

# The Environmental Notice

A SEMI-MONTHLY BULLETIN (UNDER SECTION 343-3, HRS) OF THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL



LINDA LINGLE  
GOVERNOR

OFFICE OF  
ENVIRONMENTAL QUALITY  
CONTROL (OEQC)  
DEPARTMENT OF HEALTH  
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DIRECTOR, OEQC

*The Environmental Notice  
reviews the environmental impacts of  
projects proposed in Hawai'i*

Other Resources  
available at OEQC . . .

- *Guidebook for Hawai'i's Environmental Process (now, Online!)*
- *Environmental Studies Resource Library*
- *Environmental Council Annual Reports (now, Online!)*
- *Rules and Policies (also Online!)*
- *"How to Plant a Native Hawaiian Garden"*

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SEPTEMBER 8, 2004

## HECO Underground Powerlines

Hawaiian Electric Company, Inc (HECO) is proposing to reconfigure and connect existing 46 kilovolt (kV) circuits from Pukele Substation at the end of HECO's Northern 138kV Transmission Corridor with existing and new 46kV circuits at Archer and Kamoku Substations in HECO's Southern 138kV Transmission Corridor. The project is comprised of two independent phases. Phase 1 involves the installation of 0.5 mile of new underground ductline for 46kV subtransmission lines and related work at eight substations. Underground 46kV lines would be installed in the Ala Moana, McCully, Mo'ili'ili, and Kapahulu areas in the new ductline and in approximately 0.4 mile of existing underground 46kV and 12kV lines would

be removed from the existing ductline. Phase 2 involves the installation of 1.9 miles of new underground ductline for 46kV subtransmission lines and related work at one substation. Three underground 46kV lines would be installed in the new ductline in the Kaka'ako, Makiki, and McCully areas, predominantly along King Street. The Draft Environmental Assessment evaluates land use, infrastructure, roads and traffic, public health and safety (including noise, emergency response, and schools), soils, water resources, air quality, cultural resources, visual resources, biological resources, socioeconomic, and electric and magnetic fields (EMF). See page 4.

## Lanikai, Kona, Swimming Pool Shoreline Setback Variance

In a March 19, 2004, letter, the Hawai'i Planning Department determined that construction of an applicant's single-family residence in the Kona Bay Estates subdivision was exempt from the definition of development under the special management area rules. Construction of the applicant's home has begun. The applicant now seeks to build a swimming pool and related improvements 20 feet mauka of a wall (certified on December 23, 2003 as the shoreline) that encroaches into the shoreline setback area. See page 10 for details.



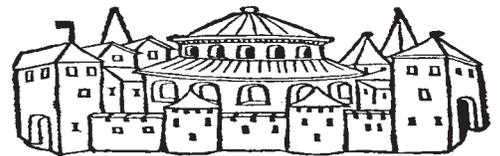
## Electronic Documents Available

Thanks to a NOAA Grant through the Coastal Zone Management program, environmental assessments from 1990-2003 are available in Adobe Acrobat PDF format at OEQC for copying at no cost. For more information, please call Leslie Segundo or Jeyan Thirugnanam at 586-4185.

## Maui House Lots Development

Old Stable LLC wants to develop 16 one-half to one-acre rural houselots off Hana Highway in Spreckelsville, Pa'ia, Maui. The subdivision will require an amendment to the county general plan from open space to rural

In Waihe'e, the Department of Hawaiian Homelands wants to develop a 96-lot residential subdivision, Waiehu Kou 4, immediately west of the previous 3 Waiehu Kou phases. The lots will range from 7200 to 8000 square feet with 4 models of homes to choose from, and will be offered in "house-lot" packages. See page 7 for both descriptions.



## Cruise Ship Improvements for Nawiliwili Harbor

Nawiliwili Harbor is the industrial port on the island of Kaua'i. The Department of Transportation wants to make improvements to Nawiliwili Harbor to accommodate large cruise ships. See page 9 for details.

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# Definitions

## Your guide to the Environmental Review Process

### Draft EA

A project or action that may affect the environment cannot be implemented until an Environmental Assessment (EA) is prepared in accordance with Chapter 343, Hawai'i Revised Statutes (HRS). If the lead State or county agency (the *proposing agency* for agency actions, or the *approving agency* for applicant actions) anticipates that the project will have no significant environmental impact, then affected agencies, individuals, and organizations must be consulted and a Draft EA (DEA) 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 EA and FONSI

After the lead agency reviews the public comments, if it determines that the project will have no significant effect on the environment, then it will prepare a Final EA (FEA) 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 periodic bulletin to ask a court to require the preparation of an EIS.

### Final EA and EISPN

When a lead agency decides that a project may have a significant environmental impact, an Environmental Impact Statement (EIS) must be prepared prior to implementing the project. Like the DEA (see *above*), affected agencies, individuals and organizations must be consulted prior to preparation of the final EA (FEA) and issuance of a determination called an EIS preparation notice (EISPN). (The EA is called *final*, to distinguish it from the draft, above). After the FEA is written by the lead agency, and notice of the FEA and EISPN is published in this periodic bulletin, any agency, group, or individual has 30 days from the first publication of the EISPN to request to become a consulted party and to make written comments regarding the environmental effects of the proposed action. The public (including an applicant) has 60 days from the first notice of an EISPN in this periodic bulletin to ask a court to not require the preparation of an EIS.

### Draft EIS

After receiving the comments on the FEA and EISPN (see *above*), the lead agency or private applicant must prepare a Draft Environmental Impact Statement (DEIS) prior to project implementation. This document must completely disclose the likely impacts of a project. Direct, indirect 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 periodic bulletin to comment on a DEIS. The DEIS must respond to comments received during the FEA-EISPN comment period in a *point-by-point* manner.

### Final EIS

After considering all public comments filed during the DEIS stage, the agency or applicant must prepare a Final EIS (FEIS). The FEIS must respond in a *point-by-point* manner to all comments from the draft stage. Requisite deeper analyses must be included in the FEIS. For applicant projects, the approving agency is authorized to accept the FEIS. For agency project the Governor or the county mayor is the accepting authority. Only after the EIS is accepted may the project be implemented.

### Acceptability

If the FEIS is accepted, the law requires that notice of this be published in this periodic bulletin. The public has 60 days from the date of first notice of acceptance to ask a court to vacate the acceptance of an EIS. In the case of applicant actions, the law requires that an approving agency must make a determination on acceptance within thirty-days of receipt of the FEIS or the FEIS is deemed accepted. Also, for applicant actions, the law provides for an administrative appeal of a non-acceptance to the Environmental Council.

### NEPA

The National Environmental Policy Act (NEPA) requires federal projects to prepare an EA or EIS. In many ways it is similar to Hawai'i's law. Some projects require both a state (or county) and federal EIS and the public comment procedure should be coordinated. Although not required by law, the OEQPC publishes NEPA notices in this periodic bulletin to help keep the public informed of important federal actions.

### SMA Permits

The Special Management Area (SMA) is along the coastlines of all our islands and development in this area is generally regulated by Chapter 205A, HRS and county ordinance. A special subset of the SMA that is regulated by Chapter 343, HRS is the Shoreline Setback Area. Most development in this area requires a Special Management Permit (SMP). This periodic bulletin posts notice of these SMP applications to encourage public input.

### Shoreline Certifications

State law requires that Hawai'i shorelines be surveyed and certified when necessary to clearly establish the shoreline setback (an area contained between the certified shoreline and a prescribe

distance inland (usually 40 feet) from the certified shoreline). The public may participate in the process to help assure accurate regulatory boundaries. Private land owners often petition to have their shoreline certified by the State surveyor prior to construction. This periodic bulletin publishes notice from the Department of Land and Natural Resources of both shoreline certification applicants 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 on the Internet at <http://www.ehawaii.gov.org/calendar> and the public is invited to attend.

### Exemption Lists

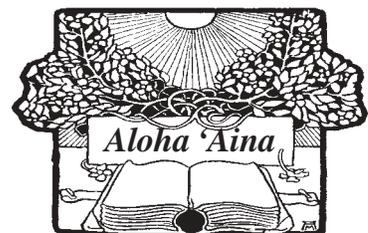
Government agencies must keep a list describing the minor activities they regularly perform that are declared exempt from the environmental review process. These lists are reviewed and approved by the Environmental Council. This periodic bulletin will publish an agency's draft exemption list for public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

### Conservation District

Any 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 periodic bulletin.

### Endangered Species

This periodic bulletin is required by Section 343-3(c), HRS, to publish notice of public comment periods or public hearings for habitat conservation plans (HCP), safe harbor agreements (SHA), or incidental take licenses (ITL) under the federal Endangered Species Act, as well as availability for public inspection of a proposed HCP or SHA, or a proposed ITL (as a part of an HCP or SHA).



# O'ahu Notices

SEPTEMBER 8, 2004

## East O'ahu Transmission Project 46 kV Phased Project (DEA)

**District:** Honolulu  
**TMK:** Zone 2, various plats and parcels  
**Applicant:** Hawaiian Electric Company, Inc. (HECO), P.O. Box 2750, Honolulu, Hawai'i 96840-0001. Contact: Kerstan J. Wong, Project Manager (543-7059)

**Approving Agency:** State of Hawai'i Public Utilities Commission (PUC), 465 South King Street, First Floor, Honolulu, Hawai'i 96813. Contact: Mr. Carlito Caliboso, Chairman (586-2020)

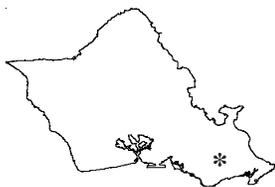
**Consultant:** Belt Collins Hawai'i Ltd., 2153 North King Street, Suite 200, Honolulu, Hawai'i 96819. Contact: Lesley A. Matsumoto (521-5361)

### Public Comment

**Deadline:** October 8, 2004  
**Status:** DEA Notice pending public comment. Address comments to the applicant and approving agency with copies to the consultant and OEQC.

