November 8, 2003

Artificial Reef off Puamana Beach Park in Lahaina

The Department of Land and Natural Resources (which regulates submerged conservation district lands) is requiring an environmental impact statement for a proposed artificial reef site in Lahaina just off Puamana Beach Park. Upon approval of the Conservation District Use Permit, the applicant proposes to sink a cleaned vessel at one of three proposed drop zones. As funds become available, the applicant plans to develop other artificial reef installation areas through the use of engineered artificial reef structures and/or other cleaned vessels. The project site is an area known as Twin Peaks and is located on ceded lands approximately 0.5 miles southwest of Puamana Beach Park. Depths range from 72 to 168 feet. Comments on the final environmental assessment and requests to be a consulted party in preparation of the draft EIS are due on or before December 7, 2003. Other permits required for the project include: a Section 401, Clean Water Act, Water Quality Certification; a State Coastal Zone Management Consistency Determination; and a Section 404, Clean Water Act, Permit from the Army Corps of Engineers. The applicant plans to conduct research and interviews with individuals and groups who presently use the resources within the ocean activity survey area. See page 9 for more.

Koʻieʻie Loko Iʻa (Fishpond) Restoration

ʻAoʻao O Na Loko Iʻa O Maui (The Association of the Fishponds of Maui) is proposing to revitalize the historic Koʻieʻie Loko Iʻa (Fishpond) for cultural, educational, historical and recreational purposes. The subject property is presently a deteriorated fishpond; walls are damaged by the forces of nature and altered by man.

The proposed project will produce a continuous fishpond wall approximately 1,170 feet (357 m) in total length. The wall alignment and design is based on the existing wall foundation “footprint” and archaeological findings.

The wall will be reconstructed of original wall stones that are available at the site. Restoring the wall will involve the physical retrieval, movement and alignment of wall foundation rocks from within the pond basin and adjacent original wall footprint using manually operated equipment. See page 7.

Stryker Brigade DEIS Comment Deadline is Now January 3, 2004

The 25th Infantry Division (Light) and U.S. Army, Hawaiʻi, have extended the public comment period for the Stryker Brigade Draft Environmental Impact Statement (DEIS) by forty-five days. The final day to receive comments is now Jan. 3, 2004. The comment period is being extended to accommodate those who have expressed public concern during public meetings and written comments. “The decision to extend the comment period is a good faith effort and it allows the public to review the document and provide feedback,” said Col. David L. Anderson, commander, U.S. Army Garrison, Hawaiʻi.

You may submit your written comments to: Ms. Cindy Barger, United States Army Corps of Engineers, Honolulu District, Building 230, CEPOH-PP-E, Fort Shafter, Hawaiʻi 96858-5440; or by electronic mail at: sbct_eis@poh01.usace.army.mil; or facsimile at: (808)-438-7801

Other Resources available at OEQC . . .

- Guidebook for Hawaiʻi’s Environmental Review Process
- Environmental Impact Study Resource Library
- Environmental Council Annual Reports
- Rules and Policies
- “How to Plant a Native Hawaiian Garden”

OEQC
235 S. BERETANIA STREET
LEIOPAPA A KAMEHAMEHA
SUITE 702
HONOLULU, HAWAI‘I 96813
Telephone (808) 586-4185
Facsimile (808) 586-4186
Moloka‘i/Lana‘i: 1-800-468-4644 ext.64185
Kaua‘i: 884-2400 ext. 64185
Maui: 974-4000 ext. 64185
Hawai‘i: 974-4000 ext. 64185
# November 8, 2003

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We provide access to our activities without regard to race, color, national origin (including language), age, sex, religion, or disability. Write or call OEQC or our departmental Affirmative Action Officer at Box 3378, Honolulu, HI 96801-3378 or at (808) 586-4616 (voice/tty) within 180 days of a problem. 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.
Draft Environmental Assessments

(1) Hogg Single Family Residence

District: Koʻolaupoko
TMK: 4-5-042:008
Applicant: James and Lisa Hogg
8 Poipu Drive
Honolulu, Hawaiʻi 96825
Contact: Gerald Park (596-7484)

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

Consultant: Gerald Park Urban Planner (596-7484)
1221 Kapiʻolani Boulevard, Suite 211
Honolulu, Hawaiʻi 96814

Public Comment Deadline: December 8, 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:

James and Lisa Hogg propose to construct a single-family dwelling on property located in the State Conservation District. The subject property is located at Kaneʻohe, District of Koʻolaupoko, City and County of Honolulu, State of Hawaiʻi. The property encompassing an area of 9.051 acres. Aloha Storage LLC is the listed owner of the property; Aloha Storage LLC is a limited liability company established by the Applicant.

Applicant plans to construct a single-family residential dwelling for residential use and a detached two-car garage. The 3-bedroom, 2-bath dwelling includes a kitchen, dining room, living room, and foyer. The structure has a building footprint of approximately 2,631 square feet. Approximately one-half of the structure will be constructed on flat ground and the other half posted on sloping terrain. The exterior will be finished in natural or earth tone colors to blend with its surroundings. The one-story structure will be topped with a pitched roof and will not exceed 25 feet in height.

A two-car garage with covered storage space will be constructed as a detached structure. The garage measures 700 square feet (35’ X 20’) and will match the design and color of the residential dwelling.

In total, both structures will not exceed the 5,000 square foot maximum developable area for lots larger than 1 acre. Neither of the structures will exceed the 25-foot height limit for the lot.

Water, power, and telephone service will be extended from the Kionaole Road. An individual wastewater treatment system is proposed for domestic wastewater disposal. The disposal system is to be located between the proposed garage and barn. Solids will be collected in a septic tank and the effluent discharge into absorption beds. A private hauler will collect the solids as needed. The system will be designed to comply with the requirements of Hawaiʻi Administrative Rules, Department of Health, Title 11, Chapter 62, Wastewater Systems.

Construction will commence after all necessary permits are received and should be completed within one year.
(2) Waikiki Kalakaua Retail

District: Honolulu
TMK: 2-6-22: 9, 14 & 24
Applicant: Robertson Properties Group
120 N. Robertson Blvd.
Los Angeles, CA 90048
Contact: Tim Kolvoord (310-855-8484)

Approving Agency/Accepting Authority: City and County of Honolulu
Department of Planning and Permitting
650 S. King Street, 7th Floor
Honolulu, Hawai‘i 96813
Contact: Geri Ung (527-6044)

Consultant: PlanPacific, Inc.
345 Queen Street, Suite 802
Honolulu, Hawai‘i 96813
Contact: Lisa Imata (521-9418 x 15)

Public Comment Deadline: December 8, 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: Demolition, Grading, Building

The Robertson Properties Group proposes to construct a new retail building on the site of the former Waikiki Theater 3, TMK 2-6-22:009, located at 2280/2284 Kalakaua Avenue. The proposed building is planned for three stories with stores on the ground floor and restaurants on the upper floors. The old theater building is currently in the process of being demolished. The new retail building would have a smaller footprint than that of the theater. Currently, there are several small vendors operating from individual carts at the rear of the property and along the side adjacent to Duke’s Lane. It is proposed that the increased open space at the back of the property be made available for additional small vendors.

TMK parcels 2-6-22:014 and 024 are linked to parcel 009 under a joint development agreement. The former Waikiki Theaters 1 & 2 building, a 10-story parking structure, and the IMAX facility occupy parcels 014 and 024. No changes are planned for these structures except for interior renovations for new retail uses in the space of the former Waikiki Theaters 1 & 2. Vehicular access, loading areas, pedestrian circulation, and parking are shared among the three parcels. No changes are proposed except for minor modifications to the loading space.

(3) Lanikai Shore Protection Structures

District: Ko‘olaupoko
TMK: 4-3-04: 76 and 98
Applicant: Christina C. Foytich (4-3-4: 98)
5411 Kilauea Place
Honolulu, Hawai‘i 96816
and
Richard & Elizabeth Grossman (4-3-4: 76)
1318 Mokulua Drive
Honolulu, Hawai‘i 96734

Approving Agency/Accepting Authority: City and County of Honolulu
Department of Planning and Permitting
650 South King Street, 7th Floor
Honolulu, Hawai‘i 96813
Contact: Ardis Shaw-Kim (527-5349)

Consultant: PlanPacific Inc.
345 Queen Street, #802
Honolulu, Hawai‘i 96813
Contact: Robin Foster (521-9418)

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

The project site is located on two contiguous shoreline parcels at 1310A and 1318 Mokulua Drive in Lanikai on O‘ahu’s windward coast. The seawall will be of concretelobble masonry (CRM) construction. It will be constructed landward of the certified shoreline along the 150-foot frontage of the two parcels, entirely within the 40-foot shoreline setback. The proposed structure is a gravity wall design, with a foundation set three feet below mean sea level (MSL). It will be approximately eight feet wide at the base, tapering to two feet wide at the top. The top of the wall will be at or slightly above the grade of the rear yards which varies from +8 to +10 feet above MSL. A safety railing will be placed on top of the seawall.

