

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

October 8, 2008

Notice of Intent To Prepare a Draft Environmental Impact Statement for the Proposed Ala Wai Canal Project, Honolulu

Pursuant to Section 102(2)(C) of the National Environmental Policy Act (NEPA) of 1969, the U.S. Army Corps of Engineers (USACE) and the State of Hawaii's Department of Land and Natural Resources (DLNR) gives notice that an Environmental Impact Statement is being prepared for the Ala Wai Canal Project, City and County of Honolulu. This effort is a multi-purpose project being proposed under Section 209 of the Flood Control Act of 1962 (Pub. L. 87-874) and will incorporate both flood hazard reduction and ecosystem restoration components into a single, comprehensive strategy. In order to be considered in the Draft EIS (DEIS), comments and suggestions should be received no later than 30 days after publication of this notice in the Federal Register. Send written comments to U.S. Army Corps of Engineers, Honolulu District, ATTN: Cindy S. Barger, Project Manager, Civil and Public Works Branch (CEPOH-PP-C), Room 311, Building 230, Fort Shafter, Hawaii's 96858-5440. Questions or comments concerning the proposed action should be addressed to Ms. Cindy S. Barger, Project Manager, U.S. Army Corps of Engineers, Honolulu District, Civil and Public Works Branch, Building 230, Fort Shafter, Hawaii's 96858-5440, Telephone: (808) 438-6940, E-mail: Cindy.S.Barger@poh01.usace.army.mil, or Mr. Carty Chang, Project Planning and Management Branch Chief, State of Hawaii's Department of Land and Natural Resources, Engineering Division, 1151 Punchbowl Street, Room 221, Honolulu, Hawaii's 96813, telephone (808) 587-0227, E-mail: carty.s.chang@hawaii.gov (see, 73 F.R. 57339, October 2, 2008).

Makua Military Reservation

The Army proposes to conduct live-fire military training exercises at the Makua Military Reservation (MMR) on Oahu for units assigned to the 25th Infantry Division (25th ID) and for other military components. Other military components that have used MMR in the past include the Marine Corps, Army Reserves, and the Hawaii Army National Guard. The training proposed for MMR includes company-level, combined arms live-fire exercises and convoy live-fire training. The SDEIS addresses, among other things, the potential direct, indirect, and cumulative environmental impacts associated with the proposal to conduct military training activities at MMR. The Army has prepared the SDEIS pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality regulations (40 CFR Parts 1500-1 508), Environmental Analysis of Army Actions (32 CFR Part 651). The public comment period for the SDEIS will end 45 days after publication of the NOA in the Federal Register by the U.S. Environmental Protection Agency. Please send written comments on the SDEIS to: U.S. Army Garrison, Hawaii's. ATTN: Public Affairs Office, 742 Santos Dumont, WAAF, Schofield Barracks, Hawaii's 96857. E-mail comments should be sent to: usaghipaomakuaEIS@hawaii.army.mil. For more information, contact U.S. Army Garrison, Hawaii's, at (808) 656-3152; or by facsimile at (808) 656-3162. Copies of the SDEIS are available at the following libraries on the islands of O'ahu and Hawaii's: Hawaii's State Library, 478 South King Street, Honolulu; Wahiawa Public Library, 820 California Avenue, Wahiawa; Wai'anae Public Library, 85-625 Farrington Highway, Wai'anae; and the Pearl City Public Library, 1138 Waimano Home Road, Pearl City; Hilo Public Library, 300 Wai'anue Avenue, Hilo; Kailua-Kona Public Library, 75-138 Hualalai Road, Kailua-Kona; Thelma Parker Memorial Public and School Library, 67-1209 Mamalahoa Hwy. Kamuela. The Army invites the general public, local governments, other federal agencies, and state agencies to submit written comments or suggestions concerning the alternatives and analysis addressed in the SDEIS. An electronic version of the SDEIS is available for download at the following Web site: <http://www.garrison.hawaii.army.mil/makuaeis>. Public meetings will be held during the 45-day comment period. The exact locations, times and dates of the public meetings will be announced in advance through notices and media news releases. A Final EIS will be published following the close of the comment period on the SDEIS and incorporation of public comments (see, 73 F.R. 54566, September 22, 2008).



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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

October 8, 2008

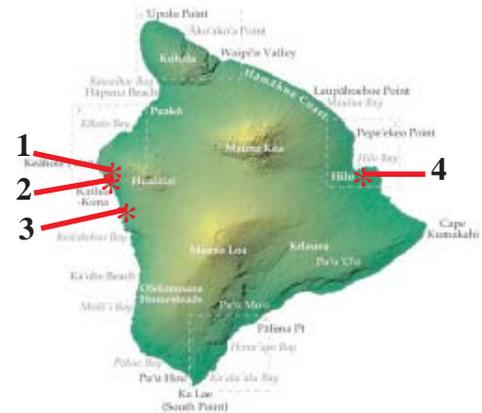
(1) Hinalani Street 1.0-Million Gallon Reservoir and Transmission Waterline (HRS 343-5(b) FEA-FONSI)

District: North Kona
TMK: TMK: 7-3-009:049; 7-3-009:030; 7-3-008:038, 7-4-006: 016
Proposing Agency: County of Hawai'i, Department of Water Supply, 345 Kekuanaoa Street, Hilo, Hawai'i 96720. Contact: Gerald Yorita, (808) 961-8070 ext. 248
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
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).
Permits Required: Wilson Okamoto Corporation, 1907 South Beretania Street, Suite 400, Honolulu, Hawai'i 96826. Contact: John L. Sakaguchi, (808) 946-2277

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 concrete cast-in-place 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 the Hina Lani Street to 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 Hawaii and designated Urban by the State Land Use Commission and has a zoning designation of A-5a by the County of Hawai'i. The project site is not located within the County of Hawai'i Special Management Area.



(2) Keahuolu Affordable Housing Project (HRS 343-5(b) FEIS)

District: North Kona
TMK: (3) 7-4-021: 020 - Housing site, (3) 7-4-21: por. 21- Reservoir site
Proposing Agency: State of Hawai'i, Hawai'i Housing Finance and Development Corporation, (HHFDC), 677 Queen Street, Honolulu, Hawai'i 96813. Contact: Stanley Fujimoto, (808) 587-0541
Accepting Authority: Office of the Governor, c/o Hawai'i Housing Finance & Development Corporation, 677 Queen Street, Suite 300, Honolulu, Hawai'i 96813. Contact: Janice Takahashi, (808) 587-0639
Consultant: Belt Collins Hawai'i Ltd., 2153 North King Street, Suite 200, Honolulu, Hawai'i 96819. Contact: Lee Sichter, (808) 521-5361
Status: Final environmental impact statement (FEIS) filed and being processed for a determination of acceptability by the accepting authority. The FEIS is also available at the Office of Environmental Quality Control. There is no public comment period.
Permits Required: Land Use Boundary Amendment, Zone Change, Subdivision Approval, NPDES permit, Production Well(s) Construction Permit / Pump Installation Permit, grading, building, plan approval, and other necessary development permits.

