



The Environmental Notice

A semi-monthly periodic bulletin published by the Office of Environmental Quality Control pursuant to Section 343-3, Hawai'i Revised Statutes

May 8, 2011

KAUAI (HRS 343)

- 1. [Kaua'i Community College Redesignation to Urban District](#) (DEA) 2

OAHU (HRS 343)

- 2. [Aiea Zone Change](#) (EISPN) 2
- 3. [Kahuku Wells Unit No. 3](#) (DEA) 3
- 4. [Kainalu Seawall](#) (DEA) 4

MAUI (HRS 343)

- 5. [Easter Seals Hawai'i Maui Center for Disability Services](#) (DEA) 4

MOLOKAI (HRS 343)

- 6. [Repair the Kalaupapa Dock Structures](#) (FEA) 5

HAWAII (HRS 343)

- 7. [University of Hawai'i at Hilo Acquisition of Student Housing Complex](#) (FEA) 6
- 8. [Hilo Forest Reserve Fencing Project](#) (FEA) 7
- 9. [DAGS Kona District Office Baseyard](#) (DEA) 7

Environmental Council

- Standing Committee on Exemptions Agenda 8
- Standing Committee on Legislation Agenda 9
- Environmental Council Agenda 10

NEPA

- Conservation District Use Permits 10
- CDUA OA-3590, Kealia, Waialua, O'ahu 11

Federal Consistency Reviews

- Pilila'au Army Recreation Center Seawall Repair 11

Special Management Area Minor Permits

- 12

Shoreline - Certification Applications

- 12

Shoreline - Certifications and Rejections

- 13

Pollution Control Permits

- 14

Federal Notices

- Notice of Availability of the Finding of No Significant Impact and Environmental Assessment, Naval Special Warfare Undersea Enterprise Consolidation at Joint Base Pearl Harbor-Hickam, Oahu .. . 14
- Solicitation of Input into the Preparation of an Environmental Assessment to Evaluate Options for Demolition/Construction of the Base Fire Station and New Training Pad Area, Joint Base Pearl Harbor Hickam, O'ahu 15
- Proposed Establishment of a New Communications Antenna, at Ka'ena Point Satellite Tracking Station, O'ahu 15

Glossary

- 17

Note: If you get a message saying that the file is damaged when you click on the link, then the file is too big to open within your web browser. To view the file, download directly to your hard drive by going to File and select Save As in your web browser.

The Environmental Notice informs the public of environmental assessments and other documents that are available for review and comment per HRS 343-3 and is issued on the 8th and 23rd of each month on the Office of Environmental Quality Control's website. If you would like to be notified when it is issued, send us your email address and we'll put you on our mailing list.

Gary L. Hooser, Director · Office of Environmental Quality Control · 235 South Beretania Street, Suite 702 · Honolulu, HI 96813
Tel: (808) 586-4185 · Fax: (808) 586-4186 · Email: oeqc@doh.hawaii.gov · Website: <http://hawaii.gov/health/environmental/oeqc/index.html>
Toll Free: Kaua'i: 274-3141 ext. 64185 · Maui: 984-2400 ext. 64185 · Moloka'i/Lana'i: 1-800-468-4644 ext. 64185 · Hawai'i: 974-4000 ext. 64185

KAUA'I (HRS 343)

1. [Kaua'i Community College Redesignation to Urban District \(DEA\)](#)

Island: Kaua'i
District: Lihue
TMK: 3-4-07: 01, 02, 03, and 06
Permits: Noise, Air Emissions, NPDES General Permit for Storm Water Associated with Construction, Disabilities Communication and Access Board Review, Historic Buildings Review, Use, Building, Grading

Proposing/Determination

Agency: University of Hawai'i, Community Colleges, 2327 Dole Street, Honolulu, HI 96822.
Contact: Brian Kashiwaeda, (808) 956-0864
Consultant: Wilson Okamoto Corp., 1907 South Beretania St., Suite 400, Honolulu, HI 96813.
Contact: Earl Matsukawa, (808) 946-2277
Status: Anticipated Finding of No Significant Impact. Comments are due June 6, 2011. Send comments to the Proposing Agency and Consultant

Kaua'i Community College (KCC), located along Kaumuali'i Highway in Puhi on the Island of Kaua'i is presently designated as Agricultural District on the State Land Use District Boundary Map and Agricultural District under the County's Zoning Map. As a result, the University of Hawai'i Community Colleges (UHCC) proposes to re-designate the campus property to Urban District, a more appropriate land use classification. KCC encompasses approximately 199 acres and is further identified as Tax Map Key 3-4-07: 01, 02, 03, and 06. The KCC Long Range Development Plan proposes the development of the existing KCC campus site to accommodate a population of 3,000 full time equivalent (FTE) students with an interim phase of 1,500 FTE students. Development of the existing campus was permitted through a Special Permit granted by the State Land Use Commission. However, the County Planning Department informed KCC that future expansion of the campus would not be permitted through another Special Permit. Re-designating the KCC campus from the State Agricultural District to the Urban District would be appropriate due to its developed character. The UHCC proposes to amend the State Land Use Boundary to re-designate the entire 199-acre KCC campus from Agricultural District to Urban District. The proposed project is the eventual development of the KCC campus, generally following land use allocations recommended by the Ultimate Site Plan presented in the KCC's LRDP.

