

The Environmental Notice



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

FEBRUARY 8, 2004



LINDA LINGLE
GOVERNOR

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

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

Other Resources
available at OEQC . . .

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

OEQC

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Waialua Seawall, Pine Wood Beach Tract

An applicant is requesting an after-the-fact approval to retain a Concrete Rubble Masonry (CRM) seawall within the 40-foot shoreline setback area. The project site, 68-003 La'au Paina Place, Waialua, is located in a residential subdivision referred to as Pine Wood Beach Tract makai of Farrington Highway. The 5,723 square-foot lot is developed with a single-family dwelling which was originally constructed in 1939 and relocated towards the ocean in 1963 when the "original" lot, at 10,756 square feet, was subdivided

into two lots: Lot 15-A (5,723 square feet) and Lot 15-B (5,033 square feet).

The existing seawall is approximately 5 feet 2 inches wide at the base, tapering to 18 inches wide at the top. The base of the wall is buried approximately 7 feet 6 inches below existing grade. The residential lot landward is almost level with the top of the seawall. A certified shoreline survey documenting the subject seawall as the shoreline was approved by the Board of Land and Natural Resources on April 26, 1995. See page 3.

State Historic Preservation Officer Nominates Kyoto Gardens of Honolulu Memorial Park to the National Register

The State Historic Preservation Officer has nominated Kyoto Gardens of Honolulu Memorial Park, 22 Craigsides Place, Honolulu, No. 04000020, for listing in the National Register. The nomination was received by the National Park Service before January 3, 2004.

Pursuant to section 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 20005; or by fax, 202-371-6447.

Written or faxed comments should be submitted by February 11, 2004 (see, 69 F.R. 3944, January 27, 2004).

Hawaiian Electric Company, Waiau Grading

Hawaiian Electric Company, Inc. (HECO) proposes to re-grade (fill) two ponds formerly used to treat waters discharged from the Waiau Power Generating Plant. The subject parcel is identified by Tax Map Key (1)9-8-3:10 and (1)9-8-04:03.

The re-grading project will entail the filling of two ponds, 39,600 and 47,600 square feet respectively by 6-9 feet deep. The total area of the ponds is 2 acres. The existing ponds will be filled with soil and topped with gravel. The ponds are currently dry. Originally there were four ponds used for wastewater treatment. These four ponds were officially closed for wastewater treatment in 1989. The EPA approved these closure activities. The interior berm walls were subsequently removed creating the two ponds currently present. In order to reduce run-off from the site into Pearl Harbor, a detention basin will be developed.

A total of 25,800 cubic yards of soil will be required to fill the ponds. The gravel topping will be approximately 3 inches thick. See page 18.

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Draft Environmental Assessments



(1) Clements After-the-Fact Seawall

District: Waialua
TMK: 6-8-9: 11
Applicant: Bruce E. Clements
68-003 La'au Paina Place
Waialua, Hawai'i 96791
Contact: Bruce E. Clements (637-4627)

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: Ann Matsumura (523-4077)

Consultant: Analytical Planning Consultants, Inc.
928 Nu'uuanu Avenue, Suite 502
Honolulu, Hawai'i 96817
Contact: Donald Clegg (536-5695)

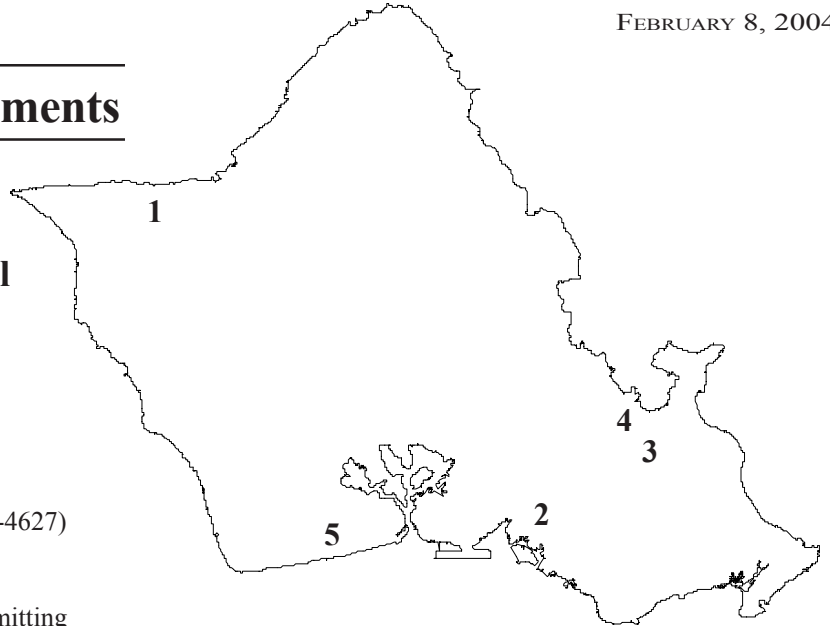
Public Comment

Deadline: March 9, 2004
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: SSV, Building

The project site, 68-003 La'au Paina Place, Waialua, is located in a residential subdivision referred to as Pine Wood Beach Tract makai of Farrington Highway. The 5,723 square-foot lot is developed with a single-family dwelling which was originally constructed in 1939 and relocated towards the ocean in 1963 when the "original" lot comprised of 10,756 square feet was subdivided into two lots: Lot 15-A (5,723 square feet) and Lot 15-B (5,033 square feet).

The applicants are requesting an after-the-fact approval to retain a Concrete Rubble Masonry (CRM) seawall within the 40-foot shoreline setback area. The existing seawall is approximately 5 feet 2 inches wide at the base, tapering to 18 inches wide at the top. The base of the wall is buried approximately 7 feet 6 inches below existing grade. The residential lot landward is almost level with the top of the seawall. A certified shoreline survey documenting the subject seawall as the shoreline was approved by the Board of Land and Natural Resources on April 26, 1995.



A shoreline setback variance and building permit will be required.



(2) Niuhelewai Stream Improvements

District: Honolulu
TMK: 1-6-017: 004
Applicant: City and County of Honolulu
Department of Design and Construction
650 South King Street, 15th Floor
Honolulu, Hawai'i 96813
Contact: Dennis Toyama (523-4756)

Approving Agency/Accepting Authority:

Same as above.

Consultant: Environmental Planning Services
1314 South King Street, Suite 952
Honolulu, Hawai'i 96814
Contact: Eugene Dashiell, AICP (593-8330)

Public Comment

Deadline: March 9, 2004
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

Permits Required: US Army Corps of Engrs, CWRM Stream Channel Alter.

This project is for stream channel modifications to prevent erosion of stream banks of the Niuhelewai Stream drainage project between Naio and Aupuni Streets.

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Short term effects will occur during construction. Effects include noise, odors, disruption of flora on and near stream banks, suspended sediments, degraded water quality in Nuhelewai Stream, and destruction of benthic life in the flood control channel.

There are no significant long-term adverse impacts to geology, hydrology, flora and fauna, historic resources, hazardous materials, air quality, noise quality and socio-economic resources. The project area is highly urbanized and has been previously modified by filling, grading, paving and facilities development. Exposed areas will be seeded with grass or otherwise covered as appropriate to minimize soil erosion and to restore surface areas. The completed project will halt the present erosion of stream banks which endangers adjacent properties and dwellings.

The Environmental Assessment concludes that the proposed action does not constitute a major federal action which significantly affects the quality of the human environment. Therefore, neither a Federal nor a State of Hawaii environmental impact statement is required. This assessment anticipates a finding of no significant impact (FONSI).

