

The Environmental Notice

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



BENJAMIN J. CAYETANO
GOVERNOR

**OFFICE OF
ENVIRONMENTAL
QUALITY CONTROL**
GENEVIEVE SALMONSON
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 Council Annual Reports*
- *Rules and Policies*
- *"How to Plant a Native Hawaiian Garden"*

OEQC

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Hawaii: 974-4000 ext. 64185

JANUARY 8, 2000

Kiholo Bay Land Exchange

DLNR's Land Division is reviewing an application to exchange a 3-acre private beachfront parcel containing an anchialine pond for 9-acres of State "ceded land" at Kiholo Bay contiguous to and just mauka of the applicant's existing parcel. The applicant seeks to acquire the State parcel to provide a buffer for an existing home and space for the future construction of a "caretaker's cottage." Both private and State parcels are zoned "conservation" and are in the county "special management area." A supplement to the CDUA application discloses that the square footage for proposed "caretaker's cottage" to be 2,629 s.f. in the interior and 1,206 s.f. for the covered lanai. The proposed "cottage" would contain a home office, a dining room, an exercise room, a living room, three storage rooms, two bedrooms and two baths. The Kiholo Bay area has several coastal strand ecosystems, a rare plant, maiapilo (*Capparis sandwichiana*), green sea turtles (*Chelonia mydas*), and the Hawaiian hoary bat. Two rare invertebrates are candidates for listing: the anchialine pool snail *Neritilia hawaiiensis* and the 'opae'ula. Plans also indicate a rerouting of the existing access road easement mauka of the State parcel. See page xx for more.

Manoa Valley Park Improvements

A draft EA for improvements to Manoa Valley District Park has been submitted by the Department of Design and Construction, City and County of Honolulu. In 1999 a community task force identified desirable improvements for the Park and for Manoa Elementary School.

The main feature of the Park improvements is a new multi-purpose building/gym, to be located between the existing gym and the blacktop area of Manoa Elementary School. It will replace an existing wood classroom building. The new building will house 2 basketball courts with bleachers, classroom space, kitchen facilities, an office, and arts and crafts rooms.

Other proposed features include renovations to the existing gym, a perimeter walkway, plaza, new exercise stations, relocation of the playground equipment and 183 additional parking stalls. For more information see page 5.

Emergency 30-Foot Telecom Monopole in Waianae

DLNR has given emergency authorization to the Honolulu Police Department to install, during December 1999 and January 2000, a temporary 30-foot communications facility at the Lualualei 242 Reservoir, which is in the Conservation District. An after-the-fact draft EA has been submitted for this project by the Department of Design and Construction, City and County of Honolulu. The 30-foot monopole will sit atop the "saddle" of the north side of the reservoir. The facility also includes 2 whip antennas, and LPG tank and an emergency generator. See page 4 for more details.

Agriculture Exemption List

The State Department of Agriculture has submitted a new exemption list, which is reproduced on pages 16 to 19. Comments will be accepted through February 7, 2000.

Recycle Your Christmas Tree

See the schedule of dates and locations on page 6.

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.

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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

JANUARY 8, 2000

Draft Environmental Assessments



(1) Honolulu Communications Facility at Lualualei 242 Reservoir

District: Waianae
TMK: 8-07-06:22
Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street
Honolulu, Hawaii 96813
Contact: Jerry Loo (527-6685)

Approving Agency/Accepting

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

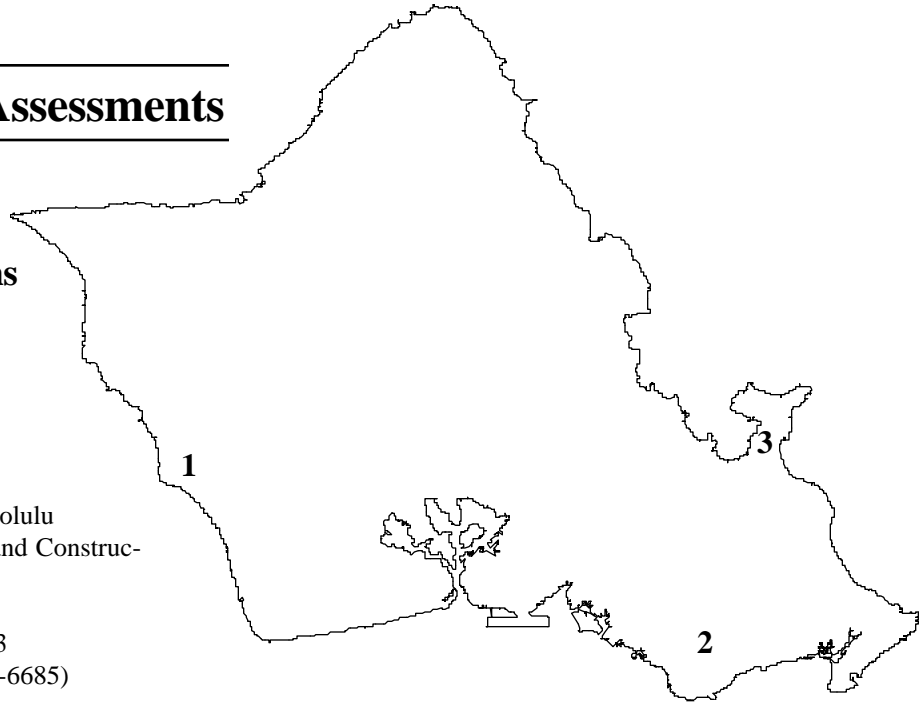
Public Comment

Deadline: February 7, 2000
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

Permits Required: CDUA; Variance From Pollution Controls; NPDES; Grubbing, Grading, & Stockpiling; Building

The Department of Design and Construction, City and County of Honolulu, has received emergency authorization from the Department of Land and Natural Resources, State of Hawaii, to construct a temporary communication facility for the Honolulu Police Department on the site of the Lualualei 242 Reservoir at Lualualei, Waianae District, Oahu, Hawaii. The 3.353 acre parcel which bears Tax Map Key 8-7-06: 22 is located in the State Conservation District. The property is owned by the State of Hawaii and set aside for public utility use by the Board of Water Supply, City and County of Honolulu.

The communication facility consists of an equipment shelter, monopole with two whip antennas, LPG tank, and emergency generator. All facilities except the monopole will be installed in an approximately 800 square foot area in the southern corner of the reservoir site. The monopole will be erected about 200 linear feet away on the north side of the reservoir.



Radio equipment will be housed in a pre-fabricated reinforced concrete shelter approximately 20 ft. X 12 ft. X 8.5 feet to be erected in the southwest corner of the reservoir site. The shelter will be air conditioned to maintain a proper operating environment.

A 30-foot tall monopole will be erected atop the "saddle" on the north side of the reservoir. The monopole will be anchored onto a 13 feet X 13 feet X 6 feet concrete base set in the "saddle." Two whip antennas, 10 and 15 feet in length, will be mounted on a crossarm near the top of the monopole.

The cost of building the communication facility is estimated at \$750,000 and will be funded by the City and County of Honolulu.