O'AHU (HRS 343)

2. ['Aiea Zone Change \(EISPN\)](#)

Island: O'ahu
District: 'Ewa
TMK: 9-8-13:13 and 9-8-13:15
Permits: Zone Change, Subdivision, NPDES, Grading, Building, Purchase of State ROW
Applicant: CP Kam Properties LLC, 120 N. Robertson Blvd, Los Angeles, CA 90048. Contact: John Manavian

Accepting

Authority: City and County of Honolulu, Department of Planning & Permitting, 650 South King Street, 7th Floor, Honolulu, HI 96813. Contact: Michael Watkins, (808) 768-8044

Consultant: PBR Hawai'i, 1001 Bishop Street, Suite 650, Honolulu, HI 96813. Contact: Dean Minakami, (808) 521-5631

Status: The City & County of Honolulu, Department of Planning and Permitting, has determined that an environmental impact statement is required. Comments are due June 6, 2011. Send comments to the Applicant, Accepting Authority and Consultant

The proposed action involves a change in zoning from the B-2 Community Business District to the BMX-3 Community Business Mixed-Use District for a 13.995-acre Site, popularly known as the location of the former Kamehameha Drive-In. While the existing B-2 zoning allows for a range of commercial uses, a zone change is being sought to enable the creation of a mixed-use development. The proposed mixed-use development is envisioned to have up to 220,000 square feet of commercial retail and office space and up to 1,500 residential units. In addition, a portion of the project may be developed as a suburban hotel with up to 150 units. The project site is about ¼-mile from the Honolulu Rail Transit Project's planned Pearlridge Station and is being designed to be "transit-ready" by incorporating design elements that will encourage walking and bicycling. Several studies, including a traffic impact assessment report, visual impact analysis, flora and fauna studies, cultural impact assessment, market study, economic impact analysis, and public cost/benefits assessment are being prepared to assess project impacts and determine necessary mitigation measures. BMX-3 zoning does not allow hotels. The DEIS will need to discuss alternative ways to allow hotel development.

3. [Kahuku Wells Unit No. 3 \(DEA\)](#)

Island: O'ahu
District: Ko'olauloa
TMK: 5-6-08:05
Permits: NPDES General, Community Noise, Noise Variance, Lane Use for Construction Work, DOH-SDWB New Source Report Approval, Oversized and Overweight Vehicles on State Highways, Transfer an existing WUP, Well Construction/Pump Installation, Building, Grubbing/Grading/Stockpiling, Erosion Control Plan/BMPs, Street Usage

Proposing/Determination

Agency: City and County of Honolulu, Board of Water Supply, 630 South Beretania Street, Honolulu, HI 96843. Contact: Scot Muraoka, (808) 748-5942
Consultant: The Limtiaco Consulting Group, 680 'Iwilei Road, Suite 430, Honolulu, HI 96817. Contact: John Katahira, (808) 596-7790
Status: Anticipated Finding of No Significant Impact. Comments are due June 6, 2011. Send comments to the Proposing Agency and Consultant

The Honolulu Board of Water Supply (BWS) proposes to install a third well and on-site emergency generator at its existing Kahuku Wells Station, which is part of the BWS' stand-alone Kahuku water supply system and is currently the only potable groundwater supply facility serving the Kahuku service area. Established in 1979, the facility hosts a 0.5 MG reservoir, two 1-mgd-pumping capacity wells, and a control building. This will be the facility's first major upgrade since its installation, and the project will address its pumping reliability and capacity. The project will entail: drilling, casing, testing, and production of the new well; installing and housing the generator; and constructing/installing ancillary improvements (e.g., associated underground piping and appurtenances, aboveground fuel storage tank for the generator, electrical and control upgrades, and possible extension of the existing control building to support the latter). Temporary short-term impacts to air and water quality, ambient noise levels, traffic operations, and groundwater resources may occur during construction activities. Such potential impacts would be minimized through appropriate construction techniques and BMPs and are not expected to be significant. Additionally, no significant adverse long-term impacts on environmental, cultural, social, or economic resources are anticipated to result from the project.

4. [Kainalu Seawall](#) (DEA)

Island: O'ahu
District: Honolulu
TMK: 3-1-03:01
Permits: CDUP, Certified Shoreline, Army Corps of Engineers Nationwide Permit, Dewatering
Applicant: Tropical Sands Apartments, Inc., 711 Kapi'olani Blvd., Suite 2755, Honolulu, HI 96813
Approving Agency: Department of Land and Natural Resources, Office of Conservation and Coastal Lands, 1151 Punchbowl Street, Room 131, Honolulu, HI 96813
Consultant: PlanPacific, Inc., 1001 Bishop Street, Suite 2755, Honolulu, HI 96813. Contact: Kenji Salmoiraghi, (808) 521-9418
Status: Anticipated Finding of No Significant Impact. Comments are due June 6, 2011. Send comments to the Applicant, Approving Agency and Consultant

The Kainalu Apartment building has been experiencing deteriorating conditions in regards to the property's seawall. Erosion and the undermining of sand has caused the wall to deteriorate and collapse in sections and has created a potentially dangerous situation for the property owners as well as those who use the adjacent public property. If left unattended, increasing damage to the wall would potentially jeopardize the building foundation causing great loss of private property as well as impacting the adjacent public property by creating a hazard zone scattered with debris.

Replacement of the wall will take place on private property using the same footprint as the original wall, and will not significantly impact the adjacent properties or the surrounding community, but will provide the property with a property seawall and serve to protect the building from current natural conditions. The construction period will be short, but will impact the area visually as well as with construction noise and degraded water quality in the immediate vicinity during the duration. Best Management Practices will be used to mitigate any necessary short term impacts.

MAUI (HRS 343)

5. [Easter Seals Hawai'i Maui Center for Disability Services](#) (DEA)

Island: Maui
District: Wailuku
TMK: 3-8-52:09
Permits: SMA, Building
Applicant: John Howell, President & CEO, Easter Seals Hawai'i, 710 Green Street, Honolulu HI 96813. Contact: 536 1015
Approving Agency: County of Maui, Community Development Block Grant Program Office, 200 South High Street, Wailuku HI 96793. Contact: 270 7213
Consultant: Frampton & Ward, LLC, 2073 Wells Street # 101, Wailuku, HI 96793. Contact: (808) 249 2224
Status: Anticipated Finding of No Significant Impact. Comments are due June 6, 2011. Send comments to the Applicant, Approving Agency and Consultant

Easter Seals of Hawai'i (ESH) is proposing a renovation project on lands it recently purchased at 155 South Wakea Avenue, in Kahului, Maui. ESH purchased the property from Maui Land & Pineapple in 2010 intending to establish a new ESH Maui facility designed to provide programs and services for clients with developmental disabilities and special needs. ESH intends to renovate and modernize two

existing buildings formerly occupied as: a) children's day care facility and; b) dormitory for seasonal workers. The subject property is zoned "M-2, Heavy Industrial" and is located within a highly developed region of Kahului. Existing uses of the property will generally be maintained, with the dormitory converted to offices and transitional housing facility for program participants. The new facility will be consistent with the property's zoning and will not constitute an intensification of land use. As part of the project site's original development, lands underlying the project site were significantly altered. Nevertheless, due to the prevalent sandy soils underlying the project site, archaeological monitoring has been recommended and will be employed during all ground altering activities to ensure adverse impacts to archaeological resources are avoided. No other adverse impacts as a result of the project are anticipated.

