

The Environmental Notice

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

AUGUST 23, 2006

Heeia Fishpond Restoration



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GOVERNOR

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

Other Resources available online:

• *June 2004 Guidebook for
Hawai'i's Environmental Process*

• *Environmental Assessments in
Adobe Acrobat PDF Format Contact
OEQC for logon instructions*

• *Environmental Council Annual
Reports*

Moloka'i/Lana'i: 1-800-468-4644
ext. 64185

Kaua'i: 274-3141 ext. 64185

Maui: 984-2400 ext. 64185

Hawai'i: 974-4000 ext. 64185



Kamehameha Schools has submitted a draft EA for new facilities to support existing aquaculture operations and to promote restoration and preservation of Heeia Fishpond. See page 3.

Ke'ehi Lagoon Memorial

The Dept. of Land & Natural Resources has submitted a draft EA for the Ke'ehi Memorial Organization for improvements to the DAV Park at Ke'ehi Lagoon.

The existing deteriorated Kakesako Rehab Center will be demolished and a health/day care center will be constructed to house adult and child care programs.

After the fact approvals are also being sought for the seawall, drainage channel, pavilion, 2 picnic shelters and 3 barbecue pits.

See page 6 for more.

Campbell Industrial Park Generating Station FEIS

The Department of Planning & Permitting accepted this final EIS August 10th, 2006. See page 8.

Waikiki Wedding Chapel

Good Luck International has submitted a draft EA for the construction of a wedding chapel at the corner of Kuhio Ave. and Kai'olu Street in Waikiki. An existing 2-story concrete building and carport will be demolished and a 2-story wedding chapel will be constructed. The wedding chapel will occupy less than half the parcel, which will be heavily landscaped. It will accommodate parties up to 28 people. The Department of Planning & Permitting will issue a Waikiki Special Design District major permit. See page 4 for more details.

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He'eia Fishpond Aquaculture Support Facilities (HRS 343 DEA)

District: Ko'olaupoko
TMK: (1) 4-6-05:01 (por.)
Applicant: Kamehameha Schools
 567 S King St., Honolulu, HI 96813
 Contact: Jo Anne Hanada (534-3977)

Approving Agency: C & C, Department of Planning and Permitting
 650 S King St., 7th Flr., Honolulu, HI 96813
 Contact: Jamie Peirson (527-5754)

Consultant: Helber Hastert & Fee, Planners
 733 Bishop St., Ste. 2590, Honolulu, HI 96813
 Contact: Corlyn Orr (545-2055)

Public Comment
Deadline: September 22, 2006
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: Conditional Use Permit, Construction and Building Permits

and associated utility system improvements. Replacement of the existing caretaker's residence would provide accommodations for a caretaker to remain on-site at all times and monitor against poaching and vandalism, which are on-going problems at the fishpond. Proposed aquaculture support facilities include an air-conditioned office space, toilets and a shower/changing area, equipment and material storage, and parking improvements. Existing utility system connections, including water, electrical and telephone service, would be maintained, and a new connection to the City's sewer system along 'Ipuka Street would be installed.

Development of the proposed project would not have significant environmental impacts based on the significance criteria specified in Section 11-200-12, HAR. Improvements and activities associated with the proposed project would be concentrated near the *mauka* boundary of the project site where the existing structures are located. The project site does not include any known rare, threatened and endangered species or sensitive natural habitats. Although the project site is associated with the fishpond, no significant archaeological, historical or cultural resources are expected within the project site. The proposed project would be designed to accommodate the existing aquaculture program, and no changes in the overall land use or intensity of use, staffing or visitation patterns are anticipated. Existing traffic patterns and volumes would be expected to continue. Although typical short-term, temporary construction-related impacts would be expected, the project would have no adverse significant impacts on the following resources: land use compatibility, topography and soils, surface waters, natural hazards, scenic and visual resources, biological and cultural resources, air quality, noise, infrastructure and public services, demographics and economics, and traditional customs and practices.

Kamehameha Schools (KS) proposes to construct new facilities at He'eia Fishpond to support existing aquaculture operations and promote the restoration, preservation and long-term use of the fishpond. The entire fishpond and portions of the adjacent land-based areas, including part of the project site, is listed on the National Register of Historic Places (State Historic Site Number 80-10-327). The proposed improvements would be concentrated within approximately 0.75 acres near the southernmost corner of the fishpond where existing aquaculture operations are currently located. Access to the project site is provided from 'Ipuka Street via a steep concrete driveway. Land uses surrounding the project site are primarily residential in nature, including the Ali'i Landing subdivision to the east and south, and the Ali'i Bluffs subdivision to the west.

Proposed improvements include the replacement of an existing Quonset hut historically used as a caretaker's residence and the construction of permanent aquaculture support facilities



Aerial of project site.

O'ahu Notices

AUGUST 23, 2006

Arluis Suite Waikiki Wedding Chapel (HRS 343 DEA)

District: Honolulu
TMK: (1) 2-6-17:56
Applicant: Good Luck International Corporation
307 Lewers St., Ste. 402, Honolulu, HI 96815
Contact: Toshihiko Matsukawa (926-2652)

Approving Agency: Department of Planning and Permitting
650 S King St., Honolulu, HI 96813
Contact: Sharon Nishiura (523-4256)

Consultant: Environmental Communications, Inc.
1188 Bishop St., Ste. 2210, Honolulu, HI 96813
Contact: Taeyong Kim (528-4661)

Public Comment

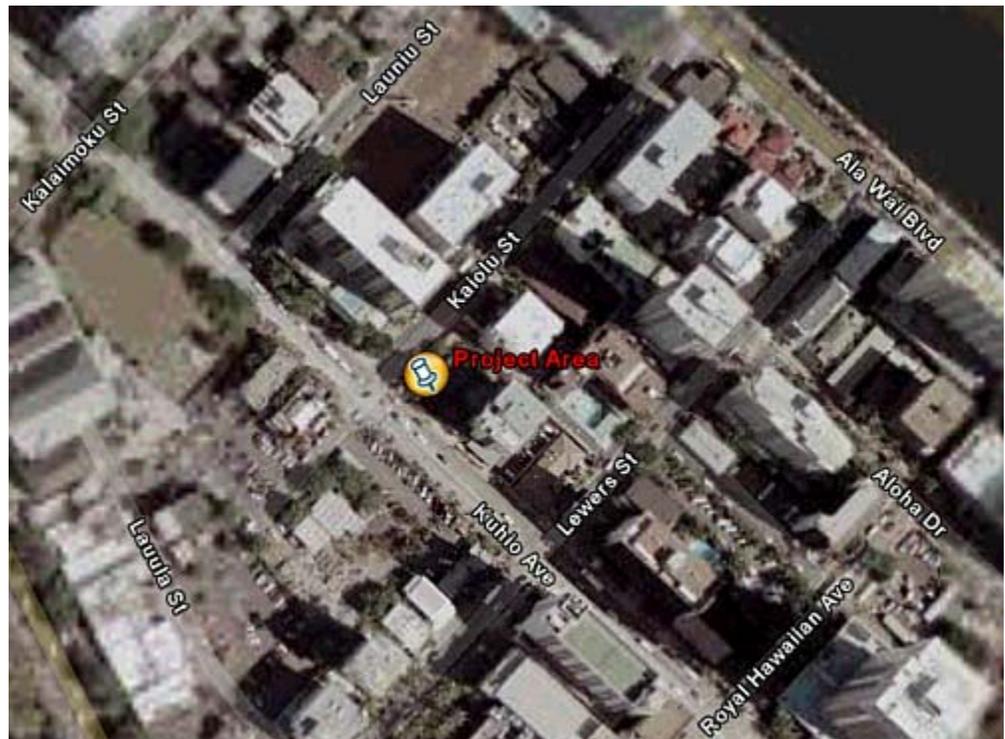
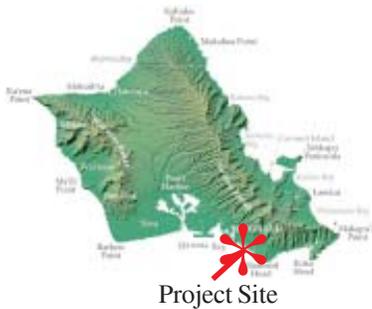
Deadline: September 22, 2006
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the applicant with copies to the approving agency, consultant and OEQC.

Permits

Required: Waikiki Special District Permit (Major), Conditional Use Permit (Minor), Building Permits

The proposed project consists of a two-story, wedding chapel building with about 5,485 square feet of floor area. The ground level will consist of banquet facilities for the wedding participants and their guests, restrooms and a warming kitchen. The second level will contain the chapel and restrooms. No guest or staff parking will be provided on the project. A loading area, accessed from Kai'olu Street, will be provided for deliveries and the limousine transporting the wedding participants. The applicant also proposes to obtain four off-site parking spaces, through a Conditional Use Permit (Minor), at a parking facility located at 2150 Lau'ula Street (Tax Map Key 2-6-18: 46).

The project site is 6,489 square-feet in size and is currently developed with a vacant, residential building. It is surrounded by the multi-family buildings of Kuhio Courte to the east, Four Eleven Kai'olu to the north and Four Paddle to the west, across Kai'olu Street. The City's Waikiki Sewer Pump Station and Municipal Parking Lot are located to the south, across Kuhio Avenue.