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



(3) Hogg Single Family Residence

District: Ko'olaupoko
TMK: 4-5-042:008
Applicant: James and Lisa Hogg
8 Poipu Drive
Honolulu, Hawai'i 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, Hawai'i 96809
Contact: Dawn Hegger (587-0380)

Consultant: Gerald Park Urban Planner (596-7484)
1221 Kapi'olani Boulevard, Suite 211
Honolulu, Hawai'i 96814

Status: FEA/FONSI issued, project may proceed.
Permits Required: CDUA, Hwy ROW, IWS, Building, Water Connection

The proposed Hogg Single Family Residence consists of a 2,985 square foot half, half-elevated SFR, which includes 2,631 square feet of living space, and 354 square feet of decks. The living space consists of three(3) bedrooms, two (2) bathrooms, and living-dining-kitchen area. The enclosed garage and storage area consists of 700 square feet. The proposed project totals 3,685 square feet. Approximately one-half of the structure will be erected on a poured in place concrete foundation. The one-story structure will be topped with a pitched roof, and will not exceed twenty-five (25) feet. The SFR will be finished in natural or earth tone colors to blend in with its surroundings. The proposed two (2) car garage is detached from the main house, and is located west of the SFR. The SFR meets the required minimum setback of fifteen feet from all sides of the subject parcel.



(4) Van Horn Reconstruction of Retaining Wall

District: Ko'olaupoko
TMK: 4-6-1: 9
Applicant: Richard and Noreen Van Horn
46-035 Lilipuna Road
Kane'ohe, Hawai'i 96744
Contact: Richard Van Horn (521-5361)

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: Ann Matsumura (523-4077)

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

The 24,431 square-foot shoreline property is developed with three dwelling units and is zoned R-10 Residential District.

The applicants are requesting to retain (allow) two, maximum 5-foot high Concrete Rubble Masonry (CRM) walls and construct a third, maximum 5-foot high CRM wall mauka of an existing, 100-foot long retaining wall. The existing retaining wall is failing and has already been

substantially repaired and reduced in height from 12 feet to about 6 to 7 feet. Approximately 20 feet of the west end of the failing wall will be removed and rebuilt to a height of 6 feet. The stepped-formation of the proposed three CRM walls will require the removal of approximately 300 cubic yards of existing yard. Reinforcement of the footing of the failing retaining wall will require the removal of an one- to two-foot high wall approximately two feet seaward of the failing wall.

The applicant also proposes to construct a series of three, 4 to 5-foot rise stairways and wall segments integrated into the eastern end of the CRM walls, replace an existing concrete slab seaward of the failing retaining wall, and replace an existing, collapsed wall east of the stair system.

The majority of the property's shoreline is the seaward edge of an existing seawall. The status of the seawall and the pier are the subject of a lease agreement approved by Department of Land and Natural Resources under the Kaneohe Bay Amnesty Program.

The proposed alterations lie within the 40-foot shoreline setback area and will require a Shoreline Setback Variance. The applicants have provided a Certified Shoreline Survey approved by the Board of Land and Natural Resources on July 10, 2003.



(5) Pohakupuna Sewer Reconstruction and 'Ewa Beach Wastewater Pump Station Upgrade

District: 'Ewa
TMK: 9-1-09: 11, 27, 28, 29, 30, 36
Applicant: Haseko ('Ewa), Inc.
820 Mililani Street, Suite 820
Honolulu, Hawai'i 96813
Contact: Tim Tucker (689-7982)

Approving Agency/Accepting Authority: City and County of Honolulu
Department of Design and Construction
650 S. King Street
Honolulu, Hawai'i 96813
Contact: Carl Arakaki (523-4671)

Consultant: Environet, Inc.
2850 Pa'a Street
Honolulu, Hawai'i 96819
Contact: Colette Sakoda (833-2225)

Status: FEA/FONSI issued, project may proceed.

Permits Required: NPDES

Haseko ('Ewa), Incorporated, is proposing to rehabilitate and expand part of an existing City and County of Honolulu's (City) sewer system serving the 'Ewa Beach Community. The current sewer system, known as the 'Ewa Interceptor Sewers, has experienced substantial deterioration over 20 years. Sanitary sewer overflows are becoming frequent issues due to structural corrosion. This sewer line is located on Pohakupuna Road and is divided into 'Ewa Interceptor (East) and 'Ewa Interceptor (West). The interceptors terminate at the City's 'Ewa Beach Wastewater Pump Station (WWPS) where the sewage is pumped via force main to the City's Honouliuli Wastewater Treatment Plant.

Haseko ('Ewa), Inc. is in the process of planning an advanced sewer system to serve their nearby Ocean Pointe development and has proposed to help reconstruct and expand the 'Ewa Interceptor (West) to provide increased capacity to serve current and future growth in both the 'Ewa Beach community as well as the Ocean Pointe development. This would offer a cost-effective, long-term design solution and substantially decrease the fiscal stress on the City and County's resources.

The reconstruction will consist of improvements to the existing 'Ewa Beach Wastewater Pump Station facility and the replacement of twelve sewer manholes and 3,400 linear feet of sewer line, 36-inches in diameter, along the 'Ewa Beach Interceptor (West). The new sewer line will be installed using microtunneling methods and will run from the intersection of Papipi Road and Pupu Street towards the northeast along Papipi Road, then to the intersection of Papipi Road and Pohakupuna Road, and ending near the intersection of Pohakupuna Road and Ihipehu Street where the new interceptor would enter the City's 'Ewa Beach Wastewater Pump Station. Relocation of 280-feet of existing waterline along Papipi Road will be required as part of the proposed project.

The Draft Environmental Assessment (DEA) was published in the December 8, 2003 issue of the OEQC Environmental Notice for a 30-day public review period. The DEA reflects the efforts made to determine whether the project has any potentially significant environmental impacts.

Formal responses were prepared to all comments received during the public review period. Based on the findings and on written comments received on the DEA, the Department of Design and Construction (DDC) has concluded that an EIS is not required and that a Finding of No

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Significant Impact (FONSI) is appropriate at this time. 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).

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

Honolulu Central District Cooling Facility at Kaka'ako

Applicant: City and County of Honolulu
Board of Water Supply
630 South Beretania Street
Honolulu, Hawai'i 96843
Contact: Lorna Heller (748-5944)

Approving Agency/Accepting

Authority: City and County of Honolulu
Board of Water Supply
630 South Beretania Street
Honolulu, Hawai'i 96843
Contact: Barry Usagawa (748-5000)

Public Comment

Deadline: February 23, 2004

Tanaka Seawall

Applicant: Dr. Sevath Tanaka (927-3429)
1207 Mapuna Street
Kailua, Hawai'i 96734

Approving Agency/Accepting

Authority: City and County of Honolulu
Department of Planning and Permitting
650 South King Street
Honolulu, Hawai'i 96813
Contact: Jeff Lee (527-6274)

Public Comment

Deadline: February 23, 2004

Environmental Tip

Indigenous and Polynesian introduced plants; use in public landscaping

(a) Wherever and whenever feasible, all plans, designs, and specifications for new or renovated landscaping of any building, complex of buildings, facility, complex of facilities, or housing developed by the State with public moneys shall incorporate indigenous land plant species as defined in section 195D-2, and plant species brought to Hawaii by Polynesians before European contact, such as the kukui, noni, and coconut; provided that:

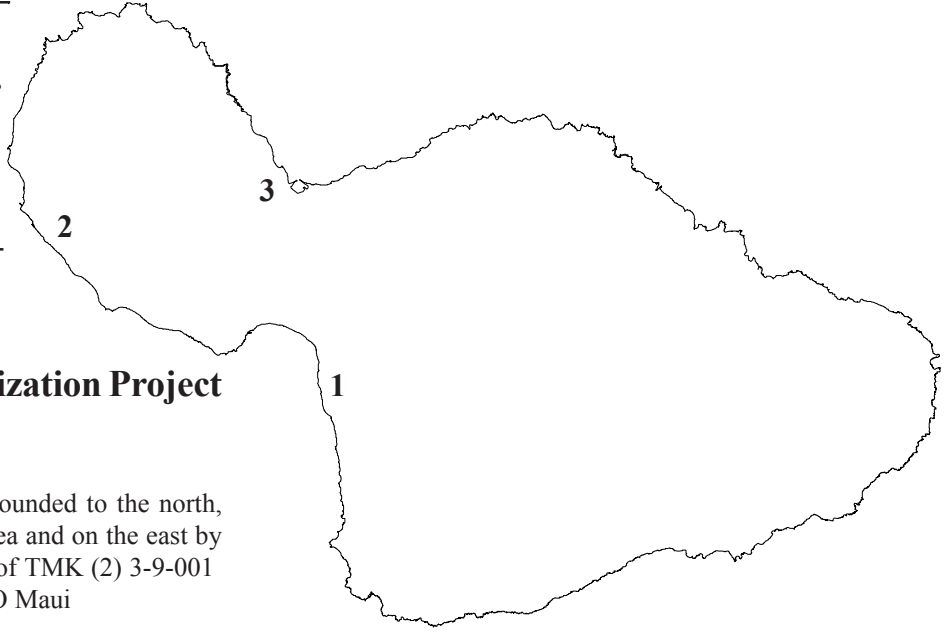
(1) Suitable cultivated plants can be made available for this purpose without jeopardizing wild plants in their natural habitat; and

(2) Wherever and whenever possible, indigenous plants shall be used for landscaping on the island or islands on which the species originated.

(b) Each plant or group of plants used pursuant to subsection (a) shall be clearly identified with signs for the edification of the general public. [L 1999, c 149, pt of §2]



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



(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 (276-7219)
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 (551-8671)
Status: FEA/FONSI issued, project may proceed.
Permits Required: CDUA

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) Lahaina Kingdom Hall

District: Lahaina
TMK: 4-5-04: 42 and 44
Applicant: Lahaina Congregation of Jehovah's Witnesses
75 Pu'unoa Place
Lahaina, Hawai'i
Contact: Miles Yeda (669-6070)
Approving Agency/Accepting Authority: Maui Planning Commission
250 S. High Street
Wailuku, Hawai'i 96793
Contact: Colleen Suyama (270-7735)

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

Status: FEA/FONSI issued, project may proceed.

Permits Required: SMA, Special Use, Demolition, Grading, Building

The Lahaina Congregation of Jehovah's Witnesses proposes to construct a new Kingdom Hall and onsite parking at 75 and 91 Pu'unoa Place, Lahaina, Maui, Hawai'i. The project site is situated on the northwest corner of Pu'unoa Street and Front Street.

The subject property presently has an existing Kingdom Hall of Jehovah's Witnesses built around 1970 on Parcel 42 and a 600 square foot cottage built around 1992 on Parcel 44.

The proposed project involves the demolition of the existing cottage and construction of a new 3,500 square foot Kingdom Hall on Parcel 44. Upon completion of the building, the existing Kingdom Hall on Parcel 42 will be demolished and a parking area for 35 cars will be developed. In addition to the 35 paved stalls, 13 stacked or tandem stalls will be provided. Related construction elements include the installation of landscaping, irrigation, sewer, and water service improvements. Access to the proposed project site will be from a one-way ingress driveway and a one-way egress driveway off of and on to Pu'unoa Place via Front Street. The proposed project site is located within the Lahaina National Historic Landmark and is a trigger for an environmental assessment pursuant to Chapter 343, Hawai'i Revised Statutes. The proposed project site is also located within the County of Maui's Special Management Area (SMA) boundaries. A County Special Use Permit Application to permit church use in a residential district is also prepared for review by the Maui Planning Commission.



(3) Market Street Improvement

District: Wailuku
TMK: NA
Applicant: County of Maui, Department of Public Works and Environmental Management
200 South High Street
Wailuku, Hawai'i 96793
Contact: Wendy Kobashigawa (270-7745)

Approving Agency/Accepting Authority: Same as above.
Consultant: Chris Hart & Partners, Inc.
1955 Main Street, Suite 200
Wailuku, Hawai'i 96793
Contact: Christopher Hart (242-1955)

Status: FEA/FONSI issued, project may proceed.

Permits Required: Grading, County ROW, Driveway permits

The Market Street Improvement Project is a County and Federal funded project intended to provide landscape planting, improve pedestrian and vehicular circulation, and urban beautification of Market Street from Wells Street to the intersection of Market Street and Pi'ihana and Mokuhau Streets; Wailuku, Maui, Hawai'i.

Maui County's Department of Public Works and Environmental Management is the proposing and accepting authority for this project. Initiation of construction is anticipated in the fall of 2004. The project will be completed in approximately 9 to 12 months. Market Street is under the jurisdiction of the Maui County Department of Public Works and Environmental Management.

The proposed roadway improvements include pavement reconstruction; construction of concrete sidewalks and handicapped wheel-chair ramps; reconstruction of driveways; installation of drainage facilities; construction of planter islands with street tree planting, lighting, benches, signage, etc.; possible realignment of existing utilities such as water, electric and telephone systems; possible undergrounding of secondary power distribution, telephone distribution, and CATV distribution duct; and related improvements. The construction of a 41-stall surface parking lot at the rear of the 'Iao Theatre is also part of this project. The primary purpose of the parking lot is to mitigate the impact to area businesses caused by the loss of on-street parking. The development impacts associated with the parking lot were assessed during the preparation of a Final Environmental Assessment for the Wailuku Mini-Park, Restroom and Police Resource Center (September 2001).

The proposed improvements will be constructed in phases thereby directly impacting only one section of the roadway at a time. During construction one lane of traffic will be in operation at all times. It is anticipated that construction within the commercial core will occur primarily during evening and weekend hours. Construction within Happy Valley will occur during standard work hours due to existing residences in the area.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

Ho'okipa Park Improvements

Applicant: County of Maui
Department of Parks and Recreation
700 Halia Nako Street, Unit 2
Wailuku, Hawai'i 96793
Contact: Robert Halvorson (270-7931)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: February 23, 2004

Kahului Commercial Harbor, Pier 1C

Mooring Dolphin

Applicant: Matson Navigation Company
Pier 51B Sand Island Parkway
Honolulu, Hawai'i 96819
Contact: Gary Moniz (848-1318)

Approving Agency/Accepting

Authority: State Department of Transportation
Harbors Division
79 S. Nimitz Highway
Honolulu, Hawai'i 96813
Contact: Marshall Ando (587-1961)

Public Comment

Deadline: February 23, 2004

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Lahaina Watershed Flood Control Project

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

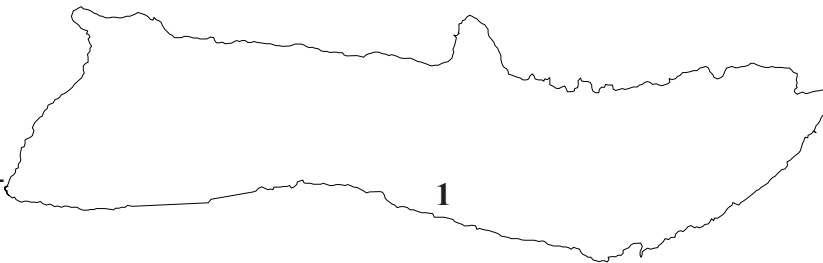
Status: FEIS currently being reviewed by the Maui
Mayor's Office. **This is a joint State and
Federal EIS.**



Moloka'i Notices

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



(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)

Status: FEA/FONSI issued, project may proceed.
Permits Required: SMA, Building, Demolition, Grading

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.