MOLOKA'I (HRS 343)

6. Repair the Kalaupapa Dock Structures (FEA)

Island: Moloka'i
District: Moloka'i, Kalawao
TMK: Various
Permits: Endangered Species Act, Coastal Zone Management Act, Sec. 307, Community Noise, Conservation District Use, Coral Taking, Dredge and Fill, Concurrence with Minimal Adverse Effects to Essential Fish Habitat, Concurrence with no take/harassment of marine mammals determination, National Historic Preservation Act, Sec. 101, Water Quality Certification, NPDES
Applicant: National Park Service, Kalaupapa National Historical Park, PO Box 2222, Kalaupapa, HI 96742. Contact: Superintendent, Steve Prokop, (808) 567-6802 x1100
Approving Agency: Department of Hawaiian Home Lands, 91-5420 Kapolei Parkway, Kapolei, HI 96707. Contact: Todd Gray, (808) 620-9460
Consultant: Parsons Engineering, 1700 Broadway, Denver, CO 80290. Contact: Colleen Conklin, (813) 261-8306
Status: Finding of No Significant Impact. There is no comment period

To repair the dock structures, voids in the bulkhead wall toe, low dock toe, and breakwater would be filled for structural integrity. Armoring of the breakwater would be re-established and displaced armor stones impacting the draft would be removed from the berthing basin. In addition, concrete repairs to the deck pier caps and beams, as well as repair of a void on the north side of the pier would be completed.

The project would have localized, negligible-to-minor, and adverse impacts on water quality during project implementation. No long-term, water quality effects are anticipated. The cumulative effect of the project and other projects and plans would be localized, negligible-to-minor, and beneficial due to improved management of wastewater under the NPS septic tank project. Impacts of the project on turf algae and mobile marine organisms would be short- and long-term, localized, minor, and adverse. Due to the length of time for coral to recover from disturbance, impacts would be long-term. Compensatory mitigation would include installation of seasonal mooring buoys to allow recovery of corals in areas currently being impacted by anchoring of recreational vessels and prevent further anchor damage from occurring in the future. There would be minimal adverse effect to Essential Fish Habitat. The cumulative effect of the project and other projects and plans would be long-term, localized, moderate, and adverse. Impacts of the project on the harbor fish community would be localized, negligible, and adverse, resulting from construction noise and reduction in forage in the project area. Cumulative effects would be long-term, moderate, and adverse, resulting from local and regional development and fishing pressures. The effects of the project on special-status species (Hawaiian monk seals, hawksbill and green sea turtles,

and spinner and bottlenose dolphins) would be localized, short-term, and minor. Effects on ESA-listed species are as follows: The project may affect but is not likely to adversely affect Hawaiian monk seals, green sea turtles, and hawksbill turtles. The project is not likely to adversely modify critical habitat or areas under consideration for future designation of critical habitat for Hawaiian monk seals. The cumulative effects of the project and other projects and plans on special-status species and their habitat would be localized, long-term, adverse, and moderate. The contribution of the project to cumulative impacts would be incremental, short-term and localized.

The project would have short-term, local, minor to moderate, adverse effects on the soundscape as a result of noise associated with deferred maintenance. Cumulative effects would be localized, short-term, adverse and minor to moderate as a result of other projects and park operations that could occur during barge delivery and/or construction. Implementation of the project would result in both negligible and long-term negligible to minor adverse effects to historic resources. Overall, implementation of the project would result in negligible to minor long-term adverse effects to the cultural landscape. There would be no intrusive visible changes to the landing area; the setting, spatial organization, views, and overall landscape integrity would be preserved. Adverse effects on the landscape from construction would be minor and short-term.

Implementation of the project would have direct and indirect, long-term beneficial effects on ethnographic resources, landscapes, and the Kalaupapa community by helping to preserve the landing structures, facilitating ongoing cultural traditions of the community, and assuring materials would continue to be available for preservation of valued resources. Short-term negligible to minor adverse effects would result from noise from armor stone removal, effects on fish populations from construction, and lack of access to the harbor. The project would have a long-term, moderate adverse, cumulative effect on ethnographic resources, landscapes, and the community. The adverse effects of the project would be a very small component of the adverse cumulative impacts. Short-term impacts of the project would be localized, moderate, and adverse due to efforts required to implement resource monitoring, access restrictions, and housing crew during construction activities. With less on-going maintenance requirements for park staff, long-term effects would be localized, minor to moderate, and beneficial. Cumulative effects would be short- and long-term, minor to moderate, and adverse resulting from additional time and efforts required from park staff through implementation of other plans and projects.

HAWAI'I (HRS 343)

7. [University of Hawai'i at Hilo Acquisition of Student Housing Complex \(FEA\)](#)

Island: Hawai'i
District: South Hilo
TMK: (3) 2-4-57:24 & 28
Permits: Building, Grading, Driveway, Drainage, Plan Approval, Landfill Disposal, Injection Well
Proposing/Determination
Agency: University of Hawai'i at Hilo, 200 W. Kawili Street, Hilo, HI 96720. Contact: Harry Yada, (808) 933-9911
Consultant: Geometrician Associates, PO Box 396, Hilo, HI 96721. Contact: Ron Terry, (808) 969-7090
Status: Finding of No Significant Impact. There is no comment period

The University of Hawai'i at Hilo (UH Hilo) proposes to acquire the existing privately owned, 31-unit University Palms apartment complex and an adjacent single-family home and convert both properties to student housing. UH Hilo will renovate the University Palms to house 102 students and demolish the single-family home and then redevelop the property as multi-unit housing to accommodate an additional 34 students. The facilities are needed to reduce a shortage of on- or near-campus student housing,

which inconveniences students and hampers the increase in enrollment critical to the orderly growth plans of UH Hilo.

