

The Environmental Notice

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



BENJAMIN J. CAYETANO
GOVERNOR

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

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

Other Resources
available at OEQC . . .

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

OEQC

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DECEMBER 23, 2001

DLNR Building Trails on Maui

The Department of Land and Natural Resources is planning to build two new trails on Maui. The new trails are the Kahakapao Loop Trail in Makawao and the 'Ohai Trail near Po'eulua Bay.

The construction of the Kahakapao Loop Trail is proposed for the Makawao Forest Reserve, Maui. The trail will loop from the Fong Ridge Road to the Pa'ahao Ridge Road, crossing a medium sized gulch at the top and bottom of the loop. The trail will accommodate foot, bicycle and horse traffic. The elevational range of the trail goes from 2800' to 3650'.

The addition of the Kahakapao Loop Trail to the Na Ala Hele trails system will add a much needed and requested equestrian trail, along with a bicycle and foot trail. The trail will also provide access opportunities for Forest Reserve management practices, recipient alien species detection and control, nature study, Wildland research, fire control, and hunters.

The construction of the 'Ohai Trail is proposed for the Kahakuloa Game Manage-

ment Area, Maui. The trail will loop off of the Kahekili Highway (#30) near Po'eulua Bay to traverse along the rolling terrain of Papanaloha Point. Moving westward, the trail meets the edge of Alapapa Gulch and turns inland to connect again with the Kahekili Highway. The trail will be built for foot traffic only. The elevational range goes from 220' to 280'. The trail travels through pasture grasses, nonnative shrubs and a scattering on native grasses, shrubs and sedges. It passes an enclosure constructed by DLNR to protect approximately 52 *Sesbania tomentosa* ('ohai) plants, offering excellent interpretive/educational opportunities.

The addition of the 'Ohai Trail to the NAH trails system adds a much needed and requested shoreline foot trail to the Kahakuloa-Nakalele area. The trail also provides access opportunities for management practices, recipient alien species detection/control, nature study, Wildland research, and photography. See page 7 for more information.

Critical Habitat for O'ahu 'Elepaio - A First for Hawai'i

In a first for the State of Hawai'i, the U.S. Fish and Wildlife Service has designated critical habitat for the O'ahu 'elepaio in the Wai'anae and Ko'olau Ranges, effective January 9, 2002. See page 18 for more.

Keopuka DEIS Withdrawn

PBR Hawai'i, on behalf of its client Pacific Star LLC, has submitted a December 3, 2001, letter to OEQC withdrawing the DEIS for the Keopuka Lands project in South Kona. Pacific Star envisions modifying its plans and intends to issue a new EIS for the project sometime in the future. See page 11.

DHHL Developing Lalamilo

The Department of Hawaiian Home Lands has submitted an EIS preparation notice proposing development of 400 residential homestead lots on 265 acres in Waiaka, close to Hawai'i Preparatory Academy. About half will have homes built by developers, and half by either owners-builders and/or self-help homes. About 33 acres will be reserved for commercial and industrial uses that support homestead development. The project site is part of a larger acreage that, during the 1940s, contained unexploded ordnance. Details of the U.S. Army Corps of Engineers investigation will be in the forthcoming draft EIS. See page 10.

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

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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*Happy
Holidays!*

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

DECEMBER 23, 2001

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



(1) 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)

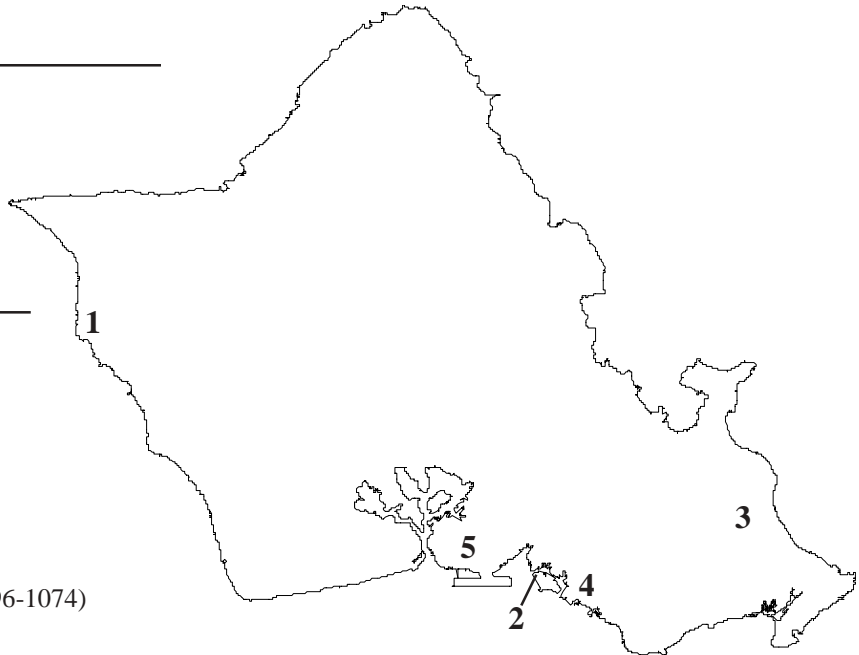
Status: FEA/FONSI issued, project may proceed.

Permits: SSV, SMA, NPDES, Sec. 10, Grading,

Required: Building, Subdivision

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 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 1/2 feet to permit landscaping of the rear yard. The wall is intended to provide protection for a planned house.



(2) Stevedore Driveway Access and Parking Lot at Sand Island

District: Honolulu
TMK: 1-5-41: por. 111
Applicant: State Department of Transportation
Harbors Division
79 South Nimitz Highway
Honolulu, Hawai'i 96813
Contact: Napoleon Agraan (587-1956)

Approving Agency/Accepting

Authority: Same as above.

Consultant: CSX World Terminals
6000 Carnegie Boulevard
Charlotte, North Carolina 28209
Contact: Jeff Brennan (808-842-5330); Bert Sanford (704-973-7215)

Status: FEA/FONSI issued, project may proceed.

Permits

Required: Building, highways use permit

The proposed improvements are intended to upgrade the container handling facilities along Pier 51-A to better serve the public.

Container handling facilities are an integral part of the shipping industry in Hawaii. Approximately 80% of all products (energy, food, and goods) must be shipped from the

mainland United States or other overseas countries. Improvements to these facilities represent better service to the residents of Hawai'i.

The proposed project involves the construction of a new driveway access and parking lot for the Stevedores at Sand Island, Honolulu Harbor, O'ahu. The work includes demolition and removal, embankment, grading and compaction, rock riprap, asphalt concrete pavement, concrete curb, metal guard rail, chain link fence and gate, drainage pipe culvert, adjustment of an existing 16-inch waterline, signage and pavement marking and striping.



(3) Waimanalo District Park Master Plan

District: Ko'olaupoko
TMK: 4-1-09:264
Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street, 11th Floor
Honolulu, Hawai'i 96813
Contact: Gary Doi (527-6699)

Approving Agency/Accepting

Authority: Same as above.
Consultant: Kimura International, Inc.
1600 Kapi'olani Boulevard, Suite 1610
Honolulu, Hawai'i 96814
Contact: Glenn Kimura (944-8848)
Status: FEA/FONSI issued, project may proceed.

