

The Environmental Notice

A SEMI-MONTHLY BULLETIN OF THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL

AUGUST 8, 1999

Underwater Sound Tests to Continue

The Scripps Institution of Oceanography is proposing to continue operation of the sound source previously installed by the Acoustic Thermometry of Ocean Climate (ATOC) project north of Kauai for an additional five years. Scripps plans to use roughly the same signal and transmission schedule that they have been currently using. They also propose to continue monitoring the Hawaiian humpback whale population using aerial surveys.

These transmissions are needed because the U.S. Navy is interested in how sound propagates through the ocean over long distances. The Navy hopes that this knowledge improves their ability to focus underwater receivers in order to better detect and track submarines. The same information can be used by oceanographers interested in climate studies to gain a better

understanding of the ocean and the resulting climate.

The result of the first phase of the ATOC project demonstrated that acoustic travel times can be measured much more accurately than anticipated. During the first phase of the study, the Marine Mammal Research Program used the sound transmissions to look at how the sounds affected marine mammals and fish.

In Hawaii, the program mainly studied humpback whale behavior. Visual and acoustic observations found no evidence that the transmissions affected the abundance, distribution or singing behavior of the whales in the vicinity of the sound source. The program did find, however, after intensive statistical analysis, that the distance and time between successive surfacings increased slightly with increasing sound levels. See page 14.

Kihei to Upcountry Maui Highway

The State Department of Transportation is proposing a two-lane limited-access rural highway from Kihei to Upcountry Maui. The project would facilitate transportation between Kihei and Upcountry, thereby addressing growth in regional transportation demand, economic development trends, and coastal evacuation deficiencies. In addition, there is federal interest in the project because it would facilitate transportation between defense-related research activities at Science City atop Haleakala Crater and the Maui Research and Technology Park in Kihei.

Potential impacts include substantial travel time savings, loss of open space, interference with agricultural activities, changes in transportation patterns, loss of archaeological resources, and savings in energy consumption. See page 10 for more information.

Saddle Road Extension EISPN

The Department of Transportation seeks public comments on the scope of an upcoming joint State-Federal draft EIS for the extension of the Saddle Road from its W3 preferred alignment intersection with Mamalahoa Highway to the intersection of Queen Ka'ahumanu Highway and the Hilton Waikoloa Access Road near 'Anaeho'omalu Bay in South Kohala. Various alignments are being considered. Upon completion, the project will provide a shorter direct route from the Kohala coast to Hilo via the improved Saddle Road and the Pu'ainako Street Extension.

The EIS will address: climate/air quality; topography/soils; water resources; natural hazards; flora and fauna; historic preservation; cultural impacts; hunting impacts; scenic impacts; social and growth inducing impacts; noise; and, unexploded ordnance. See page 12 for more.



BENJAMIN J. CAYETANO
GOVERNOR

OFFICE OF
**ENVIRONMENTAL
QUALITY CONTROL**
GENEVIEVE SALMONSON
DIRECTOR

The Environmental Notice
reviews the environmental impacts of
projects proposed in Hawaii

Other Resources
available at OEQC . . .

- *Guidebook for Hawaii's Environmental Review Process*
- *Environmental Impact Study Resource Library*
- *Environmental Education Database*
- *Environmental Council Annual Reports*
- *Rules and Policies*
- *"How to Plant a Native Hawaiian Garden"*

OEQC

235 S. BERETANIA ST.
STATE OFFICE TOWER
SUITE 702
HONOLULU, HI 96813

Tel. (808) 586-4185
Fax. (808) 586-4186

Molokai & Lanai: 1-800-468-4644 ext. 64185
Kauai: 274-3141 ext. 64185
Maui: 984-2400 ext. 64185
Hawaii: 974-4000 ext. 64185

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OEQC intends to make the information in this bulletin accessible to everyone. Individuals that require this material in a different format (such as large type or braille), should contact our office for assistance.

Draft Environmental Assessments



(1) Kahe Water Storage Tank

District: Waianae
TMK: 9-2-3:27
Applicant: Hawaiian Electric Company, Inc.
P.O. Box 2750
Honolulu, Hawaii 96840-0001
Contact: Jon Yanagida (543-7005)

Approving Agency/Accepting Authority: City and County of Honolulu
Department of Planning and Permitting
650 South King Street, 7th Floor
Honolulu, Hawaii 96813
Contact: Ardis Shaw-Kim (527-5349)

Public Comment

Deadline: September 7, 1999
Status: DEA First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority and OEQC.

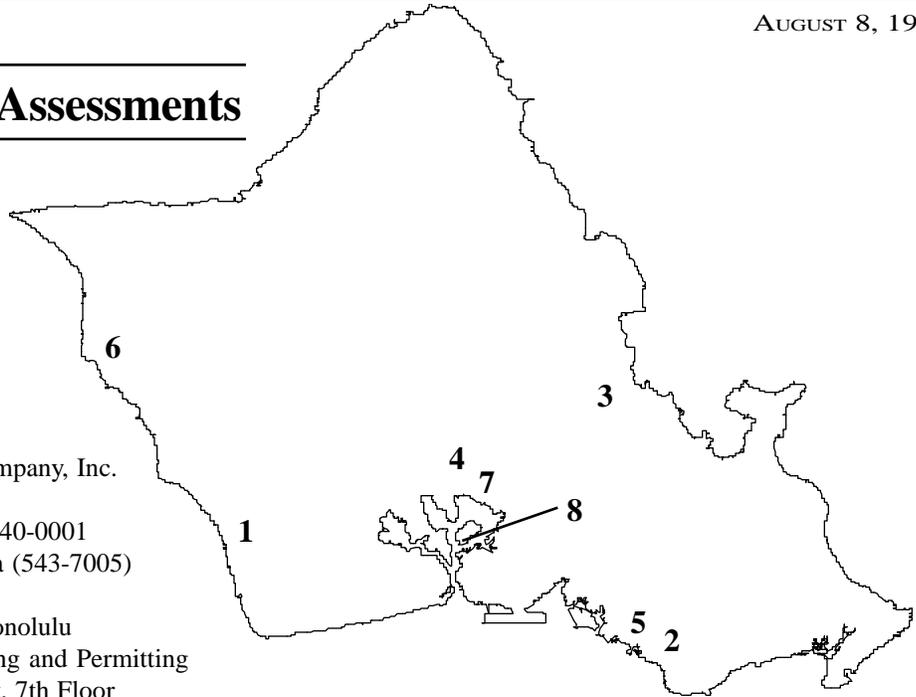
Permits

Required: SMA

Hawaiian Electric Company, Inc. (HECO) proposes to modify the existing Kahe Power Plant facilities with the addition of a cylindrical water storage tank, with a footprint of approximately 1,700 square feet. The proposed water tank will be between 40 to 44 feet in diameter. The sidewall of the tank will be as high as 36 feet tall. The conical roof will be as high as 5 feet above the height of the side wall to give the tank a maximum height of 41 feet above grade.

The water tank site was previously graded, probably in the 1960's with installation of infrastructure for the existing Kahe Power Plant. Grass and kiawe trees currently cover the site. Approximately 1,700 square feet of the site will be cleared. About 4,000 cubic yards of expansive soils will be removed and replaced with non-expansive fill.

The steel water tank will be painted to blend with the adjacent surroundings.



(2) Kahiola Seniors Rental Housing Project (Revised)

District: Honolulu
TMK: 2-6-24: 70 and 71
Applicant: The Genesis Foundation
P. O. Box 88269
Honolulu, Hawaii 96830-8269
Contact: Dr. Nicholas B. Christoff

Approving Agency/Accepting Authority: City and County of Honolulu
Department of Planning and Permitting
650 South King Street, 7th Floor
Honolulu, Hawaii 96813
Contact: Steve Tagawa (523-4817)

Consultant: Media 5 Ltd.
345 Queen Street, Suite 900
Honolulu, Hawaii 96813
Contact: Evan Cruthers (524-2040)

Public Comment

Deadline: September 7, 1999
Status: DEA First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority, the consultant and OEQC.

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Permits

Required: Waikiki Special District

The applicant, The Genesis Foundation, in their revised proposal, plans to construct an affordable rental housing apartment complex for seniors at 2423 and 2429 Ala Wai Boulevard, Waikiki, Oahu. The revised complex will consist of a 8-story atrium building of 109 rental apartments, one 2-bedroom unit for the building manager, a one-story meeting and activities service building, parking, and an on grade loading area.

