

The Environmental Notice

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

AUGUST 23, 2007

Environmental Justice: Your Input is Needed!

In July 2006, Governor Lingle signed into law Act 294 – A Bill for an Act Relating to the Environment. One aspect of Act 294 requires “the development of an environmental justice guidance document to ensure that principles of environmental justice are systematically included in all phases of the environmental review process.” Each agency involved in the environmental review process will have a duty to identify and address negative impacts on Native Hawaiian, minority, and low-income populations. The State of Hawai‘i Environmental Council is responsible for implementing the Environmental Justice Initiative. The Council has contracted with an Environmental Justice Project Coordinator to work with community members to:

- * Define environmental justice for Hawai‘i,
- * Develop a guidance document that addresses environmental justice in all phases of the environmental review process.

In January 2008, the Council will submit a report to the Hawai‘i State Legislature, which will include the environmental justice definition and guidance document. Input from government agencies, developers, planning consultants, Native Hawaiian organizations, environmental groups, academia, and community members from ALL ISLANDS is needed to assist in defining environmental justice for Hawai‘i and developing the guidance document.

Please contact Leslie Kahihikolo, Environmental Justice Project Coordinator, Environmental Council by telephone (808-728-7991) or by electronic mail at EJHawaii@hawaii.rr.com, by October 31, 2007, if you are interested in:

- * Participating in an interview
- * Completing a survey
- * Hosting a community meeting

Mahalo!

Environmental Council Meets on September 20, 2007

The Environmental Council is scheduled to meet on Thursday, September 20, 2007, at 1400 hours. Agenda information is forthcoming. Please call OEQC at (808) 586-4185 at least six calendar days before for the agenda.



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Correction - Hawai‘i Range Complex Public Notice

In the August 8, 2007, edition of the Environmental Notice, the contact information (in the last paragraph) for the front page article on the Hawai‘i Range Complex NEPA Draft EIS is incorrect and should read as follows: “Comments may be submitted in writing either at the hearing (see page 14) or mailed to the Public Affairs Office, Pacific Missile Range Facility, P.O. Box 128, Kekaha, Hawai‘i, 96752-0128, ATTN: HRC EIS/OEIS. Comments may also be sent by telephone facsimile to (808-335-4520). Comments may also be sent by electronic mail to deis_hrs@govsupport.us.” Please disregard the last paragraph of the August 8, Hawai‘i Range Complex Notice on the front page of the Environmental Notice. The contact information there is erroneous and belongs to the Stryker Brigade project. The Office of Environmental Quality Control sincerely regrets this error and any inconvenience that it may have caused.

In This Issue

In the Kaka‘ako district, the Office of Planning of the Department of Business, Economic Development and Tourism of the State of Hawaii has determined that an environmental impact statement is required for the Honolulu Seawater Air Conditioning system (p. 12). In the Waikiki district, there are several projects: Beach Walk Retail Development (p. 11); Beach Walk Wastewater Pump Station (p. 10); Ala Wai Garden Plaza (p. 11). Also, the Department of Accounting and General Services is proposing to build the Public Safety Radio Station in Diamond Head Crater (p. 8).



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We provide access to our activities without regard to race, color, national origin (including language), age, sex, religion, or disability. Write or call OEQC or our departmental Affirmative Action Officer at Box 3378, Honolulu, HI 96801-3378 or at (808) 586-4616 (voice/tty) within 180 days of a problem. OEQC intends to make the information in this bulletin accessible to everyone. Individuals that require this material in a different format (such as large type or braille), should contact our office for assistance.

Definitions

Your guide to the Environmental Review Process

Draft Environmental Assessment

A project or action that may affect the environment cannot be implemented until an Environmental Assessment (EA) is prepared in accordance with Chapter 343, Hawai'i Revised Statutes (HRS). If the lead State or county agency (the *proposing agency* for agency actions, or the *approving agency* for applicant actions) anticipates that the project will have no significant environmental impact, then affected agencies, individuals, and organizations must be consulted and a Draft EA (DEA) is written and public notice is published in this periodic bulletin (see, section 343-3, HRS) known as the *Environmental Notice*. The public has 30 days to comment on the Draft EA from the date of the first notice.

Final Environmental Assessment and Finding of No Significant Impact

After the lead agency reviews the public comments, if it determines that the project will have no significant effect on the environment, 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. It 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).

Hawai'i Notices

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Ainakea Senior Residences Project (HRS 343 DEA)

District: North Kohala
TMK: (3) 5-3-11:102
Applicant: Hawai'i Island Community Development Corporation, 100 Pau'ahi Street, Suite 204, Hilo, Hawai'i 96720, Contact: Keith Kato, (808) 969-1158 ext. 105

Approving Agency: County of Hawai'i, Office of Housing and Community Development, 50 Wailuku Drive, Hilo, Hawai'i 96720. Contact: Noel Fujimoto (808-961-8379)

Consultant: Brian T. Nishimura, Planning Consultant

Public Comment

Deadline: September 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: Underground Injection Control-Approval of Drywells, Wastewater Variance-Approval of Septic Systems (Dept. of Health), Plan Approval, Approval of Construction Plans (Water Supply, Public Works, Planning).

The Hawai'i Island Community Development Corporation (HICDC) is proposing to develop a 30 unit elderly housing project on approximately 3 acres of land on TMK No. (3) 5-3-11: 102. The property is located on the west side of Ainakea Drive, approximately 250 feet north of the Ainakea Drive – Akoni Pule Highway (Route 270) intersection.

The proposed project will provide 29 one-bedroom, one-bath apartment units for Very-Low Income (60% of the median income) seniors and 1 managers unit in North Kohala. The units will be housed in single story structures with approximately 500 square feet of living area. The project will also include 30 parking stalls, a laundry, mail boxes, patio, meeting room and community garden. The project will be designed with the needs of the senior residents in mind and will be in compliance with ADA and Fair Housing accessibility requirements. Four of the units will be designed and constructed as accessible units, and the remaining units will be adaptable to ADA requirements.

Access to the project will be from an interior subdivision roadway connecting to the Akoni Pule Highway. All necessary utilities and improvements including electricity, roads and water system serve the area. Sewage disposal will be handled by on-site septic systems meeting with the approval of the Department of Health. The proposed project is scheduled to begin construction in January, 2008 with completion anticipated in November, 2008. The total cost of the proposed project is estimated at approximately \$7.4 million.

Reconstruction of Hale Kai O Kona Fire Damaged Buildings (HRS 343 FEA-FONSI)

District: North Kona
TMK: 7-6-17:27
Applicant: Hale Kai'o Kona, 2130 rosa Vista Terrace, Camarillo, CA 93012. Contact: Kevin Mitchell (808-886-1638)

Approving Agency: Hawai'i County Planning Department, 101 Aupuni Street, Suite 103, Hilo Hawai'i 96720. Contact: Jeff Darrow (808-961-8288x259)

Consultant: Geometrician Associates, P.O. Box 396, Hilo Hawai'i 96721. Contact: Ron Terry (808-969-7090)
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).

