

The Environmental Notice

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



BENJAMIN J. CAYETANO
GOVERNOR

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

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

Other Resources
available at OEQC . . .

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

OEQC

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AUGUST 8, 2002

Offshore Tuna Farming

Ahi Nui Tuna Farming Company is planning to establish a tuna growout operation approximately 2,200 feet from the Big Island shoreline. The farm is located 4.5 miles northwest of Kawaihae.

According to the tuna company, the infrastructure in this area is ideal for a tuna farm operation because it includes deep, clean water, consistent tidal currents, protection from storms, a deep sea container port nearby, a local labor pool, local processing facilities, cold storage, local dive shops and close proximity to two international airports.

The tuna company will install floating net cages for wild caught juvenile bigeye and yellowfin tuna. After four to eight

months of feeding and growing in the cages, the tuna will be harvested, processed and sold, primarily to the international sushi and sashimi markets.

The company plans to install up to 18 cages at the site and hopes to obtain permission from the state Land Board to lease 216 acres of state submerged lands and marine waters for the operation. Water quality and ocean substrate monitoring will be conducted as specified by the Department of Health and the Department of Land and Natural Resources. The tuna company plans to monitor dissolved oxygen, temperature, salinity, phosphorous, nitrogen, turbidity, pH and bottom deposition impacts. For more info, please see page 10.

Kulani Wastewater System Improvements

In order to comply with a 2005 deadline from the U.S. Environmental Protection Agency to phase out large capacity cesspools, the Department of Public Safety is proposing a comprehensive wastewater treatment system for the Kulani Prison, located at the 5,200-foot level of the Mauna Loa volcano in an area of native forest. The normal capacity of Kulani is 160 inmates (with an emergency capacity of up to 220) and 90 staff. Daily operations contribute to an average daily wastewater flow of 25 - 30 thousand gallons per day (gpd). Currently Kulani disposes of its wastewater in large capacity cesspools

which are considered "Class V Injection Wells." The facility is located in a critical wastewater disposal area, where cesspool fluids have a high potential to contain elevated concentrations of contaminants that may endanger drinking water. The proposed system would be designed to handle a peak flow of about 92,000 gpd and consist of a wastewater collection system, a system of aerated ponds, a blower building and associated infrastructure. Possible impacts including increasing nutrient load to the groundwater, and attracting native birds to the ponds. See page 10.

Coqui Frog Environmental Assessment Planning Process

The USDA is seeking comments on a plan to control coqui frogs in Hawai'i. The USDA is asking four specific questions of the public: (1) What is your relationship to the proposed project or to the potential environmental impacts of *Eleutherodactylus* control? (2) What issues do you think are

important in this analysis? What are your concerns about the proposed *Eleutherodactylus* frog control program? (3) What strategies would you like to see considered? (4) Do you have any additional information that could add to this analysis? See page 20 for more.

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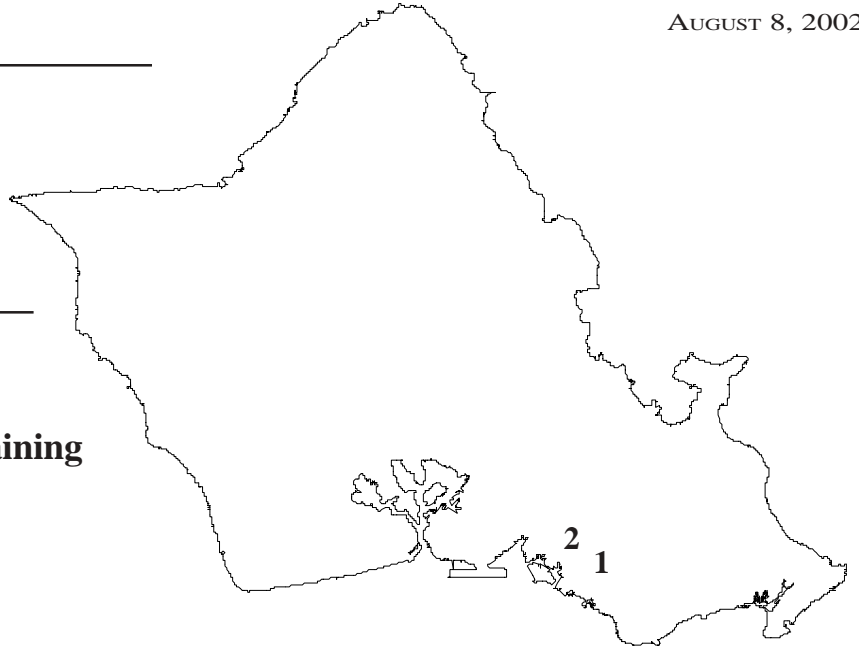
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OEQC intends to make the information in this bulletin accessible to everyone. Individuals that require this material in a different format (such as large type or braille), should contact our office for assistance.

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



(1) Manoa Stream Tributary Retaining Wall

District: Honolulu
TMK: 2-9-38: 14
Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street
Honolulu, Hawai'i 96813
Contact: Ray Nakahara (523-4041)

Approving Agency/Accepting Authority: Same as above.
Status: FEA/FONSI issued, project may proceed.
Permits Required: Sec. 404, Sec. 401 WQC, NPDES, SCAP, Noise

The City and County of Honolulu, Department of Design and Construction is proposing to construct approximately 32 lineal feet of cement rubble masonry retaining wall with a 4-foot high chain link fence along the kokohead embankment of an unnamed tributary of Manoa Stream near 2923A Ka'amalio Drive. The project proposes to close the gap between existing CRM walls, stabilize the unimproved section of eroding embankment, restore the width of the access road at the top of the wall, and prevent possible damage to the existing CRM walls. Potential adverse environmental impacts such as dust, construction equipment, and noise emissions, water quality, and disturbance to marine life are unavoidable, but these impacts will be temporary, limited to the time of construction and will be mitigated by the requirements of a best management practices plan.



(2) Twigg-Smith Residence

District: Honolulu
TMK: 1-2-5-018:033

Applicant: Michael and Lei'a Twigg-Smith
3007 Hibiscus Drive
Honolulu, Hawai'i 96815
Contact: Michael Twigg-Smith (922-3218)

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

Consultant: R.M. Towill Corporation
420 Waiakamilo Road, Suite 411
Honolulu, Hawai'i 96817-4941
Contact: Chester Koga (842-1133)
Status: FEA/FONSI issued, project may proceed.

Permits Required: CDUP, Building, Grading

Michael and Lei'a Twigg-Smith propose to develop a single-family residence for their family on their vacant 35,888-square foot Tantalus property at 3868 Round Top Drive, Honolulu, O'ahu. The construction of single family residences is an identified land use in the Resource Subzone of the Conservation District, where the property is located. The home will have three bedrooms and 3 1/2 baths in approximately 3,500 square feet of enclosed living area. The design and construction of the residence will conform to standard conditions for single family residences in the Conservation District and applicable State and County regulations. The owners propose to commence construction of the privately-funded residence in 2003 and finish no later than 2005.

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According to the applicant 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. According to the applicant development of the residence 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.

National Environmental Policy Act (NEPA)



Mangrove Removal and Endangered Species Habitat Improvement, Marine Corps Base Hawaii, Kane'ohē Bay, O'ahu (EA and Draft FNSI)

District: Ko'olaupoko
Applicant: U.S. Army Engineer District, Honolulu Contracting Division, Building 230 Fort Shafter, Hawai'i 96858-5440
Contact: Miriam Koyanagi (438-2162)

**Public Comment
Deadline:** September 9, 2002

The proposed action is intended to improve areas within the Marine Corps Base Hawai'i - Kane'ohē Bay inhabited by endemic waterbirds including the endangered Hawaiian Stilt (*Himantopus mexicanus knudseni*) or ae'o by removing invasive mangrove (*Rhizophora mangle*) vegetation and restoring coastal and wetland areas along Kane'ohē Bay and Sag Harbor. The proposed action also includes the excavation of debris and sediment which has been deposited in wetland areas, and the restoration of an existing debris-filled culvert to facilitate the natural recovery of beneficial wetland functions and reestablish wetland water circulation. No long-term or cumulative impacts are anticipated. The EA concluded that there would be no significant adverse impacts on the environment as a result of the project.

The review period for the EA and Draft FNSI closes on September 9, 2002. Copies for review can be obtained by contacting Miriam Koyanagi at 438-2162. Any comments

should be sent to: Miriam Koyanagi, Project Manager, U.S. Army Engineer District, Honolulu, Contracting Division, Building 230, Fort Shafter, Hawai'i 96858-5440.

At the conclusion of the review period, the Army will respond to any comments, and finalize and sign the FNSI, if appropriate.



