

The Environmental Notice

A semi-monthly periodic bulletin published by the Office of Environmental Quality Control pursuant to Section 343-3, Hawaii's Revised Statutes

March 8, 2008

Public Informational Meetings: Act 2 EIS for Harbor Improvements for Large-Capacity Ferry Vessel Company

The State of Hawai'i Department of Transportation (DOT) will hold public informational meetings on the EIS required by Act 2, SSLH 2007 (S.B.1, S.D.1, Act 2, Relating to Transportation), which was promulgated on November 2, 2007. The EIS will address secondary impacts associated with the Hawai'i Superferry.

- March 11, 2008: Kaunakakai Elementary School, 30 Ailoa Street, Kaunakakai, Moloka'i, Hawai'i 96748 (6:00 to 9:00 P.M.)
- March 14, 2008: Wallace Rider Farrington High School Auditorium, 1564 North King Street, Honolulu, Hawai'i 96817 (2:00 P.M. to 5:00 P.M. and 6:00 P.M. to 9:00 P.M.)
- March 17, 2008: Henry Perrine Baldwin High School Auditorium, 1650 Ka'ahumanu Avenue, Wailuku, Maui 96793 (2:00 P.M. to 5:00 P.M. and 6:00 P.M. to 9:00 P.M.)

- March 19, 2008: Kaua'i Community College Performing Arts Center, 3-1901 Kaunuali'i Highway, Lihu'e, Kaua'i 96766 (2:00 P.M. to 5:00 P.M. and 6:00 P.M. to 9:00 P.M.)
- March 24, 2008: Hilo High School Auditorium, 556 Waiianue Avenue, Hilo, Hawai'i 96720 (2:00 P.M. to 5:00 P.M. and 6:00 P.M. to 9:00 P.M.)
- March 27, 2008: Kealahou High School, 74-5000 Puohuluhulu Street, Kailua-Kona, Hawai'i 96740 (2:00 P.M. to 5:00 P.M. and 6:00 P.M. to 9:00 P.M.)
- March 31, 2008: Lana'i High School, 555 Fraser Ave, Lana'i City, Hawai'i 96763 (6:00 P.M. to 9:00 P.M.)

Information about the Act 2 EIS process, such as schedule and resources and issues to be evaluated, will be shared. Opportunities for providing input pertaining to additional resources and issues that should be addressed will be provided. Requests for further information about these meetings should be directed to: Ms. Lesley A. Matsumoto, Belt Collins Hawai'i, Ltd., Telephone: (808) 521-5361.

Corrections to the February 23, 2008, Issue: 'Ele'ele Facility Plan - FEA-FONSI Correction; Honolulu Marine Shipyard at Ke'ehi Lagoon - FEA-FONSI Corrections

In the January 23, 2008, edition of the Environmental Notice, there were two actions incorrectly published as draft environmental assessments. The first concerns the 'Ele'ele Facility Plan (Kaua'i Notices), originally published as a draft environmental assessment in the November 8, 2007, edition of the *Environmental Notice*. The second concerns the Honolulu Marine Shipyard at Ke'ehi Lagoon (O'ahu Notices), originally published as a draft environmental assessment in the September 8, 2007, edition of the *Environmental Notice*. The January 23, 2008, edition should have listed both documents as FEA-FONSI's. The OEQC apologizes for the errors and any inconvenience that they may have caused. Notice of availability of these FEA-FONSI documents are being republished in this March 8, 2008, edition of the *Environmental Notice* at pages 6 and 9.

Hawai'i Emergency Planning and Community Right-To-Know Law: Notice of Proposed Rulemaking

The Hawai'i Department of Health (HDOH) is preparing administrative rules to better implement and improve compliance with requirements of the Hawai'i Emergency Planning and Community Right-to-Know Act (HEPCRA), Chapter 128E, Hawai'i Revised Statutes (HRS). Please see page 12 for more information.

Agency/Applicant Action Designations in this Issue

HRS 343 has two mutually exclusive processing tracks; one is for agencies (**HRS 343-5(b)**), and the other is for applicants (**HRS 343-5(c)**). Starting with this issue, readers will be able to discern which of these tracks is applicable by looking at the parenthetical item following the title of the action. A draft EA for an agency action will have a parenthetical marker following the title that reads (HRS 343-5(b), DEA).

Lana'i Meteorological Towers - Draft Habitat Conservation Plan and Incidental Take License



The Department of Land and Natural Resources (DLNR) is seeking public comment on a draft habitat conservation plan (HCP) and incidental take license for endangered species for the Lana'i Meteorological Towers. The purpose of the HCP is to mitigate for impacts that construction and operation of the structures may have to four listed species: Hawaiian Petrel; Newell's Shearwater; Hawaiian Stilt; and, the Hawaiian Hoary Bat. These species are known to be in the vicinity and could be injured or killed if they collide with one of

the seven meteorological towers to be constructed on the site. Public comments are due on May 7, 2008. A public hearing will be held at the Lana'i High School Cafeteria, Lana'i City, on April 11, 2008, from 7:00 P.M. - 9:00 P.M. For more information, please see page 7.

Environmental Council Meeting on March 12, 2008

The Environmental Council will meet on Wednesday, March 12, 2008, starting at 1:00 P.M. for its standing committees, and at 2:00 P.M. for its full council meeting. Due to technical difficulties, the agenda was unable to be posted electronically; the agenda was timely faxed to the Lieutenant Governor's Office. For a copy of this agenda, please call OEQC at (808) 586-4185 or send an electronic mail to ehs001oeqc@doh.hawaii.gov.



Linda Lingle
Governor

Katherine Puana Kealoha
Interim Director
Office of Environmental Quality Control
Leiopapa A Kamehameha
235 South Beretania Street, Suite 702
Honolulu, Hawai'i 96813

Telephone (808) 586-4185 Facsimile (808) 586-4186

Electronic mail address: oeqc@doh.hawaii.gov

Moloka'i/Lana'i: 1-800-468-4644 ext.64185 Kaua'i: 274-3141 ext. 64185
Maui: 984-2400 ext. 64185 Hawai'i: 974-4000 ext. 64185

In this Issue

March 8, 2008

Front Page

Public Informational Meetings: Act 2 EIS for Harbor Improvements for Large-Capacity Ferry Vessel Company	1
Corrections to the February 23, 2008, Issue: 'Ele'ele Facility Plan and Honolulu Marine Shipyard at Ke'ehi Lagoon	1
Hawai'i Emergency Planning and Community Right to Know Law: Notice of Proposed Rulemaking	1
Lana'i Meteorological Towers - Draft Habitat Conservation Plan and Incidental Take License	1
Agency and Application Action Designations in Title	1

Hawai'i County Notices

(1) Makalei Fire Station (HRS 343-5(b), DEA)	4
(2) Fire Administration Support Complex, Hilo, (HRS 343-5(b), DEA)	4
(3) Hilo Central Fire Station (HRS 343-5(b), DEA)	4
(4) Development of Commercial Property at 514 Kanoiehewa Avenue (HRS 343-5(c), DEA)	5
(5) Wai'aha Water Systems, Transmission Mains and Reservoirs (HRS 343-5(c), DEA)	5
(6) Hina Lani Street 1.0 Million-Gallon Reservoir and Transmission Waterline; DWS Job No. 2003-824 (HRS 343-5(b), DEA)	6

Kaua'i County Notices

(7) 'Ele'ele Facility Plan (HRS 343-5(b), FEA-FONSI)	6
--	---

Lana'i Notices

(8) Draft Habitat Conservation Plan - Construction and Operation of the Lana'i Meteorological Towers, Lana'i, Hawai'i and Incidental Take License	7
---	---

Maui Notices

(9) Ma'alae'a Village Mixed Use - Commercial and Residential SMA Application (HRS 343-5(c), DEA)	8
--	---

