

The Environmental Notice

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



LINDA LINGLE
GOVERNOR

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

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

Other Resources
available at OEQC . . .

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

OEQC

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

Telephone (808) 586-4185
Facsimile (808) 586-4186

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

APRIL 23, 2004

Ala Moana Park Canoe Halau

The Department of Design and Construction, City & County of Honolulu proposes to construct a new canoe halau at Ala Moana Regional Park.

The proposed new canoe halau was developed through the community vision process sponsored by the City and County of Honolulu. The proposed canoe halau is planned for the Diamond Head end of Ala Moana Regional Park on a parcel to the west of an existing parking lot, and across from the Waikiki Yacht Club and Magic Island.

The project would provide a permanent and secured storage facility for canoes and related equipment. The proposed location is currently used for open-air canoe storage. It would be used by the local canoe paddling community that includes among others: Elk canoe club, Koa Kai canoe club,

and Imua canoe club.

The facility will be constructed of concrete, concrete masonry, wood, and steel framing. It will be concrete slab on grade with hollow masonry/concrete columns at each corner. These columns will be supporting a wood-framed pyramid roof structure. Intermediate columns on the north, west, and south elevations will be concrete with provision for 8 foot operable gates on the north and south elevations. The west elevation of the phase one canoe halau will feature a combination of fixed metal grillwork and masonry walls. The exterior of the building will be lighted with down-lighting in the eaves of the roof. A new water hose bib for canoe washdown and a new shower will also be installed.

For more information see page 4.

Lanikai Seawall and Boat Ramp Repair

The owner of a Lanikai waterfront property proposes to modify an existing nonconforming seawall constructed in the early 1960s by expanding its foundation and repairing an integral concrete boat ramp located within the 40-foot shoreline setback. The proposal consists of:

1) The addition of a new grouted concrete rubble masonry (CRM) foundation under the existing 4-foot high vertical concrete seawall. The seawall runs along the entire makai boundary of the site, approximately 138 feet, and includes a 21-foot long return on right (south) side. The new CRM foundation would be constructed approximately 4 feet below the existing shallow foundation of the seawall, located at mean

sea level (msl). The base of this new foundation will be approximately 7.7 feet wide and extend mauka (landward) of the seaward face of the existing seawall.

2) The repair of the integral boat ramp, located at the right (south) end of the seawall, involving the replacement of a concrete slab attached to the return of the seawall. The boat ramp is about 13.5 feet wide.

3) The installation of a new 3.5-foot high metal fence mauka of the seawall.

All seawall modifications and excavation will be conducted from the site (i.e., no construction equipment will be located on the shoreline).

For more see page 5.

Definitions

Your guide to the Environmental Review Process

Draft Environmental Assessment

A project or action that may affect the environment cannot be implemented until an Environmental Assessment (EA) is prepared in accordance with HRS §343. If the lead government agency anticipates that the project will have no significant environmental impact, then a Draft EA is written and public notice is published in this periodic bulletin (see, section 343-3, HRS) known as the *Environmental Notice*. The public has 30 days to comment on the Draft EA from the date of the first notice.

Final Environmental Assessment and FONSI (Negative Declaration)

If, after the lead agency reviews the public comments, it feels that the project will have no significant effect on the environment, then it will prepare a Final EA and issue a Finding of No Significant Impact (FONSI) formerly called a *Negative Declaration*. The Final EA must respond to all public comments. An Environmental Impact Statement will not be required and the project may now be implemented. The public has 30 days from the first notice of a FONSI in this Bulletin to sue in court to require the preparation of an EIS.

EIS Prep Notice

If the lead agency decides that a project may have a significant environmental impact, it must prepare an Environmental Impact Statement (EIS) prior to implementing the project. The first step in preparing an EIS is publishing an EIS Preparation Notice (Prep Notice) in this Bulletin. Agencies, groups or individuals have 30 days from the first publication of an EIS Prep Notice to request to become a consulted party and to make written comments regarding the environmental effects of the proposed action. The draft EIS must respond to these comments.

Draft EIS

If a project is likely to have a significant environmental impact, the lead

agency or private applicant must prepare a Draft Environmental Impact Statement (Draft EIS) prior to project implementation. This document must completely disclose the likely impacts of a project. Secondary and cumulative impacts must be discussed along with measures proposed to mitigate them. The public has 45 days from the first publication date in this Bulletin to comment on a Draft EIS.

Final EIS

After considering public comments filed during the Draft EIS stage, the agency or applicant must prepare a Final Environmental Impact Statement (Final EIS). The Final EIS must respond to all comments from the draft stage. If deeper analysis was required, it must be included in this document. If the project is from a private applicant, the lead agency is authorized to accept the FEIS. If the project is public, the Governor or Mayor is the accepting authority. Only after the EIS is accepted, may the project be implemented.

EIS Acceptance Notice

If the accepting authority accepts a Final Environmental Impact Statement, a separate EIS Acceptance Notice will be published in this Bulletin. The public has 60 days from the date of first notice of acceptance to sue in court to challenge the acceptance of an EIS.

NEPA

National Environmental Policy Act (NEPA) is the law that requires federal projects to prepare an EIS. It is similar to Hawaii's law. Some projects require both a state and federal EIS and the public comment procedure should be coordinated. Although not required by law, the OEQC publishes NEPA notices in this Bulletin to help keep the public informed of important actions.

Special Management Area Permits

The Special Management Area (SMA) is along the coastlines of all our islands. Most development in this area requires a Special Management Permit

(SMP) under Chapter 205A, HRS and county ordinance. The Counties regulate development of this area. This Bulletin posts notice of these SMP applications to encourage public input.

Shoreline Certifications

State law requires that Hawaii shorelines be surveyed and certified when necessary to clearly establish the regulatory building setback (usually 40 feet inland from the shoreline). The public may participate in the process to help assure accurate regulatory boundaries. Private land owners often petition to have their shoreline certified prior to construction. This Bulletin publishes notice of both shoreline certification applications and of final certifications or rejections.

Environmental Council

The Environmental Council is a fifteen-member citizen board appointed by the Governor to advise the State on environmental concerns. The council makes the rules that govern the Environmental Impact Statement process. The agendas of their regular meetings are published in this Bulletin and the public is invited to attend.

Exemption Lists

Government agencies must keep a list describing the minor activities they regularly perform that are declared exempt from the environmental review process. These lists are reviewed and approved by the Environmental Council. This Bulletin will publish an agency's draft exemption list for public comment prior to Council decision making.

Conservation District Permits

Use of land in the State Conservation District requires a Conservation District Use Application (CDUA). These applications are reviewed and approved by the Board of Land and Natural Resources (BLNR). Members of the public may intervene in the permit process. Notice of these permit applications is published in this Bulletin.

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We provide access to our activities without regard to race, color, national origin (including language), age, sex, religion, or disability. Write or call OEQC or our departmental Affirmative Action Officer at Box 3378, Honolulu, HI 96801-3378 or at (808) 586-4616 (voice/tty) within 180 days of a problem. 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.

O'ahu Notices

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Draft Environmental Assessments

(1) 5019 Kalaniana'ole Highway After-the-Fact Renovation

District: Honolulu
TMK: 3-5-22: 3
Applicant: 5019 Kalaniana'ole LLC
P.O. Box 25640
Honolulu, Hawai'i 96825
Contact: Tom Coulson (782-1750)

Approving Agency/Accepting Authority: City and County of Honolulu
Department of Planning and Permitting
650 S. King Street, 7th Floor
Honolulu, Hawai'i 96813
Contact: Dana Teramoto (523-4648)

Consultant: Environmental Communications, Inc.
1188 Bishop Street, Suite 2210
Honolulu, Hawai'i 96813
Contact: Mr. Taeyong Kim (528-4661)

Public Comment

Deadline: May 24, 2004
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.

