

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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FEBRUARY 8, 2000

Moloka'i Safe Harbor Agreement for Nene at Pu'u O Hoku Ranch

Pursuant to Act 380, SLH 1997, OEQC is publishing a draft safe harbor agreement between Pu'u O Hoku Ranch, DLNR and the U.S. Fish and Wildlife Service, and an incidental take permit for a proposal to establish a free ranging population of about 75 nene on the ranch property.

Under a safe harbor agreement, landowners may agree to maintain or restore endangered species habitat on their lands or reintroduce an endangered species onto their property, in exchange for assurances that they will not be subjected to increased land use restrictions or increased liability and regulation under the Endangered Species Act. If they eventually decide to develop or alter their property, the presence of the endangered species will not prevent them from doing so.

NEW Endangered Species for Hawai'i - Critical Habitat Deferred

Pursuant to the federal Endangered Species Act, the U.S. Fish and Wildlife Service (FWS) has listed as "endangered" the following Hawai'i animals: Blackburn's Sphinx moth (*Manduca blackburni*), Hawai'i's largest native insect, found on Maui, Kaho'olawe and Hawai'i; the Kaua'i cave wolf spider (*Adelocosa anops*); and, the Kaua'i cave amphipod (*Spelaeorchestia koloana*). FWS has also listed Newcomb's snail (*Erinna newcombi*) an obligate freshwater species, found only in remote waterfalls, seeps and springs on Kaua'i, as "threatened." Public participation included: 5 comments supporting listing of the moth; 7 comments on the cave animals raising issues such as economic impacts, the use of

There are two policy considerations involved in this Agreement: (1) whether the State will take a proactive approach to recover endangered species on private lands; and (2) what effect the agreement will have on other private landowners on Moloka'i who currently do not have a safe harbor agreement.

Under this agreement, Pu'u O Hoku Ranch will: maintain or improve significant amounts of nene habitat for a period of 7 years, by continuing cattle ranching operations and thereby maintaining open, short grass habitat; assist DLNR in establishing and maintaining release sites; and assist DLNR in controlling predators around breeding and release sites. Public comments are due by **April 8, 2000**. See page 19 for more.

a Candidate Conservation Agreement or Habitat Conservation Plan; and 10 comments on the snail, raising issues such as critical habitat, restriction of development, and exceeding the scope of the federal commerce clause of Article 1, Section 8, of the U.S. Constitution.

In making the above listings, FWS noted that critical habitat determinations may now be processed separately. FWS further noted that although critical habitat in each of the above listings is prudent, it would develop separate proposals to designate critical habitat for the above animals "as soon as feasible" in light of their workload priorities. For more information, see pages 15-16.

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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.

Draft Environmental Assessments



(1) Opaepala Watershed Protection Project

District: Waialua
TMK: 1-6-3-01
Applicant: Kamehameha Schools
567 South King Street, Suite 200
Honolulu, Hawaii 96813
Contact: Manabu Tagomori (534-3866)

Approving Agency/Accepting Authority: Department of Land and Natural Resources
1151 Punchbowl Street, Room 220
Honolulu, Hawaii 96813
Contact: Sam Lemmo (587-0381)

Public Comment

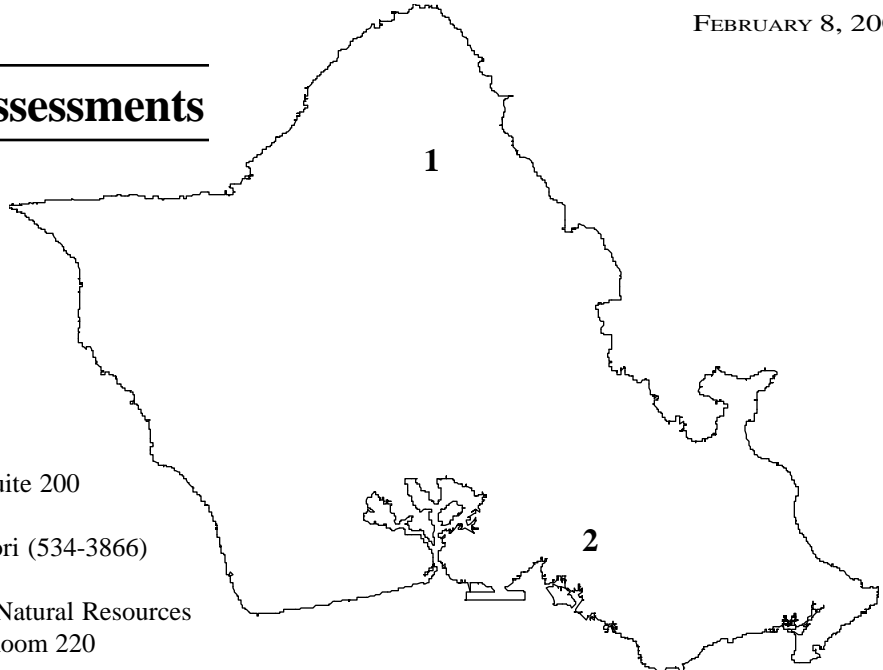
Deadline: March 9, 2000
Status: DEA First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority and OEQC.

Permits

Required: BLNR permit

Kamehameha Schools Bishop Estate, in a cooperative effort with the U.S. Army Garrison-Hawaii, the U.S. Fish and Wildlife Service, and the State of Hawaii Division of Forestry and Wildlife, proposes to construct a pig enclosure fence in the uppermost portion of the Opaepala Stream drainage, Ko'olau Mountains, Oahu. The project includes the construction of approximately 2.25 miles of 42" hogwire fence and construction of a 12' by 16' wooden platform to serve as a tent pad for resource management crews. The project will enclose about 150 acres of native Ko'olau wet forest. The project is part of ongoing efforts to protect native forest ecosystems, and rare, threatened and/or endangered flora and fauna found in the area. Eight species of listed, proposed, candidate, or rare plant species and two endangered tree snail species are found in the project area.

Construction of this fence will require hand clearing a 10 foot wide corridor through vegetation for the fence line. The proposed project is expected to generate short term impacts to soil quality along the fence line, some impacts to common native vegetation, and may slightly change the Ko'olau summit trail alignment. These short-term impacts will be mitigated through the long-term benefit to the ecosys-



tem by the removal of the negative impacts of feral pigs within the project area. The integrity of the Ko'olau summit trail will be retained. The fence route will be surveyed by Botanists and recognized snail experts to ensure that no rare, threatened, or endangered plant or animal is within the area cleared for the fence.