Aerial of project Area

Cooper Residence at Kokokahi Place (HRS 343 DEA)

District: Ko'olaupoko
TMK: (1) 4-5-032:001 (por.)
Applicant: He Mea Waiwai Loa LLC
 977 Alahaki St., Kailua, HI 96734
 Contact: Peter Cooper (479-5357)

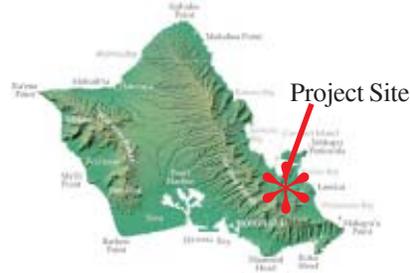
Approving Agency: Department of Land and Natural Resources
 P.O. Box 621, Honolulu, HI 96809
 Contact: Kimberly Mills (587-0381)

Consultant: Helber Hastert & Fee, Planners
 733 Bishop St., Ste. 2590, Honolulu, HI 96813
 Contact: Corlyn Orr (545-2055)

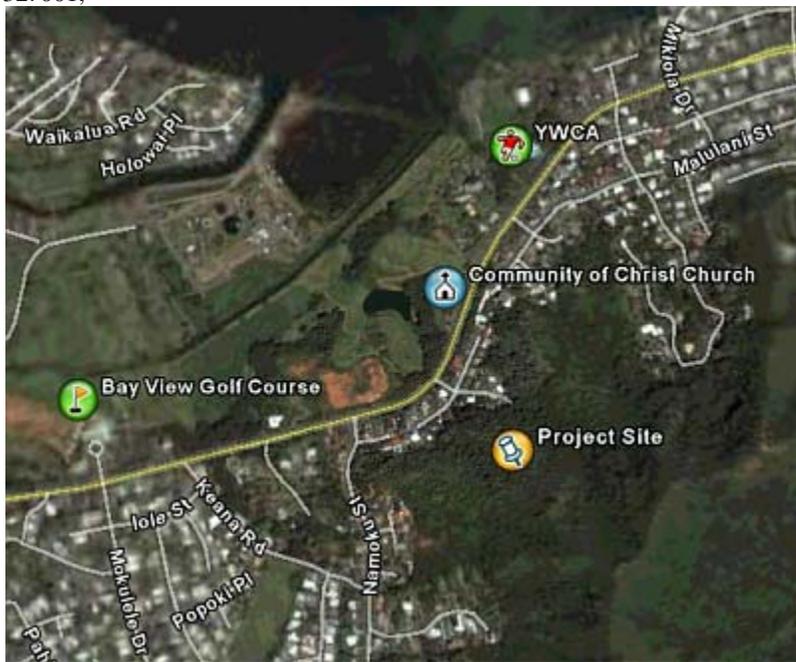
Public Comment
Deadline: September 22, 2006
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the applicant with copies to the approving agency, consultant and OEQC.

Permits Required: CDUP, Individual Wastewater System Approval, Construction and Building Permits

significance criteria specified in Section 11-200-12, HAR. Improvements and activities associated with the proposed project would be limited to the portion of the property that was previously occupied and disturbed by the former residential use. Some typical short-term, temporary construction-related impacts (noise, air quality, and traffic) would be expected. The proposed use would be compatible with the surrounding residential uses and would be consistent with the objectives of the State's Conservation District rules. No known Federal or State-protected endangered, threatened or candidate species or sensitive natural habitats are known to exist on the project site. No significant archaeological or cultural resources are anticipated, and there are no known Native Hawaiian or other cultural properties or practices occurring within the project site. The proposed project would be constructed in accordance with the established design standards for single-family residential buildings on State Conservation Lands, and would not adversely impact important scenic views identified in State or County public planning documents.



The applicant and landowner, He Mea Waiwai Loa LLC, proposes to construct a single-family residential dwelling and detached horse barn on private property within the State Conservation District in Kane'ohe, O'ahu, Hawai'i. The project area is identified as being part of Tax Map Key (TMK) parcel 4-5-32: 001, which has a total land area of 56.288 acres. The subject property is bordered by single-family residential development along four of its five sides and by undeveloped forest lands within the State Conservation District on its mauka (south and southeast) boundaries. The proposed improvements would be concentrated on approximately three acres of the parcel's total land area ("project site"). Access to the property is via an existing 16-foot wide gravel driveway off of 45-234 Kokokahi Place (TMK parcel 4-5-31:077). The property is currently vacant and undeveloped forest lands, with the exception of the project site which was cleared and graded for the former residential use and driveway.



Aerial of Project Site

O'ahu Notices

AUGUST 23, 2006

Ke'ehi Lagoon Memorial Master Plan Update (HRS 343 DEA)

District: Honolulu
TMK: (1) 1-1-003:004
Applicant: Ke'ehi Memorial Organization
2685 North Nimitz Hwy, Honolulu, HI 96819
Contact: Cappy Fasi (947-1111)

Approving Agency: Department of Land and Natural Resources
P.O. Box 621, Honolulu, HI 96809
Contact: Samuel Lemmo (587-0377)

Consultant: Cappy Fasi
2056 Lanihuli Dr., Honolulu, HI 96822
Contact: Cappy Fasi (947-1111)

Public Comment
Deadline: September 22, 2006
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: CDUA, Building Permits

cause the site is physically isolated, the outdoor recreation activities and indoor events do not adversely affect neighboring land uses. This Environmental Assessment addresses the development of a proposed inter-generational day care center, renovations to existing structures and after-the-fact approvals for existing improvements.

The proposed day care facility replaces the deteriorated 1,656 sq.ft. Tommy Kakesako Rehabilitation Center and will be no more than 25' high, with 8,000 sq. ft. of total floor area (a net increase of approximately 6,364 sq. ft.). Existing improvements for after-the-fact approval include a CRM retaining wall that extends 430 linear feet along the shoreline, three small picnic shelters and barbeque pits with related walkways, and a 10 ft wide concrete drainage channel that slopes toward adjacent Moanalua Stream. There is no natural beach; all land was created by fill. A Coastal Engineering Evaluation prepared by Oceanit (May 2005), states that the seawall and drainage channel have a positive effect on the shoreline environment by reducing landfill erosion into the beach and Ke'ehi Lagoon. The DLNR staff report concurred that the seawall and drainage channel had no adverse impact on shoreline process. BLNR allowed the structures to remain subject to formal after-the-fact approval.

Ke'ehi Memorial Organization (KMO) proposes to develop a new facility and renovate or retain existing facilities at Ke'ehi Lagoon Memorial (an 11.087-acre site located on the south shore of O'ahu, fronting Ke'ehi Lagoon, between the Ke'ehi Lagoon Beach Park and Moanalua Stream), in accordance with a July 2005 Master Plan Update. Be-



Aerial of Project Site

Kalaniana'ole Highway Improvements at Makapu'u Point (HRS 343 FEA-FONSI) (Federal Aid Project No. NH072-01)

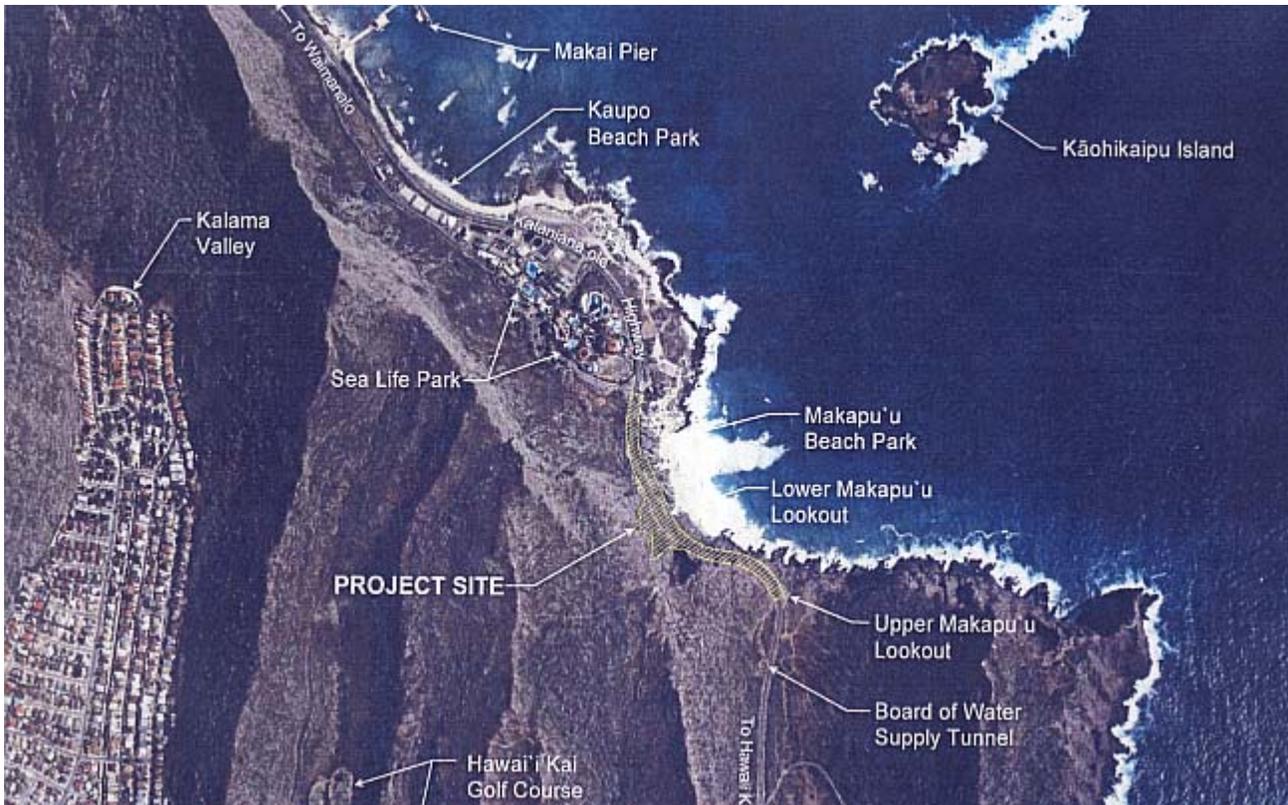
District: Ko'olaupoko
TMK: (1) 4-1-14:2 & 13 (por.)
Proposing Agency: Dept of Transportation, Highways Division
 601 Kamokila Blvd., Rm. 688, Kapolei, HI 96707
 Contact: Henry Kennedy (692-7550)

