

# 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  
December 8, 2011

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**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 8<sup>th</sup> and 23<sup>rd</sup> 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.

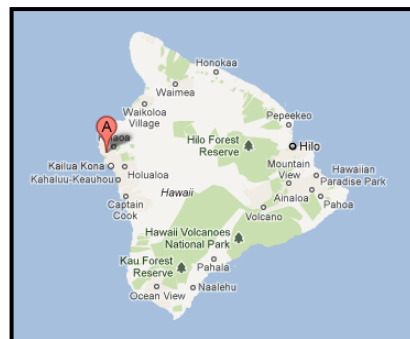


Neil Abercrombie, Governor · Gary Hooser, Director · Office of Environmental Quality Control · 235 South Beretania Street,  
Suite 702 · Honolulu, Hawai'i 96813  
Tel: 586-4185 · Fax: 586-4186 · Email: [oeqc@doh.hawaii.gov](mailto:oeqc@doh.hawaii.gov)  
Website: <http://Hawaii.gov/health/environmental/oeqc/index.html/>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

## HAWAI'I (HRS 343)

### 1. Queen Ka'ahumanu Frontage Road Hulikoa Drive to Kohanaiki Draft EA

**Island:** Hawai'i  
**District:** North Kona  
**TMK:** (3) 7-3-009:016 (portion), & 018 (portion)  
**Permits:** SMA Use Permit, Conservation District Use Permit, Subdivision Approval, National Pollutant Discharge Elimination System Permit, Grading Permit, Underground Injection Control  
**Applicant:** Kohanaiki Shores, LLC & Kohanaiki Business Park Association, P.O. Box 9015, Kailua-Kona, Hawai'i 96745. Contact: Joe Root, (808) 329-6200



#### Approving Agency:

Hawai'i County Planning Department, Aupuni Center, 101 Pau'ahi Street, Suite 3, Hilo, Hawai'i 96720. Contact: Bobby Jean Leithead-Todd, (808) 961-8288

**Consultant:** PBR Hawai'i, 1001 Bishop Street, ASB Tower, Suite 650, Honolulu, Hawai'i 96813. Contact: Tom Schnell, (808) 521-5631

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

This EA covers the first portion of the frontage road envisioned in the Kona Community Development Plan (CDP), extending from Hulikoa Drive to Kohanaiki Way. The CDP calls for a frontage road to "enable the consolidation of Queen Ka'ahumanu Highway vehicular access points for the developments makai of Queen Ka'ahumanu Highway."

No threatened or endangered plant or animal species were found on the Site. While two historic sites were found, neither of these sites are located within the proposed roadway alignments. A cultural impact assessment concluded that: 1) no known cultural resources will be directly affected; and 2) no customary native Hawaiian rights are currently conducted in the study area. Since the Project will be at a lower elevation than Queen Ka'ahumanu Highway, the line of sight from Queen Ka'ahumanu Highway toward the ocean should not be affected.

The Project will improve the social welfare and quality of life for area residents by 1) improving safety and traffic flow on Queen Ka'ahumanu Highway through the consolidation of access points; and 2) improving public access to properties makai and mauka of Queen Ka'ahumanu Highway, and in particular improving public access to Kohanaiki Public Beach Park and the shoreline.

### 2. Kona Judiciary Complex Site Selection Final EIS

**Island:** Hawai'i  
**District:** North Kona  
**TMK:** Various  
**Permits:** Final EIS Acceptance, State Land Use, District Boundary Amendment, Change in Zone, State and/or County Roadway Access Permits, Various Site, Grading, Building, and Infrastructure Approvals for Construction

#### Proposing Agency:

State of Hawai'i, Department of Accounting and General Services (DAGS), Planning Branch, 1151 Punchbowl Street, Room 430, P.O. Box 119, Honolulu, Hawai'i 96810. Contact: Ralph Morita, (808) 586-0500

#### Accepting Authority:

Governor of Hawai'i, c/o Office of Environmental Quality Control (OEQC)  
**Consultant:** Group 70 International Inc., 925 Bethel Street, 5th Floor, Honolulu, Hawai'i 96813. Contact: Jeffrey H. Overton, (808) 523-5866



**Status:** Notice of Availability. The Office of Environmental Quality Control is processing the acceptance of this Final EIS on behalf of the Governor

The Kona Judiciary Complex Site Selection is being jointly undertaken by DAGS and the Hawai'i State Judiciary to address a long-standing need for a new Judiciary complex in the West Hawai'i service area. The West Hawai'i service area is a region with a growing population and inadequate facilities to perform Judiciary functions. The project purpose is to take a broad look at the Kona region, and identify the most viable candidate sites for the future Kona Judiciary Complex.

