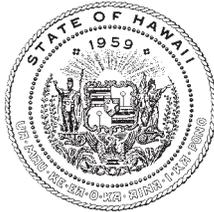


# The Environmental Notice

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!)*

**OEQC**

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JANUARY 23, 2005

## Central Maui Senior Housing & County Office Building

Department of Housing & Human Concerns on Maui is proposing development of senior housing apartments and county office buildings on a 4 acre parcel in downtown Kahului fronting Puunene Avenue. The land is currently vacant, consisting of a gravel parking lot, a grassed area and vacated tennis courts. It is used on weekends for swap meets. The current fee owner is A&B Properties.

The senior housing will have 39 1-bedroom rental units and a manager's unit, clustered into 8 one-story buildings with 5 units each. There will also be a community center building, a maintenance building and related site improvement.

Two new office buildings will be constructed, a 2-story building and a 1-story building, for the Housing Division, Immigrant Services, CDBG program, Volunteer Center, and the Office on Aging Library. There will be 92 paved parking stalls and related site improvements.

The proposed activity requires a community plan amendment (from Park to Public/Quasi Public or Single Family) and the use of county funds. For more information see page 5.



## Residences at Kapalua Bay

Kapalua Bay LLC proposes to replace the existing Kapalua Bay Resort (198 rooms) with The Residences at Kapalua Bay, which will contain 140-150 units in 11 clustered buildings. The buildings will range from 2 to 6 stories, with the shorter buildings closer to the shoreline and the tallest buildings further mauka. Some homes will be sold as condos, while others will be sold fractionally by ownership (similar to time shares, but with shares being one month long). Also proposed are a beach club, spa and a bar/grill restaurant. A public coastal trail will be developed and shoreline access will be preserved. Current parking will be retained.

Residences and the Kapalua Golf Course surround the existing resort. The land is state-designated Urban and county zoned Hotel, Resort Commercial and Open Space. The Maui Planning Commission will be the accepting authority.

The trigger is use in the shoreline setback. For more information see page 7.

### Cultural Impact Workshop

Response to the February 3, 2005 workshop at various locations across the islands is getting a lot of attention. We still have a few seats available on Maui and Molokai. If you would like to attend, please fax your response to OEQC at 586-4186 to reserve your seat while they last. Sorry to those of you that didn't get in for the islands that are now closed.

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# 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 Environ-

mental 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/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

JANUARY 23, 2005

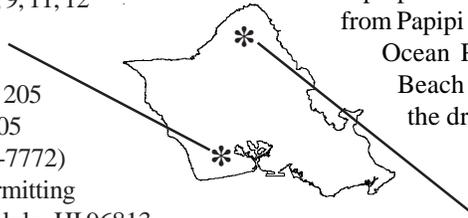
## Papipi Road Drainage Improvements (HRS 343 DEA)

**District:** 'Ewa  
**TMK:** 9-1-11 :1 & 2, 9-1-12: 3, 8, 9, 11, 12 & 48  
**Applicant:** Haseko (Ewa), Inc.  
91-1001 Kaimalie St., Ste. 205  
'Ewa Beach, HI 96706-5005  
Contact: Ray Kanna (689-7772)  
**Approving Agency:** Dept. of Planning & Permitting  
650 South King St., Honolulu, HI 96813  
Contact: Ardis Shaw-Kim (527-5349)  
**Consultant:** Planning Solutions, Inc.  
210 Ward Ave., Ste. 330, Honolulu, HI 96814  
Contact: Perry White (550-4483)  
**Public Comment**  
**Deadline:** February 22, 2005  
**Status:** Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the applicant with copies to the approving agency, consultant and OEQC.  
**Permits**  
**Required:** Shoreline Setback Variance, CDUP, NPDES Construction Permit, NPDES Municipal Separate Storm Sewer System Coordination, Dept. of Army Nationwide Permit #7, CZM Consistency Determination, Section 401 Water Quality Certification, Community Noise Control (DOH), Grading, Street Usage Permit, Subdivision.

The project is in 'Ewa Beach and generally stretches along Papipi Road and beyond, from 'Ewa Beach Elementary School to the ocean. The proposed drainage system will include underground culverts with curbs, gutters, catch basins, sidewalks and plantings along the Ocean Pointe frontage, i.e., along the mauka side of Papipi Road from 'Ewa Beach Elementary School to Papipi Drive. From that point, the drainage system will split, with one segment, consisting of a grassed swale and grated drain inlets along Papipi Road and a secondary drainage system constructed along the mauka side of the Papipi subdivision. Beyond the Papipi subdivision, to the south, the drainage system will be extended across the planned Oneula Beach Park access road to the future park expansion area and then to an ocean outlet. The 200-foot long segment, which leads to the ocean outfall, will include a concrete headwall and unlined open channel.

The project will be constructed in phases. The developer

is proposing a temporary retention basin within the Ocean Pointe development, west of the Papipi subdivision to accommodate runoff until the permanent ocean outlet can be installed in the second increment of the project.



The proposed improvements will accommodate storm runoff from Papipi Road and Papipi Drive, a small portion of the Ocean Pointe development and the future Oneula Beach Park expansion area. The tributary area of the drainage system is about 20.4 acres.