The area behind the wall will be excavated and back filled with granular fill wrapped in geotextile filter fabric. The
back fill and proposed weep holes will allow the relief of water pressure created by storm water runoff or when waves overtop the seawall during storm events. A stairway is planned for each lot, in order to facilitate private access to the ocean. No portion of the stairs will extend seaward of the certified shoreline. Following construction, the existing seabags currently located seaward of the proposed seawall will be removed.

(4) Lee-Wilson Rock Revetment on Laniloa Beach, Laʻie

District: Koʻolauloa
TMK: 5-5-02:92 & 5-5-02:93

Approval Agency/Accepting Authority: City and County of Honolulu Department of Planning and Permitting 650 S. King Street, 7th Floor Honolulu, Hawaiʻi 96813 Contact: Geri Ung (527-6044)

Consultant: Sea Engineering, Inc. Makai Research Pier Waimanalo, Hawaiʻi 96795 Contact: Scott P. Sullivan (259-7966 x 14)

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

(5) Mililani Community Transit Center

District: ʻEwa
TMK: 9-5-53:por. 2
Applicant: City and County of Honolulu Department of Transportation Services 650 S. King Street, Suite 100 Honolulu, Hawaiʻi 96813 Contact: Gordon Wood (526-2828 x 253)

Approval Agency/Accepting Authority: Same as above.
Consultant: AM Partners, Inc. 1164 Bishop Street, Suite 100 Honolulu, Hawaiʻi 96813 Contact: Gordon Wood (526-2828 x 253)

Status: FEA/FONSI issued, project may proceed.
Permits Required: Grading, Building, Right-of-Way, NPDES

The project will establish a transit center to support the City’s proposed Hub and Spoke transit services for Mililani. The center will be located partially within the right-of-way of Meheula Parkway and partially on the site of the Town Center of Mililani. It will feature accommodations for up to ten transit and paratransit vehicles, passenger shelters, a comfort station with restrooms, bicycle lockers/racks, and information kiosks. Improvements will also include landscaping and other site appurtenances, appropriate signage, and security lighting including the use of solar-powered lighting fixtures. To accommodate the grade change between Meheula Parkway and the adjacent portion of the Town Center of Mililani, the information kiosks will provide stairway connections and the comfort station will provide an elevator.

(6) Waiʻanae Coast Community Transit Center

District: Waiʻanae
TMK: 8-6-01:29
Applicant: City and County of Honolulu Department of Transportation Services 650 S. King Street, Suite 100 Honolulu, Hawaiʻi 96813 Contact: James Burke (523-4445)
O‘ahu Notices

November 8, 2003

Approving Agency/Accepting
Authority: Same as above.
Consultant: AM Partners, Inc.
            1164 Bishop Street, Suite 1000
            Honolulu, Hawai‘i 96813
            Contact: Gordon Wood (526-2828 x 253)
Status: FEA/FONSI issued, project may proceed.
Permits: Demolition, Grubbing, Stockpiling,
Required: Grading, Building, Right-of-Way, NPDES

The project will establish a transit center to support the
City’s existing Hub and Spoke transit services for the
Wai‘anae Coast. The center will be located on Leihoku Street
immediately mauka of Wai‘anae Mall. It will feature accom-
modations for up to seven transit and paratransit vehicles, a
passenger drop-off/pick-up area, a park-and-ride lot for
approximately 100 vehicles, eight passenger shelters, a
comfort station with restrooms, a vending kiosk, bicycle
lockers/racks, information kiosks, a clock tower, and an
informal community gathering place. Improvements will also
include accommodations for up to three privately-operated
school buses, xeriscape landscaping and other site appurte-
nances, appropriate signage, and security lighting including
the use of solar-powered lighting fixtures.
Draft Environmental Assessments

(1) Ko‘ie‘ie Fishpond Revitalization Project

District: Wailuku
TMK: No TMK, defined by bounded to the north, west and south by the sea and on the east by Parcels 85, 87 and 147 of TMK (2) 3-9-001
Applicant: ‘Ao‘ao O Na Loko I’a O Maui
PMB 110
P.O. Box 959
Kihei, Hawai‘i 96753
Contact: Kimokeo “Bully” Kapahulehua (875-9059)

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

Consultant: Farber & Associates
2722 Ferdinand Ave.
Honolulu, Hawai‘i 96822
Contact: Joseph Farber (988-3486)

Public Comment Deadline: December 8, 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:

The applicant, ‘Ao‘ao O Na Loko I’a O Maui (The Association of the Fishponds of Maui is proposing to revitalize the historic Ko‘ie‘ie Loko I’a (Fishpond) for cultural, educational, historical and recreational purposes. The subject property is presently a deteriorated fishpond; walls are damaged by the forces of nature and altered by man.

The proposed project will produce a continuous fishpond wall approximately 1,170 feet (357 m) in total length. The wall alignment and design is based on the existing wall foundation “footprint” and archaeological findings.

The wall will be reconstructed of original wall stones that are available at the site.

Restoring the wall will involve the physical retrieval, movement and alignment of wall foundation rocks from within the pond basin and adjacent original wall footprint using manually operated equipment.

It is anticipated fishpond restoration will take two years to complete. Reconstruction is expected to begin in the spring of 2004. Spring and summer are the most advantageous times to rebuild the wall due to the seasonably lower tides—the best conditions to restore the wall.

(2) Puʻu Kahana

District: Lahaina
TMK: 4-3-001: 039
Applicant: CB Maui, LLC
1043 Makawao Avenue, Suite 208
Makawao, Hawai‘i 96768
Contact: Michele McLean (572-3011 x 208)
As part of its proposed 33-lot Pu‘u Kahana residential subdivision, CB Maui, LLC proposes to correct a mapping error on the West Maui Community Plan land use map by properly designating a natural drainageway as Open Space. In addition, the Open Space area is proposed to be expanded to incorporate lands that will remain undeveloped and to include a drainage basin that is part of the Pu‘u Kahana drainage plan.

The subject 9.99-acre property is located in Kahana, Maui, Hawai‘i, and is identified as TMK No. 4-3-001: 039. Based on site-specific data, topographical surveys and a Letter of Map Revision that was approved by the Federal Emergency Management Agency, the Open Space designation is presently situated approximately 250 feet north of where the actual drainageway is located, and should be expanded by approximately 0.55 acres.

Pu‘u Kahana would situate 32 of its 33 residential lots on the 6.6-acre northern (Kapalua) side of the drainageway, leaving one large remaining residential lot on the southern (Lahaina) side. The 32 primary residential lots would have an average lot size of approximately 7,560 square feet, while the one large remaining residential lot would be comprised of approximately one acre. Accessory dwellings or “ohana” units would be prohibited on the 32 primary lots. The drainageway/Open Space area would remain undeveloped and predominantly in a natural state.

KRS Associates II, LLC proposes to construct a 141,000 gallon water tank and waterline improvements in Kula, Maui.

The water tank will be situated on the existing “Harry Field” tank site owned by the County Department of Water Supply (DWS) and located on Haleakala Highway, near the intersection with Kimo Drive. The 1.011-acre site is identified as TMK No. 2-3-004: 033 and is currently occupied by a 50,000 gallon tank that will remain in use. The new water tank, like the existing tank, will be glass-lined stainless steel and will be painted dark green. The new tank will be approximately 19 feet high and approximately 36 feet in diameter.
The waterline improvements will be situated underground, traversing two privately owned parcels and County roadway rights-of-way. TMK 2-3-004: 013 is owned by Haleakala Ranch and has been used for ranching for more than a century. TMK 2-3-014: 014 is owned by Vi Dolman Trust and is undeveloped. The waterline improvements will be approximately 3500 feet in length, with approximately 2200 feet traversing the two private parcels and approximately 1300 feet traversing the County rights-of-way.

