

APPENDIX A
CONSULTATION AND COORDINATION

Initial Agency Scoping Meeting Minutes
USFWS Consultation (To Be Completed)
SHPO Consultation (To Be Completed)
Native Hawaiian Organizations Consultation (To Be Completed)

MEETING MINUTES



To:	Meeting Attendees	Project:	Kilauea Lighthouse – Slope Stability Project-Agency Meetings
From:	Greg Allington McMillen, LLC	Cc:	File
Date:	January 28, 2015	Job No:	
Subject:	Kilauea Lighthouse Slope Stability – Agency Meetings for Project Coordination		

1.0 INTRODUCTION

This memorandum documents the first Meeting with Agencies held on Wednesday, January 28, 2015. The meeting started at 9:00 AM and was adjourned at approximately 12:10 AM Hawaiian Standard Time (HST). The following people attended the meeting:

Name	Name
<input type="checkbox"/> Greg Allington, McMillen Jacobs Assoc.	<input type="checkbox"/> Michael Moule, County of Kauai Public Works/Eng.
<input type="checkbox"/> Shannon Smith, USFWS	<input type="checkbox"/> Lee Steinmetz, County of Kauai Planning
<input type="checkbox"/> Mike Mitchell, USFWS	<input type="checkbox"/> Jennifer Waipa, USFWS
<input type="checkbox"/> Adam Griesner, USFWS	<input type="checkbox"/> Aaron Nadig, USFWS
<input type="checkbox"/> Mary Jane Naone, SHPD	

2.0 REVIEW OF AGENDA / MEETING PURPOSE

The meeting was opened by Greg giving a brief overview of the agenda.

3.0 DISCUSSION TOPICS

The following items were discussed during the meeting.

- Planning
 - The County does not technically have jurisdiction on project activities since it is a federal project located on federal land. Thus, SMA and building permits will not be required. However, the County would like to receive copies of the project plans for a federal consistency review with the State planning office.
 - The County would also like to run the project through the County Historic Preservation Review Committee. Greg stated that this will be done as part of Section 106 compliance also.

- The County stated they will help out with advertising the NEPA EA Public Notices through the Mayor's Office.
- A general discussion of project components and elements included the following items:
 - During refuge closure, the upper parking area will become more congested and may need improvements to accommodate those people and vehicles.
 - There are other improvements for the transportation route and refuge as part of the 15-year management plan. Some of the items relating to parking lot and stormwater drainage will be addressed in the future through this plan and not part of this project.
 - These future actions would be addressed in the cumulative effects section of the EA.
- Landscaping/Bird Burrows
 - The type of landscaping on the side of the slope stability area is still be examined. Several efforts have been made in the past and were unsuccessful including vegetation, blankets, and shotcrete.
 - The existing retaining wall and shotcrete will be most likely be removed but the project team is still looking into options.
 - There are several burrows that are adjacent to the asphalt pathway. There is concern for future burrows encroaching underneath the pathway and causing stability issues. One option discussed was to install a concrete wall underneath path edge to prevent bird access.
 - The design of the pathway and slope stabilization will allow future connections if needed without redoing the new pathway.
 - Possibly treat top portion of casing in the ground to prevent erosion in case of further exposure over time. (Another McMillen project (USACE Napa salt ponds) used pipe/casing coating to prevent corrosion in marine environments).
 - Possibly use specialized rebar – FRP, Stainless, or epoxy coated.
- Slope Stabilization
 - The existing plans show a concrete slab on the micropile area.
 - The project team (McMillen) will be putting together cost estimates for the different scenarios: i.e. entire concrete pathway, asphalt pathway, combination of both concrete and asphalt, etc.
 - The concrete could have imprints of birds that are native to the refuge.
 - There is a resin based pavement that looks like a dirt path and is ADA compliant.
- Stormwater Drainage
 - The stormwater drainage should be sloped toward the hill to keep water off the hillside. The basin should include cleanouts for sediment.
 - The grating inlets on the basins should be sized so that baby birds do not hurt themselves when walking on it.
 - There is a historic cistern next to the Visitors Services Building. The cistern is about 15 feet wide by 10 feet deep. Possible route the stormwater into this cistern

for a settling basin and then overflow would drain down the hill. The water in the cistern could also be used for irrigation lawn at the refuge.

- The asphalt pathway may leach chemicals into the stormwater. The team will look into concrete instead and do a cost-benefit analysis.
- The new path must be ADA compliant.
- The State Disability and Communications Access Board may want to review the project as a courtesy.

- Cultural Resources

- The project team and Mary Jane will look into the historic portions of the refuge and the project area.

4.0 MEETING ADJOURNED

The first meeting was adjourned at approximately 12:10 PM HST.

5.0 INTRODUCTION

Further, this memorandum documents the Second Meeting with Agencies held on Wednesday, January 28, 2015. This meeting started at 2:00 PM and was adjourned at approximately 2:40 PM HST. The following people attended the meeting:

Name	Name
<input type="checkbox"/> Greg Allington McMillen Jacobs Assoc.	<input type="checkbox"/> Michael Cain - HDLNR
<input type="checkbox"/> Thomas Kaiakapu - DOFAW	

6.0 REVIEW OF AGENDA / MEETING PURPOSE

The meeting was opened by Greg giving a brief overview of the agenda.

7.0 DISCUSSION TOPICS

The following items were discussed during the meeting.

- Planning

- NEPA follow HEPA standards so DLNR should be able adopt the Environmental Assessment (EA).
- Submit Draft EA and application to DLNR – 30 day comment period concurrent with NEPA Draft EA. It may take up to six months for approval so the Draft EA meeting should occur around June/July 2015.
- DNLR – Coordinate throughout project w/both Michael and Thomas.
- Send official documents and official coordination to Sam Lemmo.

8.0 MEETING ADJOURNED

The meeting was adjourned at approximately 2:40 PM HST.

APPENDIX B
SUPPORTING INFORMATION

Scoping Report



Final Scoping Report
Kīlauea Point National Wildlife Refuge Trail Stabilization
June 2015



Prepared by:

U.S. Fish and Wildlife Service
Kaua'i National Wildlife Refuge Complex
P.O. Box 1128
Kīlauea, HI 96754

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SECTION 1

INTRODUCTION

1.0 Introduction

The U.S. Fish and Wildlife Service (USFWS) is proposing to stabilize the walking trail between the visitor parking lot and Daniel K. Inouye Kīlauea Point Lighthouse at the Kīlauea Point National Wildlife Refuge (Refuge).

USFWS is initiating a National Environmental Policy Act (NEPA) analysis in the form of an Environmental Assessment (EA) to analyze impacts to the natural and human environment from this project. The EA will comply with the Council on Environmental Quality's (CEQs) regulations at 40 CFR Parts 1500-1508 which require an evaluation of potential environmental impacts associated with federal projects and actions. The EA will be comprised of the following elements:

- Alternatives analysis of potential options for stabilizing the walking trail may include the following:
 - No Action: No action would be taken to stabilize the walking trail
 - Proposed Alternatives: One or more alternatives that would meet the purpose and need of the project.
- Detailed analysis of resources that may be affected for each of the alternatives that may satisfy the purpose and need for the project;
- Identification of potential mitigation measures to reduce or eliminate potential impacts to resources; and
- A plan of public participation and government agency coordination throughout development of the EA.

The participation of the public is a vital component of the project so that those who are interested in or potentially affected by the proposed alternatives have an opportunity to share their concerns and provide input regarding the EA during the initial stages of the process. This Scoping Report outlines the efforts undertaken to involve the agencies and local communities through a public information meeting and comment period, and the comments received from agencies and the general public during that period.

1.1 Project Purpose and Need (Draft)

The purpose of the project is to stabilize the walking trail to the Daniel K. Inouye Kīlauea Point Lighthouse. The need of the project is to provide slope stability for public safety concerns along trail sections that have experienced slope erosion, undermining, and settlement.

1.2 Scoping Goals and Objectives

The main goal of public participation is to involve a diverse group of public and government agency participants to solicit input and provide timely information throughout the NEPA review process regarding their concerns for the project and the proposed alternatives. The main tasks to accomplish this are to 1) establish ongoing communication with stakeholders, agencies and the

general public, 2) educate the public about the environmental review process and each party's role, 3) evaluate the effectiveness of public participation activities on a continual basis and utilize the most effective techniques throughout the NEPA process, and 4) document all public and government agency input.

SECTION 2

SCOPING PROCESS SUMMARY

2.0 Scoping Overview

A scoping process was performed to identify relevant resources or environmental concerns to be analyzed in detail and to determine which could be eliminated from detailed study. A list of resource concerns was compiled for the project from concerns identified by the public or agencies during an internal scoping meeting and the public scoping comment period.

2.1 Scoping Terms

The following terms can be generally used during the scoping process to identify specific actions, when necessary:

- Comment: a distinct statement or question about a topic or issue relating to the project.
- Comment Category: a topic to which a comment is addressed.
- Comment Document: a written version of comment(s) submitted by a commenter. One comment document may contain multiple comments.
- Commenter: an individual, organization or agency providing one or more comments.

2.2 Scoping Schedule

The following dates outline the milestones for the scoping process:

- April 2, 2015: Scoping period open, scoping notice mailings sent to public, notice posted to Refuge website, public notice published in The Garden Island newspaper
- April 3, 2015: Notice posted to the Kīlauea Point Natural History Association (KPNHA) Facebook page
- April 7, 2015: Newspaper article published in the The Garden Island newspaper
- April 9, 2015: Public notice published in The Garden Island newspaper
- April 16, 2015: Flyers posted at Kong Lung, Menehune Mart, and Healthy Nut
- April 16, 2015: Public scoping open house
- May 1, 2015: Scoping period closed

2.3 Scoping Notice

A scoping notice was prepared and sent to interested parties and regulatory agencies on April 2, 2015 as well as posted on the Refuge website and the KPNHA Facebook page. The scoping notice gave a description of the project, location and overview, and requested public participation. The scoping notice also identified the location of the public open house, contact information to submit written comments, and the scoping period open and closure date. A copy of the scoping notice, website page, and Facebook page are attached in Appendix A.

Public meeting announcements were published on April 2, 2015 and April 9, 2015 in The Garden Island newspaper announcing the project and public open house. A copy of the newspaper public meeting announcements are attached in Appendix A.

Flyers announcing the public scoping open house were posted at the Refuge and at Kong Lung, Menehune Mart, and Healthy Nut. The flyers included a description of the project, the date, time and place for the public scoping meeting, requested public participation, and provided contact information for questions or submission of comments. A copy of the flyer has been included in Appendix A.

2.4 Scoping Meetings

The primary purpose of the public scoping open house was to gather input and feedback to formulate the project purpose and need statement, develop potential alternatives for consideration, and discuss environmental issues to be addressed in the EA. To gather as broad an audience as possible, a combined government agency and general public scoping open house was held April 16, 2015 from 6:30 to 8:30 PM at the Kīlauea Elementary School. The scoping meeting materials can be found in Appendix B.

Participants were invited to submit comments in writing either at the meeting or subsequently by mail, fax or e-mail during the scoping comment period. Attendance at the meeting was counted using a sign-in sheet that is located in Appendix B. Comment cards were handed out at the meeting which also provided a blank space to submit written comments.

2.5 Scoping Mailing List

The agency and public mailing list was prepared by USFWS to inform the general public about the scoping process for the project. A total of 507 notices were emailed and 602 notices were sent via hard copy to interested parties.

SECTION 3 SCOPING COMMENTS

3.0 Scoping Meeting

The public scoping open house was conducted on April 16, 2015. There were seven (7) public attendees and six (6) project team members at this meeting.

Table 3-1 below identifies project personnel that were in attendance for the scoping meeting.

Table 3-1. Scoping Meeting Attendees

Name	Organization	Title
Mike Mitchel	USFWS	Acting Refuge Manager
Jenifer Waipa	USFWS	Supervisory Park Ranger
Kim Uyehara	USFWS	Biologist
Greg Allington	McMillen Jacobs Associates	Senior Biologist
Bobbi Preite	McMillen Jacobs Associates	Environmental Specialist
Jane Hoffman	Kīlauea Point Natural History Association	Executive Director

3.1 Comments Received

The scoping period officially opened on April 2, 2015 and ended on May 1, 2015 for a total of 30 days. Comments could have been submitted via mail, e-mail, facsimile, or comment card. There were nine written scoping comments received for the project and a summary of the comments received are listed in Table 3-2 below.

3.2 Comment Categories

Each of the comments was separated into comment categories to identify the nature of the comment. The following categories were created for scoping and are listed below. Specific comment details are listed in Table 3-2 below.