**Permits required:** Noise; noise variance; conditional use - minor; excavation; grading, and stockpiling

Hawaiian Electric Company, Inc. (HECO) is proposing to reconfigure and connect existing 46 kilovolt (kV) circuits from



Pukele Substation at the end of HECO's Northern 138kV Transmission Corridor with existing and new 46kV circuits at Archer and Kamoku Substations in HECO's Southern 138kV Transmission Corridor. The project is comprised of two independent phases. Phase 1 involves the installation of 0.5 mile of new under-

ground ductline for 46kV subtransmission lines and related work at eight substations. Underground 46kV lines would be installed in the Ala Moana, McCully, Mo'ili'ili, and Kapahulu areas in the new ductline and in approximately 0.4 mile of existing underground 46kV and 12kV lines would be removed from the existing ductline. Phase 2 involves the installation of 1.9 miles of new underground ductline for 46kV subtransmission lines and related work at one substation. Three underground 46kV lines would be installed in the new ductline in the Kaka'ako, Makiki, and McCully areas, predominantly along King Street. The Draft Environmental Assessment evaluates land use, infrastructure, roads and traffic, public health and safety (including noise, emergency response,

and schools), soils, water resources, air quality, cultural resources, visual resources, biological resources, socioeconomics, and electric and magnetic fields (EMF). No substantial direct, secondary, or cumulative impacts were identified.

## Anuenue (formerly Rainbow) Radio Facilities and Towers, Statewide, Koko Head, O'ahu, Hawai'i, DAGS Job No. 16-10-0256 (FEA-FONSI)

**District:** Honolulu  
**TMK:** 3-9-012:002

**Proposing Agency:** Department of Accounting and General Services, State of Hawai'i, 1151 Punchbowl Street, Honolulu, Hawai'i 96813. Contact: Allen Yamanoha (586-0488)

### Determination

**Agency:** Same as above  
**Consultant:** Wilson Okamoto Corporation, 1907 South Beretania Street, Suite 400, Honolulu, Hawai'i 96826. Contact: John L. Sakaguchi (946-2277)

**Status:** FEA/FONSI

**Permits Required:** Building, grading, special management area

The State of Hawai'i Department of Accounting and General Services (DAGS) through its Information and Communication Service Division (ICSD) carries out the responsibilities for statewide telecommunications for the Executive Branch of the



Hawaii State Government. The ICSD owns and operates microwave radios, antenna systems, towers, buildings, and related facilities and infrastructure throughout the islands. DAGS ICSD will own the proposed Anuenue (formerly Rainbow) Radio Facilities and Tower at the Koko Head project site which will also be

shared with the City and County of Honolulu. The new facilities and tower will support the rebuilding and modernization of a shared State and Federal microwave system owned by the ICSD. In addition to the ICSD, the Anuenue Radio Facilities at the Koko Head project site will support the State of Hawai'i Department of Health Emergency Medical Services Systems Branch, the City and County of Honolulu, the US Coast Guard, and Federal law enforcement agencies. The facilities will also be used to support the public safety radio system and the backbone microwave of the as well as the radio systems of the US Coast Guard. The Anuenue Radio Facilities Koko Head project site is located in the Maunaloa District of O'ahu about 11 miles east of downtown Honolulu within lands owned by the City and County of Honolulu, Tax Map Key: 3-9-012:002. The project site is located about

0.9 mile (4,500 feet) south of Kalaniana'ole Highway, State Route 72, and will occupy an area of about 8,500 square feet on the southern slope of Koko Head adjacent to the existing City and County of Honolulu communication facilities. Other nearby facilities include the Federal Aviation Administration (FAA) VORTAC facility, and Nextel and Oceanic Time Warner facilities. Access to the project site will be via an existing improved road that serves the other developed facilities at Koko Head. The access road to the facility is controlled by the City and County of Honolulu Department of Parks and Recreation. The project site will be used under a Memorandum of Agreement between the City and County of Honolulu and the State of Hawai'i. The project site is designated Preservation on the City and County of Honolulu East Honolulu Sustainable Communities Plan. The City and County of Honolulu zoning designation is P-1 Preservation. The State Land Use Commission designates the Koko Head project site in the Conservation District. The project site is located within the City and County of Honolulu Special Management Area (SMA). The new unmanned telecommunications facility would be built on approximately 0.2 acres, and would consist of an equipment building with approximately 1,828 square feet of interior space, a 70-foot tall four-leg self-supporting tower sized to carry multiple microwave solid and grid dish antennas, a double-wall exterior fuel tank, and interior items to support the radio equipment such as an emergency generator, station rectifiers and charger system, electrical power transfer and control system, and air conditioning. The facility would also include the installation of grounding radials, and commercial power connection. The existing City and County four towers and building will be removed City after the new facilities are complete. In addition, the existing seven above ground utility poles (five active and 2 abandoned) will be removed and the utility systems relocated to an underground system as part of the project. The new tower, facilities, and access road will be sited to avoid disturbing the existing partially underground World War II bunkers located in the area. The new facility and tower will be designed and constructed to remain operational at wind speeds of up to 110 miles per hour (mph) and to survive wind speeds of up to 155 mph. At least 10 dish antennas and 12 other types of antennas will be attached to the tower to meet the known requirements of the public agency users. Electrical power will be supplied via connection to the commercial power line that services the existing nearby facilities. No State or City and County of Honolulu employees will be assigned to the facility on a daily basis. Since the project site has not been previously cleared, construction activities would primarily be related to construction of the fenced-in-compound, the building, and the tower. These activities will create dust and noise while work occurs on the project site. Once operational, the only activity would be visits by government employees and contract service personnel to perform periodic monitoring and maintenance functions.

## 5019 Kalaniana'ole Highway After-the-Fact Renovation (FEA-FONSI)

**District:** Honolulu  
**TMK:** 3522: 3  
**Applicant:** 5019 Kalaniana'ole LLC, P.O. Box 25640, Honolulu, Hawai'i 96825. Contact: Tom Coulson (782-1750)

**Approving Agency:** 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)

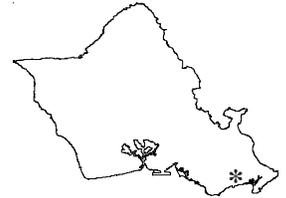
**Consultant:** Environmental Communications, Inc., 1188 Bishop Street, Suite 2210, Honolulu, Hawai'i 96813. Contact: Mr. Taeyong Kim (528-4661)

**Status:** FEA-FONSI

**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 secondfloor lanai. The original second floor was a splitlevel, 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 halfbath, 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.



## Jensen and Tully After-the-Fact Deck (FEA-FONSI)

**District:** Waialua  
**TMK:** 6112: 5  
**Applicant:** Janet Jensen and Greg Tully, 805 18th Avenue, Honolulu, Hawai'i 96816. Contact: Janet Jensen (735-3797)

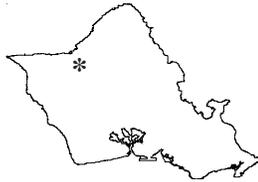


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**Approving Agency:**

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:**

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

**Status:**

FEA-FONSI

**Permits Required:**

Shoreline Setback Variance

The applicants, Janet Jensen and Greg Tully, propose to retain a deck within the shoreline setback. In 2002, the applicants replaced the damaged deck and extended the deck from 10 feet to 20 feet long. The deck is 4.5 feet wide by 20 feet long. It is approximately 7 feet above the ground. There are no supports and posts under the deck. The entire deck is within the shoreline setback. The project is located at 61-277 Kamehameha Highway, Hale'iwa, O'ahu, Hawai'i.

## Castle High School Bleachers and Storage Facility (FEA-FONSI)

**District:**

Koolaupoko

**TMK:**

4-5-34:008

**Proposing Agency:**

Department of Accounting and General Services, Division of Public Works, Planning Branch, P.O. Box 119, Honolulu, Hawaii 96810. Contact: Lance Maja (586-0483)

**Determination Agency:**

Same as above.

**Consultant:**

R.M. Towill Corporation, 420 Waiakamilo Rd., Suite 411, Honolulu, Hawaii 96817. Contact: Chester Koga (842-1133)

**Status:**

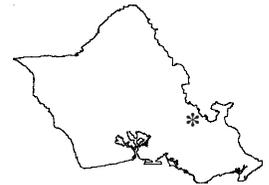
FEA/FONSI

**Permits Required:**

Grubbing, grading, stockpiling; building, electrical, plumbing, sidewalk/driveway and demolition work

The Department of Accounting and General Services proposes bleacher improvements at James B. Castle High School in Kaneohe, Koolaupoko, Oahu, on the east sideline and end zones of the football field. The proposed improvements are designed to accommodate the growing number of spectators wishing to at-

tend athletic and special events, particularly football games and graduation. In addition, the school has no bleacher facilities that meet access requirements of the Americans with Disabilities Act and additional storage space is needed to store athletic equipment. Construction will include three ADAcompliant aluminum bleacher structures with steel frames on concrete foundations; 5feet wide concrete walkways leading from each side of the main bleachers to the respective end zone bleachers; 6 new paved parking stalls; and two new athletic equipment storage areas adjacent to the bleachers.



