

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 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

235 S. BERETANIA STREET
LEIOPAPA A KAMEHAMEHA
SUITE 702
HONOLULU, HAWAII 96813

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

Moloka'i & Lana'i: 1-800-468-4644 ext. 64185
Kaua'i: 274-3141 ext. 64185
Maui: 984-2400 ext. 64185
Hawaii: 974-4000 ext. 64185

AUGUST 8, 2001

Koko Head Park Improvements

The City and County of Honolulu is preparing to expand recreational facilities at the Koko Head District Park and improve safety conditions at the Koko Head Shooting Complex.

Koko Head District Park currently provides active recreational activities including baseball, softball, tennis, basketball, volleyball, meetings, aerobics, arts and crafts. The City's Department of Parks and Recreation finalized the Koko Head District Park Master Plan in May 2001. To meet growing demands in the Hawai'i Kai community, the Koko Head District Park Master Plan recommends incorporating the former Job Corps site into the District Park in order to provide opportunities

to expand recreational facilities. New facilities proposed include picnic areas, soccer and multi-purpose fields, full-size baseball field with lights for nighttime play, in-line hockey skating rink, walking paths, super playground, tot lot, teen center, additional tennis courts, skate park, and a 50-meter sized pool. The Master Plan also includes a new road through the former Job Corps site and additional parking for vehicles and bicycles.

The proposed improvements are planned to be implemented as soon as the SMA, CDUP and various approvals are obtained and funding is available.

For more information, please see page 7.

Hawai'i Island Harbors FEIS

The final EIS has been received for the *Hawai'i Commercial Harbors 2020 Master Plan*. The Harbors Division of the Department of Transportation proposes general additions or upgrades to cargo areas, passenger terminals, berths, research facilities and access roadways at both Hilo and Kawaihae Harbors. Proposed 2020 Master Plan improvements include: **Hilo Harbor:** Dolphins at Piers 2 and 3; interim passenger terminal at Pier 1; dry bulk cargo staging area; interisland cargo terminal at Pier 4; overseas container terminal at Pier 1; passenger terminal at Pier 5; and ocean research facility at Pier 6. **Kawaihae Harbor:** Liquid bulk cargo terminal; dry bulk terminals at Pier 1; interisland cargo terminal at Piers 3-4; overseas container terminal at Pier 2A; passenger terminal and ocean research facility; cargo and military berths for Piers 1, 2A, 2B and Piers 3, 4 and 5; and military cargo terminal. Please see page 14 for more details.

Maui DHHL Communications Cable FONSI

The Department of Transportation has issued a finding of no significant impact for Sandwich Isles' Communications Rural Fiber Optic Lines linking up Department of Hawaiian Home Lands Parcels for Lana'i, Maui and Moloka'i. Eighteen comment letters were received and are included in the final environmental assessment. See page 12 for more.

How Can Impacts Be Assessed if Genetically Modified Plant Locations Are Deemed Trade Secret by EPA?

After receiving extensive public comment from the County of Hawai'i, OEQC and others, the United States Environmental Protection Agency (EPA) has issued a permit to Monsanto for genetically modified corn plantings in various states, including Hawai'i.

Although EPA has imposed permit conditions protecting endangered beetle habitat in the continental U.S., EPA has placed the names of the cooperators and participants in the docket, but claimed this to be confidential business information.

In a balancing act weighing the public right-to-know versus the competitive economic advantage an applicant would have by designating certain pieces of information in a permit application a trade secret, the EPA appears to have their hands tied. Without the disclosure of locations, OEQC wonders how environmental impact analysis and mitigative measures can be formulated. How will such plantings affect the proposed designation of critical habitats in the State of Hawai'i? EPA notes that requests need to be processed through the Freedom of Information Act or through requesting such information through the Department of Health pursuant to section 321-11.6 of the Hawai'i Revised Statutes. See page 25 for more.

Table of Contents

AUGUST 8, 2001

O'ahu Notices

Draft Environmental Assessments

- (1) Aloha Market 3
- (2) Maunalaha Homesites Replacement Home 3
- (3) Wahiawa-Whitmore Village 16-Inch Water Main Interconnection ... 4

Final Environmental Assessments/

Findings of No Significant Impacts (FONSI)

- (4) Honolulu 42-inch and 24-inch Transmission Mains 5
- (5) Kapalama Facilities for Department of Agriculture and Food
Distribution Center 5
- (6) Leeward Community College Bike Path 6

Draft Environmental Impact Statements

- (7) Koko Head District Park Master Plan & Koko Head Shooting
Complex Improvements 7

Previously Published Projects Pending Public Comments

- Draft Environmental Assessments 7
- Draft Environmental Impact Statements 8

Maui Notices

Draft Environmental Assessments

- (1) Kamaole III Park Improvements 9
- (2) Wailuku Mini Park, Restroom & Police Resource Center 9

Final Environmental Assessments/

Findings of No Significant Impacts (FONSI)

- (3) Central Maui Landfill Expansion & Related Improvements
Entrance Facility 10
- (4) Kahului Airport Hotel 10
- (5) Kealia Beach Plaza Two-Lot Subdivision 11
- (6) Maui County Rural Fiber Optic Duct Lines Project 12

Hawai'i Notices

Final Environmental Assessments/

Findings of No Significant Impacts (FONSI)

- (1) Kailua-Kona Wharf Improvements 13
- (2) Ka'upulehu Roadway and Water System Expansion 13

Final Environmental Impact Statements

- (3) Hawaii Commercial Harbors 2020 Master Plan 14

Previously Published Projects Pending Public Comments

- Final Environmental Impact Statements 15

Kaua'i Notices

Draft Environmental Assessments

- (1) Allen Single Family Residence 15
- (2) Koloa Well "F" Production Well 16

Final Environmental Assessments/

Findings of No Significant Impacts (FONSI)

- (3) Wailua Homesteads Well No. 3 16

Shoreline Notices

- Shoreline Certification Applications 17
- Shoreline Certifications and Rejections 18

Coastal Zone News

- Special Management Area (SMA) Minor Permits 19

Pollution Control Permits

- Department of Health Permits 21

Enforcement Notices

- Summary of Inspection and Enforcement Actions 22
- Formal Enforcement Actions and Settlements Completed by DOH ... 23

Conservation District Notices

- Kapalua Landscape Improvements 24
- Demolition and Removal of an Unused Steel Water Tank 24
- Improvements to Lydgate Park 24

Federal Notices

- EPA Issues Public Response to Comments and Modified Permit for
Genetically Modified Corn Plants 25

Announcements

- Naval Magazine Pearl Harbor Integrated Natural Resources
Management Plan 8
- Commission on Water Resource Management to Apply for a NOAA
National and Regional Habitat Restoration Partnership Grant/
Cooperative Agreement 21



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) Aloha Market

District: 'Ewa
TMK: 9-9-03:68
Applicant: Lani Properties
50 South Beretania Street, C203
Honolulu, Hawai'i 96813
Contact: Warren Ho (521-0081)

Approving Agency/Accepting Authority: City and County of Honolulu
Department of Planning and Permitting
650 South King Street
Honolulu, Hawai'i 96813
Contact: Rob Reed (523-4402)

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

Public Comment

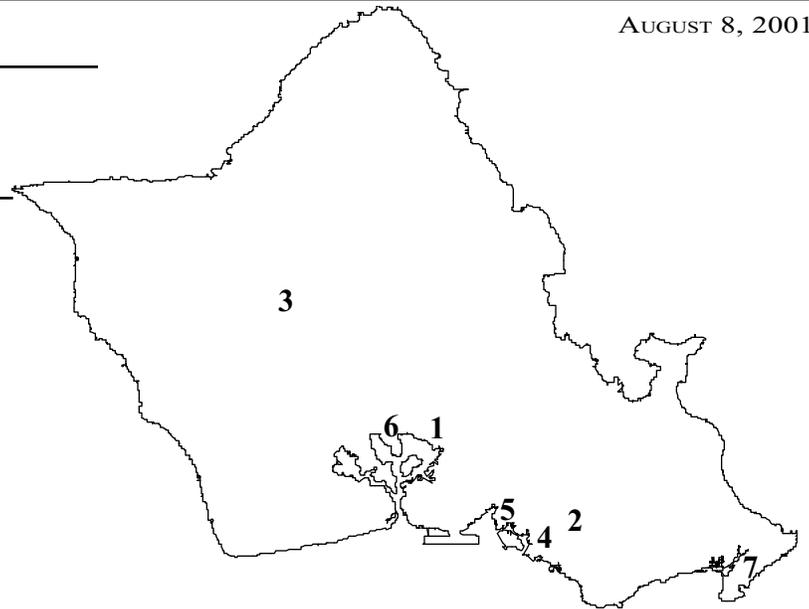
Deadline: September 7, 2001
Status: DEA First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority, the consultant and OEQC.

Permits

Required: Change of Zoning

The landowner proposes to build a three story 24-hour commercial establishment with a parking lot and access road on a 32,181 square foot lot. The proposed uses of the commercial establishment include: a neighborhood convenience store, deli/take-out counter, outdoor patio area with tables and chairs, police work station, restrooms, third floor observation deck, and storage space. There will be additional tenant space for either a retail shop or museum.

Improvements also include redesigning roadway circulation to support the neighboring community and Aloha Stadium activities. The project will construct a right-turn access to Kohomua Street from northbound Kamehameha Highway.



The property is located along Kamehameha Highway near Aloha Stadium and the U.S.S. Arizona Memorial. In addition, there are several housing complexes located near the project site. The center is intended to support the neighboring community and Aloha Stadium activities with convenient retail services. The project site is currently a vacant unimproved lot located in an area zoned R-5. The property is used for several purposes including a construction staging area for equipment and materials, an egress route connecting Kohomua Street to Kamehameha Highway, and overflow parking during Aloha Stadium events. The proposed project will require a zone change from R-5 to B-2 and an amendment to the Primary Urban Center Development Plan Land Use Map.



(2) Maunalaha Homesites Replacement Home

District: Honolulu
TMK: 2-5-24-06
Applicant: Joslyn Ka'awa
2401 Maunalaha
Honolulu, Hawai'i 96822
Contact: Joslyn Ka'awa (941-1041)

Approving Agency/Accepting Authority: Department of Land and Natural Resources
1151 Punchbowl Street
Honolulu, Hawai'i 96813
Contact: Samuel Lemmo (587-0381)

O'ahu Notices

AUGUST 8, 2001

Consultant: Honolulu Habitat for Humanity
2728 Huapala
Honolulu, Hawai'i 96822
Contact: Jose Villa (988-9339)

Public Comment

Deadline: September 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: CDUA, Demolition, Building

DLNR's Land Division is reviewing an application for a single family replacement home on lot 26 of the Maunalaha Homesites. The Maunalaha Homesites area of 30 lots comprises roughly 15 acres located about ½ mile north of Punahou School in the Makiki district of Honolulu. Lot 26, 0.36 acres (about 15,682 SF), is leased State land, zoned "conservation district, sub-zone R". This lot is not within the county "special management area."