- Wildlife
- Traffic
- Erosion
- Floodplain Management
- Permitting

Table 3-1. Summary of Comments Received During the 30-Day Scoping Period

Commenter	Comment Category	Comment
Individual	Wildlife	This appears to be a non-brainer. It will increase human safety and provide stability for the slope, ensuring nesting habitat for the shearwaters. My only suggestion is that if a chain link fence is again used, white ribbon be run horizontally along the top of the fence to deter bird strikes at night.
Individual	Traffic	Suggest posting some staff at the gate to insure traffic flow and ability for construction workers to get to the site. Also insure the ability for visitors to have access to a bathroom (porta potty).
Individual	Traffic/ Erosion	Shuttle – test CCP options for future traffic control Capture rainwater to help eliminate amount of stormwater. Preventive measures to not get to this point in future. Accommodate visitors at other site like Crater Hill. Permaculture design contest. Suggest <i>vertiver</i> usage (effective root system, not aggressive, but potentially hard to get rid of) to help soil erosion.
Individual	Erosion	Has an assessment been completed regarding the west cove area from beneath? We have some monster wave action every winter and that erosion may be compromising the cliffside from the west side.
Individual	Erosion	A consideration of a proposal that would be win-win: employ local teenagers to replant Native Plants: Which hold the soil in place during the damaging storms that attribute to the erosion. The different high schools on our island could propagate the seedlings that would be transplanted at Kilauea Point National Wildlife Refuge; to stabilize the portion of the trail between the visitor center and Daniel K. Inouye Kilauea Point Lighthouse.
Department of Land and Natural Resources	Permitting	There were no objections or comments from the following agencies: <ul style="list-style-type: none"> • Land Division – Kauai District • Division of Boating & Ocean Recreation • Division of Forestry and Wildlife • Division of State Parks • Division of Aquatic Resources
Department of Land and Natural Resources Engineering Division	Floodplain Management	Please take note that the project site according to Flood Insurance Rate Map (FIRM), is located in Zone X. The National Flood Insurance Program (NFIP) does not regulate developments within Zone X.
State of Hawaii Department of Health*	Permitting	1. Any project and its potential impacts to State waters must meet the following criteria: <ol style="list-style-type: none"> Antidegradation policy (HAR, Section 11-54-1.1), which requires that the existing uses and the level of water quality necessary to protect the existing uses of the receiving State water be maintained and protected. Designated uses (HAR, Section 11-54-3), as determined by the classification of the receiving State waters. Water quality criteria (HAR, Sections 11-54-4 through 11-54-8). 2. You may be required to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage for discharges of wastewater, including storm water runoff, into State surface waters (HAR, Chapter 11-55). For NPDES general permit coverage, a Notice of Intent (NOI) form must be submitted at least 30 calendar days before the commencement of the discharge. An application for a NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge. To request NPDES permit coverage, you must submit the applicable form ("CWB Individual NPDES Form" or "CWB NOI Form") through the e-Permitting Portal and the hard copy certification statement with the respective filing fee (\$1,000 for an individual NPDES permit or \$500 for a Notice of General Permit Coverage). Please open the e-Permitting Portal website located at: https://Ieha-cloud.doh.hawaii.gov/epermitl . You will be asked to do a one-time registration to obtain your login and password. After you register, click on the Application Finder tool and locate the appropriate form. Follow the instructions to complete and submit the form.

<p>State of Hawaii Department of Health*</p>	<p>Permitting</p>	<p>3. If your project involves work in, over, or under waters of the United States, it is highly recommended that you contact the Army Corp of Engineers, Regulatory Branch (Tel: 835-4303) regarding their permitting requirements. Pursuant to Federal Water Pollution Control Act [commonly known as the "Clean Water Act" (CWA)], Paragraph 401 (a)(1), a Section 401 Water Quality Certification (WQC) is required for "[a]ny applicant for Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters ... " (emphasis added). The term "discharge" is defined in CWA, Subsections 502(16), 502(12), and 502(6); Title 40 of the Code of Federal Regulations, Section 122.2; and Hawaii Administrative Rules (HAR), Chapter 11-54.</p> <p>4. Please note that all discharges related to the project construction or operation activities, whether or not NPDES permit coverage and/or Section 401 WQC are required, must comply with the State's Water Quality Standards. Noncompliance with water quality requirements contained in HAR, Chapter 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55, may be subject to penalties of \$25,000 per day per violation.</p> <p>5. It is the State's position that all projects must reduce, reuse, and recycle to protect, restore, and sustain water quality and beneficial uses of State waters. Project planning should:</p> <ul style="list-style-type: none"> a. Treat storm water as a resource to be protected by integrating it into project planning and permitting. Storm water has long been recognized as a source of irrigation that will not deplete potable water resources. What is often overlooked is that storm water recharges ground water supplies and feeds streams and estuaries; to ensure that these water cycles are not disrupted, storm water cannot be relegated as a waste product of impervious surfaces. Any project planning must recognize storm water as an asset that sustains and protects natural ecosystems and traditional beneficial uses of State waters, like community beautification, beach going, swimming, and fishing. The approaches necessary to do so, including low impact development methods or ecological bio-engineering of drainage ways must be identified in the planning stages to allow designers opportunity to include those approaches up front, prior to seeking zoning, construction, or building permits. b. Clearly articulate the State's position on water quality and the beneficial uses of State waters. The plan should include statements regarding the implementation of methods to conserve natural resources (e.g. minimizing potable water for irrigation, gray water re-use options, energy conservation through smart design) and improve water quality. c. Consider storm water Best Management Practice (BMP) approaches that minimize the use of potable water for irrigation through storm water storage and reuse, percolate storm water to recharge groundwater to revitalize natural hydrology, and treat storm water which is to be discharged. d. Consider the use of green building practices, such as pervious pavement and landscaping with native vegetation, to improve water quality by reducing excessive runoff and the need for excessive fertilization, respectively. e. Identify opportunities for retrofitting or bio-engineering existing storm water infrastructure to restore ecological function while maintaining, or even enhancing, hydraulic capacity. Particular consideration should be given to areas prone to flooding, or where the infrastructure is aged and will need to be rehabilitated.
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*Note that the State Hawaii Department of Health comment letter was received after the comment period, but was still accepted and included as a scoping comment.

SECTION 4 RESOURCE CONCERNS

4.0 Resource Concerns

A list of resource concerns was compiled for the project based on CEQs regulations at 40 CFR Parts 1500-1508, and from any additional concerns identified by the public, or agencies during the scoping meeting or scoping period. Table 4-1 below lists a comprehensive list of the resource concerns compiled for the project. An analysis of resource concerns specific to this project will be completed during the development of the EA and non-relevant resource concerns will be eliminated.

Table 4-1. Scoping Resource Concerns

Item/Concern	Item/Concern
Soils	Human Environment
Geology - Erosion/Sedimentation	Socioeconomics
Prime and Unique Farmland	Historic Properties/Cultural Resources
Water	Hazardous Materials
Surface Water Quality	Environmental Justice and Civil Rights
Ground Water Quantity	Public Health and Safety
Clean Water Act - Waters of the U.S.	Recreation
Regional Water Mgt. Plans and Coastal Zone Management Areas	Land Use
Floodplain Management	Visual Resources
Wetlands	Scenic Beauty
Wild and Scenic Rivers	Parklands
Sole Source Aquifers	Transportation Infrastructure
Air	Noise
Air Quality	Ecologically Critical Areas
Clean Air Act	National Parks, Monuments and Historical Sites
Plants	Scientific Resources
Special Status Species (Federal and State listed)	Animals
Forest Resources	Essential Fish Habitat
Invasive Species	Wildlife Habitat
Natural Areas	Special Status Species (Federal and State listed)
Riparian Areas	Invasive Species
	Migratory Birds/Bald and Golden Eagles

APPENDIX A

SCOPING NOTICES

Scoping Letter
Scoping Flyer
Newspaper Notices
Website Announcement
Facebook Announcement
Newspaper Article

U.S. Fish and Wildlife Service

Kaua'i National Wildlife Refuge Complex
P.O. Box 1128
Kīlauea, HI 96754
Phone: (808) 828-1413
<http://www.fws.gov/kilaueapoint>



April 2, 2015

Dear Interested Parties:

The U.S. Fish and Wildlife Service (USFWS) is proposing to stabilize the walking trail between the visitor center and Daniel K. Inouye Kīlauea Point Lighthouse at the Kīlauea Point National Wildlife Refuge (Refuge). The Refuge is located off Kīlauea Road at the northern most point of Kaua'i. The project is needed to stabilize the walking trail for public safety along trail sections that have experienced slope erosion, undermining, and settlement.

You are invited to provide comments and attend a public scoping open house where your input is encouraged. The range of resource issues, as well as project stabilization, restoration, and stormwater improvement measures will be presented and discussed.

Public Comment Period

Open: April 2, 2015

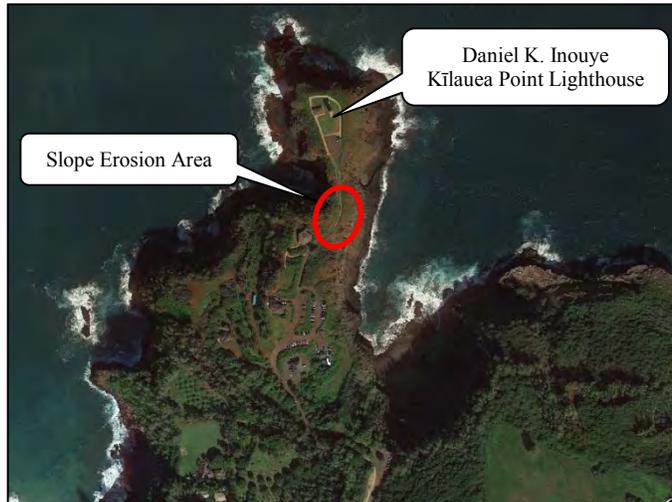
Close: May 1, 2015

Public Scoping Open House

Date: Thursday, April 16, 2015

Time: 6:30 PM to 8:30 PM

Place: Kīlauea Elementary School Cafeteria
2440 Kolo Road
Kīlauea, Kaua'i, HI 96754



Vicinity Map



Existing Damaged Walking Trail

Environmental Assessment Introduction

USFWS is initiating a National Environmental Policy Act (NEPA) analysis in the form of an Environmental Assessment (EA) to analyze impacts to the natural and human environment from this project. The EA will comply with the Council on Environmental Quality's regulations at 40 CFR Parts 1500-1508 which require an evaluation of potential environmental impacts associated with federal projects and actions.

Purpose and Need

The purpose of the project is to stabilize the walking trail to the Daniel K. Inouye Kīlauea Point Lighthouse. The need of the project is to provide slope stability for public safety concerns along trail sections that have experienced slope erosion, undermining, and settlement.

Public Participation

The participation of the public is a vital component of the project providing those who are interested in or potentially affected by the proposed project an opportunity to share their comments, ideas, and concerns regarding actions during the initial scoping stage of the NEPA process. Comments can be submitted via email, fax, or mail anytime during the scoping public comment period.

Additional information regarding the proposed project can be accessed online at <http://www.fws.gov/kilaueapoint> or contacting:

Greg Allington (McMillen Jacobs Associates) 208-985-1499 (primary) or
Jennifer Waipa (USFWS) 808-635-0925 (secondary).

For comments to be considered and become part of the public record for the project, **they must be received by close-of-business on May 1, 2015.**

Please email or fax your comments to:

Email: kpnwrtrail@mcmjac.com
Fax: (208) 342-4216

You may also submit comments by **mail** to:

Kaua'i National Wildlife Refuge Complex
Jennifer Waipa, Supervisory Park Ranger
P.O. Box 1128
Kīlauea, HI 96754

After receiving comments, the USFWS will begin reviewing the comments for consideration into the Draft EA. Preliminary resource concerns identified during this initial project scoping process will also be addressed in the Draft EA.

To check on the status of the project and download project-related documents during the course of the NEPA process, please visit: <http://www.fws.gov/kilaueapoint>. The project team values your feedback and encourages you to comment during the scoping comment period.

Sincerely,

Kīlauea Point National Wildlife Refuge

The U.S. Fish and Wildlife Service is committed to providing access to the scoping meeting for all participants. Please direct all requests for sign language interpreting services, close captioning, or other accommodation needs to Greg Allington, kpnwrtrail@mcmjac.com, 208-985-1499 with your request by close-of-business on Monday, April 13, 2015.

Public Notice

Kaua'i National Wildlife Refuge Complex
P.O. Box 1128
Kīlauea, HI 96754
Phone: (808) 828-1413
<http://www.fws.gov/kilaueapoint>



Contact (primary): Greg Allington, (208) 985-1499, allington@mcmjac.com
Contact (secondary): Jennifer Waipa, (808) 635-0925, jennifer_waip@fws.gov

PUBLIC SCOPING OPEN HOUSE

The U.S. Fish and Wildlife Service (USFWS) is proposing to stabilize the walking trail between the visitor center and the Daniel K. Inouye Kīlauea Point Lighthouse at the Kīlauea Point National Wildlife Refuge. The project is needed to provide slope stability for public safety along trail sections that have experienced slope erosion, undermining and settlement.

You are invited to provide comments and attend a public scoping open house where your input is encouraged. The range of resource issues, as well as proposed stabilization, restoration, and stormwater improvement measures will be presented and discussed.