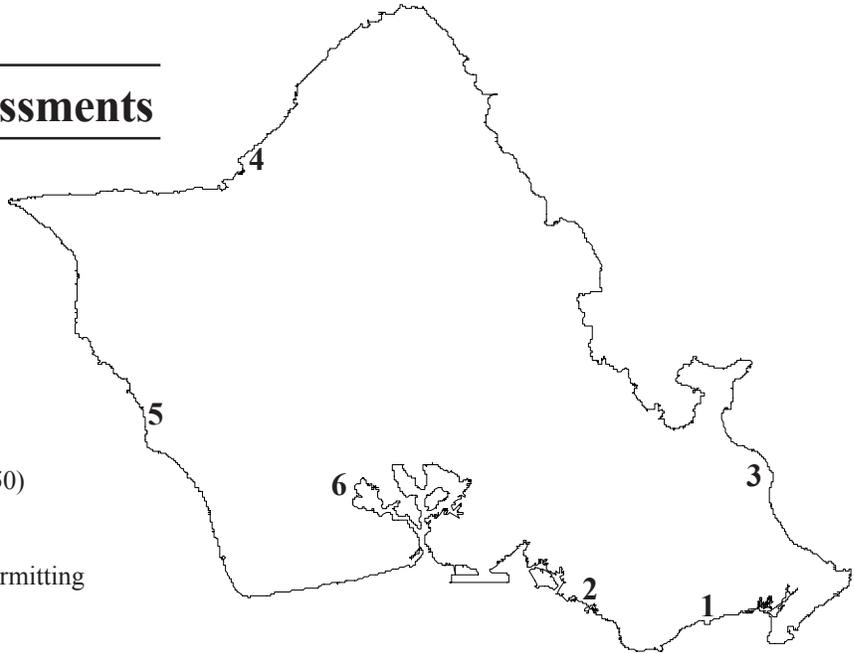
Permits

Required: Shoreline Setback Variance

The applicant, 5019 Kalaniana'ole LLC, proposes to retain the following within the shoreline setback: addition to a portion of the ground floor; a raised living room on the second floor; and a new second-floor lanai.

The original second floor was a split-level, in which the living room was 4 feet below the remainder of the second floor. The after-the-fact work included raising the living room by 4 feet so that it is now level with the remainder of the second floor. A new stairway (on the exterior right side of the dwelling) also replaced an existing stairway with the living room's height increase.

A ground floor previously had one bedroom, a full bath, one half-bath, laundry area, and garage. The addition to the ground floor includes floor area added to the existing bedroom, thus the one bedroom was converted to two bedrooms. A covered lanai was created with the raising of the living room by 4 feet. This lanai area was previously used as a storage area.



(2) Ala Moana Regional Park Canoe Halau

District: Honolulu
TMK: 2-3-037: 001
Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street, 11th Floor
Honolulu, Hawai'i 96813
Contact: Dan Takamatsu (547-7083)

Approving Agency/Accepting

Authority: Same as above.
Consultant: AKTA, Ltd./Arthur Kimbal Thompson
Architect (236-1373)
45-1144 Kamehameha Highway, Suite 404
Kane'ohe, Hawai'i 96744

Public Comment

Deadline: May 24, 2004
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

Permits

Required: SMA, Building, ADA, Design Approval

The Department of Design and Construction, City & County of Honolulu proposes to construct a new Canoe Halau at Ala Moana Regional Park.

The proposed new Canoe Halau for Ala Moana Regional Park was developed through the community vision process sponsored by the City and County of Honolulu. The proposed canoe halau is planned for the Diamond Head end of Ala Moana Regional Park on a parcel to the west of an existing parking lot, and across from the Waikiki Yacht Club and Magic Island. The park area is 3,276,104 square feet.

The proposed project would provide a permanent and secured storage facility for canoes and related equipment. It would be used by the local canoe paddling community that includes among others; Elk canoe club, Koa Kai canoe club, and Imua canoe club.

The new canoe halau will provide a permanent and secured storage facility for canoes and related equipment. The facility will be constructed of concrete, concrete masonry, wood, and steel framing. It will be concrete slab on grade with hollow masonry/concrete columns at each corner. These columns will be supporting a wood-framed pyramid roof structure. Intermediate columns on the north, west, and south elevations will be concrete with provision for 8 foot operable gates on the north and south elevations. The west elevation of the phase one canoe halau will feature a combination of fixed metal grillwork and masonry walls. The exterior of the building will be lighted with down-lighting in the eaves of the roof.

(3) Grossman Seawall Reconstruction and Boat Ramp Repair

District: Ko'olaupoko
TMK: 4-3-5: 76
Applicant: Elizabeth R. Grossman Family Trust
1240 Mokulua Drive
Kailua, Hawai'i 96734
Contact: Robin Foster (521-9418)
Approving Agency/Accepting Authority: City and County of Honolulu
Department of Planning and Permitting
650 South King St., 7th Floor
Honolulu, Hawai'i 96813
Contact: Steve Tagawa (523-4817)
Consultant: PlanPacific, Inc.
345 Queen Street, Suite 802
Honolulu, Hawai'i 96813
Contact: Robin Foster (521-9418)
Public Comment Deadline: May 24, 2004

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: Shoreline Variance, Building, Grading

The applicant proposes to modify an existing nonconforming seawall constructed in the early 1960s by expanding its foundation and repairing an integral concrete boat ramp located within the 40-foot shoreline setback. The proposal consists of:

1) The addition of a new grouted concrete rubble masonry (CRM) foundation under the existing 4-foot high vertical concrete seawall. The seawall runs along the entire makai boundary of the site, approximately 138 feet, and includes a 21-foot long return on right (south) side. The new CRM foundation would be constructed approximately 4 feet below the existing shallow foundation of the seawall, located at mean sea level (msl). The base of this new foundation will be approximately 7.7 feet wide and extend mauka (landward) of the seaward face of the existing seawall.

2) The repair of the integral boat ramp, located at the right (south) end of the seawall, involves the replacement of a concrete slab attached to the return of the seawall. The boat ramp is about 13.5 feet wide.

3) The installation of a new 3.5-foot high metal fence mauka of the seawall.

All seawall modifications and excavation will be conducted from the site (i.e., no construction equipment will be located on the shoreline).

Following the completion of seawall modifications, the applicant also proposes to remove the existing protective rock "blanket" which fronts the vertical seawall. This rock "blanket" was part of a shore protection structure that was allowed under a variance (File No. 68/ZBA-124) issued by the Zoning Board of Appeals on November 7, 1968. That variance allowed for the placement of 50 tons of boulders (approximately 400 lbs. each) in front of the site and three (3) adjacent parcels (TMKs: 4-3-5: 55, 56, and 88).

The proposed modification exceeds the repair provisions of the Shoreline Setback Regulations, Chapter 23, Revised Ordinances of Honolulu (ROH), therefore, a Shoreline Variance (SV) is required.

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

(4) Hale'iwa Seawall Reconstruction

District: Waialua
TMK: 5-9-3:24
Applicant: Paul M. Dold
220 South King Street, Suite 2150
Honolulu, Hawai'i 96813
Contact: Paul Dold (531-8886)

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

Status: FEA/FONSI issued, project may proceed.

Permits Required: SSV, SMA, Building

The applicant proposes to construct a 100-foot long seawall. About 85 linear feet of the seawall will replace a seawall which collapsed in the early 1990's. The wall will be about 12 feet above grade when measured from the public beach fronting the property with a footing that extends another 6 feet below the surface. At its top, the wall will be just over three feet wide. The base-width will measure a total of 12 feet. A new stairway will be added to provide a private shoreline access. Additional backfill will be placed on the landward side of the wall. Thus the wall will function both as a seawall and retaining wall. The wall will be constructed of reinforcedpoured-in-place concrete.

Some excavation will be required to construct the footing and lower portions of the wall. Construction activities will occur landward of the shoreline.

The project is located along the shoreline in Pupukea on the north shore of O'ahu at 59-601 Ke Iki Road. The coast at the project site is notable for a very prominent emergent coralline limestone shelf known as Kulaloa Point.

(5) Ma'ili Beach Park Improvements

District: Wai'anae
TMK: 8-7-15: 1, 3-7, 39; 8-7-028: 21-23

Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street, 11th Floor
Honolulu, Hawai'i 96813
Contact: Laverne Higa (527-6246)

Approving Agency/Accepting Authority: Same as above.
Consultant: Environmental Communications, Inc.
1188 Bishop Street, Suite 2210
Honolulu, Hawai'i 96813
Contact: Taeyong Kim (528-4661)

Status: FEA/FONSI issued, project may proceed.
Permits Required: SMP, Grading, Stockpiling

The project parcel consists of lands makai (west) of Farrington Highway and north of St. John's Road. This continuous shoreline parcel includes approximately 5,000 feet of shoreline. The project improvement area is limited to the southern end of the Beach Park from Palakamana Street to St. John's Road. The proposed parking and site improvements will not increase the intensity or nature of use of the existing park.

The parking improvements will consist of the removal of the concrete pile butts bordering the parking area, grading the surface and paving of the parking area. A total of 60 parking stalls, including handicap parking will be provided in the completed parking lot.

