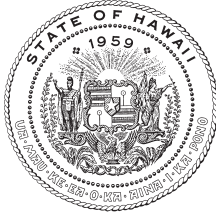


The Environmental Notice

A SEMI-MONTHLY BULLETIN (UNDER SECTION 343-3, HRS) OF THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL



LINDA LINGLE

GOVERNOR

OFFICE OF
ENVIRONMENTAL QUALITY CONTROL (OEQC),
DEPARTMENT OF HEALTH
GENEVIEVE SALMONSON
DIRECTOR, OEQC

*The Environmental Notice -
review the environmental impacts of
projects proposed in Hawai'i!*

Other Resources available . . .

- *June 2004 Guidebook for Hawai'i's Environmental Process (now, Online!)*
- *Environmental Assessments in Adobe Acrobat PDF Format (1990-2003) and Study Resource Library*
- *Environmental Council Annual Reports (now, Online!)*
- *"How to Plant a Native Hawaiian Garden" (now online!)*

OEQC

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Facsimile (808) 586-4186

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Kaua'i: 274-3141 ext. 64185
Maui: 984-2400 ext. 64185
Hawai'i: 974-4000 ext. 64185

AUGUST 8, 2005

EIS Required for Campbell Industrial Park Generating Station and 138 kV Powerline

The Department of Planning and Permitting of the City and County of Honolulu has determined that an EIS will be required for Hawaiian Electric Company's construction of a new fossil-fueled elec-

trical generating station, new 138 kV overhead power line and other improvements. Comments and requests to be a consulted party are due by September 7, 2005. See page 7.

Environmental Justice Guidelines

A preliminary draft environmental justice guidelines is published on page 23. Please comment on this first iteration of the environmental justice guidelines that the Environmental Center, the Environmental Council and OEQC are working on as requested by the Legislature. The Environmental Council will be meeting on August 10, 2005. Please send comments to OEQC by August 31, 2005.

Irradiator Application

The U.S. Nuclear Regulatory Commission is reviewing an irradiator application for a site near Honolulu International Airport. See page 22 for more information.

Pulelehua FEIS

The State Land Use Commission has accepted the final EIS for the Pulelehua Development on July 13, 2005. The development will add 882 homes to West Maui between Ka'anapali and Kapalua. Over half will be affordable for purchase or rent to median-income families. A traditional neighborhood design is planned to make the community more pedestrian and bicycle friendly, with places of employment, schools and parks nearby homes. See page 13 for more details.

Kuka'o'o Heiau in Manoa Valley

The City and County of Honolulu anticipates a FONSI for revised draft environmental assessment for the Manoa Heritage Center at 2829 Manoa Road. The Center consists of various contiguous parcels on of which contains the Kuka'o'o Heiau, a historic site. See page 3 for more.

Federal EIS for Hawaii Volcanoes National Park Air Tour Management Plan

The National Park Service and the Federal Aviation Administration have given notice of their intent to prepare a federal EIS for an Air Tour Management Plan at Hawaii Volcanoes National Park. See page 22.

Fort Barrette Road Widening Public Information Meeting

A public information meeting will be held at Kapolei Elementary School Cafeteria on August 10, 2005, at 6:30 p.m. for the subject project.

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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.

Manoa Heritage Center (HRS 343 DEA)

District: Honolulu
TMK: (1) 2-9-19:25, 35, 37, 38 and 43
Applicant: Manoa Heritage Center
 2829 Manoa Rd., Honolulu, HI 96822
 Contact: Victoria Kneubuhl (988-1287)

Approving Agency: City and County of Honolulu, Department of Planning and Permitting, 650 S King St., 7th Floor, Honolulu, HI 96813. Contact: Jamie Peirson (527-5754)

Consultant: PlanPacific, Inc., 345 Queen St., Ste. 802, Honolulu, HI 96813. Contact: John Whalen (521-9418)

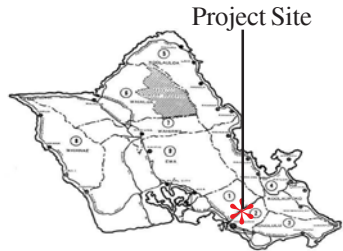
Public Comment
Deadline: September 7, 2005
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the applicant with copies to the approving agency, consultant and OEQC.

Permits Required: Conditional Use Permit-Minor, Building Permits, Use of Historic Structure

The project site contains the Kualii Estate, which is located between Manoa Road and O'ahu Avenue. It is located in an established residential area on the edge of urban Honolulu. The project area encompasses five lots. Two of the lots are currently vacant. Kuka'o'o Heiau, an historic site, occupies one lot (Tax Map Key 2-9-19: 43). The applicant, Manoa Heritage Center, proposes to seek Conditional Use Permits for a meeting facility and to jointly develop the five zoning lots.

Proposed is an interpretive program and the adaptive re-use of an existing structure as a meeting facility, as well as an educational center to facilitate docent-led school groups and public visitation of the Kuka'o'o Heiau and native plant garden. No new structures are proposed. The focus of the interpretive program will be on educating school-age children, with fourth graders being the target audience. As currently envisioned, the docent-led tours would be offered weekdays with the possibility of an occasional weekend day.

Note: This is a revised Environmental Assessment for a project which previously had a Finding of No Significant Impact (FONSI) determination issued in 2000.



O'ahu Notices

AUGUST 8, 2005

Kapahulu Avenue Zone Change (HRS 343 DEA)

District: Honolulu
TMK: (1) 2-7-36:04 and 16
Proposing Agency: State of Hawai'i, Department of Land and Natural Resources, P.O. Box 621, Honolulu, HI 96809-0621. Contact: Keith Chun (587-0431)

Determination Agency: Same as above.
Consultant: Helber Hastert and Fee, Planners
733 Bishop St., Ste. 2590, Honolulu, HI 96813
Contact: Gail Renard (545-2055)

Public Comment Deadline: September 7, 2005

Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

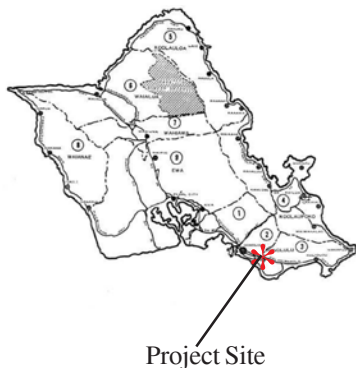
Permits Required: NPDES (potentially required), Zone Change Approval, Subdivision approval, Building Permit

The State of Hawai'i, Department of Land and Natural Resources (DLNR) proposes to rezone a State-owned 24,407 square foot (SF) property in Kapahulu, O'ahu, Hawai'i, from the R-5 Residential District to the B-2 Community Business District. After rezoning, the DLNR intends to offer a long-term commercial ground lease for the property by public auction for future development. The property is also within the Diamond Head Special District (DHSD). Because public land laws require DLNR to offer leases of State-owned lands by public auction, the ultimate use of the property will not be known until the con-

clusion of the public auction. For the purpose of evaluating potential environmental impacts, the maximum development envelope (structure and required parking) allowable under the B-2 Community Business District and DHSD was analyzed in the Environmental Assessment.

The property was formerly the site of the Kapahulu Health Center, which was destroyed by fire in 1996. Most of the property is temporarily being used for vehicle parking by private entities under two 30-day revocable permits. A portion of the property is vacant and unused.

The proposed rezoning would not have significant environmental impacts according to the significance criteria specified under Section 11-200-12, Hawai'i Administrative Rules. The project should not have a significant impact on traffic conditions at intersections of Kapahulu Avenue with Campbell Avenue and with Date Street/Mo'ohau Avenue and along Kapahulu Avenue. In order to obtain conservative results, a land use that typically generates higher traffic volumes (i.e., fast food restaurant) was used as the basis of the traffic study. The project would have minor impacts on the following resource areas: topography, soils, surface water, natural hazards, air quality, noise, biological and cultural resources, infrastructure and public services, population/demographics, economics, recreational facilities, land use compatibility, and visual resources.



D. Otani Produce Warehouse (HRS 343 FEA-FONSI)

District: Honolulu
TMK: (1) 1-5-003:009, 016, 019
Applicant: D. Otani Produce, Inc.
 320-D Waiakamilo Road, Honolulu, HI 96817
 Contact: Dwight Otani (832-9600)

Approving Agency: State of Hawai'i, Department of Hawaiian Home Lands, 1099 Alakea St., Ste. 1230, Honolulu, HI 96813. Contact: Linda Chinn (587-6434)

Consultant: Gerald Park Urban Planner
 1221 Kapi'olani Blvd., Ste. 211, Honolulu, HI 96814. Contact: Gerald park (596-7484)

Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).

Permits Required: Grubbing, Grading & Stockpiling permit, Building, Sewer Connection, Excavate Public Right-of-Way (Trenching), Street Usage, NPDES, Noise Permit, State Highway Right-of-Way Permit

proposed on three lots identified as TMK: 1-5-033:009, 016, and 019 encompassing an area of 1.573 acres.

There are no structures on the premises and the brush-covered lot has been vacant since 2004.

