

# The Environmental Notice

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

DECEMBER 8, 1998

## Barber's Point Harbor Expansion

The State Department of Transportation and the Army Corps of Engineers are proposing to enlarge the harbor at Barber's Point to allow for the passage of larger vessels. The project includes deepening the harbor basin to 48 feet from its existing 42 feet, flaring and deepening the entrance, and constructing a 450 foot long jetty on the north side.

Three excavation methods will be evaluated in the EIS for the project. The options are hydraulic dredging, mechanical excavation and blasting. The preferred technique has not been chosen yet. The dredged material may be used for beach nourishment, other state projects or in the

construction of the jetty.

Potential impacts include loss of a small sandy beach south of the harbor channel resulting from the jetty; turbidity from the excavation, which may affect the coral reefs; increase in ciguatera fish poisoning if carried in by ships coming from ciguatera-endemic regions in the Pacific; increase in the introduction of alien species; disturbance to the humpback whale, green sea turtle, Hawaiian stilt and the plant *Achyranthes splendens*, all threatened or endangered; and noxious odors when stockpiled dredged material begins to rot. See the description of this EISPN on page 9.

### Lower Hamakua Ditch EIS Available

The National Resources Conservation Service and the State Department of Agriculture have issued a joint federal/state draft EIS and watershed plan for the Lower Hamakua Ditch on the island of Hawai'i. The EIS discusses four alternatives: (1) no action; (2) new wells; (3) repair and restoration of the Lower Hamakua Ditch; and (4) pipeline replacement of the Lower Hamakua Ditch. Repair and restoration was selected as the preferred alternative which will repair the Hakalaoa Falls tunnel, modify stream intakes, fix flumes, construct a one million gallon Honokaia reservoir, line the Pa'auilo reservoir and build a remote relay station. Mitigation measures discussed address erosion/sedimentation; wetlands or endangered species habitats; surface water quality and quantity; air quality; visual resources; cultural and historical resources; aquatic habitat and natural stream flows; taro production; and, Hakalaoa Falls. An unresolved issue is the amount of water diverted by the stream intakes in Waipi'o valley. See page 14.

### Cleaner Effluent Into Lake Wilson

The City and County of Honolulu is proposing to improve facilities at the Wahiawa Wastewater Treatment Plant. The changes will produce R-1 water (the highest quality of reclaimed water prescribed by DOH reclamation guidelines). The R-1 water will then be discharged into Wahiawa Reservoir (Lake Wilson) through a new 24-inch outfall at a depth of 40 feet below the water level.

The plant now treats approximately 2.0 mgd domestic wastewater collected from Wahiawa town and Whitmore Village. The DOH is requiring the City to improve the effluent because of poor water quality (demonstrated by fish kills) in the reservoir.

Wahiawa Reservoir is a man-made lake for impounding irrigation water. Dole Foods Hawaii uses the reservoir water for irrigating its diversified agricultural ventures in north Central Oahu and the North Shore. The reservoir is also popular for freshwater fishing and other recreational pursuits. For more information, please see page 6.



**BENJAMIN J. CAYETANO**  
GOVERNOR

**OFFICE OF  
ENVIRONMENTAL  
QUALITY CONTROL**

GARY GILL  
DIRECTOR

The Environmental Notice  
reviews the environmental impacts of  
projects proposed in Hawaii

Other Resources  
available at OEQC . . .

- *Guidebook for Hawaii's Environmental Review Process*
- *Environmental Impact Study Resource Library*
- *Environmental Education Database*
- *Environmental Council Annual Reports*
- *Rules and Policies*
- *"How to Plant a Native Hawaiian Garden"*

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# Definitions

## Your guide to the Environmental Review Process

### Draft Environmental Assessment

A project or action that may affect the environment cannot be implemented until an Environmental Assessment (EA) is prepared in accordance with HRS §343. If the lead government agency anticipates that the project will have no significant environmental impact, then a Draft EA is written and public notice is published in this bulletin. The public has 30 days to comment on the Draft EA from the date of the first notice.

### Final Environmental Assessment and FONSI (Negative Declaration)

If, after the lead agency reviews the public comments, it feels that the project will have no significant effect on the environment, then it will prepare a Final EA 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 Bulletin to sue in court to require the preparation of an EIS.

### EIS Prep Notice

If the lead agency decides that a project may have a significant environmental impact, it must prepare an Environmental Impact Statement (EIS) prior to implementing the project. The first step in preparing an EIS is publishing an EIS Preparation Notice (Prep Notice) in this Bulletin. Agencies, groups or individuals have 30 days from the first publication of an EIS Prep Notice to request to become a consulted party and to make written comments regarding the environmental effects of the proposed action. The draft EIS must respond to these comments.

### Draft EIS

If a project is likely to have a significant environmental impact, the lead agency or private applicant must prepare a

Draft Environmental Impact Statement (Draft EIS) prior to project implementation. This document must completely disclose the likely impacts of a project. Secondary 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 Bulletin to comment on a Draft EIS.

### Final EIS

After considering public comments filed during the Draft EIS stage, the agency or applicant must prepare a Final Environmental Impact Statement (Final EIS). The Final EIS must respond to all comments from the draft stage. If deeper analysis was required, it must be included in this document. If the project is from a private applicant, the lead agency is authorized to accept the FEIS. If the project is public, the Governor or Mayor is the accepting authority. Only after the EIS is accepted, may the project be implemented.

### EIS Acceptance Notice

If the accepting authority accepts a Final Environmental Impact Statement, a separate EIS Acceptance Notice will be published in this Bulletin. The public has 60 days from the date of first notice of acceptance to sue in court to challenge the acceptance of an EIS.

### NEPA

National Environmental Policy Act (NEPA) is the law that requires federal projects to prepare an EIS. It is similar to Hawaii's law. Some projects require both a state and federal EIS and the public comment procedure should be coordinated. Although not required by law, the OEQC publishes NEPA notices in this Bulletin to help keep the public informed of important actions.

### Special Management Area Permits

The Special Management Area (SMA) is along the coastlines of all our islands. Most development in this area requires a Special Management Permit (SMP). The Counties regulate development

of this area. On Oahu, the County law requires an EA be prepared to accompany a permit application. This Bulletin posts notice of these SMP applications to encourage public input.

### Shoreline Certifications

State law requires that Hawaii shorelines be surveyed and certified when necessary to clearly establish the regulatory building setback (usually 40 feet inland from the shoreline). The public may participate in the process to help assure accurate regulatory boundaries. Private land owners often petition to have their shoreline certified prior to construction. This Bulletin publishes notice of both shoreline certification applications 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 in this Bulletin 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 Bulletin will publish an agency's draft exemption list for public comment prior to Council decision making.

### Conservation District Permits

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 Bulletin.

# Table of Contents

DECEMBER 8, 1998

## Oahu Notices

### Draft Environmental Assessments

- (1) ABC Store No. 70 (Kuhio Avenue) ..... 4
- (2) Duty Free Shop Galleria Office Addition ..... 4
- (3) Ulehawa Beach Park ..... 5
- (4) Wahiawa Wastewater Treatment Plant Modifications & Outfall Adjustment ..... 6

### Final Environmental Assessments/ Findings of No Significant Impacts (FONSI)

- (5) Board of Water Supply Corporation Yard Expansion ..... 7
- (6) H-3 Retention of Access Roads, North Halawa Valley and Haiku Valley ..... 7
- (7) King Kalakaua Plaza, Phase II ..... 8
- (8) Stubenberg After-the-Fact Seawall ..... 8
- (9) Windward Exploratory Well ..... 9

### Environmental Impact Statement Preparation Notices

- (10) Barbers Point Harbor Modifications ..... 9

### Previously Published Projects Pending Public Comments

- Draft Environmental Assessments ..... 10
- Final Environmental Impact Statements ..... 10

### Acceptance Notices

- Final Environmental Impact Statements ..... 10

## Maui Notices

### Draft Environmental Assessments

- (1) Hana Highway, Replacement of Kaupakulua Bridge & Approaches ..... 11
- Correction ..... 11

### Final Environmental Assessments/ Findings of No Significant Impacts (FONSI)

- (2) Kaho'olawe Island Reserve Commission Administrative Building, Storage Facility & Plant Nursery ..... 12

### Previously Published Projects Pending Public Comments

- Draft Environmental Assessments ..... 12

## Hawaii Notices

### Draft Environmental Assessments

- (1) North Kohala Set Aside Lands for Community Park ..... 13

### Final Environmental Assessments/ Findings of No Significant Impacts (FONSI)

- (2) Paradise Drive Waterline ..... 13
- (3) Wailuku Riverfront Park ..... 14

### Draft Environmental Impact Statements

- (4) Hamakua Lower Ditch Watershed Project ..... 14

### National Environmental Policy Act

- (5) Pohakuloa Training Area Construction of Two Enclosures (Draft Environmental Assessment) ..... 15