The Department of Land and Natural Resources had given emergency authorization to the Department of Design and Construction, City and County of Honolulu, to build the facility for reasons of public health and safety. The facility will be built during December 1999 and January 2000.



(2) Manoa Valley District Park

District: Honolulu
TMK: 2-09-036:03 (por.)
Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street, 2nd Floor
Honolulu, Hawaii 96813
Contact: Curtis Kushimaejo (527-6332)

Approving Agency/Accepting

Authority: Same as above.
Consultant: PBR Hawaii
1001 Bishop Street
Pacific Tower Suite 650
Honolulu, Hawaii 96813
Contact: Tom Schnell (521-5631)

Public Comment

Deadline: February 7, 2000
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

Permits

Required: Grading, building, height limit waiver

The project consists of numerous improvements to Manoa Valley District Park, the most significant of which is the construction of a new multi purpose building/gymnasium located between the existing gymnasium and the blacktop area of Manoa Elementary School. This site requires the demolition and removal of an existing wooden classroom building.

The new building will be on one floor, and will include two full-size indoor basketball courts aligned along their long axis (as opposed to side-by-side). Classrooms to be used by Manoa Elementary School will be located in the mauka side of the building adjacent to the black top area. A solid wall will physically separate the classroom spaces from the two courts. Arts and crafts rooms, office and storage space, and restrooms to be used by the Department of Parks and Recreation will be located on the makai side of the facility. The court area will have electrically-controlled, retractable, bleacher seating for approximately 500 people. The main entrance/exit to and from the facility will be on the makai side facing the existing gymnasium.

Other improvements include a connecting plaza between the new and existing gymnasium, additional parking, ADA accessibility improvements, a perimeter "lei" pedestrian pathway, playground improvements, and new exercise stations.

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



(3) Nextel Communications Antenna Facility

District: Koolaupoko
TMK: 4-4-12:01 por. Lot B
Applicant: Nextel Communications
3375 Koapaka Street, Suite D155
Honolulu, Hawaii 96819
Contact: Bob Urigo (837-4200)

Approving Agency/Accepting

Authority: Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809
Contact: Lauren Tanaka (587-0385)

Public Challenge

Deadline: February 7, 2000
Status: FEA/FONSI issued, project may proceed.
Permits
Required: CDUP, building, FAA & FCC approvals

Nextel Communications is proposing the construction of an antenna facility at Puu Papaa Ridge in Kaneohe, Oahu. A 130 foot high antenna monopole mounted with nine panel type antennas will be erected near the summit of Puu Papaa. The top of the tower will project 46 feet above the summit at an elevation of 586.0 feet above sea level. A prefabricated equipment building will be installed adjacent to the antenna tower.

Oahu Notices

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Previously Published Projects Pending Public Comments Draft Environmental Assessments

Manoa Valley Heritage Center

Applicant: Manoa Valley Heritage Center
2859 Manoa Road
Honolulu, Hawaii 96822
Contact: Cathy Cooke (537-9182)

Approving Agency/Accepting

Authority: City and County of Honolulu
Department of Planning and Permitting
650 South King Street
Honolulu, Hawaii 96813
Contact: Ardis Shaw-Kim (527-5349)

Public Comment

Deadline: January 24, 2000

Marine and Coastal Zone Management Advisory Group 2000 Meeting Schedule

The Marine and Coastal Zone Management Advisory Group (MACZMAG) will hold its meetings on January 21, March 17, May 19, July 21, September 22 and November 17, 2000, from 9:00 a.m. - 11:00 a.m. in the State Office Tower, Room 204. For more information, please call Susan Feeney with the Hawaii CZM Program at 587-2880. MACZMAG meeting agendas and minutes are available on the Hawaii Coastal Zone Management Program web page at www.hawaii.gov/dbedt/czm.

CHRISTMAS TREE RECYCLING

January 8 & 15, 2000
9 a.m. to 3 p.m.



Trees will be collected at the following sites:

- Kailua Intermediate School
- Kaiser High School
- Kaneohe District Park
- Kapalama Elementary School
- Kapiolani Community College
- Kapolei Elementary
- Lincoln Elementary School
- Mililani Makaunulau (16 acre) Park
- Polynesian Cultural Ctr. (Jan. 8 only)
- Waianae Comprehensive Health Ctr.
- Waiiau District Park
- Waimea Valley Adventure Park
- UH Manoa Law School Parking Lot

Information Line: 521-2447

Draft Environmental Assessments



(1) South Kihei Road Improvements, Kulanihakoi Street to Lipoa Street

District: Wailuku
TMK: 3-9-1, 2, 7, 8, 22, 34, 46, 52: various
Applicant: County of Maui
Department of Public Works and Waste Management
200 South High Street
Wailuku, Hawaii 96793
Contact: Joe Krueger (270-7745)

Approving Agency/Accepting

Authority: Same as above.
Consultant: Wilson Okamoto & Associates, Inc.
1907 South Beretania Street, Suite 400
Honolulu, Hawaii 96826
Contact: Rodney Funakoshi (946-2277)

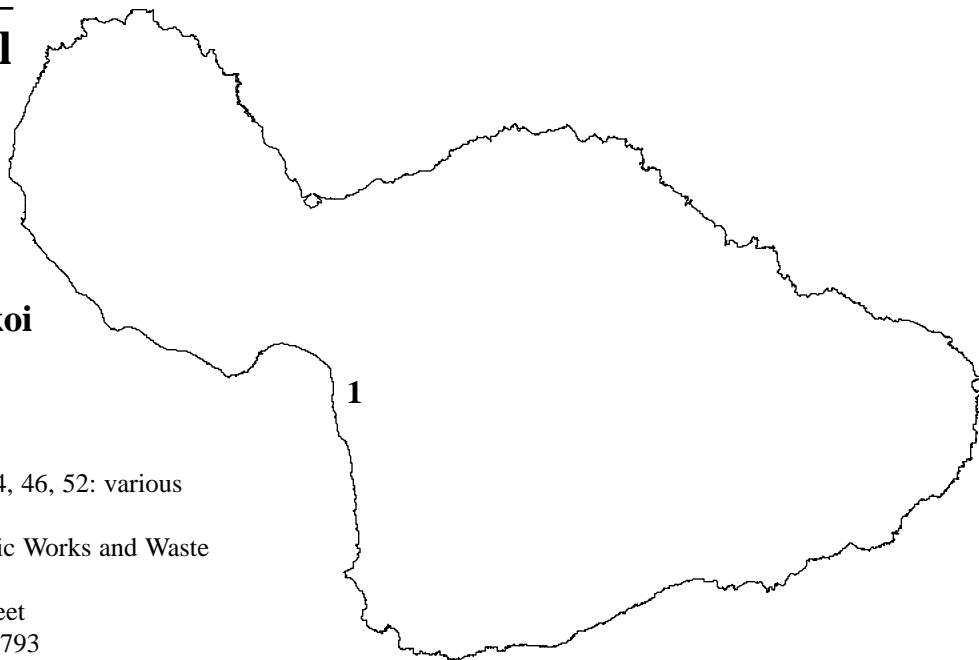
Public Comment

Deadline: February 7, 2000
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

Permits

Required: SMA, Flood Hazard Area, NPDES, Grading

The County of Maui Department of Public Works and Waste Management proposes roadway improvements along South Kihei Road from Kulanihakoi Street to Lipoa Street. Approximately 3,800 feet of the project, from approximately 170 feet north of Kulanihakoi Street to approximately 300 feet south of Nohokai Place, will involve widening of the existing right-of-way, which varies from 50 to 60 feet, to a proposed right-of-way of 60 to 70 feet to provide for 2 travel lanes, bike lanes, a parking lane, turning lanes, sidewalks, and curbs and gutters. The paved roadway will be 40 and 50 feet from curb to curb within the 60 and 70-foot rights-of-way, respectively. The next 1,000 feet to Road "C" will be limited to restriping of the existing roadway. The remaining



300 feet from Road "C" to Lipoa Street will not include improvements or restriping. In addition, approximately 900 feet of waterline will be replaced from approximately 300 feet south of Nohokai Street to Road "C".

