



Public Notice

**US Army Corps
of Engineers
Honolulu District**

Public Notice No.
POH-2009-00354

Date:
March 22, 2010

Reply to:
Regulatory Branch (CEPOH-EC-R)
U.S. Army Corps of Engineers
Building 230
Fort Shafter, HI 96858-5440

Expiration Date:
April 21, 2010

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached drawings.

APPLICANT: Mr. Roger Ross, P.O. Box 511, Hanalei, HI 96714

AGENT: Mr. Brian Hennessy, Wagner Engineering Inc., P.O. Box 851, Hanalei, HI 96714

LOCATION: In the Hanalei River at 5016 Kuhio Highway, Hanalei, Island of Kauai, HI 96714.
Tax Parcel ID (4) 5-5-010: 067.

PROPOSED WORK: Grade 200 linear feet of eroding, nearly vertical streambank to a 1:1 slope and install geotextile rolls with native plant stakes onto the slope. Landward of Ordinary High Water Mark (OHWM) (and outside Corps jurisdiction), the rolls will be filled with a mixture of excavated sandy soil, gravel, and compost. Waterward of the Ordinary High Water Mark (and within Corps jurisdiction), the geotextile rolls will be filled with riprap with a median size of two inches. Along the toe of the slope, 2- to 3- foot diameter boulders will be placed end to end along the stabilized area. Above the OHWM, native plants (Milo or Kau trees) will be planted between geotextile rolls, two feet on center.

PURPOSE: Protect existing infrastructure adjacent to the eroding riverbank.

ADDITIONAL INFORMATION: Approximately 700 linear feet of streambank along the property is currently eroding. The proposed project is to stabilize the most severely eroded areas along approximately 200 linear feet. Future work may be necessary and will be applied for as appropriate.

MITIGATION: To mitigate for the bank stabilization, the applicant has avoided impacts by stabilizing the bank at existing contours instead of restoring the bank to 2008 contours which would require the placement of fill material further waterward of the existing Ordinary High Water Mark. Impacts are also minimized and mitigated through the use of bioengineering to prevent streambank hardening and the installation of native plantings to compensate for the lost functions from vegetation removal associated with grading.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Hawai'i State of Hawaii Department of Health.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone Management Act of 1972 (Public Law 92-583), as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Hawai'i's Coastal Zone Management Program. A permit will not be issued until the Office of State Planning, Department of Business, Economic Development, and Tourism has concurred with the applicant's certification.

CULTURAL RESOURCES: The Corps has determined that the proposed work has no potential to cause effect to any historic property listed, or eligible for listing, in the National Register of Historic Places because the Hawai'i and National Register of Historic Places do not list any historic properties within or in the vicinity of the area of potential effect (APE) for the project.

The Corps also requests consultation with Native Hawaiian organizations and individuals to gather information regarding historic properties as well as the ethnographic and historic uses in the proposed permit area.

ENDANGERED SPECIES: Section 7 of the Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat.

The Corps has assessed potential impacts to Federal candidate, proposed, and listed endangered and threatened species in the project area. We have determined that the project will have no effect on species listed or proposed for listing under the Endangered Species Act since no species are present within the project area and the nearest species are approximately one mile downstream at the mouth of the Hanalei River. Through use of BMPs as outlined on the attached drawings (Figures 6-10), turbidity will be minimized so any water quality impacts generated will be minor and short in duration.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson-Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. § 1801 *et seq.* and associated federal regulations found at 50 CFR 600 Subpart K. The Honolulu District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, Western Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

In accordance with the requirements of the MSFCMA, the Corps has determined that the proposal would not adversely affect EFH. We invite concurrence from NMFS.

SPECIAL AREA DESIGNATION: The Hanalei River is designated an American Heritage River.

APPLICABLE STATUTORY AUTHORITY: This permit application will be reviewed under the following authorities:

(*) Perform work in or affecting navigable waters of the United States – Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(*) Discharge dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344). The Corps' public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

() Transport dredged material for the purpose of dumping it into ocean waters - Section 103 Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413). The Corps' public interest review will consider the criteria established under authority of Section 102(a) of the Marine Protection, Research and Sanctuaries Act of 1972, as amended (40 CFR Parts 220 to 229), as appropriate.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

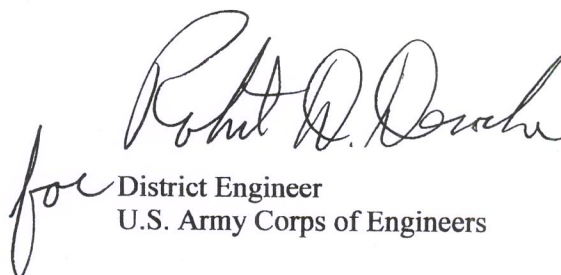
The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include in the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to Amy.S.Klein@usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Building 230, Fort Shafter, HI 96858-5440. Both conventional mail and e-mail comments must include the permit applicant's name and reference number, as shown below, and the commenter's name, address, and phone number. All comments, whether by conventional mail or e-mail, must reach this office no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number: **Hanalei River Bank Stabilization (Ross, Roger), POH-2009-00354.**

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Ms. Amy Klein at (808) 438-7023 if further information is desired concerning this notice.

REQUEST FOR PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this proposed permit application. Requests for public hearings shall state, clearly and concisely, the reasons and rationale for holding a public hearing.