### Previously Published Projects Pending Public Comments

- Draft Environmental Assessments ..... 16

## Kauai Notices

### Draft Environmental Assessments

- (1) Papa'a Bay Ranch Improvements ..... 16

### Final Environmental Assessments/ Findings of No Significant Impacts (FONSI)

- (2) Wainiha Water Tank Site Land Acquisition ..... 17

## Alien Species Permits

- Male Common Eland, *Taurotragus oryx* ..... 17

## Shoreline Notices

- Shoreline Certification Applications ..... 18
- Shoreline Certifications and Rejections ..... 18

## Coastal Zone News

- (1) Bachelor Enlisted Quarters Complex, Marine Corps Base Hawaii Kaneohe Bay, Oahu ..... 19
- (2) Lower Hamakua Ditch Watershed, County of Hawaii ..... 19

## Pollution Control Permits

- Department of Health Permits ..... 20

## Federal Notices

- Court-Ordered Review of "Non-Prudent" Determinations on Critical Habitat for 245 Hawaiian Plants ..... 21

*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.*

# Oahu Notices

DECEMBER 8, 1998

## Draft Environmental Assessments



### (1) ABC Store No. 70 (Kuhio Avenue)

**District:** Honolulu  
**TMK:** 2-6-23:53, 54  
**Applicant:** MNS, Ltd.  
766 Pohukaina Street  
Honolulu, Hawaii 96813

**Approving Agency/Accepting Authority:** City and County of Honolulu  
Department of Planning and Permitting  
650 South King Street  
Honolulu, Hawaii 96813  
Contact: Steve Tagawa/Joyce Shoji (523-4817/527-5354)

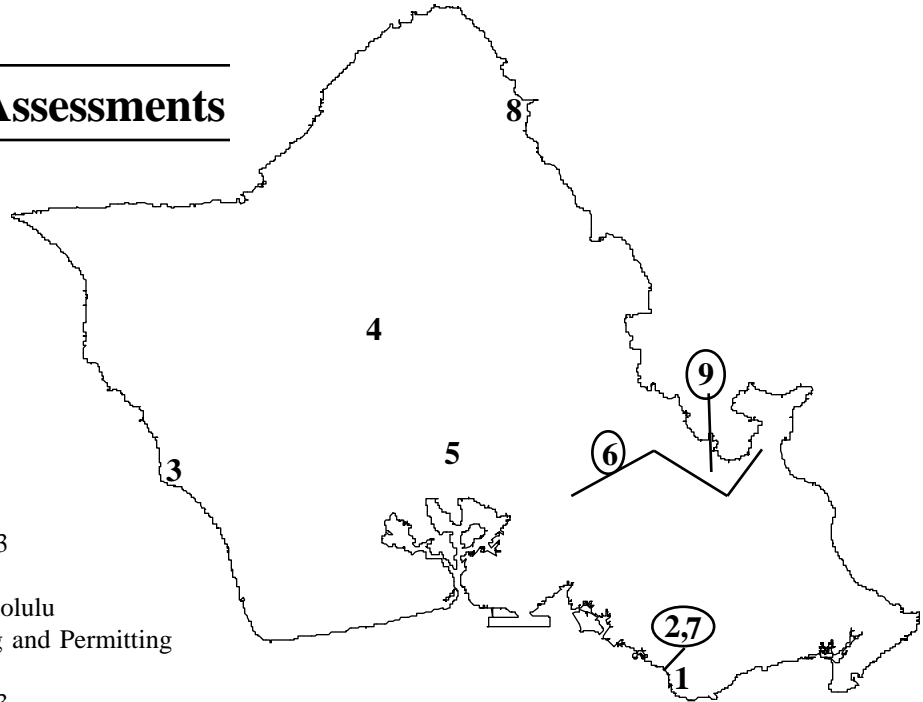
**Consultant:** AM Partners, Inc.  
1164 Bishop Street, Suite 1000  
Honolulu, Hawaii 96813  
Contact: Taeyong Kim (526-2828)

**Public Comment**  
**Deadline:** January 7, 1999  
**Status:** DEA First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority, the consultant and OEQC.

**Permits Required:** Major Waikiki Special Use District permit

The applicant proposes to construct a new freestanding 2,600 square-foot convenience store at 2475 Kuhio Avenue. The site currently contains a vacant single-family structure located at 160 Liliuokalani Avenue. The store would be a single-story concrete and steel structure standing 24 feet in height and featuring approximately 1,450 square feet of retail and support space. The structure will incorporate details that convey a strong sense of a "Hawaiian Character" and will also involve improvements to the adjacent mini-park site to create a continuous open space frontage.

Construction will require demolition of the current structure and the existing mini-park wall and planter which divide the two parcels. The new store will be setback 15 feet along Liliuokalani Avenue and will feature landscaped grounds with integrated seating planters, unified paving and a



new City and County designed bus stop shelter. Additional landscaping will be added to the rear of the property to serve as a buffer between the commercial structure and the adjacent residential property. The existing street and traffic lights, as well as Hawaiian Electric Company's (HECO's) switching vault will be unaffected by the proposed construction.

According to the applicant, the store's entrance will face the intersection of Kuhio and Liliuokalani Avenues and the store will be opened 7 days a week from 6:30 a.m. to 1:30 a.m. Approximately 8 full-time and 2 part-time employees would be employed at this location. This location would serve the surrounding community and enjoys heavy pedestrian traffic.

The project site is located within Waikiki's Resort Mixed Use District and as such, requires the approval of a Waikiki Special District Permit.

The project cost is estimated at approximately \$650,000.



### (2) Duty Free Shop Galleria Office Addition

**District:** Honolulu  
**TMK:** 2-6-19: 19, 22, 23, 24, 27, 28, 29, 34, 35, 36, 41, 45, 46, 47 and 48

**Applicant:** DFS Group L.P.  
3375 Koapaka Street, Suite 200  
Honolulu, Hawaii 96819  
Contact: Stephen H. Miller (837-3000)

**Approving Agency/Accepting**

**Authority:** City and County of Honolulu  
Department of Planning and Permitting  
650 South King Street, 7th Floor  
Honolulu, Hawaii 96813  
Contact: Art Challacombe (523-4107)

**Public Comment**

**Deadline:** January 7, 1999  
**Status:** DEA First Notice pending public comment.  
Address comments to the applicant with copies to the approving agency or accepting authority and OEQC.

**Permits Required:** Waikiki Special District permit amendment, parking variance

The proposed project will add 13,645 square feet of office space on the roof of the existing fourth level of the Duty Free Shop (DFS) Galleria. Construction would occur in two increments: The first increment of 8,132 square feet would be constructed immediately upon approval by the Department of Planning and Permitting and obtaining a building permit. Construction of this initial phase would be completed by the end of April 1999. Construction of the second phase of 5,513 square feet is subject to demand for use of Phase I space and would likely occur in the next 3 to 5 years.



### (3) Ulehawa Beach Park

**District:** Waianae  
**TMK:** 8-7-05:01, 03, 05; 8-7-06:03; 8-7-07:01; 8-7-08:26

**Applicant:** City and County of Honolulu  
Department of Design and Construction  
650 South King Street, 9th Floor  
Honolulu, Hawaii 96813  
Contact: Dan Takamatsu (527-6301)

**Approving Agency/Accepting**

**Authority:** City and County of Honolulu  
Department of Planning and Permitting  
Coastal Lands Branch  
650 South King Street, 7th Floor  
Honolulu, Hawaii 968143  
Contact: Art Challacombe (523-4077)

**Consultant:** PBR Hawaii  
1001 Bishop Street, Pacific Tower 650  
Honolulu, Hawaii 96813  
Contact: Yukie Ohashi (521-5631)

**Public Comment**

**Deadline:** January 7, 1999  
**Status:** DEA First Notice pending public comment.  
Address comments to the applicant with copies to the approving agency or accepting authority, the consultant and OEQC.

**Permits**

**Required:** SMA

The three-mile linear Ulehawa Beach Park is an existing shoreline park in the Waianae District which extends from Nanakuli to Maili. The 57.6-acre park serves the recreational needs of the Leeward Community. The proposed improvements will be within the City and County of Honolulu-owned State Urban District lands.

In its existing condition only two small areas of the linear park are improved. The goal of the Ulehawa Beach Park Landscape Master Plan is to create an integrated, more accessible, more usable, and more enjoyable beach park for the Waianae community through the following means: 1) Develop beach park facilities (e.g. parking, picnic tables, landscaped shaded areas, comfort stations, etc.); 2) add aesthetic enhancements to existing areas; 3) protect sand dunes and other natural/cultural resources; 4) establish landscape elements to beautify and control shoreline erosion; and 5) utilize native plantings where appropriate.

The Master Plan includes a mix of improved and "wild" park space, new parking areas, a new comfort station, open space shady lawn areas, landscaping, and vehicular access control measures. In support of the development, infrastructure facilities to be expanded or improved may include access driveways, drainage improvements, extension of water and wastewater lines, and electrical and communication lines.

