

The Environmental Notice

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

August 8, 2008

Environmental Assessment and Pest Risk Assessment for the Interstate Movement of Garbage from Hawai'i to Oregon

The Animal and Plant Health Inspection Service (APHIS) of the U. S. Department of Agriculture has prepared a site-specific environmental assessment and pest risk assessment relative to a request to allow the interstate movement of garbage from Hawai'i to a landfill in the State of Oregon. The environmental assessment has been prepared to determine whether the request is consistent with the environmental effects and impacts analyzed in our March 2008 regional programmatic environmental assessment as well as to evaluate potential site-specific environmental impacts of the proposed action. The pest risk assessment evaluates the risks associated with the interstate movement of garbage from Hawai'i to Oregon. We are making these documents available to the public for review and comment. APHIS will consider all comments that we receive on or before September 2, 2008. Submit comments by either of the following methods:

(1) **Federal eRulemaking Portal:** Go to <http://www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2008-0062> to submit or view comments and to view supporting and related materials available electronically;

(2) **Postal Mail/Commercial Delivery:** Please send two copies of your comment to Docket No. APHIS-2008-0062, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comment refers to Docket No. APHIS-2008-0062. For more information contact Ms. Shannon Hamm, Associate Deputy Administrator, Policy and Program Development, APHIS, 4700 River Road Unit 20, Riverdale, MD 20737-1231; (301) 734-4957 (see, 73 F.R. 44702, July 31, 2008).

Correction...

The Ka'ono'ulu Phase VI Multi-Family Residential Development (HRS 343-5(c) DEA) was mistakenly titled as Phase IV on the July 23, 2008 issue of The Environmental Notice. This error was due to mislabeling during documents preparation. All other information regarding this development are correct and the comment period deadline of August 22, 2008, remains the same.

Publication Requirements

About every 2 weeks, OEQC receives various documents for publication on The Environmental Notice. There are always inconsistencies with the way these documents are submitted and it appears that there is some confusion pertaining to the proper procedures for submittals.

For clarification, all Chapter 343, HRS, documents must be submitted before the deadline on the submission calendar listed on our website (<http://oeqc.doh.hawaii.gov/sites/EnvNotice/Shared%20Documents/Calendar%20of%20Submission%20Deadlines.pdf>).

HRS 343 submittals must have the following:

- (1) **Letter from the approving or determination agency**, declaring that a document has been accepted and requesting OEQC to publish the notice of availability of a document for public review;
- (2) **OEQC Publication Form and Summary** (200 words or less);
- (3) **Two (2) copies of HRS 343 document;**
- (4) **One (1) electronic copy in Portable Document Format (PDF) file of the HRS 343 document on a compact disc (CD);** you can email the pdf to oeqc@doh.hawaii.gov if your document is small;

(5) **Finally, we request that you also email an electronic file (in Microsoft Word) of the Publication Form and Summary to oeqc@doh.hawaii.gov.** You can email the form and summary as an attachment or just cut and paste the information on the body of the email.

We hope this helps with your preparations for submittals for publication in the OEQC bi-monthly bulletin.



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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 County Notices

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(1) Puako Emergency Road (HRS 343-5(c) FEA-FONSI)

District: South Kohala
TMK: (3rd) 6-9-001:017 and 6-9-006:051 (por)
Applicant: Puakō Community Association, P.O. Box 44345, Kawaihae, Hawai'i 96743. Contact: George Fry, (808) 880-9211
Approving Agency: State of Hawai'i, Department of Land and Natural Resources, P.O. Box 621, Honolulu, Hawai'i 96809. Contact: Dawn Hegger, (808) 587-0380
Consultant: Geometrician Associates, P.O. Box 396, Hilo Hawai'i 96721. Contact: Ron Terry, (808) 969-7090
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).
Permits Required: CDUP, Special Management Area Permit or Exemption, DLNR Easement, County Grubbing and Grading Permits

The Puakō Community Association (PCA) proposes to utilize a 625-foot by 30-foot portion of State Conservation and Urban District land for an emergency roadway. This road, which would be funded by the PCA, would connect the end of Puakō Beach Road with Holoholo Kai Beach Park Access Road, using portions of two State parcels, one currently leased by Mauna Lani Resort (Operation), Inc. The gravel roadway would be gated and locked at both ends during normal conditions and would be opened only during emergencies as authorized by the Hawai'i County Civil Defense Agency.

Currently Puakō has only one evacuation route in the event of emergencies such as wildfires, high surf, tsunamis, and traffic accidents. Wildfires have long threatened the community; one on October 2007 burned 1,500 acres, approaching within a 1/4 mile of 200 homes and prompting 400 people to evacuate. In addition, the October 2006 Richter magnitude 6.7 earthquake, with an epicenter only 15 miles from Puakō, caused extensive damage and highlighted the need for alternative access in case of tsunami.

The project corridor is dominated by non-native, invasive species and no threatened or endangered plants or animals would be affected. A small anchialine pool located 15 feet from the edge of the roadway would not be affected by construction or use of the road. The project would not harm shoreline resources or access. As the road would be gated during normal conditions, traffic would not be affected. The project corridor would pass near a trail to the Puakō Petroglyph Preserve, but archaeological inventory survey has assured that no resources would be affected in any way. The impact of failing to build the road would be the continuation of risk to human life and property in the event of a natural disaster.



