

# The Environmental Notice

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



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GOVERNOR

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ENVIRONMENTAL  
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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"*

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NOVEMBER 23, 2001

## Hilo Koa Forestry Project

Koa Timber, Inc. proposes a sustainable commercial koa timber forestry operation on privately owned land consisting of three parcels totaling approximately 13,129 acres. The project site is located ten miles north of Hilo above the towns of Papa'ikou, Pepe'ekeo, and Honomu between the 1,400- and 3,600-foot elevations. The lower portion of the project site is in the Agricultural District. The majority of the project site is in the Conservation District (Resource Subzone).

Features of the timber forestry operation include using helicopters to transport trees harvested, controlling wild

pigs and other exotic species, minimizing impacts on native wildlife and establishing harvesting buffer areas along streams.

A previous draft environmental assessment (Anticipated Finding of No Significant Impact Anticipated) for the proposed project was filed with the DLNR. Koa Timber, Inc. has withdrawn the draft EA and proposed FONSI based on agency and public comments. Instead, Koa Timber, Inc. proposes to address specific concerns expressed and to solicit additional review and comment on the proposed action by preparing a full environmental impact statement. See page 10.

## Big Island Papa'aloa Timber Project

The private owners of 16 1/2 acres of fallow cane land near Kapehu Gulch in Papa'aloa propose establishment of hardwood timber stands on their acreage. They have submitted a Forest Stewardship Plan application to the Department of Land and Natural Resources' Division of Forestry & Wildlife (DLNR-DOFAW), which will monitor progress for a 10-year period.

Initially 6300+ trees will be planted. Tree thinning and harvesting will occur as needed in 1/4 to 1 acre increments, and the areas harvested will be immediately replanted to establish tree cover. Tree felling will be directed to existing roads; no new roads will be required. No herbicides will be used.

Species include teak, big-leaf Honduras mahogany, pheasantwood, narra, Senegal mahogany, tallow wood and rainbow bark. See page 8 for more information.

## DOH Collects \$901,000 from Environmental Violators

The Department of Health environmental protection programs have collected approximately almost \$901,000 in fines this past year. Hazardous waste violators were responsible for almost half (\$447,000) of the total fines.

The department conducted more than 3,200 inspections and discovered about 460 violations. Thirty-seven (37) violations were considered serious or repeat cases. For more see page 14.

## *Erratum - Hazardous Waste*

The November 8, 2001, Environmental Notice, erroneously reported that the State was not delegated authority to administer corrective action. See page 17 for full statement.

## Submission Deadlines for 2002

The submission deadlines for the 2002 *Environmental Notice* can be found on page 19.

# 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) Waialua Bandstand

**District:** Waialua  
**TMK:** 6-7-001: por. 005  
**Applicant:** City and County of Honolulu  
Department of Design and Construction  
650 South King Street  
Honolulu, Hawai'i 96813  
Contact: Greg Hee (527-6977)

#### Approving Agency/Accepting

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

#### Public Comment

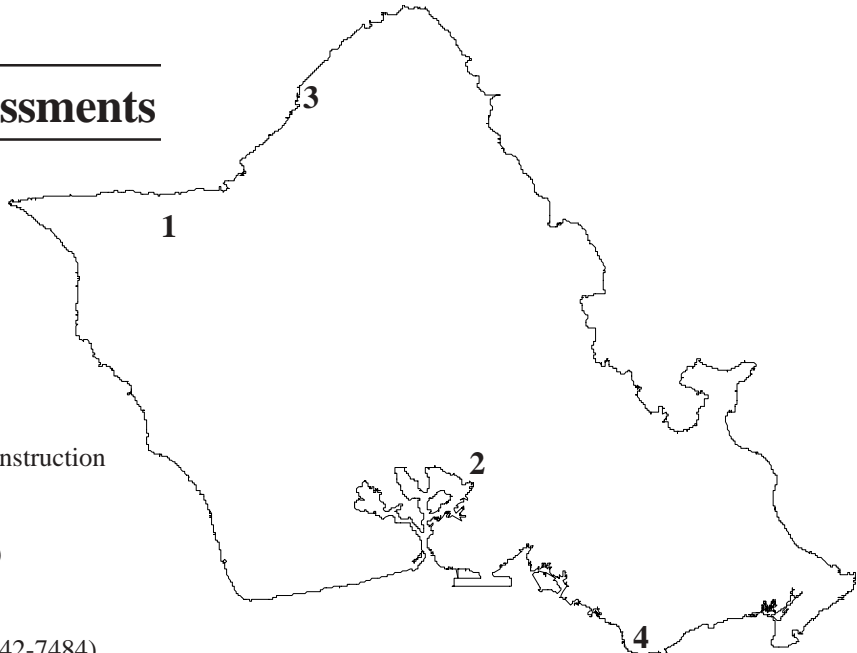
**Deadline:** December 24, 2001  
**Status:** DEA First Notice pending public comment.  
Address comments to the applicant with copies to the consultant and OEQC.

**Permits Required:** Grubbing, grading, and stockpiling;  
Building; Excavate Public Right-of-Way;  
Variance from Pollution Controls

The Department of Design and Construction, City and County of Honolulu, proposes to construct site improvements at Waialua Park located in the town of Waialua, North Shore District, City and County of Honolulu.

Proposed improvements include a bandstand structure, a utility service building, pedestrian walkways, site lighting, a comfort station, landscaping, and off-street parking.

The bandstand can be described as a single story, free-standing, open-air, hexagonal-shaped structure with a slightly raised performance stage (approximately 940 square feet) on one side of the structure. The structure will rest on a poured in place concrete foundation. Architectural concrete columns will support a sloping roof structure of wood and steel framing topped by corrugated metal roofing. The height of the structure measured from finish grade to top of the metal roofing is approximately 22 feet.



A small utility building of approximately 40 sf will be used for electrical service panels and meters, storing materials and equipment used at the bandstand.

Walkways will provide pedestrian and handicap access to all facilities in the park from Kealohanui Street, Goodale Avenue, and the parking area. The concrete walkways will be 5-foot wide except for a section fronting the bandstand that will be approximately 10-feet in width to accommodate handicap seating.

A paved, off-street parking area is proposed off the unnamed road (presumably an extension of Kealohanui Street) to the north of the park site. The parking area will be accessed from a two-way, 20-foot wide driveway onto Kealohanui Street. Two of the five parking stalls are for handicap use.

The City and County of Honolulu obtained possession of the property from Dole Food Company through "friendly" condemnation in April 2000 at an estimated cost of \$121,000. Construction costs for the project are estimated at \$ .03 million and will be funded by the City and County of Honolulu through CIP funds.

