

The Environmental Notice

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



LINDA LINGLE
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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FEBRUARY 23, 2003

Hana Highway Rockfalls

The State Department of Transportation is proposing to shift portions of Hana Highway at mileposts 11 and 19 in order to create a "catch" area for rockfalls. The makai shift will create a wider setback to allow falling rock to collect between the newly positioned roadway shoulder and the mauka upslope of the terrain. The new roadway will cantilever out over the downslope portion on the makai side. The cantilever will be designed to permit movements of 2 to 3 inches in the event of an earthquake.

Twin rows of deep shaft foundations will support the cantilevered roadway to a maximum of nine feet out. The foundations will be drilled and filled with cast-in-place concrete and will be supported by longitudinal tie-beams. Guardrails will be placed alongside all new portions of roadway.

On the mauka slopes draped meshing will be used for rock catchment on the shorter slope of milepost 11 roadway and a concrete barrier and fencing will be used on the taller slope of milepost 19.

See page 8 for more information.

Kunia Groundwater Nitrate Treatment System

The City's Board of Water Supply has revised a draft environmental assessment originally published in the Environmental Notice on March 23, 2002, for a nitrate treatment ionic-exchange system for Kunia Wells II. In general, groundwater comprises about 75-80% of the water used for irrigation of agricultural land in Kunia. Due to the long history of fertilizer, insecticide and pesticide use in nearby fields, traces of nitrate have been detected in Kunia well fields in recent years. In 1991, under a drinking water rule, the U.S. Environmental Protection Agency established a maximum contaminant level (MCL) of 10 mg/L for nitrate. Research shows nitrate levels in drinking water above the MCL to be a health risk for fetuses and infants of less than six months in age, causing methemoglobinemia a condition of oxygen deprivation. In recent years, nitrate levels at Kunia Wells II have ranged from 5.3 to 7.0 ppm. See page 4.

Search for Documents

Need to do a systematic search for environmental documents? A modified Google search engine has been placed on the Department of Health website. By typing in a key word or key phrase Google will search all websites in the DOH domain, including OEQC. A link has been added to the OEQC navigation bar.

Search results go back through *The Environmental Notice* (titles and text) to the beginning of 1997. If you need to find something that's likely to appear in an edition earlier than 1997 call the Office for assistance, and we'll do it the old-fashioned way.

The Google link is at the bottom of the navigation bar at:

<http://www.state.hi.us/health/oeqc/index.html>.

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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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

FEBRUARY 23, 2003

Draft Environmental Assessments



(1) Hawai'i Yacht Club Additions & Renovations

District: Honolulu
TMK: 2-3-37:13
Applicant: Hawai'i Yacht Club
1739C Ala Moana Boulevard
Honolulu, Hawai'i 96815

Approving Agency/Accepting Authority: City and County of Honolulu
Department of Planning & Permitting
650 South King Street, 7th Floor
Honolulu, Hawai'i 96813
Contact: Patrick Seguirant (527-5369)

Consultant: URS Corporation
615 Pi'ikoi Street, 9th Floor
Honolulu, Hawai'i 96814
Contact: George Krasnick (593-1116)

Public Comment

Deadline: March 25, 2003
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: SMA, Special District

Miscellaneous improvements to the Hawai'i Yacht Club (HYC) including the addition of a hydraulic elevator and lobby, and modifications to the restroom and shower facilities to comply with the provisions of the Americans with Disabilities Act.

The HYC is located at the terminal end of the northern, inland mole within the Ala Wai Boat Harbor. The HYC site is leased from the State of Hawai'i, Department of Land and Natural Resources. The leased area includes 19,639 square feet of reclaimed (filled) land and 20,770 square feet of submerged land improved with floating docks for mooring private pleasure craft.



(2) Kunia Wells II Nitrate Treatment System (Revised)

District: 'Ewa
TMK: 9-2-01:01
Applicant: City and County of Honolulu
Board of Water Supply
630 South Beretania Street
Honolulu, Hawai'i 96843
Contact: Scot Muraoka (527-5221)

Approving Agency/Accepting

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

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

Public Comment

Deadline: March 25, 2003
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: Wastewater Discharge, Sewer Connection, Building, Grading, Trenching, Noise, Height Variance, NPDES

The City and County of Honolulu Board of Water Supply (BWS) proposes to construct a Nitrate Treatment System for Kunia Wells II. The construction of this facility enables the BWS to decrease the nitrate concentrations present in well water at Kunia Wells II and comply with Maximum Contaminant Level (MCL) requirements established by the U.S. Environmental Protection Agency (USEPA). As a result of this project, the BWS will be able to provide safe drinking water to the surrounding areas of Waipahu and 'Ewa. In an engineering study six denitrification technologies were identified for nitrate removal at Kunia Wells II. A ranking matrix evaluating the feasibility of each technology was composed gauging Life Cycle Costs, Land Requirements, Effluent and Influent Water Quality, Discharge Method, Permitting, Operation and Maintenance, Manpower Requirements, EPA Rating and Environmental Factors. Based on the results of this study, the blending option with Ionic Exchange System was selected as the best choice. The proposed denitrification facility site is situated on a 2-acre portion of a parcel of land identified by Tax Map Key (TMK): 9-2-001:001. No significant adverse impact are expected from installation of the proposed denitrification facility. On the contrary, installation of the facility will result in safe drinking water being distributed to the surrounding areas, thus affecting public health and safety in a positive way. The project is expected to begin in April 2003 and last about 15 months. The estimated cost of the project is \$5,229,115.

This project may be funded by Federal funds through the State of Hawai'i's Drinking Water State Revolving Fund (DWSRF) program, which would constitute a Federal action and will require the project to meet all of Hawai'i DWSRF program requirements.



