

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
March 8, 2012

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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/Lāna'i: 1-800-468-4644 ext. 64185
Hawai'i: 974-4000 ext. 64185

HAWAI'I (HRS 343)

1. Kona Judiciary Complex Site Selection Final EIS

The Governor has accepted the Final Environmental Impact Statement for the Kona Judiciary Complex Project. The document availability was published in the December 23, 2011 issue of The Environmental Notice.

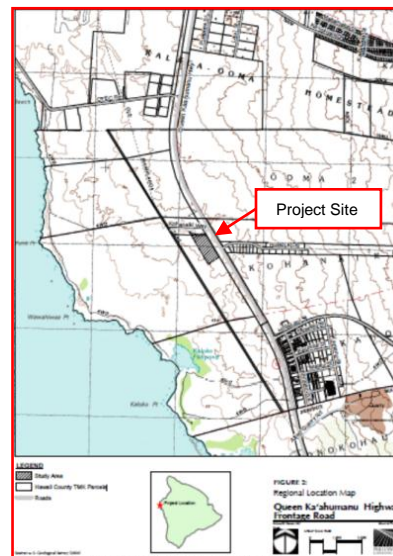
2. Queen Ka'ahumanu Highway Frontage Road FEA-FONSI

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, Attn: Mr. Joe Root, 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, HI 96720. Contact: Bobby Jean Leithead-Todd, (808) 961-8288
Consultant: PBR HAWAII, 1001 Bishop Street, ASB Tower, Suite 650, Honolulu, Hawai'i 96813. Contact: Tom Schnell, (808) 521-5631
Status: Finding of No Significant Impact determination

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 Kona 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. Two historic sites were found, but neither of these sites is 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.



MAUI (HRS 343)

3. Kahikinui Koa Forest Protection and Restoration FEA – FONSI

Island: Maui
District: Hana
TMK: (2) 1-8-001:005, 006, 009
Permits: None

Proposing/Determination

Agency: Department of Land and Natural Resources, Division of Forestry and Wildlife, 1151 Punchbowl St., #325, Honolulu, Hawai'i 96813.
Contact: David Leonard, (808) 783-2163

Consultant: Garcia and Associates, 146 Hekili St., Ste. 101, Kailua, Hawai'i 96734. Contact: Michael Desilets, (808) 262-1387

Status: Finding of No Significant Impact determination. **(NOTE:** *In light OEQC's role in providing guidance on the implementation and practice of the Hawaii Environmental Policy Act, OEQC has discussed with the proposing agency the term final supplemental environmental assessment used in the title of this final document and throughout the EA and has informed the Proposing Agency and Consultant that the term "supplemental environmental assessment" does not exist under Chapter 343, HRS; an EA can reference previous environmental studies but the focus is on new information about the previously discussed action that warrants an entirely new EA. Thus, OEQC has stricken the word "Supplemental" in the title of this final document. The word "supplemental" appears throughout the EA document; please disregard the use of the term and view the document as a Final Environmental Assessment.*)



The primary action of the DOFAW Leeward Haleakalā Watershed Restoration Project (LHWRP) is the construction of an ungulate-proof fence that will enclose approximately 2,350 acres of native remnant *koa* (*Acacia koa*) forest and degraded, but high-value, conservation lands. In addition to the ungulate exclusion fence, DOFAW intends to facilitate public access to the area through construction of a 19.8 kilometer trail system and six proposed backcountry cabins.

Trail alignments and cabin locations are provisional, pending field confirmation of the absence of threatened or endangered species and cultural resource sites.

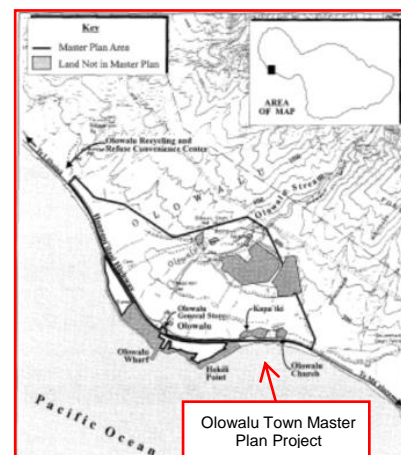
No negative primary impacts are anticipated from LHWRP exclusion fencing or cabin and trail construction if mitigation measures in the FEA are followed.