An attachment to the CDUA discloses the 3-bedroom replacement home to be 1084 square feet. The home will replace the existing termite damaged home, and will improve the neighborhood. There will be no change in the contour of the site.

The anticipated conclusion from the Draft EA is that the construction of the replacement home and subsequent continuation of residential use is compatible with the objectives of the "conservation district sub-zone R" and that there will be no degradation of the physical or socioeconomic environment.



(3) Wahiawa-Whitmore Village 16-Inch Water Main Interconnection

District: Wahiawa
TMK: 7-1-2:4 & 18; 7-1-3; 7-1-4: and 7-1-10
Applicant: City and County of Honolulu
Board of Water Supply
630 South Beretania Street
Honolulu, Hawai'i 96843
Contact: Keith Ishinaga (527-5245)

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)

Consultant: Engineering Concepts, Inc.
1150 South King Street, Suite 700
Honolulu, Hawai'i 96814
Contact: Kenneth Ishizaki (591-8820)

Public Comment

Deadline: September 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: Sec. 404, Sec. 401 WQC, CZM, SCAP, NPDES

The City and County of Honolulu Board of Water Supply (BWS) proposes to construct a 16-inch water main to provide a second interconnection between the municipal water systems serving the communities of Wahiawa and Whitmore Village in central O'ahu. The two ends of the proposed water main will be constructed within existing public roads in Wahiawa and Whitmore Village, while the central portion located between Clark Street in Wahiawa and Uwalu Circle in Whitmore Village will be located within undeveloped private lands. The proposed alignment encompasses a total of 3,200 linear feet.

Approximately 190 feet of water line will be laid across Wahiawa Reservoir and in trenches adjacent to the reservoir requiring excavation below the groundwater table. Use of ductile iron ball joint pipe is proposed for these portions of the pipeline. Ball joint pipe provides a strong, flexible joint without bolts that is well suited for underwater installations. Use of ball joint pipe would also allow the water main to rest on the reservoir bottom, eliminating the need to trench the reservoir invert. Use of ball joint pipe in the trenches on both banks enables laying the pipe in wet conditions, without dewatering.

Construction-related impacts include increased dust, noise, traffic and soil erosion potential. No long term negative impacts are anticipated.

The proposed project is scheduled for construction in late 2002, with the actual start date dependent on acquisition of the required permits and approvals. Construction is estimated to last 16 months, including approximately five months to cross Wahiawa Reservoir. The estimated construction cost for the project is \$1.3 million, to be funded by the BWS.

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



(4) Honolulu 42-inch and 24-inch Transmission Mains

District: Honolulu
TMK: Vicinity of 1-7-29, 27, 26, 6; 2-1-4, 8, 9, 19, 35, 37; 2-1-36, 41; 2-3-25; 2-4-02, 3, 4, 5, 6; 2-8-1, 3, 4, 5, 6, 7, 23, 29; 3-3

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)

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

Status: FEA/FONSI issued, project may proceed.
Permits Required: SCAP; Sec. 401 WQC; NPDES; Dewatering; Building; Grading; Noise; Trenching

The Honolulu Board of Water Supply (BWS) proposes to install approximately 23,000 linear feet of 42-inch and 24-inch transmission mains within State and City right-of-ways. The proposed revised route is along Vineyard Boulevard from Liliha Street to Punchbowl Street, along Punchbowl Street to Beretania Street, along Beretania Street to the proposed Beretania Booster Station, along Beretania Street to Victoria Street, along Victoria Street to King Street, along King Street to Isenberg Street, along Isenberg Street to Coyne Street, along Coyne Street to University Avenue, along University Avenue to Dole Street, along Dole Street to the Wa'ahila 180 Reservoir. The Beretania Booster Station will also be incorporated into the proposed transmission system.

The new transmission main will stabilize the hydraulic grade line, which will increase efficiency by reducing pumping costs and maintenance requirements while ensuring continuity of service during maintenance and repair of the existing transmission mains.

The proposed main will be installed in phases to minimize traffic impacts. There are three stream crossings along the proposed alignment: Nu'uauu, Makiki and Manoa Stream. Construction work is anticipated to begin in 2002 and estimated to last 6 years. The estimated costs for the project are \$41,800,000 for the transmission mains and \$2,000,000 for the booster station.



(5) Kapalama Facilities for Department of Agriculture and Food Distribution Center

District: Honolulu
TMK: 1-2-25: 11
Applicant: Department of Accounting and General Services
1151 Punchbowl Street, Room 430
Honolulu, Hawai'i 96813
Contact: Brian Isa (586-0484)

Approving Agency/Accepting Authority: Same as above.
Consultant: R.M. Towill Corporation
420 Waiakamilo Road, Suite 411
Honolulu, Hawai'i 96817-4941
Contact: Chester Koga (842-1133)

Status: FEA/FONSI issued, project may proceed.
Permits Required: NPDES, building, sewer connection, demolition

The State Department of Accounting and General Services (DAGS) proposes to develop facilities in Kapalama for the Department of Agriculture (DOA) and for a Food Distribution Center. The proposed site is the former Kapalama Military Reservation (KMR).

The DOA and Produce Center Development, Ltd. (PCDL) currently has facilities in the Kaka'ako area. They need to relocate out of Kaka'ako to allow the re-development of the area to proceed. The DOA has selected the former Kapalama Military Reservation (KMR) site as the site for their new facilities. The relocation of the PCDL to Kapalama is anticipated but not a

O'ahu Notices

AUGUST 8, 2001

requirement for the development of the DOA's facilities. If the PCDL does not relocate to the FDC, the State's alternative would be to assign the site to other similar type of businesses or to businesses that are compatible to the existing site users, or for waterfront industrial users with similar infrastructure requirements.

The former KMR site has a total of about 32 acres. The proposed development will occupy about 14 of those acres. The former KMR site is in the vicinity of the Honolulu Harbor and is bounded by 'Auiki Street and Sand Island Access Road.

The former KMR site is State owned and currently occupied by tenants who have work related to the maritime industry. The tenants have permits issued by the Department of Transportation - Harbors Division (DOT-HD) and the permits are renewed month to month. The tenants have been notified of the need to vacate the site. The DOT-HD has provided assistance to the tenants by identifying alternative DOT-HD controlled sites for re-location.

The DOA's site will be about 4 acres in size and house the DOA's Measurement Standards Branch, Quality Assurance Division's Administration offices, and Plant Quarantine Branch. The DOA's site will have 2 main structures, a parking area, landscaping, and support buildings. Vehicle access to the site will be from 'Auiki Street. The 2 existing warehouse facilities will be demolished before construction is started. Prior to demolition, hazardous materials will be removed and properly disposed. The total cost to develop the DOA facilities is estimated to be about \$13,800,000.

The FDC site is about 10 acres in size and has 3 existing warehouses which may be rehabilitated or if determined that it is not feasible, the buildings may be demolished and reconstructed. Vehicle access to the site will be from Auiki Street. The total cost to develop the FDC facilities is estimated to be about \$2,000,000 (infrastructure improvements only).

The site is not in the SMA.



(6) Leeward Community College Bike Path

District: 'Ewa
TMK: 9-6-3: 39, 38 por., 48 por. and
9-4-08: 30 por.

Applicant: City and County of Honolulu
Department of Transportation Services
711 Kapi'olani Boulevard
Honolulu, Hawai'i 96813
Contact: Mike Kikuchi (527-5026)

Approving Agency/Accepting

Authority: Same as above.

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

Status: FEA/FONSI issued, project may proceed.

Permits

Required: SMA, NPDES NOI

The Department of Transportation Services (DTS) of the City and County of Honolulu proposes to construct a 3,690-foot bike path in two phases. The bike path would connect the existing Pearl Harbor Historic Trail with Leeward Community College (LCC). The 1999 Honolulu Bicycle Master Plan identified this segment as a Priority One, College Access Project No. 28. It is being implemented as a vision project initiated by the 'Aiea/Pearl City Vision Team. Phase I has been submitted for funding in the City's FY2000 budget cycle.

The proposed alignment starts from the Pearl Harbor Trail and runs along the privately owned Waiawa Road, makai of LCC. Phase I measures 1,750 feet and includes the entryway to the college. Phase II is 1,940 feet long and ends where Waiawa Road becomes a public roadway.

Land under the alignment is owned by Kamehameha Schools, Okada Trucking Co., and the State of Hawai'i.

The bike path will be paved with asphaltic concrete. Other improvements include CMU retaining walls, fencing, rails, striping, and signage. No lights will be installed. Environmental impacts are limited to temporary construction-related noise, dust, and soil erosion. With use of best management practices during construction, the impacts are not judged to be significant. The alignment does not traverse any stream, wetland, or undisturbed environment.

Long-term impacts are expected to be positive. The bike path will expand choices in modes of transportation and access to the campus. Bicyclists who now travel on busy, high-speed highways would have an alternative route. The path expands the network of bikeways for recreational cyclists and provides shoreline access for LCC students and faculty.

Draft Environmental Impact Statements



(7) Koko Head District Park Master Plan & Koko Head Shooting Complex Improvements

District: Honolulu
TMK: 3-9-12: por. 1 and 10
Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street
Honolulu, Hawai'i 96813
Contact: Stanford Kuroda (523-4755)

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

Consultant: Group 70 International, Inc.
925 Bethel Street, 5th Floor
Honolulu, Hawai'i 96813
Contact: Jeffery Overton (523-5866 x104)

Public Comment
Deadline: September 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, CDUP

The City and County of Honolulu is preparing to expand recreational facilities at the Koko Head District Park and improve safety conditions at the Koko Head Shooting Complex.

Koko Head District Park currently provides active recreational activities including baseball, softball, tennis, basketball, volleyball, meetings, aerobics, arts and crafts. The City's Department of Parks and Recreation finalized the Koko Head District Park Master Plan in May 2001. To meet growing demands in the Hawai'i Kai community, the Koko Head District Park Master Plan recommends incorporating the former Job Corps site into the District Park in order to provide opportunities to expand recreational facilities. New facilities proposed include picnic areas, soccer and multi-purpose fields, full-size baseball

field with lights for nighttime play, in-line hockey skating rink, walking paths, super playground, tot lot, teen center, additional tennis courts, skate park, and a 50-meter sized pool. The Master Plan also includes a new road through the former Job Corps site and additional parking for vehicles and bicycles.