## Testing of M56 Smoke Generator System Millimeter Wave Module, Tropic Regions Test Center, Hawai'i (NEPA-EA, Draft FONSI)

**Districts:**

Ko'olauloa and Wahiawa Districts

**Proposing Agency:**

Environmental Division (APVG-GWV), Directorate of Public Works, U.S. Army Garrison, Hawai'i, 572 Santos Dumont Avenue, Wheeler Army Airfield, Schofield Barracks, Hawai'i 96857-5013. Contact: Peter Yuh, Jr., (656-2878 extension 1051)

**Determination Agency:**

Same as above.

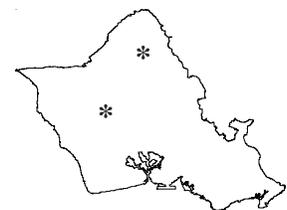
**Status:**

NEPA environmental assessment and draft finding of no significant impact (FNSI). Address comments and requests for copies of the environmental assessment to the proposing agency.

**Public comment deadline:**

October 8, 2004

The US Army Test and Evaluation Command proposes the testing of a recently modified M56 large area obscurant smoke generator system to examine its effectiveness in tropical regions. The M56 smoke generator was previously designed to disseminate fog oil and graphite, but is undergoing product improvement through the addition of a millimeter wave (MMW) module. In the proposed testing event, two M56 smoke generator systems would be used to deliver obscurant screens to include fog oil to obscure visibility, graphite to obscure infrared signals, and a MMW module to disseminate carbon fiber to obscure radar operating within the gigahertz frequency range. Fog oil is used regularly in



# O'ahu Notices

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training events with no adverse environmental effects; however, graphite and the carbon fiber have never been used by the Army in Hawaii. The M56 smoke generator systems would be mounted on High Mobility Multi-Purpose Wheeled Vehicles (HMMWVs) and tested during both stationary and mobile modes of operation. Obscurants would be released at Kahuku Training Area (KTA), while additional testing not involving release of obscurants would take place at the military operations on urban

terrain (MOUT) site on Schofield Barracks Military Reservation. Obscurants would be released only at KTA because of its remote location (with respect to local communities). Based on the information compiled during the preparation of the EA, it has been concluded that the proposed testing would not constitute a major action having significant effects on the quality of the man made or natural environment. At the conclusion of the review period the Army will respond to any comments, and finalize and sign the FNSI, if appropriate.

# Maui Notices

## Spreckelsville 16-Lot Rural Subdivision, Open Space Conservation Easement and County/State Donation Project (DEA)

**District:** Wailuku  
**TMK:** (2) 3-8-001: 003 (portion), 3-8-002: 009 & 010  
**Applicant:** Old Stable LLC, P.O. Box 790829, Paia, Hawai'i 96779. Contact: Daren Suzuki (244-2015)

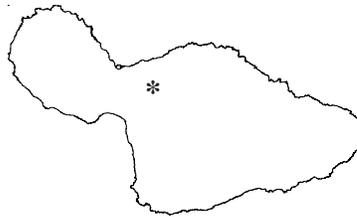
**Approving Agency:** Maui Planning Commission - County of Maui, c/o Department of Planning, 250 S. High Street, Wailuku, Hawai'i 96793. Contact: Michael W. Foley (270-7735)

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

### Public Comment

**Deadline:** October 8, 2004

**Status:** Draft environmental assessment (DEA) notice pending public comment. Address comments to the applicant with copies to the consultant and OEQC.



**Permits Required:** CWA §404, community plan amendment, zoning change, special management area, subdivision, grading and building

The applicant proposes the development of a 16-lot rural subdivision (E Paepae Ka Puko'a) of 0.5 to 1 acre lots located off Hana Highway along Stable Road in Spreckelsville, Pa'ia, Maui. Also proposed is the dedication of 20.93 acres as an open space conservation easement and the donation of a bike path and approximately (1) acre to the County/State for the Kaunoa Senior Center future expansion.

## Waiehu Kou 4 DHHL Subdivision (DEA)

**District:** Wailuku  
**TMK:** (2) 3-2-012:001

**Proposing Agency:** Department of Hawaiian Home Lands, State of Hawaii, 1099 Alakea Street, Suite 2000, Honolulu, Hawai'i 96813. Contact: Darrell Ing (586-3844)

**Determination Agency:** Same as above; except that the contact is Micah Kane (586-3801)

**Consultant:** Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, Hawai'i 96793. Contact: Michael T. Munkeiyo (244-2015)

### Public Comment

**Deadline:** October 8, 2004

**Status:** DEA Notice pending public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

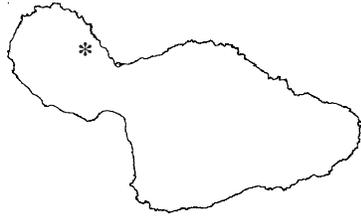
**Permits Required:** NPDES, community noise, grading and building

The Department of Hawaiian Homelands (DHHL) through its developer, WK3, LLC, proposes the development of an approximately 96-lot residential single-family subdivision at Waihe'e, Maui, Hawai'i. Identified by TMK 3-2-12:01, the project site is

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located along Kahekili Highway, at the southern extent of the village of Waihee, and immediately west of the previous three phases of the Waiehu Kou subdivisions. The site is in a rural residential area, with both fallow agricultural lands and residential subdivisions in the near vicinity. The subdivision will occupy a 35.6 acre parcel of Hawaiian home lands. House lots will range in size from 7,200 square feet to 8,000 square feet and four (4) house models will be offered as part of the house-lot package. Easements and additional lots for roadway, drainage, and utilities purposes will also be created by the proposed action. The proposed action also includes grubbing and grading for the construction and installation of roadways, utilities, and drainage systems. An onsite retention basin will be located at the northeast extent of the property. Off-site improvements include the installation a new 8-inch diameter sewer force main along Kahekili Highway, as well as the installation of curbs, gutters, and sidewalks along the property frontage and a left-turn storage lane. The proposed action addresses the need for improved house lots for residential construction and occupancy by Hawaiian homestead lessees. The estimated cost of the proposed action is approximately \$12.5 million. Construction is expected to commence in July 2005, with a duration of nine (9) months. Occupancy of completed homes is expected to occur between August 2006 and February 2007. Since the proposed action involves the use of DHHL lands and funds, as well as State and County rights-of-way, an Environmental Assessment (EA) has been prepared pursuant to Chapter 343, Hawaiian Revised Statutes and Title 11, Chapter 200 of the Hawaii Administrative Rules for the State Department of Health.



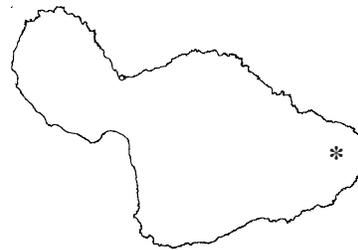
## Hana High and Elementary School Improvements (FEA-FONSI)

**District:** Hana  
**TMK:** 1-3-06:08  
**Proposing Agency:** Department of Accounting and General Services, State of Hawai'i, 1151 Punchbowl Street, Room 427, Honolulu, Hawai'i 96813. Contact: George Coates (586-0721)  
**Determination Agency:** Same as above  
**Consultant:** Munekiyo & Hiraga, Inc., 305 High Street Wailuku, Hawai'i 96793, Contact: Michael Munekiyo (244-2015)  
**Public Comment Deadline:** October 8, 2004

**Status:** Draft Environmental Assessment (DEA)  
Notice pending public comment. Address comments to the applicant with copies to the consultant and OEQC.

**Permits Required:** Special management area, NPDES, community noise, building and grading

The State of Hawai'i, Department of Accounting and General Services (DAGS) proposes facility improvements to Hana High and Elementary School. The approximate 37.8-acre site identified by TMK 1-3-06:08 is located on Hana Highway approximately 2 miles northeast of Hana, Maui, Hawai'i. Proposed im-



provements to the school facilities include a new two (2) story building housing six (6) classrooms. The first floor will house an arts and crafts classroom, a special education classroom, a special education itinerant room, a faculty center, an office, washrooms and mechanical rooms. The second floor will house two (2) general classrooms, a chemistry room, a general science room, two (2) teacher's preparation rooms and washrooms. Access between the floors will be provided by an elevator as well as three (3) stairwells. Related improvements to support the classroom building includes grading, walkway, water system, drainage, expansion to the main parking lot, an individual wastewater disposal system, leach field and landscaping. Proposed improvements to the elementary school facilities include installation of new playground equipment at two (2) play centers. Proposed improvements to the existing softball field includes two (2) dugouts (one (1) with storage), a scorer's booth, fencing, batting cage, portable bleachers, quick couplers for irrigation, hose bibs, drinking fountain and related water lines, walkways, grading, placement of top soil, grassing, skinning of the infield and related water system upgrades. The proposed new classroom building is intended to accommodate the educational requirements for the delivery of the middle school curriculum. The elementary school playground facilities improvements and softball field improvements are required to meet ADA guidelines and Federal Gender Equity Legislation, respectively. The project involves use of State of Hawai'i lands and funding, requiring the processing of an environmental assessment (EA) pursuant to Chapter 343, Hawai'i Revised Statutes (HRS). The State of Hawai'i, DAGS is acting as both the proposing agency and the determination agency for the proposed project and has determined a Finding of No Significant Impact (FONSI) for the proposed actions.

