

**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS
Honolulu, Hawai'i**

November 14, 2025

145-Day Exp. Date: December 31, 2025

**Board of Land and
Natural Resources
State of Hawai'i
Honolulu, Hawai'i**

Regarding: Conservation District Use Application (CDUA) OA-3987 for the
Hawaiki Submarine Cable Landing Expansion Project

Applicant: Hawaiki Submarine Cable USA, LLC
Agent: Genevieve Rozhon of Environmental Resources Management, Inc.

Landowner: State of Hawai'i

Location: Offshore of Kahe Point, Honouliuli, 'Ewa, Island of O'ahu
Tax Map Key: Submerged lands seaward of (1) 9-2-049:001

Area of Use: Approximately < 7,855-ft²

Subzone: Resource

Exhibits:

- A Location/Existing Cable/ Proposed Project Routes
- B Aerial view of offshore area
- C Overview of shoreline and marine waters
- D Schematic of Horizontal Directional Drilling (HDD)

SUMMARY

This is a broadband-related permit application which involves the development of infrastructure relating to broadband service or technology. Pursuant to the Hawai'i Revised Statutes (HRS) §27-45, this application must be processed within 145-days of receipt of a completed CDUA. Hawaiki Submarine Cable USA LLC recently purchased adjacent property to their Cable Landing Station located mauka of Farrington Hwy within the Agricultural State Land District to expand their operations for future subsea cables in support of the State's Broadband Equity, Access and Deployment (BEAD) program and Connect Kakou Initiative.

A portion of the Hawaiki Cable Landing Expansion Project is proposed in marine waters in the Conservation District that will consist of up to three subsurface Horizontal Directionally Drilled (HDD) boreholes in waters of about -50-65 feet in depth. The purpose

of the project is to create infrastructure to host future subsea fiber optic telecommunication cables.

It should be noted that this application does not include any terrestrial project components that are outside of the Conservation District. Discussions on project components or site conditions for the terrestrial portions of the proposed project will be used only to provide context to the CDUA review.

DESCRIPTION OF AREA/CURRENT USE (Exhibits A, B & C)

The project site exists on the west side of O‘ahu within the submerged waters off of Kahe Point within the ahupua‘a of Honouliuli, ‘Ewa. The project area lies within the Resource subzone of the Conservation District makai of Tax Map Key: (1) 9-2-049:001. The marine waters in this area are classified as Class A marine waters by the Hawaii Department of Health (HDOH).

On August 25, 2025, the Board authorized Conservation District Use Permit OA-3799 for the Hawaiiki Submarine Cable Landing Project within the same project area. This project was a submarine trunk cable spanning more than 9,313 miles from Pacific City, Oregon, USA to Coogee, Australia, with branches connecting to O‘ahu, American Samoa, and Aotearoa.

The shoreline in this area is considered rocky with little to no beach sand present or accumulating. The shoreline is underlain primarily by unconsolidated calcareous reef rock and marine sediments, including some minor beach deposits. Beach deposits to the north and south of the proposed project site include sand and gravel that are primarily calcareous, with some sandstone material also observed.

Marine and Nearshore Biological Resources

A marine habitat survey was conducted as part of the former project. The 2016 survey area partially overlaps the current project’s offshore HDD bore path. Survey findings characterized the marine habitat in the project area as predominantly sand and rubble with small, isolated patches of paddle grass seagrass and sparse patches of relict reef, with most of the survey area at less than 10% coral and nearly half of the survey area at less than 1% cover of coral reef.

In December 2024, a high resolution multibeam survey to understand the potential coral bed extents within the project area in relation to the HDD conduits and exit points were conducted. The three conduits pass under hard substrate nearshore but after reaching depths of up to -23 feet, all conduits transition and exit through soft substrate.

Species with the potential to be impacted are listed and discussed below. It should be noted that most, if not all, of the species listed were not encountered during the survey – this list represents marine fauna that could be impacted.

Sea Turtles: It is anticipated that green sea turtles would be regularly observed as they are abundant in the coastal waters of the Hawaiian Islands. Sea Turtles are not expected

to use the onshore area near the project area as there are no sandy beaches along the shoreline areas immediately adjacent.

Monk Seals: While the monk seal could occur in the waters of the proposed project area, it is not expected to be found on the nearby shoreline portion due to the rocky habitat of the shoreline. Given the lack of sandy beach in or around the project site, and the fact this area is not known or identified as a pupping location for Hawaiian monk seals, the impact to this species would be minimal or none.

Other Marine Mammals: Humpback whales are known throughout the Hawaiian waters and may be expected in the offshore waters of Hawai'i from November through May with peaks in abundance from January through April. There are several other whale species that could visit Hawai'i, however the project area is very close to shore, shallow and whales are either rare or transient, and therefore too limited in distribution to be affected by the project.