The complex will be rented under established guidelines to individuals with incomes of no more than sixty (60) percent of the Honolulu mean income level. The complex will offer various building services, including a serving kitchen, mail room, a coin-operated laundry room, a multi-purpose room, outdoor recreation space with a covered lanai and enclosed garden area. The landscaping and garden will be designed to contribute to a Hawaiian sense of place.

The environmental impacts of the proposed development are not expected to be significant with use of appropriate mitigation measures. According to the applicant, the project is expected to reduce the fugitive dust, erosion and sediment transport that occurs from the current vacant, undeveloped parcel and will improve the overall aesthetic in the area.

The project is being processed under a Waikiki Special District Permit and concurrently pursuant to Chapter 201G, Hawaii Revised Statutes (HRS) exemptions from various zoning requirements for density, height, parking, height setback, building and open space, as well as park dedication and tax fees.

Note: The "Kahiola Rental Housing Project" draft EA published in the May 8, 1999 Environmental Notice was withdrawn by the City & County of Honolulu Department of Planning & Permitting on August 2, 1999.



(3) Waihee 265' Reservoir Slope and Drainage Improvements

District: Koolauapoko
TMK: 4-7-47: 13, 4-7-07: 5, 4-7-33: 36

Applicant: City and County of Honolulu
Board of Water Supply
630 South Beretania Street
Honolulu, Hawaii 96843
Contact: Barry Usagawa (527-5235)

Approving Agency/Accepting Authority: City and County of Honolulu
Board of Water Supply
630 South Beretania Street
Honolulu, Hawaii 96843
Contact: Clifford Jamile (527-6180)

Consultant: Belt Collins Hawaii
680 Ala Moana Boulevard, First Floor
Honolulu, Hawaii 96813-5406
Contact: Glen Koyama (521-5361)

Public Comment

Deadline: September 7, 1999
Status: DEA First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority, the consultant and OEQC.

Permits Required: CDUA, grading

The City and County of Honolulu Board of Water Supply (BWS) proposes to improve the cut slope and drainage system at its Waihee 265 Reservoir in Waihee, Oahu. The 1.4-acre site, located on Puu Kolo Ridge between Waihee and Kaalaea Valleys, is at the 245-foot elevation approximately 4,000 feet from Kamehameha Highway and the shoreline. The Tax Map Key (TMK) for the site is 4-7-47: 13. With the proposed improvements, two adjacent parcels, identified as TMK 4-7-07: 5 and TMK 4-7-33: 36, will also be involved with the project.

The BWS is proposing to stabilize the cut slope and minimize the potential of erosion and land slippage by reducing the gradient on the bank from 0.5:1 to 1:1. Stabilization will be further enhanced by the installation of an erosion control mat and planting of groundcover. On the north slope, an existing drainage bench will be repaired and improved to create a grassed swale. A new drainage system, designed to replace an existing drainage course will be installed.

Construction is preliminarily scheduled to begin in early 2000 and be completed approximately six months after construction commences.



(4) Waikele Gulch Exploratory Wells

District: Ewa
TMK: 9-4-02:8
Applicant: Department of Land and Natural Resources
1151 Punchbowl Street, Room 221
Honolulu, Hawaii 96813
Contact: Andrew Monden (587-0230)

Approving Agency/Accepting

Authority: Same as above.
Consultant: Belt Collins Hawaii Ltd.
680 Ala Moana Boulevard, First Floor
Honolulu, Hawaii 96813
Contact: Glen Koyama (521-5361)

Public Comment

Deadline: September 7, 1999
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

Permits

Required: Grading, well construction & water use

The Department of Land and Natural Resources is proposing to develop a well field containing four exploratory wells on a 25,000 sq. ft. site that is situated within a 49.2-acre vacant parcel owned by Amfac Land Company, Ltd. A right-of-entry will be obtained from the owner to conduct the exploratory operation. The parcel, identified as Tax Map Key 9-4-02: 8, is located in Waikele Gulch mauka of the H-1 Freeway. Village Park of Kunia and Waikele residential community are located above the gulch rim to the west and east of the property, respectively.

Access to the parcel is via a private road from Waipahu Street in Waipahu. The unimproved road is owned by Amfac Land Company, Ltd. and partially by the City and County of Honolulu.

The four exploratory wells will be drilled, cased and pump tested at the site. If the first well proves unsuccessful, the well field will be abandoned and a new well field explored. If the first well proves successful, the remaining three wells will be drilled, cased and pump tested. All four wells will then be outfitted and converted into permanent production wells. The conversion to production wells, which will be preceded by the acquisition of the site and associated easements, will be part of a Phase II operation, and a separate Environmental Assessment or Environmental Impact Statement will be prepared.

Installation of the first exploratory well is estimated to commence in November 1999. The drilling and subsequent pump tests are expected to be completed approximately five months after the project is begun or about April 2000. Each subsequent well would require a similar timetable for implementation.

The preliminary cost estimate for the first exploratory well and pump test is approximately \$375,000. The three remaining or subsequent wells would cost approximately \$600,000.

Final Environmental Assessments/Findings of No Significant Impacts (FONSI)



(5) Easter Seals Parking Lot Expansion

District: Honolulu
TMK: 2-1-38: portion Alapai Street
Applicant: Department of Land and Natural Resources
Land Division
P.O. Box 621
Honolulu, Hawaii 96809
Contact: Charlene Unoki (587-0456)

Approving Agency/Accepting

Authority: Same as above.
Consultant: Wilson Okamoto & Associates, Inc.
1907 South Beretania Street, Suite 400
Honolulu, Hawaii 96826
Contact: Earl Matsukawa (946-2277)

Public Challenge

Deadline: September 7, 1999
Status: FEA/FONSI issued, project may proceed.
Permits
Required: CUP-minor, grading, excavation, building

The State of Hawaii Department of Land and Natural Resources (DLNR) Land Division proposes to lease State property for expansion of the existing parking lot at the Easter Seals Hawaii facility located at 710 Green Street in Honolulu, Island of Oahu. The proposed parking lot expansion will be developed by Easter Seals Hawaii.

The proposed project will provide up to six (6) asphalt-paved parking stalls in addition to the existing eight (8) stalls

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at the facility. The facility currently houses the Sultan School, a Youth Services Program (Teen Program) and administrative offices. The proposed parking expansion will extend into an approximately 1,800 square-foot portion of the adjacent Alapai Street right-of-way which is impassable to vehicular traffic. Easter Seals Hawaii will enter into a lease with the State of Hawaii for use of this portion of Alapai Street. The project site will be subdivided from the Alapai Street right-of-way and consolidated with the adjacent Easter Seals Hawaii parcel.

No significant impacts are anticipated from the construction operation of the proposed project.



(6) Kahumana Affordable Rental Housing Project, Phase II

District: Waianae
TMK: 8-6-6:01
Applicant: City and County of Honolulu
Department of Community Services
715 South King Street, Room 311
Honolulu, Hawaii 96813
Contact: Keith Ishida (527-5092)

Approving Agency/Accepting

Authority: Same as above.

Public Challenge

Deadline: September 7, 1999
Status: FEA/FONSI issued, project may proceed.
Permits Required: Building, grading, Chapter 201G exemptions

Alternative Structures International (ASI), a nonprofit corporation, proposes to develop 34 transitional housing units for homeless families on city-owned land in Lualualei Valley, Waianae. ASI will be requesting of the City Council various exemptions from land use plans and development requirements pursuant to Chapter 201G, Hawaii Revised Statutes (HRS), to permit multifamily housing development on the project site.

The project is intended to build upon the transitional housing program at Ohana Ola O' Kahumana (Kahumana Phase I) which is located on the eastern edge of the parcel. The Phase II project will be clustered along the western edge of the project site. Kahumana Phase II includes 28 two-bedroom units, 6 three-bedroom units, a multipurpose community center with approximately 4,000 square feet of

interior space, approximately 2,000 square feet of storage space, approximately 39 parking stalls, laundry facilities, agricultural areas and open space.

Total project costs are estimated to be approximately \$6,500,000. ASI will seek funding through various city, state and federal programs, as well as financial institutions, foundations and other private sources. Pending the receipt of funding and necessary approvals, construction of Kahumana Phase II will begin in the summer of 1999, with a construction period of 12 to 14 months. No additional development of the project site will occur after completion of the Kahumana Phase II project.