The Landscape Master Plan is segmented into four areas. Generally, all areas will involve clean-up and removal of existing debris and scrub vegetation. Expansion of improved facilities is designed to serve the general community and also to serve specific user groups, including families, fishermen, surfers, and school children.

Existing sand dune areas which may contain cultural deposits will be landscaped with native coastal plant materials to protect from further erosion. This work will be closely coordinated with the State Historic Preservation Division.

# Oahu Notices

DECEMBER 8, 1998

Construction of the park improvements are scheduled in a phased process to commence in 1999. The estimated cost of implementing the planned improvements is \$ 1.2 million to \$2.7 million.



## (4) Wahiawa Wastewater Treatment Plant Modifications & Outfall Adjustment

**District:** Wahiawa  
**TMK:** Wahiawa WWTP: 7-3-07:02; Wahiawa Reservoir: 7-3-07:1; 7-1-01:por. 8, por. 20, 21  
**Applicant:** City and County of Honolulu  
Department of Design and Construction  
650 South King Street  
Honolulu, Hawaii 96813  
Contact: Robert Miyasaki (527-5159)

### Approving Agency/Accepting

**Authority:** Same as above.  
**Consultant:** Gerald Park Urban Planner (942-7484)  
1400 Rycroft Street, Suite 876  
Honolulu, Hawaii 96814

### Public Comment

**Deadline:** January 7, 1999  
**Status:** DEA First Notice pending public comment.  
Address comments to the applicant with copies to the consultant and OEQC.

**Permits Required:** Department of the Army Permit for Activities in Waterways; Section 401 Water Quality Certification; Hawaii Coastal Zone Management Consistency Determination; Conservation District Use Application; Stream Channel Alteration Permit; NPDES; Effluent Discharge-Zone of Mixing; NPDES General Permits; Variance from Pollution Controls, Grubbing, Grading, and Stockpiling; Building Permit for Building, Electrical, Plumbing, Sidewalk/Driveway and Demolition Work; Construction Dewatering (Temporary); and Discharge of Waters.

The City and County of Honolulu proposes to modify wastewater treatment facilities at the Wahiawa Wastewater Treatment Plant located in Wahiawa, Oahu, Hawaii. The plant treats domestic wastewater collected within the towns of

Wahiawa and Whitmore Village. The plant provides secondary treatment with an activated sludge process designed for an average dry weather flow of 2.5 mgd.

In March 1998, the City and County of Honolulu and the State of Hawaii signed a Consent Decree the objectives of which are to provide a long-term reliable solution for effluent disposal from the Wahiawa Wastewater Treatment Plant, to improve reservoir water quality, and to promote resource conservation through wastewater reclamation.

The City proposes to add filtration units, modify the existing disinfection unit process to produce R-1 water, and adjust the existing outfall to discharge at a deeper location in the reservoir. Other planned improvements will produce an upgraded secondary effluent for delivery to the effluent filters. Installing the deep outfall in the reservoir will not adversely affect underwater terrain except at the diffuser end of the outfall. The end of the outfall will be supported on piles and elevated above the bottom of the reservoir. Most of the outfall will be laid atop the sloping bank to minimize ground disturbance to the underwater landform.

Short-term construction impacts would temporarily affect air quality, noise, and traffic. Negligible impacts are anticipated on land use, fish assemblages in the reservoir, and public utilities. Significant long-term adverse impacts on the treatment plant and its unit processes are not anticipated.

The R-1 water to be produced by the Wahiawa WWTP is the highest quality of reclaimed water prescribed by State of Hawaii Department of Health reclamation guidelines. Modeling of effluent diversion to a deep water discharge and analysis of the effect of R-1 water on water quality parameters indicate that water quality will improve over time with the better treatment and deep water discharge. Improvement in water quality will be most evident in the surface waters of the reservoir and sediment quality of the bottom of the reservoir should improve.

Modifications to the treatment plant and adjustment of the outfall to a deeper location are scheduled to be completed by March, 2001.

## Final Environmental Assessments/Findings of No Significant Impacts (FONSI)



### (5) Board of Water Supply Corporation Yard Expansion

**District:** Ewa  
**TMK:** 9-7-24:4 and portion of 6  
**Applicant:** City and County of Honolulu  
Board of Water Supply  
630 South Beretania Street  
Honolulu, Hawaii 96843  
Contact: Steven Serikaku (527-5203)

#### Approving Agency/Accepting

**Authority:** City and County of Honolulu  
Board of Water Supply  
630 South Beretania Street  
Honolulu, Hawaii 96843  
Contact: Cliff Jamile (527-6180)

**Consultant:** Belt Collins Hawaii, Ltd.  
680 Ala Moana Boulevard, First Floor  
Honolulu, Hawaii 96813  
Contact: Glen Koyama (521-5361)

#### Public Challenge

**Deadline:** January 7, 1999  
**Status:** FEA/FONSI issued, project may proceed.  
**Permits Required:** Building, grading, demolition, NPDES

The Board of Water Supply (BWS) is planning to expand its corporation yard at Manana as part of a 10- to 30-year plan. The proposed expansion is intended to accommodate current and future demands for emergency repair and maintenance work of BWS's water transmission lines and related facilities in the Leeward Oahu area between Halawa Stream, Kapolei/Makakilo and Kipapa Gulch.

The existing 2.02-acre base yard currently contains a field administration office, equipment and supply storage facilities and automotive service/repair and body/fender shops. The proposed expansion will include approximately 7.44 acres of adjacent land to accommodate a new operations administration building, parts inventory building and shower/locker facilities. Existing field operations will be relocated to

and expanded in the new parts inventory building, and the existing automotive operations will be expanded into an additional shop building. Associated on-site parking and other accessory facilities will also be provided.

The existing bulk storage yard will be relocated to the western end of the expanded property to provide an outdoor area for large equipment and field supplies. Backfill storage bins and a temporary holding area for trench debris will be relocated adjacent to the bulk storage yard.

As part of the project's initial site preparation, BWS will require removal or partial removal of several existing facilities, including three abandoned U.S. Naval warehouses to make way for the proposed expansion. A fourth warehouse will be retained for temporary use, until it is later replaced by the new parts inventory building under BWS's long-range plan.



### (6) H-3 Retention of Access Roads, North Halawa Valley and Haiku Valley

**District:** Honolulu and Koolauapoko  
**TMK:** 4-5-23:3; 4-5-25:8, 20; 4-6-15:9, 11, 12, 999; 9-9-9:2; 9-9-10:9, 26  
**Applicant:** Department of Transportation  
Highways Division  
869 Punchbowl Street  
Honolulu, Hawaii 96813  
Contact: Karen Chun (587-2125)

#### Approving Agency/Accepting

**Authority:** Same as above.  
**Consultant:** Parsons, Brinckerhoff-Hirota Associates  
1001 Bishop St., Pacific Tower, Ste. 3000  
Honolulu, Hawaii 96813  
Contact: Richard Dahilig (531-7094)

#### Public Challenge

**Deadline:** January 7, 1999  
**Status:** FEA/FONSI issued, project may proceed.  
**Permits Required:** Amendment to CDUP

The State of Hawaii Department of Transportation, Highways Division (HDOT) proposes to retain existing construction access roads in North Halawa Valley and Haiku Valley. These access roads were used to construct Interstate Route H-3, including the one-mile long Tetsuo Harano Tunnels. HDOT wants to retain the access roads for its bridge

# Oahu Notices

DECEMBER 8, 1998

inspection and highway maintenance program of the Interstate.

This proposal is in response to Condition I.15. of H-3's conservation district use permit (CDUP), "upon completion of the construction of H-3 through North Halawa Valley, the construction access road shall be removed and to the extent possible, the affected areas shall be restored to its natural state." This condition was proposed by HDOT because at the time of the CDUP process in 1983 it was believed that the access roads in the conservation district would not be needed after H-3 was completed. Since then, however, circumstances have changed that required HDOT to reconsider this position. Specifically, substantially more viaduct or bridge structures were used than originally intended. HDOT will submit a request to the Board of Land and Natural Resources to remove Condition I.15. from the H-3 CDUP.

The Final EA indicates North Halawa Valley and Haiku Valley have been recovering from the construction of H-3, and that the proposed action will not affect this restoration. The only alternative to the proposed action is to remove the access roads and to the extent possible, restore the valleys to their pre-H-3 condition. Construction of this alternative would be a major undertaking and would once again disturb the environmental conditions of these valleys. Furthermore, when maintenance or minor construction is needed in the future, HDOT would have to clear another road to the construction site, which would disturb the valley(s) yet again.



