

The Environmental Notice

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



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 Hawai'i's Environmental Review Process*
- *Environmental Impact Study Resource Library*
- *Environmental Council Annual Reports*
- *Rules and Policies*
- *"How to Plant a Native Hawaiian Garden"*

OEQC

235 SOUTH BERETANIA ST.
STATE OFFICE TOWER
SUITE 702
HONOLULU, HAWAII 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

NOVEMBER 8, 2000

Kaua'i/Ni'ihau Critical Habitat

The U.S. Fish and Wildlife Service (FWS) proposes to designate "critical habitat" on about 60,637 acres on the islands of Kaua'i and Ni'ihau for 76 threatened and endangered native plant species. "Critical habitat" refers to essential specific geographic areas for conserving threatened or endangered species and which may require special management; these areas need not be occupied by the species at the time of designation.

These areas are found in northwestern Kaua'i, with smaller units scattered in other parts of the island, and two small units in the northwestern corner of Ni'ihau island. The three largest contiguous areas (38,130 acres) are located on Kaua'i and include Alaka'i Wilderness Preserve, portions of Koke'e and Waimea Canyon State Parks, several state natural areas/forest reserves, and lands owned/leased by the Department of Defense.

This is the first of seven proposals in response to a court order that FWS publish proposed critical habitat designations or

nondesignations by April 30, 2002, for a total of 255 threatened or endangered plant species in the Hawaiian Islands. Public comments will be accepted until **DECEMBER 26, 2000**.

The Service is seeking public comments on its proposed rule, especially concerning: (1) reasons why habitat should or should not be designated as critical habitat; (2) species-specific data on plant locations, numbers and habitat they require; (3) whether or not current land management regime is adequate to protect plants from threats to their existence; (4) possible economic or other impacts resulting from the proposed designations; and (5) whether future conservation measures should trigger revision of proposed critical habitat.

Comments should be sent to Paul Henson, United States Fish and Wildlife Service, Box 50088, Honolulu, Hawaii 96850; they also may be sent to aandnicrithab_pr@fws.gov by e-mail. Requests for public hearings must be received by **DECEMBER 11, 2000**.

Improvements and Expansions to Hilo and Kawaihae Harbors

The Harbors Division of the state Department of Transportation is proposing to develop the 2 deep draft harbors at Hilo and Kawaihae. The Department has submitted an EIS preparation notice for a 20-year master plan for these two harbors. This plan was developed in collaboration with user groups of the maritime industry, including cargo carriers, commercial users (including passenger liners), recreational users, government agencies and community groups.

The plan is intended to meet projected use to 2020 and will be updated approxi-

mately every 5 years to retain flexibility. The harbors will be expanded and new infrastructure added. Activities include upgrading of terminals, construction of new terminals, dredging at both harbors and pier construction. At Hilo Harbor, the project will involve the demolition of homesites on state leased land near Hilo Harbor after the 2015 lease expiration date.

Pelekane Lands of Kawaihae Harbor, while located within harbor boundaries, will be excluded from development and will buffer the Pu'u Kohola National Historic Site. For more information see page 11 .

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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) Kaimuki Traffic Calming Project, Increment 1

District: Honolulu
TMK: 3-2-06
Applicant: City and County of Honolulu
Department of Transportation
Services
711 Kapiolani Boulevard, Suite 1200
Honolulu, Hawai'i 96813
Contact: Michael Oshiro (527-5031)

Approving Agency/Accepting

Authority: Same as above.
Consultant: Gray, Hong, Bills & Associates, Inc.
119 Merchant Street, Suite 607
Honolulu, Hawai'i 96813
Contact: David Bills (521-0306)

Public Comment

Deadline: December 8, 2000
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

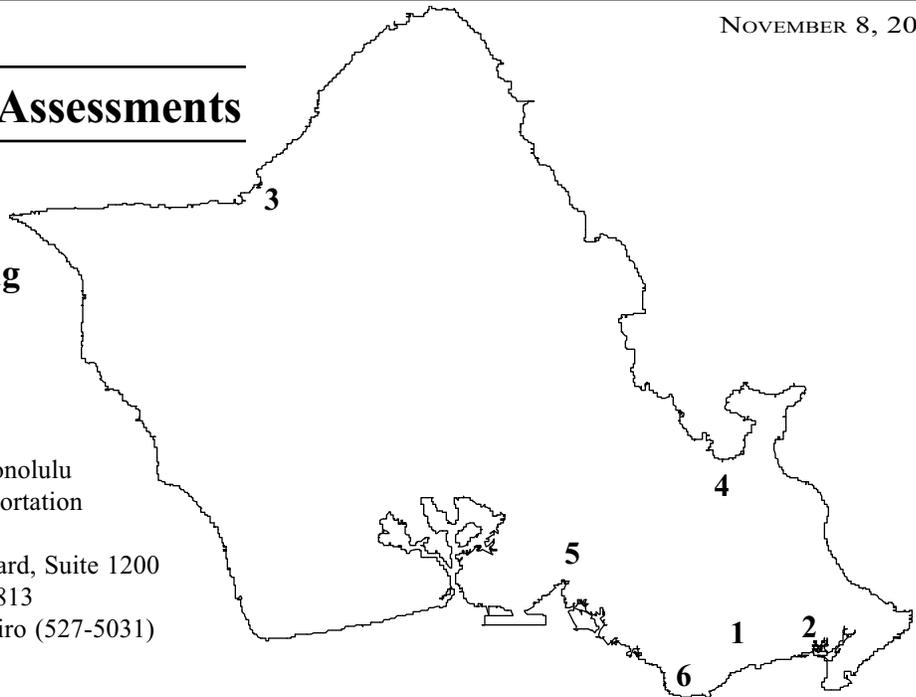
Permits

Required: ROW, trenching, drain connection

The Kaimuki Traffic Calming Project - Increment 1 (Wai'alaie Avenue between Koko Head Avenue and Sierra Drive) proposes to reconfigure the existing Wai'alaie Avenue 80-foot wide right-of-way to make street crossings safer and improve the streetscape with wider sidewalks and landscaping enhancements. The expected results will primarily improve pedestrian accessibility and secondarily provide a stimulus to the area's economic vitality.

Specific modifications include widening sidewalks by 2 feet and creating curbed parallel parking bays. These features will reduce the curb-to-curb street crossing distance from 64 feet to 44 feet, while still maintaining two lanes of traffic in each direction. In addition, the sidewalks will be architecturally treated and planters as well as street furniture will be interspersed in the streetscape.

The project is proposed for an existing City street and no infrastructure impacts (water, sewer, drainage, electric, cable



or telephone) are anticipated with the exception of short-term construction-related effects.

However, the curbing of parallel parking stalls will eliminate the possibility of utilizing the westbound parking stall lane of Wai'alaie Avenue as an additional traffic lane during the A.M. peak traffic period. In addition, the curbing of parallel parking bays will not allow buses to pull curbside during bus stops. These factors are considered impacts.

No specific mitigation measures are proposed to offset the impacts. However, it has been identified that the peak and average traffic volumes, even with the loss of capacity, are within normally acceptable ranges. The only viable alternative to mitigate the impact on traffic is to not proceed with the project.



(2) Kuli'ou'ou Wastewater Pump Station Modification & Force Main Replacement

District: Honolulu
TMK: 3-08-04:003
Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street
Honolulu, Hawai'i 96813
Contact: Mr. Sung Ho Lai (527-5398)

Oahu Notices

NOVEMBER 8, 2000

Approving Agency/Accepting

Authority: Same as above.
Consultant: SSFM International, Inc.
501 Sumner Street, Suite 502
Honolulu, Hawai'i 96817
Contact: Ronald Sato (531-1308)

Public Comment

Deadline: December 8, 2000
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

Permits

Required: NPDES, Building, Grading & Trenching

The City and County of Honolulu, Department of Design and Construction is proposing the rehabilitation and improvement of the City's existing Kuli'ou'ou wastewater collection system (WWCS) along with improvements to the Kuli'ou'ou Wastewater Pump Station (WWPS). This municipal wastewater system presently services the Kuli'ou'ou community area.

The purpose of the project is to implement rehabilitation and other necessary improvements to the Kuli'ou'ou WWPS and WWCS to reduce the potential for future wastewater spills due to excessive amounts of inflow and rainfall infiltration from heavy rainfall.

The project will include implementing sewer rehabilitation improvements to the Kuli'ou'ou WWCS utilizing cured-in-place pipe, and constructing modifications to the Kuli'ou'ou WWPS. These sewer rehabilitation efforts will aim to reduce infiltration and inflow that enter the Kuli'ou'ou WWCS. Modifications to the Kuli'ou'ou WWPS are necessary to improve the emergency generator system and to correct inadequacies with the mechanical, electrical and ventilation systems in accordance with current City standards.

Upon completion of these improvements, flow monitoring would be performed to determine its effectiveness. If the system still shows excessive infiltration and inflows, or downstream constriction continues, an underground storage tank adjacent to the Kuli'ou'ou WWPS for the temporary storage of excess flows would be constructed.

Design of the wastewater collection system rehabilitation and pump station improvements is planned to begin in 2002. Construction should be completed by the end of 2005. If the flow monitoring program shows a need for the storage tank, appropriate measures would be initiated by the City to include funding for this in the Capital Improvements Program.

