

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

GENEVIEVE SALMONSON
DIRECTOR, OEQC

*The Environmental Notice -
review the environmental impacts of
projects proposed in Hawai'i!*

Other Resources available . . .

- *June 2004 Guidebook for Hawai'i's Environmental Process (now, Online!)*
- *Environmental Assessments in Adobe Acrobat PDF Format (1990-2003) and Study Resource Library*
- *Environmental Council Annual Reports (now, Online!)*
- *"How to Plant a Native Hawaiian Garden" (now online!)*

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NOVEMBER 8, 2004

Keahole Generating Station

HELCO has submitted a draft EIS for the reclassification from conservation to urban of the lands on which its Keahole and airport substations are located, and a related county zone change from Open to General Industrial. The substations were constructed in 1973; reclassification would reflect current use. The DEIS also covers construction described in a 1993 EIS but not completed. Other activities covered include new emissions controls, installation of a steam turbine with a selective catalytic reduction system (allowing use of waste heat), withdrawal from an existing brackish water well, and other improvements and upgrades at the airport substation. See page 7.

Ocean Pointe Elementary at Ewa Beach

The Dept. of Accounting & General Services has submitted an EA for a new elementary school in Ewa Beach, to be located on a vacant 12-acre parcel on Keoneula Blvd., one block from Fort Weaver Road. The land, to be transferred to DLNR by July 2006, is currently owned by Haseko, which has already installed utility lines, sewers and storm drains. The new school will become part of the Campbell Complex. Expected enrollment at Ocean Pointe will be 725 students. See page 4.

Maui Lani District Updates

Maui Lani 100 has submitted an EA covering proposed plan updates for 130 acres in the Waikapu area of the Maui Lani District. The updates will require a State Land Use District Boundary Amendment from Agricultural to Urban and a county zone change from Agricultural to Project District. The new proposals include 500 multi-family and single-family residential units (51% affordable); VMX (village mixed use) zoning, allowing commercial uses at street level with apartments above; open space; a 19-acre regional park; and 14 acres of roadways and bike/pedestrian paths. See page 6.

Environmental Tip: Protect children from lead poisoning

- Get kids tested for lead by their doctor or health care provider.
- Test your home for lead paint hazards if it was built before 1978.
- Wash children's hands before they eat;
- Wash bottles, pacifiers, and toys often.
- Wash floors and window sills to protect kids from dust and peeling paint contaminated with lead — especially in older homes.
- Run the cold water for at least 30 seconds to flush lead from pipes.

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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.

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 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 Environmental Assessment and Finding of No Significant Impact

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 Environmental Assessment and Environmental Impact Statement Preparation Notice

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 the 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 Environmental Impact Statement

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 Environmental Impact Statement

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.

National Environmental Policy Act

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 OEQC publishes NEPA notices in this periodic bulletin to help keep the public informed of important federal actions.

Special Management Area

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

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Revision to 'Ewa Nonpotable Water System Expansion (HRS 343 DEA)

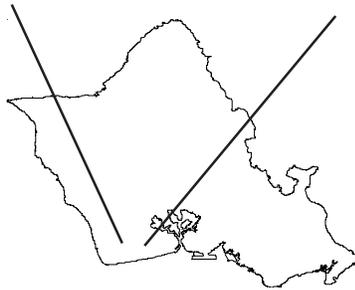
District: 'Ewa
TMK: 9-1; 9-2-02; and 9-2-03
Proposing Agency: Board of Water Supply, City and County of Honolulu, 630 S. Beretania St., Honolulu, Hawai'i 96843

Determination Agency: Same as above.
Consultant: Gray, Hong, Nojima & Associates, Inc., 841 Bishop Street, Suite 1100, Honolulu, Hawai'i 96813 Contact: Scott Muraoka (748-5842)

Public Comment Deadline: December 8, 2004
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

Permits Required: Street Usage; Building; Trenching; Building; NPDES General Permit Coverage Form C and G; Community Noise Control

The following is a re-publication of the Draft Environmental Assessment for the Expansion of the 'Ewa Nonpotable Water System, which was originally published on July 23, 2004. There have not been substantive technical changes to the proposed project. The project may be funded by Federal Funds through the State of Hawai'i's Clean Water State Revolving Fund (SRF) Program, which would constitute a federal action, and will require the project to meet all National Environmental Policy Act (NEPA) and Hawai'i SRF program Requirements. The revised Draft EA addresses impacts and compliance with the cross-cutting federal authorities, as well as comments that were received during the original 30-day comment period. The Board of Water Supply (BWS) presently owns and maintains the municipal nonpotable (or non-drinking) water system in the 'Ewa district. The existing storage and distribution system currently has the capacity to provide approximately 12 million gallons per day (MGD) of nonpotable water that is used for the irrigation of golf courses, parks, and greenbelts, as well as industrial processing. Due to the projected increasing demand for drinking water and the limited basal groundwater supply on O'ahu, the BWS plans to expand the nonpotable storage and transmission system, which will facilitate the use of nonpotable water in greater amounts. In turn, this will relieve some of the potable supply that may be preserved for drinking water needs. The BWS estimates an ultimate nonpotable water demand of up to 26 MGD in the Ewa district. The expansion will be constructed in three phases of various projects over the next 15-plus years, including approximately 44 miles of distribution mains, ranging in diameter from 4 to 36 inches, located primarily within existing state and county road and highway rights-of ways.



Ocean Pointe Elementary School (HRS 343 DEA)

District: 'Ewa
TMK: 9-1-012:040
Proposing Agency: State of Hawai'i Department of Accounting and General Services, Public Works Division, P.O. Box 119, Honolulu, Hawai'i 96810-0119. Contact: Gaylyn Nakatsuka (586-0487)

Determination Agency: Same as above.
Consultant: Planning Solutions, Inc., 210 Ward Avenue, Suite 330, Honolulu, Hawai'i 96813. Contact: Perry J. White (550-4483)

Public Comment Deadline: December 8, 2004
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

Permits Required: Building permits, NPDES, construction

The State of Hawai'i Department of Accounting and General Services (DAGS) is proposing to construct a new elementary school to service the fast-growing 'Ewa Plain. The school would be located on a 12-acre parcel of land abutting Keone 'ula Boulevard near the northeastern corner of the Ocean Pointe project. Ocean Pointe Elementary School would become part of the Campbell Complex, which comprises all public elementary and intermediate schools within the service area of James Campbell High School and the high school itself. The proposed site is currently owned in fee by HASEKO (Ewa), Inc.; ownership of

the property is planned to be transferred to the State of Hawai'i Department of Land and Natural Resources prior to commencing operation in July 2006. HASEKO (Ewa), Inc. has already cleared and graded the site in accordance with its master grading plan, and it is currently vacant. HASEKO (Ewa), Inc. has installed the off-site electrical power, water, sewer, and storm drain infrastructure needed to serve the school site. The proposed Ocean Pointe Elementary School is intended to accommodate the additional elementary school students from new homes being constructed in the Ocean Pointe and surrounding areas.

Plans for the school call for it to have approximately 70,000 net square feet of floor area in three classroom buildings, a cafeteria, an administration building, a student services center, and a library. The plans for the new school also include several outdoor congregation and play areas with playground equipment and two parking areas with associated driveways and turnarounds. Environmental impacts associated with the project are expected to be limited to small, temporary increases in noise during the construction phase, and increased traffic along Keone'ula Boulevard and Kaileole'a Drive during peak drop-off and pick-up hours. The Draft EA describes features that are designed into the school with the intent of minimizing impacts on traffic. As such, DAGS is proposing to issue a Finding of No Significant Impact for the project.