The Hawai'i Housing Finance & Development Corporation (HHFDC) is the State of Hawai'i agency tasked with developing and financing low- and moderate-income housing projects and administering homeownership programs. The HHFDC is proposing the development of the Keahuolu Affordable Housing Project to serve the people employed in West Hawai'i. The project is intended to be a mixed-use community with affordable and market-priced housing, as well as commercial space and public facilities.

The HHFDC developed a master plan with three alternative land use plans for the 272-acre housing project site, which is owned by the HHFDC and located along Palani Road mauka of Kailua-Kona town. The alternative concept plans offer single- and multi-family dwelling units in varying densities. The total number of housing units in the alternative concepts varies from 1,020 to a maximum of 2,330 dwelling units. In addition to housing, the three mixed-use concept plans have the following common elements: 197,000 square feet of commercial/retail space, a civic open space at a town center, a site reserved for a school, neighborhood parks, an archeological preserve area, and landscaped buffers and open space. The project will require the development of on-site and off-site infrastructure.

Hawai'i County Notices

October 8, 2008

(3) Royal Ali'i Planned Unit Development (HRS 343-5(c) DEA)

District: North Kona
TMK: (3rd): 7-7-04:57 & 58
Applicant: Royal Ali'i LLC, 220 S. King Street, Suite 2170, Honolulu, Hawai'i 96740. Contact: c/o Ron Terry, (808) 969-7090
Approving Agency: Hawai'i County Planning Department, 101 Aupuni Street, Suite 103, Hilo, Hawai'i 96720. Contact: Daryn Arai, (808) 961-8288 ext. 204
Consultant: Geometrician Associates, P.O. Box 396, Hilo, Hawai'i 96721. Contact: Ron Terry, (808) 969-7090
Public Comment Deadline: November 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: State Department of Health, National Pollutant Discharge Elimination System Permit County of Hawai'i, Department of Public Works, Engineering Division, Grading Permit County of Hawai'i, Planning Department, Final Subdivision Approval, Approval for Work Within County Roadway Right-of-Way

Royal Ali'i LLC (the applicant) plans to develop a 19-lot, gated subdivision on Ali'i Drive, south of Kailua-Kona, on 5.943 acres of land zoned for single-family residential use. The lots would vary in size from 5,246 to 10,177 square feet under the approval of a Planned Unit Development (PUD). A Special Management Area Permit has been approved, with conditions, for the project. The project site has residential zoning and similar developments are nearby. Road access would be from a single driveway on Ali'i Drive. The lots would be provided with electricity, telephone, water and sewage service from existing lines located along Ali'i Drive. The property, which has been previously impacted by various historic and prehistoric uses, including grazing, does not contain any sensitive biological resources. Archaeological sites identified through surveys, including two burials, will be protected through temporary construction buffer zones followed by the establishment of a permanent archaeological easement that takes up about a third of the property, on the Ali'i Drive frontage. In the unlikely event that additional archaeological resources or human remains are encountered during land-clearing activities, which will have an archaeological monitor, work in the immediate area of the discovery will be halted. The applicant will prepare a metes and bounds survey of the Judd Trail near the project site, and subject to State approval, will stabilize the stone walls on the existing remnants of the Judd Trail and remove invasive plants. Upon request of the State, the applicant will quitclaim to the State any portions of the Judd Trail that are within its property boundaries. The project matches surrounding development and would have negligible impacts on views both toward and from the shoreline. The project site is separated from the shoreline at its closest point by a distance of 100 feet and a major County road, and the project would not adversely affect shoreline resources. All construction will be done in accordance with County, State and federal regulations.

(4) Commercial Development of Property at 548 Kanoiehua Avenue (HRS 343-5(c) DEA)

District: South Hilo
TMK: 2-2-035:058
Applicant: Bruce A. Hansen, 82A Kaiwiki Road, Hilo, Hawai'i 96720. (808) 935-0279
Approving Agency: County of Hawai'i, Planning Department, 101 Pau'ahi Street, Suite 3, Hilo, Hawai'i 96720. Contact: Christopher J. Yuen, (808) 961-8288
Consultant: Cushing Consulting, HCR 2 Box 6703, Kea'au, Hawai'i 96749. Contact: Kathleen Cushing, (808) 966-9503
Public Comment Deadline: November 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: Plan Approval, Building Permit, Approval for Work in the State Highway R.O.W.

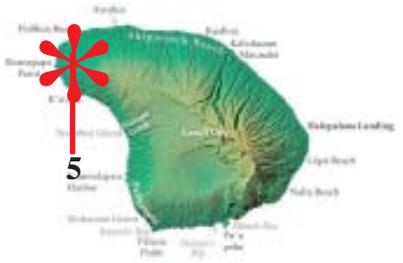
The proposed action involves developing a small property in the industrial area of Hilo for commercial use. The land was cleared and completely landscaped many decades ago for a residence so the natural and human environmental impacts are minimal. The EA is required for work to be performed in the State Highway 11 (Kanoiehua Avenue) Right-of-Way. This work includes connection to utilities needed for commercial development. In the County of Hawai'i General Plan the project area is designated as Industrial due to the proximity to the Hilo International Airport, the Port of Hilo, State Highway 11 and the downtown core of Hilo. This makes the development of the project site into a commercial venture consistent with the General Plan. The project site was rezoned from Residential to Limited Industrial. There is another commercial development currently underway at 514 Kanoiehua Avenue and the general trend in the project area is to rezone the residential properties to industrial or mixed commercial/industrial uses. The infrastructure in the project area has the capacity to support the proposed development so, the cumulative impact is expected to be insignificant. The secondary impacts of the project are also expected to be minimal due to the small size of the project and the relatively small number of employees for the tenant business. The tenant business will be relocating within Hilo; however they will undergo some expansion of their operations with the new facility.

Maui County Notices

October 8, 2008

(5) Lana'i Wind Farm Project (HRS 343-5(c) FEA/EISPN)

District: Lana'i
TMK: (2) 4-9-002: 001 (portion)
Applicant: Castle & Cooke Resorts, LLC, 100 Kahelu Avenue, 2nd Floor, P.O. Box 898900, Mililani, Hawai'i 96789-8900. Contact: Rodney Funakoshi, (808) 548-4869
Accepting Authority: Department of Business, Economic Development, and Tourism, Renewable Energy Facilitator, Energy Planning & Policy Branch, 235 South Beretania Street, Room 500, Honolulu, Hawai'i 96813. Contact: Joshua B.Y. Strickler, (808) 587-3837
Consultant: R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawai'i 96819. Contact: Brian Takeda, (808) 842-1133
Status: Environmental Impact Statement Preparation Notice, pending 30-day public comment. Address comments to the applicant with copies to the accepting authority, consultant and OEQC.
Public Comment Deadline: November 7, 2008
Permits Required: Section 7, 9, and 10 Consultation under the ESA of 1973, Incidental Take Permit (ITP) and Habitat Conservation Plan (HCP), including Endangered Species Recovery Committee review and approval, Department of the Army Permit, National Environmental Policy Act (if federal nexus is determined), CZM Federal Consistency Review, Conservation District Use Application/ Permit, Stream Channel Alteration/ Diversion Permit, Well Construction and Pump Installation Permit, State Ocean Leases, Rights of Entry, and Revocable Permits, Chapter 6E, HRS, Historic Sites Review, Section 401 Water Quality Certification, NPDES Permits



Castle & Cooke Resorts, LLC, proposes the development of a wind farm project in the northeastern portion of the Island of Lana'i. The project will include the installation of approximately 100 to 200 wind turbines to produce from 300 to 400 megawatts of energy for distribution to the Islands of Lana'i and Oahu. The distribution of power will be provided via the installation of an undersea cable system that will span the two islands. Landing sites for the cable system are under investigation including the point of utility system interconnection, and will be disclosed during the EIS process. The potential impacts associated with this project involve the terrestrial location of development for the windfarm, and the undersea and nearshore environment associated with installation of the energy distribution system. Potential impacts to environmental and land use resources that will be investigated include: botanical, faunal and avifaunal species; archaeological and cultural resources (including impacts to viewplanes); demand for public services; and use of recreational and related resources. Potential undersea and nearshore environmental resources investigated will be similar and will extend to ocean and nearshore related resources and species. The potential for social and economic impacts associated with this project will be included as a part of the review.