Construction will commence after all necessary approvals are received. A January 2002 start up is proposed with completion projected by June 2002.

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



### (2) Aloha Market

**District:** Ewa  
**TMK:** 9-9-03:68  
**Applicant:** Lani Properties  
50 South Beretania Street, C203  
Honolulu, Hawai'i 96813  
Contact: Warren Ho (521-0081)

**Approving Agency/Accepting Authority:** City and County of Honolulu  
Department of Planning and Permitting  
650 South King Street  
Honolulu, Hawai'i 96813  
Contact: Rob Reed (523-4402)

**Consultant:** Group 70 International, Inc.  
925 Bethel Street, 5<sup>th</sup> Floor  
Honolulu, Hawai'i 96813  
Contact: George Atta (523-5866)

**Status:** FEA/FONSI issued, project may proceed.  
**Permits Required:** Change of Zoning

The landowner proposes to build a three story 24-hour commercial establishment with a parking lot and access road on a 32,181 square foot lot. The proposed uses of the commercial establishment include: a neighborhood convenience store, deli/take-out counter, outdoor patio area with tables and chairs, police work station, restrooms, third floor observation deck, and storage space. There will be additional tenant space for either a retail shop or museum.

Improvements also include redesigning roadway circulation to support the neighboring community and Aloha Stadium activities. The project will construct a right-turn access to Kohomua Street from northbound Kamehameha Highway.

The property is located along Kamehameha Highway near Aloha Stadium and the U.S.S. Arizona Memorial. In addition, there are several housing complexes located near the project site. The center is intended to support the neigh-

boring community and Aloha Stadium activities with convenient retail services.

The project site is currently a vacant unimproved lot located in an area zoned R-5. The property is used for several purposes including a construction staging area for equipment and materials, an egress route connecting Kohomua Street to Kamehameha Highway, and overflow parking during Aloha Stadium events.

The proposed project will require a zone change from R-5 to B-2 and an amendment to the Primary Urban Center Development Plan Land Use Map.



### (3) Banzai Rock Beach Support Park Skateboard Facility, Sunset Beach

**District:** Ko'olauloa  
**TMK:** 5-9-05:15  
**Applicant:** City and County of Honolulu  
Department of Design and Construction  
650 South King Street  
Honolulu, Hawai'i 96813  
Contact: Greg Hee (527-6977)

**Approving Agency/Accepting Authority:** Same as above.  
**Consultant:** Gerald Park Urban Planner  
1400 Rycroft Street, Suite 876  
Honolulu, Hawai'i 96814  
Contact: Gerald Park (942-7484)

**Status:** FEA/FONSI issued, project may proceed.  
**Permits Required:** SMA; grubbing, grading & stockpiling; building; Excavate Public Right-of-Way; Water and Water System Requirements; Variance From Pollution Controls; NPDES

The Department of Design and Construction, City and County of Honolulu, proposes to develop a skateboard facility on an existing municipal park site in the ahupua'a of Paumalu, North Shore District, City and County of Honolulu, State of Hawaii.

The proposed facility is a rectangular shaped urban course to be constructed on the upper half of the lot. The course is approximately 8,400 square feet in area. The facility consists of a combination of concrete banks, curved walls, ledges and obstacles designed specifically for skateboarding. The skateboard facility will be built out of poured in place

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concrete. The course will vary approximately 6-7 feet from the top to the lowest point. There are no plans to either fence the skateboard facility and the park site or to light the facility for night use at this time. Operating hours have not been determined but park hours will be similar to operating hours for other municipal parks.

The cost of the park improvements is estimated at \$600,000 dollars and will be funded by the City and County of Honolulu. Construction will commence after all necessary permits and approvals are received.



## (4) Diamond Head Road Makai Recreation Master Plan

**District:** Honolulu  
**TMK:** 3-1-42  
**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.  
**Consultant:** Townscape, Inc.  
900 Fort Street Mall, Suite 1160  
Honolulu, Hawai'i 96813  
Contact: Mary O'Leary (536-6999)

**Status:** FEA/FONSI issued, project may proceed.  
**Permits Required:** Street usage, noise, dust, Diamond Head Special District conformance

The City and County of Honolulu's Department of Design and Construction proposes to develop the "Diamond Head Road Makai Recreation Master Plan" to safely accommodate the diverse range of recreational activities engaged along Diamond Head Road, in addition to vehicular traffic. The project area is the one and one-half (1.5) mile section of Diamond Head Road between Poni Mo'i Road (near Kapi'olani Park) on the Waikiki side and Kahala Avenue (near Fort Ruger Mini-Park) on the Koko Head side in Honolulu. The Diamond Head Lighthouse and four Beach Parks (Makalei, Le'ahi, Diamond Head and Kuilei Cliffs) are located along the project's makai boundary and the Diamond Head State Monument is along the project's mauka boundary. The project is within the Special Management Area and the Diamond Head Special District.

All construction activities will take place within the City's existing Diamond Head Road right-of-way. Proposed improvements will include relocating utilities underground, widening sidewalks, installing traffic calming devices, widening planting strips, landscaping, signage, marking parking stalls at the Lookout Area parking areas and modifying the street to accommodate bike lanes traveling in both directions. The project does not propose improvements on privately owned property. No public buildings will be constructed.

The effects of the project are primarily related to short-term construction-related impacts. These will be mitigated through compliance with applicable State and County regulations. The project will require County street usage permits and conformance with the Diamond Head Special District standards.

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## Previously Published Projects Pending Public Comments

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### Draft Environmental Assessments

#### Artesian Vista Affordable Elderly Rental Apartments

**Applicant:** Hawai'i Housing Development Corporation  
725 Kapi'olani Boulevard, Suite C-103  
Honolulu, Hawai'i 96813  
Contact: Gary Furuta (596-2120)

#### Approving Agency/Accepting

**Authority:** Housing and Community Development Corporation of Hawai'i  
677 Queen Street, Suite 300  
Honolulu, Hawai'i 96813  
Contact: Lisa Wond (587-0569)

#### Public Comment

**Deadline:** December 8, 2001

#### Kamehameha Highway Drainage Improvements

**Applicant:** State Department of Transportation  
Highways Division  
601 Kamokila Boulevard  
Kapolei, Hawai'i 96707  
Contact: Scot Urada (692-7553)

#### Approving Agency/Accepting

**Authority:** Same as above.

#### Public Comment

**Deadline:** December 8, 2001

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## Palolo Valley Homes Renovation