## (7) King Kalakaua Plaza, Phase II

**District:** Honolulu  
**TMK:** 2-6-18: 10, 36, 42, 52, 55, 62, 63, 64, 73 and 74  
**Applicant:** Kalakaua Southseas Owners, LLC  
2080 Kalakaua Avenue, #105  
Honolulu, Hawaii 96815  
**Approving Agency/Accepting Authority:** City and County of Honolulu  
Department of Planning and Permitting  
650 South King Street, 7th Floor  
Honolulu, Hawaii 96813  
Contact: Ardis Shaw-Kim (527-5349)  
**Consultant:** Wilson Okamoto & Associates, Inc.  
1907 South Beretania Street, Suite 400  
Honolulu, Hawaii 96826  
Contact: Laura Mau (946-2277)

## Public Challenge

**Deadline:** January 7, 1999  
**Status:** FEA/FONSI issued, project may proceed.  
**Permits Required:** Waikiki Special District, conditional use permit

The 109,747 square-foot project site encompasses 10 parcels and is bounded by Kalakaua Avenue, Kuhio Avenue, and Kalaimoku Street. Eight abandoned structures that were previously used for retail and restaurant activities, commercial office space, apartments, parking and the City and County of Honolulu Police Department located in the Canlis Restaurant building, currently occupy the property.

The applicant proposes to demolish the existing structures and construct a retail/commercial mixed-use complex consisting of a single building varying from 3 to 5 stories. Approximately 289 parking stalls will be provided in a single level of below-grade parking. The requirement for additional parking will be satisfied by existing excess parking across Kalaimoku Street at the existing King Kalakaua Plaza - Phase I.

The applicant estimates that the project will commence in January of 1999 with completion estimated by March 2001. The estimated construction cost of the proposed project is \$50 million, while the estimated tenant improvement cost is approximately \$60 million.



## (8) Stubenberg After-the-Fact Seawall

**District:** Koolauloa  
**TMK:** 5-5-02:77  
**Applicant:** James A. and Lynne E. Stubenberg  
55-321-C Kamehameha Highway  
Laie, Hawaii 96762  
Contact: James Stubenberg (526-0892)  
**Approving Agency/Accepting Authority:** City and County of Honolulu  
Department of Land Utilization  
650 South King Street, 7th Floor  
Honolulu, Hawaii 96813  
Contact: Steve Tagawa (523-4817)  
**Consultant:** Roland Ejercito, Jr. (841-5113)  
P.O. Box 2681  
Honolulu, Hawaii 96803  
**Public Challenge**  
**Deadline:** January 7, 1999  
**Status:** FEA/FONSI issued, project may proceed.



## Permits

**Required:** Shoreline setback variance

The applicants propose to retain a shoreline boulder revetment bordering the entire 40-foot makai (seaward) boundary of their single-family residential property located in Laie, Oahu. Ranging in height from 5 to 8 feet, the revetment consists of half ton armor and 150-200 pound filter stones. Also constructed within the shoreline setback area are a 6-foot high wood fence and wood stairwell leading down to the sandy beach.

Pursuant to Chapter 23, Revised Ordinances Honolulu (ROH), these improvements are prohibited from being built within 40 feet of the certified shoreline (as determined by the State of Hawaii) without first obtaining a Shoreline Setback Variance (SV). The subject project is situated at 55-321/C Kamehameha Highway, Laie, Oahu.



## (9) Windward Exploratory Well

**District:** Koolaupoko  
**TMK:** 4-5-23:por. 2  
**Applicant:** Department of Land and Natural Resources  
1151 Punchbowl Street, Room 221  
Honolulu, Hawaii 96813  
Contact: Hiram Young (587-0260)

### Approving Agency/Accepting

**Authority:** Same as above.

**Consultant:** Sato & Associates, Inc.  
2046 South King Street  
Honolulu, Hawaii 96826  
Contact: Clifford Arakawa (955-4441)

### Public Challenge

**Deadline:** January 7, 1999  
**Status:** FEA/FONSI issued, project may proceed.  
**Permits** NPDES, pump installation, well  
**Required:** construction

The proposed action involves the drilling and testing of an 800 feet deep exploratory well on the grounds of the Kaneohe State Hospital on lands owned by the State of Hawaii. The well will be cased to a depth of 300 feet. The well will be drilled to obtain hydrogeological data on the potential for new ground water resource. Test pumping of the exploratory well will be performed to determine the quantity and quality of water suitable for development.

## Environmental Impact Statement Preparation Notices



## (10) Barbers Point Harbor Modifications

**District:** Ewa  
**TMK:** 9-1-14:portions of 02 and 24  
**Applicant:** Department of Transportation, Harbors  
Division  
79 South Nimitz Highway  
Honolulu, Hawaii 96813  
Contact: Randal Leong (587-1883)

### Approving Agency/Accepting

**Authority:** Governor, State of Hawaii  
c/o Office of Environmental Quality Control  
235 South Beretania Street, Suite 702  
Honolulu, Hawaii 96813

**Consultant:** Parsons Brinckerhoff  
Pacific Tower, Suite 3000  
1001 Bishop Street  
Honolulu, Hawaii 96813  
Contact: Clyde Shimizu (566-2210)

### Public Comment

**Deadline:** January 7, 1999  
**Status:** EISPN First Notice pending public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

**Permits** Water Quality Certification Coastal Zone  
**Required:** Management Consistency Determination,  
Water Use

The U. S. Army Corps of Engineers and the State Department of Transportation, Harbors Division propose to modify the existing harbor at Barbers Point. The proposed action consists of the following elements:

- deepening the harbor basin;
- deepening and flaring the entrance channel; and
- constructing a jetty on the north side of the harbor entrance.

The project would enable vessels of greater capacities to enter the harbor and reduce delays due to tidal restrictions. The existing harbor's depth limitation results in increased transportation costs to shippers as they must either light-load

# Oahu Notices

DECEMBER 8, 1998

their larger vessels or continue to use less efficient smaller ones. In addition, the jetty would help increase safety to vessels entering and leaving the harbor. Cross-currents at the harbor entrance create a navigational hazard under existing conditions. The jetty and harbor and channel deepening will improve wind wave conditions in the harbor, especially in the barge basin, and reduce the risk of damaging vessels, cargo, and the environment.

The construction methods would not be determined in the SEIS but three options would be evaluated: hydraulic dredging, mechanical excavation, and blasting with mechanical excavation. Harbor operations would continue during the proposed improvements.

Studies are planned to determine impacts and mitigation measures for water quality, sediment movement, marine life, construction noise, and groundwater. Impacts and mitigation for the disposal of the dredged material would also be addressed.

Federal and State EIS published in the 1970s addressed the development of Barbers Point Harbor. However, conditions in the vicinity of the harbor have changed since these documents were published. Since Barbers Point Harbor development has already gone through both the 343 Hawaii Revised Statutes (HRS) and National Environmental Policy Act (NEPA) processes, a Supplemental Environmental Impact Statement would be the appropriate format.

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## Previously Published Projects Pending Public Comments

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### Draft Environmental Assessments

#### 📍 Kailua Sewer Rehabilitation Project Along Kaunehe Street, Hamakua Drive & Keolu Drive

**Applicant:** City and County of Honolulu  
Department of Design and Construction  
650 South King Street  
Honolulu, Hawaii 96813  
Contact: Sung Ho Lai (527-5398)

**Approving Agency/Accepting**

**Authority:** Same as above.

**Public Comment**

**Deadline:** December 23, 1998

### Final Environmental Impact Statements

#### 📍 Honolulu Block J Redevelopment Project

**Applicant:** City and County of Honolulu  
Department of Community Services  
715 South King Street, Suite 311  
Honolulu, Hawaii 96813  
Contact: Keith Ishida (527-5092)

**Approving Agency/Accepting**

**Authority:** City and County of Honolulu  
Planning Department  
650 South King Street  
Honolulu, Hawaii 96813  
Contact: Patrick Onishi (523-4713)

**Status:** FEIS currently being reviewed by the Planning Department, City and County of Honolulu.

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## Acceptance Notices

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### Final Environmental Impact Statements

#### 📍 Waipio Peninsula Soccer Park

**Applicant:** City and County of Honolulu  
Department of Design and Construction  
650 South King Street, 2nd Floor  
Honolulu, Hawaii 96813  
Contact: Randall Fujiki (523-4564)

**Approving Agency/Accepting**

**Authority:** City and County of Honolulu  
Department of Planning  
650 South King Street  
Honolulu, Hawaii 96813

**Status:** FEIS accepted by the Department of Planning, City and County of Honolulu on November 19, 1998.



## Draft Environmental Assessments



### (1) Hana Highway, Replacement of Kaupakulua Bridge & Approaches

**District:** Makawao  
**TMK:** 2-7-13:portions 26, 27, 64, 66, 67, 71, 72  
**Applicant:** Department of Transportation  
869 Punchbowl Street  
Honolulu, Hawaii 96813  
Contact: Emilio Barroga, Jr. (692-7546)

#### Approving Agency/Accepting

**Authority:** Same as above.  
**Consultant:** R.M. Towill Corporation  
420 Waiakamilo Road, Suite 411  
Honolulu, Hawaii 96817-4941  
Contact: Chester Koga (842-1133)