The new water tank and waterlines will provide storage and service capacity to meet existing and future demand. Rather than requiring existing and future users to provide improvements that serve individual needs, DWS prefers to consolidate such improvements under DWS ownership and operation, thus simplifying maintenance and ensuring DWS standards are met. The project has received the input and support of adjacent and nearby residents.

The proposed project involves construction of a 84-stall parking lot, a 1,800 square foot traditional Native Hawaiian building (Hale Halawai) and an accessory building (Hale Pohaku) housing a cooking house and washroom facilities of approximately 900 square feet. The proposed improvements will also include an observation deck, site landscaping and sidewalk improvements along Shaw Street.

Since the proposed project involves the use of State and County lands and is located within the boundaries of the Lahaina National Historic Landmark District, an environmental assessment has been prepared pursuant to Chapter 343, Hawai‘i Revised Statutes. The subject property is also located within the Special Management Area of the island of Maui.

### Environmental Impact Statement Preparation Notices

#### (4) Shaw Street Parking Lot, Lahaina

- **District:** Lahaina
- **TMK:** 4-6-07: 01, por. 02 & 36
- **Applicant:** Friends of Moku‘ula, Inc.
  
  505 Front Street, Suite 234
  Lahaina, Hawai‘i 96761
  Contact: Akoni Akana (661-3659)

- **Approving Agency/Accepting Authority:** County of Maui
  
  Maui Planning Commission
  250 South High Street
  Wailuku, Hawai‘i 96793
  Contact: Michael Foley (270-7735)

- **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:** NPDES, SMA, Historic District Approval,
- **Required:** Building, Grading

The Friends of Moku‘ula, Inc. (FOM), a Hawai‘i non-profit corporation, proposes to construct a parking lot and ancillary facilities on Shaw Street in Lahaina, Maui. The subject property covers a total area of approximately 4.7 acres and involves three (3) parcels. The parcels are owned by the State of Hawai‘i and the County of Maui and have been granted to the FOM through a lease (Parcel 01) and License to Occupy (Parcels por. 02 and 36).

#### (5) Atlantis Submarines Twin Peaks Artificial Reef

- **District:** Lahaina
- **TMK:** NA
- **Applicant:** Atlantis Submarines Hawai‘i, LLC
  
  658 Front Street, #175
  Lahaina, Hawai‘i 96761
  Contact: Jim Walsh (667-6604)

- **Approving Agency/Accepting Authority:** Department of Land and Natural Resources
  
  Office of Conservation and Coastal Lands
  1151 Punchbowl Street, Room 220
  Honolulu, Hawai‘i 96813
  Contact: Sam Lemmo (587-0381)

- **Consultant:** BEI Environmental Services
  
  311 B Pacific Street
  Honolulu, Hawai‘i 96817
  Contact: Jodie Pang (535-6050)

- **Public Comment Deadline:** December 8, 2003
- **Status:** EISPN First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority, the consultant and OEQC.
Maui Notices

November 8, 2003

Required: Army-404

Atlantis Submarines Hawai‘i, LLC, (Atlantis Submarines) proposes to have an area designated as an artificial reef site where an artificial patch reef and associated mooring buoys would be developed. Upon approval, Atlantis Submarines plans to first sink a cleaned vessel at one of three proposed drop zones within the project site. As funds become available, Atlantis Submarines plans to develop the other artificial reef installation areas through the use of engineered artificial reef structures and/or other cleaned vessels. The purpose of the proposed project is three fold; 1) alleviate pressure on the natural reef system from overuse, 2) enhance the existing habitat by promoting reef and fish growth for commercial and recreational users, and 3) provide an educational opportunity to study the biomass increase over time.

The project site is an area known as Twin Peaks and is located on public conservation district land (ceded lands). Twin Peaks is located on the southern coast of Maui, approximately 0.5 miles southwest of Puamana Beach Park, south of Lahaina. The Twin Peaks area boundaries are latitudes 20º51'02” north 20º50'30” south and longitudes 156º40'01” east, 156º40'50” west and are approximately 337 acres (14,684,375 square feet). Depths range from 72 to 168 feet (12 to 28 fathoms). Each of the three drop zone locations would utilize approximately 5,000 square feet of sea floor for artificial reef installation.

The Draft EA evaluates the extent of any and all affects of the SID project on the environment in order to assist the United States Air Force in reaching a decision on how and whether to proceed with the project. The USAF is required to include a Draft FONSI with the initial publication of the Draft EA. Please note that the FONSI is a “draft” and that no decision has been made by the USAF on how or whether to proceed with the project. The draft FONSI is intended to provide interested parties with additional information upon which to base their comments.

AFRL will respond to comments that are received prior to 28 November 2003. AFRL will also respond to comments received during the public comment period for the previous draft EA. This draft EA replaces the previous draft EA. Individuals wishing to contribute comments or desiring further information should contact Ms. Michelle Hedrick at Michelle.Hedrick@kirtland.af.mil or (505) 846-4574, or may send written comments to: AFRL/DEOS, 3550 Aberdeen Dr. SE, Kirtland AFB, NM 87117-5776.

Previously Published Projects
Pending Public Comments

Draft Environmental Assessments

► Nguyen Single Family Residence
Applicant: Bill Nguyen
c/o PBR HAWAI'I
ABS Tower, Suite 650
1001 Bishop Street
Honolulu, Hawai‘i 96813
Contact: Tom Schnell (521-5631)

Approving Agency/Accepting Authority:
Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawai‘i 96809
Contact: Sam Lemmo (587-0377)

Public Comment Deadline: November 22, 2003
Environmental Notice Office of Environmental Quality Control

Maui Notices

Environmental Impact Statement
Preparation Notices

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

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

Approving Agency/Accepting Authority:
Governor, State of Hawai‘i
235 South Beretania Street, Suite 702
Honolulu, Hawai‘i 96813

Public Comment Deadline: November 22, 2003

Moloka‘i Notices

Draft Environmental Assessments

(1) Moloka‘i General Hospital
Expansion and Renovation

District: Moloka‘i
TMK: 5-3-009:017
Applicant: Moloka‘i General Hospital
280 Puali Street
Kaunakakai, Hawai‘i 96748
Contact: Randy Lite (553-3185)

Approving Agency/Accepting Authority:
County of Maui
Moloka‘i Planning Commission
c/o Department of Planning
250 South High Street
Wailuku, Hawai‘i 96793
Contact: Ms. Kivette Caigoy (270-7735)

Public Comment Deadline: December 8, 2003
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: SMA, Building, Demolition, Grading

The program for development identifies a need for 23,236 SF of patient service area and 14,377 SF of non-patient services. Based on code issues and operational requirements, the patient service area shall be provided within a new building addition while non-patient service areas shall be redeveloped within the existing hospital structures. The site area has remained undeveloped for the past 40 years and has been used for parking.

The hospital has been a good neighbor to adjacent properties. Noise, traffic and visual impacts have always been kept to an acceptable level. A primary goal of the proposed project will be to maintain and continue to improve on the standards set to date.

The proposed actions are compatible under the “Urban” State Land Use designation, objectives and policies of the County of Maui General Plan, objectives and implementing actions of the Moloka‘i Community Plan, and with Maui County zoning standards.

The proposed project will potentially impact all of the transportation elements during construction. Materials, equipment and personnel will need to be moved on and off the island during the 2-year construction period. A program to provide increased traffic for shipping, transportation and vehicular movement is being specified for the project and will be implemented by the contractor as part of the general contract for construction. Once the project is complete, transportation system demand from the hospital will revert back to its previous levels.

The proposed project is located at the West end of Ranch Camp and the North end of Kaunakakai. The North and West sides of the property border Moloka‘i Ranch, the South side adjoins commercial property and the East side borders residential.
(1) ‘Uila Ranch Invasive Species Control/Pasture Re-establishment

District: Ka‘u
TMK: 9-9-01:17
Applicant: Kenneth and Mary Ellen Wong (967-7224)
P.O. Box 250
Volcano, Hawai‘i 96785

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

Consultant: Christian Rygh (982-5638)
HCR 1 Box 5022
Kea‘au, Hawai‘i 96749

Public Comment
Deadline: December 8, 2003
Status: DEA First Notice pending public comment.