**Applicant:** Palolo Valley Homes Ltd. Partnership  
c/o Mutual Housing Association of Hawai'i  
33 South King Street, Suite 500  
Honolulu, Hawai'i 96813  
Contact: David Nakamura (550-0804)

### Approving Agency/Accepting

**Authority:** Housing and Community Development  
Corporation of Hawai'i  
677 Queen Street, Suite 300  
Honolulu, Hawai'i 96813  
Contact: Robert Hall (587-0558)

### Public Comment

**Deadline:** December 8, 2001

## Punahou Vista Affordable Rental Housing Development

**Applicant:** Hawai'i Housing Development Corporation  
725 Kapi'olani Boulevard, Suite C-103  
Honolulu, Hawai'i 96813  
Contact: Gary Furuta (596-2120)

### Approving Agency/Accepting

**Authority:** Housing and Community Development  
Corporation of Hawai'i  
677 Queen Street, Suite 300  
Honolulu, Hawai'i 96813  
Contact: Lisa Wond (587-0569)

### Public Comment

**Deadline:** December 8, 2001

## Draft Environmental Impact Statements

### Waikiki Beach Walk

**Applicant:** Outrigger Enterprises, Inc.  
2375 Kuhio Avenue  
Honolulu, Hawai'i 96815  
Contact: Eric Masutomi (921-6657)

### 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)

### Public Comment

**Deadline:** December 24, 2001



# Maui Notices

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## Previously Published Projects Pending Public Comments

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### Public Comment

**Deadline:** December 8, 2001

## Draft Environmental Assessments

### Flinn Single Family Residence

**Applicant:** Paul Flinn (572-0897)  
1310 Pi'iholo Road  
Makawao Hawai'i 96768

### Approving Agency/Accepting

**Authority:** Department of Land and Natural Resources  
1151 Punchbowl Street  
Honolulu, Hawai'i 96813  
Contact: Traver Carroll (587-0439)



# Hawai'i Notices

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## Draft Environmental Assessments



### (1) Green and Russo Forest Stewardship Project

**District:** Hamakua  
**TMK:** 3-5-01: 69  
**Applicant:** Bari Green and Lou Russo  
P.O. Box 32  
Papa'aloa, Hawai'i 96780  
Contact: Bari Green (962-6525)

#### 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

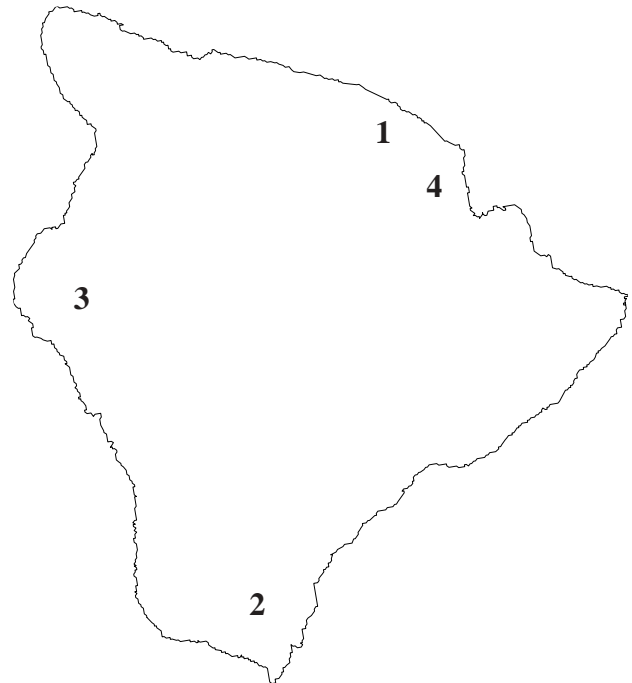
**Deadline:** December 24, 2001  
**Status:** DEA First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority and OEQC.

#### Permits

**Required:** None

The landowners propose to establish stands of non-invasive high value hardwood forest species for sustainable timber production on their 16.5 acre property in Papa'aloa, on the Hamakua Coast of the Big Island. Approximately 6,360 young tree seedlings will be planted on the project site that is now an abandoned cane field/pasture covered with exotic grasses, remnant sugar cane and a variety of invasive weed species. The site will be prepared for planting by ripping rows along contours to create mini terraces that will prevent soil erosion. Weeds will be controlled with mulches, periodic mowing and the establishment of a leguminous ground cover. No herbicides will be used. Tree species to be planted include *Tectora grandis* (teak), *Swietenia macrophylla* (big-leaf Honduras mahogany), *Senna siamea* (pheasantwood), *Pterocarpus indicus* (narra), *Khaya senegalensis* (Senegal mahogany), *Eucalyptus microcorys* (tallow wood), and *Eucalyptus deglupta* (rainbow bark).

Intended positive impacts include: wildlife habitat enhancement for birds, insects and other native and non-



native fauna due to increased vertical spatial complexity; noxious weed suppression due to shading from closed forest canopy and groundcover establishment; soil stabilization from increased root mass; enhanced site aesthetics due to diverse forest replacing degraded cane field/pasture; and forestry related economic diversification.

Eventual harvesting will be limited to one acre block increments and carried out in consultation with the DLNR Division of Forestry and Wildlife according to currently approved Best Management Practices.

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



### (2) 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 Kekuanao'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)

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

**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.



## (3) Puapuaa 2.0 MG-Concrete Reservoir and Supporting Facilities

**District:** North Kona  
**TMK:** 7-5-17: 01 (portion)  
**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.  
**Consultant:** Inaba Engineering, Inc.  
273 Waianuenue Avenue  
Hilo, Hawai'i 96720

Contact: Jason Inaba (961-3727)  
**Status:** FEA/FONSI issued, project may proceed.

**Permits**

**Required:** Grading, building, noise

The County of Hawai'i Department of Water Supply (DWS) plans to construct a new 2.0 million gallon concrete water tank and related site improvements and approximately 700 lineal feet of 12" influent and 12" effluent waterlines to service the new reservoir. Tank site improvements will consist of grading, a concrete post tensioned water tank, paved access road, drainage facilities, site piping, fencing and planting. Provisions such as effluent stub outs from the tank will also be installed to accommodate future pumping facilities that will allow distribution of water to services zones at elevations above 325'. The concrete tank will have a diameter of approximately 138 feet and be about 22' tall.