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.

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



(1) Lihu'e-Hanama'ulu (Pu'u 'A'ahoaka) Exploratory Well

District: Lihu'e
TMK: 3-9-2:01
Applicant: Department of Land & Natural Resources
1151 Punchbowl Street, Rm. 221
Honolulu, Hawai'i 96813
Contact: Eric Hirano (587-0230)

Approving Agency/Accepting

Authority: Same as above.

Consultant: Wilson Okamoto Corporation
1907 S. Beretania Street, #400
Honolulu, Hawai'i 96826
Contact: Earl Matsukawa (946-2277)

Status: FEA/FONSI issued, project may proceed.

Permits Required: Grubbing, Grading, CWRM Well

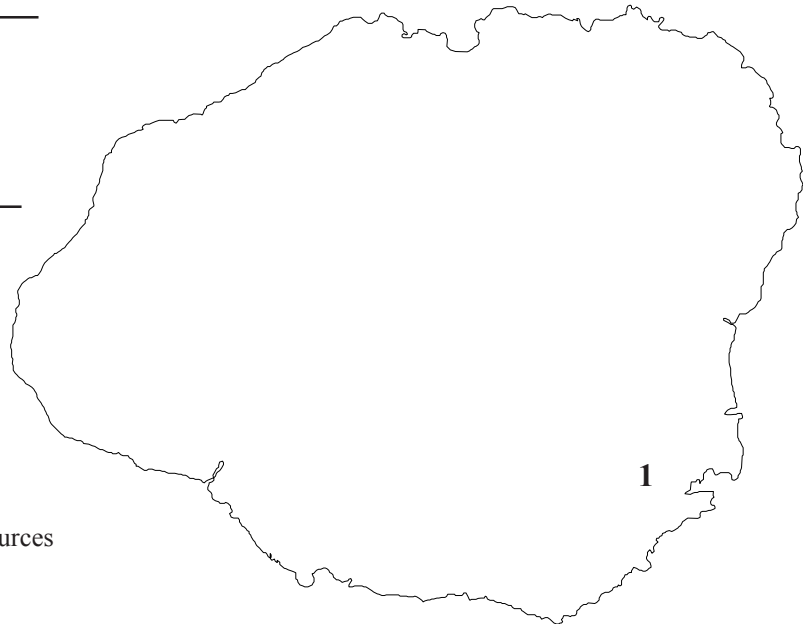
Construction

The Department of Land and Natural Resources (DLNR), State of Hawai'i, is proposing to drill an exploratory well on State land at the approximately 500' elevation of Pu'u 'A'ahoaka, which is located between the North and South forks of the Wailua River, above Wailua Falls.

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

The DLNR is seeking a yield between 500,000 and 1,000,000 gallons per day from this potential source.

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



Access to the well site is via a former sugar cane haul road branching off of Ma'alo Road. The cane haul road connects to a jeep trail that leads to the base of Pu'u 'A'ahoaka.

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

Work on the exploratory well is scheduled to commence in September 2004, and completed approximately one year later.

The preliminary cost estimate for the exploratory well and pump test is approximately \$1.2 million. The source of funding is the State.



Hawai'i Notices

FEBRUARY 8, 2004

Draft Environmental Assessments



(1) Pacific Rim Education Foundation Utilization of State Land for Roadway

District: North Kona
TMK: 7-2-6: por. 5
Applicant: Pacific Rim Education Foundation, Inc.
74-5620A Palani Road, Suite 106
Kailua-Kona, Hawai'i 96740
Contact: Anthony Aparo (326-9442)

Approving Agency/Accepting Authority: Department of Land and Natural Resources
1151 Punchbowl Street, Room 130
Honolulu, Hawai'i 96813
Contact: Harry Yada (974-6203)

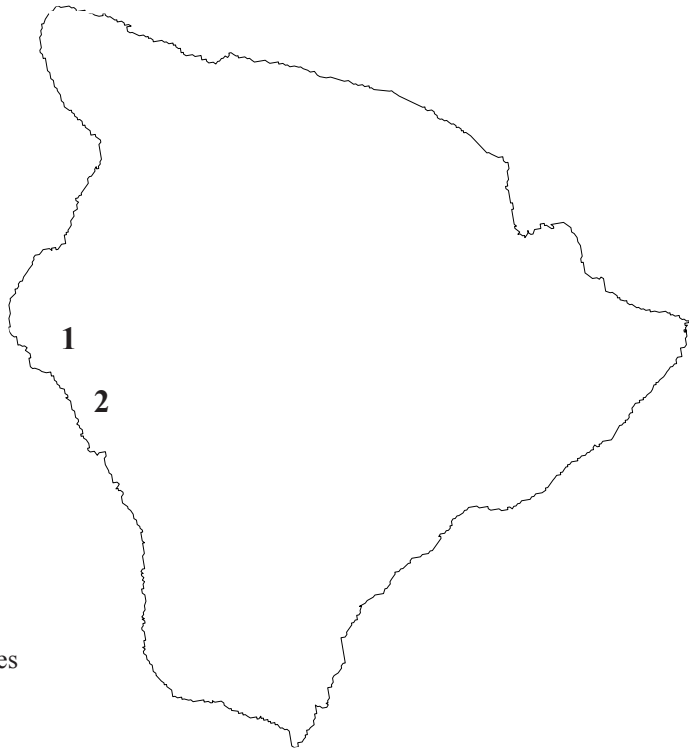
Consultant: Brian T. Nishimura (935-7692)
101 Aupuni Street, Suite 217
Hilo, Hawai'i 96720

Public Comment

Deadline: March 9, 2004
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: Utilize State Land; UIC; Approvals of Special Permit, Roadway Subdivision, Road Dedication, Construction Plans

The Pacific Rim Education Foundation, Inc. (PREFI) is proposing to establish a boarding school on 32.977 acres of land in North Kona, Island of Hawai'i, TMK: (3) 7-2-06: 3, 4, and 27. The proposed access from the Mamalahoa Highway to the school site will begin along the northern boundary of TMK (3) 7-2-06: 6 and continue along the northern boundaries of parcels 27, 5 and 4 for a distance of approximately 2,900 feet. All of the parcels are owned by PREFI except for parcel 5 which is owned by the State of Hawai'i. Approximately 42,600 square feet of the state property will be utilized for the proposed roadway (710' x 60'). In addition, PREFI is proposing that the portion of an existing 20 foot wide "paper" Homestead Road, situated between parcels 3 and 4 be abandoned in favor of the proposed roadway.



The roadway will have a right-of-way width of 50-60 feet (as required by the County of Hawai'i) and a minimum pavement width of 20 feet. PREFI intends to improve approximately 2,400 feet of the roadway to provide access to the main entrance of the proposed school site on parcel 4. PREFI is proposing to subdivide and convey the entire roadway parcel to the County of Hawai'i including the improved and unimproved sections of the road. Approximately 500 feet of the proposed roadway parcel will remain unimproved until access to the adjacent state property is required. The 2,400 feet of roadway has an estimated construction cost of \$850,000 and will take approximately three months to complete.