Permits Required: CDUP

Kenneth and Mary Ellen Wong are proposing to clear invasive plant species from existing pastures (500 acres) on ‘Uila Ranch in Volcano. The work is prescribed in a Conservation Plan drafted by the Natural Resources Conservation Service (NRCS). Due to the scope of the NRCS’s plan and the variability of the cooperator’s budget, the plan will be phased in. An additional CDUA and EA will be prepared prior to implementing subsequent phases, which focus on removing invasive tree species from forested half of the 1020-acre property.

The proposed action is not expected to have any significant detrimental impacts to the environment. The chief environmental benefit of the project will be to remove a large, concentrated seed-source of *Rubus ellipticus* and other invasive species from an area surrounded by State forest reserves and Hawai‘i Volcanoes National Park lands.
Final Environmental Assessments/Findings of No Significant Impacts (FONSI)

(2) Honl’s Parking Lot and Restroom Facility

District: North Kona
TMK: 7-5-018: 088
Applicant: Sunstone Realty Partners X, LLC
c/o Gregory Mooers (885-6839)
P.O. Box 1101
Kamuela, Hawai‘i 96743

Approving Agency/Accepting Authority: County of Hawai‘i Planning Department
101 Pauahi Street, Suite 3
Hilo, Hawai‘i 96720
Contact: Larry Brown (961-8288)

Consultant: Ron Terry, Ph.D. (982-5831)
HC2, Box 9575
Keaau, Hawai‘i 96749

Status: FEA/FONSI issued, project may proceed.
Permits Required: SMA, Plan Approval, Building

The project is expected to be completed about six months after receiving all permits and approvals. In accordance with the pertinent change of zone ordinance affecting the Ali‘i Cove property, Sunstone will be credited the estimated $250,000 cost of the project against their impact-related fees.

Mitigation includes transplanting a landscaped *Pritchardia affinis* palm, as well as measures concerning construction activity and inadvertent historic site finds.

Correction of Scoping Meeting Location for the Kawaihae Deep Draft Harbor Modifications Project

An error in the location of the public scoping meeting for the Kawaihae Deep Draft Harbor Modifications Project was published in the October 23, 2003 issue of the Environmental Notice. The meeting will not be held at the Waimea Community Center. Herein is the correct information:

Thursday, November 13, 2003

**Waimea Civic Center**
Mamalahoa Highway next to the Courthouse and Police Station
7:00-9:00 p.m.

If there are any questions, please contact Jeffrey Overton of Group 70 International at 523-5866.
Draft Environmental Assessments

(1) Kilauea Booster Pump Station

District: Hanalei
TMK: 5-1-05:23 (Portion)
Applicant: County of Kaua‘i
Department of Water
4398 Pua Loke Street
Lihue, Hawai‘i 96766
Contact: Keith Fujimoto (245-5449)

Applying Agency/Accepting Authority: Same as above.
Consultant: Austin, Tsutsumi & Associates, Inc.
501 Sumner Street, Suite 521
Honolulu, Hawai‘i 96817
Contact: Ivan Nakatsuka (533-3646)

Public Comment Deadline: December 8, 2003
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.
Permits Required: Construction within State Highway, NPDES

The Department of Water (DOW) Kilauea Booster Pump Station (BPS) project will be located within a portion of the parcel designated as TMK: 5-1-05:23 along the east side of Wailapa Road. This privately-owned parcel is approximately 700 feet north (maka) of the intersection of Kuhio Highway and Wailapa Road, and is used for orchard farming.

The project involves the construction of a duplex pump system to increase the water pressure within the waterlines in Kuhio Highway and Wailapa Road for the benefit of the eastern part of the Kilauea Water System, and will operate in conjunction with the recently constructed Pu‘u Pane Reservoir.

The two major aboveground components within the fenced site for the BPS will be a 13’x12’x10’ high slab-on-grade building with concrete masonry unit walls and wood frame roof with composition shingle roofing, and an antenna mounted on either a 17’-6” high by 2-1/2” diameter pole or sub-master with a monopole for transmission of radio waves to the DOW’s supervisory control and data acquisition (SCADA) control center for remote monitoring and operation of the pumps. The building and antenna would be obscured from view from Wailapa Road by existing ironwood trees along the edge of the road right-of-way.

Two 8” waterlines would be installed to the BPS along Wailapa Road from connection points to the existing waterline within Kuhio Highway. The waterlines will be installed in the grassed shoulder off the east (right) edge of the northbound paved lane of Wailapa Road, and therefore, will not require re-pavement of Wailapa Road.

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 the Hawai‘i DWSRF requirements.
Final Environmental Assessments/Findings of No Significant Impacts (FONSI)

(2) YMCA of Kaua‘i Facilities

District: Lihue
TMK: 3-3-03:43
Applicant: YMCA of Kaua‘i
P.O. Box 1786
Lihue, Hawai‘i 96766
Contact: Tom Tannery (246-9090)

Approving Agency/Accepting Authority: County of Kaua‘i, Offices of Community Assistance, Housing Agency
4193 Hardy Street
Lihue, Hawai‘i 96766
Contact: Gary Mackler (241-6867)

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

Status: FEA/FONSI issued, project may proceed.
Permits Required: Use, Building, NPDES

This project proposes the construction of facilities for the YMCA of Kaua‘i. The new facilities will allow the YMCA to continue and expand the various community services they have been offering for nearly 75 years on Kaua‘i. The project site is located at the southwest corner of Kaumuali‘i Highway and Nuhou Street at the western outskirt of Lihue. The site is part of Grove Farm’s community residential and commercial development plan for Lihue and Puhi.

The facilities will be situated on a 3.642-acre site and will consist of an administration building, childcare center, wellness center, locker/restroom building, gymnasium, multipurpose building, swimming pool and batting cages. Water, sewer, electrical, cable and telephone services are available underground on the street. The site has a very gentle down slope from the northwest corner to the southwest corner. Kaumuali‘i Highway is adjacent and north of the property and Nuhou Street is adjacent and east of the property.

Environmental Council Notices

Environmental Council Meetings

The Environmental Council is scheduled to meet on Wednesday, November 12, 2003 at 2:00 p.m. on the 7th floor of the Leiopapa A Kamehameha Building, 235 S. Beretania Street, Room 702, Honolulu. The Council’s subcommittees are tentatively scheduled to meet the same day prior to the full Council meeting. Please call on or after November 6th for the final agenda.

Any person desiring to attend the meetings and requiring an accommodation (taped materials or sign language interpreter) may request assistance provided such a request is made five working days prior to the scheduled meetings. This request may be made in writing to Mr. Michael Faye, Chair, Environmental Council c/o OEQC, 235 S. Beretania St., Room 702, Honolulu, HI 96813 or by fax at (808) 586-4186.
Shoreline Certification Applications

Pursuant to § 13-222-12, HAR the following shoreline certification applications are available for inspection at the DLNR District Land Offices on Kaua‘i, Hawai‘i and Maui and at Room 220, 1151 Punchbowl St., Honolulu, O‘ahu (Tel: 587-0414). All comments shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, Hawai‘i 96813 and postmarked no later than fifteen (15) calendar days from the date of the public notice of the application. If there are any questions, please call Nick Vaccaro at 587-0384.

<table>
<thead>
<tr>
<th>File No.</th>
<th>Date</th>
<th>Location</th>
<th>Applicant/Owner</th>
<th>TMK</th>
</tr>
</thead>
<tbody>
<tr>
<td>MA-293</td>
<td>10/29/03 Lot A of the Crowell-Raymond Partition, land situated at Kuau, Hamakuaapoko, Island of Maui, Hawaii</td>
<td>Akamai Land Surveying, Inc./Fred Schindler and Donna Truesdell</td>
<td>2-6-10: 24</td>
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<tr>
<td>OA-849-2</td>
<td>10/29/03 Lot 617 Land Court Application 1089 (Map 12), land situated at Kamonanui, Waialua, Island of Oahu, Hawaii</td>
<td>Sam O. Hirota, Inc./Donald Johnson</td>
<td>6-7-13: 05</td>
<td></td>
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<tr>
<td>OA-388-2</td>
<td>10/29/03 Lot 5 of the Kawailoa Subdivision File Plan 1820, land situated at Kawailoa, Waialua, Island of Oahu, Hawaii</td>
<td>Jamie F. Alimboyoguen/Dexter Hewitt</td>
<td>6-1-13: 07</td>
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<tr>
<td>OA-959</td>
<td>10/29/03 Seabreeze Apartments Portion Diamond Head Terrace Section &quot;A&quot;, File Plan 214, land situated at Waikiki, Honolulu, Island of Oahu, Hawaii</td>
<td>Walter P. Thompson/Seabreeze Apartments, Inc.</td>
<td>3-1-33: 59</td>
<td></td>
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<tr>
<td>OA-802-3</td>
<td>10/29/03 Lot 12, portion of Grant 4674 to John D. Holt Jr. land situated at Honolulu, Island of Oahu, Hawaii</td>
<td>DJNS Surveying &amp; Mapping, Inc., for Henrik Falktoft</td>
<td>3-1-40: 003</td>
<td></td>
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</table>
**Shoreline Certifications and Rejections**

Pursuant to §§13-222-26, HAR the following shorelines have been proposed for certification or rejection by the DLNR. Any person or agency wishing to appeal a proposed shoreline certification or rejection shall file a notice of appeal in writing with the department no later than 20 calendar days from the date of the public notice of the proposed shoreline certification or rejection. The Notice of appeal shall be sent to the BLNR, 1151 Punchbowl Street, Room 220, Honolulu, Hawai‘i 96813.

