

The Environmental Notice

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



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GOVERNOR

**OFFICE OF
ENVIRONMENTAL
QUALITY CONTROL**
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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 Council Annual Reports*
- *Rules and Policies*
- *"How to Plant a Native Hawaiian Garden"*

OEQC

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MAY 8, 2001

Kaunala Gated Community DEIS

The City's Department of Planning and Permitting has released an applicant's DEIS for the consolidation and subdivision of a 19-acre parcel at **Kaunala** (near the UH Waiale'e Livestock Research Farm and ½ mile northeast of Sunset Beach Park) into 33 parcels to be sold in fee. OEQC has examined the document and found that the disclosure of the environmental setting is incomplete. *Because the environmental setting provides the backdrop for the analysis of direct, indirect and cumulative impacts and the formulation of mitigative measures, incomplete disclosure of the environmental setting often leads to erroneous conclusions in impact analysis and mitigation formulation.* In particular, the DEIS appears to have no description of nearshore coastal waters and the shoreline as well as no characterization of wastewater and the existing sewage treatment plant's daily effluent volume and discharge point. Additionally, the document appears to have inadvertently bypassed describing a nearby unique environmental resource, the Kalou

Marsh wetland. Some questions that remain unanswered include the following. What is the on-site and regional subsurface hydrogeology like? Where is the wastewater discharge point and what kind of direct, indirect and cumulative effects can we expect from this project on water quality and nearshore biota? Where are the specific plans to allow public access through this gated community? What indirect and cumulative effects will the project have on coral reefs? Will there be an increase in fishing and reef-walking activities? What kind of growth inducing impacts (i.e. urban encroachment) will approval of this project have on rare and unique resources such as Kalou Marsh? OEQC believes that the incomplete environmental setting must be rewritten and all resultant impacts be re-analyzed with mitigation re-formulated in a revised draft environmental impact statement. Despite work that needs to be done, the cultural impact assessment is good. For details, see page 8. Comments are due on **June 22, 2001**.

Upcountry Maui Town Center

In the 40-acre triangle bounded by Pukalani Bypass, Makawao Avenue and Haleakala Highway, Maui Land & Pine proposes to develop the Upcountry Town Center, a development with a "town square" atmosphere. It would include cottage industries, commercial and retail businesses, office and civic space and residences for seniors. Open space would be preserved as a "green corridor" between the Center and Pukalani Bypass and may include equestrian and pedestrian trails. New businesses would be integrated with

existing businesses (Waiulu Farms Feed Store & Stables, Pukalani Superette, Makawao Avenue businesses; the fire station will not be affected). It would provide a place for community services, festivals and outdoor markets.

The site is currently fallow agricultural land. The requested zone changes are from the State Land Use Commission (from agricultural to urban); and a Makawao-Pukalani-Kula Community Plan amendment (from agricultural and open space to project district). See page 12 for more.

Safe Harbor Agreement for Koloa and Nene on Umikoa Ranch. See page 18.

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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) Kihara Kosan Seawall/Fencing Structures

District: Honolulu
TMK: 3-7-1:1 and 20
Applicant: Kihara Kosan Company, Ltd.
2222 Kalakaua Avenue
Honolulu, Hawai'i 96815
Contact: 922-3800

Approving Agency/Accepting Authority: City and County of Honolulu
Department of Planning and Permitting
650 South King Street
Honolulu, Hawai'i 96813
Contact: Pamela Davis (523-4807)

Consultant: Edward K. Noda & Associates, Inc.
615 Pi'ikoi Street, Suite 300
Honolulu, Hawai'i 96814
Contact: Elaine Tamaye (591-8553)

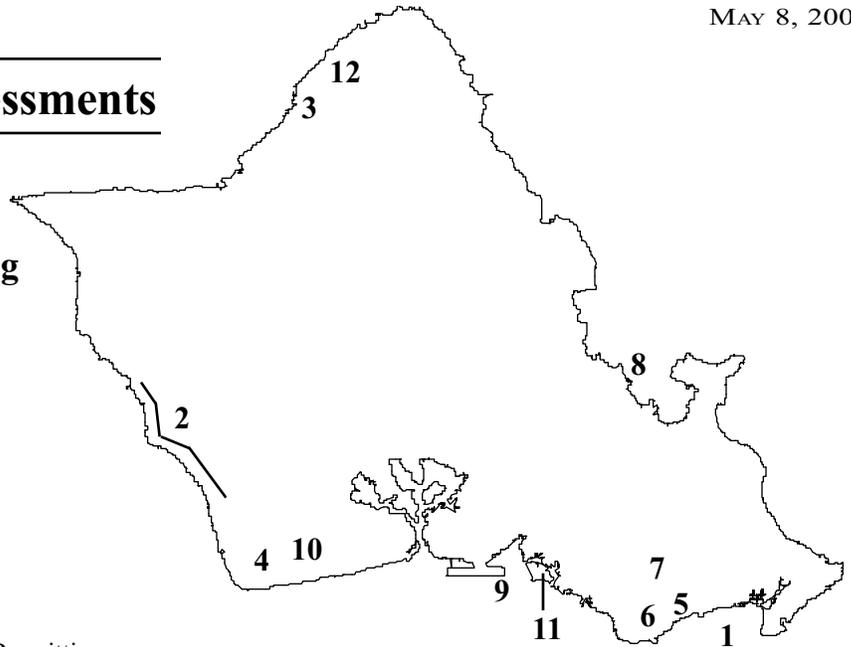
Public Comment

Deadline: June 7, 2001
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: SSV, Conservation District Boundary Interpretation

The applicant, Kihara Kosan Co., Ltd., proposes to construct CRM seawalls topped with chain-link fencing along the certified shoreline of each parcel located at 5641 and 5647 Kalaniana'ole Highway. The proposed seawall structure will be built on accreted land. (The applicant is the fee owner of the accreted land.) Parcel 1 (TMK 3-7-1:1) is developed with a single-family dwelling and a swimming pool. Parcel 20 (TMK 3-7-1:20) is undeveloped. The surrounding neighborhood contains single-family dwellings.

Because the parcels abut the shoreline, they are subject to a 40-foot building setback from the shoreline. The proposed seawall/fence structures would encroach fully into the 40-foot shoreline setback, and would be erected on accreted land. Certified shoreline survey maps prepared in 1988 and in 2000 show that, in the intervening 12 years, 596 sq. ft. of the accreted land abutting Parcel 1 has eroded.



(2) TGN Hawai'i Cable System (Revised)

District: Wai'anae and 'Ewa
TMK: 9-2-3: por. 15 and 8-6-1: por. 7
Applicant: Tycom Networks (US) Inc.
Patriots Plaza, Building A
60 Columbia Turnpike
Morristown, NJ 07960
Contact: Gerald Lynch (973-656-8610)

Approving Agency/Accepting Authority: City and County of Honolulu
Department of Planning and Permitting
650 S. King Street
Honolulu, Hawai'i 96813
Contact: Dana Teramoto (523-4648)

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

Public Comment

Deadline: June 7, 2001
Status: Revised 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, SSV, CDUA

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TyCom Networks, Inc., proposes to develop a submarine and terrestrial fiber optic cable system which will link Hawai'i with the continental United States, Guam, Hong Kong and Japan. The purpose of the project is to provide additional telecommunication capacity to accommodate exponential increases in global telecommunication traffic.

The project will be situated in three locations as follows: 1) cable landing at Kahe Point Beach Park, 2) cable landing at Lualualei Beach Park, and 3) fiber optic ductline installation along Farrington Highway from Kahe Point Beach Park to Lualualei Beach Park.

Construction of the project will be accomplished in two phases. The first phases involve all land-side construction activities; and the second phase includes all work necessary to prepare the landing sites and actual landing of the transpacific submarine fiber optic cables.

The land-side construction activities include the construction of new manholes at Kahe Point Beach Park and Lualualei Beach Park and new ductlines along Farrington Highway between the beach manholes and the cable station at Ma'ili. The terrestrial installation includes the installation of four 4-inch concrete encased PVC ducts within the Farrington Highway right-of-way. Construction will commence from both beach manholes and proceed to the Ma'ili cable station.

The second phases involve landing the submarine fiber optic cable, pulling the cable through ducts and connecting it to the new manholes at Kahe Beach Park and Lualualei Beach Park.



(3) Waimea Falls Park

District: Waialua
TMK: 6-1-002: 2, 3, 14-17, 19-21; 5-9-005: 25, 29, 76

Applicant: Attractions Hawai'i
1600 Kapi'olani Boulevard, Ste. 1630
Honolulu, Hawai'i 96814
Contact: Ray Green (638-6700)

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: Ardis Shaw-Kim (527-5349)

Consultant: Analytical Planning Consultants
928 Nu'uuanu Avenue, Suite 502
Honolulu, Hawai'i 96813
Contact: Donald Clegg (536-5695)

Public Comment

Deadline: June 7, 2001
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, CDUP

The applicant, Attractions Hawai'i proposes to obtain after the fact approval for structures and activities as well as construct new structures and initiate new recreational activities within the existing Waimea Falls Park outdoor recreational attraction.

Waimea Valley encompasses an area of 1800 acres and extend inland from Kamehameha Highway approximately 3.5 miles. The outdoor recreational development in the park was established in the mid 1970's.

Ongoing and proposed activities include the following: kayaking, mountain biking, all terrain vehicles, paint gut target shooting, camping, horseback riding and possibly in the future cabin camping.

Existing and proposed structures include the following: signs, various kiosks and booths, storage sheds, shipping containers used mainly for storage, trailers serving a variety of uses, animal and bird enclosures, rain shelters, stage and show areas, jungle trek maze, and camp sites. Structures will generally be concentrated in the lower portion of the valley. The master plan shows a "future restaurant site".

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



(4) Honolulu Desalination Study

District: 'Ewa
TMK: 9-1-031:028

Applicant: City and County of Honolulu
Board of Water Supply
630 South Beretania Street
Honolulu, Hawai'i 96843
Contact: George Kuo (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)

Status: FEA/FONSI issued, project may proceed.

