



The Environmental Notice

December 08, 2008

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The Environmental Notice is available for public review on the 8th and 23rd of each month on OEQC’s website, pursuant to Chapter 343-3, HRS

STATEWIDE (HRS 343)

1. Field Release of *Fopius ceratitivorus* (Wharton) (Hymenoptera: Braconidae), for the Biocontrol of medfly, *Ceratitis capitata* (DEA)

Island: Kauai
District: Various
TMK: Various
Proposing Agency: University of Hawaii at Manoa, Kauai Agricultural Research Station, 7370 Kuamoo Road, Kapaa, HI 96746. Contact: Russell Messing, 822-4984 ext. 223
Approving Agency: University of Hawaii, 2800 Woodlawn Dr., Room 201, Honolulu, HI 96822. Contact: Dr. James Gaines, 956-7490
Send Comments: University of Hawaii, 1960 East West Road, Biomed T-110, Honolulu, HI 96822. Tel: 956-8420
Status: DEA notice pending 30-day comment. Address comments to the Proposing Agency, with copies to the Approving Agency and OEQC.
Permits: HDOA importation permit

The University has submitted an application to the Dept of Agriculture for a permit to release *Fopius ceratitivorus* (Hymenoptera: Braconidae) into the environment of the State under the provisions of HRS 141 and HRS 150A. Applicant is asking for a permit and seeking to release from quarantine the host specific parasitoid *Fopius ceratitivorus* Wharton (Hymenoptera: Braconidae) for enhanced biological control of the Mediterranean fruit fly, *Ceratitis capitata* (Diptera: Tephritidae) in coffee and other cropping system throughout Hawaii.

2. Field Release of *Binodoxys communis* (Gahan) (Hymenoptera: Braconidae) for Biocontrol of the melon aphid, *Aphis gossypii* (DEA)

Island: Kauai
District: Various
TMK: Various
Proposing Agency: University of Hawaii at Manoa, Kauai Agricultural Research Station, 7370 Kuamoo Road, Kapaa, HI 96746. Contact: Russell Messing, 822-4984 ext. 223
Approving Agency: University of Hawaii, 2800 Woodlawn Dr., Room 201, Honolulu, HI 96822. Contact: Dr. James Gaines, 956-7490
Send Comments: University of Hawaii, 1960 East West Road, Biomed T-110, Honolulu, HI 96822. Tel: 956-8420
Status: DEA notice pending 30-day comment. Address comments to the Proposing Agency, with copies to the Approving Agency and OEQC.
Permits: HDOA importation permit

An application was submitted by Dr. Russell Messing of the Department of Plant and Environmental Protection Sciences, University of Hawaii at Manoa, Kauai Agricultural Research Center, 7370 Kuamoo Rd., Kapaa, HI 96746 for renewal of an existing permit to introduce *Binodoxys communis* (Hymenoptera: Braconidae) into the State under HRS 141 and HRS 150A, Plant and Non-Domestic Animal Quarantine. *Binodoxys communis* will be used to control the melon aphid, *Aphis gossypii* (Aphidiidae) an invasive species that is a major pest of several crops in Hawaii.

OAHU (HRS 343)

3. Mokuleia Zone Change – F-1 to AG-2 (DEA)

Island: Oahu
District: Waialua
TMK: (1) 6-8-03:21
Applicant: Ralph Gray, 3107 Oahu Ave., Honolulu, HI 96822.
Contact: Ralph Gray, 295-0704

Approving Agency: City and County of Honolulu, Department of Planning and Permitting, 650 South King Street, Honolulu, HI 96813. Contact: Robert Reed, 768-8056

Consultant: Analytical Planning Consultants, Inc., 928 Nuuanu Avenue Suite 502, Honolulu, HI 96817. Contact: Don Clegg, President, 536-5695

Comments: DEA notice pending 30-day comment. Address comments to the Applicant, with copies to the Approving Agency, Consultant and OEQC.

Permits: None



The 40.59 acre property is located mauka and south of Farrington Highway at the base of the Waianae Mountains in the Waialua District of the City and County of Honolulu. Prior to 1944, the property was owned by Mokuleia Ranch and Land Company Ltd. within a larger parcel of agricultural land. In 1944, the Property was condemned for public use and used by the US Military. The applicant proposes to return the property to the original agricultural zoning, and is requesting a zone change from F-1 Military and Federal Preservation to Ag-2 Agricultural. There will be no further subdivision of the property. The applicant will maintain and develop the three existing lots of record for activities permitted in the AG-2 district by the Land Use Ordinance (LUO).