Construction of Ship Operations Facility at Bishop Point Pearl Harbor, O'ahu (EA and Draft FNSI)

District: Honolulu
Applicant: Department of the Army
U.S. Army Garrison, Hawai'i
Schofield Barracks, Hawai'i 96857-5013
Contact: Peter Yuh, Jr. (656-2878 x 1051)

**Public Comment
Deadline:** September 9, 2002

The proposed action will involve the construction of a Ship Operations Facility (SOF) at Bishop Point Pearl Harbor. The purpose of the SOF is to provide administration and berthing facilities for the U.S. Army's Logistic Support Vessels (LSV)s. The proposed SOF project will involve the construction of a single-story Ship Operations (Ship Ops) Building and minor waterfront improvements and repairs to existing Bishop Point wharves/piers to support LSV operations and berthing activities. The SOF will function to serve and meet the mission objectives of the United States Army 545th and 548th Transportation Corps Detachments. It is anticipated that construction-related activities would generate minor, short-term effects such as erosion, surface runoff, fugitive dust, noise, and generation of debris. No long-term or cumulative impacts are anticipated. The EA concluded that there would be no significant adverse impacts on the environment as a result of the project.

The review period for the EA and Draft FNSI closes on September 9, 2002. Copies for review can be obtained by contacting Peter Yuh, Jr. at 656-2878, extension 1051. Any comments should be sent to: Peter Yuh, Jr., NEPA Coordinator, Directorate of Public Works, U.S. Army Garrison, Hawai'i, Schofield Barracks, Hawai'i 96857-5013.

At the conclusion of the review period, the Army will respond to any comments, and finalize and sign the FNSI, if appropriate.

Withdrawal



Halawa Valley Collection System Maintenance Baseyard

The City and County of Honolulu, Department of Design and Construction has withdrawn the draft EA for the Halawa Valley Collection System Maintenance Baseyard project effective July 26, 2002. The draft EA was published in the June 8, 2002 *Environmental Notice*.

Previously Published Projects Pending Public Comment

Draft Environmental Assessments

Aloha Gardens at Helemano

Applicant: City and County of Honolulu
Department of Community Services
715 South King Street, #311
Honolulu, Hawai'i 96813
Contact: Arnold Wong (532-5363)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: August 22, 2002

'Ewa Shaft Renovation

Applicant: City and County of Honolulu
Honolulu Board of Water Supply
630 S. Beretania Street
Honolulu, Hawai'i 96843
Contact: Andy Okada (527-5279)

Approving Agency/Accepting

Authority: City and County of Honolulu
Honolulu Board of Water Supply
630 S. Beretania Street
Honolulu, Hawai'i 96843
Contact: Clifford Jamile (527-6180)

Public Comment

Deadline: August 22, 2002

Holland Residence

Applicant: First Hawaiian Bank Trust Division
Trustee for Charles A. and Allison A.
Holland
999 Bishop Street
Honolulu, Hawai'i 96829
Contact: Linda Miyashiro (525-5727)

Approving Agency/Accepting

Authority: Department of land and Natural resources
1151 Punchbowl St.
Honolulu, Hawai'i 96813
Contact: Travor Carroll (587-0377)

Public Comment

Deadline: August 22, 2002

Environmental Impact Statement Preparation Notices

Coconut Island Long Range Development Plan

Applicant: Hawai'i Institute of Marine Biology
P.O. Box 1346
Kane'ohe, Hawai'i 96744
Contact: Dr. Jane Ball (236-7411)

Approving Agency/Accepting

Authority: University of Hawai'i at Manoa
Office of the Vice President for Administration
and Chief Financial Officer
2444 Dole Street, Bachman 112
Honolulu, Hawai'i 96822
Contact: J.R.W. "Wick" Sloan (956-8903)

Public Comment

Deadline: August 22, 2002



Maui Notices

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Draft Environmental Assessments



(1) Lahaina Wastewater Pump Station Nos. 5 and 6 - Force Main Improvements

District: Lahaina
TMK: 4-6-2, 3, 5, 6, 7, 10, 11, 12, 15, 16, 17
Applicant: County of Maui
Department of Public Works and Waste Management
200 South High Street
Wailuku, Hawai'i 96793
Contact: Eric Nakagawa (270-7422)

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

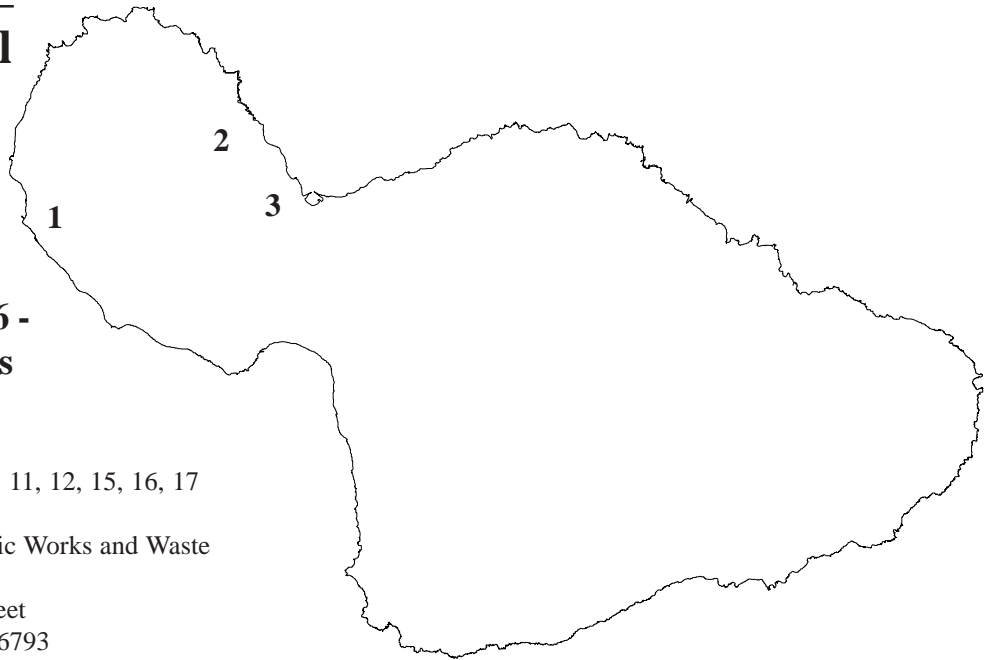
Deadline: September 7, 2002
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

Permits

Required: Construction Permits

The applicant, the County of Maui, Department of Public Works and Waste Management (DPWWM), proposes force main improvements for Wastewater Pump Station Nos. 5 and 6 in Lahaina, Maui. The project alignment traverses lands that are characterized by residential, hotel, business, park, public, and former agricultural uses.

The proposed project will involve the installation of approximately 9,180 lineal feet of new force main within the County roadway rights-of-way along Shaw Street and portions of Front and Dickenson Streets, as well as Mill Street, a private agricultural road owned by Pioneer Mill Company, Inc. In addition, the project will involve work within the Honoapi'ilani Highway right-of-way, as the force main will cross the highway at its intersections with Shaw and Dickenson Streets.



The project will involve replacing the existing 12-inch CI force main between Pump Station Nos. 5 and 6 with a new 12-inch PVC force main. In addition, the project will involve the installation of a new 16-inch PVC and HDPE force main from Pump Station No. 5 to a new sewer transition manhole at the intersection of Mill and Dickenson Streets. From this point, a new 16-inch gravity sewerline will connect to an existing 21-inch gravity sewerline at a sewer manhole at the Honoapi'ilani Highway/Dickenson Street intersection.

The new 16-inch force main will replace the existing 12-inch CI force main from Pump Station No. 5 to an existing 12-inch gravity sewer manhole at the intersection of Front Street and the former Kukui Street. In addition to the force main installation, additional improvements will include upgrading Pump Station No. 5 with new motors and pumps, as well as modifications to connect to the new force main. Upon completion of the project, the abandoned force mains will be flushed-out and capped.

The estimated cost of the project is approximately \$2.5 million. Construction of the project is expected to commence by the end of 2002 and is anticipated to take approximately nine months.



(2) Waiehu Kou Phase 3 (Supplemental)

District: Wailuku
TMK: 3-2-12:09 & 3-2-12:03
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.
Consultant: Townscape, Inc.
900 Fort Street Mall, Suite 1160
Honolulu, Hawai'i 96813
Contact: Joanne Hiramatsu (536-6999)

Public Comment

Deadline: September 7, 2002
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

Permits

Required: Grading, Building, NPDES

The Department of Hawaiian Home Lands (DHHL) is planning to develop approximately 111 single-family lots for the purpose of providing homes for native Hawaiian beneficiaries on Maui. This Supplemental Environmental Assessment is necessary due to inclusion of approximately 20.78 acres to the original Waiehu Kou Phase 3 project. Originally, the Phase 3 project consisted of 22.43 acres with 60 single-family house lots. Single-family lot sizes will average 7,500 square feet with a minimum lot size of 6,000 square feet in accordance with R-1 zoning designation for the County of Maui.

