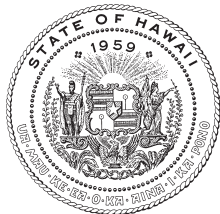


# The Environmental Notice

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

AUGUST 23, 2005

## Environmental Justice Committee Needs Comments and Volunteers

A preliminary draft environmental justice guideline is published on page 15. This is your final notice to make comments on this first iteration of the environmental justice guideline that the Environmental Center, the Environmental Council and OEQC are working on as requested by the

Legislature. The Environmental Council will be meeting on September 14, 2005. Please send comments to OEQC by August 31, 2005. If you would like to volunteer to work on the guideline see the application on page 17. This is your opportunity to let your voice be heard.

## Ideas Needed for Improving Land Use Planning in Hawai'i

As part of its annual report to the legislature, the Environmental Council is making recommendations to improve land use planning and management in Hawai'i. If you have any ideas, please send an email to [oeqc@doh.hawaii.gov](mailto:oeqc@doh.hawaii.gov) by September 1, 2005. If you have any questions, please call OEQC.

## Kuakini Street Extension

The City Dept. of Transportation Services is proposing to realign 2 intersections in the Liliha/Alewa Heights neighborhood, Lanakila Ave. at Kuakini Street and Lanakila Ave. at Keola St., which are now only 30 feet apart. Keola St. links Lanakila Avenue with Hala Drive just makai of Maluhia Hospital. During peak hours these 2 intersections bottleneck with those travelling ewa and kokohead, since drivers must first turn right onto Lanakila and then immediately turn left onto the connecting road. DTS proposes to extend Kuakini Street ewa by 600 feet, connecting it close to Hala Drive to create a single 4-leg signalized intersection, and allow Keola St to remain as a smaller, local road. See the draft EA notice on page 6 for more information.

## Lagoon Restoration at Hilton Hawaiian Village

During its property renovation, the Hilton is required to attain and maintain the water quality of the adjacent Duke Kahanamoku Lagoon at acceptable levels, as conditioned by its SMA permit. Specifically, it will improve water quality by increasing the water turnover rate, reducing volume, switching its source from ocean water to saline groundwater, and rerouting stormwater runoff away from the lagoon. There are also plans for extending the promenade around the lagoon, adding landscaping, and installing public amenities, such as drinking fountains and benches. See the draft EA notice for this project on page 5.

## HRS 343 Amendments

Several amendments were enacted during the 2005 legislative session. The definition of "wastewater facility" has been changed to "wastewater treatment unit." The new language has been inserted in 343-2, the definitions section; and 343-5, the section on triggers. Additional language has also been added to this section allowing OEQC consultation regarding an agency's determination on its own environmental assessment. To see the full text of Act 130 go to: [http://www.capitol.hawaii.gov/sessioncurrent/bills/HB408\\_cd1.htm](http://www.capitol.hawaii.gov/sessioncurrent/bills/HB408_cd1.htm)

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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.*

# Definitions

## Your guide to the Environmental Review Process

### Draft Environmental Assessment

A project or action that may affect the environment cannot be implemented until an Environmental Assessment (EA) is prepared in accordance with Chapter 343, Hawai'i Revised Statutes (HRS). If the lead State or county agency (the *proposing agency* for agency actions, or the *approving agency* for applicant actions) anticipates that the project will have no significant environmental impact, then affected agencies, individuals, and organizations must be consulted and a Draft EA (DEA) is written and public notice is published in this periodic bulletin (see, section 343-3, HRS) known as the *Environmental Notice*. The public has 30 days to comment on the Draft EA from the date of the first notice.

### Final Environmental Assessment and Finding of No Significant Impact

After the lead agency reviews the public comments, if it determines that the project will have no significant effect on the environment, then it will prepare a Final EA (FEA) and issue a Finding of No Significant Impact (FONSI) formerly called a *Negative Declaration*. The Final EA must respond to all public comments. An Environmental Impact Statement will not be required and the project may now be implemented. The public has 30 days from the first notice of a FONSI in this periodic bulletin to ask a court to require the preparation of an EIS.

### Final Environmental Assessment and Environmental Impact Statement Preparation Notice

When a lead agency decides that a project may have a significant environmental impact, an Environmental Impact Statement (EIS) must be prepared prior to implementing the project. Like the DEA (see *above*), affected agencies, individuals and organizations must be consulted prior to preparation of the final EA (FEA) and issuance of a determination called an EIS preparation notice (EISPN). (The EA is called *final*, to distinguish it from the draft, above). After the FEA is written by the lead agency, and notice of the FEA and EISPN is published in the this periodic bulletin, any agency, group, or individual has 30 days from the first publication of the EISPN to request to become a consulted party and to make written comments regarding the environmental effects of the proposed action. The public (including an applicant) has 60 days from the first notice of an EISPN in this periodic bulletin to ask a court to not require the preparation of an EIS.

### Draft Environmental Impact Statement

After receiving the comments on the FEA and EISPN (see *above*), the lead agency or private applicant must prepare a Draft Environ-

mental Impact Statement (DEIS) prior to project implementation. This document must completely disclose the likely impacts of a project. Direct, indirect and cumulative impacts must be discussed along with measures proposed to mitigate them. The public has 45 days from the first publication date in this periodic bulletin to comment on a DEIS. The DEIS must respond to comments received during the FEA-EISPN comment period in a *point-by-point* manner.

### Final Environmental Impact Statement

After considering all public comments filed during the DEIS stage, the agency or applicant must prepare a Final EIS (FEIS). The FEIS must respond in a *point-by-point* manner to all comments from the draft stage. Requisite deeper analyses must be included in the FEIS. For applicant projects, the approving agency is authorized to accept the FEIS. For agency project the Governor or the county mayor is the accepting authority. Only after the EIS is accepted may the project be implemented.

### Acceptability

If the FEIS is accepted, the law requires that notice of this be published in this periodic bulletin. The public has 60 days from the date of first notice of acceptance to ask a court to vacate the acceptance of an EIS. In the case of applicant actions, the law requires that an approving agency must make a determination on acceptance within thirty-days of receipt of the FEIS or the FEIS is deemed accepted. Also, for applicant actions, the law provides for an administrative appeal of a non-acceptance to the Environmental Council.