Concrete pile butts presently line Farrington Highway along the mauka side of the park. All piles located between Palakamana Street and St. John's Road will be removed and replaced with an 18-inch high CRM wall. A 24-foot wide opening will be provided opposite Palakamana Street for vehicular access to the parking lot. Eight 3-foot wide pedestrian openings will also be provided throughout the park improvement area.

The existing comfort station is located northwest of the proposed parking lot and does not have a sidewalk connection to the parking area. The proposed improvements will include a 5-foot wide walkway that will provide access to the newly paved parking area.

The electrical systems for the existing street lighting will be replaced or repaired for the five streetlights located along Farrington Highway. These improvements will generally consist of the replacement of metering, pull boxes and fuses systems.

(6) Waipahu High School Eight-Classroom Building

District: 'Ewa
TMK: 1-9-4-008:020
Applicant: Department of Accounting and General Services
P.O. Box 119
Honolulu, Hawai'i 96810-0119
Contact: Ralph Morita (586-0486)

Approving Agency/Accepting Authority: Same as above.
Consultant: Kimura International, Inc.
1600 Kapi'olani Boulevard, Suite 1610
Honolulu, Hawai'i 96814
Contact: Ms. Leslie Kurisaki (944-8848)

Status: FEA/FONSI issued, project may proceed.
Permits Required: Historic Preservation, Noise, Grading

This Final Environmental Assessment and Finding of No Significant Impact has been prepared in accordance with the State of Hawai'i HRS Chapter 343 and Chapter 200 of Title 11, Department of Health Administrative rules by the State of Hawai'i Department of Accounting and General Services (DAGS) on behalf of the State of Hawai'i Department of Education (DOE).

The proposed project is located at Waipahu High School, 94-1211 Farrington Highway, Waipahu, O'ahu, Hawai'i. The project involves the construction of a new two-story, eight-classroom building, with approximately 21,278 square feet of gross floor area. The building will include three General Classrooms, one Biology/Marine Science classroom and prep area, one Physics classroom and prep area, two Resource classrooms, and one Special Education Self-Contained classroom. It will also include a faculty center, itinerant room, Student Service Support Coordinator/Educational Assistant room, and custodial service center.

The new classroom building will displace two existing portable classrooms (P-25 and P-26). The two portables will be demolished and replaced by two new portable classrooms on a vacant site nearby. Two monkeypod trees will also be displaced by the construction of the new classroom building and new portables. One of the trees will be relocated; the other was determined by an arborist to be unfit for relocation.

The new eight-classroom building is a critical component of the Waipahu High School Revised Master Plan, prepared by DAGS in April 2003 to update the school's physical facilities

and accommodate a growing student population. There is already a shortage of classroom space, and enrollment is projected to grow by 12 percent over the next two years. The Special Education Classroom facilities are also needed to meet State and Federal Special Education requirements.

Project construction is expected to commence in October 2004 and take approximately eight months to complete. Project completion is scheduled for June 2005.

National Environmental Policy Act (NEPA)

Anti-Terrorism and Force Protection Improvements, Pearl Harbor Naval Shipyard, O'ahu (EA/FONSI)

District: Honolulu
TMK: 9-9-01:8
Applicant: Naval Facilities Engineering Field Division, Pacific
258 Makalapa Drive, Suite 100
Pearl Harbor, Hawai'i 96860-3134
Contact: Mel Ramos (471-9338)

Approving Agency/Accepting Authority: Department of the Navy
Chief of Naval Operations
2000 Navy Pentagon
Washington, D.C. 20350-2000
Contact: Karen Foskey (703-602-2859)

Consultant: Helber Hastert & Fee Planners
733 Bishop Street, Suite 2590
Honolulu, Hawai'i 96813
Contact: Gail Renard (545-2055)

The Department of the Navy has prepared an Environmental Assessment (EA) and determined that an Environmental Impact Statement is not required for the proposed anti-terrorism/force protection (AT/FP) improvements at Pearl Harbor Naval Shipyard & Intermediate Maintenance Facility (PHNSY & IMF) O'ahu, Hawai'i. Based on information gathered during preparation of the EA, the Department of the Navy finds that the proposed AT/FP improvements at PHNSY & IMF, O'ahu, Hawai'i will not significantly impact human health or the environment.

The Proposed Action is to construct various AT/FP improvements at PHNSY & IMF, including: installation of

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security lighting; replacement of a security tower with a 60-ft high structural steel security watch tower; installation of vehicle and personnel entry control measures including kiosk replacement; and demolition of Buildings 27, 880, and 1019 for construction of a new, two-level, 26,000 square-foot concrete parking structure and a new 1,100 square-foot concrete masonry unit enclosure for liquid oxygen and acetylene tanks. The Proposed Action will provide for reduced facilities loss and risk to civilian and military personnel working at PHNSY & IMF.

The Finding of No Significant Impact (FONSI) and EA addressing this Proposed Action may be obtained from: Commander, Pacific Division, Naval Facilities Engineering Command, 258 Makalapa Drive, Suite 100, Pearl Harbor, Hawai'i 96860-3134 (Attention: Mr. Mel Ramos, ENV1831MR), telephone (808) 471-9338. A limited number of copies of the EA are available to fill single copy requests.

Waterfront Improvements for Wharves K10-K11, Fleet and Industrial Supply Center, Pearl Harbor, O'ahu (EA/FONSI)

District: Honolulu
TMK: 9-9-001:008
Applicant: Naval Facilities Engineering Field Division, Pacific
258 Makalapa Drive, Suite 100
Pearl Harbor, HI 96860-3134
Contact: Audrey Uyema Pak (471-9338)

Approving Agency/Accepting Authority: Department of the Navy
Chief of Naval Operations
2000 Navy Pentagon
Washington, D.C. 20350-2000
Contact: Agnes Peters (703-604-5421)

Consultant: Helber Hastert & Fee Planners
733 Bishop Street, Suite 2590
Honolulu, Hawai'i 96813
Contact: Gail Renard (545-2055)

The Department of the Navy has prepared an Environmental Assessment (EA) and determined that an Environmental Impact Statement is not required for the proposed waterfront improvements for Wharves K10-K11 at the FISC Pearl, O'ahu, Hawai'i. Based on information gathered during preparation of the EA, the Department of the Navy finds that the proposed waterfront improvements for Wharves K10-K11 at the FISC Pearl, O'ahu, Hawai'i will not significantly impact human health or the environment.

The Proposed Action is to modernize waterfront cargo operations at the FISC Pearl by upgrading and widening a portion of Wharves K10-K11. In order to provide adequate operational waterfront space for the upgraded wharves, the Proposed Action will require the demolition of an existing deteriorated waterfront transit storage/staging facility (Building 478) and the construction of a replacement facility further inland.

The Finding of No Significant Impact (FONSI) and EA addressing this Proposed Action may be obtained from: Commander, Pacific Division, Naval Facilities Engineering Command, 258 Makalapa Drive, Suite 100, Pearl Harbor, Hawai'i 96860-3134 (Attention: Ms. Audrey Uyema Pak, ENV1831AUP), telephone (808) 471-9338. A limited number of copies of the EA are available to fill single copy requests.

Previously Published Projects Pending Public Comments

Final Environmental Impact Statements

Coconut Island (Moku O Lo'e) Long Range Development Plan

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

Status: FEIS currently being reviewed by OEQC.