Permits Required: Grading, construction, NPDES

The City and County of Honolulu, Department of Design and Construction proposes to construct improvements at Waimanalo District Park to implement an updated Master Plan. The environmental assessment covers planned elements that are sited within the boundaries of the existing 26-acre district park, located at 41-415 Hihimanu Street. Near-term improvements consist of repairs to the existing playfields, gym, multi-purpose building, and comfort station; lighting for the play courts and outer parking lots; construction of a lighted jogging/walking path, and landscaping. Proposed new construction include a 5,000-square foot multi-sport building and a pavilion (or *hale*) of approximately 1,760 square feet. Longer term improvements include expansion of the main parking lot, additional play courts, bleachers for the playfields, a 50-meter swimming pool, a second pavilion, and skateboard facility.

The master plan was developed through the vision process sponsored by the City and County of Honolulu. The proposed improvements will correct potential safety hazards and maximize the use of existing facilities. Expanded indoor and outdoor facilities will ease scheduling conflicts due to overlapping schedules and competing demands.



(4) Washington Place Renovations and Improvements

District: Honolulu
TMK: 2-1-18: 1
Applicant: Department of Accounting and General Services
1151 Punchbowl Street
Honolulu, Hawai'i 96813
Contact: Bruce Bennett (586-0491)

Approving Agency/Accepting

Authority: Same as above.
Consultant: Wilson Okamoto & Associates, Inc.
1907 South Beretania Street, Suite 400
Honolulu, Hawai'i 96826
Contact: Rodney Funakoshi (946-2277)
Status: FEA/FONSI issued, project may proceed.

Permits Required: Building

Restoration and renovation plans at Washington Place are intended to convert Washington Place, a former home of Her Royal Highness, Queen Lili'uokalani, into a museum and gallery, while building new living quarters for future governors on an adjacent piece of land. The plan for the future of Washington Place arose out of recognition of the Governor's mansion as a historic home and site worthy of restoration and development as a museum for public appreciation. The private upstairs living area of the governor's mansion would be converted into gallery and exhibit space to reflect the rich story of Her Royal Highness, Queen Lili'uokalani and other occupants of the mansion. The family living quarters of the second floor of the mansion would be vacated in favor of historic development, while continuing an 82-year tradition of official occupancy and state entertainments in the first floor state rooms.

O'ahu Notices

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In conjunction with plans for the restoration and renovation of Washington Place, a new two-story governor's residence in the mauka-Waikiki portion of the lot at the rear of Washington Place is proposed to be developed. Two small structures on that portion of the parcel used for ground maintenance storage and general storage will be demolished. The design for this two-story wood framed residence is reflective of the traditional residential architecture in Hawai'i.

National Environmental Policy Act (NEPA)



(5) Programmatic Environmental Assessment for Hickam Air Force Base

District: Honolulu
Applicant: 15th Air Base Wing Hickam Air Force Base
Hawai'i
75 H Street
Hickam AFB, Hawai'i 96853-5233
Contact: Lt. Hoisington (449-1584 x 246)

Approving Agency/Accepting

Authority: Same as above.
Consultant: J.M. Waller & Associates
459 N. Kalaheo
Kailua, Hawaii 96734
Contact: Carl Woehrle (781-1949)

Public Comment

Deadline: January 22, 2002

The Programmatic Environmental Assessment (PEA) will provide compliance with the National Environmental Policy Act (NEPA) by providing a framework to address impacts of projects typically funded in response to requests for:

- * Construction of new facilities;
- * Upgrade, repair and alterations of facilities and utilities;
- * Replacement and expansion of facilities;
- * Demolition of facilities; and
- * Remediation of hazardous waste disposal sites.

All projects would be located within Hickam AFB, Hawai'i.

The PEA discusses the potential environmental impacts from implementing various project alternatives. It also provides the public and decision-makers with the information required to understand and evaluate these potential environmental consequences. Project or site-specific information will be required to fully evaluate potential impacts; therefore, a site-specific Supplemental Environmental Assessment (SEA) will be prepared for each project.

Cumulative impacts are not addressed in the PEA because analysis of these impacts requires specific knowledge of other projects occurring within or near the study area. Based on the scope of the PEA, such information cannot be determined. However, cumulative impacts would be addressed in each SEA.

Previously Published Projects Pending Public Comments

Draft Environmental Impact Statements

 **'Iwilei Elderly Residential Complex**

Applicant: Housing and Community Development Corporation of Hawai'i
677 Queen Street, Suite 300
Honolulu, Hawai'i 96813
Contact: Neal Wu (587-0453)

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: January 22, 2002



Draft Environmental Assessments



(1) Kahakapao Loop Trail

District: Makawao
TMK: 2-2-4-16
Applicant: Na Ala Hele, Trails and Access Program
685 Old Haleakala Highway
Kahului, Hawai'i 96732
Contact: Carrie Haurez (873-3508)

Approving Agency/Accepting

Authority: Department of Land and Natural Resources
Division of Forestry and Wildlife
54 South High Street, Room #101
Wailuku, Hawai'i 96793
Contact: Robert Hobby (984-8100)

Public Comment

Deadline: January 22, 2002
Status: DEA First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority and OEQC.

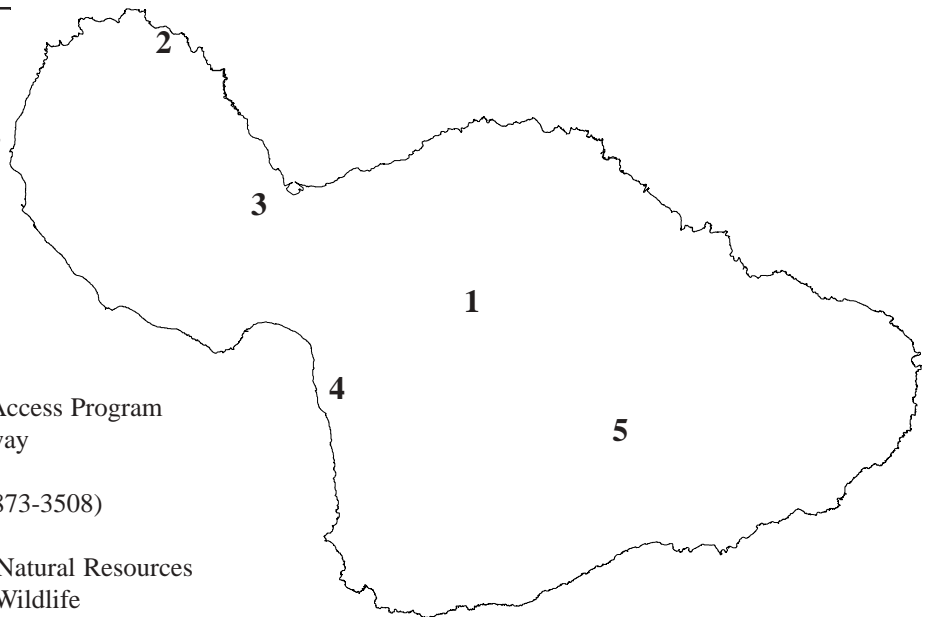
Permits

Required: N/A

The construction of the Kahakapao Loop Trail is proposed for the Makawao Forest Reserve, Maui. The trail will loop from the Fong Ridge Road to the Paahao Ridge Road, crossing a medium sized gulch at the top and bottom of the loop. It is proposed for foot, bicycle and horse traffic. The elevational range of the trail goes from 2800' to 3650'. The trail will travel through plantations of non-native trees on the ridges and remnant native vegetation in the gulch.