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



(3) Haleiwa Ali'i Beach Park Bathhouse

District: Waialua
TMK: 6-6-2: 1
Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street
Honolulu, Hawai'i 96813
Contact: Wesley Obata (527-6328)

Approving Agency/Accepting

Authority: City and County of Honolulu
Department of Planning and Permitting
650 South King Street, 7th Floor
Honolulu, Hawai'i 96813
Contact: Jeffrey Lee (527-6274)

Consultant:

Planning Solutions
1210 Auahi Street, Suite 221
Honolulu, Hawai'i 96814
Contact: Charles Morgan (593-1956)

Status:

FEA/FONSI issued, project may proceed.

Permits

Required: SMA

The Department of Design and Construction proposes to improve the existing southwestern side of Haleiwa Ali'i Beach Park by constructing a new 32 x 32-foot bathhouse, outdoor shower, and parking area.

The bathhouse will include, a minimum of two water closets for women and a water closet and urinal for men, and a storage area. Also, the facility will include a freestanding drinking fountain, a trash can post, a park sign, and security lighting.



(4) Kawai Nui Community Park Parking Lot and Landscape Improvements

District: Ko'olaupoko

TMK: 4-2-16: Por. 1 and Por. 8
Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street
Honolulu, Hawai'i 96813
Contact: Harold Mau (527-6330)

Approving Agency/Accepting

Authority: City and County of Honolulu
Department of Planning and Permitting
650 South King Street, 7th Floor
Honolulu, Hawai'i 96813
Contact: Jeffrey Lee (527-6274)

Consultant: Kimura International
1600 Kapi'olani Boulevard, #1610
Honolulu, Hawai'i 96814
Contact: Glenn Kimura (944-8848)

Status: FEA/FONSI issued, project may proceed.

Permits

Required: SMA

The Department of Design and Construction proposes to improve the existing Kawai Nui Community Park by replacing the existing gravel-based parking lot with a permanent asphalt concrete parking lot, and create a passive park at the adjoining triangular area that is currently unimproved.

The proposed project is located at the existing 4.4-acre Kawai Nui Community Park (Kaha Park) on the northern fringe of Kawai Nui Marsh and is accessible from Kaha Street. The new parking lot is approximately 0.4 acres and the passive park about 1.0 acre. Development of the passive park will increase the existing park by approximately 1.0 acre.

The parking lot will include 40 stalls, canopy trees, irrigation system, a concrete sidewalk, a lockable chain entry gate, a double bicycle storage rack, double drinking fountain, and a concrete pad for two portable toilets and trash container.

Landscape improvements to the adjacent triangular area will consist of a 4-foot wide meandering sidewalk, one picnic table, a park bench, large canopy shade trees, native accent trees, interpretive planting on the mauka and makai edges, and grassed open areas in the central portion of the triangular area. No lights will be provided in the parking lot or any area of the proposed improvements.



(5) Pu'uloa Road Improvements- Kamehameha Highway to Salt Lake Boulevard

District: 'Ewa
TMK: 1-1-10
Applicant: State Department of Transportaion
601 Kamokila Boulevard, Room 688
Kapolei, Hawai'i 96707
Contact: Casey Abe (692-7559)

Approving Agency/Accepting

Authority: U.S. Department of Transportaion
Federal Highway Administration
300 Ala Moana Boulevard, Box 50206
Honolulu, Hawai'i 96850
Contact: Abraham Wong (541-2700)

Consultant: Akinaka & Associates, Ltd.
250 North Beretania Street, Suite 300
Honolulu, Hawai'i 96813
Contact: Barry Muranaka (536-7721)

Status: FEA/FONSI issued, project may proceed.

Permits

Required: NPDES, ROW, noise, grading

The proposed project involves widening approximately 0.74 miles of Pu'uloa Road from Kamehameha Highway to Salt Lake Boulevard from a two-lane facility to a five-lane facility within the existing 120 foot wide right-of-way. The purpose of the proposed action is to complete that portion of the existing roadway to its planned function, as specified in the 2020 O'ahu Regional Transportaion Plan. Dedicated left turn lanes, bike lanes, sidewalks, street lighting, landscaping and an improved drainage system would also be provided.

Short term impacts to air, noise and traffic are expected during construction activities. In addition, the improved roadway is anticipated to increase traffic noise levels in the area for the long-term. As a result, noise mitigation measures will be implemented to sensitive receptor areas along Puuloa Road. In the long-term, the widened roadway would improve traffic flow and the aesthetic quality in the project area.

Oahu Notices

NOVEMBER 8, 2000

Final Environmental Impact Statements



(6) Diamond Head State Monument Master Plan Update

District: Honolulu
TMK: 3-1-42: 6, 8, 10, 14, 17, 21, 23, 24, 25, 37, and 38; 3-1-35: 23; 3-1-42: 11 (Cannon Club); 3-1-42: 20 por. (Board of Water Supply); 3-1-42: 15 and 16 (FAA)
Applicant: Department of Land and Natural Resources
P.O. Box 373
Honolulu, Hawai'i 96809
Contact: Andrew Monden (587-0230)
Approving Agency/Accepting Authority: Governor, State of Hawai'i
c/o Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu, Hawai'i 96813
Consultant: PBR Hawai'i
1001 Bishop St., Pacific Tower, Suite 650
Honolulu, Hawai'i, 96813
Contact: Vincent Shigekuni (521-5631)
Status: FEIS currently being reviewed by OEQC.
Permits Required: Dept. of Army, SMA, well construction, pump installation, water use, SCAP

Diamond Head, perhaps Hawai'i's most recognized landmark, is a popular recreational site for residents and visitors. The *Final Environmental Impact Statement for the Diamond Head State Monument Master Plan Update* details the environmental impacts of improvements proposed in the *Diamond Head State Monument Master Plan Update* (DHSM Master Plan Update).

In 1979, the Diamond Head State Monument (DHSM) Citizens Advisory Committee helped to produce the 1979 Planning Report (Master Plan) for the DHSM. The primary objective this plan was the establishment of a semi-wild interior park and development of an exterior park for family picnic outings. In 1997 the State Legislature funded an update to the 1979 Planning Report (Master Plan) for the Diamond Head State Monument.

The DHSM Master Plan Update is similar to the 1979 plan, as both plans include proposals for: entry into the interior of Diamond Head through Kapahulu Tunnel and exit

through Kahala Tunnel; a permanent visitor/interpretive facility; removal of specific federal and state buildings; improvements to the wetland; and proposed picnic areas.

New proposals in the DHSM Master Plan Update include: a long range plan to move visitor parking to outside of the crater and establish a motorized people mover system within the interior; controlling visitor access to sensitive areas (such as the crater rim); protecting the *Schideea adamantis* habitat and other native species habitat; and opening new trails and access to currently restricted (by military uses) areas.

The *Final Environmental Impact Statement for the Diamond Head State Monument Master Plan Update* concludes that few potential adverse impacts are expected to result from the implementation of the proposed DHSM Master Plan Update. Short term impacts will result from initial construction, which will require grading, trenching, and movement of construction vehicles on unpaved roads. These activities will generate noise and dust.

Long-term effects are expected to produce minimal impacts to the adjacent residential property owners, Kapi'olani Community College, or Kapi'olani Park. Positive impacts include extensive landscaping to restore the natural environment of the Crater; engineering, design, and construction measures to ensure adequate drainage and irrigation; construction of trails that have minimum visual and physical impact; and the management of endangered plant species to enhance and expand current populations and establish new populations.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

Ala Moana Wastewater Pump Station Modification

Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street, 11th Floor
Honolulu, Hawai'i 96813
Contact: Carl Arakaki (523-4671)

Approving Agency/Accepting Authority: City and County of Honolulu
Department of Planning and Permitting
650 South King Street, 7th Floor
Honolulu, Hawai'i 96813
Contact: Randall Fujiki (527-5374)

Public Comment

Deadline: November 22, 2000

Honolulu Desalination Study

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

Approving Agency/Accepting

Authority: City and County of Honolulu
Board of Water Supply
630 South Beretania Street
Honolulu, Hawai'i 96843
Contact: Clifford Jamile (527-6180)

Public Comment

Deadline: November 22, 2000

Petrie Community Park Improvements

Applicant: City and County of Honolulu
Department of Parks and Recreation
650 South King Street
Honolulu, Hawai'i 96813
Contact: Don Griffin (527-6324)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: November 22, 2000

Sunset Beach Recreation Center

Applicant: City and County of Honolulu
Dept. of Design & Construction
650 South King Street, 11th Floor
Honolulu, Hawai'i 96813
Contact: Carl Braun (523-4799)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: November 22, 2000

Draft Environmental Impact Statements

West Mamala Bay Facilities Plan

Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street, 14th Floor
Honolulu, Hawai'i 96813
Contact: Bill Liu or Gary Yee (523-4551)

Approving Agency/Accepting

Authority: City and County of Honolulu
Department of Planning and Permitting
650 South King Street, 7th Floor
Honolulu, Hawai'i 96813
Contact: Randall Fujiki (523-4432)

Public Comment

Deadline: November 22, 2000

Final Environmental Impact Statements

Kamoku-Pukele 138-kV Transmission Line Project

Applicant: Hawaiian Electric Company, Inc.
P.O. Box 2750
Honolulu, Hawai'i 96840-0001
Contact: Kerstan Wong (543-7059)

Approving Agency/Accepting

Authority: Department of Land and Natural Resources
Land Division
1151 Punchbowl Street
Honolulu, Hawai'i 96813
Contact: Sam Lemmo (587-0381)

Status: FEIS currently being reviewed by the Department of Land and Natural Resources.