Windward Spouse Abuse Shelter Improvements (HRS 343 FEA-FONSI)

District: Ko'olauloa
TMK: Withheld for Security Reasons
Applicant: Windward Spouse Abuse Shelter, Inc.
P.O. Box 1955, Kailua, Hawai'i 96734
Contact: Avis Jervis (528-1033)
Approving Agency: City and County of Honolulu, Department of Community Services, 715 South King Street, No. 311, Honolulu, Hawai'i 96813. Contact: Paul Taniguchi (523-4495)
Consultant: Environmental Communications Inc., 1188 Bishop Street, No. 2210, Honolulu, Hawai'i 96813. Contact: Taeyong Kim (528-4661)
Public Comment Deadline: December 8, 2004
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).
Permits Required: Building

The Windward Spouse Abuse Shelter is a group living facility located in a residential district in the Windward O'ahu. The facility serves as a sanctuary and transitional facility for abused women and children. The site offers limited on-site parking behind a security fence. Up to three cars can be parked on the concrete paving that covers the majority of the project parcel. The uncovered parking area is accessed immediately off the secured driveway. Clients are often required to enter extremely hot vehicles or walk to the shelter's cars in the rain. Clients are often accompanied by infants, therefore a sheltering roof is highly desirable. To alleviate these conditions a temporary tent was erected to serve as a carport. The structure did not adequately serve the facility nor was it able to withstand long-term use therefore it was removed. The proposed improvements consist of a permanent simple roof structure that will provide a degree of shade for the facilities automobiles and for the adjacent community room. The carport is consistent with the uses allowed by the zoning code for the property. The improvement will not adversely affect any of the functions of the facility but will greatly enhance the comfort of the residents as well as protect the facilities vehicles. The project will use Community Development Block Grant funds for the proposed improvements.

Waipahu Ash Landfill Closure (HRS 343 FEA-FONSI)

District: 'Ewa
TMK: 9-3-02: 2, 27, Por. 9, 1, and 28
Proposing Agency: City and County of Honolulu, Department of Environmental Services, 1000 'Ulu'ohi'a Street, Suite 212, Kapolei, Hawai'i 96707. Contact: James Louis (692-5832)
Determination Agency: Same as above.

Consultant: Earth Tech, Inc., 841 Bishop Street, Suite 500, Honolulu, Hawai'i 96813. Contact: Karl Bromwell (523-8874)
Status: FEA-FONSI
Permits Required: CDUA, Army-404, Grading, SMA, SSV, 401-WQC, NPDES, CZM Consistency Determination

The City and County of Honolulu (City), Department of Environmental Services, Refuse Division, intends to construct a final cover for the existing Waipahu Ash Landfill (Landfill). The 49-acre Landfill is on Navy, state, and city-owned land at Waipi'o Peninsula. Access to the site is from the north and is provided by Waipahu Depot Street, which runs south from the intersection with Farrington Highway. The access gate to the Landfill is located across from the closed Waipahu Incinerator. The site is southeast of Kapakahi Stream and abuts the West Loch of Pearl Harbor on the west and south perimeter. Former irrigation ponds operated by O'ahu Sugar are present along the east side of the site. Further to the east, the City has recently constructed the Waipi'o Peninsula Soccer Park. A bird sanctuary (Pouhala Marsh) is planned for the area northwest of the site north of Kapakahi Stream. The City's Police Training Academy and Ted Makalena Golf Course lie to the northeast, east of Waipahu Depot Street. A residential area is located 0.4 mile to the north. The Landfill is a modified area fill that was operated from the early 1960s until November 1991. The landfill was originally operated as an open burn facility, where municipal solid waste (MSW) was deposited and burned in place. Open burning at the site ceased in 1970 following the adoption of air standards. Unburned MSW was placed at the site for a short period from 1970 until 1972, when the Waipahu Incinerator was completed. At that time, the site was closed to MSW and was used exclusively as an ash landfill. Following closure of the Landfill in November 1991, ash from the Waipahu Incinerator was disposed of at the Waimanalo Gulch Sanitary Landfill (in West O'ahu) until the incinerator's closure in 1994. Calculations performed using the existing topography indicate that the closure area has received approximately 2 million cubic yards of fill. It is estimated that approximately 0.9 million cubic yards of the fill is ash from the Waipahu Incinerator, and the remaining 1.1 million cubic yards consists of ash from burned-in-place refuse and unburned MSW. The proposed construction will be performed in accordance with the applicable Resource Conservation and Recovery Act (RCRA) Subtitle D and HAR Title 11 Chapter 58.1 requirements for MSW landfills. In addition, because the Landfill is partially located within the Pearl Harbor Naval Complex, which is included in the Environmental Protection Agency (EPA) National Priorities List (NPL), closure of the landfill will comply with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). CERCLA requires protection of human health and the environment, and compliance with applicable or relevant and appropriate requirements. After closure construction is complete, the Landfill site may also be used for recreational purposes as the City has plans to build a soccer park; however, such use is not part of the current proposed action. No significant impacts are anticipated during landfill closure construction. Short-term impacts to air quality, water quality, and ambient noise levels may occur during the construction phase of the proposed action. Impacts will be mitigated by incorporating appropriate



appropriate requirements. After closure construction is complete, the Landfill site may also be used for recreational purposes as the City has plans to build a soccer park; however, such use is not part of the current proposed action. No significant impacts are anticipated during landfill closure construction. Short-term impacts to air quality, water quality, and ambient noise levels may occur during the construction phase of the proposed action. Impacts will be mitigated by incorporating appropriate

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ate Best Management Practices and by complying with required permit conditions. In the long-term, positive impacts are anticipated to several resources from the project by eliminating receptor contact with potential landfill contaminants, reducing soil erosion and leachate into Pearl

Harbor, and controlling landfill gas venting. The project is also anticipated to have a beneficial long-term impact on visual aesthetics, socio-economic, and land use resources. A 30-year groundwater-monitoring program will also be implemented as required by RCRA.

Maui Notices

Revised Lahaina Wastewater Pump Station Nos. 5 and 6 Force Main Improvements (HRS 343 DEA)

District: Wailuku
TMK: 3-2-012:001
Proposing Agency: County of Maui Department of Public Works & Environmental Management, 200 South High Street, Wailuku, Hawai'i 96793. Contact: Eric Nakagawa (270-7417)

Determination Agency: Same as above.
Consultant: Munekiyo & Hiraga, Inc., 305 South High Street, Wailuku, Hawai'i 96793. Contact: Matthew Slepín (244-2015)

Public Comment Deadline: December 8, 2004
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

Permits Required: SMA, NPDES permit

In 2002, an Environmental Assessment (EA) was processed for the County of Maui, Department of Public Works and Environmental Management (DPWEM) for proposed force main improvements Wastewater Pump Stations Nos. 5 and 6 in Lahaina, Maui. These improvements involved the redirection of the wastewater system route and the installation of a new force main along that new route. The installation was to be within County roadway rights-of-way along Shaw Street and portions of Front and Dickenson Streets, as well as portions of the privately owned Mill Street. The existing cast iron force main was to be replaced with one of newer materials and the pump stations were to be upgraded with new motors and pumps. A Finding of No Significant Impact (FONSI) was published for the project. Due to land title constraints relating to the segment of the project along Mill Street, the project has been modified. The segment that was to have run along Mill Street will now follow the Honoapi'ilani Highway right-of-way and County lands fronting the highway. Other, non-substantive modifications to the design have been made for efficiency of operation. The proposed improvements include both replacing existing lines and installing new lines so as to install approxi-

mately 5,550 lineal feet of 10-inch polyvinylchloride (PVC) force main and 1,400 lineal feet of 12-inch gravity line. As the plans have been modified, it has been determined that a Revised EA is required. DPWEM shall be the proposing and determining agency for this project.