## Laniakea Beach Support Park(HRS 343 FEA-FONSI)

**District:** Waiialua  
**TMK:** 6-1-005:014, 6-1-010:018, 6-1-009:005  
**Proposing Agency:** Department of Design & Construction, Facilities Branch, City & County  
650 S. King St., Honolulu, HI 96813  
Contact: Don Griffin (527-6324)  
**Determination**  
**Agency:** Same as above.  
**Consultant:** Oceanit Inc., 1001 Bishop St., Ste. 2970, Honolulu, HI 96813  
Contact: Jeff Merz (531-3017)  
**Status:** Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).  
**Permits**  
**Required:** NPDES, SMA

The City and County of Honolulu Department of Design and Construction, has hired Oceanit Inc. to prepare this Environmental Assessment and Master Plan for improvements to a recently subdivided 3-acre parcel of land located across the street from Laniakea Beach. This support park will help alleviate parking along the shoulder of Kamehameha Highway, provide a comfort station and picnic facilities for beachgoers, improve the flow of traffic and pedestrians in the area in compliance with ADA criteria, and provide an area for additional recreational activities.

The project proposes to create a comfort station with changing areas, an outdoor shower, a lifeguard station and storage area. Picnic tables will be installed to improve the overall use of the park facilities and increase diversity of park users. Permanent landscaping will be native, non-invasive and xeriscape in design and placement. On-site parking shall consist of 46 to 69 stalls with an appropriate number of ADA-accessible stalls and a proposed "overflow" parking area consisting of grass pavers, ingress and egress separations, a left turn lane and a crosswalk.



### Wai'ohinu Production Well and Reservoir (HRS 343 DEA)

**District:** Kau  
**TMK:** 9-5-003:019  
**Proposing Agency:** Dept. of Water Supply, County of Hawai'i  
345 Kekuanaoa St., Ste. 20, Hilo, HI 96720  
Contact: Milton Pavao (961-8050)

**Determination Agency:** Same as above.  
**Consultant:** Planning Solutions, Inc.  
210 Ward Ave., Ste. 330, Honolulu, HI 96814  
Contact: Perry White (550-4483)

**Public Comment Deadline:** February 22, 2005  
**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:** Plan approval, NPDES Construction, Building Permit, Pump Installation Permit, Well Certification for Drinking Water

The County of Hawai'i Department of Water Supply (DWS) is proposing to drill, test, and, if successful, complete a new municipal water supply well. The proposed site is approximately one half mile *mauka* from the community of Wai'ohinu and adja-

cent to an existing 50,000-gallon tank. A single-story, 575 square-foot control building will be built to house the chlorination system, and other equipment needed to start and stop the well pump. Water would be stored in a new 0.50 million-gallon reinforced concrete storage tank. The new well is intended to supplement and eventually replace two spring sources (Ha'ao and Old Mountain House Tunnel Springs) that are currently the primary potable water sources serving DWS' Wai'ohinu-Na'alehu-South Point water supply system. These two spring sources expected to be reclassified as groundwater under the direct influence of surface water (GWUDI) sometime in the future. This would require additional treatment of the water, which can be prohibitively expensive and labor intensive, particularly for small systems such as this one. In conjunction with the well development, DWS plans to install a Supervisory Control and Data Acquisition (SCADA) network that would enable it to monitor the new well and other system facilities.



DWS has concluded that construction and operation of the well and reservoir would not have substantial adverse impacts on the environment. It proposes to mitigate short-term construction impacts on nearby residents by requiring the selected contractor to incorporate mitigation measures in its work program. Consequently, it anticipates a Finding of No Significant Impact (FONSI) for the project.



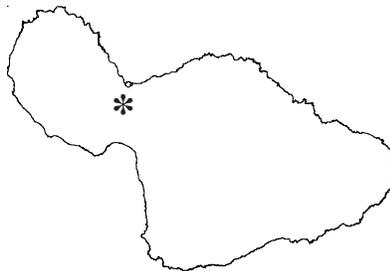
### Central Maui Senior Housing and County Office Building Project(HRS 343 DEA)

**District:** Kahului  
**TMK:** (2) 3-7-013: por. 026  
**Proposing Agency:** County of Maui, Dept. of Housing and Human Concerns  
200 S. High St., Wailuku, HI 96793  
Contact: Alice Lee (270-7805)

**Determination Agency:** Same as above.  
**Consultant:** Munekiyo & Hiraga, Inc.  
305 High St., Ste. 104, Wailuku, HI 96793  
Contact: Michael T. Munekiyo (244-2015)

**Public Comment Deadline:** February 22, 2005  
**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:** NPDES, Grading Permit and Building Permit



The Department of Housing and Human Concerns, County of Maui proposes the development of senior housing apartments and County of Maui office buildings on approximately 4.0 acres of land. The senior housing component will consist of 39 one-bedroom rental units, one (1) manager's unit, a community center building, and a maintenance building. The County of Maui office buildings component will consist of a 12,437 square foot two-story building and a 6,718 square foot one-story building. Each component will have associated parking and landscaping.

# Maui Notices

JANUARY 23, 2005

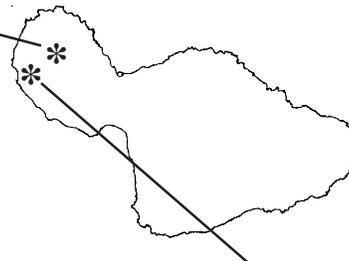
## Puu Kukui Watershed Preserve FY 2006-2011 Management Plan Natural Area Partnership Program (HRS 343 DEA)

**District:** Lahaina  
**TMK:** 4-1-1-17; 4-2-1-1 (por.); 4-1-4-23 (por.); 4-1-5-10; 4-1-5-13; 4-1-5-16; 4-1-5-17; 4-3-1-1 (por.); 4-3-1-17 (por.)  
**Applicant:** Maui Pineapple Company, Ltd.  
P.O. Box 187, Kahului, HI 96732-0187  
Contact: Randy Barlett (669-1687)  
**Approving Agency:** Dept. of Land & Natural Resources  
Division of Forestry and Wildlife  
1151 Punchbowl St., Rm. 325  
Honolulu, HI 96813  
Contact: Christen Mitchell (587-0051)  
**Consultant:** Maui Pineapple Company, Ltd.  
P.O. Box 187, Kahului, HI 96732-0187  
Contact: Randy Bartlett (669-1687)  
**Public Comment**  
**Deadline:** February 22, 2005  
**Status:** Draft environmental assessment (DEA) notice pending 30-day public comment.  
Address comments to the applicant with copies to the approving agency, consultant and OEQC.  
**Permits**  
**Required:** BLNR approval