Hawai'i Notices

FEBRUARY 8, 2004

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



(2) Keauhou Multi-Family Residential Subdivision

District: North Kona
TMK: 7-8-10: 90
Applicant: Kamehameha Investment Corporation
567 South King Street
Honolulu, Hawai'i 96813
Approving Agency/Accepting Authority: County of Hawai'i
Planning Department
101 Pauahi Street, Room 3
Hilo, Hawai'i 96720
Contact: Norman Hayashi (961-8288)

Consultant: Carlsmith Ball LLP
121 Waiuanue Avenue
Hilo, Hawai'i 96720
Contact: Steven Lim (935-6644)
Status: FEA/FONSI issued, project may proceed.
Permits Required: SMA, NPDES, Building, Grading

Applicant Kamehameha Investment Corporation seeks a Special Management Area Use Permit to allow for the development of up to 16 multiple-family residential units and related improvements on approximately 3.686 acres of land (KIC Land Area 10A) located at the east (mauka) side of Kamehameha III Road, immediately adjacent to and on the south (makai) side of Keauhou Rehabilitation and Healthcare Center at Kahalu'u and Keauhou 1st, District of North Kona. The Project Area is located approximately 2,800 feet from the coastline, and is within the County Special Management Area, which extends from the coastline to the east (makai) boundary of the Kuakini Highway right-of-way. The Project site is located within the Kahalu'u Historic District (Site 10-37-4150; a district with multiple sites) which was included in the National Register of Historic Places on December 27, 1974. The Kahalu'u Historic District was removed from the Hawai'i State Register in March, 1980.



Conservation District Notices

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, Hawaii 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 of our Office of Conservation and Coastal Lands staff at 587-0380.



Kalaiohua Place Improvements

File No.: CDUA OA-3174
Applicant: City & County of Honolulu, Dept. of Design and Construction
Location: Kalaiohua Place, Tantalus, Oahu
TMK: 2-5-019: 009
Proposed Action: Roadway Improvements
343, HRS determination: Final EA published in OEQC's *Environmental Notice* on 11/23/03
Appl's Contact: Kay Muranaka (591-8820)

National Environmental Policy Act

FEBRUARY 8, 2004

Management Measures to Implement New Technologies for the Western Pacific Pelagic Longline Fisheries

The Western Pacific Regional Fishery Management Council proposes to revise management measures for the fisheries managed under the Fishery Management Plan for the Pelagic Fisheries of the Western Pacific Region, with the objective of achieving optimum yields from these fisheries while avoiding the likelihood of jeopardizing the continued existence of sea turtles or other endangered species. Included in the amendment is a Draft Supplemental Environmental Impact Statement (DSEIS) which supplements the Final EIS for the Fishery Management Plan for the Pelagic Fisheries of the Western Pacific Region issued on March 30, 2001.

Additional copies of the regulatory amendment and DSEIS can be obtained from the Western Pacific Council. Requests for copies should indicate whether a paper copy or electronic copy on CD is preferred. The DSEIS is also available at the website of the Western Pacific Fishery Management Council at <http://www.wpcouncil.org/>. The Final EIS that this DSEIS supplements may be obtained from the National Marine Fisheries Service (NMFS) at: Dr. Samuel Pooley, Acting Regional Administrator, NMFS Pacific Islands Regional Office, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814-4700, Fax: 808-973-2941, tel: 808-973-2937. It is also available at the website of the NMFS at <http://swr.nmfs.noaa.gov/pir/>.

Comments on the DSEIS should be sent to Dr. Samuel Pooley at the above address by February 23, 2004.

Shoreline Notices

Shoreline Certification Applications

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

File No.	Date	Location	Applicant/Owner	TMK
MA-295	1/26/04	Lot 31 of the Kuau Sunset Beach Lots (File Plan 302), land situated at Kuau, Makawao, Island of Maui, Hawaii Address: 85Aleiki Place Purpose: Building Permit	Akamai Land Surveying, Inc./Richard and Beth Ferrari	2-6-11: 15
OA-694A-2	1/26/04	Lota 1 and 2 of Evershine VIII Tract (F.P. 2271) and Lot 4-A of the Subdivision of 4 and Lot 5 of Portlock Road Subdivision No. 2 (F.P. 2193, land situated at Maunaloa, Island of Oahu, Hawaii Address: 525, 535 & 567 Portlock Road Purpose: New Structure	Sam O. Hirota, Inc./Evershine VIII, L.P.	3-9-26: 44-45 and 47-48
HA-230-3	1/26/04	Lot 76 of Puako Beach Lots (HTS Plat 414-B), being the whole of Land Patent Grant S-13752 to Manuel Corozo Rapozo, Jr. & Adelina Ramos Rapozo, land situated at Lalamilo, Waimea, S. Kohala, Island of Hawaii, Hawaii Address: Not Assigned Purpose: Building Permit	Wes Thomas Associates, for One Kea Hui LLC	6-9-03: 15
OA-972	1/26/04	Lot 8 as shown on Map 2 of Land Court Application 776, land situated at Laie, Koolauloa, Island of Oahu, Hawaii Address: 55-142 Naupaka Street Purpose: Determine Setback	Jamie F. Alimboyoguen/Carlos Codiz	5-5-11: 32

Shoreline Notices

FEBRUARY 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 & Old Shoreline Rules	Location	Applicant	TMK
OA-964	Proposed Shoreline Certification 1/20/04 New Rules	Lot 13-A, Section C, Kawaihoa Beach Lots, land situated at Kawaihoa, Waialua, Island of Oahu, Hawaii Address: 61-455 Kamehameha Highway Purpose: Sale of Property	Walter P. Thompson, Inc. /61-455 Kamehameha	6-1-08: 10
OA-965	Proposed Shoreline Certification 1/20/04 New Rules	Lots 19 and 20, Land Court Application 999 and lots 1 and 2, Portion of R.P. 1319, Land situated at Kaipapau, Koolauloa, Island of Oahu, Hawaii Address: 54-215 Kamehameha Highway Purpose: Building Permit	Walter P. Thompson, Inc./Antonio Martinez	5-4-11: 01
OA-968	Proposed Shoreline Certification 1/20/04 New Rules	Lot 24 of Land Court Application 1719 (Map 5), land situated at Oneawa, Kailua, Koolaupoko, Island of Oahu, Hawaii Address: 22 Laiki Place Purpose: Building Permit	ParEn, Inc./Charles Schmitt and Bronwyn Alexander	4-3-19: 35
OA-895-2	Proposed Shoreline Certification 1/26/04 New Rules	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-270	Proposed Shoreline Certification 1/26/04 New Rules	Lot 2, Block 59, File Plan 693 Hawaiian Beaches Subdivision, land situated at Waiakahiula, Puna, Island of Hawaii, Hawaii Address: Welea Street, Hawaiian Beaches Purposes: Permit to Build Residence	The Independent Hawaii Surveyors/ Rex Ramsey	1-5-87: 12
OA-922	Rejected 1/26/04 Old Rules	Lot 21-A of the Pupukea/Paumalu Beach Lots, being portion of Grant 8355, land situated at Kaipapau, Koolauloa, Island of Oahu, Hawaii Address: 59-533 Ke Iki Road Purpose: Building Permit	Wesley T. Tengan for, Dan Justice	5-9-03: 05

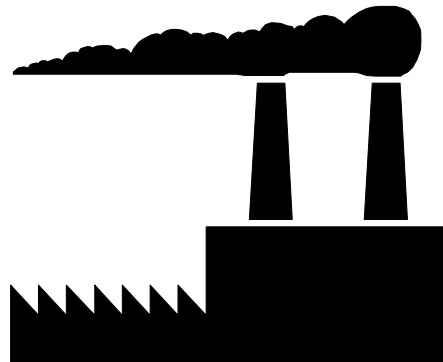
Pollution Control Permit Applications

FEBRUARY 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.