The purpose of this project is to provide additional storage capacity for the North Kona water system from Puapuaa north to Kailua in the service zone below elevation 225'. This zone represents a large portion of the urban core of the Kailua Kona area which includes beach resorts, commercial and light industrial areas, condominiums and residential areas. Basic criteria for reservoir capacity of the water system standards recommends that reservoirs meet maximum daily consumption demand and be full at the beginning of the 24

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hour period with no source input, or meet maximum day rate plus fire flow for the duration of fire. Based on analysis and review of the existing system by the DWS, it was determined that the existing storage capacity for the service zone below elevation 225 is in deficit by about four million gallons. Recent increases in population growth and development in the North Kona area has fueled demand for additional water hookups. Current storage is not adequate and not able to sustain additional development and thus would hindernormal economic growth.

The objectives of this project are to address the storage deficit problem for this system. This project will reduce the deficit by one-half. Benefits will be the increase in storage capacity to meet demands for the system service area which includes storage for maximum daily demand and fire flow requirements.

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## Environmental Impact Statement Preparation Notices

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### (4) Koa Timber Commercial Forestry Operations

**District:** South Hilo  
**TMK:** 2-7-01:01, 2-8-01:02  
**Applicant:** Koa Timber, Inc.  
91-188 Kalaeloa Blvd.  
Kapolei, Hawai'i 96707  
Contact: Kyle Dong (682-5572)

#### Approving Agency/Accepting

**Authority:** Department of Land and Natural  
P.O. Box 621  
Honolulu, Hawai'i 96809  
Contact: Sam Lemmo (587-0381)

**Consultant:** Wilson Okamoto & Associates, Inc.  
1907 South Beretania Street, Suite 400  
Honolulu, Hawai'i 96818  
Contact: Earl Matsukawa (946-2277)

#### Public Comment

**Deadline:** December 24, 2001  
**Status:** EISPN 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

Koa Timber, Inc. proposes a sustainable commercial koa timber forestry operation on privately owned land consisting of three parcels totaling approximately 13,129 acres. The project site is located ten miles north of he Hilo above the towns of Papa'ikou, Pepe'ekeo, and Honomu between the 1,400- and 3,600-foot elevations. The lower portion of the project site is in the Agricultural District. The majority of the project site is in the Conservation District (Resource Subzone).

The proposed timber forestry operation proposes to involve:

- \* Harvesting - Using helicopters to transport trees harvested in the Conservation District to a staging area in the Agricultural District for truck transport to Hilo Harbor.

- \* Stock and growth control - Selective harvesting and replanting based on restoring native forest diversity.

- \* Pest management - Minimizing use of pesticides, including no broadcast aerial spraying of pesticides.

- \* Marketing - Focusing in obtaining the highest value for harvested timber and minimal product wastage. Also, seeking "green certification by the Forestry Stewardship Council, which assures that a forest owner's practices are environmentally responsible, socially beneficial, and economically viable.

- \* Wildlife management - Controlling wild pigs and other exotic species and minimizing impacts on native wildlife.

- \* Watercourse management - Constructing no roads in the Conservation District and establishing harvesting buffer areas along streams.

A previous Draft Environmental Assessment (DEA) - Finding of No Significant Impact (FONSI) Anticipated for the proposed project was filed with the DLNR, as noticed in the March, 23, 2001 publication of the Office of Environmental Quality Control (OEQC) Environmental Notice. The DEA was withdrawn, based on agency and public comments, and will not be processed as a FONSI. Instead, the Applicant proposes to address specific concerns expressed and to solicit additional review and comment on the proposed action by preparing the forthcoming EIS.

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## Previously Published Projects Pending Public Comments

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### Draft Environmental Impact Statements

#### ► China-U.S. Centre

**Applicant:** GEO International Explorer, Inc.  
13-1F, 336 Tun Hua S. Road  
Sec. 1, Taipei 106, Taiwan  
Republic of China  
Contact: Ron Terry (982-5831)

#### Approving Agency/Accepting

**Authority:** University of Hawai'i at Hilo  
200 W. Kawili Street  
Hilo, Hawai'i 96720  
Contact: Gerald DeMello (974-7567)

#### Public Comment

**Deadline:** December 24, 2001



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# Statewide Notices

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

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### Hawai'i Army National Guard Integrated Natural Resource Management Plan at Four Sites - Keaukaha Military Reservation (Hawai'i), Kekaha Firing Range (Kaua'i), Ukumehame Firing Range (Maui), Waiawa Gulch Armory (O'ahu)

**District:** Hilo, Waimea, Lahaina, Honolulu  
**TMK:** 2-1-12: 3; 2-1-13: 10 & 131; 1-2-02: 21; 4-  
8-02: 47; 9-6-4: 15 & 20

**Applicant:** Hawai'i Army National Guard  
3949 Diamond Head Road  
Honolulu, Hawai'i 96816-4495  
Contact: Melissa Dumarán (733-4267)

#### Approving Agency/Accepting

**Authority:** Same as above.

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

**Note:** This is a joint NEPA/HRS 343  
document.

The Hawaii Army National Guard (HIARNG) proposes to implement the Integrated Natural Resources Management Plan (INRMP) on four training areas and facilities throughout approximately 630 acres.

The INRMP covers the planning period from fiscal year 2002 (FY02) through FY06, beginning October 1, 2001 and ending September 30, 2006. The INRMP is an overall ecosystem master plan that provides a framework for managing natural resources (in accordance with legal requirements) in order to maximize the capability of military lands to conduct mission-essential training. It provides a single point of reference for environmental issues for HIARNG land managers and military trainers.

The sites included are the 503-acre Keaukaha Military Reservation (KMR) on the island of Hawai'i; the 68-acre Kekaha Firing Range on Kaua'i; the 39-acre Ukumehame Firing Range on Maui; and the Waiawa Gulch Armory (19 acres) on O'ahu.

Implementation of the INRMP would involve the phased completion of numerous individual projects (endangered species management, invasive species control, native ecosystem rehabilitation, Geographic Information Systems and monitoring) over five years, as part of the programs addressed in the plan.