Public Comment Period

Open: April 2, 2015

Close: May 1, 2015

Public Scoping Open House

Date: Thursday, April 16, 2015

Time: 6:30 PM to 8:30 PM

Place: Kīlauea Elementary School Cafeteria
2440 Kolo Road
Kīlauea, Kaua'i, HI 96754



Please email or fax your comments to:

Email: kpnwrtrail@mcmjac.com

Fax: 208-342-4216

You may also submit comments by **mail** to:

Kaua'i National Wildlife Refuge Complex
Jennifer Waipa, Supervisory Park Ranger
P.O. Box 1128
Kīlauea, HI 96754

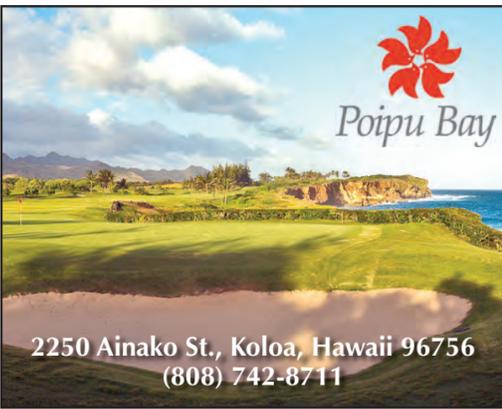
Additional information regarding the proposed project can be accessed online at <http://www.fws.gov/kilaueapoint>.

The U.S. Fish and Wildlife Service is committed to providing access to the scoping meeting for all participants. Please direct all requests for sign language interpreting services, close captioning, or other accommodation needs to Greg Allington, kpnwrtrail@mcmjac.com, 208-985-1499 with your request by close-of-business on Monday, April 13, 2015.

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PUBLIC NOTICE

The United States Fish and Wildlife Service (USFWS) is proposing to stabilize the walking trail between the visitor center and the Daniel K. Inouye Kīlauea Point Lighthouse at the Kīlauea Point National Wildlife Refuge. The project is needed to stabilize the walking trail for public safety concerns along trail sections that have experienced slope erosion, undermining, and settlement.

You are invited to attend a public scoping open house where your input is encouraged. The range of resource issues, as well as the project stabilization, restoration, and stormwater improvement measures will be presented and discussed.

Public Scoping Open House
Date: Thursday, April 16, 2015
Time: 6:30 PM to 8:30 PM
Place: Kīlauea Elementary School Cafeteria
 2440 Kolo Road
 Kīlauea, Kaua'i, HI 96754

Comments may be submitted during the public scoping period starting April 2, 2015 and ending on May 1, 2015 to:

Email: kpnwrtrail@mcmjac.com
Fax: 208-342-4216
Mail: Kaua'i National Wildlife Refuge Complex
 P.O. Box 1128
 Kīlauea, HI 96754

Additional information regarding the proposed project can be accessed online at: <http://www.fws.gov/kilaueapoint>

Kauai's Religious Services Directory

Call Yukie De Silva at 245-0436 to place your ad.

calvarychapel LIHUE
 "Seeking to know Him and make Him known!"
 Sundays: 8am & 10am* Worship Service (*with children's ministry)
 Wednesdays: Jr./Sr. High Youth - 6:00pm, Adult Study - 7:00pm
 Location: 3-3100 Kuhio Hwy. (across from McDonald's in Lihue)
 Contact us for more information or if you need prayer
 245-WORD (9673) • cclihue.com • facebook.com/cclihue

Holy Cross Parish
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 Mass: 8:15am

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 The Rev. Robin Taylor, Vicar
 482-4824
Christmemorialkauai.org
Christmemorialkauai@gmail.com
 Food Pantry Open Saturdays 3:30PM
 THRIFT SHOP MINISTRY Hours:
 TUES, THURS & FRI: 2PM - 5PM
 WED 9:30AM - 12:30PM • SAT 9AM - 3PM

Calvary Chapel Lihue 3-3100 Kuhio Hwy, Lihue (808) 245-9673	Kauai United Church 4973 Puuwai Rd, Kalaheo (808) 339-2385
Christ Memorial Episcopal Church 2509 Kolo Rd, Kilauea (808) 482-4824	Kapaa United Church of Christ 1315 Ulu St, Kapaa (808) 822-9241
Christian Science Church, Kauai 4520 Akia Rd, Kapaa (Across from Cost-U-Less) 822-3040	Koloa Union Church 3289 Poipu Rd, Koloa (808) 742-6622
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Holy Cross Parish 2-2370 Kaunualii Hwy, Kalaheo (808) 332-8011	New Hope Kauai in Kapaa 4695 Mailihuna Rd, Kapaa (808) 823-6877
	St. Michael & All Angel Episcopal 4364 Hardy St, Lihue (808) 245-3796

police shooting



PHOTO BY L. CHRIS STEWART

A frame from video provided by Attorney L. Chris Stewart representing the family of Walter Lamer Scott, Scott appears to be running away from city patrolman Michael Thomas Slager in North Charleston, S.C.

Witness: Officer didn't warn man before he shot him 8 times

Officer Michael Thomas Slager to face murder charges for killing Lamer Scott



Bruce Smith
Jeffrey Collins
 ASSOCIATED PRESS

NORTH CHARLESTON, S.C. — An eyewitness whose cellphone video put a South Carolina police officer in jail on a murder charge said Wednesday that he did not hear the white officer give any warning before he fired eight times at the back of a black man who can be seen in the footage running away before he falls to the ground.

Feidin Santana told NBC News that while walking to work Saturday morning, he saw Officer Michael Thomas Slager controlling Walter Lamer Scott on the ground, and began recording when he heard the sound of a Taser. "Mr. Scott was trying just to get away from the Taser," said Santana, a barber originally from the Dominican Republic. "He was just looking for a way to get away

about 30 feet away. Santana also said he didn't see the officer render any first aid to Scott after he was on the ground. Santana said he was so shaken by what he had witnessed that he initially considered erasing the video from his phone and leaving town.

"I felt that my life, with this information, might be in danger," Santana said.

Santana said he changed his mind after reading the version of events as recounted by the police, which didn't match what he had seen. He said he provided the video to the dead man's family because he didn't believe anything would happen to Slager if he didn't come forward.

After the video was made public by a lawyer representing the family on Tuesday, Slager, 33, was swiftly fired and charged with murder, potentially resulting in a sentence of 30 years to life in prison. A judge ordered the ex-officer jailed without bond, pending trial.

But that did little to quell the outrage of an angry

crowd at North Charleston's City Hall, where the mayor and police chief were shouted down with calls of "no justice, no peace."

Not once in the moments recorded by Santana can the officer be heard yelling "stop" or telling the man to surrender. Moments after handcuffing the dying man face-down on the ground, Slager walks back to pick up what appears to be the Taser, then return and drop it at Scott's feet as another officer arrives to check the dying man's condition. Then he picks it up again after exchanging words with the other officer.

The video changed everything, authorities and advocates said Wednesday.

Mayor Keith Summey announced that he's ordering 150 more body cameras so that every uniformed officer on the street will wear one, a key demand of the Black Lives Matter movement that is growing nationwide. For his part, Police Chief Eddie Driggers said, "I have watched the video. And I was sickened by what I saw. And I have not watched it since."

questions & answers

Lethal force against a fleeing suspect?

Eric Tucker
 ASSOCIATED PRESS

WASHINGTON — The law gives police officers latitude to use deadly force when they feel physically endangered, but there's far less legal flexibility when it comes to opening fire at fleeing individuals. Here's a look at legal issues raised by Saturday's police shooting in South Carolina in which video recorded by a bystander shows a black man being shot in the back and killed as he runs away.

Q: Is there a federal legal standard to judge the ap-

propriateness of police use of force?

A: Yes. The Supreme Court held in a 1989 case, *Graham v. Connor*, that the appropriateness of use of force by officers "must be judged from the perspective of a reasonable officer on the scene," rather than evaluated through 20/20 hindsight.

Q: Can police officers shoot at fleeing individuals?

A: Only in very narrow circumstances. A seminal 1985 Supreme Court case, *Tennessee vs. Garner*, held that the police may not shoot at a fleeing person un-

less the officer reasonably believes that the individual poses a significant physical danger to the officer or others in the community. That means officers are expected to take other, less-deadly action during a foot or car pursuit unless the person being chased is seen as an immediate safety risk.

Q: In cases where police officers are not supposed to use deadly force against a fleeing person, what should they do?

A: Each case involving a suspect who flees the police, whether in a car or on foot, poses a balancing test

for an officer, said Chuck Drago, a police practices expert and former Oviedo, Florida, police chief.

"Am I creating more of a danger by chasing this person than if I let this person stay at large?" Drago said. "Especially in a vehicle pursuit, is it worth risking everyone on the road to catch this guy?"

In a pursuit on foot, the more reasonable option might be to call for backup, including perhaps with a police dog, so that other officers can set up a perimeter and trap the suspect, Drago said.

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JOHN TESCHNER / CONTRIBUTED PHOTO

Waves crash into a sailboat Wednesday that drifted ashore at Moloaa Bay. U.S. Coast Guard officials said nobody was believed to be onboard at the time it floated aground. An investigation is underway.

Looted antiquities turn up in Hawaii

Pieces stolen from India surface at Honolulu Museum of Art

Jennifer Sinco Kelleher
ASSOCIATED PRESS

HONOLULU — An international investigation into antiquities looted from India and smuggled into the United States has taken authorities to the Honolulu Museum of Art.

The museum on Wednesday handed over seven rare artifacts that it acquired without museum officials realizing they were ill-gotten items. Agents from the U.S. Immigration and Customs

Enforcement will take the items back to New York and, from there, eventually return them to the government of India.

U.S. customs agents say the items were taken from religious temples and ancient Buddhist sites, and then allegedly smuggled to the United States by an art dealer. The dealer, Subhash Kapoor, was arrested in 2011 and is awaiting trial in India. Officials say Kapoor created false provenances for the illicit antiquities.

Someone on vacation visiting the museum last year recognized the name of Kapoor's New York gallery as the source of a 2,000-year-old terra cotta rattle and

contacted authorities, said Stephan Jost, the museum's director. Museum officials then pored over their records and determined six other Indian items had ties to Kapoor.

Kapoor donated one of the items and sold five to the museum, Jost said. One was a gift from someone else.

Agents are hailing the Honolulu museum for being the first U.S. institution to publicly and easily cooperate with the investigation, dubbed "Operation Hidden Idol," involving four arrests and the recovery of thousands of pieces worth a total of \$150 million.

"Owning stolen stuff is not part of our mission," Jost

said. "I'm not sure we've done anything heroic. We just want to do the right thing."

Jost watched as agents inspected the items — the rattle, figurines, architectural fragments and tiles — and them hauled them in packed crates into a truck.

Martinez stressed there's no culpability on the museum's part, as it wasn't aware of the items' provenance when it acquired them between 1991 and 2003.

American art museums are becoming more rigorous in vetting the history of objects they acquire, Jost said. "Could we have done a better job? Sure," he said. "Were we a victim? Yes."

TV vet

Continued from A1

on its leg after falling into a river and making it through rapids and over rocks. Finally, Sims meets a pig for a manicure because its unkempt hooves threaten to outgrow it.

In the second episode, Sims pulls a horse's cracked tooth, examines an endangered coot and checks on a portly pig that's blind from extra skin covering its eyes. Sims later removes the excess flesh so the pig can see again. This week, he treats a goat with constipation.

Sims started his adventure by moving his practice from California to Hawaii in 2001.

"I came here on vacation and fell in love with the beauty and warmth and clean air and everything else that is so spectacular in Hawaii," Sims said.

The other animal clinics on the 571-square-mile island of Kauai are only for pets and don't make house calls, while Sims covers any animal, any size, anywhere, said Penny Cistaro, executive director of the Kauai Humane Society.

"He has a genuine heart for the animals. He puts them first," Cistaro said. "He doesn't think anything of flying. It's all in a day's work."

The vet spends half his time at his home clinic and the other half in the air or on the road — in often time-consuming trips. The lone road across Kauai is one lane each way and takes 2½ hours to cross, Cistaro said.

Plus, his plane is hardly a



NATIONAL GEOGRAPHIC CHANNEL / ASSOCIATED PRESS

Veterinarian Dr. Scott Sims, the star of Nat Geo Wild's new "Aloha Vet" series, carries a dog next to the two-seater airplane he built from a kit, near his facility at Kilauea on the island of Kauai in Hawaii.

jet. Sims says he made the two-seat propeller plane, a dynamic WT9, from a kit.

His efforts get a "mahalo" from clients such as Katja Langholv, who visited Sims'

home clinic so he could help her cat with an eye problem. Langholv, who has eight cats, three dogs, three cockatiels and eight horses, has had Sims treat most of her ani-

mals.

"He always gives his all and you can call on him anytime for anything," she said.

It airs at 9 p.m. Pacific Standard Time.

ST. MICHAEL'S HOLY WEEK

Maunder Thursday † April 2, 7:00 pm

Music from the Taize tradition in France with pianist Alan Van Zee

Good Friday Project † April 3, 7:00 pm

Nine performing artists respond to the powerful theme of the day — Karen Dickinson, Marissa Kennedy, Alan Van Zee, Cher Ellwood, Sylvia Woods, John Gilleran, Terra Jean Otto, Robert Carrasco, David Braun, Randy Leonard and the St. Michael's Choir

The Great Easter Jazz Vigil † April 4, 7:00 pm

Powerful candlelight service with vocalists Karen Dickinson and Peggy Lake

Easter Sunday † April 5, 8:00 and 10:00 am

Celebration services with the St. Michael's choir directed by Randy Leonard, brass, vocalist Karen Dickinson and a sermon by Father Bill Miller

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would take place by King Kaunualii's son Humehume.