This project is directed at the protection of ecosystems as well as rare and endangered species. This project will help protect surface and ground water quality and protect native ecosystems by eliminating the destructive impact of feral pigs in the project area.

Final Environmental Assessments (FONSI)



(2) Kalihi Valley Homes Improvements

District: Honolulu
TMK: 1-3-22:01
Applicant: Housing & Community Development Corporation of Hawaii
677 Queen Street, Suite 300
Honolulu, Hawaii 96813
Contact: Stanley Fujimoto (587-3179)

Approving Agency/Accepting Authority: Same as above.

Oahu Notices

FEBRUARY 8, 2000

Consultant: Group 70 International, Inc.
925 Bethel Street, 5th Floor
Honolulu, Hawaii 96813
Contact: Ralph Portmore (523-5866 x 106)

Public Challenge

Deadline: March 9, 2000
Status: FEA/FONSI issued, project may proceed.
Permits Required: Building, grading, demolition

Kalihi Valley Homes is a federally subsidized state public housing project that was designed and constructed for the State's Hawaii Housing Authority (since renamed the Housing and Community Development Corporation of Hawaii, or HCDCH). Completed in 1953, the development consists of 400 public housing units in one, two, three, four, and five bedroom configurations throughout 45 buildings on approximately 24 acres of land. Also provided are a 4,717 square foot office/maintenance building and a 10,179 square foot Community Center.

The project site, which fronts Likelike Highway and Kamehameha IV Road, is situated at the base of the Kahauiki Ridge and is bordered by residences to the northeast and Kaewai Stream to the south. To the east, across Likelike Highway, are single and multi-family residences, while across Kamehameha IV Road is a mix of uses including a large storage building and Kaewai Elementary School. Along the site's mauka boundary toward the ridge is a property owned by the City and County of Honolulu Board of Water Supply. Further mauka of the site is the State Forest Reserve Boundary and the Fort Shafter Military Reservation.

At 46-years old, Kalihi Valley Homes is one of the State's oldest public housing developments and is in need of renovation. The proposed project provides for the phased renovation of 301 dwelling units and phased demolition of 11 buildings containing 99 dwelling units. Of the remaining 34 buildings, the interiors will be gutted and replaced with new fixtures and appliances, and the exteriors will be renovated with hipped roofs and new windows. The existing Community Center building and Administration building will be demolished and replaced with one building.

The project will be designed and constructed in multiple phases with a total project completion anticipated to take approximately eight to ten years and have a total project cost of approximately \$46.8 million. Funding for the project is made possible through the U. S. Department of Housing and Urban Development's Comprehensive Grant Program that provides funding to modernize existing housing units. No State funds will be expended.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

📍 Kualoa Regional Park Centralized Wastewater System

Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street, 14th Floor
Honolulu, Hawaii 96813
Contact: Robert Miyasaki (527-5159)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: February 22, 2000

📍 Waipahu Wells IV

Applicant: City and County of Honolulu
Board of Water Supply
630 South Beretania Street
Honolulu, Hawaii 96843
Contact: Barry Usagawa (527-5235)

Approving Agency/Accepting

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

Public Comment

Deadline: February 22, 2000

Draft Environmental Impact Statements

📍 Nanakuli 242 Reservoir

Applicant: City and County of Honolulu
Board of Water Supply
630 South Beretania Street
Honolulu, Hawaii 96843
Contact: Barry Usagawa (527-5235)

Approving Agency/Accepting

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

Public Comment

Deadline: March 8, 2000



Draft Environmental Assessments



(1) Punana Leo O Maui Hawaiian Language Preschool and Family Resource Center

District: Wailuku
TMK: 3-8-007:47
Applicant: Na Leo Pulama O Maui, Inc.
P.O. Box 1038
Wailuku, Hawaii 96793
Contact: Ms. C. Kili Namau'u (244-5676)

Approving Agency/Accepting Authority: County of Maui, Planning Department
250 South High Street
Wailuku, Hawaii 96793
Contact: Julie Higa (270-7814)

Consultant: Law Office of Isaac Hall
2087 Wells Street
Wailuku, Hawaii 96793
Contact: Isaac Hall (244-9017)

Public Comment

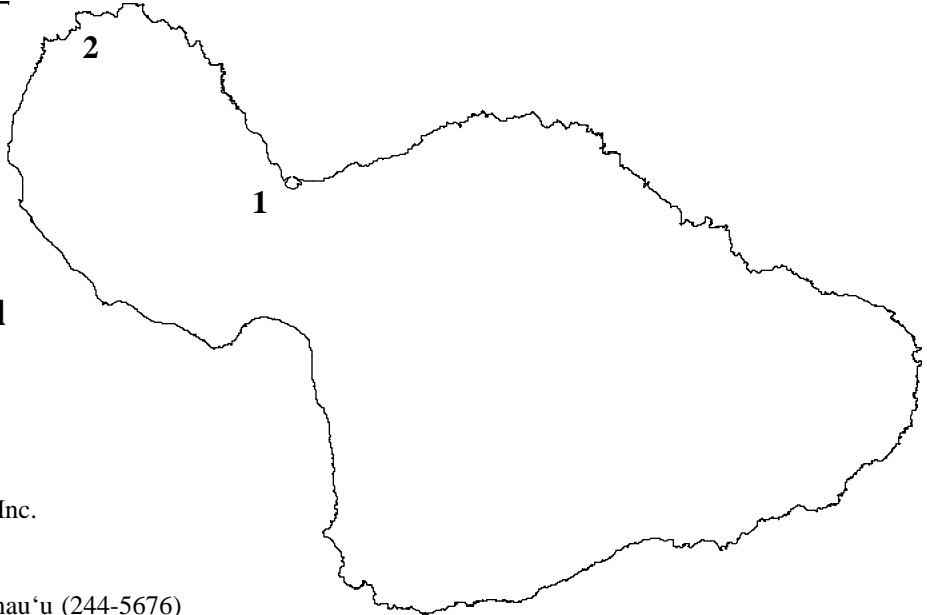
Deadline: March 9, 2000
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the approving agency or accepting authority, the consultant and OEQC.

Permits

Required: CIZ, variance, BP

The Applicant, Na Leo Pulama O Maui, is requesting a Change in Zoning from R-3 Residential to Public/Quasi-Public in order to construct and operate the Punana Leo O Maui Hawaiian Language Preschool and Family Resource Center located at Lunalilo and Liholiho Streets in Wailuku, Maui, Hawaii. The subject property is approximately 1.67 acres, a triangular-shaped lot, and is designated "Single-Family" by the Wailuku-Kahului Community Plan. The property ranges from 200 feet above mean sea level (AMSL) to 234 AMSL.