These Master Plan improvements provide a 10-year time frame for implementation. Phase I within 3-4 years, Phase II from 5-8 years, and Phase III within 9 years and beyond.

Koko Head Shooting Complex is presently in active use as an outdoor target shooting range and currently supports the following facilities: Pistol, rifle and metallic silhouette ranges, skeet range, trap and an action pistol range, three comfort stations, paved and grass parking. The proposed improvements at the Koko Head Shooting Complex involve: Design and construction of a baffling system to the pistol, rifle and metallic silhouette ranges; Site clearance and grading for a new archery range; Grading and paving for new additional parking spaces. In addition to the target range improvements, accessory improvements include improving the Range Master's Office and residence, adding property fencing and signage. In addition, as part of the safety improvements, access into Koko Head District Park from Kalaniana'ole Highway will be eliminated. Primary access to the District Park will continue along 'Anapalau and Kaumakani Streets.

The proposed shooting complex improvements are planned to be implemented as soon as the SMA, CDUP and various approvals are obtained and funding is available.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

Kaiona Beach Park Canoe Halau

Applicant: City and County of Honolulu
Department of Design and Construction
650 S. King Street
Honolulu, Hawai'i 96813
Contact: Wesley Obata (523-4783)

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)

Public Comment
Deadline: August 22, 2001

O'ahu Notices

AUGUST 8, 2001

Stadium Bowl-O-Drome

Applicant: Department of Hawaiian Home Lands
1099 Alakea Street, Suite 2000
Honolulu, Hawai'i 96813
Contact: Ray Soon (586-3840)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: August 22, 2001

Village Park Connector Road

Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street, 11th Floor
Honolulu, Hawai'i 96813
Contact: Harold Sato (527-6244)

Approving Agency/Accepting

Authority: City and County of Honolulu
Department of Design and Construction
650 South King Street, 11th Floor
Honolulu, Hawai'i 96813
Contact: Harold Sato (527-6244)

Public Comment

Deadline: August 22, 2001

Draft Environmental Impact Statements

Waikikian Development Plan

Applicant: Hilton Hotels Corporation
2005 Kalia Road
Honolulu, Hawai'i 96815
Contact: Daniel Dinell (942-2345)

Approving Agency/Accepting

Authority: City and County of Honolulu
Department of Planning and Permitting
650 South King Street
Honolulu, Hawai'i 96813
Contact: Anthony Ching (527-5833)

Public Comment

Deadline: September 6, 2001



Naval Magazine Pearl Harbor Integrated Natural Resources Management Plan

The Department of the Navy, pursuant to Section 2905(d) of Sikes Act Improvement Act (SAIA) of 1997 (P.L. 105-85), wishes to announce that a draft Integrated Natural Resources Management Plan (INRMP) for Naval Magazine Pearl Harbor (NAVMAG PH) is available for community review and comment. Copies of the INRMP have been placed at the following libraries: **Hawaii State (Main) Library** at 478 S. King Street, **Ewa Beach Public & School Library** 91-950 North Road, **Pearl City Public Library** 1138 Waimano Home Road, **Waianae Public Library** 85-625 Farrington Highway, and **Waipahu Public Library** 94-275 Mokuola Street. The comment period will end on **August 31, 2001**.

The NAVMAG PH INRMP is a strategy for the management, conservation, and rehabilitation of natural resources on Navy lands controlled by the activity. The plan has a 10-year planning horizon and is tailored to be implemented while still supporting the activity's military mission. The document includes plans for land management, fish and wildlife management, forestry management, and outdoor recreation at the three installations that come under NAVMAG PH. The study area of this INRMP includes each of the three branches under NAVMAG PH: Lualualei Branch in Waianae; West Loch Branch, including parts of Waipio Peninsula; and Waikele Branch, which is currently vacant and not in use. As specified by SAIA, the INRMP is being prepared in cooperation with the U.S. Fish and Wildlife Service (USFWS) and the Hawaii Department of Land and Natural Resources (DLNR). Other federal and state agencies have participated in the development of this INRMP. The plan will be used by activity personnel to guide and prioritize natural resources actions and projects at the installations.

Written comments should be postmarked by the last day of the comment period (see above) and mailed to: Commander, Pacific Division, Naval Facilities Engineering Command, 258 Makalapa Drive, Suite 100, Pearl Harbor, HI 96860-3134, Attn: Mr. Gary Kasaoka (PLN231GK). Alternative means of submitting comments are by facsimile transmission at 474-5909 and by e-mail to: KasaokaGS@efdpac.navfac.navy.mil. Any questions, please call 471-9338.

Draft Environmental Assessments



(1) Kamaole III Park Improvements

District: Wailuku
TMK: 3-9-4:por. 1 & 61
Applicant: County of Maui
Department of Parks and Recreation
1580 Ka'ahumanu Avenue
Wailuku, Hawai'i 96793
Patrick Matsui (270-7387)

Approving Agency/Accepting

Authority: Same as above.
Consultant: C. Takumi Engineering, Inc.
18 Central Avenue
Wailuku, Hawai'i 96793
Contact: Carl Takumi (249-0411)

Public Comment

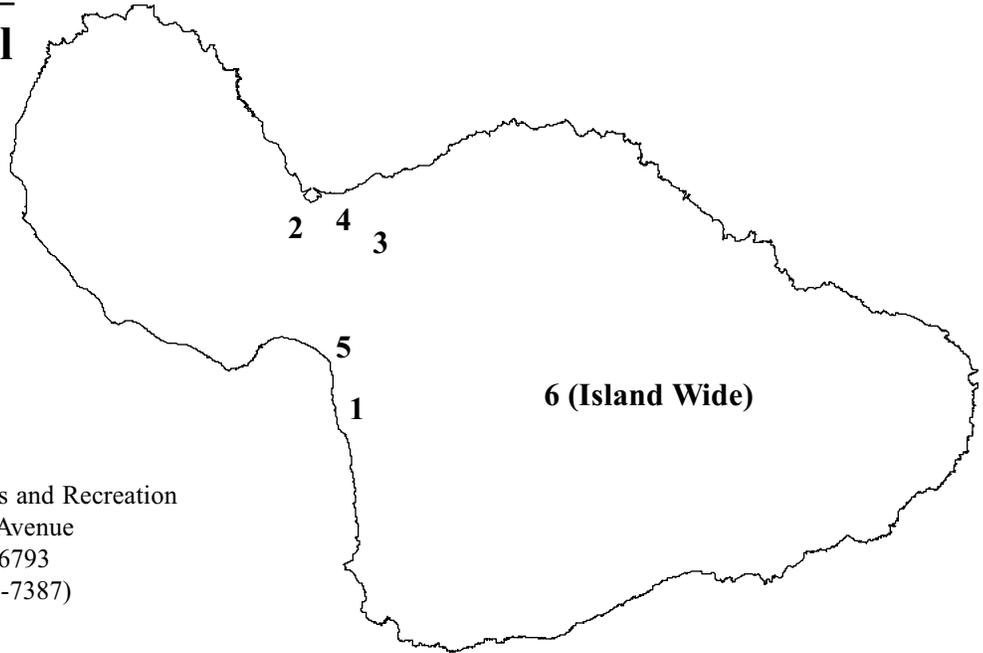
Deadline: September 7, 2001
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

Permits

Required: SMA, Grading, Building, Driveway, ROW

The proposed project is expanding existing Kama'ole III Park located in Kihei, Maui, Hawai'i. The 5.35 acre parcel lies between the existing Kamaole Beach Park III on the north, South Kihei Road on the east, the Kihei Boat Ramp on the south and ocean on the west. The parcel has been designated as Lot 1 of the Kihei Boat Launching Ramp Subdivision. This project consists of constructing a parking lot with approximately 50 stalls including accessible parking stalls, comfort station, outdoor shower, picnic tables, grills, pavilion, landscaping and irrigation. Most of the lot has been grassed and already considered as part of the park except that landscape irrigation is done manually. The shoreline is rocky except at the north end where approximately 60 feet of sandy beach occurs.

The park will be designed primarily for passive activity maintaining the large grass area. Shade trees will be placed along the parking lot in accordance with Maui County off-street parking requirements. Work along the shoreline will mainly



consist of installing a landscape irrigation system to replace the manual quick coupling system presently being used to irrigate the park. Irrigation sprinklers, waterlines and other fixtures will be kept away from the shoreline.



(2) Wailuku Mini Park, Restroom & Police Resource Center

District: Wailuku
TMK: 3-4-012:022
Applicant: County of Maui
Department of Parks and Recreation
1580-C Ka'ahumanu Avenue
Wailuku, Hawai'i 96793
Contact: Patrick Matsui (270-7387)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: September 7, 2001
Status: DEA First Notice pending public comment.
Address comments to the applicant with a copy to OEQC.

Permits

Required: Grading, building

Maui Notices

AUGUST 8, 2001

The subject property is located in Wailuku on Market Street on the Island of Maui and contains a total area of 42,371 sq.ft. Structures on the site include the historic Iao Theater and a vacant office building.

The proposed action involves the construction of a park consisting of 10,000 sq. ft., landscaping, hard surface and irrigation, a public restroom and a police resource center.

Wailuku is deficient in open space park facilities, public restrooms and a police presence. The project will provide needed park area for social activities and general beautification, a restroom for general public use and a facility which will allow county police officers to maintain a presence in the area.

The project is also an integral part of the overall Wailuku revitalization effort and is in direct response to concerns expressed by the local community for such facilities.

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



(3) 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)

Status: FEA/FONSI issued, project may proceed.
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 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.



(4) Kahului Airport Hotel

District: Kahului
TMK: 3-8-79:16 and 17
Applicant: A&B Properties, Inc.
P.O. Box 3440
Honolulu, Hawai'i 96801-3440
Contact: Dan Yasui (525-8449)

Approving Agency/Accepting Authority: County of Maui
Department of Planning
250 South High Street
Wailuku, Hawai'i 96793
Contact: John Min (270-7735)

Maui Notices

AUGUST 8, 2001

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

Status: FEA/FONSI issued, project may proceed.

Permits Required: Community Plan Amendment, Change in Zoning, SMA, Construction Permits

The applicant, A&B Properties, Inc., is proposing to develop a hotel and related improvements in the vicinity of the Kahului Airport in Kahului, Maui, Hawai'i.

The subject property encompasses approximately 3.35 acres. The property is occupied by scrub vegetation and a concrete drainage channel along its eastern boundary. Several structures housing short-term, visitor and recreation industry-related businesses occupy the remainder of the site.

The project site is enroute to the Kahului Airport and is bordered by Keolani Place to the north, the County Department of Water Supply baseyard to the east, Haleakala Highway to the south, and a building with a retail store and car rental agency to the west. Access to the site is provided from Keolani Place and Haleakala Highway.