(7) Waimalu Tract Reconstructed Sewer Project

District: Ewa
TMK: 9-8-10, 22, 23 & 24
Applicant: City and County of Honolulu
Department of Design & Construction
650 South King Street, 14th Floor
Honolulu, Hawaii 96813
Contact: Carl Arakaki (523-4671)

Approving Agency/Accepting

Authority: Same as above.

Consultant:

Gray, Hong, Bills & Associates, Inc.
119 Merchant Street, Suite 607
Honolulu, Hawaii 96813
Contact: David Bills (521-0306)

Public Challenge

Deadline: September 7, 1999
Status: FEA/FONSI issued, project may proceed.
Permits Required: NPDES, right-of-way excavation, ambient noise

The City & County of Honolulu's Department of Design & Construction is proposing to reconstruct portions of the Waimalu Tract sewer system located in Waimalu, Aiea, Oahu. The project site is bounded by Kamehameha Highway, Waimalu Stream, Moanalua Road, and Moanalua Loop. The Waimalu Tract area generates wastewater flows from a primarily residential area and the Waimalu Shopping Center commercial area. Currently, the project site requires excess maintenance to prevent possible sewage spills and overflows due to grease build-up. The proposed project consists of the replacement and rehabilitation of existing gravity sewers that are cracked and experience adverse grade due to uneven soil

consolidation. The proposed project also includes the construction of a new siphon manhole that will require bypass pumping of wastewater across Waimalu Stream channel. Precautions will be taken such as providing backup bypass pumping capacity.

Long term impacts of the proposed project will probably be negligible since sewer services would improve for residents and businesses. The environmental impacts are primarily short-term and directly related to construction activities. Although hydrocarbon emissions from construction equipment and vehicles are expected, it should not significantly alter the existing air environment which is adjacent to heavily-traveled roadways (Kamehameha Highway and H-1 Freeway.) The noise and traffic may increase near the vicinity of the project site. Construction will be completed during normal working hours to mitigate the impacts of the project.

National Environmental Policy Act (NEPA)



(8) Home Port Facilities for Three NIMITZ-Class Nuclear Powered Aircraft Carriers (FEIS)

The Department of the Navy has extended the public review period for the Final Environmental Impact Statement (FEIS) for Developing Home port Facilities for Three NIMITZ-Class Nuclear Powered Aircraft Carriers in Support of the United States Pacific Fleet. The Notice of Availability (NOA) for the FEIS was published in the Federal Register on July 9, 1999. (A notice was also published in the July 23, 1999 issue of the *Environmental Notice*.)

The public review period of 45 days is extended 15 days for a total of 60 days and will now end on September 7, 1999.

Please send your comments to Bob Hexom (Code 4PLR.BH), Southwest Division, Naval Facilities Engineering Command, 1220 Pacific Highway, San Diego, California, 92132, fax (619) 532-1096 or email address at CVN_HOMEPORTING@efdswnavfac.navy.mil. For additional information or to leave a message call 1-888-428-6440. Written comments must be postmarked by September 7, 1999.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

Keaahala Road Widening Project

Applicant: Department of Transportation
Highways Division
869 Punchbowl Street
Honolulu, Hawaii 96813
Contact: Craig Watanabe (692-7551)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: August 23, 1999

Keola Elderly Housing Project

Applicant: Network Enterprises Housing Development Corporation
2828 Paa Street, Suite 3090
Honolulu, Hawaii 96819
Contact: Rene Berthiaume (839-7704)

Approving Agency/Accepting

Authority: Department of Land and Natural Resources
1151 Punchbowl Street, Rom 130
Honolulu, Hawaii 96813
Contact: Charlene Unoki (587-0433)

Public Comment

Deadline: August 23, 1999

Draft Environmental Impact Statements

Oahu Commercial Harbors 2020 Master Plan

Applicant: Department of Transportation
Harbors Division
79 S. Nimitz Highway
Honolulu, Hawaii 96813
Contact: Glenn Soma (587-2503)

Approving Agency/Accepting

Authority: Governor, State of Hawaii
c/o Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu, Hawaii 96813

Public Comment

Deadline: August 23, 1999



Maui Notices

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Draft Environmental Assessments



(1) Front Street Apartments

District: Lahaina
TMK: 4-5-03:13, 14, 15, 38, 39 & 40
Applicant: SunAmerica Affordable Housing Partners, Inc.
Contact: A. Christian Hart (310-772-6156)

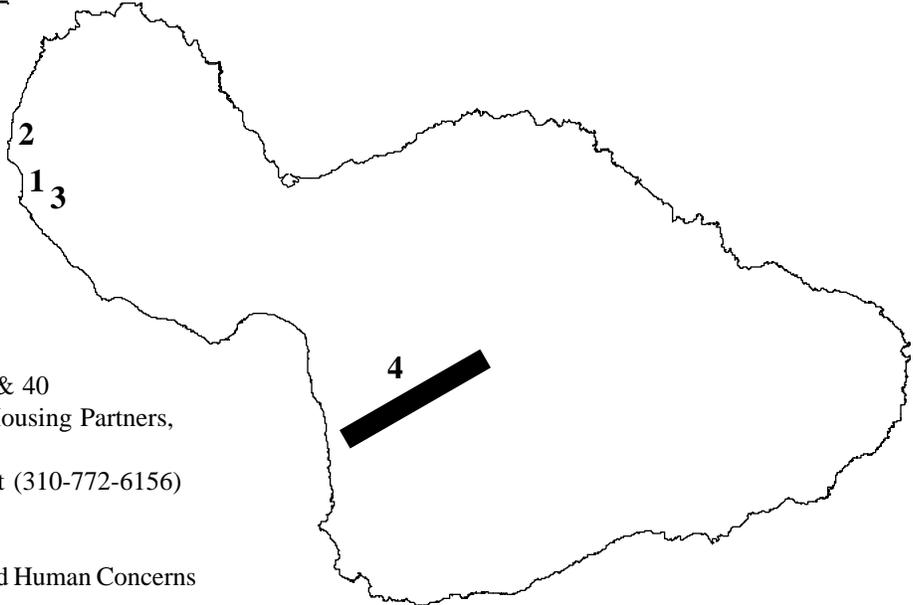
Approving Agency/Accepting Authority: County of Maui
Department of Housing and Human Concerns
200 S. High Street
Wailuku, HI 96793
Contact: Edwin Okubo (270-7355)

Consultant: Chris Hart & Partners
Landscape Architecture and Planning
1955 Main Street, Suite 200
Wailuku HI 96793
Contact: Rory Frampton (242-1955)

Public Comment
Deadline: September 7, 1999
Status: DEA First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority, the consultant and OEQC.

Permits
Required: SMA; 201G-118, HRS

The project site is approximately 8.76 acres in size and is bounded by Front Street, Kenui Street, and Wainee Street in the northern section of Lahaina Town. The project site is a combination of six parcels with a total area and is currently vacant except for Parcel 14, which is occupied with a wood-frame structure which was formerly utilized as a preschool. This structure will be renovated and incorporated into the project as a learning/tele-medicine center. The project layout consists of a mixture of one and two story units with the number of units per building ranging from four to eight. Access will be via Kenui Street, about midway between Front Street and Wainee. A large portion of the site will be landscaped lawns which can be used for active or passive recreation. Three recreational areas will be provided, including two "tot lots". A covered parking stall will be available to



every unit (140 total covered stalls), a total of 210 parking stalls will be provided on-site. Fifty percent of the units will be available to families earning no more than fifty percent of the annual median gross income (AMGI) for the County of Maui as established by the State and Federal governments through the Low Income Housing Tax Credit Program. The remaining fifty percent will be available to families or individuals earning no more than 60 percent of AMGI. The project site is designated for Multi-Family use by the West Maui Community Plan, the majority of the project site is zoned Apartment.