## Segmented Pier 3 Improvements at Nawiliwili Harbor, Job No. HC-7275 (DEA)

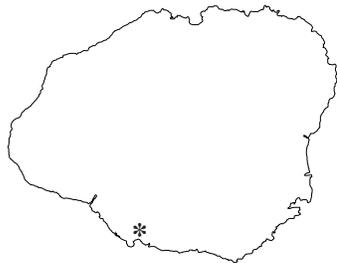
**District:** Lihu'e  
**TMK:** 3-2-03 and 3-2-04  
**Proposing Agency:** Department of Transportation - State of Hawai'i, 869 Punchbowl Street, Honolulu, Hawai'i 96813  
Contact: Marshall H. Ando (587-1961)

**Determination Agency:** Same as above  
**Consultant:** Nishimura, Katayama & Oki, Inc.  
826 Kaheka Street, Suite 302  
Honolulu, Hawai'i 96814  
Contact: George Nishimura, P.E. (947-2808)

**Public Comment Deadline:** October 8, 2004  
**Status:** Draft environmental assessment (DEA) notice pending public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

**Permits Required:** Clean Water Act §404; Water Quality Certification; Conservation District Use; and, NPDES

The main purpose of this project is to provide docking for large cruise ships at Nawiliwili Harbor. The original plan was to accommodate two (AHCL) American Hawai'i Cruise Lines' 840 foot long ships. This plan was to extend Pier 2 so these two ships could be docked in the harbor at the same time. During this time, AHCL suddenly ceased operations. The (NCL) Norwegian Cruise Lines then began regular cruise service to Nawiliwili Harbor. The ships used by the NCL are 965 feet long. To fit two 965 feet long ships along Pier 2 would be unfeasible. The next plan studied was to accommodate a second 965 feet long ship at Pier 3. Studies showed that this was not possible but an 856 feet long cruise ship could dock at the Pier 3 with improvements. **The final plan is to build a pier segment to serve as a breasting dolphin and designed to be integrated as a part of Pier 3 in the future.** Dredging will also be included in the project. Pier 1 is primarily for inter-island cargo by Matson Navigation Company. As their cargo arrives every Saturday, Pier 1 can be used by a large cruise ship in conjunction with Pier 2 at other times. Pier 3 is primarily for inter-island cargo by Young Brothers Limited. Their cargo arrives every Tuesday



and Friday. When two cruise ships are scheduled to arrive at Nawiliwili Harbor the same day, Pier 3 will be used to dock the shorter length ship when Pier 3 is not being used by Young Brothers Limited. Minor ancillary improvements include improved lighting, new comfort station, revetment wall and walkway. The cost of the project is estimated to be slightly over \$5 million. Project completion date is expected to be one year after award of contract.

## Lumaha'i Environmental Network (Weather Stations) (DEA)

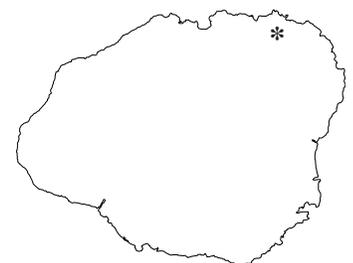
**District:** Hanalei  
**TMK:** 5-7-01  
**Proposing Agency:** University of Hawai'i - Center for Conservation Research and Training, 3050 Maile Way, Gilmore 406, Honolulu, Hawai'i 96822  
Contact: Dr. Kenneth Kaneshiro (956-6739)

**Determination Agency:** Same as above  
**Consultant:** Kaua'i Agricultural Research Station  
7370-A Kuamo'o Road, Kapa'a, Hawai'i 96746  
Contact: Dr. Adam Asquith (635-8290)

**Public Comment Deadline:** October 8, 2004  
**Status:** Draft environmental assessment (DEA) notice pending public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

**Permits Required:** Conservation District Use

The University of Hawai'i (UH), in a cooperative effort with the landowner (Kamehameha Schools), The Waipa Foundation, and The Nature Conservancy, proposes to install a network of data collection / transmission stations in the Halele'a District on the North Shore of Kaua'i. The objective of this project is to gather environmental data to help better understand, appreciate and manage the natural and cultural resources in the Lumaha'i watershed. The project involves the establishment of weather stations at four (4) different sites throughout the Lumaha'i watershed. These stations will collect and transmit data wirelessly to a base station at Limahuli



# Kaua'i Notices

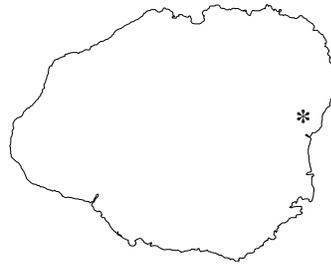
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that will then relay real-time data to managers and users of Lumaha'i. These stations will also serve as VHF radio repeaters to allow managers and users of the valley to communicate within the valley and to communicate out to emergency stations at the coast. Based on the assessment, UH concludes that the Lumaha'i Environmental Data Collection-Transmission Network will not have any significant adverse impacts on the environment and it feels that preparation of an environmental impact statement is not required.

## Kuhio Highway Improvements, Extension of Temporary Kapa'a Bypass Road, Kuhio Highway to Olohena Road (FEA-FONSI)

**District:** Kapa'a  
**TMK:** 4-3-03; 4-3-13; and 4-3-15  
**Proposing Agency:** Department of Transportation, State of Hawai'i, 3060 'Eiwa Street, Room 205, Lihu'e, Hawai'i 96796. Contact: Steven M. Kyono (274-3111)  
**Determination Agency:** Same as above  
**Consultant:** Environmental Communications, Inc., 1188 Bishop St., Suite 2210, Honolulu, Hawai'i 96813. Contact: Taeyong Kim (528-4661)  
**Status:** FEA-FONSI  
**Permits Required:** Grubbing, grading, excavation and stockpiling/repairs, building and electrical

The proposed action is located on an existing cane haul road in Kapa'a, Kaua'i, Hawai'i. The start point for the project alignment is located at the existing cane haul road entry point off Kuhio Highway, south (Wailua bound) of Haua'ala Road. The interior portions of the project alignment are located on the abandoned cane haul road in open, fall-



owed areas. Midway along the alignment, the road crosses a bridge over Moikeha Canal. The end point of the project is located at the intersection of the bypass road and Olohena Road. Improvements in this area will also include the realignment of a portion of Opala Road and the construction of a roundabout intersection between the new temporary bypass road, Olohena Road and the existing temporary bypass road. The proposed temporary Kapa'a Bypass Road extension completes the bypass circuit from Wailua through Kapa'a. Once completed, this road will allow non-stop travel above the heavily trafficked Wailua to Kapa'a segment of Kuhio Highway. The extension road will provide one-way travel in the Hanalei to Lihu'e direction. The proposed extension is located on an existing cane haul road and will not require extensive clearing or permanent construction. The alignment length is approximately 0.82 miles. For all portions of the existing asphalt roadway, the pavement will be resurfaced where base conditions are suitable. The project alignment has served as a major cane haul facility. The proposed use is not expected to significantly affect the environment. Physical improvements will occur within the existing right-of-way.

# Hawai'i Notices

## Laurance Shoreline Setback Variance in Lanihau (DEA)

**District:** North Kona  
**TMK:** (3rd) 7-5-5: 037  
**Applicant:** Dale Laurance, c/o Roy A. Vitousek III, Cades Schuttee Fleming and Wright, 75-170 Hualalai Road, Suite B-30, Kailua-Kona, Hawai'i 96740. Contact: Greg Mooers (885-6839)  
**Approving Agency:** County of Hawai'i, Planning Department, 101 Pauahi Street, Suite 3, Hilo, Hawai'i 96720. Contact: Norman Hayashi (961-8288)  
**Consultant:** Ron Terry, Ph.D., HC2 Box 9575, Keaau, Hawai'i 96720 (982-5831)

### Public Comment

**Deadline:** October 8, 2004  
**Status:** DEA Notice pending public comment. Address comments to the applicant and approving agency with copies to the consultant and OEQC.

### Permits

**Required:** Shoreline setback variance, special management area

Dale Laurance proposes to build a swimming pool and related improvements on the mauka side of a wall that forms the makai boundary of a 13,795 square foot property in the Kona Bay Estates Subdivision. The property, which was graded and filled in by the subdivision developer in 1984, currently has no structures other than the wall. Mr. Laurance was granted a SMA

# Hawai'i Notices

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Permit to build a single-family residence and related improvements, and construction has begun. The makai edge of the wall was certified as the shoreline on December 23, 2003, and the areas 20 feet mauka of the wall are thus within the Shoreline Setback Area. This wall also forms the makai boundary of neighboring lots in the Kona Bay Estates. All prior shoreline surveys have located the

shoreline for these lots well makai of the wall. As a result, the area mauka of the wall on all of the neighboring lots is not within the shoreline setback area, and thus the neighbors have been

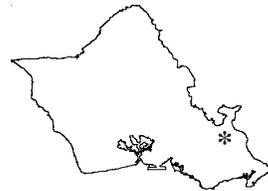
able to utilize the area mauka of the wall for structures, including swimming pools, without any detriment to environmental resources or access. The swimming pool will use a cartridge filter system that does not require any back washing. The pool will be drained about every three years into the municipal sewer system, in accordance with regulations. No water will be discharged into the ocean or into the ground water. Landscaping would use plants native and/or appropriate to coastal Kona. The cost of the improvements is estimated at \$35,000, and all funding is private (no public funds are involved). Work would begin immediately after permits are obtained, and is expected to take about one year to finish. In order to prevent adverse impacts, mitigation measures related to properly handling fuel and machinery, scheduling construction during daytime hours only, and dealing with inadvertent finds of historic sites are proposed.

