DAVID Y. IGE
GOVERNOR

FORD N. FUCHIGAMI
DIRECTOR

Deputy Directors
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:
HAR-ED
8866.18

August 4, 2017

TO: THE HONORABLE SCOTT GLENN, DIRECTOR
OFFICE OF ENVIRONMENTAL QUALITY CONTROL
DEPARTMENT OF HEALTH

FROM: FORD N. FUCHIGAMI
DIRECTOR OF TRANSPORTATION

SUBJECT: DRAFT ENVIRONMENTAL ASSESSMENT (DEA) FOR DRAIN, ROADWAY, AND PEDESTRIAN WALKWAY IMPROVEMENTS PROJECT, PIERS 2 AND 3, NAWILIWILI HARBOR, ISLAND OF KAUAI, HAWAII, TMKS: (4) 3-2-003: POR. 001-004, 007, 023, 025, 040 & 999; AND (4) 3-2-004: POR. 019, 034, 042 & 054, HDOT JOB NO. H.C. 70102

With this letter, the State of Hawaii, Department of Transportation (HDOT), hereby transmits the draft environmental assessment and anticipated finding of no significant impact (DEA-AFONSI) for the Drain, Roadway, and Pedestrian Walkway Improvements project situated at TMKs (4) 3-2-003: por. 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: por. 019, 034, 042 & 054, in the Nawiliwili Harbor on the Island of Kauai for publication in the next available edition of the Environmental Notice.

Enclosed is one (1) hard copy of the completed OEQC Publication Form, one (1) hard copy of the DEA-AFONSI, and one (1) CD with an electronic copy of the DEA-AFONSI document (PDF) and publication form (MS Word).

If there are any questions, please contact Mark Yamabe of our Harbors Engineering Design Section at telephone number (808) 587-1955, or at e-mail address mark.a.yamabe@hawaii.gov.

Enclosures

18-047

AGENCY
PUBLICATION FORM

Project Name:	Drain, Roadway, and Pedestrian Walkway Improvements
Project Short Name:	Nawiliwili Harbor Improvements
HRS §343-5 Trigger(s):	Use of State lands; Use of State monies
Island(s):	Kauai
Judicial District(s):	Lihue District
TMK(s):	(4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 019, 034, 042 & 054
Permit(s)/Approval(s):	STATE: Environmental Assessment under Hawaii Revised Statutes, Chapter 343; and Section 402, CWA, National Pollutant Discharge Elimination System permit for construction storm water COUNTY OF KAUA'I: Grading and Construction Plan Review
Proposing/Determining Agency:	State of Hawaii, Department of Transportation, Harbors Division (HDOT-Harbors)
Contact Name, Email, Telephone, Address	Mark Yamabe, Project Manager, mark.a.yamabe@hawaii.gov (808) 587-1955, 79 South Nimitz Highway, 2nd Floor, Honolulu, Hawaii 96813
Accepting Authority:	(for EIS submittals only)
Contact Name, Email, Telephone, Address	
Consultant:	R. M. Towill Corporation (RMTC)
Contact Name, Email, Telephone, Address	Brian Takeda, Planning Project Coordinator, Briant@rmtowill.com, (808) 842-1133, 2024 North King Street, Suite 200, Honolulu, Hawaii 96819-3494

Status (select one)	**Submittal Requirements**
__X__ DEA-AFNSI	Submit 1) the proposing agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the DEA, and 4) a searchable PDF of the DEA; a 30-day comment period follows from the date of publication in the Notice.
____ FEA-FONSI	Submit 1) the proposing agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEA, and 4) a searchable PDF of the FEA; no comment period follows from publication in the Notice.
____ FEA-EISPN	Submit 1) the proposing agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEA, and 4) a searchable PDF of the FEA; a 30-day comment period follows from the date of publication in the Notice.
____ Act 172-12 EISPN ("Direct to EIS")	Submit 1) the proposing agency notice of determination letter on agency letterhead and 2) this completed OEQC publication form as a Word file; no EA is required and a 30-day comment period follows from the date of publication in the Notice.
____ DEIS	Submit 1) a transmittal letter to the OEQC and to the accepting authority, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the DEIS, 4) a searchable PDF of the DEIS, and 5) a searchable PDF of the distribution list; a 45-day comment period follows from the date of publication in the Notice.
____ FEIS	Submit 1) a transmittal letter to the OEQC and to the accepting authority, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEIS, 4) a searchable PDF of the FEIS, and 5) a searchable PDF of the distribution list; no comment period follows from publication in the Notice.
____ FEIS Acceptance Determination	The accepting authority simultaneously transmits to both the OEQC and the proposing agency a letter of its determination of acceptance or nonacceptance (pursuant to Section 11-200-23, HAR) of the FEIS; no comment period ensues upon publication in the Notice.
FEIS Statutory Acceptance	Timely statutory acceptance of the FEIS under Section 343-5(c), HRS, is not applicable to agency actions.

____ Supplemental EIS Determination	The accepting authority simultaneously transmits its notice to both the proposing agency and the OEQC that it has reviewed (pursuant to Section 11-200-27, HAR) the previously accepted FEIS and determines that a supplemental EIS is or is not required; no EA is required and no comment period ensues upon publication in the Notice.
____ Withdrawal	Identify the specific document(s) to withdraw and explain in the project summary section.
____ Other	Contact the OEQC if your action is not one of the above items.

Project Summary
Provide a description of the proposed action and purpose and need in 200 words or less.

The State of Hawaii, Department of Transportation, Harbors Division, proposes to construct drainage, roadway and pedestrian walkway improvements at Nawiliwili Harbor, Piers 2 and 3, immediately off Waapa Road, on the Island of Kauai. The project site is approximately 1.06 acres. The purpose of the project is to upgrade the harbor drainage system and existing facilities to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space. Drainage improvements include the installation of a new box culvert and swale to convey water away from the gated harbor entrance off Waapa Road to the northwest corner of the harbor, and construction of a trench drain and gravity wall, and drain inlet and grate along Pier 2. Proposed roadway and pedestrian walkway improvements include paving Road A (i.e., an existing 700 linear foot long internal harbor access road), constructing a walkway along Road A, renovating a concrete slab, reconstructing the existing security fencing, and installing lighting.

Draft Environmental Assessment

Prepared in Accordance with Hawaii Revised Statutes,
Chapter 343, and Hawaii Administrative Rules, Title 11, Chapter 200

Drain, Roadway, and Pedestrian Walkway Improvements

Piers 2 and 3, Nāwiliwili Harbor, Island of Kaua'i, Hawai'i, HDOT Job No. H. C. 70102

August 2017

Proposing Agency:
State of Hawai'i, Department of Transportation, Harbors Division
Hale Awa Ku Moku Building
79 South Nimitz Highway
Honolulu, Hawai'i 96813-4898

Draft Environmental Assessment

Drain, Roadway, and Pedestrian Walkway Improvements

Piers 2 and 3, Nāwiliwili Harbor, Island of Kauaʻi, Hawaiʻi, HDOT Job No. H. C. 70102

August 2017

Prepared For:
State of Hawaiʻi,
Department of Transportation, Harbors Division
Hale Awa Ku Moku Building
79 South Nimitz Highway
Honolulu, Hawaiʻi 96813-4898

Prepared By:
R. M. Towill Corporation
2024 North King Street, Suite 200
Honolulu, Hawaiʻi 96819-3494

Project No. 1-22802-00P

Table of Contents

Page

List of Figures

List of Photographs

List of Tables

Appendices

Acronyms and Abbreviations

AC	Asphalt Concrete
ACHP	Advisory Council on Historic Preservation
ADA	Americans with Disabilities Act
BMPs	Best Management Practices
CAB	Clean Air Branch
CDUA	Conservation District Use Permit Application
CFR	Code of Federal Regulations
CGI	Combustible Gas Indicator
cm	centimeter
CWA	Clean Water Act
CWB	Clean Water Branch
CWRM	Commission on Water Resource Management, DLNR
CZMA	Coastal Zone Management Act
CZM FEDCON	Coastal Zone Management Federal Consistency Review
CZO	Comprehensive Zoning Ordinance
CZMP	Coastal Zone Management Program
dBA	Decibels
DBEDT	Department of Business, Economic Development, and Tourism, State of Hawaiʻi
DEA	Draft Environmental Assessment
DLNR	Department of Land and Natural Resources, State of Hawaiʻi
DOBOR	Division of Boating and Ocean Recreation, DLNR
DOFAW	Department of Forestry and Wildlife, State of Hawaiʻi
DOH	Department of Health, State of Hawaiʻi
DPS	Distinct Population Segment
EA	Environmental Assessment
ECP	Erosion Control Plan
EFH	Essential Fish Habitat
EIS	Environmental Impact Statement
EPA	Environmental Protection Agency
ESA	Endangered Species Act
F	Fahrenheit

Acronyms and Abbreviations

FEA	Final Environmental Assessment
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FIS	Flood Insurance Study
FONSI	Finding of No Significant Impact
ft	Feet
GHG	Green House Gas
GP	General Plan
HAR	Hawaiʻi Administrative Rules
HDOT	Department of Transportation, State of Hawaiʻi
HDOT-Harbors	Harbors Division, HDOT
HRS	Hawaiʻi Revised Statutes
HSTP	Hawaiʻi State Transportation Plan
IBC	International Building Code
IG	Industrial (General) Zoning District
KIUC	Kauaʻi Island Utility Cooperative
LED	Light Emitting Diode
lf	Linear Feet
LCP	Līhuʻe Community Plan
LPG	Liquefied Petroleum Gas
MBTA	Migratory Bird Treaty Act
MHWM	Mean High Water Mark
MLLW	Mean Lower Low Water
MMPA	Marine Mammal Protection Act
MP	Master Plan
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
NO_2	Nitrogen Dioxide
NOAA	National Oceanic and Atmospheric Administration
NPDES	National Pollutant Discharge Elimination System
OEQC	Office of Environmental Quality Control

Acronyms and Abbreviations

POLs	Petroleum, Oils, and Lubricants
PM	Particulate Matter
ppt	parts per thousand
PVC	Polyvinyl Chloride
RHA	Rivers and Harbors Act of 1899
SCS	Soil Conservation Service, U. S. Department of Agriculture
SHPD	State Historic Preservation Division
SHPO	State Historic Preservation Officer
SMA	Special Management Area
SO_2	Sulfur Dioxide
SOEST	School of Ocean and Earth Science and Technology, University of Hawaiʻi
sy	Square Yard
TGC	The Gas Company, LLC, DBA Hawaiʻi Gas
TMDL	Total Maximum Daily Loads
TMK	Tax Map Keys
USACE	U. S. Army Corps of Engineers
USC	United States Code
USCG	U. S. Coast Guard
USDA	U. S. Department of Agriculture
USFWS	U. S. Fish & Wildlife Service
USGS	U. S. Geological Survey
WOUS	Waters of the United States
WPRFMC	Western Pacific Regional Fishery Management Council
WQC	Water Quality Certification
WQS	Water Quality Standards

Page left blank intentionally.

Section 1
Project Summary

Project:	Drain, Roadway, and Pedestrian Walkway Improvements Project, Piers 2 and 3, Nāwiliwili Harbor, Island of Kauaʻi, Hawaiʻi, HDOT Job No. H. C. 70102
Proposing Agency:	Hawaiʻi Department of Transportation, Harbors Division (HDOT Harbors)
Agent:	R. M. Towill Corporation
Location:	Nāwiliwili Harbor 3242 Waʻapa Road, Līhuʻe, Island of Kauaʻi, Hawaiʻi 96766
Proposed Action:	Construction of drain, access roadway, and walkway improvements at Piers 2 and 3, Nāwiliwili Harbor, Kauaʻi
Present Use:	Commercial harbor piers and related harbor support infrastructure consisting of storm water drainage facilities and access roadway
Tax Map Keys (TMKs):	(4) 3-2-003: Portions 001-004, 023, 025, 040 & 999; and (4) 3-2-004: Portions 019, 034, 042 & 054
Land Area:	Approximately 1.06 acres
Flood Zones:	Zones AE, VE, and X
State Land Use District:	Urban
Special Management Area (SMA):	Yes
County of Kauaʻi Zoning:	General Industrial District (IG)
Land Owner:	State of Hawaiʻi
Permits That May be Required:	STATE: Environmental Assessment (EA) under Hawaiʻi Revised Statutes (HRS), Chapter 343; and Section 402, Clean Water Act (CWA), National Pollutant Discharge Elimination System (NPDES) permit for construction storm water.
Anticipated Determination	Finding of No Significant Impact (FONSI)

Section 2
Project Purpose and Location

2.1 Background

HDOT-Harbors is responsible for the maintenance, repair and operation of ten statewide commercial harbors in the State of Hawaiʻi. The island of Kauaʻi is equipped with two commercial harbors: Nāwiliwili Harbor and Port Allen Harbor. Nāwiliwili Harbor, located on the southeast coast of Kaua'i, is the island's principal port for incoming and outgoing commercial cargo and passenger cruise ships. The Port Allen Harbor is located on Kauaʻi's southwest coast and unlike Nāwiliwili Harbor, handles only non-containerized cargo. The two harbors are vital facilities supporting the importation and shipment of commodities, goods, and products important to the economy and quality of life for the island of Kauaʻi. See **Figure 2-1, Project Location**.

The Nāwiliwili Harbor is a vital link for the island of Kauaʻi to the rest of the State and the world and handles all of Kauaʻi's containerized cargo and is the preferred destination for cruise ships. The harbor also provides important storage facilities used for the handling and storage of automobiles, containers, and other products and materials, including raw sugar and molasses; construction materials such as lumber, rebar and cement; petroleum products such as gasoline, jet fuel and propane; and scrap metal.

The project location includes an existing internal harbor access road (i.e., Road A) providing vehicular access between Piers 2 and 3. Road A is approximately 700 linear feet (lf) long and comprised of paved and unpaved sections including shoulder areas of the roadway. The site is bounded by Waʻapa Road to the north, a parking lot for Pier 2 to the east, waters of Nāwiliwili Bay to the south, and the existing access road leading to Pier 3 toward the west. The existing poor condition of Road A reduces the safe and efficient movement of vehicles and pedestrians due to lack of paving along sections of the road, and the need for pedestrians to exercise caution as there is no designated pedestrian walkway along the access road.

Near the existing gated access road leading to Pier 3, which is also used for access to Pier 2, flooding occurs during storms and runoff ponds on both sides of the access road intersection with Waʻapa Road. The existing site conditions are relatively flat and there are low areas within the project site causing runoff to pond, which impedes vehicular and pedestrian access. **Photo 2-1** below shows the ponding water that is common at the entry gate.

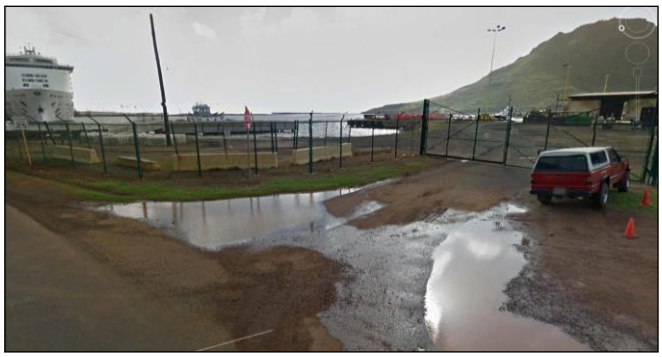
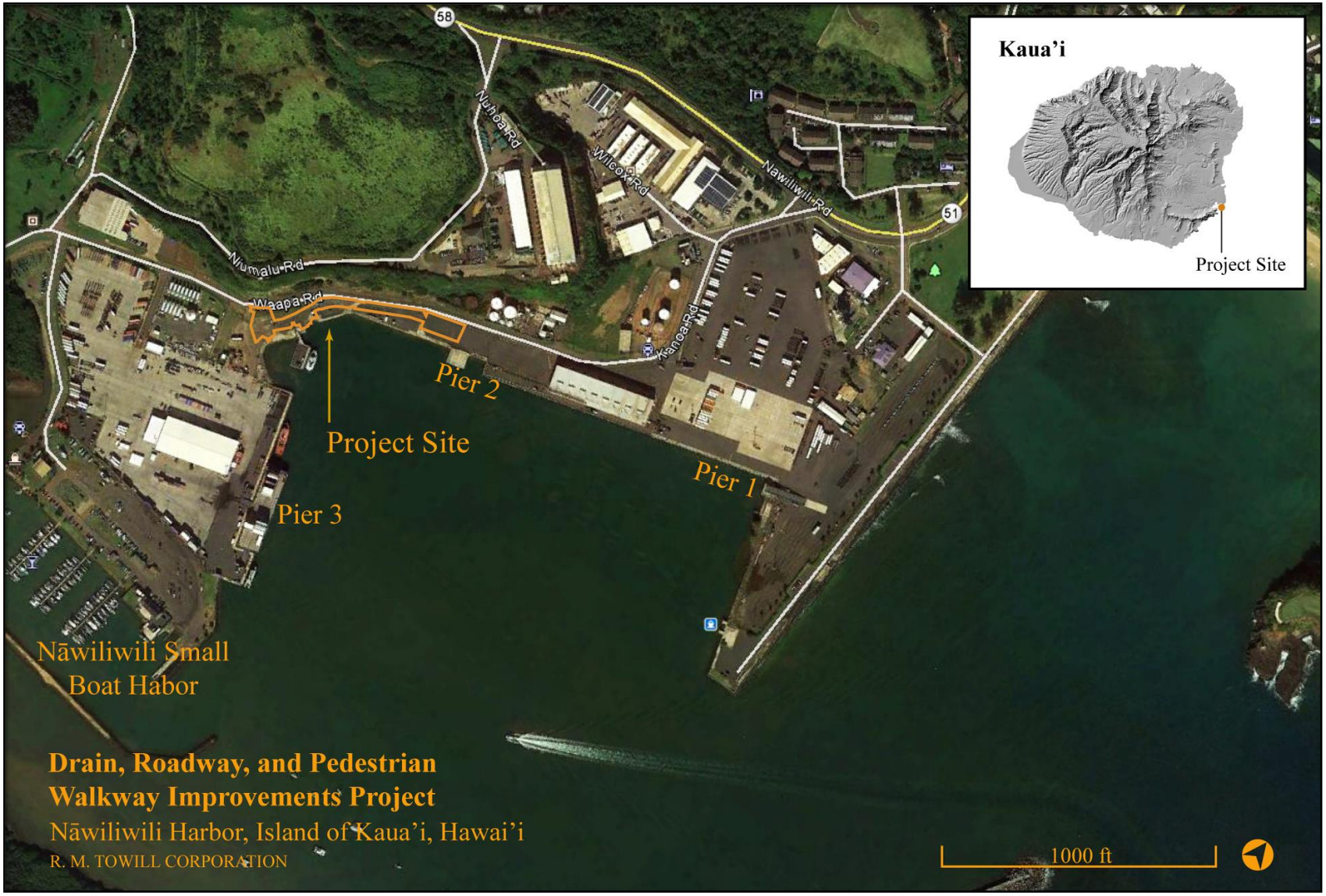


Photo 2-1. Ponded Storm Water at Waʻapa Road and Harbor Access Road Gate
Photo Credit: Google Earth, Accessed March 19, 2017

Figure 2-1. Project Location



2.2 Purpose and Need of Project

The purpose of the proposed project is to construct drainage, access roadway, and pedestrian improvements at Nāwiliwili Harbor, Piers 2 and 3, to address the HDOT-Harbor's mission to effectively manage and operate a statewide commercial harbors system that facilitates the efficient movement of people and goods to, from and between the Hawaiian islands. The proposed improvements will further address the HDOT-Harbor's objective to plan, design, construct, operate and maintain State facilities at the Nāwiliwili Harbor to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space.

Specific objectives to improve upon current harbor deficiencies at the project site would be to construct roadway improvements by paving the approximately 700 lf long Road A, a walkway to separate pedestrian traffic (including cruise ship passengers) from commercial harbors associated vehicles, including trucks traversing Road A, and drainage improvements. Other construction activities would include the resurfacing of a section of the pier in need of maintenance, and installing security fencing and lighting to support harbor operations (See **Section 3** for detail).

The proposed action is necessary to address existing access deficiencies to and along the harbor, better utilize limited harbor space at Kauaʻi's only containerized cargo facility and preferred cruise ships destination, and promote better environmental management of storm water runoff within the harbor and surrounding environment.

2.3 Purpose of Environmental Assessment

The purpose of this EA is to address the requirements of HRS, Chapter 343, and Hawaiʻi Administrative Rules (HAR), Chapter 11-200. The specific action that requires the preparation of this EA includes the use of state land and/or funds for the proposed action.

This EA provides information and evaluation of the potential for adverse environmental impacts on the natural and built environment associated with the proposed project. This EA will also inform interested parties of the proposed project and seek public comment on relevant environmental issues that should be addressed during preparation of the Final EA.

2.4 Project Location

Piers 2 and 3 are located on the west side of Nāwiliwili Harbor on the island of Kauaʻi. It is approximately 1.8 miles from the Līhuʻe Airport and approximately 1.5 miles from County of Kauaʻi government offices in Līhuʻe town. The closest major roadway is Nāwiliwili Road which provides vehicular access to the major transportation corridors of Kaumualiʻi Highway further west, and Kapule Highway further east. See **Figure 2-2, Project Location and Region**.

Figure 2-2. Project Location and Region

Section 3
Project Description, Estimated Construction Cost and Schedule

3.1 Description of Proposed Project

The entirety of the project site is owned by the State of Hawaiʻi and under the jurisdiction of HDOT-Harbors except for a small southerly portion which is under the jurisdiction of the Boating Division, Department of Land and Natural Resources (DLNR), State of Hawaiʻi. The parcels included within the project site comprise a total area of approximately 8.6 acres. The area within the project site boundary is a portion of the total acreage and is approximately 1.06 acres.

The construction improvements to Piers 2 and 3 will consist of the following, starting south at Pier 3 and proceeding northward to the area of Pier 2 (See **Figure 3-1, General Site Plan**):

1. One new 30-feet (ft) high light pole with downward facing fully shielded 120-volt light emitting diode (LED) cobra head luminary. To minimize impacts to seabirds, outdoor lights will be installed so that the bulbs can only be seen from below bulb height (see **Section, 5.8.2, Terrestrial Fauna**). In accordance with HRS § 205A-30.5(b) and 205A-71 (b) artificial lighting provided by the HDOT-Harbors for government operations, security, and public safety will be properly positioned to minimize adverse impacts. The base for the light pole will be installed at a minimum depth of 6.6 ft and located near the existing gated entry from Waʻapa Road to the Pier 2 and 3 area. The light pole operational use will be a typical street light and is intended to improve and supplement the night time illumination at the harbor entry point from existing street lights located along Waʻapa Road.

2. New concrete box culvert (3 ft x 1 ft x 71 lf) with headwall. A box culvert will be installed approximately 4.5 ft deep below the surface of the existing harbor access road, designated as Road A. The box culvert structure will be traffic rated to handle the expected traffic load from heavy trucks using Road A. On the makai side of Road A, the box culvert will connect to a 35 ft long concrete swale that empties into the harbor. The new drainage structure would outlet above the mean high water mark (MHWM).

3. Reconstruction of an existing security fence (approximately 100 lf x 8 ft high, topped with three barbed wire strands). The approximately 100 lf security fence will be reconstructed following site work adjacent to the new lighting fixture and concrete box culvert with headwall.

   See **Figure 3-2, South End Improvements**. The site work is depicted on an aerial photo showing the one new fully shielded downward facing light pole fixture; the concrete box culvert, headwall, and swale; and the existing reconstructed security fence.

Figure 3-1. General Site Plan

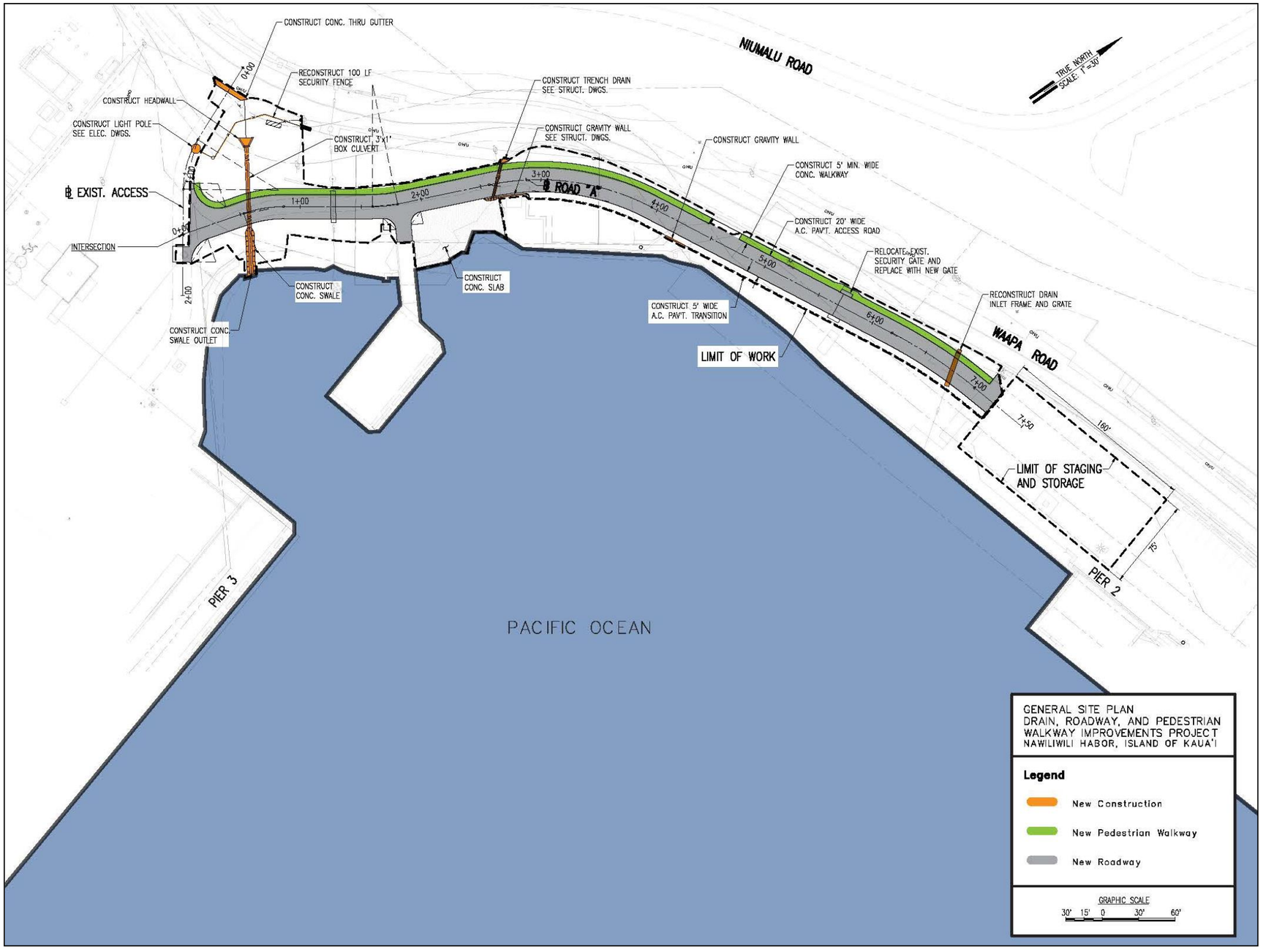
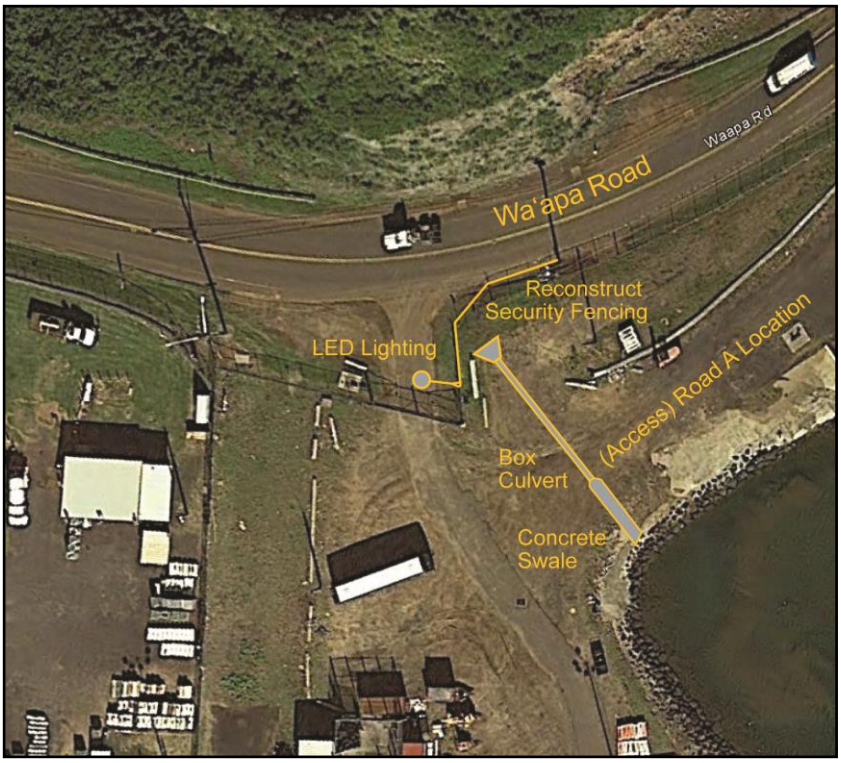


Figure 3-2. South End Improvements

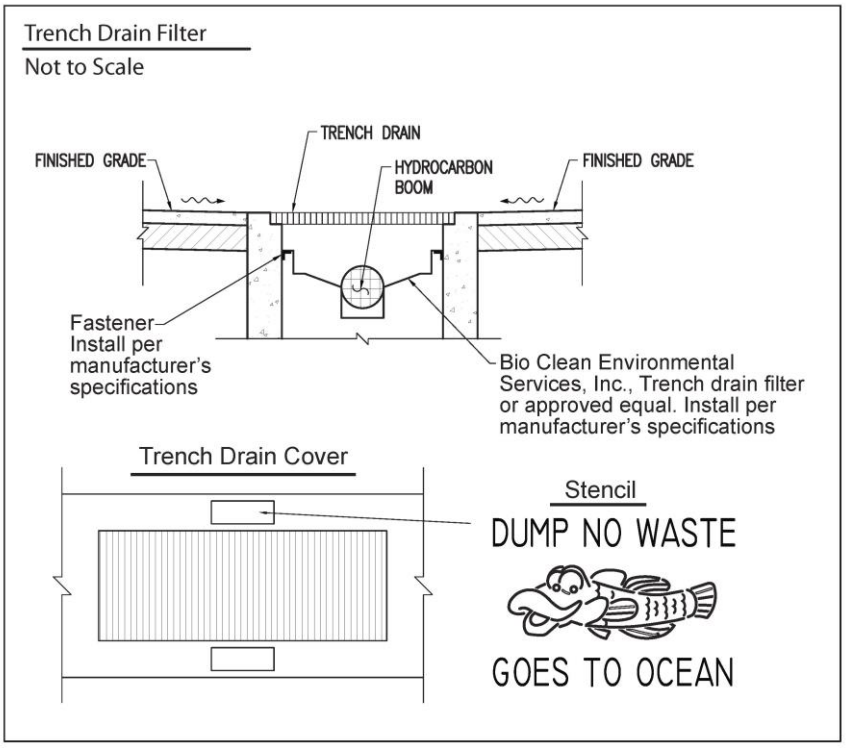


4. New concrete slab and walkway. A new concrete slab and walkway will be constructed along Road A as shown in **Figure 3-1**. The walkway will be approximately 5 ft wide by approximately 700 lf in length. The concrete slab is shown as a polygon between station 2+00 and 2+50 on the general site plan and the surface is in need of repair. Approximately 710 square yards (sy) of concrete will be required to restore the surface.

   The new walkway along Road A will improve safety for pedestrians by separating the access road travelway from the walkway. The concrete slab will provide improved conditions for users of Pier 2 since the existing surface is in poor condition and not usable following heavy storms due to remnant muddy water that collects on the surface of the existing pad.

5. New concrete trench drain (approximately 60 lf) and gravity retaining wall (approximately 25 lf). A new concrete trench drain will be designed to collect storm water flows upgradient of the area near Station 2+50 where storm water currently sheet flows across the existing access road and onto the working surface of the pier. The trench drain will be approximately 6 ft wide by approximately 60 lf long and will collect surface flows to reduce ponding of storm water. The collected storm water will be treated using a Bio Clean Environmental Services, Inc., trench drain filter or approved equal, prior to discharge. See location on **Figure 3-1** and detail on **Figure 3-3, Trench Drain Filter Detail**.

Figure 3-3. Trench Drain Filter Detail



6. Asphalt concrete (AC) pavement of the harbor Access Road A, including approximately 5 ft wide AC pavement transition. Road A is an existing narrow access road that will be improved to approximately 25 to 30 ft in width including 10 ft wide travel lanes (one in each direction of travel), 5 ft wide pedestrian walkway, and 5 ft wide transition area. The concrete required will be approximately 1,890 sy. See **Figures 3-4** through **3-5, Road A Cross Sections**, for detail.

7. Reconstruction of an existing storm drain inlet frame and grating, approximately 3 ft x 3 ft along the northern edge of the walkway between Stations 6+50 and 7+00 as shown on **Figure 3-1**. The drain inlet frame and grating will provide for the treatment of storm water using a Bio Clean Environmental Services, Inc., drain (grate) inlet skimmer box or approved equal. The reconstructed inlet frame and grating will be designed to accommodate traffic load. See **Figure 3-6, Drain Inlet Skimmer Box Filter Detail**.

In addition to the above, the project will involve providing smooth transitions between the surrounding pier work surfaces. Other improvements may also be included based on project priorities by the HDOT-Harbors.

Figure 3-4. Access Road A, Cross Sections (Stations 0+41 to 1+22; 1+22 to 1+67; and 1+97.5 to 2+63)

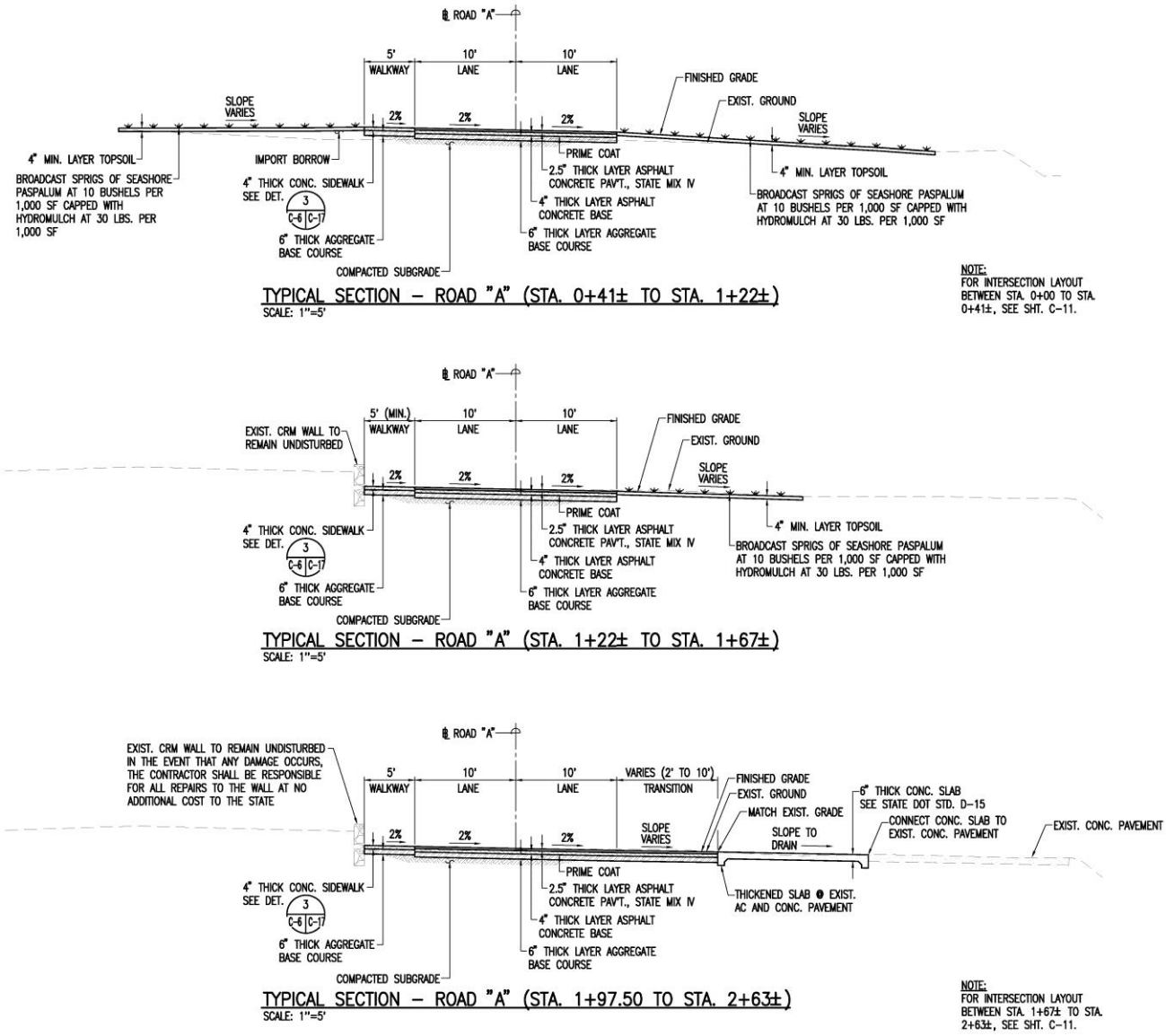


Figure 3-5. Access Road A, Cross Sections (Stations 2+63 to 2+87; 3+00 to 3+80; and 4+75 to 7+07)

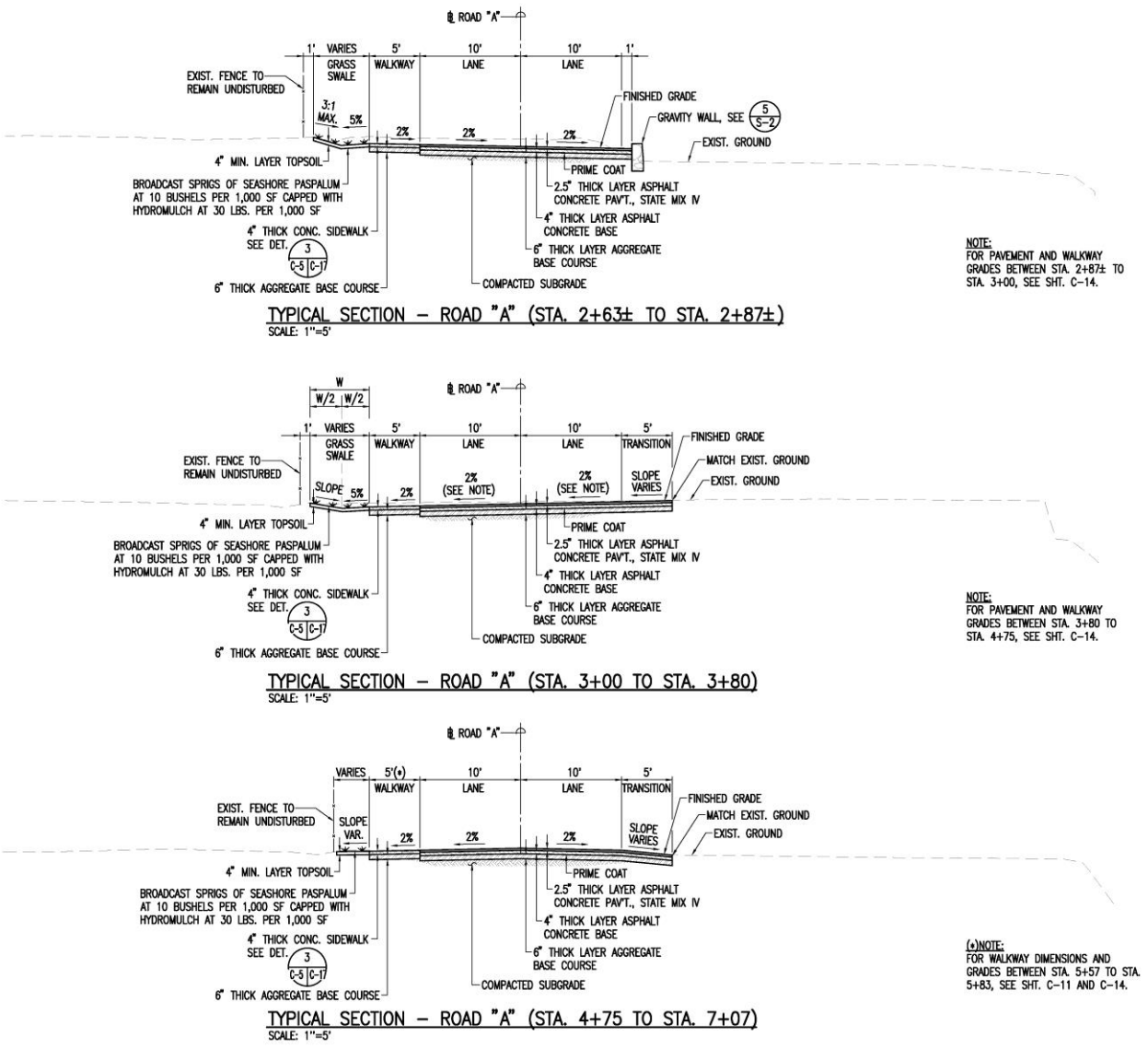
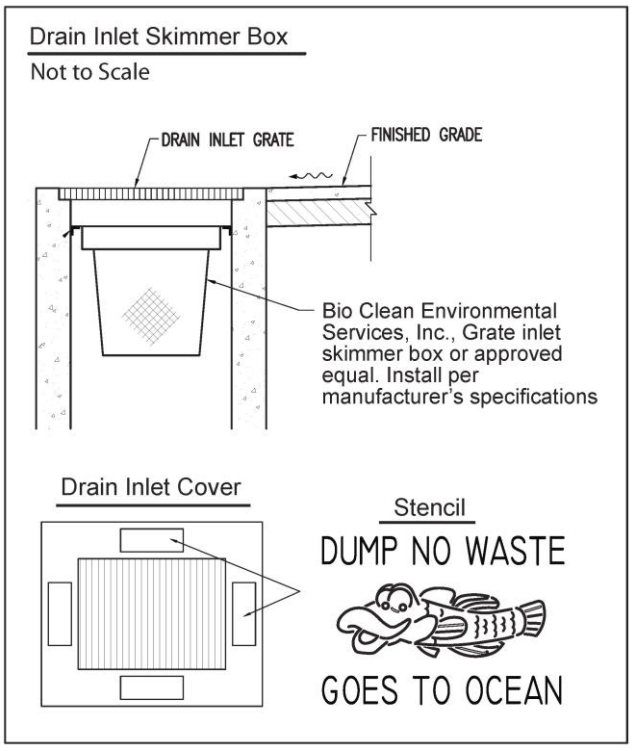


Figure 3-6. Drain Inlet Skimmer Box Filter Detail



3.2 Property Ownership

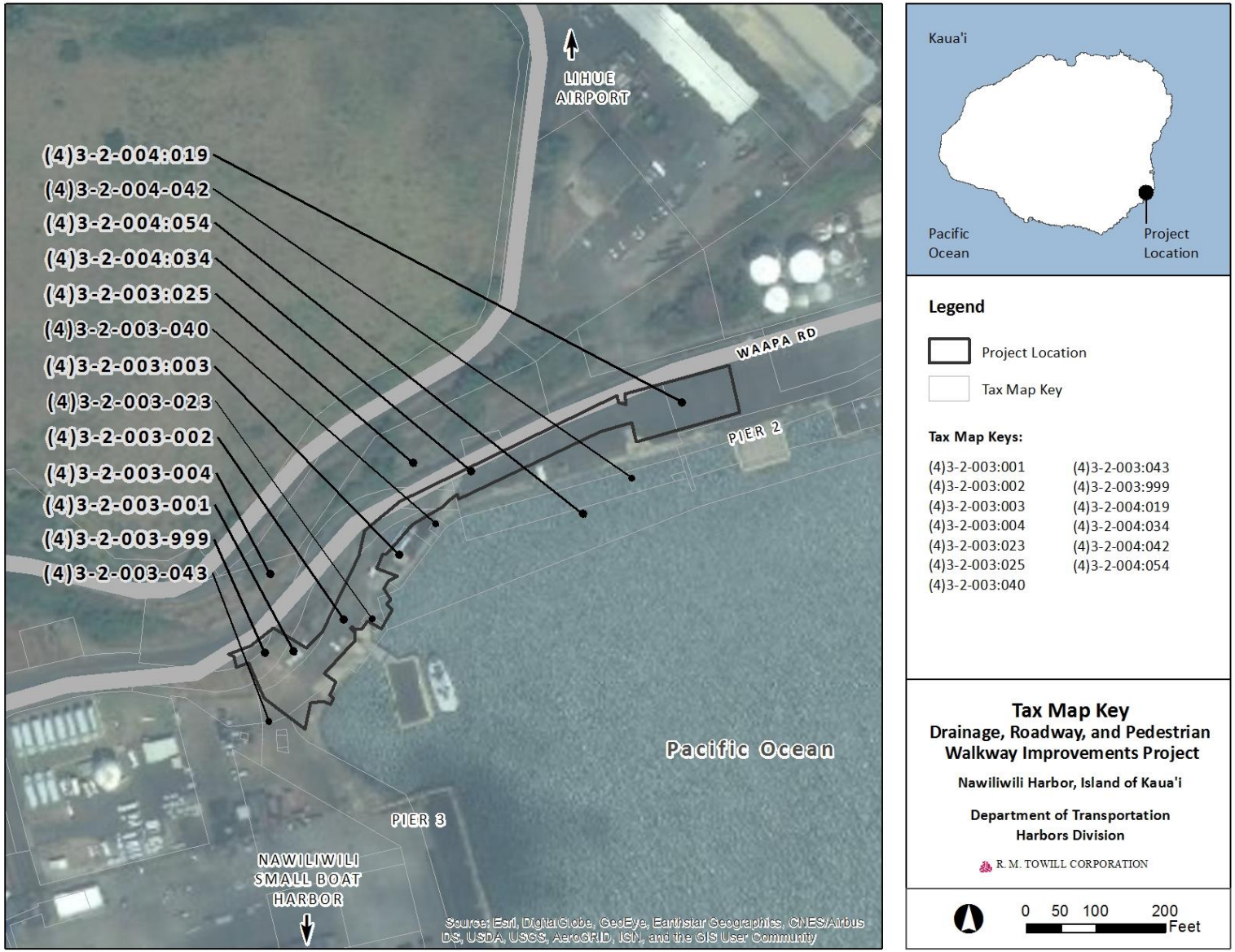
The State ownership of land at Piers 2 and 3, Nāwiliwili Harbor, is designated across the following TMKs (See **Table 3-1, Tax Map Key**, and **Figure 3-7, Tax Map Key**):

Table 3-1. Tax Map Key of Affected Properties

Tax Map Keys (TMKs)	Area of Parcel (Acres)	Ownership
(4) 3-2-003: 001	0.036	State of Hawaiʻi
002	0.074	‘‘
003	0.09	‘‘
004	0.58	‘‘
023	0.01	‘‘
025	0.54	‘‘
040	0.01	‘‘
999	*2.36	‘‘
(4) 3-2-004: 019	0.99	‘‘
034	0.992	‘‘
042	0.15	‘‘
054	3.76	‘‘
Total TMK Area:	**9.592	‘‘
Total Project Area:	1.06	‘‘

*TMK record not found. Area is based on on-line parcel information as identified by the State of Hawaiʻi GIS. See: http://planning.Hawaiʻi.gov/gis/download-gis-data/.
**Approximate acreage, see above.

Figure 3-7. Tax Map Key



3.3 Construction Activities

Minor construction related traffic, noise, and air quality (dust) disturbances are anticipated. Construction equipment used for this project may include, but are not limited to: loader, bulldozers, dump trucks, loader-backhoe, trencher, grader, water trucks, concrete hauler pumper, and flatbed trucks. The contractor will be required to observe and comply with all federal, state, and local laws required for the protection of public health, safety, and the environment.

The contractor will prepare a Best Management Practices (BMPs) Plan for this project. The BMPs Plan will consist of erosion control measures such as planting or hydromulching grass seedling**,** erecting silt fencing/curtains, berms, and/or other applicable erosion control devices to prevent construction related soils and silt from mixing with storm water runoff.

Shoring (sheet piles or other related method), if required, will be used in accordance with the Occupational Safety and Health Administration requirements (part 3, Chapter 132). No blasting will be required or allowed.

Upon the completion of work, areas surrounding the project site that have been affected by construction will be restored as much as practicable to pre-existing conditions. The following will be required:

- All construction-related debris, including excavated material, fill material, and refuse shall be removed from the project site and disposed of properly by the contractor.
- All construction equipment shall be removed from the project site promptly after construction is complete.
- Any temporary modification to existing utilities, such as power or communications lines, shall be repaired to their pre-existing condition.
- Roadways providing access to the site shall be cleared of construction debris and any damage from construction traffic repaired.
- All areas damaged by construction staging shall be restored. Exposed ground areas shall be seeded or hydromulched as appropriate.
- Temporary utility lines will be removed from the site and all surplus excavation material and construction debris will be removed and disposed of off-site in compliance with applicable State, and County of Kauaʻi regulations.

3.4 Estimated Construction Cost and Schedule

The proposed project is scheduled for construction starting in 2018 with a duration of approximately 9 months. Construction activities will take place during the daytime hours with no night work anticipated to be required. The total estimated cost is $1.58 million.

Section 4
Project Alternatives and Preferred Alternative

4.1 Alternatives to the Proposed Action

Alternatives to the proposed project include: (1) the No Action Alternative; (2) the Delayed Action Alternative; and (3) The Preferred Action Alternative. A description of each is provided below.

4.1.1 No Action

The No Action alternative involves no further action to improve Piers 2 and 3. Taking No Action would avert the potential for negative adverse environmental impacts associated with construction activities and would eliminate the need for the expenditure of approximately $1.58 million in construction costs.

The No Action alternative however would fail to accomplish an objective of the Kauaʻi Commercial Harbors 2025 Master Plan (MP) to improve the roadway network serving the harbor. This would be accomplished through improved conditions within the Piers 2 and 3 area that provide access to the adjoining Waʻapa Road. Further, the proposed project would fail to also address a stated goal of the 2025 MP to improve the water quality in Nāwiliwili Harbor.

Taking no further action would therefore result in continued use of a facility subject to ponding and the release of untreated storm water runoff into the harbor. This would maintain an existing substandard condition and promote both an ongoing drainage condition and issue with maintaining safe and efficient harbor operations.

Because the No Action alternative would fail to accomplish the objective of the project to improve conditions as required by the HDOT-Harbors and the Kauaʻi Commercial Harbors 2025 MP, it is rejected from further consideration.

4.1.2 Delayed Action

The Delayed Action alternative involves the construction of the project, but at a later date. Delaying the project would temporarily avoid the potential for adverse environmental effects and the need for the expenditure of funds for planning, design, development, and construction activities. However, because the potential for environmental impacts and project costs would only be delayed, impacts and costs associated with the project would eventually be borne when the project is implemented.