Permits Required: Hawai'i County: SMA Exemption (obtained) Shoreline Setback Variance, Plan Approval

The eight-unit Hale Kai O Kona condominium complex, built in 1978, is bordered on the east by Ali'i Drive, on the north and south by the other condominiums, and on the west by a shoreline consisting of a pahoehoe shelf and shallow, elevated white sand beach. A concrete masonry wall separates the building foundation from the beach, providing protection from occasional storm waves. A public pedestrian right of way connects Ali'i Drive to the shoreline area. In 2004 a fire destroyed the roofs and top floors of two of the living units and damaged them to the extent that occupation was no longer possible. Charred wood and damaged building components were removed immediately for safety reasons, and soon 60 to 70 percent of the buildings, including interior finishes and fixtures, was demolished and removed. The first floor level and the walls and floors of the second story remain, and the existing foundation remains in good enough condition to be reused.

The proposed project consists of the exact reconstruction in place of these units. No grading will be necessary, and no new parking or buildings will be added. The buildings were originally built outside the minimum 20-foot setback from the shoreline per a November 28, 1977, certified shoreline, in full compliance with all laws, regulations and permits. After the fire, the plans for reconstruction required another survey of the shoreline. This survey indicated that part of the shoreline had advanced landward, although no flood damage or erosion problems have been reported during the intervening 29 years. The existing placement of the buildings on their original foundations, inclusive of the roofed lanai, now encroach approximately 11 feet into the 20-foot setback.

The objective of the project is to reconstruct these two units so they are habitable once again and in the same condition



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they were prior to the fire. The owners of the units and other owners have suffered hardship due to the loss of property value, loss of use, the loss of potential income, and special assessments. As the project would take place entirely within an existing condominium complex on top of an existing foundation and first floor, very few impacts would occur, and all can be mitigated.

Nā'ālehu Pahala Large Capacity Cesspool Conversion Project (HRS 343 Final EA-FONSI)

District: Ka'u
TMK: Pahala - (3)9-06-014, (3)9-06-015, (3)9-06-016, and (3)9-06-020, Nā'ālehu - (3)9-05-024, (3)9-05-025, and (3)9-05-026

Proposing Agency: Department of Environmental Management, County of Hawai'i - 25 Aupuni Street, Hilo, Hawai'i 96720 - Ms. Dora Beck-(808)961-8028

Determining Agency: Same as above
Consultant: SSFM International, Inc. - 501 Sumner Street, Suite 620, Honolulu, Hawai'i 96817 - Mr. Jared K. Chang-531-1308

Public Comment Deadline: September 24, 2007
Permits Required: NPDES, DOH Existing Well Registration and Underground Injection Control, Grading, Work within the Right-of-Way, Noise (only if required)

The County of Hawai'i, Department of Environmental Management - Technical Services Section (DEM), is proposing to provide sewer collection system and treatment improvements to serve the existing communities of Pahala and Nā'ālehu Villages in the Ka'u District, Island of Hawai'i. These improvements would allow for the conversion of existing large capacity "gang" cesspools (LCC) currently serving these communities. A total of 127

lots in Pahala and 162 lots in Nā'ālehu would be serviced by this cesspool conversion project.

The Pahala community encompasses about 0.8 square miles (512 acres), and is located approximately 25 miles southwest of the Volcanoes National Park. This village consists of lots identified as Tax Map Keys (3)9-06-014, (3)9-06-015, (3)9-06-016, and (3)9-06-020. The Nā'ālehu community is located about 12 miles south of Pahala, and encompasses an area of about 2.16 square miles (1,382.4 acres). This village consists of lots identified as Tax Map Keys (3)9-05-024, (3)9-05-025, and (3)9-05-026. Exhibits 1 and 2 graphically show the properties being affected by this project.



C. Brewer has maintained and operated these communities' wastewater systems for the past 60 years, and is now subject to an EPA mandate to convert these

LCCs to approved Individual Wastewater Systems (IWS). LCC's allow untreated sewage to percolate directly into the soil and ground water. As such, LCC's create public health and environmental concerns due to their likelihood of releasing diseases and other contaminants to ground water, streams, and the ocean.

The County is supporting these efforts by providing a new sewer collection system within existing public roadways and an IWS for its treatment. C. Brewer would provide for the connection of individual lots to the County's wastewater collection system.

Alternative sewer collection systems are being developed that are currently served by the C. Brewer system for each community and evaluated to determine the system most feasible and practicable to implement. These collection systems will be integrated with the IWS being developed for proper treatment of wastewater.

This project may be funded by Federal Funds through the State of Hawai'i's Clean Water State Revolving Fund (SRF) Program, which would constitute a federal action, and will require the project to meet all NEPA and Hawai'i SRF program requirements.

Maui Notices

Baldwin High School. Library (HRS 343 FEA-FONSI)

District: Wailuku
TMK: 3-8-007: 004, 047

Proposing Agency: Department of Education, Facilities Development Branch, 1151 Punchbowl Street, Room 501, Honolulu, Hawai'i 96813

Approving Agency: Same as above.

Consultant: Gerald Park Urban Planner, 1221 Kapiolani Boulevard, Suite 211, Honolulu, Hawaii 96814, (808) 596-7484

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

Permits Required: Air conditioning and ventilation, NPDES, noise, historic preservation, building, electrical, plumbing, grubbing, grading, excavation and stockpiling

The Department of Education, State of Hawaii, proposes to construct a new school library at Henry Perrine Baldwin High

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School located at Wailuku, Maui, Hawaii On campus, the proposed library site generally is bounded by the school's Cafeteria on the north, Music Building on the south, Football Field on the west, and the "Banyan Court" on the east.

The proposed project will replace an existing school library with a modern facility with up to date technology and space to support the educational needs of students and the curriculum requirements of instructors. The existing library is close to 45 years old and lacks sufficient space for housing a collection of books, periodicals, reference materials, and general interest materials for a high school.

An L-shaped building of approximately 14,250 gross square feet is proposed. Space in the one-story structure consists of the main library and incidental library functions of approximately 10,260 net square feet and a supporting media wing of approximately 3,450 net square feet. The two uses will be connected by a shared hallway.

The building will be designed to be sustainable (green and energy efficient) by incorporating sustainable architectural, engineering, landscaping, and Leadership in Energy and Environmental Design (LEED) standards. Sustainable design features in part include maximizing day lighting, energy efficient mechanical and building systems, efficient plumbing systems, efficient landscaping, use of recycled and local/regional construction materials, and controllability of building systems.

Areas around the library will be landscaped and an underground irrigation system installed. A Chinese banyan tree will be removed and replaced with a like tree in the vicinity of the library. Trees will be planted behind the library and along the realigned driveway for shade and noise attenuation.

Construction costs are estimated at \$8.755 million and will be funded by the State of Hawaii. Construction will commence after all design plans are approved and construction permits received. It is projected that construction could start in spring 2008 with completion by June 2009.