Draft Environmental Assessments

(1) Central Maui (Maui Meadows) Exploratory Well

District: Wailuku
TMK: 2-1-08:57
Applicant: Department of Land and Natural Resources
1151 Punchbowl Street, Room 221
Honolulu, Hawai'i 96813
Contact: Eric T. Hirano (587-0230)

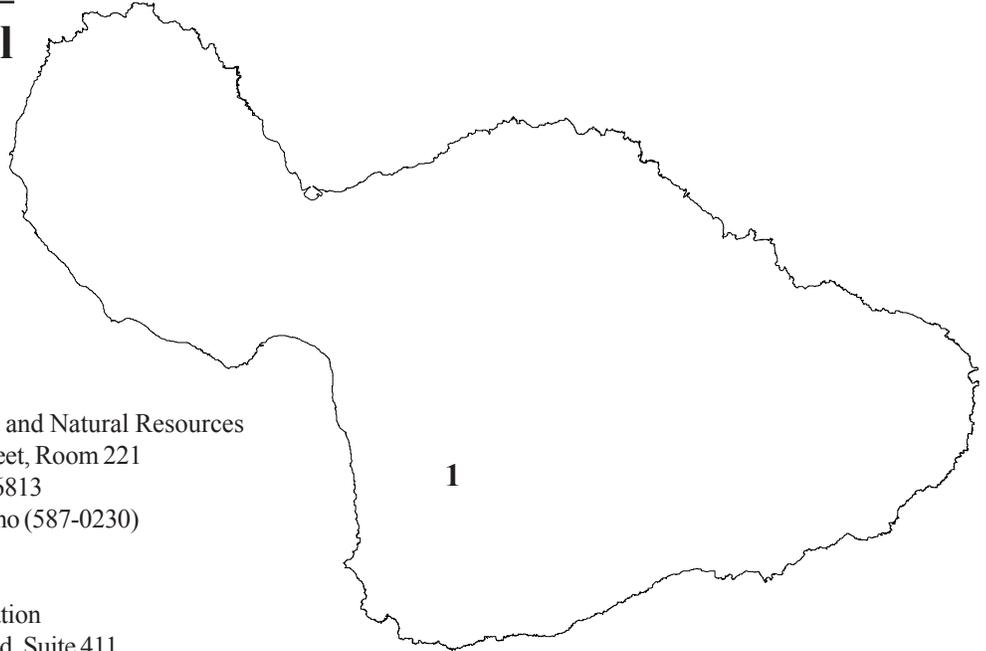
Approving Agency/Accepting

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

Public Comment

Deadline: May 24, 2004
Status: DEA First Notice pending public comment. Address comments to the applicant with copies to the consultant and OEQC.
Permits Required: Well Construction; Noise; NPDES; Grubbing, Grading, Stockpiling; Site Plan Approval

The State of Hawai'i, Department of Land and Natural Resources (DLNR), proposes to drill, case and test an exploratory potable water well in the Makawao District of Maui. The proposed exploratory well site is east of the Maui Meadows subdivision in Wailea, on land owned by the County of Maui, Department of Water Supply. Hydrogeological information from the exploratory well will be used to evaluate the feasibility of locating a production well to serve State of Hawai'i projects on Maui. If hydrogeological testing indicates acceptable capacity and water quality, the proposed exploratory well will be developed as a production well, and conveyed to the County of Maui, Department of Water Supply (DWS), to serve as a source for its Central Maui water service system. The production well will require a separate Environmental Assessment. Permits for the exploratory well will include: Well Construction Permit, Construction Noise Permit, National Pollutant Discharge Elimination System (NPDES) general permit authorizing discharges of treated process water



associated with well drilling activities (if required); Grubbing, Grading and Stockpiling Permit; and Site Plan Approval (for well foundation).

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

Maui Lu Resort Redevelopment

Applicant: Genesee Capital
4037 Porte de Palmas, Suite 90
San Diego, CA 92122
Contact: Gregory Schneider (858-452-9950)

Approving Agency/Accepting

Authority: County of Maui, Maui Planning Commission
c/o Planning Department
250 South High Street
Wailuku, Hawai'i 96793
Contact: Ms. Kivette Caigoy (270-7735)

Public Comment

Deadline: May 10, 2004

Maui Notices

APRIL 23, 2004

Final Environmental Impact Statements

Lahaina Watershed Flood Control Project

Applicant: County of Maui
Department of Public Works and Waste
Management
200 South High Street
Wailuku, Hawai'i 96793
Contact: Joe Krueger (270-7745)

Approving Agency/Accepting

Authority: Mayor, County of Maui
250 South High Street
Wailuku, Hawai'i 96793

Status: FEIS currently being reviewed by the Maui
Mayor's Office. **This is a joint State and
Federal EIS.**

Kaua'i Notices

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

Ku'ia Natural Area Reserve Ungulate-Proof Fencing

Applicant: Department of Land & Natural Resources
Division of Forestry & Wildlife
1151 Punchbowl Street, Room 325
Honolulu, HI 96813
Contact: Christen Mitchell (587-0051)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: May 10, 2004

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

(1) Lako Street Extension

District: North Kona
TMK: 7-7-04
Applicant: Department of Public Works
101 Pauahi St., #7
Hilo, Hawai'i 96720
Contact: Galen Kuba (961-8422)

Approving Agency/Accepting Authority: same as above
Consultant: Hilo Engineering, Inc.
484 Kalanikoa St.
Hilo, Hawai'i 96720
Contact: Rodney Kawamura (961-3706)

Status: FEA/FONSI issued, project may proceed.
Permits Required: SMA, CZM, NPDES, SHPO

The Lako Street Extension project is part of a long range plan to provide a road network system to distribute and ease traffic in the Kailua to Keauhou sector. Three road alignment alternatives were considered. The final choice, Alternate C, is for a 1,855 feet long road in Holualoa 3. This will provide another access route from the coastal Alii Drive to Kuakini Highway. The proposed roadway will ease traffic on Royal Poinciana Drive; provide easy access to Ali'i Drive from Komohana Kai Subdivision; and provide another escape route for the residents along Ali'i Drive in the event of an emergency. The terminus of the Kahului-Keauhou Parkway 1st Phase will be at Lako Street.

The general area of the project site is replete with archaeological features. The Keolonahihi State Historical Park, a site on the National Register of Historical Places, is situated in the general area of the project. In proximity to the road project, is a significant historical area, the *Keakealaniwahine* Complex, now an addition to the Keolonahihi State Historical Park. Ancient history has 'Umi a Liloa, a ruler said to have unified the island, as having moved the royal court from Waipio Valley to the Kona district. This lasted through the reign of *Kamehameha I*. The *Keakealaniwahine* Complex is named for a chiefess who was a descendant of 'Umi.



The proposed roadway lies north of 16-acre *Keakealaniwahine* Complex and includes a buffer zone. The proposed alignment will affect the least archaeological features of the alternatives studied. Mitigation measures will include data recovery.

Construction plans will be authorized after acceptance of the final EA. Construction will most likely start in mid-year of 2005. The roadway is estimated to cost over \$2 million.

National Environmental Policy Act (NEPA)

Mamalaho Highway Waterline Improvements

District: North Kona
TMK: 7-4-002, 003, 004, 006, 008
Applicant: County of Hawai'i
Department of Water Supply
345 Kekuanao'a Street, Suite 20
Hilo, Hawai'i 96720
Contact: Owen Nishioka (961-8070)
and

Hawai'i Notices

APRIL 23, 2004

U.S. Environmental Protection Agency,
Region 9
75 Hawthorne Street (WTR-6)
San Francisco, CA 94105
Contact: Barry Pollock (415-972-3563)

Public Comment

Deadline: May 24, 2004

The Department of Water Supply, County of Hawai'i, proposes to construct water line improvements within the right-of-way of Mamalahoa Highway, District of North Kona, Hawai'i. The project is planned along a section of Mamalahoa Highway between the Department of Water Supply's Honokohau Well and Water Storage Reservoir and the Keahuolu (formerly labeled as QLT) Well and Water Storage Reservoir.

The Department of Water Supply proposes to connect both reservoirs to provide water flow between the reservoirs. Approximately 7,110 lineal feet (1.3 miles) of new 16" water line will be installed within the Mamalahoa Highway right-of-way. At its northern end, the new water line would tie-in to an existing 16-inch line in Mamalahoa Highway and a 16-inch line from the Department of Water Supply Honokohau Reservoir. At its southern end, the water line would connect to a 16-inch line from the Keahuolu Reservoir.

The project also includes installing 8" (12 LF) and 16" lines (178 LF) and connections to existing water facilities at the junction of Palani Road and Mamalahoa Highway. Work will be performed in the State of Hawai'i right-of-way and applicable easements will be sought from the State Department of Transportation.

The project will be constructed in one phase over a 6-month period. The construction cost of the project is estimated at \$1.2 million. Funding will be provided by the Department of Water Supply, County of Hawai'i and through a grant from the U.S. Environmental Protection Agency (EPA).

Pursuant to the National Environmental Policy Act (NEPA), EPA has completed a draft Environmental Assessment (EA), dated January 2004, to evaluate the environmental consequences of the proposed action. The draft EA includes a discussion of alternatives considered. Based on information from the draft EA and consultation with State, County, and Federal Agencies, EPA has determined the action will not have a significant impact on the quality of the human environment, and an environmental impact statement will not be required, and has proposed a Finding of No Significant Impact (FONSI).