Delaying the project to a later time is expected to have virtually the same effect as the No Action alternative:

- Construction costs would be averted in the short-term, but are expected to ultimately be higher due to inflation and other factors while resulting in environmental outcomes similar to the Preferred Alternative of proceeding with the proposed project.
- Delayed Action would also delay the project's implementation schedule for improvements to Access Road A, the concrete slab resurfacing, and drainage and street

lighting work that would fail to address the existing environmental conditions associated with untreated storm water runoff.

- Untreated storm water runoff would continue to occur from the Pier 2 and 3 area and pond across actively used areas causing less than ideal working conditions. Passengers departing cruise vessels could also be impeded from access due to ponded storm water.

Because the Delayed Action alternative would fail to accomplish the project objective to provide infrastructure and drainage improvements that would support the long term operations of the Pier 2 and 3 facility at Nāwiliwili Harbor, it is also rejected from further consideration.

4.1.3 Preferred Alternative

Alternative locations for the proposed project were considered. However, Nāwiliwili Harbor has only three working piers and the subject project at Piers 2 and 3 is the most urgently needed for construction. For this reason the provision of other improvements at other harbor locations was not pursued further.

Based on the above, the Preferred Alternative is to improve Road A and construct the proposed drainage and street lighting improvements as identified in **Section 3, Project Description, Estimated Construction Cost and Schedule**, of this document. The Preferred Alternative is the only alternative that (1) meets the objective of addressing the ongoing discharge of untreated storm water runoff at Piers 2 and 3 while improving the Access Road A and pier working surfaces; and (2) is consistent with the Kaua'i Commercial Harbors 2025 MP by promoting improved conditions conducive to the more efficient movement or cargo and pedestrian traffic from Piers 2 and 3, while meeting the need to improve water quality in Nāwiliwili Harbor.

Section 5
Description of Existing Site Conditions, Potential Impacts, and Proposed Mitigation

This section summarizes the existing environmental setting, potential short- and long-term, secondary, and cumulative effects of the proposed project, and mitigation measures. Short-term effects are from construction and infrastructure repair activities, while long-term effects continue or occur after the project is completed. Although the subject EA document does not require an assessment of impacts according to NEPA requirements, the definition of impacts, according to NEPA, provides guidance toward understanding potential environmental impacts and applicability to this project. Secondary impacts are generally defined as those induced or caused by an action and are later in time or farther removed in distance, but are still reasonably foreseeable (40 CFR §§ 1500-1508). Potential cumulative effects may result from the incremental consequences of an action when added to other past, present, and reasonably foreseeable future actions (40 C.F.R. §1508.7).

5.1 Existing Site Conditions

5.1.1 Description

The proposed project is located in the heavily developed general industrial Nāwiliwili Harbor and bay area located on the southeast coast of Kaua'i, approximately two miles south of Līhu'e.

Nāwiliwili Harbor is a manmade port, dredged from the Nāwiliwili Bay. Harbor facilities include three (3) piers providing over 1,800 ft of berthing space. Pier 1 is located on the eastern side of Nāwiliwili Bay, while Pier 3 is on the western side, with Pier 2 located between Piers 1 and 3. Piers 1 and 2 total 1,214 ft long with a depth of 35 ft at pier side, and Pier 3 is 625 ft long and contains over 16 acres of paved yard. The harbor basin is 1,550 ft wide by 1,950 ft long and is protected by a rock faced jetty and a 2,150 ft long breakwater. The entrance channel is 600 ft wide and 2,400 ft long with a controlling depth of 40 ft. Several gated entrances along the mauka side of the Nāwiliwili Harbor provide vehicular access to the harbor.

Nāwiliwili Harbor is Kaua'i's principal port for incoming and outgoing commercial cargo, and is a port-of-call for passenger cruise ships. The harbor piers accommodate passenger ships and vessels handling inbound and outbound cargo and fuel deliveries, and also consists of storage facilities used for the handling and storage of automobiles, containers and other products and materials. Commercial harbor operators using the harbor range from major cargo carriers including Matson and Young Brothers, to cruise ship and boating operators, commercial fishermen, and charter boat operators. Other operations including agricultural and commercial cargo distribution are also located at the harbor. Adjacent to the commercial harbor is the Nāwiliwili Small Boat Harbor managed by the DLNR, Division of Boating and Ocean Recreation (DOBOR).

The total project area is approximately 1.06 acres and includes the area required for earthwork, construction, and staging and storage of construction equipment and materials. The project area is bound by Wa'apa Road to the north, the parking lot for Pier 2 to the east, Nāwiliwili Harbor waters to the south, and the Pier 3 access road to the west.

Improvements are proposed to the gated access area near Pier 3 along Waʻapa Road, which is characterized by relatively flat existing grades and low areas that do not drain (see **Photo 2-1**). As a result, during storm events, runoff from upland areas ponds on both sides of the intersection of the Pier 3 access road and Waʻapa Road. No drainage facilities are present near the gated Pier 3 access entrance.

Previous projects have installed drainage inlets and roadside swales to capture runoff and convey it to the ocean. Those drainage systems are effective in preventing flooding and will be left undisturbed. Between Piers 2 and 3 two existing drainage systems are present that outlet into the northwestern corner of Nāwiliwili Bay. Due to wind and water movement within the harbor, debris currently collects at this location. The outlets however are located above the MHWM and do not become obstructed by the floating debris that tends to collect there. Implementation of the proposed drainage facilities and upgrades in this location will improve proper drainage of the site.

Existing infrastructure and utilities within the project area includes utility poles, fencing, signage, curbing and an existing internal harbor access road, Road A. Road A provides access between Piers 2 and 3, is approximately 700 ft long, and consists of paved and unpaved sections. The area surrounding the road is open and unpaved with slopes of approximately zero to five percent generally sloping in the southeast direction towards the ocean.

At Pier 3 west of the gated access road into the harbor is an existing buried liquefied petroleum gas (LPG) pipeline that is owned by The Gas Company, LLC, a Hawaiʻi limited liability company (TGC), doing business as Hawai'i Gas. In November 2016 TGC filed the *Additional Liquefied Petroleum Gas Storage Facility Draft EA* with the Office of Environmental Quality Control (OEQC) which included the proposed improvements for the construction of new underground LPG transmission pipelines to transport LPG from TGC' s existing LPG storage tank facility at Pier 3 to TGC's proposed LPG storage facility near Pier 2. These new transmission lines are proposed to be constructed along the makai side of Waʻapa Road and will occupy approximately 13,750 square ft. Construction is tentatively proposed by TGC in 2018 (TGC, 2016).

5.1.2 Potential Impacts and Proposed Mitigation

The proposed project involves the construction of drainage, roadway, and pedestrian walkway improvements to Nāwiliwili Harbor in the vicinity of Piers 2 and 3. Specifically, improvements are proposed to the gated Pier 3 access entrance, Road A, and the surrounding area, and include improvements to Road A, and the installation of a new walkway, concrete slab, fencing, drainage facilities, and utilities to improve the existing harbor facilities.

Proposed improvements to and along Road A will include paving the two 10-ft-wide lanes for a total pavement width of twenty feet and the addition of a pedestrian walkway along the mauka side of the road. The paved roadway will be used by livestock, security and maintenance vehicles. The walkway will be protected from the access road by a handrail and an edge stripe on the asphalt pavement and will be in compliance with ADA accessibility guidelines. The proposed roadway and pedestrian walkway improvements will upgrade the existing pier facilities to meet expected requirements for Nāwiliwili Harbor's warehouse and passenger cruise ship terminal area and provide for more efficient use of limited space. See **Section 3, Project Description,**

Estimated Construction Cost and Schedule for details of the proposed roadway and pedestrian walkway improvements.

Drainage improvements to relieve flooding at the project site include the installation of new drainage facilities and finished ground slopes to provide positive drainage towards the ocean. To capture runoff occurring near the Pier 3 entrance gate a concrete trench drain will be installed to convey water to the proposed headwall positioned at the northwest corner of Nāwiliwili Harbor where two existing drainage outlets currently drain. Other drainage facility improvements include the construction of a new trench drain, and reconstruction of a drain inlet and grate along Pier 2. See **Section 3, Project Description, Estimated Construction Cost and Schedule** for a detailed description of the proposed drainage improvements.

HDOT-Harbor will coordinate the proposed Drain, Roadway, and Pedestrian Walkway Improvements project with TGC's proposed project for the installation of new underground LPG transmission pipelines along the makai side of Waʻapa Road to ensure both projects run smoothly and minimize impacts to one another.

Negative short-term effects are anticipated from increased turbidity, vehicle and equipment operations, odors, noise, visual appearance of construction equipment, and localized displacement of existing harbor uses by the proposed activities.

The proposed action will have positive long-term effects on drainage and transportation, decrease the risk of flooding of harbor areas during high intensity storm events, and improve conditions for the more efficient use of limited space at the Nāwiliwili Harbor.

Upon completion of construction, all equipment and personnel will be removed and the site will be permitted to return to existing conditions with no permanent intrusion to the site. Because the direct impacts from the proposed action would be only short-term and other past, present, and reasonably foreseeable future actions are expected to be consistent with the existing development and use of the area, the project would make no persistent contribution to secondary or cumulative impacts.

Under the No Action Alternative, the proposed project improvements and infrastructure upgrades would not be implemented, and flooding at the harbor entrance and surrounding area and increased traffic congestion and limited accessibility into and out of the harbor would continue resulting in disruptions to harbor operations and ineffective use of State lands.

5.2 Climate

5.2.1 Description

The climate in the project area is characterized as semi-tropical and is influenced by Hawaiʻi's geographic location southwest of the Pacific High or anticyclone region. The principal features of the climate are the equable temperatures from day to day and season to season, trade winds, and a marked variation in rainfall from the wet to the dry season.

According to the *State of Hawaiʻi Data Book 2015*, the temperature at the Līhuʻe Airport averaged 69.9˚ Fahrenheit (˚F) during the coolest month (February) and 81.1˚F during the warmest month (August). The extreme temperatures were from 50˚F to a high of 91˚F. Annual rainfall averaged approximately 40.93 inches with the greatest amount occurring between the

months of October and April. The dry season includes the months of May through September. Trade winds prevail throughout most of the year and averaged approximately 13.3 miles per hour. Relative humidity ranged from 66 to 77 percent (DBEDT, 2015).

5.2.2 Potential Impacts and Proposed Mitigation

Improvements to Nāwiliwili Harbor will not result in direct or secondary impacts to the climate of the region. Global climate change, however, may affect the proposed project in the foreseeable future. Plans for adaptation to climate change have been established, e.g., Act 286, Session Laws of Hawaiʻi 2012, and associated cumulative impacts not anticipated to be significant. Potential impacts and mitigation measures for these climatic factors are further discussed in **Section 5.7, Natural Hazards**.

5.3 Geology and Topography

5.3.1 Description

Kauaʻi is one of the oldest, and is structurally the most complicated, of the Hawaiian Islands. Kauaʻi consists principally of a single huge shield volcano built of basaltic lavas, with a large collapsed crater area, or caldera. Līhuʻe is located on the eastern collapsed flank of the volcano.

Geographically, Nāwiliwili Harbor is situated along the Līhuʻe coast and is bounded by Ninini Point to the northeast and Carter Point to the southwest. The section of the Līhuʻe coast from about one-half mile north of Hanamāʻulu Bay to Carter Point south of Nāwiliwili Bay is mainly sea cliff, 20 to 40 ft high. In cliff height and embayments, it closely resembles the northeast coast of Kauaʻi, from which it is separated by a length of narrow coastal lowlands.

The hinterland of Līhuʻe is entirely lava, mostly of the Koloa volcanic series, and has low relief except where the few major streams have cut canyons 100 to 200 ft deep. The shoreline is low sea cliff except at the bays. At Nāwiliwili Bay the shoreline is characterized by small pocket beaches interspersed among basaltic headland. Huleia and Puali Streams are located on the west side of Nāwiliwili Bay. Kalapakī Beach is present at the north end of Nāwiliwili Bay. Along the shoreline fronting the Nāwiliwili Harbor part of the shoreline is artificial from harbor facilities. Offshore there are no shallow reef areas along the coast near Nāwiliwili Bay and the bottom is composed of fine sand and silt which are among the finest-grained sediments known on Kauaʻi.

The topography within the project area is generally level with a slight slope towards the ocean. Elevations range from zero to eight ft (0 to 2.4 meters) above mean lower low water (MLLW) The commercial harbor is situated on land reclaimed from the bay by the placement of fill materials overlying basalt formations.

5.3.2 Potential Impacts and Proposed Mitigation

The potential for significant adverse effects to topography and geology are not anticipated based on the limited scope and scale of the proposed project. The total project area within the harbor is approximately 1.06 acres and includes the area required for earthwork, construction, and staging and storage of construction equipment and materials. Activities will be limited to the general vicinity of Road A and involve clearing and grading, and the construction of the roadway surface, walkway, concrete slab, utilities, fencing, and drainage features. The new pavement will be at or near existing heights and would not affect the geology or topography of the area. No

mitigation measures are necessary or recommended. See **Section 5.5, Soils and Potential for Hazardous Materials**, for further discussion. No secondary or cumulative impacts to topography and geology are expected during the operation of the proposed project, or during the implementation of other past, present, and reasonably foreseeable future actions.

5.4 Water Resources and Hydrology

5.4.1 Surface Water

5.4.1.1 Description

The project site is relatively flat and consists primarily of paved and unpaved areas. There are no standing bodies of water, wetlands or coastal wetlands on the subject property and no channels to carry flowing surface waters or streams.

Storm water that falls on the subject property generally drains toward the ocean, either over land or through existing storm sewer systems and is discharged into the Nāwiliwili Harbor at several locations. Previous projects have installed drainage inlets and roadside swales at the Nāwiliwili Harbor to capture runoff and convey it to the ocean. Those drainage systems are effective in preventing flooding and will be left undisturbed.

Runoff from heavily forested upland areas drain onto the project site near the intersection of the Pier 3 entrance gate and Waʻapa Road. This area is characterized by relatively flat grades, sump areas, and extremely poor drainage, and has no existing drainage facilities. As a result, standing water accumulates following heavy rainfall events leading to flooding of the harbor entrance.

The only major surface water feature of the site includes Nāwiliwili Harbor. Waters of Nāwiliwili Harbor are in the Class A category as defined by the State of Hawaiʻi, Department of Health (DOH). According to DOH administrative rules, marine waters are categorized as Class AA and Class A. Class AA waters are to *"remain in their natural pristine state as nearly as possible."* Class A waters can be used for *"recreational use and aesthetic enjoyment,"* among other allowable uses compatible with protecting the natural resources in these waters (Hawai'i Administrative Rules [HAR] Chapter 11-54, Water Quality Standards [WQS]).

Nāwiliwili Harbor is listed in the Environmental Protection Agency's (EPA) 303(d) list as an impaired water body, but Total Maximum Daily Loads (TMDLs) have not yet been established. In accordance with section 303(d) of the federal CWA, Nāwiliwili Bay is currently listed by the DOH as a water body in which water quality is impaired by excessive turbidity and nutrients. Many of the streams in the Nāwiliwili Watershed drain into and can cause pollution conditions in Nāwiliwili Bay.

5.4.1.2 Potential Impacts and Proposed Mitigation

The construction of the project will facilitate the management of surface runoff which presently accumulates in depressions and low lying surface areas along the project extents and at the intersection of the existing Pier 3 access entrance and Waʻapa Road. On the west side of the project area a concrete headwall, box culvert, and swale structure will be installed below the surface of the Road A to convey water away from the gated harbor entrance. The box culvert structure will be traffic rated to handle the expected traffic load from heavy trucks using Road A.

Near the center of the project site (i.e., near Station 2+50) a new concrete trench drain and gravity retaining wall will be constructed to collect storm water flows upgradient of the project area where storm water currently ponds and sheet flows across Road A and onto the working surface of the pier. On the eastern side of the project site improvements would include the reconstruction of an existing storm drain inlet frame and grating along the northern edge of the proposed walkway.

The new concrete trench drain and gravity retaining wall, and drain inlet frame and grating will treat the collected storm water using a Bio Clean Environmental Services, Inc., grate inlet skimmer box or approved equal, prior to discharging into the Nāwiliwili Harbor. This will result in positive secondary impacts in surface water quality by reducing the incidence of untreated runoff flowing into the harbor. Long-term water clarity and quality improvements to the Nāwiliwili Harbor and nearshore waters are expected as a result of the proposed action. The new trench drain and reconstructed inlet frame and grating will be designed to accommodate traffic load. No work is proposed within the Nāwiliwili Harbor waters and/or Pacific Ocean.

Potential short-term negative cumulative effects would occur if storm events or construction dewatering discharges are concurrent with construction activities, leading to increased water turbidity. The turbidity attributable to construction of the proposed project will be small in comparison to that caused by natural storm events and will dissipate.

Positive long-term cumulative effects would result from the proposed action in conjunction with ongoing projects in the watershed to improve water quality.

During construction, pollution control measures will be implemented and included in the filing of a NPDES Construction Storm Water Permit, in accordance with CWA regulations. As required a Site-Specific Construction Storm Water BMP will be prepared and followed by the project contractor to handle the treatment of storm water runoff, erosion, and sediment control.

5.4.2 Groundwater

5.4.2.1 Description

The State DLNR, Commission on Water Resource Management (CWRM) has established surface water hydrologic units and coding system for surface water resource management. The proposed project site is located within the Līhuʻe Aquifer Sector Area which is comprised of five Aquifer System Areas identified as Kilauea, Anahola, Wailua, Hanamāʻulu, and Koloa. The project site is located within the Hanamāʻulu Aquifer System (20102) area which has a total area of 55 square miles and extends from the Wailua drainage divide in the north to the Haupu Ridge in the south and from the Hanapepe drainage divide in the west to the coast in the east.

The Hanamāʻulu Aquifer System yields 36 million gallons per day. The direction of groundwater flow in the area is toward Nāwiliwili Harbor. The aquifer is predominantly composed of high-level aquifers perched on beds of weathered soil, ash, and dense lavas and constrained at high levels by the relatively low permeability of the aquifer. The aquifer experiences annual rainfall of 83 inches. The aquifer also consists of basal groundwater contained deep below the surface in Koloa lava formations near the coast. Groundwater in the upper aquifer occurs close to sea level, and due to the close proximity to the ocean is likely impacted by tidal fluctuations. The

Nāwiliwili Harbor area and underlying Hanamāʻulu Aquifer System is not a groundwater source for drinking water.

5.4.2.2 Potential Impacts and Proposed Mitigation

No short- or long-term, secondary, or cumulative adverse impacts to groundwater resources are anticipated during construction or operation of the proposed project, or during the implementation of other past, present, and reasonably foreseeable future actions.

5.5 Soils and Potential for Hazardous Materials

5.5.1 Description

The land type on which the project site is situated is characterized as the Līhuʻe-Puhi Association. According to the U. S. Department of Agriculture (USDA), Soil Conservation Service (SCS) publication, "Soil Survey of the Islands of Kauaʻi, Oahu, Maui, Molokai, and Lanai, State of Hawaiʻi, 1972" this association consists of well-drained, medium textured and fine-textured soils on the uplands of South and East Kauaʻi. These soils are nearly level to steep. They developed in material weathered from basic igneous rock. The association makes up about 12 percent of the land area of Kauaʻi. (USDA, SCS, August 1972).

Four soil types comprise the project area (see **Figure 5-1, Soils**):

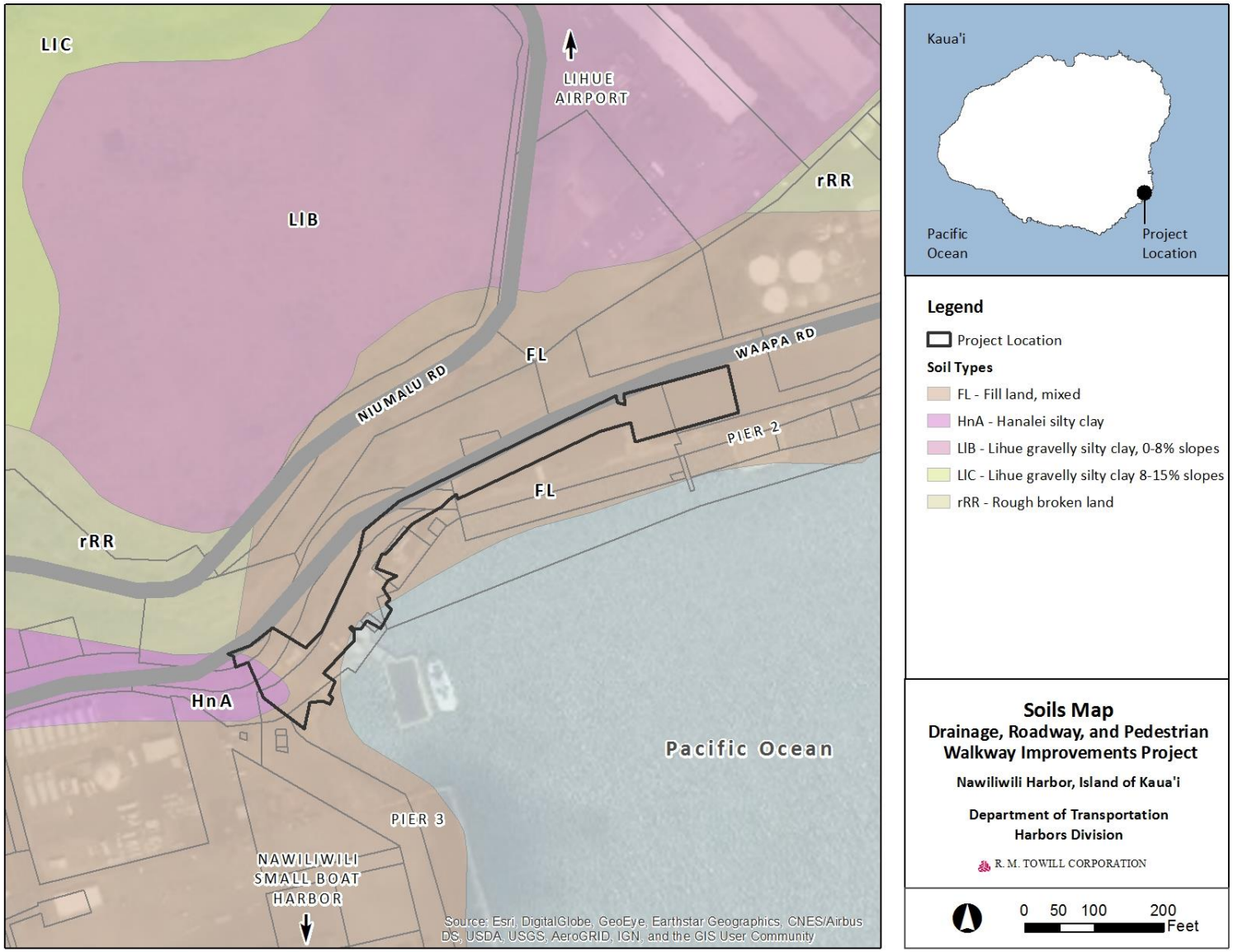
> Fill land, mixed (FL): These lands are generally found on coastal, low-lying areas on Kauaʻi, Oʻahu, and Maui, and were once used for disposal of dredging, garbage, and old sugar mill waste. They are now urban. They have moderate water holding capacity and extremely fast permeability.
>
> Hanalei silty clay, 0 to 2 percent slopes (HnA): This soil occurs on stream bottoms and flood plains. Runoff is very slow, and the erosion hazard is no more than slight. Permeability is moderate and available moisture capacity is about 2.1 inches per ft of soil. Flooding is a hazard.
>
> Rough broken land, 40 to 70 percent slopes (rRR): Consists of very steep land broken by numerous intermittent drainage channels. Runoff is rapid, and geologic erosion is active.

Potential Hazardous Materials

The project site at Piers 2 and 3 at the Nāwiliwili Harbor is situated on fill land that has been subject to previous development and use for maritime industrial activities associated with loading, off-loading, and vehicular transport of cargo and passengers from arriving cargo and cruise ships. This would have included the use and placement of concrete, pavement, and structures in support of operations at Piers 2 and 3.

Pier 3, located southwest of the project site is used for shipping container terminal operations. The operations of both the Pier 2 liquefied propane gas (LPG) storage facility (tank farm) and Pier 3 container terminal are subject to regulations of the EPA and State DOH for the safe handling, treatment and disposal of hazardous waste. Accordingly, these sites are not expected to constitute a source of concern for the proposed project.

Figure 5-1. Soils



Uses surrounding the project site that have the potential for presence of hazardous waste include the tank farm consisting of connecting underground gas transmission pipelines and approximately 22 LPG storage tanks. The fuel tanks are located mauka of the Nāwiliwili Harbor Pier 2 parking lot and Waʻapa Road, and are approximately 100 ft away from the eastern most edge of the project site. A review of previous environmental records indicated past releases and/or violations associated with fuel/hazardous materials handling at various properties mauka of Waʻapa Road outside of the proposed project limits.

5.5.2 Potential Impacts and Proposed Mitigation

The proposed project will involve minor grading, excavation and backfill activities to prepare the site for development. Earthwork will consist of minor grading to prepare the paving of Access Road A, construction of the concrete slab makai of Road A, construction of the new walkway mauka of Road A, and installation of utilities (i.e., drainage and electrical). Prior to construction all known utilities and underground pipelines shall be identified by the contractor and shall be subsequently disconnected, removed, or avoided.

Excavation at the site will be accomplished using conventional excavating equipment. It is expected that most of the excavated materials will be returned to trenches, safely covered on-site, or disposed of at an approved State or County of Kauaʻi facility.

During construction, the potential for release of sediments in storm water runoff from excavated areas and stockpile material sites will be addressed through a County-approved Erosion Control Plan (ECP) that will be secured for this project. A NPDES permit will be obtained for this project from the DOH, CWB. The ECP and NPDES permit applications will provide for the use of BMPs to prevent or mitigate the potential for impacts to State waters as a result of storm water runoff from the construction site.

There is a possibility that surface soils may be impacted due to hazardous substances or petroleum products that may have migrated from mauka upland properties to the project site. Based on the review of findings at nearby upland sites, DOT-Harbors will require that the contractor hire an environmental professional to monitor the site during construction, and that a personal gas monitor or Combustible Gas Indicator (CGI) detector be used along with visual and olfactory indication by the environmental monitor.

If contaminated materials are detected, construction will cease immediately and standard protocols for soil contamination will be followed, including the implementation of mitigation measures to ensure no further adverse impact to the soil conditions on the project site or to worker health and safety.

The contractor shall be responsible for taking safety, contamination management, and documentation actions as required by HRS, Chapter 396, Occupational Safety and Health, and HAR, Chapter 12-8, Hawaiʻi Occupational Safety and Health. Compliance with the guidance provided in these regulations involves the protection of workers and public health and safety; and immediate notification of the DOH including monitoring requirements. Other controls may be implemented in accordance with a Soil Management Plan or a site-specific Health and Safety Plan, prepared if required by DOT-Harbors for this project.

Any contaminated materials to be removed from the project site will be sampled, analyzed, and appropriately disposed of at a DOH-approved facility. The transport of the materials shall comply with State and Federal regulations regarding the transportation of hazardous or petroleum contaminated materials.

Engineered controls to mitigate against potential exposure pathways will include paving of the site with concrete and/or AC pavement, and the use of clean, uncontaminated soil cover. The implementation of these controls is expected to be sufficient to reduce the potential threat to human health and the environment by eliminating the exposure pathway.

Adherence to the above mitigation measures and provisions of law are expected to maintain public and worker health and safety and mitigate against the potential for significant short or long term adverse environmental impacts. No secondary or cumulative impacts to soils are expected from the proposed action.

5.6 Wetlands

5.6.1 Description

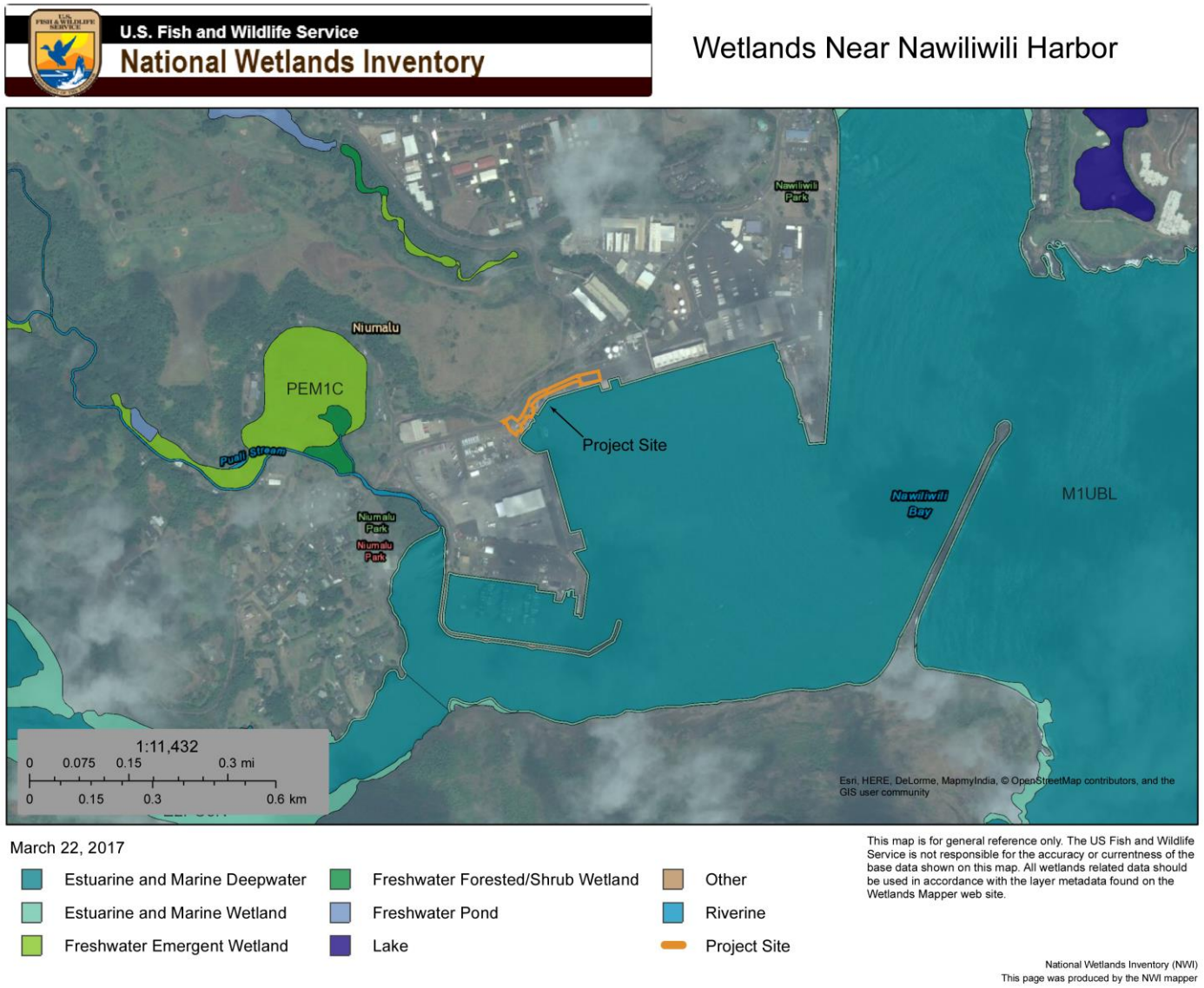
Wetlands play an integral role in the environment. They prevent erosion in the surrounding area through the presence of wetland associated plants with root systems that hold soil in place. The plants also serve as a physical barrier and absorb energy from waves. Wetlands also provide a natural filtration system for runoff. Nutrients swept into the wetland from runoff are absorbed by plant roots and microorganisms that live in the soil, or stick to the soil particles themselves. Through this process, most of the nutrients and pollution in the water are absorbed and retained and are prevented from entering the ocean (EPA, 2016).

There are U. S. Fish and Wildlife (USFWS) National Wetlands Inventory coded wetlands in the vicinity of the proposed project site; these include Freshwater Emergent Wetlands (PEM1C), Freshwater Forested/Shrub Wetlands (PSS3C), and a Riverine (R2UBH). The nearest wetland to the project site is approximately 0.19 miles (0.3 kilometers). See **Figure 5-2, Wetlands**. The nearshore waters within Nāwiliwili Harbor adjacent to the project site are classified by the USFWS as Estuarine and Marine Deepwater and are designated M1UBL (USFWS, 2016):

The following is the USFWS description for code M1UBL:

> **M –** System MARINE: The Marine System consists of the open ocean overlying the continental shelf and its associated high-energy coastline. Marine habitats are exposed to the waves and currents of the open ocean and the Water Regimes are determined primarily by the ebb and flow of oceanic tides. Salinities exceed 30 parts per thousand (ppt), with little or no dilution except outside the mouths of estuaries. Shallow coastal indentations or bays without appreciable freshwater inflow, and coasts with exposed rocky islands that provide the mainland with little or no shelter from wind and waves, are also considered part of the Marine System because they generally support typical marine biota.
> **1** – Subsystem SUBTIDAL: The substrate in these habitats is continuously covered with tidal water (i.e., located below extreme low water).
> **UB –** Class UNCONSOLIDATED BOTTOM: Includes all wetlands and deepwater habitats with at least 25% cover of particles smaller than stones (less than 6-7 centimeter [cm]), and a vegetative cover less than 30%.
> **L** – Water Regime Subtidal: Tidal salt water continuously covers the substrate.

Figure 5-2. Wetlands



5.6.2 Potential Impacts and Proposed Mitigation

The identified wetland areas are located outside of the project site and would therefore not be directly impacted by the proposed project. The potential for secondary (indirect) construction related impacts to the wetlands and waters of Nāwiliwili Harbor are anticipated to be primarily from discharges associated with construction activity involving the release of demolition debris and construction materials in storm water runoff.

Construction storm water runoff toward the ocean will be controlled through the implementation of the controls identified in **Section 5.4.2, Groundwater**. If water is encountered and removed while digging foundations for the proposed roadway, walkway, concrete slab, and drainage facilities, any such discharged water must comply with federal NPDES requirements. During operation of the proposed project, a BMPs plan and an ECP will be implemented to protect against inadvertent spills or releases of contaminants.

No direct, secondary, or cumulative adverse impacts to the area wetlands are anticipated and no further mitigation is anticipated to be required. All work proposed would adhere to USACE, DOH, and County of Kauaʻi regulatory requirements.

5.7 Natural Hazards

5.7.1 Description

The Kaua'i coastline is susceptible to a variety of natural hazards, including coastal storms, flooding, seismic hazards, tsunamis, coastal erosion, hurricanes and high winds. All of these hazards threaten lives, property, the natural environment, and, ultimately, economies. Increasing development in coastal areas not only places more people and property at risk to coastal hazards, but it can also degrade the natural environment and interfere with nature's ability to protect the human environment from severe hazard events. Although little can be done to prevent coastal hazard events, their adverse impacts can be reduced through proper planning.

Flood Hazard

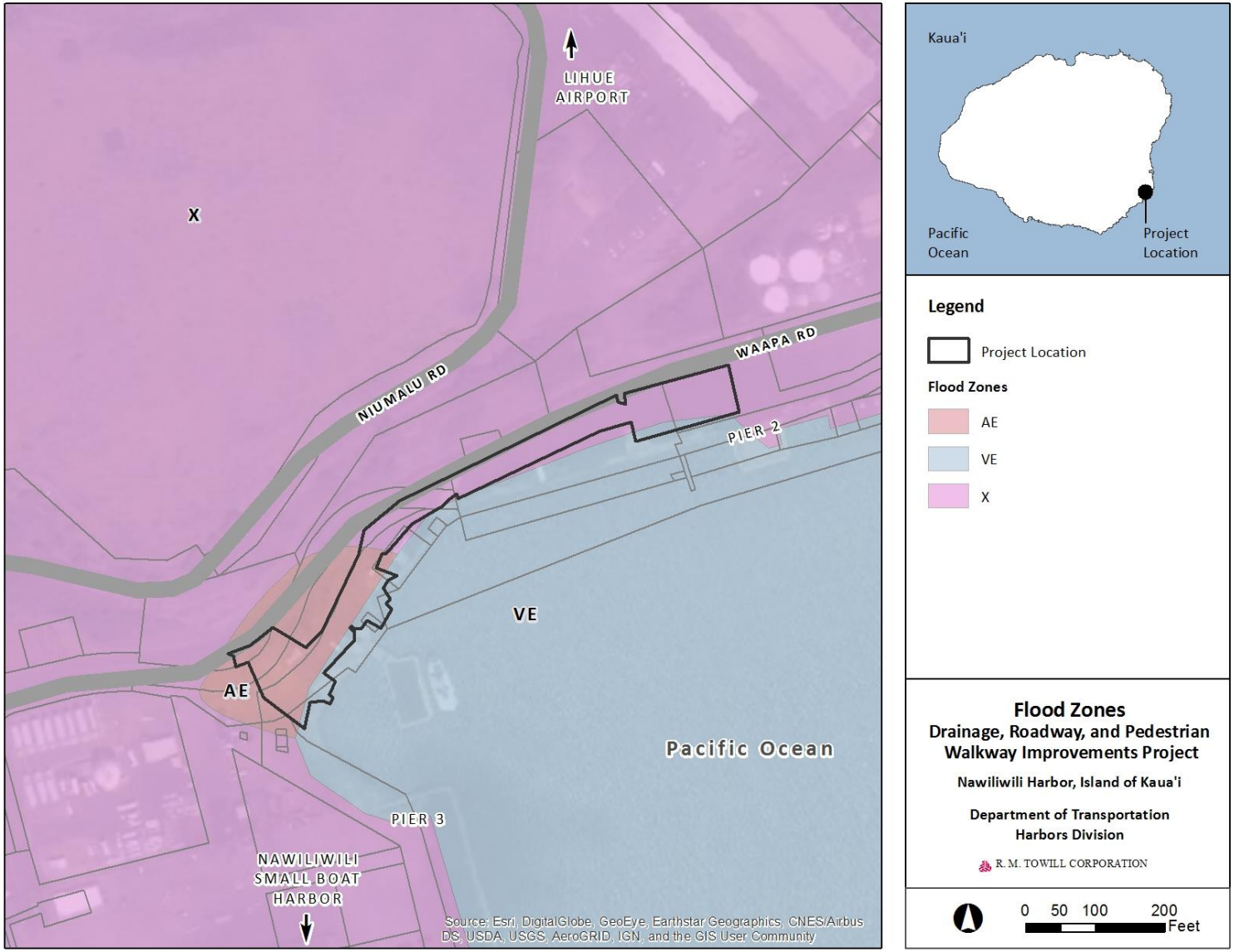
Sudden high waves and the strong currents they generate are perhaps the most consistent and predictable coastal hazard in the State of Hawaiʻi. Because the project site is situated within a harbor, it is susceptible to coastal flooding.

The project area (parcel and surrounding area) is characterized by the Federal Emergency Management Agency, Digital Flood Insurance Rate Map (FEMA-FIRM) as the following categories:

Zone AE:	Flood insurance rate zone that corresponds to the 100-year floodplains that are determined in the Flood Insurance Study (FIS) by detailed methods.
Zone VE:	Flood insurance rate zone that corresponds to the 100-year coastal floodplains that have additional hazards associated with storm waves.
Zone X:	Area determined to be outside of the 0.2% annual chance floodplain.

This is reflected in FEMA-FIRM map 1500020328F (HI-NFIP, 2011). See also **Figure 5-3**, **Flood Zones**.

5-3. Flood Zones



Seismic Hazard

Natural hazards in the Hawaiʻi region are infrequent and rarely destructive. The most frequent are small earthquakes that usually go unnoticed. Earthquakes occurring in Hawaiʻi are closely linked to volcanic activity. Numerous earthquakes take place every year, with the majority occurring beneath the island of Hawaiʻi. **Figure 5-4, State of Hawaiʻi Seismicity**, illustrates the estimated risk of earthquakes using the measure of ground motion hazard as measured by peak ground acceleration. The color scale shows Oʻahu with reduced risk and the Island of Hawaiʻi with highly increased hazard on its south flank (USGS, 2007).

Structures associated with the Preferred Alternative will comply with the International Building Code (IBC), which provides minimum design criteria to address potential for damage due to seismic disturbances. The IBC seismic provisions contain six seismic zones, ranging from 0 (no chance of severe ground shaking) to 4 (10% chance of severe shanking in a 50-year interval). Currently, Kauaʻi lies within the IBC seismic risk zone 1 (USGS, 1997).

Tsunami Hazard

A tsunami is a series of great waves most commonly caused by violent movement of the sea floor. It is characterized by high speed (up to 590 miles per hour), long wave length (up to 120 miles), long period between successive crests (varying from five minutes to a few hours, generally 10 to 60 minutes), and low height in the open ocean. However, on the coast, a tsunami can flood inland 100's of feet or more and cause much damage and loss of life. Their impact is governed by the magnitude of seafloor displacement related to faulting, landslides, and/or volcanism. Other important factors influencing tsunami behavior are the distance over which they travel, the depth, topography, and morphology of the offshore region, and the aspect, slope, geology, and morphology of the shoreline they inundate. Their behavior is chaotic and relatively unpredictable.

An important historical example that demonstrates the variability of tsunami impact at the shoreline occurred during the 1946 tsunami on the north shore of Kauaʻi. Despite the same north-facing exposure at Hāʻena and Hanalei, a run-up height of 45 ft was recorded at Hāʻena, while only a few miles away in Hanalei Bay, run-up was 19 ft. In some cases, the run-up height has been nearly equal on opposite sides of the island, suggesting that shoreline orientation (facing the tsunami source) is not always an important control. For example, during the 1960 tsunami, generated by an earthquake in Chile far to the southeast, a run-up of 13 ft was recorded at Hāʻena, only 1 ft lower than the maximum of 14 ft for the entire island reported at Hanapepe. Despite these variations, each side of Kauaʻi has observed tsunami run-up of over 10 ft with significant damaging effects.

The recorded history of Hawaiian tsunamis shows that 26 large tsunamis have made landfall within the islands and 8 have had significant damaging effects on Kauaʻi. The last of these damaging tsunamis occurred in 1964. Since that time tremendous coastal development has occurred, raising the risk of damage from future tsunamis. A tsunami can occur at any time with limited or no warning. Persons in low lying shoreline or beach areas are advised to immediately go to higher ground. The project site is located within the tsunami evacuation zone, as designated by the County of Kauaʻi tsunami evacuation zone map 1. See **Figure 5-5, Tsunami Evacuation Map**.

Figure 5-4. State of Hawai'i Seismicity

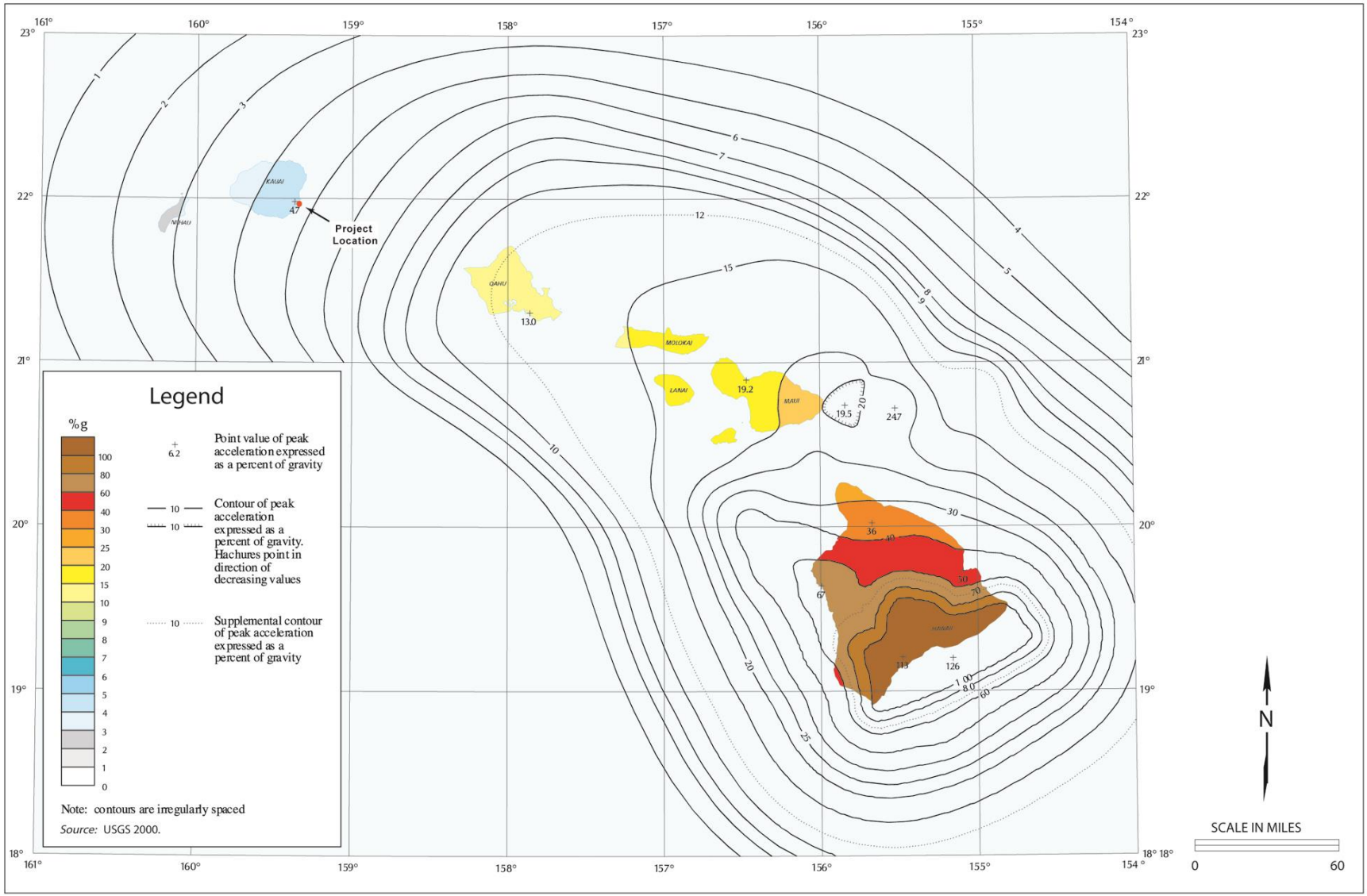
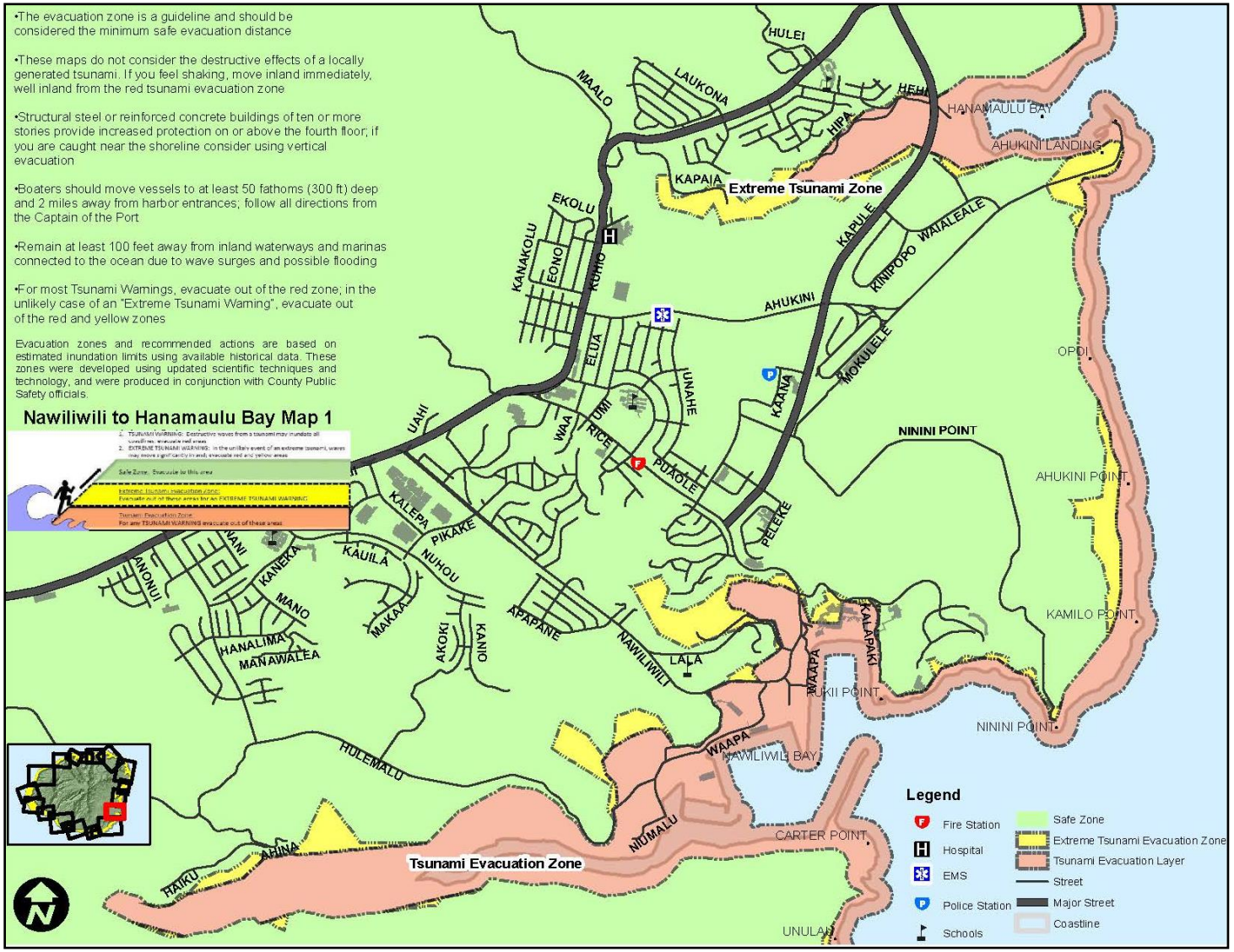


Figure 5-5. Tsunami Evacuation Map



Hurricanes and High Winds

Hurricanes are strong tropical winds with wind speeds greater than 74 miles per hour. They often come with heavy rains and, depending on the wind speeds, can damage on-shore buildings and structures and vessels within the harbor. Hurricanes occasionally approach the Hawaiian Islands, but rarely reach the islands with hurricane force wind speeds. The most recent hurricane events included Iniki in 1992 which mainly affected the Island of Kauaʻi, and Iselle in 2014 which mainly affected the Island of Hawaiʻi.

Hurricanes are more prone to affect the Hawaiian Islands from the late summer to early winter months. During hurricanes and storm conditions high winds cause strong uplifting forces on structures, particularly roofs. Wind-driven materials and debris can attain high velocity, causing devastating property damage and harm to life and limb. It is difficult to predict when these natural occurrences may occur, but it is reasonable to expect that future events will occur. The project area is, however, no more or less vulnerable than the rest of Kauaʻi to the destructive winds and torrential rains associated with hurricanes.

Climate Change

According to recent findings by researchers at the University of Hawaiʻi (IPRC, 2013, var.), the effects of climate change are increasingly evident in Hawaiʻi: air temperature has risen; rain intensity has increased while total rainfall has decreased; stream flows have decreased; sea surface temperatures and sea levels have increased; and the ocean is becoming more acidic (SB No. 2745, 2012).