(2) Palamanui Waterline, 343-foot Elevation Reservoir and Main Street Collector Road Extension (HRS 343-5(c) FEA-FONSI)

District: North Kona
TMK: (3) 7-3-10:39 (por.), 40 (por.), 42 (por.), 43 (por.), 44 (por.) and 45 (por.)
Applicant: Palamanui, LLC, P.O. Box 9007, Kailua-Kona, Hawai'i 96745. Contact: Roger Harris, (808) 325-0700
Approving Agency: State of Hawai'i, Department of Land and Natural Resources, P.O. Box 621, Honolulu, Hawai'i 96809. Contact: Charlene Unoki, (808) 587-0414
Consultant: PBR HAWAII, 1001 Bishop Street, ASB Tower 650, Honolulu, Hawai'i 96813. Contact: Vincent Shigekuni, (808) 521-5631
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).
Permits Required: Construction Permits (Building, Grading & Paving), National Pollutant Discharge Elimination System (NPDES), Under-ground Injection Control (UIC), Water System Construction Plan Approval, Consolidation and re-subdivision of rights-of-way (ROW), Plan Approval

In accordance with an ordinance passed by the County of Hawai'i and a decision from the State Land Use Commission, Palamanui LLC proposes construction of a new 16-inch underground Palamanui Waterline on State lands, a 343-Foot Elevation Reservoir to service both the Palamanui Development and the University of Hawai'i Center at West Hawai'i (UHCWH) project site, and a Main Street Collector Road Extension through the UHCWH parcel into Palamanui from the Main Street Collector Road. The projects will not have any negative direct, indirect, secondary or cumulative impact on the physical or human environments. Pursuant to Chapter 343, HRS, the State of Hawai'i Department of Land and Natural Resources, as the approving agency, issues a Finding of No Significant Impact (FONSI).

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(3) Motor Supply Ltd., Purchase of Easement on State Land at Maile Street (HRS 343-5(c) FEA-FONSI)

District: South Hilo
TMK: (3rd): 2-2-29:01
Applicant: Motor Supply, Ltd., 2626 Terrace Drive, Honolulu HI 96822. Contact: Bob Reiersen, (808) 943-4333
Approving Agency: State of Hawai'i, Department of Land and Natural Resources, P.O. Box 621, Honolulu, Hawai'i 96809. Contact: Glenn Taguchi, (808) 974-4200
Consultant: Geometrician Associates, P.O. Box 396, Hilo Hawai'i 96721. Contact: Ron Terry, (808) 969-7090
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).
Permits Required: Hawai'i State Grant of Easement

Motor Supply, Ltd., owner of a 16,529-square foot, commercially-zoned property on Kilauea Avenue near its intersection with Mohouli Street in Hilo, needs to purchase an easement from the State of Hawai'i to provide a new legal access to its property. Over the past decades, County improvements to drainage structures and traffic signal controls have restricted the parcel's existing legal access on Kilauea Avenue. The use, sale or development of the property thus requires an alternate location for a driveway.

The applicant is requesting the State of Hawai'i, Board of Land and Natural Resources to grant an easement measuring approximately 40 feet wide by 220 feet long for the purposes of road access and utilities. The non-exclusive easement on TMK (3rd) 2-2-029:001 would not involve any undeveloped land but would instead encumber an existing paved roadway called Maile Street, which serves multiple neighboring properties but over which no legal access easements currently exist.

No impacts to any natural or cultural resources would occur. Mitigation would include the construction and maintenance by Motor Supply, Ltd., of barriers to prevent parking on State Parks property by future employees and customers of any businesses that might be built on this applicant's property. The applicant will be working with the State to determine the value of the easement and any conditions that might be associated with its use.

(4) Utyro & Hauler SFR (HRS 343-5(c) DEA)

District: Puna
TMK: (3) 1-3-02:71
Applicant: Edward Utyro & Gary Hauler, 1870 Wyoming Avenue, NW, Apt 402, Washington, District of Columbia 20009
Approving Agency: Office of Conservation and Coastal Lands, Department of Land and Natural Resources, P.O. Box 621, Honolulu, HI 96809. Contact: Michael Cain, (808) 783-2501
Consultant: Carlsmith Ball LLP, 121 Wai'anuenue Avenue, Hilo, HI 96720. Contact: Steven S.C. Lim, (808) 935-6644
Public Comment Deadline: September 7, 2008
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the applicant with copies to the approving agency, consultant and OEQC.
Permits Required: Conservation District Use Permit, National Pollutant Discharge Elimination System (NPDES) Permit, Building Permit

The applicants propose to build a 4991 square foot single family residence. The 2-story building will contain three bedrooms, three bathrooms, a swimming pool, spa, outdoor shower, and an "on-grade" terrace. A circular driveway with gates at each entry will connect the residence to the main road.