Sewer service will be provided to the site via the County sewer system. Potable water service will be provided by the County water system. Drainage facilities will be constructed so that there will be no net increase in the volume of storm water leaving the site and entering the existing drainage system. Maui Electric Company will provide electric service to the site via overhead lines. Sandwich Isles Communications, Inc. will provide underground telephone service to the site and Hawaii Cablevision will provide cable television service.

Additionally, DHHL will install approximately 1,800 lineal feet of potable water distribution lines in the vicinity of Waihe'e Stream to complete the connection of the existing Maui County water system in the Waiehu-Waihe'e area as a component of this project.

Environmental studies were performed and found no proposed, rare, threatened, or endangered plants or animals on the site. Past cultural practices at the site are not known to exist. An archaeological inventory was performed and did not reveal any historic or cultural resources within the project site.

This project is being developed to implement the objectives of the Hawaiian Homes Commission Act of 1920, as amended.

Final Environmental Assessments (FONSI)



(3) Maui Lani Elementary School

District: Wailuku
TMK: 3-8-7: por. 131
Applicant: Department of Education
P.O. Box 2360
Honolulu, Hawai'i 96804
Contact: Heidi Meeker (733-4862)

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)
Status: FEA/FONSI issued, project may proceed.
Permits County Special Use, Grading, Noise,
Required: Building

The State of Hawai'i, Department of Education, in cooperation with Maui Lani Partners, proposes the development of an elementary school for Kindergarten to Grade 5 on approximately 13.49 acres of land, located in the Wailuku-Kahului Project District (Maui Lani). The project site is vacant, being overgrown with a variety of plant species, including kiawe trees, haole koa, and other grasses and weeds. Lands surrounding the project site are designated for single- and multi-family uses, park and recreation center uses, public/quasi-public and commercial uses. These lands are presently undeveloped.

The need for an elementary school stems from the implementation of the residential component of the Maui Lani Project District. The approximately 3,300 residential

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units slated for development within the project district will generate approximately 825 elementary school aged students. As well, additional elementary school facilities are needed to relieve near capacity conditions at Kahului Elementary Schools.

The proposed elementary school and related improvements are for a projected student enrollment of 650 students under a normal school calendar and 865 students under a year round education/multi-track calendar.

The proposed project will have a total gross floor area of approximately 98,825 square feet comprised of two (2) buildings. One building will house the Administration offices, Student Center facilities, Library-Media Center and classrooms. The portion of the building housing the classrooms will be two (2) stories, with 20 classrooms on the first floor and 15 classrooms on the second floor. Access to the main building will be provided off Kamehameha Avenue. A cafetorium building will be located to the west of the main building and accessed by a second driveway which leads to a 30-stall visitor parking lot and beyond to a 65-lot staff parking lot. Additional facilities to be developed include a bus shelter, playcourt, courtyard, grassed playfield and a total of 118 parking spaces.

The lands underlying the proposed project site are currently designated for single- and multi-family use in the Wailuku-Kahului Community Plan. Pursuant to Chapter 19.78, Wailuku-Kahului Project District 1 (Maui Lani), elementary schools are a permitted use in Residential PD-WK/1 district subject to the approval of the County of Maui Planning Commission. An application for a County Special Use Permit to develop an elementary school in a residential district has been filed with the County Planning Department. In addition, an application for Project District Phase II approval has been filed for the proposed project.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

Plantation Inn Site Plan Amendment

Applicant: Ka'anapali Beach Hotel
P.O. Box 998
Lahaina, Hawai'i 96767
Contact: Mike White (667-0211)

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: August 22, 2002

Environmental Impact Statement Preparation Notices (EISPN)

Maui Lani Light Industrial Subdivision

Applicant: Maui Lani Partners
810 Richards Street, Suite 900
Honolulu, Hawai'i 96813
Contact: Leiane Paci (877-3699)

Approving Agency/Accepting

Authority: County Maui, Planning Department
250 S. High Street
Wailuku, Hawai'i 96793
Contact: John Min (270-7735)

Public Comment

Deadline: August 22, 2002

Final Supplemental Environmental Impact Statements

Honoapi'ilani Highway, Launiupoko to Honokowai

Applicant: Department of Transportation
869 Punchbowl Street
Honolulu, Hawai'i 96813
Contact: Wayne Kawahara (587-1836)

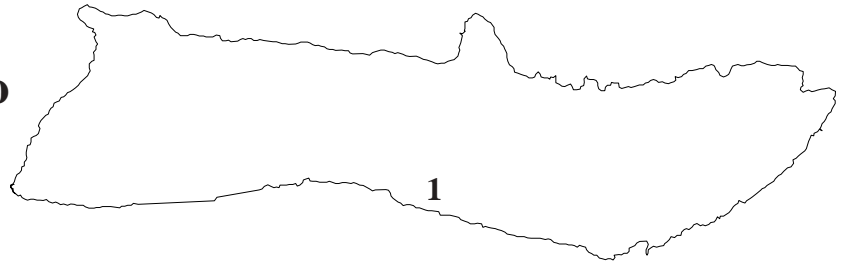
Approving Agency/Accepting

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

Status: FSEIS currently being reviewed by OEQC.



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



(1) Alanui Ka 'Imi 'Ike Road Extension, Kaunakakai

District: Moloka'i
TMK: 5-3-3:15 (por.) and 5-3-11:38 (por.)
Applicant: County of Maui
Department of Public Works and Waste Management
200 South High Street
Wailuku, Hawai'i 96793
Contact: Wendy Kobashigawa (270-7745)

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)

Status: FEA/FONSI issued, project may proceed.
Permits Required: SMA, construction

The County of Maui, Department of Public Works and Waste Management (DPWWM) proposes the construction of a new roadway in Kaunakakai, Moloka'i, connecting Kamehameha V Highway (in the vicinity of the Molokai Education Center) and the Ranch Camp residential subdivision. The proposed roadway will traverse lands identified as TMK 5-3-3:15(por.) and 5-3-11:38(por.). TMK 5-3-3:15 is owned by Moloka'i Ranch, Ltd., while TMK 5-3-11:38 is owned by Cooke Land Company. A Department of Water Supply 12-inch waterline lies within the proposed right-of-way for the roadway. Both Moloka'i Ranch, Ltd. and Cooke Land Company will dedicate the right-of-way for the proposed alignment.

Project plans call for the construction of two 12-foot wide travel lanes, 6-foot paved shoulders, and 12-foot grassed shoulder areas. The proposed 6-foot wide paved shoulders will provide ample area to accommodate bicyclists, however, the proposed improvements will not be striped for this specific purpose.

The proposed roadway will extend approximately 1,300 lineal feet, from Kalohi Street to the existing Alanui Ka 'Imi 'Ike roadway located along the eastern edge of the Moloka'i Education Center. Currently, the Ranch Camp subdivision has only one entrance access via Ala Malama Avenue, which travels through the central portion of Kaunakakai Town. The proposed roadway project would establish an eastern link between the Ranch Camp residential subdivision and Kamehameha V Highway, thereby improving the traffic circulation in the Kaunakakai area. In addition, area residents have indicated a need to have a readily available vehicular route to higher elevation lands in the event of flooding or tsunami.

The roadway alignment is located within the Special Management Area (SMA) limits and therefore, will require a SMA Use Permit subject to review and action by the Molokai Planning Commission. Inasmuch as the proposed project will utilize both County and Federal monies to fund the proposed project, an Environmental Assessment has been prepared in accordance with the provisions of Chapter 343, Hawaii Revised Statute and the National Environmental Policy Act.

Estimated cost of construction is approximately \$2.2 million. Assuming all governmental approvals are obtained, construction is anticipated to start in January, 2003, with completion targeted for September, 2003.

