

The Environmental Notice

A Semi-Monthly Bulletin pursuant to Section 343-3, Hawai'i Revised Statutes



SOME PROJECTS IN THIS NOTICE...

MOKUHINIA ECOSYSTEM RESTORATION PROJECT IN LAHAINA, MAUI

The County of Maui, Friends of Moku'ula, and the U.S. Army Corps of Engineers are coordinating efforts to restore the Mokuhinia ecosystem in Lahaina. Historically, Loko o Mokuhinia was an approximately 17-acre pond, one in a series of coastal wetlands along the shoreline of West Maui. These wetlands served as habitat for a variety of valued wetland species, including Hawaiian waterbirds, migratory water fowl, and shorebird species. Within the pond was the island of Moku'ula, which was the preferred residence of high ranking *ali'i* (chiefs) through the mid-1800s.

The County of Maui and the Friends of Moku'ula partnered together and articulated three components: (1) restoration of the aquatic ecosystem features of Loko o Mokuhinia, (2) revitalization/preservation of the historic and archaeological features of Moku'ula, and (3) the establishment of an area reserved for future use by Friends of Moku'ula.

The proposed project would restore scarce wetland habitat for native vegetation and wildlife species in an area where it historically existed as part of a larger network of coastal wetlands. [See the draft environmental assessment for more details.](#)

RECORD OF DECISION FOR AN INFANTRY PLATOON BATTLE COURSE AT POHAKULOA TRAINING AREA, HAWAI'I

The U.S. Army Pacific (USARPAC) and U.S. Army Garrison, Hawai'i, (USAG-HI) has announced a decision to construct and operate an Infantry Platoon Battalion Course at Pōhakuloa Training Area, that will meet Army training requirements and will support the live-fire collective training needs of the Army, Army Reserve, and Hawai'i Army National Guard, as well as other Service components that are stationed or train in Hawai'i.

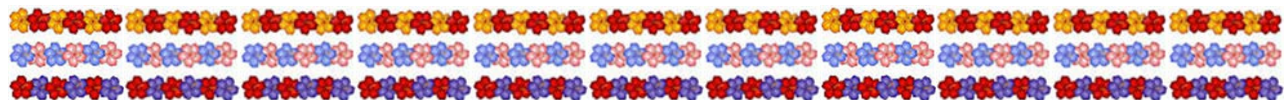
A publication of the [Notice of Intent \(NOI\)](#) started the EIS process. Public [scoping meetings](#) were held January 11-12, 2011, to obtain public and agency input on the alternatives considered and issues to be addressed in the EIS. Scoping included a 45-day public comment period that started from the date the NOI was published in the Federal Register.

Information and public comments received during the scoping meetings, comment period and waiting period were reviewed for consideration in the [Draft Programmatic](#) and Final EIS. The [NOA](#) for the Final EIS was published in the Federal Register April 26, 2013; the waiting period for the Final EIS ended May 28, 2013. The Final EIS is available for download on the ["Project Documents"](#) page. The Army hosted [public hearings](#) on November 8-9, 2011, to obtain comments on the document. Comments on the Draft Programmatic EIS were incorporated, as appropriate, into the Final EIS.



Neil Abercrombie, Governor · Genevieve Salmonson, Interim Director · Office of Environmental Quality Control · 235 South Beretania Street, Suite 702 · Honolulu, HI 96813
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Website: <http://hawaii.gov/health/environmental/oeqc/index.html/>
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FRONT PAGE

Mokuhinia Ecosystem Restoration in Lahaina, Maui
Record of Decision for Pōhakuloa Training Area Infantry Platoon Battle Course

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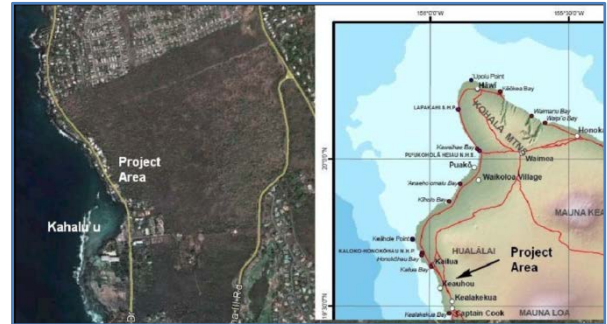
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HAWAII (HRS 343)