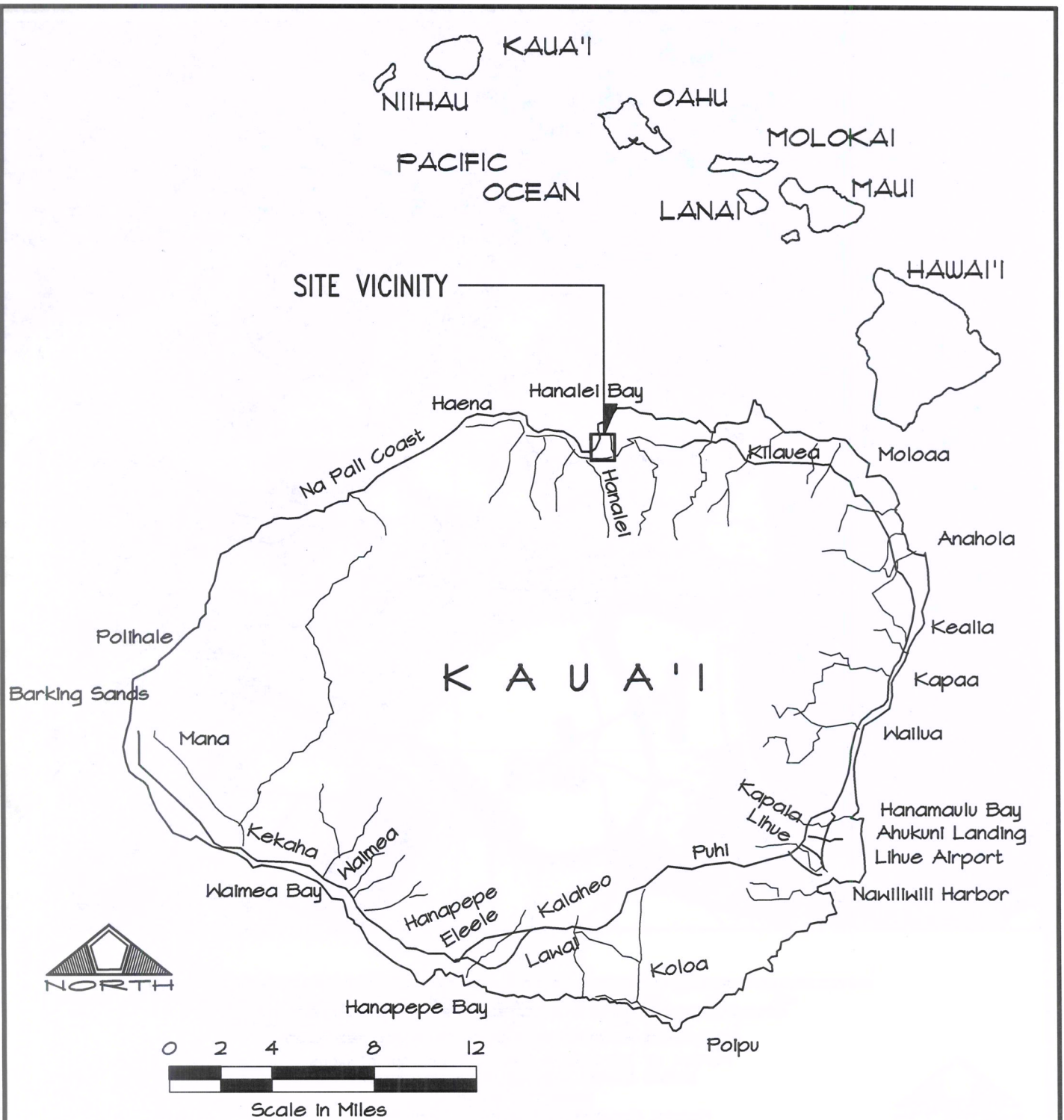
Attachments:
Project Drawings (12)


for District Engineer
U.S. Army Corps of Engineers



Wagner Engineering Services, Inc.

P.O. Box 851 Hanalei, HI 96714 (808) 826-7256



SHEET TITLE:

VICINITY MAP

PURPOSE:
PROTECT PROPERTY

APPLICANT
REFERENCE:

POH-2009-354

DATUM:
MSL, NAD83

ADDRESS

5-5016 KUHIO HIGHWAY
HANAIEI, KAUAI, HAWAII

ADJACENT PROPERTY
OWNERS:
1. HALELEA INVESTMENT
COMPANY, LLC.

TAX MAP KEY

TMK 5-5-10:67

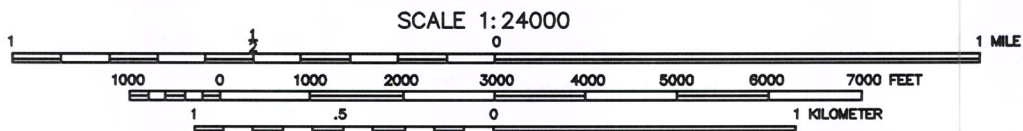
PROPOSED:
STREAMBANK STABILIZATION
IN:
HANAIEI STREAM

NEAR/AT: HANAIEI
COUNTY: KAUAI STATE: HAWAII
SHEET 1 OF 12
DATE: JANUARY 20, 2010



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Portion of 7.5-minute Series (Topographic) Maps
United States Department of the Interior
Geological Survey
Hanalei Quadrangle, Kauai Co., Hawaii. 1996.

SHEET TITLE:

LOCATION MAP

PURPOSE:
PROTECT PROPERTY

APPLICANT
REFERENCE:

POH-2009-354

DATUM:
MSL, NAD83

ADDRESS

5-5016 KUHIO HIGHWAY
HANAIEI, KAUAI, HAWAII

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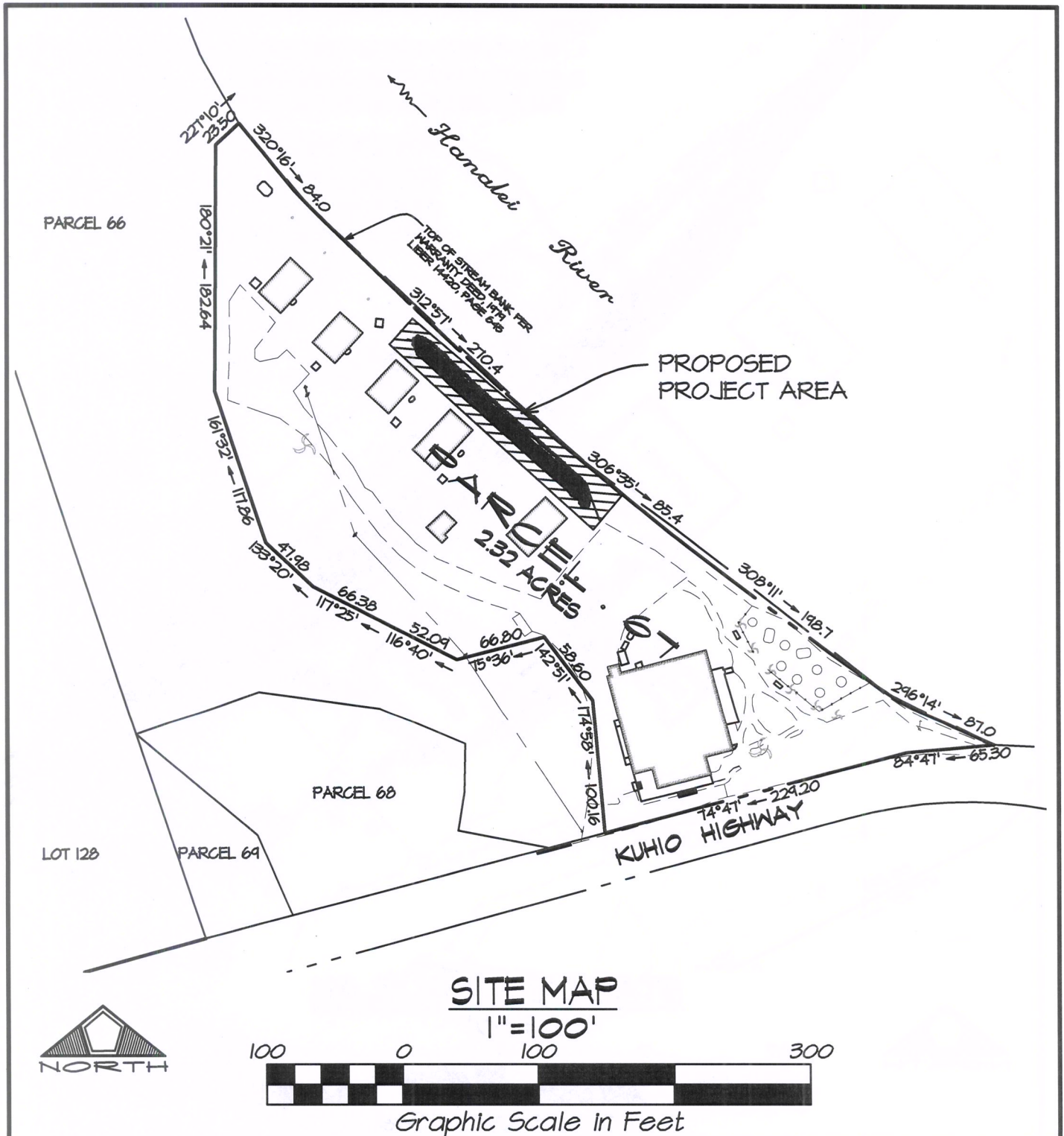
PROPOSED:
STREAMBANK STABILIZATION
IN:
HANAIEI STREAM

NEAR/AT: HANAIEI
COUNTY: KAUAI STATE: HAWAII
SHEET 2 OF 12
DATE: JANUARY 20, 2010

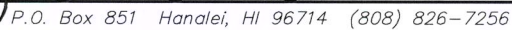


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SHEET TITLE: SITE MAP		
PURPOSE: PROTECT PROPERTY	APPLICANT REFERENCE: POH-2009-354	PROPOSED: STREAMBANK STABILIZATION
DATUM: MSL, NAD83	ADDRESS 5-5016 KUHIO HIGHWAY HANALEI, KAUAI, HAWAII	IN: HANALEI RIVER
ADJACENT PROPERTY OWNERS: 1. HALELEA INVESTMENT COMPANY, LLC.	TAX MAP KEY TMK 5-5-10:67	NEAR/AT: HANALEI COUNTY: KAUAI STATE: HAWAII SHEET 3 OF 12 DATE: JANUARY 20, 2010



1. ELEVATIONS ARE IN FEET BASED ON MEAN SEA LEVEL.
2. EXISTING FEATURES SHOWN HEREON REFLECT FIELD CONDITIONS ON NOV. 18, 2009.

TOP OF STREAM BANK PER
WARRANTY DEED 1979
LIBER 14420, PAGE 645.