The spinner dolphin is considered abundant and common throughout the Hawaiian Islands. Spinner dolphins occur year-round on coastal waters around the leeward side of O'ahu and have been found to transit up and down the coast in the coastal or offshore waters of the project site.

Corals: Corals are the dominant habitat-forming organisms in the proposed project area. Most hard and soft corals are habitat-forming (i.e., formation of coral reefs). Because of the relatively steep bathymetry of the Hawaiian Islands, reef habitat is largely limited to the coastal environments of the Hawaiian Islands. The proposed project site intersects shallow water coral reef habitat and is dominated by sand and rubble material. Higher quality reef habitat is located inshore of the project area and away from the proposed project line siting locations.

Fish: More than 500 reef and coastal fish species are known to occur in Hawaiian waters with nearly $\frac{1}{4}$ of those considered to be endemic to Hawaii. In general terms, the coastal habitats of Hawaiian waters support a greater density of oceanic and deep-sea species, and each potential habitat type is found within the project area.

Echinoderms: Six (6) species of sea urchins were observed during the marine diver survey: rough-spined urchin, needle-spined urchin, banded urchin, black-black urchin, and red pencil urchin. Overall, urchin density is on the order of 1 per 100 square meters (sq. m), but on the most topographically complex reef patches the urchin density increases to the order of 1 per 1 sq. m. Activity of urchins is evident on the more complex reef patches where the substrate is highly bio-eroded by urchins.

Existing Historic and Cultural Resources

Pre-contact and ethno-historical information specifically related to the Project Area is sparse to non-existent. The applicant believes this speaks to the remote and generally uninhabited nature of the arid landscape in the vicinity of the proposed project. Previous studies reviewed for this project generally present broad overviews and tend to discuss

events and places within the broader Honouliuli area and Ewa Plain which are distant and not adjacent to the project area.

Archeological and Historical Resources: An archeological inventory survey (AIS) was conducted at the coastal and offshore project areas and are presented in a report titled *Archeological Inventory Survey Hawaiki Submarine Cable Landing*. The proposed portion of the project that extends makai of the shoreline will occur at a very substantial depth, ranging from approximately 50-65 feet below the current grade. The applicant believes that this is well below the possible depth for buried historic properties, and the linear extent of the proposed project area is therefore not considered to have a significant potential for effect and was not subject to field surveys or subsurface testing.

Cultural Resources: A Cultural Impact Assessment (CIA) was conducted for the proposed project. This assessment concluded with a report titled *Cultural Impact Assessment Hawaiki Cable Landing Project* which included background research (e.g., pre-contact and post-contact information, previous archeological studies) and interviews with members of the community knowledgeable about the area.

PROPOSED LAND USE (EXHIBIT D)

The applicant, Hawaiki Submarine Cable USA, LLC, is proposing to construct up to three subsurface Horizontal Directional Drilling (HDD) conduit boreholes in waters of about 50-65-feet in depth of which bore pipes will extend mauka over a length of approximately 2,500 to 3,000-feet to an onshore area. Each bore would be approximately eight inches in diameter and the exact bore path and length is pending geotechnical surveys. A rough estimate of the total subsurface boring area is 7,855-ft².

The project initiates outside of the Conservation District, upon Hawaiki's property located on the mauka side of Farrington Hwy. HDD would take place to install bore pipes beneath the Farrington Highway right-of-way, the Oahu Railway and Land Company right-of-way, Kahe Beach Park and the submerged land beyond the shoreline. A drill entry pit would be excavated in line with the HDD boring rig to contain the drilling fluid returning from the bore during drilling. A slurry sump pump would be set in place in the entry pit to pump out the returning fluid, feeding it to the recycling unit for further treatment, adjustment, and reuse. A small crane would likely be used during set up and to load pipes.

Drilling fluid is pumped through the drill pipe to the drill bit where high-pressure jets and the bit will grind the soils ahead of the drill stem. The drilling fluid will also carry the cuttings back to the entrance pit at the drill rig. Tracking will be continuously maintained to verify the drill position and path.

Three bore pipes, up to eight inches in diameter, would be installed to provide shore crossings for three future subsea fiber-optic cables. The bore pipe would be advanced along the pre-determined drill paths while the drilling fluid (containing bentonite) is pumped down the inside of each bore pipe and exited through the drill head. As drilling proceeds, pipe segments would be added, forming the steel conduit used to house the fiber-optic cable.

The bore depth profile would start approximately 3 feet (ft) below ground level at the onshore entry point to a maximum depth of approximately -130 to -150 ft and enter the Conservation District. Once the appropriate distance offshore is reached with the bore pipe, the drill head would be guided to the surface to complete the bore. The bore would “daylight” (exit) beyond the surf zone approximately 2,500 and 3,000 ft from the entry point, in water depths of about 50 to 65 feet.