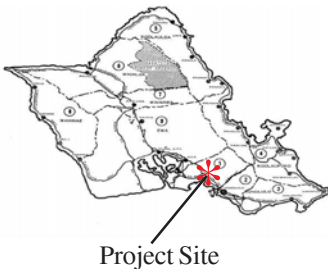
A single-story structure of approximately 45,400 square feet of ground floor space is proposed with about 85% of the space reserved for produce storage. A mezzanine floor of approximately, 2,800 square feet inside the warehouse will accommodate an accounting office and employee facilities. The structure is 45-feet in height.

Applicant proposes to construct and sub-lease warehouse bays on the roof. The 2nd floor warehouses will be constructed out of steel and metal siding and topped with a metal roof. Approximately 20,000 square feet of space comprising nine (9) bays (about 2,000 + square feet apiece) will be made available.

A ramp on the north side of the building will access the roof from Hart Street. Rooftop parking for 51 vehicles is proposed. Ground level parking for 29 vehicles is proposed on the south end of the site.

The estimated construction cost is \$8.5 million and will be paid by D. Otani Produce, Inc. with financing from American Savings Bank and Hawai'i Economic Development Corporation.

D. Otani Produce, Inc. proposes to construct a new warehouse for its produce distribution operations in the 1300 block of Hart Street, Kapalama, City and County of Honolulu. The site of the warehouse is bounded by the Kalihi Kai Fire Station on the northwest, a repair facility on the southeast, Hart Street on the northeast, and Nimitz Highway on the southwest. The project is



O'ahu Notices

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Mililani Mauka District Park (HRS 343 FEA-FONSI)

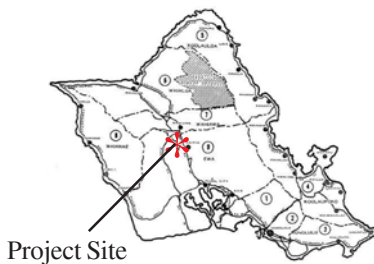
District: 'Ewa
TMK: (1) 1-5-033:009, 016, 019
Proposing Agency: City and County of Honolulu, Department of Design and Construction
650 S King St., Honolulu, HI 96813
Contact: Elaine Morisato (523-4790)

Determination Agency: Same as above.
Consultant: Gerald Park Urban Planner
1221 Kapiolani Blvd., Ste. 211, Honolulu, HI 96814
Contact: Gerald Park (596-7484)

Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).

Permits Required: Grubbing, Grading, and Stockpiling Permit, Building Permit, Sewer Connection, Excavate Public Right-of-Way (Trenching), Street Usage Permit, NPDES, Noise Permit, Discharge Permit

The Department of Design and Construction, City and County of Honolulu, proposes to construct improvements at Mililani Mauka District Park located in the community of Mililani Mauka, District of 'Ewa, City and County of Honolulu. The 16.075-acre Mililani Mauka District Park is identified as Tax Map Key (1) 9-5-049:020. Space for field activities is set aside from a baseball field and two softball fields. Because of space limitations and the need to share the open area, three soccer fields would overlay the outfield areas of the baseball and softball fields. In addition, two outdoor basketball courts, four tennis courts, a children's play apparatus, a recreation building and a gymnasium are planned and will be built in phases. Accessory facilities include two comfort stations and a 44-stall off-street parking lot. Accessible parking stalls, access aisles, and ramps would be provided in conformance with Americans with Disabilities Act (ADA) standards. Proposed improvements would be constructed over 6 construction phases. Phase 1 construction is proposed to commence in 2005 with completion in 2006. The cost of Phase 1 is estimated at \$1.6 million and will be funded by the City and County of Honolulu. Phase 1 improvements include the baseball field, once comfort station, and the parking lot.



Campbell Industrial Park Generating Station & Transmission Additions (HRS 343 FEA-EISPN)

District: 'Ewa
TMK: (1)9-1-014:010, 014, 029, 033-035; 9-1-015-016, 020; 9-1-026 ;018, 038, 039,
Applicant: Hawaiian Electric Company, Inc.
 820 Ward Avenue, Honolulu, HI 96813
 Contact: Robert Isler (543-7206)

Accepting Authority: City and County of Honolulu, Department of Planning and Permitting, 650 S. King St., Honolulu, HI 96813. Contact: Matt Higashida (527-6056)

Consultant: Planning Solutions, Inc., 210 Ward Ave., Ste. 330, Honolulu, HI 96813. Contact: Perry J. White (550-4483)

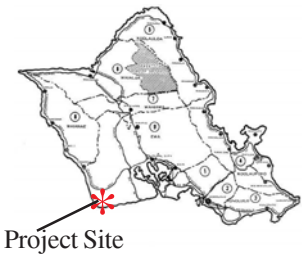
Status: Final environmental assessment (FEA) and Environmental Impact Statement Preparation Notice (EISPN), pending 30-day public comment and requests to become a consulted party in the preparation of the upcoming draft environmental impact statement (DEIS). Address public comments on the FEA and/or requests to become a consulted party in the preparation of the upcoming DEIS to the applicant with copies to the approving agency, consultant and OEQC.

Public Comment Deadline: September 22, 2005
Permits Required: PIMA, CUP, NPDES, PUC, Well Construction, ICS/PSD, Wastewater Treatment, Fuel Tank, FAA Clearance, Grading and Building

(HECO) is proposing to construct a 76 to 130 MW power-generating facility (a combustion turbine generator peaking unit) on its Barbers Point Tank Farm site ('Ewa District, Island of O'ahu; TMKs: (1) 9-1-014:010, 014, 029, 033-035; 9-1-015-016, 020; 9-1-026 ;018, 038, 039. The target in-service-date is no later than mid 2009, with earlier completion desirable. Also included in the project is construction of a second, similar generating unit, if necessary, between 2009 and 2013. The project will also include installation of new electrical equipment within the AES Substation, which is adjacent to the Tank Farm site, and construction of a new, two mile-long, 138 kV overhead transmission circuit linking the expanded AES Substation with the existing Campbell Estate Industrial Park Substation.

The Project is needed to meet the existing and forecasted future system load growth on the island of O'ahu and is an integral part of HECO's continuous process to provide safe, adequate, and reliable electric service to its customers. The proposed improvements are designed to minimize adverse effects on the environment and to maintain costs to HECO's customers at a reasonable level and to maintain environmental quality.

The Hawaiian Electric Company, Inc.



Hawai'i Notices

AUGUST 8, 2005

La'aloa Avenue Extension (HRS 343 DEA)

District: North Kona
TMK: (3) 7-7-08:29, 114, 120
Proposing Agency: Hawai'i County, Dept. of Public Works
101 Pau'ahi St., Ste. 7, Hilo, HI 96720
Contact: Galen Kuba (961-8327)

Determination Agency: Same as above.
Consultant: Geometrician Associates
HC 2, Box 9575, Kea'au, HI 96749
Contact: Ron Terry (982-5831)

Public Comment Deadline: September 7, 2005
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

Permits Required: SMA Permit, Grading Permit, Permit to Construct Within County ROW, NPDES, No Adverse Effects Determination

The County of Hawai'i proposes to extend the existing La'aloa Avenue, North Kona by 1,500 feet in the mauka direction and connect up to Kuakini Highway. Presently there are no road connections between Kuakini Highway and Ali'i Drive for the approximately 3.5 miles between Royal Poinciana Drive and King Kamehameha III Road, producing congestion and poor Level of Service (LOS) on Ali'i Drive and the La'aloa area. Traffic levels are forecast to rise and worsen this situation unless new mauka-makai roads are built. The project would provide a needed road between Ali'i Drive and Kuakini Highway and reduce traffic congestion in the vicinity. Two similar build alternatives are under consideration. The project is consistent with the Hawai'i County General Plan.

The project would decrease traffic congestion and would increase overall traffic safety for the area. No scenic resources, rare ecosystems or threatened or endangered species would be affected, and effects to historic sites would be mitigated through data recovery and interpretation. Short-term impacts to water quality, air quality, traffic congestion and noise can be mitigated to minor levels by proper adherence to construction permits and other mitigation.



Kauhale O'iwi O Puukapu Cultural & Community Educational Center (HRS 343 FEA-FONSI)

District: South Kohala
TMK: (3) 6-4-4:09 (por.)
Applicant: Kanu O Ka 'Aina Learning 'Ohana
 P.O. Box 6511, Kamuela, HI 96743
 Contact: Stephen G. Bess (887-1117)

Approving Agency: State Dept. of Hawaiian Home Lands
 925 Bethel St., 5th Flr., Honolulu, HI 96813
 Contact: Linda Chinn (586-3819)

Consultant: Group 70 International, Inc.
 925 Bethel St., 5th Flr., Honolulu, HI 96813
 Contact: Kawika McKeague (523-5866)

Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).

Permits Required: Building, Grading, FAA Notice of Construction Permit, NPDES

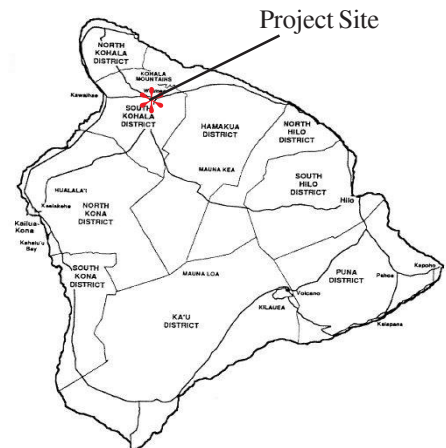
minimize run-off. KALO has also committed itself to utilizing green architecture wherever possible. The Waimea-Kohala Airport resides approximately one mile away and the proposed project will require use of land located within easement "A-1" which is for Aviation Purposes.