1. Parcel 26 at Kahalu'u Residential Project DEA (AFNSI)

Island: Hawai'i
District: North Kona
TMK: (3rd) 7-8-010:004, 7-8-014:013
Permits: Special Management Area Major Permit, Plan Approval, Grading Permit, Approval for Work Within County Right-of-Way, Underground Injection Control (UIC) Permits, National Pollutant Discharge Elimination System (NPDES) Permits, Community Noise Control Permits, Building Permits, Condominium Property Regime Final Public Report



Applicant: Towne Development of Hawai'i, Inc., 220 S. King Street, Suite 960, Honolulu, HI 96813
Contact: William L. Moore, (808) 987-7336

Approving Agency: Hawai'i County Planning Department, 101 Aupuni Street, Suite 3, Hilo HI 96720
Contact: Esther Imamura, (808) 961-8139

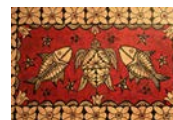
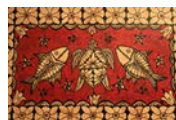
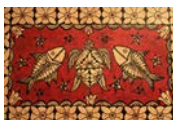
Consultant: Geometrician Associates, PO Box 396, Hilo HI 96721
Contact: Ron Terry, (808) 969-7090

Status: Statutory 30-day public review and comment period starts; comments are due by September 23, 2013. Please send comments to the applicant, approving agency, and consultant.

Towne Development of Hawai'i, Inc., proposes a residential project with approximately 321 multi-family time share units and 17 single-family detached units on a 42-acre property known as Parcel 26, located mauka of Ali'i Drive, in Kahalu'u, Kona. The project will be developed as Condominium Property Regime units and will include internal utilities and driveways, swimming pools and recreational facilities, and landscaping. Connections to wastewater systems will occur on Ali'i Drive.

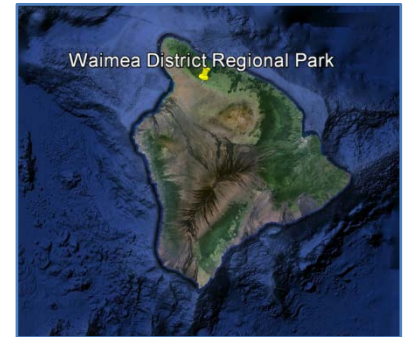
There are no threatened or endangered plant species, with vegetation consisting mainly of introduced species. Implementation of already approved archaeological preservation preserve plans, data recovery, burial treatment and monitoring plans will mitigate impacts to historic sites. There is no known current use of the property for gathering, ceremonial or other cultural purposes, and the project would not affect shoreline uses.

The three-story multi-family structures will not interfere with views to or from the shoreline, as the project site is situated in a topographic hollow behind one to four rows of properties already developed with one to four-story structures and mature landscaping. The required adherence to the Keauhou Village & Kahalu'u Village Residential Design Guidelines will ensure conformance with the cohesive vision for the physical appearance of Keauhou and ensure high-quality, culturally vibrant and sustainable community development. Traffic on Ali'i Drive will increase as a result of the project, but congestion will not significantly increase. The project is not expected to have a negative impact on groundwater, coastal water resources or biology. The property is located outside the flood zone.



2. Waimea District-Regional Park DEA (AFNSI)

Island: Hawai'i
District: South Kohala
TMK: (3) 6-7-001:025 (portion); (3) 6-7-002:017 (portion); (3)-6-7-002.063 (portion)
Permits: NPDES Permit, Section 401 Water Quality Certification, Stream Channel Alteration Permit, Plan Approval, Grading/Building Permits, Clean Water Act Section 404, Federal Emergency Management Agency Letter of Map Revision



Proposing/Determination

Agency: County of Hawai'i Department of Parks and Recreation, Aupuni Center, 101 Pau'ahi Street, Suite 6, Hilo, HI 96720. Contact: James M. Komata, (808) 961-8311
Consultant: PBR HAWAII & Associates, Inc., 1001 Bishop Street, Suite 650, Honolulu, HI 96813. Contact: Tammy Kapali, (808) 521-5631
Status: Statutory 30-day public review and comment period starts; comments are due by September 23, 2013. Please send comments to the approving agency and consultant.