Potential short-term (construction phase) impacts evaluated in the EIS include: soil disturbance, erosion, drainage, air quality, noise, and traffic due to construction. Short-term beneficial impacts include construction expenditures and employment.

Potential long-term impacts (operations phase) include effects on soil, water quality, drainage, natural hazard areas, vegetation and wildlife, archaeology, cultural resources, traffic, noise, air quality, visual resources, socio-economic considerations, infrastructure and public services. Long-term beneficial impacts will include employment and community development. Materials and economic resources will be irretrievably committed to developing and constructing the new Kona Judiciary Complex.

The significance of potential impacts will vary depending upon the selected site. The EIS presents a complete analysis of the anticipated impacts and recommended mitigation to minimize impacts to within acceptable regulatory standards.

### 3. West Hawai'i Explorations Academy Relocation Final EA (FONSI)

**Island:** Hawai'i  
**District:** North Kona  
**TMK:** (3rd. Div.) 7-3-043:083  
**Permits:** Building Division Approval and Building Permit, Grading Permit, Planning Department Plan Approval, Special Management Area Permit (obtained through prior approval), National Pollutant Discharge Elimination System Permit, Chapter 6e Historic Sites Clearance (obtained), Aeronautical Study Clearance (potential)

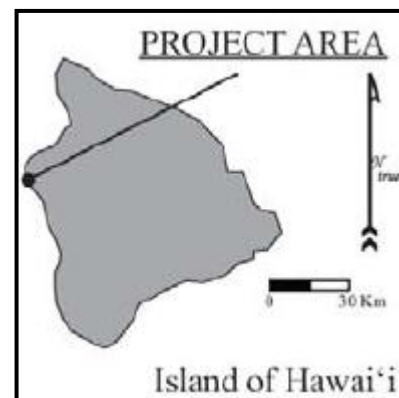
**Applicant:** West Hawai'i Explorations Academy, 73-4460 Queen Ka'ahumanu Highway, #105 Kailua-Kona, Hawai'i 96740. Contact: Ken Melrose, (808) 345-0854

**Approving Agency:** Natural Energy Laboratory of Hawai'i Authority NELHA, 73-4460 Queen Ka'ahumanu Highway #101, Kailua-Kona, Hawai'i 96740-2637. Contact: Jeff Nichols, (808) 327-9585

**Consultant:** Geometrician Associates, PO Box 396, Hilo, Hawai'i 96721. Contact: Ron Terry, (808) 969-7090

**Status:** Finding of No Significant Impact (FONSI) determination

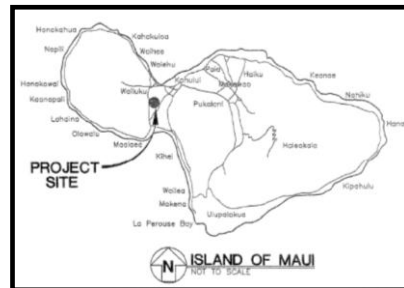
The West Hawai'i Explorations Academy (WHEA) proposes to relocate its campus within the Natural Energy Laboratory of Hawai'i Authority (NELHA) from a shoreline property to a more suitable site away from the Kona International Airport and outside the tsunami evacuation zone. The new site will be in an area of NELHA with access to the seawater that forms the basis of many of the hands-on scientific curriculum at the school. The permanent campus would allow for the eventual expansion from 195 to 300 students in the 7th to the 12th grades. The school will have solar hot water, a 10 kW photovoltaic system, xerophytic landscaping, and many other environmentally advanced features that both reduce energy use and serve for education in high technology, energy and environmental engineering, including alternative wastewater treatment technologies. Impacts include grading of the pahoehoe surface and associated minor impacts on sedimentation, dust, noise, and visual quality, all of which will be temporary and mitigated as feasible. No archaeological sites are present on or near the site. A few individuals of the relatively rare plant maiapilo, the designated school flower, are present on and surrounding the site. These plants will be salvaged as practical and maiapilo plants will be used for landscaping.