#### Public Comment

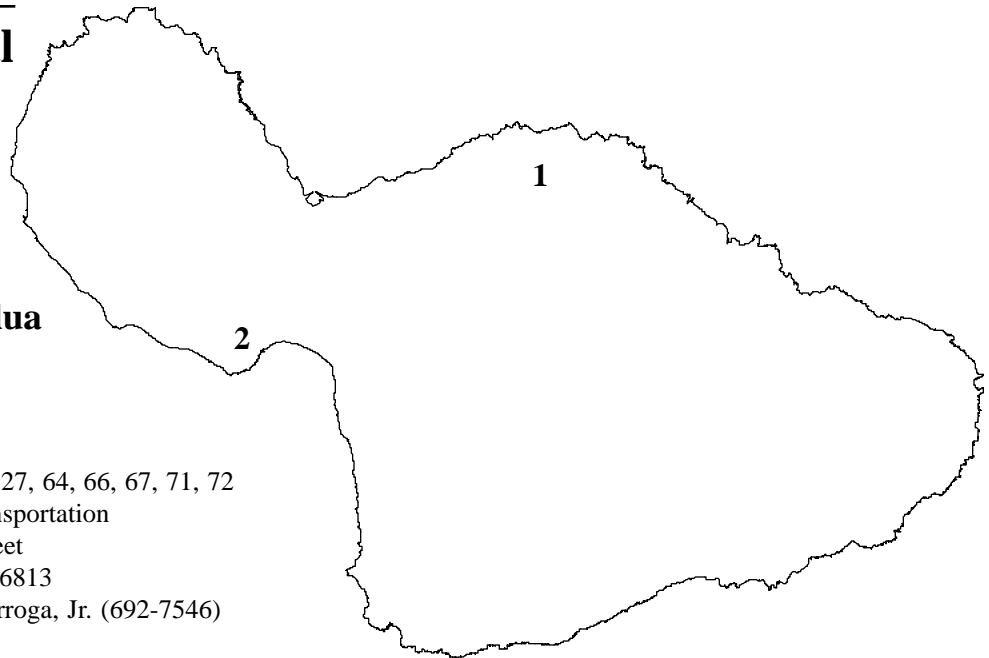
**Deadline:** January 7, 1999  
**Status:** DEA First Notice pending public comment.  
Address comments to the applicant with copies to the consultant and OEQC.

#### Permits

**Required:** SCAP (maybe), DOH, Dept. of the Army, CZM

The State Department of Transportation Highways Division proposes to replace the Kaupakulua Bridge on the Hana Highway, State Route 36, and realign the approach roads. This improvement is recommended to mitigate bridge maintenance concerns, increase traffic safety, improve the road crossing to conform with federal standards, and to meet the overall projected operating conditions of the Hana Highway.

The proposed replacement bridge will be constructed adjacent to the existing structure on the mauka (south) side of the Hana Highway. The new bridge will measure approximately 240 feet long by 40 feet wide. Included in the bridge design are reinforced guardrails, and drainage features normally lacking in older bridge construction. Approach roads will be constructed and aligned to merge with the existing highway. Both the bridge and approach roads will be



constructed to accommodate two 12-foot traffic lanes and two 10-foot shoulders. Upon completion of the new bridge, the existing bridge will be dismantled and removed, leaving the pier footings and abutments abandoned in place.

The project requires acquisition of portions of land mauka of the Hana Highway to accommodate a revised right-of-way. Construction activities associated with the proposed project will generate short-term impacts in the form of fugitive dust, exhaust emissions, and construction noise. Infrequent interruptions to traffic on the Hana Highway are also anticipated. These impacts are temporary in nature and will be mitigated through best management practices. The project will not alter the character of the surrounding area and will not effect changes in land use.

### Correction

The Maui DEA listed in the November 23, 1998 *Environmental Notice*, the Hana Waterline Replacement Project, Phase III, should read "Phase II."

# Maui Notices

DECEMBER 8, 1998

## Final Environmental Assessments/Findings of No Significant Impacts (FONSI)



### (2) Kaho'olawe Island Reserve Commission Administrative Building, Storage Facility & Plant Nursery

**District:** Wailuku  
**TMK:** 3-6-01:por. of 14  
**Applicant:** Kaho'olawe Island Reserve Commission  
33 South King Street, Room 501  
Honolulu, Hawaii 96813  
Contact: R. Keoni Fairbanks (586-0761)

**Approving Agency/Accepting Authority:** Department of Land and Natural Resources  
Land Division  
P.O. Box 621  
Honolulu, Hawaii 96809  
Contact: Sam Lemmo (587-0381)

**Public Challenge**  
**Deadline:** January 7, 1999  
**Status:** FEA/FONSI issued, project may proceed.  
**Permits Required:** CDUA, SMA

The Kaho'olawe Island Reserve Commission (KIRC) is requesting a Revocable Permit and possible future Executive Order and Subdivision of approximately eight (8) acres of state-owned land in order to construct a Boat House, Storage Facility, Native Hawaiian Plant Nursery, future Administrative Building, and other necessary appurtenances located in Ma'alaea, Maui, Hawaii. The Boat House will be utilized for the storage of a boat and trailer used by KIRC's Ocean Management program. The Storage Facility will house equipment and supplies for the KIRC's Restoration and Ocean Management programs. The nursery will include planting areas for the propagation of Native Hawaiian plants, which will be delivered to and transplanted on Kaho'olawe in support of the goals and objectives of the KIRC's Environmental Restoration Plan. The future Administrative Building will provide office space for KIRC staff. The project site will also include a small parking area to accommodate no more than ten (10) vehicles.

The subject property is currently vacant and will be restricted to the near level and previously graded and gravelled area at the foothills of the West Maui mountains. The property is partially vegetated with non-native species of plants. Access to the subject property is located off of Honoapi'ilani Highway via an existing paved access easement for a County of Maui 300,000 gallon water storage tank facility.

Archaeological sites are located nearby, including petroglyphs, a destroyed heiau, midden scatter, and terrace segments. Based upon recommendations from the DLNR - Historic Preservation Division, the area proposed for development will be restricted to the near level and previously graded area, which is makai (east) of the destroyed heiau and petroglyph sites. Recent construction and cattle ranching activities in the area proposed for development make it unlikely that any significant cultural or historic sites remain intact today.

The proposed project serves to advance the goals of the Kaho'olawe Use Plan, the Kaho'olawe Ocean Resource Management Plan, and the Kaho'olawe Environmental Restoration Plan, as well as KIRC's Vision Statement.

## Previously Published Projects Pending Public Comments

### Draft Environmental Assessments

#### Hana Waterline Replacement Project, Phase II

**Applicant:** County of Maui, Dept. of Water Supply  
200 South High Street  
Wailuku, Hawaii 96793  
Contact: David Craddick (243-7816)

**Approving Agency/Accepting Authority:** Same as above.  
**Public Comment**  
**Deadline:** December 23, 1998

#### Uaoa Stream Bridge Replacement

**Applicant:** Department of Transportation  
869 Punchbowl Street  
Honolulu, Hawaii 96813  
Contact: Emilio Barroga, Jr. (587-2123)

**Approving Agency/Accepting Authority:** Same as above.  
**Public Comment**  
**Deadline:** December 23, 1998

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## Draft Environmental Assessments

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### (1) North Kohala Set Aside Lands for Community Park

**District:** North Kohala  
**TMK:** 5-5-3 portion of 19 and 25  
**Applicant:** County of Hawaii  
Department of Parks and Recreation  
25 Aupuni Street  
Hilo, Hawaii 96720  
Contact: Julie Tulang (961-8311)

**Approving Agency/Accepting Authority:** Department of Land and Natural Resources  
Box 936  
Hilo, Hawaii 96721  
Contact: Charlene Unoki (974-6203)

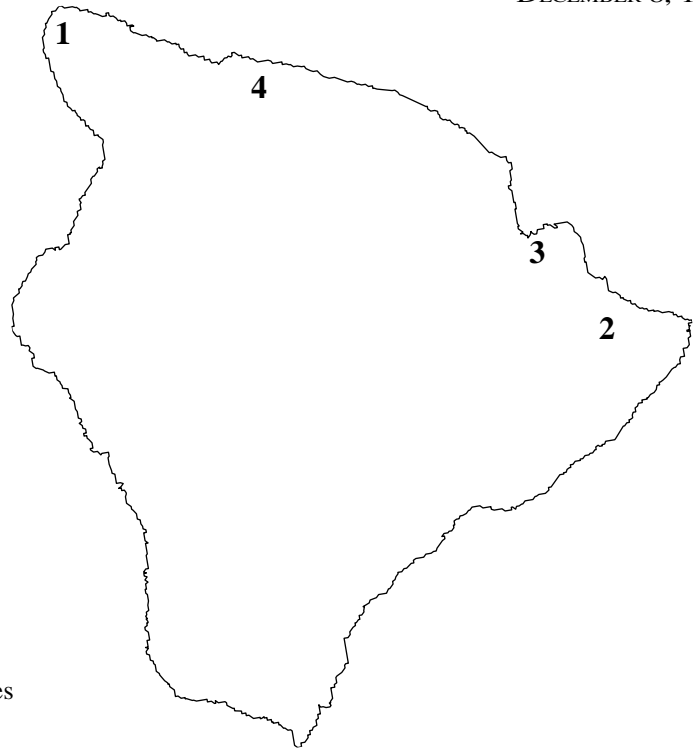
**Consultant:** Duane Kanuha (934-7033)  
c/o 101 Aupuni Street, Suite 206  
Hilo, Hawaii 96720

**Public Comment**  
**Deadline:** January 7, 1999  
**Status:** DEA First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority, the consultant and OEQC.