### National Environmental Policy Act

The National Environmental Policy Act (NEPA) requires federal projects to prepare an EA or EIS. In many ways it is similar to Hawai'i's law. Some projects require both a state (or county) and federal EIS and the public comment procedure should be coordinated. Although not required by law, the OEQC publishes NEPA notices in this periodic bulletin to help keep the public informed of important federal actions.

### Special Management Area

The Special Management Area (SMA) is along the coastlines of all our islands and development in this area is generally regulated by Chapter 205A, HRS and county ordinance. A special subset of the SMA that is regulated by Chapter 343, HRS is the Shoreline Setback Area. Most development in this area requires a Special Management Permit (SMP). This periodic bulletin posts notice of these SMP applications to encourage public input.

### Shoreline Certifications

State law requires that Hawai'i shorelines be surveyed and certified when necessary to clearly establish the shoreline setback (an area contained between the certified shoreline and a prescribe distance inland (usually 40 feet) from the certified shoreline). The public may participate in the process to help assure accurate regulatory boundaries. Private land owners often petition to have their shoreline certified by the State surveyor prior to construction. This periodic bulletin publishes notice from the Department of Land and Natural Resources of both shoreline certification applicants and of final certifications or rejections.

### Environmental Council

The Environmental Council is a fifteen-member citizen board appointed by the Governor to advise the State on environmental concerns. The council makes the rules that govern the Environmental Impact Statement process. The agendas of their regular meetings are published on the Internet at <http://www.ehawaii.gov/calendar> and the public is invited to attend.

### Exemption Lists

Government agencies must keep a list describing the minor activities they regularly perform that are declared exempt from the environmental review process. These lists are reviewed and approved by the Environmental Council. This periodic bulletin will publish an agency's draft exemption list for public comment prior to Council decision making, as well as notice of the Council's decision on the list.

### Conservation District

Any use of land in the State Conservation District requires a Conservation District Use Application (CDUA). These applications are reviewed and approved by the Board of Land and Natural Resources (BLNR). Members of the public may intervene in the permit process. Notice of these permit applications is published in this periodic bulletin.

### Endangered Species

This periodic bulletin is required by Section 343-3(c), HRS, to publish notice of public comment periods or public hearings for habitat conservation plans (HCP), safe harbor agreements (SHA), or incidental take licenses (ITL) under the federal Endangered Species Act, as well as availability for public inspection of a proposed HCP or SHA, or a proposed ITL (as a part of an HCP or SHA).



# O'ahu Notices

AUGUST 23, 2005

## UH Kuykendall Annex Telecommunications Antennas (HRS 343 DEA)

**District:** Honolulu  
**TMK:** (1)2-8-023:003  
**Applicant:** Coral Wireless, LLC  
Seven Waterfront Plaza, 500 Ala Moana Blvd.,  
Ste. 230, Honolulu, HI 96813  
Contact: Eric Schatz (226-0202)

**Approving Agency:** University of Hawai'i at Manoa  
2444 Dole St., Honolulu, HI 96822  
Contact: Wallace Gretz (956-8896)

**Consultant:** Environmental Planning Solutions, LLC  
945 Makaiwa St., Honolulu, HI 96816  
Contact: Colette Sakoda (732-8602)

### Public Comment

**Deadline:** September 22, 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:** Minor Modification to PRU; Noise; Construction

Hawai'i's newest wireless telecommunications company, Coral Wireless (CWI) will be launching a CDMA network using state of the art equipment to provide wireless voice and data coverage on O'ahu. CWI is licensed by the FCC to broadcast in the 1900 Megahertz band. CWI's service is similar to existing cellular providers, but is modeled to provide unlimited access with flat rate pricing to O'ahu subscribers.

Coral Wireless plans to install its University of Hawai'i at Mānoa facility on the rooftop of Kuykendall Annex which will consist of:

- 6 panel type antennas flush mounted to the north, south and west faces of the elevator shaft. Each panel antenna measures about 6' (h) x 8" (w) and will be painted to blend in with the building's existing color.



- One self-contained, weatherproof BTS equipment cabinet that will sit on a wall mounted rack bolted to the south face of the elevator shaft to ensure adequate space for rooftop maintenance. The BTS is connected to a utility demarcation/power protection cabinet that measures approximately 66" (h) x 30" (l) x 10" (w).

- Total space required on rooftop will be 100 sq.ft. This installation will be regulated by the Federal Communications Commission and requires additional zoning and building permits from the City & County of Honolulu.

- Coral Wireless' installation is classified as a Utility Installation, Type B, in the R-5 zoning district, and requires a minor modification to the Plan Review Use (PRU) from the Department of Planning and Permitting, City and County of Honolulu.

Minor traffic impacts will occur as a result of construction related traffic and the operation of construction equipment which may, on occasion, impede traffic in the immediate vicinity of Kuykendall. In addition, the proposed project may inhibit the use of the east end of Donaggho Road between Kuykendall Annex and Krauss Annex while a boom truck is parked to unload the bulk of the panel antenna and equipment cabinet hardware. This is expected to be up to a 3-day period.

Construction activities will result in an increase in noise levels during the 5- to 8-week installation period. However, disruption to existing activities is anticipated to be minimal as the proposed project will not involve major earthmoving, pile driving or heavy demolition work.



## Duke Kahanamoku Lagoon Restoration (HRS 343 DEA)

**District:** Honolulu

**TMK:** (1) 2-3-037:021, 2-6-009:001, 2-6-008:034, 2-6-009:010, 2-6-009:002, and 2-3-037:012

**Applicant:** Hilton Hawaiian Village, LLC  
2005 Kalia Rd., Honolulu, HI 96815  
Contact: Peter Schall (941-9226)

**Approving Agency:** DLNR- Office of Conservation & Coastal Lands, 1151 Punchbowl St., Rm. 131, Honolulu, HI 96813  
Contact: Kimberly Mills (587-0382)

**Consultant:** Planning Solutions, Inc.  
210 Ward Ave., Ste. 330, Honolulu, HI 96814  
Contact: Perry White (550-4483)

**Public Comment**

**Deadline:** September 22, 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:** CDUP, Construction, DA Ind. Permit, Right of Entry, CZM Determination, WQC, Noise Control, Grading, NPDES Discharge, Building

construction of a new Tower and associated facilities and landscaping on its Hilton Hawaiian Village (HHV) property in Waikiki. Among other things, the SMP (File No. 2002/SDD-33) requires HHC to attain and maintain the water quality of the adjacent Duke Kahanamoku Lagoon at acceptable levels as specified by the State Department of Health. The PD-R (City Council Resolution No. 02-226, CD 1, FD 1) establishes requirements for recreational and public facilities around the lagoon that HHC must fulfill during the redevelopment of the property.