Nanakuli 242 Reservoir

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

Approving Agency/Accepting

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

Status: FEIS currently being reviewed by OEQC.

Withdrawal

Laulani Fairways Development (EISPN)

The City and County of Honolulu, Office of the Managing Director has withdrawn the EIS Preparation Notice for the Laulani Fairways Development. The EISPN was published in the October 23, 1991 issue of the OEQC Bulletin.

Maui Notices

NOVEMBER 8, 2000

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

(1) Lower Kula and Waiohuli Water System Improvements

District: Kula
TMK: 2-2-02:56 (por.); 2-3-04:32
Applicant: Department of Hawaiian Home Lands
P.O. Box 1879
Honolulu, Hawai'i 96805
Contact: Gerald Lee (587-6447)

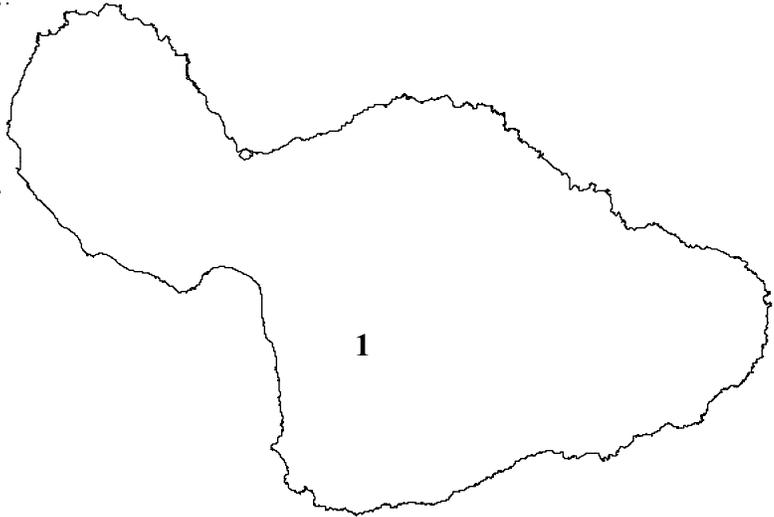
Approving Agency/Accepting

Authority: Same as above.

Consultant: R.T. Tanaka Engineers, Inc.
871 Kolu Street, Suite 201
Wailuku, Hawai'i 96793
Contact: Kirk Tanaka (242-6861)

Status: FEA/FONSI issued, project may proceed.

The proposed project involves the construction of three (3) concrete reservoirs and appurtenant pumping facilities serving the proposed Kula Residence Lots, Unit 1 project to satisfy the subdivision's water storage requirement imposed by the Maui County Department of Water Supply. The



reservoirs will store potable water for the domestic needs and fire flow requirements of the subdivision.

Sufficient governmental control as mandated by the Maui County Code, State Health Regulations and Soil Conservation requirements will be enforced to mitigate any adverse environmental impact.

In accordance with the Rules and Regulations, the proposed project does not have significant adverse effects upon the environment.

Moloka'i Notices

Previously Published Projects Pending Public Comments

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: November 22, 2000

Draft Environmental Assessments

~ Kualapu'u Elementary School New Six-Classroom Building

Applicant: Dept. of Accounting and General Services
1151 Punchbowl Street
Honolulu, Hawai'i 96813
Contact: Mark Yamabe (586-0469)

Draft Environmental Assessments



(1) Lana‘ihale Watershed Protection and Forest Restoration

District: Lana‘i
TMK: 1-4-9-02-001
Applicant: Lana‘i Company, Inc.
P.O. Box 630310
Lana‘i, Hawai‘i 96763-0310
Contact: Darrell Stokes (565-7041)

Approving Agency/Accepting

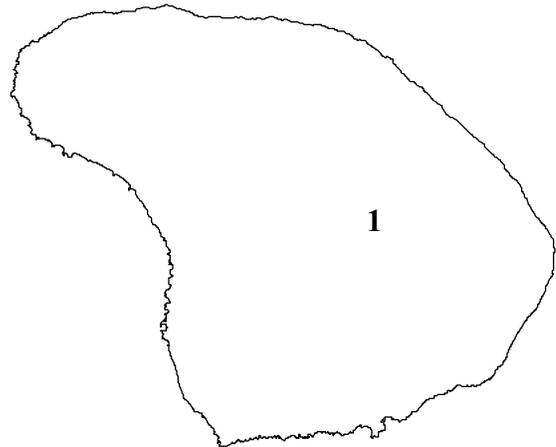
Authority: Department of Land and Natural Resources
Division of Forestry and Wildlife
1151 Punchbowl Street, Room 325
Honolulu, Hawai‘i 96813
Contact: Karl Dalla Rosa (587-4174)

Public Comment

Deadline: December 8, 2000
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: CDUA



The objective of this Forest Stewardship Project is to protect and restore the primary recharge zone of the only significant forested watershed on the island of Lana‘i, by a means that has been agreed to by the Lana‘i community at large. Lana‘i Company, Inc. will partner with the DLNR-DOFAW to construct a perimeter fence to enclose approximately 3,580 acres in order to exclude deer from the area after the current population is removed through an aggressive resident and employee hunting program. The fence will be completed in three roughly equal increments that will provide for better immediate control and long term management of the project site. Following deer removal, management activities will focus on the restoration of native vegetation and the eradication of aggressive non-native plant species that have thrived in conditions of continuous disturbance and prolonged drought.

Hawaii Notices

NOVEMBER 8, 2000

Draft Environmental Assessments



(1) Klein's Petition for Reclassification of Land from Conservation to Agricultural

District: Puna
TMK: 1-5-09:39
Applicant: Harrison J. & Sharene Z. Klein, Trustees under the Klein Living Trust
c/o Carlsmith Ball, LLP
121 Waiuanuenue Avenue
Hilo, Hawai'i 96720
Contact: Steven Lim, Esq. (935-6644)

Approving Agency/Accepting

Authority: Land Use Commission
P.O. Box 2359
Honolulu, Hawai'i 96804-2359
Contact: Esther Ueda (587-3822)

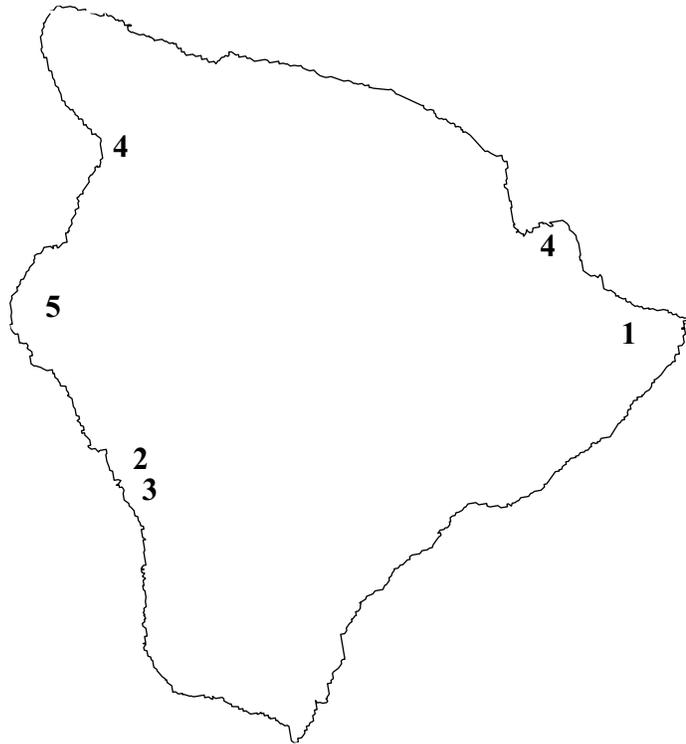
Consultant: Carlsmith Ball, LLP
121 Waiuanuenue Avenue
Hilo, Hawai'i 96720
Contact: Steven Lim, Esq. (935-6644)

Public Comment

Deadline: December 8, 2000
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: LUC Boundard Amendment, SMA exemption for proposed agricultural uses

Petitioners Harrison J. and Sharene Z. Klein, Trustees under the Klein Living Trust dated September 17, 1999, seek to amend the State Land Use District Boundaries to reclassify the approximately 2.621-acre oceanfront property situate at Keonepoko Iki, District of Puna, from the Conservation District into the Agricultural District for the purpose of cultivating ti-leaf plants, coconut trees and palms and recommence a commercial farming operation on approximately one-half acre of the Property. Existing improvements on the Property consist of a split-level single-family residential dwelling, enclosed garage/storage unit, at-grade lap pool, cesspool, and extensive landscaping. The Property is located



makai of the Government Beach Road, and its southern boundary abuts the Waiakahiula 1st ahupua'a, and Welea Street, a dead-end street within the Hawaiian Beaches Subdivision. The Project Area is located within the State Land Use Conservation District, Resource (R) Subzone, is zoned Agricultural one-acre (A-1a) by the Hawai'i County Zoning Code, and is within the County of Hawai'i Special Management Area which runs makai of and along the Government Beach Road. In the alternative, the Petitioners may propose to reclassify the Property from the Conservation District into the Urban District to conform to the adjacent Hawaiian Beaches Subdivision Urban District lands.