Following the wreck, a second of the hull washed ashore on Dec. 30, 1844, which was already damaged by shipworms. Two cannons were recovered in 1857.

Paul Forsythe Johnston of the Smithsonian's Institute of Natural American History applied for the first underwater archaeological permits issued by the state of Hawaii in January 1994. Capt. Richard Rogers volunteered his research vessel, Pilioloha outfitted with a proton magnetometer and in July 1995, the search for artifacts from the ship started.

After several years, the ship's remains were finally located, excavated and many artifacts were recovered. During the Smithsonian's exploration, a section of the ship's stern was uncovered, documented, and re-buried.

Samson Mahuiki, a North Shore resident, remembers seeing pieces of the Haaheo during his diving and fishing

trips to Hanalei Bay. He also watched parts of the excavation.

"They started at the right time," said Dr. Richard Goodale, a museum trustee. "My father always said it was all right to park the boat at Hanalei after Memorial Day, and after Labor Day, the boat needs to be moved out before the winter surf comes in."

The Smithsonian recently shipped some of the artifacts, including the bricks used for ballast, to the Kauai Museum. Those on hand for the unveiling were pleased.

"Return it to where it really belongs," Kusaka said. The other crates will be opened and the remaining artifacts inside examined and eventually displayed to the public.

"The Kauai Museum got the services of Rev. Tom Takahashi to bless the crates and make sure everything was pono," said Chucky Boy Chock. "Once the crates are unpacked and the contents catalogued, some of the pieces will be put out for display and Rev. Takahashi will perform another blessing."



DENNIS FUJIMOTO/THE GARDEN ISLAND

Teddy Daligdig gets help from Maryanne Kusaka, president of the Kauai Museum Board of Trustees, in repacking artifacts from the Haaheo o Hawaii, Wednesday during the unpacking of four crates of artifacts at the museum.

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PUBLIC NOTICE

The United States Fish and Wildlife Service (USFWS) is proposing to stabilize the walking trail between the visitor center and the Daniel K. Inouye Kilauea Point Lighthouse at the Kilauea Point National Wildlife Refuge. The project is needed to stabilize the walking trail for public safety concerns along trail sections that have experienced slope erosion, undermining, and settlement.

You are invited to attend a public scoping open house where your input is encouraged. The range of resource issues, as well as the project stabilization, restoration, and stormwater improvement measures will be presented and discussed.

Public Scoping Open House

Date: Thursday, April 16, 2015
Time: 6:30 PM to 8:30 PM
Place: Kilauea Elementary School Cafeteria
 2440 Kolo Road
 Kilauea, Kauai, HI 96754

Comments may be submitted during the public scoping period starting April 2, 2015 and ending on May 1, 2015 to:

Email: kpnwrtrail@mcmjac.com
Fax: 208-342-4216
Mail: Kauai National Wildlife Refuge Complex
 P.O. Box 1128
 Kilauea, HI 96754

Additional information regarding the proposed project can be accessed online at: <http://www.fws.gov/kilaueapoint>



Kīlauea Point

National Wildlife Refuge | Hawaii



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Refuge System

About the Refuge

Kīlauea Point is a beacon of hope for threatened Hawaiian wildlife & their habitats as well as the home of a historic lighthouse.

FEATURES



Hanalei National Wildlife Refuge

Hanalei National Wildlife Refuge is a part of the Kaua'i NWR complex.

[Learn More About Hanalei NWR \(/refuge/Hanalei/\)](/refuge/Hanalei/)



Hulē'ia National Wildlife Refuge

Hulē'ia National Wildlife Refuge is part of the Kaua'i NWR complex.

[Learn More about Hulē'ia NWR \(/refuge/Huleia/\)](/refuge/Huleia/)



Ruddy Turnstone

This bird uses its strong neck and bill to turn over stones in search of prey.

[Learn more \(/refuge/kilauea_point/wildlife_and_habitat/ruddy_turnstone.html\)](/refuge/kilauea_point/wildlife_and_habitat/ruddy_turnstone.html)



Wandering Tattler

Their name is derived from their habit of giving a series of high, clear, alarm whistles at the approach of any perceived danger.

[Learn more \(/refuge/kilauea_point/wildlife_and_habitat/wandering_tattler.html\)](/refuge/kilauea_point/wildlife_and_habitat/wandering_tattler.html)



Wedge-tailed Shearwater

They emit an eerie, ghost-like wailing during the night. Their Hawaiian name, 'ua'u kani', means moaning petrel.

[Learn more \(/nwrs/threecolumn.aspx?id=2147525128\)](/nwrs/threecolumn.aspx?id=2147525128)

ABOUT KILAUEA POINT

[Welcome to Kīlauea Point \(/refuge/Kilauea_Point/visit/plan_your_visit.html\)](/refuge/Kilauea_Point/visit/plan_your_visit.html)



Home - Kīlauea Point - U.S. Fish and Wildlife Service

Kīlauea Point National Wildlife Refuge's dramatic backdrop of steep cliffs plunging to the ocean is one of the best places on the main Hawaiian Islands to view wildlife, and is also home to some of the largest populations of nesting seabirds found in Hawai'i. Visitors also have a chance to view spinner dolphins, Hawaiian monk seals, native Hawaiian coastal plants and Hawai'i's state bird - the nēnē or endangered Hawaiian goose.

ABOUT THE COMPLEX

[Kaua'i National Wildlife Refuge Complex \(/refuge/Kilauea_Point/about.html\)](/refuge/Kilauea_Point/about.html)

Kaua'i National Wildlife Refuge Complex, located on the oldest island of Hawaii, consists of 3 refuges which provide extremely valuable habitat for wildlife.

Kīlauea Point is managed as part of the Kaua'i National Wildlife Refuge Complex.

ABOUT THE NWRS

[National Wildlife Refuge System \(aboutNWRS.html\)](aboutNWRS.html)



The National Wildlife Refuge System, within the U.S. Fish and Wildlife Service, manages a national network of lands and waters set aside to conserve America's fish, wildlife, and plants.

WHAT'S NEW

[Kilauea Trail Stabilization Project \(/nwrs/threecolumn.aspx?id=2147570464\)](/nwrs/threecolumn.aspx?id=2147570464)

The U.S. Fish and Wildlife Service Trail Stabilization Project will be open for public scoping comment from April 2, 2015 through May 1, 2015.

[Draft CCP Available for Public Comment](/refuge/Kilauea_Point/what_we_do/planning.html)

[\(/refuge/Kilauea_Point/what_we_do/planning.html\)](/refuge/Kilauea_Point/what_we_do/planning.html)

The U.S. Fish and Wildlife Service's Draft Comprehensive Conservation Plan and Environmental Assessment for Kīlauea Point National Wildlife Refuge is available for public review and comment between now and March 27, 2015.

[Predator-proof Fence Project Completed! \(/nwrs/threecolumn.aspx?id=2147553019\)](/nwrs/threecolumn.aspx?id=2147553019)

Construction of Kaua'i's first predator-proof fence on Nihoku (also known as Crater Hill) is completed.

[Lighthouse Restoration! \(/nwrs/threecolumn.aspx?id=2147525133\)](/nwrs/threecolumn.aspx?id=2147525133)



The historic Kīlauea Point Lighthouse has been restored to its former glory. Renovation was completed in time for the Lighthouse Centennial.



[Laysan Albatross](/refuge/kilauea_point/wildlife_and_habitat/Laysan_albatross.html)

[\(/refuge/kilauea_point/wildlife_and_habitat/Laysan_albatross.html\)](/refuge/kilauea_point/wildlife_and_habitat/Laysan_albatross.html)

The Mōlī or Laysan albatross may spend years over the open ocean without ever touching land!

[Learn more \(/refuge/kilauea_point/wildlife_and_habitat/Laysan_albatross.html\)](/refuge/kilauea_point/wildlife_and_habitat/Laysan_albatross.html)

Page Photo Credits — A Nene at Kilauea Point.
Last Updated: Apr 06, 2015



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U.S. Fish & Wildlife Service

Kīlauea Point

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Kīlauea Point National Wildlife Refuge Trail Stabilization Project

Kīlauea Point National Wildlife Refuge (Refuge) is located at the northern most point of Kaua‘i, north of the town of Kīlauea.

The Refuge opened to visitors in 1985 and offers sweeping views of the Pacific, tours of the historic Daniel K. Inouye Kīlauea Point Lighthouse, and is home to many native plants and seabirds. The Refuge includes a parking area, visitor center, and light house that are all connected by a paved walking trail. Slope erosion, settling, and undermining of sections of the paved walking trail has been recently documented. The U.S. Fish and Wildlife Service (USFWS) is proposing to stabilize and restore the walking trail between the parking area and Daniel K. Inouye Kīlauea Point Lighthouse. The project is needed to provide slope stability for public safety along trail sections that have experienced slope erosion, undermining, and settlement.

NEPA Analysis

USFWS is initiating National Environmental Policy Act (NEPA) analysis in the form of an Environmental Assessment (EA) to analyze impacts to the natural and human environment from this project. The EA will comply with the Council on Environmental Quality’s regulations at 40 CFR Parts 1500-1508 which require an evaluation of potential environmental impacts associated with federal projects and actions.

Current Status

The planning process has begun for development of an EA for the Kīlauea Point National Wildlife Refuge Trail Stabilization Project. The project is currently in the scoping phase and the public along with agencies are invited to provide comments on the proposed project. The scoping comment period will be opened for approximately 30 days to allow the public and agencies an opportunity to provide comments. A public scoping open house will also be held where the range of resource issues, and proposed project measures will be presented and discussed. Specific information regarding the scoping period and public scoping meeting is provided below.

Public Comment Period

Open: April 2, 2015

Close: May 1, 2015

Public Scoping Open House

Date: Thursday, April 16, 2015

Time: 6:30 to 8:30 PM

Place: Kīlauea Elementary School Cafeteria

2440 Kolo Road

Kīlauea, Kaua‘i, HI 96754

Comments may be submitted by email or fax to:

Email: kpnwrtrail@mcmjac.comFax: 208-342-4216  (#)

Comments may also be submitted by mail to:

Mail: Kaua‘i National Wildlife Refuge Complex

Jennifer Waipa, Supervisory Park Ranger

P.O. Box 1128

Kīlauea, HI 96754

<http://www.fws.gov/nwrs/threecolumn.aspx?id=2147570464>

4/8/2015

Project and scoping information

[Interested Party Letter \(/uploadedFiles/Region_1/NWRS/Zone_1/Kauai_Complex/Kilauea_Point/Documents/USFWS Kilauea Trail Stab Scoping Letter.pdf\)](/uploadedFiles/Region_1/NWRS/Zone_1/Kauai_Complex/Kilauea_Point/Documents/USFWS_Kilauea_Trail_Stab_Scoping_Letter.pdf)

[Project Map \(/uploadedFiles/Region_1/NWRS/Zone_1/Kauai_Complex/Kilauea_Point/Documents/Kilauea Trail Stabilization Map.pdf\)](/uploadedFiles/Region_1/NWRS/Zone_1/Kauai_Complex/Kilauea_Point/Documents/Kilauea_Trail_Stabilization_Map.pdf)

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More project specific information is available by contacting:

Primary: Greg Allington (McMillen Jacobs Associates) 208-985-1499/kpnwrtrail@mcmjac.com (<mailto:kpnwrtrail@mcmjac.com>) or
Secondary: Jennifer Waipa (USFWS) 808-635-0925/jennifer_waipa@fws.gov (mailto:jennifer_waipa@fws.gov)

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Kilauea Point Natural History Association added 3 new photos.

April 3 at 8:02pm ·

Proposal to stabilize the walking trail between the Visitor Center and Daniel K. Inouye Kilauea Point Lighthouse . . . You are invited to provide comments and attend a public scoping open house.

PUBLIC NOTICE

States Fish and Wildlife Service (USFWS) is the walking trail between the visitor center and the Kilauea Point Lighthouse at the Kilauea Point Refuge. The project is needed to stabilize the walking trail sections that have erosion, undermining, and settlement.

Invited to attend a public scoping open house on the proposed project. The range of resource issues, as well as the benefits of stabilization, restoration, and stormwater management will be presented and discussed.

Public Scoping Open House

Date: Thursday, April 16, 2015
Time: 6:30 PM to 8:30 PM
Location: Kilauea Elementary School Cafeteria
2440 Kolo Road
Kilauea, Kauai, HI 96754

Comments may be submitted during the public scoping open house on **April 16, 2015 and ending on May 1, 2015** to:

email: kpnwrtrail@mcenjao.com
phone: 208-342-4216
mail: Kawai National Wildlife Refuge Coordinator
P.O. Box 1128
Kilauea, HI 96754

For more information regarding the proposed project, visit our website at: <http://www.fws.gov/kilaueapoint>



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Kilauea Point Natural History Association via **Papahānaumokuākea Marine National Monument**

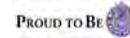
April 3 at 3:26am ·

It's wonderful to see these two Hawaiian monk seals in their natural habitat after being nursed back to health.