O'ahu Notices

(10) Kailua-Kane'ohe Sewer Rehabilitation, Ko'olaupoko (HRS 343-5(b), FEA-FONSI)	8
(11) Honolulu Marine Shipyard at Ke'ehi Lagoon (HRS 343-5(b), FEA-FONSI)	9
(12) Kapi'olani Community College Culinary Institute of the Pacific (HRS 343-5(b), DEA)	9

HAR §11-200-27 Determination

Special Management Area Use Permit Application for Stanford Carr Development, LLC, for Site M, Mauna Lani Resort	10
--	----

Coastal Zone Notices

Federal Consistency Reviews: U.S. Navy Activities within the Hawai'i Range Complex	10
(13) Special Management Area Documents (Chapter 25, Revised Ordinances of Honolulu): Green Homes at Lualualei	11
Special Management Area (SMA) Minor Permits	11

Environmental Tip

Secondary Impacts	11
-------------------------	----

Shoreline Notices

Shoreline Certification Applications	12
Shoreline Certifications and Rejections	12

Pollution Control Permits

Department of Health Permits	13
------------------------------------	----

Federal Notices

Public Scoping Meetings, Hawaii Range Complex	14
Stryker Brigade FEIS Available	14
Revised Proposed Designation of Critical Habitat for 12 Species of Picture Wing Flies from the Hawaiian Islands	14
Hibiscus Place and Liljestrand House on O'ahu Nominated to Historic Places Register	15

Notice of Proposed Rulemaking

Hawaii Emergency Planning and Community Right-To-Know Law: Notice of Intent of Proposed Rulemaking	15
--	----

Photography Credits

Page 1, photograph of Newell's Shearwater (*Puffinus auricularis newelli*) by Keith Swindle, with much thanks to Mr. Swindle and the U.S. Fish and Wildlife Service.
Page 11, photograph of 'Ewa Junction (ca. 1944) courtesy of the Archives of the Department of Transportation, State of Hawai'i.

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, Hawaii 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 the 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

March 8, 2008

(1) Makalei Fire Station (HRS 343-5(b), DEA)

District: North Kona
TMK: (3) 7-2-07:01 (por.)
Proposing Agency: County of Hawai'i, Department of Public Works, Aupuni Center, 101 Pauahi Street, Suite 7, Hilo, Hawai'i 96720-4224. Telephone: (808) 961-8466

Determination Agency: Same as above.
Consultant: PBR Hawai'i & Associates, 1001 Bishop Street, ASB Tower, Suite 650, Honolulu, Hawai'i 96813. Contact: Vincent Shigekuni (808-521-5631)

Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

Comment Deadline: April 7, 2008
Permits Required: Special Permit and Plan Approval, Approval of Project Construction Plans, Building and Grading Permits, Underground Injection Control, Highway Connection

The County of Hawai'i proposes construction of a new fire station in North Kona. The project site is situated on a 2-acre site setback from Mamalahoa Highway (Highway 190). The fire station will include an apparatus bay, hose tower, office, kitchen/training room, dormitory, shower/restroom facilities, exercise/work rooms, laundry room, fuel tank, and parking areas for staff and guests. The station will also have a Hazmat Unit, an engine apparatus, and a ladder apparatus. Makalei Fire Station will not have any direct, indirect, secondary or cumulative impacts on the physical or human environments. The approving agency, County of Hawai'i Department of Public Works, anticipates issuing a Finding of No Significant Impact (FONSI).

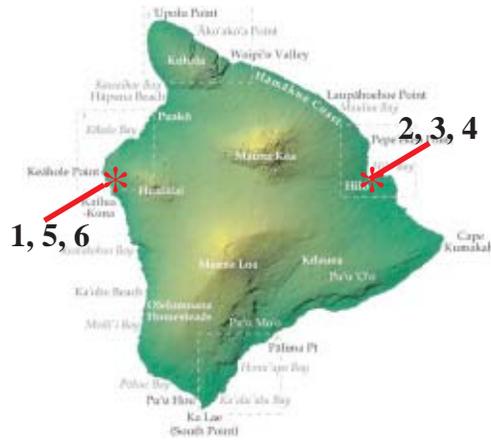
Status:

Comment Deadline: April 7, 2008
Permits Required:

96813. Contact: Michael Nishimura, Project Manager (808-521-3051).

Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

County of Hawai'i, Planning Department: Special Permit



This project proposes the construction of a Fire Administration Support Complex to serve as the main, centralized base of operations for the County of Hawai'i Fire Department for the area. The initial phase of the proposed complex, anticipated for construction commencement in mid- to late-2008, includes a Fire Administration Building, Emergency Dispatch Building, paved parking area to accommodate these buildings, paved access road within a 50-foot wide right-of-way on the east side of the property, and possibly a radio antenna for the Dispatch Building, depending on the line-of-sight conditions of the local topography. The master plan development also includes a Fire Preparation & Training Building, additional paved parking lot, open training area, court yard area, museum, covered training area, warehouse, and fire station in the future; however, the specifics of these facilities have not been finalized. Site lighting, potable water, sewer, storm water drainage, electrical service, telecommunications, and other miscellaneous fencing, signage and grading will be included in the design as required. The facilities will be designed to be ADA accessible. The proposed project will centralize the administrative units, emergency dispatch and personnel training for the Fire Department. A library copy of the draft environmental assessment was sent out for deposit on February 27, 2008 to the Hilo Library.

The proposed project will centralize the administrative units, emergency dispatch and personnel training for the Fire Department. A library copy of the draft environmental assessment was sent out for deposit on February 27, 2008 to the Hilo Library.

(3) Hilo Central Fire Station (HRS 343-5(b), DEA)

(2) Fire Administration Support Complex, Hilo, (HRS 343-5(b) DEA)

District: South Hilo
TMK: (3) 2-4-001:168 (portion)
Proposing Agency: County of Hawai'i, Department of Public Works, Aupuni Center, 101 Pauahi Street, Suite 7, Hilo, Hawai'i 96720-4224. Contact: Mr. David Yamamoto, Project Manager (808-961-8466)

Determination Agency: Same as above.
Consultant: M&E Pacific, Inc., Davies Pacific Center, 841 Bishop Street, Suite 1900, Honolulu, Hawai'i

District: South Hilo
TMK: (3rd) 2-4-28: portion of 07
Proposing Agency: County of Hawai'i Fire Department, 25 Aupuni Street, Suite 103, Hilo, Hawai'i 96720. Contact: Desmond Wery (808-981-8394).

Determination Agency: Same as above.
Consultant: PBR Hawai'i, ASB Tower, Suite 650, 1001 Bishop Street, Honolulu, Hawai'i 96813. Contact: Nancy Heinrich (808-521-5631)

Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

March 8, 2008

Comment Deadline: April 7, 2008
Permits Required: Plan approval, subdivision, NPDES, height variance, building and grading.

The County of Hawai'i Fire Department wishes to construct a new fire station and battalion headquarters in central Hilo. An existing central fire station is currently located 6/10 of a mile north of the project site at the corner of Kino'ole and Ponahawai Streets. The current fire station was built in 1939 and is located in the tsunami evacuation zone, requiring staff to evacuate the facility at a time critical for them to assist the public. There is thus a need for a new facility at a location outside of the evacuation zone. The site selected for the new central fire station is the Puna-makai corner of Wailoa and Ululani Streets. It is 1,999 acres in size and part of a larger public housing complex called Lanakila Homes, which is 29.3 acres in size. The Lanakila Homes site has been used for public housing since 1951, and prior to that, military housing. Five vacant houses will be removed and relocated elsewhere on the Lanakila Homes property to make way for the new fire station. Saint Joseph's Elementary and High Schools are across the street to the northeast. The project is also subject to National Environmental Policy Act compliance since it involves disposition of Federally-funded public housing.