(2) Kukuiope Road Construction, South Kona Forest Reserve

District: South Kona
TMK: 8-8-7-01
Applicant: Department of Land and Natural Resources
Division of Forestry and Wildlife
Hawai'i District
P.O. Box 4849
Hilo, Hawai'i 96720

Contact: Lyman Perry (974-4381)
Approving Agency/Accepting Authority: Same as above.
Public Comment
Deadline: December 8, 2000
Status: DEA First Notice pending public comment. Address comments to the applicant with a copy to OEQC.
Permits Required: CDUA

The Division of Forestry and Wildlife (DOFAW) proposes construction of a road to enable personnel overland access to the Kukuioipa'e Section of the South Kona Forest Reserve in order to conduct resource management activities. A minimum impact road will traverse through 150 meters of 'ohi'a (*Metrosideros polymorpha*) forest before connecting to an existing road, then it will follow the existing road until the current road's end, whereupon it will cut through another 120 meters of ohia forest before exiting onto a recent (1950) lava flow. The proposed road will travel along the 1950 lava flow mauka for 1.57 km before connecting to an existing road. The construction activities will impact a 20 foot wide swath for a 12 foot wide road using a D8 or D7 bulldozer. The project area is located within the boundaries of the Kukuioipae Section of the South Kona Forest Reserve. All project lands are ceded state lands and within the Conservation District zone, protected subzone.

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



(3) Wilson Single-Family Residence and Related Improvements

District: South Kona
TMK: 8-3-5:6
Applicant: Alexander Wilson
26875 Nina Pl.
Los Altos Hills, CA 94022
Contact: Gregory Mooers (885-6839)
Approving Agency/Accepting Authority: Department of Land and Natural Resources
1151 Punchbowl Street, Room 220
Honolulu, Hawai'i 96813

Contact: Eric Hill (587-0380)
Consultant: Ron Terry (982-5831)
HC 2 Box 9575
Keaau, Hawai'i 96749
Status: FEA/FONSI issued, project may proceed.
Permits Required: CDU, building

Proposed single-family residence (SFR) with accessory and related improvements within the General Subzone of the State Land Use Conservation District. The single-family home building project would be constructed on a 0.623-acre property located in a shoreline neighborhood of house lots about 3/4-mile south of the Napo'opo'o Boat Ramp. A somewhat dilapidated home is already present on the parcel and will be demolished as part of the project. A new one-story home would be built with a total area of 3,498 sf, including a guest wing, carport storage, the swimming pool and other water features. The house would have three bedrooms and two-and-a-half baths, and would beset back 40 feet from the shoreline. The pool and pool concrete decking would be set back 32 feet from the shoreline. An Individual Wastewater System in compliance with State Department of Health regulations would be built. The lot, which now contains various ornamental shrubs and trees, would be partially re-landscaped. An inactive trail is proposed to be relocated to the mauka boundary of the lot. The proposed SFR would be built over the encumbrance.

The cost of the improvements is about \$400,000, and all funding is private (no public funds are involved). Land clearing and construction activities would produce short-term impacts to noise, air quality, access and scenery. The contractor will be required to safely demolish and dispose of all materials, and to ensure that construction materials, petroleum products, wastes, debris, sediment, and any other pollutants are prevented from blowing, falling, flowing, washing or leaching into the ocean during construction.

Environmental Impact Statement Preparation Notices



(4) Hawai'i Commercial Harbors 2020 Master Plan

District: South Hilo; South Kohala

Hawaii Notices

NOVEMBER 8, 2000

TMK: Hilo: 2-1-07; 2-1-09; Kawaihae: 6-1-03
Applicant: State Department of Transportation
Harbors Division
79 South Nimitz Highway
Honolulu, Hawai'i 96813
Contact: Glenn Soma (587-2503)

Approving Agency/Accepting

Authority: Governor, State of Hawai'i
c/o Office of Environmental Quality Control
235 S. Beretania Street, Suite 702
Honolulu, Hawai'i 96813

Consultant: R.M. Towill Corporation
420 Waiakamilo Road, Suite 411
Honolulu, Hawai'i 96817-4941
Contact: Chester Koga or Gail Atwater
(842-1133)

Public Comment

Deadline: December 8, 2000
Status: EISPN First Notice pending public comment. Address comments to the applicant with copies to the consultant and OEQC.
Permits Required: Army (Sec. 10 and/or Sec. 404); CDUP; Shorewaters Construction; NPDES; Noise Variance; Air Emissions; Sec. 401 WQC; SMA; Shoreline Setback; Building; Grading/Stockpiling; Flood Control; Industrial Wastewater Discharge

The harbors of Hawai'i are essential infrastructure, with 98.6% of all imported goods entering through these gateways. The State of Hawai'i must create long-range plans for harbor facilities to meet increasing demand for shipping and cargo and accommodate the fast-growing Hawai'i cruise ship market.

The Hawai'i Commercial Harbors 2020 Master Plan ("2020 Master Plan") is a conceptual land use plan proposing facility development over the next 20 years at its two deep-draft harbors on the Island of Hawai'i: Hilo Harbor and Kawaihae Harbor. The 2020 Master Plan was developed collaboratively by the Department of Transportation - Harbors Division and User Groups of maritime industry representatives, cargo carriers, commercial harbor users, recreational harbor users, government agencies and community groups. The two harbors are considered in a single plan because of their interdependency and shared use by commercial shipping interests.

The objectives of the 2020 Master Plan are to facilitate maritime shipments of essential commodities; optimize use of harbor lands and water resources; plan facility development that serves Hawai'i's port system in an efficient, safe and

secure manner; and minimize the impacts of the 2020 Master Plan on environmental quality and recreational and cultural activities bordering Hilo Harbor and Kawaihae Harbor.

Proposed 2020 Master Plan improvements include:

Hilo Harbor: Dry bulk cargo staging area; inter-island cargo terminal at Pier 4; overseas container terminal at Pier 1; passenger terminal at proposed Pier 5; Ocean Research Facility at proposed Pier 6; dredging berths for Piers 3,4,5 and 6; berths for commercial fishing, Coast Guard, visiting and research boats; access roadways.

Kawaihae Harbor: Liquid bulk cargo terminal; dry bulk terminals, Pier 1; overseas container terminal, Pier 2A; interisland cargo terminal, Piers and proposed Pier 4; dredging berths for Piers 1, 2A, 2B, 3,4 and 5; Military Cargo Terminal, Proposed Pier 5; improvement of supporting roadways and intersections.

Final Environmental Impact Statements



(5) University of Hawai'i Center at West Hawaii

District: North Kona
TMK: 7-3-10:33 (portion)
Applicant: University of Hawaii
Facilities Planning Office for Community Colleges
4303 Diamond Head Road
Manele Bldg., Room 103
Honolulu, Hawai'i 96816
Contact: Maynard Young (734-9771)

Approving Agency/Accepting

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

Consultant: Wil Chee Planning, Inc.
1400 Rycroft Street, Suite 928
Honolulu, Hawai'i 96814
Contact: Richard McGerrow (955-6088)

Status: FEIS currently being reviewed by OEQC.
Permits Required: Use, grading, construction, UIC

The action or subject of this EIS is the creation of a permanent physical facility for higher education in the western part of the island of Hawai'i. The facility is known as the University of Hawai'i Center at West Hawai'i (UHCWH). The proposed action discussed in this document is based on the Long Range Development Plan (LRDP) for UHCWH.

The University of Hawai'i's presence in West Hawai'i began in 1971 when courses were offered through the University of Hawai'i at Hilo. The rapid growth of the region and continuing demand for higher education resulted in the establishment of UHCWH in 1996. Since July 1, 1998, UHCWH has become the responsibility of Hawai'i Community College in Hilo (HawCC) and is temporarily housed in a shopping center in Kealahou. Since the present location allows no room for growth, the University's Board of Regents (BOR), after a detailed site selection study, chose the 500-acre State owned parcel at Kalaoa as the site of a permanent facility for higher education. UHCWH will be situated in the southwestern corner of this 500-acre parcel and will cover approximately 30 acres of land. The site is located approximately 3 miles east of Kona International Airport and is accessible via Queen Ka'ahumanu Highway and Kaimi Nani Drive. This location consists of lava lands never before developed for modern use.

