

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

July 8, 2011

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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.



Neil Abercrombie, Governor · Gary Hooser, Director · Office of Environmental Quality Control · 235 South Beretania Street, Suite 702 · Honolulu, HI 96813
Tel: 586-4185 · Fax: 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/Lānai: 1-800-468-4644 ext. 64185 · Hawai'i: 974-4000 ext. 64185



HAWAI'I NOTICES (HRS 343)

1. [Kawaihae Road – Waiaka Bridge Replacement and Realignment of Approaches Draft EA](#)

- Island:** Hawai'i
District: South Kohala
TMK: Kawaihae Road right-of-way parcels adjacent to right-of-way 6-5-001:033; 6-5-001:015; 6-6-004:001; 6-6-001:077
Permits: Department of the Army, Nationwide Permit, Section 404, Clean Water Act Section 106 (NHPA), Section 7 (ESA); Section 401, Water Quality Certification; National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Stormwater Activities; Noise Permit; Construction Noise Variance (if required); Stream Channel Alternation Permit; Chapter 6E, HRS Historic Preservation Review; Department of Transportation Permit to Perform Work Within State Highways; Coastal Zone Management (CZM) Program Consistency Determination; Grubbing, Grading, Excavation and Stockpiling; Building Permit; Landfill Disposal Permit
- Proposing/Determination Agency:** State of Hawai'i, Department of Transportation, 869 Punchbowl Street, Honolulu, Hawai'i 96813. Contact: Lance Manabe, (808) 587-6396
Consultant: Wilson Okamoto Corporation, 1907 South Beretania Street, Suite 400, Honolulu, Hawai'i 96826. Contact: Tracy Fukuda, (808) 946-2277
Status: Anticipated Finding of No Significant Impact. 30-day comment period begins; comments are due on August 6, 2011. Send comments to the Proposing Agency and the Consultant



The State of Hawai'i Department of Transportation (HDOT) proposes to replace the existing Waiaka Stream Bridge with an approximate 53-foot wide by approximate 80-foot long replacement bridge to accommodate two travel lanes, one in each direction, a shoulder/bike lane, and raised sidewalk. In addition, the approaches will be realigned to create a smooth transition to the replacement bridge and the Kawaihae Road – Kohala Mountain Road intersection would be reconfigured to include a traffic signal or roundabout. At this time, the HDOT has made no decision as to which of six alternatives will be selected for design and construction.

No significant long-term environmental or community impacts are anticipated from the construction and operation of any of the six alternatives. Construction activities are anticipated to have short-term noise, traffic, and air quality impacts in the surrounding area.

2. [Hawai'i Experimental Tropical Forest: Laupahoehoe Construction Draft EA](#)

- Island:** Hawai'i
District: North Hilo
TMK: TMK: 3rd/3-6-06: 14; 16; 37; 38; 39; 46; 47; 50; & 82.
Permits: US Army Corps of Engineers, Section 404, Clean Water Act; State of Hawai'i Department of Health, National Pollution Discharge Elimination System Permit; US Fish and Wildlife Service, Informal Consultation on project effects upon Threatened and Endangered Species.

- Proposing/Determination Agency:** Department of Land and Natural Resources, Land Division, 75 Aupuni Street, Room 204, Hilo, Hawai'i 96720. Contact: (808) 974-6203





Consultant: Enterprise Technical Services, USDA Forest Service, Lolo National Forest, Building 24, Fort Missoula, Missoula, Montana 59804. Contact: John Slown, (406) 329-3749

Status: Anticipated Finding of No Significant Impact. 30-day comment period begins; comments are due on August 6, 2011. Send comments to the Proposing Agency and the Consultant

The Pacific Southwest Research Station in Hilo, Institute of Pacific Islands Forestry, USDA Forest Service proposes to develop a research and education facility adjacent to the recently established Hawai'i Experimental Tropical Forest (HETF). This facility would include construction an educational pavilion, vault toilets, equipment storage space, and associated parking on lands leased from the Hawai'i Department of Land and Natural Resources (TMK#360006046). Bunkhouse space for 20 persons, classroom space, a caretaker residence, and associated facilities would also be constructed or renovated on lands of the Forest Service (TMK#360006014, 360006016, & 360006082). An access route to the HETF proposed for this project would include approximately 0.7 miles of new road.