(4) Development of Commercial Property at 514 Kanoiehua Avenue (HRS 343-5(c), DEA)

District: South Hilo
TMK: (3rd) 2-2-35:47
Applicant: Evansday Kona LLC, 109 Manulele Street, Hilo, Hawai'i 96720. Contact Matt McWhirter (808-217-7118).
Approving Agency: County of Hawai'i, Planning Department, 101 Aupuni Street, Suite 103, Hilo, Hawai'i 96720. Contact: Daryn Arai (808-961-8288, extension 204).
Consultant: Geometrician Associates, P.O. Box 396, Hilo, Hawai'i 96721. Contact: Ron Terry (808-969-7090).
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.
Comment Deadline: April 7, 2008
Permits: Hawai'i State DOT Approval for Work in the Right-of-Way of State Highway, Plan Approval, Building and Grading Permit.

Evansday, LLC, plans to purchase a 21,050-square foot property located at 514 Kanoiehua Avenue in Hilo (State Highway 11), which is zoned for mixed industrial-commercial use, in order to develop a commercial building. Evansday was informed by the Hawai'i State Department of Transportation that due to the location of the HELCO pole, water service and potential sewer line for this property within the right-of-way of a State Highway, these connections and any associated development would be subject to Chapter 343, HRS, Hawai'i's Environmental Impact

Statement law. Evansday plans to build a commercial building, but the exact purpose, design and configuration on the lot have not yet been determined. It is expected that the one-story building would be roughly 5,200 square feet and have about 22 parking spaces. Landscaping buffers would be provided on residential property margins and in other locations of the property to provide an attractive appearance and reduce scenic impacts to neighboring residences. The lot had a residence for many years and no biological, cultural, or archaeological resources are present. The property underwent analysis in 2006 related to a change of zone application; commercial use was found to be consistent with the General Plan and the change of zone guidelines and the Planning Commission and County Council approved the change of zone. The proposed use is completely conformant with zoning and issues of public facilities, services and utilities were evaluated and addressed as part of the change of zone process. Given adherence to conditions related to landscape buffers and coordination with agencies during the Plan Approval process and construction, no adverse impacts are foreseen.

(5) Wai'aha Water Systems, Transmission Mains and Reservoirs (HRS 343-5(c),DEA)

District: North Kona
TMK: (North) TMK: 7-5-11: 14, 27, 38; 7-5-12: 44, 45, 46, and 48. (South Mauka) TMK: 7-5-16: 15, 16, 17, 29, 88, 89, 90, 91, 92, 93, 94, 95, 102, and 103. (South Makai) TMK: 7-5-17: 11, 30, 40, 41, 42, and 43
Applicant: Wai'aha Systems, LLC / Wai'aha Systems II, LLC, P.O. Box 898, Kailua-Kona, Hawai'i 96745. Contact: Yukie Ohashi (808-985-2222).
Approving Agency: County of Hawai'i, Department of Water Supply, 345 Kekuanao'a Street, Suite 20, Hilo, Hawai'i 96720. Contact: Kurt Inaba, P.E. (808-961-8060).
Consultant: Yukie Ohashi, P.O. Box 786, Volcano, Hawai'i 96785. Contact: Yukie Ohashi (808-985-2222).
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.
Comment Deadline: April 7, 2008
Permits Required: State Historic Sites Compliance, National Pollutant Discharge Elimination System (NPDES) Permit, Rights-of-Way work approval, Grading Permit, Building Permit

In September 2007 the Hawai'i County Board of Water Supply adopted a Memorandum of Agreement between the Water Board and the Applicant to develop the Wai'aha well resource distribution system, including two transmissions mains and three reservoirs, along two routes between Mamalahoa Highway and Hienaloli Road and Mamalahoa Highway and Queen Ka'ahumanu Highway. The system, will be within existing private roadways and pasturelands, and will be dedicated to the County upon final inspection and approval. The proposed project will allow use of the presently under-utilized DWS Wai'aha production well which

Hawai'i Notices

March 8, 2008

has a capacity of 2 million gallons per day. The available high level water will be transmitted to the high demand lower elevation areas of North Kona, including lands controlled or managed by the Applicant, as well as other properties in the North Kona water system. The overall beneficial effect will be an increase in water quantity and quality for the community. Construction of the project will include traffic increases which will be mitigated through a traffic control plan. No sensitive biological, archaeological, or cultural resources are present; however, if any archaeological or human remains are encountered, work will be halted and the State Historic Preservation Division will be notified.

(6) Hina Lani Street 1.0 Million-Gallon Reservoir and Transmission Waterline; DWS Job No. 2003-824 (HRS 343-5(b), DEA)

District: North Kona
TMK: (3rd) 7-3-009:049, 7-3-009:030, 7-3-008:038, and 7-4-006:016

Proposing Agency: County of Hawai'i, Department of Water Supply, 345 Kekuanao'a Street, Hilo, Hawai'i 96720. Contact: Gerald Yorita (808-961-8070).

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

Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

Comment Deadline: April 7, 2008

Permits Required: Building and grading; plan approval; National Pollutant Discharge Elimination System (NPDES) construction and hydrotesting.

The County of Hawai'i, Department of Water Supply ((DWS), a semi-autonomous County agency, has the responsibility to manage, control, and operate the water system of the County. The project includes construction of a 1.0-million gallon (MG) reservoir and 24-inch transmission waterline approximately 3, 375-

foot long to be owned, operated, and maintained by the Department of Water Supply. The improvements will provide additional potable water storage for the system which primarily serves the Kaloko Light Industrial subdivision and developments to the north along the Queen Ka'ahumanu Highway. The project will also allow use of water from higher elevation wells that would improve the overall quality and taste of the water. The additional water storage and transmission are needed to provide water for domestic and fire protection services for the North Kona area of Hawai'i, thus the project is needed to maintain the public health and welfare for the residents of this area of the County. The Hina Lani Street 1.0-MG reservoir project site is located in the Kaloko, North Kona District of Hawai'i about 6.1 miles north and east of Kailua-Kona within lands owned by the County of Hawai'i. The 1.0 MG reservoir project site is located on the south side of Hina Lani Street about 2.5 miles east of the intersection of Queen Ka'ahumanu Highway, State Route 19, and Hina Lani Street, and about 0.95 miles east or makai of the Kona Heavens subdivision. The 24-inch transmission waterline will be located within the County-owned right-of-way and outside of the travel way of Hina Lani Street. The 1.0 MG reservoir project site (TMK 7-3-009:049) will occupy an area of about 1.39 acres, 60,440 square feet, at an elevation of about 914 feet mean sea level within an area which has not been previously developed. The reservoir will be approximately 96 feet in diameter and about 20 feet high and will look similar to the three other reservoirs already constructed by the DWS on Hina Lani Street. The 24-inch transmission waterline will connect to an existing 24-inch line which extends west or makai on Hina Lani Street from Mamalahoa Highway. The new 24-inch transmission line will cross from the south side of Hina Lani Street to the north side about 1,475 feet from the reservoir site. Improvements for remote monitoring will be made at three other DWS reservoirs located in the vicinity. The transmission waterline is located within the County-owned right-of-way of Hina Lani Street and does not have a zoning designation. The reservoir site, TMK: 7-3-009:049, is also owned by the County of Hawai'i and designated Urban by the State Land Use Commission and has zoning designation of R-15 by the County of Hawai'i. The project site is not located within the County of Hawai'i Special Management Area. Since the project site has not been previously cleared, construction activities would primarily be related to construction of the reservoir site and trenching for the transmission line. These activities will create dust and noise while work occurs on the project site. Once operational, the only activity would be occasional visits by DWS personnel to perform periodic monitoring and maintenance functions.

Kaua'i Notices

(7) 'Ele'ele Facility Plan (HRS 343-5(b), FEA-FONSI)

District: Koloa
TMK: Various

Proposing Agency: County of Kaua'i, Department of Public Works, Division of Wastewater Management, 4444 Rice Street, Suite 500, Lihu'e, Kaua'i, Hawai'i 96766, Contact - Mr. Edward Tschupp, (808-241-6610), facsimile (808-241-6589).

