

# The Environmental Notice

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



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GOVERNOR

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ENVIRONMENTAL  
QUALITY CONTROL**  
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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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NOVEMBER 23, 2000

## New Site for Nanakuli School

The State of Hawaii, Department of Accounting and General Services and the State Department of Education, propose to construct the Nanakuli IV Elementary School, Nanakuli Public Library, and new Leeward Head Start facility on an approximately 15-acre portion of state-owned land known as Camp Andrews in Nanakuli, Oahu, Hawai'i. Once the new school buildings are in place, the Nanaikapono Elementary School will be relocated to this new site.

The vacant Camp Andrews parcel encompasses approximately 30 acres. The area was once used as a recreation facility for military personnel. The site was turned over to the State in the 1952 and has remained undeveloped since then. The Camp Andrews site was subdivided among the Department of Hawaiian Home Lands

(DHHL), DOE, and the City and County of Honolulu. The proposed elementary school will encompass 12 acres of the project site. The proposed Nanakuli Public Library and the Leeward Head Start facility will use the remaining 2.98 acres.

The project site is bordered by a drainage channel on the southeast, Farrington Highway on the southwest, and abuts single-family residences to the northeast and west. Nanaikapono Elementary School and Nanakuli Beach Park are located on the makai side of Farrington Highway to the southwest. Southeast of the project site on the mauka side of Farrington Highway are the Leeward Head Start facility and a satellite office of the Waianae Comprehensive Health Center. See page 4.

## Kaloko EIS Accepted

The Kaloko Industrial Park, Phases III & IV, final EIS was accepted by the Land Use Commission on November 2nd, 2000. The 102 acre site is mauka of Kaloko-Honokohau National Historical Park. An issue still requiring resolution is the potential degradation of Park resources, such as anchialine ponds and groundwater.

See page 8 for more information and a project description.

## Fish Farm EA Accepted

A final EA and FONSI has been submitted by DLNR for the Cates International Offshore Fish Farm, an underwater operation 2 miles offshore of Ewa, Oahu. The project involves raising *moi* in up to four cages until maximum production capacity is reached.

See page 5 for more details.

## Waahila Ridge Powerline EIS Accepted

The Hawaiian Electric Company revised final EIS proposing a powerline from the Kamoku substation (near Date & Kapiolani) over Waahila Ridge to the back of Palolo Valley was accepted by the Department of Land & Natural Resources on November 9th, 2000. This project still needs to complete the Conservation District Use Permit and Public Utilities Commission application processes. A full description can be found in the October 8th, 2000 *Environmental Notice*.

## Deadlines for 2001

Please see page 21 for the submission deadlines for the 2001 *Environmental Notice*. The deadline calendar also includes the comments deadlines for environmental assessments and impact statements.

# 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

NOVEMBER 23, 2000

## Draft Environmental Assessments



### (1) Manana Well Improvements

**District:** Ewa  
**TMK:** 9-7-24:portion of 41  
**Applicant:** City and County of Honolulu  
Board of Water Supply  
630 South Beretania Street  
Honolulu, Hawaii 96843  
Contact: Lester Fujikami (527-5120)

**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)

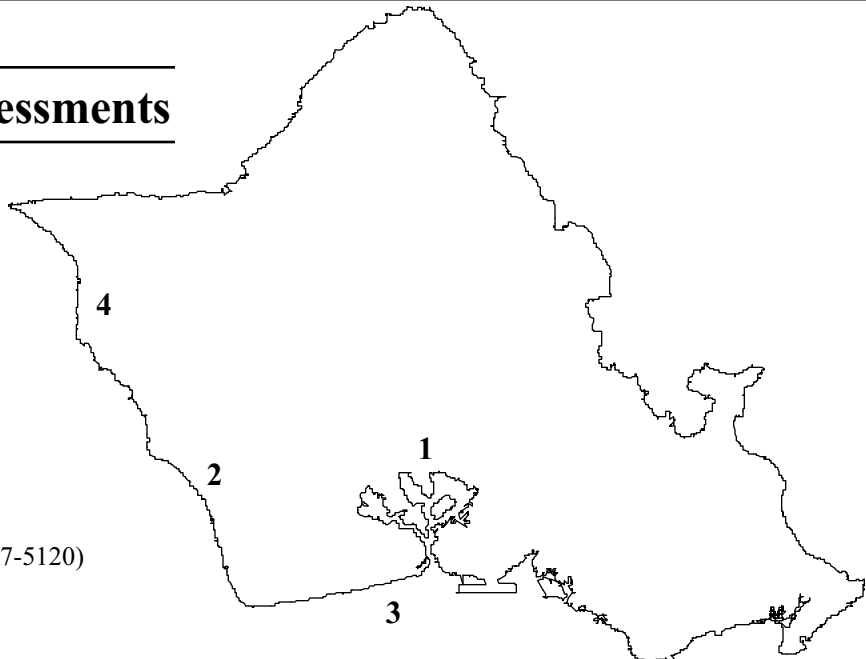
**Consultant:** Belt Collins Hawaii  
680 Ala Moana Boulevard, 1st Floor  
Honolulu, Hawaii 96813  
Contact: Glen Koyama (521-5361)

**Public Comment**  
**Deadline:** December 26, 2000  
**Status:** DEA First Notice pending public comment.  
Address comments to the approving agency or accepting authority, the consultant and OEQC.

**Permits Required:** Well construction, pump installation & water use; NPDES; Effluent Discharge; Building and Grading

The Board of Water Supply (BWS) is proposing to outfit an existing well (Well No. 2458-05) on an approximately 14,700-square-foot site in the Manana/Pearl City Junction Development (MPCJD) area of Manana, at the mauka end near the proposed "Spine Road." The newly outfitted well will be connected to BWS's distribution system and provide 2.0 mgd of water.

In the near future (no schedule has been established), BWS will also develop a second well on the site to serve as a backup well. The well will be drilled, pump tested, outfitted, and placed on line. The Manana site will require acquisition from the City and County of Honolulu. It will have access via a public road that is currently under construction as part of the MPCJD project. Completion of the road is scheduled for the summer of 2001. Outfitting the first well is expected to begin



in mid-2001 and be completed in early 2002. The preliminary construction cost for the project is estimated at \$1.1 million and will be financed by the BWS.



### (2) Nanakuli IV Elementary School

**District:** Waianae  
**TMK:** 8-9-02:65, 23, por. 1  
**Applicant:** Department of Accounting and General Services  
1151 Punchbowl Street, Room 430  
Honolulu, Hawaii 96813  
Contact: Ralph Morita (586-0486)

**Approving Agency/Accepting Authority:** Same as above.  
**Consultant:** Wilson Okamoto & Associates, Inc.  
1907 South Beretania Street, Suite 400  
Honolulu, Hawaii 96813  
Contact: Earl Matsukawa (946-2277)

**Public Comment**  
**Deadline:** December 26, 2000  
**Status:** DEA First Notice pending public comment.  
Address comments to the applicant with copies to the consultant and OEQC.

**Permits Required:** SMA, grading

The State of Hawaii, Department of Accounting and General Services (DAGS) and the State Department of Education (DOE), propose to construct Nanakuli IV Elementary School, Nanakuli Public Library, and new Leeward Head Start facility on an approximately 15-acre portion of State-owned land known as Camp Andrews in Nanakuli, Oahu, Hawaii.

To be constructed in the first phase of the project, Nanakuli IV Elementary School will be comprised of single-story buildings, including administrative and student services; library, cafeteria; classrooms, museum; and, a covered bus loading area.

The Head Start Facility and the Nanakuli Public Library will be constructed in subsequent phases.