The last 100 to 130 ft of the pilot bore would be drilled with fresh water, flushing out drilling fluid back to the entry pit. This would prevent drilling fluid escaping to the sea when the bore pipe exits the seabed. The exact length of flushing would be decided on site, depending on the drilling findings and the actual drilled material at the end of the pilot bore. Once the HDD has advanced significantly towards the bore exit point, marine support of directional bore operations would commence.

A vessel (not anticipated to be larger than 36 feet in length) would establish its location and hold position, without anchoring, approximately 50 feet seaward of the bore exit point to serve as a marine dive platform. Marine support for HDD activities is expected to be needed for one to two days per bore pipe (i.e. approximately 12 days in total) during daytime hours only. The marine support team would visually monitor the seafloor as the drill head approaches the exit point. Once the HDD drill head assembly has exited the seafloor, the support dive crew would be deployed to verify the bore pipe exit point.

If necessary, divers would then excavate sediment around the bore pipe exit point by hand to help remove the drill head assembly; this would be returned to shore by the support boat. The divers would then support the mandrel process to prove the internal diameter of the bore is smooth and continuous. This process also allows installation of a hauling line inside the bore pipe, which would ultimately be used to haul the future fiber-optic cable from the seabed to land. A check valve would be installed at the offshore end of the pipe to keep sand and seabed debris from entering the bore pipe. Once each of the HDD bore pipe installations are complete, the new infrastructure would be left subsurface of the seabed.

Best Management Practices (BMPs)

BMPs are proposed to ensure worker safety and resource protection. This would include:

- Worker safety training: communication, protocols for hazard or safety incident
- Unexploded Ordnance Training to recognize, retreat and report
- Mitigation at HDD Bore Exits: micro-siting, using freshwater for the last couple of feet
- HDD Inadvertent Release Contingency Plan
- Spill Contingency and Hazardous Materials Management Plan
- Marine Vessel Operations and Monitoring for protected marine species
- An Unanticipated Discovery Plan for inadvertent archeological/historic finds

The applicant has identified several mitigative measures, conditions and practices within the Environmental Assessment related to handling of hazardous material, resource protection and worker safety to ensure that the proposal will have minimal effects on the

natural and cultural resources of the land. As such these proposed measures, conditions and practices are incorporated into the permit.

The purpose of the project is to provide capacity for up to three future subsea cable systems based on market demand. According to the applicant, Hawaiki's investment is a commitment to the State to provide subsea infrastructure and cable landing facilities that support the Connect Kakou initiative and BEAD program. Hawaii relies on transpacific submarine fiber optic cables for the majority of broadband capacity required to connect us to the rest of the world. Broadband has been recognized as critical infrastructure to the State of Hawaii for advancement in education, health, public safety, research and innovation, economic diversification and public services.

SUMMARY OF COMMENTS

The Office of Conservation and Coastal Lands (OCCL) referred the application to the following state agencies for review and comment: the Department of Land and Natural Resource's Oahu District Land Office (ODLO), Division of Aquatic Resources (DAR), Division of Conservation & Resource Enforcement and the Aha Moku Council; the Department of Transportation (DOT); the State Department of Health (DOH); and the Office of Hawaiian Affairs (OHA).

The application was also provided to the City and County of Honolulu's Department of Planning and Permitting (DPP), Parks and Recreation (DPR), the Kapolei Neighborhood Board; and the US Fish and Wildlife Service (USFWS) and the US Army Corps of Engineers (USACOE) as well as the Kapolei and Nānākuli Public Library.

Comments were received from the following agencies have been summarized by staff as follows:

DLNR – Oahu District Land Office (ODLO)

Any work and/or use of State Land makai of the title boundary and/or certified shoreline shall require a disposition from the Board of Land and Natural Resources.

Applicant Response:

We understand that any proposed use of State Land makai of the title boundary and/or certified shoreline shall require a disposition from the Board of Land and Natural Resources.

City and County of Honolulu (DPP)

Currently processing an SMA Major Permit application (No.2025/SMA-79) and Shoreline Setback Variance (No. 2025/SV-1). SMA Permit must be the first issued pursuant to HRS Chapter 205A-28.

Applicant Response:

We understand that an SMA and SSV permit form the DP are required for this project to proceed. Our team is actively coordinating with the DPP to promptly address any questions or requests for clarification as the permit applications undergo review.

Staff notes: Proposed land uses in the Conservation District are not within the Special Management Area (SMA).