Determination Agency: Same as above.
Consultant: Fukunaga & Associates, Inc., 1388 Kapi'olani Boulevard, 2nd Floor, Honolulu, Hawai'i 96814. Contact - Andrew Amuro, (808-944-1821). Facsimile: (808-346-9339).

Status: Final environmental assessment (FEA) notice and Finding of No Significant Impact determination. This publication corrects the January 23, 2008, edition of the *Environmental Notice* that incorrectly announced the action as a draft

Kaua'i Notices

March 8, 2008

Permits Required:

environmental assessment. Notice of the draft environmental assessment was previously published in the November 8, 2007, edition of the *Environmental Notice*.

National Pollutant Discharge Elimination System Permit (if required, based on Contractor's construction methods), NPDES Stormwater, Construction dewatering, Hydrotesting Permits, Underground Injection Control (UIC) Permit, Building Permit, Grading Permit, Pressure Vessel and Boiler Permit, Fuel Storage Tank permit, Wastewater Management Permit, Conditional Use Permit, Noncovered Stationary Source for Permit (modification/update), Water Quality Certification, Community Noise Permit, Notification of Renovation and Demolition Permit, Well Construction Permit

The purpose of this project is to develop a comprehensive wastewater facility plan for the 'Ele'ele Wastewater Treatment Plant (WWTP) and associated sewer system serving the 'Ele'ele, Hanapepe, and Port Allen areas. The County of Kaua'i, Department of Public Works, Division of Wastewater Management proposes improvements to 'Ele'ele WWTP, sewer pump stations, and sewer system. The planning period of this project encom-

passes from the present to the year 2025. The project report will be used to help improve water quality, protect public health, and accommodate planned future growth. The plan includes estimation of the future wastewater flow based on population growth estimates up to the year 2025 and consultation with State and County agencies; evaluates future wastewater treatment and effluent disposal alternatives; and estimates costs and pricing data for the alternatives. These considerations will be used to

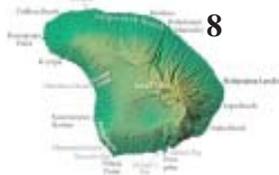
determine the timing and need for expansion of the 'Ele'ele WWTP and other construction within the 'Ele'ele wastewater system. Short-term impacts are associated with the construction activities at each of the project sites. These are not anticipated to be significant; and will be controlled and minimized by Federal, State, and County of Kaua'i laws, regulations, best management practices, and monitoring of construction by County inspectors. This project addresses repairs, replacement and improvements in the conveyance and treatment capabilities of the Wailua Sewer System. No negative long-term impacts are anticipated.



Lana'i Notices

(8) Draft Habitat Conservation Plan - Construction and Operation of the Lana'i Meteorological Towers, Lana'i, Hawai'i and Incidental Take License.

The following notice is published pursuant to Section 343-3(c), Hawai'i Revised Statutes, which requires OEQC to inform the public of: (1) a public comment process or public hearing if a federal agency provides for the public comment process or public hearing to process a habitat conservation plan, safe harbor agreement, or incidental take license pursuant to the federal Endangered Species Act; and (2) a proposed habitat conservation plan or proposed safe harbor agreement, and availability for inspection of the proposed agreement, plan and application to enter a planning process for the preparation and implementation of the habitat conservation plan for public review and comment; and (3) a proposed incidental take license as part of a habitat conservation plan or safe harbor agreement. For more information, please call the Department of Land and Natural Resources, Division of Forestry and Wildlife at (808) 587-4187.



Applicant:

lulu, Hawai'i 96813. Contact: Scott Fretz (808-587-4187)

Castle and Cooke Resorts, LLC, P.O. Box 630310, 1311 Fraser Avenue, Lana'i City, Hawai'i 96763. Contact: Alicia Oller, (503-727-8072)

Approving Agency:

Department of Land and Natural Resources

Comment Deadline:

May 7, 2008

Status:

Approval of Habitat Conservation Plan and issuance of Incidental Take License pending public comment. Address comments to the proposing agency. Public hearing to be held at the Lana'i High School Cafeteria, Lana'i City, April 11, 2008, 7:00 P.M. - 9:00 P.M..

The purpose of the Habitat Conservation Plan (HCP) is to mitigate for impacts that construction and operation of the structures may have to four listed species: Hawaiian Petrel ('Ua'u - *Pterodroma sandwichensis*), Newell's Shearwater ('A'o - *Puffinus auricularis newelli*), Hawaiian Stilt (Ae'o - *Himantopus mexicanus knudseni*), and Hawaiian Hoary Bat ('Ope'ape'a - *Lasiurus cinereus semotus*). These species are known to be in the vicinity and could be injured or killed if they collide with one of the seven meteorological towers to be constructed on the site. The applicant, Castle and Cooke Resorts, LLC, has included measures to minimize impacts, but it is still anticipated that up to 14 'Ua'u and two of each of the additional three species could be harmed or killed over the approximately two-year term of the

Lana'i Notices

March 8, 2008

HCP. The following documents are available for public review: (1) Draft Habitat Conservation Plan; (2) Draft Incidental Take License; (3) Approved Board submittal for release of the Habitat Conservation Plan; and (4) Comments from the Endangered Species Re-

covery Committee. Documents available at the Hawai'i State Main Library, the Lana'i Public Library, and the Division of Forestry and Wildlife offices in Honolulu and Wailuku, and online at <http://www.state.hi.us/dlnr/dofaw/pubs/index.html>.

Maui Notices

(9) Ma'alae'a Village Mixed Use - Commercial and Residential (HRS 343-5(c), DEA)

District: Wailuku
TMK: (2nd) 3-6-008:006
Applicant: Victory Development Hawai'i, LLC, 161 Wailea 'Ike Place, Suite A-105, Wailea, Hawai'i 96753. Contact: Jordan Hart (808-242-1955).
Approving Agency: County of Maui, Planning Department, 250 S. High Street, Wailuku, Hawai'i 96793. Contact: Paul Fasi (808-270-7814).
Consultant: Chris Hart & Partners, Inc., 115 North Market Street, Wailuku, Hawai'i 96793. Contact: Jordan Hart (808-242-1955).
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

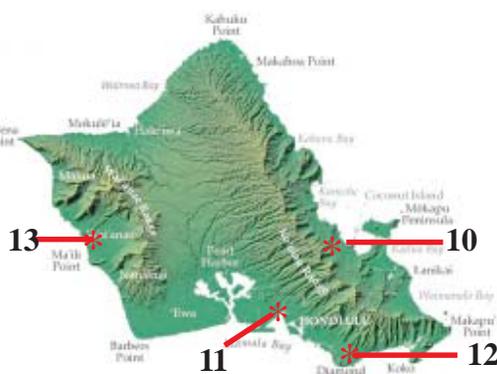


This is an SMA application for a 110-mixed-use residential and commercial development with 40% affordable housing element, within 6 buildings, swimming pool, onsite amenities, infrastructural and landscape improvements. There is no trigger for Chapter 343 - this is a voluntary submittal. A FONSI is submitted.