The principal sources of secondary impact are the long-term exclusion of ungulates from the project area, and active ecological management of the area, which is expected to include long-term recovery and restoration of dry mesic *koa* forest habitat and subsequent reintroduction of threatened and endangered native species. The secondary environmental impacts of the project are therefore considered to be a net positive.

All categories of impact identified in the FEA will either be mitigated or are extremely minor and will therefore not tend to accumulate in relation to this or other projects. Substantial beneficial cumulative impacts are expected for biological resources.

4. Olowalu Town Master Plan Draft EIS Volume I and Volume II

Island: Maui
District: Lahaina
TMK: (2) 4-8-003:084, 98 through 118, and 124
Permits: State Land Use Commission District Boundary Amendment, Community Plan Amendment, Change in Zoning, Project District Phase I, II and III Approvals, Special Management Area Use Permit
Applicant: Olowalu Town, LLC and Olowalu Ekolu, LLC, 2035 Main Street, Suite 1, Wailuku, Hawai'i 96793.
Contact: Bill Frampton, (808) 249-2224



Approving

Agency: State Land Use Commission, P.O. Box 2359, Honolulu, Hawai'i 96804.
Contact: Dan Davidson, (808) 587-3826

Consultant: Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, Hawai'i 96793.
Contact: Colleen Suyama, (808) 244-2015

Status: Statutory 45-day public review and comment period starts; comments are due on April 21, 2012. Send comments to the Applicant, Consultant, and Approving Agency

The Olowalu Town Master Plan is proposing to establish a new community in the once thriving Olowalu plantation town, located on the west side of the island of Maui. The Master Plan will be a small-scale and mixed-use community designed to be pedestrian-friendly which will allow residents to live within walking distance of stores, schools, parks, employment opportunities, community centers, beaches, and social and civic resources. The Master Plan is guided by values and principles of sustainability by balancing the needs of Maui's growing population, yet maintaining and respecting our cultural, historical and natural resources.

The Master Plan will consist of approximately 1,500 residential dwelling units and 375,000 sq. ft. of commercial/retail use to be built concurrently with infrastructure. There will be a wide variety of single-family and multi-family dwelling types, including houses, apartments, townhouses, live-work units, cottages, rural homes and farmsteads for a wide range of income groups. Proposed infrastructure includes the relocation of the existing Honoapi'ilani Highway inland from the shoreline, upgrade of the Olowalu Water Company, Inc. water system, construction of a drainage system, construction of a wastewater treatment plant and R-1 recycled water irrigation system, and construction of a system of interconnected streets, greenways and bikeways.

O'AHU (HRS 343)

5. Sand Island Wastewater Treatment Plant Solids Handling Return Lift Station FEA – FONSI

Island: O'ahu

District: Honolulu

TMK: (1) 1-5-041:005

Permits: Special Management Area Use Permit, Department of Planning and Permitting Construction Plan Review and Approval, Building Permit, Grading and Stockpiling Permit, Department of Health Construction Plan Review and Approval



Proposing/Determination

Agency: Department of Design and Construction, 650 South Beretania Street, Honolulu, Hawai'i 96813. Contact: Lori M. K. Kahikina, (808) 768-8480

Consultant: R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawai'i 96819.
Contact: James Niermann, (808) 842-1133, JimN@rmtowill.com

Status: Finding of No Significant Impact determination

The proposing agency, Department of Design and Construction, plans to construct a solids handling building return lift station to collect and recirculate residual flows from intermediate stages of processing within the Sand Island Wastewater Treatment Plant (WWTP). Improvements include a sub-grade compartment well, two above-ground electric-powered pumps, and miscellaneous above-ground valves, instrumentation, and piping for influent and effluent flows.