ANALYSIS

Following review and acceptance for processing on August 25, 2025, the Department finds that:

1. The proposed use is an identified land use in the Resource subzone of the Conservation District, pursuant to the Hawaii Administrative Rules (HAR) §13-5-22, P-6 PUBLIC PURPOSE USES Not for profit land uses undertaken in support of a public service by an agency of the county, state, or federal government, or by an independent non-governmental entity, except that an independent non-governmental regulated public utility may be considered to be engaged in a public purpose use. Examples of public purpose uses may include but are not limited to public roads, marinas, harbors, airports, trails, water systems and other utilities, energy generation from renewable sources, communication systems, flood or erosion control projects, recreational facilities, community centers, and other public purpose uses, intended to benefit the public in accordance with public policy and the purpose of the conservation district. Please be advised, however, that this finding does not constitute approval of the proposal;
2. Pursuant to HAR §13-5-40(a), a Public Hearing shall be required;
3. In conformance with the Hawaii Revised Statutes (HRS) Chapter 343, as amended, and HAR Chapter 11-200.1, the Final Environmental Assessment has been reviewed and accepted by the Office of Conservation and Coastal Lands. The FONSI was published in the July 8, 2025, issue of the Environmental Notice; and
4. The Conservation District portion of this project does not lie within the Special Management Area.

Notice of CDUA OA-3987 was published in the September 8, 2025, issue of The Environmental Notice.

PUBLIC HEARING

A Public Hearing was held at the Nānākuli Public Library on October 8, 2025, to accept any public testimony related to this project. Two members of OCCL staff and two members of the applicant's team attended the public hearing that was to commence at 6:15 pm. No one from the general public attended the meeting.

CONSERVATION CRITERIA

The following discussion evaluates the merits of the proposed land use by applying the criteria established in HAR §13-5-30.

- 1) *The proposed use is consistent with the purpose of the Conservation District.*

The objective of the Conservation District is to conserve, protect, and preserve the important natural resources of the state through appropriate management and use to promote their long-term sustainability and the public health, safety and welfare.

According to the applicant, the project has been designed and sited to avoid or minimize impacts to any natural resource present such as coastal bluffs, benthic habitats, protected species, cultural resources and public safety and welfare. The project is expected to result in net benefit to communities by increasing the capacity of and adding diversity to the States domestic and international telecommunications infrastructure that would improve the reliability of and access to online resources. The proposed project will provide a communications system that will fulfill a mandated governmental function, activity, or service for public and private benefit, and will be conducted in accordance with public policy and the purpose of the Conservation District.

- 2) *The proposed land use is consistent with the objectives of the Subzone of the land on which the use will occur.*

The objective of the Resource Subzone “is to develop, with proper management, areas to ensure sustained use of the natural resources of those areas”. The applicant believes the proposed use is consistent with the objectives of the Resource Subzone and will ensure the sustainable use of the natural resources of the area.

The planned construction is designed to not alter or modify the existing environmental conditions of coastal resources. The project is designed to have only temporary and localized impacts with the area returning to the existing conditions after construction is completed.

Staff believes there will be minimal effects if Best Management Practices (BMPs) are followed as outlined. The applicant has developed contingency plans with measures and protocols that would be implemented to prevent, identify, contain and properly respond to an inadvertent release of spills or hazardous materials management.

- 3) *The proposed land use complies with the provisions and guidelines contained in Chapter 205A, HRS entitled "Coastal Zone Management", where applicable.*

Recreational Resources: The applicant has stated project construction is not expected to impact use of the shoreline and existing recreational areas. HDD would be used to install subsurface bore pipes to avoid impacts to the beach, shoreline, or roadways. Access to the marine area immediately around the dive vessel would be controlled to maintain safe distances between the work area and marine recreators temporarily.

Historic Resources: Two Archeological Inventory Surveys (AIS) and a Literature Review were conducted. No cultural resources were identified. It is believed there

are no known historic resources with the Project area. Should an inadvertent discovery occur, all construction activities would immediately be stopped and SHPD shall be contacted.

Scenic and Open Space Resources: During construction involving the installation of support infrastructure there will be a temporary impact on coastal views due to the presence of construction equipment and support vessels in the water. Staff believes that the project design (i.e., use of the HDD process) encourages the protection and preservation of the quality of scenic and open space resources for this coastal site. The installation using HDD would ensure coastal landforms would remain unaltered and the project would not impact public views towards the ocean or along the shoreline.

Coastal Ecosystems/Marine Resources:

The applicant has stated there is some potential for an inadvertent release of drilling fluid during HDD activities. While the drilling fluid is non-toxic, the fine particles have the potential to smother invertebrates, plants, fish, and other aquatic organisms if large amounts are released. However, the potential of an inadvertent release of drilling materials during HDD activities is considered very low as the majority of the drilling would be greater than 60-feet below ground surface, which is expected to be sufficient to prevent inadvertent releases. The project does have an Inadvertent Release Contingency (IRC) plan that outlines measures that would be implemented to respond to an inadvertent release.

Impacts to marine water quality is very low due to the small disturbance area and implementation of BMPs such as the stormwater management plan, spill contingency plan, IRC plan that would prevent and minimize potential impacts to nearby coastal ecosystems.

Economic Uses/Managing Development: According to the applicant, this infrastructure is important to the State's economy as there is over 450 operational submarine cables on the seabed today carrying over 99% of the world's internet data. Only three of these provide domestic connectivity linking the Hawaiian Islands together, and seven provide international and/or interstate connectivity. Submarine cable typically has an operational lifetime of 25 years. Two of Hawai'i's domestic submarine cables are allocated for replacement and two of the international submarine cables are nearing their operational limits. To keep Hawai'i at status quo, cables reaching their end of serviceable life need to be replaced.