The direct, indirect, secondary and cumulative impacts associated with the project would be localized impacts to the visual environment within the immediate project vicinity. These would be mitigated on a larger scale by screening effects of vegetation and terrain. Other measurable impacts would be short-term, occurring during the construction phase, such as soil disturbance, habitat displacement and increased noise. No significant impacts to any resource are anticipated. The issuance of a Finding of No Significant Impact for this project is anticipated.

MAUI NOTICE (HRS 343)

3. [Easter Seals Hawai'i Maui Center for Disability Services Final EA \(FONSI\)](#)



Island: Maui
District: Wailuku
TMK: (II) 3-8-052:009
Permits: SMA, Building Permit
Applicant: Easter Seals Hawai'i, 710 Green Street, Honolulu, Hawai'i 96813. Contact: Mr. John Howell, (808) 536-1015

Approving Agency: County of Maui, Community Development Block Grant Program Office, 200 South High Street, Wailuku, Hawai'i 96813. Contact: (808) 270-7213

Consultant: Frampton & Ward, LLC, 2073 Wells Street #101, Wailuku, Hawai'i 96793. Contact: (808) 249-2224

Status: Finding of No Significant Impact (FONSI)

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.



O'AHU NOTICES (HRS 343)

4. [Hilton Hawaiian Village Mater Plan Improvements Final EIS](#)

- Island:** O'ahu
District: Waikiki
TMK: 2-6-5: Portion of 1
2-6-8: 1, 2, 3, 5, 7, 12, 19, 20, 21, 23, 24, 27, 31, 34, 37, and 38
2-6-9: 1, 2, 3, 7, 9, 10, 11, 12, and 13
Permits: Planned Development-Resort, Waikiki Special District Permit, Major Special Management Area Use Permit, Building and Grading permits, and various other permits/approvals for infrastructure improvements.
Applicant: Hilton Hawaiian Village Beach Resort & Spa, 2005 Kalia Road, Honolulu, Hawai'i 96815. Contact: Gerard C. Gibson, (808) 949-4321
Approving Agency: Department of Planning and Permitting, City and County of Honolulu, 650 South King Street, Honolulu, Hawai'i 96813. Contact: Steve Tagawa, (808) 768-8024
Consultant: Group 70 International, Inc., 925 Bethel Street, 5th floor, Honolulu, Hawai'i 96813. Contact: Jeffrey H. Overton, (808) 523-5866
Status: Accepted by the Approving Agency ([Volume II-Technical Appendices](#))



The Hilton Hawaiian Village Beach Resort & Spa proposes major renovations to its 22-acre (25 parcels) resort complex located in Waikiki, which currently includes five hotel towers: the Tapa, Rainbow, Diamond Head, Ali'i, and Kalia Towers and two time-share towers, the Grand Waikikian and Lagoon Towers. The complex also includes more than 150,000 square feet of banquet and meeting spaces, and 173,700 square feet of retail and restaurant space, various outdoor areas, six swimming pools, and the recently renovated Kahanamoku Lagoon.

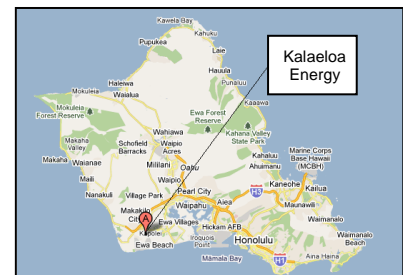
The Village Master Plan Improvement Project includes:

- 1) Construction of two new time-share towers, a 350-foot, 300-unit tower to be built over the existing bus loading area, and a 260-foot, 255-unit tower as part of the redevelopment of Rainbow Bazaar;
- 2) Renovation of existing retail spaces with a net increase of 14,800 square feet of new retail space;
- 3) Improvements to the streetscape along Kalia Road;
- 4) Improvements to the main entry, Rainbow Drive, and the center area of resort retail;
- 5) Improvements to the existing front desk lobby and new Super Pool, Village Green, and Hau Tree Bar;
- 6) Improvements to the Tapa Pool and Café.

The Master Plan improvements will be implemented over a ten-year period at an estimated cost of \$760 million. The main entry improvements along Kalia Road, the Tapa Tower retail area, and Tapa Pool area would begin in 2012; the construction of the first time-share tower (350-foot, 300-unit) would start in 2013 and be completed in 2015; the Super Pool expansion, redevelopment of the Hau Tree Bar, and Main Lobby area would start in 2013 and be completed in 2014, and the construction of the second time-share tower (260-foot, 255-unit) would commence in 2019 and be completed in 2021.