O'ahu Notices

(10) Kailua-Kane'ohe Sewer Rehabilitation, Ko'olaupoko (HRS 343-5(b), FEA-FONSI)

District: Ko'olaupoko
TMK: Public right-of-ways, sewer easements, and TMK 4-5-104: 28
Proposing Agency: City and County of Honolulu, Department of Design and Construction, 650 South King Street, Honolulu, Hawai'i 96813. Contact: Carl Arakaki (808-768-8738).
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).
Permits: NPDES for Construction Activities, Dewatering; One-time review of construction plans; Trenching Permit
Status: Finding of No Significant Impact (FONSI)



ter collection system in the greater Kailua area operated and maintained by the City and County of Honolulu. The two wastewater sub basins identified for the initial upgrade and rehabilitation are Enchanted Lake and Kokokahi, a small area fronting Kane'ohe Bay. Previous studies prepared for the Department of Design and Construction (DDC), have shown these two sub basins require upgrade and rehabilitation to

mitigate high wet weather infiltration/inflow, high dry weather infiltration, and high wastewater salinity as a result of seawater infiltration. The sewer rehabilitation of these two sub-basins will consist of the reconstruction of 14,546 linear feet of existing sewer line using the cured-in-place pipe (CIPP) reconstruction method, and 1,245 linear feet of open trench construction for replacement of existing sewer lines within existing City streets. The CIPP reconstruction method involves inserting a flexible fabric tube/liner impregnated with a thermosetting resin into the existing sewer line from an existing sewer manhole. The liner is filled with heated

The Kailua-Kane'ohe Sewer Rehabilitation Project is part of a multiphase approach to upgrade and rehabilitate the wastewater

March 8, 2008

water or steam to set the resin. The open-trench method involves digging a trench within the street right-of-way, placing the new pipe, and covering and re-paving the street. The primary adverse impacts would occur during the construction period when segments of street travel lanes would be closed to accommodate equipment for placement of the cured-in-place pipe material and while open trenches are excavated. These activities will create lane closures, traffic delays, noise, and dust while construction proceeds. Once construction has been completed, the travel lanes will be restored and vehicle traffic can resume normal patterns.

(11) Honolulu Marine Shipyard at Ke'ehi Lagoon (HRS 343-5(c), FEA-FONSI)

District: Honolulu
TMK: (1) 1-2-025: 024 (por.) and 035
Applicant: Honolulu Marine, LLC, 123 Ahui Street, Honolulu, Hawaii 96813. Contact: Mark Delventhal (808-526-9311).

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

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

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

Status: Final environmental assessment (FEA) notice and Finding of No Significant Impact determination. This publication corrects the January 23, 2008, edition of the *Environmental Notice* that incorrectly announced the action as a draft environmental assessment. Notice of the draft environmental assessment was previously published in the September 8, 2007, edition of the *Environmental Notice*.

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 Hawaii '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 Hawaii '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 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, store-room 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.

(12) Kapi'olani Community College Culinary Institute of the Pacific (HRS 343-5(b), DEA)

District: Honolulu
TMK: (1) 3-1-42:11
Proposing Agency: University of Hawaii 'i - Kapi'olani Community College, 4303 Diamond Head Road, Honolulu, Hawaii 96816-4421. Contact: Carol Hoshiko, Dean (808-734-9561)

Determination Agency: University of Hawaii 'i Community Colleges, 2327 Dole Street, Honolulu, Hawaii 'i 96822. Contact: Michael Unebasami, Associate Vice President. Telephone: (808-956-6280).

Consultant: PBR Hawaii 'i, 1001 Bishop Street, ASB Tower, Suite 650, Honolulu, Hawaii 96813. Contact: Michael Shibata, Planner (808-521-5631).

Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

Comment Deadline: April 7, 2008
Permits Required: Permits Required: Special Management Area Use Permit - Major, Plan Review Use, Diamond Head Special District, National Pollutant Discharge Elimination System (NPDES) Permit and Building/Grading Permits.

The University of Hawaii 'i, Kapi'olani Community College (KCC) proposes to develop the Culinary Institute of the Pacific (CIP) on the former Fort Ruger Cannon Club property, identified by Tax Map Key: (1) 3-1-42:11. The Culinary Institute of the Pacific at Diamond Head (Project) will be an international-level culinary training facility, and will be uniquely positioned geographically to bring together the tastes and influences of Asia and the Pacific, with those of the mainland United States and Europe. The Project will build upon the strong foundation of KCC's food service and hospitality education department, fostering a first four-year program (at KCC) that offers more options in noncredit training. A new state-of-the-art facility will be constructed on the site to house the Program for Advanced Culinary

O'ahu Notices

March 8, 2008

Education, and will include instructional culinary laboratories, classrooms, administration and faculty offices, outdoor garden theme plots, outdoor imu pit and baking/barbeque area, demon-

stration and competition amphitheater, and a restaurant. The facility will strive to be designed for a Leadership in Energy and Environmental Design (LEED) New Construction silver standard.

HAR §11-200-27 Determination

Special Management Area Use Permit Application for Stanford Carr Development, LLC, for Site M, Mauna Lani Resort.

In a January 29, 2008, letter to the Office of Environmental Quality Control, pursuant to Section 11-200-27, Hawai'i Administrative Rules, the Planning Department of the County of Hawai'i has determined that a supplemental environmental impact statement is not required for Special Management Area Use Permit Application (SMA 07-000019) for Stanford Carr Development, LLC, and relating to Tax Map Key: 6-8-1:54 and 6-8-22:10. An environmental impact statement related to the permit application for the Mauna Lani Resort was accepted by the Land Use Commission on August 2, 1985. For more information, please contact Mr. Christopher Yuen at (808) 961-8288.

Coastal Zone Notices

Federal Consistency Reviews

The Hawai'i Coastal Zone Management (CZM) Program has received the following federal actions to review for consistency with the CZM objectives and policies in Chapter 205A, Hawai'i Revised Statutes. This public notice is being provided in accordance with section 306(d) (14) of the National Coastal Zone Management Act of 1972, as amended. For general information about CZM federal consistency please call John Nakagawa with the Hawai'i CZM Program at 587-2878. For neighboring islands use the following toll free numbers: Lana'i & Moloka'i: 468-4644 x72878, Kaua'i: 274-3141 x72878, Maui: 984-2400 x72878 or Hawai'i: 974-4000 x72878. For specific information or questions about an action listed below please contact the CZM staff person identified for each action. Federally mandated deadlines require that comments be received by the date specified for each CZM consistency review and can be mailed to: Office of Planning, Department of Business, Economic Development and Tourism, P.O. Box 2359, Honolulu, Hawai'i 96804. Or, fax comments to the Hawai'i CZM Program at 587-2899.

Mail: Office of Planning
Department of Business, Economic Development and Tourism
P.O. Box 2359
Honolulu, Hawai'i 96804
Email: jnakagawa@dbedt.hawaii.gov
Fax: (808) 587-2899

U.S. Navy Activities within the Hawai'i Range Complex

Federal Action: Federal Agency Activity
Federal Agency: Commander, U.S. Pacific Fleet, Department of the Navy
Contact: Neil Sheehan, (808) 474-7836
CZM Contact: John Nakagawa, (808) 587-2878
Proposed Action: Support and conduct current and emerging Navy Pacific Fleet training, and research, development, test and evaluation (RDT&E) operations in the Hawai'i Range Complex (HRC), and upgrade or modernize range complex capabilities to enhance and sustain Navy training and testing. The HRC is one of the Navy's range complexes and is used for training operational forces, military systems and equipment RDT&E, and other military activities. The HRC covers 235,000 square nautical miles around the Main Hawaiian Islands and a 2.1 million square nautical miles Temporary Operating Area of sea

and airspace. The roles and missions for the HRC include providing training opportunities and increasing training operations for eight naval warfare mission areas, specifically: Anti-Air Warfare; Amphibious Warfare; Anti-Surface Warfare; Anti-Submarine Warfare, including Rim of the Pacific (RIMPAC) and Undersea Warfare Exercise (USWEX); Mine Warfare; Strike Warfare, involving Ka'ula Island and Pohakuloa Training Area; Electronic Combat; and Naval Special Warfare. Details of the proposed action are contained in both the HRC Draft Environmental Impact Statement (EIS) and the Supplement to the Draft EIS, which can be viewed and downloaded at: <http://www.govsupport.us/navynepahawaii/hawaiiirceis.aspx>

Comments Due: March 24, 2008

Coastal Zone Notices

March 8, 2008

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, Hawai'i 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.