Six buildings will be constructed on the site, two parking lots totaling 40 stalls for the general public and two handicap parking stalls and a 10-stall parking lot for staff members. Access to the property will be from Lunalilo Street.



Due to significant archaeological sites and the topography of the property, a retaining wall of varying heights up to ten feet high will be built on Liholiho Street and a portion of Lunalilo Street. There will be a cluster of three classrooms for the preschool at the eastern end of the site. In the middle will be a Hawaiian language multi-resource building for the staff of the preschool and a Family Resource Center. To the west will be a media center to be used by the children in the after-school A-Plus Program who are in the K-8 Hawaiian Language Immersion Programs. A multipurpose building will be constructed for the use of the Family Language Resource Center and other programs. All buildings will be 30 feet tall except for four buildings where a height variance ranging from two feet to ten feet will be required. An application for a variance is being processed concurrently.

Full capacity for the preschool will be 50 students and 10 staff, though it is most likely that these numbers will not be reached until at least the second or third year of operation. The media center and multipurpose building will be used primarily for after-school programs on school days from 2 p.m. to 5 p.m. and support approximately 40 students in grades K-8. School busses will drop the students off. Maximum capacity for the multipurpose building is 80 people. The building will be available for the evening parent language classes required by the preschool, as well as for other language and cultural classes offered by other community-based programs. Outdoor gathering space is also available at the facility. The Boy Scouts Center 20-stall parking lot, across the street from the facility, will be used for overflow parking.

Maui Notices

FEBRUARY 8, 2000

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



(2) Honokohau Water System Improvements

District: Lahaina
TMK: 4-2-01:por. 01 and 4-1-01:oor. 09
Applicant: County of Maui
Department of Water Supply
200 South High Street
Wailuku, Hawaii 96793
Contact: David Craddick (270-7816)

Approving Agency/Accepting

Authority: Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809

Contact: Lauren Tanaka (587-0385)

Consultant: Munekiyo, Arakawa & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793
Contact: Milton Arakawa (244-2015)

Public Challenge

Deadline: March 9, 2000

Status: FEA/FONSI issued, project may proceed.

Permits

Required: CDUP

The County of Maui, Department of Water Supply (DWS) proposes to construct water system improvements to upgrade service to users in Honokohau Valley, Maui, Hawaii. Domestic water to approximately thirteen (13) water meters in the Valley has traditionally been provided by surface sources. This water is currently trucked into the valley by the DWS.

The proposed action involves the installation of approximately 33,000 lineal feet of waterline from an existing private water system, a booster pump and other improvements located near two existing wells. The water will be pumped through a 4-inch ductile iron pipe extending approximately 5,100 lineal feet from the booster pump to an approximately 20,000 gallon storage tank located near the western edge of Mokupea Gulch.

From the storage tank via a 2-inch high density polyethylene pipe the waterline will traverse a number of pastures, dirt roads, access tunnels and gulches and end at a proposed pressure break tank. From there, water will be transported through the existing distribution system.

The proposed placement of the waterline within existing roads will be underground while the portions of the alignment that pass through pastures, gulches, tunnels, and trails, will be laid on the surface of the ground. At stream crossings and gulches, the waterline will be suspended above the streambed.

Preliminary estimates indicate that the project will cost approximately \$175,000. Construction time frame of the proposed project is approximately eleven (11) weeks.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

📍 Maui Business Park, Phase 1B Subdivision

Applicant: A&B Properties, Inc.
822 Bishop Street
Honolulu, Hawaii 96801-3440
Contact: Rick Stack (525-8410)

Approving Agency/Accepting

Authority: Department of Transportation
601 Kamokila Boulevard
Kapolei, Hawaii 96707
Contact: Mike Okumoto (692-7331)

Public Comment

Deadline: February 22, 2000

📍 Puunene Naval Airstation Transfer of Land

Applicant: County of Maui, Mayor's Office
200 South High Street
Wailuku, Hawaii 96793
Contact: Brian Miskae (270-7855)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: February 22, 2000



Previously Published Projects Pending Public Comments

Draft Environmental Assessments

~ Maunaloa Subdivision

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
205 South High Street
Wailuku, Hawaii 96793
Contact: Robyn Loudermilk (270-7735)

Public Comment

Deadline: February 22, 2000

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

● Kapilimao Valley Well & Transmission Main

Applicant: County of Kauai, Department of Water
P.O. Box 1706
Lihue, Hawaii 96766
Contact: Melvin Matsumura (245-5410)

Approving Agency/Accepting

Authority: County of Kauai, Offices of Community
Assistance, Housing Agent
4193 Hardy Street
Lihue, Hawaii 96766
Contact: Dennis Alkire (241-6814)

Public Comment

Deadline: February 22, 2000

● Wailua Golf Course Erosion Control

Applicant: County of Kauai, Dept. of Public Works
4444 Rice Street, Suite 275
Lihue, Hawaii 96766
Contact: Ken Kitabayashi (241-6622)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: February 22, 2000

Hawaii Notices

FEBRUARY 8, 2000

Draft Environmental Assessments



(1) Heffner Property Improvements (After-the-Fact), Kehena

District: North Kohala
TMK: 5-8-01:09
Applicant: Chandi Duke Heffner
c/o Carlsmith Ball
121 Waiianuenue Avenue
Hilo, Hawaii 96720
Contact: Steven Lim, Esq. (935-6644)

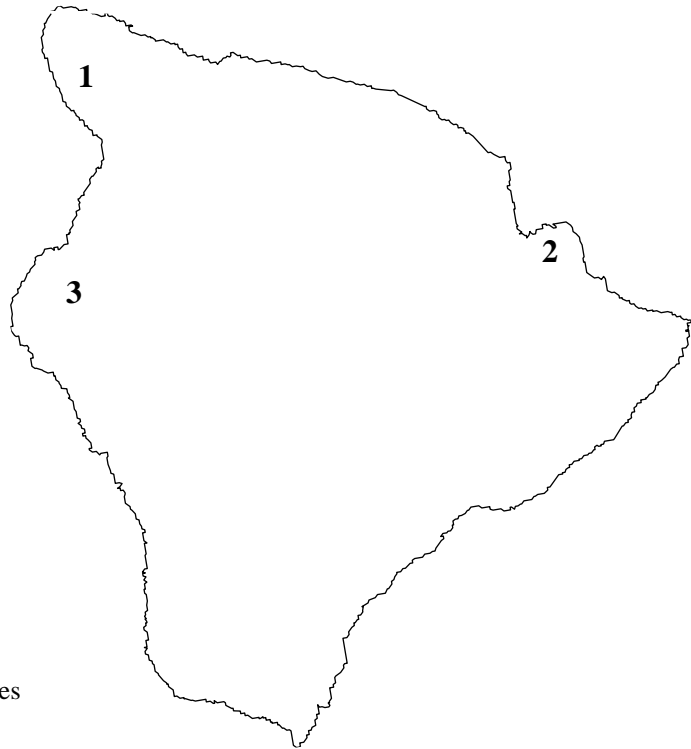
Approving Agency/Accepting Authority: Department of Land and Natural Resources
Land Division
P.O. Box 621
Honolulu, Hawaii 96813
Contact: Sam Lemmo (587-0381)

