

The Environmental Notice

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



BENJAMIN J. CAYETANO
GOVERNOR

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

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

Other Resources
available at OEQC . . .

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

OEQC

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Hawaii: 974-4000 ext. 64185

JULY 23, 2002

UH Moku O Lo'e Development Plan EIS

Moku O Lo'e or *Coconut Island* in Kane'ohe Bay, primarily used for marine research by the University of Hawai'i comprises 12.5 acres of scrub and basalt rubble surrounded by 64 acres of coral reef within the ahupua'a of He'eia in Ko'olaupoko. The Long Range Development Plan (LRDP) calls for over 110,000 assignable square feet of facilities (ASF), the majority of which will be new construction and 38,800 ASF of outdoor tank space. Infrastructure and facility improve-

ments include: renovation of the Lilipuna Road property (which has a pier for providing access to the island). In addition to the no-action alternative, the LRDP considered varying levels of the following components: research; conference centre; overnight accommodations; open space and public access. Comments on the EIS preparation notice and requests to be a consulted party for preparing the draft EIS are due on AUGUST 22, 2002. See page 6 for more.

Draft Economic Analysis for Lana'i Critical Habitat

The U.S. Fish and Wildlife Service has prepared a draft economic analysis for designating critical habitat for various endangered and threatened plant species on the island of Lana'i. The comment period has also been re-opened. See page 18.

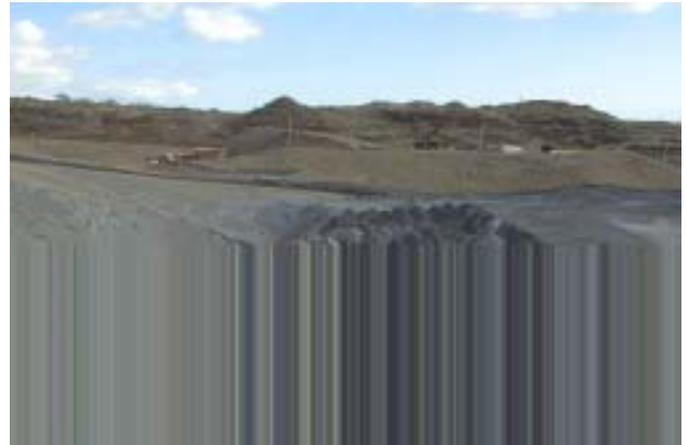
Professor Harrison on Safe Harbour Agreements

See page 19 for a rather edifying opinion letter by Professor John Harrison of the University of Hawai'i Environmental Centre on Safe Harbour Agreements and Habitat Conservation Plans as tools for environmental conservation and protection.

Maui Lani EISPN

Maui Lani Partners submitted an EIS preparation notice for a thousand-acre master-planned community in the Wailuku-Kahului area. This updates a 1977 EIS on this project under the name Wai'ale Development. Maui Lani is partially developed with the operational Maui Lani Dunes Golf Course and 500 developed residential units. New development includes a 56 1/2 acre light industrial subdivision, a 10.3 acre park and an elementary school.

The park, school and industrial subdivision require adjustments to the Maui Lani district boundaries. State Land Use District Boundary amendments, from agricultural to urban, are also required. See the May 23rd, 2002 *Environmental Notice* for a description of the Maui Lani Elementary School draft EA and the June 8th, 2002 edition for a description of the industrial subdivision draft EA. See page 8 for more details on the prep notice.



Waimanalo Gulch Public Hearing

A public hearing on the draft permit and application to increase the size of Waimanalo Gulch Sanitary Landfill in 'Ewa (*the photograph above by OEQC looks east at HPOWER ash piles in the landfill*) has been scheduled for August 7, 2002, from 7 to 9 p.m. at the Kapolei High School Cafeteria. See page 14 for details.

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

Draft Environmental Assessments



(1) Aloha Gardens at Helemano

District: Wahiawa
TMK: 6-4-3: Portion of 3
Applicant: City and County of Honolulu
Department of Community Services
715 South King Street, No. 311
Honolulu, Hawai'i 96813
Contact: Arnold Wong (532-5363)

Approving Agency/Accepting

Authority: Same as above.

Consultant: Kusao & Kurahashi, Inc. (988-2231)
2752 Woodlawn Drive, Suite 5-202
Honolulu, Hawai'i 96822

Public Comment

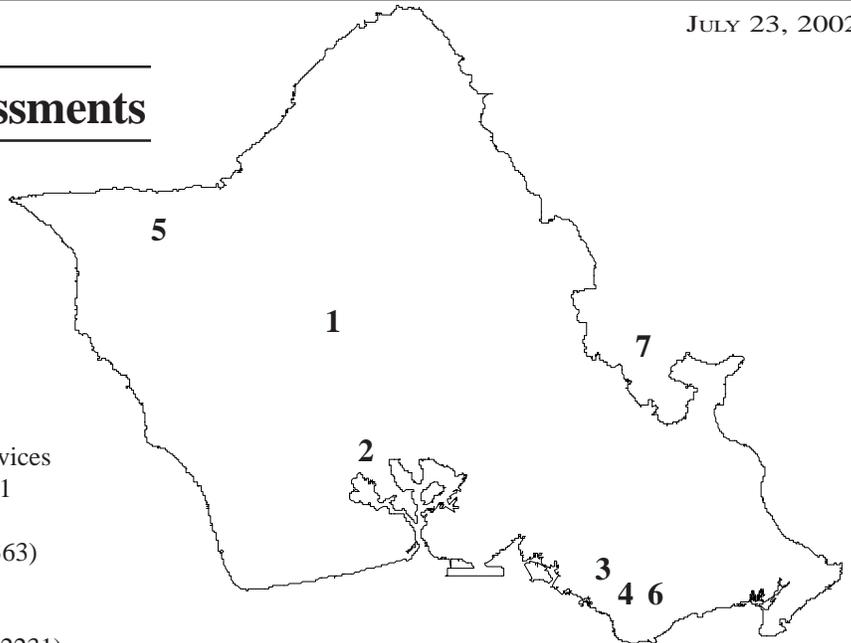
Deadline: August 22, 2002

Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

Permits Required: LUC Boundary Amendment; Communities Plan Amendment; Zone Change; CUP, Building

The Aloha Gardens development is a proposed mixed use development that will include commercial, recreational, educational, residential and agricultural components. The City and County of Honolulu, Department of Community Services is submitting the draft environmental assessment on behalf of ORI Anuenue Hale, Inc., a private, non-profit agency based in Helemano that intends to develop Aloha Gardens to assist a broad spectrum of the community, including, but not limited to: the elderly, persons developmentally disabled, the economically disadvantaged (low income), immigrants, displaced workers, and the unemployed. The action that triggers this environmental assessment is the proposed change in zoning from AG-1 Restricted Agricultural District to B-1 Neighborhood Business District for a lot of approximately 7.49 acres.

The project will allow ORI Anuenue Hale, Inc. to assist in developing and empowering the disadvantaged by improving their status through a combination of job skills development, elder care, accessible recreation, special needs housing, and support of diversified agriculture and related accessory activities. The project also entails rezoning approximately 35.75 acres from AG-1 Restricted Agricultural District to AG-2 General Agricultural District.



The project will be a one-stop location to access a variety of community services. It is envisioned to be an integrated setting with outdoor areas for appreciation of nature and recreation, a learning center, a health and wellness center for elders, a group living facility, administrative facilities, diversified agricultural activities and a farmer's market.



(2) 'Ewa Shaft Renovation

District: 'Ewa
TMK: 9-2-11: POR. 11
Applicant: City and County of Honolulu
Honolulu Board of Water Supply
630 S. Beretania Street
Honolulu, Hawai'i 96843
Contact: Andy Okada (527-5279)

Approving Agency/Accepting

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

Consultant: M&E Pacific, Inc.
1001 Bishop Street
Pauahi Tower, Suite 500
Honolulu, Hawai'i 96813
Contact: Andy Huang (521-3051)

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Public Comment

Deadline: August 22, 2002
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-Army; NPDES, Sec. 401-WQC; SCAP; Grubbing, Grading, Stockpiling, Building

The Honolulu Board of Water Supply (BWS) is proposing to renovate the existing 'Ewa Shaft Pump Station (O'ahu Sugar Co. EP 15 & 16) in the 'Ewa District on O'ahu. Upon completion, Ewa Shaft will be able to produce up to 12.15 mgd (permitted use) of high quality drinking water for the 'Ewa District.

