

The Environmental Notice

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

SEPTEMBER 23, 2001



BENJAMIN J. CAYETANO
GOVERNOR

**OFFICE OF
ENVIRONMENTAL
QUALITY CONTROL**
GENEVIEVE SALMONSON
DIRECTOR

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

Other Resources
available at OEQC . . .

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

OEQC

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Makaha Seawall Proposed

The owners of a lot in Makaha is planning to build a seawall. The project site is located on the western shore of O'ahu in a residential subdivision located between Makaha Beach Park and Keaau Beach Park. Although the property is vacant, most of the lots in the subdivision have been developed with single family dwellings. The owners plan to construct a house in the future.

The owners propose to construct a protective seawall within the 40-foot shoreline setback area. The wall will encroach as much as 39 feet into the 40-foot

shoreline setback. Side yard walls would extend landward from the seawall. The wall will have a maximum height of 6 feet above the existing grade, with a base approximately 60 inches wide, battered front and back to a crest width of 18 inches. The footing will be buried two feet below grade. Earth fill will be placed over the existing rock substrate landward of the seawall to a depth of 5 ½ feet to permit landscaping of the rear yard. The wall is intended to provide protection for a planned house. See page 4.

Shoreline Variance near Kupikipiki'o (Black Point)

The City and County of Honolulu, Department of Planning and Permitting has received a request for a shoreline setback variance for the makai portion of an existing single family, two-story residence, where the entire property is located 18 feet above the the ocean on a continuous rock shelf at Ka'alawai near Black Point or Kupikipiki'o off the slopes of Diamond Head or Le'ahi.

Two small wings of the residence, each of single story construction are within the 40-foot shoreline setback. The makai side of the property has improvements consisting of a portion of each of two single story "wings", a patio deck, swimming pool and landscaping and an old 4-foot high CMU perimeter low wall wrapping on three sides, which wall sits directly on top of the rock cliff adjoining the rocky shoreline and ocean.

The applicant notes that, as of November 18, 1998, the "shoreline follows along the face of the wall" See page 4 for more.

Results of Shoreline Research Project Available

A shoreline research project entitled "Hawaiian Shoreline Variability this Century - A Demonstration of Data Capacity Building" has been completed and its results are available for viewing at http://www.soest.hawaii.edu/coasts/cgg_main.html

The findings include information on the historical shoreline change and projected 30-year erosion hazard for certain O'ahu and Maui study areas. Digital versions of the full-size posters and GIS-compatible data layers are available at the above website.

The project is a collaborative effort of several agencies including the University of Hawai'i, USGS, DLNR, County of Maui, and NOAA.

CZM Coastal Erosion Advisory Group Meeting

The Coastal Erosion Advisory Group plans to meet on Thursday, September 27, 2001, from 9:30 a.m. – 11:30 a.m. at 235 South Beretania Street, 6th Floor. Contact Debra Tom at 587-2840 for details.

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) Latham Shoreline Setback Variance

District: Honolulu
TMK: 3-1-41: 24
Applicant: Mr. & Mrs. Larry Latham (262-0302)
1336 Mokulua Drive
Kailua, Hawai'i 96734

Approving Agency/Accepting Authority: City and County of Honolulu
Department of Planning and Permitting
650 South King Street
Honolulu, Hawai'i 96813
Contact: Steve Tagawa (527-4817)

Consultant: Joe Lancor (262-0302)
1336 Mokulua Drive
Honolulu, Hawai'i 96817

Public Comment

Deadline: October 23, 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.

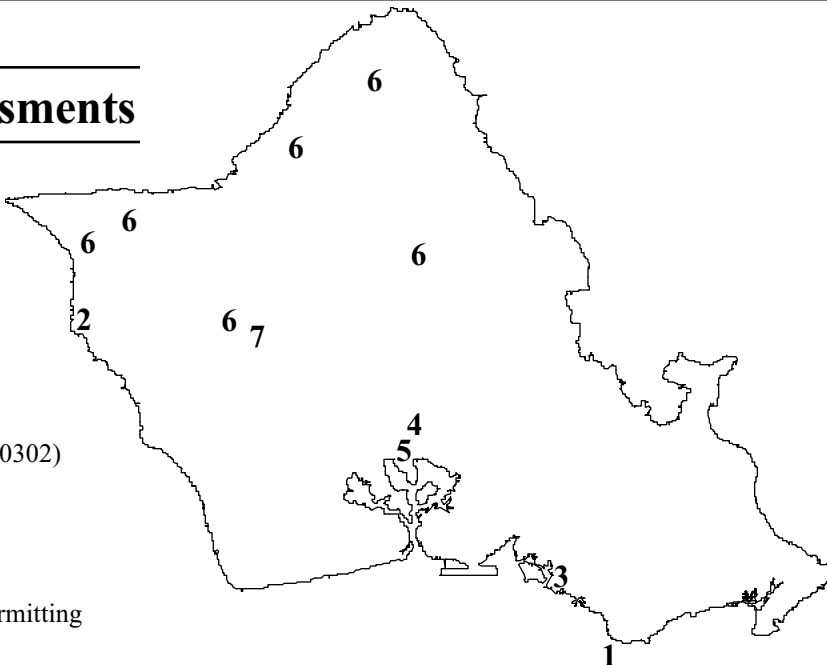
Permits

Required: Shoreline SV

The applicants propose to modify an existing nonconforming dwelling, including the complete replacement of certain existing walls, the expansion and modification of an existing swimming pool, construction of a new pool deck, the alteration of an existing 30-inch high concrete rubble masonry (CRM) fence wall and the replacement of a 4-foot perimeter CRM fence wall with an open cable rail.

The proposed improvements/alterations are located within 40-foot of the certified shoreline (as determined by the State of Hawai'i), and are beyond that which are allowed as "repair" by the Shoreline Setback regulations, Section 23-1.6, Revised Ordinances of Honolulu (ROH). Therefore, the approval of a Shoreline Setback Variance (SV) is required.

This single-family residence is located at 4310 Kaiko'o Place (Black Point), Honolulu. Extensive renovation and alteration of this residence have already been completed and remaining alterations, as proposed by the applicant, require the approval of a SV.



This 9,910-square foot parcel is zoned R-7.5, Residential District. The mauka portion (about 1/2) of the parcel is located in flood Zone X, "Areas determined to be outside the 500-year flood plain," and the makai portion is located in flood Zone A, "Areas inundated by the 100-year flood with no base flood elevation determined" on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM). The elevation of the makai portion of the property ranges from 10-14 feet above mean sea level (MSL).



(2) Makaha Seawall

District: Wai'anae
TMK: 8-4-10: 13
Applicant: Gary and Marcia Okimoto (696-1074)
85-1330 Kane'ilio Street
Wai'anae, Hawai'i 96792

Approving Agency/Accepting Authority: City and County of Honolulu
Department of Planning and Permitting
650 South King Street, 7th Floor
Honolulu, Hawai'i 96813
Contact: Ardis Shaw-Kim (527-5349)

Consultant: Sea Engineering, Inc.
Makai Research Pier
Waiamanalo, Hawai'i 96795-1820
Contact: Scott P. Sullivan (259-7966)

Public Comment

Deadline: October 23, 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: SSV, SMA, NPDES, Sec. 10, Grading, Building, Subdivision

The project site is located on the western shore of O'ahu in a residential subdivision located (the address is 84-119 Maka'u Street, Wai'anae) between Makaha Beach Park and Keaau Beach Park. Although the property is vacant, most of the lots in the subdivision have been developed with single family dwellings. The owners plan to construct a house in the future. The address is 84-119 Maka'u Street, Wai'anae.