Research is also in agreement that Green House Gas (GHG) emissions, including carbon dioxide, methane, nitrous oxide, and fluorinated gases, are a key contributor to the unprecedented increases in global atmospheric warming over the past century (EPA, 2011 and IPRC, 2013). These trends are projected to continue to increase in the future posing unique and considerable challenges to Hawaiʻi. Research at the University of Hawaiʻi, School of Ocean and Earth Science and Technology (SOEST) indicates that sea level has risen in Hawaiʻi by approximately 0.6 inches per decade (1.5 mm per year) over the past century (SOEST, 2012). The estimates point to a potential aggregate rise of 1.3 ft (40 cm) by the year 2060 and a rise of 3.3 ft (100 cm) by 2110.

According to the Intergovernmental Panel on Climate Change's Fifth Assessment Report, Climate Change 2013, Chapter 13, Sea Level Change, released in 2014, it is estimated that at most, a global sea-level rise of approximately 0.45 -0.82 meters (1.48 – 2.70 ft) is likely to occur for the period of 2081-2100. There will be deviations of local and regional sea level change from the global change – it is estimated that about 70% of coastlines are projected to experience a relative sea level change within 20% of the global mean sea level change.

As concerns Kaua'i, sea levels have risen about 6 inches around the island over the past century. Rates of sea-level rise, globally and locally around Hawai'i are expected to accelerate over this century (SOEST, 2014).

For ports and harbors management, the State of Hawaiʻi's Ocean Resources Management Plan Working Group identified risks associated with climate change.

The following are relevant to the Nāwiliwili Harbor site:

- "Submersion of harbor infrastructure due to sea level rise and flooding.
- Weakened drainage systems that remove storm water runoff from harbor facilities.
- Increased potential for the spread of diseases and other public safety issues due to flooding conditions.
- Delayed shipments, higher shipping costs, and loss of operational time due to flooding conditions at cargo terminals" (DBEDT, 2009).

HDOT-Harbor is engaged in efforts to develop adaptation strategies to address the long-term impacts of climate change. This includes collaborating with other agencies and incorporating climate change adaptation into harbor master plans and designs.

5.7.2 Potential Impacts and Proposed Mitigation

Flood Hazard

The proposed project involving roadway and infrastructure improvements is not expected to be significantly impacted based on its location within the FEMA Flood Zone X, AE, or VE. It is noted that no habitable structures are proposed that would constitute an unreasonable risk to life or property. Given the requirement for the proposed project to be located within proximity of the shoreline, the proposed use is considered reasonable and is not anticipated to result in significant direct, secondary or cumulative impacts on the flood conditions of the area. No further mitigation measures related to flooding are planned or proposed.

Seismic Hazard

Mitigation measures to address the potential for seismic hazards will be addressed by requiring that structures proposed for this project be built, at a minimum, according to standards for IBC Seismic Zone 1. No direct, secondary or cumulative impacts related to seismic hazards are anticipated or expected.

Tsunami Hazard

The proposed project site is located in the tsunami evacuation zone, as designated by the County of Kaua'i. To mitigate against tsunami and storm surge impacts, engineering analyses will be performed to determine proper design criteria to be applied to structures associated with this project. HDOT-Harbors personnel will also coordinate with the State and County of Kaua'i Civil Defense agencies to implement established procedures in the event of a flood or tsunami. No secondary or cumulative impacts due to tsunami are anticipated or expected.

Hurricanes and High Winds

To mitigate against potential impacts from hurricanes, the proposed project will ensure that improvements are designed to use current building codes which offer some protection from damage.

Climate Change

The proposed harbor improvements project would not result nor constitute a source of impact to the climate of the project area or region, and does not propose activities that will lead to an

increase in the generation of GHGs. Because the project would not increase the use of machinery at the harbor facilities, it is not anticipated to result in a persistent contribution to long term or secondary impacts.

Potential impacts associated with climate change are being addressed through long-range planning. The Kauaʻi County Planning Department commissioned a technical study, the Kauaʻi Climate Change and Coastal Hazards Assessment (SOEST, 2014) to address climate change related risks and hazards in anticipation of the Kauaʻi General Plan (GP) update. The study included sea-level rise hazard assessments using the National Oceanic and Atmospheric Administration (NOAA) sea-level rise viewer, showing the effects of sea-level rise under three different scenarios: 1-ft, 3-ft, and 6-ft sea level rise. Nāwiliwili was highlighted as an area with key infrastructure that may require protection to maintain essential services such as shipping. The study recommended that potential climate change impacts be factored into planning and policy-making. No significant secondary or cumulative impacts at the project site are anticipated from climate change, as plans for adaptation are established, e.g., Act 286, Session Laws of Hawaiʻi 2012.

5.8 Flora and Fauna

The biological communities of potential concern in the area of the project area are floral, faunal, and marine organisms. The potential impacts to these biological communities were considered in the preparation of the EAs and Environmental Impact Statements (EISs) conducted for projects at the Nāwiliwili Harbor area. A list of prior EAs and EISs completed in the vicinity of the proposed project are provided in **Table 5-1**, below.

Table 5-1. EAs and EISs for Projects in the Vicinity of the Nāwiliwili Harbor Area

Year	Project
2016	Draft EA for Additional Liquefied Petroleum Gas Storage Facility
2016	Final EA for Kauaʻi Petroleum Fuel Terminal
2008	Draft EA for Nāwiliwili-Ahukini Shared-Use Path
2005	Final EA for Segmented Pier 3 Improvements
1998	Final EA for Realignment of Waʻapa Road
1996	Final EA for Nāwiliwili Reservoir and Transmission Line
1993	Final EA for Pier 1 Improvements
1993	Final EA for Nāwiliwili Pier Cargo Pipelines
1993	Final EA for Drainage Outlet for the NNCP
1991	Final EA for Nāwiliwili Road-Waʻapa Road Improvements
1978	Revised EIS for Coral Fill Industrial Subdivision
1973	Final EIS for Nāwiliwili Small Boat Harbor

Based on information contained in the floral, faunal, and marine biota assessments, there are no threatened, endangered, or endemic floral or faunal species in the area of the Nāwiliwili Harbor. A description of the terrestrial and aquatic flora and fauna that is anticipated to be present in the vicinity of the proposed project is discussed in detail below.

5.8.1 Terrestrial Flora

5.8.1.1 Description

The proposed terrestrial portion of the project is situated in the heavily developed industrial Nāwiliwili Harbor area, with little, if any, native flora and fauna found in the vicinity. The project area consists of mostly hard surfaces that include paved and graveled areas comprising the gated harbor access, Road A and shoulders, and rocky ground with loosely scattered pockets of soil. Only widely scattered, sparse patches of grasses and weeds are present. These conditions are consistent with the results of previous botanical surveys conducted in the Nāwiliwili Harbor area.

Based on the results of the 2005 botanical survey for a project conducted at Pier 3 (Okubo, 2005), which, like the subject property, is fill land that was constructed from dredged spoil, the following observations were made regarding the floral environment:

> "Nāwiliwili Harbor is an industrial port and the project site (Pier 2 and Pier 3) is largely paved over with concrete and asphalt and hosts numerous industrial structures including fuel tanks. Therefore, plants are not expected to be found in this industrial environment. The only noteworthy vegetation seen in the project area was a lone *noni* shrub, a plant native to Polynesia and purported to have medicinal properties. Its scientific name is *Morinda citrifolia* or commonly called the Indian mulberry. It probably rooted by chance. This plant will be removed as it is not part of any landscaping scheme. The edges of the paved areas are infested with weeds: coat buttons, finger grass, and garden spurge. The weeds are controlled and eradicated from time to time."

Similarly, for the 1998 Waʻapa Road realignment project (NKN, 1998), which was located north of the project site, the following observations were made. The Nature Conservancy reference cited in the excerpt below is from a 1997 fax memorandum (NKN, 1998).

> "Vegetation in the project area includes grasses, weeds, and koa haole."
>
> "No rare, threatened and/or endangered species of flora and fauna are known to inhabit the project area (The Nature Conservancy, Hawai'i Natural Heritage Program, 1997)."

For the 1991 Nāwiliwili Road and Waʻapa Road improvements project (Environmental Communications, 1991), which was located northeast of the project site, the following observations were made.

> "No endangered or threatened species of flora or fauna are found on the project site. The urban nature of the area (Residential, Industrial, and Open) preclude the existence of indigenous species of either plant or animal species. Implementation of the proposed project will not jeopardize the existence of any endangered species, or result in the destruction or adverse modification of existing habitats in the surrounding area. The natural vegetation that is to be found include lantana, koa haole, bermuda grass, kikuyu grass, and guinea grass."

In summary, no threatened or endangered plant species were observed during past surveys completed in the vicinity of the proposed project.

5.8.1.2 Potential Impacts and Proposed Mitigation

No adverse effects to rare, threatened or endangered flora are anticipated from construction of the proposed improvements as all work will be within an area that has been previously subjected to extensive disturbance associated with the development of the Nāwiliwili Harbor. The proposed project would not result in significant adverse secondary or cumulative impacts to flora resource.

5.8.2 Terrestrial Fauna

5.8.2.1 Description

The USFWS was consulted for the proposed project during the EA pre-assessment consultation process (see **Section 9.4, Pre-Assessment Consultation for the Environmental Assessment**). In a letter dated June 13, 2017, the USFWS offered the following comment pertaining to terrestrial fauna.

> "The following species are known to occur or transit through the proposed project area: the endangered band-rumped storm-petrel (*Oceanodroma castro*) and Hawaiian petrel (*Pterodroma sandwichensis*), and the threatened Newell's shearwater (*Puffinus auricularis newelli*) (hereafter collectively referred to as seabirds). There is no designated critical habitat within the vicinity of the project area."
>
> We acknowledge that the proposed project will utilize light fixtures that are designed and installed to reduce glare and fully shield light to minimize impacts to seabirds. In addition to this measure, construction activities should only occur during daylight hours. If lights cannot be eliminated due to safety or security concerns, they should be positioned low to the ground, motion-triggered, and shielded or full cut-off. Effective light shields should be completely opaque, sufficiently large, and positioned so that the bulb is only visible from below. Any increase in the use of nighttime lighting, particularly during peak fallout period (September 15 through December 15), could result in additional seabird injury or mortality."

In 2016 a survey for the Kauaʻi Petroleum Fuel Terminal project (Kauaʻi Petroleum Company, 2016) was performed north of the subject project. The following observations were made.

> Other endangered seabirds potentially affected by night lighting are the Hawaiian Petrel or *uau* in Hawaiian (*Pterodroma sandwichensis*), also known as the Hawaiian Dark-Rumped Petrel, and the Band-Rumped Storm Petrel or *akeake* in Hawaiian (*Oceanodroma castro*). The Hawaiian Petrel was identified in the October 2001 fauna survey that was included as an appendix to the 2005 EA for the segmented Pier 3 improvements (Okubo, 2005). According to the State of Hawaiʻi, Department of Forestry and Wildlife (DOFAW), these birds transit the Nāwiliwili Harbor area at night, during the nesting season, which is from April to mid-December (DOFAW, 2015). The most critical period is from mid-September to mid-December, when young seabirds depart from their mountain nesting grounds to the sea.

In 2005 a faunal survey (Okubo, 2005) was performed for the Pier 3 project on land that was constructed of fill from dredged spoils, like the subject property. Based on the results of the survey, the following observations were made regarding the faunal environment.

> "The project site is extensively paved and graveled and is devoid of trees and plants. As such, it is not a habitat for animal wildlife except for unwelcome rodents, common to wharf areas, and stray animals that may enter the property.
>
> A number of native birds on Kauaʻi, some classified as endangered or threatened, may be found near or fly over the project site. Introduced birds are common to the low-level community areas where food is easy to find. The absence of mongoose on Kauaʻi has benefitted the avifauna population. The rare Hawaiian Bat occasionally flies over the project area in search of food.
>
> Of particular concern is the Newell's Shearwater, a seabird. This endemic seabird nests in burrows in the interior highlands of the island. This bird is attracted by bright urban lights and every year several hundred of them fly into wires and buildings. While some die, others that are injured are sometimes rescued and returned to the wild. Wildlife biologists on Kauaʻi, with the support of the public, have developed a program which has a 90% recovery rate for these injured birds. Since bright lights attract these seabirds, a procedural guide has been developed by wildlife biologists. This calls for the installation of outdoor lights to be shielded and faced downward to minimize the allure of lights. The recommendations of wildlife biologists are found in this guide: "The Newell's Shearwater Light Attraction - A Guide for Architects, Planners and Resort Managers" available at the DLNR. These recommendations will be included in this project."

In 1998 a survey for the Waʻapa Road realignment project (NKN, 1998) was performed north of the subject project. The following observations were made.

> "Fauna species that typically inhabit the near shore environment include the gull, cardinal, dove, sparrow, feral cat, feral dog, mouse, and rat."
>
> "No rare, threatened and/or endangered species of flora and fauna are known to inhabit the project area (The Nature Conservancy, Hawai'i Natural Heritage Program, 1997)."

In 1993 a survey for the Pier 1 improvements project (HDOT-Harbors, 1993b), which was located just east of the subject project, the following observations were made.

> "The proposed improvements will be done in the water within the existing harbor and on land within the existing container yard. It will not endanger any marine life or other wildlife in the area."
>
> "The construction of the project will not affect any rare, threatened, or endangered species of animals, plants, or habitats"

In 1991 a survey for the Nāwiliwili Road-Waʻapa Road improvements project (Environmental Communications, 1991), located northeast of the subject project, the following observations were made.

> "No endangered or threatened species of flora or fauna are found on the project site. The urban nature of the area (Residential, Industrial, and Open) preclude the existence of

> indigenous species of either plant or animal species. Implementation of the proposed project will not jeopardize the existence of any endangered species, or result in the destruction or adverse modification of existing habitats in the surrounding area."

In summary, the endangered band-rumped storm-petrel (*Oceanodroma castro*) and Hawaiian petrel (*Pterodroma sandwichensis*), and the threatened Newell's shearwater (*Puffinus auricularis newelli*) may occur or transit the project site. However, abundance of these species within the project area is anticipated to be limited due to the generally urban and industrial nature of the site and the fact that the site is utilized principally as an industrial harbor facility.

5.8.2.2 Potential Impacts and Proposed Mitigation

Based on information obtained from the USFWS during the June 2017 consultation and contained in the floral, faunal, and marine biota assessments that have been conducted at Nāwiliwili Harbor as part of EAs and EISs between 2016 and 1991, no designated critical habitat is located within the vicinity of the project area; however, threatened and endangered faunal species, including the band-rumped storm-petrel, Hawaiian petrel, and Newell's shearwater may occur or transit the project site.

The faunal communities identified by the USFWS and observed in the assessments indicate that the Nāwiliwili Harbor area is a highly developed industrial harbor facility and it is anticipated that no wildlife species will be displaced as a result of increased activity and noise associated with the proposed construction activities. Work at the site is expected to be temporary and limited principally to the area of the Pier 3 access road, Road A and the surrounding area. Mitigative measures during construction will include the planning of construction activities during the daytime hours with no night work or use of stadium lighting anticipated to be required. If night work is required, the use of stadium lighting will be avoided during the peak fallout period (September 15 through December 15). Upon the completion of construction activities, the area is expected to return to its present use for harbor operations.

Probably the most important potential biological impact identified in the Nāwiliwili Harbor area is the danger to nocturnally flying seabirds posed by night lighting. These species is attracted to coastal lights and can crash into overhead power lines, other overhead lines, and vertical man-made structures. As of 1997, only about 20 colonies of Newell's shearwater were known in Hawai'i (Ainley et al., 1997). These birds are particularly susceptible to night lighting because they fly to and from their colonies only at night. To mitigate the potential hazards to seabirds, the proposed project will utilize light fixtures that are designed and installed to reduce glare and fully shield light from migrating and/or impacting nocturnally flying seabirds. These design features will be based on guidance in the "The Newell's Shearwater Light Attraction Problem, A Guide for Architects, Planners, and Resort Managers," and HRS § 205A-30.5(b) and 205A-71(b). With the inclusion of the above-mentioned mitigative measures, no long-term, secondary, or cumulative adverse effects to area fauna are anticipated or expected.

5.8.3 Marine (Ocean Flora and Fauna)

5.8.3.1 Description

The 2004 EA (Sea Engineering and AECOS, Inc. [SE&A], 2004) for the Pier 3 project (Okubo, 2005) identified numerous marine organisms in Nāwiliwili Harbor. Based on the results of the assessment, the following observations were made regarding the marine environment (Okubo, 2005).

> "A biological marine survey resulted in recording of 53 taxa within the survey area. These were identified as being 4 algae, 26 invertebrates and 23 fish genus or species. Invertebrates included rock mussel and fanworm; rarely observed were tube-sponge, banded shrimp, lobster, octopus, black urchin and sea cucumber. Two benthic environments were examined: 1) the pier pilings of the docks; and 2) the rock and ruble (sic) bottom. Thirty-five species occurred in the pier habitat and thirty-one in the bottom with seventeen species common to both.
>
> Some of the common fishes observed during the survey included the *mamo, Abudefduf abdominalis*; *aholehole, Kuhilia sandvicensis*; *moana, Parupeneus Multifasciatus*; *to'au, Lutjanus fulvus*; *wele'ula, Mulloidichthys vanicolensis*; *ulua, Carangoides orthogrammus*; and *kahala, Seriola dumerili*. The *akule, Selar crumenophthalmus* also can be found here.
>
> Additional fish species observed were *Mulloidichthys flavolineatus, Parupeneus porphyreus, Chaetodon auriga, Stegastes fasciolatus, Thalassoma duperrey, Scarus sp. juveniles, Acanthurus dussumieri, Acanthurus triostegus, Ctenochaetus strigosus, Arothron hispidus, Canthigaster jactator* and a large specimen of the introduced grouper, *Cephalopholis argus*."

In the EA, the following observations were made (SE&A, 2004).

> "Most of the organisms observed were confined to the shallow depths. The biota in the harbor became noticeably sparse below 2 meters (6 ft) where rocks were covered with blue-green algae or fine sediment with increasing depth. At the west end of the study area the bottom is apparently more exposed to waves and the substratum consists of scoured boulders on a flat bottom to 1 meter (3 ft) depth and coral rubble and sand at depths below 2 meter (6 ft)."
>
> "Biologically, the project site is a typical harbor environment, with a high proportion of introduced invertebrates and an almost total lack of reef corals or other sensitive marine organisms that would be adversely impacted by construction related sedimentation and turbidity. Upon completion of pier construction there would follow a period of rapid settlement of new surfaces provided by the pier pilings, resulting in a dense fouling community similar to that which now occurs on the existing pilings. Other bottom substrata such as dredged reef and rock rubble would most likely assume a similar assemblage of benthic organisms as presently occur, with hardy species of corals and other reef organisms in low abundance. The fish community, which is presently quite abundant and diverse, would likely be temporarily disturbed by construction activities but thereafter would recover to its present composition.

> Endangered Species - No State of Hawaiʻi or federally protected species (Federal Register, 1999, 2001; DLNR, 1981) are regarded as normally occurring in the project area. The *honu* or Pacific green sea turtle (*Chelonia mydas agassizi*) is the only listed species that might be observed occasionally within Nāwiliwili Harbor, although the project area does not provide even feeding habitat for this threatened species. The *honu* is protected by both State and Federal endangered species laws: listed as a threatened species by both the DLNR (DLNR, 1981) and U. S. Fish and Wildlife Service (CFR, 1999).
>
> Given the lack of contaminants in the sediments, the lack of sensitive marine organisms, and the periodic influx of turbid, brackish waters from the river, the proposed project should have minimal adverse impacts on the local marine environment."

The 2005 faunal survey (Okubo, 2005) for the Pier 3 project made the following observations regarding the marine environment.

> The protected Hawaiian Monk Seal has been seen in various coastal areas of the Hawaiian Islands in recent years. It may enter the Nāwiliwili Bay area by chance. Since it, too, is a protected species, it may not be disturbed. But the busy Nāwiliwili Harbor with its industrial activities does not lend itself as a habitat for these mammals.
>
> The green sea turtle, *honu* in Hawaiian, is another protected species that is sometimes found in waters and beaches of Kauaʻi. The busy Nāwiliwili Harbor with its ships and other sea-going crafts make this a poor habitat for the green sea turtle. It has been found on sandy beaches of Kauaʻi shores which have provided nesting sites.

The 1973 EA for construction of the small boat harbor (Department of the Army, 1973) was a project located on the south side of the fill land constructed from dredged spoil and later developed into Pier 3. Based on the results of the assessment, the following observations were made regarding the effect of the project on the marine environment.

> "The proposed construction will not alter the contributions of fresh water flow and nutrient sources of the Huleia River, nor will it significantly alter the transport and mixing characteristics of the inner harbor and Kalapakī Bay. Therefore, the estuarine conditions in the bay as a whole should be unchanged and the estuarine biological communities should not be adversely affected, with the exception of the crab community in the immediate project area."

In summary, no Federal or State listed or candidate threatened or endangered marine species are anticipated within the nearshore waters of the Nāwiliwili Harbor. The principal factor limiting species abundance within the project limits probably involves the generally urban and industrial nature of the site and the fact that the site is utilized principally an industrial harbor facility.

5.8.3.2 Potential Impacts and Proposed Mitigation

The reefs in Nāwiliwili Bay were dredged during the construction of the harbor. Protected and/or listed species that may occur within the project vicinity are discussed further below:

Sea Turtles

Of the sea turtles found in the Hawaiian Islands, only green sea turtle is likely in the project vicinity, however the conditions within the Nāwiliwili Harbor does not provide this animal feeding habitat. The green sea turtle was listed as a threatened species under the ESA- in 1978 (ESA; USFWS, 1978, 2001). Since protection, the green sea turtle has become the most common sea turtle in the Hawaiian Islands with a steadily growing population. On February 16, 2012, the National Marine Fisheries Service (NMFS) and the USFWS received a petition from the Association of Hawaiian Civic Clubs to identify the Hawaiian green turtle population as a distinct population segment (DPS) and delist the Hawaiʻi DPS under the ESA of 1973, as amended (ESA; 16 U.S.C. 1531 et seq.). In April 2016, the NOAA-NMFS issued a final rule to reclassify the green sea turtle into eleven DPS, but continue protection of the Hawaiʻi DPS as a threatened species under the ESA (NOAA & USFWS, 2016).

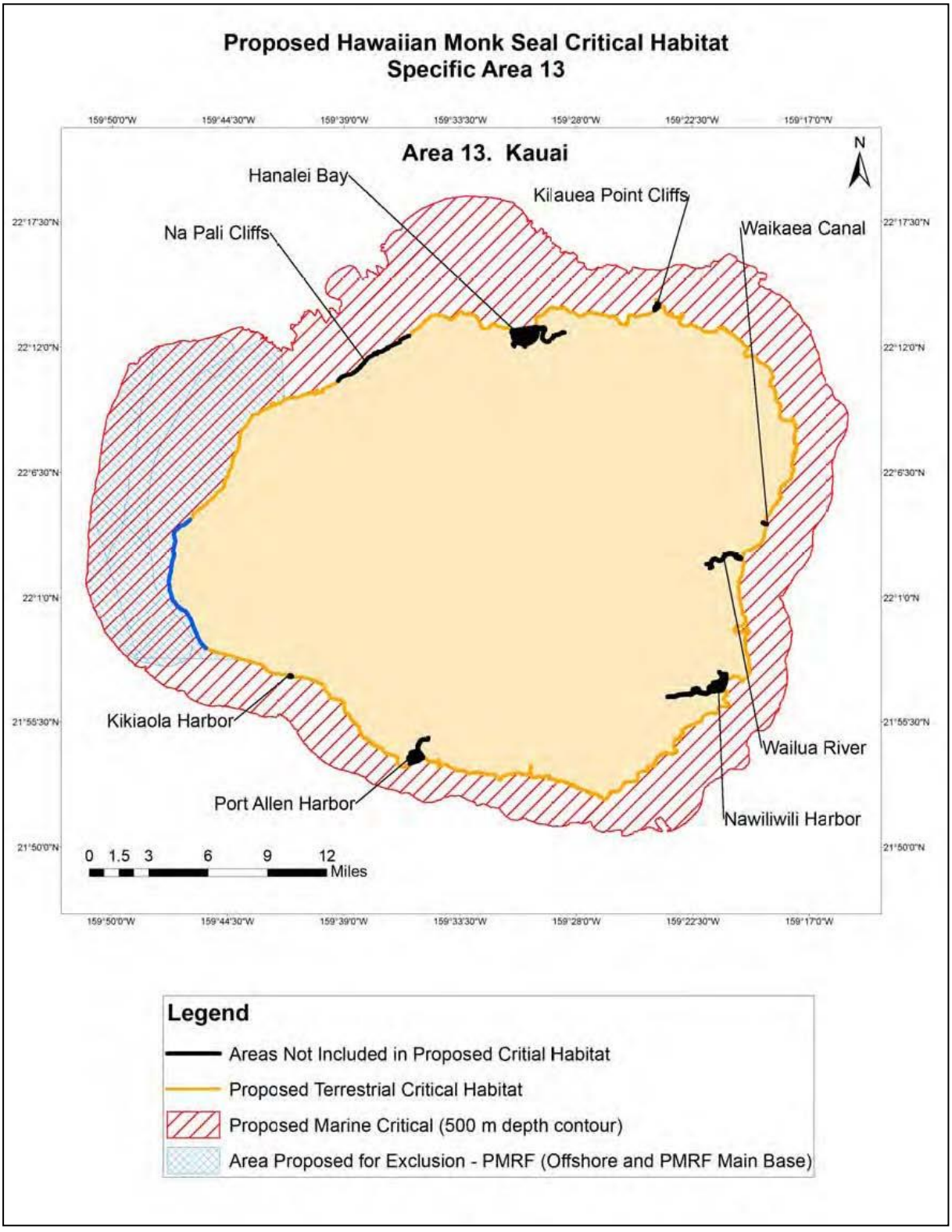
Monk Seal

The endangered Hawaiian monk seal (*Monachus schauinslandi*) is known to occur in the waters off the island of Kauaʻi. Critical habitat for Hawaiian monk seals has been designated (NOAA-NMFS, 2015) and includes the seafloor and marine habitat to 10 meters above the seafloor from the200-meter depth contour through the shoreline and extending into terrestrial habitat 5 meters inland from the shoreline between identified boundary points. These terrestrial boundary points define preferred pupping areas and significant haul- out areas. (NOAA-NMFS, 2015). The Nāwiliwili Harbor does not fall within assigned boundary points, therefore is excluded from monk seal critical habitat designation. See **Figure 5-6, Proposed Monk Seal Critical Habitat for the Island of Kauaʻi**.

The proposed improvements at Piers 2 and 3 would not affect the marine environment or marine species, as no in-water construction work would be required. Impacts to marine biota from construction on the land-side would be avoided or minimized through implementation of BMPs in compliance with State and Federal regulations. No mitigation measures are necessary or recommended.

No secondary or cumulative effects to the marine environment are anticipated from the proposed project. Future use of the site resulting from the proposed improvements are not expected to result in significant impacts to marine resources and would be addressed through compliance with post construction BMPs, including regulatory requirements and standard operating procedures. The proposed improvements at Piers 2 and 3 will not endanger any marine life or other wildlife in the area.

Figure 5-6. Proposed Monk Seal Critical Habitat for the Island of Kaua'i



5.9 Archeological and Cultural Resources

5.9.1 Description

Introduction

Nāwiliwili is bound on the east by the western shore of Nāwiliwili Bay. The boundary point between Nāwiliwili and Niumalu Ahupuaʻa to the south is at the mouth of Pūʻali Stream (also called Waikōnui Stream). The division of the two ahupuaʻa inland follows a straight line from the lower portion of Pūʻali Stream along the meandering Pāpālinahoa Stream to an unnamed peak at an elevation of 536 ft above mean sea level; this is the mauka point of Niumalu. Nāwiliwili continues from this point, along the boundary with Haʻikū Ahupuaʻa, in a straight line to the boundary point at Kamoanakukaua.

Nāwiliwili Ahupuaʻa takes its name from the wiliwili tree (*nā* is the plural article, as in "the wiliwili trees" or "place of the wiliwili trees"). The archaeological record of early Hawaiian occupation in this area indicates a date range of ca. AD 1100 to 1650 (Walker et al. 1991). Handy (1940:67) describes Nāwiliwili Valley in his chapter on the main *kalo* (taro) growing locations in Puna, Kauaʻi. Wichman (1998) states that the area was named for a famous wiliwili grove, and that the full name is Nāwiliwili pakaʻāwaiilauʻililua, "the wiliwili trees upon which raindrops fall, twisting the leaves so the rain touches both sides." The *heiau Kuhiau*, meaning "I gesture," was located near the old courthouse. The area inland of the jailhouse, which was south of the old courthouse, was the original passenger landing area in the mid to late nineteenth century; this area was called Pāpālinahoa. Kikuchi (1973) states this was the name of a water spirit.

The present project area is situated within Nāwiliwili Harbor which occupies fill land that was created from spoils dredged from Nāwiliwili Bay during the construction and development of the harbor facility.

Nāwiliwili Bay and its surrounding area provided an ideal home and fertile grounds for an ancient native Hawaiian settlement. Their economy was subsistence-based, cultivating Taro and raising fish in ponds for their food source. In 1778, Captain James Cook landed in Waimea located on the southwest coast of Kauaʻi and the lifestyle of the indigenous people was radically altered. Over time, as more westerners moved in, all traces of the original settlement vanished as the bay was transformed into a general port for the area. By 1898, two piers were constructed: a Government landing on the west side of the bay and a privately built landing to the north.

Cultural sites, including, but not limited to, *heiau* and native (and later residential) dwellings, were destroyed during the development of the area following the arrival of Captain James Cook, the introduction of foreign agricultural practices and industry (e.g., rice cultivation, sugar cane cultivation), and the development of western infrastructure (e.g., roads, government jail, government court house, residential homes). What few cultural sites might have remained would have been destroyed during the construction of Nāwiliwili Harbor, the development of harbor infrastructure, commercial and infrastructure development in the area, and the construction of the hotel and resort complex at Kalapakī.

Findings

Potential impacts to cultural and historic sites were considered in the preparation of most of the twelve EAs and EISs conducted for projects at the Nāwiliwili Harbor area (see **Table 5-1**). Most of these projects involved significantly more intrusive construction work and were more extensive in areal scope than are the future improvements at the project site within the Nāwiliwili Harbor facility. Thus, those projects had significantly more potential to impact cultural and historic sites than the future proposed improvements. The cultural assessments all reached similar conclusions, that the construction projects in question would not have significant negative cultural impacts.

Based on the results of the 2005 cultural assessment for the Pier 3 improvement project (Okubo, 2005), the following conclusions and observations were made regarding cultural and historic sites and cultural practices in the Nāwiliwili Harbor area. It is apparent from this description that cultural and historic sites are of little concern.

> "It is highly improbable that there will be any appreciable cultural impacts from the Pier 3 segmented pier project since the work will be in an existing industrial site which dates back more than 70 years. The use of the sea for sustenance and recreation is a feature of Hawaiian life. Until the September 11, 2001 attack on the United States by terrorists, fishing was permitted from the piers and within the harbor. However, new security regulations prohibit fishing from the pier areas.
>
> While fishing within the bay is permitted, there is a conflict between pole or hand fishermen and the commercial fishermen using gill nets within the bay. It appears that this confrontation may be eliminated or minimized by new regulations which may be developed by the DLNR.
>
> Besides fishing, the use of canoes within the bay is a normal occurrence. This vestige of Hawaiian history is an important part of the renaissance of the Hawaiian culture today. There is no regulation, save the national security measures, governing the use of canoes within the harbor area save the common-sense practice of those paddling canoes not to encroach upon the path of oceangoing ships. Since the ship schedule is published for each year ahead of time, the canoe enthusiasts will be able to schedule events without undue conflicts with the shipping industry."

For the 1998 Wa'apa Road realignment project (NKN, 1998), located north of the proposed project site, the following conclusions were made.

> "There are no known archaeological or historic resources in the project area due to the heavy impacts of the harbor and prior sugarcane cultivation. The proposed project, therefore, will have "no effect" on significant historic sites (DLNR, 1997)."

For the 1993 Pier 1 improvements project (DOT, 1993b), which was located just northeast of the proposed project site, the following conclusions were made.

> "The construction of the project will not … Involve an irrevocable commitment to loss or destruction of any natural or cultural resources, except for the labor and materials related to the construction of the improvements."

The 1973 EA for construction of the small boat harbor (Department of the Army, 1973) came to the following conclusions.

> "There are no historical or archaeological sites in the vicinity which will be affected by the project."

Conclusions

Based on an assessment of the history, cultural background, and existing cultural and historical sites in the Nāwiliwili Harbor area, the following conclusions are made.

- There are no significant historical or cultural sites at or in the immediate vicinity of the Piers 2 and 3 of the Nāwiliwili Harbor.
- Harbor operations, both past and present, have not threatened or impacted any significant historical or cultural sites.
- Future improvements to the Nāwiliwili Harbor Piers 2 and 3 (e.g., the construction of drainage, roadway, and pedestrian walkway improvements) will not threaten or impact any significant historical or cultural sites.

Given the lack of any historic properties within the project area, and the unlikelihood of encountering any burials due to the project site being composed of fill material, an archaeological inventory survey or monitoring program is not anticipated to be required for the proposed improvements project. In the unlikely event that cultural deposits and/or human skeletal remains are encountered during ground disturbing activities, work should be stopped immediately in that area and the State Historic Preservation Division (SHPD), DLNR should be notified of the nature of the discovery.

5.9.2 Potential Impacts and Proposed Mitigation

The potential for adverse effects to historic or archaeological resources are not anticipated as no historic properties were encountered or discovered during the past surveys in the vicinity of the project site. A number of factors responsible for the lack of historic and archaeological resources present include intensive development of the Nāwiliwili Harbor area and the use of fill material for the construction of the harbor site.

No secondary or cumulative effects to archeological or cultural resources are anticipated from the proposed project. However, because there is always the potential for the discovery of ʻiwi or other cultural remains, any inadvertent finds will immediately result in the cessation of work and the immediate reporting of the find to the SHPD at (808) 692-8015 (Island of Kauaʻi) or (808) 692-8015 (Main Office, Oʻahu). SHPD will furnish further instructions regarding the treatment of the find and the conditions when work may be resumed.

5.10 Noise Conditions

5.10.1 Description

Regulation of noise is governed by the DOH, HAR, Title 11, Chapter 46, "Community Noise Control." Allowable day and nighttime noise standards for sensitive receptors have been

established for conservation, residential, apartment, hotel, business, agricultural and industrial districts. The project site is within a harbor area that includes land that is zoned industrial.

Noise pollution can result from industrial operations. To determine if noise generated at the project site would adversely affect noise quality in the area, potential noise impacts were evaluated in accordance with state noise control standards (DOH, 1996b).

The maximum permissible sound level (daytime) for areas zoned as industrial is 70 decibels (dBA), for areas that are public space or zoned as residential 55 dBA, and for areas used as resorts or for business/commercial use 60 dBA. This means that sound levels generated at a facility within that zoning district should not exceed 70 dBA at or beyond the property line (DOH, 1996b). The maximum permissible sound level can be exceeded for short periods but not for more than ten percent of the time within any twenty-minute period. The maximum permissible sound level for impulsive noise is 10 dBA above the maximum permissible sound level. Backup alarm devices on vehicles are exempt from the maximum permissible sound levels, where such devices are required by the Occupational Safety and Health Administration (DOH, 1996b).

In 2003, a noise study was conducted as part of the Segmented Pier 3 Improvements at Nāwiliwili Harbor (Okubo, 2005). Ambient noise levels were measured at five areas that were identified as the closest areas considered to be sensitive to noise (i.e., residences, parks, recreational areas, and resorts). These included: (1) Niumalu residential area, (2) Nāwiliwili Small Boat Harbor, (3) Niumalu Inn area, (4) the resort area north of the Matson container yard (i.e., Banyan Harbor Resort), and (5) the Kauaʻi High School and Community School for Adults area. These areas also are the closest noise-sensitive areas to the project site. See **Table 5-2** for a summary of ambient noise levels at sensitive receptors that were identified in the 2003 noise study.

Table 5-2. Summary of Ambient Noise Levels at Sensitive Receptors

Area	Description	Median Sound Levels (dBA)	Sound Level Exceeded 10% of the Time (dBA)	Maximum Sound Level (dBA)
1	Niumalu Residences	47	52	76
2	Nāwiliwili Small Boat Harbor	50	57	79
3	Niumalu Inn Area	50	61	79
4	Banyan Harbor Resort	58	63	94
5	Kauaʻi High School and Community School	52	55	68

The following noise sources and levels for ambient noise were identified in the vicinity of the proposed project:

> "Measured background ambient noise levels were controlled by motor vehicle traffic, equipment within the Young Brothers Pier area, tour helicopters, jet aircraft departing Līhuʻe Airport, birds, roosters, and mechanical equipment. In the areas removed from roadways… background ambient noise levels were relatively low, and typically ranged

> between 43 and 68 dBA. In the area near roadways… motor vehicle traffic noise controlled the background ambient noise levels, which typically ranged between 43 and 72 dBA."

5.10.2 Potential Impacts and Proposed Mitigation

Existing sources of noise in the area include motor vehicle and aircraft traffic, harbor vessels, and the periodic use of combustion and electric powered equipment associated with nearby area businesses and residences. Surf lapping against the nearby shoreline can sometimes be heard.

Construction associated noise is anticipated to result from proposed clearing, grading, road paving, and installation of utilities and drainage. Construction equipment is expected to include, but not be limited to a bulldozer, excavator, grader, paver, dump trucks, concrete delivery trucks, jackhammers and other powered hand tools.

Nearby areas which include residential and industrial uses may be temporarily affected by construction generated noise. However, noise generated from construction activities will for the most part not radiate or extend beyond the immediate surrounding project site. The construction related noise is expected to be temporary, of limited duration, and restricted to daytime hours. The area affected would be limited to the area immediately adjacent to the project site, and this noise impact is not considered significant as it is consistent with the exiting noise of the industrial harbor and would not in turn result in indirect (secondary) effects in a larger area. The potential for cumulative impacts may occur if TGC undertakes the construction of their project directly before or after the proposed project, resulting in a prolonged noise impact to the surrounding area. However, because the direct impact to noise in the project site would be only short-term, the project would make no persistent contribution to cumulative impacts. Upon completion of work noise will return to pre-existing background levels.

Mitigation measures to address the generation of construction related noise include:

- All equipment will be properly muffled in accordance with regulations of the DOH.
- All combustion and air-powered equipment will be maintained in proper working order.
- Work will be limited to weekdays during daylight hours between 7:00 am and 6:00 pm. No work will be scheduled on federal or state holidays.
- The contractor will secure a noise permit, as required, from the DOH prior to the initiation of the construction.

No adverse noise impacts associated with this project are anticipated. Mitigation measures as described will be employed to minimize and reduce the potential for such impacts. No further measures are anticipated to be required.

5.11 Air Quality

5.11.1 Description

The DOH, Clean Air Branch (CAB) has identified the following four potential sources of air pollution in the vicinity of the proposed project: (1) industrial sources, such as power plants and refineries, (2) mobile sources, such as motor vehicles, (3) agricultural sources, such as cane

burning, and (4) natural sources, such as wind-generated dust and volcanic activity (DOH, 2013, 2014b, 2015b). Air pollution at Nāwiliwili Harbor consists primarily of vessel exhaust, vehicle and heavy equipment exhaust, emissions from cargo, and dust generated from unpaved ground. The predominant air pollution concerns have been related to cruise ship exhausts. Prevailing trade winds in the area tend to result in air pollutants migrating onshore, impacting nearby residences (DOH, 2015a).

Ambient air in Hawaiʻi is monitored for gaseous and particulate air pollutants by the DOH, CAB. The EPA has set National Air Quality Standards for air pollutants, including carbon monoxide, nitrogen dioxide, sulfur dioxide, lead, ozone, and particulate matter. The Niumalu monitoring station, which is in the vicinity of Nāwiliwili Harbor, measures sulfur dioxide gas (SO_2), nitrogen dioxide gas (NO_2), and particulate matter ($PM_{2.5}$; particulate matter less than or equal to 2.5 microns in aerodynamic diameter). The most recent air quality data from the Niumalu monitoring station indicates that the federal National Air Quality Standards and the State Ambient Air Quality Standards are being met in the vicinity of the Nāwiliwili Harbor site, with annual trends remaining stable since 2012.

5.11.2 Potential Impacts and Proposed Mitigation

Construction activities are expected to have little to no impact since the project will be of limited duration, and where engine exhausts may be a source of potential air pollution, all internal combustion equipment will be governed in accordance with applicable state regulations in HAR, Chapter 11-59 and 11-60, Air Pollution Control.

During construction, fugitive dust is expected to be generated. Fugitive dust will be controlled with regular wetting of the soil by the contractor and/or by the use of dust screens, as required. There will be no long-term or secondary effects to air quality once construction is completed.

In the long-term, increased harbor operations may result in an increase in emissions; however, improved operational efficiencies, equipment, and technology, as well as the use of cleaner-burning fuels and adherence to air pollution controls and regulations would help to offset the increased emissions. Construction and operational impacts are not expected to be significant.

Other past, present, and reasonably foreseeable future actions also have used and may use heavy machinery, although the fact that the project site is fully developed limits the number of projects undertaken there, and therefore the use of heavy machinery. In any event, the air quality impacts of this use of heavy machinery, like that related to the proposed project, would be temporary. Cumulatively, the air quality impacts of all of these projects, taken together with the proposed project, are not significant due to their limited intensity and duration. Contributing more substantially to air quality concerns within the vicinity of the project area are other sources of air pollutants, including trucks, passenger vehicles, cargo and fuel facilities, and others. The proposed action will contribute to cumulative impacts on air quality, but at a less than significant level.

5.12 Visual Resources

5.12.1 Description

The proposed improvements will not significantly affect existing visual resources in the area. Nāwiliwili Harbor has a heavy industrial appearance consisting largely of paved areas with a few unpaved locations. The principal features at the harbor are the piers with barges and cruise liners docking, a small boat harbor, two bulk fuel terminals (i.e., the Terminal, the Aloha Petroleum terminal), a former bulk fuel terminal that still contains large Above-Ground Storage Tanks (i.e., the former Līhuʻe Plantation bunker fuel terminal), the HDOT-Harbor's Pier 2 shed, the Hawaiian Cement yard with its two cement silos, the Matson cargo container yard, HDOT-Harbors offices, several warehouses, and the empty parcel occupied formerly by the Līhuʻe Sugar Plantation molasses storage facility. The tallest structures at the harbor are the two Hawaiian Cement silos. Nāwiliwili Harbor can be seen from several locations along Nāwiliwili Road, Niumalu Road, Waʻapa Road, and Kalapakī Circle. It can also be seen from Niumalu Beach Park.

5.12.2 Potential Impacts and Proposed Mitigation

No adverse impacts to scenic and visual resources are anticipated. The proposed project has been designed to be consistent with the surrounding use of the land to improve conditions and meet the growing needs for the Nāwiliwili Harbor.

Industrial tenants along Waʻapa may be temporarily exposed to some visual impacts associated with the use and operation of construction equipment. However, these impacts will be temporary and within a surrounding area used for industrial purposes. The project would not result in significant adverse secondary visual and aesthetic resource impacts. Upon the completion of construction, all equipment and personnel will be removed and the site will be permitted to return to existing conditions with no permanent visual intrusion to the site. No mitigation measures are anticipated to be required. Because other past, present, and reasonably foreseeable future actions are expected to be consistent visually with existing development no cumulative visual impacts are anticipated.

5.13 Socio-Economic Environment and Demographics

5.13.1 Description

Nāwiliwili Harbor serves as the primary commercial harbor for Kauaʻi and is one of the State of Hawaiʻi's most important heavy industrial harbors and fuel transfer points. Several of the most important industrial companies doing business on Kauaʻi, including Hawaiʻi Independent Energy (formerly Tesoro Hawaiʻi), Chevron, Aloha Petroleum, Kauaʻi Petroleum, Hawaiian Cement, Young Brothers, and Matson, use Nāwiliwili Harbor to transfer oil or cargo from vessels to their facilities. The harbor is also the primary cruise terminal on Kauaʻi. According to a 2002 study, Kauaʻi's harbors appear to be budget-constrained and at capacity (Carter & Burgess, 2002).

According to the Kauaʻi GP Update on Socioeconomic Analysis and Forecast (SMS, 2014), the projected population growth on Kauaʻi between 1990 and 2035 is 31.2 percent (from 51,676 in 1990 to 88,013 in 2035). The Līhuʻe District is projected to experience the largest growth on the island (County of Kauaʻi, 2015). The estimated annual increase in the number of visitors on

Kauaʻi is one percent. With this increase in population and visitors, there is expected to be an accompanying increase in demand of the harbor facilities by Kauaʻi residents, businesses, and visitors.

5.13.2 Potential Impacts and Proposed Mitigation

The economic viability and growth potential of the Island of Kauaʻi is closely tied to the capacity of its essential infrastructure which includes the Nāwiliwili Harbor. Because of the economic benefit of promoting the more efficient use of the Nāwiliwili Harbor, the economic impact of the proposed project is expected to be favorable.

In the short term, construction expenditures associated with the proposed project will have a beneficial impact on the local construction industry, and construction activities will benefit the community indirectly through the creation of jobs.

In the long term, improving the condition of Piers 2 and 3 at the Nāwiliwili Harbor will provide for the more efficient use and operation of the harbor facilities. In turn, this is expected to stimulate direct maritime and port-related expenditures. Harbor operations will also require support businesses to supply ships, handle cargo, and provide other services.

Implementation of the proposed project will result in potential secondary impacts by stimulating harbor related business enterprises and increasing local employment. The combined increased business activities will result in increased state revenues, in the form of excise, individual, and corporate taxes.

Combined with other past, present, and reasonably foreseeable future actions the proposed project would support the local economy and anticipated increased area population. Because population growth on Kauaʻi is anticipated to occur with or without the implementation of the proposed project no significant adverse cumulative impacts to the socio-economic environment are anticipated.

5.14 Public Facilities and Services

5.14.1 Roads and Transportation

5.14.1.1 Description

Nāwiliwili Harbor serves as the primary commercial harbor for Kauaʻi and currently handles approximately 90 percent of all cargo transported to or leaving Kauaʻi. Cruise ships arrive at Pier 2 and the cruise market is anticipated to grow. Freight tonnage is expected to increase approximately 20 percent by 2035. It has been suggested that Kauaʻi's existing harbors appear to be at capacity and budget-constrained (Carter & Burgess, 2002). However, from a yard capacity perspective, there is ample yard space at Nāwiliwili Harbor. From a berth capacity perspective, Nāwiliwili Harbor may be closer to capacity. It is predicted that vessel traffic associated with Nāwiliwili Harbor will worsen and potentially could have an economic impact on freight operations.

Primary vehicle access to the project site is from Nāwiliwili Road via Waʻapa Road. An existing gated access road along Waʻapa Road, northwest of Pier 2, provides access to the site. In 2002, a traffic impact assessment was conducted as part of the EA for the Segmented Pier 3

Improvements at Nāwiliwili Harbor (Okubo, 2005). It was estimated that traffic volume on Waʻapa Road will increase by 42 percent by the year 2022 during peak hours. However, despite this increase, it was not anticipated that the capacity of the intersection of Waʻapa Road with Nāwiliwili Road will be exceeded to necessitate traffic lights in the area.

5.14.1.2 Potential Impacts and Proposed Mitigation

No increase in the volume of vehicle traffic associated with the proposed improvements is expected to occur following construction. The primary goal for constructing the Pier 2 and 3 improvements is to upgrade the existing pier facilities to meet expected requirements for freight, cargo, and passenger handling and to perform necessary renovation of the pier facilities to address drainage.

The major source of disturbance to traffic is anticipated from construction activities during deliveries and transit of vehicles to and from the job site. Occasional increases in construction traffic may also result from the periodic movement of vehicles to and from the job site to dispose of demolition debris. These impacts however will be short term in duration and will cease with the completion of the road improvements. Mitigative measures will include the planning of construction activities during the daytime hours with no night work anticipated to be required, and the use of flagmen and/or traffic controls to maintain accessibility for businesses and residents who may use the surrounding area roads.

Following construction, traffic associated with the improvements to Piers 2 and 3 at Nāwiliwili Harbor will not adversely affect traffic conditions in the area for the following reasons. First, the amount of vehicular traffic associated with Piers 2 and 3 is expected to be equivalent or similar to the current traffic. Thus, there should be no net increase in Nāwiliwili Harbor traffic. Second, the improvements to Road A will allow the internal harbor access road to better support harbor related vehicles, thus relieving harbor related traffic impacts to Waʻapa Road. Therefore, there should be no net increase or secondary impacts to traffic at Nāwiliwili Harbor as a result of the proposed improvements.

The proposed project's long-term contribution to cumulative impacts would be minimal, and taken in concert with other past, present, and reasonably foreseeable future actions. The proposed project, combined with the TGC's project described above, would result in a short-term cumulative affects to the regional transportation of the area, however, cumulative impacts to transportation would not be considered significant. In the long term, the proposed project would confer a beneficial impact in terms of transportation as better pedestrian and traffic flow and utilization of limited harbor space would be facilitated. The improvements to and along Road A, addition of a pedestrian walkway along the mauka side of the road, and drainage improvements to relieve flooding provided by the proposed project would offset a cumulative projected decline in safe access within the project extents and adjoin Waʻapa Road. The proposed project would not result in significant adverse cumulative transportation impacts.

5.14.2 Utilities

5.14.2.1 Description

Electrical Supply

Available utilities to the proposed project site include electrical service by the Kauaʻi Island Utility Cooperative and telephone service by Hawaiian Telcom. Broadband Internet access within the area is provided by Oceanic Time Warner Cable.

The project will require electrical service from Kauaʻi Island Utility Cooperative and may require telephone service from Hawaiian Telcom. It is not anticipated that significant additional electricity will be needed for operation of the proposed improvements.

Water Supply

Water is supplied to Nāwiliwili Harbor by the County of Kauaʻi Department of Water as part of the Puhi-Līhuʻe-Hanamāʻulu service area. The service area is supplied by ten active sources. The construction of the future improvements will not require additional water resources.

Wastewater

The County of Kauaʼi provides sanitary sewer service to the Līhuʻe-Hanamāʻulu community. However, the Nāwiliwili Harbor area is located outside of that community and service at the harbor is provided by a small private wastewater system. In the future, new sewer lines will be installed that will be connected to the Līhuʻe treatment system. It is not anticipated that significant additional wastewater will be generated as a result of the construction of the proposed Pier 2 and 3 improvements project.

5.14.2.2 Potential Impacts and Proposed Mitigation

Above and below ground utilities and pipelines will be identified during the design of the proposed improvements project. The presence of the utilities will be field verified prior to the start of demolition activities and if required, will be removed and/or relocated. Any utility relocations and/or modifications will also be coordinated with the affected utility company to minimize disruption of water, power, wastewater, telecommunications and other services.

Residents and area businesses will be notified prior to construction should any temporary disruption of utility service be required, i.e., if the proposed project requires disconnection of the water main line, a standby tanker truck will be provided for provision of water to residents/businesses. Once construction is complete, utilities will be returned to their original condition. The proposed project would not result in secondary or cumulative impacts to water or wastewater resources.

