, Office of Conservation and Coastal Lands, dated December 31, 2003.**

#### **6.3.4 COASTAL ZONE MANAGEMENT PROGRAM (Hawai'i Revised Statutes, Chapter 205A)**

The Coastal Zone Management Act of 1972 (P.L. 92-583) is administered in Hawai'i by the Office of Planning of the Department of Business, Economic Development, and Tourism. The objectives and policies of the Hawai'i Coastal Zone Management (CZM), as set forth in Hawai'i Revised Statutes, Chapter 205A are to provide recreational resources; protect historic, scenic, and coastal ecosystem resources; provide economic uses; reduce coastal hazards; and manage development in the coastal zone.

Chapter 205A outlines controls and policies for development within an area along the shoreline referred to as the Special Management Area (SMA). SMA policies relating to the proposed action are administered by the County of Maui. According to a pre-consultation letter from the County of Maui Planning Department for the Draft Environmental Assessment for the Pier 1C Extension, Kahului Harbor, Maui, Hawai'i, Job H.C. 3296, dated December 9, 1998, Kahului Commercial Harbor is excluded from the Special Management Area (DOT-Harbors, January 2000).

Environmental concerns are also addressed through the CZM consistency review process. A federal consistency determination was requested from the State Office of Planning of the Department of Business, Economic Development and Tourism (DBEDT), in November 2003. The Office of Planning concurred that the project is consistent with CZM federal regulations. In addition, the determination letter stated that water quality regulations, Conservation District regulations must be followed, in addition to Shoreline Setback Area and SMA, if applicable [they are not applicable]. See **APPENDIX G, DBEDT, Office of Planning, CZM Determination Letter**, dated November 26, 2003.

## 6.4 COUNTY OF MAUI PLANS AND POLICIES

### 6.4.1 COUNTY OF MAUI GENERAL PLAN

The County of Maui General Plan is the policy document for the long-range, comprehensive development of Maui, Molokai and Lanai. The General Plan provides direction for the future growth of the County (County of Maui, 1990). The subject project is consistent with the policies in the currently-approved General Plan for the County of Maui, "Transportation" section, which states:

*"Encourage the development of more efficient water and air transportation systems. Support environmentally sensitive development or modernization of major transportation facilities such as new harbors and airports when they are needed by our residents."*

### 6.4.2 WAILUKU-KAHULUI COMMUNITY PLAN (2002)

In its discussion of airport and harbor facilities, the Wailuku-Kahului Community Plan states:

*"Kahului serves as the transportation center of and gateway to the Island of Maui. Kahului Airport is the island's primary airport facility, while Kahului Commercial Harbor serves as the island's only commercial harbor...Both of these facilities are the economic lifeline to Maui...The commercial port of Kahului Commercial Harbor is viewed as inadequate and approaching capacity. In the long term, a new commercial harbor facility may be needed, given the limited area of the existing harbor."*

The Wailuku-Kahului Community Plan offers the following recommendation:

*"Support the expansion of Kahului Commercial Harbor, the island's primary commercial harbor, to accommodate long-term needs. The State Department of Transportation should be encouraged to allow recreational uses by canoe clubs or provide an alternative site for such uses in its long range master plan. The*

*harbor master plan should also incorporate safe bicycle and pedestrian access. Support the investigation of alternative sites for a second commercial harbor facility on the island of Maui.”*

#### **6.4.3 COUNTY ZONING, LAND USE DESIGNATIONS AND SPECIAL MANAGEMENT AREA**

County of Maui zoning designation for the landside of Kahului Commercial Harbor is urban. However, the project will occur predominantly in submerged waters, which are under State rather than County jurisdiction (see Section 3.3.3, State Land Use Law, HRS 205, above).

According to the County of Maui, Department of Planning, the project site is located outside of the Special Management Area. Thus, the SMA objectives, policies and guidelines pursuant to the Hawai'i Revised Statutes, Chapter 205A, are not applicable to the proposed project (see Section 6.3.4, Coastal Zone Management Act, HRS Chapter 205A, above).



## CHAPTER 7

### NECESSARY PERMITS AND APPROVALS

#### Federal

- U.S. Army Corps of Engineers: *Department of the Army Letter of Permission* (approved December 22, 2003). Refer to:
  - APPENDIX B, Department of the Army Determination Letter, dated September 19, 2003.
  - APPENDIX C, Department of the Army Letter of Permission File No. 200300587, U.S. Army Engineer District, Honolulu, dated December 22, 2003.

#### State

- State Department of Business, Economic Development and Tourism, Office of Planning: *Coastal Zone Management Program Federal Consistency Determination*. Determination: the project is consistent with federal CZM regulations. Refer to:
  - APPENDIX G, State Department of Business, Economic Development and Tourism, Office of Planning, CZM Determination Letter, dated November 26, 2003.
- State Department of Health, Noise, Radiation and Indoor Air Quality Branch: *Noise Permit for Construction Activities and Community Noise Variance*.
- Department of Land and Natural Resources, Historic Preservation Division: *Review for historic and/or archaeological resources*. Determination: pending; a related project, Pier 1C Extension, will have "no effect." Refer to:
  - APPENDIX A, Department of Land and Natural Resources, Historic Preservation Division, "No Effect" Letter, dated July 30, 1999.
- Department of Land and Natural Resources, Commission on Water Resource Management: *Consultation on potable water source*.
- Department of Land and Natural Resources, Office of Conservation and Coastal Waters, *Consultation on the Requirement for a New Conservation District Use Permit*.
  - APPENDIX D, Preconsultation Letter to Peter Young, Chairperson, Board of Land and Natural Resources, dated December 15, 2003.
  - APPENDIX E, Fax to DLNR, Subject: "Kahului Pier 1C - Followup re Letter Dated 12/15/03," dated December 24, 2003.
  - APPENDIX F, Letter to R.M. Towill Corporation, Subject: "Installation of a Mooring Dolphin at Kahului Harbor, Maui," from Acting Administrator, DLNR, Office of Conservation and Coastal Lands, dated December 31, 2003.

## CHAPTER 8 AGENCIES AND ORGANIZATIONS CONSULTED

### State of Hawai'i

Department of Business, Economic Development, and Tourism, Office of Planning  
Department of Health, Environmental Planning Office and Clean Water Branch  
Department of Land and Natural Resources: Historic Preservation Division, Land Division, and  
Division of Aquatic Resources  
Department of Transportation

### County of Maui

- Planning Department
- Department of Public Works and Environmental Management
- Fire Department
- Police Department
- Department of Water Supply

### Private

- Maui Electric Company

## CHAPTER 9 DETERMINATION OF SIGNIFICANCE

Based on significance criteria set forth in Hawai'i Administrative Rules, Title 11, Department of Health, Chapter 200, "Environmental Impact Statement Rules," the proposed project is not expected to have a significant impact on the environment. Therefore, the recommended preliminary determination for the proposed project is a Finding of No Significant Impact (FONSI). The findings and reasons supporting this determination are discussed below.

1. *The proposed action does not involve an irrevocable commitment or loss of or destruction of unique natural or cultural resources.*

The proposed project should have no adverse impacts on historic sites since the project area is underwater and the landside of the project, where the mooring dolphin joins Pier 1C, has already been substantially disturbed during the development and periodic maintenance dredging within Kahului Commercial Harbor. However, should evidence of historic sites be encountered during construction, all activities in the area of the find shall cease, and the State Historic Preservation Division shall be notified immediately.

2. *The proposed action does not curtail the range of beneficial uses of the environment.*

The proposed project is consistent with the State and County land use designations of the surrounding area. Traffic disruptions during construction of the mooring dolphin are not expected to curtail the full commercial and recreational uses of the facilities at Pier 1C. The long term economic benefit of extending the mooring capability of Pier 1C far outweighs any temporary inconveniences to nearby businesses and facilities.

3. *The proposed action is in concert with the State's long term environmental policies, goals and guidelines as expressed in Chapter 343, HRS, and any revisions and amendments thereto, court decisions and executive orders.*

The proposed project is consistent with all applicable policies, goals, and guidelines in the State's Land Use Plan. The proposed project does not conflict with the State's long term environmental policies or goals and guidelines as expressed in Chapter 343, Hawai'i Revised Statutes.

4) *The proposed action does not substantially affect the economic or social welfare of the community or State.*

Construction of the proposed mooring dolphin is a relatively small project of limited duration and cost. Thus, no substantial adverse impacts to the economic or social welfare of the community or State are expected.

During construction, access to businesses or facilities at Pier 1C may be temporarily disrupted. The transportation of construction equipment, materials and wastes to and from the project site may also cause temporary inconveniences to customers or businesses in the area. The implementation of an approved traffic control plan together with responsive communication between the affected harbor users and the contractor will help to ensure the most efficient movement of traffic through the project area (DOT-Harbors, January 2000).

Positive economic impacts resulting from the proposed project include the short term production of construction related jobs and the benefit to local material suppliers and dining establishments from the increase in the amount of construction workers in the area. In the long term, the proposed project will benefit Maui's economy by enhancing the flow of goods and commerce and by minimizing the amount of time wasted from harbor congestion (DOT-Harbors, January 2000).

5. *The proposed action does not involve substantial secondary impacts, such as population changes or effects on public facilities.*

The proposed mooring dolphin and catwalk project is needed to help meet the projected economic demands of the increasing population and growing economy of Maui on an island-wide basis. The additional vessel mooring capability will have a positive effect on the overall operations of Kahului Commercial Harbor. The proposed project is not expected to cause an increase in the island's population or increase available jobs such as harbor security personnel, equipment operators, or harbor administration.

6. *The proposed action does not substantially affect public health.*

Construction activities will generate short-term impacts with the potential for affecting public health. Such short-term impacts include noise and dust which will be minimized through the implementation of the mitigative measures previously identified in Chapter 3. These impacts are addressed and regulated through the permit processes established by the appropriate regulatory agencies. In addition, the Contractor will be directed to communicate with the community to mitigate public concerns during construction (DOT-Harbors, January 2000).

7. *The proposed action does not involve a substantial degradation of environmental quality.*

The proposed project does not involve substantial degradation of environmental quality. Impacts to air and water quality, noise levels, natural resources, and land use associated with the construction are anticipated to be minimal. Mitigation measures will be employed as practicable to further minimize potentially detrimental effects to the environment resulting from project activities. In the short term, harbor sediments will be disturbed temporarily by pile driving. In the long term, the water quality of the harbor should revert back to normal conditions once the project is completed.

8. *The proposed action is individually limited and cumulatively does not have a considerable adverse effect upon the environment or involve a commitment for larger actions.*

The proposed mooring dolphin will not have a considerable adverse effect on the environment or involve a commitment to larger actions. The project addresses a pressing operational need to accommodate a projected increase in the current scheduled users of Pier 1C and consequently helps to meet the projected demands of the island's increasing population and growing economy. No commitment of any larger action is triggered by the construction of this project (DOT-Harbors, January 2000).

9. *The proposed action does not substantially affect rare, threatened or endangered species or habitats.*

No direct adverse impact to wildlife resources is anticipated from the proposed improvements. The Pier 1C mooring dolphin site is largely underwater and lacks rare, threatened, or endangered species.

10. *The proposed action does not detrimentally affect air or water quality or ambient noise levels.*

On a short-term basis, ambient air and noise conditions will be affected by construction of the mooring dolphin, but these impacts can be controlled by measures described in the Environmental Assessment. Once the project is completed, air and noise conditions in the project vicinity should return to their present levels.

11. *The proposed action does not affect an environmentally sensitive area such as a flood plain, tsunami zone, erosion-prone area, geologically hazardous land, estuary or coastal waters.*

Although the proposed project is located within a coastal flood hazard area, the new mooring dolphin is not expected to adversely impact any flood plain, tsunami zone erosion-prone area, geologically hazardous land, estuary or coastal waters. The proposed project is of a relatively small size and is located offshore from the flood zone.

12. *The proposed action does not substantially affect scenic vistas and view planes identified in county or state plans or studies.*

The project area adjacent to numerous industrial and commercial harbor uses. The mooring dolphin and catwalk will form a narrow extension of existing Pier 1C. As such, no scenic vistas or view planes should be affected.

13. *The proposed action does not require substantial energy consumption.*

No significant amount of fuel, electrical or labor resources will be expended by the construction of the mooring dolphin. Following construction, use of the mooring dolphin will not have a

substantial effect upon current energy consumption within the harbor due to its relatively small size.

#### **FINDINGS**

In accordance with the provisions set forth in Chapter 343, Hawai'i Revised Statutes, and the significance criteria in Section 11-200-12 of Title 11, Chapter 200, it is anticipated that the project will have no significant adverse impact to water quality, air quality, existing utilities, noise levels, social welfare, archaeological sites, or wildlife habitat. All anticipated impacts will be temporary and will not adversely impact the environmental quality of the area. It is expected that an Environmental Impact Statement (EIS) will not be required, and that a Finding of No Significant Impact (FONSI) will be issued for this project.

## REFERENCES

- Aki Sinoto Consulting. March 1997. Archaeological Inventory Survey of the Barge Terminal Improvement Project at Kahului Commercial Harbor, Kahului, Wailuku, Maui.
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- County of Maui, Planning Department. 1990. General Plan.
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- Geolabs, Inc. September 10, 1999. Draft Geotechnical Engineering Exploration, Pier 1C Extension, Kahului Commercial Harbor, Maui, Hawai'i.
- GMP Associates. October 1996. Final Environmental Assessment for the Waile Drive, Mahalani Street, and Imi Kala Street Extension Project.
- Hawai'i Revised Statutes, Chapter 343.
- Hawai'i Administrative Rules, Chapter 11-54.
- Hawai'i Administrative Rules, Chapter 11-55.
- Hawai'i Administrative Rules, Chapter 11-59.
- Hawai'i Administrative Rules, Chapter 11-60.
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U.S. Department of Transportation, Federal Aviation Administration, and State of Hawai'i,  
Department of Transportation-Airports Division. September 1997. Final Environmental  
Impact Statement of the Kahului Airport Improvements.

U.S. Federal Emergency Management Agency. (FIRM) FIRM Flood Insurance Rate  
Map.

APPENDIX 1  
Comment Letters and Responses  
Draft Environmental Assessment

LINDA LINGLE  
GOVERNOR



RUSS K. SAITO  
COMPTROLLER  
KATHERINE H. THOMASON  
DEPUTY COMPTROLLER

STATE OF HAWAII  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
P.O. BOX 119, HONOLULU, HAWAII 96810

(P)1019.4

JAN 25 2004

Ms. Gail W. Atwater, AICP, Senior Planner  
R. M. Towill Corporation  
420 Waiakamilo Road, Suite 411  
Honolulu, Hawaii 96817-4941


Dear Ms. Atwater:

Subject: Kahului Commercial Harbor  
Pier 1C Mooring Dolphin  
Draft Environmental Assessment  
Kahului, District of Wailuku, Maui  
TMK: 3-7-01:22

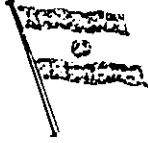
Thank you for the opportunity to review the Kahului Commercial Harbor Pier 1C Mooring Dolphin Draft Environmental Assessment for the subject project. This project does not impact any Department of Accounting and General Services' projects or existing facilities. Therefore, we have no comments to offer.

If you have any questions, please have your staff call Mr. Allen Yamanoha of the Planning Branch at 586-0488.

Sincerely,

  
HAROLD SONOMURA  
Acting Public Works Administrator

AY:jp  
c: Ms. Genevieve Salmonson, OEQC



**Matson Terminals, Inc.**

Sand Island Access Road  
P.O. Box 2630  
Honolulu, Hawaii 96803

March 10, 2004

Mr. Harold Sonomura, Acting Public Works Administrator  
State of Hawaii, Department of Accounting and General Services  
Post Office Box 119  
Honolulu, Hawaii 96810

Dear Mr. Sonomura:

**Kahului Commercial Harbor, Pier 1C Mooring Dolphin  
Draft Environmental Assessment  
Kahului, District of Wailuku, Maui  
TMK: 3-7-01:22**

Thank you for your letter dated January 26, 2004, concerning the Draft EA for the subject project.

Should you have questions or require additional information, you may contact our agent, Gail Atwater of R.M. Towill Corporation, at 842-1133.

Very truly yours,

Gary Moniz  
Facilities & Maintenance Manager  
GM/gwa

cc: Frederick Nunes, State Department of Transportation – Harbors Division  
Genevieve Salmonson, OEQC  
Gail Atwater, R.M. Towill Corporation

LINDA LINGLE  
GOVERNOR



PATRICIA HAMAMOTO  
SUPERINTENDENT

STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
P.O. BOX 2360  
HONOLULU HAWAII 96804

OFFICE OF THE SUPERINTENDENT

February 11, 2004

Mr. Marshall Ando, Design Engineer  
Harbors Division  
Department of Transportation  
79 South Nimitz Highway  
Honolulu, Hawaii 96813

Dear Mr. Ando:

Subject: Draft Environmental Assessment (DEA) for the  
Kahului Commercial Harbor Pier 1C Mooring Dolphin,  
Wailuku, Maui, TMK: 3-7-01:22

The Department of Education (DOE) has reviewed the Draft Environmental Assessment for construction of a mooring dolphin and catwalk at Pier 1C at Kahului Commercial Harbor.

The DOE has no comment concerning the proposed project. If you have any questions, please call Rae M. Loui, Assistant Superintendent of the Office of Business Services, at 586-3444 or Heidi Meeker of the Facilities and Support Services Branch, at 733-4862.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Patricia Hamamoto".

Patricia Hamamoto  
Superintendent

PH:mp (HM)

c: Rae M. Loui, OBS  
FSSB  
✓ Gail Atwater, R.M. Towill

AN AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY EMPLOYER



**Matson Terminals, Inc.**

Sand Island Access Road  
P.O. Box 2630  
Honolulu, Hawaii 96803

March 10, 2004

Ms. Patricia Hamamoto  
Superintendent  
State of Hawaii, Department of Education  
Post Office Box 2360  
Honolulu, Hawaii 96804

Dear Ms. Hamamoto:

**Kahului Commercial Harbor, Pier 1C Mooring Dolphin  
Draft Environmental Assessment  
Kahului, District of Wailuku, Maui  
TMK: 3-7-01:22**

Thank you for your letter dated February 11, 2004, concerning the Draft EA for the subject project. We acknowledge that you have no comment concerning the proposed project.

Should you have questions or require additional information, you may contact our agent, Gail Atwater of R.M. Towill Corporation, at 842-1133.

Very truly yours,

Gary Moniz  
Facilities & Maintenance Manager

GM/gwa

cc: Frederick Nunes, State Department of Transportation – Harbors Division  
Genevieve Salmonson, OEQC  
Gail Atwater, R.M. Towill Corporation

LINDA LINGLE  
GOVERNOR  
STATE OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOMELANDS  
P.O. BOX 1879  
HONOLULU, HAWAII 96805

MICAH A. KANE  
CHAIRMAN  
HAWAIIAN HOMES COMMISSION  
BEN HENDERSON  
DEPUTY TO THE CHAIRMAN  
KAULANA H. PARK  
EXECUTIVE ASSISTANT

January 26, 2004

Ms. Gail W. Atwater, AICP  
Senior Planner  
R.M. Towill Corporation  
420 Waiakamilo Road, Suite 411  
Honolulu, Hawaii 96814

Dear Ms. Atwater:

Thank you for the opportunity to review the draft environmental assessment report for the Kahului Commercial Harbor, Pier 1C Mooring Dolphin project on Maui. The Department of Hawaiian Home Lands has no comments to offer at this time.

If you have any questions, please call me at 586-3801 or call our Planning Office at 586-3836.

Aloha and mahalo,

*Micah A. Kane*  
for Micah A. Kane, Chairman  
Hawaiian Homes Commission





**Matson Terminals, Inc.**

Sand Island Access Road  
P.O. Box 2630  
Honolulu, Hawaii 96803

March 10, 2004

Mr. Michael A. Kane  
Chairman  
Hawaiian Homes Commission  
Post Office Box 1879  
Honolulu, Hawaii 96805

Dear Mr. Kane:

**Kahului Commercial Harbor, Pier 1C Mooring Dolphin  
Draft Environmental Assessment  
Kahului, District of Wailuku, Maui  
TMK: 3-7-01:22**

Thank you for your letter dated January 26, 2004, concerning the Draft EA for the subject project. We acknowledge that you have no comments to offer at this time.

Should you have questions or require additional information, you may contact our agent, Gail Atwater of R.M. Towill Corporation, at 842-1133.

Very truly yours,

Gary Moniz  
Facilities & Maintenance Manager  
GM/gwa

cc: Frederick Nunes, State Department of Transportation – Harbors Division  
Genevieve Salmonson, OEQC  
Gail Atwater, R.M. Towill Corporation

LINDA LINGLE  
GOVERNOR



STEPHANIE AVEIRO  
EXECUTIVE DIRECTOR

PAMELA Y. DODSON  
EXECUTIVE ASSISTANT

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII  
677 QUEEN STREET, SUITE 300  
Honolulu, Hawaii 96813  
FAX: (808) 587-0600

IN REPLY REFER TO:  
04:PEO/16

January 26, 2004

Ms. Gail W. Atwater, AICP  
Senior Planner  
R.M. Towill Corporation  
420 Waikamilo Road, Suite 411  
Honolulu, Hawaii 96817-4941

Dear Ms. Atwater:

Re: Draft Environmental Assessment for Kahului Commercial Harbor, Pier 1C  
Mooring Dolphin

Thank you for the opportunity to review the draft Environmental Assessment for the proposed Kahului Commercial Harbor, Pier 1C mooring dolphin. We do not have any comments to offer.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Aveiro".