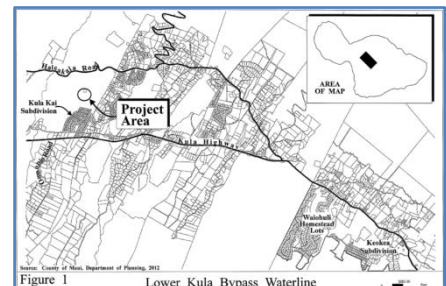
Waimea District/Regional Park will be a master-planned facility that will offer diversified recreational opportunities for both indoor and outdoor sports. The Waimea District/Regional Park will be developed in two phases. In the first phase, approximately 24 acres will be developed as a district park. For the second phase, approximately 26 additional acres will expand the district park into a regional park.

The primary purpose for the Waimea District/Regional Park is to address a deficiency of athletic and recreational opportunities for Waimea residents and for other surrounding communities in the South Kohala District. The park will include fields for football, rugby, soccer, baseball, and softball, as well as a covered play court for sports such as volleyball and basketball. The park will also provide a larger community gathering area to address existing and future demand.

MAUI (HRS 343)

3. Lower Kula Bypass Waterline Improvements FEA (FONSI)

Island: Maui
District: Makawao
TMK: (2)2-3-004:032 and 013 (por.)
Permits: Grading
Applicant: State of Hawai'i, Department of Hawaiian Home Lands, 91-5420 Kapolei Parkway, Kapolei, HI 96707
 Contact: Stewart Matsunaga, (808) 620-9270



Approving

Agency: State of Hawai'i, Hawaiian Home Lands Commission, 91-5420 Kapolei Parkway, Kapolei, HI 96707. Contact: Jobie Masagatani, (808) 620-9270
Consultant: Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793
 Contact: Mich Hirano, (808) 244-2015
Status: Finding of No Significant Impact Determination

The proposed project is located in Kula, Maui, approximately 0.5 miles east of the intersection of Kula Highway and Omaopio Road. The proposed project involves installing an 18-inch ductile iron bypass waterline from the 2-million gallon Kula Kai Water Tank and connecting to an existing 12-inch waterline at the Kula Kai Booster Pump Station located approximately 1,274 feet to the southwest at elevation 2,730 feet mean sea level (msl). The new 18-inch waterline will supplement an existing 18-inch waterline currently servicing the tank. Water from the existing 18-inch waterline is shared at times

during high demand with the Upper Kula Water System to provide additional source supply to the upper system. The new waterline will directly supply the booster pumping station to provide water to the upper system when needed, thereby eliminating the need to share water using the existing waterline. The new waterline will be designed and constructed by the Department of Hawaiian Home Lands and will be turned over to the County of Maui, Department of Water Supply (DWS) upon completion. The County of Maui has a 15-foot easement for the existing and new waterline from the landowner, Haleakala Ranch.

4. Mokuhinia Ecosystem Restoration Project DEA (AFNSI)

Island: Maui
District: Lahaina
TMK: (2) 4-6-007:002, (2) 4-6-007:001, (2) 4-6-007:036, (2) 4-6-007:037 and (2) 4-6-007:038

Permits: Endangered Species Act (ESA) Section 7 Compliance, National Environmental Policy Act (NEPA) Compliance, National Historic Preservation Act (NHPA) Section 106 Compliance, Hawai'i Revised Statutes (HRS) Chapter 343 Compliance, Coastal Zone Management Act (CZMA) Federal Consistency Determination, HRS Chapter 6E Compliance, National Pollutant Discharge Elimination System (NPDES) Permit, Well Construction/Pump Installation Permit, Community Noise Permit, Special Management Area (SMA) Use Permit, Historic District Approval, Flood Hazard Area Development Permit, Construction Permits.