The draft EA and the unsigned FONSI are available for review at the following locations: Kailua-Kona Public Library; Holualoa Public Library; Department of Water Supply (Hilo); Office of Environmental Quality Control (Honolulu); or, by contacting: Barry Pollock, USEPA Region 9, 75 Hawthorne St (WTR-6), San Francisco, CA 94105, ph. 415-972-3563.

EPA will receive comments on the draft EA and unsigned FONSI until May 24, 2004, and will take no administrative action on the above-described project prior to expiration of this comment period. Comments on the draft EA and/or the unsigned FONSI should be mailed to Mr. Pollock at the address above, or faxed to 415-947-3549, or submitted by email to pollock.barry@epa.gov, no later than May 24, 2004.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

Mamalahoa Highway Waterline Improvements

Applicant: County of Hawai'i
Department of Water Supply
345 Kekuanao'a Street, Suite 20
Hilo, Hawai'i 96720
Contact: Owen Nishioka (961-8070)
and
U.S. Environmental Protection Agency,
Region 9
75 Hawthorne Street (WTR-6)
San Francisco, CA 94105
Contact: Barry Pollock (415-972-3563)

Approving Agency/Accepting

Authority: County of Hawai'i
Department of Water Supply
345 Kekuanao'a Street, Suite 20
Hilo, Hawai'i 96720
Contact: Owen Nishioka (961-8070)

Public Comment

Deadline: May 24, 2004

Shoreline Notices

APRIL 23, 2004

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. If there are any questions, please call Nick Vaccaro at 587-0384.

File No.	Date	Location	Applicant/Owner	TMK
KA-175	4/14/04	Lots 175, 176 and 177 of Land Court Application 956 (Map 20), land situated at Koloa, Island of Kauai, Hawaii Address: 2251 Paipu Road Purpose: Consolidation	Kodani & Associates, Inc. and CTF Hawaii Hotel Partners/Waiawa Properties, LLC	2-8-17: 17, 18 & 19
OA-980	4/14/04	Lot 11 of Land Court Application 1719 and Lot 134-B of Land Court Application 323, land situated at Kailua, Koolaupoko, Island of Oahu, Hawaii Address: 17 Laiki Place Purpose: Building Permit	Walter P. Thompson/Bradley and Pamela Hook	4-3-19: 36
OA-981	4/14/04	Lot 1 of Tract "A" of the Perry Family Lots, R.P. 4498, L. C. Aw. 6175, land situated at Wailupe, Honolulu, Island of Oahu, Hawaii Address: 5253A Kalaniana'ole Highway Purpose: Determine Setback	Austin, Tsutsumi & Associates, Inc./John Henry Felix	3-6-02: 05 & 36
OA-463-2	4/14/04	Portion of Lot 228 of Land Court Application 828 (Map 21), land situated at Waialae-Iki, Waikiki, Honolulu, Island of Oahu, Hawaii Address: 5000 Kahala Avenue Purpose: Determine Setback	Austin, Tsutsumi & Associates, Inc./Kahala Hotel Association (B.P. Bishop)	3-5-23: 39
OA-982	4/14/04	Lot 117 of Land Court Application 1095, land situated at Kawela, Koolauloa, Island of Oahu, Hawaii Address: 57-445 Honokawela Drive Purpose: Building Permit	R.K. Sing Surveying and Mapping, LLC/Eric Horst	5-7-03: 43
MA-303	4/14/04	Lot 4-C of the Olowalu Makai-Komohana Subdivision, land situated at Olowalu, Lahaina, Island of Maui, Hawaii Address: 51 Kauhulu Place	Akamai Land Surveying, Inc./Theresa Daly	4-8-03 Portion of 5, 41, 42 and 43
MA-052-2 Correct Address	3/29/04	Lot 217 of Land Court Application 1804 (Map 31), land situated at Paehu, Honuaula, Makawao, Island of Maui, Hawaii Address: 3550 Wailea Alanui Road Purpose: Determine Setback	R. M. Towill Corporation/Wailea Hotel & Beach Resort, LLC	2-1-08: 67

Shoreline Notices

APRIL 23, 2004

Shoreline Certifications and Rejections

Pursuant to §§13-222-26, HAR the following shorelines have been proposed for certification or rejection by the DLNR. Any person or agency wishing to appeal a proposed shoreline certification or rejection shall file a notice of appeal in writing with the department no later than 20 calendar days from the date of the public notice of the proposed shoreline certification or rejection. The Notice of appeal shall be sent to the BLNR, 1151 Punchbowl Street, Room 220, Honolulu, HI 96813.

Case No.	Actions Under New & Old Shoreline Rules	Location	Applicant	TMK
HA-066-2	3/31/04 Rejected	Portion of RP 4475, Land Commission Award 7713, Apana 43 to V. Kamamalu, land situated at Holualoa 1 st and 2 nd , North Kona, Island and County of Hawaii Address: 76-6274 Alii Drive Purpose: Building Permit	Wes Thomas Associates/Kim Bryant	7-6-14: 13
OA-974	Proposed Shoreline Certification 4/14/04	Lot 107 of Land Court Application 1100 (Map 21), land situated at Heeiea, Koolauloko, Island of Oahu, Hawaii Address: 46-109 Lilipuna Road Purpose: Building Permit	Wesley T. Tengan/ Kenneth Simon	4-6-01: 06
OA-183-2	Proposed Shoreline Certification 4/14/04	Lot 62-A of Pupukea-Paumalu Beach Lots, land situated at Pupukea and Paumalu, Koolauloa, Island of Oahu, Hawaii Address: 59-271 Ke Nui Road Purpose: Determine Building Setback	Jamie F. Alimboyoguen/ Summer Tree Hotels and Resorts, Ltd	5-9-19: 48
OA-694A-2	Proposed Shoreline Certification 4/14/04	Lots 1 and 2 of Evershine VIII Tract (F.P. 2271) and Lot 4-A of the Subdivision of 4 and Lot 5 of Portlock Road Subdivision No. 2 (F.P. 2193), land situated at Maunaloa, Island of Oahu, Hawaii Address: 525, 535 & 567 Portlock Road Purpose: New Structure	Sam O. Hirota, Inc./Evershine VIII, L.P.	3-9-26: 44-45 and 47-48
OA-870-2	Proposed Shoreline Certification 4/14/04	Lots 326 and 329 as shown on Map 51 Land Court Application 616 and the Consolidation of Lots 326 and 329 Less Erosion into Lot A, land situated at Kailua, Koolauloko, Island of Oahu, Hawaii Address: 1586 Mokulua Drive Purpose: Consolidation	Walter P. Thompson, Surveying and Mapping, Inc/Ethan Topper, etal	4-3-01: 12 and 13

Environmental Tip

Avoid Hardening of the Shoreline

Hardening of the shoreline should be considered the erosion management option of last resort, and it's use should be avoided if other options are available. In addition, development in coastal hazard zones, including erosion hazard zones and coastal flood zones should be avoided in order to: (1) prevent the inevitable financial and personal hardships that befall individuals and families, and the expenditure of public funds that accompany the occurrence of coastal hazards on developed shorelines; (2) prevent the inevitable need to

harden the shoreline where there is chronic erosion and the resulting loss of public beaches, lateral shoreline access, open space and view corridors, and littoral sand due to sediment impoundment behind walls; (3) mitigate threats to inhabited structures, and public infrastructure from coastal hazards; and (4) avoid the need for future public expenditures in responding to damage caused by hurricanes, tsunami, high wave impacts and other coastal hazards.

See OEQC's website at www.state.hi.us/health/oeqc/index.html for guidelines on shoreline hardening.

Pollution Control Permit Applications

APRIL 23, 2004

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.