Stephanie Aveiro  
Executive Director



**Matson Terminals, Inc.**

Sand Island Access Road  
P.O. Box 2630  
Honolulu, Hawaii 96803

March 10, 2004

Ms. Stephanie Aviero, Executive Director  
State of Hawaii, Department of Human Services  
Housing and Community Development Corporation  
677 Queen Street, Suite 300  
Honolulu, Hawaii 96813

Reference: 04:PEO/16

Dear Ms. Aveiro:

**Kahului Commercial Harbor, Pier 1C Mooring Dolphin  
Draft Environmental Assessment  
Kahului, District of Wailuku, Maui  
TMK: 3-7-01:22**

Thank you for your letter dated January 26, 2004 concerning the Draft EA for the subject project. We acknowledge that you do not have any comments to offer.

Should you have questions or require additional information, you may contact our agent, Gail Atwater of R.M. Towill Corporation, at 842-1133.

Very truly yours,

A handwritten signature in black ink, appearing to read "Gary Moniz", with a long horizontal flourish extending to the right.

Gary Moniz  
Facilities & Maintenance Manager  
GM/gwa

cc: Frederick Nunes, State Department of Transportation - Harbors Division  
Genevieve Salmonson, OEQC  
Gail Atwater, R.M. Towill Corporation

LINDA LINGLE  
GOVERNOR OF HAWAII



GENEVIEVE SALMONSON  
DIRECTOR

STATE OF HAWAII  
OFFICE OF ENVIRONMENTAL QUALITY CONTROL  
235 SOUTH BERETANIA STREET  
SUITE 702  
HONOLULU, HAWAII 96813  
TELEPHONE (HCP) 595-4185  
FACSIMILE (FAX) 595-4186  
E-mail: oeqc@health.state.hi.us

February 23, 2004

Mr. Rodney K. Haraga, Director  
State Department of Transportation  
869 Punchbowl Street  
Honolulu, Hawai'i 96813

Dear Mr. Haraga:

Subject: Draft Environmental Assessment for the Kahului Commercial Harbor, Pier 1C  
Mooring Dolphin, Maui

Thank you for the opportunity to review the subject document. We have no comments. Should you have any questions, please call Jeyan Thirugnanam at 586-4185.

Sincerely,

A handwritten signature in black ink, appearing to read "Genevieve Salmonson".

Genevieve Salmonson  
Director

c: Matson  
R.M. Towill



**Matson Terminals, Inc.**

Sand Island Access Road  
P.O. Box 2630  
Honolulu, Hawaii 96803

March 10, 2004

Ms. Genevieve Salmonson, Director  
State of Hawaii, Office of Environmental Quality Control  
235 S. Beretania Street, Suite 702  
Honolulu, Hawaii 96813

Dear Ms. Salmonson:

**Kahului Commercial Harbor, Pier 1C Mooring Dolphin  
Draft Environmental Assessment  
Kahului, District of Wailuku, Maui  
TMK: 3-7-01:22**

Thank you for your letter dated February 23, 2004, concerning the subject project. We acknowledge that you have no comments on the project.

Should you have questions or require additional information, you may contact our agent, Gail Atwater of R.M. Towill Corporation, at 842-1133.

Very truly yours,

Gary Moniz  
Facilities & Maintenance Manager

GM/gwa

cc: Jeyan Thirugnanam, Office of Environmental Quality Control  
Frederick Nunes, State Department of Transportation – Harbors Division  
Gail Atwater, R.M. Towill Corporation

PHONE (808) 594-1888

FAX (808) 594-1865



STATE OF HAWAII  
OFFICE OF HAWAIIAN AFFAIRS  
711 KAPI'OLANI BOULEVARD, SUITE 500  
HONOLULU, HAWAII 96813

HRD04/1266

February 23, 2004

Gail W. Atwater, AICP  
Senior Planner  
R.M. Towill Corporation  
420 Waiakamilo Road, Suite 411  
Honolulu, HI 96817-4941

**RE: Request for Comment on Draft Environmental Assessment for Kahului Commercial Harbor, Pier 1C Mooring Dolphin, Kahului, District of Wailuku, Maui, TMK 3-7-01:22**

Dear Gail W. Atwater,

OHA is in receipt of your January 20, 2004, request for comments on the above project. OHA has no comment on the project at this time but notes the following concerns.

We will rely on your assurances that the Class A waters of Kahului Commercial Harbor will be managed to assure the protection and propagation of endemic and native sealife, that there will be no discharge of dredged or fill material into the harbor, and that appropriate measures will be taken to prevent runoff of fuel, oil and cement products from non-permeable surfaces near the harbor, such that no discharge or leaching into the ocean will occur. OHA understands that any structure built in the nearshore will impact beach geology and ecology, and OHA is concerned about any impacts such activities and structures may have on the water quality of the harbor. OHA also understands the dangers of potential introductions of alien aquatic species to the ecosystem from overseas vessels. We hope that the Department of Transportation—Harbors Division will be able to monitor, control and even prevent the impacts of such species. OHA further commends the preventative foresight of plans to mitigate impacts on the Newell's Shearwater by limiting night work at the project site and by shielding lights in the long term.

Thank you for the opportunity to comment. If you have further questions, please contact Heidi Guth at 594-1962 or e-mail her at [heidig@oha.org](mailto:heidig@oha.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Clyde W. Namu'o".

Clyde W. Namu'o  
Administrator



**Matson Terminals, Inc.**

Sand Island Access Road  
P.O. Box 2630  
Honolulu, Hawaii 96803

March 10, 2004

Mr. Clyde M. Namu'o  
State of Hawaii  
Office of Hawaiian Affairs  
711 Kapi'olani Boulevard, Suite 500  
Honolulu, Hawai'i 96813

Reference: HRD04/1266

Dear Mr. Namu'o:

**Kahului Commercial Harbor, Pier 1C Mooring Dolphin  
Draft Environmental Assessment  
Kahului, District of Wailuku, Maui  
TMK: 3-7-01:22**

Thank you for your letter dated February 23, 2004, concerning the Draft EA for the subject project. We acknowledge that you had no comment on the project but noted several concerns.

We acknowledge that you will rely on information in the Draft Environmental Assessment concerning steps to be taken to protect water quality during construction.

With regard to steps to monitor, control "and even prevent" the introduction of alien species to the ecosystem from overseas vessels, we offer the following information. The Federal Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990, amended by the Native Invasive Species Act of 1996, calls for the development of State and regional management plans for prevention and control of alien invasive species (AIS). In 2003 the State of Hawaii, Department of Land and Natural Resources, Division of Aquatic Resources, published the State of Hawaii Alien Invasive Species (AIS) Management Plan. Prevention strategies in this plan include "Reduce the introduction of marine AIS via ballast water, ballast sediment, and hull fouling pathways (commercial and recreational)."

Matson Navigation Company (Matson) has implemented several operational practices that will reduce the potential for introducing alien invasive species into Kahului Commercial Harbor from Matson overseas vessels. First is the practice of allowing vessels to enter commercial harbors only with clean ballast water that is free of sediment. Therefore, if ballast water has to be discharged into the harbor for operation or maneuvering of vessels, the discharge into the harbor will be clean. Matson also has an

ongoing policy (for the last ten years) of prohibiting solid waste discharge while vessels are in transit. Paper and metals are recycled and other solid waste is disposed of at an appropriate county solid waste disposal facility. Finally, Matson adheres to a strict schedule for hull cleaning which minimizes the potential for alien invasive species introduction.

By copy of this letter, the Department of Transportation – Harbors Division, will be notified of your commendation for planning mitigation of impacts of night lighting on the Newell's Shearwater both during construction and by design of permanent harbor lights.

Should you have questions or require additional information, you may contact our agent, Gail Atwater of R.M. Towill Corporation, at 842-1133.

Very truly yours,



Gary Moniz  
Facilities & Maintenance Manager

GM/gwa

cc: Frederick Nunes, State Department of Transportation – Harbors Division  
Genevieve Salmonson, OEQC  
Gail Atwater, R.M. Towill Corporation





**DEPARTMENT OF WATER SUPPLY**  
**COUNTY OF MAUI**  
200 South High Street  
WAILUKU, MAUI, HAWAII 96793-2155  
Telephone (808) 270-7816 • Fax (808) 270-7833

February 25, 2004

Ms. Gail W. Atwater, AICP  
R.M. Towill Corporation  
420 Waikamilo Road, Suite 411  
Honolulu, HI 96817-4941  
19829-OP

Subject: Request for Review  
Draft Environmental Assessment  
Kahului Commercial Harbor Pier 1C Mooring Dolphin  
Kahului, District of Wailuku, Maui  
TMK: 3-7-01\*022

Dear Ms. Atwater:


Thank you for the opportunity to comment on this Draft Environmental Assessment (DEA). We provide the following information:

The Kahului Harbor is serviced by the Central Maui System. Any effect on potable water usage would be incidental to increased use of harbor facilities.

The Department of Water Supply strives to protect the integrity of watersheds and water resources. As stated in the DEA, additional berthing sites for overseas ships provided by the proposed Pier 1C mooring dolphin would increase the potential of further alien species introduction to Maui. Alien species can out-compete native species, leaving large areas unprotected against erosion and other watershed damage. While the DEA describes current measures to prevent alien pest species introduction to the State, it should also specify what specific mitigation measures will be taken to address the increased threat from the added berthing sites.

Should you have any questions, please contact our Water Resources and Planning Division at (808) 270-7199.

Sincerely,

  
George Y. Tengani  
Director  
emb

c: engineering division

*By Water All Things Find Life*



**Matson Terminals, Inc.**

Sand Island Access Road  
P.O. Box 2630  
Honolulu, Hawaii 96803

March 10, 2004

Mr. George Tengan  
Director  
County of Maui  
Department of Water Supply  
200 South High Street  
Wailuku, Hawaii 96793-2155

Dear Mr. Tengan:

**Kahului Commercial Harbor, Pier 1C Mooring Dolphin  
Draft Environmental Assessment  
Kahului, District of Wailuku, Maui  
TMK: 3-7-01:22**

Thank you for your letter, dated February 25, 2003, concerning the Draft EA for the subject project.

We acknowledge your evaluation that "any effect on potable water usage [from construction and use of the Pier 1C Mooring Dolphin] would be incidental."

With regard to alien species' possible effect on watersheds, your letter stated: "While the DEA describes current measures to prevent alien pest species introduction to the State, it would also specify what specific mitigation measures will be taken to address the increased threat from the added berthing sites."

The Federal Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990, amended by the Native Invasive Species Act of 1996, calls for the development of State and regional management plans for prevention and control of alien invasive species (AIS). In 2003 the State of Hawaii, Department of Land and Natural Resources, Division of Aquatic Resources, published the State of Hawaii Alien Invasive Species (AIS) Management Plan. Prevention strategies in this plan include "Reduce the introduction of marine AIS via ballast water, ballast sediment, and hull fouling pathways (commercial and recreational)."

Matson Navigation Company (Matson) has implemented several operational practices that will reduce the potential for introducing alien invasive species into Kahului Commercial Harbor from Matson overseas vessels. First is the practice of allowing vessels to enter commercial harbors only with clean ballast water that is free of sediment.

Therefore, if ballast water has to be discharged into the harbor for operation or maneuvering of vessels, the discharge into the harbor will be clean. Matson also has an ongoing policy (for the last ten years) of prohibiting solid waste discharge while vessels are in transit. Paper and metals are recycled and other solid waste is disposed of at an appropriate county solid waste disposal location. Finally, Matson adheres to a strict schedule for hull cleaning which minimizes the potential for alien invasive species introduction through hull fouling (personal communication, Paul Londynsky, Director of Safety, Quality and Environmental Affairs, Matson Navigation Company, San Francisco, California, March 8, 2004).

Should you have questions or require additional information, or require additional information, you may contact our agent, Gail Atwater of R.M. Towill Corporation, at 842-1133.

Very truly yours,



Gary Moniz  
Facilities & Maintenance Manager  
GM/gwa

cc: Frederick Nunes, State Department of Transportation – Harbors Division  
Genevieve Salmonson, OEQC  
Gail Atwater, R.M. Towill Corporation

ALAN M. ARAKAWA  
Mayor  
MICHAEL W. FOLEY  
Director  
WAYNE A. BOTEILHO  
Deputy Director



COUNTY OF MAUI  
DEPARTMENT OF PLANNING

February 19, 2004

Ms. Gail W. Atwater, AICP  
R.M. Towill Corporation  
420 Waiakamilo Road, Suite 411  
Honolulu, Hawaii 96817-4941

Dear Ms. Atwater:

RE: Draft Environmental Assessment (DEA) Prepared for the Proposed  
Pier 1C Mooring Dolphin Located at the Kahului Commercial Harbor,  
TMK 3-7-001: 022, Kahului, District of Wailuku, Maui, Hawaii  
(LTR 2004/0252)

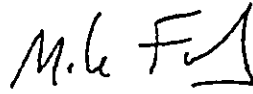
The Maui Planning Department (Department) provides the following comments on the above referenced document:

1. Section 3.6, Water Quality
  - a. Discuss what types of Best Management Practices (BMPs) will be implemented to prevent dripping concrete, debris, or other discharges from discharging into the waters of the harbor.
  - b. Discuss the methods proposed for reducing turbidity during construction and to ensure compliance with the Water Quality Standards of the Department of Health (e.g., water quality sampling program).
2. Section 3.9, Drainage
  - a. Discuss what types of BMPs will be implemented during construction to prevent fuel, oil, and cement products from discharging into the waters of the harbor.

Ms. Gail Atwater  
February 19, 2004  
Page 2

Thank you for the opportunity to comment. If additional clarification is required, please contact Ms. Kivette A. Caigoy, Environmental Planner, at 270-7735.

Sincerely,



MICHAEL W. FOLEY  
Planning Director

MWF:KAC:lar

c: Wayne Boteilho, Deputy Planning Director  
Clayton Yoshida, AICP, Planning Program Administrator  
Kivette A. Caigoy, Environmental Planner  
State DOT, Highways Division  
OEQC  
Matson Navigation Company  
General File  
K:\WP\_DOCS\PLANNING\LETTERS\tr2004\252\_Pier1CMooringDolphinDraftEA.wpd



**Matson Terminals, Inc.**

Sand Island Access Road  
P.O. Box 2630  
Honolulu, Hawaii 96803

March 10, 2004

Mr. Michael W. Foley  
Planning Director  
County of Maui  
Department of Planning  
250 South High Street  
Wailuku, Hawaii 96793-2155

RE: LTR 2004/0252

Dear Mr. Foley:

**Kahului Commercial Harbor, Pier 1C Mooring Dolphin  
Draft Environmental Assessment  
Kahului, District of Wailuku, Maui, Hawaii  
TMK: 3-7-01:22**

Thank you for your letter dated February 19, 2003, concerning the Draft EA for the subject project.

We acknowledge your evaluation that "any effect on potable water usage [from construction and use of the Pier 1C Mooring Dolphin] would be incidental."

We offer the following responses to your comments:

**Section 3.6, Water Quality**

- a. *Comment: "Discuss what types of Best Management Practices (BMPs) will be implemented to prevent dripping concrete, debris, or other discharges from discharging into the waters of the harbor."*

*Response:* The use of pre-cast concrete piles is in part a Best Management Practice to reduce the potential for discharges of concrete and debris into the water. Where small amounts of poured concrete will be needed, the viscosity of the mix will be designed to reduce the potential for spillage. Watertight formwork will also be used. In addition: nets may be placed under work areas of the mooring dolphin and catwalk to catch falling debris; containers used to store liquids or other materials which could fall or mix with waters of the harbor will be capped and disposed of promptly; and lidded dumpsters will be used.

- b. *Comment: Discuss the methods proposed for reducing turbidity during construction and to ensure compliance with the Water Quality Standards of the Department of Health (e.g., water quality sampling program).*

*Response:* Compliance with HAR, Chapter 11-54, Water Quality Standards, and Chapter 11-55, Water Pollution Control, will be directly coordinated with the State Department of Health. As required, methods, measures, and practices will be implemented by the construction contractor to ensure that water quality standards are met and maintained. Some of these measures are described above. Other measures include: concrete columns shall be properly cured before use; only clean material will be permitted to be used; equipment used to drive piles will be in proper repair; and any equipment found to be a source of leakage will be replaced or repaired.

After construction is completed, the mooring dolphin will eliminate the need for prolonged use of tugboats to maintain the position of cargo vessels against the pier. We expect that this will further reduce the potential for generation of turbidity because propeller wash will no longer be directed over a relatively stationary location (e.g., against the side of a moored cargo vessel).

### Section 3.9, Drainage

- a. *Comment: Discuss what types of BMPs will be implemented during construction to prevent fuel, oil, and cement products from discharging into waters of the harbor."*

*Response:* The construction contractor will adhere to the administrative rule requirements of the DOH, in Chapter 11-54 and 11-55, as noted above. Measures used by the contractor may include use of PVC sheet plastic, berms, and/or use of an enclosed or covered storage area to ensure against the commingling of storm water runoff with stored construction materials and equipment.

Should you have questions or require additional information, you may contact our agent, Gail Atwater, of R.M. Towill Corporation, at 842-1133.

Very truly yours,



Gary Moniz  
Facilities & Maintenance Manager

GM/gwa

cc: Frederick Nunes, State Department of Transportation, Harbors Division  
Genevieve Salmonson, OEQC  
Gail Atwater, R.M. Towill Corporation

LINDA LINGLE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. Box 3379  
HONOLULU, HAWAII 96801-3378

CHIYOME L. FUKINO, M.D.  
DIRECTOR OF HEALTH

In reply, please refer to:  
EPO-04-008

February 13, 2004

Ms. Gail W. Atwater, AICP  
R.M. Towill Corporation  
420 Waiakamilo Road, Suite 411  
Honolulu, Hawaii 96819

Dear Ms. Atwater:

SUBJECT: DRAFT ENVIRONMENTAL ASSESSMENT  
KAHULUI COMMERCIAL HARBOR  
PIER 1C MOORING DOLPHIN  
KAHULUI, DISTRICT OF WAILUKU, MAUI (TMK 3-7-01:22)

Thank you for allowing us to review and comment on the subject document. We have the following comments to offer:

**CLEAN WATER BRANCH**

1. The Army Corps of Engineers should be contacted at (808) 438-9258 to identify whether a Federal license or permit (including a Department of Army permit) is required for this project. Pursuant to Section 401(a)(1) of the Federal Water Pollution Act (commonly known as the "Clean Water Act"), a Section 401 Water Quality Certification is required for "[a]ny applicant for Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters...."
2. A National Pollutant Discharge Elimination System (NPDES) general permit coverage is required for the following activities:
  - a. Storm water associated with industrial activities, as defined in Title 40, Code of Federal Regulations, Sections 122.26(b)(14)(i) through 122.26(b)(14)(ix) and 122.26(b)(14)(xi).
  - b. Construction activities, including clearing, grading, and excavation, that result in the disturbance of equal to or greater than one (1) acre of total land area. The total land area includes a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under a larger common plan of development or sale. An NPDES permit is required before the commencement of the construction activities.



Ms. Gail W. Atwater, AICP  
February 13, 2004  
Page 2

- c. Discharges of treated effluent from leaking underground storage tank remedial activities.
- d. Discharges of once through cooling water less than one (1) million gallons per day.
- e. Discharges of hydrotesting water.
- f. Discharges of construction dewatering effluent.
- g. Discharges of treated effluent from petroleum bulk stations and terminals.
- h. Discharges of treated effluent from well drilling activities.
- i. Discharges of treated effluent from recycled water distribution systems.
- j. Discharges of storm water from a small municipal separate storm sewer system.
- k. Discharges of circulation water from decorative ponds or tanks.

The CWB requires that a Notice of Intent (NOI) to be covered by a NPDES general permit for any of the above activities be submitted at least 30 days before the commencement of the respective activities. The NOI forms may be picked up at our office or downloaded from our website at <http://www.state.hi.us/health/eh/cwb/forms/genl-index.html>.

3. The applicant may be required to apply for an individual NPDES permit if there is any type of activity in which wastewater is discharged from the project into State waters and/or coverage of the discharge(s) under the NPDES general permit(s) is not permissible (i.e. NPDES general permits do not cover discharges into Class I or Class AA receiving waters). An application for the NPDES permit is to be submitted at least 180 days before the commencement of the respective activities.

The NPDES application forms may also be picked up at our office or downloaded from our website at <http://www.state.hi.us/health/eh/cwb/forms/indiv-index.html>.

4. Hawaii Administrative Rules, Section 11-55-38, also requires the owner to either submit a copy of the new NOI or NPDES permit application to the State Department of Land and Natural Resources, State Historic Preservation Division (SHPD), or demonstrate to the satisfaction of the DOH that the project, activity, or site covered by the NOI or application has been or is being reviewed by SHPD. Please submit a copy of the request for review by SHPD or SHPD's determination letter for the project.

If you have any questions, please contact the CWB at 586-4309.

Ms. Gail W. Atwater, AICP  
February 13, 2004  
Page 3

**ENVIRONMENTAL PLANNING OFFICE**

This project is located in Kahului Bay, where the embayment (including the project site) is currently listed under section 303(d) of the Clean Water Act as a waterbody in which water quality is impaired by excessive nutrients and turbidity. The State's current Clean Water Act Section 303(d) list (<http://www.state.hi.us/doh/eh/epo/wqm/303dpcfinal.pdf>) supersedes the Department of Health 1997 Assessment cited in the Draft Environmental Assessment (p. 19) and is updated every two years.

The impaired status of these waters requires that the Department of Health establish Total Maximum Daily Loads (TMDLs) suggesting how much the existing pollutant loads should be reduced in order to attain water quality standards in the embayment waters. Although these TMDLs are yet to be established and implemented, a first step in achieving TMDL objectives is to prevent any project-related increases in pollutant loads.

We expect that this would be accomplished through the proper application of suitable best management practices in all phases of the project and adherence to any applicable permit conditions. While the water quality mitigation measures proposed include establishing leak-tight form work and the prevention of discharges to harbor waters (p. 19), we suggest that measures limiting the potential for increased turbidity during pile driving also be included the final Environmental Assessment.