## MAUI (HRS 343)

### 4. Waiko Baseyard Light Industrial (LI) Draft EA

**Island:** Maui  
**District:** Wailuku  
**TMK:** (2) 3-8-007: 102  
**Permits:** Community Plan Amendment (CPA), Change-in-Zoning (CIZ)  
**Applicant:** Waiko Industrial Development, LLC



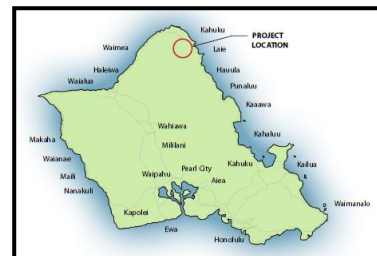
**Approving Agency:** Maui Planning Commission, c/o Department of Planning, 250 South High Street, Wailuku, Hawai'i 96793. Contact: Paul Fasi, (808) 270-7814.  
**Consultant:** V. Bagoyo Development Consulting Group, LLC, 1500 Kilinoe Place, Wailuku, Hawai'i 96793. Contact: Vince Bagoyo, (808) 357-3842  
**Status:** Anticipated Finding of No Significant Impact. 30-day comment period begins; comments are due on January 6, 2011. Send comments to the Applicant and the Consultant.

Applicant is requesting the necessary land use entitlement approvals to develop its proposed light industrial subdivision consisting of 41 lots on 31.2 acres located in the State Ag district on Waiko Road, Wailuku, Maui. It is not located in the Special Management Area. Lots will range in size from 9,500 Sq. Ft. to 8.5 acres. Related infrastructure consists of internal roads, drainage retention, utilities, IWS, etc. Maui County Code, Title 19 generally describes "Light Industrial M-1" as: *"The M-1 light industrial district is designed to contain mostly warehousing and distribution types of activity, and permits most compounding, assembly, or treatment of articles or materials with the exception of heavy manufacturing and processing of raw materials. Residential uses are excluded from this district."*

## O'AHU (HRS 343)

### 5. Kahuku Wells Unit No. 3 Final EA (FONSI)

**Island:** O'ahu  
**District:** Kahuku  
**TMK:** 5-6-008:005  
**Permits:** NPDES General, Community Noise, Community 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, Public Infrastructure Map Revision



#### **Proposing/Determination**

**Agency:** City and County of Honolulu, Board of Water Supply, 630 South Beretania Street, Honolulu, Hawai'i 96843. Contact: Scot Muraoka, (808) 748-5942  
**Consultant:** The Limtiaco Consulting Group, 680 Iwilei Road, Suite 430, Honolulu, Hawai'i 96817. Contact: John Katahira, (808) 596-7790  
**Status:** Finding of No Significant Impact (FONSI) determination

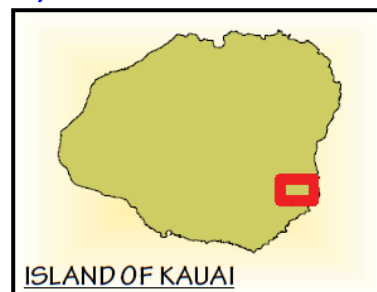
The Honolulu Board of Water Supply (BWS) proposes to install a third well and on-site emergency generator at its existing Kahuku Wells Station, which is part of the BWS' stand-alone Kahuku water supply system and is currently the only potable groundwater supply facility serving the Kahuku service area. 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.