4. Intersection Improvements, Dillingham Ranch Agricultural Subdivision (FEA)

District: Waialua
TMK: (1) 6-8-03:15
Applicant: Dillingham Ranch 'Aina, LLC, 9601 Wilshire Boulevard, Suite 220, Los Angeles, California 90210.
Contact: Clifford Smith, (310) 887-3438

Approving Agency: Highways Division, State Department of Transportation, 869 Punchbowl Street, Room 301, Honolulu, HI 96813. Contact: Ken Tatsuguchi, 587-1830

Consultant: R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, HI 96819. Contact: Brian Takeda, 842-1133

Comments: FEA accepted by the Approving Agency. There is no comment period.

Permits: Building and grading permits

Dillingham Ranch 'Aina, LLC, proposes a T-intersection along Farrington Highway, a State Department of Transportation, Highways Division, facility in the Waialua District of Oahu. The T-Intersection will be located at the current westerly access road to Dillingham Ranch. This improvement to the current access to Dillingham Ranch will provide a connection to a proposed subdivision of approximately 77 agricultural lots. The roadway will carry traffic in the south and northbound approaches from the subdivision to the Highway. Potential impacts associated with construction involve the generation of dust, noise, and erosion associated with runoff from the project site. Potential secondary and/or cumulative impacts involve the development of an agricultural subdivision that will be supported by the proposed T-intersection. The secondary and/or cumulative impacts associated with the subdivision that were assessed included the potential for rockfalls; disturbance from construction of the subdivision on archaeological and cultural resources; impacts to traffic, drainage, and the use of public services including fire, police, and emergency medical services; the use and provision of water and wastewater systems; and the use of the site for continued agricultural practices.

5. Campus Center Renovation and Expansion (DEA)

Island: Oahu
District: Honolulu
TMK: (1) 2-8-23:03 (por)
Proposing Agency: Office of Capital Improvements, University of Hawaii at Manoa, 1960 East-West Road, Biomedical Services Building, B-102, Honolulu, HI 96822. Contact: Bruce Teramoto, Architect and Project Manager, Tel: 956-4800, Fax: 956-3175. Media Contact: Gregg Takayama, Director of Communications, UHM Chancellor's Office Tel: 956-9836

Approving Agency: Same
Consultant: PBR HAWAII, 1001 Bishop Street, ASB Tower, Suite 650, Honolulu, HI 96813. Contact: Malia Cox, Tel: 521-5631, Fax: 523-1402
Comments: DEA notice pending 30-day comment. Address comments to the Proposing Agency, with copies to the Consultant and OEQC.
Permits: NPDES; Section 6E, HRS Review; and Building Permit

This Campus Center Renovation and Expansion project includes construction at the Campus Center, Hemenway Hall, and the Engineering Quadrangle. The proposed project will include the expansion of the Campus Center to include a new recreation facility, the renovation of the auditorium of Hemenway Hall, and the removal of two of the four remaining buildings in the original Engineering Quadrangle. In addition, two portables, the PEACESAT and Miller Annex will be removed or relocated. The remaining two Engineering Quadrangle buildings (Building 6 and the Ka Leo Building) will be preserved in place.

In its current configuration, the Campus Center is a four-level, 150,000 square feet mixed use building designed as a hub for student programming and activities. The expansion and renovation project will provide students with a centrally located, state of the art Recreation Center, (spaces for indoor intramural sports, cardiovascular exercise, fitness center, strength training, multi-purpose exercise rooms, indoor jogging track, and two indoor basketball courts) and new facilities for displaced organizations.

The University proposes that the Campus Center Renovation and Expansion be LEED certified to the Silver level. LEED, or Leadership in Energy and Environmental Design, is a nationally-recognized program for certifying the design, construction and operation of high performance green buildings.

MAUI (HRS 343)

6. Lahaina Bypass Modified Alignment, Kahoma Stream to Future Keawe Street Extension (DEA)

Island: Maui
District: Lahaina
TMK: (2) 4-05-21: por. 03 and 22, and (2) 4-05-15: por. 10
Proposing Agency: Department of Transportation, Highways Division, 869 Punchbowl Street, Honolulu HI 96813. Contact: Misako Mimura, P.E., 692-7553

Approving Agency: Same
Consultant: Wilson Okamoto Corporation, 1907 South Beretania Street, Suite 400, Honolulu, HI 96826. Contact: Ronald A. Sato, AICP, Project Manager, 946-2277

Comments: DEA notice pending 30-day comment. Address comments to the Proposing Agency, with copies to the Consultant and OEQC.