## Intra-State Notices

### Short Austere Airfield Construction in the State of Hawai'i (NEPA-DEA)

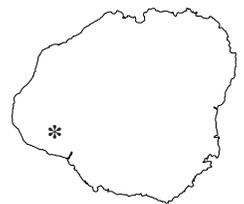
- Districts:** North Kona, Waimea, and Ko'olaupoko
- Proposing Agency:** U.S. Department of the Air Force, Pacific Air Forces, Environmental Planning Element, 75 H Street, Hickam AFB, Hawai'i 96853. Contact: Gary M. O'Donnell
- Determination Agency:** Same as above
- Consultant:** J. M. Waller Associates, Inc., 459 N. Kalaheo Avenue, Kailua, Hawai'i. Contact: Carl Woehrle, Program Manager (449-2083, or 781-1949)
- Public Comment Deadline:** October 8, 2004
- Status:** DEA Notice pending public comment. Address comments to the proposing agency and consultant.

The Air Force has prepared a draft Environmental Assessment (DEA) based on the environmental analysis that was conducted to evaluate potential impacts on the environment associated with the proposed project to construct a Short Austere Airfield



(SAAF) runway in the Hawaiian Islands. Kona International Airport (KOA) at Keahole, Hawai'i; the Pacific Missile Range Facility (PMRF), Kaua'i; and the Marine Corps Base Hawai'i (MCBH) are being considered as potential SAAF locations.

The purpose of the SAAF is to provide the Pacific Air Forces (PACAF) with an airfield to conduct aircrew training and contingency operations for its C-17 aircraft. The SAAF will include a connecting taxiway, paved shoulders, graded areas surrounding the runway, pavement marking, and airfield lighting improvements. Given the training criteria and reduced length, the runway design will accommodate landing operations only. The SAAF will be used for proficiency training with initial training being accomplished outside of Hawai'i. Additionally, when not in use for SAAF training this runway may be utilized for general aviation traffic. Copy of the Draft EA will be available for review on 8 September 2004 on the internet at [www.hickamc17.com](http://www.hickamc17.com), or at the reference desks of the aneoha State Library on O'ahu, the Waimea State Library reference desk on Kaua'i, and the Kailua-Kona Public Library on Hawai'i. Only comments received by mail will be officially considered, and must be post marked no later than 8 October 2004. Individuals wishing further information or to submit comments should contact: JM Waller Associates, Inc., Carl Woehrle, Program Manager, 459 N. Kalaheo Avenue, Kailua, Hawai'i 96734.



# Intra-State Notices

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## Seabird Interaction Mitigation Methods in the Northwestern Hawaiian Islands (NEPA-DEIS)

### Proposing

**Agency:** National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Pacific Islands Regional Office, Honolulu, Hawai'i

**Contact:** Tom Graham (973-2937), National Marine Fisheries Service, Pacific Islands Regional Office, 1601 Kapi'olani Blvd., Suite 1110, Honolulu, Hawai'i 96814

Two disparate actions with unrelated objectives affecting two fisheries currently prosecuted under different authorities are assessed in this document. The first action is intended to reduce interactions with seabirds in the Hawai'i-based longline fishery. Hawai'i-based pelagic longline fishing operations hook and kill black-footed albatrosses and Laysan albatrosses that nest in the Northwestern Hawaiian Islands. They potentially interact with the endangered short-tailed albatross. Historically, seabird interactions were most frequent with fishing vessels targeting broadbill swordfish (shallow-sets) or a mixture of swordfish and tuna (mixed-

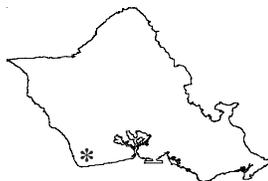
sets), and fishing near known seabird nesting (Northwestern Hawaiian Islands) or foraging areas. Vessels targeting bigeye tuna using deep-sets had about an order of magnitude lower seabird interaction rates than those targeting swordfish using shallow or mixed-sets. The swordfish sector of the fishery was closed in 2001 because of excessive interactions with endangered and threatened sea turtles, but was reopened in April of 2004 under new regulations implementing measures shown to significantly reduce sea turtle interactions in Atlantic tests. This EIS analyzes alternatives to reduce seabird interactions in the Hawai'i-based longline fleet. Various seabird interaction mitigation methods, singly and in combination, are analyzed for efficacy in reducing seabird interactions, operational practicability, ease of enforcement, and cost. The second action assessed in this document is management of the nascent U.S. high seas squid jigging fishery. Two independent sets of alternatives for management of this fishery are evaluated that would effect management regimes authorized under the High Seas Fishing Compliance Act and the Magnuson-Stevens Fishery Conservation and Management Act, respectively. Thus, this action has both regional objectives (management of squid jigging or landing of product within the U.S. EEZ in the Western Pacific Region) and national objectives (NEPA compliance for the U.S. high seas squid jigging fishery).

# Federal Notices

## Proposed Safe Harbor Agreement for Management of the Hawaiian Stilt and Hawaiian Coot, O'ahu

[Editor's note: The State Department of Land and Natural Resources notice for this project was published in the August 23, 2004, edition] The Chevron Hawai'i Refinery (Chevron) has applied to the U.S. Fish and Wildlife Service (FWS) for an enhancement of survival permit pursuant to the Endangered Species Act, (ESA). The permit application includes a proposed Safe Harbor Agreement (Agreement) between Chevron, the Service, and the Hawai'i Department of Land and Natural Resources. The proposed Agreement and permit application are available for public comment. The proposed Agreement allows for the management of nesting and foraging habitat for the endangered Hawaiian stilt (*Himantopus mexicanus knudseni*) and endangered Hawaiian coot (*Fulica alai*) at the Chevron Hawai'i Refinery.

Documents are available by contacting the FWS Office in Honolulu (see below). FWS seeks public comments on the permit application, Agreement, and Environmental Action Statement. FWS will evaluate all documents and comments submitted thereon to determine whether or not the permit application meets ESA and NEPA requirements. If



met, the Service will sign the proposed Agreement and issue an enhancement of survival permit to Chevron for the incidental take of stilts and coots as a result of otherwise lawful activities in accordance with the terms of the Agreement. Written comments must be received by September 23, 2004. Comments should be addressed to Mr. Jeff Newman, Acting Field Supervisor, U.S. Fish and Wildlife Service, P.O. Box 50088, Honolulu, Hawai'i 96850; facsimile (808) 792-9580. For details contact Ms. Arlene Pangelinan, Supervisory Fish and Wildlife Biologist at (808) 792-9400 (see, 69 F.R. 52027, August 24, 2004).

## Kaloko-Honokohau National Historical Park Advisory Commission Meeting

Na Hoapili O Kaloko Honokohau, Kaloko-Honokohau National Historical Park Advisory Commission will meet at 9 A.M., September 10, 2004 at the King Kamehameha's Kona Beach Hotel, Marina Room, Kailua-Kona, Hawai'i. The agenda will include Adoption of By-Laws, Discussions on the Park's Authorized Boundary and the Proposed Live-In Cultural Center Workshop, and Update on Park's Projects followed by a park visit. The meeting is open to the public. For details contact Kaloko-Honokohau National Historical Park at (808) 329-6881 (see, 69 F.R. 52307, August 25, 2004).



## Fishing Moratorium Extended for Hancock Seamount in the Northwestern Hawaiian Islands

The National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS) has issued a final rule, effective September 20, 2004, to extend the current moratorium on harvesting seamount groundfish from the Hancock Seamount in the Northwestern Hawaiian Islands for 6 years, until August 31, 2010. The fishery has been closed since 1986. NMFS is promulgating this final rule in response to ecommendation by the Western Pacific Fishery Management Council. The closure is intended to conserve pelagic armorhead (*Pseudopentaceros wheeleri*, formerly, *Pentaceros richardsoni*), which is an overfished stock. A regulatory impact review (RIR) was prepared for this final rule. A copy of the RIR is available from William L. Robinson, Regional Administrator, NOAA Fisheries Pacific Islands Regional Office, 1601 Kapi'olani Blvd., Suite 1110, Honolulu, Hawai'i 96814. For details contact Dr. Lewis Van Fossen, Resource Management Specialist, Sustainable Fisheries Division (808) 973-2937 (see, 69 F.R. 51400, August 19, 2004).