Hamalari

River

COTTAGE

COTTAGE 3

COTTAGE

2.32 ACRES

COTTAGE

GRAVEL DRIVE

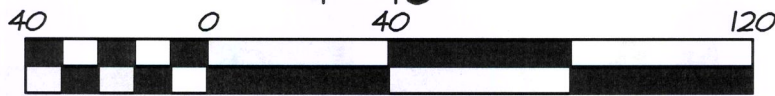


GRAVE
PARKING

ОНИМ-2

STA. 2

STABILIZATION PLAN

 $1'' = 40'$ 

Graphic Scale in Feet

STREAMBANK STABILIZATION PLAN

POH-2009-354

5-5016 KUHIO HIGHWAY
HANALEI, KAUA'I, HAWAII

TMK 5-5-10:67

IN: HANALEI RIVER

NEAR/AT: HANALEI
COUNTY: KAUAI STATE: HAWAII
SHEET 4 OF 12
DATE: JANUARY 20, 2010

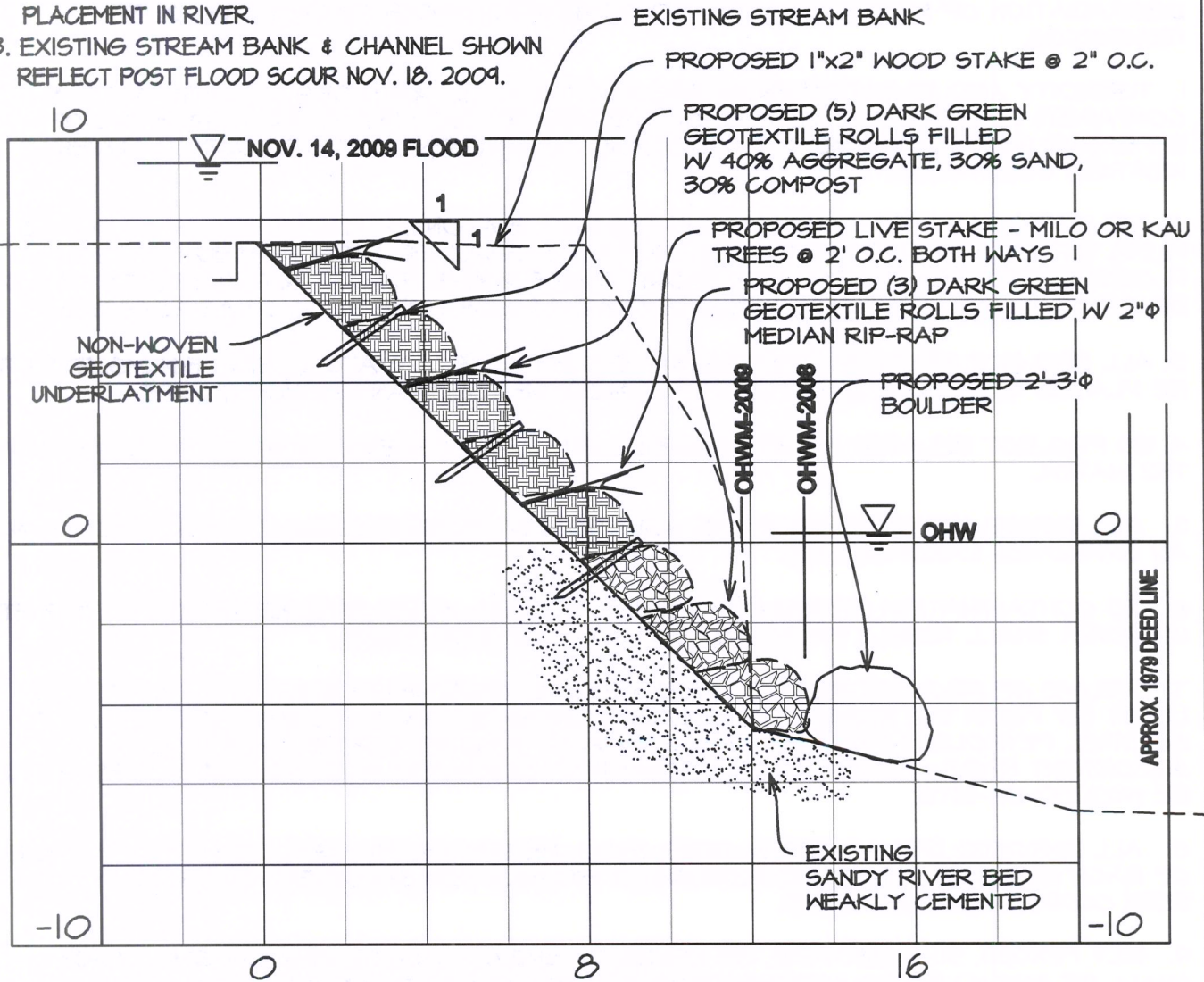


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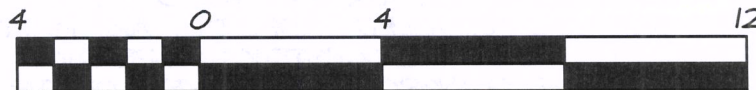
NOTE:

1. ELEVATIONS ARE IN FEET BASED ON MEAN SEA LEVEL.
2. ALL PROPOSED BOULDERS, RIP-RAP, & GEOTEXTILE TO BE TO BE INSTALLED SHALL BE CLEANED PRIOR TO PLACEMENT IN RIVER.
3. EXISTING STREAM BANK & CHANNEL SHOWN REFLECT POST FLOOD SCOUR NOV. 18, 2009.



TYPICAL STABILIZATION SECTION

SCALE: 1" = 4'



Graphic Scale in Feet

SHEET TITLE:

TYPICAL STREAMBANK STABILIZATION SECTION

PURPOSE:
PROTECT PROPERTY

APPLICANT
REFERENCE:

POH-2009-354

DATUM: MSL, NAD83

ADDRESS

5-5016 KUHIO HIGHWAY
HANAIE, KAUAI, HAWAII

ADJACENT PROPERTY
OWNERS:
H. HALELEA INVESTMENT
COMPANY, LLC.

TAX MAP KEY

TMK 5-5-10:67

PROPOSED:
STREAMBANK STABILIZATION

IN: HANAIE RIVER

NEAR/AT: HANAIE
COUNTY: KAUAI STATE: HAWAII
SHEET 5 OF 12
DATE: JANUARY 20, 2010

CONSTRUCTION BEST MANAGEMENT PRACTICES

REF.: USACE REG. CONDITION #13 & U.S. FISH & WILDLIFE STANDARD BMP'S

THE FOLLOWING MEASURES SHALL BE IMPLIMENTED BY THE CONTRACTOR TO MINIMIZE THE DEGRADATION OF WATER QUALITY AND ADVERSE IMPACTS TO FISH & WILDLIFE RESOURCES.