# Shoreline Notices

NOVEMBER 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
OA-851	10/31/01	Land Court Application 1420, as shown on Map 190, land situated at Puuloa, Ewa, Island of Oahu, Hawaii Address: 91-603 Pohakupuna Road Purpose: Building Permit	ControlPoint Surveying, Inc., for Robert U. Mitsuyasu Company	9-1-28: 40
MO-071	11/6/01	Portion of Ahupuaa of Ahaino First and Mahele Award 10 to Hanakaipo, land situated at Kupeko-Kailiua, Island of Molokai, Maui, Hawaii Address: Non-assigned Purpose: Building Permit	Newcomer – Lee Land Surveyors, Inc., for Paul I. Laub	5-7-06: 17
OA-852	11/7/01	Lot 11 of the Maunalua Bay View Lots Subdivision, Unit 1 as shown on File Plan 750 and lot A and B, Being a portion of Royal Patent 4474, Land Court Award 7713, Apana 30 to V. Kamamalu, land situated at Maunalua, Honolulu, Island of Oahu, Hawaii Address: 112, 120, and 128 Hanapepe Loop Purpose: Renovations	ParEn, Inc., dba Park Engineering, for Edwin Hollenback, Representation T. J. and Holly Gorence	3-9-27: 03, 04, and 05
MA-261	11/7/01	Lot 1 of the Lahaina Beach Subdivision, land situated at Puunoa, Lahaina, Island of Maui, Hawaii Address: 1 Kai Pali Place Purpose: Building Permit	Akamai Land Surveying, Inc., for Mark McDonald	4-5-3: 06
OA-086-2	11/9/01	Lots 3 and 4, as shown on Land court Application 616 (Map 1), land situated at Kailua, Koolaupoko, Island of Oahu, Hawaii Address 1240 and 1254 Mokulua Drive Purpose: Architectural Design	Sam O. Hirota, Inc., for Bob Fitzwilson	4-3-5: 76
OA-853	11/9/01	Lot 1567 of Land Court Application 242, (Map 210), land situated at Puuloa, Ewa, Island of Oahu, Hawaii Address: 91-701 Oneula Place Purpose: Building Permit	Wesley T. Tengan, for Ulrich Stams and Carol Stams	9-1-28: 01
OA-854	11/14/01	Lot 289 Land Court Application 1052, as shown on Map 7, land situated at Makaha, Waianae, Island of Oahu, Hawaii Address: 84-281 Makau Street Purpose: Building Permit	Wesley T. Tengan, for Richard O. Linville	8-4-9: 14
OA-848 Corrected Address	10/18/01	Lot 128-C of Land Court Application 772, Section 1, land situated at Laie, Koolauloa, Island of Oahu, Hawaii Address: 55-349 Kamehameha Highway Purpose: Building Permit	DJNS Surveying and Mapping, Inc., for David Thielen	5-5-02: 95

# Shoreline Notices

NOVEMBER 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-259	11/8/01 Certified	Lots 61 and 62 of Makena Beach Lots, being a portion of Land Commission Award 11,216, Apana 21 to M. Kekauonohi, land situated at Palauea, Honuaula, Makawao (Wailea, Kihei) Island of Maui, Hawaii Address: Lots 61 and 62 Makena Beach Lots - Keoneoio Makena Road Purpose: Determine Shoreline Setback	Austin, Tsutsumi & Associates, Inc., for Steve McCoy	2-1-11: 06 and 07
KA-138-2	11/8/01 Certified	R.P. 4232 LCAw. 6582, Apana 2 to Pelehu, Portion of LCAw. 6730 to Naeole, Waipake, Hanalei, Kauai Address: 7480 Koolau Road, Moloaa Purpose: Building Permit	Esaki Surveying and Mapping, Inc., for FALCO Partners, LLC	5-1-003: 06
HA-128-2	11/8/01 Certified	Lot 5 of Keawaiki Beach Lots, being a portion of R.P. 4513, Mahele Award 32 to Kanele, land situated at Kahauloa 2 <sup>nd</sup> , South Kona, Island of Hawaii, Hawaii Address: None Assigned Purpose: Building Permit	Wes Thomas Associates, for Alexander Wilson	8-3-05: 06
OA-291-2	11/8/01 Certified	Lots 6 and 134 of Land Court Consolidation 23, Land Situated at Kalapau, Koolauloa, Island of Oahu, Hawaii Address: 54-327 and 54-337 Kamehameha Hwy. Purpose: Improvements	Towill, Shigeoka & Associates, Inc., for GECH Holding, Inc.	5-4-3: 03 and 54
OA-743-2	11/8/01 Certified	Waialae Beach Lots, Section A, being a portion of R.P. 4475, L.C.Aw. 7713, Apana 50 to V. Kamamalu, land situated at Waialae-Nui, Honolulu, Island of Oahu, Hawaii Address: 4635-A Kahala Avenue Purpose: Building Permit	Sam O. Hirota, Inc., for Mr. and Mrs. Georg Rafael	3-5-05: por. 10
MA-258	11/8/01 Certified	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
KA-026-2	11/8/01 Certified	Lot 6-A, portion of lot 6, as shown on File Plan 458, portion of Land Commission Award 7714-B, land situated at Kukuiula, Koloa, Kona, Island of Kauai, Hawaii Address: 4646-A Amino Road, Koloa Purpose: Building Permit	Peter N. Taylor, Inc., for Frank Richey	2-6-11: 09

# Enforcement Notices

NOVEMBER 23, 2001

## DEPARTMENT OF HEALTH INSPECTION AND ENFORCEMENT ACTIONS - Annual Report - October 2000 – September 2001

The table below shows a tally of the inspections and responses conducted by DOH pollution control program personnel during the period from October 2000 through September 2001. Formal and informal enforcement actions, and the settlements that arose out of those actions, are counted as well. Inspections and enforcement actions are listed by program area. For more information, please contact Melissa O'Connor-Fariñas at the DOH Environmental Planning Office at 586-4337.

