



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

MARCH 8, 2007

Kahului Harbor Master Plan

The State of Hawaii Department of Transportation (DOT) is preparing an EIS for the Kahului Commercial Harbor 2030 Master Plan. As part of the 2030 Master Plan, several alternatives have been developed to address future harbor requirements. Alternatives were developed through discussions with a Maui Harbor Users Group including commercial and recreational users as well as government agencies.

The Proposed Action includes expansion of Piers 1, 2, and 4 for cargo operations and development of the West Breakwater primarily for passenger operations. West Breakwater development is proposed for inter-island ferry and cruise passenger terminals. The existing harbor basin would be widened approximately 800 feet to allow safe navigation and access to the proposed cruise and ferry berths. An inner breakwater extension or bulkhead pier would limit wave action and surge at the West Breakwater. Proposed facilities would include two new piers and approximately 22 acres of backup area.

Pier 1 would be lengthened from 1,760 to 2,400 feet and the backup area enlarged from 23.2 to 27.4 acres; the pier would be used primarily for cargo operations. Pier 2, also to be used primarily for cargo operations, would be lengthened from 870 to 1,200 feet and the backup area enlarged from 21.4 to 29.1 acres. A new Pier 4 would be constructed to provide berthing and facilities for liquid and dry bulk cargo, primarily fuel. The East Breakwater would be extended to limit wave action and surge within the entrance channel and harbor turning basin. Support and ancillary facilities (such as roads, offices, infrastructure improvements, and security measures) would be constructed as part of this alternative. Other alternatives evaluated in the EIS include development of the West Breakwater for a combination of passenger and cargo operations and the No Action Alternative. See page 13.

Hawaii Koa Timber

Koa Timber owns 13,129 acres of land in the South Hilo district of the island of Hawaii. The land ranges in elevation from approximately 1,600 feet above mean sea level to approximately 3,700 feet above sea level and consists of a rainforest that has been invaded by non-native vegetative species. It is situated approximately 2.5 miles north of Hilo and 3 miles upslope from the Hawaii Belt Road. Approximately 11,427 acres of the Site are designated as State Conservation District land within the Resource Sub zone. The remaining 1,702 acres are designated by the State as Agricultural District land. Six streams cross the Site and are used to divide the Site into seven management units (MUs). A Draft Environmental Impact Statement (DEIS) was prepared to provide the decision makers the information needed to determine whether or not to approve a Conservation District Use Application and allow implementation of the plan. See page 16.

Hoopili Development in Kapolei

D.R. Horton – Schuler Division is proposing the development of Hoopili, a mixed-use, transit-ready community including residential (approx. 11,750 units, including affordable housing), business and commercial areas (approx. 145 acres), light industrial/business areas (approx. 50 acres), transit stops, schools and other public facilities (approx. 100 acres), parks (approx. 60 acres), and large amounts of open space (approx. 150 acres). The project area is located in the Ewa District, on the island of Oahu. The proposed action involves the reclassification of approximately 1,553.844 acres from the Agricultural District to the Urban District. The petition area is situated in between the H-1 Freeway (north) and Mango Tree Road (south), and in between the proposed University of Hawaii West Oahu (UHWO) property (west) and Old Fort Weaver Road (east). The Land Use Commission is the accepting authority. See page 7.



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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, and 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 this periodic bulletin, any agency, group, or individual has 30 days from the first publication of the EISPN to request to become a consulted party and to make written comments regarding the environmental effects of the proposed action. The public (including an applicant) has 60 days from the first notice of an EISPN in this periodic bulletin to ask a court to not require the preparation of an EIS.

Draft Environmental Impact Statement

After receiving the comments on the FEA and EISPN (see *above*), the lead agency or private applicant must prepare a Draft Environmental Impact Statement (DEIS) prior to project implementation. This document must completely disclose the likely impacts of a project. Direct, indirect and cumulative impacts must be discussed along with measures proposed to mitigate them. The public has 45 days from the first publication date in this periodic bulletin to comment on a DEIS. The DEIS must respond to comments received during the FEA-EISPN comment period in a *point-by-point* manner.

Final Environmental Impact Statement

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

Acceptability

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

National Environmental Policy Act

The National Environmental Policy Act (NEPA) requires federal projects to prepare an EA or EIS. In many ways it is similar to Hawai'i's law. Some projects require both a state (and 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.

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.

Special Management Area

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

Shoreline Certifications

State law requires that Hawai'i shorelines be surveyed and certified when necessary to clearly establish the shoreline setback (an area contained between the certified shoreline and a prescribe distance inland (usually 40 feet) from the certified shoreline). The public may participate in the process to help assure accurate regulatory boundaries. Private land owners often petition to have their shoreline certified by the State surveyor prior to construction. This periodic bulletin publishes notice from the Department of Land and Natural Resources of both shoreline certification applicants and of final certifications or rejections.

Environmental Council

The Environmental Council is a fifteen-member citizen board appointed by the Governor to advise the State on environmental concerns. The council makes the rules that govern the Environmental Impact Statement process. The agendas of their regular meetings are published on the Internet at <http://www.ehawaii.gov.org/calendar> and the public is invited to attend.

Exemption Lists

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

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

MARCH 8, 2007

Pearl City Dewatering Facility (HRS 343 DEA)

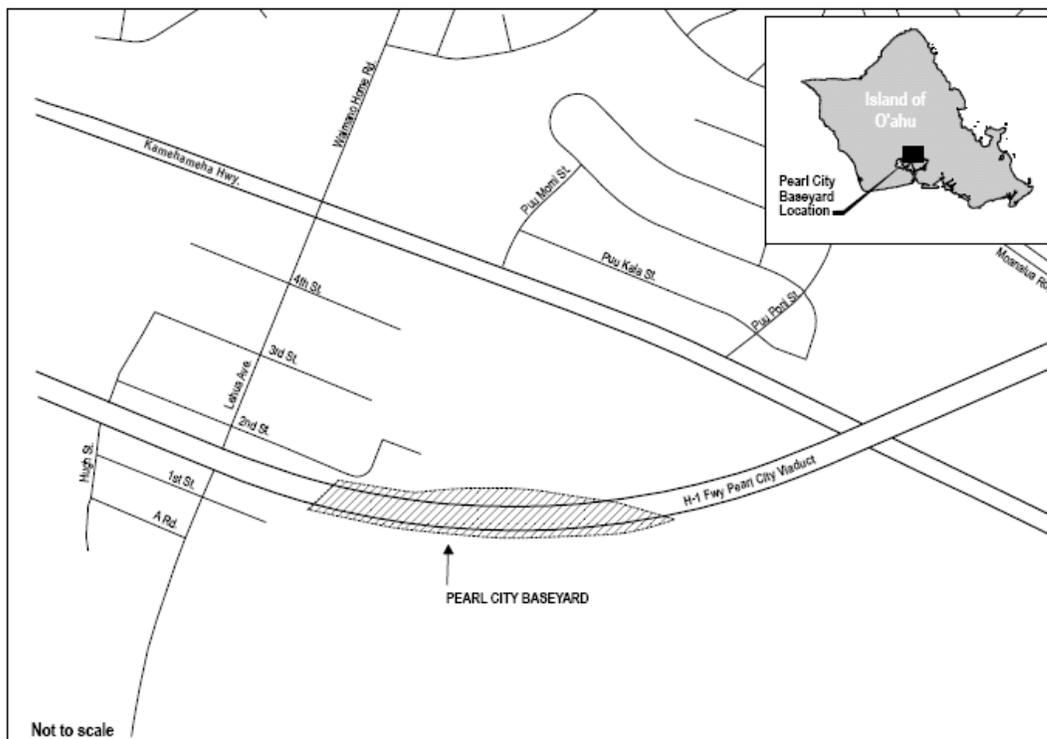
District: 'Ewa
TMK: None
Proposing Agency: State of Hawai'i, Department of Transportation, Highways Division, 869 Punchbowl Street, Honolulu, Hawai'i 96813. Contact: Mr. Robert Shin. (831-6705)

Determination Agency: Same as above.
Consultant: PB, 1001 Bishop Street, American Savings Bank Tower, Suite 2400, Honolulu, Hawai'i 96813. Contact: Mrs. Larissa Sato. (620-4705)

Public Comment Deadline: April 9, 2007
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: Special management area; Industrial Wastewater Discharge; Waiver of Zoning and Design Standards

The Highways Division of the State of Hawai'i Department of Transportation proposes to construct a dewatering facility at its Pearl City Baseyard on the island of O'ahu. A dewatering facility is used to process saturated debris removed or cleaned from the State highway drainage and other structures. The highway drainage system must be periodically cleaned to prevent flooding on roadways and pollutants from affecting the quality of surface waters. Water produced from the dewatering facility is transferred directly to the City and County of Honolulu's sanitary sewer system. Once the debris reaches an acceptable level of dryness, it is removed from the facility and taken to a sanitary landfill for disposal. The Pearl City dewatering facility would consist of four settling basins and associated filter beds. It would also include dry storage areas, and a water filtering system. The entire facility would occupy approximately 30,000 square feet of the baseyard.



Barber's Point Veterans Housing (HRS 343 FONSI)

District: 'Ewa
TMK: (1)9-1-013:054
Applicant: Cloudbreak Hawai'i, LLC
 P.O. Box 75329, Kapolei, HI 96707
 Contact: Charles Patterson (682-9009)

Approving Agency: Hawai'i Housing Finance & Development Corp.
 677 Queen St., Honolulu, HI 96813
 Contact: Lloyd Fukuoka (587-0579)

Consultant: AMEC Earth & Environmental, Inc.
 3375 Koapaka St., Ste. F-251, Honolulu, HI 96819
 Contact: Rachel Okoji (783-6840)

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

Permits Required: Building Permit, Site Development Division Application, Elevator Permit

financing will be provided by Cloudbreak Hawaii LLC, its bankers, and the State's Hawai'i Housing Finance and Development Corporation. Additional financing may be provided through United States Veterans Initiative's grant agreements with the Department of Veteran affairs and the City of Honolulu's CDBG Program with the U.S. Department of Housing and Urban Development (HUD).