The parcel is on the Kapoho-Kalapana Road, southwest of 'Opihikao. The land is part of the Kau'ealeu lava flow. The makai boundary of the property follows along the top of a pali. A state-owned parcel separates this parcel from the shoreline.

The flora is dominated by a relatively intact hala and 'ohi'a lehua forest mixed with a few introduced and invasive species. Approximately 1.5 acres of the site has been previously graded and landscaped. The landscaped area is dominated by introduced decorative species.

The project will involve the removal of approximately 39 hala, 6 'ohi'a, and 4 ironwood trees. New grading and contouring will involve 11,000 square feet.

There are no known archaeological features on the property. The Pua'akanu Cemetery lies immediately north of the parcel.

The project is setback 25 feet from the makai property line. Lateral access to the shoreline in the area is provided by a twenty-foot wide public easement along the property's eastern boundary.

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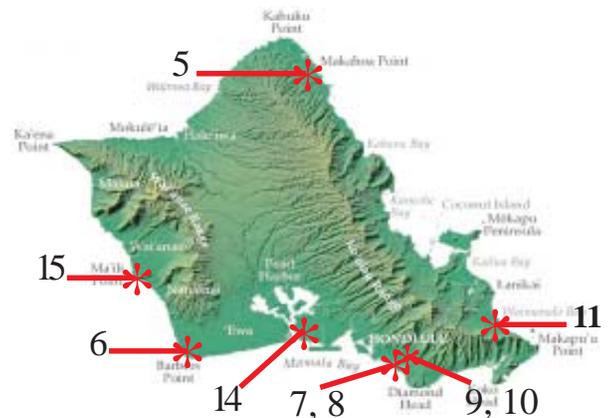
(5) La'ie Inn Redevelopment (HRS 343-5(c) FEA-FONSI)

District: Ko'olauloa
TMK: 5-5-006: 39 & 40
Applicant: Hawai'i Reserves, Inc. (HRI), 55-510 Kamehameha Highway, Lā'ie, Hawai'i 96762-1193. Contact: Eric Marler, (808) 293-6426
Approving Agency: City and County of Honolulu, Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, Hawai'i 96813. Contact: Anthony X. Ching, (808) 768-8028
Consultant: Group 70 International, Inc., 925 Bethel Street, 5th Floor, Honolulu, Hawai'i 96813. Contact: Jeffrey H. Overton, (808) 523-5866
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).
Permits Required: National Pollutant Discharge Elimination System (NPDES) Permit – Storm water (State Department of Health[DOH]), Planned Development-Resort Amendment (DPP), Special Management Area Use – Major Permit (DPP and City County), Building Permits (Buildings, Electrical, Plumbing), and Sidewalk/Driveway Work (DPP), Grading, Grubbing and Stockpiling Permit (DPP), Sign Permits (DPP), Driveway Connection to Kamehameha Highway (County Department of Transportation Services, State Department of Transportation, Highway Division)

Hawai'i Reserves, Inc. (HRI) proposes to redevelop the La'ie Inn in Lā'ie, Ko'olauloa, and O'ahu. The existing 49 unit La'ie Inn was developed in 1965, but the quality of accommodation and the structure has deteriorated. The existing operation fails to capture the economic potential of the site and the hotel accommodation demand of the area. A redeveloped La'ie Inn would increase the appeal, exposure, and flow of visitor dollars into the local community.

The project site is approximately 9.5 acres, zoned Resort and Commercial, and the area is designated for Resort use in the Ko'olauloa Sustainable Communities Plan. The property fronts Kamehameha Highway on the mauka side, adjacent to the Polynesian Cultural Center.

The redeveloped La'ie Inn will become a 220-room hotel with amenities including a restaurant, banquet/meeting facility, and swimming pool. Redevelopment of the project site will provide approximately 156,350 gross square feet (GSF) of floor area, including 135,000 GSF for the hotel rooms. An existing McDonald's restaurant and Chevron station will be redeveloped at the northern end of the property at the intersection of Naniloa Loop.



(6) H-POWER Expansion Project (HRS 343-5(b) FEA-EISPN)

District: Ewa
TMK: (1)9-1-026-030
Proposing Agency: Department of Environmental Services, City and County of Honolulu, 650 South King Street, 3rd Floor, Honolulu, Hawai'i 96813
Accepting Authority: Same as above.
Consultant: AMEC Earth & Environmental, Inc., 3375 Koapaka Street, Suite F-251, Honolulu, Hawai'i 96819. Contact: Dr. Russell Okoji, (808) 391-9906
Status: Environmental Impact Statement Preparation Notice, pending 30-day public comment. Address comments to the proposing agency with copies to the accepting authority, consultant and OEQC.
Public Comment Deadline: September 7, 2008
Permits Required: Covered Source/PSD Air Permit, Air Navigation Clearance, Conditional Use Permit for Construction Activities, Designated Groundwater Control and Use Permit, Water Connection Permit, Well Permit, National Pollution Discharge Elimination System (NPDES) Permit, Certificate of Compliance and Solid Waste Management Permit, Coastal Zone Management Program Consistency Review and Certification, Grading Permit and Draining Plan Approval, Building Permit, Construction Dewatering Permit

The H-POWER Expansion Project consists of the addition to the existing H-POWER Facility of a 900 ton per day mass burn waterwall municipal waste combustor unit, its associated air pollution control equipment, and all the equipment required to tie the addition into the existing

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Facility, and a new turbine generator which will provide an additional source of renewable energy to the City and County of Honolulu.