Proposing/Determination

Agency: County of Maui, 200 South High Street, Wailuku, HI 96793.
 Contact: Zeke Kalua, (808) 270-7855
Consultant: CH2M HILL, 1132 Bishop Street, Suite 1100, Honolulu, HI 96813.
 Contact: Lisa Kettley, (808) 440-0275

Status: Statutory 30-day public review and comment period starts; comments are due by September 23, 2013. Please send comments to the proposing/determination agency and consultant.

The County of Maui and the U.S. Army Corps of Engineers are conducting a feasibility study for the proposed Mokuhinia Ecosystem Restoration Project in the town of Lahaina on the island of Maui, Hawai'i. The purpose of the project is to restore a portion of Loko o Mokuhinia, the former wetland that surrounded the ancient island of Moku'ula. Specifically, the project includes restoration of foraging habitat for the endangered Hawaiian stilt (*ae'o, Himantopus mexicanus knudseni*), Hawaiian coot (*'alae ke oke'o, Fulica alai*), and migratory waterfowl and shorebird species.

Specific components of the proposed action include: (1) Excavation to intercept the existing groundwater; (2) Grading to provide shallow wetland slopes and micro-topographic variation; (3) Installation of a groundwater well and pump to supplement groundwater levels; (4) Installation of an outlet to an adjacent ditch; (5) Planting native wetland vegetation; and (6) Installation of a perimeter fence to provide predator control. If approved and funded, it is currently anticipated that construction of the project would be completed in 2018, following which post-construction performance monitoring would be conducted for up to 10 years. Long-term operations and maintenance activities would be performed by the County of Maui. As part of project implementation, best management practices would be implemented, such that the proposed action is not anticipated to result in significant impacts to environmental resources.

The public is invited to attend a public meeting for the project on Thursday, September 5, 2013 from 6:30 to 8:30 p.m. at the Lahaina Civic Center (1840 Honoapi'ilani Highway, Lahaina, Maui, HI 96761).

O'AHU (HRS 343)

5. Kalia-Fort DeRussy Wastewater System Improvements FEA (FONSI)

Island: O'ahu
District: Waikiki
TMK: (1) 2-6-005:001 (por.)
Permits: Special District (Minor)
Applicant: Hilton Hawaiian Village Beach Resort & Spa, 2005 Kalia Road, Honolulu, HI 96815 Contact: Gerard C. Gibson, (808) 949-4321

Approving Agency: City & County of Honolulu, Department of Environmental Services, 1000 Ulukouia Street, Suite 308, Kapolei, HI 96707. Contact: Jack Pobuk, (808) 768-3464

Consultant: Group 70 International, Inc., 925 Bethel Street, 5th Floor, Honolulu, HI 96813. Contact: Jeffrey H. Overton, (808) 523-5866

Status: Finding of No Significant Impact Determination



The City & County of Honolulu, Department of Environmental Services has identified sewer system improvements to accommodate the Hilton Hawaiian Village (HHV) Master Plan, Hale Koa Hotel and sewer flows from the service area between the Ala Wai Canal, Kalākaua Avenue and Fort DeRussy. The proposed system improvements include:

- The existing 1950's 12-inch diameter sewer line in Kalia Road will be replaced with a new 21-inch diameter sewer line. The replacement sewer line will begin at the intersection of Paoa Place and Kalia Road, and end at the intersection of Ala Moana Boulevard and Kalia Road. The existing 16-inch diameter sewer line, which traverses across Fort DeRussy in a sewer line easement, would be cut and plugged at the Ala Moana Boulevard and Kalia Road intersection.
- The existing 1960's 24-inch diameter sewer line on Ala Moana Boulevard and Kalakaua Avenue will be replaced by a 30-inch diameter sewer line. The replacement sewer line will begin at the intersection of Kalia Road and Ala Moana Boulevard, and end at the Fort DeRussy WWPS. Work at Fort DeRussy will be contained within a City sewer line easement.

The project will help the City to meet the 2010 Wastewater Consent Decree with the US Environmental Protection Agency. The project will also provide capacity for the HHV Master Plan improvements, including a new Timeshare Tower.