Consultant: Carlsmith Ball
121 Waiianuenue Avenue
Hilo, Hawaii 96720
Contact: Steven Lim, Esq. (935-6644)

Public Comment Deadline: March 9, 2000
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: SCAP, Sec. 404, NPDES, Sec. 401 WQC, grading, CWRM

Applicant Chandi Duke Heffner seeks (1) after-the-fact improvements to the existing jeep road, associated erosion control, and tree removal improvements, and (2) establishment of agricultural uses, animal husbandry, and indigenous or endemic, and non-native plant and wildlife uses, accessory fencing, water system improvements and lateral shoreline access gate improvements within the Conservation District portion of the approximately 166.046-acre coastal property located between Kawaihae and Hawi, along Keawe'ula Bay and Keawanui Bay on the makai side of the Akoni-Pule Highway (also known as the Kawaihae-Mahukona Road), at Kehena 2nd, District of North Kohala, Hawaii. The Project Area is within the County Special Management Area which



runs along the Akoni-Pule Highway. A narrow coastal strip of the Property along the shoreline is within the State Land Use Conservation District, Resource (R) Subzone, and the remaining portion of the Property is within the State Land Use Agricultural District, and zoned A-5a. The Property is accessed via the Akoni-Pule Highway.



(2) Leleiwi Beach Park Improvements

District: South Hilo
TMK: 2-1-17:por. 21, 22
Applicant: County of Hawaii
Department of Parks & Recreation
25 Aupuni Street
Hilo, Hawaii 96720
Contact: Glenn Miyao (961-8311)

Approving Agency/Accepting Authority: Same as above.
Consultant: Roy Takemoto (961-2082)
Land Use Consultant
P.O. Box 10217
Hilo, Hawaii 96721

Public Comment Deadline: March 9, 2000

Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

Permits Required: SMA, grading, plan approval, ROW, ADA compliance

The County of Hawaii Department of Parks and Recreation proposes to construct a parking lot (23 stalls) to improve access to an undeveloped portion of Leleiwi Beach Park, which encompasses the shoreline from James Kealoha Beach Park to Richardson Beach Park. The site is located at the corner of Kalaniana'ole Street and Lokoaka Street in Keaukaha. Since the project site was formerly used as a residence, there are no historic sites or endangered species. The project site is within the VE and AE special flood hazard zones, and proposed improvements will comply with the requirements of the County Flood Control Code. The project will require a SMA Minor Permit.

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



(3) Kukio Resort Utility Easements

District: North Kona
TMK: Portions of 7-2-04:04, 07; 7-2-06:17 and Homestead Road; 7-2-07 Mamalahoa Highway Right-of-Way

Applicant: WB Kukio Resort LLC
395 Oyster Point, Suite 309
South San Francisco, CA 94080
Contact: Ed Divita & Mike Meldman (650-465-7256)

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

Consultant: PBR Hawaii
101 Aupuni Street, Suite 310
Hilo, Hawaii 96720
Contact: James Leonard (961-3333)

Public Challenge
Deadline: March 9, 2000
Status: FEA/FONSI issued, project may proceed.

Permits Required: CDUA

WB Kukio Resort, LLC is requesting easements across portions of State lands for the purpose of providing a utility corridor connection between their well system, located mauka of the State lands on the Makale'i Hawaii Corporation property, and the land which they own that has been master-planned for the Kukio Beach Resort.

In May 1988 an EIS was prepared for the development of the Kukio Beach Resort.

The affected State lands are located mauka of Queen Kaahumanu Highway and include portions of Mamalahoa Highway, approximately 7 miles north of Keahole Airport and 14 miles north of Kailua-Kona.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

► Kealakehe Wastewater Treatment Plant Effluent Reuse Master Plan

Applicant: County of Hawaii
Department of Public Works
25 Aupuni Street
Hilo, Hawaii 96720
Contact: Peter Boucher (961-8338)

Approving Agency/Accepting Authority:

Same as above.

Public Comment

Deadline: February 22, 2000

► Sandwich Isles Communications Hilo Central Office Complex

Applicant: Sandwich Isles Communications, Inc.
Pauahi Tower, Suite 2750
1001 Bishop Street
Honolulu, Hawaii 96813
Contact: Llewellyn Biven (540-5718)

Approving Agency/Accepting Authority:

Department of Hawaiian Home Lands
P.O. Box 1879
Honolulu, Hawaii 96805
Contact: Linda Chinn (587-6432)

Public Comment

Deadline: February 22, 2000

Hawaii Notices

FEBRUARY 8, 2000

Final Environmental Impact Statements

► Mauna Kea Science Reserve Master Plan

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

Status: FEIS currently being reviewed by OEQC.



Pollution Control Permits

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 Date	Proposed Use
Clean Air Branch, 586-4200, Covered Source Permit	U.S. Navy, Pacific Division CSP No. 0110-01-C (Amendment)	PMRF Barking Sands, Kauai	Issued: 1/14/00	Pacific Missile Range Facility
Clean Air Branch, 586-4200, Noncovered Source Permit	Aloha Charcoal NSP No. 0451-01-N	Maalaea, Maui	Issued: 1/25/00	Charcoal Kiln