The applicants propose to construct a protective seawall within the 40-foot shoreline setback area. The wall will encroach as much as 39 feet into the 40-foot shoreline setback. Side yard walls would extend landward from the seawall. The wall will have a maximum height of 6 feet above the existing grade, with a base approximately 60 inches wide, battered front and back to a crest width of 18 inches. The footing will be buried two feet below grade. Earth fill will be placed over the existing rock substrate landward of the seawall to a depth of 5 ½ feet to permit landscaping of the rear yard. The wall is intended to provide protection for a planned house.

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



(3) Ala Moana Wastewater Pump Station Modification

District: Honolulu
TMK: 2-1-15:22 and 23
Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street, 11th Floor
Honolulu, Hawai'i 96813
Contact: Carl Arakaki (523-4671)

Approving Agency/Accepting

Authority: City and County of Honolulu
Department of Planning and Permitting
650 South King Street, 7th Floor
Honolulu, Hawai'i 96813
Contact: Randall Fujiki (527-5374)
Consultant: R.M. Towill Corporation
420 Waiakamilo Road, Suite 411
Honolulu, Hawai'i 96817
Contact: Doug Yamamoto (842-1133)
Status: FEA/FONSI issued, project may proceed.
Permits Required: NPDES, noise

The Department of Design and Construction, City and County of Honolulu, proposes to upgrade the Ala Moana Wastewater Pump Station (WWPS) to increase the pumping capacity and improve overall reliability of the facility. The Ala Moana WWPS occupies two parcels, identified as Tax Map Key 2-1-15:22 and 2-1-15:23, located on Keawe Street makai of Ala Moana Boulevard. The pump station serves most of eastern Honolulu. Wastewater from the service area is conveyed to the Ala Moana WWPS and pumped through two force mains to the Sand Island Wastewater Treatment Plant for treatment and disposal.

Proposed improvements include upgrading the electrical power systems, installing a new ventilation and odor control system, installing new pumps and appurtenances, expanding the motor control center room, and refurbishing the pump station building and wet well. Additionally, a new emergency generator with 10,000-gallon underground fuel storage tank will be added on site. Site improvements will also include landscaping. Construction is anticipated to begin in October 2002 and last approximately 24 months. Estimated construction costs are \$18,000,000.

Construction activities associated with the proposed 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. A new odor control system will be installed at the station to reduce the risk of odor nuisance when the pump station becomes operational. Acoustical treatments to the pump station will minimize noise levels at the property lines. Landscaping will be used to minimize adverse visual impacts on surrounding areas. No negative impacts to cultural or historic resources, water quality, or flora and fauna are anticipated from the proposed work. The project will not alter the character of the surrounding area. No zoning changes are required by the expansion of the wastewater system.

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(4) Waiiau District Park Master Plan Update

District: Honolulu
TMK: 9-8-52: 2
Applicant: City and County of Honolulu
Department of Design and Construction
650 S. King Street, 11th Floor
Honolulu, Hawai'i 96813
Contact: Don Griffin (527-6324)

Approving Agency/Accepting

Authority: Same as above.
Consultant: LP&D Hawai'i
126 Queen Street, Suite 306
Honolulu, Hawai'i 96813
Contact: Michael S. Chu (537-4674)
Status: FEA/FONSI issued, project may proceed.
Permits Required: Grading, NPDES, Building

The City and County of Honolulu, Department of Design and Construction, proposes to construct improvements at Waiiau District Park to implement an updated Master Plan. Improvements consist of an additional multipurpose building and outdoor courtyard, courts for basketball, volleyball, and skateboarding, and an additional play field on the upper terrace of the park site. A walking/jogging path, additional parking at both the upper and lower terraces, a storage shed, and landscaping and irrigation will be constructed. Sites are selected for a possible maintenance yard and building, a gymnasium, and additional play courts, if needed in the future.



(5) Waipahu Adult Day Health Care and Children's Day Care Center

District: 'Ewa
TMK: 9-4-17: 51, por. 31
Applicant: Waipahu Community Foundation
94-444 Kipou Street
Waipahu, Hawai'i 96797
Contact: Calvin Kawamoto (677-9455)

Approving Agency/Accepting

Authority: City and County of Honolulu
Department of Community Services
715 South King Street
Honolulu, Hawai'i 96813
Contact: Arnold Wong (547-7231)

Consultant: Gerald Park Urban Planner (942-7484)
1400 Rycroft Street, Suite 876
Honolulu, Hawai'i 96814
Status: FEA/FONSI issued, project may proceed.
Permits Required: Grubbing, Grading, and Stockpiling; Noise Building; Right-of-Way (Trenching); Sewer Connection; CUP-Type 1; Variance; NPDES

The Waipahu Community Foundation, a tax-exempt organization, proposes to construct an Adult Day Health Care Center and Children's Day Care Center in the town of Waipahu, O'ahu, Hawai'i. The project is proposed on Hikimoe Street in mid-town Waipahu.

The proposed Adult Day Health Care Center and Children's Day Care Center will be built on two adjoining lots. One lot is vacant and unimproved and the Waipahu United Church of Christ owns the second lot. Waipahu Community Foundation is negotiating with Waipahu United Church of Christ to lease approximately 19,000 square feet of land for the proposed project.

The proposed project will consist of three detached structures, off-street parking, landscaping, and off-site improvements. The Adult Day Health Care Center, the largest of the three structures, has a building area of approximately 6,300 square feet. Two detached classroom buildings are proposed for the Children's Day Care Center. Each building has an area of about 1,420 square feet and can accommodate 20 students.

Off-street parking for 37 vehicles is planned on the western end of the building site. Parking for the project also will be provided at an existing parking lot fronting Mokuola Street on the church grounds. A turnaround/drop-off area planned at the end of the parking lot will facilitate dropping off or picking up children and adults.

The City and County of Honolulu owns a section of the turnaround and existing parking lot (approximately 2,709 sf) along Mokuola Street. Applicant will request an easement or license from the City to use a portion of City property for the turnaround and parking.

Hikimoe Street is used as a transit center for TheBus, the City's municipal bus service. Several transfer points (for east and west bound passengers) are set up on both sides of the street fronting the building site. Applicant has agreed to allow the City to construct covered bus shelters and a public restroom on Applicant's property fronting Hikimoe Street for the convenience of bus drivers and riders.

Construction costs are estimated at \$ 2.7 million and will be funded by the U.S. Housing and Urban Development Community Block Grant funds. The project will be built in one construction phase. Construction is projected to commence in Fall 2001 with completion in Fall 2002.

