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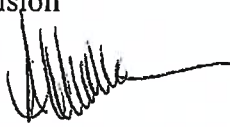
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Ref. No. P-12752

September 11, 2009

To: Brennon T. Morioka, Ph.D., P.E., Director
Department of Transportation

Attention: Glenn Yasui, Highways Division

From: Abbey Seth Mayer, Director 

Subject: Hawaii Coastal Zone Management (CZM) Program Federal Consistency Review
for Kuhio Highway Widening Improvements, Kawaihau District, Kauai

The proposal to use funds from the Federal Highway Administration to construct widening improvements along Kuhio Highway, between Temporary Kapaa Bypass Road and Kuamoo Road, Kauai, has been reviewed for consistency with the Hawaii CZM Program. We concur with your Department's certification that the proposal is consistent with the enforceable policies of the Hawaii CZM Program, based on the following conditions:

1. The project shall be in compliance with State of Hawaii water quality standards and requirements specified in Hawaii Administrative Rules (HAR), Chapter 11-54, including the Section 401 Water Quality Certification and water pollution control requirements specified in HAR, Chapter 11-55, including the NPDES permit. These Administrative Rules are federally-approved enforceable policies of the Hawaii CZM Program.
2. The project shall be in compliance with any requirements specified by the State Historic Preservation Division in accordance with Hawaii Revised Statutes, Chapter 6E - Historic Preservation, which is a federally-approved enforceable policy of the Hawaii CZM Program.
3. The project shall be in compliance with the Special Management Area (SMA) Use Permit (SMA(U)-2008-2) issued by the County of Kauai.

CZM consistency concurrence is not an endorsement of the project nor does it convey approval with any other regulations administered by any State or County agency. Thank you for your cooperation in complying with the Hawaii CZM Program. If you have any questions, please call John Nakagawa of our CZM Program at 587-2878.

Brennon T. Morioka, Ph.D., P.E.

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c: Mr. Pat Phung, FHWA
Department of Health, Clean Water Branch
Department of Land and Natural Resources,
Historic Preservation Division
Department of Planning, County of Kauai