The Site consists of one structure, constructed in 1957, that formerly served as barracks for military personnel. The 3-story, 40-unit former barracks was deeded to the Department of Veteran Affairs from the U.S. Navy. The proposed project will renovate the three story structure from a 40-unit military barracks and offices into 78-unit U.S. veterans' residential housing and services facility, comprised of efficiency apartments (70 which are subject to the states regulatory agreement for affordability). In addition, the proposed renovations will make the building compliant to the Americans with Disabilities Act (ADA) by installing an easily accessible elevator on the exterior of the existing structure. All renovation work would take place in the existing building footprint. It is anticipated a Finding of No Significant Impact (FONSI) be designated for this project.

The U.S. Navy has deeded the Barbers Point Veteran's Housing to the U.S. Department of Veteran Affairs. Cloudbreak LLC has leased the property for a period of fifty years. The proposed renovations of the Barbers Point Veteran's Housing helps fulfill Hawai'i's growing need for affordable housing for homeless and low-income American veterans. The anticipated primary



O'ahu Notices

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Kaipapa'u Stream Bridge Replacement (HRS 343 FEA-FONSI)

District: Ko'olauloa
TMK: Adjacent to Plats (1) 5-4-011 & 018
Proposing Agency: Dept. of Transportation, Highways Division
 601 Kamokila Blvd. Rm. 688, Kapolei, HI 96707
 Contact: Duane Taniguchi (692-7582)

Determination Agency: Same as above.
Consultant: R.M. Towill Corporation
 420 Waikamilo Rd., Ste. 411, Honolulu, HI 96817
 Contact Chester Koga (842-1133)

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

Permits Required: Dept of the Army Nationwide Permit; Water Quality Certification; SCAP; CZM, SMA, NPDES NOI Form C, F & G

the embankment. To provide for a wider bridge, acquisition of additional property will be required.

Anticipated impacts include traffic disruption during construction with potential temporary lane closures, one dwelling being demolished, and three temporary resident relocations. Water quality of Kaipapa'u Stream may also be affected by the proposed project.

Short-term construction-related impacts will be mitigated by restricting the hours of construction to non-peak traffic periods, and by use of traffic control measures including barricades, cones, signage and lighting. The Honolulu Police Department will be notified prior to periods of heavy equipment activity or in the event of temporary lane closures. Water pollution prevention measures to minimize pollutants from entering the stream will be employed in all phases of the project.

Property owners whose property will be acquired and residents who will be temporarily displaced by the proposed project will be eligible for compensation and relocation assistance from the SDOT-H.

Construction is expected to begin in 2008 and last for approximately 16 months at a cost of \$11.55 million.

State Department of Transportation – Highways Division (SDOT-H) proposes to replace the Kaipapa'u Stream Bridge, located on Kamehameha Highway, State Route 83, in Hau'ula, O'ahu. This project is one in a series of bridge replacements being implemented by the SDOT-H and the Federal Highway Administration to ensure that the bridge meets State and Federal bridge and roadway standards. The existing 74-year-old bridge has been identified as being structurally deficient and presently does not meet design standards for highway speed, loading, sight distances, guard railings, and pedestrian accessibility.

The structure will be a pre-stressed concrete plank bridge 110 feet long by 57 feet wide. The proposed design includes two 12-foot travel lanes, two 8-foot-6-inch shoulders, two 5-foot pedestrian walkways/bikeways, guardrails, and drainage features. The banks of the stream beneath the bridge abutments will be stabilized with concrete to maintain the integrity of



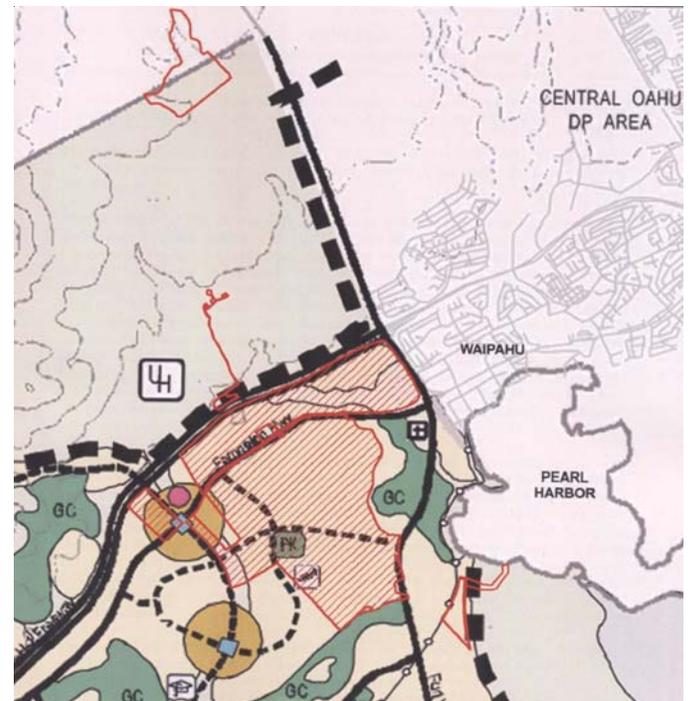
Aerial of Project Area



Hoopili Master Planned Mixed Use Community (HRS 343 EISPN)

District: Ewa
TMK: 9-1-17: 4 (por.), 59 & 72; 9-1-18: 1 & 4; 9-1-10:2, 14 (por.) & 15 (por.); 9-2-2: 2; 9-2-2: 1 (por.), 4, 5, 6 & 7
Applicant: D.R. Horton - Schuler Division
 828 Fort Street Mall, 4th floor
 Honolulu, HI 96813
 Contact: Robert Bruhl (521-5661)
Accepting Authority: State Land Use Commission
 PO Box 2359
 Honolulu, HI 96804
 Contact: Anthony Ching (587-3822)
Consultant: PBR Hawaii
 ASB Tower, 1001 Bishop St. #650
 Honolulu, HI 96813
 Contact: Vincent Shigekuni (521-5631)
Status: Environmental Impact Statement Preparation Notice, pending 30-day public comment. Address comments to the applicant with copies to the accepting authority, consultant and OEQC
Public Comment Deadline: April 9, 2007
Permits Required: LUC District Boundary Amendment, zone change, NPDES, subdivision approval, building & grading permits

roadways, drainage systems, water and wastewater collection lines, and electrical/communication systems. While all infrastructure improvements will be designed and sized to accommodate the Project, the applicant is already sharing in the cost of installing regional infrastructure, even though the first homes are not expected until 2012. To accommodate all of the off-site infrastructure, the project area may involve up to approximately 1,704 acres.



D.R. Horton – Schuler Division is proposing the development of Hoopili, a mixed-use, transit-ready community including residential (approx. 11,750 units, including affordable housing), business and commercial areas (approx. 145 acres), light industrial/business areas (approx. 50 acres), transit stops, schools and other public facilities (approx. 100 acres), parks (approx. 60 acres), and large amounts of open space (approx. 150 acres). The project area is located in the Ewa District, on the island of Oahu and is designated on the Ewa Development Plan as follows: Low and Medium Density Residential; High Density Residential; Parks; Transit Node (High Density Residential and Commercial); and Future Intermediate School. The proposed action involves the reclassification of approximately 1,553.844 acres from the Agricultural District to the Urban District. The petition area is situated in between the H-1 Freeway (north) and Mango Tree Road (south), and in between the proposed University of Hawaii West Oahu (UHWO) property (west) and Old Fort Weaver Road (east).

In support of the Project, infrastructure facilities to be installed, expanded or improved include access and circulation

O'ahu Notices

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Kalaeloa Artificial Reef (HRS 343 DEIS)

District: None
TMK: Offshore
Proposing Agency: Dept. of Land & Natural Resources, Division of Aquatic Resources, 1151 Punchbowl St., Rm. 330, Honolulu, HI 96813
Contact: Paul Murakawa (587-5404)

Accepting Authority: Governor
c/o OEQC

Consultant: Planning Solutions, Inc.
210 Ward Ave., Ste. 330, Honolulu, HI 96814
Contact: Charles Morgan (550-4483)

Status: Draft environmental impact statement (DEIS) notice pending 45-day public comment. Address comments to the proposing agency with copies to the accepting authority, consultant and OEQC.