**Permits Required:** Grubbing

The Hawaii County Council passed Resolution #143-95 requesting the state to transfer approximately 15 acres by way of a set aside near Hawi for the development of a county park and playing fields. It was found there was a need for additional park facilities in the area, especially playing fields for youth sports.

The plan will be to make a softball field, soccer field and a parking area. Grading work will be done on an area covering less than 5 acres. Work will be done by volunteer help from the community. No buildings are to be built.



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## Final Environmental Assessments/Findings of No Significant Impacts (FONSI)

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### (2) Paradise Drive Waterline

**District:** Puna  
**TMK:** 1-5-41:235 (por.)  
**Applicant:** County of Hawaii  
Office of the Mayor  
25 Aupuni Street  
Hilo, Hawaii 96720  
Contact: Norman Olesen (961-8565)

**Approving Agency/Accepting Authority:** Same as above.  
**Consultant:** Ron Terry (982-5831)  
HC 2 Box 9575  
Keaau, Hawaii 96749

**Public Challenge**  
**Deadline:** January 7, 1999

# Hawaii Notices

DECEMBER 8, 1998

**Status:** FEA/FONSI issued, project may proceed.  
**Permits Required:** Building, grubbing, and grading

The County of Hawaii proposes to spend approximately \$1.0 million dollars to extend a 12-inch waterline approximately 1.5 miles within a specially created easement on the southeast side of the right-of-way of Paradise Drive in Hawaiian Paradise Park, from State Highway 130 to the fire station on 21st Street. Paradise Drive is a private road owned and maintained by the lot owners of Hawaiian Paradise Park subdivision. The purposes of installing the waterline are: to improve fire protection services in Paradise Park by supplying water to the fire station and installing fire hydrants along the 1.5 mile stretch of Paradise Drive; and to provide a further step in the orderly expansion of County water service in Puna by allowing adjacent lot owners to connect to the line in conformance with Department of Water Supply (DWS) conditions. Landclearing and construction activities will produce short-term impacts to noise, air quality, traffic, access and scenery that will be mitigated by adhering to Best Management Practices and scheduling construction to avoid traffic. No sensitive biological, hydrological or historic site resources are present and no adverse long-term impacts are expected to result from the project. Long term beneficial impacts include improved fire protection and water service for residents of Hawaiian Paradise Park.



## (3) Wailuku Riverfront Park

**District:** South Hilo  
**TMK:** 2-3-4, 12 (no parcel number)  
**Applicant:** County of Hawaii  
Department of Parks and Recreation  
25 Aupuni Street  
Hilo, Hawaii 96720  
Contact: Glen Miyao (961-8311)

### Approving Agency/Accepting

**Authority:** Same as above.  
**Consultant:** Ron Terry (982-5831)  
HC 2 Box 9575  
Keaau, Hawaii 96749

### Public Challenge

**Deadline:** January 7, 1999  
**Status:** FEA/FONSI issued, project may proceed.  
**Permits Required:** Building, grubbing, grading, SMA, shore line setback variance, CDUP

The County of Hawaii proposes to spend \$286,000 in federal funds (U.S. Department of Housing and Urban Development) for design and construction of a park on the southeast bank of the Wailuku River, between Kamehameha Avenue and Wainaku Street, in Hilo. The riverfront park would take advantage of the striking views of the Wailuku River and provide open recreational space for County residents and visitors. Improvements would include: clearing of vegetation that obscures views of the river (except for several large and scenic trees); landscaping with grass and native shrubs and herbs, along with trees such as palms that will not obscure views as they grow; sidewalks and protective railings; picnic tables; and one or more small platforms that will be on the edge of or cantilevered over the slope of the river to provide a location for viewing, resting and fishing. Two variations of the proposed project are under consideration. The Wailuku Drive Closure Alternative would block Wailuku Drive in front of the Hilo Armory, providing open, pedestrian park space connecting the park to the Armory. The two alleyways and associated parking lots at either end of the Hilo Armory would remain open. Approximately 17 parking spaces would be lost. The Wailuku Drive As-Is Alternative would allow the street to remain open, but would not provide an open park space connecting the Armory to the park. The overall purpose of the project is promote the public enjoyment of the impressive cultural and natural resources of the Wailuku Riverfront, and to link them in a harmonious whole with the other resources of Hilo's downtown bayfront.

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## Draft Environmental Impact Statements

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## (4) Hamakua Lower Ditch Watershed Project

**District:** Hamakua  
**TMK:** 4-3 var., 4-4 var., 4-5 var., 4-6 var., 4-7 var., 4-8 var., and 6-3 var.  
**Applicant:** State Department of Agriculture  
P.O. Box 22159  
Honolulu, Hawaii 96823-2159  
Contact: Paul Matsuo (973-9475)

### Approving Agency/Accepting

**Authority:** Governor, State of Hawaii  
c/o Office of Environmental Quality Control  
235 South Beretania Street, Suite 702  
Honolulu, Hawaii 96813

**Consultant:** USDA Natural Resources Conservation Service  
P.O. Box 50004  
Honolulu, Hawaii 96850  
Contact: Kenneth Kaneshiro (541-2600)

**Public Comment**

**Deadline:** January 22, 1999  
**Status:** DEIS First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority, the consultant and OEQC.

**Permits Required:** Grading, CDUP, Interim Instream Flow Standard Amendment, SCAP, 404, State Highways permit

The purpose of the Lower Hamakua Ditch Watershed project is to provide a stable, adequate, and affordable supply of agricultural water to farmers and other agricultural producers in the Lower Hamakua Ditch service area between Paauiilo and Kukuihaele on the island of Hawaii. The proposed project is intended, in part, to provide commercial agricultural opportunities to former sugar industry workers and to revitalize the Hamakua regional economy following the collapse of the sugar industry in Hamakua. The repair and restoration of the sugar-era agricultural water system is intended to result in the establishment of a state-operated agricultural water system formed under the provisions of Chapters 167 and 168, Hawaii Revised Statutes. The project is a partnership effort between the State of Hawaii, Department of Agriculture, Hamakua Soil and Water Conservation District, Mauna Kea Soil and Water Conservation District, and the USDA Natural Resources Conservation Service.

The proposed improvements will provide structural repair and reduce water losses along the Lower Hamakua Ditch. Most of the 24 deteriorating wooden flumes will be replaced with corrugated metal pipe or inverted pipe siphons. Metal I-beams will replace the rotting timber supports. In the open ditch sections, sediment will be removed and the concrete lining will be repaired. The diversion structures at Kawainui, Alakahi, and Koiawe streams will be repaired and modified to prevent structural failure, reduce maintenance requirements, and restore stream flow to Waipio Valley streams. A 1-MG reservoir will be installed at the Honokaia lateral to provide operational flexibility to HNHAC farmers. The 10-MG Paauiilo Reservoir will be lined to eliminate seepage losses. Approximately ten lateral distribution systems will be repaired or installed. Hakalaoa Falls will be restored with repair of the tunnel behind the falls and removal of the temporary flume structure. A Supervisory Control and Data Acquisition system will be implemented to allow remote data collection and operation of key components. Technical and financial assistance will be provided to Hamakua and Waipio

Valley farmers to implement soil and water conservation measures.

The estimated total implementation cost of the project is \$10,592,900. The federal share of the cost is estimated to be \$6,047,500 and will be funded through the Watershed Protection and Flood Prevention Act, Public Law 83-566. The local cost share is estimated to be \$4,545,400. Implementation of the project is estimated to result in \$3,948,200 in annual benefits from the increase in agricultural production.

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## National Environmental Policy Act

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### (5) Pohakuloa Training Area Construction of Two Enclosures (Draft Environmental Assessment)

**District:** Hamakua  
**Applicant:** Lt. Col. Wally Walters, District Commander  
U.S. Army Corps of Engineers, Honolulu  
Engineer District  
Building 230  
Fort Shafter, Hawaii 96858-5440  
Contact: Beth Miura (438-5101)

**Approving Agency/Accepting Authority:** U.S. Army Garrison, Hawaii  
Pohakuloa Training Area  
Contact: Scott Henderson (969-1966)

**Public Comment Deadline:** January 7, 1999

The U.S. Army Garrison, Hawaii proposes to construct two fence enclosures at Pohakuloa Training Area, Island of Hawaii. A Draft Environmental Assessment has been prepared to analyze the potential environmental consequences of the construction of a 3,700-acre fence enclosure in Kipuka Alala (Training Area 23) and subsequent ungulate removal within the enclosure. Construction of this enclosure is mandated as part of mitigation for the Saddle Road Realignment and Improvement Project. It is anticipated that a second fence of 3.6 acres will be constructed in Training Area 3 as a conservation measure that will result from an in-process consultation (Endangered Species Act of 1973, Section 7) between the U.S. Army Garrison, Hawaii and U.S. Fish and Wildlife Service on routine military training at Pohakuloa Training Area.