Acquisition of the facility will not significantly affect traffic. The University Palms is already fully occupied, and the traffic generated by the future facility next-door would not markedly degrade the level of service, parking availability or pedestrian for local streets and intersections, given the proposed improvements. The location is directly across the UH Hilo campus; given a parking shortage on campus, nearly all students would walk rather than drive to classes and other campus activities. Short-term noise, air, and water quality impacts associated with demolition, construction and renovation would be mitigated. Hazardous materials present in the buildings would be properly abated during demolition and renovation. No historic properties appear to be present at the site, a finding that is being confirmed in coordination with the State Historic Preservation Division (SHPD). However, if human skeletal remains or undocumented archaeological resources are encountered during land-altering activities associated with expansion or landscaping, work in the immediate area of the discovery will be halted and SHPD will be contacted.

8. Hilo Forest Reserve Fencing Project (FEA)

Island: Hawai'i
District: South Hilo
TMK: (3) 2-6-18:13
Permits: Grubbing, Grading, NPDES

Proposing/Determination

Agency: Department of Land and Natural Resources, Division of Forestry and Wildlife, 1151 Punchbowl St., Room 325, Honolulu, HI 96813. Contact: Michael Constantinides, (808) 587-4186
Consultant: Graham Paul Knopp, Ph.D., GK Environmental LLC, PO Box 1363, Honoka'a, HI 96727. Contact: (808) 775-1520
Status: Finding of No Significant Impact. There is no comment period

The Department of Land and Natural Resources (DLNR) Division of Forestry and Wildlife has identified the need to construct a cattle fence and access road within a proposed State Forest Reserve. This project would prevent cattle encroachment into the proposed Forest Reserve and would reduce consequent adverse impacts. The fence and access roadway corridor bounds a parcel that has been subdivided from its parent parcel and is currently being processed for addition to the Hilo Forest Reserve by DLNR. The access road would allow for fence construction and maintenance, DLNR resource management efforts, and future public access for hunting and other activities.

An archaeological survey and a cultural assessment have determined that no significant historic sites or cultural resources are present; if archaeological resources are encountered during land-altering activities associated with construction, work in the immediate area of the discovery will be halted and the State Historic Preservation Division will be contacted. Potential water quality impacts due to erosion and sedimentation would be minimized through implementation of a soil conservation plan. No federally listed plant or animal species have been identified within the fence and access road corridor. Other impacts are expected to be negligible or beneficial to the environment.

9. DAGS Kona District Office Baseyard (DEA)

Island: Hawai'i
District: North Kona
TMK: 3-7-8-07:61
Permits: Construction

Proposing/Determination

- Agency:** Department of Accounting and General Services, Project Management Branch, 1151 Punchbowl Street, Room 427, Honolulu, HI 96813. Contact: Gina Ichiyama, (808) 586-0472
- Consultant:** Kimura International, Inc., 1600 Kapi'olani Blvd., Suite 1610, Honolulu, HI 96814. Contact: Leslie Kurisaki, 944-8848
- Status:** Anticipated Finding of No Significant Impact. Comments are due June 6, 2011. Send comments to the Approving Agency and Consultant

The Department of Accounting and General Services (DAGS) is proposing to construct a new Kona District Office Baseyard on a vacant, 0.97 acre site on Hawai'i Belt Road (Kuakini Highway), Kona, Hawai'i. The DAGS Kona District Office provides repair and maintenance service to State-owned facilities in West Hawai'i. The existing baseyard, located at the old Napo'opo'o School in Captain Cook, is housed in buildings close to 100 years old and in very poor physical condition, with leaking roofs and inadequate storage. A new baseyard in a more central location is needed.

The State-owned project site was once the playing field for the former Keauhou Uka School in Holualoa, and was set aside by the State Board of Land and Natural Resources for a DAGS baseyard by Executive Order. The former Keauhou Uka school buildings are on an adjacent site to the east (mauka) and are currently occupied by the Keauhou Head Start pre-school and the Hawai'i County Economic Opportunity Council (HCEOC).

The new baseyard will include a carpentry shop, paint shop, electrical shop, masonry shop, plumbing shop, and administrative offices. Access to the site will be off a single driveway on Hawai'i Belt Road. Project impacts include noise and dust during construction, including construction of a waterline through the State-owned parcel occupied by the Head Start school and HCEOC. Construction period impacts will be temporary and can be mitigated. Once operational, the baseyard will have minimal noise and air quality impact on the adjacent property because all maintenance activity will occur inside the shops, which are outfitted with dust collectors and air filters. Baseyard crews are out in the field for most of the day when the Head Start children are in school. There are no threatened or endangered species on the project site. An archaeological field inspection noted no historic properties and no further archaeological work is needed. The impact of the project traffic on Kuakini Highway will not be significant.

ENVIRONMENTAL COUNCIL

The Environmental Council has a meeting scheduled for May 11, 2011. The agendas below are for the subcommittees on exemptions and legislation, and the main agenda for the Environmental Council. You can also go to the State [Calendar](#) website to review the agenda. For more information, contact oeqc@doh.hawaii.gov or call 586-4185.

MEETINGS OF THE ENVIRONMENTAL COUNCIL
Wednesday, May 11, 2011 at various times/locations below

STANDING COMMITTEE ON EXEMPTIONS (09:00 AM – 12:00 noon)
Leiopapa A Kamehameha (State Office Tower), Room 203
235 S. Beretania Street, Room 702
Honolulu, Hawai'i 96813

NOTE: This is not a video teleconference meeting.