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Open house on erosion fortification project April 16

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4

Posted: Tuesday, April 7, 2015 1:15 am

The Garden Island | 0 comments

Stabilization is on the way.

Erosion has taken a toll on a portion of the walking trail between the visitor center and Daniel K. Inouye Kilauea Point Lighthouse at the Kilauea Point National Wildlife Refuge, but relief should be coming.

The U.S. Fish and Wildlife Service is proposing to re-enforce around half of the 200-foot trail for public safety along sections that have experienced slope erosion, undermining and settlement.

"It's a combination of things," said Greg Allington, project consultant for McMillen Jacobs Associates. "It's a steep cliff and there's a lot participation in the area. It's just the nature of the area."

A cost of the project hasn't been determined as it is in

the preliminary process, Allington said.

Erosion work around the trail hasn't happend in about 10 years.

It meanders from the visitor center to the lighthouse along steep bluffs overlooking the ocean. A cement wall lines the trail, which has shown cracks and wear.

"This is more of a maintenance issue more than anything," Allington said. "Anytime there is cracking like that, there is concern. Now, do we think the trail is going to give way tomorrow? Absolutely not."

The public is invited to provide comments and attend a public scoping open house where input is encouraged. The range of resource issues, as well as project stabilization, restoration, and stormwater improvement measures will be presented.

It will be from 6:30 to 8:30 p.m. Thursday, April 16 at Kilauea Elementary School Cafeteria, 2440 Kolo Road in Kilauea.



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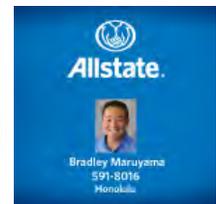
Offer ends soon: Roll over an IRA today and you could qualify for up to \$2,000.



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USFWS is also initiating an environmental assessment to analyze project impacts. Public comments for the assessment will accepted until May 1.

They may be submitted by email at kpnwrtrail@mcmjac.com or by fax at (208) 342-4216.

More info: Allington (208) 985-1499 or kpnwrtrail@mcmjac.com or Jennifer Waipa, USFWS, at 635-0925.

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More about **Kilauea Point National Wildlife Refuge**

- **ARTICLE:** Quarry access changes eyed
- **ARTICLE:** Providing protection
- **ARTICLE:** USFWS breaks ground on first predator-proof fence
- **ARTICLE:** Wildlife refuge marks 101st anniversary

More about **Daniel K. Inouye Kilauea Point Lighthouse**

- **ARTICLE:** Wildlife refuge marks 101st anniversary
- **ARTICLE:** Lighthouse Legacy
- **ARTICLE:** A century of light
- **ARTICLE:** Kilauea Point Lighthouse to be renamed in honor of Sen. Inouye



Online Poll

Are home prices on Kauai reasonable?

- Yes. This is a wonderful place to live, so owning a home is worth it.
- No. The cost of living here is rising rapidly and driving locals away.
- Maybe.

Vote

View Results

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Discover why Celebrity's newest, biggest ship will change cruising forever (29 pictures)



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Take a look at the 25 richest country music singers ever!

Posted in **Local** on *Tuesday, April 7, 2015 1:15 am.* **Kilauea Point National Wildlife Refuge,** **Daniel K. Inouye Kilauea Point Lighthouse,** **U.s. Fish And Wildlife Service,** **Greg Allington**

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Articles **Most Commented** Stocks

- [Store suspect: 'I was serious'](#)
- [Trio lands a pair of large ulua](#)
- [Merrie Monarch](#)
- [On the catwalk](#)
- [Ocean impact](#)

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| <p>1 Keep it Clean.
Please avoid obscene, vulgar, lewd, racist or sexually-oriented language.</p> <p>2 Don't Threaten or Abuse.
Threats of harming another person will not be tolerated. AND PLEASE TURN OFF CAPS LOCK.</p> <p>3 Be Truthful.
Don't knowingly lie about anyone or anything.</p> | <p>4 Be Nice.
No racism, sexism or any sort of -ism that is degrading to another person.</p> <p>5 Be Proactive.
Use the 'Report' link on each comment to let us know of abusive posts.</p> <p>6 Share with Us.
We'd love to hear eyewitness accounts, the history behind an article.</p> |
|---|--|

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APPENDIX B

MEETING MATERIALS

Scoping Meeting Poster Boards
Public Scoping Open House Sign-In Sheet

Welcome

Kīlauea Point NWR Trail Stabilization Project Environmental Assessment Public Scoping Open House

April 16, 2015



Kīlauea Point NWR Trail Stabilization Project

Please contact Greg Allington (McMillen Jacobs Associates)
with questions at (208) 985-1499.

Comments must be received by **Friday, May 1, 2015.**

Email: kpnwrtrail@mcmjac.com

Mail: Kaua‘i National Wildlife Refuge Complex
Jennifer Waipa, Supervisory Park Ranger
P.O. Box 1128
Kīlauea, HI 96754

Additional information can be found at <http://www.fws.gov/kilaueapoint>



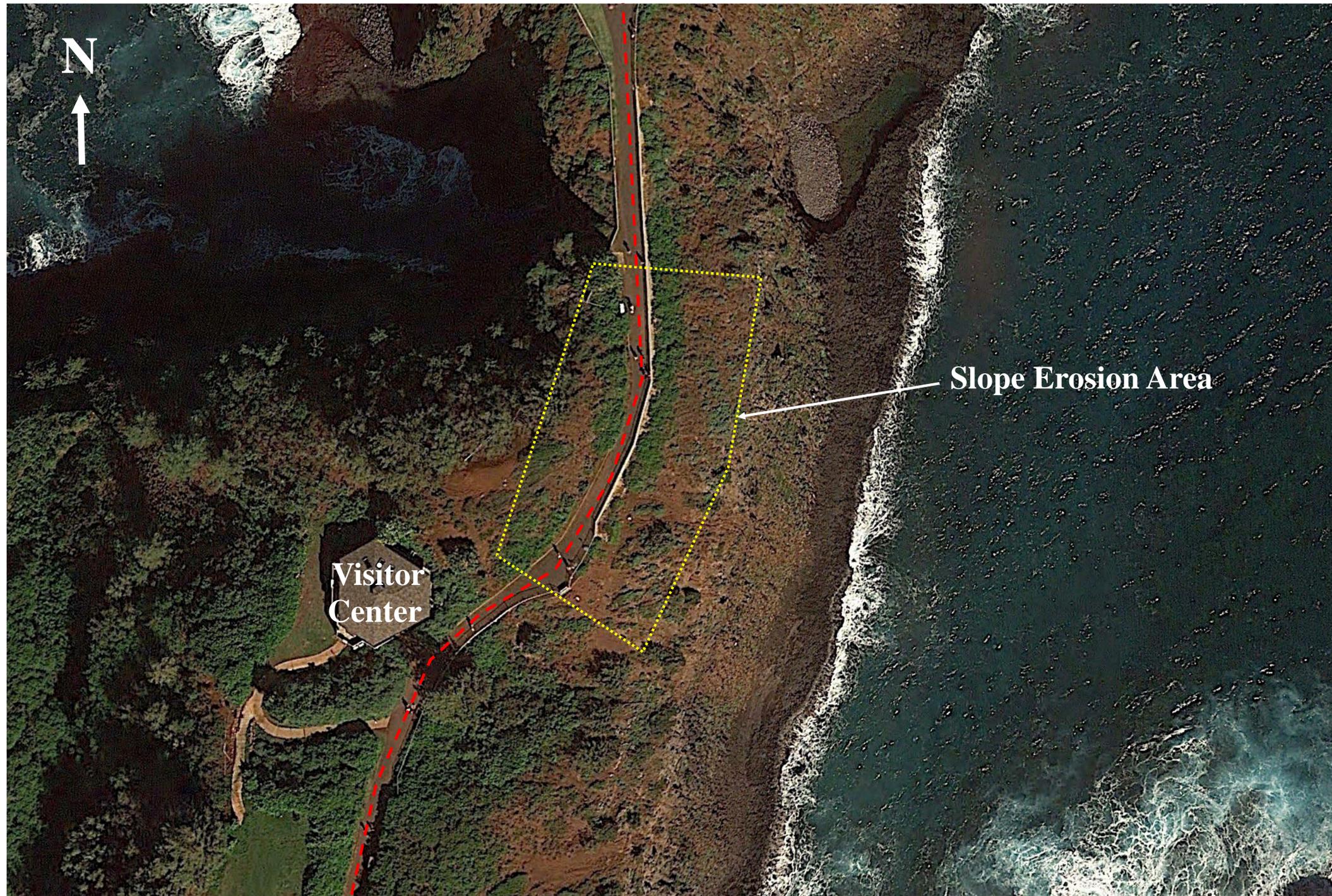


Kīlauea Point NWR



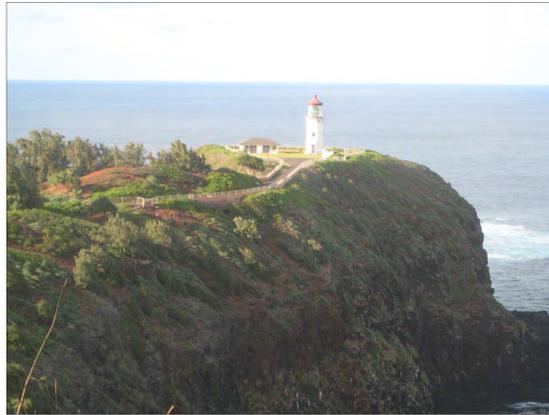


Slope Erosion Area





Kīlauea Point NWR Photos



East Slope of Walking Trail



Slope Erosion Below Walking Trail



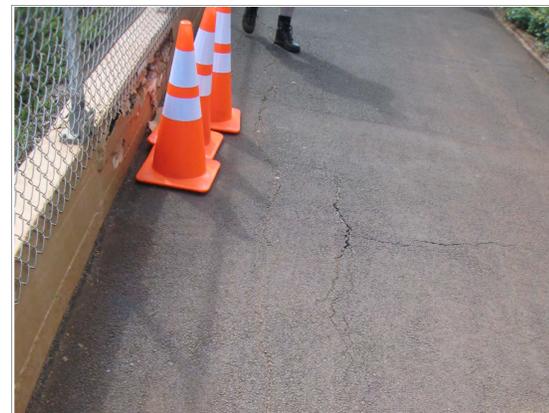
Walking Trail Slope Erosion Area



Concrete Pulling Away From Walking Trail



Damaged Walking Trail Concrete Wall



Cracking in Asphalt Walking Trail



Cracking in Asphalt Walking Trail



Weathered Asphalt at at Scenic Overlook



Uphill Slope Along Slope Erosion Area



Walking Trail Alignment at Slope Erosion Area



Walking Trail Alignment at Slope Erosion Area



Walking Trail at Fee Booth Entrance



USFWS Kilauea Point NWR

Trail Stabilization Project

Scoping Public Open House Sign-In Sheet



April 16, 2015

Name/Organization	Phone	Address	Email
Mike Longstreth	[Redacted]	[Redacted]	[Redacted]
Jane Hoffman	[Redacted]	[Redacted]	[Redacted]
Charlie Marti	[Redacted]	[Redacted]	[Redacted]
Judy Burner	[Redacted]	[Redacted]	[Redacted]
Dave Enright	[Redacted]	[Redacted]	[Redacted]
Kim Uychara	[Redacted]	[Redacted]	[Redacted]
Bobbi Preite		1401 Shoreline Dr., Boise, ID McMillen Jacobs Assoc.	
Laura Arnold	[Redacted]	[Redacted]	[Redacted]
Greg Allington McMillen Jacobs Associates			
Jennifer Waipa	USFWS 28-1413	PO Box 1128 Kilauea 96754	jennifer.waipa@fws.gov

APPENDIX C
SCOPING COMMENTS

Allington, Greg

From: David Duffy [REDACTED]
Sent: Tuesday, April 07, 2015 5:56 PM
To: Allington, Greg
Subject: Stabilizing the walking trail

This appears to be a non-brainer. It will increase human safety and provide stability for the slope, ensuring nesting habitat for the shearwaters. My only suggestion is that if a chain link fence is again used, white ribbon be run horizontally along the top of the fence to deter bird strikes at night. This has been done on fences on several islands by the National Park Service and others. I am not sure how much of a problem such strikes are, but they may also be under-reported or noticed because of the terrain below the fence.

Many thanks for doing this. A decade ago I was privileged to be able to sit along the trail at night as the shearwaters returned. It was an amazing experience.

Best wishes,

David Duffy

--
David Duffy
戴大偉 (Dài Dàwěi)



Subject: FW: Comments on Kilauea Point Refuge; Attn: Greg Allington
Attachments: KA12195_scan.pdf

From: Alex.J.Roy@hawaii.gov [<mailto:Alex.J.Roy@hawaii.gov>]
Sent: Thursday, April 09, 2015 3:53 PM
To: Allington, Greg
Cc: Sam.J.Lemmo@hawaii.gov; Steve.Molmen@hawaii.gov
Subject: Comments on Kilauea Point Refuge; Attn: Greg Allington

Mr. Allington,

Attached to this email is a copy of the previous correspondence/comments we provided when the project was first being proposed in **2012**. For reference the project area is located in the State Land Use Conservation District - Protective Subzone.