## KAUA'I (HRS 343)

### 6. Department of Water, Lihue Baseyard Improvements Final EA (FONSI)

**Island:** Kaua'i  
**District:** Līhu'e  
**TMK:** N/A – Known as parcel N-1-A  
**Permits:** National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Stormwater Activities, Noise Variance Permit, Review pursuant to the American with Disabilities Act Accessibility Guidelines (ADAAG), Use Permit, Class IV Zoning Permit, Grading Permit, Building Permit



#### Proposing/Determination

**Agency:** County of Kaua'i, Department of Water, 4398 Pua Loke Street, Līhu'e, Hawai'i 96766.  
Contact: Dustin Moises, (808) 245-5400

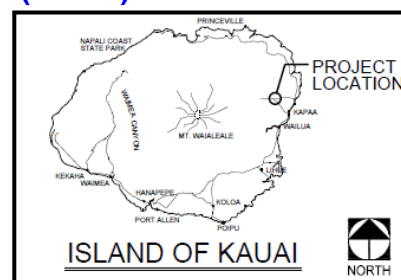
**Consultant:** Wilson Okamoto Corporation, 1907 South Beretania Street, Suite 400, Honolulu, Hawai'i 96826. Contact: Earl Matsukawa, (808) 946-2277

**Status:** Finding of No Significant Impact (FONSI) determination

The County of Kaua'i, Department of Water (DOW) proposes to develop a new 17,000 square foot Administration Building to house DOW's Lihue Baseyard's current and future functions and operations through the year 2050 as well as a future Department of Public Works storage building on a 2.30 acre remnant piece of land, adjacent to the existing DOW Lihue Baseyard.

### 7. Kapahi Homesteads Storage Tanks and Exploratory Well Final EA (FONSI)

**Island:** Kaua'i  
**District:** Kawaihau  
**TMK:** Fourth Division, 4-6-11: 3  
**Permits:** Class IV Zoning Permit, Use Permit, Zoning Variance, Well Construction Permit, and potential National Pollutant Discharge Elimination System (NPDES) Permit



#### Proposing/Determination

**Agency:** Department of Water, County of Kaua'i, 4398 Pualoke Street, Lihue, Hawai'i 96766. Contact: David Craddick, (808) 245-5408

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

**Status:** Finding of No Significant Impact (FONSI) determination

The Department of Water (DOW), County of Kaua'i is proposing to construct two 0.5-million gallon (MG) reservoirs, named Kapahi Homesteads Tanks, and drill an exploratory well at the 0.836-acre Ornellas Storage Tank site in Kawaihau, Kaua'i, Hawai'i. The new tanks will supplement the site's existing 0.2-MG storage facility, while the exploratory well will determine whether a new source of water can be developed at that location for the County's Wailua-Kapa'a Water System. The overall objective of the proposed action is to improve water service for the Wailua-Kapa'a community.

The development of two 0.5-million gallon reservoirs instead of one 1.0-million gallon reservoir is expected to result in a facility more in scale with the neighboring community. The portion of the project

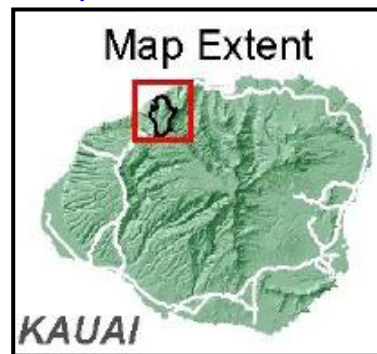
site, not occupied by the existing Ornellas Storage Tank, was previously in idle use. No archaeological or structural features have been found in that area.

The proposed improvements will not require daily on-site staffing for equipment operations, but will require periodic visits by DOW for monitoring, maintenance, and repair.

Construction of the proposed improvements is estimated to cost approximately \$14 million and projected to begin in early 2012.

## 8. Hono O Nā Pali Natural Area Reserve Management Plan Final EA (FONSI)

**Island:** Kaua'i  
**District:** Hanalei and Waimea  
**TMK:** 4-5-9-001-001 and 4-1-4-001-003  
**Permits:** None  
**Proposing/Determination Agency:** Department of Land and Natural Resources, Division of Forestry and Wildlife, 1151 Punchbowl Street, Room 325, Honolulu, Hawai'i 96813. Contact: Tanya Rubenstein, (808) 587-0027  
**Consultant:** N/A  
**Status:** Finding of No Significant Impact (FONSI) determination



The Division of Forestry and Wildlife has prepared a management plan for Hono O Nā Pali Natural Area Reserve with actions proposed to protect and manage one of the best remaining forest ecosystems in Hawai'i, as well as the rare and endangered plants and animals it supports. The intent of the proposed project is to benefit native ecosystems, watershed, and rare and endangered species.