Shoreline Notices

FEBRUARY 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
HA-021	01/24/00	Lots 2-A-1 and 2-B-1, Being Portions of Grant 5327 to Samuel Liftee; and R. P. 7913, Apana 1 to Kaanehe at Waiaha 2nd, North Kona, Hawaii (75-5936 Alii Drive, Kailua-Kona, Hawai'i) Obtain County Permit	Wes Thomas Associates, for Roger and Adele McGee	7-5-001 and 004
MA-002	01/24/00	Being a portion of Grant 548 to J. Y. Kanehoa, Lot 1-A of Keawakaou Beach Lots, Honuaula, Makawao, Maui, Hawaii (3136 South Kihei Road, Kihei, Maui, Hawaii) Purpose: Establish Shoreline Boundary for Land Use Planning	Warren S. Unemori Engineering, Inc., for Eric A. Hahn	2-1-010:007
OA-759	01/26/00	Lot 19-A of the Waialae Beach Lots, Section "A" Waialae-Nui, Honolulu, Hawaii (4819-C Kahala Avenue) Purpose: Obtain County Permit	Sam O. Hirota, Inc., for Mr. and Mrs. David Allen	3-5-059:010

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.	Cert/Rej Date	Location	Applicant	Tax Map Key
OA-754	Certification Date 01/27/00	Lot 79 of Land Court Application 609 as shown on Map 4, Waialua, Oahu, Hawaii (68-251 Crozier Loop) Obtain County Permit	DJNS Surveying & Mapping, Inc., for Ronald & Sachi Goodwin	6-8-005:028
OA-755	Certification Date 01/27/00	Lot 339, Land Court Application 1100 as shown on Map 30, Heela, Koolaupoko, Oahu, Hawaii (46-171 Nahiku Street) Obtain County Permit	R. K. Sing, R. L. S. Surveying and Mapping, for Chad & Claudine Yim	4-6-022:028
KA-144	Certification Date 01/27/00	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.) Obtain County Permit	Wagner Engineering Service, Inc., for Robert Matthews, Trustee of Sand and Weed Trust, Matthews and Company	5-8-010:014
OA-756	Certification Date 01/27/99	Lot 284 of Land Court Application 1052 as shown on Map 7, at Makaha, Waianae, Oahu Hawaii (84-311 Makau St., Makaha) Obtain County Permit	Wesley T. Tengan, for Sharon Miller	8-4-009:009

DOH Enforcement Notices

FEBRUARY 8, 2000

Summary of DOH Inspection and Enforcement Actions

The table below shows a tally of the number of inspections and responses conducted by DOH pollution control program personnel during the period from October through December 1999. Additionally, formal and informal enforcement actions, and the settlements that arise out of those actions, are counted as well. Inspections and enforcement actions are split up by program area. For more information, please contact Pat Felling at the DOH Environmental Planning Office at 586-4337.

	Inspections / Responses	Informal Actions ¹	Formal Actions ²	Completed Settlements	Settlements Pending
	Oct.-Dec., 1999	Oct.-Dec., 1999	Oct.-Dec., 1999	Oct.-Dec., 1999	Total as of Dec., 1999
Clean Air Branch					
Fugitive Dust	93	7	0	0	0
Noncovered Sources	14	7	0	0	5
Covered Sources	38	10	1	1	1
Agricultural Burning	83	2	0	0	1
Open Burning	21	4	0	0	0
Others	86	2	0	0	0
Solid & Hazardous Waste Branch					
Underground Storage Tanks	22	2	--	--	--
Hazardous Waste	20	3	1	1	6
Solid Waste	68	7	0	1	3
			"--" indicates DOH lacks authority in that area		
Clean Water Branch					
Permitted Water Discharges (NPDES)	39	4	0	0	2
Non-permitted Water Discharges (NPDES)	13	5	0	1	3
Water Quality Certifications	0	0	0	0	0
Wastewater Branch					
Wastewater Treatment Plants	4	0	0	1	2
Individual Wastewater Systems	22	4	0	0	12
Animal Waste	2	1	0	0	0
Safe Drinking Water Branch					
Public Water Systems	7	12	0	0	0
Underground Well Injection Control	5	9	0	0	1
Hazard Evaluation & Emergency Response					
Oil Spills	5	n.a.	n.a.	n.a.	n.a.
Hazardous Waste Releases	15	n.a.	n.a.	n.a.	n.a.
			n.a. - data not yet available		

¹ Informal actions include warnings for less serious issues such as small infractions by individuals, field citations, or violations of permit technicalities which do not directly impact environmental quality.

² Formal actions include any serious violation or repeat/continued violations of permit technicalities, and usually result in a formal "Notice of Violation" and the assignment of a penalty.

DOH Enforcement Notices

FEBRUARY 8, 2000

Formal Enforcement Actions and Settlements Completed by DOH

Notices of violation issued from October through December 1999 are summarized below. The summaries do not constitute exact descriptions of the violations. For complete and accurate descriptions, please contact DOH at 586-4337 for copies of the violation notices.

FORMAL ENFORCEMENT ACTIONS

Clean Air Branch

A Notice and Finding of Violation and Order was served upon **Lanai Company, Inc.** on December 14, 1999 for operating a "covered source" facility (i.e., a major air emissions source) without a permit between August 1996 and May 1998 at their stone quarry at Manele Bay. The violations involved the operation of rock crushers and a rock saw at the facility. Lanai Company applied for a covered source permit in April 1997, and received the permit in May 1998. A fine of \$14,200 was set for the violations.

Solid & Hazardous Waste Branch

On December 10, 1999, **Chem-Met Government Services**, which operates a waste transport facility on Sand Island Access Road, was served a Notice of Violation and Order for storing hazardous waste for longer than 10 days. According to Chem-Met, a shipment of wastes which included chromic acid was refused at the docks due to incompatibility. The chromic acid was then stored for two weeks before being shipped successfully. Chem-Met was ordered to pay a \$4,500 fine and to submit its hazardous waste manifest to DOH quarterly for the next two years.

ENFORCEMENT SETTLEMENTS

Clean Air Branch

As was reported in this section of the December 8, 1999 edition of The Environmental Notice, **Chevron U.S.A. Products Company** was served a Notice and Finding of Violation and Order, which included a fine of \$54,000, for violations of its covered source permit at the Chevron petroleum refinery. Emissions from its fluid catalytic cracking (FCC) flare and its FCC unit exceeded special conditions of its permit. Chevron notified the DOH of these violations, and repaired the FCC unit. As part of a negotiated settlement, the final amount Chevron was required to pay was \$46,900 for the violations.

Clean Water Branch & Wastewater Branch

In February 1997, DOH and EPA filed a joint enforcement action against **Maui County**, citing over 250 sewage spills between 1992 and 1996. Negotiations for an administrative settlement broke down in 1998, so the parties went to court to settle the issue. In November 1999, the settlement of the parties in federal court was approved for issues under federal jurisdiction. In December 1999, a similar settlement was approved by the state court for issues of state law only. As part of the settlement for both cases, Maui County will pay \$300,000 in penalties (half to EPA and half to the state) and will make numerous, specified improvements to its wastewater treatment systems.