Pa'ia Parks Bikeway: Phase III of Northshore Greenway (HRS 343 FEA-FONSI)

District:	Makawao
TMK:	2-5-005:017, 046, and 047 (por.)
Proposing Agency:	Maui County Department of Public Works and Environmental Management, 200 South High Street, Wailuku, Hawai'i 96793-2155. Contact: Mr. Joe Krueger (808-270-7845).
Approving Agency:	Same as above.
Consultant:	Chris Hart & Partners, Inc., 1955 Main Street, suite 200, Wailuku, Hawai'i 96793. Contact: Matthew M. Slepik, Senior Planner (808-242-1955)
Status:	Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).
Permits Required:	SMA, building, grading, special flood hazard area development



The County of Maui, Department of Public Works and Environmental Management proposes construction of Phase III of the Northshore Greenway Project ("Pa'ia Parks Bikeway"). The proposed action involves the construction of a dedicated pedestrian/bicycle path in the vicinity of Pa'ia Town, on the north shore of Maui. The proposed path will run from Puna Road in Pa'ia Town to H.A. Baldwin Beach Park. The path will be 12 feet in width and approximately .66 miles in length.

Previous phases of the project have been implemented. Phases I and II created a path running from Kanaha Beach Park, along Sprecklesville Beach Road (also known as Stable Road), along Hana Highway, into a residential subdivision to end at Pa'ani Place, by the Maui County Club. A final phase, which would link Phases I and II with the proposed Phase III, is not being proposed at present and will be the subject of a future project at such time as it is proposed. A Draft Environmental Assessment, published in December 1998, for Phase III, was larger in scope than the project currently proposed.

O'ahu Notices

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State Civil Defense Public Safety Radio Station Master Plan (HRS 343 DEA)

District: Honolulu
TMK: 3-1-042:016 & portion of 006
Proposing Agency: State of Hawai'i, Department of Accounting and General Services, Public Works Division, P.O. Box 119, Honolulu, Hawai'i 96810. Contact: Mr. Lance Y. Maja (808-586-0483)

Determination Agency: Same as above.
Consultant: SSFM International, Inc., 501 Sumner Street, suite 620, Honolulu, Hawai'i 96817. Contact: Mr. Jared Chang (808-531-1308)

Public Comment Deadline: September 24, 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: CDUA, SMA, Waiver from Off-street Parking Requirement, Building and Grading

The State of Hawai'i, Department of Accounting and General Services (DAGS), on behalf of the State Civil Defense (SCD), is proposing the Diamond Head Public Safety Radio Station site improvements project on the island of Oahu.

This project is situated within the Diamond Head Crater, also known as the Diamond Head (Le'ahi) State Monument, on the southeastern end of the island of Oahu. The crater has several buildings along with tunnels and batteries used by government agencies for their operations. These agencies include the Hawai'i Army National Guard and SCD.

The objective of this project is to consolidate radio equipment from batteries Dodge and Huling along with their respective antennas on the crater rim into a single building and location. Consolidation of the radio equipment and antennas would help the SCD support homeland security, public safety, emergency management duties, and allow them to more efficiently secure, manage, and maintain a single centralized site. The improvements are also required to comply with current Federal Communications Commission regulations that require all transmission antennas to be located 10 meters above the ground.

The proposed public safety radio station will consist of the renovation of an existing building (approximately 1,072 square feet in size) for relocated radio equipment. This building was formerly used by the FAA as a "link site" for communication services for air traffic control activities.

The consolidation would allow batteries Dodge and Huling to be used as visitor interpretive features as planned by the DLNR,

Division of State Parks under their master plan for Diamond Head State Monument. Supporting improvements such as relocating existing above grade conduits and removal of overhead power lines and poles would enhance scenic viewpoints within the crater.

'Ewa Industrial Park (HRS 343 DEA)

District: 'Ewa
TMK: 9-1-069:003
Applicant: 'Ewa Industrial Park LLC, c/o Kusao & Kurahashi, Inc., 2752 Woodlawn Drive, Suite 5-202, Honolulu, Hawai'i 96822, Contact: Mr. Keith Kurahashi, (808 988-2231)

Approving Agency: Department of Planning, 650 south King Street, 7th Floor, Honolulu, Hawai'i 96826, Contact: Mr. Timothy Hata, (808 768-8043)

Consultant: Kusao & Kurahashi, Inc., 2752 Woodlawn Drive, Suite 5-202, Honolulu, Hawai'i 96822, Contact: Mr. Keith Kurahashi, (808 988-2231)

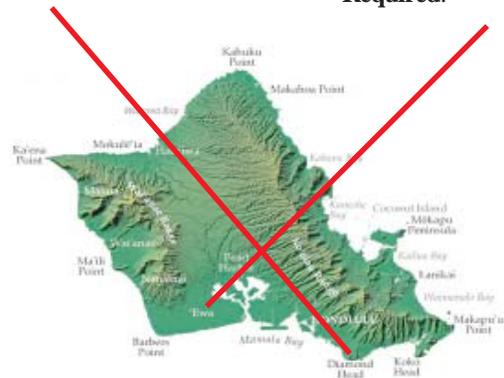
Public Comment Deadline: September 24, 2007
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

Permits Required: Zone Changes from AG-1 Restricted Agricultural District to I-2 Intensive Industrial District, State Land Use Boundary Amendment to reclassify 25.095 acres from the State Agricultural District to the State Urban District, grading permits, foundation permits, and building permits.

The applicant, 'Ewa Industrial Park, LLC., proposes to develop the property located at 1020 Geiger Road in 'Ewa, O'ahu, Hawai'i into a light industrial park site known as the 'Ewa Industrial Park. The property consists of one 48.395-acre parcel and is planned for development in two phases. Phase I will include 23.3 acres of the overall site and Phase II will include the remaining 25.095 acres. The property is bounded by the Honouliuli Sewage Treatment Plant to the south and west, Geiger Road to the south and portions of the OR&L Railway right-of-way to the north. Coral Creek Golf Course is located to the east and the O'ahu Railway Museum to the west.

This 48.395 acre property currently houses a number of farm buildings and outbuildings including two tenants' houses and a number of metal shipping containers. It is also used for storage of farm equipment such as trucks and tractors and for keeping livestock such as goats and chickens with cleared areas for livestock pastures and paddocks. Kiawe scrub with weedy plant species dominate the area as agricultural uses were phased out. The project area is entirely bounded by a chain-link fence.

The project is planned for development with light industrial uses to include light manufacturing, warehousing, and distribution. The project is also expected to include a small amount of



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retail space such as a convenience store. The proposed industrial development will provide employment and provide 'Ewa and nearby residences and businesses an opportunity to live, work and play in the 'Ewa area of O'ahu.

This employment is expected to reduce the need for residents in the surrounding area and along the travel corridor into town to travel in the peak hour direction towards downtown Honolulu to work.

The proposed industrial development is consistent with the 'Ewa Development Plan Land Use Map that designates this area as Industrial.

As agent for the applicant, we are preparing a Draft Environmental Assessment Report for Phases I and II of the proposed 48.395 acre 'Ewa Industrial Park pursuant to and in accordance with the requirements of Chapter 343 HRS and Chapter 200 of Title 11, Administrative Rules - Environmental Impact Statement Rules. The action that triggers this assessment is the proposed zone change from AG-1 Restricted Agricultural District to I-2 Intensive Industrial District for the overall development.

Phase I consisting of 23.3 acres will require a Zone Change Application from AG-1 Restricted Agricultural District to I-2 Intensive Industrial District.