Other associated improvements involve a new culvert crossing at Waipuilani Gulch, new and relocated storm drains and manholes, relocation of driveways, relocation of street lights and overhead utility lines, removal of existing landscaping; and adjustment of sewer manhole covers.

Construction of the proposed project is anticipated to commence in late 2000, with completion estimated by 2002 contingent on land acquisition and contractor selection. The estimated construction cost of the proposed project is \$4 million.

Previously Published Projects Pending Public Comments Draft Environmental Assessments

Kula Residential Children's Facility

Applicant: Department of Health and
Department of Accounting and General
Services
Division of Public Works

Maui Notices

JANUARY 8, 2000

P.O. Box 119
Honolulu, Hawaii 96810-0119
Contact: Daniel Jandoc (586-0476)

Approving Agency/Accepting

Authority: Department of Accounting and General
Services
Division of Public Works
P.O. Box 119
Honolulu, Hawaii 96810-0119
Contact: Gordon Matsuoka (586-0526)

Public Comment

Deadline: January 24, 2000

Olowalu Subdivision of Lands

Applicant: Olowalu Elua Associates, LLC
173 Ho Ohana Street, Suite 201
Kahului, Hawaii 96732
Contact: Bob Horcajo (877-2434)

Approving Agency/Accepting

Authority: Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809
Contact: Ed Henry (587-0380)

Public Comment

Deadline: January 24, 2000

Molokai Notices

Previously Published Projects

Pending Public Comments

Draft Environmental Assessments

Maunaloa Golf Course (Supplemental)

Applicant: Molokai Ranch, Ltd.
55 Merchant Street, Suite 2000
Honolulu, Hawaii 96813
Contact: Harold Edwards (531-0158)

Approving Agency/Accepting

Authority: County of Maui
Department of Planning
250 South High Street
Wailuku, Hawaii 96793
Contact: John Min (270-7735)

Public Comment

Deadline: January 24, 2000

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

(1) Ananalu Road Waterline

District: Hanalei
TMK: 5-8-06
Applicant: County of Kauai
Department of Water
P.O. Box 1706
Lihue, Hawaii 96766
Contact: Bruce Inouye (245-5411)

Approving Agency/Accepting

Authority: Same as above.
Consultant: Esaki Surveying and Mapping, Inc.
1610 Haleukana Street
Lihue, Hawaii 96766
Contact: Dennis Esaki (246-0625)

Public Challenge

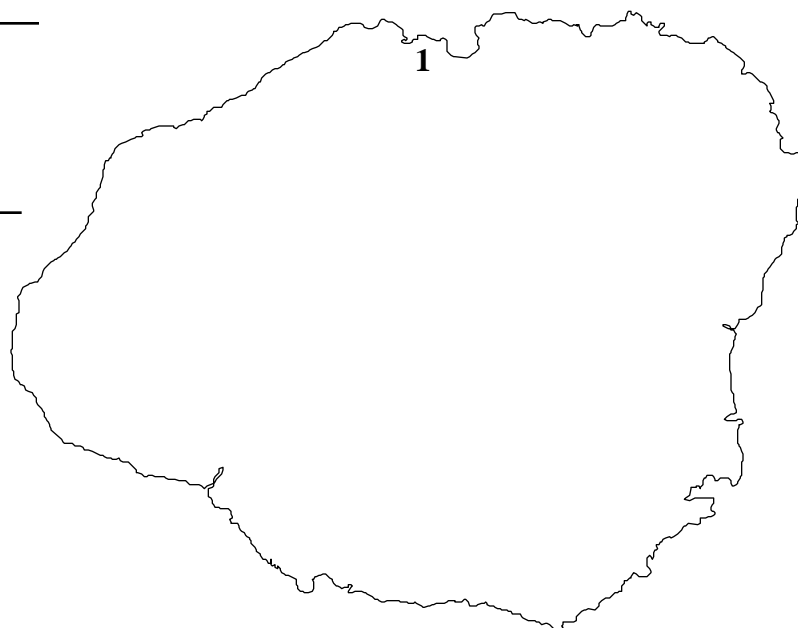
Deadline: February 7, 2000
Status: FEA/FONSI issued, project may proceed.

The County of Kauai, Department of Water is proposing to develop a 6-inch waterline extension in Wainiha, Kauai, Hawaii. The project is located along Ananalu Road bordered by private properties in the Wainiha Hui Lands. Water is transmitted through individual private property owned waterlines along Ananalu Road. Installation will be 2,247 linear feet of 6" ductline iron waterline. Also, fire hydrants and individual water meters will be provided at the respective lot frontage.

Previously Published Projects Pending Public Comments Draft Environmental Assessments

Lihue Wastewater Treatment Plant Effluent Disposal System

Applicant: County of Kauai
Department of Public Works



4444 Rice Street, Suite 275
Lihue, Hawaii 96766
Contact: Harry Funamura (241-6610)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: January 24, 2000

Secret Beach Trail

Applicant: Steven Cohen
c/o Walton Hong
3135-A Akahi Street
Lihue, Hawaii 96766
Contact: Walton Hong (245-4757)

Approving Agency/Accepting

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

Public Comment

Deadline: January 24, 2000

Hawaii Notices

JANUARY 8, 2000

Draft Environmental Assessments



(1) Bakken Land Exchange at Kiholo Bay

District: North Kona
TMK: 7-1-02:08 (por.); and 02
Applicant: Earl Bakken c/o Roy A. Vitousek III
Cades, Schutte, Fleming and Wright
Hualalai Road, Suite B303
Kailua-Kona, Hawaii 96740
Contact: Gregory Mooers (885-6839)

Approving Agency/Accepting

Authority: Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809
Contact: Ed Henry (587-0380)