(6) Lahaina Civic Center Tennis Courts Complex Expansion (HRS 343-5(b) FEA-FONSI)

District: Lahaina
TMK: (2) 4-5-021:010 (por.), 016 (por.), and 020 (por.)
Proposing Agency: County of Maui, Department of Parks and Recreation, 700 Hali'a Nakoa Street, Wailuku, Hawai'i 96793. Contact: Baron Sumida, (808) 270-7230
Determination Agency: Same as above.
Consultant: Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, Hawai'i 96793. Contact: Kimberly Skog, (808) 244-2015
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).
Permits Required: Special Management Area Use Permit and Construction Permits

An approximately 2.0-acre expansion of the tennis courts complex at the Lahaina Civic Center (LCC) is proposed by the County of Maui, affecting Tax Map Key (TMK) Nos. (2) 4-5-021:010 (por.), 016 (por.) and 020 (por.) located in Lahaina, Maui, Hawai'i to the east (mauka) of Honoapi'ilani Highway. The proposed expansion will consist of an additional four (4) tennis courts. These tennis courts will have fencing, sports lighting, and windscreens. A 25-stall paved parking lot with lighting, lighted walkway access paths, retaining walls, landscape plantings and irrigation, and site utilities are also a part of the proposed action. The site utilities improvements will address water, wastewater, drainage, and electrical systems. The water system improvements will consist of the relocation of a water meter manhole, relocation of a fire hydrant, water service lines, and drinking fountains. The wastewater system improvements will include a sewer lateral for the restrooms located mauka of the existing tennis courts. The drainage system improvements will consist of channels, inlets, manholes, drain pipes, and a subsurface detention/retention basin. The electrical system improvements will include underground distribution lines for the lighting. The project site is accessible via the Leiali'i Parkway and the Honoapi'ilani Highway intersection. The proposed expansion will affect the area immediately north of the existing tennis complex.

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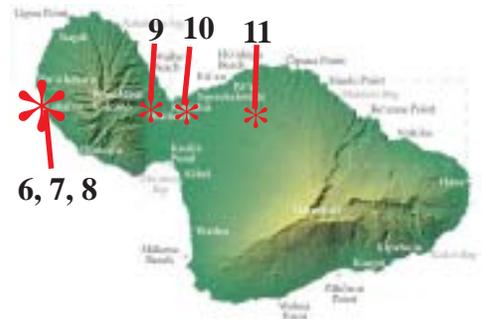
The current tennis courts complex encompasses TMK No. (2) 4-5-021:010, plus a small portion of TMK No. (2) 4-5-021:020. It includes five (5) tennis courts, a comfort station, overhead lighting, and related supporting improvements. The existing tennis courts are located south of LCC's main facilities and adjacent to the Lahaina Post Office. The proposed improvements will be funded by the County of Maui on lands owned by the State of Hawai'i. The use of State lands and County funds is a trigger for an environmental assessment pursuant to Chapter 343, Hawai'i Revised Statutes (HRS).

(7) Demolition and Construction of a Single-Family Residence (HRS 343-5(c) FEA-FONSI)

District: Lahaina
TMK: (2) 4-6-02:017
Applicant: Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, Hawai'i 96793. Contact: Karlynn Fukuda, (808) 244-2015
Approving Agency: Maui Planning Commission, 250 South High Street, Wailuku, Hawai'i 96793. Contact: Joseph Prutch, (808) 270-7512
Consultant: Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, Hawai'i 96793. Contact: Karlynn Fukuda, (808) 244-2015
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).
Permits Required: SMA Permit, Demolition and Building Permits, Grubbing and Grading Permits, Special Flood Hazard Area Development Permit, and Community Noise Permit

The applicant proposes to demolish a one-story single family residential structure that was constructed in 1951 and replace it with a two-story residence, approximately 6,262 square feet in size. The new residence will include five bedrooms, five bathrooms and a kitchen, as well as a three-car garage, pool and spa. The rectangular lot measures 16,016 square feet in size situated between Front Street and the Pacific Ocean in Lahaina, Maui.

The proposed development is not anticipated to result in significant environmental impacts to surrounding properties, nearshore waters, natural resources, and/or archaeological and historic resources on the site. Public infrastructure and services are not anticipated to be significantly impacted. The EA is triggered because of the demolition of a structure and construction of a new structure within the National Historic Landmark District.



(8) Land Use Redesignation, Community Plan Amendment and Change in Zoning, Papalaua to Puamana, Lahaina District (HRS 343-5(b) FEA-FONSI)

District: Lahaina
TMK: (2) 4-7-001; 4-8-002; 4-8-003
Proposing Agency: Planning Department, County of Maui, 250 South High Street, Wailuku, Hawai'i 96793. Contact: Kathleen Aoki Phone: 808-270-5529
Determination Agency: Same as above.
Consultant: R.M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawai'i 96819. Contact: Chester Koga, 842-1133
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).
Permits Required: Community Plan Amendment; Zone Change

The County of Maui prepared the Pali to Puamana Parkway Master Plan (P2P Plan) in 2005 to make known its desire to preserve open space along the coastline of West Maui. Included in this plan was the possibility of the State Department of Transportation (SDOT) widening Honoapi'ilani Highway between Ukumehame and Launiupoko where it would connect to the proposed Lahaina By-Pass Road. The P2P Plan proposed a number of methods of preserving the coastal areas while continuing to maintain open access to coastal areas that many visitors and residents currently enjoy. This Environmental Assessment (EA) assesses the impacts and benefits of the proposed Community Plan Amendments and Zone Change recommendations on existing uses and proposed uses. Approximately 383.1 acres of land is proposed for change.

The purposes of this FEA are: 1) to implement the goals and objectives of the Pali to Puamana Master Plan; 2) to implement the goals and objectives of the General Plan of the County of Maui; 3) to implement the goals and objectives of the West Maui Community Plan; 4) to limit urban development makai of the proposed Honoapi'ilani Highway realignment; 5) to protect public health and safety by limiting development within the tsunami inundation zone and areas subject to flooding; and 6) to protect property by limiting development within the coastal erosion zone. The land use changes proposed provides a foundation for the establishment of public policy that encourages responsible development in a coastal area by acknowledging coastal processes, providing for community recreational needs, and supporting sustainable alternative land uses.