Phase II consisting of 25.095 acres will require a State Land Use Boundary Amendment to reclassify 25.095 acres of land from the State Agricultural District to the State Urban District, followed by a Zone Change Application from AG-1 Restricted Agricultural District to I-2 Intensive Industrial District.

The proposed development will require either subdivision of the property or an industrial lot development under a CPR (condominium property regime for industrial lots), limited grading for building pads and foundations and building permits for construction.

Kapolei Corporation Yard (HRS 343 FEA-FONSI)

District: 'Ewa
TMK: 9-1-026:004
Proposing Agency: City and County of Honolulu, Department of Design and Construction, 650 South King Street, 11th Floor, Honolulu, Hawai'i 96813. Contact: Gary Doi (808-768-8400)
Determination Agency: Same as above.
Consultant: Wilson Okamoto Corporation, 1907 South Beretania Street, Honolulu, Hawai'i 96826. Contact: John Skaguchi (808-946-2277)
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).
Permits Required: NPDES, IWS, SMP, Building, Grading, Trenching

The City and County of Honolulu Department of Design and Construction is proposing to construct the Kapolei Corporation Yard to accommodate various City storage, maintenance, driver and equipment training, and vehicle repair facilities. Users of the corporation yard are part of the Department of Facility

Maintenance (DFM) and will relocate their operations at present facilities to the project site. Occupants will include the Wai'anae Corporation Yard, Automotive and Equipment Services (AES) currently located in Pearl City, and Driver and Equipment Training (DET) currently located in temporary facilities on the project site.

The Kapolei Corporation Yard will occupy approximately 17.864 acres in the southwest corner of Campbell Industrial Park. The proximity of the new yard to the city of Kapolei will help facilitate the maintenance of infrastructure in the secondary urban center. The Kapolei Corporation Yard will be compatible with the adjacent industrial parcels and the overall industrial character of the area.

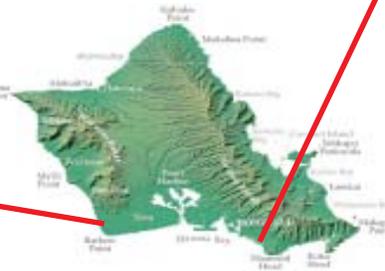
Short-term construction-related impacts will be created by the generation of dust, noise, and increased construction-related traffic. The potential effect on archaeological resources will be mitigated by preservation of one extant 155 mm "Panama Mount" gun emplacement, by preservation of an area of sinkholes, supplementary subsurface testing of sinkholes, and by a monitoring program. In the long-term, personnel vehicle trips will minimally increase traffic into Campbell Industrial Park during peak periods. Additional noise and vehicle emissions will be generated on-site, but will not have a significant impact due to the industrial surroundings and distance from adjacent land uses.

Beachwalk Wastewater Pump Station and Force Main and Ala Wai Trunk Sewer Replacement (HRS 343 FEA-FONSI)

District: Honolulu
TMK: (1)2-6-018:011
Proposing Agency: Department of Design and Construction, City and County of Honolulu, 650 South King Street, 11th Floor, Honolulu, Hawai'i 96813, Contact: Eugene C. Lee, Director, (808 523-4564)
Determination Agency: Same as above
Consultant: R.M. Towill Corporation, 420 Waiakamilo Road, Suite 411, Honolulu, Hawai'i 96817, Contact: Chester Koga, (808 842-1133)

Permits Required: Special Management Area Permit, Waikiki Special District, Building Permit, NPDES (Stormwater and Dewatering) Permits, Combustible and Flammable Liquids Tank Installation Permit, Grading, Grubbing, Excavation and Stockpiling Permits, Street Usage Permit, Flood Determination, Plan Review - BWS and DPP, Public Infrastructure Map Amendment, Air Pollution Control, Community Noise Control, Disability and Communication Access Board

The Department of Design and Construction (DDC), City and County of Honolulu, proposes to replace the existing Beachwalk Wastewater Pump Station (WWPS), Force Main, and Ala Wai Trunk Sewer to increase the capacity and overall reliability of the Beachwalk WWPS, and to upgrade the currently aging



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force main and trunk sewer. The Beachwalk Wastewater Pump Station projects were initiated by the East Mamala Bay Facilities Plan (Dec. 1993) to address the following concerns: (1) the pump station and force main are nearing the end of their designed useful service lives; (2) the pump station is located in a major tourist resort area; (3) the Ala Wai Trunk Sewer (Lewers Street) cannot accommodate additional flows; (4) projected peak flows are expected to be greater than the design capacity of the existing influent gravity sewers, and pump station; and (5) recent break in the force main indicated there is a need to improve reliability and consequences of failure of this system are severe and improving reliability is a high priority for the City. DDC created three projects which are the subject of this environmental assessment (EA) to address these concerns and to develop a solution that is both cost effective and publicly acceptable. The objective of the proposed improvements is to *reduce and prevent the risk of wastewater spills in the Beachwalk WWPS tributary area, which includes Waikiki*. The Beachwalk WWPS tributary area encompasses a total area of approximately 1,870 acres. The Ala Wai Canal separates the tributary area into two sub-areas: mauka and makai. The mauka area stretches from McCully to Kapahulu. The makai area includes the Waikiki community and the Diamond Head area. The Beachwalk WWPS transports wastewater to the Ala Moana WWPS through the 42-inch Beachwalk WWPS Force main and the 69-inch Ala Moana Trunk Sewer.

Beach Walk Retail Development (HRS 343 FEA-FONSI)

District: Waikiki
TMK: 2-6-3: 26, 27, 48, 49, 58
Applicant: First Round Pacific, LLC, 4901 Kalaniana'ole Highway, Honolulu, Hawai'i 96821, Contact: Cory A. Beall, 542-9846

Approving Agency: Department of Planning and Permitting, 650 South King Street, Honolulu, Hawai'i 96813, Contact: Sharon Nishiura, (808) 768-8031

Consultant: Group 70 International, Inc., 925 Bethel Street, 5th Floor, Honolulu, Hawai'i 96813, Contact: Kawika McKeague, (808) 523-5866

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

Permits Required: Waikiki Special District Permit

First Round Pacific, LLC is proposing to construct a new retail development, which will be known as 280 Beach Walk. The project site is comprised of several jointly developed lots, identified by Tax Map Keys 2-6-3: 26, 27, 48, 49 and 58, totaling 35,256 square-feet. The site is located near the north end of the elongated block bounded by Kalia Road to the south, Kalakaua Av-

enue to the north, Beach Walk to the east and Saratoga Road to the west.

The project site consists of vacant lots along Beach Walk, a two-level parking garage along Saratoga Road and easements for access, utilities and sewer. The vacant lots were previously developed with low-rise buildings, including the former Hula Hut restaurant. A new two-story, 34,199-square-foot retail building will be constructed with retail space on the ground floor and a restaurant on the second floor. Additional improvements include the partial demolition of the existing parking garage to provide a new loading dock area for the retail building, and other minor site and surface improvements associated with parking, loading and circulation requirements.