Final Environmental Assessments/Findings of No Significant Impacts (FONSI)



(2) Kaanapali Beach Hotel Restaurant/Canoe Hale

District: Lahaina
TMK: 4-4-8:03

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Applicant: Kaanapali Beach Hotel
2525 Kaanapali Parkway
Lahaina, Hawaii 96761
Contact: Michael B. White (808) 667-0211

Approving Agency/Accepting

Authority: County of Maui
Maui Planning Commission
250 South High Street
Wailuku, Hawaii 96793
Contact: Ann Cua (808) 270-7735

Consultant: Chris Hart & Partners
Landscape Architecture and Planning
1955 Main Street, Suite 200
Wailuku HI 96793
Contact: Rory Frampton (808) 242-1955

Public Challenge

Deadline: September 7, 1999
Status: FEA/FONSI issued, project may proceed.
Permits Required: SMA amendment, building, shoreline setback variance

Ka'anapali Beach Hotel is requesting a Shoreline Area Variance and an amendment to a previously issued Special Management Area (SMA) Permit (90/SM1-040) in order to locate a restaurant/canoe facility partially within the 150 ft. shoreline setback area. FONSI determinations were made for the project in 1990 and 1998, and the new location is not expected to change the addressed impacts to the natural environment or infrastructure. Temporary, construction related impacts to noise and air quality will be mitigated by restricting construction activities to standard business hours, and through adherence to the Department of Health's rules and regulations.

The location of the proposed facility has been based on a historical analysis of shoreline erosion/accretion rates. While the beach in front of the facility has tended to accrete over the last fifty years, a conservative approach was taken in situating the proposed restaurant well behind the most extreme shoreline retreat, which occurred in 1949. However unlikely, in the case of an unprecedented erosion event, impacts will be minimized and mitigated by the facilities coastal-sensitive substructure. The Restaurant/Canoe Hale's foundation will rest on piers, allowing it to withstand wave action while not causing adverse impacts to beach processes. Likewise, walkways servicing the facility will be made up of movable sections that can be relocated under threat of wave action.



(3) Wainee Office Building

District: Lahaina
TMK: 4-5-07:04
Applicant: Finance Realty, Ltd.
1164 Bishop Street, Suite 1100
Honolulu, Hawaii 96813
Contact: Howard Murai (548-5175)

Approving Agency/Accepting

Authority: County of Maui, Department of Planning
250 South High Street
Wailuku, Hawaii 96793
Contact: Joe Alueta (270-7735)

Consultant: Munekiyo, Arakawa & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793
Contact: Michael Munekiyo (244-2015)

Public Challenge

Deadline: September 7, 1999
Status: FEA/FONSI issued, project may proceed.
Permits Required: Building, driveway, electrical, plumbing, and SMA use permits

Finance Realty, Ltd. proposes the development of an office building in Lahaina, Maui, Hawaii. The subject property includes 18,638 square feet and is cleared except for some mango trees, grass, and weeds. The project site is bordered by Honoapiilani Highway to the east, Wainee Street to the west, the Piilani Elderly Housing project to the north, and the Longhi Building to the south. Access to the site is via Wainee Street, a two-lane County roadway.

The subject property is situated within the State "Urban" district and is designated "Business/Commercial" and "Open Space" by the West Maui Community Plan. To establish the appropriate zoning for the proposed office building, the applicant is requesting a Change in Zoning from the "A-1, Apartment" district to the "B-2, Community Business" district.

The proposed office building will be located within the commercial district of Lahaina and is in consonance with existing business/commercial uses in the area. Conceptually, the proposed office building will be a two-story structure with up to 10,000 square feet of floor area and include professional and financial services as tenants. About 23 parking stalls will be provided as well as landscaping of the site's open and parking areas.

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Construction of the project will commence upon the receipt of applicable regulatory permits and approvals. Pursuant to Chapter 343, HRS, an Environmental Assessment has been prepared since the subject property is within the boundaries of the Lahaina National Historic Landmark.

Draft Environmental Impact Statements



(4) Kihei-Upcountry Maui Highway

District: Makawao
TMK: 2-2-2:1, 3, 4, 15, 16, 17, 54, 114; 2-3-2:7, 8, 16, 17, 18, 75, 113;; 2-3-7:8; 2-3-8:3, 4, 5, 28; 2-3-9:15, 28, 29, 30, 31, 32; 2-3-11:1; 2-3-32:16; 2-5-1:1, 2, 3, 9; 2-5-2:1, 2, 5; 3-9-1:16

Applicants: Department of Transportation Highways Division
869 Punchbowl Street
Honolulu, Hawaii 96813
Contact: Kenneth Au (587-1843)
and
U.S. Department of Transportation
Federal Highways Administration
300 Ala Moana Boulevard
Honolulu, Hawaii 96850
Contact: Abraham Wong (541-2700)

Approving Agency/Accepting

Authority: Governor, State of Hawaii
c/o Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu, Hawaii 96813

Consultant: Warren Unemori Engineering, Inc.
2145 Wells Street, Suite 403
Wailuku, Hawaii 96793
Contact: Warren Unemori (242-4403)

Public Comment

Deadline: September 22, 1999
Status: DEIS First Notice pending public comment. Address comments to the applicants with copies to the approving agency or accepting authority, the consultant and OEQC.

Permits Required: Sec. 404; NPDES; WQC; CZM consistency; grading, grubbing, stockpiling & excavation; excavation of highway

The State of Hawaii Department of Transportation and Federal Highway Administration are issuing a Draft Environmental Impact Statement for the Kihei-Upcountry Maui Highway project. This proposed two-lane limited access highway would directly link Kihei-Makena and Upcountry Maui by connecting Piilani Highway with either Haleakala Highway or Kula Highway.

The alternatives under consideration are all eight combinations of two Kihei and four Upcountry terminus options. The Kihei termini are named K1 and K2, and are located at the Piilani Highway / Kaonoulu Street intersection and the Piilani Highway / Ke Alii Alanui Street intersection, respectively. The Upcountry termini are named U1, U2-A, U2-B and U3, and are located at the Haleakala Highway / Haliimaile Road intersection, at the Haleakala Highway / Pukalani Bypass / Kula Highway ("Five Trees") intersection, on Kula Highway almost a half-a-mile south of the Five Trees intersection, and on Kula Highway just south of Pulehu Gulch, respectively. The names of the alternatives correspond to the terminus names. For example, the alignment from the Five Trees intersection to the Piilani Highway / Kaonoulu Street intersection is called Alternative U2-A,K1.

The project would facilitate transportation between Kihei and Upcountry, thereby addressing growth in regional transportation demand, economic development trends, and coastal evacuation deficiencies. In addition, there is federal interest in the project because it would facilitate transportation between defense-related research activities at Science City atop Haleakala Crater and the Maui Research and Technology Park in Kihei. The project would have both adverse and beneficial impacts. Potential impacts include substantial travel time savings, loss of open space, interference with agricultural activities, changes in transportation patterns, and savings in energy consumption. The nature of the impact varies with the alignment alternative.

To ensure that the full range of issues related to this proposed project are addressed and all significant issues are identified, comments and suggestions are invited from all interested parties.



Draft Environmental Assessments



(1) Kulani Correctional Facility Water System Improvements

District: South Hilo
TMK: 2-4-8:09
Applicant: Department of Accounting and General Services
1151 Punchbowl Street
Honolulu, Hawaii 96813
Contact: David Chung (586-0464)

Approving Agency/Accepting

Authority: Same as above.

Consultant: Fujita & Associates, Inc.
765 Amana Street, Suite 201
Honolulu, Hawaii 96814
Contact: Edwin Maruyama (944-9633)

Public Comment

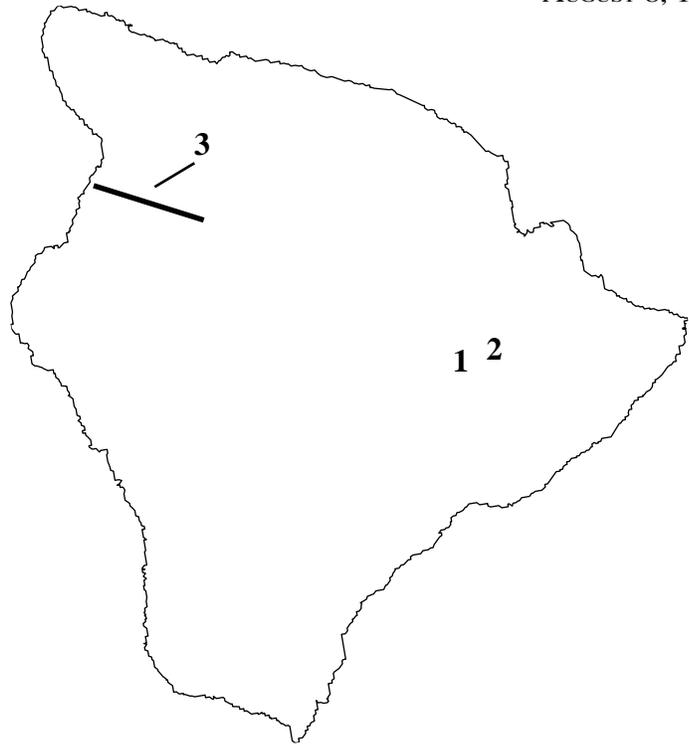
Deadline: September 7, 1999
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

Permits

Required: CDUP

The State of Hawaii, Department of Public Safety operates the Kulani Correctional Facility (KCF), a low security facility, which is located on the windward slopes of Mauna Loa on the island of Hawaii. KCF is located in the South Hilo District approximately 20 miles from Hilo where South Hilo meets the Puna and Kau Districts. The project site is located within State Conservation land in the General subzone.