The proposed work will involve primarily the demolition of existing pump building and electrical room, pump replacement, sealing of the vertical shaft and concrete lining for a portion of the adjacent Honouliuli Gulch. The existing pump station will be raised approximately 12.0 feet to avoid potential flooding. A new control building will be provided with MCC panels and chlorination equipment. The renovated 'Ewa Shaft will be interconnected with BWS 228' Water System.

The 'Ewa Shaft site is adjacent to the H-1 Freeway and is surrounded by agricultural plots. The general area has been highly altered, providing little or no habitat for wild animals. There is also no evidence of rare and endangered species within the project area. In addition, there are no significant historic sites in the project area.

Short-term construction related impacts such as reduced air quality and increased noise levels are anticipated for this project. The effects will be minimal since there are no residents within one-mile radius of the project site. The Contractor will be responsible for providing proper erosion controls. The Contractor will also be required to protect the water quality of the Honouliuli Gulch with appropriate best management practices.



(3) Holland Residence

District: Honolulu
TMK: 2-5-15-24

Applicant: First Hawaiian Bank Trust Division
Trustee for Charles A. and Allison A. Holland
999 Bishop Street
Honolulu, Hawai'i 96829
Contact: Linda Miyashiro (525-5727)

Approving Agency/Accepting Authority: Department of land and Natural resources
1151 Punchbowl St.
Honolulu, Hawai'i 96813
Contact: Trevor Carroll (587-0377)

Consultant: Alan Ewell (945-3853 or 533-2244)
180 Forest Ridge Way
Honolulu, Hawai'i 96822

Public Comment

Deadline: August 22, 2002
Status: DEA First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority, the consultant and OEQC.

Permits Required: CDUP, Building, Individual Wastewater System

The proposed project involves improvements on a vacant property located in the Honolulu Watershed Resource subzone of the State Conservation Land Use District. The project site at 166 Poloke Place is about five miles up Roundtop drive from the City and County of Honolulu water pumping station at the end of Makiki Street. The neighborhood consists of about 110 residences on private land holdings within the Resource subzone of the Conservation District. The site is bounded on the North, East and West by other residential properties, and on the South side by the Honolulu Watershed Forest Reserve. The property was developed for residential use in the early 1900's, but the main residence has always been on an adjoining property. That property was recently sold by the applicants who have made it their home for the past 35 years. Now they wish to build a smaller retirement home so they can continue to enjoy the unique area they have loved for so long.

The proposed dwelling consists of a wood-framed, two story structure including 2064 square feet of living space one level, 440 square feet of exterior wood decks, and a daylight basement with a 200 square foot utility room and 500 square feet of water tanks for the catchment water system (approximately 18,000 gallons). The applicants have deeded access to a garage and driveway on adjacent properties, so no new pavement or garage structure will be required. Proposed improvements also include a 1000 gallon septic tank and 250 square foot leach field for which permit application is

pending at the Department of Health Wastewater Division. Site work will also involve removal of three existing trees, relocation of some existing shrubs and some new landscape plantings.

The proposed project has been designed to minimize adverse impacts on the area's natural resources. The proposed structure is well below the maximum allowable size and will be sited in such a way to minimize its visual impact. Site grading will be accomplished without importing fill or removing material from the site. Existing healthy trees and shrubs will be maintained whenever possible to maintain the natural character of the area and provide a visual buffer. The design of the building is straightforward, of modest scale and reflects the rural nature of the area.

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



(4) Dole Street Parking Structure at UH

District: Honolulu
TMK: 2-8-29;portion of 001
Applicant: University of Hawai'i at Manoa
2444 Dole Street
Honolulu, Hawai'i 96822
Contact: Ron Lau (956-6254)

Approving Agency/Accepting Authority: Same as above.
Consultant: Wilson Okamoto and Associates, Inc.
1907 South Beretania Street, Suite 400
Honolulu, Hawai'i 96813
Contact: Earl Matsukawa (946-2277)
Status: FEA/FONSI issued, project may proceed.
Permits: Noise; Building; Grubbing, Grading,
Required: Excavation and stockpiling

The University of Hawai'i proposes to construct a new four-level parking structure on Dole Street, near the existing Center for Hawaiian Studies. The proposed parking structure was proposed in the 1987 Long Range Development Plan (LRDP) for the University of Hawai'i, Manoa Campus and has been retained in the subsequent LRDP 1994 Update. The Final Environmental Assessment for the LRDP 1994 Update

was prepared in August 1994. The proposed four-level parking structure will provide approximately 273 parking stalls and occupy approximately 23,650 square feet of land area within the 29,717 square foot project site. The proposed project site is currently used as an at-grade unpaved parking lot that can presently accommodate approximately 98 cars. Uses adjacent to the project site include the Center for Hawaiian Studies to the west, Kanewai Field to the southeast, student dormitories to the south across Manoa Stream, and Waahila Faculty Apartments and residential homes to the northwest and northeast across Dole Street.



(5) Mirikitani After-The-Fact Wood Deck

District: Waialua
TMK: 6-7-15: 49
Applicant: Helene B. and Clifford K. Mirikitani Jr.
Trust
2236 O'ahu Avenue
Honolulu, Hawai'i
Contact: Helene Mirikitani (949-3768)

Approving Agency/Accepting Authority: City and County of Honolulu
Department of Planning and Permitting
650 South King Street, 7th Floor
Honolulu, Hawai'i 96813
Contact: Dana Teramoto (523-4648)
Consultant: Analytical Planning Consultants, Inc.
928 Nu'uuanu Avenue, Suite 502
Honolulu, Hawai'i 96817
Contact: Donald Clegg (536-5695)
Status: FEA/FONSI issued, project may proceed.
Permits:
Required: Shoreline setback variance

The applicant, Helene B. and Clifford K. Mirikitani Jr. Trust, is requesting to retain (allow) a portion of a wood deck within the 40-foot shoreline setback. The property is located at Kahaone Loop in Waialua.

There is an existing two-family detached dwelling (duplex) on the property. The size of the original deck was 3 feet wide. There was a deck on the rear and left side of the dwelling. The owner replaced the deck due to termite damage and the ocean air, but expanded it to 4 feet, 4 inches. Furthermore, the deck was extended so that the makai deck and left side deck were joined. Now, the deck wraps around the rear of the dwelling to the left side of the dwelling. The deck is

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approximately 16.5 feet long along the left side of the dwelling and approximately 22 feet long along the rear of the dwelling. New steps were constructed on the shoreline side of the makai deck.



(6) Po'oleka Street Drainage Improvements

District: Honolulu
TMK: 3-4-03: 10, 22, 24, 25, 32, 33, 36, 37
Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street, 11th Floor
Honolulu, Hawai'i 96813
Contact: Gregory Sue (527-6304)

Approving Agency/Accepting

Authority: Same as above.
Consultant: Gray, Hong, Bills, Nojima & Assoc., Inc.
841 Bishop Street, Suite 1100
Honolulu, Hawai'i 96813-3908
Contact: David Bills (521-0306)

Status: FEA/FONSI issued, project may proceed.
Permits Required: Grading, building, noise, street usage, stream channel alteration permit

The City and County of Honolulu proposes to construct an underground drainage system to alleviate flooding that occurs in private residential areas at the end of Po'oleka Street in Palolo Valley. Stormwater from Po'oleka Street currently concentrates at the southwest corner at the end of the road. This runoff and additional stormwater contributed by adjacent properties discharges by way of surface sheet flow through a 10-foot wide easement, terminating at the end of the easement into a residential property.

The proposed system will satisfy current City and County storm drainage standards (2000) and will include approximately 460 lineal feet of 18-inch diameter reinforced concrete pipe, 3 drainage inlets, 3 manholes, and an outlet structure on the bank of Wai'oma'o Stream. Construction will take approximately 4 months. Residents may expect temporary inconvenience from equipment noise, dust and possibly some interference with vehicular and pedestrian traffic. However, the contractor will be required to provide adequate grading, stockpiling and erosion control measures as required by Chapter 23 of the Revised Ordinances of Honolulu, and to comply with requirements of Title 11, Chapter 60.1 of the Hawai'i Administrative Rules (HAR), Air Pollution Control.

The project construction cost has been estimated at \$190,000. The entire construction cost will be funded by the City and County of Honolulu, pending availability of funding.