Clean Air Branch

Branch Permit Type	Applicant & Permit Number	Project Location	Pertinent Date	Proposed Use
Clean Air Branch, 586-4200, Covered Source Permit	Honolulu Resource Recovery Venture (HRRV) or Honolulu Program of Waste Energy Recovery (HPOWER) CSP 0255-01-C (Modification)	91-174 Hanua Street, Kapolei, Oahu	Issued: 3/24/04	Two (2) Municipal Waste Combustors
Clean Air Branch, 586-4200, Noncovered Source Permit	West Hawaii Concrete NSP 0434-01-N (Renewal)	5039D Queen Kaahumanu Highway, Kailua-Kona, Hawaii	Issued: 3/29/04	150 CY/HR Concrete Batch Plant
Clean Air Branch, 586-4200, Covered Source Permit	Gay and Robinson, Inc. CSP 0218-01-C (Renewal)	TMK: 1-7-06-1, Kaunakani, Kauai	Issued: 3/30/04	182 MMBtu/hr Bagasse/ Oil-Fired Boiler & 6.695 MMBtu/hr Seed Plant Boiler
Clean Air Branch, 586-4200, Temporary Noncovered Source Permit	Henry's Equipment Rental & Sales, Inc. NSP 0443-01-NT (Renewal)	Various Temporary Sites, State of Hawaii Initial Location: Lualualei Homestead Road, Waianae, Oahu	Issued: 3/31/04	150 TPH Portable Screening Plant
Clean Air Branch, 586-4200, Temporary Covered Source Permit	Kiewit Pacific Company CSP 0026-04-CT (Amendment)	Various Temporary Sites, State of Hawaii Current Location: Lanikai Quarry, Hawaii	Issued: 3/31/04	Replacement of 6' x 16' Vibrating Screen
Clean Air Branch, 586-4200, Temporary Covered Source Permit	Keauhou Kona Construction Corporation CSP 0549-01-CT (Renewal)	Various Temporary Sites, State of Hawaii Current Location: Pualani Estates Subdivision, North Kona, Hawaii	Issued: 3/31/04	325 TPH and 380 TPH Portable Crushing and Processing Plants
Clean Air Branch, 586-4200, Noncovered Source Permit	Automatic Burner Company, Inc. NSP 0557-01-N	1650 Paakea Road, Waianae, Oahu	Issued: 4/2/04	Two (2) 90 lb/hr Pathological Waste Incinerators
Clean Air Branch, 586-4200, Temporary Noncovered Source Permit	Grace Pacific Corporation, dba Puu Makakilo, Inc. NSP 0445-01-NT (Renewal)	Various Temporary Sites, State of Hawaii Initial Location: Makakilo Golf Course, Makakilo, Oahu	Issued: 4/5/04	377 hp Caterpillar Diesel Engine Generator
Clean Air Branch, 586-4200, Covered Source Permit	Chevron Products Company CSP 0080-01-C (Renewal)	260 Aka'ula Road (Road A & B), Eleele, Kauai	Comments Due: 5/19/04	Port Allen Marketing Terminal

Pollution Control Permit Applications

APRIL 23, 2004

Department of Health Permits (continued)

Clean Water Branch

Branch Permit Type	Applicant & Permit Number	Project Location	Pertinent Date	Proposed Use
Clean Water Branch, 586-4309 NPDES Permit	State of Hawaii, Department of Transportation, Highways Division NPDES HI0021819	Kawaihae Road, between Milepost 2.07 to 2.44 and Milepost 2.55 to 2.70, Kawaihae, Hawaii	Comments Due: 4/30/04	Discharge storm water runoff to state waters
Clean Water Branch, 586-4309 NPDES Permit	Centex Homes, Centex Real Estate Corporation NPDES HI0021804	Kolea Subdivision, Waikoloa Beach Drive, Waikoloa, Hawaii	Comments Due: 5/5/04	Discharge storm water runoff to state waters
Clean Water Branch, 586-4309 NPDES Permit	Haleakala National Park NPDES HI0021826	Haleakala National Park, Kipahulu Comfort Station Maui	Comments Due: 5/7/04	Discharge storm water runoff to state waters

Safe Drinking Water Branch

Branch & Permit Type	Applicant & Permit Number	Project Location	Pertinent Dates	Proposed Use
Safe Drinking Water Branch, 586-4258, UIC Permit	Vanguard Car Rental USA Inc UH-2261	Alamo Rent-A-Car, Hilo International Airport	n/a	Registration of one existing injection well for car wash water disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Vanguard Car Rental USA Inc UH-2260	National Car Rental, Hilo International Airport	n/a	Registration of one existing injection well for car wash water disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Department of Land & Natural Resources, State of Hawaii UH-2256	Kikala - Keokea Subdivision Kalapana Road, mp 21, S. Pahoa, Puna	n/a	Construction of 12 injection wells for surface drainage.
Safe Drinking Water Branch, 586-4258, UIC Permit	Association of Apartment Owners UH-1283	Kona Sunset Villas 77-6585 Seaview Circle, Kailua-Kona	n/a	Permit renewal of 2 injection wells for sewage disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	The Home Depot USA, Inc. UH-2262	The Home Depot Makaala St., Ohuohu St., Railroad Ave., Waiakea, S. Hilo	n/a	Construction of 22 injection wells for surface drainage.
Safe Drinking Water Branch, 586-4258, UIC Permit	Keauhou Resort Development Corp. UH-2257	Bayview Estates Phase II Subdivision End of Mololani St., Keauhou, Kona	n/a	Construction of 11 injection wells for surface drainage.
Safe Drinking Water Branch, 586-4258, UIC Permit	USDA Forest Service UH-2258	Institute of Pacific Island Forestry, Pacific SW Research Station Nowelo St. extension, Komohana St., 3-2-4-01:169	tba	Construction of 9 injection wells for surface drainage.
Safe Drinking Water Branch, 586-4258, UIC Permit	Air Liquide America, L.P. UO-2090	Air Liquide America Corporation Ewa Beach Facility 91-163 Hanua St., Kapolei	n/a	Permit modification for one injection well for flow increase for industrial wastewater disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Hawaii Army National Guard, Facilities Management Office UO-2177	HIARNG Military Training Complex Hangar 117, Kalaeloa	n/a	Abandonment of one registered injection well for surface drainage.
Safe Drinking Water Branch, 586-4258, UIC Permit	Wiki Wash & Lube, Inc. UM-2259	Wiki Wash & Lube, Inc. 1203 Keawe St., Lahaina	n/a	Construction of one injection well for car wash water disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Kukuiula South Shore Community Services, LLC	Kukuiula WWTP Old McBryde Cane Coast Rd., Koloa, 4-2-6-15:01	n/a	Change-of-Operator for 2 injection wells for sewage disposal.

Federal Consistency Reviews

The Hawaii Coastal Zone Management (CZM) Program has received the following federal actions to review for consistency with the CZM objectives and policies in Chapter 205A, Hawaii 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 Hawaii CZM Program at 587-2878. For neighboring islands use the following toll free numbers: Lanai & Molokai: 468-4644 x72878, Kauai: 274-3141 x72878, Maui: 984-2400 x72878 or Hawaii: 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:

Office of Planning
Dept. of Business, Economic Development and Tourism
P.O. Box 2359
Honolulu, Hawaii 96804

Or, fax comments to the Hawaii CZM Program at 587-2899.

(1) Supplemental Deck at Ala Wai Boat Harbor Slip 436, Oahu

Applicant: Euylss Naiyoke
Federal Action: Department of the Army Permit (200400261)
Federal Agency: U.S. Army Corps of Engineers
Contact: Bill Lennan, 438-6986
Location: Ala Wai Boat Harbor Slip 436
CZM Contact: John Nakagawa, 587-2878
Proposed Action:

The applicant is requesting an after-the-fact permit for a supplemental deck to boat slip 436 at Ala Wai Boat Harbor. The supplemental deck is constructed of wood, 15-feet by 10-feet, and is supported in the water by concrete posts. The project does not involve any dredging or discharge of fill material into the water.

Comments Due: May 7, 2004

(2) Proposed Rule to Implement Highly Migratory Species Trade Monitoring Programs and Establish the Highly Migratory Species International Trade Permit

Federal Action: Federal Agency Activity
Federal Agency: National Marine Fisheries Service
Contact: Christopher Rogers, (301) 713-2347
CZM Contact: John Nakagawa, 587-2878

Proposed Action:

Proposed federal regulations would implement binding recommendations adopted by the International Commission for the Conservation of Atlantic Tunas for bigeye tuna and swordfish and the Inter-American Tropical Tuna Commission for bigeye tuna to track import, export, and re-export of the subject species harvested from all ocean areas. The proposed rule will also establish the Highly Migratory Species International Trade Permit. The proposed regulations would require dealers who import, export, or re-export bluefin tuna, southern bluefin tuna, bigeye tuna and swordfish, regardless of ocean area of origin, to hold a valid highly migratory species international trade permit, to complete and submit required statistical documents and re-export certificates, and to comply with all applicable record keeping and reporting requirements of the trade monitoring programs.