The 3,579 acre Reserve, on Kaua'i, was established to protect streams, forests, rare plants and animals and forest bird habitat. The primary threats to the Reserve are feral ungulates (especially feral pigs and feral goats), predatory mammals (feral cats, rats), and invasive weeds.

The overall management goal is to protect, maintain, and enhance the Reserve's unique natural, cultural, and geological resources by managing threats. Proposed management programs support this goal and include improvements to infrastructure to support staff management activities, invasive species management (feral ungulates, invasive weeds and predator control), rare species restoration, monitoring, outreach and education and other management.

Proposed actions are expected to have primarily positive effects on the resources in the NAR. No significant adverse effects to the environment, archeological features, view planes, or public access or use of this area are anticipated.

## NEPA NOTICE

### 9. Kalaupapa National Historical Park Fire Management Plan

**Island:** Moloka'i  
**District:** Kalawao  
**TMK:** 6-1-001-002  
**Permits:** None  
**Proposing/Determination Agency:** Kalaupapa National Historical Park, National Park Service, P.O. Box 2222, Kalaupapa, Hawai'i 96742. Contact: Leslie Kanoa-Naeole, (808) 567-6802 ext. 1103  
**Status:** The comment period for this NEPA EA started December 1, 2011; comments are due on December 31, 2011. Send comments to the Proposing/Determination Agency



The Fire Management Plan (FMP) for Kalaupapa National Historical Park describes a proposed fire management program that protects the park's natural and cultural resource while improving the health and safety of park residents and visitors. The "No Action" alternative require in all National

Environmental Policy Act assessments describes current management, while the proposed “Increased Protection” alternative assesses the effect of reducing flammable vegetation within 100 feet of all buildings in Kalaupapa and Kalawao, large areas of dense vegetation within the Kalaupapa settlement, enhancing the fire-break around the settlement of Kalaupapa, and utilizing strategically arranged areas of fuel-reduction to reduce fire-hazard within the settlement and across the peninsula as a whole.

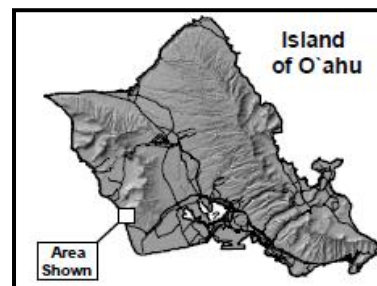
The EA is available for review and comment for 30 days, from December 1, 2011, to December 31, 2011. Comments should be submitted online at <http://parkplanning.nps.gov/> or by mail to the address above.

## CHAPTER 25, REVISED ORDINANCES OF HONOLULU

The special management area is the land extending inland from the shoreline, as established in Chapter 25, Revised Ordinances of Honolulu, and delineated on the maps established by the council and filed with the council and agency pursuant to HRS Section 205A-23. The public can obtain a copy of the document by contacting the project Consultant or the Applicant listed below.

### Kahe Generating Station 2011 Biofuel Tank Addition and Improvement Draft EA

**Island:** O’ahu  
**District:** Honolulu  
**TMK:** 9-2-3: Portion of 27  
**Permits:** Special Management Area (SMA) Use Permit, Modification of Existing Use Permit, Grubbing, Grading and Trenching Permits, Building Permit, and National Pollutant Discharge Elimination Permit  
**Applicant:** Hawaiian Electric Company, Inc., P.O. Box 2750, Honolulu, Hawai’i 96840. Contact: Russell Hisamoto, (808) 543-7003



**Approving Agency:** Department of Planning and Permitting, 650 South King Street, Honolulu, Hawai’i 96813. Contact: Steve Tagawa, (808) 768-8024  
**Consultant:** Planning Solutions, Inc., 210 Ward Avenue, Suite 330, Honolulu, Hawai’i 96814. Contact: Perry White, (808) 550-4483  
**Status:** Anticipated Finding of No Significant Impact. 30-day comment period begins; comments are due on January 6, 2011. Send comments to the Applicant and the Consultant.

