

# 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 Hawai'i's Environmental Review Process*
- *Environmental Impact Study Resource Library*
- *Environmental Council Annual Reports*
- *Rules and Policies*
- *"How to Plant a Native Hawaiian Garden"*

## OEQC

235 SOUTH BERETANIA STREET  
LEIOPAPA A KAMEHAMEHA  
SUITE 702  
HONOLULU, HAWAII 96813

Telephone (808) 586-4185  
Facsimile (808) 586-4186

Moloka'i & Lana'i: 1-800-468-4644 ext. 64185  
Kaua'i: 274-3141 ext. 64185  
Maui: 984-2400 ext. 64185  
Hawaii: 974-4000 ext. 64185

JANUARY 8, 2001

## *Ke'ehi Lagoon Black Pearl Oyster Farm*

Black Pearls, Inc. wants to grow hatchery raised *Pinctada margaritifera (galtsoffi)*, an endemic variety of the black lipped pearl oyster, on suspended net panels in a 75-acre state marine water exclusive shellfish farm use area at the reef runway borrow pit for pearl production. The submerged farm, marked by buoys/surface float lines, will be secured to the bottom/sides of the 40-foot deep borrow pit area by moorings.

The wild oyster broodstock will be selected from various islands throughout the state to ensure genetic diversity. Two or three small farm maintenance structures of post and pier construction will be built within the conservation district. To operate the farm, a total of four pontoon rafts moored within the farm area, would be moved as needed. For more information, please see page 5.

## *Outrigger Telescopes for the Keck Observatory on Mauna Kea*

NASA has issued a Draft EA (DEA) for its proposal to fund the on-site construction, installation, and operation of six Outrigger Telescopes at the W.M. Keck Observatory site located on Pu'u Hau 'Oki in the summit region of the Mauna Kea Science Reserve, on the Big Island. This DEA focuses on the action's potential environmental impacts, including cumulative effects and the no-Action Alternative. The DEA also addresses a range of impacts with particular focus on an historic property and district, and to the 1999 proposed candidate endangered species known as the wekiu bug. To fulfill section 106 historic preservation requirements, NASA has started consultation with the SHPD and OHA, the Hawai'i Island Burial Council, the Royal Order

of Kamehameha I, and Hui Malama I Na Kupuna o Hawai'i Nei to participate as formal consulting parties. In addition, the Advisory Council on Historic Preservation has agreed to participate in the Section 106 process. NASA has provided draft on-site (i.e., the proposed WMKO Outrigger Telescopes Project site), and off-site cultural mitigation measures for review and comment by the consulting parties. A small amount of wekiu bug habitat along the crater wall that was previously disturbed during construction of the existing Keck Telescopes would be directly affected by on-site construction of the proposed project. A Wekiu Bug Mitigation Plan has been developed to address potential environmental impacts on the Wekiu bug and its habitat. See page 15.

## *UH Consent Decree*

The U.S. Department of Justice has filed a proposed RCRA consent decree in a civil action alleging UH violations of state/federal hazardous waste rules. A condition in the proposed decree requires UH to investigate/implement a programmatic plan for waste reduction on its campuses. Also, UH's exemption list is currently being reviewed by the public. See page 19 for more.

## *More Genetically Modified Corn*

Another request for a permit to test genetically modified corn is here. See page 20.

## *ATOC Sound Source Reuse*

The Scripps Institute for Oceanography has requested a letter of authorization from the NMFS to continue use of ATOC's sound source off Kaua'i. See page 21.

## *Lana'i/Moloka'i Critical Habitat*

The U.S. Fish and Wildlife Service wants your comments on proposed critical habitats for various endangered species on the islands of Lana'i and Moloka'i. See page 19.

## *Public meetings on Fishery EIS*

A DEIS for the Western Pacific Pelagic Fishery has been prepared. See page 20 for a list of public comment meetings in Hawai'i, Guam, American Samoa, and the Marianas.

# 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.*

# O'ahu Notices

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## Draft Environmental Assessments



### (1) Kaimuki Traffic Calming Project

**District:** Honolulu  
**TMK:** 3-2-6  
**Applicant:** Department of Transportation Services  
711 Kapi'olani Boulevard, Suite 1200  
Honolulu, Hawai'i 96813  
Contact: Cheryl Soon (523-4125)

**Approving Agency/Accepting**

**Authority:** same as above  
**Consultant:** Gray, Hong, Bills, Nojima & Associates  
841 Bishop Street, Suite 1100  
Honolulu, Hawai'i 96813  
Contact: David Bills (521-0306)

**Public Comment**

**Deadline:** February 7, 2001  
**Status:** DEA First Notice pending public comment. Address comments to the applicant with copies to the consultant and OEQC.

**Permits**

**Required:** Construction in ROW, trenching, drain connection

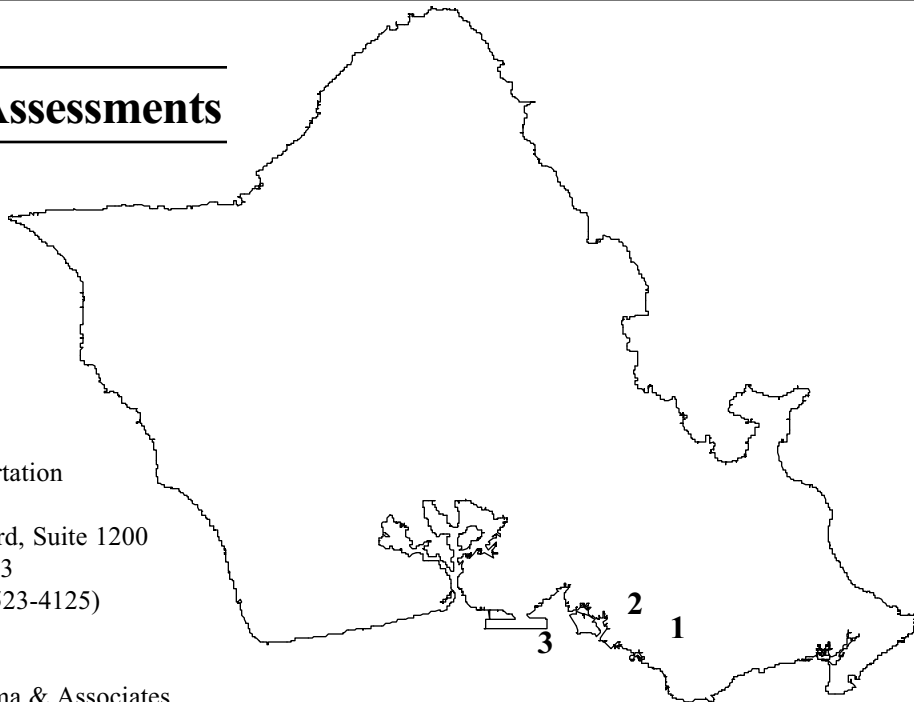
**Note:** The draft EA of the same title listed in the November 8<sup>th</sup>, 2000 Environmental Notice has been withdrawn. See page 6.

The Kaimuki Traffic Calming Project uses traffic calming devices and urban design features in the town center section of Kaimuki Town to enhance the physical setting. One of the main themes of the project is that the pedestrian is central to the success of a traditional town center.

The town center area of Kaimuki Town is defined as along Wai'alaie Avenue between Wilhelmina Rise and 10th Avenue. In addition, it includes the blocks bounded by Wai'alaie Avenue, Koko Head Avenue, Harding Avenue and 11th Avenue.

Major features of the project are as follows:

Wai'alaie Avenue Modification including streetscape enhancement with street furniture and curb extensions. The curb extensions define parking bays and reduce the actual amount of pavement width that must be crossed by pedestrians at traffic signals. Two lanes of traffic will be maintained in each direction.



Creation of a Town Square on 12th Avenue at its intersection with Wai'alaie Avenue. Approximately 110 feet of 12th Avenue would be closed to create the Town Square.

Creation of Community Promenade fronting the existing park between 10th and 11th Avenues. This feature will act as a community gatherer and will consist of a wider sidewalk, street furniture with game table and seating, and pedestrian lighting.

Creation of a Transit Transfer Center at the intersection of Wai'alaie Avenue and Koko Head Avenue. This feature will concentrate bus transfer and shelters with benches, street furniture, and information kiosks.

Create gateways entering Kaimuki Town from both the east and west directions.

Restriping of municipal parking lots between Koko Head Avenue and 11th Avenue to make them more functional and accessible.

The impacts of the project are primarily related to traffic. The project calls for curb extensions and the elimination of one east bound traffic lane between 10th and 11th Avenues, even though two lanes will remain. Curb extensions will eliminate the ability to use parking lanes during peak hours for traffic flow. The overall result of the project will be less traffic carrying capacity, even though adequate capacity will remain. The trade-off is the benefit to the community enhancement by the features proposed by this project. The only viable alternative to mitigate the impact on traffic is to not proceed with the project.