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

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### (3) Cates International Offshore Fish Farm Commercial Operation

**District:** Offshore of Ewa  
**TMK:** NA  
**Applicant:** Cates International, Inc.  
P.O. Box 335  
Kailua, Hawaii 96734  
Contact: Virginia Enos (262-0267)

**Approving Agency/Accepting Authority:** Department of Land and Natural Resources  
Land Division  
1151 Punchbowl Street, Room 220  
Honolulu, Hawaii 96813  
Contact: Eric Hill (587-0380)

**Status:** FEA/FONSI issued, project may proceed.  
**Permits Required:** Army, CDUP, possible NPDES/ZOM

The applicant proposes to develop a Pacific Threadfin (moi) finfish commercial aquaculture farm consisting of four 50-foot tall, 80-foot diameter, submerged net cages moored approximately 2 miles offshore at Honouliuli, Ewa, Oahu

pursuant to the provisions and controls for the lease of state marine waters contained in Chapter 190D, Hawaii Revised Statutes (HRS). The net cages would be submerged 40 feet below the surface and their mooring system would extend over approximately twenty-eight acres. Other native marine fish species would be introduced for culture as feasibility and market demand are established.



### (4) Kamada After-the-Fact Shoreline Setback Variance

**District:** Waianae  
**TMK:** 8-4-5:17  
**Applicant:** Calvin & Helen Kamada  
3745 Maunaloa Avenue  
Honolulu, Hawaii 96816

**Approving Agency/Accepting Authority:** City and County of Honolulu  
Department of Planning and Permitting  
650 South King Street  
Honolulu, Hawaii 96813  
Contact: Steve Tagawa (527-5349)

**Consultant:** Analytical Planning Consultants, Inc.  
928 Nuuanu Avenue, Suite 502  
Honolulu, Hawaii 96817  
Contact: Donald Clegg (536-5695)

**Status:** FEA/FONSI issued, project may proceed.  
**Permits Required:** SSV

The applicants propose to retain a 30-inch high concrete rubble masonry (CPM) retaining wall (with steps) and backfill constructed within the 40-foot shoreline setback at their single-family residence at 84-849 Moua Street in Makaha. The CRM wall is approximately 70 feet long and approximately 10-12 feet from the certified shoreline (8/28/00). The applicants also propose to construct a 3' 6" high wrought iron fence along the top of this CRM wall. New concrete masonry unit (CMU) walls on either side of the seawall are also proposed. A 25-foot long, 4-foot high CMU wall with 2-foot wrought iron is proposed on the right boundary and a 26-foot long 2-foot high CMU wall with 4-foot high wrought iron fence on the left boundary. The shoreline in this area consists of rocky lava outcropping extending approximately 40 feet beyond the unauthorized wall.

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According to the applicant, the purpose of the wall is to provide the residence with protection from seasonal wave action that can inundate the property. This portion of the property is located in VE 15' Coastal flood with velocity hazard (base elevation of 15 feet) on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM).

Pursuant to Chapter 23, Revised Ordinances of Honolulu (ROH), these improvements are prohibited from being built within 40 feet of the certified shoreline (as determined by the State of Hawaii) without first obtaining a Shoreline Setback Variance (SV). A citation for violating this regulation was issued to the applicants on November 15, 1999 (BV 99-11-10), which requires approval of an SV, or removal of unauthorized improvements, in order to be resolved.

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## Previously Published Projects Pending Public Comments

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### Draft Environmental Assessments

#### **Kaimuki Traffic Calming Project, Increment 1**

**Applicant:** City and County of Honolulu  
Department of Transportation Services  
711 Kapiolani Boulevard, Suite 1200  
Honolulu, Hawaii 96813  
Contact: Michael Oshiro (527-5031)

**Approving Agency/Accepting**

**Authority:** Same as above.

**Public Comment**

**Deadline:** December 8, 2000

#### **Kuliouou Wastewater Pump Station Modification & Force Main Replacement**

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

**Approving Agency/Accepting**

**Authority:** Same as above.

**Public Comment**

**Deadline:** December 8, 2000

### Final Environmental Impact Statements

#### **Diamond Head State Monument Master Plan Update**

**Applicant:** Department of Land and Natural Resources  
P.O. Box 373  
Honolulu, Hawaii 96809  
Contact: Andrew Monden (587-0230)

**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.

#### **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

**Status:** FEIS currently being reviewed by OEQC.

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## Acceptance Notices

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### Final Environmental Impact Statement

#### **Kamoku-Pukele 138-kV Transmission Line Project**

**Applicant:** Hawaiian Electric Company, Inc.  
P.O. Box 2750  
Honolulu, Hawaii 96840-0001  
Contact: Kerstan Wong (543-7059)

**Approving Agency/Accepting**

**Authority:** Department of Land and Natural Resources  
Land Division  
1151 Punchbowl Street  
Honolulu, Hawaii 96813  
Contact: Sam Lemmo (587-0381)

**Status:** FEIS accepted by the Department of Land and Natural Resources on November 9, 2000.



## Draft Environmental Assessments



### (1) Kalapana Road Realignment Project

**District:** Puna  
**TMK:** 1-03-02, 1-03-03, 1-03-04  
**Applicant:** County of Hawaii  
Department of Public Works  
25 Aupuni Street, Room 202  
Hilo, Hawaii 96720  
Contact: Ben Ishii (961-8327)

**Approving Agency/Accepting Authority:** Same as above.  
**Consultant:** SSFM International, Inc.  
501 Sumner Street, Suite 502  
Honolulu, Hawaii 96817  
Contact: Ronald Sato (531-1308)

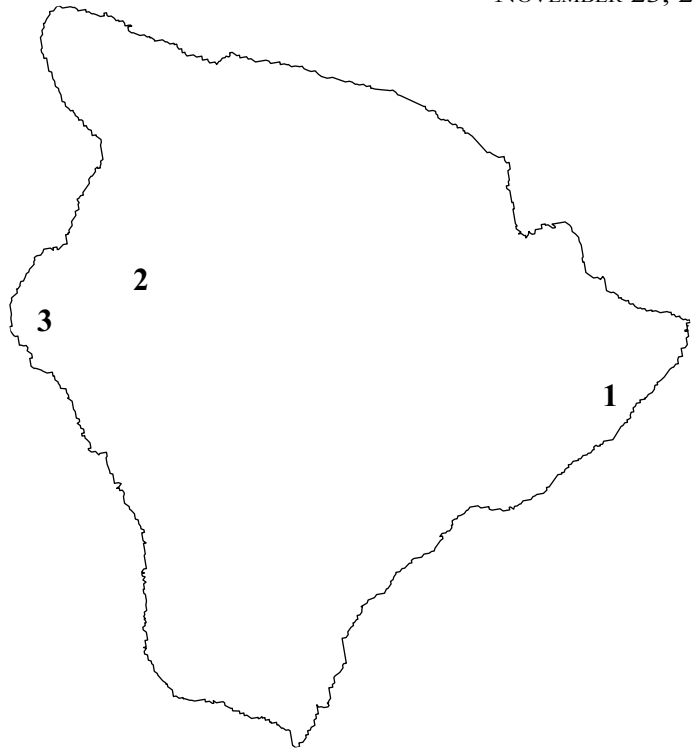
#### Public Comment

**Deadline:** December 26, 2000  
**Status:** DEA First Notice pending public comment. Address comments to the applicant with copies to the consultant and OEQC.

**Permits Required:** COE Nationwide (possible), CDUA, SMA, Shoreline Setback (possible), Building, Grading

The County of Hawaii (County), Department of Public Works is proposing the Kalapana Road Realignment Project at the request of the County Civil Defense Agency. This project involves the realignment of three existing segments of Highway Route 137, Kalapana - Kapoho Beach Road located in the Puna District of the island of Hawaii.

The purpose for this project is to realign the three relatively short sections of Kalapana - Kapoho Beach Road because they are being affected by coastal erosion and wave activities occurring along this rugged coastline. These activities have resulted in the erosion of the coastline, undermining of the roadway, and occasional wave wash onto the road during storms and high surf conditions. Consequently, the objective of this road realignment project is to move these three sections of Kalapana Road further inland to create a larger buffer area between the road and shoreline. This would provide residents and the public with continued vehicular access into and out from this area.