1. TURBIDITY AND SILTATION FROM PROJECT RELATED WORK SHALL BE MINIMIZED & CONTAINED TO WITHIN THE VICINITY OF THE SITE THROUGH THE APPROPRIATE USE OF EFFECTIVE SILT CONTAINMENT DEVICES AND CURTAILMENT OF WORK DURING ADVERSE WEATHER CONDITIONS.
2. THE WORK SHALL BE CONDUCTED IN THE DRY SEASON OR WHEN RIVER HAS MINIMAL FLOW, TO THE EXTENT PRACTICABLE. THE WORK SHALL BE DISCONTINUED DURING FLOODING, INTENSE, RAINFALL, OR STORM SURGE, WHERE RUNOFF AND TURBIDITY CANNOT BE CONTROLLED. THE WORK SHALL BE DONE AT LOW TIDES AS MUCH AS POSSIBLE.
3. ALL PROJECT RELATED MATERIALS & EQUIPMENT (EXCAVATOR, TEMP. FORMS, ETC.) TO BE PLACED IN THE WATER SHALL BE CLEANED OF POLLUTANTS PRIOR TO USE.
4. NO PROJECT RELATED MATERIALS (FILL, RIP-RAP, PIPE, ETC.) SHALL BE STOCKPILED IN THE WATER.
5. ALL DEBRIS REMOVED FROM THE AQUATIC ENVIRONMENT SHALL BE DISPOSED OF AT AN APPROVED LANDFILL SITE.
6. NO CONTAMINATION (TRASH OR DEBRIS DISPOSAL, ALIEN SPECIES INTRODUCTIONS ETC.) OF RIVER SHALL RESULT FROM PROJECT RELATED ACTIVITIES.
7. FUELING OF PROJECT RELATED VEHICLES AND EQUIPMENT SHALL TAKE PLACE AT LEAST 50' FROM THE RIVER. THE CONTRACTOR SHALL HAVE A CONTINGENCY PLAN TO CONTROL PETROLEUM PRODUCTS ACCIDENTALLY SPILLED DURING THE PROJECT. ABSORBENT PADS AND ANY OTHER EQUIPMENT NECESSARY FOR SPILL RESPONSE SHALL BE STORED ON-SITE.
8. ALL EXPOSED EXCAVATED SLOPES SHALL BE PROJECTED FROM EROSION AT THE END OF EACH WORK DAY UNTIL THE PERMANENT STABILATION SPECIFIED ON THE PLAN HAS BEEN COMPLETELY INSTALLED.
9. SILT FENCES, SILT CURTAINS, OR OTHER DIVERSION OR CONTAINMENT STRUCTURES SHALL BE INSTALLED TO CONTAIN SEDIMENT AND TURBIDITY AT THE WORK SITE (A) PARALLEL TO AND WITHIN 10 FEET OF THE TOE OF ANY FILL, OR SOIL EXPOSED WITHIN 25 FEET OF A STANDING OR FLOWING WATERBODY, IF THE FILL SITE HAS A DOWNSLOPE OR SURFACE CONNECTION TO THE WATERBODY; AND (B) ADJACENT TO ANY FILL PLACED OR SOIL EXPOSED WITHIN A STANDING OR FLOWING WATERBODY. ALL SILT FENCES, CURTAINS, AND OTHER STRUCTURES SHALL BE INSTALLED PROPERTLY AND MAINTAINED IN A FUNCTIONING MANNER FOR THE LIFE OF THE CONSTRUCTION PERRIOD WHERE FILL MATERIAL AND EXPOSED SOILS MIGHT CAUSE TRANSPORT OF SEDIMENT OR TURBIDITY BEYOND THE IMMEDIATE CONSTRUCTION SITE.

SHEET TITLE:

CONSTRUCTION NOTES I

PURPOSE: PROTECT PROPERTY	APPLICANT REFERENCE: POH-2009-354	PROPOSED: STREAMBANK STABILIZATION
DATUM: MSL, NAD83	ADDRESS 5-5016 KUHIO HIGHWAY HANALEI, KAUA'I, HAWAII	IN: HANALEI STREAM
ADJACENT PROPERTY OWNERS: 1. HALELEA INVESTMENT COMPANY, LLC.	TAX MAP KEY TMK 5-5-10:67	NEAR/AT: HANALEI COUNTY: KAUAI STATE: HAWAII SHEET 6 OF 12 DATE: JANUARY 20, 2010

WATER POLLUTION AND EROSION CONTROL NOTES

1. GENERAL:

- A. THE CONTRACTOR IS REMINDED OF THE REQUIREMENTS OF SECTION 209-WATER POLLUTION AND EROSION CONTROL, IN THE "HAWAII STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, 2005" AND ITS AMENDMENTS. SECTION 209 DESCRIBES BUT IS NOT LIMITED TO: SUBMITTAL REQUIREMENTS; SCHEDULING OF A WATER POLLUTION AND EROSION CONTROL CONFERENCE WITH THE ENGINEER; CONSTRUCTION REQUIREMENTS; METHOD OF MEASUREMENT; AND BASIS OF PAYMENT. NO WORK SHALL COMMENCE WITHOUT A BMP PLAN APPROVED BY THE DEPARTMENT OF HEALTH.
- B. THE CONTRACTOR SHALL FOLLOW THE GUIDELINES IN THE "INTERIM BEST MANAGEMENT PRACTICES MANUAL FOR CONSTRUCTION SITES FOR COUNTY OF KAUAI" IN DEVELOPING, INSTALLING AND MAINTAINING THE BEST MANAGEMENT PRACTICES (BMPs) FOR THE PROJECT. THE CONTRACTOR MAY SUBMIT ALTERNATE METHODS TO THE ENGINEER FOR ACCEPTANCE.
- C. THE CONTRACTOR SHALL KEEP A COPY OF THE APPROVED BMP, NOI, ETC. ON THE PROJECT SITE. THE BMP SHALL BE UPDATED TO REFLECT ANY CHANGES MADE DURING THE COURSE OF CONSTRUCTION FOR THE DURATION OF THE PROJECT.
- D. THE ENGINEER MAY ASSESS LIQUIDATED DAMAGES OF UP TO \$27,500 FOR NON-COMPLIANCE OF EACH BMP REQUIREMENT AND EACH REQUIREMENT STATED IN SECTION 209, FOR EVERY DAY OF NON-COMPLIANCE. THERE IS NO MAXIMUM LIMIT ON THE AMOUNT ASSESSED PER DAY.
- E. THE ENGINEER MAY DEDUCT THE COST FROM THE PROGRESS PAYMENT FOR ALL CITATIONS RECEIVED BY THE DEPARTMENT FOR NON COMPLIANCE, OR THE CONTRACTOR SHALL REIMBURSE THE STATE, AND/OR COUNTY FOR THE FULL AMOUNT OF THE OUTSTANDING COST INCURRED BY THE STATE, WHICHEVER IS GREATER.