Permits Required: Noise, Well Construction, NPDES,

Grading

The Honolulu Board of Water Supply (BWS) has previously completed the Honolulu Desalination Study, which included a state-of-the art technology survey, a site location and evaluation analysis, and an evaluation of the recommended seawater reverse osmosis technology at the preferred Kalaeloa site.

The next step is to physically analyze the recommendations in which the BWS proposes to drill, case, and test pump two exploratory wells. The selected site is a 0.5-acre portion of land at the northeast corner of TMK: 9-1-031:028 and is part of the former Barbers Point Naval Air Station. One well will be a caprock well approximately 300-feet deep with a 26-inch borehole. The other well will be a basal well approximately 1,700-feet deep with a 24-inch borehole.

In addition, on-site field-testing will be done to evaluate the site-specific characteristics of the geology, water chemistry and source water parameters that would impact the selected technology and provide information for the design of the desalination facility.

There will be 3 to 5 people on-site for construction of both wells and to collect water quality and quantity data. The project will cost approximately \$850,000.00 and take about six (6) months to complete. Construction is expected to start in May/June 2001.

A decision on whether to proceed with the preferred technology will be made after all data is collected and analyzed. Should the project proceed, design and construction plans for a full-scale desalination plant will be prepared. A separate EIS will be prepared for this next phase of the project.



(5) Kahala Mandarin Oriental Hawaii Hotel (Special Management Area)

District: Honolulu
TMK: 3-5-23: 39
Applicant: Kahala Mandarin Oriental Hawai'i Hotel
5000 Kahala Avenue
Honolulu, Hawai'i 96816

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: Geri Ung (527-6044)

Consultant: Kusao & Kurahashi, Inc.
2752 Woodlawn Drive, No. 5-202
Honolulu, Hawai'i 96822
Contact: Keith Kurahashi (988-2231)

Status: FEA/FONSI issued, project may proceed.

Permits

Required: SMA, building

The Kahala Mandarin Oriental Hawaii Hotel proposes the following renovations and expansion work: a) expansion of the existing spa and fitness center; b) addition of 5 beach suites as a partial third floor addition to the existing two-story beach suites; c) addition of an open-air 2nd floor to the existing poolside snack bar; d) construction of an elevated outdoor tennis court at the rear of the hotel, and back-of-house receiving offices beneath the new court; e) addition of a new roof to the existing magnum bar; and f) expansion of the existing swimming pool.

These proposed improvements would add approximately 13,971 square feet of new floor area to the existing hotel.



(6) Kaimuki Exploratory Wells

District: Honolulu
TMK: 3-2-059:002 (Kaimuki Middle School) & 3-1-042:009 (Kapi'olani Community College)
Applicant: Department of Land and Natural Resources
1151 Punchbowl Street
Honolulu, Hawai'i 96813
Contact: Andrew Monden (587-0230)

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Approving Agency/Accepting

Authority: Same as above.

Consultant: Marc M. Siah & Associates, Inc.
810 Richards Street, Suite 888
Honolulu, Hawai'i 96813
Contact: Marc Siah (538-7180)

Status: FEA/FONSI issued, project may proceed.

Permits

Required:

The Department of Land and Natural Resources proposes to locate a non-potable water source to provide irrigation water for various State facilities in the Diamond Head area. State facilities may include the Kaimuki Middle School (KMS), Kapi'olani Community College (KCC), Fort Ruger and the Diamond Head State Monument. The preferred site, referred to as Well Site "A", is located on the KMS campus. The alternate site, referred to as Well Site "B", is located on the grounds of KCC. The project will consist of drilling and pump testing a pilot hole at Well Site "A". If the pump test results are deemed successful, an exploratory well will be drilled at Well Site "A". However, if the pump test results of the pilot well are deemed unsuccessful, the pilot hole will be capped and abandoned, and a second pilot hole will be drilled and tested at Well Site "B". If the pump test results of the second pilot hole are deemed unsuccessful, the pilot hole will also be capped and abandoned. If the pump test results are deemed successful, an exploratory well will be drilled and tested at Well Site "B". Construction of an exploratory well entails clearing and grubbing of the site and the drilling, casing and pump testing of the well. The project is scheduled for the summer and fall months of 2001 and is estimated to last six to eight (6-8) months. Construction will take place during normal working hours and special precautions will be taken to protect students and faculty. The estimated cost of the project is \$400,000.



(7) Kaimuki Traffic Calming Project

District: Honolulu

TMK: 3-2-6

Applicant: City and County of Honolulu
Department of Transportation Services
711 Kapi'olani Boulevard, Suite 1200
Honolulu, Hawai'i 96813
Contact: Cheryl Soon (523-4125)

Approving Agency/Accepting

Authority: Same as above

Consultant: Gray, Hong, Bills, Nojima & Associates
841 Bishop Street, Suite 1100
Honolulu, Hawai'i 96813
Contact: David Bills (521-0306)

Status: FEA/FONSI issued, project may proceed.

Permits Required: Construction in ROW, trenching, drain connection

The Kaimuki Traffic Calming Project uses traffic calming devices and urban design features in the town center section of Kaimuki Town to enhance the physical setting. One of the main themes of the project is that the pedestrian is central to the success of a traditional town center.

The town center area of Kaimuki Town is defined as along Wai'alaie Avenue between Wilhelmina Rise and 10th Avenue. In addition, it includes the blocks bounded by Wai'alaie Avenue, Koko Head Avenue, Harding Avenue and 11th Avenue.

Major features of the project are as follows:

1. Wai'alaie Avenue Modification including streetscape enhancement with street furniture and curb extensions. The curb extensions define parking bays and reduce the actual amount of pavement width that must be crossed by pedestrians at traffic signals. Two lanes of traffic will be maintained in each direction.
2. Creation of a Town Square on 12th Avenue at its intersection with Wai'alaie Avenue. Approximately 110 feet of 12th Avenue would be closed to create the Town Square.
3. Creation of Community Promenade fronting the existing park between 10th and 11th Avenues. This feature will act as a community gatherer and will consist of a wider sidewalk, street furniture with game table and seating, and pedestrian lighting.
4. Creation of a Transit Transfer Center at the intersection of Wai'alaie Avenue and Koko Head Avenue. This feature will concentrate bus transfer and shelters with benches, street furniture, and information kiosks.
5. Create gateways entering Kaimuki Town from both the east and west directions.
6. Restriping of municipal parking lots between Koko Head Avenue and 11th Avenue to make them more functional and accessible.

The impacts of the project are primarily related to traffic. The project calls for curb extensions and the elimination of one east bound traffic lane between 10th and 11th Avenues, even though two lanes will remain. Curb extensions will eliminate the ability to use parking lanes during peak hours for traffic flow. The overall result of the project will be

less traffic carrying capacity, even though adequate capacity will remain. The trade-off is the benefit to the community enhancement by the features proposed by this project. The only viable alternative to mitigate the impact on traffic is to not proceed with the project.



(8) Kaneohe Bay Piers

District: Ko'olaupoko
TMK: 4-4-07,14,16,18,21,22,37; 4-5-01,06,07,47,58,104; 4-6-01,03,22,23; 4-7-09,10,14,17,19,24,30,41; 4-8-05; and 4-9-01,03
Applicant: Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawai'i 96809
Contact: Traver Carroll (587-0439)
Approving Agency/Accepting Authority: Same as above.
Status: FEA/FONSI issued, project may proceed.
Permits Required: CDUP

The Department of Land and Natural Resources wishes to resolve the unauthorized pier problem in Kaneohe Bay, which has persisted for several decades. There are approximately 200 piers in the Bay, many of which do not have proper government authorization. To induce participation in the program from owners of these unauthorized piers, an "Amnesty Program" was created which essentially pardons individuals who possess an unauthorized pier, should they cooperate with the State to legalize the pier. [Note: This program does not include encroachments other than unauthorized piers, such as seawalls, fill, boats ramps, steps, etc. The State will continue to deal with these encroachments on a case-by-case basis.]

The goal of this program is to provide owners of unauthorized piers with the required permits to achieve compliance with the State's land use laws and ultimately resolve the illegal pier problem in Kaneohe Bay.

It is not the intent of the Department to pardon "any" action that results in a violation of the State's land use laws. In this case, however, the Department decided that the pier problem was so extensive in Kaneohe Bay that it required a completely different solution than the conventional case-by-case approach to enforcement problems. The Department offered amnesty to unauthorized pier owners who were

willing to participate and offered to prepare the necessary permits and environmental documents, in order to increase the likelihood of participation. Another factor considered by the Department was the environment in Kaneohe Bay, which is ideally suited for pier development. Marine and coastal conditions provide an ideal situation for pier development. The long barrier reef, which stretches from Kaneohe Marine Air Force Base northward along the windward coast, provides shelter and calm seas, which are necessary conditions to maintain structures of these types. As such, from an environmental perspective, the Department feels that pier development is not inconsistent with conservation objectives.



(9) Ke'ehi Lagoon Pearl Oyster Farm

District: Honolulu
TMK: offshore Honolulu International Airport
Applicant: Black Pearls, Inc.
PO Box 525
Holualoa, Hawai'i 96725
Contact: Neil Sims (325-6516)
Approving Agency/Accepting Authority: Department of Land and Natural Resources
1151 Punchbowl Street, Room 220
Honolulu, Hawai'i 96813
Contact: Eric Hill (587-0380)
Status: FEA/FONSI issued, project may proceed.
Permits Required: CDUP, Army, NPDES, Solid Waste, Aquaculture License, DLNR mooring permit

Black Pearls, Inc. intends to grow hatchery raised *Pinctada margaritifera (galtsoffi)*, an endemic variety of the black lipped pearl oyster, on suspended net panels in a 75 acre state marine water exclusive shellfish farm use area at the reef runway borrow pit for pearl production. The farm will be submerged and marker buoys and surface float lines will mark the site. The wild oyster broodstock will be selected from various islands throughout the state to ensure genetic diversity.