(3) Waimano Exploratory Well

District: 'Ewa
TMK: 9-7-25: por. 1
Applicant: Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawai'i 96809
Contact: Andrew Monden (587-0230)
Approving Agency/Accepting Authority: Same as above.
Consultant: Belt Collins Hawai'i, Ltd.
2153 North King Street, Suite 200
Honolulu, Hawai'i 96819
Contact: Glen Koyama (521-5361)

Public Comment

Deadline: March 25, 2003
Status: DEA First Notice pending public comment. Address comments to the applicant with copies to the consultant and OEQC.
Permits Required: Grading, Well Construction, Well Use, NPDES

The Department of Land and Natural Resources (DLNR), State of Hawai'i, is proposing to drill an exploratory well at the approximately 620' elevation of Waimano Ridge within the grounds of the State Waimano Facility formerly known as the Waimano Training School and Hospital. The DLNR hopes that this well will replace the two existing wells that currently serve the Waimano Facility. The existing wells have aged and are now in need of replacement.

After the exploratory well is drilled and cased, pump tests will be conducted to determine the quality and quantity of the source. If the exploratory well proves successful, it will be outfitted and converted into a production well.

The DLNR is seeking a yield of 136,000 gallons per day from this potential source. It is the same yield that has been allocated by the State Commission on Water Resource Management to the two existing wells.

Should water quality from the well tests be unacceptable for potable use and too costly for treatment, the well will capped and used possibly for future monitoring purposes. An alternative site would then be explored.

Access to the well site is via Waimano Home Road and an existing interior access road that serves the Waimano Facility.

This Environmental Assessment (EA) is being prepared for the exploratory phase of the well project, i.e., the drilling, casing, and pump testing operations. If test results are favorable and a decision is made to move forward with the production phase, another EA will be prepared to cover the outfitting, installation of accessory facilities, and production operations of the well.

Work on the exploratory well is anticipated to commence in the spring or summer of 2003 and be completed approximately five to six months after the project is begun or by the end of the year. The preliminary cost estimate for the exploratory well and pump test is approximately \$480,000. The source of funding is the State.

O'ahu Notices

FEBRUARY 23, 2003

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



(4) Boys and Girls Club Temporary Facility

District: Wai'anae
TMK: 8-9-07:009
Applicant: City and County of Honolulu
Department of Community Services
715 S. King Street, Suite 311
Honolulu, Hawai'i 96813
Contact: Pablo Venenciano (523-4073)

Approving Agency/Accepting

Authority: Same as above.
Consultant: Townscape, Inc.
900 Fort Street Mall, Suite 1160
Honolulu, Hawai'i 96813
Contact: Konia Freitas (536-6999 x 105)
Status: FEA/FONSI issued, project may proceed.

Permits

Required: CUP-Minor

The Boys and Girls Club (BGC) received a grant from the U.S. Department of Housing and Urban Development and proposes to construct a temporary facility for program activities at Nanakuli High School. Nanakuli High School is located at 89-980 Nanakuli Avenue, Wai'anae, Hawai'i 96792. This Final EA has been prepared pursuant to the Federal HUD regulations, 24 CFR Part 58 and the Hawai'i Revised Statutes, Chapter 343, concerning environmental reviews.

The BGC proposes to construct a temporary facility at the upper east side of the Nanakuli High School property. The total land area for the facility is approximately 44,000 sf. The facility will serve 80 to 100 children daily. The facility will consist of: 1 administrative office trailer and 1 storage trailer with covered deck, 2 volleyball courts, 1 basketball court and a parking lot. Nanakuli High School will grass the property up to the BGC facility. The BGC in turn, will grass the remaining area used for their facilities.

The BGC and Nanakuli High School have a Memorandum of Agreement whereby the BGC is allowed use of undeveloped land until such time that Nanakuli High School proceeds with its own plans for the area. At that time the temporary buildings will be moved to another location. Project impacts are primarily related to short-term fugitive dust and air pollution, which will be mitigated through best management practices and a dust mitigation plan as required. A Conditional Use Permit -Minor is required.



(5) Kalihi YMCA

District: Honolulu
TMK: 1-6-24:04
Applicant: Young Men's Christian Association (YMCA) of Honolulu
1441 Pali Highway
Honolulu, Hawai'i 96813
Contact: Glenn Tsugawa (531-3558)

Approving Agency/Accepting

Authority: City and County of Honolulu
Department of Community Services
711 Kapi'olani Blvd., Rm 1422
Honolulu, Hawai'i 96813
Contact: Paul Kobata (592-8626)

Consultant:

PBR Hawai'i
1001 Bishop Street, Suite 650
Honolulu, Hawai'i 96813
Contact: Vincent Shigekuni (521-5631)

Status:

FEA/FONSI issued, project may proceed.

Permits

Building; Grubbing, Grading, Stock-

Required:

piling; Places of Assembly; Sewer Connection, Water; Zoning Variance

The Young Men's Christian Association (YMCA) of Honolulu is proposing to make improvements to its Kalihi YMCA facility in Kalihi to improve services to its existing clientele. The current plans that are subject to this environmental assessment are to:

- Construct a new 28,000 square foot building to include a teen "drop-in center", counseling rooms, teen staff room, teen activity room, teen health & wellness center, restrooms, crafts room, computer lab, youth classroom, youth activity room, conference room, and administrative offices.
- Provide parking for 51 cars, with two ingress/egress points.
- Re-landscape the entire site.

The new Kalihi YMCA building, along with the adjoining Kalihi-Palama Library, will provide a vital social center for Kalihi.