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Actions Under New &amp; Old Shoreline Rules</th>
<th>Location</th>
<th>Applicant</th>
<th>Tax Map Key</th>
</tr>
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<tbody>
<tr>
<td>OA-946</td>
<td>Proposed Shoreline Certification 10/27/03 New Rules</td>
<td>Lot 1063 of Land Court Application 667 (Map 253), land situated at Kaneohe, Koolaupoko, Oahu, Hawaii Address: 612 Kaimalino Place Purpose: Building Setback</td>
<td>Gil Surveying Services/Tetsuro Hata</td>
<td>4-4-39: 25</td>
</tr>
<tr>
<td>OA-948</td>
<td>Proposed Shoreline Certification 10/27/03 New Rules</td>
<td>Portion of Kaaawa Beach Park, land situated at Kaaawa, Koolauloa, Oahu, Hawaii (51-329 Kamehameha Highway) Purpose: Building Permit</td>
<td>Walter P. Thompson/City and County of Honolulu</td>
<td>5-1-02 (Por) 25</td>
</tr>
<tr>
<td>MA-276</td>
<td>Proposed Shoreline Certification 10/27/03 New Rules</td>
<td>Lot 2-2, of the Kaonoulu Beach Lots, land situated at Kaonoulu, Kihei, Maui, Hawaii (726 South Kihei Road) Purpose: Determine Setback for Design of Building</td>
<td>ControlPoint Surveying/USA</td>
<td>3-9-01: 87</td>
</tr>
<tr>
<td>MA-204-3</td>
<td>Proposed Shoreline Certification 10/27/03 New Rules</td>
<td>Lot 71, Land Court Application 1744, land situated at Hanakao, Lahaina, Maui, Hawaii (100 Nohea Kai Drive) Purpose: Planning Future Use of Property</td>
<td>Warren S. Umemori Engineering, Inc./Marriott Ownership Resorts, Inc.</td>
<td>4-4-13: 01</td>
</tr>
<tr>
<td>MA-289</td>
<td>Proposed Shoreline Certification 10/27/03 New Rules</td>
<td>Parcels 120, 83 and 15, being a portion of R.P 7447, Land Commission Award 3237 to H. Hewahewa, land situated at Kaonoulu, Kihei, Island of Maui, Hawaii Address: 588, 575 &amp; 640 South Kihei Road Purpose: SMA Permit for Proposed Improvements</td>
<td>ControlPoint Surveying, Inc./575 south Kihei Road, LLC</td>
<td>3-9-01: 120, 83 and 15</td>
</tr>
<tr>
<td>OA-956</td>
<td>Proposed Shoreline Certification 10/27/03 New Rules</td>
<td>Lots 2 and 34-E, Land Court Application 1002, land situated at Kaneohe, Koolaupoko, Island of Oahu, Hawaii Address: 45-004 Lilipuna Road Purpose: Building Permit</td>
<td>Walter P. Thompson, Inc./Barbara Dale Kaspars</td>
<td>4-5-01: 38</td>
</tr>
<tr>
<td>KA-171</td>
<td>Proposed Shoreline Certification 10/27/03 New Rules</td>
<td>Lot 2, Wamihana Subdivision II (File Plan No. 1840), land situated at Wamihana, Hanalei, Island of Kauai, Hawaii Address: 7350 Alealea Road Purpose: Building Permit</td>
<td>Esaki Surveying and Mapping, Inc./Carl Stephens</td>
<td>5-8-09: 41</td>
</tr>
<tr>
<td>MA-284</td>
<td>Proposed Shoreline Certification 10/27/03 New Rules</td>
<td>Portion of Parcel 24 and Parcel 33, land situated at Makawao, Maui, Hawaii Address: 799 Poho Place Purpose: Building Permit</td>
<td>Akamai Land Surveying, Inc./Floyd E. Christenson, etal</td>
<td>2-6-12: 33 and 2-5-4: 24 (Por)</td>
</tr>
<tr>
<td>OA-952</td>
<td>Proposed Shoreline Certification 10/27/03 New Rules</td>
<td>Lot 31-A of Land Court Application 505 (Map 10), land situated at Kailua, Koolaupoko, Island of Oahu, Hawaii Address: 1006 Mokulua Drive Purpose: Building Permit</td>
<td>Wesley T Tengan/Lisa Martin</td>
<td>4-3-06: 52</td>
</tr>
<tr>
<td>MA-197-2</td>
<td>Proposed Shoreline Certification 10/27/03 New Rules</td>
<td>Lot 35 of the Kuau Sunset Beach Lots (File Plan 302), land situated at Kuau, Hamakuaapoko, Island of Maui, Hawaii Address: 42 Aleiki Place Purpose: Building Permit</td>
<td>Akamai Land Surveyors, Inc./Robert and Virginia Karpovich</td>
<td>2-6-11: 11</td>
</tr>
<tr>
<td>MA-290</td>
<td>Proposed Shoreline Certification 10/27/03 New Rules</td>
<td>Portion of Land Commission Award 11,216, Apana 21 to M Kekauonohi, land situated at Honuaula Makawao, Island of Maui, Hawaii Address: 40 Makena Road Purpose: Building Permit</td>
<td>Akamai Land Surveying, Inc./Mark A. Bryers</td>
<td>2-1-11: Portion of 12</td>
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<tr>
<td>MA-288</td>
<td>Proposed Shoreline Certification 10/27/03 New Rules</td>
<td>Lot B of the Makena Beach Lots, land situated at Makena, Kihei, Maui, Hawaii Address: 4420 Old Makena Road Purpose: Determine setback</td>
<td>Tanaka Engineers, Inc./TMC Development, Inc.</td>
<td>2-1-11: 05</td>
</tr>
</tbody>
</table>
# Pollution Control Permit Applications