The borrow pit area has an average depth of 40 feet below mean low tide. The farm will be secured to the bottom or sides of the borrow pit by moorings. Floats and lines connecting the farm will be submerged between three and 15 feet below the level of the ocean at mean low tide. Two or three small farm maintenance structures of post and pier construction are proposed to be built within the conservation

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district. A maximum of four pontoon rafts would be moored within the farm area, would be moved within the farm or adjacent areas as needed and would be used to operate the farm.



(10) One'ula Beach Park Master Plan

District: 'Ewa
TMK: 9-1-11: 3-7 and 9-1-12: 25
Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street, 9th Floor
Honolulu, Hawai'i 96813
Contact: Brian Suzuki (527-6316)

Approving Agency/Accepting Authority: Same as above.
Consultant: Wilson Okamoto & Associates, Inc.
1907 South Beretania Street, Suite 400
Honolulu, Hawai'i 96826
Contact: Earl Matsukawa (946-2277)

Status: FEA/FONSI issued, project may proceed.
Permits Required: SMA, building, grading

The City and County of Honolulu Department of Design and Construction has prepared a Master Plan for One'ula Beach Park in anticipation of receiving an additional 9.365 acres of beachfront land adjacent to the existing park. The Master Plan proposes various improvements to the park and the expansion area in two phases.

Phase I consists of realigning the access road, relocating the multi-purpose field, additional parking, comfort stations, ADA beach access, and landscaping. Phase II improvements to the 9.365-acre expansion area will include a new multi-purpose community/recreation center, picnic and camping site, additional parking, comfort station, ADA beach access, and landscaping.



(11) Sand Island Wastewater Treatment Plant Modifications and Expansion

District: Honolulu
TMK: 1-5-41:05

Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street
Honolulu, Hawai'i 96813
Contact: Cindy Masuoka (527-5843)

Approving Agency/Accepting Authority: Same as above.
Consultant: R.M. Towill Corporation
420 Waiakamilo Road, Suite 411
Honolulu, Hawai'i 96817
Contact: Brian Takeda (842-1133)

Status: FEA/FONSI issued, project may proceed.
Permits Required: SMA, Building, Grading, NPDES, Air

The Department of Design and Construction is proposing to expand and improve the Sand Island Wastewater Treatment Plant facility. The Sand Island Wastewater Treatment Plant serves the area from Moanalua-Aliamanu to Niu Valley-Paiko Peninsula.

The proposed improvements will improve the BOD and SS removal capability of the treatment plant and increase the capacity of the treatment plant. The main improvements will include the construction of a new Headworks facility, two new primary clarifiers, new odor control systems, and the refurbishment of the solids handling facilities. Other related improvements are the construction of several new pump stations; the installation of new sewage, drainage, and water lines; and the installation of new electrical facilities.

Construction of the project is scheduled to begin in November 2001 and be completed in February 2005. The preliminary construction cost estimate is \$300 million.

Draft Environmental Impact Statements



(12) Kaunala Residential Subdivision

District: Ko'olauloa
TMK: 5-8-003: 12 and 95; 5-8-006: 1-6 and 8-29
Applicant: Kaunala Beach Estates, LLC (formerly known as Commercial Investment Hawai'i, LLC)
43 Ahui Street
Honolulu, Hawai'i 96813
Contact: Mrs. Randolyn Grobe (523-0955)

Approving Agency/Accepting

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

Consultant: Wilson Okamoto & Associates, Inc.
1907 South Beretania Street, Suite 400
Honolulu, Hawai'i 96813
Contact: Earl Matsukawa (946-2277)

Public Comment

Deadline: June 22, 2001

Status: DEIS 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, grading, subdivision approval

Kaunala Beach Estates, LLC, proposes to consolidate and subdivide approximately 19 acres of land located at Kaunala, O'ahu, Hawai'i to develop a residential subdivision. Several changes to the proposed project have been made since publication of the Environmental Impact Statement Preparation Notice (EISPN). The project site is now proposed to be subdivided into thirty-three parcels rather than thirty-one. Twenty-nine parcels ranging in size from approximately 10,000 square feet (s.f.) to over 30,000 s.f. will be sold in fee for single-family residential use. A private roadway serving the residential parcels will be developed on an approximately 1.29-acre parcel and the existing sewage treatment plant will occupy an approximately 9,000 s.f. parcel. A remnant parcel on the southwestern portion of the project site will now be granted to the adjacent landowner. A public shoreline access easement from Kamehameha will be provided near the access road to the subdivision. Single family residential improvements on the individual residential parcels will be made at the discretion of subsequent landowners. No new development will occur within the shoreline setback extending 60-foot inland from the certified shoreline.

In the EISPN the applicant had proposed to dedicate a 1.76 acre parcel of land to the city for park use. However, at the request of the City Department of Parks and Recreation, the applicant now proposes to dedicate approximately 1.47 acres of land to the City for park use and to construct a paved driveway and stream crossing to a city-owned parcel fronting the ocean identified as tax map key 5-8-06:07. The parcel is part of the city's Waialeale Beach Park property. Dedication of the land and construction of the paved driveway will enable the City to improve Waialeale Beach Park.

Improvements present at the site include four multi-family dwellings, twenty-one single-family dwellings and a small-scale sewage treatment plant. Four dwellings on the northwestern portion of the project site will be retained while the other dwellings will be demolished. The existing sewage treatment plant will be retained and will service the proposed subdivision.

National Environmental Policy Act (NEPA)



(13) Proposed Replacement Outfall for Wastewater Treatment Plant at Fort Kamehameha, Pearl Harbor (Final EIS)

District: 'Ewa
TMK: 9-9-01:13
Applicant: Commanding Officer
Navy Public Works Center Pearl Harbor
(Attn: Code 640)
Pearl Harbor, Hawai'i 96860-3139
Contact: Reggie Puana (471-0963)

Approving Agency/Accepting Authority: U.S. Navy
DASN (I&F) via Chief of Naval Operations (N456)
2211 South Clark Pl
Crystal Plaza #5, Room 680
Arlington, Virginia 22244-5108
Contact: Ms. Kim DePaul, CNO N456C (703-604-1233)

Consultant: SSFM International, Inc.
501 Sumner Street, Suite 502
Honolulu, Hawai'i 96817
Contact: Calvin Tsuda (531-1308)

The Department of the Navy announces the availability of the Final Environmental Impact Statement (FEIS) that was filed with the U.S. Environmental Protection Agency for a Proposed Replacement Outfall for the Wastewater Treatment Plant (WWTP) at Fort Kamehameha.

The proposed action is to construct a deep ocean outfall that will discharge treated effluent from the WWTP into the open coastal waters of Mamala Bay and will consist of a 42-inch diameter, 2.4-mile long pipeline, including a 656-ft

O'ahu Notices

MAY 8, 2001

diffuser segment at a depth of 150 feet. The existing outfall at the WWTP discharges into the Pearl Harbor Estuary, which is classified as a Water Quality Limited Segment (WQLS) by the State of Hawai'i. The proposed outfall will eliminate the need to discharge treated wastewater into the WQLS.

The FEIS evaluates five alternatives to the proposed action. These alternatives include underground injection of effluent; "no action" (i.e., using the existing outfall indefinitely into the future); treatment plant upgrade; infiltration and evaporation of effluent; and effluent reuse. Evaluation of the alternatives presented is based on how well each meet the project's purpose and need, including the feasibility criteria. Alternatives determined to be infeasible are eliminated from further evaluation. The proposed action, underground injection, and "no action" are carried forward and analyzed in detail to ascertain and compare the extent of their environmental impacts. On the basis of these detailed analyses, the proposed action was chosen as the Navy's preferred alternative.

Various potential environmental impacts and issues are considered and analyzed in the FEIS, but none was found to be unmitigable for the proposed action. All of the potential impacts studied were found to be not significant on the environment.

Government agencies, elected officials, community organizations, and the general public are invited to review the FEIS and to provide statements during the current 30-day waiting period that ends on June 4, 2001. No decision on the proposed action will be made until the NEPA process has been completed.

The FEIS has been placed for viewing at various locations as follows: Hawai'i State (Main) Library, Salt Lake Moanalua Public Library, 'Aiea Public Library, Pearl City Public Library, and 'Ewa Beach Public & School Library.

A limited number of copies of the FEIS are available for filling single-copy requests to: Commander, Pacific Division, Naval Facilities Engineering Command, 258 Makalapa Drive, Suite 100, Pearl Harbor, Hawai'i 96860-3134 (Attention: Mr. Gary Kasaoka, Code PLN231GK); telephone (808) 471-9338; fax (808) 474-5909; or via the Internet at: KasaokaGS@efdpac.navy.mil.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

Ocean Pointe Master Plan (Revised)

Applicant: Haseko ('Ewa), Inc.
820 Mililani Street, Suite 820
Honolulu, Hawai'i, 96813
Contact: Nelson W.G. Lee (536-3771)

Approving Agency/Accepting

Authority: City and County of Honolulu
Department of Planning and Permitting
650 South King Street
Honolulu, Hawai'i 96813
Contact: Bob McGraw (547-7276)

Public Comment

Deadline: May 23, 2001

Waikakalaua Network Operations Center

Applicant: Sandwich Isles Communications, Inc.
Pauahi Tower, 27th Floor
1001 Bishop Street
Honolulu, Hawai'i 96813
Contact: Larry Fukunaga (524-8400)

Approving Agency/Accepting

Authority: City and County of Honolulu
Department of Planning and Permitting
650 South King Street
Honolulu, Hawai'i 96813
Contact: Mike Watkins (523-4406)

Public Comment

Deadline: May 23, 2001

Waipahu Adult Day Health Care and Children's Day Care Center

Applicant: Waipahu Community Foundation
94-444 Kipou Street
Waipahu, Hawai'i 96797
Contact: Calvin Kawamoto (677-9455)

Approving Agency/Accepting

Authority: City and County of Honolulu
Department of Community Services
715 South King Street
Honolulu, Hawai'i 96813
Contact: Arnold Wong (547-7231)

Public Comment

Deadline: May 23, 2001

O'ahu Notices

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Final 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 (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

Status:

Contact: Randall Fujiki (523-4432)
FEIS currently being reviewed by the City and County of Honolulu, Department of Planning and Permitting.