Comments Due: May 7, 2004

(3) Removal of Rock Wall Remnants at Kona Lagoon Hotel

Applicant: Kamehameha Schools
Agent: Wilson Okamoto Corporation
Contact: Tracy Fukuda, 946-2277
Federal Action: Department of the Army Permit
Federal Agency: U.S. Army Corps of Engineers
Contact: Lolly Silva, 438-7023
CZM Contract: Debra Tom, 587-2840

Proposed Action:

The applicant proposes to remove rock wall remnants which are scattered along two areas of the shoreline fronting the abandoned Kona Lagoon hotel, approximately 30 miles south of Kona International Airport. The rock wall segments will be broken into smaller pieces and removed with an excavator. The excavated material will be disposed of off-site by the end of each workday.

Comments Due: May 7, 2004

Coastal Zone News

APRIL 23, 2004

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); Kakaako (587-2878).

Location (TMK)	Description (File No.)	Applicant/Agent
Honolulu: Waikiki (2-6-2-17)	Outrigger Hotel canopy and replacement guardrails (2004/SMA-20)	TS Restaurants, Inc./Nancy Miyasato-Kaya
Maui: Paia (2-6-3-43)	Farrington residence (SM2 20040018)	Lois Farrington
Maui: Kihei (3-9-12-22)	Flaherty swimming pool (SM2 20040032)	Flaherty, Michael
Maui: (4-3-15-04)	Stone wall/entry gate (SM2 20040033)	Pat Losberg
Maui: Haiku (2-8-4-104)	Desure swimming pool (SM2 20040034)	Desure, Anjule
Maui: Lahaina (4-6-7-30)	Accessory dwelling (SM2 20040035)	Meston, Jedediah M.
Maui: Lahaina (4-6-30-2)	Lopez remodel (SM2 20040036)	Lopez, Richard E.
Maui: Kihei (3-9-40-27)	Accessory dwelling (SM2 20040037)	Ugalino, Fedel & NGA
Maui: Molokai (5-4-13-2)	Doiron swimming pool (SM2 20040038)	Pool Pro, Inc.
Maui: Kihei (3-9-55-42)	Dwelling additions (SMX 20040195) Pending	Moore, Bruce
Maui: Makawa (4-5-12-9)	Clearing of lot (SMX 20040196) Pending.	Country Equipment Trucking
Maui: (3-69-2-149)	Osaki Hawaii renovation (SMX 20040199) Pending	Percha, August
Maui: Kihei (3-9-30-52)	Bellows swimming pool (SMX 20040201) Pending	Pool Pro, Inc.
Maui: Kihei (3-9-54-37)	Capanash pool (SMX 20040202) Pending	Pool Pro, Inc.
Maui: Haiku (2-8-3-43)	Minkler dwelling (SMX 20040204) Pending	Wagner, Nick
Maui: Lahaina (4-5-1-7)	Sunglass Hut alterations (SMX 20040205) Pending	Scott Daves @ Permits Today
Maui: Kihei (2-1-8-60)	Apartment alteration (SMX 20040208) pending	Sanchez, Gilbert
Maui: Wailea (2-1-23-4)	Condo alteration (SMX 20040209) Pending.	Graham Con-Associates
Maui: Lahaina (3-2-11-12)	Herrick cottage (SMX 20040210) Pending.	Herrick, Timothy/Kai
Maui: Hana (1-4-3-40)	Kinder addition (SMX 20040211) Pending	Kinder, George
Maui: Kihei (2-1-8-64)	Lefore renovation (SMX 20040212) Pending	Professional Remodeling Inc.
Maui: Kuau (2-6-12-6)	Meola addition (SMX 20040214) Pending.	Meola, Gary
Maui: Kihei (3-9-4-100)	MECO Pole installation (SMX 20040217) Pending	Maui Electric Co., Ltd.
Maui: Hana (1-3-2-44)	Doane-Amu dwelling (SMX 20040218) Pending	Doane-Mau, Mary Anne
Maui: Kihei (3-9-11-52)	Gomes cottage (SMX 2004019) Pending	Gomes, Roxanne
Maui: Kahului (3-7-2-20)	Ben Bridge renovation (SMX 20040221) Pending	Arita Poulson General Contracting, LLC.
Maui: Kihei (3-9-3-69)	Cajudoy dwelling (SMX 20040222) pending	Cajudoy, Ericson
Maui: Kihei (3-9-30-21)	Farrell cottage (SMX 20040223) Pending	Farrell, David P./Linda S.
Maui: Kihai (3-9-39-49)	Pascual dwelling (SMX 20040224) Pending	Pascual, Anthony
Maui: Wailea (2-1-26-61 & 62)	Burkitt residence (SMX 20040225) Pending	Burkitt, Bruce/Cindee
Maui: Lahaina (4-5-1-3)	Island Gold alteration (SMX 20040226) Pending	Carpenter, Monty
Maui: Kihei (3-9-50-20)	Wallace Residence (SMX 20040227) Pending	Wallace, Deborah

Special Management Area Documents (Chapter 25, Revised Ordinances of Honolulu)

Since SMA-only (Chapter 25, ROH) documents do not trigger the EIS law as articulated in Chapter 343, Hawaii Revised Statutes, effective September 1, 2001 OEQC will no longer review these documents for completeness or adequacy. However, OEQC will continue to provide notice of these projects as a public service. Questions regarding the adequacy, completeness and availability of these documents should be addressed directly to the county contact listed below.

Waiau Power Plant Pond Re-Grading (Final Determination)

Hawaiian Electric Company, Inc. (HECO) proposes to re-grade (fill) two ponds formerly used to treat waters discharged from the Waiau Power Generating Plant. The subject parcel is identified by Tax Map Keys (1)9-8-3:10 and (1)9-8-04:03. The re-grading project will entail the filling of two ponds, 39,600 and 47,600 square feet respectively by 6-9 feet deep. The total area of the ponds is 2 acres. The existing ponds will be filled with soil and topped with gravel. The ponds are currently dry. Originally there were four ponds used for wastewater treatment. These four ponds were officially closed for wastewater treatment in 1989. The EPA approved these closure activities. The interior berm walls were subsequently removed creating the two ponds currently present. In order to reduce run-off from the site into Pearl Harbor, a detention basin will be developed.

A total of 25,800 cubic yards of soil will be required to fill the ponds. The gravel topping will be approximately 3 inches thick. The ponds, once filled, will be used for equipment and material storage and remain in an undeveloped state. The power plant site is 25.99 acres and extends from the shoreline of Pearl Harbor to Kamehameha Highway.

Other than the No Action Alternative, there are no alternatives to the proposed action being considered. The proposed pond re-grading has been designed to conform to existing grades with minimal environmental impacts. Landscaping will also be provided on the exterior of the graded areas.

Primary access to the site is via an internal service road that connects to Kamehameha Highway. Access to Waiau Power Generating Plant is controlled by a manned security check-in point. The site is not accessible by the general public for security and safety reasons.

During the earthwork phase of the project the site work contractor will be required to establish erosion control measures to mitigate stormwater runoff from the project site. Drainage from the site is via sheet flow towards the power plant's drainage system and eventually into Pearl Harbor. A feature of this project is the development of a drainage detention basin. This basin will detain stormwater thereby reducing sediments before eventual discharge into Pearl Harbor.

Please direct questions and written comments to Jeff Lee, Department of Planning and Permitting, City and County of Honolulu, 650 S. King Street, 7th Floor, Honolulu, Hawaii 96813, telephone: 527-6274.

Federal Notices

APRIL 23, 2004

Pollution Prevention Grants

SUMMARY: EPA expects to have approximately \$5 million available in fiscal year 2004 grant/cooperative agreement funds under the Pollution Prevention (P2) Grant Program. The goal of the P2 Grant Program is to assist businesses and industries in identifying better environmental strategies and solutions for reducing waste at the source. The majority of the P2 grants fund State-based projects in the areas of technical assistance and training, education and outreach, regulatory integration, data collection and research, and demonstration projects.

Grants/cooperative agreements will be awarded to Tribes, and Intertribal Consortia programs that address the reduction or elimination of pollution across environmental media (air, land, and water) and to strengthen the efficiency and effectiveness of pollution prevention technical assistance programs in providing source reduction information to businesses. This year, EPA more prominently emphasizes measurement as one of the National program criteria used in evaluating grant applications. EPA strongly encourages applicants to consider replicating previous P2 Grant projects, in order to more broadly demonstrate regional and preferably national environmental impact.

For general information contact Colby Lintner, Regulatory Coordinator, Environmental Assistance Division (7408M), Office of Pollution Prevention and Toxics, EPA, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; phone: (202) 554-1404; e-mail address: TSCA-Hotline@epa.gov.

For technical information contact: Michele Amhaz, Pollution Prevention Division (7409M), Office Pollution Prevention and Toxics, EPA, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; phone: (202) 564-8857; e-mail: amhaz.michele@epa.gov.

