

# The Environmental Notice

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

SEPTEMBER 23, 2007

## In This Issue

The Department of Land and Natural Resources is processing an environmental assessment for the Australia to Hawaii fiber optic cable system (page 6). Findings of No Significant Impact have been issued for the West Maui Medical Facility (page 5), the Honolulu Wao Kele Project (page 5), and the North Kona Protective Fencing Project (page 4).

### *Ka ho'opolelei 'ana i na hewa (Corrections - with apologies)*

In the September 8, 2007, edition of the *Environmental Notice* on page 8, under the notice for the "Reburial of Mokapu Collection Aboard Marine Corps Base Hawaii, Kaneohe Bay" the word "iwa" was mistakenly used in reference to the Hawaiian term for bones; the correct term should be "iwi."

Also in the September 8, 2007, issue of the *Environmental Notice* on page 2, the "Alahele Subdivision" listing was inadvertently placed under the Hawaii Notices. The project should have been listed under the Maui notices.

### **Clarification of Terms Used in Chapter 343, HRS - FONSI, EISPN, EA**

In telephone calls to the Office of Environmental Quality Control, the staff noted that there was confusion on the use of the terms "FONSI - finding of no significant impact", "EISPN - environmental impact statement preparation notice" and "EA - environmental assessment." FONSI's and EISPN's are NOT environmental assessments. FONSI's and EISPN's are *conclusions* that a premises on an environmental assessment. A FONSI or EISPN takes the form of a notice of determination letter written to the Director of the Office of Environmental Quality Control. These conclusions are an integral part of the project record and may be found online at the OEQC's File Transfer Site. For more information, please call (808) 586-4185.

## Environmental Council Meeting in October

The State Environmental Council has tentative plans to meet on Friday, October 12, 2007. Please check the State Calendar Web Site at <http://calendar.ehawaii.gov/calendar/html/event> and select "Environmental Council" on or after October 6, 2007.

## Marine Mammals; File No. 1039-1916

The National Marine Fisheries Service (NMFS) announced its receipt of an application from Ann Zoidis, Cetos Research Organization, 11 Des Isle Avenue, Bar Harbor, Maine, for a permit to conduct research on marine mammals in Hawaii and the Gulf of Maine. Written, telefaxed, or e-mail comments must be received on or before October 17, 2007. The application and related documents are available for review upon written request or by appointment at the Pacific Islands Region Office, NMFS, 1601 Kapiolani Blvd., Rm 1110, Honolulu, Hawaii 96814-4700; telephone (808)973-2935; facsimile (808)973-2941. Written comments or requests for a public hearing on this application should be mailed to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate. Comments may also be submitted by facsimile at (301)427-2521, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period. Comments may also be submitted by e-mail. The mailbox address for providing e-mail comments is [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: File No. 1039-1916. For more information please contact Jaclyn Daly or Carrie Hubbard, (301)713-2289 (see, 72 F.R. 52862, September 17, 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 St., Suite 1400, Honolulu, Hawaii; telephone: (808) 522-8220. For more information please contact Kitty M. Simonds, Executive Director, telephone: (808) 522-8220 (see, 72 F.R. 50938, September 5, 2007).



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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. In many ways it is similar to Hawai'i's law. Some projects require both a state (and county) and federal EIS and the public comment procedure should be coordinated. Although not required by law, the OEQC publishes NEPA notices in this periodic bulletin to help keep the public informed of important federal actions.

### Conservation District

Any use of land in the State Conservation District requires a Conservation District Use Application (CDUA). These applications are reviewed and approved by the Board of Land and Natural Resources (BLNR). Members of the public may intervene in the permit process. Notice of these permit applications is published in this periodic bulletin.

### Special Management Area

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

### Shoreline Certifications

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

### Environmental Council

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

### Exemption Lists

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

### Endangered Species

This periodic bulletin is required by Section 343-3(c), HRS, to publish notice of public comment periods or public hearings for habitat conservation plans (HCP), safe harbor agreements (SHA), or incidental take licenses (ITL) under the federal Endangered Species Act, as well as availability for public inspection of a proposed HCP or SHA, or a proposed ITL (as a part of an HCP or SHA).