Short-term impacts include effects on air quality and noise levels due to construction. Long-term impacts include increased demand for water, sewer facilities, and electrical power. Positive long-term positive impacts include better counseling services and recreational facilities for teens-at-risk around the island, and year-round programs for area children.

In the larger context, the expansion of the Kalihi YMCA will allow the YMCA to provide increased programs and services. The goal of these programs and services is to positively enhance the social fabric and well-being of the community, ultimately contributing to an educated and responsible citizenry with the abilities to positively contribute to Hawai'i's social and economic well-being.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

📌 Sand Island Wastewater Treatment Plant New In-Vessel Bioconversion Facility

Applicant: Synagro-WWT, Inc.
1110 Benfield Blvd., Suite B
Millerville, MD 21108
Contact: Jim Hecht (410-729-1440)

Approving Agency/Accepting

Authority: City and County of Honolulu
Department of Environmental Services
1000 Uluohia Street, Suite 308
Kapolei, Hawai'i 96707
Contact: Wilma Namumnart (692-5159)

Public Comment

Deadline: March 10, 2003



Hawai'i Notices

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

📌 Hakalau Forest National Wildlife Refuge Fuel Break Construction Project

Applicant: Department of Hawaiian Home Land
P.O. Box 1879
Honolulu, Hawai'i 96805
Contact: Linda Chinn (587-6432)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: March 10, 2003

This a joint Federal-State EA.

📌 Pu'uana'hulu Purchase of Road Remnant

Applicant: Rhondall and Edward Rapoza et al
P.O. Box 430
Kealakekua, Hawai'i 96750
Contact: Edward Rapoza (331-3208)

Approving Agency/Accepting

Authority: County of Hawai'i Finance Department
25 Aupuni Street, Room 118
Hilo, Hawai'i 96720
Contact: Stanley Iwamoto (961-8241)

Public Comment

Deadline: March 10, 2003



Maui Notices

FEBRUARY 23, 2003

Draft Environmental Assessments



(1) Hana Highway Rockfall Mitigation

District: Hana
TMK: 1-1-001: parcels 044, 052; 1-1-008: parcels 001, 005
Applicant: Department of Transportation
Highways Division
601 Kamokila Blvd., Room 688
Kapolei, Hawai'i 96707
Contact: Scot Urada (692-7553); Fax (692-7555)

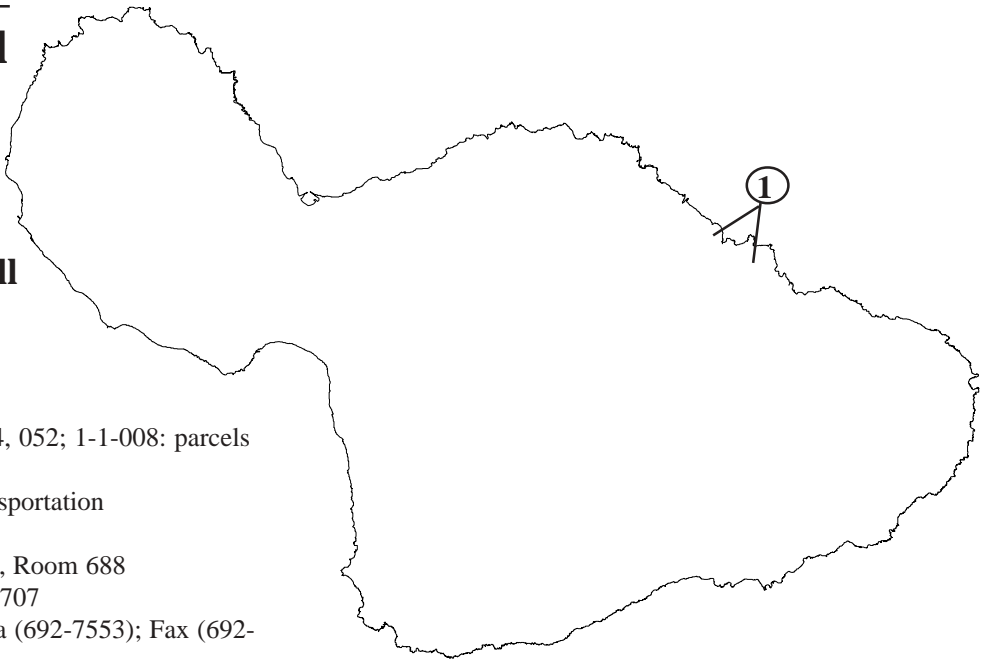
Approving Agency/Accepting

Authority: Same as above.
Consultant: M&E Pacific, Inc.
1001 Bishop Street, Suite 500
Pauahi Tower
Honolulu, Hawai'i 96813
Contact: Bruce Wade (521-3051); Fax: (524-0246)

Public Comment

Deadline: March 25, 2003
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.
Permits Required: CDUA, NPDES, Work in State Right-of-Way, SMA

The State Department of Transportation Highways Division (HDOT) proposes to implement rockfall mitigation strategies on Route 360 Hana Highway at two locations: near the Haipua'ena Bridge and adjacent to the Wailua Lookout. The purpose of the project is to begin implementation of the Hana Highway Rockfall Mitigation Plan that will systematically address 35 sites with a history of rockfall events or sites with the potential for rockfall. The rockfall measures will significantly reduce or eliminate hazards associated with rockfalls and is anticipated to reduce the inconvenience to the affected communities caused by road or lane closures associated with rockfall clean-up activities.



Proposed strategies for the two sites in this project will include the creation of rock catchment areas by shifting the travelway of the road outwards, and installing either draped mesh or fencing and concrete barriers to prevent rockfall debris from entering the travelway. The proposed project may require acquisition of Department of Land and Natural Resources property.