## Pigeonpea Pod Fly (NEPA-EA and FONSI)

The Animal and Plant Health Inspection Service (APHIS) of the U. S. Department of Agriculture has prepared an environmental assessment and finding of no significant impact relative to the control of pigeonpea pod fly, *Melanagromyza obtusa* (Malloch) (Diptera: Agromyzidae), a foreign plant pest that attacks numerous species of plants. The potential host range appears to be primarily restricted to legumes such as peas and beans, with some questionable exceptions such as okra and sesame. This pest can easily spread without detection. When the female pigeonpea pod fly punctures the legume pod and lays its eggs within, the only external evidence is varying degrees of damage caused by the punctures. Found in other countries, it also occurs in the U.S. territory of Puerto Rico. Pigeonpea pod fly is acclimated to cooler, northern climates and can tolerate dry conditions for part of the year. Thus, suitable habitat exists throughout the United States, and the potential geographical distribution of the pigeonpea pod fly in the contiguous United States is extensive. Pigeonpea pod fly could enter the contiguous United States, Hawai'i, or other U.S. territories from Puerto Rico, the Dominican Republic, or countries in the Pacific and become a serious agricultural threat to the United States. In this document, we are advising the public of APHIS' finding of no significant impact regarding the release of parasitic Chalcid wasps of the genera *Euderus*, *Eurytoma*, and *Ormyrus* to reduce the severity of pigeonpea pod fly in the United States, including its Pacific and Caribbean territories. For more, contact Dr. Dale Meyerdirk, Agriculturalist, National Biological Control Institute, PPQ, APHIS, 4700 River Road Unit 135, Riverdale, Maryland 20737-1236; telephone (301) 734-5220 (see, 69 F.R. 52488, August 26, 2004).

## Indigenous Fishing Practices and Community Based Fishing Opportunities

The National Marine Fisheries Service (NMFS) is soliciting applications for financial assistance for Western Pacific Demonstration Projects. Eligible applicants are encouraged to submit projects intended to foster and promote the use of traditional indigenous fishing practices and/or to develop or enhance western Pacific community-based fishing opportunities that benefit the island communities in American Samoa, Guam, Hawai'i, and the Northern Mariana Islands. Projects may also request support for research and the acquisition of materials and equipment necessary to carry out such project proposals. Project proposals and completed grant applications must be received by 5:00 P.M. Hawai'i standard time on October 25, 2004. Proposals and grant applications need to be sent to: Federal Program Officer for Western Pacific Demonstration Projects, Pacific Islands Region, National Marine Fisheries Service, 1601 Kapi'olani Boulevard, Suite 1110, Honolulu, Hawai'i 96814. Contact Scott Bloom (NMFS) or Charles Ka'ai'ai (Western Pacific Fishery Management Council) respectively at 973-2937 or 522-8220 for details (see, 69 F.R. 52490, August 26, 2004).

## Gamma Imaging Inspection System Programmatic Environmental Assessment (NEPA-PEA)

The U.S. Department of Homeland Security, U.S. Customs and Border Protection has prepared a final Programmatic Environmental Assessment (PEA) for the Gamma Imaging Inspection Systems. The Vehicle and Cargo Inspection System referenced in this PEA will be used at various ports of entry throughout the United States and Puerto Rico and is designed to provide a significant nonintrusive (gamma ray) inspection capability to assist the U.S. Customs and Border Protection om its mission to prevent the entry of illegal entrants, terrorist entry, drugs and other contraband into the United States. A draft supplemental environmental assessment will be issued, covering each local site affected to assess the environmental impact on local conditions. The Final PEA is available online on the U.S. Customs and Border Protection website at <http://www.cbp.gov/cgov/toolbox/legal>.



# Shoreline Notices

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## 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 (808) 587-0384.

File No.	Date	Location	Applicant/Owner	TMK
MO-085	8/27/04	Lot 3 of the Kawela Beach Lots Subdivision, land, situated at Kawela, Island of Moloka'i, Hawai'i. Address: Not Assigned. Purpose: Building Permit	Newcomer-Lee Land Surveyors, Inc./George P. Denison 3 <sup>rd</sup>	5-4-13: 08
MA-136-2	8/27/04	Parcel 11 of a Portion of Grant 548, land situated at Kihei, Island of Maui, Hawai'i. Address: 3180 South Kihei Road. Purpose: Determine Setback	Tanaka Engineers/Matthew G. Norton Co.	2-1-10: 11

## 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 Board of Land and Natural Resources, 1151 Punchbowl Street, Room 220, Honolulu, Hawai'i 96813.

Case No.	Proposed Shoreline Certifications	Location	Applicant	TMK
HA-241-2	Withdrawal of proposed Shoreline Certification as published 8/8/04. Further review	The Whole of Grant 1997 to Kauwe, land situated at Pao'o 2-6, North Kohala, Island of Hawai'i, Hawai'i. Address: Vacant. Purposes: Building Permit	Wes Thomas Associates/ Jonathan Cohen	5-7-01: 05
HA-278	Withdrawal of proposed Shoreline Certification as published 8/8/04. Further review	Lot 14 of Land Court Application 1793 (Map 3), land situated at Puapua'a 2 <sup>nd</sup> , North Kona, Island of Hawai'i, Hawai'i. Address: Vacant (Not Assigned). Purpose: Building Permit.	KKM Surveys/Ikona Tomasini	7-5-35: 10
OA-675A-2	Proposed Shoreline Certification, 8/25/04	Lot 24 of Land Court Application 446 (Map 8), land situated at Ka'alaea, Ko'olaupoko, Island of O'ahu, Hawai'i. Address: 47-745C Kamehameha Highway. Purpose: Determine Setback	Jamie F. Alimboyoguen/Don Caindec	4-7-17: 11
OA-996	Proposed Shoreline Certification, 8/25/04	Lot 216 of Land Court Application 1095 (Map 5), land situated at Kawela Beach Lots, Kawela, Ko'olaupoko, Island of O'ahu, Hawai'i. Address: 57-320 Pahipahialua Street. Purpose: Determine Setback	Austin Tsutsumi & Associates, Inc./Toru Akehi	5-7-03: 54
MA-309	Rejected, 8/4/04	Lot 8 of the Pu'unoa Subdivision No. 3 (F.P. 575), land situated at Pu'unoa, Lahaina, Island of Maui, Hawai'i. Address: 19 Kamaka Circle. Purpose: Building Permit	Arthur Valencia/Clay and Kris Rodrigues	4-5-03: 07
OA-992	Rejected, 8/4/04	Lot 16 of Pine Wood Beach Tract (F.P. 459), land situated at Mokuleia, Waialua, Island of O'ahu, Hawai'i. Address: 68-001 La'au Paina Place. Purpose: Determine Setback	Jamie F. Alimboyoguen/Mike Ells	6-8-09: 10
OA-914-2	Rejected, 8/25/04	Portion of Lot 2697, as shown on Map 274 of Land Court Application 1069, land situated at Honouliuli, 'Ewa, Island of O'ahu, Hawai'i. Address: 91-101 Papipi Road. Purpose: Park Improvements	R.M Towill/City and County of Honolulu	9-1-12: 25 (por)

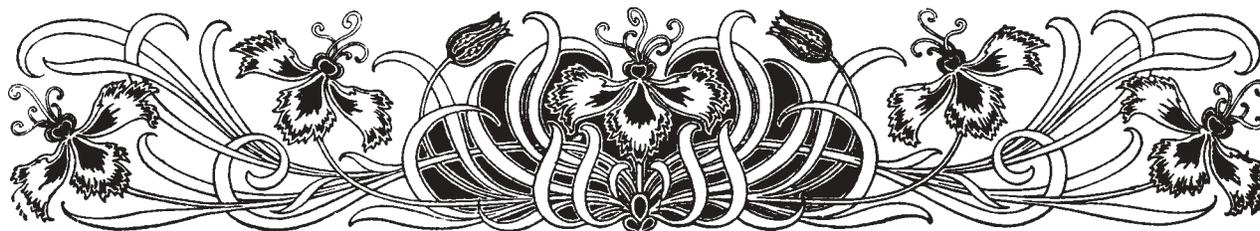
# Pollution Control Permits

SEPTEMBER 8, 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.

Branch Permit Type	Applicant & Permit Number	Project Location	Pertinent Date	Proposed Use
Clean Air Branch, 586-4200, Temporary Noncovered Source Permit	R.H.S. Lee, Inc., NSP 0449-01-NT (Renewal)	Current Location: Primary Crusher - Kunia Business Industrial Park, Kunia, O'ahu; Secondary Crusher - 96-1414 Waihona Place, Pearl City, O'ahu	Issued: 8/9/04	500 TPH Portable Crushing and Screening Plant with Two (2) 318 Hp Detroit Diesel Engines
Clean Air Branch, 586-4200, Covered Source Permit	Tesoro Hawai'i Corporation, CSP 0089-01-C (Modification)	140-A Hobron Avenue, Kahului, Maui	Issued: 8/10/04	Maui Petroleum Bulk Loading Terminal
Clean Air Branch, 586-4200, Noncovered Source Permit	City and County of Honolulu, NSP 0216-05-N (Renewal and Modification)	1350 Sand Island Parkway, Honolulu, O'ahu	Issued: 8/13/04	Sand Island Wastewater Treatment Plant
Clean Air Branch, 586-4200, Temporary Covered Source Permit	CTS Earthmoving, Inc., CSP 0562-01-CT	Various Temporary Sites, State of Hawai'i. Initial Location: UTM - 813,480 m E and 2,181,800 m N (NAD 83), Kona, Hawai'i	Issued: 8/16/04	1,500 TPH Portable Crushing and Screening Plant
Clean Air Branch, 586-4200, Temporary Noncovered Source Permit	Hawaiian Dredging Construction Company NSP 0448-01-NT (Renewal)	Various Temporary Sites, State of Hawai'i. Current Location: Home Depot Site, Hilo, Hawai'i	Issued: 8/16/04	225 TPH Portable Screener
Clean Air Branch, 586-4200, Noncovered Source Permit	Northern Entertainment Productions, Inc., NSP 0570-01-N	2833 Pa'a Street, Honolulu, O'ahu	Issued: 8/17/04	1,855 and 1,350 HP Diesel Engine Generators
Clean Air Branch, 586-4200, Noncovered Source Permit	Cremation Services of West Hawai'i, NSP 0566-01-N	73-4177 Hulikoa Drive, Kailua-Kona, Hawai'i	Issued: 8/19/04	One (1) 150 lb/hr Human Crematory Unit and One (1) 150 lb/hr Animal Crematory Unit
Clean Air Branch, 586-4200, Noncovered Source Permit	Equilon Enterprises, LLC NSP 0262-02-N	3145 Wa'apa Road, Lihu'e, Kaua'i	Issued: 8/19/04	Nawiliwili Petroleum Terminal



# Coastal Zone News

SEPTEMBER 8, 2004

## 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: Office of Planning, Department 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.