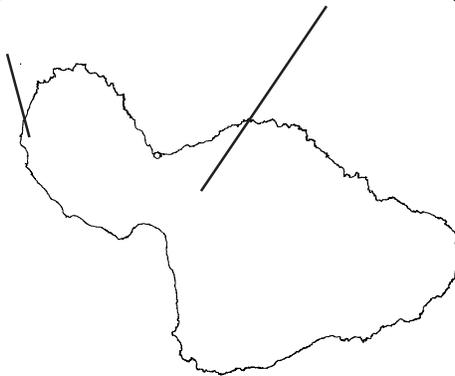
Maui Lani Land Use Plan Update & Related Project District Amendments (HRS 343 DEA)

District: Wailuku
TMK: 3-8-07:131
Applicant: Maui Lani 100, LLC, 1333 Maui Lani Parkway, Kahului, Hawai'i 96732. Contact: David Gleason (872-9047)

Determination Agency: State of Hawai'i, Land Use Commission, 235 S. Beretania Street, Honolulu, Hawai'i 96813.
Consultant: Munekiyo & Hiraga, Inc, 305 High Street, No. 104 Wailuku, Hawai'i 96793. Contact: Mitch Hirano (244-2015)

Public Comment Deadline: December 8, 2004
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

Permits Required: State Land Use District Boundary Amendment, Community Plan Amendment, Change in Zoning; Project District Phase I and Phase II approvals



Maui Lani 100, LLC proposes a land use plan update covering approximately 130 acres, of which approximately 70.4 acres are within the State Land Use Urban district and 59.6 acres are within the State Land Use Agricultural district. The land use plan update modifies the current Maui Lani Project District land use categories for the 70.4-acre area, as well as the 59.6-acre expansion area to include a new village mixed use or VMX land use and open space districts. Within the VMX district, two (2) subdistricts are identified: VMX (R), representing affordable and moderately priced market multi- and single-family residential uses, and VMX (C/R), representing a commercial/multi-family residential land use category. The VMX (C/R) integrated land use category allows, for example, commercial uses at the street level, with apartment uses above. The land use

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breakdown in the updated plan includes a VMX (C/R) subdistrict covering 49 acres, VMX (R) subdistrict covering 27 acres, a single-family residential district covering 17 acres, open space district covering 4 acres, a 19-acre regional park and 14 acres for roadways and bicycle/walking paths. In total, approximately 500 multi-family and single-family residential units are proposed. Approximately 51 percent of the units will be in the affordable housing category for the households earning 80 percent to 140 percent of median family income. Since the proposed amendment to the Wailuku-Kahului Community Plan is a trigger to Chapter 343, Hawaii Revised Statutes, an environmental assessment is being prepared pursuant to Chapter 200 of Title 11, Department of Health Administrative Rules, Environmental Impact Statement Rules. Land use applications for a State Land Use District Boundary Amendment, Community Plan Amendment, Change in Zoning and Project District Phase I and Phase II approvals will be filed as part of the entitlement process.

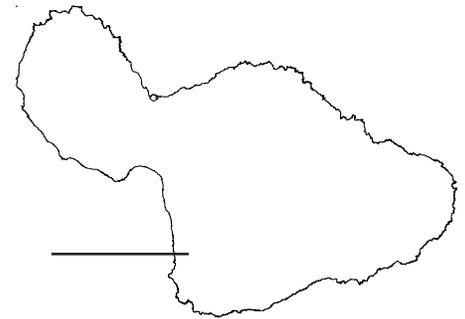
Wailea Condominium (HRS 343 FEA-FONSI)

District: Makawao
TMK: 2-1-008:119
Applicant: Wailea MF-9 Associates LLC, 1885 Main Street, Suite 104, Wailuku, Hawai'i 96793. Contact: Martin Quill (242-8979)
Approving Agency: County of Maui Planning Commission, c/o Maui Planning Department, 250 South High Street, Wailuku, Hawai'i 96793. Contact: Kivette Caigoy (270-7735)
Consultant: Chris Hart & Partners, 1955 Main St., Ste. 200, Wailuku, Hawai'i 96793. Contact: Chris Hart (242-1955)
Public Comment
Deadline: December 8, 2004
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).

Permits

Required: Building, Construction

The Applicant, Wailea MF-9 Associates LLC, is seeking a Special Management Area Use Permit and Step 2 Planned Development Approval for the development of a 144 unit residential condominium project at TMK 2-1-08: 119, Wailea, Maui, Hawai'i. The project site is situated within the Wailea Resort on the southern end of the Kihei-Makena region of Maui. Since the proposed project will require offsite roadway, drainage and other improvements that may occur on public lands, the Applicant is filing this HRS Chapter 343 Environmental Assessment. The residential condominium units will be contained within 20 buildings and will reflect a two-story building elevation and an orientation to provide views of the ocean. The project will also include two private recreational facilities, a manager's office, extensive landscape planting, and driveway accesses along Wailea Alanui Drive. The existing natural drainage way on the south end of the property will be maintained primarily as a natural open area with walking paths for project resident use. A swimming pool and cabana will be situated on the south side of the drainage way. The proposed development is not anticipated to result in significant environmental impacts to the immediate area. Public infrastructure and services are or will be adequate to serve the project and are not expected to be significantly burdened by the project. The proposed project is not anticipated to impact public view corridors and is not anticipated to produce significant adverse impacts on the visual character of the surrounding environs.



Hawai'i Notices

Keahole Generating Station & Airport Substation (HRS 343 DEIS)

District: North Kona
TMK: 7-3-49: 36 & 37
Applicant: Hawaii Electric Light Company, c/o Hawaiian Electric Light Co., PO Box 2750, Honolulu, Hawai'i 96840. Contact: Casey Cumming (543-7567)
Approving Agency: State of Hawai'i Land Use Commission P.O. Box 2359, Honolulu, Hawai'i 96804. Contact: Bert Saruwatari (587-3822)
Consultant: Belt Collins, 2153 North King St. Honolulu, Hawai'i 96819. Contact: Lee Sichter (521-5361)

Public Comment

Deadline: December 23, 2004
Status: Draft environmental impact statement (DEIS) notice pending 45-day public comment. Address comments to the applicant with copies to the approving agency, consultant and OEQC.
Permits Required: PSD, LUC reclassification, UIC, noise, NPDES, HVAC, County rezoning, revocable water and lease permits, building

Hawai'i Electric Light Company, Inc. (HELCO) seeks a reclassification of its Keahole Generating Station and Airport Substation lands from the State Conservation District to the Urban District, and a subsequent change in Hawaii County zoning from Open ("O") to General Industrial ("MG"). The reclassification and change in zoning would bring the lands into conformance with its existing use for industrial

Hawai'i Notices

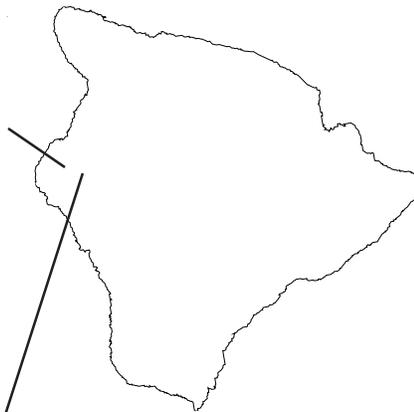
NOVEMBER 8, 2004

purposes. The Keahole Generating Station and Airport Substation were constructed in 1973 with approval from the State Department of Land and Natural Resources, the entity vested with jurisdiction over the Conservation District. The principal long-term benefits of the project would include increased generating capacity for Hawaii County to accommodate heightened economic activity and projected growth in the region. HELCO would be able to (1) improve the subject property; (2) implement environmental mitigation measures; and (3) accommodate legal and operational requirements. The long-term productivity of the subject property would be significantly enhanced with the installation of a steam turbine with a selective catalytic reduction (SCR) system. The installation would allow the utilization of waste heat, which would make the plant more proved landscaping would help to mitigate any adverse visual impacts. SCR would further reduce emissions. The community would benefit by being provided with a source of reasonably reliable electrical power.

Kuakini Highway 16-Inch Waterline Improvements (HRS 343 FEA-FONSI)

District: North Kona
TMK: 7-5-008, 009, 018, 019, 020
Proposing Agency: County of Hawaii Department of Water Supply, 345 Kekuaanoa Street, Suite 20, Hilo, Hawaii 96720. Contact: William Atkins (961-8070 X254)
Determination Agency: Same as above.
Consultant: Inaba Engineering, Inc. 273 Waianuenue Ave., Hilo, HI 96720. Contact: Jason Inaba (961-3727)
Public Comment Deadline: December 8, 2004
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).
Permits Required: Noise, Hydrotesting

The County of Hawai'i Department of Water Supply (DWS)



plans to install a new 16-inch diameter distribution waterline for current and future customers along Kuakini Highway and the Kailua area. The proposed activity is located in Kailua-Kona, within the Kuakini Highway right-of-way which traverses the lands of Honualua, Hienaloli, Auhaueka'e, Pua'a, Waiaha, Kahului, and Puapua'a, North Kona District, Island of Hawai'i. The purpose of this project is to provide additional distribution capacity for the North Kona water

ter system from the lands of Puapua'a and north to Kailua in the service zone below elevation 225'. This zone represents a large portion of the urban core of the Kailua Kona area which includes beach resorts, commercial, light industrial areas, condominiums and residential areas. Recent increases in population growth and development has fueled demand for additional water service. With the recent completion of the 2.0 MG Puapua'a reservoir, storage capacity for the system has been increased and construction of the new 16-inch distribution line will enable the DWS to provide adequate water delivery. The new 16-inch waterline will start at the Kuakini Hwy/Hualalai Road intersection and proceed south along Kuakini Highway to the Puapua'a 2.0 MG reservoir effluent pipeline ending just past Nakukui Drive. The new 16" line is proposed to run along side the existing 8" line and will interconnect at several locations along the alignment to support the existing 8" line. The net length of 16" pipeline installed related to this project will be approximately 9,000 lineal feet. The Puapua'a reservoir will feed the new 16" distribution line. The Puapua'a tank and the Palani tank on Palani Road services the Kailua area. With the new 16" line, the larger Puapua'a tank will be able to service higher demands and balance flows from the two tanks, thus relieving stress on the smaller 0.30 MG Palani tank.