The proposed project does not involve any known destruction of existing natural or cultural resources or curtail the range of beneficial uses of the environment. The socio-economic impacts of the proposed project are positive for the local community, as well as, the State by providing a cultural and community educational center.

No significant short-term or long-term impacts are anticipated with the proposed project and a Finding of No Significant Impact (FONSI) is anticipated.

The Kanu O Ka 'Aina Learning 'Ohana (KALO) is a non-profit 501(c) 3 organization proposing to build Kauhale 'O'iwi 'O Pu'ukapu, a cultural and community educational center in Waimea on the Island of Hawai'i. This intergenerational community center will provide womb-to-tomb, Hawaiian focused education and serve as a community resource for Hawaiian cultural practices and values. The project site is part of a larger agricultural zoned parcel of the Pu'ukapu Tract owned by the State Department of Hawaiian Home Lands.

Construction of the facility will have minimal short-term impacts to erosion, air, and noise quality in the surrounding area. Long-term impacts will occur where soils will be covered by paving, which will be mitigated by landscaping and site design to



Maui Notices

AUGUST 8, 2005

Smith Single-Family Home Demolition & Reconstruction (HRS 343 DEA)

District: Lahaina
TMK: (2)4-6-002:002
Applicant: Gene & Shirley Smith
c/o Maui Architectural Group
2331 W. Main St., Wailuku, HI 96793
Contact: Jim Niess (244-9011)

Approving Agency: Maui Planning Department
250 S. High St., Wailuku, HI 96793
Contact: Kivette Caigoy (270-7735)

Consultant: Maui Architectural Group
2331 W Main St., Wailuku, HI 96793
Contact: Jim Niess (244-9011)

Public Comment

Deadline: September 6, 2005
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the applicant with copies to the approving agency, consultant and OEQC.

Permits Required: SMA, SSA, Demolition and Building Permits

The project site is located at TMK (2) 4-6-002-002, 049 Front Street, in Lahaina. The property is improved with two homes; each house consists of 1800 sq. ft. The subject property is a county R-3 zoned residential neighborhood located in the Lahaina National Historic Landmark District. The owners are proposing to replace the existing termite infested and dry rotted structure with a new home. The subject property is in an urban area with strictly residential use much of which is nonconforming high density rental use. Dense residential properties line both the mauka and makai sides of Front Street in the immediate vicinity of the property.

The subject property is located in the Lahaina National Historic Landmark District. While some of the buildings in the area are older and historic in appearance, many of the buildings in this area are contemporary and incompatible with the design character of the historic district. This house and shed were constructed in 1949; there are no other known historic sites on the property. The subject property is not in Maui County's Lahaina Historic Districts No. 1 or 2.

The owner proposes to demolish the existing structures, which measure approximately 3,600 square feet, and replace it with a new single-family, two story home of less than 3,500 square feet.

Project Site



Nahiku Road Improvements (HRS 343 DEA)

District: Hana
TMK: (2) 1-2-003:058 (por.)
Proposing Agency: County of Maui, Department of Public Works and Environmental Management, 200 S High St., Wailuku, HI 96793. Contact: Joe Krueger (270-7745)

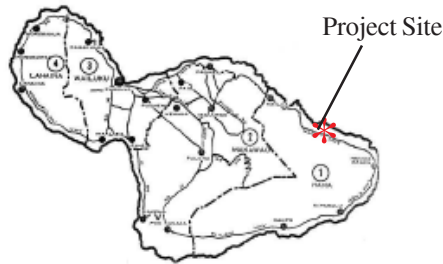
Determination Agency: Same as above.
Consultant: Munekiyo & Hiraga Inc.
 305 High St., Ste. 104, Wailuku, HI 96793
 Contact: Matthew Slepik (244-2015)

Public Comment Deadline: September 7, 2005
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

Permits Required: SMA, Construction

The proposed project also includes the development of a “jug handle” turn-off on Hana Highway, directly adjacent to its intersection with Nahiku Road. This turn-off will allow westbound traffic on Hana Highway to access Nahiku Road. The current intersection configuration is such that westbound traffic has to make a dangerously sharp turn, of approximately 45 degrees, from Hana Highway onto Nahiku Road.

Since the project proposes the use of County monies, an Environmental Assessment has been prepared in accordance with Chapter 343, Hawai‘i Revised Statutes, and the National Environmental Policy Act.



The County of Maui, Department of Public Works and Environmental Management proposes improvements to Nahiku Road, at its intersection with Hana Highway, as well as related improvements for safety reasons. The principal component of the proposed project is the realignment of approximately 300 lineal feet of roadway mauka of the existing alignment. The current alignment has become unviable due to landslide activities which caused portions of the road shoulder to fall away into the adjacent Makapipi Gulch. The proposed realignment will move the road away from the cliff falloff.

The realignment will necessitate a new guardrail on the makai side of the roadway, extending out to the bridge over Makapipi Gulch, and a new retaining wall on the mauka side of Nahiku Road. The existing utilities will also need to be realigned along with the roadway.



Maui Notices

AUGUST 8, 2005

Amended Maui Ocean Club Sequel Project (HRS 343 FEIS)

District: Lahaina
TMK: (2)4-4-013:001
Applicant: Marriott Vacation Club International
Construction and Development
Hawai'i Regional Office
1001 Kamokila Blvd, Suite 202
Kapolei, Hawai'i 96707
Contact: Steve Busch (742-8850/Fax 742-6368)

Approving Agency/Accepting Authority: County of Maui, Planning Department
250 South High Street
Wailuku, Hawai'i, 96793
Contact: Joe Alueta (270-7735)

Consultant: Chris Hart & Partners, Inc.
1955 Main Street, Suite 200
Wailuku, Hawai'i 96793
Contact: Chris Hart (242-1955/Fax 242-1956)

Status: FEIS accepted by the Maui Planning Commission on August 28, 2003.

Permits Required: SMA, NPDES, Noise, Building/Grading

The Final EIS was accepted by the Maui Planning Commission on August 28, and analyzed five (5) alternative site plans, whereby Option 5 was identified as the preferred alternative.

During subsequent design development activities, a sixth option (Option 6) was formulated as the preferred plan and contains slight changes to the proposed building and pool footprints. The changes are a result of complying with the new shoreline setback rules, as well as, addressing privacy concerns from the neighboring Ka'anapali Ali'i Condominium project. Option 6 did not involve any change to the height, number of stories, or unit count. The Commission on October 26, 2004 reviewed the applicant's request and determined that Option 6 is not a substantial change to Option 5.

As a result of further settlement agreements, Option 6 was further modified. These modifications resulted in the decrease in height on one building and the minor expansion on the second building. No increase in units or increase in the over all building height or building stories occurred. An additional parking story was added.

At its regular meeting on July 12, 2005, the Maui Planning Commission, determined in accordance with § 11-200-26 and § 11-200-27, HAR, that the new modified Option 6 was not a substantial change to Option 5. As such, the Commission determined that a Supplemental Statement is not required. Letter dated July 13, 2005.



Project Site



Pulelehua Development (HRS 343 FEIS)

District: Lahaina
TMK: (2) 4-3-01:31 (por.)
Applicant: Maui Land and Pineapple Company, Inc.
 1000 Kapalua Dr., Kapalua, HI 96761
 Contact: Karl Bossert (669-5625)

Accepting Authority: State Land Use Commission
 P.O. Box 2359, Honolulu, HI 96804
 Contact: Anthony Ching (587-3822)

Consultant: PBR Hawaii
 1001 Bishop St., Ste. 650, Honolulu, HI 96813
 Contact: Tom Schnell (521-5631)

Status: Accepted by the Land Use Commission on July 13, 2005

Permits Required: District Boundary Amendment, Community Plan Amendment, Change in Zoning, Project District Phases I-2, NPDES, Subdivision Approval, Grading & Building Permits, and Well Construction & Pump Installation Permits

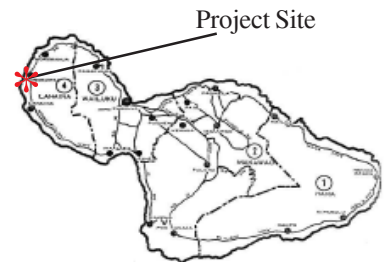
The design of Pulelehua follows Traditional Neighborhood Design (TND) concepts, including mixed uses within walking distance of each other, homes oriented toward the street, pedestrian-friendly design, and mixing of affordable and market rate homes within the same area, block, and street.

Positive impacts include the provision of affordable housing, decreased reliance on cars because of the internal walkable design and proximity major employment centers in West Maui, conservation of surrounding agricultural and open space through compact design within a defined area, provision of an elementary school site, substantial park and open space within the community, and positive economic impacts.

Potential adverse environmental impacts include changes to the land use character of the region, the changes to the visual appearance of the site, increases in traffic, increases in solid waste generated, increases in electrical power consumed, greater demands on public infrastructure systems and services, and short-term impacts to air quality and noise levels due to construction.