(13) Green Homes at Lualualei

District: Wai'anae
TMK: 8-7-33: 11 and 22
Applicant: Ma'ili Beach Eco-Estates, Imperial Plaza, 725 Kapi'olani Boulevard, C-405, Honolulu, Hawai'i 96813. Contact: R.J. Martin, Project Manager (808-723-5541).
Agency: City and County of Honolulu, Department of Planning and Permitting, 650 South King Street, Honolulu, Hawai'i 96813. Contact: Sharon Nishiura (808-768-8031).
Consultant: Architechnology, Inc., 1750 Kalakaua Avenue, No. 200, Honolulu, Hawai'i 96826. Contact: Jo Paul Rognstad, AIA (808-955-6677).
Comment Deadline: April 7, 2008
Permits Required: Special Management Area Use Permit (SMP), Cluster Housing, Grading and Building Permit

The applicant is proposing a cluster housing development off of Farrington Highway, in Lualualei, O'ahu, Hawai'i. The project site is comprised of two (2) vacant lots (Parcels 11 and 22), totaling 2.78 acres, which are separated by an open drainage channel (Ulehawa Channel). An existing bridge provides access from Parcel 11 to Parcel 22. The proposed development will consist of 22 single-family dwellings (1,300 square-feet each), private roadway, utilities, a private park and other associated improvements. Parcel 11 (1.26 acres), which will accommodate 8 of the 22 dwellings and the proposed park, is located within the Special Management Area and will require a Special Management Area Use Permit (SMP). The site is zoned R5 Residential District and the applicant proposes to develop the project under a cluster housing permit. Construction will commence when all necessary permits and approvals are obtained and should take about a year and a half to complete.

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: Ha'ena	After-the-fact-various (SMA(M)-2008-12)	Burmeister Family Trust
Kaua'i: Princeville	Trimming and topping of Koa wood trees in Conservation District (SMA(M)-2008-13)	A OAO Ali'ikai
Maui: Ma'alae'a (3-6-01-31)	Dwelling addition alteration (SM2 20080018)	McGovern, Rick
Maui: Sprecklesville (3-8-02-94)	Riley Beach restoration & road stabilization (SM2 2008--19)	James Riley

Environmental Tip

Secondary Impacts

Certain actions, such as highway development, can induce growth. Such induced growth is an example of a secondary or indirect impact. Section 11-200-17(i), Hawai'i Administrative Rules, is especially instructive when it states: "[i]t should be realized that several actions, in particular those that involve the construction of public facilities or structures (e.g., high-



ways, airports, sewer systems, water resource projects, etc.) may well stimulate or induce secondary effects." The photograph to the right (courtesy of the archives of the Department of Transportation, State of Hawai'i) shows the junction of Farrington Highway and Fort Weaver Road about 1944. Note the surrounding agrarian usage in the sugar cane plantings. It is instructive to reflect on the extent to which this environment has changed since then.

Shoreline Notices

March 8, 2008

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-1213	02/14/2008	Lots 158 to 162, Land Court Application 1069 (Map 26), situate at Honouliuli, 'Ewa, Island of O'ahu. Address: 91-333, 91-329, 91-317, 91-309 and 91-303 Paipipi Road. Purpose: Future development	Park Engineering/Haseko ('Ewa) Inc.	9-1-011:001 to 005
OA-1214	02/21/2008	Lot 122, Land Court Application 1095 (Map 10), situate at Kawela, Ko'olaupoko, Island of O'ahu. Address: 57-423 Honokawela Drive. Purpose: New house construction	DJNS Surveying & Mapping, Inc./Paul R. Johnstone	5-7-003:038
MA-396	02/12/2008	Lot 19, Waiohuli-Keokea Beach Lots, 2nd Series, situate at Waiohuli-Keokea, Kihei, Island of Maui. Address: 1506 Halama Street. Purpose: SMA/Building permit.	Akamai Land Surveying, Inc./Vernon Altman	3-9-010:015
MO-139	02/25/2008	Lot 338, Land Court Application 1683 (Map 19), situate at Kaluako'i, Island of Moloka'i. Address: 4260 Pohakuloa Road. Purpose: Building setback	Action Survey/Thomas & Kerri Lether	5-1-008:050

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-1202	Proposed Shoreline Certification	Lot 1006, Land Court Application 677 (Map 227), situated at Kailua, Ko'olaupoko, Island of O'ahu. Address: 123 Kailuana Loop. Purpose: Building setback.	Jaime F. Alimboyoguen/Edwin Catmull	4-3-083:010
OA-1211	Proposed Shoreline Certification	Lot 6, portion of R.P. 4498, L.C. Aw. 6175 Ap. 1, situated at Wailupe, Honolulu, Island of O'ahu. Address: 5295 Kalaniana'ole Highway. Purpose: Building setback	R.M. Towill Corporation/Kauilani, LLC	3-6-002:002
MA-395	Proposed Shoreline Certification	Lot 2 of Seibu Makena Hotel Subdivision II and Lot 3 of Maui Prince Hotel Subdivision, situated at Honua'ua, Makawao, Island of Maui. Address: None assigned. Purpose: Shoreline setback and permit	R.M. Towill Corporation/Makena Golf, LLC	2-1-006:036 & por. 057
HA-385	Proposed Shoreline Certification	Portion of R.P. 7819, L.C. Aw. 8559-B, Ap. 8, situated at Puapua'a 2nd, North Kona, Island of Hawaii. Address: 75-6092 Ali'i Drive. Purpose: Building permit	Wes Thomas Associates/Boaz LLC	7-5-020:021