When TMDLs are established for Kahului Bay, the State will establish pollutant load allocations for the surrounding lands and facilities (including the commercial harbor) and develop an implementation plan to improve embayment water quality. One of the components of this implementation plan will be to reduce the polluted discharge and runoff entering the coastal receiving waters. Thus we suggest that the applicant plan additional pollutant load reduction practices for future management of harbor facilities and operations.

If you have any questions about these comments or the Total Maximum Daily Load program, please contact David Penn at 586-4337.

Sincerely,

*June F. Harrigan-Lum*

JUNE F. HARRIGAN-LUM, MANAGER  
Environmental Planning Office

c: CWB  
EPO



## Matson Terminals, Inc.

Sand Island Access Road  
P.O. Box 2630  
Honolulu, Hawaii 96803

March 10, 2004

Ms. June F. Harrigan-Lum  
Manager, Environmental Planning Office  
State of Hawaii, Department of Health  
Post Office Box 3378  
Honolulu, Hawaii 96801-3378

Reference: EPO-04-008

Dear Ms. Harrigan-Lum:

Kahului Commercial Harbor, Pier 1C Mooring Dolphin  
Draft Environmental Assessment  
Kahului, District of Wailuku, Maui  
TMK: 3-7-01:22

Thank you for your letter dated February 13, 2004, concerning the Draft EA for the subject project. We offer the following information in response to your comments.

### CLEAN WATER BRANCH COMMENTS

1. **Army Corps of Engineers.** The USACE was consulted prior to the preparation of the Draft Environmental Assessment, and has required a permit under Section 10, Rivers and Harbors Act (Draft EA, APPENDIX B, Department of the Army Determination Letter, dated September 19, 2003). The approved Letter of Permission is included in the Draft EA, APPENDIX C, Department of the Army Letter of Permission, File No. 200300587, U.S. Army Engineer District, Honolulu. The permit was approved and dated December 22, 2003.
2. **NPDES General Permit Coverage**  
Item 2.a. Inclusion of the Pier 1C Mooring Dolphin in general coverage for storm water associated with industrial activities will be coordinated with DOH by Matson and the State Department of Transportation – Harbors Division.  
  
Item 2.b. Kahului Harbor is classified as a “Class A, Marine” body of water. Therefore, general coverage for storm water associated with construction activities (Notice of Intent (NOI), Form C) applies. However, a NPDES storm water permit to cover construction of the mooring dolphin and catwalk will be not required. The surface area of the dolphin and catwalk is approximately 2,000 square feet. Combined, the area of construction and staging will be well below the one-acre threshold for the Notice of Intent Form C. This matter has been coordinated with Mr. Gerald Yonashiro of the Clean Water Branch.  
  
Items 2c through 2k. None of the activities, listed as items 2c through 2k in the February 13, 2004 letter, are applicable to the subject project.
3. **Wastewater Discharges.**  
No discharges of wastewater associated with construction or use of the project will be required. Therefore, an NPDES permit for wastewater discharges is not required.
4. **Submission of a new NOI or NPDES permit application to the State Historic Preservation Division.** The NPDES applications identified above will not be required for this project. In

the highly unlikely event that archaeological remnants are unearthed, work will be halted and the State Historic Preservation Division notified to assess impacts and implement mitigative measures deemed necessary.

#### ENVIRONMENTAL PLANNING OFFICE COMMENTS

We acknowledge that the current Clean Water Act Section 303(d) list supersedes the Department of Health 1997 Assessment cited in the Draft Environmental Assessment and is updated every two years. The Final EA will include this correction.

Project-related increases in pollutant loads will be minimized through Best Management Practices (BMPs) to be adhered to throughout all stages of the project. With regard to a statement to be added in the Final Environmental Assessment pertaining to limiting the potential for turbidity during pile driving, the FEA will state: "The use of pre-cast concrete piles is in part a form of BMPs that will reduce the potential for discharges of concrete and debris into the water. Where small amounts of poured concrete will be needed, the viscosity of the mix will be designed to reduce the potential for spillage. Watertight formwork will also be used. In addition: nets may be placed under work areas of the mooring dolphin and catwalk to catch falling debris; containers used to store liquids or other materials which could fall or mix with waters of the harbor will be capped and disposed of promptly; and lidded dumpsters will be used. "

With regard to planning additional pollutant load reduction practices for future management of harbor facilities and operations, we will take this under advisement for Matson Navigation Company operations and inform the harbor owner, the State of Hawaii, Department of Transportation – Harbors Division, of the concern voiced in your letter of February 13, 2004.

Should you have questions or require additional information, you may contact our agent, Gail Atwater of R.M. Towill Corporation, at 842-1133.

Very truly yours,

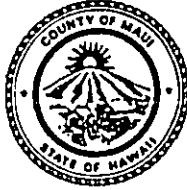


Gary Mofiz  
Facilities & Maintenance Manager

GM/gwa

cc: Frederick Nunes, State Department of Transportation – Harbors Division  
Genevieve Salmonson, Director, Office of Environmental Quality Control  
Gail Atwater, R.M. Towill Corporation

ALAN M. ARAKAWA  
Mayor



GLENN T. CORREA  
Director

JOHN L. BUCK III  
Deputy Director

(808) 270-7230  
Fax (808) 270-7934

**DEPARTMENT OF PARKS & RECREATION**

700 Hali'a Nakoa Street, Unit 2, Wailuku, Hawaii 96793

January 29, 2004

Gail W. Atwater, AICP  
Senior Planner  
R.M. Towill Corporation  
420 Waiakamilo Road, Suite 411  
Honolulu, Hawaii 96817-4941

Dear Ms. Atwater:

**SUBJECT: KAHULUI COMMERCIAL HARBOR  
PIER 1C MOORING DOLPHIN  
DRAFT ENVIRONMENTAL ASSESSMENT**

We have reviewed the Draft Environmental Assessment for the subject project and have no comments at this time.

Thank you for the opportunity to review and comment on this project. Please contact me or Mr. Patrick Matsui, Chief of Parks Planning and Development, at (808)270-7387 if there are further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Glenn T. Correa".

GLENN T. CORREA  
Director



**Matson Terminals, Inc.**

Sand Island Access Road  
P.O. Box 2630  
Honolulu, Hawaii 96803

March 10, 2004

Mr. Glenn T. Correa, Director  
County of Maui, Department of Parks and Recreation  
700 Hali'a Nako Street, Unit 2  
Wailuku, Hawaii 96793

Dear Mr. Correa:

**Kahului Commercial Harbor, Pier 1C Mooring Dolphin  
Draft Environmental Assessment  
Kahului, District of Wailuku, Maui  
TMK: 3-7-01:22**

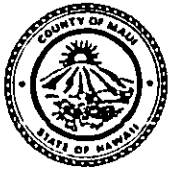
Thank you for your letter dated January 29, 2004, concerning the Draft EA for the subject project. We acknowledge that you have no comments at this time.

Should you have questions or require additional information, you may contact our agent, Gail Atwater of R.M. Towill Corporation, at 842-1133.

Very truly yours,

Gary Moniz  
Facilities & Maintenance Manager  
GM/gwa

cc: Frederick Nunes, State Department of Transportation – Harbors Division  
Genevieve Salmonson, OEQC  
Gail Atwater, R.M. Towill Corporation



JAMES "KIMO" APANA  
MAYOR

OUR REFERENCE  
tj  
YOUR REFERENCE

**POLICE DEPARTMENT**  
COUNTY OF MAUI

55 MAHALANI STREET  
WAILUKU, HAWAII 96793  
(808) 244-6400  
FAX (808) 244-6411

February 18, 2004



THOMAS M. PHILLIPS  
CHIEF OF POLICE

KEKUHAUPIO R. AKANA  
DEPUTY CHIEF OF POLICE

Ms. Gail W. Atwater, AICP  
Senior Planner  
R.M. Towill Corporation  
420 Waiakamilo Road, Suite 411  
Honolulu, HI 96819

Dear Ms. Atwater:

SUBJECT: Draft Environmental Assessment  
Kahului Commercial Harbor, Pier 1C Mooring Dolphin  
Kahului, District of Wailuku, Maui  
TMK: 3-7-01:22

Thank you for your letter of January 20, 2004 requesting comments on the above subject.

We have reviewed the proposed summary and enclosed our comments and recommendations. Thank you for giving us the opportunity to comment on the proposed project.

Very truly yours,

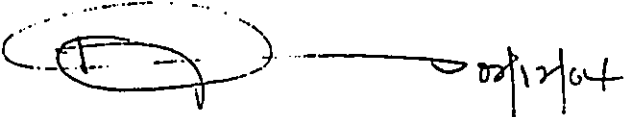
Assistant Chief Sydney Kikuchi  
for: Thomas M. Phillips  
Chief of Police

Enclosure

c: Michael Foley, Planning Department

# COPY

TO : SYDNEY KIKUCHI, ASSISTANT CHIEF, UNIFORM SERVICES BUREAU

VIA : CHANNELS 

FROM : JORGE MARZAN, CPO, KAHULUI, DISTRICT I

SUBJECT : DEA FOR KAHULUI COMMERCIAL HARBOR, PIER 1C MOORING DOLPHIN (AMENDED)

I have reviewed the returned comments regarding the above project in reference to traffic control plans.


I have contacted Brian Takita, who is supervising the Draft Environmental Assessment of said project, to ascertain the traffic control implementation. Per our conversation, he concluded that a traffic control plan has not be developed as of this writing; however, he reiterated that traffic will not be affected on the collector and secondary roadways.

The vast majority of the traffic will be confined within the job site area due to the movement of machineries and transporting of materials. Daily traffic assessment will be conducted on a daily basis to address traffic issues. Should it be necessary to control traffic, a flag person will be assigned to address these issues and mitigated. No further comments at this time.

Respectfully submitted for your review.

*FORWARDED FOR YOUR REVIEW  
Sr. M. [Signature]  
2/12/04*

*CONCURREN,  
mf  
2/12/04*

  
Jorge MARZAN  
CPO, Kahului, Dist. I  
2/10/04 1000hrs





**Matson Terminals, Inc.**

Sand Island Access Road  
P.O. Box 2630  
Honolulu, Hawaii 96803

March 10, 2004

Assistant Chief Sydney Kikuchi  
For: Thomas M. Phillips, Chief of Police  
County of Maui, Police Department  
55 Mahalani Street  
Wailuku, Maui 96793

Dear Mr. Kikuchi:

**Kahului Commercial Harbor, Pier 1C Mooring Dolphin  
Draft Environmental Assessment  
Kahului, District of Wailuku, Maui, Hawaii  
TMK: 3-7-01:22**

Thank you for your letter dated February 18, 2004, concerning the Draft EA for the subject project.

We acknowledge the discussion between Mr. Jorge Marzan of your staff and Mr. Brian Takeda of R.M. Towill Corporation. We do not anticipate that that traffic from the project will adversely affect the collector and secondary roadways. In addition, traffic conditions around the project site will be monitored daily and, if necessary, a flag person will be assigned by the contractor to mitigate any traffic slowdowns.

Should you have questions or require additional information, you may contact our agent, Gail Atwater of R.M. Towill Corporation, at 842-1133.

Very truly yours,

Gary Moniz

Facilities & Maintenance Manager

cc: Frederick Nunes, State Department of Transportation – Harbors Division  
Genevieve Salmonson, OEQC  
Gail Atwater, R.M. Towill Corporation

APPENDIX A  
Department of Land and Natural Resources,  
Historic Preservation Division, "No Effect" Letter,  
dated July 30, 1999

ENJAMIN J. CAYETANO  
GOVERNOR OF HAWAII



STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION  
Kakuhihewa Building, Room 555  
601 Kamehale Boulevard  
Honolulu, Hawaii 96817

TIMOTHY E. JOHNS, CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES

DEPUTIES  
JANET E. KAWILO

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
CONSERVATION AND RESOURCES  
ENFORCEMENT  
CONVEYANCES  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
LAND  
STATE PARKS  
WATER RESOURCE MANAGEMENT

July 30, 1999

Mr. Michael Miyahira, Project Manager  
Akinaka & Associates, LTD.  
250 North Beretania, Suite 300  
Honolulu, Hawaii 96817

RECEIVED  
AUG 7 1999

AKINAKA & ASSOCIATES LTD.

LOG NO: 23846 ✓  
DOC NO: 9907CD24

Dear Mr. Miyahira:

**SUBJECT:** Chapter 6E-106 Historic Preservation Review of the Draft Environmental Assessment for the Proposed Pier 1C Extension, Kahului Harbor Project (JOB H.C.3296) Wailuku Ahupua'a, Wailuku District, Island of Maui  
TMK: 3-7-01:022

Thank you for the opportunity to comment on the proposed extension of Pier 1C project at the Kahului Harbor. Our review is based on reports, maps and aerial photographs maintained at the State Historic Preservation Office; no field inspection was made of the subject property.

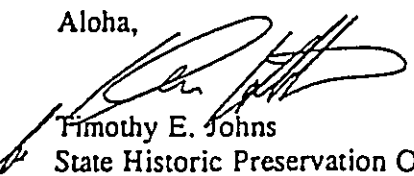
From the submitted EA, we understand the proposed project to include, but is not limited to a 300 foot extension to the existing Pier 1 and the installation of water, electrical, fire protection and drainage services utility systems.

The subject property has not undergone an archaeological inventory survey. However, a search of our records shows that the subject property has undergone extensive disturbance due to prior groin extension and dredging activities, making it unlikely that significant historic sites remain. Therefore we believe that this project will have "no effect" on significant historic sites.

In the event that historic remains (i.e. historic structural remains, artifacts, human skeletal remains, etc.) are inadvertently encountered during construction, all work needs to cease in the immediate vicinity of the find and the find needs to be protected from further damage. The Contractor needs to immediately contact the State Historic Preservation Office at 243-5169 on Maui or 692-8023 on O'ahu. The Division will assess the significance of the find and recommend mitigation measures, if necessary.

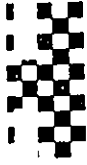
Please call Cathleen Dagher at 692-8023 if you have any questions.

Aloha,

  
Timothy E. Johns  
State Historic Preservation Officer

CD:jen

APPENDIX B  
Department of the Army Determination Letter,  
dated September 19, 2003



09/19/03

16:21

ALVIN ZANE & ASSOC. INC.

001

REGULATORY BR

808 438 4060 P.01/01

**DEPARTMENT OF THE ARMY**  
U. S. ARMY ENGINEER DISTRICT, HONOLULU  
FT. SHAFTER, HAWAII 96858-5440

REPLY TO  
ATTENTION OF

September 19, 2003

Regulatory Branch

Mr. Alvin Zane  
President  
Alvin Zane & Associates, Inc.  
1314 S. King Street, Suite 606  
Honolulu, Hawaii 96814

Dear Mr. Zane:

This responds to your request, submitted on behalf of Matson Navigation Company, for determination of Department of the Army (DA) permit requirements for the construction of the proposed Pier 1C Mooring Dolphin at Kahului Harbor, Maui, Hawaii. We have reviewed the project information you submitted with respect to the Corps' authority to issue Department of the Army (DA) permits under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344).

Your letter and accompanying plans indicate that project construction would involve driving of pre-cast concrete piles in tidal waters to support the mooring dolphin and a catwalk, which would be located within the harbor, at the northwestern end of Pier 1C.

Based on the information you provided, I have determined that the proposed activity would involve work in navigable waters of the United States subject to the regulatory authority of the Corps of Engineers; therefore, a DA permit will be required. The applicant (or applicant's authorized agent) should complete and return the enclosed DA permit application (Eng Form 4345), which is also available at the Honolulu District web site ([www.poh.usace.army.mil/cof/apply.htm](http://www.poh.usace.army.mil/cof/apply.htm)). Also enclosed for your consideration is an optional questionnaire.

File No. 200300587 has been assigned to this project. Should you have questions concerning this determination or need information about application requirements, please contact Mr. Galloway of my staff via telephone at (808) 438-8416 or by fax at (808) 438-4060. Mailed inquiries concerning this action should be sent to: Regulatory Branch (CEPOH-EC-R/P. Galloway); U.S. Army Engineer District, Honolulu; Building 230; Fort Shafter, Hawaii 96858-5440.

Sincerely,

George P. Young, P.E.  
Chief, Regulatory Branch

Enclosure



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
U. S. ARMY ENGINEER DISTRICT, HONOLULU  
FT. SHAFTER, HAWAII 96858-5440

October 16, 2003

Regulatory Branch

Mr. John Nakagawa, Office of Planning, Coastal Zone Management Program, P.O. Box 2359,  
Honolulu, HI 96804  
Director, Department of Land and Natural Resources, State of Hawaii, P.O. Box 621, Honolulu,  
HI 96809  
Dr. Paul Henson, Field Supervisor, Pacific Islands Fish and Wildlife Office, U.S. Fish and  
Wildlife Service, P.O. Box 50088, Honolulu, HI 96850  
Mr. John Naughton, Pacific Islands Environmental Coordinator, National Marine Fisheries  
Service, Pacific Area Office, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814-4700  
Protected Species Coordinator, National Marine Fisheries Service, Pacific Area Office, 1601  
Kapiolani Blvd., Suite 1110, Honolulu, HI 96814-4700  
Ms. Naomi McIntosh, Hawaiian Islands Humpback Whale National Marine Sanctuary,  
6700 Kalaniana'ole Highway, Suite 104, Honolulu, HI 96825  
Commander, 14<sup>th</sup> Coast Guard District (oan) 300 Ala Moana Blvd., Honolulu, HI 96813-4909  
Dr. Holly McEldowney, Acting Administrator, Historic Preservation Division, 601 Kamokila  
Blvd., Suite 555, Kapolei, HI 96707  
Dr. Wendy Wiltse, U.S. Environmental Protection Agency, Region IX, Honolulu Branch,  
P.O. Box 50003, Honolulu, HI 96850  
Office of Hawaiian Affairs, 711 Kapiolani Blvd. Suite 500, Honolulu, HI 96813-3249  
Hui Malama I Na Kupuna O Hawaii Nei, P.O. Box 190, Haleiwa, HI 96712-0190  
Harbors Administrator, Harbors Division, Department of Transportation, 79 South Nimitz  
Highway, Honolulu, HI 96813-4898

Dear Reviewers:

Matson Navigation Company has applied for a Department of the Army (DA) permit to install a pile-supported mooring dolphin and catwalk at Pier 1C in Kahului Harbor, Kahului, Maui (TMK 2-3-7-10: 6). The purpose of the project is to provide sufficient mooring capability for container and other large vessels using Kahului Harbor. The project will involve driving of approximately 24 pre-cast concrete piles (16 to support the mooring dolphin and 8 to support the catwalk leading to the mooring dolphin). The superstructure will consist of pre-cast, pre-stressed concrete and reinforced steel elements, which will be supplemented with poured concrete to provide a working surface for the dolphin and catwalk areas. Pouring of concrete will be accomplished using watertight forms to avoid leaks and spills. Enclosed are portions of the applicant's project description and drawings. We request your agency's review and comment on our determinations concerning potentially affected resources and proposed DA authorization of the activity, as described below.


Project construction is not expected to have more than minimal effects on the aquatic environment and will not result in any loss of waters of the U.S. The project area does not include any special aquatic sites. Based on the nature and location of the proposed work, I have determined that authorization of the project is not likely to adversely affect any species protected under the Endangered Species Act, nor will it affect any Essential Fish Habitat identified pursuant to the Magnuson-Stevens Fishery and Management Act.

The Hawai'i and National Register of Historic Places does not list any historic buildings or other historic properties within or in the vicinity of the area of potential effect (APE) for the project. The APE of the proposed undertaking consists of the construction site and its immediate environment, with a total area of less than 0.1 acre; it includes the area of the mooring dolphin (approximately 20 feet square) and the catwalk (approximately 205 feet long and 8 feet wide). As shown in the applicant's Figure 1, the project site is well separated from the existing buildings of Kahului. Previous harbor construction activities, including dredging, have strongly altered the project area, and it is very unlikely that any unknown historic properties are present. Based on the location and limited scope of the proposed activity, I have determined that there would be no historic properties affected by the proposed undertaking.

The project does not involve any discharge of dredged or fill material into waters of the United States. I plan to authorize the proposed work by issuance of a Letter of Permission pursuant to Section 10 of the Rivers and Harbors Act of 1899. Please submit your review comments within 30 days of the date of this letter. If no response is received within the 30-day period, I will conclude that you have no comments. Your response should cite File No. 200300587 and may be mailed to: Regulatory Branch (CEPOH-EC-R/P. Galloway); U.S. Army Engineer District, Honolulu; Building 230; Fort Shafter, Hawaii 96858-5440. Alternatively, comments may be faxed to Regulatory Branch at (808) 438-4060.

Should you have questions or require additional information, please contact Mr. Peter Galloway of my staff via e-mail ([peter.galloway@usace.army.mil](mailto:peter.galloway@usace.army.mil)) or by telephone at (808) 438-8416.

Sincerely,

*for*   
George P. Young, P.E.  
Chief, Regulatory Branch

Enclosure

## DESCRIPTION OF PROPOSED ACTIVITY

### NATURE OF ACTIVITY AND PURPOSE OF PROJECT

Matson Navigation Company proposes to install a mooring dolphin and catwalk at Pier 1C, Kahului Harbor, Kahului, Maui, Hawaii (Figure 1 and Construction Drawings). The installation of the dolphin and catwalk will involve the placement of 24 piles. The dolphin and catwalk superstructure will be used to provide sufficient mooring capability to extend the useful area of Pier 1C for container and other large vessels. The mooring will also provide much needed space and meet safety concerns for proper securing of moored ships.

### SUBJECT OF PERMIT APPLICATION

The subject of this application involves activities in waters of Kahului Harbor to install the 24 piles. Each pile will be octagonal, 24 inches in diameter, and made of precast prestressed concrete. Each of the piles will be driven to a pile tip elevation of (-) 90 feet MLLW, which will be the surface of the Kahului Harbor bottom. Approximately 16 piles will be needed to support the dolphin and 8 piles used to support the catwalk leading to the mooring dolphin.