Hawai'i Notices

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Draft Environmental Assessments



(1) Ahi Nui Tuna Farming Co. Offshore Tuna Growout Project

District: North Kohala
TMK: Offshore
Applicant: Ahi Nui Tuna Farming, LLC
P.O. Box 2050
Kamuela, Hawai'i 96743
Contact: Clayton Brenton (887-0678)

Approving Agency/Accepting

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

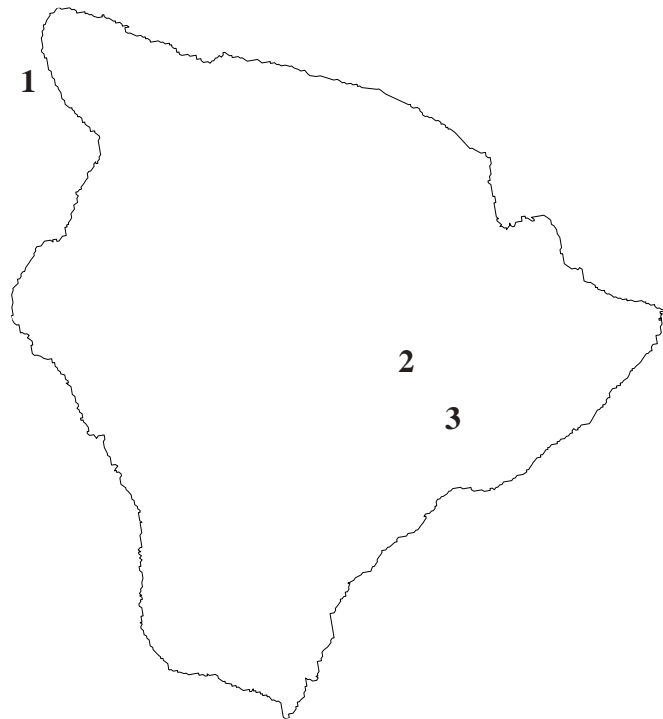
Public Comment

Deadline: September 7, 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, Army, NPDES, ZOM, CZM
Consistency Determination

Aquaculture has been practiced in Hawai'i for several centuries. Fishponds, known locally as *loko i'a*, are traditionally stocked with juvenile mullet or *pua* that are fed and grown in the enclosures to harvest size. Ahi Nui Tuna Farming Co. is planning to establish a tuna growout operation based on this principle. The project was initiated by native Hawaiian fishermen and majority ownership of the Company is held by Hawaiians.

Aquaculture is the fastest growing food production sector in the world today and within the field of aquaculture, tuna farming is one of the most rapidly expanding businesses. The farming of tuna is presently practiced by capturing juvenile wild tuna and holding them for "grow-out and conditioning" in specially designed net cages. The fish are held four to eight months during which time they are fed a fish based diet and usually double or triple in size while increasing in fat content. The farmed tuna are then harvested and generally shipped fresh to the sushi and sashimi markets throughout the world, with particular emphasis on Japan.



The growout farm will be located four and a half miles northwest of Kawaihae on the Big Island of Hawai'i. The infrastructure available in this area is ideal for a tuna farming operation due to the excellent water quality parameters and local marine-oriented businesses.

Hawai'i offers a unique opportunity for tuna farming, primarily since juvenile bigeye and yellowfin tuna are available for stocking of the grow-out cages year-round. This facilitates optimal use of staff and equipment plus provides a constant supply of harvested tuna for the market. Fresh Hawaiian farmed tuna will be in U.S. mainland and Japanese fish outlets within twenty-four hours of being harvested.



(2) Kulani Correctional Facility Wastewater Treatment Plant

District: South Hilo
TMK: 2-4-08: 09 (por.)
Applicant: Dept. of Accounting and General Services
1151 Punchbowl Street, Room 437
Honolulu, Hawai'i 96813
Contact: Gregory Tanaka (586-0721)

Approving Agency/Accepting

Authority: Same as above.
Consultant: Ron Terry (982-5831)
HC 2 Box 9575
Keaau, Hawai'i

Public Comment

Deadline: September 7, 2002
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

Permits

Required: NPDES, UIC, CDUP, Building, Grading

The proposed project would build a wastewater treatment plant and associated facilities on the grounds of the Kulani Correctional Facility, located at 5,200 feet above sea level in an area of native forest. Use of water in dormitories, showers, a laundry facility, and a kitchen contribute to an average daily wastewater flow of 25-30,000 gallons per day. Currently, the facility disposes of its wastewater in large-capacity cesspools, which the EPA has determined can contain elevated concentrations of contaminants that may endanger drinking water. In November of 1999, EPA announced new regulations that require operators to phase out existing large-capacity cesspools by April 2005. Similar State of Hawai'i regulations are also in effect. There is therefore a need to construct a wastewater treatment system in the interest of public health, in compliance with federal and State regulations.

The proposed wastewater treatment facility would consist of wastewater pipelines, an aerated pond, a blower building, and associated infrastructure. Wastewater from all existing buildings with plumbing at the main camp would be collected and delivered to the proposed aerated pond system via a new wastewater pipeline located beneath the existing access road. The blower building would be located adjacent to the aerated ponds. Electrical power, emergency electrical power and potable water would be provided to the blower building. A leaching field (disposal field) would be built on the existing pasture land to the east of the access road.

Although the general area contains a native forest ecosystem supporting endangered bird and plant species, the project site itself is already disturbed. Careful survey and construction mitigation measures will ensure that there are no adverse effects to any natural or cultural resources.

Final Environmental Assessments (FONSI)



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

District: Puna
TMK: 9-9-001: 011, 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)
Status: FEA/FONSI issued, project may proceed.

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 Keaouhou, 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, use of two 6 portable tent structures for study laboratories, use of gravel to create defined new parking areas, chip seal of parking area, 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.



Land Use Commission Notices

AUGUST 8, 2002



Keahole Generating Station Expansion

The LUC has received the following request regarding a proposed district boundary amendment, pursuant to Chapter 205, HRS:

Docket No./ A02-736
Petitioner: HAWAII ELECTRIC LIGHT COMPANY INC., a Hawaii corporation
Location: Keahole, North Kona, Hawaii
Acreage: 14.998 acres
TMK: (3) 7-3-49: 36
Request: Conservation to Urban
Date Filed: June 21, 2002

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

State Land Use Commission

Location Address
 Leiopapa A Kamehameha Building
 (State Office Tower)
 235 S. Beretania Street, Room 406
 Honolulu, Hawaii 96813

Mailing Address
 P.O. Box 2359
 Honolulu, Hawaii 96804-2359

Phone: 587-3822

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 Kauai, Hawaii and Maui and at Room 220, 1151 Punchbowl St., Honolulu, Oahu (Tel: 587-0414). All comments shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, HI 96813 and postmarked no later than fifteen (15) calendar days from the date of the public notice of the application. If there are any questions, please call Nick Vaccaro at 587-0438.

Case No.	Date Received	Location	Applicant	Tax Map Key
KA-163	7/19/02	Being a portion of Royal Patent 7060, Land Commission Award 8559 Apana 40, to Wm. C. Lunailo, land situated at Pila'a, Hanalei, Island of Kauai, Hawaii Address: Vacant (non-assigned) Purpose: Improvements	Kodani & Associates, Inc., for Pila'a 400 LLC	5-1-04: 08
OA-885	7/30/02	Being a portion of lots 41 and 45 of the Niu Beach Lots (File Plan 279), being also a portion of R. P. 52, Land Commission Award 802 to A. Adams, land situated at Niu, Honolulu, Island of Oahu, Hawaii Address: 5577 Kalaniana'ole Highway Purpose: New Fence Construction	DJNS Surveying and Mapping, Inc., for Dr. John Bertram	3-7-1-04

Shoreline Notices

AUGUST 8, 2002

Shoreline Certifications and Rejections

Pursuant to §13-222-26, HAR the following shorelines have been certified or rejected by the DLNR. A person may appeal a certification or rejection to the BLNR, 1151 Punchbowl Street, Room 220, Honolulu, HI 96813, by requesting in writing a contested case hearing no later than twenty (20) calendar days from the date of public notice of certification or rejection.

