

# The Environmental Notice

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



**LINDA LINGLE**  
GOVERNOR

**OFFICE OF  
ENVIRONMENTAL  
QUALITY CONTROL**  
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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"*

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JANUARY 8, 2004

## Mauna Kea Outrigger Telescopes

NASA intends to prepare an EIS for the proposed Outrigger Telescopes Project (OTP). The EIS will address environmental issues associated with the on-site construction, installation, and operation of four to six 1.8-meter (72-inch) Outrigger Telescopes. The OTP is a key element in NASA's Origins Program.

The OTP has four scientific objectives that contribute to achieving the goals of the Origins Program: 1) Detect the "wobble" of stars due to the gravity of unseen orbiting planetary companions as small as Uranus; 2) Make images of disks of gas and dust surrounding young stars and stars that are still forming; 3) Make high-resolution images of faint objects outside our galaxy; and 4) Make high-resolution images of objects within our solar system, including asteroids, comets, and outer planets.

### Kalaeloa Water Transmission Mains

The Board of Water Supply wants to construct two 16-inch transmission mains into the Kalaeloa Community Development District (formerly Barber's Point) to link to the Navy's water supply infrastructure and has submitted a draft EA for the construction in the Fort Barrette Road area. See page 4 for more information.

### Recycle your Christmas tree but not at school

The program to recycle Christmas trees with dropoff points at public schools has been discontinued. You can still recycle your tree at various locations. See page 16 for a complete list.

NASA will hold two more public scoping meetings: **January 12, 2004**, Japanese Cultural Center, 2554 S. Beretania St., Honolulu, 96826 (paid parking at the Cultural Center will be free for attendees); and **January 13, 2004**, Waianae District Park, 85-601 Farrington Hwy., Waianae, 96792 (free parking); meetings begin at 5:15 with an open house, followed at 6:30 by acceptance of public comments.

Interested parties may also submit comments on or before February 16, 2004, to Dr. Carl B. Pilcher, Office of Space Science, Code SZ; NASA Headquarters; 300 E Street, SW., Washington, DC 20546-0001. Dr. Pilcher may be reached toll-free at 877-283-1977.

### Pupukea Seawall

A draft environmental assessment and coastal engineering evaluation have been prepared to accompany a shoreline setback variance for a shoreline lot at Pupukea.

The applicant proposes to reconstruct about 85 linear feet of seawall which collapsed in the early 1990's. The wall will be about 12 feet above grade when measured from the public beach fronting the property with a footing that extends another 6 feet below the surface. At its top, the wall will be just over three feet wide. The base-width will measure a total of 12 feet. A new stairway will be added to provide a private shoreline access. Additional backfill will be placed on the landward side of the wall, which will function both as a seawall and retaining wall.

The project is located at 59-601 Ke Iki Road. The coast at the project site is notable for a very prominent emergent coralline limestone shelf known as Kulaloa Point. See page 4.

# 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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*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.*

# O'ahu Notices

JANUARY 8, 2004

## Draft Environmental Assessments



### (1) Haleiwa Seawall Reconstruction

**District:** Waialua  
**TMK:** 5-9-3: 24  
**Applicant:** Paul M. Dold  
220 South King Street, Suite 2150  
Honolulu, Hawaii 96813  
Contact: Paul Dold (531-8886)

#### Approving Agency/Accepting

**Authority:** City and County of Honolulu  
Department of Planning and Permitting  
650 South King Street  
Honolulu, Hawaii 96813  
Contact: Ardis Shaw-Kim (527-5349)

#### Public Comment

**Deadline:** February 7, 2004  
**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:** SSV, SMA, Building

The applicant proposes to reconstruct about 85 linear feet of seawall which collapsed in the early 1990's. The wall will be about 12 feet above grade when measured from the public beach fronting the property with a footing that extends another 6 feet below the surface. At its top, the wall will be just over three feet wide. The base-width will measure a total of 12 feet. A new stairway will be added to provide a private shoreline access. Additional backfill will be placed on the landward side of the wall. Thus the wall will function both as a seawall and retaining wall. The wall will be constructed of reinforced poured-in-place concrete.

The project is located along the shoreline in Pupukea on the north shore of Oahu at 59-601 Ke Iki Road. The coast at the project site is notable for a very prominent emergent coralline limestone shelf known as Kulaloa Point.



### (2) Kalaeloa Redevelopment Area Transmission Mains

**District:** 'Ewa  
**TMK:** 9-1-13, 16, 32 and 75  
**Applicant:** Board of Water Supply  
630 South Beretania Street  
Honolulu, Hawai'i 96843  
Contact: Gregory Lee (748-5716)

#### Approving Agency/Accepting

**Authority:** same as above  
**Consultant:** KFC Engineering Management, Inc.  
3375 Koapaka St., Suite F220-50  
Honolulu, Hawai'i 96819  
Contact: Joelle DuBois (836-7787)

#### Public Comment

**Deadline:** February 7, 2004  
**Status:** DEA First Notice pending public comment. Address comments to the applicant with copies to the consultant and OEQC.

#### Permits

**Required:** NPDES, street usage, grubbing, grading, sign, trenching

The applicant proposes to construct two (2) 16-inch water mains in the Kalaeloa area to interconnect the existing system with the Board of Water Supply system. The new water lines are needed in order to maintain the regional water

supply. The project consists of two individual alignments, the first of which will be constructed fully within existing public roads, along Ft. Barrette Road and Enterprise Avenue, from Kapolei Parkway to Saratoga Street (approx. 3,850 LF). The second section will be constructed within public roads, private lands belonging to the Estate of James Campbell, and public undeveloped lands belonging to the Department of Hawaiian Homelands. This alignment will run along Komohana Street from Malakole Street to Saratoga Avenue, then south along Saratoga Avenue to Lake Champlain Street, then 400 LF east on Lake Champlain Street (approx. 4,000 LF). The proposed water mains will run along existing streets with minimal existing underground utility lines and underground structures.

Anticipated short-term construction impacts include traffic delays, construction noise, and dust. A traffic control plan and adherence to all State and local regulations governing construction activities will minimize environmental harm and inconvenience to the public.