# Hawaii Notices

DECEMBER 8, 1998

## Previously Published Projects Pending Public Comments

### Draft Environmental Assessments

#### ► Olaa-Kilauea Management Area Plan

**Applicant:** Olaa-Kilauea Management Group  
P.O. Box 52  
Hawaii National Park, Hawaii 96718  
Contact: Tanya Rubenstein (985-6086)

#### Approving Agency/Accepting

**Authority:** Department of Land and Natural Resources  
Division of Forestry and Wildlife  
P.O. Box 4849  
Hilo, Hawaii 96720  
Contact: Bill Stormont (974-4221)

#### Public Comment

**Deadline:** December 23, 1998



# Kauai Notices

## Draft Environmental Assessments



### (1) Papa'a Bay Ranch Improvements

**District:** Kawaihau  
**TMK:** 4-9-05:por. 13; 4-9-06:por. 05, 11  
**Applicant:** Mandalay Properties Hawaii LLC  
c/o Belles Graham Proudfoot & Wilson  
4334 Rice Street, Suite 202  
Lihue, Hawaii 96766  
Contact: Max Graham, Jr., Esq. (245-4705)

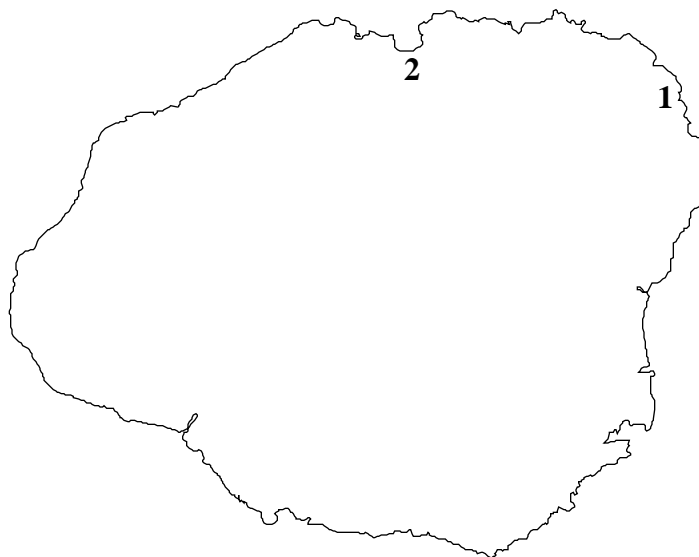
#### Approving Agency/Accepting

**Authority:** Department of Land and Natural Resources  
Land Division  
1151 Puncbowl Street, Room 220  
Honolulu, Hawaii 96813  
Contact: Lauren Tanaka (587-0385)

**Consultant:** Avery Youn (246-9414)  
2980 Ewalu Street, Unit 1  
Lihue, Hawaii 96766

#### Public Comment

**Deadline:** January 7, 1999  
**Status:** DEA First Notice pending public comment.  
Address comments to the applicant with copies to the approving agency or accepting authority, the consultant and OEQC.



#### Permits

**Required:** Conservation District Use permit, SMA, grading

Mr. Peter Guber, the owner Mandalay Properties Hawaii LLC, is proposing to construct a driveway and perform landscaping and irrigation improvements at Papa'a Bay Ranch in Anahola, Kawaihau, Kauai. The state land use classification for the three parcels involved are agricultural and conservation. The conservation district portion is adjacent to the shoreline.

The proposed actions involve landscaping of the eastern and southern boundaries of the property with native trees such as coconut, kamani, and beach heliotrope, and naupaka



bushes. To provide water for the landscaping improvements, an underground irrigation system will be installed.

A portion of an existing unimproved driveway will be realigned and used to provide access to the two residences presently under construction on the portion of the parcels in the agricultural district.

One hundred ninety-five (195) feet of driveway lies within the conservation district. This portion is part of a 4,500 foot driveway that crosses the Papa'a Bay Ranch and connects to the Kuhio Highway. The purpose of the driveway is to provide vehicular access for two proposed residences (located on the Papa'a Bay Ranch but outside of the conservation district).

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## Final Environmental Assessments/Findings of No Significant Impacts (FONSI)

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### (2) Wainiha Water Tank Site Land Acquisition

**District:** Hanalei  
**TMK:** 5-8-02:por. 3  
**Applicant:** County of Kauai, Department of Water  
P.O. Box 1706  
Lihue, Hawaii 96766  
Contact: Keith Fujimoto (245-5449)

#### Approving Agency/Accepting

**Authority:** Same as above.  
**Consultant:** Portugal & Associates, Inc.  
1840 Leleiona Street  
Lihue, Hawaii 96766  
Contact: Cesar Portugal (245-6749)

#### Public Challenge

**Deadline:** January 7, 1999  
**Status:** FEA/FONSI issued, project may proceed.  
**Permits Required:** Cдуа

Land acquisition of existing Wainiha 100,000-gallon water tank located at Wainiha, Kauai, Hawaii. The land is within the Conservation Use District and owned by the estate of Lester B. Robinson, and contains an area of 6,000 square

feet. The tank site is on the right side of the Powerhouse Road, approximately 1,000 feet mauka of Kuhio Highway. The existing tank provides domestic potable water and fire protection services to the Haena district community. The tank was constructed in 1977.

## Alien Species Permits

Before most alien organisms can be brought into Hawaii they must receive a permit from the Board of Agriculture. The application is first reviewed by experts in biology and heard in a public meeting of the Advisory Committee on Plants and Animals. The following import application is now being reviewed by the Hawaii Department of Agriculture (DOA).

Interested parties are encouraged to contact the Plant Quarantine Branch of the DOA to learn more about these permit applications. *Plant Quarantine Branch, Hawaii Department of Agriculture 701 Ilalo St. Honolulu, HI 96813 Ph. 586-0844*

### Male Common Eland, Taurotragus oryx

**Request:** 1) Allow the Transfer and Possession of One Male Common Eland, Taurotragus oryx, from Molokai Ranch to the Maui Keiki Zoo, 370 Kekaulike Avenue, Kula, Maui, Hawaii 96790 for Display and Educational Purposes and to (2) Establish Permit Conditions for Transfer of the Common Eland for Zoological Parks.

**Purpose:** Molokai Ranch is phasing out its wildlife preserve and is in the process of placing it's stock of exotic animals within the State. They have requested to transfer one male eland to the Maui Keiki Zoo.

# Shoreline Notices

DECEMBER 8, 1998

## 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 Kauai, Hawaii and Maui and at Room 220, 1151 Punchbowl St., Honolulu, Oahu (Tel: 587-0414). All comments shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, HI 96813 and postmarked no later than fifteen (15) calendar days from the date of the public notice of the application.

Case No.	Date Received	Location	Applicant	Tax Map Key
OA-701	11/09/98	Mauna Lahilahi Beach Park, Makaha, Waianae, Oahu (Farrington Highway, Waianae)	ParEn, Inc. dba Park Engineering for City & County of Honolulu & State of Hawaii	8-4-01:1 and 8-5-18: 2 & 3
OA-702	11/09/98	Parcel 6, Paumalu Koolauloa Oahu (59-537 Ke-Iki Road)	Wesley Tengan for Mr & Mrs. Kenton Eldridge	5-9-06:6
KA-120	11/10/98	Lot A-1-A, Por. of Moloaa Hui Lands at Papaa, Kawaihau, Kauai (Papaa Road, Anahola)	Wagner Engineering Services, Inc. for Mandalay Properties Hawaii, LLC	4-9-06:5 & 11

## Shoreline Certifications and Rejections

Pursuant to §13-222-26, HAR the following shorelines have been certified or rejected by the DLNR. A person may appeal a certification or rejection to the BLNR, 1151 Punchbowl Street, Room 220, Honolulu, HI 96813, by requesting in writing a contested case hearing no later than twenty (20) calendar days from the date of public notice of certification or rejection.

