

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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FEBRUARY 8, 2002

Environmental Report Card

The Environmental Council has issued its latest report card in Hawaii's environmental health. The Council has given a letter grade of "B" for our progress in meeting annual environmental goals and "C+" for our overall environmental status.

The report also states that in order to sustain Hawaii's ecosystem we must: 1) Use sunlight or other renewable alternatives such as wind as the source of energy; 2) Dispose of wastes and replenish nutrients by recycling all elements; 3) Maintain biodiversity; and 4) Maintain the size of

human or animal populations so that "overgrazing" and overuse do not occur

For the past three years, the Environmental Council's "Environmental Report Card" has featured themes related to ecosystem sustainability in its recommendations to the Governor. This year's recommendations focus on maintaining Hawaii's biodiversity. According to the Council, in order to protect Hawaii's unique biodiversity, we must address the threats - the most serious of which are invasive alien species. For more call OEQC.

Kaho'olawe Rain Catchment

Throughout its history, Kaho'olawe has been scarcely populated due to its lack of natural fresh water resources. Grazing animals accelerated the loss of vegetation and helped lead the island to its barren state. To combat soil erosion by allowing for revegetation of a large barren area surrounding Luamakika Crater on Kaho'olawe, the Kaho'olawe Island Reserve Commission of the State of Hawaii is proposing the construction of a rainwater catchment and storage system. The entire system consisting of a catchment apron, reservoir storage system, pump house, access road and transmission pipes, will span 49 acres and is expected to commence in April 2002. Possible impacts include effects on cultural resources, water quality and the cumulative and secondary effects of other land-based vegetation and remediation projects on the island. The Navy retains administrative control of Kaho'olawe until environmental restoration and unexploded ordnance removal is completed in accordance with the Memorandum of Understanding between the Navy and the State of Hawaii or until November 11, 2003, whichever comes first. See page 13 for more.

Volcano Charter School

The State Department of Education has submitted a draft environmental assessment for a community public charter school known as the Volcano School of Arts and Sciences situated in the ahupua'a of Keauhou, Puna District, on land (owned by the Kamehameha Schools and leased to Kavana Homes) zoned conservation in Volcano Village. The current site contains modified Quonset huts originally built prior to 1950. These buildings and the site will be used as a study area to eventually accommodate up to 130 students. A copy of the school's implementation plan is found on the Internet at www.volcanovillage.net/charterschool. See page 12 for details.

Hearing on Kaua'i for Plant Species and Newcomb's Snail

The U.S. Fish and Wildlife Service has issued notices concerning the designation of critical habitat under the Endangered Species Act for various plant species and Newcomb's snail. FWS will hold a public hearing on this proposed rule for plant species from 6:00 - 8:00 p.m., Wednesday, February 13, 2002, on the island of Kaua'i. See page 20 for more.

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 periodic bulletin (see Section 343-3, HRS) known as the *Environmental Notice*. 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) under Chapter 205A HRS and county ordinance. The Counties regulate development of this area. 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 Valentine's
Day**

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) Kokokahi Place Drainage Improvements

District: Ko'olaupoko
TMK: 4-4
Applicant: City & County of Honolulu
Department of Design & Construction
650 South King Street
Honolulu, Hawai'i 96813
Contact: Albert Miyashiro (527-5155)

Approving Agency/Accepting

Authority: Same as above.
Consultant: GKO & Associates
680 'Iwilei Road, Suite 410
Honolulu, Hawai'i 96817
Contact: Robert Purdie, Jr. (524-0355)

Public Comment

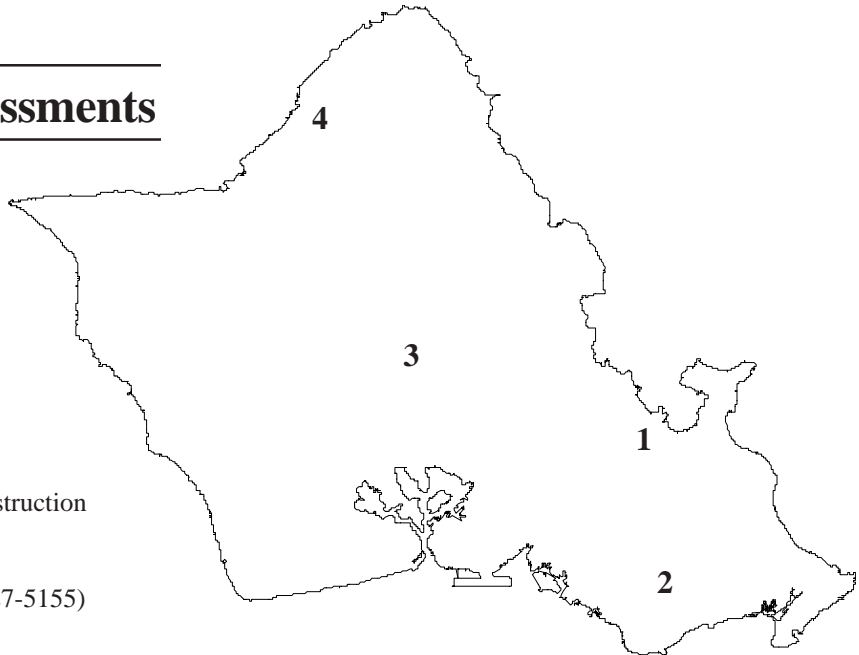
Deadline: March 11, 2002
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

Permits

Required: SMA, SSV

The Department of Design and Construction is proposing to construct improvements to the Kokokahi Place Drainage system in Kane'ohē to alleviate flooding in this area. The proposed improvements include the installation of new drain inlets and an 18-inch (transitioning to a 24-inch) drain line extending from the Kokokahi Place cul-de-sac down to Malulani Street and a new 7'x3' box drain and transition structure parallel to the existing box drain onto the YWCA property below Kane'ohē Bay Drive. No significant impacts are anticipated from construction of these improvements.

A management plan to control soil erosion will be developed before construction of the drainage improvements is undertaken. However, because of the steep terrain, there is a potential for loss of soils along the alignment from the cul-de-sac at Kokokahi Place down to Malulani even with best management practices in effect. Construction of the parallel box drain below Kane'ohē Bay drive may also result in a short-term negative impact on water quality.



The total quantity of water discharged during storm events will not be increased by the proposed drainage improvements. However, the flow rate of the water will increase. This may have some adverse effect on nearshore waters during and after storm events. No long-term effects on marine or estuarine species are anticipated.

There will be destruction of vegetation in the area of construction. The area does not support any native plant-dominated vegetation types. There are no threatened, endangered or rare flora in the project area. There will be no effect on significant historic sites.

Kokokahi Place and Malulani will be disturbed temporarily during construction resulting in short-term noise, air quality and traffic impacts. Activities will be planned in cooperation with local residents and the Honolulu Police Department to minimize disruptions. Kane'ohē Bay Drive will not be disturbed.

Total costs are estimated to be \$633,000 and to last six months for each portion of the project. A start date had not been scheduled at this time.

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



(2) Haig Residence Improvements

District: Honolulu
TMK: 3-3-36:30
Applicant: David Haig (526-9169)
First Hawaiian Center
999 Bishop Street, Suite 2800
Honolulu, Hawai'i 96813

Approving Agency/Accepting

Authority: Department of Land and Natural Resources
1151 Punchbowl Street, Room 130
Honolulu, Hawai'i 96813
Contact: Sam Lemmo (587-0414)

Consultant: Group 70 International, Inc.
925 Bethel Street, 5th Floor
Honolulu, Hawai'i 96813
Contact: George Atta (523-5866 x 103)

Status: FEA/FONSI issued, project may proceed.

Permits

Required: CDUP

The proposed project involves improvements on a vacant property located in the State Conservation Land Use District. The lot is adjacent to the property owner's main residence. The improvements include: an expanded motor court turnaround area, a new residential addition, an artist's studio/gazebo, a recreational deck, landscaping, and fencing. The proposed improvements will occupy approximately 4,000 square-feet of the subject property.