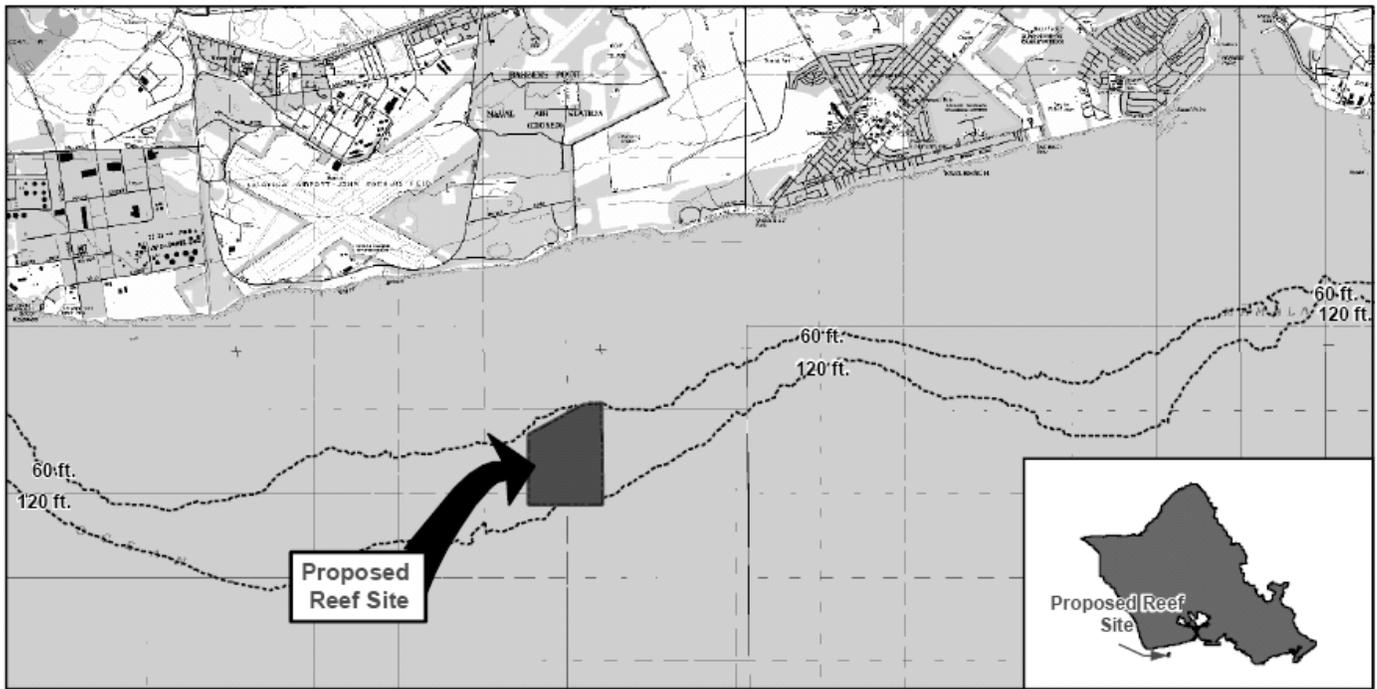
Public Comment Deadline: April 23, 2007

Permits Required: Conservation District Use Permit

The State of Hawai'i Department of Land and Natural Resources, Division of Aquatic Resources (DAR) is proposing to establish an artificial reef site on the seafloor offshore from the 'Ewa District of the Island of O'ahu that is properly placed and of sufficient size to accommodate substantial development of artificial-reef structures. For this purpose, DAR has delineated a 224-acre area located between depths of 60-120 feet that is mostly devoid of coral and valuable marine habitat. DAR is applying for a Conservation District Use Permit to formally designate the site to be used for the construction of artificial reefs and has prepared a Draft Environmental Impact Statement (DEIS) for the project in accordance with Chapter 343, Hawai'i Revised Statutes.

The DEIS also covers construction of the first increment of artificial reef within the site boundaries. At least two separate piles (sets) of concrete Z-blocks will be emplaced on the ocean floor approximately 50-100 feet apart. A total of approximately 700-800 blocks will be used for the first increment, covering a seafloor area of about 8,000 square feet. This will provide shelter and surface area that will improve marine habitat quality at the site.

Completion of this project is consistent with the DAR mission within the State Department of Land and Natural Resources. The Department believes it will provide direct benefits for O'ahu's fishing and marine recreational industries as well as substantial enhancements to the offshore marine environment.



Honoapi‘ilani Highway Widening-Lahainaluna Rd to ‘Aholo Rd (HRS 343 FEA-FONSI)

District: Lahaina
TMK: (2) 4-5-006 & 009 and 4-6-004-013 & 034 (por.)
Proposing Agency: State Dept. of Transportation, Highways Div.
650 Palapala Dr., Kahului, HI 96732
Contact Charlene Shibuya (873-3535)

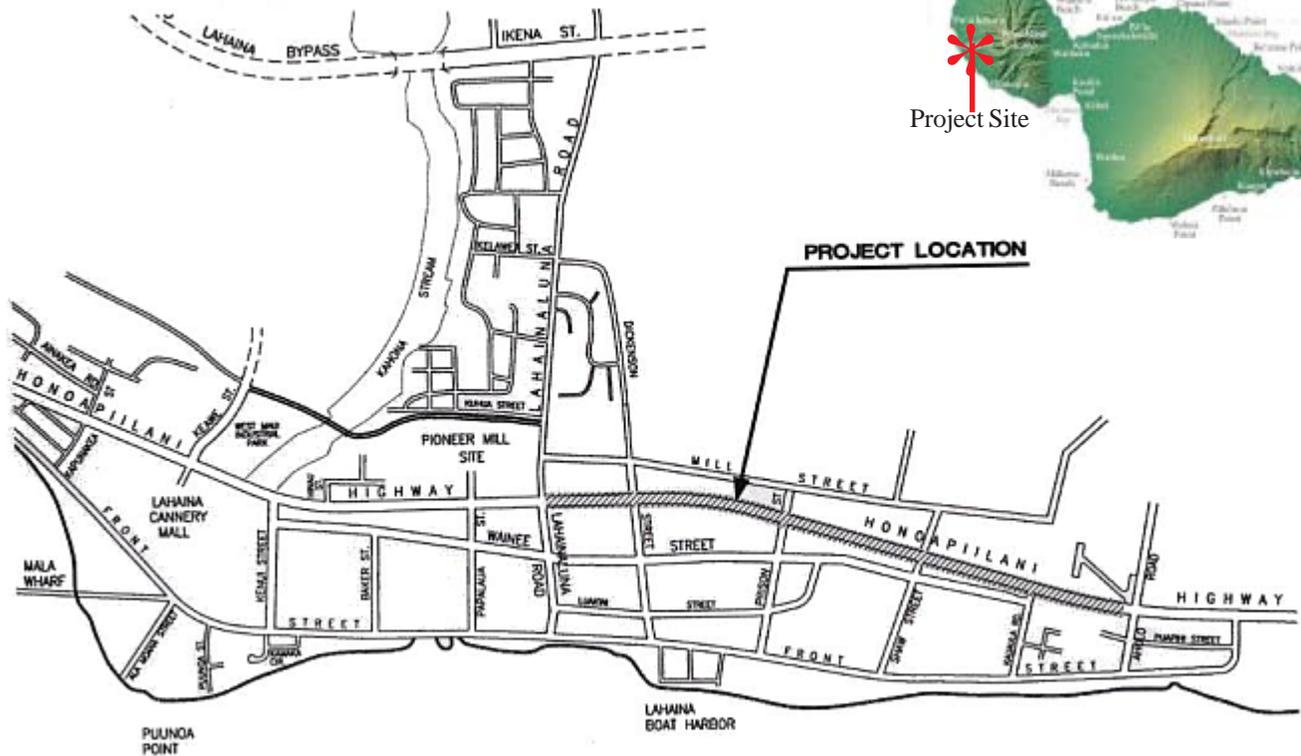
Determination Agency: Same as above.
Consultant: M & E Pacific, Inc.
841 Bishop St., Ste. 1900, Honolulu, HI 96813
Contact: Mike Nishimura (521-3051)
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI)

Permits Required: NPDES; UIC; SMA; General Maui County Permits

Maui. The site is roughly 3 miles south of Ka‘anapali and about 12 miles due west of Wailuku. The existing highway runs in a southeast-northwest alignment approximately ¼-mile inland of the Pacific Ocean shoreline, and is bordered by private residential subdivisions, a school, churches, a business, and the West Maui Regional Park/Lahaina Aquatic Center.

Lahaina is a major tourist destination on the Island of Maui and supports a wide variety of businesses. Traffic on Honoapi‘ilani Highway in Lahaina has been increasing steadily over the past several years, causing congestion for the growing number of tourists and residents. This highway-widening project is needed to mitigate existing traffic congestion and support further growth. Honoapi‘ilani Highway is the main transportation link between leeward coastal towns on Maui.

The proposed Honoapi‘ilani Highway Widening, Lahainaluna Road to ‘Aholo Road project site is located between mileposts 19.90 and 20.97 on Honoapi‘ilani Highway (Route 30), in the District of Lahaina on the western coast of the Island of



Location Map

Maui Notices

MARCH 8, 2007

Palauea Parcels Entitlements Action (HRS 343 DEA)

District: Makawao
TMK: 2-1-011:13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23
Proposing Agency: Maui Planning Department
 250 South High Street
 Wailuku, HI 96793
 Contact: Colleen Suyama (270-7735)

Determination Agency: Same as above.

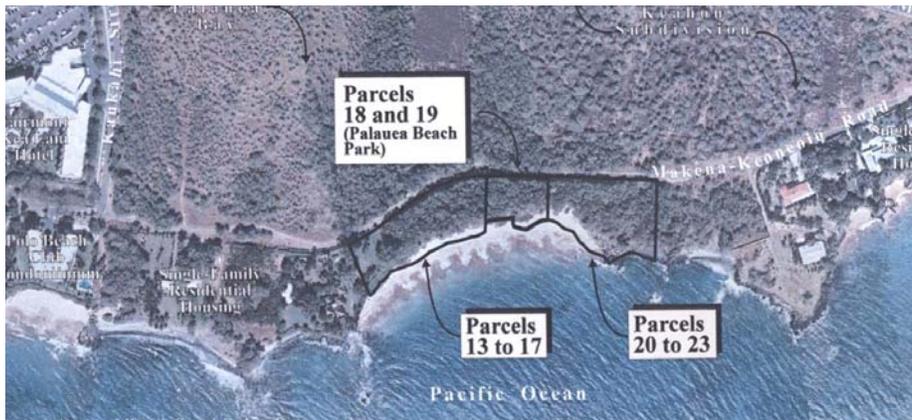
Consultant: Munekiyo & Hiraga, Inc.
 305 High Street, Suite 104
 Wailuku, HI 96793

Public Comment Deadline: April 9, 2007
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

Permits Required: SMA & Construction Permits for Development of Vacant Parcels

The County of Maui, Department of Planning proposes to initiate amendments to the Kihei-Makena Community Plan, as well as a change in zoning for 11 separate tax map parcels located at Palauea, Maui, Hawai'i. The parcels include two (2) County-owned parcels set aside as the Palauea Beach Park, and nine (9) adjoining privately owned parcels intended for single-family residential use. The purpose of the entitlements action is to establish land use consistency between the Kihei-Makena Community Plan and the underlying County zoning. The proposed land use changes are reflected in the table below.