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

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### (3) Fort Weaver Road Reconstructed Sewer

**District:** 'Ewa  
**TMK:** 1-9-005, 006, 007, 009, 023, 024, 025, 027, 028, 036  
**Applicant:** City and County of Honolulu  
Department of Design and Construction  
650 South King Street  
Honolulu, Hawai'i 96813  
Contact: Carl Arakaki (523-4671)  
**Approving Agency/Accepting Authority:** Same as above.  
**Consultant:** ParEn Inc., dba Park Engineering  
567 South King Street, Suite 300  
Honolulu, Hawai'i 96813  
Contact: Keith Uemura (531-1676)  
**Status:** FEA/FONSI issued, project may proceed  
**Permits Required:** Grubbing, Grading & Stockpiling; NPDES Excavate Public ROW; Pollution Controls Variance; Noise

The City has accepted a proposal by Haseko Inc., the developer of Ocean Pointe to upgrade the 'Ewa Beach WWPS and the 'Ewa Beach Interceptor (West). These upgrades will accommodate future flows from Ocean Pointe with a larger relief line of 30-inches to 36-inches installed parallel to the 24-inch 'Ewa Interceptor Sewer (West). The developer improvements will preclude the need for a previously proposed 18-inch relief line and any sewer line or manhole rehabilitation work on the West Interceptor.

Deficiencies of the 'Ewa Beach Interceptor East will be corrected by Cured-In-Place-Pipe (CIPP) rehabilitation of about 6,380 linear feet of 24-inch, 30-inch, and 36-inch sewer lines. Twelve (12) sewer manholes identified with severe corrosion or structural problems will be rehabilitated using either fiberglass inserts or protective epoxy coatings. One additional sewer manhole will be assessed and may also require rehabilitation. Re-establishment of sewer connections within these manholes, surface restoration, sewer bypassing and traffic controls are other components of this project. The approximate cost of this project is about \$2.94 million.

After a review of the Draft Environmental Assessment by various governmental agencies and other interested organizations, it has been concluded that an Environmental Impact Statement (EIS) will not be required. Short term impacts such as traffic disruption, dust and noise generation can be expected as a result of construction activity. These impacts can be mitigated by strict adherence to applicable guidelines set by the State Department of Health (DOH).



### (4) Waiahole Bridge Replacement

**District:** Ko 'olaupoko  
**Applicant:** Department of Transportation  
601 Kamokila Boulevard  
Kapolei, Hawai 'i 96707  
Contact: Craig Watanabe (692-7551)  
**Approving Agency/Accepting Authority:** Same as above.  
**Consultant:** Environmental Communications, Inc.  
1188 Bishop Street, Suite 2210  
Honolulu, Hawai 'i 96813  
Contact: Taeyong Kim (528-4661)  
**Status:** FEA/FONSI issued, project may proceed  
**Permits Required:** SMP, NPDES, SCAP, Army 404, 401 WQC, CZM, building, grading



# O'ahu Notices

JANUARY 8, 2004

The Waiahole Bridge is a two-span structure crossing over the perennial Waiahole Stream and is located immediately south of intersection of Kamehameha Highway (Route 83) and Waiahole Valley Road in the Ko 'olaupoko District, Island of O 'ahu, State of Hawai'i. The structure consists of a reinforced concrete deck girder structure 66-feet in length and 26-feet. The existing bridge was built in 1922.

The existing bridge is planned for demolition and replacement by a new bridge of approximately 66-feet in length between abutments and 50-feet in width. The bridge will support two travel lanes of 12-feet with 11-foot shoulders for pedestrian and emergency use. Metal railings will be installed on concrete for a total barrier height extending 4-feet 6-inches above the bridge deck to conform to bicycle traffic requirements.

The proposed bridge will be designed in accordance with the 1998 American Association of State Highway and Transportation Officials (AASHTO LRFD) Bridge Design Specifications and subsequent interim standards. The bridge and approaches will have a design speed of 30 miles per hour and have a posted speed limit of 25 miles per hour.

During the construction period, a temporary detour road and culvert will be constructed approximately 40-feet makai (east and downstream) of the existing bridge.

Short-term impacts will include traffic disruption, turbidity resulting from work within the stream, and increased noise from construction activities. These impacts are construction related and are not expected to result in any adverse long-term impacts. Best Management Practices (BMPs) will be used to mitigate construction related activities.

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## National Environmental Policy Act

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### Seafarers Training Center

**District:** 'Ewa  
**Applicant:** Department of the Navy, Office of Naval Research c/o Commander, Pacific Division, Naval Facilities Engineering Command 258 Makalapa Drive, Suite 100 Pearl Harbor, Hawai'i 96860-3134  
Contact: Connie Chang (PLN231) (471-9338)

#### Approving Agency/Accepting

**Authority:** Department of the Navy, Operational Environmental Readiness and Planning Branch, Environmental Readiness Division (OPNAV N45),  
Deputy Chief of Naval Operations (Logistics)

2000 Navy Pentagon  
Washington, DC, 20350-2000

Contact: Ronald Tickle, Head  
Helber Hastert & Fee, Planners  
733 Bishop Street, Suite 2590  
Honolulu, Hawai'i 96813

#### Consultant:

Contact: Thomas Fee (545-2055)

Pursuant to the Council on Environmental Quality regulations (40 CFR Parts 1500-1508) implementing the procedural provisions of the National Environmental Policy Act (NEPA), the Department of the Navy gives notice that an EA has been prepared and an Environmental Impact Statement (EIS) is not required for the establishment and operation of a Seafarers Training Center (STC) within the Hawaii Army National Guard's (HIARNG) Kalaeloa Installation, Oahu, Hawaii. Because the Department of the Navy's Office of Naval Research will fund the Proposed Action, NEPA requires the Navy to prepare an environmental assessment.

The Proposed Action includes renovations to Buildings 19, 46 and 1874 located within HIARNG's Kalaeloa Installation. In addition, the parking area adjacent to Building 1874 will be used as a staging area for outdoor fire-training, a new 43,000-gallon (163,000-liter) water safety training facility will be constructed in a vacant yard area adjacent to Building 19, and a new general instruction facility will be constructed in the parking lot in front of Building 46. The Proposed Action also includes a lifeboat and davit training facility at the nearby State of Hawaii Kalaeloa Deep Draft Harbor.