The project site is located on Wilhelmina Rise on the eastern slopes of Palolo Valley on the Island of O'ahu. Mr. David Haig, the applicant and landowner of the main residence immediately adjacent (8,140 sq. ft.), owns the project site (71,377 sq. ft.). The 1.6-acre vacant site is relatively steep with 15-40 percent slopes stretching down its 364-foot length. Several relatively level areas on the site exist however, providing potential locations for the proposed site improvements. It is nearly 450 linear feet to the nearest residences of Palolo Valley below the site.

The site improvements are intended to utilize buildable areas on the vacant slope and enhance the amenities of the existing main residence. It is intended that these improvements result in minimal impacts on the environment, surrounding neighbors, and down slope areas.

A Conservation District Use Application (CDUA) is needed to implement site improvements. Construction is anticipated to be completed by mid 2003.



(3) Mililani Mauka II Elementary School

District: 'Ewa
TMK: 9-5-002:001
Applicant: Department of Accounting and General Services
1151 Punchbowl Street, Room 430
Honolulu, Hawai'i 96813
Contact: Ralph Morita (586-0486)

Approving Agency/Accepting

Authority: Same as above.
Consultant: Pacific Architects, Inc.
2020 South King Street
Honolulu, Hawai'i 96826
Contact: Clifford Murakami (949-1601)

Status:

Permits

Required: Building, grading

The State of Hawai'i Department of Accounting and General Services for the Department of Education proposes to construct Mililani Mauka II Elementary School. The proposed school will be situated on 12 acres of private property in Mililani Mauka, that will be subdivided and deeded to the State of Hawai'i. The property is bound by Mehe'ula Parkway to the North, Kuaoa Road on the West, Lehiwa Drive on the East and a new residential development on the South.

The proposed school will serve the upper Mililani Mauka residential developments planned and under construction, and will also relieve the current over-crowding at the existing Mililani Mauka Elementary School. The school will serve pre-kindergarten to fifth grade levels and have a design enrollment of 650 students with the ability to go to a year-round multi-track program that would increase the capacity to 866 students.

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The proposed school development will include parking for approximately 70 staff and visitors; and Administration/CSSS Building; a Cafetorium with a convention kitchen; a Library/Media Center/Computer Resource Center Building; two (2) Classroom buildings; a Covered Playcourt; a Mechanical/Electrical Building; and recreational playgrounds. Also planned for the campus are identified sites for three (3) future portable classrooms and a six (6) classroom building. The campus further has a prominent multi-purpose courtyard that serves fire protection maneuvering requirements, additional recreational area, and an assembly area for outdoor programs and activities.



(4) Waimea Falls Park

District: Waialua
TMK: 6-1-002: 2, 3, 14-17, 19-21; 5-9-005: 25, 29, 76
Applicant: Attractions Hawai'i
1600 Kapi'olani Boulevard, Ste. 1630
Honolulu, Hawai'i 96814
Contact: Ray Green (638-6700)
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: Analytical Planning Consultants
928 Nu'uuanu Avenue, Suite 502
Honolulu, Hawai'i 96813
Contact: Donald Clegg (536-5695)
Status: FEA/FONSI issued, project may proceed.
Permits Required: SMA, CDUP, Stream Diversion, Building

Waimea Falls Park is located on the north shore of O'ahu. Although the property owned by the applicant encompasses an area of about 1,800 acres and extends inland from Kamehameha highway approximately 3.5 miles, the active recreational areas are limited primarily to the lower third of the valley.

The applicant, Attractions Hawai'i, proposes to obtain after the fact approval for structures and activities at the existing Waimea Falls Park outdoor recreational attraction. The valley has operated as a visitor attraction since the mid 1970's.

Structures and activities for which the applicant is seeking approval include the following: signs, various kiosks and booths, storage sheds, shipping containers used mainly for storage, trailers serving a variety of uses, animal and bird enclosures, rain shelters, stage and show areas, "jungle trek" maze, stream alterations, mountain biking, kayaking, horse back riding and camps sites (limited to the lower meadow).

In 2,000 there were approximately 250,000 visitors who came to the valley.

On October 18, 2000 the Honolulu City Council adopted a resolution (Council Resolution 00-176, CD-1, FD-1) authorizing the city administration to initiate procedures to acquire Waimea Valley Park.

National Environmental Policy Act (NEPA)



(5) Ford Island Development (Final PEIS)

District: Honolulu
TMK: 9-9-001:015, 9-9-003:999, 9-4-002:012, 9-4-005:009, 9-4-003:006, 9-1-001:001, and 9-1-013:001
Applicant: U.S. Navy
Commander, Navy Region Hawai'i
517 Russell Avenue
Pearl Harbor, Hawai'i 96860-4884
Contact: Stanley Uehara (Code PLN231) (471-9338)
Approving Agency/Accepting Authority: Secretary of the Navy
DASN (I&F) via Chief of Naval Operations (N456)
2211 South Clark Place
Crystal Plaza #5, Room 680
Arlington, Virginia 22244-5108
Contact: Ms. Kim DePaul, CNO N456C (703-604-1233)
Consultant: Belt Collins Hawai'i
680 Ala Moana Boulevard, Suite 100
Honolulu, Hawai'i 96813-5406
Contact: Ms. Lesley Matsumoto (521-5361)
Public Comment Deadline: February 24, 2002

The Department of the Navy has prepared and filed with the U.S. Environmental Protection Agency the Final Programmatic Environmental Impact Statement (PEIS) for Ford Island Development, Pearl Harbor, Hawai'i.

The proposed action is to consolidate selected operations at Pearl Harbor by locating and relocating certain activities onto Ford Island. Under consideration are new construction and, as appropriate, adaptive reuse of existing structures on Ford Island for up to 420 family housing units, up to 190,000 square feet of administrative space, a consolidated training complex, and Bachelor Enlisted Quarters for up to 1,000 personnel, as well as infrastructure improvements, including those for roads and utilities.

The Navy has selected Alternative B, medium intensity development, as the preferred alternative. With this alternative, private development of up to 75 acres would be allowed on Ford Island and may include a historic visitor attraction. Alternative B would also allow for the lease of Halawa Landing and Iroquois Point/Pu'uloa Housing, and sale of Waikele Branch, Naval Magazine Pearl Harbor and property at the former Naval Air Station Barbers Point. No decision on the proposed action will be made until the National Environmental Policy Act process has been completed.

Comments received during the Draft PEIS public comment period have been addressed and included as part of the Final PEIS. The Final PEIS has been distributed to various interested parties and local libraries, including 'Ewa Beach, Main, Pearl City, Salt Lake/Moanalua, and Waipahu branches. The Final PEIS is available for review during a 30-day period that ends on February 24, 2002. A limited number of copies of the Final PEIS are available from the contact below.

Contact for Further Information: Mr. Stanley Uehara, PLN231, Pacific Division, Naval Facilities Engineering Command, 258 Makalapa Drive, Suite 100, Pearl Harbor, Hawai'i 96860-3134, Telephone: (808) 471-9338, Fax: (808) 474-5909.



(6) Construct Consolidated Medical Training Facility at Hickam Air Force Base (Draft EA)

District: Honolulu

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

**Public Comment
Deadline:** March 10, 2002

The U.S. Air Force Reserve (USAFR) Headquarters is proposing to construct two new USAFR training facilities on Hickam AFB, Hawai'i for the expanding Reserve mission in Hawai'i. The anticipated start for the construction of these proposed facilities will be January 2004. Reservists would be trained in their wartime and peacetime support missions. One facility will be dedicated to USAFR medical training and the other building for composite USAFR training. There are four USAFR squadrons assigned to Hickam AFB. The construction of facilities is needed due to undersized existing facilities that cannot meet training and operational requirements.

Copies of the draft EA are available at the 'Aiea and Pearl City Libraries.

For further information, contact Lt. Hoisington at 449-1584 x 246. Written comments must be submitted no later than March 10, 2002 to the following: Tom Heathman, 402 W Rhapsody, Suite 107, San Antonio, TX 78216.