Consultant: Ron Terry, Ph.D. (982-5831)
HC 2 Box 9575
Keaau, Hawaii

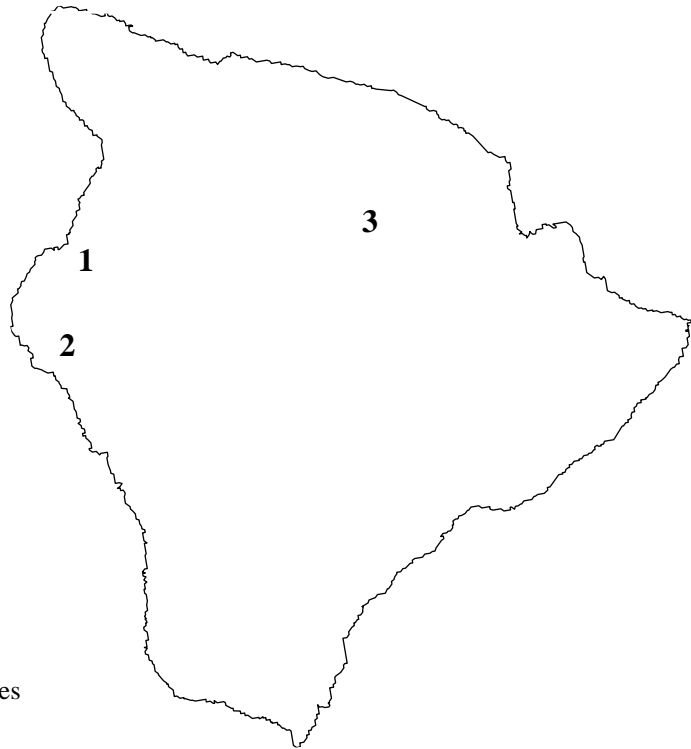
Public Comment

Deadline: February 7, 2000
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: CDUP, approval of land exchange, SMA, building

Dr. Earl Bakken has initiated a project at Kiholo Bay that would exchange a beachfront parcel (the Lynn parcel) he owns in exchange for a portion of a large State parcel. The project would also relocate an existing access and utility easement and construct a caretaker's cottage and associated improvements. The exchange offers benefits to the State of Hawaii by providing a beachfront parcel with an existing custom home adjacent to the prime area for coastal recreation on State land in Kiholo. This would also allow for state control and oversight of the anchialine pools, lava tube caves, and other rare and sensitive ecosystems on or near the Lynn parcel. Landclearing and construction activities will produce short-term impacts to noise, air quality, access and scenery, which can be mitigated by adherence to various CDUP conditions. Sensitive biological, hydrological and historic site resources are present on the Lynn parcel. If the State assumes



ownership of this property, it will also be granted the stewardship of these resources. The precise management of these resources cannot be specified at this time. Archaeological sites are present on the State parcel. Conditions related to the CDUP are expected to require preservation of the archaeological features found there. As a precaution, additional mitigation measures to account for inadvertent archaeological discoveries are also proposed.



(2) Lot 6 at Crossroads, Lanihau, North Kona, Sale of Fee Simple Land

District: North Kona
TMK: 7-5-04:63
Applicant: County of Hawaii
Office of the Mayor
25 Aupuni Street, Room 215
Hilo, Hawaii 96720
Contact: Glenn Taguchi (961-8503)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: February 7, 2000
Status: DEA First Notice pending public comment.
Address comments to the applicant with a copy OEQC.

Permits

Required: UIC, noise, plan approval, grading, County Council approval

The County of Hawaii, through its Director of Finance, subject to authorization by the Council of the County of Hawaii, pursuant to the applicable sections of Chapter 2, Article 19, Real Property Disposition, Hawaii County Code, is proposing to sell at public auction, in fee simple or by lease, Lot 6 at Crossroads, for commercial development purposes. Lot 6 is situated at Lanihau 1st, North Kona, Hawaii.

The County of Hawaii anticipates a finding of no significant impact for the proposed action because it will have no significant, negative impacts on the surrounding environment.

Final Environmental Impact Statements



(3) Mauna Kea Science Reserve Master Plan

District: Hamakua
TMK: 4-4-15:09, 12
Applicant: University of Hawaii
2444 Dole Street, Bachman Hall
Honolulu, Hawaii 96822
Contact: Allan Ah San (956-7935)

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: Group 70 International, Inc.
925 Bethel Street, 5th Floor
Honolulu, Hawaii 96813
Contact: Jeff Overton (523-5866 x 135)
FEIS currently being reviewed by OEQC.

Status:
Permits Required: UH Board of Regents approval for master plan

The Mauna Kea Science Reserve is 11,288 acres leased to the University of Hawaii by the State for use as a scientific complex. In the past three decades, facility development has focussed predominantly on the summit area above 13,200 feet

and support facilities at Hale Pohaku (elevation 9,800 feet). The 1983 Mauna Kea Science Reserve Complex Development Plan (CDP) has guided development up to the present time. Today, the Mauna Kea Science Reserve is the premier location for ground based astronomy in the Northern hemisphere, providing a wealth of new knowledge about the physical Universe together with substantial economic benefits to the State and County. Mauna Kea is also an important Hawaiian cultural resource with numerous archaeological features and cultural associations.

This Master Plan updates the 1983 Plan and extends the planning horizon to the year 2020. The Plan provides for the physical implementation of the University's Astronomy Research Development Plan and addresses issues from 30 years of activity on the mountain, including the recommendations of the 1998 Legislative Auditor's report. The Plan integrates a variety of present and future uses (education, research, culture and recreation) reflecting the importance of the natural and cultural resources and the significance of Mauna Kea. The Master Plan proposes facilities, supporting infrastructure, a management structure, project review and approval procedures, and policies that guide future development.

The Master Plan designates the majority of the Science Reserve (95%) as a Natural and Cultural Preservation Area to protect all undeveloped cinder cones (*pu'u*), archaeological sites (primarily shrines) and sensitive flora and fauna habitat from future development. A 525-acre Astronomy Precinct is defined in the area of existing facilities near the summit within which future astronomy development will comprise the refurbishing or replacement of older existing observatories and limited construction of new observatories, following siting requirements and design guidelines to minimize impacts to natural and cultural resources.

A new management entity is recommended to become an operational unit of UH Hilo. This organization would have a director, administrative staff, rangers and maintenance personnel. Additionally, it would become the center for volunteers and organizations affiliated with Mauna Kea. An advisory board is proposed to guide the management entity and to advise the Chancellor of UH Hilo regarding policies and proposals for the mountain.

A programmatic EIS is being prepared to address the environmental considerations of the updated Master Plan. As individual astronomy, cultural, education, research or recreational proposals are initiated, each will require their own Chapter 343 documents and permits.