Elevation of the surface of the dolphin and catwalk superstructure will be (+)10.04 feet from MLLW. The structural elements of the superstructure will be made of precast prestressed concrete and reinforced steel. Poured concrete will supplement structural elements and provide a working surface for the dolphin and catwalk areas. Guardrails will be stainless steel and placed for safety of users. Poured concrete will be preceded by establishment of leak tight formwork to ensure against leaks and spills while the poured concrete cures. No dripping concrete, debris, or other discharges to waters in the harbor will be permitted.

### CONSTRUCTION SEQUENCE

The following sequence of work will be practiced (all superstructure work will be above water):

1. Prefabricate precast prestressed concrete piles, double tees, and plank.
2. Prefabricate precast reinforced concrete pile caps.
3. Install precast and prestressed concrete piles for dolphin and catwalk.
4. Install steel "H" piling and steel beams for temporary supports for precast reinforced concrete pile caps grid lines 5 through 8 (see construction drawings).
5. Install steel "H" piling and steel beams to form support at dolphin.
6. Install bottom form under port openings at precast pile caps at grid lines 5 through 8.
7. Install form work at dolphin.
8. Remove (above water) portion of existing concrete bulkhead to receive precast plank at grid line 9. Ensure sufficient provision to prevent falling debris into water. Such provision to include, but not be limited to, use of geotextile fabric.
9. Install precast reinforced concrete pile caps at grid lines 5 through 8. Place concrete into pile pocket.
10. Install precast prestressed double tees, and plank for catwalk.



APPENDIX C

Department of the Army Letter of Permission, File No. 200300587, U.S. Army Engineer  
District, Honolulu,  
dated December 2, 2003



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
U. S. ARMY ENGINEER DISTRICT, HONOLULU  
FT. SHAFTER, HAWAII 96858-5440

DEC 22 2003

Regulatory Branch

LETTER OF PERMISSION  
File No. 200300587

Mr. Gary Moniz  
Manager, Facilities and Cranes  
Matson Navigation Company  
51-13 Sand Island Parkway  
Honolulu, Hawaii 96819

Dear Mr. Moniz:

This responds to your application for Department of the Army authorization to install a pile-supported mooring dolphin and catwalk at Pier 1C in Kahului Harbor, Kahului, Maui (TMK 2-3-7-10: 6). I have determined that the project involves work or structures in or affecting the course, condition, location or capacity of navigable waters of the United States and that it may be authorized by a Letter of Permission pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403). I have coordinated your request with interested agencies and hereby approve it. This authorization does not relieve you of the responsibility to obtain other authorizations or approvals that may be required by other Federal agencies, the State of Hawaii, or the County of Maui.

All work shall be performed in accordance with the project documentation you provided, including your described measures to mitigate potential impacts on the aquatic environment. In order for you to utilize this authorization, your activity must comply with the enclosed General and Special Conditions and with the State Water Quality Standards administered by the Department of Health. It must also comply with conditions of the Hawaii Coastal Zone Management (CZM) consistency concurrence issued to you by the State of Hawaii Office of Planning on November 26, 2003. In addition, the following special conditions are incorporated into and made part of this permit:

a. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

-2-

b. If any sea turtle or other Federally protected species enters the work area, the authorized activity should cease until the animal leaves the work area.

c. Construction materials shall not be stockpiled in the aquatic environment.

d. Care shall be taken to assure that no debris, petroleum products or other deleterious materials enter the aquatic environment as a result of the authorized work.


e. Turbidity resulting from the authorized work shall be minimized and contained within the immediate vicinity of the work area, to the extent that it is feasible, practicable and effective, through the use of silt curtains or other suitable containment devices and the curtailment of construction during adverse weather conditions.

Enclosed is a two-page form, Notification of Administrative Appeal Options and Process and Request for Appeal, which you need not complete or return to us unless you do not accept these permit conditions. This permit will expire two years from the date of this letter. A copy of this letter (without enclosures) has been sent to the State of Hawaii Office of Planning, Coastal Zone Management Program; the State of Hawaii Historic Preservation Division; and the State of Hawaii Division of Aquatic Resources.

If you have questions regarding this authorization, please contact Mr. Peter Galloway of my staff at 438-8416 (FAX 438-4060). Written inquiries should cite File No. 200300587 and should be sent to: Regulatory Branch (CEPOH-EC-R/P. Galloway); U.S. Army Engineer District, Honolulu; Building 230; Fort Shafter, Hawaii 96858-5440.

Thank you for working with the U.S. Army Corps of Engineers to protect the aquatic resources of Hawaii.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:



David C. Press  
Lieutenant Colonel, U.S. Army  
District Engineer

22 DEC 03

DATE

Enclosures

General Conditions:

1. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 3 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

2. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

3. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy to this office to validate the transfer of this authorization.

4. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

5. Limits of this authorization:

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

6. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

7. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

8. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 7 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedure such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

9. Extensions. This Letter of Permission establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

10. Your use of the permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States.

11. You must advise this office in writing, at least two weeks before you start activities authorized by this permit.

II. SPECIAL CONDITIONS

a. That the permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the authorized structure or work, shall, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former conditions. If the permittee fails to comply with the direction of the Secretary of the Army or his authorized representative, the Secretary or his designee may restore the waterway to its former condition, by contract or otherwise, and recover the cost thereof from the permittee.

b. That the following information be provided to the U.S. Coast Guard at least 30 days prior to the start of construction:

1. Project start date.
2. Project completion date.
3. Agency/contractor performing work with the name of a point of contact, address and telephone number.
4. If vessels are involved, names, call signs and radio frequencies they guard, on VHF-FM.
5. Hours of operation of the project, i.e. 0800 - 1700, Mon - Fri, 24 hours a day.
6. Any special request of maritime public, i.e. reduction of speed, wide berth.
7. General scope of project and how it will affect the maritime public, i.e. degree of encroachment of navigable waters and how obstructions will be marked, i.e. signs, lights.

8. The information should be sent to:

Commander (can)  
Fourteenth Coast Guard District  
Prince Kuhio Federal Building  
300 Ala Moana Boulevard  
Honolulu, Hawaii 96850-4982

Phone: (808)541-2315

<b>NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL</b>		
Applicant: Mr. Gary Moniz, Matson Navigation Co., 51-B Sand Island Parkway, Honolulu, HI 96819	File Number: 200300587	Date: 12 Dec. 2003
Attached is:		See Section below
<input checked="" type="checkbox"/> INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
<input type="checkbox"/> PROFFERED PERMIT (Standard Permit or Letter of permission)		B
<input type="checkbox"/> PERMIT DENIAL		C
<input type="checkbox"/> APPROVED JURISDICTIONAL DETERMINATION		D
<input type="checkbox"/> PRELIMINARY JURISDICTIONAL DETERMINATION		E
<p><b>SECTION I -</b> The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <a href="http://usace.army.mil/inet/functions/cw/ccwo/reg">http://usace.army.mil/inet/functions/cw/ccwo/reg</a> or Corps regulations at 33 CFR Part 331.</p>		
<p><b>A: INITIAL PROFFERED PERMIT:</b> You may accept or object to the permit.</p> <ul style="list-style-type: none"> <li>• <b>ACCEPT:</b> If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.</li> <li>• <b>OBJECT:</b> If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.</li> </ul>		
<p><b>B: PROFFERED PERMIT:</b> You may accept or appeal the permit</p> <ul style="list-style-type: none"> <li>• <b>ACCEPT:</b> If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.</li> <li>• <b>APPEAL:</b> If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.</li> </ul>		
<p><b>C: PERMIT DENIAL:</b> You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.</p>		
<p><b>D: APPROVED JURISDICTIONAL DETERMINATION:</b> You may accept or appeal the approved JD or provide new information.</p> <ul style="list-style-type: none"> <li>• <b>ACCEPT:</b> You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.</li> <li>• <b>APPEAL:</b> If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.</li> </ul>		
<p><b>E: PRELIMINARY JURISDICTIONAL DETERMINATION:</b> You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.</p>		

**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact:

Peter Galloway  
Regulatory Branch, U.S. Army Engineer District Honolulu  
Telephone (808) 438-8416 or FAX (808)438-4060

If you only have questions regarding the appeal process you may also contact:

Michael Lee  
Pacific Ocean Division, U.S. Army Corps of Engineers  
Telephone (808) 438-3063 or FAX (808)438-7045

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.	Date:	Telephone number:
----------------------------------	-------	-------------------



APPENDIX D  
Preconsultation Letter to Peter Young, Chairperson,  
Board of Land and Natural Resources,  
dated December 15, 2003

420 Waiakamilo Road  
Suite 411  
Honolulu Hawaii 96817-4941  
Telephone 808 842 1133  
Fax 808 842 1937  
eMail rmtowill@hawaii.rr.com



R. M. TOWILL CORPORATION  
SINCE 1930

Planning  
Engineering  
Environmental Services  
Photogrammetry  
Surveying  
Construction Management

December 15, 2003

Mr. Peter T. Young, Chairperson  
State Department of Land and Natural Resources  
1151 Punchbowl Street, Room 220  
Honolulu, Hawaii 96813

Attention: Mr. Sam Lemmo

Dear Mr. Young:

**Request for Determination for Construction of Mooring Dolphin  
at Pier 1C, Kahului Harbor, Kahului, Maui, Hawaii**

This is in follow-up to our prior discussion with Mr. Sam Lemmo, of the Land Division. We are requesting a determination for applicability of the Conservation District Use Permit or Site Plan Approval for the proposed construction of a mooring dolphin at Kahului Harbor, Hawaii. Attached is a project description.

The proposed project is urgently needed to facilitate the safe mooring of container and other large vessels at the existing Pier 1. Presently, mooring of large ships at Pier 1 must be supplemented by use of tug boats to maintain safe working conditions during loading and unloading procedures. The mooring dolphin will provide a much needed facility improvement that will enable such vessels to be properly and safely moored while in dock.

Please be advised that we have coordinated with agencies for the following permits:

- The Army Corps of Engineers is processing this project under a Letter of Permission (LOP) which was submitted on October 9, 2003. No substantive agency or public comments were received and the LOP will be issued shortly.
- A Coastal Zone Management (CZM) Permit was obtained for this project on November 26, 2003. No substantive agency or public comments were received.

Thank you in advance for your expeditious review of this important project. Should there be any questions concerning this matter please do not hesitate to contact us at 842-1133.

Sincerely,

Brian Takeda  
Project Planner

Attachment  
BT/bt

cc: Matson Navigation Company  
Marshall Ando, State DOT, Harbors Division

**PROJECT DESCRIPTION**  
**Construction of Mooring Dolphin at Pier 1C**  
**Kahului Harbor, Kahului, Maui, Hawaii**

December 15, 2003

**NATURE OF ACTIVITY AND PURPOSE OF PROJECT**

Matson Navigation Company proposes to install a mooring dolphin and catwalk at Pier 1C, Kahului Harbor, Kahului, Maui, Hawaii (Figure 1 and Construction Drawings). The installation of the dolphin and catwalk will involve the placement of 24 piles. The dolphin and catwalk superstructure will be approximately 200 feet long and will be used to provide sufficient mooring capability to extend the useful area of Pier 1C for container and other large vessels. The mooring will also provide much needed space and meet safety concerns for proper securing of moored ships.

Each pile will be octagonal, 24 inches in diameter, and made of precast prestressed concrete. Each of the piles will be driven to a pile tip elevation of (-) 90 feet MLLW, which will be the surface of the Kahului Harbor bottom. Approximately 16 piles will be needed to support the dolphin and 8 piles used to support the catwalk leading to the mooring dolphin.

Elevation of the surface of the dolphin and catwalk superstructure will be (+)10.04 feet from MLLW. The structural elements of the superstructure will be made of precast prestressed concrete and reinforced steel. Poured concrete will supplement structural elements and provide a working surface for the dolphin and catwalk areas. Guardrails will be stainless steel and placed for safety of users. Poured concrete will be preceded by establishment of leak tight formwork to ensure against leaks and spills while the poured concrete cures. No dripping concrete, debris, or other discharges to waters in the harbor will be permitted.

The proposed project will NOT involve grading, dredging, or placement of fill material. The only materials permitted to be placed in the water will be the 24 concrete piles used to support the superstructure of the dolphin and catwalk.

**CONSTRUCTION SEQUENCE**

The following sequence of work will be practiced (all superstructure work will be above water):

1. Prefabricate precast prestressed concrete piles, double tees, and plank.
2. Prefabricate precast reinforced concrete pile caps.
3. Install precast and prestressed concrete piles for dolphin and catwalk.
4. Install steel "H" piling and steel beams for temporary supports for precast reinforced concrete pile caps grid lines 5 through 8 (see construction drawings).
5. Install steel "H" piling and steel beams to form support at dolphin.
6. Install bottom form under port openings at precast pile caps at grid lines 5 through 8.
7. Install form work at dolphin.
8. Remove (above water) portion of existing concrete bulkhead to receive precast plank at grid line 9. Ensure sufficient provision to prevent falling debris into water. Such provision to include, but not be limited to, use of geotextile fabric.

9. Install precast reinforced concrete pile caps at grid lines 5 through 8. Place concrete into pile pocket.
10. Install precast prestressed double tees, and plank for catwalk.
11. Install reinforcing steel for catwalk topping and dolphin. Also, set bollard anchor bolts at dolphin.
12. Place concrete topping in two phases. First, place concrete at pile caps (16 feet from grid lines 5 to 8) and over plank (line 8 to 9). Second, place concrete at remaining sections between the first concrete placement.
13. Construct concrete bullrail on each side of catwalk and concrete pedestal supports for light poles at grid line 5 through 8.
14. Place concrete for dolphin.
15. Construct concrete bullrail at dolphin.
16. Install expansion joint at dolphin and at grid line 8.
17. Install electrical conduits and light poles.
18. Install stainless steel railing for catwalk and dolphin.

#### PROJECT SCHEDULE

The proposed project is slated for start of construction during the first quarter of 2004. Project duration will be approximately 4 months.

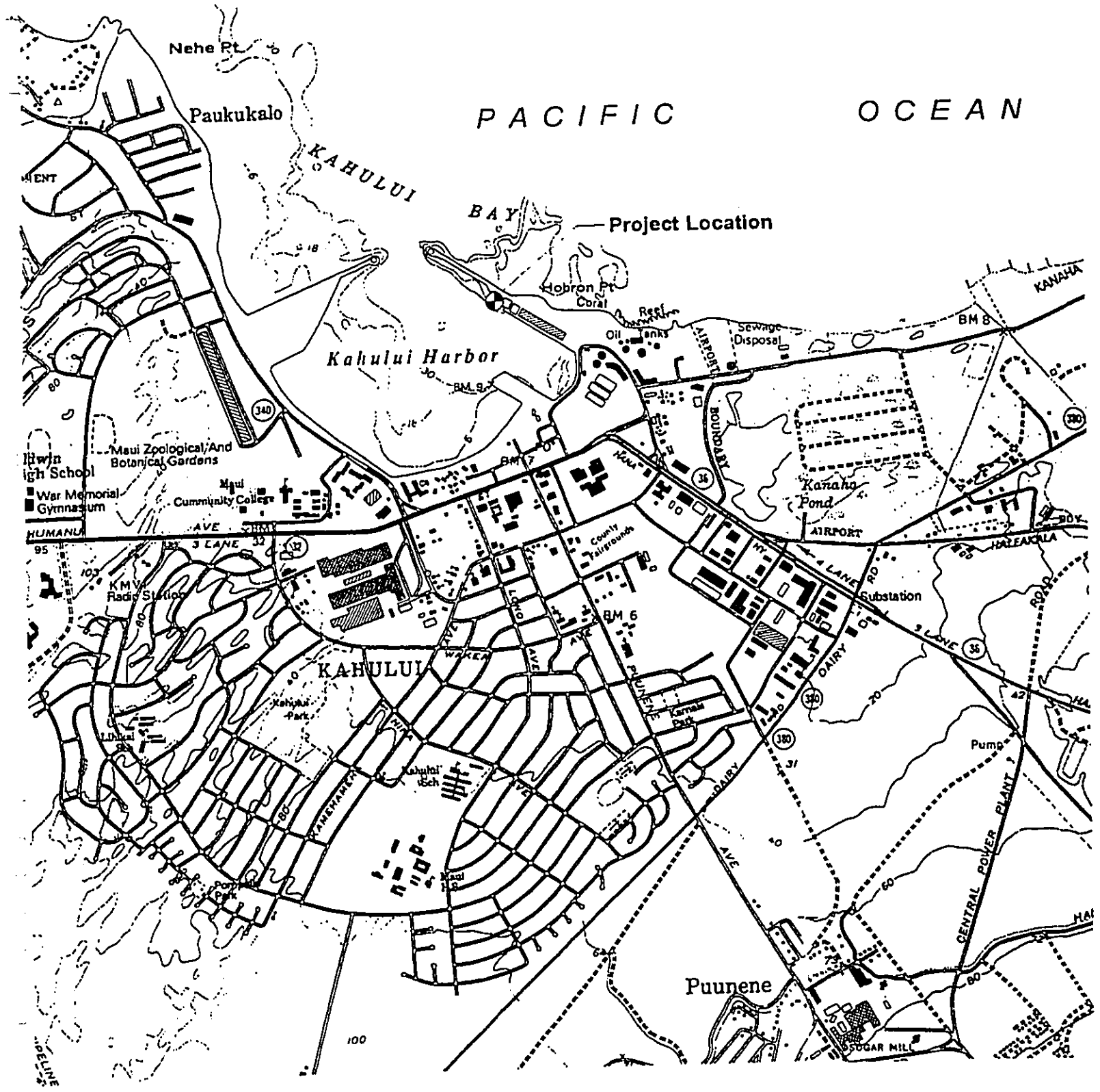
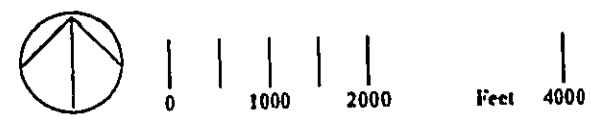


FIGURE 1  
 CONSTRUCTION OF MOORING DOLPHIN  
 Pier 1C, Kahului Harbor  
 Kahului, Maui, Hawaii



Base drawing reference: USGS  
 Wailuku and Paia Quads, 1983

R. M. TOWILL CORPORATION Oct 2002

# CONSTRUCTION OF MOORING DOLPHIN

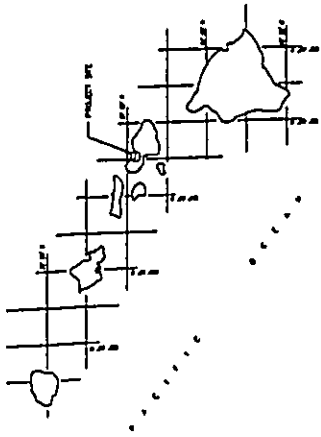
AT PIER 1C, KAHULUI HARBOR, MAUI, HAWAII

MATSON NAVIGATION CO.