Branch Permit Type	Applicant & Permit Number	Project Location	Pertinent Date	Proposed Use
Clean Air Branch, 586-4200, Temporary Covered Source Permit	Jas. W. Glover, Ltd. CSP 0545-01-CT	Honokohau Quarry, Kailua-Kona, Hawaii	Issued: 1/20/04	300 TPH Asphalt Plant with 1085 BHP 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 Locations, State of Hawaii Current Location: Puunene Quarry, Mokulele Highway, Puunene, Maui	Issued: 1/23/04	174 TPH Portable Drum Mix HMA Plant
Clean Air Branch, 586-4200, Covered Source Permit	Pohakulepo Recycling, LLC CSP 0386-02-C (Renewal)	UTM - 758,540 Meters East and 2,304,000 Meters North, Wailuku, Maui	Issued: 1/23/04	800 TPH Rock Crushing Plant
Clean Air Branch, 586-4200, Temporary Covered Source Permit	Grace Pacific Corporation CSP 0045-02-CT (Amendment)	91-920 Farrington Highway, Kapolei, Oahu	Issued: 1/26/04	334 TPH Hot Mix Asphalt Facility



Special Management Area (SMA) Minor Permits

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

Location (TMK)	Description (File No.)	Applicant/Agent
Honolulu: Kailua (4-3-57-32)	Main street retail shops & parking lot (2003/SMA-95)	Castle Family Trust Ltd., Partnership
Honolulu: Kapolei (9-1-14-10)	Installation of 3 pole-mounted security cameras (2004/SMA-2)	Chevron Products company/ Robert J. Rippel
Honolulu: Kahaluu (4-7-12-24)	8-foot chain-link fence & fill (2004/SMA-5)	C&C of Honolulu, DDC
Honolulu: Wailua (6-8-9-21)	Install security gate (2003/SMA-90)	Bruce E. Clements
Kauai: Aliomanu (4-9-5-16)	Garage addition (SMA(M) 2004-12)	Jenny Caruthers
Maui: Kihei (3-9-2-3)	Tables & umbrellas (SM2 20040001)	Petrilla, David
Maui: Kaanapali (4-4-8-2)	Replace beachwalk (SM2 20040002)	The Whaler AOA
Maui: Paia (2-6-4-14 & 15)	Demo of Comm bldg (SM2 20040003)	Nelson, Don
Maui: Kihei (3-8-13-12)	Grading & fill of sand dunes (SM2 20040004)	Nelson, Don
Maui: Kahului (3-8-79-3)	Mobile Krispy Kreme store (SM2 20040005)	Bowsher, Gary
Maui: Kapalua (4-2-7-27)	Dwelling & garage (SMX 20040020) Pending	David Ferrebee Construction, LLC
Maui: Kihei (2-3-12-22)	Swimming pool (SMX 20040022) Pending	Flaherty, Michael
Maui: Kihei (3-9-34-3)	Repair, replace plumbing fixture (SMX 20040024) Pending	Winn, Peter
Maui: Wailea (2-1-8-77)	Apt alteration (SMX 20040026) Pending	Gholkar, Satish K.
Maui: Haiku (2-8-4-43)	2 nd farm dwelling, covered deck (SMX 20040027) Pending	Miller, Linda B./Caudill, Jessica
Maui: Kihei (3-9-18-71)	Dwelling additions (SMX 20040029) Pending	Hackett, Frank
Maui: (2-7-7-4)	Temp tents etc (SMX 20040031) Pending	Calica Hawaii, LLC
Maui: Ulumalu (2-8-3-6)	Water well pump installation (SMX 20040032) Pending	Murphey, Louis B.
Maui: Kuau (2-6-1-20 & 24)	Consolidation, dwelling, pool (SMX 20040033) Pending	Steven Heller & Associates
Maui: Lahaina (4-3-6-63)	Dwelling addition & alteration (SMX 20040035) Pending	Mina, George
Maui: Hana (1-4-4-21)	Tents & booths (SMX 20040036) Pending	East Maui Taro Festival
Maui: Lahaina (4-6-10-1)	Food & games booths/tents, stage (SMX 20040037) Pending	Sacred Hearts School
Maui: Kihei (3-9-39-19)	Dwelling addition (SMX 20040038) Pending	Martone, Kiasha
Maui: Lahaina (4-4-8-1)	Apartment alterations (SMX 20040039) Pending	James Tucker Assoc., Inc.
Maui: Wailuku (3-2-20-6)	Storage space (SMX 20040040) Pending	Cummings, Michael R.
Maui: Wailea (2-1-27-15)	Dwelling (SMX 20040041) Pending.	Duke, Dean W.
Maui: Waiehu (3-3-1-1)	Maintenance dredging (SMX 20040044) Pending.	Northshore Waiehu LLC
Maui: Kihei (3-9-4-27)	Dwelling (SMX 20040045) Pending.	Ugalino, Fedel, & NGA

Coastal Zone News

FEBRUARY 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.

Waiau Power Plant Pond Re-Grading (Draft)

Hawaiian Electric Company, Inc. (HECO) proposes to re-grade (fill) two ponds formerly used to treat waters discharged from the Waiau Power Generating Plant. The subject parcel is identified by Tax Map Key (1)9-8-3:10 and (1)9-8-04:03. The re-grading project will entail the filling of two ponds, 39,600 and 47,600 square feet respectively by 6-9 feet deep. The total area of the ponds is 2 acres. The existing ponds will be filled with soil and topped with gravel. The ponds are currently dry. Originally there were four ponds used for wastewater treatment. These four ponds were officially closed for wastewater treatment in 1989. The EPA approved these closure activities. The interior berm walls were subsequently removed creating the two ponds currently present. In order to reduce run-off from the site into Pearl Harbor, a detention basin will be developed.

A total of 25,800 cubic yards of soil will be required to fill the ponds. The gravel topping will be approximately 3 inches thick. The ponds, once filled, will be used for equipment and material storage and remain in an undeveloped state. The power plant site is 25.99 acres and extends from the shoreline of Pearl Harbor to Kamehameha Highway.

Other than the No Action Alternative, there are no alternatives to the proposed action being considered. The proposed pond re-grading has been designed to conform to existing grades with minimal environmental impacts. Landscaping will also be provided on the exterior of the graded areas.

Primary access to the site is via an internal service road that connects to Kamehameha Highway. Access to Waiau Power Generating Plant is controlled by a manned security check-in point. The site is not accessible by the general public for security and safety reasons.

During the earthwork phase of the project the site work contractor will be required to establish erosion control measures to mitigate stormwater runoff from the project site. Drainage from the site is via sheet flow towards the power plant's drainage system and eventually into Pearl Harbor. A feature of this project is the development of a drainage detention basin. This basin will detain stormwater thereby reducing sediments before eventual discharge into Pearl Harbor.

Please direct questions and written comments to Jeff Lee, Department of Planning and Permitting, City and County of Honolulu, 650 S. King Street, 7th Floor, Honolulu, Hawaii 96813, telephone: 527-6274.