West Hawai'i is the only remaining major geographic area and population center in the Hawaiian Islands that does not have a permanent facility for higher education. Thus, the University of Hawai'i Community Colleges has made the planning, design and construction of the new University Center at Kalaoa a priority. UHCWH differs from other campuses in the UH system, in that it serves as a vehicle for delivering programs and services from all parts of the University system. Degrees are conferred by other campuses (UH Hilo, Hawai'i CC, UH Manoa, etc.) which provide educational programs and courses to the center. This multi-program approach from distant sources is made possible by the use of distance education technology such as the internet and the Hawai'i Interactive Television System (HITS). UHCWH is intended to be a commuter school and will not contain dormitories, faculty housing, or athletic facilities. UHCWH is planned for an ultimate student population of 1500.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

► Hawaiian Beach Park Multipurpose Sports Field

Applicant: County of Hawai'i
Department of Parks and Recreation
25 Aupuni Street, Room 210
Hilo, Hawai'i 96720
Contact: Glenn Miyao (961-8313)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: November 22, 2000



Shoreline Notices

NOVEMBER 8, 2000

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 Kaua'i, Hawai'i and Maui and at Room 220, 1151 Punchbowl St., Honolulu, O'ahu (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-231	10/20/00	Lot 7-A (Map 5) Land Court Application 772, situated at Laie, Koolauloa, Island of Oahu, Hawaii (55-311 Kamehameha Hwy) Purpose: <u>Conservation District Permit</u>	Sam O. Hirota, Inc., for Chip Westly	5-5-02: 37
OA-792	10/20/00	Lot 2-A of Maunalua Bay View Lots Subdivision Unit 1 File Plan 750 Parcel A, situated at Maunalua, Honolulu, Island of Oahu, Hawaii (569 Portlock Road) Purpose: Determine building setback	Sam O. Hirota, Inc., for Michael Alfant	3-9-26: 04
HA-146-2	10/20/00	Being a portion of Grant 1001 to Kamakaimoku, situated at Oneloa, Puna, Island of Hawaii, Hawaii (Pohoiki Park) Purpose: <u>Re-certification</u>	County of Hawaii Department of Parks and Recreation, for James Alfred Lee Trust	1-4-02: 08
OA-791	10/09/00	Waiau Power Plant at Waiau and Waimano, Ewa, Island of Oahu, Hawaii (Waiau Power Plant) Purpose: <u>Permit to repair facilities</u>	ControlPoint Surveying, Inc., for Hawaii Electric Company, Inc.	9-7-18: 12, 9-8-03: 01 and 9-8-04: 02
KA-135-2	10/26/00	Lot 7-A Kaonohi Partners Subdivision being a portion of Lot 7, Wainiha Hui Lands a portion of R. P. 7194, Land Commission Award 11216, Apana 5 to M. Kekauonohi, situated at Wainiha, Hanalei, Kauai, Hawaii (Vacant) Purpose: Building Permit	Wagner Engineering Services, Inc., for David & Carol Smith	5-8-09: 25
KA-153	10/26/00	Lot 1 (Map 1) of Land Court Consolidation 175 and Portion of Lot 5 (Map 7) Land Court Application 937, situated at Kikiaola, Waimea, Kauai, Hawaii (Kaumualii Highway) Purpose: Improvements	Towill, Shigeoka & Associates, Inc., for Kikiaola Land Co.	1-2-06: 03 & 41
OA-792	10/20/00	Lot 2-A of the consolidation of lot 2 of Maunalua Bay View Lots Subdivision Unit 1, File Plan 750 and Parcel A, situated at Maunalua, Honolulu, Island of Oahu, Hawaii (569 Portlock Road) Purpose: <u>Determine building setback</u>	Sam O. Hirota, Inc., for Michael Alfant	3-9-26: 04
OA-793	10/26/00	Lots 32A and 32-B-1, Kahala Cliffs, situated at Honolulu, Island of Oahu, Hawaii (4375 Royal Place) Purpose: <u>Improvements</u>	Towill, Shigeoka & Associates, Inc., for Nippon Housing Loan Co. Ltd	3-5-02: 05
OA-794	10/27/00	Lot 334 Land Court Application 1100 (Map 30), situated at Heeia, Koolaupoko, Island of Oahu, Hawaii (46-001 Nana Place, Kaneohe) Purpose: <u>Improvements</u>	Towill, Shigeoka & Associates, Inc., for Keith and Tammy Ishibashi	4-6-22: 23

Shoreline Notices

NOVEMBER 8, 2000

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.	Cert/Rej Date	Location	Applicant	Tax Map Key
MA-235	Rejected 10/16/00	Puamana Planned Development, Unit 1 (File Plan 1056) and Unit 3 (File Plan 1130) at Kaulalo, Makila, Pahoia and Polanui, Lahaina, Island of Maui, Hawaii (34 Pauailima Place-Puamana Community Association Purpose: <u>To determine building setback</u>	Tanaka Engineers, Inc., for Martin Strasen and Connie Stevenson	4-6-28: 01 - 4-6-29: 01 and 4-6-32: 01
HA-232	Certified 10/24/00	Lot 5-E Land Court Application 1800 as shown on Map 2 and Governor Executive Order 847, Pohoiki, Puna, Island of Hawaii, Hawaii (Pohoiki Park) Purpose: Park Improvements	County of Hawaii Department of Parks and Recreation	1-3-08: 14 & 21
HA-233	Certified 10/24/00	Lot 2 being a portion of Land Commission Award 7073, Apana 1 to Kapae situated at Kahului 2 nd , North Kona, Island of Hawaii (75-5992 Alii Drive) Purpose: <u>Satisfy sales agreement</u>	Wes Thomas Associates, for Mark Parker	7-5-19: 30
OA-739	Rejected 10/24/00	Lot 1030 of Land Court Application 677 as Shown on Map 232 at Kaneohe, Koolaupoko, Oahu, Hawaii (3 Kailuana Place) Purpose: <u>Building Permit</u>	A.F.M. Corporation, for Robert Reeve	4-3-22: 03
OA-061	Certified 10/24/00	Lot 6, Section "D" Kawailoa, Beach Lots, Portion of R.P. 4475, Land Commission Award 7713, Apana 33 to V. Kamamalu at Kawailoa, Waialua, Island of Oahu, Hawaii (61-375A Kamehameha Hwy) Purpose: <u>County Building Permit</u>	Walter P. Thompson, Inc., for George Suman	6-1-12: 21
OA-786	Certified 10/24/00	Lot 31 and 31-A of the Kahala Subdivision, Honolulu, Island of Oahu, Hawaii (4377 Royal Place) Purpose: <u>Obtain County Building Permit</u>	DJNS Surveying & Mapping, for James and Kathryn Daughtery	3-5-02: 04
OA-787	Certified 10/24/00	Lots 181 to 183 and 186 (Map 15), Lots 195 to 198 (Map 16), Lots 184-A and 184-B (Map 23) of Land Court Application 1095 at Kaunala, Koolauloa, Oahu, Hawaii (Kamehameha Highway and Makanale Street) Purpose: <u>Consolidation and Resubdivision</u>	ControlPoint Surveying, Inc., for GGS (Hi) Inc., Paul Mori, President	5-8-6:1 to 5, 8 & 12
OA-785	Certified 10/24/00	Lots 18-A-1 & 18-A of the Kahala Subdivision, being a portion of R.P. 7721, Land Commission Award 228, Apana 2 to Kaleiheana, Honolulu, Island of Oahu, Hawaii (4471 Kahala Avenue) Purpose: <u>County Building Permit</u>	Walter P. Thompson, Inc., for Sam L. Harlan	3-5-03: 035

Coastal Zone News

NOVEMBER 8, 2000

Federal Consistency Reviews

The Hawai'i Coastal Zone Management (CZM) Program has received the following federal actions to review for consistency with the CZM objectives and policies in Chapter 205A, Hawai'i Revised Statutes. This public notice is being provided in accordance with section 306(d)(14) of the National Coastal Zone Management Act of 1972, as amended. For general information about CZM federal consistency, please call John Nakagawa with the Hawai'i CZM Program at 587-2878. For specific information or questions about an action listed below please contact the CZM staff person identified for each action. Federally mandated deadlines require that comments be received by the date specified for each CZM consistency review and can be mailed to:

David W. Blane, Director
Office of Planning
Dept. of Business, Economic Development and Tourism
P.O. Box 2359
Honolulu, Hawai'i 96804

Or, fax comments to the Hawai'i CZM Program at 587-2899.

(1) Reconstruction of Stream Gage on Kaunakakai Stream, Moloka'i

Federal Action: Direct Federal Activity

Federal Agency: U.S. Geological Survey

Contact: Barry Hill, 587-2407

Location: Kaunakakai Gulch on east bank, 1.2 miles upstream of stream mouth.

TMK: (2nd) 5-3-3: 1

CZM Contact: John Nakagawa, 587-2878

Proposed Action:

Replace the original stream gage that burned completely in 1998. The replacement gage will consist of a new instrument shelter, constructed of wood, metal or fiberglass, bolted to a concrete pad. A 2-inch galvanized steel pipe housing a plastic gas pressure line will be installed on the ground surface between the instrument shelter and the stream. The shelter will house a compressed air bubbler system stream gage. Gage reconstruction will directly affect an area of about 200 square feet.

Comments Due: November 22, 2000

Marine and Coastal Zone Management Advisory Group (MACZMAG) Meetings Rescheduled

Coastal Erosion Subcommittee

The MACZMAG Coastal Erosion Subcommittee meeting has been rescheduled from November 9 to Monday, November 20, 2000 from 9:00 a.m. - 12:00 p.m. in the State Office Tower, 6th Floor. For more information, please call Debra Tom with the Hawai'i CZM Program 587-2840.

Non-Government Members Subcommittee

The MACZMAG Non-Government Members Subcommittee meeting has been rescheduled from November 17 to Friday, December 1, 2000 from 9:00 a.m. - 10:00 a.m. in the State Office Tower, Room 204. For more information, please call Susan Feeney with the Hawai'i CZM Program 587-2880.

Marine and Coastal Zone Management Advisory Group (MACZMAG)

The MACZMAG meeting has been rescheduled from November 17 to Friday, December 1, 2000 from 10:00 a.m. - 12:00 p.m. in the State Office Tower, Room 204. For more information, please call Susan Feeney with the Hawai'i CZM Program at 587-2880. MACZMAG meeting agendas and minutes are available on the Hawai'i Coastal Zone Management Program web page at www.hawaii.gov/dbedt/czm.