Impacts from this project will include partial or complete lane closures during the construction period and impacts derived from construction activities. Partial and complete lane closures will be scheduled on a daily basis in a manner that minimizes disruption to motorist travel. The road will be opened daily so as not to affect anticipated traffic demand during times when residents are traveling to and from work or during typical sightseeing hours. Provisions will be made for the passage of emergency response vehicles at all times. Impacts resulting from construction activities will be minimized through the use of Best Management Practices such as berms, silt fences, sedimentation ponds, etc.

Construction is anticipated to occur in early 2004 and the project will utilize 100% State Highways funds.



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

(1) Allen Single Family Residence

District: Kawaihau
TMK: 4-2-03:02
Applicant: Greg Allen (635-2007)
161 Wailua Road
Kapa'a, Hawai'i 96746

Approving Agency/Accepting Authority: Department of Land and Natural Resources
P.O. Box 621
Honolulu, HI 96809
Contact: Dawn Hegger (587-0380)

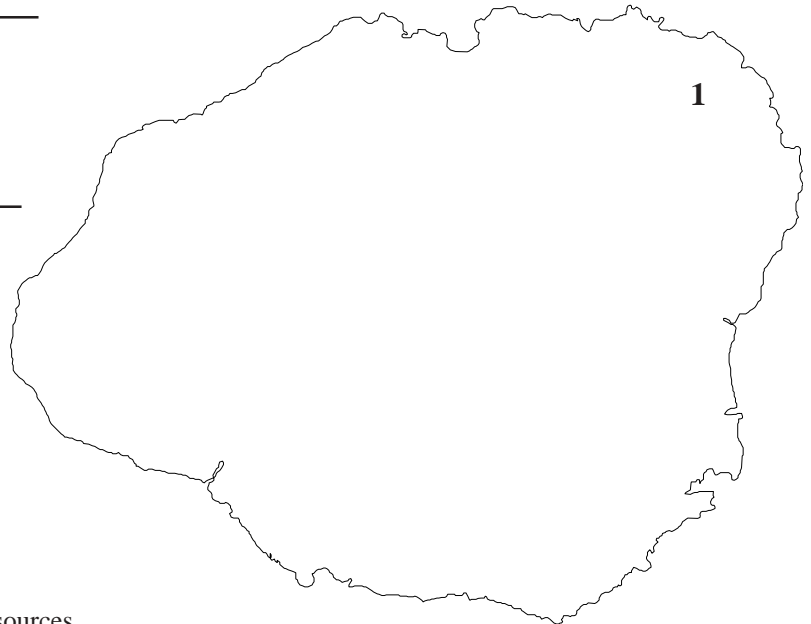
Consultant: Agor Architecture
4374 Kukui Grove, #204
Lihue, Hawai'i 96766
Contact: Ron Agor (245-4550)

Status: FEA/FONSI issued, project may proceed.

Permits Required: CDUA

The 33,183 square feet property is in the District of Kawaihau, on the Island of Kaua'i. It is located in Wailua, on Kuamo'o Road, which is approximately 6,500 feet west of Kuhio Highway. The subject parcel is bounded on the west, east and north by Poli'ahu State Park, and on the south by the Wailua River. Access to the subject property is provided by a sixteen (16) foot easement through Poli'ahu State Park from Kuamo'o Road. Existing vegetation consists of mango trees, Java Plumb, Coconut, Mone, Lauhala, Areca Palm, Hau, Mexican creeper vice, buffalo grass, Noni and haole koa.

The applicant proposes to build a 3,086 square feet elevated single-family-residence (SFR). The living space consists of four bedrooms, three baths, a TV room, a laundry room, an office, and a living-dining-kitchen area. Beneath the elevated structure, a pool (408 square feet) and pool deck is proposed. Use of a well site (1 square foot) is also requested. The total area of the proposed project is 3,494 square feet.



The SFR is set back 40 feet from the river's edge. The exterior of the house will be painted earth-toned colors to blend in with the environment and no reflective roofing or wall materials will be used. The finished floor will be 17 feet above mean sea level (msl). Pursuant to Chapter 13-5, Hawaii Administrative Rules (HAR), the height of the structure meets the 25-foot maximum height limit.

Hawaiian Forest Art Contest

Celebrate the Year of the Hawaiian Forest with art! Enter Naturally Hawaiian Gallery's Hawaiian Forest Art Contest. Subject theme is "Hawaiian Forest." Open to all people; three age categories. Limited to two entries. No photos or reproductions. Lots of prizes including art, art lessons, supplies, books and guided nature tours. Entry deadline: March 23, 6 p.m. at Naturally Hawaiian Gallery in Waimanalo. Finalist exhibition at Ho'omaluhia Botanical Garden, March 30-April 30. Contact Patrick Ching for more information about entry guidelines, judging criteria, and materials: ph: 259-5354; e-mail: naturall@aloha.net.

Shoreline Notices

FEBRUARY 23, 2003

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 587-0384.