## (2) Kalawahine 180 Reservoir

**District:** Honolulu  
**TMK:** 2-4-34:08 (reservoir & access road); 2-4-32:01&02; 2-4-32, 30, 18, 17, 14; 2-1-39 (waterline)  
**Applicant:** Board of Water Supply  
630 South Beretania Street  
Honolulu, Hawai'i 96843  
Contact: Kathryn Fujikami (527-5221)  
**Approving Agency/Accepting Authority:** Board of Water Supply  
630 South Beretania Street  
Honolulu, Hawai'i 96843  
Contact: Clifford Jamile (527-6180)  
**Consultant:** Shimabukuro, Endo & Yoshizaki (SEY)  
1126 12<sup>th</sup> Avenue, Room 309  
Honolulu, Hawai'i 96816  
Dr. Sheryl Nojima (737-1875)  
**Public Comment**  
**Deadline:** February 7, 2001  
**Status:** DEA First Notice pending public comment. Address comments to the applicant with copies to the consultant and OEQC.  
**Permits:** Noise, NPDES, building, grading, trenching, Punchbowl Special District Permit (minor) and waiver

The Board of Water Supply (BWS) proposes to alleviate the existing potable water storage deficit in the Metro Low West service area with the construction of a 2.0 million gallon reservoir at the Kalawahine site above Roosevelt High School. This additional storage will improve water system performance and reliability in meeting domestic fire protection needs, as well as provide greater system flexibility particularly during emergencies. The reservoir site is approximately 1.5 acres and owned by the BWS. The Department of Hawaiian Home Lands is the landowner for the reservoir access road site. The project also includes installation of approximately 6,000 lineal feet of 24-inch waterline. The waterline will originate from the Kalawahine site crossing through property in Roosevelt High School owned by the Department of Education. The waterline then continues in the Road Rights-of-Way owned by the City and County of Honolulu, south down 'Auwaiolimu and Pensacola Streets to Wilder Avenue and then west on Thurston Avenue and Green Street, before connecting to the existing 18-inch influent/effluent line of the Punchbowl 180' Reservoir on Alapa'i Street. Construction is expected to begin in 2003 and last approximately 17 months. The estimated construction cost of \$7.1 million will be funded by the BWS. Short term impacts during this period will include: (1) fugitive dust, exhaust

emissions, and noise from construction equipment in the project vicinity and (2) disruptions in vehicular and pedestrian traffic due to diversions around work areas during installation of the waterline. The contractor will be required to follow certain procedures in order to mitigate short-term impacts, such as restricting working hours, providing proper tuning and maintenance of all equipment, and covering all trenches during non-working hours. Landscaping and irrigation systems will be designed to ensure that the site is visually unobtrusive and blends in with the existing environment.

## (3) Ke'ehi Lagoon Pearl Oyster Farm

**District:** Honolulu  
**TMK:** Offshore from Honolulu International Airport  
**Applicant:** Black Pearls, Inc.  
P.O. Box 525  
Holualoa, Hawai'i 96725  
Contact: Neil Sims Phone: 325-6516  
**Approving Agency/Accepting Authority:** Department of Land and Natural Resources  
1151 Punchbowl Street, Room 220,  
Honolulu, Hawai'i 96813  
**Contact:** Eric Hill (587-0380)  
**Public Comment**  
**Deadline:** February 7, 2001  
**Status:** DEA First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority and OEQC.  
**Permits:** CDUP, Army, NPDES, solid waste, aquaculture license, DLNR mooring permit

Black Pearls, Inc. intends to grow hatchery raised *Pinctada margaritifera (galtsoffi)*, an endemic variety of the black lipped pearl oyster, on suspended net panels in a 75 acre state marine water exclusive shellfish farm use area at the reef runway borrow pit for pearl production. The farm will be submerged and marker buoys and surface float lines will mark the site. The wild oyster broodstock will be selected from various islands throughout the state to ensure genetic diversity.

The borrow pit area has an average depth of 40 feet below mean low tide. The farm will be secured to the bottom or sides of the borrow pit by moorings. Floats and lines connecting the farm will be submerged between three and 15 feet below the level of the ocean at mean low tide. Two or three small farm maintenance structures of post and pier construction are proposed to be built within the conservation

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district. A maximum of four pontoon rafts would be moored within the farm area, would be moved within the farm or adjacent areas as needed and would be used to operate the farm.

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## Previously Published Projects Pending Public Comments

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### Draft Environmental Assessments

#### One'ula Beach Park Master Plan

**District:** 'Ewa  
**TMK:** 9-1-11: 3-7 and 9-1-12: 25  
**Applicant:** City and County of Honolulu  
Department of Design and Construction  
650 South King Street, 9th Floor  
Honolulu, Hawai'i 96813  
Contact: Brian Suzuki (527-6316)

#### Approving Agency/Accepting

**Authority:** Same as above.

**Consultant:** Wilson Okamoto & Associates, Inc.  
1907 South Beretania Street, Suite 400  
Honolulu, Hawai'i 96826  
Contact: Earl Matsukawa (946-2277)

#### Public Comment

**Deadline:** January 22, 2001

## Final Environmental Impact Statements

### Diamond Head State Monument Master Plan Update

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

#### Approving Agency/Accepting

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

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

## Withdrawal of Draft EA

The draft EA for the **Kaimuki Traffic Calming Project**, published in the November 8th, 2000 *Environmental Notice* was withdrawn December 28th, 2000 by the Department of Transportation Services, City & County of Honolulu (see page 4 for new draft EA).

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## Santa Brings Hawai'i a New National Wildlife Refuge

Santa came to Hawai'i a few days early this year and brought us all a special present: the O'ahu Forest National Wildlife Refuge. The new refuge is the 17<sup>th</sup> National Wildlife Refuge to be established in the Pacific and will protect some of the last remaining native forest in the Ko'olau Mountains.

"We have been working with The Nature Conservancy and Castle & Cooke, Inc., for many years on this project," said Jerry Leinecke, Project Leader for the Hawaiian and Pacific Islands National Wildlife Refuge Complex. "Without their assistance, we would never have been able to create this new Refuge, and we offer our sincere thanks to everyone who worked so hard to protect this area within the National Wildlife Refuge System."

The 4,525-acre refuge was purchased by the U.S. Fish and Wildlife Service from Castle & Cooke, with the deed transferred today. "Castle & Cooke has been a major landowner in Hawai'i for more than 150 years. Through the generations, we have tried to be good stewards of the land, and the transfer of this significant piece of native forest to the U.S. Fish and Wildlife Service will ensure that these lands will be protected for the benefit of the public for generations to come," said Harry Saunders, Executive Vice

President of Castle & Cooke Homes Hawai'i.

The Nature Conservancy helped conduct the biological surveys of the property, obtain funding, and negotiate the purchase. Rex Johnson, Executive Director of the Hawai'i chapter, said, "We appreciate Castle & Cooke's commitment to protect this special natural area and are pleased to have facilitated this transaction."

The refuge is located in the northern Ko'olau Mountains and provides habitat for the endangered O'ahu 'elepaio and other native Hawaiian forest birds, many native plant species (including 17 endangered species), four species of endangered O'ahu tree snails, and native stream fishes. At least nine native natural communities have been identified in the project area, including a rare lo'ulu or fan palm community.

"We look forward to working with the U.S. Army and the State of Hawai'i's Department of Land and Natural Resources to protect a larger area of the northern Ko'olau through the Ko'olau Forest Watershed Partnership," said Leinecke. "This biologically rich area includes some of the last remnants of O'ahu's native plants and animals, and we are delighted to have the opportunity to help protect them for future generations."

## Draft Environmental Assessments



### (1) Pa'ia Community Learning Center

**District:** Makawao  
**TMK:** 2-5-5: portions par. 19  
**Applicant:** Community Work Day Program  
PO Box 757  
Pu'unene, Hawai'i 96784  
**Contact:** Jan Dapitan (877-2524)

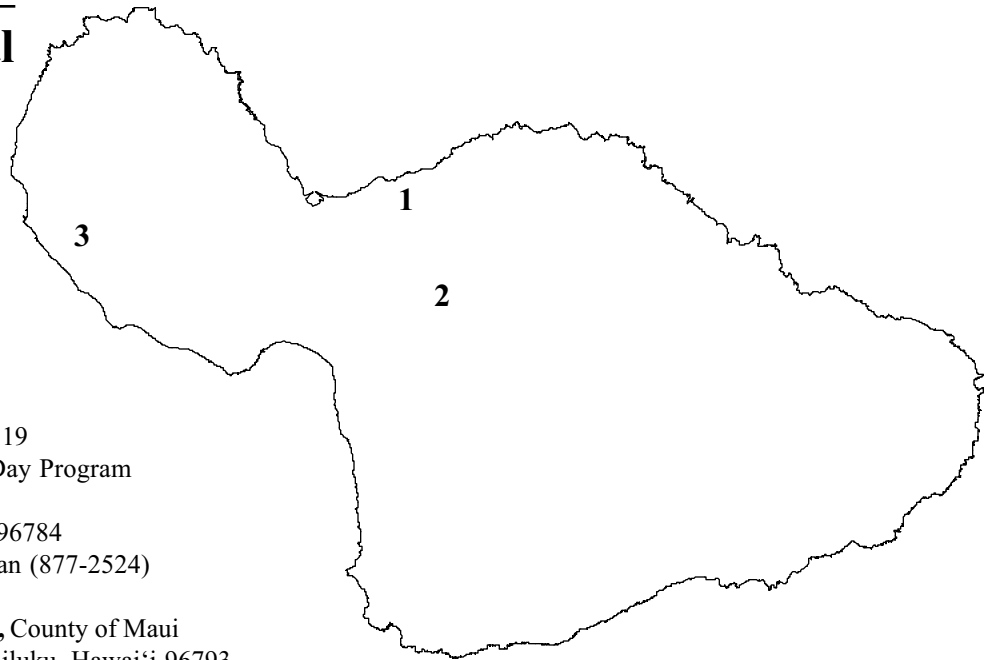
**Approving Agency/Accepting Authority:** Office of the Mayor, County of Maui  
200 S. High St., Wailuku, Hawai'i 96793  
**Contact:** Glenn Vares (270-7213)