Hawaii Notices

JANUARY 8, 2000

Previously Published Projects Pending Public Comments Draft Environmental Assessments

‘Alala Population Reestablishment

Applicant: Department of Land and Natural Resources
Division of Forestry and Wildlife
1151 Punchbowl Street, Room 325
Honolulu, Hawai‘i 96813
Contact: Paul Conry (587-4176)
and
U.S. Department of the Interior
U.S. Fish and Wildlife Service
Pacific Islands Fish and Wildlife Office
300 Ala Moana Blvd., Room 3-122
Honolulu, Hawai‘i 96850
Contact: Karen Rosa (541-3441)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: January 24, 2000

Mohouli Street Improvements

Applicant: County of Hawaii
Department of Public Works
25 Aupuni Street
Hilo, Hawaii 96720
Contact: Galen Kuba (961-8327)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: January 24, 2000

Pali-K Ranch Single Family Residence

Applicant: Pali-K Ranch LLC
c/o Tim Lui-Kwan, Esq.
Pacific Tower Suite 2200
P.O. Box 656
Honolulu, Hawaii 96809-3402
Contact: Tim Lui-Kwan (523-2500)

Approving Agency/Accepting

Authority: Department of Land and Natural Resources
1151 Punchbowl Street, Room 130
Honolulu, Hawaii 96813

Contact: Lauren Tanaka (587-0385)

Public Comment

Deadline: January 24, 2000

Pepeekeo Sale of Easement for Telecommunication Tower

Applicant: County of Hawaii, Office of the Mayor
25 Aupuni Street, Room 215
Hilo, Hawaii 96720
Contact: Glenn Taguchi (961-8503)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: January 24, 2000

Wilcox Single-Family Residence

Applicant: Allen C. Wilcox Jr. & Barbara S. Wilcox
83-500 Keawaiki Road
Captain Cook, HI 96704
Contact: Ted Baldau (329-6225)

Approving Agency/Accepting

Authority: Department of Land and Natural Resources
P.O. Box 621
Honolulu, HI 96809
Contact: Lauren Tanaka (587-0385)

Public Comment

Deadline: January 24, 2000

Shoreline Notices

JANUARY 8, 2000

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-754	12/17/99	Lot 79 of Land Court Application 609 as shown on Map 4, Waialua, Oahu, Hawaii (68-251 Crozier Loop)	DJNS Surveying & Mapping, Inc., for Ronald & Sachi Goodwin	6-8-005: 028
OA-755	12/21/99	Lot 339, Land Court Application 1100 as shown on Map 30, Heela, Koolaupoko, Oahu Hawaii (46-171 Nahiku Street)	R. K. Sing, R. L. S. Surveying and Mapping, for Chad and Claudine Yim	4-6-022: 028
KA-144	12/27/99	Lot 3 Wainiha Hui Land, Equity No. 109 Partition Fifth Circuit Court, Being a Portion of R. P. 7194, Land Commission Award 11216 Apana 5 to M. Kekauonohi at Wainiha, Kauai, Hawaii (5-7470 Kuhio Hwy. and 5-7480 E. Kuhio Hwy.)	Wagner Engineering Service, Inc., for Robert Matthews, Trustee of Sand and Weed Trust, Matthews and Company	5-8-010: 014
OA-756	12/27/99	Lot 284 of Land Court Application 1052 as shown on Map 7, at Makaha, Waianae, Oahu Hawaii (84-311 Makau Street, Makaha)	Wesley T. Tengan, for Sharon Miller	8-4-009: 009

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-752	Certified 12/28/99	Lot 64 Land Court Application 979 Kahaluu, Koolaupoko, Oahu, Hawaii (47-079 Kamahameha Highway, Kaneohe)	R. K. Sing, R.L.S. Surveying and Mapping, for Joseph and Kristin L.F. Sousa III	4-4-019: 049
OA-745	Certified 12/28/99	Lot 815 Land Court Application 242, as shown on Map 204, Puuloa, Ewa, Oahu, Hawaii (91-002 Nalomeli Place, Ewa)	Wesley T. Tengan, Licensed Professional Land Surveyor, for Author J. Matgerison	9-1-005: 016
MA-215	Certified 12/28/99	Portion of Grant 3343 to Claus Spreckels, Spreckelsville, Wailuku, Maui, Hawaii (Vacant - Near Maui Country Club & H. A. Baldwin Park)	A & B Properties, Inc.	3-8-001: 072
KA-143	Certified 12/28/99	Being a portion of Ahupuaa of Makaweli of Makaweli R.P. 4476, Land Commission Award 7713, Apana 1 to Kamamalu at Makaweli, Waimea, Kauai, Hawaii (Vacant - Kaumuali Highway)	Wagner Engineering Services, Inc., for Bruce B. Robinson and Warren S. Robinson, Chairman, Management Committee Robinson Family Partners E. Alan Kennett, President and General Manager of Gay & Robinson, Inc.	1-7-005: por. 001

Coastal Zone News

JANUARY 8, 2000

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:

David W. Blane, Director
Office of Planning
Department of Business, Economic Development and Tourism
P.O. Box 2359
Honolulu, Hawaii 96804

Or, fax comments to the Hawaii CZM Program at 587-2899.

(1) Wahiawa Wastewater Treatment Plant Modifications and Outfall Adjustment, Wahiawa, Oahu

Federal Action: Department of the Army Permit
Federal Agency: U.S. Army Corps of Engineers, 438-9258
Applicant: City & County of Honolulu Department of Design and Construction
Contact: Bill Liu, 527-6871
Location: Wahiawa Reservoir, Oahu
TMK: 7-3-7: 1

Proposed Action:

The proposed replacement outfall will be a 24-inch diameter pipe that extends from the Wahiawa Wastewater Treatment Plant (WWTP) to the bottom of Wahiawa Reservoir where effluent will be discharged. The existing outfall discharges effluent near the reservoir water surface. The Wahiawa WWTP will be modified so that it can produce R-1 quality water, the highest quality of reclaimed water prescribed the State Department of Health. It is anticipated that discharging R-1 water into Wahiawa Reservoir will improve water quality of the reservoir.

Comments Due: January 24, 2000

(2) Waikakalaua Stream Bank Stabilization at Waihuna Village III, Waipio, Oahu

Federal Action: Department of the Army Permit
Federal Agency: U.S. Army Corps of Engineers, 438-9258
Applicant: Waihuna Joint Venture
Agent: David Bills, Gray, Hong, Bills & Associates, Inc., 521-0306
Location: Waikakalaua Stream at Waihuna Village III, Waipio, Oahu
TMK: 9-5-2: 36 & 37

Proposed Action:

Construct a rip-rap lining on the northern stream bank in Waikakalaua Stream at Waihuna Village III to protect the bank from erosion from a drain outlet. The total quantity of material for the bank stabilization lining is 15 cubic yards, of which 2 cubic yards are below the ordinary high water level and subject to the Department of the Army Permit and CZM federal consistency review.

Comments Due: January 24, 2000

(3) Hart Street Wastewater Pump Station Force Main Replacement, Honolulu, Oahu

Federal Action: Department of the Army Permit
Federal Agency: U.S. Army Corps of Engineers
Contact: Peter Galloway, 438-9258
Applicant: City & County of Honolulu Department of Design and Construction
Contact: Rodney Funakoshi, Wilson Okamoto & Associates, Inc. (consultant), 946-2277

Location: Kapalama Basin, Honolulu, Oahu
TMK: 1-5-34: 8 & 1-5-41

Proposed Action:

Install two 34-inch wastewater force mains extending from the Hart Street Wastewater Pump Station (WWPS) to the Sand Island Wastewater Treatment Plant (WWTP). The dual force mains will replace the existing force main, which has been in continuous use since 1950 and is approaching the end of its design life. A trenchless excavation method known as directional drilling will be used to install the force mains from the Hart Street WWPS, under Kapalama Basin, and surface within the Matson Container Yard at Sand Island.