EXISTING AND PROPOSED LAND USE DESIGNATIONS				
Tax Map Key	Existing County Zoning	Proposed County Zoning	Existing Community Plan Land Use Designation	Proposed Community Plan Land Use Designation
COUNTY PARK PARCELS				
2-1-11:18	HM, Hotel	PK-1, Park	Park	No Change
2-1-11:19	HM, Hotel	PK-1, Park	Park	No Change
PRIVATELY OWNED PARCELS				
2-1-11: 13	HM, Hotel	R-3, Residential	Park	Single-Family
2-1-11: 14	HM, Hotel	R-3, Residential	Park	Single-Family
2-1-11: 15	HM, Hotel	R-3, Residential	Park	Single-Family
2-1-11: 16	HM, Hotel	R-3, Residential	Park	Single-Family
2-1-11: 17	HM, Hotel	R-3, Residential	Park	Single-Family
2-1-11: 20	A-2, Apartment	R-3, Residential	Park	Single-Family
2-1-11: 21	A-2, Apartment	R-3, Residential	Park	Single-Family
2-1-11: 22	A-2, Apartment	R-3, Residential	Single-Family	No Change
2-1-11-23	A-2, Apartment	R-3, Residential	Single-Family	No Change



South Maui Ambulance Station at Wailea (HRS 343 FEA-FONSI)

District: Makawao
TMK: (2) 3-9-038:26
Applicant: Wailea Community Association
 555 Kaukahi St., Ste. 214, Kihei, HI 96753
 Contact: Bud Pikrone (841-6866)

Approving Agency: Office of the Mayor, County of Maui
 200 S High St., Wailuku, HI 96793
 Contact: Shelley Pellegrino (270-7855)

Consultant: Munekiyo & Hiraga, Inc.
 305 High St., Ste. 104, Wailuku, HI 96793
 Contact: Mich Hirano (244-2015)

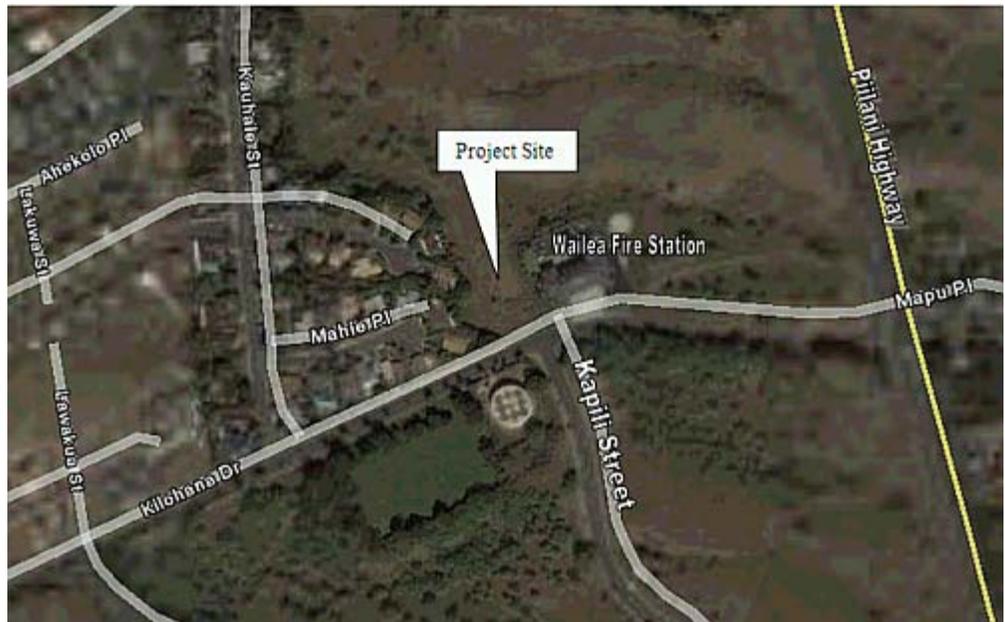
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).

Permits Required: Special Management Area Use Permit

The proposed ambulance station will be a single-story building approximately 50 feet by 30 feet with approximately 1,500 square feet of floor area. The building will house an ambulance for emergency response service (911), sleeping and living quarters for two (2) emergency response personnel, an office area, small kitchen and medical supply storage area. The emergency ambulance station will be operational 24 hours a day, seven days a week. Related improvements include site grading, installation of underground utilities, four (4) parking stalls and a paved driveway off of Kilohana Drive and drainage improvements. In addition, to facilitate accessibility for disabled individuals, the emergency ambulance station will be designed in accordance with the requirements of the Americans with Disabilities Act.

WCA will convey the improvements to the County of Maui upon completion. The County in turn will lease the building out to an emergency service provider. Since the proposed action involves the use of County lands, an Environmental Assessment (EA) has been prepared as required by Chapter 344, Hawai'i Revised Statutes. In addition, because the project site is situated within the limits of the Special Management Area (SMA) for the island of Maui, an application for an SMA Use Permit has been prepared for review and approval by the Maui Planning Commission.

The Wailea Community Association (WCA), a 501 (c) (4) not-for-profit corporation, proposes to construct a new emergency ambulance station and related improvements at the Wailea Fire Station property. The Wailea Fire Station property (subject property) is 3.152 acres and is identified by TMK 3-9-038:26. The subject property is zoned P-1, Public/Quasi-Public. The property is located to the north of Kilohana Drive and Kapili Drive intersection in Wailea, Hawai'i. The approximately one (1) acre-project site is situated in the western portion of the property. The project site is currently vacant and is occupied by scrub vegetation. Access to the project site is provided by Kilohana Drive, a two-lane connector road that falls under the joint jurisdiction of the State of Hawai'i and A & B Wailea LLC. Generally, the portion of Kilohana Drive extending from Kapili Street to Pi'ilani Highway falls under State control. The County of Maui is the fee-simple owner of the property underlying the project site.



Aerial of project site

Maui Notices

MARCH 8, 2007

Wailuku County Estates Water Storage Tank And Subdivision (HRS 343 DEA)

District: Wailuku
TMK: (2) 3-3-002:001
Applicant: CGM, LLC
78-5801 Allii Drive, Suite AU2
Kailua-Kona 96740
Contact: Segolene Wilson (264-2313)

Approving Agency: Hawaii State Department of Land and Natural Resources
Address: P.O. Box 621
Honolulu, Hawaii 96809
Contact: Kimberly Tiger Mills (587-0382)

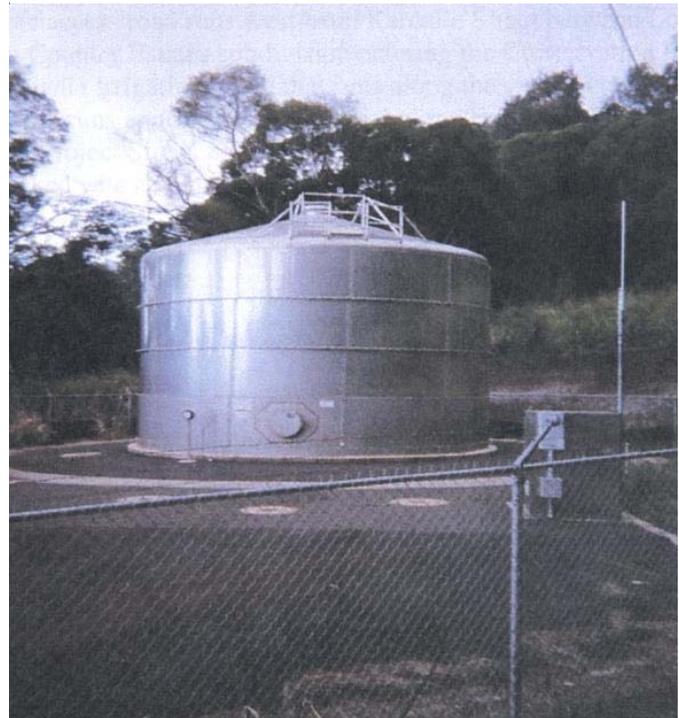
Consultant: Tim Lui-Kwan, Carlsmith Ball LLP
Address: ASB Tower Suite 2200
1001 Bishop Street
Honolulu, Hawaii 96813
Contact: Tim Lui-Kwan (523-2511)

Public Comment Deadline: April 9, 2007
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: Conservation District Use Application

improvement and proposed subdivision for the tank site are located within the Resource subzone of the SLU Conservation District (portion of TMK: (2) 3-3-002:001) in Wailuku, Maui just north of Iao Valley. The improvements were constructed as high elevation storage for the water system serving agricultural lots within the adjacent Wailuku Country Estates Subdivision (formerly known as the Puuohala Mauka Ag Subdivision). The subject application (CDUA MA-3400) is also part of the resolution of Conservation District Use Enforcement File MA-07-15. Upon completion of the proposed subdivision, the water storage tank lot (1.173 ac.) and the water system will be formally dedicated to the County of Maui although it has been operated as part of the public water system since its completion in 2003. Introduced animal species including pigs, mongoose, feral dogs and cats, and introduced avifauna common to Hawaii are present in the project area. The project area underwent reforestation with introduced tree species in the 1930's and no rare, endangered or threatened species have been observed in the area impacted by the subject improvements. No historic properties have been observed in the vicinity of the water tanks.