AGENDA

1. Introductions

2. City and County of Honolulu, Department of Transportation Services
3. Department of Land and Natural Resources
 - a. Department wide exemptions (*see text below*)
4. Public Testimony
5. New Business
6. Next meeting

Agenda item 3-a (*see above*)

Department of Land and Natural Resources: Proposed Department-wide Exemptions

1. Class 1 (New)
Mitigation of any hazardous conditions that present imminent danger and are necessary to protect public health, safety, welfare, or public trust resources.
2. Class 3, Number 1 (DOFAW - June 12, 2008)
Fences [to include areas no greater than 10 acres] around or to manage [individual or small colonies of] rare, threatened or endangered plants, covered and open areas for endangered species [(waterfowl, water birds, forest birds)], game birds and mammals [(pheasants, quail, partridges, pigs, sheep, goats, deer)]; auxiliary buildings for food storage, equipment storage, incubators and brooders; open-top breeding and release pens, field aviaries, hacking boxes, and for watershed and native forest management and restoration. Fences will contain step-overs or other features that permit pedestrian access for cultural and recreational use.
3. Class 1 (New)
Emergency mitigation and restoration work to prevent damage from continuing to occur and to restore the topographical features and biological resources to the condition that existed prior to the incident; and,
4. Class 4 (New)
Emergency mitigation and restoration work to prevent further damage from occurring and to restore the topographical features and biological resources to the condition that existed prior to the incident.

END OF AGENDA OF STANDING COMMITTEE ON EXEMPTIONS

STANDING COMMITTEE ON LEGISLATION (01:00 PM – 02:00 PM)

**Keoni Ana Building, Video Conferencing Center
1177 Alakea Street, Room 302
Honolulu, Hawai'i 96813**

AGENDA

1. Call to Order
2. Review recently passed legislation pertinent to Environmental Council
3. Discuss which items to recommend to council for consideration
4. Public Testimony
5. Schedule Next Meeting
6. Adjournment

END OF AGENDA OF STANDING COMMITTEE ON LEGISLATION

ENVIRONMENTAL COUNCIL (02:00 PM – 4:00 PM)
Oahu Meeting Location:
Keoni Ana Building, Video Conferencing Center
1177 Alakea Street, Room 302
Honolulu, Hawai'i 96813

Videoconferencing Centers:

Lihu'e, Kaua'i – Lihu'e State Office Building, 3060 'Eiwa Street (basement)
Hilo, Hawai'i – Hilo State Office Building, 75 'Aupuni Street (basement)
Kaunakakai, Moloka'i – University of Hawai'i - Maui College, 375 Kamehameha V Highway, Room 102

AGENDA

1. Swearing In Of New Members
2. Call to Order
3. Introductions
4. Approval of Minutes from 4/18/11
5. Chairs Report
6. OEQC Director's Report
7. Standing Committee Reports
 - a. Exemption Committee
 - i. DLNR Exemption Requests
 - b. Rules Committee
 - c. Annual Report Committee
 - d. Legislative Committee
8. Public Testimony
9. Correspondence Received
10. New Business
11. Adjournment

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

Natural Pest Control for Protection of the Papaya Industry (EA)

Island: Statewide
District: All
TMK: Various
Permits: USDA-APHIS, Hawai'i State Department of Agriculture, PQ-7
Proposing Agency: USDA-ARS, U.S. Pacific Basin Agricultural Research Center 64 Nowelo St., Hilo, HI 96720. Contact: Peter Follett, (808) 959-4303, peter.follett@ars.usda.gov
Approving Agency: USDA, APHIS, PPQ, 4700 River Rd., Unit 133, Riverdale, MD 20737. Phone: (301) 734-5405
Status: This EA was published in the USDA notices on April 12, 2011. Please submit comments to the proposing agency and approving agency by May 31, 2011.

White peach scale, *Pseudaulacaspis pentagona*, is a serious insect pest of papaya in Hawaii causing plant stress, economic losses and quarantine restrictions. A minute stingless parasitic wasp *Encarsia diaspidicola* that attacks white peach scale was brought from Samoa into the quarantine containment

facility at Hawaii Volcanoes National Park. The wasp was exposed to a variety of closely related insect species during host range testing to determine whether the biological control agent might attack non-target species and thereby pose a risk to the environment. *E. diaspidicola* was chosen as a biological control candidate because it is reportedly highly host specific and attacks only armored scales in the family Diaspididae. There are no native diaspidid scales in Hawaii. During host range testing, *E. diaspidicola* did not attack any of the non-target species tested, including a closely related exotic species, the false oleander scale, and a native Hawaiian palm scale. This is strong evidence that the wasp will not attack non-target species or cause harm to the environment if released for control of white peach scale in Hawaii. Releases would be made in commercial papaya fields on the main Hawaiian Islands.

CONSERVATION DISTRICT USE PERMITS

The following Conservation District Use Application (CDUA) is available for review and comment (HRS 183C and HAR 13-5). Comments and requests for notification of determinations must be submitted within 30 days of the date of this Notice. Please include the following: (1) name and address of the requestor; (2) the permit for which the requestor would like to receive notice of determination; and (3) the date the notice was published in the Environmental Notice. Send comments and requests to: Department of Land and Natural Resources, Office of Conservation and Coastal Lands, P.O. Box 621, Honolulu, HI 96809 or call 587-0048 for more information.

File No.: CDUA OA-3590
Name of Applicant: Franklin T. Opperman and Allene K. Richardson Suemori
Location: Kealia, Waialua, O'ahu
TMK: (1) 6-8-08:22 and 38
Proposed Action: Consolidation and Resubdivision
343, HRS determination: Exempt
Applicant's Contact: Mark Hogue, 548-0805

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 (HRS 205A). Public notice is pursuant to Section 306(d)(14) of the National Coastal Zone Management Act of 1972, as amended. For more information, call John Nakagawa at 587-2878. Neighbor islands call toll-free: Kaua'i: 274-3141 x72878, Lana'i and Moloka'i: 468-4644 x72878, Maui: 984-2400 x72878, or Hawai'i: 974-4000 x72878. Federal deadlines require that comments be received by the date specified. Send comments 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.