Maui Land & Pineapple plans to create Pulelehua, a new community in West Maui between Ka'anapali and Kapalua. Pulelehua will include 882 multi-family and single family homes; at least 51% of which will be affordable (for sale or rent) to residents making between 50 to 140 percent of the median income. There will also be approximately 100 moderate-rate (i.e. "gap") homes available for sale. Pulelehua will also include neighborhood businesses, a public elementary school site, parks, and biking and walking paths.

The Final EIS contains analysis of potential impacts and associated mitigation measures to ensure potential adverse impacts are minimized or mitigated.



Kaua'i Notices

AUGUST 8, 2005

Lihue Emergency Shelter & Transitional Housing (HRS 343 FEA-FONSI)

District: Lihue
TMK: (4)3-8-5:1
Proposing Agency: Kaua'i Economic Opportunity, Inc.
2804 Wehe Rd., Lihue, HI 96766
Contact: Jimmy Nishida (245-4077)

Approving Agency: County of Kaua'i, Office of Community Assistance, Housing Agency
4444 Rice St., Ste. 330, Lihue, HI 96766
Contact: Gary Mackler (241-4429)

Consultant: Agor Architecture
4374 Kukui Grove Dr., Ste. 204, Lihue, HI 96766
Contact: Ron Agor (245-4554)

Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).

Permits Required: Building Permit, Use Permit

During that time, an individual or entire household participates in case management aimed at breaking the cycle of homelessness, and empowering them to become self sufficient, productive members of our community, and to move to permanent housing.

Other Site Improvements - The project will also require onsite improvements (parking lot, sidewalks, walkways, utility connections, wastewater system, water lines, fencing, etc.). Also, a storage structure existing on the site will be retained for storage purposes, and modified for use as a laundry facility. Upgrades will be required for this structure.

Mitigation Measures - The project will require the removal of asbestos containing materials and abatement of lead-based paint for the older schoolhouse buildings, in accordance with findings and recommendations of a Phase 1 Environmental Site Assessment.

Emergency Shelter - The project will provide emergency shelter to serve approximately 19 homeless people, nightly. The larger schoolhouse building will be rehabilitated and converted for a 19-bed emergency shelter, certified shelter, complete with bathroom facilities. The smaller schoolhouse building will be rehabilitated and used as an office/training center. Staff will use the office/training center for life skills programs for program participants, and as an administrative office. Both of these structures will be relocated on-site from their existing footprints.

Transitional Housing Program - The project will provide eight units of rental housing. Rental housing will be used for a transitional housing program. Transitional housing will consist of four portable buildings donated by the County of Kaua'i no longer in service as administrative offices. The buildings are in fair condition. The portables will be moved to the project site and each building will be converted into 2-bedroom duplex units, for a total of 8 living units. At least one unit will be designed so it is accessible to individuals with mobility impairments.

The average length of stay in the Transitional Housing Program ranges from 18 months to a maximum of 24 months.



Project Site



Manele Small Boat Harbor Ferry System Improvements (HRS 343 FEA-FONSI)

District: Lana'i
TMK: (2)4-9-17:6 & 4-9-17:2 (por.)
Proposing Agency: State of Hawai'i, Department of Land and Natural Resources, 333 Queen St., Ste. 300, Honolulu, HI 96813
 Contact: Eric Hirano (587-0230)

Determination Agency: Same as above.
Consultant: Raadha M.B. Jacobstein
 46-304 Nahewai St., Kaneohe, HI 96744
 Contact: Raadha Jacobstein (236-0663)

Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).

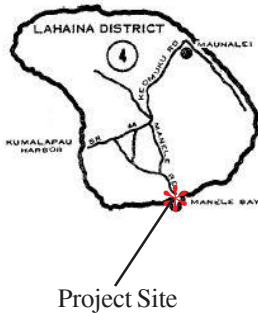
Permits Required: SMA, CDUA, Conditional Permit, NPDES, Grading, Building

The existing Manele Small Boat Harbor was originally constructed in 1965. The harbor provides small boat slips, a rock groin for the Lana'i ferry and chartered vessels, unpaved parking areas, a comfort station, harbor master's office, and boat ramp with a loading dock. The proposed infrastructure improvements would replace existing facilities located within the area of the Manele Small Boat Harbor, and would include: a new comfort station; administrative office; covered waiting areas; paved access roads; vehicle and trailer parking areas; water mains and fire hydrants; sewage pump station and force main; telephone and electrical utilities; street lights; and landscaping. The proposed improvements would be located within the existing area of the Manele Bay Small Boat Harbor and the adjacent 2-acre parcel, and would replace existing facilities.

The proposed action will utilize funding from both federal and state agencies, including the FTA and State of Hawai'i DLNR (DBOR). According to the FTA grant, 80 percent of the project will be funded by FTA funds, and 20 percent will be funded by the State. The estimated construction cost for the Manele Small Boat Harbor Ferry System Improvement project is \$6,500,000. The project would be constructed in one phase for the duration of approximately one year.

The State of Hawai'i, Department of Land and Natural Resources (DLNR), Department of Boating and Ocean Recreation (DBOR), with funding assistance from the Federal Transit Administration (FTA), plans to construct ferry terminal infrastructure improvements at the Manele Small Boat Harbor located in

Manele Bay on the south coast of Lana'i. Construction of the proposed infrastructure improvements would occur on the parcels identified as Maui County Tax Map Key (TMK) (2) 4-9-17:6 and a 2-acre portion of TMK (2) 4-9-17:2.



Shoreline Notices

AUGUST 8, 2005

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 Board of Land and Natural Resources, 1151 Punchbowl Street, Room 220, Honolulu, Hawai'i 96813.

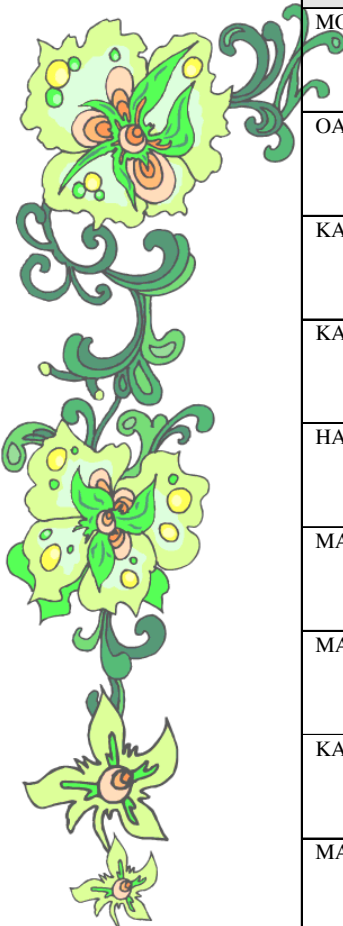


| File No. | Proposed | Location | Applicant/Owner | TMK |
|----------|----------------------------------|--|--|---|
| KA-034-3 | Proposed Shoreline Certification | Lot 6, Wainiha Subdivision II, being a portion of File Plan 1840, land situated at Wainiha, Hanalei, Island of Kaua'i, Hawai'i Address: 7326'Ale'ale'a Road Purpose: Building Permit | Esaki Surveying and Mapping, Inc./Joseph Brescia | 5-8-09: 45 |
| HA-216-2 | Proposed Shoreline Certification | Lot 51 of 49 Black Sand Beach (File Plan 2246) at Anaehoomalu, South Kohala, Island of Hawai'i Address: 49 Black Sand Beach - Honoka'ope Place) | Peter Souza/Sea Cliff Development, LLC | 6-8-33: 51 |
| KA-185 | Proposed Shoreline Certification | Parcel 1 and 2 of the Wailua River Park, land situated at Wailua and South Oloheua, Kawaihau, Island of Kaua'i, Hawai'i Address: Papaloa Road and Kuhio Hwy Purpose: Improvements | Kodani and Associates, Inc./County of Kaua'i | 4-1-05: 04, 4-1-04: 01 4-3-02: 01 |



Shoreline Certification Applications

Pursuant to § 13-222-12, HAR the following shoreline certification applications are available for inspection at the DLNR District Land Offices on Kaua'i, Hawai'i and Maui and at Room 220, 1151 Punchbowl St., Honolulu, O'ahu (Tel: 587-0414). All comments shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, Hawai'i 96813 and postmarked no later than fifteen (15) calendar days from the date of the public notice of the application. If there are any questions, please call Nick Vaccaro at (808) 587-0384.