Applicant CGM LLC is requesting an "after the fact" CDUP for an existing 100,000-gallon potable water storage tank and associated improvements consisting of the construction of roadway/utility easement; a drainage easement; placement of utility poles; multiple tree removal, grubbing, grading and land clearing; and an accessory fence. The water storage tank, related



Kahului Commercial Harbor 2030 Master Plan (HRS 343 EISPN)

District: Wailuku
TMK: 3-7-1: Parcels 21, 22, and 23; 3-7-8: Parcels 1, 2, 3, 4, 6, 28, and 29; and 3-7-10: Parcels 2, 3, 6, 13, 15, 17, 18, 22, 25, 26, 27, 32, 33, 34, 37, and 38

Proposing Agency: State of Hawaii Department of Transportation
 Hale Awa Ku Moku Building
 79 South Nimitz Highway
 Honolulu, HI 96813-4898
 Contact: Glenn Soma (587-2503)

Accepting Authority: Governor
 c/o OEQC

Consultant: Belt Collins Hawaii, Ltd.
 2153 North King Street, Suite 200
 Honolulu, Hawaii 96819
 Contact: John Kirkpatrick (521-5361)

Status: Environmental Impact Statement Preparation Notice, pending 30-day public comment. Address comments to the applicant with copies to the accepting authority, consultant and OEQC.

Public Comment Deadline: April 9, 2007

Permits Required: Department of the Army Permit, Clean Water Act Section 401 Water Quality Certification, Coastal Zone Management Consistency Determination, Conservation District Use Application, National Pollutant Discharge Elimination System Permit, Building Permit, Grading Permit

The State of Hawaii Department of Transportation (DOT) is preparing an EIS for the Kahului Commercial Harbor 2030 Master Plan. As part of the 2030 Master Plan, several alternatives have been developed to address future harbor requirements. Alternatives were developed through discussions with a Maui Harbor Users Group including commercial and recreational users as well as government agencies.

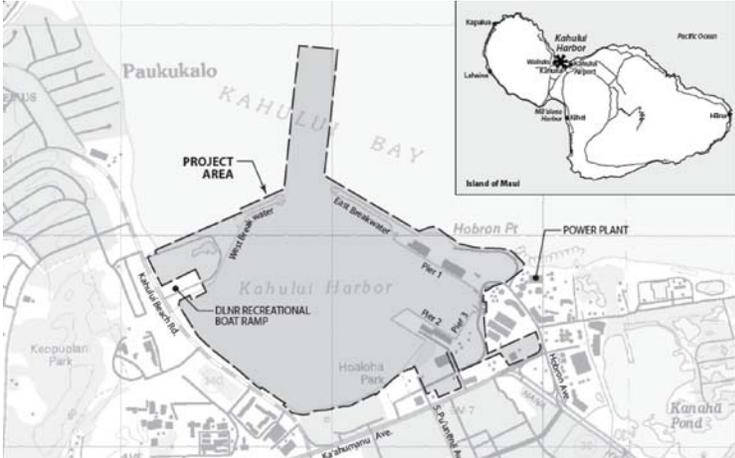
The Proposed Action includes expansion of Piers 1, 2, and 4 for cargo operations and development of the West Breakwater primarily for passenger operations.

West Breakwater development is proposed for inter-island ferry and cruise passenger terminals. The existing harbor basin would be widened approximately 800 feet to allow safe navigation and access to the proposed cruise and ferry berths. An inner breakwater extension or bulkhead pier would limit wave action and surge at the West Breakwater. Proposed facilities would include two new piers and approximately 22 acres of backup area.

Pier 1 would be lengthened from 1,760 to 2,400 feet and the backup area enlarged from 23.2 to 27.4 acres; the pier would be used primarily for cargo operations. Pier 2, also to be used primarily for cargo operations, would be lengthened from 870 to 1,200 feet and the backup area enlarged from 21.4 to 29.1 acres. A new Pier 4 would be constructed to provide berthing and facilities for liquid and dry bulk cargo, primarily fuel.

The East Breakwater would be extended to limit wave action and surge within the entrance channel and harbor turning basin. Support and ancillary facilities (such as roads, offices, infrastructure improvements, and security measures) would be constructed as part of this alternative.

Other alternatives evaluated in the EIS include development of the West Breakwater for a combination of passenger and cargo operations and the No Action Alternative.



MARCH 8, 2007

Kuhio Highway Short Term Improvements - Wailua Cane Haul Bridge (HRS 343 DEA)

- District:** Lihu'e
TMK: 3-9-002; 3-9-006: 12 (cane haul bridge)
Proposing Agency: State of Hawai'i - Department of Transportation, 869 Punchbowl Street, Honolulu, Hawai'i 96813. Contact: Darell Young (587-1835)
- Determination Agency:** Same as above.
Consultant: Kimura International, Inc., 1600 Kapi'olani Boulevard, Suite 1610, Honolulu, Hawai'i 96814. Contact: Glenn Kimura (944-8848)
- Public Comment**
Deadline: April 9, 2007
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:** Special management area; construction noise variance; National Pollutant Discharge Elimination System; Potential Conservation District Use at Wailua River; Department of Army permit (Section 10, Rivers and Harbors Act).

The State of Hawai'i, Department of Transportation proposes to improve Kuhio Highway on the island of Kaua'i between the north end of Leho Drive and the vicinity south of Kuamo'o Road. This section of Kuhio Highway is approximately 0.34 miles in length and extends from milepost 5.62 to mile post 5.96. The focal point of the project is to reconstruct the Wailua River cane haul bridge (also known as the plantation bridge). The existing concrete deck, which carries one lane of traffic, will be removed and replaced with a wider deck for two vehicular lanes and a cantilevered bike/pedestrian lane. Both vehicular travel lanes will be in the northbound direction. The new deck will be constructed using a prefabricated modular system. Existing piers will remain in place and unaltered, except for new struts extending from the pile cap to the underside of the deck. To accommodate the longer and wider bridge, new piers and abutments will be constructed landward of the existing abutments, and roadway approaches will be modified on both sides of the crossing. Other improvements will include retaining walls, drainage inlets, guard rails, signs, striping, and landscaping.

The cane haul bridge will be closed to traffic during some stages of construction. Bridge closure is expected to last ap-

proximately 10 weeks, during which severe traffic congestion is likely to occur. The State DOT is considering two main options for traffic mitigation. One option is to alter the mauka, highway bridge to accommodate three vehicular lanes on an interim basis. Part of the sidewalk on the makai side would be removed and a temporary guardrail added. In the long-term, the highway bridge would be restored to its former condition and carry two vehicular lanes in the southbound direction. The other option is to restrict left turns from Kuhio Highway onto Kuamo'o Road and provide a detour route. The final traffic control plan will be fleshed out after consultation with the appropriate agencies, further analysis of technical feasibility and costs, and public comments.

In addition to traffic impacts during the construction period, the project will also generate short-term noise and dust. No construction will occur in the river channel. Portions of State and County park lands adjacent to the project area will be required for construction staging and temporarily unavailable for recreational use. Construction on this project is targeted to begin in FY 2007-2008.



Project Site



University of Hawaii at Hilo Science Complex and Off-Site Parking Lot (HRS 343 Revised DEA)

District: South Hilo
TMK: 2-4-57: por. 25 & por. 26
Proposing Agency: University of Hawaii at Hilo
200 West Kawili Street
Hilo, HI 96720
Contact: Lo-li Chih (974-7595)

Determination Agency: Same as above.
Consultant: PBR Hawaii - Hilo Office
101 Aupuni St., #310
Hilo, HI 96720
Contact: Vincent Shigekuni (961-3333)

Public Comment Deadline: April 9, 2007
Status: Revised draft environmental assessment (RDEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

Permits Required: Grading, building

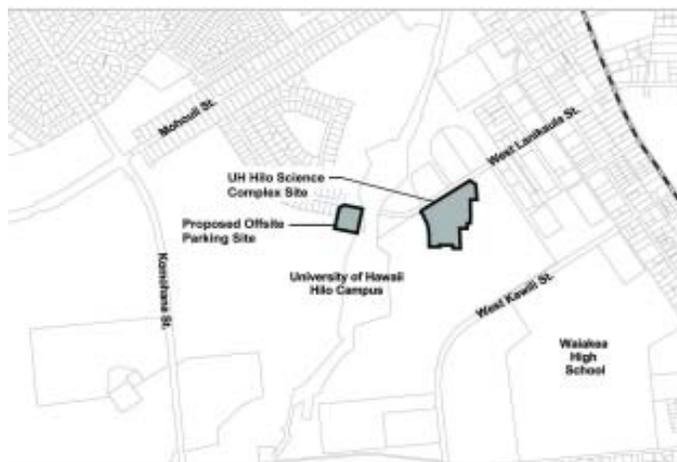
classes, tutoring and work spaces, and faculty offices are inadequate to serve program needs.

In order to meet the needs of a growing student population, UH-Hilo proposes the construction of a new Science Complex on the northern boundary of the main campus. Several buildings currently exist on the project site, which is underutilized with regard to density. The Science Complex will provide laboratories, classrooms and offices to support the Natural Sciences Division programs including Astronomy, Biology, Chemistry, Computer Science, Geology, Marine Science, Math, and Physics, as well as the Pharmacy and science research programs. The project also includes an off-site parking lot on Lanikaula Street.

On April 23, 2005, a draft environmental assessment was published in the Environmental Notice. Subsequent to that publication, an off-site parking lot was added to the project and this Revised Draft EA addresses the impacts of the parking lot and comments received in response to the original Draft EA (published on April 23, 2005), as well as during the pre-assessment consultation process.