**November 8, 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.

<table>
<thead>
<tr>
<th>Branch Permit Type</th>
<th>Applicant &amp; Permit Number</th>
<th>Project Location</th>
<th>Pertinent Date</th>
<th>Proposed Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clean Air Branch, 586-4200, Covered Source Permit</td>
<td>Tesoro Hawaii Corporation, CSP 0212-01-C (Amendment)</td>
<td>91-325 Komohana Street, Kapolei, Oahu</td>
<td>Issued: 10/13/03</td>
<td>Flare Gas Vapor Recovery System</td>
</tr>
<tr>
<td>Clean Air Branch, 586-4200, Covered Source Permit</td>
<td>Bryson’s Cinders, Inc., CSP 0073-02-C</td>
<td>Kapoho Quarry, TMK 1-4-2: 18, Kapoho, Hawaii</td>
<td>Comments Due: 11/21/03</td>
<td>323 tph Stone Quarrying and Processing Plant with a 865 hp (645 kW) Diesel Engine Generator</td>
</tr>
<tr>
<td>Clean Air Branch, 586-4200, Covered Source Permit</td>
<td>AES Hawaii, Inc., CSP 0087-02-C (Renewal)</td>
<td>91-086 Kaomi Loop, Campbell Industrial Park, Kapolei, Oahu</td>
<td>Comments Due: 11/21/03</td>
<td>180 MW Coal-Fired Cogeneration Plant</td>
</tr>
<tr>
<td>Clean Air Branch, 586-4200, Noncovered Source Permit</td>
<td>Jas. W. Glover, Ltd., NSP 0010-10-N</td>
<td>890 Leilani Street, Hilo, Hawaii</td>
<td>Issued: 10/16/03</td>
<td>200 CY/Hr. Concrete Batch Plant</td>
</tr>
<tr>
<td>Clean Air Branch, 586-4200, Temporary Covered Source Permit</td>
<td>West Hawaii Concrete, CSP 0355-02-CT</td>
<td>Initial Locations: Waikoloa Quarry, Waikoloa, Hawaii; and Kona Quarry, Kona, Hawaii</td>
<td>Issued: 10/16/03</td>
<td>Two (2) Stone Processing Plants</td>
</tr>
<tr>
<td>Clean Air Branch, 586-4200, Temporary Covered Source Permit</td>
<td>Grace Pacific Corporation, CSP 0040-01-CT (Amendment)</td>
<td>Initial Location: Camp 10 Quarry, Puunene, Maui</td>
<td>Comments Due: 11/26/03</td>
<td>186 TPH Drum-Mix Asphalt Concrete Plant with Recycle Kit, 1.25 MMBtu/Hr Hot Oil Heater, and 725 kW Diesel Engine Generator</td>
</tr>
<tr>
<td>Clean Air Branch, 586-4200, Noncovered Source Permit</td>
<td>U.S. Navy, Navy Region Hawaii, NSP 0117-01-N (Renewal)</td>
<td>Beckoning Point, Pearl Harbor, Oahu</td>
<td>Issued: 10/22/03</td>
<td>Five (5) 1,200 kW Diesel Engine Generators</td>
</tr>
<tr>
<td>Clean Air Branch, Noncovered Source Permit</td>
<td>County of Maui, NSP 0251-01-N (Renewal)</td>
<td>Wailuku-Kahului Wastewater Reclamation Facility, 281 Amala Place, Kahului, Maui</td>
<td>Issued: 10/22/03</td>
<td>One (1) 402 HP Diesel Engine</td>
</tr>
<tr>
<td>Clean Air Branch, Covered Source Permit</td>
<td>U.S. Navy, Public Works Center Pearl Harbor, CSP 0424-01-C (Renewal)</td>
<td>Red Hill Water Pumping Station, Honolulu, Oahu</td>
<td>Issued: 10/27/03</td>
<td>One (1) 2.0 MW Combustion Turbine</td>
</tr>
</tbody>
</table>
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 July through September 2003. Inspections and enforcement actions are listed by program area. For more information, please contact the Environmental Planning Office at 586-4337.

### Enforcement Report for July-Sept 2003

<table>
<thead>
<tr>
<th></th>
<th>Inspections &amp; Responses</th>
<th>Warning Notices</th>
<th>Formal Enforcement Cases</th>
<th>Fines Issued</th>
<th>Formal Cases Pending</th>
<th>Formal Cases Concluded</th>
<th>Supplemental Environmental Projects (S.E.P.) in Progress</th>
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<tbody>
<tr>
<td><strong>Clean Air Branch</strong></td>
<td></td>
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<td>Fugitive Dust</td>
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<td>Open Burning</td>
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<td><strong>Solid &amp; Hazardous Waste Branch</strong></td>
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<td>Hazardous Waste</td>
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<td>Solid Waste</td>
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<td><strong>Clean Water Branch</strong></td>
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<td>Permitted Discharges (NPDES)</td>
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<td>Non-permitted Discharges</td>
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<td>Water Quality Certifications</td>
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<td><strong>Wastewater Branch</strong></td>
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<td>WastewaterTreatment Plants</td>
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<td>Animal Waste</td>
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</table>

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.
**Formal Enforcement Actions and Settlements Completed by DOH**

Notices of violation issued from July through September 2003 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.

**Clean Air Branch**

On July 29, 2003 a Notice and Finding of Violation was sent to West Hawai‘i Concrete in Kailua-Kona for exceeding the operating hours of the diesel engine generators at the rock crushing plant in Kamuela, Hawai‘i. They were ordered to take corrective action, prevent further violations, and pay a fine of $8,400,000.

On August 8, 2003, a Notice and Finding of Violation was served to Sphere, LLC, dba Pacific Aggregate, of Kapolei for violations at their screening plant in Wai‘anae. The company was operating equipment that was not covered by their Noncovered Source Permit. They were ordered to take immediate corrective actions and pay a penalty of $3,175.00.

On August 22, 2003 a Notice and Finding of Violation was sent to the Hilo Coast Power Company LLC for violating conditions of their Covered Source Permit. They were ordered to take corrective action and fined the amount of $2,900.00.

On September 3, 2003, a Notice and Finding of Violation was served to Hawaiian Commercial and Sugar Company of Pu‘unene, Maui for violations of the Standards of Performance for Fossil-Fuel-Fired Steam Generators at the Pu‘unene Mill. The plant has been in violation from June 15, 1975. They were ordered to take corrective action in 20 days and pay a fine of $1,977,700.00.

Also on September 3, 2003, a Notice & Finding of Violation was sent to Maui Electric Company, Ltd. of Kahului for repeated violations of exceeding 20% opacity limits within a certain period, of stack emissions at the Ma‘alaea Generating Units. They were ordered to take corrective actions and notify the Department of Health within 20 days, and to pay a fine of $1,563,000.00.

**Solid Waste Branch**

On August 26, 2003, a Complaint was served to Kaua‘i Commercial Co., Inc. of Lihu‘e, Kaua‘i for transporting used oil without a permit. They were ordered to comply with the requirements of the law and fined $10,000.00.

Also on August 26, 2003, a Complaint was issued to Speedie Lube of Hawai‘i, Inc. of Lihu‘e, Kaua‘i for violations of transporting used oil without a permit at their facilities on Kauai and Maui. They were ordered to comply with the law and issued a fine of $20,000.00.

**Clean Water Branch**

On September 12, 2003, a Notice and Finding of Violation was issued to the Oceanic Institute in Waimanalo for discharging aquaculture pond overflow seawater into the ocean at Makapu‘u Point. They were ordered to meet a compliance schedule of September 30, 2003 or pay a penalty of $100 for each day the compliance schedule is not met.

On September 29, 2003, a Second Amended Notice and Finding of Violation was issued to the West Hawai‘i Utility Company, West Hawai‘i Sewer Company, and County of Hawai‘i for multiple discharges of raw wastewater into State Waters and other permit violations and exceedences. A Second Amended Order was also issued for the respondents to take corrective action. A penalty will also be assessed, and the amount will be determined at a later date.
Board Permits

Persons interested in commenting on the following Conservation District Use Application (Board Permit) must submit comments to the Department of Land and Natural Resources. Also, anyone interested in receiving notification of determinations on Conservation District Use Applications (Board Permits) must submit requests to DLNR that include the following information: 1) Name and address of the requestor; 2) The departmental permit for which the requestor would like to receive notice of determination; and 3) The date the notice was initially published in the Environmental Notice.

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

Please send comments and requests to: State of Hawaii, Department of Land and Natural Resources, Office of Conservation and Coastal Lands, 1151 Punchbowl Street, Room 220, Honolulu, Hawai‘i 96813.

DLNR will make every effort to notify those interested in the subject CDUA, it is not obligated to notify any person not strictly complying with the above requirements. For more information, please contact Dawn Hegger at 587-0380.

Kapaa-Kealia Bike & Pedestrian Path

File No.: KA-3160
Applicant: County of Kauai, Dept. of Public Works
Location: Kapa‘a-Kealia, Kaua‘i
TMK: 4-7-003:001; 4-7-007:029
Action: Planned development of multi-use path for bicyclist, pedestrians, and other users from Kapa‘a to Kealia.
343, HRS FEA published in OEQC’s Environmental determination: Notice on 9/23/03.
Appl’s Contact: Ronald Sato, SSFM (531-1308)

Coastal Zone News

Construction of Mooring Dolphin, Pier 1C, Kahului Harbor, Maui

Applicant: Matson Navigation Company
Agent: R.M. Towill Corporation
Contact: Brian Takeda, 842-1133

Federal Action: Department of the Army Permit
Federal Agency: U.S. Army Corps of Engineers
Contact: Peter Galloway, 438-8416
Location: Pier 1C in Kahului Harbor, Maui
CZM Contact: Debra Tom, 587-2840

Proposed Action:
Matson Navigation Company proposes to install a mooring dolphin and catwalk at Pier 1C, Kahului Harbor, Kahului, Maui. The installation of the dolphin and catwalk will involve the placement of 24 piles. The dolphin and catwalk superstructure will be used to provide sufficient mooring capability to extend the useful area of Pier 1C for container and other large vessels. The mooring will also provide much needed space and meet safety concerns for proper securing of moored ships.
Comments Due: November 21, 2003
## Special Management Area (SMA) Minor Permits

Pursuant to Hawai‘i Revised Statute (HRS) 205A-30, the following is a list of SMA Minor permits that have been approved or are pending by the respective county/state agency. For more information about any of the listed permits, please contact the appropriate county/state Planning Department. City & County of Honolulu (523-4131); Hawai‘i County (961-8288); Kaua‘i County (241-6677); Maui County (270-7735); Kaka‘ako Special Design District (587-2878).