Case No.	Date Received	Location	Applicant	Tax Map Key
KA-141-2	7/26/02 Certified	Lot 1 of Land Court Application 1166, land situated at Waipouli, Island of Kauai, Hawaii Address: Vacant Purpose: Building Permit	Wagner Engineering Services, Inc., for Niu Pia Farms, Ltd	4-3-08: 01
KA-159-2	7/28/02 Certified	Lot 2, Wainiha Subdivision II, File Plan 1840, land situated at Wainiha, Hanalei, Island of Kauai, Hawaii Address: 7350 Alealea Road Purpose: Building Permit	Esaki Surveying and Mapping, Inc., for Carl Stephens	5-8-09: 41
OA-876	7/26/02 Certified	Portion of Exclusion 12 of Land Court Application 979 (Map 13), being R.P. 2112, Land Commission Award 2239, Apana 2 to Maikai, land situated at Kahaluu, Koolaupoko, Island of Oahu, Hawaii Address: 47-082 & 47-070 Laenani Drive Purpose: Improvements	Towill, Shigeoka & Associates, Inc., for Ralph A. Schrader	4-7-09: 11
KA-034-2	7/26/02 Certified	Lot 6, Wainiha Subdivision II, File Plan 1840, land situated at Wainiha, Hanalei, Island of Kauai, Hawaii Address: 7326 Alealea Road Purpose: Building Permit	Esaki Surveying and Mapping, Inc., for Joseph Brescia	5-8-09: 45
OA-875	7/26/02 Certified	Lot 1142-B of Land Court Application 677 (Map 260), land situated at Kailua, Koolaupoko, Island of Oahu, Hawaii Address: 59 Kailuana Place Purpose: Improvements	Towill, Shigeoka & Associates, Inc., for James C. Castle	4-3-22: 12
HA-230-2	7/26/02 Certified	Lot 76 of Puako Beach Lots (HTS Plat 414-B), being the whole of Land Patent Grant S-13752 to Manuel Corozo Rapozo, Jr. and Adelina Ramos Rapozo, land situated at Lalamilo, Waimea, South Kohala, Island of Hawaii, Hawaii Address: Not Assigned Purpose: Building Permit	Wes Thomas Associates, for Puako Hui LLC	6-9-03: 15
HA-259	7/26/02 Certified	Lots 5-B-1 and 6-A of North Kahaluu Beach Subdivision, land situated at Kahaluu, North Kona, Island of Hawaii, Hawaii Address: 78-6616 Alii Drive Purpose; Building Permit	Wes Thomas Associa6tes, for Elizabeth Marshall	7-8-14: 50 & 97
OA-880	7/26/02 Certified	Portions of Land Filled of Kaakaukukui, being parcels 1 and 10, land situated at Kaakaukukui, Island of Oahu, Hawaii Address: 40 Ahui Street & 98 Koula Street Purpose: Development	ParEn dba park engineering, for Hawaii Community Development Authority State of Hawaii	2-1-06 01 & 02
KA-162	7/26/02 Certified	Lot 42 Haena Hui Lands R.P 3596, Land Commission Award 10615 Apana 6 to A. Paki, land situated at Haena, Helelea, Island of Kauai, Hawaii Address: 5-7878 Kuhio Highway Purpose: Building Permit	Wagner Engineering Services, Inc., for Ed and Joan Ben-dor	5-9-05: 20
KA-144-2	7/26/02 Certified	Lot 3, Wainiha Hui Land, Equity No. 109 Partition Fifth Circuit Court, Being a Portion of R.P. 7194, Land Commission Award 11216, Apana 5 to M. Kekauonohi, land situated at Wainiha, Island of Kauai, Hawaii Address: 5-7470 E Kuhio Highway Purpose: Building Permit	Wagner Engineering Services, Inc., for Robert Matthews, Trustee	5-8-10: 14

Environmental Council Notices

AUGUST 8, 2002

Environmental Council Meetings

The next meetings of the Environmental Council are tentatively scheduled for Wednesday, August 14, 2002 at 1:30 p.m. Please call OEQC at 586-4185 after August 8th to confirm meetings time and place.

Pollution Control Permit Applications

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/Water Branch

Branch Permit Type	Applicant & Permit Number	Project Location	Pertinent Date	Proposed Use
Clean Air Branch, 586-4200, Noncovered Source Permit	Castle & Cooke Resorts, LLC NSP 0519-01-N	The Koele Lodge, Lanai City, Lanai UTM Coordinates: Zone 4, 716,746 m E, 2,305,228 m N (NAD-83)	Issued: 7/16/02	Three (3) 455 kW Diesel Engine Generator
Clean Air Branch, 586-4200, Covered Source Permit	Kona Community Hospital CSP 0265-03-C	69 Haukapila Road, Kealahou, Hawaii	Issued: 7/19/02	65 lb/hr Hospital/Medical/ Infectious Waste Incinerator
Clean Air Branch, 586-4200, Covered Source Permit	Tesoro Hawaii Corporation CSP 0089-01-C (Renewal)	140-A Hobron Avenue, Kahului, Maui	Issued: 7/23/02	Maui Petroleum Bulk Loading Terminal
Clean Air Branch, 586-4200, Temporary Covered Source Permit	Isemoto Contracting Company, Ltd. CSP 0515-01-CT	Initial Location: Maniniowali, North Kona, Hawaii (TMK: 7-2-04: 18)	Comments Due: 8/30/02	465 TPH Temporary Stone Crushing and Processing Plant with 317 kW Diesel Engine
Clean Air Branch, 586-4200, Covered Source Permit	Ameron International Corporation, dba Ameron Hawaii CSP 0085-02-C (Renewal)	Camp 10 Quarry, Puunene, Maui	Comments Due: 9/4/02	600 TPH Stone Processing Plant with 475 HP Diesel Engine Generator and 120 CY/HR Concrete Batch Plant with 300 TPH Waste Concrete Crusher
Clean Air Branch, 586-4200, Covered Source Permit	Maui Electric Company, Ltd. (MECO) CSP 0030-06-C (Renewal)	Miki Basin, Lanai (UTM: Zone 4, 714.8 km east, 2300.6 km north, Old Hawaiian Datum)	Comments Due: 9/4/02	Eight (8) Diesel Engine Generators
Clean Water Branch 586-4309, NPDES Permit	Ameron International Corporation, dba Ameron Hawaii HI 0021075	Sand Island Facility 2344 Pahounui Drive Honolulu, Hawaii	Comments Due: 8/21/02	Discharge of wastewater and storm water runoff to Keehi Lagoon

Pollution Control Permit Applications

AUGUST 8, 2002

Department of Health Permits (continued)

Safe Drinking Water Branch

Branch & Permit Type	Applicant & Permit Number	Project Location	Pertinent Dates	Proposed Use
Safe Drinking Water Branch, 586-4258, UIC Permit	Central Services Division Dept. of Accounting & General Services, State of Hawaii UH-2106	Keakealani Office Bldg. (Old Kona Hospital), 79-7595 Haukapila St., Kealakekua	n/a	Abandonment of one injection well (cesspool) used for sewage disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	H.S.C., Inc. UH-2184	HSC, Inc. Drainage Well @ Island Chevrolet Facility, 1177 Kilauea Ave., S. Hilo	n/a	Registration of one injection well for surface drainage.
Safe Drinking Water Branch, 586-4258, UIC Permit	Association of Apartment Owners, UH-2038	Ala Kala Condominium 75-6150 Alii Drive, Kailua-Kona	n/a	Abandonment of one injection well used for sewage disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Airports Division Dept. of Transportation, SOH UH-1355	Kona International Airport WWTP at Keahole, N. Kona	n/a	Permit renewal of 12 injection wells for sewage disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Harper Car & Truck Rental UH-2186	Harper Car & Truck Rental, Keahole International Airport, Au Lepe St., Keahole, Kailua-Kona	n/a	Registration of one injection well for car-wash water disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Hawaiian Electric Light Co., Inc., UH-1241	HELCO Hill Plant #6 Reinjection Well 54 Halekauila St., S. Hilo	n/a	Permit modification of one injection well for industrial wastewater disposal.
Safe Drinking Water Branch, 586-4258 UIC Permit	Association of Apartment Owners, UM-1272	Maalaea Banyan Condominium 190 Hauoli St., Wailuku	n/a	Permit renewal of 2 injection wells for sewage disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Association of Apartment Owners, UM-1345	Island Sands Condominium 150 Hauoli St., Wailuku	n/a	Permit renewal of 2 injection wells for sewage disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	KSL Grand Wailea Resort, Inc., UM-1600	KSL Grand Wailea Resort, Inc. 3850 Wailea Alanui Drive, Wailea, Makawao	n/a	Change-of-Operator of 3 injection wells for salt water-related water features.
Safe Drinking Water Branch, 586-4258, UIC Permit	Hawaiian Commercial & Sugar Co., UM-2187	HC & S Puunene Sugar Mill, Puunene Camp (Field 713) Cesspools 1 Hansen Road, Puunene	n/a	Registration of 4 injection wells (large-capacity cesspools) for sewage disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Hawaiian Commercial & Sugar Co., UM-2188	HC & S Puunene Sugar Mill, McGerrow Camp (Field 714) Cesspools, 1 Hansen Road, Puunene	n/a	Registration of 4 injection wells (large-capacity cesspools) for sewage disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Association of Apartment Owners, UM-1863	Kanai A Nalu Condominium 250 Hauoli St., Maalaea, Wailuku	n/a	Permit renewal of 2 injection wells for sewage disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Association of Apartment Owners, UO-1808	Mokuleia Surf WWTP 68-101 Waialua Beach Road, Waialua	n/a	Permit renewal of 2 injection wells for sewage disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Hawaii Pacific University UO-2183	Academic Center Building, HPU, Hawaii Loa Campus 45-045 Kamehameha Hwy. , Kaneohe	n/a	Abandonment of 3 unregistered injection wells (large-capacity cesspools) for classroom ww disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Division of Road Maintenance Dept. of Facility Maintenance C&C of Honolulu, UO-2185	Kalaeloa Drainage Wells, formerly Barbers Point Naval Air Station	n/a	Change-of-Operator of 21 injection wells for surface drainage.
Safe Drinking Water Branch, 586-4258, UIC Permit	North Shore Investment Co. UO-2025	Haleiwa Shopping Plaza 66-145 Kamehameha Hwy., Haleiwa, Waialua	n/a	Permit renewal of 3 injection wells for sewage disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Housing & Comm. Dev. Corp of Hawaii, UO-1729	Kapolei Villages, Ph. II, Lower Channel Drainage Wells, Villages of Kapolei, South of Kamaaha Ave.	n/a	Permit renewal of 18 injection wells for surface drainage.
Safe Drinking Water Branch, 586-4258, UIC Permit	Association of Apartment Owners, UK-1929	Waikomo Stream Villas 2721 Poipu Road, Poipu, Koloa	n/a	Registration of one injection well (total 3 wells) for sewage disposal.
Safe Drinking Water Branch, 586-4258, UIC Permit	Poipu Kai Water Reclamation Corp., UK-1292	Poipu Kai STP 1645 Kealukia St., Poipu, Koloa	n/a	Permit renewal of 4 injection wells for sewage disposal.