McKenna Motor Cars Additions and Renovation (Draft)

The applicant proposes to enlarge the existing McKenna Motor Cars Dealership in Kailua Town, Oahu. The proposed construction consists of a 528-square foot addition to an existing 683-square foot commercial building. The new building addition will be used as an auto showroom with two adjacent offices. The architectural design of the addition will be similar to the existing one-story building with a pitched roof and shake siding.

Please direct questions and written comments to Ardis Shaw-Kim, Department of Planning and Permitting, City and County of Honolulu, 650 S. King Street, 7th Floor, Honolulu, Hawaii 96813, telephone: 527-5349.

St. Joseph's Church and School Expansion (Final Determination)

The project site is located at 94-675 and 94-651 Farrington Highway (Tax Map key 9-4-11: 56) in Waipahu, Oahu. The applicant, St. Joseph Church and School, proposes to improve the existing church and school facilities. The improvements to the church facilities include an expansion of the existing church structure to accommodate an increase in membership that now totals about 1,000 registered members and the demolition and reconstruction of the rectory. The improvements to the school facilities include the construction of a new 13-classroom building with library and dining facilities, a new gymnasium, and an addition to one of the classroom buildings. The existing cafeteria and a classroom building will be demolished to accommodate the new structures. A high school level will be added to the existing pre-K through 8th grade school with an anticipated increase in enrollment from 415 to about 673 students. Additional off-street parking will also be provided.

Please direct any questions to Sharon Nishiura at the City's Department of Planning & Permitting at 523-4256.

Recovery Plan (Draft) for the Blackburn's Sphinx Moth (*Manduca blackburni*)

The U.S. Fish and Wildlife Service (FWS) announced the availability of the Draft Recovery Plan for the Blackburn's Sphinx Moth (*Manduca blackburni*, sphinx moth) for public review and comment. This insect taxon is listed as endangered (45 F.R. 4770; February 1, 2000), and is endemic to the main Hawaiian Islands. FWS solicits review and comment from local, State, and Federal agencies, and the public on this draft recovery plan. Comments on this draft recovery plan must be received on or before February 17, 2004, to receive FWS consideration. Copies of the draft recovery plan are available for inspection, by appointment, during normal business hours at the following locations: U.S. Fish and Wildlife Service, Pacific Islands Fish and Wildlife Office, 300 Ala Moana Boulevard, Room 3-122, Box 50088, Honolulu, Hawai'i 96850 (phone: 808-541-3441) and the Hawai'i State Library 478 S. King Street, Honolulu, Hawai'i 96813. Requests for copies of the draft plan and written comments and materials regarding this plan should be addressed to the Field Supervisor, Ecological Services, at the above Honolulu address. Recovery of endangered or threatened animals and plants is a primary goal of our endangered species program and the Endangered Species Act (Act) (16 U.S.C. 1531 et seq. Recovery means improvement of the status of listed species to the point at which listing is no longer necessary under the criteria set out in section 4(a)(1) of the Act. Recovery plans describe actions considered necessary for the conservation and survival of the species, establish criteria for downlisting or delisting listed species, and estimate time and cost for implementing the measures needed for recovery. Blackburn's Sphinx Moth (*Manduca blackburni*) was federally listed as endangered on February 1, 2000 (65 F.R. 4770). This insect taxon is currently known to occur on three of the seven Hawaiian Islands where it historically occurred, including Hawai'i, Maui, and Kaho'olawe. Although some habitat is under public ownership and zoned for conservation purposes, no known sphinx moth habitat complexes are entirely protected, and the species faces threats throughout its range. The sphinx moth is currently found in association with topographically diverse landscapes that contain low to moderate levels of nonnative vegetation. Vegetation types that support the sphinx moth include dry to mesic shrub land and forest from sea level to mid-elevations. Soil and climatic conditions, as well as physical factors, affect the suitability of habitat within the species' range. The primary threats to the sphinx moth include urban and agricultural development; invasion by non-native plant species; habitat fragmentation and degradation; increased wildfire frequency; impacts from ungulates; other human-caused disturbances that have resulted in substantial losses of habitat throughout the species' historic range; parasitoids and insect predators; and vandalism (collection). Needed conservation activities include protection, management, and restoration of suitable and restorable habitat; out-planting of native 'aiea (*Nothocestrum* spp.) host plants; and a sphinx moth captive breeding program that would augment or expand the existing population within its historic range. This draft recovery plan identifies 3 recovery units, comprising 13 management units, which are geographic areas recently documented to contain sphinx moth populations and/or sphinx moth host plant populations, and shall be the focus of recovery actions or tasks. The three recovery units and their component management units contain habitat considered necessary for the long-term conservation of the sphinx moth

(e.g., networks of suitable habitat patches and connecting lands). The recovery actions described in this draft recovery plan include: (1) Protect habitat and control threats to the moth and its habitat; (2) expand existing wild *Nothocestrum* spp. host plant populations; (3) conduct additional research essential to recovery of the sphinx moth; (4) develop and implement a detailed monitoring plan for the sphinx moth; (5) reestablish wild sphinx moth populations within its historic range; (6) develop and provide information for the public on the sphinx moth; and (7) validate recovery objectives (see, 68 F.R. 70528, December 18, 2003).

Endangered Status for the Rota Bridled White-Eye (*Zosterops rotensis*)

The U.S. Fish and Wildlife Service (FWS), determined endangered status pursuant to the Endangered Species Act of 1973, as amended, for the Rota bridled white-eye (*Zosterops rotensis*), a bird. The Rota bridled white-eye is a recognized species of white-eye endemic to the island of Rota, Commonwealth of the Northern Mariana Islands. The Rota bridled white-eye was once widespread, possibly occupying forested habitat at all elevations. The total population of the Rota bridled white-eye was estimated at 1,167 individuals in 1996, representing a decline of 89 percent from the 1982 estimated population of 10,763 individuals. The Rota bridled white-eye has continued to decline: In 1999, the population estimate was approximately 1,092 individuals. The Rota bridled white-eye is currently found in four patches of mature wet forest at elevations above 200 meters (650 feet). The reasons for this species' decline are likely the degradation or loss of habitat due to development, agricultural activities, and naturally occurring events; avian disease; predation; and pesticides. This final rule implements the protection provisions of the Act. This rule is effective February 23, 2004. The administrative file for this rule is available for inspection, by appointment, during normal business hours at the U.S. Fish and Wildlife Service, Pacific Islands Fish and Wildlife Office, 300 Ala Moana Boulevard, Room 3-122, Box 50088, Honolulu, HI 96850. To request copies of regulations on listed species, or for inquiries on prohibitions and permits, write or visit the Service's Portland Office, U.S. Fish and Wildlife Service, Endangered Species Permits, 911 NE., 11th Avenue, Portland, OR 97232-4181. For further information contact: Gina Shultz at the Pacific Islands Fish and Wildlife Office, telephone (808) 792-9400; facsimile (808) 792-9580 (see, 69 F.R. 3022, January 22, 2004).

Kaloko-Honokohau National Historical Park

Na Hoapili O Kaloko Honokohau, Kaloko-Honokohau National Historical Park Advisory Commission will meet at 10 a.m., February 6, 2004 at Kaloko-Honokohau National Historical Park headquarters, 73-4786 Kananani St. Suite 14, Kailua-Kona, Hawai'i. The agenda will include Commission Membership, Alu Like Partnership, Resource and Educational Center, and various park projects. The meeting is open to the public. Minutes of the meeting will be available to the public after approval. (see, 69 F.R. 3944, January 27, 2004).