5. [Kalaeloa Energy Corridor Final EA \(FONSI\)](#)

- Island:** O'ahu
District: 'Ewa District
TMK: First Division, 9-1-13 and 9-1-16
Permits: Authorization to Do Work in City and State Rights-of-Way, Grading Permit, Building Permit, and National Pollutant Discharge Elimination System Permit



Proposing/Determination

Agency: Hawai'i Community Development Authority, State of Hawai'i, 461 Cooke Street, Honolulu, Hawai'i 96813. Contact: Tesha Malama, (808) 692-7245

Consultant: Belt Collins Hawai'i Ltd., 2153 North King Street, Suite 200, Honolulu, Hawai'i 96819. Contact: Glen Koyama, (808) 521-5361

Status: Finding of No Significant Impact (FONSI)

The proposed action calls for the installation of a utility duct-line along lower Fort Barrette Road and Enterprise Avenue from Kapolei Parkway to Midway Road. The new duct-line is to provide a separate utility system from the existing Navy system of the former Naval Air Station-Barbers Point to serve the non-Navy occupants in Kalaeloa. A connecting duct-line will also be installed along Saratoga Avenue from an existing electrical substation to the new duct-line along Enterprise Avenue.

The proposed duct-line will have a total length of approximately 8,400 feet and a typical section that measures 1-1/2 feet by 3 feet. It will include several encased PVC conduits to separately hold electrical cables, telephone lines, and cable TV lines. With the provision of power along Enterprise Avenue, the proposed action will also include the installation of street lighting fixtures.

The proposed duct-line will be installed predominantly under the road pavement at a depth of approximately five feet (along lower Fort Barrette Road, the duct-line will be in shoulder area). To assure no interference or disruption of existing utility services, the specific location of the duct-line within the project rights-of-way will be coordinated with the U.S. Navy and utility companies having current facilities within the affected ROWs. A traffic control plan will be implemented to accommodate through traffic during project construction. The long-term operations of the underground duct-line will not result in any significant adverse impact on the environment.

The source of funding for the project will be State of Hawai'i monies through the Hawai'i Community Development Authority. Construction is anticipated to begin in mid 2011 and be completed by the end of 2012.

6. Kawailoa Wind Farm Final EIS

Island: O'ahu

District: Waialua

TMK: *Wind farm:* 61005001, 61006001, 61007001, 62011001
Traversed by existing onsite access roads: 61005003, 61005007, 61005014, 61005015, 61005016, 61005019, 61005020, 61005021, 61005022, 61008025, 62002001, 62002002, 62002025, 62009001
Communication sites: 67003024

Permits: *Wind farm:* Endangered Species Act (ESA) Section 10 Incidental Take Permit; Federal Aviation Administration (FAA) Determination of No Hazard to Air Navigation; Federal Communications Commission (FCC) License; State Endangered Species Incidental Take License; Noise Permit; Permit to Operate or Transport Oversize and/or Overweight Vehicles and Loads; Conditional Use Permit (Minor)
Communication site: Conservation District Use Permit; Request for Use of State Lands; Forest Reserve System Special Use Permit

Applicant: Kawailoa Wind, LLC, 810 Richards Street, Suite 650, Honolulu, Hawai'i 96813. Contact: Wren Wescoatt, (808) 695-3300

Approving

Agency: State of Hawai'i, Department of Business, Economic Development and Tourism (DBEDT), P.O. Box 2359, Honolulu, Hawai'i 96804. Contact: Ms. Malama Minn, (808) 587-9000

Consultant: CH2M HILL, Inc., 1132 Bishop Street, Suite 1100, Honolulu, Hawai'i 96813. Contact: Paul Luersen; Phone: (808) 943-1133

Status: Accepted by the Approving Agency



The Proposed Action is to construct and operate a 70-megawatt wind farm on Kamehameha Schools' Kawailoa Plantation lands. In addition to wind turbine generators and appurtenant facilities at the wind farm site, the project would require installation of communication equipment on existing structures at existing communication sites on Mt. Ka'ala. The Final EIS evaluates the ecological, aesthetic, historic, cultural, military training, economic, social, and health effects that could result from the Proposed Action and its alternatives. This evaluation indicates that the adverse impacts would be relatively small in comparison to the benefits provided by the generation of additional renewable energy for O'ahu consumers. To the extent possible, the Proposed Action has been developed so as to avoid or minimize potential adverse impacts; in those cases where impacts cannot be avoided or minimized, mitigation measures have been identified. The Proposed Action has the potential for incidental take of six federally and/or State listed threatened or endangered species. The cumulative effects of other existing and proposed wind farms on O'ahu's North Shore were considered in the analysis of potential take. The proposed mitigation is expected to more than offset the anticipated take and provide a net benefit to the listed species.