Permits: Section 404 Nationwide Permit, NPDES - Permit for Storm Water Associated with Construction Activity, Dewatering, and Hydrotesting, Section 401 Water Quality Certification, Noise, Air Quality, Underground Injection Control, Chapter 6E, HRS Historic Preservation Review, Stream Channel Alteration Permit, Coastal Zone Management (CZM) Program Consistency Determination, Road, Grading/Grubbing, Building, Excavation, Drainage Plan Approval, Water and Water System Requirements, Water Connection Approval, Utility Service Agreements



The State Department of Transportation, Highways Division, is proposing to implement in Lahaina, Maui the Lahaina Bypass Modified Alignment, Kahoma Stream to Keawe Street Extension. The proposed project includes approximately 1.06 miles of highway and roadway facilities, affecting approximately 29.9 acres. The project is located approximately 0.5 mile mauka of Honoapiilani Highway, northwest of Kahoma Stream and northeast of the current terminus of Keawe Street. It extends from the north end of Ikena Avenue in the Kelawea Mauka Subdivision, across Kahoma Stream, and across undeveloped land. The central portion of the project corridor continues makai to Keawe Street in the Lahaina Industrial Area. The proposed project resulted from the inadvertent discovery of an archaeological site in the Lahaina Bypass Phase 1A alignment. Alternatives were developed to avoid impacts to the archaeological site, while affording road facilities that provide the same utility and functionality planned for in Phase 1A. The proposed project was identified as the most feasible and prudent alternative, as it avoids impacts to the archaeological site and does not require relocation of residents.

7. [Hawaiian Cement Puunene Production Well \(DEA\)](#)

- Island:** Maui
District: Wailuku
TMK: (2) 3-8-08:31 (por.)
Applicant: Hawaiian Cement, Maui Concrete & Aggregate Division, P.O. Box 488, Kahului, HI 96733-6988. Contact: David Gomes, 871-7004
- Approving Agency:** Department of Land and Natural Resources, Land Division, P.O. Box 621, Honolulu, HI 96809. Contact: Morris Atta, 587-0422
- Consultant:** Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793. Contact: Colleen Suyama, 244-2015
- Comments:** DEA notice pending 30-day comment. Address comments to the Applicant, with copies to the Approving Agency, Consultant and OEQC.
- Permits:** Pump Installation Permit and Pump Installation Completion Certificate

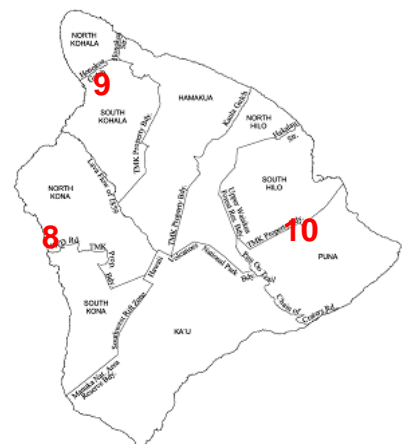
Hawaiian Cement is a construction material company supplying concrete and aggregates to Hawaii's major islands. Hawaiian Cement currently leases lands in the vicinity of the former Maui Airport in Puunene from the State of Hawaii for its rock quarry, including concrete and asphalt batching, rock crushing, and related operations. Hawaiian Cement also subleases portions of these lands to other construction material manufacturers.

Hawaiian Cement is in need of a non-drinking water supply for its day-to-day, onsite operations (e.g. dust control). In order to develop adequate non-drinking water supply, Hawaiian Cement constructed and drilled at its Puunene site an exploratory well, which was completed on June 5, 2007. Hawaiian Cement proposes to convert this existing exploratory well into a production well. The approval of a Well Completion Report Part II, as well as the granting of a water lease from the State Department of Land and Natural Resources, Commission on Water Resource Management (CWRM), will be needed to complete the regulatory process to implement the well-source. In order to secure approval from the CWRM, the Draft Environmental Assessment has been prepared since the site is located on State-owned lands.