National Environmental Policy Act (NEPA)



(6) Integrated Natural Resources Management Plan and Environmental Assessment for O'ahu Army Subinstallations

District: Island-wide
Applicant: 25th Infantry Division (Light) and U.S. Army, Hawai'i
Directorate of Public Works
U.S. Army Garrison, Hawai'i
Schofield Barracks, Hawai'i 96857-5013
Contact: Kapua Kawelo (656-2878 x 1050)

Public Comment

Deadline: October 23, 2001

The 25th Infantry Division (Light) and U.S. Army Hawai'i is proposing to implement an Integrated Natural Resources Management Plan (INRMP) for its O'ahu subinstallations to comprehensively manage all natural resources while sustaining the Army's capability to successfully achieve its mission. It integrates all natural resources and Integrated Training Area Management (ITAM) programs to conserve and rehabilitate natural resources consistent with military preparedness. The Sikes Act requires an INRMP be completed and implemented for each military installation that has significant natural resources. The INRMP for O'ahu covers plans for Dillingham Military Reservation, Kahuku Training Area, Kawaihoa Training Area, Makua Military Reservation, Schofield Barracks Military Reservation, and Schofield Barracks East Range.

The INRMP will assist the Army in maintaining, protecting, and enhancing the ecological integrity and biological communities of its O'ahu training lands. It will also continue to provide outdoor recreational opportunities for the public and military communities. Proposed initiatives will provide increased awareness to military and civilian users for potential environmental impacts to training lands.

Incorporated into the INRMP document is an Environmental Assessment, which analyzes potential environmental impacts associated with the implementation of the proposed plan. Proposed management actions in the INRMP will offer a fully integrated and more balanced approach to natural resources management, thereby producing considerable ecosystem-wide benefits. Over time, the Army would maintain ecosystem viability and ensure sustainability of desired military training conditions. Actions on property surrounding O'ahu Army training lands when added to the effects of proposed management actions, are expected to result in cumulatively adverse effects to existing resources.

Copies of the INRMP and EA will be available for public review at the Hawai'i State Library (Main Library), Kahuku Public & School Library, Wahiawa Public Library, and Wai'anae Public Library.

Public review period for the INRMP and EA and FONSI closes on October 23, 2001. Comments should be sent to: Kapua Kawelo, Directorate of Public Works, U.S. Army Garrison, Hawai'i, Schofield Barracks, Hawai'i 96857-5013, Phone: 656-2878 x 1050, Fax: 656-1039, Email: kawelok@schofield.army.mil.



(7) Utility Privatization of the Wastewater Treatment System at Schofield Barracks Military Reservation, O'ahu (EA and FONSI)

District: Wahiawa, Waialua, 'Ewa
Applicant: 25th Infantry Division (Light) and U.S. Army, Hawaii
Directorate of Public Works
U.S. Army Garrison, Hawai'i
Schofield Barracks, Hawai'i 96857-5013
Contact: Clifton Takenaka (656-2878 x 1049)

Public Comment

Deadline: October 23, 2001

The 25th Infantry Division (Light) and U.S. Army Hawai'i is proposing to privatize the wastewater treatment system at Schofield Barracks. The purpose for the proposed action is to comply with a Department of Defense (DoD) directive to privatize DoD-owned utility systems by September 30, 2003 where it is economically advantageous unless exempted for security requirements. The privatization action will divest the Army of ownership and responsibility for the

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operation, maintenance, and further development of the Schofield Barracks Wastewater Treatment System. This action only proposes the transfer of utility facilities and not the actual ownership of the land. The Army will retain ownership of the land.

The Schofield Barracks Wastewater Treatment System provides secondary wastewater treatment and disinfection for wastewater received from Schofield Barracks Military Reservation, Wheeler Army Airfield, Camp Stover, Kunia Military Reservation, Leilehua Golf Course, and Helemano Military Reservation.

Upon completion of the EA, it was concluded that the proposed action of privatizing the Schofield Barracks Wastewater Treatment System would not have any significant impact on human health and the environment, and that a FNSI is warranted.

Copies of the EA and FNSI may be requested for review. The public review period closes on October 23, 2001. Comments should be sent to: Peter Yuh, Jr., Directorate of Public Works, U.S. Army Garrison, Hawaii, Schofield Barracks, Hawai'i 96857-5013, Phone: 656-2878, ext. 1051, Fax: 656-1039, Email: yuhp@schofield.army.mil.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

Diamond Head Road Makai Recreation Master Plan

Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street
Honolulu, Hawai'i 96813
Contact: Don Griffin (527-6324)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: October 8, 2001

Hale'iwa Surf Center Second-Story Conversion

Applicant: City and County of Honolulu
Department of Design and Construction
650 South Beretania Street
Honolulu, Hawai'i 96813
Contact: Steven Tong (523-4799)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: October 8, 2001

La'ie Elementary School Cafeteria Expansion

Applicant: Dept. of Accounting and General Services
Division of Public Works
P.O. Box 119
Honolulu, Hawai'i 96810
Contact: Daniel Jandoc (586-0476)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: October 8, 2001

Malaekahana Production Wells

Applicant: City and County of Honolulu
Board of Water Supply
630 South Beretania Street
Honolulu, Hawai'i 96813
Contact: Scot Muraoka (527-5221)

Approving Agency/Accepting

Authority: City and County of Honolulu
Board of Water Supply
630 South Beretania Street
Honolulu, Hawai'i 96813
Contact: Clifford Jamile (527-6180)

Public Comment

Deadline: October 8, 2001



Hawai'i Public Trust Doctrine Set Impact and Implications of Landmark Supreme Court Decision on Waiahole Ditch To Be Explored

A symposium on The Public Trust Doctrine will be held **on Saturday, October 6, 2001 from 8:30 AM - 1:00 PM in the School of Architecture Auditorium, University of Hawai'i at Manoa, 2410 Campus Road** (on University Avenue, Mauka of Metcalf Street). There is a \$10 Registration Fee (payable at the door) and \$3 parking is available at the building. The symposium will explore the current and future ramifications of the Hawai'i Supreme Court's August 22, 2000 Waiahole Ditch decision. For further information, please call (808) 262-0682 or email to htf@lava.net.

Draft Environmental Assessments



(1) Hanapepe Pool Hall Restoration

District: Waimea
TMK: 1-09-04:8
Applicant: County of Kaua'i
Offices of Community Assistance
4193 Hardy Street
Lihu'e, Hawai'i 96766
Contact: Bernie Tangalin (241-6865)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: October 23, 2001

Status: DEA First Notice pending public comment.
Address comments to the applicant with a copy to OEQC.

Permits

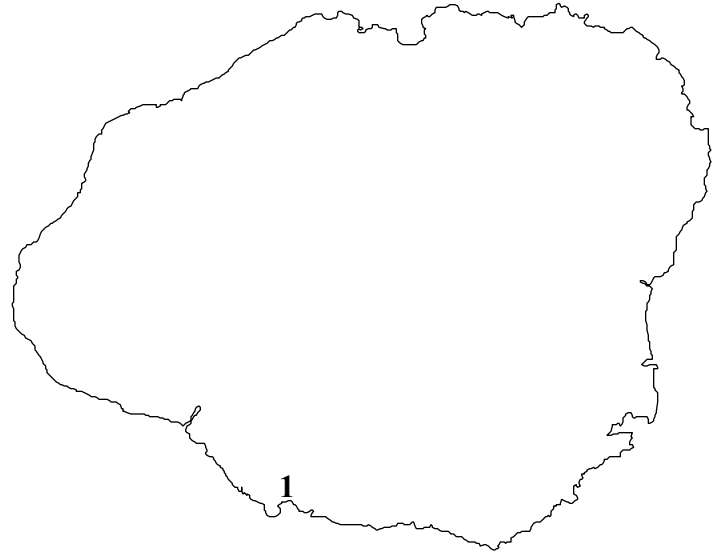
Required: Building

Historic preservation of the Hanapepe Pool Hall built circa 1938 and rehabilitation of non-historic building additions for the purpose of relocating and expanding hand-painted ceramic business. Restoration will provide economic stimulus through job retention and job creation.