The Proposed Action would not result in significant impacts on the environment, including the following resource areas: physical (including water resources), biological, socio-economic, hazardous/regulated materials, utilities, traffic, solid waste, air quality, cultural resources, and coastal resources. The proposed action will not create environmental health and safety risks that may disproportionately affect children and minority or disadvantaged populations.

Based on information gathered during the preparation of the EA, the Department of Navy finds that the establishment and operation of an STC within HIARNG's Kalaeloa Installation, Oahu, Hawaii will not significantly impact the human or natural environment.

The EA and FONSI addressing this proposed action may be obtained from: Commander, Pacific Division, Naval Facilities Engineering Command, 258 Makalapa Drive, Suite 100, Pearl Harbor, Hawai'i 96860-3134 (Attention: Ms. Connie Chang, Code PLN231), telephone (808) 471-9338. A limited number of copies are available to fill single copy requests.

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## Previously Published Projects Pending Public Comments

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### Draft Environmental Assessments

#### Loft at Waikiki Condominium

**Applicant:** Urban Loft Development, LLC  
1146 Fort Street Mall  
Honolulu, Hawai'i 96813  
Contact: Don Huang (526-4020)

**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: Anthony Ching (527-5833)

**Public Comment**

**Deadline:** January 22, 2004

#### Nimitz Highway Sewer Reconstruction at OCCC

**Applicant:** City and County of Honolulu  
Department of Design and Construction  
650 South King Street  
Honolulu, Hawai'i 96813  
Contact: Sung Ho Lai (527-5398)

**Approving Agency/Accepting**

**Authority:** Same as above.

**Public Comment**

**Deadline:** January 22, 2004

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## National Environmental Policy Act

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### West Kauai High Tech Training Facility at Aupuni O Niihau (EA and Draft FONSI)

**District:** Waimea  
**Applicant:** Aupuni O Niihau  
P.O. Box 1132  
Waimea, Kauai, Hawaii 96796

**Approving Agency/Accepting**

**Authority:** County of Kauai  
Kauai County Housing Agency  
4193 Hardy Street  
Lihue, Kauai, Hawaii 96766  
Contact: Gary Mackler (241-6867)

**Consultant:** Applied Planning Systems  
P.O. Box 958

Lawai, Kauai, Hawaii 96765  
Contact: Roland D. Sagum III

**Public Comment**

**Deadline:** January 13, 2004

Aupuni O Niihau has prepared an Environmental Assessment (EA) and Draft Finding of No Significant Impact (FONSI) for its proposal to operate the West Kauai High Tech Training Facility on the former Waimea Dispensary campus. The West Kauai High Tech Training Facility will be operated and managed by Aupuni O Niihau in conjunction with Kula Aupuni Niihau A Kahelelani Aloha (KANAKA). KANAKA is a New Century Charter School whose purpose is to provide equal educational opportunity for students of Niihau and Kauai communities whose primary language is the Niihau dialect of Hawaiian, and for those students who are "disadvantaged" in school, and in particular traditional public and private institutions where English is the dominant instruction format. The school curriculum will promote high tech training in the form of computer training and practical work experience using resources at the Pacific Missile Range Facility (PMRF), West Kauai Technology Center, and at Kauai Community College (KCC). The school will provide space in the building to accommodate adult education programs and for other community service organizations.

The existing 1.37-acre property consists of four (4) detached buildings oriented around a large paved parking lot. The two significant structures are identified as the Dispensary Building and the Nurse's Cottage. The other two structures are storage buildings that are located to the rear of the Dispensary Building.



# Maui Notices

JANUARY 8, 2004

## Final Environmental Impact Statements



### (1) Lahaina Watershed Flood Control Project

**District:** Lahaina  
**TMK:** 4-6-13:1 and 6; 4-6-14:1; 4-6-15:1; 4-6-18:3; 4-7-01:2; 4-7-02:4 and 5  
**Applicant:** County of Maui, Department of Public Works and Waste Management  
200 South High Street  
Wailuku, Hawai'i 96793  
Contact: Joe Krueger (270-7745)

#### Approving Agency/Accepting

**Authority:** Mayor, County of Maui  
250 South High Street  
Wailuku, Hawai'i 96793

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

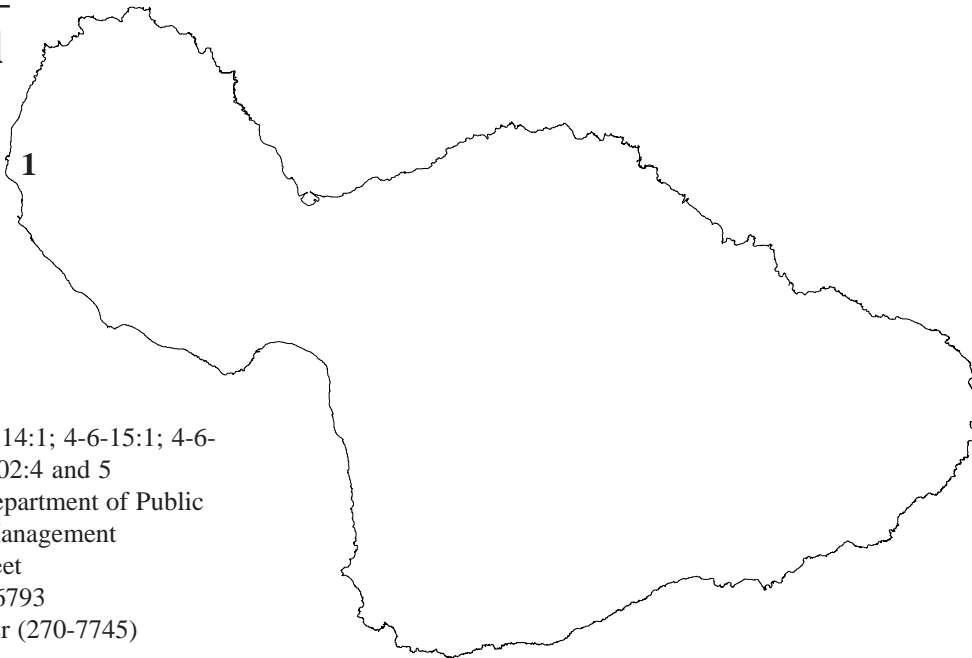
**Status:** FEIS currently being reviewed by the Maui Mayor's Office.