Maui Notices

Draft Environmental Assessments

(1) Central Maui Landfill Expansion & Related Improvements Entrance Facility

District: Wailuku
TMK: 3-8-003:25
Applicant: County of Maui, Department of Public Works & Waste Management
200 South High Street
Wailuku, Hawai'i 96793
Contact: Elaine Baker (270-7872)

Approving Agency/Accepting

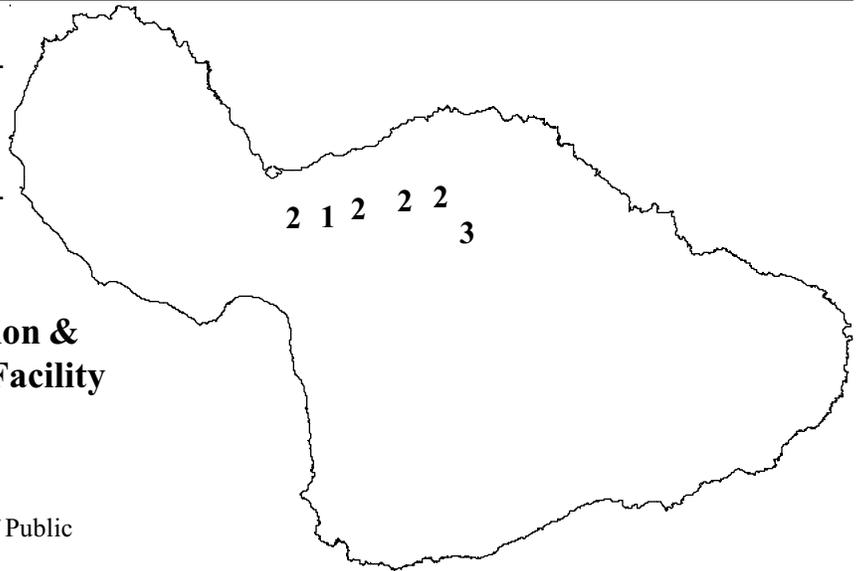
Authority: Same as above.
Consultant: R.M. Towill Corp.
420 Waiakamilo Road, Suite 411
Honolulu, Hawai'i 96817
Contact: Greg Hiyakumoto (842-1133)

Public Comment

Deadline: June 7, 2001
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

Permits

Required: LUC Special Use, Building, Grading



The applicant, the County of Maui, Department of Public Works and Waste Management, proposes to construct an entrance facility to the Central Maui Landfill expansion and related improvements in Pu'unene, Maui, Hawai'i. The entrance facility will occupy approximately 5.3 acres on TMK: (2) 3-8-003:25 on the northwest corner portion of the 29.34 acre landfill parcel, Phase IV, which is designated for use as landfill in the Environmental Impact Statement accepted by the County in April 1996. The entrance facility will provide direct access to the Phase IV landfill expansion from Pulehu Road. Related landfill improvements involve liner details, leachate, landfill gas, and stormwater management for the entire expansion site which occupies 90 acres as Phase IV, Phase V currently quarried by Ameron, and Phase VI, currently cultivated in sugarcane by Hawaiian Commercial and Sugar Company and to be quarried by Ameron in the

Maui Notices

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future. The proposed entrance facility includes an entry road, a perimeter road configured as a one-way loop, self-haul recycling area, self-haul disposal area, reuse center for materials exchange, scale and scale house, office and employee facility, wash slab, and water, septic, power infrastructure. The entrance facility will provide residents and small commercial customers an opportunity to recycle as well as dispose of their refuse away from the landfill working face. They will dispose of refuse in compactors and recycle in bins and roll-off containers. These areas will be monitored so that waste can be screened. Only commercial customers and County trucks will dispose at the working face which can be kept to minimal size for better litter control. Fencing will secure the site and landscaping will provide a windbreak and visual barrier.

Environmental Impact Statement Preparation Notices (EISP)



(2) East Maui Water Development Plan

District: Makawao
TMK: 2-05, 2-07, 3-08
Applicant: County of Maui
Department of Water Supply
200 South High Street
Wailuku, Hawai'i 96793
Contact: David Craddick (270-7816)

Approving Agency/Accepting Authority: County of Maui
Board of Water Supply
200 South High Street
Wailuku, Hawai'i 96793
Contact: David Craddick (270-7816)

Consultant: Mink & Yuen, Inc.
1670 Kalakaua Avenue, Suite 605
Honolulu, Hawai'i 96826
Contact: George Yuen (943-1822)

Public Comment Deadline: June 7, 2001
Status: EISP First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority and OEQC.

Permits Required: NPDES, CWRM, CDUA, Grading

The East Maui Water Development Plan, which is located in the Ha'iku District of Maui, provides for the design and construction of water transmission lines, storage reservoirs, and the drilling of ten basal wells of a maximum capacity of approximately 16 million gallons a day. It is designed to meet the water needs of the Central Maui Water District until the year 2012. The principal element of the plan is a 36-inch transmission main extending from the proposed wells to the existing 36-inch Central Maui transmission pipeline. Intermediate connections to the Central Maui Transmission pipeline are proposed at Pa'ia, Haleakala Highway, and Pu'unene. The transmission main will also be extended east from Hamakuapoko across Maliko Gulch and into the Ha'iku area. A total of 86,000 feet of 36-inch transmission main and about 24,000 feet of connecting pipes are involved. A major impact of this project would be on groundwater aquifers and possibly streams. Water quality may also be an issue. By the year 2004, the estimated cost of the project is nearly \$50 million.



(3) Upcountry Town Center

District: Makawao
TMK: 2-3-007:008
Applicant: Maui Land & Pineapple Company, Inc.
P.O. Box 187
Kahului, Hawai'i 96732
Contact: Warren Suzuki (877-3882);
Robert McNatt (877-3874)

Approving Agency/Accepting Authority: County of Maui Planning Department
250 S. High Street
Wailuku, Hawai'i 96793
Contact: Colleen Suyama (270-7735)

Consultant: Group 70 International, Inc.
925 Bethel Street, 5th Floor
Honolulu, Hawai'i 96813
Contact: Jeff Overton (523-5866)

Public Comment Deadline: June 7, 2001
Status: EISP 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: State District Boundary Amendment, County Community Plan Amendment, Change in Zoning

Maui Land & Pineapple Company, Inc. is proposing to improve approximately 40 acres of agricultural land into a rural country town center development. New uses include commercial, office and civic space, cottage industrial lots and a senior residential component. Associated parking and improved road circulation are also proposed within the master development plan.

The proposed Upcountry Town Center will serve local residents, businesses and visitors through a variety of uses. Quality retail, governmental, senior living and office space are in demand in the area because of an enhanced economy and larger local populations. This project intends to meet needs identified by members of the community while maintaining the distinctive Upcountry Maui character and creating a sense of place in a central area for the region. Open space is also an important component of the project. A new green corridor will provide an open space buffer between the Pukalani Bypass Highway and the Upcountry Town Center.

The Upcountry Town Center Master Plan includes approximately 10-acres of open space designed as a buffer between Pukalani Bypass Highway and the uses of the Center. This area will be landscaped consistent with the surrounding Upcountry environment and may include recreational features such as pedestrian and equestrian trails. The entire development is intended to provide a centralized local gathering place providing a venue for community services, activities, festivals and outdoor markets.

Preliminarily, the following approvals and permits will be needed: a Land Use District Boundary Amendment (from Ag to Urban) from the State of Hawai'i, Department of Business and Economic Development, a Makawao-Pukalani-Kula Community Plan Amendment (from Ag to PD, Project District) from the County of Maui and a Re-zoning or Project District Approval by the County of Maui.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

Lahaina Water Treatment Facility Modifications

Applicant: County of Maui
Department of Water Supply
P.O. Box 1109
Wailuku, Hawai'i 96793
Contact: David Craddick (270-7816)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: May 23, 2001

Olowalu After-The-Fact Landscaping, Dredging and Wharf Construction

Applicant: Olowalu 'Elua Associates, LLC
173 Ho 'Ohana Street, Suite 201
Kahului, Hawai'i 96732
Contact: Bob Horcajo (877-2434)

Approving Agency/Accepting

Authority: Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawai'i 96809
Contact: Eric Hill (587-0380)

Public Comment

Deadline: May 23, 2001



Lana'i Notices

MAY 8, 2001

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

(1) Lands of Lana'i

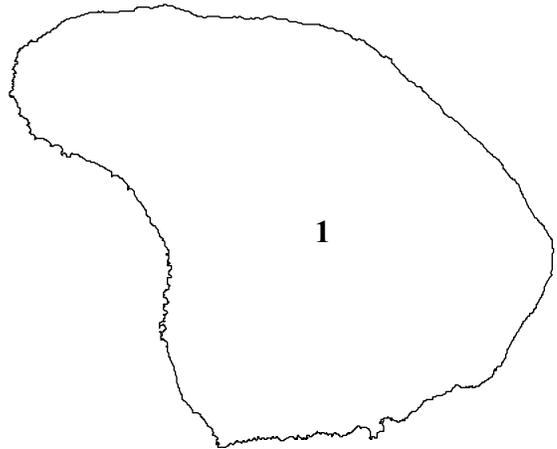
District: Lana'i
TMK: 4-9-02:57
Applicant: Department of Hawaiian Home Lands
P.O. Box 1879
Honolulu, Hawai'i 96805
Contact: Michele Otake (587-6451)

Approving Agency/Accepting Authority: Same as above
Consultant: Townscape, Inc.
900 Fort Street Mall, Suite 1160
Honolulu, Hawai'i 96813
Contact: Joanne Hiramatsu (536-6999)

Status: FEA/FONSI issued, project may proceed.
Permits Required: Grading, Building, County Subdivision Plan Approval, Erosion and Dust Control Plan

The Department of Hawaiian Home Lands (DHHL) is planning to develop approximately 136 single family lots and 20 multi-family/kupuna housing units for the purpose of providing homes for native Hawaiian beneficiaries on Lana'i, deeded to DHHL in 1999. A five-acre park and community center complex are also planned as part of this project. Sandwich Isles Communications, Inc. will be constructing a 2,000 square foot switching facility and offices, and a 4,000 square foot warehouse at the community center site. The project is tentatively identified as "*Lands of Lana'i*" and consists of one lot totaling 50 acres that was previously used for pineapple cultivation. Access to the site will be via Fifth Street.