This EA covers the lagoon-related activities that Hilton Hotels Corporation is proposing in order to fulfill the conditions of its SMP and PD-R approvals. Specifically, HHC is proposing to improve water quality in the lagoon by increasing the water turnover rate, reducing its volume, switching its source from ocean water to saline groundwater, and rerouting stormwater runoff away from the lagoon. It has also developed plans for extending the Waikiki Promenade around the lagoon, adding landscaping, and installing public amenities (e.g., drinking fountains, benches) in accordance with the PD-R design program requirements. These actions, and the measures that HHV will take in order to reduce or avoid adverse environmental impacts, are described in detail in the EA.

The Hilton Hotels Corporation (HHC) has obtained a Special Management Area Use Permit (SMP) and Planned Development-Resort (PD-R) approval for





# O'ahu Notices

AUGUST 23, 2005

## Kuakini Street Extension (HRS 343 DEA)

**District:** Honolulu  
**TMK:** (1) 1-6-009:001 and roadway ROW  
**Proposing Agency:** C & C, Dept. of Transportation Services  
650 S King St., Honolulu, HI 96813  
Contact: Darin Mar (527-5055)

**Determination Agency:** Same as above.  
**Consultant:** R.M. Towill Corporation  
420 Waiakamilo Rd., Ste. 411, Honolulu, HI 96817  
Contact: Brian Takeda (842-1133)

**Public Comment Deadline:** September 22, 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:** Construction Plan Review, Grading & Noise Permits, NPDES (potentially required)

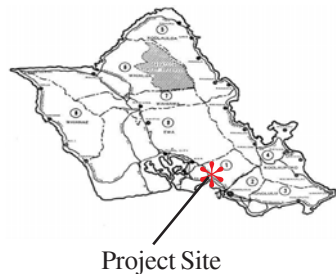
intersections with a single cross intersection. The portion of Keola Street between the proposed connection and Lanakila Avenue will be converted to a local street to serve the adjoining properties.

This proposed project was approved in 2003 (City and County of Honolulu Ordinance 03-15) and added into the Primary Urban Center Development Plan Public Facilities Map. The proposed roadway extension right-of-way and the adjacent lot identified by Tax Map Key (TMK): (1) 1-6-009: 001 are owned by the State Department of Land and Natural Resources (DLNR). The project site and the surrounding area are zoned for residential use (single-family homes and apartments). Construction is scheduled to begin in the middle of 2006 and last approximately 6 months. This \$1.5 million project will be entirely funded by the City & County of Honolulu.

The proposed project will provide a straightened and more direct alignment to the signalized intersection at Kuakini Street and Lanakila Avenue. The result of the project will be a more efficient flow of traffic through the intersection.

Negative impacts will be limited to traffic disruption and construction-generated noise during construction.

The City & County of Honolulu is proposing to extend Kuakini Street from its present terminus at Lanakila Avenue a distance of approximately 600 feet in the northwest direction to tie into the existing Keola Street. At present, there are two closely spaced "T" intersections on Lanakila Avenue; Lanakila Avenue and Keola Street, and at Lanakila Avenue and Kuakini Street. The extension of Kuakini Street would replace these two



## Paia Town Center (HRS 343 FEA-FONSI)

**District:** Paia  
**TMK:** (2) 2-6-005:004, 109, 025, & 033  
**Applicant:** 120 Hana Highway, LLC  
 530 Wilshire Blvd., #300, Santa Monica, CA 90401  
 Contact: Grace Condos (310-319-1966)

**Approving Agency:** Maui Planning Commission  
 250 S High St., Wailuku, HI 96793  
 Contact: Michael W. Foley (270-7735)

**Consultant:** Chris Hart & Partners  
 1955 Main St., Ste. 200, Wailuku, HI 96793  
 Contact: Rory Frampton (242-1955)

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

**Permits Required:** SMA, Change in Zoning, Community Plan Amendment, NPDES, Grading, Subdivision, Building Permits, Country Town Business.

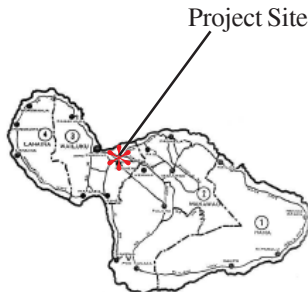
isting unpaved graveled parking area on approximately 75.718 square feet of land.

The proposed request requires the issuance of a Special Management Area (SMA) Permit for the entire project area. Furthermore, a Community Plan Amendment and Change in Zoning are required for parcels 25,109 and a portion of 4 since the existing and proposed uses are inconsistent with the existing zoning and community plan designations on those parcels. Due to the requirement for a Community Plan Amendment and Environmental Assessment is required for this project.

The applicant will incorporate measures to mitigate drainage and erosion impacts during and after construction. Dust and noise related impacts will be mitigated during the construction phase. With the incorporation of mitigation measures, the proposed development is not anticipated to result in significant environmental impacts to surrounding properties, near shore waters, natural resources, or archaeological and historic resources on the site or immediate area. Public infrastructure and services including roadways, sewer and water systems are available to serve the project and will not be significantly impacted by the project. The proposed project will not impact public view corridors and will enhance the visual character of the site and its immediate environs.

The applicant, 120 Hana Highway LLC, is proposing to redevelop portions of four (4) contiguous parcels located at the corner of Hana Highway and Baldwin Avenue, Pa'ia, Maui, in order to beautify the property, create additional commercial space, and to formalize and better manage on-site parking..