The Division of Forestry and Wildlife is proposing to re-authorize the Pu'u Kukui Watershed Preserve as a participant in the Natural Area Partnership Program (NAPP). At 8,661 acres, it is one of the largest privately-owned nature preserves in the state. The area is a vital watershed for West Maui and contains important native forest habitat for many unique plants and animals, including some of the finest high elevation rain forests and montane bogs in the State. Pu'u Kukui is also an area of significant biological diversity, with new species of plants and invertebrates still being discovered. The Preserve borders two sections of West Maui Natural Area Reserve (Kahakuloa and Honokowai), with another NAPP preserve, Kapunakea, and another section of West Maui NAR (Panaewa) located adjacent to these areas, altogether protecting over 20,000 acres of the best forested lands on West Maui.

Active management programs are needed to prevent damage to the native forest and watershed from threats, including non-native pigs, weeds and fire. For the past twelve years, the Preserve has been a participant in the Natural Area Partnership

Program, a State program that provides 2:1 matching funds for natural area protection efforts on private lands of Natural Area Reserve quality. The proposed management for the next six years remains substantially similar as that of the previous twelve years and includes construction of strategic fencing, invasive weed control, feral animal control, rare species protection, and monitoring and research. Anticipated positive impacts of the proposed project include protection of rare native species, tracking of biological and physical processes in the preserve, decreased erosion, and improved water quality within and below the preserve.



## Lahaina Wastewater Pump Station Nos. 5 and 6 Force Main Improvements (Revised) (HRS 343 FEA-FONSI)

**District:** Lahaina  
**TMK:** (2) 3-2-012:001  
**Proposing Agency:** Dept. of Public Works & Environmental Management  
200 South High St., Wailuku, HI 96793  
Contact: Eric Nakagawa (270-7417)  
**Determination**  
**Agency:** Same as above.  
**Consultant:** Munekiyo & Hiraga, Inc.  
305 High St., Ste. 104, Wailuku, HI 96793  
Contact: Matthew Slep (244-2015)  
**Status:** Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).  
**Permits**  
**Required:** SMA Assessment, 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 Station 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

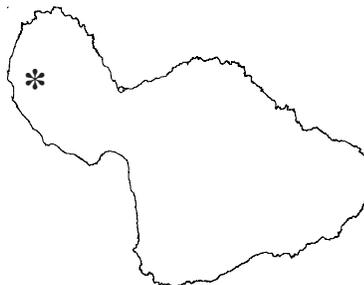
with one of newer materials and the pump stations were to be upgraded with new motors and pumps. A Finding of No Significant impact (FONSI) was published for the project.

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 Honoapiilani 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 approximately 5,550 lineal feet of 10-inch polyvinyl chloride (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.

## The Residences at Kapalua Bay (HRS 343 EISPN)

- District:** Lahaina
- TMK:** 4-2-04: parcels 27, 28, and 29
- Applicant:** Kapalua Bay, LLC  
1000 Kapalua Dr., Kapalua, HI 96732  
Contact: Ryan Churchill (669-5622)
- Approving Agency:** Maui Planning Commission,  
Planning Dept., County of Maui,  
250 S. High St., Wailuku, HI 96793  
Contact: Michael Foley (270-7735)
- Consultant:** PBR Hawaii  
1001 Bishop Street, ASB Tower, Ste. 650,  
Honolulu, HI 96813  
Contact: Tom Schnell (521-5631)
- Public Comment**
- Deadline:** February 22, 2005
- Status:** Environmental Impact Statement Preparation Notice (EISPN), pending 30-day public comment and requests to become a consulted party in the preparation of the upcoming draft environmental impact statement (DEIS). Address public comments on the FEA and/or requests to become a consulted party in the preparation of the upcoming DEIS to the proposing agency with copies to the accepting authority, consultant and OEQC.
- Permits Required:** Grading/Building Permit, SMA Permit, Planned Development Approval, NPDES Permit, Demolition

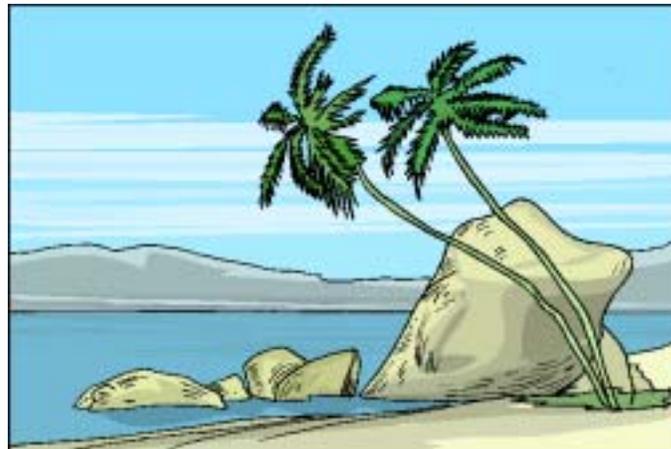


Kapalua Bay, LLC, proposes to create a new resort residential community within the Kapalua Resort called The Residences at Kapalua Bay. The Residences will provide approximately 140-150 two to three bedroom homes clustered in approximately 11 buildings on the site of the existing Kapalua Bay Hotel. Buildings will range from two to six stories in a general step-down fashion with low-rise buildings closest to the ocean. The Residences at Kapalua Bay will also include a beach club, a spa, and a bar and grill restaurant. The existing public shoreline access and public parking will be maintained.