The three sections proposed for realignment are referred to as Site No. 3, Site No. 4, and Site No. 5, and are generally located in the Opihikao to Kamaili communities. Alternatives considered for Site No. 3 involve realigned sections of about 1,200 to 1,350 feet in length. Site No. 4 would involve either elevating a 1,140-foot section of the existing road about 5 to 10 feet or moving it inland about 30 feet along with raising this section. Alternatives considered for Site No. 5 involve realigned sections of about 740 to 800 feet in length.



### (2) Sprint Puu Anahulu Cellular Tower Site

**District:** North Kona  
**TMK:** 7-1-03: Parcel 01 and 16  
**Applicant:** Sprint PCS  
1132 Bishop Street, 11th Floor  
Honolulu, Hawaii 96813  
Contact: Kathy Yonemine (566-5212)

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## Approving Agency/Accepting

**Authority:** Department of Land and Natural Resources  
75 Aupuni Street, Room 204  
Hilo, Hawaii 96720  
Contact: Wesley Matsunaga (974-6203)

**Consultant:** Clayton Group Services  
970 North Kalaheo Avenue, Suite C-316  
Kailua, Hawaii 96734  
Contact: Douglas Oringer (531-6708)

## Public Comment

**Deadline:** December 26, 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:** Building, grading

Sprint PCS Hawaii is proposing to build an antenna tower cell site located at Puu Waawaa Ranch (Portion of TMK: [3] 7-1-03: Parcel 1) off of State Highway 190 / Mamalahoa Highway / North Kona Belt Road, Pu'uana'hulu, North Kona, Hawaii.

The subject property is located in the district of North Kona in the northwest sector of the island of Hawaii, near the summit of the cinder-cone Puu Anahulu, a 400-foot high bluff overlooking the North Kona-South Kohala coastline. The subject site is part of an undeveloped 20,138-acre parcel that is owned by the State of Hawaii and leased to Puu Waawaa Ranch for cattle ranching.

The proposed Sprint cell site is located adjacent to an existing U.S. Cellular antenna tower site, approximately 4.5-miles southeast of Kiholo Bay and 2.2-miles northwest of the village of Pu'uana'hulu. An existing 3.5-mile long, four-wheel drive access road connects the site to State Highway 190 / Mamalahoa Highway / North Kona Belt Road. The proposed site lies within 300 feet of the government Survey Triangulation Station "ANAHULU." The subject property and adjacent areas consist of undeveloped, vacant ranchland covered with sparse vegetation, scattered trees, bushes and lava fields from the "1859 Lava Flow."

The proposed antenna cell site will consist of up to twelve, 75-inch high panel antennas and one, 6- to 8-foot high microwave dish mounted at the 60-foot level of a proposed 70-foot high metal monopole. The maximum finished height of the antennas will be 70 feet. In addition, four associated base transmission system (BTS) equipment cabinets and either a permanent or temporary backup generator will be installed at ground level. The proposed cell site

will be located within a fenced enclosure adjacent to the existing U.S. Cellular antenna site at the same location.

This assessment has revealed no evidence of recognized environmental conditions, as defined by ASTM, in connection with the subject property.

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## Final Environmental Impact Statements

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### (3) Kaloko Industrial Park, Phases III and IV

**District:** North Kona  
**TMK:** 7-3-51: portion 60  
**Applicant:** TSA International, Ltd.  
1441 Kapiolani Boulevard, Suite 1905  
Honolulu, Hawaii 96814  
Contact: Nathan Natori, Esq. (521-4586)

#### Approving Agency/Accepting

**Authority:** Land Use Commission  
235 South Beretania Street, 4th Floor  
Honolulu, Hawaii 96813  
Contact: Esther Ueda (587-3822)

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

**Status:** *FEIS accepted by the State Land Use Commission on November 2, 2000.*

**Permits Required:** Land Use District Boundary Amendment; NPDES; Noise; Air Quality; Chapter 6E, HRS Historic Preservation; Zone Change; Grading, Grubbing and Stockpiling; Utility Service Requirements; Permit for Work on Utility Lines

TSA International, Ltd. proposes to complete the development of the existing Kaloko Industrial Park by developing an approximately 102-acre parcel which comprises Phases III and IV of the light industrial park in Kaloko, North Kona, island of Hawaii. The Kaloko Industrial Park, Phases III and IV, is situated just mauka of the existing Kaloko Industrial Park and is proposed to consist of approximately 82 improved one-acre lots. Access to the Petition Area is from Queen Kaahumanu Highway and Hina Lani Street.



The proposed development will allow for light industrial and industrial-commercial mixed uses within a fee-simple subdivision. The site would be mass graded with all necessary infrastructure provided, including roadways, water, sewer, drainage, electrical, and communications systems.

The following studies were conducted to determine the potential impacts which may result from the proposed project and identify appropriate mitigation measures: archaeological inventory survey; botanical survey; faunal survey; cultural impact assessment; traffic impact assessment; and ground water assessment on marine and pond environments.

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## Previously Published Projects Pending Public Comments

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### Draft Environmental Assessments

#### ► Klein's Petition for Reclassification of Land from Conservation to Agricultural

**Applicant:** Harrison J. & Sharene Z. Klein, Trustees under the Klein Living Trust dated September 17, 1999  
c/o Carlsmith Ball, LLP  
121 Waianuenue Avenue  
Hilo, Hawaii 96720  
Contact: Steven Lim, Esq. (935-6644)

**Approving Agency/Accepting Authority:** Land Use Commission  
P.O. Box 2359  
Honolulu, Hawaii 96804-2359  
Contact: Esther Ueda (587-3822)

**Public Comment  
Deadline:** December 8, 2000

#### ► Kukuiope Road Construction, South Kona Forest Reserve

**Applicant:** Department of Land and Natural Resources  
Division of Forestry and Wildlife, Hawaii District  
P.O. Box 4849  
Hilo, Hawaii 96720  
Contact: Lyman Perry (974-4381)

**Approving Agency/Accepting Authority:** Same as above.

**Public Comment  
Deadline:** December 8, 2000

### Environmental Impact Statement Preparation Notices

#### ► Hawaii Commercial Harbors 2020 Master Plan

**Applicant:** State Department of Transportation  
Harbors Division  
79 South Nimitz Highway  
Honolulu, Hawaii 96813  
Contact: Glenn Soma (587-2503)

**Approving Agency/Accepting Authority:** Governor, State of Hawaii  
c/o Office of Environmental Quality Control  
235 S. Beretania Street, Suite 702  
Honolulu, Hawaii 96813

**Public Comment  
Deadline:** December 8, 2000

### Final Environmental Impact Statements

#### ► University of Hawaii Center at West Hawaii

**Applicant:** University of Hawaii, Facilities Planning  
Office for Community Colleges  
4303 Diamond Head Road  
Manele Bldg., Room 103  
Honolulu, Hawaii 96816  
Contact: Maynard Young (734-9771)

**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.

#### Job Announcement

The Nature Conservancy (TNC) is looking to fill the position of Field Representative for the island of Kauai. This position is responsible for the day to day activities of all Nature Conservancy Kauai projects and for developing and implementing regional land protection strategies as part of TNC's statewide habitat protection program.

Please contact Denise DeKaye, Director of Administration, for more information at [ddekaye@tnc.org](mailto:ddekaye@tnc.org) or (808) 537-4508.