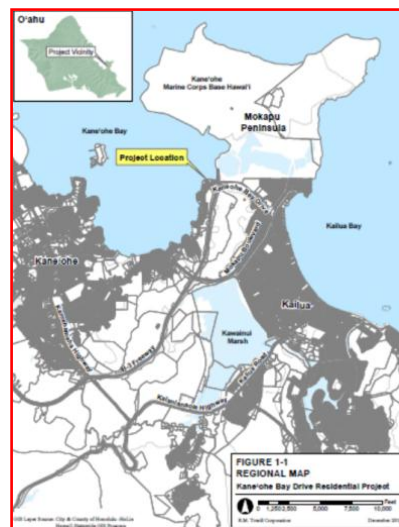
This EA addresses the potential for anticipated environmental impacts and considers the alternatives to the proposed action with appropriate mitigation measures to address and minimize potential effects. It is anticipated that this project will have no significant adverse impact to water quality, air quality, existing utilities, noise, archaeological sites, or wildlife habitat. All anticipated impacts will be temporary and will not adversely affect the environmental quality of the area. The Department of Design and Construction

has determined that the project will not have a significant environmental impact and has issued a Finding of No Significant Impact (FONSI) in accordance with Chapter 343, HRS.

6. Kane'ohē Bay Drive Residential Project DEA

- Island:** O'ahu
District: Ko'olaupoko
TMK: 4-4-7: 11
Permits: Special Management Area Use Permit (Major); Shoreline Setback Variance, Building Permit
Applicant: Westgate Enterprises, Inc., 212 Merchant Street, Suite 330, Honolulu, Hawai'i 96813
Approving Agency: City and County of Honolulu, Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, Hawai'i 96813. Contact: Ann Asaumi, (808) 768-8020
Consultant: R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawai'i 96819. Contact: Chester Koga, (808) 842-1133
Status: Statutory 30-day public review and comment period starts; comments are due on April 6, 2012. Send comments to the Applicant, Consultant, and the Approving Agency

The Applicant seeks approval of a Special Management Area Use Permit (SMP) to develop four Condominium Property Regime (CPR) lots and a shared driveway on a 50,965 square-foot property located at 44-295 Kane'ohē Bay Drive. The shoreline lot is zoned R-10 Residential District and contains a man-made lagoon which extends approximately 75 to 90 feet from the regulatory shoreline. There are two existing dwellings located on the property. The proposed action will permit two additional dwelling units, for a total of four dwelling units on the property. As the project is part of a larger development (i.e., entail more than two dwelling units), it requires approval of an SMP. Inasmuch as the proposed development, including the two additional dwelling units, will exceed \$500,000, a Major SMP is required. In addition, the Applicant proposes to install rocks or boulders and plant small shrubs and small trees along the edge of the lagoon to stabilize its slope. Part of this installation will take place within the 40 feet of the regulatory shoreline, or within the shoreline setback area. Installation of the rocks or boulders in the shoreline setback area requires approval of Shoreline Setback Variance (SSV).



7. Waipahu Elementary School New 8-Classroom Building DEA

- Island:** O'ahu
District: 'Ewa
TMK: 9-4-010: 040, 098, 9-4-029: 001, 015
Permits: Grubbing, Grading, and Stockpiling Permit; Building Permit for Building, Electrical, Plumbing, Sidewalk/Driveway and Demolition Work; Sewer Connection; Waiver (Height); NPDES; Variance from Pollution Controls; Chapter 6E Clearance
Proposing/Determination Agency: Department of Education, State of Hawai'i, Facilities Development Branch, 1151 Punchbowl Street, Room 501, Honolulu, Hawai'i 96813. Contact: Benjamin Miura, (808) 586-0429



Consultant: Gerald Park Urban Planner, 95-595 Kaname'e Street, #324, Mililani, Hawai'i 96789. (808) 625-9626

Status: Statutory 30-day public review and comment period starts; comments are due on April 6, 2012. Send comments to the Proposing Agency and Consultant

Short-term construction impacts include raising fugitive dust, mechanical and equipment noise, potential for construction related runoff, grubbing vegetation, land alteration, potential impacts on traffic circulation, and loss of open space used for outdoor recreation and school functions. There are no streams or historic features on the ground surface to be affected.