The project encompasses the construction of a two-story 5,640 square feet commercial building along Baldwin Avenue, a two-story 4,240 square feet commercial building along Luna Place, and the construction of an A.C. paved parking lot over an ex-





# Maui Notices

AUGUST 23, 2005

## North South Collector Road Extension (HRS 343 FEA-FONSI)

**District:** Kihei  
**TMK:** (2) 3-9-004:5 & 145; 3-9-019:4, 7, 12, 16, 20 & 27  
**Applicant:** Towne Development of Hawaii, Inc.  
220 S King St., Ste. 2170, Honolulu, HI 96813  
Contact: Takeshi Matsukata (537-5976)

**Approving Agency:** Maui Planning Commission, c/o Department of Planning  
250 South High St., Wailuku, HI 96793  
Contact: Kivette Caigoy (270-7735)

**Consultant:** Munekiyo & Hiraga, Inc.  
305 High St., Wailuku, HI 96793  
Contact: Karlynn Kawahara (244-2015)

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

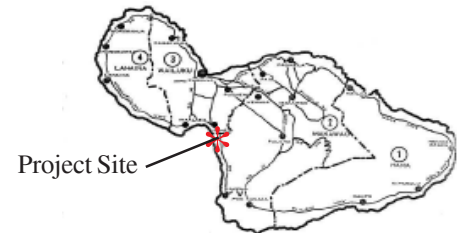
**Permits Required:** NPDES, SMA & Grading

walk on the west (makai) side of the roadway, as well as concrete curbing and gutter.

Typical Section B includes a 60-foot right-of-way, with two (2) 11-foot wide travel lanes and 8-foot grassed swales on the east and west sides of the roadway. A majority of the road corridor is vacant land, however there is an existing paved portion near the southern boundary of the Ke Ali'i Kai II subdivision, which was dedicated to the county and improved in connection with the Kihei Regency Project.

The subject property falls within the limits of the Special Management Area (SMA) for the island of Maui. Accordingly, an application for a SMA Use Permit has been prepared and submitted to the Department of Planning for review and action by the Maui Planning Commission. Additionally, the county of Maui, an environmental assessment has been prepared in accordance with Chapter 343, Hawai'i Revised Statutes.

Towne Development of Hawai'i, Inc. (TDH), proposes to develop an extension to the existing North-South Collector Road (a.k.a. Liloa Drive) in the vicinity of Walua Place to Keonekai Road in Kihei. The project site is identified by portions of TMK Nos. 3-9-04:05 and 145, 3-9-19:04, 3-9-20:04, 07, 12, 16, 20 and 27 and covers approximately 1, 200 lineal feet. In addition to the foregoing parcels, the project will affect existing rights-of-way owned by the County of Maui, fronting the Kama'ole Heights Subdivision and Regency Apartments.



The project site is located in an area of single-family residential and multi-family residential/transient accommodation uses. The northern terminus of the proposed roadway is located near the North-South Collector Road's intersection with Ke Ali'i Alanui. The southern terminus of the roadway intersects with Keonekai Road. The roadway rights-of-way and/or road widening lots are in place for most of the project corridor. As may be required, the County of Maui will initiate condemnation proceedings to secure the needed roadway right-of-way.

TDH plans to develop the portion of the North-South Collector Road from Walua Place to Keonekai Road with two (2) typical sections. Typical Section A includes a 60-foot right-of-way with two (2) 11-foot wide travel lanes, 6-foot shoulders, a 5-foot side-





# National Environmental Policy Act

AUGUST 23, 2005

## Construction of Feral Ungulate Exclusion Fences, Makaha Valley, Oahu, Hawaii.

**District:** Wai'anae  
**TMK:** N/A  
**Proposing Agency:** US Army Garrison, Hawai'i  
**Contact:** Dale Kaneshisa (656-2878 ext. 1036)  
**Comment Deadline:** September 22, 2005

The U.S. Army, Hawai'i has prepared an Environmental Assessment (EA) and Draft Finding of No Significant Impact (FONSI) for its proposal to construct feral ungulate exclusion fences in Makaha Valley. The purpose of the fences is to protect native ecosystems and endangered species from the damaging effects of pigs and goats. Additionally, the exclusion fences are anticipated to have beneficial effects to the Makaha Valley watershed. The proposed project would be located on Board of Water Supply land and includes the construction of one large fence encompassing approximately 100 acres, and three small enclosures to protect populations of two endangered plant species. The fence construction would begin in the fall of 2005 and would take approximately six months to complete.

The proposed action has been coordinated with the U.S. Fish and Wildlife Service, State Historic Preservation Officer, and the Honolulu Board of Water Supply. The EA concludes that the proposed fence construction does not constitute a major federal action having significant effects on the quality of the environment. As the conclusion of the review period the Army will respond to any comments and finalize and sign the FONSI, if appropriate.

Copies of the EA and Draft FONSI are available for review and can be obtained upon request by contacting Dale Kanehisa at 656-2878 ext. 1036. Any comments should be provided by September 22, 2005 and sent to:

Dale Kanehisa  
Environmental Division (APVG-GWV)  
Directorate of Public Works  
U.S. Army Garrison, Hawai'i  
947 Wright Ave., Wheeler Army Airfield  
Schofield Barracks, HI 96857-5013

## Restore Watershed/Repair Mokapu Central Drainage Channel (MCDC), Kane'ohē Bay, O'ahu, Hawai'i

**District:** Ko'olaupoko  
**Proposing Agency:** Marine Corps Base Hawai'i  
**Contact:** Dr. Diane Drigot, Code LE, Senior Natural Resources Manager, (808) 257-6920 x224  
**Comment Deadline:** September 18, 2005

Per the President's Council on Environmental Quality Regulations (40 CFR Parts 1500-1508) implementing the National Environmental Policy Act (NEPA), the U.S. Marine Corps gives notice that an Environmental Assessment (EA) has been prepared and an Environmental Impact Statement is not required for a proposed Restore Watershed/Repair Mokapu Central Drainage Channel (MCDC) project at Marine Corps Base Hawai'i on Mokapu Peninsula.