**Consultant:** Capital Solutions Hawai'i  
2331 W. Main St.  
Wailuku, Hawai'i 96793  
**Contact:** Mark Percell (249-8838)

**Public Comment**  
**Deadline:** February 7, 2001  
**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:** State land use special use permit, county CUP

Community Work Day Program (CWD), a non-profit community service organization incorporated in the State of Hawai'i will coordinate the development of the Pa'ia Community Learning Center for the purpose of providing a facility to accommodate alternative learning programs, vocational training and other social service programs for Maui's disadvantaged residents. The project will consist of the renovation of a 65 year old, 2,400 SF plantation house and three out structures located on a 3.2 acre site owned by A&B Properties, Inc., and installation of landscaping, parking and access road appropriate for proposed use. A & B Properties Inc. will lease the property to Community Work Day Program which will coordinate the renovation and manage the facilities use upon completion of development project. The site is located directly mauka of the Pa'ia Sugar Mill, with access via a partially paved road from Baldwin Avenue.



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



### (2) Upcountry Maui NAPA Auto Parts Store, Retail Space and Office Space

**District:** Makawao-Pukalani-Kula  
**TMK:** 2-3-025:015  
**Applicant:** United Auto Parts, Inc.  
P.O. Box 584  
Kahului, Hawai'i 96733-7048  
**Contact:** Edwin Fujinaka (871-6266)

**Approving Agency/Accepting Authority:** County of Maui  
Department of Planning  
250 South High Street  
Wailuku, Maui, Hawai'i 96793  
**Contact:** John E. Min (270-7735)

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**Consultant:** Chris Hart & Partners  
1955 Main Street, Suite 200  
Wailuku Hawai'i 96793  
Contact: Rory Frampton (242-1955)

## Public Challenge

**Deadline:** February 7, 2001  
**Status:** FEA/FONSI issued, project may proceed  
**Permits**  
**Required:** Community Plan Amendment, Zoning,  
Building

United Auto Parts, Inc., is requesting a Community Plan Amendment from Single-Family to Business/Commercial and a Change in Zoning from R-2, Residential, to B-CT, Country Town Business, in order to develop retail and office space on a residentially zoned, 60,520 square foot lot, situated on the corner of Haleakala Highway and Healani Place in Pukalani, Maui.

It is anticipated that the proposed project will be developed in two phases. Phase I will consist of an approximate 7,500 square foot NAPA Auto Parts Store, 5,700 square feet of additional retail space, and 3,200 square feet of office space. The uses would be contained within three buildings. One building would contain the NAPA Store. The other two buildings would be two-story structures with office space on the second floor and retail on the first. Phase II may include 4,000 square feet of additional retail space and 2,600 square feet of office space.

The primary vehicle access for the project will be off Old Haleakala Highway, with a secondary access off of Healani Place. A separate left turn storage lane will be provided along Old Haleakala Highway for traffic turning into the proposed project. As part of the project's improvements, road widening and concrete curbs and gutters and sidewalks will be constructed along the adjoining halves of Old Haleakala Highway and Healani Place fronting the project site. The improvements will be designed to provide for ultimate right-of-way widths of 56 feet for Old Haleakala Highway and 44 feet for Healani Place.

The proposed project has been designed in conformance with the Makawao-Pukalani-Kula Country Town Design Guidelines. Construction is anticipated to begin once all of the required State and County Permits have been issued.

A "Finding of No Significant Impact" has been made by the Department of Planning.



## (3) West Side Resource Center

**District:** Lahaina  
**TMK:** 4-16-15:por. 01  
**Applicant:** Ka Hale A Ke Ola  
670 Wai'ale Road  
Wailuku, Hawai'i 96793  
Contact: Charles Ridings (242-7600)  
and  
County of Maui  
Department of Housing and Human  
Concerns  
200 South High Street  
Wailuku, Hawai'i 96793  
Contact: Alice Lee (270-7805)

## Approving Agency/Accepting

**Authority:** County of Maui  
Department of Housing and Human  
Concerns  
200 South High Street  
Wailuku, Hawai'i 96793  
Contact: Alice Lee (270-7805)

**Consultant:** Munekiyo, Arakawa & Hiraga, Inc.  
305 High Street, Suite 104  
Wailuku, Hawai'i 96793  
Contact: Michael Munekiyo (244-2015)

## Public Challenge

**Deadline:** February 7, 2001  
**Status:** FEA/FONSI issued, project may proceed  
**Permits**  
**Required:** Section 201G-118, HRS approval; NPDES,  
Noise and Construction permits

In partnership with the Maui County Department of Housing and Human Concerns, Ka Hale A Ke Ola proposes the construction of the West Side Resource Center. The project site encompasses 5.0 acres and is located in Lahaina, Maui. Identified by TMK 4-6-15: por. 01, the site is undeveloped and located in the vicinity of the Lahaina Recreation Center.

Presently, there is an immediate need for a facility in West Maui that will provide programs and housing designed to assist homeless persons and low-income residents move from a state of dependency and homelessness to self-sufficiency and independence.



The need for such a facility will be addressed through the phased development of the proposed project. In addition to ancillary improvements, the project's initial phase will include an approximately 11,000 square foot homeless resource center with 42 dormitory beds, 8 studio and 8 two-bedroom apartments for transitional housing and 10 two-bedroom apartments for long-term affordable rental housing. Subsequent phases will provide 32 transient housing units and 20 long-term housing units. A child day care center may be provided should circumstances warrant. Access to the proposed facility will be provided by extending Shaw Street to the project site. Construction of the project's initial phase is expected to commence in early 2001 and is estimated to cost about \$3.5 million; construction of subsequent phases will be dependent on funding. Development of the project will be implemented through Section 201G-118, HRS, a fast-track review process that facilitates the development of affordable housing.

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## Previously Published Projects

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## Pending Public Comments

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### Draft Environmental Assessments

### Kahui Pono Roadway Access Easement

**District:** Makawao  
**TMK:** 2-9-002: 017  
**Applicant:** Kahui Pono, L.L.C.  
P.O. Box 1914  
Makawao, Hawai'i 96768

### Approving Agency/Accepting

**Authority:** Department Land and Natural Resources  
Land Division, Maui District Branch  
54 High Street, Room 101  
Wailuku, Hawai'i 96793  
Contact: Louis H. Wada (984-8100)

**Consultant:** Chouteau Consulting  
3620 Baldwin Avenue, Suite 105  
Makawao, Hawai'i 96768  
Contact: Michele Chouteau (572-2233)

### Public Comment

**Deadline:** January 22, 2001

### Napili Villas

**District:** Lahaina  
**TMK:** 4-3-03:110, 122 and 123  
**Applicant:** General Services, Inc.  
Pauahi Tower, Suite 1570  
1001 Bishop Street  
Honolulu, Hawai'i 96813  
Contact: Kathy Inouye (524-1508)

### Approving Agency/Accepting

**Authority:** County of Maui  
Maui Planning Commission  
250 South High Street  
Wailuku, Hawai'i 96793  
Contact: Colleen Suyama (270-7735)

**Consultant:** Munekiyo, Arakawa & Hiraga, Inc.  
305 High Street, Suite 104  
Wailuku, Hawai'i 96793  
Contact: Michael Munekiyo (244-2015)

### Public Comment

**Deadline:** January 22, 2001

# Kaua'i Notices

JANUARY 8, 2001

## Draft Environmental Assessments



### (1) Kaua'i Technology Center - Phase II

**District:** Waimea  
**TMK:** 1-6-8: por. 06  
**Applicant:** Kaua'i Economic Development Board  
4290 Rice Street  
Lihue, Hawai'i 96766  
**Contact:** Gary Baldwin (245-6692)

**Approving Agency/Accepting Authority:** Department of Business, Economic Development & Tourism  
PO Box 2359  
Honolulu, Hawai'i 96823-2159

**Contact:** Greg Barbour (586-2548)

**Consultant:** Group 70 International  
925 Bethel Street, 5<sup>th</sup> floor  
Honolulu, Hawai'i 96813  
**Contact:** Jeffery Overton (523-5866 x104)