(7) Aircraft Parking Pad Expansion and Facility Improvement at Hickam Air Force Base (Draft EA)

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

**Public Comment
Deadline:** March 10, 2002

The purpose of the proposed action is to improve existing airfield support facilities and infrastructure to better meet the training requirements of 162 FW/LNG and other visiting flying units at Hickam AFB, Hawai'i. The existing infrastructure and facilities at Hickam AFB limit these units' ability to successfully accomplish their mission and are in need of improvements.

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The proposed action includes: increasing the existing parking space on Mike Pad to accommodate additional aircraft; constructing a break area near Building 3435 to improve unit response to airfield operations; and construct a drive entrance that connects Building 3435's parking area to Worcester Avenue.

Copies of the draft EA are available at the 'Aiea and Pearl City Libraries.

For further information, contact Lt. Hoisington at 449-1584 x 246. Written comments must be submitted no later than March 10, 2002 to AFCEE/ECA, Attn: Capt Chris Stoppel, 3207 North Road, Brooks AFB, TX 78235.

Previously Published Projects Pending Public Comments

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Hakimo Road Drainage Improvements

Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street, 11th Floor
Honolulu, Hawai'i 96813
Contact: Dennis Toyama (523-4756)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: February 22, 2002

Hale'iwa Regional Park Skateboard Facility

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.

Public Comment

Deadline: February 22, 2002

Remington Single Family Residence

Applicant: Paul and Wanda Remington
47-403 A Kapehe Street
Kane'ohe, Hawai'i 96744-4845
Contact: Paul Remington (239-7310)

Approving Agency/Accepting

Authority: Department of Land and Natural Resources
1151 Punchbowl Street, Suite 202
Honolulu, Hawai'i 96813
Contact: Masa Alkire (587-0385)

Public Comment

Deadline: February 22, 2002

Waianae Coast Emergency Access Road

Applicant: City and County of Honolulu
Department of Transportation Services
711 Kapi'olani Boulevard, Suite 1200
Honolulu, Hawai'i 96813
Contact: Mike Oshiro (523-4735)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: DTS has extended the comment deadline to February 22, 2002

Draft Environmental Impact Statements

Waimanalo Gulch Sanitary Landfill Expansion (Revised Supplemental)

Applicant: City and County of Honolulu
Department of Environmental Services
650 South King Street, 6th Floor
Honolulu, Hawai'i 96813
Contact: Wilma Namumnart (527-5378)

Approving Agency/Accepting

Authority: Mayor, City and County of Honolulu
530 South King Street, Room 300
Honolulu, Hawai'i 96813

Public Comment

Deadline: DES has extended the comment deadline to February 18, 2002



Draft Environmental Assessments



(1) A&B Properties Land Use Amendment Request

District: Wailuku
TMK: 3-8-80: 7 (por.), 8 (por.) and 39
Applicant: A&B Properties, Inc.
33 Lono Avenue, Suite 400
Kahului, Hawai'i 96732
Contact: Hideo Kawahara (877-5523)

Approving Agency/Accepting Authority: County of Maui
Department of Planning
2200 Main Street, Suite 335
Wailuku, Hawai'i 96793
Contact: Ann Cua (270-7735)

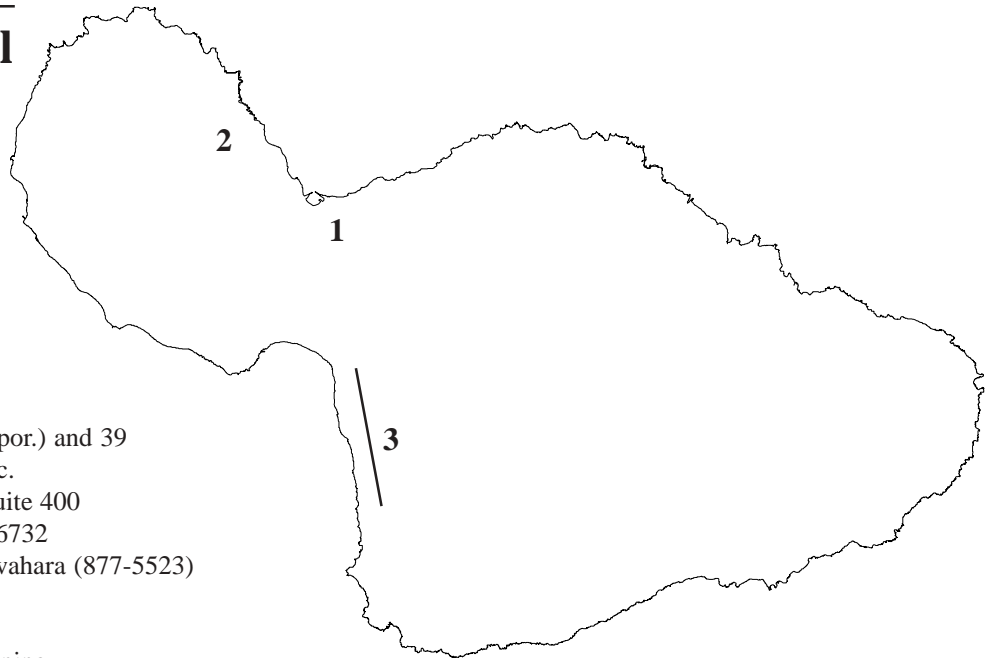
Consultant: Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawai'i 96793
Contact: Michael Munekiyo (244-2015)

Public Comment

Deadline: March 11, 2002
Status: DEA First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority, the consultant and OEQC.

Permits Required: Community Plan Amendment, Change in Zoning

A&B Properties, Inc. (A&B) is requesting a Community Plan Amendment and Change in Zoning for an approximately 8,071 square foot area identified as TMK (2)3-8-80:39 and portions of TMKs (2) 3-8-80:7 and 8 located in the Kahului Industrial Park Phase I-A Subdivision, along Ala Makani Street. The subject area is currently vacant and provides a sloped buffer strip between the Kahului Industrial Park and TMK (2)3-8-65:27 fronting Dairy Road. Dairy Road Shell, Super Stop II, and the Grocery Outlet are located on TMK (2)3-8-65:27.



In 1998, A&B was required to widen Dairy Road as a prior condition of development of the Maui Business Park. In order to complete the road widening improvements, A&B was also required to secure from HRT, Ltd. (owners of TMK (2)3-8-65:27), a 4,485 square foot road widening lot along the Dairy Road frontage of HRT, Ltd.'s parcel. Prior to the creation of the 4,485 square foot road widening lot, the affected area was zoned M-2, Heavy Industrial. The balance of TMK (2)3-8-65:27 is zoned M-2, Heavy Industrial.

To facilitate the timely completion of the Dairy Road widening project, A&B and HRT, Ltd. entered into an agreement providing for a land exchange as follows:

1. A&B to consolidate and re-subdivide an approximately 8,071 square foot strip of land along the mutual property lines at TMK (2)3-8-65:27 and parcels within the Kahului Industrial Park, encompassing TMK Nos. (2)3-8-80:7(por.), 8(por.) and 39;
2. A&B to obtain the required land use entitlements to establish M-2, Heavy Industrial zoning on the 8,071 square foot parcel, consistent with the M-2 zoning on HRT, Ltd.'s parcel 27; and
3. A&B to convey the 8,071 square foot parcel to HRT, Ltd.

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The 8,071 square foot exchange parcel has the following land use designations: Wailuku-Kahului Community Plan: Light Industrial and County Zoning: M-1, Light Industrial. Towards fulfilling the terms of the agreement, therefore, A&B will be filing the following land use applications: Community Plan Amendment: Light Industrial to Heavy Industrial and Change in Zoning: M-1, Light Industrial to M-2, Heavy Industrial.

As part of the Community Plan Amendment process, an Environmental Assessment is being prepared pursuant to Chapter 343, Hawai'i Revised Statutes.