**Permits Required:** CZM, CDUA, SMA, SSV, Stream Diversion, SCAP

#### Note: This is a joint State and Federal EIS.

The County of Maui, Department of Public Works and Environmental Management (DPWEM) and the West Maui Soil and Water Conservation District (WMSWCD), in partnership with the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS) propose the implementation of a floodwater diversion system in the Lahaina Watershed. The proposed project is intended to reduce flooding and erosion problems on land and to relieve the effects of excess sedimentation on the nearshore coral reefs.

The project's design concept involves the construction of a floodwater diversion system that starts south of Lahainaluna Road at approximately 153.0 feet above mean sea level (amsl) and extends across the watershed in a southwesterly direction to a debris basin at Kauaula Stream. The floodwater diversion system traverses lands which are



primarily agricultural lands which were formerly used for sugarcane cultivation but presently lie fallow. The channel follows an alignment below the proposed Lahaina Bypass Highway, and just mauka or east of the former Waivee Village site. The proposed project also includes the construction of an inlet basin and three (3) sediment basins. The debris basin at Kauaula Stream provides a primary outlet to a 3,600 foot long grass-lined channel with a sediment basin, leading to a shoreline outlet. A secondary spillway is also proposed to release flows to the existing concrete-lined Puamana channel during higher flow events. The diversion channel is proposed to be grass-lined except for reinforced concrete channel reaches near Lahainaluna Road and adjacent to Waivee Reservoir. The proposed project will provide a 100-year level of flood protection.

The estimated cost of the proposed project is approximately \$12.0 to \$14.0 million. The implementation of the project is anticipated to occur upon receipt of necessary permit approvals and appropriation and release of Federal and County funds. It is anticipated that project construction will take about 24 to 36 months to complete.

The EIS has been prepared to address requirements of Chapter 343, Hawaii Revised Statutes and the National Environmental Policy Act.



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## National Environmental Policy Act (NEPA)

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### Standoff Intelligence Detector (SID) Program Flight Tests

The Air Force has finalized and approved the environmental assessment (EA) and the Finding of No Significant Impact (FONSI) for the Standoff Intelligence Detector(SID) project. Public comments submitted to the Air Force at the end of the November 28, 2003 comment period were addressed in the final EA and the FONSI. A copy of the final EA and the FONSI can be viewed on the AFRL website ([http://www.de.afrl.af.mil/docs/SID\\_Final\\_EA.pdf](http://www.de.afrl.af.mil/docs/SID_Final_EA.pdf)) or at the reference desk at the Kihei, Kahului or Wailuku Libraries. Kihei library is located at 35 Waimahaihai St; the Kahului library is located at 90 School St; and the Wailuku library is located at 251 High St.

The final EA evaluated 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 final FONSI with the publication of the final EA. The final FONSI is intended to provide interested parties with information received from the comment period. AFRL reviewed all the submitted comments, responded to the comments and included them into the final documents.

This final EA replaces the previous draft EA. Individuals wishing to desire further information should contact Ms. Michelle Hedrick at [Michelle.Hedrick@kirtland.af.mil](mailto:Michelle.Hedrick@kirtland.af.mil) or (505) 846-4574, or at: AFRL/DEOS, 3550 Aberdeen Dr. SE, Kirtland AFB, NM 87117-5776.

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## Withdrawal Notices

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### Maui Lani Light Industrial Subdivision

The Maui Lani Partners has requested withdrawal of the EIS Preparation Notice for the Maui Lani Light Industrial Subdivision project. The EISPN was published in the July 23, 2002 issue of the Environmental Notice.

If you have any questions, please contact Ms. Colleen Suyama of the Department of Planning, County of Maui at 270-7735.



JANUARY 8 2004

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## Previously Published Projects Pending Public Comments

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### Draft Environmental Assessments

#### ☞ East Molokai Watershed Partnership Fence Extension

**Applicant:** The Nature Conservancy, Molokai Office  
P.O. Box 220  
Kualapuu, Hawaii 96757  
Contact: Ed Misaki (524-0779)

#### Approving Agency/Accepting

**Authority:** Department of Land and Natural Resources  
Division of Forestry and Wildlife  
1151 Punchbowl Street, Room 325  
Honolulu, Hawaii 96813  
Contact: Christen Mitchell (587-0051)

#### Public Comment

**Deadline:** January 22, 2004

#### ☞ Puu Alii Natural Area Reserve Ungulate- Proof Fencing

**Applicant:** Department of Land and Natural Resources  
Division of Forestry and Wildlife  
1151 Punchbowl Street, Room 224  
Honolulu, Hawaii 96813  
Contact: Christen Mitchell (587-0051)

#### Approving Agency/Accepting

**Authority:** Same as above.

#### Public Comment

**Deadline:** January 22, 2004

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## Previously Published Projects Pending Public Comments

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### Draft Environmental Assessments

#### ☛ Kula'imano Well Development Project

**Applicant:** County of Hawai'i  
Department of Water Supply  
345 Kekuanao'a Street  
Hilo, Hawai'i 96720  
Contact: Gerald Yorita (961-8070)

#### Approving Agency/Accepting

**Authority:** Same as above.

#### Public Comment

**Deadline:** January 22, 2004



# Shoreline Notices

JANUARY 8, 2004

## 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.

File No.	Date	Location	Applicant/Owner	TMK
HA-231-2	12/23/03	The Whole of R.P. 7044, Land Commission Award 7366, Apana 2 to Kukahi, land situated at Keauhou 2 <sup>nd</sup> , North Kona, Island of Hawaii, Hawaii Address: 78-131 Ehukai Street Purpose: Building Permit	Wes Thomas Associates/ Catherine Evans	7-8-12: por 1
OA-895-2	12/23/03	Lots 157 to 162 (inclusive map 26), lot 297 (Map 45), lot 11729 (map 846), lot 13490(Map 1039) of land court application 1069, land situated at Honouliuli, Ewa, Oahu, Hawaii Address: 333, 329, 317, 309, 295, 536-A and 537 Papipi Road Purpose: Improvements	Towill, Shigeoka & Associates, Inc./ Haseko Homes	9-1-12: 06 & 47 and 9-1-11: 01-07 (incl)
HA-240-2	12/24/03	Lot 2(revised) being a portion of R. P. 3736, Land Commission Award 10642, Apana 1 to Puki and R. P. 4033, Land Commission Award 2376, Apana 2 to Keauikalima, land situated at Kapalaalaea 1 <sup>st</sup> , North Kona, Island of Hawaii, Hawaii Address: 75-6570 Alii Drive Purpose: Building Permit	Wes Thomas Associates/ James and Nancy Sadler	7-7-10: 10