KCF is situated within the Upper Waiakea Forest Reserve at an elevation close to 5,180 feet above mean sea level. Because of its remote location, KCF is not serviced by the County of Hawaii's Department of Water Supply. Instead, KCF relies on diversion and catchment systems for its water supply.



In 1991, a report was completed by Barrett Consulting Group to study and analyze the existing water system and to recommend improvements to accommodate future needs. One of the recommended improvements included a new 500,000-gallon glass coated steel reservoir.

In accordance with Barrett's report, the Department of Public Safety through the Department of Accounting and General Services is proposing to construct a new 600,000-gallon steel reservoir and needed appurtenances. In addition, a "Hypalon" cover will be installed over the existing open reservoir. No improvements to the treatment plant or to the main transmission system are proposed.

The new 600,000-gallon reservoir will be located near an existing 300,000-gallon reservoir. Together, they will yield a total finished water storage capacity of approximately 0.9 million gallons (mg). The increase in storage capacity should decrease the amount of water hauled to the facility and will also increase reliability of service during a fire. The new "Hypalon" cover will also help to provide additional water by decreasing evaporation. In addition, the cover will help to keep unwanted animals and particulates from getting into the raw water reservoir.

Hawaii Notices

AUGUST 8, 1999

Final Environmental Assessments/Findings of No Significant Impacts (FONSI)



(2) Waiakea Timber Management Area Commercial Harvesting & Reforestation

District: South Hilo
TMK: 1-8-12-3; 2-4-8-1; 2-4-8-10; 2-4-8-22
Applicant: Department of Land and Natural Resources
Division of Forestry and Wildlife
P.O. Box 4849
Hilo, Hawaii 96720
Contact: Jon Giffin (974-4221)

Approving Agency/Accepting

Authority: Same as above.

Public Challenge

Deadline: September 7, 1999

Status: FEA/FONSI issued, project may proceed.

Permits

Required: CDUP

The Division of Forestry and Wildlife proposes to harvest timber and non-timber forest products from approximately 12,000 acres within the Waiakea Timber Management Area, and to subsequently reforest the harvested areas.

The State's goal is to assist in the creation of a sustainable forest industry that enhances the productivity and health of Hawaii's forests, restores and protects the forest environment, creates value and jobs through local processing from each tree harvested, and strengthen forest communities. With the downsizing of the sugar industry, Hawaii has a unique window of opportunity to create commercial forests that are environmentally sustainable and economically profitable for the potential investor, small and large landowners, and the people of Hawaii.

The Division will require that all forest management activities comply with the measures listed in the State's Best Management Practices for Maintaining Water Quality in Hawaii for activities such as pre-harvest planning, road improvement and maintenance, timber harvesting, site preparation and regeneration, fire management, and use of fuels and chemicals. Implementation of the BMP insures that

environmental safeguards are utilized, such as effective soil erosion control practices, safe use and storage of chemicals, and visual buffers along major transportation corridors.

Within the WTMA, native forest stands will be accessible for traditional gathering of forest resources, research, hunting, and recreation. Commercial timber management activities will not be conducted in those areas containing 50 percent or more native forest cover.

The reforestation project was initiated about 35 years ago for the purpose of producing high quality hardwood timber species. Now that there are merchantable trees that can be harvested and made into high value wood products, this forest should be managed for timber resources as well as for all the other forest resources and uses that can provide public use, benefits, and enjoyment (e.g., research, education, recreation, and economic development).

Environmental Impact Statement Preparation Notices



(3) Saddle Road Extension

District: South Kohala/North Kona
TMK: 6-8-1 through 31
Applicant: Department of Transportation
Highways Division
869 Punchbowl Street
Honolulu, Hawaii 96813
Contact: Nelson Sagum (587-1834)

Approving Agency/Accepting

Authority: Same as above.

Consultant: DMT Consultant Engineers
73-5574 Maiiau Street, Bay 6B
Kailua-Kona, HI 96740
Contact: Jay Uyeda (329-1221)

Public Comment

Deadline: September 7, 1999

Status: EISPN First Notice pending public comment. Address comments to the applicant with copies to the consultant and OEQC. CZM consistency determination, Sec. 106 of Nat. Historic Preservation Act; U.S. Army for dredge & fill, NPDES, UIC, stream channel alteration, Sec. 401 WQC, county plan approval, grading, subdivision.

Permits

Required:

Hawaii Notices

AUGUST 8, 1999

The State Department of Transportation in consultation with the Federal Highway Administration proposes to construct an arterial connector, which will extend from Mamalahoa Highway, in the vicinity of the proposed re-aligned Saddle Road, to the Queen Ka'ahumanu Highway. The purposes of the proposed project are: 1) to improve the efficiency and operational level of traffic movement between East and West Hawai'i, particularly for traffic on the re-aligned Saddle Road; 2) to improve safety; and 3) to support the special needs of commercial and military traffic.

The project is located in the Waikoloa area and includes both developed and undeveloped lands. The EIS will discuss alternatives and evaluate impacts on native flora and fauna, geological features including streams, archaeological sites, traditional cultural uses, regional traffic, land use, socioeconomics, and other environmental variables. Scoping meetings will take place during the EISPN comment period.



Kauai Notices

Draft Environmental Assessments

(1) Kokee Exploratory Well No. 0739-03 Development

District: Waimea
TMK: 1-4-01:13
Applicant: Department of Land and Natural Resources
1151 Punchbowl Street, Room 221
Honolulu, Hawaii 96813
Contact: Hiram Young (587-0260)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: September 7, 1999

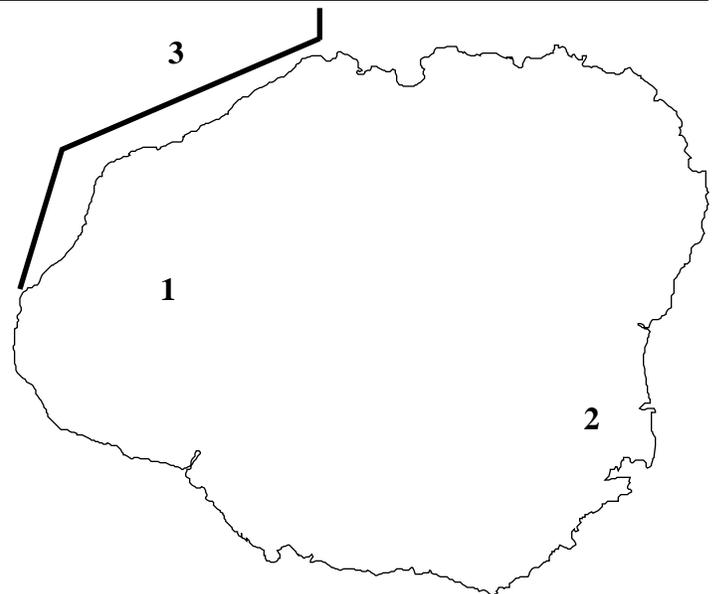
Status: DEA First Notice pending public comment.
Address comments to the applicant with a copy to OEQC.

Permits

Required: NPDES, building

The Department of Land and Natural Resources (DLNR), Division of State Parks is proposing to develop the existing Kokee Exploratory Well No. 0739-03 as a potable water source for Kokee State Park.