Single family lot sizes will average 10,000 square feet and multi-family/kupuna housing will have a density of approximately 10 units per acre. Sewer service will be provided to the site via the extension of the County sewer system. Potable water service will be provided by extending the existing Lanai Company water system into the site.



Drainage facilities will be constructed such that there will be no increase in the volume of storm water leaving the site and entering the existing drainage system. Maui Electric Company will provide electric service and Hawaii Cablevision will provide cable television service. Sandwich Isles Communications, Inc. will provide telephone service to the site and is proposing to construct a switching facility and warehouse at the 5-acre Community Center site. All utilities will be placed underground.

Environmental studies were performed on the site and there were no proposed, rare, threatened, or endangered plants or animals on the site. Cultural resources of significance were not found on the site and past cultural practices are not known to be performed at the site.

This is the first DHHL project on Lana'i, as the island has been privately owned since the inception of the Hawaiian Home Lands program in 1920. This project is being developed to implement the objectives of the Hawaiian Homes Commission Act of 1920, as amended.

Draft Environmental Assessments



(1) Kaupulehu Roadway and Water System Expansion

District: North Kona
TMK: 7-2-03:03
Applicant: PIA - Kona Limited Partnership
P.O. Box 803
Kamuela, Hawai'i 96743
Contact: Roger Harris (881-9500)

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: Belt Collins Hawai'i
680 Ala Moana Blvd. Suite 100
Honolulu, Hawai'i 96813
Contact: Lee Sichter (521-5361)

Public Comment

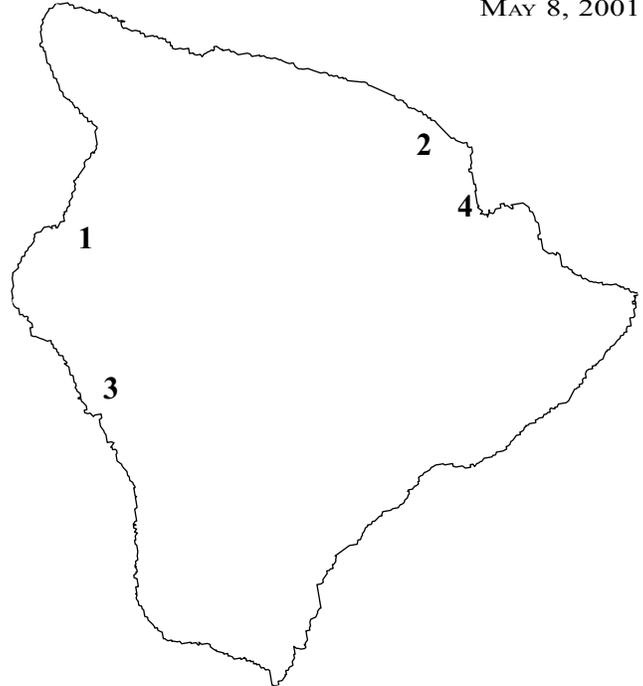
Deadline: June 7, 2001
Status: DEA First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority, the consultant and OEQC.

Permits

Required: CDUP, Grading

A roadway connecting Queen Ka'ahumanu Highway to a golf course and water system improvements are proposed. Water system improvements would include potable and irrigation water improvements. The project would also include a series of test drillings to determine the optimal size of a percolation area to be located immediately mauka of twin drainage culverts which presently extend under the highway.

The land parcel consists of approximately 7835 acres. Groundcover is comprised largely of 'a'a and pahoehoe lava flows with sparse vegetative cover consisting predominantly of fountain grass. The land generally slopes at 3%. At present, the following infrastructure or structures exist on the parcel: numerous archaeological sites; two prehistoric mauka-makai trails; a jeep trail; one 69 kilivolt electrical transmission line suspended from poles and located about 2,400 feet



mauka of and parallel to Queen Ka'ahumanu Highway; an electrical substation; one water influent and irrigation line extending across the property mauka to makai; one 0.02 million gallon potable water tank; one 0.5 million gallon potable water tank; and one 2 million gallon irrigation reservoir.



(2) Piha Kahuku Organic Farm

District: North Hilo
TMK: 3-2-04:43 and 44
Applicant: G.B. Hajim
P.O. Box 373
Hakalau, Hawai'i 96710
Contact: Karen Akiba (963-5482)

Approving Agency/Accepting Authority:

Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawai'i 96809
Contact: Masa Alkire (587-0385)

Public Comment

Deadline: June 7, 2001
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

Hawai'i Notices

MAY 8, 2001

The Applicant is seeking approval of an organic family farm on two parcels above the town of Ninole on the Hamakua coast of the Big Island. The two parcels are in the General Conservation Subzone. All planned uses are within the statutes of this subzone. No herbicides or pesticides will ever be used on this parcel.

The planned uses include the removal of noxious species, the planting of a garden, establishment of a small scale timber farm, a non-commercial fruit orchard, a native forest restoration area, and a kalo patch. To support these activities, the applicant plans to build a workshed, shadehouse and water catchment system. To facilitate access and control erosion, the applicant will improve the existing jeep roads.

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



(3) Ali'i Highway 16-Inch Water Transmission Main

District: South Kona
TMK: 7-5:19, 20 (por); 7-6:13-19, 25 (por); 7-7:4, 8 (por); 7-8:10 (por)
Applicant: County of Hawai'i
Department of Water Supply
25 Aupuni Street
Hilo, Hawai'i 96720
Contact: Glenn Ahuna (961-8660)

Approving Agency/Accepting

Authority: Same as above
Consultant: R.M. Towill Corporation
420 Waiakamilo Road, Suite 411
Honolulu, Hawai'i 96817
Contact: Chester Koga (842-1133)
Status: FEA/FONSI issued, project may proceed.
Permits Required: NPDES

The Department of Water Supply (DWS), County of Hawai'i, proposes to install a 16-inch waterline within the proposed Ali'i Highway right-of-way from Queen

Ka'ahumanu Highway to Ali'i Drive at Keauhou in the South Kona District. The water line is to be located within the proposed Ali'i Highway alignment and is scheduled for construction simultaneously with the highway project. The purpose of the proposed 16-inch waterline is to relieve the demand on the existing water main at Royal Poinciana Drive and to provide the infrastructure necessary to meet future water demand based on expected private and public sector development in the area served by the new highway.

Construction activities associated with the proposed highway and waterline project will generate short-term impacts in the form of fugitive dust, exhaust emissions, and construction noise. These impacts are temporary in nature and will be mitigated through best management practices developed for the Ali'i Highway Alignment project. Impacts to cultural and historic resources are to be minimized or eliminated through a Phased Mitigation Program and Data Recovery Plan developed in compliance with National Advisory Council on Historic Preservation regulations and in cooperation with the State of Hawai'i Historic Preservation Office.

The proposed project is not anticipated to have negative impacts on rare, threatened, or endangered species, or their habitats. The project will not adversely affect public welfare, water quality, visual resources, or surrounding land uses. Installation of the waterline will facilitate development along Ali'i Highway. No zoning changes are required by the project. Installation of the waterline supports the long range development strategy for the area, as expressed in the Hawai'i County General Plan and the Kona Regional Plan.



(4) Newton Nine-Parcel Family Subdivision

District: South Hilo
TMK: 2-4-08:33
Applicant: The Newton Family Limited Partnership
P.O. Box 426
Kailua, Hawai'i 96734
Contact: Dr. George Newton (247-5524)

Approving Agency/Accepting

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

Hawai'i Notices

MAY 8, 2001

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

Status: FEA/FONSI issued, project may proceed.

Permits Required: Land Use Boundary Amendment, County
General Plan & Zoning Amendments;
Subdivision & Grading Permits

easement that is unimproved and will require a paved road. Alternatively, access may be provided from an existing County Water Supply Department service road located near the Newton Family's existing access easement. The 3,000-foot long alternative access will traverse three private properties and a Hawai'i Electric Light Company access easement before entering the Newton Family's property from the northeast.

The Newton Family, who owns a 1,645.8-acre property in South Hilo, Hawai'i, is requesting an amendment to the State Land Use District boundary of the Conservation District in order to reclassify approximately 885.4 acres or 54 percent of its property from Conservation to Agricultural. This reclassification would enable the Newton Family to subdivide the reclassified area into eight parcels ranging in size from 80 acres to approximately 150 acres. The remaining area of the property will be kept in the Conservation District and will constitute a separate parcel.

The proposed subdivision is intended primarily to provide individual agricultural home sites for members of the Newton Family. Although the proposed parcels are large, the members of the Newton Family are expected to use only a small portion of their respective parcels for a dwelling and possible agricultural activities leaving the large remainder portion in its natural state.