Environmental Impact Statement Preparation Notices (EISPN)



(7) Coconut Island Long Range Development Plan

District: Ko'olaupoko
TMK: 4-6-01: 01, 15, 16, 17, 51
Applicant: Hawai'i Institute of Marine Biology
P.O. Box 1346
Kane'ohe, Hawai'i 96744
Contact: Dr. Jane Ball (236-7411)

Approving Agency/Accepting

Authority: University of Hawai'i at Manoa
Office of the Vice President for Administration and Chief Financial Officer
2444 Dole Street, Bachman 112
Honolulu, Hawai'i 96822
Contact: J.R.W. "Wick" Sloan (956-8903)
Consultant: Group 70 International, Inc.
925 Bethel Street, 5th Floor
Honolulu, Hawai'i 96813
Contact: George Atta (523-5866 x 103)

Public Comment

Deadline: August 22, 2002
Status: EISPN 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: Conservation district use; special management area; shoreline setback variance; water quality certification.

Approved in 1998 by the University of Hawai'i Board of Regents, the Coconut Island Long Range Development Plan is the visioning tool to expand world-class marine research at the Hawai'i Institute for Marine Biology, located on Coconut Island in Kane'ohe Bay. The plan's mission statement focuses on stewardship of the living oceans.

The Coconut Island Long Range Development Plan (LRDP) includes physical and operational elements designed to accommodate the expansion of activities and uses while maintaining the natural beauty and casual atmosphere of the Island. In addition to the improvement and expansion of research facilities, the plan calls for the development of facilities to house applied research activities, educational programs, and conferences. Existing overnight and long term accommodations will be replaced and expanded with newer facilities to complement the improved research facilities and other uses envisioned for the Island. The plan also includes infrastructure improvements to the docking area located at the Lilipuna Road property.

The proposed improvements to property are to be implemented in phases upon obtaining necessary permits and approvals.

Previously Published Projects Pending Public Comment

Draft Environmental Assessments

Waialua Beach Road Bikeway

Applicant: City and County of Honolulu
Department of Transportation Services
650 South King Street, 3rd Floor
Honolulu, Hawai'i 96813
Contact: Mark Kikuchi (527-5026)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: August 7, 2002



Landowner Incentive Program

Private landowner funding opportunity from State Department of Land and Natural Resources for rare species protection. Deadline is July 31, 2002.

What is the Landowner Incentive Program?

Hawai'i supports more threatened and endangered species than any other state in the nation. While many of these species are difficult to manage, others are relatively easy to help. Many of these species inhabit or could inhabit privately owned lands in Hawai'i. This program is intended to provide financial incentives that encourage private landowners to help conserve rare species on their land. The program is flexible and is open to all private landowners who have a desire to voluntarily manage land for rare species. The program focuses on species that have a reasonable chance of benefiting from management actions on private lands.

This program will be funded through a grant from the U.S. Fish and Wildlife Service Landowner Incentive Program Grants. Exact funding levels for Hawai'i will not be determined until all proposals from Hawai'i have been submitted to the Service.

Landowners are encouraged to submit a grant application for projects that they would like to carry out on their land and that benefit listed rare species.

Applications should be mailed to: Conservation Initiatives Coordinator, Division of Forestry and Wildlife, Department of Land and Natural Resources, 1151 Punchbowl Street, Honolulu, Hawai'i 96813 by July 31, 2002. Division of Forestry and Wildlife staff will evaluate all grant applications and will forward the highest ranking applications in a grant package to the U.S. Fish and Wildlife Service for final evaluation and funding decisions. The Division of Forestry and Wildlife staff will work together with successful grantees to provide any technical expertise necessary to make funded projects a success.

For more information, see: <http://www.state.hi.us/dlnr/dofaw/LIP/index.htm>.

Maui Notices

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Draft Environmental Assessments



(1) Plantation Inn Site Plan Amendment

District: Lahaina
TMK: 4-6-009: 36, 37 & 44
Applicant: Ka'anapali Beach Hotel
P.O. Box 998
Lahaina, Hawai'i 96767
Contact: Mike White (667-0211)

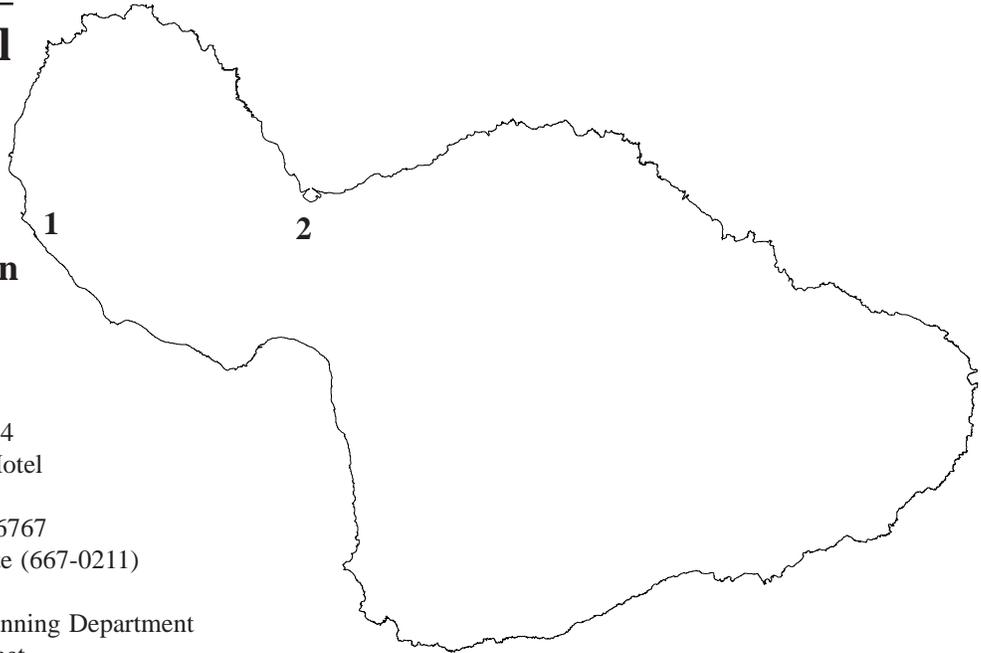
Approving Agency/Accepting Authority: County of Maui Planning Department
250 South High Street
Wailuku, Hawai'i 96793
Contact: Ann Cua (270-7735)

Consultant: Chris Hart & Partners
1955 Main Street, Suite 200
Wailuku, Hawai'i 96793
Contact: Rory Frampton (242-1955)

Public Comment Deadline: August 22, 2002
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: Building, Grading, Change in Zoning, Community Plan Amendment, special management area use permit amendment

The applicant is proposing amendments to the Plantation Inn Phase III Site plan, which was initially approved by the Maui Planning Commission in 1990 and last modified in 1998. The focus of Phase III has been a 14-unit guestroom building, and changes to the plan have been for different parking configurations. Since the 1998 amendment, the Hotel has acquired a bordering parcel (TMK (2) 4-6-09: 44), which allows the Hotel to provide additional on-site parking, and to re-configure the Phase III building to make best use of the combined area. The request does not change the number of rooms approved in previous permits.

The request is subject to Chapter 343 of the Hawai'i Revised Statutes because all portions of the project are located within the Lahaina National Historic Landmark District. The



subject properties do not have any individual distinctions recorded on the State or Federal Registers of Historic Places, and are not located within a County Historic District.

The amended site plan will result in lower project density, greater parking availability, and a safer pedestrian access for Hotel guests. Short term-construction related impacts (noise & air quality) are anticipated, but can and will be mitigated. No significant long-term impacts are anticipated.

Environmental Impact Statement Preparation Notices (EISPN)



(2) Maui Lani Light Industrial Subdivision

District: Wailuku
TMK: 3-8-07: por. 121, por. 131., por. 136, por. 137
Applicant: Maui Lani Partners
810 Richards Street, Suite 900
Honolulu, Hawai'i 96813
Contact: Leiane Paci (877-3699)

Approving Agency/Accepting

Authority: County Maui, Department of Planning
250 S. High Street
Wailuku, Hawai'i 96793
Contact: John Min (270-7735)

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

Public Comment

Deadline: August 22, 2002
Status: EISPN 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: Grading, Community Noise, NPDES

The Wailuku-Kahului Project District 1 (Maui Lani) is a 1,012-acre master planned community spatially integrated with the existing Wailuku-Kahului urban fabric.

The intent of the Maui Lani Project District is to establish a residential community, along with an integrated open space and recreation system, schools, and community or regional scale commercial facilities. Implementation of the project district in accordance with this purpose has proceeded with the opening of the Dunes at Maui Lani Golf Course and the development of approximately 500 residential units.