# Hawai'i Notices

SEPTEMBER 23, 2007

## Waimea Water Treatment Plant Sludge Drying Beds (HRS 343 DEA)

**District:** South Kohala  
**TMK:** (3) 6-5-001: Parcel 003  
**Proposing Agency:** Department of Water Supply, County of Hawai'i, 345 Kekuanaoa Street, Suite 20, Hilo, Hawai'i 96720, Contact - Keith Okamoto, (808-961-8070)

**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)

**Public Comment Deadline:** October 23, 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:** Building Permit & Grading Permit

The Hawai'i County Department of Water Supply (DWS) is proposing to construct a solar sludge drying facility to support its existing water treatment plant (WTP) in Kamuela in the South Kohala District on the Island of Hawai'i. The proposed construction will include an 84' x 110' solar dryer building, a 12' x 18' control center building, and installation of approximately 2,000 linear feet of a 6-inch diameter force main and related appurtenances. The proposed solar drying facility will be used to dewater and dry the sludge residue resulting from the water treatment process. The sludge residue is currently being discharged into an open 2.76 million gallon capacity concrete reservoir. The capacity of the reservoir to store the sludge is nearly exhausted, prompting the need for this proposed facility improvement. The purpose of this project is to address the long-term plan for sludge handling and disposal at the WTP facility. DWS proposes to commence construction in mid 2008 with construction lasting approximately 13 months. The proposed project will be funded with Hawai'i County funds at a cost between \$2.5 and \$4 million.



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

**Permits Required:** Cдуа

The 'Ola'a-Kilauea Partnership proposes the construction of up to 22 miles of ungulate-proof fencing, eventually enclosing approximately 13,000 acres on the slopes of Mauna Loa in North Kona on the island of Hawai'i. The proposed project is part of the ongoing conservation efforts of the 'Ola'a-Kilauea Partnership, members of which include Kamehameha Schools, the Division of Forestry and Wildlife of the Department of Land and Natural Resources, Hawai'i Volcanoes National Park, Kulani Correctional Facility (State Department of Public Safety), USGS Biological Resource Division, the US Fish and Wildlife Service, the USDA Forest Service, and The Nature Conservancy of Hawai'i. Introduced ungulates (hooved animals), including cattle, feral goats, feral sheep, mouflon sheep and feral pigs, are a significant threat to native species and to the rare natural communities found in the project area. The proposed fencing will protect a substantial portion of the second largest native mamane forest, the largest and most intact stand of 'iliahi (sandalwood), and the largest area of diverse native grasslands on the island and will facilitate restoration of habitat for the endangered palila and for multiple endangered plant species. The planned fence will be approximately seven feet tall, made of steel posts and steel wire. Barbed wire may be attached to the fencing in areas where cattle are present. Potential impacts include possible entanglement of endangered bats on barbed wire, removal of native vegetation, and the accidental introduction or spread of weeds during construction. Impact mitigation measures include limiting use of barbed wire to sections where necessary to prevent cattle intrusion, selecting final fence alignments to follow existing roadways where possible, and the incorporation of alien species prevention protocols.

Potential impacts include possible entanglement of endangered bats on barbed wire, removal of native vegetation, and the accidental introduction or spread of weeds during construction. Impact mitigation measures include limiting use of barbed wire to sections where necessary to prevent cattle intrusion, selecting final fence alignments to follow existing roadways where possible, and the incorporation of alien species prevention protocols.

## North Kona Protective Fencing Project (HRS 343 FEA-FONSI)

**District:** North Kona  
**TMK:** (3) 7-8-001-003  
**Applicant:** 'Ola'a Kilauea Partnership, P.O. Box 52, Hawai'i National Park, Hawai'i 96718, Contact - Tanya Rubenstein (808-985-6197).

**Approving Agency:** State of Hawai'i, Department of Land and Natural Resources, Division of Forestry and Wildlife, 1151 Punchbowl Street, Room 325, Honolulu, Hawaii 96813, Contact - Christen Mitchell (808-587-0051)



SEPTEMBER 23, 2007

## West Maui Medical Facility (HRS 343 DEA)

**District:** Lahaina  
**TMK:** (2) 4-4-006:070 (por.)  
**Proposing Agency:** West Maui Improvements Foundation, Inc., P.O. Box 10338, Lahaina, Hawaii 'i 96761

**Determination Agency:** Same as above.  
**Consultant:** Munekiyo & Hiraga Inc., 305 High Street, Suite 104, Wailuku, Hawaii 'i 96793, Contact - Rowena Dagdag (808-244-2015)

**Public Comment Deadline:** October 23, 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:** Certificate of Need (CON); Community Noise Permit; Work to Perform in State Highway Right-of-Way; NPDES; SLUC DBA (to be approved by County Council; Change in Zoning (CIZ); Community Plan Amendment (CPA); Construction and Building Permits