# Maui Notices

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## Draft Environmental Assessments



### (1) Paukukalo Preschool and Related Improvements

**District:** Wailuku  
**TMK:** 3-3-5:por. 86, por. 87  
**Applicant:** Department of Hawaiian Home Lands  
1099 Alakea Street, Suite 2000  
Honolulu, Hawaii 96813  
Contact: Carolyn Darr (587-6430)  
and  
Kamehameha Schools  
567 South King Street, Suite 200  
Honolulu, Hawaii 96813  
Contact: Allison Yue (534-3972)

#### Approving Agency/Accepting

**Authority:** Department of Hawaiian Home Lands  
1099 Alakea Street, Suite 2000  
Honolulu, Hawaii 96813  
Contact: Carolyn Darr (587-6430)

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

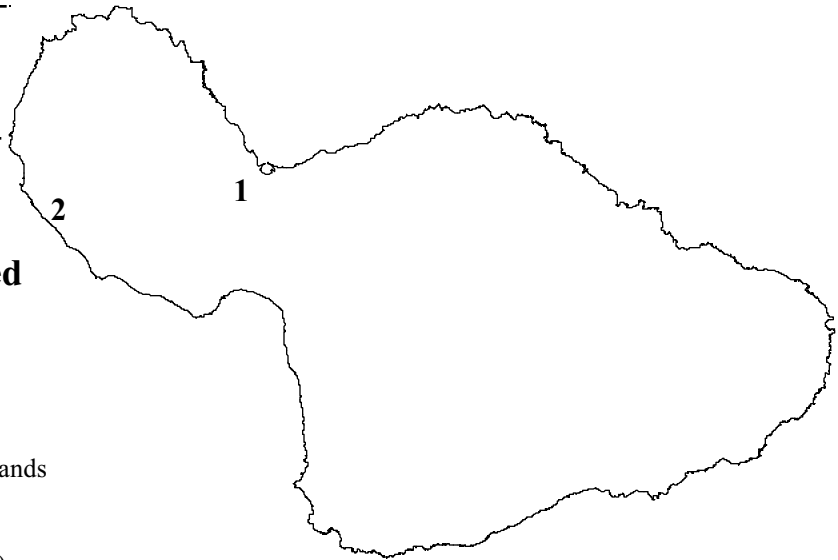
#### Public Comment

**Deadline:** December 26, 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:** Building

Kamehameha Schools proposes to develop a new preschool in Paukukalo, Maui, Hawaii. A new Department of Hawaiian Home Lands (DHHL) site office is also proposed as part of the project. The proposed project is located within a portion of the approximately 6.37 acre Paukukalo Park and Community Center.



The proposed preschool facility has a design enrollment of 80 students. A total of four classrooms in two separate structures are proposed. The preschool facility would also include a separate multi-purpose building which includes a kitchen. A children's play area is planned within the central portion of the preschool facility with the entire facility being secured by fencing.

A new DHHL site office of approximately 1,200 square feet is proposed to be constructed adjacent to the community center. Along with the eleven (11) existing parking stalls, sixty (60) new paved parking stalls are proposed to be constructed to serve the preschool, DHHL office, community center and park. A new driveway connection would link the parking lot to Kaunualii Street.

All structures within the development are proposed to be one-story not exceeding 25 feet in height. Development of the project is expected to commence in the first quarter of 2001 with completion by August 2001. Estimated construction costs are \$1.5 million.

# Maui Notices

NOVEMBER 23, 2000

## Final Environmental Assessments (FONSI)



### (2) Lahaina Recreational Center Expansion

**District:** Lahaina  
**TMK:** 4-6-15:portion of 01  
**Applicant:** County of Maui  
 Department of Parks and Recreation  
 1580C Kaahumanu Avenue  
 Wailuku, Hawaii 96793  
 Contact: Robert Halverson (270-7230)

**Approving Agency/Accepting Authority:** Same as above.  
**Consultant:** Chris Hart & Partners  
 1955 Main Street, Suite 200  
 Wailuku, Hawaii 96793  
 Contact: Rory Frampton (242-1955)

**Status:** FEA/FONSI issued, project may proceed.  
**Permits Required:** Grading, NPDES, building, well permits

The proposed Lahaina Recreation Center Expansion consists of the construction of one Little League/softball field and one Senior Little League/Pony Field, as well as restroom facilities. The preliminary site preparation work, including a 50-stall parking lot, will be provided by Amfac, as part of its North Beach development SMA requirements. The County of Maui Parks Department will develop additional improvements, including perimeter fencing, overhead lighting and onsite parking. The project site is located on the mauka side of the present Lahaina Recreation Center (which includes the Lahaina Aquatic Center), on the south side of Shaw Street on the outskirts of the town of Lahaina. The site is 13.712 acres in size, and for the past 100 years, until recently, was used for sugarcane production.

The park development will reduce the slope of the land to accommodate the ballfields. This reduced slope will slow runoff, allowing more infiltration into the soil. The benefit of increased infiltration, however, is offset by the paved parking lot and walkways. There will be no runoff increase due to the proposed development.



# Molokai Notices

## Final Environmental Assessments (FONSI)



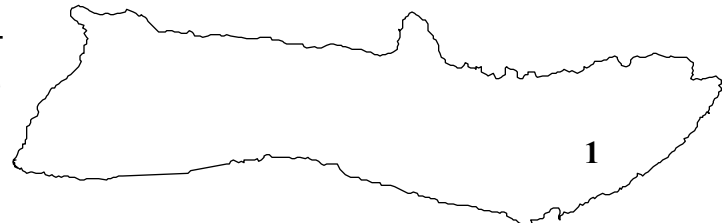
### (1) Chu Family Residence and Related Improvements

**District:** Molokai  
**TMK:** 5-7-03:68  
**Applicant:** Arthur K. Goo Revocable Trust  
 c/o Maile Chu Goo, Trustee (377-5659)  
 5846-B Kalaniana'ole Highway  
 Honolulu, Hawaii 96821

**Approving Agency/Accepting Authority:** Department of Land and Natural Resources  
 P.O. Box 621  
 Honolulu, Hawaii 96809  
 Contact: Traver Carroll (587-0439)

**Status:** FEA/FONSI issued, project may proceed.  
**Permits Required:** CDUA

The Chu family residence will be comprised of three separate structures, a dwelling, a garage, and a gazebo within a developed area totaling 3100 square feet (sf). The house is designed to be of Hawaiian type post and pier with 2" x 4" framing and will have an interior living space of 1100 sf with 1000 sf of decking. A 500 sf garage will also have a toilet and an outdoor shower. A round post and wire fence will enclose the shoreline property but the beach side will be left open.



# Lanai Notices

NOVEMBER 23, 2000

## Previously Published Projects Pending Public Comments

### Draft Environmental Assessments

#### ► Lanaihale Watershed Protection and Forest Restoration

**Applicant:** Lanai Company, Inc.  
P.O. Box 630310  
Lanai, Hawaii 96763-0310  
Contact: Darrell Stokes (565-7041)

#### Approving Agency/Accepting

**Authority:** Department of Land and Natural Resources  
Division of Forestry and Wildlife  
1151 Punchbowl Street, Room 325  
Honolulu, Hawaii 96813  
Contact: Karl Dalla Rosa (587-4174)

#### Public Comment

**Deadline:** December 8, 2000



# Coastal Zone News

## 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 general information about CZM federal consistency please call John Nakagawa with the Hawaii CZM Program at 587-2878. For specific information or questions about an action listed below please contact the CZM staff person identified for each action. Federally mandated deadlines require that comments be received by the date specified for each CZM consistency review and can be mailed to:

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) Improvements to Existing National Weather Service Equipment

**Federal Activity:** Direct Federal Activity

**Federal Agency:** National Weather Service

**Agent:** SRI International

Contact: Rosaline Wong, 650-859-4619

**Location:** National Weather Forecast Office at Lihue Airport, Kauai

**CZM Contact:** Debra Tom, 587-2840

#### Proposed Action:

The National Weather Service (NWS) proposes to upgrade existing equipment which has become worn and due to wear and tear. The upgrading of existing equipment will also improve the quality and accuracy of the data supplied by weather balloons. All improvements will occur at the existing NWS property.