(2) Kupa'a Well No. 1 and Transmission Line

District: Wailuku
TMK: 3-2-001:003 (Portion)
Applicant: County of Maui
Department of Water Supply
200 South High Street
Wailuku, Hawai'i 96793
Contact: Herbert Kogasaka (270-7835)

Approving Agency/Accepting

Authority: Same as above.
Consultant: Chris Hart & Partners
Landscape Architecture and Planning
1955 Main Street, Suite 200
Wailuku, Hawai'i 96793
Contact: Rory Frampton (242-1955)

Public Comment

Deadline: March 11, 2002
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

Permits

Required: Pump Installation, Building

The County of Maui, Department of Water Supply (DWS), is proposing the development of Kupa'a Well No. 1, and an associated 16-inch transmission waterline, on the northern slopes of the West Maui Mountains, north of the village of Waihe'e and approximately one mile north of Waihe'e Stream, Waihe'e, Maui, Hawai'i. The proposed well and waterline are part of the larger North Waihe'e Water Source Project, which is intended to relieve stress on the 'Iao Aquifer by providing alternative sources of water for the Central Maui Water System.

The development of Kupa'a Well No. 1, which will be the fifth well developed within the system, will provide additional alternatives to service the region's population and economic centers.

The project site is situated approximately 1,000 feet mauka (west) of Kahekili Highway, at an approximate elevation of 640 feet above mean sea level and approximately 4,000 feet from the ocean. The nearest residence is over 1,000 feet north of the well site.

Development of the project will consist of clearing, grubbing, grading; installation of a pump and related electrical controls; 500,000 gallon reservoir; equipment building with disinfection and electrical equipment; piping, fencing, and related work. A 16-inch transmission waterline is planned to carry water from the Kupa'a 500,000 gallon reservoir to Kanoa Well No. 1 where the water will then be transported via an existing 24-inch transmission line to the Central Maui Water System. The short-term impacts associated with these activities are not anticipated to have a significant impact upon existing land uses at the site or in the region.

The project is not anticipated to have any adverse impacts upon existing environmental features such as flora and fauna, topography, soils, or air quality; archaeological or historical features; existing socio-economic conditions; or existing public services or infrastructure.

Therefore, the proposed project is not anticipated to have any significant environmental impacts, and it is anticipated that a "Finding of No Significant Impact" (FONSI) will be made by DWS.



(3) Pi'ilani Highway Improvements (Mokulele Highway to Kilohana Drive)

District: Wailuku
TMK: NA (Roadway Right-of-Way)
Applicant: Department of Transportation
Highways Division
650 Palapala Drive
Kahului, Hawai'i 96732
Contact: Fred Cajigal (873-3535)

Approving Agency/Accepting

Authority: Same as above.

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

Public Comment

Deadline: March 11, 2002
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

Permits

Required: NPDES, ROW

The State Department of Transportation, Highways Division (DOT), proposes the design and implementation of restriping and related improvements to approximately 5.8 miles of the Pi'ilani Highway from the intersection at Mokulele Highway to the intersection at Kilohana Drive in the Kihei District of the island of Maui, Hawai'i. The proposed improvements will utilize the existing highway right-of-way to provide two (2) additional travel lanes, one (1) in each direction.

The proposed project is intended to address existing traffic capacity constraints, as well as provide interim relief for projected increases in volume along the project corridor.

The major work elements of the proposed project are as follows: (1) restripe and convert the existing 10 ft. wide paved shoulders on each edge of road to an additional traffic lane; (2) pave into existing gutters to provide minimum 6 ft. wide paved shoulders (at bridges, 2 ft. wide shoulders to be provided); (3) construct an operational and functional drainage system as appropriate; (4) modify intersections in order to permit shoulder lane passage through intersections; (5) relocate existing traffic signals at all applicable intersections as necessary to permit shoulder lane passage through the intersections; (6) replace traffic signal mast arms and add signal heads, as necessary; (7) restripe intersections and crosswalks; and (8) add, change and/or relocate regulatory traffic signs.

The proposed project will involve the use of State and County funds. It is estimated that the proposed project will cost \$4.75 million to complete.

Construction of the project will commence upon the receipt of applicable regulatory permits, approvals, and contractor selection. Project construction is estimated to last about eleven months.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

 **Waiehu Kou Phase 3**

Applicant: Department of Hawaiian Home Lands
P.O. Box 1879
Honolulu, Hawai'i 96805
Contact: Stewart Matsunaga (587-6454)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: February 22, 2002

Draft Environmental Impact Statements

 **Kapalua Mauka Resort Expansion**

Applicant: Maui Land and Pineapple Company, Inc.
P.O. Box 187
Kahului, Hawai'i 96732
Contact: Robert M. McNatt (877-3351)

Approving Agency/Accepting

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

Public Comment

Deadline: February 22, 2002



Hawai'i Notices

FEBRUARY 8, 2002

Draft Environmental Assessments



(1) Volcano School of Arts and Sciences, A Community Public Charter School

District: Puna
TMK: 9-9-001:012, 016, 032, 033
Applicant: Volcano School of Arts and Sciences-PCS/
Dept. of Education
P.O. Box 845
Volcano, Hawai'i 96785
Contact: Lora Gale (985-9126)

Approving Agency/Accepting

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

Public Comment

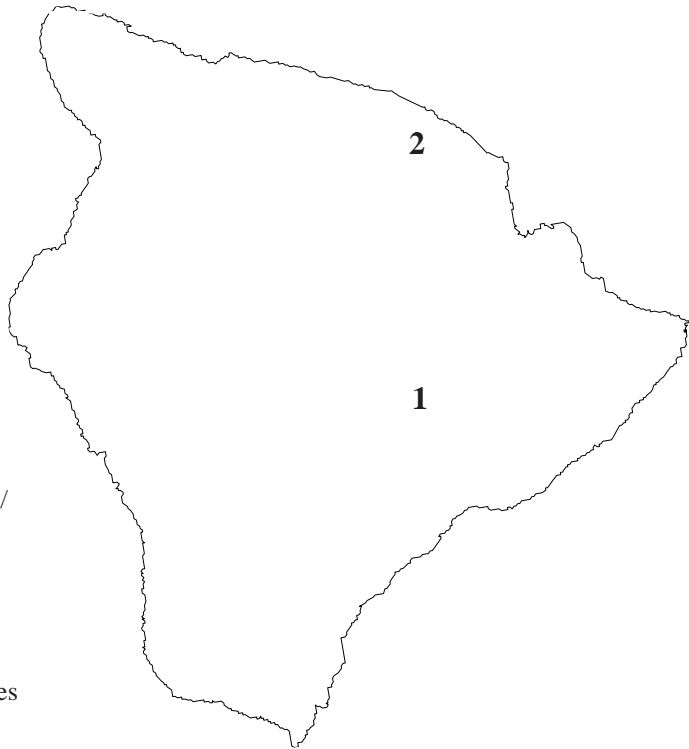
Deadline: March 11, 2002
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the approving agency or accepting authority and OEQC.

Permits

Required: CDUP, Building

The Department of Education-Volcano School of Arts & Sciences, A Community Public Charter School, proposes to use approximately four acres for a charter school (K-8) in the ahupua'a of Keauhou, adjacent to the village of Volcano. The current site contains modified quonset huts with lanais, cement walkways, graveled surfaces currently used for a driveway and parking and non-native grass lawns. These buildings and the site will be used as study areas to eventually accommodate up to 130 students. Modifications to the site will include: fenced areas for child safety, addition of a water tank (if required for Dept. of Health), use of two portable tent structures for study laboratories, use of gravel to create defined new parking areas, chip seal of parking area if required for ADA access, vegetative and rock berms for child safety, locking gates and ADA walkways. Noxious alien plants will be removed.

The proposed project will occur in a previously disturbed area dominated by non-native species. New parking



will require clearing of non-native vegetation composed primarily of ginger, bamboo and tibuchina and small amounts of 'uluhe. As a mitigation measure for removal of alien species, revegetation with native species will be conducted by teachers and students in consultation with local botanists. The school will not restrict any traditional or cultural practices. Cultural use of the site will increase through educational programs. The school will benefit the local community by reducing the need to drive to Mountain View or Keaau schools and will help to conserve natural resources and foster environmental education in the school community.

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



(2) Green and Russo Forest Stewardship Project

District: Hamakua
TMK: 3-5-01: 69

Hawai'i Notices

FEBRUARY 8, 2002

Applicant: Bari Green and Lou Russo
P.O. Box 32
Papa'aloa, Hawai'i 96780
Contact: Louis Russo (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)

Status: FEA/FONSI issued, project may proceed.