According to the applicant, the Hawaiki cable deployed and operational in 2018 was the last international subsea cable installed. A number of international trans-Pacific cable systems have announced that they would not land in the State creating a connectivity imbalance. The applicant states this project is designed to address this and entice the landing of future international cables in the State or domestic cables on O'ahu.

The project will provide high-capacity connectivity as part of the State's Connect Kākou and BEAD Program that are both designed to build a reliable high-speed internet service that can be utilized by communities that currently are underserved or have no internet access. Reliable internet service now appears to be a household utility a strategic asset

Public Participation: The applicant has stated that several statutorily-triggered public comment periods and public meetings are required prior to the issuances of state and county permit approvals. In addition to the required public engagements, the applicant has independently sought public involvement in the project. The applicant has engaged local stakeholders, neighborhood boards, government agencies, and government officials. Community outreach for the project began in October 2024 with the applicant attending community meetings for the purpose of introducing the project, discussing the planning process and meeting with the community. A public hearing was held on the evening of October 8, 2025, for the proposed project; no one from the public attended the meeting.

- 4) *The proposed land use will not cause substantial adverse impact to existing natural resources within the surrounding area, community or region.*

The project has been sited and designed to avoid impacts to existing natural resources, as described previously, the proposed project should not cause substantial adverse impacts to existing natural resources at the project site. The subsurface HDD portion of the project would extend well below and beyond the shoreline within the exist points located 2,500 to 3,00feet offshore and not affect the coastline, lateral access, or marine resources.

Staff believes that the extent of the proposed project and HDD corridor is minor, and impacts associated will be short-term and therefore should not influence the existing natural resources at the site.

- 5) *The proposed land use, including buildings, structures and facilities, shall be compatible with the locality and surrounding areas, appropriate to the physical conditions and capabilities of the specific parcel or parcels.*

Since the entire project segment located in the Conservation District will be entirely out of view, staff believes this proposed project is compatible with the surrounding area and physical conditions of the site.

- 6) *The existing physical and environmental aspects of the land, such as natural beauty and open space characteristics, will be preserved or improved upon, whichever is applicable.*

During construction there will be a temporary impact on coastal views due to the presence of construction equipment, and smaller support vessels in the water. Once construction is completed all equipment will be removed from the site with no further disturbance to any scenic resources of the site.

No new buildings will be constructed, and project components will be buried or submerged such that it is not expected to result in potential for adverse visual impacts. It is likely the public will never even know the HDD borehole are present.

- 7) *Subdivision of land will not be utilized to increase the intensity of land uses in the Conservation District.*

No subdivision of land is proposed under this CDUA.

- 8) *The proposed land use will not be materially detrimental to the public health, safety and welfare.*

By utilizing a proven construction method (i.e., HDD) that has been shown to be environmentally safe, and consistent with the protection of the environment; providing monitoring of environmental resources during all construction activities as well as monitoring to minimize or eliminate impacts to threatened or endangered species and by observing BMPs prescribed in the application and the Final Environmental Assessment, the proposed land use will not be materially detrimental to the public health, safety and welfare.

Customary & Traditional Practices

Articles IX and XII of the State Constitution, other state laws, and the courts of the State, require government agencies to promote and preserve cultural beliefs, practices, and resources of Native Hawaiian and other ethnic groups.

As part of the Cultural Impact Assessment (CIA) for the initial Hawaiki project, individuals who might have knowledge of, or concerns about, traditional cultural practices at the project site were contacted for interviews. Out of the five (5) persons contacted, only two (2) responded, and only one (1) had significant information regarding the project area. The correspondent that provided information on the cultural uses of the area was not aware of any on-going cultural places and practices occurring within or nearby the project site. However, one (1) site was mentioned (i.e., Hawaiian Fishing Shrine) which is located approximately 250 feet south of the project site. While the correspondent indicated that although the site is important to Hawaiians, no cultural practices are known to be currently performed at the site.

It is currently unknown to what extent traditional Hawaiian subsistence gathering and fishing is still practiced along this section of coastline; however, the majority of ocean waters would not need to be closed to ocean activities such as boating, surfing, fishing, diving, and swimming during the installation process, including the area between the shoreline and punch-out site. However, the area immediately around the punch-out site would be patrolled by small boats during the installation of the HDD conduit.

The HDD portion of the proposed project will extend well below and beyond the shoreline with the punch-out site located >2,500 feet offshore. The HDD will be deep underground

and will not affect the coastline, access or marine subsistence resources that may be gathered.