2. WASTE DISPOSAL:

- A. WASTE MATERIALS: ALL WASTE MATERIALS SHALL BE COLLECTED AND STORED IN A SECURELY LIDDED METAL DUMPSTER THAT DOES NOT LEAK. THE DUMPSTER SHALL MEET ALL LOCAL AND STATE SOLID WASTE MANAGEMENT REGULATIONS. ALL TRASH AND CONSTRUCTION DEBRIS FROM THE SITE SHALL BE DEPOSITED IN THE DUMPSTER. THE DUMPSTER SHALL BE EMPTIED A MINIMUM OF TWICE PER WEEK OR AS OFTEN AS IS DEEMED NECESSARY. NO CONSTRUCTION WASTE MATERIALS SHALL BE BURIED ONSITE. THE CONTRACTOR'S SUPERVISORY PERSONNEL SHALL BE INSTRUCTED REGARDING THE CORRECT PROCEDURE FOR WASTE DISPOSAL. NOTICES STATING THESE PRACTICES SHALL BE POSTED IN THE OFFICE TRAILER AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR SEEING THAT THESE PROCEDURES ARE FOLLOWED.
- B. HAZARDOUS WASTE: ALL HAZARDOUS WASTE MATERIALS SHALL BE DISPOSED OF IN THE MANNER SPECIFIED BY LOCAL OR STATE REGULATION OR BY THE MANUFACTURER. THE CONTRACTOR'S SITE PERSONNEL SHALL BE INSTRUCTED IN THESE PRACTICES AND SHALL BE RESPONSIBLE FOR SEEING THAT THESE PRACTICES ARE FOLLOWED.
- C. SANITARY WASTE: ALL SANITARY WASTE SHALL BE COLLECTED FROM THE PORTABLE UNITS A MINIMUM OF ONCE PER WEEK, OR AS REQUIRED.

SHEET TITLE:		CONSTRUCTION NOTES II	
PURPOSE: PROTECT PROPERTY	APPLICANT REFERENCE:	POH-2009-354	PROPOSED: STREAMBANK STABILIZATION
DATUM: MSL, NAD83	ADDRESS	5-5016 KUHIO HIGHWAY HANALEI, KAUAI, HAWAII	IN: HANALEI STREAM
ADJACENT PROPERTY OWNERS: 1. HALELEA INVESTMENT COMPANY, LLC.	TAX MAP KEY	TMK 5-5-10:67	NEAR/AT: HANALEI COUNTY: KAUAI STATE: HAWAII SHEET 7 OF 12 DATE: JANUARY 20, 2010

WATER POLLUTION AND EROSION CONTROL NOTES CONTINUED3. EROSION AND SEDIMENT CONTROL INSPECTION AND MAINTENANCE PRACTICES:

- A. ALL CONTROL MEASURES SHALL BE INSPECTED AT LEAST ONCE EACH WEEK AND WITHIN 24 HOURS FOLLOWING ANY RAINFALL EVENT OF 0.5 INCHES OR GREATER.
- B. ALL MEASURES SHALL BE MAINTAINED IN GOOD WORKING ORDER. IF REPAIR IS NECESSARY, IT SHALL BE INITIATED WITHIN 24 HOURS AFTER THE INSPECTION.
- C. BUILT UP SEDIMENT SHALL BE REMOVED FROM SILT FENCE WHEN IT HAS REACHED ONE-THIRD THE HEIGHT OF THE FENCE.
- D. SILT SCREEN OR FENCE SHALL BE INSPECTED FOR DEPTH OF SEDIMENT, TEARS, TO VERIFY THAT THE FABRIC IS SECURELY ATTACHED TO THE FENCE POSTS OR CONCRETE SLAB AND TO VERIFY THAT THE FENCE POSTS ARE FIRMLY IN THE GROUND.
- E. TEMPORARY AND PERMANENT SEEDING AND PLANTING SHALL BE INSPECTED FOR BARE SPOTS, WASH OUTS AND HEALTHY GROWTH.
- F. THE CONTRACTOR SHALL SUBMIT THE ENGINEER A MAINTENANCE INSPECTION REPORT PROMPTLY AFTER EACH WEEKLY INSPECTION.
- G. THE CONTRACTOR SHALL SELECT A MINIMUM OF TWO PERSONNEL WHO SHALL BE RESPONSIBLE FOR INSPECTIONS, MAINTENANCE AND REPAIR ACTIVITIES AND FILLING OUT THE INSPECTION AND MAINTENANCE REPORT
- H. PERSONNEL SELECTED FOR THE INSPECTION AND MAINTENANCE RESPONSIBILITIES SHALL RECEIVE TRAINING FROM THE CONTRACTOR. THEY SHALL BE TRAINED IN ALL THE INSPECTION AND MAINTENANCE PRACTICES NECESSARY FOR KEEPING THE EROSION AND SEDIMENT CONTROLS USED ONSITE IN GOOD WORKING ORDER.
- I. ALL SLOPES AND EXPOSED AREAS SHALL BE GRASSED AS FINAL GRADES HAVE BEEN ESTABLISHED, GRADING TO FINAL GRADE SHALL BE CONTINUOUS, AND ANY AREA IN WHICH WORK HAS BEEN INTERRUPTED OR DELAYED OR EXPOSED FOR MORE THAN 15 DAYS SHALL BE GRASSED IN ORDER TO PREVENT DUST, EROSION AND SILT RUNOFF. AREAS WITH IMPORTED SOILS SHALL BE GRASSED NOT MORE THAN 5 WORKING DAYS AFTER FINAL GRADES HAVE BEEN ESTABLISHED.
- J. TEMPORARY EROSION CONTROLS SHALL NOT BE REMOVED BEFORE PERMANENT EROSION CONTROLS ARE IN-PLACE AND ESTABLISHED.