Determination Agency: Same as above.
Consultant: Wilson Okamoto Corporation
 1907 S Beretania St., Ste. 400, Honolulu, HI 96826
 Contact: Earl Matsukawa (946-2277)

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

Permits Required: CDUP, SMA Permit, Grading Permits, Individual NPDES

Based on an island-wide assessment of rockfall hazard locations, the State Department of Transportation, Highways Division (DOT-HWY) proposes additional interim rockfall protection measures to further address an identified rockfall hazard along Kalaniana'ole Highway at Makapu'u Point. In 2002, the DOT-HWY installed rockfall netting over the rocky cliff face above Kalaniana'ole Highway. The proposed rockfall protection measures will extend protection along the adjoining hillside above Kalaniana'ole Highway toward Sea Life Park. The DOT-HWY also proposes to address an existing road subsidence problem on Kalaniana'ole Highway in the immediate vicinity and to provide other highway improvements.



Aerial of Project Site

O'ahu Notices

AUGUST 23, 2006

Campbell Industrial Park Generating Station and Transmission Additions (HRS 343 FEIS)

District: 'Ewa
TMK: (1) 9-1-015:002; 9-1-015:016; 9-1-015:020; 9-1-014:033; 9-1-014:034; 9-1-014:035; 9-1-014:010; 9-1-014:014; 9-1-026:018; 9-1-026:039; 9-1-014:029; 9-1-026:038; 9-2-003:027; 9-2-003:011
Applicant: Hawaiian Electric Company, Inc.
P.O. Box 2750, Honolulu, HI 96840
Contact: Robert Isler (543-7206)
Accepting Authority: C & C, Department of Planning and Permitting
650 S King St., Honolulu, HI 96813
Contact: Matthew Higashida (527-6056)
Consultant: Planning Solutions, Inc.
210 Ward Ave., Ste. 330, Honolulu, HI 96814
Contact: Perry White (550-4483)
Status: Final environmental impact statement (FEIS) was filed and accepted by the accepting authority August 10, 2006. The FEIS is also available at the Office of Environmental Quality Control. There is no public comment period.
Permits Required: Conditional Use Permit, NPDES Construction Permit, NPDES Industrial Storm Water Permit, PUC Approval, Well Construction Permit, Pump Installation Permit, Water Use Permit, Initial Covered Source/Prevention of Significant Deterioration Permits, Wastewater Treatment Permit, Fuel Tank Construction Permit, FAA Clearance, Grading Permit, Building Permit, and Construction Noise Permit

The Hawaiian Electric Company, Inc. (HECO) is proposing to construct a new 110 MW fossil-fueled electrical generating unit on its Barbers Point Tank Farm site, a new 2-mile long, 138kV overhead transmission circuit linking the existing AES and CEIP substations, and associated improvements at these two electrical substations in Campbell Industrial Park ('Ewa District, Island of O'ahu; TMKs: 9-1-015:002; 9-1-015:016; 9-1-015:020; 9-1-014:033; 9-1-014:034; 9-1-014:035; 9-1-014:010; 9-1-014:014; 9-1-026:018; 9-1-026:039; 9-1-014:029; 9-1-026:038; 9-2-003:027; 9-2-003:011). The proposed action also includes certain off-site community benefit actions that HECO has agreed to implement in association with the proposed generating station, including the installation of an underground water line that will allow HECO to substitute recycled water from the City and County of Honolulu's Honouliuli Wastewater Treatment Plant for potable water that is now used for process purposes at its Kahe Generating Station. The target in-service date for the proposed generating station and transmission line is no later than mid-2009, with earlier completion desirable. The proposed action also includes construction of a second 110 MW generating unit at the generating station if necessary. The project is needed to meet the existing and forecasted system load growth on the island of O'ahu and is an integral part of HECO's commitment to providing safe, adequate, and reliable electric service to its customers. The proposed improvements are designed to minimize adverse effects on the environment and to maintain costs to HECO's customers at a reasonable level.



Kahului Town Center (HRS 343 DEA)

District: Kahului
TMK: (2) 3-7-007:005, 008-010, 027 & 050
Applicant: A & B Properties, Inc.
 822 Bishop St., Honolulu, HI 96813
 Contact: Darren Lake (525-8485)

Approving Agency: Dept of Planning, Maui Planning Commission
 250 S High St., Wailuku, HI 96793
 Contact: Kivette Caigoy (270-7735)

Consultant: Chris Hart & Partners, Inc.
 1955 Main St., Wailuku, HI 96793
 Contact Michael Summers (242-1955)

Public Comment
Deadline: September 22, 2006
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.

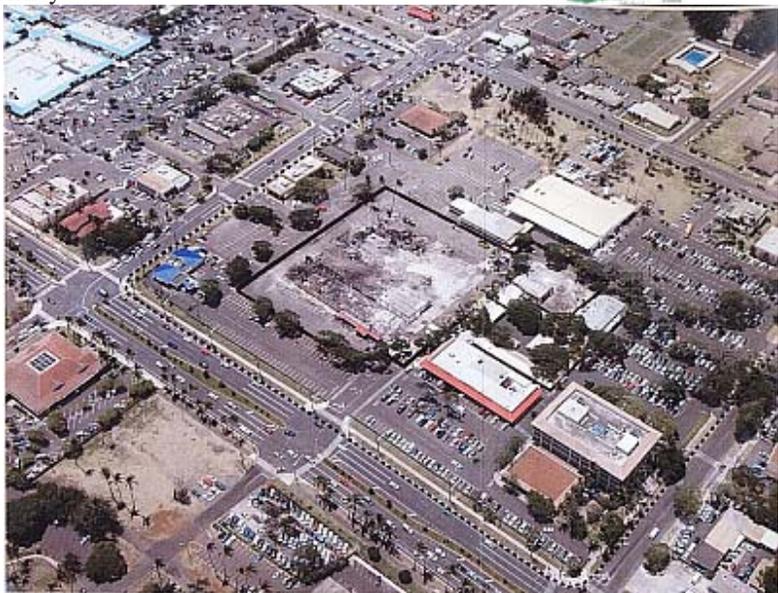
Permits Required: SMA Permit, Demolition Permits, Flood Development Permit, Final Subdivision, Grading Permit, Building Permits

pedestrian-oriented and encourages walking through the district. Building heights along Town Center Drive will vary from 30 to 62 feet and from one to five stories.

The Kahului Town Center will be an important hub for commerce, employment, housing, entertainment, and civic purposes in Central Maui. The 20-acre site will feature approximately 144,000 square feet of retail space and 96,000 square feet of new and 57,000 square feet of existing commercial office space. It is anticipated that many of the existing businesses within the Kahului Shopping Center will become tenants of the newer buildings. The district will feature a diverse tenant mix potentially including a grocer, boutique retailers, restaurants, clubs, and cafes, one or more banks, medical clinics, general merchandisers, professional offices and business services. The residential component will feature a mixture of townhouse units, four-story stacked flats and “podium” residential product. Approximately 442 residential units are planned on the site. The plan proposes approximately 1,913 structured and surface parking stalls to service the development. On- and off-site infrastructure improvements, landscape planting, and a town square park will also be incorporated into the project.

In February 2005, a major fire occurred at the Kahului Shopping Center (KSC). About 50% of the buildings were destroyed, including Ah Fooks Super Market, the Salvation Army Thrift Shop, and TJ’s Oriental Food Mart. As a result of this unfortunate event, A&B Properties, Inc. (A & B) contracted with a joint-venture team of MC Architects of Hawaii and Nestor + Gaffney Architecture of California to prepare a master plan for a mixed use development of the KSC block. The 19.9-acre site is entirely owned by A&B Properties and is bounded by Ka’ahumanu Avenue, Pu’unene Avenue, Kamehameha Avenue, and Lono Avenue.

The Kahului Town Center (KTC) Strategic Master Plan proposes the creation of a town center with a mix of retail, office and residential uses in a pedestrian-friendly setting. The plan includes a pedestrian oriented “Main Street”, Town Center Drive, that connects Maui Mall to Ka’ahumanu Center. Town Center Drive becomes the chief organizing element that links the four blocks or “Districts” together. Town Center Drive will be a very pedestrian-oriented streetscape with wide sidewalks available for street-front cafes and pedestrian seating areas. The plan creates a very comfortable walking environment that shifts the emphasis of the area from vehicular-oriented to pe-



Aerial Photo of existing site condition.