KAUA'I (HRS 343)

6. Affordable Housing for Rice Camp Parcels Lihu'e FEA (FONSI)

Island: Kaua'i
District: Lihu'e
TMK: (4)3-6-009:001 and (4)3-6-004:009
Permits: National Pollutant Discharge Elimination System (NPDES) Permit, ROW Permit (DOT Highways if work is expected to be completed in state ROW), Noise Permit (if contractor will generate noise levels exceeding DOH guidelines), Use Permit, Building Permit, Grubbing Permit, and Grading Permit/Notice of Intent (if fill or excavation, or combination of both fill and excavation exceeds 100 cubic yards), Driveway Approach Permit for Malama Street, and Road for Use Within County Rights-of-Way.



Proposing/Determination

Agency: Kaua'i County Housing Agency, Pi'ikoi Building, 4444 Rice Street, Suite 330, Lihu'e, Kaua'i HI 96766. Contact: Klayford Naka'ahiki, (808) 241-4451
Consultant: Environet, Inc., 1286 Queen Emma Street, Honolulu, HI 96813
 Contact: Colette Sakoda, (808) 833-2225, ext. 1004
Status: Finding of No Significant Impact Determination.

The Kaua'i County Housing Agency is proposing to develop affordable senior housing at properties formerly known as the Rice Camp parcels, located at Tax Map Key (TMK) numbers (4)3-6-004:009 and (4)3-6-009:001, in Lihu'e, Kaua'i, Hawai'i. The proposed development includes a total of 60 units, in addition to a community center with laundry facilities, community gardens, landscaped open spaces, and a detention basin at the project site. Future development plans include an additional building totaling 24 housing units. The completed development would include a total of 84 housing units at the project site offering housing for 80 to 100 senior residents. The Kaua'i County Housing Agency has a responsibility to provide much needed affordable housing to the county's senior residents. As the responsible entity designated by the U.S. Department of Housing and Urban Development (HUD), the Kaua'i County Housing Agency has prepared this environmental assessment to enable the release of HOME funds to complete the development of this project.

CHAPTER 25, REVISED ORDINANCES OF HONOLULU

Chevron Photovoltaic Solar Facility FEA (FONSI)

Island: O'ahu
District: Ewa
TMK: (1)9-1-031: 002
Permits: Potential permits, approvals, and consultations associated with the proposed action
Applicant: Chevron Technology Ventures, 3901 Briarpark Drive, Houston, TX 77042
 Contact: Jarom Feriante, (605) 280-4780



Approving Agency: Department of Planning and Permitting, City & County of Honolulu, 650 South King Street, 7th Floor, Honolulu, HI 96813. Contact: Malynne Simeon, (808) 768-8023
Consultant: URS Corporation, 615 Pi'ikoi Street, Suite 900, Honolulu, HI 96814
 Contact: Darla Guerrero, (808) 593-1116
Status: Finding of No Significant Impact Determination

A Finding of No Significant Impact (FONSI) has been issued for the Chevron Photovoltaic (PV) facility project at Campbell Industrial Park in Kapolei. Chevron Technology Ventures will develop a ground mounted PV facility, and the PV facility will consist of multiple solar panels, accessory electrical equipment, and a solar tracker that maneuvers the panels to aim directly at the sun during the day. The energy generated from the PV facility will be sold to Hawaiian Electric Company.

The 4.5-acre project area occupies a portion of a 10-acre parcel owned by Chevron. The property is adjoined to the west side by Ameron Incorporated, and the south side of the property is in front of the Pacific Ocean. The project is within the Special Management Area (SMA) and will require an SMA permit.

The Proposed Action is not anticipated to result in significant impacts to environmental resource areas. The implementation of standard Best Management Practices will ensure no significant impacts occur to geological and soil resources, and water resources. The Proposed Action would not contribute to any significant cumulative impacts or reasonably foreseeable direct or indirect effects on any coastal use or resource of the State's coastal zone.

COASTAL ZONE MANAGEMENT NOTICES

Special Management Area (SMA) Minor Permits

The SMA Minor permits below have been approved (HRS 205A-30). For more information, contact the County/State Planning Department. Honolulu (768-8014); Hawai'i (East HI 961-8288, West HI 323-4770); Kaua'i (241-4050); Maui (270-7735); Kaka'ako or Kalaeloa Community Development District (587-2841).