**Comments Due:** December 7, 2000

**NOTICE  
PUBLIC MEETINGS ON COASTAL ZONE MANAGEMENT (CZM)  
SECTION 309 ENHANCEMENT GRANTS**

Every three years the State prepares an Assessment and Strategy as part of the federal grant process. The Public Meetings will:

- Inform the public on 309 Coastal Zone Enhancement Area Grants
- Gather community ideas on issues, projects, and partnerships
- Prioritize projects for each Enhancement Area
- Prioritize the 11 Enhancement Areas

**LANAI:**

Monday, November 20, 2000, Lanai Library Meeting Room, 7:00- 9:00 p.m.

**MOLOKAI:**

Tuesday, November 21, 2000, DHHL- Kulana O' iwi, 7:00 -9:00 p.m.

**O'AHU:**

Monday, November 27, 2000, Aina Haina Library Meeting Room, 7:00- 9:00 p.m.

\*Tuesday, November 28, 2000, Kapolei Middle School Cafeteria, 7:00-9:00 p.m.

Wed., November 29, 2000, Windward Community College, Ala Kai Bldg, Rm 102 7:00-9:00 p.m.

\*Thursday, November 30, 2000, Waialua Community Association, Clubroom, 7:00-9:00 p.m.

Monday, December 4, 2000, Waianae Library Meeting Room 7:00-9:00 p.m.

Tuesday, December 5, 2000, YWCA Lanaikea, Room 304 7:00-9:00 p.m.

Wednesday, December 6, 2000, Pearl City Library Meeting Room, 7:00-9:00 p.m.

**HAWAII:**

\*Tuesday, December 12, 2000, Kona Civic Center, Room #2, Captain Cook 7:00-9:00 p.m.

Wednesday, December 13, 2000, Thelma Parker Library Meeting Room, Waimea, 7:00-9:00 p.m.

Thursday, December 14, 2000, Hilo State Office Building, Meeting Rooms B & C, 7:00-9:00 p.m.

**KAUAI:**

Tuesday, January 2, 2001, Waimea Canyon School Cafeteria, 7:00-9:00 p.m.

Wednesday, January 3, 2001, Kapaa Library Meeting Room, 7:00-9:00 p.m.

Thursday, January 4, 2001, Princeville Golf Course, Lehua Room, 7:00-9:00 p.m.

**MAUI:**

Tuesday, January 9, 2001, Lahaina Civic Center, 7:00-9:00 p.m.

Wednesday, January 10, 2001, Wailuku Community Center, 7:00-9:00 p.m.

Thursday, January 11, 2001, Kihei Community Center, 7:00-9:00 p.m.

\* Denotes meeting sites that are tentative. Please call Hawaii Sea Grant to confirm.

.....  
Please Attend and Give Your Input

Please call Sea Grant Extension Service at (808) 956-2870, if you have questions on the schedule.  
Please call the Office of Planning, CZM Hawaii at (808) 587-2845 if you have questions on the scheduled meetings.

## Frequently Asked Questions on Act 50

On April 26, 2000, the Governor signed House Bill No. 2895, H.D. 1 into law (as Act 50, Session Laws of Hawai'i for 2000). Act 50 amends the definition of "significant effect" and "environmental impact statement" which now requires that environmental documents include disclosure of the effects of a proposed action on the cultural practices of the community and the State. Since the Act's effective date, various implementation questions have arisen. This is the first of a series of questions we will post along with our responses in the hopes that this will further clarify public concerns.

### 1. Do all environmental assessments need to consider cultural impacts?

Yes. The amended definition of "significant effect" is "the sum of effects on the quality of the environment, including actions that irrevocably commit a natural resource, curtail the range of beneficial uses of the environment, are contrary to the State's environmental policies or long-term environmental goals as established by law, or adversely affect the economic welfare, social welfare, or cultural practices of the community and State" [underscoring supplied]. Actions subject to any one of the trigger conditions (i.e., use of state/county/lands/funds, shoreline setback, conservation district, historic district, etc.) require an environmental assessment; because the rules require that the applicant to refer to the significance criteria (Section 11-200-12, HAR) the agency is required to consider whether the action "involves an irrevocable commitment to loss or destruction of any natural or cultural resource" [underscoring supplied]. of the rules to determine the need for a full environmental impact statement. (continued on page 20)

# Shoreline Notices

NOVEMBER 23, 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
KA-154	11/01/00	Lot 3 of Wainiha Subdivision II, being a portion of File Plan 1840 land situated at Wainiha, Halelealea, Kauai, Hawaii (Makai of Alealea - Vacant) Purpose: <u>Building Permit</u>	Esaki Surveying and Mapping, Inc., for Joseph Brescia	5-8-09: 42
MA-224	11/01/00	Portion of Land Commission Award 11216, Apana 21 to M. Kekauonohi, land situated at Makena, Honuaula, Maui, Hawaii (South Kihei Road) Purpose: Determine building setback	Valera, Inc., for Rancho Manana Golf Club, Inc	2-1-11: 12
HA-172-2	11/03/00	Portion of R.P. 7523, Land Commission Award 4452, Apana 4 to H. Kalama, land situated at Anaehoomalu, South Kohala, Hawaii, Hawaii (Vacant) Purpose: Determine building setback	Wes Thomas Associates, for Nikken Corporation	6-9-07: 15
HA-235	11/03/00	Lots 22-A and 23-A of the Kahaluu Beach Lots, land situated at Kahaluu, North Kona, Hawaii, Hawaii (78-6642 and 78-6646 Alii Drive) Purpose: <u>Determine building setback</u>	Wes Thomas Associates, for Chip Wicket	7-8-14: 79 & 80
MO-061	11/06/00	Portion of Land Commission Award 8525-B, Apana 5 to J. A. Kauwa, land situated at Honomuni & Kamamnoni, Kona, Molokai, Hawaii (No Street Address- Makai of Kamehameha V Highway) Purpose: Building Permit	Newcomer-Lee Land Surveyors, Inc., for Stephen & Pearl Petro	5-7-04: por. 34
OA-795	11/06/00	Lot 14-A and portion of Lot "A", being a portion of R. P. 5583, Land Commission Award 2937 to W. Harbottle, land situated at Panahana & Malae, Kaneohe, Island of Oahu, Hawaii (283 and 285 Kaneohe Bay Drive) Purpose: Improvements	Towill, Shigeoka & Associates, Inc., for John King	4-4-07 07 & 08
HA-236	11/13/00	Lot 15, Kapoho Beach Lots Subdivision Extension II - Alapai Point Section File Plan 579, Portion of R.P. 4497 and Land Patent 8177, Land Commission Award 8559, Apana 5 to C. Kanaina, land situated at Kapoho, Puna, Island of Hawaii, Hawaii (Vacant) Purpose: Planning to build a single family residence	Sven Goldmanis	1-4-27: 01
OA-355-2	11/14/00	Lot 361 of Land Court Application 1069 (Map 61), Land situated at Honouliuli, Ewa, Island of Oahu, Hawaii (92-301 Farrington Highway) Purpose: <u>Permit for improvements</u>	R. M. Towill Corporation, for City and County of Honolulu	9-2-03: 15
MO-062	11/13/00	Grant 3096 to Mahoe, land situated at Pukoo, Molokai, Maui, Hawaii (Vacant) <u>Determine building setback</u>	Newcomer-Lee Land Surveyors, Inc., for Christine Feeter-Stark	5-7-07: 11
KA-139-2	11/14/00	Lot 173 and 174 of Land Court Application 956 and Lot 2 of Land Court Application 1801, land situated at Koloa, Island of Kauai, Hawaii (2249 Poipu Road) Purpose: Building Permit	ControlPoint Surveying, Inc., for Marriott Waiohai Hotel	2-8-17: 07. 08 and 20