The West Maui Improvement Foundation, Inc. (WMIF) proposes the development of a 35-bed acute care medical facility in Ka'anapali, Maui, Hawai'i. The subject property is owned by Ka'anapali Land Management Corp. and identified as Tax Map Key (TMK) (2)4-4-06:070 (por.). The subject property encompasses an area of approximately 14.92 acres and lies mauka (east) of Honoapi'ilani Highway, adjacent to the Lahaina Civic Center. Access to the property is proposed to be provided via an extension of Ka'a'ahi Street. The subject property was formerly used for sugar cane cultivation and is currently vacant and undeveloped. The proposed full-service, medical facility will have the following service areas and facilities: (1) Main entrance, registration, waiting room and administrative offices; (2) Twenty-five (25) medical surgical beds and ten (10) intensive care beds; (3) Three (3) operating suites with acute care units for recovering critically ill patients and/or elective surgical procedures; (4) Emergency room and entrance; (5) Imaging department housing X-ray and other diagnostic instruments; (6) Rehabilitation department for physical and occupational therapy; (7) Cardiology department; (8) Outpatient services and six (6) dialysis bays; (9) Nurses' station and lounge; (10) Physicians' offices and lounge; and (11) Engineering and maintenance facilities and loading bay. The medical facility will be a single-story building covering approximately 90,000 square feet of floor area. Related improvements include site grading, installation of underground utilities, 260-stall parking lot, extension of Ka'a'ahi Street from the Lahaina Civic Center and site landscaping. The estimated construction cost for the medical facility is \$30.0 million.



## Honolua Wao Kele (HRS 343 FEA-FONSI)

**District:** Lahaina  
**TMK:** (2) 4-1-01:09  
**Applicant:** Maui Land & Pineapple Company, Inc.  
**Approving Agency:** Department of Land & Natural Resources  
**Consultant:** PBR HAWAII, ASB Tower Suite 650, 1001 Bishop Street, Honolulu, Hawaii 96813  
**Status:** Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).

**Permits Required:** Conservation District Use Permit

Honolua Wao Kele, located mauka of Honoapi'ilani Highway in the Honolua region of Maui is a ridge-top area bounded by Honolua and Papua Gulches. This former pineapple field is now vacant and fallow, with residual pineapple plants and invasive weed species such as Lantana, California grass, Formosan koa, ironwoods, and African tulip trees. The Honolua Wao Kele Reforestation project will re-vegetate Honolua Wao Kele with native plants to provide for: native species re-vegetation and habitat improvement; wildlife habitat enhancement; watershed protection; and Hawaiian cultural education. As part of the reforestation effort, invasive species will be removed and remaining pineapple plants and weed species will be plowed under and converted to fertilizer. Subsequent to the removal of invasive species, the area will be able to regenerate, enabling growth of and future planting of native species. The goal is for the area to become an established example of a diverse ecosystem appropriate for the region. The establishment of permanent native groundcover will improve soil, minimize erosion, provide filtration for runoff, and protect the water quality of nearby gulches, which eventually feed into Honolua Bay. The re-vegetation will result in a beneficial use of the environment by keeping the area as open space.

Native plant material grown in Honolua Wao Kele may be used for replanting native species elsewhere in West Maui. The re-vegetation is not anticipated to result in negative impacts. Positive impacts are expected and no degradation of environmental quality is anticipated.



# O'ahu Notices

SEPTEMBER 23, 2007

## Australia Hawai'i Fiber Optic Cable System (HRS 343 DEA)

**District:** Wai'anae  
**TMK:** 81001008:0000,81001018:0000,81001007:0000  
**Applicant:** Telstra, Inc., 40 Wall Street, 40th Floor, New York, New York 10005, Contact - Will Hughs, (212 863-2810)

**Approving Agency:** Hawaii State Department of Land and Natural Resources, Office of Conservation and Coastal Land, 1151 Punchbowl Street, Room 131, P.O. Box 621, Honolulu, Hawai'i 96819, Contact - Samuel Lemmo, (808-587-0381)

**Consultant:** AMEC Earth & Environmental, Inc., 3375 Koapaka Street, Suite F-251, Honolulu, Hawai'i 96819, Contact - Denise Toombs, (415-261-6693)