Comments Due: January 24, 2000

(4) Shore Protection Rock Revetment, Mokuleia, Oahu

Federal Action: Department of the Army Permit
Federal Agency: U.S. Army Corps of Engineers
Contact: Lolly Silva, 438-9258

Applicant: Dean Hanzawa
Location: Hoomana Place, Mokuleia, Oahu
TMK: 6-8-10: 11

Proposed Action:

Construct a sloping rock revetment to protect a residential property from erosion.

Comments Due: January 24, 2000

(5) Framework Adjustment to the Western Pacific Pelagic Fisheries Management Plan to Reduce the Incidental Catch of Seabirds in the Hawaii Longline Fishery

Federal Agency: Western Pacific Regional Fishery Management Council, 522-8220

Federal Action: Direct Federal Activity
Location: Ocean waters around the Northwestern Hawaiian Islands

Proposed Action:

Enact regulatory adjustments to the Pelagic Fisheries Management Plan to mitigate the harmful effects of fishing by Hawaii-based longline vessels on seabirds. Specifically, longline gear inadvertently hook and kill black-footed albatrosses and Laysan albatrosses that nest in the Northwestern Hawaiian Islands. The proposed action requires that vessels registered for use under a Hawaii longline limited access permit operating with longline gear above 25° N. latitude to adhere to two or more of the following measures: 1) maintain adequate quantities of blue dye on board and use only completely thawed, blue-dyed bait; 2) discard offal while setting and hauling the line in a manner that distracts seabirds from hooks; 3) tow a National Marine Fisheries Service (NMFS) approved deterrent, such as a tori line or a buoy, while setting and hauling the line; 4) deploy line with line-setting machine so that the line is set faster than the vessel's speed and attach weights equal to or greater than 45 grams to branch lines within one meter of each hook; 5) attach weights equal to or greater than 45 grams to branch lines within one meter of each hook; 6) begin setting at least one hour after sunset and complete setting at least one hour before sunrise, using only the minimum vessel's lights necessary for safety. In addition, the Council recommends that 1) vessel operators

be required to make every reasonable effort to ensure that birds brought onboard alive are released in a manner that ensures their long-term survival and 2) all vessel captains annually complete a protected species educational workshop conducted by the NMFS.

Comments Due: January 24, 2000

(6) Mohouli Street Improvements, South Hilo, Hawaii

Federal Action: Direct Federal Activity
Federal Agency: Federal Highway Administration
State & County Agencies: State Department of Transportation and Hawaii County Department of Public Works
Contact: Galen Kuba, Hawaii County DPW, (808) 961-8327

Location: Komohana Street to Kinoole Street, South Hilo, Hawaii

TMK: (3rd) 2-4-1 & 2-4-24

Proposed Action:

Construct improvements along a section of Mohouli Street between Komohana Street and Kinoole Street in Hilo. A purpose of the project is to provide acceptable levels of service for current and future levels of traffic on Mohouli Street and its intersections. The project will involve the following:

1. Widen Mohouli Street between Komohana Street and Kumukoa Street from two to four lanes, along with provision of curbs, gutters, sidewalks and bike lanes in this section.
2. Install a full-movement traffic signal at the intersection of Mohouli street and Kumukoa Street, which would include left-turn lanes at all approaches and crosswalks.
3. Adjust the vertical alignment of Mohouli Street near Popolo Street to improve sight distance for Popolo Street traffic entering Mohouli Street.
4. Widen Mohouli Street between Kumukoa Street and Kinoole Street to accommodate left-turn lanes at Popolo Street and Kapiolani Street.
5. Install inlet boxes, drain lines and drywells.
6. Minor roadway expansion and adjustments at various locations to accommodate the other elements of the project.

Comments Due: January 24, 2000

Coastal Zone Management Annual Report

The Coastal Zone Management Annual Report is now available. To request a copy please call Christina Meller with the Hawaii CZM Program at 587-2845.

Environmental Council Notices

JANUARY 8, 2000

Proposed Agriculture Exemption List

The proposed exemption list was received from the State Department of Agriculture. Material to be added is underlined and material to be deleted is bracketed. Written comments should be addressed to the Chair, Environmental Council, 235 South Beretania Street, Suite 702, Honolulu, HI 96813, and postmarked by February 7, 2000.

**COMPREHENSIVE EXEMPTION LIST FOR THE
DIVISION OF AGRICULTURAL RESOURCE
MANAGEMENT,
DEPARTMENT OF AGRICULTURE
STATE OF HAWAII
DECEMBER 9, 1999**

Pursuant to Section 11-200-8, Hawaii Administrative Rules, the following types of action, where they fall within the given classes of action, shall generally be exempt from the preparation of an environmental assessment:

EXEMPTION CLASS 1: Operations, repairs or maintenance of existing structures, facilities, equipment, or topographic features, involving negligible or no expansion or change of use beyond that previously existing.

The word "existing" means presently in use. The following enumerated actions shall not be undertaken: 1) if the structure, facility, equipment, or topographic feature is not owned, leased, set aside, or under the legal control of the [Division of Agricultural Resource Management] Department of Agriculture and the Agribusiness Development Corporation; or 2) if the structure, facility, equipment or topographic features have been abandoned.

1. Repairs or rehabilitation which are necessary to maintain existing infrastructure improvements and facilities used in the agricultural parks at Pahoehoe, Panaewa, Hamakua, and Keahole -- all on Hawaii; Waianae, Kahuku, [and] Waimanalo, Kalaeloa, and Royal Kunia -- all on Oahu; Lanai Agricultural Park on Lanai; Molokai Agricultural Park on Molokai; and [at] Kekaha on Kauai; also in agricultural product processing and marshalling plants at Kula, Maui; Molokai Cooling Plant on Molokai; Maunawili Experimental Station on Oahu; and Kamuela, Honalo, Hamakua, and Panaewa -- all on Hawaii. Removing of trees, shrubbery, and other foliage which are threatening to damage the existing infrastructures. Performing routine preventive maintenance trimming of brush and branches; and removing sediment and debris to keep access clear.

2. Repairs which are necessary to keep in useful condition existing roads, drainage improvements, street lights and roadway structures or facilities, other subdivision improvements installed in accordance with County subdivision Ordinances.

3. Repairs[,] or rehabilitation to maintain existing buildings, control buildings, warehouses, storage or paint sheds, baseyards, grounds, and other related facilities being used in the administration, operation and maintenance of the agricultural parks and agricultural processing and marshalling facilities.

4. Repair, operate and maintain pumps and controls, pipes and other water control devices in the same location in order to provide service to existing agricultural parks and agricultural processing and marshalling facilities. Repair existing electrical, electronic or telemetering systems used to control or operate facilities, equipment, and appurtenances in the existing infrastructures.

5. Repairs which are necessary to maintain existing structures and facilities used in the irrigation systems at Waimanalo, Waiahole, and Kahuku, Oahu; Waimea-Lalamilo and Lower Hamakua Ditch (Honokaa-Paauilo), Hawaii; Upcountry (Kula), Maui; Kekaha, Kauai; and Molokai. Cutting of trees which are threatening to damage existing structures, facilities and waterways in the irrigation systems. Performing maintenance trimming of brush, removing and depositing sediment and debris in order to open the waterways for irrigation systems. Provided that the action of removing and depositing sediment and debris shall be limited respectively to removing from existing waterways and depositing within the right-of-ways of such waterways.