# Shoreline Notices

NOVEMBER 23, 2000

## 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-788	Withdrawn 11/13/00	Portion of Nanakuli Beach Park Executive Order 104 at Nanakuli, Island of Oahu, Hawaii (Nanakuli Beach Park) Purpose: <u>Permit for improvements</u>	R. M. Towill Corporation, for City and County of Honolulu	8-9-6: portion of 001
OA-326	Rejected 11/13/00	Being lot 2 of Land Court Application 9099 Map 6, at Kaipapau, Koolauloa, Island of Oahu, Hawaii (54-225 Kamehameha Highway) Purpose: <u>Obtain County Building Permit for installation of fence</u>	Ann Tongg	5-4-11: 003
MA-239	Certified 11/13/00	Lot 1 of Kukahiko Land Partition Civil 749, Portion of Grant 223 to L. L. Torbert situated at Papaanui, Honuaula, Maui (Vacant) Purpose: <u>Determine building setback</u>	Valera, Inc., for Edward Chang	2-1-07: 087
OA-577	Certified 11/13/00	Portion of Makaha Beach Park, Makaha, Waianae, Island of Oahu (84-369 Farrington Highway) Purpose: <u>Telecommunication Lines</u>	R. M. Towill Corporation, for City and County of Honolulu	8-4-1: portion of 012
KA-152	Certified 11/13/00	Being a portion of allotment 24-D Moloaa Hui Lands being a portion of parcel C of Grant 10095 to Lyle A Dickey, Jr. et al at Aliomanu, Kauai, Hawaii (Vacant-Kukuna Road) Purpose: <u>Permit to construct residence</u>	Wagner Engineering Services, Inc., for Richard S. Hill	4-9-05: 005
OA-790	Certified 11/13/00	Being a portion of Land Commission Award 802 to A. Adams also being a portion of Nui Beach Lots File Plan 279 at Niu, Honolulu, Island of Oahu, Hawaii (5647 Kalaniana'ole Highway) Purpose: <u>Determine building setback</u>	Austin, Tsutsumi & Associates, Inc., for Obayashi Hawaii Corporation	3-7-1: 001 & 020
OA-789	Certified 11/13/00	Portion of Pokai Bay Beach Park at Waianae-Kai, Island of Oahu, Hawaii (Pokai Bay) Purpose: <u>Permit for improvements</u>	R. M. Towill Corporation, for City and County of Honolulu	8-5-1: portion of 062
MA-238	Rejected 11/14/00	Being a portion of R.P. 6727, Land Commission Award 8520 to Losua Kaeo and R. P. 8292, Land Commission Award 5428 to Z. P. Kaumaea (291 Front Street) Purpose: <u>Drainage construction</u>	Valera, Inc., for Albert C. Burkhalter	4-6-03: 004
MA-240	Certified 11/13/00	Lot 68-B of Kamakana Beach Lots Subdivision Royal Patent 7656, Land Commission Award 8559-B, Apana 28 to William C. Lunalilo at Kawela, Molokai, Maui, Hawaii Purpose: <u>Determine building setback</u>	Austin, Tsutsumi & Associates, Inc., for Michael and Devra Doiron	5-4-13: 002

# Land Use Commission Notices

NOVEMBER 23, 2000

## Koa Ridge

The LUC has received the following district boundary amendment petition filed, pursuant to Chapter 205, HRS:

**Docket No.:** A00-734  
**Petitioner:** Castle & Cooke Homes Hawaii, Inc. and Pacific Health Community, Inc.  
**Location:** Waipio and Waiawa, Oahu  
**Acreage:** 1,247.980 acres  
**TMK:** 9-4-06: 1, 2, por. 3, por. 29; 9-5-03: por. 1, por. 2, and por. 4; and 9-6-04: 21  
**Request:** Agricultural to Urban  
**Date Filed:** November 14, 2000

If you would like further detailed information on this matter, please contact:

State Land Use Commission

Location Address  
Leiopapa A Kamehameha Building  
(State Office Tower)  
235 S. Beretania Street, Room 406  
Honolulu, Hawaii 96813  
Mailing Address  
P.O. Box 2359  
Honolulu, Hawaii 96804-2359  
Phone: 587-3822

# Alien Species Permits

## Microorganism Importation

Before most alien organisms can be brought into Hawaii they must receive a permit from the Board of agriculture. The application is first reviewed by experts in biology and heard in a public meeting of the Committee on Plants and Animals. To learn more about these permit applications, interested parties are encouraged to contact: Plant Quarantine Branch, Hawaii Department of Agriculture, 701 Ilalo St., Honolulu, HI 96813, Ph. 586-0846.

The following requests are undergoing review by the Board of Agriculture:

**1. Title:** Request to (1) Allow the Importation of a Bacterium, *Agrobacterium rhizogenes*, for Laboratory Research Including Plant Inoculation Studies in the Laboratory; and (2) Establish Permit Conditions for the Importation of a Bacterium, *Agrobacterium rhizogenes*, for Laboratory Research Including Plant Inoculation Studies in the Laboratory

**Purpose:** *A. rhizogenes* will be used for laboratory research to generate massive growth of adventitious roots or hairy roots in kava (*Piper methysticum*) plants to study cell growth and the production of kava lactones.

**2. Title:** Request to (1) Allow the Importation of Various Strains of a Virus, *Vaccinia*, on the List of Restricted Microorganisms (Part A) for Laboratory Research; and (2) Establish Permit Conditions for the Importation of Various Strains of a Virus, *Vaccinia*, on the List of Restricted Microorganisms (Part A) for Laboratory Research.

**Purpose:** This research is a continuation of the Herpes papio 2 virus request that was approved by the Board of Agriculture on June 22, 2000. The *Vaccinia* strains would complete the research on animal immune response to recombinant subunit vaccines for viruses within the family

Flaviviridae. The laboratory research will not involve animal inoculation studies.

**3. Title:** Request to (1) Review and Determine Unlisted Microalgae, *Pseudo-nitzschia pseudodelicatissima*, for Future Placement on the List of Restricted Microorganisms (Part A); (2) Allow the Importation of an Unlisted Microalgae, *Pseudo-nitzschia pseudodelicatissima*, by Special Permit for Laboratory Research; and (3) Establish Permit Conditions for the Importation of an Unlisted Microalgae, *Pseudo-nitzschia pseudodelicatissima*, for Laboratory Research.

**Purpose:** To study the genetic and morphological variability within the genus, *Pseudo-nitzschia*.

**4. Title:** Request to (1) Review and Determine Unlisted Microalgae, *Phaeomonas parva* (MBI-PH01), for Future Placement on the List of Restricted Microorganisms (Part A); (2) Allow the Importation of Unlisted Microalgae, *Phaeomonas parva* (MBI-PH01), by Special Permit for Laboratory Research; and (3) Establish Permit Conditions for the Importation of Unlisted Microalgae, *Phaeomonas parva* (MBI-PH01), for Laboratory Research.

**Purpose:** To conduct growth studies of *P. parva* (MBI-PH01) in a "closed" chemostat system. This system is ideal for determining the amount of polyunsaturated fatty acids produced by *P. parva* (MBI-PH01).



# DOH Enforcement Notices

NOVEMBER 23, 2000

## Summary of inspection and Enforcement Actions

The table below shows a tally of the inspections and responses conducted by DOH pollution control program personnel during the period from July through September 2000. Formal and informal enforcement actions, and the settlements that arose out of those actions, are counted as well. Inspections and enforcement actions are listed by program area. For more information, please contact Melissa O'Connor-Fariñas at the DOH Environmental Planning Office at 586-4337.