The proposed project relieves flooding and restores historic wetland, wildlife and scenic habitat along the MCDC, to the extent practicable, in a cost effective manner. It implements an action in MCBH's Integrated Natural Resources Management Plan/Environmental Assessment published in 2001. This project excavates 18,200 cubic yards of "fill" soil along 500 lineal feet of the MCDC and replaces it with three and a third acres of terraced wetland enhanced with native plants. Result will be to reduce flood risk during storm events and restore historic ground water recharge and wetland character to the area. An alternate design was considered which would have created a larger wetland feature at this site and two additional sites, but not adopted due to funding constraints. All required interagency concurrences and a Department of Army Nationwide Permit #27, Stream and Wetland Restoration Activities have been obtained. Per information in the EA and incorporated by reference, USMC finds the proposed action will not significantly impact the environment or generate significant controversy. Copies of the EA and Draft FONSI are available for review at Kailua, Kane'ohē, and University of Hawai'i Libraries, State OEQC or by contacting Dr. Diane Drigot at 257-6920 ext. 224. Any comments should be provided by September 18, 2005 and sent to:

Commanding Officer, Marine Corps Base Hawai'i  
Code LE (Drigot), Box 63062  
MCBH, Kane'ohē Bay, HI 96863-3062



# Federal Notices

AUGUST 23, 2005

## Notice of Availability (NOA) of the Draft Environmental Impact Statement (DEIS) for Military Training Activities at Makua Military Reservation (MMR), HI

The Army proposes to conduct military training exercises at MMR, O'ahu, Hawai'i, for units assigned to the 25th Infantry Division (Light) and for other military components. Other military components that have used MMR in the past include the Marine Corps, Army Reserves, and the Hawai'i Army National Guard. Conducting live-fire exercises at the company level and below is critical to maintaining the readiness of all military units assigned or stationed in Hawai'i in particular because training at the company level is one of the key building blocks in the Army's progressive training doctrine. Under this doctrine, Soldiers first train as smaller units and then train collectively as part of a large unit. In addition, the training received by a company commander during a company-level combined-arms live-fire exercise (CALFEX) is invaluable in teaching Soldiers the skills required to coordinate and integrate the combined arms support provided by aviation, artillery, mortar, and combat engineer support teams. These communication and coordination skills are essential when several companies combine as a battalion under the control of a battalion commander. Addressed, among other things, are the potential direct, indirect, and cumulative environmental impacts associated with the proposal to conduct military training activities at MMR. The DEIS development process was conducted in accordance with the Settlement Agreement and Stipulated Order between Malama Makua and the Department of Defense (filed October 4, 2001).

### "Guidelines Establishing Test Procedures for the Analysis of Pollutants"

This proposed regulation would amend the "Guidelines Establishing Test Procedures for the Analysis of Pollutants" under section 304(h) of the Clean Water Act (CWA), by adding analytical test procedures for enumerating the bacteria, *Escherichia coli* (*E. coli*) and enterococci, in wastewater; and by adding analytical test procedures for enumerating fecal coliforms and *Salmonella* in sewage sludge to the list of Agency-approved methods. Specifically, EPA is proposing both membrane filter (MF) and multiple-tube fermentation (MTF, i.e., multiple-tube, multiple-well) methods for *E. coli* and enterococci bacteria in wastewater, and MTF methods for fecal coliforms and *Salmonella* in sewage sludge. EPA's approval of these methods will help Regions, States, communities, and environmental laboratories better assess public health risks from microbiological pollutants.

**Comment Deadline:** Comments must be received on or before October 17, 2005.

**Addresses:** Submit your comments, identified by Docket ID No. OW-2004-0014, by one of the following methods:

1) Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the on-line instructions for submitting comments. 2) Agency Web site: <http://www.epa.gov/edocket>. EPA's electronic public docket and comment system, is EPA's preferred method for receiving comments. Follow the on-line instructions for submitting comments. 3) E-mail: [OW-docket@epamail.epa.gov](mailto:OW-docket@epamail.epa.gov), Attention Docket ID No. OW-2004-0014. 4) Mail: Water Docket, Environmental Protection Agency, Mailcode: 4101T, 1200 Pennsylvania Ave., NW, Washington, DC 20460. 5) Hand Delivery: EPA Water Center, EPA West Building, Room B102, 1301 Constitution Avenue, NW, Washington, DC, Attention Docket ID No. OW-2004-0014. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

**For further information contact:** Robin K. Oshiro, Office of Science and Technology (4303-T); Office of Water, U.S. Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, (202) 566-1075 (e-mail: [Oshiro.Robin@epa.gov](mailto:Oshiro.Robin@epa.gov)).

## Revisions to the State of Hawai'i State Implementation Plan, Update to Materials Incorporated by Reference

EPA is updating the materials submitted by the State of Hawai'i that are incorporated by reference (IBR) into the State of Hawai'i State Implementation Plan (SIP). The regulations affected by this update have been previously submitted by the territorial agency and approved by EPA. This update affects the SIP materials that are available for public inspection at the Office of the Federal Register (OFR), Office of Air and Radiation Docket and Information, and the Regional Office. This rule is effective on August 4, 2005.

**Addresses:** following locations and online at EPA Region IX's Web site:

Air Division, Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901. Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, Room B-102, 1301 Constitution Avenue, NW, (Mail Code 6102T), Washington, DC 20460. Office of the Federal Register, 800 North Capitol Street, NW, Suite 700, Washington, DC.

**For further information contact:** Julie A. Rose, EPA Region IX, (415) 947-4126, [rose.julie@epa.gov](mailto:rose.julie@epa.gov).



## 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) U.S. Coast Guard Establishment and Operation of the Running Gear Entanglement System

**Applicant:** U.S. Coast Guard  
**Federal Action:** Federal Agency Activity  
**CZM Contact:** John Nakagawa, 587-2878  
**Proposed Action:**

The U.S. Coast Guard is proposing to establish and operate a Mark 11 Static Barrier Running Gear Entanglement System (RGES) at various U.S. Ports, including the State of Hawaii. The purpose of the proposed action is to improve the Coast Guard's capabilities to intercept and interdict small boats and watercraft. The RGES is an entanglement device which would foul the propellers of unauthorized vessels attempting to approach restricted areas. The RGES could be deployed by any Coast Guard vessel and at least one manned Coast Guard vessel would tend the system at all times.