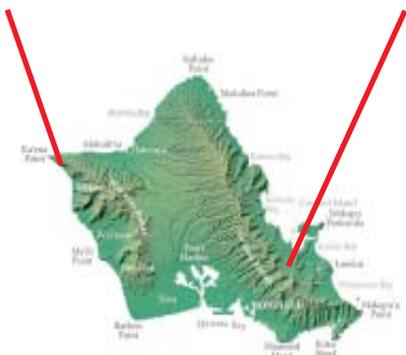
### Public Comment

**Deadline:** October 23, 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

Telstra Inc., intends to install one subsea fiber optic cable that will provide a connection between the existing cable station and onshore telecommunications infrastructure at Keawa'ula, O'ahu and Telstra's existing infrastructure in Sydney, Australia. The cable will be laid within an existing easement that extends from the shoreline to an existing beach manhole, using existing conduit that runs under Farrington Highway. This proposed subsea cable system will provide additional capacity, and increase and improve international connectivity and reliability between Australia and the U.S. The Draft Environmental Assessment (EA) is available for review and comment for 30-days. Copies of the Draft EA can be obtained by contacting Anna Mallon at (808) 545-2462 or [anna.mallon@amec.com](mailto:anna.mallon@amec.com). Copies have been provided to the following local libraries: Wai'anae Public Library and Kapolei Public Library. Comments may be faxed to (808) 528-5379 or mailed to the following address: AMEC Earth & Environmental, Inc. 3375 Koapaka St., Suite F-251, Honolulu, Hawai'i 96819.



### Approving Agency:

Office of Conservation and Coastal Lands, Department of Land and Natural Resources, State of Hawai'i, P.O. Box 621, Honolulu, Hawai'i 96809, Contact - Ms. Kimberly Mills, (808 587-0382)

### Consultant:

Gerald Park Urban Planner, 1221 Kapi'olani Boulevard, Suite 211, Honolulu, Hawai'i 96814, Contact - Gerald Park, (808 596-7484)

### Public Comment

**Deadline:** October 23, 2007

### Permits Required:

Conservation District Use Application; Building Permit for Building, Electrical, Plumbing, Sidewalk/Driveway and Demolition Work; Grading Permit

James and Lisa Hogg propose to conduct an agricultural activity on property located at Kāne'ohe, District of Ko'olaupoko, City and County of Honolulu, State of Hawai'i. The property is bounded by a deep gulch and a single-family residential dwelling on the north, Kiona'ole Road on the east, a Hawaiian Electric Company transformer station on the south, and a continuation of the gulch (to the north) and a section of Ho'omaluhia Botanical Garden on the west. In general, the property is located to the northwest of the Hale Kou Interchange. The Applicant proposes to construct a horse barn (for one horse and a companion animal or two horses) and selectively clear two areas of scrub trees and noxious weeds for use as paddocks. Sections of the cleared areas will be reseeded with pasture grass. The 1,700 square foot barn will be constructed where the terrain is relatively flat and free of

trees. The structure will be erected on a poured in place concrete floor and framed with wood. The exterior will be finished with wood siding in natural or earth tone colors and topped with a hip roof covered with composition shingle roofing. The finished structure stands 17'3" high. Two areas will be set aside for paddock and pasture use. One area of approximately 14,560 square feet is located between the proposed barn and Kiona'ole Road. A second area of 87,120 square feet to the west of the barn and near the rear of the property will be cleared of scrub trees and noxious weeds. Both paddocks will be enclosed by wood fencing. The cost of the proposed improvements is estimated at \$150,000. All construction will be completed within the time requirements

of the Department of Land and Natural Resources.

## Hogg Property Improvements (HRS 343 FEA-FONSI)

**District:** Ko'olaupoko  
**TMK:** 4-5-002:008  
**Applicant:** James and Lisa Hogg, 45-630 Kiona'ole Road, Kane'ohe, Hawai'i 96744, Contact - Mr. James Hogg, (808 375-9424)



# Kaua'i Notices

SEPTEMBER 23, 2007

## Kapilimao 0.5- Million Gallon Storage, Tank (HRS 343 DEA)

**District:** Waimea  
**TMK:** 1-2-002:001  
**Proposing Agency:** County of Kaua'i, Department of Water, 4398 Pua Loke Street, Lihue, Hawai'i 96766, Contact - Keith Fujimoto (808-245-5449)

**Determination Agency:** Same as above.  
**Consultant:** Wilson Okamoto Corporation, 1907 South Beretania Street, Suite 400, Honolulu, Hawai'i 96826, Contact - John L. Sakaguchi (808-946-2277)