The Expansion will increase waste disposal capacity, increase the energy and recyclable metals recovered annually, and further reduce the need for landfilling of MSW in Honolulu. Environmental characteristics of the Expansion will fully comply with federal, state, and local permits and programs designed for the protection and stewardship of Hawaii's environmental resources. Furthermore, the City has deemed that a full assessment of the potential environmental consequences of the Expansion be prepared for community review and comment. This will include an assessment of the existing natural and human environment, including potential impacts and mitigative measures, as well as an assessment of the project's conformance to federal, state, and local planning polices, and a sustainability analysis. In addition the EIS will document potential irreversible and irretrievable commitments of resources and will identify potential unresolved issues.

(7) 1944 Kalakaua Avenue (HRS 343-5(c) FEA-FONSI)

District: Honolulu
TMK: 2-6-14: 1, 4, 6, 7, 8, 19, and 58
Applicant: American Commercial Equities Three, LLC, 23805 Stuart Ranch Road, #200, Malibu, California 90265. Contact: Marvin Lotz, (310) 317-1443 ext. 440
Approving Agency: Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, Hawaii 'i 96813. Contact: Sharon Nishiura, (808) 768-8031
Consultant: Patrick Seguirant, Architect, 91-1030 Kaihi Street, 'Ewa Beach, Hawaii 'i 96706. (808) 683-4477
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).
Permits Required: Waikiki Special District Permit (Major), Conditional Use Permit (Minor)

American Commercial Equities Three, LLC proposes to construct a two-story, approximately 14,300-square-foot commercial building on the corner of Kalakaua Avenue and Niu Street in Waikiki. The 44,284-square-foot project site consists of seven (7) jointly developed lots, including the Local Motion building site, and is in the Resort Commercial and Apartment Precincts of the Waikiki Special District, with a 65-foot height limit. The new building will be constructed adjacent to the Local Motion building and will accommodate retail space on the ground floor and restaurant space on the second floor. All required off-street parking for the new building and the Local Motion building will be provided within the project development site. Access to the parking area will be via a new driveway on Niu Street and reconstruction of an existing driveway on Pau Street. The existing driveway off Kalakaua Avenue, as well as other abandoned driveways, are proposed to be closed. No exceptional trees are located on the site. An archeological assessment and cultural impact assessment concluded that no archeological or cultural resources were found on or associated with the site. The project will be serviced by existing infrastructure. A sewer connection application was approved in 2007. No significant environmental impacts are expected from the proposed action.

(8) Waikiki Shopping Plaza Alteration and Addition (HRS 343-5(c) DEA)

District: Honolulu
TMK: 2-6-19: 18, 56, 58, 61 and 62
Applicant: Waikiki Shopping Plaza, LLC, 2270 Kalakaua Avenue, Suite 1800, Honolulu, Hawaii 'i 96815. Contact: Leighton Mau, (808) 923-1191
Approving Agency: Department of Planning & Permitting, City and County of Honolulu, 650 South King Street, 7th Floor, Honolulu, Hawaii 'i 96813
Consultant: Kusao & Kurahasi, Inc., 2752 Woodlawn Drive, Suite 5-202, Honolulu, Hawaii 'i 96822. Contact: Ardis Shaw-Kim, (808) 988-2231
Public Comment Deadline: September 7, 2008
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the applicant with copies to the approving agency, consultant and OEQC.
Permits Required: Waikiki Special District, Conditional Use Permit

The proposed development calls for removal and demolition of the structures on parcels located at the corner of Kalakaua and Royal Hawaiian Avenues and alterations and additions to the existing Waikiki Shopping Plaza to "in fill that corner in Waikiki. The project is intended to enhance the overall visual character and Hawaiian Sense of Place for that block.

The new structures that will be built at the corner of Kalakaua and Royal Hawaiian Avenues will be three stories high with a maximum height of about 60 feet. This height is well within the maximum allowable height limit of 280 feet. The first floor will be about 16 feet high, followed by a 13.5 foot high second floor and a 29.5-foot high third floor. It will be partially topped with a rooftop trellis. Because the new addition will have the same floor area as the structures that it will replace, the overall floor area for the site will not change. Within the new structure the ground floor and second floor will have 10,350 square feet of floor area each, with 8,680 square feet on the third floor and 275 square feet on the roof.

An awning will be provided along the entire street frontage of the addition to provide shading and a pedestrian friendly environment. At

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this time trellises are proposed for the roof top.

The existing 8-story Waikiki Shopping Plaza will be retained with some interior renovations and exterior alterations to help integrate the proposed improvements. The existing commercial use will be maintained. The proposed work is intended to modernize the facility and better blend the façade of the building with the proposed addition.