Maui Notices

AUGUST 23, 2006

Acquisition of Land and Improvements for the Expansion of Kahului Commercial Harbor (HRS 343 FEA-FONSI)

District: Wailuku
TMK: (2) 3-7-10:001 & 3-7-10:036
Proposing Agency: Dept of Transportation, Harbors Division
79 S Nimitz Hwy, Honolulu, HI 96813
Contact: Glenn Soma (587-2503)

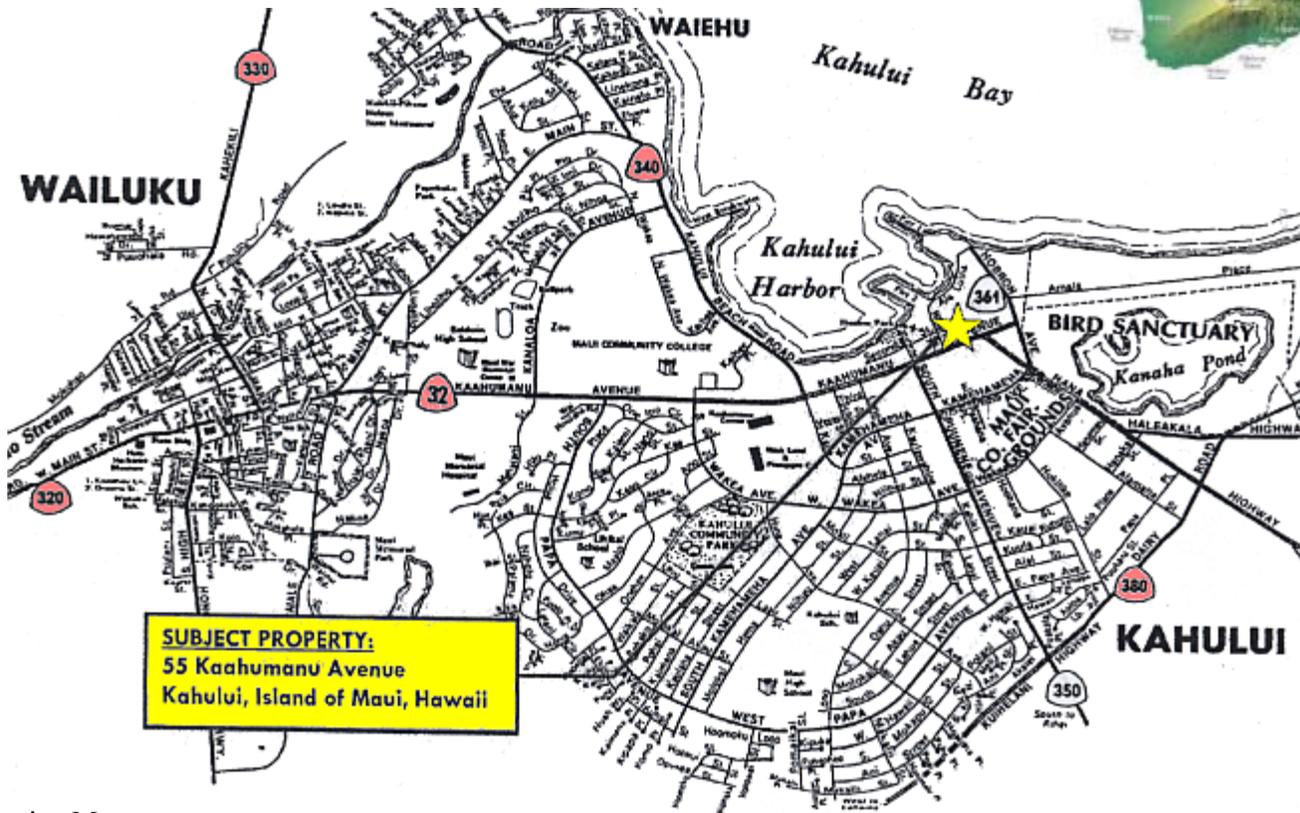
Determination Agency: Same as above.
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).

The State of Hawai'i, Department of Transportation, Harbors Division, desires to utilize State funds to acquire two improved parcels of Alexander & Baldwin Properties, Inc. land for commercial harbor expansion. Both parcels are located adjacent to and south of Kahului Commercial Harbor, on Ka'ahumanu Avenue, between Wharf Street and Hobron Avenue.

The parcels are necessary for the expansion of Kahului Commercial Harbor, which is congested with burgeoning maritime operations. Once acquired, the parcels will be included in

the upcoming *Kahului Commercial Harbor 2030 Master Plan* project. The master plan's task force will determine the best use of the two parcels. When the master plan is completed, the Harbors Division will commence with the Hawai'i Revised Statutes Chapter 343 analysis of the plan's projects and their cumulative environmental impacts before proceeding with the parcels' full redevelopment. Minor projects as contained in the *Comprehensive Exemption List for the State Department of Transportation* may be implemented within the two parcels in the interim to enable the inter-island cargo carrier's continuation of its full range of cargo services, including its less-than-container-load (LCL) cargo operations.

The Final Environmental Assessment and Finding of No Significant Impact may be downloaded at <http://www.state.hi.us/dot/harbors/maui/maui.htm>.



Location Map

Central Maui Baseyard Heavy Industrial Areas (HRS 343 FEA-FONSI)

District: Pu‘unene
TMK: (2) 3-8-05:01 (por.) & 19 (por.)
Applicant: S & F Land Company
 PO Box 806, Pu‘unene, HI 96784
 Contact: Earl Stoner, Jr. (877-3329)

Approving Agency: Dept. of Planning, Maui Planning Commission
 250 S High St., Wailuku, HI 96793
 Contact: Kivette Caigoy (270-7811)

Consultant: Chris Hart & Partners, Inc.
 1955 High St., Ste. 200, Wailuku, HI 96793
 Contact: Glenn Tadaki (242-1955)

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

Permits Required: NPDES, IWS, Building & Solid Waste Management Permits, Community Plan Amendment & Change in Zoning

(200 sq. ft.) that was also proposed in the SDEA will still be used to support recycling operations as needed. Other modifications include conducting interim operations until the pre-engineered building is completed and relocating the drainage basin at the southwest corner of the site to an area by the northwest corner of the site. The Solid Waste Management Permit (SWMP) for the recycling facility was approved by the Department of Health (DOH) on November 21, 2005. On May 20, 2006, the DOH approved modifications to the SWMP to provide for interim operations, which recently commenced in mid-June, and to allow long-term operations to be conducted within a smaller footprint.

The proposed action will enable pre-existing, proposed, and future heavy industrial activities to be conducted on Lots 1C, 59, and 221 and will contribute to the limited inventory of vacant land on Maui that is currently available for heavy industrial activities.

The proposed action will establish three heavy industrial areas within the Central Maui Baseyard. These areas include Lot 1C (9.811 acres) and Lot 221 (1.006 acre) which comprise portions of TMK 3-8-05: 01 and Lot 59 (1.334 acre) which includes portions of TMK 3-8-05: 01 and 19.



Since the publication of the Supplemental Draft Environmental Assessment (SDEA), Lot 59 is now unoccupied and is going through “clean closure” procedures due to the termination of Maui Auto Wrecking vehicle processing operations, while Maui Tow & Transport continues to sub-lease Lot 221 to store abandoned vehicles for the County of Maui. In addition, the site and operations plan for the proposed metal recycling facility has been modified in response to interim and long-term operational requirements. Notable changes include reducing the area of the site from 3.0 to 2.6 acres and consolidating the facility’s internal operations into one new pre-engineered building (9,600 sq. ft.) instead of the two separate pre-processing and processing buildings (totaling 8,125 sq. ft.) that were originally proposed. The movable office trailer



Partial Aerial View of site (camera facing west)

Hawai'i Notices

AUGUST 23, 2006

Sale of County of Hawai'i Land Near Lako Street (HRS 343 DEA)

District: North Kona
TMK: (3) 7-6-13:17
Proposing Agency: Hawai'i County Department of Finance
25 Aupuni St., Rm. 118, Hilo, HI 96720
Contact: Nancy Crawford (961-8234)

Determination Agency: Same as above.
Consultant: Geometrician Associates
HC 2 Box 9575, Kea'au, HI 96749
Contact: Ron Terry (982-5831)

Public Comment Deadline: September 22, 2006
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: Hawai'i County: Council Approval