HAWAII (HRS 343)

8. [Kona Sea Crest Development \(DEA\)](#)

- Island:** Hawaii
District: North Kona
TMK: (3) 7-5-19:01 (por.)
Applicant: Sunstone Kona LLC, 1003 Bishop St., Suite 1240, Honolulu, HI 96813. Contact: Ron Terry, 969-7090
- Approving Agency:** Hawaii County Planning Department, 101 Pauahi Street, Suite 3, Hilo HI 96720. Contact: Daryn Arai, 961-8288x204
- Consultant:** Geometrician Associates, PO Box 396, Hilo HI 96721. Contact: Ron Terry, 969-7090
- Comments:** DEA notice pending 30-day comment. Address comments to the Applicant, with copies to the Approving Agency, Consultant and OEQC.



Permits: Grading Permit; Approval for Work Within County Roadway Right-of-Way, Building Permits, Underground Injection Control (UIC) permits; NPDES

Sunstone Kona LLC proposes to build a 289 multi-family condominium and 2.2-acre neighborhood commercial project on between Alii Drive and Kuakini Highway in Kailua-Kona. A mauka-makai connector roadway will also be built. Vegetation consists of introduced species except for several common roadside plants indigenous to Hawaii. Two burial sites are being protected by a burial treatment plan approved by the Hawaii Island Burial Council. In addition, the State Historic Preservation Division has approved an archaeological preservation and data recovery plan for the Great Wall of Kuakini, a habitation site, and other historic sites. In the unlikely event that additional archaeological resources or human remains are encountered during future development activities, work in the immediate area of the discovery will be halted. The project is anticipated to have only minor visual impacts including both toward and from the shoreline. The developer also proposes to employ a color scheme featuring earth-tone colors to minimize visual impacts. The project is not expected to have a negative impact on coastal water resources as it is separated from the shoreline by a distance ranging between 200 and 3,400 feet and by a County-owned roadway. The developer proposes to build a drainage channel parallel to the mauka-makai roadway to accommodate stormwater flow, and on-site drainage systems will be developed to adequately dispose of surface runoff generated by the project. The County Planning Commission has concluded, as a result of a contested case hearing for a Special Management Area Use Permit, that under the County Planning Department's recommended conditions, the proposed development should not present a substantial or significant adverse environmental or ecological impact on the SMA.

9. [Kohala Mountain Watershed Management Project \(FEA\)](#)

Island: Hawaii
District: North Kohala
TMK: Various
Applicant: Kohala Watershed Partnership, PO Box 437182, Kamuela, HI 96743. Contact: Melora Purell, 333-0976

Approving Agency: Department of Land and Natural Resources, Division of Forestry and Wildlife, 1151 Punchbowl St., Room 325, Honolulu, HI 96813. Contact: Lisa Ferentinos, 586-0917

Comments: FEA accepted by the Approving Agency. There is no comment period.

Permits: CDUA, SMA

The Kohala Watershed Partnership (KWP), composed of Kahua Ranch, Kamehameha Schools, Laupahoehoe Nui, LLC, Parker Ranch, Ponoholo Ranch, Queen Emma Land Company, the Department of Hawaiian Home Lands, Department of Land and Natural Resources, and Surety Kohala Corporation with associate partners including the Hawaii County Department of Water Supply and The Nature Conservancy, proposes the implementation of a management plan to guide watershed actions over the roughly 65,000 acre area of the KWP. The overall goal of the plan and proposed actions are to maintain a healthy watershed and all its related ecosystem values and functions (e.g. ecological, economic, sociocultural). As such, management actions are directed at the major threats facing Kohala's watershed: feral ungulates (hooved animals such as pigs and cattle) and other non-native animals (such as rats and aquatic invasives), invasive plant species (such as banana poka and Kahili ginger), wildfire, and incompatible human activities. Primary management goals are: 1) protection of water resources; 2) prevention of new introductions and control of existing invasive plant species; 3) control of non-native animal populations; 4) native habitat and species protection; 5) wildfire management; and 6) management and promotion of compatible public uses. Major management actions related to these goals are fencing, feral animal removal, invasive species control, outplanting and restoration, monitoring and surveys, research, and infrastructure support and maintenance. The project is anticipated to have primarily positive effects for Kohala's Mountain, its watershed, and the surrounding communities.