	Inspections/ Responses	Informal Actions <sup>1</sup>	Formal Actions <sup>2</sup>	Formal Actions Concluded	Formal Actions Pending
	July - September, 2000	July - September, 2000	July - September, 2000	July - September, 2000	Total as of September, 2000
<b>Clean Air Branch</b>					
Fugitive Dust	176	7	0	0	0
Noncovered Sources	31	5	0	0	4
Covered Sources	61	7	0	1	0
Agricultural Burning	97	3	0	0	1
Open Burning	23	4	1	0	1
Others	92	0	0	0	0
<b>Solid &amp; Hazardous Waste Branch</b>					
Underground Storage Tanks	47	22	0	0	0
Hazardous Waste	19	9	3	4	5
Solid Waste	79	13	3	2	5
<b>Clean Water Branch</b>					
Permitted Discharges (NPDES)	34	4	0	0	2
Non-permitted Discharges	74	9	0	0	3
Water Quality Certifications	14	0	0	0	0
<b>Wastewater Branch</b>					
Wastewater Treatment Plants	73	0	0	0	1
Individual Wastewater Systems	23	5	0	0	12
Animal Waste	1	1	0	0	0
Other	20	1	0	0	0
<b>Safe Drinking Water Branch</b>					
Public Water Systems	5	6	0	1	2
Wells - Underground Injection Control	14	8	1	0	1
<b>Hazard Evaluation &amp; Emergency Response</b>					
Oil Spills	2	3	0	0	0
Hazardous Waste Releases	23	10	0	0	0
<sup>1</sup> Informal actions generally cover less serious issues such as small infractions by individuals, or violations of permit <sup>2</sup> Formal actions generally cover any serious violation and repeat or continued violations of permit technicalities.					

# DOH Enforcement Notices

NOVEMBER 23, 2000

## Formal Enforcement Actions and Settlements Completed by DOH

Complaints and violation notices issued from July through September 2000 are summarized below. For complete descriptions, please contact DOH at 586-4337 for copies of the violation notices.

### FORMAL ENFORCEMENT ACTIONS

#### Clean Air Branch

On August 28, 2000 **Resource Recovery, Inc.** was served an Notice and Finding of Violation Order for conducting open burning of a 55 gallon drum of rubbish on August 2, 2000 without a permit. On December 10, 1999, DOH issued a previous NOV for open burning to Resource Recovery, Inc., which the Honolulu Fire Department extinguished. As a result of the nature and circumstances of the violation, a monetary penalty will be imposed, not to exceed \$10,000 for each day in violation.

#### Solid & Hazardous Waste Branch

A Notice of Violation and Order was issued to **Benjamin Kali** on August 16, 2000 as a result of the storage of approximately 30 derelict vehicles as well as other miscellaneous auto parts on his leased property, posing a potential health and safety hazard to the community. The DOH also received complaints of illegal sewage disposal and rats on the subject's property. A penalty will be imposed, not to exceed \$10,000 for each day in violation.

On July 19, 2000 **Mr. Lueleni Maka** was issued a Notice of Violation/Order for operation of an unpermitted solid waste management facility, a.k.a. Hakimo Road Open Dump. No fine was assessed at this time.

**Mr. and Mrs. Walter Smith** were also issued a Notice of Violation/Order on July 19, 2000 for operation of the Hakimo Open Dump an unpermitted solid waste management facility. No fine was assessed at this time.

**The United States Coast Guard Integrated Support Command** notified the DOH that wood with high TCLP (Toxicity Characteristic Leaching Procedure) levels of lead was removed from their firing range and sent to Waimanalo Gulch Landfill by their contractor, Pacific Fence, Inc. On September 11, 2000 the USCG Integrated Support Command was issued a Complaint and Order for offering hazardous waste to a transporter that has not received EPA Identification numbers, and for failure to prepare a hazardous waste manifest. A penalty of \$9,500.00 was assessed.

**Pacific Fence, Inc.** was issued a Complaint and Order on September 11, 2000 for transportation of hazardous waste without having received an EPA Identification Number, and for the failure to prepare a hazardous waste manifest in their disposal of wood with high TCLP levels of lead as contracted by the USCG Integrated Support Command. A penalty of \$7,500 was assessed.

**Gay & Robinson, Inc.** operates a facility that engages in the business of sugarcane processing and cattle ranching. After a DOH inspection it was discovered that ten bags of Mirex and a four-pound can of Paris Green were stored in a shed. Approximately one quarter pound of Mirex had spilled on the ground under the storage shed. Gay & Robinson informed DOH that the Mirex had been purchased in 1975, was not used, and has been stored in the shed since. Gay & Robinson, Inc. were found in violation of storing hazardous waste without a permit and mismanagement of containers. A penalty of \$21,067.00 was ordered in addition to proper disposal and treatment of the hazardous waste.

#### Safe Drinking Water Branch

**BOC Gases/ Gaspro** produces liquid carbon dioxide, dry ice, liquid oxygen, and liquid nitrogen. From at least July 31, 1984 to January 30, 2000 BOC Gases/Gaspro operated an injection well facility without a permit for the subsurface injection disposal of non-contact cooling water from the facility's cooling tower. On August 30, 2000 a Notice and Finding of Violation and an Order was issued with a penalty of \$40,500.00 to be paid. BOC Gases/Gaspro has been authorized by a permit to operate an injection well to dispose of approximately 4,400 gallons of non-contact cooling water per day. The permit valid from January 30, 2000 through January 31, 2003 requires monitoring and reporting.

### ENFORCEMENT SETTLEMENTS/CONCLUSIONS

#### Clean Air Branch

**Grace Pacific Corp.** was issued a Notice and Finding of Violation on February 23, 2000 for failure to conduct annual performance tests for the years of 1994, 1995 and 1997 as required by their permit. From November 1, 1997 to January 27, 1998 Grace Pacific Corp. installed and operated a 725 KW diesel engine generator at the Makakilo Plant without a valid permit. January 1999 through February 1999 Grace Pacific Corp. operated it 10% more than the permitted 2,700 hours of operation. A penalty of \$19,300 was paid and the action was settled August 11, 2000.

#### Solid and Hazardous Waste Branch

**Leeward Auto Wrecking, Inc.**, a.k.a. Albert's Towing, had its permit revoked on September 26, 2000 after defaulting on terms of the consent agreement they had entered into on April 1, 1999 for illegal storage of a large quantity of scrap tires.

**Friends of Malaekahana** signed a consent agreement on July 13, 2000 agreeing to a penalty of \$14,398.00 without any admission of liability for wrongdoing but solely to settle the dispute. The DOH alleges that the Friends of Malaekahana violated DOH Solid Waste Management Control Rules by operating a solid waste disposal facility without authorization.

A consent agreement was signed by **Matson Terminals, Inc.** as a result of a DOH NOV alleging failure to label drums of used oil with the words "Used Oil" and storage of hazardous waste without a

# DOH Enforcement Notices

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permit. Matson Terminals, Inc. neither admits nor denies these allegations in settlement. The original fine of \$28,500 was negotiated to the final settlement of \$19,000.00.

**Unitek Solvent Services/ Uniteck Environmental Services, Inc.** entered into a consent agreement for the two Complaint and Orders issued by the DOH for operations at its facilities located on Oahu, Kauai and Maui. The original combined penalty of \$63,175 was settled at \$21,750.00.

**The University of Hawaii at Manoa** has reached a consent agreement in which a cash penalty of \$600,000.00 will be paid to the DOH, EPA, and DOJ. In addition \$1.2 million dollars in Supplemental Environmental Projects are required. The University was found guilty of storing hazardous waste in a fallout shelter

located at Bilger Hall on campus, and for operating the Kauai Agricultural Research Center and the Waiakea Agricultural Experiment Station without EPA Identification numbers. Violations ranged from storage of hazardous waste without a permit, failure to make a hazardous waste determination of wastes stored, mismanagement of containers, storage of wastes incompatible with containers and failure to minimize the possibility of an explosion, to no inspections and insufficient aisle space.

## Safe Drinking Water Branch

On July 19, 2000, the **Maui Department of Water Supply Lahaina System** paid a penalty of \$1000 for the use of an unapproved source.