The proposed action involves the development of a four-story hotel containing up to 140 rooms and consisting of approximately 72,000 square feet. Ancillary improvements include a swimming pool, spa, and courtyard, as well as a paved parking, site landscaping, irrigation, and utilities installation. In addition to guestrooms, the hotel will contain spaces for public areas and circulation, as well as areas for back-of-house functions. Principal features within the public areas include the lobby, a restaurant/buffet/lounge, a meeting room/breakfast room, an exercise room, a whirlpool, and a guest laundry.

Access to the hotel will be provided via two new driveways along Keolani Place and two new driveways along Haleakala Highway.



(5) Kealia Beach Plaza Two-Lot Subdivision

District: Makawao
TMK: 3-8-13:12

Applicant: Kealia Beach Plaza/Eagle Equity Hawai'i, Inc.
Three Lincoln Centre
5430 LBJ Freeway, #1575, LB 29
Dallas, Texas 75240
Contact: Howard Kollinger (972-770-2255)

Approving Agency/Accepting Authority: County of Maui
Department of Planning
250 South High Street
Wailuku, Hawai'i 96793
Contact: Clayton Yoshida (270-7735)

Consultant: Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawai'i 96793
Contact: Gwen Hiraga (244-2015)

Status: FEA/FONSI issued, project may proceed.
Permits Required: Community Plan Amendment, zoning change, SMA, construction

The applicant, Kealia Beach Plaza/Eagle Equity Hawai'i, Inc., proposes to subdivide a 1.075-acre parcel in Kihei, Maui for single-family residential use. The subject property is currently occupied by Kealia Beach Plaza, a two-story, approximately 18,600 square foot commercial complex that contains various businesses. The property, which is situated in a neighborhood that is predominantly zoned for hotel use, is bordered by the Kihei Sands Condominium to the west, a residential parcel to the east, North Kihei Road to the north, and a sandy beach and the Pacific Ocean to the south. Access to the property is provided by North Kihei Road.

The proposed action involves the demolition of the existing Kealia Beach Plaza and the subdivision of the parcel to create two (2) single-family residential lots. No more than two (2) dwellings are planned to be constructed on each lot in the future. In addition, the proposed action will involve site work for driveway aprons and building foundations, as well as for utility lines and connections.

The County Planning Department has indicated that a Change in Zoning (from Resort Commercial to Hotel) and a Community Plan Amendment (from Business/Commercial to Hotel) would be appropriate for the proposed action.

The estimated cost of the project is approximately \$100,000.00. Implementation of the project is expected to commence upon the receipt of all applicable regulatory permits and approvals and the demolition of the existing commercial complex.

Maui Notices

AUGUST 8, 2001



(6) Maui County Rural Fiber Optic Duct Lines Project

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

Approving Agency/Accepting Authority: Department of Transportation
Highways Division
601 Kamokila Blvd., Suite 691
Kapolei, Hawai'i 06707
Contact: Michael Amuro (692-7332)

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

Status: FEA/FONSI issued, project may proceed.
Permits Required: ROW, possible COE, SMA, 401 WQC, CZM, SCAP

by 5 feet manholes would be installed approximately every 2,000 to 3,000 feet, and used for the installation of the cable. A total of 149 miles of cable would be installed throughout Maui County, with 14 miles on Lanai, 97 miles on Maui and 38 miles on Moloka'i.

The majority of affected roads are State Highways. Cable installation would be done primarily through the open trench method of construction. Bridge crossing methods would be determined on a case-by-case basis, and may include either bridge attachments or directional drilling under streams or gulches if practical. It is intended that all means of cable installation be designed to avoid impacts to streams or sensitive environmental resources. Minimal adverse effects are anticipated due to the confined limits of the cable installation along State highways and County roadways.



Sandwich Isles Communications, Inc. (SIC) is a Hawai'i corporation, duly commissioned and regulated by the Federal Communications Commission, and the State of Hawai'i Public Utilities Commission as a rural telephone company. SIC is licensed by the State Department of Hawaiian Homelands (DHHL) to provide essential communication services to DHHL home-steads areas in the County of Maui.

SIC is proposing to construct underground fiber optic tele-communication cables within State and County rights-of-way (ROW's) to provide service to DHHL lands.

The project consists of constructing an underground duct system that will be used for the installation of fiber optic cabling and/or copper cabling. Construction of the duct system would involve excavating a trench approximately one (1) foot wide and three (3) feet deep. The conduit system would consist of a number of possible duct configurations, including two (2) 4-inch diameter ducts or a 6-inch diameter bundle of 1 1/4-inch inner ducts, placed in the trench and back-filled with either engineered material or concrete. In addition to the ducts, 3 feet

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



(1) Kailua-Kona Wharf Improvements

District: North Kona
TMK: 7-5-06:39
Applicant: Department of Land and Natural Resources
1151 Punchbowl Street, Room 221
Honolulu, Hawai'i 96813
Contact: Andrew Monden (587-0230)

Approving Agency/Accepting Authority: Same as above.
Consultant: Nishimura, Katayama & Oki, Inc.
826 Kaheka Street, Suite 302
Honolulu, Hawai'i 96814
Contact: George Nishimura (947-2808)

Status: FEA/FONSI issued, project may proceed.

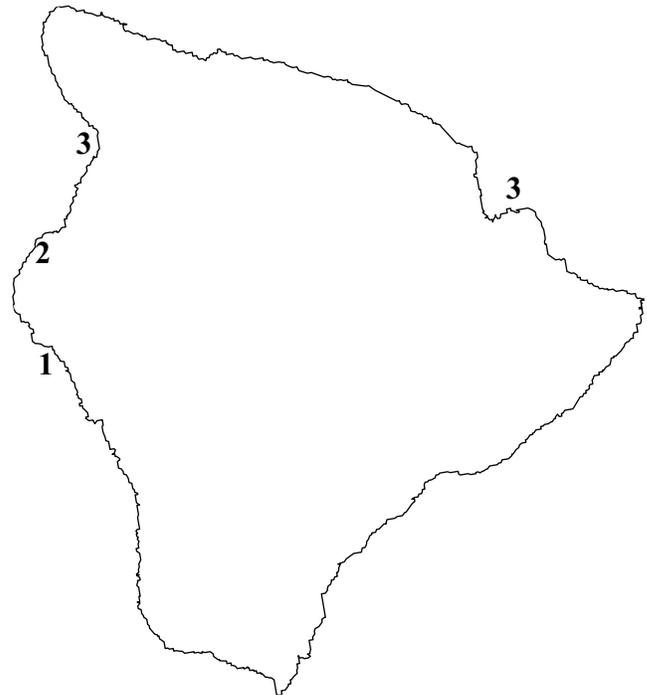
Permits Required: SMA, Army, Water Quality

The Department of Land and Natural Resources proposes to repair the Kailua-Kona Wharf pier at Kailua Village in North Kona. Due to its presence in a marine environment, the structural integrity of the steel bulkhead has been undermined by corrosion. A portion of the pier was recently repaired under an emergency declaration. Another section of the pier has been declared unsafe and closed to public use.

The project is essentially a repair project, albeit its cost is estimated to be \$4,000,000. The pier has an area of 62,109 square feet. Steel sheet piling with the top section encased in concrete will be used to enclose the existing bulkhead. The present pier was built in 1952, replacing an older wharf facility.

Impacts affecting water quality (ocean), air quality, noise levels, and possible vibration from pile-driving will be temporary arising from construction activities. Mitigation measures are expected to reduce such impacts. The work is scheduled to be carried out in stages. This is to ensure some pier area is available for use.

In repairing the pier, attention will be given to complying with new health regulations and provisions of the Americans with Disability Act.



The pier is heavily used by the community for recreational, cultural, and tourist-oriented business uses and is of great economic importance to the Kona community. The project is estimated to take one year to complete.



(2) Ka'upulehu Roadway and Water System Expansion

District: North Kona
TMK: 7-2-03: portion 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: Sam Lemmo (587-0381)

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

Status: FEA/FONSI issued, project may proceed.

Hawai'i Notices

AUGUST 8, 2001

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 aa 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 kilovolt 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.

Final Environmental Impact Statements



(3) Hawaii Commercial Harbors 2020 Master Plan

District: South Hilo; South Kohala
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)

Status: FEIS currently being reviewed by OEQC.
Permits Required: Army (Sec. 10 and/or Sec. 404); CDUP; Shorewaters construction; NPDES; noise; air emissions; Sec. 401 WQC; shoreline cert.; building; highways; historic review; hazardous waste

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 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 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 services 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: Dolphins at Piers 2 and 3; interim passenger terminal (renovation of existing shed) at Pier 1; dry bulk cargo staging area; interisland cargo terminal at Pier 4; overseas container terminal at Pier 1; passenger terminal at Pier 5; ocean research facility at Pier 6; berths for commercial fishing, Coast Guard, visiting and research boats; access roadways.

Kawaihae Harbor: Liquid bulk cargo terminal; dry bulk terminals at Pier 1; interisland cargo terminal at Piers 3-4; overseas container terminal at Pier 2A; passenger terminal and ocean research facility; cargo and military berths for Piers 1, 2A, 2B and Piers 3, 4 and 5; military cargo terminal, Pier 5; access roadways.

Hawai'i Notices

AUGUST 8, 2001

Previously Published Projects Pending Public Comments

Final Environmental Impact Statements

► Hapuna Beach State Recreation Area Expansion

Applicant: Department of Land and Natural Resources
State Parks Division
P.O. Box 621
Honolulu, Hawai'i 96809
Contact: Daniel Quinn (587-0290)

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
Status: FEIS currently being review by OEQC.