5.14.3 Solid Waste

5.14.3.1 Description

Currently, solid waste disposal for the Nāwiliwili Harbor area is provided by a private contractor, Garden Isle Disposal, Inc. Garden Isle Disposal, Inc also picks up any materials to be recycled. The solid waste materials generated from within the project are expected to be minimal.

5.14.3.2 Potential Impacts and Proposed Mitigation

The construction of the proposed project is not expected to have long term impacts to solid waste facilities based on the limited scope and scale of work. Short-term impacts are anticipated in the form of construction debris that will be generated requiring disposal. The construction contractor shall be responsible for the disposal of construction debris at a county-approved landfill site.

The proposed project is not anticipated to generate a significant quantity of solid waste during the planned construction activities. Whatever solid waste is generated will be disposed of in accordance with HAR 11-58.1. No secondary or cumulative impacts to solid waste facilities would occur from the implementation of the proposed project.

5.14.4 Police Protection

5.14.4.1 Description

Police and security services in Nāwiliwili Harbor and vicinity are provided by the Department of Transportation Harbor Patrol, the U. S. Coast Guard (USCG), and the Kaua'i Police Department. The Kaua'i Police Department headquarters is approximately 2.3 miles from the Nāwiliwili Harbor Piers 2 and 3 project area, and is located on Kaana Street, near Kapule Highway.

5.14.4.2 Potential Impacts and Proposed Mitigation

The proposed improvements to Piers 2 and 3 at Nāwiliwili Harbor would not result in an increase in demand for police protection services. No direct, secondary or cumulative impacts on police protection are anticipated or expected, and no mitigation measures are necessary or recommended.

5.14.5 Fire Protection

5.14.5.1 Description

Fire protection in the vicinity of the Nāwiliwili Harbor is provided by the Kaua'i Fire Department. The nearest fire station to the project site is located in Līhu'e, approximately 1.9 miles from the project site. The proposed improvements of Piers 2 and 3 of the Nāwiliwili Harbor will not significantly increase the need for existing fire services.

5.14.5.2 Potential Impacts and Proposed Mitigation

The proposed improvements to Piers 2 and 3 at Nāwiliwili Harbor would not result in an increase in demand for fire protection services. No direct, secondary or cumulative impacts on fire protection are anticipated or expected, and no mitigation measures are necessary or recommended.

5.14.6 Health Care and Emergency Services

5.14.6.1 Description

Emergency medical services are provided through the County's 911 communications center. Ambulance service is provided by American Medical Response. Emergency and regional medical services are available at the Wilcox Memorial Hospital, which is located in Līhu'e about 3.9 miles away and about a ten-minute drive from the project site.

5.14.6.2 Potential Impacts and Proposed Mitigation

The proposed improvements to Piers 2 and 3 at Nāwiliwili Harbor would not result in an increase in demand for health and emergency services. No direct, secondary or cumulative impacts on emergency services are anticipated or expected, and no mitigation measures are necessary or recommended.

5.14.7 Schools and Libraries

5.14.7.1 Description

Schools in the vicinity of the proposed project include Wilcox Elementary School, Chiefess Kamakahelei Middle School, Island School Voyagers, Kaua'i High School, Kaua'i Community School for Adults, Kawaikini New Century Public Charter School, and Ō'lelo Christian Academy.

The schools closest to the Piers 2 and 3 project site at Nāwiliwili Harbor include Kaua'i High School and Kaua'i Community School for Adults. These schools are located approximately one mile north of the proposed project along Lala Road. Līhu'e Public Library on Hardy Street is located approximately 2.3 miles away from the project area, in the town of Līhu'e; the library is situated across from Wilcox Elementary School.

School busses do not travel along Wa'apa Road, which fronts the project area. In addition, this is not the type of development that will result in the increase of enrollment at any of the schools.

5.14.7.2 Potential Impacts and Proposed Mitigation

Because the proposed project is located in an industrial zone some distance from schools and libraries, the project is not anticipated to impact any schools or libraries.

During construction, the project may result in short-term disruptions of vehicle traffic along roadways within the near vicinity or periphery of the project. However, the project is not anticipated to obstruct or hinder access to nearby educational facilities.

The proposed project would not increase nor decrease the provision of educational services to the community, and would not directly, secondarily, or cumulatively result in an increase in the area population, which would otherwise generate the need for school services.

5.15 Recreational Resources

5.15.1 Description

Nāwiliwili Harbor is an active commercial harbor. Recreational activities in the harbor include canoe paddling and fishing. These activities, however, are restricted to areas outside of the waters off Piers 1, 2, and 3, where cruise ships, Young Brothers barges, and cargo ships operate and dock. Recreational activities outside the breakwater include fishing, boating, and surfing. There is active beach recreation at Kalapakī Beach, located approximately 2,745 ft northeast of the project site. The Kaua'i Athletic Club is approximately 1,015 ft northeast of the project site and Nāwiliwili Park is located approximately 1,888 ft northeast of the project site. The Nāwiliwili Small Boat Harbor is approximately 705 ft southwest of the project site.

Shore fishing is not allowed in Nāwiliwili Harbor and any boat used for fishing has to remain outside of 100 yards from cruise ships (Okubo, 2005). There are no recreational activities in the area of the proposed project.

5.15.2 Potential Impacts and Proposed Mitigation

Existing activities at the Nāwiliwili Harbor have not had an adverse impact on recreational activities in the harbor and bay areas and future improvements to Piers 2 and 3 will not have an adverse impact on current recreational activities. As stated in the Kaua‘i Commercial Harbors 2025 MP, the Nāwiliwili Harbor area and the area surrounding the project site have been designated for future industrial development (HDOT, 2001). No direct, secondary or cumulative impacts on recreational resources are anticipated or expected, and no mitigation measures are necessary or recommended.

Section 6
Cultural Impact Assessment

The use of the site for traditional or cultural practices is not expected based on the location of the planned project within an existing industrial harbor facility. The project area has been previously heavily modified with grading, paving, and road and harbor construction activities. Plants found at the site are primarily introduced, exotic species not normally associated with cultural gathering or use activities. The edges of the paved areas at the site areas are infested with weedy species such as lantana, koa haole, bermuda grass, kikuyu grass, and guinea grass.

The previously paved and otherwise developed condition of the site is also not conducive to the presence of *wahi pana* (storied place) or other sites associated with the gathering of important native species that may include tī, flowering Hawaiian plants, or other species bearing fruit.

Based on the above, the potential for adverse direct, secondary, or cumulative effects to traditional and cultural practices is not anticipated. However, as noted in **Section 5.9.2**, any inadvertent finds will result in the cessation of work and the immediate reporting of the find to the SHPD at (808) 692-8015 (Island of Kaua'i) or (808) 692-8015 (Main Office, O'ahu). SHPD will furnish further instructions regarding the treatment of the find and the conditions when work may be resumed.

Section 7
Relationship to Land Use Policies, Plans, and Controls

Federal Government, State of Hawai‘i and County of Kaua‘i policies, plans, and land use controls are established to guide development in a manner that enhances the environment and quality of life. The establishment of policies, plans, and land use controls at all levels of government are further promulgated to help ensure that the long-term social, economic, environmental, and land use needs of the community and region can be met. The proposed project's relationship to land use policies, plans, and controls for the region and proposed activity are as follows.

7.1 State of Hawai‘i

7.1.1 Hawai‘i State Plan

The Hawai‘i State Plan, adopted in 1978, and promulgated in HRS, Chapter 226, consists of three major parts:

> Part I, describes the overall theme including Hawai‘i's desired future and quality of life as expressed in goals, objectives, and policies.
>
> Part II, Planning Coordination and Implementation, describing a statewide planning system designed to coordinate and guide all major state and county activities and to implement the goals, objectives, policies, and priority guidelines of the Hawai‘i State Plan.
>
> Part III, Priority Guidelines, which express the pursuit of desirable courses of action in major areas of statewide concern.

The proposed project 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 used by the shipping industry. An analysis of the project's ability to meet the objectives, policies, and priority guidelines of the Hawai'i State Plan are provided in **Table 7-1** below.

Table 7-1. Hawai‘i State Plan Applicability to the Proposed Project

Hawai‘i State Plan Objectives, Policies, and Priority Guidelines	Applicability to the Proposed Project
Objectives and Policies	
§226-5 Objective and policies for population	Not Applicable
§226-6 Objectives and policies for the economy--in general	Not Applicable
§226-7 Objectives and policies for the economy-- agriculture	Not Applicable
§226-8 Objective and policies for the economy--visitor industry	**Applicable**
§226-9 Objective and policies for the economy--federal expenditures.	Not Applicable
§226-10 Objective and policies for the economy--potential growth activities	**Applicable**
§226-10.5 Objectives and policies for the economy--information industry	Not Applicable
§226-11 Objectives and policies for the physical environment--land-based, shoreline, and marine resources.	**Applicable**
§226-12 Objective and policies for the physical environment--scenic, natural beauty, and historic resources.	Not Applicable
§226-13 Objectives and policies for the physical environment--land, air, and water quality	**Applicable**

Hawaiʻi State Plan Objectives, Policies, and Priority Guidelines	Applicability to the Proposed Project
§226-14 Objective and policies for facility systems--in general	**Applicable**
§226-15 Objectives and policies for facility systems--solid and liquid wastes	Not Applicable
§226-16 Objective and policies for facility systems--water	Not Applicable
§226-17 Objectives and policies for facility systems--transportation	**Applicable**
§226-18 Objectives and policies for facility systems--energy	Not Applicable
§226-18.5 Objectives and policies for facility systems--telecommunications	Not Applicable
§226-19 Objectives and policies for socio-cultural advancement--housing	Not Applicable
§226-20 Objectives and policies for socio-cultural advancement--health	Not Applicable
§226-21 Objective and policies for socio-cultural advancement--education	Not Applicable
§226-22 Objective and policies for socio-cultural advancement--social services	Not Applicable
§226-23 Objective and policies for socio-cultural advancement--leisure	Not Applicable
§226-24 Objective and policies for socio-cultural advancement--individual rights and personal well-being	Not Applicable
§226-25 Objective and policies for socio-cultural advancement--culture	Not Applicable
§226-26 Objectives and policies for socio-cultural advancement--public safety	Not Applicable
§226-27 Objectives and policies for socio-cultural advancement--government	Not Applicable
Priority Guidelines	
§226-102 Overall Direction	**Applicable**
§226-103 Economic priority guidelines	**Applicable**
§226-104 Population growth and land resources priority guidelines	Not Applicable
§226-105 Crime and criminal justice	Not Applicable
§226-106 Affordable housing	Not Applicable
§226-107 Quality education	Not Applicable

The objectives, policies, and priority guidelines of the Hawai'i State Plan directly applicable to the proposed project are discussed in further detail below.

Section 226-8 Objective and policies for the economy-visitor industry.

(b) To achieve the visitor industry objective, it shall be the policy of this State to:
(1) Support and assist in the promotion of Hawaiʻi's visitor attractions and facilities; [and,]
(2) Ensure that visitor industry activities are in keeping with the social, economic, and physical needs and aspirations of Hawaiʻi's people.

Discussion:

The proposed project involves the improvement of HDOT-Harbors lands at the Piers 2 and 3 site. The improvements will upgrade the harbor drainage system and existing facilities to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space. This action supports the goals of HRS, Chapter 226-8 by encouraging the orderly development of maritime facilities serving Kauaʻi and supporting inter-island shipments.

§226-10 Objective and policies for the economy--potential growth activities.

(a) Planning for the State's economy with regard to potential growth activities shall be directed towards achievement of the objective of development and expansion of potential growth activities that serve to increase and diversify Hawaii's economic base.

(b) To achieve the potential growth and innovative activity objective, it shall be the policy of this State to:

(1) Facilitate investment and employment growth in economic activities that have the potential to expand and diversify Hawaii's economy, including but not limited to diversified agriculture, aquaculture, renewable energy development, creative media, health care, and science and technology based sectors; and

(10) Provide public incentives and encourage private initiative to attract new or innovative industries that best support Hawaiʻi's social, economic, physical, and environmental objectives.

Discussion:

HDOT-Harbors lands at the project site are intended to support commercial cargo and passenger cruise ships. The proposed project will maintain and enhance economic productivity by supporting the effective use of State lands to accommodate future growth in the maritime industry. The project will further benefit the State of Hawaiʻi, and residents and visitors to Kauaʻi, by helping to control costs of inter-island transshipment and facilitating the efficient transportation of goods to, from, and among the islands

§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 following objectives:

(1) Prudent use of Hawaiʻi's land-based, shoreline, and marine resources.

(b) To achieve the land-based, shoreline, and marine resources objectives, it shall be the policy of this State to:

(9) Promote increased accessibility and prudent use of inland and shoreline areas for public recreational, educational, and scientific purposes.

Discussion:

The improvements at the Piers 2 and 3 site would accommodate maritime dependent operators at Nāwiliwili Harbor. The proposed storm water drainage improvements in the vicinity of Piers 2 and 3 will both promote the safe and efficient movement of goods through the Nāwiliwili Harbor area and support economic vitality by making more efficient the movement of goods and products requiring shipment and transportation to and from the harbor. The pedestrian walkway along the mauka side of Road "A" will support the safe movement of harbor users through the site area.

§226-13 Objectives and policies for the physical environment--land, air, and water quality

(a) Planning for the State's physical environment with regard to land, air, and water quality shall be directed towards achievement of the following objectives:

(1) Maintenance and pursuit of improved quality in Hawaiʻi's land, air, and water resources.

(b) To achieve the land, air, and water quality objectives, it shall be the policy of this State to:
(2) Promote the proper management of Hawai'i's land and water resources.

Discussion:

The proposed project will provide needed improvement of an existing harbor related facility which serves as the primary commercial harbor for the island of Kaua'i. The proposed project is considered an investment in Piers 2 and 3 that will provide environmental benefits in the form of reduced discharges of storm water associated sediments in runoff, and the improvement of working conditions from reduced ponding and sheet flows of storm water across the site.

§226-14 Objective and policies for facility systems--in general.

(a) Planning for the State's facility systems in general shall be directed towards achievement of the objective of water, transportation, waste disposal, and energy and telecommunication systems that support statewide social, economic, and physical objectives.
(b) To achieve the general facility systems objective, it shall be the policy of this State to:
(1) Accommodate the needs of Hawai'i's people through coordination of facility systems and capital improvement priorities in consonance with state and county plans.

Discussion:

The proposed project is part of a long-range plan to improve the conditions of the Nāwiliwili Harbor. The proposed road improvements will improve upon existing conditions that require new surfacing for Access Road A and renovation to an existing concrete slab located seaward of Station 3+00. Other improvements associated with drainage and the installation of new lighting will promote improved conditions conducive to more efficient harbor operations and movement of cargo, and increased public safety for vehicular and pedestrian traffic traveling from Piers 2 and 3. The subject project will provide an efficient interface between the harbor and the need for the distribution of shipped goods along the highway system.

Section 226-17 Objectives and policies for facility systems-transportation.

(a) Planning for the State's facility systems with regard to transportation shall be directed towards the achievement of the following objectives:
(1) An integrated multi-modal transportation system that services statewide needs and promotes the efficient, economical, safe, and convenient movement of people and goods.
(2) A statewide transportation system that is consistent with and will accommodate planned growth objectives throughout the State.
(b) To achieve the transportation objectives, it shall be the policy of this State to:
(1) Design, program, and develop a multi-modal system in conformance with desired growth and physical development as stated in this chapter;

(2) Coordinate state, county, federal, and private transportation activities and programs toward the achievement of statewide objectives;
(3) Encourage a reasonable distribution of financial responsibilities for transportation among participating governmental and private parties;
(4) Provide for improved accessibility to shipping, docking, and storage facilities;
(6) Encourage transportation systems that serve to accommodate present and future development needs of communities;
(7) Encourage a variety of carriers to offer increased opportunities and advantages to interisland movement of people and goods;
(8) Increase the capacities of airport and harbor systems and support facilities to effectively accommodate transshipment and storage needs;
(9) Encourage the development of transportation systems and programs which would assist statewide economic growth and diversification;
(10) Encourage the design and development of transportation systems sensitive to the needs of affected communities and the quality of Hawaiʻi's natural environment;
(12) Coordinate intergovernmental land use and transportation planning activities to ensure the timely delivery of supporting transportation infrastructure in order to accommodate planned growth objectives.

Discussion:

The proposed project will provide needed improvements to the Nāwiliwili Harbor for access by vehicles and pedestrians within the Piers 2 and 3 area to encourage the overall objective for statewide economic growth and diversification through the provision of a facility that will support commerce and trade.

The design and development of this project will address the needs of the community and region through the selection of a site that is consistent with surrounding maritime industrial land uses associated with the Nāwiliwili Harbor. The project will be developed in accordance with all laws and regulations necessary to ensure against the potential for adverse environmental effects.

§226-102 Overall Direction

The State shall strive to improve the quality of life for Hawaii's present and future population through the pursuit of desirable courses of action in seven major areas of statewide concern which merit priority attention: economic development, population growth and land resource management, affordable housing, crime and criminal justice, quality education, principles of sustainability, and climate change adaptation.

Discussion:

The proposed project will maintain and enhance economic productivity by supporting the effective use of State lands to accommodate future growth in the maritime industry. The project will further benefit the State of Hawaiʻi, and the resident and visiting populations on Kauaʻi, by helping to control costs of inter-island transshipment and facilitating the efficient transportation

of people and goods to, from, and among the islands, that will enable Kauaʻi to continue to be a desirable place to live and visit.

§226-103 Economic priority guidelines

(a) Priority guidelines to stimulate economic growth and encourage business expansion and development to provide needed jobs for Hawai'i's people and achieve a stable and diversified economy:

(1) Seek a variety of means to increase the availability of investment capital for new and expanding enterprises.

(A) Encourage investments which:

(ii) Rely on economic linkages within the local economy;

(iii) *Diversify the economy*

Discussion:

HDOT-Harbors lands at the Piers 2 and 3 site are intended to support the maritime industry in Hawaiʻi, particularly passenger cruise ships, cargo/containers and other maritime activities. The proposed improvements to the Nāwiliwili Harbor will maintain and enhance economic productivity by supporting the effective use of State lands to accommodate future growth in the maritime industry in Kauaʻi. The proposed improvements would provide operators safe and direct access to the waterfront and adequate space to support maritime operations. This will encourage economic growth while controlling costs of inter-island transshipment.

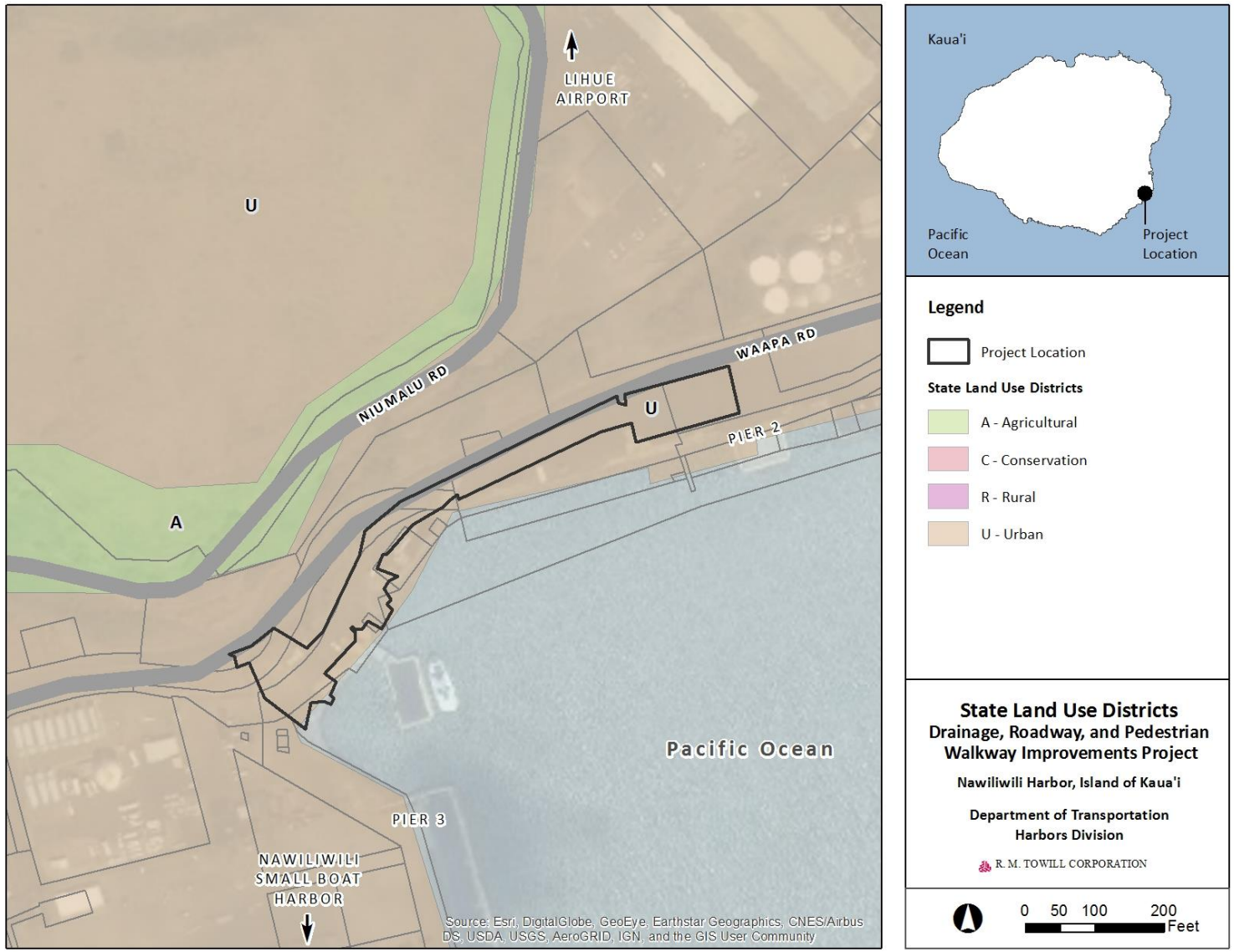
7.1.2 State Land Use Law

The State Land Use Commission classifies all lands in the State of Hawaiʻi into one of four land use designations: Urban, Rural, Agricultural and Conservation. According to HRS, Chapter 205, State Land Use Law:

> ***"Chapter 205, HRS, Districting and classification of lands:"***
>
> *"(a) There shall be four major land use districts in which all lands in the State shall be placed: urban, rural, agricultural and conservation. The land use commission shall group contiguous land areas suitable for inclusion in one of these four major districts. The commission shall set standards for determining the boundaries of each district provided that:"*
>
> *"(1) In the establishment of boundaries of urban districts those lands that are now in urban use and a sufficient reserve area for foreseeable urban growth shall be included;"*
>
> *"In establishing the boundaries of the districts in each county, the commission shall give consideration to the master plan or general plan of the county."*
>
> *(b) Urban districts shall include activities or uses as provided by ordinances or regulations of the county within which the urban district is situated.*

The proposed action involves the use of land within the Urban State Land Use District. The project involving the construction of roadway and drainage improvements, and appurtenances is consistent with this designation. See **Figure 7-1, State Land Use District**.

Figure 7-1. State Land Use District



7.1.3 State Functional Plans

The State Functional Plans provide detail to the Hawai'i State Plan and guide State and County actions under specific functional areas. The proposed project is considered applicable to the Transportation Functional Plan.

The applicable objectives and policies of the Transportation Functional Plan are discussed below.

> ***Transportation***
> *Objective I.A: Widening of the transportation system; Policy I.A.1: Increase transportation capacity and modernize transportation infrastructure in accordance with existing master plans.*

The proposed project is designed to provide facility improvements to the existing Nāwiliwili Harbor Piers 2 and 3 consisting of road, access, drainage, pedestrian access and related infrastructure work. This improvement of existing harbor infrastructure will allow for continued long term uses that will support continued operations and on-going commerce, trade and tourist related activities.

7.1.4 Hawai'i Statewide Transportation Plan

The Hawai'i Statewide Transportation Plan (HSTP) provides the framework for the planning of Hawai'i's transportation system and included: an extensive public involvement and outreach effort with a broad and diverse range of participants; collaboration with the modal divisions of the DOT and its County partners; and, a detailed research effort to ensure that all technical issues associated with the plan were fully analyzed and considered, and that applicable federal and state regulations were satisfied. The stated purposes of the HSTP are:

- To establish a framework for the development, integrated management, and operation of Hawai'i's multi-modal transportation systems, programs, and facilities; and
- To provide a foundation and identify the parameters within which the search for solutions can begin.

The proposed project is consistent with the stated mission and the following goals of the HSTP:

> *Mission: To provide for the safe, economic, efficient, and convenient movement of people and goods.*
>
> *Goal I: Achieve an integrated multi-modal transportation system that provides mobility and accessibility for people and goods.*
> *Goal II: Ensure the safety and security of the air, land, and water transportation systems.*
> *Goal III: Protect and enhance Hawai'i's unique environment & improve the quality of life.*
> *Goal IV: Support Hawai'i's economic vitality.*
> *Goal V: Implement a statewide planning process that is comprehensive, cooperative, and continuing.*

The storm water drainage improvements in the vicinity of Piers 2 and 3 will both promote the safe and efficient movement of goods through the Nāwiliwili Harbor area and support economic vitality by making more efficient the movement of goods and products requiring shipment and

transportation to and from the harbor. The pedestrian walkway along the mauka side of Road "A" will support the safe movement of harbor users through the site area.

7.1.5 Special Management Area (SMA)

The County of Kaua'i has designated the shoreline and certain inland areas of the island of Kaua'i as being within the SMA. SMA areas are designated sensitive environments and protected in accordance with the State's Coastal Zone Management policies, as set forth in HRS, Chapter 205A, Coastal Zone Management. See **Figure 7-2, Special Management Area**.

Portions of the proposed project including the entirety of the Piers 2 and 3 project site are located within the SMA, but are exempt from County requirements in the State of Hawai'i under HRS, Chapter 266, Harbors. The specific section citing this exemption is in HRS, Chapter 266-2, Powers and Duties of Department:

> Subsection "(b) Notwithstanding any law or provision to the contrary, the department of transportation is authorized to plan, construct, operate, and maintain any commercial harbor facility in the State, including, but not limited to, the acquisition and use of lands necessary to stockpile dredged spoils, without the approval of county agencies."

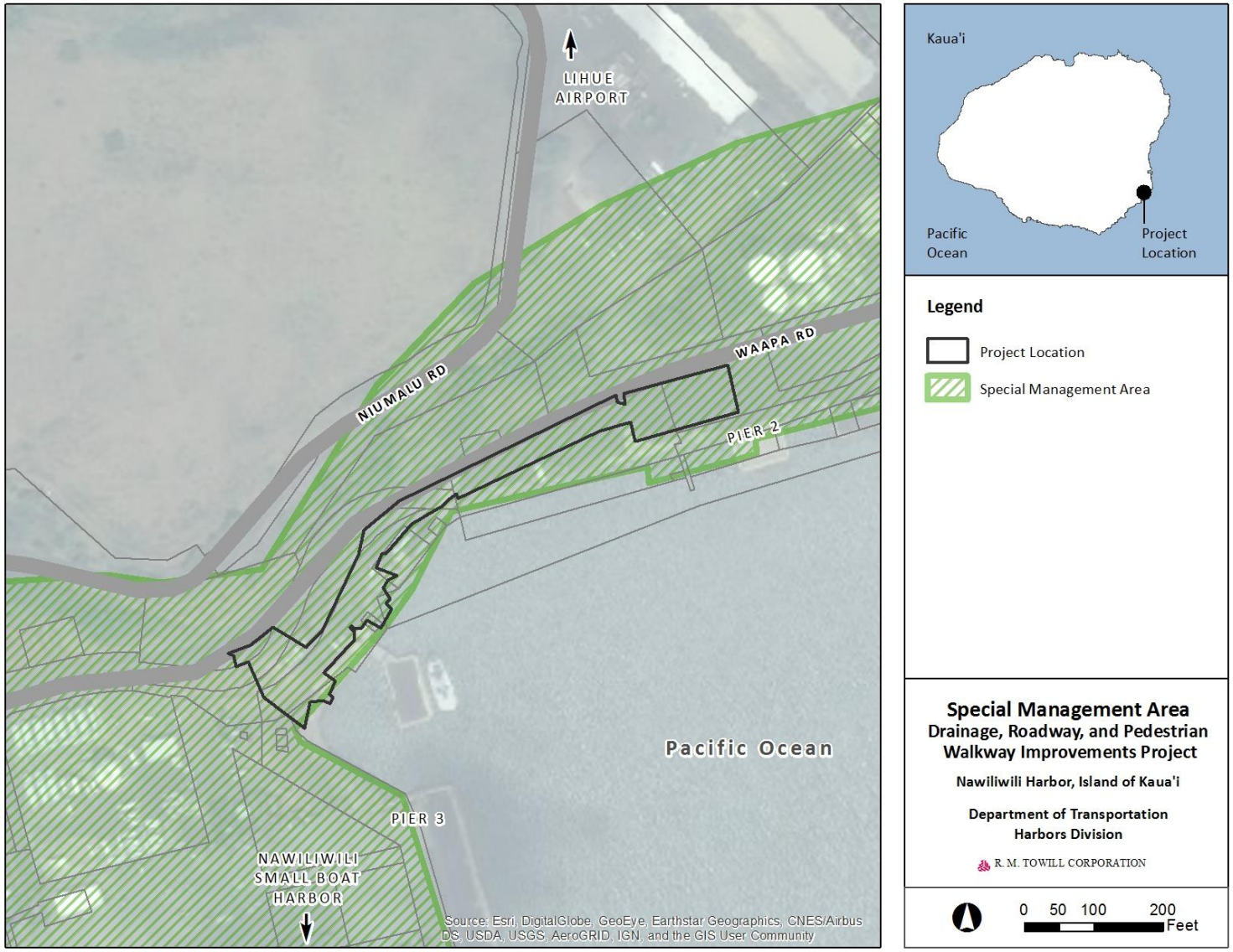
7.1.6 Coastal Zone Management Act (CZMA)

All land and water use activities in the state must comply with HRS, Chapter 205A, Hawai'i Coastal Zone Law. The State of Hawai'i designates the Coastal Zone Management Program (CZMP) to manage the intent, purpose and provisions of HRS, Chapter 205(A)-2, as amended, for the areas from the shoreline to the seaward limit of the State's jurisdiction, and any other area which a lead agency may designate for the purpose of administering the CZMP.

The following is an assessment of the project with respect to the CZMP objectives and policies set forth in Section 205(A)-2.

> ***1. Recreational resources***
>
> *Objective: Provide coastal recreational opportunities accessible to the public.*
>
> *Policies: A) Improve coordination and funding of coastal recreational planning and management; and*
> *B) Provide adequate, accessible, and diverse recreational opportunities in the coastal zone management area by:*
>
> *(i) Protecting coastal resources uniquely suited for recreational activities that cannot be provided in other areas;*
>
> *(ii) Requiring replacement of coastal resources having significant recreational value including, but not limited to, surfing sites, fishponds, and sand beaches, when such resources will be unavoidably damaged by development; or requiring reasonable monetary compensation to the State for recreation when replacement is not feasible or desirable;*
>
> *(iii) Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value;*

Figure 7-2, Special Management Area



(iv) Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;

(v) Ensuring public recreational uses of county, state, and federally owned or controlled shoreline lands and waters having recreational value consistent with public safety standards and conservation of natural resources;

(vi) Adopting water quality standards and regulating point and nonpoint sources of pollution to protect, and where feasible, restore the recreational value of coastal waters;

(vii) Developing new shoreline recreational opportunities, where appropriate, such as artificial lagoons, artificial beaches, and artificial reefs for surfing and fishing; and

(viii) Encouraging reasonable dedication of shoreline areas with recreational value for public use as part of discretionary approvals or permits by the land use commission, board of land and natural resources, and county authorities; and crediting such dedication against the requirements of section 46-6.

The proposed project is located within an active harbor waterfront that is used for the movement of goods and tourists. Because of these commercial activities and because there is a need to maintain security of the Piers 2 and 3 area, and the safety of workers and tourists from cruise vessels, access to the area is limited. Accordingly, recreational and shoreline dependent facilities, and public access to the shoreline are restricted for safety reasons.

The area immediately surrounding the harbor is primarily industrial and does not provide formal recreational opportunities. However, various adjacent sites offer access to recreational resources. Nāwiliwili Park is located to the north and east of the commercial harbor, and a nearby landscaped walkway leads to the Kalapakī Beach and adjacent shopping and restaurants, approximately 0.5 miles north.

Further south, Niumalu Beach Park offers opportunities to the public to launch kayaks, and the Nāwiliwili Small Boat Harbor provides access to ocean waters outside of the harbor breakwater.

These existing recreational uses currently occur within the immediate area surrounding Pier 2 and 3, and the proposed project is not expected to adversely affect the continuation of these uses.

2. Historic resources

Objective: Protect, preserve, and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.

Policies: (A) Identify and analyze significant archaeological resources;

(B) Maximize information retention through preservation of remains and artifacts or salvage operations; and

*(*C) Support state goals for protection, restoration, interpretation, and display of historic resources.

There are no archaeological or cultural resources known to be present within the immediate project site. However, in accordance with HRS, Chapter 6E, and the requirements of the SHPD,

should any historic resources, including human skeletal and significant cultural remains, be identified during the construction of the proposed project:

(1) Work will cease in the immediate vicinity of the find;

(2) The find will be protected from any additional disturbance by the contractor; and

(3) SHPD will be contacted immediately at (808) 2714940 (Kauaʻi Island) or (808) 692-8015 (Main Office, Oʻahu) for further instructions including the conditions under which work activities may resume.

3. Scenic and open space resources

Objective: Protect, preserve, and, where desirable, restore or improve the quality of coastal scenic and open space resources.

Policies: (A) Identify valued scenic resources in the coastal zone management area;

(B) Ensure that new developments are compatible with their visual environment by designing and locating such developments to minimize the alteration of natural land forms and existing public views to and along the shoreline;

(C) Preserve, maintain, and, where desirable, improve and restore shoreline open space and scenic resources; and

(D) Encourage those developments that are not coastal dependent to locate in inland areas.

The potential for adverse visual impacts is anticipated to be minimal. The proposed project will involve the improvement of facilities associated with use of Piers 2 and 3 at Nāwiliwili Harbor, which is principally identified as industrial uses. There will be the use of construction equipment and personnel, which is not expected to constitute an adverse effect to the surrounding viewplane. Public access will continue along Waʻapa Road; however, access to Road A will remain restricted from public access to maintain safety and security of the Nāwiliwili Pier. These activities will be only for a temporary period of time and will not result in any adverse permanent changes.

4. Coastal ecosystems

Objective: Protect valuable coastal ecosystems, including reefs, from disruption and minimize adverse impacts on all coastal ecosystems.

Policies: (A) Exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources;

(B) Improve the technical basis for natural resource management;

(C) Preserve valuable coastal ecosystems, including reefs, of significant biological or economic importance;

(D) Minimize disruption or degradation of coastal water ecosystems by effective regulation of stream diversions, channelization, and similar land and water uses, recognizing competing water needs; and

(E) Promote water quantity and quality planning and management practices that reflect the tolerance of fresh water and marine ecosystems and maintain and enhance water quality through the development and implementation of point and nonpoint source water pollution control measures.

Coastal ecosystems will not be affected by the project. No use of the coastal ecosystem will be required. During construction, BMPs will be employed to prevent potential pollutant (sediment) discharges into storm water runoff. These measures will be in place and functional before project activities begin and will be maintained throughout the construction period. When completed, the use of filters are expected to help improve upon current conditions.

5. Economic uses

Objective: Provide public or private facilities and improvements important to the State's economy in suitable locations.

Policies: (A) Concentrate coastal dependent development in appropriate areas;

(B) Ensure that coastal dependent development such as harbors and ports, and coastal related development such as visitor industry facilities and energy generating facilities, are located, designed, and constructed to minimize adverse social, visual, and environmental impacts in the coastal zone management area; and

(C) Direct the location and expansion of coastal dependent developments to areas presently designated and used for such developments and permit reasonable long-term growth at such areas, and permit coastal dependent development outside of presently designated areas when:

(i) Use of presently designated locations is not feasible;

(ii) Adverse environmental effects are minimized; and

(iii) The development is important to the State's economy.

The proposed project will provide needed improvement of an existing harbor related facility which serves as the primary commercial harbor for the island of Kauaʻi. The proposed project is considered an investment in Piers 2 and 3 that will provide environmental benefits in the form of reduced discharges of storm water associated sediments in runoff, and the improvement of working conditions from reduced ponding and sheetflows of storm water across the site.

In the short term, construction expenditures will have an overall beneficial impact on the local construction industry, and construction activities will benefit the community indirectly through the creation of jobs. In the long term, there will be improved working conditions at Piers 2 and 3, which is consistent with policies regarding economic uses.

6. Coastal hazards

Objective: Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, subsidence, and pollution.

Policies: (A) Develop and communicate adequate information about storm wave, tsunami, flood, erosion, subsidence, and point and nonpoint source pollution hazards;

(B) Control development in areas subject to storm wave, tsunami, flood, erosion, hurricane, wind, subsidence, and point and nonpoint source pollution hazards;

(C) Ensure that developments comply with requirements of the Federal Flood Insurance Program; and

(D) Prevent coastal flooding from inland projects.

The proposed project has been evaluated for potential impacts associated with natural hazards including flooding, erosion, and nonpoint source pollution hazards. Natural hazards such as hurricanes, flooding, and tsunami are unavoidable for all coastal harbor areas. Accordingly, all structures proposed for this project will be built, at a minimum, according to equivalent standards for the area's flood zone, as established by IBC. To mitigate from hurricanes, the project will ensure that improvements are designed to present codes which offer some protection from damage.

The DOT, Harbors Division, will continue to coordinate with the County of Kauaʻi Civil Defense agency to implement and maintain established procedures in the event of a flood or tsunami. It is noted that no habitable structures are proposed that would constitute an unreasonable risk to life or property. Given the requirement for the proposed project to be located within proximity of the shoreline, the proposed use is considered reasonable and is not anticipated to have a significant impact on flood conditions.

7. Managing development

Objective: Improve the development review process, communication, and public participation in the management of coastal resources and hazards.

Policies: (A) Use, implement, and enforce existing law effectively to the maximum extent possible in managing present and future coastal zone development;

(B) Facilitate timely processing of applications for development permits and resolve overlapping or conflicting permit requirements; and

(C) Communicate the potential short and long-term impacts of proposed significant coastal developments early in their life cycle and in terms understandable to the public to facilitate public participation in the planning and review process.

The proposed project conforms to all State of Hawaiʻi regulations. A comprehensive list of permits that may be required is provided in **Section 8, Permits and Approvals That May Be Required**. While the proposed project site is within the coastal zone, no coastal resources will be adversely affected.

8. Public participation;

Objective: Stimulate public awareness, education, and participation in coastal management.

Policies: (A) Promote public involvement in coastal zone management processes;

(B) Disseminate information on coastal management issues by means of educational materials, published reports, staff contact, and public workshops for persons and organizations concerned with coastal issues, developments, and government activities; and

(C) Organize workshops, policy dialogues, and site-specific mitigation to respond to coastal issues and conflicts.

The provision for public participation will be provided through the environmental review process as required in HRS, Chapter 343. Public comments will be received during the public comment period associated with the filing of the Draft EA. In addition, should any environmental permit applications be filed for the project, all permits will be subject to governmental agency and public review as required under law.

9. Beach protection;

Objective: Protect beaches for public use and recreation.

Policies: (A) Locate new structures inland from the shoreline setback to conserve open space, minimize interference with natural shoreline processes, and minimize loss of improvements due to erosion;

(B) Prohibit construction of private erosion-protection structures seaward of the shoreline, except when they result in improved aesthetic and engineering solutions to erosion at the sites and do not interfere with existing recreational and waterline activities; and

(C) Minimize the construction of public erosion-protection structures seaward of the shoreline.

The proposed project does not involve nor require the direct use of beaches. Shoreline resources are not present in the subject area as the project site is an existing, working commercial harbor.

10. Marine resources

Objective: Promote the protection, use, and development of marine and coastal resources to assure their sustainability.

Policies: (A) Ensure that the use and development of marine and coastal resources are ecologically and environmentally sound and economically beneficial;

(B) Coordinate the management of marine and coastal resources and activities to improve effectiveness and efficiency;

(C) Assert and articulate the interests of the State as a partner with federal agencies in the sound management of ocean resources within the United States exclusive economic zone;

(D) Promote research, study, and understanding of ocean processes, marine life, and other ocean resources in order to acquire and inventory information necessary to understand how ocean development activities relate to and impact upon ocean and coastal resources; and

(E) Encourage research and development of new, innovative technologies for exploring, using, or protecting marine and coastal resources.

The proposed project does not involve the use or development of marine and coastal resources.

7.2 County of Kauaʻi

7.2.1 Kauaʻi County General Plan

The Kauaʻi General Plan (GP) is a policy document for the long range comprehensive development of the island of Kauaʻi. The County of Kauaʻi is presently updating the GP which was last completed in November 2000. This update when completed will be known as the Kauaʻi 2035 GP.

The current 2000 GP provides a planning vision for Kauaʻi for an approximately 20 year horizon, and set policies to achieve that vision. The GP is a direction-setting, policy document, and is not intended to be regulatory in the sense of a zoning code or other land use regulation.

The Nāwiliwili Harbor is identified in the GP as a major infrastructure facility providing an essential service to the island Kauaʻi by providing access to commercial goods, passenger terminal service, and connectivity with other important destinations throughout the State and other national and international ports of call.

The proposed project is considered consistent with the following provisions of the GP:

Chapter 3.5, Coastal Lands

- *Coastal lands are needed for harbors – large commercial harbors for shipping and small boat harbors for other commercial and recreational uses. Harbors are critical to the economy.*

Chapter 4.8, Commercial Harbors, 4.8.3 Policy

(a) Develop capital improvements to Nāwiliwili Harbor to support the future needs of cruise ships and cargo vessels.

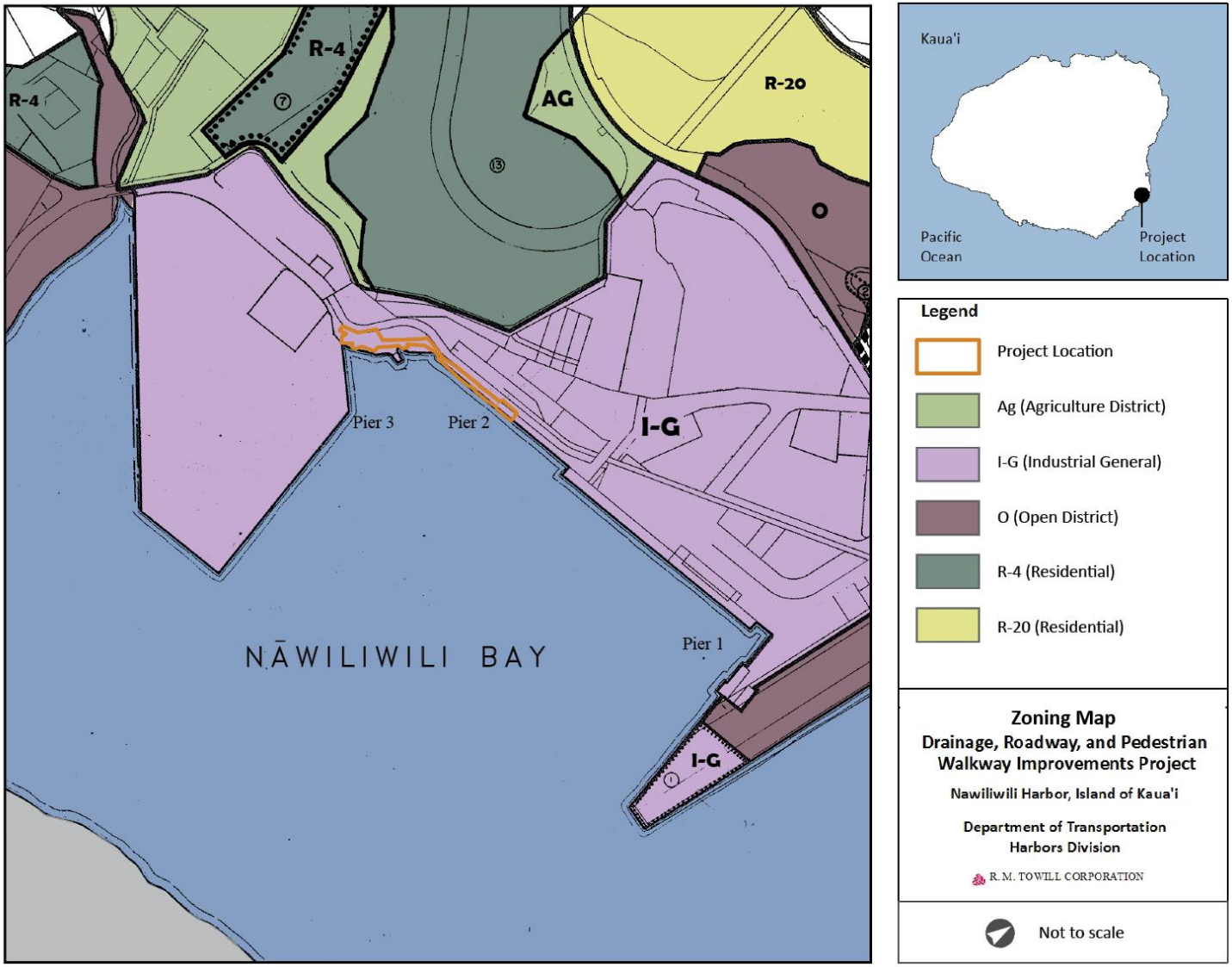
(b) Develop ground transportation facilities, pedestrian circulation improvements, and terminal facilities at Nāwiliwili Harbor that will accommodate 2,000-passenger cruise ships.

(c) Develop shuttle and other transportation improvements to move people out of the Nāwiliwili Harbor area to various recreation, shopping and cultural attractions.

(d) Integrate planning for commercial facilities and Nāwiliwili Beach Park with the harbor master plan.

The proposed project represents a capital investment in the long term improvement of a critical part of Kauaʻi's transportation infrastructure, facilitating the safe and efficient movement of vehicle and pedestrian traffic at Piers 2 and 3 to support the needs of cruise ships and cargo vessels. The proposed pedestrian walkway will improve circulation and safety of both pedestrians and drivers transiting along the access road.

Figure 7-3. Zoning



7.2.2 County of Kauaʻi Comprehensive Zoning Ordinance No. 935

Zoning of the project parcels is in the Industrial (General) District (IG). See **Figure 7-3, Zoning**. According to Section 8-7.2, Types of Industrial District, Comprehensive Zoning Ordinance (CZO), 2012, the definition of the IG district is:

> ***Sec. 8-7.2 Types Of Industrial Districts.***
>
> *(c) General Industrial shall include all business, industrial processing, or storage uses that are generally considered offensive to the senses or pose some potential threat or hazard to health, safety and welfare. This District shall not be located adjacent to residential or resort districts unless there is physical or geographical protection from those characteristics of the uses considered to be offensive or hazardous.*

The proposed project site is consistent with the use of the site for an industrial/maritime purpose, and is not located immediately adjacent to residential or resort districts. In as much as the work proposed for the roadway and drainage infrastructure improvements will be in accordance with the County of Kauaʻi CZO and HDOT-Harbors requirements for the use of the Piers 2 and 3 facility, the underlying zoning of the site will be maintained and preserved.

7.2.3 Kauaʻi Commercial Harbors 2025 Master Plan

The Kauaʻi Commercial Harbors 2025 MP is a long-range guide for the development, maintenance, and enhancement of the Kauaʻi commercial harbor system to ensure its continued safe, efficient, accessible and economical operation.

The objectives of the 2025 MP are to: (1) plan for the proper development of the Nāwiliwili and Port Allen Harbors, facilitating maritime shipments of essential commodities required by citizens of Kauaʻi; (2) optimize the utilization of land and water resources committed to marine cargo and passenger operations in an economically responsible manner; (3) provide terminals, other harbor resources, and access to these facilities in locations within Nāwiliwili Harbor and Port Allen Harbor in a manner that best relates to and serves Kauaʻi in an efficient, safe, and secure manner; and (4) minimize the impact on environmental quality and recreational opportunities contiguous with Kauaʻi's port facilities.

The proposed project is considered consistent with the following provisions of the MP:

> ***VI. Recommendations Through the Year 2025***
>
> *Roadways: The Kauaʻi Commercial Harbors 2025 Master Plan supports the improvement of the roadway network serving Nāwiliwili Harbor's existing facilities and planned improvements. The interface between harbors, county roadways and State highways are considered intermodal facilities and are of increasing concern as critical transportation facilities. The Harbors Division will continue to coordinate its plans with the County of Kauaʻi Department of Public Works and Planning Department, and the State Department of Transportation's Statewide Transportation Planning Office and Highways Division.*

The proposed project is consistent with the 2025 MP's goals and policies in support of roadway improvements. The proposed road improvements will improve upon existing conditions that require new surfacing for Access Road A and renovation to an existing concrete slab located seaward of Station 3+00. Other improvements associated with drainage and the installation of new lighting will promote improved conditions conducive to more efficient harbor operations

and movement of cargo, and increased public safety for vehicular and pedestrian traffic traveling from Piers 2 and 3. The 2025 MP and the subject project will provide an efficient interface between the harbor and the need for the distribution of shipped goods along the highway system.

7.3.4 Līhuʻe Community Plan Ordinance No. 989

The Līhuʻe Community Plan (LCP) was last updated in June 2015 as Ordinance 989. The LCP is intended to set forth the vision, guiding principles, and policies for development in the Līhuʻe District for the next 20 years with the objective to create a sustainable, community-driven vision for the future of Līhuʻe. The LCP area encompasses Līhuʻe town and the surrounding communities of Niumalu, Nāwiliwili, Hanamāʻulu, Puhi, Airport (Ahukini), Kalepa, Kipū, Puali, Nuhou, Hoʻomana, Kapaia, and the Wailua River.

Nāwiliwili Harbor is recognized in the LCP as an embayment possessing natural beauty that serves as a freight and transportation hub of the island. The breakwater of the harbor is also recognized as a historic place.

The proposed project will enhance the continued use of the Nāwiliwili Harbor Pier 2 and 3 facilities.

Section 8
Permits and Approvals That May Be Required

8.1 State of Hawai'i

Final EA and FONSI HRS, Chapter 343 (HDOT-Harbors), This document.

Section 402, CWA, NPDES Notice of Intent Form C, Permit Application for Discharges of Storm Water Associated with Construction Activity (CWB, DOH)

HDOT-Harbors Plan Review

Section 9
Agencies, Organizations, and Individuals to be Consulted for the Environmental Assessment

The following agencies, organizations, and individuals will be contacted during the Chapter 343, HRS, environmental review process to disclose the environmental conditions of the site, the proposed undertaking, and the potential impacts and mitigation measures that will be applied to ensure against adverse impacts.

