

STATE OF HAWAII  
DEPARTMENT OF HEALTH

|                                         |   |                        |
|-----------------------------------------|---|------------------------|
| In the Matter of the Application        | ) |                        |
| For Variance for:                       | ) |                        |
|                                         | ) |                        |
| STATE OF HAWAII, DEPARTMENT OF          | ) | Docket No. 24-NR-VN-07 |
| TRANSPORTATION                          | ) | V-1372                 |
| Noise – Road Safety Improvements Along  | ) |                        |
| Kalanianaʻole Highway, Between Milepost | ) |                        |
| 6.9 and 12.49 of East Honolulu, Oahu    | ) |                        |
| _____                                   | ) |                        |

**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 cold-planing, resurfacing, reconstruction of weakened pavement areas, widening paved shoulders, upgrading grated inlets, upgrading and repairing existing culverts and headwalls, replacing damaged culvert with concrete pipe, upgrading existing guardrails and end treatments, constructing curb adjacent to existing three beam, upgrading existing curb ramps, installation of new guardrails, installation of a new crosswalk, milled centerline and rumble strips, pavement markings and signage, and adjusting utility manholes.
2. The project limits are along Kalanianaʻole Highway from Mile Post 6.9 to 12.49 on East Oahu. Proposed improvement area includes the existing state road right-of-way of Kalanianaʻole from approximately Makai Pier to Hanauma Bay Road.
3. The variance shall be granted from January 1, 2025 until September 30, 2026.
4. The variance shall be granted for the following days/times:

|                  |                                                 |
|------------------|-------------------------------------------------|
| Monday to Friday | Midnight to 7:00 a.m. and 6:00 p.m. to Midnight |
| Saturdays        | Midnight to 9:00 a.m. and 6:00 p.m. to Midnight |
| Sundays          | Midnight to Midnight                            |

5. The variance shall be granted with the following restrictions:
  - a. The use of paver, plate compactor/tamper, rollers, shuttlebuggy, electric mudgun, concrete saw, and vac truck shall be prohibited after 10:00 p.m. within 500 feet of the closest residences.
  - b. The use of cold planer, rollers, backhoes, excavator, striping truck, and skid loader shall be prohibited after 12:00 a.m. within 500 feet of the closest residences.
6. 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.
7. The applicant shall make every effort to minimize noise emanating from the project.
8. The use of reverse signal alarms is prohibited from 8:00 p.m. to 7:00 a.m. Alternative methods such as utilizing a ground guide for signaling shall be employed.
9. Traffic noise from heavy vehicles travelling to and from the project site shall be minimized near residences.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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 September 30, 2026.

DATED: Honolulu, Hawaii, May 16, 2024.

A handwritten signature in blue ink, appearing to read 'M Kurano', positioned above a horizontal line.

MATTHEW KURANO  
Environmental Health Program Administrator  
Environmental Health Services Division