The property address is 3865 Hanapepe Road in the old, historic portion of Hanapepe, Kaua'i, Hawai'i. The total area of the property is approximately .224 acres.

The owner intends to rehabilitate and restore the Historic Hanapepe Pool Hall building to its original appearance, ensuring that the building will be an asset to the community both visually and as a State and National Registered Historic building.

Once rebuilt, the Banana Patch Studio will expand and relocate its existing hand-painted ceramic business to Hanapepe.



Previously Published Projects Pending Public Comments

Draft Environmental Assessments

● Kalaheo Water System

Applicant: County of Kaua'i, Department of Water
P.O. Box 1706
Lihu'e, Hawai'i 96766
Contact: Keith Fujimoto (245-5449)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: October 8, 2001

Environmental Impact Statement Preparation Notices (EISP/N)

● Hanama'ulu Plantation

Applicant: EWM Kaua'i, LLC
c/o Walton Hong (245-4757)
3135-A Akahi Street
Lihu'e, Hawai'i 96766

Approving Agency/Accepting

Authority: County of Kaua'i Planning Department
4444 Rice Street, Suite 473
Lihu'e, Hawai'i 96766
Contact: Keith Nitta (241-6677)

Public Comment

Deadline: October 8, 2001



Hawai'i Notices

SEPTEMBER 23, 2001

Draft Environmental Assessments



(1) Pahala 0.5 MG Concrete Reservoir Project

District: Ka'u
TMK: 9-06-05:048
Applicant: County of Hawai'i
Department of Water Supply
345 Kekuaano'a Street, Suite 25
Hilo, Hawai'i 96720
Contact: Glenn Ahuna (961-8070)

Approving Agency/Accepting

Authority: Same as above.
Consultant: SSFM International, Inc.
501 Sumner Street, Suite 502
Honolulu, Hawai'i 96817
Contact: Ronald Sato (531-1308)

Public Comment

Deadline: October 23, 2001
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

Permits

Required: Building, Grading, Noise

The County of Hawai'i (County), Department of Water Supply (DWS) is proposing the Pahala 0.5 Million Gallon (MG) Concrete Reservoir Project. This project involves the demolition and removal of the existing Pahala 0.5 MG steel water reservoir and the construction of a new concrete 0.5 MG water reservoir. The estimated construction budget for this project is \$900,000, and it is planned to be completed by the end of 2002 or in the year 2003.

The Pahala Reservoir project is located on the south-eastern end of the Island of Hawaii in the Pahala community of the Ka'u District. The project site is situated mauka (northwest) of the urbanized community of Pahala, and is located at TMK 9-06-05: 048 (per recent consolidation and resubdivision of parcels).

These reservoir improvements are needed because the existing 0.5 MG steel water tank has become deteriorated over time. The condition of the painted surface of this steel water tank is poor with the majority of the surface area showing paint failure revealing corroded metal substrate. Consequently, the County DWS is proposing to replace this



tank with a new concrete water tank which would provide a continued reliable supply of water to Pahala residents.

The new concrete water tank would be less than 24 feet in height and have a diameter of about 70 feet. A paved access road 15 feet wide would also be provided around this tank to allow for access and maintenance activities. The entire property would be enclosed with a 6-foot tall chain link fence for security.

Utility line improvements would consist of connecting water supply lines to the new concrete tank and providing a new water distribution line to the existing 8-inch water main along the plantation road serving this site. Once the new concrete water tank and utility lines are completed, the existing steel water tank would be demolished and removed, and the area planted with grass. All the other existing reservoir facilities would remain.

(2) Parker Ranch Land Exchange

District: South Kohala
TMK: 6-7-2:17 (por.), 6-7-2:15 (por.)
Applicant: Department of Education
Facilities Support and Services Branch
P.O. Box 2360
Honolulu, Hawai'i 96804
Contact: Sanford Beppu (733-4862)

Approving Agency/Accepting

Authority: Same as above.

Consultant: Ron Terry, Ph.D. (982-5831)
HC 2 Box 9575
Keaau, Hawai'i 96749

Public Comment

Deadline: October 23, 2001
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

Permits Required: Change of zoning, Grading, Grubbing, Building, NPDES

TMK: 3-8-01:02 por., 07 por., 09 por.
Applicant: Department of Hawaiian Home Lands
P.O. Box 1879
Honolulu, Hawai'i 96805
Contact: Mike McElroy (586-3823)

Approving Agency/Accepting

Authority: Same as above
Status: FEA/FONSI issued, project may proceed.
Permits Required: None

The proposed action would involve an exchange of land in which Parker Ranch would convey title to a 4.988-acre portion of TMK 6-7-2:17 to the State of Hawai'i, and the State of Hawai'i would convey title to a 0.78 acre portion of TMK 6-7-2:15 to Parker Ranch. The purposes of the land exchange are to: 1) allow for the future expansion of the Waimea School site, which would accommodate separate campuses for Waimea Elementary and Waimea Intermediate Schools; and 2) improve the design of the proposed extension of Lindsey Road by removing a curve present in the existing design for the road. The land exchange would allow for an approximately 18-acre middle school and an approximately 12-acre elementary school. These acreages will be consistent with Hawai'i State Department of Education (DOE) standard guidelines. No substantial adverse impacts would occur. The site is a pasture with non-native flora and fauna. Archaeological sites, in the form of a portion of a low wall and a former irrigation channel, are present, but data recovery has already been conducted and the sites are considered no longer significant. The EA applies to the land exchange only, and not the actual design or construction of the school, although general impacts relating to the use of the site as a school are described and evaluated. At the appropriate time in the development process, the DOE will meet any additional requirements of Chapter 343, HRS.

The proposed project sites are located on pasture lands adjacent to Keanakolu Road in Hum'uula, on the island of Hawai'i. The proposed project consists of two parts described below:

The koa project proposes to salvage koa (*Acacia koa*) from pasture lands and reforest the 125 acre parcel with koa. Leave trees would remain based on their current health, diameter, and height in order to provide nesting, insect foraging habitat, and koa seed production onsite. The area will be fenced to control feral ungulates and the soil scarified to stimulate koa seedling growth from existing seed present in the soil. Salvage operations will be done in cutting blocks of 5 to 15 acres.