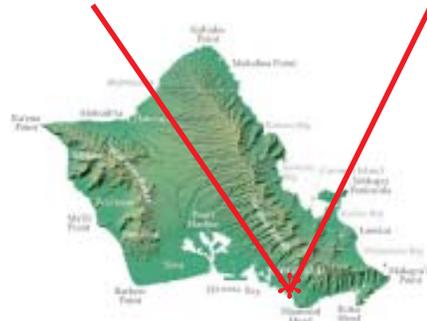
The project site is in the Resort Commercial Precinct and Resort Mixed Use Precinct of the Waikiki Special District, with a 300-foot height limit. The surrounding area is primarily developed with commercial uses, multi-family dwellings, hotels and public parking areas, including the Burberry Store, Hawaiiana Hotel, the ANA Office building, Outrigger Waikiki Beach Walk, Tiffany's and Coach.

Ala Wai Garden Plaza (HRS 343 DEA)

District: Waikiki
TMK: 2-6-16: 56, 57, 58, 59 and 60
Applicant: SBI Hawai'i Property One, Inc., c/o Hirate Investment Group, Inc., 1314 South King Street, Suite 758, Honolulu, Hawai'i 96813, Contact: Ken Hirate, (808) 591-0105

Approving Agency: Department of Planning and Permitting, 650 South King Street, Honolulu, Hawai'i 96813, Contact: Geri Ung, Planner, (808) 768-8034
Consultant: Gerald Park Urban Planner, 1221 Kapiolani Boulevard, Suite 211, Honolulu, Hawai'i 968134, Contact: Gerald Park, (808) 596-7484

Public Comment Deadline: September 24, 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: Waikiki Special District Permit



SBI Hawai'i Property One, Inc proposes to develop a multi-family residential project on a site located at the corner of Ala Wai Boulevard and Namahana Street in Waikiki. The six-story multi-family structure will be 71 feet in height, and consist of four (4) residential levels with two (2) levels of parking below.

Forty-four one-bedroom residential apartments of approximately 613 gross square-feet each are planned. All apartments will be rental units. Forty-six parking stalls will be provided, and access to the project will be from Namahana Street. The perimeter of the building will be landscaped, and a private interior park will be developed for use by project residents and guests.

The 23,750-square-foot project site consists of five (5) jointly developed lots, and is in the Apartment Precinct with a 300-foot

Coastal Zone News

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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. Comments may be submitted by mail, electronic mail or fax, as indicated below.

Mail: Office of Planning
Department of Business, Economic Development and Tourism
P.O. Box 2359
Honolulu, Hawai'i 96804

Electronic mail: jnakagaw@dbedt.hawaii.gov

Facsimile: (808) 587-2899

Wailupe Circle Private Residential Pier, O'ahu

Applicant: Mr. Kenton Eldridge
Agent: Belt Collins Hawai'i
Contact: Mary O'Leary, 521-5361
Federal Action: Federal Permit
Federal Agency: U.S. Army Corps of Engineers
Location: 298 Wailupe Circle, Honolulu
TMK: (1)3-6-1: 21

CZM Contact: John Nakagawa, 587-2878
Proposed Action: Construct a private residential pier of wood/fiber reinforced plastic, 27 feet long by 10 feet wide, and supported by pre-cast concrete footings and columns. The proposed pier would be constructed on the ocean-side of the single-family residential property.
Comments Due: September 6, 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).

Location (TMK)	Description (File No.)	Applicant/Agent
Honolulu: Kaka'ako: (2-1-58-95)	Temporary 40'x160' tent for building floats, pre-staging and final preparation for Aloha Festivals Parade (SMA/07-4)	Aloha Festivals
Honolulu: Kahalu'u (4-7-11-1)	Construct roof over 1,170 sf, 18.13-foot-high existing trellised patio accessory to the existing shop/maintenance/restroom building at Kahalu'u Fishpond (2007/SMA-36)	World of Aloha
Honolulu: Kahe point (9-2-3-27)	Kahe Power Point switching station antenna addition (2007/SMA-40)	Hawaiian Electric Company, Inc.
Honolulu: Hale'iwa (6-2-7-35)	Alterations and additions to Helemanu Plaza (2007/SMA-44)	Marilee Lyons
Hawai'i: Keahuolu (7-4-8-2)	Construct a new 2 lane asphalt concrete driveway to replace the existing driveway (SMM 07-000058)	Belt Collins Hawai'i, Ltd / John Chung
Hawai'i: Keaukaha (2-1-17-73)	Construction of an 'Ohana dwelling and related improvements (SMM 07-000060)	Scott Davenport & Denise Davenport
Maui: Pa'ia (2-6-12-20)	Dwelling covered deck, garage, laundry (SM2 20070053)	Polendey, Donniven
Maui: Kihei (3-9-2-125)	Install wood pole (SM2 20070054)	Maui Electric Company, Ltd.
Maui: Kahului (3-8-79-3)	Welcome Dairy Road sign (SM2 20070055)	A&B Properties, Inc.

Pollution Control Permit Applications

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Department of Health Permits

Below is 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 (586-4200); **CD** - comments due; **CSP** - Covered Source Permit; **CWB** - Clean Water Branch (586-4309); **I** - issued; **SHWB** - Solid and Hazardous Waste Branch (586-4226); **SDWB** - Safe Drinking Water Branch (586-4258); **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 Number	Project Location	Pertinent Date	Proposed Use
Clean Air Branch, 586-4200, Covered Source Permit	HELCO Waimea Generating Station CSP No. 0237-01-C (Renewal application No. 0237-02)	Located at Kamuela, Hawai'i	Issued: 8/1/07	Three (3) 2.5 MW Diesel Engine Generators
Clean Air Branch, 586-4200, Covered Source Permit	Aloha Petroleum, Ltd. CSP No. 0307-02-C (Renewal Application No. 0307-04)	Hilo Sales Terminal, 999 Kalaniana'ole Ave., Hilo, HI	Issued: 8/1/07	Two (2) 10,000 bbl Internal Floating Roof Storage Tanks, Nos. HT-901 and HT-902
Clean Air Branch, 586-4200 Covered Source Permit	Aloha Petroleum, Ltd. CSP NO. 0220-01-C (Renewal/Minor Modification) (Application Nos. 0220-10 and 0220-11)	Barber's Point Sales Terminal, CIP, O'ahu	Issued: 8/2/07	Nine (9) Petroleum Storage Tanks and Tank Truck Load Rack
Clean Air Branch, 586-4200, Covered Source Permit	Tesoro Hawai'i Corporation CSP No. 0330—01-C (Application for Renewal No. 0330-03)	Barbers Point Deep Draft Harbor, Kapolei, O'ahu	Issued: 8/6/07	Barbers Point Deep Draft Harbor, Kapolei, O'ahu
Clean Air Branch, 586-4200, Noncovered Source Permit	Halo Halo, Hawai'i, LLC dba Al Phillips Dry Cleaners CSP No. 0654-01-C (Application No. 0654-01)	Located at 340 Ku'ulei Road Kailua, Hawai'i	Comments due 9/9/07	One 95-pound Petroleum Solvent Washer/Dryer
Clean Air Branch, 586-4200, Noncovered Source Permit	United Laundry Services, Inc. CSP No. 0442-02-C (Application for Significant Modification No. 0442-06)	Located at 2291 Alahao Place Honolulu, HI	Comments due 9/9/07	Three (3) SNG/Fuel Oil No. 2-Fired Boilers
Clean Air Branch, 586-4200, Covered Source Permit	Semtex Systems dba Seacon Technologies CSP No. 0633-02-CT (Initial Application No. 0633-02)	Various Temporary Sites, State of Hawai'i	Issued: 8/8/07	Stone Processing Equipment
Clean Air Branch, 586-4200, Noncovered Source Permit	Kauai Humane Society NSP No. 0347-01-N (Application for Renewal No. 0347-03)	3-825 Kaumuali'i Hwy, Lihu'e, Kaua'i	Issued: 8/9/07	150 lb/hr Pathological Waste Incinerator
Clean Air Branch, 586-4200, Covered Source Permit	Castle & Cooke Resorts, LLC CSP No. 0300-01-C (Application for Renewal/ Modification No. 0300-02)	TMK 4-9-02:01, Kaunalapau Hwy, Lana'i City, Lana'i	Issued: 8/10/07	Stone Processing, Asphalt Concrete, and Concrete Batch Plants