Kaua'i Notices

Draft Environmental Assessments

(1) Allen Single Family Residence

District: Kawaihau
TMK: 4-2-03:02
Applicant: Agor Architecture
4374 Kukui Grove, #204
Lihue, Hawai'i 96766
Contact: Ron Agor (245-4550)

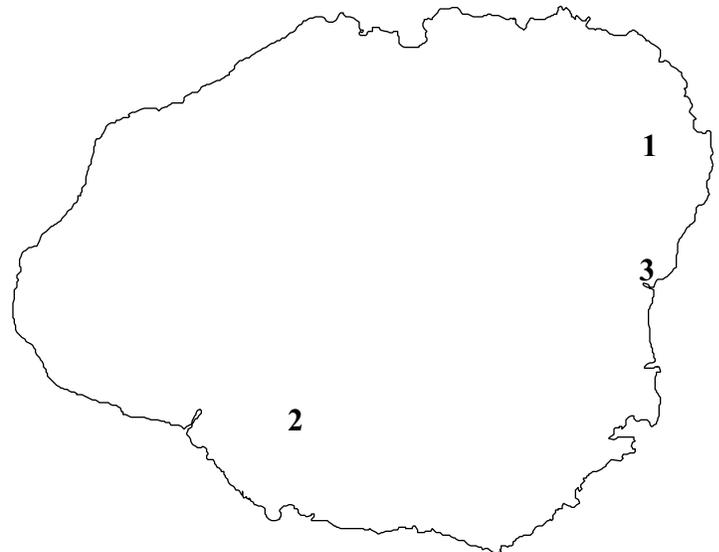
Approving Agency/Accepting

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

Consultant: Agor Architecture
4374 Kukui Grove, #204
Lihue, Hawai'i 96766
Contact: Ron Agor (245-4550)

Public Comment

Deadline: September 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

Greg and Joanne Allen proposed to construct a single-family residence on Kaua'i along the Wailua River in the Kawaihau District. The property encompasses 33,183 square feet and is in the conservation district lands. The proposed residence consists of 3,413 square feet of living and deck areas. The structure will be elevated on concrete columns approximately nine feet above existing grade to meet flood requirements. A parking and storage area of 1,712 square feet under the structure is proposed. The maximum height of the structure is 28 feet and no more than 15 feet above the elevated finish floor level.

Kaua'i Notices

AUGUST 8, 2001

(2) Koloa Well "F" Production Well

District: Koloa
TMK: 2-9-3:01, 2-9-2:01
Applicant: County of Kaua'i Department of Water
P.O. Box 1706
Lihu'e Hawai'i 96766
Contact: Michael Hinazumi (245-5413)

Approving Agency/Accepting

Authority: Same as above.
Consultant: Ron Terry, Ph.D. (982-5831)
HC 2 Box 9575
Keaau Hawai'i

Public Comment

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

Permits Required: Well Construction, Pump Installation, Building, Grubing & Grading, Subdivision, Use

The proposed project would convert an existing Kaua'i County Department of Water (DOW) exploratory well to a production well. The 1,200 gallon-per-minute production well would draw potable water from the basal aquifer. The well site would require approximately 14,000 square feet of land. Project design includes a pump, controls, control building, chlorination facilities, pipeline, paving of an existing unpaved access road, and accessory drainage structures. The project site is at the foot of a 500-foot high ridge, about a mile east of the former McBryde Sugar Mill near Koloa and about two miles from the towns of Koloa and Poipu. The purpose of this project is to develop an additional potable water source for the Koloa-Poipu Water System, which requires more water in order to meet the demands of its service area.

Estimated design and construction costs total \$1.7 million. Funds for this project have been committed from DOW's Capital Improvement Program (CIP) budget. There is a possibility that other sources of funds, public or private, may be available for this project. When necessary approvals are obtained, the project would begin construction in the year 2001 and would be complete within approximately one year.

Because the project site contains alien vegetation and is several miles distant from the shoreline and any streams, settlements, or activities other than farming, the expected environmental impacts of the project and proposed mitigation are mi-

nor. Construction will cause very localized surface clearing that will be mitigated by Best Management Practices for minimizing soil erosion, offsite sedimentation, and excessive dust. With the well in operation, it is expected that pumpage from the aquifer will remain far below its sustainable yield. It is recommended that long-term records of water salinity pumpage and water levels should be maintained at all of the Koloa wells. If chloride concentrations appear to be increasing to unacceptable levels in the Koloa well field, DOW should consider measures to reverse the increase, such as reduced pumping or aquifer recharge. Furthermore, such data will provide information to evaluate potential cumulative impacts related to the use of future wells.

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

(3) Wailua Homesteads Well No. 3

District: Kawaihau
TMK: 4-4-01:1
Applicant: County of Kaua'i, Department of Water
P.O. Box 1706
Lihu'e, Hawai'i 96766
Contact: Keith Fujimoto (245-5449)

Approving Agency/Accepting

Authority: Same as above.
Consultant: Fukunaga & Associates, Inc.
1388 Kapi'olani Boulevard, 2nd Floor
Honolulu, Hawai'i 96814
Contact: Lynn Katahara (944-1821)

Status: FEA/FONSI issued, project may proceed.

Permits

Required: Well construction

The County of Kaua'i, Department of Water proposes to drill, case, and pump test an exploratory potable water well to serve Wailua Homesteads. The proposed Wailua Homesteads Well No. 3 would be located approximately 4 miles northwest of Wailua on lands owned by the State of Hawai'i and managed by the Division of Forestry and Wildlife as a Game Management Area. The well would be approximately 680 feet deep, and would be partially cased with 14-inch diameter steel casing. The source may yield up to 1 million gallons per day. The estimated cost of the proposed well project is \$600,000, and construction is expected to last about 6 months.

Shoreline Notices

AUGUST 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 Kauai, Hawaii and Maui and at Room 220, 1151 Punchbowl St., Honolulu, Oahu (Tel: 587-0414). All comments shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, HI 96813 and postmarked no later than fifteen (15) calendar days from the date of the public notice of the application.

Case No.	Date	Location	Applicant	TMK
OA-836	7/17/01	Lot 259 Land Court Application 505 as shown on Map 140, land situated at Kailua, Koolaupoko, Island of Oahu, Hawaii Address: 1070 Mokulua Drive Purpose: <u>Improvements</u>	DJNS Surveying & Mapping, Inc., for Eleanor & Wright Frierson	4-3-6: 91
HA-248	7/17/01	Lot 2 of Land Court Application 1793 as shown on map 3, land situated at Puapuaa 2 nd . North Kona, Island of Hawaii, Hawaii Address: Vacant (not assigned) Purpose: <u>Determine use of the property</u>	Wes Thomas Associates, for Alii Point Apartment Owners Association	7-5-35: 22
MA-238	7/18/01	Portion of R. P. 6727, Land Commission Award 8520 to Isua Kaeo and R. P. 8292 Land Commission Award 5428 to Z. P. Kaumaea, land situated at Halakaa, Puehuehu, Lahaina, Island of Maui, Hawaii Address: 291 Front Street Purpose: <u>Drainage easement</u>	Valera, Inc., for Albert C. Burkhalter	4-6-3: 04
MA-245	7/18/01	Portion of Lot 2 Keawekapu Beach Lots, being a portion of Royal Patent Grant 548 to J. Kanehoa, land situated at Paehau, Honuaula, Island of Maui, Hawaii Address: 3076 South Kihei Road Purpose: <u>Determine setback</u>	Valera, Inc., for Michael & Becky Masterson	2-1-10: 21
MA-057-2	7/19/01	Lot 1-A of Bechert Estate, Portion of Grant 1166 to D. Baldwin, J. F. Pogue & S. E. Bishop, land situated at Kahananui, Lahaina, Island of Maui, Hawaii Address: 4401 Lower Honoapiilani Road Purpose: <u>Erosion protection</u>	Valera, Inc., for Hololani Owners Association	4-3-10: 09
MA-058-2	7/25/01	Being a portion of Grant 3343 to Claus Spreckels, land situated at Kahului, Island of Maui, Hawaii Address: Amala Place (County of Maui Wastewater Treatment Site) Purpose: <u>Improvements</u>	Newcomer-Lee Surveyors, Inc., for County of Maui	3-8-001: 188
MO-069	7/25/01	Lot 36 of Land Court Application 1867, Map 16, land situated at Molokai, Maui, Hawaii Address; Not assigned (Kamehameha V Highway) Purpose: <u>Building permit</u>	Newcomer-Lee Surveyors, Inc., for Rosemary Slabaugh	5-4-17: 34
KA-026-2	7/25/01	Lot 6-A, portion of lot 6 as shown on File Plan 458, portion of Land Commission Award 7714-B, Apana 2, land situated at Kukuiula, Koloa, Kona, Island of Kauai, Hawaii Address: 4646-A Amio Road, Koloa Purpose: <u>Building permit</u>	Peter N. Taylor, Inc., for Frank Ritchey	2-6-11: 09
HA-249	7/25/01	Lot B, being a whole of Royal Patent 3737, Land Commission Award 5680, Apana 2 to H. Kahiamoe and portion of Land Commission Award 4452, Apana 2 to H. Kalama and Road Remnant at Kapalaalaea 1 st , North Kona, Island of Hawaii, Hawaii Address: Not assigned (Alii Drive) Purpose: <u>Determine building area</u>	Wes Thomas Associates, for David Selwyn	7-7-10: 013
HA-250	7/26/01	Lots 41 & 42 Milolii Beach Lots, Grant 3723, File Plan 789, land situated at Papa 2 nd , South Kona, Island of Hawaii, Hawaii Address: Not assigned (Kai Avenue) Purpose: <u>Building permit</u>	Don McIntosh Consulting, Inc., for Randy Gilmore & Elisa Brabence	8-8-06: 19 and 20
KA-055-2	7/27/01	Wailua River Park, Lydgate Area Part E, as shown on C.S.F 21, 889 and Part F, as shown on C.S.F 21,929, land situated at Wailua, Lihue, Island of Kauai, Hawaii Address: Kuhio Highway - Seaward of Leho Drive between Lehia Lane and Nehe Road Purpose: <u>Improvements</u>	Kodani & Associates, In. for County of Kauai	3-9-6: por 01