The gorse project proposes to plant a 250 foot wide perimeter of sugi (*Cryptomeria japonica*) trees to contain the leading edge of a gorse (*Ulex europaeus*) infestation. The perimeter totals about 320 acres. It is anticipated that sugi will shade the gorse sufficient to keep it from producing seeds. Gorse control currently consists of aerial spraying, ground spraying, and burning. Sugi will be planted in a continuous band around the subject area. Existing shade conditions in the forest along the makai side of the infestation should prevent gorse from becoming established. A koa perimeter will be planted along the border with the Hakalau Forest National Wildlife Refuge. Trial plantings of ten acres each of koa, mamane (*Sophora crysophylla*), and Douglas fir (*Pseudotsuga menziesii*) will be planted inside the perimeter to test species capable of growing at the 6,000 to 7,000 foot project elevation to further abate gorse growth. Funding for the gorse project will come from the koa project.

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



(3) Humu'ula Koa Salvage-Reforestation and Gorse Control

District: North Hilo

The expected impacts of the proposed project are reforestation and improved watershed, decreased herbicide use, forest-based economic opportunities, and contain gorse growth and expansion with a value-added land use. The koa and gorse projects would occur simultaneously.

Hawai'i Notices

SEPTEMBER 23, 2001

National Environmental Policy Act (NEPA)



(4) Integrated Natural Resources Management Plan and Environmental Assessment for Pohakuloa Training Area

District: Hamakua
Applicant: 25th Infantry Division (Light) and U.S. Army, Hawaii
Directorate of Public Works
U.S. Army Garrison, Hawai'i
Schofield Barracks, Hawai'i 96857-5013
Contact: Jon Fukuda (656-2878 x 1055)

Public Comment

Deadline: October 23, 2001

The 25th Infantry Division (Light) and U.S. Army Hawai'i is proposing to implement an Integrated Natural Resources Management Plan (INRMP) for Pohakuloa Training Area (PTA) to comprehensively manage all natural resources while sustaining the Army's capability to successfully achieve its mission. It integrates all natural resources and Integrated Training Area Management (ITAM) programs to conserve and rehabilitate natural resources consistent with military preparedness. The Sikes Act requires an INRMP be completed and implemented for each military installation that has significant natural resources.

The INRMP will assist the Army in maintaining, protecting, and enhancing the ecological integrity and biological communities of PTA. It will also continue to provide outdoor recreational opportunities for the public and military communities. Proposed initiatives will provide increased awareness to military and civilian users for potential environmental impacts to training lands.

Incorporated into the INRMP document is an Environmental Assessment, which analyzes potential environmental impacts associated with the implementation of the proposed plan. Proposed management actions in the INRMP will offer a fully integrated and more balanced approach to natural resources management, thereby producing considerable ecosystem-wide benefits. Over time, the Army would maintain ecosystem viability and ensure sustainability of desired military training conditions. Actions on property surrounding

PTA when added to the effects of proposed management actions, are expected to result in cumulatively adverse effects to existing resources.

Copies of the INRMP and EA will be available for public review at the Hilo Public Library, Thelma Parker Memorial Public & School Library, Kailua-Kona Public Library, and Honoka'a Public Library.

Public review period for the INRMP and EA and FNSI closes on October 23, 2001. Comments should be sent to: Jon Fukuda, Directorate of Public Works, U.S. Army Garrison, Hawai'i, Schofield Barracks, Hawai'i 96857-5013, Phone: 656-2878 x 1055, Fax: 656-1039, Email: fukudaj@schofield.army.mil.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

► Puapua'a 2.0 MG-Concrete Reservoir and Supporting Facilities

Applicant: County of Hawai'i
Department of Water Supply
345 Kekuanao'a Street, Suite 20
Hilo, Hawai'i 96720
Contact: Glenn Ahuna (961-8070 x 260)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: October 8, 2001

Environmental Impact Statement Preparation Notices

► Kealakehe Commercial/Industrial Park

Applicant: Department of Hawaiian Home Lands
1099 Alakea Street, 12th Floor
Honolulu, Hawai'i 96813
Contact: Linda Chinn (587-6432)

Approving Agency/Accepting

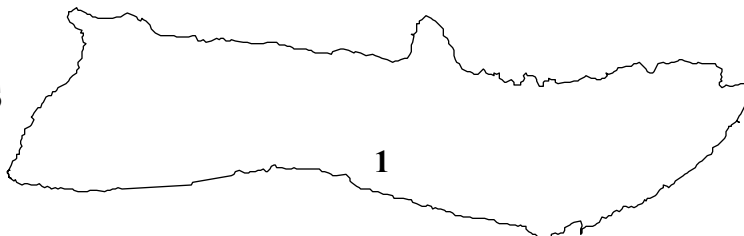
Authority: Governor, State of Hawai'i
c/o Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu, Hawai'i 96813

Public Comment

Deadline: October 8, 2001



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



(1) Moloka'i Youth Center Expansion

District: Moloka'i
TMK: 5-3-02:5
Applicant: County of Maui
Department of Parks and Recreation
1580 Ka'ahumanu Avenue
Wailuku, Hawai'i 96793
Contact: Patrick Matsui (270-7931)

Approving Agency/Accepting Authority: Same as above.
Consultant: David W. Curtis (558-8284)
P.O. Box 1829
Kaunakakai, Hawai'i 96748

Status: FEA/FONSI issued, project may proceed.
Permits Required: Building, Grading, Grubbing

The project consists of a 1,500 sq. ft. addition to the existing Moloka'i Youth Center located in Kaunakakai, Moloka'i. The Youth Center is a five year old concrete masonry block structure, a part of the Maui County Department of Parks and Recreation Complex, which also includes a swimming pool and gymnasium - all important assets to a community that has few supervised extra-curricular activities for their youth. The additional floor space in the Youth Center will have a positive impact on the community by making it possible to increase the number and diversity of programs in which the young people of Moloka'i can participate.

A review of the Hawai'i State Environmental Policy, Chapter 344-3 "Policy" and Chapter 344-4 "Guidelines" indicate that additions to the Moloka'i Youth Center and its operation will not conflict with any of the provisions therein.

Conservation District Notices

Departmental Permits

Persons interested in commenting on the following Conservation District Use Application (Departmental Permit) must submit comments to the Department of Land and Natural Resources. Also, anyone interested in receiving notification of determinations on Conservation District Use Applications (Departmental Permits) must submit requests to DLNR that include the following information: 1) Name and address of the requestor; 2) The departmental permit for which the requestor would like to receive notice of determination; and 3) The date the notice was initially published in the Environmental Notice.

Both comments and requests for notification of determinations must be submitted to DLNR within thirty days from the initial date that the notice was published in the Environmental Notice.

Please send comments and requests to: State of Hawai'i, Department of Land and Natural Resources, Land Division, 1151 Punchbowl Street, Room 220, Honolulu, Hawai'i 96813.

While DLNR will make every effort to notify those interested in the subject CDDA, it is not obligated to notify any person not strictly complying with the above requirements. For more information, please contact Traver Carroll at 587-0439.



Kahauola Street Relief Drain Improvements

File No.: CDDA OA-3053
Applicant: Kahauola Street Relief Drain
Location: Sunset Beach, Pupukea, O'ahu
TMK: 5-9-01:038
Proposed Action: Shore drain-line improvements
343, HRS determination: Exempt
Applicant's Contact: Jackie Parnell (593-8331)

Shoreline Notices

SEPTEMBER 23, 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, Hawai'i 96813 and postmarked no later than fifteen (15) calendar days from the date of the public notice of the application.