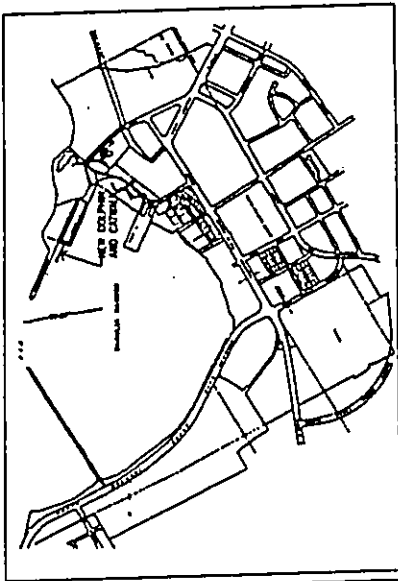
333 MARKET STREET

SAN FRANCISCO, CA 94105-2196

H.C. 30004



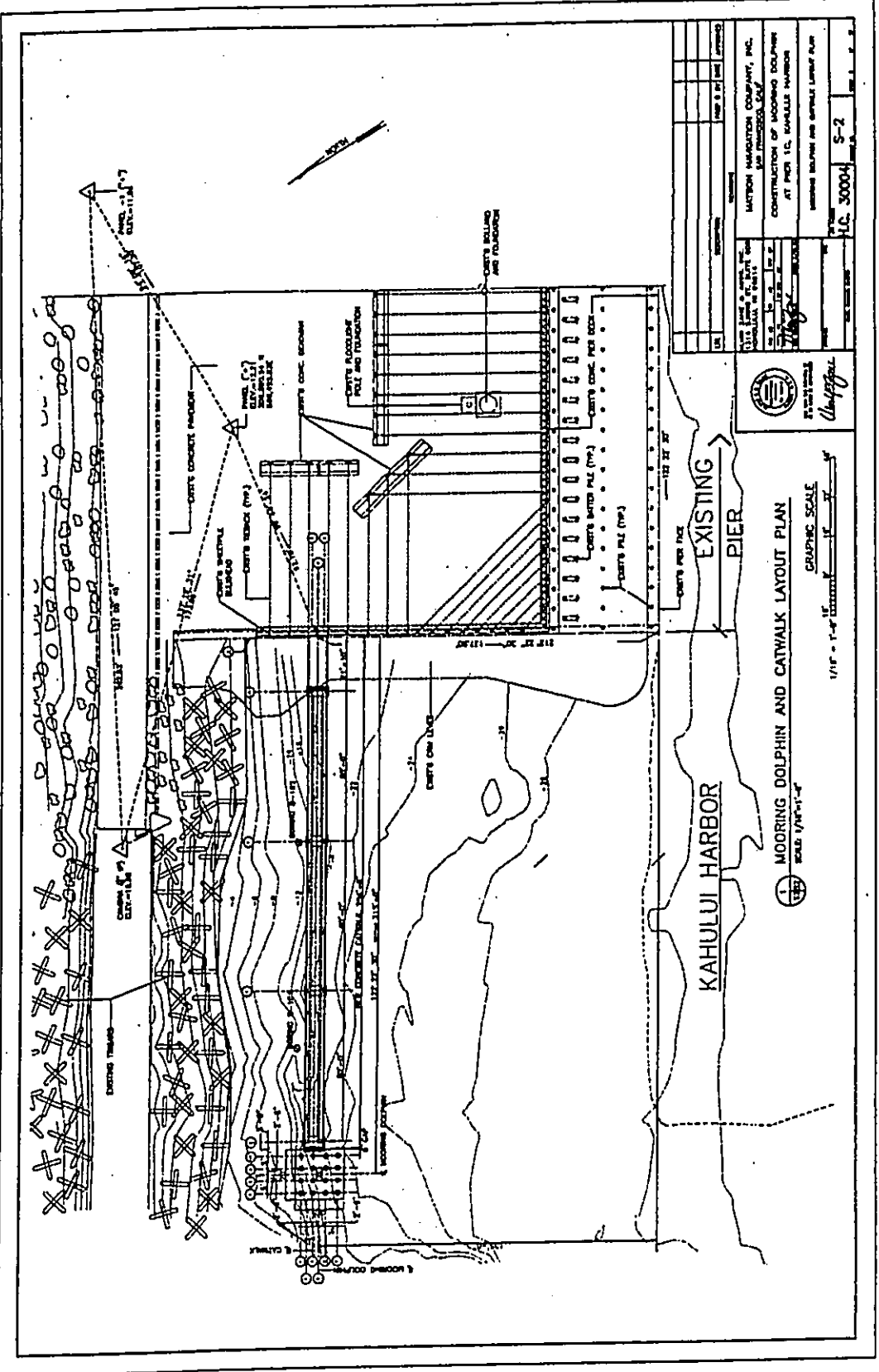
HAWAIIAN ISLANDS



SITE MAP

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30	GENERAL NOTES AND DIMENSIONS	30-1

DEPARTMENT OF TRANSPORTATION  
 STATE OF HAWAII  
 APPROVED BY: \_\_\_\_\_  
 TITLE: \_\_\_\_\_



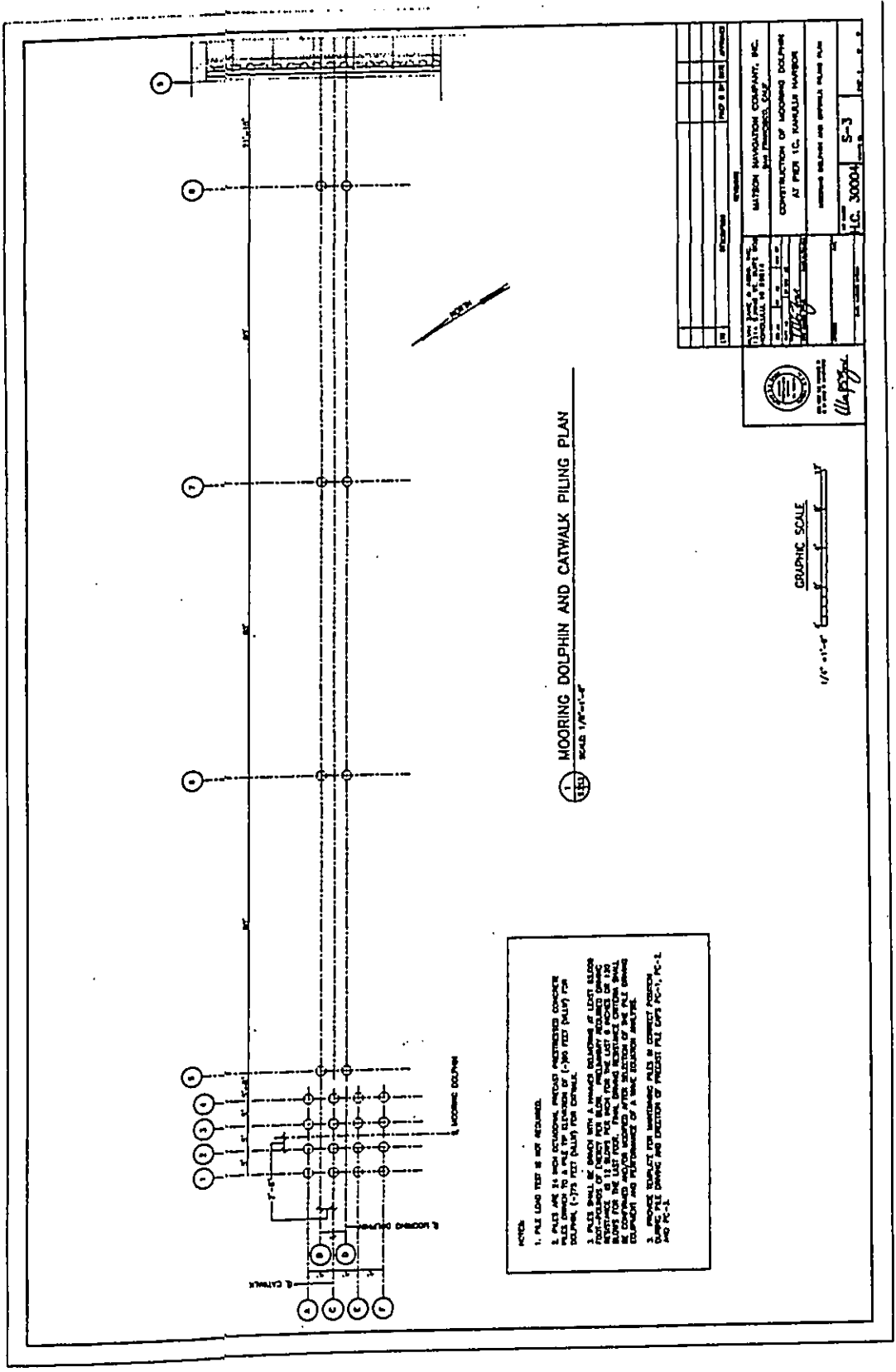
DATE	DESCRIPTION	BY	CHKD

MATSON NAVIGATION COMPANY, INC.  
 SAN FRANCISCO, CALIF.  
 CONSULTING ENGINEERS  
 CONSTRUCTION OF MOORING DOLPHIN  
 AT PIER 10, KAHULUI HARBOR  
 DRAWING NUMBER: 5-2  
 SHEET NUMBER AND TOTAL SHEET PLAN: 10 OF 10



MOORING DOLPHIN AND CATWALK LAYOUT PLAN  
 GRAPHIC SCALE  
 1/16" = 1'-0" HORIZONTAL  
 1/8" = 1'-0" VERTICAL

KAHLUI HARBOR  
 EXISTING PIER  
 EXISTING PIER FACE



**MOORING DOLPHIN AND CATWALK PILING PLAN**

SCALE 1/8"=1'-0"

**NOTES:**

1. PILE LOAD TEST IS NOT REQUIRED.
2. PILES ARE TO BE PRECAST, REINFORCED CONCRETE, 24" DIA. WITH 12" DIA. CORE AND 6" DIA. RINGS. (12" DIA. RINGS FOR CATWALK).
3. PILES SHALL BE SPACED WITH A MINIMUM SPACING OF 12" BETWEEN PILES. PILES SHALL BE SPACED WITH A MINIMUM SPACING OF 12" BETWEEN PILES. PILES SHALL BE SPACED WITH A MINIMUM SPACING OF 12" BETWEEN PILES.
4. PILES SHALL BE SPACED WITH A MINIMUM SPACING OF 12" BETWEEN PILES. PILES SHALL BE SPACED WITH A MINIMUM SPACING OF 12" BETWEEN PILES.
5. PILES SHALL BE SPACED WITH A MINIMUM SPACING OF 12" BETWEEN PILES. PILES SHALL BE SPACED WITH A MINIMUM SPACING OF 12" BETWEEN PILES.

NO.	DESCRIPTION	QUANTITY	UNIT	AMOUNT
1	MOORING PILES	120	PILES	
2	CATWALK PILES	12	PILES	
3	MOORING DOLPHIN	1	STRUCTURE	
4	CATWALK	1	STRUCTURE	

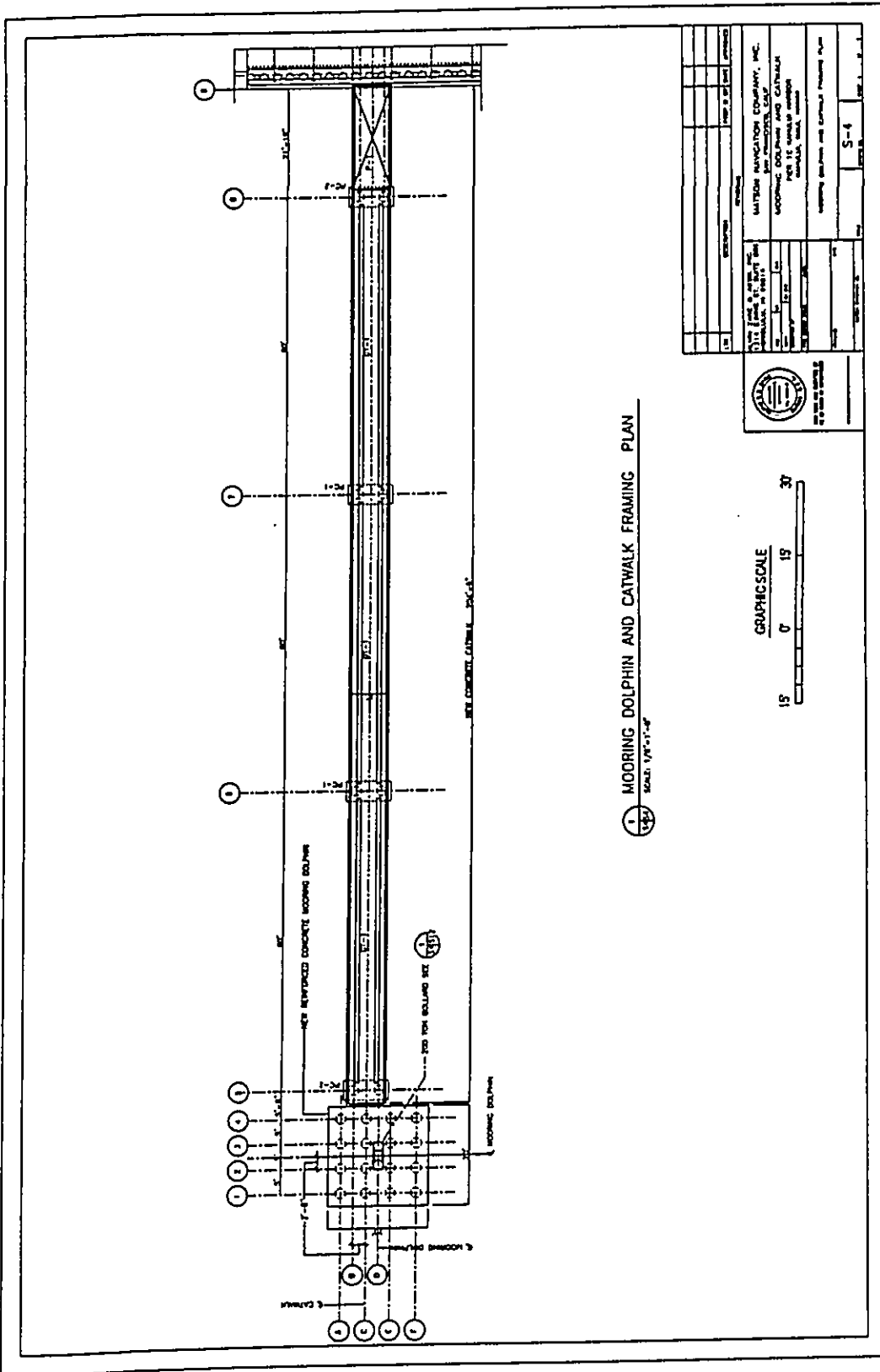


W. J. SMITH  
 PROFESSIONAL ENGINEER  
 STATE OF FLORIDA  
 LICENSE NO. 12345

MATSON NAVIGATION COMPANY, INC.  
 12345 MATSON BLVD.  
 JACKSONVILLE, FLORIDA 32202  
 CONSTRUCTION OF MOORING DOLPHIN  
 AT PERI I.C. TANKER MARSHAL

DATE: 10/15/88  
 DRAWN BY: J. SMITH  
 CHECKED BY: J. SMITH  
 I.C. 30004 S-3  
 PER I.C. 30004





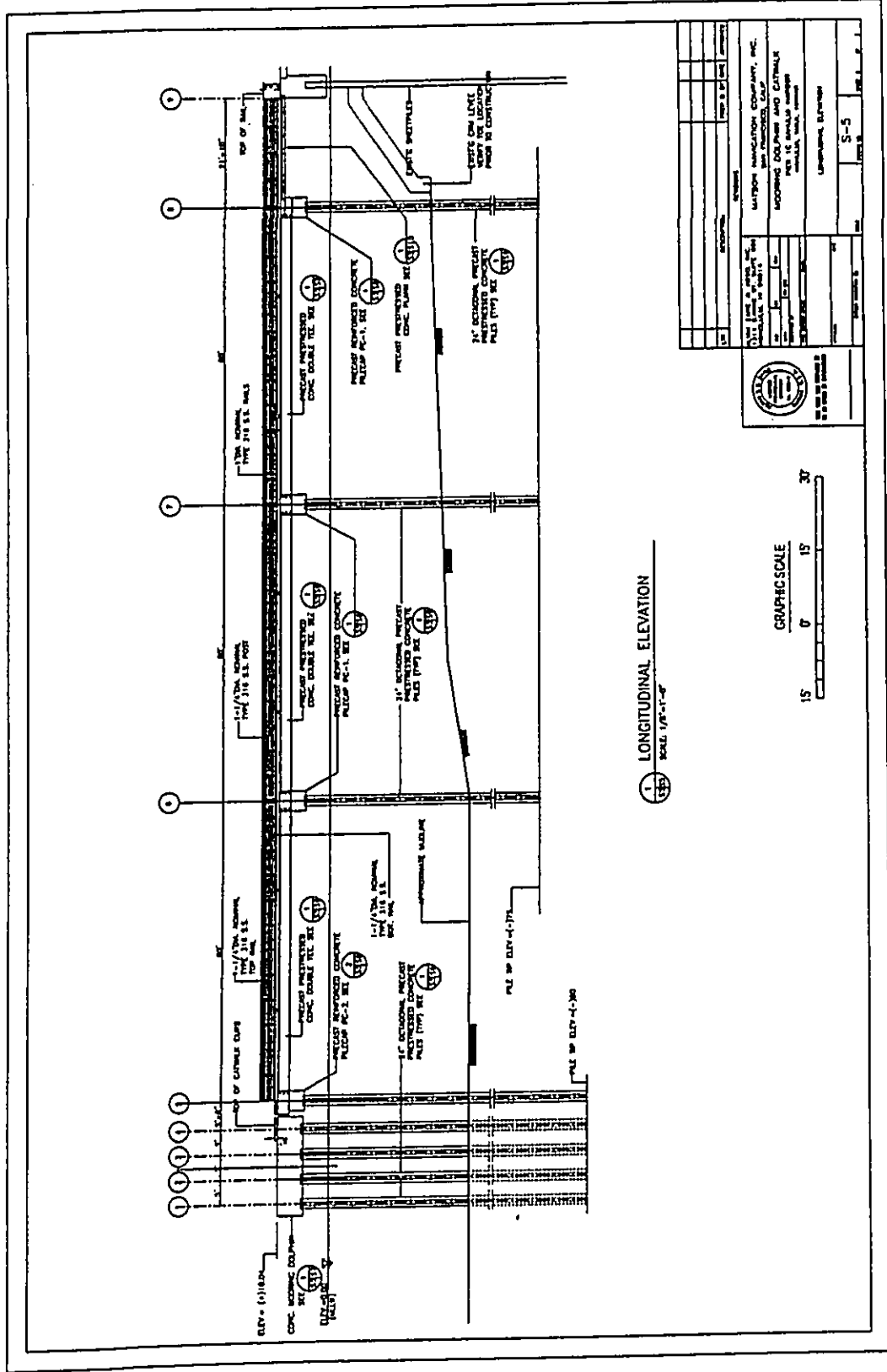
1 MOORING DOLPHIN AND CATWALK FRAMING PLAN  
SCALE: 1/8"=1'-0"

DATE	DESCRIPTION	BY	CHKD.

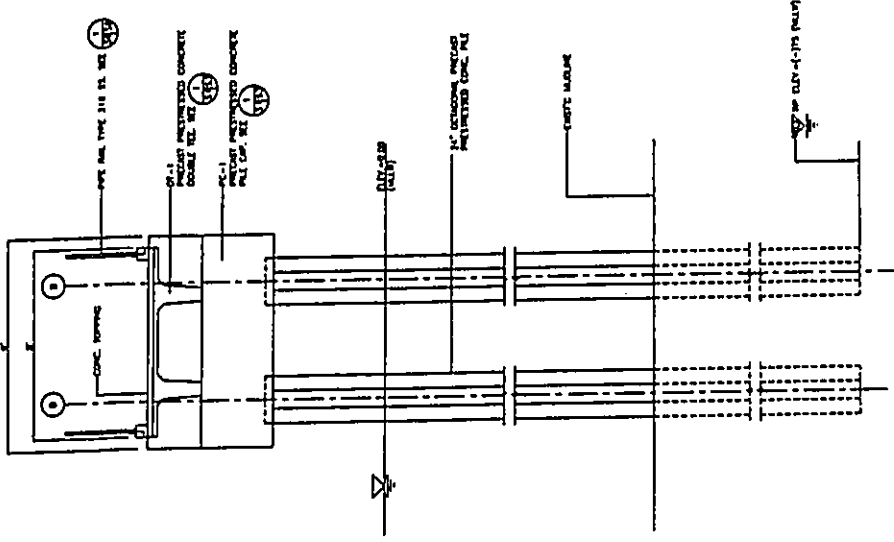


MATSON MANUFACTURING COMPANY, INC.  
 4000 WEST WINDYBROOK DRIVE  
 HOUSTON, TEXAS 77057  
 PHONE 770-222-1111  
 TELETYPE 770-222-1111

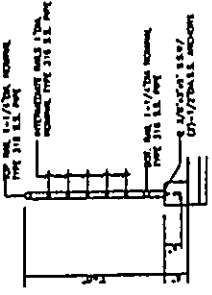
MOORING BEAMS AND COLUMNS FRAMING PLAN  
 SHEET S-4



1 . . . . . 1 . . . . . 1 . . . . .

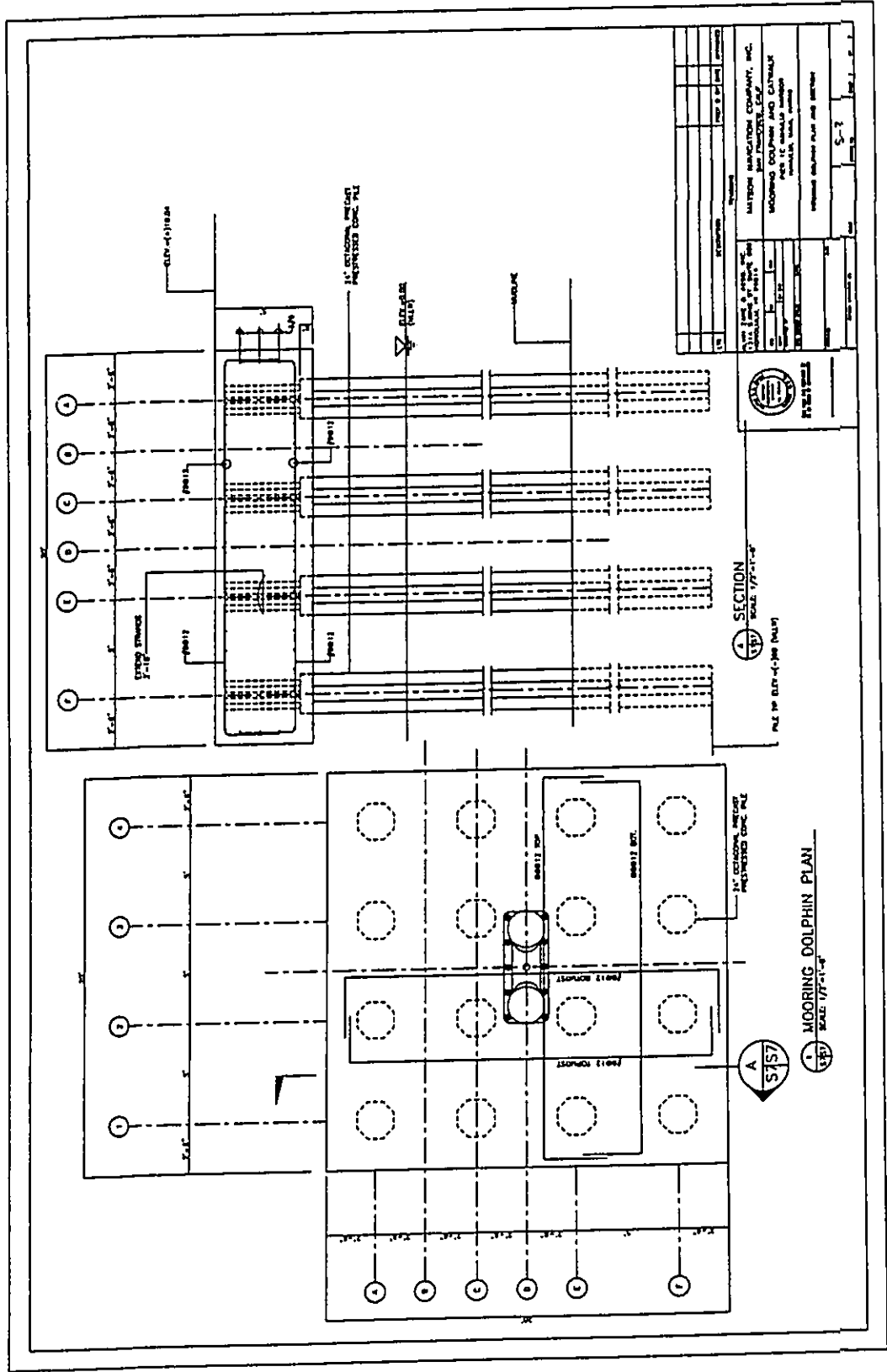


1 TYPICAL CATWALK SECTION  
SCALE: 1/4\"/>



1 PIPE RAIL DETAIL  
SCALE: 1/4\"/>

	DIVISION OF HIGHWAYS ILLINOIS DEPARTMENT OF TRANSPORTATION CHICAGO, ILLINOIS	
	PROJECT NO. _____ SHEET NO. _____	CONTRACT NO. _____
DRAWN BY: _____ CHECKED BY: _____	DATE: _____	SCALE: _____