The project will help to mitigate the doubling up of classrooms as is now practiced and provide space for existing and future educational programs. It is not being constructed to accommodate projected increases in student enrollment.

The 8-classroom building *per se* will neither affect ambient air quality nor generate noise and use of the facility is not expected to adversely affect surrounding areas during school hours. No significant increase in vehicle traffic is anticipated as a result of this project. There should be no significant increase in domestic water usage and wastewater flow compared to existing conditions. Storm water runoff will increase but will be retained on-site.

Designed as a sustainable building, the building will have lower operating costs, conserve energy and water, provide for the health and comfort of its users, and demonstrate a State commitment to sustainable building design and energy conservation. The building will be constructed in a remote, low ground elevation corner of the school grounds and when viewed from public areas, it will appear as tall as an adjoining campus building which is constructed at a higher ground elevation.

8. Kalaeloa Home Lands Solar, LLC 5.0 MW Photovoltaic Park DEA

Island: O'ahu

District: 'Ewa

TMK: (1) 9-1-013:029

Permits: DHHL Lease, NPDES Form C, Building/Grading, FAA Obstruction Evaluation, Airport Area Analysis

Applicant: Kalaeloa Home Lands Solar, LLC. Contact: Jody Allione, Project Development Manager, (808) 347-3174 or email jodyallione39@gmail.com,

Approving

Agency: Hawaiian Homes Commission, Department of Hawaiian Home Lands, Land Management Division, Attention: Linda Chinn, Administrator, P.O. Box 1879, Honolulu, HI 96805, Linda.Chinn@hawaii.gov (808) 620-9500

Consultant: North Shore Consultants, P.O. Box 790, Haleiwa, HI 96712. Contact: David M. Robichaux, (808) 368-5352 or email: robichaud001@hawaii.rr.com,

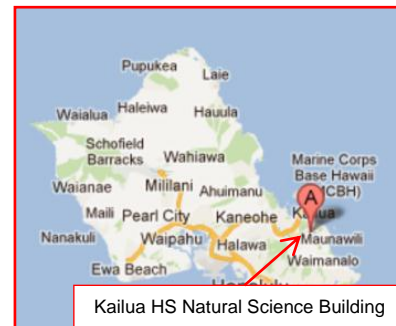
Status: Statutory 30-day public review and comment period starts; comments are due on April 6, 2012. Send comments to the Applicant, Consultant, and Approving Agency

The Kalaeloa Home Lands Solar Park will result in 5 MW of renewable power to be provided to the public utility grid. Temporary noise and dust will be generated during construction; however these are expected to be limited in duration and consistent with the surrounding land use. The PV Park is within the controlled activity area for Runway 11-29. Fences at the end of the airport property now serve as arresting gear for emergency overruns. Upon completion of the proposed action the area will contain truss structures that will serve a similar function. Aircraft operations at the Kalaeloa Airport are not expected to be significantly impacted from glint and glare according to a study commissioned for this project. No secondary or cumulative impacts were identified despite the proposed addition of a second PV Park in the area. Pending receipt of comments from agencies and interested parties, DHHL anticipates a finding of no significant impact.



9. Kailua High School Natural Science Building DEA

Island: O'ahu
District: Ko'olaupoko
TMK: 4-02-03:22
Permits: Building, Elevator, Zoning Waiver, Grading
Proposing/Determination Agency: State of Hawai'i, DOE, P.O. Box 2360, Honolulu, HI 96804. Contact: Dennis Olmstead, (808)586-0532
Consultant: Architecture Plus Inc., 400 Hobron Lane, Ste. 303, Honolulu, HI 96815. Contact: Gary K. Kawakami, (808) 945-2311
Status: Statutory 30-day public review and comment period; comments are due on April 6, 2012. Send comments to the Proposing Agency and the Consultant



The State of Hawai'i, Department of Education (DOE) is proposing to demolish existing Building L on the Kailua High School campus and construct a new 2-story classroom building designated for the study of natural sciences.