Pollution Control Permits

March 8, 2008

Department of Health Permits

The following 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 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
CAB, 586-4200, TNCSP	Pineridge Farms, Inc., CSP No. 0507-01-CT, Renewal Application No. 0507-05	Various Temporary Sites, State of Hawai'i	Issued 2/14/08	195 TPH, Crushing Plant, 200 TPH Screening Plant, 500 TPH Screening Plant, and 400 TPH Crushing and Screening Plant
CAB, 586-4200, CSP	Navy Region Hawai'i CSP No. 0113-01-C Application for Renewal No. 0113-03	Waiawa Water Pumping Station, Pearl City, O'ahu	Issued 2/21/08	One (1) 2.0 MW Combustion Turbine
CAB, 586-4200, CSP	Bac on Universal Company, Inc. CSP No. 0659-01-CT Initial Application No. 0659-01	Various Temporary Sites, State of Hawai'i	Public Comments Due 3/24/08	Mobile Crusher
CAB, 586-4200, TCSP	Bac on Universal Company, Inc. CSP No. 0660-01-CT Initial Application No. 0660-01	Various Temporary Sites, State of Hawai'i	Public Comments Due 3/24/08	Mobile Crusher
CAB, 586-4200, TCSP	Bac on Universal Company, Inc. CSP No. 0661-01-CT Initial Application No. 0660-01	Various Temporary Sites, State of Hawai'i	Public Comments Due 3/24/08	Mobile Crusher
CAB, 586-4200, TNCSP	RHS Lee, Inc. CSP No. 0669-01-CT Initial Application No. 0669-01	Various Temporary Sites, State of Hawai'i	Public Comments Due 3/24/08	Mobile Crushing and Screening Plants
CAB, 586-4200, TNCSP	Imperium Renewables, LLC, CSP No. 0649-01-C, Initial Application No. 0649-01	Kalaehoa Barbers Point Harbor, Kapolei, O'ahu	Issued: 2/25/08	Biodiesel Facility
SDWB, 586-4258, UICP	Communication Operations Division U.S. Army Garrison, Hawai'i, UH-2519	Kilauea Military Camp, Joint Services Recreation Center, Crater Rim Road, Volcano National Park, Ka'u	N/A	Modify and register 13 injection-well seepage pits for sewage disposal.
SDWB, 586-4258, UICP	Waiakeawaena Elementary School, Department of Education, State of Hawai'i, UH-2643	Waiakeawaena Elementary School, (3)2-242:7, 17; 2420 Kilauea Avenue, Hilo	N/A	Register 5 injection-well seepage pits for sewage disposal.
SDWB, 586-4258, UICP	Keaau Middle School, Department of Education, State of Hawai'i, UH-2644	Keaau Middle School, (3)1-6-2:1, 1-6-3:59; 16-565 Keaau-Pahoa Road, Keaau	N/A	Register 5 injection-well seepage pits for sewage disposal.
SDWB, 586-4258, UICP	Mountain View Elementary School Department of Education, State of Hawai'i, UH-2645	Mountain View Elementary School (3)1-8-1:7; 18-1235 Volcano Highway, Mountain View	N/A	Register 4 injection-well seepage pits for sewage disposal.
SDWB, 586-4258, UICP	Queen Lili'uokalani Trust, UH-2642	Eho Street Extension between Queen Ka'ahumanu Highway and Luhia Street, Keaolu, North Kona	N/A	Construct 2 drainage injection wells for surface runoff.
SDWB, 586-4258, UICP	Kalaehoa Partners, L.P., UO-1496	Kalaehoa Cogeneration Plant, 91-111 Kalaehoa Boulevard, Kapolei	N/A	Modify permit for 2 injection wells for industrial wastewater disposal.
SDWB, 586-4258, UICP	Quicksilver Retail, Inc., UO-2640	Quicksilver Retail, Inc. - Kammie's Store, 59-176 Kamehameha Highway, Haleiwa	N/A	Abandon 2 unregistered injection-well cesspools.
SDWB, 586-4258, UICP	Airgas Gaspro, UO-2057	Airgas Gaspro Ewa Beach Facility, 91-102 Kaomi Loop, CIP, Kalaehoa	N/A	Renew permit for 1 injection well for industrial wastewater disposal.
SDWB, 586-4258, UICP	15th Civil Engineering Squad, Department of the Air Force, UO-1352	Hickam AFB, 18-Hole Golf Course, (1)1-1-1:1; 625 Worcester Avenue, Hickam Air Force Base	N/A	Abandon 2 of 4 injection wells for sewage disposal.
SDWB, 586-4258, UICP	Department of the Air Force, UO-2641	Hickam AFB, Building 3200, (1)1-1-2:15; Hickam Air Force Base	N/A	Abandon 2 unregistered injection-well cesspools.
SDWB, 586-4258, UICP	Waialu High and Intermediate School Department of Education, State of Hawai'i, UO-2639	Waialu High & Intermediate School, (1)6-7-2:9,10,29,30; 67-160 Farrington Highway, Waialu	N/A	Register 20 injection-well seepage pits for sewage disposal.
SDWB, 586-4258, UICP	Navy Region Hawai'i, U.S. Department of the Navy, UO-2652	Navy Retention Area at Barbers Point, (1)9-1-13:1; Barbers Point, Kapolei	N/A	Abandon 1 unregistered drainage injection well
SDWB, 586-4258, UICP	Kilauea Elementary School, Department of Education, State of Hawai'i, UK-2646	Kilauea Elementary School (4)5-2:9:6; 2440 Kolo Road, Kilauea	N/A	Register 2 injection-well seepage pits for sewage disposal.

Federal Notices

March 8, 2008

Hawai'i Range Complex Public Scoping Meetings

Pursuant to section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969 and regulations implemented by the Council on Environmental Quality (40 CFR Parts 1500-1508), and Presidential Executive Order 12114, the Department of the Navy (Navy) prepared and filed with the U.S. Environmental Protection Agency on February 15, 2008, a Supplement to the Draft EIS/OEIS for a Proposal to Enhance Training, Testing, and Operational Capability within the HRC. The Supplement to the Draft EIS/OEIS evaluates the potential for behavioral harassment of marine mammals incidental to the use of mid-frequency active sonar during Navy training and testing within the HRC. The methodology used in the Supplement is a modification of the methodology previously used in the Draft EIS/OEIS. The supplement to the Draft EIS/OEIS also addresses a change in the number of sonar hours for each of the alternatives and the potential effects of an additional alternative. A Notice of Intent for the Supplement to the Draft EIS/OEIS was published in the Federal Register on January 17, 2008 (73 F.R. 3242). The Navy will conduct four public meetings to receive oral and written comments on the Supplement to the Draft EIS/OEIS. Federal agencies, State agencies, and interested individuals are invited to be present or represented at the public meetings. This notice announces the dates and locations of public meetings for the Supplement to the Draft EIS/OEIS. Dates and Addresses: Information sessions and receipt of public comments will be held at each of the locations listed below between 5:00 P.M. to 9:00 P.M. The information sessions will allow individuals to review the Supplement to the Draft EIS/OEIS in an open house format. Navy and NMFS representatives will be available during the information sessions to clarify information related to the Supplement to the Draft EIS/OEIS. Oral comments from the public will also be taken during the session. Public meetings will be held on the following dates and at the following locations in Hawai'i: **March 13, 2008** at the Kaua'i Community College Cafeteria, 3-1901 Kaunuaui Highway, Lihue, Kaua'i; **March 14, 2008** at Maui Waena Intermediate School 795 Onehe Avenue, Kahului, Maui; **March 17, 2008** at Disabled American Veterans Hall 2685 North Nimitz Highway, Honolulu, O'ahu; **March 18, 2008**, Hilo Hawaiian Hotel, 71 Banyan Drive, Hilo, Hawai'i. For further information please contact the Public Affairs Officer, Pacific Missile Range Facility, P.O. Box 128, Kekaha, Kaua'i, Hawai'i, 96752-0128, Attention: HRC EIS/OEIS, voice mail 1 (866) 767-3347, facsimile (808) 335-4520 (see, 73 F.R. 10232, February 26, 2008).

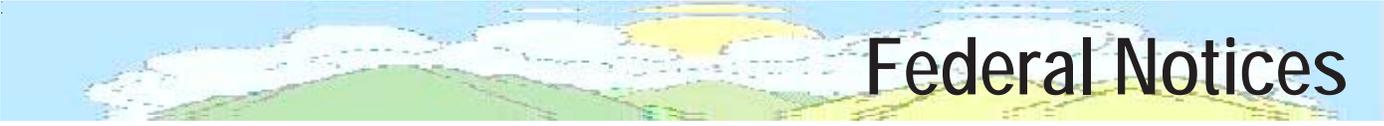
Notice of Availability of FEIS for the Permanent Stationing of the 2nd Brigade, 25th Infantry Division Stryker Brigade Combat Team (SBCT)

The Department of the Army announces the availability of a FEIS for the permanent stationing of the 2nd Brigade, 25th Infantry Division (2/25th) SBCT. Pursuant to the National Environmental Policy Act (NEPA), the Department of the Army has prepared an Environmental Impact Statement (EIS) to disclose potential impacts to the natural, physical, and human environment resulting from the permanent stationing of the 2/25th SBCT. Potential impacts have been analyzed at installations that are capable of meeting the SBCTs training, operational, Soldier and Family quality of life, and strategic deployment requirements. This FEIS identifies Schofield Barracks Military Reservation in Hawai'i as the

Army's preferred alternative for the stationing location of the 2/25th SBCT. A Record of Decision (ROD) will announce the final location decision after the 30-day waiting period for the FEIS has been completed. The waiting period for the FEIS will end 30 days after publication of an NOA in the Federal Register by the U.S. Environmental Protection Agency. Send all written comments concerning this EIS to: Public Affairs Office, U.S. Army Environmental Command, Building E4460, 5179 Hoadley Road, Attention: IMAE-PA, Aberdeen Proving Ground, MD 21010-5401. E-mail comments should be sent to: PublicComments@aec.apgea.army.mil. For more information contact the Public Affairs Office at (410) 436-2556; facsimile: (410) 436-1693 during normal business hours Monday through Friday 9:00 A.M. to 5:00 P.M., Eastern Standard Time (see, 73 F.R. 9779, February 22, 2008).