KAUA'I NOTICES (HRS 343)

7. [Secret Beach Properties Final EA \(FONSI\)](#)

Island: Kaua'i
District: Hanalei
TMK: (4) 5-2-005:036
Permits: Conservation District Use Permit, Special Management Area Minor Permit, and Shoreline Setback Determination
Applicant: Secret Beach Properties, LLC, P.O. Box 781, Kilauea, Hawai'i 96754. Contact: Michele and Justin Hughes, (808) 639-0904
Approving Agency: Department of Land and Natural Resources, Office of Conservation and Coastal Lands, Kalanimoku Building, 1151 Punchbowl Street, Honolulu, Hawai'i 96813. Contact: Mr. Samuel Lemmo, (808) 587-0377
Consultant: SSFM International, Inc., 501 Sumner Street, Suite 620, Honolulu, Hawai'i 96817. Contact: Ms. Robyn Loudermilk, (808) 531-1308
Status: Finding of No Significant Impact (FONSI)

Secret Beach Properties, LLC will obtain a number of after-the-fact permits for approximately two (2) miles of trails and associated improvements across the width of the 23.803 acres property as well as two mauka-makai trails from the top of the coastal bluff to the shoreline area. These trails are required to access and maintain the property.

Additionally, Secret Beach Properties, LLC will seek approval for the removal of unwanted vegetation, including trees, subject to plans to be submitted to and approved by the Department of Land and Natural Resources Office of Conservation and Coastal Lands.

Lastly, Secret Beach Properties, LLC will also seek approval for the installation of a mauka boundary fence should illegal activities continue to occur on the property. These improvements are required for access and management of these lands.

Maintenance activities associated with the proposed action may directly result in short term impacts related to air and noise quality. Construction activities associated with the mauka boundary fence may also result in short term impacts to air and noise quality. However, these impacts will be localized and not affect surrounding properties. Air and noise quality will be mitigated through the use of appropriate best management practices.

Secondary impacts are not expected due to the size and location of the proposed action.

Cumulative impacts of the proposed action are neutral to positive. The existing improvements will remain in place and continue to be compatible with the natural characteristics of the Property. Proposed

improvements will also be compatible with the natural characteristics of the Property. Existing and proposed improvements will allow Secret Beach Properties, LLC to walk, police, and maintain the Property. Landscape maintenance will ensure that vegetation on the coastal bluff is retained and maintained to minimize erosion of the bluff. The proposed action will also replace noxious species with native species that may be more compatible with the coastal forest and minimize potential for erosion.

8. Pipeline Replacement from Kilauea to Anini Draft EA

Island: Kaua'i
District: North Shore
TMK: Various parcels within plats 5-2-005, 5-2-010, 5-2-013, 5-2-017, 5-2-019, 5-3-003, 5-3-004, 5-3-005, 5-3-006, 5-3-007, 5-3-009

Permits: Shoreline Setback Variance (determination pending), Special Management Area (anticipated exemption), Department of the Army Permit (anticipated Section 10), NPDES Permit for Construction Related Discharges, Conservation District User Permit, Road Usage Permit, Grading, Grubbing and Stockpiling Permits, and Community Noise Permit



Proposing/Determination

Agency: Department of Water, County of Kaua'i, P.O. Box 1706, L'hu'e, Hawai'i 96766. Contact: Aaron Zambo, (808) 245-5449
Consultant: Fukunaga & Associates, Inc., 1357 Kapi'olani Blvd., Suite 1530, Honolulu, Hawai'i 96814. Contact: Lance Fukumoto, (808) 944-1821
Status: Anticipated Finding of No Significant Impact. 30-day comment period begins; comments are due on August 6, 2011. Send comments to the Proposing Agency and the Consultant

The proposed project will construct a new transmission waterline from Kilauea, through Kalihawai, to Anini. The project will benefit the community by providing necessary fire protection to customers along the route in addition to affording Department of Water complete control over the water system by providing service to customers currently supplied by Princeville Utilities Inc. The proposed project will have short term construction impacts on traffic, noise, and air quality. No long term impacts are expected.