6. Repairs which are necessary to maintain in a useful condition the existing access roads and road structures (such as culverts and bridges) to the minimum width required for the operation of vehicles used in the operation and maintenance of irrigation systems. These actions do not exempt the Division of Agricultural Resource Management from required permits and other regulatory requirements of federal, state, or county agencies.

7. Repairs which are necessary to maintain existing office buildings, control buildings, warehouses, paint sheds, baseyards, grounds, water treatment plants, and other existing facilities used in the existing water systems.

8. Repair, operate and maintain existing pumps and controls, pipes and channels in the same location in order to maintain service in existing water systems. Repair existing electrical and telemetering systems used to operate water

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facilities, equipment, and appurtenances in existing water systems. Repair existing diversions and intake structures, including valves, gates, and intake boxes. These actions do not exempt the Division of Agricultural Resource Management from required permits and other regulatory requirements of federal, state, or county agencies.

9. Modification required to existing buildings and equipment to meet new codes and regulations, i.e., Occupational Safety & Health Administration, building, fire, security, accessibility for the handicapped, environmental compliance, etc.

10.

Request to the Department of Land and Natural Resources for setting aside of State lands by Governor's Executive Order to the Department of Agriculture and for award of land leases and permits.

11.

Request to the Department of Land and Natural Resources for transfer of State lands by Governor's Executive Order between the Department of Agriculture and other State agencies and for award of land leases and permits.

12.

Leases and permits of agricultural parks and other §171-11, HRS, set aside State lands for continuing agricultural and aquaculture uses.

EXEMPTION CLASS 2: Replacement or reconstruction of existing structures and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height, and dimensions as the structure replaced, provided that the facility, structure, pipe, intake, pump, channel, or other related appurtenances have not been abandoned.

1. Replace or reconstruct existing infrastructures of agricultural park subdivisions and processing, research/educational, and marshalling facilities in the same location and to a size or capacity commensurate with the existing facility and capacity to provide the same services.

2. Replace or reconstruct existing roads and road structures to the required County regulation when the condition of such roadways have become damaged or destroyed by natural or man-made catastrophes, (i.e., fire, vehicle accidents, power outages, pipeline breaks, etc.).

3. Replace, reconstruct or renovate existing structures, buildings and facilities for the same purposes as their existing use in the agricultural parks, irrigation systems [and], agricultural processing, research/educational, and marshalling facilities. Replace or reconstruct drainage, security fencing, and other exterior facilities which may be damaged by natural or man-made catastrophes.

4. Replace or reconstruct existing electrical, electronic and telemetering systems to perform the same operational tasks of operating water and mechanical systems, equipment, and appurtenances in the agricultural parks, irrigation systems and agricultural processing and marshalling facilities.

5. Replace or reconstruct existing pumps and controls, pipe and channels in the same location and to a size commensurate with the existing system and source capacities to provide service in existing water systems.

6. Replace or reconstruct existing roads and road structures to the minimum width required for the operation of vehicles used in the operation and maintenance of water systems. Roads shall be single-lane with passing turnoffs approximately one mile apart or at the beginning and end of dangerous sections or streams or gully crossings.

7. Replace or reconstruct existing structures, buildings and facilities to the same size and for the same purpose as their existing use in the irrigation systems at Waimanalo, Kahuku, and Waiahole, Oahu; Waimea-Lalamilo and Lower Hamakua Ditch (Honokaa-Paauilo), Hawaii; Upcountry, Maui; Kekaha, Kauai; and Molokai. Replace or reconstruct existing electrical and telemetering systems to perform the same operational tasks of operating water facilities, equipment and appurtenances in existing water systems.

8. Reconstruction of existing diversions and intake structures, including valves, gates, and intake boxes in order to collect or improve the collection at the location of the existing water source diversion works. This action shall not exempt the Division from permit requirements and other regulatory requirements of federal, state, or county agencies.

EXEMPTION CLASS 3:

Construction and location of single, new, small facilities or structures and the alteration and modification of the same and installation of new, small, equipment and facilities and the alteration and modification of same, including, but not limited to: (A) Single-family

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residences less than 1000 square feet not in conjunction with the building of two or more such units; (B) Multi-unit structures designed for not more than four dwelling units if not in conjunction with the building of two or more such structures; (C) Stores and offices designed for total occupant load of 20 persons or less per structure, if not in conjunction with the building of two or more such structures; and (D) Water, sewage, electrical, gas, telephone, and other essential public utility services extension to serve such structure or facilities; accessory or appurtenant structures including garages, carports, patios, and fences; and acquisition of utility easements.

1.

Construct appropriate structures not exceeding 1,000 square feet on the Department of Agriculture property and modify/alter the Department of Agriculture buildings to house utility or irrigation system components such as pumps, transformers, electric or electronic controls, instruments and monitoring devices, etc.

2. Construct/modify/alter carports and specialty storage facilities, such as paint sheds or instrument housing, on the Department of Agriculture property.

3.

Installation of security, system control and data acquisition (SCADA), and safety equipment.

4.

Utility service connection and installation along and across State and County highways or roads.

EXEMPTION CLASS 4: Minor alterations in the conditions of land, water, or vegetation.

1. Regrading of individual agricultural park lots for maintenance purposes. Cleaning and grubbing of drainage swales, ditches and facilities after storm periods and redispersing of such material onto the agricultural parks. Provided that this action shall be limited to the size of each individual agricultural park lot or in the case of irrigation system facilities, not more than 3 acres or the size of the existing reservoir.

2. Clearing, grubbing or dredging of sediment or waste ponds for normal maintenance of accumulated material provided that all material removed from the ponds is deposited back onto the farm and none are hauled away and further provided that this action shall be limited to not greater than one acre and not more than five cubic yards.

3. Construction required to seal artesian wells which have been abandoned or are leaking. This is a positive means of preventing the wastage of ground water supplies.

EXEMPTION CLASS 5: Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource.

1. Construction of Gaging Stations to measure streamflow and flood crest in streams in [according] accordance with the prescribed method and practices of the U.S. Geological Survey. Installation of Climatological stations to collect data on climatology, all in accordance with the method and practices of the National Weather Service.

2. Construction of test wells not more than 8 inches in diameter to provide ground truth for water resources investigations. The suggested size will enable the aquifer to be tested for its physical, chemical, biological qualities, as well as providing a pumping test to determine the specific capacity of the aquifer. Test wells shall not be developed to serve water unless an EIS or negative declaration is prepared, provided, however that test well sites be limited to urban areas or areas which do not contain environmentally sensitive resources. All other sites shall require an environmental assessment under Chapter 343, HRS.

EXEMPTION CLASS 6: Construction or placement of minor structures accessory to existing facilities.

The Division defines "minor structures" to mean a facility put up for a specific use, period of time, temporary purpose, and to support operations. Examples include electrical power panels, shelters to cover portable pumps, canopies over open trenches, wood shed to provide the cutting, shaping, or fabrication of wooden flumes or to put together a piece of equipment.