**Comments Due:** September 6, 2005



### (2) Waiiau Power Plant Timber Pile Wall Repair, Pearl City, Oahu

**Applicant:** Hawaiian Electric Company, Inc.  
**Contact:** Kirk Tomita, 543-4528  
**Consultant:** Planning Solutions, Inc., 550-4483  
**Contact:** Charles Morgan,  
**Federal Action:** Federal Permit  
**Federal Permit Agency:** U.S. Army Corps of Engineers  
**Location:** Waiiau Power Plant, 475 Kamehameha Hwy., Pearl City, Oahu  
**TMK:** (1)9-7-18: 12  
**CZM Contact:** John Nakagawa, 587-2878

#### Proposed Action:

Hawaiian Electric Company is proposing to install 630 feet of steel sheet piles along the east bank of Waiiau Pond to replace the existing deteriorating timber piles currently stabilizing the bank. The new piles will be driven close to the existing timber piles on the pond side. The timber piles will then be trimmed to about one-foot below the existing grade and the space behind the new piles will be backfilled with geotextile-wrapped gravel and earth fill.

**Comments Due:** September 6, 2005

### (3) Repair of Paauau Stream Flood Control Project, Kau, Hawaii

**Applicant:** U.S. Army Corps of Engineers  
**Contact:** Steven Yamamoto, 438-0881  
**Federal Action:** Federal Agency Activity  
**Location:** Paauau Stream, adjacent to Pahala Town, 45 miles southwest of Hilo.  
**TMK:** (3)5-3-14  
**CZM Contact:** John Nakagawa, 587-2878  
**Proposed Action:**

Several areas of the Paauau Stream Flood Control Project were damaged by a heavy storm in January 2004. The proposed action is to repair toe and sideslope features, reinforce toe areas, stabilize damaged areas of the stream bed, and remove debris and accumulated sediment.

**Comments Due:** September 6, 2005



# Coastal Zone News

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## 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).

Location (TMK)	Description (File No.)	Applicant/Agent
Honolulu: Lanikai (4-2-8)	New sign, concrete walkway & landing (2005/SMA-59)	C&C of Honolulu, DTS
Honolulu: Diamond Head (3-1-38-3, 30 & 31)	New utility pole (2005/SMA-60)	Hawaiian Electric Company, Inc.
Honolulu: Wai'alu (6-8-3-8)	Installation of septic tanks & leaching fields (2005/SMA-61)	Episcopal Church of Hawaii
Honolulu: Diamond Head (3-1-32-5)	Utility installation with antennas (2005/SMA-62)	Coral Wireless LLC / Ali'i Wireless Specialists LLC (William Keoni Fox)
Kauai: Kekaha (1-2-6-3)	Re-issuance of temporary staging/storage (SMA (M) 2006-01)	DLNR, DOBOR
Maui: Kihei (3-9-3-69)	Subdivision for residence (SM2 20050099)	Cajudoy, Ericson
Maui: (1-3-3-12)	MECO Utility poles (SM2 20050100)	Arakaki, Wayne
Maui: Sprecklesville (3-8-2-108)	Bastian water well (SM2 20050101)	Lange, Linda
Maui: (4-5-1-6)	Blue Restaurant interior modifications (SM2 20050102)	Next Design
Maui: Lahaina (4-3-16-37)	Tiro Subdivision (SM2 20050103)	Barnett, Rocky L.
Maui: Kihei (3-6-20-9)	Kihei Regency pools & spas (SM2 20050104)	Quinn, John T.
Maui: Puamana (4-6-33-2)	Extend rear & upper lanai , deck (SM2 20050105)	Lokelani Construction Co., Inc.
Hawai'i: No. Kona (7-5-8-6)	Gift shop & library addition (SMM 05-000007)	St. Michael's Church/ Roman Catholic Church
Hawai'i: So Hilo (2-1-6-2)	After the fact grading activity (SMM 05-000008)	Chris Tamm
Hawai'i: Puna (1-5-57-23)	Grading (SMM 05-000009)	Anne Rene LaVasseur-Mullen
Hawai'i: Puna (1-5-57-70)	Grading (SMM 05-000010)	Anne Rene LaVasseur-Mullen
Hawai'i: Puna (1-5-59-55)	Grading (SMM 05-000011)	Anne Rene LaVasseur-Mullen
Hawai'i: No Kohala (5-2-1-24)	Equipment storage building (SMM 05-000012)	Nani and Don Svendsen

# Environmental Council Notices

## September 14, 2005, Meetings at Various Times in Leiopapa A Kamehameha

The Environmental Council of the Department of Health and its various standing and ad hoc committees are scheduled to meet on Wednesday, September 14, 2005, at various times and in various rooms in Leiopapa A Kamehameha, located at 235 South Beretania Street, Honolulu, O'ahu. For more information, please call the Office of Environmental Quality Control at (808) 586-4185. To be placed on an electronic mail notification list of Environmental Council meetings, please send an electronic mail to Leslie Segundo, Environmental Health Specialist, Office of Environmental Quality Control at LSEGUND@mail.health.state.hi.us. The meeting notices and agenda of the Environmental Council are also available on the State's Calendar Meeting Announcements Internet Website at the following Uniform Resource Locator (URL):

[http://www.ehawaii.gov/org/serv/eventcal?PF=hic&Clist=81&\\_action=View+Calendar](http://www.ehawaii.gov/org/serv/eventcal?PF=hic&Clist=81&_action=View+Calendar).



# Conservation District Notices

AUGUST 23, 2005

## Conservations District Use Permit

Persons interested in commenting on the following Conservation District Use Application (Department Permit) must submit comments to the Department of Land and Natural Resources. Also, anyone interested in receiving notification of determination on Conservation District Use Applications (Department Permits) must submit requests to DLNR that include the following information:

1. Name and address of the requestor.
2. The permit for which the requestor would like to receive notice, 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 Hawai'i  
Department of Land and Natural Resources  
Office of Conservation and Coastal Lands  
1151 Punchbowl Street, Room 131  
Honolulu, Hawai'i 96813

While 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 Kimberly Mills at 587-0382 (Hilton Hawaiian Village Project) or Chris Pramoulmetar (Newtown Traffic Calming Improvements).