# 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	E.M. Rivera and Sons, Inc. CSP 0476-01-C	Various Temporary Sites, Initial Location: Honokohau, Kailua-Kona, Hawaii	Issued: 10/24/00	170 TPH Portable Crushing Plant with Diesel Engine Generator
CAB, 586-4200, Temporary Covered Source	Grace Pacific Corporation CSP 0258-01-CT	Various Temporary Sites, Initial Location: Honokohau Quarry, Hawaii	Issued: 11/1/00	325 TPH Portable Drum Mix HMA Plant
Clean Air Branch, 586-4200, Temporary Covered Source	Bolton, Inc. CSP 0481-01-CT	Various Temporary Sites, Initial Location: Wawaloli Beach Access Road, Kailua-Kona, Hawaii	Issued: 11/6/00	Portable Stone Quarrying and Processing Plant with Diesel Engine Generators
Clean Air Branch, 586-4200, Noncovered Source Permit	Oahu Pet Crematory/Kailua Pet Crematory NSP 0405-01-N	201 Kapaa Quarry Road, Kailua, Oahu	Comments Due: 12/13/00	Addition of a 75 lb/hr Pathological Waste Incinerator
Clean Water Branch, 586-4309, NPDES	State Department of Transportation, #00-CW-PW-17	Kamehameha Highway from Waiahole Valley Road to Crouching Lion Inn, Windward Oahu	Comments Due: 12/6/00	Discharge storm water runoff from the Kamehameha Highway Resurfacing project into Kaneohe Bay and the coastal water on the north of the Kaneohe Bay.

# Pollution Control Permits

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## Department of Health Permits (continued)

Branch & Permit Type	Applicant & Permit Number	Project Location	Pertinent Dates	Proposed Use
Safe Drinking Water Branch, 586-4258, UIC Permit	AFK Subdivision Partners UH-2101	Kupulau Meadows Subdivision Koaniani St., Hilo	Comment by 12/27/00	Construction of 7 injection wells for surface drainage.
Safe Drinking Water Branch, 586-4258, UIC Permit	Dept. of Public Works County of Hawaii UH-2029B	Mamalaho Hwy. Improvements, Vicinity of Waiaha Stream, Holualoa, N. Kona	12/13/00	Construction of one additional injection well for surface drainage, total of 6.
Safe Drinking Water Branch, 586-4258, UIC Permit	Hawaii Electric Light Company, Inc. (HELCO) UH-1776	Keahole Power Plant, near intersection of Queen Kaahumanu & Keahole Airport Access Road	n/a	Permit renewal of 2 injection wells (currently not in use) for industrial wastewater disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Association of Apartment Owners, UH-1972	Ikena Lalo Condominium 77-6581 Seaview Circle, Kailua-Kona	n/a	Permit renewal of 2 injection wells for sewage disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Sea Life Park Hawaii UO-1219	Sea Life Park Hawaii 41-202 Kalaniana'ole Highway, Waimanalo	n/a	Permit renewal of 19 injection wells for seawater disposal from marine animal tanks.
Safe Drinking Water Branch, 586-4258, UIC Permit	Airport Group International, Inc., UO-1238	Hawaii Fueling Facilities Corporation, Satellite Plant #1; 3201 Aolele St., Honolulu	n/a	Permit renewal of one injection well for tank condensate industrial wastewater disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Airport Group International, Inc., UO-1239	Hawaii Fueling Facilities Corporation, Lot No. 3; 50 Sand Island Access Road, Honolulu	n/a	Abandonment of one injection well for pipeline hydrotesting wastewater.
Safe Drinking Water Branch, 586-4258, UIC Permit	Marriott Ownership Resorts, Inc., UK-1205	Marriott's Waiohai Beach Club (Waiohai Hotel); Poipu Beach, Koloa	n/a	Abandonment of 14 or more injection wells for surface drainage.

### Frequently Asked Questions on Act 50 (continued from page 13)

#### 2. My proposed action will take place in a developed area with extensive urban infrastructure. Must I still assess cultural impacts?

Yes. Many persons incorrectly assume that the presence of urban infrastructure effectively precludes consideration of cultural considerations. For example, OEQC has been informed that persons are known to gather kauna'oa (*Cuscuta sandwichiana*), 'ilima (*Sida fallax*), 'uhaloa (*Waltheria indica* var. *americana*), ki (*Cordyline terminalis*) or noni (*Morinda citrifolia*) on the sides and ramps of the H-1 freeway and other State highways on the neighbor islands; certain natural landmarks and physical features are used by Hawaiian navigators for sailing, the obstruction of which (by tanks, buildings, etc.) may constitute an adverse cultural impact. The cultural impact assessment protocols adopted by the Environmental Council are intended to address such situations as they permit the identification of and consultation with individuals and organizations with expertise concerning the types of cultural resources, practices and beliefs found within the district or ahupua'a and the particular area involving the proposed action. This means that the applicant, agency or consultant must proactively consult on cultural and other issues with agencies, organizations and individuals with knowledge or expertise prior to preparation of the environmental assessment and in accordance with Section 11-200-9 of the Hawai'i Administrative Rules.

#### 3. Where can I get information on how to assess cultural impacts or how can I find someone to help me assess cultural impacts?

Refer to our website <http://www.state.hi.us/health/oeqc/guidance/cultural.htm> for specific guidance on where to begin. Also contact your county planning department, your neighborhood board, community association, the Office of Hawaiian Affairs, the Ahupua'a Action Alliance, your local fishermen, lei makers, gatherers and other cultural practitioners for leads as to knowledgeable persons within your community. A Directory of persons who claim to be "cultural impact assessment providers" is found at <http://www.state.hi.us/health/oeqc/guidance/directory.htm> on the OEQC website - **OEQC does not endorse any of these persons.** Their listing was purely voluntary.

# Submission & Comment Deadlines for 2001

NOVEMBER 23, 2000

SUBMISSION DEADLINE	ENVIRONMENTAL NOTICE ISSUE DATE	30-DAY COMMENT DEADLINE	45-DAY COMMENT DEADLINE
December 13, 2000	December 23, 2000	January 22, 2001	February 6, 2001
December 26, 2000	January 8, 2001	February 7, 2001	February 22, 2001
January 10, 2001	January 23, 2001	February 22, 2001	March 9, 2001
January 29, 2001	February 8, 2001	March 10, 2001	March 27, 2001
February 12, 2001	February 23, 2001	March 27, 2001	April 9, 2001
February 26, 2001	March 8, 2001	April 7, 2001	April 23, 2001
March 13, 2001	March 23, 2001	April 23, 2001	May 7, 2001
March 28, 2001	April 8, 2001	May 8, 2001	May 23, 2001
April 10, 2001	April 23, 2001	May 23, 2001	June 7, 2001
April 26, 2001	May 8, 2001	June 7, 2001	June 22, 2001
May 11, 2001	May 23, 2001	June 22, 2001	July 7, 2001
May 29, 2001	June 8, 2001	July 9, 2001	July 23, 2001
June 13, 2001	June 23, 2001	July 23, 2001	August 7, 2001
June 26, 2001	July 8, 2001	August 7, 2001	August 22, 2001
July 11, 2001	July 23, 2001	August 22, 2001	September 6, 2001
July 27, 2001	August 8, 2001	September 7, 2001	September 22, 2001
August 10, 2001	August 23, 2001	September 22, 2001	October 8, 2001
August 28, 2001	September 8, 2001	October 8, 2001	October 23, 2001
September 12, 2001	September 23, 2001	October 23, 2001	November 7, 2001
September 26, 2001	October 8, 2001	November 7, 2001	November 23, 2001
October 11, 2001	October 23, 2001	November 23, 2001	December 7, 2001
October 29, 2001	November 8, 2001	December 8, 2001	December 24, 2001
November 9, 2001	November 23, 2001	December 24, 2001	January 7, 2002
November 28, 2001	December 8, 2001	January 7, 2002	January 22, 2002
December 12, 2001	December 23, 2001	January 22, 2002	February 6, 2002
December 26, 2001	January 8, 2001	February 7, 2002	February 22, 2002

Note: Please submit the following to OEQC by 4:30 P.M. of the submission deadline day:

- 1) Agency transmittal letter,
- 2) Four copies of EA/EIS;
- 3) OEQC Publication Form; and
- 4) Project summary on floppy disk or by email.