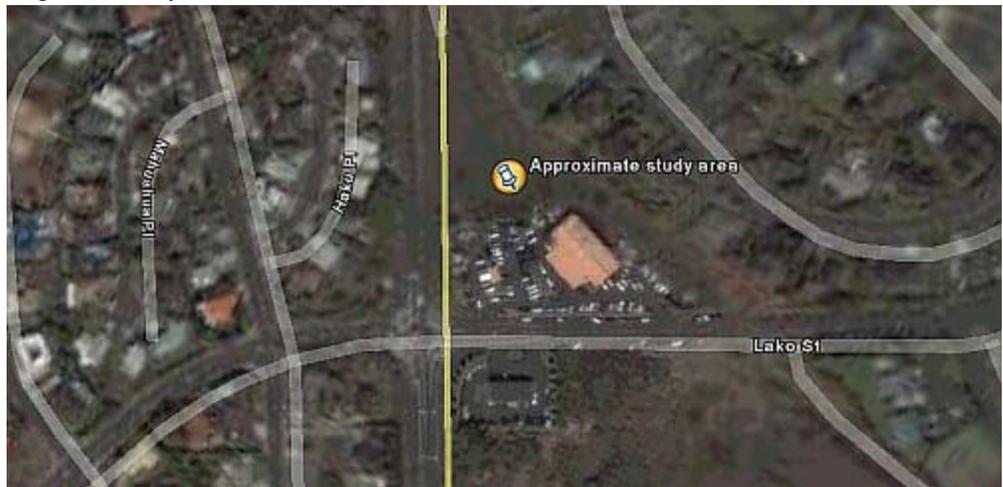
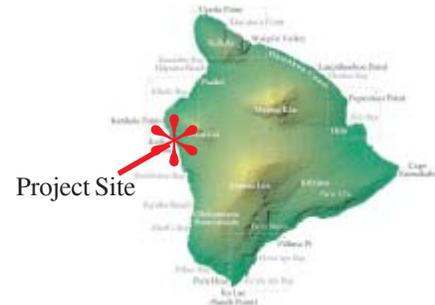
The Hawai'i County Department of Finance proposes to sell at public auction a 1.002-acre County of Hawai'i property. The property borders Kuakini Highway near its intersection with Lako Street, the Orchid Isle Auto Center, and a vacant right-of-way behind which is the Kona Vista subdivision.

The property was originally acquired in 1969 as a site for the Kailua Fire Station, which the County built in 1973 on Palani Road instead. It is now vacant and covered with alien scrub vegetation. Access to the property would be via the old Kailua-Keauhou Middle Road, which lacks pavement and was some time ago blocked off and covered with vegetation and yard waste. The property is within the State Land Use Urban District and is zoned by the County A-1a (Agriculture, minimum lot size 1-acre).

A County Council resolution authorized the Finance Department to sell the property in fee simple, provided that the new owners agree to provide additional on-site parking, water and other amenities for those using the adjacent Walua Road/Path, a popular walking and biking trail. These conditions may be altered because of reactions from neighbors, who would prefer

to see the amenities located on the south side of Lako Street, close to the actual location of the trail, while still preserving the project benefits.

Three archaeological sites, segments of walls dating from the last century, are present. They are significant for information content only and may be removed. No cultural resources are present. In general, the project and environmental characteristics of any particular development that might ensue the proposed sale are difficult to predict. Although the existing Agricultural zoning would accommodate a farm and/or one residence, the site is not well-suited for a farm or farm dwelling. It is expected that a new owner would apply for a change of zone for an urban use. Activities that seem reasonable to expect, given adjacent uses, include commercial and residential. A change of zone would include oversight by the Hawai'i County Planning Department, Planning Commission and County Council. At that time, any development would be subject to rezoning conditions to address specific environmental impacts related to the actual proposed use.



Aerial of Project Site

Pa'auilo Lands (HRS 343 DEA)

District: Hamakua
TMK: (3) 4-3-7:01, 4-3-9:19 & 24 & 4-3-11:01 & 02
Proposing Agency: County of Hawai'i, Department of Finance
 25 Aupuni St., Rm. 118, Hilo, HI 96720
 Contact: Nancy Crawford (961-8234)

Determination Agency: Same as above.
Consultant: PBR Hawai'i, Hilo Lagoon Center
 101 Aupuni St., Ste. 310, Hilo, HI 96720
 Contact: Marissa Furfaro (961-3333)

Public Comment Deadline: September 22, 2006
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: None

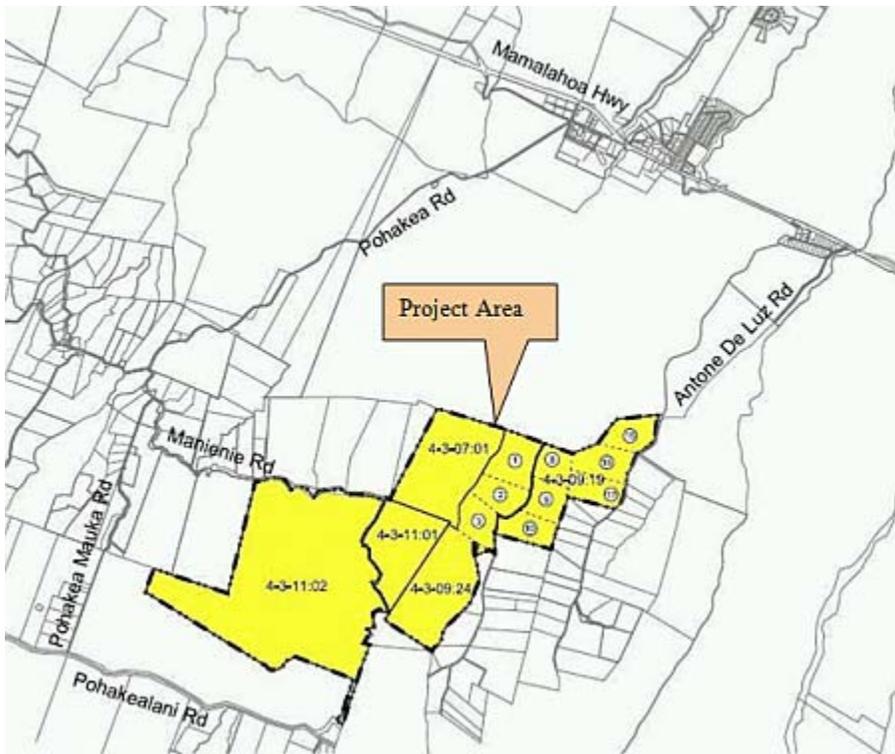
at this time. This Draft EA, however, discusses potential impacts and mitigation measures for the possibility that the maximum number of allowable farm dwellings are built.

The proposed action is expected to have no significant impact on the environment; therefore, a Finding of No Significant Impact (FONSI) is anticipated.



The County has owned the Pa'auilo Lands since 1994, when they were acquired from Hamakua Sugar Company in lieu of taxes owed. The County does not foresee the Pa'auilo Lands furthering County purposes while they are owned by the County. Furthermore, the County feels that the lands should be put to their best use, which can best be done by selling them. Currently, the lands are zoned A-40a and A-5a, and by laying fallow under County ownership, the lands are not meeting agricultural potential or benefiting the county and the taxpayers. Since the lands were obtained in lieu of taxes, the county feels that taxpayers would be best served by selling the lands and using the proceeds for other County needs.

There is no development proposed at this time. After the sale the lands are expected to remain in agriculture. The exact use and any associated impacts are unknown



Project Area Map

Hawai'i Notices

AUGUST 23, 2006

Waimea Production Well (HRS 343 FEA-FONSI)

District: South Kohala
TMK: (3) 6-5-01:03
Proposing Agency: Hawai'i County Department of Water Supply
345 Kekuanao'a St., Ste. 20, Hilo, HI 96720
Contact: Owen Nishioka (961-8070 x259)

Determination Agency: Same as above.
Consultant: Geometrician Associates
HC 2 Box 9575, Kea'au, HI 96749
Contact: Ron Terry (982-5831)

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

Permits Required: **County:** Planning Department Plan Approval & Building Permit; **State:** Well Construction Permit; Pump Installatin Permit (CWRM); Engineering Report Approval

ment Plan treated surface water prior to distribution. DWS's long-term goal is to replace the entire treated potable water supply with well water. The surface water could then be used without any required treatment for irrigation and pasture activities in the Waimea area. The facility would promote public health and safety by improving water service for the Waimea community, which is experiencing steady planned growth.

The budget for the project, which is funded by DWS capital improvement funds, is approximately \$2.0 million, an estimate that will be refined through final design. After the EA is complete and permits are granted, DWS will finish design and advertise the project for construction, which is scheduled for completion in 2006.

The Hawai'i County Department of Water Supply (DWS) plans to convert the Waimea Exploratory Well to a production well (State Well No. 6240-02). In overview, the project consists of:

- Conversion of an exploratory well to a production well, including installation of a deep submersible pump;
- Construction of a pipeline from the well to an existing 12-inch pipeline leading to the 4.0 million gallon (mg) Clearwater Reservoir; and
- Construction of a pump control building, fencing, a gate, drainage features, paving, electrical power facilities, and miscellaneous site improvements.