### PROJECT:

#### Duke Kahanamoku Lagoon Restoration

**File No.:** OA-3241  
**Applicant:** Hilton Hawaiian Village, LLC  
**Location:** Honolulu, O'ahu  
**TMK:** 2-3-037:021, 2-6-009:001, 2-6-008:034, 2-6-009:010, 2-6-009:002 & 2-3-037:012  
**Proposed Action:** See Project Description on page 5.  
**Contact:** Perry White (550-4483)



### PROJECT:

#### Newtown Neighborhood Traffic Calming Improvements

**File No.:** CDUA OA-3248  
**Applicant:** City & County, Dept. of Transportation Services  
**Location:** Newtown, Aiea, Island of Oahu  
**TMK:** (1)9-8-073:003  
**Proposed Action:** Road Improvements  
**343, HRS**  
**Determination:** Exempt  
**Contact:** Jason Lau (596-7790)



# Environmental Announcements

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## Coastal Hazard Mitigation Workshops

The State Department of Land and Natural Resources are please to announce a series of free coastal hazard mitigation workshops to introduce and discuss coastal hazard mitigation planning and several new publications. Dennis Hwang will be on hand to explain the scope of the new Hawaii Coastal Hazard Mitigation Guidebook. Also available are the drafts for the following two booklets: Purchasing Coastal Property in Hawaii: A Practical Guide to Common Questions and Answers and Erosion Management Alternatives for Hawai'i, free copies issued while supplies last, others to be mailed after the workshop.

### Workshop Agenda:

1. State Integrated Shoreline Management Policy (Sam Lemmo-DLNR)
2. Hawaii Coastal Hazard Mitigation Guidebook (Dennis Hwang-Author)
3. Erosion control and Real Estate Guide (Dolan Eversole-UH Sea Grant)
4. Special County Projects (County Staff)
5. Questions/Discussion

Date	Location	Address	Time	Contact Info
September 19 <sup>th</sup>	Oahu, DLNR Building	DLNR-Kalanimoku Bldg. 1151 Punchbowl St, Rm. 322 Conference Rm. B	8:30 a.m. to 12:30 p.m.	Dolan Eversole (808) 587-0321 <a href="mailto:dolan.eversole@hawaii.gov">dolan.eversole@hawaii.gov</a>
September 21 <sup>st</sup>	Maui County	The Dunes at Maui Lani 1333 Maui Lani Parkway Kahului, HI 96732	8:30 a.m. to 12:30 p.m.	Torne Abbott (808) 270-7520 <a href="mailto:thorne.abbott@co.maui.hi.us">thorne.abbott@co.maui.hi.us</a>
September 27 <sup>th</sup>	Hawaii County	Hawai'i County Council Room, 25 Apuni St., Hilo, HI 96720	8:30 a.m. to 12:30 p.m.	

Contact your county rep for information or Dolan Eversole at 587-0321 or [dolan.eversole@hawaii.gov](mailto:dolan.eversole@hawaii.gov).

NOTE: Special accommodations and sign language interpreters are available upon request.

Visit: <http://www.hawaii.gov/dlnr/occl/workshop.php> for updated workshop information.



## NASA Announces the Availability of the Record of Decision for the Outrigger Telescopes Project

The National Aeronautics and Space Administration (NASA) announce the availability of the Record of Decision (ROD) for the Outrigger Telescopes Project. NASA has sent a printed copy of the ROD to each library within the Hawai'i State Public Library System and to Regional Libraries for review. Specific addresses for State and Regional Libraries can be found in the appropriate telephone directory and online at [http://](http://www.librarieshawaii.org/locations/index.htm)

[www.librarieshawaii.org/locations/index.htm](http://www.librarieshawaii.org/locations/index.htm). Printed copies of the ROD were also sent to all parties who received the Final Environmental Impact Statement for the Outrigger Telescopes Project. The ROD is also available in Acrobat® format at <http://www2.keck.hawaii.edu/> (click on "News and Outreach", then on "Outrigger Telescopes"). Comments or questions can be sent to NASA by electronic mail to [otpeis@nasa.gov](mailto:otpeis@nasa.gov).



## 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 sufficient 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.

### 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 de-

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velop 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 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



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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

# Pollution Control Permit Applications

## Department of Health Permits

The following three pages contain 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



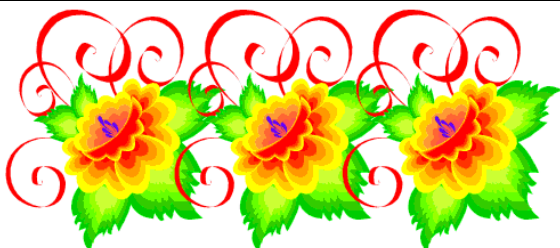
Branch Permit Type	Applicant & Permit Number	Project Location	Pertinent Date	Proposed Use
CAB, 586-4200, CSP	Kaua'i Island Utility Cooperative CSP 0097-01-C (Renewal)	261 Aka'ula Street, Ele'ele, Kaua'i	Comments Due: 9/7/05	Port Allen Generating Station
CAB, 586-4200, CSP	Chevron Products Co. CSP 0078-01-C (Modification)	777 North Nimitz Highway, Honolulu, O'ahu	Comments Due: 9/7/05	Honolulu Terminal Marine
CAB, 586-4200, CSP	Grace Pacific Corp. CSP 0045-01-C (Renewal and Significant Modifications)	91-920 Farrington Highway, Kapolei, O'ahu	Comments Due: 9/9/05	400 TPH Non-Portable Plant, 150 TPH Screening Plant, 600 TPH Screening Plant and 600 TPH Recycled Aggregate Plant with 1,000 kW Diesel Engine Generator

# Pollution Control Permit Applications

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## Safe Drinking Water Branch

