

# The Environmental Notice

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

SEPTEMBER 8, 2007

## OEQC Publication Form Template

The Office of Environmental Quality Control (OEQC) has received complaints regarding the use of the publication "form" for the periodic bulletin. The OEQC publication form template can be found at <http://www.state.hi.us/health/oeqc/submissions/pubform.htm>. To use the template, simply drag your mouse over the text and copy the highlighted text to your clipboard. Paste the text on your clipboard to an electronic mail message to [oeqc@doh.hawaii.gov](mailto:oeqc@doh.hawaii.gov). In the electronic mail message, fill in the appropriate details and send. Previous versions of the publication form were of no use to OEQC as the data contained therein had to be re-keyed by staff. The above method will allow the information to be keyed in once and copied by OEQC staff to the Environmental Notice pasteboard. If there are any questions, please call OEQC at (808) 586-4185. Thank you kindly for your assistance.

## In This Issue

The Department of Hawaiian Home Lands (on behalf also of the Department of Land and Natural Resources), State of Hawai'i, has accepted the Final Environmental Impact Statement for the Kona Kai Ola project on August 22, 2007 (see, page 4).

The Department of Agriculture (DOA), State of Hawai'i, has issued the first draft environmental assessment under Chapter 343, HRS, for the field release of the parasitic wasp *Eurytoma* sp. for the biological control of the *Erythrina* (wiliwili) gall wasps (*Quadrastichus erythrinae*). In 1998, the Department of Agriculture met with OEQC and agreed that releases of introduced biological control organisms from DOA's quarantine facilities, being state-funded activities, would undergo Chapter 343, HRS, review. In 1999, the DOA agreed that the Federal environmental assessment for the U. S. Department of Agriculture Animal and Plant Health Inspection Service (APHIS) would also serve as the Chapter 343, HRS, environmental assessment. For more, please see, page 8.

The Department of Design and Construction, City and County of Honolulu, has issued a final environmental assessment and environmental impact statement preparation notice for wastewater facilities through the year 2020 in Central Oahu (Wahiawa, Whitmore Village and Naval Computer and Telecom-

munications Area Master Station Pacific (NCTAMS PAC). For more see, page 7.

The Department of Land and Natural Resources (DLNR), Division of Boating and Ocean Recreation (DOBOR) anticipates a Finding of No Significant Impact (FONSI) for the relocation of the Honolulu Marine Shipyard at Kewalo Basin, to Keehi Lagoon. For more, please see page 6.

Under the National Environmental Policy Act (NEPA), the United States Marine Corps has issued an environmental assessment (February 2007) and Finding of No-Significant Impact for the reburial of the Mokapu Collection (see, page 8). Also the Naval Facilities Engineering Command has issued an environmental assessment and FONSI for the Hawaii Public/Private Venture Housing Phase 4 at the Marine Corps Base Hawaii (see, page 7).

## Workshop on Total Maximum Daily Loads - Myths and Realities

A workshop on water quality, dealing specifically with Total Maximum Daily Loads (TMDL) will be held on October 23-24, 2007, at the Pagoda Hotel. The workshop encompasses the disciplines of engineering, planning, law, politics, and is intended for academics, professionals, technicians, decision makers, and regulated and regulatory communities. The scope is introductory, conceptual and interactive, and covers basic TMDL program information, technical approaches, example application of these approaches, hands-on TMDL problem-solving, emerging legal and technical concerns, and opportunities for cooperation and collaboration. The workshop is sponsored by the Hawaii Local Technical Assistance Program of the Department of Transportation, the Department of Health, the Water Resources Research Center, the College of Tropical Agriculture and Human Resources, and the City and County of Honolulu. Topics to be covered include: historical background of water quality planning processes under the Clean Water Act; State of Hawai'i TMDL Process, current and future outlook; panel discussion on perceptions on the State process (with DOT, Army, Navy, UH, DOH) with open discussion and questions and answers; Hawai'i DOT's plans for WLA implementing and monitoring; small MS4s at Hawai'i airports and harbors; legal issues (how does the regulated community participate in the TMDL process?); TMDL case studies; hands-on group planning exercise; option field trip. For more information, please visit the Hawai'i Local Technical Assistance Program's internet website at <http://hltap.eng.hawaii.edu>.



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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. 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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## Kohala Watershed Partnership Rare Species Protection Fencing Project (HRS 343 DEA)

**District:** North Kohala  
**TMK:** (3) 5-9-002-004; (3) 5-8-002-001  
**Applicant:** Kohala Watershed Partnership, 19 E. Kawili St., Hilo, Hawai'i 96720, Contact: Melora Purell (808-333-0976)

**Approving Agency:** Department of Land & Natural Resources, Division of Forestry & Wildlife, 1151 Punchbowl Street, Room 325, Honolulu, Hawai'i 96813, Contact: Christine Ogura (808-587-0058)

**Public Comment Deadline:** October 8, 2007  
**Permits Required:** NA

The Kohala Watershed Partnership proposes the construction of up to three miles of ungulate-proof fencing, protecting approximately 520 acres of forested watershed on private lands in North Kohala on the Island of Hawai'i. The proposed project is part of the conservation efforts of the Kohala Watershed Partnership, members of which include Parker Ranch, Ponohele Ranch, Kahuâ Ranch, Surety Kohala Corporation, Kamehameha Schools, The Queen Emma Land Company, Laupâhoehoe Nui, the State of Hawai'i and, as associate partners, The Nature Conservancy of Hawai'i and the Hawai'i County Department of Water Supply. Introduced ungulates (hoofed animals), specifically feral cattle and pigs, pose a significant threat to native species and to the rare natural communities found in the project area. The proposed fencing will help restore a portion of native 'ohi'a forest and the only known habitat of the native tree snail *Partulina physa*, will facilitate restoration of habitat for native birds and multiple endangered plant species, and will help enhance functionality of important forested watershed areas. Potential future management actions include weed management, rare plant outplantings, and native species monitoring. The planned fence will be approximately five feet tall, made of steel posts and steel wire and with barbed wire attached to prevent the passage of feral cattle and pigs. Potential impacts include removal of common native vegetation for fence corridor clearing and the accidental introduction of weeds during construction. Impact mitigation measures include locating the fence along existing four-wheel drive roads and trails and the incorporation of alien species prevention protocols.