Pilila'au Army Recreation Center Seawall Repair

Federal Action: Federal Agency Activity
Federal Agency: U.S. Army Garrison – Hawai'i
Contact: Danny Morisaki, 656-2479
Location: Pokai Bay, Wai'anae, O'ahu
CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov
Proposed Action: Repair and retrofit the existing stone seawall at the Pilila'au Army Recreation Center, located at Pokai Bay, Wai'anae. The seawall has suffered from deterioration, including missing vertical wall section, various cracks along the wall, and broken-off cap

sections. The repairs involve the use of corrosion resistant reinforcing bars, a special concrete additive, and a wall veneer that replicates a hand built wall. The rebuilt wall will be in the same location and about the same dimensions as the existing wall.

Comments Due: May 23, 2011

SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS		
Location (TMK)	Description (File No.)	Applicant/Agent
O'ahu: Kaka'ako (2-1-15: 61 & 62)	Geotechnical Soil Borings for Ala Moana Wastewater Pump Station Force Mains #3 and #4 (SMA/11-2)	Yogi Kwong Engineers, LLC
O'ahu: Kuliouou (3-5-58:03)	New Aluminum Fence (2011/SMA-6)	Jeff Morrison
O'ahu: Hau'ula (5-4-02:03)	Graunstandt Exterior Renovations (2011/SMA-13)	Christian Graunstandt
Hawai'i: Puna (1-3-02:100)	Subdivision into 6 Lots of 2 Acres or More (SMM 11-170)	Valerie Colter
Hawai'i: Puna (1-5-88:01 and 1-5-111:01)	1) Landscaping Improvements and Routine Maintenance; 2) Addition of a Footpath, Bench and/or Picnic Table; 3) Placement of Large Boulders to Prevent Vehicular Access; and 4) Replacement and Addition of Signs (SMM 11-174)	Eileen O'Hara, President of Hawaiian Shores Community Association Board of Directors
Hawai'i: Puna (1-5-88:41)	Routine Maintenance of the Perimeter of the Property (SMM 11-175)	BENFACT USA, Inc.
Maui: (4-6-28:09)	Replacing Three Windows (SM2 20110023)	Baker, Carolyn L
Maui: (2-1-10:21)	Swimming Pools (SM2 20110024)	Satish K Gholkar
Maui: (3-7-09:19)	Install Business Name Sign (SM2 20110025)	Creative Design Signs, LLC

The SMA Minor permits above have been approved or are pending approval (HRS 205A-30). For more information, contact the county/state Planning Department. Honolulu (523-4131); Hawai'i (961-8288); Kaua'i (241-6677); Maui (270-7735); Kaka'ako or Kalaeloa Community Development District (587-2840).

SHORELINE - Certification Applications				
File No.	Date	Location	Applicant/Owner	TMK
MA-471	4/25/11	Portion of Grant 3152 to Henry Cornwell situate at Waikapu, Wailuku, Maui Address: North Kihei Road Purpose: SMA application process	Steven Wapner for Kihei Canoe Club/ Alexander & Baldwin, Inc.	3-8-05:03 (por.)
MA-472	4/26/11	Lot 23 of the Waiohuli-Keokea Beach Lots Second Series (H.T.S. Plat 1071) situate at Waiohuli-Keokea, Kula, Maui Address: 1536 Halama Street Purpose: Shoreline	James McCall/ Toshio Okamura	3-9-10:11

KA-349	4/14/11	Lot 7 "Waipouli Beach Lots" Portion of Royal Patent 7373, Land Commission Award 8559-B, Apana 42 to William C. Lunalilo situate at Waipouli, Kawaihau, Kaua'i Address: 960 Niulani Road Purpose: Renovation to residence	Anthony Crook/ Jim Molz	4-3-09:03
KA-350	4/26/11	Lot 12 Wainiha Subdivision II (File Plan 1840) being a portion of R.P. 7194, L.C. Aw. 11,216:5 to M. Kekauonohi situate at Wainiha, Kaua'i Address: 7310 Alealea Road Purpose: Building permit	Ronald J. Wagner/ Craig Dobbin	5-8-09:51

The shoreline certification applications above are available for review at the DLNR Offices on Kaua'i, Hawai'i, Maui, and Honolulu, 1151 Punchbowl Street, Room 220 (HRS 205A-42 and HAR 13-222-12). 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. For more information, call Ian Hirokawa at 587-0420.

SHORELINE - Certifications and Rejections				
File No.	Proposed/Rejected	Location	Applicant/Owner	TMK
OA-1409	Proposed Shoreline Certification	Subdivision of Lot 8 Mokuleia Beach Tract being portions of R.P. Grant 340 to Palekaluhi, et al, and R.P. Grant 242 to Kaiaikawaha into Lots A and B Address: 68-635 Crozier Drive Purpose: Subdivision	Walter P. Thompson, Inc./ John & Lucy Gospodnetich	6-8-04:02
OA-1417	Proposed Shoreline Certification	Parcel 2, Filled Land of Kaneohe Bay and Lot 13-B, Portion Grant 4938 to Bernhard Rudolph Banning situate at Kea'alau, Kane'ohe, Ko'olaupoko, O'ahu Address: 44-535 Kane'ohe Bay Dr. Purpose: Building permit	Walter P. Thompson, Inc./ David Fujiwara	4-4-37:49
MA-456	Proposed Shoreline Certification	Land Commission Award 5511 to Kamaha situate at Keali'i-Nui, Hamakualoa, Haiku, Maui Address: 800 Haumana Road Purpose: Shoreline setback & boundary	Fredrick Honig/ Fredrick Honig	2-8-04:32
MA-463	Proposed Shoreline Certification	Kahului Beach Road (F.A.S.P. S-0340 (1)) situate at Kahului, Wailuku, Maui Address: Kahului Beach Road Purpose: Coastal erosion study	Park Engineering/ State of Hawai'i, Department of Transportation	3-4-27; 3-7-01, 02 & 03

The shoreline notices above have been proposed for certification or rejection by DLNR (HRS 205A-42 and HAR 13-222-26). Any person or agency who wants to appeal shall file a notice of appeal in writing

with DLNR no later than 20 calendar days from the date of this public notice. Send the appeal to the Board of Land and Natural Resource, 1151 Punchbowl Street, Room 220, Honolulu, HI 96813.