HAR §11-200-27, Determination on Change of Ingress/Egress: Lalamilo Project Final Environmental Impact Statement (November, 2002)

In a May 23, 2011, letter to the Office of Environmental Quality Control, the Chairman of the Hawaiian Homes Commission ("Chairman") informed OEQC that the Department of Hawaiian Home Lands (DHHL) reviewed the most current preliminary site layout of the Lalamilo Housing Development, Phase 2, in Waimea, South Kohala, on the island of Hawai'i, situated near the intersection of Kawaihae Road and South Kohala Distribution Road, and prepared by Community Planning & Engineering, Inc. In accordance with the current Phase 2 site layout (noted in the original development plan of the Lalamilo Project Final Environmental Impact Statement, November 2002), the ingress/egress location has been revised to utilize the existing South Kohala Distribution Road as the access to the development.

The Chairman further stated that the findings of the DHHL indicate that there is no change in the proposed action that will result in the increase of adverse individual or cumulative impacts to the surrounding area, not initially disclosed, and that the original gubernatorial acceptance, dated November 27, 2002, of the above FEIS, and the proposed change of location for the project ingress/egress was deemed by DHHL to comply with Chapter 343, Hawai'i Revised Statutes, and that no other statement for that proposed action shall be required under Section 11-200-26, Hawai'i Administrative Rules.

For more information, please contact Mr. Jeffrey Fujimoto of the Land Development Division of DHHL at (808) 620-9274.



COASTAL ZONE MANAGEMENT NOTICES

Special Management Area (SMA) Minor Permits

The SMA Minor permits below 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).

Location (TMK)	Description (File No.)	Applicant/Agent
Kaua'i: (3-2-004: 003)	Placement of An Accessory Storage Container/Trailer (SMA(M)-2011-20)	County of Kaua'i, Department of Parks and Recreation
Kaua'i: (5-8-010: 027)	Lāna'i Extension and Fence along Property Boundary (SMA(M)-2011-21)	Boesz, Dan & Tina
Maui: Wailea (2-1-008: 061)	Three Tents for Finish Line/Refreshment Area (SM2 20110042)	Jon Emerson
Maui: Kahului (3-7-002: 001)	Warehouse/Industrial Improvements (SM2 20110043)	Fergus & Company
Maui: (3-8-013: 002)	South Kihei Road and Uwapo Road Bus Stop (SM2 20110045)	County of Maui, Department of Transportation
Maui: Lahaina (4-6-029: 006)	Apartment Alteration (SM2 20110046)	Carlington Corporation
O'ahu: Kahalu'u (4-7-011: 018)	Utility Installation, Type A: The Addition of Six Panel, 12 Remote Radio Units, Two Purcell Cabinets, and A GPS Antenna (2011/SMA-21)	Cingular (dba AT&T)/Ali'i Wireless Specialist, LLC
O'ahu: Waialua (6-8-011: 026)	Expansion of An Existing Telecommunication Facility (2011/SMA-27)	AT&T Mobility/RealCom Associates, LLC

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: Lanai & Molokai: 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. Comments may be submitted by mail, electronic mail or fax, as indicated below.

Mail: Office of Planning
 Department of Business, Economic Development and Tourism
 P.O. Box 2359
 Honolulu, Hawai'i 96804

Email: jnakagaw@dbedt.Hawaii.gov
Fax: (808) 587-2899

Kapa'a Beach Park Seawall Replacement & Beach Nourishment, Kapa'a, Kaua'i

Federal Action: Federal Permit
Federal Agency: U.S. Army Corps of Engineers
Applicant: County of Kaua'i, Department of Public Works
Contact: Dr. Warren Bucher, (808) 531-3017
Location: Kapa'a Beach Park, fronting Pono Kai Resort, Kaua'i
TMK: (4) 4-5-7: 1, 9
CZM Contact: John Nakagawa, (808) 587-2878, jnakagaw@dbedt.Hawaii.gov



Proposed Action: Replace the existing, damaged rock seawall fronting the Pono Kai Resort at Kapa'a Beach Park with a new sheet pile wall that will extend from the Waika'ea Canal to the extent of beach erosion on the north, approximately 725 feet. Rocks from the existing seawall will be used to form a protective rock toe on the seaward side of the sheet pile wall. In addition, approximately 3,000 cubic yards of stockpiled beach sand previously dredged from the Waika'ea Canal will be placed on the eroding beach fronting the seawall. For project details see the Corps of Engineers Public Notice at: http://www.poh.usace.army.mil/PA/PublicNotices/PN20110627_POH2007-00261.pdf.