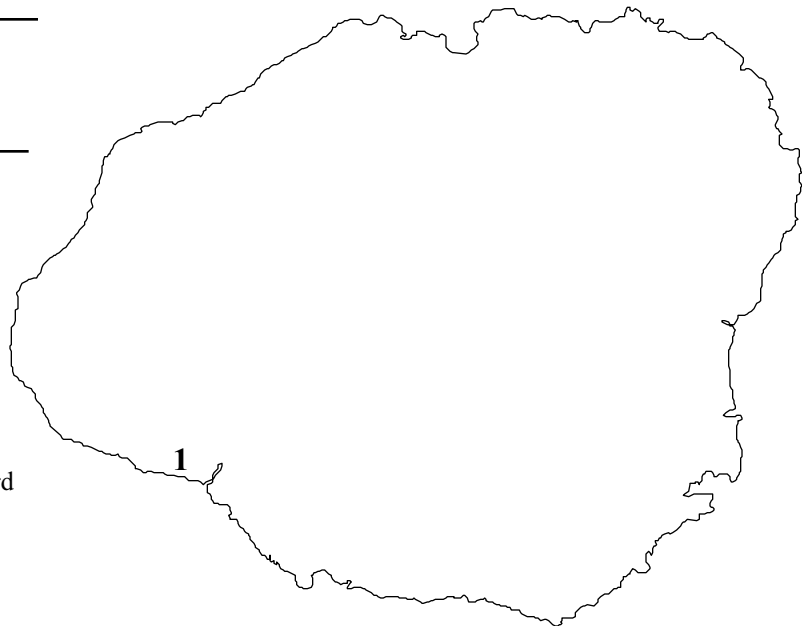
#### Public Comment

**Deadline:** February 7, 2001  
**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:** Class IV zoning, project development use permit, construction permits

The Kaua'i Economic Development Board (KEDB) proposes to develop Phase II of the Kaua'i Technology Center in an effort to stimulate the economy of West Kaua'i and the Waimea area. The 10,000 square foot office facility would serve to compliment and expand an existing complex that includes a regional orientation and visitor center and Phase I of the Technology Center.

The project site is an approximately 1.2-acre portion of a 10-acre parcel located to the west of the intersection of Kaunuali'i Highway and Waimea Canyon Drive. The site has been cultivated for over 80 years for sugarcane, and more recently for seed corn and sunflower experimentation crops. The site is adjacent to the existing West Kaua'i Visitor Center, and the surrounding development of Waimea town.



This phase of the Kaua'i Technology Center will enhance the greater Technology and Visitor Center complex and serve as a catalyst for economic development and the promotion of the West Kaua'i region's technological facilities. Phase II is intended to include a training and Sensor Integration center and initiate an integrated recruitment program to provide workforce development and distance learning programs. The strategic location of the project site in Waimea at the crossroads to the Pacific Missile Range Facility and the Koke'e State Park and Waimea Canyon area will assure the facility's visibility and presence as a potentially significant contributor to the region's economic future.

Land acquisition, permitting and legal costs for Phase II of the Center are funded by the State of Hawai'i Capital Improvement Program (CIP) through a \$1 million appropriation. The State funds will allow for acquisition of the land at the fair market value and the land will then be leased from the State (DBEDT) by KEDB. The construction of this phase of the Center will be funded by \$2 million grant from the U.S. Economic Development Administration (EDA). Funding from the U.S. Department of Housing and Urban Development (HUD) totaling \$500,000 will be used in design and site work for the Center. Private sector funds will be utilized for leasehold improvements on the property.

The project will require County of Kaua'i approval of a Class IV Zoning Permit and, if applicable, a Project Development Use Permit. The project will also require County approval of construction plans, issuance of building and grading permits and other ministerial permits. Construction is anticipated to be completed by early 2002.

## Draft Environmental Assessments



### (1) Ali'i Highway 16 Inch Water Transmission Main

**District:** South Kona  
**TMK:** 7-5: 19, por. 20; 7-6: 13-19, por. 25; 7-7: 4, por. 8; 7-8: por. 10  
**Applicant:** Department of Water Supply  
Hawai'i County  
25 Aupuni Street  
Hilo, Hawai'i 96720  
**Contact:** Glenn Ahuna (961-8660)

#### Approving Agency/Accepting

**Authority:** same as above  
**Consultant:** R.M. Towill Corporation  
420 Waiakamilo Road, Suite 411  
Honolulu, Hawai'i 96817  
Contact: Chester Koga (842-1133)

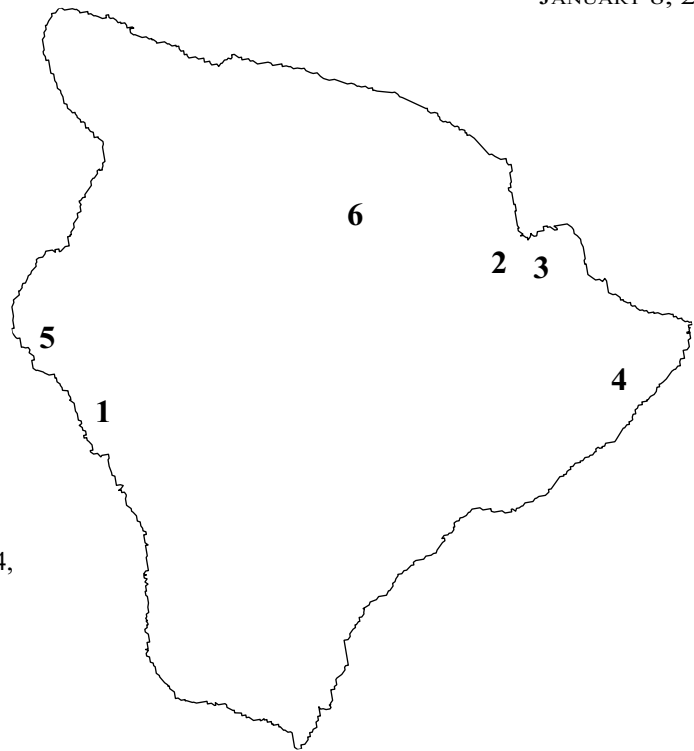
#### Public Comment

**Deadline:** February 7, 2001  
**Status:** DEA First Notice pending public comment.  
Address comments to the applicant with copies to the consultant and OEQC.

#### Permits

**Required:** NPDES

The Department of Water Supply (DWS), County of Hawai'i, proposes to install a 16-inch waterline within the proposed Ali'i Highway right-of-way from Queen Kaahumanu Highway to Ali'i Drive at Keauhou in the South Kona District. The water line is to be located within the proposed Ali'i Highway alignment and is scheduled for construction simultaneously with the highway project. The purpose of the proposed 16-inch waterline is to relieve the demand on the existing water main at Royal Poinciana Drive and to provide the infrastructure necessary to meet future water demand based on expected private and public sector development in the area served by the new highway.



Construction activities associated with the proposed highway and waterline project will generate short-term impacts in the form of fugitive dust, exhaust emissions, and construction noise. These impacts are temporary in nature and will be mitigated through best management practices developed for the Ali'i Highway Alignment project. Impacts to cultural and historic resources are to be minimized or eliminated through a Phased Mitigation Program and Data Recovery Plan developed in compliance with National Advisory Council on Historic Preservation regulations and in cooperation with the State of Hawai'i Historic Preservation Office.

The proposed project is not anticipated to have negative impacts on rare, threatened, or endangered species, or their habitats. The project will not adversely affect public welfare, water quality, visual resources, or surrounding land uses. Installation of the waterline will facilitate development along Ali'i Highway. No zoning changes are required by the project. Installation of the waterline supports the long range development strategy for the area, as expressed in the Hawai'i County General Plan and the Kona Regional Plan.

# Hawai'i Notices

JANUARY 8, 2001



## (2) Kawaihoni Water Tank Replacement

**District:** South Hilo  
**TMK:** 2-4-48: 001 & 054  
**Applicant:** Department of Water Supply  
Hawai'i County  
25 Aupuni Street  
Hilo, Hawai'i 96720  
**Contact:** Keith Okamoto (961-8670)

**Approving Agency/Accepting Authority:** same as above

**Consultant:** Brian Nishimura (935-7692)  
101 Aupuni St. #217  
Hilo, Hawai'i 96720

### Public Comment

**Deadline:** February 7, 2001  
**Status:** DEA First Notice pending public comment. Address comments to the applicant with copies to the consultant and OEQC.

### Permits

**Required:** Building

The Department of Water Supply (DWS), County of Hawai'i, is proposing the construction of a new 1,000,000 gallon capacity concrete water storage tank and the demolition and removal of an existing 500,000 gallon capacity steel water storage tank. The proposed project also involves the construction of a new 10 foot wide access driveway around the perimeter of the new storage tank, 16 foot wide driveway access, 2 drywells and a 6 foot high chain link fence around the perimeter of the project site.

The existing DWS tank site is situated on the north side of Kawaihoni Street, approximately 700 feet west of the Kawaihoni Street-Komohana Street intersection in Hilo. The property has an area of approximately 36,099 square feet. The existing 500,000 gallon steel tank is situated on parcel 1 and includes a driveway access, perimeter fencing and a grassed lawn. Parcel 54, situated adjacent and to the east of parcel 1, is currently vacant of any uses except for a waterline crossing the length of the property.