POLLUTION CONTROL PERMITS				
Branch Permit Type	Applicant and Permit Number	Project Location	Date	Proposed Use
Clean Air Branch, 586-4200, Covered Source Permit	Maui Asphalt X-IV, LLC CSP No. 0737-01-CT Initial Application No. 0737-01	Various Temporary Sites, State of Hawai'i	Comments Due: 5/20/11	160 TPH Portable Drum Mix Asphalt Plant with 910 HP Diesel Engine
Clean Air Branch, 586-4200, Covered Source Permit	Hawaiian Cement CSP No. 0252-01-C Application for Renewal and Significant Modification No. 0252-06	Camp 6, Pu'unene, Maui	Issued: 4/20/11	653 TPH Aggregate Processing Facility
Clean Air Branch, 586-4200, Covered Source Permit	Jas. W. Glover CSP No. 0257-01-C Renewal Application No. 0257-03 Application for Modification No. 0257-04	Halfway Bridge Quarry Puhī, Kaua'i	Comments Due: 5/31/11	Fixed and Portable/Fixed Crushing and Screening Plants

Above are some pollution control permits before the State Department of Health (HRS 342B and HAR 11-60.1). For more information, contact the number given.

FEDERAL NOTICES

Notice of Availability of the Finding of No Significant Impact and Environmental Assessment for the Naval Special Warfare Undersea Enterprise Consolidation at Joint Base Pearl Harbor-Hickam, Oahu

Pursuant to the Council on Environmental Quality Regulations (40 Code of Federal Regulations Parts 1500-1509) implementing the National Environmental Policy Act and the Office of the Chief of Naval Operations Instruction 5090.1C, the Department of the Navy gives notice that an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) have been prepared and an Environmental Impact Statement is not required for the Naval Special Warfare Undersea Enterprise (NSWUE) Consolidation at Joint Base Pearl Harbor-Hickam (JBPHH) O'ahu.

Commander JBPHH intends to support the consolidation of NSWUE units at JBPHH by allowing adaptive reuse of a historic property at Ford Island and improvements to existing facilities and new construction within an existing NSWUE compound at Pearl City Peninsula (PCP). The consolidation to JBPHH will take place over a five- to ten-year period and is projected to increase NSWUE staffing levels at JBPHH from about 400 to about 900 personnel. Total projected population growth on O'ahu is expected to be about 1,200 new residents (500 new personnel accompanied by about 700 dependents). JBPHH will allow NSWUE to utilize an additional 200,000 square feet (18,580 square meters) of working space (including administrative, training, maintenance, storage and ancillary facilities) and supporting infrastructure through adaptive reuse via interior renovation of a historic property on Ford Island, and

improvements to existing facilities and new construction within NSWUE's existing light industrial compound at PCP. The purpose of the Proposed Action is to support NSWUE in their efforts to optimize the use of resources and manpower and increase their accessibility to the Pacific region. The need for the action is to provide facility support to the NSWUE that will allow for improvements in training, administration, storage and quality of work environments.

The Proposed Action would not result in significant impacts to the following resources: soils, topography, groundwater, air quality, noise, traffic, marine and terrestrial flora and fauna, utilities, drainage, hazardous and regulated materials, flood hazard, socio-economic factors, and land use compatibility. It would not involve in-water or over-water construction activities. Further, the Proposed Action would not create environmental health and safety risks that could disproportionately impact children or minority and low-income populations. The Proposed Action is listed among the *de minimis* activities agreed upon between the Navy and the State of Hawai'i Coastal Zone Management Program. The Navy determined that the construction activities associated with the Proposed Action would have no adverse effect on historic properties at Ford Island or the Pearl Harbor National Historic Landmark, and that there would be no historic properties affected at PCP. The Hawai'i State Historic Preservation Officer has concurred with the Navy's determination and will remain involved in the design process.

Based on the information gathered during the preparation of this EA and the analysis presented, the Navy has determined that the Proposed Action will have no significant impacts on the quality of the human environment. For more information contact James Furuhashi OPHEV2, Naval Facilities Engineering Command, Hawai'i, 400 Marshall Road, Building X-11, Pearl Harbor, HI 96860-3139, Telephone: (808) 471-1171, ext. 207 or Helber Hastert & Fee, Planners, 733 Bishop Street, Suite 2590, Honolulu, HI 96813, Corlyn Orr, 545-2055.

Solicitation of Input into the Preparation of an Environmental Assessment to Evaluate Options for Demolition/Construction of the Base Fire Station and New Training Pad Area, Joint Base Pearl Harbor Hickam, Oahu

The 15th Wing (15 WG), formerly the 15 Airlift Wing, is preparing an Environmental Assessment (EA) to evaluate options for the demolition/construction of the Base fire station and construction of a new training pad area, Joint Base Pearl Harbor Hickam, HI. The 15 WG propose to demolish the existing fire station and construct a new fire station as well as a 2500 ft² training pad area.

The purpose of the proposed action identified by the 15 WG is to bring the facilities up to modern standards and safety code. The existing fire station is deteriorating and beyond economical repair. It is inadequately configured and undersized to meet health and safety standards. The proposed action would use state of the art materials and environmental controls and comply with local anti-terrorism/force protection features and provided the department with adequate training space.

The environmental impact analysis process for the proposed action and appropriate alternatives is being conducted by 15 WG in accordance with the National Environmental Policy Act of 1969. In accordance with Executive Order 12372, Intergovernmental Review of Federal Programs, we request your participation by reviewing the draft description of the proposed action and alternatives. For more information, Tiffany Patrick, 647 CES/CEVP, Environmental Planning Element, 75 H Street, Hickam AFB, HI 96853-5233, or call 449-3197, or email tiffany.patrick.ctr@hickam.af.mil within 30 days.

Proposed Establishment of a New Communications Antenna, at Ka'ena Point Satellite Tracking Station, O'ahu

The USAF proposes to demolish three existing buildings (20, 21 and 14111) at Ka'ena Point Satellite Tracking Station (KPSTS) and establish a new communications antenna and radome on the same site. Applicable Law: 32 CFR 99 (National Environmental Protection Act) 36 CFR 800 (Protection of Historic Properties). Type of Document: Amended Finding of No Significant Impact (FONSI) National Historic Protection Act - Section 106 Consultation.