Kaua'i Notices

Lumahi Environmental Network (Weather Stations) (HRS 343 FEA-FONSI)

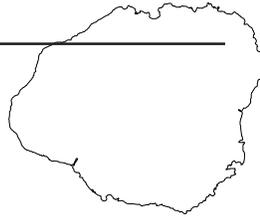
District: Hanalei
TMK: 5-7-01
Proposing Agency: University of Hawaii Center for Conservation Research and Training, 3050 Maile Way, Gilmore 406, Honolulu, Hawaii 96822. Contact: Dr. Kenneth Kaneshiro (956-6739)
Determination Agency: Same as above.
Consultant: Kauai Agricultural Research Station, 7370-A Kuamoo Road, Kapaa, Hawaii 96746. Contact: Dr. Adam Asquith (635-8290)

Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).

Permits Required: Conservation District Use

The University of Hawai'i (UH), in 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 Halelea District on the North Shore of Kauai. The objective of this project is to gather environmental data to help better understand, appreciate and manage the natural and cultural resources in the Lumahi watershed. The project involves the establishment of weather stations at four (4) different sites throughout the Lumahi watershed. These stations will collect and transmit data wirelessly to a base station at Limahuli that will then relay real-time data to managers

and users of Lumahai. 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 Lumahai 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.



National Environmental Policy Act

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, Hawaii 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: December 23, 2004
Status: DEA Notice pending public comment. Address comments to the proposing agency and consultant.

The Air Force has prepared a Final Environmental Assessment (FEA) 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 November 2004 on the internet at www.hickamc17.com, or at the reference desks of the aneohē 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 23 December 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.



Federal Notices

NOVEMBER 8, 2004

Land Acquisition of the Manana Valley Watershed

The U.S. Fish and Wildlife Service announced that Hawai'i will receive \$900,000 in grant monies through the Recovery Land Acquisition Grants Program for the acquisition of lands in the Manana Valley Watershed. The Recovery Land Acquisition Grants Program provides funds to states and territories to acquire habitat for endangered and threatened species in approved recovery plans. Acquisition of habitat to secure long term protection is often an essential element of a comprehensive recovery effort for a listed species. Manana Valley, part of the Ko'olau Mountains Watershed Partnership is a patchwork of managed areas being developed to protect rare and endangered species. These managed areas include State Forest Reserves, O'ahu Forest National Wildlife Refuge, and other areas controlled by the Department of Defense. This multi-landowner partnership is dedicated to the protection of watershed lands, and perpetuation of the native species that inhabit the area. Located in the Manana section of the 'Ewa Forest Reserve, the proposed acquisition will include two parcels of land, totaling 1625 acres. The Manana-Waimano area provides habitat for twenty rare plant taxa all of which are endemic to the Hawaiian Islands. The parcels contain six federally listed plants species, and at least one federally listed bird species, and three federally listed O'ahu tree snail species. The two parcels also include five distinct forest types, including wet and mesic forests and four miles of stream adjacent to the State forest reserve. The owner of the property, Manana Valley Farm LLC, has agreed to lower the purchase price of the property to the State government by 43% as an in-kind match for the grant to promote conservation and perpetual protection of the area. The total appraisal cost of the two Manana Valley parcels is \$1,580,000. The goal of the Manana Valley Watershed Protection project has three phases. Phase I is to acquire the two parcels of land in fee, and then add them to the existing Waimano Forest Reserve parcel and manage the area for native species and ecosystem protection, research and public education. Phase II of the project will be to develop a management plan for the area, and the final phase is to implement the management plan (see, September 23, 2004, News Release PIEA-04-23, U.S. Fish and Wildlife Service, Pacific Islands External Affairs Office).

Bees and Related Articles

Effective November 22, 2004, the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture will amend the regulations for the importation of honeybees and honeybee semen and the regulations governing the importation of bees other than honeybees, certain beekeeping byproducts, and used beekeeping equipment. Among other things, APHIS is allowing honeybees from Australia and honeybees and honeybee germ plasm from New Zealand to be imported into the continental United States under certain conditions, imposing certain conditions on the importation into the United States of bees and related articles from Canada, and prohibiting both the interstate movement and importation of honeybees into Hawai'i. This action also consolidates all of our regulations concerning all bees in the superfamily Apoidea. These changes are intended to make these regulations more consistent with international standards, update them to reflect current research and terminology, and simplify them and make

them more useful. ATEs: November 22, 2004. For details contact Dr. Wayne F. Wehling, Entomologist, Pest Permit Evaluations, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, Maryland 20737-1236, telephone (301) 734-8757 (see, 69 F.R. 61375, October 21, 2004).

Critical Habitat Designation for Guam and Northern Marianas

The U.S. Fish and Wildlife Service (FWS), is designating critical habitat for the Mariana fruit bat (*Pteropus mariannus mariannus*), Guam Micronesian kingfisher (*Halcyon cinnamomina cinnamomina*), and Mariana crow (*Corvus kubaryi*) pursuant to the Endangered Species Act. FWS is designating approximately 376 acres on the island of Guam for the Mariana fruit bat and the Guam Micronesian kingfisher. For the Mariana crow, it is designating approximately 376 acres on the island of Guam and approximately 6,033 acres on the island of Rota in the Commonwealth of the Northern Mariana Islands (CNMI). On Guam, the Mariana fruit bat, Mariana crow, and Guam Micronesian kingfisher critical habitat unit boundaries are identical. On Rota, critical habitat is designated only for the Mariana crow. Counting identical or overlapping units only once for all three species, FWS is designating approximately 6,409 acres on Guam and Rota. This rule becomes effective November 29, 2004. Comments and materials received, as well as supporting documentation used in the preparation of this final rule, will be available for inspection, by appointment, during normal business hours at the Pacific Islands Fish and Wildlife Office, U.S. Fish and Wildlife Service, 300 Ala Moana Boulevard, Room 3-122, Box 50088, Honolulu, Hawai'i 96850. Copies of the final rule, addendum to the economic analysis, and draft economic analysis are available by writing to the above address or by connecting to the Service Internet Web site at <http://pacificislands.fws.gov>. For details, contact Gina Shultz, Assistant Field Supervisor, Pacific Islands Fish and Wildlife Office, U.S. Fish and Wildlife Service, 300 Ala Moana Boulevard, Room 3-122, Box 50088, Honolulu, Hawai'i 96850, telephone (808) 792-9400, facsimile (808) 792-9581 (see, 69 F.R. 62943, October 28, 2004).

U.S. Environmental Protection Agency Comments on EIS Documents

Under Section 309 of the Clean Air Act, and Section 102 (2)(c) of the National Environmental Policy Act, as amended, the U.S. Environmental Protection Agency has commented on the following Environmental Impact Statements. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 564-7167. An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in the Federal Register dated April 2, 2004 (69 F.R. 17403).

ERP No. D-NAS-K11114-HI Rating EC2, Outrigger Telescopes Project, Proposed for the W.M. Keck Observatory Site within the Mauna Kea Science Reserve, Funding, Construction, Installation and Operation, Island of Hawai'i. EPA expressed concerns about the cumulative impacts to native Hawaiian cultural resources, visual resources, and species impacts, and asked for more information supporting the selection of the proposed alternative.

