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DAVID Y. IGE
GOVERNOR

August 7, 2017

Ford Fuchigami, Director
Department of Transportation
State of Hawai'i
869 Punchbowl Street
Honolulu, Hawai'i 96813-5097

Dear Mr. Fuchigami,

Subject: Acceptance of the Kalaeloa Barbers Point Fuel Pier and Harbor Improvements Final Environmental Impact Statement

I hereby accept the Final Environmental Impact Statement for the Kalaeloa Barbers Point Fuel Pier and Harbor Improvements, as satisfactory fulfillment of the requirements of Chapter 343, Hawai'i Revised Statutes. The economic, social, cultural, and environmental impacts that will likely occur, should this project be implemented, are adequately described in the statement. The analysis, together with the comments made by reviewers, provide useful information to policy makers and the public.

My acceptance of the statement is an affirmation of the adequacy of that statement under the applicable laws. I find that the mitigation measures proposed in the environmental impact statement will minimize the negative impacts of the project. Further, I find the discussion of unresolved issues and potential for subsequent environmental review to be sufficient.

In implementing this project, I direct the Department of Transportation and its agent to perform these or comparable mitigation measures at the discretion of the relevant agencies. The mitigation measures identified in the environmental impact statement are summarized in the attached document.

Sincerely,

David Y. Ige
Governor, State of Hawai'i

Attachment

c: Office of Environmental Quality Control

18-053

AGENCY PUBLICATION FORM

Project Name:	Kalaeloa Barbers Point Harbor Fuel Pier & Harbor Improvements Final Environmental Impact Statement
Project Short Name:	Kalaeloa Barbers Point Harbor Improvements
HRS §343-5 Trigger(s):	Use of State Lands and State Funds
Island(s):	Oahu
Judicial District(s):	Ewa
TMK(s):	(1) 9-1-014: 008 (portion), 024 (portion), 025, 026 (portion), 030, 031, 037, 039 (portion), and 040.; (1) 9-1-074:037 (portion) and 038 (portion)
Permit(s)/Approval(s):	Rivers and Harbors Act Section 10; Clean Water Act (CWA) Section 404; Marine Protection, Research and Sanctuaries Act Sections 102 & 103; Coastal Zone Management Act; agency consultation for the Endangered Species Act Section 7, Fish and Wildlife Coordination Act, Marine Mammal Act Consultation, and Essential Fish Habitat Consultation; Department of Health (DOH) CWA Section 401 Water Quality Certification & Section 402 National Pollutant Discharge Elimination System Permit; DOH Hawaii Administrative Rules 11-46 Community Noise Control; State Historic Preservation Division Hawaii Revised Statutes Chapter 6E-42 Historic Preservation.
Proposing/Determining Agency:	Hawaii Department of Transportation, Harbors Division
<i>Contact Name, Email, Telephone, Address</i>	Carter Luke, P.E., Carter.Luke@hawaii.gov, (808) 587-1862, 79 S. Nimitz Highway, Honolulu, HI 96813
Accepting Authority:	Governor, State of Hawaii
<i>Contact Name, Email, Telephone, Address</i>	Governor David Y. Ige, https://governor.hawaii.gov/contact-us/contact-the-governor/ (808) 586-0034, Executive Chambers, State Capitol, Honolulu, HI 96813
Consultant:	G70
<i>Contact Name, Email, Telephone, Address</i>	Jeffrey H. Overton, Principal Planner, jeff@g70.design, (808) 523-5866, 925 Bethel Street, 5 th Floor, Honolulu, HI 96813

Status (select one)
 DEA-AFNSI
Submittal Requirements

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

Kalaeloa Barbers Point Harbor (KBPH) is the second busiest commercial harbor in the state. KBPH serves as the primary 'bulk' harbor for liquid-bulk (i.e., petroleum products, biofuels and asphalt) and dry-bulk (i.e., coal, cement, sand and aggregate) cargos. The purpose of the Proposed Action is to add berthing, yard space and other infrastructure to optimize operational efficiencies at KBPH.

Separating liquid- from dry-bulk cargo transfers that currently occur at Piers 5 and 6 will improve efficiency and enhance safety. The Proposed Action will create a dedicated Fuel Pier at Piers 3 and 4, adding 1,325 lineal feet of berth space with industry-standard infrastructure to modernize the facility. Fuel Pier development will displace an existing tenant from Pier 3, and will require demolition of a Finger Pier used for harbor support vessels. Relocation of the tenant to the Pier 9 area and construction of a pier for support vessels at Pier 8 are proposed as part of the Proposed Action. Additional improvements to optimize the harbor include construction of the Pier 7 Extension and the Pier 10 Layberth, and to provide supporting infrastructure on fastlands for tenant use.

This document is the same that was published in the June 23, 2017 issue of *The Environmental Notice*, with the addition of a signatory statement as required by HAR 11-200-20 (d). Volume II has not changed.