(9) Gartley Hall Renovation (HRS 343-5(b) DEA)

District: Honolulu
TMK: (1)2-8-23:03 (por)
Proposing Agency: Office of Capital Improvements, University of Hawai'i at Manoa, 1960 East-West Road, Biomedical Services Building, B-102, Honolulu, Hawai'i 96822. Contact: Loren Lau, (808) 956-2739
Determination Agency: University of Hawai'i at Manoa, 2500 Campus Road, Hawai'i Hall 307D, Honolulu, Hawai'i 96822. Contact: Kathleen Cutshaw, (808) 956-9190
Consultant: PBR HAWAII, 1001 Bishop Street, ASB Tower, Suite 650, Honolulu, Hawai'i 96813. Contact: Michael Shibata, (808) 521-5631
Public Comment Deadline: September 7, 2008
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: National Pollution Discharge Elimination System (NPDES); Section 6E, HRS Review; and Building Permit

The proposed Gartley Hall Renovation is located within the University of Hawai'i (UH) at Manoa. Gartley Hall is an 87-year old building that is clearly in need of a major renovation to address among other issues, termite damage, water damage, soil subsidence, and the need for greater accessibility. Gartley Hall, in its present condition, offers inadequate space for research and for psychological services. It also does not provide adequate space for the Department of Psychology's administrative needs, considering that the department has the largest number of majors in the UH system.

One of the most visible aspects of the renovation will be the need to construct a new elevator lobby in order to provide greater accessibility. Several alternatives were explored and tested for feasibility taking into account the impact to the historic aspects of the structure. The remaining feasible alternatives are described in the Environmental Assessment. Because Gartley Hall is considered a historic building, modifications to the structure, particularly its exterior, are subject to the approval of the State Historic Preservation Division.

(10) Performing Arts Facility Expansion (HRS 343-5(b) DEA)

District: Honolulu
TMK: (1)2-8-23:03 (por)
Proposing Agency: Office of Capital Improvements, University of Hawai'i at Manoa, 1960 East-West Road, Biomedical Services Building, B-102, Honolulu, Hawai'i 96822. Contact: Bruce Teramoto, (808) 956-4800
Determination Agency: University of Hawai'i at Manoa, 2500 Campus Road, Hawai'i Hall 307D, Honolulu, Hawai'i 96822. Contact: Kathleen Cutshaw, (808) 956-9190
Consultant: PBR HAWAII, 1001 Bishop Street, ASB Tower, Suite 650, Honolulu, Hawai'i 96813. Contact: Vincent Shigekuni, (808) 521-5631
Public Comment Deadline: September 7, 2008
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: National Pollution Discharge Elimination System (NPDES); Section 6E, HRS Review; and Building Permit

The University of Hawai'i (UH) at Manoa proposes a new Performing Arts Facility located at Correa Road between the existing Kennedy Theatre, Keller Hall and Physical Science Building on the UH Manoa Campus (Tax Map Key (1) 2-8-23-03 (por)). The project site is approximately 1.6-acres immediately behind the existing Kennedy Theatre and currently used as a visitor parking area. Preliminary plans call for a six-story structure with a basement, including four floors of parking and three floors of classroom, studio and performance space including approximately 57,570 square feet of net program area for the performing arts facility, and approximately 480 parking stalls or approximately 168,300 square feet of net program area for parking, including drive aisles and other miscellaneous floor area.

As envisioned in the University's Long Range Development Plan which was updated in 2007, the new parking structure will be integrated with the expanded theatre facilities. The result will be a larger performing arts center and nearly four-times the current on-site parking capacity. The University proposes that the Performing Arts Facility be LEED New Construction (NC) certified to the Silver level.

Kaua'i County Notices

August 8, 2008

The proposed action is for the construction of a new 4 bedroom, 4½ bath Single Family Residence (SFR) of approximately 4,958 square feet within an established neighborhood located in Ha'ena on Kaua'i's North Shore. The proposed residence will be elevated on piers to conform to applicable County regulations regarding the National Flood Insurance Program for coastal high hazard areas. The applicant in this action is requesting that the Board of Land and Natural Resources grant approval for a 5.0-foot height variance for the proposed residence due to the flood zoning characteristics of the parcel. The proposed residence shall be setback 100 feet from the certified shoreline. The Applicant proposes to construct a vehicular gate together with rock walls at the roadway entrance to the property. Existing, permitted fencing along the front and lateral boundaries of the property will be replaced with new fencing to a maximum height of six (6) feet. A copy of the Draft Environmental Assessment will be available for review at the Princeville Public Library, the findings of which indicate that as a result of the proposed actions there will be no significant negative environmental impacts be they primary, secondary or cumulative. A Finding of No Significant Impact (FONSI) is anticipated.