# Shoreline Notices

JANUARY 8 2004

## 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, HI 96813.

Case No.	Actions Under New and Old Shoreline Rules	Location	Applicant	Tax Map Key
HA-268	Proposed Shoreline Certification 12/24/03 New Rules	Grant 1998 to Nuanu, land situated at Lamaloloa, Kaipuhaa, North Kohala, Island of Hawaii, Hawaii Address: 57-1727 Akoni Pule Highway Purpose: Construct Single Family Residence	Imata and Associates/Robert C. and Susan N. Reish	5-7-01: 11
MO-080	Proposed Shoreline Certification 12/24/03 New Rules	Lot 339 of Land Court Application 1683 (Map 19), being a portion of Grant 3146 to Charles Bishop, land situated at Kaluakoi, Ioli, Molokai, County of Maui, Hawaii Address: 211 Pohakuloa Road Purpose: Permit to Build Residence	Arthur H. Parr, AIA/Joseph N. and Donna J. Rubin	5-1-08: 51
MO-081	Proposed Shoreline Certification 12/24/03 New Rules	Lot 347, Land Court Application 1683 (Map 19), land situated at Kaluakoi, Ioli, Molokai, Maui, Hawaii Address: 216 Kaula Way Purpose: Building Permit	Don W. Williams/John D. McAfee	5-1-07: 28
MA-294	Proposed Shoreline Certification 12/24/03 New Rules	Parcel 2 and 4 of the Subdivision of Lots 2, Section 4 Second Partition of Hamakuapoko Hui to Alexander & Baldwin, land situated at Kuau, Hamakuapoko, Island of Maui, Hawaii Address: 23 Waa Place Purpose: Building Permit	Akamai Land Surveying, Inc/Paul D. Levy	2-6-11: 23
HA-271	Proposed Shoreline Certification 12/24/03 New Rules	Lot 50, Land Court Application 1319 (Map 8), land situated at Lanihau Nui, North Kona, Island of Hawaii Address: 75-5572 Kona Bay Drive Purpose: Building Permit	Wes Thomas Associates/Patrick T. and Jill A. Corrigan	7-5-05: 17

# Pollution Control Permit Applications

JANUARY 8, 2004

## Department of Health Permits

The following is a list of some pollution control permits currently being reviewed by the State Department of Health. For more information about any of the listed permits, please contact the appropriate branch or office of the Environmental Management Division at 919 Ala Moana Boulevard, Honolulu.

### Clean Air Branch

Branch Permit Type	Applicant & Permit Number	Project Location	Pertinent Date	Proposed Use
Clean Air Branch, 586-4200, Covered Source Permit	Kauai Island Utility Cooperative CSP 0452-01-C (Minor Modification)	Kapaa Power Station, TMK: 3-8-03 Par 1; Field 390, Lihue, Kauai	Issued: 12/22/03	One (1) 27 MW Combustion Turbine Generator with Heat Recovery Steam Generator, and One (1) 600 kW Blackstart Diesel Engine Generator
Clean Air Branch, 586-4200, Temporary Covered Source Permit	Goodfellow Brothers, Inc., dba Rimrock Paving Company CSP 0380-01-CT (Renewal)	Various Temporary Locations, State of Hawaii Current Location: Puunene Quarry, Mokulele Highway, Puunene, Maui	Comments Due: 1/16/04	174 TPH Portable Drum Mix HMA Plant
Clean Air Branch, 586-4200, Covered Source Permit	Pohakulepo Recycling, LLC CSP 0386-02-C (Renewal)	Located at: UTM - 758,540 Meters East and 2,304,000 Meters North, Wailuku, Maui	Comments Due: 1/16/04	800 TPH Rock Crushing Plant
Clean Air Branch, 586-4200, Temporary Covered Source Permit	Jas. W. Glover, Ltd. CSP 0545-01-CT	Initial Location: Honokohau Quarry, Kailua-Kona, Hawaii	Comments Due: 1/20/04	300 TPH Asphalt Plant with 1,085 BHP Diesel Engine Generator
Clean Air Branch, 586-4200, Temporary Covered Source Permit	Jas. W. Glover, Ltd. CSP 0542-01-CT	Initial Location: Waimea, Island of Hawaii	Comments Due: 1/29/04	300 TPH Asphalt Plant with 1,085 BHP Diesel Engine Generator
Clean Air Branch, 586-4200, Covered Source Permit	Jas. W. Glover, Ltd. CSP 0540-01-C	248 Sand Island Access Road, Honolulu, Oahu	Comments Due: 1/29/04	300 TPH Asphalt Plant with 1,085 BHP Diesel Engine Generator

### Solid and Hazardous Waste Branch

Branch/Permit Type	Applicant & Application Number	Facility Location	Pertinent Date	Proposed Use
Solid and Hazardous Waste Branch (SHWB) Solid Waste Management Permit (New)	Maui Tow & Transport, SV-0050-03	46 Kaupoku Ln., 79 and Pokakaa Ln., Puunene, Maui	11/21/2003 (Received)	Auto Salvage
(SHWB) Solid Waste Management Permit (New)	American Towing, ST-0051-03	91 Pokakaa Ln., Puunene, Maui	11/21/2003 (Received)	Auto Storage
(SHWB) Solid Waste Management Permit (Renew)	County of Maui, Solid Waste Division Olowalu Convenience Center, CC-0052-03	Honoapiilani Hwy., 3 miles south of Lahaina, Maui	11/24/03 (Received)	Recyclable Drop-off
(SHWB) Solid Waste Management Permit-by-Rule (Renew)	Pacific Aggregate, RY-0053-03	87-601 Paakea Rd.	12/09/03 (Received)	Concrete Recycling



# Coastal Zone News

JANUARY 8 2004

## 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:

Office of Planning  
Dept. 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) Federal Funds for Loading Dock "A", Kahului Boat Launch Ramp Facility, Maui

**Applicant:** State of Hawaii Department of Land & Natural Resources

Contact: Michael Fujimoto, 587-0085

**Federal Action:** Federal Financial Assistance

**Federal Agency:** U.S. Fish & Wildlife Service

**Location:** Kahului Boat Launch Ramp Facility,  
Kahului Harbor

**CZM Contact:** John Nakagawa, 587-2878

**Proposed Action:**

Federal funding for the construction of Loading Dock "A" to replace the existing deteriorated loading dock at the Kahului Boat Launch Ramp Facility. The project involves constructing a 7-foot, 2-inch wide by 125-foot long concrete loading dock with a 25-foot long concrete landing and ADA access.