ERP No. D-NOA-K91013-HI Rating EC2, Seabird Interaction Mitigation Methods, To Reduce Interaction with Seabird in Hawai'i-Based Longline Fishery and Pelagic Squid Fishery Management, To Establish an Effective Management Framework for Pelagic Squid Fisheries, Fishery Management Plan, Pelagic Fisheries of the Western Pacific Region, Exclusive Economic Zone of the U.S. and High Sea. EPA expressed concerns over the impacts to seabirds associated with the preferred alternative, and requested more information on the effects of the newly-established U.S. squid fishery of protected species (see, 69 F.R. 63146, October 29, 2004).

Native American Graves Protection and Repatriation Act Teleconference Meeting

This notice is of a meeting of the Native American Graves Protection and Repatriation Review Committee. The next Review Committee meeting is a public teleconference on November 2, 2004, to discuss proposed regulations regarding future applicability of the statute (43 CFR 10.13), agenda items for a Review Committee meeting tentatively scheduled for March 14-15, 2005, in Hawai'i, and to receive presentations and statements by Indian tribes, Native Hawaiian organizations, museums, Federal agencies, and the public. The meeting via teleconference is on November 2, 2004, from 2:00 P.M. until approximately 4:00 P.M. Eastern Standard Time. For details contact the Designated Federal Officer, Native American Graves Protection and Repatriation Review Committee, telephone (202) 354-2206, facsimile (202) 371-5197, e-mail tim_mckeown@nps.gov (see, 69 F.R. 61265, October 15, 2004).

Kaloko-Honokohau National Historical Park Advisory Commission

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Na Hoapili O Kaloko Honokohau, Kaloko-Honokohau National Historical Park Advisory Commission will be held at 9 a.m., November 22, 2004 at the King Kamehameha's Kona Beach Hotel, Marina Room, Kailua-Kona, Hawai'i. The agenda will include planning for Live-In Center Workshop and discussion on the park's boundary. There will also be a visit to the park if time permits. The meeting is open to the public. The hotel is accessible to persons with disabilities. Disabled persons requiring special assistance should contact the Superintendent at (808) 329-6881 ext 7, 7 days prior to the meeting. Minutes will be recorded for documentation and transcribed for dissemination. Minutes of the meeting will be available to the public after approval of the full Advisory Commission. Transcripts will be available after 30 days of the meeting. For copies of the minutes, contact Kaloko-Honokohau National Historical Park at (808) 329-6881 (see, 69 F.R. 63175, October 29, 2004)

Scoping Meetings on Ecosystem-based Fisheries Management

The Western Pacific Fishery Management Council (Council) and NMFS announce their intent to prepare a PEIS in accordance with the National Environmental Policy Act of 1969 (NEPA) on the develop-

ment of an ecosystem-based fisheries management regime in the Western Pacific Region. The Council and NMFS are jointly holding public scoping meetings throughout the region to solicit comments on management options for ecosystem-based fisheries management. The scoping meetings and written comments will provide for public input on the issues, range of alternatives, impacts, and any other issues or concerns related to the proposed action which should be analyzed in detail in the PEIS, as described in this scoping notice. Public scoping meetings will be held as follows.

HILO - Wednesday, October 27, 2004, from 6-9 p.m. at the Naniloa Hotel, 93 Banyon Drive, Hilo, Hawai'i 96720;

KONA - Thursday, October 28, 2004, from 6-9 p.m. at the King Kamehameha Hotel, 75-5660 Palani Road, Kailua-Kona, Hawai'i 96740;

HONOLULU - Monday, November 1, 2004, from 6-9 p.m. at the Ala Moana Hotel, 410 Atkinson Drive, Honolulu, Hawai'i 96815;

LIHU'E - Tuesday, November 2, 2004, from 6-9 p.m. at the Chiefess Kamakahelei Middle School, 4431 Nuhou Street, Lihu'e, Hawai'i 96766;

KAHULUI - Wednesday, November 3, 2004, from 6-9 p.m. at the Maui Beach Hotel, 170 Ka'ahumanu Avenue, Kahului, Hawai'i 96732;

SAIPAN, Commonwealth of the Northern Mariana Islands - Wednesday, November 17, 2004, from 6-9 p.m. at the Pedro P. Tenorio Multipurpose Building, Susupe, CNMI 96950;

HAGATNA, Guam - Thursday, November 18, 2004 from 6-9 p.m. at the Guam Fishermen's Cooperative, Perez Marina, Hagatna, Guam 96932;

PAGO PAGO, American Samoa - Wednesday, December 8, 2004, from 7-9 p.m. at the Department of Marine Resources and Wildlife Conference Room, Pago Pago, American Samoa 96799.

Written comments must be received by January 3, 2005. Submit written comments to Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council, 1164 Bishop Street, Suite 1400, Honolulu, Hawai'i 96813, and/or William L. Robinson, Administrator, Pacific Islands Regional Office, 1601 Kapi'olani Blvd., Suite 1110, Honolulu, Hawai'i 96814. For details, contact Eric Kingma at (808) 522-8220 or Alvin Katekaru at (808) 973-2937 (see, 69 F.R. 61351, October 18, 2004).

Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Plan Available

The National Oceanic and Atmospheric Administration (NOAA) announces the availability of the Final Reserve Operations Plan for the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve (Reserve). The Reserve Operations Plan (ROP) is a requirement of Executive Order 13178, as finalized by Executive Order 13196 (hereinafter Executive Order or EO). The ROP was presented to the public on two separate occasions in 2002 and 2004, and over 30,000 public comments resulted from both open public comment periods. The most recent public comment period for the ROP opened on March 19, 2004 (69 F.R. 13022) and ended on May 15, 2004. Approximately 29,400 public comments were received during this period, with about 27,000 arriving by e-mail and the remainder by letter and fax. In addition, the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory

Federal Notices

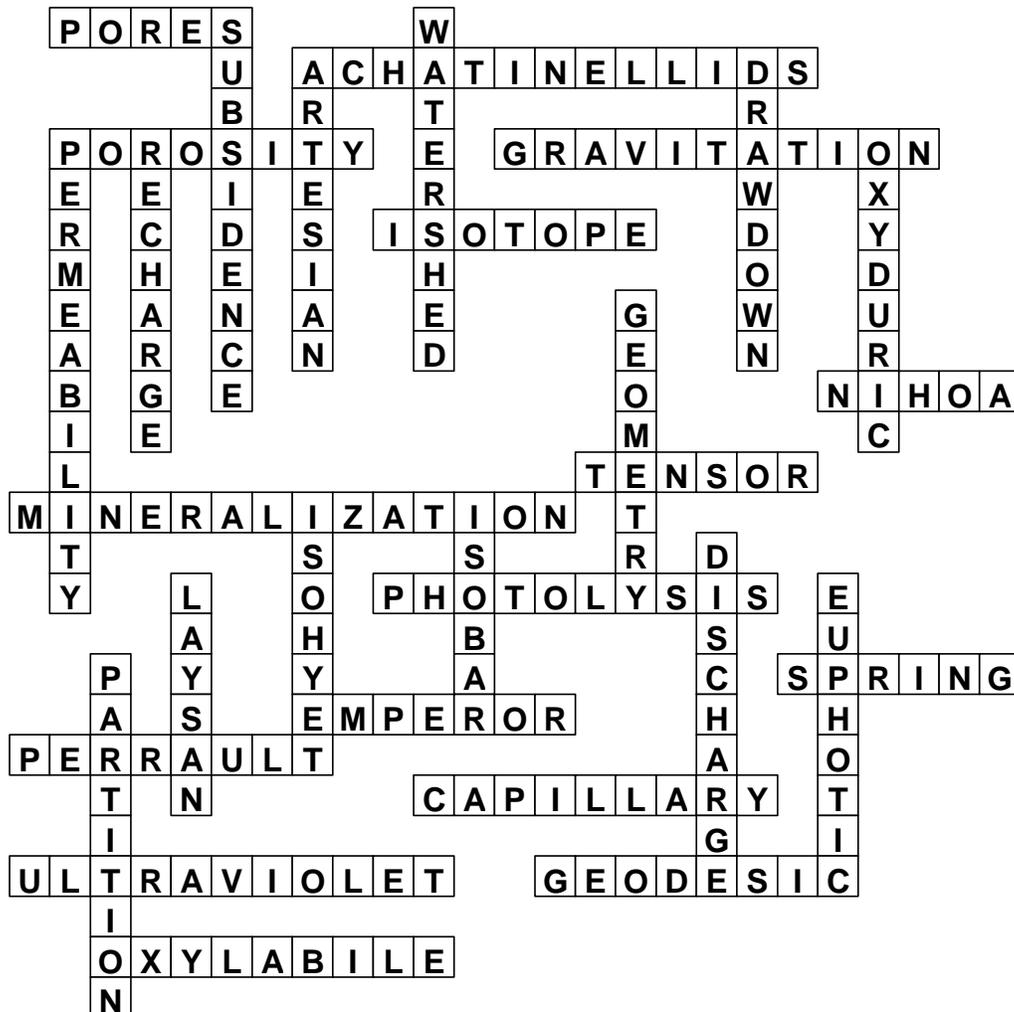
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Council provided both general and specific comments on the draft final ROP as did the Marine Mammal Commission, Western Pacific Regional Fisheries Management Council and a group of 13 local and national conservation organizations, claiming to represent over 3.4 million members. A similar letter was also received from a group of 10 conservation organizations (many of the same as above), collectively representing more than 2.7 million members. For details call Robert P. Smith, (808) 933-8181, nwhi@noaa.gov. To Obtain a Hard Copy of the Final Reserve Operations Plan send your requests to NWHI Coral Reef Ecosystem Reserve, 6700 Kalamianaole Highway, 215, Honolulu, Hawai'i 96825, or fax it to (808) 397-2662 (see, 69 F.R. 61205, October 15, 2004).