## Kona Kai Ola (HRS 343 FEIS)

**District:** North Kona  
**TMKs:** 7-4-008:071-072, 7-4-008:003 (portion), 7-4-008:999 (proposed parkway through project site)  
**Applicant:** Jacoby Development, Inc., 171 17th Street NW,

Suite 1550, Atlanta, GA 30363, Contact - Scott Condra, Senior Vice President (770 399-9930)

**Approving Agency:**

Department of Hawaiian Homelands, 1099 Alakea Street, Suite 2000, Honolulu, Hawai'i 96813, Contact - Linda Chinn (808 587-6434)  
Oceanit, Oceanit Center, 828 Fort Street Mall, Suite 600, Honolulu, Hawai'i 96813, Contact - Dayan Vithanage (808 531-3017)  
Final environmental impact statement submitted and accepted by the approving agency on August 22, 2007.

**Consultant:**

**Status:**

**Permits Required:**

Corps of Engineers Permits (Sections 401, 404, 10, 307, 7, 106), NPDES (Various), Conservation District Use Permit, Community Noise Permit, Special Management Area, Major Permit, Change in Zoning



The applicant has been selected by the State to develop Kona Kai Ola on approximately 530 acres in Kealakehe, North Kona, Hawai'i Island. The vision for Kona Kai Ola is an environmentally sustainable marina-focused development featuring an 800-slip marina, and mix of uses including visitor and resident-serving commercial enterprises, 700 hotel units, 1,803 time-share units, marina services, open space and community-benefiting facilities including public infrastructure improvements in a pedestrian friendly setting surrounding the marina and seawater lagoons. Although the agreement between the State and JDI prohibit the development of residences that are marketed or intended for use as primary or permanent residences, JDI is planning to construct worker housing on a nearby site that will be leased at below market rents. Possible environmental impacts may occur in terms of harbor and nearshore water quality, anchialine pools, acoustic and ambient noise effects on sea turtles and mammals, and certain infrastructure systems. Impacts related to noise, soil erosion, and air quality, will mostly occur during the construction period. Kona Kai Ola will generate significant tax and base lease revenues that will increase State fiscal resources and help to fund efforts such as financing DHHL housing programs on other DHHL land. Regional public facilities, including the marina, the extension of Kuakini Highway and other infrastructure improvements, will be privately funded, thereby contributing to the State economy and providing significant regional benefits.

## Construction of a Mock Airfield on Pohakuloa Training Area, Hawai'i (NEPA EA - FONSI)

**District:** Hamakua  
**TMK:** 3-4-4-16-1  
**Proposing Agency:**

US Army Garrison Hawai'i, Directorate of Public Works, 947 Wright Ave., Wheeler Army Airfield, Schofield Barracks, Hawai'i 96857-5013, Contact - Dale Kanehisa, (808 656-2878, ext. 1036)

# Hawai'i Notices

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**Determination:**  
**Agency:** Same as above  
**Consultant:** NA  
**Public Comment:**  
**Deadline:** October 8, 2007  
**Permits:**  
**Required:** NA

The U.S. Army Garrison Hawai'i has prepared an Environmental Assessment (EA) and draft Finding of No Significant Impact (FNSI) for the construction of a mock airfield and associated targets which are being proposed for Pohakuloa Training Area (PTA), Hawai'i by the U.S. Navy Pacific Missile Range Facility (PMRF). The PMRF also proposes to use a mobile electronic warfare (EW) system, time sensitive targets, and identify friend or foe (IFF) radar. The purpose of these actions is to provide realistic training opportunities that include carrier air wing strike warfare in order for PMRF to fulfill its mission. The proposed mock airfield would be approximately 2300 feet in length and 150 feet in width. Tar-



get structures and aircraft/weapons systems would be simulated using cargo containers, 55-gallon drums, plywood, plastic, and other inert materials. The EW system would be a self-contained unit powered by a generator to be used to train operators to recognize threats in the radio frequency spectrum. The time sensitive targets would be mobile plastic decoys that would be used on the mock airfield to support training operations by providing a realistic visual signature. The IFF system would consist of a 3 foot by 3 foot concrete pad and five antennas and would be used to monitor and identify all aircraft in and around the PTA airspace to provide improved aviation mission safety.

Based on the information analyzed, the EA concludes that the proposed construction of the mock airfield and targets, and use of the EW systems, time sensitive targets, and IFF radar do not constitute a major federal action having significant effects on the quality of the environment.

# Maui Notices

## Alahele Subdivision (HRS 343 DEA)

**District:** Wailuku  
**TMK:** (2) 3-9-017:034  
**Applicant:** Wilshire DMK I, LLC, 2001 Wilshire Boulevard Suite 302, Santa Monica, CA 90403, Contact - Anand Kapadia, (310 712-2770)

**Determination Agency:** Maui County Planning Department, 250 South High Street #200, Wailuku, Hawai'i 96793, Contact - Jim Buika, (808 270-7735)

**Consultant:** Chris Hart and Partners, Inc., 115 North Market Street, Wailuku, Hawai'i 96793, Contact - Christopher Hart, (808242-1955)

**Public Comment:**  
**Deadline:** October 8, 2007  
**Permits:**  
**Required:** Special Management Area (SMA) Permit, Public Water System, Approval from the State Department of Health, Safe Drinking Water Branch, National Pollutant and Discharge Elimination System (NPDES) Permit from the State Department of Health (DOH), Community Noise Permit from the DOH, Grubbing and Grading Permits from the Maui County Department of Public Works (DPW).

The proposed subdivision is located in Kihei, makai of Pi'ilani Highway. Alahele Place and Auhana Road via the North/



South Collector Road will access the proposed subdivision. The proposed project will create a forty-eight (48) R-2 Residential District lots only subdivision ranging in size from 7,511 square feet to 10,382 square feet with necessary supporting on site and off-site infrastructure. The project does not include the construction of homes or allowable accessory dwelling ('Ohana) units. The intent is to sell the lots to individual owners for future single-family home construction.

The proposed development is not anticipated to result in significant environmental impacts to surrounding properties, nearshore waters, natural resources, and/or archaeological and historic resources on the site. Public infrastructure and services are not anticipated to be significantly impacted.

The development of the subject parcel will have a positive cumulative effect on the immediate community. During significant storm events the neighboring properties on Alaloa Road experience flooding. The proposed subdivision will incorporate drainage system improvements that will enhance the retention of debris and sediments, thereby improving the water quality of storm runoff.

Associated project improvements include paved roadways; concrete curbs, gutters and sidewalks; onsite and offsite drainage systems, water system, sewer system, underground utilities, landscaping, and offsite roadway improvements along Alaloa Road and Alahele Place fronting the project site.

The EA is triggered by the construction of a portion of the North-South Collector Road (NSCR) with access to 'Auhana Road, to be dedicated to the County of Maui.