Please contact this office if you have any questions regarding the attached letter, our rules, or the Conservation District in general.

Thank you,

*Alex J. Roy, M.Sc.
Staff Planner
Office of Conservation and Coastal Lands
Department of Land and Natural Resources
State of Hawaii
1151 Punchbowl St.
Kalanimoku Bldg.
Honolulu, HI 96813*

808-587-0316
alex.j.roy@hawaii.gov

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

Office of Conservation and Coastal Lands
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

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

REF: OCCL: AJR

COR: KA-12-195

Ralph E. Portmore
c/o SSFM International
501 Sumner St., Suite 620
Honolulu, HI 96817

MAR - 6 2012

SUBJECT: Proposed Grading, Drainage, Landscaping and Paving Project
Kilauea Point National Wildlife Reserve
Kilauea, Hanalei, Island of Kaua'i
TMK: (4) 5-2-004:017

Dear Mr. Portmore,

The Department of Land and Natural Resources (DLNR), Office of Conservation and Coastal Lands (OCCL) is in receipt of your proposal to conduct maintenance and repair of existing access drives, walkways and parking areas along with the construction of a new concrete swale for storm water management and the emplacement of vegetative stabilization for erosion control on the subject parcel located within the Conservation District Protective Subzone.

The repair of existing walkways and parking areas and the replacement of vegetative stabilization with irrigation for erosion control purposes are identified land uses pursuant to Hawaii Administrative Rules (HAR) §13-5-22; P-8 **STRUCTURES AND LAND USES, EXISTING (B-1) Demolition, removal, or minor alteration of existing structures, facilities, land, and equipment. Any historic property shall be evaluated by the department for historical significance.**

The construction of a new 175-foot long by 4-foot wide concrete swale for storm water management and the construction of a new ADA approved walkway and stairs are identified land uses pursuant to HAR §13-5-22; P-9 **STRUCTURES, ACCESSORY (B-1) Construction or placement of structures accessory to existing facilities or uses.**

The project, as described, is identified as exempt from completing an Environmental Assessment (EA) pursuant to HAR §11-200-8 (2) *Replacement or reconstruction of existing structures and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height and dimensions as the structure replaced.*

Pursuant to HAR §13-5-40 Hearings, A public hearing will not be required.

Therefore your project proposal requires that you submit an application to the Office of Conservation and Coastal Lands for **Site Plan Approval (SPA)** to conduct the proposed land uses at the subject parcel. Please review HAR §13-5-38, Site Plan Approvals, which outlines the specific requirements for the application process. Please include all relevant plans including those pertaining to grading and storm water management.

Should you have any questions, please feel free to contact Alex J. Roy of the Office of Conservation and Coastal Lands at 808-587-0316.

Sincerely,

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

CC: *County of Kauai Planning Department*
KDLO

DOH
DOFAW
CWRM
SHPD



USFWS Kīlauea Point NWR
Trail Stabilization Project

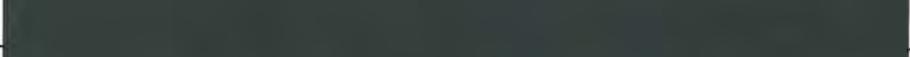


Scoping Comment Card

April 16, 2015

Name: Choti Yoshiko

Address: 

Email: 

Phone: 

Comments:

Suggest posting some staff at the
Gate to insure traffic flow + ability
for construction workers to get to the
site. Also insure the ability for visitor
to have access to a bathroom. (perhaps)

Please use reverse side of this page if necessary.

You may also provide comments by emailing kpnwrtrail@mcmjac.com
or sending mail to Kaua'i National Wildlife Refuge Complex, Jennifer Waipa, Supervisory Park Ranger, P.O. Box 1128, Kīlauea, HI 96754

Additional information is available at <http://www.fws.gov/kilaueapoint>
or by calling Greg Allington (McMillen Jacobs Associates) at 208-985-1499



USFWS Kilauea Point NWR
Trail Stabilization Project



Scoping Comment Card

April 16, 2015

Name: Laura Arnold

Address: _____

Email: _____

Phone: _____

Comments:

Shuttle - ~~test~~ test & CCP option w/interp

Capture rainwater - to help attenuate amount of stormwater

Preventive measures to not get to this pt. in future.

Accommodate vis. @ other site like Crater Hill

Permacrete design context - (retiver usage to help soil

erosion & effective root system, not aggressive, but ^{potentially} hard

to get rid of.)

Written by Jennifer Waipa w/ her
approval/guiding (?) me.

Please use reverse side of this page if necessary.

You may also provide comments by emailing kpnwrtrail@mcmjac.com
or sending mail to Kauai National Wildlife Refuge Complex, Jennifer Waipa, Supervisory Park Ranger, P.O. Box 1128, Kilauea, HI 96754

Additional information is available at <http://www.fws.gov/kilaueapoint>
or by calling Greg Allington (McMillen Jacobs Associates) at 208-985-1499

Allington, Greg

From: Hanada, Gary <gary_hanada@fws.gov>
Sent: Wednesday, April 15, 2015 3:33 PM
To: Allington, Greg
Cc: Robert Petersen
Subject: Fwd: USFWS Kilauea Point Trail Stabilization Project EA
Attachments: USFWS Kilauea Slope Stab Scoping Letter.pdf

Has an assessment been completed regarding the west cove area from beneath? We have some monster wave action every winter and that erosion may be compromising the cliffside from the west side.

-Gary M Hanada
KPNWR - Laborer

----- Forwarded message -----

From: **Jennifer Waipa** <jennifer_waipa@fws.gov>
Date: Fri, Apr 3, 2015 at 12:31 PM
Subject: USFWS Kilauea Point Trail Stabilization Project EA
To:

Aloha,

The U.S. Fish and Wildlife Service is proposing to stabilize the walking trail between the Visitor Center and the Daniel K. Inouye Kilauea Point Lighthouse at the Kilauea Point National Wildlife Refuge. The project is needed to stabilize the walking trail for public safety concerns along trail sections that have experienced slope erosion, undermining, and settlement.

You are invited to attend a public scoping open house where your input is encouraged. The range of resource issues, as well as the project stabilization, restoration, and stormwater improvement measures will be presented and discussed.

Public Scoping Open House

Date: Thursday, April 16, 2015

Time: 6:30pm to 8:30pm

Place: Kilauea Elementary School Cafeteria

2440 Kolo Road

Kilauea, Kaua'i, HI 96754

Comments may be submitted during the public scoping period starting April 2, 2015 and ending on May 1, 2015 to:

Email: kpnwrtrail@macmjac.com

Fax: 208-342-4216

Mail: Kaua'i National Wildlife Refuge Complex

P.O. Box 1128

Kīlauea, HI 96754

Additional information regarding the proposed project can be accessed online at <http://www.fws.gov/kilaueapoint>.

Mahalo,
Jen

Jennifer Waipa

Supervisory Park Ranger

Kaua'i National Wildlife Refuge Complex

PO Box 1128

Kilauea, HI 96754

808.828.1413 office

808.828.6634 fax

808.635.0925 cell

Allington, Greg

From: Steve.Molmen@hawaii.gov
Sent: Thursday, April 30, 2015 11:56 AM
To: Allington, Greg
Subject: U. S. Fish and Wildlife Service (USFWS) is proposing to stabilize the walking trail between the visitor center and Daniel K. Inouye Kilauea Point Lighthouse at the Kilauea Point National Wildlife Refuge
Attachments: 20150430073811315.pdf

Dear Ms. Waipa and Mr. Allington,

Attached, please find our comments on the subject project. No hard copy will be sent.

Best regards,

Steve Molmen, Supervising Land Agent
Land Division
Department of Land and Natural Resources
State of Hawaii
1151 Punchbowl Street, Suite 220
Honolulu, HI 96809-0621
Tel.: (808) 587-0439
Fax: (808) 312-6357
Email: steve.molmen@hawaii.gov

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DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

W. ROY HARDY
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
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COMMISSION ON WATER RESOURCE MANAGEMENT
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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

April 29, 2015

Kaua'i National Wildlife Refuge Complex
Jennifer Waipa, Supervisory Park Ranger
P. O. Box 1128
Kilauea, HI 96754

via email: kpnwrtrail@mcmjac.com

Dear Ms. Waipa,

SUBJECT: U. S. Fish and Wildlife Service (USFWS) is proposing to stabilize the walking trail between the visitor center and Daniel K. Inouye Kilauea Point Lighthouse at the Kilauea Point National Wildlife Refuge

Thank you for the opportunity to review and comment on the subject matter. The Department of Land and Natural Resources' (DLNR) Land Division distributed or made available a copy of your report pertaining to the subject matter to DLNR Divisions for their review and comments.

At this time, enclosed are comments from (1) Land Division – Kauai District; (2) Division of Boating & Ocean Recreation; (3) Division of Forestry & Wildlife; (4) Division of State Parks; and (5) Division of Aquatic Resources. No other comments were received as of our suspense date. Should you have any questions, please feel free to call Supervising Land Agent Steve Molmen at 587-0439. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Russell Y. Tsuji", written over a horizontal line.

Russell Y. Tsuji
Land Administrator

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

April 8, 2015

MEMORANDUM

CARTY S. CHANG
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

DANIEL S. QUINN
INTERIM FIRST DEPUTY

W. ROY HARDY
ACTING DEPUTY DIRECTOR - WATER

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

TO: **DLNR Agencies:**
X Div. of Aquatic Resources
X Div. of Boating & Ocean Recreation
X Engineering Division
X Div. of Forestry & Wildlife
X Div. of State Parks
 Commission on Water Resource Management
X Office of Conservation & Coastal Lands
X Land Division – Kauai District
X Historic Preservation

FROM: Russell Y. Tsuji, Land Administrator
SUBJECT: U. S. Fish and Wildlife Service (USFWS) is proposing to stabilize the walking trail between the visitor center and Daniel K. Inouye Kilauea Point Lighthouse at the Kilauea Point National Wildlife Refuge
LOCATION: Kilauea Point National Wildlife Refuge, Kilauea, Kauai
APPLICANT: U. S. Fish and Wildlife Service (USFWS)

Transmitted for your review and comment on the above-referenced document. We would appreciate your comments on this document.

Please submit any comments by **April 29, 2015**. If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Supervising Land Agent Steve Molmen at (808) 587-0439. Thank you.

Attachments

- () We have no objections.
- (x) We have no comments.
- () Comments are attached.

Signed: *Marvin Mikasa*
Print Name: MARVIN MIKASA
Date: APRIL 15 2015

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

April 8, 2015

MEMORANDUM

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INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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TO:

DLNR Agencies:

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- Div. of Boating & Ocean Recreation
- Engineering Division
- Div. of Forestry & Wildlife
- Div. of State Parks
- Commission on Water Resource Management
- Office of Conservation & Coastal Lands
- Land Division – Kauai District
- Historic Preservation

FROM:

Russell Y. Tsuji, Land Administrator

SUBJECT:

U. S. Fish and Wildlife Service (USFWS) is proposing to stabilize the walking trail between the visitor center and Daniel K. Inouye Kilauea Point Lighthouse at the Kilauea Point National Wildlife Refuge

LOCATION:

Kilauea Point National Wildlife Refuge, Kilauea, Kauai

APPLICANT:

U. S. Fish and Wildlife Service (USFWS)

Transmitted for your review and comment on the above-referenced document. We would appreciate your comments on this document.

Please submit any comments by **April 29, 2015**. If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Supervising Land Agent Steve Molmen at (808) 587-0439. Thank you.

Attachments

- We have no objections.
- We have no comments.
- Comments are attached.

Signed:

Print Name:

Date:

[Signature]
[Print Name]
4/9/15

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

April 8, 2015

MEMORANDUM

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INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
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TO:

DLNR Agencies:

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- Div. of Boating & Ocean Recreation
- Engineering Division
- Div. of Forestry & Wildlife
- Div. of State Parks
- Commission on Water Resource Management
- Office of Conservation & Coastal Lands
- Land Division – Kauai District
- Historic Preservation

FROM:

Russell Y. Tsuji, Land Administrator

SUBJECT:

U. S. Fish and Wildlife Service (USFWS) is proposing to stabilize the walking trail between the visitor center and Daniel K. Inouye Kilauea Point Lighthouse at the Kilauea Point National Wildlife Refuge

LOCATION:

Kilauea Point National Wildlife Refuge, Kilauea, Kauai

APPLICANT:

U. S. Fish and Wildlife Service (USFWS)

Transmitted for your review and comment on the above-referenced document. We would appreciate your comments on this document.

Please submit any comments by **April 29, 2015**. If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Supervising Land Agent Steve Molmen at (808) 587-0439. Thank you.

Attachments

- We have no objections.
- We have no comments.
- Comments are attached.