Comments Due: July 22, 2011

SHORELINE NOTICES

Certification Applications

The shoreline certification applications below 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 (808) 587-0420.

File No.	Date	Location	Applicant/Owner	TMK
OA-1430	6/21/11	Lot 11729 as shown on Map 846 and Lot 18888 as shown on Map 1504 of Land Court Application 1069 situate at Honouliuli, 'Ewa, O'ahu Address: 91-101 Papipi Road Purpose: Shoreline determination	Park Engineering/ Haseko ('Ewa), Inc.	9-1-134:007 & 014
OA-1431	6/27/11	Lot 11 of Panahaha Subdivision same being a portion of Royal Patent 5583, Land Commission Award 2937, Part 10, Section 1 to William Harbottle situate at Panahaha, Kane'ohe, O'ahu Address: 44-295 Kane'ohe Bay Drive Purpose: Permitting purposes	R.M. Towill Corporation/ Hiroko Saito Keanu	4-4-007:011
MA-482	6/15/11	Lot A of the Waiohuli-Keokea Beach Lots situate at Kihei, Kula, Maui Address: 1390 South Kihei Road Purpose: SMA permit for construction of exterior staircase on existing house	Leslie K.T. Lau/ Passon Family Trust	3-9-009:008
MA-483	6/20/11	Lot 48 of the Makena Beach Lots Subdivision situate at Palauea, Honualua, Makawao, Maui Address: 4532 Makena Road Purpose: N/A	Akamai Land Surveying, Inc./ Dwayne & Sharon Altman	2-1-011:020

Certifications and Rejections

The shoreline notices below 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.

File No.	Proposed/Rejected	Location	Applicant/Owner	TMK
OA-1422	Proposed Shoreline Certification	East Side of Kamehameha Highway (State Owned Property) between Punalu'u Beach Park and Haleaha Beach Lots situate at Punalu'u, O'ahu Address: Kamehameha Highway Purpose: Punalu'u shore protection project	Sam O. Hirota, Inc./ State of Hawai'i	5-3-004, 005 & 006
OA-1425	Proposed Shoreline Certification	Lots 4-A, 4 and 29 Section "A", Wai'alaie Beach Lots portion R.P. 4475, L.C. Aw. 7713 Ap. 50 to V. Kamamalu situate at Wai'alaie Nui, Honolulu, O'ahu Address: 4671 Kahala Avenue Purpose: Building permit	Walter P. Thompson, Inc./ Up-Front Group Co., Ltd.	3-5-005: 005 & 008
MA-470	Proposed Shoreline Certification	Kahului Wastewater Reclamation Facility Lot being a portion of Grant 3343 to Claus Spreckels situate at Kahului, Wailuku, Maui Address: Amala Place Purpose: Determine shoreline setback	R.T. Tanaka Engineers, Inc./ County of Maui	3-8-001: 188

POLLUTION CONTROL PERMITS

Below 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.

Branch Permit Type	Applicant and Permit Number	Project Location	Pertinent Date	Proposed Use
Covered Source Permit	City and County of Honolulu Initial Application No. 0708-01 CSP No. 0708-01-C	Located at: Kapa'a Quarry Road, Kailua, O'ahu	Issued: 6/15/11	Kapa'a and Kalaheo Sanitary Landfills Landfill Gas Collection and Control System
Covered Source Permit	Jas. W. Glover, Ltd. Renewal Application No. 0257-03 Application for Modification No. 0257-04 CSP No. 0257-01	Located at: Halfway Bridge Quarry Puhī, Kaua'i	Issued: 6/15/11	Fixed and Portable/Fixed Crushing and Screening Plants
Non-Covered Source Permit	O'ahu Pet Crematory, LLC Application for Modification No. 0405-05 NSP 0405-01-N	Located at: 201 Kapa'a Quarry Road, Kailua, O'ahu	Issued: 6/17/11	175 lb/hr, 75 lb/hr, and 200 lb/hr Pathological Waste Incinerators
Covered Source Permit	Green Energy Team, LLC Application for Significant Modification No. 0650-02 CSP 0650-01-C	Located at: Old Government Road, Koloa, Kaua'i	Issued: 6/20/11	One (1) nominal 100 MMBtu/hr Biomass Fired Boiler
Covered Source Permit	Jayar Construction, Inc. Initial Application No. 0739-01 CSP No. 0739-01-CT	Located at: Various Temporary Sites State of Hawai'i	Issued: 6/22/11	350 TPH Mobile Crushing Plant
Covered Source Permit	Maui Asphalt X-IX, LLC Initial Application No. 0737-01 CSP No. 0737-01-CT	Located at: Various Temporary Sites, State of Hawai'i	Issued: 6/21/11	160 TPH Portable Drum Mix Asphalt Plant with 910 HP Diesel Engine