Bank of Hawai'i Ha'iku Branch Nominated to the National Register

The State Historic Preservation Officer has nominated Bank of Hawai'i Ha'iku Branch, 771 Ha'iku Rd., Ha'iku, Maui, No. 00001284 to the National Register of Historic Places. Written comments concerning the significance of this property under the National Register criteria for evaluation may be forwarded to the National Register, National Park Service, 1849 C St. NW., NC400, Washington, DC 20240, by **OCTOBER 31, 2000** (see, 65 F.R. 61186, October 16, 2000).

Air Force Seeks Comments on Wake Island Code Revisions

The United States has possession of Wake Island, including Peale and Wilkes Islands, which are currently under the real property accountability of the Department of the Air Force. Having no aboriginal population (*Editor's note: Wake Island has been the subject of an ongoing dispute between Enen-Kio and the U.S. Government - see <http://www.enenkio.org/> for information*) and having been occupied intermittently since its accession to the United States by United States military and civilian personnel (excluding the period of Japanese occupation during World War II), Wake Island has been under the jurisdiction and control of the Air Force and the Federal Aviation Administration had operated an air base there until 1994. The revised code would make a number of changes. Send comments on or before **DECEMBER 26, 2000**, to Mr. Philip Sheurman, Associate General Counsel, Department of the Air Force, SAF/GCN, Room 4C921, 1740 Air Force Pentagon, Washington, DC 20330-1740. For more information, call Mr. Philip Sheurman at (703) 695-4691 (see, 65 F.R. 63826, October 25, 2000).

Minerals Management Service Meeting

The Minerals Management Advisory Board Outer Continental Shelf Scientific Committee (OCSSC) will meet on **NOVEMBER 28-30, 2000**. Discussion will focus on the following: (1) Ocean Activities Update; (2) Future Plans for Sand and Gravel Program; (3) Environmental Studies Program Highlights; and (4) Regional Updates. For more information call Robert LaBelle at (703) 787-1756, or email him at robert.labelle@mms.gov (see, 65 F.R. 64231, October 26, 2000).

APHIS Seeks Comments on Pest Risk Assessment for Importing Wood Packing

The Animal and Plant Health Inspection Service (APHIS) is considering amending the rules for the importing logs, lumber and other unmanufactured wood articles to decrease the risk of solid wood packing material (SWPM, e.g., crates, dunnage, wooden

spools, pallets, packing blocks, etc.) introducing exotic plant pests into the United States such as the pine shoot beetle and the Asian longhorned beetle. These and other plant pests that could be carried by SWPM and pose a serious threat to agriculture and natural, cultivated and urban forests. To evaluate risks, APHIS seeks your comments on a "*Draft Pest Risk Assessment for the Importation of Solid Waste Packing Materials into the United States*" especially on: (1) means by which pests could potentially be transported via SWPM (i.e., pathways); (2) assessing the potential for insect and pathogenic pests that may be transported with SWPM to enter the United States and become established; and (3) estimating the potential economic and environmental consequences these pests may have on forest and tree resources if they become established in the United States. See the Internet website <http://www.aphis.usda.gov/ppq/praswpm>. APHIS will consider your comment if you state that your comment refers to Docket No. 98-057-2 and if you file your comments electronically at <http://comments.aphis.usda.gov> on the Internet. All comments must be received by **FEBRUARY 14, 2001** (see, 65 F.R. 61301, October 17, 2000, and 65 F.R. 63291, October 23, 2000).

Revised Pesticide Risk Document Available

The U.S. Environmental Protection Agency (EPA) announced the availability of the revised version of "*The Role of Use-Related Information in Pesticide Risk Assessment and Pesticide Risk Management*." You may obtain electronic copies of this document by visiting the Office of Pesticide Programs Home Page at <http://www.epa.gov/pesticides> on the Internet. Click on FQPA and look for this document under "Science Policies." For more information, call Deborah Sisco at (703) 308-8090 or email her at sisco.deborah@epa.gov (see, 65 F.R. 60435, October 11, 2000).

Watershed Approach to Federal Land Management: Unified Federal Policy

Federal lands contain significant physico-biological resources important to Americans for multiple uses such as drinking water, irrigation, transportation, recreation, and wildlife habitat. Federal land managers must protect and restore these resources on more than 800 million acres. Effective **OCTOBER 18, 2000**, The Departments of Agriculture, Commerce, Defense, Energy and the Interior, the U.S. Environmental Protection Agency, the Tennessee Valley Authority and the U.S. Army Corps of Engineers have adopted a unified federal policy on watershed management, which provides a framework for a watershed approach (*Editor's note: This appears to be similar to the ahupua'a model for indigenous land management in Hawai'i*) to federal land and resource management activities. Copies of the final policy are available on the internet at www.cleanwater.gov/ufp and more information is available by calling Eric Janes at (202) 452-7752 (see, 65 F.R. 62566, October 18, 2000).

NOVEMBER 8, 2000

EPA Seeks Comments on Proposed \$200,000 Administrative Penalty Assessments

The U.S. Environmental Protection Agency is seeking public comment on proposed Class II Administrative Penalty Assessments for Alleged Violations of the Clean Water Act for Hawaiian Electric Company, Inc.'s (HECO), Honolulu and Waiiau Generating Stations. For the alleged violations set forth in Consent Agreements, HECO agrees to pay to the United States civil penalties in the amount of \$200,000. Call Danielle Carr at the above number if you wish to receive a copy of EPA's Consolidated Rules, review the Complaints or other documents filed in these proceedings, comment upon the proposed assessments, or otherwise participate in the proceedings. In order to provide opportunity for public comment, EPA will issue no final orders assessing a penalty in these proceedings prior to forty (40) days after the date of publication (October 23, 2000) of its notice (see 65 F.R.63249, October 23, 2000, for official notice and details).

EPA Seeks Comments Non-Point Source Pollution Guidance

EPA is requesting comments on draft technical guidance for managing agricultural sources of nonpoint pollution. See the complete text of the draft guidance on EPA's Internet site on the Nonpoint Source Control Branch homepage <http://www.epa.gov/owow/nps/new.html>. Written comments must be sent no later than **JANUARY 16, 2001** to Sharon Buck at buck.sharon@epa.gov. (see, 65 F.R. 61325, October 17, 2000).

Commercial Space Transportation Launch Sites

Effective **DECEMBER 18, 2000**, the Federal Aviation Administration (FAA) is amending its commercial space transportation licensing regulations to add licensing and safety requirements for the operation of a launch site. To date, commercial launches have occurred principally at federal launch ranges under safety procedures developed by federal launch range operators. To enable the development and use of launch sites that are not operated by a federal launch range, rules are needed to establish specific licensing and safety requirements for operating a launch site, whether that site is located on or off of a federal launch range. (Editor's note: *Hawai'i has one federal launch area at the Kaua'i Test Facility*). FAA is also seeking comments on handling of solid propellants and cooperation with the National Transportation Safety Board - these must be submitted on or before December 18, 2000 (see 65 F.R. 62811, October 19, 2000, for details).

Also, FAA is proposing to amend its commercial space transportation regulations to codify its license application process for launch from a non-federal launch site. (Editor's note: *Hawai'i has one federal launch area at the Kaua'i Test Facility and no non-*

federal commercial launch facilities - although there is an EIS for a Big Island Spaceport which was killed by the Governor). Address your comments to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. Identify docket number FAA-2000-7953 at the beginning of your comments before **FEBRUARY 22, 2001**. For more information, call Michael Dook at (202) 267-8462 (see, 65 F.R. 63921, October 25, 2000, for more details).

Hawai'i Polluted Runoff Plan - \$763,000 Grant to be Awarded

The U.S. Environmental Protection Agency (EPA) has approved Hawai'i's polluted-runoff plan, opening up a \$763,000 EPA grant to restore impaired watersheds in Hawai'i. "Controlling pollution before it gets into the streams and coastal waters will protect Hawai'i's many ahupua'a areas from the mountains to the sea," said Felicia Marcus, EPA regional administrator in San Francisco (EPA Press Release, October 10, 2000).

Comments Sought on Pesticides in Drinking Water Science Policies

The U.S. Environmental Protection Agency (EPA) wants comments on two science policy documents about pesticide risk assessment in drinking water. These documents are entitled, respectively, "*Drinking Water Screening-Level Assessments*" and "*Standard Operating Procedure (SOP) for Incorporating Screening-Level Estimates of Drinking Water Exposures into Aggregate Risk Assessments*." Comments, identified by docket control number OPP-00679, must be received on or before **DECEMBER 11, 2000** (see, 65 F.R. 60437, October 11, 2000).

Methamphetamine Law Enforcement Program FONSI

The Bureau of Justice Assistance has prepared an environmental assessment that concludes that the methamphetamine investigation and clandestine laboratory closure activities of the Methamphetamine/Drug Hot Spots Program will not have a significant impact on the quality of the human environment. For copies see BJA's Website at www.ojp.usdoj.gov/bja/methenviron.htm (see, 65 F.R. 64990, October 31, 2000).

Department of Health Notices

NOVEMBER 8, 2000

DEPARTMENT OF HEALTH NOTICE Amendments to Hawai'i Administrative Rules, Title 11, Chapter 54, Water Quality Standards October 2000

The Amendment and Compilation of the Hawai'i Administrative Rules, Chapter 11-54, Water Quality Standards, dated April 4, 2000, contains inadvertent typographical errors. Typographical errors in §§11-54-04(b)(3), 11-54-05.2(d)(1), and 11-54-06(b)(3) (2000) replaced text in the previous version of the rule, dated October 29, 1992, with a version not intended or subject to the public notice and hearing in 1999.