Solid & Hazardous Waste Branch

On December 17, 1999, DOH completed a settlement agreement with **Kauai County** with regard to a solid waste violation at the Puhi Metals Recycling Facility. In August 1999, 216 cubic yards of material were placed as "fill" at the recycling facility without proper permits. The fill material included dirt, rock, concrete rubble, green waste, tires, metal and plastic. The county then initiated a removal of the fill material, which was completed and approved by DOH in October. As part of the settlement, Kauai paid a \$10,000 fine and will provide \$12,500 in support to non-profit organizations to conduct supplemental environmental projects.

Based upon a July 1996 inspection of **Honolulu Paint Co., Ltd.**, DOH initiated a Notice of Violation and Order for storage of hazardous waste (paint sludge, lacquer thinner and other solvents) without a permit. Such wastes had apparently been stored on site since May 1995, and were found in thirteen 55-gallon drums at the facility in 1996. The initially-assigned penalty included a fine of \$30,600. DOH and Honolulu Paint settled in November 1999 for a penalty of \$24,000, half of which will not need to be paid if Honolulu Paint remains free of any moderate violations for eighteen months.



Coastal Zone News

FEBRUARY 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, Dept. 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) Federal Grant Application for Maintenance Dredging at Wailoa Small Boat Harbor, Hilo, Hawaii

Applicant: State of Hawaii Department of Land & Natural Resources, Division of Aquatic Resources

Contact: Michael Fujimoto, 587-0085

Federal Action: Federal Assistance - Sport Fish Restoration Program

Federal Agency: U.S. Fish and Wildlife Service

Location: Wailoa Small Boat Harbor, Hilo

Proposed Action:

Application for \$187,500 in federal funds from the Federal Aid in Sport Fish Restoration Program administered by the U.S. Fish and Wildlife Service to perform maintenance dredging at the Wailoa Small Boat Harbor entry channel and the river mouth and mooring sites on the town side of Wailoa River. The dredging proposal has already received authorization from the U.S. Army Corps of Engineers.

Comments Due: February 22, 2000

(2) Federal Grant Application for Maintenance Dredging at Waikaea Boat Ramp, Kapaa, Kauai

Applicant: State of Hawaii Department of Land & Natural Resources, Division of Aquatic Resources

Contact: Michael Fujimoto, 587-0085

Federal Action: Federal Assistance - Sport Fish Restoration Program

Federal Agency: U.S. Fish and Wildlife Service

Location: Wailoa Small Boat Harbor, Hilo

Proposed Action:

Application for \$150,000 in federal funds from the Federal Aid in Sport Fish Restoration Program administered by the U.S. Fish and Wildlife Service to perform maintenance dredging at the Waikaea Boat Ramp and channel. The dredging proposal has already received authorization from the U.S. Army Corps of Engineers.

Comments Due: February 22, 2000

(3) Federal Grant Application to Widen the Access Road Entrance to the Kahului Boat Ramp Facility, Kahului, Maui

Applicant: State of Hawaii Department of Land & Natural Resources, Division of Aquatic Resources

Contact: Michael Fujimoto, 587-0085

Federal Action: Federal Assistance - Sport Fish Restoration Program

Federal Agency: U.S. Fish and Wildlife Service

Location: Kahului Harbor, Maui

Proposed Action:

Application for \$75,000 in federal funds from the Federal Aid in Sport Fish Restoration Program administered by the U.S. Fish and Wildlife Service to widen the access road entrance to the Kahului Boat Ramp Facility.

Comments Due: February 22, 2000

(4) Establishment of Sea Turtle Mitigation Measures

Federal Action: Federal Activity

Federal Agency: National Marine Fisheries Service

Contact: Alvin Katekaru, 973-2937

Location: State of Hawaii

Proposed Action:

Establish regulations requiring Hawaii based pelagic longline vessels to possess and use line clippers and dip nets to minimize the mortality of and injury to sea turtles hooked or entangled by longline fishing gear. Vessel operators will also be required to follow NMFS guidelines for handling turtles brought onboard to increase the chances of turtle recovery and survival after their return to the ocean. The proposed mitigation measures are to comply with a U.S. District Court Order issued on November 23, 1999.

Comments Due: February 22, 2000

(5) Kalopa Bridge Replacement, Hamakua, County of Hawaii

Applicant: County of Hawaii Department of Public Works
Contact: (808) 961-8327

Consultant: Wilson Okamoto & Associates, Inc.
Contact: Laura Mau, 946-2277

Federal Action: Department of the Army Permit

Federal Agency: U.S. Army Corps of Engineers
Contact: 438-9258

Location: Kalopa Gulch at Old Mamalahoa Highway, Hamakua, Hawaii

TMK: (3rd) 4-4-2: 7, 4-4-3: 19, 4-4-7: 8 & 4-4-9: 5

Proposed Action:

Replace an existing one-lane timber bridge with a new two-lane concrete bridge, 31 feet wide by 60 feet long, crossing Kalopa Gulch. In addition, stream bank protection would be installed beneath the bridge. The new bridge would be constructed at the same location as the existing bridge.

Comments Due: February 22, 2000

(6) Inoino Bridge Replacement, Hamakua, County of Hawaii

Applicant: County of Hawaii Department of Public Works
Contact: (808) 961-8327

Consultant: Wilson Okamoto & Associates, Inc.
Contact: Laura Mau, 946-2277

Federal Action: Department of the Army Permit

Federal Agency: U.S. Army Corps of Engineers
Contact: 438-9258

Location: Inoino Stream at Old Mamalahoa Highway, Hamakua, Hawaii

TMK: (3rd) 4-6-11: 8 & 9

Proposed Action:

Replace an existing one-lane timber bridge with a new two-lane concrete bridge, 31 feet wide by 60 feet long, crossing Inoino Stream. The new bridge would be constructed at the same location as the existing bridge.