The proposed project involves the installation of a forty gallon per minute submersible pump, pump controls, connecting three inch pipeline, chlorination system and related electrical work.



Final Environmental Assessments/Finding of No Significant Impacts (FONSI)

(2) Lihue and Hanamaulu Water Development Projects, Phase III

District: Lihue
TMK: 3-8-02:por. 2

Kauai Notices

AUGUST 8, 1999

Applicants: County of Kauai Housing Agency
4193 Hardy Street
Lihue, Hawaii 96766
Contact: Dennis Alkire (241-6814)
and
County of Kauai
Department of Water
P.O. Box 1706
Lihue, Hawaii 96766
Contact: Keith Fujimoto (245-5449)

Approving Agency/Accepting

Authority: Same as above.

Consultant: Fukunaga & Associates, Inc.
1388 Kapiolani Boulevard, 2nd Floor
Honolulu, Hawaii 96814
Contact: Lynn Katahara (944-1821)

Public Challenge

Deadline: September 7, 1999

Status: FEA/FONSI issued, project may proceed.

Permits

Required: Pump installation permit, NPDES

The County of Kauai Housing Agency and the Department of Water propose to develop two existing potable water wells, Pukaki Well and Hanamaulu Well No. 3; construct a 100,000 gallon control tank, control valve station and appurtenances; and drill, case, test and develop Hanamaulu Well No. 4. The improvements are proposed to supplement the Lihue Water System. Growth and expansion of the Lihue service area have generated potable water demands that surpassed the capacities of the existing sources. Additionally, existing pumpage has been reduced by more than 20 percent because of the large demands and dropping well water levels. The well sites and proposed control tank and control valve station sites are situated on Lihue Plantation Company lands located approximately 3 miles northwest of Lihue, and are currently used for sugar cane cultivation.

Development of each of the wells would involve the installation of a line shaft vertical turbine water lubricated deep well pump; construction of a pump control building, pump controls and appurtenances, chlorination facilities, and electrical work at the well sites. The control tank would control the operation of the three wells. The control valve station would consist of above ground piping, valves, and appurtenances; and would control flow out of the control tank.

Environmental Impact Statement Preparation Notices (EISPN)



(3) Kauai Acoustic Thermometry of Ocean Climate (ATOC), Phase 2

District: Offshore

TMK: N/A

Applicant: University of California San Diego
Scripps Institution of Oceanography
IGPP-0225, 9500 Gilman Drive
La Jolla, California 92093
Contact: Dr. Peter Worcester (858-534-8031)

Approving Agency/Accepting

Authority: Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809
Contact: Tom Eisen (587-0439)

Public Comment

Deadline: September 22, 1999

Status: EISPN First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority and OEQC.

Permits

Required: CDUA

Scripps Institution of Oceanography proposes to retain in place and reuse the power cable and sound source installed by the Acoustic Thermometry of Ocean Climate (ATOC) Project under CDUP KA-2734 for an additional five years. The source is located on the seafloor at a depth of 807 meters (2648 ft), approximately 8 nautical miles (14.8 km) north of Kauai at 22° 20.94' N, 159° 34.18' W.

The results of the first phase of the ATOC Project demonstrate that average ocean temperatures can be measured much more accurately than originally anticipated. The ATOC Hawaii Marine Mammal Research Program (MMRP) has not found evidence that sound source transmissions affected the abundance, distribution, or singing behavior of humpback whales in the vicinity. The MMRP also found that humpback behavior showed no strong responses to the transmissions; however, the distance and time between

successive whale surfacings increased slightly with increasing sound levels. These detected effects were found after intensive statistical analysis, and MMRP investigators concluded that these effects would not adversely impact the survival of an individual whale or the status of the North Pacific humpback whale population.

Based on these positive results, Scripps is proposing to continue operations for an additional five years using roughly the same source signal and transmission schedule to conduct the second phase of the research. The long-range goals are to use these data to study seasonal and interannual variability associated with a variety of oceanographic phenomena, such as El Nino/La Nina and the Pacific Decadal Oscillation (PDO), and to test and refine climate models in order to gain a better understanding of the Earth's changing climate.

Previously Published Projects Pending Public Comments

Environmental Impact Statement Preparation Notices

● Kapalawai Resort

Applicant: Destination Villages Kauai, LLC
4439 Via Abrigada
Santa Barbara, CA 93110
Contact: Lewis Geyser (805-687-8788)

Approving Agency/Accepting

Authority: County of Kauai, Planning Department
4444 Rice Street, Suite 473
Lihue, Hawaii 96766
Contact: Keith Nitta (241-6677)

Public Comment

Deadline: August 23, 1999

ATTENTION OEQC GUIDEBOOK USERS

If you plan to make a submission to OEQC, please note: *the City & County of Honolulu has recently reorganized and some of the agency names and functions have changed.* Some agencies were merged, others dissolved. Check the list below and make corrections to the document distribution list in your guidebook. The Mayor's Office of Information (523-4385) can supply correct addresses, phone numbers and current directors names.

Former Name

New Name

Board of Water Supply	No change
Building Department	Department of Design and Construction
Department of Community & Social Resources	Department of Community Services
Department of Housing & Community Development	Dissolved
Department of Land Utilization	Department of Planning & Permitting
Department of Parks & Recreation	Department of Parks & Recreation Services
Department of Personnel	Department of Human Resources
Planning Department	Department of Planning & Permitting
Department of Public Works	Department of Facility Maintenance
Department of Transportation Services	No change
Department of Wastewater Management	Department of Environmental Services
Honolulu Police Department	No change
Honolulu Fire Department	No change

Shoreline Notices

AUGUST 8, 1999

Shoreline Certification Applications

Pursuant to § 13 -222-12, HAR the following shoreline certification applications are available for inspection at the DLNR District Land Offices on Kauai, Hawaii and Maui and at Room 220, 1151 Punchbowl St., Honolulu, Oahu (Tel: 587-0414). All comments shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, HI 96813 and postmarked no later than fifteen (15) calendar days from the date of the public notice of the application.

Case No.	Date Received	Location	Applicant	Tax Map Key
OA-311	07/21/99	Land Are "L-2" as shown on Condo Map Number 2568 being a Por of RP Grant 340 to Palekalahu, Kuikekala, Paakai and Huewaa, Mokuleia, Waialua, Oahu (68-751 Crozier Drive)	ParEn, Inc. dba Park Engineering for Joseph Ganahl & Joseph Ganahl, Jr.	6-8-06:Por.03
OA-724	07/19/99	Lot 63 Pupukea-Paumalu Beach Lots, File Plan 256, Paumalu, Koolauloa, Oahu (209D Ke Nui Road)	Wesley Tengan for Hatsumi Maertz	5-9-02:67
OA-725	07/28/99	Lot 134-D, Ld Ct App 323, Kailua, Koolaupoko, Oahu (23 Wilikoki Place)	Dr. M. Pierre Pang for Dr. M. Pierre Pang	4-3-19:49
OA-726	07/09/99	U.S. Naval Reservation (Fort Weaver), Por of RP 6971, LCAW 11216, Ap 8 & 9, to M. Kekauonohi, Puuloa, Ewa, Oahu (Fort Weaver, Ewa, Oahu)	U.S. Marine Corps for U.S. Marine Corps	9-1-01:Por.01
KA-075	07/16/99	Lot 7, Waipouli Beach Lots, Por of RP 7373, LCAW 8559-B, Ap 42 to William Lunalilo, Kapaa, Kauai (960 Niulani Street)	Caires Land Surveying for Regal Capital Corporation	4-3-09:03
HA-027	07/19/99	Lot 1, Por of RP 3736, LCAW 10,642 Ap 1 to Puhii & RP 4033, LCAW 2376, Ap 2 to Keauikalima, Kapalaalaea 1st, North Kona, Hawaii (77-6566 Alii Drive)	Wes Thomas Associates for Richard & Loraine Tozer	7-7-10:11

Shoreline Certifications and Rejections

Pursuant to §13-222-26, HAR the following shorelines have been certified or rejected by the DLNR. A person may appeal a certification or rejection to the BLNR, 1151 Punchbowl Street, Room 220, Honolulu, HI 96813, by requesting in writing a contested case hearing no later than twenty (20) calendar days from the date of public notice of certification or rejection.