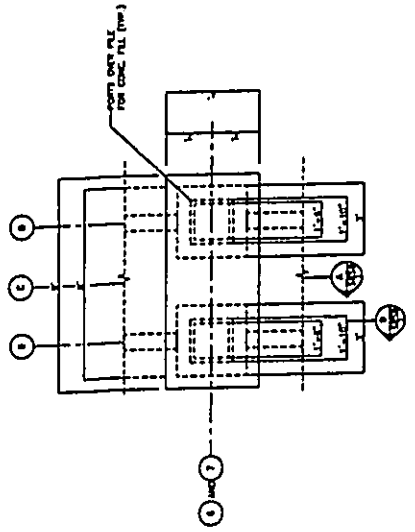
NO.	DESCRIPTION	DATE	BY	CHECKED



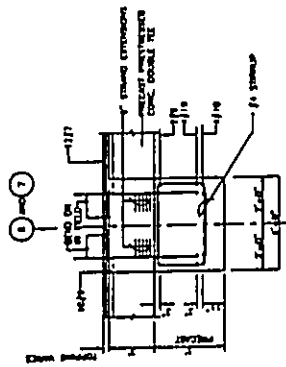
JAMES A. WATSON, INC.  
 1100 W. 14TH STREET  
 HOUSTON, TEXAS 77019  
 U.S. SURVEILLANCE AREA PROTECTED CONC. PILE  
 MOORING DOLPHIN AND CATWALK  
 FOR 12 1/2" DIAMETER MOORING PILES  
 SHEET NO. 5-2

SECTION A-A  
 SCALE: 1/8"=1'-0"  
 PILE NO. 817-1-108 (PLAN)

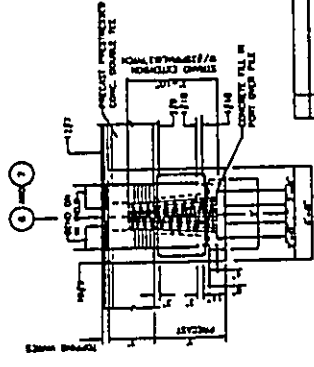
MOORING DOLPHIN PLAN  
 SCALE: 1/8"=1'-0"



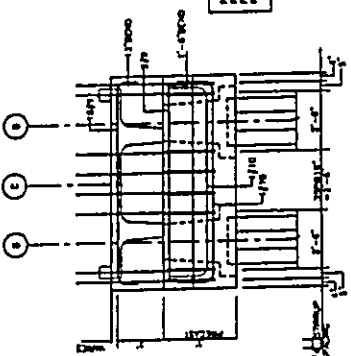
1 PLAN - PRECAST REINFORCED CONCRETE PILE CAP (PC-1)  
SCALE 1/2" = 1'-0"



SECTION 1-1  
SCALE 1/2" = 1'-0"

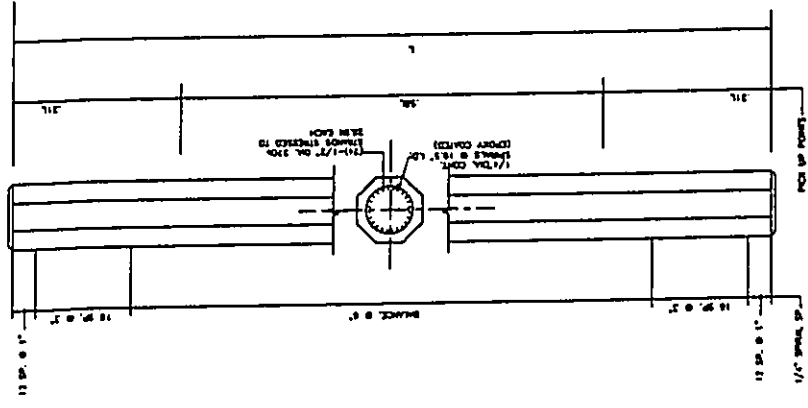


SECTION 2-2  
SCALE 1/2" = 1'-0"



2 ELEVATION - PRECAST REINFORCED CONCRETE PILE CAP (PC-1)  
SCALE 1/2" = 1'-0"

DATE		NO.	
REVISION			
BY			
CHECKED			
DESIGNED			
APPROVED			
PRECAST REINFORCED CONCRETE PILE CAP DETAILS SHEET S-3			
MATSON MANUFACTURING COMPANY, INC. MANUFACTURING DIVISION 4000 W. BROADWAY, SUITE 100 DENVER, COLORADO 80202 PHONE: (303) 733-1000			



24" OCT. PRECAST  
PRESTRESSED CONC. PILE

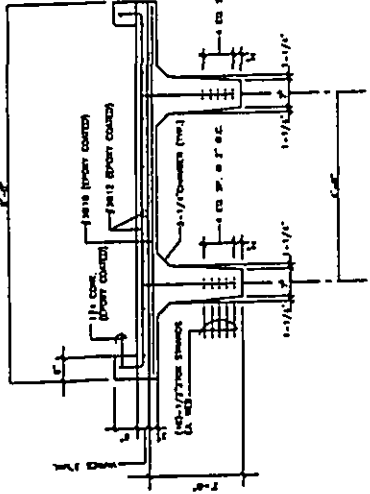
- A. MATERIAL REQUIREMENTS**
- CONCRETE SPECIFICATION:
    - ACI 308.1R-77
    - ASTM C 150
    - ASTM C 493
  - REINFORCING STEEL:
    - ASTM A 615
    - ASTM A 615 EPOXY COATED
  - PILE CAP:
    - PRECAST CONCRETE
    - PRESTRESSED CONCRETE
    - CONCRETE SHALL BE CAST IN PLACE
    - REINFORCING SHALL BE EPOXY COATED
    - PILE SHALL BE NOT REINFORCED

DATE	DESCRIPTION	BY	CHKD

WATSON ENGINEERING COMPANY, INC.  
 1000 W. 10TH ST.  
 ANAHEIM, CALIF. 92801  
 PROJECT NO. 1000000000  
 SHEET NO. 1000000000  
 PILE NO. 1000000000



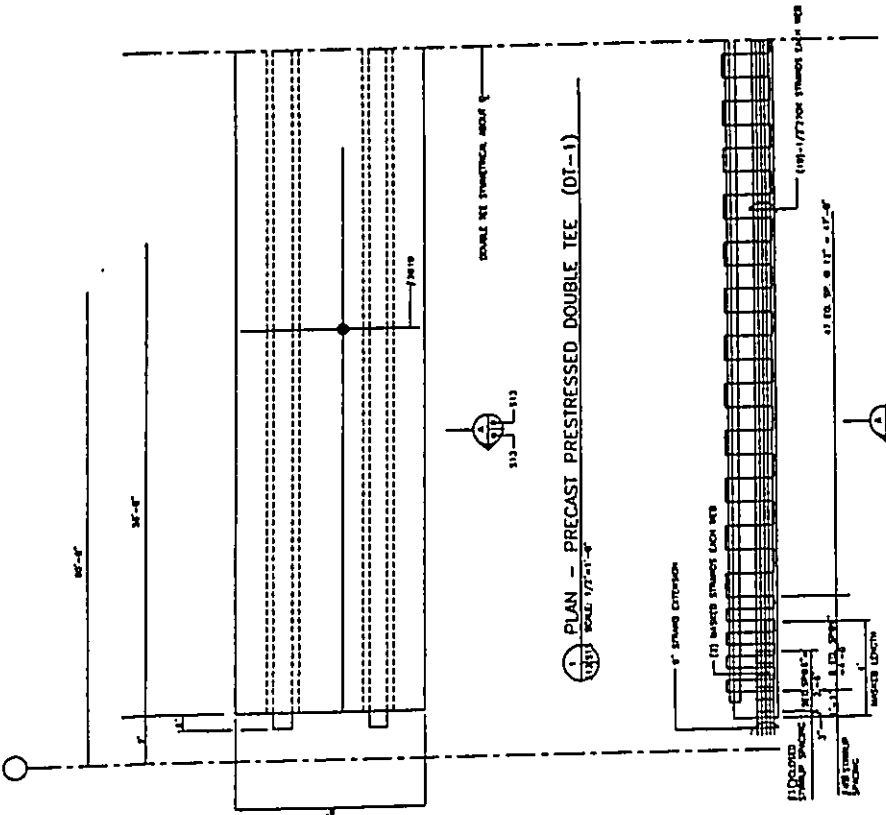
DATE: 10/1/77  
 DRAWN BY: J. J. JONES  
 CHECKED BY: J. J. JONES  
 SCALE: AS SHOWN  
 SHEET NO. 1000000000  
 PILE NO. 1000000000



SECTION  
SCALE 1/8" = 1'-0"

- MATERIAL NOTES:**
1. CONCRETE:  $f_c =$  5000 psi (34.5 MPa)
  2. PRECASTER: CONCRETE
  3. REINFORCING STEEL: A615 GR 60
  4. PRECASTER: CONCRETE
  5. PRECASTER: CONCRETE

DATE	10/18/04	BY	J.M.	SCALE	AS SHOWN
PROJECT	MAYSON MANUFACTURING COMPANY, INC.				
DESCRIPTION	WORKING FLOOR PRECAST DOUBLE TEE				
DESIGNER	MAYSON MANUFACTURING COMPANY, INC.				
CHECKER	MAYSON MANUFACTURING COMPANY, INC.				
APPROVED	MAYSON MANUFACTURING COMPANY, INC.				
PROJECT NO.	5-13	SHEET NO.	5	TOTAL SHEETS	5



PLAN - PRECAST PRESTRESSED DOUBLE TEE (DT-1)  
SCALE 1/8" = 1'-0"

ELEVATION - PRECAST PRESTRESSED DOUBLE TEE (DT-1)  
SCALE 1/8" = 1'-0"

APPENDIX E

Fax to DLNR, Subject: "Kahului Pier 1C - Followup re Letter Dated 12/15/03,"  
dated December 24, 2003



420 Waiakamilo Road  
Suite 411  
Honolulu, HI 96817-4941  
Tel. 808 842 1133  
Fax 808 842 1937  
eMail: [briant@rmtowill.com](mailto:briant@rmtowill.com)



**R. M. TOWILL CORPORATION**  
SINCE 1930

Planning  
Engineering  
Environmental Services  
Photogrammetry  
Surveying  
Construction Management

*Please contact our office at 842-1133 should problems occur with transmission or receipt of facsimile documents.*

<b>To:</b>	<b>Mr. Sam J. Lemmo</b> Dept. of Land and Natural Resources Land Division P.O. Box 621 Honolulu, HI 96809	<b>Sent by</b>	<b>Brian Takeda</b> Project Planner
<b>FAX #:</b>	<b>PH: 587-0381</b> <b>(808) 587-0455</b>	<b>Subject:</b>	<b>Kahului Pier 1C - Followup re</b> <b>Letter Dated 12/15/03</b>
<b>Date:</b>	<b>December 24, 2003</b>		

Dear Sam,

We were reviewing the prior EA done for the Kahului Pier 1C Extension dated February 8, 2000. It contains additional information that may be useful to you. We have attached a copy of selected pages.

If there are any questions please call or e-mail me at [briant@rmtowill.com](mailto:briant@rmtowill.com). Thanks and have a good Christmas break.

Sincerely,

Brian.

Attachment - Final EA Pier 1C Extension, Kahului Harbor, Selected Pages, 4-pages inclusive of this transmittal.

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The information contained in this facsimile message is privileged and confidential and is intended for the use of the addressee only. If you have received this telefax in error, you are hereby notified that any disclosure, copying, distribution, or taking action on the contents of this telefaxed information is strictly prohibited. It would be appreciated if you will please notify us immediately by telephone in order for us to arrange for the return of the original document.

FILE COPY

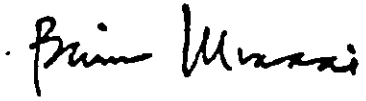
**FINAL ENVIRONMENTAL ASSESSMENT**

For the  
**PIER 1C EXTENSION, KAHULUI HARBOR**  
Maui, Hawaii - JOB H.C. 3296  
TMK: 3-7-01:22

**PROPOSING AGENCY:**

State of Hawaii  
Department of Transportation  
Harbors Division  
79 South Nimitz Highway  
Honolulu, Hawaii 96813

Responsible Official:

  
\_\_\_\_\_  
Kazu Hayashida, Director

2/8/00  
Date

**PREPARED BY:**

Akinaka & Associates, Ltd.  
250 North Beretania Street, Suite 300  
Honolulu, Hawaii 96813

**JANUARY 2000**

This Environmental Document Was Prepared Pursuant to Chapter 343, Hawaii Revised Statutes and the Hawaii Administrative Rules, Title 11, Chapter 200 of the Department of Health

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guide for the development of Kahului Harbor. In order to review development plans for the harbor facilities based on the current and projected needs of the community, the plan was updated in 1994 (DOT-Harbors, 1994). The plan acknowledged the need to consider additional overseas berthing for Pier 1 since berthing conflicts would result from any increase in the scheduled uses of the existing pier (DOT-Harbors, 1989).

The existing land areas surrounding the harbor facilities consist mainly of private lands. Hotels are located along the southwestern shoreline, while the larger public land areas near the harbor are designated as public parks (Kahului Harbor Park and Hoaloha Park). According to the County of Maui, Department of Planning, the project site is located outside of the Special Management Area (SMA). Thus, the SMA objectives, policies and guidelines pursuant to the Hawaii Revised Statutes 205A are not applicable to the proposed project.

The proposed pier extension project involves the use of submerged lands which are considered to be within the State's conservation district. However, based on an existing Conservation District Use Application (CDUA) for Kahului Harbor that was approved on February 9, 1990, the proposed project will not need to fulfill further CDUA requirements. The existing CDUA (MA-2302) allows for the future use of submerged lands within Kahului Harbor.

#### 4.14 EXISTING TRAFFIC

The Kahului and Wailuku regions are linked by a network of arterial roadways, collector roads, and local roads. Kaahumanu Avenue is a six-lane divided highway that serves as the main connector roadway between Kahului and Wailuku towns. Other major roadways which serve the Kahului area include Kahului Beach Road / Lower Main Street, Hana Highway, and Puunene Avenue. Access to Kahului Harbor is mainly provided via Hobron Avenue, Wharf Street and Puunene Avenue which all intersect Kaahumanu Avenue. Pier 1 can be accessed directly through Hobron Avenue or via Wharf Street/Ala Luina Street.

The growing volume of cargo within Kahului Harbor has consequently led to an increase in truck traffic to and from the harbor. Intersections around the harbor area frequently experience heavy congestion particularly during construction periods. A traffic study was recently conducted on the intersections of Kaahumanu Avenue with Wharf Street and Puunene Avenue. Results of the study showed that traffic demand in the general vicinity of Kahului Harbor is expected to be reduced following the completion of two major roadway improvement projects: the Maui Lani Parkway and the Puunene Bypass Road (DOT-Harbors, December 1997).

APPENDIX F

Letter to R.M. Towill Corporation

Subject: "Installation of a Mooring Dolphin at Kahului Harbor, Maui,"

Dated December 31, 2003

LINDA LINGLE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
OFFICE OF CONSERVATION AND COASTAL LANDS

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

PETER T. YOUNG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

DAN DAVIDSON  
DEPUTY DIRECTOR - LAND

ERNEST Y.W. LAU  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

DEC 31 2003

OCCL/SL

File No. MA-04-85

Mr. Brian Takeda  
R.M. Towill Corporation  
420 Waiakamilo Road, Suite 411  
Honolulu, Hawaii 96717-4941

Dear Mr. Takeda:

Subject: Installation of a Mooring Dolphin at Kahului Harbor, Maui

Thank you for your December 15, 2003 letter requesting a CDUA determination to install a mooring dolphin at Kahului Harbor, Maui. According to your information Conservation District Use Permit MA-2303 allows for the future uses of submerged lands within Kahului Harbor. We have reviewed the subject CDUP and concur. MA-2302 was for subdivision and set aside of the submerged lands at Kahului Harbor to the Department of Transportation, Harbors Division. With this approval in place, further harbor use of the affected lands, such as the proposed dolphin project does not require additional action by the Board of Land and Natural Resource. There are no further CDUA requirements for the project.

However, pursuant to the existing CDUP, the Division of Aquatic Resource shall be consulted as a reviewing agency in any Environmental Assessment prepared for future improvements to the harbor (see attached letter).

Should you have any questions on any of these matters, please feel free to contact Sam Lemmo of our Office of Conservation and Coastal Lands at 587-0381.

Sincerely,

A handwritten signature in black ink, appearing to read "Dierdre S. Mamiya".

Dierdre S. Mamiya, Acting Administrator

Cc: DOT, Harbors Division  
DAR

RECEIVED AS FOLLOWS

REF:OCEA-VIN

FILE NO.: HA-9/26/89-2302  
DOCUMENT NO.: 7481E

FEB 26 1990

MEMORANDUM

TO: Honorable Edward Y. Hirata, Director  
Department of Transportation

FROM: William W. Paty, Chairperson  
Board of Land and Natural Resources

SUBJECT: Conservation District Use Application for the Subdivision  
of Submerged Land at Kahului Harbor, Maui

We are pleased to inform you that your Conservation District Use Application for the subdivision of submerged land at Kahului Harbor was approved on February 9, 1990 subject to the following conditions:

1. A petition for a new Executive Order setting aside the subdivided land for Harbor purposes shall be filed with our Division of Land Management.
2. The Division of Aquatic Resources shall be consulted as a reviewing agency in any Environmental Assessment prepared for future improvements to the Harbor.
3. All applicable statutes, ordinances, rules and regulations of the Federal, State, and County governments.

Please acknowledge receipt of this permit by signing in the space provided below and returning a copy to us.

Should you have questions on any of these conditions, please feel free to contact our Office of Conservation and Environmental Affairs staff at 548-7837.

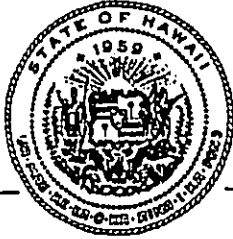
Very truly yours,

/S/ WILLIAM W. PATY

WILLIAM W. PATY

APPENDIX G  
DBEDT, Office of Planning  
CZM Determination Letter  
Dated November 26, 2003





**DEPARTMENT OF BUSINESS,  
ECONOMIC DEVELOPMENT & TOURISM**

**OFFICE OF PLANNING**

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

LINDA LINGLE  
GOVERNOR  
THEODORE E. LIU  
DIRECTOR  
RAYMOND M. JEFFERSON  
DEPUTY DIRECTOR  
MARY LOU KOBAYASHI  
PLANNING PROGRAM ADMINISTRATOR  
OFFICE OF PLANNING

Telephone: (808) 587-2846  
Fax: (808) 587-2824

Ref. No. P-10306

November 26, 2003

Mr. Brian Takeda, Project Planner  
R.M. Towill Corporation  
420 Waiakamilo Road, Suite 411  
Honolulu, Hawaii 96817

Dear Mr. Takeda:

**Subject: Hawaii Coastal Zone Management (CZM) Program Federal Consistency Review for Installation of Mooring Dolphin and Catwalk at Pier 1C, Kahului Harbor, Kahului, Maui, (Department of the Army File No. 200300587)**

We have reviewed the subject proposal by the Matson Navigation Company, to install a pile-supported mooring dolphin and catwalk at Pier 1C, Kahului Harbor, Kahului, Maui. The purpose of the project is to provide sufficient mooring capability for container and other large vessels using Kahului Harbor. The installation of the dolphin and catwalk will involve the driving of approximately 24 pre-cast concrete piles to support the mooring dolphin, and concrete and reinforced steel elements. The dolphin and catwalk superstructure will consist of pre-cast and pre-stressed concrete and reinforced steel elements, which will be supplemented with poured concrete to provide a working surface for the dolphin and catwalk areas. Pouring of concrete will be accomplished using watertight forms to avoid leaks and spills. We concur with your CZM consistency determination based on the following:

- 1) Runoff from construction activities and parking areas shall be appropriately mitigated and comply with applicable State of Hawaii water quality standards as specified in the Hawaii Administrative Rules, Chapter 11-54, and water pollution control requirements as specified in Chapter 11-55. These Administrative Rules are administered by the Department of Health and are federally-approved enforceable policies of the Hawaii CZM Program.
- 2) The project shall be in compliance with regulations for the Conservation District, if applicable, which are administered by the State Department of Land and Natural Resources and are federally-approved enforceable policies of the Hawaii CZM Program.

Mr. Brian Takeda  
Page 2  
November 26, 2003

- 3) The project shall be in compliance with regulations for the Shoreline Setback Area and Special Management Area, if applicable, which are administered by the County of Maui, Department of Planning and are federally-approved enforceable policies of the Hawaii CZM Program.

CZM consistency concurrence is not an endorsement of the project nor does it convey approval with any other regulations administered by any State or County agency. Thank you for your continued cooperation in complying with Hawaii's CZM Program. If you have any questions, please call Debra Tom of our CZM Program at 587-2840.