(13) Nawiliwili-Ahukini Shared-Use Path (HRS 343-5(b) DEA)

District: Lihu'e
TMK: (4) 3-2-02: 1, Niumalu Road, 3-2-03: Niumalu & Wa'apa Roads, 3-02-04: 1, 2, & 3, Wa'apa Road, 3-1-06: Nawiliwili Stream, 3-2-07: Nawiliwili Stream, 3-3-03: Nawiliwili Stream, 3-5-01: 4, 5, 8, 27, 102, 117, 118, Kapule Highway, 3-5-02: 2, 3-6-02: 1, Ka'ana Street, Rice Street, Umi Street, 3-6-08: Wa'apa Road, Nawiliwili Stream, 3-7-02: Ahukini Road

Proposing Agency: Department of Public Works, County of Kaua'i, 4444 Rice Street, Mo'ikea Building, Suite 275, Lihu'e, Kaua'i, Hawai'i 96766-1340. Contact: Dough Haigh, (808) 241-4849

Determination Agency: Same as above.
Consultant: R.M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawai'i 96819. Contact: Jim Niermann, (808) 842-1133

Public Comment Deadline: September 7, 2008
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

Permits Required: SMA-Major, Shoreline Setback Variance, Conservation District Use Permit, National Pollution Discharge Elimination System (NPDES) NOIC

The County of Kaua'i proposes to develop a shared-use path to connect Nawiliwili and Ahukini. The project is a key segment of the of the 16-mile Nawiliwili to Anahola Bike and Pedestrian Path proposed in the 1994 State of Hawai'i *Master Plan – Bike Plan Hawai'i*. The primary path corridor follows the coastline between Nawiliwili Park and Ahukini Point. Secondary network pathways are considered in the plan to provide connections to Lihu'e Civic Center, the airport, Nawiliwili Harbor and Niumalu Park. Path development will consist of a 20-foot wide concrete shared-use path, signage, drainage improvements, comfort station at Ninini Point, and various improvements at Nawiliwili Park including parking, comfort station, and picnic facilities. Bike lane and sidewalk improvements to existing and planned street corridors will provide additional connectivity through urban areas. The project will benefit residents and visitors by preserving coastal access and supporting alternative modes of transportation to connect important destinations including residential communities, commercial centers, parks, and the airport and harbor. The path system will also create opportunities for recreation, fitness activities and socializing. Potential adverse impacts include visual impacts from shoreline development, impacts to protected flora and fauna, and short-term impacts related to construction activities. The Draft EA proposes measure to mitigate or eliminate potential adverse impacts.

National Environmental Policy Act Notice

(14) Construction of the Joint POW/MIA Accounting Command Facility, Hickam Air Force Base, Honolulu, Hawai'i, Environmental Assessment (NEPA EA/Draft FONSI)

District: Honolulu
TMK: Not provided

Proposing Agency: U.S. Air Force, 15th Airlift Wing. Contact: Gordon Kuioka, Building 230, Room 318, Fort Shafter, Hawai'i 96858, (808) 396-8368; or Uyen Tran, Building 252, Fort Shafter, Hawai'i 96858. (808) 438-0512

Determination Agency: Same as above.
Consultant: NA

Public Comment Deadline: September 7, 2008

National Environmental Policy Act Notice

August 8, 2008

Status: Final environmental assessment (FEA) and draft FONSI pending 30-day public comment. Address comments to the proposing agency contacts above with copies to OEQC.

Permits Required: NA

The Proposed Action consists of constructing a new facility for the Joint POW/MIA Account Command (JPAC), plus installing or upgrading associated utilities and infrastructure. The new facility is proposed to be located on Hickam AFB, at the base's eastern edge in an open grassy field adjacent to the Kuntz Ballfields and the Kuntz Gate. The new JPAC facility will consist of a new three-story, approximately 140,712 sqft main building, to include their command center, administrative area, identification laboratory, and warehouse. In addition to the main building, a secured outdoor staging area, an approximately 4,887 sqft utility building, a 107-stall on-site parking lot, and 58 overflow parking stalls (located across Moffet Street as a single row of stalls) will be constructed. Off-site trenching may be required to replace utilities and infrastructure that connect the proposed facility to Hickam AFB's existing systems. The Proposed Action will accommodate approximately 385 on-site personnel and facilitate JPAC's ability to meet its mission, which is to achieve the fullest possible accounting of all Americans missing as a result of previous conflicts through the search, recovery, and identification of American military personnel.

Based on the results of the environmental impact analysis contained in this EA, it is concluded that the construction of the proposed JPAC facility will not constitute a major federal action significantly affecting the quality of the environment. Therefore, the preparation of an environmental impact statement is not required for the Proposed Action.

The review period for the EA and FONSI closes September 7, 2008. Copies of the EA are available for review at the following libraries: Hamilton Library (University of Hawaii), the Salt Lake Moanalua Public Library, the Hawai'i State Library (main branch) and the Hickam Air Force Library. Copies also can be obtained by contacting Celia Shen at 596-4688.

At the conclusion of the review period, the U.S. Air Force, 15th Airlift Wing will respond to any comments, and finalize and sign the FONSI, if appropriate. If you have any questions, please call Uyen Tran at (808) 438-0512 or email uyen.tran@us.army.mil.