Case No.	Date Cert/Rej	Location	Applicant	Tax Map Key
OA-715	Certified 07/28/99	Lots 1 & 54-F, Ld Ct App 1002, Kaneohe, Koolaupoko, Oahu (45-002 Lilipuna Road)	Imata & Associates, Inc. for Sevath Tanaka	4-5-01:39
OA-717	Certified 07/28/99	Farrington Highway to Ala Hema Street Project No. 93A-07-98, Lualualei, Waianae, Oahu (Maili Beach Park, Farrington Highway, Waianae)	Department of Transportation for C&C of Honolulu, Dept of Parks & Recreation	8-7-16:02
OA-723	Certified 07/28/99	Lot 2512 (Map 235) and Lot 10388 (Map 793), Ld Ct App 1069, Honouliuli, Ewa, Oahu (91-150 Kaomi Loop)	ControlPoint Surveying, Inc. for Estate of James Campbell	9-1-26:17& 51

Pollution Control Permits

AUGUST 8, 1999

Department of Health Permits

The following is a list of some pollution control permits currently being reviewed by the State Department of Health. For more information about any of the listed permits, please contact the appropriate branch or office of the Environmental Management Division at 919 Ala Moana Boulevard, Honolulu.

Branch & Permit Type	Applicant & Permit Number	Project Location	Pertinent Dates	Proposed Use
Clean Air Branch, 586-4200, Noncovered Source Permit	Puna Geothermal Venture NSP No. 0008-02-N	Located at 14-3860 Kapoho-Pahoa, Pahoa, Hawaii	Issued: July 14, 1999	35 MW (Nominal) Geothermal Power Plant, Wellfield, and Geothermal Exploratory/Developmental Wells
CAB, 586-4200, Noncovered Source Permit	Mililani Group, Inc. NSP 0014-01-N	Located at 94-560 Kamehameha Highway, Waipio, Oahu	Issued: July 14, 1999	Two (2) 100 lbs/hr Crematory Units
CAB, 586-4200, Noncovered Source Permit	American Linen NSP No. 0024-03-N (Renewal)	Located at 2771 Wai Wai Loop, Honolulu, Oahu	Issued: July 14, 1999	One (1) 400 HP Boiler and Three (3) 250 HP Boilers
CAB, 586-4200, Noncovered Source Permit	A & P Cleaners NSP No. 0375-01-N	Located at 179-C Sand Island Access Road, Honolulu, Oahu	Issued: July 14, 1999	One (1) 200 HP Boiler and Various Petroleum Dry Cleaning Equipment
CAB, 586-4200, Temporary Noncovered Source Permit	Hawaiian Dredging Construction Company Temporary NSP No. 0448-01-NT	Located at Various Temporary Sites, State of Hawaii Initial Location: Halawa Flats, Honolulu, Oahu	Issued: July 14, 1999	225 TPH Portable Screener
CAB, 586-4200, Covered Source Permit	Ball Metal Beverage Container Corporation CSP No. 0074-01-C	Located at 91-320 Komohana Street, Kapolei, Oahu	Issued: July 14, 1999	Two-Piece Aluminum Can Production Plant
CAB, 586-4200, Covered Source Permit	AES Hawaii, Inc. CSP No. 0087-02-C (Permit Amendment)	Located at 91-086 Kaomi Loop, CIP, Kapolei, Oahu	Issued: July 9, 1999	180 MW Coal-Fired Cogeneration Plant
CAB, 586-4200, Covered Source Permit	Aloha Petroleum, Ltd. CSP No. 0307-02-C	Located at Hilo Sales Terminal, 999 Kalaniana'ole Avenue, Hilo, Hawaii	Issued: July 14, 1999	Two (2) 10,000 bbl Internal Floating Roof Storage Tanks, Nos. HT-901 and HT-902
CAB, 586-4200, Covered Source Permit	Jas. W. Glover, Ltd. CSP No. 0010-01-C/CT	Located at 890 Leilani Street, Hilo, Hawaii	Issued: July 28, 1999	Two Asphalt Concrete Plants and Two Stone Processing Plants

Pollution Control Permits

AUGUST 8, 1999

Department of Health Permits (continued)

Branch & Permit Type	Applicant & Permit Number	Project Location	Pertinent Dates	Proposed Use
Solid and Hazardous Waste Branch, 586-4226, Solid Waste Permit	Stay & Sons, Inc.	Haseko-Ewa Marina, Ft. Weaver Road	Date Received: 7/20/99	Greenwaste Composting
SHWB, 586-4226, Solid Waste Permit	Mid Pacific Environmental, Inc.	281 Amala Place, Kahului, Maui	Date Received: 7/23/99	Petroleum Contaminated Soils Remediation facility
SHWB, 586-4226, Solid Waste Permit	Hawaii Bio-Friendly	P.O. Box 811 Honokaa, Hawaii	Date Received: 7/26/99	Used Oil Transporter
SHWB, 586-4226, Solid Waste Permit	Ekahi Environmental Service/Biocare	1009 Puuwai St., Honolulu	Date Received: 7/27/99	Wastewater (grease trap and septic waste) processing
Clean Water Branch, 586-4309, NPDES & ZOM	Honolulu Dept. of Environmental Services	Waianae Wastewater Treatment Plant	Comments Due: August 25, 1999	Discharge secondary treated domestic wastewater and storm water to the ocean



Interim Rule on Noxious Weeds

Noxious weeds affect both crops and native plant species in the same way -- by out-competing for light, water and soil nutrients. Noxious weeds also grow in aquatic habitats and may clog waterways and block irrigation and drainage canals. Infestations of noxious weeds can have a potentially disastrous impact on biodiversity and natural ecosystems, as evidenced by the case of the Mediterranean clone of *Caulerpa taxifolia*, a federally listed aquatic noxious weed. The clone was introduced into the Mediterranean in 1984 and has since spread along the French and Italian coasts, covering 10,000 acres of coastal sea floor and crowding out many native sea biota such as corals. The Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture has amended its noxious weed regulations to clearly state that a permit is required for the movement of noxious weeds interstate, as well as into or through the United States. The current regulations provide for the issuance of permits for movements into or through the United States, but do not explicitly address interstate movements. This action is necessary to help prevent the artificial spread of noxious weeds into noninfested areas of the United States. This interim rule is effective **JULY 29, 1999**. APHIS welcomes public comment; it will consider all comments received by **SEPTEMBER 27, 1999**. Send your comment (stating that your comments refer to Docket No. 98-098-1) and three copies to: Docket No. 98-091-1, Regulatory Analysis and Development, PPD, APHIS, Suite 3C03, 4700 River Road, Unit 118, Riverdale, MD 20737-1238 (see, 64 F.R. 41007, July 29, 1999).

Army Corps' Nationwide Permits Proposal

On December 13, 1996, the U.S. Army Corps of Engineers (ACOE) reissued Nationwide Permit (NWP) 26 for a period of two years. NWP 26 authorizes discharges of dredged or fill material into HEADWATERS (*non-tidal streams, lakes, and impoundments that are a part of a surface tributary system to interstate or navigable waters of the U.S. and are not adjacent to interstate or navigable waters*) and ISOLATED WATERS (*non-tidal waters of the U.S. that are not part of a surface tributary system to interstate or navigable waters of the U.S. and are not adjacent to interstate or navigable waters*) provided the discharge does not result in the loss of greater than 3 acres of waters of the United States or 500 linear feet of stream bed.

ACOE also announced its intention to replace NWP 26 with activity specific NWP's prior to the expiration date of NWP 26. **To improve protection of the aquatic environment, the U.S. Army Corps of Engineers (ACOE) is proposing to issue five new nationwide permits (NWPs) and modify six existing NWPs when they expire.** ACOE is also proposing to modify nine NWP general conditions, add three new general conditions, and at a more local level, develop regional conditions to the proposed new and modified NWP's. Concurrent with the *Federal Register* notice, each Corps district will issue a public notice to solicit comments on their final draft regional conditions for the proposed new and modified NWPs (see <http://www.pod.usace.army.mil/news/newsrel.html> for current draft regional conditions for the Honolulu District, which may change in response to public comment). For further information, call David Olson or Sam Collinson at (202) 761-0199 or access ACOE's Regulatory Home Page at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg/>. Written comments must be sent to HQUSACE, ATTN: CECW-OR, 20 Massachusetts Avenue, NW, Washington, DC 20314-1000. Electronic comments must be sent to cecwor@hq02.usace.army.mil. All comments must be received by **SEPTEMBER 7, 1999**. (see 64 F.R. 39252, July 21, 1999, for specific details).