Sincerely,

*Mary Lou Kobayashi*

Mary Lou Kobayashi  
Planning Program Administrator

c: U.S. Army Corps of Engineers, Regulatory Branch  
Dr. Wendy Wiltse, U.S. Environmental Protection Agency  
U.S. Fish and Wildlife Service, Pacific Islands Ecoregion  
U.S. National Marine Fisheries Service, Pacific Area Office  
Department of Health, Clean Water Branch  
Department of Land and Natural Resources,  
Planning & Technical Services Branch  
Department of Planning, County of Maui

11. Install reinforcing steel for catwalk topping and dolphin. Also, set bollard anchor bolts at dolphin.
12. Place concrete topping in two phases. First, place concrete at pile caps (16 feet from grid lines 5 to 8) and over plank (line 8 to 9). Second, place concrete at remaining sections between the first concrete placement.
13. Construct concrete bullrail on each side of catwalk and concrete pedestal supports for light poles at grid line 5 through 8.
14. Place concrete for dolphin.
15. Construct concrete bullrail at dolphin.
16. Install expansion joint at dolphin and at grid line 8.
17. Install electrical conduits and light poles.
18. Install stainless steel railing for catwalk and dolphin.

#### PROJECT SCHEDULE

The proposed project is slated for start of construction during the November to December 2003 timeframe. Project duration will be approximately 4 months.

#### WATER QUALITY CONSIDERATIONS

The proposed activity will NOT involve grading, dredging, or placement of fill material. The only materials permitted to be placed in the water will be the 24 concrete piles used to support the superstructure of the dolphin and catwalk.

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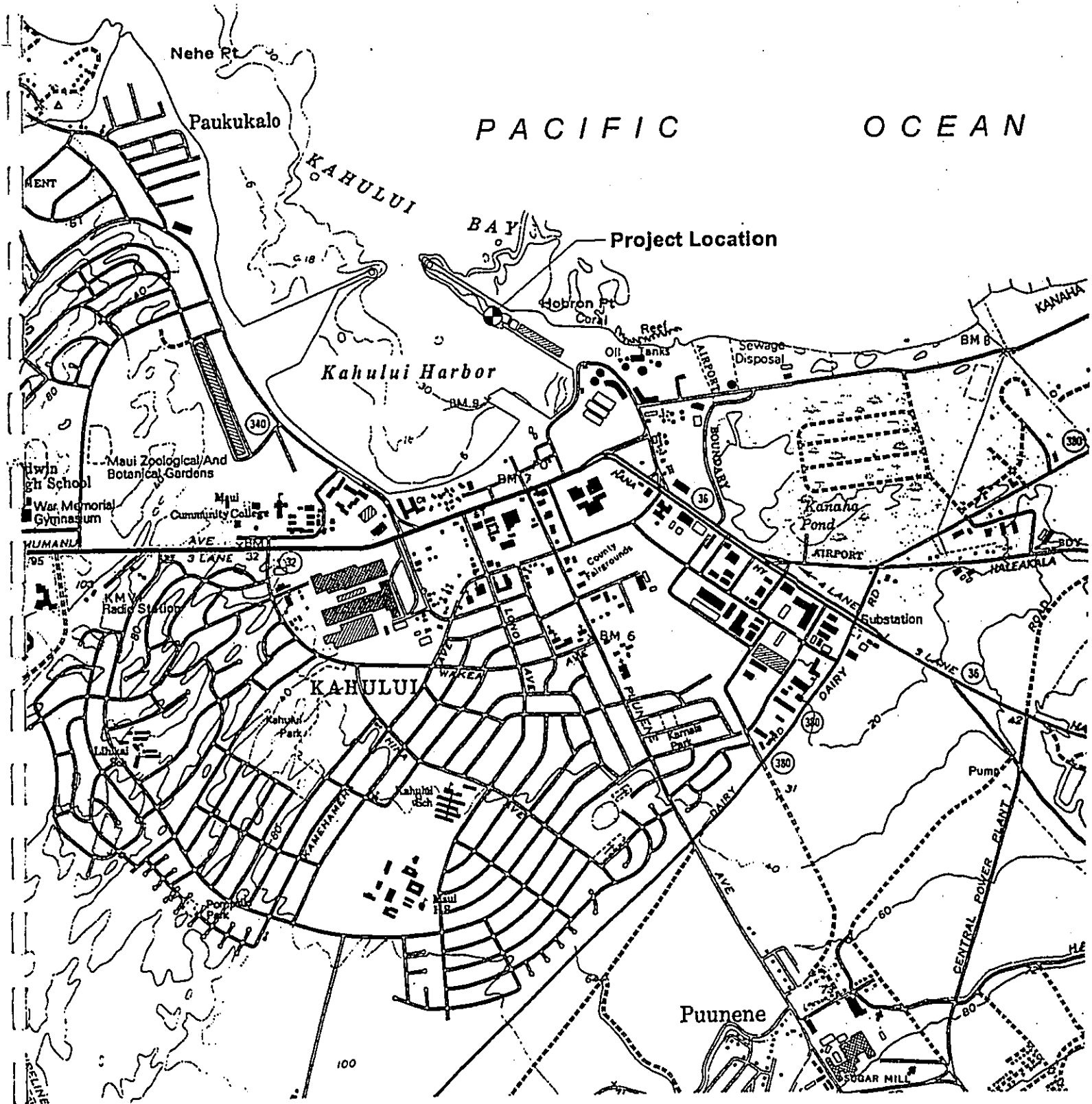


FIGURE 1  
CONSTRUCTION OF MOORING DOLPHIN  
Pier 1C, Kahului Harbor  
Kahului, Maui, Hawaii



Base drawing reference: USGS  
Wailuku and Paia Quads, 1983

R. M. TOWILL CORPORATION

Oct 200:

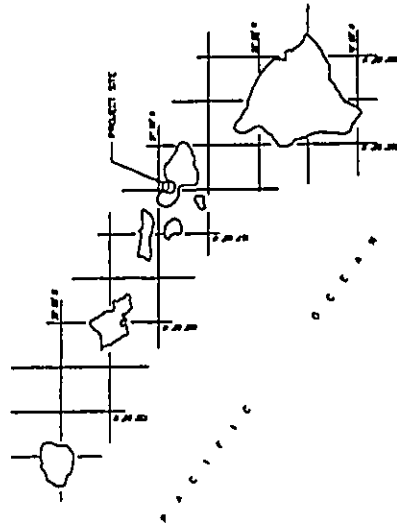
RECEIVED AS FOLLOWS

# CONSTRUCTION OF MOORING DOLPHIN

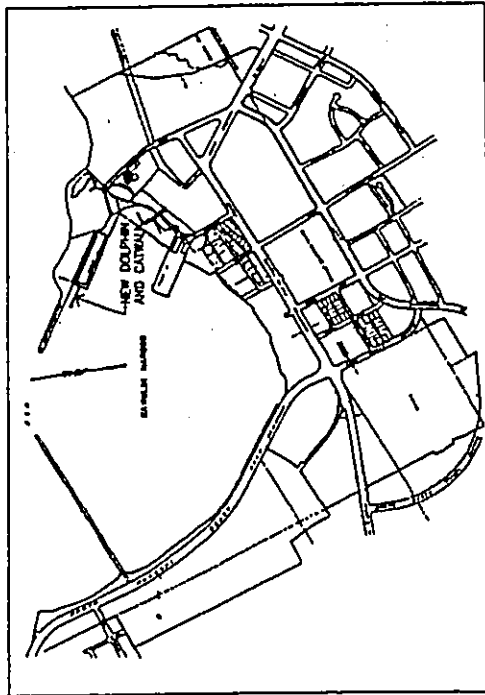
AT PIER 1C, KAHULUI HARBOR, MAUI, HAWAII

MATSON NAVIGATION CO.  
333 MARKET STREET  
SAN FRANCISCO, CA 94105-2196

H.C. 30004



HAWAIIAN ISLANDS



VICINITY MAP

INDEX TO DRAWINGS		
SHEET NUMBER	DRAWING NUMBER	TITLE
1	S-1	PILE SHEET
2	S-1	PILE SHEET
3	S-1	PILE SHEET
4	S-1	PILE SHEET
5	S-1	PILE SHEET
6	S-1	PILE SHEET
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18	S-1	PILE SHEET
19	S-1	PILE SHEET
20	S-1	PILE SHEET

DEPARTMENT OF TRANSPORTATION  
STATE OF HAWAII

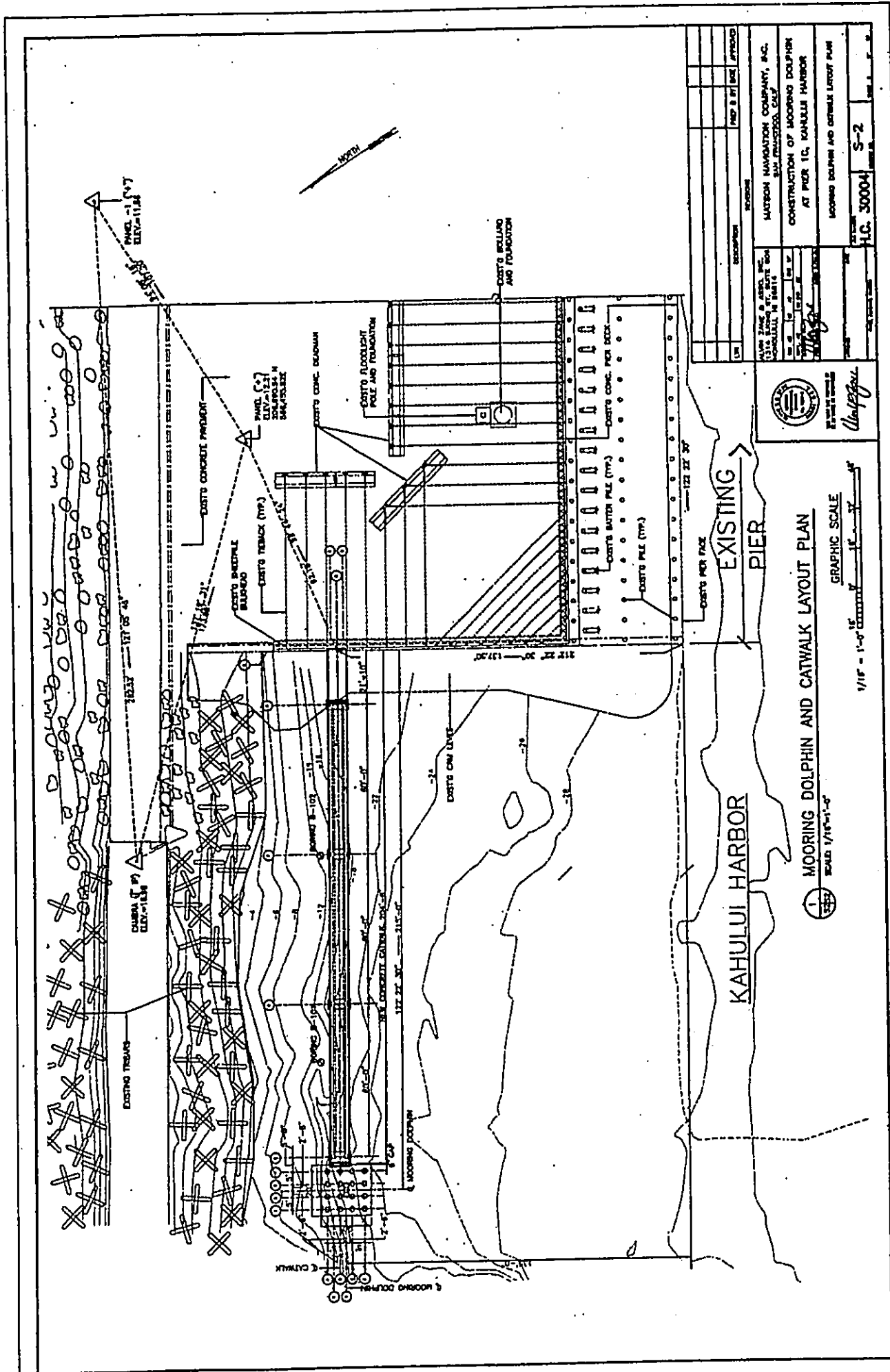
APPROVED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

SCALE: \_\_\_\_\_

TITLE: CONSTRUCTION OF MOORING DOLPHIN AT PIER 1C, KAHULUI HARBOR  
LOCATION: KAHULUI, MAUI, HAWAII  
H.C. 30004

RECEIVED AS FOLLOWS



NO.	DESCRIPTION	REVISED BY	DATE

WALTER ZANG & ASSOCIATES, INC.  
 320 SOUTH BAY STREET  
 HONOLULU, HAWAII  
 PROJECT: MOORING DOLPHIN AND CATWALK LAYOUT PLAN  
 DRAWING: S-2  
 SHEET: 1 OF 1  
 PROJECT NO.: H.C. 30004

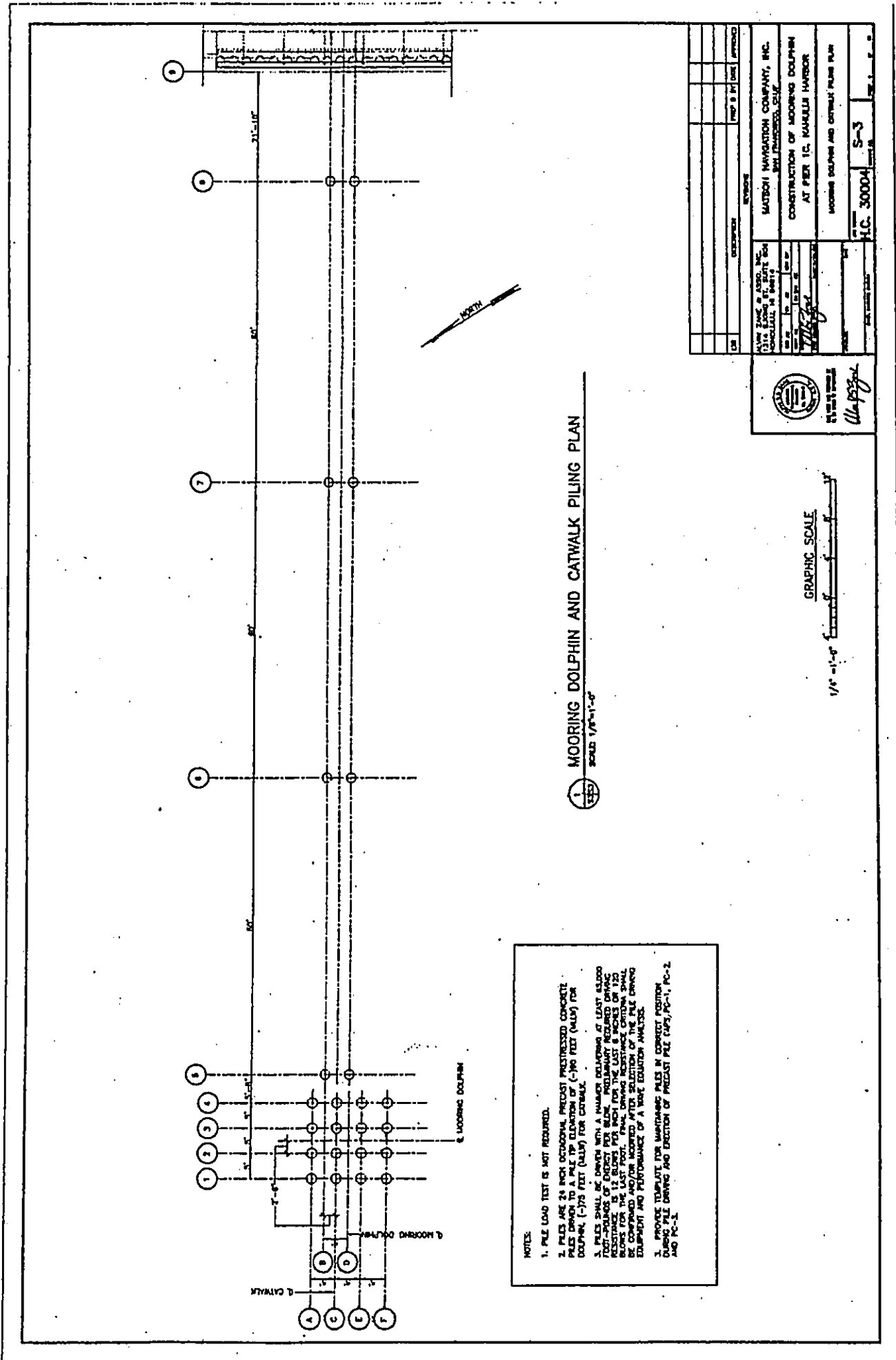
MATSON MARITIME COMPANY, INC.  
 540 ALI'OLEA ROAD  
 HONOLULU, HAWAII

CONSTRUCTION OF MOORING DOLPHIN  
 AT PIER 1C, KAHULUI HARBOR

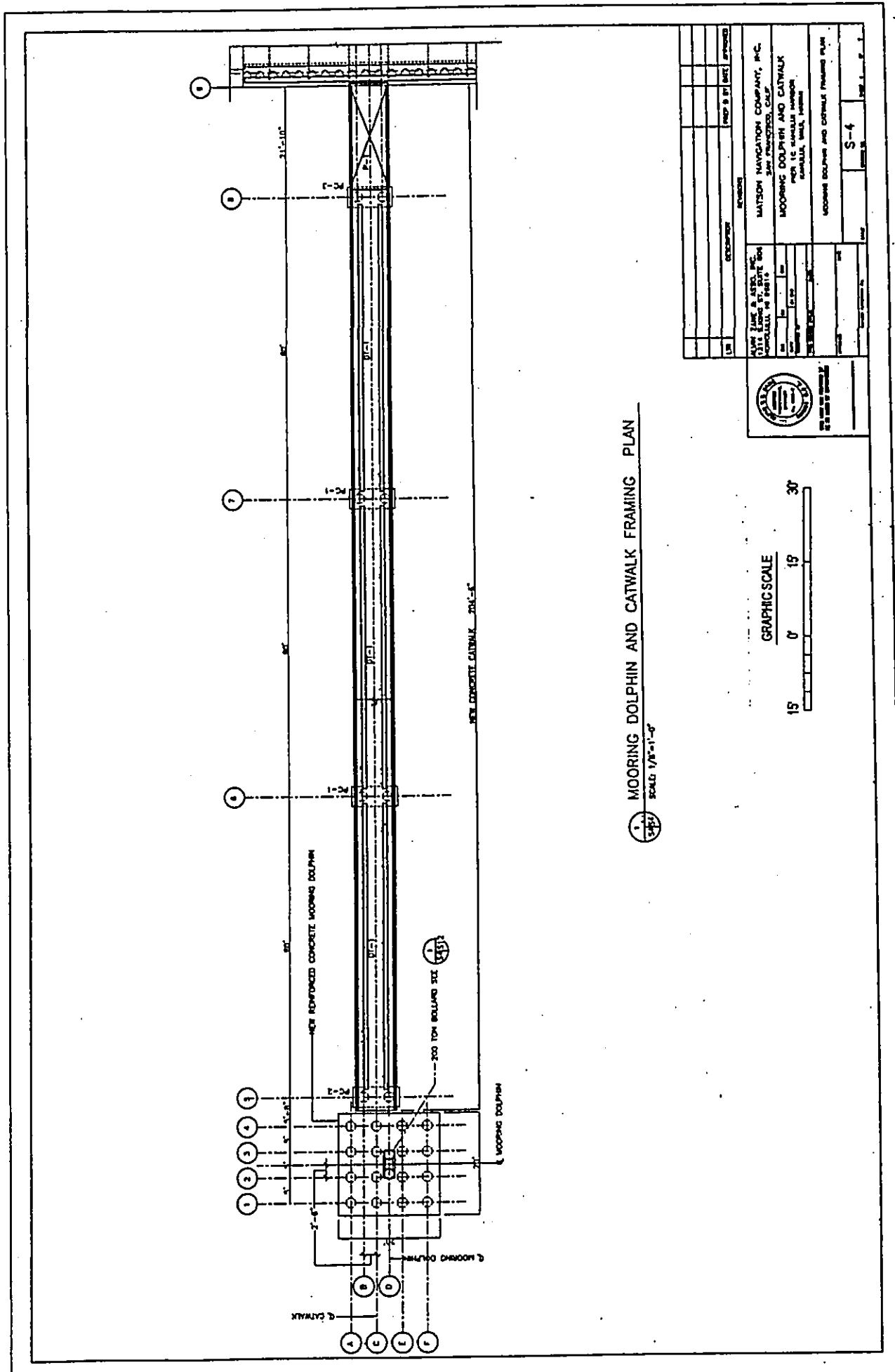
MOORING DOLPHIN AND CATWALK LAYOUT PLAN  
 GRAPHIC SCALE  
 1/16" = 1'-0"  
 1/8" = 1'-0"

KAHULUI HARBOR  
 EXISTING PIER  
 EXISTING CATWALK

RECEIVED AS FOLLOWS



RECEIVED AS FOLLOWS



MOORING DOLPHIN AND CATWALK FRAMING PLAN  
 SCALE 1/8"=1'-0"