| File No. | Date | Location | Applicant/Owner | TMK |
|-----------|---------|--|--|-------------------|
| MO-090 | 7/27/05 | Land Commission Award 8559-B, land situated at Kawela, Moloka'i, HI Address: Kamehameha V Highway Purpose: Determine Setback | Newcomer-Lee/Duane and Jacie Hart | 5-4-17: 22 |
| OA-1046 | 7/27/05 | Lot B-13 of Land Court Application 1341 (Map 2), land situated at Ka'alaea, Ko'olaupoko, O'ahu, HI Address: 47-853 Kamehameha Highway Purpose: Determine Setback | Jamie F. Alimboyoguen/ Donna L. Kohls | 4-7-24: 16 |
| KA-034-2A | 7/27/05 | Lot 12 of the Wainiha Subdivision II (F.P. 1840), land situated at Wainiha, Hanalei, Kaua'i, HI Address: 7310 'Ale'ale'a Road Purpose: Building Permit | Esaki Surveying and Mapping, Inc./Jeffery Galloway | 5-8-09: 11 |
| KA-191 | 7/27/05 | Lot 7 of the Wainiha Subdivision II (F.P. 1840), land situated at Wainiha, Hanalei, Kaua'i, HI Address: 7320 'Ale'ale'a Road Purpose: Building Permit | Esaki Surveying and Mapping, Inc./Happy House Trust | 5-8-09: 46 |
| HA-302 | 7/27/05 | Land Court Application 1729 (Map 1), land situated at Kahului 2 nd , North Kona, HI Address: 75-6002 Ali'i Drive #1101 Purpose: Build 2 Story Lana'i | Wes Thomas Associates/Henry and Marjorie Christmann | 7-5-19: 03 |
| MA-325 | 7/27/05 | Lot 102 of Land Court Application 1804 (Map 28), land situated at Honua'ula, Maui, HI Address: 3900 Wailea Alanui Purpose: Building Permit | Towill, Shigeoka and Associates/3900 WA Associates | 2-1-23: 07 |
| MA-324 | 7/27/05 | Lot 53-A of the Nahiku Homesteads, land situated at Nahiku, Ko'olau, Maui, HI Address: 1451 Nahiku Road Purpose: New House | Raymond B. Turner/Teresa Allred | 1-2-03: 21 |
| KA-157-2 | 7/27/05 | Allotment 10-A of the Partition Moloa'a Hui Lands, land situated at Moloa'a, Kaua'i, HI Address: 6606 Ku'ono Road Purpose: Residential Construction | Roger M. Caires Land Surveying and Mapping/Moloaa Bay Land Company | 4-9-14: 06 |
| MA-327 | 7/27/05 | Lot 51 and 52 of Makena Beach Lots, land situated at Palaue, Honua'ula, Makawao, Maui, HI Address: Vacant Purpose: Planning for use of property | Warren S. Unemori Engineering, Inc./William and Nancy Larson | 2-1-11: 16 and 17 |

Federal Consistency Reviews

The Hawai'i Coastal Zone Management (CZM) Program has received the following federal actions to review for consistency with the CZM objectives and policies in Chapter 205A, Hawai'i 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 Hawai'i CZM Program at 587-2878. For neighboring islands use the following toll free numbers: Lana'i & Moloka'i: 468-4644 x72878, Kaua'i: 274-3141 x72878, Maui: 984-2400 x72878 or Hawai'i: 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, Department of Business, Economic Development and Tourism, P.O. Box 2359, Honolulu, Hawai'i 96804 or, fax comments to the Hawai'i CZM Program at 587-2899.

(1) Sea Turtle Conservation Measures for Pelagic Fisheries of the Western Pacific Region

Applicant: National Marine Fisheries Service
Federal Action: Federal Agency Activity
CZM Contact: John Nakagawa, 587-2878
Proposed Action:

The Western Pacific Fishery Management Council is proposing, through the National Marine Fisheries Service, an amendment to the regulations authorized under the Fishery Management Plan for Pelagic Fisheries of the Western Pacific Region. The amendment would establish additional sea turtle conservation measures for longline and other pelagic fisheries: (a) owners and operators of western Pacific longline vessels (non-Hawaii) must annually attend protected species workshops; (b) owners and operators of western Pacific longline vessels (non-Hawaii) must carry and use specified dip nets, line clippers and bolt cutters, and employ sea turtle handling, resuscitation and release procedures for incidentally hooked or entangled sea turtles; (c) operators of non-longline vessels, including Hawaii small boats using hooks to target pelagic management unit species, i.e., troll, handline, and pole and line vessels), must employ sea turtle handling, resuscitation and release procedures, and cut all trailing fishing line from sea turtles that were accidentally hooked or entangled; and (d) operators of western Pacific longline vessels (non-Hawaii) must use 18/0 or larger circle hooks with 10-degree offset, mackerel-type bait and specified sea turtle dehooking devices when shallow-setting north of the Equator. These proposed measures will not affect Hawaii-based longline vessels because similar requirements have already been established for these vessels.

Comments Due: August 22, 2005

(2) Queen Kaahumanu Highway Widening – Henry Street to Kealakehe Parkway Phase 1, Kailua-Kona, Hawaii

Applicant: State Department of Transportation
Contact: Neal Fukumoto, Wesley R. Segawa & Associates, 536-4495
Federal Action: Federal Assistance
Federal Agency: Federal Highway Administration
Location: Henry Street to Kealakehe Parkway, Kailua-Kona
TMK: (3)7-4-8, within State right-of-way
CZM Contact: John Nakagawa, 587-2878
Proposed Action:

The applicant proposes to receive and use federal funds from the Federal Highway Administration to widen the Queen Kaahumanu Highway between Henry Street in the town of Kailua-Kona, extending north to the intersection with Kealakehe Parkway, a distance of 2.6 miles. The highway will be widened from two to four lanes to meet current and future traffic demands.

Comments Due: August 22, 2005

(3) Replacement of Visual Approach Slope Indicator at the Hilo International Airport

Applicant: Federal Aviation Administration
Contact: Keith Lusk, (310) 725-6925
Federal Action: Federal Agency Activity
Location: Hilo International Airport, Island of Hawaii
CZM Contact: Debra Tom, 587-2840
Proposed Action:

The Federal Aviation Administration is proposing to replace the existing Visual Approach Slope Indicator (VASI) with the newer Precision Approach Path Indicator (PAPI) lights Hilo International Airport on the island of Hawaii. These indicators



Coastal Zone News

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provide the pilot with visual approach slope angle information while on final approach. The PAPI consists of four lamp housing assemblies that run perpendicular to the runway at some distance in from the approach end runway threshold. The replacement of the VASI system with the new PAPI system will not alter flight patterns, operational activity, or runway utilizations. There would be no change in noise contours as a result of this project.

Comments Due: August 22, 2005

(4) Replacement of Visual Approach Slope Indicator at the Kahului International Airport

Applicant: Federal Aviation Administration
Contact: Keith Lusk, (310) 725-6925
Federal Action: Federal Agency Activity
Location: Kahului International Airport, Island of Maui
CZM Contact: Debra Tom, 587-2840

Proposed Action:

The Federal Aviation Administration is proposing to replace the existing Visual Approach Slope Indicator (VASI) with the newer Precision Approach Path Indicator (PAPI) lights at the Kahului International Airport on the island of Maui. These indicators provide the pilot with visual approach slope angle information while on final approach. The PAPI consists of four lamp housing assemblies that run perpendicular to the runway at some distance in from the approach end runway threshold. The replacement of the VASI system with the new PAPI system will not alter flight patterns, operational activity, or runway utilizations. There would be no change in noise contours as a result of this project.

Comments Due: August 22, 2005



Special Management Area (SMA) Minor Permits

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

| SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS | | |
|---|--|--|
| Location (TMK) | Description (File No.) | Applicant/Agent |
| Honolulu: Kailua (4-4-23-1) | 6 panel antennas and BTS cabinet on roofless enclosure (2005/SMA-58) | Coral Wireless, LLC |
| Honolulu: Kapolei (9-1-14-10) | Construct a 8,000 sf Gritblast structure (2005/SMA-55) | Chevron Products Co. / Robert J. Rippel |
| Honolulu: Wai'anae (8-5-8-1) | Utility installation (2005/SMA-56) | Coral Wireless LLC/ Ali'i Wireless Specialists LLC (William Keoni Fox) |
| Hawai'i: Keaukaha (2-1-14-4) | Hand clearing of property (SMM 05-000005) | Ronald Smith & Richard Gorman |
| Hawai'i: Wai'akea (2-1-6-74) | Paving of existing parking lot (SMM 05-000006) | Hilo-Kona Mazda Subaru |
| Maui: Haiku (2-8-4-42) | Develop a 20,000 gallon water tank (SM2 20050093) | Pandolfi, Massimo |
| Maui: Lahaina (4-6-12-3) | Dwelling addition (SM2 20050094) | Hassett, John & Ka'auwai, Kristen |
| Maui: Kapalua (4-2-4-24) | Relocate office bldg (SM2 20050095) | Maui Land & Pineapple, Co. |
| Maui: (3-8-11-1) | Above ground fuel tank (SM2 20050096) | Thrifty Car Rental |
| Maui: Kihei (3-8-4-76) | Swimming pool & retaining wall (SM2 20050097) | Charmoun, Marcos & Sara |
| Maui: Hana (1-3-20-39) | Field station & bldg (SM2 20050098) | National Tropical Botanical Garden |

National Environmental Policy Act

AUGUST 8, 2005

Building 88 Interior Demolition

District: 'Ewa
Proposing Agency: Department of the Navy, Naval Facilities Engineering Command, 2713 Mitscher Road, SW, Anacostia Annex, DC 20373-5802. Contact: Kelli Ackiewicz (471-1171, ext. 207)
Consultant: Helber, Hastert, & Fee, Planners
733 Bishop St., Ste. 2590, Honolulu, HI 96813
Contact: Charles Wilson (545-2055)