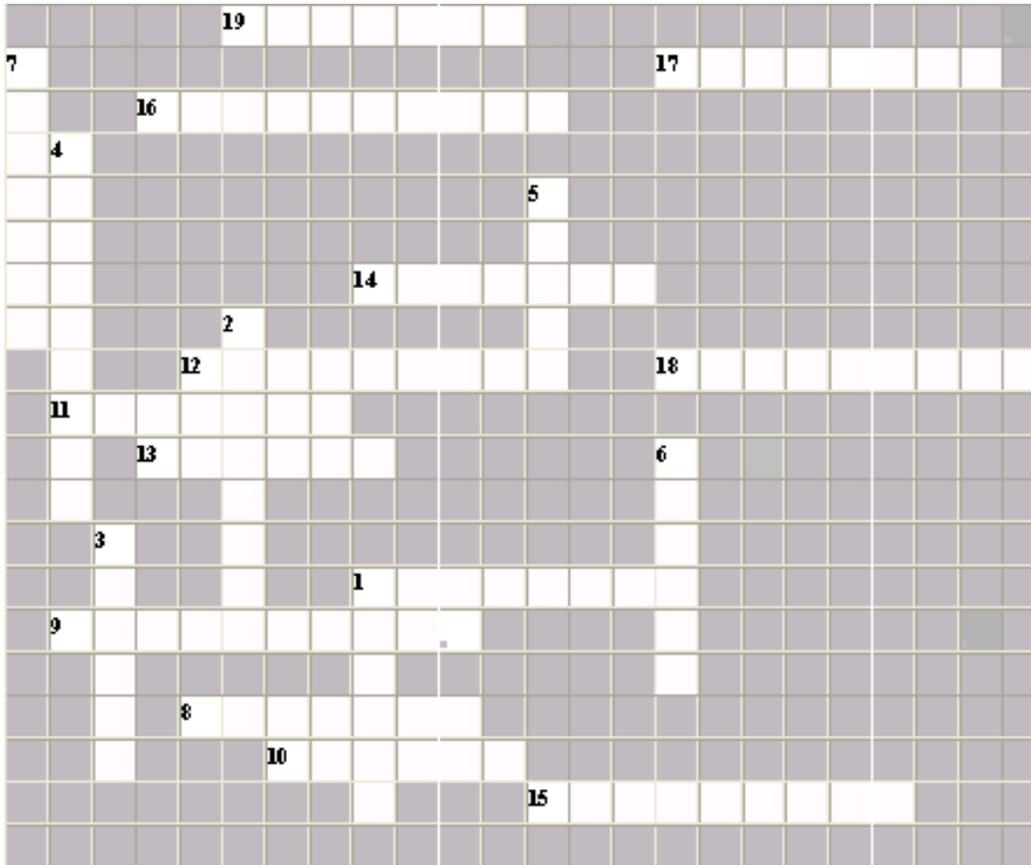
The Residences at Kapalua Bay will replace the existing Kapalua Bay Hotel and related facilities on the site. While the design of The Residences site is still process, the cluster approach provides for increased ocean views between buildings and the stepped design allows a gradual transition from low-rise buildings near

the ocean, to increased stories further from the shoreline. The new buildings also will be set back further from the shoreline under the new shoreline set back rules of the County, which were not in effect at the time the Kapalua Bay Hotel was built. The increased area between buildings and the ocean will facilitate placement of a public coastal trail planned to run through the Residences' site and beyond, providing continuous coastal access within Kapalua when all segments are completed.

The EISPN contains a preliminary description of the anticipated impacts and proposed mitigation measures of The Residences at Kapalua Bay. Technical studies to assess the existing natural and physical conditions of site and potential impacts are being conducted and will be included in the draft EIS.



## Environmental Trivia



### Across

1. Sediment deposited by flowing water, as in a riverbed.
8. Any of several ox like African or Asian mammals.
9. Any of various narrow-bodied insects with four broad, usually colorful

### Down

1. A South American mammal related to the llama, having fine, long wool.
2. Any of various weasel like, chiefly African or Asian mammals noted for their ability to kill venomous snakes.
3. A shrub or tree of the Mediterranean region, having aromatic evergreen leaves.
4. A climbing plant cultivated for its variously colored, fragrant flowers. (2 words - include space in puzzle).
5. Any of various often large and voracious marine fishes with tough skin and small, tooth like scales.
6. The pollen-producing reproductive organ of a flower.
7. A whale like mammal of arctic seas, with a long, spirally twisted tusk.
8. A tree with featherlike compound leaves clusters of fragrant white flowers, and hard, durable wood.
9. A sharp-tooth tropical American freshwater fish that often attacks and destroys living animals.
10. A shallow body of water, esp. one separated from the sea by sandbars or coral reefs.
11. A very large ocean wave caused by an underwater earthquake or volcanic eruption.
12. A steep descent of water from a height.
13. The down of the eider (2 words - include space in puzzle)
14. A young rooster.
15. Any of several plants with variously colored flowers that have five spurred petals.
16. A bivalve marine mollusk with a fan-shaped ridged shell.