| Case No. | Date | Location | Applicant | Tax Map Key |
|---------------------------|---------|--|---|-----------------|
| OA-915 | 2/11/03 | Lot 1-C of Land Court Consolidation 23 as shown on map 3, land situated at Kaipapau, Koolauloa, Island of Oahu, Hawaii Address: 54-359 C Kamehameha Highway Purpose: Building Permit | Wesley T. Tengan for, Beppie J. Shapir | 5-4-03: 09 |
| OA-913 Correct Address | 1/23/03 | Lot 26 and 27 of Land Court Application 1810 (Map 4), land situated at Mokuleia, Waialua, Island of Oahu, Hawaii Address: 68-663 and 68-665 Hoomana Place Purpose: Building Permit | Towill, Shigeoka and Associates, for Dave Mitsunaga, etal | 6-8-10: 09 & 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, 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 | Location | Applicant | Tax Map Key |
|----------|----------------------|---|---|----------------|
| OA-903 | 2/10/03 Certified | Lot 29 of Land Court Application 772 (Map 1), land situated at Laie, Koolauloa, Island of Oahu, Hawaii Address: 55-421 Kamehameha Highway Purpose: Building Permit | A. Christian K. Pimental, Beatrice Kealoha | 5-5-02: 41 |
| MA-278 | 2/10/03 Certified | Lot 5-D of the Kukahiko Land Partition, land situated at Papanui, Honualua, Makawao, Island of Maui, Hawaii Address: 5066 Old Makena Road Purpose: Building Permit | Akamai Land Surveying, Inc., for Roger William Fonseca, Trustee | 2-1-07: 100 |
| OA-905 | 2/10/03 Certified | Lot 2 of Land Court Application 505 (Map 2), land situated at Kailua, Koolaupoko, Island of Oahu, Hawaii Address: 734 Mokulua Drive Purpose: Building Permit | Wesley T. Tengan, for John and Laura King | 4-3-08: 37 |
| OA-908 | 2/10/03 Certified | Lot B and Portion of Right of Way, Land Court Application 1810 and portion of Royal Patent Grant 338 to Hikiau and Kau, Land situated at Waialua, Island of Oahu, Hawaii Address: 68-1031 Farrington Highway Purpose: Building Permit | ControlPoint Surveying, Inc., for Ocean Shores Properties, LLC | 6-8-2: 10 & 14 |

Pollution Control Permit Applications

FEBRUARY 23, 2003

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 Water Branch

| Branch Permit Type | Applicant & Permit Number | Project Location | Pertinent Date | Proposed Use |
|---|---|-------------------------|-------------------------|--|
| Clean Water Branch, 586-4309 Water Quality Certification | Stanford Carr Development, LLC WQC 0000559 | Hawaii Kai Marina, Oahu | Comments Due: 3/5/03 | Repair a gap in the existing seawall and filling of drain line "N" ditch |

Safe Drinking Water Branch

| Branch & Permit Type | Applicant & Permit Number | Project Location | Pertinent Dates | Proposed Use |
|--|--|---|-----------------|---|
| Safe Drinking Water Branch, 586-4258, UIC Permit | Airports Division Dept. of Transportation, SOH UH-1673 | Kona International Airport Drainage Wells, 73-200 Kupipi St., Keahole, Kona | n/a | Permit renewal of 49 injection wells for surface drainage. |
| Safe Drinking Water Branch, 586-4258, UIC Permit | Lowe's Home Improvement Warehouse, Inc. UH-2207 | Lowe's Home Improvement Warehouse, Inc., Northeast Corner of Queen Kaahumanu Hwy. & Palani Road, Kailua-Kona | n/a | Construction of 11 injection wells for surface drainage. |
| Safe Drinking Water Branch, 586-4258, UIC Permit | Queen Liliuokalani Trust UH-2206 | Makalapua Business Center - Improvement to Service Road, between Luhia St. & Kuakini Hwy., Keahuolu, North Kona | n/a | Construction of 6 injection wells for surface drainage. |
| Safe Drinking Water Branch, 586-4258, UIC Permit | Avis Rent A Car System, Inc. UH-1540 | Avis Rent A Car Service Center Keahole International Airport, Kailua, North Kona | n/a | Permit modification, increase discharge to one injection well for car wash. |
| Safe Drinking Water Branch, 586-4258, UIC Permit | Home Depot USA, Inc. UH-2208 | The Home Depot - Kaloko Light Industrial Subdivision 73-5598 Olowalu Street, North Kona | n/a | Permit revision of one injection well for air conditioning condensate disposal. |
| Safe Drinking Water Branch, 586-4258, UIC Permit | Maui Electric Company, Ltd. UM-1592 | Maalaea Power Plant North Kihei Road, Maalaea, Wailuku | n/a | Permit modification of 4 injection wells for disposal of wastewater from additional sources. |
| Safe Drinking Water Branch, 586-4258, UIC Permit | Maui Pineapple Company, Ltd. UM-1229 | Maui Pineapple Company, Ltd., Kahului Cannery 120 Kane St., Kahului | n/a | Permit renewal of 1 injection well for industrial cooling water & backup process wastewater disposal. |
| Safe Drinking Water Branch, 586-4258, UIC Permit | BOC Gases / Gaspro UO-2057 | BOC Gases / Gaspro, Ewa Beach Facility; 91-102 Kaomi Loop, Kapolei, Ewa | n/a | Permit renewal of one injection well for industrial wastewater disposal. |
| Safe Drinking Water Branch, 586-4258, UIC Permit | BOC Gases / Gaspro UO-2057 | BOC Gases / Gaspro, Ewa Beach Facility; 91-102 Kaomi Loop, Kapolei, Ewa | n/a | Permit modification of one injection well to increase flow for industrial wastewater disposal. |
| Safe Drinking Water Branch, 586-4258, UIC Permit | Marine Corps Base Hawaii UO-2209 | Marine Corps Training Area Bellows Bldg. 700/701, MCTAB, Waimanalo | n/a | Change of operator for 2 injection wells for sewage disposal. |

Enforcement Notices

FEBRUARY 23, 2003

Summary of Inspection and Enforcement Actions

The table below shows a tally of the inspections and responses conducted by the DOH pollution control program personnel during the period from October through December 2002. Inspections and enforcement actions are listed by program area. For more information, please contact the Environmental Planning Office at 586-4337.