The proposed pump capacity is 1,000 gallons per minute (gpm). Depending on how the aquifer responds to continued pumping, the pump is expected to operate between 17 and 24 hours a day. No individual or cumulative effects to the sustainability of the aquifer are expected. The well water will be pumped through the existing 12-inch main adjacent to the site into the Clearwater Reservoir and mixed with the Waimea Treat-

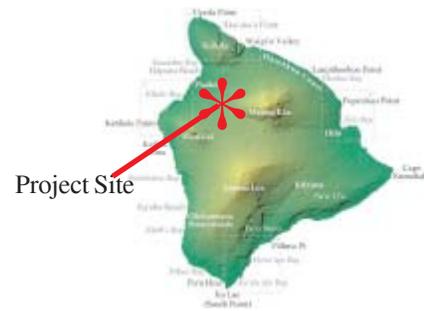


Photo of Well Pad

UH 24-Inch Telescope Observatory Renovations (HRS 343 FEA-FONSI)

District: Hamakua
TMK: (3)4-4-15:09
Applicant: University of Hawai'i at Hilo
 200 West Kawili St., Hilo, HI 96720-4091
 Contact: Dr. Willam Heacox (974-7382)
 and
 National Science Foundation
 4201 Wilson Blvd., Arlington, VA 22230
 Contact Dr. Julian Christou (703-292-7324)

Approving Agency: University of Hawai'i at Hilo
 200 West Kawili St., Hilo, HI 96720-4091
 Contact: Dr. Bill Chen (974-7311)
 and
 National Science Foundation
 4201 Wilson Blvd., Arlington, VA 22230
 Contact: Dr. Julian Christou (703-292-7324)

Consultant: Helber Hastert & Fee, Planners
 733 Bishop St., Ste. 2590, Honolulu, HI 96813
 Contact: Marther Spengler (545-2055 x 238)

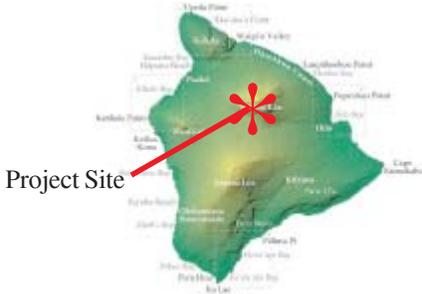
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).

Permits Required: NEPA Compliance, NHPA Section 106 consultation, CDUA

Remotely operated from the UHH campus, the new telescope would provide outstanding training for UHH undergraduate students in observatory operations and how to conduct and participate in research projects, essential job skills for careers in astronomy – in addition to supporting outreach programs in local high schools. The 37-year old telescope and building is in a deteriorated state; the dome is in marginal mechanical condition and cannot protect the telescope/equipment from dust and water infiltration.

The National Environmental Policy Act and National Historic Preservation Act Section 106 processes were run concurrently and public comments were invited. Proposed building renovations require no ground disturbance and would utilize the same building foundation/footprint. The existing interior and exterior components and electrical/ communications lines would be upgraded. Existing utility conduits would be used. No wastewater facilities would be required. The renovated building would be six to twelve inches taller and painted white, similar to the existing paint.

The National Science Foundation (NSF) proposes to fund the University of Hawai'i at Hilo (UHH) proposal to replace an existing 24-inch (0.6 meter [m]) telescope with a new 36-inch (0.9 m) telescope. UHH further proposes to renovate the existing observatory building using State funds. The Proposed Action would occur within the 420 square foot (sf) University of Hawai'i (UH) 24-inch Telescope Observatory and an adjacent lay-down area comprised of approximately 20,000 sf within the Mauna Kea Science Reserve, Hamakua District, Hawai'i Island, State of Hawai'i. The observatory and optical telescope are owned by UH and managed by the University of Hawai'i at Manoa. The facility management would be transferred to UHH after the project is completed.



Summit Telescopes (View from the east)

Browning Single-Family Residence (HRS 343 FEA-FONSI)

District: Hanalei
TMK: (4) 5-9-05:029
Applicant: Kent Browning
 64 Saddleback Rd., Rolling Hills, CA 90274
 Contact: Ben Welborn (639-7978)

Approving Agency: State of Hawai'i, BLNR
 P.O. Box 621, Honolulu, HI 96813
 Contact: Samuel Lemmo (587-0381)

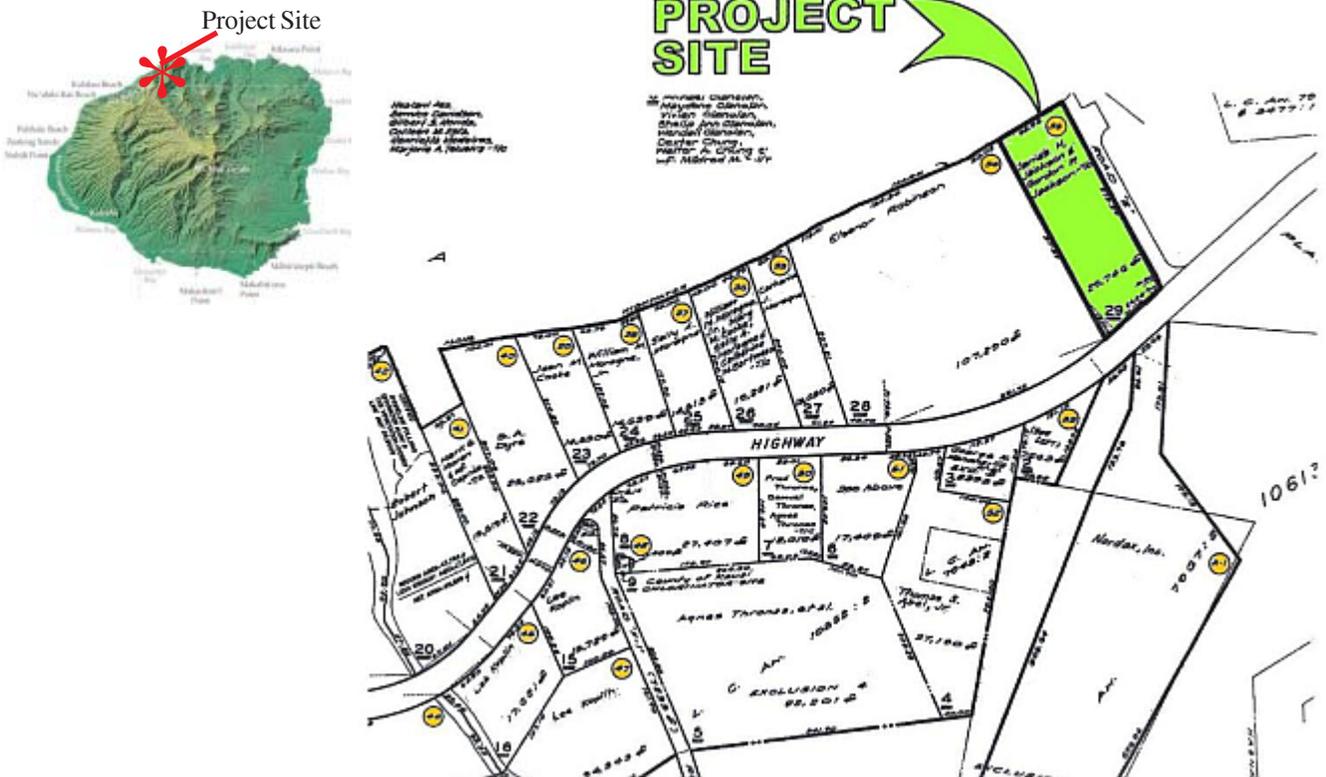
Consultant: Landmark Consulting Services
 P.O. Box 621, Hanalei, HI 96714
 Contact: Ben Welborn (639-7978)
 email: welborn@aloha.net

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

Permits Required: CDUP, SMA Exemption (Included), County of Kaua'i Building Permit, State DOH, Individual Wastewater System (IWS) Permit

The proposed action is for the construction of a 3,482 square foot single-family residence in an established rural residential neighborhood located in Ha'ena on Kaua'i's North Shore. The proposed residence will be of a contemporary island style design elevated on piers to conform to applicable County regulations regarding the National Flood Insurance Program for coastal high hazard areas. The Applicant in this action is requesting that the Board of Land and Natural Resources grant approval for a 5 foot height variance for the proposed residence due to the flood zoning characteristics of the parcel. Therefore, if approved as proposed, the highest point of the roof structure would be approximately 30 feet above existing grade. This height variance is entirely consistent with the County of Kaua'i's zoning ordinance and is typical of existing residential development throughout the greater Ha'ena/Wainiha community.

The proposed residence will be setback 61 feet from the State Certified Shoreline in accordance with the guidelines set forth in the *State of Hawai'i, Coast Hazard Mitigation Guidebook*.



Project Site Map

Conservation District Notices

AUGUST 23, 2006

Conservation District Use Permit

Persons interested in commenting on the following Conservation District Use Application (Department Permit) must submit comments to the Department of Land and Natural Resources. Also, anyone interested in receiving notification of determination on Conservation District Use Applications (Department Permits) must submit requests to DLNR that include the following information:

1. Name and address of the requestor.
2. The permit for which the requestor would like to receive notice, notice of determination; and
3. The date the notice was initially published in the Environmental Notice.

Both comments and requests for notification of determinations must be submitted to DLNR within thirty days from the initial date that the notice was published in the Environmental Notice. Please send comments and requests to:

State of Hawai'i, Department of Land and Natural Resources
Office of Conservation and Coastal Lands, P.O. Box 621, Honolulu, Hawai'i 96809

While DLNR will make every effort to notify those interested in the subject CDUA, it is not obligated to notify any person not strictly complying with the above requirements. For more information please contact Michael Cain at 587-0048.