Notice of Petitions To Regulate *Caulerpa* as a Noxious Weed

The Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture has received two petitions requesting that additional aquatic plants of the genus *Caulerpa* be added to the list of noxious weeds. APHIS is soliciting public comments on the petitions and the implications of adopting them. APHIS will consider all comments that we receive on or before December 27, 2004. Submit comments by sending four copies of your comment (an original and three copies) to Docket No. 04-037-1, Regulatory Analysis and Development, PPD, APHIS, Station 3C71, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comment refers to Docket No. 04-037-1. For details contact Dr. Alan V. Tasker, Noxious Weeds Program Coordinator, Invasive Species and Pest Management, PPQ, APHIS, 4700 River Road Unit 134, Riverdale, Maryland 20737-1237; (301) 734-5225 (see, 69 F.R. 62419, October 26, 2004).

Solution to October 8 Environmental Education Puzzle.



Shoreline Notices

NOVEMBER 8, 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 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
OA-1005	10/28/04	Lot 4-A, Al Roberts Subdivision, land situated at Kuloa, Ko'olaupoko, Island of O'ahu, Hawai'i. Address: 49-549A Kamehameha Highway. Purpose: Building Permit	Walter P. Thompson, Inc./Lily and David Wong	4-9-09: 19
OA-1006	10/28/04	Lot 103, Land Court Application 1095, land situated at Kahuku, Ko'olaupoko, Island of O'ahu, Hawai'i. Address: 57-323 Pahipahialua Place. Purpose: Building Permit	DJNS surveying and Mapping, Inc./Kerry and Sally Paulson	5-7-03: 56
OA-1007	10/28/04	Lot D of the Punalu'u Beach Lots, land situated at Punalu'u, Ko'olaupoko, Island of O'ahu, Hawai'i. Address: 53-239 Kamehameha Highway. Purpose: New Construction	DJNS Surveying and Mapping, Inc./Michael and Kate Berry	5-3-02: 41
OA-187-2	10/28/04	Lot 956 Land Court Application 1095, as shown on Map 104, land situated at Kahuku, Ko'olaupoko, Island of O'ahu, Hawai'i. Address: 57-477 Kamehameha Highway. Purpose: Construction of House	Bob Sing Surveying and Mapping, Inc./Sean Ginella	5-7-05: 02
MA-315	10/28/04	Land Commission Award 7713, 'Apana 24 to V. Kamamalu, land situated at Waihe'e, Wailuku, Island of Maui, Hawai'i. Address: Kahekili Highway. Purpose: Determine Use of Property	Warren S. Unemori Engineering, Inc./Koolau Cattle Company, LLC	3-2-01: 02

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
OA-997	Proposed Shoreline Certification	Lot 3 and 4 of Land Court Application 616, land situated at Lanikai, Kailua, Ko'olaupoko, Island of O'ahu, Hawai'i. Address: 1240 Mokulua Drive. Purpose: Building Permit	Towill, Shigeoka & Associates/Grossman Family Trust	4-3-05: 76
OA-998	Proposed Shoreline Certification	Portion of Lot 16 File Plan 750, land situated at Maunaloa, Island of O'ahu, Hawai'i. Address: 100 Hanapepe Loop. Purpose: Renovation of House	Towill, Shigeoka & Associates/George and Kathleen Diskant	3-9-28: 27
OA-999	Proposed Shoreline Certification	Lot 40, portion of Grant 8116 to J, Ho Yap, land situated at Pupukea, Ko'olaupoko, Island of O'ahu, Hawai'i. Address: 59-385 Ke Nui Road. Purpose: Determine Setback	Jamie Alimboyoguen/Joel Brilliant	5-9-20: 43
OA-1001	Proposed Shoreline Certification	Lot 1-A-40 of Land Court Application 1089 (Map 40), land situated at Kamananui, Waiialua, O'ahu, Hawai'i. Address: 67-004 Kahaone Place. Purpose: Determine Setback	Gil Surveying Services, Inc., for BNP North Shore, LLC	6-7-15: 39
MA-136-2	Proposed Shoreline Certification	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
OA-211-2	Rejected 10/26/04	Lots E and F, being a portion of Grant S-13807 and Grant S-13664 to Sung Hi Lim and Sook Myeng Ahn Lim, land situated at Pupukea, Ko'olaupoko, Island of O'ahu, Hawai'i. Address: 59-777 and 59-779 Kamehameha Highway. Purpose: Building Permit	Jamie F. Alimboyoguen/Tom Coulson	5-9-4: 32 and 33

Pollution Control Permit Applications

NOVEMBER 8, 2004

Department of Health Permits

The following three pages contain a list of some pollution control permits currently before 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. Abbreviations are as follows: **CAB** - Clean Air Branch; **CD** - comments due; **CSP** - Covered Source Permit; **CWB** - Clean Water Branch; **I** - issued; **SHWB** - Solid and Hazardous Waste Branch; **SDWB** - Safe Drinking Water Branch; **N** - non; **NPDES** - National Pollutant Discharge Elimination System under the Federal Clean Water Act; **R** - received; **T** - temporary; **UIC** - Underground Injection Control; **NA** - not applicable.

Branch Permit Type	Applicant & Permit Number	Project Location	Pertinent Date	Proposed Use
CAB, 586-4200, T-CSP	Pineridge Farms, Inc. CSP 0507-01-CT (Modification)	Various Temporary Sites, State of Hawai'i Initial Location of New 500 TPH Screening Plant: Pineridge Farms Baseyard at 611 Middle Street, Honolulu, O'ahu	I: 10/19/04	One 275 TPH Crushing Plant with 300 HP Diesel Engine, One 195 TPH Crushing Plant with 160 HP Diesel Engine, One 200 TPH, Two 500 TPH, and One 600 TPH Screening Plants, and One 400 TPH Crushing and Screening Plant with 300 HP Diesel Engine
CAB, 586-4200, T-CSP	Goodfellow Brothers, Inc., CSP 0242B01-CT (Renewal)	Various Temporary Sites, State of Hawai'i. Initial Location: 480C Welakahao Road, Kihei, Maui	CD: 11/29/04	780 TPH Stone Processing Plant with 1,000 kW Diesel Engine Generator
CAB, 586-4200, CSP	Hawai'i Electric Light Company, Inc., CSP 0234-01-C (Renewal)	Kanoehelua Hill Generating Station, Hilo, Hawai'i	CD: 11/24/04	Two boilers, One combustion turbine, and four diesel engines
CAB, 586-4200, CSP	Maui Pineapple Company, Ltd. CSP 0249-02-C (Modification)	120 Kane Street, Kahului, Maui	CD: 11/24/04	Four diesel engine generating units and four diesel engines
CAB, 586-4200, CSP	Chevron Products Company, CSP 0081-01-C (Renewal)	100-A Hobron Avenue, Kahului, Maui	I: 10/21/04	Kahului Marketing Terminal
CAB, 586-4200, T-CSP	Grace Pacific Corporation, CSP 0036-01-CT (Renewal/Modification)	Located at: Various locations, State of Hawai'i. Initial Location: Halawa Valley Road, 'Aiea, O'ahu	Issued: 10/22/04	186 TPH Hot Drum Mix Asphalt Plant