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.



Kaho'olawe Notices

Draft Environmental Assessments

(1) Kaho'olawe Rainwater Catchment and Water Storage Facility

District: Kaho'olawe
Applicant: Kaho'olawe Island Reserve Commission
811 Kolu Street, Suite 201
Wailuku, Hawai'i 96793
Contact: Deepak Neupane (243-5025)

Approving Agency/Accepting

Authority: Same as above.

Consultant: Marc M. Siah & Associates, Inc.
810 Richards Street, Suite 888
Honolulu, Hawai'i 96813
Contact: Kelly Chuck (538-7180)

Public Comment

Deadline: March 11, 2002

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

The Kaho'olawe Island Reserve Commission (KIRC) proposes to locate a rainwater catchment and water storage facility on the eastern half of the Island of Kaho'olawe. The entire system will span approximately 3 acres of land surrounding the crater at Luamakika. The purpose of the catchment and storage reservoirs are to provide an irrigation water source allowing for revegetation of the large barren area surrounding Luamakika in order to combat the severe problem of soil erosion that currently exists. The main components of the proposed project consist of a catchment apron, a reservoir storage system, transmission pipes, a pump house, and an access road. No significant adverse impacts are expected from the installation of the water system at Luamakika crater. Special care was given during the design process of the proposed water system toward ensuring that the structures to be installed will have a minimal impact on the surrounding archaeological and cultural sites in the area. The project is scheduled to begin in April, 2002 and is expected to last approximately 6 months. The estimated cost of the project is \$ 1,590,000.



Kaua'i Notices

FEBRUARY 8, 2002

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

(1) Hanapepe Pipeline Replacement and Well Site No. 3 Repairs

District: Waimea
TMK: 1-8-04:3 and 1-8-05:7, 8, 19 & 24
Applicant: County of Kaua'i
Department of Water
4398 Pua Loke Street
Lihu'e, Hawai'i 96766
Contact: William Eddy (245-5436)

Approving Agency/Accepting

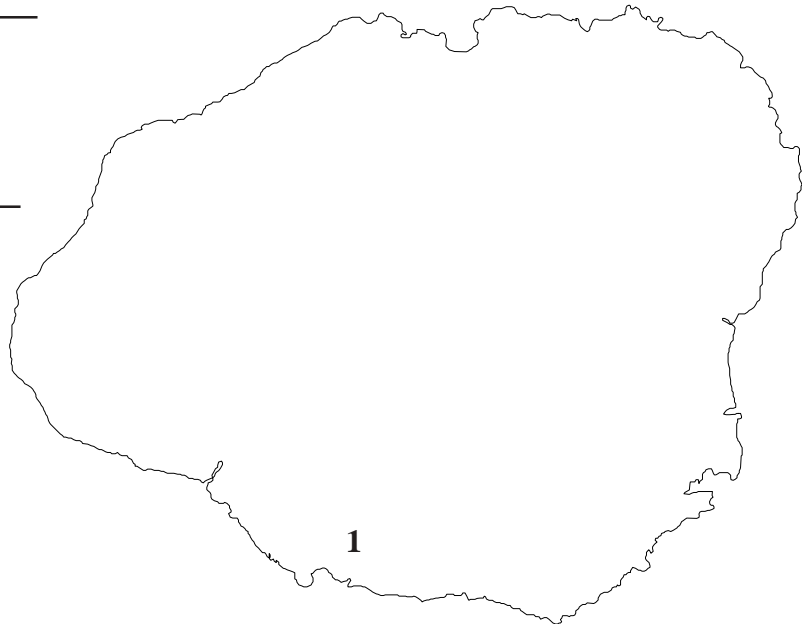
Authority: Same as above.
Consultant: Belt Collins Hawai'i
680 Ala Moana Boulevard, First Floor
Honolulu, Hawai'i 96813
Contact: Glen Koyama (521-5361)

Status: FEA/FONSI issued, project may proceed.
Permits Required: CDUP, building, grading, flood zone regulation compliance

The County of Kaua'i, Department of Water (DOW) is proposing to repair and upgrade its existing water infrastructure in Hanapepe Valley, Kaua'i. The site is located approximately 2.5 miles from the shoreline at approximately the 70-foot elevation of the valley adjacent to the Hanapepe River.

The DOW is proposing to replace an approximately 240-foot-long section of a 12-inch deteriorating pipeline and construct an accompanying 10-foot-wide concrete pavement cover to protect the pipeline replacement. The concrete cover will also serve as a paved access road to replace an existing dirt road.

On the opposite or eastern side of the river, approximately 50 feet of the existing dirt road will be stabilized with a 10-foot-wide concrete pavement. Vehicles currently cross Hanapepe River at this location over an existing concrete ford.



The DOW is also proposing to repair a failed slope embankment at an existing well and pump site located approximately 800 feet upriver of the pipeline replacement site. Plans call for repairing the failed embankment with the installation of a buried retaining wall. A damaged chain-link fence located atop the failed embankment will be replaced with a new chain-link fence. The buried retaining wall will include a 4" diameter perforated drain pipe which will connect to a weep hole drain line.

Construction of the proposed improvements is expected to begin in the second quarter of 2002 after all government permits and approvals are secured. Completion is expected to occur approximately nine months after construction begins. The cost of construction is projected to be approximately \$1.2 million and will be financed by the DOW; no federal, State or private monies are involved.

Shoreline Notices

FEBRUARY 8, 2002

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 Rec'd	Location	Applicant	Tax Map Key
OA-791-2	1/16/02	Waiau Power Plant at Waiau and Waimano, Ewa, Island of Oahu, Hawaii Address: Waiau Power Plant Purpose: Permit to repair facilities	ControlPoint Surveying, Inc., for Hawaii Electric Company, Inc.	9-7-18: 002, 9-8-03: 001 and 9-8-04: 002
OA-459-2	1/17/02	Lot 283 of Land Court Application 1052, as shown on Map 7, land situated at Makaha, Waianae, Island of Oahu, Hawaii Address: 84-319 Makau Street Purpose: Building Permit	Wesley T. Tengan, for Kazuki and Tokiko Tsutsumi	8-4-09: 08
OA-860	1/23/02	Lot 31, Land Court Application 614 and Portion of Reclaimed (Filled) Land of Kaneohe Bay, land situated at Malae, Koolaupoko, Island of Oahu, Hawaii Address: 44-001 Aina Moi Place Purpose: Consolidation	Walter P. Thompson, for David and Karen Stoutemyer	4-4-21: 36
OA-861	1/24/01	Lot 46 Land Court Application 23, land situated at Kaipapau, Koolauloa, Island of Oahu, Hawaii Address: 54-001 Pipilani Place Purpose: Sale of the property	Walter P. Thompson, Inc., for David Itano	5-4-11: 13
KA-134-2	1/24/02	Lot 5, Nani O Kalihikai, being a portion of Land Commission Award 7585, Apana 1 to Kalihikai, land situated at Kalihikai, Hanalei, Island of Kauai, Hawaii Address: Vacant Purpose: Building Permit	Esaki Surveying and Mapping, Inc., for Jurika 1989 Family Trust	5-3-04: 36
OA-664-2	1/24/02	Lot 26 and portion lot 26-A, being a portion of Kahala Subdivision, land situated at Kahala, Honolulu, Island of Oahu, Hawaii Address: 4415 Kahala Avenue Purpose: Building Permit	Walter P. Thompson, Inc., for Morita Company	3-5-03: 10

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
OA-845	1/24/02 Certified	Portion of Land Court Application 1095, Map 68, land situated at Kahuku, Koolauloa, Island of Oahu, Hawaii Address: 57-091 Kamehameha Highway Purpose: Improvements	Engineers Surveyors Hawaii, Inc., for Kuilima Resort Company	5-7-01: 13
OA-857	1/24/02 Certified	Lot 1-A-31 as shown on map 40 of Land Court Application 1089, land situated at Kamananui, Waialua, Island of Oahu, Hawaii Address: 67-239 Kahaone Loop Purpose: Building Permit	James F. Alimboyoguen, for Helene Mirikitani	6-7-15: 49

Pollution Control Permits

FEBRUARY 8, 2002

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.