9.1 Federal Government

USACE, Honolulu District
NMFS
USFWS

9.2 State of Hawaiʻi

DLNR:
- Office of Conservation and Coastal Lands (OCCL)
- DOFAW
- DOBOR
- SHPD
- Division of Aquatic Resources
- Land Division

Department of Education:
- Hawaiʻi State Library, Hawaiʻi Document Center
- Hawaiʻi State Library, Līhuʻe Regional Library

DOH:
- CWB

Department of Business, Economic Development and Tourism (DBEDT), Office of Planning, Coastal Zone Management

HDOT:
- Director, HDOT
- Statewide Transportation Planning Office, HDOT

Office of Hawaiian Affairs

9.3 County of Kauaʻi

Department of Public Works
Department of Planning
Department of Water
Fire Department
Police Department
Transportation Agency

9.4 Elected Officials, Organizations and Individuals

State Senator Ronald Kouchi, 8th Senatorial District
State Representative James Tokioka, 15th Representative District
Kauaʻi County Council
Kauaʻi Island Utility Cooperative
The Garden Island
Hawaiʻi Gas
Kaua'i Petroleum Co., Ltd.
Hale Kaua'i, Ltd.
Aloha Petroleum LLC
Island Self Storage, LLC
Matson, Inc.
Young Brothers, Ltd.
Norwegian Cruise Line
Princess Cruise Lines, Ltd.
Oceanic Cruises Inc.
Regent Seven Seas Cruises
Royal Caribbean Cruises, Ltd.
Carnival Cruise Line
Holland America Line & Seabourn Cruise Line Limited
Hapag-Lloyd Cruises

9.5 Pre-Assessment Consultation for the Environmental Assessment

In addition to the public and private agencies, organizations, and individuals identified above, early input was solicited to inform and obtain input on relevant issues or concerns that should be considered in the preparation of the EA documentation for the project.

The project was coordinated with the USACE early in the planning process and included meetings, phone calls, and overall coordination of the project. In addition, pre-assessment consultation letters were sent to a number of agencies, organizations, and individuals to notify

and initiate consultation for the preparation of the Chapter 343, HRS, EA for the project. The purpose of the pre-assessment consultations were to accomplish the following:

- Solicit input to help identify environmental and permitting issues to be considered and addressed in the upcoming EA; and
- Inform agencies, organizations, and individuals regarding ongoing activities in the Nāwiliwili Harbor area and the upcoming EA process.

The agencies and organizations contacted for the pre-assessment consultation included the following:

- NOAA
- USFWS
- DOH, CWB
- DLNR, SHPD
- DLNR, OCCL
- Office of Planning, Coastal Zone Management Program
- DBEDT
- Hawaiʻi Gas
- Kauaʻi County, Department of Planning
- Young Brothers, Ltd.
- Princess Cruise Lines, Ltd.
- Norwegian Cruise Line
- Oceania Cruises Inc.
- Regent Seven Seas Cruises
- Royal Caribbean Cruises, Ltd.
- Carnival Cruise Line
- Holland America Line & Seabourn Cruise Line Limited
- Hapag-Lloyd Cruises

Of the 18 agencies, organizations, and individuals contacted, five responded. A list of the comments received during the pre-assessment consultation is provided in **Table 9-1** below.

Table 9-1. Comments Received During the Pre-Assessment Consultation for the EA

No.	Commenter	Date of Letter/Email/Phone Call
1	Office of Planning, Coastal Zone Management Program	May 12, 2017
2	TGC DBA Hawaiʻi Gas	May 16, 2017
3	Department of Health, Clean Water Branch	May 26, 2017
4	Department of Land and Natural Resources, Office of Conservation and Coastal Lands	June 7, 2017
5	U. S. Department of the Interior, U. S. Fish and Wild Life Services	June 13, 2017

A summary of the comments received and preliminary responses are provided below. All written comments received during the pre-assessment consultation were provided with a written response for use in the preparation of the Draft EA. For a full record of the pre-assessment consultations completed for this project, see **Appendix A**.

A future opportunity for public comments will be made available following publication of this Draft EA with the OEQC. All relevant written public comments received during the 30-day public comment period will receive a written response for inclusion and use in the preparation in the project's forthcoming Final EA.

Changes to the Project Scope Following the Pre-Assessment Consultations

During the pre-assessment consultations for the proposed project, the project design included a tuffboom debris barrier or approved equivalent within the northwestern corner of the harbor. At that time, the tuffboom debris barrier was proposed to block floating debris from reaching and obstructing the outlets located in that area of the harbor. Since then, however, the preferred alternative was modified to remove the tuffboom debris barrier based on: (1) the outlets sit above the MHWM and are not subject to excessive blockage by accumulated floating debris; (2) implementation of the tuffboom debris barrier would not improve storm water drainage from the project site; and (3) the tuffboom debris barrier would require additional resources for regular maintenance from already limited HDOT-Harbors personnel using workboats.

Currently the small amount of debris that enters the harbor accumulates only slowly over time, mostly following storm events, and is not a serious issue. Additionally, HDOT-Harbors determined after further review that the existing level of debris entering the harbor would not obstruct the existing or proposed outlets, or impede proper drainage of the project site following the proposed improvements described in **Section 3.1, Description of Proposed Plan**. Accordingly, the existing condition involving small quantities of accumulated floating debris will continue to be removed, as required, by HDOT-Harbors personnel working from the sides of the Piers 2 and 3 areas.

In addition to the above change, the previous design included two new light poles near the harbor entrance. The current design reduces the number of light poles to one.

Pre-Assessment Consultation Comments Received and Preliminary Response to Comments

This Draft EA provides additional information based on the comments received and describes the proposed project, the environmental conditions of the site, and the potential for significant environmental impacts. For the comments received, preliminary responses have been provided below (comments have been *italicized* for reference).

The Office of Planning had the following comments to offer:

1. *Pursuant to Hawaii Administrative Rules (HAR) § 11-200-10(4) - general description of the action's technical, economic, social, and environmental characteristics; this project must demonstrate that it is consistent with a number of state environmental, social, economic goals, and policies for land use. Hawaii Revised Statutes (HRS) Chapter 226, the Hawaii State Planning Act, provides goals, objectives, policies, State Functional Plans, and priority guidelines for growth, development, and the allocation of resources throughout the state in areas of state interest.*

   The analysis on the Hawaii State Planning Act should include a discussion on the project's ability to meet all of the goals, objectives, policies, applicable State Functional Plans, and priority guidelines or clarify where it is in conflict with them. If any of these themes are not applicable to the project, the Draft Environmental Assessment (Draft EA) should affirmatively state such determination followed by discussion paragraphs.

A discussion on the project's ability to meet the goals, objectives, policies, and priority guidelines of the Hawaiʻi State Plan, and a tabular itemized assessment of the Hawaiʻi State Plan

relative to the subject project is provided in **Section 7.1.1, Hawai'i State Plan**. The proposed project is considered applicable to the Transportation Functional Plan and is addressed in **Section 7.1.3, State Functional Plans**.

2. *The coastal zone management (CZM) area is defined as "all lands of the State and the area extending seaward from the shoreline to the limit of the State's police power and management authority, including the U.S. territorial sea" (see HRS § 205A-1).*

   HRS Chapter 205A-5(b) requires all state and county agencies to enforce the CZM objectives and policies. The Draft EA should include an assessment as to how the proposed action conforms to each of the goals and objectives of the Hawaii CZM program as listed in HRS § 205A-2. Compliance with HRS § 205A-2 is an important component for satisfying the requirements of HRS Chapter 343.

An assessment on the project's consistency with the goals and objectives of the Hawaii CZM program as listed in HRS § 205A-2 is provided in **Section 7.1.6, Coastal Zone Management Act (CZMA)**.

3. *The review material states the proposed action will involve the installation of new lighting for the Harbor facility. Please note that no artificial light, except as provided by HRS § 205A-30.5(b) and 205A-71 (b) shall be directed to travel across property boundaries toward the shoreline and ocean waters.*

In accordance with HRS § 205A-30.5(b) and 205A-71 (b) artificial lighting provided by the HDOT-Harbors for government operations, security, and public safety will be properly positioned and shielded to minimize adverse impacts.

4. *The review material states that a Department of the Army permit application has been filed with the U.S. Army Corps of Engineers (USACE) for installation of a tuffboom debris barrier within the Waters of the United States in Nawiliwili Bay. Based on the information provided in the review material, the USACE has made a preliminary determination that a Letter of Permission, under POH-2017-53, will be granted for the project.*

   This project occurs within the coastal area of the State of Hawaii and involves work that requires federal approval. The national Coastal Zone Management Act (CZMA) requires that federal actions be consistent with approved state coastal programs' enforceable policies. Federal actions are defined by this act as activities performed by a federal agency; activities that require federal permits or approvals; or state and local government projects that receive federal financial assistance.

   This project will be subject to a CZMA Federal Consistency review. OP is the lead state agency with the authority to conduct Federal Consistency reviews. Please contact our office on the policies and procedures for this review.

A Department of the Army permit application was filed with the USACE, under POH-2017-53, when the tuffboom debris barrier was previously part of the project scope. The project was subsequently modified to remove the tuffboom debris barrier for reasons that principally included limited effectiveness at controlling floating debris from blocking the proposed storm

water outlets to the harbor. Because the tuffboom debris barrier is no longer required, the Department of the Army permit application (POH-2017-53) has since been withdrawn.

With the removal of the federal nexus for the project, the requirement of a CZMA Federal Consistency review is also not anticipated to be required.

5. *Pursuant to HAR § 11-200-10(6) - identification and summary of impacts and alternatives considered; this project seeks to upgrade drainage infrastructure, road and walkways, and install a tuffboom debris barrier within Harbor waters, to impede floating debris from reaching or obstructing drainage inlets. In order to ensure that the coastal ecosystem of Nawiliwili Bay remain protected, the negative effects of stormwater inundation to the Harbor waters and its surroundings should be evaluated in the Draft EA.*

   Pursuant to HAR § 11-200-10(7) - propose mitigation; the Draft EA should examine potential negative impacts resulting from this project on coastal resources during construction and the operational effectiveness of the proposed drainage improvements. The Draft EA should evaluate the ability of the proposed drainage system to reduce the discharge of polluted runoff form the Harbor, limit ponding, and decrease sheet flow of runoff across the Harbor site. These factors should be considered when developing mitigation measures for the protection for the coastal ecosystem of Nawiliwili Bay. Issues that may be examined include, but are not limited to, project site characteristics in relation to flood areas, stormwater drainage capacity, the anticipated velocity and volume of stormwater runoff, and permeable versus impervious surfaces within the Harbor complex.

During construction, pollution control measures will be implemented and included in the filing of a NPDES Construction Storm Water Permit, in accordance with CWA regulations. As required a Site-Specific Construction Storm Water BMPs Plan will be prepared and followed by the project contractor to handle the treatment of storm water runoff, erosion, and sediment control.

The project site is relatively flat and consists primarily of paved and unpaved areas. Storm water that falls on the subject property generally drains toward the ocean, either over land or through existing storm sewer systems and is discharged into the Nāwiliwili Harbor at several locations. Previous projects have installed drainage inlets and roadside swales at the Nāwiliwili Harbor to capture runoff and convey it to the ocean. Those drainage systems are effective in preventing flooding and will be left undisturbed.

Runoff from heavily forested upland areas drain onto the project site near the intersection of the Pier 3 entrance gate and Waʻapa Road. This area is characterized by relatively flat grades, sump areas, and extremely poor drainage, and has no existing drainage facilities. As a result, standing water accumulates following heavy rainfall events leading to flooding of the harbor entrance. To convey water away from the gated harbor entrance a concrete box culvert will be installed below the surface of the Road A. Near the center of the project site a new concrete trench drain and gravity retaining wall will be constructed to collect storm water flows upgradient of the project area where storm water currently ponds and sheet flows across Road A and onto the working surface of the pier. On the eastern side of the project site, improvements include the

reconstruction of an existing storm drain inlet frame and grating along the northern edge of the proposed walkway.

Overall, the construction of the project is anticipated to limit ponding and decrease sheet flow of runoff across the Nāwailiwili Harbor. In addition, the new concrete trench drain and gravity retaining wall, and drain inlet frame and grating will treat the collected storm water using a Bio Clean Environmental Services, Inc., grate inlet skimmer box or approved equal, prior to discharging into the Nāwiliwili Harbor to reduce the discharge of polluted runoff into the Nāwailiwili Harbor. See **Section 5.4, Water Resources and Hydrology** for further information.

Hawai'i Gas had the following comments to offer:

> *We acknowledge receipt of your letter dated May 5, 2017 for the subject project. Attached please find a site plan from InSynergy Engineering of our proposed propane storage expansion project with additional storage planned near Pier 2 and connecting to the existing pipeline at Pier 3. Presently we are in the FEA process with the State of Hawaii, DOT, Harbors Div., and upon receiving the FONSI and proceeding to seek approval of our Lease Application, we will be working with our consultants to finalize the storage and pipeline design. Unfortunately I am not able to provide a reliable project timeline at this time.*

Hawai'i Gas is planning to expand their existing propane storage near Piers 2 and 3. HDOT-Harbors is coordinating this work with the subject project to minimize disturbance and/or interruption to either project.

The DOH, CWB had the following comments to offer:

> Notes from May 26, 2017 call from Mr. Edward Chen, DOH-CWB, to Mr. Brian Takeda, R. M. Towill Corporation regarding pre-consultation comments:
>
> *Edward Chen, Environmental Engineer, DOH-CWB, contacted Brian Takeda, RMTC, via phone on May 26, 2017, in response to a May 5, 2017 letter request for pre-assessment consultation for the preparation of a HRS, Chapter 343, EA. The purpose of the call was to discuss the proposed project and to provide guidance to the HDOT-Harbors for work proposed within State waters.*
>
> 1. *Edward stated that a Section 401 WQC, would be required due to the filing of a Department of the Army Permit, Section 404/10, involving (1) the placement of a proposed tuffboom debris barrier in harbor waters, and (2) the installation of a new stormwater discharge outlet associated with construction of a new 3 ft by 1 ft box culvert connected to a concrete swale that outlets to waters of Nawiliwili Harbor. The tuffboom and concrete swale are located between Piers 2 and 3, at the corner between the two piers.*
>
>   *Brian clarified that since the letter request for pre-assessment consultation was mailed, that the project design was modified by HDOT-Harbors to remove the tuffboom debris barrier. According to HDOT-Harbors, this was because conditions at the site do not currently warrant the need for the tuffboom.*

Brian also clarified that the drainage structure would outlet above the MHWM such that the point of discharge would occur outside of the jurisdictional limits of the USACE.

2. *Edward requested that the Draft EA discuss the inclusion of Post Construction BMPs to address State of Hawai'i water quality requirements.*

   Brian acknowledged that post construction BMPs would be considered as part of the design process to address the requirements for storm water handling and treatment prior to discharging into the Nāwiliwili Harbor. As applicable, Post Construction BMPs will be provided in the project's EA documentation.

With the removal of the tuffboom debris barrier from the project scope and location of the new drainage structure outlet above the MHWM, no construction in or discharge to Waters of the United States (WOUS) would occur as part of the subject project. As such, the project will not require a Department of the Army permit, or Section 401, WQC.

Post construction BMPs to be implemented as part of this project include the installation of a Bio Clean Environmental Services, Inc., grate inlet skimmer box or approved equal, within the new concrete trench drain and gravity retaining wall, and drain inlet frame and grating to treat the collected storm water prior to discharging into the Nāwiliwili Harbor. The proposed improvements are anticipated to improve water quality within the Harbor waters and address State of Hawai'i water quality requirements by decreasing sheet flow of runoff across the Nāwailiwili Harbor and reducing the discharge of polluted runoff into the harbor waters. See **Section 5.4, <u>Water Resources and Hydrology</u>** for further information.

<u>The DLNR, OCCL had the following comments to offer</u>:

The Office of Conservation and Coastal Lands (OCCL) is in receipt of your letter regarding a proposed improvement project at the existing Nawiliwili Harbor. Based on a review of the proposed project (including a discussion on project changes) it appears that the proposed work will not be located within the State Land Use Conservation District (i.e., submerged lands). The project appears to be entirely contained within the SLU Urban District and may be under the authority of the County of Kauai Planning Department, or another State, Federal or County agency.

Additionally, pursuant to HRS 266-2.2 all work involving submerged lands used for state commercial harbor purposes shall be exempt from permitting requirements established for lands in the Conservation District.

The proposed action involves the use of land within the Urban State Land Use District. The project involving the construction of roadway, and drainage improvements and appurtenances, is consistent with this designation. HDOT-Harbors acknowledges that work involving submerged lands within the Nāwiliwili Harbor is exempt from requirements of a Conservation District Use permit.

<u>USFWS had the following comments to offer</u>:

Your letter states that there are no threatened or endangered faunal species in the project area. We reviewed the information you provided and pertinent information in our files,

including data compiled by the Hawaii Biodiversity and Mapping Program, as it pertains to federally listed species and designated critical habitat. The following species are known to occur or transit through the proposed project area: the endangered band-rumped storm-petrel (Oceanodroma castro) and Hawaiian petrel (Pterodroma sandwichensis), and the threatened Newell's shearwater (Puffinus auricularis newelli) (hereafter collectively referred to as seabirds). There is no designated critical habitat within the vicinity of the project area.

We acknowledge that the proposed project will utilize light fixtures that are designed and installed to reduce glare and fully shield light to minimize impacts to seabirds. In addition to this measure, construction activities should only occur during daylight hours. If lights cannot be eliminated due to safety or security concerns, they should be positioned low to the ground, motion-triggered, and shielded or full cut-off. Effective light shields should be completely opaque, sufficiently large, and positioned so that the bulb is only visible from below. Any increase in the use of nighttime lighting, particularly during peak fallout period (September 15 through December 15), could result in additional seabird injury or mortality.

Your letter states that no long-term adverse effects to area fauna are anticipated or expected. Additional information on the light fixtures, their height and wattage, and operational use are necessary to assess potential impacts to seabirds. The draft EA should examine potential impacts to the Newell's shearwater, Hawaiian petrel, and band-rumped storm petrel that may occur as a result of construction and the operational use of stadium lighting. In addition to this information, the draft EA should analyze other measures to avoid potential impacts to seabirds due to seabird fallout (e.g., not operating or turning on stadium lights during the peak fallout period).

Thank you for these points of clarification. An assessment of potential impacts to the Newell's shearwater, Hawaiian petrel, and band-rumped storm petrel resulting from the construction and operation of the proposed project is included in **Section 5.8.2. Terrestrial Fauna**. Mitigative measures during construction will include the planning of construction activities during the daytime hours with no night work or use of stadium lighting anticipated to be required. If night work is required, the use of stadium lighting will be avoided during the peak fallout period (September 15 through December 15).

During the pre-assessment consultations for the proposed project, the project design included two light poles. Since then, however, the preferred alternative was modified to include only one light pole. Information pertaining to the proposed light pole height, wattage, and operational use is provided in **Section 3.1, Description of Proposed Plan**. Mitigation measures during operation of the facility will include the utilization of light fixtures designed and installed to reduce glare and fully shield light from migrating and/or impacting nocturnally flying seabirds.

If it is determined that the proposed project may affect federally listed species (including short term and/or long-term effects), we recommend you contact our office so that we may assist you with the ESA compliance. If the proposed project is funded, authorized, or permitted by a Federal agency, then that agency should consult with us pursuant to section 7(a)(2) of the ESA. Your letter states that the U.S. Army Corps of Engineers (USACE) has preliminarily determined that a Letter of Permission, under POH-2017-53, will be granted for the proposed project.

> *Under section 7 of the ESA, it is the Federal agency's (or their non-Federal designee) responsibility to make the determination of whether or not the proposed project "may affect" federally listed species or designated critical habitat. A "may affect, not likely to adversely affect" determination is appropriate when effects to federally listed species are expected to be discountable (i.e., unlikely to occur), insignificant (minimal in size), or completely beneficial. This conclusion requires written concurrence from the Service. If a "may affect" determination is made, then the Federal agency must initiate formal consultation with the Service. Projects that are determined to have "no effect" on federally listed species and/or critical habitat do not require additional coordination or consultation.*

With the inclusion of the proposed mitigative measures identified above and in **Section 5.8.2. Terrestrial Fauna**, no long-term adverse effects to federally listed species are anticipated or expected. In addition, because the tuffboom debris barrier is no longer required, the Department of the Army permit application (POH-2017-53) has since been withdrawn and no Federal permitting will be required for the project.

Section 10
Summary of Effects

In accordance with the content requirements of HRS, Chapter 343, and the significance criteria in HAR, Section 11-200-12 of Title 11, Chapter 200, an applicant or agency must determine whether an action may have significant impacts on the environment, including all phases of the project, its expected consequences both primary and secondary, its cumulative impact with other projects, and its short- and long-term effects.

HAR, Section 11-200-17 requires discussion of the relationship between short-term uses of the environment and the maintenance and enhancement of long-term productivity. Short-term and long-term do not necessarily refer to fixed time periods but are viewed relative to environmentally significant consequences of the proposed action. **Sections 10.1** and **10.2** below discuss the extent to which the proposed action involves trade-offs among short-term and long-term gains and losses, as well as the extent to which the proposed action forecloses future options and/or narrows the range of beneficial uses of the environment.

In making the determination of whether an action may have significant impacts on the environment, HAR §11-200-12 established "Significance Criteria" to be applied as a basis for identifying whether significant environmental impacts will occur. According to the HAR §11-200 an action shall be determined to have a significant impact on the environment if it meets any one of the criteria. The relationship of the proposed action to the criteria are discussed below in **Section 10.3**. See **Table 10-1** at the end of this section for a summary of impacts and proposed mitigation.

10.1 Short Term Effects

Short-term effects associated with the proposed project will be principally during the construction phase. Noise will be temporarily generated from construction activities and the related mobilization of equipment. Construction equipment is expected to include, but not be limited to, backhoe(s), loader(s), or excavator(s), work trucks, and powered hand tools. All internal combustion powered equipment will be muffled in accordance with standard engine operating practices. Upon the completion of work, noise levels will return to preexisting ambient levels.

Fugitive dust may be generated during construction. The contractor will be required to control fugitive dust through the regular wetting of soils and ground areas susceptible to the generation of dust during work activities. Only enough water will be used to wet the surface of ground areas and prevent the generation of runoff.

Protection of water quality will be through the use of mitigative measures including silt fencing/curtains, berms, and other applicable erosion controls to prevent construction storm water related soils and silt from leaving active areas of work. Specifications for the use of these measures will be through the construction plan approval process and NPDES permit application that will be filed by the design consultant during the design phase.

Upon completion of work all construction equipment, machinery, and personnel will be demobilized from the job site with no further disturbance to the area. All debris and waste

materials will be disposed of at an approved refuse facility. Active work areas will be replanted with vegetation, similar to that found at the existing site.

10.2 Long Term, Secondary, and Cumulative Effects

Potential long-term direct, secondary, and cumulative impacts have been evaluated and are documented for the following resources or issues: land use; land ownership; public health and safety; roadways and traffic; utilities; public facilities and services; topography, geology, and soils; hydrology; natural hazards; climate and air quality; noise; visual resources; marine environment; terrestrial flora and fauna; cultural resources; and socioeconomics. Of these resources and issues evaluated, the following long-term direct, secondary and cumulative impacts are potentially significant.

Surface Water, Drainage, and Water Quality. The proposed project will provide needed improvement of an existing harbor related facility which serves as the primary commercial harbor for the island of Kauaʻi. The increase in impermeable surface area is expected to be negligible based on the existing hard surfaces of the surrounding area. Accordingly, an adverse increase in surface runoff is not expected to result in significant adverse impacts. Upon completion of work, all equipment used on-site will be demobilized and all debris and waste materials disposed of at an approved state or county refuse facility.

The proposed project would result in positive long-term and secondary impacts by providing environmental benefits in the form of reduced discharges of storm water associated sediments in runoff, and the improvement of working conditions from reduced ponding and sheet flows of storm water across the site. The new drainage improvements will treat collected storm water using a Bio Clean Environmental Services, Inc., grate inlet skimmer box or approved equal, prior to discharging into the Nāwiliwili Harbor to reduce the incidence of untreated runoff flowing into the harbor. Long-term impacts from the proposed improvements are expected to include improved water quality and the protection of nearshore State marine waters, and improved public health and safety, and visual aesthetics.

Socio-Economics. There would be positive long-term and secondary impacts in the areas of social benefit for residents and visitors from the drain, roadway, and pedestrian walkway improvements at Nāwiliwili Harbor. With or without the proposed action, cargo volumes would increase with the anticipated future growth of the State. Long-term gains resulting from development of the proposed project include the more efficient operational use of Nāwiliwili Harbor that will support continued operations and on-going commerce, trade and tourist related activities.

The proposed project will maintain and enhance economic productivity by supporting the effective use of State lands to accommodate future growth in the maritime industry. The project will further benefit the State of Hawaiʻi, and residents and visitors to Kauaʻi, by helping to control costs of inter-island transshipment and facilitating the efficient transportation of goods to, from, and among the islands, that will enable Kauaʻi to continue to be a desirable place to live and visit.

The potential for significant adverse cumulative impacts are not anticipated:

- The proposed project is consistent with the long-range goals, policies and objectives articulated in policy documents for the development of the Nāwiliwili Harbor. The proposed project is also compatible with the existing land uses in the area and complies with applicable land use regulations. As a result, project implementation would not contribute to potentially significant land use compatibility or policy conflicts.
- The project itself would not lead to plans for future uncontemplated construction and will be coordinated with TGC's proposal for the installation of new underground LPG transmission pipelines along the makai side of Waʻapa Road. This coordination will ensure both projects run smoothly and minimize impacts to one another. Therefore, potentially significant cumulative impacts would be avoided.
- The proposed project is designed to provide facility improvements to the existing Nāwiliwili Harbor Piers 2 and 3 consisting of road, access, drainage, pedestrian access and related infrastructure work to allow for the continued long-term uses of existing harbor infrastructure. The project may encourage development and expansion of the maritime facilities and infrastructure serving Kauaʻi to accommodate future growth in the industry. This would benefit Kauaʻi by encouraging economic growth and help to control costs of inter-island transshipment.
- The proposed project would result in positive long-term impacts by providing increased operational efficiencies for the transportation of goods to, from, and among the islands. The proposed project would enhance services now provided through more efficient use of State lands. The proposed project will provide needed improvements of an existing harbor facility to meet current and future demand of cargo volumes and passenger ships associated with projected growth of Kauaʻi and the State of Hawaiʻi.
- The project is located in an area that is adequately served by public services and facilities, including police and fire protection. The proposed project would not significantly affect the existing level of service of either police or fire protection. The potential (less than significant) construction related impacts associated with the future use of the site would not alter the ability of fire or police protection from providing an adequate level of service in the project environs and would not place an undue burden on the public facilities that would support the project.

10.3 Significance Criteria

In accordance with the provisions set forth in HRS, Chapter 343, and the significance criteria in HAR, Chapter 11-200-12, this Draft EA has preliminarily determined that the project will have no significant adverse impact to air and water quality, existing utilities, noise, archaeological or cultural sites, or wildlife habitat. All anticipated impacts will be temporary and will not adversely impact the environmental quality of the area.

According to the Significance Criteria:

1. *Involves an irrevocable commitment to loss or destruction of any natural or cultural resource;*

The proposed project is not anticipated to adversely impact any natural or cultural resources. The project site is located within an existing industrial maritime facility on fill land that has been extensively disturbed by previous clearing and grading to accommodate road and pier construction. No significant archaeological or cultural sites are therefore anticipated to be discovered. However, in the unlikely event that any remains or artifacts are encountered, practices as identified in **Section 5.9, Archaeological and Cultural Resources**, of this document will be applied:

Any inadvertent finds will immediately result in the cessation of work and the immediate reporting of the find to the SHPD who will furnish further instructions regarding the treatment of the find and the conditions when work may be resumed.

2. *Curtails the range of beneficial uses of the environment;*

The proposed use of the site will facilitate the long term use of an existing harbor and pier facility and will not curtail existing surrounding land uses.

3. *Conflicts with the state's long-term environmental policies or goals and guidelines as expressed in Chapter 344, HRS, and any revisions thereof and amendments thereto, court decisions, or executive orders;*

The proposed project is consistent with the environmental policies, goals and guidelines as delineated in HRS, Chapter 344, and as documented in this EA.

4. *Substantially affects the economic welfare, social welfare, and cultural practices of the community or State;*

The proposed project is expected to have little to no effect on the social and economic environment. In general, the planned roadway and drainageway improvements will serve to meet the level of service needs and standards for transportation infrastructure required for the future development of the Nāwiliwili Harbor.

The proposed project will not, by itself, stimulate economic growth and welfare. It will, however, accommodate current and future uses associated with the operation of Piers 2 and 3.

5. *Substantially affects public health;*

The proposed project will be developed in accordance with Federal, State, and County of Hawai'i, rules and regulations governing public safety and health. Potential sources of adverse impacts have been identified and appropriate mitigative measures developed. The primary public health concerns are anticipated to involve air, water, noise, and traffic impacts. However, it is expected that these impacts will be either minimized or brought to negligible levels by the appropriate use of the mitigation measures described in this document.

6. *Involves substantial secondary impacts, such as population changes or effects on public facilities;*

The proposed project will not, by itself, stimulate unexpected changes in population. It will, however, accommodate current and future containerized truck and vehicular traffic associated with the Piers 2 and 3 area. Inasmuch as the project will facilitate improved drainage and access, such changes have been earlier considered as part of the Kaua'i Commercial Harbors 2025 MP and were determined to result in no adverse effects to population changes or effects on public facilities.

7. *Involves a substantial degradation of environmental quality;*

The proposed project will be developed in accordance with the environmental policies of HRS, Chapter 343. The analysis provided in this EA indicates that no substantial environmental degradation is anticipated or expected.

8. *Is individually limited but cumulatively has considerable effect upon the environment or involves a commitment for larger actions;*

The proposed project addresses the need for drainage and access roadway improvements and represents the HDOT-Harbor's commitment to maintaining efficient transportation infrastructure. It is being developed as part of an ongoing effort to maintain and where required, upgrade the transportation system to meet existing and projected service demands. The project will not by itself, involve a commitment for larger actions. However, parts of surrounding areas will be utilized in the future as a part of the 2025 MP.

9. *Substantially affects a rare, threatened, or endangered species, or its habitat;*

There are no threatened or endangered flora or fauna species within or immediately surrounding the project site.

10. *Detrimentally affects air or water quality or ambient noise levels;*

Any potential for adverse impacts to air, water quality, or noise levels will be addressed by use of appropriate mitigative measures as described in this EA.

11. *Affects or is likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters;*

The proposed project is located in an area that is already in use as an access roadway within an existing maritime industrial area. The project itself does not possess any sensitive characteristics that would detract from or adversely impact the surrounding environment.

12. *Substantially affects scenic vistas and view planes identified in county or state plans or studies;*

The proposed site is not located within any scenic vista or view plane identified in County or State Plans. The proposed project is not expected to result in long-term visual impacts in the form of an improved access roadway, drainage infrastructure, and appurtenances including the addition of one lighting fixture and renovation of security fencing. The improvements will be noticeable, but will not intrude on existing view planes. In accordance with HRS § 205A-30.5(b)

and 205A-71 (b) artificial lighting provided by the HDOT-Harbors for government operations, security, and public safety will be properly positioned and shielded to minimize adverse impacts. In general, the appearance of the project will be similar to the visual impact created by the Pier 2 and 3 area and will not detract from existing views. Visual impacts associated with construction activities will be temporary and cease with the removal of construction equipment and personnel.

13. Requires substantial energy consumption.

Energy that is used will be in the form of fossil fueled internal combustion equipment, machinery, and vehicles, and electricity supplied to the site by either an existing Kauaʻi Island Utility Cooperative (KIUC) power connection or by the use of portable generator(s). The use of these forms of energy is not expected to be greater or significantly greater that that used for the development of similar projects.

Table 10-1. Drain, Roadway, and Pedestrian Walkway Improvements Project Impacts Summary

Resource Area	Direct Short-term Impacts	Direct Long-term Impacts	Secondary Impacts	Cumulative Impacts	Mitigation and BMPs	EA Section
Climate	Construction activities that require the use of heavy machinery would present a short-term increase in GHGs.	No Adverse Impact.	No Secondary Impact.	Minimal Cumulative Impact – because the direct impact to climate would be only short-term, and would not increase the use of machinery at the harbor facilities, the project would make no persistent contribution to cumulative impacts. Trends related to global climate change may affect the project area in the future; however, plans for adaptation are established (e.g., Act 286, Session Laws of Hawaiʻi 2012).	No Mitigation required.	5.2 Climate
Geology, Topography, and Soil Resources	Ground disturbing activities	No Adverse Impact.	No Secondary Impact.	No Cumulative Impact.	• Erosion control measures will be employed during construction. • Site restoration to original condition at conclusion of project. • Disposal will be at an approved facility or location in accordance with Federal, State, and County of Kauaʻi regulations. No Mitigation required.	5.3 Geology and Topography 5.5 Soils and Potential for Hazardous Materials
Groundwater, Surface Water, Drainage, and Water Quality	Localized and potential temporary increase in turbidity.	No Adverse Impact.	No Secondary Impact.	No Cumulative Impact.	• Construction will be regulated through adherence to NPDES permit conditions. • During construction, work activities will be in compliance with HAR 11-54 WQS and HAR 11-55 Water Pollution Control. • Discharge pollution prevention measures will be employed in all phases of the project. • Following construction all areas of ground disturbance will be stabilized with appropriate materials.	5.4 Water Resources and Hydrology
Natural Hazards	No Adverse Impact.	No Adverse Impact.	No Secondary Impact.	No Cumulative Impact.	No Mitigation required.	5.7 Natural Hazards
Wetlands	No Adverse Impact.	No Adverse Impact.	No Secondary Impact.	No Cumulative Impact.	No Mitigation required.	5.6 Wetlands
Terrestrial Flora	No Adverse Impact.	No Adverse Impact.	No Secondary Impact.	No Cumulative Impact.	No Mitigation required.	5.8.1 Terrestrial Flora
Terrestrial Fauna	Increased lighting during construction of the proposed project.	No Adverse Impact.	No Secondary Impact.	No Cumulative Impact.	• Light fixtures utilized for this project will be designed and installed to reduce glare and fully shield light from migrating and/or nocturnally flying seabirds. • In accordance with HRS § 205A-30.5(b) and 205A-71 (b) artificial lighting provided by the HDOT-Harbors for government operations, security, and public safety will be properly positioned and shielded to minimize adverse impacts • Design features for lighting will be based on guidance in the “The Newell’s Shearwater Light Attraction Problem, A Guide for Architects,	5.8.2 Terrestrial Fauna

Resource Area	Direct Short-term Impacts	Direct Long-term Impacts	Secondary Impacts	Cumulative Impacts	Mitigation and BMPs	EA Section
					Planners, and Resort Managers." • The use of barbed wire fencing will be prohibited.	
Marine Biological Resources	No Adverse Impact.	No Adverse Impact.	No Secondary Impact.	No Cumulative Impact.	No Mitigation required.	5.8.3 Marine (Ocean Flora and Fauna)
Archaeological Cultural Resources	No Adverse Impact.	No Adverse Impact.	No Secondary Impact.	No Cumulative Impact.	No Mitigation required.	5.9 Archaeological and Cultural Resources
Noise	Temporary source of noise above ambient levels from construction noise.	No Adverse Impact.	No Secondary Impact.	Minimal Cumulative Impact – because other past, present, and reasonably foreseeable future actions are expected to be consistent with existing development and the direct impact to noise would be only short-term, the project would make no persistent contribution to cumulative impacts.	• Mufflers will be used on all combustion powered construction vehicles and machinery, and all noise attenuation equipment maintained in good operating condition • Faulty equipment will be repaired or replaced	5.10 Noise Conditions
Air Quality	Temporary and localized emissions from increased fugitive dust and exhaust emissions from construction related equipment, and vehicles.	No Adverse Impact.	No Secondary Impact.	Minimal Cumulative Impact – because the direct impact to air quality would be only short-term, the project would make no persistent contribution to cumulative impacts.	• Construction equipment and vehicles shall be maintained in proper working order to reduce air emissions. • During construction, work activities will be in compliance with HAR, Chapter 11-59 and 11-60. No mitigation required.	5.11 Air Quality
Visual Resources	Temporary visual impacts from the presence construction equipment	No Adverse Impact.	No Secondary Impact.	Minimal Cumulative Impact – other past, present, and reasonably foreseeable future actions are expected to be consistent visually with existing development.	• Equipment will be confined to work areas. • All construction related equipment will be removed following the completion of work.	5.12 Visual Resources
Socio-Economic Environment and Demographics	No Adverse Impact.	No Adverse Impact.	Minimal Secondary Impact –reasonably foreseeable future actions are expected to be consistent with existing development.	Minimal Cumulative Impact – other past, present, and reasonably foreseeable future actions are expected to be consistent with the socio-economic environment of the existing development.	No Mitigation required.	5.13 Socio-Economic Environment and Demographics
Transportation Facilities	Potential for limited, non-substantial short-term effects on transportation due to construction related activities and transit of vehicles to and from the job site.	No Adverse Impact.	Minimal Secondary Impact –reasonably foreseeable future actions are expected to be consistent with existing development.	Minimal Cumulative Impact – other past, present, and reasonably foreseeable future actions are expected to be consistent with the transportation use of the existing development.	No Mitigation required.	5.14.1 Roads and Transportation

Resource Area	Direct Short-term Impacts	Direct Long-term Impacts	Secondary Impacts	Cumulative Impacts	Mitigation and BMPs	EA Section
Electrical, Water, and Wastewater	No Adverse Impact.	No Adverse Impact.	No Secondary Impact.	No Cumulative Impact.	No Mitigation required.	5.14.2 Utilities
Solid Waste	No Adverse Impact.	No Adverse Impact.	No Secondary Impact.	No Cumulative Impact.	• Disposal of solid waste will be handled in accordance with applicable Federal, State, and County of Kauaʻi rules and regulations.	5.14.3 Solid Waste
Police, Fire, Health Care and Emergency Services	No Adverse Impact.	No Adverse Impact.	No Secondary Impact.	No Cumulative Impact.	No Mitigation required.	5.14.4 Police Protection 5.14.5 Fire Protection 5.14.6 Health Care and Emergency Services
Schools and Libraries	No Adverse Impact.	No Adverse Impact.	No Secondary Impact.	No Cumulative Impact.	No Mitigation required.	5.14.7 Schools
Recreational Facilities	No Adverse Impact.	No Adverse Impact.	No Secondary Impact.	No Cumulative Impact.	No Mitigation required.	5.15 Recreational Resources

Section 11
Summary of Findings and Significance Determination

In accordance with the provisions set forth in HRS, Chapter 343, and the significance criteria in HAR, Chapter 11-200-12, this EA has evaluated and assessed the potential for environmental impacts associated with the proposed project and it is preliminarily determined that a HRS, Chapter 343, EIS will not be required.

The proposed Drain, Roadway, and Pedestrian Walkway Improvements project is not expected to result in significant adverse impacts to geology, soils, hydrology, stream flow, biological resources, air quality, natural hazards, cultural resources, socioeconomics, or land uses. Minimal impacts may consist of minor traffic, noise and air quality disturbances to harbor tenants and residents in the area that may traverse the immediate surrounding location of the project site, but will completely cease once construction is completed.

Section 12
Draft Environmental Assessment Comments and Responses

This section reserved for written comments and responses to comments.

References

(Ainley et al., 1997) Townsend's and Newell's Shearwater (*Puffinus auricularis*): in The Birds of North America, No. 297 (A. Poole and F. Gill, editors.), The Academy of Natural Sciences and The American Ornithologists' Union, p. 9764-9802.

(Carter & Burgess, 2002) Planning for Sustainable Tourism in Hawaiʻi, Part 1: Infrastructure & Environmental Overview Study, Volume IV: County of Kauaʻi. Prepared for the Department of Business, Economic Development and Tourism, Carter & Burgess, Inc., December 2002.

(County of Kauaʻi, 2000) Final Draft – The Kauaʻi General Plan: Planning Department, County of Kauaʻi, April 2000.

(County of Kauaʻi, 2014) Kauaʻi Climate Change and Coastal Hazards Assessment, Kauaʻi General Plan Update Technical Study: University of Hawaiʻi Sea Grant Program, June 2014.

(County of Kauaʻi, 2015) Līhuʻe Community Plan – Līhuʻe, Puhi, Hanamāʻulu, Nāwiliwili: County of Kauaʻi, Ordinance No. 989, June 2015.

(County of Kauaʻi, 2016) Kauaʻi Online Hazard Assessment Tool, Kauaʻi Extreme Tsunami Maps, Nāwiliwili to Hanamāʻulu Bay Map 1. Prepared by the County of Kauaʻi. April 2016. Retrieved from: http://www.Kauaʻi.gov/Portals/0/Civil_Defense/TsunamiHazardMap/2016-04-18_LetterSizeKauaʻiExtremeTsunamiMaps.pdf?ver=2016-04-18-112517-387.

(CSH, 2004) Historical and Cultural Assessment for the Proposed Improvement Project at Nāwiliwili Harbor, Nāwiliwili Ahupuaʻa, Island of Kauaʻi: Cultural Surveys Hawaiʻi, Inc., April 2004.

(CSH, 2008) Cultural Impact Assessment for Nāwiliwili Harbor Improvements Project, Kalapakī, Nāwiliwili and Niumalu Ahupuaʻa, Līhuʻe District (Puna Moku), Island of Kauaʻi: Cultural Surveys Hawaiʻi, Inc., July 2008.

(DBEDT, 2009) Office of Planning, Department of Business, Economic Development & Tourism, Report to the Legislature In Response to Act 20 Special Session 2009 Relating to Global Warming. Attachment A, Page 17.

(DBEDT, 2015) 2015 State of Hawaiʻi Data Book, Department of Business, Economic Development & Tourism, State of Hawaiʻi 2015. Retrieved from: http://files.Hawaiʻi.gov/dbedt/economic/databook/db2015/section05.pdf

(Department of Planning and Economic Development, 1964) *Coastal Geology of Hawaiʻi.* Prepared the Department of Planning and Economic Development, State of Hawaiʻi. January 1964. Retrieved from: https://www.gpo.gov/fdsys/pkg/CZIC-qe500-h35-no-41/html/CZIC-qe500-h35-no-41.htm

(Department of the Army, 1973) Final Environmental Statement, Nāwiliwili Small Boat Harbor, Kauaʻi. Department of the Army, March 29, 1973.

(Division of Hydrography, 1960) *Bulletin 13, Geology and Ground-Water Resources of the Island of Kauaʻi, Hawaiʻi*. Prepared by the Division of Hydrography, State of Hawaiʻi. 1960. Retrieved from: https://pubs.usgs.gov/misc/stearns/Kauaʻi.pdf

DOFAW, 2015, DEA – Kauaʻi Petroleum Fuel Terminal, 3185 Wa'apa Road, Nāwiliwili, Kauaʻi, Hawaiʻi, TMK No: (4) 3-2-004:016: Memorandum from State of Hawaiʻi Department of Forestry and Wildlife, November 27, 2015.

(DOH, 2014a) Hawaiʻi Administrative Rules, Title 11, Department of Health, Chapter 54, Water Quality Standards. State of Hawaiʻi, Department of Health. 110 pp.

(DOH, 2014b) State of Hawaiʻi Water Quality Monitoring and Assessment Report: Integrated Report to the U.S. Environmental Protection Agency and the U.S. Congress Pursuant to §303(d) and §305(b), Clean Water Act (P.L. 97-117)

(Kauaʻi Petroleum Company, 2016) Final Environmental Assessment, Kauaʻi Petroleum Fuel Terminal. Kauaʻi Petroleum Company. January 29, 2016.

(Environmental Communications, 1991) Environmental Assessment, Nāwiliwili Road – Waʻapa Road Intersection Improvements. Prepared for State of Hawaiʻi Department of Transportation Highways Division, Environmental Communications, Inc., Project No. 58A-01-90, April 1991.

(EPA, 2011) *Inventory of U. S. greenhouse gas emissions and sinks: 1990 – 2009*. U.S. Environmental Protection Agency. April 2011.

(EPA, 2016) Wetland Factsheet Series. U. S. Environmental Protection Agency. October 2016. Retrieved from: https://www.epa.gov/wetlands/wetlands-factsheet-series.

(Fletcher et al. 2002) Fletcher III, Charles H. et al (Anne E. Gibbs, Eric E. Grossman, Bruce M. Richmond). January 9, 2002. *Atlas of Natural Hazards in the Hawaiian Coastal Zone*.

(Gimbelluca et al., 2013) Giambelluca, T.W., Q. Chen, A.G. Frazier, J.P. Price, Y.-L. Chen, P.-S. Chu, J.K. Eischeid, and D.M. Delparte, 2013: Online Rainfall Atlas of Hawaiʻi. *Bull. Amer. Meteor. Soc.* 94, 313-316, doi: 10.1175/BAMS-D-11-00228.1.

(HDOT-Harbors, 1993a) Final Environmental Assessment, Negative Declaration for Gasco Cargo Pipelines for Nāwiliwili Pier Extension. State of Hawaiʻi Department of Transportation Harbors Division. June 21, 1993.

(HDOT-Harbors, 1993b) Final Environmental Assessment, Negative Declaration for Pier 1 Improvements at Nāwiliwili Harbor, Kauaʻi, Hawaiʻi. State of Hawaiʻi Department of Transportation, Job H.C. 7190. October 13, 1993.

(HDOT-Harbors, 2001) Kauaʻi Commercial Harbors 2025 Master Plan. State of Hawaiʻi Department of Transportation Harbors Division, Job H.C. 7264, September 2001.

(HI-NFIP, 2011) *Hawai'i-National Flood Insurance Rate Program Flood Hazard Assessment Tool.* Retrieved from:
http://fema.maps.arcgis.com/apps/webappviewer/index.html?id=49069b91c14a411fa8defccf5c1f6266

(IPCC, 2013) Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Core Writing Jonathan Gregory, Lead author, Chapter 13, *Sea level change*].

(IPRC, 2014) Projecting Climate Change in Hawaiʻi, IPRC Climate, vol. 14, no. 1. Prepared by the International Pacific Research Center, 2014.

(NKN, 1998) Final Environmental Assessment, Realignment of Waʻapa Road, Nāwiliwili Harbor, Kauaʻi. Prepared for Department of Transportation Harbors Division, NKN Project Planning, Project No. H.C. 7232, March 1998.

(NOAA-NMFS, 2015). National Oceanic and Atmospheric Administration – National Marine Fisheries Service (NOAA-NMFS). 2015. Endangered and Threatened Species: Final Rulemaking To Revise Critical Habitat for Hawaiian Monk Seals. Federal Register, 80 (162; August 21, 2015): 50925-50988.

(NMFS-USFWS, 2015a) National Marine Fisheries Service and U.S. Fish and Wildlife Service (NMFS and UWFWS). 2015. Endangered and Threatened Species; Identification and Proposed Listing of Eleven Distinct Population Segments of Green Sea Turtles (*Chelonia mydas*) as Endangered or Threatened and Revision of Current Listings. Federal Register, 80 (55; March 23, 2015): 15272-15337.

(NMFS-USFWS, 2015b) National Marine Fisheries Service and U.S. Fish and Wildlife Service (NMFS and UWFWS). 2015. 2015. Endangered and Threatened Wildlife: Response to a Petition to Identify Green Sea Turtle Distinct Population Segments under the Endangered Species Act. Available online at URL:
www.fpir.noaa.gov/Library/PAO/Media%20Releases/FINAL_release_greenturtle_PCextenstion_8_24_15.pdf

(Okubo, 2005) Final Environmental Assessment for the Segmented Pier 3 Improvements at Nāwiliwili Harbor, Līhuʻe, Kauaʻi, Hawaiʻi. Prepared for Department of Transportation Harbors Division, Arnold Okubo & Associates, Inc., Job No. H.C. 7275, March 2005.

(RMTC, 2015) General Plan Update, Kauaʻi Infrastructure Analysis: Prepared for County of Kauaʻi, R. M. Towill Corporation, May 2015.

(SE&A, 2004) Marine Environmental Assessment for the Segmented Pier 3 Improvements, Nāwiliwili Harbor, Kauaʻi: Prepared for W. Y. Thompson, Sea Engineering and AECOS, Inc., April 2004.

(SMS, 2014) Kauaʻi General Plan Update: Socioeconomic Analysis and Forecasts: Prepared for County of Kauaʻi, Department of Planning and Permitting, SMS Research & Marketing Services, Inc., February 2014.

(SSFM, 2015) Kauaʻi Kakou, Kauaʻi County General Plan – Updating the Vision for Kauaʻi, Kauaʻi County General Plan Update: Prepared for County of Kauaʻi, SSFM International Inc., July 2015.

(SOEST, 2012) *Sea Level Rise Hawai'i, Hawai'i's Changing Climate*. University of Hawaiʻi at Mānoa, School of Ocean and Earth Science and Technology. 2012. Retrieved from:
http://www.soest.Hawaiʻi.edu/coasts/sealevel/#_ftn27

(SOEST, 2013) *Kaua'i 1963 7.5 Minutes series (Topographic)*. University of Hawaiʻi at Mānoa, School of Ocean and Earth Science and Technology, Coastal Geology Group. 2012. Retrieved
http://www.soest.Hawaiʻi.edu/coasts/data/Kauaʻi/1963drg.html

(SOEST, 2014) *The Kaua'i Climate Change and Coastal Hazards Assessment*. University of Hawaiʻi at Mānoa, School of Ocean and Earth Science and Technology, Sea Grant College Program. June 2014. Retrieved http: http://seagrant.soest.Hawaiʻi.edu/sites/default/files/publications/web-8-18-14-kc3ha-final.pdf

(TGC, 2016) The Gas Company, LLC, DBA as Hawaiʻi Gas. *Additional Liquefied Petroleum Storage Facility Draft Environmental Assessment, Nāwiliwili Harbor, Kauaʻi, Hawaiʻi*. Prepared by Shiramizu, Loo & Nakamura, LLLP. November 2016. Retrieved from:
http://oeqc.doh.Hawaiʻi.gov/Shared%20Documents/EA_and_EIS_Online_Library/Kauaʻi/2010s/2016-11-08-KA-5E-DEA-Nāwiliwili-Harbor-Gas-Storage-Facility.pdf.

(USDA, 1972) *Soil Survey of Islands of Kaua'i, O'ahu, Maui, Moloka'i and Lāna'i, State of Hawai'i*. Published by the United States Department of Agriculture (USDA), Soil Conservation Service, in Cooperation with The University of Hawai'i Agricultural Experiment Station. Honolulu, Hawai'i. August 1972.

(USFWS, 2016) U. S. Fish and Wildlife Service Wetland Mapper V2. November 2016. Retrieved from: https://www.fws.gov/wetlands/data/mapper.html.

(USFWS, 2015) U.S. Fish and Wildlife Service (USFWS). 2015. Endangered and Threatened Wildlife and Plants. 50CFR 17:11 and 17:12.

(USGS, 1999) Oki, D.S., Gingerich, S.B., and Whitehead, R.L., 1999a, Hawai'i: in Hawai'i in Ground Water Atlas of the United States, Segment 13, Alaska, Hawai'i, Puerto Rico, and the U.S. Virgin Islands: U.S. Geological Survey Hydrologic Investigations Atlas 730-N, p. N12–N22, N36.

(USGS, 2002) C.H. Fletcher III, E. E. Grossman, B. M. Richmond, and A. E. Gibbs, 2002, *Atlas of Natural Hazards in the Hawaiian Coastal Zone*, Geologic Investigations Series I-2761.