It is expected that the proposed Science Complex will have no significant effect on the local, County or Statewide physical or human environments; a Finding of No Significant Impact (FONSI) is anticipated.

In the last ten years, the physical science programs (Physics/Astronomy, Chemistry, Mathematics, Computer Science, and Geology) at the University of Hawaii at Hilo (UH-Hilo) have grown. The Biology and Marine Science programs have also grown tremendously. Most of the facilities housing science and technology programs were built in the 1950s and 1960s, and the size, amenities, number of classrooms, and teaching laboratories available are inadequate to accommodate the rapidly expanding programs. Existing buildings also lack proper utilities and are not flexible for modern science and technology programs. Multi-sized



Project location on UHH campus

Hawai'i Notices

MARCH 8, 2007

Hawaii Commercial Timber Group (HRS 343 DEIS)

District: Hilo
TMK: 3-2-7-01:01 & 3-2-8-01:02
Applicant: Hawaii Commercial Timber Group, LLC
2051 Young Street
Honolulu, HI 96826
Contact: Kyle Dong (358-1521)

Accepting Authority: Department of Land and Natural Resources
Office of Conservation and Coastal Lands
1151 Punchbowl Street, 1st Floor
Honolulu, HI 96813
Contact: Dawn Hegger (587-0380)

Consultant: Wade Lee
2051 Young Street
Honolulu, HI 96826
Contact: Wade Lee (896-6307)

Public Comment

Deadline: April 23, 2007
Status: Draft environmental impact statement (DEIS) notice pending 45-day public comment. Address comments to the applicant with copies to the accepting authority, consultant and OEQC.

Permits

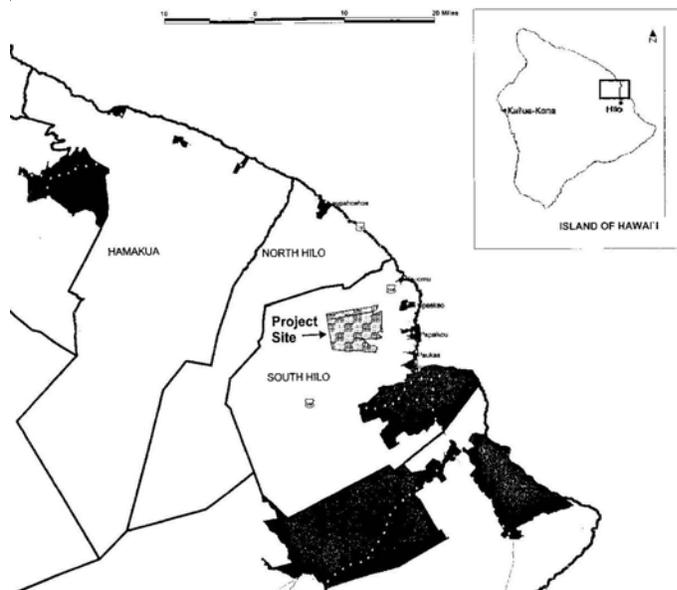
Required: CDUA

Koa Timber owns 13,129 acres of land in the South Hilo district of the island of Hawaii. The land ranges in elevation from approximately 1,600 feet above mean sea level to approximately 3,700 feet above sea level and consists of a rainforest that has been invaded by non-native vegetative species. It is situated approximately 2.5 miles north of Hilo and 3 miles upslope from the Hawaii Belt Road. Approximately 11,427 acres of the Site are designated as State Conservation District land within the Resource Sub zone. The remaining 1,702 acres are designated by the State as Agricultural District land. Six streams cross the Site and are used to divide the Site into seven management units (MUs).

The forest structure on the Site has changed over the last 30 years with a substantial increase in the acreage affected by non-native species. In the 1970s, the majority of the site was described as being pristine native forest with exotic species,

particularly strawberry guava (*Psidium cattlenium*), present over a limited area (5%). During the last 30 years, the presence of strawberry guava has increased to occur in some degree over the majority of the site, and it now dominates the forest structure with a mean distribution of 572.38 trees per acre throughout the property (Terry and Hart, 2002) There is a noticeable lack of koa (*Acacia koa*) sapling trees and new germinating seedlings across the site.

This Draft Environmental Impact Statement (DEIS) was prepared in accordance with Chapter 343 Hawaii Revised Statutes and the Hawaii Administrative Rules Environmental Impact Rules (Title 11, Chapter 200). This DEIS identifies the purpose and need for the forest management activities, reasonable alternatives, existing environmental conditions, environmental consequences, and mitigation measures to avoid or minimize these potential impacts. The results of the EIS provide the decision makers the information needed to determine whether or not to approve a Conservation District Use Application and allow implementation of the plan.



Federal Consistency Reviews

The Hawai'i Coastal Zone Management (CZM) Program has received the following federal actions to review for consistency with the CZM objectives and policies in Chapter 205A, Hawai'i Revised Statutes. This public notice is being provided in accordance with section 306(d) (14) of the National Coastal Zone Management Act of 1972, as amended. For general information about CZM federal consistency please call John Nakagawa with the Hawai'i CZM Program at 587-2878. For neighboring islands use the following toll free numbers: Lana'i & Moloka'i: 468-4644 x72878, Kaua'i: 274-3141 x72878, Maui: 984-2400 x72878 or Hawai'i: 974-4000 x72878.

For specific information or questions about an action listed below please contact the CZM staff person identified for each action. Federally mandated deadlines require that comments be received by the date specified for each CZM consistency review and can be mailed to:

Office of Planning, Department of Business, Economic Development and Tourism
P.O. Box 2359, Honolulu, Hawai'i 96804
Or, fax comments to the Hawai'i CZM Program at 587-2899.

(1) Department of the Navy *De Minimis* Activities under the Coastal Zone Management Act

Federal Action: Federal Agency Activity

Federal Agency: Department of the Navy

Location: Pearl Harbor Naval Complex, Naval Magazine Lualualei, and Naval Communications and Telecommunications Area Master Station Pacific, Oahu; and Pacific Missile Range Facility, Kauai; and all associated installations/facilities/equipment located outside of these Navy properties.

CZM Contact: John Nakagawa, 587-2878

Proposed Action: The Navy has submitted to the Office of Planning a list of *de minimis* activities under the Coastal Zone Management Act. *De minimis* activities are activities that occur within federally excluded areas (areas not within the Hawaii coastal zone management area) and are expected to have insignificant direct or indirect (cumulative and secondary) coastal effects. The Navy *de minimis* activities include: new construction on Navy property that is similar to present use; utility line activities; repair and maintenance; aids to navigation; structures in existing fleeting and anchorage areas; oil spill and hazardous waste cleanup; maintenance dredging; new dredging less than 100 cubic yards; scientific measuring devices (excluding sonar use); studies, data collection and survey activities; demolition; routine testing of military equipment and training conducted in military areas when impacts are insignificant; real estate and property transfers; mission changes; non-significant affects to historic buildings; limitation of access to and on federally controlled areas; and Integrated Natural Resources Management Plan actions. These Navy *de minimis* activities are activities for which CZM negative determinations (Hawaii CZM Program review not required) have been filed in the past.

Comments Due: March 22, 2007

Coastal Zone News

MARCH 8, 2007

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 (Honolulu) or Kalaeloa (Barbers Point) Community Development District (587-2840).

SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS		
Location (TMK)	Description (File No.)	Applicant/Agent
O'ahu: Waialua (6-7-9-3)	Subdivision into 4 lots. (2007/SMA-7)	Castle & Cooke Waialua, LLC / ParEn Inc. Park Engineering – Keith Uemura
O'ahu: Makaha (8-4-1-5)	Nextel Utility Installation – Type A (2007/SMA-4)	Nextel Partners Inc.
O'ahu: Kalihi (1-2-23-34)	Fencing and berms (2007/SMA-8)	Jas W. Glover, Ltd.
Maui: Hana (1-3-2-12)	Blue Pool Market Place (SM2 20070004)	Young, Edwin
Maui: Makawao (2-9-5-22)	3 lot subdivision (SM2 20070006)	Pafford, April
Hawai'i: Kona (7-5-9-16)	Open air decorative trellis (SMA07-48)	Olu Kai, Ltd.
Hawai'i: Kona (8-9-4-7)	Establish and continue existing Miloli'i Transfer Station (SMA07-49)	County Department of Environmental Management
Kaua'i: Kealia (4-7-3-1)	Bus shelter and pull out area (SMA-2007-12)	County Department of Public Works

Shoreline Notices

MARCH 8, 2007

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 Barry Cheung at (808) 587-0384.