**Public Comment Deadline:** October 23, 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:** Use Permit, Building Permit, Grading Permit

The County of Kaua'i Department of Water (DOW) is proposing to construct a 0.5-Million Gallon Storage Tank and an emergency generator building in Kapilimao Valley, Kekaha, Waimea, Kaua'i, Hawai'i. The tank will be constructed of reinforced concrete and will be about 20 feet high with a diameter of



Well (State Well No. 5841-02) and pump station complex constructed in 2002 by the DOW. The 0.5-MG tank will be sited at about elevation 178 feet mean sea level (msl) and will be located about 200 feet northwest of the existing Kapilimao Valley well and pump station complex sited at elevation about 130 feet msl.

The tank will be part of the Kekaha-Waimea water system which services approximately 1,600 customers, including residential and commercial areas in Waimea and Kekaha, Waimea High School, Waimea Intermediate School, and the Waimea Plantation Cottages.

The 0.5-MG tank project site has not been previously cleared. Construction activities will primarily be related to clearing, grubbing, and grading the project site and construction of the reinforced concrete tank, connecting pipe lines, perimeter and AC paved access driveway, drainage system, perimeter chain link fence and emergency generator building. These activities will create dust and noise while work occurs on the project site. Once operational, the only activity at the site will be occasional visits by DOW personnel to perform periodic monitoring and maintenance functions.

# 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 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

## U.S. Coast Guard Security Zone for Hawaii Super Ferry at Nawiliwili Harbor, Kaua'i

**Federal Action:** Federal Agency Activity  
**Federal Agency:** U.S. Coast Guard  
**Contact:** Dr. Dennis Mead, 541-2129  
**Location:** Nawiliwili Harbor, Kaua'i  
**CZM Contact:** John Nakagawa, 587-2878

The U.S. Coast Guard established, on September 1, 2007, a security zone in the waters of Nawiliwili Harbor, and on the land of the jetty south of Nawiliwili Park, including Wa'apa Road. The security zone is in effect from September 1, 2007 through October 31, 2007. According to the Coast Guard's notice of temporary final rule, "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 protestors who have impeded passage of the Hawaii Super Ferry to its dock in the harbor." The security zone is in effect 60 minutes prior to the arrival of the Super Ferry and continues until 10 minutes after its departure.

**Comments Due:** October 8, 2007

# Coastal Zone News

SEPTEMBER 23, 2007

## Special Management Area (SMA) Minor Permits

Pursuant to Hawai'i Revised Statute (HRS) 205A-30, the following is a list of SMA Minor permits that have been approved or are pending by the respective county/state agency. For more information about any of the listed permits, please contact the appropriate county/state Planning Department. City & County of Honolulu (523-4131); Hawai'i County (961-8288); Kaua'i County (241-6677); Maui County (270-7735); Kaka'ako (Honolulu) or Kalaeloa (Barbers Point) Community Development District (587-2840).

SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS		
Location (TMK)	Description (File No.)	Applicant/Agent
Kaua'i: Lihu'e (3-5-1-171)	Interior /exterior renovations to existing golf clubhouse (SMA(M) 2008-2)	Kaua'i Lagoons, LLC
Kaua'i: Koloa (2-8-18-59)	Swimming pool, 2 car garage (SMA(M) 2008-3)	Leslie Stone
Maui: Wailuku (3-6-8-1)	Pacific Whale foundation interior alterations (SM2 20070058)	Kimmey, Marie
Maui: Wailea (2-1-8-83)	Retaining wall, entry /exit gates at Palms at Wailea (SM2 20070059)	Kimmey, Marie
Maui: Kahului (3-7-11-28)	Erect Security fence at Kanaha Professional bldg (SM2 20070060)	Cockett, Michelle
Maui: Ha'iku (2-9-5-30)	2 lot subdivision (SM2 20070064)	Harold, Florence L.

# Shoreline Applications

## Shoreline Certification Applications

Pursuant to § 13-222-12, HAR the following shoreline certification applications are available for inspection at the DLNR District Land Offices on Kaua'i, Hawai'i and Maui and at Room 220, 1151 Punchbowl St., Honolulu, O'ahu (Tel: 587-0414). All comments shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, Hawai'i 96813 and postmarked no later than fifteen (15) calendar days from the date of the public notice of the application. If there are any questions, please call Nick Vaccaro at (808) 587-0384.