10. [Hilo Baseyard, Highway Administration Building Office Annex and New Vehicle Storage Shed \(FEA\)](#)

Island: Hawaii
District: South Hilo
TMK: (3) 2-2-58:18

Proposing

Agency: Hawaii County Department of Public Works, 101 Pauahi Street, Suite 7, Hilo HI 96720. Contact: David Yamamoto, 961-8331

Approving

Agency: Same

Consultant: Geometrician Associates, PO Box 396, Hilo HI 96721. Contact: Ron Terry, 969-7090

Comments: FEA accepted by Approving Agency. There is no comment period.

Permits: Plan Approval; Building Division Approval, Building Permit

The Hawaii County Department of Public Works proposes to expand the facilities of its Highway Maintenance Division at the Hilo Baseyard in order to better serve the public and improve the efficiency of its operations. The agency proposes to construct a new Highway Administration building office annex building and a vehicle storage shed.

The project site is located in the Hilo Baseyard, which already serves a variety of the department's divisions. Construction of the project, which will take place in an area already accustomed to truck and other industrial activities, is expected to have a very minor effect on traffic. The site has been cleared and paved in the past, and no valuable biological, historic or cultural resources are present and/or will be affected.

COASTAL ZONE NOTICES

Federal Consistency Reviews

The Hawaii Coastal Zone Management (CZM) Program has received the following federal actions to review for consistency with the CZM objectives and policies in Chapter 205A, HRS. This public notice is being provided in accordance with section 306(d)(14) of the National Coastal Zone Management Act of 1972, as amended. For general information about CZM federal consistency please call John Nakagawa with the Hawaii CZM Program at 587-2878. For neighboring islands use the following toll free numbers: Lanai & Molokai: 468-4644 x72878, Kauai: 274-3141 x72878, Maui: 984-2400 x72878 or Hawaii: 974-4000 x72878. For specific information or questions about an action listed below please contact the CZM staff person identified for each action. Federally mandated deadlines require that comments be received by the date specified for each CZM consistency review. Comments may be submitted to: Office of Planning, Department of Business, Economic Development and Tourism, P.O. Box 2359, Honolulu, HI 96804. Email: jnakagaw@dbedt.hawaii.gov or Fax: (808) 587-2899.

Specification of a Total Allowable Catch for Main Hawaiian Islands Bottomfish 2008-09 Fishing Year

Federal Action: Federal Agency Activity

Federal Agency: National Marine Fisheries Service (NMFS)

Contact: Toby Wood, 944-2234

CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov

Proposed Action: NMFS is proposing to establish a Total Allowable Catch (TAC) for the non-commercial and commercial bottom fisheries in the Main Hawaiian Islands for 2008-09 fishing year. To ensure sustainability of bottomfish stocks, federal provisions were implemented to end overfishing that was occurring on seven species of bottomfish (Deep 7 bottomfish). The Deep 7 bottomfish are onaga, ehu, gindai, kalekale, opakapaka, lehi, and hapu`upu`u. Fishery provisions for the main Hawaiian Islands (MHI) bottomfish fishery include requirements for vessel registration, permits, federal catch and effort logbooks, non-commercial bag limits, and an annual TAC limit. When the TAC is reached, the fishery closes for the remainder of the fishing year. A recent update to the Hawaiian Archipelagic stock assessment conducted by Pacific Islands Fishery Science Center indicated stocks are healthier than previously indicated. The Western Pacific Fishery Management Council met in October 2008 and reviewed a range of TACs and the potential risk of overfishing associated with each, and recommended that NMFS implement a TAC of 241,000 lbs of Deep 7 bottomfish for the 2008-09 fishing year. This proposed TAC is a 35% increase in fishing over the 2007-08 TAC.

Comments Due: December 22, 2008

Special Management Area (SMA) Minor Permits

Pursuant to Ch. 205A-30, HRS 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. Honolulu (523-4131); Hawaii (961-8288); Kauai (241-6677); Maui (270-7735); Kakaako (Honolulu) or Kalaeloa Community Development District (587-2840).