4. GOOD HOUSEKEEPING BEST MANAGEMENT PRACTICES:

MATERIALS POLLUTION PREVENTION PLAN:

- A. APPLICABLE MATERIALS OR SUBSTANCES LISTED BELOW ARE EXPECTED TO BE PRESENT ONSITE DURING CONSTRUCTION. OTHER MATERIALS AND SUBSTANCES NOT LISTED BELOW SHALL BE ADDED TO THE INVENTORY OF THE CONSTRUCTION CONTRACTOR'S SITE-SPECIFIC BMP PLAN.

ROCK RIP-RAP

GRAVEL

GEOTEXTILE FABRIC

COMPOST

WOOD

SHEET TITLE:

CONSTRUCTION NOTES III

PURPOSE: PROTECT PROPERTY	APPLICANT REFERENCE: POH-2009-354	PROPOSED: STREAMBANK STABILIZATION
DATUM: MSL, NAD83	ADDRESS 5-5016 KUHIO HIGHWAY HANAIEI, KAUAI, HAWAII	IN: HANAIEI STREAM
ADJACENT PROPERTY OWNERS: 1. HALELEA INVESTMENT COMPANY, LLC.	TAX MAP KEY TMK 5-5-10:67	NEAR/AT: HANAIEI COUNTY: KAUAI STATE: HAWAII SHEET 8 OF 12 DATE: JANUARY 20, 2010

WATER POLLUTION AND EROSION CONTROL NOTES CONTINUED

- B. MATERIAL MANAGEMENT PRACTICES SHALL BE USED TO REDUCE THE RISK OF SPILLS OR OTHER ACCIDENTAL EXPOSURE OF MATERIALS AND SUBSTANCES TO STORM WATER RUNOFF. AN EFFORT SHALL BE MADE TO STORE ONLY ENOUGH PRODUCTS AS IS REQUIRED TO DO THE JOB.
- C. ALL MATERIALS STORED ONSITE SHALL BE STORED IN A NEAT, ORDERLY MANNER IN THEIR APPROPRIATE CONTAINERS AND IF POSSIBLE UNDER A ROOF OR OTHER ENCLOSURE.
- D. PRODUCTS SHALL BE KEPT IN THEIR ORIGINAL CONTAINERS WITH THE ORIGINAL MANUFACTURER'S LABEL.
- E. SUBSTANCES SHALL NOT BE MIXED WITH ONE ANOTHER UNLESS RECOMMENDED BY THE MANUFACTURER.
- F. A PRODUCT SHALL BE USED UP COMPLETELY BEFORE DISPOSING OF THE CONTAINER.
- G. MANUFACTURER'S RECOMMENDATIONS FOR PROPER USE AND DISPOSAL SHALL BE FOLLOWED.
- H. THE CONTRACTOR SHALL CONDUCT A DAILY INSPECTION TO ENSURE PROPER USE AND DISPOSAL OF MATERIALS ONSITE.

HAZARDOUS MATERIAL POLLUTION PREVENTION PLAN:

- A. PRODUCTS SHALL BE KEPT IN ORIGINAL CONTAINERS UNLESS THEY ARE NOT RESEALABLE.
- B. ORIGINAL LABELS AND MATERIAL SAFETY DATA SHEETS (MSDS) SHALL BE RETAINED AND MADE AVAILABLE TO THE ENGINEER UPON REQUEST.
- C. SURPLUS PRODUCTS SHALL BE DISPOSED OF ACCORDING TO MANUFACTURER'S INSTRUCTIONS OR LOCAL AND STATE RECOMMENDED ACTIONS.

ONSITE AND OFFSITE PRODUCTS SPECIFIC PLANS:

- A. THE FOLLOWING PRODUCT SPECIFIC PRACTICES SHALL BE FOLLOWED ONSITE:
 PETROLEUM BASED PRODUCTS: ALL ONSITE VEHICLES SHALL BE MONITORED FOR LEAKS AND RECEIVE REGULAR PREVENTIVE MAINTENANCE TO REDUCE THE CHANCE OF LEAKAGE. PETROLEUM PRODUCTS SHALL BE STORED IN TIGHTLY SEALED CONTAINERS WHICH ARE CLEARLY LABELED. ANY ASPHALT SUBSTANCES USED ONSITE SHALL BE APPLIED ACCORDING TO THE MANUFACTURER'S RECOMMENDATION.
- 5. NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) REQUIREMENTS:
 - A. THE CONTRACTOR SHALL OBTAIN AND COMPLY WITH THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REQUIREMENTS FOR KAUAI DISTRICT PERMIT PROJECTS. THIS IS AVAILABLE AT THE KAUAI DISTRICT OFFICE AT 3040 UMI STREET, SUITE 205. DUE TO POTENTIAL COST IMPACTS, THE CONTRACTOR NEEDS TO BE AWARE OF THESE REQUIREMENTS.
 - B. THE CONTRACTOR SHALL COMPLETE AND SUBMIT A CONTRACTOR'S CERTIFICATION OF NPDES COMPLIANCE, INCLUDING COMPLETION OF THE BEST MANAGEMENT PRACTICE (BMP) CHECKLIST AND SUBMITTAL OF A WRITTEN BMP PLAN AND DRAWINGS, PRIOR TO ISSUANCE OF THE PERMIT TO PERFORM WORK UPON COUNTY ROADWAYS.