Branch & Permit Type	Applicant & Permit Number	Project Location	Pertinent Dates	Proposed Use
SDWB, 586-4258, UIC Permit	Castle & Cook Homes HI, Inc. UH-2372	Kikaha at Wehilani; (3)6-8-2:por 27; Waikoloa Road, Waikoloa, HI	Comment by 10/3/05	Construction of 10 injection wells for surface drainage.
SDWB, 586-4258, UIC Permit	State DLNR, Parks Division, UH-2375	Akaka Falls State Park; (3)2-8-11:18; Akaka Falls Road, South Hilo, HI	n/a	Abandonment of 2 unregistered injection-well cesspools.
SDWB, 586-4258, UIC Permit	University of Hawai'i at Hilo UH-2376	University of Hawai'i at Hilo, Roadway Infrastructure Improvements for USDA; Nowelo St. Extension, Hilo, HI	Comment by 10/12/05	Construction of 2 new injection wells for surface drainage.
SDWB, 586-4258, UIC Permit	State DLNR,, Parks Division, UM-2374	Pua'a Ka'a State Wayside; (2)1-2-1:3; Hana Highway, Maui, HI	n/a	Abandonment of 1 unregistered injection-well cesspool.
SDWB, 586-4258, UIC Permit	State DLNR, Parks Division, DLNR, UM-2373	Waianapanapa State Park; (2)1-3-5:9 Wai'anapanapa Road, Maui, HI	n/a	Abandonment of 1 unregistered injection-well cesspool.
SDWB, 586-4258, UIC Permit	C & C Dept. of Enterprise Services UO-2364	Pali Golf Course , 45-050 Kamehameha Highway, Kane'ohe, HI	n/a	Abandonment of 1 unregistered injection-well cesspool.
SDWB, 586-4258 UIC Permit	HIARNG Facility Mgmt. Office UO-2365	HIARNG Military Training Complex (1)9-1-13:45; Hangar 117, Kaleloa, HI	n/a	Abandonment of 2 unregistered inactive drainage wells.
SDWB, 586-4258, UIC Permit	Honolulu Wood Treating LLC UO-2087	Honolulu Wood Treating LLC; 91-291 Hanua St., Kapolei, HI	n/a	Facility-name-change of 1 injection well for surface drainage.
SDWB, 586-4258, UIC Permit	State DLNR, Parks Division, UK-2367	Kokee State Park, Kalalau Lookout; (4)1-4-1:13; Koke'e Road, Waimea, HI	n/a	Abandonment of 1 unregistered injection-well cesspool.
SDWB, 586-4258, UIC Permit	State DLNR, Parks Division UK-2368	Koke'e State Park, CCC Campsite (4)1-4-1:13; Koke'e Road, Waimea, HI	n/a	Abandonment of 2 unregistered injection-well cesspools.
SDWB, 586-4258, UIC Permit	State DLNR, Parks Division UK-2369	Waimea Canyon State Park, Waimea Canyon Lookout; (4)1.2.1:4; (4)1-4-1:3; Kokee Road, Waimea, HI	n/a	Abandonment of 5 unregistered injection-well cesspools.
SDWB, 586-4258, UIC Permit	State DLNR, Parks Division, UK-2370	Waimea Canyon State Park, Puu Hinahina Lookout; Kokee Road, Waimea, HI	n/a	Abandonment of 1 unregistered injection-well cesspool.
SDWB, 586-4258, UIC Permit	State DLNR, Parks Division UK-2371	Waimea Canyon State Park, Puuka Pele; (4)1-2-1:4 & (4)1-4-1:3; Kokee Road, Waimea, HI	n/a	Abandonment of 1 unregistered injection-well cesspool.
SDWB, 586-4258, UIC Permit	Chevron Corporation UK-2366	Koloa Town Chevron SS#9-3871 3486 Poipu Road, Koloa, HI	n/a	Abandonment of 1 unregistered injection-well cesspool and authorization to use until abandonment.





## 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.	Status	Location	Applicant/Owner	TMK
MO-089	Proposed Shoreline Certification	Lot 1 of the Ah Ping-Hufen Subdivision, land situated at Puko'o, Island of Molokai, Maui, Hawai'i Address: .10 Mile Past Marker 16 Kam V Hwy Purpose: Building Permit	Newcomer-Lee/Alan R. Brayton	5-7-07: 01 (por)
HA-289	Proposed Shoreline Certification	Portion of Lot 3, Waikoloa Beach Resort, land situated at Ana'eho'omalua, South Kohala, Island of Hawai'i, Hawai'i Address: 425 Waikoloa Beach Drive Purpose: Building Permit	Towill, Shigeoka & Associates, Inc./Hilton Waikoloa Village	6-9-07 Por. 14
MA-320	Proposed Shoreline Certification	Lot 86 of Land Court Application 1804 (Map 23), land situated at Honua'ula, Makawao, Island of Maui, Hawai'i Address: 3650 Wailea Alanui Drive Purpose: Building Permit	R. M. Towill Corporation/ BRE/WAILEA, LLC	2-1-08: 61

## 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
OA-1048	8/12/05	Lot 1 of the Kaluanui Beach Lots Section "A", land situated at Kalu'anui, Koolauloa, Island of O'ahu, Hawai'i Address: 53-597 Kamehameha Highway Purpose: Building Permit	Wesley Tengan/Chris Nowicki	5-3-08: 08
OA-1049	8/12/05	Lot 121 of Land Court Application 1095 (Map 10), land situated at Kawela, Ko'olauloa, Island of O'ahu, Hawai'i Address: 57-424 Honokawela Drive Purpose: Building Permit	Wesley T. Tengan/ Constance and Charles Bridgman	5-7-03: 39
OA-1050	8/12/05	Lot 15 of Land Court Application 1003 (Map 2), land situated at Kane'ohe, Island of O'ahu, Hawai'i Address: 45-032 Lilipuna Road Purpose: Determine Setback	Jaime F. Alimboyoguen/Peter Dowrick	4-5-01: 25
OA-1052	8/12/05	Lot 1477 of Land Court Consolidation 23 (Map 24), land situated at Kaipapau, Ko'olauloa, Island of O'ahu, Hawai'i Address: 54-309 Kamehameha Highway Purpose: Building Permit	Wesley T. Tengan/David and Charlen Furuto	5-4-12: 84
OA-944-2	8/12/05	Lot 4, Land Court Application 772, land situated at La'ie, O'ahu, Hawai'i (Kamehameha Highway) Address: 55-285 Kamehameha Highway Purpose: Building Permit	Walter P. Thompson/Randall and Shelley Bennett	5-5-02: 05