# Maui Notices

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## Lahaina Demolition of 2 Houses (578 Front Street) (HRS 343 FEA-FONSI)

**District:** Lahaina  
**TMK:** (2) 4-6-007:003  
**Proposing Agency:** County of Maui, Department of Planning, 200 High St., Wailuku, Hawai'i 96793, Contact - Livit Clementine (808-270-5537)

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

**Permits Required:** SMA and Demolition Permit

The project site is located at TMK (2) 4-6-007-003, 578 Front Street, in Lahaina, Maui, Hawai'i. The property, owned by the County of Maui, is improved with two single-family houses. The subject property is a county Urban zoned mixed commercial, residential, school and park neighborhood located in the Lahaina National Historic Landmark District.

The subject property is in an urban area with residential

and commercial use. Mixed residential land commercial developments and an elementary school are along the makai side of Front Street. On the opposite side of the street, abutting the north end of the subject property is a County owned parking lot (the corner of Prison and Front Streets). On the east side of the subject property is a dirt lot leased by the County as an extension of the Prison Street parking lot. On the South side of the property is the Moku'ula project.

The subject property is located in the Lahaina National Historic Landmark District and in Maui County's Lahaina Historic District No. 1. While some of the buildings in the area are old and historic in appearance, many of the buildings in this area are contemporary and incompatible with the design character of the historic district. The houses were constructed in the late 1955 and 1962; there are no other known historic sites on the property.

Once the structures are demolished it is anticipated that there will be another project in the future that will pave the vacant property for use as an extension to the existing parking lot that abuts this property. There may be some grading necessary in the paving of this parking lot.

The owner understands that should any ground disturbance uncover archaeological deposits, they are to stop work and report immediately to the State Historic Preservation Division. (SHPD).



# O'ahu Notices

## Honolulu Marine Shipyard at Ke'ehi Lagoon (HRS 343 DEA)

**District:** Honolulu (Kalihi)  
**TMK:** (1) 1-2-025: 024 (por.) and 035

**Proposing Agency:** Division of Boating and Ocean Recreation, Department of Land and Natural Resources, 333 Queen Street, Suite 300, Honolulu, Hawai'i 96813, Contact - Eric Yuasa, Engineering Branch Head, (808 587-0122)

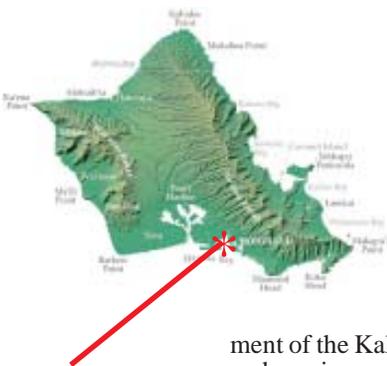
**Determination Agency:** Board of Land and Natural Resources, P. O. Box 621, Honolulu, Hawai'i 96809, Contact - Edward R. Underwood, Administrator, (808 587-1966)

**Consultant:** R. M. Towill Corporation, 420 Waiakamilo Road, Suite 411, Honolulu, Hawai'i 96817, Contact - Brian Takeda, Planning Project Coordinator, (808 842-1133)

**Public Comment Deadline:** October 8, 2007

**Permits Required:**

Special Management Area Permit, Shoreline Setback Variance, Conservation District Use Permit, Building Permit, Grading Permit, NPDES NOI-B, NOI-C & NOI-G, Department of the Army Permit, Water Quality Certification, CZM Federal Consistency Determination, Private Aids to Navigation Permit



Honolulu Marine, LLC (Honolulu Marine), proposes to relocate its existing shipyard from Kewalo Basin, to the Ke'ehi Lagoon Small Boat Harbor.

The Kewalo Shipyard is under lease from the Hawai'i Community Development Authority (HCDA) which is tasked with redevelopment of the Kaka'ako district. The existing marine shipbuilding and repair use of the property at Kewalo is inconsistent with the development plan and land use under HCDA's Kaka'ako Makai Area Plan; therefore, HCDA has requested that Honolulu Marine vacate its leased premises prior to the expiration of the lease. In May 2005, the Hawai'i Legislature recognized the statewide maritime services provided by Honolulu Marine and adopted Senate Concurrent Resolution No. 134, authorizing the lease of land at Ke'ehi Lagoon for the redevelopment, management, and operation of a commercial ship repair facility.

Operations proposed include the construction of new vessels and the repair and maintenance of vessels owned by P&R

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Water Taxi, Ltd. (a sister company to Honolulu Marine), the United States Navy, and other government and private parties. Improvements planned include the construction of a floating dry dock, finger pier, and a two-story office building, storeroom and fabrication shop. Site improvements will require grading and paving and installation of chain-link fencing for security requirements. Construction is planned for early 2008 for a period of approximately 10 - 12 months.

## Central Oahu Wastewater Facilities Plan (HRS 343 Revised FEA-EISPN)

**District:** Central Oahu  
**TMK's for (known sites):** 7 - 3 - 07: 02, 7 - 3 - 07: 01, 7 - 1 - 01: por. 08, por. 20, 21, and other parcels to be determined

**Proposing Agency:** City & County of Honolulu, Department of Design and Construction, 650 South King Street, Honolulu, Hawai'i 96813, Contact - Jay Hamai, (808 768-8750)

**Determination Agency:** Same as above  
**Consultant:** The Limtiaco Consulting Group (TLCG), 650 Iwilei Road, Suite 208, Honolulu, Hawai'i 96817, Contact - John Katahira, P.E., (808 596-7790)

**Public Comment Deadline:** October 8, 2007

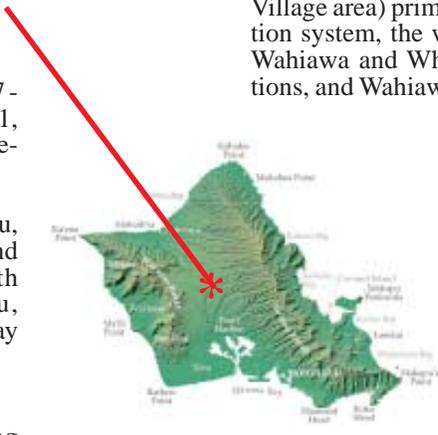
**Permits Required:** Federal U.S. Army Corps of Engineers Clean Water Act Section 404, State of Hawaii National Pollutant Discharge Elimination System General and/or Individual Permits (e.g., Discharges of storm water associated with construction activities, hydrotesting waters, and treated effluent), Community Noise Permit, Community Noise Variance, Clean Water Act Section 401 Water Quality Certification, Stream Channel Alterations and Diversion Works Permit, Conformance with Accessibility Guidelines, City and County of Honolulu Building Permit, Permit to Excavate a Public Right-of-Way/Trenching Permit, Grubbing, Grading, and Stockpiling Permit, Erosion Control Plan/Best Management Practices, Repaving Plan, Street Usage Permit, Construction Dewatering Permit (Temporary), Permit to Discharge Effluent (Non-Storm Water) (Temporary), Detour Plans/Traffic Control Plans