Enforcement Notices

AUGUST 8, 2002

Summary of Inspection and Enforcement Actions April - June 2002

The table below shows a tally of the number of inspections and responses conducted by the Department of Health (DOH) Environmental Management Division pollution control program personnel during the period from April through June 2002. Additionally, formal and informal enforcement actions, and the settlements that arise out of those actions, are counted as well. Inspections and enforcement actions are split up by program area. For more information, please contact Maile Sakamoto at the DOH Environmental Planning Office at 586-4337.

	Inspections & Responses	Warning Notices ¹	Formal Enforcement Cases ²	Fines Issued	Formal Cases Pending	Formal Cases Concluded	Special Environmental Projects (S.E.P.) in Progress
	April-June 2002	April-June 2002	April-June 2002	April-June 2002	Total to Date	April-June 2002	
Clean Air Branch							
Fugitive Dust	122	3	0	0	1	0	0
Noncovered Sources	29	3	1	\$500.00	5	1	2
Covered Sources	49	7	4	\$21,800.00	11	2	0
Agricultural Burning	74	2	0	0	2	0	0
Open Burning	39	1	2	\$200.00	1	2	0
Others	72	3	0	0	0	0	0
Solid & Hazardous Waste Branch							
Underground Storage Tanks	145	9	23	\$50,720.00	1	1	0
Hazardous Waste	18	17	5	\$528,034.00	11	0	2
Solid Waste	56	12	2	\$93,000.00	3	1	0
Clean Water Branch							
Permitted Discharges (NPDES)	24	1	1	0	0	0	0
Non-permitted Discharges	68	2	1	0	0	0	0
Water Quality Certifications	2	0	0	0	0	0	0
Wastewater Branch							
Wastewater Treatment Plants	52	0	0	0	3	0	3
Individual Wastewater Systems	137	30	0	0	6	1	0
Animal Waste	5	1	0	0	1	0	0
Other	5	0	0	0	0	0	0
Safe Drinking Water Branch							
Public Water Systems	37	3	0	0	3	1	0
Wells - Underground Injection Control	18	16	0	0	1	0	0
Hazard Evaluation & Emergency Response							
Oil Spills	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Hazardous Waste Releases	n/a	n/a	n/a	n/a	n/a	n/a	n/a
TOTAL							
	952	110	39	\$694,254.00	49	9	7

¹ Informal letters warning a person or entity that they are violating environmental laws normally requiring corrective action by a specified deadline. Informal actions generally cover less serious issues such as small infractions by individuals, or violations of permit technicalities which do not directly impact environmental quality.

² Formal actions generally cover any serious violation and repeat or continued violations of permits or the law. Warning letters, if not adequately responded to, can lead to formal actions. Specifically, formal actions are administrative enforcement case proceedings that typically include a formal notice of violation and an order. Orders often require corrective action, reports, and payment of a penalty. This section also includes field citations.

Enforcement Notices

AUGUST 8, 2002

Formal Enforcement Actions and Settlements Completed by DOH

Notices of violations issued from April through June 2002 are summarized below. The summaries do not constitute exact descriptions of the violations. For complete and accurate descriptions, please contact DOH at 586-4337 for copies of the violation notices.

Solid and Hazardous Waste Branch

On April 1, 2002, a Complaint, Order and Certificate of Service were served to the **Bonded Materials Company** for violations of rules regarding hazardous waste at their facilities located at 91-400 Komohana Street in Kapolei, and 150 Puuhale Road in Honolulu. The company was cited for treatment of hazardous waste without a permit, storage of hazardous waste without a permit, failure to make a hazardous waste determination, mismanagement of containers, illegal transportation of hazardous waste, and failure to provide training in handling hazardous waste materials. An order was issued for a penalty of \$265,144.00, and to comply with rules regarding hazardous waste disposal.

On May 3, 2002, a Notice of Violation and Order was sent to **Pacific Environmental Corporation** at 65 North Nimitz Hwy., Pier 14 in Honolulu. The company was in violation of transporting hazardous waste to a non-designated facility, and failing to prepare a hazardous waste manifest. An administrative penalty of \$8,750.00 was assessed, and the company ordered to comply with rules regarding the handling and transportation of hazardous waste.

On May 3, 2002, a Notice of Violation and Order was served to **Nexus Hazwaste Services, Inc.** on 3259 Koapaka Street in Honolulu for transporting hazardous waste used oil to an unpermitted facility. The company was ordered to pay a penalty of \$4,000.00 and comply with requirements regarding hazardous waste handling and transportation.

On May 10, 2002, a Complaint and Order was served to **Rainbow State Paint & Decorating, Inc.** on 1353 Dillingham Blvd., Honolulu for failure to make a hazardous waste determination, and treatment of hazardous waste without a permit. The company was ordered to pay a penalty of \$32,500.00. They were also ordered to comply with rules regarding treatment, transportation and disposal of hazardous waste, and to submit a corrective action plan to close and clean up the rear parking lot of the facility.

On May 10, 2002, a Complaint and Order was served to the **United States Navy, Navy Region Hawaii** at 517 Russell Avenue, Suite 110, Pearl Harbor and **Robison-Prezioso, Inc.** at 10114 Shoemaker Ave., Santa Fe Springs, California, for violations of treatment of hazardous waste without a permit, failure to properly mark hazardous waste containers, mismanagement of hazardous waste containers, and storage of hazardous waste without a permit. An administrative penalty was assessed for \$217,640.00, and orders were given to comply with rules regarding hazardous waste management.

Clean Air Branch

On April 4, 2002, a Notice and Finding of Violation and Order were served to **Tesoro Hawaii Corporation Petroleum Refinery** at 91-325 Komohana Street, Kapolei. The company lacked authorization to operate the hydrogen reformer furnace H2001 with emissions in excess of the allowable total suspended particulates emission limit of 1.4 lb/hr. An order was given to take corrective action, and pay a penalty of \$4,000.00.

On April 9, 2002, a Notice and Finding of Violation and Order were served to **Bolton, Inc.** of Kailua-Kona for operating a portable stone quarrying and processing plant at the Hualalai Regency project with the use of the required dust control equipment, resulting in large clouds of fugitive dust becoming airborne. A penalty of \$4,900.00 was assessed for the violation.

On April 9, 2002, another Notice and Finding of Violation and Order were served to **Bolton, Inc.** of Kailua-Kona for operating a portable stone quarrying and processing plant without a valid permit, and for operating equipment without any fugitive dust control measures being used. The company was ordered to take corrective action, and pay a penalty of \$7,500.00.

Clean Water Branch

On June 25, 2002 a Notice and Finding of Violation was served to **Marisco, Limited** regarding violations of Hawaii Revised Statutes and Hawaii Administrative Rules, and the owner's two national Pollutant Discharge Elimination System Permits as they relate to the "Big Mike" and "Lil' Perris" drydocks, and the associated land-based facilities all located at Barbers Point Harbor, Kapolei. An order was given to take immediate corrective action, and deliver a schedule of corrective implementations. A hearing will be scheduled to determine the assessment of a monetary penalty for the violations.