During the processing of this application, no comments nor objections to the use of the site were received. Neither the Office of Hawaiian Affairs nor the Aha Moku Council provided comments on the proposed land use. To the extent to which traditional and customary native Hawaiian rights are exercised, the proposed action does not appear to affect traditional Hawaiian rights; it is believed that no action is necessary to protect these rights.

DISCUSSION:

Hawaiki Submarine Cable USA LLC recently purchased adjacent property to their Cable Landing Station located mauka of Farrington Hwy within the Agricultural State Land District to expand their operations for future subsea cables in support of the State's Broadband Equity, Access and Deployment (BEAD) program and Connect Kakou Initiative.

The proposed land uses that are covered under this Conservation District Use Application (CDUA) represent a portion of the overall expansion project. The majority of the structural and development activities will occur *mauka* of the shoreline and therefore were not part of this review. This CDUA covers a portion of the HDD boreholes to the "punch-out" location to create three conduits for future submarine cable landings.

The project is proposed in marine waters that will consist of up to three subsurface Horizontal Directionally Drilled (HDD) boreholes in waters of about -50-65 feet in depth. Up to three pipe conduits will be installed that will extend mauka over a length of approximately 2,500 to 3,000-feet to an onshore area. Each bore would be approximately eight inches in diameter and the exact bore path and length is pending geotechnical surveys. A rough estimate of the total subsurface boring area is 7,855-ft².

Horizontal Directionally Drilled (HDD) minimizes disruption to the surface by using a trenchless method, allowing for installation under challenging terrain and existing structures like highways, rivers and shorelines. There is minimal disruption to the environment as the procedure decreases risk for soil erosion, sedimentation and open trenches. The applicant has provided Best Management Practices (BMPs) that shall be observed that covers before, during, and after construction activities and provides contingency plans to deal with the unexpected during construction.

Access to the marine area immediately area around the dive vessel would be controlled to maintain safe distances between the work area and marine recreators temporarily.

The purpose of the project is to create infrastructure to host future subsea fiber optic telecommunications cables. Hawai'i relies on transpacific submarine fiber optic cables for the majority of broadband capacity required to connect us to the rest of the world. Broadband has been recognized as critical infrastructure to the State of Hawaii for advancement in education, health, public safety, research and innovation, economic diversification and public services.

RECOMMENDATION:

Based on the preceding analysis, Staff recommends that the Board of Land and Natural Resources APPROVE this Conservation District Use Application (CDUA) OA-3987 for the Hawaiki Submarine Cable Landing Expansion Project located offshore of Kahe Point, Honouliuli, Ewa, Island of Oahu, upon submerged lands seaward of Tax Map Key: (1) 9-2-049:001, subject to the following conditions:

1. The permittee shall comply with all applicable statutes, ordinances, rules, and regulations of the federal, state, and county governments, and applicable parts of this chapter;
2. The permittee, its successors and assigns, shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim, or demand for property damage, personal injury, and death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors, and agents under this permit or relating to or connected with the granting of this permit;
3. The permittee shall obtain appropriate authorization from the department for the occupancy of state lands;
4. The permittee shall comply with all applicable department of health administrative rules, and the applicable parts of HAR §13-5-42;
5. Unless otherwise authorized, any work or construction to be done on the land shall be initiated within one (1) year of the approval of such use, in accordance with approved construction plans, and shall be completed within three (3) years of the approval of such use. The permittee shall notify the department in writing when construction activity is initiated and when it is completed;
6. All representations relative to mitigation set forth in the accepted environmental assessment and management plan for the proposed use are incorporated as conditions of the permit;
7. The permittee understands and agrees that the permit does not convey any vested right(s) or exclusive privilege;
8. In issuing the permit, the department and board have relied on the information and data that the permittee has provided in connection with the permit application. If, subsequent to the issuance of the permit such information and data prove to be false, incomplete, or inaccurate, this permit may be modified, suspended, or revoked, in whole or in part, and the department may, in addition, institute appropriate legal proceedings;
9. Where any interference, nuisance, or harm may be caused, or hazard established by the use, the permittee shall be required to take measures to minimize or eliminate the interference, nuisance, harm, or hazard;