File No.	Date	Location	Applicant/Owner	TMK
OA-1144	02/12/2007	Lots 303 and 304, Land Court Application 323, (Map 161), situated at Kailua, Ko'olaupoko, Island of O'ahu. Address: 572-C N. Kalaheo Avenue Purpose: Due diligence	DJNS Surveying & Mapping, Inc./Lakeside Enterprises, L.P.	4-3-018:020
OA-1145	02/12/2007	Land Court Application 774 (Map 2) and Land Court Application 1628 (Map 1), situated at Waikiki, Honolulu, Island of O'ahu. Address: 2169 Kalia Road Purpose: Building permit	ControlPoint Surveying, Inc./ORF LLC	2-6-004:010'
OA-1146	02/12/2007	Lot 1, Forest Avenue Subdivision, File Plan 2335, situated at Kaakaukui, Honolulu, Island of O'ahu. Address: Pier 2, 521 Ala Moana Boulevard Purpose: SMA Permit	ControlPoint Surveying, Inc./Hawai'i Community Development Authority	2-1-015:051
OA-1147	02/21/2007	Fronting Lots 158 to 162, Land Court Application 1069 (Map 26), situated at Honouliuli, 'Ewa, Island of O'ahu. Address: 91-333, 91-329, 91-317, 91-309, 91-303 Papihi Road Purpose: Future development	ParEn, Inc./Haseko ('Ewa), Inc.	9-1-011:001 to 005
OA-1148	02/21/2007	Lot 66-A, being a portion of Grant 8385, situated at Pupukea, Ko'olaupoko, Island of O'ahu Address: 59-251 Ke Nui Road Purpose: Building setback requirement	Jaime F. Alimboyoguen/ Bruce Kahl	5-9-019:039
MA-363	02/12/2007	A portion of Royal Patent 4475, land Commission Award 7713, Ap:24, situated at Waihe'e, Wailuku, Island of Maui. Address: Kahekili Highway Purpose: Future planning	Warren S. Unemori Engineering, Inc./RDD LLC.	3-2-001:002
MA-364	02/21/2007	A portion of L.P. Grant 8229, L.C. Aw. 7598 and portion of R.P. 1676, L.C. Aw. 10465, Ap.1, situated at Waiokama, Lahaina, Island of Maui. Address: 459 Front Street Purpose: Building setback	Valencia Land Surveying/ John Brewer	4-6-002:017

Shoreline Notices

MARCH 8, 2007

Shoreline Certifications and Rejections

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

File No.	Proposed/Rejected	Location	Applicant/Owner	TMK
OA-1131	Proposed Shoreline Certification	Lot 14 of Kawailoa Beach Lots, land situated at Kawailua, Waialua, Island of O'ahu, Hawai'i Address: 61-635 Kamehameha Highway Purpose: Building setback	Erik S. Kaneshiro/Michael & Nina Fox	6-1-010:001
OA-1132	Rejected	Lot 85 of Land Court Application 1052 (Map 5), situated at Makaha, Waianae, Island of O'ahu Address: 84-771 Moua Street Purpose: Building potential and permitting	Wesley T. Tengan/Patty Ochi	8-4-006:007
HA-327	Rejected	Kona Bali Kai Condominium, North Kona, Island of Hawai'i Address: 76-6246 Ali'i rive Purpose: Repair wall	Kona Surveyors, Inc./Kona Bali Kai Condominium	7-6-015:023

Conservation District Notices

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.

PROJECT:

File No.: CDUA HA-3407

Name of Applicant: Kiowai Hui, LLC & Foti 'Ala'e, LLC

Location: 'A1a'e, South Kona, Hawai'i

TMK: (3) 8-7-05: 1, 2, & 10-19

Proposed Action: Consolidation and Re-subdivision

343, HRS determination: Exempt

Applicant's Contact: Gregory Mooers, 1-808-880-1455

PROJECT:

File No.: CDUA HA-3404

Name of Applicant: Barbara Wilcox

Location: Kahauloa, South Kona, Hawai'i

TMK: (3) 8-3-05:10, 12, & 13

Proposed Action: Consolidation and Re-subdivision

343, HRS determination: Exempt

Applicant's Contact: Gregory Mooers, 1-808-880-1455

PROJECT:

File No.: CDUA HA-3403

Name of Applicant: Dick Chun

Location: Alike, South Kona, Hawaii

TMK: (3) 8-8-02:14, 17, 22

Proposed Action: Consolidation and Re-subdivision

343, HRS determination: Exempt

Applicant's Contact: Gregory Mooers, 1-808-880-1455

Fishery Council Meetings

The 137th Council meeting and public hearings will be held at the Ala Moana Hotel, 410 Atkinson Drive, Honolulu. For more information call Kitty M. Simonds, Executive Director at (808) 522-8220.

Tuesday, March 13, 2007, Standing Committee Meetings

1. 8:00 A.M. – 10:00 A.M., Marianas Archipelago Ecosystem Standing Committee
2. 10:00 A.M. - 12 noon, Hawaii Archipelago Ecosystem Standing Committee
3. 1:30 P.M. – 3:00 P.M., American Samoa Archipelago Ecosystem Standing Committee
4. 3:00 P.M. – 4:00 P.M., Pelagics and International Ecosystem Standing Committee
5. 4:00 P.M. – 6:00 P.M., Program Planning/Research & Executive/Budget Standing Committee

Wednesday, March 14, 2007, 9:00 A.M. – 5:00 P.M., Full Council Meeting

1. Introductions
2. Approval of Agenda
3. Approval of 135th and 136th Meeting Minutes
4. Agency Reports
 - A. NMFS
 1. Pacific Islands Regional Office (PIRO)
 2. Pacific Islands Fisheries Science Center (PIFSC)
 - B. NOAA General Counsel
 - C. United States Fish and Wildlife Service (USFWS)
5. Mariana Archipelago
 - A. Island Area Reports
 1. Commonwealth of the Northern Mariana Islands (CNMI)
 2. Guam
 - B. Enforcement Reports
 1. CNMI Enforcement Agency Report
 2. Guam Enforcement Agency Report
 3. United States Coast Guard (USCG) Enforcement Report
 4. NMFS Office for Law Enforcement (OLE) Report
 5. Status of Violations
 - C. Micronesian Challenged
 - D. CNMI/Guam Bottomfish Assessment
 - E. Mariana Turtle Research
 - F. Federal Monitoring and Reporting Program for CNMI
 - G. Mariana Community Initiatives
 1. Report on CNMI Advisor and Regional Ecosystem Ad-

visory Council (REAC) Meetings

2. Report on Guam Advisor and REAC Meetings
3. Report on Guam Voluntary Data Collection Program
- H. Scientific and Statistical Committee (SSC) Recommendations

dations

- I. Standing Committee Recommendations
 - J. Public Comment
 - K. Council Discussion and Action
6. American Samoa Archipelago
 - A. Island Area Reports
 - B. Enforcement Reports
 1. Agency Enforcement Report
 2. USCG Enforcement Report
 3. NMFS OLE Report
 4. Status of Violations
 5. United States Cook Islands Longline Fishing Access
 - C. Status of Products from American Samoa/Samoa MOU
 - D. Status of Fisheries Development in American Samoa
 1. Impact to New Minimum Wage Laws
 2. Economic Study

E. Report on Protected Species Interaction in American Samoa Longline Fishery

- F. American Samoa Turtle Research
- G. American Samoa Bottomfish Stock Assessment
- H. American Samoa Community Initiatives
 1. Advisory Group Meetings
 2. Legislative Actions
- H. SSC Recommendations
- I. Standing Committee Recommendations
- J. Public Comment
- K. Council Discussion and Action

Thursday, March 15, 2007, 9:00 A.M. – 5:00 P.M.

9. Hawaii Archipelago
 - A. Island Area Reports
 - B. Enforcement Reports
 1. Agency Enforcement Report
 2. USCG Enforcement Report
 3. NMFS OLE Report
 4. Status of Violations
 5. Automatic Identification System Pilot Project Report
 6. NMFS Vessel Monitoring System (VMS) Policy
 7. Status of Electronic Logbook Reporting Certification

Program

- C. Protected Resources
 1. Hawaiian Green Sea Turtle Recovery
 2. Monk Seal Fatty Acid Study
 3. Marine Mammal Advisory Committee Recommendations
- D. NOAA Updates

Undersea Warfare Exercise within Hawaii Range Complex FONSI

Pursuant to Section 102(2)(C) of the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality regulations (40 CFR parts 1500-1508), implementing procedural provisions of NEPA, the Department of the Navy (DON) gives notice that a Programmatic EA/OE has been prepared and a Finding of No Significant Impact (FONSI) has been issued for the implementation of Alternative 1, which allows for up to six future Undersea Warfare Exercises (USWEXs) annually within the Hawaii Range Complex from January 2007 through January 2009. The FONSI was signed on January 24, 2007. The Final Programmatic EA/OEA and FONSI are available for public review at the following locations:

1. Wailuku Public Library, 251 High Street, Wailuku, HI 96793 (Maui).
2. Hilo Public Library, 300 Waianaenue Avenue, Hilo, HI 96720 (Hawaii).
3. Hawaii State Library, Hawaii and Pacific Section Document Unit, 478 South King Street, Honolulu, HI 96813 (Oahu).
4. Lihue Public Library, 4344 Hardy Street, Lihue, HI 96766 (Kauai).

Electronic copies of the Final Programmatic EA/OEA and FONSI are available for public viewing or downloading at <http://www.govsupport.us/uswex>. For more information, please call Commander, U.S. Pacific Fleet (N01CE), 250 Makalapa Drive, Pearl Harbor, HI 96860-3131 at (808) 474-7836, or visit

<http://www.govsupport.us/uswex> (see, 72 F.R. 5021, February 02, 2007).

Amendment to Byproduct Materials License 53-00017-23 for the University of Hawaii in Honolulu, FONSI

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of an amendment to Material License No. 53-00017-23. This license is held by the University of Hawaii (the Licensee), School of Medicine, located at Queen's Medical Center, University Towers in Honolulu, Hawaii (the Facility). Issuance of the amendment would authorize release of the Facility's 7th floor for unrestricted use. The Licensee requested this action in a letter dated January 19, 2006. The NRC has prepared an Environmental Assessment (EA) in support of this proposed action in accordance with the requirements of Title 10, Code of Federal Regulations (CFR), Part 51 (10 CFR Part 51). Based on the

EA, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate with respect to the proposed action. The amendment will be issued to the Licensee following the publication of this FONSI and EA in the Federal Register. FOR FURTHER INFORMATION CONTACT: D. Blair Spitzberg, PhD., Chief, Fuel Cycle and Decommissioning Branch, Division of Nuclear Materials Safety, Region IV, U.S. Nuclear Regulatory Commission, Arlington, Texas 76011. Telephone: (817) 860-8191; fax number: (817) 860-8188; or by electronic mail at dbs@nrc.gov. Documents related to this action, including the application for amendment and supporting documentation, are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html> (see, 72 F.R. 2021, January 17, 2007).