On June 27, 2002 a Notice and Finding of Violation was delivered to **Pfueger Properties** and **Pilaa 400 LLC** for properties in Hanalei, Kauai regarding violations related to the discharge of pollutants into State waters from the owner's property. An order was given to take immediate action to implement corrective measures to prevent the discharge of all pollutants and prevent water quality violations. A hearing will be scheduled to determine the assessment of a monetary penalty for the violations.

Coastal Zone News

AUGUST 8, 2002

Federal Consistency Reviews

The Hawaii Coastal Zone Management (CZM) Program has received the following federal actions to review for consistency with the CZM objectives and policies in Chapter 205A, Hawaii 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 Hawaii CZM Program at 587-2878. For neighboring islands use the following toll free numbers: Lanai & Molokai: 468-4644 x72878, Kauai: 274-3141 x72878, Maui: 984-2400 x72878 or Hawaii: 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, Hawaii 96804. Or, fax comments to the Hawaii CZM Program at 587-2899.

➤ (1) Regulatory Adjustment to the Bottomfish and Seamount Groundfish Fishery Management Plan, Northwestern Hawaiian Islands

Applicant: Western Pacific Regional Fishery Management Council
Contact: Kitty Simonds, Executive Director, 522-8220
Federal Action: Federal Agency Activity
Location: Hoomalu Zone and Mau Zone, Northwestern Hawaiian Islands Reserve
CZM Contact: John Nakagawa, 587-2878
Proposed Action:

The regulatory adjustment will temporarily suspend the annual permit renewal requirements in the Northwestern Hawaiian Islands Hoomalu Zone and Mau Zone limited access programs until the NWHI National Marine Sanctuary Designation Process is complete. The proposed measure will adjust the limited access programs such that participants have a greater degree of flexibility in the use of their fishing permits, while continuing to ensure that permits are allocated in a fair and equitable manner. According to the applicant this proposal is consistent with the intent of the NWHI Reserve in that it allows existing bottomfishing effort to continue at sustainable levels.

Comments Due: August 22, 2002

➤ (2) Install Stream Gage on Kawainui Stream, Hamakua District, County of Hawaii

Applicant/Federal Agency: US. Geological Survey, Water Resources Division
Contact: Barry Hill, Assistant District Chief, 587-2407
Federal Action: Federal Agency Activity

Location: South/right bank of Kawainui Stream immediately upstream from the Lower Hamakua Ditch intake, Hamakua District, Hawaii County

TMK: (3) 4-9-12: 1
CZM Contact: John Nakagawa, 587-2878

Proposed Action:

Intall and operate a stream gage on Kawainui Stream, Hamakua, Hawaii County, to provide continuous, real-time streamflow data. The gage consists of a wooden instrument shelter (4'x5'x6' high), metal conduit for a compressed air line leading from the shelter to the stream, and a concrete anchor, staff plate and crest-stage gage.

Comments Due: August 22, 2002

➤ (3) Manele Small Boat Harbor Access Road Improvements, Lanai

Applicant: State Department of Land and Natural Resources
Division of Aquatic Resources

Contact: Micahael Fujimoto, 587-0085
Federal Action: Federal Assistance - Sport Fish Restoration Program

Federal Agency: U.S. Fish and Wildlife Service
Location: Manele Small Boat Harbor, Lanai
CZM Contact: John Nakagawa, 587-2878

Proposed Action:

Receive and use \$195,000 of federal funds from the Sport Fish Restoration Program to improve the access road, trailer turn around area, and parking area. The scope of work includes improving and paving the access road, marking parking spaces, paving the truck and trailer turn around area, and installing curbing, a drainage system, sidewalks and a 1.5 inch water lateral.

Comments Due: August 22, 2002

➤ (4) Offshore Tuna Growout Project, Kawaihae, Hawaii

Applicant: Ahi Nui Tuna Farming, Co.
Contact: Clayton Brenton, 887-0678
Federal Action: Department of the Army Permit, (200200441)
Federal Agency: U.S. Army Corps of Engineers,
Bill Lennan 438-6986

Location: 4.5 miles NW of Kawaihae Harbor on the Big Island of Hawaii

CZM Contract: Debra Tom, 587-2840

Proposed Action:

Install floating aquaculture net cages 4.5 miles NW of Kawaihae Harbor off the island of Hawaii in approximately 170 feet of water and averaging 2,173 feet from shore. The cages will be used for the growout of wild caught juvenile bigeye and yellowfin tuna.

Comments Due: August 22, 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); Kakaako (587-2878).

Location (TMK)	Description (File No.)	Applicant/Agent
Honolulu: (9-8-9: 13)	Concrete/iron fence:(2002/SMA-36)	Hon. Ltd. – Magba Inc. / Sueda & Assoc, Inc.
Maui: Kihei (3-9-48: 154)	House Addition (SMX-20020360) – Pending	Cynthia Koehne & Clement Amato
Maui: Kahului (3-8-7: 43)	Demo/removal (SMX-20020361) – Pending	David Tamanaha
Maui: Kapalua (4-2-6: 6)	Improvement (SMX-20020362) – Pending	Atom Kasprzycki
Maui: Kihei (3-8-13: 3)	Remodel kitchen (SMX-20020363) – Pending	Kevin Thompson
Maui: Kahului (3-8-79: 1)	Alteration/repair (SMX-20020364) – Pending	Anthony A. Riecke-Gonzales
Maui: Kihei (3-9-50: 30)	Swimming pool/spa (SMX-20020365) – Pending	Craig & Sheryl Chellis
Maui: Napili (4-3-2: 77)	Residence (SMX-20020366) – Pending	Colleen Pilialoha
Maui: Kihei (3-9-38: 48)	Additions to dwelling (SMX-20020367) – Pending	Will Etheridge
Maui: Makena (2-1-6: 8)	Guest cottage (SMX-20020368) – Pending	James Niess
Maui: Hana (1-4-3: 56)	Convert units (SMX-20020369-373) – Pending	Maui Arch Group, Inc.
Maui: Kihei (3-9-17: 33)	Replace ceiling (SMX-20020374) – Pending	Edmond Akiona
Maui: Spreckelsville (3-8-3: 78)	Alteration/demo (SMX-20020375-6) – Pending	Rob & Cynthia Merriman
Maui: Kihei (3-9-2: 109)	Interior alterations (SMX-20020377) – Pending	Prudential Locations
Maui: Lahaina (4-5-5: 9)	Alteration (SMX-20020378) – Pending	Old Lahaina Luau
Maui: Lahaina (4-6-4: 24)	Additions after-the-fact (SMX-20020379) – Pending	Emery Lopez
Maui: Kapalua (4-2-3: 40)	Dwelling (SMX-20020380) – Pending	William Logue
Maui: Wailea (2-1-26: 68)	2-story Residence (SMX-20020381) – Pending	Fay Holdings, LLC
Maui: Lahaina (4-4-1: 31)	Interior alterations (SMX-20020382) – Pending	Boss Frog's Dive & Surf
Maui: Haiku (2-8-3:46)	Residence (SMX-20020383) – Pending	Dennis C. Murray
Maui: Kailua (2-9-11:17)	Water tank (SMX-20020384) - Pending	Jeff Rey White
Maui: Kihei (3-9-31:32)	Dwelling & garage (SMX-20020385) - Pending	Francis Y. Suda
Maui: Haiku (2-8-11:7)	Swimming pool (SMX-20020386) - Pending	Pool Pro, Inc.
Maui: Wailea (2-1-22:22)	Interior renovation (SMX-20020387) – Pending	Joseph H. Haley
Maui: Hana (1-3-2:39)	Maintenance shed (SMX-20020388) – Pending	Kamaui Aiona
Maui: Kahului (3-7-2:20)	Demo/alt (SMX-20020389) – Pending	Robert Hartman
Maui: Kihei (3-9-33:24)	Cottage (SMX-20020390) – Pending	Rosita G. Tumpap
Maui: Kihei (3-9-48:31)	Extension (SMX-20020391) – Pending	Felaine Abut
Maui: Kahului (3-7-9:4)	Renovate store (SM2-20020092)	Tasaka Guri Guri Shop
Maui: (3-8-1:101)	Thrifty Car Rental (SM2-20020093)	Cardinal Leasing Inc.
Maui: Kihei (3-9-41:23)	Ohana (SM2-20020094)	Richard Leong
Maui: Kihei (3-9-18:59)	Cottage/garage (SM2-20020095)	Teresa Brenner
Maui: Haiku (2-8-4-99)	Dwelling/cottage/garage (SM2-20020096)	Evan Asato
Maui: Kuau (2-6-12-18)	Dwelling (SM2-20020097)	Mark Corba
Maui: Lahaina (4-6-30:3)	Apartment alterations (SM2-20020098)	Siddeley, Family Trust
Hawaii: Kona (7-5-5:96)	Single family dwelling (SMM 117)	M/M Cliff Dias
Hawaii: Hilo (2-1-14:29, 30, 31 & 74)	After the fact grubbing (SMM 119)	Hilo Bay Marina, LLC