Clean Air Branch

Branch Permit Type	Applicant & Permit Number	Project Location	Pertinent Date	Proposed Use
Clean Air Branch, 586-4200, Covered Source Permit	City and County of Honolulu CSP 0216-04-C (Amendment)	1350 Sand Island Parkway, Honolulu, Oahu	Issued: 1/11/02	Sand Island Wastewater Treatment Plant
Clean Air Branch, 586-4200, Noncovered Source Permit	Kauai Coffee Company NSP 0044-02-N (Renewal)	Numila Coffee Plant, Eleele, Kauai	Issued: 1/14/02	(24 ea) Coffee Dryers
Clean Air Branch, 586-4200, Temporary Covered Source Permit	25 th Infantry Division (Light) and U.S. Army, Hawaii CSP 0266-02-CT (Amendment)	Various Locations, State of Hawaii	Issued: 1/15/02	600 TPH Portable Stone Crushing, Screening, Washing Plant
Clean Air Branch, 586-4200, Covered Source Permit	Hawaiian Bitumuls Paving & Precast, Inc. CSP 0037-01-C (Amendment)	Kapaa Quarry, Kailua, Oahu	Issued: 1/15/02	300 TPH Hot Drum Mix Asphalt Plant
Clean Air Branch, 586-4200, Temporary Covered Source Permit	Kiewit Pacific Company CSP 0500-01-CT	Various Temporary Sites, State of Hawaii Initial Location: Allied Quarry Road (Kiewit Base Yard), Kailua-Kona, Hawaii	Issued: 1/16/02	357 TPH Portable Stone Processing Plant with One (1) 1,100 kW Diesel Engine Generator
Clean Air Branch, 586-4200, Noncovered Source Permit	Kauai Humane Society NSP 0347-01-N (Renewal)	3-825 Kaunualii Highway, Lihue, Kauai	Issued: 1/22/02	150 lb/hr Pathological Incinerator
Clean Air Branch, 586-4200, Covered Source Permit	Chevron Products Company CSP 0088-01-C (Amendment)	91-480 Malakole Street, Kapolei, Oahu	Issued: 1/22/02	Fluid Catalytic Cracking Unit (FCCU) - Electrostatic Precipitator (ESP)
Clean Air Branch, 586-4200, Covered Source Permit	Tesoro Hawaii Corp. CSP 0089-01-C (Amendment)	140-A Hobron Avenue, Kahului, Maui	Issued: 1/28/02	Maui Terminal

Safe Drinking Water Branch

Branch & Permit Type	Applicant & Permit Number	Project Location	Pertinent Dates	Proposed Use
Safe Drinking Water Branch, 586-4258 UIC Permit	Div. of Boating & Ocean Rec. Dept. of Land & Nat. Res. SOH; UH-2159	Keauhou Bay Boat Ramp 78-7150 Kaleopapa Road Kailua-Kona	n/a	Registration of one injection well for area's surface drainage.
Safe Drinking Water Branch, 586-4258 UIC Permit	Budget Rent A Car Systems, Inc. UH-2161	Budget Rent A Car Systems, Inc. Keahole Airport	n/a	Registration of up to 3 injection wells for surface drainage and car wash wastewater disposal.
Safe Drinking Water Branch, 586-4258 UIC Permit	University of Hawaii, Hilo UH-2162	Pave Gravel Parking & Related Improvements, University of Hawaii at Hilo Campus, South Hilo	tba	Construction of 7 injection wells for surface drainage.
Safe Drinking Water Branch, 586-4258 UIC Permit	Stanford Carr Development, LLC UH-2163	Kahakai Residential Development TMK 7-05-20:1; between Alii Dr. & Kuakini Hwy, Kailua-Kona	n/a	Construction of 40 injection wells for surface drainage.
Safe Drinking Water Branch, 586-4258 UIC Permit	UH College of Trop. Ag. & Human Serv. Coop Extension Service, Maui UM-2164	Kula Experiment Station 424 Mauna Place, Kula, Makawao	n/a	Registration of one injection well for sewage and research lab wastes disposal.
Safe Drinking Water Branch, 586-4258 UIC Permit	Association of Apartment Owners UM-1235	Maalaea Yacht Marina 30 Hauoli Street, Wailuku	n/a	Permit renewal of 2 injection wells for sewage disposal.
Safe Drinking Water Branch, 586-4258 UIC Permit	Pac. Div. Naval Fac. Engineering Command, U.S. Dept. of the Navy UO-2160	Southern Trap & Skeet Range at former NAS, Barbers Point Tripoli Rd. & Essex Rd. Intersection	n/a	Abandonment of one unregistered injection well for surface drainage.
Safe Drinking Water Branch, 586-4258 UIC Permit	South Shore Community Services, LLC, UK-1693	Kukuuiula Wastewater Treatment Plant; TMK 4-2-6-03:1, 4-2-6-04:38 Kukuuiula, Koloa	n/a	Change-of-Operator for 2 standby injection wells for sewage disposal.

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: 468-4644 x72878, Kaua'i: 274-3141 x72878, Maui: 984-2400 x72878 or Hawai'i: 974-4000 x72878.

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) Install Floating Wave Breaker, Ke'ehi Lagoon, O'ahu

Federal Action: Department of the Army Permit (200200157)

Federal Agency: U.S. Army Corps of Engineers
Contact: Bill Lennan, 438-6986

Applicant: Mr. Pat Magie, Island Seaplane Service, Inc.

Location: Offshore of Lagoon Drive, Honolulu, O'ahu

CZM Contact: John Nakagawa, 587-2878

Proposed Action:

Install a floating wave breaker, 60' long x 2' wide x 1' deep, in Ke'ehi Lagoon to protect an existing floating dock. One end will be anchored to the shoreline and the other end will be secured with an anchor. The device will float with 6 inches showing above the water surface and will be positioned at an angle to the shoreline.

Comments Due: February 22, 2002

(2) Replace Damaged Mooring Dolphin at Kawaihae Harbor, Island of Hawaii

Federal Action: Direct Federal Activity

Federal Agency: U.S. Army Corps of Engineers, Civil Works Technical Branch

Contact: Ms. Jessie Dobinck, 438-8876

Location: Kawaihae Harbor, Island of Hawai'i

CZM Contact: Debra Tom, 587-2840

Proposed Action:

Replace damaged mooring Dolphin #2 at Kawaihae Harbor on the island of Hawaii. Mooring Dolphin #2 is the center dolphin of a set of three dolphins located alongside a dredged slip. The dolphins are part of the LSV (Logistic Support Vessels) and LST (Landing Ship for Tanks) ramp facilities owned and operated by the U.S. Army Garrison, Hawai'i. The facility is a key component in the transportation system and critical to safe mooring of the ships.

Comments Due: February 22, 2002

(3) Wireless Telecommunication Facility, Pearl Harbor Naval Base, O'ahu

Federal License

or Permit: U.S. Navy Real Estate Authorization

Federal Agency: U.S. Navy

Contact: Cheryl Connett, 472-1509

Applicant: Voice Stream Wireless PCSII

Contact: Roy Irei, (808) 593-0600

Location: Main Street, Pearl Harbor Naval Base, O'ahu

CZM Contact: John Nakagawa, 587-2878

Proposed Action:

Installation of a 100-foot mono-pole for wireless telecommunication antennas.

Comments Due: February 22, 2002

Coastal Zone Management Citizens Advisory Group

The new Coastal Zone Management Citizens Advisory Group meeting is scheduled for Wednesday, February 13, 2002, 10:30 a.m. to 2:30 p.m., in Room 436 of No. 1 Capitol District Building, 250 South Hotel Street, Honolulu, Hawai'i. For more information, please call the CZM Program at 587-2846.

Ocean Resources Management Plan (ORMP) Implementation Group

The ORMP group meeting is scheduled for Wednesday, February 13, 2002, 9:30 a.m. to 10:30 a.m., in Room 436 of No. 1 Capitol District Building, 250 South Hotel Street, Honolulu, Hawai'i. For more information, please call the CZM Program at 587-2831.