**Comments Due:** January 22, 2004

## (2) Transformation to a Stryker Brigade Combat Team (SBCT)

**Applicant:** Department of the Army  
Contact: Ms. Cindy Barger, 808-438-4812

**Federal Action:** Direct Federal Activity

**Locations:** Pohakuloa Training Area (PTA), Schofield Barracks Military Reservation (SBMR), Wheeler Army Airfield (WAAF), Kahuku Training Area (KTA), Kawialoa Training Area, and Dillingham Military Reservation (DMR)

**CZM Contact:** Debra Tom, 587-2840

**Proposed Action:**

The Department of the Army proposes to transform the 2<sup>nd</sup> Brigade, 25<sup>th</sup> Infantry Division (L) to a SBCT. The proposed transformation will assist in bringing the Army's Interim Force to operational capability and to provide realistic field training in Hawaii. The proposed transformation will improve on existing support structure and training facilities to provide the necessary training required for an SBCT. The proposal includes reconfiguring maneuver areas, establishing combat training facilities more appropriate to the types of threats the army expects to encounter and strengthening infrastructure.

**Comments Due:** January 22, 2004

## 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
Hawaii: Hilo (2-8-13-10)	Second farm dwelling (SMM 147)	Carlos A. Parisi
Hawaii: Kona (7-2-3-14)	Install gates at entrances to caves (SMM 148)	Lee Sichter
Kauai: Poipu (2-8-15-25 thru 37; 456 thru 74 & 81)	Clear & trim vegetation (SMA (M) – 2004-10)	KVH Partners/Avery Youn
Kauai: Lydgate Park (3-9-2-34)	Open air pavilion (SMA(M)-2004-11)	Kauai County, Public Works
Maui: Kihei (3-9-17-14)	2 <sup>nd</sup> dwelling & covered lanai (SM2 20030195)	Ambrose, Jason
Maui: (various)	Ukumehame Subdivision Consolidation/ re-subdivision (SM2 20030196)	Pacific Rim Land Inc.
Maui: (3-9-4-76)	Swimming pool (SM2 20030197)	Groth, Gary
Maui: (3-9-31-12)	Dwelling addition (SM2 20030198)	Pierman, William James
Maui: Maalaea	Na Moku Kalikimaka Craft fair (SM2 20030199)	No Ka Oi Promotions
Maui: Kihei	Na Moku Kalikimaka Craft fair (SM2 20030200)	No Ka Oi Promotions
Maui: Honokowai (4-4-1-2)	Nick's Fish Market alterations (SM2 20030202)	Ondatje, Christopher
Maui: Kahana (4-3-9-52)	Dwelling (SM2 20030204)	King, Jerry
Maui: Waihee (3-2-7-16)	2 <sup>nd</sup> farm dwelling (SM2 20030205)	Sarasin, Bryan
Maui: Kahului (3-8-79-5)	Servco Lexus expand parking (SM2 20030206)	Riecke Sunnland Kono Architects, LTD.
Maui: Kihei (3-9-53-12)	Pool & spa (SM2 20030207)	Pool Pro, Inc
Maui: Paia (2-5-5-18)	Temporary road (SM2 20030208)	A&B Properties, Inc.
Maui: Kihei (3-9-40-113)	Addition (SM2 20030209)	McKissick, Russell
Maui: Lahaina (4-6-10-1)	Temporary office trailer (SMX 20030756) Pending.	Maria Lanakila Catholic Church
Maui: Lahaina (4-4-8-22)	Interior renovation (SMX 20030757) Pending.	Kimmey, Marie
Maui: Kihei (3-9-11-58)	Additions/reconstruction (SMX 20030760) Pending.	G and E Builders Ltd.
Maui: Lahaina (4-6-30-1)	Convert loft to storage (SMX 20030761) Pending.	Nordstrom, Marcia
Maui: Kihei (3-9-11-05)	Carport w/storage (SMX 20030762) Pending.	Hays, marilyn
Maui: Makawao (2-6-5-56)	Addition to existing (SMX 20030763) Pending.	Smith, Jeremy
Maui: Kihei (3-9-3-7)	Alteration retail (SMX 20030764) Pending.	Pasion Contracting
Maui: Hana (1-3-9-48)	Dwelling additions (SMX 20030765&66) Pending.	Diego, Josefina
Maui: Pulelehua (4-2-7-6)	Swimming pool (SMX 20030768) Pending.	Pool Pro, Inc.
Maui: (2-1-24-83)	Reroof remodel (SMX 20030769) Pending.	Lewis, Sky
Maui: Makena (2-1-6-104)	Additions & pool (SMX 20030770) Pending.	Maui Architectural Group, Inc.
Maui: Lahaina (4-6-7-30)	Accessory dwelling (SMX 20030771) Pending.	Meston, Jedediah M.
Maui: (3-8-1-19)	Install 40' container (SMX 20030773) Pending.	Aris, Inc., DBA Air Maui
Maui: Paia (2-5-13-26)	Convert lanai (SMX 20030774) Pending.	Gibbons, Michael
Maui: Wailea (2-1-26-33)	Dwelling, garage, (SMX 20030776) Pending.	Huntress, Colleen
Maui: Kihei (2-1-8-123)	Retrofit existing posts (SMX 20030777) Pending.	Wailea Golf LLC
Maui: Kihei (3-9-29-59)	Convert enclosed patio (SMX 20030778) Pending.	Ting, Donna
Maui: Ulumalu (2-8-3-49)	Pearhi Farms (SMX 200303779) Pending.	Peahi Farms LLC.
Maui: Haiku (2-9-1-4, 18 & 19)	Access easement (SMX 200303781) Pending.	Hodgins, William KOA
Maui: Kihei (3-9-3-7)	Kalama Storage (SMX 200303782) Pending.	Joslin Group
Maui: Haiku (2-8-11-18)	Swimming pool (SMX 200303784) Pending.	Bhattacharya, Roxanne & Debasis
Maui: Makena (2-1-7-101)	Additions (SMX 20030785) Pending.	Burnett, Louis & Carolyn

# Coastal Zone News

JANUARY 8 2004

## 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, Hawaii 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.

### **Kaiona Beach Park Master Plan (Final Determination)**

The City and County of Honolulu Department of Design and Construction proposes to demolish the existing comfort station and construct a new bath house with outdoor showers. Other improvements are proposed, such as a new septic tank, leach field, chain link fence, and paved pathway.