Coastal Zone Notices

(15) Green Homes at Lualualei

District: Wai'anae
TMK: 8-7-33: 11 and 22
Applicant: Green Homes at Lualualei, LLC, Imperial Plaza, 725 Kapi'olani Boulevard, C-405, Honolulu, Hawai'i 96813. Contact: R.J. Martin, (808) 723-5541
Approving Agency: 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, #200, Honolulu, Hawai'i 96826. Contact: Jo Paul Rognstad, (808) 955-6677
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).
Permits Required: Special Management Area Use Permit (SMP), Cluster Housing, Grading and Building Permit

The applicant proposes a cluster housing development off Farrington Highway, in Lualualei, O'ahu, Hawai'i. The project site is comprised of two (2) vacant lots (parcels 11 and 22), which totals 2.78 acres, but are separated by an open drainage channel (Ulehawa Channel). An existing bridge provides access from Parcel 11 to Parcel 22. The proposed development consists 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, hence a Special Management Area Use Permit (SMP) is required. The site is zoned R-5 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.

Coastal Zone Notices

August 8, 2008

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.

Home basing of P-8A Multi-Mission Aircraft to Marine Corps Base Hawaii Kaneohe Bay, Oahu

Federal Action: Federal Agency Activity
Federal Agency: Naval Facilities Engineering Command Atlantic
Contact: Ms. Meghan Byrne, (757) 322-4842
CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov
Location: Marine Corps Base Hawai'i Kane'ohe Bay
Proposed Action: The Navy proposes to replace the P-3C aircraft with the P-8A Multi-Mission Aircraft (MMA) by providing facilities and functions to support the homebasing of three fleet squadrons (18 aircraft) at Marine Corps Base Hawai'i Kane'ohe Bay. The primary construction projects include a parking area for privately owned vehicles, a new aircraft hangar, and expanding the aircraft parking apron. The new facilities would be constructed in a developed portion of the base immediately south of the main runway.
Comments Due: August 22, 2008

Special Management Area (SMA) Minor Permits

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

Location (TMK)	Description (File No.)	Applicant/Agent
O'ahu: Farrington Highway – Wai'anae (8-7-23:37)	Installation of two 124-gallon LPG Vapor Tanks and three Bollards for the 'Ohana Meals Restaurant (2008/SMA-33)	The Gas Company/Kekoa Ramos
Hawai'i: Kapoho, Vacationland Hawai'i, Puna (1-4-069:035)	Fill & Level Vacant Lot and Construct Rock Wall across Front of Lot (SMM 08-85)	Tracy Parlier and David Empey
Hawai'i: Puako Beach Lots, Lalamilo, S. Kohala (6-9-01:017 & 6-9-06:051)	Construct a 625-foot Long by 30-foot Wide Gravel-Surfaced Gated Emergency Access Road (SMM 08-86)	Puako Community Association
Kaua'i: Po'ipu	Telecommunication Facility (SMA(M)-2008-19)	Verizon Wireless
Kaua'i: Lawai	Telecommunication Facility (SMA(M)-2008-20)	Verizon Wireless
Maui: (3-9-1-12)	New Classroom/Daycare Building (SM2 20080056)	Montessori Hale O Keiki

Shoreline Notices

August 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 Nick Vaccaro at (808) 587-0384.

File No.	Date	Location	Applicant/Owner	TMK
OA-1250	07/11/08	Lot 1161, Land Court Application 677, situated at Kailua, Ko'olaupoko, Island of O'ahu. Address: 28 Ka'apuni Drive Purpose: Certification of Shoreline	Technical Field Data Service, Inc./Michael & Marc Paskin	4-3-013:048
OA-1251	07/14/08	Lot 48, Sunset Beach Lots, File Plan 256, situated at Pupukea, Ko'olaupoko, Island of O'ahu. Address: 59-275 Ke Nui Road Purpose: Building Setback	Gil Surveying Services, Inc./Kevin Dunlap	5-9-019:049
OA-1252	07/22/08	Lot 16, Kawailoa Beach Lots, Section C, situated at Kawailoa, Waialua, Island of O'ahu. Address: 61-431 Kamehameha Highway Purpose: Building Permit	Walter P. Thompson, Inc./David Fisher	6-1-008:007
OA-1253	07/22/08	Lot 48, Land Court Consolidation 87, situated at Wai'alae-Iki, Honolulu, Island of O'ahu. Address: 1005 Kaimoku Place Purpose: Building Permit	Walter P. Thompson, Inc./Isao Mita	3-5-058:010
MA-406	07/14/08	Lot 6-A, Mahinahina-Kai Subdivision, situated at Mahinahina 1, 2 & 3, Lahaina, Island of Maui. Address: 4025 Lower Honoapi'ilani Road Purpose: Shoreline Setback	R. T. Tanaka Engineers, Inc./Robert Shishido	4-3-009:007
KA-317	07/14/08	Lot 62A, Land Court Application 1076 (Map 33), situated at Kikiaola, Waimea, Island of Kaua'i. Address: 4485 Pokole Road Purpose: Shoreline Determination	Roger M. Caires/KS3 LLC	1-6-008:001
KA-318	07/14/08	Lot 14D, Land Court Application 1076 (Map 8), situated at Kikiaola, Waimea, Island of Kaua'i. Address: None assigned Purpose: Shoreline Determination	Roger M. Caires/KS3 LLC	1-6-008:027