File No.	Date	Location	Applicant/Owner	TMK
OA-1189	08/24/2007	Lot 2, being portions of R.P. 52, L.C Aw. 802, situated at Niu, Honolulu, Island of O'ahu. Address: 5959 Kalaniana'ole Highway Purpose: Building permit	James R. Thompson/ David Fisher Trust	3-7-001:020
MA-381	08/24/2007	Lot 48, Makena Beach Lots, situated at Honua'ula, Makawao, Island of Maui. Address: 4532 Makena Road Purpose: SMA/Building permit	Akamai Land Surveying, Inc./Dwayne & Sharon Altman	2-1-011:020



# Shoreline Certifications/Rejections

SEPTEMBER 23, 2007

## Shoreline Certifications and Rejections

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

File No.	Proposed/Rejected	Location	Applicant/Owner	TMK
OA-1164	Proposed Shoreline Certification	Lot 16, Land Court Consolidation 211 (Map 1), situated at Kaunala, Ko'olauloa, Island of O'ahu. Address: 58-201 Napo'onala Place Purpose: Construction purpose	ControlPoint Surveying, Inc./Larry W. Latham	5-8-006:046
OA-1174	Proposed Shoreline Certification	Lot 76, Land Court Application 772, and a portion of L.C. Aw. 8559-B, Ap. 35 & 36 situated at Laie, Ko'olauloa, Island of O'ahu. Address: 55-633 Kamehameha Highway Purpose: Building permit	Wesley T. Tengan/Matthew K. Williams	5-5-003:030
OA-1181	Proposed Shoreline Certification	Lot 11, Panahana Subdivision, situated at Kane'ohe, Ko'olaupoko, Island of O'ahu. Address: 44-295 Kaneohe Bay Drive Purpose: Permitting	R. M. Towill Corporation/ Hiroko S. Keanu	4-4-007:011
File No.	Proposed/Rejected	Location	Applicant/Owner	TMK
OA-1182	Proposed Shoreline Certification	Lot 314, Land Court Application 1052, situated at Makaha, Wai'anae, Island of O'ahu. Address: 84-127 Makau Street Purpose: Building permit	Walter P. Thompson, Inc./ Gary Stahl	8-4-010:012
OA-1183	Proposed Shoreline Certification	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
MA-375	Proposed Shoreline Certification	Lot 2-A, Land Court Application 1846 (Map 1), situated at Honua'ula, Makawao, Island of Maui. Address: None available Purpose: Building setback	Austin Tsutsumi & Associates, Inc./Makena Land, LLC	2-1-007:092
MA-376	Proposed Shoreline Certification	Portion of Grant 4973 fronting Lot 45-A, situated at Olowalu, Lahaina, Island of Maui. Address: 810 Olowalu Purpose: Building setback	Tanaka Engineers, Inc./ Olowalu Elua Associates, LLC	4-8-003:005
HA-375	Proposed Shoreline Certification	Lot 1, portion of R.P. Grant 1533, situated at Keonopoko-Iki, Puna, Island of Hawai'i. Address: None assigned Purpose: Shoreline setback	The Independent Hawaii Surveyors, LLC/Nigel J. Timms	1-5-009:055
KA-204	Rejection	Lot 399, Ld. Ct. Appl. 956 (Map 97), Sheraton Poipu, situated at Koloa, Island of Kaua'i. Address: 2441 Ho'onai Road, Koloa, Kaua'i Purpose: Sheraton Kauai Hotel Renovation Work.	Wagner Engineering Services, Inc./Kaua'i Blue, Inc. (Lessee)	2-8-016:003

# Pollution Control Permits

SEPTEMBER 23, 2007

## Department of Health Permits

This page contains 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 9586-4309); **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	Tesoro Hawai'i Corporation CSP No. 0367-01-C (Application for Renewal No. 0367-04)	2 Sand Island Access Road, Honolulu, O'ahu	Issued 8/31/07	Petroleum Bulk Loading Terminal
Clean Air Branch, 586-4200 Covered Source Permit	Tesoro Hawai'i Corporation Maui Terminal CSP No. 0089-01-C (Application for Renewal No. 0089-05)	140 A Hobron Avenue, Kahului, Maui	Issued 9/11/07	Petroleum Bulk Loading Terminal