Location (TMK)	Description (File No.)	Applicant/Agent
Hawai'i: Hilo (2-1-009: 008)	Installation of a 3,000 Gallon Diesel Fuel Tank and Related Improvements (SMM 13-278)	Marvin Min
Kaua'i: Wailua (3-9-002: 021)	Rockfall Mitigation Measures along Wailua River State Park (SMA(E)-2013-1)	State of Hawaii, Department of Land and Natural Resources
Kaua'i: Hanalei (5-5-009: 008)	Deck Addition (SMA(M)-2013-27)	Hanalei Commercial Inc.
Kaua'i: Wailua (4-1-002: 003 & 008)	Rockfall Mitigation Measures along Kuamo'o Road in Wailua (SMA(E)-2014-1)	State of Hawaii, Department of Transportation
Maui: Ka'anapali (4-4-013: 008)	Sunset Terrace Luau Area Repair (SM2 20130085)	Chris Hart & Partners, Inc.
Maui: Kihei (2-1-008: 151)	Placement of Four Portable Kiosks (SM2 20130086)	Wailea Gateway Center
Maui: Pa'ia (2-6-002: 027)	New Office Addition (SM2 20130087)	Seashore Properties LLC
Maui: Kahului (3-8-025: 005)	Swimming Pool (SM2 20130088)	Avis Tokuhisa
Maui: (4-8-003: 084)	Repairs/Maintenance/ETC (SM2 20130089)	David Ward
Maui: Pa'ia (2-6-004: 007)	Replace Jalousie Windows (SM2 20130091)	Ilana Waxman
Maui: Haiku (2-7-004: 007)	Exploratory Well (SM2 20130092)	Makai Hana V, LLC
Maui: Moloka'i (5-3-002: 124)	Construct Warehouse/Loading Dock (SM6 20130005)	Friendly Properties, LLC
O'ahu: Kaka'ako (2-1-060: 013)	After-the-fact Installation of 300 Feet of Fence Walls, Iron Fence, and Iron Gates (SMA/13-4)	Ocean Investments, LLC
O'ahu: Maunaloa Koko Head Regional Park (3-9-012: 005)	Additions and Modifications to Utility Installation (2013/SMA-20)	Sprint-Nextel/Cascadia PM
O'ahu: Waianae (8-7-033: 013)	BKC Retail Center (2013/SMA-22)	Bang Kuk Choi/Architects International, Inc.

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 neighbor islands, use the following toll free numbers: Lana'i & 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
PO Box 2359
Honolulu, HI 96804

Email: inakagaw@dbedt.hawaii.gov **Fax:** (808) 587-2899

1. **Repair, Upgrade, or Replace the Dillingham Waterline for US Air Force Ka'ena Point Satellite Tracking Station (KPSTS), O'ahu**

Federal Action: Federal Agency Activity
Federal Agency: US Air Force, KPSTS
Contact: Lance Hayashi (808) 697-4312
Proposed Action: The US Air Force, KPSTS, is proposing to repair, replace, or upgrade the existing water transfer system that delivers water to KPSTS, to ensure a safe, reliable potable water source. The current size and capacity of the existing waterline is proposed to be maintained, consisting of up to 4 miles of 4-inch diameter water transfer system within the 50-foot right-of-way from YMCA Camp Erdman to Building 30 at KPSTS. The proposed action does not include any work at the existing pump stations. Underground portions of the waterline would be replaced using one of two methods: removal and replacement, or pipe bursting. Aboveground portions of the waterline would be removed and replaced by cutting it into sections and staging it for removal in various locations along the right-of-way. Existing concrete support stanchions would be left in place and upgraded or repaired, as necessary, to support the new waterline.
Location: YMCA Camp Erdman, Mokuleia to Building 30 at KPSTS, Oahu
TMK: (1) 6-9-1: 4; 6-9-4: 19, 21; 6-9-5: 5, 6, 7
CZM Contact: John Nakagawa (808) 587-2878, jnakagaw@dbedt.hawaii.gov
Comments Due: September 6, 2013