The proposed bath house and other improvements will be constructed at Kaiona Beach Park.

The proposed bath house will measure approximately 34 feet long by 34 feet wide, for a total of 1,156 square feet. It will not exceed 20 feet in height.

### **Pokai Bay Beach Park Canoe Halau (Final Determination)**

The City and County of Honolulu Department of Design and Construction proposes to construct a new canoe and equipment storage facility (halau) and walkway. The halau would provide a permanent storage facility for canoes, kayaks and related equipment, as well as provide an informal gathering area for paddlers.

The proposed canoe halau will be located on a 16,795-square foot lot that is adjacent (mauka) of Pokai Bay Beach Park.

The proposed facility will measure approximately 50 feet long by 50 feet wide and will not exceed 25 feet in height.

Please direct questions and written comments to Dana Teramoto, Department of Planning and Permitting, City and County of Honolulu, 650 S. King Street, 7<sup>th</sup> Floor, Honolulu, Hawaii 96813, telephone: 523-4648.

# Announcements

## Recycling Christmas Tree is Easy and Convenient

The Department of Health encourages all residents to recycle their Christmas trees properly to help reduce the volume of waste going to Hawaii's landfills. Thousands of evergreen trees are imported to Hawaii every year for Christmas and once recycled the fragrant chips and compost can be used for landscaping and home gardens. Trees must be bare of all decorations and removed from plastic tree bags. Flocked trees cannot be recycled. Because Oahu residents now have many options when it comes to tree recycling, DOH is discontinuing its annual "Treecycling" collection sites for Honolulu City & County. Please do not drop-off trees at any of the former Treecycling collection sites as they create a great inconvenience for the schools and parks.

Oahu residents are encouraged to take advantage of the City & County's curbside green waste collection program. This program is not only a convenient way to recycle Christmas trees; the curbside program is available year-round to recycle other green waste.

Trees may also be dropped off at any of the seven Oahu Refuse & Recycling Convenience Centers. All Convenience Centers are open 7 days a week; 7:00 am to 6:00 pm. Oahu Convenience Center locations and phone numbers:

- Ewa, Geiger Road, near gate to Barbers Point NAS, Ph. 226-2996
- Laie, behind the City's Laie Corporation Yard, Ph. 293-8714
- Wahiawa, intersection of Kamananui Road and Wilikina Drive, Ph. 621-3648
- Waianae, off Plantation Road, next to the Waianae Landfill, Ph. 696-4203
- Waimanalo, Hihimanu Street near the sewage treatment plant, Ph. 259-7182
- Waipahu, Waiphau Depot Road, near the Police Academy, Ph. 676-8878
- Kawaiolo, Kawaiolo Road, Ph. 637-5511

## Recycling Christmas Tree (continued)

Trees will also be accepted at:

- Hawaiian Earth Products Leeward (Campbell Industrial Park), M - F, 7:00am to 3:30pm, Sat, 7:30am to 3:00pm, Ph. 682-5895
- Hawaiian Earth Products Windward (Kailua), 7 days a week, 7:00am to 4:30pm, Ph. 261-5877

For recorded Oahu Christmas tree recycling information, call: 521-2447

### Hawaii County

The County of Hawaii, Department of Environmental Management, Solid Waste Division offers Christmas tree recycling at 10 of its 21 transfer stations.

Trees will be accepted from December 25th through January 6th at the following transfer stations:

- East Hawaii - Hilo, Kea'au, and Pahoa Transfer Stations
- West Hawaii - Kealahou, Keauhou and Puako Transfer Stations
- South Hawaii — Waiohinu
- North Hawaii - Honoka'a, Waimea and Ka'auhuhu Transfer Stations

Trees will be chipped on site and chips may be picked up from January 7th thru the 14th at the same locations. Signs are posted at the selected locations for Christmas tree drop-off.

### Kauai County

Christmas trees may be dropped off at County Transfer Stations, which are open every day excluding holidays from 7:30 am to 5:30 pm.

Transfer station locations:

- Hanalei Transfer Station 5-3781 Kuhio Hwy., Hanalei 96714, (808) 826-7070
- Kapaa Transfer Station 5051 Kahi Road, Kapaa 96746, (808) 822-7334
- Lihue Transfer Station 3450 Ahukini Road, Lihue 96766, (808) 241-6854
- Hanapepe Transfer Station 4380 Lele Road, Hanapepe 96716, (808) 335-0624

Trees will also be accepted at:

- Kekaha Landfill, open every day excluding holidays from 7:00 am to 5:00 pm. Ph. (808) 337-9213
- Kauai Nursery and Landscape, 3-1550 Kuamalii Hwy, Lihue 96766, (808) 245-7747. Trees will be accepted 7 days a week, 24 hours per day. The tree recycling drop point is outside main entrance gate of the facility, which is located on Kaumualii Hwy, about one mile south of Puhi.

For further information, contact the Kauai County Recycling Office at (808) 241-6891.