Branch & Permit Type	Applicant & Permit Number	Project Location	Pertinent Dates	Proposed Use
Safe Drinking Water Branch, 586-4258, UIC Permit	Hilo Yacht Club UH-2592	Hilo Yacht Club 177 Laehala Street, Hilo	n/a	Abandon 2 unregistered injection-well cesspools.
Safe Drinking Water Branch, 586-4258, UIC Permit	Kohanaiki Shores, LLC UH-2594	The Shores at Kohanaiki (3)7-3-9:3 & 16; Queen Ka'ahumanu Highway, Kailua-Kona	n/a	Construct 1 injection well for industrial (desal) wastewater disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Gemini Observatory Association of Universities for Research in Astronomy, Inc.	Gemini Hilo Base Facility Expansion (3)2-4-1:7; 670 North Aohoku Place, Hilo	tba	Construct 2 injection wells for surface runoff.
Safe Drinking Water Branch, 586-4258, UIC Permit	M K Kona Commons, LLC UH-2599	Kona Commons Phase 1 (3)7-4-8:2; Makala Blvd., west of Queen Ka'ahumanu Hwy., Kailua-Kona	n/a	Construct 9 injection wells for surface runoff.
Safe Drinking Water Branch, 586-4258, UIC Permit	Target Corporation UH-2600	Kona Commons Phase 2, Target (3)7-4-8:02; Makala Blvd., west of Queen Ka'ahumanu Hwy., Kailua-Kona	n/a	Construct 15 injection wells for surface runoff.
Safe Drinking Water Branch, 586-4258, UIC Permit	AOAO Carter Professional Ctr. UH-tba	AOAO Carter Professional Center 65-1230 M amalaho Highway, Kamuela, South Kohala	tba	Construct 1 injection well for surface runoff.
Safe Drinking Water Branch, 586-4258, UIC Permit	Wastewater Division Dept. of Environmental Mgt. County of Hawai'i UH-2597	Komohana Heights LCC Replacement 393 Hualai Place & 321 Hualai Way, Komohana, South Hilo	n/a	Abandon 2 unregistered injection-well cesspools.
Safe Drinking Water Branch, 586-4258, UIC Permit	Starwood SVO Pacific, Inc. UM-2595	Westin Ka'anapali Ocean Resort Villas, Lot 3 (2)4-4-14:5; Ka'anapali	n/a	Construct 2 injection wells for industrial wastewater and runoff disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Boy Scouts of America UM-2601	Boy Scouts of America (Pop Hutton Area) Camp M aluhia (2)3-1-1-:28; Kahekili Highway, M aluhia, Kahakuloa	n/a	Abandon 1 unregistered injection-well cesspool.
Safe Drinking Water Branch, 586-4258, UIC Permit	Department of Education State of Hawai'i UM-2602	Waihee Elementary School 2125 Kahekili Highway, Wailuku	n/a	Register 3 existing seepage pits for sewage disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Department of Education State of Hawai'i UO-2596	Waialua High and Intermediate School 67-160 Farrington Highway, Waialua	n/a	Abandon 1 unregistered injection-well cesspool.
Safe Drinking Water Branch, 586-4258, UIC Permit	Po'ipu Beach Villas, LLC UK-2603	Koloa Landing at Po'ipu Beach bounded by Hoonani Road, Po'ipu Road, Kapili Road, Koloa	n/a	Construct 42 injection wells for surface runoff and swim pool water disposal.

# Federal Notices

SEPTEMBER 23, 2007

## Notice of Public Comment Period for Programmatic Environmental Assessment/ Overseas Environmental Assessment for Undersea Warfare Exercise within the Hawaii Range Complex

Pursuant to the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. § 4321 et seq.) as implemented by the Council on Environmental Quality regulations (40 CFR §§ 1500-1508), Department of the Navy Procedures for Implementing NEPA (32 C.F.R. § 775), and Executive Order 12114, Environmental Effects Abroad of Major Federal Actions, the Department of the Navy (Navy) prepared a Programmatic Environmental Assessment/ Overseas Environmental Assessment (EA/OEA) for the Undersea Warfare Exercise (USWEX) within the Hawaii Range Complex to be conducted over a two year period from January 2007 through January 2009. On January 24, 2007, the Navy issued the EA/OEA and a Finding of No Significant Impact ("FONSI") for the USWEX.

USWEX is an advanced Anti-Submarine Warfare (ASW) Exercise proposed to be conducted by the U.S. Navy's Carrier Strike Groups (CSGs) and Expeditionary Strike Groups (ESGs) while in transit from the west coast of the United States to the western Pacific Ocean. CSGs and ESGs that deploy from the west coast of the United States will experience realistic submarine combat conditions and assess submarine warfare training postures in the Hawaii Range Complex prior to their deployment to a theater of operations. Hawaii Range Complex training areas, test ranges, and ocean operating areas would be used to fully support the Fleet Readiness Training Plan.