The City and County of Honolulu, Department of Design and Construction (DDC) is responsible for the planning, design, and construction of municipal wastewater systems on the island of Oahu. The City and County of Honolulu, Department of Environmental Services is responsible for the control, manage-

ment, operation and maintenance of these facilities. The DDC proposes to improve wastewater facilities that serve the Central Oahu area defined by the communities of Wahiawa, Whitmore Village and Naval Computer and Telecommunications Area Master Station Pacific (NCTAMS PAC). Wastewater system options are being developed as part of the planning process for the Central Oahu Wastewater Facilities Plan (COWFP) and its corresponding Environmental Impact Statement (EIS).

The COWFP and its corresponding EIS will examine wastewater facilities in the project area. Project actions envisioned (such as the improvement, modification, and/or replacement of municipal wastewater facilities in the Wahiawa and Whitmore Village area) primarily involve the Wahiawa wastewater collection system, the wastewater treatment plant (WWTP) serving Wahiawa and Whitmore Village and its effluent disposal options, and Wahiawa Reservoir (Lake Wilson).

Implementation of the COWFP or facilities plan is the "proposed action" being evaluated in this EIS, and the DDC is developing the COWFP in conjunction with the EIS to encourage public participation for this project. The facilities plan will consider alternatives and recommendations that may be programmed and implemented through the year 2020. The EIS will examine potential impacts of the project on the natural and man-made environment and propose mitigation measures to alleviate these impacts.



## Hawai'i PPV Housing Phase 4, Marine Corps Base Hawaii (NEPA EA-FONSI)

**Proposing Agency:** Commanding General, Marine Corps Base Hawai'i, Naval Facilities Engineering Command, Pacific, Environmental Planning Division, 258 Makalapa Drive, Suite 100, Pearl Harbor, Hawai'i 96860, Contact - Ms. Christine Fong (808-472-1396)

**Determination Agency:** Marine Corps Base Hawai'i, Box 63002, Kaneohe, Hawai'i 96863, Contact - Same as above

**Consultant:** Belt Collins Hawai'i, 2153 North King Street, Suite 200, Honolulu, Hawai'i 96819, Contact - Ms. Lesley Matsumoto (808 521-5361)

**Public Comment Deadline:** NA  
**Permits Required:** NA

MCBH proposes to enter into a Public/Private Venture (PPV) (Hawai'i PPV Housing Phase 4), effective through 30 April 2054, to privatize the remaining portion of MCBH-owned family housing at MCBH Kane'ohe Bay on O'ahu and to demolish and replace historic housing units that may be eligible for listing on the National Register of Historic Places (NRHP). Alternatives evaluated included (1) the Representative Renovation Alternative, which would retain an example of the Capehart building

# O'ahu Notices

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style by renovating one historic housing unit in the Mololani (Capehart) housing area, and (2) the No Action Alternative.

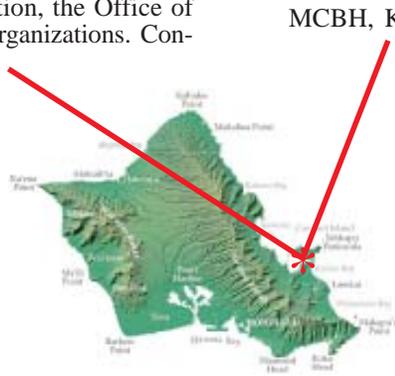
The Proposed Action may have adverse effects on 634 historic housing units proposed for demolition and on archaeological sites resulting from proposed construction, repair, or maintenance activities. Treatment of historic housing units would be done in accordance with a 2004 Program Comment (a service-wide Section 106 Compliance Action) relating to the management of Wherry and Capehart era family housing. MCBH has complied with Section 106 of the NHPA by consulting with the Advisory Council on Historic Preservation, the State Historic Preservation Officer, the Historic Hawai'i Foundation, the Office of Hawaiian Affairs, and other Native Hawaiian organizations. Consultations under Section 106 of the NHPA will conclude with the execution of a Programmatic Agreement, which stipulates ways to minimize and mitigate the adverse effect on historic properties and archaeological sites. Impacts from the action alternative would be less than the Proposed Action, as one less historic housing unit would be demolished.

The Proposed Action and action alternative would have no significant impacts on natural resources, infrastructure, public health and safety, socio-economics/demographics, or public services. Implementation of the Proposed Action or action alternative would not create environmental health or safety risks that may disproportionately affect children or minority or low-income populations. MCBH has determined that the Proposed Action and action alternative would have no effect on Federally listed threatened or endangered species and would not have reasonably foreseeable direct or indirect effects on any use or resource in the coastal zone.

Based on information gathered during preparation of the EA, MCBH finds that the Proposed Action and action alternatives will not significantly impact human health or the environment.

## Reburial of the Mokapu Collection Aboard Marine Corps Base Hawai'i, Kane'ohe Bay (NEPA EA-FONSI)

**District:** Ko'olaupoko  
**Federal Agency:** Marine Corps Base Hawai'i, Box 63002, Kaneohe, Hawai'i 96863.  
**Consultant:** Engineering-Environmental Management, Inc.



MCBH, Kane'ohe Bay proposes to reinter the Mokapu Collection (approximately 1,600 human skeletal remains (iwa) and associated funerary objects) on Mokapu Peninsula. The proposed action incorporates, to the largest extent possible, the claimants' plans for reinterment of their ancestors to their original place of burial and within the same traditional land division (ahupua'a). The proposed action consists of reburial within natural caves and a newly constructed reinterment vault or vaults; the number of vaults would be determined by the final preparation plans. The vault(s) would be located near the Officer's club overflow parking lot and was evaluated as a part of the proposed action.

The no action alternative was also considered.

