

STATE OF HAWAII  
DEPARTMENT OF HEALTH

In the Matter of the Application	)	
For Variance for:	)	
	)	
STATE DEPARTMENT OF	)	Docket No. 24-NR-VN-28
TRANSPORTATION	)	V-1393
NOISE – WAIMEA CANYON DRIVE	)	
AND KOKEE ROAD IMPROVEMENTS,	)	
PHASE 2B	)	
_____	)	

**DECISION AND ORDER**

Pursuant to Chapter 342F, Hawaii Revised Statutes (H.R.S.), and Chapter 11-46, Hawaii Administrative Rules (H.A.R.), Community Noise Control; and based upon the application and review by the Indoor and Radiological Health Branch, the variance request from the provisions of Section 11-46-6(a), H.A.R., is hereby GRANTED with the following restrictions and conditions:

1. The variance shall be granted to conduct reconstructing and resurfacing portions of the paved travel lanes and shoulders; paving under guardrails; installing, replacing, and adjusting guardrails; maintaining (clearing debris from) drainage culverts; installing signage and pavement markings; constructing temporary staging areas; installing temporary best management practices and erosions control measures; installing erosion control matting; and grading a parking area with gravel. Project improvements will also include stabilizing the roadside embankment located at mile post 9.3 (ditch 1) and mile post 9.4 (ditch 2) adjacent to the Kokee Ditch (earthen irrigation ditch), which will be realigned further away from the roadway to prevent scour and undercutting of the roadway embankment; extending of drainage culverts to proposed finished grade; installing rip rap aprons at culvert outlets.
2. The variance shall be granted from January 1, 2025, until June 30, 2026.
3. The variance shall be granted for the following days/times:  

Sunday through Friday      9:00 p.m. to 5:00 a.m.
4. The applicant shall notify the Indoor and Radiological Health Branch as to the date and time of any variance hour activity as soon as the dates are confirmed, and when the project is completed.
5. The applicant shall make every effort to minimize noise emanating from the project.

6. Traffic noise from heavy vehicles travelling to and from the project site shall be minimized near residences.
7. The applicant shall have a job-site inspector to whom immediate complaints can be forwarded for prompt response, and who shall have the general responsibility of monitoring quiet work procedures.
8. Residents and businesses that may be impacted by the activity shall be given sufficient notice regarding the project. The notification for the planned activity will also contain the name and telephone number of the job-site inspector. In addition, a copy of any notifications, as well as progress reports, will also be sent to the Indoor and Radiological Health Branch.
9. If the noise level is such that numerous complaints are received by the Department, the applicant shall cease operations upon receipt of an order and complete the project during hours on weekdays and weekends as directed.
10. Pursuant to Section 342F-5(d)(3), H.R.S., the applicant shall be required to perform noise sampling during the variance hours and report the results of such sampling to the Indoor and Radiological Health Branch.
11. Should the duration of the project continue beyond the expiration date, the applicant shall submit a request for extension along with an updated work schedule prior to June 30, 2026.

DATED: Honolulu, Hawaii, Aug 21, 2024.



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MATTHEW KURANO  
Environmental Health Program Administrator  
Environmental Health Services Division