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The subject properties affected by the proposed land re-designations are owned by various entities that include the State of Hawai'i and the County of Maui which necessitates the preparation of this FEA. The remaining lands are privately held. This FEA is limited to the proposed land use changes and does not address the development of the re-designated lands for open space or recreation uses. This limitation includes the potential relocation of Honoapi'ilani Highway and land uses proposed by private landowners. Separate environmental documents will be prepared to address specific development proposals. The State of Hawai'i will be responsible for the environmental documentation for proposed changes to Honoapi'ilani Highway. In order to implement the proposed land use designations identified in the sections above, the County of Maui, through its Planning Department, will need to submit to the Maui Planning Commission its recommendations for Community Plan Amendments and Zone Changes. The land use changes will be initiated by the Planning Director. The recommendations of the Maui Planning Commission will be forwarded to the Maui County Council for its deliberations.

(9) Iao Tank Site Well Development (HRS 343-5(b) DEA)

District: Wailuku
TMK: 3-5-01:021
Proposing Agency: County of Maui, Department of Water Supply, 200 South High Street, Wailuku, Maui, Hawai'i 96793-2155. Contact: Wendy Taomoto, (808) 270-7835
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
Public Comment Deadline: November 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 Pollutant Discharge Elimination System Permit, State of Hawaii, Department of Health (if required, based on Contractor's construction methods), Pump Installation Permit, State Commission on Water Resource Management, Building, Grading, and Electrical Permit, County of Maui Department of Public Works

The purpose of this project is to develop Iao Tank Site Well as a production well, which will involve installation of a pump (up to 1400 gpm), pump controls, discharge piping and appurtenances, control building, chlorination facilities, radio telemetry and electrical work, and site improvements. The Iao Tank Site Well (State Well No.5230-03) is located approximately 2.5 miles southwest of Wailuku within the Maui Department of Water Supply's 3.0 million gallon Iao Tank site, the Tax Map Key (2) 3-5-01:021. The purpose of the proposed outfitting of the Iao Tank Site Well with a pump and controls is to distribute pumping over a wider area of the aquifer. Short-term impacts are associated with the construction activities at the project sites. The impacts are not anticipated to be significant; and will be controlled and minimized by Federal, State, and County of Maui laws, regulations, best management practices, and monitoring of construction by County inspectors. Long-term impacts are generally those impacts related to the operation of the proposed development. Appropriate design, and competent, efficient, and effective operations and maintenance will mitigate any potential negative long term impacts associated with the implementation of the project.

(10) Maui Economic Opportunity Inc (MEO) Transportation Center (HRS 343-5(b) FEA-FONSI)

District: Kahului
TMK: (2) 3-8-006:004 portion
Proposing Agency: Maui County Planning Department, 250 South High Street #200, Wailuku, Hawai'i 96793. Contact: Ms. Ann Cua, (808) 270-7521
Determination Agency: Same as above.
Consultant: Chris Hart and Partners, Inc., 115 N. Market Street, Wailuku, Hawai'i 96793. Contact: Mr. Brett Davis, (808) 242-1955
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).
Permits Required: Change In Zoning, Community Plan Amendment, Building Permit, Driveway Permit, Public Water System Approval from the State Department of Health, Safe Drinking Water Branch, National Pollutant and Discharge Elimination System (NPDES) Permit from the State Department of Health (DOH), Community Noise Permit from the DOH (as applicable), Grubbing and Grading Permits from the Maui County Department of Public Works (DPW)

Maui Economic Opportunity, Inc. is proposing a new transportation center on a 10-acre site near the A&B Sugar Museum at Pu'unene, Maui. MEO Transportation services the elderly, low-income, persons with disabilities and medical needs, preschoolers and youth.

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The project will be constructed in three phases: Phase 1 (Administrative Office Building; Maintenance Building; bus washing and fueling stations; emergency back-up generator; and vehicle storage and parking areas); Phase 2 (Transfer Station); and Phase 3 (Administrative Office Building). Access to the facility will be from Hansen Road. The site is in close proximity to urban services, public infrastructure, and major highways servicing the island. The site was part of the former Pu'unene plantation village and in residential housing until the late 1970's. The site is adjacent to land zoned for light industrial development (Maui Business Park Phase 2). The proposed action will involve a Community Plan Amendment from "Agricultural" to "Light Industrial" and a change in zoning from "Agricultural" to "M-1 Light Industrial". Existing MEO Transportation facilities in Kahului are cramped and inadequate. The new MEO Transportation Center will allow for expanded services to meet growing community needs.

(11) Kauhale Lani Residential Subdivision (HRS 343-5(c) FEA-FONSI)

District: Makawao
TMK: (2) 2-3-09:007 and 064
Applicant: Pukalani Associates, LLC, 433 North Camden Drive, Suite 900, Beverly Hills, California 90210. Contact: Sharon Wright, (808) 244-1600
Approving Agency: Land Use Commission, Department of Business, Economic Development & Tourism, State of Hawai'i, P.O. Box 2359, Honolulu, Hawai'i 96804-2359. Contact: Orlando Davidson, (808) 587-3822
Consultant: Chris Hart & Partners, Inc., 115 North Market Street, Wailuku, Hawai'i 96793-1706. Contact: Matthew Slepkin, (808) 242-1955
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).
Permits Required: CIZ, Grading Building

Pukalani Associates, LLC is proposing to create Kauhale Lani, a new community on the slopes of Haleakala at the entrance to Pukalani, where old Haleakala Highway branches off from Haleakala Highway. The Kauhale Lani community will provide 170 new single-family lots on a site already designated for residential use in the Makawao-Pukalani-Kula Community Plan. Kauhale Lani will provide a cohesive addition to Pukalani in character with the Upcountry region. The 50-acre parcel west of Old Haleakala Highway will contain the residential neighborhood and a neighborhood park. The 39-acre parcel between Old Haleakala Highway and Haleakala Highway will include trails running the length of the property from Old Haleakala Highway to Makani Road and a BMX bicycle park. Positive impacts include the provision of additional homes in Pukalani, recreational facilities, realignment of A'eloa Road, integration with the existing community, and economic benefits for the State and County through tax revenues. Potential adverse environmental impacts include additional traffic, increased solid waste generated, increased power consumed, and short-term impacts to air and noise quality due to construction. The Final Environmental Assessment contains analysis of potential impacts and associated mitigation measures to ensure potential adverse impacts are minimized or mitigated.