# Statewide Notices

## Erythrina Gall Wasp Biocontrol Project (HRS 343-DEA)

**Island:** Statewide  
**District:** Not applicable  
**TMK:** Not applicable  
**Proposing Agency:** Plant Pest Control Branch, Hawaii Department of Agriculture, 1428 South King Street, Honolulu, Hawaii 96814-2512, Dr. Neil J. Reimer, Manager, (808 973-9522)

**Determination Agency:** Plant Quarantine Branch, Hawaii Department of Agriculture, 1849 Auiki Street, Honolulu, Hawaii 96819-3100, Carol L. Okada, Manager, (808 832-0566)

**Consultant:** Not applicable  
**Public Comment Deadline:** October 8, 2007  
**Permits Required:** USDA-APHIS-PPQ and Board of Agriculture (HDOA Plant Quarantine Branch)

The Hawai'i Department of Agriculture (HDOA) requests the release of the parasitic wasp *Eurytoma* sp. (Hymenoptera: Eurytomidae) from quarantine to suppress infestations of the erythrina gall wasp (EGW), *Quadrastichus erythrinae* Kim (Hymenoptera: Eulophidae), a very devastating invasive pest species that is destroying trees in the genus *Erythrina* in Hawai'i. One of the most susceptible trees is the native Hawaiian *wiliwili*, *Erythrina sandwicensis* Degener, which may soon become a threatened and endangered species. *Eurytoma* sp. is an ectoparasitic wasp that was discovered in association with *Quadrastichus* gall-forming species in Tanzania by the HDOA

# Statewide Notices

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Exploratory Entomologist during exploration in East Africa in December 2005 to February 2006 for natural enemies of the EGW. Field observations in Tanzania and host specificity studies in the HDOA Insect Quarantine Facility have clearly shown that *Eurytoma* sp. is a very effective ectoparasitoid and is highly specific in targeting and propagating on the EGW, its primary host (prey). During testing, *Eurytoma* sp. showed no interest in

other representative gall-forming insects, strictly targeting and preying on the immature stages of the EGW. Thus, it is strongly believed that the field release of *Eurytoma* sp. will have no non-target (unintended) effects and will effectively suppress EGW population densities to levels where the pest will no longer threaten the survival of *Erythrina* trees, especially the native *wiliwili*, in Hawai'i.

# Coastal Zone News

## Federal Consistency Reviews

The Hawai'i Coastal Zone Management (CZM) Program has received the following federal actions to review for consistency with the CZM objectives and policies in Chapter 205A, Hawai'i Revised Statutes. This public notice is being provided in accordance with section 306(d) (14) of the National Coastal Zone Management Act of 1972, as amended. For general information about CZM federal consistency please call Mr. 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.

**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

### Waikele Stream Streamflow & Sediment-Monitoring Gage, O'ahu

**Federal Action:** Federal Agency Activity  
**Federal Agency:** U.S. Geological Survey  
**Contact:** Toby Vana, 587-2445  
**Location:** Waikele Stream at Wheeler Army Airfield,  
Wahiawa  
**TMK:** (1)9-4-12: 8  
**CZM Contact:** John Nakagawa, 587-2878

Construct a streamflow and sediment-monitoring gage on Waikele Stream at Wheeler Army Airfield. All instruments will be housed in a 4-foot x 4-foot x 6-foot tall instrument shelter, mounted to a 4-foot x 4-foot x 4-foot concrete pad, located on the streambank. A 2-inch galvanized pipe protecting a small plastic tube will connect the gage to the stream and a second 2-inch galvanized pipe will be used as a crest-stage gage. The stream gage will provide real-time stream flow data as part of a study of sediment loads in the Waikele watershed.

**Comments Due:** September 24, 2007

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

Since SMA-only (Chapter 25, ROH) documents do not trigger the EIS law as articulated in Chapter 343, Hawaii Revised Statutes, effective September 1, 2001 OEQC will no longer review these documents for completeness or adequacy. However, OEQC will continue to provide notice of these projects as a public service. Questions regarding the adequacy, completeness and availability of these documents should be addressed directly to the county contact listed below.

### Au Kai Hale Mauka (Chapter 25, Revised Ordinances of Honolulu)

**District:** Waialua  
**TMK:** 6-8-11: 53  
**Applicant:** Dennis A. Almendares, 68-151 Au Street, Suite  
PH-10, Waialua, Hawai'i 96791, (808) 368-5813

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

**Consultant:** May Hung, 94-665 Kaula'ikua Place, Mililani,  
Hawai'i 96789, (808) 623-5336

**Public Comment  
Deadline:** October 8, 2007  
**Permits  
Required:** Special Management Area Use Permit

# Coastal Zone News

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The proposed action involves the construction of single family dwellings on a 10,031-square-foot property zoned A-1 Low Density Apartment District. The property is located at 68-085 Au Street (Tax Map Key 6-8-11: 53) in Waialua, O'ahu. The applicant has received building permit approvals to construct two (2) single-family dwellings on the property. The applicant now proposes to construct two (2) additional, three-story, single-family dwellings for a total of four (4) dwellings. A wastewater treatment plan and soil absorption system will be installed on the site to serve the four (4) dwellings.

The project is located entirely within the Special Management Area and requires the approval of a Special Management Area Use Permit and building permits.

## Burger Subdivision (Chapter 25, Revised Ordinances of Honolulu)

**District:** Waialua  
**TMK:** 6-1-3: 1 and 32  
**Applicant:** Burger Project Management LLC, 1513 Sixth Street, Suite 101, Santa Monica. CA 90401

**Approving Agency:** Department of Planning and Permitting, 650 S. King Street. 7<sup>th</sup> floor, Honolulu. Hawai'i 96813, Contact - Adrian Siu-Li, (808 768-8018)

**Consultant:** R.M. Towill Corporation, 420 Waiakamilo Road, Suite 411, Honolulu. Hawai'i 96817, Contact - Chester Koga, (808 842-1133)

**Public Comment Deadline:** NA

**Permits Required:** Special Management Area Use Permit, Grading Permit, Subdivision Permit, Building Permit, National Pollutant Discharge Elimination System, Construction Stormwater Permit, Individual Wastewater System Approval, Work within State Highway, Rights-of-Way

The 7.30 acre site is zoned R-5 Residential District. The proposal involves the consolidation and subdivision of two lots into 25 lots, ranging in size from 7,500 square feet to 19,000 square feet. There are currently four single-family dwellings on the two lots. However, these four dwellings will be demolished and rebuilt for the applicant's use. The remaining lots will be sold.