### Install & Operate Stream Gage on Kamalo Gulch, Moloka'i

**Applicant:** U.S. Geological Survey, Contact: Barry Hill, Assistant District Chief (587-2407)  
**Federal Action:** Federal Agency Activity  
**Location:** Kamalo Gulch, Moloka'i  
**TMK:** (2)5-5-1:16  
**CZM Contact:** John Nakagawa, 587-2878  
**Comments Due:** September 15, 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); Kaka'ako Special Design District (587-2878).

Location (TMK)	Description (File No.)	Applicant/Agent
Honolulu: 'Ewa (9-1-57-1)	'Ihilani Saltwater Pond Intake Renovations (2003/SMA-69)	Hida, Okamoto & Associates
Kaua'i: Koloa (2-6-15-01)	Subdivision of seven (7) lots SMA(M)2005-03	Kukui'ula Development
Maui: Lahaina (4-7-1-17)	Construct ADA accessible sidewalk (SM2 20040083)	County Department of Parks & Recreation
Maui: Ka'anapali (4-4-1-97 & 103)	Repair Aston Ka'anapali (SM2 20040084)	Munekiyo & Hiraga, Inc.
Maui: Kihei (3-9-8-6)	Demo garage, carport and etc (SM2 20040085)	Wagner, Nick
Maui: Kihei (3-9-36-51)	Olson pool & spa (SM2 20040086)	Wagner, Nick

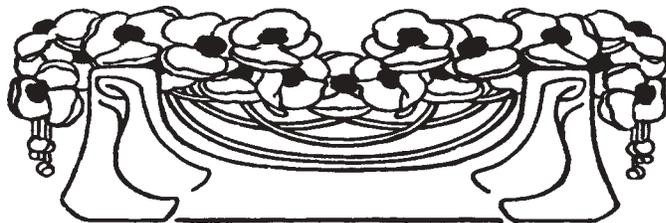
### Proposed Action:

Construct and operate a stream gage on Kamalo Gulch to monitor streamflow and suspended sediment loads. A wooden shelter measuring 4 feet by 6 feet by 6 feet will be bolted to a concrete pad at the top of the stream bank and will house instruments. Two 2-inch steel pipes will extend from the shelter to the stream.

### Install & Operate Stream Gage on Kawela Gulch, Moloka'i

**Applicant:** U.S. Geological Survey, Contact: Barry Hill, Assistant District Chief (587-2407)  
**Federal Action:** Federal Agency Activity  
**Location:** Kawela Gulch, Moloka'i  
**TMK:** (2)5-4-1:26  
**CZM Contact:** John Nakagawa, 587-2878  
**Comments Due:** September 15, 2004  
**Proposed Action:**

Construct and operate a stream gage on Kawela Gulch to monitor streamflow and suspended sediment loads. A wooden shelter measuring 4 feet by 6 feet by 6 feet will be bolted to a concrete pad at the top of the stream bank and will house instruments. Two 2-inch steel pipes will extend from the shelter to the stream.

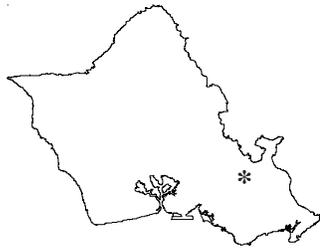


## Special Management Area Documents (Chapter 25, Revised Ordinances of Honolulu)

Since SMA-only (Chapter 25, ROH) documents do not trigger the EIS law as articulated in Chapter 343, Hawai'i Revised Statutes, as of September 1, 2001, OEQC no longer reviews 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.

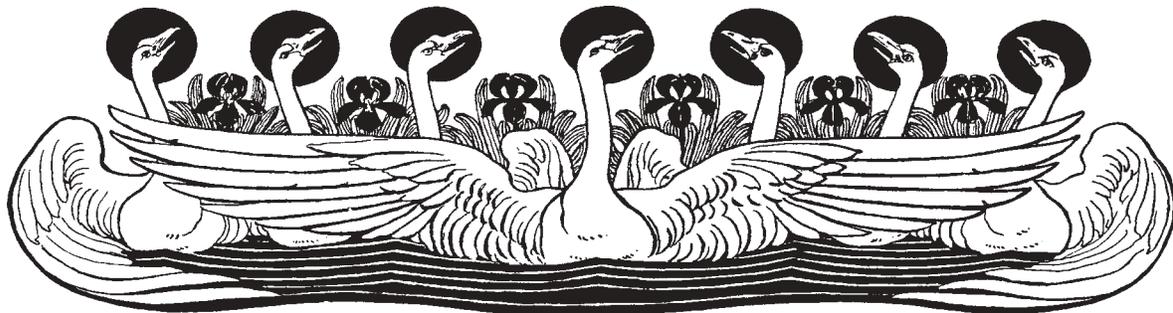
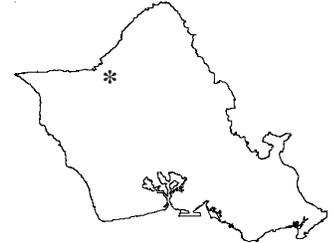
### Schrader SMP and 6-unit Cluster Housing Development ("He'eia Kai Cluster"), Kane'ohe

The applicant (Ralph A. Schrader, 47-407 Kamehameha Highway, Kane'ohe) proposes to develop a 6-unit cluster housing project on 2 residential lots (total of 39,107 square feet) in Kahalu'u, one of which is a shoreline lot fronting Kane'ohe Bay. The 2 lots will later be consolidated through DPP subdivision action. The site is subject to a 5-foot road-widening setback. The project consists of: one 2,195-square foot single-family dwelling (3 bedrooms, 2-1/2 bathrooms); three 2,322-square foot single-family dwellings (4 bedrooms, 3 bathrooms); and, two 2,537-square foot single-family dwellings (4 bedrooms, 3 bathrooms). All dwellings are 2 stories, and each has an attached 2-car garage. Five visitor parking spaces will be provided. According to the applicant, the elevation of Kamehameha Highway is at 38 feet (msl) and the lower portion of the site is at elevation 8 feet (msl). A 20-foot wide concrete driveway (with a 19 percent slope) will provide access from the highway. Retaining walls will be used along the sides of the driveway. All existing structures will be demolished with the exception of a boathouse. The boathouse will be repaired and will remain as a project amenity. It is not a dwelling unit. The shoreline setback area will be landscaped. The applicant has not provided a certified shoreline survey drawing, so it is not yet known if a shoreline setback variance will be required. A certified shoreline survey must be provided prior to the final document. Please contact Pamela Davis at 523-4807 for additional information.



### Anahulu Centre, Hale'iwa

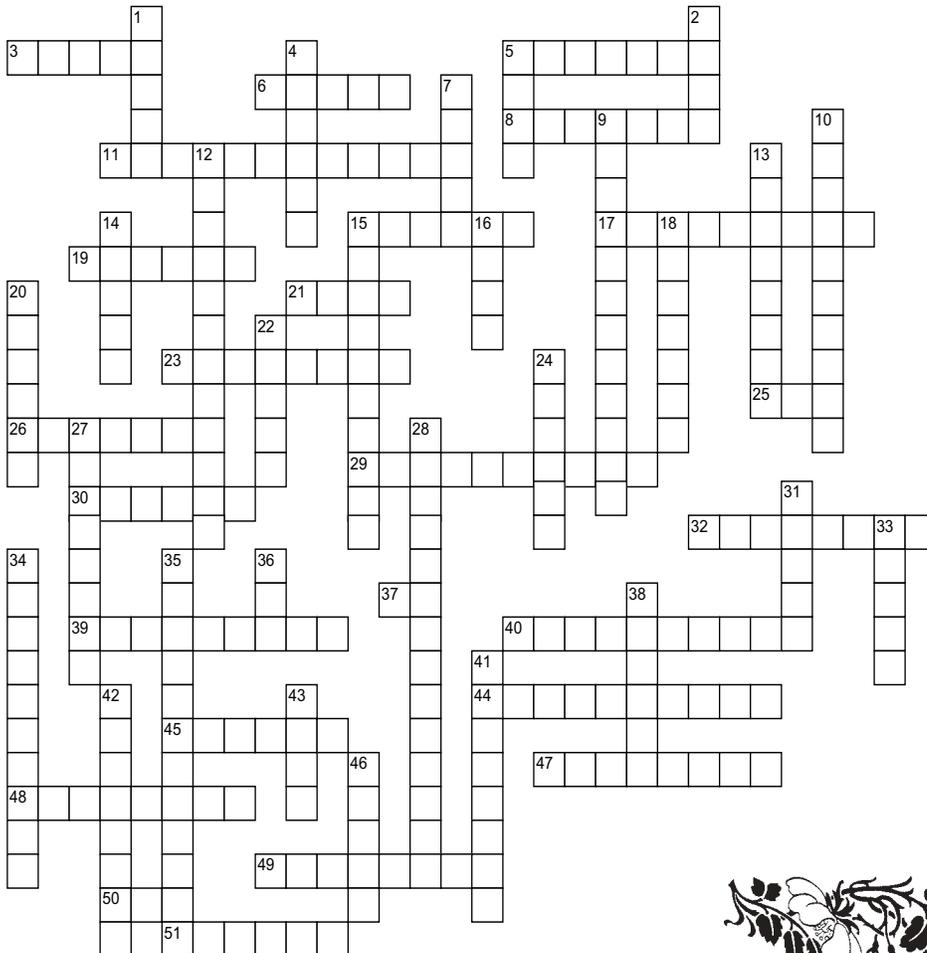
The applicant (Julia Simone, 66-030 Kamehameha Highway, Hale'iwa) proposes to construct a new 3-story commercial office building at the old Hawaii Thrift and Loan (Bishop Bank) Building in Hale'iwa. The new building would be constructed behind the existing building, which will be retained. The new building would have a partially excavated (3 feet) parking area under the 2 floors of office space. The new building will require the installation of an individual wastewater system (IWS). Additional landscaping and the repainting, roofing and minor repairs to the existing building are proposed. The entire site is located within the Special Management Area and therefore requires the approval of a SMA Use Permit from the Honolulu City Council. The proposed building, located in the B-1 Neighborhood Business District, also exceeds the 30-foot height limit and will require a Zoning Height Variance from the Department of Planning and Permitting. The site is also in the Hale'iwa Special Design District and will require the approval of a Major Special District (SDD) permit. The total cost of the proposed project is estimated at \$800,000. For details, contact Steve Tagawa at 523-4817.