| Enforcement Report for Oct-Dec 2002 | | | | | | | |
|---|-------------------------|------------------------------|---------------------------------------|------------------|----------------------|------------------------|---|
| | Inspections & Responses | Warning Notices ¹ | Formal Enforcement Cases ² | Fines Issued | Formal Cases Pending | Formal Cases Concluded | Supplemental Environmental Projects (S.E.P.) ³ in Progress |
| | Oct-Dec 2002 | Oct-Dec 2002 | Oct-Dec 2002 | Oct-Dec 2002 | Total to Date | Oct-Dec 2002 | |
| Clean Air Branch | | | | | | | |
| Fugitive Dust | 122 | 8 | 3 | \$1,400 | 2 | 2 | 0 |
| Noncovered Sources | 72 | 5 | 0 | \$0 | 2 | 0 | 2 |
| Covered Sources | 42 | 2 | 3 | \$13,900 | 6 | 1 | 1 |
| Agricultural Burning | 83 | 3 | 0 | \$0 | 2 | 0 | 0 |
| Open Burning | 46 | 6 | 0 | \$0 | 1 | 0 | 0 |
| Others | 82 | 0 | 0 | \$0 | 0 | 0 | 0 |
| Solid & Hazardous Waste Branch | | | | | | | |
| Underground Storage Tanks | 58 | 2 | 9 | \$10,300 | 0 | 0 | 0 |
| Hazardous Waste | 17 | 1 | 5 | \$221,500 | 13 | 1 | 2 |
| Solid Waste | 28 | 5 | 1 | \$10,000 | 8 | 0 | 0 |
| Clean Water Branch | | | | | | | |
| Permitted Discharges (NPDES) | 23 | 7 | 1 | \$23,364 | 3 | 0 | 1 |
| Non-permitted Discharges | 49 | 11 | 2 | \$0 | 3 | 1 | 1 |
| Water Quality Certifications | 5 | 1 | 0 | \$0 | 0 | 0 | 0 |
| Wastewater Branch | | | | | | | |
| Wastewater Treatment Plants | 18 | 0 | 0 | \$0 | 3 | 0 | 3 |
| Individual Wastewater Systems | 154 | 26 | 0 | \$0 | 6 | 0 | 0 |
| Animal Waste | 3 | 0 | 0 | \$0 | 0 | 0 | 0 |
| Other | 4 | 1 | 0 | \$0 | 0 | 0 | 0 |
| Safe Drinking Water Branch | | | | | | | |
| Public Water Systems | 53 | 3 | 0 | \$0 | 3 | 0 | 0 |
| Wells - Underground Injection Control | 42 | 2 | 0 | \$0 | 1 | 0 | 0 |
| Hazard Evaluation & Emergency Response | | | | | | | |
| Oil Spills | 10 | 11 | 0 | \$0 | 0 | 0 | 0 |
| Hazardous Waste Releases | 4 | 3 | 0 | \$0 | 0 | 0 | 0 |
| TOTAL | 915 | 97 | 24 | \$280,464 | 53 | 5 | 10 |

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 enforcement cases 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 cases are administrative enforcement 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.

³ A Supplemental Environmental Project (S.E.P.) is a project that will improve the environment and is above and beyond what the law requires a regulated entity to perform. SEPs are often imposed on a regulated entity in lieu of cash fines as part of the settlement of an enforcement case.

Enforcement Notices

FEBRUARY 23, 2003

Formal Enforcement Actions and Settlements Completed by DOH

Notices of violation issued from October through December 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 regarding copies of the violation notices.

Solid and Hazardous Waste Branch

On November 20, 2002, a Notice of Violation and Order was served to **Hawaiian Steam, Inc.** at 96-1100 Waihona Street in Pearl City, Hawaii for four (4) violation counts of their Used Oil Transporter Permit. They were ordered to pay a penalty of \$33,700.00 and make the necessary corrections to be in compliance with the conditions of the permit.

Also on November 20, 2002, a Notice of Violation was served to the **US Air Force, Hickam Air Force Base**, for violations concerning storage and disposal of hazardous waste without a permit. They were ordered to pay the sum of \$27,000 and to take actions to become compliant with the laws regarding hazardous waste storage and disposal.

On November 27, 2002, a Complaint was sent to the **US Navy Pearl Harbor Naval Shipyard & Intermediate Maintenance Facility** for violations of storing hazardous waste without a permit; improper hazardous waste determination, and disposal of hazardous waste without a permit; and failure to make a hazardous waste determination and mismanagement of containers. They were assessed a penalty of \$90,400.00 and ordered to comply with the requirements of the law.

Also on November 27, 2002, a Notice of Violation was sent to **Tripler Army Medical Center** for violations concerning failure to make a hazardous waste determination, failure to label hazardous waste, and storage of hazardous waste without a permit. They were ordered to become compliant with the law and to pay a penalty of \$25,400.00

On December 2, 2002, a Notice of Violation was sent to **Honolulu Shipyard, Inc.** for violations at Dry Dock #4, Pearl Harbor Naval Shipyard. They were cited for treatment of hazardous waste without a permit and mismanagement of hazardous waste containers. They were assessed a penalty of \$45,000.00 and ordered to comply with the appropriate laws.

Clean Water Branch

On November 27, 2002 a Notice and Finding of Violation was served to **Mr. John T. King** of 982 Mokulua Drive, Kailua, Hawaii for water pollution violations of discharging soil, dirt, silt, sediment, or other pollutants into Kaneohe Bay from his property. An Order was given to prevent similar violations in the future, remove illegally installed fill material, and submit applications for necessary permits and reports on corrective actions. A penalty amount will be determined at a later date.