The Commander, Navy Region Hawaii'i (CNRH) has prepared an Environmental Assessment (EA) and determined that an Environmental Impact Statement is not required for Building 88 Interior Demolition at the Pearl Harbor Naval Complex (PHNC), O'ahu, Hawaii'i. Based on information gathered during preparation of the EA, the Navy finds that the proposed Building 88 Interior Demolition will not significantly impact human health or the environment. The Proposed Action is to demolish fifty-six (56), 25,000-gallon (94,600-liter) steel aboveground storage tanks (ASTs) and ancillary equipment from the interior of Building 88, a former lubricating oil storage facility, and the related exposed piping underneath Mike Wharves M3 and M4 at Merry Point, PHNC. CNRH and Fleet and Industrial Supply Center, Pearl Harbor no longer have any use for this building, or the related piping at Mike Wharves M3 and M4, for lubricant storage and distribution. The Proposed Action would implement CNRH's policy to reduce shore infrastructure costs and demolish underutilized facilities. The Proposed Action would have an adverse effect on Building 88, a historic property, due to the removal of the original ASTs and ancillary equipment. It would have no effect on Mike Wharves. CNRH has complied with Sections 106 and 110(f) of the National Historic Preservation Act by affording the Advisory Council on Historic Preservation, the State Historic Preservation Officer, the Secretary of the Interior, and other parties the opportunity to consult on the proposed undertaking, and by executing a *Memorandum of Agreement* that stipulates measures to minimize and mitigate potential adverse effects. The Proposed Action would not result in significant impacts on the following resources: soils, topography, groundwater, air quality, noise, traffic, marine and terrestrial flora and fauna, utilities, drainage, hazardous and regulated materials, flood hazard, socio-economic factors, and land use compatibility. The Proposed Action would not create environmental health and safety risks that may disproportionately affect children or minority or disadvantaged populations. The Proposed Action would not have reasonably foreseeable direct or indirect effects on any coastal use or resource of the State's coastal zone.

Disposal of the Lualualei Buffer Parcel

District: Wai'anae
Proposing Agency: Department of the Navy, Naval Facilities Engineering Command, 258 Makalapa Dr., Ste. 100, Pearl Harbor, HI 96860-3134
Contact: Andrew Huang (471-1171 x 207)
Consultant: Helber, Hastert, & Fee Planners
733 Bishop St., Ste. 2590, Honolulu, HI 96813
Contact: Thomas Fee (545-2055)

The Commander, Navy Region Hawaii (CNRH) proposes to dispose of the approximately 27-acre Lualualei Buffer Parcel at Naval Magazine Pearl Harbor, Lualualei Branch O'ahu, Hawaii'i (NAVMAG Lualualei). The parcel is to be disposed of in accordance with the Memorandum of Agreement (MOA) dated August 31, 1998, between the United States of America and the State of Hawaii'i represented by the Governor of the State of Hawaii'i and by the Department of Hawaiian Home Lands (DHHL). The MOA was executed pursuant to the Hawaiian Home Lands Recovery Act of 1995, Public Law 104-42, 109 Stat. 357. DHHL plans to develop the property in accordance with the City and County of Honolulu's AG-1 Restricted Agricultural District development standards. Although the Proposed Action would represent a potential change in land use and intensity, it would be compatible with surrounding uses. CNRH has complied with the National Historic Preservation Act, Section 106 by consulting with the State Historic Preservation Officer (SHPO) and affording other consulting parties the opportunity to comment. The SHPO has concurred with CNRH's finding of no historic properties affected. The Proposed Action would not result in significant impacts on the following resource areas: soils, topography, drainage, ground and surface water, air quality, noise, flora and fauna, traffic, public infrastructure, hazardous and regulated materials, flood hazard, and socio-economic factors. The Proposed Action would not create environmental health and safety risks that may disproportionately affect children and minority or disadvantaged populations. CNRH has determined that the Proposed Action would not have reasonably foreseeable direct or indirect effects on any coastal use or resource of the State's coastal zone. Based on information gathered during preparation of the EA, the Navy finds that the proposed disposal of the Lualualei Buffer Parcel will not significantly impact human health or the environment. The EA and FONSI prepared by the Navy addressing this Proposed Action are on file and interested parties may obtain a copy from: Naval Facilities Engineering Command, Hawaii, 400 Marshall Road, Building X-11, Pearl Harbor, Hawaii'i 96860-3139 (Attention: Mr. Andy D. Huang, EV3AH), telephone (808) 471-1171, ext. 207. A limited number of copies are available to fill single copy requests.



Pollution Control Permit Applications

AUGUST 8, 2005

Summary of Inspection and Enforcement Actions

The table below shows a tally of the inspections and responses conducted by the DOH pollution control program personnel during the period from April through June 2005. Inspections and enforcement actions are listed by program area. For more information, please contact the Environmental Planning Office at 586-4337

| | Inspections & Responses | Warning Notices ¹ | Formal Enforcement Cases ² | Penalties Issued | Formal Cases Pending | Formal Cases Concluded | Supplemental Environmental Projects (S.E.P.) in Progress |
|---|-------------------------|------------------------------|---------------------------------------|------------------|----------------------|------------------------|--|
| | April-June 2005 | April-June 2005 | April-June 2005 | April-June 2005 | Total to Date | April-June 2005 | |
| Clean Air Branch | | | | | | | |
| Fugitive Dust | 171 | 10 | 1 | \$800 | 1 | 0 | 0 |
| Noncovered Sources | 16 | 7 | 1 | \$1,000 | 3 | 3 | 0 |
| Covered Sources | 34 | 12 | 7 | \$52,600 | 6 | 2 | 1 |
| Agricultural Burning | 83 | 1 | 1 | \$12,600 | 1 | 0 | 0 |
| Open Burning | 13 | 1 | 0 | -- | 1 | 0 | 0 |
| Others | 40 | 1 | 0 | -- | 0 | 0 | 0 |
| Solid & Hazardous Waste Branch | | | | | | | |
| Underground Storage Tanks | 160 | 2 | 14 | \$24,100 | 1 | 0 | 0 |
| Hazardous Waste | 72 | 30 | 1 | \$107,700 | 6 | 2 | 0 |
| Solid Waste | 181 | 30 | 0 | \$0 | 7 | 1 | 3 |
| Clean Water Branch | | | | | | | |
| Permitted Discharges (NPDES) | 4 | 4 | 0 | \$0 | 5 | 0 | 2 |
| Non-permitted Discharges | 82 | 5 | 2 | \$4,461 | 0 | 2 | 2 |
| Water Quality Certifications | 6 | 0 | 0 | \$0 | 0 | 0 | 0 |
| Wastewater Branch | | | | | | | |
| Wastewater Treatment Plants | 19 | 1 | 1 | \$0 | 4 | 0 | 1 |
| Individual Wastewater Systems | 135 | 10 | 3 | \$0 | 10 | 0 | 0 |
| Animal Waste | 2 | 0 | 0 | \$0 | 0 | 0 | 0 |
| Other | 11 | 0 | 1 | \$25,000 | 1 | 0 | 0 |
| Safe Drinking Water Branch | | | | | | | |
| Public Water Systems | 112 | 5 | 0 | \$0 | 0 | 0 | 0 |
| Wells - Underground Injection Control | 371 | 6 | 0 | \$0 | 0 | 0 | 0 |
| Hazard Evaluation & Emergency Response | | | | | | | |
| Oil Spills | 0 | 0 | 0 | \$0 | 0 | 0 | 0 |
| Hazardous Waste Releases | 2 | 0 | 0 | \$0 | 0 | 0 | 0 |
| TOTAL | 1514 | 125 | 32 | \$228,261 | 46 | 10 | 9 |
| <p>1 Informal letters warning a person or entity that they are violating environmental laws normally requiring corrective action by a specified deadline. Informal actions generally cover less serious issues such as small infractions by individuals, or violations of permit technicalities which do not directly impact environmental quality.</p> <p>2 Formal enforcement cases generally cover any serious violation and repeat or continued violations of permits or the law. Warning letters, if not adequately responded to, can lead to formal actions. Specifically, formal cases are administrative enforcement proceedings that typically include a formal notice of violation and an order. Orders often require corrective action, reports, and payment of a penalty. This section also includes field citations.</p> | | | | | | | |

Pollution Control Permit Applications

AUGUST 8, 2005

Formal Enforcement Actions and Settlements Completed by DOH

Notices of violation issued from April through June 2005 are summarized below. The summaries do not constitute exact descriptions of the violations. For complete and accurate descriptions, please contact DOH at 586-4337 regarding copies of the violation notices.

Clean Air Branch

On April 12, 2005, a Notice of Violation was served to **Hawaiian Charcoal Company** in Wailuku, Maui, for deviating from the requirements and special conditions of their Noncovered Source Permit. They were ordered to take corrective action and pay a fine of \$7,700.00. On May 6, 2005, a Notice of Violation was served to **G. Ibarra Heavy Equipment Rentals** in Wailuku, Maui for violating conditions of their Covered Source Permit at the portable jaw crushing plant in Lahaina. They were ordered to take corrective action within 20 days, and pay a penalty of \$13,400.00.

Department of Health Permits

The following is a list of some pollution control permits currently before 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. Abbreviations are as follows: **CAB** - Clean Air Branch; **CD** - comments due; **CSP** - Covered Source Permit; **CWB** - Clean Water Branch; **I** - issued; **SHWB** - Solid and Hazardous Waste Branch; **SDWB** - Safe Drinking Water Branch; **N** - none; **NPDES** - National Pollutant Discharge Elimination System under the Federal Clean Water Act; **R** - received; **T** - temporary; **UIC** - Underground Injection Control; **NA** - not applicable.