## 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: Waikiki (2-6-9-9)	Addition of micro-call panel antennas with accessory micro-cell equipment cabinets at the existing Cingular telecommunication facility at Hilton Hawaiian Village (2007/SMA-47)	New Cingular Wireless PCS, LLC / Ali'i Wireless Specialists LLC (Thomas Johnson)
Honolulu: Kailua (4-2-103: 17, 29 & 30)	Replace roofed entryway of church sanctuary (2007/SMA-43)	Kailua United Methodist Church / Alan Rowland
Honolulu: Kaka'ako (2-1-15: 35, 43, 44)	Soil sampling and installation of monitoring wells (SMA/07-06)	State HCDA
Honolulu: Punalu'u (5-3-8-1)	Addition of 1 omni-directional antenna to an existing utility installation, Type A on the roof of the Hanohano Hale Condominium (2007/SMA-34)	Verizon Wireless (Cellco partnership) / General Dynamics (Mike Beason)
Honolulu: Hale'iwa (6-2-4:1 & 3)	After the fact grading work to re-establish former grade of an existing roadway (2007/SMA-52)	Robert Moran / Michael McNulty
Honolulu: Kailua (4-2-103-28)	Roof extension (2007/SMA-51)	St. John Lutheran Church
Hawaii: North Kona (7-8-14-77)	Construct retaining and boundary walls, stairways, wheelchair ramp and grassed lawn (SMM 07-000061)	Richard M. Applebaum
Maui: Lahaina (4-6-8-48)	Commercial Kiosks (SM2 20070040)	Aji, LLC

# 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.

### *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	J.D. Watamull UH-2576	Malama Market (Ocean View) (3)9-2-185:94,95,96 92-870 Hawai'i Belt Road, Kahuku, Ka'u	n/a	Abandon 1 unregistered injection well-cesspool.
Safe Drinking Water Branch, 586-4258, UIC Permit	Mauna Loa Mac Nut Corp. UH-2577	Mauna Loa Mac Nut Corp 1 Macadamia Road, HC 01, Hilo	n/a	Abandon 2 unregistered injection well-cesspools.
Safe Drinking Water Branch, 586-4258, UIC Permit	Sumner Erdman UM-2572	Sumner Erdman, Ulupalakua Ranch Restrooms at Tedeschi Winery, (2)2-1-9:1; Ulupalakua Ranch, Maui	n/a	Abandon 1 unregistered injection well-cesspool.
Safe Drinking Water Branch, 586-4258, UIC Permit	Department of Education State of Hawai'i UM-2578	Kilohana Elementary School HC 01 POB 334, Kaunakakai	n/a	Abandon 1 unregistered injection well-cesspool.
Safe Drinking Water Branch, 586-4258, UIC Permit	Department of Education State of Hawai'i UM-2579	Kualapu'u Elementary School 260 Farrington Highway, Kualapu'u	n/a	Abandon 1 unregistered injection well-cesspool.
Safe Drinking Water Branch, 586-4258, UIC Permit	DR Horton-Schuler Homes, LLC UO-2573	Coral Apartments 449 Kailua Road, O'ahu	n/a	Abandon 5 unregistered injection well-cesspools.
Safe Drinking Water Branch, 586-4258, UIC Permit	James K. Schuler UO-2574	Kailua Arms 505 Kailua Road, O'ahu	n/a	Abandon 25 unregistered injection well-cesspools.
Safe Drinking Water Branch, 586-4258, UIC Permit	Kenji & Yuriko Furubasyashi UO-2575	Kailua Palms Apartment 433 & 443 Kailua Road, O'ahu	n/a	Abandon 20 unregistered injection well-cesspools.
Safe Drinking Water Branch, 586-4258, UIC Permit	Coca-Cola North America Honolulu Syrup Plant UO-1991	Coca-Cola North America, Honolulu Syrup Plant 91-233 Kalaeloa Boulevard, Kapolei	n/a	Change of operator for 1 injection well for industrial wastewater disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Hanalei Trader Inc./The Hanalei Dolphin Corp. UH-2580	Hanalei Dolphin Restaurant & Fish Market 5-5016 Kuhio Highway, Hanalei	n/a	Register 4 existing injection well seepage pits for wastewater disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Hilton Kaua'i Beach Resort UK-1255	Kauai Beach Resort Association 4331 Kauai Beach Drive, Lihu'e	n/a	Facility-name-change for 2 injection wells for sewage disposal.

# Pollution Control Permit Applications

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## Department of Health Permits

Clean Air Branch (586-4200)

Branch Permit Type	Applicant & Permit Number	Project Location	Pertinent Date	Proposed Use
Clean Air Branch, 586-4200, Covered Source Permit	Chevron USA Products Co. Amendment of CSP No. 0088-01-C (Minor Modification Application No. 0088-12)	91-480 Malakole Street, Kapolei, O'ahu	Issued: 8/13/07	Petroleum Refinery
Clean Air Branch, 586-4200, Covered Source Permit	E.M. Rivera & Sons, Inc. CSP No. 0603-01-CT (Application for Significant Modification No. 0603-02)	Various Temporary Sites, State of Hawai'i	Issued: 8/24/07	730 and 505 TPH Portable Crushing Plants

# Shoreline Notices

## 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-1186	08/13/2007	Lot 56, Land Court Application 609 (Map 1), situated at Mokule'ia, Wai'alua, Island of O'ahu. Address: 68-287 Crozier Loop Purpose: Building setback	Jaime F. Alimboyoguen/ O'William Angel & Michael Montgomery	6-8-005:018
OA-1187	08/20/2007	Lots 5-10 inclusive, Land Court Application 1365 (Map 2), situated at Papa'akoko, Ko'olauloa, Island of Oahu. Address: 53-567 Kamehameha Highway Purpose: Variance	Engineers Surveyors Hawaii, Inc./Pat's at Punalu'u AOA	5-3-008:002
OA-1188	08/21/2007	Portion of Parcel F, Kaena Point State Park, situated at Keawa'ula, Wai'anae, Island of O'ahu. Address: None assigned Purpose: Shoreline setback, CDUP	R.M. Towill Corporation/ State of Hawai'i	8-1-001:008 por.
MA-379	08/16/2007	Lots 5, 6, and 7, Ainalani Lots, being a portion of Grant 3343, situated at Spreckelsville, Wailuku, Island of Maui. Address: 584, 584D Stable Road Purpose: Shoreline setback	R.T. Tanaka Engineers, Inc./David B. Lam, Lundahl J. Anderson, and Cort Larned	3-8-002:074, 077, and 078
MA-380	08/20/2007	Lot 10, Puunoa Subdivision (File Plan 575), situated at Pu'unoa, Lahaina, Island of Maui. Address: 29 Kamaka Circle Purpose: Building permit/SMA	Akamai Land Surveying, Inc./ Carol Carolan	4-5-003:017
HA-381	08/20/2007	Lot 1, North Kahu'u Subdivision, being portion of R.P. 6856, L.C. Aw. 7713 Ap.6, situated at Kahu'u, North Kona, Island of Hawai'i. Address: 78-6596 Ali'i Drive Purpose: Building permit	Wes Thomas Associates/ Indiana National Bank Trustee, et al.	7-8-014:055
HA-382	08/20/2007	Lot 24-B, Kahu'u Beach Lots, being portion of R.P. 6856, L.C. Aw. 7713 Ap.6, situated at Kahu'u, North Kona, Island of Hawai'i. Address: 78-6654 Ali'i Drive Purpose: Building permit	Wes Thomas Associates/ Judy A. Emanuel	7-8-014:082