The addition of the Kahakapao Loop Trail to the Na Ala Hele trails system will add a much needed and requested equestrian trail, along with a bicycle and foot trail. The trail will also provide access opportunities for Forest Reserve management practices, recipient alien species detection and control, nature study, Wildland research, fire control, and hunters.

Construction will involve the removal of vegetation in the direct trail corridor, with native plants being avoided wherever possible. A trail bed will then be constructed according to Na Ala Hele trail construction specifications. Lastly, interpretive and educational signage will be added.



The negative impacts associated with the project may include a temporary increase in erosion during construction, increased visitor numbers, which may result in increased vandalism, and increased browsing by horse activity. These impacts will be mitigated by proper construction techniques, educational signage, and DLNR-DOFAW rule enforcement.



(2) 'Ohai Trail

District: Lahaina
TMK: 2-3-1-003-006
Applicant: Na Ala Hele, Trails and Access Program
685 Old Haleakala Highway
Kahului, Hawai'i 96732
Contact: Carrie Haurez (873-3508)

Approving Agency/Accepting

Authority: Department of Land and Natural Resources
Division of Forestry and Wildlife
54 South High Street, Room # 101
Wailuku, Hawai'i 96793
Contact: Robert Hobby (984-8100)

Public Comment

Deadline: January 22, 2002
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: N/A

Maui Notices

DECEMBER 23, 2001

Construction of the Ohai Trail is proposed for the Kahakuloa Game Management Area, Maui. The trail will loop off of the Kahekili Highway (#30) near Poelua Bay to traverse along the rolling terrain of Papanalohoa Point. Moving westward, the trail meets the edge of Alapapa Gulch and turns inland to connect again with the Kahekili Highway. It is proposed for foot traffic only. The elevational range goes from 220' to 280'. The trail travels through pasture grasses, nonnative shrubs and a scattering on native grasses, shrubs and sedges. It passes an enclosure constructed by DLNR to protect approximately 52 *Sesbania tomentosa* ('ohai) plants, offering excellent interpretive/educational opportunities.

Addition of the 'Ohai Trail to the NAH trails system adds a much needed and requested shoreline foot trail to the Kahakuloa-Nakalele area. The trail also provides access opportunities for management practices, recipient alien species detection/control, nature study, Wildland research, and photography.

Construction involves the removal of vegetation in the direct trail corridor, with native plants being avoided wherever possible. NAH trail construction specifications will be adhered to. Interpretive/educational signage will be added.

The negative impacts associated with the project may include a temporary increase in erosion during construction, increased motorcycle damage and increased visitor numbers, which may result in increased vandalism. These impacts will be mitigated by proper construction techniques, educational signage, and DLNR-DOFAW rule enforcement.



(3) Wailuku Wastewater Pump Station Force Main Replacement

District: Wailuku
TMK: 3-4-27:001 to 3-8-36:087
Applicant: County of Maui, Department of Public Works and Waste Management
200 South High Street,
Wailuku, Hawaii 96793
Contact: Michael Miyamoto (270-7268)

Approving Agency/Accepting

Authority: Same as above.
Consultant: Warren S. Unemori Engineering, Inc.
2145 Wells Street, Suite 403
Wailuku, Hawaii 96793
Contact: Alan L. Unemori (242-4403)

Public Comment

Deadline: January 22, 2002

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

Permits Required: NPDES, SMA

The County of Maui, Department of Public Works and Waste Management (DPWWM), proposes to construct a replacement 24-inch force main between the existing Wailuku Pump Station located approximately 500 feet east of the Kahului Beach Road-Waiehu Beach Road-Lower Main Street intersection, and a junction box on Hobron Avenue near the Kahului Wastewater Reclamation Facility in Kanaha. This single 24-inch High Density Polyethylene (HDPE) pipe will replace the existing 21-inch diameter force main which was constructed in late 1976.

Anticipated improvements include the following:

- (1) Replacement of the existing 21-inch force main with a new 24-inch High Density Polyethylene pipe force main connecting the Wailuku Pump Station to a junction box on Hobron Avenue near the Kahului Wastewater Reclamation Facility. The pipe routes considered generally follow the route of the existing 21-inch force main except that it will be deliberately realigned or offset to minimize roadway closure of Kahului Beach Road, Ka'ahumanu Avenue, Hana Highway, Hobron Avenue, and all other potential roadway crossings.
- (2) Reduced risks of possible health hazards and environmental contamination near the shoreline of Kahului Bay in the event of a break or malfunction in the existing 23+ years old force main.
- (3) Increased capacity for conveyance of wastewater.
- (4) Acquisition of additional utility easements outside the busy roadway rights-of-way for Kahului Beach Road, Ka'ahumanu Avenue, and the start of Hana Highway.

Final Environmental Assessments (FONSI)



(4) Waipuilani Estates

District: Makawao
TMK: 3-9-001:009
Applicant: Betsill Brothers Construction, Inc.
635 Kenolio Road
Kihei, Hawai'i 96753
Contact: Doyle Betsill (879-5375)

Approving Agency/Accepting

Authority: County of Maui, Department of Planning
250 South High Street
Wailuku, Hawai'i 96793
Contact: Julie Higa (270-7735)

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

Status: FEA/FONSI issued, project may proceed.

Permits

Required: SMA, Flood Hazard Development, Building

Chris Hart & Partners, Inc., is requesting a Special Management Area (SMA) permit in order to allow for the establishment of a 95 lot single-family residential project on an approximate 20-acre parcel located in Kihei, Maui, Hawai'i. The proposed project requires roadway improvements on County owned property in order to provide vehicular access from Kulanihako'i Road into the subject project. As such, this assessment has been prepared in accordance with Chapter 343, HRS.

The subject property is situated within the State's Urban District and is County zoned and community planned for residential development. The property is currently undeveloped and overgrown with kiawe trees, shrubs, weeds, bushes, and grasses. The proposed project will be developed in accordance with Maui County Code, Chapter 19.84, "R-0 Zero Lot Line Overlay District" which allows for a maximum of five units per acre and a minimum lot size of 4,000 square feet for each R-0 Lot Line lot within the R-3, Residential District. The proposed house/lot packages are anticipated to be largely affordable to Maui's median income households.

The proposed project will require the provision of both on and off-site infrastructure to support the development. On-site infrastructure will include an internal street network, as well as, the provision of water, sewer, drainage, electrical, and telephone system improvements. Access will be provided via a roadway along the south side of Kulanihako'i Road, approximately 800 feet east of South Kihei Road. A second roadway entrance and exit is proposed along South Kihei Road. This roadway will be restricted to right turns in and out in order to minimize the project's impact on traffic flow along South Kihei Road.