# National Environmental Policy Act

JANUARY 23, 2005

## Facility S721 Demolition (NEPA-EA)

**District:** Honolulu  
**TMK:** n/a  
**Proposing Agency:** Naval Facilities Engineering Command,  
Pacific, 258 Makapala Dr., Ste., 100 Pearl  
Harbor, HI 96860-3134  
Contact: Connie Chang (472-1395)  
**Accepting  
Authority:** Dept. of the Navy, Commander, Naval  
Installations, 2713 Mitscher Road, SW,  
Washington, D.C. 20373  
Contact: Scott Markert [(703) 601-1637]  
**Permits  
Required:** n/a

Pursuant to the Council on Environmental Quality regulations (40 Code of Federal Regulations Parts 1500-1508) implementing the National Environmental Policy Act, and Chief of Naval Operations Instruction 5090.1B, the Department of the Navy gives notice that an EA has been prepared and an Environmental Impact Statement is not required for the demolition of Facility S721 at the Pearl Harbor Naval Complex, O'ahu, Hawai'i.

Commander Navy Region Hawai'i (CNRH) proposes to demolish Facility S721 to reduce the Navy's excess facilities. Alternatives evaluated include Revitalization and No Action.

The Proposed Action would result in significant impacts on the following resource areas; soils, topography, groundwater, air quality, noise, marine and terrestrial flora and fauna, utilities, drainage, traffic, hazardous and regulated materials, flood hazard, socio-economic factors, and land use compatibility. CNRH has complied with Section 106 and Section 110 of the National Historic Preservation Act (NHPA) and executed a Memorandum of Agreement to conclude consultations pursuant to the NHPA's implementing regulations, 36 CFR Part 800.

Based on information gathered during preparation of the EA, the Navy finds that the proposed demolition of Facility S721 will not significantly impact human health or the environment.

The EA and FONSI addressing this action are on file and interest parties may obtain a copy from: Commander, Naval Facilities Engineering Command, Pacific, 258 Makalapa Drive, Suite 100, Pearl Harbor, Hawai'i 96860-3134 (Attention: Ms. Connie Chang, EV31, telephone (808) 472-1395/472-1383.)

## Range Modernization at Pohakuloa Training Area (PTA), Hawai'i (NEPA-EA)

**District:** Hamakua  
**Proposing Agency:** US Army Garrison, Hawai'i  
**Contact:** Peter Yuh, Jr., 656-2878 ext. 1051  
**Comment Deadline** February 22, 2005

The US Army Garrison, Hawai'i is proposing the upgrade and modernization of existing Range facilities at Pohakuloa Training Area, Island of Hawai'i. Proposed range modernization is needed to accommodate current and emerging training mission requirements for the US Army Hawai'i, US Army Pacific, other US Pacific Command units, Air Force, Marine Corps, National Guard, Reserve, and allied forces. The Proposed Action consists of three components:

- \* Constructing a 25-lane Known Distance (KD) Range on Range 1.
- \* Constructing a new 10-lane Modified Record-Fire (MRF) Range on Range 1.
- \* Modernizing existing targets, shifting existing lane direction, and constructing six new machine gun lanes on Range 8.

In the ROI for the Proposed Action, the terrain is largely barren and covered by pahoehoe (smooth) lava flows with lesser amounts of a'a (rough) lava. Vegetation is very sparse. Based on previous or existing data from biological surveys and records of PTA Environmental Department observations, there are three threatened and endangered (T&E) species identified within the region of influence (ROI) of the Proposed Action. These species include the Hawaiian catchfly (*Silene hawaiiensis*), Hawaiian goose or nene (*Branta sandvicensis*), and the Hawaiian hoary bat or opea'ape'a (*Lasiurus cinereus semotus*). In a previous EA (1997 Expansion of Machine Gun (MG) Range on Range 8), the effects of construction and operation of two additional firing lanes on *S. hawaiiensis* were evaluated. The EA reported no obvious *S. hawaiiensis* damage from MG firing. To offset potential impacts to *S. hawaiiensis*, the U.S. Army enclosed approximately 50 *S. hawaiiensis* plants in the Kipuka Kalawamauna fence unit. On July 23, 1997, a Biological Opinion was rendered by the US Fish and Wildlife Service stating the action was not likely to jeopardize the continued existence of *S. hawaiiensis*. It is anticipated that the projects proposed in the Proposed Action would not increase the potential risk of impact to the *S. hawaiiensis*.

# National Environmental Policy Act

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None of the proposed projects are expected to increase impacts to T&E wildlife species as *B. sandvicensis* have not been observed within the ROI in over seven years and the Proposed Action does not include construction of artificial lighting systems, which could potentially increase attraction of the *L. cinereus semotus*.

Based on the information compiled during the preparation of the EA, it has been concluded that the modernization of the ranges on PTA would not constitute a major action having significant effects on the quality of the man made or natural environment.

Copies of the EA and Draft FONSI are available for review and can be obtained upon request by contacting Peter Yuh, Jr. at

656-2878, extension 1051. Any comments should be provided by February 22, 2005 and sent to:

Peter Yuh, Jr.  
Environmental Division (APVG-GWV)  
Directorate of Public Works  
U.S. Army Garrison, Hawai'i  
572 Santos Dumont Ave  
Wheeler Army Airfield  
Schofield Barracks, HI 96857-5013

At the conclusion of the review period the Army will respond to any comments, and finalize and sign the FOSNI, if appropriate.

## Voluntary Response Program

### Castle & Cooke Waialua, LLC

The Hawai'i Department of Health has received an application from Castle & Cooke Waialua, LLC to participate in the Voluntary Response Program. The purpose of the program is to encourage property owners, lenders, developers, or prospective purchasers of property to voluntarily clean up contaminated properties.

The property to be investigated and cleaned up in this project is part of the former Waialua Sugar Mill site located on Kealohanui Street, Waialua, O'ahu. The approximately 17-acre (industrially-zoned) property is surrounded by a mix of undeveloped land, residential housing, and commercial businesses. The suspected contamination to be addressed in this voluntary action includes petroleum hydrocarbons, pesticides, metals, and chlorinated solvents.