Case No.	Date	Location	Applicant	TMK
KA-160	9/4/01	Allotment 43-A of the Molooa Hui land, being a portion of Parcel C of Grant 10095 to Lyle A. Dickey, etal, land situated at Aliomanu, Kauai, Hawaii Address: 5170-A Kukuna Road Purpose: Building Permit	Colette M. Sakoda, Environmental Planning Solutions, LLC, for Jennie Caruthers	4-9-05: 16
OA-842	9/4/01	Lot 1, being a portion of Land Patent 8165, Part B, Land Commission Award 8559-B, Apana 32 to William C. Lunailo, land situated at Kaalawai Beach, Honolulu, Hawaii Address: 3603 Diamond Head Road Purpose: Stair Construction	Engineers Surveyors Hawaii, Inc., for Fried Investment Corporation	3-1-38: 12
MA-191-2 APPLICATION REVISED Delete parcel 20 for certification Original application published in the 7/23/01 OEQC Bulletin	9/10/01	Lot B of Land Patent Grant 8190, Land Commission Award 523 to Kekualaula, land situated at Kooka and Alio, Lahaina, Island of Maui, Hawaii Address: 439 Front Street Purpose: Building Permit	Akamai Land Surveying, Inc., for Joseph Frances Golden and Catherine Julie Golden Trustees for the Golden 1999 Revocable Trust	4-6-02: 21
OA-843	9/10/01	Portion of R.P 4498, Land Commission Award 6175, Apana 1 to Kamaha No Malaea, land situated at Wailupe, Island of Oahu, Hawaii Address: 5379 Kalaniana'ole Highway Purpose: Building Permit	HLC Hawaiian Land Consultant, for Surf Hawaii Investors, LLC	3-6-03: 07
MA-258	9/10/01	Being all of Royal Patent Grant 1891, Apana 1 to D. Baldwin and Land Patent Grant 7855, Apana 3 to Lahaina Agriculture Co., Ltd, land situated at Moali, Haleu, Lahaina, Island of Maui, Hawaii Address: 1388 Front Street Purpose: Determine Setback	Tanaka Engineers, Inc., for Douglas White	4-5-12: 18
OA-844	9/11/01	Lot 94 of Land Court Application 776, as shown on Map 10, land situated at Laie, Koolauloa, Island of Oahu, Hawaii Address: 55-052 Naupaka Street Purpose: Building Permit	A. F. M. Corporation for Mark and Claudia Mekaru	5-5-10: 27
OA-046-2	9/11/01	Lot 9, as shown on map 2 of Land Court Application 505, land situated at Kailua, Koolaupoko, Island of Oahu, Hawaii Address: 822 Mokulua Drive Purpose: Determine Setback	Jaime F. Alimboyoguen, LLC, for William Gheen	4-3-08: 44
MA-162-2	9/13/01	Lot 1 of the Lawrence Tam Ho Subdivision, land situated at Kuau, Hamakuapoko, Makawao, Island of Maui, Hawaii Address: 111 Aleiki Place, Paia Purpose: Building Permit	Akamai Land Surveyors, Inc. for Chris and Virginia Bovy	2-6-12: 72
HA-253	9/13/01	Lot 1 and 2 of the Alohi Kai Subdivision, being a portion of Land Commission Award 9971, land situated at Kaumalumu, North Kona, Island of Hawaii, Hawaii Address: None Assigned (Vacant) Purpose: Building Permit	Don McIntosh Consulting Inc., for Jack D. Rose	7-7-24: 1 & 2

Shoreline Notices

SEPTEMBER 23, 2001

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, Hawai'i 96813, by requesting in writing a contested case hearing no later than twenty (20) calendar days from the date of public notice of certification or rejection.

Case No.	Date	Location	Applicant	TMK
MA-217-3	9/12/01 Certified	Parcel 27, being a portion of Land Commission Award 11216, Apana 21 to Kekauonohi, land situated at Palauea & Keaouhou, Honuaula, Makawao, Island of Maui, Hawaii Address: 4572 Makena Road, Kihei Purpose: Building Permit	Ronald M. Fukumoto Engineering, Inc., for Makena Point LLC	2-1-11: 27
MO-070	9/12/01 Certified	Lot 16, Land Court Application 1867, Map 2, also being a portion of R. P. 7656, Land Commission Award 85-29-B, Apana 28 to William C. Lunailo, land situated at Kawela, Molokai, Maui, Hawaii Address: Kamehameha V Highway (C-H-1 Box 185, Kaunakakai) Purpose: Determine setback	Valeria, Inc., for Mr. and Mrs. Richard S. Young agents for Walter and Dell-Fin Luchinger	5-4-17: 14
MA-221-2	9/12/01 Certified	Land of Makai of Lower Honoapiilani Road, Lahaina, Island of Maui, Hawaii; Purpose: Obtain permit for Honoapiilani Road Improvements Phase IV	Austin, Tsutsumi and Associates, Inc., for County of Maui	4-3-19: 47 & 4-3-15: 036
OA-805	9/12/01 Certified	Lot 51, Land Court Consolidation 29, land situated at Kaneohe, Koolaupoko, Island of Oahu, Hawaii Address: 45-247 Ka-Hanahou Circle Purpose: Building Permit	Walter P. Thompson, Inc., for Kyoko Zaha	4-5-47: 47
OA-837	9/12/01 Certified	Parcel 4, DPP File Plan 85(60), land situated at Kaakaukukui, Honolulu, Island of Oahu, Hawaii Address: Ala Moana Blvd - Harbor Frigate Station, Fort Armstrong Area Purpose: Forest Avenue Realignment and Subdivision Application	ControlPoint Surveying, Inc. for State of Hawaii, Hawaii Community Development Authority	2-1-15: 9, Parcel 1 and 4
OA-800	9/12/01 Certified	Lot 86 Land Court Application 979 and parcel 10 filled land of Kaneohe Bay, Kaneohe, Island of Oahu, Hawaii Address: 47-113 Kamehameha Highway Purpose: New construction	DJNS Surveying & Mapping Inc., for Douglass Pang	4-7-19: 71

Coastal Zone News

SEPTEMBER 23, 2001

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: 274-3141 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, Department 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.

(1) Proposed Rule to Implement the Shark Finning Prohibition Act

Federal Action: Federal Agency Activity
Federal Agency: National Marine Fisheries Service (NMFS)
Contact: Bruce C. Morehead
Location: Statewide applicability
CZM Contact: Debra Tom, 587-2840
Proposed Action:

The NMFS proposes new rule to implement the Shark Finning Prohibition Act (Act) signed by the President on December 21, 2000. The Act prohibits persons under U.S. jurisdiction from engaging in shark finning in water seaward of the inner boundary of the U.S. exclusive economic zone (EEZ). Since shark finning is effectively prohibited under Hawai'i state regulations, the regulations in the proposed rule do not supercede any state shark finning regulations already in place.