The Final EA concludes that the project should not result in significant environmental impacts to surrounding properties, nearshore waters, natural resources, or archaeological and historic resources on the site or in the immediate area. Public infrastructure and services including roadways, sewer and water systems, medical facilities, police and fire

protection, parks, and schools, are, or will be adequate to serve the project and therefore will not be significantly impacted by the project. The proposed project will not impact public view corridors and will not produce significant adverse impact upon the visual character of the site and its immediate environs.

In light of the foregoing, the proposed project will not result in significant environmental impacts to the environment and a FONSI is warranted.

National Environmental Policy Act (NEPA)



(5) Proposed Security Improvements for the Maui Space Surveillance Complex at Haleakala Observatories

District: Makawao
Applicant: U.S. Air Force
AFRL Directed Energy Detachment 15
Haleakala, Hawai'i

Public Comment

Deadline: January 4, 2001

The Air Force has prepared an environmental assessment evaluating potential impacts on the environment associated with proposed installation of additional security measures at Maui Space Surveillance Complex (MSSC). The Air Force Research Laboratory/Directed Energy Directorate proposes this action, which is part of Air Force Material Command.

The proposed action will provide adequate security protection to the MSSC. The proposal will correct security perimeter discrepancies by the installing two security gates, bollards and chains and a natural lava rock barrier to discourage off-road vehicle traffic.

A copy of the draft environmental assessment and the proposed Finding of No Significant Impact (FONSI) is available at the Kihei, Makawao, Hana, and Wailuku Libraries reference desks. The public comment period ends January 4, 2001. Individuals wishing further information or to contribute comments, should contact Ms. Michelle Hedrick at (505) 846-4574 or Mr. Randy Ueshiro at (808) 249-1372.



Hawai'i Notices

DECEMBER 23, 2001

Environmental Impact Statement Preparation Notices (EISPN)



(1) Lalamilo Residential Lots and Commercial/Industrial Mixed Uses

District: South Kohala
TMK: 6-6-01:10, 54, & 77; 6-6-04:12-17
Applicant: Department of Hawaiian Home Lands
1099 Alakea Street, 12th Floor
Honolulu, Hawaii 96813
Contact: Amy Arakaki (587-6450)

Approving Agency/Accepting

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

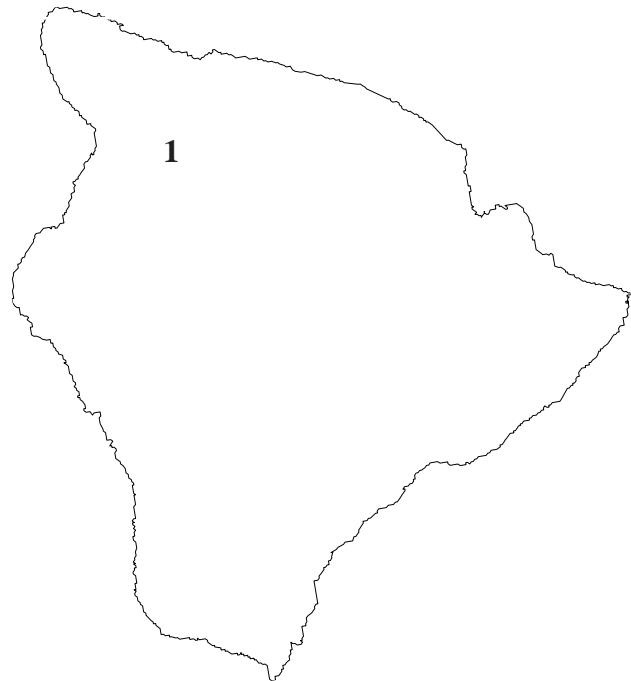
Consultant: PBR Hawaii - Hilo Office
101 Aupuni Street, Suite 310
Hilo, Hawaii 96720
Contact: Yukie Ohashi (961-3333)

Public Comment

Deadline: January 22, 2002
Status: EISPN First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority, the consultant.

Permits Required: (Phase 1 - Building/Grading/NPDES)
(Phase 2 - Building/Grading/NPDES,
Section 404, Clean Water Act, SCAP)

The Department of Hawaiian Home Lands is proposing to develop Residential Homestead Lots on approximately 265 acres of land it recently acquired from the State of Hawaii as part of the settlement to restore the Hawaiian Home Lands Trust. The primary goal of the Project is to develop and deliver 400 Residential Homestead Lots to the native Hawaiian beneficiaries who have identified their preference to reside in North Hawaii. Approximately half of the product would be developer-built homes and the remaining half is anticipated to be owner-builder and/or self-help homes. Lot sizes would be a minimum of 10,000 square feet. An additional goal is to manage approximately 33 acres of the property for revenue producing commercial and light industrial uses to support homestead development activities. Access is planned as a new loop road from Kawaihae Road and from the South Kohala Distribution Road.



The project is planned in three phases. Conceptually, the Residential Lots would be constructed in Phases 1 and 2 between 2002 and 2005. The development of the Commercial and Industrial Mixed Uses would occur in Phase 3 which is anticipated after 2006 and will be phased to meet the market demand.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

► Hawkins Single Family Residence

Applicant: Steven & Gale Elizabeth Hawkins (962-6920)
P.O. Box 344
Laupahoehoe, Hawaii 96764

Approving Agency/Accepting

Authority: Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809
Contact: Masa Alkire (587-0385)

Public Comment

Deadline: January 7, 2002

Withdrawal

Keopuka Lands Project

The Keopuka Lands Draft Environmental Impact Statement, island of Hawai'i, district of South Kona, has been withdrawn by the applicant effective December 3, 2001. The Draft EIS was published in the July 23, 2000 issue of the *Environmental Notice*.



Kaua'i Notices

Draft Environmental Assessments



(1) Kaua'i Judiciary Complex

District: Lihu'e
TMK: 3-6-02:01
Applicant: Department of Accounting and General Services
1151 Punchbowl Street, Room 430
Honolulu, Hawai'i 96813
Contact: Daniel Jandoc (586-0476)

Approving Agency/Accepting

Authority: Same as above.
Consultant: Anbe, Aruga & Ishizu Architects, Inc.
1441 Kapi'olani Boulevard, Suite 206
Honolulu, Hawai'i 96814
Contact: Jim Niermann (842-1133)

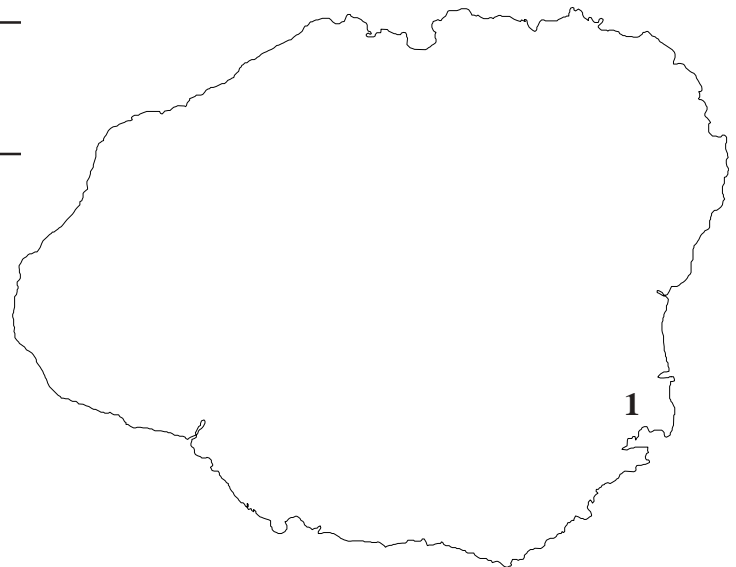
Public Comment

Deadline: January 22, 2002
Status: DEA First Notice pending public comment. Address comments to the applicant with copies to the consultant and OEQC.