Appendix A: Pre-Assessment Consultation Letters and Responses for Hawai‘i Revised Statutes, Chapter 343

Appendix A-1 Pre-Assessment Consultation Letters and Responses

Appendix A-2 Pre-Assessment Consultation Letter Attachments

Appendix A-1

Pre-Assessment Consultation Letters and Responses

Pre-assessment consultation letters were sent to a number of agencies, organizations, and individuals to notify and initiate consultation for the preparation of the Chapter 343, Hawai'i Revised Statutes, Environmental Assessment for the project. The purposes of the pre-assessment consultations were to accomplish the following:

- Solicit input to help identify environmental and permitting issues to be considered and addressed in the upcoming EA; and
- Inform agencies, organizations, and individuals regarding ongoing activities in the Nāwiliwili Harbor area and the upcoming EA process.

The agencies and organizations contacted for the pre-assessment consultation are listed below.

1. State Office of Planning, Coastal Zone Management Program
2. State Department of Health, Clean Water Branch
3. Hawai'i Gas
4. State Department of Land and Natural Resources, Office of Conservation and Coastal Lands
5. U.S. Fish and Wildlife Service
6. National Oceanic and Atmospheric Administration, National Marine Fisheries Service
7. State Department of Land and Natural Resources, State Historic Preservation Division
8. State Department of Business, Economic Development and Tourism - Office of Planning
9. Kaua'i County, Department of Planning
10. Young Brothers, Ltd.
11. Princess Cruise Lines, Ltd.
12. Norwegian Cruise Line
13. Oceania Cruises Inc.
14. Regent Seven Seas Cruises
15. Royal Caribbean Cruises, Ltd.
16. Carnival Cruise Line
17. Holland America Line & Seabourn Cruise Line Limited
18. Hapag-Lloyd Cruises

Of the 18 agencies, organizations, and individuals contacted, the following responded: State Office of Planning, Coastal Zone Management Program; State Department of Health, Clean Water Branch; Hawai'i Gas; State Department of Land and Natural Resources, Office of Conservation and Coastal Lands; and, U.S. Fish and Wildlife Service.

2024 North King Street
Suite 200
Honolulu Hawaii 96819-3470
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

May 5, 2017

Leo R. Asuncion, Jr., AICP, Director
Office of Planning
State of Hawaii
PO. Box 2359
Honolulu, Hawai‘i 96804-2359

Attention: John Nakagawa, Hawai‘i Coastal Zone Management Program

Dear Mr. Asuncion:

Subject: Drain, Roadway, and Pedestrian Walkway Improvements
Piers 2 and 3, Nāwiliwili Harbor, Island of Kaua‘i, Hawai‘i
HDOT Job No. H. C. 70102
Tax Map Key: (4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 034, 042 & 054
Request for Pre-Assessment Consultation, Hawai‘i Revised Statutes, Chapter 343

On behalf of the Hawai‘i Department of Transportation, Harbors Division (HDOT-H), we are submitting a request for pre-assessment consultation for the subject project. The proposed project is located within the industrial Nāwiliwili Harbor Piers 2 and 3 and bay area, on the southeast coast of the Island of Kaua'i, Hawai‘i, along Wa‘apa Road. A map of the project area is enclosed (**Figure 1**).

The HDOT-H is currently preparing an Environmental Assessment (EA) for the proposed project to address the requirements of Hawai‘i Revised Statutes (HRS), Chapter 343, and Hawai‘i Administrative Rules (HAR), Chapter 11-200. The specific action that requires the preparation of an EA includes the use of state land and/or funds for the proposed action. No Federal funds will be used for this project, however, a Federal permit from the U. S. Army Corps of Engineers (USACE) is needed for work within Waters of the United States (WOUS).

Proposed Action
The proposed work includes the construction of drainage, roadway and pedestrian walkway improvements at Piers 2 and 3. The project site is approximately 1 acre. The purpose of the proposed project is to upgrade the harbor drainage system and existing facilities to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space. Drainage improvements include the installation of a new concrete thru gutter to convey water away from the gated harbor entrance off Wa’apa Road to the northwest corner of the harbor, and construction of a trench drain, drain inlet, and grate along Pier 2. To further

promote drainage of the site, the installation of a tuffboom debris barrier within the northwestern corner of the harbor is proposed to block floating debris from reaching and obstructing two existing drainage outlets and a proposed concrete box drain with headwall. Proposed roadway and pedestrian walkway improvements include paving Road A (i.e., an existing 700 linear foot long internal harbor access road), constructing a walkway along Road A, renovating a concrete slab, reconstructing the existing security fencing, and installing lighting. Please refer to the enclosed general site plan showing the project area and proposed improvements (**Figure 2**).

The proposed project is consistent with the Kauaʻi Commercial Harbors 2025 Master Plan, and promotes improved conditions conducive to the more efficient movement of cargo and pedestrian traffic from Piers 2 and 3, while meeting the need to improve water quality in Nāwiliwili Harbor.

Construction is expected to commence in 2017/2018. Approximately 12 months will be required for construction.

Alternatives to the Proposed Action
An evaluation of all prudent and feasible alternatives was conducted to avoid or minimize impacts to the surrounding environment. The proposed design was determined to be the most practical and feasible alternative. Other alternatives considered were: (a) no action and (b) delayed action. Alternatives to the proposed action did not meet the objective of addressing the ongoing discharge of untreated storm water runoff at Piers 2 and 3 while improving the Access Road A and pier working surfaces.

Significance Assessment
The proposed project is located within an active harbor waterfront that is used for the movement of goods and tourists, and involves the improvement of facilities associated with use of Piers 2 and 3 at Nāwiliwili Harbor. Because of these commercial activities and the need to maintain security of the Piers 2 and 3 area, and safety of workers and tourists from cruise vessels, access to the area is limited. Accordingly, recreational and shoreline dependent facilities, and public access to the shoreline are restricted for safety reasons and no impacts to use of coastal, marine, beach, or shoreline resources are anticipated.

There are no archaeological or cultural resources known to be present within the immediate project site. However, in accordance with HRS, Chapter 6E, and the requirements of the State Historic Preservation Division (SHPD), should any historic resources, including human skeletal and significant cultural remains, be identified during the construction of the proposed project: (1) work will cease in the immediate vicinity of the find; (2) the find will be protected from any additional disturbance by the contractor; and (3) SHPD will be contacted immediately at (808) 2714940 (Kauaʻi Island) or (808) 692-8015 (Main Office, Oʻahu) for further instructions including the conditions under which work activities may resume.

During construction, Best Management Practices will be employed to prevent potential pollutant (sediment) discharges into storm water runoff. These measures will be in place and functional

before project activities begin and will be maintained throughout the construction period. When completed, the use of filters and tuffboom debris barrier are expected to help improve upon current conditions.

Public participation for the proposed project will be sought through the environmental review process as required in HRS, Chapter 343.

Anticipated Impacts
The proposed project will provide needed improvement of an existing harbor related facility which serves as the primary commercial harbor for the island of Kauaʻi. The proposed project is considered an investment in Piers 2 and 3 that will provide environmental benefits in the form of reduced discharges of storm water associated sediments in runoff, and the improvement of working conditions from reduced ponding and sheetflows of storm water across the site.

The new concrete trench drain and gravity retaining wall, and drain inlet frame and grating will drain and treat the collected storm water using a Bio Clean Environmental Services, Inc., grate inlet skimmer box or approved equal, prior to discharging into the Nāwiliwili Harbor to reduce the incidence of untreated runoff flowing into the harbor. The proposed tuffboom debris barrier will block floating debris from reaching and obstructing the existing and proposed drainage outlets. A Department of the Army permit application has been filed with the USACE for installation of the proposed tuffboom debris barrier within WOUS in the Nāwiliwili Bay. The USACE has preliminarily determined that a Letter of Permission, under POH-2017-53, will be granted for the proposed project.

We appreciate your time and participation in the pre-assessment consultation for this project. Specifically, we request any information the State Office of Planning can provide regarding the applicability of the filing of a Coastal Zone Management Federal Consistency Review application for the proposed project. Please ensure that your comments are received or postmarked by Friday, May 19, 2017. We would appreciate a written response to Mr. Mark Yamabe by U. S. Postal Service to State of Hawaii, Department of Transportation, Harbors Division, 79 South Nimitz Highway, 2nd Floor, Honolulu, Hawaii 96813, with a copy to Mr. Brian Takeda by U. S Postal Service to R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawaii, 96819.

Should you have any questions please contact the undersigned at (808) 842-1133. Thank you for your assistance.

Sincerely,

Brian Takeda

Brian Takeda,
Planning Project Coordinator

Enclosure

cc: Mark Yamabe, HDOT-H
Rebecca Frager, USACE

OFFICE OF PLANNING
STATE OF HAWAII

DAVID Y. IGE
GOVERNOR

LEO R. ASUNCION
DIRECTOR
OFFICE OF PLANNING

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

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

Ref. No. P-15602

May 12, 2017

Mr. Brian Takeda
Planning Project Coordinator
R.M. Towill Corporation
2024 N. King Street, Suite 200
Honolulu, Hawaii 96819-3470

Dear Mr. Takeda:

Subject: Pre-Assessment Consultation Request, Hawaii Revised Statutes, Chapter 343; Drain, Roadway, and Pedestrian Walkway Improvements Piers 2 and 3, Nawiliwili Harbor, Island of Kauai; HDOT Job No. H.C. 70102

TMK: (4) 3-2-003: 001-004 (por), 007, 023, 025, 040 & 999; and (4) 3-2-004: 034 (por), 042 & 054

Thank you for the opportunity to provide comments for the pre-assessment consultation request on drainage, road and walkway improvements to Piers 2 and 3 of Nawiliwili Harbor, Island of Kauai. The pre-consultation review material was transmitted to our office via letter dated May 5, 2017.

It is our understanding the proposed work along Piers 2 and 3 of Nawiliwili Harbor (Harbor) calls for the construction and upgrade to the Harbor's drainage infrastructure, roadways, and pedestrian walkways. The purpose of this project is the renovation of harbor facilities to accommodate the expected increase of freight, cargo, and passengers utilizing the Harbor. Drainage improvements include the installation of a new concrete thru gutter to convey water away from the gated harbor entrance off Waapa Road, construction of a trench drain, drain inlets, and grate along Pier 2.

The installation of a tuffboom debris barrier within the harbor is intended to block floating debris from reaching and obstructing two existing drainage outlets and a concrete box drain with headwall. Roadway and pedestrian walkway improvements include paving of a 700 linear foot long internal harbor access road, the renovation of a concrete slab, and the installation of security fencing, and lighting.

The Office of Planning (OP) has reviewed the transmitted material and has the following comments to offer:

1. Pursuant to Hawaii Administrative Rules (HAR) § 11-200-10(4) – general description of the action's technical, economic, social, and environmental characteristics; this project must demonstrate that it is consistent with a number of state environmental, social, economic goals, and policies for land use. Hawaii Revised Statutes (HRS) Chapter 226, the Hawaii State Planning Act, provides goals, objectives, policies, State Functional Plans, and priority guidelines for growth, development, and the allocation of resources throughout the state in areas of state interest.

   The analysis on the Hawaii State Planning Act should include a discussion on the project's ability to meet all of the goals, objectives, policies, applicable State Functional Plans, and priority guidelines or clarify where it is in conflict with them. If any of these themes are not applicable to the project, the Draft Environmental Assessment (Draft EA) should affirmatively state such determination followed by discussion paragraphs.

2. The coastal zone management (CZM) area is defined as "all lands of the State and the area extending seaward from the shoreline to the limit of the State's police power and management authority, including the U.S. territorial sea" (see HRS § 205A-1).

   HRS Chapter 205A-5(b) requires all state and county agencies to enforce the CZM objectives and policies. The Draft EA should include an assessment as to how the proposed action conforms to each of the goals and objectives of the Hawaii CZM program as listed in HRS § 205A-2. Compliance with HRS § 205A-2 is an important component for satisfying the requirements of HRS Chapter 343.

3. The review material states the proposed action will involve the installation of new lighting for the Harbor facility. Please note that no artificial light, except as provided by HRS §§ 205A-30.5(b) and 205A-71(b) shall be directed to travel across property boundaries toward the shoreline and ocean waters.

4. The review material states that a Department of the Army permit application has been filed with the U.S. Army Corps of Engineers (USACE) for installation of a tuffboom debris barrier within the Waters of the United States in Nawiliwili Bay. Based on the information provided in the review material, the USACE has made a preliminary determination that a Letter of Permission, under POH-2017-53, will be granted for the project.

   This project occurs within the coastal area of the State of Hawaii and involves work that requires federal approval. The national Coastal Zone Management Act (CZMA) requires that federal actions be consistent with approved state coastal programs' enforceable policies. Federal actions are defined by this act as activities performed by a federal agency; activities that require federal permits or approvals; or state and local government projects that receive federal financial assistance.

This project will be subject to a CZMA Federal Consistency review. OP is the lead state agency with the authority to conduct Federal Consistency reviews. Please contact our office on the policies and procedures for this review.

5. Pursuant to HAR § 11-200-10(6) – identification and summary of impacts and alternatives considered; this project seeks to upgrade drainage infrastructure, road and walkways, and install a tuffboom debris barrier within Harbor waters, to impede floating debris from reaching or obstructing drainage inlets. In order to ensure that the coastal ecosystem of Nawiliwili Bay remain protected, the negative effects of stormwater inundation to the Harbor waters and its surroundings should be evaluated in the Draft EA.

   Pursuant to HAR § 11-200-10(7) – propose mitigation; the Draft EA should examine potential negative impacts resulting from this project on coastal resources during construction and the operational effectiveness of the proposed drainage improvements. The Draft EA should evaluate the ability of the proposed drainage system to reduce the discharge of polluted runoff form the Harbor, limit ponding, and decrease sheet flow of runoff across the Harbor site. These factors should be considered when developing mitigation measures for the protection for the coastal ecosystem of Nawiliwili Bay. Issues that may be examined include, but are not limited to, project site characteristics in relation to flood areas, stormwater drainage capacity, the anticipated velocity and volume of stormwater runoff, and permeable versus impervious surfaces within the Harbor complex.

   The Draft EA may benefit from the review of OP's Stormwater Impact Assessment. This document can be used to identify and evaluate information on hydrology, stressors, sensitivity of aquatic and riparian resources, and management measures to control runoff. This guidance may also assist in formulating mitigation goals, and strategies, as well as integrating stormwater impact mitigation within the planning and environmental review process. This document can be viewed at http://files.hawaii.gov/dbedt/op/czm/initiative/stomwater_imapct/final_stormwater_impact_assessments_guidance.pdf.

If you have any questions regarding this comment letter, please contact Joshua Hekekia of our office at (808) 587-2845.

Sincerely,

Leo R. Asuncion
Director

DAVID Y. IGE
GOVERNOR

FORD N. FUCHIGAMI
DIRECTOR

Deputy Directors
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:
HAR-ED
8798.18

July 10, 2017

TO: MR. LEO R. ASUNCION
DIRECTOR, OFFICE OF PLANNING, DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

FROM: FORD N. FUCHIGAMI
DIRECTOR OF TRANSPORTATION

SUBJECT: RESPONSE TO COMMENTS FOR HAWAII REVISED STATUTES, CHAPTER 343, PRE-ASSESSMENT CONSULTATION FOR DRAIN, ROADWAY, AND PEDESTRIAN WALKWAY IMPROVEMENTS, PIERS 2 AND 3, NAWILIWILI HARBOR, ISLAND OF KAUAI, HAWAII
HDOT JOB NO. H. C. 70102
TAX MAP KEY: (4) 3-2-003: PORTIONS 001-004, 007, 023, 025, 040 & 999; AND (4) 3-2-004: PORTIONS 034, 042 & 054

The State of Hawaii, Department of Transportation, Harbors Division (HDOT-Harbors), thanks you for your letter dated May 12, 2017 concerning the subject project (Ref. No. P-15602). The following has been prepared in response to your comments (which have been *italicized* for reference):

> *The Office of Planning (OP) has reviewed the transmitted material and has the following comments to offer:*
>
> 1. *Pursuant to Hawaii Administrative Rules (HAR) § 11-200-10(4) - general description of the action's technical, economic, social, and environmental characteristics; this project must demonstrate that it is consistent with a number of state environmental, social, economic goals, and policies for land use. Hawaii Revised Statutes (HRS) Chapter 226, the Hawaii State Planning Act, provides goals, objectives, policies, State Functional Plans, and priority guidelines for growth, development, and the allocation of resources throughout the state in areas of state interest.*
>
>   *The analysis on the Hawaii State Planning Act should include a discussion on the project's ability to meet all of the goals, objectives, policies, applicable State Functional Plans, and priority guidelines or clarify where it is in conflict with them. If any of these themes are not applicable to the project, the Draft Environmental Assessment (Draft EA) should affirmatively state such determination followed by discussion paragraphs.*

The HDOT confirms that the Draft EA (in **Section 7.1.1, Hawai'i State Plan**) will include a discussion on the project's ability to meet the goals, objectives, policies, and priority guidelines of the Hawai'i State Plan, and a tabular itemized assessment of the Hawai'i State Plan relative to

the subject project. The proposed project is also considered applicable to the Transportation Functional Plan and will be addressed by the Draft EA (in **Section 7.1.3, State Functional Plans**).

2. *The coastal zone management (CZM) area is defined as "all lands of the State and the area extending seaward from the shoreline to the limit of the State's police power and management authority, including the U.S. territorial sea" (see HRS § 205A-1).*

   HRS Chapter 205A-5(b) requires all state and county agencies to enforce the CZM objectives and policies. The Draft EA should include an assessment as to how the proposed action conforms to each of the goals and objectives of the Hawaii CZM program as listed in HRS § 205A-2. Compliance with HRS § 205A-2 is an important component for satisfying the requirements of HRS Chapter 343.

An assessment on the project's consistency with the goals and objectives of the Hawaii CZM program as listed in HRS § 205A-2 will be provided by the project's Draft EA (in **Section 7.1.6, Coastal Zone Management Act (CZMA)**).

3. *The review material states the proposed action will involve the installation of new lighting for the Harbor facility. Please note that no artificial light, except as provided by HRS § 205A-30.5(b) and 205A-71 (b) shall be directed to travel across property boundaries toward the shoreline and ocean waters.*

As stated by the Draft EA (in **Section 3.1, Description of Proposed Plan**), artificial lighting provided by the HDOT-Harbors for government operations, security, and public safety will be properly positioned and shielded to minimize adverse impacts to comply with HRS § 205A-30.5(b) and 205A-71(b).

4. *The review material states that a Department of the Army permit application has been filed with the U.S. Army Corps of Engineers (USACE) for installation of a tuffboom debris barrier within the Waters of the United States in Nawiliwili Bay. Based on the information provided in the review material, the USACE has made a preliminary determination that a Letter of Permission, under POH-2017-53, will be granted for the project.*

   This project occurs within the coastal area of the State of Hawaii and involves work that requires federal approval. The national Coastal Zone Management Act (CZMA) requires that federal actions be consistent with approved state coastal programs' enforceable policies. Federal actions are defined by this act as activities performed by a federal agency; activities that require federal permits or approvals; or state and local government projects that receive federal financial assistance.

   This project will be subject to a CZMA Federal Consistency review. OP is the lead state agency with the authority to conduct Federal Consistency reviews. Please contact our office on the policies and procedures for this review.

A Department of the Army permit application was earlier filed with the U. S. Army Corps of Engineers under POH-2017-53, when a tuffboom debris barrier was proposed for the project. The project scope of work was subsequently modified to remove the tuffboom debris barrier for reasons that primarily involved limited effectiveness at controlling floating debris from blocking the proposed storm water outlets to the harbor. Because the tuffboom debris barrier is no longer a

part of this project, the Department of the Army permit application (POH-2017-53) was withdrawn. With the removal of the federal nexus for the project, the requirement for a CZMA Federal Consistency review is not expected to be required.

5. *Pursuant to HAR § 11-200-10(6) - identification and summary of impacts and alternatives considered; this project seeks to upgrade drainage infrastructure, road and walkways, and install a tuffboom debris barrier within Harbor waters, to impede floating debris from reaching or obstructing drainage inlets. In order to ensure that the coastal ecosystem of Nawiliwili Bay remain protected, the negative effects of stormwater inundation to the Harbor waters and its surroundings should be evaluated in the Draft EA.*

   Pursuant to HAR § 11-200-10(7) - propose mitigation; the Draft EA should examine potential negative impacts resulting from this project on coastal resources during construction and the operational effectiveness of the proposed drainage improvements. The Draft EA should evaluate the ability of the proposed drainage system to reduce the discharge of polluted runoff form the Harbor, limit ponding, and decrease sheet flow of runoff across the Harbor site. These factors should be considered when developing mitigation measures for the protection for the coastal ecosystem of Nawiliwili Bay. Issues that may be examined include, but are not limited to, project site characteristics in relation to flood areas, stormwater drainage capacity, the anticipated velocity and volume of stormwater runoff, and permeable versus impervious surfaces within the Harbor complex.

The HDOT-Harbors confirms that the Draft EA (in **Section 5.4, Water Resources and Hydrology**) will address flooding, stormwater runoff, and mitigation measures to reduce soil erosion at the project site during construction and operation of the site.

During construction, pollution control measures will be implemented and included in the filing of a National Pollutant Discharge Elimination System (NPDES) Construction Storm Water Permit, in accordance with Clean Water Act regulations. As required a Site-Specific Construction Storm Water BMPs Plan will be prepared and followed by the project contractor to handle the treatment of storm water runoff, erosion, and sediment control.

The project site is relatively flat and consists primarily of paved and unpaved areas. Storm water that falls on the subject property generally drains toward the ocean, either over land or through existing storm sewer systems and is discharged into the Nāwiliwili Harbor at several locations. Previous projects have installed drainage inlets and roadside swales at the Nāwiliwili Harbor to capture runoff and convey it to the ocean. Those drainage systems are effective in preventing flooding and will be left undisturbed.

Runoff from heavily forested upland areas drain onto the project site near the intersection of the Pier 3 entrance gate and Wa'apa Road. This area is characterized by relatively flat grades, sump areas, and extremely poor drainage, and has no existing drainage facilities. As a result, standing water accumulates following heavy rainfall events leading to flooding of the harbor entrance. To convey water away from the gated harbor entrance a concrete box culvert will be installed below the surface of the Road A. Near the center of the project site a new concrete trench drain and gravity retaining wall will be constructed to collect storm water flows up-gradient of the project area where storm water currently ponds and sheet flows across Road A and on to the working surface of the pier. On the eastern side of the project site, improvements include the

reconstruction of an existing storm drain inlet frame and grating along the northern edge of the proposed walkway.

Overall, the construction of the project is anticipated to reduce the discharge of polluted runoff from the Harbor, limit ponding and reduce sheet flow of runoff across the Nāwiliwili Harbor. A new concrete trench drain and gravity retaining wall, and drain inlet frame and grating will be equipped with a Bio Clean Environmental Services, Inc., grate inlet skimmer box or approved equal, to treat the collected storm water prior to discharging into the Nāwiliwili Harbor.

6. *The Draft EA may benefit from the review of OP's Stormwater Impact Assessment. This document can be used to identify and evaluate information on hydrology, stressors, sensitivity of aquatic and riparian resources, and management measures to control runoff. This guidance may also assist in formulating mitigation goals, and strategies, as well as integrating stormwater impact mitigation within the planning and environn1cntal review process. This document can be viewed at http ://fil es.hawaii.gov/ dbedt/op/czm/initiative/stomwater _imapct/final storm water impact assessments guidance. pdf.*

The HDOT-Harbors acknowledges the references provided and will review them for regulatory applicability and inclusion in the project's Draft EA.

We appreciated your participation in the pre-assessment consultation for this project and allowing us this opportunity to respond. Your letter and this response will be included as part of the environmental documentation for the Draft EA. Should you have any further comments, please contact Mark Yamabe of our Harbors Engineering Design Section at telephone number (808) 587-1955, or at e-mail address mark.a.yamabe@hawaii.gov.

cc: Mr. Brian Takeda, R. M. Towill Corporation

bc: HAR, -E, -K

MY: ai

DEP-H
HAR-E
HAR-ED
MY/RH

2024 North King Street
Suite 200
Honolulu Hawaii 96819-3470
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

May 5, 2017

Mr. Alec Wong, Chief
Clean Water Branch
Department of Health, State of Hawai‘i
919 Ala Moana Boulevard, Room 301
Honolulu, Hawai‘i 96814

Dear Mr. Wong:

Subject: Drain, Roadway, and Pedestrian Walkway Improvements
Piers 2 and 3, Nāwiliwili Harbor, Island of Kaua‘i, Hawai‘i
HDOT Job No. H. C. 70102
Tax Map Key: (4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 034, 042 & 054
Request for Pre-Assessment Consultation, Hawai‘i Revised Statutes, Chapter 343

On behalf of the Hawai‘i Department of Transportation, Harbors Division (HDOT-H), we are submitting a request for pre-assessment consultation for the subject project. The proposed project is located within the industrial Nāwiliwili Harbor Piers 2 and 3 and bay area, on the southeast coast of the Island of Kaua'i, Hawai‘i, along Wa‘apa Road. A map of the project area is enclosed (**Figure 1**).

The HDOT-H is currently preparing an Environmental Assessment (EA) for the proposed project to address the requirements of Hawai‘i Revised Statutes (HRS), Chapter 343, and Hawai‘i Administrative Rules (HAR), Chapter 11-200. The specific action that requires the preparation of an EA includes the use of state land and/or funds for the proposed action.

Proposed Action
The proposed work includes the construction of drainage, roadway and pedestrian walkway improvements at Piers 2 and 3. The project site is approximately 1 acre. The purpose of the proposed project is to upgrade the harbor drainage system and existing facilities to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space. Drainage improvements include the installation of a new concrete thru gutter to convey water away from the gated harbor entrance off Wa’apa Road to the northwest corner of the harbor, and construction of a trench drain, drain inlet, and grate along Pier 2. To further promote drainage of the site, the installation of a tuffboom debris barrier within the northwestern corner of the harbor is proposed to block floating debris from reaching and obstructing two existing drainage outlets and a proposed concrete box drain with headwall. Proposed roadway

and pedestrian walkway improvements include paving Road A (i.e., an existing 700 linear foot long internal harbor access road), constructing a walkway along Road A, renovating a concrete slab, reconstructing the existing security fencing, and installing lighting. Please refer to the enclosed general site plan showing the project area and proposed improvements (**Figure 2**).

The proposed project is consistent with the Kauaʻi Commercial Harbors 2025 Master Plan, and promotes improved conditions conducive to the more efficient movement of cargo and pedestrian traffic from Piers 2 and 3, while meeting the need to improve water quality in Nāwiliwili Harbor.

Construction is expected to commence in 2017/2018. Approximately 12 months will be required for construction.

Alternatives to the Proposed Action
An evaluation of all prudent and feasible alternatives was conducted to avoid or minimize impacts to the surrounding environment. The proposed design was determined to be the most practical and feasible alternative. Other alternatives considered were: (a) no action and (b) delayed action. Alternatives to the proposed action did not meet the objective of addressing the ongoing discharge of untreated storm water runoff at Piers 2 and 3 while improving the Access Road A and pier working surfaces.

Significance Assessment
The project site is relatively flat and consists primarily of paved and unpaved areas. There are no standing bodies of water, wetlands or coastal wetlands on the subject property and no channels to carry flowing surface waters or streams. The only major surface water feature of the site includes Nāwiliwili Harbor. Waters of Nāwiliwili Harbor are in the Class A category as defined by the State of Hawaiʻi, Department of Health (DOH).

Nāwiliwili Harbor is listed in the Environmental Protection Agency's (EPA) 303(d) list as an impaired water body, but Total Maximum Daily Loads (TMDLs) have not yet been established. In accordance with section 303(d) of the federal Clean Water Act, Nāwiliwili Bay is currently listed by the DOH as a water body in which water quality is impaired by excessive turbidity and nutrients. Many of the streams in the Nāwiliwili Watershed drain into and can cause pollution conditions in Nāwiliwili Bay.

Storm water that falls on the proposed project site generally drains toward the ocean, either over land or through existing storm sewer systems and is discharged into the Nāwiliwili Harbor at several locations. Previous projects have installed drainage inlets and roadside swales at the Nāwiliwili Harbor to capture runoff and convey it to the ocean. Those drainage systems are effective in preventing flooding and will be left undisturbed.

Runoff from heavily forested upland areas drain onto the project site near the intersection of the Pier 3 entrance gate and Waʻapa Road. This area is characterized by relatively flat grades, sump

areas, and extremely poor drainage, and has no existing drainage facilities. As a result, standing water accumulates following heavy rainfall events leading to flooding of the harbor entrance.

Anticipated Impacts
The construction of the project will facilitate the management of surface runoff which presently accumulates in depressions and low lying surface areas along the project extents and at the intersection of the existing Pier 3 access entrance and Waʻapa Road. On the west side of the project area a concrete box drain will be installed below the surface of the Road A to convey water away from the gated harbor entrance. The box drain structure will be traffic rated to handle the expected traffic load from heavy trucks using Road A.

Near the center of the project site (i.e., near Station 2+50) a new concrete trench drain and gravity retaining wall will be constructed to collect storm water flows upgradient of the project area where storm water currently ponds and sheet flows across Road A and onto the working surface of the pier. On the eastern side of the project site improvements include the reconstruction of an existing storm drain inlet frame and grating along the northern edge of the proposed walkway.

The new concrete trench drain and gravity retaining wall, and drain inlet frame and grating will treat the collected storm water using a Bio Clean Environmental Services, Inc., grate inlet skimmer box or approved equal, prior to discharging into the Nāwiliwili Harbor to reduce the incidence of untreated runoff flowing into the harbor. The new trench drain and reconstructed inlet frame and grating will be designed to accommodate traffic load.

During construction, pollution control measures will be implemented and included in the filing of a National Pollutant Discharge Elimination System (NPDES) Construction Storm Water Permit, in accordance with Clean Water Act regulations. As required a Site-Specific Construction Storm Water Best Management Practices Plan will be prepared and followed by the project contractor to handle the treatment of storm water runoff, erosion, and sediment control.

A Department of the Army permit application has been filed with the U. S. Army Corps of Engineers (USACE) for installation of the proposed tuffboom debris barrier within the Pacific Ocean at the northwest portion of the Nāwiliwili Bay. The USACE has preliminarily determined that a Letter of Permission, under POH-2017-53, will be granted for the proposed project.

We appreciate your time and participation in the pre-assessment consultation for this project. Specifically, we request any information the Department of Health, Clean Water Branch, can provide regarding the applicability for the filing of a Section 401, Water Quality Certification for work proposed within State waters. Please ensure that your comments are received or postmarked by Friday, May 19, 2017. We would appreciate a written response to Mr. Mark Yamabe by U. S. Postal Service to State of Hawaii, Department of Transportation, Harbors Division, 79 South Nimitz Highway, 2nd Floor, Honolulu, Hawaii 96813, with a copy to Mr. Brian Takeda by U. S Postal Service to R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawaii, 96819.

Should you have any questions please contact the undersigned at (808) 842-1133. Thank you for your assistance.

Sincerely,

Brian Takeda

Brian Takeda,
Planning Project Coordinator

Enclosure

cc: Mark Yamabe, HDOT-H
Rebecca Frager, USACE

Drain, Roadway, and Pedestrian Walkway Improvements
Piers 2 and 3, Nāwiliwili Harbor, Island of Kauaʻi,
Hawaiʻi Department of Transportation –Harbors Division (HDOT-Harbors)
HDOT Job No. H. C. 70102
Pre-Assessment Consultation Phone Call Record with the
Department of Health, Clean Water Branch (DOH-CWB)

Date: May 26, 2017

Time: 1:45 p.m.

Participants: Edward Chen, State of Hawaiʻi, DOH-CWB
Brian Takeda, R. M. Towill Corporation (RMTC)

Subject: Hawaiʻi Revised Statutes (HRS), Chapter 343, Pre-Assessment Consultation for Drain, Roadway, and Pedestrian Walkway Improvements, Piers 2 and 3, Nāwiliwili Harbor, Island of Kauaʻi, Hawaiʻi
HDOT-Harbors Job No. H. C. 70102

Phone Call Summary:

Edward Chen, Environmental Engineer, DOH-CWB, contacted Brian Takeda, RMTC, via phone on May 26, 2017, in response to a May 5, 2017 letter request for pre-assessment consultation for the preparation of a HRS, Chapter 343, Environmental Assessment (EA). The purpose of the call was to discuss the proposed project and to provide guidance to the HDOT-Harbors for work proposed within State waters.

1. Edward stated that a Section 401, WQC would be required due to the filing of a Department of the Army Permit, Section 404/10, involving (1) the placement of a proposed tuffboom debris barrier in harbor waters, and (2) the installation of a new stormwater discharge outlet associated with construction of a new 3 foot by 1 foot box culvert connected to a concrete swale that outlets to waters of Nawiliwili Harbor. The tuffboom and concrete swale are located between Piers 2 and 3, at the corner between the two piers.

   Brian clarified that since the letter request for pre-assessment consultation was mailed, that the project design was modified by HDOT-Harbors to remove the tuffboom debris barrier. According to HDOT-Harbors, this was because conditions at the site do not currently warrant the need for the tuffboom.

   Brian also clarified that the drainage structure would outlet above the mean high water (MHW) such that the point of discharge would occur outside of the jurisdictional limits of the U. S. Army Corps of Engineers (USACE).

2. Edward requested that the Draft EA discuss the inclusion of Post Construction Best Management Practices (BMPs) to address State of Hawaiʻi water quality requirements.

   Brian acknowledged that post construction BMPs would be considered as part of the design process to address the requirements for storm water handling and treatment prior to discharging into the Nāwiliwili Harbor. As applicable, Post Construction BMPs will be provided in the project's EA documentation.

2024 North King Street
Suite 200
Honolulu Hawaii 96819-3470
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

May 5, 2017

Mr. Glen Takenouchi, General Manager, Kaua'i
The Gas Company, LLC, dba Hawai'i Gas ("TGC")
P.O. Box 3000
Honolulu, HI 96802-3000

Dear Mr. Takenouchi:

Subject: Drain, Roadway, and Pedestrian Walkway Improvements
Piers 2 and 3, Nāwiliwili Harbor, Island of Kauaʻi, Hawaiʻi
HDOT Job No. H. C. 70102
Tax Map Key: (4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 034, 042 & 054
Request for Pre-Assessment Consultation, Hawaiʻi Revised Statutes, Chapter 343

On behalf of the Hawaiʻi Department of Transportation, Harbors Division (HDOT-H), we are submitting a request for pre-assessment consultation for the subject project. The proposed project is located within the industrial Nāwiliwili Harbor Piers 2 and 3 and bay area, on the southeast coast of the Island of Kaua'i, Hawaiʻi, along Waʻapa Road. A map of the project area is enclosed (**Figure 1**).

The HDOT-H is currently preparing an Environmental Assessment (EA) for the proposed project to address the requirements of Hawaiʻi Revised Statutes (HRS), Chapter 343, and Hawaiʻi Administrative Rules (HAR), Chapter 11-200. The specific action that requires the preparation of an EA includes the use of state land and/or funds for the proposed action.

Proposed Action
The proposed work includes the construction of drainage, roadway and pedestrian walkway improvements at Piers 2 and 3. The project site is approximately 1 acre. The purpose of the proposed project is to upgrade the harbor drainage system and existing facilities to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space. Drainage improvements include the installation of a new concrete thru gutter to convey water away from the gated harbor entrance off Wa'apa Road to the northwest corner of the harbor, and construction of a trench drain, drain inlet, and grate along Pier 2. To further promote drainage of the site, the installation of a tuffboom debris barrier within the northwestern corner of the harbor is proposed to block floating debris from reaching and obstructing two existing drainage outlets and a proposed concrete box drain with headwall. Proposed roadway and pedestrian walkway improvements include paving Road A (i.e., an existing 700 linear foot

long internal harbor access road), constructing a walkway along Road A, renovating a concrete slab, reconstructing the existing security fencing, and installing lighting. Please refer to the enclosed general site plan showing the project area and proposed improvements (**Figure 2**).

The proposed project is consistent with the Kauaʻi Commercial Harbors 2025 Master Plan, and promotes improved conditions conducive to the more efficient movement of cargo and pedestrian traffic from Piers 2 and 3, while meeting the need to improve water quality in Nāwiliwili Harbor.

Construction is expected to commence in 2017/2018. Approximately 12 months will be required for construction.

Alternatives to the Proposed Action
An evaluation of all prudent and feasible alternatives was conducted to avoid or minimize impacts to the surrounding environment. The proposed design was determined to be the most practical and feasible alternative. Other alternatives considered were: (a) no action and (b) delayed action. Alternatives to the proposed action did not meet the objective of addressing the ongoing discharge of untreated storm water runoff at Piers 2 and 3 while improving the Access Road A and pier working surfaces.

Significance Assessment
Nāwiliwili Harbor is Kaua'i's principal port for incoming and outgoing commercial cargo, and is a port-of-call for passenger cruise ships. The harbor piers accommodate passenger ships and vessels handling inbound and outbound cargo and fuel deliveries, and also consists of storage facilities used for the handling and storage of automobiles, containers and other products and materials. Commercial harbor operators using the harbor range from major cargo carriers including Matson and Young Brothers, to cruise ship and boating operators, commercial fishermen, and charter boat operators. Other operations including agricultural and commercial cargo distribution are also located at the harbor. Adjacent to the commercial harbor is the Nāwiliwili Small Boat Harbor managed by the Department of Land and Natural Resources, Division of Boating and Ocean Recreation.

At Pier 3 west of the gated access road into the harbor is an existing buried liquefied petroleum gas (LPG) pipeline that is owned by The Gas Company, LLC, a Hawaiʻi limited liability company (TGC), doing business as Hawai'i Gas. In November 2016 TGC filed the *Additional Liquefied Petroleum Gas Storage Facility Draft EA* with the Office of Environmental Quality Control (OEQC) which included the proposed improvements for the construction of new underground LPG transmission pipelines to transport LPG from TGC' s existing LPG storage tank facility at Pier 3 to TGC's proposed LPG storage facility near Pier 2. These new transmission lines are proposed to be constructed along the makai side of Waʻapa Road and will occupy approximately 13,750 square feet. Construction is tentatively proposed by TGC in 2018 (TGC, 2016).

Anticipated Impacts
There would be positive long-term and secondary impacts in the areas of social benefit for residents and visitors from the drain, roadway, and pedestrian walkway improvements at Nāwiliwili Harbor. With or without the proposed action, cargo volumes would increase with the anticipated future growth of the State. Long-term gains resulting from development of the proposed project include the provision of more efficient operational use of Nāwiliwili Harbor that will support continued operations and on-going commerce, trade and tourist related activities.

The proposed project will maintain and enhance economic productivity by supporting the effective use of State lands to accommodate future growth in the maritime industry. The project will further benefit the State of Hawai‘i, and residents and visitors to Kaua‘i, by helping to control costs of inter-island transshipment and facilitating the efficient transportation of goods to, from, and among the islands, that will enable Kaua‘i to continue to be a desirable place to live and visit.

HDOT-H would like to coordinate the proposed Drain, Roadway, and Pedestrian Walkway Improvements project with TGC’s proposed project for the installation of new underground LPG transmission pipelines along the makai side of Wa‘apa Road to ensure both projects run smoothly and minimize impacts to one another.

We appreciate your time and participation in the pre-assessment consultation for this project. Please ensure that your comments are received or postmarked by Friday, May 19, 2017. We would appreciate a written response to Mr. Mark Yamabe by U. S. Postal Service to State of Hawaii, Department of Transportation, Harbors Division, 79 South Nimitz Highway, 2nd Floor, Honolulu, Hawaii 96813, with a copy to Mr. Brian Takeda by U. S Postal Service to R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawaii, 96819.

Should you have any questions please contact the undersigned at (808) 842-1133. Thank you for your assistance.

Sincerely,

Brian Takeda

Brian Takeda,
Planning Project Coordinator

Enclosure

cc: Mark Yamabe, HDOT-H

Subject: Hi Gas - Nawiliwili Harbor DEA Precomments 052817
Attachments: M-002.pdf

Importance: High

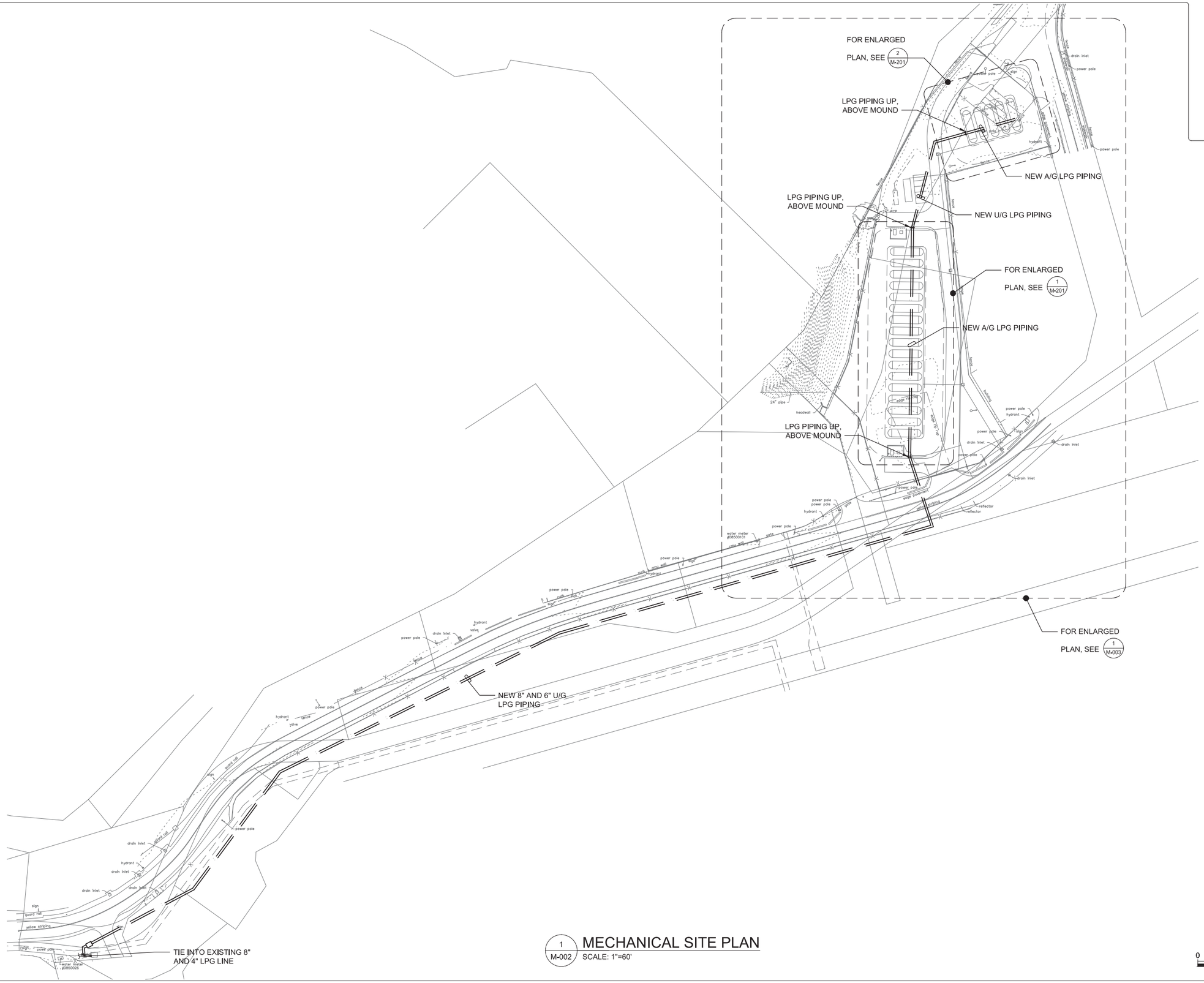
From: Takenouchi, Glen [mailto:gtakenou@hawaiigas.com]
Sent: Tuesday, May 16, 2017 4:49 PM
To: Brian Takeda
Cc: Lisa L. Kobayashi
Subject: Drain, Roadway, and Pedestrian Walkway Improvements; Pier 2 and 3, Nawiliwili Harbor

We acknowledge receipt of your letter dated May 5, 2017 for the subject project. Attached please find a site plan from InSynergy Engineering of our proposed propane storage expansion project with additional storage planned near Pier 2 and connecting to the existing pipeline at Pier 3. Presently we are in the FEA process with the State of Hawaii, DOT, Harbors Div., and upon receiving the FONSI and proceeding to seek approval of our Lease Application, we will be working with our consultants to finalize the storage and pipeline design. Unfortunately I am not able to provide a reliable project timeline at this time.

Please do not hesitate to contact me if any further information is required.

Aloha,

Glen Takenouchi
Hawaii Gas
General Manager - Kauai
3990 Rice Street, Lihue, HI 96766



1 / M-002 MECHANICAL SITE PLAN
SCALE: 1"=60'

35% SUBMITTAL

REVISIONS	BY

This work was prepared by me or under my supervision and construction of this project will be under my observation.

EXP. 04-30-2018

INSYNERGY ENGINEERING
MECHANICAL ■ ELECTRICAL ■ FIRE PROTECTION
828 Fort Street Mall Suite 500, Honolulu, Hawaii 96813
Phone: (808) 521-3773 Fax: (808) 521-3993

HAWAII GAS - NEW LPG STORAGE FACILITY
PIER 2, NAWILIWILI HARBOR, HAWAII

OVERALL SITE PLAN

Designed	LK
Drawn	ISE
Checked	BJO
Date	-
Job No.	16213
Sheet	M-002
Of	Sheets

DAVID Y. IGE
GOVERNOR

FORD N. FUCHIGAMI
DIRECTOR

Deputy Directors
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:
HAR-ED
8784.18

July 5, 2017

Mr. Glen Takenouchi, General Manager, Kaua'i
The Gas Company, LLC, dba Hawai'i Gas
P.O. Box 3000
Honolulu, HI 96802-3000

Dear Mr. Takenouchi:

Subject: Response to Comments for Hawaii Revised Statutes, Chapter 343, Pre-Assessment Consultation For Drain, Roadway, and Pedestrian Walkway Improvements, Piers 2 and 3, Nawiliwili Harbor, Island of Kauai, Hawaii - Job No. H. C. 70102, Tax Map Key: (4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 034, 042 & 054

The State of Hawaii, Department of Transportation, Harbors Division (HDOT-Harbors), thanks you for your email dated May 16, 2017 concerning the subject project. The following has been prepared in response to your comments (which have been *italicized* for reference):

> *We acknowledge receipt of your letter dated May 5, 2017 for the subject project. Attached please find a site plan from InSynergy Engineering of our proposed propane storage expansion project with additional storage planned near Pier 2 and connecting to the existing pipeline at Pier 3. Presently we are in the FEA process with the State of Hawaii, DOT, Harbors Div., and upon receiving the FONSI and proceeding to seek approval of our Lease Application, we will be working with our consultants to finalize the storage and pipeline design. Unfortunately I am not able to provide a reliable project timeline at this time.*

Thank you for your clarification of work and site plan for the proposed improvements. HDOT-Harbors acknowledges that Hawai'i Gas is planning to expand their existing propane storage near Piers 2 and 3 and is in the process of preparing a Final EA for the project. HDOT-Harbors will be coordinating your project activities with the subject project to minimize disturbance and/or interruption to both projects. Please assist us by providing a project timeline of your work when it becomes available.

We appreciated your participation in the pre-assessment consultation for this project and allowing us this opportunity to respond. Your letter and this response will be included in the subject project's Draft EA. Should you have any further comments, please contact Mr. Mark Yamabe of our Harbors Engineering Design Section at (808) 587-1955, or at e-mail address mark.a.yamabe@hawaii.gov.

Sincerely,

FORD N. FUCHIGAMI
Director of Transportation

cc: Mr. Brian Takeda, R. M. Towill Corporation

bc: DEP-H, HAR, -E, -K

MY: ai

2024 North King Street
Suite 200
Honolulu Hawaii 96819-3470
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

May 5, 2017

Mr. Samuel Lemmo, Administrator
Department of Land and Natural Resources
Office of Conservation and Coastal Lands
Kalanimoku Building
1151 Punchbowl Street
Honolulu, Hawai‘i 96813

Dear Mr. Lemmo:

Subject: Drain, Roadway, and Pedestrian Walkway Improvements
Piers 2 and 3, Nāwiliwili Harbor, Island of Kaua‘i, Hawai‘i
HDOT Job No. H. C. 70102
Tax Map Key: (4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 034, 042 & 054
Request for Pre-Assessment Consultation, Hawai‘i Revised Statutes, Chapter 343

On behalf of the Hawai‘i Department of Transportation, Harbors Division (HDOT-H), we are submitting a request for pre-assessment consultation for the subject project. The proposed project is located within the industrial Nāwiliwili Harbor Piers 2 and 3 and bay area, on the southeast coast of the Island of Kaua'i, Hawai‘i, along Wa‘apa Road. A map of the project area is enclosed (**Figure 1**).

The HDOT-H is currently preparing an Environmental Assessment (EA) for the proposed project to address the requirements of Hawai‘i Revised Statutes (HRS), Chapter 343, and Hawai‘i Administrative Rules (HAR), Chapter 11-200. The specific action that requires the preparation of an EA includes the use of state land and/or funds for the proposed action.

Proposed Action
The proposed work includes the construction of drainage, roadway and pedestrian walkway improvements at Piers 2 and 3. The project site is approximately 1 acre. The purpose of the proposed project is to upgrade the harbor drainage system and existing facilities to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space. Drainage improvements include the installation of a new concrete thru gutter to convey water away from the gated harbor entrance off Wa’apa Road to the northwest corner of the harbor, and construction of a trench drain, drain inlet, and grate along Pier 2. To further promote drainage of the site, the installation of a tuffboom debris barrier within the northwestern corner of the harbor is proposed to block floating debris from reaching and obstructing two

existing drainage outlets and a proposed concrete box drain with headwall. Proposed roadway and pedestrian walkway improvements include paving Road A (i.e., an existing 700 linear foot long internal harbor access road), constructing a walkway along Road A, renovating a concrete slab, reconstructing the existing security fencing, and installing lighting. Please refer to the enclosed general site plan showing the project area and proposed improvements (**Figure 2**).

The proposed project is consistent with the Kauaʻi Commercial Harbors 2025 Master Plan, and promotes improved conditions conducive to the more efficient movement of cargo and pedestrian traffic from Piers 2 and 3, while meeting the need to improve water quality in Nāwiliwili Harbor.

Construction is expected to commence in 2017/2018. Approximately 12 months will be required for construction.

Alternatives to the Proposed Action
An evaluation of all prudent and feasible alternatives was conducted to avoid or minimize impacts to the surrounding environment. The proposed design was determined to be the most practical and feasible alternative. Other alternatives considered were: (a) no action and (b) delayed action. Alternatives to the proposed action did not meet the objective of addressing the ongoing discharge of untreated storm water runoff at Piers 2 and 3 while improving the Access Road A and pier working surfaces.

Significance Assessment
The proposed action principally involves the use of land within the Urban State Land Use District. The project involving the construction of roadway and drainage improvements, and appurtenances is consistent with this designation. A minor portion of the project will involve the placement of a tuffboom debris barrier within harbor waters at the south end of the project site (see **Figure 2**). Waters within the Nāwiliwili Harbor are within the State Conservation Land Use District and regulated by Department of Land and Natural Resources.