Comments Due: October 8, 2001

(2) Channel Repairs to Alenaio and Waipahoe Streams, Hilo, Hawaii

Federal Action: Federal Permit - Department of the Army Permit

Federal Agency: U.S. Army Corps of Engineers
Contact: William Lennan, 438-6986
Applicant: County of Hawaii Department of Public Works
Agent: Inaba Engineering, Inc.
Contact: Jason Inaba, (808) 961-8288
Location: Adjacent Kaneohe Bay, Oahu
TMK: (3) 2-3-19, 2-3-36 & 2-5-11
CZM Contact: John Nakagawa, 587-2878
Proposed Action:

Repair two eroded stream bank sections of Alenaio Stream by armoring 250 feet of the northern bank and 180 feet of the southern bank with grouted rubble paving to prevent residential and business structures from collapsing into the stream. Also, install cement rubble masonry walls and backfill at two sections of Waipahoe Stream along 110 feet of the northern bank and 70 feet along the southern bank to repair stream bank erosion and roadway undermining.

Comments Due: October 8, 2001

(3) Federal Funds to Construct Conservation Education Facility, Kamuela, Hawai'i

Federal Action: Federal Assistance
Federal Agency: U.S. Fish & Wildlife Service
Applicant: Department of Land & Natural Resources
Contact: Wendall Kam, 587-0200
Location: State Tree Nursery, Kamuela, Hawai'i
TMK: (3) 6-6-5: 1
CZM Contact: John Nakagawa, 587-2878
Proposed Action:

Receive and use federal funds from the Sportfish Restoration Fund to construct a conservation education facility on a three acre portion of the State Tree Nursery. The proposed 2,500 square foot facility will include an office, storage, classroom and parking for program activities.

Comments Due: October 8, 2001

CZM Advisory Group

Coastal Erosion Advisory Group

Date: Thursday, September 27, 2001
Time: 9:30 a.m. – 11:30 a.m.
Location: 235 South Beretania Street, 6th Floor
CZM Contact: Debra Tom, 587-2840

Coastal Zone News

SEPTEMBER 23, 2001

Special Management Area (SMA) Minor Permits

Pursuant to Hawai'i Revised Statute (HRS) 205A-30, the following is a list of SMA Minor permits that have been approved or are pending by the respective county agency. For more information about any of the listed permits, please contact the appropriate county Planning Department. City & County of Honolulu (523-4131); Hawai'i County (961-8288); Kaua'i County (241-6677); Maui County (270-7735).

Location (TMK)	Description (File No.)	Applicant/Agent
Honolulu: Kailua (4-3-13: 6, 41)	CMU fence wall. (2001 / SMA-60)	Bellas Family Partnership / Max Guenther
Kauai: Poipu (2-8-19: 15)	Addition to existing garage	Warren & Madeleine Brandli
Kauai: Aliomanu (4-9-5: 16)	Driveway, grading	Martin & Jennie Caruthers
Maui: Kahului (3-7-2: 1)	ML&P FCU Temp Office Trailer	Clayton Fuchigami
Maui: Lahaina (4-5-1: 2)	Chadwick Hawaii at Front St.	Paul Taylor
Maui: Olowalu (4-8-3: 45)	Makai-Hikina Subdivision	Robert Horcajo
Maui: (2-5-5: 60)	Makana Park Improvements	Kirk Tanaka
Maui:	Lipo Pl. New Street Light - Pending	Milton Arakawa
Maui: Peahi (2-8-4: 46)	Hui Kuai Aina O Peahi-Naish 3-Lot Subdiv - Pending	Michele Chouteau
Maui: Kihei (3-9-10: 75)	Halama 2-Lot Subdivision - Pending	Doyle Betsill
Maui: Kihei (3-9-20: 1)	Verizon Wireless Kihei Akahi Cell Site - Pending	Mike Beason
Maui: Kihei (3-9-46: 1)	Second Dwelling - Pending	Meli Talaroc
Maui: Kapalua (4-2-4: 21)	Golf Club Storage, Ritz Carlton Kapalua - Pending	Don Young
Maui: Kapalua (4-2-4: 21)	Verizon Wireless Ritz Carlton Cell Site - Pending	Mike Beason
Maui: Kahana (4-3-5: 70)	Lund Residence: 4 Single Family Dwellings - Pending	Nick Wagner
Maui: Lahaina (4-3-11: 2)	Residential Deck, Nunez Residence - Pending	Stephanie Nunez

Pollution Control Permits

Department of Health Permits

The following is a list of some pollution control permits currently being reviewed by the State Department of Health. For more information about any of the listed permits, please contact the appropriate branch or office of the Environmental Management Division at 919 Ala Moana Boulevard, Honolulu.

Branch Permit Type	Applicant & Permit Number	Project Location	Pertinent Date	Proposed Use
Clean Air Branch, 586-4200, Covered Source Permit	Hawaii Electric Light Co., Inc. CSP 0235-01-C	Puna Generating Station, Keaau, Hawaii	Issued: 8/30/01	One (1) 20 MW Combustion Turbine, Black Start Diesel Engine Generator, and One (1) 15.5 MW Boiler
Clean Air Branch, 586-4200, Noncovered Source Permit	Citizens Utilities Company, The Gas Company NSP 0292-01-N (Renewal)	Various Locations, Hawaii Initial Location: 91-141 Kalaeloa Blvd., Kapolei, Oahu	Issued: 9/7/01	Isle Gas Maintenance Facility
Clean Air Branch, 586-4200, Temporary Covered Source Permit	Isemoto Contracting Company, Ltd. CSP 0219-01-CT (Amendment)	Various Locations, State of Hawaii Initial Location: 100 Kaupulehu Drive Kaupulehu-Kona, Hawaii	Issued: 9/10/01	Two (2) 357 TPH Portable Stone Quarrying and Processing Plants with Diesel Engine Generators
Clean Air Branch, 586-4200, Covered Source Permit	Aloha Petroleum, Ltd. CSP 0307-02-C (Renewal)	Hilo Sales Terminal, 999 Kalaniana'ole Avenue, Hilo, Hawaii	Issued: 9/11/01	Two (2) 10,000 bbl Internal Floating Roof Storage Tanks
Clean Air Branch, 586-4200 Covered Source Permit	Chevron USA Products Company CSP 0079-01-C (Renewal)	Hilo Marketing Terminal 666 Kalaniana'ole Street, Hilo, Hawaii	Comments Due: 10/10/01	Bottom loading rack and internal floating roof storage tanks for distributing petroleum products

Federal Notices

SEPTEMBER 23, 2001

Correction to Proposed Rule on Critical Habitat for the O'ahu 'elepaio

The proposed rule to designate critical habitat for the O'ahu 'elepaio (*Chasiempis sandwichensis ibidis*) was published in the Federal Register on June 6, 2001. However, Figure 2 in the background of the proposed rule, which showed the proposed critical habitat units in relation to the current, recent historical, and presumed prehistoric distribution of the O'ahu elepaio, showed the proposed critical habitat units incorrectly. Figure 2 erroneously showed an additional habitat unit in the northern Ko'olau Mountains, and the boundary of the Northern Wai'anae Unit was inaccurate along its northwestern edge. We are providing a corrected version of Figure 2 that contains an accurate map of the proposed critical habitat units, and which matches the critical habitat units depicted in the legal description of the original proposed rule. Page 30377 of the proposed rule should be replaced with Figure 2 of this correction. In addition, we attempted to use the correct spelling of Hawaiian words by including diacritical marks (a single grave mark (') before a vowel indicating a glottal stop, and a macron or horizontal line above a vowel indicating a longer or stressed vowel sound), but we acknowledge that these marks were not printed correctly in the proposed rule. In the final rule to designate critical habitat for the O'ahu elepaio, we will ensure that the Hawaiian diacritical marks are either used correctly or eliminated.