The proposed subdivision will be served by a private access from Wilder Road, a County right-of-way that connects with Kaumana Drive. The access is located within an existing

Previously Published Projects Pending Public Comments

Environmental Impact Statement Preparation Notices (EISPN)

► China-U.S. Center

Applicant: GEO International Explorer, Inc.
13-1F, 336 Tun Hua S. Road
Sec. 1, Taipei 106, Taiwan
Republic of China
Contact: Ron Terry (982-5831)

Approving Agency/Accepting

Authority: University of Hawai'i at Hilo
200 W. Kawili Street
Hilo, Hawai'i 96720
Contact: Gerald DeMello (974-7567)

Public Comment

Deadline: May 23, 2001



Kaua'i Notices

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

● Port Allen Airport Improvements

Applicant: Department of Transportation
Airports Division
400 Rodgers Boulevard
Honolulu, Hawai'i 96819
Contact: Jerry Matsuda (838-8600)

Approving Agency/Accepting

Authority: Department of Transportation
Airports Division
400 Rodgers Boulevard
Honolulu, Hawai'i 96819
Contact: Jerry Matsuda (838-8600)

Public Comment

Deadline: May 23, 2001



Safe Harbor Agreement

MAY 8, 2001



Safe Harbor Agreement for Koloa and Nene on Umikoa Ranch

District: Hamakua
TMK: 4-1-06:6
Applicant: Department of Land and Natural Resources
Division of Forestry and Wildlife
1151 Punchbowl Street, Room 325
Honolulu, Hawai'i 96813
Contact: Paul Conry (587-4176)

Approving Agency/Accepting

Authority: Board of Land and Natural Resources
1151 Punchbowl Street
Honolulu, Hawai'i 96813
Contact: Gilbert Coloma-Agaran (587-0400)

Public Comment

Deadline: July 7, 2001
Status: Public Notice pending public comment.
Address comments to the applicant with copies to the approving agency or accepting authority and OEQC.

Permits Required: State & Federal Incidental Take Permits

The Department of Land and Natural Resources has received and is considering approval of a Safe Harbor Agreement (SHA) for Koloa (Hawaiian Duck) and Nene (Hawaiian Goose) on Umikoa Ranch, Island of Hawai'i and the issuance of an Incidental Take Permit to accompany the agreement.

The purpose of the SHA will be to enhance and maintain habitat on Umikoa Ranch to benefit the endangered koloa (Hawaiian duck) and the nene (Hawaiian goose). The term of the agreement is 20 years. Under the agreement, the Ranch will:

- 1) create and/or enhance two acres of wetland marsh and 150 acres of riparian and associated uplands for koloa and nene on Hawai'i;
- 2) fence the wetland areas to keep out cattle and predators;
- 3) implement an intensive predator control program in and around new wetland habitats; and
- 4) increase food plants for koloa and nene and control alien weeds in managed habitats.

Under this agreement, the Ranch is authorized the incidental take of nene and koloa in excess of those occurring on the property at the time the agreement is signed. Surveys indicate that there is occasional use of the enrolled lands by two koloa and no nene. Therefore the agreement allows for the incidental take of all nene and all but two koloa on the enrolled lands as a result of lawful activities at the Ranch. The Ranch has no intention of harming or taking any koloa or nene, but will be provided the protections of incidental take as provided by State and Federal Law.

The draft SHA has been reviewed by the Endangered Species Recovery Committee and comments provided. A public hearing on the approval of this agreement and the issuance of the incidental take permit will be held on the Island of Hawai'i within 60 days. A copy of the draft Safe Harbor Agreement, draft State Incidental Take Permit, Board submittal, and comments of the Endangered Species Recovery Committee are available for review from the Division of Forestry and Wildlife or on the Division's webpage at <http://www.state.hi.us/dlnr/dofaw/pubs/index.html>.

Legal Notice The Johnston Atoll Plutonium Cleanup Project

The Defense Threat Reduction Agency (DTRA) is soliciting public comment as it prepares a Corrective Measures Study/Feasibility Study for Johnston Atoll. The agency is evaluating options for the disposition of metal/concrete debris and radioactive coral (above 13.5 picocuries per gram (pCi/g) located in the Radiological Control Area on Johnston Island, Johnston Atoll.

DTRA is responsible for the cleanup of radioactive contamination from two aborted missile launches in 1962. DTRA and its legacy organizations began cleanup of the atoll immediately to resume testing activities. Since then the agency has surveyed and reduced the contamination using available and specially developed technology. In September 2000, the U.S. Environmental Protection Agency recommended that the atoll surface be cleaned to 13.5 pCi/g. Johnston Atoll's surface and buildings meet this cleanup standard except for some material in a 24-acre, fenced Radiological Control Area on Johnston Island. Contaminated coral soil, metal and concrete debris are located in four piles in the Radiological Control Area. Weapons-grade plutonium and americium, a decay product of plutonium, are the primary contaminants of concern. One pile of 45,000 cubic meters of coral has an average concentration of 200 pCi/g. The other pile of 120,000 cubic meters of coral has concentrations below the 13.5 pCi/g cleanup standard. A 240-ton pile of metal and a pile of 269 cubic meters of concrete have not been surveyed, but they are assumed to be contaminated on the surface with weapons-grade plutonium. DTRA is evaluating alternatives for the disposition of the coral soil above 13.5 pCi/g as well as the metal and concrete debris.

DTRA will host four public availability sessions with an open house format and a public scoping meeting to increase public involvement and awareness. The schedule is:

Public Availability Sessions:

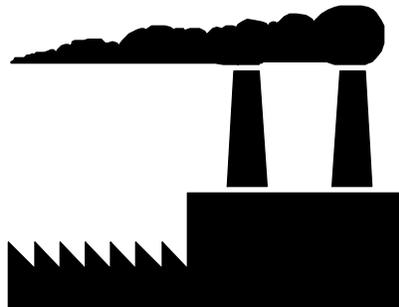
- May 21, 5-8 p.m., Lihue Public Library, 4344 Hardy Street, Lihue, Hawai'i
- May 22, 5-8 p.m., Kahului Public Library, 90 School Street, Kahului, Hawai'i
- May 23, 4-7 p.m., Hilo Public Library, 300 Waiuanue Avenue, Hilo, Hawai'i
- May 24, 6-7 p.m., Washington Middle School, 1633 S. King Street, Honolulu, Hawai'i

Public Scoping Meeting:

- May 24, 7:30-9:30 p.m., Washington Middle School, 1633 S. King Street, Honolulu, Hawai'i

DTRA personnel will answer questions and accept oral and written comments for the record at all locations. Members of the public who wish to speak at the Honolulu meeting may register at the door. Speakers are requested to limit their comments to five minutes. These comments will be recorded. They will become part of the public record for this cleanup effort along with recorded comments from public availability sessions and written comments. Issues identified during the public scoping process will be used to prepare the study, which will be made available for public comment.

The public comment period ends June 15, 2001. Send comments postmarked no later than June 15 to the **Defense Threat Reduction Agency, ATTN: CSTAE – Public Comments, 1680 Texas Street SE, Kirtland Air Force Base, New Mexico, 87117-5669.** Replies will be incorporated in the Corrective Measures Study/Feasibility Study. Any questions, please contact CW2 Douglas R. Winquist at (505) 846-5396.



Shoreline Notices

MAY 8, 2001

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	Location	Applicant	Tax Map Key
OA-815	3/22/01	Lot 1119, Land Court Application 677, Map 255, land situated at Kailua, Koolaupoko, Island of Oahu, Hawaii Address: 72 and 72-A South Kalaehe Ave. Purpose: <u>Building Permit</u>	Towill, Shigeoka & Associates, for Dean Schmalz	4-3-13: 03
HA-245	4/19/01	Kapoho – Kalapana Road Portion of Grant 1940 and 1895 at Kamaili – Kaueleau and Opihikao Beach, Puna, Island of Hawaii, Hawaii Address: Kamaili - Kaueleau, and Opihikao Beach Purpose: <u>Obtain SMA Permit and CDUA Permit for related Improvements to Kalapana Roadway</u>	ControlPoint Surveying, Inc., for County of Hawaii	1-3-2: por. 35 and 1-3-4: 10, 12, 22 & 71
OA-287-2	4/12/01	Portion of Lualualei Beach Park, City and County of Honolulu under Executive Order 106, land situated at Lualualei, Waianae, Island of Oahu, Hawaii Address: 86-081 Farrington Highway, Lualualei Beach Park Purpose: Install New Telecommunication Lines	R. M. Towill Corporation, for Tycom	8-6-01: por of 7
OA-822	4/23/01	Reclaimed (Filled) Land of Kaneohe Bay Parcel, Lot 45 as shown on Map 6 of Land Court Consolidation 51, land situated at Punaluu, Kaneohe, Koolaupoko, Island of Oahu, Hawaii Address: 45-004 Bayside Place, Kaneohe Purpose: <u>Consolidation</u>	Homestead Realtors, for Mr. Alfred Medford	4-5-58: 45
OA-823	4/24/01	Lot 12, Portion of Grant 5153 to Margaret T. Morgan and Portion of Hanohuluwiwi Fishpond, land situated at Kaneohe, Koolaupoko, Island of Oahu, Hawaii Address: 45-027B Lilipuna Place, Kaneohe Purpose: <u>Interpretation of the Urban/Conservation Line and Obtain Building Permit</u>	Walter P. Thompson, Inc., for David Pham	4-5-57: 01
HA-246	4/24/01	Grant 2164, portion of Apana 2 and Apana 3, Kamaili, Puna, Island of Hawaii, Hawaii Address: Seaward along Kalapana Road Purpose: <u>Kalapana Roadway Improvements</u>	ControlPoint Surveying, Inc., for County of Hawaii	1-3-2: 5 & 9
HA-247	4/24/01	Portion of Kauaea, Opihikao Homestead and Kauaea, Kauaea, Puna, Island of Hawaii, Hawaii Address: Seaward along Kapoho-Kalapana Road Purpose: <u>Kalapana Roadway Improvements</u>	ControlPoint Surveying, Inc., for County of Hawaii	1-3-3: 3 & 5
MA-250	4/25/01	Lot 1 of the Kihei Boat Ramp Subdivision, being a portion of Government Land and Government Beach Reserve of Kamaole, situated at Kamaole, Kihei, Wailuku, Maui, Hawaii Address: South Kihei Road Purpose: <u>Improvement to Kamaole Beach Park (Unit III)</u>	A & B Properties Inc., for County of Maui	3-9-04 por of 1 and 61
OA-824	4/26/01	Portion of Old Government Road Civil No. 98-2217-05, land situated at Kaalawai, Honolulu, Island of Oahu, Hawaii Address: 22 Kaalawai Place Purpose: <u>Building Permit</u>	Walter P. Thompson, Inc., for Rajan Watumull	3-1-39: 08
OA-825	4/26/01	Lot 71 of Land Court Application 1052, land situated at Makaha, Waianae, Island of Oahu, Hawaii Address: 84-853 Moua Street Purpose: <u>Building Permit</u>	Walter P. Thompson, Inc., for David Pham	8-4-5: 16