Signed:

Print Name:

Date:

[Signature]
USA-HADWAY
4/10/15

DAVID Y. IGE
GOVERNOR OF HAWAII



RECEIVED
STATE PARKS III



15 APR -8 11:30

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

DEPT OF LAND & NATURAL RESOURCES
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

April 8, 2015

MEMORANDUM

CARTY S. CHANG
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

DANIEL S. QUINN
INTERIM FIRST DEPUTY

W. ROY HARDY
ACTING DEPUTY DIRECTOR - WATER

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HISTORIC PRESERVATION
KAIHOOLAWE ISLAND RESERVE COMMISSION
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STATE PARKS

TO:

DLNR Agencies:

- Div. of Aquatic Resources
- Div. of Boating & Ocean Recreation
- Engineering Division
- Div. of Forestry & Wildlife
- Div. of State Parks
- Commission on Water Resource Management
- Office of Conservation & Coastal Lands
- Land Division - Kauai District
- Historic Preservation

FROM:

Russell Y. Tsuji, Land Administrator

SUBJECT:

U. S. Fish and Wildlife Service (USFWS) is proposing to stabilize the walking trail between the visitor center and Daniel K. Inouye Kilauea Point Lighthouse at the Kilauea Point National Wildlife Refuge

LOCATION:

Kilauea Point National Wildlife Refuge, Kilauea, Kauai

APPLICANT:

U. S. Fish and Wildlife Service (USFWS)

Transmitted for your review and comment on the above-referenced document. We would appreciate your comments on this document.

Please submit any comments by **April 29, 2015**. If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Supervising Land Agent Steve Molmen at (808) 587-0439. Thank you.

Attachments

- We have no objections.
- We have no comments.
- Comments are attached.

Signed:
Print Name: Daniel S. Quinn
Date: 4/13/15

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

April 8, 2015

MEMORANDUM

CARTY S. CHANG
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

DANIEL S. QUINN
INTERIM FIRST DEPUTY

W. ROY HARDY
ACTING DEPUTY DIRECTOR - WATER

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

TO:

DLNR Agencies:

- Div. of Aquatic Resources
- Div. of Boating & Ocean Recreation
- Engineering Division
- Div. of Forestry & Wildlife
- Div. of State Parks
- Commission on Water Resource Management
- Office of Conservation & Coastal Lands
- Land Division – Kauai District
- Historic Preservation



DAQ#5099

JK
MF

FROM:

Russell Y. Tsuji, Land Administrator

SUBJECT:

U. S. Fish and Wildlife Service (USFWS) is proposing to stabilize the walking trail between the visitor center and Daniel K. Inouye Kilauea Point Lighthouse at the Kilauea Point National Wildlife Refuge

LOCATION:

Kilauea Point National Wildlife Refuge, Kilauea, Kauai

APPLICANT:

U. S. Fish and Wildlife Service (USFWS)

Transmitted for your review and comment on the above-referenced document. We would appreciate your comments on this document.

Please submit any comments by **April 29, 2015**. If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Supervising Land Agent Steve Molmen at (808) 587-0439. Thank you.

Attachments

- We have no objections.
- We have no comments.
- Comments are attached.

Signed: *Alton Miyasaka*
Print Name: Alton Miyasaka
Date: _____

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF AQUATIC RESOURCES
1151 PUNCHBOWL STREET, ROOM 330
HONOLULU, HAWAII 96813

CARTY S. CHANG
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

W. ROY HARDY
ACTING DEPUTY DIRECTOR - WATER

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

Date: 04-22-15
DAR #5099

MEMORANDUM

TO: Alton Miyasaka, Acting Administrator
Division of Aquatic Resources

DATE: April 22, 2015

FROM: Michael Fujimoto, Aquatic Biologist *MF*
Jo-Anne N. Kushima, Aquatic Biologist *JAK*

SUBJECT: Proposed Stabilization of walking trail at Kilauea Point Lighthouse by
U.S. Fish and Wildlife Service

Comment	Date Request	Receipt	Due Date
	04-08-15	04-15-15	04-29-15

Requested by: DLNR/Land Division Russell Tsuji

Summary of Proposed Project

Title: NA

Project by: U.S. Fish and Wildlife Service

Location: Kilauea Point National Wildlife Refuge,
Kilauea, Kauai, HI

Brief Description:

The U.S. Fish and Wildlife Service is proposing to stabilize a walking trail at the Kilauea Point National Wildlife Refuge. The project is needed to provide slope stability for public safety along trail sections that have experienced erosion, undermining, and settlement.

They are initiating a NEPA analysis in the form of an EA for the project and are inviting comments.

Comments:

We have no comments at this time.

Thank you for providing DAR the opportunity to review and comment on the proposed project. Should there be any changes to the project plans, we request the opportunity to review and comment on them.

Bonnie P. Bator & `Ohana
PO Box 30848
Anahola, Hawai`i 96703-0848

808-822-5547

29 April 2015

Kaua`i National Wildlife Refuge Complex
Jennifer Waipa ~ Supervisory Park Ranger ~ *USFWS*
PO Box 1128
Kilauea, Hawai`i 96754

**RE: Scoping Period of NEPA – Draft EA –
Our `Ohana is in total support of the *USFWS* stabilization of the walking trail to prevent further erosion along the slope bordering the trail between the visitor center and Daniel K. Inouye at the Kilauea Point Lighthouse .**

Dear Supervisory Park Ranger Waipa, USFWS Personnel, and ALL other(s):

Aloha! Under NEPA for the Environmental Assessment (EA) analysis / evaluation of potential environmental impacts – I trust that this project will take every precaution to safeguard the Kaua`i National Wildlife Refuge Complex.

It is critical that the U.S. Fish and Wildlife Service act ASAP (As Soon As Possible) to be in compliance with the Council on Environmental Quality's regulations at 40 CFR Parts 1500-1508; to expedite the shoring up of the trail – as it's in dire shape.

It is obvious that there hasn't been any work on the frightening erosion around the trail for near a decade. Climate Change has brought extreme and alarming, visible increasing and persistent continual erosion. It is eating up the side of the trail facing the lookout trail between the visitor center and Daniel K. Inouye Kilauea Point Lighthouse the peninsula.

A consideration of a proposal that would be win-win: employ local teenagers to replant Native Plants: Which hold the soil in place during the damaging storms that attribute to the erosion. Understandably, there are issues with liability but that could be figured into the grants. The different high schools on our island could propagate the seedlings that would be transplanted at Kilauea Point National Wildlife Refuge; to stabilize the portion of the trail between the visitor center and Daniel K. Inouye Kilauea Point Lighthouse.

The undertaking of this proposal by the USFWS: the stabilization of the walking trail to prevent further erosion along the slope and associated undermining of the trail; is a massive action. The depth of appreciation that the USFWS for the defense of the Kaua`i National Wildlife Refuge Complex; and its perpetuity of the Endangered Species – both flora & fauna – is exemplar. We trust that their proposal will be in accordance with the values of the Hawaiian People.

Please keep us updated on the process of the Draft EA via the U.S. Postal Service – as this outstanding endeavor progress's.

Aloha `Aina and Mahalo nui loa!

Sincerely with *ALOHA*,


Bonnie P. Bator and `Ohana (Keana`aina, Kai, Keli`ikoa and Kaiaokamalie)

Allington, Greg

From: Steve.Molmen@hawaii.gov
Sent: Thursday, May 07, 2015 3:10 PM
To: Allington, Greg
Cc: Allington, Greg; Waipa, Jennifer
Subject: U. S. Fish and Wildlife Service (USFWS) is proposing to stabilize the walking trail between the visitor center and Daniel K. Inouye Kilauea Point Lighthouse at the Kilauea Point National Wildlife Refuge - additional comments
Attachments: 20150507110149551.pdf

Dear Ms. Waipa and Mr. Allington,

Attached, please find additional comments on the subject project. Again, no hard copy will be sent.

Best regards,

Steve Molmen, Supervising Land Agent
Land Division
Department of Land and Natural Resources
State of Hawaii
1151 Punchbowl Street, Suite 220
Honolulu, HI 96809-0621
Tel.: (808) 587-0439
Fax: (808) 312-6357
Email: steve.molmen@hawaii.gov

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From: "Allington, Greg" <Allington@mcmjac.com>
To: "Steve.Molmen@hawaii.gov" <Steve.Molmen@hawaii.gov>
Cc: "Waipa, Jennifer" <jennifer_waipa@fws.gov>, "Allington, Greg" <Allington@mcmjac.com>
Date: 04/30/2015 09:05 AM
Subject: RE: U. S. Fish and Wildlife Service (USFWS) is proposing to stabilize the walking trail between the visitor center and Daniel K. Inouye Kilauea Point Lighthouse at the Kilauea Point National Wildlife Refuge

Thank you for the comment Steve. This email comment is perfect.

Greg Allington
Senior Biologist

McMillen Jacobs Associates

1401 Shoreline Drive | Boise, ID 83702
208.985.1499 d | 208.342.4214 o | 208.340.5721 c | allington@mcmjac.com

From: Steve.Molmen@hawaii.gov [<mailto:Steve.Molmen@hawaii.gov>]

Sent: Thursday, April 30, 2015 11:56 AM

To: Allington, Greg

Subject: U. S. Fish and Wildlife Service (USFWS) is proposing to stabilize the walking trail between the visitor center and Daniel K. Inouye Kilauea Point Lighthouse at the Kilauea Point National Wildlife Refuge

Dear Ms. Waipa and Mr. Allington,

Attached, please find our comments on the subject project. No hard copy will be sent.

Best regards,

Steve Molmen, Supervising Land Agent
Land Division
Department of Land and Natural Resources
State of Hawaii
1151 Punchbowl Street, Suite 220
Honolulu, HI 96809-0621
Tel.: (808) 587-0439
Fax: (808) 312-6357
Email: steve.molmen@hawaii.gov

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DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

W. ROY HARDY
ACTING DEPUTY DIRECTOR - WATER

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

May 7, 2015

Kaua'i National Wildlife Refuge Complex
Jennifer Waipa, Supervisory Park Ranger
P. O. Box 1128
Kilauea, HI 96754

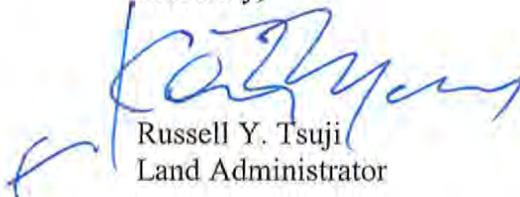
via email: kpnwrtrail@mcmjac.com

Dear Ms. Waipa,

SUBJECT: U. S. Fish and Wildlife Service (USFWS) is proposing to stabilize the walking trail between the visitor center and Daniel K. Inouye Kilauea Point Lighthouse at the Kilauea Point National Wildlife Refuge

Thank you for the opportunity to review and comment on the subject matter. In addition to the comments sent to you dated April 29, 2015, enclosed are additional comments from the Engineering Division on the subject matter. Should you have any questions, please feel free to call Supervising Land Agent Steve Molmen at (808) 587-0439. Thank you.

Sincerely,


Russell Y. Tsuji
Land Administrator

DAVID Y. IGE
GOVERNOR OF HAWAII

RECEIVED
LAND DIVISION



CARTY S. CHANG
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

DANIEL S. QUINN
INTERIM FIRST DEPUTY

W. ROY HARDY
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
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ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS



2015 MAY -5 PM 2: 50

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

April 8, 2015

MEMORANDUM

TO: FR:

DLNR Agencies:

- Div. of Aquatic Resources
- Div. of Boating & Ocean Recreation
- Engineering Division
- Div. of Forestry & Wildlife
- Div. of State Parks
- Commission on Water Resource Management
- Office of Conservation & Coastal Lands
- Land Division – Kauai District
- Historic Preservation

FROM: RD:

Russell Y. Tsuji, Land Administrator

SUBJECT: U. S. Fish and Wildlife Service (USFWS) is proposing to stabilize the walking trail between the visitor center and Daniel K. Inouye Kilauea Point Lighthouse at the Kilauea Point National Wildlife Refuge

LOCATION: Kilauea Point National Wildlife Refuge, Kilauea, Kauai

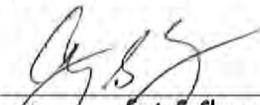
APPLICANT: U. S. Fish and Wildlife Service (USFWS)

Transmitted for your review and comment on the above-referenced document. We would appreciate your comments on this document.

Please submit any comments by **April 29, 2015**. If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Supervising Land Agent Steve Molmen at (808) 587-0439. Thank you.

Attachments

- We have no objections.
- We have no comments.
- Comments are attached.