Pollution Control Permit Applications

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Department of Health Permits

Safe Drinking Water Branch (586-4258) UIC - Underground Injection Control

Branch & Permit Type	Applicant & Permit Number	Project Location	Pertinent Dates	Proposed Use
Safe Drinking Water Branch, 586-4258, UIC Permit	Seven-Eleven Hawai'i, Inc. UH-2588	7 Eleven Food Store for Kurtistown 4809 Volcano Road, Kurtistown, Puna	Comment by 9/19/07	Construct 1 injection well for surface drainage.
Safe Drinking Water Branch, 586-4258, UIC Permit	PATDI, Inc. UH-2587	Waimea Shopping Center 65-1158 Mamalahoa Highway, Kamuela, S. Kohala	Comment by 10/3/07	Construct 1 injection well for surface drainage.
Safe Drinking Water Branch, 586-4258, UIC Permit	Palekaiko Ltd. Partnership UH-2078	Hoffee Residence Saltwater Inj. Well 62-3700 Kewai Street, Kamuela, S. Kohala	n/a	Change of operator for 1 injection well for saltwater disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Queen Liliuokalani Trust UH-2585	Kona Commons-Offsite Improvements (3)7-4-8:por 2, 70; Makala Blvd., & Luhia St., Keahuolu, Kailua-Kona	n/a	Construct 10 injection wells for surface drainage.
Safe Drinking Water Branch, 586-4258, UIC Permit	PJ Suds UH-2284	Tex Laundromat Corner Kou & Pakalana Streets, Honoka'a	n/a	Change of operator for 1 injection well for wastewater disposal.
Safe Drinking Water Branch, 586-4258 UIC Permit	Assn. of Apartment Owners UH-2019	Mauna Loa Village condominiums 78-7190 Kaleiopapa Road, Kailua-Kona	n/a	Abandon 1 of 10 injection wells for surface drainage & water features
Safe Drinking Water Branch, 586-4258, UIC Permit	Assn. of Apartment Owners UH-2019	Mauna Loa Village condominiums 78-7190 Kaleiopapa Road, Kailua-Kona	n/a	Renew permit for 9 injection wells for surface drainage & water features.
Safe Drinking Water Branch, 586-4258, UIC Permit	TRI of Waikoloa, Inc. & Sunset Ridge Joint Venture UH-2590	Sunset Ridge at Waikoloa Ph. 3, Unit 7 (3)6-8-31:30 Puwalo Street, Waikoloa, S. Kohala	Comment by 10/4/2007	Construct 1 injection well for surface drainage.
Safe Drinking Water Branch, 586-4258, UIC Permit	Maui Lani Golf Investors UM-2591	Maui Lani Golf Course DWs (2) 3-8-7:136 Along 10th Green of Golfcourse	n/a	Construct 2 injection wells for surface drainage.
Safe Drinking Water Branch, 586-4258, UIC Permit	Assn. of Apartment Owners UM-1345	Island Sands Condominium 150 Hau'oli Street, Wailuku	n/a	Renew permit for 2 injection wells for sewage disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Maui Electric Co., Ltd. UM-2172	Kahului Baseyard DW 210 W. Kamehameha Avenue, Kahului	n/a	Renew permit for 1 injection well for surface drainage.
Safe Drinking Water Branch, 586-4258, UIC Permit	St. Michael's Parish & School UO-2589	St. Michael's Parish & School 67-340 Goodale Avenue, Wailua	n/a	Abandon 3 unregistered injection well cesspools.

Shoreline Notices

AUGUST 23, 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) 587-0430.

File No.	Date	Location	Applicant/Owner	TMK
OA-1183	08/06/2007	Lot 8, Land Court Application 1002 (Map 2), situated at Kane'ohe, Ko'olaupoko, Island of O'ahu. Address: 45-016 Lilipuna Road. Purpose: Building permit.	Wesley T. Tengan/David & Kelley Fitzgerald	4-5-001:032
OA-1184	08/09/2007	Lot 34, Land Court Application 616 (Map 1), situated at Kailua, Ko'olaupoko, Island of O'ahu. Address: 1562 Mokulua Drive. Purpose: Permitting	Towill, Shigeoka & Associates, Inc./Elizabeth R. Grossman Family Trust	4-3-003:068
OA-1185	08/09/2007	Lot 1, Land Court Application 1003 (Map 1), situated at Laiemaloo, Koolauloa, Island of O'ahu. Address: 55-135 Kamehameha Highway. Purpose: Development of property.	DJNS Surveying & Mapping, Inc./DTE LLC	5-5-001:014
HA-380	07/27/2007	Lot 42, Wa'awa'a Subdivision, being portion of Grants 997:1, 997:2, 1363 & 3687, situated at Wa'awa'a, Puna, Island of Hawai'i. Address: Government Beach Road. Purpose: Determine conservation zone boundary.	The Independent Hawaii Surveyors, LLC/Leonard G. Horowitz	1-4-028:009
KA-309	08/01/2007	Lots 2-A-1 & 9A, situated at Kalapaki, Lihu'e, Island of Kaua'i. Address: 3351 Ho'olaule'a Way. Purpose: Shoreline setback	Ace Land Surveying, LLC/ Kaua'i Lagoons LLC & KD Golf Ownership LLC	3-5-001:027