Hawaiian Electric Company, Inc. (HECO) proposes to construct: 1) Two new 75,000-gallon, one new 30,000-gallon biofuel storage tank, a new 8-inch on-site pipeline, and truck loading rack; 2) A new storm water containment berm and drainage improvements above the new tanks; 3) A new 8,855-square-foot combination weld and valve recertification shop building; 4) A new hazardous material storage area with a 4,032-square-foot building; and 5) The installation of seven new modular offices, totaling 10,800 square feet of new floor area, in the lower employee parking lot.

The addition of the new biofuel tanks will require the excavation of a new area mauka of the existing generation station facility. The total amount of excavation necessary will be about 65,850 cubic yards of excavation and 37,175 cubic yards of fill.

The proposed improvements are planned for the 2012-2013 period and have an estimated cost of \$81.78 million. These proposed improvements require the approval of a Major SMA Use Permit by the Honolulu City Council.

The development at each of the sites will be constructed over a period of about 24 to 48 months. Construction is anticipated to begin once the applicant receives all of the required approvals.

## 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 587-0420.

File No.	Date	Location	Applicant/Owner	TMK
OA-1461	10/3/11	Lot 16 as shown on Map 4 of Land Court Application 1810 situate at Mokuleia, Waialua, O'ahu Address: 68-689 Farrington Highway Purpose: Building setback requirement	Jaime F. Alimboyoguen/ Gregory Michaels	6-8-010:021
OA-1462	10/19/11	Lot 23 as shown on Map 4 of Land Court Application 1810 situate at Mokuleia, Waialua, O'ahu Address: 68-673 Ho'omana Place Purpose: Building setback requirement	Jamie F. Alimboyoguen/ Richard Sutton	6-8-010:014
OA-1463	10/19/11	Lot 22 as shown on Map 4 of Land Court Application 1810 situate at Mokuleia, Waialua, O'ahu Address: 68-675 Ho'omana Purpose: Building setback requirement	Jamie F. Alimboyoguen/ Richard Sutton	6-8-010:015
OA-1464	11/17/11	Lot 1064 of Land Court Application 677 Map 253 situate at Kane'ohe, Ko'olaupoko, O'ahu Address: 613 Kaimalino Place Purpose: Development of property	Dennis K. Hashimoto/ John L. Frattarelli, Leighann C. Frattarelli	4-4-039:026
MA-494	11/14/11	Lot 5 of the Kuau Tract (por. of deed: Board of Education to Trustees of O'ahu College, dated Jan. 30, 1860, recorded in Liber 12 pg. 400) situate at Kuau Hamakuapoko, Maui Address: 519 Hana Highway Purpose: Subdivision	William F. Palmer/ William F. Palmer & Hillary L. Barrack-Palmer	2-6-009:007
MA-495	11/15/11	Portion of Royal Patent 1726, Land Commission Award 559 to Kauliokamoa & designation of Easement "A" situate at Lahaina, Maui Address: 303 Front Street Purpose: Repair and remodel of existing building	Christine Ho/ Christine K. Ho, Trustee	4-6-003:005

### POLLUTION CONTROL PERMITS

Below are 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	Date	Proposed Use
Clean Air Branch, 586-4200, Covered Source Permit	Tesoro Hawai'i Corporation Significant Modification Application No. 0212-34 NSP No. 0212-01-C	Located at: 91-325 Komohana Street, Kapolei, O'ahu	Comments Due: 12/19/11	Catalytic Reformer Unit – Air Preheater
Clean Air Branch, 586-4200, -Non-Covered Source Permit	Tesoro Hawai'i Corporation Application for Renewal No. 0496-03 NSP No. 0496-01-N	Located at: 1.5 Miles off the Coast of Campbell Industrial Park, O'ahu	Issued: 11/18/11	Single Point Mooring Marine Terminal
Clean Air Branch, 586-4200, Non-Covered Source Permit	Arrow Hawaiian Application for Initial Permit No. 0738-01 NSP No. 0738-01-N	Located at: 92-8457 Liliana Lane, Ocean View, Hawai'i	Issued: 11/21/11	Portable Screening Plant
Clean Air Branch, 586-4200, Non-Covered Source Permit	City and County of Honolulu Renewal Application No. 0493-04 NSP No. 0493-01-N	Located at: Hart Street Wastewater Pump Station, Honolulu, O'ahu	Issued: 11/23/11	Six (6) Portable 250 bhp Diesel Engine Pumps