The KPSTS, located near the northwest tip of the Island of O'ahu, approximately 25 miles northwest of Joint Base Pearl Harbor-Hickam, is operated by Detachment 3, 21st Space Operations Squadron of the 50th Space Wing, United States Air Force. The Station is located on 153 acres of land leased from the State of Hawai'i.

An Environmental Assessment ("Proposed Establishment of a Communications Antenna"), with a 30-day public review ending September 8, 2010, was completed for the proposed action including both the construction and demolition phases. No public comments were received, and the Finding of No Significant Impact was signed on 29 December 2010. During scoping, the proponent determined that buildings 20, 21 and 14111 could not be adaptively reused to meet mission requirements due to inadequate configuration of the site. The proposed new antenna and support equipment would be constructed at the site of buildings 20 and 14111. Building 20 was a support building for Corona operations. Building 14111, which is a radome structure that formerly housed a communications antenna, is not adequate to support the new antenna and would be removed to enable development. Building 21 was formerly used as a small guard shack. A Section 106 consultation was initiated and completed with the State of Hawai'i Historic Preservation Division (SHPD).

The SHPD reviewed the proposed undertaking, and concurred that buildings 20 and 14111 are potentially eligible for listing on the National Register of Historic Places as part of a Historic District based on KPSTS' role as one of many tracking stations supporting its former Cold War missions, in particular our Nation's first satellite surveillance program known as "Discoverer", later dubbed "Corona". To mitigate any adverse effects of demolishing the three structures on historic resources, the SHPD recommends the completion of a Historic American Buildings Survey Level 2 survey for those buildings, to include architectural drawings, photographs and written data, history and description. No known archaeological sites are within the site of this Proposed Undertaking.

As a result of the Section 106 consultation, the government has determined that the EA FONSI requires amendments to address the SHPD's recommendations. The amended FONSI, as well as the Section 106 consultation letter and attachments, and a copy of the SHPD response letter, are available for review for 14 days beginning May 8, 2011, at the Wai'anae Public Library located at 85-625 Farrington Highway, Wai'anae HI 96792.

GLOSSARY

Agency Actions

Any department, office, board, or commission of the state or county government which is part of the executive branch of that government per [HRS 343-2](#).

Applicant Actions

Any person who, pursuant to statute, ordinance, or rule, requests approval for a proposed action per [HRS 343-2](#).

Draft Environmental Assessment

When an Agency or Applicant proposes an action that [triggers](#) [HRS 343](#), an Environmental Assessment shall be prepared at the earliest practicable time to determine whether an environmental impact statement shall be required per [HRS 343-5\(b\)](#), for Agency actions and [HRS 343-5\(c\)](#), for Applicant actions. For environmental assessments for which a Finding of No Significant Impact is anticipated, a Draft EA (DEA) shall be made available for public review and comment for 30 days and public notice is published in this periodic bulletin per ([HRS 343-3](#)), also known as The Environmental Notice.

Final Environmental Assessment and Finding of No Significant Impact

The Agency shall respond in writing to comments received during the review and prepare a Final EA (FEA) to determine whether an environmental impact statement shall be required. The FEA must respond to all public comments. If there are no significant impacts, then the Agency will issue a Finding of No Significant Impact (FONSI). An Environmental Impact Statement will not be required and the project may then be implemented. The public has 30 days from the notice of a FONSI in this bulletin to ask a court to require the preparation of an EIS.

Final Environmental Assessment and Environmental Impact Statement Preparation Notice

An EIS shall be required if the Agency finds that the proposed action may have a significant effect on the environment. The Agency shall file notice of such determination with OEQC, called an EIS Preparation Notice (EISPN). After the notice of the EISPN is published in this bulletin, the public has 30 days to request to become a consulted party and make written comments. The public (including the Applicant) has 60 days from the notice of the EISPN in this bulletin to ask a court to not require the preparation of an EIS.

Draft Environmental Impact Statement

After receiving the comments on the EISPN, the Agency or Applicant must prepare a Draft Environmental Impact Statement (DEIS). The [content requirements](#) of the DEIS shall contain an explanation of the environmental consequences of the proposed action including the direct, indirect and cumulative impacts and their mitigative measures. The public has 45 days from the first publication date in this bulletin to comment on a DEIS. The DEIS must respond to comments received during the 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 and must be included in the FEIS. See here for [style](#) concerns. For Applicant projects, the Approving Agency is authorized to accept the FEIS. For an Agency project, the Governor or the Mayor (or their designated representative) is the Accepting Authority. Only after the FEIS is accepted may the project be implemented.

Acceptability

If the FEIS is [accepted](#), notice of this action is published in this bulletin. The public has 60 days from the date of notice of acceptance to ask a court to vacate the acceptance of a FEIS. For Applicant actions, the Approving Agency must make a determination on acceptance within 30 days of receipt of the FEIS or the FEIS is deemed accepted. 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 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 bulletin.

Special Management Area and Shoreline Setback Area

The Special Management Area (SMA) is along the coastline of all islands and development in this area is generally regulated by [HRS 205A](#), and county ordinance. A special subset of the SMA that is regulated by [HRS 343](#), is the [Shoreline Setback Area](#). Most development in this area requires a Special Management Permit. This 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 bulletin publishes notice from the Department of Land and Natural Resources of shoreline certification applicants and final certifications or rejections.

Environmental Council

The [Environmental Council](#) is a 15-member citizen board appointed by the Governor. They serve as a liaison between the Director of OEQC and the general public concerning ecology and environmental quality. The Council makes the rules that govern the Environmental Impact Statement process ([HRS 343](#)). [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 [exempt](#) from the environmental review process. These lists and any amendments shall be submitted to the Council for review and concurrence ([HAR 11-200-8\(d\)](#)). This 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 bulletin is required by [HRS 343-3\(c\)](#), 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).