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(12) Chandler Driveway and Associated Grading (HRS 343-5(c) FEA-FONSI)

District: Ko'olaupoko
TMK: (1) 4-4-017:111
Applicant: Joyce and William Chandler, 44-102 Kalenakai Place, Kane'ohe, Hawai'i 96744
Approving Agency: Department of Land and Natural Resources, Office of Conservation and Coastal Lands, P.O. Box 621, Honolulu, Hawai'i 96809. Contact: Michael Cain, (808)-783-2501
Consultant: Not listed
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).
Permits: CDUP

The applicant is requesting an after-the-fact permit for the construction of a concrete driveway; the grading, grubbing, and construction of a gunite wall; and the construction of a gravel parking lot. The landowner built the concrete roadway and parking lot between 2001 and 2007. The driveway was extended 102 feet up the hillside to a flat area behind the residence. He graded this area, extending the flat area by 19 feet by 14 feet. He also applied gunite to the hillside to form a wall between the residence and the graded area. The work was the subject of an enforcement case by DLNR. Securing a CDUP, or removing the structure, is the final step towards resolving the violation. There was additional work done on TMK parcel 17:12; this was the subject of a separate enforcement case and is not covered in this application. In addition to the work already done, the applicant proposes to construct a catchment wall beneath the cut at the apex of the

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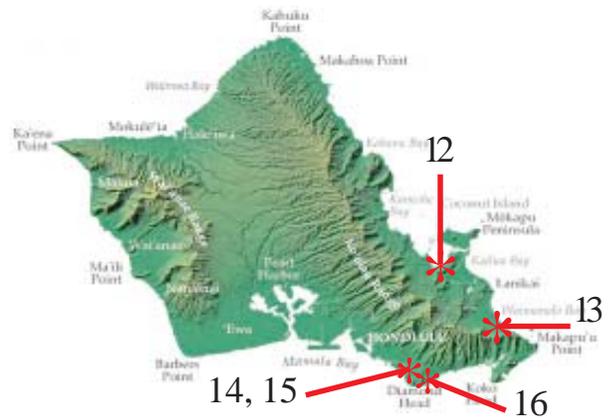
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driveway; replace invasive and combustible species with indigenous species; place new gravel in the flat area to create a parking area; and construct a walkway from the proposed parking area to the residence.

(13) Waimanalo Village Recreation Center (HRS 343-5(c) FEA-FONSI)

District: Ko'olaupoko
TMK: 4-1-034: 089 and 090
Applicant: Waimanalo Village Residence Corporation, 41-552 Moole Street, Waimanalo, Hawai'i 96795. Contact: Michelle Hoku Liu, (808) 259-5336
Approving Agency: State of Hawai'i, Hawai'i Housing Finance and Development Corporation, 677 Queen Street, Suite 300, Honolulu, Hawai'i 96813. Contact: Janice Takahashi, (808) 587-0639
Consultant: Kauahikaua & Chun/Architects, 567 South King Street, Suite 108, Honolulu, Hawai'i 96813. Contact: Dwight Kauahikaua, (808) 526-2283
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).
Permits Required: Conditional Use Permit Minor, Building Permit, Grading Permit

The Waimanalo Village Residence Corporation proposes to construct a recreation center on the lot it currently operates a housing management office of approximately 1,040 square feet in Waimanalo, Ko'olaupoko, Island of O'ahu. The existing office includes a office-conference area, public toilets, tool storage and workshop. The site is approximately 20,047 square feet. The project is located in the center of a neighborhood of single family residences, known as Waimanalo Village. The Recreation Center will expand upon the existing office building, and include a computer lab, a large group meeting room accommodating about 200 people, a preschool room with toilet, a kitchen, men's and women's toilets. The existing lot includes five paved parking stalls. The project proposes to add three parking stalls. Large group event parking will be accommodated in the existing Waimanalo Village Park across Moole Street from the Recreation Center. Use of the event parking will be limited to times when the park is closed. Inasmuch as the project site and event parking site are State owned land and public funds may be used in construction or operation of the proposed action, this environmental assessment will be prepared and processed in accordance with Chapter 343, Hawai'i Revised Statutes (HRS).



(14) Performing Arts Facility Expansion (HRS 343-5(b) FEA-FONSI)

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

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(15) Gartley Hall Renovation (HRS 343-5(b) FEA-FONSI)

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

(16) Department of Defense Facilities at 3949 Diamond Head Road (HRS 343-5(b) DEA)

District: Honolulu
TMK: (1) 3-1-42:18 and 27
Proposing Agency: Department of Accounting and General Services (DAGS), P.O. Box 119, Honolulu, Hawai'i 96810-0119. Contact: Brian Isa, (808) 586-0484
Determination Agency: Same as above.
Consultant: NA
Public Comment Deadline: November 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: Building, Grading, SMA, Special Distr., NPDES

This Environmental Assessment (EA) has been prepared for the State Department of Defense (DOD), located at 3949 Diamond Head Road, on lands identified by TMK: (1) 3-1-42:18 and 27. The proposed action calls for the use of State lands and funds, and County lands (Diamond Head Road right-of-way); therefore, the project is subject to Chapter 343, HRS. This EA has also been prepared as the supporting document for the Special Management Area Use Permit (SMP) required for the project. The project site is located outside of the Diamond Head State Monument in an area that is part of the facilities of the Hawaii Army National Guard (HIARNG). The project site is the headquarters of HIARNG and is the active address for State DOD administrative and motor pool facilities. The project site also serves as an equipment storage yard for Hawai'i State Civil Defense (SCD).

The proposed project involves:

- 1) The retention of one of the six existing buildings on the site, Building 306.
- 2) The eventual demolition and removal of buildings: 306A, 90, Motor Pool, Exterior Restroom and the Hawai'i National Guard Credit Union.
- 3) The replacement of Buildings 306A, 90, the Motor Pool, and the Exterior Restroom with a new Maintenance Building, Office Building and Motor Pool Building.
- 4) The construction of a new State Civil Defense Emergency Operating Center building.
- 5) The construction of a new Department of Accounting and General Services Alternate Data Center building.

Shoreline Notices

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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 Ian Hirokawa at (808) 587-0320.

File No.	Date	Location	Applicant/Owner	TMK
OA-1265	9/22/08	Portions of Royal Patent 4540, Land Commission Award 2937, Apana 4 to William Harbottle, situate at Ohikilolo, Wai'anae, O'ahu Address: 83-101 Farrington Highway Purpose: Permit	R.M. Towill Corporation/ Elizabeth M. Stack, PP85 McCandless Ranch, LLC	8-3-001:014 & 028-033
OA-1266	9/26/08	Lot 5 Land Court Consolidation 211 situate at Kaunala, Ko'olauloa, O'ahu Address: 58-127 Napo'onala Place Purpose: Building Permit	Walter P. Thompson, Inc./ Penn Family Trust	5-8-006:035
MA-408	9/22/08	Portion of Grant 1166 to D. Baldwin, J.F. Pogue, and S.E. Bishop situate at Mahinahina, Ka'anapali, Lahaina, Maui Address: 3833 Lower Honoapi'ilani Road Purpose: Obtain permit and easement	ControlPoint Surveying, Inc./ Lokelani Association of Apartment Owners	4-3-006:016 & 065
MA-409	9/25/08	Lot 1-A of Keawekapu Beach Lots, situate at Kama'ole, Kihei, Maui Address: 3060 South Kihei Road Purpose: N/A	Akamai Land Surveying, Inc./ Woody Paylor	2-1-010:001
HA-394	9/22/08	Lot 29 of Kona Bay Estates (File Plan 1813) Being a Portion of R.P. 7456, L.C. Aw. 8559-B, Ap. 11 to William Lunalilo and Lot 68 as shown on Map 9 of Land Court Application 1319 situate at Lanihau Iki and Lanihau Nui, North Kona, Island of Hawai'i Address: Lot 40, Kona Bay Drive Purpose: Establish Building Options	Pattison Land Surveying Inc./ Clark Realty Corporation	7-7-005:040
KA-319	9/23/08	Lot 111 Ha'ena Hui Lands being a portion of R.P. 3596 L.C. Aw. 10613, Ap. 6 to A. Paki, situate at Ha'ena, Halelea, Kaua'i Address: Kuhio Highway Purpose: Residential building permit	Wagner Engineering Services, Inc./ David Morrow	5-9-003:045