**SUMMARY OF MITIGATION MEASURES
IDENTIFIED IN THE
KALAELOA BARBERS POINT FUEL PIER AND HARBOR IMPROVEMENTS
FINAL ENVIRONMENTAL IMPACT STATEMENT**

Attachment to the Governor’s Acceptance

The Final EIS analyzed and disclosed the potential direct and indirect impacts from the project for the following resources: land use and ownership; climate and air quality; oceanographic conditions and marine resources; topography, geology and soils; surface water and ground water; botanical and faunal resources; natural hazards; archaeological, historic and cultural resources; acoustical environment; roadways and circulation; infrastructure and utilities; public services; demographic and fiscal conditions; public health and safety; recreational resources; and visual and aesthetic resources.

The Final EIS also analyzed and disclosed potential cumulative impacts for the following resources: air quality; marine resources; surface water and ground water; botanical and faunal resources; archaeological, historical and cultural resources; acoustical environment; roadways and circulation; infrastructure and utilities; public services; public health and public safety; demographic and fiscal conditions; recreational resources; and visual and aesthetic resources.

The Proposed Action will undertake measures to minimize temporary and short-term impacts associated with the construction of harbor improvements. In addition, there will be measures implemented to minimize any long-term impacts associated with harbor-wide operations. The anticipated resources that may be impacted by the Proposed Action and the recommendations to mitigate those impacts to ensure there are no significant impacts are described in the table, below.

Potential Resource Impacted	Mitigation Recommendations
Air Quality	<ul style="list-style-type: none"> • Conformance to state and federal dust control measures • Control fugitive dust emissions using Best Management Practices (BMPs) including but not limited to: <ul style="list-style-type: none"> ○ A dust control plan, ○ Provision of an adequate water source at the site prior to construction activities, ○ Watering active work areas, ○ Using wind screens, ○ Reducing vehicular speed on unpaved roads, ○ Covering open-bodied trucks, ○ Reducing carry out with a tire wash or spray system, and ○ Paving and landscaping of Project areas early in the construction schedule. • Control exhaust emissions by moving construction equipment and workers to and from the Project site during off-peak traffic hours. • Vehicle and vessel emissions are projected to decrease due to forthcoming emissions regulations for better control technology and requirements for cleaner-burning fuels.

Marine Resources	<ul style="list-style-type: none"> • Recommended best management practices (BMPs) to reduce turbidity include: <ul style="list-style-type: none"> ○ the use of silt curtains, ○ reduced travel speed of dredging equipment underwater, and ○ proper storage of dredge material. • Additional BMPs will be developed during the design and permitting phases. • The scope of the activities will require USACE to satisfy compliance with other federal agency obligations through the <i>National Environmental Policy Act of 1969</i> (NEPA) environmental compliance review. • Other federal consultations may include: Section 7 under the <i>Endangered Species Act of 1973</i> (ESA) and under the <i>Magnusson-Stevens Fishery Conservation and Management Act of 2006</i> for Essential Fish Habitat.
Topography, Geology and Soils	<ul style="list-style-type: none"> • Compliance with erosion control regulations. • BMPs will be employed to minimize dust and erosion.
Botanical and Faunal Resources	<ul style="list-style-type: none"> • Mitigation to address invasive species.
Acoustical Environment	<ul style="list-style-type: none"> • Construction noise above water will not be significant and will be temporary; therefore no mitigation is necessary. • The DA Permit process will determine whether there will be significant noise impacts to the underwater environment. • Mitigation, if required, will be imposed as a condition of the DA Permit.
Roadways and Circulation	<ul style="list-style-type: none"> • There will be intermittent and temporary increases in traffic associated with construction of the harbor improvements, but it will not be significant. • A number of transportation projects have been planned for the ‘Ewa District to accommodate projected increases in traffic to and within the Kapolei area. • Mitigation of traffic disruptions can be achieved by construction schedule coordination between projects and implementation of a comprehensive public informational program.
Demographics and Economics	<ul style="list-style-type: none"> • Construction and operation of improvements to KBPH will significantly and beneficially affect the economic setting on O‘ahu; therefore no mitigation is required.
Public Health and Safety	<ul style="list-style-type: none"> • Industry-standard BMPs for the handling of hazardous materials will be used. • Safety measures and response protocols are currently in place in anticipation of an accidental fuel spill. • An applicable FAA Form 7460-1, Notice of Proposed Construction or Alteration, will be done under 14 CFR Part 77 if necessary to prevent or minimize impacts to the safe and efficient use of that airspace.
Visual and Aesthetic Resources	<ul style="list-style-type: none"> • Design of improvements will be consistent with the ‘Ewa Development Plan and meet County Land Use Ordinance standards. • Use of high-mast light poles and shielded (i.e., cut off) light fixtures will minimize light pollution and the amount of light cast beyond the property boundaries.