Coastal Zone News

FEBRUARY 8, 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/state agency. For more information about any of the listed permits, please contact the appropriate county/state Planning Department. City & County of Honolulu (523-4131); Hawai'i County (961-8288); Kaua'i County (241-6677); Maui County (270-7735); Kaka'ako (587-2878).

Location (TMK)	Description (File No.)	Applicant/Agent
Honolulu: (6-1-5: 14)	New shed - \$15,000 (2002/SMA-2)	Bernice Pauahi Bishop Estate / Bryce E. Uyehara AIA, Inc.
Honolulu: (3-1-032: 027)	Install a 2 ft. high by 9 ft. long rock wall enclosure for fountain feature in front of the Diamond Head Ambassador Condominium - \$3,500 (2002/SMA-1)	Diamond Head Ambassador / John Keating
Maui: Lahaina (4-6-33: 9)	Extension of residence – Pending (SMX-20020014)	Nicholas T. Wagner
Maui: (4-6-7: 17)	Interior/exterior cosmetic upgrade – Pending (SMX-20020015)	Punana Leo O Lahaina
Maui: (2-9-4: 17)	Tarantola 1 st farm dwell/government rd./Hana Hwy. – Pending (SMX-20020017)	Nicholas T. Wagner
Maui: Kihei (3-9-17: 31)	Three lot residential subdivision – Pending (SMX-20020022)	Hans Riecke
Maui: Kahului (3-8-7: 33)	Paving & fencing of open storage yard – Pending (SMX-20020023)	Harvey Makii
Maui: Wailea (2-1-22: 2)	New spa to replace fiberglass spa – Pending (SMX-20020025)	Marty Heintzman
Maui: Lahaina (4-3-19: 46)	Kahana Nui Stream house lots subdivision – Pending (SMX-20020026)	William B. Moffett
Maui: (4-5-1: 15)	Wahie Road parking collection kiosk – Pending (SMX-20020028)	Wayne Arakaki
Maui: (4-5-1: 11)	Lahainaluna Road parking lot kiosk – Pending (SMX-20020029)	Wayne Arakaki
Maui: Hana (1-3-3: 35)	Overhead electrical line extension – Pending (SMX-20020030)	Mary Smith
Maui: Spreckelsville (3-8-78: 18)	Construct single family dwelling –Pending (SMX-20020031)	John Summers
Maui: Kihei (3-9-17: 9)	Build two story principle residence (SM2-20020004)	Randall Barrera
Maui: Kihei (3-9-36: 22)	Conversion to one bedroom, one bath and kitchen (SM2-20020005)	Bradley & Liza Pierce
Maui: Puamana (4-6-28: 52)	Wall extension & storage loft addition (SM2-20020006)	Thomas & Mary Price
Maui: Haiku (2-8-4: 104)	Convert existing workshop into cottage (SM2-20020007)	Ken and Anjali Desure
Maui: Lahaina (4-3-3: 20)	Construct single family home on existing tennis court (SM2-20020008)	Thad E. Henry, Jr.
Maui: Paia (3-8-1: 198)	Install two MECO power poles (SM2-20020009)	Roger and Sheri Thorson
Maui: Paia (2-6-9: 7)	Privacy fence on Hana Highway (SM2-20020010)	William Palmer
Maui: Lahaina (4-6-21: 16)	378 sq. ft. addition to existing police station (SM2-20020011)	Chief Thomas Phillips
Maui: Kihei (3-9-30: 25)	New dwelling at 1888 Kaahele Place (SM2-20020012)	Nick Wagner

Conservation District Notices

FEBRUARY 8, 2002

Conservation District Use Permits

Persons interested in commenting on the following Conservation District Use Applications must submit comments to the Department of Land and Natural Resources. Also, anyone interested in receiving notification of determinations on Conservation District Use Applications must submit requests to DLNR that include the following information:

- 1) Name and address of the requestor;
- 2) The departmental permit for which the requestor would like to receive notice of determination; and
- 3) The date the notice was initially published in the Environmental Notice.

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

Please send comments and requests to:

State of Hawai'i
Department of Land and Natural Resources
Land Division
1151 Punchbowl Street, Room 220
Honolulu, Hawai'i 96813

DLNR will make every effort to notify those interested in the subject Cдуа, it is not obligated to notify any person not strictly complying with the above requirements. For more information, please contact the appropriate DLNR staff as indicated below.



After-the-Fact Seawall and Fill in Shoreline

File No.: CDUA OA-3078B (Board Permit)
Applicant: Richard Riley
Location: Kane'ohe, O'ahu
TMK: (1) 4-4-18:068
Action: After-the-Fact seawall and fill area adjacent to the above parcel.

343, HRS

determination: Exempt

Appl's Contact: Wayne Parker (261-5681)

DLNR's Contact: Masa Alkire (587-0385)



Landscaping at 'Olowalu

File No.: CDUA MA-3067 (Departmental Permit)
Applicant: Michael Moore
Location: 'Olowalu, Maui
TMK: (2) 4-8-03:044
Action: Landscaping
343, HRS
determination: Exempt
Appl's Contact: Mason Architects, Inc. (536-0556)
DLNR's Contact: Traver Carroll (587-0439)



Replacement of Utility Poles

File No.: CDUA KA-3075 (Departmental Permit)
Applicant: Kaua'i Electric
Location: Koke'e, Kaua'i
TMK: Various
Action: Replace Utility Poles
343, HRS
determination: Exempt
Appl's Contact: Perry White (593-1288)
DLNR's Contact: Sam Lemmo (587-0381)

Federal Notices

FEBRUARY 8, 2002

Revised Proposed Rule on Critical Habitat for Plant Species from Kaua'i and Ni'ihau

The U.S. Fish and Wildlife Service (FWS) originally determined that designation of critical habitat was prudent and proposed designation of critical habitat for 76 plants from the islands of Kaua'i and Ni'ihau on November 7, 2000. Incorporating those 76 prudency determinations, the FWS has revised the proposed designations to include new information and/or address comments and new information received during the comment periods. The FWS originally determined that designation of critical habitat was prudent, and proposed designation of critical habitat for 76 plants from the islands of Kaua'i and Ni'ihau on November 7, 2000. FWS incorporated those 76 prudency determinations in the present notice. In this proposal FWS has revised the proposed designations to incorporate new information, and/or address comments and new information received during the comment periods. In the November 7, 2000, proposal FWS did not propose critical habitat for three species of loulu palms, *Pritchardia aylmer-robinsonii*, *P. napaliensis*, and *P. viscosa*. It determined that critical habitat designation was not prudent because it would likely increase the threats from vandalism or collection of these species on Kaua'i and Ni'ihau, and no change was made to that determination here. FWS also did not propose critical habitat for two species, *Melicope quadrangularis* and *Phyllostegia waimeae*, which had not been seen in the wild and for which no viable genetic material of these species was known to exist. Due to new information received during the comment periods regarding the rediscovery of *Phyllostegia waimeae* on Kaua'i, FWS has reconsidered its earlier finding and determine that critical habitat is prudent for this species. Designation of critical habitat is proposed for this species on Kaua'i. No change is made here to the November 7, 2000, not prudent determination for *Melicope quadrangularis*. In the November 7, 2000, proposal FWS did not determine prudency nor propose designation of critical habitat for 14 species that no longer occur on Kaua'i and Ni'ihau but are reported from one or more other islands. FWS determined that critical habitat was prudent and proposed designation of critical habitat for nine of these species (*Ctenitis squamigera*, *Diellia erecta*, *Diplazium molokaiense*, *Hibiscus brackenridgei*, *Ischaemum byrone*, *Mariscus pennatiformis*, *Phlegmariurus manni*, *Silene lanceolata*, and *Vigna owahuensis*) in other proposed rules published on December 18, 2000 (Maui and Kaho'olawe), on December 27, 2000 (Lana'i), and on December 29, 2000 (Moloka'i). In this proposal FWS incorporates the prudency determinations for these nine species and proposes designating critical habitat for *Ctenitis squamigera*, *Diellia erecta*, *Diplazium molokaiense*, *Ischaemum byrone*, *Mariscus pennatiformis*. Critical habitat is not proposed for *Hibiscus brackenridgei*, *Phlegmariurus manni*, *Silene lanceolata*, and *Vigna owahuensis* on the islands of Kaua'i and Ni'ihau because FWS is unable to determine habitat which is essential to their conservation on these islands. FWS determined that critical habitat was not prudent for *Acaena exigua*, a species known only from Kaua'i and Maui, in the proposal published on December 18, 2000 (Maui and Kaho'olawe). This species had not been seen recently in the wild and no viable genetic material was known to exist. No change is made here to the earlier prudency determination for this species. In this proposal, FWS determined that critical habitat is prudent for four other species (*Achyranthes mutica*, *Isodendron pyrifolium*, *Phlegmariurus nutans*, and *Solanum incompletum*) for which prudency determinations have not been made previously, and