The demolition and removal of the existing steel water tank will cause a disturbance of lead containing paint (LCP) and the contractor will be required to comply with all Federal, State and County rules and regulations pertaining to the disturbance, removal and disposal of the LCP.



## (3) Smithsonian Astrophysical Observatory Base Facility in Hilo

**District:** South Hilo  
**TMK:** 2-4-01: por. 7  
**Applicant:** Smithsonian Astrophysical Observatory  
60 Garden St.  
Cambridge, MA 02138  
**Contact:** James Moran, PhD (617-495-7477)

### Approving Agency/Accepting Authority:

University of Hawai'i at Hilo  
Vice Chancellor of Administrative Affairs  
200 W. Kawili Street  
Hilo, Hawai'i 96720-7609  
**Contact:** Lo-Li Chih (974-7595; fax: 974-7542)

**Consultant:** PBR Hawai'i  
1001 Bishop St., Pacific Tower, #650  
Honolulu, Hawai'i 96813  
**Contact:** Tom Schnell (521-5631; fax: 523-1402)

### Public Comment

**Deadline:** February 7, 2001  
**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:** Grading, NPDES, Building

The Smithsonian Institution is proposing to construct an astronomy base facility on a 2.5 acre site within the University of Hawai'i at Hilo's University Park. The facility will be the location for research, clerical, conference, library, and laboratory amenities in support of the Submillimeter Array (SMA) Science Group's antennas project on the summit of Mauna Kea. The SMA Science Group is a collaborative project of the Smithsonian Astrophysical Observatory (SAO), the Harvard-Smithsonian Center for Astrophysics (CfA), and the Institute of Astronomy and Astrophysics of the Academia Sinica of Taiwan.

The base facility building will be approximately 35 feet high, will provide approximately 18,170 square feet of floor area, and will have approximately 46 parking stalls. Approximately 40 people will be employed at the facility, which is expected to generate \$5 million in annual income for the County of Hawai'i.

Environmental concerns include air and noise impacts during construction, however, these will be of a short-term duration, and relatively insignificant when weighed against the positive economic, social, and quality of life benefits associated with the project.

Traffic and traffic related impacts are not expected to be substantial. No endangered plant or animal species are known to exist on the property and no significant archaeological resources are expected to be found on the site.

The project is consistent with all State and County land use designations and with the Hawai'i County General Plan.



## (4) Wood Single Family Residence

**District:** Puna  
**TMK:** 1-5-10:25  
**Applicant:** Don and Susan Wood  
c/o Greg Mooers  
PO Box 1101  
Kamuela, Hawai'i 96743  
**Contact:** Greg Mooers (885-6839)

### Approving Agency/Accepting

**Authority:** Department of Land and Natural Resources  
PO Box 621  
Honolulu, Hawai'i 96809  
**Contact:** Traver Carroll (587-0377)

**Consultant:** Ron Terry  
HC 2 Box 9575  
Keaau, Hawai'i  
**Contact:** Ron Terry (982-5831)

### Public Comment

**Deadline:** February 7, 2001  
**Status:** DEA First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority, the consultant and OEQC.

### Permits

**Required:** CDUP, building, plan approval, SMA Permit or exemptions

The 5.43-acre property is located in the 'ahupua'a of Maku'u in the Puna District. It is bordered by a cliffed shoreline and the Old Government Road, an unpaved road that extends between Hawaiian Paradise Park and Hawaiian Beaches. For many years the land has been used for grazing, and the landscape on this (and adjacent properties) consists of pasture with clumps of non-indigenous trees. Cattle walls are present within and surrounding the property. The owners plan to build a single-family home and associated improvements, including an Individual Wastewater System, a gazebo, a studio, a barn, a driveway, a 2-car garage, and landscaping. They plan to set all structures a minimum of 150 feet inland from the edge of the cliff in an area of pasture and guava trees. Minimal disturbance of natural and man-made features on the property will occur, with vegetation removal mainly limited to the guava shrubs where the structures will be located. A minimal amount of landscaping will be planted near buildings in order to block wind and have the home blend in with its surroundings. Access is via the existing unimproved Old Government Road. Electricity would be provided by an individual generator and/or solar system. The approximate cost of the improvements is \$350,000, and all funding is private (no public funds are involved).

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

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## (5) Kona International Airport Master Plan Update

**District:** North Kona  
**TMK:** 7-2-05:07 and 7-3-43:03, 06-35, 37-40, 43-47

**Applicant:** Department of Transportation  
Airports Division  
400 Rodgers Boulevard, Suite 700  
Honolulu, Hawai'i 96819  
**Contact:** Jerry Matsuda (838-8600)

### Approving Agency/Accepting

**Authority:** Same as above.

# Hawai'i Notices

JANUARY 8, 2001

**Consultant:** Keahole Associates, Inc.  
420 Waiakamilo Road, Suite 411  
Honolulu, Hawai'i 96817  
Contact: Michael Inouye (841-2228)

## Public Challenge

**Deadline:** February 7, 2001  
**Status:** FEA/FONSI issued, project may proceed  
**Required:** NPDES, ROW, building

The Kona International Airport at Keahole (KOA) Master Plan Update, provides a land use guide for the location, design and construction of airport related facility improvements through the year 2015. KOA is located on the west side of Island of Hawai'i in the North Kona district. The airport is west of Queen Ka'ahumanu Highway and seven miles north of Kailua-Kona, Hawai'i.

Major facilities proposed include: New Overseas Terminal & support facilities; Telecommunications System; Wastewater Treatment Plant; Air Traffic Control Tower; General Aviation Site Preparation; Heliport; Air Tour Terminal; DOT/Drug Enforcement Agency Administration Building; Airfield Improvements; Access Road and Utility Improvements; Fuel Farm Site Preparation; Postal Facility Site; Miscellaneous Projects, etc.

No adverse impacts to the area environment are anticipated. Potential for impacts will be addressed by use of appropriate mitigation measures and practices as indicated in the KOA Master Plan Update Draft EA.

KOA is evolving to serve an increasingly broad mix of passengers. Aircraft serving these passengers will range from small personal and commuter aircraft to transoceanic capable aircraft. Passenger requirements will similarly involve need for a broader range of facilities and services than are now provided. It is anticipated that the trend for increasing domestic and global travel will continue to place demands on KOA to provide for a mixed customer base. The proposed upgrades identified in the Master Plan Update are intended to help meet these demands and the passengers visiting the Kona region of Hawai'i.

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## National Environmental Policy Act

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### (6) Outrigger Telescopes Project (Draft EA)

**District:** Hamakua  
**TMK:** 4-4-15: 09 & 12  
**Applicant:** National Aeronautics and Space Administration  
Code SD  
NASA Headquarters  
Washington, D.C. 20546  
Contact: Richard Howard (202-358-1544)

#### Approving Agency/Accepting

**Authority:** same as above

**Consultant:** Science Applications International Corp.  
11251 Roger Bacon Drive  
Reston, Virginia 20190  
ATTENTION: Dennis Ford

#### Public Comment

**Deadline:** February 12, 2001

Pursuant to the National Environmental Policy Act of 1969, as amended (NEPA) (42 U.S.C. 4321 et seq.), the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA (40 CFR Parts 1500-1508), and NASA policy and procedures (14 CFR part 1216, subpart 1216.3), NASA has prepared and issued a Draft Environmental Assessment (EA), for the proposed Outrigger Telescopes Project. NASA's Proposed Action is to fund the on-site construction, installation, and operation of six Outrigger Telescopes at the W.M. Keck Observatory site located on Pu'u Hau 'Oki in the summit region of the Mauna Kea Science Reserve, Island of Hawai'i. NASA's Draft EA focuses on the potential environmental impacts of the Proposed Action, including cumulative impacts, and the No-Action Alternative. In evaluating the Proposed Action NASA has addressed the range of potential environmental impacts with particular focus on potential environmental impacts to an historic property and historic district, and to the Wekiu bug proposed in 1999 as a candidate species for Federal listing under the Endangered Species Act. Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA) (16 U.S.C. 470 et seq.), NASA

has initiated consultation with the SHPD and has invited four organizations, the Office of Hawaiian Affairs, Hawai'i Island Burial Council, the Royal Order of Kamehameha I, and Hui Malama I Na Kupuna o Hawai'i Nei to participate as formal consulting parties. In addition, the Advisory Council on Historic Preservation has agreed to participate in the Section 106 process. NASA has provided draft on-site (i.e., the proposed WMKO Outrigger Telescopes Project site), and off-site cultural mitigation measures for review and comment by the consulting parties. A small amount of Wekiu bug habitat along the crater wall that was previously disturbed during construction of the existing Keck Telescopes would be directly affected by on-site construction of the proposed project. A Wekiu Bug Mitigation Plan has been developed to address potential environmental impacts on the Wekiu bug and its habitat.