Federal Notices

AUGUST 8, 2002

Coqui Frog (*Eleutherodactylus coqui*), Environmental Assessment Planning Process

The United States Department of Agriculture (USDA) is seeking comments on a plan to control coqui frogs in Hawai'i. The USDA is asking four specific questions of the public: (1) What is your relationship (resident, concerned citizen, affected business, etc.) to the proposed project or to the potential environmental impacts of *Eleutherodactylus* control? (2) What issues do you think are important in this analysis? What are your concerns about the proposed *Eleutherodactylus* frog control program? (3) What strategies would you like to see considered? (4) Do you have any additional information that could add to this analysis? Because time is of the essence, it is important that the USDA receive comments by August 30, 2002 to ensure full consideration in the environmental analysis. USDA will send participants a predecisional environmental assessment for review if it receives your comments or an indication of your interest to remain informed. Please be sure to include your return address on your correspondence. Send your comments to Tim Ohashi, USDA APHIS WS, P.O. Box 786, Volcano, Hawai'i 96785, telephone (808) 985-7275, telephone facsimile (808) 985-7276 (from July 17, 2002, notice of USDA, Animal and Plant Health Inspection Service).



Record of Decision for Surveillance Towed Array Sensor System Low Frequency Active (SURTASS LFA) Sonar

The Department of the Navy, after carefully weighing the operational, scientific, technical, and environmental implications of the alternatives considered, announced its decision to employ two SURTASS LFA sonar systems with certain geographical restrictions and monitoring mitigation designed to reduce potential adverse effects on the marine environment. This decision, which pertains only to the employment of two SURTASS LFA sonar systems (rather than the up to four analyzed in the Final Overseas Environmental Impact Statement and Environmental Impact Statement [OEIS/EIS] for SURTASS LFA Sonar), implements the

preferred alternative, Alternative 1, identified in the Final OEIS/EIS for SURTASS LFA Sonar. Pursuant to 10 U.S.C. 5062, the Navy is required to be trained and equipped for prompt and sustained combat incident to operations at sea. To fulfill this mandate, the Navy provides credible, combat-ready naval forces capable of sailing anywhere, anytime, as powerful representatives of American sovereignty. Fleet readiness is the foundation of the Navy's war fighting capability, and there is a direct link between fleet readiness and training. For the Navy, fleet readiness means essential, realistic training opportunities, in both open-ocean and littoral environments. The Navy is facing existing and emerging threats from foreign naval forces. For example, several non-allied nations are fielding new, quiet submarines. New anti-ship, submarine-launched cruise missiles are also being introduced. When quiet submarines and anti-ship cruise missiles are combined, they pose a formidable threat to our sailors and Marines, who are called upon to project power from the sea and maintain open sea lanes. In order to successfully locate and defend against these threats, our sailors must train realistically with both active and passive sonar. In executing anti-submarine (ASW) missions, sonar is the key to survival for our ships and sailors. The employment of SURTASS LFA will enable the Navy to meet the clearly defined, real-world national security need for improved ASW capability by allowing Navy Fleet units to reliably detect quieter and harder-to-find foreign submarines underwater at long range, thus providing adequate time to react to and defend against the threat, while remaining a safe distance beyond a submarine's effective weapons range (see, 67 F.R. 48145, July 23, 2002).

Public Scoping Period for the Proposed Designation of the Northwestern Hawaiian Islands National Marine Sanctuary; Reopening of Comment Period

On December 4, 2000, Executive Order 13178 established the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve, pursuant to the National Marine Sanctuaries Amendments Act of 2000. The Reserve extends approximately 1200 nautical miles long and 100 nautical miles wide. Pursuant to this Act and the Executive Order, NOAA initiated the process to designate the Reserve as a national marine sanctuary by issuing a notice of intent on January 19, 2001 (66 F.R. 5509). The public scoping period was announced on March 18, 2002 (67 F.R. 11996), with a closing date of May 3, 2002. The close of the public scoping period was extended to May 17, 2002 (67 F.R. 17673). Because of continuing public interest as indicated by the number of comments received during and after the comment period,

NOAA is reopening the comment period until August 6, 2002. Any comments that may have been received between May 17, 2002 and July 22, 2002, will be considered timely filed. The National Oceanic and Atmospheric Administration (NOAA) is reopening, until August 6, 2002, the period for submission of public comments on the proposed designation of the Northwestern Hawaiian Islands National Marine Sanctuary. Comments on the proposed designation must be received by close of business August 6, 2002. Written comments may be sent to NWHI Coral Reef Ecosystem Reserve, 6700 Kalaniana'ole Highway, 215, Honolulu, Hawaii 96825; faxed to (808) 3972662; or emailed to nwhi@noaa.gov. Comments will be available for public review at the office address above. For details contact Aulani Wilhelm, (808) 397-2657, nwhi@noaa.gov (see, 67 F.R. 47774, July 22, 2002).

National Coastal Wetlands Conservation Grant Program

Effective July 30, 2002, this final rule establishes the requirements for participation in the National Coastal Wetlands Conservation Grant Program authorized by the Coastal Wetlands Planning, Protection and Restoration Act (Act) and provides guidance for the Program's administration by the U.S. Fish and Wildlife Service (FWS). It replaces interim procedures and clarifies guidance for preparation, submission, and evaluation of proposed projects and administration of funded projects. The complete file for this rule is available for inspection, by appointment, during normal business hours at the Division of Fish and Wildlife Management and Habitat Restoration, Fish and Wildlife Service, U.S. Department of the Interior, Room 840, 4401 North Fairfax Drive, Arlington, Virginia 22203. For more information, contact Sally Valdes-Cogliano, Division of Fish and Wildlife Management and Habitat Restoration, by telephone (703) 358-2201; telephone facsimile (703) 358-2232; electronic mail sally_valdescogliano@fws.gov. The Coastal Wetlands Planning, Protection and Restoration Act (16 U.S.C. 3951-3956) authorizes the Director of the Service to make matching grants to coastal States for acquisition, restoration, enhancement, management, and preservation of coastal wetlands. Grants are available annually on a competitive basis to coastal States. Funding for this Program comes from the Sport Fish Restoration Account, which is supported by excise taxes on fishing equipment, and motorboat and small engine fuels. The primary goal of the National Coastal Wetlands Conservation Grant Program is the long-term conservation of coastal wetland ecosystems. It accomplishes this goal by helping States in their efforts to protect, restore,

and enhance their coastal habitats. The Program's accomplishments are primarily on-the-ground and measured in acres (see, 67 F.R. 49264, July 30, 2002).

Revocation of Pesticide Tolerances for Acephate, Amitraz, Carbaryl, Chlorpyrifos, Cryolite, *et alia*

The U.S. Environmental Protection Agency (EPA) revoked certain tolerances for residues of the pesticides acephate, amitraz, carbaryl, chlorpyrifos, cryolite, disulfoton, ethalfluralin, ethion, ethoprop, fenthion, fluvalinate, methamidophos, metribuzin, oxamyl, phorate, phosalone, phosmet, pirimiphos-methyl, profenofos, propiconazole, tetrachlorvinphos, thiram, and tribufos because these specific tolerances are either no longer needed or are associated with food uses that are no longer registered in the United States. The regulatory actions in this document are part of the Agency's reregistration program under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), and the tolerance reassessment requirements of the Federal Food, Drug, and Cosmetic Act (FFDCA) section 408(q), as amended by the Food Quality Protection Act (FQPA) of 1996. By law, EPA is required by August 2002 to reassess 66% of the tolerances in existence on August 2, 1996, or about 6,400 tolerances. The regulatory actions in this document pertain to the revocation of 140 tolerances. Because ten tolerances were previously reassessed, 130 tolerances would be counted as reassessed. Also, EPA is announcing that six goat and sheep tolerances at 0 ppm for amitraz are considered to be reassessed. Therefore, a total of 136 tolerance reassessments would be counted among tolerance/exemption reassessments made toward the August, 2002 review deadline. This regulation is effective October 29, 2002; however, certain regulatory actions will not occur until the date specified in the regulatory text. Objections and requests for hearings, identified by docket ID number OPP-2002-0155, must be received by EPA on or before September 30, 2002. Written objections and hearing requests may be submitted by mail, in person, or by courier. For more information, contact Joseph Nevola, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 308-8037; electronic mail address: nevola.joseph@epa.gov. You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/> (see, 67 F.R. 49606, July 31, 2002).