Special Management Area (SMA) Minor Permits		
Location (TMK)	Description (File No.)	Applicant/Agent
Oahu: 170 Hamakua Drive – Kailua (4-2-38:48)	Bob's Sports Bar – New Covered Patio and Bathroom (2008/SMA-55)	Rowell Crivello
Hawaii: North Hilo (3-6-010:04, 22)	Establish a Farmers Market (SMM 08-90)	Monica Arnett and Beth Fulton
Kauai: Koloa	Rock Wall & Sign (SMA(M)-2009-3)	Waikomo Stream Villas
Kauai: Nawiliwili	Temporary Environmental Monitoring Station (SMA(M)-2009-4)	Department of Health
Maui: Kihei (3-9-51-6)	Install Awning, Add Scale (SM2 20080072)	Ortiz, Patricia & Jose
Maui: Waiehu (3-2-13-6)	Comfort Station Renovation (SM2 20080073)	GYA Architects, Inc

Shoreline Notices

Shoreline Certification Applications

Pursuant to HRS §205A-42 and HAR §13-222-12, the following shoreline certification applications are available for inspection at the DLNR District Land Offices on Kauai, Hawaii and Maui and in Room 220, 1151 Punchbowl St., Honolulu (587-0414). All comments shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, HI 96813 and postmarked no later than 15 calendar days from the date of the public notice of the application. If there are any questions, please call Ian Hirokawa at 587-0420.

File No.	Date	Location	Applicant/Owner	TMK
OA-1275	11/14/08	Lot 170 Land Court Application 323 as shown on Map 84 situate at Kailua, Koolaupoko, Oahu Address: 376 Dune Circle Purpose: Calculate building potential and obtain building permit	Wesley T. Tengan/ James Warren	4-3-17:36
OA-1276	11/17/08	Por. Lot 6, Tract "B" of the Paa Haa Lots situate at Wailupe, Oahu Address: 5353 Kalaniana'ole Highway Purpose: Building permit	Sam O. Hirota, Inc./ Irene Chan	3-6-03:09
OA-1277	11/19/08	Lots 4-A, 4, and 29 Section "A", Waialae Beach Lots situate at Waialae, Honolulu, Oahu Address: 4671 Kahala Avenue Purpose: Building permit	Walter P. Thompson, Inc./ Up-Front Group Co., Ltd.	3-5-05:05 &08
MA-416	11/14/08	Portion of Lot 15 of the Kamaole Beach Lots situate at Kamaole, Kihei, Maui Address: 2284 South Kihei Road Purpose: Determine shoreline setback for proposed renovations	Ronald M. Fukumoto Engineering, Inc./ George A. Riley (Authorized Agent)	3-9-05:26
MA-417	11/14/08	Lot 8-A-1 of the Kihei Beach Lots Subdivision situate at Pulehunui, Kihei, Maui Address: 85 North Kihei Road Purpose: Determine shoreline setback requirements for proposed structure	Ronald M. Fukumoto Engineering, Inc./ George A. Riley (Authorized Agent)	3-8-13:11

KA-321	11/17/08	Haena State Park Comfort Station Area being portion of CSF 16,575 situate at Haena, Hanalei, Kauai Address: N/A Purpose: SMA permit application for construction of Haena State Park IWS	State of Hawaii DLNR Engineering Division/ State of Hawaii	5-9-08:01
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Shoreline Certifications and Rejections

Pursuant to HRS §205A-42 and HAR §13-222-26, the following shorelines have been proposed for certification or rejection by DLNR. Any person or agency wishing to appeal a proposed shoreline certification or rejection shall file a notice of appeal in writing with DLNR no later than 20 calendar days from the date of the public notice of the proposed shoreline certification or rejections. The notice of appeal shall be sent to the Board of Land and Natural Resource, 1151 Punchbowl Street, Room 210, Honolulu, HI 96813.

File No.	Proposed/Rejected	Location	Applicant/Owner	TMK
OA-1222	Proposed Shoreline Certification	Being portions of Grant 273 and Grant 340, situated at Mokuleia, Waialua, Oahu. Address: 68-379 Farrington Highway Purpose: SMA permit	Park Engineering/Castle & Cooke, Inc.	6-8-03:01
MA-407	Proposed Shoreline Certification	Lot 463-A of Land Court Application 1804 (Map 72) situated at Honuaula, Maui, Hawaii Address: 3850 Wailea Alanui Drive Purpose: Determine setback requirements for proposed renovations	Ronald M. Fukumoto Engineering, Inc./ MSR Grand Wailea Resort LP	2-1-08:109
MO-140	Proposed Shoreline Certification	Lot 80 & a portion of Exception 5 of Land Court Application 632 (Map 7) being also a portion of Grant 3533 Apana 1 to the Trustees under the will of Bernice Pauahi Bishop, situated at Kaunakakai, Molokai, Hawaii. Address: 25 Hio Place Purpose: Obtain County building permit	'Aha Kukui O Molokai/ County of Maui, Department of Parks and Recreation	5-3-01:05
OA-1218	Rejection	Lot 11, Land Court Application 1100, situated at Heeia, Koolaupoko, Oahu. Address: 43-013 Lilipuna Road Purpose: Building permit	Walter P. Thompson, Inc. /Fred Bailey	4-6-01:14