The Department of Health welcomes comments from the public regarding this project. For additional information or to review the application, please contact John Peard in Honolulu at (808) 586-0956

### Lowe's HIW, Inc.

The Hawai'i Department of Health (DOH) has received an application from Lowe's HIW, Inc. to participate in the Voluntary Response Program. The purpose of the program is to encourage property owners, lenders, developers, or prospective purchasers of property to voluntarily clean up contaminated properties.

Lowe's has entered into an agreement with ConocoPhillips to purchase two parcels of property totaling approximately 14 acres in the Iwilei district of Honolulu. One parcel is currently occupied by a ConocoPhillips tank facility and the other parcel is occupied by the Brewer Environmental Industries facility.

Lowe's plans to construct a Lowe's home improvement center on the tank facility property. Lowe's would like to pursue voluntary cleanup of the two properties in order to receive a letter of completion of remediation from the State.

The Department of Health approved Lowe's participation in the VRP on January 4, 2005. In addition, the Department invites comments from the public regarding this project. For additional information or to review the application, please contact Davis Bernstein at DOH in Honolulu at (808) 586-4249.

## Native American Graves Protection and Repatriation Review Committee Meeting

Notice is here given in accordance with the Federal Advisory Committee Act, 5 U.S.C. Appendix (1988), of a meeting of the Native American Graves Protection and Repatriation Review Committee. The Review Committee will meet on March 13-15, 2005, in the Keoni Auditorium, Hawai'i Imin International Conference Center, 1777 East-West Road, Honolulu, HI 96848-1601, and telephone (808) 944-7159. Meeting sessions will begin at approximately 1:00 p.m. on March 13, and 8:30 a.m. on March 14-15. Meeting sessions will end each day at approximately 5 p.m. The agenda for the meeting includes an update on various disputes and issues pending before the Review Committee; requests for recommendations regarding the disposition of culturally unidentifiable human remains; discussion of regulations; the Review Committee's 2002-2004 report to the Congress; discussion of nominees for the committee's seventh member; and presentations and statements by Indian tribes, Native Hawaiian organizations, museums, Federal agencies, and the public. To schedule a presentation to the Review Committee during the meeting, submit a written request with an abstract of the presentation and contact information. Persons also may submit written statements for consideration by the Review Committee during the meeting. Send requests and statements to the Designated Federal Officer, NAGPRA Review Committee by U.S. Mail to the National Park Service, 1849 C Street NW (2253), Washington, DC 20240; or by commercial delivery to the National Park Service, 1201 Eye Street NW, 8th floor, Washington, DC 20005 Because increased security in the Washington, DC, area may delay delivery of U.S. Mail to Government offices, copies of mailed requests and statements should also be faxed to (202) 371-5197. Transcripts of Review Committee meetings are available approximately 8 weeks after each meeting at the National NAGPRA Program office, 1201 Eye Street NW, Washington, DC. To request electronic copies of meeting transcripts, send an e-mail message to [nagpra.info@nps.gov](mailto:nagpra.info@nps.gov). Information about NAGPRA, the Review Committee, and Review Committee meetings is available at the National NAGPRA website, <http://www.cr.nps.gov/nagpra>; for the Review Committee's meeting procedures, select "Review Committee," then select "Procedures." The Review Committee was established by the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA), 25 U.S.C. 3001 et seq. Review Committee members are appointed by the Secretary of the Interior. The Review Committee is responsible for monitoring the NAGPRA inventory and identification process; reviewing and making findings related to the identity or cultural affiliation of cultural items, or the return of such items; facilitating the resolution of disputes; compiling an inventory of culturally unidentifiable human remains that are in the possession or control of each

Federal agency and museum and recommending specific actions for developing a process for disposition of such remains; consulting with Indian tribes and Native Hawaiian organizations and museums on matters within the scope of the work of the committee affecting such tribes or organizations; consulting with the Secretary of the Interior in the development of regulations to carry out NAGPRA; and making recommendations regarding future care of repatriated cultural items. The Review Committee's work is completed during meetings that are open to the public.

Dated: December 16, 2004

C. Timothy McKeown,

Designated Federal Officer,

Native American Graves Protection and Repatriation Review Committee.



## Air Quality Designations and Classifications for the Fine Particles (PM2.5) National Ambient Air Quality Standards

This rule sets forth the initial air quality designations and classifications for all areas in the United States, including Indian country, for the fine particles (PM2.5) National Ambient Air Quality Standards (NAAQS). The EPA is issuing this rule so that citizens will know whether the air quality where they live and work is healthful or unhealthful. Health studies have shown significant associations between exposure to PM2.5 and premature death from heart or lung disease. Fine particles can also aggravate heart and lung diseases and have been linked to effects such as cardiovascular symptoms, cardiac arrhythmias, heart attacks, respiratory symptoms, asthma attacks, and bronchitis. These effects can result in increased hospital admissions, emergency room visits, absences from school or work, and restricted activity days. Individuals that may be particularly sensitive to PM2.5 exposure include people with heart or lung disease, older adults, and children. This rule establishes the boundaries for areas designated as non-attainment, unclassifiable, or attainment/unclassifiable. This rule does not establish or address State and Tribal obligations for planning and control requirements that apply to non-attainment areas for the PM2.5 standards. The EPA will publish a separate rule, which will set forth the planning and control requirements that apply to non-attainment areas for the PM2.5 standards.

JANUARY 23, 2005

## **Kaloko-Honokohau National Historical Park Advisory Commission; Notice of Meeting**

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., January 22, 2005 at the Makaha Resort Hotel, Waianae, Hawaii.

The agenda will include Planning and Development of the Live-In Cultural Center, and Review of Draft Wayside Exhibits for the park.

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.