	Inspections / Responses	Informal Actions <sup>1</sup>	Formal Actions <sup>2</sup>	Formal Actions Concluded	Formal Actions Pending	Fines Originally Issued	Fines Settled	Fines Collected	Other Penalties Assessed	Other Penalties Completed
	October 2000 - September 2001	October 2000 - September 2001	October 2000 - September 2001	October 2000 - September 2001	Total as of September, 2001	Total \$ as of September, 2001	Total \$ as of September, 2001	Total \$ as of September, 2001	Total as of September, 2001	Total as of September, 2001
<b>Clean Air Branch</b>										
Fugitive Dust	623	43	0	0	0	\$0.00	\$0.00	\$0.00	0	0
Noncovered Sources	114	9	4	1	5	\$441,155.00	\$12,400.00	\$25,500.00	0	0
Covered Sources	229	45	4	2	2	\$117,150.00	\$0.00	\$99,250.00	0	0
Agricultural Burning	322	8	0	0	0	\$0.00	\$0.00	\$0.00	0	0
Open Burning	136	21	0	0	1	\$0.00	\$0.00	\$0.00	0	0
Others	316	9	0	0	0	\$0.00	\$0.00	\$0.00	0	0
<b>Solid &amp; Hazardous Waste Branch</b>										
Underground Storage Tanks	195	48	0	0	0	\$68,200.00	\$0.00	\$45,050.00	0	0
Hazardous Waste	106	24	6	9	4	\$585,256.00	\$601,900.00	\$447,472.50	3	0
Solid Waste	289	44	6	5	9	\$129,350.00	\$24,300.00	\$33,200.00	3	1
<b>Clean Water Branch</b>										
Permitted Discharges (NPDES)	115	21	4	1	2	\$0.00	\$10,000.00	\$20,000.00	0	0
Non-permitted Discharges	242	24	6	3	4	\$73,482.00	\$40,846.00	\$39,621.00	0	0
Water Quality Certifications	5	4	0	0	0	\$0.00	\$0.00	\$0.00	0	0
<b>Wastewater Branch</b>										
Wastewater Treatment Plants	155	3	1	0	3	\$40,000.00	\$130,000.00	\$130,000.00	4	3
Individual Wastewater Systems	105	53	2	8	8	\$3,000.00	\$10,000.00	\$10,325.00	18	18
Animal Waste	7	3	1	0	1	\$600,000.00	\$0.00	\$0.00	0	0
Other	145	9	0	0	0	\$0.00	\$0.00	\$75.00	15	0
<b>Safe Drinking Water Branch</b>										
Public Water Systems	18	14	0	0	2	\$0.00	\$0.00	\$1,000.00	0	0
Wells - Underground Injection Control	41	34	1	0	2	\$51,900.00	\$21,525.00	\$30,375.00	0	0
<b>Hazard Evaluation &amp; Emergency Response</b>										
Oil Spills	8	4	0	0	0	\$0.00	\$0.00	\$0.00	0	0
Hazardous Waste Releases	49	5	0	0	0	\$0.00	\$0.00	\$0.00	0	0
<b>Noise, Radiation, &amp; Indoor Air Quality Branch</b>										
	0	1	2	5	1	\$167,600.00	\$42,000.00	\$19,500.00	0	0

<sup>1</sup> Informal actions generally cover less serious issues such as small infractions by individuals, or violations of permit technicalities which do not directly impact environmental quality. Specifically, informal actions are informal letters warning a person or entity that they are violating environmental laws, and normally requiring corrective action by a specified deadline. Field citations are also included in this category.

<sup>2</sup> Formal actions generally cover any serious violation and repeat or continued violations of permit technicalities. Unsuccessful informal actions lead to formal actions. Specifically, formal actions are administrative "contested case" proceedings which typically include a formal notice of violation and an order. Orders often require corrective action, reports, and payment of a penalty. Administrative "trials" may be held.

# Pollution Control Permits

NOVEMBER 23, 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 Noncovered Source Permit	U.S. Navy, Naval Security Group Activity Kunia NSP 0121-02-N (Renewal)	Regional SIGINT Operations Center, Kunia, Oahu	Issued: 11/2/01	Four (4) 1,250 kW Diesel Engine Generators and One (1) 500 lb/hr Type O Waste Incinerator
Clean Air Branch 586-4200 Noncovered Source Permit	U.S. Navy, Navy Region Hawaii NSP 0109-04-N (Renewal)	Fort Kamehameha Wastewater Treatment Plant, Pearl Harbor, Oahu	Issued: 11/8/01	Two (2) 1.55 MMBtu/hr Boiler/Burners and Waste Gas Burner
Clean Water Branch 586-4309, NPDES	State Department of Agriculture, Agribusiness Development Corporation #HI 0000086	Kekaha coastline, Kauai	Comments Due: 12/2/01	Discharge agricultural drainage water and irrigation & storm flood waters to Pacific Ocean

# 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: 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) Sugar Cove Beach Replenishment Project

**Federal Action:** Department of the Army Permit  
**Federal Agency:** U.S. Army Corps of Engineers

Contact: Lolly Silva, 438-7023

**Applicant:** Sugar Cove Association of Apartment Owners

Contact: Barbara Guild, 877-3109

**Location:** Wailuku, Maui

**TMK:** (2) 3-8-2:01 and 03

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

**Proposed Action:**

Place sand for beach nourishment to shoreline fronting Sugar Cove apartment building. This privately funded project began in 1996 with annual additions of sand in attempts to respond to erosion from coastal storms and enhance recreational benefits. The majority of the sand will be placed above the high tide line, with a small percentage placed below the high tide line.

**Comments Due:** December 7, 2001

# Coastal Zone News

NOVEMBER 23, 2001

## CZM Advisory Groups

Pursuant to Act 169, SLH 2001, the Marine and Coastal Zone Management Advisory Group (MACZMAG) has been restructured to an all citizens advisory group. The purpose for this restructuring is to insure that the public interest is more appropriately represented and to develop a stronger advocate group for the management of Hawaii's coastal resources.

The newly reorganized Coastal Zone Management Citizens Advisory Group is composed of twelve (12) non-government members based on statewide geographic distribution and a balanced representations of interests. The first

meeting of the new citizens advisory group is tentatively scheduled for Wednesday, December 12, 2001, 10:00 a.m. to 1:00 p.m., Room 203, Leiopapa a Kamehameha Building, 235 S. Beretania Street, Honolulu, Hawai'i. For more information, please contact Susan Feeney at 587-2880 or sshirais@dbedt.hawaii.gov.

## Coastal Erosion Committee

Date: Tuesday, November 27, 2001  
 Time: 9:30 a.m. - 11:30 a.m.  
 Location: 235 South Beretania Street, 6<sup>th</sup> Floor  
 CZM Contact: Debra Tom, 587-2840 or detom@dbedt.hawaii.gov

## 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
Oahu: Honolulu (3-1-42: 19)	3" waterline extension at Fort Ruger Baseyard (2001/SMA-68).	DAGS / KN Consulting Services, Inc.
Oahu: Honolulu (4-9-3: 9)	2 above ground 124 gallon liquid propane gas (LPG) tanks (2001/SMA-75).	Oahu Gas Service – Quintessence Sustain Agr/ David Y. Morikawa
Oahu: Ko'olina (9-1-57: 1)	Nine panel antennas under the roof of the elevator tower of the parking structure (2001/SMA-74).	Nextel Partners / Analytical Planning Consultants (Donald Clegg)
Oahu: Niu Valley (3-6-3:1,2,3)	Various improvements to Kawaikui Beach Park (2001/SMA-77).	C&C of Honolulu/Austin Tsutsumi & Associates
Hawaii: Waiakea (2-1-6:1)	Above-ground fuel tank.	Kuwaye Trucking, Inc.
Maui: (3-7-9:4)	DMV Offices exterior bldg., improvements. (SMA-20010090).	Martin V. Cooper
Maui: (3-9-43:75)	Peter Grand Residence, accessory dwelling (SMA-20010093).	Peter Grand
Maui: (1-3-3:15)	Perman Subdivision, 6-lot subdivision (SMA-20010091).	Wayne Arakaki
Maui: (3-7-4:10)	Sueda, Office, 1000sf (SMA-960025).	Lloyd Sueda
Maui: (3-7-2:20)	Sprint installation at Kaahumanu center (SMA-20010092).	Sprint PCS
Maui: (4-6-31:6)	Knapp Residence, Puamana #111-1, Dormer Additions, living room (SMA 20010094).	Nick Wagner
Maui: (2-1-8:64)	Wailea Ekahi, interior renovation of existing condominium (Pending).	Malcolm Turner
Maui: (2-1-8:128)	Wailea Cable hub, equipment & Generator room (Pending).	Anthony Riecke-Gonzales, AIA
Maui: (2-6-4:14)	Nellie's Retail, alterations to existing bldg. (Pending).	George Rixey
Maui: (2-9-7:58)	Jeff/Sharon Stone addition to residence (Pending).	Jeff and Sharon Stone
Maui: (3-7-9:4)	Maui Mall Renovation to existing CMU wall (Pending).	Martin V. Cooper