FEDERAL NOTICES

Papahanaumokuakea Marine National Monument Proclamation Provisions

NOAA and the USFWS are publishing final regulations to establish a ship reporting system for the Papahanaumokuakea Marine National Monument. This action implements measures adopted by the International Maritime Organization requiring notification by ships passing through the Monument without interruption. This rule is effective January 2, 2009.

For copies of the environmental assessment or other related documents, please write to: T. Aulani Wilhelm, Monument Superintendent (NOAA); 6600 Kalaniana'ole Highway, 300, Honolulu, HI 96825. Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this final rule may be submitted to (enter office name) and by e-mail to David.Rostker@omb.eop.gov, or fax to (202) 395-7285. Copies of the final environmental assessment may be viewed and downloaded at <http://hawaiireef.noaa.gov/>.

For further information contact: T. Aulani Wilhelm, Monument Superintendent (NOAA); 6600 Kalaniana'ole Highway, 300, Honolulu, HI 96825; (808) 397-2657.

Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for 12 Species of Picture-Wing Flies From the Hawaiian Islands

The U.S. Fish and Wildlife Service (Service), is designating critical habitat for 12 species of Hawaiian picture-wing flies (*Drosophila aglaia*, *D. differens*, *D. hemipeza*, *D. heteroneura*, *D. montgomeryi*, *D. mulli*, *D. musaphilia*, *D. neoclavisetae*, *D. obatai*, *D. ochrobasis*, *D. substenoptera*, and *D. tarphytrichia*) under the Endangered Species Act of 1973, as amended (Act). In total, approximately 8,788 acres (ac) fall within the boundaries of the final critical habitat designation. The critical habitat is located in four counties (City and County of Honolulu, Hawaii, Maui, and Kauai). This final rule becomes effective on January 5, 2009.

The final rule, final economic analysis, and map of critical habitat are available on the Internet at <http://www.regulations.gov>. Supporting documentation we used in preparing this final rule will be available for public inspection, by appointment, during normal business hours, at the U.S. Fish and Wildlife Service, Pacific Islands Fish and Wildlife Office, 300 Ala Moana Boulevard, Room 3-122, P.O. Box 50088, Honolulu, HI 96850; tel: 808-792-9400; fax: 808-792-9580.

For further information contact: Patrick Leonard, Field Supervisor, Pacific Islands Fish and Wildlife Office tel: 808-792-9400; fax: 808-792-9581. If you use a telecommunications device for the deaf (TDD), call the Federal Information Relay Service (FIRS) at 800-877-8339.

GLOSSARY

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, Hawaii 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, and then it will prepare a Final EA (FEA) and issue a Finding of No Significant Impact (FONSI) formerly called a Negative Declaration. The FEA 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 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 agency, and notice of the FEA-EISPN is published in 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. 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-EISPN (see above), the agency or applicant must prepare a Draft Environmental Impact Statement (DEIS) prior to project implementation which must disclose the likely impacts of a project. Direct, indirect and cumulative impacts must be discussed along with mitigative measures. 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 and must be included in the FEIS. For applicant projects, the approving agency is authorized to accept the FEIS. For an agency project, the Governor or the Mayor is the accepting authority. Only after the EIS is accepted may the project be implemented.

Acceptability

If the FEIS is accepted, notice of this action is 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 a FEIS. In the case of applicant actions, the law requires that an approving agency must make a determination on acceptance within 30 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 Hawaii's law. Some projects require both a state and federal EIS and the public comment procedure should be coordinated. OEQC publishes NEPA notices in this periodic bulletin to help keep the public informed of important federal actions.

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. Members of the public may intervene in the permit process. Notice of permit applications are published in this periodic bulletin.

Special Management Area

The Special Management Area (SMA) is along the coastline of all 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 SMA applications to encourage public input.

Shoreline Certifications

State law requires that Hawaii shorelines be surveyed and certified when necessary to clearly establish the shoreline setback 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 15-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. [Agendas](#) of their regular meetings are posted on the Internet 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.

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).