Branch/Permit Type	Applicant & Application Number	Facility Location	Pertinent Date	Proposed Use
(SHWB) Solid Waste Management Permit (Renew)	U.S. Navy Biosolids Treatment Facility, CO-0086-04	Kalaeloa	8/2/04 (Received)	Biosolid Composting
(SHWB) Solid Waste Management Permit (New)	RRR Recycling Services Hawaii, RY-0087-04	1020 Ulupono St., Honolulu	8/5/04 (Received)	Recycling
(SHWB) Solid Waste Management Permit (New)	County of Maui Dept. of Public Works and Environmental Management, ST-0088-04	Closed Waikapu Landfill, Waiale Rd.	8/11/04 (Received)	Temporary Auto Storage
(SHWB) Solid Waste Management Permit (Renew)	PVT Land Co., Ltd., LF-0089-04	87-2020 Farrington Hwy., Waianae	8/13/04 (Received)	Construction and Demolition Landfill
(SHWB) Solid Waste Management Permit (Modification)	County of Maui Dept. of Public Works and Environmental Management, LF-0091-04	Central Maui Landfill	8/26/04 (Received)	Landfill
(SHWB) Solid Waste Management Permit (New)	Hawai'i Tire Disposing Co., RY-0090-04	2000 Mokulele Hwy. #243, Puunene, HI 96784	8/27/04 (Received)	Tire Recycling
(SHWB) Solid Waste Management Permit (Transfer Request)	Pokahulepo Recycling request permit transfer to Hawaiian Cement, RY-0016-03	Kuihelani Hwy & Honoapiilani Hwy, Maui	9/2/04 (Received)	Concrete Recycling
(SHWB) Solid Waste Management Permit (Transfer Request)	Pokahulepo Recycling request permit transfer to Hawaiian Cement, RY-0017-03	Kuihelani Hwy & Honoapiilani Hwy, Maui	9/2/04 (Received)	Greenwaste Composting
(SHWB) Solid Waste Management Permit (Renew)	County of Maui Dept. of Public Works and Environmental Management, LF-0092-04		9/2/04 (Received)	Landfill
(SHWB) Solid Waste Management Permit (Modification)	Atlas Recycling, Request to modify permit RY-0031-02	30 Makaala St. Hilo, HI 96720	9/2/04 (Received)	Recycling
(SHWB) Solid Waste Management Permit-by-Rule (New)	Glad's Landscaping & Tree Trimming, Inc. dba Tree People, CO-0094-04	41-830 Mahiku Pl., Waimanalo, HI 96795	9/3/04 (Received)	Greenwaste Composting
(SHWB) Solid Waste Management Permit (Renew)	Honolulu Recovery Systems, RY-0093-04	207 Puuhale Rd., Honolulu, HI 96819	9/3/04 (Received)	Recycling
(SHWB) Solid Waste Management Permit-by-Rule (New)	Reynolds Recycling, Inc., CC-0095-04	Hawaii Belt Rd., North Kona, HI	9/8/04 (Received)	Recycling
(SHWB) Solid Waste Management Permit (New)	Kitagawa's Towing, SV-0096-04	30 Hobron Ave., Kahului, HI 96732	9/9/04 (Received)	Auto Salvage

Department of Health

NOVEMBER 8, 2004

Notice of Voluntary Response Program Applications

The Hawai'i Department of Health has received four applications for the State's Voluntary Response Program (VRP). The purpose of the program is to encourage property owners, lenders, developers, or prospective purchasers of property to voluntarily clean up contaminated properties. Under the VRP, applicants conduct a thorough environmental investigation and implement a state-approved response action to address any contamination found on the property. Suspected contaminants at these sites include a variety of petroleum related chemicals and those used in the wood treating process. Upon successfully completing the VRP, the applicant will receive a "letter of completion" that typically exempts the applicant and future purchasers from liability to the State for the contamination that was addressed under the VRP. Parties that are responsible for the contamination are not eligible for exemptions from liability. The applications received address contamination on the following properties: (1) Honolulu Wood Treating Facility, 91-291 Hanua Street, Kapolei, Hawai'i; (2) Honsador Lumber Facility, 91-151 Malakole Street, Kapolei, Hawai'i; (3) Honsador Lumber Facility, 3371 Wilcox Road, Lihu'e, Kaua'i, Hawai'i; and (4) Aloha King, 1414 Kalakaua Ave., Honolulu, Hawai'i. The Department of Health welcomes comments or questions from the public regarding these projects. For additional information or to review an application, please contact Mr. Davis Bernstein in Honolulu at (808) 586-4249. A brief description of each project site is included below.

1. Honolulu Wood Treating Facility

The property currently houses a wood treatment facility that includes: a main office/warehouse building with attached beam storage building; six treating cylinders where chemicals are applied to lumber; a drip pad, where liquid chemicals are allowed to drip off the treated

lumber; a tank farm with seventeen aboveground storage tanks of liquid chemical mixtures; paved and unpaved lumber storage areas; and the Ariel Truss production building, where trusses are produced for construction purposes.

2. Honsador Lumber Facility (Kaua'i)

The property is currently used as a concrete and building materials supply retail and wholesale company. There are several buildings on the property including a main office building/former hardware store/warehouse; an "L" shaped warehouse that includes a laminate countertop assembly shop, door and cabinet shop, warehouse space, and a former saw mill; a concrete tile plant with concrete mixing and form pouring area and a curing area; a maintenance shop for the repair of vehicles and a former auto body shop; an aluminum roofing shop; a wood treatment plant; and a break and office building. Other facilities on the property include a fueling station with both gasoline and diesel dispensers, a propane-dispensing tank, sand and aggregate storage, a portable cement plant, numerous lumber racks, and several water and other storage tanks.

3. Honsador Lumber Facility (Kapolei)

The property is currently used as a wholesale lumber and building materials business. There is a two-story office building constructed of wood, and three corrugated metal warehouses used for storing lumber and other construction materials.

4. Aloha/King

This property consists of a parking lot and an abandoned building. A Gas Plus Service Station previously occupied a portion of the property. The suspected contamination to be addressed in this voluntary action is related to leakage of gasoline from an underground storage tank(s).

Coastal Zone News

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.

(1) Restoration of Anchialine Pools in Kona, Hawai'i

Applicant: Rutter Development Corporation. Contact: Dave Eadie, CEO
Federal Action: Federal Permit
Federal Agency: Department of the Army, Permit # 200400012
Contact: Connie Ramsey, 438-2039
Location: North of Kaloko-Honokohau National Historic Park, between Queen Ka'ahumanu Highway and the shoreline.
TMK: (7-3-9-3 & 16)

Coastal Zone News

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CZM Contact: Debra Tom, 587-2840

Proposed Action:

Rutter Development Corp, proposes to restore anchialine pools within the Shores at Kohanaiki development. The restoration of the ponds involve the removal of encroaching non-native vegetation, and where appropriate, removal of sediments from the ponds in order to restore the aesthetic and natural ecological functions of the ponds. No discharge of dredged or fill material into ponds or waters of the US is proposed. Work will be preformed by hand-wielded tools.

Comments Due: November 22, 2004

(2) Replace Honolulu Harbor Channel Light No. 7, O'ahu

Applicant: U.S. Coast Guard
Contact: Dr. Dennis Mead, 541-2129
Federal Action: Federal Agency Activity
Location: Honolulu Harbor
CZM Contact: John Nakagawa, 587-2878
Proposed Action:

Replace the Honolulu Harbor Channel Light No. 7 that was damaged. The new light will be constructed immediately north of the existing light location and will consist of three driven concrete piles with a concrete cap. The existing piles will be cut at the bottom and removed.