Shoreline Notices

AUGUST 8, 2001

Shoreline Certifications and Rejections

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

Case No.	Date	Location	Applicant	TMK
KA-157	7/26/01 Certified	Portion of Allotment Number 10-A, Partition of "Hui Lands of Moloaa" Moloaa, Kauai, Hawaii Address: Not assigned -Seaward of Moloaa Road (Moloaa Bay) Purpose: Building Permit	Caires Land Surveying, for William Miller	4-9-14:06
HA-012-2	7/25/01 Certified	Land Commission Award 5682 to Keaupuni, portion of R. P. 4475, Land Commission Award 7713, Apana 7 to V, Kamamalu, being a portion of Unit II-A of Keauhou Kona Surf and Racket Club, (File Plan 1506), land situated at Kahaluu and Keauhou 1, North Kona, Island of Hawaii, Hawaii Address: 78-6800 Alii Drive, Kailua-Kona Purpose: Building Permit	Wes Thomas Associates, for AOA0 Keauhou Kona Surf and Racquet Club	7-8-13:por 03
OA-834	7/25/01 Certified	Lots 13-K and 14-F as shown on Map 10 of Land Court Application 242, land situated at Puuloa, Ewa, Island of Oahu, Hawaii Address: 91-277 Ewa Beach Road, Ewa Beach Purpose: Consolidation and Resubdivision	Jaime F. Alimboyoguen, for Ed and Gail Wayne	9-1-23:29
OA-835	7/25/01 Certified	Grant S-14, 745 as shown on C.S.F. Map 20,680, land situated at Puuloa, Ewa, Island of Oahu, Hawaii Address: 91-221 Ewa Beach Road, Ewa Beach Purpose: Consolidation and Resubdivision	ControlPoint Surveying, Inc., for Gerald Williams M., Trustee	9-1-23:18
OA-833	7/25/01 Certified	Lot 62 of Sunset Beach Lots, File Plan 256, land situated at Pupukea, Koolauloa, Island of Oahu, Hawaii Address: 59-209E Ke-Nui Road Purpose: Building Permit	Walter P. Thompson, Inc., for Howard Farrant	5-9-2:66
MO-067	7/25/01 Certified	Lot 40 of Land Court Application 631, map16, land situated at Kaunakakai, Molokai, Maui, Hawaii Address: 300 Seaside Place Purpose: Building Permit	Newcomer-Lee, Land Surveyors Inc., for Orlando Sambajon, etal	5-3-07:07
MO-066	7/25/01 Certified	Lot 10 of Kamakana Beach Lots, being a portion of Land Commission Award 8559-B, Apana 8, land situated at Kawela, Molokai, Maui, Hawaii Address: Not assigned - Vacant Purpose: Building Permit	Newcomer-Lee Land Surveyors, Inc., for John and Karin Gensel	5-4-18:22
OA-820	7/25/01 Certified	Lot 17 Land Court Application 505, land situated at Kailua, Koolaupoko, Island of Oahu, Hawaii Address: 884 Mokulua Drive, Kailua Purpose: Building Permit	Walter P. Thompson, Inc., for Peter Vincent & Assoc., LLC (Debra Stanley owner)	4-3-08:51
OA-832	7/25/01 Certified	Lot 882, Land Court Application 578, land situated at Kuliouou 1 st , Honolulu, Island of Oahu, Hawaii Address: 216 Paiko Drive Purpose: Building Permit	Walter P. Thompson, Inc., for John Cavanah	3-8-01:03
OA-823	7/26/01 Certified	Lot 12, Portion of Grant 5153 to Margaret T. Morgan and Portion of Hanohuluiwi Fishpond, land situated at Kaneohe, Koolaupoko, Island of Oahu, Hawaii Address: 45-027B Lilipuna Place, Kaneohe Purpose: Obtain Building Permit	Walter P. Thompson, Inc., for David Pham	4-5-57:01
MA-144	7/25/01 Rejected	Lot 13 of the Ulmer Subdivision, being a portion of Grant 3334 to Claus Spreckels, land situated at Spreckelsville, Wailuku, Island of Maui, Hawaii (Vacant - Makai of Hana Highway)	A&B Properties	3-8-02:08

Coastal Zone News

AUGUST 8, 2001

Special Management Area (SMA) Minor Permits

Pursuant to Hawai'i Revised Statute (HRS) 205A-30, the following is a list of SMA Minor permits that have been approved or are pending by the respective county agency. For more information about any of the listed permits, please contact the appropriate county Planning Department. City & County of Honolulu (523-4131); Hawai'i County (961-8288); Kaua'i County (241-6677); Maui County (270-7735).

Location	Description (File No.)	Applicant/Agent
Hawaii: Keopu, North Kona (TMK 7-5-7:16)	Awning over an existing terrace, interior/exterior improvements to existing shore	Claus Conventz
Honolulu: Diamond Head (TMK 3-1-33:59)	Installation of a temporary and ensuing permanent repeater and two antennas on top of the Seabreeze Apartment Building	City and County of Honolulu, Department of Design and Construction/Seabreeze Apartments, Inc.
Honolulu: Nanakuli (TMK 8-9-6)	Street lights on wood poles	Department of Hawaiian Home Lands/Earth Tech (Randy Hamamoto)
Honolulu: Waianae (TMK 8-7-6:2 & 32)	Waianae Corporation Yard Expansion Project, 87-1070 Farrington Highway	Board of Water Supply
Honolulu: Pearl City (TMK 9-7-18:12;, 9-8-3:1 and 10; and 9-8-4:2 and 3)	Waiau Springs/Kam Highway Fence	Hawaiian Electric Company, Inc./Shawn Tasaka
Honolulu: Pupukea (TMK 5-9-5:70)	Sunset Beach Neighborhood Park - Removal of existing septic manhole cleanout risers and manways, installation of distribution boxes, PVC pipe risers and manhole frames and covers for septic tank access	Department of Design and Construction/Michael Sakamoto
Maui: Kihei	Kenolio Estates Construction Trailer. Pending.	Doyle Betsill
Maui: Hana (TMK 1-3-3:15)	Perman 6-Lot Subdivision. Pending.	Wayne Arakaki
Maui: Wailea (TMK 2-1-5:86)	Maui Prince Hotel Subd. Ordinance 2372. Pending.	Roy Figueiroa
Maui: Wailea (TMK 2-1-7:72)	Poolena Beach Park – New Landscaping. Pending.	Floyd Miyazono
Maui: Wailea (TMK 2-1-8:62)	Maluhia @ Wailea, Site 12. Pending.	George Atta
Maui: Wailea (TMK 2-1-8:128)	Wailea Resort – 3 Lot Subdivision. Pending.	Clyde Murashige
Maui: Wailea (TMK 2-1-10:2)	Sugarman Properties – Time Extension. Pending.	Satish Gholkar
Maui: Wailea (TMK 2-1-10:2)	Sugarman Residence. Pending.	Satish Gholkar
Maui: Wailea (TMK 2-1-12:3)	George Ferreira – Rock Wall in Shoreline Area. Pending.	Wayne Arakaki
Maui: Paia (TMK 2-5-4:25)	Hookipa Beach Park – Erosion Mitigation	Floyd Miyazono
Maui: Paia (TMK 2-6-1:1)	12,000 sq. ft. Skate Park. Pending.	Paia Youth Council, Inc.
Maui: Paia (TMK 2-6-5:2)	Mana Health Food's Metal Storage Bldg. Pending.	Edward Thielk
Maui: Paia (TMK 2-6-5:2)	Repair Bldg. Mana Health Food. Pending.	Edward Thielk
Maui: Haiku (TMK 2-7-4)	Sky Lewis Overhead Line Extension. Pending.	Maui Electric Co.
Maui: Wailuku (TMK 3-1-1:34)	Kahakuloa Homestead Subdivision. Pending.	Gerald Hokoana
Maui: Maalaea (TMK 3-6-8:2)	Maui Ocean Center – Canopy/Trellis. Pending.	Rafael Escobar
Maui: Kahului (TMK 3-7-2:20)	Sprint Antenna @ Kaahumanu Center. Pending.	Dean Frampton
Maui: Kahului (TMK 3-8-7:1)	Maui Nui Botannical Garden. Pending.	Lisa Schattenburg-Raymond
Maui: Kahului (TMK 3-8-79:1)	Airport Triangle – Lot 2 Parking/Driveway. Pending.	Hideo Kawahara

Coastal Zone News

AUGUST 8, 2001

Special Management Area (SMA) Minor Permits (continued)

Mau: Kihei (TMK 3-9-1:64)	Storage Closet. Pending.	Renato Celario
Mau: Kihei (TMK 3-9-2:84)	Haggai Institute Improvements. Pending.	Anthony Riecke-Gonzales
Mau: Kihei (TMK 3-9-4:29)	Mau: Oceanfront Inn - Renovation. Pending.	Richard Takase
Mau: Kihei (TMK 3-9-4:149)	Mau: Oceanfront Inn - Restaurant Improvements. Pending.	Chris Hart
Mau: Lahaina (TMK 4-2-5:40)	Subdivision of Lot @ Kapa lua. Pending.	Michael Munekiyo
Mau: Lahaina (TMK 4-3-10:9)	Hololani Resort Seabags. Pending.	Dean Frampton
Mau: Lahaina (TMK 4-5-1:5)	Lahaina Yacht Club – Kitchen Renovation. Pending.	Uwe Schulz
Mau: Lahaina (TMK 4-5-1:33)	Republic Parking. Pending.	Wayne Arakaki
Mau: Lahaina (TMK 4-6-2:7)	505 Front St., ADA Improvements. Pending.	3521 Corp.
Mau: Lahaina (TMK 4-6-7:34)	Suzuki Residence Addition. Pending.	Mac Suzuki
Mau: Lahaina (TMK 4-6-8:4)	Addition to Banyan Inn. Pending.	Activity Mart Inc.
Mau: Lahaina (TMK 4-6-28:21)	Nolte Residence @ Puamana. Pending.	George Peters
Mau: Lahaina (TMK 4-6-29:4)	Hughes Residence @ Puamana. Pending.	George Peters
Mau: Lahaina (TMK 4-6-31:6)	Knapp Residence @ Puamana. Pending.	Nick Wagner
Mau: Molokai (TMK 5-3-1:23)	Com. Street Light – Beach Place, Molokai. Pending.	Mau: Electric
Mau: Lahaina (TMK 4-6-28:13)	Meier Residence	Donovan Webb
Mau: Paia (TMK 4-6-9:23)	Blue Tile Beach Access – Barrier Units	Floyd Miyazono
Mau: Lahaina (TMK 4-3-3:17)	DeMoss Residence at Alaeloa #334 – Privacy Wall	Gwen Hiraga
Mau: Kihei (TMK 3-9-17:43)	Verizon Kihei Bldg. Renovation	Ernest Umamoto
Mau: Kihei (TMK 3-9-1:75)	Sprint Antenna @ Kauahal	Dean Frampton
Mau: Wailea (TMK 2-1-8:61)	AT&T Antenna @ Outrigger Wailea	Gwen Hiraga
Mau: Lahaina (TMK 4-6-2:7)	Sprint Antenna @ Lahaina Shores	Dean Frampton
Mau: Kihei (TMK 3-9-8:27)	Azeka Place 1 Entry Hale	Robert Fox
Mau: Kihei (TMK 3-9-2:28)	Azeka Place 2 Hale, Trellis & Renovation	Robert Fox
Mau: Haiku (TMK 2-7-13:32)	Kuiaha-Kahpakulua Homestead Subd. – 40,000 Gal. Water Tank	Douglas Gomes
Mau: Kihei (TMK 3-7-9:29)	Hopaco Loading Dock	Marie Kimmey
Kauai: Secret Beach, Kilauea (5-2-10-31)	Grading steps, handrail and landing along trail to Secret Beach. (02-3)	Steve Long/Stark et al