# Shoreline Notices

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## 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-1180	Proposed Shoreline Certification	Lot 86, Land Court Application 979, and Parcel 10, filled area of Kaneohe Bay, situated at Kahalu'u, Ko'olaupoko, Island of O'ahu. Address: 47-113 Kamehameha Highway Purpose: Building house	DJNS Surveying & Mapping, Inc./Douglass Pang	4-7-019:071
MA-378	Proposed Shoreline Certification	Lot 1, Moali'i Subdivision, situated at Lahaina, Island of Maui. Address: 1251 Front Street. Purpose: Shoreline setback	R. T. Tanaka Engineers, Inc./Hoaloha Na Eha, Ltd.	4-5-005:009
MO-137	Proposed Shoreline Certification	Lot 24, Land Court Application 1867 (Map 2), situated at Kawela, Island of Moloka'i. Address: Kamehameha V Highway. Purpose: Building setback	Newcomer-Lee Land Surveyors, Inc./Duane Hart	5-4-017:022
KA-305	Proposed Shoreline Certification	Lot 49, Land Court Application 1160, situated at Hanalei, Island of Kaua'i. Address: 4956 Weke Road. Purpose: Building permit	Wagner Engineering Services, Inc./Gaylord H. Wilcox	5-5-001:009
KA-306	Proposed Shoreline Certification	Portion of Lot 43, Ha'ena Park, situated at Haena, Hanalei, Island of Kaua'i. Address: 7920 Kuhio Highway. Purpose: Construction of a comfort station, septic tank system & paved parking lot	Kodani & Associates, Inc./ County of Kaua'i	5-9-005:019

# Federal Notices

## Security Zones in Hawaiian Waters

The U.S. Coast Guard is changing the permanent security zones in waters adjacent to the islands of O'ahu, Maui, Hawai'i, and Kaua'i, Hawai'i. Review of the established zones indicated the need for some adjustment to better suit vessel and facility security in and around Hawaiian ports. The changes are intended to enhance the protection of personnel, vessels, and facilities from acts of sabotage or other subversive acts, accidents, or other causes of a similar nature. This rule is effective September 10, 2007. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket CGD14-07-001 and are available for inspection and copying at U.S. Coast Guard Sector Honolulu, Sand Island Parkway, Honolulu, Hawai'i 96819-4398 between 0700 hours and 1530 hours, Monday through Friday, except Federal holidays. For details, contact Lieutenant (Junior Grade) Jasmin Parker, U.S. Coast Guard Sector Honolulu at (808) 842-2600 (72 F.R. 44775, August 9, 2007)..

The U.S. Coast Guard has also created a security zone in the waters of Nawiliwili Harbor, Kaua'i, and on the land of the jetty south of Nawiliwili Park, including Wa'apa Road. This zone is intended to enable the Coast Guard and its law enforcement partners to better protect people, vessels, and facilities in and around Nawiliwili Harbor in the face of non-compliant protesters who have impeded passage of the Hawai'i Super Ferry to its dock in the harbor. This rule complements, but does not replace or supersede, existing regulations that establish a moving 100-

yard security zone around large passenger vessels like the Hawai'i Super Ferry. This rule is effective from September 1, 2007, through October 31, 2007. Comments and related material must reach the Coast Guard on or before September 26, 2007. You may submit comments identified by Coast Guard docket number USCG-2007-29153 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>; (2) Mail: Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590; (3) Facsimile: 202-493-2251; (4) Delivery: Room W12-140 on the Ground Floor of the West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329; or (5) Federal eRulemaking Portal: <http://www.regulations.gov>. For details contact Lieutenant (Junior Grade) Laura Springer, U.S. Coast Guard Sector Honolulu at (808) 842-2600 (see, 72 F.R. 50877, September 5, 2007).

## Public Meeting of the Hawai'i State Advisory Committee on Civil Rights

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights and the regulations of the Federal Advisory Committee Act

# Federal Notices

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(FACA), that a meeting of a subcommittee of the Hawai'i State Advisory Committee will convene at 1 p.m. and adjourn at 5 p.m. on Wednesday, September 12, 2007 in the auditorium of the Hawai'i State Capitol located at 415 S. Beretania Street, Honolulu, Hawai'i. The purpose of the meeting is to hear from members of the public on their comments about the "The Native Hawaiian Government Reorganization Act of 2007." Members of the public will make short statements to the Committee. Members of the public are entitled to submit written comments; the comments must be received in the Western Regional Office by September 17, 2007. The address is 300 North Los Angeles Street, Suite 2010, Los Angeles, CA 90012. Persons wishing to e-mail their comments, or to present their comments verbally at the meeting, or who desire additional information should contact Angelica Trevino, Western Regional Office, U.S. Commission on Civil Rights at (213) 894-3437, [TDD 213-894-3435], or by e-mail at [hisac@usccr.gov](mailto:hisac@usccr.gov). Hearing impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the Western Regional Office at least ten (10) working days before the scheduled date of the meeting. Records generated from this meeting may be inspected and reproduced at the Western Regional Office, as they become available, both before and after the meeting. Persons interested in the work of this advisory committee are advised to go to the Commission's Web site, [www.usccr.gov](http://www.usccr.gov), or to contact the Western Regional Office at the above e-mail or street address. The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission and FACA (see, 72 F.R. 49251, August 28, 2007).