Permits

Required: NPDES

The State Department of Accounting and General Services (DAGS) proposes to develop a new Kaua'i Judiciary Complex to house the State Family Court, District Court, and Circuit Court on Kaua'i.



The proposed 112,000 square-foot complex will be constructed on a 6.5-acre parcel of vacant land on Kapule Highway near the Vidinha Memorial Stadium in Lihu'e. The judiciary complex will join a new Police Headquarters and County transportation facility as part of the new civic center planned for the Lihu'e-Hanamau area. The new facility will replace the existing Lihu'e Courthouse which lacks the capacity and functional space to meet Kaua'i's current and future judiciary needs.

The complex will consist of three levels containing six courtrooms, office space, court program space, conference rooms, secured areas, holding cells, legal research and archive space, and public areas with exhibit space. Two

Kaua'i Notices

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hundred eighty-six parking spaces will be provided for the public and staff. Landscaping, an external air conditioning cooling tower, and an independent emergency generator building are included in project plans.

Construction activities will generate short-term impacts in the form of fugitive dust, exhaust emissions, and construction noise. These impacts are temporary in nature and will be mitigated through best management practices developed for the project. Development of the judiciary complex is not anticipated to have negative impacts on rare, threatened, or endangered species, or their habitats, public welfare, water or air quality, scenic resources, cultural resources or practices, or surrounding land uses. No zoning changes are required by the project. The proposed project supports the long range development strategy for the area, as expressed in the Lihu'e-Hanamaulu Master Plan.

Previously Published Projects

Draft Environmental Assessments

● Hanamaulu Coastal Renaturalization Plan

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: January 7, 2002

Shoreline Notices

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
HA-075-2 Resubmitted	11 /29/01	Portion of Grant 3019 to Kaaipulu (W) and portion of R. P. 3814, Land Commission Award 9235-B, Apana 2 to Haki, portion of Kailua-Keauhou Beach Road, land situated at Kapalaalea 2 nd , North Kona, Island of Hawaii, Hawaii Address: Non-assigned (Vacant) Purpose: Building Permit	Don McIntosh Consulting, for Douglas Leopold	7-7-10: 05
MA-263	12/4/01	Land Court Application 404, as shown on map 1, Lot C being Land Patent 8169, Land Commission Award 83 to Thomas Phillips, land situated at Kooka and Alio, Lahaina, Island of Maui, Hawaii Address: 433 and 455 Front Street Purpose: Building Permit	Akamai Land Surveying, Inc., for Joseph Fedele	4-6-2: 05 & 06
HA-202-2	12/4/01	Lot A Unit A of Puako Beach Lots, land situated at Lalamilo, South Kohala, Island of Hawaii, Hawaii Address: Non-assigned (Vacant) Purposes: Building Permit	Don McIntosh consulting, for Nann Hylton	6-9-03: 16
OA-856	12/7/01	Lot 3 of Waialae Beach Lots, Section "C" as shown on Bishop Estate Map 2713 also being a portion of R.P. 3578, Land Commission Award 10613, Apana 3 to A. Paki, land situated at Waialae-Iki, Honolulu, Island of Oahu, Hawaii Address: 4909 Kalaniana'ole Highway Purpose: Determine Setback	Jaime F. Alimboyoguen, LLC for E. Howard Klemmer and wife Amie	3-5-22: por 18

Shoreline Notices

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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
HA-075-2	Certification Withdrawn 11/29/01	Portion of Grant 3019 to Kaaipulu (W) and portion of R. P. 3814, Land Commission Award 9235-B, Apana 2 to Haki, portion of Kailua-Keauhou Beach Road, land situated at Kapalaalaea 2 nd , North Kona, Island of Hawaii, Hawaii Address: Non-assigned (Vacant) Purpose: <u>Building Permit</u> Note: At the request of the applicant the 2/12/01 Shoreline certification is withdrawn. A revised shoreline application was submitted 11/29/01	Don McIntosh Consulting, Inc., for Douglas Leopold	7-7-10: 05
OA-851	12/7/01 Certified	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
OA-852	12/7/01 Certified	Lot 11 of the Maunaloa 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 Maunaloa, 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
OA-086-2	12/7/01 Certified	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	12/7/01 Certified	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	12/7/01 Certified	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
MA-261	12/7/01 Certified	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
MO-071	12/7/01 Certified	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
MA-256	12/7/01 Certified	Portion of Grant 3343 to Claus Spreckels, land situated at Spreckelsville, Wailuku, Island of Maui, Hawaii Address: 463 Laulex Place, Paia Purpose: Building permit	Akamai Land Surveying, Inc., for Willie Hugh Nelson, etal	3-8-02: 07
HA-250	12/7/01 Certified	Lots 41 & 42 Milolii Beach Lots being Grant 3723, File Plan 789, land situated at Papa 2 nd , South Kona, Island of Hawaii, Hawaii Address: Non-assigned (Kai Avenue) Purpose: Building Permit	Don McIntosh Consulting, Inc., for Randy Gilmore and Elisa Brabence	8-8-06: 19 & 20

Pollution Control Permits

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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.