Midway Atoll National Wildlife Refuge Historic Preservation Plan

The U.S. Fish and Wildlife Service (FWS) has issued the Midway Atoll National Wildlife Refuge Historic Preservation Plan as part of its responsibilities for the long-term management of historic properties on the atoll. This plan defines a program to integrate historic preservation planning with the wildlife conservation mission of the FWS. Midway's historically important buildings and structures are primarily associated with World War II. Nine structures specifically associated with the June 1942 Battle of Midway were designated as National Historic Landmarks in 1986. Archaeological and architectural studies conducted in 1993 and 1994 identified and evaluated buildings, structures and objects on the atoll's two main islands and determined that an additional 69 properties were eligible for listing on the National Register of Historic Places. Written requests for copies of the Plan should be addressed to the U.S. Fish and Wildlife Service, Pacific Islands Ecoregion, Box 50088, Honolulu, HI 96850. For more information, call Robert Smith in Honolulu at 541-2749 (see, 64 F.R. 38466, July 16, 1999).

Letters of Notice

AUGUST 8, 1999

OEQC prints "Letters of Notice" to encourage public participation in our EIS system. Your views are welcome. We may edit letters due to limited space. The opinions presented do not necessarily reflect those of OEQC.

The Hawaiian Hoary Bat and Commercial Harvesting of Forest Products in the Waiakea Timber Management Area

Below are printed excerpts from a May 10, 1999, comment letter by Ms. Theresa Menard of the Department of Zoology, University of Hawai'i (concerning the draft environmental assessment for Commercial Harvesting of Forest Products and Subsequent Reforestation of Waiakea Timber Management Area) and excerpts from the June 29, 1999, response by Mr. Jon Giffin of the Division of Forestry and Wildlife, Department of Land and Natural Resources. Citations have been omitted; copies of the original letters are available for review at OEQC.

MS. MENARD:

As you know, I am studying the endangered Hawaiian hoary bat for my thesis research project at the University of Hawaii. Before entering graduate school at UH, I was the Associate Biologist for the Nature Conservancy of Hawaii. In this capacity, I maintained the Heritage Program's database on bat distribution and conducted surveys for bats on several Hawaiian islands (i.e. Maui, Kahoolawe, Oahu, and the Big Island). Presently the focus of my research is on seasonal patterns of habitat use by the bat on the island of Hawaii. Since 1996, I have spent several hundred person-hours observing bat activity along an elevational gradient (from sea level to 6,300 ft). In addition, I am familiar with nearly all the previously published literature on hoary bats in Hawaii, as well as in North and South America. Also, I have had the opportunity to examine the Hawaiian hoary bat specimen collections at the Bernice P. Bishop Museum (Honolulu) and the Smithsonian Institution's National Museum of Natural History (Washington DC).

I have reviewed the above mentioned draft environmental assessment, and based on my knowledge of hoary bats, I cannot concur with the agency's determination that "the project will not have a significant impact" on an endangered animal. Timber harvesting in a roost area is likely to disturb hoary bats because hoary bats roost in trees, not caves. Although tree-roosting bats generally have alternate roost

trees and roost areas to move between ... , during the breeding season (June and July) mother bats are quite site-faithful to an individual tree Mother hoary bats do not carry their young with them in flight as they forage, rather the young cling to one tree until they are capable of flight on their own at about 4 weeks of age Disturbance in the roost area during the breeding season could easily be fatal to both the mother and young. For example, if their roost tree is cut the pre-volant young could be crushed when the tree hits the ground. Although the mother bat will probably attempt to carry her young if they are disturbed at the roost, the move is risky because mother hoary bats have difficulty flying while carrying their young. She will most likely fall to the ground with her young still attached ... where they are all likely to die from exposure or predation.

Of course, the great mystery is whether or not the [Waiakea Timber Management Area (WTMA)] is a bat breeding site. Although ... the draft EA states (page 11) that "there are no records of bats breeding in the area", this is not surprising because obtaining data on this elusive animal is difficult. In fact, I know of only one instance in which a mother and her pups were found together (1 female captured with 2 young in June 1889 at an unknown elevation in Hilo; NMNH Specimen #98148). I strongly suspect that bats are indeed breeding in the [WTMA] because the site is forested and temperatures in the area are conducive to breeding (i.e. pups do not risk freezing to death as they would further upslope). Moreover, on the Big Island, bat pups are known from 1,800 feet (BPBM Specimen #161228) and lactating females are known from sites at 2,200 feet This elevational range is contained within the [WTMA]. In light of these facts, **I recommend that timber harvesting be suspended in the [WTMA] during the months of June and July so as not to interfere with the breeding season of the endangered Hawaiian hoary bat.**

With regard to the failure of [Division of Forestry and Wildlife (DOFAW)] biologists to detect bats in the [WTMA], this is not surprising given that the surveys were conducted in winter (Dec - Feb). At my low elevation study sites (that is sites ranging from sea level to 1,500 feet), the period of least activity is winter. No doubt, bats will be detected at [WTMA] in other seasons, especially fall.



Letters of Notice

AUGUST 8, 1999

One final comment, the draft EA states that “if any rare animal roosting trees are encountered a no-harvest zone (250 feet in radius) will be established around each site” (page 33). While this is well intentioned, the likelihood that a bat will be found at the roost is slim. I have never encountered a bat at the roost. Even when Jacobs and I radio-tracked a bat back to its roost tree, we were unable to locate it. These bats are tiny and cryptic. Waiting for a roost site to be discovered and then suspending operations in the area of the roost tree is not a practical approach to managing bat habitat, rather it is better to simply suspend harvesting during the months when the bats are at their most vulnerable (i.e. during the breeding season in June and July).

MR. GIFFIN

Thank you for your letter of May 10, 1999, received during the public comment phase for the subject project. We offer the following responses in the respective order of your comments:

1. There are no observations of roosting or breeding bats in the WTMA. We cannot assume that, because the WTMA is “forested and temperatures in the area are conducive to breeding,” that there are indeed breeding bats in the area. As you stated, “the great mystery is whether or not the WTMA is a bat breeding site.” The age and condition of the trees within the WTMA must be considered. Most trees in the eucalyptus planting are 14 years of age and in their second rotation, meaning that this is the second scheduled harvesting for this timber species within the WTMA. The Queensland maple planting will be managed by selection harvesting, meaning that the larger, dominant trees will not be harvested probably

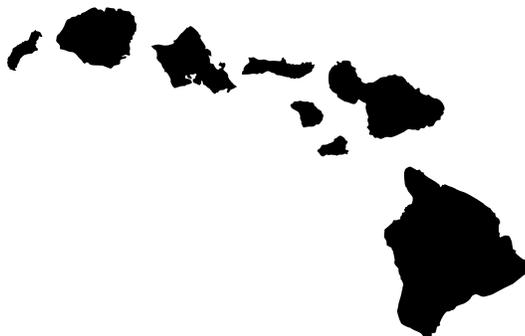
for another 15 to 20 years. The first priority of harvesting will be the smaller, poorly formed trees.

Bats have been observed in Hilo town proper, especially around streetlights where there are abundant insects for food. It is probable that bats also roost near these food sources.

Every precaution will be taken to avoid any impacts to the Hawaiian hoary bat from harvesting or other silvicultural activities within the WTMA. As stated in the draft EA, not all trees in an area will be harvested. Within a 40-acre patch cut, for instance, a number of trees will be left for wildlife and aesthetics. During harvesting, if a visual sighting determines that bats are probably breeding in the area, that particular 40-acre patch will not be cut. Visual surveys, together with sonar equipment testing at night, should increase the probability of detecting any bats that may be breeding in the area.

Also, the logging contractee and workers will be trained and educated about the Hawaiian hoary bat. If they see a bat fall to the ground, they must cease operations and call DOFAW immediately. The DOFAW Wildlife Biologists will provide appropriate services, including possibly moving and rearing the bat, and/or turning it over to an appropriate endangered species propagation program (such as the Peregrine Fund).

2. When and if bats are proven to breed in the WTMA, we agree that harvesting activities will cease during their breeding season (June and July). We will continue with visual and sonic detection during all seasons, especially in new prospective harvest areas.



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