Clean Air Branch

| Branch Permit Type | Applicant & Permit Number | Project Location | Pertinent Date | Proposed Use |
|----------------------|--|--|-----------------|--|
| CAB, 586-4200, T-CSP | Kalaka Nui, Inc. CSP 0580-01-CT | Various Temporary Sites, State of Hawai'i Initial Location: Facility Baseyard, 91-008 Hanu'a Street, Campbell Industrial Park, Kapolei, O'ahu | Issued: 7/12/05 | One (1) 350 TPH Crushing Plant with One (1) 300 HP Diesel Engine |
| CAB, 586-4200, NSP | Hawaiian Electric Company, Inc. NSP 0579-01-N | Helemano Substation, Wahiawa, O'ahu | Issued: 7/13/05 | Three (3) 1.64 MW Diesel Engine Generators |
| CAB, 586-4200, NSP | Hawaiian Electric Company, Inc. NSP 0582-01-N | 'Ewa Nui Substation, Waipahu, O'ahu | Issued: 7/13/05 | Three (3) 1.64 MW Diesel Engine Generators |
| CAB, 586-4200, NSP | Hawaiian Electric Company, Inc. NSP 0585-01-N | Hoa'ea'e Substation, 94-147 Leokane Street, Waipahu, O'ahu | Issued: 7/13/05 | Two (2) 1.64 MW Diesel Engine Generators |
| CAB, 586-4200, NSP | Hawaiian Electric Company, Inc. NSP 0587-01-N | Iwilei Tank Farm, 855 North Nimitz Highway, Honolulu, O'ahu | Issued: 7/13/05 | Three (3) 1.64 MW Diesel Engine Generators |
| CAB, 586-4200, T-NSP | Hunt Building Company, Ltd. NSP 0592-01-NT | Various Temporary Sites, State of Hawai'i Initial Location: Facility Yard, 128 Bougainville Avenue, Kapolei, O'ahu | Issued: 7/15/05 | 81 TPH Screening Plant |
| CAB, 586-4200, CSP | U.S. Air Force, 15 th Airlift Wing CSP 0209-01-C (Renewal & Modification) | Hickam Air Force Base, O'ahu | Issued: 7/25/05 | Base Equipment and Facilities |
| CAB, 586-4200, NSP | Ocean View Hotel Corp., dba Radisson Waikiki Prince Kuhio (Renewal) | 2500 Kuhio Avenue, Honolulu, O'ahu | Issued: 7/26/05 | Two (2) 70 HP Boilers |

Federal Notices

AUGUST 8, 2005

Notice of Intent to Prepare an EIS for the Hawai'i Volcanoes National Park Air Tour Management Plan

The Federal Aviation Administration (FAA), in cooperation with the National Park Service (NPS), began development of an Air Tour Management Plan (ATMP) and associated Environmental Assessment (EA) for Hawai'i Volcanoes National Park in February 2003. The FAA and NPS have now decided to proceed with development of an Environmental Impact Statement (EIS) for this project. This decision is based on information received through the EA scoping process, the environmental analysis completed by the Agencies to date, the consideration of preliminary ATMP alternatives, and through consultations conducted pursuant to Section 106 of the National Historic Preservation Act. The FAA and NPS are now inviting the public, agencies, and other interested parties to provide written comments, suggestions, and input regarding the scope of issues and the identification of significant issues to be addressed in the Environmental Impact Statement (EIS). Comments previously submitted in response to the EA scoping will not need to be resubmitted, as they will be considered as part of the EIS process and record. No additional scoping meetings are scheduled. The 45-day scoping comment period will commence upon publication of this Notice – August 2, 2005. Submit any written response you may have within 45 days from the date of this Notice or no later than September 15, 2005. Address your written comments to: Docket Management System, Doc No. FAA-2005-21938, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. Identify the docket number FAA-2005-21938 at the beginning of your comments. If you wish to receive confirmation that FAA received your comments, include a self-addressed, stamped postcard. (see, 70 F.R. 44416, August 2, 2005, for other important details)

New License Request for Irradiator near Honolulu International Airport and Opportunity to Request a Public Hearing

The U.S. Nuclear Regulatory Commission (NRC) received on June 27, 2005, from Pa'ina Hawai'i, LLC, a Hawaiian owned company, an application to build and operate a commercial pool type industrial irradiator in Honolulu, Hawai'i, near the Honolulu International Airport. This commercial irradiator will irradiate fresh fruit and vegetables bound for the mainland from the Hawaiian Islands, cosmetics, and pharmaceutical products. The irradiator will also be used by the applicant to conduct research and development projects, and irradiate a wide range of other materials as specifically approved by the NRC on a case-by-case basis. Before approving the proposed license, the NRC will need to make the findings required by the Atomic Energy Act of 1954, as amended, and NRC's regulations. An environmental assessment for this licensing action is not required, since this action is categorically excluded under the provisions of 10 CFR 51.22(c)(14)(vii). The NRC hereby provides notice that this is a proceeding on a license application. Any person whose interest may be affected by this proceeding and who desires to participate as a party must file a written request for a hearing and a

specification of the contentions which the person seeks to have litigated in the hearing. For more information contact Jack E. Whitten, Chief, Nuclear Materials Licensing Branch, Division of Nuclear Materials Safety, Region IV, U.S. Nuclear Regulatory Commission, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas, 76011, telephone (817) 860-8197, facsimile (817) 860-8263; or by e-mail: jew1@nrc.gov (see, 70 F.R. 44396, August 2, 2005, for other important details).

Fishery

(NMFS) announced that persons who enter the bottom fish fishery in the U.S. exclusive economic zone (EEZ) around the main Hawaiian Islands (MHI) after June 2, 2005, ("control date") are not guaranteed future participation in the fishery if the Western Pacific Fishery Management Council (Council) prepares and NMFS approves a program limiting entry or effort. Submit comments identified by I.D. 062405B by electronic mail at AT47@NOAA.gov no later than August 12, 2005. For more information, please call Walter Ikehara at (808) 973-2937 (see, 70 F.R. 40305, July 13, 2005, for other important details).

Another proposed rule would require all Hawaii-based long line fishing vessels to either side-set (set long line gear from the side of the vessel rather than from the stern), or use a combination of other seabird mitigation measures to prevent seabirds, e.g., Laysan and black-footed albatrosses, from being accidentally hooked or entangled, and killed during fishing operations. This proposed rule is also intended to reduce the potential for interaction with endangered short-tailed albatrosses that are known to be in the area in which the fishery operates. Submit comments identified by 0648-AS30 by electronic mail to AS30-Seabirds@noaa.gov no later than August 12, 2005. For more information call Robert Harman at (808) 973-2937 (see, 70 F.R. 40302, July 13, 2005, for other important details).

Endangered Species Recovery Permit Applications

The U.S. Fish and Wildlife Service (FWS) solicits review and comment from the public, and from local, State, and Federal agencies on the following permit requests. **Permit No. TE-103582, Applicant:** National Audubon Society, Haleiwa, Hawai'i. The applicant requests a permit to take (harass by survey, locate and monitor nests, and control predators) the Hawaiian moorhen (*Gallinula chloropus sandvicensis*) in conjunction with monitoring activities and habitat enhancement in Honolulu County, Hawai'i, for the purpose of enhancing its survival. **Permit No. TE-043638, Applicant:** U.S. Army Garrison, Schofield Barracks, Hawai'i. The permittee requests an amendment to remove/reduce to possession (collect, propagate, store seed, and reintroduce) *Chamaesyce herbstii* ('Akoko), *Hesperomannia arbuscula*, *Phyllostegia kaalaensis*, and *Schiedea kaalae* in conjunction with activities to stabilize these species on military land on O'ahu for the purpose of enhancing their survival. Comments on these permit applications must be received on or before August 19, 2005. Send data/comments to the U.S. Fish and Wildlife Service, Chief, Endangered Species, Ecological Services, 911 NE. 11th Avenue, Portland, Oregon 97232-4181 (see, 70 F.R. 41786, July 20, 2005, for other important details).

Environmental Announcements

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Preliminary Draft Environmental Justice Guidelines

Environmental justice issues may arise at any step of the HRS 343 process and agencies or applicants should consider these issues at each and every step of the process, as appropriate. Environmental justice issues encompass a broad range of impacts covered by HRS 343, including impacts on the natural or physical environment and interrelated social, cultural and economic effects. In preparing an EIS or an EA, agencies or applicants must consider both impacts on the natural or physical environment and related social, cultural, and economic impacts. Environmental justice concerns may arise from impacts on the natural and physical environment, such as human health or ecological impacts on marginalized (minority, low-income, indigenous, etc.) populations, or from related social or economic impacts.

1. General Principles

Agencies or applicants should recognize that the question of whether agency or applicant action raises environmental justice issues is highly sensitive to the history or circumstances of a particular community or population, the particular type of environmental or human health impact, and the nature of the proposed action itself. There is not a standard formula for how environmental justice issues should be identified or addressed. However, the following six principles provide general guidance.