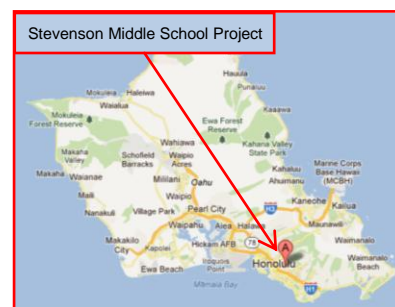
The demolition of the existing Building L and construction of a new classroom building has been determined to be the best alternative based on input from the school and community through preliminary planning/design studies. The proposed new classroom facility will provide the necessary specialized science and computer technology space and features needed for a specialized aquaculture program developed over the years that the existing school facilities cannot.

The proposed new classroom building will be constructed of concrete, masonry, steel, metal decking and roofing, and interior finishes of various types. It will provide approximately 18,000 + sf. The proposed new classroom building will house a general classroom, 2 microbiology science classrooms, 3 computer resource rooms and supporting spaces including technical equipment rooms, storage rooms, offices, restrooms, etc.

No significant socio-economic, health, safety, vehicular, cultural, historic or environmental impacts are anticipated by proceeding with the new classroom building. In addition to the various mitigation measures outlined in the following, DOE has directed consultants to design the new facility with the goal of meeting an equivalent of LEED (Leadership in Energy and Environmental Design) Silver Certification.

10. Stevenson Middle School Multi-Purpose Educational Facilities DEA

Island: O'ahu
District: Honolulu
TMK: 2-4-33:013
Permits: Punchbowl Special Design District Permit, Waiver Permits, Grading Permit, Construction and Building Permits
Proposing/Determination Agency: State of Hawai'i, Department of Education, Facilities Development Branch, Kalanimokou Building, Room 431, 1151 Punchbowl Street, Honolulu, HI 96813. Contact: Arnold Fukunaga, (808)586-0440
Consultant: PlanPacific, Inc., 1001 Bishop Street, Suite 2755, Honolulu, HI 96813. Contact: Lisa Leonillo Imata, (808) 521-9418
Status: Statutory 30-day public review and comment period; comments are due on April 6, 2012. Send comments to the Proposing Agency and the Consultant



The proposal is to modernize the science and technology facilities at Stevenson Middle School, a recently designated Science Signature School. The current science classrooms are sub-standard and lack modern equipment. The proposed new facilities consist of a two-story classroom building, adjacent single-story multi-purpose room, and adjacent covered walkway/lanai area. Total usable floor area will be 11,500 square feet.



The structures will be located in an underutilized open area adjacent to the existing classroom building. No significant adverse long-term or cumulative impacts are anticipated to be generated from the proposed project. The slopes and views of Punchbowl Crater will be unchanged. Short-term construction-related impacts will be mitigated and construction activities will be restricted per State and County rules.

DIRECTOR'S MESSAGE

Thank you for taking the time to review the important information contained within The Environmental Notice. The Office of Environmental Quality Control strives to include the most current information available – both information that is required by law to be published but also information that may be useful to those involved with environmental issues. We recently published an updated 2012 version of the Chapter 343 Guidebook which you can download here: [Guide to the Implementation and Practice of the Hawaii Environmental Policy Act, 2012 Edition](#). In addition, the Environmental Council (EC) has released its [2011 Annual Report](#) which can be read on the [OEQC website](#). The EC is currently reviewing exemption classification requests from the Department of Land and Natural Resources and the City and County of Honolulu, and has also started a formal process to update the Hawaii Administrative Rules governing Chapter 343, which has not been updated since 1996. For more information on upcoming Environmental Council meetings see the most recently posted agenda here <http://calendar.ehawaii.gov/calendar/html/event>.

ENVIRONMENTAL COUNCIL NOTICES

The Environmental Council has a meeting scheduled for Thursday, March 15, 2012, in room 203 of the State Office Tower. Please go to the State [Calendar](#) website six days prior to the meeting date to review the agenda. For more information, contact the Council at this email environmental.council@doh.hawaii.gov or call (808) 586-4185.

In addition, the OEQC Director referenced two requests being reviewed by the Environmental Council – the [DLNR List](#) and [CCH Department of Environmental Services List](#) are available for 30-day public review and comment period, ending April 6, 2012; please send comments to 235 S. Beretania St., #702, Honolulu, Hawai'i 96813, or email to environmental.council@doh.hawaii.gov.