that no longer occur on Kaua'i but are reported from one or more other islands. Critical habitat is proposed at this time for *Phlegmariurus nutans* on Kaua'i based on new information and information received during the comment periods on the November 7, 2000, proposal. Critical habitat is not proposed for *Achyranthes mutica*, *Isodendron pyrifolium*, and *Solanum incompletum* on the islands of Kaua'i and Ni'ihau because FWS is unable to determine habitat which is essential to their conservation on these islands. FWS is now proposing critical habitat for 83 of the 95 species from the islands of Kaua'i and Ni'ihau. Critical habitat is not proposed for seven of the 95 species (*Achyranthes mutica*, *Hibiscus brackenridgei*, *Isodendron pyrifolium*, *Phlegmariurus manni*, *Silene lanceolata*, *Solanum incompletum*, and *Vigna owahuensis*) which no longer occur on the islands of Kaua'i or Ni'ihau, and for which FWS is unable to determine any habitat that is essential to their conservation on the islands of Kaua'i or Ni'ihau. Critical habitat is not proposed for three species of loulu palm, *Pritchardia aylmer-robinsonii*, *P. napaliensis*, and *P. viscosa* for which we determined, on November 7, 2000, that critical habitat designation is not prudent because it would likely increase the threats from vandalism or collection of these species on Kaua'i and Ni'ihau, and no change is made to that determination here. Critical habitat is not proposed for two species, *Melicope quadrangularis* and *Acaena exigua*, for which FWS determined, on November 7, 2000, and December 18, 2000, respectively, that critical habitat was not prudent because they had not been seen recently in the wild, and no viable genetic material of these species was known. No change is made to that determination here. FWS proposes critical habitat designations for 83 species within 15 critical habitat units totaling approximately 40,147 hectares (99,206 acres) on the island of Kaua'i, and within one critical habitat unit totaling approximately 282 hectares (697 acres) on the island of Ni'ihau. If this proposal is made final, section 7 of the Act requires Federal agencies to ensure that actions they carry out, fund, or authorize do not destroy or adversely modify critical habitat to the extent that the action appreciably diminishes the value of the critical habitat for the survival and recovery of the species. Section 4 of the Act requires FWS to consider economic and other relevant impacts of specifying any particular area as critical habitat. FWS seeks data and comments from the public on all aspects of this proposal, including data on the economic and other impacts of the designations. FWS may revise or further refine critical habitat boundaries prior to final designation based on habitat and plant surveys, public comment on the revised proposed critical habitat rule, and new scientific and commercial information. FWS will accept comments until March 29, 2002 and **it will hold one public hearing on this proposed rule from 6:00 p.m. to 8:00 p.m., Wednesday, February 13, 2002, on the island of Kaua'i.** Prior to the public hearing, FWS will be available from 3:30 to 4:30 p.m. to provide information and to answer questions. Registration for the hearing will begin at 5:30 p.m. Submit written comments and information to the Field Supervisor, U.S. Fish and Wildlife Service, Pacific Islands Office, 300 Ala Moana Blvd., Room 3-122, P.O. Box 50088, Honolulu, Hawai'i 96850-0001. You may hand-deliver written comments to our Pacific Islands Office at the address given above. You may view comments and materials received, as well as supporting documentation used in the preparation of this proposed rule, by appointment, during normal business hours at the above address. **The public hearing will be held at the Radisson Kaua'i Beach Resort, 4331 Kaua'i Beach Drive, Lihu'e, Kaua'i.** For more, call Paul Henson at (808) 541-3441 or send a telephone facsimile to him at (808) 541-3470 (see, 67 F.R. 3940, January 28, 2002).

Critical Habitat for Newcomb's Snail on Kaua'i

The U.S. Fish and Wildlife Service (FWS) proposes designating nine stream segments and associated tributaries, springs and seeps totalling 16.35 miles on the island of Kaua'i as critical habitat for the Newcomb's Snail (*Erinna newcombi*). FWS will consider comments on the proposal received by March 29, 2002. Requests for public hearings must be received by March 14, 2002. Submit comments and requests for public hearings to Pacific Islands Fish and Wildlife Office, U.S. Fish and Wildlife Service, 300 Ala Moana Boulevard, Room 3-122, Box 50088, Honolulu, Hawai'i 96850. For details, call Paul Henson at (808) 541-3441 (see 67 F.R. 3849, January 28, 2002).

Removal of Mariana Mallard and Guam Broadbill from Endangered List

Noting that all available information indicates that the Marianas mallard (*Anas platyrhynchos oustaleti*) and the Guam broadbill (*Myiagra freycineti*) are extinct, the U.S. Fish and Wildlife Service (FWS) proposes the removal of these two species from the Federal List of Endangered and Threatened Wildlife. The Mariana mallard was endemic to the islands of Guam, Tinian, Saipan and possibly Rota, of the Mariana Archipelago. It was listed as endangered on June 2, 1977, because its population was critically low due to excessive hunting and loss of wetland habitat. No confirmed sightings have been made since 1979. The Guam broadbill, endemic to Guam, was listed as endangered on August 27, 1984, because its population was critically low. No confirmed sightings or other evidence of the Guam broadbill in the Pajon Basin have been made since May 15, 1984. This proposal, if made final, would remove federal protection provided by the Endangered Species Act to these species. Comments must be received by March 26, 2002, and sent to Field Supervisor, U.S. Fish and Wildlife Service, Pacific Islands Ecoregion, 300 Ala Moana Boulevard, Room 3-122, Box 50088, Honolulu, Hawai'i 96850. For more information, call Paul Henson at (808) 541-2479, or send him a telephone facsimile at (808) 541-2756. Requests for a public hearing must be received by March 11, 2002, and sent to the same address above (see, 67 F.R. 3675, January 25, 2002).

Experimental Use Permit for Use of the Termiticide Chlorfenapyr

The U.S. Environmental Protection Agency (EPA) has granted an experimental use permit 241-EUP-141, Extension, to BASF Corporation, P.O. Box 400, Princeton, New Jersey 08543-0400. This EUP allows the use of 289.27 pounds of the termiticide chlorfenapyr on less than 22 acres of residential/commercial structures to evaluate the control of termites. The program is authorized in Hawai'i and other states from November 26, 2001, to December 31, 2002. For more information, call Ann Sibold at (703) 305-6502, or email her at sibold.ann@epa.gov (66 F.R. 3706, January 25, 2002).

Preventing Human Harrassment of Marine Mammals

The National Marine Fisheries Service (NMFS) is considering whether to propose regulations to protect marine mammals in the wild from human activities that are directed at the animals and that have the potential to harass the animals. Viewing whales, dolphins, porpoises, seals and sea lions in their natural habitat can be an education and enriching experience if conducted safely and responsibly. Over the past decade whale watching activities have grown in a billion dollar U. S. industry involving over 80 countries and territories and over 9 million participants. Increasing numbers of commercial operations are offering close interactions with wild marine mammals, including opportunities to swim with, touch or handle the animals. NMFS requests comments on what type of regulations and other measures would be appropriate to prevent harassment of marine mammals in the wild. Comments must be received at the following addresses or telephone facsimile number no later than April 1, 2002: Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, Maryland 20910, telephone facsimile (301) 713-0376. For details, call Trevor Spradlin at (301) 713-2289 (see, 67 F.R. 4379, January 30, 2002).