### Maui County

The residents may drop-off their trees at the following facilities:

- Maui Earth Compost Company, Hansen & Pulehu Road, Mon-Sat, 7:30 am - 4:00 pm
- Maui E.K.O, Central Landfill on Pulehu Road, Mon-Sun, 7am to 2:30 pm
- Olowalu Recycling Center, Mon-Sat, 9:00am to 4:00 pm; Sun., 8am to 2:00pm
- Hana Landfill, Mon.-Fri, 8:00 am to 4:30 pm; Sat. 8am to Noon
- Molokai Naiwa Landfill, Mon-Fri, 8:00 am to 4:30pm; Thu. Sat. Sun, 8am to Noon
- Lanai Company Nursery, Mon-Fri, 8am to 3:00pm

Treecycling:

Saturdays, Jan. 3 & 10, 8:00am to 2:00pm

- Kahului: Papa Avenue Soccer Field
- Haiku Community Center
- Hannibal Tavares Community Center
- Kihei Kalama Park North End

Please only drop-off trees at collection sites during the specified dates and times. Trees left unattended create a great inconvenience for the parks and community centers.

For more information contact: Recycle Maui County Hotline: 270-7880, Molokai 800-272-0117, Lanai 800-272-0125.

# EIS Overview

JANUARY 8 2004

## OVERVIEW OF HAWAII'S ENVIRONMENTAL REVIEW PROCESS

Adopted in 1974 and patterned after the National Environmental Policy Act (NEPA) requirements, Hawaii's environmental impact statement law (HRS 343) requires the preparation of environmental assessments and environmental impact statements for many development projects. The law requires that government give systematic consideration to the environmental, social and economic consequences of proposed development projects prior to allowing construction to begin. The law also assures the public the right to participate in planning projects that may affect their community. The Office of Environmental Quality Control implements this law in Hawaii.

If a proposed action is subject to the EIS law, the environmental review process begins with the development of a draft environmental assessment (EA). An EA is an informational document prepared by the proposing agency or the private applicant and used to evaluate the possible environmental effects of a proposed action. The environmental assessment must give a detailed description of the proposed action or project and evaluate direct, indirect and cumulative impacts. The document must consider alternatives to the proposed project and describe any measures proposed to minimize potential impacts. The public has 30 days to review and comment on a draft environmental assessment.

After the draft environmental assessment has been finalized and public comments responded to, the agency proposing or approving the action reviews the final assessment and determines if any "significant" environmental impacts are anticipated.

If the agency determines that the project will not have a significant environmental impact, it issues a finding of no significant impact (FONSI). This determination allows the project to proceed without further study. Within 30 days of the notice of this finding, the public may challenge an agency's determination by filing suit in circuit court.

If the agency determines that the action may have a significant impact, a more detailed environmental impact statement (EIS) is prepared. An EIS preparation notice is then issued and undergoes an additional 30-day comment period to define the scope of the draft EIS. Publication of an EIS preparation notice initiates a 60 day period during which an aggrieved party may challenge the determination in court.

An environmental impact statement assesses the proposed project through research, discussion and review. It must, at a minimum, identify environmental concerns, obtain various relevant data, conduct necessary studies, receive public input, evaluate alternatives, and propose measures for minimizing adverse impacts. The EIS must be structured to disclose information in a concise manner using understandable terms.

The EIS is prepared in both draft and final stages by the proposing agency or applicant. It is initially published as a draft EIS, and subjected to a 45 day review by the public and government agencies. After public comments are responded to, the draft is revised and submitted as the final EIS.

The accepting authority (the Governor, Mayor or Agency) must determine the acceptability of a final EIS. After a final EIS is accepted, the project may be constructed. The publication of either an acceptance or non-acceptance notice initiates a 60-day period during which an aggrieved party may challenge the determination by filing suit.

Every year in Hawaii hundreds of government and private proposals require an environmental review. Notice of these projects, studies and determinations are published twice each month by OEQC in The Environmental Notice.



# Letters of Notice

JANUARY 8, 2004

OEQC prints "Letters of Notice" to encourage public participation in our EIS system. Your views are welcome. We may edit letters due to limited space. The opinions presented do not necessarily reflect those of OEQC.

*The following letter was received from Alan M. Arakawa, Mayor, County of Maui on the **withdrawal of the acceptance of the EIS for the East Maui Water Development Plan:***

"This letter is written on behalf of the County of Maui, which has the statutory authority to accept the Final EIS and the Final Supplemental EIS for the East Maui Water Development Plan (the "EM Plan") on Maui.

An EIS was prepared for the EM Plan in 1992 and 1993.

The Board of Water Supply of the County of Maui approved the Final EIS on June 29, 1993 and notice of the acceptance of this Final EIS was published in the August 8, 1993 edition of the OEQC Bulletin.

A judicial proceeding was instituted challenging the acceptance of this EIS in the Second Circuit Court in *The Coalition to Protect East Maui Water Resources, et al. v. the Board of Water Supply, et al.*, Civil No. 93-0734(3).

On August 23, 1994, Circuit Court Judge Boyd P. Mossman entered an Order declaring the Final EIS inadequate and remanding the matter to the Board of Water Supply for the preparation of a Supplemental EIS on the EM Plan.

A Supplemental EIS for the EM Plan was prepared between 2001 and 2002.

The Board of Water Supply of the County of Maui, upon proper delegation, accepted the Final Supplemental EIS on October 15, 2002 and notice of the acceptance of this Final Supplemental EIS was published in the November 8, 2002 issue of *The Environmental Notice*.

A Judicial proceeding challenging the acceptance of this Final Supplemental EIS was initiated in *The Coalition to Protect East Maui Water Resources, et al. v. The Board of Water Supply, et al.*, Civil No. 03-1-0008(3) in the Circuit Court of the Second Circuit.

The above-referenced cases have been settled through the entry of a Consent Decree. By one of the terms of this Consent Decree, the acceptance of the Final Supplemental EIS for the EM Plan shall be valid for Phase I only of the EM Plan and the acceptance of the EIS, whether for the original Final EIS or for the Supplemental Final EIS, for all Phases beyond Phase I, namely for Phases II through VI, is withdrawn and has no legal force or effect.

The County has agreed to have published in *The Environmental Notice* the withdrawal of any acceptance of the Final EIS or the Final Supplemental EIS for the remainder (all Phases beyond Phase I, namely Phases II through VI) of the EM Plan.

Based upon all of the foregoing on behalf of the County of Maui and its Board of Water Supply, I respectfully request that you publish this letter in *The Environmental Notice* as notice of the withdrawal of the acceptance of the Final EIS and the Final Supplemental EIS for Phases II through VI of the EM Plan."