Endangered Species Permit Applications

We invite the public to comment on the following applications to conduct certain activities with endangered species. Comments on these permit applications must be received on or before April 2, 2007. Written data or comments should be submitted to the U.S. Fish and Wildlife Service, Chief, Endangered Species, Ecological Services, 911 NE. 11th Avenue, Portland, Oregon 97232-4181, telephone (503) 231-2063, facsimile (503) 231-6243. Please refer to the respective permit number for each application when submitting comments. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

Permit No. TE-140683. Applicant: Susan I. Jarvi, Hilo, Hawai'i. The applicant requests a permit to take (inoculate and collect biological samples) captive nene (*Branta sandvicensis*) in conjunction with vaccination research in Kona, Hilo, and Waikaloa for the purpose of enhancing its survival.

Permit No. TE-145562. Applicant: U.S. Geological Survey, Biological Resources, Moss Landing, California. The applicant requests a permit to take (capture, locate and monitor nests, band, tag, transmitter, collect biological samples) the Hawaiian petrel (*Pterodroma sandwichensis*) in conjunction with scientific research throughout the species range in the State of Hawai'i for the purpose of enhancing its survival.

Permit No. 145851. Applicant: Andrew Engilis, Davis, California. The applicant requests a permit to take (capture, hold, weigh, measure, band, and collect biological samples) the Hawaiian duck (*Anas wyvilliana*), and take (capture and release) the Hawaiian moorhen (*Gallinula chloropus sandvicensis*), and the

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Hawaiian coot (*Fulica alai*) in conjunction with scientific research on the islands of O'ahu, Kaua'i, and Hawai'i for the purpose of enhancing their survival.

For more information call Linda Belluomini, Fish and Wildlife Biologist, at the above Portland address, or telephone her at (503) 231-2063 (see, 72 F.R. 9576, March 02, 2007).

Ballistic Missile Defense System, Final Programmatic EIS

This notice announces the availability of the Missile Defense Agency's (MDA) Ballistic Missile Defense System (BMDS) Final Programmatic Environmental Impact Statement (PEIS), which analyzes the potential impacts to the environment of MDA's proposal to develop, test, deploy, and plan for decommissioning an integrated BMDS. The PEIS addresses the integrated BMDS and the development and application of new technologies; evaluates the range of complex programs, architecture, and assets that comprise the BMDS; and provides a framework for future environmental analyses as activities evolve and mature. A Record of Decision will be issued no earlier than 30 days from the date of this notice (February 16, 2007). Copies of the Final PEIS have been distributed to Federal, State, local agencies, and public officials that previously requested copies of the PEIS. Copies of the Final PEIS will be available at the following Hawaii public libraries: Hawaii State Library, Hawaii Documents Center, 478 South King Street, Honolulu, HI 96813; University of Hawaii at Manoa, Hamilton Library, 2550 The Mall, Honolulu, HI 96822. Requests for electronic copies of the Final BMDS PEIS should be directed to MDA BMDS PEIS, c/o ICF International, 9300 Lee Highway, Fairfax, VA 22031; Phone (Toll-Free) 1-877-MDA-PEIS (1-877-632-7347); Fax (Toll-Free) 1-877-851-5451; E-mail mda.bmds.peis@icfconsulting.com; or Web site. An electronic version of the Final PEIS is available on the MDA Web site at <http://www.mda.mil/mdalink/html/enviro.html>. For more information please call Mr. Rick Lehner, MDA Director of Public Affairs, at (703) 697-8997 (see, 72 F.R. 7617, February 16, 2007).

Hickam and Bellows Air Force Housing Privatization Phase II

On February 13, 2007, the United States Air Force signed the ROD for the Housing Privatization Phase II, Hickam Air Force Base, Hawaii, and Bellows Air Force Station, Hawaii. The ROD

states the Air Force decision to implement Alternative B (Privatization Excluding Fort Kamehameha) that will convey and privatize 1,297 of the remaining 1,330 Government-owned military housing units on Hickam AFB and six family housing units on Bellows AFS. Privatization would exclude the 25.75 acres of land and 33 historic housing units on Fort Kamehameha. The decision was based on matters discussed in the Final Environmental Impact Statement (EIS), inputs from the public and regulatory agencies, and other relevant factors. The Final EIS was made available on December 22, 2006 (see, 71 F.R. 77013, December 22, 2006) with a wait period ending January 22, 2007. The ROD documents only the decision of the Air Force with respect to the proposed Air Force actions analyzed in the Final EIS. For more information please call Ronnie Lanier at (808) 449-1584, extension 238 (see, 72 F.R. 8974, February 28, 2007)

Transgenic Corn Experimental Use Permits

The United States Environmental Protection Agency has granted experimental use permits (EUPs) to the following pesticide applicants. An EUP permits use of a pesticide for experimental or research purposes only in accordance with the limitations in the permit.

524-EUP-97. Issuance. Monsanto Co., 800 North Lindbergh Blvd., St. Louis, MO 63167. This EUP allows the use of 165,700 lbs of corn seed containing the following plant-incorporated protectants (PIPs) in the amounts specified: 0.47 lbs of the *Bacillus thuringiensis* Cry1A.105 protein and the genetic material necessary for its production (vector PV-ZMIR245) in Event MON 89034 corn, 0.41 lbs of the *Bacillus thuringiensis* Cry2Ab2 protein and the genetic material necessary for its production (vector PV-ZMIR245) in Event MON 89034 corn, and 1.49 lbs of the *Bacillus thuringiensis* Cry3Bb1 protein and the genetic material necessary for its production (vector ZMIR39) in Event MON 88017 corn. This EUP allows the use of this seed on 1,356 acres MON 89034 corn; 363 acres MON 88017 corn; 617 acres MON 89034 x MON 88017 corn; and 461 acres non-Bt corn for 2006-2007, and 3,541 acres MON 89034 corn; 1,298 acres MON 88017 corn; 1,110 acres MON 89034 x MON 88017 corn; and 531 acres non-Bt corn for 2007-2008. Eight trial protocols will be conducted, including: breeding and observation nursery; inbred seed increase production; line per se hybrid yield and herbicide tolerance trials; insect efficacy trials; product characterization and performance trials; insect resistance management trials; benefit assessment trials; seed treatment trials; the program is authorized only in the States of Alabama, Arizona, California, Colorado, Florida, Georgia,

Hawai'i, Idaho, Iowa, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Missouri, Mississippi, North Carolina, Nebraska, Ohio, Oregon, Pennsylvania, Puerto Rico, South Dakota, Tennessee, Texas, Washington, and Wisconsin. The EUP is effective from June 29, 2005 to June 30, 2008, along with associated activities such as collection of field data and harvesting and processing of seed after last planting. Temporary and permanent exemptions from the requirement of a tolerance have been established for residues of the active ingredients in or on all corn commodities.

67979-EUP-4. Amendment/Extension. Syngenta Seeds, Inc., P.O. Box 12257, 3054 East Cornwallis Rd., Research Triangle Park, NC 27709-2257. This EUP allows the use of 50,420 lbs MIR604 and Bt11 corn seed containing the following PIPs in the amounts specified: A combined 0.0454 lbs of modified Cry3A *Bacillus thuringiensis* protein and the genetic material necessary for its production (via elements of pZM26) in Event MIR604 corn (SYN-IR6[Oslash]4-5) and Bt11 *Bacillus thuringiensis* Cry1Ab delta-endotoxin and the genetic material necessary for its production (plasmid vector pZ01502) in corn. This EUP allows the use of this seed on 2,300 acres MIR604 modified Cry3A corn, 670 acres Bt11 Cry1Ab corn, 965 acres MIR604 x Bt11 corn, and 2,959 acres non-Bt corn. Five trial protocols will be conducted, including: breeding and observation; efficacy evaluation; agronomic observation; inbred and hybrid production; and regulatory studies. The program is authorized only in the States of California, Colorado, Florida, Hawai'i, Iowa, Illinois, Indiana, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, Mississippi, New Mexico, Nebraska, New York, Ohio, Pennsylvania, Puerto Rico, South Dakota, Texas, Virginia, and Wisconsin. The EUP is effective from March 2, 2006 to February 28, 2007, along with associated activities such as collection of field data and harvesting and processing of seed after last planting. Temporary and permanent exemptions from the requirement of a tolerance have been established for residues of the active ingredients in or on all corn commodities.

For more information, please contact Mike Mendelsohn, Biopesticides and Pollution Prevention Division (7511P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8715; e-mail address: mendelsohn.mike@epa.gov (see, 72 F.R. 3133, January 24, 2007).

Cancellation of the Preparation of an Air Tour Management Plan and Environmental Assessment for Kalaupapa National Historical Park

The Federal Aviation Administration (FAA) announces that it will no longer prepare an Air Tour Management Plan (ATMP) and Environmental Assessment (EA) for commercial air tour operations over Kalaupapa National Historical Park (NHP), on the island of Moloka'i. The FAA has stopped work on preparation of the ATMP and EA based upon no further operating authority interest by commercial air tour operators who had been granted Interim Operating Authority to conduct commercial air tour operations over the park unit and there are no new entrant requests to conduct commercial air tour operations. For more information, please write to Peter F. Ciesla, Program Manager, AWP-4, Federal Aviation Administration, Western-Pacific Region, P.O. Box 92007, Los Angeles, California 90009-2007. You may also call Mr. Ciesla at (310) 725-3818, or send him an electronic mail at Pete.Ciesla@faa.gov (see, 72 F.R. 3902, January 26, 2007).