Shoreline Certifications and Rejections

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

File No.	Proposed/Rejected	Location	Applicant/Owner	TMK
OA-1226	Proposed Shoreline Certification	Lot 332, Land Court Application 616 (Map 54) situated at Kailua, Ko'olaupoko, Island of O'ahu. Address: 1336 Mokulua Drive Purpose: Building setback requirement.	Jaime F. Alimboyoguen/Peter Binney	4-3-004:078
OA-1240	Proposed Shoreline Certification	Lot 10, Land Court Consolidation 211 (Map 1) situated at Kaunala, Ko'olaupoko, Island of O'ahu. Address: 58-161 Napo'onala Place Purpose: Building Setback	Jaime F. Alimboyoguen/Patricia J. Adameck RLT	5-8-006:040
MA-396	Proposed Shoreline Certification	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
HA-388	Proposed Shoreline Certification	Portion of Lot 3, File Plan 2401, situated at Anaeho'omalua and Kalahuipua'a, South Kohala, Island of Hawai'i. Address: 68-1400 Mauna Lani Drive Purpose: Permitting	Towill, Shigeoka & Associates, Inc./Mauna Lani Resort, Inc.	6-8-022:039 portion

Conservation Notices

August 8, 2008

Conservation District Use Permit

Persons interested in commenting on the following Conservation District Use Application (Board Permit) must submit comments to the Department of Land and Natural Resources within thirty days from the date of this notice. Comments may be sent to the Office of Conservation and Coastal Lands, P.O. Box 621, Honolulu, Hawai'i 96809. For more information, please contact Kimberly Tiger Mills of our Office of Conservation and Coastal Lands staff at (808) 587-0382.

Consolidation and Resubdivision of Water Tank Parcels

File No.: CDUA KA-3475
Applicant: County of Kaua'i-Department of Water
Location: Kukuiofono, Koloa, Kaua'i
TMK: (4) 2-3-005:002, 006 & 007
Proposed Action: Consolidation and Subdivision
343, HRS determination: Exempt
Applicant's Contact: Ben Welborn, Landmark Consulting Services Inc., (808) 828-6332

Federal Notices

Withdrawal of Proposed Reclassification of the Hawaiian Hawk or Io (*Buteo solitarius*)

Under the authority of the Endangered Species Act of 1973, as amended (Act), the U.S. Fish and Wildlife Service (FWS), withdraws its 1993 proposed reclassification of the Hawaiian hawk or io (*Buteo solitarius*) from endangered to threatened, and propose to remove the Hawaiian hawk from the Federal List of Endangered and Threatened

Wildlife (List). These actions are based on a thorough review of the best available scientific data, which indicates that range-wide population estimates have been stable for at least 20 years, and the species has recovered and is not likely to become an endangered species in the foreseeable future throughout all or a significant portion of its range. The proposed rule, if made final, would remove the Hawaiian hawk from the List, thereby removing all protections provided by the Act. Comments on the proposed delisting rule must be received by October 6, 2008. Public hearing requests must be received by September 22, 2008. You may submit comments by one of the following methods: (1) **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments; or (2) **U.S. mail or hand-delivery:** Public Comments Processing,

Attn: RIN 1018-AU96; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, Suite 222; Arlington, Virginia 22203. FWS will not accept e-mail or faxes. FWS will post all comments on <http://www.regulations.gov>. This generally means that FWS will post any personal information provided. For more information, contact Patrick Leonard, Field Supervisor, Pacific Islands Fish and Wildlife Office, P.O. Box 50088, Honolulu, Hawai'i 96850; (telephone 808/792-9400). Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 800/877-8339, 24 hours a day, 7 days a week (see, 73 F.R. 45680, August 6, 2008).

Quarantine Exemption Request by State of Hawai'i to Use Calcium Hydroxide to Control Coqui and Greenhouse Frogs

The U. S. Environmental Protection Agency (EPA) has received a quarantine exemption request from the State of Hawai'i Department of Agriculture to use the pesticide calcium hydroxide (CAS No. 1305-62-0) to treat up to 4,000 acres of outdoor plants in nurseries, residential areas, parks, hotels and resorts, forest habitats, and natural areas to control Coqui and Greenhouse frogs. The applicant proposes the use of a new chemical which has not been registered by EPA. This is the second request by the State of Hawai'i. EPA is soliciting public comment before making the decision whether or not to grant the exemption. Comments must be received on or before August 13, 2008. Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2008-0524, by one of the following methods: (1) **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the on-line instructions for submitting comments; (2) **Mail:** Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; or (3) **Delivery:** OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of



Federal Notices

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boxed information. The

Docket Facility telephone number is (703) 305-5805. Instructions: Direct your comments to docket ID number EPA-HQ-OPP-2008-0524. EPA's policy is that all comments received will be included in the docket without change and may be made available on-line at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [regulations.gov](http://www.regulations.gov) or e-mail. The [regulations.gov](http://www.regulations.gov) website is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through [regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For more information contact Stacey Groce, Registration Division

(7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-2505; fax number: (703) 605-0781; e-mail address: groce.stacey@epa.gov (see, 73 F.R. 44249, July 30, 2008).