In 1977, an Environmental Impact Statement (EIS), pursuant to Chapter 343, Hawai'i Revised Statutes, and Title 11, Chapter 200, Hawai'i Administrative Rules, Department of Health, Environmental Impact Statement Rules, was prepared for the Wai'ale Development Plan (Maui Lani Project District). Maui Lani Partners has recently initiated and completed an update to the Maui Lani Master Plan.

The updated master plan for Maui Lani addresses projects completed to date, as well as amendments to the project district land use plan. The plan revisions address current needs and anticipated market trends. First, Maui Lani Partners proposes the inclusion of a 56.4-acre light industrial area to be located near the intersection of the Kuikahi Drive Extension and Wai'ale Road. Second, perimeter boundary adjustments to the project district are proposed to allow for the incorporation of a 1.30-acre remnant parcel to be a part of the light industrial subdivision and a 10.30-acre parcel to be a part of the regional park. Third, Maui Lani Partners propose to amend the circulation/open space land use allocations and provide for a separate open space district. Fourth, attendant adjustments to land use allocations set forth in the Wailuku-

Kahului Community Plan and Maui County Code, Chapter 19.78 are required.

The proposed amendment to the Wailuku-Kahului Community Plan triggers the preparation and processing of an environmental impact review pursuant to Chapter 343, Hawai'i Revised Statutes. Based on the proposed land use amendments, the County of Maui, Department of Planning has determined that an updated Environmental Impact Statement is warranted. It is in this context that this Environmental Impact Statement Notice of Preparation (EISPN) is being filed. The EISPN and the subsequent Draft EIS and Final EIS will evaluate the potential impacts of the proposed action on the natural and human environment.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

📍 Front Street Commercial Building

Applicant: AJI, LLC
381 Huku Li'i Place, Suite 202
Kihei, Hawai'i 96753
Contact: Becky Collins (874-5263)

Approving Agency/Accepting

Authority: County of Maui, Department of Planning
250 South High Street
Wailuku, Hawai'i 96793
Contact: Ann Cua (270-7735)

Public Comment

Deadline: August 7, 2002

Draft Supplemental Environmental Impact Statements

📍 East Maui Water Development Plan

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

Approving Agency/Accepting

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

Public Comment

Deadline: August 7, 2002

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Honoapi'ilani Highway, Launiupoko to Honokowai

Applicant: Department of Transportation
869 Punchbowl Street
Honolulu, Hawai'i 96813
Contact: Wayne Kawahara (587-1836)

Approving Agency/Accepting

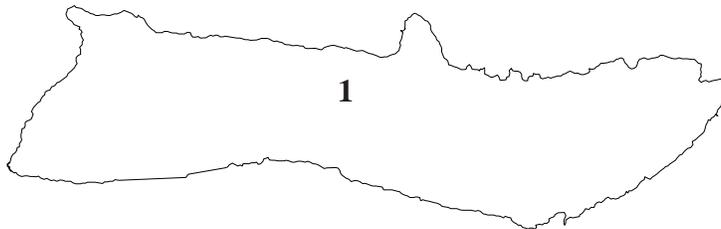
Authority: Governor, State of Hawai'i
c/o Office of Environmental Quality Control
235 S. Beretania Street, Suite 702
Honolulu, Hawai'i 96813

Status: FSEIS currently being reviewed by OEQC.



Moloka'i Notices

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



(1) Moloka'i Water System, Phase IV

District: Moloka'i
TMK: 5-2-07; 5-2-15; and 5-2-22 through 27
Applicant: Department of Hawaiian Home Lands
1099 Alakea Street, 20th Floor
Honolulu, Hawai'i 96813
Contact: Patrick Young (586-3918)

Approving Agency/Accepting

Authority: Same as above.

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

Status: FEA/FONSI issued, project may proceed.

Permits Required: Work within State & County

Highways

Department of Hawaiian Home Lands (DHHL), proposes to replace existing water lines in Hawaiian homestead lands in Ho'olehua, Moloka'i, Hawai'i. The existing water line is within the right-of-way of Farrington Avenue, between Hauakea Avenue and Ala 'Ekolu Avenue. The proposed replacement water line will be approximately 17,900 feet of 8-inch ductile iron water line that will replace a 6-inch water line originally installed in 1944. The existing water line does not meet current County standards as existing water flow pressure through this section exceeds their design standards. Upon completion of the project, the water line will meet County standards and be able to accommodate anticipated homestead lot improvements. Other improvements will include installation of additional fire hydrants and lateral connections to homestead lots adjacent to the roadway corridor.



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



(1) Pana'ewa Residence Lots, Unit 6

District: South Hilo
TMK: 2-2-47:01
Applicant: Department of Hawaiian Home Lands
P.O. Box 1879
Honolulu, Hawai'i 96805
Contact: Darrell Ing (586-3844)

Approving Agency/Accepting

Authority: Same as above.
Consultant: Brian Nishimura (935-7692)
101 'Aupuni Street, #217
Hilo, Hawai'i 96720

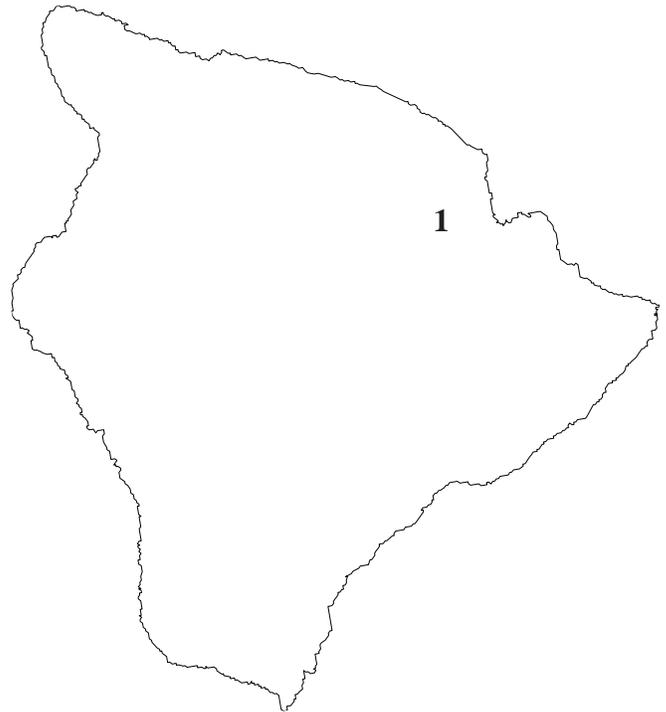
Status: FEA/FONSI issued, project may proceed.

Permits

Required: NPDES, UIC, Grading, Grubbing

The Department of Hawaiian Home Lands (DHHL) is proposing to develop a 41 lot, single family residential subdivision on approximately 20.796 acres of land in Waiakea, South Hilo, Hawai'i. The proposed Pana'ewa Residence Lots, Unit 6 project will consist of 40 single family residential lots plus on 3.901 acre buffer lot along Pu'ainako Street. The residential parcels will have lot sizes ranging from 15,000 sq. ft. to 23,000 sq. ft. Site improvements shall include roadways, lot grading, drainage system, water system, street tree planting, underground and/or overhead electric, telephone, and street light system. The DHHL intends to develop the property to standards which are similar to those of the previous increments already developed in the area. Access to the project will be provided by existing Pana'ewa Residence Lot roadways including Keonaona Street, Pa'ipa'i Street and Pohai Street.

Upon completion, the improved residential parcels will be leased to qualified native Hawaiians in accordance with the Hawaiian Homes Commission Act of 1920, as amended. Income restrictions or requirements have not yet been established for this project.



Construction of the proposed project will commence within one year from the date of preliminary subdivision approval and will be completed within one year thereafter. The estimated cost of construction is approximately \$2.25 million.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

► **Mauna Kea Astronomy Education Center**

Applicant: University of Hawai'i at Hilo
200 West Kawili Street
Hilo, Hawai'i 96720
Contact: George Jacob (933-3324)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: August 7, 2002

Hawai'i Notices

JULY 23, 2002

► 'Ola'a #6 Exploratory Well

Applicant: County of Hawai'i
 Department of Water Supply
 345 Kekuanao'a Street, Suite 20
 Hilo, Hawai'i 96720
 Contact: Bruce McClure (961-8070 x 255)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: August 7, 2002

► Pana'ewa Research Farm Renovation

Applicant: University of Hawai'i at Hilo
 200 W. Kawili Street
 Hilo, Hawai'i 96720-4091
 Contact: Michael Murakami (974-7595)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: August 7, 2002



Shoreline Notices

Shoreline Certification Applications

Pursuant to § 13-222-12, HAR the following shoreline certification applications are available for inspection at the DLNR District Land Offices on Kaua'i, Hawai'i and Maui and at Room 220, 1151 Punchbowl St., Honolulu, O'ahu (Tel: 587-0414). All comments shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, Hawai'i 96813 and postmarked no later than fifteen (15) calendar days from the date of the public notice of the application. If there are any questions, please call Nick Vaccaro at 587-0438.