Pollution Control Permits

AUGUST 8, 2001

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, Covered Source Permit	Hawaiian Cement CSP 0311-03-C	99-1100 Halawa Valley Street, Aiea, Oahu	Issued: 7/16/01	Aggregate Processing Facility, Two (2) 250 CY/hr Concrete Batch Plants, Specialty Products Plant and Portable Soil Screener
Clean Air Branch, 586-4200, Temporary Covered Source Permit	Grace Pacific Corporation CSP 0045-02-CT	91-920 Farrington Highway, Kapolei, Oahu	Comments Due: 8/22/01	334 TPH Hot Mix Asphalt Facility
Clean Air Branch 586-4200, Covered Source Permit	Grace Pacific Corporation CSP 0059-01-C	91-341 Hanua Street Kapolei, Oahu	Comments Due: 8/29/01	Coral Sand Crushing, Grinding, and Screening Facility with Portable Screening Plant
Clean Air Branch, 586-4200, Noncovered Source Permit	Tosco Refining Company NSP 0382-01-N (Amendment)	1 Kawaihae Road, Kawaihae, Hawaii	Issued: 7/18/01	Petroleum Bulk Loading Terminal
Clean Air Branch, 586-4200, Covered Source Permit	Yamada & Sons, Inc. CSP 0376-01-C	169 Railroad Avenue, Hilo, Hawaii	Issued: 7/20/01	210 TPH Hot Mix Asphalt Concrete Batch Plant with Diesel Engine Generator and Hot Oil Heater
Clean Air Branch, 586-4200, Covered Source Permit	United Laundry Services, Inc. CSP 0442-02-C (Amendment)	2291 Alahao Place, Honolulu, Oahu	Issued: 7/24/01	Two (2) 500 HP SNG/Fuel Oil No. 2-Fired Boilers
Clean Water Branch 586-4309, NPDES Permit	Chevron USA, Inc. Hawaii Refinery #HI 0000329	91-480 Malakole St. Kapolei, Oahu	Comments Due: 8/29/01	Discharge water processed from the Hawaii Refinery to the Pacific Ocean near Barbers Point

Commission on Water Resource Management to Apply for a NOAA National and Regional Habitat Restoration Partnership Grant/Cooperative Agreement

The Commission on Water Resource Management ("Commission") is responding to the National Oceanic Atmospheric Administration (NOAA) Community-based Restoration Program's call for National and Regional Habitat Restoration Partners. The purpose of this grant/cooperative agreement is to assist in the development of national and regional partnerships that will accomplish on-the-ground community-based restoration of marine, coastal, and stream habitats to benefit living marine resources, including anadromous fish species. NOAA is interested in applicants who demonstrate broad-reaching partnership capabilities to benefit NOAA trust resources across a large geographic range and whose restoration projects actively engage and empower community participation. The grant/cooperative agreement is funded through a 1:1 match of non-federal cash and in-kind contributions, such as volunteer time, technical assistance and training, staff time, and use of equipment and facilities.

The Commission is crafting a partnership plan proposal that will increase the capability of community organizations active in stream restoration work to engage more cooperatively and effectively with local, state, and federal government agencies and local businesses with common interests in the restoration and management of stream habitat and living marine resources.

Submittal deadline to NOAA is September 1, 2001. To view NOAA's call for Partners and the Federal Register Notice (PDF format) go to: <http://www.nmfs.noaa.gov/habitat/restoration/community/natregpart.html>

For more information on the Commission's proposal process, please contact the Commission at (808) 587-0225.

Enforcement Notices

AUGUST 8, 2001

Summary of Inspection and Enforcement Actions

The table below shows a tally of the number of inspections and responses conducted by DOH pollution control program personnel during the period from April through June 2001. Additionally, formal and informal enforcement actions, and the settlements that arise out of those actions, are counted as well. Inspections and enforcement actions are split up by program area. For more information, please contact Melissa O'Connor-Fariñas at the DOH Environmental Planning Office at 586-4337.

	Inspections / Responses	Informal Actions ¹	Formal Actions ²	Formal Actions Concluded	Formal Actions Pending	Fines Originally Issued	Fines Settled	Fines Collected	Other Penalties Assessed	Other Penalties Completed
	April-June 2001	April-June 2001	April-June 2001	April-June 2001	Total as of June, 2001	Total \$ as of June, 2001	Total \$ as of June, 2001	Total \$ as of June, 2001	Total as of June, 2001	Total as of June, 2001
Clean Air Branch										
Fugitive Dust	145	12	0	0	0	\$0.00	\$0.00	\$0.00	0	0
Noncovered Sources	30	3	2	0	4	\$23,455.00	\$0.00	\$0.00	0	0
Covered Sources	64	11	0	0	2	\$0.00	\$0.00	\$0.00	0	0
Agricultural Burning	83	3	0	0	0	\$0.00	\$0.00	\$0.00	0	0
Open Burning	33	13	0	0	1	\$0.00	\$0.00	\$0.00	0	0
Others	113	1	0	0	0	\$0.00	\$0.00	\$0.00	0	0
Solid & Hazardous Waste Branch										
Underground Storage Tanks	56	8	0	0	0	\$5,800.00	\$0.00	\$0.00	0	0
Hazardous Waste	32	11	1	5	3	\$143,500.00	\$93,500.00	\$43,537.00	1	0
Solid Waste	58	9	0	0	6	\$0.00	\$0.00	\$4,500.00	0	0
Clean Water Branch										
Permitted Discharges (NPDES)	35	4	0	0	4	\$0.00	\$0.00	\$0.00	0	0
Non-permitted Discharges	85	9	1	0	1	\$0.00	\$0.00	\$0.00	0	0
Water Quality Certifications	2	1	0	0	0	\$0.00	\$0.00	\$0.00	0	0
Wastewater Branch										
Wastewater Treatment Plants	16	0	0	0	2	\$0.00	\$0.00	\$0.00	1	1
Individual Wastewater Systems	22	19	1	1	7	\$0.00	\$0.00	\$100.00	0	0
Animal Waste	1	0	0	0	0	\$0.00	\$0.00	\$0.00	0	0
Other	16	3	0	0	0	\$0.00	\$0.00	\$75.00	15	0
Safe Drinking Water Branch										
Public Water Systems	5	2	0	0	2	\$0.00	\$0.00	\$1,000.00	0	0
Wells - Underground Injection Control	11	7	1	0	2	\$51,900.00	\$31,650.00	\$10,125.00	0	0
Hazard Evaluation & Emergency Response										
Oil Spills	0	0	0	0	0	\$0.00	\$0.00	\$0.00	0	0
Hazardous Waste Releases	17	2	0	0	0	\$0.00	\$0.00	\$0.00	0	0
Noise, Radiation, & Indoor Air Quality Branch										
	0	0	0	0	1	\$42,600.00	\$12,500.00	\$12,500.00	0	0

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.

Enforcement Notices

AUGUST 8, 2001

Formal Enforcement Actions and Settlements Completed by DOH¹

Notices of violation issued from April through June 2001 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.

Clean Air Branch:

On May 9, 2001, **Briggs Pacific Industries, LLC** was served a Notice and Finding of Violation; Order; and Certificate of Service for causing or permitting clouds of fugitive clinker dust to become airborne at its dry bulk continuous ship unloader operation. Briggs Pacific Industries was ordered to take corrective action immediately and pay a penalty of \$23,455.00.

Hawai'i Health Systems Corporation and Kaua'i Veterans' Memorial Hospital operates a medical waste incinerator in Waimea, Kaua'i and was served a Notice and Finding of Violation; Order; and Certificate of Service on June 27, 2001 for their exceedance of the allowable hydrogen chloride emission limit as stated in their non-covered source permit. Hawai'i Health Systems Corporation and Kaua'i Veterans' Memorial Hospital was ordered to immediately reduce the waste charge of the incinerator, identify plastics containing PVC in the waste stream and convert to alternative plastics, submit a progress report to DOH, submit burn logs to DOH monthly, and submit a detailed emission test plan.

Clean Water Branch:

A Notice and Finding of Violation and Order was served to **Russell Gifford of Water Resources International, Inc.** May 23, 2001 for unauthorized discharge of foaming soapy water from a Department of Water Supply well drilling site into Waiaha Stream located at Holualoa, Hawai'i. It was ordered that a report of steps taken to prevent similar violations be submitted to the Department, and an administrative penalty of \$8,775.00 was currently assessed for the violation. In addition a hearing was ordered to be scheduled at which time the Department is entitled to seek the maximum penalty of \$25,000.00 per violation.

Safe Drinking Water Branch:

Ferro Union Hawai'i, Inc. operates a facility that performs hot-dip galvanizing of iron and steel items and operates one injection well for the subsurface disposal of wastewater from the galvanizing process. On April 26, 2001 Ferro Union Hawai'i, Inc. was served a Notice and Finding of Violation; Order; and Certificate of Service for violating its UIC permit conditions pertaining to monitoring and reporting. A penalty of \$11,400.00 was assessed for the violation.

Solid and Hazardous Waste Branch:

Pacific Fence, Inc. entered into a Consent Agreement with the DOH on April 24, 2001 without admitting or denying any allegations in the September 11, 2000 Compliant and Order issued by DOH. It was ordered and agreed that a civil penalty of \$4,000.00 be paid by Pacific Fence, Inc.

On May 17, 2001 the Hawai'i **Department of Transportation** was issued a Complaint; Order; and Certificate of Service for violations found at its facilities on Maka'ala Road, Hilo and Sand Island Road, Honolulu. Violations included storage of hazardous waste without a permit, failure to make a hazardous waste determination, mismanagement of containers, failure to minimize the possibility of a release, and transporting hazardous waste without manifest. An administrative penalty of \$143,500.00 was assessed, and compliance was ordered.

Philip Services Hawai'i, Ltd. entered into a Consent Agreement with the DOH on June 5, 2001 without admitting or denying any allegations in the March 20, 2001 Compliant and Ordered issued by DOH. It was Ordered and agreed that a civil penalty of \$37,500.00 be paid by Philip Services Hawai'i, Ltd.

Robinson Corp., dba Caesars Cleaners and Thurston John Robinson entered into a Consent Agreement with the DOH on June 12, 2001 without admitting or denying any allegations in the June 26, 2000 Compliant and Ordered issued by DOH. It was Ordered and agreed that a civil penalty of \$18,000.00 be paid by Robinson Corp., dba Caesars Cleaners and Thurston John Robinson. In addition they were ordered to properly remove and dispose of all hazardous waste perc, submit a hazardous waste management plan to the DOH, and at no time shall they use their DynaClean machine to process or otherwise "recycle" spent perc or other hazardous waste, unless the Department approves in writing.