The document will be available at all Hawai'i State and Regional Libraries. NASA is planning open houses on the Draft EA and this project for the general public. An open house will be held in Hilo on February 5, 2001, from 1-7 p.m. at the University of Hawai'i-Hilo Campus Center, located at 200 West Kawili Street, Hilo, Hawai'i. A second open house will be held in Kailua-Kona on February 7, 2001, from 1-6 p.m. at the Old Kona Airport State Park Events Pavilion, Kailua-Kona, Hawai'i.

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## Previously Published Projects Pending Public Comments

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### Draft Environmental Assessments

#### Kulani Correctional Facility Greenhouse Construction and Improvements

**District:** South Hilo  
**TMK:** 2-4-08-9  
**Applicant:** Department of Public Safety  
Kulani Correctional Facility  
HCI Stainback Highway  
Hilo, Hawai'i 96720  
Contact: Peter MacDonald (935-3758)

**Approving Agency/Accepting  
Authority:** Department of Land and Natural Resources  
1151 Punchbowl Street  
Honolulu, Hawai'i 96813  
**Consultant:** 'Ola'a-Kilauea Partnership  
P.O. Box 52

Hawai'i National Park, Hawai'i 96718  
Contact: Tanya Rubenstein (985-6197)

**Public Comment  
Deadline:** January 22, 2001

#### Papaaloa Homesteads Forest Stewardship Project

**District:** Hamakua  
**TMK:** 3-3-5-01-75  
**Applicant:** Christian Giardina & Ingrid Dockersmith  
1456 Wailuku Drive  
Hilo, Hawai'i 96720  
Contact: Christian Giardina (969-6991)

**Approving Agency/Accepting  
Authority:** Department of Land and Natural Resources  
Division of Forestry and Wildlife  
1151 Punchbowl Street, Room 325  
Honolulu, Hawai'i 96813  
Contact: Karl Dalla Rosa (587-4174)

**Public Comment  
Deadline:** January 22, 2001

### Final Environmental Impact Statements

#### University of Hawai'i Center at West Hawai'i

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

**Approving Agency/Accepting  
Authority:** Governor, State of Hawai'i  
c/o Office of Environmental Quality Control  
235 South Beretania Street, Suite 702  
Honolulu, Hawai'i 96813  
**Status:** FEIS currently being reviewed by OEQC.

# Shoreline Notices

JANUARY 8, 2001

## Shoreline Certification Applications

Pursuant to § 13 -222-12, HAR the following shoreline certification applications are available for inspection at the DLNR District Land Offices on Kaua'i, Hawai'i and Maui and at Room 220, 1151 Punchbowl St., Honolulu, O'ahu (Tel: 587-0414). All comments shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, HI 96813 and postmarked no later than fifteen (15) calendar days from the date of the public notice of the application.

Case No.	Date Received	Location	Applicant	Tax Map Key
OA-801	12/19/00	Lot 31 Waialae Beach Lots, Section C, portion of R. P. 3578, Land Commission Award 90613, Apana 3 to A. Paki, land situated at Waialae Iki, Island of Oahu, Hawaii (5029 Kalaniana'ole Highway) Purpose: <u>Extension to home</u>	DJNS Surveying & Mapping, Inc., for Robert Chang, etal	3-5-22: 02
OA-514-2	12/26/00	Lot 9 of Maunaloa Bay View Lots Subdivision Unit 1 (File Plan 750) land situated at Maunaloa, Honolulu, Island of Oahu, Hawaii (150 Hanapepe Loop) Purpose: Improvements	Towill, Shigeoka & Associates, for Thomas C. Young	3-9-27: 07
MA-185-2	01/02/01	Grant 10981 to Thos. R. Foster Robinson & Wife, land situated at Kalihi, Honuaula, Island of Maui, Hawaii (Vacant) Purpose: <u>Re-certification</u>	Warren S. Unemori, Engineering, Inc., for Carter-Makena Ltd, Partners	2-1-4: 46 & 67

## 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
HA-234	Certified 12/26/00	Lot 29 of Kona Bay Estate (file plan 1813), Lot 68 as shown on Map 9 of Land Court Application 1319, situated at Lanihau Iki and Lanihau Nui, North Kona, Island of Hawaii, Hawaii (Vacant) Purpose: <u>Determine building setback</u>	Wes Thomas Associates, for Charles Barclay	7-5-05: 40



# Pollution Control Permits

JANUARY 8, 2001

## 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, Temporary Covered Source Permit	West Oahu Aggregate CSP 0041-01-CT	Initial Location: 92-460 Farrington Highway, Ewa, Oahu	Issued: 12/18/00	730 TPH Portable Stone Quarrying and Processing Plant with Diesel Engine Generators and Portable Screening Plant
Clean Water Branch, 586-4309, Water Quality Certification	US Army Engineer District, Honolulu	Kahului Harbor, Maui	Comments Due: 1/10/01	Removal of an existing rock groin, a single-lane boat launch ramp, wooden dock, and rock revetment; dredging of the dockside and launch ramp areas; construction of a breakwater; deepening of the existing turning basin and entrance channel; and construction of a three-lane boat launch ramp, two concrete loading docks, and a rock revetment.

# Coastal Zone News

## Federal Consistency Reviews

The Hawai'i Coastal Zone Management (CZM) Program has received the following federal actions to review for consistency with the CZM objectives and policies in Chapter 205A, Hawai'i 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 Hawai'i CZM Program at 587-2878. For neighboring islands use the following toll free numbers: Lana'i & Moloka'i: 486-4644 x7-2878, Kaua'i: 2743141 x7-2878, Maui: 984-2400 x7-2878 or Hawai'i: 974-4000 x7-2878.

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, Hawai'i 96804

Or, fax comments to the Hawai'i CZM Program at 587-2899.

# Coastal Zone News

JANUARY 8, 2001

## **(1) Population Study of Small Cetaceans in Hawai'i**

Applicant: Hawai'i Institute of Marine Biology  
Contact: Whitlow W.L. Au, Ph.D., 247-5026  
Federal Action: Federal Permit  
Federal Permitting  
Agency: National Marine Fisheries Service  
Location: Waters surrounding all Hawaiian islands  
CZM Contact: Debra Tom, 587-2840  
Proposed Action:

The proposed scientific research of small cetaceans focusing on spinner dolphin species (*Stenella longirostris*) in waters around Hawai'i and California. The requested National Marine Fisheries Service permit is for a total of five (5) years to answer questions about population stability, presence of stocks within populations, dispersal patterns (including sex-biased dispersal), effective population size, diving and feeding behaviors, amount of time spent at the surface, local movement patterns, and use of echolocation signals during diving.

Comments Due: January 22, 2001

## **(2) Small Boat Channel and Boat Ramp, Kalaeloa Barbers Point Harbor, O'ahu**

Applicant: The Phoenician, LLC  
Consultant: Robin Foster, PlanPacific, 521-9418 ext. 13  
Federal Action: Federal Permit  
Federal Agency: U.S. Army Corps of Engineers  
Contact: Bill Lennan, 438-6986  
Location: Southwestern corner of Kalaeloa Barbers Point Harbor  
TMK: 9-1-74: 35  
CZM Contact: John Nakagawa, 587-2878  
Proposed Action:

Excavate a small-boat channel 180 feet long and 36 feet wide with a depth of 20 feet, to provide access for boat haul-out and a proposed public boat ramp. Concrete aprons would be constructed on either side of the channel to provide travelways for a mobile boat hoist. The boat ramp and public parking are being proposed in partnership with Ko 'Olina Companies as a substitute for the boat ramp currently being operated at Ko 'Olina Marina to provide a public boat ramp that is nearer to the harbor channel and does not conflict with resort facilities. If the boat ramp is not constructed the applicant will provide for public access to the shoreline, public parking and a comfort station.

Comments Due: January 22, 2001

## **(3) Hanawana Stream Diversion, Makawao, Maui**

Applicant: Keith Douglas, (808) 669-4028  
Federal Action: Federal Permit  
Federal Agency: U.S. Army Corps of Engineers  
Contact: Bill Lennan, 438-6986  
Location: Hanawana Stream, Makawao, Maui  
TMK: (2) 2-9-11: 18  
CZM Contact: John Nakagawa, 587-2878  
Proposed Action:

Construct a stream diversion 4 feet long and 12 - 18 inches high with a 2 inch diversion pipe in Hanawana Stream. It is our understanding that the new diversion structure will replace a previously existing diversion that was destroyed by a flood in 1990.

Comments Due: January 22, 2001

## **Coastal Erosion Subcommittee**

The Marine and Coastal Zone Management Advisory Group (MACZMAG) Coastal Erosion Subcommittee is scheduled to meet on Monday, January 8, 2001 from 9:00 a.m. - 12:00 p.m. in the State Office Tower, 6<sup>th</sup> Floor. For more information, please call Debra Tom with the Hawai'i CZM Program at 587-2840. MACZMAG meeting agendas and minutes are available on the Hawai'i Coastal Zone Management Program web page at [www.hawaii.gov/dbedt/czm](http://www.hawaii.gov/dbedt/czm).