Comments on the proposed rule that was published June 6, 2001 (66 F.R. 30372) must be received no later than September 6, 2001. Send written comments on the proposed rule to Paul Henson, Field Supervisor, Pacific Islands Fish and Wildlife Office, U.S. Fish and Wildlife Service, 300 Ala Moana Boulevard, Room 3-122, Box 50088, Honolulu, Hawaii 96850. For more, contact Paul Henson, Field Supervisor, or Eric VanderWerf, Biologist, at (808) 541-3441 (voice) or (808) 541-3470 (facsimile) (see, 66 F.R. 46428, September 5, 2001)..

Notice of Lodging of Consent Decree Pursuant to the Clean Water Act and Oil Pollution Control Act of 1990 (U.S. v. Tesoro Hawai'i Corporation)

In accordance with 28 CFR 50.7, notice is hereby given that on August 23, 2001 a proposed consent decree in United States v. Tesoro Hawaii Corporation, Civil Action No. 01-00560 SOM LEK, was lodged with the United States District Court for the District of Hawaii. This action arose out of the August 24, 1998 oil spill from Tesoro's single-point mooring facility located offshore of Barber's Point, O'ahu, Hawai'i. The United States alleges that oil from the oil spill caused injuries to natural resources in and around Kaua'i. The consent decree requires the company to carry out a net removal project, and pay a total of \$580,000 allocated as follows: \$500,000 for natural resources restoration projects compensating for injuries to wildlife and habitat, \$10,000 for restoration projects compensat-

ing for lost human use, \$15,000 as a penalty to the State of Hawaii, and \$55,000 to the State as a state supplemental environmental project. The Department of Justice will receive, for a period of thirty (30) days from the date of this publication (*Editor: Thirty days from September 4, 2001*), comments on the proposed consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to United States v. Tesoro Hawaii Corporation, Civil Action No. 01-00560 SOM LEK, DOJ No. 90-5-2-1-2124/2. The proposed consent decree may be examined at the office of the United States Attorney, Suite 6100, Box 50183, 300 Ala Moana Boulevard, Honolulu, Hawaii 96850, and may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611. To request a copy of the proposed consent decree by mail, please refer to United States v. Tesoro Hawaii Corporation, Civil Action No. Civil 01-00560 SOM LEK, DOJ No. 90-5-2-1-2124/2, and enclose a check for the amount of \$7.75 (25 cents per page reproduction cost) payable to the Consent Decree Library (see, 66 F.R. 46287, September 4, 2001).

Final Rule on Mefenoxam Pesticide Tolerance

This regulation establishes tolerances for combined residues of mefenoxam in or on globe artichoke, starfruit, kiwifruit, papaya, black sapote, star apple, canistel, mamey sapote, mango, sapodilla, sugar apple, atemoya, custard apple, lingonberry, fresh herbs, and dried herbs. The Interregional Research Project Number 4 (IR-4) requested these tolerances under the Federal Food, Drug, and Cosmetic Act, as amended by the Food Quality Protection Act of 1996. The risk assessment performed for mefenoxam is an aggregate risk assessment which includes the proposed new uses of mefenoxam and all current metalaxyl tolerances/uses. Consequently, EPA has reassessed a total of 122 existing tolerances for metalaxyl. By law, EPA is required by August 2002 to reassess 66% of the tolerances in existence on August 2, 1996, or about 6,400 tolerances. The 122 tolerances reassessed in this final rule count toward the August, 2002 review deadline. This regulation is effective September 17, 2001. Objections and requests for hearings, identified by docket control number OPP-301170, must be received by EPA on or before November 16, 2001. Written objections and hearing requests may be submitted by mail, in person, or by courier. Please refer to the federal register reference at the end of this notice for details. To ensure proper receipt by EPA, your objections and hearing requests must identify docket control number OPP-301170 in the subject line on the first page of your response. For details, contact Shaja R. Brothers, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; (703) 308-3194 (voice); and brothers.shaja@epa.gov (electronic mail) (see, 66 F.R. 47994, September 17, 2001).

Exemption List

SEPTEMBER 23, 2001

The Hawai'i Tourism Authority has submitted its Exemption List to the Environmental Council for Review and Concurrence. If you have any comments on the list (see below), please send them to William Petti c/o OEQC, 235 S. Beretania Street, Room 702, Honolulu, Hawaii 96813. The deadline for comments is **October 23, 2001**.

Comprehensive Exemption List for the Hawai'i Tourism Authority (including the Hawai'i Convention Center) August 16, 2001

Exemption Class #1: *Operation, repairs, or maintenance of existing structures, facilities, equipment or topographic features involving negligible or no expansion or change beyond that previously existing:*

1. Paint existing building.
2. Replace floor tiles.
3. Repair water features.
4. Repair or replace phones and phone booths.
5. Replace glass windows.

Exemption Class #2: *Replacement or reconstruction of existing structures and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height, and dimensions as the structure replaced.*

1. Reconstruct front driveway, loading and parking entrance pavement.
2. Repair or replace garage pavement.
3. Reconstruct garage dividers.

Exemption Class #3: *Construction and location of single, new small facilities or structures and the alteration and modification of the same and installation of new, small, equipment and facilities and the alteration and modification of same, including, but not limited to: a) single-family residences less than 3500 square feet . . . ; b) multi-unit structures designed for not more than four dwelling units . . . ; c) stores, offices and restaurants designed for total occupant load of 20 persons or less . . . ; and d) water, sewage, electrical, gas, telephone, and other essential public utility services extension to serve such structure or facilities; accessory or appurtenant structures including garages, carports, patios, swimming pools, and fences; and, acquisition of utility easements.*

1. None at this time.

Exemption Class #4: *Minor alterations in the conditions of land, water, or vegetation.*

1. Maintenance and replacement of plants in the landscaping.
2. Maintenance of waterfalls and pond.

Exemption Class #5: *Basic data collection, research, experimental management, and resource evaluation activities that do not result in a serious or major disturbance to an environmental resource.*

1. None at this time.

Exemption Class #6: *Construction or replacement of minor structures accessory to existing facilities.*

1. Plaques, sculptures, statutes, and other artwork.
2. Trash enclosures.

Exemption Class #7: *Interior alterations involving things such as partitions, plumbing and electrical conveyances.*

1. Reconstruct interior offices for staff.
2. Reconstruct interior meeting spaces for conventions.
3. Reconstruct interior electrical lines in meeting spaces for conventions.

Exemption Class #8: *Demolition of structures, except those structures located on any historic site (as designated in the national register or Hawaii register as provided for in the National Historic Preservation Act of 1966, P.L. 89-665, 16 U.S.C. § 470, as amended, or Ch. 6E, HRS).*

1. None at this time.

Exemption Class #9: *Zoning variances except shoreline setback variances.*

1. None at this time.

Exemption Class #10: *Continuing administrative activities including, but not limited to, purchase of supplies and personnel-related actions.*

1. Purchase and repair motor vehicles.
2. Purchase of office supplies.
3. Purchase of maintenance supplies.