2. **Proposed Rule Amendment to Existing Danger Zone at Pacific Missile Range Facility (PMRF), Barking Sands, Kaua'i**

Federal Action: Federal Agency Activity
Federal Agency: Commander, Pacific Missile Range Facility, US Navy
Proposed Action: The PMRF is proposing to amend an existing danger zone in waters off the PMRF at Barking Sands, Kaua'i. The US Navy conducts missile defense activities, test missile launches, and training activities at the PMRF. The proposed amendment is necessary to protect the public from hazards associated with missile launch operations, training activities, and increase threat conditions. The proposed amendment would expand the existing danger zone and would place restrictions on public use within the danger zone. PMRF will permit use of all, or portions, of the beach area and danger zone for public activities when mission-essential evolutions such as testing, training operations, and force protection allow. Such activities include fishing, sightseeing, surfing, and transit. According to the Navy, those currently familiar with PMRF's shoreline, beach and water access such as surfers, beach users, fishermen, and tour boat operators will likely see no change to their current practices.
Location: Pacific Ocean off of PMRF, Barking Sands, Kaua'i
CZM Contact: John Nakagawa (808) 587-2878, jnakagaw@dbedt.hawaii.gov
Comments Due: September 6, 2013

3. **Nawiliwili Small Boat Harbor Revetment Repair, Lihu'e, Kaua'i**

Federal Action: Federal Agency Activity
Federal Agency: U.S. Army Corps of Engineers
Contact: Mark Arakaki (808) 835-4084
Proposed Action: Conduct repairs to the Nawiliwili Small Boat Harbor revetment, including restoration of stone coverage, repair of slumped areas, and filling low areas of the crest. Proposed work involves resetting of armor stones and installation of new replacement stones in affected areas.

Location: Nawiliwili Small Boat Harbor, Lihu'e, Kaua'i
 TMK: (4) 3-2-3: 43
 CZM Contact: John Nakagawa (808) 587-2878, inakagaw@dbedt.hawaii.gov
 Comments Due: September 6, 2013

SHORELINE NOTICES

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
OA-1541	8/5/13	Lot 70-A & 70-B as shown on Map 35, Lot 72 as shown on Map 9, Lot 73-B & 73-C as shown on Map 43, Lot 74-A as shown on Map 46, Lot 74-B-1 & 74-B-2 as shown on Map 58, Lot 75-A & 75-B as shown on Map 42 and Lot 458 & 459 as shown on Map 64 of Land Court Application 1095 situate at Malaekahana, Ko'olaupua, O'ahu Address: 56-335 Kamehameha Highway Purpose: Improvements to campground facilities	ControlPoint Surveying, Inc./ State of Hawai'i	5-6-001:024, 045, 049, 051, 053, 056-060, 062, 063
MA-553	8/5/13	Portion of Land Commission Award 11216, Apana 21 to M. Kekauonohi being also all of lots 51 and 52 of Makena Beach Lots situate at Palauea, Honua'ula, Makawao, Maui Address: Makena Road Purpose: Planning for future use of parcels	Warren S. Unemori Engineering, Inc./ Larson Family Trust	2-1-011:016 & 017
LA-009	8/5/13	Land Court Application 1881 Map 1 situate at Kaohai, Lana'i Address: State Highway #44 Purpose: Permitting	Ryan M. Suzuki/ Pulama Lana'i	4-9-003:010
LA-010	8/6/13	Lots 93 as shown on Map 12 and 125-A as shown on Map 26 of Land Court Consolidation 170, Lana'i Address: N/A Purpose: Permitting	Ryan M. Suzuki/ Pulama Lana'i	4-9-017:por. 002 & 008
HA-469	7/29/13	Lot 8 being a portion of Lot 2 Waikoloa Beach Resort being a portion of Royal Patent 7523, Land Commission Award 4452, Apana 4 to H. Kalama situate at Anaeho'omalua, South Kohala, Island of Hawai'i Address: Lot 8 Naupaka Place Purpose: Obtain building permit for private residence	Roger Fleenor/ Rudolph Koppl	6-9-009:008
HA-470	8/5/13	Portion of Lot B (C.S.F. 21,196) being portions of Grant 10,774 to Victor B. Harrel and Kona Coast State Park Parcel A (C.S.F. 22,262) situate at Kukio 2nd and Maniniowali, North Kona, Island of Hawai'i Address: 72-3890 Mamalahoa Highway Purpose: Obtain County permits	Wes Thomas Associates/ DLNR Division of State Parks	7-2-004:009