On June 26, **Maui Community College** entered into a Consent Agreement with DOH. Neither admitting nor denying any allegations in the June 27, 2000 Compliant and Ordered issued by DOH, it was ordered and agreed that Maui Community College would pay a civil penalty of \$10,600.00 and conduct a supplemental environmental project (SEP) for a DOH credit of \$84,800.00. As a SEP Maui Community College (MCC) will produce a thirty minute video that illustrates proper hazardous waste management procedures and will air such video on the MCC Cable Channel as agreed. In addition it is ordered that MCC will continue to properly dispose of its hazardous waste through a licensed contractor.

Wastewater Branch:

A Second Supplemental Notice and Finding of Violation; Second Amended Order; and Certificate of Service was served to **George Cromack** on June 27, 2001. Wastewater from Mr. Cromack's cesspool seeped out, spilled onto the sidewalk, flowed into a drainage catch basin which flows into the Pacific Ocean. As a result, Mr. Cromack was ordered to hire an engineering consultant to design a new individual wastewater system which will prevent future spill occurrence, submit the design plans to the DOH for approval, and submit written progress reports to the DOH. In addition, Mr. Cromack has been Ordered to appear at a hearing at which time the issue of how much monetary penalty should be assessed will be heard.

¹ These summaries do not constitute exact descriptions of the violations. For complete and accurate descriptions, please contact DOH for copies of the violation notices.

Conservation District Notices

AUGUST 8, 2001

Departmental Permits

Persons interested in commenting on the following Conservation District Use Application (Departmental Permit) must submit comments to the Department of Land and Natural Resources. Also, anyone interested in receiving notification of determinations on Conservation District Use Applications (Departmental Permits) must submit requests to DLNR that include the following information: 1) Name and address of the requestor; 2) The departmental permit for which the requestor would like to receive notice of determination; and 3) The date the notice was initially published in the Environmental Notice. Both comments and requests for notification of determinations must be submitted to DLNR within thirty days from the initial date that the notice was published in the Environmental Notice. Please send comments and requests to: State of Hawaii, Department of Land and Natural Resources, Land Division, 1151 Punchbowl Street, Room 220, Honolulu, Hawaii 96813. DLNR will make every effort to notify those interested in the subject CDUA, it is not obligated to notify any person not strictly complying with the above requirements. For more information, please contact Masa Alkire at 587-0385.



Kapalua Landscape Improvements

File No.: CDUA MA-3041D (Departmental Permit)
Applicant: Kapalua Land Company
Location: Kapalua, Maui
TMK: (2) 4-2-04:32
Proposed Action: Landscape Improvements
343, HRS determination: Exempt
Applicant's Contact: Dean Frampton (808-244-2015)



Demolition and Removal of an Unused Steel Water Tank

File No.: CDUA OA-3046D (Departmental Permit)
Applicant: City and County of Honolulu, Department of Design and Construction
Location: Hawai'i Kai, O'ahu
TMK: (1) 3-9-12:01
Proposed Action: Demolition and Removal of an Unused Steel Water Tank
343, HRS determination: Exempt
Applicant's Contact: Engineering Solutions (808-488-0477)

Board Permit

Persons interested in commenting on the following Conservation District Use Application (Board Permit) must submit comments to the Department of Land and Natural Resources. Also, anyone interested in receiving notification of determinations on Conservation District Use Applications (Board Permits) must submit requests to DLNR that include the following information: (1) Name and address of the requestor; (2) The departmental permit for which the requestor would like to receive notice of determination; and (3) The date the notice was initially published in the Environmental Notice. Both comments and requests for notification of determinations must be submitted to DLNR within thirty days from the initial date that the notice was published in the Environmental Notice. Please send comments and requests to: State of Hawaii, Department of Land and Natural Resources, Land Division, 1151 Punchbowl Street, Room 220, Honolulu, Hawaii 96813. DLNR will make every effort to notify those interested in the subject CDUA, it is not obligated to notify any person not strictly complying with the above requirements. For more information, please contact Masa Alkire at 587-0385.



Improvements to Lydgate Park

File No.: CDUA KA-3044B (Board Permit)
Applicant: Department of Public Works, County of Kaua'i
Location: Lihu'e, Kaua'i
TMK: (4) 3-9-02:34
Proposed Action: Construction of 2.4 mile concrete bike trail, pedestrian bridge, observation area, picnic facilities, camping sites, maintenance building, comfort station, sports fields, parking
343, HRS determination: Final EA accepted by County of Kaua'i Department of Public Works. FONSI published June 8, 2001 in the Environmental Notice.
Applicant's Contact: MDG, INC. (303) 571-5787

EPA Issues Public Response to Comments and Modified Permit for Genetically Modified Corn Plants

The U.S. EPA has issued the following experimental use permit (EUP) No. 524-EUP-93, Amendment/Extension to applicant Monsanto Company, 700 Chesterfield Parkway North, St. Louis, MO 63198. This EUP allows the shipment of 7.4 pounds of the Cry3Bb protein insecticide in seeds shipped *Bacillus thuringiensis* Cry3Bb protein and the genetic material necessary for its production (Vector ZMIR13L) in corn plants on 4,000 acres of field corn for trials in 1) Breeding and observation nursery, 2) inbred seed increase production, 3) line per se and hybrid yield trial, 4) insect efficacy trials, 5) product characterization, performance and labeling trials, 6) insect resistance management trials, 7) non-target organisms and benefit trials, and 8) seed treatment trials corn rootworm. The program is authorized in various States. However, test plots must not be near the habitats of the following beetles in the following counties: (1) American burying beetle in Kansas (Doniphan, Douglas, Montgomery, Pottawatomie, Riley, and Saline Counties) and Oklahoma (Bryan, Cherokee, Haskell, Latimer, Le Flore, Muskogee, Sequoyah and Tulsa Counties); (2) the delta green ground beetle in California (Solano County); and (3) the valley elderberry longhorn beetle in California (Butte, Colusa, Dorado, Fresno, Glenn, Madera, Mariposa, Merced, Placer, Sacramento, San Joaquin, Solano, Stanislaus, Sutter, Tehama, Yolo and Yuba Counties). The EUP is effective from April 27, 2001 to plantings through April 2002 and associated activities such as collection of field data, harvesting and processing of seed after last planting, and containment activities such as destruction of volunteer corn plants. A tolerance exemption has been established for residues of the active ingredient in or on corn. Twenty-nine comments received from private citizens, the National Grain and Feed Association, Gardens/MiniFarms Network, the Hawai'i Office of Environmental Quality Control, the County of Hawai'i, and the Union of Concerned Scientists. The National Grain and Feed Association supports biotechnology but cited concern regarding the 660 foot (ft) buffer, notification of neighboring farms, chain of custody issues, and the intermingling of grain from this EUP with food/feed grain. Comments/issues/concerns raised by citizens included: protection of certified organic farming industry from genetic drift and proof of non-contamination of heirloom seeds, allergenicity, labeling of genetically engineered (GE) food, request for proof of protection of Hawaiian local insect and animal population, a request to reply to Congresswoman Patsy Mink of Hawai'i and Mayor Harry Kim of Hilo, Hawai'i, and general opposition to testing. The Union of Concerned Scientists (UCS) urged EPA to publish in the Federal Register announcements regarding previous approval of rootworm protected corn EUPs and to delay consideration of this EUP amendment/extension until the release of relevant documents concerning the approvals. UCS indicated that because of ecological and Intermediate Remedial Measures (IRM) concerns and the paucity of data submitted, UCS opposed the registration of this new Bt corn. The State of Hawai'i's Office of Environmental Quality Control asked to be notified of the exact location of planting sites in Hawai'i and asked that EPA notify the applicant of the reporting requirement for genetically modified organisms (GMOs) under section 321-11.6 of the Hawai'i Revised Statutes. The County of Hawai'i commented that they were unable to determine exact locations of planting sites and that locations are critical to ren-

der informed comments. Further, the County of Hawai'i requested EPA to notify the applicant of its obligation to the State of Hawai'i under the reporting requirement for GMOs under section 321-11.6 of the Hawai'i Revised Statutes. The County of Hawai'i requested an opportunity to submit additional comments after testing location information was provided and after the Hawai'i State Department of Health has had an opportunity to review the proposal following compliance with the notification requirements of section 321-11.6. **EPA's Response to Comments:** *"This permit is an amendment/extension of the permit approved last year in which the Agency concluded that there was no significant or irreversible hazards to the environment provided testing does not take place in the vicinity of endangered beetle habitats. The EUP approval letter informs Monsanto that they must obtain State approval before testing. In response to comments made by Hawai'i's Office of Environmental Quality Control and the County of Hawai'i, we have included language in the EUP approval letters notifying Monsanto of Hawai'i's reporting requirement for GMOs under section 321-11.6 of the Hawai'i Revised Statutes. Regarding the test locations, the cooperators and participants have been provided and placed in the docket. Monsanto has claimed the participant and cooperator information as confidential business information (CBI) and requests are being processed through the Freedom of Information Act (FOIA). [Emphasis supplied by the Office of Environmental Quality Control] The EUP requires methods to minimize pollen flow, and the Agency is requiring that no testing take place in the vicinity potentially exposed to endangered beetles for the coleopteran active Cry3Bb EUP. A final rule establishing tolerance exemptions for Cry3Bb1 and Cry2Ab2 has been approved and that final rule concluded that there is a reasonable certainty of no harm from consumption of these proteins which were digestible in gastric fluid and are not considered food allergens. The Cry3Bb1 protein is the specific protein in corn being tested under the 524-EUP-93 permit. Monsanto submitted a brief progress report to the Agency titled Non-target Organism Research with Corn Event MON863 Hybrids: Corn Rootworm Protected Corn (Vector ZMIR13L) dated February 20, 2001. This report was requested by the Biopesticides and Pollution Prevention Division (BPPD) and addresses nontarget organism (specifically invertebrates) monitoring in MON863 corn. Since MON863 is expressed in the roots, effects on soil dwelling organisms are a potential risk. Surveys of above and below-ground arthropods were conducted. Above ground samples included various species of predatory Hemiptera and Coleoptera. Below ground samples included Coleoptera (particularly carabids [ground beetles] and staphalynids [rove beetles]), spiders, and Collembola. Although all of the samples have not been counted and identified, preliminary results suggest that there are no significant effects of lines or treatments. The only adverse effect reported was a reduction in Collembola in the insecticide treated fields. Based upon the preliminary results submitted to the Agency, MON863 does not appear to pose a risk to non-target beneficial arthropods. However, these studies are preliminary and incomplete. Additional years of sampling are needed and a complete report should be submitted to the Agency before a conclusion regarding the potential risks can be determined. Labeling of foods is the responsibility of the Food and Drug Administration (FDA). Questions on food labeling should be addressed to FDA For more, contact Mike Mendelsohn at mendelsohn.mike@epa.gov (see, 66 F.R. 39163, July 27, 2001).*