Also on November 27, 2002, a Notice and Finding of Violation was served to **Abhe & Svoboda, Inc.** and the **State of Hawaii, Department of Transportation, Highways Division** for discharging turbid dewatering effluent into the Waikaea Canal from the Kuhio Highway Waikaea Bridge Widening Project in Kapaa, Kauai. The respondents were assessed a fine of \$23,364.00, and ordered to take immediate action to remedy all violations and prevent any future violations.

Clean Air Branch

On December 30, 2002, a Notice and Finding of Violation was sent to **Castle & Cooke Resorts LLC**, for failing to conduct weekly condenser temperature monitoring on the air-PERC gas vapor stream at the dry cleaning facility on Fraser Avenue in Lanai City. An Order was given to take corrective action, and pay a penalty of \$5,100.00.

Also on December 30, 2002, a Notice and Finding of Violation was served to **Tesoro Hawaii Corporation** for their petroleum refinery at 91-325 Komohana Street in Kapolei. The operation of the flare at the refinery exceeded the limit for visible emissions during a set time period on October 17, 2002. An order was given to take corrective action immediately to prevent further violations, and pay a penalty of \$7,500.00.

The formal actions listed for the Clean Air Branch include three field citations that were issued to construction companies for fugitive dust violations and one field citation for a covered source permit violation and fugitive dust.

Pacific Area News

FEBRUARY 23, 2003

MISSILE DEFENSE AGENCY ANNOUNCES PUBLIC HEARINGS ON THE GROUND-BASED MIDCOURSE DEFENSE EXTENDED TEST RANGE DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)

Washington, DC – January __, 2003 — The Ground-Based Midcourse Defense (GMD) Joint Program Office of the Missile Defense Agency (MDA) has announced that a series of public hearings will be conducted to seek input on the Midcourse Defense Extended Test Range Draft Environmental Impact Statement (DEIS). This DEIS analyzes the potential environmental impacts of the establishment of an extended test range capability providing more realistic operational flight testing. The proposed action alternatives which are examined in the DEIS include development of the capability for single and dual launches of interceptor and target missiles at Kodiak Launch Complex (KLC) Alaska, RTS and/or Vandenberg AFB with intercepts over the Pacific Ocean. Development of these capabilities would entail construction of two interceptor launchers, one additional target launch pad and construction/alteration of launch support facilities at KLC, target pad modifications at RTS, modification of support facilities at Vandenberg AFB, construction of In-Flight Interceptor Communication System (IFICS) Data Terminals and military and commercial satellite communications in the mid-Pacific and at KLC or Vandenberg AFB; added range instrumentation (tracking and range safety radars) in the vicinity of sites; and use of either existing Battle Management Command and Control (BMC2) facilities at Reagan Test Site, or new BMC2 facilities that may be developed at Fort Greely, Alaska and/or Shriever AFB or Cheyenne Mountain Complex, Colorado in the validation of the GMD operational concept effort. Additionally, the proposed action and alternatives include the construction and operation of a Sea Based Test X-Band Radar (SBX) that would operate in the Pacific broad ocean area and would be home based in either Alaska, California, Washington or Hawaii.

In order to facilitate public review and comment on the DEIS, a public hearing has been scheduled for Honolulu Hawaii at the Disabled American Veterans Hall (Keehi Lagoon Park) on March 6, 2003, from 6:00 PM to 9:00 PM. Public hearings have also been scheduled at Anchorage AK, Valdez AK, Kodiak AK, Oxnard CA, Lompoc CA, Everett WA, and Honolulu HI.

GMD and U.S. Army Space and Missile Defense Command personnel will attend all sessions to present information on the DEIS, to receive oral and written comments, and to answer questions.

A copy of the DEIS will be available at the Hawaii State Library, Hawaii Documents Center, 478 South King St., Honolulu, HI 96813 and the University of Hawaii at Manoa, Hamilton Library, 2550 The Mall, Honolulu, HI 96822.

For additional information on the GMD program, please call Mr. Rick Lehner at (703) 697-8997. Requests for copies or comments on the EIS should be addressed to: U.S. Army Space and Missile Defense Command, ATTN: SMDC-EN-V (Mrs. Julia Hudson-Elliott), 106 Wynn Drive, Huntsville, AL 35805, by e-mail at gmdetris@smdc.army.mil, or by phone at 1-800-823-8823.

Public comments are invited and must be postmarked by March 24, 2003.

Coastal Zone News

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: 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) Dock Extension at Slip 523, Ala Wai Boat Harbor, Oahu

Applicant: Gary W. Bilyk
Agent: Scott Sullivan, Sea Engineering, 259-7966
Federal Action: Department of the Army Permit (200200547)
Federal Agency: U.S. Army Corps of Engineers
Contact: Peter Galloway, 438-8416
Location: Ala Wai Boat Harbor Slip 523
CZM Contact: John Nakagawa, 587-2878
Proposed Action:

Construct a dock extension to existing boat slip 523 at Ala Wai Boat Harbor. The dock will be constructed of wood, 13 feet long with a variable width from 4-9 feet, and supported in the water by concrete blocks. The project does not involve any dredging or discharge of fill material into the water.