<table>
<thead>
<tr>
<th>Location (TMK)</th>
<th>Description (File No.)</th>
<th>Applicant/Agent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Honolulu: Paumalu (5-9-16-14)</td>
<td>Construct chain-link fence with gate (2003/SMA-74)</td>
<td>Ted Nakamura</td>
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<tr>
<td>Honolulu: Waikiki (2-6-4-10)</td>
<td>Storefront modifications (2003/SMA-82)</td>
<td>DKKY Architecture Studio</td>
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<tr>
<td>Maui: Makawao (2-9-5-10)</td>
<td>MECO Overhead line extension (SM2 20030159)</td>
<td>Arkles, Alan M.</td>
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<tr>
<td>Maui: Haiku (2-8-40-46)</td>
<td>Naish Residence (SM2 20030160)</td>
<td>Naish, Robert/Kathryn</td>
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<tr>
<td>Maui: Honokowai (4-4-1-46)</td>
<td>Verizon equipment cabinet (SM2 20030161)</td>
<td>Verizon Hawaii, Inc.</td>
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<tr>
<td>Maui: Wailua</td>
<td>Construct Wailua bus stop (SM2 20030162)</td>
<td>County Dept of Public Works</td>
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<tr>
<td>Maui: Kihei (3-9-6-1)</td>
<td>Waiakou Subdivision (SM2 20030163)</td>
<td>Larson, Kim</td>
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<td>Maui: Kihei (3-9-1-4)</td>
<td>Maui Schooner elevator (SM2 20030164)</td>
<td>GYA Architects, Inc.</td>
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<tr>
<td>Maui: Kapalua (4-2-4-24, 7-7 &amp; 7-8)</td>
<td>Kapalua Subdivision (SM2 20030165)</td>
<td>Ledcor Construction, Ltd.</td>
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<tr>
<td>Maui: (2-8-4-96 &amp; 97)</td>
<td>Consolidation &amp; resubdivision (SM2 20030167)</td>
<td>Millan, Basil</td>
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<td>Maui: Paia (2-6-11-8)</td>
<td>Sands addition (SM2 20030169)</td>
<td>Sands, Fredrick H.</td>
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<td>Maui: Kapalua (4-2-1-32)</td>
<td>Enclose lanai (SMX 20030609) Pending.</td>
<td>Pitzer Built Construction LLC.</td>
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<tr>
<td>Maui: (3-9-36-47)</td>
<td>Privacy fence (SMX 20030610) Pending.</td>
<td>Lemke, Carl Michael</td>
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<tr>
<td>Maui: Kapalua (4-2-1-1, &amp; 5-41)</td>
<td>Renovations (SMX 20030614) Pending.</td>
<td>Maui Land &amp; Pineapple Co., Inc.</td>
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<td>Maui: Kihei (3-9-33-47)</td>
<td>Interior renovations (SMX 200340616) Pending.</td>
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<td>Maui: Kihei (3-9-48-49)</td>
<td>Addition (SMX 20030618) Pending.</td>
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<td>Maui: (3-8-2-25)</td>
<td>Enclose storage area (SMX 20030621) Pending.</td>
<td>Eric Golting</td>
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<td>Sand dune restoration (SMX 20030622) Pending.</td>
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<td>Storage bldg (SMX 20030623) Pending.</td>
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<td>Maui: Makena (2-1-11-5)</td>
<td>Residence (SMX 20030624) Pending.</td>
<td>TMC Development, Inc.</td>
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<td>Maui: Haiku (2-7-8-114)</td>
<td>Second dwelling (SMX 20030625) Pending.</td>
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<td>Maui: Kapalua (4-2-4-5)</td>
<td>Repair spa (SMX 20030626) Pending.</td>
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<td>Maui: Lahaina (4-5-4-56)</td>
<td>Knight addition (SMX 20030627) Pending.</td>
<td>Cooper, Martin V.</td>
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<td>Maui: Kihei (3-9-3-7)</td>
<td>Addition (SMX 20030628) Pending.</td>
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<td>Maui: (2-1-7-6)</td>
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<td>Bagliivi ohana (SMX 20030630) Pending.</td>
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<td>Foadi renovation (SMX 20030632) Pending.</td>
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<td>Maui: Makena (2-1-6-34)</td>
<td>LD, LLC residence (SMX 20030634) Pending.</td>
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<td>Maui: Paia (2-6-4-15)</td>
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<td>Maui: Kihei (3-9-40-113)</td>
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<td>Maui: Paia (2-6-2-20)</td>
<td>Deck (SMX 20030641) Pending.</td>
<td>Arian, Chris</td>
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Special Management Area (SMA) Minor Permits (continued)

<table>
<thead>
<tr>
<th>Location (TMK)</th>
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<td>Maui: Lahaina (4-3-6-69)</td>
<td>Improvements (SMX 20030644) Pending.</td>
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<td>Maui: Kihei (3-9-17-14)</td>
<td>Renovations (SMX 20030645) Pending.</td>
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<td>Maui: (2-6-10-17)</td>
<td>6-foot wall (SMX 20030646) pending.</td>
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<td>Maui: (4-4-8-1)</td>
<td>Quicksilver renovations (SMX 20030647) Pending.</td>
<td>John Souza</td>
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<td>Maui: (2-8-3-59)</td>
<td>Water storage well &amp; tank (SMX 20030648) Pending.</td>
<td>Maui Integrated Solutions</td>
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<td>Maui: Kihei (3-9-12-5)</td>
<td>Demo &amp; build residence (SMX 20030650) Pending.</td>
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<td>Maui: Kihei (2-2-25-44)</td>
<td>Enclose lanai (SMX 20030651) Pending.</td>
<td>Yee, Gayland &amp; Barbara</td>
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<td>Maui: Paia (3-8-2-34)</td>
<td>Sand placement (SMX 20030652) Pending.</td>
<td>McBarnet, Terry</td>
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<td>Maui: Kapalua (4-2-3-88)</td>
<td>Swimming pool &amp; spa (SMX 20030653) Pending.</td>
<td>Pool Pro, Inc.</td>
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<td>Maui: Kihei (3-9-2-28)</td>
<td>Nature’s Way Xmas tent (SMX 20030655) Pending.</td>
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<td>Maui: Haiku (2-9-7-40)</td>
<td>2nd dwelling (SMX 20030656) Pending.</td>
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<td>Accessory dwelling (SMX 20030657) Pending.</td>
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<td>Accessory dwelling (SMX 20030658) Pending.</td>
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<td>Irrigation well (SMX 20030659) Pending.</td>
<td>Roman Catholic Church (Hawaii)</td>
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<td>Maui: Wailuku (3-4-28-47)</td>
<td>Deck addition (SMX 20030660) Pending.</td>
<td>Smeltzer, Kevin</td>
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<td>Maui: (4-2-4-32)</td>
<td>Single family residence (SMX 20030661) Pending.</td>
<td>Nguyen, Bill</td>
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<td>Maui: (4-7-3-14)</td>
<td>Barn/workshop (SMX 20030663) Pending.</td>
<td>Ferris, Harold</td>
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<td>Maui: Lahaina (4-4-8-22)</td>
<td>Alteration of room #4 (SMX 20030664) Pending.</td>
<td>Atwood, Terry E.</td>
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<td>Hawaii: Hilo (2-1-1-24)</td>
<td>Demo/Renovate Shipman Power Plant units (SMA #143)</td>
<td>Hawaii Electric Light Co., Inc.</td>
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<td>Hawaii: Kona (7-8-13-2)</td>
<td>Demo/Renovate Kona Lagoon Hotel (SMA #144)</td>
<td>Kamehameha Schools</td>
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</table>

Special Management Area Documents (Chapter 25, Revised Ordinances of Honolulu)

Since SMA-only (Chapter 25, ROH) documents do not trigger the EIS law as articulated in Chapter 343, Hawai‘i Revised Statutes, effective September 1, 2001 OEQC will no longer review these documents for completeness or adequacy. However, OEQC will continue to provide notice of these projects as a public service. Questions regarding the adequacy, completeness and availability of these documents should be addressed directly to the county contact listed below.