SHORELINE NOTICES

SHORELINE - 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-1457	Proposed Shoreline Certification	Lot 1190 of Land Court Application 677, Map 301 situate at Kailua, Ko'olaupoko, O'ahu Address: 65 Kailuana Place Purpose: Development of property	Dennis K. Hashimoto/ 59 Kailuana Place LLC	4-3-022:020
KA-354	Proposed Shoreline Certification	Lot 7-A "Spouting Horn Tract" situate at Po'ipū, Koloa, Kaua'i Address: 4498 Lawai Road Purpose: Determine building setback and obtain building permit	Esaki Mapping and Surveying, Inc./ Timothy & Courtney Jochner and Wai Wai Properties, LLC	2-6-003:008



SHORELINE - Certification Applications

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.

File No.	Date	Location	Applicant/Owner	TMK
MA-502	02/14/2012	Lot 2-A of Land Court Application 1846 (Map 1) being a portion of Grant 234 to Linton L. Torbert and William Wilcox, situate at Papa'anui, Honua'ula, Makawao, Maui Address: 0 Makena Road, Kihei, HI 96753 Purpose: SMA Use Permit application	Akamai Land Surveying, Inc./ ATC Makena Land SF2, LLC	2-1-007:092
MA-503	02/21/2012	Lot 50, Waiohuli-Keokea Beach Lots, 2 nd Series, being a portion of Grant 12,872 to Joseph and Emilia Cadinha, Waiohuli-Keokea, Kula, Maui Address: 1750 Halama St., Kihei HI 96753 Purpose: Shoreline setback	Edgardo V. Valera/ Nicolaos Papadopoulos	3-9-012:009
OA-1477	01/12/2012	Lot B-19 as shown on Map 2 of Land Court Application 1341, Ka'alaea, Ko'olaupoko, O'ahu Address: 47-865 Kamehameha Hwy., Kane'ohe, HI 96744 Purpose: Building setback requirement	Jaime F. Alimboyoguen/ Bruce Kim	4-7-024:022
OA-1478	02/22/2012	Lot 102 as shown on Map 16 of Land Court Application 609, Mokulē'ia, Waialua, O'ahu Address: 68-355 Crozier Drive, Waialua, HI 96791 Purpose: Building (shoreline) setback	Jaime F. Alimboyoguen/ Crozier Wave LLC (Lief Johansen)	6-8-005:010
OA-1479	02/27/2012	Lot 63 of File Plan 256 "Sunset Beach Lots" being a portion of Grant 8174 to John Gomes Duarte at Pupukea, Ko'olaupoko, O'ahu Address: 59-209D Ke Nui Road, Haleiwa, HI 96712 Purpose: Building (shoreline) setback	Gil P. Bumanglag/ AR Trust	5-9-002:067

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
Hawai'i: South Hilo (2-2-029: 001)	Installation of Asphalt Parking Barrier on Existing Roadway Surface and Installation of 'No Parking' Signs (After the Fact) (SMM 12-203)	Motor Supply Ltd
Hawai'i: South Kohala (6-9-002: 001, 002 portion of 015 and 020)	Site Improvements, Landscaping and Lateral Coastal Access Improvements (SMM 12-204)	Kevin Hayes
Hawai'i: South Kona (8-2-008: 057)	Five-room Bed and Breakfast within Two Existing Dwellings (SMM 12-205)	Kenneth Okagi and Erin Rene
Maui: (2-5-004: 055, 068, 069 & 070; 2-7-040: 005, 007, 013, 022 & 033)	Consolidation & Re-subdivision (SM2 20120013)	Nalu Ola Ranch, LLC
Maui: Lahaina (4-6-028: 001; 4-6-032: 001)	Driveway and Area Lighting (SM2 20120014)	Puamana Community Association
Maui: Kihei (3-9-020: 001)	Sprint to Install Telecom Facility (SM2 20120015)	Sprint
O'ahu: Kapolei (9-1-026: 046 and 047)	Installation of Portable Asphalt Plant, Office and Lab Trailer, Toilet, and a Perimeter Chain-link Fence (2012/SMA-6)	Road and Highway Builders/Curtis K. Miyamura

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, Lāna'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.