Comments Due: March 7, 2002

Special Management Area (SMA) Minor Permits

Pursuant to Hawai'i Revised Statute (HRS) 205A-30, the following is a list of SMA Minor permits that have been approved or are pending by the respective county/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: (4-2-1: 56) | Bus shelter in city right-of-way (2003/SMA-8) | City & County of Honolulu DTS |
| Honolulu: (4-3-10: 77) | Addition for ADA compliance (2003/SMA-6) | Barbara F. Yeackel (Buzz's Steak House) |
| Honolulu: (2-6-1: 8) | Remove and replace clock (2003/SMA-10) | City & County of Honolulu DDC / Greg Hee |
| Hawaii: (1-20-30: 5 & 6) | Rock wall (SMM 130) | Daniel J. Mardones |
| Hawaii: (7-2-10: 4) | Telecommunication antenna, equipment shelter and backup generator (SMM 131) | Cellco Partnership dba Verizon Wireless |
| Maui: Lahaina (4-6-10-15) | CMV Block wall (SM2 20030001) | Brown, Greg |
| Maui: Kihei (3-9-2-125) | Construct concrete pads, etc (SM2 20030002) | Maui Electric Company, Ltd. |
| Maui: Kihei (3-9-20-09) | Pool/spa for Bldg. A & B (SM2 20030003) | Kihei Regency LLC |
| Maui: Lahaina (4-4-13-1) | Install transfer switch (SM2 20030004) | Maui Electric Company, Ltd. |
| Maui: Wailuku | Add boulders & sand (SM2 20030005) | Jordan & Gail Nagasako |
| Maui: Makena (2-1-7-88) | Temporary dirt stockpile (SM2 20030006) | Luuwai, Helen |
| Maui: Kihei (2-2-25-68) | Add bedroom & bath (SM2 20030007) | Lafferty, John |
| Maui: Hana (1-3-2-2) | Add Office & storage (SM2 20030008) | Niess, James |
| Maui: Kihei (3-9-42-28) | Cottage (SM2 20030009) | Moschette, Christine |
| Maui: Kihei (3-9-48-77) | Add rec room w/bar sink (SM2 20030010) | Ordonez, Mario |
| Maui: Maalaea (3-9-5-25) | Install underground barrier (SM2 20030011) | Maui Electric Company, Ltd. |
| Maui: Paia (3-8-1-71) | Demo/relocation of residence (SM2 20030012) | Loesberg, Fred W. |
| Maui: Lahaina(4-3-5-29) | Apt alteration/extend (SM2 20030013) | Krekow, Gordon & Katheryn |
| Maui: Kailua (2-9-11-3, 4, 5) | Construct private driveway (SM2 20030014) | Arakaki, Wayne L. |
| Maui: (4-6-12-1) | Convert storage to dwelling (SM2 20030015) | Ramos Sr, Gavyn |
| Maui: Makena (2-1-12-4) | New entry gate (SM2 20030016) | Graham Con-Associates |
| Maui: Kihei (3-9-20-28) | Kamaole Beach Lobby Roof (SM2 20030017) | Rimbach, King |
| Maui: Hana (1-3-9-83) | Maui Electric Post (SM2 20030018) | Hickman, Malcolm |
| Maui: Sprecklesville (3-8-2-74) | Alt/repairs to Knecht Residence (SM2 20030019) | 2020 Design Group, Inc. |
| Maui: (3-8-7-1) | Demo bldg at Maui Nui Botanical (SM2 20030020) | Schattenburg-Raymond, Lisa |
| Maui: Kihei (3-9-1-151) | 3 lot subdivision (SM2 20030021) | Kealoha, Josephe G. |
| Maui: Lahaina (4-6-2-13, 14) | Repairs (SMX 20030048) Pending | State DAGS |
| Maui: Kihei (3-9-28-69) | Basioa dwelling/garage (SMX 20030052) Pending | Esteban Construction |
| Maui: Kihei (3-9-27-80) | Dwelling addition (SMX 20030054) Pending | Cooper, Martin, V. |
| Maui: Paia (3-8-1-38) | Swimming pool (SMX 20030055) Pending | Wagner, Nick |
| Maui: Kihei (3-9-2-105) | Land backfill (SMX 20030056) Pending | Ilin, Sava |
| Maui: Lahaina (4-4-8-2) | Alterations (SMX 20030057) Pending | Ward, Jim |
| Maui: Lanai (3-8-78-40) | Sanchez additions (SMX 20030058) Pending | Sanchez, Scott & Rhonda |
| Maui: (3-9-1-16) | Spa/pool/fence (SMX 20030059) Pending | Young, Richard |
| Maui: Kihei (3-9-50-35) | Deck addition (SMX 20030060) Pending | St. John, Eric & Catherine |
| Maui: Lahaina (4-3-5-29) | Deck extension (SMX 20030061) Pending | Sibbald, James W. |
| Maui: Haiku (2-8-11-17) | Pool (SMX 20030062) Pending | Millan, Basil |
| Maui: Kihei (2-1-26-36) | Reroofing (SMX 20030063) Pending | Webb Construction |
| Maui: Lahaina (4-3-5-29) | Deck extension (SMX 20030064) Pending | Goddard, Chris |
| Maui: Haiku (2-9-5-57, 59) | Electrical service line (SMX 20030065) Pending | Maui Electric Company, Ltd. |
| Maui: Kihei (3-9-2-28) | Wine Shop (SMX 20030066) Pending | Tuomela, Ann |
| Maui: Lahaina (4-6-29-18) | Alteration (SMX 20030067) Pending | Wagner, Nick |
| Maui: Lahaina (4-3-6-87) | Addition (SMX 20030068) Pending | Cajudoy, Ericson |
| Maui: Kihei (3-9-5-52) | Whale day tents (SMX 20030069) Pending | Pacific Whale Foundation |
| Kauai: Kilauea (5-2-4-97) | Grading for landscaping (SMA-2003-23) | Simon Potts |
| Kauai: Poipu (2-8-16-4) | Rock wall & walkway (SMA-2003-24) | No Ka Oi Plants |
| Kauai: Nawiliwili (3-2-4-5) | Addition (SMA-2003-25) | MNS Limited |
| Kauai: Aliomanu (4-9-4-19) | Fence & entry (SMA-2003-26) | Elizabeth Fowler |