EPA advises applicants who have the flexibility of submitting pre-proposals to their region to contact their Regional P2 Coordinator. For Hawaii (Region IX): Leif Magnuson, (WST-7), 75 Hawthorne Ave., San Francisco, CA 94105; telephone number: (415) 972-3286; e-mail address: magnuson.leif@epa.gov. Regional web site: <http://www.epa.gov/region09/funding/p2.html>. **Applications are due May 26, 2004.**

General Information: Although directed to States (including State universities), Tribes, and Intertribal Consortia, this notice may also be of interest to local governments, private universities, private nonprofit entities, private businesses, and individuals who are not eligible for this grant program. If you have any questions regarding the applicability of this action to a particular entity, contact the technical contact person listed above.

EPA has established an official public docket under number OPPT-2003-0072 for this action. This consists of the

documents specifically related to this action. The telephone number for this docket is (202) 566-0280. You may access this Federal Register document electronically under the "Federal Register" listings at <http://www.epa.gov/fedrgstr/>. This document will also be available at the EPA P2 web site at <http://www.epa.gov/p2>. An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, search by the docket identification number.

Four national program criteria include: 1. Promote multimedia pollution prevention. 2. Advance environmental goals. 3. Promote partnerships. EPA requires P2 grant applicants to identify major environmental assistance providers in their area and to work with these organizations to educate businesses on pollution prevention. 4. Assess program activities and share results.

Applicants may request an application package from their EPA Regional P2 Coordinator or download applicable forms from the Internet at <http://www.epa.gov/ogd/AppKit/application.htm>. For general inquiries contact EPA's Grants Administration Division at (202) 564-5305.

Award Information: EPA is encouraging grant applicants to replicate prior P2 grant projects which have demonstrated a measurable environmental impact. Each region will have flexibility of selecting at least one project which demonstrates a measurable impact. To find examples of P2 grant projects which could be replicated, please visit: <http://www.epa.gov/p2/grants/ppis/ppis.htm#summaries>. As the applicant constructs his/her project, EPA strongly encourages the applicant to provide a mechanism for measuring program activities. All applicants are encouraged to review the 2004 Pollution Prevention Grant guidance at <http://www.epa.gov/p2/grants/ppis/ppis.htm>.

Matching Requirements: P2 grants must provide at least 50% of the total allowable project cost. EPA anticipates making funding decisions by July 2004. [from *Federal Register: April 9, 2004 (Volume 69, Number 69)*]

Proposed List of Fisheries for 2004

SUMMARY: The National Marine Fisheries Service (NMFS) is publishing the proposed List of Fisheries (LOF) for 2004, as required by the Marine Mammal Protection Act (MMPA). The proposed LOF for 2004 reflects new information on interactions between commercial fisheries and marine mammals. NMFS must categorize each commercial fishery on the LOF into one of three categories under the MMPA based upon the level of serious injury and mortality of marine

mammals that occurs incidental to each fishery. The categorization of a fishery in the LOF determines whether participants in that fishery are subject to certain provisions of the MMPA, such as registration, observer coverage, and take reduction plan requirements.

Comments must be received by **May 13, 2004**. Send comments to Chief, Marine Mammal Conservation Division, Attn: List of Fisheries, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910. Comments may also be sent via email to 2004LOF.comments@noaa.gov or to the Federal eRulemaking portal: <http://www.regulations.gov> (follow instructions for submitting comments). Comments regarding the burden-hour estimates, or any other aspect of the collection of information requirements contained in this proposed rule, should be submitted in writing to the Chief, Marine Mammal Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910 and to David Rostker, OMB, by e-mail at David_Rostker@omb.eop.gov or by fax to 202-395-7285. See SUPPLEMENTARY INFORMATION for information on how to obtain registration information, materials, and marine mammal reporting forms. FOR FURTHER INFORMATION CONTACT: Kristy Long, Office of Protected Resources, 301-713-1401; Kim Thounhurst, Northeast Region, 978-281-9328; Juan Levesque, Southeast Region, 727-570-5312; Cathy Campbell, Southwest Region, 562-980-4060; Brent Norberg, Northwest Region, 206-526-6733; Bridget Mansfield, Alaska Region, 907-586-7642. The TTY # is 1-800-877-8339, 8 a.m. - 4 p.m. Eastern time.

Summary of Changes to the Proposed LOF for 2004

The placement and definitions of U.S. commercial fisheries proposed for 2004 are identical to those provided in the LOF for 2003 with the following exceptions. Commercial Fisheries in the Pacific Ocean: Fishery Classification Hawaii Swordfish, Tuna, Billfish, Mahi Mahi, Wahoo, Oceanic Sharks Longline/Set Line Fishery NMFS proposes to reclassify the Hawaii Swordfish, Tuna, Billfish, Mahi Mahi, Wahoo, Oceanic Sharks Longline/Set Line Fishery (Hawaii longline fishery) as Category I under the MMPA primarily because of the level of incidental mortality and serious injury that occurs between this fishery and the Hawaiian stock of false killer whales (*Pseudorca crassidens*). However, NMFS also has information regarding incidental mortality and serious injury that occurs between this fishery and the Hawaiian stock of Risso's dolphins (*Grampus griseus*), Hawaiian stock of bottlenose dolphins (*Tursiops truncatus*), Hawaiian stock of spinner dolphins (*Stenella longirostris*), Hawaiian stock of pantropical spotted dolphins (*Stenella attenuata*), Hawaiian stock of short-finned pilot whales (*Globicephala macrorhynchus*), Hawaiian stock of Blainville's beaked whales (*Mesoplodon densirostris*), Hawaiian stock of sperm whales (*Physeter macrocephalus*) and the Central North Pacific stock of humpback whales (*Megaptera novaeangliae*). In 2002, NMFS surveyed cetacean abundance, including the Hawaiian stock of false killer whales,

in waters where the Hawaii longline fishery operated, a survey that would allow for a better estimate of abundance and a more reliable PBR level and better estimates of mortality and serious injury in marine mammal stocks taken by this fishery. The survey addressed the limitations of the earlier survey data, discussed in the 2001 and 2003 LOFs (66 FR 42780, August 15, 2001; 68 FR 41725, July 15, 2003)

The results of the 2002 surveys in the Hawaiian EEZ (Exclusive Economic Zone) are now available (Barlow, 2003. Cetacean Abundance in Hawaiian Waters during Summer/Fall of 2002, referenced as PSRG-7), and these have been combined with the earlier aerial surveys within 25 nmi of the main Hawaiian Islands (Mobley et al. 2000) to produce an estimate of the abundance of false killer whales in the Hawaiian EEZ. The results of an expanded observer program in the Hawaiian longline fishery are now available (Forney 2003. Estimates of Cetacean Mortality and Injury in the Hawaii Based Longline Fishery, 1994-2002. 11/4/2003). This report describes abundance, mortality and status of false killer whales and partitions serious injury and mortality of the stock within and outside the USEEZ.

NMFS approved a regulatory amendment under the Fishery Management Plan for the Pelagic Fisheries of the Western Pacific Region (FMP) submitted by the Western Pacific Fishery Management Council (Council), published a proposed rule on January 28, 2004, and issued a final rule on April 2, 2004 (69 FR 17329) to establish a number of conservation and management measures for the fisheries managed under the FMP in order to provide adequate protections for sea turtles. On February 23, 2004, NMFS concluded consultation and issued a biological opinion under section 7 of the Endangered Species Act on the pelagic fisheries of the western Pacific region which found that the fisheries are not likely to jeopardize the continued existence of any ESA-listed species under the jurisdiction of NMFS. To implement the regulatory amendment proposed by the Council, the final rule: (1) Establishes an annual effort limit on the amount of shallow-set longline fishing effort north of the equator that may be collectively exerted by Hawaii-based longline vessels (2,120 shallow-sets per year) and (2) divides and distributes this shallow-set annual effort limit each calendar year in equal portions to all holders of Hawaii longline-limited access permits. The interaction limits for leatherback and loggerhead sea turtles may also limit, albeit indirectly, interactions with other protected species, such as false killer whales, in the shallow-set component of the Hawaii-based longline fishery. Given the relatively long history of the deep-set component and our understanding of patterns of fishing, catches, and interactions with protected species, NMFS has determined 20 percent to be a sufficient level of coverage in the deep-set component of the fishery. [from *Federal Register: April 13, 2004 (Volume 69, Number 71)*]