The proposed project related work in Nāwiliwili Bay for the installation of the tuffboom debris barrier or approved equivalent is not located in an area where there are sensitive marine or coastal resources that could be threatened. The reefs in Nāwiliwili Bay were dredged during the construction of the harbor. Protected and/or listed species that may occur within the project vicinity are discussed further below:

Sea Turtles
Of the sea turtles found in the Hawaiian Islands, only green sea turtle is likely in the project vicinity, however the conditions within the Nāwiliwili Harbor does not provide this animal feeding habitat. The green sea turtle was listed as a threatened species under the Endangered Species Act (ESA)- in 1978 (ESA; USFWS, 1978, 2001). Since protection, the green sea turtle has become the most common sea turtle in the Hawaiian Islands with a steadily growing population. On February 16, 2012, the National Marine Fisheries Service (NMFS) and the USFWS received a petition from the Association of Hawaiian Civic Clubs to identify the

Hawaiian green turtle population as a distinct population segment (DPS) and delist the Hawai‘i DPS under the ESA of 1973, as amended (ESA; 16 U.S.C. 1531 et seq.). In April 2016, the National Oceanic and Atmospheric Administration (NOAA)-NMFS issued a final rule to reclassify the green sea turtle into eleven DPS, but continue protection of the Hawai‘i DPS as a threatened species under the ESA (NOAA & USFWS, 2016).

Monk Seal
The endangered Hawaiian monk seal (*Monachus schauinslandi*) is known to occur in the waters off the island of Kaua‘i. Critical habitat for Hawaiian monk seals has been designated (NOAANMFS, 2015) and includes the seafloor and marine habitat to 10 meters above the seafloor from the200-meterr depth contour through the shoreline and extending into terrestrial habitat 5 meters inland from the shoreline between identified boundary points. These terrestrial boundary points define preferred pupping areas and significant haul-out areas. (NOAA-NMFS, 2015). The Nāwiliwili Harbor does not fall within assigned boundary points, therefore is excluded from monk seal critical habitat designation.

Anticipated Impacts
No impacts to marine resources are anticipated from the construction of the proposed improvements project. The proposed improvements within the harbor waters will not endanger any marine life or other wildlife in the area. Sea turtles and marine mammals typically avoid human activity, so exposure to such activity and equipment operation would be infrequent and non-injurious, resulting in insignificant effects on the ESA-listed marine species. Additionally, protected species Best Management Practices will be followed by the project manager and contractor to reduce the likelihood of interactions, and will include watching for and avoiding protected species before commencing work and postponing or halting operations when protected species are within 50 yards of project activities.

We appreciate your time and participation in the pre-assessment consultation for this project. Specifically, we request any information the Department of Land and Natural Resources, Office of Conservation and Coastal Lands, can provide regarding the applicability for the filing of a Conservation District Use Permit for work proposed within the State Conservation Land Use District. Please ensure that your comments are received or postmarked by Friday, May 19, 2017. We would appreciate a written response to Mr. Mark Yamabe by U. S. Postal Service to State of Hawaii, Department of Transportation, Harbors Division, 79 South Nimitz Highway, 2nd Floor, Honolulu, Hawaii 96813, with a copy to Mr. Brian Takeda by U. S Postal Service to R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawaii, 96819.

Should you have any questions please contact the undersigned at (808) 842-1133. Thank you for your assistance.

Sincerely,

Brian Takeda

Brian Takeda,
Planning Project Coordinator

Enclosure

cc: Mark Yamabe, HDOT-H

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

OFFICE OF CONSERVATION AND COASTAL LANDS
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

REF: OCCL: AJR

COR: KA-17-211

JUN - 7 2017

Brian Takeda
c/o R.M. Towill Corporation
2024 North King St.. Ste. 200
Honolulu, HI 96819-3470

SUBJECT: DRAIN, ROADWAY, AND PEDESTRIAN WALKWAY IMPROVEMENTS AT PIERS 2 AND 3, NAWAILIWILI HARBOR – HDOT JOB NO. H.C. 70102
Lihue District, Island of Kauai
TMKs: *(4) 3-2-003:001-004*

Dear Mr. Takeda,

The Office of Conservation and Coastal Lands (OCCL) is in receipt of your letter regarding a proposed improvement project at the existing Nawiliwili Harbor. Based on a review of the proposed project (including a discussion on project changes) it appears that the proposed work will not be located within the State Land Use Conservation District (i.e., submerged lands). The project appears to be entirely contained within the SLU Urban District and may be under the authority of the County of Kauai Planning Department, or another State, Federal or County agency.

Additionally, pursuant to HRS 266-2.2 all work involving submerged lands used for state commercial harbor purposes shall be exempt from permitting requirements established for lands in the Conservation District.

If you have any questions regarding this correspondence please contact Alex J. Roy, M.Sc. of our Office of Conservation and Coastal Lands staff at 808-587-0316 or via email at alex.j.roy@hawaii.gov

Sincerely,

Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands

CC: County of Kauai – Planning Department

DAVID Y. IGE
GOVERNOR

FORD N. FUCHIGAMI
DIRECTOR

Deputy Directors
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:
HAR-ED
8790.18

July 7, 2017

TO: SAMUEL J. LEMMO, ADMINISTRATOR
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS

FROM: FORD N. FUCHIGAMI
DIRECTOR OF TRANSPORTATION

SUBJECT: RESPONSE TO COMMENTS FOR HAWAII REVISED STATUTES, CHAPTER 343, PRE-ASSESSMENT CONSULTATION FOR DRAIN, ROADWAY, AND PEDESTRIAN WALKWAY IMPROVEMENTS, PIERS 2 AND 3, NAWILIWILI HARBOR, ISLAND OF KAUAI, HAWAII
HDOT JOB NO. H. C. 70102
TAX MAP KEY: (4) 3-2-003: PORTIONS 001-004, 007, 023, 025, 040 & 999; AND (4) 3-2-004: PORTIONS 034, 042 & 054

The State of Hawaii, Department of Transportation, Harbors Division (HDOT-Harbors), thank you for your letter dated June 7, 2017 concerning the subject project (COR: KA-17-211). The following has been prepared in response to your comments (have been *italicized* for reference):

> *The Office of Conservation and Coastal Lands (OCCL) is in receipt of your letter regarding a proposed improvement project at the existing Nawiliwili Harbor. Based on a review of the proposed project (including a discussion on project changes) it appears that the proposed work will not be located within the State Land Use Conservation District (i.e., submerged lands). The project appears to be entirely contained within the SLU Urban District and may be under the authority of the County of Kauai Planning Department, or another State, Federal or County agency.*
>
> *Additionally, pursuant to HRS 266-2.2 all work involving submerged lands used for state commercial harbor purposes shall be exempt from permitting requirements established for lands in the Conservation District.*

The proposed action involves the use of land within the Urban State Land Use District. The project involving the construction of roadway, and drainage improvements and appurtenances, is consistent with this designation. HDOT-Harbors acknowledges that work involving submerged lands within the Nāwiliwili Harbor is exempt from the requirements of a Conservation District Use permit.

We appreciated your participation in the pre-assessment consultation for this project and allowing us this opportunity to respond. Your letter and this response will be included in the subject project's Draft EA. Should you have any further comments, please contact Mr. Mark Yamabe of our Harbors Engineering Design Section at telephone number (808) 587-1955, or at e-mail address mark.a.yamabe@hawaii.gov.

cc: Mr. Brian Takeda, R. M. Towill Corporation

bc: DEP-H, HAR, -E, -K

MY:ai

2024 North King Street
Suite 200
Honolulu Hawaii 96819-3470
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

May 5, 2017

Ms. Mary Abrams, Field Supervisor
U. S. Department of the Interior
Fish & Wildlife Service
Pacific Islands Fish and Wildlife Office
300 Ala Moana Blvd., Room 3-122
Box 50088
Honolulu, Hawai‘i 96850

Dear Ms. Abrams:

Subject: Drain, Roadway, and Pedestrian Walkway Improvements
Piers 2 and 3, Nāwiliwili Harbor, Island of Kaua‘i, Hawai‘i
HDOT Job No. H. C. 70102
Tax Map Key: (4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 034, 042 & 054
Request for Pre-Assessment Consultation, Hawai‘i Revised Statutes, Chapter 343

On behalf of the Hawai‘i Department of Transportation, Harbors Division (HDOT-H), we are submitting a request for pre-assessment consultation for the subject project. The proposed project is located within the industrial Nāwiliwili Harbor Piers 2 and 3 and bay area, on the southeast coast of the Island of Kaua'i, Hawai‘i, along Wa‘apa Road. A map of the project area is enclosed (**Figure 1**).

The HDOT-H is currently preparing an Environmental Assessment (EA) for the proposed project to address the requirements of Hawai‘i Revised Statutes (HRS), Chapter 343, and Hawai‘i Administrative Rules (HAR), Chapter 11-200. The specific action that requires the preparation of an EA includes the use of state land and/or funds for the proposed action.

Proposed Action
The proposed work includes the construction of drainage, roadway and pedestrian walkway improvements at Piers 2 and 3. The project site is approximately 1 acre. The purpose of the proposed project is to upgrade the harbor drainage system and existing facilities to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space. Drainage improvements include the installation of a new concrete thru gutter to convey water away from the gated harbor entrance off Wa’apa Road to the northwest corner of the harbor, and construction of a trench drain, drain inlet, and grate along Pier 2. To further promote drainage of the site, the installation of a tuffboom debris barrier within the northwestern

corner of the harbor is proposed to block floating debris from reaching and obstructing two existing drainage outlets and a proposed concrete box drain with headwall. Proposed roadway and pedestrian walkway improvements include paving Road A (i.e., an existing 700 linear foot long internal harbor access road), constructing a walkway along Road A, renovating a concrete slab, reconstructing the existing security fencing, and installing lighting. Please refer to the enclosed general site plan showing the project area and proposed improvements (**Figure 2**).

The proposed project is consistent with the Kauaʻi Commercial Harbors 2025 Master Plan, and promotes improved conditions conducive to the more efficient movement of cargo and pedestrian traffic from Piers 2 and 3, while meeting the need to improve water quality in Nāwiliwili Harbor.

Construction is expected to commence in 2017/2018. Approximately 12 months will be required for construction.

Alternatives to the Proposed Action
An evaluation of all prudent and feasible alternatives was conducted to avoid or minimize impacts to endangered and threatened species, or habitat. The proposed design was determined to be the most practical and feasible alternative. Other alternatives considered were: (a) no action and (b) delayed action. Alternatives to the proposed action did not meet the objective of addressing the ongoing discharge of untreated storm water runoff at Piers 2 and 3 while improving the Access Road A and pier working surfaces.

Significance Assessment
No adverse effects to rare, threatened or endangered flora are anticipated from construction of the proposed improvements as all work will be within an area that has been previously subjected to extensive disturbance associated with the development of the Nāwiliwili Harbor.

Based on information contained in the floral, faunal, and marine biota assessments that have been conducted at Nāwiliwili Harbor as part of past EAs and Environmental Impact Statements (EISs), there are no threatened, endangered, or endemic faunal species, or Critical Habitat in the project area. The faunal communities observed in the assessments indicate that the Nāwiliwili Harbor area is a highly developed industrial harbor facility and it is anticipated that no wildlife species will be displaced as a result of increased activity and noise associated with the proposed construction activities. Work at the site is expected to be temporary and limited principally to the area of the Pier 3 access road, Road A and the surrounding area. Upon the completion of construction activities, the area is expected to return to its present use for harbor operations.

Anticipated Impacts
Probably the most important potential biological impact identified in the prior EAs and EISs conducted in the Nāwiliwili Harbor area is the danger to the Newell's Shearwater bird posed by night lighting (Okubo, 2005). This species is attracted to coastal lights and can crash into overhead power lines, other overhead lines, and vertical man-made structures. As of 1997, only about 20 colonies were known in Hawaiʻi (Ainley et al., 1997). These birds are particularly

susceptible to night lighting because they fly to and from their colonies only at night. To mitigate the potential hazards to seabirds, the proposed project will utilize light fixtures that are designed and installed to reduce glare and fully shield light from migrating and/or nocturnally flying seabirds. These design features will be based on guidance in the "The Newell's Shearwater Light Attraction Problem, A Guide for Architects, Planners, and Resort Managers." No long-term adverse effects to area fauna are anticipated or expected.

A Department of the Army permit application has been filed with the U. S. Army Corps of Engineers (USACE) for installation of the proposed tuffboom debris barrier within the Pacific Ocean at the northwest portion of the Nāwiliwili Bay. The USACE has preliminarily determined that a Letter of Permission, under POH-2017-53, will be granted for the proposed project.

We appreciate your time and participation in the pre-assessment consultation for this project. Please ensure that your comments are received or postmarked by Friday, May 19, 2017. We would appreciate a written response to Mr. Mark Yamabe by U. S. Postal Service to State of Hawaii, Department of Transportation, Harbors Division, 79 South Nimitz Highway, 2nd Floor, Honolulu, Hawaii 96813, with a copy to Mr. Brian Takeda by U. S Postal Service to R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawaii, 96819.

Should you have any questions please contact the undersigned at (808) 842-1133. Thank you for your assistance.

Sincerely,

Brian Takeda

Brian Takeda,
Planning Project Coordinator

Enclosure

cc: Mark Yamabe, HDOT-H
Rebecca Frager, USACE

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122
Honolulu, Hawaii 96850

In Reply Refer To:
2017-TA-0255

JUN 13 2017

Mr. Mark Yamabe
State of Hawaii
Department of Transportation, Harbors Division
79 South Nimitz Highway, 2nd Floor
Honolulu, Hawaii 96813

Subject: Technical Assistance for Drain, Roadway, and Pedestrian Walkway Improvements Piers 2 and 3, Nawiliwili Harbor, Kauai

Dear Mr. Yamabe:

The U.S. Fish and Wildlife Service (Service) received your letter, dated May 8, 2017, requesting our comments on the proposed Drain, Roadway, and Pedestrian Walkway Improvements Project, as a pre-consultation in accordance with Hawaii Revised Statutes Chapter 343. The letter was submitted to us by R. M. Towill Corporation on behalf of the State of Hawaii, Department of Transportation, Harbors Division (HDOT-H). HDOT-H is in the process of preparing a draft Environmental Assessment (EA) for the proposed improvements at Pier 2 and 3 of Nawiliwili Harbor on the island of Kauai. Drainage improvements will include the installation of a new concrete thru gutter, trench drain, drain inlet, grate along Pier 2, tuffboom debris barrier, and a concrete box drain with headwall. Roadway and walkway improvements will include paving an access road, constructing a walkway along the road, renovating a concrete slab, fencing, and installing lighting (two poles with fixtures). We offer the following comments to assist you in preparing your environmental documents in accordance with the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C 1531 *et seq.*).

Your letter states that there are no threatened or endangered faunal species in the project area. We reviewed the information you provided and pertinent information in our files, including data compiled by the Hawaii Biodiversity and Mapping Program, as it pertains to federally listed species and designated critical habitat. The following species are known to occur or transit through the proposed project area: the endangered band-rumped storm-petrel (*Oceanodroma castro*) and Hawaiian petrel (*Pterodroma sandwichensis*), and the threatened Newell's shearwater (*Puffinus auricularis newelli*) (hereafter collectively referred to as seabirds). There is no designated critical habitat within the vicinity of the project area.

We acknowledge that the proposed project will utilize light fixtures that are designed and installed to reduce glare and fully shield light to minimize impacts to seabirds. In addition to this measure, construction activities should only occur during daylight hours. If lights cannot be eliminated due to safety or security concerns, they should be positioned low to the ground,

motion-triggered, and shielded or full cut-off. Effective light shields should be completely opaque, sufficiently large, and positioned so that the bulb is only visible from below. Any increase in the use of nighttime lighting, particularly during peak fallout period (September 15 through December 15), could result in additional seabird injury or mortality.

Your letter states that no long-term adverse effects to area fauna are anticipated or expected. Additional information on the light fixtures, their height and wattage, and operational use are necessary to assess potential impacts to seabirds. The draft EA should examine potential impacts to the Newell's shearwater, Hawaiian petrel, and band-rumped storm petrel that may occur as a result of construction and the operational use of stadium lighting. In addition to this information, the draft EA should analyze other measures to avoid potential impacts to seabirds due to seabird fallout (*e.g.*, not operating or turning on stadium lights during the peak fallout period).

If it is determined that the proposed project may affect federally listed species (including short-term and/or long-term effects), we recommend you contact our office so that we may assist you with the ESA compliance. If the proposed project is funded, authorized, or permitted by a Federal agency, then that agency should consult with us pursuant to section 7(a)(2) of the ESA. Your letter states that the U.S. Army Corps of Engineers (USACE) has preliminarily determined that a Letter of Permission, under POH-2017-53, will be granted for the proposed project.

Under section 7 of the ESA, it is the Federal agency's (or their non-Federal designee) responsibility to make the determination of whether or not the proposed project "may affect" federally listed species or designated critical habitat. A "may affect, not likely to adversely affect" determination is appropriate when effects to federally listed species are expected to be discountable (*i.e.*, unlikely to occur), insignificant (minimal in size), or completely beneficial. This conclusion requires written concurrence from the Service. If a "may affect" determination is made, then the Federal agency must initiate formal consultation with the Service. Projects that are determined to have "no effect" on federally listed species and/or critical habitat do not require additional coordination or consultation.

We also recommend you incorporate the attached BMPs into your project description to avoid and minimize impacts to water resources that have the potential to occur during construction activities. If you have questions regarding our comments, please contact Adam Griesemer, Endangered Species Biologist (phone: 808-285-8261, email: adam_griesemer@fws.gov). When referring to this project, please include this reference number: 01EPIF00-2017-TA-0255.

Sincerely,

Aaron Nadig
Island Team Manager
Oahu, Kauai, Northwestern Hawaiian Islands, and American Samoa

cc: Brian Takeda, R.M. Towill Corporation
Rebecca Frager, USACE

U.S. Fish and Wildlife Service
Recommended Standard Best Management Practices

The U.S. Fish and Wildlife Service (USFWS) recommends the following measures to be incorporated into project planning to avoid or minimize impacts to fish and wildlife resources. Best Management Practices (BMPs) include the incorporation of procedures or materials that may be used to reduce either direct or indirect negative impacts to aquatic habitats that result from project construction-related activities. These BMPs are recommended in addition to, and do not over-ride any terms, conditions, or other recommendations prepared by the USFWS, other federal, state or local agencies. If you have questions concerning these BMPs, please contact the USFWS Aquatic Ecosystems Conservation Program at 808-792-9400.

1. Authorized dredging and filling-related activities that may result in the temporary or permanent loss of aquatic habitats should be designed to avoid indirect, negative impacts to aquatic habitats beyond the planned project area.

2. Dredging/filling in the marine environment should be scheduled to avoid coral spawning and recruitment periods, and sea turtle nesting and hatching periods. Because these periods are variable throughout the Pacific islands, we recommend contacting the relevant local, state, or federal fish and wildlife resource agency for site specific guidance.

3. Turbidity and siltation from project-related work should be minimized and contained within the project area by silt containment devices and curtailing work during flooding or adverse tidal and weather conditions. BMPs should be maintained for the life of the construction period until turbidity and siltation within the project area is stabilized. All project construction-related debris and sediment containment devices should be removed and disposed of at an approved site.

4. All project construction-related materials and equipment (dredges, vessels, backhoes, silt curtains, etc.) to be placed in an aquatic environment should be inspected for pollutants including, but not limited to; marine fouling organisms, grease, oil, etc., and cleaned to remove pollutants prior to use. Project related activities should not result in any debris disposal, non-native species introductions, or attraction of non-native pests to the affected or adjacent aquatic or terrestrial habitats. Implementing both a litter-control plan and a Hazard Analysis and Critical Control Point plan (HACCP – see *http://www.haccp-nrm.org/Wizard/default.asp*) can help to prevent attraction and introduction of non-native species.

5. Project construction-related materials (fill, revetment rock, pipe, etc.) should not be stockpiled in, or in close proximity to aquatic habitats and should be protected from erosion (*e.g.*, with filter fabric, etc.), to prevent materials from being carried into waters by wind, rain, or high surf.

6. Fueling of project-related vehicles and equipment should take place away from the aquatic environment and a contingency plan to control petroleum products accidentally spilled during the project should be developed. The plan should be retained on site with the person responsible for compliance with the plan. Absorbent pads and containment booms should be stored on-site to facilitate the clean-up of accidental petroleum releases.

7. All deliberately exposed soil or under-layer materials used in the project near water should be protected from erosion and stabilized as soon as possible with geotextile, filter fabric or native or non-invasive vegetation matting, hydro-seeding, etc.

DAVID Y. IGE
GOVERNOR

FORD N. FUCHIGAMI
DIRECTOR

Deputy Directors
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:
HAR-ED
8796.18
R/S: 17.0669

July 10, 2017

Ms. Mary Abrams, Field Supervisor
U. S. Department of the Interior
Fish & Wildlife Service
Pacific Islands Fish and Wildlife Office
300 Ala Moana Blvd., Room 3-122
Box 50088
Honolulu, Hawai'i 96850

Attention: Mr. Aaron Nadig, Island Team Manager

Dear Ms. Abrams:

Subject: Response to Comments for Hawaii Revised Statutes, Chapter 343, Pre-Assessment Consultation For Drain, Roadway, And Pedestrian Walkway Improvements, Piers 2 And 3, Nawiliwili Harbor, Island Of Kauai, Hawaii - Job No. H. C. 70102
Tax Map Key: (4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 034, 042 & 054

The State of Hawaii, Department of Transportation, Harbors Division (HDOT-Harbors), thanks you for your letter dated June 13, 2017 concerning the subject project (Ref. No. 2017-TA-0255). The following has been prepared in response to your comments (which have been *italicized* for reference):

We offer the following comments to assist you in preparing your environmental documents in accordance with the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C 1531 et seq.).

Your letter states that there are no threatened or endangered faunal species in the project area. We reviewed the information you provided and pertinent information in our files, including data compiled by the Hawaii Biodiversity and Mapping Program, as it pertains to federally listed species and designated critical habitat. The following species are known to occur or transit through the proposed project area: the endangered band-rumped storm-petrel (Oceanodroma castro) and Hawaiian petrel (Pterodroma sandwichensis), and the threatened Newell's shearwater (Puffinus auricularis newelli) (hereafter collectively referred to as seabirds). There is no designated critical habitat within the vicinity of the project area.

We acknowledge that the proposed project will utilize light fixtures that are designed and installed to reduce glare and fully shield light to minimize impacts to seabirds. In addition to this measure, construction activities should only occur during daylight hours.

If lights cannot be eliminated due to safety or security concerns, they should be positioned low to the ground, motion-triggered, and shielded or full cut-off. Effective light shields should be completely opaque, sufficiently large, and positioned so that the bulb is only visible from below. Any increase in the use of nighttime lighting, particularly during peak fallout period (September 15 through December 15), could result in additional seabird injury or mortality.

Your letter states that no long-term adverse effects to area fauna are anticipated or expected. Additional information on the light fixtures, their height and wattage, and operational use are necessary to assess potential impacts to seabirds. The draft EA should examine potential impacts to the Newell's shearwater, Hawaiian petrel, and band-rumped storm petrel that may occur as a result of construction and the operational use of stadium lighting. In addition to this information, the draft EA should analyze other measures to avoid potential impacts to seabirds due to seabird fallout (e.g., not operating or turning on stadium lights during the peak fallout period).

Thank you for these points of clarification. The HDOT confirms that the Draft EA (**Section 5.8.2. Terrestrial Fauna**) will include a discussion of potential impacts to the Newell's shearwater, Hawaiian petrel, and band-rumped storm petrel resulting from the construction and operation of the proposed project. Mitigative measures during construction will include the planning of construction activities during the daytime hours with no night work or use of stadium lighting anticipated to be required. If night work is required, the use of stadium lighting will be avoided during the peak fallout period (September 15 through December 15).

During the pre-assessment consultation period for the proposed project, the project design included two light poles. Since then, however, the preferred alternative was modified to include only one light pole. Information pertaining to the proposed light pole height, wattage, and operational use will be provided in the project Draft EA (**Section 3.1, Description of Proposed Plan**). Mitigation measures during operation of the facility will include the utilization of light fixtures designed and installed to reduce glare and fully shield light from migrating and/or adversely impacting nocturnally flying seabirds.

If it is determined that the proposed project may affect federally listed species (including short term and/or long-term effects), we recommend you contact our office so that we may assist you with the ESA compliance. If the proposed project is funded, authorized, or permitted by a Federal agency, then that agency should consult with us pursuant to section 7(a)(2) of the ESA. Your letter states that the U.S. Army Corps of Engineers (USACE) has preliminarily determined that a Letter of Permission, under POH-2017-53, will be granted for the proposed project.

Under section 7 of the ESA, it is the Federal agency's (or their non-Federal designee) responsibility to make the determination of whether or not the proposed project "may affect" federally listed species or designated critical habitat. A "may affect, not likely to adversely affect" determination is appropriate when effects to federally listed species are expected to be discountable (i.e., unlikely to occur), insignificant (minimal in size), or completely beneficial. This conclusion requires written concurrence from the Service. If a "may affect" determination is made, then the Federal agency must initiate formal

consultation with the Service. Projects that are determined to have "no effect" on federally listed species and/or critical habitat do not require additional coordination or consultation.

With the inclusion of the proposed mitigative measures identified above and in a forthcoming Draft EA (**Section 5.8.2. Terrestrial Fauna**), no long-term adverse effects to federally listed species are anticipated or expected from the proposed project. In addition, we will contact you to obtain written concurrence from the Service if a "may affect, not likely to adversely affect" determination is made.

A Department of the Army permit application was earlier filed with the U. S. Army Corps of Engineers under POH-2017-53, when a tuffboom debris barrier was proposed for the project. The project scope of work was subsequently modified to remove the tuffboom debris barrier for reasons that primarily involved limited effectiveness at controlling floating debris from blocking the proposed storm water outlets to the harbor. Because the tuffboom debris barrier is no longer a part of this project, the Department of the Army permit application (POH-2017-53) was withdrawn.

We appreciated your participation in the pre-assessment consultation for this project and allowing us this opportunity to respond. Your letter and this response will be included as part of the environmental documentation for the Draft EA. Should you have any further comments, please contact Mark Yamabe of our Harbors Engineering Design Section at telephone number (808) 587-1955, or at e-mail address mark.a.yamabe@hawaii.gov.

Sincerely,

FORD N. FUCHIGAMI
Director of Transportation

for

cc: Mr. Brian Takeda, R. M. Towill Corporation

bc: HAR, -E, -K

MY: ai

2024 North King Street
Suite 200
Honolulu Hawaii 96819-3470
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

May 5, 2017

Mr. Michael Tosatto, Regional Administrator
Protected Resources Division
NMFS Pacific Islands Regional Office
1845 Wasp Boulevard, Building 176
Honolulu, Hawai‘i 96818

Dear Mr. Tosatto:

Subject: Drain, Roadway, and Pedestrian Walkway Improvements
Piers 2 and 3, Nāwiliwili Harbor, Island of Kaua‘i, Hawai‘i
HDOT Job No. H. C. 70102
Tax Map Key: (4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 034, 042 & 054
Request for Pre-Assessment Consultation, Hawai‘i Revised Statutes, Chapter 343

On behalf of the Hawai‘i Department of Transportation, Harbors Division (HDOT-H), we are submitting a request for pre-assessment consultation for the subject project. The proposed project is located within the industrial Nāwiliwili Harbor Piers 2 and 3 and bay area, on the southeast coast of the Island of Kaua'i, Hawai‘i, along Wa‘apa Road. A map of the project area is enclosed (**Figure 1**).

The HDOT-H is currently preparing an Environmental Assessment (EA) for the proposed project to address the requirements of Hawai‘i Revised Statutes (HRS), Chapter 343, and Hawai‘i Administrative Rules (HAR), Chapter 11-200. The specific action that requires the preparation of an EA includes the use of state land and/or funds for the proposed action.

Proposed Action
The proposed work includes the construction of drainage, roadway and pedestrian walkway improvements at Piers 2 and 3. The project site is approximately 1 acre. The purpose of the proposed project is to upgrade the harbor drainage system and existing facilities to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space. Drainage improvements include the installation of a new concrete thru gutter to convey water away from the gated harbor entrance off Wa’apa Road to the northwest corner of the harbor, and construction of a trench drain, drain inlet, and grate along Pier 2. To further promote drainage of the site, the installation of a tuffboom debris barrier within the northwestern corner of the harbor is proposed to block floating debris from reaching and obstructing two existing drainage outlets and a proposed concrete box drain with headwall. Proposed roadway

and pedestrian walkway improvements include paving Road A (i.e., an existing 700 linear foot long internal harbor access road), constructing a walkway along Road A, renovating a concrete slab, reconstructing the existing security fencing, and installing lighting. Please refer to the enclosed general site plan showing the project area and proposed improvements (**Figure 2**).

The proposed project is consistent with the Kauaʻi Commercial Harbors 2025 Master Plan, and promotes improved conditions conducive to the more efficient movement of cargo and pedestrian traffic from Piers 2 and 3, while meeting the need to improve water quality in Nāwiliwili Harbor.

Construction is expected to commence in 2017/2018. Approximately 12 months will be required for construction.

Alternatives to the Proposed Action
An evaluation of all prudent and feasible alternatives was conducted to avoid or minimize impacts to endangered and threatened species, or habitat. The proposed design was determined to be the most practical and feasible alternative. Other alternatives considered were: (a) no action and (b) delayed action. Alternatives to the proposed action did not meet the objective of addressing the ongoing discharge of untreated storm water runoff at Piers 2 and 3 while improving the Access Road A and pier working surfaces.

Significance Assessment
The proposed project related work at the northwest portion of the Nāwiliwili Bay for the installation of the tuffboom debris barrier or approved equivalent is not located in an area where there are sensitive marine or coastal resources that could be threatened. The reefs in Nāwiliwili Bay were dredged during the construction of the harbor. Protected and/or listed species that may occur within the project vicinity are discussed further below:

Sea Turtles
Of the sea turtles found in the Hawaiian Islands, only green sea turtle is likely in the project vicinity, however the conditions within the Nāwiliwili Harbor does not provide this animal feeding habitat. The green sea turtle was listed as a threatened species under the Endangered Species Act (ESA) in 1978 (ESA; USFWS, 1978, 2001). Since protection, the green sea turtle has become the most common sea turtle in the Hawaiian Islands with a steadily growing population. On February 16, 2012, the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (USFWS) received a petition from the Association of Hawaiian Civic Clubs to identify the Hawaiian green turtle population as a distinct population segment (DPS) and delist the Hawaiʻi DPS under the ESA of 1973, as amended (ESA; 16 U.S.C. 1531 et seq.). In April 2016, the National Oceanic and Atmospheric Administration (NOAA)-NMFS issued a final rule to reclassify the green sea turtle into eleven DPS, but continue protection of the Hawaiʻi DPS as a threatened species under the ESA (NOAA & USFWS, 2016).

Monk Seal
The endangered Hawaiian monk seal (*Monachus schauinslandi*) is known to occur in the waters off the island of Kauaʻi. Critical habitat for Hawaiian monk seals has been designated (NOAA-NMFS, 2015) and includes the seafloor and marine habitat to 10 meters above the seafloor from the200-meter depth contour through the shoreline and extending into terrestrial habitat 5 meters inland from the shoreline between identified boundary points. These terrestrial boundary points define preferred pupping areas and significant haul-out areas. (NOAA-NMFS, 2015). The Nāwiliwili Harbor does not fall within assigned boundary points; therefore, it is excluded from monk seal critical habitat designation.

Anticipated Impacts
Sea turtles and marine mammals typically avoid human activity, so exposure to such activity and equipment operation would be infrequent and non-injurious, resulting in insignificant effects on the ESA-listed marine species. Additionally, protected species Best Management Practices will be followed by the project manager and contractor to reduce the likelihood of interactions, and will include watching for and avoiding protected species before commencing work and postponing or halting operations when protected species are within 50 yards of project activities. The proposed improvements within the harbor waters will not endanger any marine life or other wildlife in the area.

A Department of the Army permit application has been filed with the U. S. Army Corps of Engineers (USACE) for installation of the proposed tuffboom debris barrier within the Pacific Ocean at the northwest portion of the Nāwiliwili Bay. The USACE has preliminarily determined that a Letter of Permission, under POH-2017-53, will be granted for the proposed project.

We appreciate your time and participation in the pre-assessment consultation for this project. Please ensure that your comments are received or postmarked by Friday, May 19, 2017. We would appreciate a written response to Mr. Mark Yamabe by U. S. Postal Service to State of Hawaii, Department of Transportation, Harbors Division, 79 South Nimitz Highway, 2nd Floor, Honolulu, Hawaii 96813, with a copy to Mr. Brian Takeda by U. S Postal Service to R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawaii, 96819.

Should you have any questions please contact the undersigned at (808) 842-1133. Thank you for your assistance.

Sincerely,

Brian Takeda

Brian Takeda,
Planning Project Coordinator

Enclosure

cc: Mark Yamabe, HDOT-H
Rebecca Frager, USACE

2024 North King Street
Suite 200
Honolulu Hawaii 96819-3470
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

May 5, 2017

The Honorable Suzanne Case, Chairperson and State Historic Preservation Officer
Department of Land and Natural Resources
Kalanimoku Building
1151 Punchbowl Street
Honolulu, Hawai‘i 96813

Attention: Mr. Alan Downer, Administrator and Deputy State Historic Preservation Officer
Ms. Susan Lebo, Archaeology Branch Chief

Dear Ms. Case:

Subject: Drain, Roadway, and Pedestrian Walkway Improvements
Piers 2 and 3, Nāwiliwili Harbor, Island of Kaua‘i, Hawai‘i
HDOT Job No. H. C. 70102
Tax Map Key: (4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 034, 042 & 054
Request for Pre-Assessment Consultation, Hawai‘i Revised Statutes, Chapter 343

On behalf of the Hawai‘i Department of Transportation, Harbors Division (HDOT-H), we are submitting a request for pre-assessment consultation for the subject project. The proposed project is located within the industrial Nāwiliwili Harbor Piers 2 and 3 and bay area, on the southeast coast of the Island of Kaua'i, Hawai‘i, along Wa‘apa Road. A map of the project area is enclosed (**Figure 1**).

The HDOT-H is currently preparing an Environmental Assessment (EA) for the proposed project to address the requirements of Hawai‘i Revised Statutes (HRS), Chapter 343, and Hawai‘i Administrative Rules (HAR), Chapter 11-200. The specific action that requires the preparation of an EA includes the use of state land and/or funds for the proposed action.

Proposed Action
The proposed work includes the construction of drainage, roadway and pedestrian walkway improvements at Piers 2 and 3. The project site is approximately 1 acre. The purpose of the proposed project is to upgrade the harbor drainage system and existing facilities to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space. Drainage improvements include the installation of a new concrete thru gutter to convey water away from the gated harbor entrance off Wa’apa Road to the northwest corner of the harbor, and construction of a trench drain, drain inlet, and grate along Pier 2. To further promote drainage of the site, the installation of a tuffboom debris barrier within the northwestern corner of the harbor is proposed to block floating debris from reaching and obstructing two

existing drainage outlets and a proposed concrete box drain with headwall. Proposed roadway and pedestrian walkway improvements include paving Road A (i.e., an existing 700 linear foot long internal harbor access road), constructing a walkway along Road A, renovating a concrete slab, reconstructing the existing security fencing, and installing lighting. Please refer to the enclosed general site plan showing the project area and proposed improvements (**Figure 2**).

The proposed project is consistent with the Kauaʻi Commercial Harbors 2025 Master Plan, and promotes improved conditions conducive to the more efficient movement of cargo and pedestrian traffic from Piers 2 and 3, while meeting the need to improve water quality in Nāwiliwili Harbor.

Construction is expected to commence in 2017/2018. Approximately 12 months will be required for construction.

Alternatives to the Proposed Action
An evaluation of all prudent and feasible alternatives was conducted to avoid or minimize impacts to historic or archaeological resources, and traditional and cultural practices. The proposed design was determined to be the most practical and feasible alternative. Other alternatives considered were: (a) no action and (b) delayed action. Alternatives to the proposed action did not meet the objective of addressing the ongoing discharge of untreated storm water runoff at Piers 2 and 3 while improving the Access Road A and pier working surfaces.

Background
The proposed project site is situated within Nāwiliwili Harbor which occupies fill land that was created from spoils dredged from Nāwiliwili Bay during the construction and development of the harbor facility.

Nāwiliwili Bay and its surrounding area provided an ideal home and fertile grounds for an ancient native Hawaiian settlement. Their economy was subsistence-based, cultivating Taro and raising fish in ponds for their food source. In 1778, Captain James Cook landed in Waimea located on the southwest coast of Kauaʻi and the lifestyle of the indigenous people was radically altered. Over time, as more westerners moved in, all traces of the original settlement vanished as the bay was transformed into a general port for the area. By 1898, two piers were constructed: a Government landing on the west side of the bay and a privately built landing to the north.

Cultural sites, including, but not limited to, *heiau* and native (and later residential) dwellings, were destroyed during the development of the area following the arrival of Captain James Cook, the introduction of foreign agricultural practices and industry (e.g., rice cultivation, sugar cane cultivation), and the development of western infrastructure (e.g., roads, government jail, government court house, residential homes). What few cultural sites might have remained would have been destroyed during the construction of Nāwiliwili Harbor, the development of harbor infrastructure, commercial and infrastructure development in the area, and the construction of the hotel and resort complex at Kalapaki.

Significance Assessment
Potential impacts to cultural and historic sites were considered in the preparation of prior EAs and Environmental Impact Assessments conducted for various other projects in the Nāwiliwili

Harbor area. The cultural assessments all reached similar conclusions, that the construction projects in question would not have significant negative cultural impacts.

Based on the results of the 2005 cultural assessment for the Pier 3 improvement project (Okubo, 2005), the following conclusions and observations were made regarding cultural and historic sites and cultural practices in the Nāwiliwili Harbor area. It is apparent from this description that cultural and historic sites are of little concern:

> "It is highly improbable that there will be any appreciable cultural impacts from the Pier 3 segmented pier project since the work will be in an existing industrial site which dates back more than 70 years. The use of the sea for sustenance and recreation is a feature of Hawaiian life. Until the September 11, 2001 attack on the United States by terrorists, fishing was permitted from the piers and within the harbor. However, new security regulations prohibit fishing from the pier areas.
>
> While fishing within the bay is permitted, there is a conflict between pole or hand fishermen and the commercial fishermen using gill nets within the bay. It appears that this confrontation may be eliminated or minimized by new regulations which may be developed by the DLNR.
>
> Besides fishing, the use of canoes within the bay is a normal occurrence. This vestige of Hawaiian history is an important part of the renaissance of the Hawaiian culture today. There is no regulation, save the national security measures, governing the use of canoes within the harbor area save the common-sense practice of those paddling canoes not to encroach upon the path of oceangoing ships. Since the ship schedule is published for each year ahead of time, the canoe enthusiasts will be able to schedule events without undue conflicts with the shipping industry."

For the 1998 Waʻapa Road realignment project (NKN, 1998), located north of the proposed project site, the following conclusions were made.

> "There are no known archaeological or historic resources in the project area due to the heavy impacts of the harbor and prior sugarcane cultivation. The proposed project, therefore, will have "no effect" on significant historic sites (DLNR, 1997)."

For the 1993 Pier 1 improvements project (DOT, 1993b), which was located just northeast of the proposed project site, the following conclusions were made.

> "The construction of the project will not … Involve an irrevocable commitment to loss or destruction of any natural or cultural resources, except for the labor and materials related to the construction of the improvements."

The 1973 EA for construction of the small boat harbor (Department of the Army, 1973) came to the following conclusions.

> "There are no historical or archaeological sites in the vicinity which will be affected by the project."

Anticipated Impacts
Based on the above, the potential for adverse effects to historic or archaeological resources, and traditional and cultural practices is not anticipated. The use of the site for traditional or cultural practices is not expected based on the location of the planned project within an existing industrial harbor facility. The project area has been previously heavily modified with grading, paving, and road and harbor construction activities. Plants found at the site are primarily introduced, exotic species not normally associated with cultural gathering or use activities. The edges of the paved areas at the site areas are infested with weedy species such as lantana, koa haole, bermuda grass, kikuyu grass, and guinea grass.

The previously paved and otherwise developed condition of the site is also not conducive to the presence of *wahi pana* (storied place) or other sites associated with the gathering of important native species that may include tī, flowering Hawaiian plants, or other species bearing fruit.

Given the lack of any historic properties within the project area, and the unlikelihood of encountering any burials due to the project site being composed of fill material, an archaeological inventory survey or monitoring program is not anticipated to be required for the proposed improvements project. In the unlikely event that cultural deposits and/or human skeletal remains are encountered during ground disturbing activities, work should be stopped immediately in that area and the State Historic Preservation Division, Department of Land and Natural Resources will be notified of the nature of the discovery.

A Department of the Army permit application has been filed with the U. S. Army Corps of Engineers (USACE) for installation of the proposed tuffboom debris barrier within the Pacific Ocean at the northwest portion of the Nāwiliwili Bay. The USACE has preliminarily determined that a Letter of Permission, under POH-2017-53, will be granted for the proposed project.

We appreciate your time and participation in the pre-assessment consultation for this project. Please ensure that your comments are received or postmarked by Friday, May 19, 2017. We would appreciate a written response to Mr. Mark Yamabe by U. S. Postal Service to State of Hawaii, Department of Transportation, Harbors Division, 79 South Nimitz Highway, 2nd Floor, Honolulu, Hawaii 96813, with a copy to Mr. Brian Takeda by U. S Postal Service to R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawaii, 96819.

Should you have any questions please contact the undersigned at (808) 842-1133. Thank you for your assistance.

Sincerely,

Brian Takeda

Brian Takeda,
Planning Project Coordinator

Enclosure
cc: Mark Yamabe, HDOT-H
Rebecca Frager, USACE

2024 North King Street
Suite 200
Honolulu Hawaii 96819-3470
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

May 5, 2017

Mr. Luis P. Salaveria, Director
State of Hawai‘i
Dept. of Business, Economic Development & Tourism
P.O. Box 2359
Honolulu, Hawai‘i 96804

Dear Mr. Salaveria:

Subject: Drain, Roadway, and Pedestrian Walkway Improvements
Piers 2 and 3, Nāwiliwili Harbor, Island of Kaua‘i, Hawai‘i
HDOT Job No. H. C. 70102
Tax Map Key: (4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 034, 042 & 054
Request for Pre-Assessment Consultation, Hawai‘i Revised Statutes, Chapter 343

On behalf of the Hawai‘i Department of Transportation, Harbors Division (HDOT-H), we are submitting a request for pre-assessment consultation for the subject project. The proposed project is located within the industrial Nāwiliwili Harbor Piers 2 and 3 and bay area, on the southeast coast of the Island of Kaua'i, Hawai‘i, along Wa‘apa Road. A map of the project area is enclosed (**Figure 1**).

The HDOT-H is currently preparing an Environmental Assessment (EA) for the proposed project to address the requirements of Hawai‘i Revised Statutes (HRS), Chapter 343, and Hawai‘i Administrative Rules (HAR), Chapter 11-200. The specific action that requires the preparation of an EA includes the use of state land and/or funds for the proposed action.

Proposed Action
The proposed work includes the construction of drainage, roadway and pedestrian walkway improvements at Piers 2 and 3. The project site is approximately 1 acre. The purpose of the proposed project is to upgrade the harbor drainage system and existing facilities to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space. Drainage improvements include the installation of a new concrete thru gutter to convey water away from the gated harbor entrance off Wa’apa Road to the northwest corner of the harbor, and construction of a trench drain, drain inlet, and grate along Pier 2. To further promote drainage of the site, the installation of a tuffboom debris barrier within the northwestern corner of the harbor is proposed to block floating debris from reaching and obstructing two existing drainage outlets and a proposed concrete box drain with headwall. Proposed roadway

and pedestrian walkway improvements include paving Road A (i.e., an existing 700 linear foot long internal harbor access road), constructing a walkway along Road A, renovating a concrete slab, reconstructing the existing security fencing, and installing lighting. Please refer to the enclosed general site plan showing the project area and proposed improvements (**Figure 2**).

The proposed project is consistent with the Kauaʻi Commercial Harbors 2025 Master Plan, and promotes improved conditions conducive to the more efficient movement of cargo and pedestrian traffic from Piers 2 and 3, while meeting the need to improve water quality in Nāwiliwili Harbor.

Construction is expected to commence in 2017/2018. Approximately 12 months will be required for construction.

Alternatives to the Proposed Action
An evaluation of all prudent and feasible alternatives was conducted to avoid or minimize impacts to the surrounding environment. The proposed design was determined to be the most practical and feasible alternative. Other alternatives considered were: (a) no action and (b) delayed action. Alternatives to the proposed action did not meet the objective of addressing the ongoing discharge of untreated storm water runoff at Piers 2 and 3 while improving the Access Road A and pier working surfaces.

Significance Assessment
Nāwiliwili Harbor is Kaua'i's principal port for incoming and outgoing commercial cargo, and is a port-of-call for passenger cruise ships. The harbor piers accommodate passenger ships and vessels handling inbound and outbound cargo and fuel deliveries, and provides storage facilities used for the handling and storage of automobiles, containers and other products and materials. Commercial harbor operators using the harbor range from major cargo carriers including Matson and Young Brothers, to cruise ship and boating operators, commercial fishermen, and charter boat operators. Other operations including agricultural and commercial cargo distribution are also located at the harbor. Adjacent to the commercial harbor is the Nāwiliwili Small Boat Harbor managed by the Department of Land and Natural Resources, Division of Boating and Ocean Recreation.

Anticipated Impacts
There would be positive long-term and secondary impacts in the areas of social benefit for residents and visitors from the drain, roadway, and pedestrian walkway improvements at Nāwiliwili Harbor. With or without the proposed action, cargo volumes would increase with the anticipated future growth of the State. Long-term gains resulting from development of the proposed project include the provision of more efficient operational use of Nāwiliwili Harbor that will support continued operations and on-going commerce, trade and tourist related activities.

The proposed project will maintain and enhance economic productivity by supporting the effective use of State lands to accommodate future growth in the maritime industry. The project

will further benefit the State of Hawai‘i, and residents and visitors to Kaua‘i, by helping to control costs of inter-island transshipment and facilitating the efficient transportation of goods to, from, and among the islands, that will enable Kaua‘i to continue to be a desirable place to live and visit.

We appreciate your time and participation in the pre-assessment consultation for this project. Please ensure that your comments are received or postmarked by Friday, May 19, 2017. We would appreciate a written response to Mr. Mark Yamabe by U. S. Postal Service to State of Hawaii, Department of Transportation, Harbors Division, 79 South Nimitz Highway, 2nd Floor, Honolulu, Hawaii 96813, with a copy to Mr. Brian Takeda by U. S Postal Service to R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawaii, 96819.

Should you have any questions please contact the undersigned at (808) 842-1133. Thank you for your assistance.

Sincerely,

Brian Takeda

Brian Takeda,
Planning Project Coordinator

Enclosure

cc: Mark Yamabe, HDOT-H

2024 North King Street
Suite 200
Honolulu Hawaii 96819-3470
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

May 5, 2017

Mr. Michael A. Dahilig, Planning Director
Kauai County Planning Department
4444 Rice Street, #473,
Līhuʻe, Hawaiʻi 96766

Dear Mr. Dahilig:

Subject: Drain, Roadway, and Pedestrian Walkway Improvements
Piers 2 and 3, Nāwiliwili Harbor, Island of Kauaʻi, Hawaiʻi
HDOT Job No. H. C. 70102
Tax Map Key: (4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 034, 042 & 054
Request for Pre-Assessment Consultation, Hawaiʻi Revised Statutes, Chapter 343

On behalf of the Hawaiʻi Department of Transportation, Harbors Division (HDOT-H), we are submitting a request for pre-assessment consultation for the subject project. The proposed project is located within the industrial Nāwiliwili Harbor Piers 2 and 3 and bay area, on the southeast coast of the Island of Kaua'i, Hawaiʻi, along Waʻapa Road. A map of the project area is enclosed (**Figure 1**).

The HDOT-H is currently preparing an Environmental Assessment (EA) for the proposed project to address the requirements of Hawaiʻi Revised Statutes (HRS), Chapter 343, and Hawaiʻi Administrative Rules (HAR), Chapter 11-200. The specific action that requires the preparation of an EA includes the use of state land and/or funds for the proposed action.

Proposed Action
The proposed work includes the construction of drainage, roadway and pedestrian walkway improvements at Piers 2 and 3. The project site is approximately 1 acre. The purpose of the proposed project is to upgrade the harbor drainage system and existing facilities to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space. Drainage improvements include the installation of a new concrete thru gutter to convey water away from the gated harbor entrance off Wa'apa Road to the northwest corner of the harbor, and construction of a trench drain, drain inlet, and grate along Pier 2. To further promote drainage of the site, the installation of a tuffboom debris barrier within the northwestern corner of the harbor is proposed to block floating debris from reaching and obstructing two existing drainage outlets and a proposed concrete box drain with headwall. Proposed roadway and pedestrian walkway improvements include paving Road A (i.e., an existing 700 linear foot

long internal harbor access road), constructing a walkway along Road A, renovating a concrete slab, reconstructing the existing security fencing, and installing lighting. Please refer to the enclosed general site plan showing the project area and proposed improvements (**Figure 2**).

The proposed project is consistent with the Kauaʻi Commercial Harbors 2025 Master Plan, and promotes improved conditions conducive to the more efficient movement of cargo and pedestrian traffic from Piers 2 and 3, while meeting the need to improve water quality in Nāwiliwili Harbor.

Construction is expected to commence in 2017/2018. Approximately 12 months will be required for construction.

Alternatives to the Proposed Action
An evaluation of all prudent and feasible alternatives was conducted to avoid or minimize impacts to the surrounding environment. The proposed design was determined to be the most practical and feasible alternative. Other alternatives considered were: (a) no action and (b) delayed action. Alternatives to the proposed action did not meet the objective of addressing the ongoing discharge of untreated storm water runoff at Piers 2 and 3 while improving the Access Road A and pier working surfaces.

Significance Assessment
Nāwiliwili Harbor is Kaua'i's principal port for incoming and outgoing commercial cargo, and is a port-of-call for passenger cruise ships. The harbor piers accommodate passenger ships and vessels handling inbound and outbound cargo and fuel deliveries, and provides storage facilities used for the handling and storage of automobiles, containers and other products and materials. Commercial harbor operators using the harbor range from major cargo carriers including Matson and Young Brothers, to cruise ship and boating operators, commercial fishermen, and charter boat operators. Other operations including agricultural and commercial cargo distribution are also located at the harbor. Adjacent to the commercial harbor is the Nāwiliwili Small Boat Harbor managed by the Department of Land and Natural Resources, Division of Boating and Ocean Recreation.

Anticipated Impacts
There would be positive long-term and secondary impacts in the areas of social benefit for residents and visitors from the drain, roadway, and pedestrian walkway improvements at Nāwiliwili Harbor. With or without the proposed action, cargo volumes would increase with the anticipated future growth of the State. Long-term gains resulting from development of the proposed project include the provision of more efficient operational use of Nāwiliwili Harbor that will support continued operations and on-going commerce, trade and tourist related activities.

The proposed project will maintain and enhance economic productivity by supporting the effective use of State lands to accommodate future growth in the maritime industry. The project will further benefit the State of Hawaiʻi, and residents and visitors to Kauaʻi, by helping to

control costs of inter-island transshipment and facilitating the efficient transportation of goods to, from, and among the islands, that will enable Kauaʻi to continue to be a desirable place to live and visit.