OA-780 The Correct Case No. is OA-880	7/1/02	Portions of Land Filled of Kaakaukui, being parcels 1 and 10, land situated at Kaakaukui, Island of Oahu, Hawaii Address: 40 Ahui Street & 98 Koula Street Purpose: Development	ParEn dba park engineering, for Hawaii Community Development Authority State of Hawaii	2-1-60: 01 & 02
OA-881	7/9/02	Lot A of Opaapaa Subdivision, being a portion of R. P. 7984, Land Commission Award 4452, Apana 13 to H. Kalama, land situated at Malae, Koolaupoko, Island of Oahu, Hawaii Address: 44-365 Kaneohe Bay Drive Purpose: Consolidation & Resubdivision	Technical Field Data Services, Inc., for Robert A. Gould and Wife Gretchen M.	4-4-21: 25
OA-882	7/9/02	Lot 2 of Opaapaa Subdivision, being a portion of R. P. 7984, Land Commission Award 4452, Apana 13 to H. Kalama, land situated at Malae, Koolaupoko, Island of Oahu, Hawaii Address: 44-369 Kaneohe Bay Drive Purpose: Consolidation & Resubdivision	Technical Field Data Services, Inc., for Robert A. Gould and Wife Gretchen M.	4-4-21: 18
OA-883	7/9/02	Lot 10382 of Land Court Application 10382, as shown on Map 793 (Campbell Industrial Park), land situated at Honouliuli, Ewa. Island of Oahu, Hawaii Address: Kaomi Loop Purpose: Subdivision Approval	ControlPoint Surveying, Inc., for Kapolei Property Development, LLC	9-1-26: 45
OA-884	7/15/02	Lot 81 of Land Court Application 776, as shown on Map 9, land situated at Laie, Koolauloa, Island of Oahu, Hawaii Address: 55-71 Naupaka Street Purpose: Improvements	Towill, Shigeoka & Associates, Inc., for Charles Fv	5-5-10: 14

Shoreline Notices

JULY 23, 2002

Shoreline Certifications and Rejections

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

Case No.	Date Received	Location	Applicant	Tax Map Key
MA-053-2	7/11/02 Certified	Lot 4 Kahana Sunset Beach Lots, Being a portion of R.P. 1663, Land Commission Award 5524 to L. Konia, land situated at Alaeloa, Honokeana, Kaanapali, Lahaina, Island of Maui, Hawaii Address: 5171 Lower Honoapiilani Road Purpose: Building Permit	Valencia Land Surveying, for Mark Ciaburri	4-3-007: 04
OA-870	7/11/02 Certified	Land Court Application 616 (Map 51) Consolidation of Lots 326 and 329 less erosion into Lot A at Kailua, Koolaupoko, Island of Oahu, Hawaii Address: 1586 Mokulua Drive Purpose: Consolidation	Walter P. Thompson, Inc., for Ethan and Andrea Topper & Ronald and Gwen Robinson	4-3-01: 12 and 13
OA-878	7/11/02 Certified	Lots 160-A & 160-B (Map 66), Lot 161 (Map 11), Lot A-2 (Map 3) and 28 & 30 (Map 4), of Land Court Application 1095, land situated at Kahuku, Koolauloa, Island of Oahu, Hawaii Address: Vacant Purpose: Consolidation & Resubdivision	ControlPoint Surveying, Inc., for the Estate of James Campbell	5-6-02: 09 & 10 and 5-6-03: 10, 26, 34
OA-877	7/11/02 Certified	Lots 264, 265 and 266 of Land Court Application 505 (Map 138), land situated at Kailua, Koolaupoko, Island of Oahu, Hawaii Address: 928 Mokulua Drive Purpose: Building Permit	Wesley T. Tengan L.P.L.S., for Paul Alston, et al	4-3-07: 36
OA-873	7/11/02 Certified	Lot 25 of Land Court Consolidation 23 as shown on Map 7, land situated at Kaipapau, Koolauloa, Island of Oahu, Hawaii Address: 54-001 Haukoi Place Purpose: Building Permit	ParEn, Inc. dba park engineering, for Ronald S. Nakata Revocable Trust and Jessie N. Nakata Revocable Trust	5-4-12: 15
OA-874	7/11/02 Certified	Lots 19 and 20 of Land Court Application 999 and Lots 1 and 2 being a Portion of R.P 1319, Land Commission Award 1 to Hoopalaahe, land situated at Kaipapau, Koolauloa, Island of Oahu, Hawaii Address: 54-215 Kamehameha Highway Purpose: Building Permit	Walter P. Thompson, Inc., for TUW, LLC	5-4-11: 01
MA-266	7/11/02 Certified	Being a Portion of Land Commission Award 11216, Apana 21 to M. Kekauonohi, Being all of Lot 54 of Makena Beach Lots, Land situated at Palauea, Honuaula, Makawao, Island of Maui, Hawaii Address: Makena Road (Vacant) Purpose: Planning future use of parcel	Warren S. Unemori Engineering, Inc., for Kuoha, LLC	2-1-11: 14
MA-267	7/11/02 Certified	Being a Portion of Land Commission Award 11216, Apana 21 to M. Kekauonohi, Being all of Lot 51 and 52 of Makena Beach Lots, Land situated at Palauea, Honuaula, Makawao, Island of Maui, Hawaii Address: Makena Road (Vacant) Purpose: Planning future use of parcel	Warren S. Unemori Engineering, Inc., for Larson Family Trust	2-1-11: 16 & 17
MA-210-3	7/11/02 Certified	Being a Portion of Land Commission Award 11216, Apana 21 to M. Kekauonohi, Being all of Lot 46 of Makena Beach Lots, Land situated at Palauea, Honuaula, Makawao, Island of Maui, Hawaii Address: Makena Road (Vacant) Purpose: Planning future use of parcel	Warren S. Unemori Engineering, Inc., for Colter Bay Holding, LLC	2-1-11: 20

Pollution Control Permit Applications

JULY 23, 2002

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, Noncovered Source Permit	Castle & Cooke Resorts, LLC NSP 0394-03-N	Manele Bay Quarry Site, Lanai	Issued: 7/3/02	200 cy/hr Concrete Batch Plant
Clean Air Branch, 586-4200, Covered Source Permit	Chevron Products Company CSP 0080-01-C	Port Allen Marketing Terminal, Port Allen Road, Eleele, Kauai	Comments Due: 8/9/02	Petroleum Storage Tanks and Bottom Loading Load Rack with Vapor Combustion System
Clean Air Branch, 586-4200, Covered Source Permit	Chevron Products Company CSP 0081-01-C	Kahului Marketing Terminal, 100-A Hobron Ave., Kahului, Maui	Comments Due: 8/9/02	Petroleum Storage Tanks and Bottom Loading Load Rack with Vapor Combustion System

Notice of Draft Permit for the Waimanalo Gulch Sanitary Landfill

The State Department of Health (DOH) has drafted a municipal solid waste (MSW) landfill renewal permit with a vertical expansion to a 430-foot waste fill height to allow for the continued operation of the Waimanalo Gulch Municipal Solid Waste Landfill, located at 92-460 Farrington Highway, Kapolei. The permit will allow the City and County of Honolulu as owner, and Waste Management of Hawai'i, Inc. as operator to continue MSW landfilling operations at the existing Waimanalo Gulch Municipal Solid Waste Landfill within its existing footprint. This permit does not allow for the lateral expansion of the landfill which would increase its overall footprint, as was proposed in 2001.

This permit was drafted under the provisions of Chapter 342H, Hawai'i Revised Statutes, and Title 11, Chapter 58.1, Hawai'i Administrative Rules. The Federal Regulations 40 CFR 258, Solid Waste Disposal Facility Criteria, is incorporated within the State rules and regulations.

The facility is on the western portion of the island of O'ahu at Kapolei, O'ahu, Hawai'i. The site plan consists of the original 64-acre municipal solid waste landfill initially permitted on August 24, 1987.