The U.S. Environmental Protection Agency requires clarification or correction of certain new text in §§11-54-05 and 11-54-06(d)(1)(ii) (2000), and none of the clarifications or corrections proposed below change the intended meaning of the 2000 rule.

The Department of Health intends to correct and clarify these sections soon through rulemaking. Until the corrective rulemaking is complete, DOH intends to interpret the sections noted by EPA as indicated below. (All emphases are added). DOH does not anticipate that anyone will have any practical problems resulting from this interpretation, and anyone who anticipates or experiences problems, or anyone who has questions about this notice should contact June Harrigan at (808)586-4337.

§11-54-04(b)(3)

2000 VERSION

All values are expressed in micrograms per liter.

Pollutant	Freshwater		Saltwater		Fish
	Acute	Chronic	Acute	Chronic	Consumption
Tributyltin	ns	0.026	ns	0.1	ns

ns – No standard has been developed.

INTENDED VERSION (10/29/92 rule)

All values are expressed in micrograms per liter.

Pollutant	Freshwater		Saltwater		Fish
	Acute	Chronic	Acute	Chronic	Consumption
Tributyltin	ns	0.026	ns	0.01	ns

ns – No standard has been developed.

§11-54-05

2000 VERSION

“waterbody types are defined in section **11-05-01.**”

INTERPRETATION [EPA requires clarification or correction]

“waterbody types are defined in section **11-54-01.**”

§11-54-05.2(d)(1)

2000 VERSION

Total Phosphorous (g P/L)	Not to exceed the given value more than ten per cent <u>of the time</u> 35.00	Not to exceed the given value more than two per cent <u>of the time</u> 35.00
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INTENDED VERSION (10/29/92 rule)

	Not to exceed the given value more than ten per cent <u>of the time</u>	Not to exceed the given value more than two per cent <u>of the time</u>
Total Phosphorous (g P/L)	<u>50.00</u>	<u>75.00</u>

§11-54-06(b)(3)
2000 VERSION

	Geometric mean not to exceed the <u>given value</u>
Ammonia Nitrogen (g NH4-N/L)	2.50**

**"Dry" criteria apply when the open coastal waters receive less than three million gallons per day of fresh water discharge per shoreline mile.

INTENDED VERSION (10/29/92 rule)

	Geometric mean not to exceed the <u>given value</u>
Ammonia Nitrogen (g NH4-N/L)	<u>2.00**</u>

**"Dry" criteria apply when the open coastal waters receive less than three million gallons per day of fresh water discharge per shoreline mile.

§11-54-06(b)(3)
2000 VERSION

[The light extinction criteria were inadvertently deleted from the section.]

INTENDED VERSION (10/29/92 rule)

	Geometric Mean not to Exceed the <u>Given value</u>	Not to exceed The given value More than Ten per cent <u>Of the time</u>	Not to Exceed the Given value More than Two per Cent of <u>The time</u>
Light Extinction	0.20*	0.50*	0.85*
Coefficient (k units)	0.10**	0.30**	0.55**

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§11-54-06(d)(1)(ii)

2000 VERSION

“if nearshore marine water salinity is less than 32.00 parts per thousand”

INTERPRETATION

[EPA requires clarification or correction]

“if nearshore marine water salinity is less than *or equal to* 32.00 parts per thousand”

§11-54-06(d)(1)(ii)

2000 VERSION

“The absolute value of the upper 95 per cent confidence limit for the calculated sample regression coefficient (M) shall not exceed the following values:”

INTERPRETATION

[EPA requires clarification or correction]

“The absolute value of the upper 95 per cent confidence limit for the calculated sample regression coefficient (M) shall not exceed the *absolute value of the* following values:”

Hawai‘i Water Quality Conference 2000 Update on Water Quality Issues Facing Hawai‘i

The Hawai‘i Association of Conservation Districts (HACD) and the University of Hawai‘i-College of Tropical Agriculture & Human Resources (CTAHR) will sponsor the Hawai‘i Water Quality Conference 2000. Water quality issues facing Hawai‘i will be discussed on November 29th, 30th and December 1st, 2000 at the University of Hawai‘i, Manoa Campus Center Ballroom.

The Hawai‘i Water Quality Conference 2000 will provide an appropriate forum to discuss water quality concerns. Speakers and panelists will include guests from the University of Hawai‘i, US Geological Survey, Oceanit Laboratories, US Environmental Protection Agency, USDA Natural Resources Conservation Service and America’s Clean Water Foundation. A field trip is planned for the second day of the conference.

Registration materials can be for one day or the entire three days. A student rate is also available with a copy of a valid ID. Please contact HACD at (808) 586-4389 for pre-registration materials.

DOH Enforcement Notices

NOVEMBER 8, 2000

Summary of inspection and Enforcement Actions

The table below shows a tally of the inspections and responses conducted by DOH pollution control program personnel during the period from April through June 2000. Formal and informal enforcement actions, and the settlements that arise out of those actions, are counted as well. Inspections and enforcement actions are listed by program area. For more information, please contact the DOH Environmental Planning Office at 586-4337.

	Inspections/ Responses	Informal Actions ¹	Formal Actions ²	Formal Actions Concluded	Formal Actions Pending
	April - June, 2000	April - June, 2000	April - June, 2000	April - June, 2000	Total as of June 30th, 2000
Clean Air Branch					
Fugitive Dust	170	6	0	0	0
Noncovered Sources	39	4	0	1	5
Covered Sources	56	13	0	1	2
Agricultural Burning	81	4	0	0	1
Open Burning	21	4	0	0	0
Others					
Solid & Hazardous Waste Branch					
Underground Storage Tanks	44	24	0	0	0
Hazardous Waste	33	7	6	2	7
Solid Waste	107	17	2	1	1
Clean Water Branch					
Permitted Discharges (NPDES)	42	9	0	0	2
Non-permitted Discharges	71	1	0	0	3
Water Quality Certifications	5	0	0	0	0
Wastewater Branch					
Wastewater Treatment Plants	35	1	0	1	1
Individual Wastewater Systems	17	8	2	1	12
Animal Waste	3	0	0	0	0
Safe Drinking Water Branch					
Public Water Systems	1	8	0	1	2
Wells - Underground Injection Control	8	11	0	0	0
Hazard Evaluation & Emergency Response					
Oil Spills	2	1	0	0	1
Hazardous Waste Releases	13	2	0	0	3

¹ Informal actions generally cover less serious issues such as small infractions by individuals, or violations of permit technicalities which do not directly impact environmental quality. Specifically, informal actions are informal letters warning a person or entity that they are violating environmental laws, and normally requiring corrective action by a specified deadline. Field citations are also included in this category.

² Formal actions generally cover any serious violation and repeat or continued violations of permit technicalities. Unsuccessful informal actions lead to formal actions. Specifically, formal actions are administrative "contested case" proceedings which typically include a formal notice of violation and an order. Orders often require corrective action, reports, and payment of a penalty. Administrative "trials" may be held.

DOH Enforcement Notices

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Formal Enforcement Actions and Settlements Completed by DOH

Complaints and violation notices issued from April through June 2000 are summarized below. The summaries do not constitute exact descriptions of the violations. For complete and accurate descriptions, please contact DOH at 586-4337 for copies of the violation notices.

FORMAL ENFORCEMENT ACTIONS

Solid & Hazardous Waste Branch

On April 20, 2000, DOH served a Complaint, Order, and Right to Request a Hearing notice to **Unitek Solvent Services, Inc.** for the following violations at a Unitek facility in Kapolei, O'ahu; storing of hazardous wastes without a permit and failing to test used oil before transportation. An administrative penalty of \$37,100 was assessed against Unitek for the violations.

On June 13, 2000, **Unitek Solvent Services, Inc.** was again served another Complaint, Order, and Right to Request a Hearing notice for an unrelated violation at a Unitek facility in Kahului, Maui. During January 1999, DOH inspections found that Unitek stored hazardous wastes without a permit, transported hazardous waste and used oil without an EPA identification number, failed to test used oil, and did not have a used oil processor and marketer permit. Accordingly, an administrative penalty of \$26,075 was assessed for the violations.

A Complaint, Order, and Right to Request a Hearing notice was served to **Amfac/JMB Hawaii** on May 9, 2000. DOH inspections on October 1999 and January 2000 found that Amfac/JMB violated DOH rules by storing hazardous waste on its premises without a permit, and also failed to make a hazardous waste determination. An administrative penalty of \$67,848 was assessed for the violations.

Another Complaint, Order, and Right to Request a Hearing notice was served to **Matson Terminals, Inc.** also on May 9, 2000 for violation of DOH rules. An inspection of the facility in May 1999 discovered that Matson was storing hazardous waste without a permit, and did not clearly label drums of used oil with the words "Used Oil." An administrative penalty of \$28,500 was assigned for the violations.