Safe Drinking Water

Branch & Permit Type	Applicant & Permit Number	Project Location	Pertinent Dates	Proposed Use
Safe Drinking Water Branch, 586-4258 UIC Permit	UH College or Trop. Ag. & Human Resources, Coop Ext. Service; UH-2147	Komohana Agricultural Complex 875 Komohana St., Hilo	n/a	Registration of 2 injection wells for sanitary and laboratory-related wastes.
Safe Drinking Water Branch, 586-4258 UIC Permit	Pio Partners UH-1893	Captain Cook Shopping Center 81-6224 Mamalahoa Hwy., Captain Cook, S. Kona	n/a	Change-of-Operator for 2 injection wells for sewage disposal.
Safe Drinking Water Branch, 586-4258 UIC Permit	1250 Oceanside Partners UH-2148	Hokuli'a, Phase 2 TMK 8-1-04:3, Kealakekua, North and South Kona	n/a	Construction of 17 injection wells for surface drainage.
Safe Drinking Water Branch, 586-4258 UIC Permit	Hawaii Electric Light Company; UH-1438	Puna Generating Facility Puna Mill Road, Keaau, Puna TMK 1-6-03:93	n/a	Permit renewal of one injection well for noncontact condenser cooling water.
Safe Drinking Water Branch, 586-4258 UIC Permit	Hawaii Electric Light Company; UH-1680	Hill Plant Tank Farm (Drainage Well) 54 Hale Kawwila St., Hilo	n/a	Abandonment of one injection well for surface drainage.
Safe Drinking Water Branch, 586-4258 UIC Permit	Department of Accounting & General Services, State of Hawaii; UH-2065A	Kealakehe High School, 4th Increment, Phase 2, Bldgs, Track, & Football field; 74-5000 Puohuluhuli St., Kealakehe, N. Kona	tba	Construction of 6 injection wells for surface drainage.
Safe Drinking Water Branch, 586-4258 UIC Permit	Department of Defense, HIARNG, State of Hawaii UH-1924	Keaukaha Military Reservation, Well No. 509; Building No. 509, Leilani St., Hilo	n/a	Registration of one injection well for sewage disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Seabury Hall, Inc. UM-2150	Seabury Hall 480 Oinda Road, Makawao, Maui	n/a	Registration of 3 injection wells for sewage disposal.
Safe Drinking Water Branch, 586-4258 UIC Permit	Ball Metal Beverage Container Corp.; UO-1224	Ball Metal Beverage Container Corp. 91-320 Komohana St., Kapolei	n/a	Permit renewal of 3 injection wells for industrial wastewater disposal.
Safe Drinking Water Branch, 586-4258 UIC Permit	Association of Apartment Owners; UO-2021	Haleiwa Surf Condominium 66-303 Haleiwa Beach Road, Waialua	n/a	Permit renewal of 3 injection wells for sewage disposal.
Safe Drinking Water Branch, 586-4258 UIC Permit	City and County of Honolulu UO-2149	Sand Island WWTP, Unit 1, Phase 2A 1350 Sand Island Parkway, Honolulu	n/a	Construction of up to 32 injection wells for construction dewatering of groundwater.
Safe Drinking Water Branch, 586-4258 UIC Permit	Marriott Hotel Services, Inc. UK-1464	Kauai Marriott Resort and Beach Club 3610 Rice St., Lihue, Kalapaki, Kauai	n/a	Registration of 11 injection wells for surface drainage.
Safe Drinking Water Branch, 586-4258 UIC Permit	Association of Apartment Owners; UK-1218	Koloa Garden Apartments 3057 Poipu Road, #21, Koloa	n/a	Permit renewal of one injection well for sewage disposal.
Safe Drinking Water Branch, 586-4258 UIC Permit	Citizens Utilities Company UK-1204	Citizens Utilities Company, Kauai Electric; 261 Akaula St., Elelee	n/a	Permit renewal of one injection well for industrial wastewater disposal.
Safe Drinking Water Branch, 586-4258 UIC Permit	Department of Public Works County of Kauai UK-1213	Lihue WWTP 3190 Kapule Highway, Lihue	n/a	Permit renewal of one injection well for backup for sewage disposal.

Pollution Control Permits

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Department of Health Permits (continued)

Clean Air Branch & Clean Water Branch

Branch Permit Type	Applicant & Permit Number	Project Location	Pertinent Date	Proposed Use
Clean Air Branch, 586-4200, Covered Source Permit	Hawaii Electric Light Company PSD/ CSP 0070-01-C and CSP 0256-01-C	Keahole Generating Station, Keahole, Hawaii	Comments Due: 1/14/02	Combustion Turbine, Unit CT-2 and Six (6) 2.5 MW Diesel Engine Generators
Clean Air Branch, 586-4200, Covered Source Permit	Hawaii Electric Light Company CSP 0235-01-C	Puna Generating Station, Keaau, Hawaii	Comments Due: 1/10/02	20 MW Combustion Turbine, 600 kW Diesel Engine Generator, and 15.5 MW Boiler with Multi-Cyclone Dust Collector
Clean Air Branch, 586-4200, Temporary Covered Source Permit	Grace Pacific Corporation CSP 0040-01-CT	Camp 10, Ameron Quarry, Puunene, Maui	Comments Due: 1/16/02	186 TPH Drum-Mix Asphalt Concrete Plant with Recycle Kit, 1.25 MMBtu/Hr Hot Oil Heater, and 725 kW Diesel Engine Generator
Clean Air Branch, 586-4200, Temporary Covered Source Permit	Keauhou Kona Construction Corporation CSP 0504-01-CT	Various Temporary Sites, State of Hawaii Initial Location: Makalei Plantations Subdivision, Kailua-Kona, Hawaii	Issued: 12/10/01	380 TPH Portable Crushing Plant with 275 bhp Diesel Engine
Clean Water Branch 586-4309, NPDES Permit	U.S. Marine Corps Base Hawaii HI 0110078	MCBH Kaneohe Bay Water Reclamation Facility, Mokapu Peninsula, Kaneohe, Oahu	Comments Due: 1/9/02	Discharge treated wastewaters to the Pacific Ocean

Recycle Your Christmas Tree!

Christmas "TreeCycling" 2002
January 5, 2002, 9:00 a.m. to 3:00 p.m.

You can drop off your Christmas tree on Saturday, January 5, from 9:00 a.m. to 3:00 p.m. at one of the following TreeCycling locations:

Kailua Intermediate School
Kaiser High School
Kapalama Elementary School
Kapiolani Community College
Kapolei Elementary School

Mililani Makaunulau (16 Acre) Park
Polynesian Cultural Center
UH Manoa (Richardson Law School)
Waianae Comprehensive Health Center
Waiiau District Park
Waimea Valley Adventure Park

Trees with tinsel or flocking will not be accepted. You can also take advantage of the City's greenwaste curbside collection program and leave your tree out on your greenwaste collection day.

Land Use Commission Notices

DECEMBER 23, 2001



Kawamoto Maui Project Site

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

Docket No. A01-735
Petitioner: Gensiro Kawamoto
Location: Kihei, Maui, Hawai'i
Acreage: 147.561 acres
TMK: 2-2-02: 2
Request: Agricultural to Urban
Date Filed: November 29, 2001

State Land Use Commission

Location Address
Leiopapa A Kamehameha Bldg. (State Office Tower)
235 S. Beretania Street, Room 406
Honolulu, Hawai'i 96813

Mailing Address
P.O. Box 2359
Honolulu, Hawai'i 96804-2359

Phone: 587-3822

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

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
Dept. of Business, Economic Development and Tourism
P.O. Box 2359
Honolulu, Hawai'i 96804

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

(1) Federal Funds to Repair the Boat Launching Ramp at Manele Small Boat Harbor, Lanai

Federal Action: Federal Assistance
Federal Agency: U.S. Fish & Wildlife Service
Applicant: Department of Land & Natural Resources
Contact: Michael Fujimoto, 587-00085
Location: Manele Bay, Lana'i
TMK: (2) 4-9-17: 6
CZM Contact: John Nakagawa, 587-2878
Proposed Action:

Receive and use \$262,500.00 of federal funds from the Sportfish Restoration Fund to repair the existing boat launching ramp at Manele Small Boat Harbor. The lower portion of the ramp was undermined and has broken off creating a hazard to boaters. The proposal is to remove the damaged concrete ramp surface and replace it with new precast concrete panels.