Shoreline Notices

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Shoreline Certifications and Rejections

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

File No.	Proposed/Rejected	Location	Applicant/Owner	TMK
OA-1236	Proposed Shoreline Certification	Lot 38, Land Court Application 505 (Map 2) situated at Kailua, Ko'olaupoko, Island of O'ahu. Address: 1056 Mokulua Drive Purpose: Permitting	Towill, Shigeoka & Associates, Inc./1056 Mokulua LLC	4-3-006:058
OA-1237	Proposed Shoreline Certification	Lot 268, Land Court Application 505 (Map 140), situated at Kailua, Ko'olaupoko, Island of O'ahu. Address: 1064 Mokulua Drive Purpose: Permitting	Towill, Shigeoka & Associates, Inc./1064 Mokulua LLC	4-3-006:059
OA-1245	Proposed Shoreline Certification	Lot 3001, Land Court Application 1069 (Map 299) situated at Honouliuli, 'Ewa, Island of O'ahu. Address: 91-480 Malakole Street Purpose: Building Permit	Park Engineering/Chevron U.S.A., Inc.	9-1-014:010
HA-392	Proposed Shoreline Certification	Portion of R.P. 4475, L.C. Aw. 7713, Ap. 43 to V. Kamamalu, situated at Holualoa 1st and 2nd, North Kona, Island and County of Hawai'i, State of Hawai'i. Address: None available Purpose: Building permits	Wes Thomas Associates/Resolute Inc.	7-6-016:012

Coastal Zone Notices

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 Kalaheo (Barbers Point) Community Development District (587-2840).

SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS		
Location (TMK)	Description (File No.)	Applicant/Agent
Hawai'i: Puako Beach Lots, Lalamilo, South Kohala (6-9-001:015)	Wildfire Mitigation and Firebreak Maintenance (SMM 08-88)	Puako Community Association

Department of Health Notices

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Department of Health Permits

The following three pages contain a list of some pollution control permits currently before the State Department of Health. For more information about any of the listed permits, please contact the appropriate branch or office of the Environmental Management Division at 919 Ala Moana Boulevard, Honolulu. Abbreviations are as follows: **CAB** - Clean Air Branch (586-4200); **CD** - comments due; **CSP** - Covered Source Permit; **CWB** - Clean Water Branch 9586-4309); **I** - issued; **SHWB** - Solid and Hazardous Waste Branch (586-4226); **SDWB** - Safe Drinking Water Branch (586-4258); **N** - none; **NSP**-Noncovered Source Permit; **NPDES** - National Pollutant Discharge Elimination System under the Federal Clean Water Act; **R** - received; **T** - temporary; **UIC** - Underground Injection Control; **NA** - not applicable.

Branch Permit Type	Applicant & Permit Number	Project Location	Pertinent Date	Proposed Use
Clean Air Branch, 586-4200, Covered Source Permit	Willocks Construction Company CSP No. 0569-01-CT Modification Application	Located at: Various Temporary Sites State of Hawai'i	Issued: 9/19/08	Mobile Crushing Plant
Clean Air Branch, 586-4200, - NonCovered Source Permit	Westin Maui Corporation dba The Westin Maui NSP No. 0411-01-N Renewal Application	Located at: 2365 Ka'anapali Parkway, Lahaina, Maui	Issued: 9/12/08	Boilers and Heaters
Clean Air Branch, 586-4200, NonCovered Source Permit	TSCN Corporation NSP No. 0691-01-N Initial Application	Located at: West Hawai'i Sanitary Landfill 71-1111 Queen Ka'ahumanu Highway, Hawai'i	Issued: 9/12/08	140 TPH Mobile Jaw Crusher with 350 HP Diesel Engine
Clean Air Branch, 586-4200, Covered Source Permit	American Hauling, Inc. CSP No. 0694-01-CT Initial Application	Located at: Various Temporary Sites State of Hawai'i	Issued: 9/18/08	Crushing and Screening Plants
Clean Air Branch, 586-4200, Non Covered Source Permit	Jas. W. Glover, Ltd. NSP No. 0464-02-NT Renewal Application	Located at Various Temporary Sites State of Hawai'i	Issued 9/19/08	455 kW Caterpillar Diesel Engine Generator
Clean Air Branch, 586-4200, Covered Source Permit	TRI-L Construction, Inc. CSP No. 0381-02-CT Renewal Application	Located at: Various Temporary Sites State of Hawai'i	Issued: 9/23/08	231.5 TPH Stone Quarrying and Processing Plant and Portable Screening Plant
Clean Air Branch, 586-4200, Non Covered Source Permit	Goodfellow Brothers, Inc. NSP No. 0584-01-NT Modification Application	Located at: Various Temporary Sites State of Hawai'i	Issued: 9/26/08	Two (2) 400 TPH and One (1) 491 TPH Portable Screens

Notice of Voluntary Program Application - Sun Home Metals Facility 91-567 Nukuawa Street, Kapolei O'ahu

The Hawai'i Department of Health has received an application for the State's Voluntary Response Program (VRP). The purpose of the program is to encourage property owners, lenders, developers, or prospective purchasers of property to voluntarily clean up contaminated properties. Under the VRP, applicants conduct a thorough environmental investigation and implement a state-approved response action to address any contamination found on the property. Suspected contaminants at these sites include a variety of petroleum related chemicals and metals associated with metal recycling facilities. Upon successfully completing the VRP, the applicant will receive a "letter of completion" that typically exempts future purchasers from liability to the State for the contamination that was addressed under the VRP. Parties that are responsible for the contamination are not eligible for exemptions from liability.

The application received address contamination on the following property:

Sun Home Metals Facility 91-567 Nukuawa Street, Kapolei O'ahu.

The Department of Health welcomes comments or questions from the public regarding this project. For additional information or to review the application, please contact Mark Sutterfield in Honolulu at (808) 586-7574.

Following is a brief description of the project site.

Previous Site investigations indicate that petroleum hydrocarbons, lead, and polychlorinated biphenyls (PCBs) are present in the top layer of imported fill (0 to 12-inches) across the Site. In 2008, CLDC (CIRI Land Development Company) installed five monitoring wells on the property. Groundwater samples from those wells indicated that groundwater has not been impacted. All structures have been removed and the site is presently vacant unused land.

Conservation Notices

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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 Dawn Hegger of our Office of Conservation and Coastal Lands staff at (808) 587-0380.

Coconut Island Improvements

File No.: CDUA OA-3481
Applicant: Hawai'i Institute of Marine Biology
Location: Coconut Island
TMK: (1) 4-6-001:01 & 051
Proposed Action: Conservation District Use Application (CDUA) OA-3481, Hawai'i Institute for Marine Biology, Coconut Island Improvements

343, HRS determination: In conformance with Chapter 343, Hawai'i Revised Statutes (HRS), as amended, and Chapter 11-200, the Draft Environmental Impact Statement (DEIS) was published in OEQC's Environmental Notice on September 23, 2003. The Governor's Office of the State of Hawai'i was the accepting authority of the Final Environmental Impact Statement (FEIS) (March 2004). The FEIS was published in OEQC's Environmental Notice on April 8, 2008.