## Correction - DOH Hazardous Waste Program is "Fully Authorized" for Corrective Action for Facility Releases under RCRA

Contrary to what was reported on the front page of the November 8, 2001, Environmental Notice, the Department of Health Environmental Health Administration is fully authorized to administer, in lieu of EPA, the corrective action provisions set forth in the Hazardous and Solid Waste Act Amendments of 1984. Gracelda Simmons, Chief of the Hazardous Waste Section set the record straight by confirming in a telephone conversation with OEQC that the Hazardous Waste Program is fully capable of administering these "superfund-like" provisions dealing with releases of hazardous constituents into the environment on or beyond a RCRA facility's boundary. OEQC deeply regrets this error. Questions regarding the hazardous waste program should be directed to Ms. Simmons at 586-4226.

## Ocean Transportation Intermediary License Applicants

The following applicants have filed with the Federal Maritime Commission an application for licenses as Non-Vessel Operating Common Carrier and Ocean Freight Forwarder - Ocean Transportation Intermediary pursuant to section 19 of the Shipping Act of 1984 as amended (46 U.S.C. app. 1718 and 46 CFR 515). Persons knowing of any reason why the following applicant should not receive a license are requested to contact the Office of Transportation Intermediaries, Federal Maritime Commission, Washington, DC 20573.

- AE Eagle America Inc., 155-04 145th Avenue, Jamaica, NY 11434, Officers: Davy Ng, Secretary (Qualifying Individual), Milton Cheung, President
- Cargozone Trans Corporation, 19550 Dominguez Hills Dr., Rancho Dominguez, CA 90220, Officers: Paul M. Kim, Secretary (Qualifying Individual), Byung Keun Han, President
- Mark M. Marcus, North American Container Group, 6600 N. Lincoln Ave., Suite 3066, Lincolnwood, IL 60712, Sole Proprietor
- Navetrans Corp. dba Costa Rica Carriers, 240 Crandon Blvd., Suite 203 A, Miami, FL 33149, Officers: Sahir Miguel Morales, Asst. Vice President (Qualifying Individual), Joachim Haubold, President
- Datacargo Co. Inc. dba Datacargo, 8235 N.W. 82nd Avenue, Miami, FL 33166, Luis Andres Sara, General Manager (Qualifying Individual), Maria Elena Gomez Ruggiero, Vice President
- Summit Cargo Group, Inc., 724 South Hindry Avenue, Inglewood, CA 90301, Officers: Tony Feist, Director of Operations (Qualifying Individual), Zachary Zemby, President
- Kuhn Hay, Inc., 1625 Drew Road, El Centro, CA 92243, Officers: James E. Kuhn, President (Qualifying Individual), John Robert Kuhn, Director

- Top Cargo Inc., 3537 NW 82nd Avenue, Miami, FL 33122, Officer: Damian J. Pelegrino, President (Qualifying Individual)
- Sun Express International, Inc. dba BNX Shipping Hawai'i, 1188 Bishop Street, #1006 Honolulu, Hawai'i 96813, Officer: Sun Hee Lee, President (Qualifying Individual) (see, 66 F.R. 57467, November 15, 2001)

## Proposed Assessment of Clean Water Act Class II Administrative Penalty and Opportunity To Comment (Chevron U.S.A., Inc. Spill Violations in Honolulu Harbor, Docket No. OPA-9-2001-0001)

EPA is providing notice of a proposed administrative penalty for an alleged violation of the Clean Water Act by Chevron U.S.A., Inc. EPA is also providing notice of opportunity to comment on the proposed penalty. EPA is authorized under section 311(b)(6) of the Clean Water Act, 33 U.S.C. 1321(b)(6), to assess a civil penalty after providing the person subject to the penalty notice of the proposed penalty and the opportunity for a hearing, and after providing interested persons public notice of the proposed penalty and a reasonable opportunity to comment on its issuance. Under section 311(b)(6), any owner, operator, or person in charge of a vessel, onshore facility, or offshore facility in violation of the regulations issued under section 311(j) of the Clean Water Act, 33 U.S.C. 1321(j), ("Oil Pollution Prevention Regulations," 40 C.F.R. part 112) may be assessed a civil penalty of up to \$137,500 by EPA in a "Class II" administrative penalty proceeding. Class II proceedings under section 311(b)(6) of the Clean Water Act are conducted in accordance with the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation and Suspension of Permits at 40 C.F.R. part 22 ("part 22")." Pursuant to section 311(b)(6)(C) of the Clean Water Act, 33 U.S.C. 1321(b)(6)(C), EPA is providing notice of the following proposed Class II penalty proceeding initiated by the Superfund Division, U.S. EPA, Region 9, 75 Hawthorne Street, San Francisco, California 94105, in the matter of Chevron U.S.A., Inc. (Chevron) Spill Violations, Docket No. OPA-9-2001-0001, filed September 28, 2001; EPA has proposed penalty of \$65,000; for a violation of the Clean Water Act's prohibition on discharges of oil into waters of the United States at the Jet A fuel pipeline at Chevron's Honolulu Terminal in Honolulu Harbor, Honolulu, Hawai'i. The procedures by which the public may submit written comments on a proposed Class II penalty order or participate in a Class II penalty proceeding are set forth in part 22. The deadline for submitting public comment on a proposed Class II order is thirty days after issuance of public notice. Persons wishing to receive a copy of part 22, review the Complaint or other documents filed by the parties in this proceeding, comment upon the proposed penalty assessment, or participate in any hearing that may be held, should contact Danielle Carr, Regional Hearing Clerk (RC-1), U.S. EPA, Region 9, 75 Hawthorne Street, San Francisco, California 94105, telephone (415) 972-3871. Documents filed as part of the public record in this proceeding are available for inspection during business hours at the office of the

# Federal Notices

NOVEMBER 23, 2001

Regional Hearing Clerk. In order to provide opportunity for public comment, EPA will not take final action in this proceeding prior to thirty days after November 6, 2001 (see, 66 F.R. 57966, November 19, 2001).