Comments Due: January 7, 2002

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 (5-1-2:18)	Addition to existing storage room in classroom (2001/SMA-79)	DAGS/WA Hirai & Associates
Oahu (5-3-16:7&8)	Parking lot expansion @ Hauula Latter-Day Saints Church (2001/SMA-78)	Church of Jesus Christ of Latter-Day Saints/ Paul Louie & Assoc.
Oahu (5-9-5:70)	New pavilion @ Sunset beach park (2001/SMA-84)	Dept. of Parks & Recreation / Matsumoto Santa Maria Architects
Hawaii (7-5-7::21)	Second floor addition to Kona Inn (01-39)	Robert Triantos/Carlsmith Ball LLC
Hawaii (6-9-2:23&27)	Grading perimeter of property (01-42)	Mark Fabyonic/Fabyonic Properties
Hawaii (7-6-19:99)	Convert existing room into a duplex ohana (01-46)	Roy A and Sandra E. Sveiven
Maui (1-2-2:7)	Construct 2nd farm dwelling (SM2-20010108)	Eltness L. Wallace
Maui (1-3-6:8)	Maui Pacific Center Hana School Storage Container (SM2-20010109)	Diane Zachary
Maui (1-4-4:30)	Maui Pacific Center Project Impact Storage Hana Community Center (SM2-20010109)	Diane Zachary
Maui (2-7-13:32)	Kuiaha-Kaupakulua Homesteads (SM2-20010103)	Brian Joachim
Maui (3-9-2:28)	Temp Structure for Christmas Tree Sales (SM2-20010107)	Mike Thomas
Maui (3-9-10:75)	Halama 2-lot Subdivision (SM2-20010106)	Doyle Betsill
Maui (3-9-10:78)	Waiohuli 2-lot Subdivision (SM2-20010104)	Doyle Betsill
Maui (1-3-6:8)	Hana High & Elem walkway covering (SMX-20010076) - Pending	GYA Architects
Maui (2-1-11:7)	Single Family Residence, Spa & Pool (SMX-20010084) - Pending	Chris Hart
Maui (2-6-11:29&30)	Kuau Sunset Beach Lots - Lot Line Change (SMX-20010080) - Pending	Glynis King
Maui (2-8-4:83)	Farm Equip Storage Shed (SMX-20010077) - Pending	Randal Fahland
Maui (2-9-4:17)	New Dwelling in Huelo (SMX-20010081) - Pending	Nick Wagner
Maui (2-9-11:2)	New Residence (SMX-20010083) - Pending	Martin Oostema
Maui (3-1-1:20)	Farm Equip Storage Bldg (SMX-20010079) - Pending	Nicholas T. Wagner
Maui (3-8-1:19)	Telecom Facility (SMX-20010070) - Pending	Verizon Wireless
Maui (3-8-5:25)	Maalaea Power Plant Electrical Shed (SMX-20010078) - Pending	Maui Electric Company
Maui (3-9-30:25)	New Dwelling (SMX-20010082) - Pending	Nick Wagner
Maui (4-6-3:4)	Drainline Replacement (SMX-20010073) - Pending	Albert C. Burkhalter
Maui (5-4-18:22)	Ohana Residence (SMX-20010085) - Pending	David W. Curtis

Federal Notices

DECEMBER 23, 2001

Final Rule Designating Critical Habitat for O'ahu 'Elepaio

The U.S. Fish and Wildlife Service has issued a final rule, effective **January 9, 2002**, designating five critical habitat units of approximately 65,879 acres in the Ko'olau and Waianae Ranges of O'ahu.

The Oahu 'elepaio (*Chasiempis sandwichensis ibidis*) is a small forest-dwelling bird approximately 0.43 ounces in weight and 6 inches in length, and is a member of the monarch flycatcher family Monarchidae. It is dark brown above and white below, with light brown streaks on the breast. The tail is long (2.6 in) and often held up at an angle. Adults have conspicuous white wing bars, a white rump, and white tips on the tail feathers. The throat is white with black markings in both sexes, but males tend to have more black on the chin than females. Juveniles and subadults are reddish above, with a white belly and rusty wing-bars. The bill is medium-length, straight, and black, with the base of the lower mandible bluish-gray in adults and yellow in juveniles. The legs and feet are dark gray and the iris is dark brown. Three subspecies of elepaio are recognized, each found only on a single island: the O'ahu 'elepaio; the Hawai'i 'elepaio (*Chasiempis s. sandwichensis*); and the Kaua'i 'elepaio (*C. s. sclateri*). The forms on different islands are similar in ecology and behavior, but differ somewhat in coloration and vocalizations. The elepaio comprises a monotypic genus that is found only in the Hawaiian Islands. Its closest relatives are other monarch flycatchers from the Pacific region. The O'ahu 'elepaio occurs in a variety of forest types, but is most common in riparian vegetation along streambeds and in mesic forest with a tall canopy and a well-developed understory. Population density is roughly 50 percent lower in shorter dry forest on ridges. 'Elepaio currently are not found in very wet, stunted forest on windswept summits or in very dry shrub land, but these areas may be used by individuals dispersing among subpopulations. Forest structure appears to be more important to 'elepaio than plant species composition, and unlike many Hawaiian forest birds, 'elepaio have adapted relatively well to disturbed forest composed of introduced plants. Fifty-five percent of the current range is dominated by introduced plants and 45 percent is dominated by native plants. This observation does not imply that 'elepaio prefer introduced plant species, but probably reflects a preference by 'elepaio for riparian vegetation in valleys and the high degree of habitat disturbance and abundance of introduced plants in riparian areas. Of the 45 percent dominated by native plants, 23 percent is categorized as wet forest, 17 percent as mesic forest, and 5 percent as dry forest, shrub land, and cliffs. Plant species composition in 'elepaio habitat varies considerably depending on location and elevation, but some of the most common native plants in areas where 'elepaio occur are 'ohi'a (*Metrosideros polymorpha*), papala kepau (*Pisonia umbellifera*), lama (*Diospyros sandwicensis*), mamaki (*Pipturus albidus*), kaulu (*Sapindus oahuensis*), hame (*Antidesma platyphyllum*), and alaa (*Pouteria sandwicensis*), and some of the most common introduced plants are guava (*Psidium guajava*), strawberry guava (*P. cattleianum*), kukui (*Aleurites moluccana*), mango (*Mangifera indica*), Christmasberry (*Schinus terebinthifolius*), and ti (*Cordyline terminalis*). The current population of Oahu 'elepaio is approximately 1,982 birds distributed in six core subpopulations and several smaller subpopulations. The breeding population, about 1,774 birds, is less than the total popula-