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-1157	Proposed Shoreline Certification	Lot 1-A-31, Land Court Application 1089 (Map 40), situated at Kamananaui, Wailua, Island of O'ahu. Address: 67-239 Kahaone Loop. Purpose: Slope stabilization and building setback lines	Gil Surveying Services, Inc./Manoa Rental Management, LLC	6-7-015:049
OA-1177	Proposed Shoreline Certification	Lots 1 & 2, situated at Kane'ohe, Ko'olaupoko, Island of O'ahu. Address: 44-443 Kane'ohe Bay Drive. Purpose: Building permit	ControlPoint Surveying, Inc./Colene S. Wong Trust	4-4-006:012
OA-1178	Proposed Shoreline Certification	Lot 66, Punalu'u Beach Lots, situated at Punalu'u, Ko'olauloa, Island of O'ahu. Address: 53-215 Kamehameha Highway. Purpose: Emergency escarpment protection	DJNS Surveying & Mapping, Inc./Ruth Pratt	5-3-002:046
MA-367	Proposed Shoreline Certification	Lots 1 & 2, Keawakapu Beach Lots, being portions of Grant 548, situated at Kihei, Makawao, Island of Maui. Address: 3180 South Kihei Road. Purpose: Building setback	Valera, Inc./Matthew G. Norton Co.	2-1-010:011
HA-335	Proposed Shoreline Certification	Portion of R.P. Grant 1279, Opihikao, Puna, Island of Hawai'i. Address: Kapoho-Kalapana Road. Purpose: Building setback	Independent Hawai'i Surveys, LLC/Silacci Family Trust	1-3-004:008
HA-374	Proposed Shoreline Certification	Land situated at Waiakea, South Hilo, Island of Hawai'i. Address: 277 and 301 Kalamiana'ole Street. Purpose: Building setback	Engineering Partners, Inc./David B. Owens and Shelby Rose, Ltd-Bay Clinic, Inc.	2-1-006:016 & 017
KA-304	Proposed Shoreline Certification	Lot B-1, a portion of File Plan 938 Anini Tract, being a portion of R.P. 8183, L.C. Aw. 11215, Ap.3, situated at Kalihikai, Hanalei, Island of Kaua'i. Address: 4000 Anini Road. Purpose: Building permit	Wagner Engineering Services, Inc./Anini Hale, LLC.	5-3-005:013

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Hawai'i Range Complex Public Hearings

Pursuant to section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969 and regulations implemented by the Council on Environmental Quality (40 CFR parts 1500-1508), and Presidential Executive Order 12114, the Department of the Navy (Navy) has prepared and filed with the U.S. Environmental Protection Agency a Draft Environmental Impact Statement (EIS)/Overseas EIS on July 19, 2007, to evaluate the potential environmental effects of conducting current and emerging Navy Pacific Fleet training and defense-related research, development, test, and evaluation (RDT&E) operations within the Hawai'i Range Complex (HRC) and to upgrade or modernize range complex capabilities (including hardware and infrastructure). To allow for the full 45-day review of the Draft EIS/OEIS, the public comment period has been extended from September 10, 2007 to September 17, 2007. The Navy will conduct four public hearings to receive oral and written comments on the Draft EIS/OEIS. Public hearings will be held on the following dates and at the following locations: August 21, 2007, at Kaua'i War Memorial Convention Hall, 4191 Hardy Street, Lihu'e, Hawai'i; August 23, 2007, at McKinley High School, 1039 South King Street, Honolulu, Hawai'i; August 27, 2007, at Baldwin High School, 1650 Ka'ahumanu Avenue, Wailuku, Hawai'i; August 29, 2007, at Waiakea High School, 155 West Kawili Street, Hilo, Hawai'i. For more information, contact the Public Affairs Officer, Pacific Missile Range Facility Attention: HRC EIS/OEIS, P.O. Box 128, Kekaha, Kaua'i, Hawai'i 96752-0128. Voice mail 1-866-767-3347 or facsimile 808-335-4520. All written comments must be postmarked or received by September 17, 2007, to ensure they become part of the official record. All comments will be responded to in the Final EIS/OEIS (see, 72 F.R. 43251, August 3, 2007).

Black Coral Resources in the 'Au'au Channel

The fishery for black coral in Federal waters around Hawai'i is managed under the Fishery Management Plan for Precious Corals of the Western Pacific Region (FMP). The FMP was developed by the Council under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (MSA). Regulations implementing the FMP appear at Subpart F of 50 CFR part 665 and subpart H of 50 CFR part 600. Current fishing regulations impose size requirements for the harvest of living black coral colonies of 48 inches (122 cm) in height or one inch (2.54 cm) in stem diameter. Current regulations also exempt certain fishermen from the minimum stem diameter requirement, allowing the harvest of black coral with a 3/4 inch (1.91 cm) stem diameter by anyone who reported black coral harvests to the State of Hawai'i within the five years prior to April 17, 2002. This proposed rule would remove that exemption, and is intended to reduce the impacts of fishing on 'Au'au Channel black coral resources. Comments on the proposed rule must be received by September 6, 2007. Submit comments, identified by "AT93BlackCoral", by any of the following methods: Electronic mail: AT93BlackCoral@noaa.gov. Include "AT93" in the subject line of the message. Comments sent via electronic mail, including all attachments, must not exceed a file size of 10 megabytes. Mail: William L. Robinson, Regional Administrator, NMFS Pacific Islands Region (PIR), 1601 Kapiolani Blvd.

1110, Honolulu, HI 96814. The regulatory amendment is available from Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council (Council), 1164 Bishop St. 1400, Honolulu, HI 96813. For details contact Karla Gore, NMFS PIR, 808-944-2273 (see, 72 F.R. 44074, August 7, 2007).

Endangered Species Recovery Permit Applications

The U.S. Fish and Wildlife Service (FWS) is soliciting public comment on the following applications on or before August 29, 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; fax: 503-231-6243). Please refer to the respective permit number for each application when submitting comments. For more information contact Linda Belluomini, Fish and Wildlife Biologist, at the above Portland address (telephone: 503-231-2063; fax: 503-231-6243).

Permit No. 149068. Applicant: Eric A. VanderWerf, Honolulu, Hawai'i. The applicant requests a permit to take (locate and monitor nests, capture, band, transmitter, collect biological samples, and release) the O'ahu 'elepaio (*Chasiempis sandwichensis ibidis*) on the island of O'ahu, Hawaii, take (locate and monitor nests, capture, band, collect biological samples, and release) the Newell's shearwater (*Puffinus auricularis newelli*) on Lehua Islet, Hawai'i, and take (capture, band, collect biological samples, and release) the Hawaiian duck (*Anas wyvilliana*) on the islands of Kaua'i, O'ahu, Maui, and Hawai'i in the state of Hawai'i in conjunction with scientific research for the purpose of enhancing their survival (see, 72 F.R. 41516, July 30, 2007).

Permit No. 829250. Applicant: Hawai'i Wildlife Fund, Volcano, Hawai'i. The permittee requests an amendment to take (collect tissue samples) the Pacific hawksbill turtle (*Eretmochelys imbricate*) in conjunction with scientific research on the islands of Maui, Moloka'i, and Hawai'i in the State of Hawai'i for the purpose of enhancing its survival (see, 72 F.R. 41517, July 30, 2007).

Draft Environmental Impact Statement (DEIS) for the Permanent Stationing of the 2nd Brigade, 25th Infantry Division Stryker Brigade Combat Team (SBCT)

The Department of the Army announces the availability of a DEIS for the permanent stationing of the 2nd Brigade, 25th Infantry Division (2/25th) SBCT. Pursuant to the National Environmental Policy Act (NEPA), the Department of the Army has prepared this DEIS to disclose potential impacts to the natural, physical, and human environment resulting from the permanent stationing of the 2/25th SBCT. Potential impacts have been analyzed at installations which are capable of meeting the SBCT's training, operational, Soldier and Family quality of life, and strategic deployment requirements. Written comments on the DEIS will be accepted for 45 days following July 20, 2007. Send all written comments and suggestions concerning this EIS to: Public Affairs Office, U.S. Army Environmental Command, Building E4460, Attention: IMAE-PA, 5179 Hoadley Road, Aberdeen Proving Ground,

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MD 21010-5401. Comments may also be sent via e-mail to PublicComments@aec.apgea.army.mil. For more information contact the Public Affairs Office at (410-436-2556); facsimile at (410-436-1693) during normal business hours Monday through Friday (see, 72 F.R. 39800, July 20, 2007).