Comments Due: February 22, 2000

Federal Notices

Blackburn's Sphinx Moth Listed as Endangered

In a decision effective March 2, 2000, the U.S. Fish and Wildlife Service (FWS) has listed Blackburn's Sphinx moth as "endangered" under the Endangered Species Act. Blackburn's Sphinx moth is Hawai'i's largest native insect, with a wingspan of up to 5 inches. Like other sphinx moths, it has long narrow forewings and a thick spindle-shaped body tapered at both ends. It is grayish brown in color, with black bands across the apical margins of the hind wings and five orange spots along each side of the abdomen. The larva is a typical large "hornworm" caterpillar with a spinelike process on the dorsal surface of the eighth abdominal segment. Caterpillars occur in two color forms, a bright green or a grayish phase. Both color forms have white speckles throughout the dorsum with the lateral margin of each segment bearing a horizontal white stripe, and segments four to seven bearing diagonal stripes on the lateral margins. Larvae feed on plants in the nightshade family. Natural host plants are native shrubs in the genus *Solanum* (popolo) and

the native tree, *Nothocestrum latifolium* ('aiea). Historically, this species occurred on the islands of Kaua'i, O'ahu, Maui, Moloka'i and Hawai'i, but until recently, was known only from one population on Maui. Researchers observed a second population on Maui in 1992, and populations are now known to also occur on the islands of Kaho'olawe and Hawai'i. This moth is currently threatened by habitat fragmentation and destruction due to development and agricultural practices resulting in the loss of its host plants; predation, parasitism, competition for food or space by alien insects, and overcollection by private and commercial collectors. Due to its restricted distribution, this species is also vulnerable to extinction from random, catastrophic events, such as drought or fire. For more information, call the FWS in Honolulu at (808) 541-2756 (see, 65 F.R. 4771, February 1, 2000).

Newcomb's Snail Listed as Threatened

In a decision effective February 25, 2000, the U.S. Fish and Wildlife Service (FWS) has listed Newcomb's snail (*Erinna newcombi*) as "threatened" under the Endangered

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Species Act. Four species of Lymnaeidae snails are native to Hawai'i. Three of these species are found on two or more of the eight main islands. The fourth species, Newcomb's snail, restricted to Kaua'i, is unique among the Hawaiian lymnaeids in that the slender, tapering shape typically associated with lymnaeid shells has been completely lost. The result is a smooth black shell formed by a single, oval whorl about 0.25 inches long and 0.12 inches wide. A similar shell shape is found in a Japanese lymnaeid, but a study of chromosome number shows that Newcomb's snail has evolutionary ties to the rest of the Hawaiian lymnaeids, all of which are derived from North American ancestors. An obligate freshwater species, these snails feed on algae and vegetation growing on submerged rocks. Eggs are attached to submerged rocks or vegetation, and there are no dispersing larval stages; the entire life cycle is tied to the stream system in which the adults live. The specific habitat requirements of Newcomb's snail include fast-flowing perennial streams with stable overhanging rocks, springs, rock seeps, and waterfalls. The present known range of the snail is limited to six Kaua'i stream systems, with each stream supporting a single population of the snail. For more information, call the FWS in Honolulu at (808) 541-2756 (see, 65 F.R. 4162, January 26, 2000).

Kaua'i Cave Animals Listed as Endangered

In a decision effective February 14, 2000, the U.S. Fish and Wildlife Service (FWS) has listed two animals - the Kaua'i cave wolf spider (*Adelocosa anops*), and the Kaua'i cave amphipod (*Spelaeorchestia koloana*) as "endangered" under the Endangered Species Act. Frank Howarth first discovered the Kaua'i cave wolf spider in 1971 and Willis Gertsch formally described it. This species is a member of the wolf spider family (Lycosidae). Spiders in this family are characterized by a distinct eye pattern, including two particularly large eyes in the middle row. The most conspicuous diagnostic characteristic of the Kaua'i cave wolf spider is its complete lack of eyes. Adults are about 1/2 to 3/4 inches in total length with a reddish-brown carapace (hard outer covering), pale abdomen, and bright orange legs. The hind margin of each biting jaw bears three large teeth. The tibiae of the two anterior pairs of legs have four pairs of ventral spines, and tarsi and metatarsi of all legs bear unusually long and silky sensory hairs. Although blind, the spider is a predator which can detect the presence of potential food items by touch or by detecting chemical compounds; this species actively stalks its prey. Although predation has not been observed in the field, the spider probably feeds on the Kaua'i

cave amphipod and, to a lesser extent on alien species of arthropods that enter the cave system. Frank Howarth also discovered the Kaua'i cave amphipod in 1971. The amphipod is also distinctive in its lack of eye facets (lenslike division of a compound eye) and pigment and extremely elongate, spiny appendages behind the head. Adult amphipods are 0.25 to 0.4 inches in length and very slender-bodied with a translucent outer layer. It is a detritovore (feeds on organic debris from decomposing plants, animals and fecal material) and has been observed feeding on the rotting roots of tamarind and fig, rotting sticks, branches and other plant material washed into the cave. For more information, call the FWS in Honolulu at (808) 541-2756 (see, 65 F.R. 4162, January 26, 2000).

Endangered Species Permits

The Harold L. Lyon Arboretum of the University of Hawai'i at Manoa is requesting a permit to export 500 seeds of *Achyranthes splendens* var. *rotundata* to Dr. Massimo Marcone, University of Guelph. These seeds were artificially propagated at the Honolulu Botanical Garden Koko Crater site. The export would be for scientific research purposes. Written data, comments or requests for copies of these complete applications or requests for a public hearing should be sent to the U.S. Fish and Wildlife Service, Office of Management Authority, 4401 N. Fairfax Drive, Room 700, Arlington, VA 22203 (see 65 F.R. 3472, January 21, 2000, for more).

Environmental Council Notices

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Department of Defense Exemption List

The Department of Defense has submitted a new exemption list for review and concurrence by the Environmental Council. This list supercedes the Department's 1985 exemption list.

Please send comments by **March 9, 2000** to Mr. Paul Berkowitz, Department of Defense, Office of the Adjutant General, 3949 Diamond Head Road, Honolulu, Hawaii 96816 and to the Environmental Council c/o OEQC.

Comprehensive Exemption List for the Department of Defense

Pursuant to 11-200-8(a) Hawaii Administrative Rules (HRS), the following types of actions shall generally be declared exempt by the Department of Defense (DOD) from the requirements to prepare an environmental assessment.

EXEMPTION CLASS #1:

Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing.

1. Reroofing.
2. Fumigation and treatment of buildings for pests using pesticides registered by the Department of Agriculture (DOA) and the EPA.
3. Size-for-size repairs to water and sewer lines (not to exceed the Class 1 limitations).
4. Repair of damaged buildings.
5. Exterior painting.
6. Automobile and equipment repair, including sanding and painting, at approved DOD facilities.
7. Weapons firing on approved firing ranges only.

8. Routine flying of helicopters in accordance with applicable governmental regulations.

9. Small unit operation and maneuver of dismounted troops and tactical vehicles (including other equipment) at approved training areas on a daily basis during annual training and inactive duty training.