Applicant's Contact: George Atta, Group 70 International, (808) 523-5866

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Western Pacific Fishery Management Council Public Meetings

The Western Pacific Fishery Management Council (Council) will hold its 143rd meeting to consider and take actions on fishery management issues in the Western Pacific Region. The original notice published in the Federal Register on September 23, 2008 and this notice revises the agenda and is being republished in its entirety. The 143rd Council meeting and public hearings will be held on October 14-17, 2008, in Honolulu at the Pagoda Hotel, 1525 Rycroft Street, Honolulu, Hawai'i 96814, telephone: (808) 941-6611. For more information contact Kitty M. Simonds, Executive Director; telephone: (808) 522-8220 (see, 73 F.R. 57060, October 1, 2008).

Advance Notice of Intent To Prepare a Programmatic Environmental Impact Statement for the Designation of Energy Corridors on Federal Lands in 39 States, Amend Relevant Agency Land Use or Equivalent Plans and Notice of Floodplain and Wetlands Involvement

Section 368(b) of the Energy Policy Act of 2005 (the Act), Public Law 109-58 (August 8, 2005), directs the Secretaries of Agriculture, Commerce, Defense, Energy, and the Interior (Secretaries) to identify corridors (Section 368 corridors) on Federal lands in 39 States, other than the 11 contiguous Western States Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming) (11 Western States) that might be used for oil, gas and hydrogen pipelines and electricity transmission and distribution facilities. Section 368 further requires the Secretaries to identify these Section 368 corridors by August 8, 2009, and schedule prompt action to designate and incorporate the Section 368 corridors into applicable land use or equivalent plans. The designation must specify the centerline, width and compatible uses of the Section 368 corridors. The Agencies also will identify the environmental impacts from the range of reasonable alternatives to the proposed action. DOE and DOI, through the Bureau of Land Management (BLM), intend to be co-lead agencies for this effort; USDA, through the United States Forest Service (FS), and DOD intend to participate as cooperating agencies. DOE is issuing this Advance Notice of Intent (ANOI), pursuant to 10 CFR 1021.311(b), in order to request early comments and suggestions from Federal and State agencies, Tribal and local governments, the public, and other interested parties. Comments and suggestions will assist the Agencies in identifying the location of potential Section 368 corridors on Federal lands in 39 States, the preliminary range of reasonable alternatives, screening criteria, and the potential environmental impacts related to the Agencies' designation of Section 368 corridors on Federal land in 39 States. The early comments on the potential location of Section 368 corridors will inform DOE's decision on where to hold scoping meetings. Because the proposed action may involve actions in a floodplain or wetland, the draft PEIS would include a floodplain and wetlands assessment, as required by 10 CFR 1022, and the final PEIS or agency records of decision would include a



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floodplain statement of findings. The Agencies will prepare the PEIS in accordance with the National Environmental Policy Act (NEPA); the Council on Environmental Quality's NEPA implementing regulations, 40 CFR 1500-1508; DOE's NEPA implementing regulations promulgated pursuant to NEPA, 10 CFR 1021; BLM's planning regulations, 43 CFR 1600; and applicable FS planning regulations to amend land use plans. The public comment period for this ANOI starts with the publication of this notice in the Federal Register and will continue until December 2, 2008. Comments received or postmarked after that date will be considered to the extent practicable. The Agencies plan to issue a Notice of Intent (NOI) for this PEIS following analysis of comments and suggestions received on the ANOI. After the NOI is issued, the Agencies will conduct public scoping meetings to assist in further defining the scope of the PEIS and to identify significant issues to be addressed. The dates and locations of all scoping meetings will be announced in the NOI, subsequent Federal Register notices, and in local media. Comments or suggestions on the scope of the PEIS and the proposed action should be sent to: Brian Mills at the U.S. Department of Energy, Office of Electricity Delivery and Energy Reliability (OE-20), 1000 Independence Avenue, SW., Washington, DC 20585; phone 202-586-8267; facsimile at 202-586-8008; or by electronic mail at Brian.Mills@hq.doe.gov. For general information on the DOE NEPA process please contact: Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance (GC-20), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0103; phone 202-586-4600; leave a message at 800-472-2756; or facsimile at 202-586-7031. Further information about this effort, including maps showing Federal lands and existing infrastructure, may be found on the project Web site at eastcorridoreis.anl.gov (see, 73 F.R. 57613, October 3, 2008).

RCRA Subtitle I Delegation to State of Hawai'i, Department of Health to Operate an Underground Storage Tank Program in Lieu of the Federal Program

The Resource Conservation and Recovery Act of 1976, as amended (RCRA), authorizes the U.S. Environmental Protection Agency (EPA) to grant approval to States to operate their underground storage tank programs in lieu of the Federal program. This action codifies EPA's decision to approve State programs and incorporates by reference those provisions of the State statutes and regulations that will be subject to EPA's inspection and enforcement authorities in accordance with sections 9005 and 9006 of RCRA Subtitle I and other applicable statutory and regulatory provisions. This rule codifies the prior approval of the State of Hawai'i's underground storage tank program and incorporates by reference appropriate provisions of State statutes and regulations.

This final rule is effective November 17, 2008, unless EPA publishes a prior Federal Register notice withdrawing this immediate final rule. All comments on the codification of Hawai'i's underground storage tank program must be received by the close of business October 17, 2008. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register, as of November 17, 2008, in accordance with 5 U.S.C. 552(a).

The EPA requests that comments, identified by Docket ID No. EPA-R09-UST-2007-112, be sent to it by one of the following methods: (1) Internet. Go to <http://www.regulations.gov>: Follow the on-line instructions for submitting comments; (2) Electronic Mail. Send electronic mail to amaro.laurie@epa.gov; (3) Postal Mail. Send mail to Ms. Laurie Amaro, U.S. EPA Region 9, 75 Hawthorne Street, (Mail Code: WST-8), San Francisco, CA 94105; (4) Facsimile. Send fax transmission to (415) 947-3530; or, (5) Hand Delivery. Address comments to Laurie Amaro, Waste Management Division, U.S. EPA Region 9, 75 Hawthorne Street, San Francisco, CA 94105. Such deliveries are only accepted during EPA's normal hours of operation and should be made to the EPA receptionist office on the first floor.

Instructions: Direct your comments to Docket ID No. EPA-R09-UST-2007-112. EPA's policy is that all comments received will be included in the public docket without change and may be made available online 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 <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means WPA 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 <http://www.regulations.gov> your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, 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.

You may also view and copy Hawai'i's underground storage tank statute and regulations at: Hawai'i Department of Health, Solid and Hazardous Waste Branch, 919 Ala Moana Blvd., Room 212, Honolulu, Hawai'i 96814-4920. Call (808) 586-4226 in advance to make an appointment. For more information, please contact Ms. Laurie Amaro, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, (Mail Code: WST-8), San Francisco, CA 94105. Telephone: (415) 972-3364; e-mail address: amaro.laurie@epa.gov (see, 73 F.R. 53742, September 17, 2008).