tion because of a male-biased sex ratio; only 84 percent of territorial males have mates in large populations, and many small, declining populations contain mostly males. The genetically effective population size, a measure that takes into account genetic population structure and variation in number of individuals over time, is probably even smaller than the breeding population because of the geographically fragmented distribution. Offspring dispersal distances in 'elepaio are usually less than 0.62 mile and adults have high site fidelity, but most 'elepaio populations on O'ahu are separated by many kilometers of unsuitable urban or agricultural habitat. There may be some exchange among subpopulations within each mountain range, but dispersal across the extensive pineapple fields that separate the Wai'anae and Ko'olau mountains is unlikely. While the current distribution superficially appears to constitute a metapopulation, it is uncertain if dispersal occurs among subpopulations. Before humans arrived, forest covered about 313,690 acres on O'ahu, and it is likely that 'elepaio once inhabited much of that area. Reports by early naturalists indicate that elepaio were once widespread and abundant on O'ahu. Bryan called the O'ahu 'elepaio "the most abundant Hawaiian species on the mountainside all the way from the sea to well up into the higher elevations." Perkins remarked on its "universal distribution . . . from the lowest bounds to the uppermost edge of continuous forest." Seale stated the 'elepaio was "the commonest native land bird to be found on the island," while MacCaughey described it as "the most abundant representative of the native woodland avifauna" and "abundant in all parts of its range." The historical range of the O'ahu 'elepaio apparently included most forested parts of the island, and it was formerly abundant. Despite its adaptability, the O'ahu 'elepaio has seriously declined since the arrival of humans, and it has disappeared from many areas where it was formerly common. The aggregate geographic area of all current subpopulations is approximately 13,980 acres. The O'ahu 'elepaio thus currently occupies only about 4 percent of its original prehistoric range, and its range has declined by roughly 96 percent since humans arrived in Hawaii 1,600 years ago. In 1975, elepaio inhabited approximately 51,623 acres on O'ahu, almost four times the area of the current range. The range of the O'ahu 'elepaio has thus declined by roughly 75 percent in the last 25 years. Much of the historical decline of the O'ahu 'elepaio can be attributed to habitat loss, especially at low elevations. Fifty-six percent of the original prehistoric range has been developed for urban or agricultural use, and practically no 'elepaio remain in developed areas. However, many areas of O'ahu that recently supported elepaio and still contain suitable forest habitat are currently unoccupied, demonstrating that habitat loss is not the only threat. Recent declines in O'ahu 'elepaio populations are due to a combination of low adult survival and low reproductive success. Both annual adult survival and reproductive success are lower on Oahu (0.76, 0.33, respectively) than in a large, stable population of another subspecies of 'elepaio at Hakalau Forest National Wildlife Refuge on Hawai'i Island (0.85, 0.62). The two main causes of low survival and low reproduction on O'ahu are nest predation by alien black rats (*Rattus rattus*) and alien diseases, particularly avian pox (*Poxvirus avium*) and avian malaria (*Plasmodium relictum*), which are carried by the alien southern house mosquito (*Culex quinquefasciatus*). Annual survival of birds with active avian pox lesions (60 percent) was lower than annual survival of healthy birds (80 percent). Pairs in which at least one bird had pox lesions produced fewer fledglings than healthy pair. Many birds with active pox did not

even attempt to nest, and infected birds were sometimes deserted by their mate. Malaria is a serious threat to many Hawaiian forest birds, but its effect on 'elepaio has not been investigated. Nest predation by black rats causes many nests to fail, and rats also probably take adult female 'elepaio on the nest at night. An experiment in which automatic cameras were wired to artificial 'elepaio nests containing quail eggs showed that a black rat was the predator in all 10 predation events documented (VanderWerf 2001). Control of rats with snap traps and diphacinone (an anticoagulant rodenticide) bait stations was effective at improving 'elepaio reproductive success, resulting in an 85 percent increase in nest success and a 127 percent increase in fledglings per pair compared to control areas. A comprehensive description of the life history and ecology of the 'elepaio is provided by Eric VanderWerf (1998), from which much of the information below is taken. 'Elepaio are non-migratory and defend all-purpose territories year-round. The average territory size on Oahu was 4.94 acres in forest composed of introduced plant species, but territory size likely varies with vegetation structure. Population density on O'ahu was 50 percent lower in short forest on ridges than in tall riparian forest along streambeds, and for the related subspecies on Hawai'i, territory size was 50 percent larger in more disturbed forest with an open canopy and grass understory. O'ahu 'elepaio are socially monogamous, and approximately 63 percent of pairs remain together each year. Site fidelity is high, with 96 percent of males and 67 percent of females remaining on the same territory from year to year. Annual survival of healthy adults is high, approximately 85 percent in males and 70 percent in females. Young birds wander (or float) while they attempt to acquire a territory and a mate. The nesting season usually extends from mid February through May, but active nests have been found from January through July. Nest site selection is not specialized, and nests have been found in a variety of plants, including 6 native species and 13 introduced species. The nest is a finely-woven, free-standing cup made of rootlets, bark strips, leaf skeletons, lichen, and spider silk, and is placed in a fork or on top of a branch. Both sexes participate in all aspects of nesting, but the female plays a larger role in nest building and the male provides more food for the nestlings. Clutch size is 1 to 3 eggs, usually 2, and eggs hatch after 18 days. The nestling period is 16 days. Fledglings are fed by their parents for more than a month after leaving the nest, and may remain in the home territory for up to 9 months, until the start of the next breeding season. Fecundity (reproductive rate) is low; even if nest predators are removed, the mean reproductive rate is 0.75 fledglings per pair per year. O'ahu 'elepaio will re-nest once or twice after failure, but they rarely attempt to re-nest if the first nest is successful. Other than introduced predators, storms with heavy rain and strong winds are the most common cause of nest failure. The diet and foraging behaviors of elepaio are extremely varied. The diet consists of a wide range of arthropods, particularly insects

and spiders, and includes introduced species such as fruit flies (Tephritidae). Large prey, such as moths and caterpillars, are beaten against a branch before being eaten. In a study on Hawai'i Island, VanderWerf (1993, 1994) found that 'elepaio foraged at all heights on all available plant species, and that they caught insects from a variety of substrates, including the ground and fallen logs (2 percent), trunks (5 percent), branches (24 percent), twigs (38 percent), foliage (20 percent), and in the air (11 percent). 'Elepaio are versatile and agile in pursuit of prey, using a diversity of foraging behaviors that is among the highest recorded for any bird, including perch-gleaning (48 percent), several forms of flight-gleaning (30 percent), hanging (11 percent), aerial flycatching (7 percent), and active pursuit (4 percent).

For more information, call Eric VanderWerf at (808) 541-3441 (citations to original literature omitted above; see, 66 F.R. 63751, December 10, 2001, for details).

Draft Addendum to Recovery Plan for Multi-Island Plants

The U.S. Fish and Wildlife Service announced the availability for public comment of a draft Addendum to the Recovery Plan for the Multi-Island Plants. There are 10 plant taxa from the Maui Nui group of islands included in this plan, all of which are listed as endangered. They are: *Clermontia samuellii* (oha wai); *Cyanea copelandii* ssp. *haleakalaensis* (haha); *Cyanea glabra* (haha); *Cyanea hamatiflora* (haha); *Dubautia plantaginea* ssp. *humilis* (naenae); *Hedyotis schlehtendahlia* var. *remyi* (kopa); *Kanaloa kahoolawensis* (kohe malamalama o Kanaloa); *Labordia tinifolia* var. *lanaiensis* (kamakahala); *Labordia triflora* (kamakahala); and, *Melicope munroi* ('alani). FWS will consider comments received by February 11, 2002. For more information, call Christa Russell at (808) 541-3441 (see, 66 F.R. 64451, December 13, 2001).

Finding of No Significant Impact on Salvinia Eradication Project

The Animal and Plant Health Inspection Service of the U.S. Department of Agriculture (APHIS) has prepared an environmental assessment and issued a finding of no significant impact (FONSI) on a demonstration project to eradicate and prevent the spread of the aquatic weed giant salvinia (*Salvinia molesta*). For details, call Dr. Alan V. Tasker, National Weed Program Coordinator at (301) 734-5225 (see, 66 F.R. 63212, December 5, 2001).