Taking and Importing Marine Mammals; Increasing Usage and Enhancing Capability of the U.S. Navy's Hawai'i Range Complex

The National Marine Fisheries Service (NMFS) has received a request from the U.S. Navy (Navy) for authorization for the take of marine mammals incidental to the training events conducted within the Hawai'i Range Complex (HRC) for the period of July 2008 through July 2013. NMFS announced its receipt of the Navy's request for the development and implementation of regulations governing the incidental taking of marine mammals and inviting information, suggestions, and comments on the Navy's application and request. Comments and information must be received no later than August 31, 2007 and should be addressed to Michael Payne, Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3225. The mailbox address for providing email comments is PR1.050107N@noaa.gov. Comments sent via e-mail, including all attachments, must not exceed a 10-megabyte file size. For details, contact Jolie Harrison, Office of Protected Resources, NMFS, (301-713-2289, ext. 166) (see, 72 F.R. 42058, August 1, 2007).

Transgenic Experimental Use Permits

The U.S. Environmental Protection Agency announced receipt of an application 67979-EUP-7 from Syngenta Seeds, Inc. requesting an experimental use permit (EUP) for the plant-incorporated protectants COT102 *Bacillus thuringiensis* Vip3Aa19 protein and the genetic material (plasmid vector pCOT1) necessary for its production in cotton and COT67B *Bacillus thuringiensis* Cry1Ab protein and the genetic material (plasmid vector pNOV4641) necessary for its production in cotton. The Agency has determined that the application may be of regional and national significance. Therefore, in accordance with 40 CFR 172.11(a), the Agency is soliciting comments on this application. Comments must be received on or before August 31, 2007. For more information, please contact Alan Reynolds, Biopesticides and Pollution Prevention Division (7511P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 605-0515; e-mail address: reynolds.alan@epa.gov (see, 72 F.R. 42079, August 1, 2007).

Nationwide Differential Global Positioning System (NDGPS) Program

The Research and Innovative Technology Administration (RITA), on behalf of the U.S. Department of Transportation (DOT), is assessing the current user needs and systems requirements of

the inland (terrestrial) component of NDGPS. This assessment is in preparation for making a recommendation to the National Space-Based Positioning, Navigation and Timing (PNT) Executive Committee (<http://www.pnt.gov>) on the need to continue to operate the inland component of the NDGPS system, and to make a decision on funding the NDGPS. The assessment may recommend other funding sources for future maintenance or enhancement of NDGPS, or shared sponsorship with other Federal and non-Federal agencies and entities, including the private sector. If no transportation requirements or other federal user requirements are identified as a result of the needs assessment, and if there are no other Federal or other funding sources willing to sponsor or partner in sponsoring NDGPS, DOT would develop a decommissioning plan for NDGPS. Comments and related material must reach the Docket Management Facility on or before October 1, 2007. Late filed comments will be considered to the maximum extent practicable. You may submit comments identified by RITA docket number RITA-2007-28836 to the Docket Management Facility at the U.S. Department of Transportation. To avoid duplication, please use only one of the following methods: (1) Web site: <http://dms.dot.gov> (electronic submission). (2) Mail: U.S. Department of Transportation, Docket Operations, M-30, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590. (3) Fax: 202-493-2251. (4) Delivery: Room W12-140 in the West Tower of the U.S. Department of Transportation Headquarters Building, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329. For more information Timothy A. Klein, Department of Transportation, Research and Innovative Technology Administration, 202-366-0075, or e-mail NDGPS@dot.gov (see, 72 F.R. 42219, August 1, 2007).

Sea Turtle Conservation – Observer Requirement

Effective September 4, 2007, and pursuant to its authority under the Endangered Species Act of 1973 (ESA), the National Marine Fisheries Service (NMFS) issued this final regulation to require fishing vessels subject to the jurisdiction of the United States that are identified through the annual determination process specified in the rule to take observers upon NMFS' request. The purpose of this measure is to learn more about sea turtle interactions with fishing operations, to evaluate existing measures to reduce sea turtle takes, and to determine whether additional measures to address prohibited sea turtle takes may be necessary. NMFS and/or interested cooperating entities will pay the direct costs of the observer. Through this rule, NMFS also extends the number of days from 30 to 180 (with a possible 60-day extension) that the agency may place observers in response to a determination by the Assistant Administrator that the unauthorized take of sea turtles may be likely to jeopardize their continued existence under existing regulations. This extension will help the agency address immediate observer needs in response to an emergency sea turtle-related event. Requests for copies of the Environmental Assessment and Final Regulatory Impact Review (EA/RIR) prepared for this final rule should be addressed to the Chief, Marine Mammal and Turtle Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910. For more information, contact Tanya Dobrzynski (by telephone at 301-713-2322), or by electronic mail at Tanya.Dobrzynski@noaa.gov (see, 72 F.R. 43176, August 3, 2007).

Department of Health Notice

AUGUST 23, 2007

State of Hawaii Department of Health invites you to



Hawaii Brownfields Forum #3

Session 1: Managing the Risks of Developing Contaminated Property

Session 2: Everything You Need to Know About Environmental Site Investigations

Wednesday, October 24, 2007

Ala Moana Hotel, Waikiki
Garden Lanai Room

Breakfast & Networking	8:30 a.m. - 9:00 a.m.
Session 1: Managing Risks	9:00 a.m. - 12:00 pm.
Session 2: Site Investigations	1:30 pm. - 4:30 p.m.

There is no charge for this event but RSVPs are required. Free validated parking is available. To register please return this e-mail with your name and affiliation by **October 15, 2007**.

On behalf of the Hawaii Department of Health and U.S. EPA, I would like to invite you to Hawaii Brownfields Forum #3. The theme for this Forum will be "Managing the Risks of Developing Contaminated Property."

This Forum is designed for all those who are involved with developing contaminated properties...specifically those purchasing contaminated property, mitigating risks, negotiating environmental insurance, and performing site investigations. The day will be divided into a morning and afternoon session. You may attend one, or the other, or both. The morning session will focus on how key stakeholders view and manage risks, and specifically how to use environmental insurance. Our panel of experts will include senior executives representing lenders, developers, landowners, and regulators. The afternoon session will offer the inside story on performing site investigations, working effectively with environmental consultants, and what to expect from the regulators. Presenters will include experienced environmental consultants who regularly perform site investigations and key regulators who review and approve site investigation reports for the Department of Health.

Attendees will also have the opportunity to network with colleagues, industry experts and DOH staff at breakfast and during breaks.

Please forward this invitation to other additional people. For additional information, please contact Krista Jack at Krista.Jack@ttemi.com or 808.441.6655.

We look forward to seeing you!
Davis Bernstein
Brownfields Program Manager