Record of Decision for Army Growth and Force Structure Realignment to Support Operations in the Pacific Theatre

The Department of the Army announces the availability of the Record of Decision (ROD) for Army Growth and Force Structure Realignment to Support Operations in the Pacific Theater. This ROD announces the Army's decisions for growing and realigning U.S. Army forces to support operations in the Pacific Theater, which covers more than 50 percent of the earth's surface and includes more than 39 countries. Pursuant to the National Environmental Policy Act (NEPA), the Department of the Army prepared a Supplemental Programmatic Environmental Impact Statement (SPEIS) that evaluated the potential environmental and socioeconomic effects associated with alternatives for Army growth and realignment. In the Final SPEIS (published July 24, 2008), the Army identified Alternative Two as the preferred



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alternative for implementing growth in U.S. Army Garrison Hawai'i (USAG-HI) and Alternative Three as the preferred alternative for implementing growth in U.S. Army Garrisons in Alaska. The ROD explains that the Army will proceed with its preferred alternatives to station approximately 1,980 new Soldiers in Hawai'i and approximately 2,200 in Alaska. This decision also validates previous decisions to station a 254 Soldier Expeditionary Sustainment Command (ESC) at Fort Lewis, Washington, and divert the stationing of a 570 Soldier Maneuver Enhancement Brigade (MEB) from Schofield Barracks, Hawai'i, to Fort Drum, New York. These alternatives best support Army-wide modular transformation; support the National Defense and Security Strategies; add the necessary Combat Support (CS) and Combat Service Support (CSS) Soldiers to Army forces; and grow critical support brigades and headquarters to efficiently carry out missions in the Pacific Theater. The decisions contained within the ROD will result in a total growth of Army forces within the Pacific Theater by approximately 4,200 Soldiers and will realign forces to improve readiness and responsiveness to meet future challenges. Comments or questions regarding the ROD can be sent to the Public Affairs Office, U.S. Army Environmental Command, Building E4460, Attention: IMAE-PA 5179 Hoadley Road, Aberdeen Proving Ground, MD 21010-5401. For more information contact the Public Affairs Office at (410) 436-2556; facsimile at (410) 436-1693 during normal business hours Monday through Friday (see, 73 F.R. 53854, September 17, 2008).

Financial Responsibility for Water Pollution (Vessels) and OPA 90 Limits of Liability (Vessels and Deepwater Ports)

The United States Coast Guard (USCG) is amending the regulatory requirements, under the Oil Pollution Act of 1990 and the Comprehensive Environmental Response, Compensation and Liability Act, for vessel operators (as defined in the rule) to establish and maintain evidence of financial responsibility. The amendments ensure that the amounts of financial responsibility that must be demonstrated by vessel operators are consistent with recent statutory increases, and future mandated increases, to the limits of liability under the Oil Pollution Act of 1990. The amendments also implement changes in the Coast Guard's administration of the certificate of financial responsibility program, and clarify the current rule. This final rule is effective October 17, 2008. Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, are part of docket USCG-2005-21780 and are available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9:00 AM and 5:00 PM, Monday through Friday, except Federal holidays. You may also find this docket on the Internet at <http://www.regulations.gov>. For more information, contact Benjamin White (if you have questions on this rule) by calling the National Pollution Funds Center, Coast Guard, at (202) 493-6863. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, at (202) 366-9826 (see, 73 F.R. 53691, September 17, 2008).

National Marine Fisheries Service Notices

The Western Pacific Regional Fishery Management Council will convene the 99th meeting of its Scientific and Statistical Committee (SSC) in Honolulu on Wednesday, October 8, 2008 through Friday, October 10, 2008, from 0830 to 1700 hours, at the Council Office Conference Room, 1164 Bishop Street, Suite 1400, Honolulu, telephone: (808) 522-8220. For more information, please call Kitty M. Simonds, Executive Director at (808)-522-8220 (see, 73 F.R. 53198, September 15, 2008).

The National Marine Fisheries Service has proposed a rule that would establish Federal permitting and reporting requirements for all commercial bottomfish vessels fishing in the U.S. Exclusive Economic Zone (EEZ) around the Commonwealth of the Northern Mariana Islands (CNMI). The proposed rule would also close certain EEZ waters around the CNMI to bottomfish fishing by vessels over 40 ft (12.2 m) long. Vessel monitoring system units would be installed on these vessels, and the operators of these vessels would be required to submit Federal sales reports in addition to catch reports. This proposed rule is intended to ensure adequate collection of information about the CNMI commercial bottomfish fishery, provide for sustained community participation, and maintain a consistent supply of locally-caught bottomfish to CNMI markets and seafood consumers. Combined, these measures are intended to prevent the depletion of bottomfish stocks in the CNMI, and to sustain the fisheries that depend on them. Comments on this proposed rule must be received by October 23, 2008. Comments on the amendment, identified by 0648-AV28, may be sent to either of the following addresses: (1) Electronic Submission: Submit all electronic public comments via the Federal e-Rulemaking Portal www.regulations.gov; or (2) Mail: William L. Robinson, Regional Administrator, NMFS, Pacific Islands Region (PIR), 1601 Kapi'olani Blvd, Suite 1110, Honolulu, Hawai'i 96814-4700. For more information please call Bob Harman, NMFS PIR, at (808) 944-2271 (see, 73 F.R. 51992, September 8, 2008).

U. S. Army Corps of Engineers - Kawaihae Small Boat Harbor, South Kohala (POH-2007-279)

Pursuant to Section 10 of the Rivers and Harbors Act (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344), the U.S. Army Corps of Engineers (COE), Honolulu District, has announced that it has received an application for a Department of the Army permit for certain work in waters of the United States situated at the Kawaihae Small Boat Harbor, located on the northern portion of Kawaihae Bay and occupying the southern section of a small in-filled peninsula that lies between the commercial Kawaihae Deep Draft Harbor and the County operated Samuel M. Spencer Beach Park (Latitude 20.027 degrees N; Longitude 155.827 degrees W) from the State of Hawai'i, Department of Land and Natural Resources, Division of Boating and Ocean Recreation (Mr. Edward Underwood), 333 Queen Street, Suite 300, Honolulu, Hawai'i 96813. The COE has identified the agent for the applicant as M & E Pacific Inc. (Mr. Martin Nakasone), 841 Bishop Street, Suite 1900, Honolulu, Hawai'i 96813. The COE is soliciting comments from the public, Federal, State and local agencies and officials, native Hawaiian groups and individuals and other interested parties in order to consider and evaluate the impacts of the proposed activity. The applicant has submitted to the Office of Environmental Quality Control a Finding of No Significant Impact (FONSI) based on a Final



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Environmental Assessment pursuant to Chapter 343, Hawai'i Revised Statutes. The OEQC subsequently published notice of availability of the applicant's (FONSI) in its periodic bulletin of June 8, 2008, at page 3. Interested parties may submit in writing any comments that they have on issuance of a permit for the proposed activity. Any comments received will be considered by the COE to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and other public interest factors (40 C.F.R. Part 230). For more information, please contact Serena Sweet at (808) 438-2039. Electronic comments by e-mail can be posted at CEPOH-EC-R@usace.army.mil (extracted from, August 29, 2008, Public Notice POH-2007-279, U. S. Army Corps of Engineers, Honolulu District).