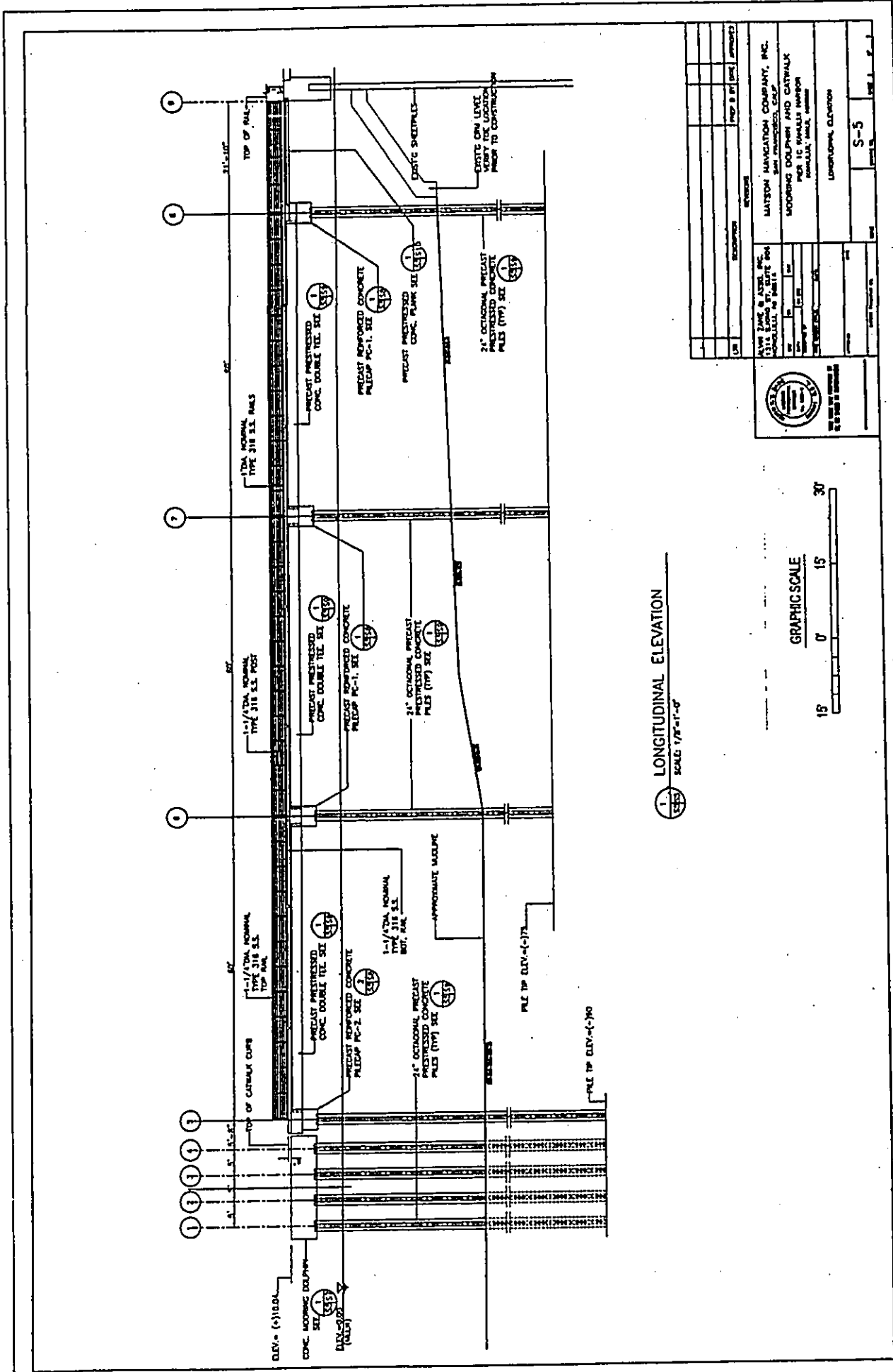
GRAPHIC SCALE



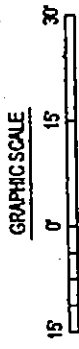
		MATSON NAVIGATION COMPANY, INC. SAN FRANCISCO, CALIF. MOORING DOLPHIN AND CATWALK PER 12 SMALLER MOORING DOLPHIN, WALK, WALKWAY
DATE: 12/15/54 DRAWN BY: JAS	CHECKED BY: JAS	
PROJECT NO. 12345	SHEET NO. S-4	TOTAL SHEETS 1



RECEIVED AS FOLLOWS

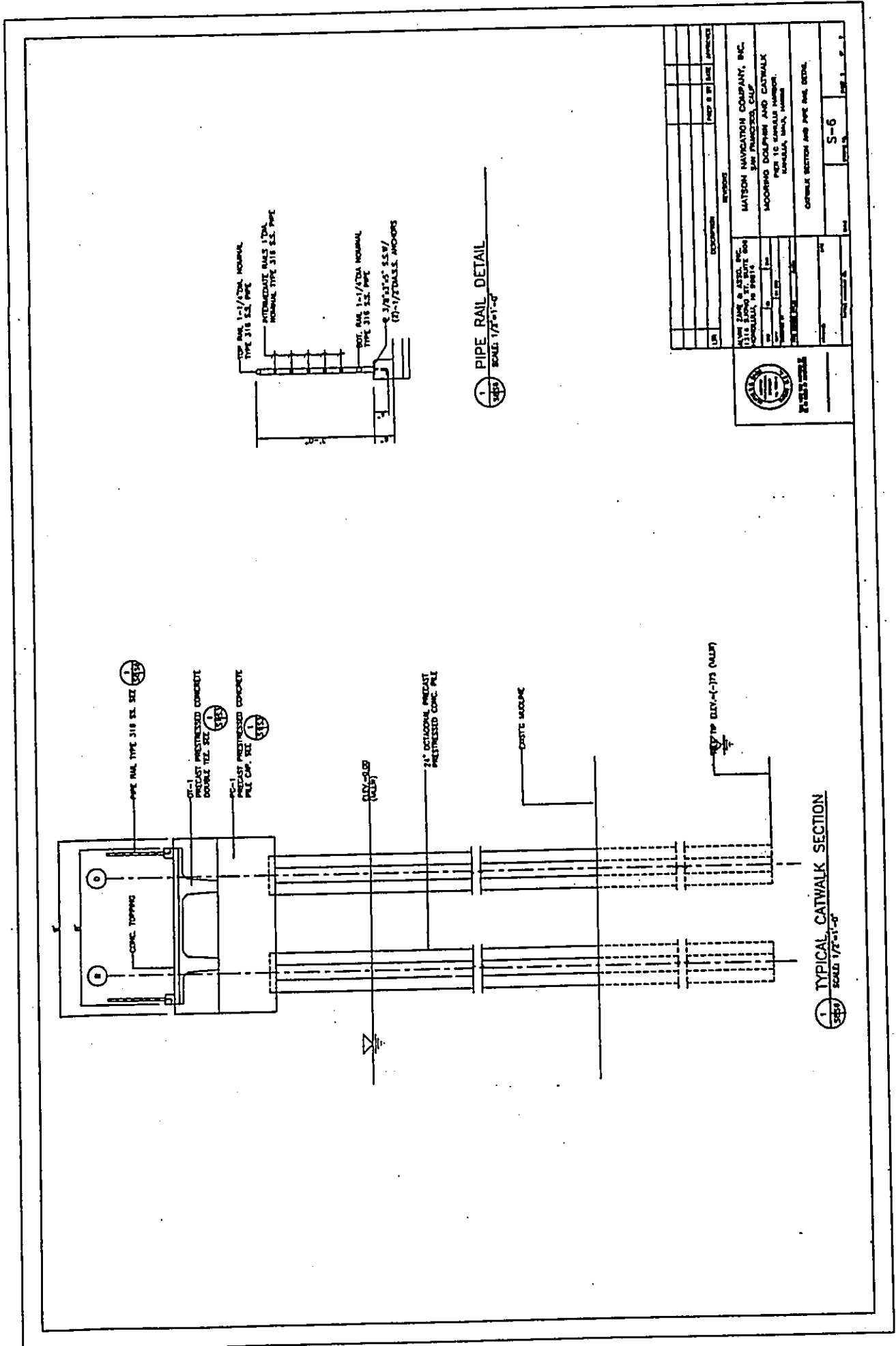


LONGITUDINAL ELEVATION  
SCALE 1/8"=1'-0"



DATE	11/15/78
PROJECT	MOORING DOLPHIN AND CATWALK
CLIENT	NAVIGATION COMPANY, INC.
LOCATION	MOORING DOLPHIN AND CATWALK
DESIGNER	M. J. L. L.
CHECKED BY	M. J. L. L.
APPROVED BY	M. J. L. L.
SCALE	LONGITUDINAL ELEVATION
FIG. NO.	S-5
SHEET NO.	1 OF 1

RECEIVED AS FOLLOWS



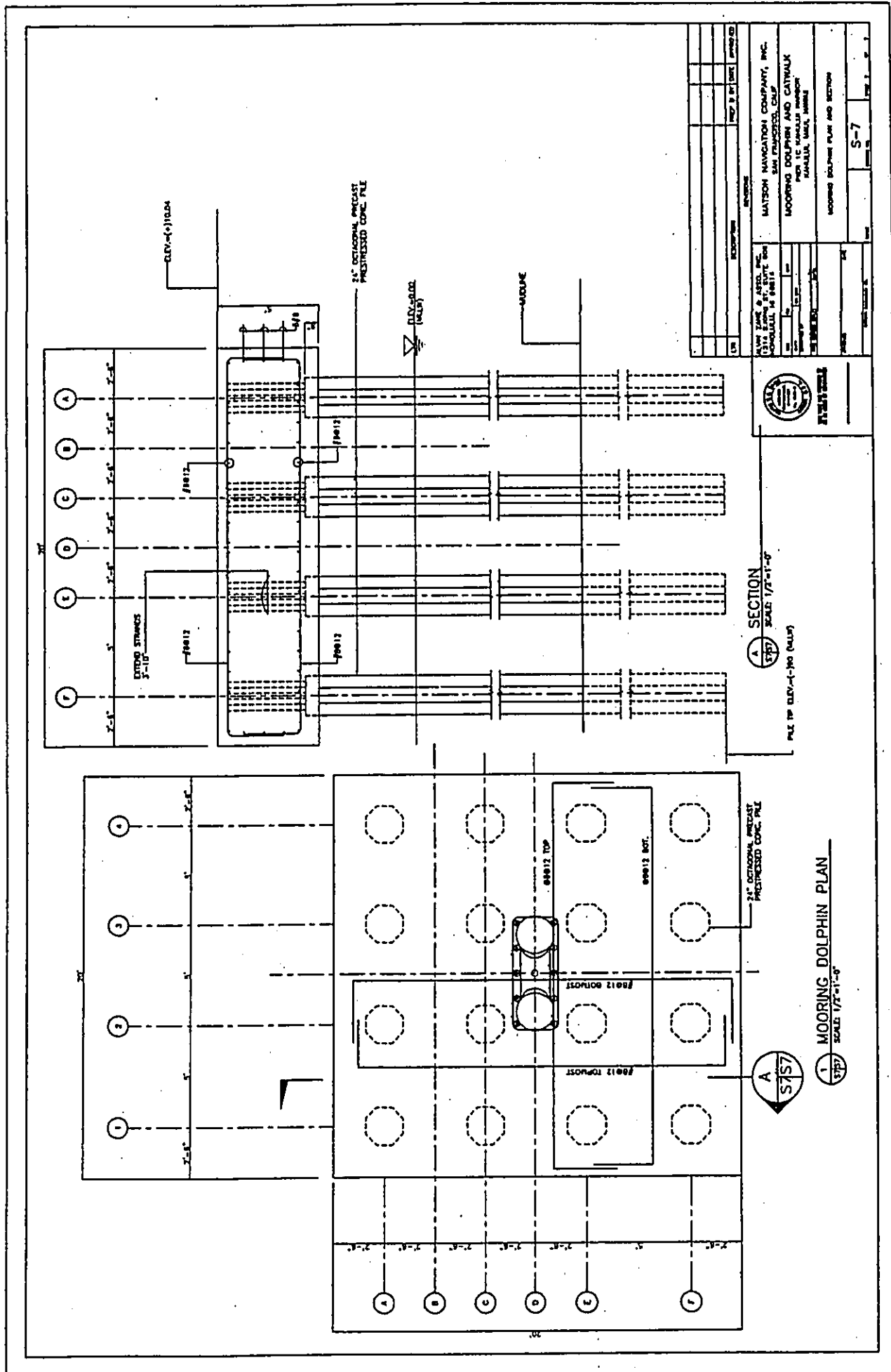
DATE	NO.	BY	CHKD.	APPROVED
REVISIONS				
MATSON NAVIGATION COMPANY, INC.				
1000 MARIN BLVD., S.F. 4				
SAN FRANCISCO, CALIF.				
MOORING DOLPHIN AND CATWALK				
PER TO SUNDAY HARBOR				
SAN FRANCISCO, CALIF.				
DRAWING NO. S-6				
CATWALK SECTION AND PIPE RAIL DETAIL				
				FIG. 1 OF 1



1 PIPE RAIL DETAIL  
SCALE 1/2"=1'-0"

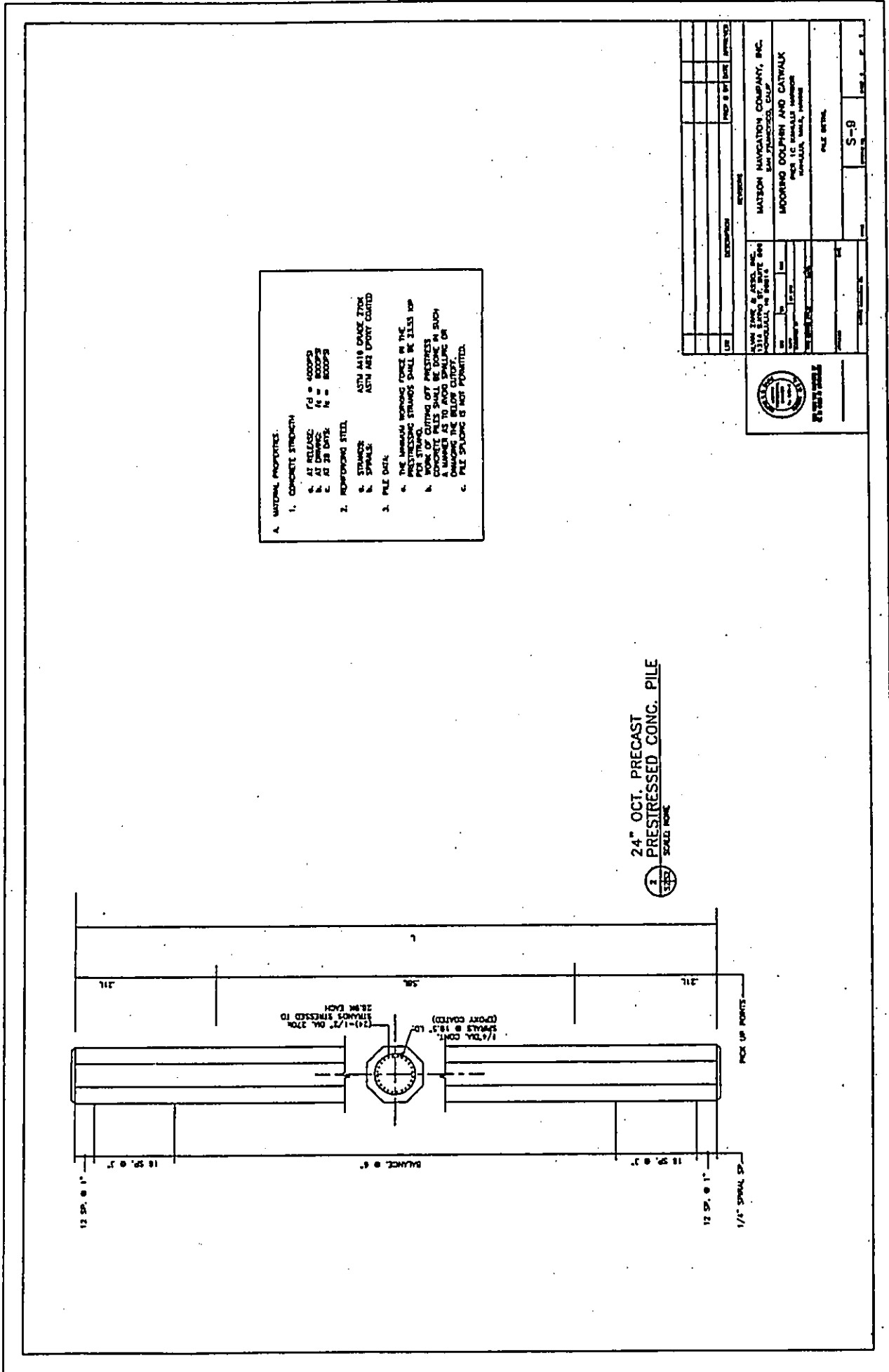
1 TYPICAL CATWALK SECTION  
SCALE 1/2"=1'-0"

RECEIVED AS FOLLOWS





RECEIVED AS FOLLOWS



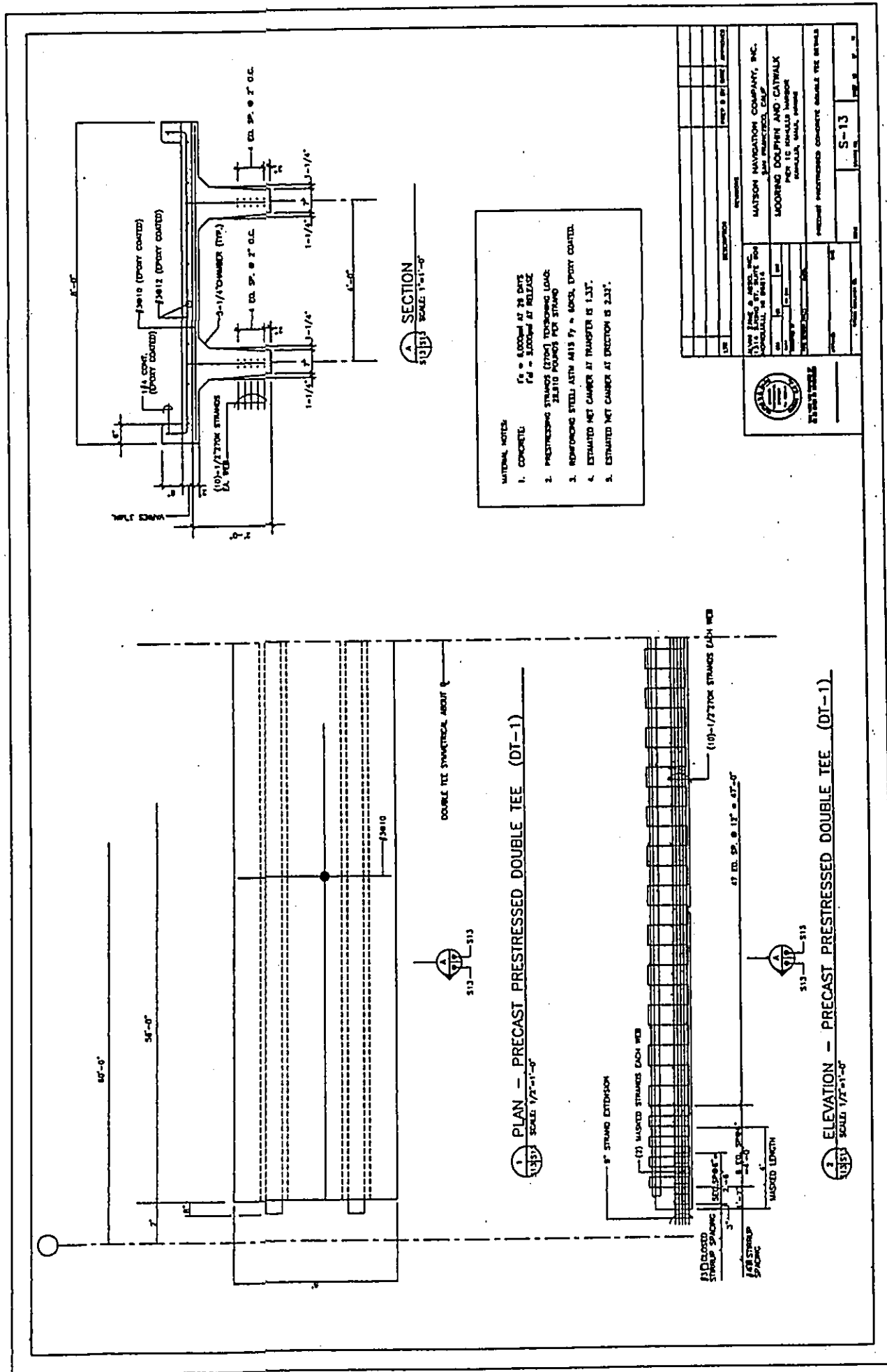
- A. MATERIAL PROPERTIES:
- 1. CONCRETE STRENGTH
    - a. AT RELEASE (F<sub>d</sub>) = 4000PSI
    - b. AT DRAWING = 8000PSI
    - c. AT 28 DAYS = 8000PSI
  - 2. REINFORCING STEEL
    - a. STRANDS: ASTM A418 GRADE 270K
    - b. SPIRALS: ASTM A618 EPOXY COATED
  - 3. PILE DATA
    - a. THE MINIMUM WORKING FORCE IN THE PRESTRESSING STRANDS SHALL BE 215K MP FOR STRANDS.
    - b. STRANDS SHOULD BE CUT OFF PRESSURE CONCRETE PILES SHALL BE DONE IN SUCH A MANNER AS TO AVOID SPALLING OR DAMAGING THE BELOW CITY.
    - c. PILE SPACING IS NOT PERMITTED.

REVISIONS	
NO.	DESCRIPTION

ALVIN ZINK & ASSOC., INC. 1114 EAST 34 <sup>TH</sup> AVENUE 840 DENVER, CO 80218		MATSON NAVIGATION COMPANY, INC. 240 JEFFERSON BLVD. DENVER, CO 80202	
PROJECT NO. 100-1000		DRAWING NO. S-8	
TITLE: MOORING DOCKWHY AND CATWALK		SCALE: AS SHOWN	
DATE: 10/1/68		BY: [Signature]	
CHECKED BY: [Signature]		APPROVED BY: [Signature]	

RECEIVED AS FOLLOWS



		<b>WATSON NAVIGATION COMPANY, INC.</b> 3117 E. 10th St., Suite 200 Anchorage, Alaska 99514
<b>MOORING DOLPHIN AND CATWALK</b> Part of mooring harbor terminal, Anchorage		PROJECT: PRECAST PRESTRESSED CONCRETE DOUBLE TEE BEAMS
DATE: 11/11/83	DRAWN BY: J. J. ...	SHEET NO. S-13
CHECKED BY: ...	APPROVED BY: ...	SCALE: 1/2"=1'-0"