Hauʻula Skate Park Facility at Hauʻula Community Park (Final Determination)

The applicant proposes to build a new skate park facility at the existing Hauʻula Community Park, which is located within the SMA. The 9,500-square foot facility will consist of concrete “bowls,” banks, curved walls, ledges and obstacles and perimeter fencing. The new facility will be located in the Northeast corner of the existing park, in a currently open grassed area behind the play courts. No additional restroom, water or lighting facilities, or off-street parking is proposed. The hours of operation have not yet been specified. New walkways that are compliant with the Americans with Disabilities Act (ADA) will connect the facility with the existing play courts. The entire project area, which is within the Special Management Area, will require the approval of an SMP from the Honolulu City Council. Please direct questions and written comments to Steve Tagawa, Department of Planning and Permitting, City and County of Honolulu, 650 S. King Street, 7th Floor, Honolulu, Hawaiʻi 96813, telephone: 523-4817.
Final Rule on Air Tour Operators

This final rule of the Federal Aviation Administration (FAA) continues the existing safety requirements in Special Federal Aviation Regulation No. 71 (SFAR 71) and eliminates the termination date for SFAR 71. The procedural, operational, and equipment safety requirements of SFAR 71 will continue to apply to Parts 91, 121, and 135 air tour operators in Hawai‘i. SFAR 71 does not apply to operations conducted under part 121 in airplanes with a passenger-seating configuration of more than 30 seats and a payload capacity of more than 7,500 pounds or to flights conducted in gliders or hot air balloons. This final rule is effective October 26, 2003. For more information, contact Alberta Brown at (202) 267-8166; e-mail: Alberta.Brown@faa.gov (see, 68 F.R. 60831, October 23, 2003).

Proposed National Air Tour Safety Rules

The Federal Aviation Administration (FAA) is proposing national safety standards to govern commercial air tours (i.e., sightseeing). These safety standards are proposed as a result of accidents and incidents involving air tour operators and subsequent National Transportation Safety Board recommendations. The proposed rule is intended to increase the safety of commercial air tours on a national basis by requiring certification of air tour operators and by establishing new safety requirements. Send your comments on or before January 20, 2004. Address your comments to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-1999-4521 at the beginning of your comments, and you should submit two copies of your comments. For details, contact Alberta Brown at (202) 267-8166; e-mail: Alberta.Brown@faa.gov (see, 68 F.R. 60571, October 22, 2003).

Three Hawai‘i Sites Nominated

The Hawai‘i State Historic Preservation Officer has nominated the following three sites to the National Register of Historic Places: (1) No. 03001049, Central Intermediate School, 1302 Queen Emma Street, Honolulu; (2) No. 03001050, Kreye House, 2714 Aolani Place, Honolulu; and (3) No. 03001048, Kaua‘i Belt Road North Shore Section, HI 560. The above number nominations were received by the National Park Service before September 6, 2003. Pursuant to Sec. 60.13 of 36 CFR part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded by United States Postal Service, to the National Register of Historic Places, National Park Service, 1849 C St., NW., 2280, Washington, DC 20240; by all other carriers, National Register of Historic Places, National Park Service, 1201 Eye St., NW., 8th floor, Washington DC 20055; or by fax, 202-371-6447. Written or faxed comments should be submitted by October 21, 2003 (see, 68 F.R. 57708, October 6, 2003).

Supplemental Notice on Ahi Farms Inc., Ocean Aquaculture in Wai‘anae

The U.S. Army Corps of Engineers Honolulu District is seeking public comments on a supplemental public notice (PN200300506a), dated October 28, 2003, concerning Ahi Farms Inc.’s proposal to build and operate an aquaculture farm for ahi tuna in the foreseeable future. The applicant originally proposed to place up to 18 tension leg cages in one or both of the proposed sites. Each site will be about 80 acres in size. The applicant now proposes to use commercially available gravity net surface pens if it is determined that tension leg cages are impractical for tuna farming. Other information contained in the original Public Notice, dated August 1, 2003, remains the same. Comments on the modified proposal are due on or before November 27, 2003. Send comments with the public notice number (PN200300506a) to: Regulatory Branch (CEPOH-EC-R/P. Lennan), U.S. Army Engineer District, Honolulu, Building 230, Fort Shafter, Hawai‘i 96858-5440 (see, Public Notice No. 200300506a, dated October 28, 2003, U.S. Army Corps of Engineers Honolulu District).

Proposed Partial Deletion of O‘ahu Site from the Superfund List.

Region 9 of the United States Environmental Protection Agency (EPA) announces its intent to delete the Poamoho Section of the Del Monte Corporation Superfund Site (the site), located on O‘ahu, from the National Priorities List (NPL) and requests public comment on this proposed action. The remaining portion of the site will remain on the NPL. EPA and the State of Hawai‘i Department of Health have determined that, based on the Remedial Investigation, taking remedial measures on the Poamoho Section of the site would not be appropriate. The Remedial Investigation results indicate no response action is necessary to protect human health, welfare or the environment related to hazardous substances released on the Poamoho Section. Comments concerning the proposed partial deletion of the Site from the NPL may be submitted on or before December 1, 2003. Comments may be mailed to Janet Rosati, US EPA Region 9, 75 Hawthorne Street, San Francisco, California 94105, Mail Code SFD-8-2. Call (415) 972-3165 or (800) 231-3075 for additional information. Another information repository where the public docket is available for public review is the Wahiawa Public Library, 820 California Avenue, Wahiawa, Hawai‘i 96786. For more information contact Janet Rosati, (415) 972-3165 (see, 68 F.R. 61783, October 30, 2003).

Notice of Lodging of Consent Decree

In accordance with 28 U.S.C. section 50.7, notice is hereby given that on October 16, 2003, a proposed Consent Decree in United States, et al. v. Chevron U.S.A. Inc., Civil Action No. C: 03-4650 MEJ, was lodged with the United States District Court for the Northern District of California. In this action, the United States sought injunctive relief and penalties against Chevron U.S.A. Inc. (Chevron), pursuant to Section 113(b) of the Clean Air Act (CAA), 42 U.S.C. 7413(b), section
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Recising of Notice of Intent

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 43 CFR 10.8 (f), that, upon publication of this notice in the Federal Register, the Bernice Pauahi Bishop Museum, Honolulu, Hawai‘i, rescinds the notice of intent to repatriate published in the Federal Register of April 9, 1999 (F.R. Doc. 99-8888, page 17410) because the museum has determined that the Kalaina Wawae is not cultural patrimony as defined at 25 U.S.C. 3001 (3)(D). Bernice Pauahi Bishop (1831-1884) was the great-granddaughter of Kamehameha the Great and had the authority to alienate or convey to her estate personal property such as the Kalaina Wawae. In 1897 Moloka‘i Ranch purchased land at Mo‘omomi, Moloka‘i, from the estate of Bernice Pauahi Bishop which included the Kalaina Wawae. In 1909 Molokai Ranch gave the Kalaina Wawae to the Bishop Museum, and J.F.G. Stokes and museum staff carved out and collected the Kalaina Wawae with the permission of the Moloka‘i Ranch manager, George P. Cooke. In 1909 the museum accessioned the Kalaina Wawae (numbers 9935, 9936, and 9937) into its collections. The Bishop Museum installed the Kalaina Wawae at Mo‘omomi, Moloka‘i Museum and Culture Center, Lili‘uokalani Telephone (808) 848-4126. The Bishop Museum is responsible for notifying Hui Malama I Na Kupuna O Hawai‘i Nei, the Office of Hawaiian Affairs, Moloka‘i Museum and Culture Center, George P. Cooke. In 1909 the museum accessioned the Kalaina Wawae with the permission of the Moloka‘i Ranch manager, George P. Cooke. In 1909 the museum accessioned the Kalaina Wawae...