Comments Due: November 22, 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
Oahu: Kawainui Marsh (4-2-13-por 10; 4-2-16-por 1)	Na Pohaku O Hauwahine: 2,500-gallon water catchment system, and alien plant clearing & native plant revegetation (2004/SMA-43)	Ahahui Malama, Ka Lokahi
Oahu: Diamond Head (3-1-29-33)	6-foot fence & trash enclosure for single-family residence (2004/SMA-69)	Eva Boronaeff
Kauai: Kekaha (1-2-13-31)	Pool, deck and fence (SMA(M)-2005-06)	Richard Brobyn,
Hawaii: Hilo (2-1-18-9)	Construction of Ohana dwelling and related improvements (SMM 166)	Merle K. Lai
Maui: Kahului (3-7-9-6)	Storing vehicles (SM2 20040105)	Valley Isle Motors Ltd
Maui: Kihei (3-9-20-14 & 29)	Construct kiosk (SM2 20040106)	Kimmey, Marie
Maui: Kihei (3-9-4-29)	Install kitchen (SM2 20040107)	Davis, Carroll
Maui: Kahului (3-8-79-3)	Storage container (SM2 20040108)	Krispy Kreme

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

Since SMA-only (Chapter 25, Revised Ordinances of Honolulu) 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, as a public service, OEQC will continue to provide notice of these projects. Questions regarding the adequacy, completeness and availability of these documents should be addressed directly to the County contact listed below.

La Pietra/Hawaii School for Girls New Pump Room and Storage Building (FONSI)

The proposed improvements to the La Pietra/Hawaii School for Girls include the construction of a new underground pump room to supply adequate water pressure for a new sprinkler and domestic water system, the construction of a new storage building and miscellaneous repairs to ornamental ironwork on the Administration Building. The school is located within the Special Management Area. The cost of the improvements will total approximately \$400,000 and requires a Major Special Management Area Use permit. Construction is anticipated to take about 3 months to complete. The project will also require a minor Special District permit and modification to the Site Review Plan, DPP File No. 95/SPR-11. Please contact Joyce Shoji at 527-5354 for more information.

NOTICE OF PROPOSED SECTION 401 WATER QUALITY CERTIFICATION CLEAN WATER BRANCH DEPARTMENT OF HEALTH

The Hawaii State Department of Health proposes to issue a Section 401 Water Quality Certification which includes conditions and requirements, to the State of Hawaii Department of Land and Natural Resources, Division of Aquatic Resources, for the application of the Department of the Army Individual Permit to be issued under the authorization of Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act (RHA) of 1899.

Project Name: Artificial Reef Development at Five (5) Existing Sites off the Islands of Oahu and Maui.

The DLNR is applying for a new DA IP to continue artificial reef maintenance and expansion activities at five (5) existing artificial reef sites off the islands of Oahu and Maui. The prior DA permit (PODCO 2234) expired on December 31, 2003.

Material to be used to construct the reefs consist of contaminant-free vessels and surplus concrete material. No wood, plastics, or other pollutants will be utilized. Staff from the DLNR, United States Coast Guard (USCG), or the Department will inspect all potential reef material for contaminants and for potential hazards to divers. Deployment of the artificial reef material usually takes between two (2) to (4) four hours.

NOTICE OF PROPOSED WATER POLLUTION CONTROL PERMIT CLEAN WATER BRANCH DEPARTMENT OF HEALTH

FOR STATE ROUTE 200 - SADDLE ROAD

DOH tentatively proposes to issue a National Pollutant Discharge Elimination System (NPDES) permit to discharge storm water runoff from the State Route 200 - Saddle Road

The proposed Project is a 13-mile segment running through and around the Pohakuloa Training Area which starts at milepost 42 of the Saddle Road, and extends to milepost 28. The scope of work includes earthwork, drainage construction, signing and stripping, and all other pertinent work necessary to complete the roadway.

Enforcement Notices

NOVEMBER 8, 2004

Summary of Inspection and Enforcement Actions

The table below shows a tally of the inspections and responses conducted by the DOH pollution control program personnel during the period from July through September 2004. Inspections and enforcement actions are listed by program area. For more information, please contact the Environmental Planning Office at 586-4337

Formal Enforcement Actions and Settlements Completed by DOH

Enforcement Report for July - September 2004

	Inspections & Responses	Warning Notices ¹	Formal Enforcement Cases ²	Penalties Issued	Formal Cases Pending	Formal Cases Concluded
	July-Sept 2004	July-Sept 2004	July-Sept 2004	July-Sept 2004	Total to Date	July-Sept 2004
Clean Air Branch						
Fugitive Dust	141	9	0	\$0	0	0
Noncovered Sources	22	5	0	\$0	5	1
Covered Sources	41	10	2	\$800	6	4
Agricultural Burning	55	0	0	\$0	1	0
Open Burning	16	1	1	\$100	1	1
Others	91	2	0	\$0	0	0
Solid & Hazardous Waste Branch						
Underground Storage Tanks	151	4	88	\$15,330	4	1
Hazardous Waste	91	25	2	\$91,600	9	0
Solid Waste	67	13	0	\$0	8	0
Clean Water Branch						
Permitted Discharges (NPDES)	31	6	0	\$0	4	1
Non-permitted Discharges	76	11	0	\$0	6	2
Water Quality Certifications	0	0	0	\$0	0	0
Wastewater Branch						
Wastewater Treatment Plants	29	0	0	\$0	3	1
Individual Wastewater Systems	198	23	0	\$0	11	0
Animal Waste	5	0	0	\$0	0	0
Other	18	1	0	\$0	0	0
Safe Drinking Water Branch						
Public Water Systems	91	8	0	\$0	1	0
Wells - Underground Injection Control	212	9	0	\$0	0	1
Hazard Evaluation & Emergency Response						
Oil Spills	3	0	0	\$0	0	0
Hazardous Waste Releases	9	1	0	\$0	0	0
TOTAL						
	1347	128	93	\$107,830	59	12

¹ Informal letters warning a person or entity that they are violating environmental laws normally requiring corrective action by a specified deadline. Informal action less serious issues such as small infractions by individuals, or violations of permit technicalities which do not directly impact environmental quality.

² Formal enforcement cases generally cover any serious violation and repeat or continued violations of permits or the law. Warning letters, if not adequately responded to, lead to formal actions. Specifically, formal cases are administrative enforcement proceedings that typically include a formal notice of violation and an order. Order of corrective action, reports, and payment of a penalty. This section also includes field citations.

Enforcement Notices

NOVEMBER 8, 2004

Notices of violation issued from July through September 2004 are summarized below. The summaries do not constitute exact descriptions of the violations. For complete and accurate descriptions, please contact DOH at 586-4337 regarding copies of the violation notices.

CLEAN WATER BRANCH: On **July 16, 2004**, a Notice of Violation was sent to **Island Recycling, Inc.**, on Sand Island Road in Honolulu, for discharge of pollutants without a National Pollutant Discharge Elimination System (NPDES) Permit for authorization to discharge storm water associated with industrial activity. They were ordered to stop the discharges causing the violation, describe what actions would be taken to prevent further discharges into State waters, and fined \$4,725. On **July 23, 2004**, a Notice and Finding of Violation was served to **Western United Life Assurance Company** regarding violations related to the discharge of pollutants into State waters from their property in Kaunala, Oahu. They were ordered to pay a fine of \$35,070. On **August 24, 2004**, **Ala Wai Marine, LTD** was served a Notice and Finding of Violation for violating numerous conditions and requirements set forth in their National Pollutant Discharge Elimination System (NPDES) permit, and the associated Best Management Practice (BMP) and Effluent Monitoring (EM) plan. They were ordered to take immediate corrective action and pay a monetary penalty to be determined at a later date.

SOLID AND HAZARDOUS WASTE BRANCH: On September 15, 2004, a Complaint notice was sent to **Pacific Commercial Services, LLC** for a violation of transporting and processing used oil without a permit. They were ordered to comply with the requirements of the law, and fined \$10,000.