SHEET TITLE: CONSTRUCTION NOTES IV		
PURPOSE: PROTECT PROPERTY	APPLICANT REFERENCE: POH-2009-354	PROPOSED: STREAMBANK STABILIZATION
DATUM: MSL, NAD83	ADDRESS 5-5016 KUHIO HIGHWAY HANALEI, KAUAI, HAWAII	IN: HANALEI STREAM
ADJACENT PROPERTY OWNERS: 1. HALELEA INVESTMENT COMPANY, LLC.	TAX MAP KEY TMK 5-5-10:67	NEAR/AT: HANALEI COUNTY: KAUAI STATE: HAWAII SHEET 9 OF 12 DATE: JANUARY 20, 2010



Wagner Engineering Services, Inc.

P.O. Box 851 Hanalei, HI 96714 (808) 826-7256

HISTORICAL PRESERVATION NOTE

1. SHOULD HISTORIC REMAINS SUCH AS ARTIFACTS, BURIALS, CONCENTRATIONS OF SHELL OR CHARCOAL BE ENCOUNTERED DURING CONSTRUCTION ACTIVITIES, WORK SHALL CEASE IMMEDIATELY IN THE IMMEDIATE VICINITY OF THE FIND. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE PLANNING DEPARTMENT (808) 241-4050 AND STATE HISTORIC PRESERVATION DIVISION AT (808) 652-1560, WHICH WILL ASSESS THE SIGNIFICANCE OF THE FIND AND RECOMMEND THE APPROPRIATE MITIGATION MEASURES, IF NECESSARY.

SHEET TITLE:			CONSTRUCTION NOTES V		
PURPOSE: PROTECT PROPERTY		APPLICANT REFERENCE:		POH-2009-354	
DATUM: MSL, NAD83		ADDRESS		5-5016 KUHIO HIGHWAY HANALEI, KAUAI, HAWAII	
ADJACENT PROPERTY OWNERS: 1. HALELEA INVESTMENT COMPANY, LLC.		TAX MAP KEY		TMK 5-5-10:67	
				PROPOSED: STREAMBANK STABILIZATION IN: HANALEI STREAM NEAR/AT: HANALEI COUNTY: KAUAI STATE: HAWAII SHEET 10 OF 12 DATE: JANUARY 20, 2010	



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UPSTREAM VIEW



DOWNSTREAM VIEW

SHEET TITLE:

SITE PHOTOGRAPHS 1

PURPOSE:
PROTECT PROPERTY

APPLICANT
REFERENCE:

POH-2009-354

PROPOSED:
STREAMBANK STABILIZATION
IN:
HANAIEI STREAM

DATUM:

ADDRESS

5-5016 KUHIO HIGHWAY
HANAIEI, KAUAI, HAWAII

NEAR/AT: HANAIEI
COUNTY: KAUAI STATE: HAWAII
SHEET 11 OF 12
DATE: JANUARY 20, 2010

ADJACENT PROPERTY
OWNERS:
1. HALELEA INVESTMENT
COMPANY, LLC.

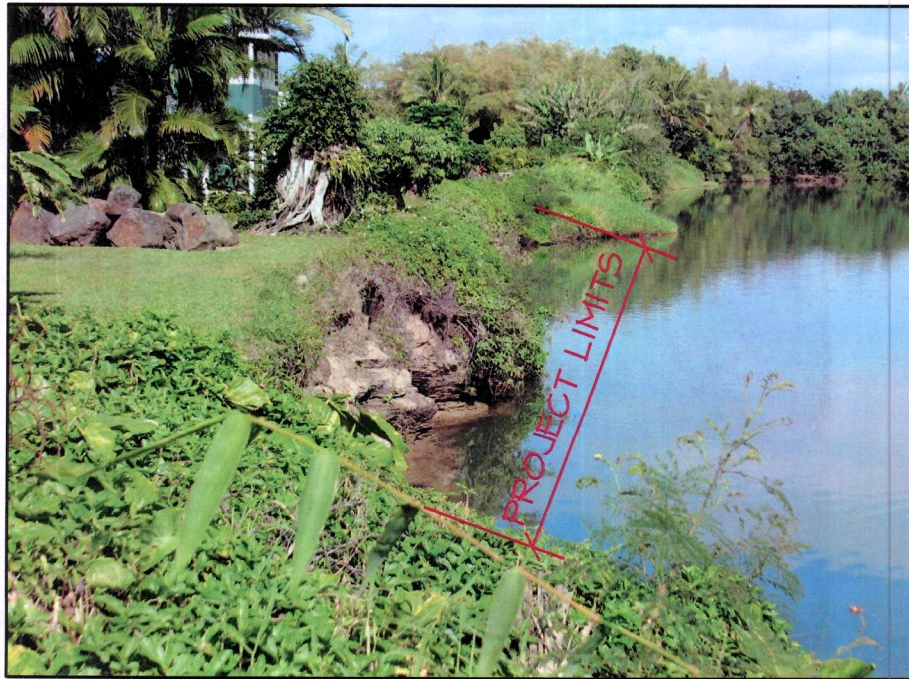
TAX MAP KEY

TMK 5-5-10:67



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DOWNSTREAM VIEW FROM RIVER BANK



DOWNSTREAM VIEW

SHEET TITLE:			SITE PHOTOGRAPHS II
PURPOSE: PROTECT PROPERTY	APPLICANT REFERENCE:	POH-2009-354	
DATUM:	ADDRESS	5-5016 KUHIO HIGHWAY HANALEI, KAUAI, HAWAII	
ADJACENT PROPERTY OWNERS: 1. HALELEA INVESTMENT COMPANY, LLC.	TAX MAP KEY	TMK 5-5-10:67	
		PROPOSED: STREAMBANK STABILIZATION IN: HANALEI STREAM	NEAR/AT: HANALEI COUNTY: KAUAI STATE: HAWAII SHEET 12 OF 12 DATE: JANUARY 20, 2010