We appreciate your time and participation in the pre-assessment consultation for this project. Please ensure that your comments are received or postmarked by Friday, May 19, 2017. We would appreciate a written response to Mr. Mark Yamabe by U. S. Postal Service to State of Hawaii, Department of Transportation, Harbors Division, 79 South Nimitz Highway, 2nd Floor, Honolulu, Hawaii 96813, with a copy to Mr. Brian Takeda by U. S Postal Service to R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawaii, 96819.

Should you have any questions please contact the undersigned at (808) 842-1133. Thank you for your assistance.

Sincerely,

Brian Takeda

Brian Takeda,
Planning Project Coordinator

Enclosure

cc: Mark Yamabe, HDOT-H

2024 North King Street
Suite 200
Honolulu Hawaii 96819-3470
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

May 5, 2017

Young Brothers Hawai‘i
3020 Wa‘apa Road, Pier 3
Līhu‘e, HI 96766

Dear Young Brothers Hawai‘i:

Subject: Drain, Roadway, and Pedestrian Walkway Improvements
Piers 2 and 3, Nāwiliwili Harbor, Island of Kaua‘i, Hawai‘i
HDOT Job No. H. C. 70102
Tax Map Key: (4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 034, 042 & 054
Request for Pre-Assessment Consultation, Hawai‘i Revised Statutes, Chapter 343

On behalf of the Hawai‘i Department of Transportation, Harbors Division (HDOT-H), we are submitting a request for pre-assessment consultation for the subject project. The proposed project is located within the industrial Nāwiliwili Harbor Piers 2 and 3 and bay area, on the southeast coast of the Island of Kaua'i, Hawai‘i, along Wa‘apa Road. A map of the project area is enclosed (**Figure 1**).

The HDOT-H is currently preparing an Environmental Assessment (EA) for the proposed project to address the requirements of Hawai‘i Revised Statutes (HRS), Chapter 343, and Hawai‘i Administrative Rules (HAR), Chapter 11-200. The specific action that requires the preparation of an EA includes the use of state land and/or funds for the proposed action.

Proposed Action
The proposed work includes the construction of drainage, roadway and pedestrian walkway improvements at Piers 2 and 3. The project site is approximately 1 acre. The purpose of the proposed project is to upgrade the harbor drainage system and existing facilities to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space. Drainage improvements include the installation of a new concrete thru gutter to convey water away from the gated harbor entrance off Wa’apa Road to the northwest corner of the harbor, and construction of a trench drain, drain inlet, and grate along Pier 2. To further promote drainage of the site, the installation of a tuffboom debris barrier within the northwestern corner of the harbor is proposed to block floating debris from reaching and obstructing two existing drainage outlets and a proposed concrete box drain with headwall. Proposed roadway and pedestrian walkway improvements include paving Road A (i.e., an existing 700 linear foot long internal harbor access road), constructing a walkway along Road A, renovating a concrete

slab, reconstructing the existing security fencing, and installing lighting. Please refer to the enclosed general site plan showing the project area and proposed improvements (**Figure 2**).

The proposed project is consistent with the Kaua‘i Commercial Harbors 2025 Master Plan, and promotes improved conditions conducive to the more efficient movement of cargo and pedestrian traffic from Piers 2 and 3, while meeting the need to improve water quality in Nāwiliwili Harbor.

Construction is expected to commence in 2017/2018. Approximately 12 months will be required for construction.

Alternatives to the Proposed Action
An evaluation of all prudent and feasible alternatives was conducted to avoid or minimize impacts to the surrounding environment. The proposed design was determined to be the most practical and feasible alternative. Other alternatives considered were: (a) no action and (b) delayed action. Alternatives to the proposed action did not meet the objective of addressing the ongoing discharge of untreated storm water runoff at Piers 2 and 3 while improving the Access Road A and pier working surfaces.

Significance Assessment
Nāwiliwili Harbor is Kaua'i's principal port for incoming and outgoing commercial cargo, and is a port-of-call for passenger cruise ships. The harbor piers accommodate passenger ships and vessels handling inbound and outbound cargo and fuel deliveries, and provides storage facilities used for the handling and storage of automobiles, containers and other products and materials. Commercial harbor operators using the harbor range from major cargo carriers including Matson and Young Brothers, to cruise ship and boating operators, commercial fishermen, and charter boat operators. Other operations including agricultural and commercial cargo distribution are also located at the harbor. Adjacent to the commercial harbor is the Nāwiliwili Small Boat Harbor managed by the Department of Land and Natural Resources, Division of Boating and Ocean Recreation.

Anticipated Impacts
There would be positive long-term and secondary impacts in the areas of social benefit for residents and visitors from the drain, roadway, and pedestrian walkway improvements at Nāwiliwili Harbor. With or without the proposed action, cargo volumes would increase with the anticipated future growth of the State. Long-term gains resulting from development of the proposed project include the provision of more efficient operational use of Nāwiliwili Harbor that will support continued operations and on-going commerce, trade and tourist related activities.

The proposed project will maintain and enhance economic productivity by supporting the effective use of State lands to accommodate future growth in the maritime industry. The project will further benefit the State of Hawai‘i, and residents and visitors to Kaua‘i, by helping to control costs of inter-island transshipment and facilitating the efficient transportation of goods to,

from, and among the islands, that will enable Kaua‘i to continue to be a desirable place to live and visit.

We appreciate your time and participation in the pre-assessment consultation for this project. Please ensure that your comments are received or postmarked by Friday, May 19, 2017. We would appreciate a written response to Mr. Mark Yamabe by U. S. Postal Service to State of Hawaii, Department of Transportation, Harbors Division, 79 South Nimitz Highway, 2nd Floor, Honolulu, Hawaii 96813, with a copy to Mr. Brian Takeda by U. S Postal Service to R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawaii, 96819.

Should you have any questions please contact the undersigned at (808) 842-1133. Thank you for your assistance.

Sincerely,

Brian Takeda

Brian Takeda,
Planning Project Coordinator

Enclosure

cc: Mark Yamabe, HDOT-H

2024 North King Street
Suite 200
Honolulu Hawaii 96819-3470
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

May 5, 2017

Princess Cruise Lines, Ltd
24305 Town Center Drive,
Santa Clarita, CA 91355

Dear Princess Cruise Lines, Ltd:

Subject: Drain, Roadway, and Pedestrian Walkway Improvements
Piers 2 and 3, Nāwiliwili Harbor, Island of Kauaʻi, Hawaiʻi
HDOT Job No. H. C. 70102
Tax Map Key: (4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 034, 042 & 054
Request for Pre-Assessment Consultation, Hawaiʻi Revised Statutes, Chapter 343

On behalf of the Hawaiʻi Department of Transportation, Harbors Division (HDOT-H), we are submitting a request for pre-assessment consultation for the subject project. The proposed project is located within the industrial Nāwiliwili Harbor Piers 2 and 3 and bay area, on the southeast coast of the Island of Kaua'i, Hawaiʻi, along Waʻapa Road. A map of the project area is enclosed (**Figure 1**).

The HDOT-H is currently preparing an Environmental Assessment (EA) for the proposed project to address the requirements of Hawaiʻi Revised Statutes (HRS), Chapter 343, and Hawaiʻi Administrative Rules (HAR), Chapter 11-200. The specific action that requires the preparation of an EA includes the use of state land and/or funds for the proposed action.

Proposed Action
The proposed work includes the construction of drainage, roadway and pedestrian walkway improvements at Piers 2 and 3. The project site is approximately 1 acre. The purpose of the proposed project is to upgrade the harbor drainage system and existing facilities to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space. Drainage improvements include the installation of a new concrete thru gutter to convey water away from the gated harbor entrance off Waʼapa Road to the northwest corner of the harbor, and construction of a trench drain, drain inlet, and grate along Pier 2. To further promote drainage of the site, the installation of a tuffboom debris barrier within the northwestern corner of the harbor is proposed to block floating debris from reaching and obstructing two existing drainage outlets and a proposed concrete box drain with headwall. Proposed roadway and pedestrian walkway improvements include paving Road A (i.e., an existing 700 linear foot long internal harbor access road), constructing a walkway along Road A, renovating a concrete

slab, reconstructing the existing security fencing, and installing lighting. Please refer to the enclosed general site plan showing the project area and proposed improvements (**Figure 2**).

The proposed project is consistent with the Kauaʻi Commercial Harbors 2025 Master Plan, and promotes improved conditions conducive to the more efficient movement of cargo and pedestrian traffic from Piers 2 and 3, while meeting the need to improve water quality in Nāwiliwili Harbor.

Construction is expected to commence in 2017/2018. Approximately 12 months will be required for construction.

Alternatives to the Proposed Action
An evaluation of all prudent and feasible alternatives was conducted to avoid or minimize impacts to the surrounding environment. The proposed design was determined to be the most practical and feasible alternative. Other alternatives considered were: (a) no action and (b) delayed action. Alternatives to the proposed action did not meet the objective of addressing the ongoing discharge of untreated storm water runoff at Piers 2 and 3 while improving the Access Road A and pier working surfaces.

Significance Assessment
Nāwiliwili Harbor is Kaua'i's principal port for incoming and outgoing commercial cargo, and is a port-of-call for passenger cruise ships. The harbor piers accommodate passenger ships and vessels handling inbound and outbound cargo and fuel deliveries, and provides storage facilities used for the handling and storage of automobiles, containers and other products and materials. Commercial harbor operators using the harbor range from major cargo carriers including Matson and Young Brothers, to cruise ship and boating operators, commercial fishermen, and charter boat operators. Other operations including agricultural and commercial cargo distribution are also located at the harbor. Adjacent to the commercial harbor is the Nāwiliwili Small Boat Harbor managed by the Department of Land and Natural Resources, Division of Boating and Ocean Recreation.

Anticipated Impacts
There would be positive long-term and secondary impacts in the areas of social benefit for residents and visitors from the drain, roadway, and pedestrian walkway improvements at Nāwiliwili Harbor. With or without the proposed action, cargo volumes would increase with the anticipated future growth of the State. Long-term gains resulting from development of the proposed project include the provision of more efficient operational use of Nāwiliwili Harbor that will support continued operations and on-going commerce, trade and tourist related activities.

The proposed project will maintain and enhance economic productivity by supporting the effective use of State lands to accommodate future growth in the maritime industry. The project will further benefit the State of Hawaiʻi, and residents and visitors to Kauaʻi, by helping to control costs of inter-island transshipment and facilitating the efficient transportation of goods to,

from, and among the islands, that will enable Kaua‘i to continue to be a desirable place to live and visit.

We appreciate your time and participation in the pre-assessment consultation for this project. Please ensure that your comments are received or postmarked by Friday, May 19, 2017. We would appreciate a written response to Mr. Mark Yamabe by U. S. Postal Service to State of Hawaii, Department of Transportation, Harbors Division, 79 South Nimitz Highway, 2nd Floor, Honolulu, Hawaii 96813, with a copy to Mr. Brian Takeda by U. S Postal Service to R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawaii, 96819.

Should you have any questions please contact the undersigned at (808) 842-1133. Thank you for your assistance.

Sincerely,

Brian Takeda

Brian Takeda,
Planning Project Coordinator

Enclosure

cc: Mark Yamabe, HDOT-H

2024 North King Street
Suite 200
Honolulu Hawaii 96819-3470
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

May 5, 2017

Norwegian Cruise Line
2880 Kilihau St
Honolulu, HI 96819-2071

Dear Norwegian Cruise Line:

Subject: Drain, Roadway, and Pedestrian Walkway Improvements
Piers 2 and 3, Nāwiliwili Harbor, Island of Kauaʻi, Hawaiʻi
HDOT Job No. H. C. 70102
Tax Map Key: (4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 034, 042 & 054
Request for Pre-Assessment Consultation, Hawaiʻi Revised Statutes, Chapter 343

On behalf of the Hawaiʻi Department of Transportation, Harbors Division (HDOT-H), we are submitting a request for pre-assessment consultation for the subject project. The proposed project is located within the industrial Nāwiliwili Harbor Piers 2 and 3 and bay area, on the southeast coast of the Island of Kaua'i, Hawaiʻi, along Waʻapa Road. A map of the project area is enclosed (**Figure 1**).

The HDOT-H is currently preparing an Environmental Assessment (EA) for the proposed project to address the requirements of Hawaiʻi Revised Statutes (HRS), Chapter 343, and Hawaiʻi Administrative Rules (HAR), Chapter 11-200. The specific action that requires the preparation of an EA includes the use of state land and/or funds for the proposed action.

Proposed Action
The proposed work includes the construction of drainage, roadway and pedestrian walkway improvements at Piers 2 and 3. The project site is approximately 1 acre. The purpose of the proposed project is to upgrade the harbor drainage system and existing facilities to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space. Drainage improvements include the installation of a new concrete thru gutter to convey water away from the gated harbor entrance off Waʼapa Road to the northwest corner of the harbor, and construction of a trench drain, drain inlet, and grate along Pier 2. To further promote drainage of the site, the installation of a tuffboom debris barrier within the northwestern corner of the harbor is proposed to block floating debris from reaching and obstructing two existing drainage outlets and a proposed concrete box drain with headwall. Proposed roadway and pedestrian walkway improvements include paving Road A (i.e., an existing 700 linear foot long internal harbor access road), constructing a walkway along Road A, renovating a concrete

slab, reconstructing the existing security fencing, and installing lighting. Please refer to the enclosed general site plan showing the project area and proposed improvements (**Figure 2**).

The proposed project is consistent with the Kauaʻi Commercial Harbors 2025 Master Plan, and promotes improved conditions conducive to the more efficient movement of cargo and pedestrian traffic from Piers 2 and 3, while meeting the need to improve water quality in Nāwiliwili Harbor.

Construction is expected to commence in 2017/2018. Approximately 12 months will be required for construction.

Alternatives to the Proposed Action
An evaluation of all prudent and feasible alternatives was conducted to avoid or minimize impacts to the surrounding environment. The proposed design was determined to be the most practical and feasible alternative. Other alternatives considered were: (a) no action and (b) delayed action. Alternatives to the proposed action did not meet the objective of addressing the ongoing discharge of untreated storm water runoff at Piers 2 and 3 while improving the Access Road A and pier working surfaces.

Significance Assessment
Nāwiliwili Harbor is Kaua'i's principal port for incoming and outgoing commercial cargo, and is a port-of-call for passenger cruise ships. The harbor piers accommodate passenger ships and vessels handling inbound and outbound cargo and fuel deliveries, and provides storage facilities used for the handling and storage of automobiles, containers and other products and materials. Commercial harbor operators using the harbor range from major cargo carriers including Matson and Young Brothers, to cruise ship and boating operators, commercial fishermen, and charter boat operators. Other operations including agricultural and commercial cargo distribution are also located at the harbor. Adjacent to the commercial harbor is the Nāwiliwili Small Boat Harbor managed by the Department of Land and Natural Resources, Division of Boating and Ocean Recreation.

Anticipated Impacts
There would be positive long-term and secondary impacts in the areas of social benefit for residents and visitors from the drain, roadway, and pedestrian walkway improvements at Nāwiliwili Harbor. With or without the proposed action, cargo volumes would increase with the anticipated future growth of the State. Long-term gains resulting from development of the proposed project include the provision of more efficient operational use of Nāwiliwili Harbor that will support continued operations and on-going commerce, trade and tourist related activities.

The proposed project will maintain and enhance economic productivity by supporting the effective use of State lands to accommodate future growth in the maritime industry. The project will further benefit the State of Hawaiʻi, and residents and visitors to Kauaʻi, by helping to control costs of inter-island transshipment and facilitating the efficient transportation of goods to,

from, and among the islands, that will enable Kauaʻi to continue to be a desirable place to live and visit.

We appreciate your time and participation in the pre-assessment consultation for this project. Please ensure that your comments are received or postmarked by Friday, May 19, 2017. We would appreciate a written response to Mr. Mark Yamabe by U. S. Postal Service to State of Hawaii, Department of Transportation, Harbors Division, 79 South Nimitz Highway, 2nd Floor, Honolulu, Hawaii 96813, with a copy to Mr. Brian Takeda by U. S Postal Service to R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawaii, 96819.

Should you have any questions please contact the undersigned at (808) 842-1133. Thank you for your assistance.

Sincerely,

Brian Takeda

Brian Takeda,
Planning Project Coordinator

Enclosure

cc: Mark Yamabe, HDOT-H

2024 North King Street
Suite 200
Honolulu Hawaii 96819-3470
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

May 5, 2017

Oceania Cruises, Inc.
7665 Corporate Center Drive
Miami, Florida 33126

Dear Oceania Cruises, Inc.:

Subject: Drain, Roadway, and Pedestrian Walkway Improvements
Piers 2 and 3, Nāwiliwili Harbor, Island of Kauaʻi, Hawaiʻi
HDOT Job No. H. C. 70102
Tax Map Key: (4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 034, 042 & 054
Request for Pre-Assessment Consultation, Hawaiʻi Revised Statutes, Chapter 343

On behalf of the Hawaiʻi Department of Transportation, Harbors Division (HDOT-H), we are submitting a request for pre-assessment consultation for the subject project. The proposed project is located within the industrial Nāwiliwili Harbor Piers 2 and 3 and bay area, on the southeast coast of the Island of Kaua'i, Hawaiʻi, along Waʻapa Road. A map of the project area is enclosed (**Figure 1**).

The HDOT-H is currently preparing an Environmental Assessment (EA) for the proposed project to address the requirements of Hawaiʻi Revised Statutes (HRS), Chapter 343, and Hawaiʻi Administrative Rules (HAR), Chapter 11-200. The specific action that requires the preparation of an EA includes the use of state land and/or funds for the proposed action.

Proposed Action
The proposed work includes the construction of drainage, roadway and pedestrian walkway improvements at Piers 2 and 3. The project site is approximately 1 acre. The purpose of the proposed project is to upgrade the harbor drainage system and existing facilities to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space. Drainage improvements include the installation of a new concrete thru gutter to convey water away from the gated harbor entrance off Waʼapa Road to the northwest corner of the harbor, and construction of a trench drain, drain inlet, and grate along Pier 2. To further promote drainage of the site, the installation of a tuffboom debris barrier within the northwestern corner of the harbor is proposed to block floating debris from reaching and obstructing two existing drainage outlets and a proposed concrete box drain with headwall. Proposed roadway and pedestrian walkway improvements include paving Road A (i.e., an existing 700 linear foot long internal harbor access road), constructing a walkway along Road A, renovating a concrete

slab, reconstructing the existing security fencing, and installing lighting. Please refer to the enclosed general site plan showing the project area and proposed improvements (**Figure 2**).

The proposed project is consistent with the Kauaʻi Commercial Harbors 2025 Master Plan, and promotes improved conditions conducive to the more efficient movement of cargo and pedestrian traffic from Piers 2 and 3, while meeting the need to improve water quality in Nāwiliwili Harbor.

Construction is expected to commence in 2017/2018. Approximately 12 months will be required for construction.

Alternatives to the Proposed Action
An evaluation of all prudent and feasible alternatives was conducted to avoid or minimize impacts to the surrounding environment. The proposed design was determined to be the most practical and feasible alternative. Other alternatives considered were: (a) no action and (b) delayed action. Alternatives to the proposed action did not meet the objective of addressing the ongoing discharge of untreated storm water runoff at Piers 2 and 3 while improving the Access Road A and pier working surfaces.

Significance Assessment
Nāwiliwili Harbor is Kaua'i's principal port for incoming and outgoing commercial cargo, and is a port-of-call for passenger cruise ships. The harbor piers accommodate passenger ships and vessels handling inbound and outbound cargo and fuel deliveries, and provides storage facilities used for the handling and storage of automobiles, containers and other products and materials. Commercial harbor operators using the harbor range from major cargo carriers including Matson and Young Brothers, to cruise ship and boating operators, commercial fishermen, and charter boat operators. Other operations including agricultural and commercial cargo distribution are also located at the harbor. Adjacent to the commercial harbor is the Nāwiliwili Small Boat Harbor managed by the Department of Land and Natural Resources, Division of Boating and Ocean Recreation.

Anticipated Impacts
There would be positive long-term and secondary impacts in the areas of social benefit for residents and visitors from the drain, roadway, and pedestrian walkway improvements at Nāwiliwili Harbor. With or without the proposed action, cargo volumes would increase with the anticipated future growth of the State. Long-term gains resulting from development of the proposed project include the provision of more efficient operational use of Nāwiliwili Harbor that will support continued operations and on-going commerce, trade and tourist related activities.

The proposed project will maintain and enhance economic productivity by supporting the effective use of State lands to accommodate future growth in the maritime industry. The project will further benefit the State of Hawaiʻi, and residents and visitors to Kauaʻi, by helping to control costs of inter-island transshipment and facilitating the efficient transportation of goods to,

from, and among the islands, that will enable Kaua‘i to continue to be a desirable place to live and visit.

We appreciate your time and participation in the pre-assessment consultation for this project. Please ensure that your comments are received or postmarked by Friday, May 19, 2017. We would appreciate a written response to Mr. Mark Yamabe by U. S. Postal Service to State of Hawaii, Department of Transportation, Harbors Division, 79 South Nimitz Highway, 2nd Floor, Honolulu, Hawaii 96813, with a copy to Mr. Brian Takeda by U. S Postal Service to R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawaii, 96819.

Should you have any questions please contact the undersigned at (808) 842-1133. Thank you for your assistance.

Sincerely,

Brian Takeda

Brian Takeda,
Planning Project Coordinator

Enclosure

cc: Mark Yamabe, HDOT-H

2024 North King Street
Suite 200
Honolulu Hawaii 96819-3470
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

May 5, 2017

Regent Seven Seas Cruises
7665 Corporate Center Drive,
Miami, Florida 33126

Dear Regent Seven Seas Cruises:

Subject: Drain, Roadway, and Pedestrian Walkway Improvements
Piers 2 and 3, Nāwiliwili Harbor, Island of Kauaʻi, Hawaiʻi
HDOT Job No. H. C. 70102
Tax Map Key: (4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 034, 042 & 054
Request for Pre-Assessment Consultation, Hawaiʻi Revised Statutes, Chapter 343

On behalf of the Hawaiʻi Department of Transportation, Harbors Division (HDOT-H), we are submitting a request for pre-assessment consultation for the subject project. The proposed project is located within the industrial Nāwiliwili Harbor Piers 2 and 3 and bay area, on the southeast coast of the Island of Kaua'i, Hawaiʻi, along Waʻapa Road. A map of the project area is enclosed (**Figure 1**).

The HDOT-H is currently preparing an Environmental Assessment (EA) for the proposed project to address the requirements of Hawaiʻi Revised Statutes (HRS), Chapter 343, and Hawaiʻi Administrative Rules (HAR), Chapter 11-200. The specific action that requires the preparation of an EA includes the use of state land and/or funds for the proposed action.

Proposed Action
The proposed work includes the construction of drainage, roadway and pedestrian walkway improvements at Piers 2 and 3. The project site is approximately 1 acre. The purpose of the proposed project is to upgrade the harbor drainage system and existing facilities to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space. Drainage improvements include the installation of a new concrete thru gutter to convey water away from the gated harbor entrance off Waʼapa Road to the northwest corner of the harbor, and construction of a trench drain, drain inlet, and grate along Pier 2. To further promote drainage of the site, the installation of a tuffboom debris barrier within the northwestern corner of the harbor is proposed to block floating debris from reaching and obstructing two existing drainage outlets and a proposed concrete box drain with headwall. Proposed roadway and pedestrian walkway improvements include paving Road A (i.e., an existing 700 linear foot long internal harbor access road), constructing a walkway along Road A, renovating a concrete

slab, reconstructing the existing security fencing, and installing lighting. Please refer to the enclosed general site plan showing the project area and proposed improvements (**Figure 2**).

The proposed project is consistent with the Kauaʻi Commercial Harbors 2025 Master Plan, and promotes improved conditions conducive to the more efficient movement of cargo and pedestrian traffic from Piers 2 and 3, while meeting the need to improve water quality in Nāwiliwili Harbor.

Construction is expected to commence in 2017/2018. Approximately 12 months will be required for construction.

Alternatives to the Proposed Action
An evaluation of all prudent and feasible alternatives was conducted to avoid or minimize impacts to the surrounding environment. The proposed design was determined to be the most practical and feasible alternative. Other alternatives considered were: (a) no action and (b) delayed action. Alternatives to the proposed action did not meet the objective of addressing the ongoing discharge of untreated storm water runoff at Piers 2 and 3 while improving the Access Road A and pier working surfaces.

Significance Assessment
Nāwiliwili Harbor is Kaua'i's principal port for incoming and outgoing commercial cargo, and is a port-of-call for passenger cruise ships. The harbor piers accommodate passenger ships and vessels handling inbound and outbound cargo and fuel deliveries, and provides storage facilities used for the handling and storage of automobiles, containers and other products and materials. Commercial harbor operators using the harbor range from major cargo carriers including Matson and Young Brothers, to cruise ship and boating operators, commercial fishermen, and charter boat operators. Other operations including agricultural and commercial cargo distribution are also located at the harbor. Adjacent to the commercial harbor is the Nāwiliwili Small Boat Harbor managed by the Department of Land and Natural Resources, Division of Boating and Ocean Recreation.

Anticipated Impacts
There would be positive long-term and secondary impacts in the areas of social benefit for residents and visitors from the drain, roadway, and pedestrian walkway improvements at Nāwiliwili Harbor. With or without the proposed action, cargo volumes would increase with the anticipated future growth of the State. Long-term gains resulting from development of the proposed project include the provision of more efficient operational use of Nāwiliwili Harbor that will support continued operations and on-going commerce, trade and tourist related activities.

The proposed project will maintain and enhance economic productivity by supporting the effective use of State lands to accommodate future growth in the maritime industry. The project will further benefit the State of Hawaiʻi, and residents and visitors to Kauaʻi, by helping to control costs of inter-island transshipment and facilitating the efficient transportation of goods to,

from, and among the islands, that will enable Kauaʻi to continue to be a desirable place to live and visit.

We appreciate your time and participation in the pre-assessment consultation for this project. Please ensure that your comments are received or postmarked by Friday, May 19, 2017. We would appreciate a written response to Mr. Mark Yamabe by U. S. Postal Service to State of Hawaii, Department of Transportation, Harbors Division, 79 South Nimitz Highway, 2nd Floor, Honolulu, Hawaii 96813, with a copy to Mr. Brian Takeda by U. S Postal Service to R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawaii, 96819.

Should you have any questions please contact the undersigned at (808) 842-1133. Thank you for your assistance.

Sincerely,

Brian Takeda

Brian Takeda,
Planning Project Coordinator

Enclosure

cc: Mark Yamabe, HDOT-H

2024 North King Street
Suite 200
Honolulu Hawaii 96819-3470
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

May 5, 2017

Royal Caribbean Cruises Ltd
Miami Corporate Offices
1050, 1080 & 1040 Caribbean Way
Miami, FL 33132

Dear Royal Caribbean Cruises Ltd:

Subject: Drain, Roadway, and Pedestrian Walkway Improvements
Piers 2 and 3, Nāwiliwili Harbor, Island of Kauaʻi, Hawaiʻi
HDOT Job No. H. C. 70102
Tax Map Key: (4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 034, 042 & 054
Request for Pre-Assessment Consultation, Hawaiʻi Revised Statutes, Chapter 343

On behalf of the Hawaiʻi Department of Transportation, Harbors Division (HDOT-H), we are submitting a request for pre-assessment consultation for the subject project. The proposed project is located within the industrial Nāwiliwili Harbor Piers 2 and 3 and bay area, on the southeast coast of the Island of Kaua'i, Hawaiʻi, along Waʻapa Road. A map of the project area is enclosed (**Figure 1**).

The HDOT-H is currently preparing an Environmental Assessment (EA) for the proposed project to address the requirements of Hawaiʻi Revised Statutes (HRS), Chapter 343, and Hawaiʻi Administrative Rules (HAR), Chapter 11-200. The specific action that requires the preparation of an EA includes the use of state land and/or funds for the proposed action.

Proposed Action
The proposed work includes the construction of drainage, roadway and pedestrian walkway improvements at Piers 2 and 3. The project site is approximately 1 acre. The purpose of the proposed project is to upgrade the harbor drainage system and existing facilities to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space. Drainage improvements include the installation of a new concrete thru gutter to convey water away from the gated harbor entrance off Wa'apa Road to the northwest corner of the harbor, and construction of a trench drain, drain inlet, and grate along Pier 2. To further promote drainage of the site, the installation of a tuffboom debris barrier within the northwestern corner of the harbor is proposed to block floating debris from reaching and obstructing two existing drainage outlets and a proposed concrete box drain with headwall. Proposed roadway and pedestrian walkway improvements include paving Road A (i.e., an existing 700 linear foot

long internal harbor access road), constructing a walkway along Road A, renovating a concrete slab, reconstructing the existing security fencing, and installing lighting. Please refer to the enclosed general site plan showing the project area and proposed improvements (**Figure 2**).

The proposed project is consistent with the Kauaʻi Commercial Harbors 2025 Master Plan, and promotes improved conditions conducive to the more efficient movement of cargo and pedestrian traffic from Piers 2 and 3, while meeting the need to improve water quality in Nāwiliwili Harbor.

Construction is expected to commence in 2017/2018. Approximately 12 months will be required for construction.

Alternatives to the Proposed Action
An evaluation of all prudent and feasible alternatives was conducted to avoid or minimize impacts to the surrounding environment. The proposed design was determined to be the most practical and feasible alternative. Other alternatives considered were: (a) no action and (b) delayed action. Alternatives to the proposed action did not meet the objective of addressing the ongoing discharge of untreated storm water runoff at Piers 2 and 3 while improving the Access Road A and pier working surfaces.

Significance Assessment
Nāwiliwili Harbor is Kaua'i's principal port for incoming and outgoing commercial cargo, and is a port-of-call for passenger cruise ships. The harbor piers accommodate passenger ships and vessels handling inbound and outbound cargo and fuel deliveries, and provides storage facilities used for the handling and storage of automobiles, containers and other products and materials. Commercial harbor operators using the harbor range from major cargo carriers including Matson and Young Brothers, to cruise ship and boating operators, commercial fishermen, and charter boat operators. Other operations including agricultural and commercial cargo distribution are also located at the harbor. Adjacent to the commercial harbor is the Nāwiliwili Small Boat Harbor managed by the Department of Land and Natural Resources, Division of Boating and Ocean Recreation.

Anticipated Impacts
There would be positive long-term and secondary impacts in the areas of social benefit for residents and visitors from the drain, roadway, and pedestrian walkway improvements at Nāwiliwili Harbor. With or without the proposed action, cargo volumes would increase with the anticipated future growth of the State. Long-term gains resulting from development of the proposed project include the provision of more efficient operational use of Nāwiliwili Harbor that will support continued operations and on-going commerce, trade and tourist related activities.

The proposed project will maintain and enhance economic productivity by supporting the effective use of State lands to accommodate future growth in the maritime industry. The project will further benefit the State of Hawaiʻi, and residents and visitors to Kauaʻi, by helping to

control costs of inter-island transshipment and facilitating the efficient transportation of goods to, from, and among the islands, that will enable Kauaʻi to continue to be a desirable place to live and visit.

We appreciate your time and participation in the pre-assessment consultation for this project. Please ensure that your comments are received or postmarked by Friday, May 19, 2017. We would appreciate a written response to Mr. Mark Yamabe by U. S. Postal Service to State of Hawaii, Department of Transportation, Harbors Division, 79 South Nimitz Highway, 2nd Floor, Honolulu, Hawaii 96813, with a copy to Mr. Brian Takeda by U. S Postal Service to R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawaii, 96819.

Should you have any questions please contact the undersigned at (808) 842-1133. Thank you for your assistance.

Sincerely,

Brian Takeda

Brian Takeda,
Planning Project Coordinator

Enclosure

cc: Mark Yamabe, HDOT-H

2024 North King Street
Suite 200
Honolulu Hawaii 96819-3470
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

May 5, 2017

Carnival Cruise Line
Carnival Place
3655 NW 87th Avenue
Miami, FL 33178

Dear Carnival Cruise Line:

Subject: Drain, Roadway, and Pedestrian Walkway Improvements
Piers 2 and 3, Nāwiliwili Harbor, Island of Kauaʻi, Hawaiʻi
HDOT Job No. H. C. 70102
Tax Map Key: (4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 034, 042 & 054
Request for Pre-Assessment Consultation, Hawaiʻi Revised Statutes, Chapter 343

On behalf of the Hawaiʻi Department of Transportation, Harbors Division (HDOT-H), we are submitting a request for pre-assessment consultation for the subject project. The proposed project is located within the industrial Nāwiliwili Harbor Piers 2 and 3 and bay area, on the southeast coast of the Island of Kaua'i, Hawaiʻi, along Waʻapa Road. A map of the project area is enclosed (**Figure 1**).

The HDOT-H is currently preparing an Environmental Assessment (EA) for the proposed project to address the requirements of Hawaiʻi Revised Statutes (HRS), Chapter 343, and Hawaiʻi Administrative Rules (HAR), Chapter 11-200. The specific action that requires the preparation of an EA includes the use of state land and/or funds for the proposed action.

Proposed Action
The proposed work includes the construction of drainage, roadway and pedestrian walkway improvements at Piers 2 and 3. The project site is approximately 1 acre. The purpose of the proposed project is to upgrade the harbor drainage system and existing facilities to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space. Drainage improvements include the installation of a new concrete thru gutter to convey water away from the gated harbor entrance off Wa'apa Road to the northwest corner of the harbor, and construction of a trench drain, drain inlet, and grate along Pier 2. To further promote drainage of the site, the installation of a tuffboom debris barrier within the northwestern corner of the harbor is proposed to block floating debris from reaching and obstructing two existing drainage outlets and a proposed concrete box drain with headwall. Proposed roadway and pedestrian walkway improvements include paving Road A (i.e., an existing 700 linear foot

long internal harbor access road), constructing a walkway along Road A, renovating a concrete slab, reconstructing the existing security fencing, and installing lighting. Please refer to the enclosed general site plan showing the project area and proposed improvements (**Figure 2**).

The proposed project is consistent with the Kauaʻi Commercial Harbors 2025 Master Plan, and promotes improved conditions conducive to the more efficient movement of cargo and pedestrian traffic from Piers 2 and 3, while meeting the need to improve water quality in Nāwiliwili Harbor.

Construction is expected to commence in 2017/2018. Approximately 12 months will be required for construction.

Alternatives to the Proposed Action
An evaluation of all prudent and feasible alternatives was conducted to avoid or minimize impacts to the surrounding environment. The proposed design was determined to be the most practical and feasible alternative. Other alternatives considered were: (a) no action and (b) delayed action. Alternatives to the proposed action did not meet the objective of addressing the ongoing discharge of untreated storm water runoff at Piers 2 and 3 while improving the Access Road A and pier working surfaces.

Significance Assessment
Nāwiliwili Harbor is Kaua'i's principal port for incoming and outgoing commercial cargo, and is a port-of-call for passenger cruise ships. The harbor piers accommodate passenger ships and vessels handling inbound and outbound cargo and fuel deliveries, and provides storage facilities used for the handling and storage of automobiles, containers and other products and materials. Commercial harbor operators using the harbor range from major cargo carriers including Matson and Young Brothers, to cruise ship and boating operators, commercial fishermen, and charter boat operators. Other operations including agricultural and commercial cargo distribution are also located at the harbor. Adjacent to the commercial harbor is the Nāwiliwili Small Boat Harbor managed by the Department of Land and Natural Resources, Division of Boating and Ocean Recreation.

Anticipated Impacts
There would be positive long-term and secondary impacts in the areas of social benefit for residents and visitors from the drain, roadway, and pedestrian walkway improvements at Nāwiliwili Harbor. With or without the proposed action, cargo volumes would increase with the anticipated future growth of the State. Long-term gains resulting from development of the proposed project include the provision of more efficient operational use of Nāwiliwili Harbor that will support continued operations and on-going commerce, trade and tourist related activities.

The proposed project will maintain and enhance economic productivity by supporting the effective use of State lands to accommodate future growth in the maritime industry. The project will further benefit the State of Hawaiʻi, and residents and visitors to Kauaʻi, by helping to

control costs of inter-island transshipment and facilitating the efficient transportation of goods to, from, and among the islands, that will enable Kauaʻi to continue to be a desirable place to live and visit.

We appreciate your time and participation in the pre-assessment consultation for this project. Please ensure that your comments are received or postmarked by Friday, May 19, 2017. We would appreciate a written response to Mr. Mark Yamabe by U. S. Postal Service to State of Hawaii, Department of Transportation, Harbors Division, 79 South Nimitz Highway, 2nd Floor, Honolulu, Hawaii 96813, with a copy to Mr. Brian Takeda by U. S Postal Service to R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawaii, 96819.

Should you have any questions please contact the undersigned at (808) 842-1133. Thank you for your assistance.

Sincerely,

Brian Takeda

Brian Takeda,
Planning Project Coordinator

Enclosure

cc: Mark Yamabe, HDOT-H

2024 North King Street
Suite 200
Honolulu Hawaii 96819-3470
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

May 5, 2017

Holland America Line & Seabourn Cruise Line Limited
450 Third Avenue West,
Seattle, WA 98119

Dear Holland America Line & Seabourn Cruise Line Limited:

Subject: Drain, Roadway, and Pedestrian Walkway Improvements
Piers 2 and 3, Nāwiliwili Harbor, Island of Kauaʻi, Hawaiʻi
HDOT Job No. H. C. 70102
Tax Map Key: (4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 034, 042 & 054
Request for Pre-Assessment Consultation, Hawaiʻi Revised Statutes, Chapter 343

On behalf of the Hawaiʻi Department of Transportation, Harbors Division (HDOT-H), we are submitting a request for pre-assessment consultation for the subject project. The proposed project is located within the industrial Nāwiliwili Harbor Piers 2 and 3 and bay area, on the southeast coast of the Island of Kaua'i, Hawaiʻi, along Waʻapa Road. A map of the project area is enclosed (**Figure 1**).

The HDOT-H is currently preparing an Environmental Assessment (EA) for the proposed project to address the requirements of Hawaiʻi Revised Statutes (HRS), Chapter 343, and Hawaiʻi Administrative Rules (HAR), Chapter 11-200. The specific action that requires the preparation of an EA includes the use of state land and/or funds for the proposed action.

Proposed Action
The proposed work includes the construction of drainage, roadway and pedestrian walkway improvements at Piers 2 and 3. The project site is approximately 1 acre. The purpose of the proposed project is to upgrade the harbor drainage system and existing facilities to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space. Drainage improvements include the installation of a new concrete thru gutter to convey water away from the gated harbor entrance off Waʻapa Road to the northwest corner of the harbor, and construction of a trench drain, drain inlet, and grate along Pier 2. To further promote drainage of the site, the installation of a tuffboom debris barrier within the northwestern corner of the harbor is proposed to block floating debris from reaching and obstructing two existing drainage outlets and a proposed concrete box drain with headwall. Proposed roadway and pedestrian walkway improvements include paving Road A (i.e., an existing 700 linear foot long internal harbor access road), constructing a walkway along Road A, renovating a concrete

slab, reconstructing the existing security fencing, and installing lighting. Please refer to the enclosed general site plan showing the project area and proposed improvements (**Figure 2**).

The proposed project is consistent with the Kauaʻi Commercial Harbors 2025 Master Plan, and promotes improved conditions conducive to the more efficient movement of cargo and pedestrian traffic from Piers 2 and 3, while meeting the need to improve water quality in Nāwiliwili Harbor.

Construction is expected to commence in 2017/2018. Approximately 12 months will be required for construction.

Alternatives to the Proposed Action
An evaluation of all prudent and feasible alternatives was conducted to avoid or minimize impacts to the surrounding environment. The proposed design was determined to be the most practical and feasible alternative. Other alternatives considered were: (a) no action and (b) delayed action. Alternatives to the proposed action did not meet the objective of addressing the ongoing discharge of untreated storm water runoff at Piers 2 and 3 while improving the Access Road A and pier working surfaces.

Significance Assessment
Nāwiliwili Harbor is Kaua'i's principal port for incoming and outgoing commercial cargo, and is a port-of-call for passenger cruise ships. The harbor piers accommodate passenger ships and vessels handling inbound and outbound cargo and fuel deliveries, and provides storage facilities used for the handling and storage of automobiles, containers and other products and materials. Commercial harbor operators using the harbor range from major cargo carriers including Matson and Young Brothers, to cruise ship and boating operators, commercial fishermen, and charter boat operators. Other operations including agricultural and commercial cargo distribution are also located at the harbor. Adjacent to the commercial harbor is the Nāwiliwili Small Boat Harbor managed by the Department of Land and Natural Resources, Division of Boating and Ocean Recreation.

Anticipated Impacts
There would be positive long-term and secondary impacts in the areas of social benefit for residents and visitors from the drain, roadway, and pedestrian walkway improvements at Nāwiliwili Harbor. With or without the proposed action, cargo volumes would increase with the anticipated future growth of the State. Long-term gains resulting from development of the proposed project include the provision of more efficient operational use of Nāwiliwili Harbor that will support continued operations and on-going commerce, trade and tourist related activities.

The proposed project will maintain and enhance economic productivity by supporting the effective use of State lands to accommodate future growth in the maritime industry. The project will further benefit the State of Hawaiʻi, and residents and visitors to Kauaʻi, by helping to control costs of inter-island transshipment and facilitating the efficient transportation of goods to,

from, and among the islands, that will enable Kauaʻi to continue to be a desirable place to live and visit.

We appreciate your time and participation in the pre-assessment consultation for this project. Please ensure that your comments are received or postmarked by Friday, May 19, 2017. We would appreciate a written response to Mr. Mark Yamabe by U. S. Postal Service to State of Hawaii, Department of Transportation, Harbors Division, 79 South Nimitz Highway, 2nd Floor, Honolulu, Hawaii 96813, with a copy to Mr. Brian Takeda by U. S Postal Service to R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawaii, 96819.

Should you have any questions please contact the undersigned at (808) 842-1133. Thank you for your assistance.

Sincerely,

Brian Takeda

Brian Takeda,
Planning Project Coordinator

Enclosure

cc: Mark Yamabe, HDOT-H

2024 North King Street
Suite 200
Honolulu Hawaii 96819-3470
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

May 5, 2017

Hapag-Lloyd Cruises
Ballindamm 25
20095 Hamburg
Germany

Dear Hapag-Lloyd Cruises:

Subject: Drain, Roadway, and Pedestrian Walkway Improvements
Piers 2 and 3, Nāwiliwili Harbor, Island of Kauaʻi, Hawaiʻi
HDOT Job No. H. C. 70102
Tax Map Key: (4) 3-2-003: Portions 001-004, 007, 023, 025, 040 & 999; and (4) 3-2-004: Portions 034, 042 & 054
Request for Pre-Assessment Consultation, Hawaiʻi Revised Statutes, Chapter 343

On behalf of the Hawaiʻi Department of Transportation, Harbors Division (HDOT-H), we are submitting a request for pre-assessment consultation for the subject project. The proposed project is located within the industrial Nāwiliwili Harbor Piers 2 and 3 and bay area, on the southeast coast of the Island of Kaua'i, Hawaiʻi, along Waʻapa Road. A map of the project area is enclosed (**Figure 1**).

The HDOT-H is currently preparing an Environmental Assessment (EA) for the proposed project to address the requirements of Hawaiʻi Revised Statutes (HRS), Chapter 343, and Hawaiʻi Administrative Rules (HAR), Chapter 11-200. The specific action that requires the preparation of an EA includes the use of state land and/or funds for the proposed action.

Proposed Action
The proposed work includes the construction of drainage, roadway and pedestrian walkway improvements at Piers 2 and 3. The project site is approximately 1 acre. The purpose of the proposed project is to upgrade the harbor drainage system and existing facilities to meet expected freight, cargo, and passenger demand, and improve conditions for the more efficient use of limited space. Drainage improvements include the installation of a new concrete thru gutter to convey water away from the gated harbor entrance off Wa'apa Road to the northwest corner of the harbor, and construction of a trench drain, drain inlet, and grate along Pier 2. To further promote drainage of the site, the installation of a tuffboom debris barrier within the northwestern corner of the harbor is proposed to block floating debris from reaching and obstructing two existing drainage outlets and a proposed concrete box drain with headwall. Proposed roadway and pedestrian walkway improvements include paving Road A (i.e., an existing 700 linear foot

long internal harbor access road), constructing a walkway along Road A, renovating a concrete slab, reconstructing the existing security fencing, and installing lighting. Please refer to the enclosed general site plan showing the project area and proposed improvements (**Figure 2**).

The proposed project is consistent with the Kauaʻi Commercial Harbors 2025 Master Plan, and promotes improved conditions conducive to the more efficient movement of cargo and pedestrian traffic from Piers 2 and 3, while meeting the need to improve water quality in Nāwiliwili Harbor.

Construction is expected to commence in 2017/2018. Approximately 12 months will be required for construction.

Alternatives to the Proposed Action
An evaluation of all prudent and feasible alternatives was conducted to avoid or minimize impacts to the surrounding environment. The proposed design was determined to be the most practical and feasible alternative. Other alternatives considered were: (a) no action and (b) delayed action. Alternatives to the proposed action did not meet the objective of addressing the ongoing discharge of untreated storm water runoff at Piers 2 and 3 while improving the Access Road A and pier working surfaces.

Significance Assessment
Nāwiliwili Harbor is Kaua'i's principal port for incoming and outgoing commercial cargo, and is a port-of-call for passenger cruise ships. The harbor piers accommodate passenger ships and vessels handling inbound and outbound cargo and fuel deliveries, and provides storage facilities used for the handling and storage of automobiles, containers and other products and materials. Commercial harbor operators using the harbor range from major cargo carriers including Matson and Young Brothers, to cruise ship and boating operators, commercial fishermen, and charter boat operators. Other operations including agricultural and commercial cargo distribution are also located at the harbor. Adjacent to the commercial harbor is the Nāwiliwili Small Boat Harbor managed by the Department of Land and Natural Resources, Division of Boating and Ocean Recreation.

Anticipated Impacts
There would be positive long-term and secondary impacts in the areas of social benefit for residents and visitors from the drain, roadway, and pedestrian walkway improvements at Nāwiliwili Harbor. With or without the proposed action, cargo volumes would increase with the anticipated future growth of the State. Long-term gains resulting from development of the proposed project include the provision of more efficient operational use of Nāwiliwili Harbor that will support continued operations and on-going commerce, trade and tourist related activities.

The proposed project will maintain and enhance economic productivity by supporting the effective use of State lands to accommodate future growth in the maritime industry. The project will further benefit the State of Hawaiʻi, and residents and visitors to Kauaʻi, by helping to

control costs of inter-island transshipment and facilitating the efficient transportation of goods to, from, and among the islands, that will enable Kauaʻi to continue to be a desirable place to live and visit.

We appreciate your time and participation in the pre-assessment consultation for this project. Please ensure that your comments are received or postmarked by Friday, May 19, 2017. We would appreciate a written response to Mr. Mark Yamabe by U. S. Postal Service to State of Hawaii, Department of Transportation, Harbors Division, 79 South Nimitz Highway, 2nd Floor, Honolulu, Hawaii 96813, with a copy to Mr. Brian Takeda by U. S Postal Service to R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawaii, 96819.

Should you have any questions please contact the undersigned at (808) 842-1133. Thank you for your assistance.

Sincerely,

Brian Takeda

Brian Takeda,
Planning Project Coordinator

Enclosure

cc: Mark Yamabe, HDOT-H

Appendix A-2

Pre-Assessment Consultation Letter Attachments

Figure 1, Project Location

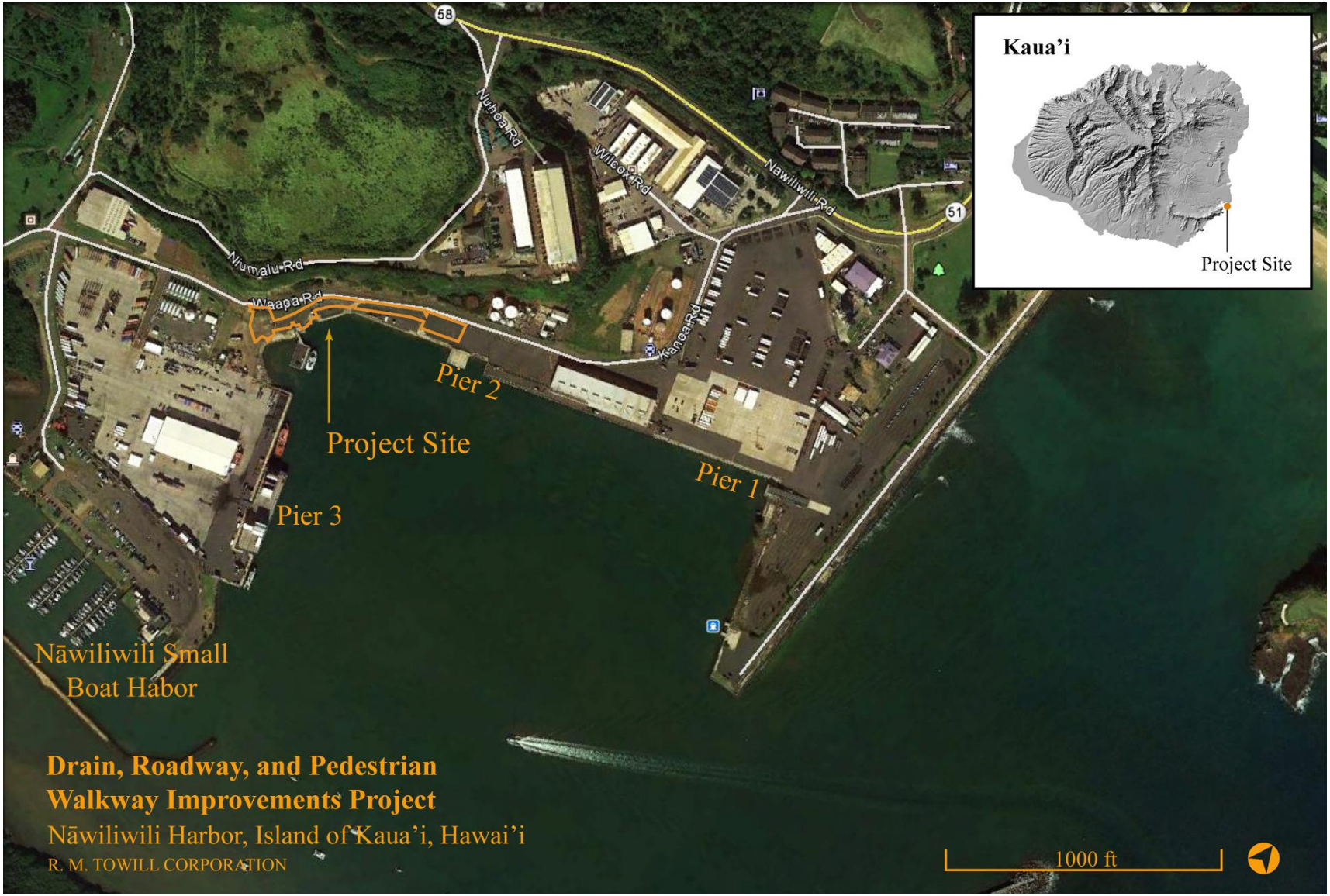


Figure 2, General Site Plan