## Kane'ohe Bay Danger Zone

The U.S. Army Corps of Engineers is proposing to amend the regulations at 33 CFR 334.1380 for the existing danger zone in the vicinity of Kane'ohe Bay, Hawai'i. The proposed amendment will reflect the current operational and safety procedures at the Ulupau Crater Weapons Training Range and highlight a change in the hours that weapons firing may occur. These regulations are necessary to protect the public from potentially hazardous conditions which may exist as a result from use of the areas by the United States Marine Corps. Written comments must be submitted on or before October 1, 2007. You may submit comments, identified by docket number COE-2007-0027, by any of the following methods: (1) Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments; (2) Electronic mail: [david.b.olson@usace.army.mil](mailto:david.b.olson@usace.army.mil). Include the docket number, COE-2007-0027, in the subject line of the message; (3) Mail: U.S. Army Corps of Engineers, Attn: CECW-CO (David B. Olson), 441 G Street, NW., Washington, DC 20314-1000. All comments received will be included in the public docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the commenter indicates that the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI, or otherwise protected, through [www.regulations.gov](http://www.regulations.gov) or e-mail. The [www.regulations.gov](http://www.regulations.gov) web site is an anonymous access system, which means we will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail directly to the Corps without going through [www.regulations.gov](http://www.regulations.gov), your e-mail address will be automatically

captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, we recommend that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If we cannot read your comment because of technical difficulties and cannot contact you for clarification, we may not be able to consider your comment. Electronic comments should avoid the use of any special characters, any form of encryption, and be free of any defects or viruses. Consideration will be given to all comments received within 30 days of the date of publication of this notice. For details, contact Mr. David B. Olson, Headquarters, Operations and Regulatory Community of Practice, Washington, D.C. at 202-761-4922, or Ms. Susan A. Meyer, Corps of Engineers, Honolulu District, Regulatory Branch, at 808-438-2137 (see, 72 F.R. 50303, August 31, 2007).

## Honolulu Airport Irradiator FONSI

Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC) is issuing a final environmental Assessment (EA) for the Pa'ina Hawai'i, LLC (Pa'ina or the applicant) license application, dated June 23, 2005, which requested authorization to use sealed radioactive sources in an underwater irradiator for the production and research irradiation of food, cosmetic, and pharmaceutical products. The final EA is being issued as part of the NRC's decision-making process on whether to issue a license to Pa'ina, pursuant to Title 10 of the U.S. Code of Federal Regulations Part 36, "Licenses and Radiation Safety Requirements for Irradiators." The proposed irradiator would be located immediately adjacent to Honolulu International Airport on Palekona Street near Lagoon Drive. The irradiator would primarily be used for phytosanitary treatment of fresh fruit and vegetables bound for the mainland from the Hawaiian Islands and similar products being imported to the Hawaiian Islands as well as irradiation of cosmetics and pharmaceutical products. The irradiator would also be used by the applicant to conduct research and development projects, and irradiate a wide range of other materials as specifically approved by the NRC on a case-by-case basis. For details, contact Patricia Swain, Environmental Project Manager, Environmental and Performance Assessment Branch, Division of Waste Management and Environmental Protection, Mail Stop T8-F5, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone: 301-415-5405; electronic mail: [pbs2@nrc.gov](mailto:pbs2@nrc.gov) (see, 72 F.R. 46249, August 17, 2007).

## Inventory Completion Notice for Human Remains at the Bishop Museum

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains in the possession and control of Bishop Museum, Honolulu. The human remains were removed from multiple locations on the island of Kaua'i. This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this

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notice. A detailed assessment of the human remains was made by Bishop Museum professional staff in consultation with representatives of Hui Malama I Na Kupuna O Hawai'i Nei and Kaua'i Island Burial Council. In 1949, two bags of human bone representing a minimum of one individual were collected by Tiare Emory and Rebecca Banks from Miloli'i, Napali, Kauai. No known individual was identified. No associated funerary objects are present. In 1949, one human tooth and one bag of possible human bone fragments representing a minimum of one individual were collected by Tiare Emory and Rebecca Banks possibly from Canoe Shed Cave, Hanalei, Kaua'i. No known individual was identified. No associated funerary objects are present. In 1955, Bishop Museum received two human teeth representing a minimum of one individual collected by George F. Arnemann from archeology site 50-Ka-C07-001, Ha'ele'ele, Kaua'i. No known individual was identified. No associated funerary objects are present. In 1955, one human tooth representing a minimum of one individual was collected during a Bishop Museum and University of Hawai'i - Manoa field school project by Bishop Museum staff from Ha'ele'ele Shelter (archeology site 50-Ka-C07-001), Kaua'i. No known individual was identified. No associated funerary objects are present. In 1967, one human tooth and one human tooth fragment representing a minimum of one individual were found among midden at Moir's Garden, Koloa, Kaua'i, by Bishop Museum staff. No known individual was identified. No associated funerary objects are present. In 2002, three human teeth representing a minimum of one individual were found in the Bishop Museum collections from an unknown area of Kaua'i. No known individual was identified. No associated funerary objects are present. Officials of the Bishop Museum have determined that, pursuant to 25 U.S.C. 3001 (9-10), the human remains described above represent the physical remains of a minimum of six individuals of Native Hawaiian ancestry. Officials of the Bishop Museum also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native Hawaiian human remains and Hui Malama I Na Kupuna O Hawai'i Nei. Representatives of any other Native Hawaiian organization that believes itself to be culturally affiliated with the human remains should

contact Betty Lou Kam, Vice-President, Cultural Resources, Bishop Museum, 1525 Bernice Street, Honolulu, Hawai'i 96817, telephone 808-848-4144, before September 12, 2007. Repatriation of the human remains to Hui Malama I Na Kupuna O Hawai'i Nei will proceed after that date if no additional claimants come forward. The Bishop Museum is responsible for notifying Hui Malama I Na Kupuna O Hawai'i Nei and Kaua'i Island Burial Council that this notice has been published. (see, 72 F.R. 45269, August 13, 2007).

## Correction to Notice of Scoping Process

The Western Pacific Fishery Management Council (WPFMC) and NMFS have announced their intent to prepare a Supplemental Environmental Impact Statement (SEIS) on the Federal management of the Hawai'i-based shallow-set pelagic longline fishery in the western Pacific. This notice corrects the August 21, 2007 (72 F.R. 46608) notice, in the SUPPLEMENTARY INFORMATION section, under the heading "Public Involvement;" the location of the 139th WPFMC meeting on October 9-12, 2007. The correct location is the Pagoda Hotel, 1525 Rycroft St., Honolulu, Hawai'i 96814. For details, contact Kitty Simonds, Executive Director, WPFMC, (808) 522-8220, or William L. Robinson, Regional Administrator, NMFS, (808) 944-2200 (see, 72 F.R. 50330, August 31, 2007).

## Western Pacific Regional Fishery Management Council; Public Meeting

The 96th meeting of the Western Pacific Regional Fishery Management Council's (Council) Scientific and Statistical Committee (SSC) will convene Tuesday, September 25, 2007, through Thursday September 27, 2007 at the Council Office Conference Room, 1164 Bishop Street, Suite 1400, Honolulu. For details, call Kitty M. Simonds, Executive Director at 808-522-8220 (see, 72 F.R. 50938, September 5, 2007).