The site accepts MSW from County collection routes, private collection companies, and residential and commercial self-haulers; and ash from H-Power. MSW is defined as residential and commercial solid waste, including non-hazardous industrial solid waste. The landfill will not accept regulated hazardous waste, TSCA regulated polychlorinated biphenyl (PCB) waste, non-household bulk or non-containerized liquid waste, and designated special wastes.

The landfill has been designed and constructed with state-of-the-art environmental controls including a liner, leachate collection, and groundwater and gas monitoring systems. The draft permit requires semi-annual groundwater sampling. The site satisfies the location restrictions and operating criteria set forth in state and federal regulations. A site stability analysis was performed to demonstrate in place waste slope stability. A liner evaluation was performed to demonstrate that specified contaminant concentrations will not exceed the maximum contaminant levels in the uppermost aquifer at the relevant point of compliance as specified by DOH.

Interested parties may review the permit and the permit application at the State Department of Health, Solid and Hazardous Waste Branch, 919 Ala Moana Boulevard, Room 212 (586-4226); and at the City and County of Honolulu, Department of Environmental Services, Refuse Division, 1000 Uluoahaia Street. All written comments should be submitted to the DOH, Solid and Hazardous Waste Branch, Attention: Mr. Steven Chang, and City and County of Honolulu, Refuse Division, Attention: Mr. Frank Doyle. The DOH will respond to all comments received with copies forwarded to the City.

The DOH may revise the draft permit conditions should comments raise significant issues. The thirty-day comment period will begin from the date of initial publication of this Notice of Draft Permit. The Director may extend this comment period.

A public hearing on the draft permit and application has been scheduled for **August 7, 2002, from 7 to 9pm** at the Kapolei High School Cafeteria located at 19-5007 Kapolei Parkway in Kapolei.

Federal Consistency Reviews

The Hawai'i Coastal Zone Management (CZM) Program has received the following federal actions to review for consistency with the CZM objectives and policies in Chapter 205A, Hawai'i Revised Statutes. This public notice is being provided in accordance with section 306(d)(14) of the National Coastal Zone Management Act of 1972, as amended. For general information about CZM federal consistency please call John Nakagawa with the Hawai'i CZM Program at 587-2878. For neighboring islands use the following toll free numbers: Lana'i & Moloka'i: 468-4644 x72878, Kaua'i: 274-3141 x72878, Maui: 984-2400 x72878 or Hawai'i: 974-4000 x72878.

For specific information or questions about an action listed below please contact the CZM staff person identified for each action. Federally mandated deadlines require that comments be received by the date specified for each CZM consistency review and can be mailed to:

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

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

(1) USGS Installation of Stream Gages in Ala Wai Canal

Applicant: US. Geological Survey, Water Resources Division

Contact: Barry Hill, Assistant District Chief, 587-2407

Federal Action: Federal Agency Activity

Federal Agency: U.S. Geological Survey, Water Resources Division

Location: Ala Wai Canal at McCully Street, O'ahu

CZM Contact: Debra Tom, 587-2840

Proposed Action:

Intall and operate 5 water-level gages on the Ala Wai Canal and tributary streams, Honolulu District, O'ahu. The gages will be operated for a study of flooding in the Ala Wai watershed by the U.S. Army Corps of Engineers.

Comments Due: August 6, 2002

(2) USGS Installation of a Stream Gage on Wai'aha Stream, North Kona, Hawaii

Applicant: US. Geological Survey, Water Resources Division

Contact: Barry Hill, Assistant District Chief, 587-2407

Federal Action: Federal Agency Activity

Federal Agency: U.S. Geological Survey, Water Resources Division

Location: Wai'aha Stream, North Kona, Hawai'i

TMK: (3) 7-5-12: 2

CZM Contact: John Nakagawa, 587-2878

Proposed Action:

Intall and operate a stream gage on the Wai'aha Stream as part of a new national network designed to improve flood forecasting for downstream communities

Comments Due: August 6, 2002

Coastal Erosion Committee

Date: Friday, August 2, 2002

Time: 9:30 a.m. to 11:30 a.m.

Location: Leiopapa a Kamehameha Building
235 S. Beretania Street, 6th Floor

CZM Contact: Debra Tom, 587-2840 or
detom@dbedt.hawaii.gov

Marine and Coastal Zone Advisory Group

Date: Wednesday, August 21, 2002

Time: 11:00 a.m. – 1:30 p.m.

Location: Leiopapa a Kamehameha Building
235 S. Beretania Street, Rm. 404

CZM Contact: Christine Meller, 587-2845 or
cmeller@dbedt.hawaii.gov

Coastal Zone News

JULY 23, 2002

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/state agency. For more information about any of the listed permits, please contact the appropriate county/state Planning Department. City & County of Honolulu (523-4131); Hawai'i County (961-8288); Kaua'i County (241-6677); Maui County (270-7735); Kaka'ako (587-2878).

Location (TMK)	Description (File No.)	Applicant/Agent
Hawaii: (3-1-1: 17)	Grub/reseed cane fields (SMAA 02-23 / SMM No. 116)	Lars & Leanne Swann
Hawaii: (7-7-10: 13)	Historic Site Preservation Plan (SMAA 02-15/SMM 115)	David Selwyn
Honolulu: (1-1-70: 22)	Installation of 1000gal & 2000gal above-ground storage tanks (2002/SMA-32)	Hertz Corporation / Vernon Associates
Honolulu: (3-1-43: 1)	Addition to existing gift shop at the Honolulu Zoo (2002/SMA-28)	Serv Systems Assoc/ J.Kop Design Grp Inc.
Honolulu: (6-7-1)	Two bus shelters (2002/SMA-38)	C&C, DDC
Honolulu: (8-4-2: 47)	New 45-foot high civil defense siren (2002/SMA-30)	State DAGS
Honolulu: (9-7-18:12; 9-8-3:1, 10; 9-8-4:2, 3)	Waiiau Boat House (2002/SMA-34)	Hawaiian Electric Company, Inc.
Maui: (1-2-3: 21)	Subdivide 26 acres into three 8.8 acre lots (SMX-20020349) – Pending	Gary W. Zakian
Maui: (2-1-10: 7)	Hahn Family trust/open shaded trellis (SMX-20020355) – Pending	Daniel Chu
Maui: (2-7-4: 6)	Tool shed and storage (SMX-20020346) – Pending	Maliko Bay Farm
Maui: (3-4-29: 13)	New residence (SMX-20020357) – Pending	Loreto Y. Giron
Maui: (3-7-9: 4)	Alteration at loading dock retail space, install new ceiling door (SMX-20020356) – Pending	A&B Properties
Maui: (3-8-1: 101)	Thrifty car rental (SMX-20020352) – Pending	Cardinal Leasing, Inc.
Maui: (3-9-18: 59)	Hugh Brenner (SMX-20020354) – Pending	Hugh & Teresa Brenner
Maui: (3-9-31: 35)	Post and pier single-family residence (SM2-20020087)	Christopher Handley
Maui: (4-3-15: 20)	Family room, bedroom, bathroom, lanai (SMX-20020348) – Pending	Kathryn A. Ralar
Maui: (4-5-13: 27)	Int. alteration adding 'ADA' bathroom (SMX-20020350) – Pending	Lokelani Construction Co.
Maui: (4-5-21:14; 3-1-2: 11; 1-3-5: 9; 1-4-4:21)	Warning siren & pole (SMX-20020284, 286, 287, 288) – Pending	Jay K. Hashimoto
Maui: (4-9-22: 13)	Terraces at Manele – cluster 15 (SMX-20020353) – Pending	Ralph Masuda
Maui: Haiku (2-8-4:99)	2 nd farm dwelling (SMX-20020275) – Pending	Evan Asato
Maui: Haiku (2-8-6: 20)	Carport addition (SMX-20020327) – Pending	Daniel & Valerie Mizner
Maui: Haiku (2-9-1:26)	Single-family residence (SMX-20020290) – Pending	Misha Brown
Maui: Hana (1-3-2: 33)	1 st dwelling w/ screened deck area (SMX-20020345) – Pending	Lawrence Matsuda
Maui: Hana (1-3-9: 50)	Farm dwelling (SMX-20020311) – Pending	Daniel T. Sayles
Maui: Hana (1-3-9:47)	Dwelling on vacant lot (SMX-20020277) – Pending	Kapala Novikoff
Maui: Hana (1-4-14:5)	Single-family residence (SMX-20020273) – Pending	Elinor Meadows
Maui: Honokowai (4-4-1: 31)	Retail grocer/produce store (SMX-20020340) – Pending	Rafael Escobar
Maui: Huelo (2-9-7:57)	Fifteen foot hallway (SMX-20020298) – Pending	Thomas Swenton
Maui: Kaanapali (4-4-8: 19)	Replace interior doors for guest units (SMX-20020329) – Pending	Nicholas T. Wagner
Maui: Kaanapali (4-4-8: 5)	Install spa in commercial rental space @ Sheraton Hotel (SMX-20020358) – Pending	Donald C. Bernshouse
Maui: Kahului (3-7-10: 9)	Install emergency generator (SM2-20020078)	Nextel Partners, Inc.
Maui: Kahului (3-7-2:17)	Boxing promotion at Cutter (SMX-20020270) – Pending	Cutter of Maui
Maui: Kahului (3-7-9: 4)	Renovation to store front (SMX-20020319) – Pending	Tasaka Guri Guri Shop
Maui: Kahului (3-7-9:4)	Alteration ofc/storage space (SMX-20020307) – Pending	Nicholas T. Wagner
Maui: Kahului (3-8-1: 19)	Installation of aboveground fuel tank (SM2-20020082)	Joelle A. Hunter
Maui: Kahului (3-8-52:11)	Antenna facility @ W&F launderette (SMX-20020303) – Pending	Nextel Partners, Inc.
Maui: Kapalua (4-2-4: 1 & 3)	Dwelling, gazebo, 2 storage bldgs., swimming pool, sport crt. (SMX-20020343) – Pending	Long & Associates, AIA, Inc.
Maui: Kapalua (4-2-7:19)	Phase II Pineapple Hill (SMX-20020299) – Pending	Scott Brothers
Maui: Kihei (2-1-7: 95)	Alteration to a single-family dwelling (SMX-20020314) – Pending	Nicholas T. Wagner
Maui: Kihei (3-9-13:21)	Guest cottage (SMX-20020272) – Pending	Curtis Powers
Maui: Kihei (3-9-18: 22)	Nextel antenna installation (SM2-20020085)	Nextel Comm., Inc.
Maui: Kihei (3-9-20: 2)	Interior renovation (SMX-20020337) – Pending	Borrows Investment, Ltd.