## **Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects in the Control of the U.S. Department of Defense, U.S. Army, Pohakuloa Training Area, U.S. Army Garrison**

The National Park Service has given notice in accordance with provisions of the Native American Graves Protection and Repatriation Act (NAGPRA), 43 C.F.R. 10.9, of the completion of an inventory of human remains and associated funerary objects in the control of the U.S. Department of Defense, U.S. Army, Pohakuloa Training Area, U.S. Army Garrison, Hawai'i. This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 43 C.F.R. 10.2 (c). The National Park Service is not responsible for the determinations within this notice. A detailed assessment of the human remains was made by U. S. Army installation staff, and U.S. Army Corps of Engineers, St. Louis District, Missouri, Mandatory Center of Expertise for the Curation and Management of Archaeological Collections professional staff in consultation with representatives of Koa Mana, Hui Malama I Na Kupuna O Hawai'i Nei, the Hawai'i Island Burial Council, and the Office of Hawaiian Affairs. In 1985, human remains representing one individual were removed during archeological testing at the Bobcat Trail Habitation Cave site (HI Site No. 50-10-30-5004), Hawai'i Island, by Paul H. Rosendahl, Inc., staff under contract to the U.S. Army Corps of Engineers, Honolulu District. No known individual was identified. No associated funerary objects are present. The remains were found in an ash deposit in the cave. Volcanic glass hydration dating of obsidian associated with the feature indicates a date range of A.D. 1468-1552 for the formation of the deposit. In 1987, human remains representing one individual were removed during archeological excavations at HI Site No. 50-10-30-10650, Hawai'i Island, by International Archaeological Research Institute, Inc., staff under contract to the U.S. Army Corps of Engineers, Honolulu District. No known individual was identified. No associated funerary objects are present. The remains were removed from a hearth deposit. Radiocarbon dating provides a date range of A.D. 1153-1311 for the formation of the hearth. Osteological characteristics identify these human remains as Native American. Based on the geographical location and dates of the sites, these remains are identified as Native Hawaiian. Based on the above-mentioned information, officials of the U.S. Army have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of two individuals of Native Hawaiian ancestry. Officials of the U.S. Army also have determined that, pursuant to 43 CFR 10.2 (e), there is a relationship of shared group identity that can be reasonably traced between these Native Hawaiian human remains

and the Koa Mana, Hui Malama I Na Kupuna O Hawai'i Nei, the Hawai'i Island Burial Council, and the Office of Hawaiian Affairs. This notice has been sent to officials of the Koa Mana, Hui Malama I Na Kupuna O Hawai'i Nei, the Hawai'i Island Burial Council, and the Office of Hawaiian Affairs. Representatives of any other Native Hawaiian organization that believes itself to be culturally affiliated with these human remains should contact Dr. Laurie Lucking, Cultural Resources Manager, Environmental Division, USAGHI, Building 105, WAAF, Schofield Barracks, Hawai'i 96857, telephone (808) 656-2878, extension 1052, before December 13, 2001. Repatriation of the human remains to the Koa Mana, Hui Malama I Na Kupuna O Hawai'i Nei, the Hawai'i Island Burial Council, and the Office of Hawaiian Affairs may begin after that date if no additional claimants come forward (see, 66 F.R. 56855, November 13, 2001).

## **Open Competition for FY 2002 Environmental Justice Small Grants**

The U.S. Environmental Protection Agency (EPA) has issued guidance which outlines the purpose, goals, and general procedures for application and award under the Fiscal Year (FY) 2002 (October 1, 2001-September 30, 2002) Environmental Justice Small Grants Program. For FY 2002, the 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. The application must be delivered by close of business Friday, February 21, 2002 or postmarked by midnight Friday, February 21, 2002 and addressed to Willard Chin of the U.S. Environmental Protection Agency Region 9 (A-2-2), 75 Hawthorne Street, San Francisco, California 94105 by voice at (415) 744-1204, or by electronic mail at chin.willard@epa.gov (see, 66 F.R. 55985, November 5, 2001)

# Submission & Comment Deadlines for 2002

NOVEMBER 23, 2001

SUBMISSION DEADLINE	ENVIRONMENTAL NOTICE ISSUE DATE	30-DAY COMMENT DEADLINE	45-DAY COMMENT DEADLINE
December 26, 2001	January 8, 2002	February 7, 2002	February 22, 2002
January 10, 2002	January 23, 2002	February 22, 2002	March 9, 2002
January 29, 2002	February 8, 2002	March 11, 2002	March 25, 2002
February 12, 2002	February 23, 2002	March 25, 2002	April 9, 2002
February 26, 2002	March 8, 2002	April 8, 2002	April 22, 2002
March 13, 2002	March 23, 2002	April 22, 2002	May 7, 2002
March 25, 2002	April 8, 2002	May 8, 2002	May 23, 2002
April 11, 2002	April 23, 2002	May 23, 2002	June 7, 2002
April 26, 2002	May 8, 2002	June 7, 2002	June 22, 2002
May 13, 2002	May 23, 2002	June 22, 2002	July 8, 2002
May 29, 2002	June 8, 2002	July 8, 2002	July 23, 2002
June 12, 2002	June 23, 2002	July 23, 2002	August 7, 2002
June 25, 2002	July 8, 2002	August 7, 2002	August 22, 2002
July 11, 2002	July 23, 2002	August 22, 2002	September 6, 2002
July 29, 2002	August 8, 2002	September 7, 2002	September 23, 2002
August 12, 2002	August 23, 2002	September 23, 2002	October 7, 2002
August 27, 2002	September 8, 2002	October 8, 2002	October 23, 2002
September 11, 2002	September 23, 2002	October 23, 2002	November 7, 2002
September 26, 2002	October 8, 2002	November 7, 2002	November 22, 2002
October 11, 2002	October 23, 2002	November 22, 2002	December 7, 2002
October 28, 2002	November 8, 2002	December 9, 2002	December 23, 2002
November 13, 2002	November 23, 2002	December 23, 2002	January 7, 2003
November 26, 2002	December 8, 2002	January 7, 2003	January 22, 2003
December 11, 2002	December 23, 2002	January 22, 2003	February 6, 2003

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

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