10. Obstruction of public roads, trails, lateral shoreline access, and pathways shall be avoided or minimized. If obstruction is unavoidable, the permittee shall provide alternative roads, trails, lateral beach access, or pathways acceptable to the department;
11. During construction, appropriate mitigation measures shall be implemented to minimize impacts to resources, utilities, and public facilities. Specific Best Management Practices (BMP) outlined in the Final Environmental Assessment (FEA) and the CDUA report shall be implemented during construction of the proposed project;
12. The permittee shall provide public notification to inform the public of the project;
13. The permittee acknowledges that the approved work shall not hamper, impede, or otherwise limit the exercise of traditional, customary, or religious practices of native Hawaiians in the immediate area, to the extent the practices are provided for by the Constitution of the State of Hawaii, and by Hawaii statutory and case law;
14. Should historic remains such as artifacts, burials or concentration of charcoal be encountered during construction activities, work shall cease immediately in the vicinity of the find, and the find shall be protected from further damage. The Historic Preservation Division shall be contacted (692-8015), which will assess the significance of the find and recommend an appropriate mitigation measure, if necessary;
15. The use shall not adversely affect a federally listed threatened or endangered species or a species proposed for such designation, or destroy or adversely modify its designated critical habitat;
16. The activity/use shall not substantially disrupt the movement of those species of aquatic life indigenous to the area, including those species, which normally migrate through the area;
17. When the Chairperson is notified by the applicant(s) or the public that the project deviates from the scope of the use or are adversely affecting fish or wildlife resources or their harvest, the Chairperson will direct the applicant(s) to undertake corrective measures to address the condition affecting these resources. The applicant(s) must suspend or modify the activity to the extent necessary to mitigate or eliminate the adverse effect;
18. Where any interference, nuisance, or harm may be caused, or hazard established by the authorized activities/uses, the applicant(s) shall be required to take measures to minimize or eliminate the interference, nuisance, harm or hazard;
19. No contamination of the marine or coastal environment (trash or debris) shall result from project-related authorized activities/uses;

20. The Office of Conservation and Coastal Lands shall be notified in advance of the anticipated construction dates and shall be notified immediately if any changes to the scope of work are anticipated;
21. Other terms and conditions as prescribed by the chairperson; and
22. Failure to comply with any of these conditions shall render a permit void under the chapter, as determined by the chairperson or board.

Respectfully submitted,



K. Tiger Mills, Staff Planner
Office of Conservation and Coastal Lands

Approved for submittal:



Dawn N.S. Chang, Chairperson
Board of Land and Natural Resources *mc*

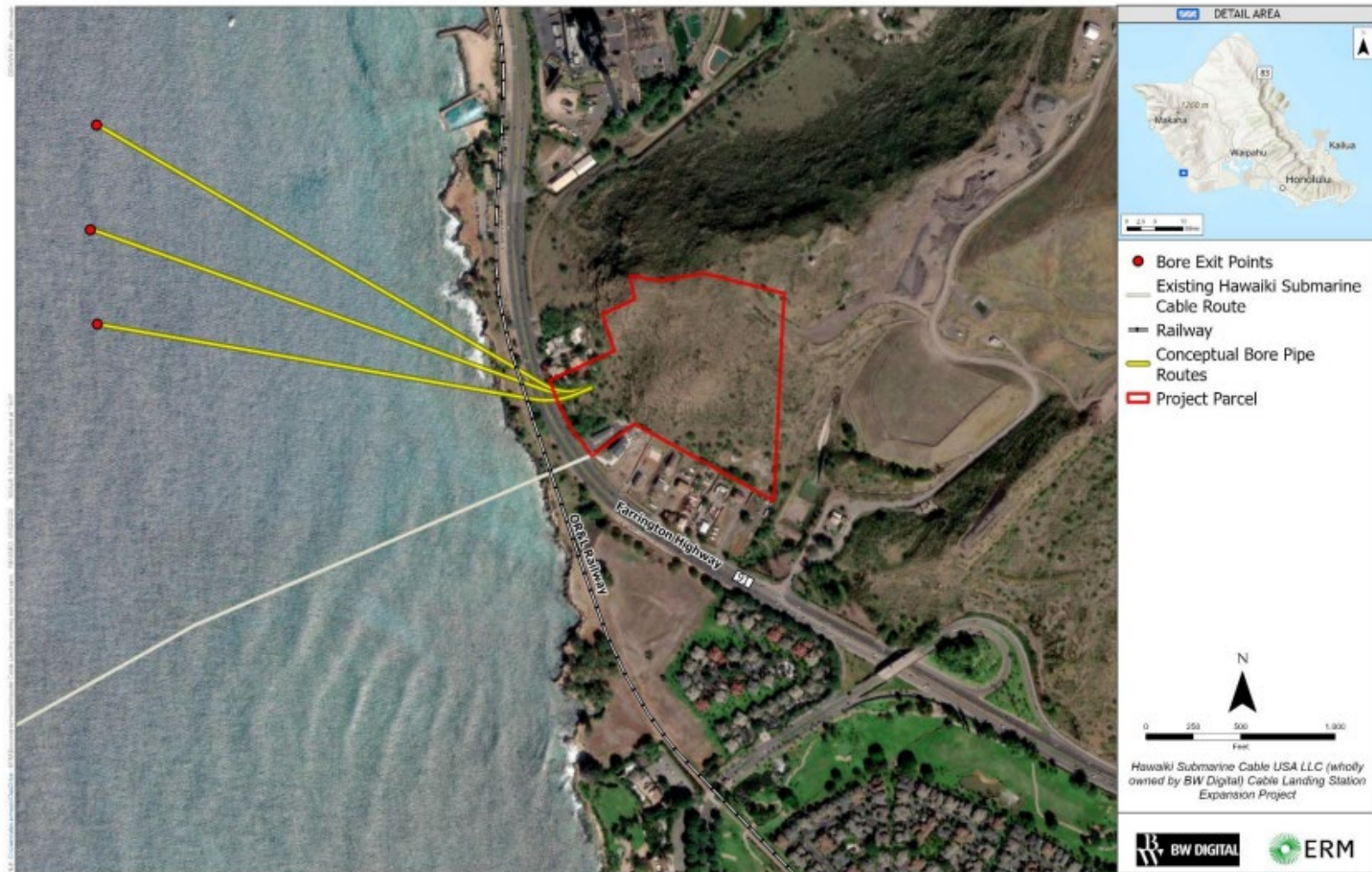


EXHIBIT A Location/Existing cable/ Proposed project conduits



EXHIBIT B Overview of shoreline and marine waters



EXHIBIT C Aerial view of project area

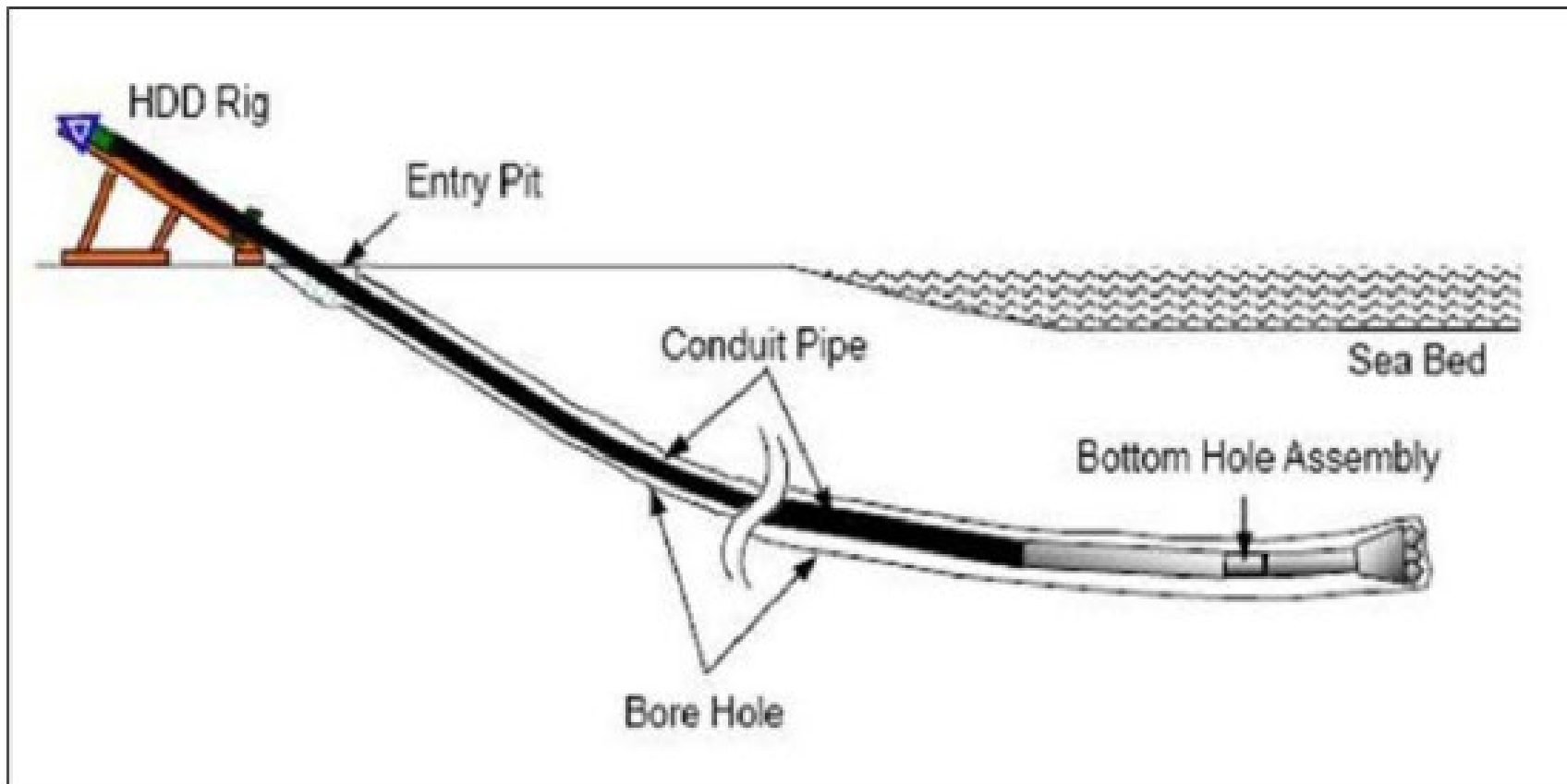


EXHIBIT D Schematic of Horizontal Directional Drilling