Endangered and Threatened Wildlife and Plants; Revised Proposed Designation of Critical Habitat for 12 Species of Picture-Wing Flies From the Hawaiian Islands

The U.S. Fish and Wildlife Service (FWS) announces the reopening of the public comment period and the scheduling of public hearings on the revised proposed rule to designate critical habitat for 12 species of Hawaiian picture-wing flies (*Drosophila aglaia*, *D. differens*, *D. hemipeza*, *D. heteroneura*, *D. montgomeryi*, *D. mulli*, *D. musaphilia*, *D. neoclavisetae*, *D. obatai*, *D. ochrobasis*, *D. substenoptera*, and *D. tarphytrichia*) on the islands of Hawai'i, Kaua'i, Maui, Moloka'i, and O'ahu, under the Endangered Species Act of 1973, as amended (Act). The reopened comment period will provide the public, other concerned governmental agencies, the scientific community, industry, or any other interested parties with an additional opportunity to submit written comments on the revised proposed rule. Comments previously submitted need not be resubmitted as they have already been incorporated into the public record and will be fully considered in any final decisions. FWS will accept comments and information until April 25, 2008, or at the public hearings. Any comments received after the closing date may not be considered in the final decision on the designation of critical habitat. Two public hearings will be held, one on the island of Hawai'i on April 8, 2008, from 7:00 P.M. to 8:30 P.M. at Hilo Hawaiian Hotel, Mala Ikena Room, 71 Banyan Drive, Hilo, Hawai'i 96720; and one on O'ahu on April 10, 2008, from 7 p.m. to 8:30 p.m. at Queen Kapi'olani Hotel, Queen's Room, 2nd Floor, 150 Kapahulu Avenue, Honolulu, Hawai'i 96815. An informal informational session will precede each hearing from 5 p.m. to 6:30 p.m. FWS will not accept e-mail or faxes. For more information contact Patrick Leonard, Field Supervisor, Pacific Islands Fish and Wildlife Office, 300 Ala Moana Blvd., Room 3-122, Honolulu, Hawai'i 96850; telephone (808) 792-9400; facsimile (808) 792-9581. FWS intends that any final action resulting from this revised proposal will be as accurate and as effective as possible. Therefore, FWS solicits comments or suggestions on this revised proposed rule from the public, other concerned governmental agencies, the scientific community, industry, or any other interested parties. FWS particularly seeks comments concerning: (1) The reasons why FWS should or should not designate habitat as "critical habitat" under section 4 of the Act (16 U.S.C. 1531 *et seq.*), including whether the benefit of designation is outweighed by the threats to each species caused by their respective designations such that the designation of critical



Federal Notices

March 8, 2008

habitat is not prudent; (2) Specific information on: The physical and biological features that are essential to the conservation of the 12 Hawaiian picture-wing flies and why; The amount and distribution of *Drosophila aglaia*, *D. differens*, *D. hemipeza*, *D. heteroneura*, *D. montgomeryi*, *D. mulli*, *D. musaphilia*, *D. neoclavisetae*, *D. obatai*, *D. ochrobasis*, *D. substenoptera*, and *D. tarphytrichia* habitat; What areas occupied at the time of listing and that contain the features essential for the conservation of each of the species we should include in their respective designations and why; What areas not occupied at the time of listing are essential to the conservation of each of the species and why; (3) Land use designations and current or planned activities in the areas being proposed as critical habitat and their possible impacts on proposed critical habitat for each species; (4) Any foreseeable economic, national security, or other potential impacts resulting from the revised proposed designation and, in particular, any impacts on small entities, and the benefits of including or excluding areas that exhibit these impacts; (5) Whether FWS could improve or modify our approach to designating critical habitat in any way to provide for greater public participation and understanding, or to better accommodate public concerns and comments; (6) Information on management plans and partnerships, including: (a) The benefits provided by a management plan; (b) how the plan addresses the physical and biological features in the absence of designated critical habitat; (c) the specific conservation benefits to the 12 Hawaiian picture-wing flies; (d) the certainty of implementation of the management plans; and (e) the benefits of excluding from the critical habitat designation the areas covered by the management plan. FWS is particularly interested in knowing how partnerships may be positively or negatively affected by a designation, or through exclusion from critical habitat, and costs associated with the designation; and (7) FWS's proposed exemption of 78 acres (ac) (31

hectares (ha)) of lands currently managed under the U.S. Army's O'ahu Integrated Natural Resources Management Plan (INRMP), and whether this INRMP provides a benefit to the species and, therefore, exempts these lands from designation. Comments and materials FWS receives, as well as supporting documentation we used in preparing the revised proposed rule, will be available for public inspection on <http://www.regulations.gov>, or by appointment, during normal business hours, at the U.S. Fish and Wildlife Service, Pacific Islands Fish and Wildlife Office. Comments and information submitted during the initial comment period on the revised proposed rule need not be resubmitted as they will be incorporated into the public record as part of that comment period and will be fully considered in preparation of the final rule (see, 73 F.R. 12065, March 6, 2008).

Nomination to the Register of Historic Places

Nominations for the following properties located in the City and County of Honolulu are being considered for listing or related actions in the National Register were received by the National Park Service before February 16, 2008: **Hibiscus Place**, 2954 and 2956 Hibiscus Pl., Honolulu, 08000206; and **Liljestrand House**, 3300 Tantalus Dr., Honolulu, 08000207. Pursuant to section 60.13 of 36 CFR Part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded by United States Postal Service, to the National Register of Historic Places, National Park Service, 1849 C St., NW., 2280, Washington, DC 20240; by all other carriers, National Register of Historic Places, National Park Service, 1201 Eye St., NW., 8th Floor, Washington, DC 20005; or by fax, 202-371-6447. Written or faxed comments should be submitted by March 18, 2008 (see, 73 F.R. 11434, March 3, 2008).



Notice of Proposed Rulemaking

Notice Of Intent Of Proposed Rulemaking (HEPCRA) By The Hawai'i Department Of Health

The Hawai'i Department of Health (HDOH) is preparing administrative rules to better implement and improve compliance with requirements of the Hawai'i Emergency Planning and Community Right-to-Know Act (HEPCRA), Chapter 128E, Hawai'i Revised Statutes (HRS). HEPCRA was enacted in 1993 and promulgated requirements implementing the federal Emergency Planning and Community Right-to-Know Act (EPCRA), which became law in 1986. EPCRA establishes requirements for Federal, State, and local governments and industry regarding emergency planning and "Community Right-to-Know" reporting on hazardous substances and toxic chemicals. States and communities, working with facilities, can use the information to increase public knowledge, improve chemical safety, and protect public health and the environment.

HEPCRA provides authority to the HDOH to create administrative rules implementing the requirements of the law; however, rules have not yet been developed. The HDOH and the Local Emergency Planning Committees (LEPCs) believe that developing rules is necessary to clarify the requirements and provisions

in the law, specifically administration, implementation, and enforcement of HEPCRA. This notice is to inform interested parties that the HDOH has formed a workgroup to prepare the rules. The HDOH will prepare rules following administrative procedures established by Hawai'i law and relevant policies and guidance. The Department expects to issue final administrative rules late 2008. For more information, please contact:

Sharon Leonida; State of Hawaii Department of Health, Office of Hazard Evaluation and Emergency Response; 808-586-4249, sharon.leonida@doh.hawaii.gov;

Beryl Ekimoto; State of Hawaii Department of Health, Office of Hazard Evaluation and Emergency Response; 808-586-4249; beryl.ekimoto@doh.hawaii.gov;

State of Hawaii Department of Health, Office of Hazard Evaluation and Emergency Response: <http://hawaii.gov/health/environmental/hazard/index.html>; or

State of Hawaii Department of Health Public Service Announcements: <http://hawaii.gov/health/about/pr/psa.html>