The Division defines "accessory" to mean a facility that supports operation, is needed to complete the work, and usually for a specific use. Examples are toilets during work within watershed areas, fenced areas to store equipment, poles or frames to allow temporary power hookups, pipe supports to remove water from excavation and scaffolding to paint high tanks, flumes and structures.

1. Construction of temporary storage or packing shed on individual agricultural park lots. Placement of excess materials and goods within the agricultural processing and marshalling facilities. Placement of shipping containers and other portable containers to support existing marshalling

Environmental Council Notices

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operations. The Division defines "temporary" to mean for a period not to exceed the purpose of the storage or packing period and not longer than one year with a shed size not greater than 300 square feet.

2. Construction of livestock fencing, enclosures and feed/water troughs to replace existing facilities at Hamakua Agricultural Park only, provided, however that the action be limited to hold no more than 500 animals per day.

3. Construction of enclosures for security of equipment and vehicles within the agricultural processing and marshalling facilities.

4. Minor driveways or access roadways, limited to not more than 500 feet in length and 15 feet in width and to be used only to service existing irrigation systems, agricultural parks and processing and marshalling facilities.

5. Installation of exterior lights in already developed areas for security and safety purposes.

6. Water tanks with less than 10,000 gallon capacity.

7. Roof top water catchments.

8. Lines and faucets for water for site use only.

9. Alteration of exiting access to pumps, water reservoirs, drainage structures and other appurtenances within the agricultural parks and agricultural processing and marshalling facilities in order to improve accessibility.

EXEMPTION CLASS 7: Interior alterations involving things such as partitions, plumbing, and electrical conveyances.

1. Renovations and reconstruction to conform to disability access regulations and OSHA laws in existing structures of the agricultural parks and agricultural processing and marshalling facilities.

2. Installation of security lights and alarms within existing structures of the agricultural processing and marshalling facilities.

3. Normal removal and replacement of windows, doors, and other building accessories due to wear and tear, including repainting of structures.

4. Fencing for water facilities.

5. Expand utilities as need dictates in existing structures.

EXEMPTION CLASS 8: Demolition of structures, except those located on any historic site as designated in the National Register or Hawaii Register as provided for in the National Historic Preservation Act of 1966, as amended, or chapter 6E, HRS.

1. Removal of damaged structures or portions of roofs or walls which were caused by natural or manmade catastrophes.

2. Demolish roadway paving and security fencing damaged by natural catastrophes. Removal of drainage pipes or headwalls damaged by heavy stormflows.

As stipulated in Section 11-200-8(b), Hawaii Administrative Rules, all exemptions under this list are inapplicable when the cumulative impact of planned successive actions of the same types, in the same place, over time, is significant, or when an action that is normally insignificant in its impact on the environment may be significant in a particularly sensitive environment.

Federal Notices

JANUARY 8, 2000

Record of Decision for Lower Hamakua Ditch EIS

The Natural Resources Conservation Service (NRCS) has issued a record of decision for the Lower Hamakua Ditch Watershed EIS on **November 1, 1999**. For more information, call the NRCS at (808) 541-2600, extension 100 (see, 64 F.R. 71003, December 20, 1999).

Pollution Prevention Grants

The Environmental Protection Agency (EPA) announced that it expects to have about \$5 million available in FY 2000 grant/cooperative agreement funds. For more information, call Christopher Kent at (202) 260-3480, or email him at kent.christopher@epa.gov (see, 64 F.R. 70250, December 16, 1999).

Comprehensive Nutrient Management Plans

The National Resources Conservation Service (NRCS) is seeking comments on the draft Technical Guidance for Developing Comprehensive Nutrient Management Plans (CNMPs). A CNMP is a group of conservation practices and management activities which, when combined into a system, will help to ensure that both production and natural resource goals are achieved. It incorporates practices to utilize animal manure and organic by-products as a beneficial resource. Comments on the draft guidance must be received by **March 8, 2000**. For more information call Obie Ashford at (301) 504-2197, or email him at obie.ashford@usda.gov (see 64 F.R. 68987, December 9, 1999, for details).

Whale Permit Amendment

The National Marine Fisheries Service (NMFS) has issued an amendment to Pacific Whale Foundation's Permit No. 982 that authorizes harassment of humpback whales (*Megaptera novaeangliae*) during the conduct of observational and photoidentification studies in Hawai'i waters. The amendment changes the expiration of the permit to **September 13, 1999** (see 64 F.R. 73524, December 30, 1999).

Western Pacific Fishery

The National Marine Fisheries Service (NMFS) will convene **public scoping meetings** on its draft Coral Reef Ecosystem Fishery Management Plan (CREFMP), preliminary draft EIS. Written comments on the CREFMP will be accepted until **January 24, 2000**. Public scoping meetings will be held from December 20, 1999 to January 13, 2000. For more information, call Kitty Simonds at (808) 522-8220 (see 64 F.R. 70679, December 17, 1999). Also, NMFS issued an **emergency rule** to prohibit vessels registered for use under a Hawai'i longline limited access permit from fishing with longline gear within the area north of 28 degrees north latitude and between 160 and 150 degrees west longitude. The closure is an interim measure in response to an Order Setting Terms of Injunction issued by the U.S. District Court, District of Hawai'i, dated November 23, 1999. The rule is effective 12:01 A.M., local time, December 23, 1999 through 12:01 A.M., local time, June 26, 1999. For more information call Alvin Katekaru or Marilyn Luipold at (808) 973-2937 (see, 64 F.R. 72290, December 27, 1999).

Letter of Notice

JANUARY 8, 2000

OEQC prints "Letters of Notice" to encourage public participation in our EIS system. Your views are welcome. We may edit letters due to limited space. The opinions presented do not necessarily reflect those of OEQC.

Fish and Wildlife Service Comments on Coral Importation

The U.S. Fish and Wildlife Service submitted the following comments to the Plant Quarantine Branch of the State Department of Agriculture with respect to the importation of Sarcophyton and Acropora corals into the State of Hawai'i for aquaculture production.

"The U.S. Fish and Wildlife Service (Service) opposes the importation of these non-native corals at this time. A complete risk assessment should precede any importation action, and all avenues of risk to native marine species should be blocked or mitigated. The following concerns should be fully addressed prior to considering importation of these corals:

A. Hawaii is relatively free of diseases that affect corals. The importation of corals from other regions could bring in coral diseases that could damage or destroy Hawaiian coral reefs and associated fauna.

B. Imported corals could potentially harbor alien species of algae, dinoflagellates, and invertebrates. This is especially true of soft corals that can house copepods and amphipods in their internal structures. These alien organisms can severely alter native marine communities. The negative impacts of introduced algae have already been demonstrated in Kaneohe Bay and other areas in Hawaii.

C. *Acropora* corals have a high growth rate and, if they become established in Hawaiian waters, could displace native coral species. The potential ecological interactions of these species in Hawaiian waters are unknown and could result in undesirable effects on the marine community.

D. Finally, we are concerned that reefs in the source areas for these corals will be damaged by removal of coral for importation to Hawaii."