10. Scheduled or unscheduled maintenance including lubrication and major servicing of vehicles and associated equipment at approved facilities.

11. Moving of equipment to and from maintenance facilities for the purpose of delivery or acceptance of equipment.

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.

1. Replacement of obsolete buildings.
2. Rehabilitation of buildings.
3. Size-for-size replacement to water and sewer lines.
4. Replanting of shrubs.
5. Replacement of fences.
6. Resurfacing of existing pavement.

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 residences less than 3,500 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, offices, and restaurants designed for total occupant load of twenty 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 extensions to serve such structure or facilities; accessory or appurtenant structures including garages, carports, patios, swimming pools, and fences; and acquisition of utility easements.

1. Installations of water and/or sewer lines.
2. Construction and installation of guardrails.
3. Minor exterior alterations and modifications to existing buildings or structures.
4. Civil Defense warning sirens.
5. Radio antennas not more than 20 feet above the ground, or not more than 20 feet above the tree, natural formation, or existing manmade structure on which it is mounted, provided that such installations do not occur in the Conservation District.

EXEMPTION CLASS #4:

Minor alteration in the conditions of land, water, or vegetation.

1. Upgrading existing surfaces, such as concrete slabs and trails.
2. Lighting less than 15 feet in height for security, safety, and decorative purposes.
3. Tree trimming.
4. Installation of sprinkler and drip irrigation systems.
5. Mowing and cutting of grass and shrubs.
6. Use of EPA and State DOA approved pesticides and herbicides under the supervision of certified applicators for spot or test plot applications within specified areas.

Environmental Council Notices

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7. Landscaping alongside roadways and buildings.
8. Small-scale native re-vegetation/habitat enhancement projects.
9. Fertilizing of vegetation.
10. Clearing non-native (alien) vegetation and noxious weeds.
11. Conducting minor animal pest control (rodents, insects, deer, goats, etc.).
12. Construction of fenced enclosures (for conservation of biodiversity) 5 acres or less.

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. Biological and ecological study and survey.
2. Native plant seed collection and propagation for habitat restoration.

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

1. Minor building additions.
2. Extensions of roof.
3. Construction of walkways and sidewalks.
4. Construction or placement of concrete slabs for tents in approved training areas.

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

1. Interior alterations and renovations to DOD buildings.
2. Addition or removal of partitions.
3. Painting.
4. Installation of electrical service.

5. Installation of Intrusion Detection System.
6. Installation of ventilators or air conditioning.
7. Installation of fire Alarm System.
8. Installation of fire sprinkler system.
9. Floor and ceiling covering.

EXEMPTION CLASS #8: Demolition of structures, except those structures 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, Public Law 89-665, 16 U.S.C. 470, as amended, or Chapter 6E, HRS.

1. Demolition of DOD structures, except those on any historic site.

EXEMPTION CLASS #9: Zoning variances except shoreline setback variances.

1. Zoning variances of DOD properties except shoreline setback variances.

EXEMPTION CLASS #10: Continuing administrative activities, including but not limited to purchases of supplies and personnel-related actions.

1. Purchase of normal supplies.
2. Hiring and/or firing of work force.
3. Annual and weekend training for National Guard personnel.
4. Purchase of motor vehicles and equipment.
5. Unit recruiting drives including displays and publicity programs for National Guard personnel.
6. Movement of National Guard personnel during Annual Training (Schofield and Pohakuloa Training Area).

7. Unit training on Continental United States for National Guard Personnel.

8. Attendance at military schools (Continental United States and Hawaii).

Endangered Species Notices

FEBRUARY 8, 2000

The following notice is published pursuant to Section 343-3(c), Hawai'i Revised Statutes which requires OEQC to inform the public of: (1) a public comment process or public hearing if a federal agency provides for the public comment process or public hearing to process a habitat conservation plan, safe harbor agreement, or incidental take license pursuant to the federal Endangered Species Act; and (2) a proposed habitat conservation plan or proposed safe harbor agreement, and availability for inspection of the proposed agreement, plan and application to enter into a planning process for the preparation and implementation of the habitat conservation plan for public review and comment; and (3) a proposed incidental take license as part of a habitat conservation plan or safe harbor agreement. For more information, please call the Department of Land and Natural Resources, Division of Forestry and Wildlife at 587-4176.

(1) Draft Safe Harbor Agreement (SHA) and Incidental Take Permit (ITP) for Nene at Pu'u O Hoku Ranch

District: Moloka'i
TMK: 5-8-15:1
Proposing Agency: Department of Land and Natural Resources
Division of Forestry and Wildlife
1151 Punchbowl Street
Honolulu, Hawai'i 96813
Contact: Paul J. Conry (587-4176)
Applicant: Pu'u O Hoku Ranch, Limited
HC-01 Box 900
Kaunakakai, Hawai'i 96748
Approving Agency: Board of Land and Natural Resources
Public Comment
Deadline: April 8, 2000
Status: Draft SHA/ITP First Notice pending public comment. Address comments to the proposing agency. Documents available at the Moloka'i and Kahului Libraries.

The reintroduction of nene to Pu'u O Hoku Ranch is a cooperative effort among the State, the U.S. Fish and Wildlife Service, and Pu'u O Hoku Ranch. Nene, or the Hawaiian

goose (*Branta sandvicensis*) does not currently exist in the wild on Moloka'i, although it occurred there historically. The goal of this reintroduction will be to re-establish a wild free-ranging population of 75 animals on Pu'u O Hoku Ranch and 200 nene on the island. The Safe Harbor Agreement (SHA) covers proposed management activities affecting lands owned or otherwise controlled by Pu'u O Hoku Ranch, Ltd. Under this Agreement, the Ranch will maintain or improve significant amounts of nene habitat for a period of seven years by maintaining open, short grass habitat; allow the release of nene on Ranch property, assist DLNR in establishing and maintaining nene release sites; and assist DLNR in controlling predators around breeding and release sites. The large expanse of suitable habitat on the Ranch will provide the core areas for nene to become established on the island of Moloka'i. Without this cooperative government/private landowner effort, these lands would not otherwise be utilized by nene in the foreseeable future. Under this Agreement, and accompanying Incidental Take Permit, the Ranch is authorized the incidental take, i.e. take which is incidental to lawful activities, of all nene introduced to the enrolled lands. It is the expectation that the maximum level of take will never be realized. The following documents are available for public review: (1) *Draft SHA*; (2) *Draft Incidental Take Permit*; (3) *Approved Board submittal for release of the SHA for public review*; and (4) *Comments from the Endangered Species Recovery Committee*.