## **Marine and Coastal Zone Management Advisory Group (MACZMAG)**

The Marine and Coastal Zone Management Advisory Group (MACZMAG) is scheduled to meet on Friday, January 26, 2001 from 10:00 a.m. - 12:00 p.m. in the State Office Tower, Room 204. For more information, please call Susan Feeney with the Hawai'i CZM Program at 587-2880. MACZMAG meeting agendas and minutes are available on the Hawai'i Coastal Zone Management Program web page at [www.hawaii.gov/dbedt/czm](http://www.hawaii.gov/dbedt/czm).

## United States v. University of Hawai'i, RCRA Consent Decree

The U.S. Department of Justice (DOJ) announced that a proposed consent decree in the case of the United States and State of Hawai'i v. University of Hawai'i, Civil Action Number Cv. 00-00806 DAE BMK, was lodged with the United States District Court for the District of Hawai'i on December 18, 2000. On the same day, the United States and the State of Hawai'i filed a Complaint pursuant to Section 3008 of the Resource Conservation and Recovery Act (RCRA) and Chapter 342J-9, Hawai'i Revised Statutes against the University of Hawai'i (UH), alleging violations of federal and state hazardous waste laws at four of the University's facilities. The violations included operating hazardous waste treatment, storage, or disposal (TSD) facilities without a permit or interim status; failing to mark stored containers as "Hazardous Waste"; failing to mark the accumulation start dates on containers in storage facilities; and failing to determine whether hazardous wastes were being stored in various storage facilities. The proposed Consent Decree, which settles the liability of UH for the violations alleged in the Complaint, provides that UH will undertake extensive injunctive relief, pay a civil penalty of \$505,000 to be divided between the United States and the State and perform a Supplemental Environmental Project (SEP) valued at \$1.2 million. Under the SEP, UH will investigate and implement pollution prevention or waste minimization projects on its campuses. The Department of Justice will receive, for a period of thirty (30) days from January 2, 2001, comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, U.S. Department of Justice, P.O. Box 7611, Washington, DC 20044; and refer to United States and State of Hawai'i v. University of Hawai'i, DOJ Ref. #90-7-1-06130. The proposed settlement agreement may be examined at the Office of the United States Attorney, Prince Jonah Kūhiʻo Kalanianaʻole Federal Building, 300 Ala Moana Boulevard, Honolulu, Hawai'i and at the Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, California 94105. A copy of the proposed Consent Decree may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$12.25 (25 cents per page reproduction costs), payable to the Consent Decree Library (see, 66 F.R. 117, January 2, 2001).

## Prudency Determinations and Critical Habitat Proposals for Moloka'i

The U.S. Fish and Wildlife Service (FWS) has reconsidered its findings whether designating critical habitat for various species on Moloka'i would be prudent. FWS now proposes that critical habitat is prudent for nineteen of twenty species (*Bidens wiewbkei*, *Brighamia rockii*, *Canavalia molokaiensis*, *Clermontia oblongifolia* ssp. *brevipes*, *Cyanea dunbarii*, *Cyanea mannii*, *Cyanea procera*,

*Hibiscus arnottianus* ssp. *immaculatus*, *Lysimachia maxima*, *Mariscus fauriei*, *Marsilea villosa*, *Melicope reflexa*, *Phyllostegia manii*, *Schiedea lydgatei*, *Schiedea sarmentosa*, *Silene alexandri*, *Silene lanceolata*, *Stenogyne bifida*, and *Tetramolopium rockii*). FWS has also determined that critical habitat designations are prudent for *Labordia triflora* as well as nineteen species that occur on Moloka'i as well as on Kaua'i, Ni'ihau, Maui, Kaho'olawe, and/or Lana'i. Critical habitat designations are being proposed for 14 of these 19 species. In all, FWS is proposing critical habitat designations for 32 species in 28 critical habitat units on Moloka'i. The FWS invites comments and data on all aspects of its proposal, including data on the economic and other impacts of the proposed designations. Comments from all interested parties must be received by FWS by **February 27, 2001**. Requests for a public hearing on this matter must be received by FWS by **February 12, 2001**. Send comments and requests to: Field Supervisor, U.S. Fish and Wildlife Service, Pacific Islands Office, 300 Ala Moana Boulevard, P.O. Box 50088, Honolulu, Hawai'i 96850-0001. You may also send comments (in ASCII file format, avoiding the use of special characters and encryption, and including "Attn: 1018-AH08" and your name and return address in your email message) by electronic mail to: [mo\\_crithab\\_pr@fws.gov](mailto:mo_crithab_pr@fws.gov). For more information call Paul Henson at (808) 541-3441 (see, 65 F.R. 83158, December 29, 2000).

## Prudency Determinations and Critical Habitat Proposals for Lana'i

The U.S. Fish and Wildlife Service (FWS) has reconsidered its findings concerning whether designating critical habitat for various species on Lana'i would be prudent. FWS now proposes that critical habitat is prudent for seven of the eight species (*Abutilon eremitopetalum*, *Cyanea macrostegia* ssp. *gibsonii*, *Gahnia lanaiensis*, *Hedyotis mannii*, *Portulaca sclerocarpa*, *Tetramolopium remyi*, and *Viola lanaiensis*). FWS has also determined that critical habitat designations are prudent for *Hedyotis schlechtendahlia* var. *remyi*, *Labordia tinifolia* var. *lanaiensis*, and *Melicope munroi* (all three listed as endangered in 1999). FWS has also determined that critical habitat is prudent for nine species found on Lana'i that also occur on Kaua'i, Ni'ihau, Maui and/or Kaho'olawe and listed in proposed rules published earlier in 2000 (*Bonamia menziesii*, *Centarium sebaeoides*, *Clermontia oblongifolia* ssp. *mauiensis*, *Ctenitis squamigera*, *Cyanea grimesiana* ssp. *grimesiana*, *Cyrtandra munroi*, *Hibiscus brackenridgei*, *Spermolepsis hawaiiensis*, and *Vigna owahuensis*). Critical habitat is proposed for all the above species, except for *Vigna owahuensis* for which FWS does not currently know the specific location of this species on Lana'i. The FWS invites comments and data on all aspects of its proposal, including data on the economic and other impacts of the proposed designations. Comments from all interested parties must be received by FWS by **February 26, 2001**. Requests for a public hearing on this matter must be received by FWS by **February 12, 2001**. Send comments and requests to: Field Supervisor, U.S. Fish and Wildlife Service, Pacific Islands Office, 300 Ala Moana Boulevard, P.O. Box 50088, Honolulu, Hawai'i 96850-0001. You may also send comments (in ASCII file format, avoiding the use of special characters and

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encryption, and including "Attn: 1018-AH10" and your name and return address in your email message) by electronic mail to: [lani\\_crithab\\_pr@fws.gov](mailto:lani_crithab_pr@fws.gov). For more information call Paul Henson at (808) 541-3441 (see, 65 F.R. 82086, December 27, 2000).

## Genetically Modified Corn Experimental Use Permit Application

The U. S. Environmental Protection Agency (EPA) announced its receipt of an application to amend/extend 524-EUP-93 from Monsanto Company requesting an experimental use permit (EUP) for the plant-pesticide *Bacillus thuringiensis* Cry3Bb protein and the genetic material necessary for its production (Vector ZMIR13L) in corn plants. Monsanto Company wants to continue testing and evaluation from February 1, 2001, until February 28, 2002, of genetically modified corn that has been developed to resist damage from corn rootworm (*Diabrotica* spp.) larvae feeding. The experimental program will include: (1) breeding and observation trials; (2) inbred seed increase trials; (3) agronomic performance trials; (4) efficacy trials; (5) product characterization, performance and labeling trials; (6) insect resistance management trials; (7) non-target organism trials; and (8) seed treatment trials. Monsanto proposes to plant 4,000 acres in various states/territories, including Hawai'i. All plantings of corn containing the *Bacillus thuringiensis* Cry3Bb protein under these experimental programs will be contained. No portion of the crops will be used as food or feed. EPA has determined that the application may be of regional and national significance. Therefore, in accordance with 40 CFR 172.11(a), the Agency is soliciting comments on this application. Comments, identified by docket control number OPP-50875, must be received on or before January 29, 2001. Comments submitted by mail must identify docket control number OPP-50875 in the subject line on the first page of the comment and be sent to Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. For details, contact Mike Mendelsohn, Biopesticides and Pollution Prevention Division (7511C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 308-8715; e-mail address: [mendelsohn.mike@epa.gov](mailto:mendelsohn.mike@epa.gov) (see 65 F.R. 82352, December 28, 2000).