HDD under Ka'elepulu Stream at Keolu Drive

File No.: CDUA OA-3372
Applicant: C & C, Dept of Design & Construction
Location: Ka'elepulu Steam, Kailua, Ko'olaupoko, O'ahu
TMK: (1)4-9-49:87
343, HRS
Determination: Wana'ao Rd./Keolu Dr. Reconstructed Sewer FONSI published April 8, 2006 in *The Environmental Notice*
Contact: Nancy Nishikawa (944-8848)
Proposed Action:

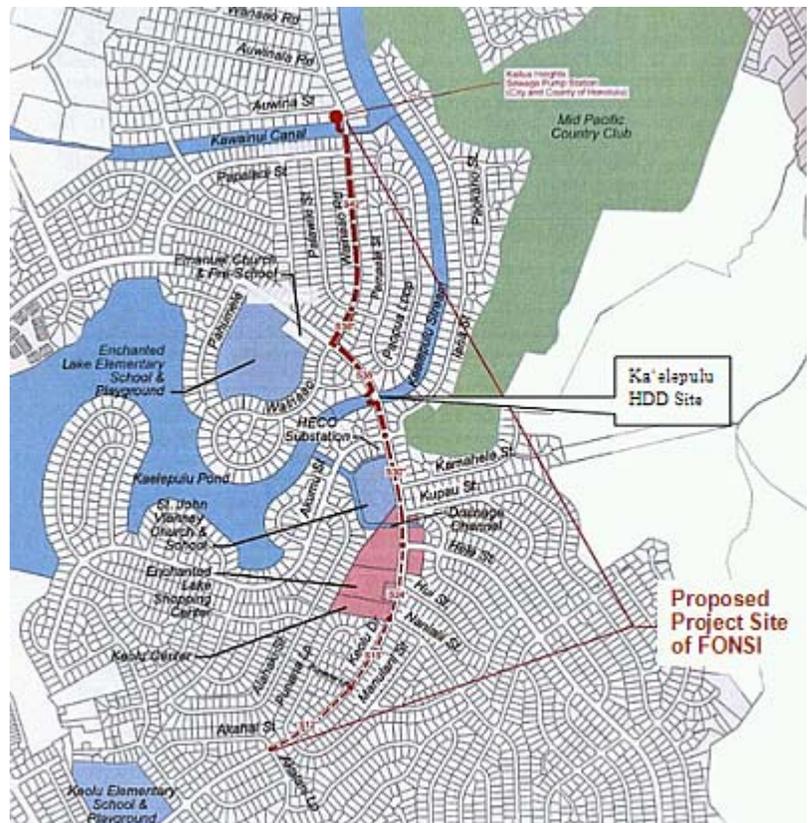
stream bottom. The Final Environmental Assessment does not foresee any drill or discharge from the operation entering the stream; although it does specify procedures should leakage occur due to unforeseen situations.

The installation of the Ka'elepulu Stream section is anticipated to take three or four months.

The City and County of Honolulu, Department of Design and Construction propose to replace an existing section of trunk sewer line in Kailua, Oahu. The total length of the sewer line will be 1.25 miles. The majority of this project will take place in the Conservation District.

For the crossing under Ka'elepulu Stream the sewer will be installed as an inverted siphon using horizontal drilling methods (HDD). The siphon will consist of a bundle of three high-density polyethylene pipes measuring 8, 10, and 12 inches in diameter.

The HDD drill path will be approximately 560 feet long, of which 115 feet will pass under the stream and therefore in the Conservation District. The proposed drill path is located between 20 and 40 feet below the



Pollution Control Permit Applications

AUGUST 23, 2006

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** - none; **NSP**-Noncovered Source Permit; **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 No.	Project Location	Pertinent Dates	Proposed Use
SDWB, UIC Permit	TRI of Waikoloa Inc. & Sunset Ridge Joint Venture UH-2480	Sunset Ridge at Waikoloa Phase III, Unit 5 End of Laie St., Waikoloa, S. Kohala	Comment by 9/6/06	Construct 11 injection wells for surface drainage.
SDWB, UIC Permit	TRI of Waikoloa Inc. & Sunset Ridge Joint Venture UH-2481	Sunset Ridge at Waikoloa Phase III, Unit 6 End of Rd. A of Unit 5, Waikoloa, S. Kohala	Comment by 9/6/06	Construct 9 injection wells for surface drainage.
SDWB, UIC Permit	Dept of Education State of Hawai'i UH-2484	Ha'aheo Elementary School 121 Ha'aheo Road, Hilo	n/a	Abandon 1 unregistered injection-well cesspool.
SDWB, UIC Permit	Dept of Public Works County of Hawai'i UH-2482	Mamalaho Hwy Improvement Project, Honalo to Captain Cook Capt. Cook St., Kiloa Rd., Mamalahoa Hwy Intersection	Comment by 9/20/06	Construct 5 injection wells for surface drainage.
SDWB, UIC Permit	Bart T. Cahoon Trust UH-tba	Subdivision of TMK (3)7-3-5:97 Mauka of Ili'ili St., Kalaoa 4th, N. Kona	tba	Construct 2 injection wells for surface drainage.
SDWB, UIC Permit	Clearly Waikoloa, LCC, Phase 2 UH-2483	Kilohana Kai at Waikoloa Subdivision, Phase 2 (3)6-8-2:95 End of Paniolo Avenue, Waikoloa	tba	Construct 37 injection wells for surface drainage.
SDWB, 586-4258 UIC Permit	Kahaopea 03 LLC UH-2488	Kahaopea Gardens Subdivision (3)2-4-10:1 & 132; Maikai & Kahaopea Streets, Hilo	Comment by 9/21/06	Construct 7 injection wells for surface drainage.
SDWB, UIC Permit	Dept of Hawaiian Home Lands UH-2487	Villages of Lai'opua, Village 5 (3)7-4-21:6; Kealakehe Parkway, Keanalahu Drive & Puohuluhuli	n/a	Construct 23 injection wells for surface drainage.
SDWB, UIC Permit	Dept of Environmental Services C & C of Honolulu UO-1259	Waimanalo WWTP 41-1060 Kalaniana'ole Highway, Waimanalo	n/a	Construct 3 injection wells for wastewater disposal.
SDWB, UIC Permit	Assn. Of Apartment Owners UO-1305	Ono Vista Condominium 68-024 Apuhihi Street, Wai'alua	n/a	Renew permit for 3 injection wells for sewage disposal.
SDWB, UIC Permit	Nancy Au UO-2486	947A & 947B Koko Head Avenue Residence 947A & 947B Koko Head Ave., Hon.	n/a	Abandon 1 unregistered injection-well cesspool.
SDWB, UIC Permit	Attractions Hawai'i UO-1219	Sea Life Park 41-202 Kalaniana'ole, Waimanalo	n/a	Renew permit for 19 injection wells for seawater disposal from aquaculture exhibits.
SDWB, UIC Permit	Attractions Hawai'i UO-2037	Sea Life Park 1987 Restroom Cesspool 41-202 Kalaniana'ole, Waimanalo	n/a	Modify permit for 1 injection-well cesspool to injection-well seepage pit.
SDWB, UIC Permit	Dept of Education State of Hawai'i UO-tba	Kahalu'u Elementary School Library & Kitchen 47-280 Waihe'e Road, Kane'ohe	n/a	Abandon 2 unregistered injection-well cesspools.
SDWB, UIC Permit	Dept of Education State of Hawai'i UO-tba	Kahalu'u Elementary School, Classroom Buildings A, B & D 47-280 Waihe'e Road, Kane'ohe	n/a	Register & convert 3 injection well-cesspools to injection-well seepage pits.
SDWB, UIC Permit	Tesoro Hawai'i Corp UM-1667	Tesoro Hawai'i Corp - Maui Terminal 140-A Hobron Avenue, Kahului, Maui	n/a	Renew permit for 3 injection wells for runoff and industrial wastewater disposal.
SDWB, UIC Permit	McDonald's Restaurants of Hawai'i UM-tba	McDonald's at Pukalani 3320 Old Haleakala Highway, Pukalani, Makawao, Maui	n/a	Register 2 existing injection-well seepage pits.
SDWB, UIC Permit	Ingrid Tully UM-2485	Ingrid Tully (2)2-3-20:39; 46 Kauai Place, Kula	n/a	Abandon 1 unregistered injection-well cesspool.

Pollution Control Permit Applications

AUGUST 23, 2006

Clean Air Branch

Branch Permit Type	Applicant & Permit No	Project Location	Pertinent Date	Proposed Use
CAB, T-CSP	Hawaiian Dredging Construction Co. CSP 0622-01-CT	Initial Location: Honokohau Harbor, Kailua-Kona, Hawai'i	Issued: 7/28/06	400 TPH Mobile Crushing and Screening Plant
CAB, NSP	Hawaiian Electric Co., Inc. NSP 0628-01-N	Kalaeloa Pole Yard, Kapolei, O'ahu	Issued: 8/3/06	Three (3) 1.64 MW Diesel Engine Generators
CAB, T-CSP	Goodfellow Brothers, Inc. CSP 0242-01-CT (Modification)	Initial Location: 480 C Welakahao Road, Kihei, Maui	Comments Due: 9/11/06	780 TPH Stone Processing Plant with 1,000 kW Diesel Engine Generator and 700 TPH Mobile Stone Processing Plant with Integral Diesel Engines
CAB, T-CSP	Grace Pacific Corp CSP 0036-01-CT (Minor Modification)	Halawa Valley Road, Aiea, O'ahu	Issued: 8/2/06	186 TPH Asphalt Plant
CAB, NSP	Hawaiian Electric Co., Inc. NSP 0628-01-N	Kalaeloa Pole Yard, Kapolei, O'ahu	Issued: 8/3/06	Three (3) 1.64 MW Diesel Engine Generators
CAB, NSP	Frito-Lay, Inc. NSP 0269-01-N (Renewal)	99-1260 Iwaena Street, Aiea, O'ahu	Issued: 8/4/06	Various fryers, burners, and ovens
CAB, T-CSP	Jas. W. Glover, Ltd. CSP 0010-01-CT (Renewal/Modification)	890 Leilani Street, Hilo, Hawai'i Initial Location of the 660 tph Stone Processing Plant: Mahaulepu Quarry, Kaua'i	Issued: 8/8/06	Two (2) Asphalt Concrete Plants and Two (2) Stone Processing Plants



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).

SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS		
Location (TMK)	Description (File No.)	Applicant/Agent
Hawai'i: Kapoho (1-4-67:40)	Amended roadway improvements. (SMM 06-29)	Vacationland Hawai'i Community Assn
Hawai'i: Waikoloa (6-8-1:52, 53)	Install 20-inch potable waterline. (SMM 06-35)	Mauna Lani Service, Inc.
Kaua'i: Ha'ena (5-8-12:7)	Construct 6-foot wood fence. (SMA(M)-2007-01)	North Shore Development
Maui: Lahaina	Maui Hyatt temp mock-up model unit. (SM2 20060063)	HMC Maui LLC
Maui: Kahului (3-7-4:9)	KT&G commercial alteration - interior. (SM2 20060066)	KT&G
Maui: Lahaina (4-6-4:5))	Demolish garage. (SM2 20060067)	McKenney, Peter & Luana
O'ahu: Ka'a'awa Bunkers, Ka'a'awa (5-1-1:1)	Install 6 panel antennas on 2 existing bunkers. (2006/SMA-32)	New Cingular Wireless PCS, LLC



Shoreline Notices

AUGUST 23, 2006

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.	Proposed	Location	Applicant/Owner	TMK
OA-1096	Proposed Shoreline Certification	Lot 11-H, Land Court Application 242 (Map 10), land situated at Pu'uloa Beach, 'Ewa, Island of O'ahu, Hawai'i Address: 91-228 'Ewa Beach Road Purpose: Building Permit	Wesley Tengan/Jan D. Shagun	9-1-24: 04
OA-1103	Proposed Shoreline Certification	Lot 10 of the Maunalua Bay View Lots Subdivision, land situated at Maunalua, Honolulu, Island of O'ahu, Hawai'i Address: 142 Hanapepe Loop Purpose: Building Permit	Walter P. Thompson, Inc./ Robert Drysdale	3-9-27: 06
MA-349	Proposed Shoreline Certification	Land Commission Award 5326, land situated at Pa'ia, Island of Maui, Hawai'i Address: 47 Lo'io Place Purpose: SMA and Building Permit	Akamai Land Surveying, Inc./ Richard McAniff	2-6-04: 25
KA-192	Application Withdrawn	Lot 4 of Land Court Application 1368, land situated at Kamala'ula, Koloa, Kona, Island of Kaua'i, Hawai'i Address; 4936 Lawai Road Purpose: Construction	Roger M. Caires/ Poipu Resort Partners	2-6-05: 24




Environmental Council Notices

September 13, 2006, Meetings at Various Times in Leiopapa A Kamehameha

The Environmental Council of the Department of Health and its various standing and ad hoc committees are scheduled to meet on Wednesday, September 13, 2006, at various times and in various rooms in Leiopapa A Kamehameha, located at 235 South Beretania Street, Honolulu, O'ahu. For more information, please call the Office of Environmental Quality Control at (808) 586-4185. To be placed on an electronic mail notification list of Environmental Council meetings, please send an electronic mail to Office of Environmental Quality Control at oeqc@doh.hawaii.gov. The meeting notices and agenda of the Environmental Council are also available on the State's Calendar Meeting Announcements Internet Website at the following Uniform Resource Locator (URL):

http://www.ehawaii.gov/serv/eventcal?PF=hic&Clist=81&_action=View+Calendar.

Federal Notices

AUGUST 23, 2006



Seats Available-Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Council

The Hawaiian Islands Humpback Whale National Marine Sanctuary (HIHWNMS or Sanctuary) is seeking applicants for both primary and alternate members of the following seats on its Sanctuary Advisory Council (Council): Business/Commerce, Citizen-At-Large, Commercial Shipping, Conservation, Ocean Recreation, Tourism, and Whale Watching. Applicants are chosen based upon their particular expertise and experience in relation to the seat for which they are applying; community and professional affiliations; philosophy regarding the protection and management of marine resources; and possibly the length of residence in the area affected by the Sanctuary. Applicants who are chosen as members should expect to serve 2-year terms, pursuant to the Council's Charter.

The Council was established in March 1996 to assure continued public participation in the management of the Sanctuary. Since its establishment, the Council has played a vital role in the decisions affecting the Sanctuary surrounding the main Hawaiian Islands. The Council's twenty-four voting members represent a variety of local user groups, as well as the general public, plus ten local, state and federal governmental jurisdictions. The Council functions in an advisory capacity to the Sanctuary Manager and is instrumental in helping to develop policies and program goals, and to identify education, outreach, research, long-term monitoring, resource protection and revenue enhancement priorities.

Applications are due by August 31, 2006. Application kits may be obtained from Mary Grady, 6600 Kalaniana'ole Hwy, Suite 301 Honolulu, HI 96825; email Mary.Grady@noaa.gov. Applications available online at <http://hawaiihumpbackwhale.noaa.gov>. For further information contact: Naomi McIntosh, 6600 Kalaniana'ole Hwy., Suite 301, Honolulu, HI 96825; email: Naomi.McIntosh@noaa.gov or 808.397.2651. [FR: 08/08/06 (Vol.71, No. 152)]



Cancellation of Pesticides for Non-payment of Year 2006 Registration Maintenance Fees

Since the amendments of October 1988, the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) have required payment of an annual maintenance fee to keep pesticide registrations in effect. The fee that was due January 15, 2006 has gone unpaid for 720 registrations. Section 4(i) (5) (G) of FIFRA provides that the Administrator may cancel these registrations by order and without a hearing; orders to cancel all 720 of these registrations have been issued since August 2, 2006.

You may be potentially affected by this notice if you are an EPA registrant with any approved product registration(s). Although this action may be of particular interest to persons who produce or use pesticides, the Agency has not attempted to describe all the specific entities that may be affected by this action.

EPA has established Docket No. EPA-HQ-OPP-2006-0589, publicly available docket materials are available either electronically at <http://www.regulations.gov> or, if available in hard copy, at the Office of Pesticide Programs (OPP) Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Building), 2777 S. Crystal Drive, Arlington, VA.

For further information on the maintenance fee program in general, contact by mail: John Jamula, Office of Pesticide Programs (7504P), Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460; telephone number: (703) 305-6426; e-mail address: jamula.john@epa.gov.

The cancellation orders generally permit registrants to continue to sell and distribute existing stocks of the canceled products until January 15, 2007, one year after the date on which the fee was due. Existing stocks already in the hands of dealers or users, however, can generally be distributed, sold or used legally until they are exhausted. Existing stocks are defined as those stocks of a registered pesticide product which are currently in the United States and which have been packaged, labeled and released for shipment prior to the effective date of the action. These general provisions for disposition of stocks should serve in most cases to cushion the impact of these cancellations while the market adjusts. The exceptions to these general rules are cases where more stringent restrictions on sale, distribution, or use of the products have already been imposed through special reviews or other Agency actions. The Agency is unlikely to rescind cancellation of any particular registration unless the cancellation resulted from Agency error. [FR: 08/02/06 (Vol.71, No. 148)]

Voluntary Response Program

AUGUST 23, 2006

NOTICE OF AVAILABILITY DEPARTMENT OF HEALTH VOLUNTARY RESPONSE PROJECT

The voluntary response project to address subsurface contamination at the Costco Warehouse and Gas Station Site, 520 and 525 Alakawa Street, Honolulu, Hawai‘i, is available for public review and comment. Actual or threatened releases of hazardous substances from this site, if not addressed by implementing response actions selected by the Department of Health, could have presented an imminent and substantial endangerment to the public health, welfare, or the environment. The selected response actions are protective of human health and the environment, comply with federal and State requirements, and are cost-effective. The selected response actions utilize permanent solutions and alternative treatments (or resource recovery) technologies to the maximum extent practicable, and satisfy the statutory preference for remedies that employ treatments that reduce toxicity, mobility, or volume as a principal element.

A public meeting will be held on September 6, 2006 at 6:30 p.m. at the Dole Ballrooms at Cannery Square, 735 Iwilei Road, Honolulu, Hawai‘i to discuss this project. To receive a fact sheet about the project, call (808) 586-7574. Information regarding this project is available for review at the Hawai‘i State Library, 478 South King Street. The complete administrative record regarding this project may be reviewed at the Department of Health Office of Hazard Evaluation and Emergency Response. Written or oral comments regarding this project will be accepted through the 30-day public comment period ending on September 20, 2006. Comments and inquiries should be addressed to: Mr. Mark Sutterfield, VRP Project Manager, DOH HEER Office, 919 Ala Moana Blvd., Honolulu, Hawai‘i 96814, or mark.sutterfield@doh.hawaii.gov.