NOTICE OF VOLUNTARY RESPONSE PROGRAM APPLICATION

The Hawai'i Department of Health has received applications for the State's Voluntary Response Program (VRP). The purpose of the program is to encourage property owners, lenders, developers, or prospective purchasers of property to voluntarily clean up contaminated properties. Under the VRP, applicants conduct a thorough environmental investigation and implement a state-approved response action to address any contamination found on the property. Suspected contaminants at these sites include a variety of petroleum related chemicals and metals in soil, groundwater and soil vapor.

Upon successfully completing the VRP, the applicant will receive a "letter of completion" that typically exempts future purchasers from liability to the State for the contamination that was addressed under the VRP. Parties that are responsible for the contamination are not eligible for exemptions from liability.

The applications received address contamination on the following property: Grace Pacific Corporation, Lower Makakilo Quarry

The Department of Health welcomes comments or questions from the public regarding the project. For additional information or to review the application, please contact Steven P. Mow in Honolulu at (808) 586-4251.

A brief description of the project site is included below:

Grace Pacific is using the Property as a distribution site for customers utilizing aggregate products (e.g., gravel) and as a central maintenance facility. The primary historical functions of the Grace Pacific Lower Makakilo Facility have been aggregate and concrete manufacturing and hot-mix asphalt manufacturing and distribution. Concrete manufacturing operations were shut down in 2007 and asphalt plant operations were shut down in early 2009. Aggregate processing operations will continue through 2012.

FEDERAL NOTICES

Makawao Home Nominated to the National Register of Historic Places

Nominations for the following properties being considered for listing or related actions in the National Register were received by the National Park Service before June 3, 2011.

Maui County – Baldwin, Fred C., Memorial Home, 1813 Baldwin Ave., Makawao, 11000437

Pursuant to section 60.13 of 36 CFR Part 60, written comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation. Comments may be forwarded by United States Postal Service, to the National Register of Historic Places, National Park Service, 1849 C St., NW., MS 2280, Washington, DC 20240; by all other carriers, National Register of Historic Places, National Park Service, 1201 Eye St., NW., 8th floor, Washington, DC 20005; or by fax, 202-371-6447. Written or faxed comments should be submitted by July 11, 2011. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so (76 FR 37150, June 24, 2011).

Western Pacific Pelagic Fisheries; Prohibiting Longline Fishing Within 30 nm of the Northern Mariana Islands

The National Marine Fisheries Service (NMFS) has issued a final rule prohibiting pelagic longline fishing within approximately 30 nautical miles (nm) of the islands of the Commonwealth of the Northern Mariana Islands (CNMI). By establishing a longline fishing prohibited area around the CNMI, NMFS intends to reduce the potential for nearshore localized fish depletion from longline fishing, and to limit

catch competition and gear conflicts between the CNMI-based longline and trolling fleets. This rule also makes several administrative clarifications to the pelagic fishing regulations. This final rule is effective July 27, 2011. The background on this final rule may be found in the Fishery Ecosystem Plan for Pelagic Fisheries of the Western Pacific Region (FEP) and FEP Amendment 2, which are available from the Western Pacific Fishery Management Council (Council), 1164 Bishop St., Suite 1400, Honolulu, HI 96813, tel 808-522-8220, fax 808-522-8226, <http://www.wpcouncil.org>. Amendment 2 may also be found at <http://www.regulations.gov>. For more information contact Toby Wood, NMFS PIR Sustainable Fisheries, 808-944-2234 (76 FR 37287, June 27, 2011).