## Environmental Justice Small Grants Competition

The U.S. Environmental Protection Agency announces that it has issued guidance outlining the purpose, goals, and general procedures for application and award under the Fiscal Year (FY) 2001 Environmental Justice Small Grants Program (EJSGP). The purpose of this grant program is to provide financial assistance to eligible community groups (i.e., community-based/grassroots organizations, churches, or other nonprofit organizations) and

federally recognized tribal governments that are working on or plan to carry out projects to address environmental justice issues. In its 1992 report, Environmental Equity: Reducing Risk for All Communities, EPA found that minority and low-income populations may experience higher than average exposure to toxic pollutants than the general population. Fiscal year (FY) 1994 marked the first year of the OEJ Small Grants Program. By fiscal year, the dollar amounts and the corresponding number of awards (in parentheses) are as follows: FY 1994 (\$500,000 - 71); FY 1995 (\$3,000,000 - 175); FY 1996 (\$2,800,000 - 152); FY 1997 (\$2,700,000 - 139); FY 1998 (\$2,500,000 - 123); FY 1999 (\$1,455,000 - 95); FY 2000 (\$899,000 - 61). Preference for awards will be given to community-based/grassroots organizations that are working on local solutions to local environmental problems. Funds can be used to develop a new activity or substantially improve the quality of existing programs that have a direct impact on affected communities. All awards will be made in the form of a grant not to exceed one year. For FY 2001, the U.S. Environmental Protection Agency (EPA) will make available approximately \$1,500,000 in grant funds to eligible organizations (pending availability of funds); \$500,000 of this amount is available for Superfund projects only. Applications must be mailed EPA Region 9 and postmarked by the U.S. Postal Service no later than midnight Friday, March 9, 2001. Hawai'i applicants should contact Willard Chin of EPA Region 9 in San Francisco by calling (415) 744-1204 or (415) 744-1565 (see, 65 F.R. 81719, December 26, 2000, for additional details).

## Kaloko-Honokohau National Historical Park Advisory Commission; Notice of Meeting

The National Park Service announced that a meeting of the Na Hoapili O Kaloko Honokohau, Kaloko-Honokohau National Historical Park Advisory Commission, will be held at 9:00 a.m. on January 26, 2001, at the King Kamehameha's Kona Beach Hotel, Kulana Huli Honua Room, Kailua-Kona, Hawaii. The agenda will include the following: Committee Assignments and Workplans for 2001, Update on General Management Plan, Visitor Facilities, Park Interpretive and Resource Management Programs. This meeting is open to the public. It will be recorded for documentation and transcribed for dissemination. Minutes of the meeting will be available to the public after approval of the full Advisory Commission. A transcript will be available after February 31, 2001. For copies of the minutes, contact Kaloko-Honokohau National Historical Park at (808) 329-6881 (see, 65 F.R. 80453, December 21, 2000).

## Notice of Public Meetings and Availability of Draft Environmental Impact Statement for Western Pacific Pelagic Fishery

On October 6, 1999, and on October 20, 1999, the National Marine Fisheries Service announced its intent to prepare an Environmental Impact Statement (EIS) on Federal management of

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the fishery for pelagic species in the U.S. exclusive economic zone (EEZ) waters of the western Pacific Region. The Draft Environmental Impact Statement (DEIS) has been prepared and is available to the public. The scope of the DEIS includes all activities related to the conduct of the fishery authorized by and managed under the Fishery Management Plan for the Pelagics Fisheries of the Western Pacific Region (FMP) and all amendments thereto. NMFS is holding public meetings to solicit public input on the range of actions, alternatives, and impacts addressed in the DEIS. In addition to holding the public meetings, NMFS is also accepting written comments on the DEIS. Written comments will be accepted through January 29, 2001. Public meetings on the DEIS will be held according to the following schedule: (1) **KAHULUI, MAUI, January 3, 2001**, 6:00 P.M. to 9:00 P.M., Maui Beach Hotel, Maui Room, 170 Ka'ahumanu Avenue, Kahului (2) **LIHU'E, KAUA'I, January 4, 2001**, 6:00 P.M. to 9:00 P.M., Wilcox Elementary School, 4319 Hardy St., Lihu'e; (3) **FAGATOGO, AMERICAN SAMOA**: January 6, 2001, 9:00 A.M. to 12:00 noon, Department of Marine and Wildlife Resources (DMWR) conference room (behind market), Fagatogo; (4) **WAI'ANA'E, O'AHU, January 10, 2001**, 6:00 P.M. to 9:00 P.M., Wai'anae Public Library, 85-625 Farrington Highway, Wai'anae; (5) **HALE'IWA, O'AHU, January 11, 2001**, 6:00 P.M. to 9:00 P.M., Hale'iwa Ali'i Beach Park; (6) **HONOLULU O'AHU, January 12, 2001**, 6:00 P.M. to 9:00 P.M., Ala Moana Hotel, Carnation Room, 410 Atkinson Boulevard; (7) **AGANA (HAGATNA), GUAM, January 16, 2001**, 6:00 P.M. to 9:00 P.M., Guam Fishermen's Cooperative Association, Hagatna Boat Basin; (8) **SUSUPE VILLAGE, SAIPAN, COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS, January 17, 2001**, 6:00 P.M. to 9:00 P.M., Saipan Diamond Hotel, Hibiscus Room. No street address, Susupe Village; (9) **KAUNAKAKAI, MOLOKA'I, January 22, 2001**, 6:00 P.M. to 9:00 P.M., Mitchell Pau'ole Center, 90 'Ainoa Street, Kaunakakai; (10) **KONA, HAWAII, January 23, 2001**, 6:00 P.M. to 9:00 P.M., King Kamehameha Hotel, 75-5660 Palani Road, Kona; (11) **HILO, HAWAII, January 24, 2001**, 6:00 P.M. to 9:00 P.M., Cooperative Extension Services, College of Agriculture, Conference Room B, 875 Komohana Street, Hilo; (12) **LANA'I, January 26, 2001**, 6:00 P.M. to 9:00 P.M., Lana'i Airport Conference Room, Lana'i.

Requests for sign language interpretation or other auxiliary aids should be directed to Marilyn Luipold by calling (808) 973-2937 (voice) or (808) 973-2941 (facsimile), at least 5 days prior to meeting date. Written comments and requests to be included on a mailing list of persons interested in the DEIS/EIS should be sent to Marilyn Luipold, Pacific Islands Area Office, National Marine Fisheries Service, 1601 Kapi'olani Boulevard, Suite 1110, Honolulu, Hawaii'i 96814-4700. Comments also may be faxed to (808) 973-2941. ***Comments will not be accepted if submitted via e-mail or the Internet.*** (see, 65 F.R. 80828, December 22, 2000).

## ATOC Sound Source - Marine Mammal Permit Sought

On May 21, 2000, the National Marine Fisheries Service (NMFS) received an application for a Letter of Authorization for an incidental, small take authorization under section 101(a)(5)(A) of

the Marine Mammal Protection Act from Scripps Institution of Oceanography to take a small number of marine mammals incidental to the continued operation of a low frequency sound source previously installed off the north shore of Kauai by the Acoustic Thermometry of Ocean Climate (ATOC) project. An alternative source location under consideration in the Draft Environmental Impact Statement for Midway Island A final decision on whether to re-use the acoustic source (or to install a new source and cable at Midway), in order to combine a second phase of research on the feasibility and value of large-scale acoustic thermometry with long range underwater sound transmission studies and marine mammal monitoring and studies will be made based, in part, on findings and determinations made under the National Environmental Policy Act (NEPA). As the principal funding agency for the proposed action, a DEIS has been prepared by the Office of Naval Research (ONR). NMFS is a cooperating agency in the preparation of this DEIS. By this notice, NMFS is proposing regulations to govern that take. In order to grant the exemption and issue the regulations, NMFS must determine that these takings will have no more than a negligible impact on the affected species and stocks of marine mammals. NMFS invites comment on the application and the proposed regulations. Comments and information must be postmarked no later than **FEBRUARY 5, 2001**. ***Comments will not be accepted if submitted via e-mail or the Internet.*** Comments should be addressed to Donna Wieting, Chief, Marine Mammal Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, Maryland 20910-3226. A copy of the application, which contains the references used in this document, may be obtained by writing to this address. A copy of the draft environmental impact statement (DEIS) may be obtained from Marine Acoustics Inc., 809 Aquidneck Ave., Middletown, Rhode Island 02842, Attention: Kathy Vigness Reposa, (401) 847-7508. For more information call Margaret Dupr e at (808) 973-2935, extension 210 (see, 65 F.R. 80815, December 22, 2000).

## Approval of Lana'i and Hilo Airports Noise Programs

The Federal Aviation Administration (FAA) announces its findings on the Noise Compatibility Programs submitted by the State of Hawai'i for the Lana'i and Hilo Airports. On December 23, 1999, the FAA determined that the noise exposure maps for Lana'i Airport submitted by the state of Hawaii under FAR Part 150 were in compliance with applicable requirements. On November 27, 2000, the Acting Associate Administrator for Airports approved the Lanai Airport Noise Compatibility Program. All three of the recommended program measures have been approved. One measure was approved as a voluntary measure and two measures were approved outright. The effective date of the FAA's approval of the Lana'i Airport Noise Compatibility Program is November 27, 2000 (see, 65 F.R. 80478, December 21, 2000). The effective date of the FAA's acceptance of the Noise Exposure Maps for Hilo International Airport is November 28, 2000 (see, 65 F.R. 80480, December 21, 2000). For details on these two actions, call David Welhouse, Airport Planner, Federal Aviation Administration, Honolulu Airports District Office, HNL-621 at (808) 541-1243.