A Notice of Violation Order (NOVO) was served on June 16, 2000 to **Old World Products of Hawaii, Inc.** The NOVO was issued after DOH staff visited Old World Products facilities on September 1999, and discovered green waste and processed grease trap waste being composted on site. The site did not have a permit to operate as a solid waste management facility. Old World Products was informed of the permit application requirements, and instructed not to accept any more green waste and grease trap waste until it received a solid waste management permit. However, DOH discovered that between October 1999 and April 2000, Old World

Products accepted about 14,800 gallons of grease trap waste. The company president also admitted to continually receiving and processing grease trap waste. In light of this information, the NOVO required Old World Products to immediately stop storing and processing grease trap waste, provide a written closure plan to DOH, and implement the DOH approved closure plan. An administrative penalty of \$50,230 was also assessed for the repeated violations.

On June 26, 2000, DOH served a Complaint, Order, and Right to Request a Hearing notice to **Caesars Cleaners** for storage of hazardous waste without a permit, mismanagement of containers, failure to label containers of hazardous waste with the words "Hazardous Waste," failure to certify that a new tank system for hazardous waste storage was properly designed and installed, and failure to provide secondary containment of a new tank system. An administrative penalty of \$138,945 was assessed against Caesars Cleaners for the violations.

A Complaint, Order and Right to Request a Hearing notice was served to **Maui Community College** on June 27, 2000, for violations of DOH rules. DOH inspections on October, 1998 found that Maui Community College stored hazardous waste on its facilities without a permit. The community college also failed to make a hazardous waste determination of wastes stored at their facilities, mismanaged containers in their chemical storage room, had no hazardous waste labels or accumulation start dates on containers, and lacked adequate aisle space in the chemistry storage room. Consequently, Maui Community College was assessed an administrative penalty of \$124,100 for the violations.

DOH served a Notice of Violation and Order (NOVO) to **Maui Scrap Metal, Inc.** on June 30, 2000. The NOVO instructed Maui Scrap Metal, Inc. to immediately stop acceptance of all solid waste and recyclable waste, clean-up accumulated solid waste stored around their facility, and transport waste to other permitted solid waste recycling facilities. Maui Scrap Metal was also required to submit a work plan and schedule for assessment, sampling, and analysis, to identify and determine the extent of any surface or subsurface contamination at the storage sites. The plan required approval by DOH and should include proposed cleanup actions and implementation schedule based on the assessment. The NOVO also assigned a penalty of \$71,350 for the violations.

Wastewater Branch

A Notice and Finding of Violation and Order (NFVO) was served on May 10, 2000 to **Robyn Michele Blaisdell** and **Margaret Bourne Moor**, for violating DOH rules relating to individual wastewater systems. Several DOH inspections discovered repeated overflows from an individual wastewater system on the Blaisdell and Moore property in Makawao, Maui. DOH inspectors found that the wastewater system overflowed on April, 1996 and two more times in June and July, 1999. A penalty of \$2500 was assessed for the violations.

Another Notice and Finding of Violation and Order was served to **Annette Nahinu** and **Lamariana Sailing Club, Inc.** on

DOH Enforcement Notices

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May 11, 2000, for violations relating to individual wastewater systems. DOH inspectors found repeated overflow discharges of gray water and wastewater effluent from Nahinu/Lamariana Sailing Club from June, 1999 to February, 2000. The Order required Annette Nahinu and Lamariana Sailing Club to use the services of a private contractor to pump out the contents of the wastewater holding tank on a daily basis, construct a new, engineer-designed wastewater system onsite within ninety days, submit a written progress report of corrective actions taken to DOH, and meet with DOH officials to determine a monetary penalty to be assessed for the violations.

ENFORCEMENT SETTLEMENTS/CONCLUSIONS

Clean Air Branch

On April 3, 2000, DOH concluded formal action against **Lana'i Company, Inc.**, when Lana'i Company satisfied the requirements of a DOH notice of violation order and completed payment of an administrative penalty of \$14,200. The notice of violation was issued to Lana'i Company on December 1999 for violations of DOH rules relating to clean air. (See February 8, 2000 issue of The Environmental Notice)

A Consent Order was signed on May 2, 2000 to settle an enforcement case between DOH and **Patterson Construction and Trucking Inc.** and **Interisland Concrete and Rock Inc.**, regarding a Notice and Finding of Violation and Order (NFVO) served on April 20, 1999. The NFVO was served to Patterson Construction and to Interisland Concrete for installing and operating a secondary rock crusher, three-deck screen tower and diesel engine without obtaining a permit and operating equipment without use of a waterspray system, thus creating fugitive dust. An administrative penalty of \$30,800 was assigned, payable over a twelve month period.

Solid and Hazardous Waste Branch

Amfac/JMB Hawaii decided the administrative penalty of \$67,848 within the stipulated time-frame to resolve the Complaint, Order, and Right to Request a Hearing notice it received on May 9, 2000 for violating DOH rules relating to hazardous waste.

A Consent Agreement and Order (CA/O) was signed between DOH and **Chem-Met Government Services** on April 4, 2000 to settle a Notice of Violation Order. The NOVO was issued to Chem-Met Government Services in December 1999 for violation of DOH rules during operations at its facility at Sand Island Road, Oahu. A penalty of \$3,500 was negotiated down from the original \$4,500 for the violation. (See February 8, 2000 issue of The Environmental Notice)

A Consent Agreement was negotiated and sent to **Friends of Malaekahana** for signature on June 28, 2000. The consent agreement settled a January 28, 2000 violation of DOH rules when inspectors discovered improper disposal of solid waste by Friends of

Malaekahana. An administrative penalty of \$14,398 was assessed against the Friends of Malaekahana for the violations. However, \$7398 of the penalty would be rescinded at the Director of Health's discretion if supplemental environmental projects to be conducted by Friends of Malaekahana gets the director's approval. Incremental payments for the remaining balance of \$7000 was extended for a period of 360 days.

Wastewater Branch

A Consent Agreement was signed on June 2, 2000 to settle an enforcement case between DOH and **Kukui, Inc. (Moloka'i)**, **Toko Hawaii Holdings, Inc.**, and **Mosco, Inc.**, regarding a Notice of Violation and Order served on April 24, 1998. The NOVO was served when DOH found that Kukui, Toko, and Mosco violated rules relating to wastewater management by illegally burying or placing wastewater sludge on the ground for disposal on October 1989, August 1990, May 1991, and November 1991. Kukui, Toko, and Mosco agreed to spend \$200,000 over the next two years for DOH-approved remedial action. They also agreed to pay \$130,000 for the violations. Finally, repairs, refurbishments and improvements to the facilities and operations were required to be completed by October 15, 2000.

A Consent Agreement was signed on May 4, 2000 by **Kenneth J. and Florence W. Orton**, and DOH to settle a Notice and Finding of Violation and Order (NOVO) served on February 8, 2000. The NOVO was served for unauthorized use of an individual wastewater system at the Orton property in La'ie, O'ahu. The system was constructed less than 50 feet from the ocean and spilled effluent in March and April 1999. The agreement required the Ortons to take remedial actions by relocating their wastewater system. The Ortons were also required to pay a penalty of \$24,000 over a period of six months.

Safe Drinking Water Branch

On April 3, 2000, the **Hawai'i County Department of Water Supply** - South Kohala System, and **Water Commission of the County of Hawai'i**, completed upgrading the Waimea Water Treatment Plant to satisfy a November 1995 negotiated settlement with DOH. The upgrade of the water treatment plant took a long time to complete because the new facility had to go through an extended permit review process, bidding, contract award, and construction. The upgrade was in response to a violation notice issued in August, 1993 for violations of DOH's rules relating to potable water systems.

Pollution Control Permits

NOVEMBER 8, 2000

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 Date	Proposed Use
Clean Air Branch, 586-4200, Temporary Covered Source Permit	Goodfellow Brothers, Inc. CSP 0242-01-CT	Various Temporary Sites, State of Hawaii Initial Location: 480C Welakahao Road, Kihei, Maui	10/5/00	780 TPH Stone Processing Plant with 500 kW of 1,000 kW Diesel Engine Generator
Clean Air Branch, 586-4200, Covered Source Permit	Hilo Coast Power Company CSP 0229-02-C (Amendment)	Pepeekeo, Hawaii	10/18/00	Boiler with Multicyclone and 836 kW Diesel Engine Generator
Clean Air Branch, 586-4200, Temporary Covered Source Permit	CTS Earth Moving, Inc. CSP 0475-01-CT	Various Temporary Sites, State of Hawaii Initial Location: Keauhou View Estates Subdivision, Kailua-Kona, Hawaii	Comments Due: 11/22/00	357 TPH Portable Crushing and Screening Plant and Two Diesel Engine Generators
Clean Air Branch, 586-4200, Temporary Noncovered Source Permit	Ameron International Corp., dba Ameron Hawaii NSP 0484-01-NT	Various Temporary Sites, State of Hawaii Initial Location: Kahoolawe Island	10/23/00	80 cy/hr Transit Mix Concrete Batching Plant with 150 kW Diesel Engine Generator
Clean Air Branch, 586-4200, Covered Source Permit	Unites States Air Force, 15 th Air Base Wing CSP 0209-01-C (Amendment)	Hickam Air Force Base, Oahu	10/23/00	Various Equipment
Clean Water Branch, 586-4309, NPDES	Hilo Coast Power Company #00-CW-PW-16	Pepeekeo Point, Hawaii	Comments Due: 11/29/00	Discharge once-through condenser cooling water and storm water from the Pepeekeo Mill Power Generating Facility to the Pacific Ocean near Pepeekeo Point