# Environmental Tip

SEPTEMBER 8, 2004

“*Ua mau ke ‘ea o ka ‘aina i ka pono*”



OEQC 8-23-2004

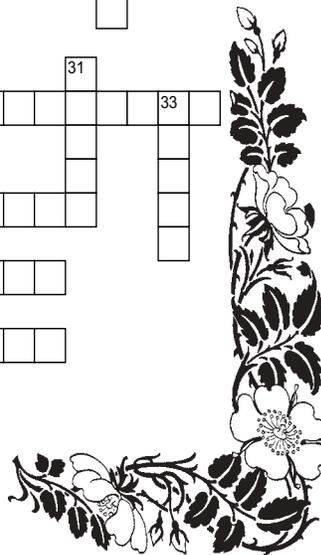
## Across

- 3 *Aleurites mollucana* (Hawaiian)  
 5 active volcano on Hawai‘i  
 6 French engineer (1803-1858) who formulated a law (named after him) that relates groundwater discharge, hydraulic conductivity, length of the flow path, area through which flow is occurring, and difference in elevation of ground water levels  
 8 leaves of the *Pandanus* spp. (Hawaiian)  
 11 What section 11-200-7, Hawaii Administrative Rules prohibits  
 15 that portion of vegetation that first intercepts solar radiation  
 17 determination by an agency that an environmental assessment is not needed  
 19 acronym for federal law governing native remains  
 21 teacher or source (Hawaiian)  
 23 *Erythrina* tree (Hawaiian)  
 25 coconut (Hawaiian)  
 26 name of the rain in Manoa valley (Hawaiian)

- 29 adjective used to qualify a naturally occurring organism found natural in an area, but also in other areas  
 30 any individual, partnership, firm, association, trust, estate, private corporation, or other legal entity other than an agency  
 32 a measure of the water storage capacity of any subsurface material usually expressed in percent pore space  
 37 *Cordyline terminalis* (Hawaiian)  
 39 any person who, pursuant to statute, ordinance, or rule, officially requests approval from an agency for an action.  
 40 Native Hawaiian duck (*Anas wyvilliana*) found mostly on Kaua‘i in montane stream habitat  
 44 adjective describing small bodies of water located near the ocean with no surface connection but with measurable salinity and tidal rhythms  
 45 any program or project to be initiated by an agency or applicant  
 47 pass in the Wai‘anae Range that allows direct vehicular access from Nanakuli to Wahiawa  
 48 sedimentary material deposited on land surface by streams  
 49 a wahipana of the Ka‘u district consisting of a deep water hole inland from Ka Lae (South Point)  
 50 current acronym for the periodic bulletin required by Section 343-3, HRS  
 51 any department, office, board, or commission of the state or county government which is part of the executive branch of that government

## Down

- 1 the status or role of an organism in its environment  
 2 screwpine of the genus *Pandanus* (Hawaiian)  
 4 a bird of prey  
 5 tuber (*Colocasia esculenta*) used as Hawaiian staple  
 7 Hawaiian name for dragonflies (*Megalagrion* spp.)  
 9 adjective used to qualify an organism having two different alleles (alternate forms of a gene) controlling a particular feature  
 10 adjective used to qualify an organism having two same alleles (alternate forms of a gene) controlling a particular feature  
 12 genus of ‘ohi‘a (Latin)  
 13 any change in the original genetic information encoded in a gene; or the creation of a new allelic form of a gene  
 14 geological term for topography consisting of irregular spines and intervening hollows with a vertical relief of several



# Environmental Tip

SEPTEMBER 8, 2004



- centimeters, resulting when limestone undergoes chemical weathering
- 15 type of effect on the environment that results from the incremental effect of the action when added to other past, present, and reasonably foreseeable future actions regardless of whether the agency or person undertakes such other actions
- 16 acronym for landmark Hawai'i Supreme Court decisions starting in 1995, dealing with native Hawaiian gathering rights
- 18 adjective used to qualify a naturally occurring organism found only in a particular area
- 20 Hawaiian word for an "island" of land (older lava flow with vegetation) surrounded by more recent lava flow (often without vegetation)
- 22 determination based on an environmental assessment that an EIS is required
- 24 genus for the nene (Latin)
- 27 discretionary consent required from an agency prior to actual implementation of an action
- 28 only type of applicant appeal set forth in the administrative rules under Chapter 343, HRS
- 31 acronym for determination by an agency based on an environmental assessment that a given action not otherwise exempt does not require the preparation of an EIS
- 33 accumulation of rock debris at the base of a cliff
- 34 name of a rain in Honolulu
- 35 Genus for the minute red pond shrimp ('opae 'ula)
- 36 *Acacia* tree (Hawaiian)
- 38 important food for the palila (*Sophora chrysophylla*)
- 41 lava with smooth or ropey appearance

- 42 a mammal with hooved feet
- 43 leeward (Hawaiian) and old name for the Honolulu district
- 46 term used to qualify groundwater discharge into the ocean often noticed by swimmers as zones of unusually cold water and sometimes discernible due to the difference in refractive index between fresh and salt water

*Solution in the October 8, 2004, issue*

## Suggested reading and further study

Mary Kawena Puku'i, Samuel H. Elbert & Esther T. Mo'okini, *Place Names of Hawai'i* (Revised and expanded edition), The University Press of Hawai'i, Honolulu, 1981.

Gordon A. Macdonald, Agatin T. Abbott & Frank L. Peterson, *Volcanoes in the Sea - The Geology of Hawai'i*, University of Hawai'i Press, Honolulu, 1986.

Charles P. Stone, Danielle B. Stone, Editors, *Conservation Biology in Hawai'i*, University of Hawai'i, Cooperative National Park Resources Studies Unit, Honolulu, 1989.

Office of Environmental Quality Control, Department of Health, State of Hawai'i, *A Guidebook for the Hawaii State Environmental Review Process*, Honolulu, June 2004

# Environmental Council

## September 29, 2004, Meetings

The Environmental Council of the Department of Health and its various standing and ad hoc committees are scheduled to meet on September 29, 2004, at various times and rooms in Leiopapa A Kamehameha, 235 South Beretania Street, Honolulu. For details, please check agenda no earlier than six days in advance of the meeting (on September 23, 2004) at the Calendar Meeting Announcements website at

[http://www.ehawaii.gov.org/serv/eventcal?PF=hic&Clist=81&\\_action=View+Calendar](http://www.ehawaii.gov.org/serv/eventcal?PF=hic&Clist=81&_action=View+Calendar).

Call the Office of Environmental Quality Control at (808) 586-4185 if you have any questions regarding Environmental Council business. If you would like to be placed on an electronic mail notification list for Environmental Council meetings, please send an electronic mail to Leslie Segundo, Environmental Health Specialist at LSEGUND@mail.health.state.hi.us.

## Organization of the Environmental Council

At its June 9, 2004, meeting, the Environmental Council in quorum assembled unanimously approved the election of **Victor Kimura** as *Chairperson* (in accordance with Section 341-3(c), Hawai'i Revised Statutes), and **Faith Caplan** as *Vice-Chairperson* (in accordance with Section 11-201-4, Hawai'i Administrative Rules). The Environmental Council also approved the following Committee chairs: **Victor Kimura** (*Standing Committee on the Annual Report*); **Denise Antolini** (*Standing Committee on Administrative Rules*); **Gail Grabowsky** (*Standing Committee on Education*); **D'Arcy Kerrigan** (*Standing Committee on Legislation*); **Faith Caplan** (*Standing Committee on Exemption Lists*); and **Shad Kane** (*Ad Hoc Committee on Cultural Consultants*).