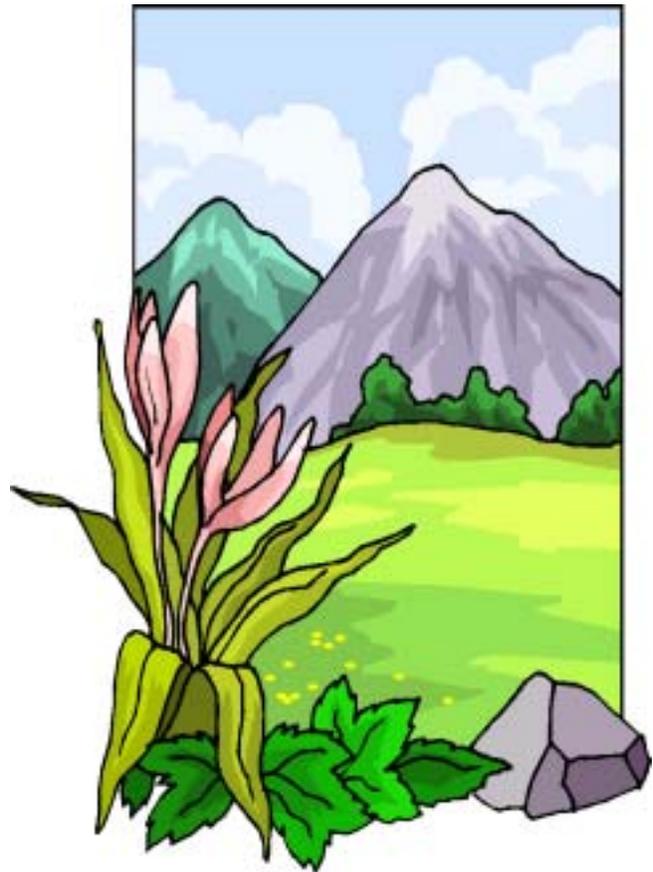
## **Regulation of Fuels and Fuel Additives: Modification of Anti-Dumping Baselines for Gasoline Produced or Imported for Use in Hawaii, Alaska and U.S. Territories**

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: Today's action proposes to allow refiners and importers who produce or import conventional gasoline for use in Alaska, Hawaii, the Commonwealth of Puerto Rico and the Virgin Islands to change the way that they calculate emissions from such gasoline for purposes of calculating their conventional gasoline anti-dumping baselines and evaluating annual average emissions. Specifically, for gasoline sold in these areas, refiners and importers could elect to modify their baselines to replace the anti-dumping statutory baseline with the single seasonal statutory baseline that is most appropriate to the regional climate, and to use the seasonal component of the Complex Model

that is most appropriate to the regional climate to calculate individual baselines and annual average emissions. This action would allow refiners and importers to petition EPA to use the summer statutory baseline and the summer Complex Model for all anti-dumping baseline and compliance calculations for conventional gasoline produced or imported for use in Hawaii, Puerto Rico and the Virgin Islands and would allow refiners and importers to petition EPA to use the winter statutory baseline and the winter Complex Model for all anti-dumping baseline and compliance calculations for conventional gasoline produced or imported for use in Alaska. We are proposing these actions to address certain inconsistencies in the RFG program's anti-dumping provisions, which may have significant unintended negative impacts on refiners and importers who produce or import gasoline for these areas. Today's action would also extend similar seasonal baseline and compliance modifications to the provisions applicable to conventional gasoline under Gasoline Toxics, also known as the Mobile Source Air Toxics rule, or MSAT.



# Pollution Control Permit Applications

JANUARY 23, 2005

## 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; **SWMP** - Solid Waste Management Permit; **N** - none; **NPDES** - National Pollutant Discharge Elimination System under the Federal Clean Water Act; **R** - received; **T** - temporary; **UIC** - Underground Injection Control; **NA** - not applicable.

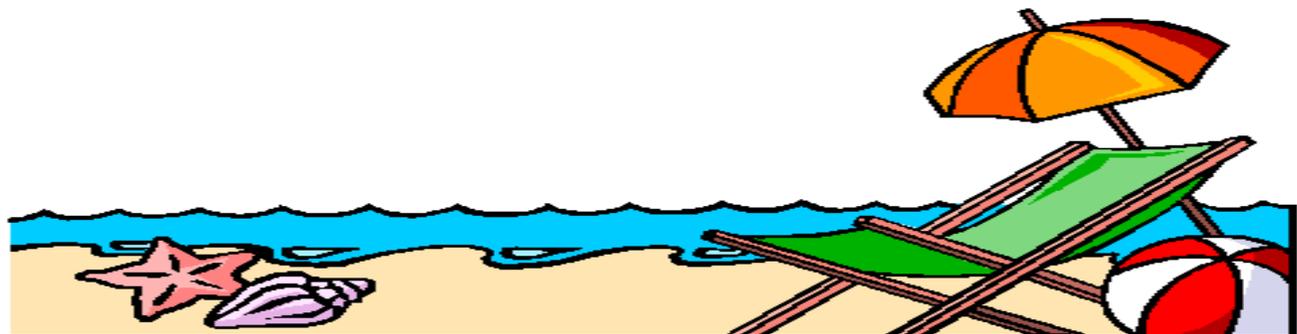
Branch Permit Type	Applicant & Permit Number	Project Location	Pertinent Date	Proposed Use
CAB, 586-4200, NSP	Monsanto Company NSP 0468-01-N (Modification)	2111 Piilani Highway, Kihei, Maui	Issued: 12/30/04	Grain Processing Facility
CAB, 586-4200, NSP	Edwin DeLuz Trucking and Gravel, LLC NSP 0383-01-N (Renewal)	Kaeihauaii Industrial Subdivision, Kawaihae, Hawaii	Issued: 1/5/05	170 cu-yd/hr Concrete Batch Plant