Clean Air Branch, 586-4200, Non-Covered Source Permit	Chevron Products Company Application Renewal No. 0078-05 CSP No. 0078-01-C	Located at: 777 North Nimitz Highway, Honolulu, O'ahu	Issued: 11/23/11	Honolulu Marketing Terminal Marine
Clean Air Branch, 586-4200, Covered Source Permit	Maui Asphalt X-IV, LLC Initial Application No. 0745-01 CSP No. 0745-01-CT	Located at: Various Temporary Sites, State of Hawai'i	Issued: 11/23/11	110 TPH Portable Drum Mix Asphalt Plant with 427 HP Diesel Engine

## COASTAL ZONE MANAGEMENT NOTICES

### 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 & Moloka'i: 468-4644 x72878, Kaua'i: 274-3141 x72878, Maui: 984-2400 x72878 or Hawai'i: 974-4000 x72878. For specific information or questions about an action listed below please contact the CZM staff person identified for each action. Federally mandated deadlines require that comments be received by the date specified for each CZM consistency review. 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

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### Hanalei River Ranch Pond Enhancement Project, Kaua'i

**Applicant:** Ed Bendor

**Contact:** (808) 651-1582

**Federal Action:** Federal Permit

**Federal Agency:** U.S. Army Corps of Engineers

**Location:** Hanalei River, Kaua'i, TMK: (4) 5-4-4: 54, 55

**CZM Contact:** John Nakagawa, 587-2878, [jnakagaw@dbedt.hawaii.gov](mailto:jnakagaw@dbedt.hawaii.gov)

**Proposed Action:** The applicant proposes to mechanically excavate, using a front-end loader, approximately 120 cubic yards of material from each of twelve irregularly shaped ponds, each approximately 40 feet in diameter and 2 feet deep, located on a 7.2 acre wetland parcel. The excavated material will not be sidecast, but will be directly disposed of at a nearby upland location. The ponds will then be planted with lotus for use as wetland habitat and harvesting for human consumption. The intent of the project is to enhance the wetlands that have been used for livestock pasture by increasing pond habitat for water birds.

**Comments Due:** December 22, 2011

### 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: (4-9-014: 020 & 022)	Landscaping and Maintenance (SMA(M)-2012-9)	Moloa'a Bay Ranch
Kaua'i: (2-8-028: 047)	12' x 12' Residence Addition, Pool (SMA(M)-2012-10)	Koch, Jeffrey & Beth



Maui: Wailea (2-1-023: 004)	Enclose Lanai & Use as a Deck (SM2 20110103)	Henry M Dehaan
Maui: (3-7-002: 020)	Shopping Center Alteration (SM2 20110104)	Verizon Wireless
Maui: Ka'anapali (4-4-008: 019)	Aloha Pavilion Improvements (SM2 20110105)	Gregg Lundberg
Maui: Pa'ia (2-6-002: 027)	Windscreen Fence (SM2 20110106)	Chelsea Hill
O'ahu: Kaka'ako (2-1-059: 011)	Construction of New Sewer Laterals (SMA/11-8)	Department of Design and Construction, City and County of Honolulu
O'ahu: Kailua (4-3-005: Portions of 68 and 70)	Utility Installation, Type A: The Addition of Five Panel Antennas and Seven Remote Radio Units, Removal and Replacement of One Whip Antenna, and the Addition of Three Equipment Cabinets and Accessory Structures (2011/SMA-48)	New Cingular Wireless PCS, LLC

**FEDERAL NOTICES**

Relevant Federal Notices for Hawai'i during the period of November 8, 2011 to December 7, 2011 may be accessed by clicking on this [link](#).



## **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. Notices 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).