Fisheries in the Western Pacific; Mechanism for Specifying Annual Catch Limits and Accountability Measures

The National Marine Fisheries Service (NMFS) has issued a final rule establishing the procedures and timing for specifying annual catch limits (ACLs) and accountability measures (AMs) for western Pacific fisheries. The final rule is intended to help NMFS end and prevent overfishing, rebuild overfished stocks, and achieve optimum yield. This rule is effective July 27, 2011. Copies of the Fishery Ecosystem Plans (FEP) for the Pacific Remote Islands Areas (PRIA), American Samoa, Mariana Archipelago, Hawai'i, and western Pacific pelagic fisheries are available from the Western Pacific Fishery Management Council (Council), 1164 Bishop St., Suite 1400, Honolulu, HI 96813, 808-522-8220, fax 808-522-8226, or <http://www.wpcouncil.org>. For more information contact Jarad Makaiau, NMFS PIR, Sustainable Fisheries, 808-944-2108 (76 FR 37285, June 27, 2011).

List of Fisheries for 2012

The National Marine Fisheries Service (NMFS) is publishing its proposed List of Fisheries (LOF) for 2012, as required by the Marine Mammal Protection Act (MMPA). The proposed LOF for 2012 reflects new information on interactions between commercial fisheries and marine mammals. NMFS must classify each commercial fishery on the LOF into one of three categories under the MMPA based upon the level of serious injury and mortality of marine mammals that occurs incidental to each fishery. The classification of a fishery in the LOF determines whether participants in that fishery are subject to certain provisions of the MMPA, such as registration, observer coverage, and take reduction plan (TRP) requirements. Comments must be received by July 28, 2011.

Send comments by any one of the following methods. (1) Electronic Submissions: Submit all electronic comments through the Federal eRulemaking portal: <http://www.regulations.gov> (follow instructions for submitting comments). (2) Mail: Chief, Marine Mammal and Sea Turtle Conservation Division, Attn: List of Fisheries, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910. All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change.

All Personal Identifying Information (e.g., name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only. Information regarding the LOF and the Marine Mammal Authorization Program, including registration procedures and forms, current and past LOFs, information on each Category I and II fishery, observer requirements, and marine mammal injury/mortality reporting forms and submittal procedures, may be obtained at:

<http://www.nmfs.noaa.gov/pr/interactions/lof/> or from the NMFS, Pacific Islands Region, Protected Resources, 1601 Kapi'olani Boulevard, Suite 1100, Honolulu, HI 96814-4700, Attn: Lisa Van Atta.

For further information contact Lisa Van Atta, Pacific Islands Region at 808-944-2257 (76 FR 37716, June 28, 2011)



ENVIRONMENTAL COUNCIL NOTICES

The following are schedules and agendas for E.C. committees and the regular meeting for the Environmental Council on Wednesday, July 13, 2011. Please note that official electronic comment and testimony on Environmental Council matters should be sent to environmental.council@doh.hawaii.gov with the subject line marked "Environmental Council Comment/Testimony".

<p>Exemption Committee July 13, 2011 10am - noon <u>AGENDA</u></p> <ol style="list-style-type: none"> 1. Introductions 2. Department of Land and Natural Resources: Department wide exemptions 3. Public Testimony 4. Retreat Discussion and Projects for 2011-2012 5. New Business 6. Next meeting 	<p>Legislative Committee July 13, 2011 1-2 PM. <u>AGENDA</u></p> <ol style="list-style-type: none"> 1. Call to Order 2. Recap Goals from the Environmental Council Retreat 3. Discuss Proposed and Potential Food Security Legislation and Necessary Research 4. Public Testimony 5. Schedule Next Meeting 6. Adjournment
<p>ENVIRONMENTAL COUNCIL July 13, 2011 2-4 PM <u>AGENDA</u></p> <ol style="list-style-type: none"> 1. Call to Order 2. Introductions 3. Approval of Minutes from 5/11/11 4. Election of Chair & Vice Chair 5. Chair's Report <ul style="list-style-type: none"> --Retreat Follow up & Next Steps --Explanation of Vote from 5/11/11 Meeting of DLNR Exemption Request --Housekeeping Items --Meeting Dates & Times 6. OEQC Director's Report <ul style="list-style-type: none"> --Meeting with Legislators 7. Standing Committee on Exemptions <ul style="list-style-type: none"> --Follow up action items from retreat --DLNR Exemption Requests 8. Public Testimony on DLNR Exemptions Only 9. Vote on DLNR Exemptions 10. Standing Committee on Rules 11. Standing Committee on Annual Report 12. Standing Committee on Legislation 13. Public Testimony (Other) 14. Correspondence Received 15. New Business 16. Adjournment 	

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 Hawai'i'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 Hawai'i 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).