# Coastal Zone News

## 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: Kailua (4-2-14-4)	Construct 35-foot high monopole and accessory structures (2004/SMA-75)	SprintCom, Inc./Analytical Planning Consultants, Inc.
Oahu: Wailua (6-7-1-10)	Install grinder pump station system (2005/SMA1(AM))	State DAGS
Oahu: Waimanalo (4-1-14-13)	Relocate existing 1,150 gallon LPG tank (2005/SMA-2(AM))	Oahu Gas Service



## Conservation District Use Permit

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 Hawaii CZM Program at 587-289



### PROJECT #1

#### **Kalihi Channel Floating Security Barrier, Oahu**

**Applicant:** State of Hawaii Department of Transportation, Harbors Division  
**Consultant:** Wilson Okamoto Corp.; Laura Mau, 946-2277  
**Federal Action:** Department of the Army Permit  
**Federal Agency:** U.S. Army Corps of Engineers  
**Location:** Kalihi Channel, Honolulu Harbor  
**TMK:** 1-5-41  
**CZM Contact:** John Nakagawa, 587-2878  
**Proposed Action:**

Install a floating barrier across Kalihi Channel immediately mauka of the San Island Bascule Bridge as part of the Homeland Security Program for the State's harbors. The barrier will span the 700-foot wide channel and be constructed of multiple sections of interlocking floating modules anchored by concrete blocks at both ends of the barrier. Access within this area of Kalihi Channel is currently restricted to authorized personnel.

**Comments Due:** February 7, 2005

### PROJECT #2

#### **Federal Funds for Phase 1A of the North-South Road and Kapolei Parkway Project**

**Applicant:** State of Hawai'i Department of Transportation, Highways Division  
**Consultant:** R.M. Towill Corporation, Greg Hiyakumoto, 842-1133  
**Federal Action:** Federal Financial Assistance  
**Federal Agency:** U.S. Federal Highways Administration  
**Location:** From Renton Road to Interstate Route H-1, Ewa District, O'ahu  
**CZM Contract:** Debra Tom, 587-2840  
**Proposed Action:**

Federal funding will be used for the construction of Phase 1A of the North-South Road and Proposed Kapolei Parkway project. Phase 1A includes the construction of: (1) a major interchange at its junction with the H-1 Freeway; (2) the North-South Road/Kapolei Parkway intersection; and (3) various drainage feature, such as a drainage channel and detention basin associated with the proposed highway, and two crossings of Kalo Gulch.

**Comments Due:** February 7, 2005

## 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, Hawaii 'i 96813.

File No.	Proposed / Rejected	Location	Applicant/Owner	TMK
HA-286	Proposed Shoreline Certification	Lot 3, being a portion of Land Commission Award 9971, Apana 28, land situated at Kaunalumalu, North Kona, Island of Hawai 'i, Hawai 'i Address: 77-266 Ke Alohi Place Purpose: Building Permit	R.M. Towill Corporation, for Russell and Colene Johnson	7-7-24: 03
OA-1010	Proposed Shoreline Certification	Consolidation of Lots 4624 and 14265 Land Court Application 1069 and Re-subdivided into Lots A and B, land situated at Honouliuli, Ko Olina, 'Ewa, Island of O'ahu, Hawai 'i Address: 92-100 Waipahe Place Purpose: Subdivision Requirement	Walter P. Thompson Surveying and Mapping/Ko Olina Marina	9-1-57: 19
OA-1011	Proposed Shoreline Certification	Consolidation of Lots 4611 and 4612 Land Court Application 1069 and Re-subdivided into Lots A, B, C and D, land situated at Honouliuli, Ko Olina, 'Ewa, Island of O'ahu, Hawai 'i Address: Mauloa Place (No Number) Purpose: Subdivision Requirement	Walter P. Thompson Surveying and Mapping/Ko Olina Hotel #9 and #10, LLC HRT Ltd.	9-1-57: 10
MA-316	Proposed Shoreline Certification	Mailepai Hui Partition Subdivision, land situated at Alaeoa, Kaanapali, Lahaina, Island of Maui, Hawai 'i Address: 30 Hui Road E Purpose: Determine Setback	Valera, Inc./ Kahana Paradise, LLC	4-3-15: 04 por
HA-284	Proposed Shoreline Certification	Lot 1, 3, and 7 being a portion of Land Commission Award 8559-B, Apana 13, land situated at Honuapo, Ka'u, Island of Hawai 'i, Hawai 'i Address: None assigned Purpose: Building Permit	R.M. Towill Corporation for Landco General Partners	9-5-14: 07 & 37
MA-204-4	Proposed Shoreline Certification	Lot 71, Land Court Application 1744, land situated at Hanakaao, Lahaina, Island of Maui, Hawai 'i Address: 100 Nohea Kai Drive Purpose: Planning Future Use of Property	Warren S. Unemori Engineering, Inc./ Marriott Hotel Services	4-4-13: 01
HA-292	Proposed Shoreline Certification	Lot 8 Of 49 Black Sand Beach Subdivision, land situated at Anaehoomalu, South Kohala, Island of Hawai 'i, Hawai 'i Address: 68-1078 Honokaope Way Purpose: Building Permit	R. M. Towill Corporation/Paul and Susan Prudler	6-8-33: 08
MA-313	Proposed Shoreline Certification	Parcel 27, being a portion of Land Commission Award 11216, Apana 21, land situated at Palaeua, Honuaula, Makawao, Island of Maui, Hawai 'i Address: 4572 Makena Road Purpose: Determine Setback	Ronald M. Fukumoto Engineering, Inc., for Sasson Somekh	2-1-11: 27