ASW training conducted during a USWEX includes ships, submarines, aircraft, non-explosive exercise weapons, and other training systems and devices. When mid-frequency active sonar is used during the exercise, the Navy will comply with 29 individual marine mammal mitigation measures. These measures were developed in coordination with the National Marine Fisheries Service and are required as a condition of the National Defense Exemption from the requirements of the Marine Mammal Protection Act issued by the Secretary of Defense in consultation with the Secretary of Commerce. During a typical USWEX, embarked aircraft will also be conducting training prior to deployment to the western Pacific Ocean. Fixed-wing aircraft will fly sorties to Pohakuloa Training Area on the Island of Hawaii, and rotary aircraft will fly sorties to Kaula located off the coast of Kauai. Amphibious landings could be conducted at the Pacific Missile Range Facility or at Marine Corps Training Area Bellows for some ESG USWEXs.

Subsequent to the issuance of the EA/OEA and FONSI for the USWEX, the Navy determined that it should update the EA/OEA with clarifications to the Coastal Zone Management Act section, request comments from the public on the EA/OEA and, in light of any comments received, make any appropriate clarifications or revisions to the EA/OEA. The Navy will then reconsider whether to issue a FONSI and will issue a new decision before any further exercises are undertaken.

The USWEX Programmatic EA/OEA is available at [www.govsupport.us/uswex](http://www.govsupport.us/uswex), or for review at the following locations: (1) Wailuku Public Library, 251 High Street, Wailuku, Hawaii 96793, telephone (808) 243-5766; (2) Hilo Public Library, 300 Waianuenue Avenue, Hilo, Hawaii 96720, telephone (808) 933-

8888; (3) Hawaii State Library, Hawaii and Pacific Section Document Unit, 478 South King Street, Honolulu, Hawaii 96813-2901, telephone (808) 586-3543; (4) Lihue Public Library, 4344 Hardy Street, Lihue, Hawaii 96766, telephone (808) 241-3222.

The Navy has established a 21 day public comment period, ending on October 5, 2007. All comments must be received in writing at the below address by October 5th to ensure they are adequately considered in the analysis of this EA/OEA. Comments postmarked by October 5, 2007 but received after that date will be deemed late, and may not be able to be considered by the Navy. Public comments should be sent to: Commander, US Pacific Fleet, Attention: Fleet Environmental Officer, Building 251, Pearl Harbor, Hawaii 96860. Additionally, comments may be submitted via email at [uswex@govsupport.us](mailto:uswex@govsupport.us).

## Notice of availability and Request for Comments on "U.S. Climate Change Science Program Synthesis and Assessment Product Draft Report 3.3: Weather and Climate Extremes in a Changing Climate. Regions of Focus: North America, Hawaii, Caribbean, and U.S. Pacific Islands."

The National Oceanic and Atmospheric Administration publishes this notice to announce the availability for public comments for the draft report titled, "U.S. Climate Change Science Program Synthesis and Assessment Product 3.3: Weather and Climate Extremes in a Changing Climate. Regions of Focus: North America, Hawaii, Caribbean, and U.S. Pacific Islands." This draft document is being released solely for the purpose of pre-dissemination peer review under applicable information quality guidelines. This document has not been formally disseminated by NOAA. It does not represent and should not be construed to represent any Agency policy or determination. After consideration of comments received on the draft Prospectus, the final Prospectus along with the comments received will be published on the CCSP web site. Comments must be received by October 5, 2007. The draft Synthesis and Assessment Product 3.3: "Weather and Climate Extremes in a Changing Climate. Regions of Focus: North America, Hawaii, Caribbean, and U.S. Pacific island" is posted on the CCSP Web site at: [www.climatescience.gov/Library/sap/sap3-3/default.php](http://www.climatescience.gov/Library/sap/sap3-3/default.php). Detailed instructions for making comments on the draft Report is provided on the SAP 3.3 webpage (see link here). Comments should be prepared and submitted in accordance with these instructions. For more information contact: Dr. Fabien Laurier, Climate Change Science Program Office, 1717 Pennsylvania Avenue NW, Suite 250, Washington, DC 20006, Telephone: (202) 419 3481 (see, 72 F.R. 46611, August 21, 2007).