Shoreline Notices

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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, Hawai'i 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
HA-240	4/23/01 Certified	Lot 2 (revised), being a portion of R. P. 3736, Land Commission Award 10642, Apana 1 to Puki and R. P. 4033, Land Commission Award 2376, Apana 2 to Keauikalima, land situated at Kapalaalaea 1 st , North Kona, Island of Hawaii, Hawaii Address: 75-6570 Alii Drive Purpose: <u>Building Permit</u>	Wes Thomas Associates, for Col James Sadler, USAF, Ret. etal	7-7-10: 10
MO-064	4/23/01 Certified	Lot 18, as shown on map 2, of Land Court Application 1867, land situated at Kawela, Molokai, Hawaii Address: Not assigned Purpose: <u>Building Permit</u>	Newcomer-Lee Surveyors, Inc., for Mel & Pamela Sue James	5-4-17: 16
MA-167-2	4/24/01 Certified	Lot 216 (Map 31) as shown on map 31, of Land Court Application 1804, land situated at Palauea, Honuaula, Island of Maui, Hawaii Address: 3400 Wailea Alanui Drive Purpose: <u>Building Permit</u>	ControlPoint Surveying, Inc., for M-35 LLC	2-1-08: 62
MA-134-2	4/23/01 Certified	Portion of State Wayside Park, Launiupoko, Lahaina, Island of Maui, Hawaii: Shoreline along Honoapiilani Highway Address: Launiupoko State Park Purpose: <u>Determine setback</u>	Tanaka Engineers, Inc., for State of Hawaii	4-7-1: por. 17

Green Building Conference

The Department of Business Economic Development and Tourism, the Hawaiian Electric Company, the Building Industry Association of Hawai'i and other conference sponsors offer a jam-packed program that combines technical and practical business sessions to help you make informed choices in Green Building. Sessions will provide methods, case studies, and resources focusing on green building techniques that are high on the list of what both Federal and State policy makers and consumers want. It will also provide you with financial incentives and other market drivers that provide opportunities to "green" buildings and your business' bottom line.

Date: Friday, May 18, 2001
Location: Ko'olau Ballrooms at the Ko'olau Golf Club, Kane'ohē
Cost: \$95.00 (Deadline is May 11, 2001)

To register or for more information, please contact June Keaton, BIA-Hawaii, P.O. Box 31000, Honolulu, Hawai'i 96849-5320, telephone: 847-4666, fax: 841-0129. You may also register online at www.bia-hawaii.com.

Pollution Control Permits

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Department of Health Permits

The tables on the following page lists 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.

Clean Air Branch

Branch Permit Type	Applicant & Permit Number	Project Location	Pertinent Date	Proposed Use
Clean Air Branch, 586-4200, Noncovered Source	State Department of Agriculture NSP 0281-01-N	Halawa Necropsy Facility, 99-941 Halawa Valley Street, Aiea, Oahu	Issued: 4/6/01	500 lbs/hr Incinerator
Clean Air Branch, 586-4200, Noncovered Source	Hale Kauai, Ltd. NSP 0309-01-N (Renewal)	TMK: 5-3-01: 14, Princeville, Kauai	Issued: 4/11/01	150 yd ³ /hr Portable Concrete Batch Plant
Clean Air Branch, 586-4200, Noncovered Source	Briggs Pacific Industries, LLC NSP 0289-01-N	91-650 Malakole Road, Kapolei, Oahu	Issued: 4/23/01	1,500 Ton Cement Silo with Baghouse
Clean Air Branch, 586-4200, Temporary Covered Source Permit	R.H.S. Lee, Inc. CSP 0495-01-CT	Various Temporary Sites, Initial Location: Waiohai Beach Resort, Poipu, Kauai	Comments Due: 5/24/01	638 TPH Mobile Crushing Plant with 300 Hp Diesel Engine
Clean Air Branch, 586-4200, Covered Source Permit	Yamada & Sons, Inc. CSP 0376-01-C	169 Railroad Avenue, Hilo, Hawaii	Comments Due: 5/24/01	210 TPH Asphalt Concrete Batch Plant with 500kW Diesel Engine Generator and Hot Oil Heater
Clean Water Branch, 586-4309, NPDES	Kauai, DPW, #01- CW-PW-05	Wailua Wastewater Treatment Plant, 4460 Nalu Rd., Wailua,	Comments Due: 5/16/01	Discharge secondary treated domestic wastewater to the ocean

DOH Seeking Public Input on Proposed Changes to Water Quality Rules

The Department of Health is seeking informal public input on proposed changes to its administrative rules that relate to Water Quality Standards. The proposed revisions add criteria to classify perennial streams; change the indicator bacteria criterion for inland waters and restricts applicability of criteria to locations where human sewage is highly likely to contribute to high enterococcus counts; modify the ammonium criteria for open coastal waters on the basis of new data; update Hawai'i's antidegradation policy to conform it to federal policy; and makes the definition of state waters consistent with State law.

The proposed amendments affect Hawai'i's Administrative Rules Title 11 Chapter 54, Water Quality Standards. WQS rules establish designated uses for all State surface waters such as drinking water supplies, recreation, support of aquatic life, and irrigation. WQS also establish criteria to support those uses, these criteria are usually enforced through discharge permits.

The Department of Health's Environmental Planning Office will host an informal meeting about these proposed changes on 15 May 2001, from 10am-12pm in Room 215 of the 919 Ala Moana building. The text of the proposed amendments and rationale documents are available on the Internet at <http://www.state.hi.us/health/eh/epo/index.htm> or can be obtained from the DOH Environmental Planning Office located at 919 Ala Moana, Room 312, telephone 586-4337.

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Safe Drinking Water Branch

Branch & Permit Type	Applicant & Permit Number	Project Location	Pertinent Dates	Proposed Use
Safe Drinking Water Branch, 586-4258 UIC Permit	Airports Division, Department of Transportation, State of Hawaii, UH-1673F	General Aviation Site Preparations at Kailua-Kona International Airport	n/a	Construction of 9 injection wells for surface drainage.
Safe Drinking Water Branch, 586-4258 UIC Permit	Costco Wholesale UH-1805M	Costco Wholesale 73-5600 Maiau St., Kailua-Kona	n/a	Permit modification for one of 18 injection wells for surface drainage.
Safe Drinking Water Branch, 586-4258 UIC Permit	Costco Wholesale UH-1805	Costco Wholesale 73-5600 Maiau St., Kailua-Kona	n/a	Permit renewal of 18 injection wells for surface drainage.
Safe Drinking Water Branch, 586-4258 UIC Permit	Maryl Group, Inc. UH-2120	The Villages at Mauna Lani, Increment 1, Lahuipuaa, South Kohala	n/a	Construction of 8 injection wells for surface drainage.
Safe Drinking Water Branch, 586-4258 UIC Permit	Maalaea Triangle, Inc. UM-1954	Maalaea Triangle Wastewater Treatment Facility, Maalaea Road, Wailuku	n/a	Permit modification involving a change of facility operator for 2 injection wells for sewage disposal.
Safe Drinking Water Branch, 586-4258 UIC Permit	Association of Apartment Owners, UM-1273	Maalaea Kai Condominium 70 Hauoli St., Wailluku	n/a	Permit renewal of 3 injection wells for sewage disposal.
Safe Drinking Water Branch, 586-4258 UIC Permit	Hawaiian Electric Company UO-1983	Piikoi Substation Hassinger Street, Honolulu	n/a	Permit renewal of 3 injection wells for surface drainage.
Safe Drinking Water Branch, 586-4258 UIC Permit	Airports Division, Department of Transportation, State of Hawaii, UO-2119	Honolulu International Airport - Main Terminal Parking Lot, 400 Rodgers Blvd., Suite 700	n/a	Abandonment of one unregistered injection well for surface drainage.

Federal Notices

Regional Environmental Stewardship Grants Competition

EPA has about \$497 thousand in fiscal year 2001 grant/cooperative agreement funds under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, for grants to States and federally recognized Native American Tribes for research, public education, training, monitoring, demonstrations, and studies. Applications must be received by the appropriate EPA Regional Office on or before June 11, 2001. EPA will make its award decisions by July 2, 2001. For details contact Karen Heisler, (CMD-4-3), 75 Hawthorne St., San Francisco, CA 94105; telephone: (415) 744-1100; e-mail address: heisler.karen@epa.gov (see, 66, F.R. 18929, April 12, 2001).