Federal Notices

FEBRUARY 8, 2004

Western Pacific Pelagic Fisheries

Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, NMFS issues this proposed rule that would establish a number of conservation and management measures for the pelagic fisheries of the western Pacific managed under the Fishery Management Plan for the Pelagic Fisheries of the Western Pacific Region (FMP). This proposed rule is intended to achieve certain objectives of the FMP, particularly achieving optimum yield for FMP-managed species, promoting domestic harvest and domestic values associated with FMP-managed species, and promoting domestic marketing of FMP-managed species in American Samoa, the Commonwealth of the Mariana Islands, Guam, and Hawai'i, while avoiding the likelihood of jeopardizing the continued existence of any species listed as endangered or threatened under the Endangered Species Act (ESA). Species of particular concern include the green, hawksbill, leatherback, loggerhead, and olive ridley sea turtles, all of which have been found to interact with, and be affected by, the pelagic fisheries of the western Pacific region. This proposed rule would eliminate the prohibition on longline fishing by vessels registered under the FMP for use under Hawai'i longline limited access permits ("Hawai'i-based longline vessels") and vessels registered for use under longline general permits ("general longline vessels") during April and May in certain waters south of the Hawaiian Islands; eliminate the prohibition on Hawai'i-based longline vessels and general longline vessels using longline gear to target swordfish ("shallow-setting") north of the equator; establish an annual limit on the number of shallow-sets that may be conducted north of the equator by the Hawai'i-based longline fleet; divide and distribute this effort limit each calendar year in equal portions to interested holders of Hawai'i longline limited access permits; require the use of circle hooks sized 18/0 or larger with a 10-degree offset and mackerel-type bait by Hawai'i-based longline vessels shallow-setting north of the equator; establish annual limits on the numbers of fishery interactions with leatherback and loggerhead sea turtles; require that the longline-setting procedure be performed during the nighttime when shallow-setting north of 23 N. lat.; require that operators of Hawai'i-based longline vessels carry and use NMFS-approved de-hooking devices; eliminate the requirement that operators of general longline vessels annually complete a protected species workshop; eliminate the requirement that general longline vessels and other pelagic fishing vessels using hook-and-line gear employ specified sea turtle handling measures; and eliminate the requirement that certain vessels may be re-registered to Hawai'i longline limited access permits only during the month of October. Comments must be received in writing by February 27, 2004. Written comments on this proposed rule or its Initial Regulatory Flexibility Analysis (IRFA) should be mailed to Dr. Samuel Pooley, Acting Regional Administrator, NMFS, Pacific Islands Regional Office (PIRO), 1601 Kapi'olani Blvd., Suite 1110, Honolulu, Hawai'i 96814-4700; or faxed to 808-973-2941. Written comments will not be accepted if submitted via e-mail or the Internet. For more information, contact Tom Graham at (808) 973-2937 (see, 69 F.R. 4098, January 28, 2004).

State Historic Preservation Officer Nominates Kyoto Gardens of Honolulu Memorial Park to the National Register

The State Historic Preservation Officer has nominated Kyoto Gardens of Honolulu Memorial Park, 22 Craigsides Place, Honolulu, No. 04000020, for listing in the National Register. The National Park Service received this nomination before January 3, 2004. Pursuant to section 60.13 of 36 C.F.R. 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 20005; or by fax, 202-371-6447. Written or faxed comments should be submitted by February 11, 2004 (see, 69 F.R. 3944, January 27, 2004).

EPA Notices and Comments on EIS's

The U.S. Environmental Protection Agency Region 9, Office of Federal Activities has issued the following notices pursuant to its responsibilities under the National Environmental Policy Act (NEPA) and/or the Clean Air Act (CAA).

EIS No. 030586, Draft EIS, UAF, 00, Air Force Mission at Johnston Atoll Airfield (Installation) Termination, Implementation, Johnston Atoll is an Unincorporated Territory of the United States, Comment Period Ends: February 17, 2004, Contact: Patricia J. Vokoun (703) 604-5263. Revision of FR Notice Published on 1/2/2004: Title Correction and Removal of the State of Hawaii from the Record. Johnston Atoll is an Unincorporated Territory of the United States (see, 69 F.R. 2593, January 16, 2004).

EIS No. 040021, Draft Supplement, NOAA, HI, GU, AS, Pelagic Fisheries of the Western Pacific Region, Fishery Management Plan, Regulatory Amendment, Management Measures to Implement New Technologies for the Western Pacific Pelagic Longline Fisheries, Hawai'i, American Samoa, Guam and Commonwealth of the Northern Mariana Island, Comment Period ends on February 23, 2004. Contact: Alvin Katekaru (808) 973-2937. Under Section 1506.10(d) of the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act the U.S. Environmental Protection Agency has Granted a 15-Day Waiver for the above EIS. This document is available on the Internet at: <http://www.swr.nmfs.noaa.gov/pir/>

ERP No. D-NOA-K91012-00, Rating EC2, Bottomfish and Seamount Groundfish Fisheries Conservation and Management Plan, Implementation, US Economic Zone (EEZ) around the State of Hawaii, Territories of Samoa and Guam, Commonwealth of the Northern Mariana and various Islands and Atolls known as the U.S. Pacific

remote island areas, HI, GU and AS. Summary: EPA expressed concerns regarding the integration of the proposed alternative with other restrictions on Bottomfish fishing in the Western Pacific, and impacts to federally-endangered Hawaiian Monk Seals.

EIS No. 040023, Final EIS, DOA, HI, Lahaina Watershed Flood Control Project, To Reduce Flooding and Erosion Problems, U.S. Army COE Section 404 and NPDES Permits, County of Maui, HI, Wait Period Ends: February 23, 2004, Contact: Lawrence T. Yamamoto (808) 541-2600 (see, 69 F.R. 2592, January 16, 2004).

EIS No. 040021, Draft Supplement, NOA, HI, GU, AS, Pelagic Fisheries of the Western Pacific Region, Fishery Management Plan, Regulatory Amendment, Management Measures to Implement New Technologies for the Western Pacific Pelagic Longline Fisheries, Hawaii, American Samoa, Guam and Commonwealth of the Northern Mariana Island, Comment Period Ends: February 23, 2004, Contact: Alvin Katekaru (808) 973-2937. Revision of Federal Register Notice Published on 1/23/2004: Correction to Web site Address, it should be: <http://swr.nmfs.noaa.gov/pir/>, and Correction to Wavier Granted Under Sec. 1506.10(d) to Alternative Procedures Granted by CEQ Under Sec. 1502.9(c)(4) (see, 69 F.R. 4512, January 30, 2004).

***Penjing* Importation from the People's Republic of China**

Effective February 17, 2004, the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture has amended the regulations governing the importation of plants and plant products to add artificially dwarfed (*penjing*) plants of the species *Buxus sinica*, *Ehretia microphylla*, *Podocarpus macrophyllus*, *Sageretia thea*, and *Serissa foetida* from the People's Republic of China to the list of plants that may be imported in an approved growing medium subject to specified growing, inspection, and certification requirements. APHIS is taking this action in response to a request by the Government of China and after determining that the *penjing* plants established in growing media can be imported without resulting in the introduction into the United States or the dissemination within the United States of a plant pest or noxious weed. This rule will relieve restrictions that currently allow these species to be imported only as bare-rooted plants. For details contact Mr. William Thomas, Import Specialist, Phytosanitary Issues Management Team, PPQ, APHIS, 4700 River Road, Unit 140, Riverdale, MD 20737-1236; (301) 734-6799 (see, 69 F.R. 2481, January 16, 2004).