Special Management Area (SMA) Minor Permits (continued)

Maui: Kihei (3-9-33: 65)	500 SF cottage, post & pier construction (SMX-20020328) – Pending	Pau Pono Construction
Maui: Kihei (3-9-37: 87)	Construct single family dwelling (SM2-20020080)	Gary W. Zakian
Maui: Kihei (3-9-4:1)	Boathouse & access road (SM2-20020073)	James Niess
Maui: Kihei (3-9-41:23)	500 sq. ft. ohana (SMX-20020283) – Pending	Richard Leong
Maui: Kihei (3-9-48: 42)	New dwelling, garage, lanai (SMX-20020330) – Pending	Gerry Riopta
Maui: Kihei (3-9-53: 8)	Swimming pool (SMX-20020308) – Pending	Ronald Erickson
Maui: Kihei (3-9-54:60)	Room addition (SMX-20020302) – Pending	Mark Means
Maui: Kihei (3-9-54:89)	Drainage reserve/retention basin (SM2-20020071)	Mark Spencer
Maui: Kihei (3-9-7: 31)	New 500 sq. ft. dwelling (SM2-20020079)	Otto Pristyak
Maui: Kihei (3-9-8:11)	Lanai extension (SM2-20020074)	George Halas
Maui: Kihei (3-9-8:11)	Lanai extension (SMX-20020271) – Pending	Kirk Hinton
Maui: Kihei (3-9-8:21)	Reroof – shakes to asphalt (SMX-20020305) – Pending	Jerry Cook
Maui: Kihei (3-9-9: 29)	Swimming pool repairs (SMX-20020326) – Pending	Pono Pools, Inc.
Maui: Kipahulu (1-6-7:17)	Stables/shed (SMX-20020289) – Pending	Edward Lincoln
Maui: Lahaina (4-3-15: 28)	Addition of bedroom/bathroom to residence (SMX-20020347) – Pending	Donald J. Howell, Jr.
Maui: Lahaina (4-3-15: 41)	Subd. Including work affecting sewer/water line (SMX-20020331) – Pending	Mainland, Inc.
Maui: Lahaina (4-3-9: 46)	New 15 X 15 study w/ lanai added to existing residence (SMX-20020336) – Pending	James G. Ward
Maui: Lahaina (4-4-1:73)	6 bed/bath residence (SMX-20020292) – Pending	Antonio Fabian
Maui: Lahaina (4-4-13: 1)	Beach services building repair (SM2-20020083)	Marriott Vacation Club International
Maui: Lahaina (4-5-12: 52 – 53)	Consolidation and re-subdivision (SMX-20020334) – Pending	Chad K. Viela
Maui: Lahaina (4-5-12:18)	Single-family residence (SMX-20020282) – Pending	Douglas Richard
Maui: Lahaina (4-5-4: 59 & 9)	Single-family dwelling (SMX-20020341, 342) – Pending	Ala Moana LLC
Maui: Lahaina (4-5-4:37)	Enclosing carport (SMX-20020304) – Pending	Sasha Penowich
Maui: Lahaina (4-6-1: 1)	Wharf street accessibility improvements (SMX-20020324) – Pending	Milton Arakawa
Maui: Lahaina (4-6-6: 12)	After the fact storage (SMX-20020333) – Pending	Janet Spreiter
Maui: Lahaina (4-6-9: 9)	Add 8 ft. strip to adjacent store (SM2-20020077)	Wayne Pak
Maui: Lahaina (4-6-9:9)	Add 8 ft. strip to adjacent store (SM2-20020077)	Wayne Pak
Maui: Makawao (2-8-3: 17 & 59)	3-lot subdivision, 20 acres or larger (SMX-20020315) – Pending	John Cahill
Maui: Makena (2-1-11:1)	Interior renovation (SMX-20020281) – Pending	Daniel F. Wuthrich
Maui: Makena (2-1-5: 116)	Subdivision of lot 2-B into lot 2-B-1 & 2-B-2 (SM2-20020081)	Gregory D. Kaufman
Maui: Makena (2-1-7: 79)	Guest cottage (SMX-20020339) – Pending	Daniel Chu
Maui: Paia (2-5-13: 15)	Family room & deck addition (SM2-20020084)	Villy Negre
Maui: Paia (2-6-3: 43)	Single-family residence (SMX-20020335) – Pending	Lois Farrington
Maui: Paia (2-6-5: 105)	Construction of playground structure, ADA ramp, erosion control (SMX-20020338) – Pending	Maui County Dept. of Parks & Recreation
Maui: Paia (2-6-8: 10)	Single-family dwelling (SMX-20020310) – Pending	James A. Bendon
Maui: Paia (3-8-2:25)	Reconstruct single family dwelling (SM2-20020076)	Eric Golting
Maui: Paia (3-8-3: 44)	Alterations of existing residence (SMX-20020318) – Pending	James & Susan Bendon
Maui: Puamana (4-6-33: 14)	Interior alterations/maintenance (SMX-20020332) – Pending	Robert Bowlus
Maui: Ulumalu (2-8-3:3)	Barn, cultivation, utility poles & water line extension (SMX-20020300) – Pending	Sierra Emory
Maui: Wailea (2-1-21:20)	Lanai encl., CRM wall (SMX-20020278) – Pending	Edward Begley
Maui: Wailea (2-1-23: 5)	Enclose lanai (SMX-20020295) – Pending	Graham Con & Assoc.
Maui: Wailea (2-1-23: 7)	Interior remodel (SMX-20020294) – Pending	Island Design Center
Maui: Wailea (2-1-23: 7)	Interior renovation/expansion (SMX-20020301) – Pending	Island Design Center
Maui: Wailea (2-1-23: 7)	Interior renovation/expansion of spa (SMX-20020321) – Pending	Island Design Center
Maui: Wailea (2-1-27: 2)	Install swimming pool and spa (SMX-20020316) – Pending	Holly Hammond
Maui: Wailea (2-1-8: 61)	Luau grounds renovation (SM2-20020086)	OWBR, LLC
Maui: Wailea (2-1-8: 65)	Enclose lanai & renovate (SMX-20020296) – Pending	Billy Hugh Welker
Maui: Wailuku (3-1-1: 41)	Game room/extension of residence (SMX-20020317) – Pending	Melvin Mendes
Maui: Wailuku (3-1-1: 53)	Construction of workshop (SMX-20020325) – Pending	Anthony J. Rodrigues
Maui: Wailuku (3-2-15: 29)	Second dwelling/garage (SM2-20020072)	Tony Liserre
Maui: Wailuku (3-8-7: 1; 3-7-1: 2)	Restroom/pavilion replacement (SM5-20020194)	Dyan Ariyoshi