Signed: 

Print Name: Cory S. Chang, Chief Engineer

Date: 5/4/15

15 APR 8 PM 10:28 ENGINEERING

**DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION**

LD/ Russell Y. Tsuji

**REF: U.S. Fish and Wildlife Service Proposing to Stabilize Walking Trail Between Visitor Center
and Daniel K. Inouye Kilauea Point Lighthouse, Kilauea Point National Wildlife Refuge**

Kauai.006

COMMENTS

- () We confirm that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Flood Zone ____.
- (X) **Please take note that the project site according to the Flood Insurance Rate Map (FIRM), is located in Zone X. The National Flood Insurance Program (NFIP) does not regulate developments within Zone X.**
- () Please note that the correct Flood Zone Designation for the project site according to the Flood Insurance Rate Map (FIRM) is ____.
- () Please note that the project must comply with the rules and regulations of the National Flood Insurance Program (NFIP) presented in Title 44 of the Code of Federal Regulations (44CFR), whenever development within a Special Flood Hazard Area is undertaken. If there are any questions, please contact the State NFIP Coordinator, Ms. Carol Tyau-Beam, of the Department of Land and Natural Resources, Engineering Division at (808) 587-0267.

Please be advised that 44CFR indicates the minimum standards set forth by the NFIP. Your Community's local flood ordinance may prove to be more restrictive and thus take precedence over the minimum NFIP standards. If there are questions regarding the local flood ordinances, please contact the applicable County NFIP Coordinators below:

- () Mr. Mario Siu Li at (808) 768-8098 of the City and County of Honolulu, Department of Planning and Permitting.
- () Mr. Frank DeMarco at (808) 961-8042 of the County of Hawaii, Department of Public Works.
- () Mr. Carolyn Cortez at (808) 270-7253 of the County of Maui, Department of Planning.
- () Mr. Stanford Iwamoto at (808) 241-4896 of the County of Kauai, Department of Public Works.

- () The applicant should include project water demands and infrastructure required to meet water demands. Please note that the implementation of any State-sponsored projects requiring water service from the Honolulu Board of Water Supply system must first obtain water allocation credits from the Engineering Division before it can receive a building permit and/or water meter.

- () The applicant should provide the water demands and calculations to the Engineering Division so it can be included in the State Water Projects Plan Update.

- () Additional Comments: _____

- () Other: _____

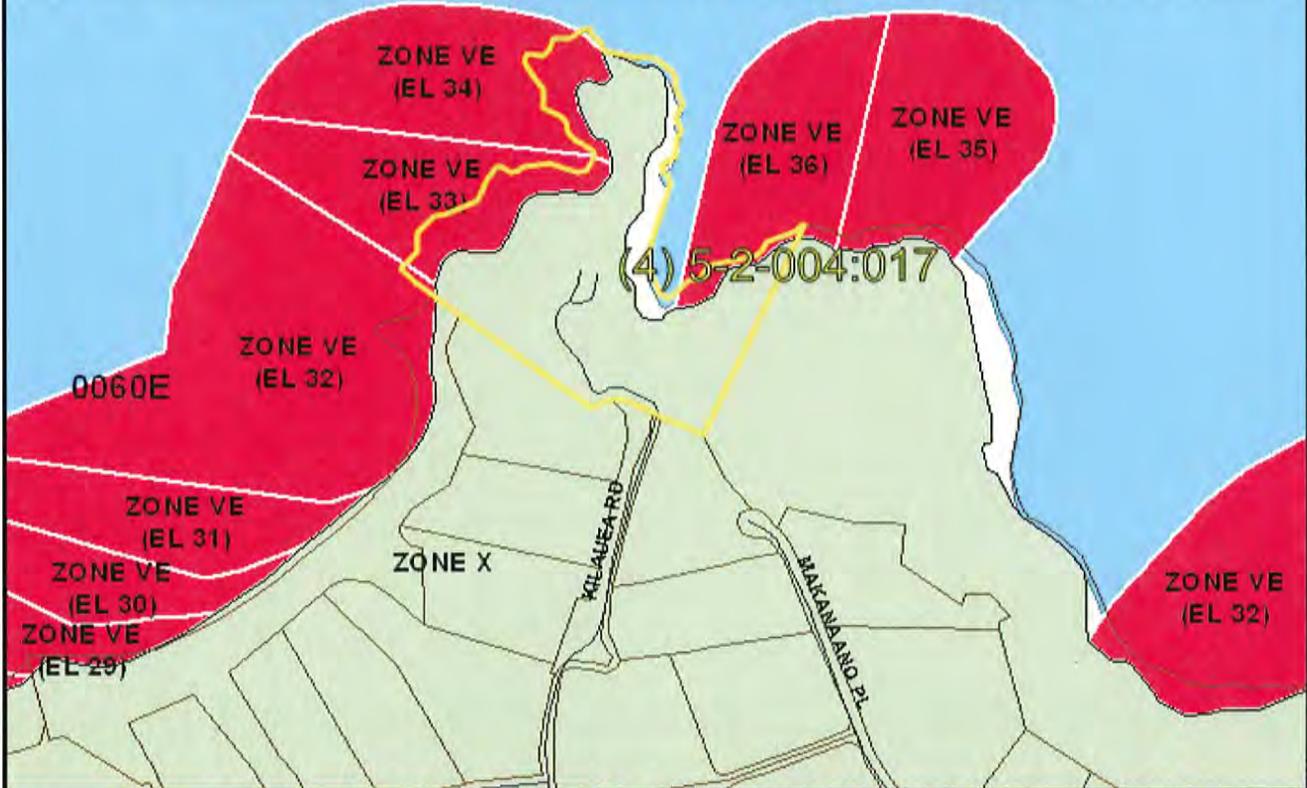
Should you have any questions, please call Mr. Dennis Imada of the Planning Branch at 587-0257.

Signed: 
CARY S. CHANG, CHIEF ENGINEER

Date: 5/4/15



State of Hawaii FLOOD HAZARD ASSESSMENT REPORT



NATIONAL FLOOD INSURANCE PROGRAM

FLOOD ZONE DEFINITIONS

SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD – The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zone A, AE, AH, AO, V, and VE. The Base Flood Elevation (BFE) is the water-surface elevation of the 1% annual chance flood. Mandatory flood insurance purchase applies in these zones:

- **Zone A:** No BFE determined.
- **Zone AE:** BFE determined.
- **Zone AH:** Flood depths of 1 to 3 feet (usually areas of ponding); BFE determined.
- **Zone AO:** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined.
- **Zone V:** Coastal flood zone with velocity hazard (wave action); no BFE determined.
- **Zone VE:** Coastal flood zone with velocity hazard (wave action); BFE determined.
- **Zone AEF:** Floodway areas in Zone AE. The floodway is the channel of stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without increasing the BFE.

NON-SPECIAL FLOOD HAZARD AREA – An area in a low-to-moderate risk flood zone. No mandatory flood insurance purchase requirements apply, but coverage is available in participating communities.

- **Zone XS (X shaded):** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
- **Zone X:** Areas determined to be outside the 0.2% annual chance floodplain.

OTHER FLOOD AREAS

- **Zone D:** Unstudied areas where flood hazards are undetermined, but flooding is possible. No mandatory flood insurance purchase requirements apply, but coverage is available in participating communities.

PROPERTY INFORMATION

COUNTY: KAUAI
 TMK NO: (4) 5-2-004-017
 PARCEL ADDRESS: KILAUEA RD
 KILAUEA, HI 96754
 FIRM INDEX DATE: NOVEMBER 26, 2010
 LETTER OF MAP CHANGE(S): NONE
 FEMA FIRM PANEL(S): 1500020060E
 PANEL EFFECTIVE DATE: SEPTEMBER 16, 2005

PARCEL DATA FROM: JANUARY 2012
 IMAGERY DATA FROM: MAY 2005

IMPORTANT PHONE NUMBERS

County NFIP Coordinator
 County of Kauai
 Stanford Iwamoto, P.E. (808) 241-4896
State NFIP Coordinator
 Carol Tyau-Beam, P.E., CFM (808) 587-0267

Disclaimer: The Department of Land and Natural Resources (DLNR) assumes no responsibility arising from the use of the information contained in this report. Viewers/Users are responsible for verifying the accuracy of the information and agree to indemnify the DLNR from any liability, which may arise from its use.

If this map has been identified as 'PRELIMINARY' or 'UNOFFICIAL', please note that it is being provided for informational purposes and is not to be used for official/legal decisions, regulatory compliance, or flood insurance rating. Contact your county NFIP coordinator for flood zone determinations to be used for compliance with local floodplain management regulations.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to
File:

04013PGH.15

April 13, 2015

Ms. Jennifer Waipa
Supervisory Park Ranger
Kauai National Wildlife Refuge
P.O. Box 1128
Kilauea, Hawaii 96754

Dear Ms. Waipa:

SUBJECT: Comments on National Environmental Policy (NEPA) / Environmental Assessment (EA) Kilauea Point National Wildlife Refuge Trail Stabilization Project

The Department of Health (DOH), Clean Water Branch (CWB), acknowledges receipt of your letter, dated April 2, 2015, requesting comments on your project. The DOH-CWB has reviewed the subject document and offers these comments. Please note that our review is based solely on the information provided in the subject document and its compliance with the Hawaii Administrative Rules (HAR), Chapters 11-54 and 11-55. You may be responsible for fulfilling additional requirements related to our program. We recommend that you also read our standard comments on our website at: <http://health.hawaii.gov/epo/files/2013/05/Clean-Water-Branch-Std-Comments.pdf>

1. Any project and its potential impacts to State waters must meet the following criteria:
 - a. Antidegradation policy (HAR, Section 11-54-1.1), which requires that the existing uses and the level of water quality necessary to protect the existing uses of the receiving State water be maintained and protected.
 - b. Designated uses (HAR, Section 11-54-3), as determined by the classification of the receiving State waters.
 - c. Water quality criteria (HAR, Sections 11-54-4 through 11-54-8).
2. You may be required to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage for discharges of wastewater, including storm water runoff, into State surface waters (HAR, Chapter 11-55).

For NPDES general permit coverage, a Notice of Intent (NOI) form must be submitted at least 30 calendar days before the commencement of the discharge. An application for a NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge. To request NPDES permit coverage, you must submit the applicable form ("CWB Individual NPDES Form" or "CWB NOI Form") through the e-Permitting Portal and the hard copy certification statement with the respective filing fee (\$1,000 for an individual NPDES permit or \$500 for a Notice of General Permit Coverage). Please open the e-Permitting Portal website located at: <https://eha-cloud.doh.hawaii.gov/epermit/>. You will be asked to do a one-time registration to obtain your login and password. After you register, click on the Application Finder tool and locate the appropriate form. Follow the instructions to complete and submit the form.

3. If your project involves work in, over, or under waters of the United States, it is highly recommended that you contact the Army Corp of Engineers, Regulatory Branch (Tel: 835-4303) regarding their permitting requirements.

Pursuant to Federal Water Pollution Control Act [commonly known as the "Clean Water Act" (CWA)], Paragraph 401(a)(1), a Section 401 Water Quality Certification (WQC) is required for "[a]ny applicant for Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may **result** in any discharge into the navigable waters..." (emphasis added). The term "discharge" is defined in CWA, Subsections 502(16), 502(12), and 502(6); Title 40 of the Code of Federal Regulations, Section 122.2; and Hawaii Administrative Rules (HAR), Chapter 11-54.

4. Please note that all discharges related to the project construction or operation activities, whether or not NPDES permit coverage and/or Section 401 WQC are required, must comply with the State's Water Quality Standards. Noncompliance with water quality requirements contained in HAR, Chapter 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55, may be subject to penalties of \$25,000 per day per violation.
5. It is the State's position that all projects must reduce, reuse, and recycle to protect, restore, and sustain water quality and beneficial uses of State waters. Project planning should:
 - a. Treat storm water as a resource to be protected by integrating it into project planning and permitting. Storm water has long been recognized as a source of irrigation that will not deplete potable water resources. What is often overlooked is that storm water recharges ground water supplies and feeds streams and estuaries; to ensure that these water cycles are not disrupted, storm water cannot be relegated as a waste product of impervious surfaces. Any project planning must recognize storm water as an asset that sustains and protects natural ecosystems and traditional beneficial uses of State waters, like community beautification, beach going, swimming, and fishing. The approaches necessary to do so, including low impact development methods or ecological

bio-engineering of drainage ways must be identified in the planning stages to allow designers opportunity to include those approaches up front, prior to seeking zoning, construction, or building permits.

- b. Clearly articulate the State's position on water quality and the beneficial uses of State waters. The plan should include statements regarding the implementation of methods to conserve natural resources (e.g. minimizing potable water for irrigation, gray water re-use options, energy conservation through smart design) and improve water quality.
- c. Consider storm water Best Management Practice (BMP) approaches that minimize the use of potable water for irrigation through storm water storage and reuse, percolate storm water to recharge groundwater to revitalize natural hydrology, and treat storm water which is to be discharged.
- d. Consider the use of green building practices, such as pervious pavement and landscaping with native vegetation, to improve water quality by reducing excessive runoff and the need for excessive fertilization, respectively.
- e. Identify opportunities for retrofitting or bio-engineering existing storm water infrastructure to restore ecological function while maintaining, or even enhancing, hydraulic capacity. Particular consideration should be given to areas prone to flooding, or where the infrastructure is aged and will need to be rehabilitated.

If you have any questions, please visit our website at: <http://health.hawaii.gov/cwb/>, or contact the Engineering Section, CWB, at (808) 586-4309.

Sincerely,


ALEC WONG, P.E., CHIEF
Clean Water Branch

GH:ay