Case No.	Date Cert/Rej	Location	Applicant	Tax Map Key
OA-696	Certified 11/25/98	Lot 1008, Id Ct App 242, Puuloa, Ewa, Oahu (91-489 Pupu Street)	Robert Sing for Timothy & April Tucker	9-1-27:20
HA-199	Certified 11/25/98	Lot 55 of Puako Beach Lots (HTS Plat 414-B), Being the Whole of Grant 13,477 to Alice Cordelia Brown, Lalamilo, Waimea, S. Kohala, Hawaii (69-1732 Puako Beach Drive)	Wes Thomas Associates for Frederick Otto	6-9-04:13
HA-200	Certified 11/25/98	Kehena Beach Estates, Unit 1 Lot 52, Being a Por of Grant 999 to Hui, Keauohana, Puna, Hawaii (Moana Kai Pali Street, Pahoia, Hawaii)	The Independent Hawaii Surveyors for Christopher & Sandra Purton	1-2-30:14

## Federal Consistency Reviews

The Hawaii Coastal Zone Management (CZM) Program has received the following federal actions to review for consistency with the CZM objectives and policies in Chapter 205A, Hawaii 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 more information, please call John Nakagawa with the Hawaii CZM Program at 587-2878. Federally mandated deadlines require that comments be received by the date specified for each CZM consistency review and can be mailed to:

Bradley J. Mossman, Director  
Office of Planning  
Dept. of Business, Economic Development and Tourism  
P.O. Box 2359  
Honolulu, Hawaii 96804  
Or, fax comments to the CZM Program at 587-2899.

### (1) Bachelor Enlisted Quarters Complex, Marine Corps Base Hawaii Kaneohe Bay, Oahu

**Federal Agency:** Pacific Division, Naval Facilities Engineering Command

Contact: Gerald Gibbons, 471-9338

**Federal Action:** Direct Federal Activity - CZM Negative Determination

**Location:** Marine Corps Base Hawaii Kaneohe Bay, Oahu

#### Proposed Action:

Construct a Bachelor Enlisted Quarters (BEQ) Complex on an 8.6-acre site. The conceptual plan includes four BEQ building clusters, no taller than three stories. The gross area of the combined buildings will be 93,326 SF and 255 parking stalls will be provided. In addition, a 34,450 SF water quality basin will be constructed to detain storm water flow and trap sediment. The Navy filed a notice with the CZM Program that a CZM federal consistency determination is not required for the project because it will be on federal land and will not directly or indirectly effect Hawaii's CZM area.

### (2) Lower Hamakua Ditch Watershed, County of Hawaii

**Federal Agency:** U.S. Department of Agriculture, Natural Resources Conservation Service  
Contact: Mr. Dudley Kubo, 541-2600, x124

**Federal Action:** Direct Federal Activity

**Location:** Hamakua District, County of Hawaii

**TMK:** (3rd) 4-3, 4, 5, 6, 7, 8, 9 & 6-3

#### Proposed Action:

The Lower Hamakua Ditch Watershed Project includes the repair and rehabilitation of the Lower Hamakua Ditch to provide agricultural water to a portion of the Hamakua coast area. Many of the farmers and ranchers who will receive water from the agricultural water system are former sugar industry workers.

**Comments Due:** December 23, 1998



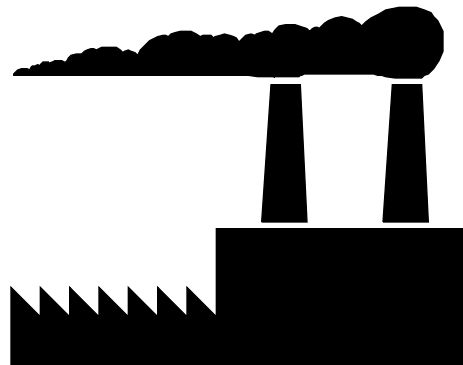
# Pollution Control Permits

DECEMBER 8, 1998

## Department of Health Permits

The following is a list of some pollution control permits currently being reviewed by 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.

Branch & Permit Type	Applicant & Permit Number	Project Location	Pertinent Dates	Proposed Use
Clean Air Branch, 586-4200, Amendment to Temporary Covered Source Permit	Grace Pacific Corporation, # 0040-01-CT	Various Locations. Initial Site: Camp 10, Ameron Quarry, Puunene, Maui	Comments Due: 12/23/98	186 TPH Drum-Mix Asphalt Concrete Plant with Recycle Kit; 1.25 MMBtu/Hr HEATEC Hot Oil Heater; and One 800 kW Diesel Engine Generator
CAB, Noncovered Source Permit	Department of Water Supply, County of Hawaii, # 0323-01-N	Kohala Water Transmission System, Well Site C, Half-Mile Mauka of Hawi-Niulii Highway, North Kohala District	Issued: 11/24/98	One 832 kW Diesel Engine Generator
CAB, Noncovered Source Permit	Department of Water Supply, County of Hawaii, # 0327-01-N	Kohala Water Transmission System, Well Site D, Half-Mile Mauka of Hawi-Hiulii Highway, North Kohala District	Issued: 11/24/98	One 832 kW Diesel Engine Generator
CAB, Noncovered Source Permit	Department of Water Supply, County of Hawaii, # 0328-01-N	Kohala Water Transmission System, Well Site E, Half-Mile Mauka of Hawi-Niulii Highway, North Kohala District	Issued: 11/24/98	One 832 kW Diesel Engine Generator



## Court-Ordered Review of “Non-Prudent” Determinations on Critical Habitat for 245 Hawaiian Plants

On January 29, 1997, the Sierra Club Legal Defense Fund (now Earthjustice Legal Defense Fund) filed a lawsuit on behalf of the Conservation Council for Hawaii, the Sierra Club, and the Hawaiian Botanical Society in U.S. District Court in Honolulu, Hawaii, for the U.S. Fish and Wildlife Service’s (FWS) failure to designate critical habitat for 278 endangered or threatened Hawaiian plant taxa. Because the statute of limitations had elapsed for many of the plants, this list of plants was later reduced to 245 taxa.

*(Editor’s note: Due to space limitations, the list of taxa is not reproduced in this notice; to see the list, please go to the Federal Register reference at the bottom of this notice or call our office for a copy of the original Federal notice in paper form or PDF file.)*

As defined in the Endangered Species Act (ESA) of 1978, “critical habitat” is defined as: (1) the specific areas within the geographical area occupied by a species, at the time it is listed in accordance with the Act, on which are found those physical or biological features essential to the conservation of the species and that may require special management consideration or protection; and (2) specific areas outside the geographical area occupied by a species at the time it is listed, upon a determination that such areas are essential for the conservation of the species. The ESA and its implementing regulations require that, to the maximum extent prudent and determinable, the Interior Secretary propose critical habitat at the time the species is determined to be endangered or threatened. The FWS regulations also state that designation of critical habitat is not prudent when one or both of the following situations exist: (1) The species is threatened by taking or other human activity, and identification of critical habitat can be expected to increase the degree of threat to the species, or (2) such designation of critical habitat would not be beneficial to the species. Additional FWS regulations state that designation of critical habitat is not determinable when one or both of the following situations exist: (1) information sufficient to perform required analyses of the impacts of the designation is lacking, or (2) the biological needs of the species are not sufficiently well known to permit identification of an area as critical habitat.

The addition of critical habitat for these species in Hawaii may have the effect of drawing more Federal actions into formal consultation-actions that would not be subject to

consultation without designated critical habitat. The reason for this is that critical habitat often includes large habitat areas that are unoccupied by the species, but could be occupied in the future. It is thus possible that formal section 7 consultation may be triggered by Federal actions that trip the “may affect” threshold for consultation solely because such actions cause changes to unoccupied critical habitat.

The 245 plant species that are the subject of this notice were listed by FWS over a period of several years, between 1990 and 1996, at which time FWS determined that designation of critical habitat was not prudent for one or more of the following three reasons: designation of critical habitat would increase the likelihood of illegal taking or vandalism; designation of critical habitat would not be beneficial for plant species located on private property; and, designation of critical habitat for plant species located on Federal lands provides little or no additional benefit beyond the existing precautions the Federal government must take under section 7 of the Act.

In accordance with the U.S. District Court’s August 10, 1998, order (Civil No. 97-00098ACK, Conservation Council for Hawaii *et al.* vs. Bruce Babbitt, *et al.*), FWS is reconsidering the “not prudent” determinations that were made for these 245 plant species and is seeking any new information that may affect whether the FWS proceeds with a proposal to designate critical habitat for these species. Comments are particularly sought concerning: (1) biological, commercial trade, vandalism, or other relevant data concerning any threat to these species; (2) the location of any additional populations of these species and the reasons why any habitat should or should not be determined to be critical habitat; (3) additional information concerning the range, distribution, and population size of these species; (4) current or planned activities in the subject area and their possible impacts on these species; (5) additional information on the principal biological or physical constituent elements that are essential to the conservation of these species. These primary constituent elements may include: seasonal wetland or dryland; water quality or quantity; plant pollinator; geological formation; vegetation type; and specific soil types; and (6) information on existing management for any of these species and benefits to these species.

**Comments from all interested parties must be received by MARCH 1, 1999.** Comments and materials should be sent to Robert P. Smith, Pacific Islands Manager, U.S. Fish and Wildlife Service, 300 Ala Moana Boulevard, Room 3-122, Box 50088, Honolulu, Hawai‘i 96850. For more information call 541-3441 (see, 63 F.R. 65805, November 30, 1998).