FONSI for FEMA's Transportation of Calibrators containing Cesium-137 to Hawai'i and Other States

The U.S. Nuclear Regulatory Commission (NRC) has an environmental assessment (EA) and a finding of no-significant impact (FONSI) on the issuance of a one-time exemption, pursuant to 10 CFR 71.8, from the provisions of 10 CFR 71.73(c)(1) and (3) to the Federal Emergency Management Agency (FEMA) to allow FEMA to transport ten CDV-794 calibrators containing up to 85 curies of cesium-137 in packages that otherwise meet the performance requirements for a Type B transportation package pursuant to 10 CFR part 71 as exempted. Nine calibrators will be shipped to a central location so that disassembly of the calibrators and disposal of the radioactive material can be done in a controlled environment to reduce worker radiation exposures. The tenth calibrator will be

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shipped 25 miles within the State of Hawai'i for use at a U.S. Army facility in Hawai'i for use under its radiation protection program. An NRC categorical exclusion for package approvals in 10 CFR 51.22(c)(13) does not apply to packaging authorized under an exemption. Consequently, an environmental assessment of the proposed exemption was prepared. The Department of Transportation (DOT) has already issued an exemption from DOT regulations for the proposed calibrator shipments. FEMA is seeking the exemption to consolidate and properly dispose of calibrators containing a radioactive source to assure adequate protection of public health and safety of FEMA-owned calibrators currently in the possession of state organizations that no longer need, and do not want, to retain the calibrators. FEMA's termination of its Radiological Defense Program and state funding lead to the termination of state Radiological Defense Programs. Some states have requested removal of the FEMA-owned calibrators as quickly as possible because of state funding shortfalls and related difficulties in meeting licensing requirements. FEMA is concerned that persons in possession of the calibrators under the state emergency programs may not have sufficient resources to properly oversee the safety control of the material since FEMA stopped funding these programs. FEMA's Congressional funding does not allow for the development of a Type B package to make the relocations and the time constraints do not allow the use of an authorized package to make the shipments. Further, the state locations at which these units are in storage are not properly constructed to safely allow the removal and the proper packaging of the sources for shipment at the field location. For details, see the NRC website at <http://www.nrc.gov/NRC/ADAMS/index.html> (see, 66 F.R. 20487, April 23, 2001).

Endangered Species Permit Applications for Hawaiian Plants and the Nene

The following applicants have applied for a scientific research permit to conduct certain activities with endangered species pursuant to the Endangered Species Act of 1973, as amended.

Permit No. TE-825577 - Applicant: Directorate of Public Works, Honolulu, Hawai'i. The permittee requests a permit amendment to remove and reduce to possession (collect) specimens from the following plant species: *Chamaesyce celastroides* var. *kaenana*, *Hedyotis degeneri*, *Hibiscus brackenridgei*, and *Cyanea st-johnii* in conjunction with a genetic storage bank and possible propagation for reintroduction throughout Department of the Army lands in Hawai'i for the purpose of enhancing their survival.

Permit No. TE-040952 - Applicant: John A. Ebrey, Jacksonville, Illinois. The applicant requests a permit to purchase, in interstate commerce, three female and three male captive bred Hawaiian nene geese (*Nesochen sandvicensis*) for the purpose of enhancing the species propagation and survival. This notification covers activities conducted by the applicant over the next 5 years.

Written comments (with the respective permit number for each application) on the above must be received on or before May 27, 2001. Written data or comments should be submitted to the

Chief, Endangered Species, Ecological Services, Fish and Wildlife Service, 911 NE. 11th Avenue, Portland, Oregon 97232-4181 (see, 66 F.R. 21172, April 27, 2001).

Western Pacific Fishery Management Council; Public Meetings

The Western Pacific Fishery Management Council's (Council) Recreational Fisheries Data Task Force (RFDTF) will hold a meeting on May 11, 2001, from 8:30 a.m. to 5 p.m. at the Council office in Honolulu. This will be the seventh meeting of the RFDTF which will discuss the following topics: progress on the NMFS Marine Recreational Fisheries Statistical Survey and its implementation in Hawai'i, University of Hawai'i's Pelagic Fisheries Research Program meta-data project update, analysis of the 1996 U.S. Fish & Wildlife Service fishing and hunting survey, protected species and related legislation and recreational fisherman, effect of longline fishery closure on small boat and recreational fisheries, identifying recreational versus commercial catch in fishing club and tournament record data, revenue generation of the recreational fishing industry in Hawai'i and other business as required. (see 66 F.R. 19427, April 16, 2001).

The Council's Crustaceans Plan Team and the 77th meeting of the Council's Scientific and Statistical Committee (SSC) will hold public meetings between Monday, May 14, 2001, and Thursday, May 17, 2001 (see, 66 F. R. 21371, April 30, 2001).

The above meetings will be held at the Western Pacific Fishery Management Council office conference room, 1164 Bishop Street, Suite 1400, in downtown Honolulu. For details, call Kitty M. Simonds, Executive Director at (808) 522-8220.

Availability of Seats for the Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Council

The Hawaiian Islands Humpback Whale National Marine Sanctuary (HIHWNMS or Sanctuary) is seeking applicants for the following six vacant seats on its Sanctuary Advisory Council (Council): Hawai'i County, Honolulu County, Kaua'i County, Maui County, Education and Research. Applicants are chosen based upon their particular expertise and experience in relation to the seat for which they are applying; community and professional affiliations; philosophy regarding the conservation and management of marine resources; and the length of residence in the area affected by the Sanctuary. Applicants who are chosen as members should expect to serve two-year terms, pursuant to the Council's Charter. Applications are due by June 1, 2001. Application kits may be obtained from Kellie Cheung at the Hawaiian Islands Humpback Whale National Marine Sanctuary, 6700 Kalaniana'ole Highway, Suite 104, Honolulu, Hawai'i 96825. Completed applications should be sent to the same address. For details, contact Kellie Cheung at (808) 397-2651, or Kellie.Cheung@noaa.gov (see, 66 F.R. 21911, May 2, 2001).

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Hawai'i Institute of Marine Biology Mammal Permit No. 1000-1617

The National Marine Fisheries Service (NMFS) announced that Whitlow Au, Ph.D., University of Hawai'i, Hawaii Institute of Marine Biology, Marine Mammal Research Program, P.O. Box 1106, Kailua, Hawai'i 96734, has applied in due form for a permit to take several species of small cetaceans for scientific research off the coasts of Hawai'i and California and in international waters. The overall objective of the proposed research is to determine aspects of the population dynamics and behavior of small cetaceans around Hawai'i and California, focusing on the spinner dolphin (*Stenella longirostris*) as a model. The applicant is requesting authorization for genetic sampling and suction-cup tagging to investigate population structure, genetic variability, dispersal patterns, social structure, foraging behavior, and diving behavior. Tissue samples for genetic analyses will be obtained by skin-swabbing techniques, or if this technique does not yield sufficient amounts of DNA, by biopsy sampling. The applicant is also requesting authorization to conduct behavioral observations and photo identification to supplement genetic and tagging data. The permit is requested for five years. The applicant is requesting authorization to take spinner dolphins (*Stenella longirostris*) both in the Eastern Tropical Pacific (ETP) and in other Pacific waters. For the ETP, the applicant is requesting the following number of animals to be taken annually: 300 for behavioral observations and photo identification; 3 for suction cup tagging; and 50 for tissue sampling. The applicant also requests annual takes of 300 animals incidental to suction tagging, 300 animals incidental to tissue sampling and 300 animals incidental to behavioral observations and photo identification. Outside the ETP, the applicant is requesting the following number of spinner dolphins to be taken annually: 2000 for behavioral observations and photo identification; 15 for suction cup tagging; and 150 for tissue sampling. The applicant also requests annual takes of 400 animals incidental to suction tagging, 1000 animals incidental to tissue sampling and an unlimited number of animals incidental to behavioral observations and photo identification. The applicant is also requesting authorization to take the following species of small cetaceans: short-finned pilot whale (*Globicephala macrorhynchus*), melon-headed whale (*Peponocephala electra*), false killer whale (*Pseudorca crassidens*), pygmy killer whale (*Feresa attenuata*), pantropical spotted dolphin (*Stenella attenuata*), striped dolphin (*Stenella coeruleoalba*), short-beaked common dolphin (*Delphinus delphis*), Risso's dolphin (*Grampus griseus*), rough-toothed dolphin (*Steno bredanensis*), bottlenose dolphin (*Tursiops* spp.), Pacific white-sided dolphin (*Lagenorhynchus obliquidens*), dwarf sperm whale (*Kogia simus*), and pygmy sperm whale (*Kogia breviceps*). For each species listed above, the applicant is requesting the following number of animals to be taken annually: 300 for behavioral observations and photo identification; 3 for suction cup tagging; and 50 for tissue sampling. The applicant also requests annual takes of 400 animals incidental to suction tagging, 1000 animals incidental to tissue sampling and an unlimited number of animals incidental to behavioral observations and photo identification. The applicant is currently conducting

bioacoustic and behavioral research on spinner dolphins, spotted dolphins, bottlenose dolphins, pilot whales and rough-toothed dolphins pursuant to General Authorization Letter of Confirmation No. 707-1478, and has requested that these activities be incorporated into the requested permit if issued. In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the NMFS has initially determined that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement. Written or telefaxed comments must be received on or before May 14, 2001. Written comments or requests for a public hearing on this application should be mailed to the Chief, Permits and Documentation Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate. Comments may also be submitted by facsimile at (301) 713-0376, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period. Please note that comments will not be accepted by e-mail or by other electronic media. The application and related documents are available for review upon written request or by appointment in the Pacific Islands Area Office, NMFS, 2570 Dole Street, Room 106, Honolulu, HI 96822-2396; telephone (808) 943-1221; facsimile (808) 943-1240. For details, call Lynne Barre or Trevor Spradlin, at (301) 713-2289. Concurrent with the publication of this notice in the Federal Register, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors (see, 66 F.R. 18904, April 12, 2001).

Actions to Reduce Incidental Catch of Sea Turtles

The National Marine Fisheries Service (NMFS) announced the terms of the March 30, 2001, Order of the United States District Court for the District of Hawai'i. This Order modifies the Court's previous Order of August 4, 2000. The Order restricts the Hawai'i-based longline fishery based on the preferred alternative of the Final Environmental Impact Statement (FEIS) governing the Hawaii longline fishery conducted under the Fishery Management Plan for Pelagic Fisheries of the Western Pacific Region (FMP). The new Hawaii longline fishery management measures are intended to protect and conserve sea turtles. For details, call Alvin Katekaru, Fishery Management Specialist, Pacific Islands Area Office at (808) 973-2937 (see, 66 F.R. 20134, April 19, 2001).