- Agencies or applicants should consider the composition of the affected area, to determine whether marginalized (minority, low-income, indigenous, etc.) populations are present in the area affected by the proposed action, and if so whether there may be disproportionately high and adverse human health or environmental effects on marginalized groups.
- Agencies or applicants should consider relevant public health data and industry data concerning the potential for multiple or cumulative exposure to human health or environmental hazards in the affected population and historical patterns of exposure to environmental hazards, to the extent such information is reasonably available. For example, data may suggest there are disproportionately high and adverse human healths or environmental effects on marginalized groups from the agency action.
- Agencies or applicants should consider these multiple, or cumulative effects, even if certain effects are not within the control or subject to the discretion of the agency proposing the action.
- Agencies or applicants should recognize the interrelated cultural, social, occupational, historical, or economic factors that may amplify the natural and physical environmental effects of the proposed agency action. These factors should include the physical sensitivity of the community or population to particular impacts; the effect of any disruption on the community structure associated with the proposed

action; and the nature and degree of impact on the physical and social structure of the community.

- Agencies or applicants should develop effective public participation strategies. Agencies or applicants should, as appropriate, acknowledge and seek to overcome linguistic, cultural, institutional, geographic, and other barriers to meaningful participation, and should incorporate active outreach to affected groups.
- Agencies or applicants should assure meaningful community representation in the process. Agencies or applicants should be aware of the diverse constituencies within any particular community when they seek community representation and should endeavor to have complete representation of the community as a whole. Agencies or applicants also should be aware that community participation must occur as early as possible if it is to be meaningful.

2. Additional Considerations

The preceding principles must be applied in light of these further considerations that are pertinent to any analysis of environmental justice under HRS 343.

- This guidance does not change the prevailing legal thresholds and statutory interpretations under HRS 343 and existing case law. For example, for an EIS to be required, there must be a "significant" impact on the physical or natural environment to be "significant" within the meaning of HRS 343. Agency consideration of impacts on marginalized groups may lead to the identification of disproportionately high and adverse human health or environmental effects that are significant and that otherwise would be overlooked.
- Under HRS 343, the identification of a disproportionately high and adverse human health or environmental effect on marginalized groups does not preclude a proposed agency action from going forward, nor does it necessarily compel a conclusion that a proposed action is environmentally unsatisfactory. Rather, the identification of such an effect should heighten agency or applicant attention to alternatives (including alternative sites), mitigation strategies, monitoring needs, and preferences expressed by the affected community or population.
- Neither the Legislative Resolution nor this guidance prescribes any specific format for examining environmental justice, such as designating a specific chapter or section in an EIS or EA on environmental justice issues. Agencies or applicants should integrate analyses of environmental justice concerns in an appropriate manner so as to be clear, concise, and comprehensible within the general format suggested by HRS 343 and HAR 11-200.

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3. Considering Environmental Justice in Specific Phases of the HRS 343 Process

While appropriate consideration of environmental justice issues is highly dependent upon the particular facts and circumstances of the proposed action, the affected environment, and the affected populations, there are opportunities and strategies that are useful at particular stages of the HRS 343 process.

- **Scoping** During the scoping process, an agency or applicant should preliminarily determine whether an area potentially affected by a proposed agency or applicant action may include marginalized groups, and seek input accordingly. When the scoping process is used to develop an EIS or EA, an agency or applicant should seek input from marginalized groups as early in the process as information becomes available. Any such determination, as well as the basis for the determination, should be more substantively addressed in the appropriate HRS 343 documents and communicated as appropriate during the HRS 343 process.

If an agency or applicant identifies any potentially affected marginalized groups, the agency or applicant should develop a strategy for effective public involvement in the agency's or applicant's determination of the scope of the HRS 343 analysis. Customary agency or applicant practices for notifying the public of a proposed action and subsequent scoping and public events may be enhanced through better use of local resources, community and other nongovernmental organizations, and locally targeted media.

The participation of diverse groups in the scoping process is necessary for full consideration of the potential environmental impacts of a proposed agency action and any alternatives. By discussing and informing the public of the emerging issues related to the proposed action, agencies or applicants may reduce misunderstandings, build cooperative working relationships, educate the public and decision-makers, and avoid potential conflicts. Agencies or applicants should recognize that the identity of the relevant "public" may evolve during the process and may include different constituencies or groups of individuals at different stages of the HRS 343 process. For this participation to be meaningful, the public should have access to enough information so that it is well informed and can provide constructive input.

Thorough scoping is the foundation for the analytical process and provides an early opportunity for the public to participate in the design of alternatives for achieving the goals and objectives of the proposed agency action.

- **Public Participation** Early and meaningful public participation in the State or County agency decision making process is a paramount goal of HRS 343. EIS Rules require agencies or applicants to make diligent efforts to involve the public throughout the HRS 343 process. Participation of marginalized groups may require adaptive or innovative

approaches to overcome linguistic, institutional, cultural, economic, historical, or other potential barriers to effective participation in the decision-making processes of State or County agencies or applicants under customary HRS 343 procedures. These barriers may range from agency failure to provide translation of documents to the scheduling of meetings at times and in places that are not convenient to working families.

- **Describing the Affected Environment** In order to determine whether a proposed action is likely to have disproportionately high and adverse human health or environmental effects on marginalized groups, agencies or applicants should identify a geographic scale for which they will obtain demographic information on the potential impact area. Agencies or applicants may use demographic data available from the Bureau of the Census (BOC) to identify the composition of the potentially affected population. Geographic distribution by race, ethnicity, and income should be examined. Census data are available in published formats, and on CD-ROM available through the BOC. These data also are available from a number of local, college, and university libraries, and the World Wide Web. Agencies or applicants should recognize that the impacts within marginalized groups may be different from impacts on the general population due to a community's distinct cultural practices. For example, data on different patterns of living, such as subsistence fish, vegetation, or wildlife consumption and the use of well water in rural communities may be relevant to the analysis. Where a proposed agency action would not cause any adverse environmental impacts, and therefore would not cause any disproportionately high and adverse human health or environmental impacts, specific demographic analysis may not be warranted.
- **Describing the Impacts of the Proposed Project** When a disproportionately high and adverse human health or environmental effect on a marginalized group has been identified, agencies or applicants should analyze how environmental and health effects are distributed within the affected community. Displaying available data spatially, through a GIS, can provide the agency and the public with an effective visualization of the distribution of health and environmental impacts among demographic populations. This type of data should be analyzed in light of any additional qualitative or quantitative information gathered through the public participation process.

Where a potential environmental justice issue has been identified by an agency, the agency should state clearly in the EIS or EA whether, in light of all of the facts and circumstances, a disproportionately high and adverse human health or environmental impact on marginalized groups is likely to result from the proposed action and any alternatives. This statement should be supported by sufficient information for the public to understand the rationale for the conclusion. The underlying analysis should be presented as concisely as

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possible, using language that is understandable to the public and that minimizes use of acronyms or jargon.

- Evaluating Alternatives Agencies or applicants should encourage the members of the communities that may suffer a disproportionately high and adverse human health or environmental effect from a proposed agency action to help develop and comment on possible alternatives to the proposed agency action as early as possible in the process. Where an EIS is prepared, EIS Rules require agencies or applicants to identify an environmentally preferable alternative in the accepted final document. When the agency has identified a disproportionately high and adverse human health or environmental effect on marginalized groups from the proposed action or alternatives, the distribution as well as the magnitude of the disproportionate impacts in these communities should be a factor in determining the environmentally preferable alternative. In weighing this factor, the agency should consider the views it has received from the affected communities, and the magnitude of environmental impacts associated with alternatives that have a less disproportionate and adverse effect on marginalized groups.
- Determining Significance When an agency makes a determination that a proposed action may result in significant environmental effects, EIS Rules provide that an EIS shall be prepared. Disproportionately high and adverse human health or environmental effects on marginalized groups should be among those factors explicitly discussed in the determination of significance, and should also be addressed in any discussion

of whether all practicable means to avoid or minimize environmental and other interrelated effects were adopted. Where relevant, the agency should discuss how these issues are addressed.

Dissemination of the information in the document acceptance letter may provide an effective means to inform the public of the extent to which environmental justice concerns were considered in the decision-making process, and where appropriate, whether the agency intends to mitigate any disproportionately high and adverse human health or environmental effects within the constraints of HRS 343 and other existing laws. In addition to translating crucial portions of the EIS where appropriate, agencies or applicants should provide translation, where practicable and appropriate, of the document acceptance letter in non-technical, plain language for limited-English speakers. Agencies or applicants should also consider translating documents into languages other than English where appropriate and practical.

Mitigation Measures include steps to avoid, mitigate, minimize, rectify, reduce, or eliminate the impact associated with past, existing and future action. Throughout the process of public participation, agencies or applicants should elicit the views of the affected populations on measures to mitigate a disproportionately high and adverse human health or environmental effect on a marginalized group and should carefully consider community views in developing and implementing mitigation strategies. Mitigation measures identified in an EIS should reflect the needs and preferences of affected marginalized groups to the extent practicable.

If you wish to join the Environmental Justice Planning Meetings or to receive updates on these meetings please complete the following:

Name: _____

Contact No. _____

Organization: _____

Mailing Address: _____

Email Address: _____

Yes I'm interested in participating with the meetings and planning.

Just want information for now, may join meetings later.

Send via telephone facsimile to: (808) 586-4186