Kaiminani Drive Roadway Improvements, North Kona, Hawai'i

Applicant: County of Hawai'i, Department of Public Works

Contact: Mr. Allan Simeon, (808) 961-8925

Federal Action: Federal Funding

Federal Agency: Federal Highway Administration

Location: Kaiminani Drive, Ahahi Street to vicinity of Ane Keohokalole Highway

TMK: (3) 7-3-33, 34, 35, 39, 40, 42

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

Proposed Action: The County of Hawai'i Department of Public Works proposes to construct roadway improvements on Kaiminani Drive, Ahahi Street to vicinity of Ane Keohokalole Highway, North Kona, Hawai'i. The scope of work for this project consists of roadway excavation and reconstruction; asphalt concrete paving; shoulder and drainage improvements, including construction of paved swales and catch basin/drywells; utility manhole/box relocation and adjustment; retaining wall construction; driveway/property tie-ins; roadway signing and striping; and providing erosion control and NPDES measures. The primary goal of the project is to remove and replace the existing deteriorating roadway, and to provide paved shoulders and drainage swales to the entire length of the road.

Comments Due: March 22, 2012

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	Date	Proposed Use
Clean Air Branch, 586-4200, Covered Source Permit	Goodfellow Brothers, Inc. Modification Application No. 0660-02 CSP No. 0660-01-CT	Located at: Various Temporary Sites, State of Hawai'i	Comments Due: 3/19/2012	265 tph Mobile Crusher and 400 tph Mobile Jaw Crusher
Clean Air Branch, 586-4200, Covered Source Permit	E.M. Rivera & Sons, Inc. Application for Renewal No. 0603-04 CSP No. 0603-01-CT	Located at: Various Temporary Sites, State of Hawai'i	Issued: 2/13/2012	Portable Crushing Plants
Clean Air Branch, 586-4200, Covered Source Permit	Powerscreen of California Initial Application No. 0754-01 CSP No. 0754-01-CT	Located at: Various Temporary Sites, State of Hawai'i	Comments Due: 3/19/12	400 TPH Mobile Crushing Plant
Clean Air Branch, 586-4200, Non-Covered Source Permit	Ito En (USA), Inc. Initial Application No. 0391-05 NSP No. 0391-05-N	Located at: 125 Pu'u hale Road, Honolulu, O'ahu	Issued: 2/13/12	Three (3) 200 hp Gas and Oil Fired Boilers
Clean Air Branch, 586-4200, Non-Covered Source Permit	Castle & Cooke Resorts, LLC Four Seasons Resort Lanai Renewal Application No. 0488-04 NSP No. 0488-01-N	Located at: 1233 Fraser Avenue Lāna'i City Lāna'i	Issued: 2/15/12	One (1) 150 HP Boiler



Clean Air Branch, 586-4200, Non-Covered Source Permit	Waipahu-Leeward Veterinary Clinic Modification No. 0760-01 NSP No. 0760-01-N	Located at: 94-485 Koaki Street, Waipahu, O'ahu	Issued: 2/16/12	150 lb/hr Pathological Waste Incinerator
Clean Air Branch, 586-4200, Non-Covered Source Permit	Grace Pacific Application Application for Initial Permit No. 0750-01 NSP No. 0750-01-NT	Located at: Various Temporary Sites, State of Hawai'i	Issued: 2/21/12	331 TPH RAP Plant
Clean Air Branch, 586-4200 Non-Covered Source Permit	Big Island Carbon, LLC Application for Modification No. 0641-04 NSP No. 0641-04-N	Located at: 61-3277 Maluokalani Street, Kawaihae, Hawai'i	Issued: 2/27/12	470 lbs/hour Activated Carbon Facility

FEDERAL NOTICES

Issuance of Letter of Authorization to Take Marine Mammals Incidental to Training and Research Activities within the Hawai'i Range Complex