Federal Notices

JULY 23, 2002

Public Comments Sought on Draft Economic Analysis for Lana'i Critical Habitat

The U.S. Fish and Wildlife Service (FWS) seeks public comments on a draft economic analysis for the proposed designations of critical habitat for plant species from the island of Lanai, Hawaii. FWS also reopened the comment period for the proposal to determine prudence and to designate critical habitat for various plant species to allow peer reviewers and all interested parties to comment simultaneously on the proposed rule and the associated draft economic analysis. Comments previously submitted need not be resubmitted as they will be incorporated into the public record as part of this reopened comment period and will be fully considered in preparation of the final rule. FWS will accept public comments until August 15, 2002. Written comments and information should be submitted to: Field Supervisor, U.S. Fish and Wildlife Service, Pacific Islands Office, 300 Ala Moana Blvd., P.O. Box 50088, Honolulu, HI 96850-0001. For details contact: Paul Henson, Field Supervisor, Pacific Islands Office, at the above address (telephone: 808/541-3441; facsimile: 808/541-3470). The draft economic analysis is available on the Internet (see, 67 F.R. 46626, July 16, 2002).

Sanctuary Advisory Council Seeks Members

The Hawaiian Islands Humpback Whale National Marine Sanctuary (HIHWNMS) is seeking applicants for the following nine vacant seats on its Sanctuary Advisory Council (Council): Business/Commerce, Citizen-At-Large, Commercial Shipping, Conservation, Fishing, Native Hawaiian, Ocean Recreation, Tourism, and Whale Watching. Applicants are chosen based upon their particular expertise and experience in relation to the seat for which they are applying; community and professional affiliations; philosophy regarding the conservation and management of marine resources; and the length of residence in the area affected by the Sanctuary. Applicants who are chosen as members should expect to serve two-year terms, pursuant to the Council's Charter. Applications are due by August 15, 2002. Application kits may be obtained on our Website www.hihwnms.nos.noaa.gov or from Amy Glester at the Hawaiian Islands Humpback Whale National Marine Sanctuary, 6700 Kalaniana'ole Hwy, Suite 104, Honolulu, Hawaii 96825. Completed applications should be sent to the same address. For more, contact Amy Glester at (808) 397-2655, or amy.glester@noaa.gov (see, 67 F.R. 47350, July 18, 2002).

Funds Available for Internet Access for Rural Communities

The Rural Utilities Service (RUS) announces a pilot grant program for the provision of broadband transmission service in rural America. For fiscal year 2002, \$20 million in grants will be made available through a national competition to applicants proposing to provide broadband transmission service on a "community-oriented connectivity" basis. The provision of broadband transmission service is vital to the economic development, education, health, and safety of rural Americans. To further this objective, Rural Utilities Service of the U.S. Department of Agriculture (RUS) will provide financial assistance to eligible entities that propose, on a "community-oriented connectivity" basis, to provide broadband transmission service that fosters economic growth and delivers enhanced educational, health care, and public safety services. RUS will provide this assistance in the form of grants. RUS will give priority to rural areas that it believes have the greatest need for broadband transmission services. Twenty million dollars in grant authority will be utilized to deploy broadband infrastructure to extremely rural, lower income communities on a "community-oriented connectivity" basis. The "community-oriented connectivity" concept integrates the deployment of broadband infrastructure with the practical, everyday uses and applications of the facilities. This broadband access is intended to promote economic development and provide enhanced educational and health care opportunities. RUS will provide financial assistance to eligible entities that are proposing to deploy broadband transmission service in rural communities where such service does not currently exist and who will connect the critical community facilities including the local schools, libraries, hospitals, police, fire and rescue services and who will operate a community center that provides free and open access to residents. Under this Notice, grants will be made available, on a competitive basis, for the deployment of broadband transmission services to critical community facilities, rural residents, and rural businesses and for the construction, acquisition, or expansion and operation of a community center that provides free access to broadband transmission services to community residents for at least two years. Funding is also available for end-user equipment, software, and installation costs. A state-of-the-art community center will not only provide improved access but will aid rural residents in developing on-line businesses and will allow them to reap the benefits of Internet-based advanced placement courses, and continuing adult education. Applications for grants will be accepted through November 5, 2002. All applications must be delivered to RUS or bear postmark no later than November 5, 2002. For details contact Roberta D. Purcell, Assistant Administrator, Telecommunications Program, Rural Utilities Service, STOP 1590, 1400 Independence Avenue SW., Washington, DC 20250-1590, Telephone (202) 720-9554, Facsimile (202) 720-0810. For grant applications contact Mr. Ken Chandler, Director, Southwest Area, Telecommunications, Rural Utilities Service, USDA, STOP 1597, 1400 Independence Avenue SW., Washington, DC 20250-1597, Telephone (202) 720-0800 (for details, see, 67 F.R. 45079, July 8, 2002).

Protecting Endangered Species on Private Lands: Safe Harbor Agreements and Habitat Conservation Plans

by Professor John Harrison, Director, Environmental Center, University of Hawai'i at Manoa

Most people are aware that State and Federal laws prohibit the "take" of an endangered species, where "take" is broadly defined to include not only killing or injury but most actions that would result in possible harm to the protected species. An unintended consequence of these sanctions is that private landowners wishing to develop or otherwise derive economic benefit from their property may face legal obstacles in the event that an endangered species is found on their lands. Understandably, landowners have been reluctant to allow government scientists access to their lands for surveys to establish whether or not threatened or endangered species are present.

Because private lands comprise the majority of endangered species habitat, State and Federal conservation managers have long sought ways to encourage private landowners to become partners in the protection and enhancement of threatened and endangered (T&E) plants and animals. To this end, the State Legislature amended Hawai'i's Endangered Species Act (Chapter 195D, HRS) in 1997 to provide two types of cooperative agreement between landowners and the Department of Land and Natural Resources (DLNR): the Safe Harbor Agreement (SHA) and the Habitat Conservation Plan (HCP).

One of these two agreements must be in place before the DLNR will issue a permit allowing any take of a protected species incidental to the carrying out of an otherwise lawful activity. The major difference between an SHA and an HCP involves the amount of incidental take relative to the baseline population on the subject property prior to the proposed action. The SHA allows the landowner to undertake activities that will enhance the population above baseline levels, but she may subsequently be allowed to take protected species, as long as the population on her property does not fall below the original baseline. With an HCP, the landowner can reduce the population of the protected species below the

baseline level. However, offsite habitat enhancement or other mitigating measures provided for in the plan must demonstrate an overall increase in species population, or a "net conservation benefit."

Thus, landowners who wish to conduct activities that are likely to increase the population of a T&E species on their land but are concerned about their liability for an incidental take in the future generally would pursue a Safe Harbor agreement. For example, restoring a native koa forest with the intent to harvest trees later on would fall into this category when there is an existing population of an endangered species prior to planting. With enhanced habitat, the species population is likely to increase, but the landowner may derive economic benefit from harvesting the grown trees, as long as the protected population does not fall below the original baseline.

Similarly, where a landowner wishes to pursue an activity that will reduce or eliminate an existing population of an endangered species, an HCP will allow the incidental take, as long as the landowner implements habitat improvements elsewhere which ensure that the overall protected population increases. Thus, grading or building on the site of a population of endangered plants will be allowed only if viable, enhanced populations of the same plants are successfully established in an offsite location through a mitigation activity with adequate funding to assure long-term success.

Specific legal provisions for an SHA may be found in HRS Chapter 195D-22, and the HCP details are in HRS Chapter 195D-21. Also, because T&E wildlife are protected by both State and Federal laws, SHA's and HCP's in Hawai'i involve cooperative agreements between three parties: DLNR, the US Fish and Wildlife Service (USFWS), and the landowner. However, if only T&E plants are involved, there's no Federal involvement, since no Hawaiian plants are Federally listed.

Finally, persons interested in pursuing an SHA or an HCP should note that the joint Federal/State approval process involves multiple stages of consultation and review by agency staff, the State Endangered Species Recovery Committee (ESRC), the Board of Land and Natural Resources (BLNR), and the public, including a public hearing on the Island affected. Additional information may be obtained through the DLNR Division of Forestry and Wildlife (DOFAW) or from the USFWS.