<http://www.gpo.gov/fdsys/pkg/FR-2012-02-24/pdf/2012-4340.pdf>

In accordance with the Marine Mammal Protection Act (MMPA), as amended, and implementing regulations, notice is hereby given that National Marine Fisheries Service (NMFS) has issued a Letter of Authorization (LOA) to the U.S. Navy (Navy) to take marine mammals incidental to training and research activities conducted within the Hawai'i Range Complex (HRC) for the period of February 9, 2012, through January 5, 2014. This Authorization is effective from February 9, 2012, through January 5, 2014. The LOA and supporting documentation may be obtained by writing to P. Michael Payne, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910, or by telephoning Michelle Magliocca, Office of Protected Resources, NMFS, (301) 427-8401. A copy of the application used in this document may be obtained by writing to the address specified above or visiting the internet at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm>. Documents cited in this notice may also be viewed, by appointment, during regular business hours, at the aforementioned address (see, 77 FR 11067, February 24, 2012).

Five Year Status Reviews for Endangered/Threatened Species

<http://www.gpo.gov/fdsys/pkg/FR-2012-03-06/pdf/2012-5335.pdf>

The U.S. Fish and Wildlife Service (Service) is initiating 5-year reviews for 46 species in Idaho, Oregon, Washington, Nevada, Montana, Hawai'i, Guam, and the Northern Mariana Islands under the Endangered Species Act of 1973, as amended (Act). The Service requests any new information on these species that may have a bearing on their classification as endangered or threatened. Based on the results of the Service's 5-year reviews, the Service will determine whether these species are properly classified under the Act. To ensure consideration, the Service requests submission of new information no later than May 7, 2012. However, the Service will continue to accept new information about any listed species at any time. For the 44 species in Hawaii, Guam, and the Northern Mariana Islands (see above link for Table 1), submit information to: Field Supervisor, Attention: 5-Year Review, U.S. Fish and Wildlife Service, Pacific Islands Fish and Wildlife Office, 300 Ala Moana Blvd., Room 3-122, Box 50088, Honolulu, Hawai'i 96850. Information can also be submitted by email to: pifwo-5yr-review@fws.gov. For further information, please contact Jeff Newton, U.S. Fish and Wildlife Service, Pacific Islands Fish and Wildlife Office (see **ADDRESSES**), 808-792-9400 (for species in Hawai'i, Guam, and the Northern Mariana Islands). Individuals who are hearing impaired or speech impaired may call the Federal Relay Service at (800) 877-8337 for TTY assistance (see, 77 FR 13248, March 6, 2012).

Issuance of Marine Mammal Permit

<http://www.gpo.gov/fdsys/pkg/FR-2012-03-06/pdf/2012-5428.pdf>

The National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce has issued a permit to Paul E. Nachtigall, Ph.D., Marine Mammal Research Program Hawai'i Institute of Marine Biology, P.O. Box 1106, Kailua, Hawai'i 96734, to conduct scientific research on cetaceans stranded or in rehabilitation facilities in the U.S. The permit and related documents are available for review upon written request or by appointment at the following location on Oahu: Pacific Islands Region, NMFS, 1601 Kapi'olani Blvd., Room 1110, Honolulu, HI 96814-4700; phone (808) 944-2200; fax (808) 973-2941. For further information, please contact the above number (see, 77 FR 13295, March 6, 2012).

Withdrawal of South Kona Watershed Irrigation System DEIS

<http://www.gpo.gov/fdsys/pkg/FR-2012-03-02/pdf/2012-5131.pdf>

As a part of its mandate under Section 309 of the Clean Air Act, the U. S. Environmental Protection Agency announced that the National Resources Conservation Service of the U. S. Department of Agriculture has withdrawn *EIS No. 20120005, Draft EIS, NRCS, HI* —South Kona Watershed Irrigation System, To Provide Supplemental Irrigation Water to Farms in the Honomalino/Kapu'a Area, Funding, County of Hawai'i, Hawai'i, Comment Period Ends: 03/05/2012, *Contact: Sharon Sawdey, 808-541-2600, ext. 125. Revision to FR Notice Published 1/20/2012: Officially Withdrawn by the Preparing Agency (see, 77 FR 12835, March 2. 2012).*



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).