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-1510	Proposed Shoreline Certification	Land Court Application 776 Subdivision of Lot 96 as shown on Map 14 into Lots A and B situate at Lā'ie, Ko'olauloa, O'ahu Address: 55-61 Naupaka Street Purpose: Building setback requirement	Jaime F. Alimboyoguen/ Kelley Nakano, Irene M. Nakano	5-5-010:016
OA-1530	Proposed Shoreline Certification	Lot 23-F Land Court Application 242 as shown on Map 10 situate at Pu'uloa, 'Ewa, O'ahu Address: 91-129 'Ewa Beach Road Purpose: Obtain building permit	Wesley T. Tengan/ Lester Leu	9-1-023:001
MO-162	Proposed Shoreline Certification	Lot 32 of Land Court Application 1867 (Map 2) situate at Kawela, Moloka'i Address: 2238 Kamehameha V Highway Purpose: Home construction	Akamai Land Surveying, Inc./ Gerald V. & Nancy P. Swartz	5-4-017:030
HA-467	Proposed Shoreline Certification	Lot A-1 being the whole of Parcel A of Church Lot at Puako and Portions of School Grant 13, Ap. 1 to Board of Education and Government (Crown) Land situate at Lalamilo, Waimea, Kohala, Island of Hawai'i Address: 69-1600 Puako Beach Drive Purpose: Obtain State and County permits	Wes Thomas Associates/ State of Hawai'i	6-9-002:007-010
KA-370	Proposed Shoreline Certification	Lot 20, Ld. Ct. App. 276, Map 4 and Lot A, File Plan 435 being a portion of R.P. 7373, L.C. Aw. 8559-B Apana 42 to Wm. C. Lunailo situate at Waipouli, Kawaihau (Puna), Kaua'i Address: 856 Kuhio Highway Purpose: Building permit	Honua Engineering, Inc./ GCT Properties, LLC	4-3-009:050
MA-535	Rejection	Lot 48-A-3 Mailepai Hui Partition situate at Alaelo, Ka'anapali, Lahaina, Maui Address: 20 Hui Road E Purpose: Renovation purposes	Arthur P. Valenica/ 20 Hui Road, LLC	4-3-015:058
KA-371	Rejection	Lots 61-C and 61-B Land Court Application 1076 (Map 32); Lots 60-A, 60-B & 60-C Land Court Application 1076 (Map 31); Lots 63, 64, 65 & 66 Land Court Application 1076 (Map 35); Lot 5 Land Court Application 937 (Map 7); Lot 3-A-1-B & Addition to Kikiaola Small Boat Harbor Land Court Application 937 (Map 6); Portion of Lot 1 Land Court Consolidation 175 (Map 1) situate at Kikiaola, Waimea, Kaua'i Address: 4470 & 4480 Mamo Road; 4491 & 4485 Kikiaola Place; 9250 & 9000 Kaumuali'i Highway; Mamo Road; Kikiaola Place; Kaumuali'i Highway Purpose: Kikiaola Small Boat Harbor sand bypass project	Portech Engineering, LLC/ Republic Bank, California; Ronald M. Beckenfeld, Graham & Marisa Chelius; Labdez Family Trust; Kaumuali'i LLC; Hokuaiana Development LL; KVH LLC; Makai Marina LLC; State of Hawai'i; Waimea Plantation Makai LLC	1-2-013:035, 034, 031, 032, 033, 001, 039, 040, 041 1-2-006:003, 016, 041

FEDERAL NOTICES

1. [Record of Decision for the Construction and Operation of an Infantry Platoon Battle Course at Pōhakuloa Training Area, Hawai'i](#) – August 16, 2013

The U.S. Army Pacific (USARPAC) and U.S. Army Garrison, Hawai'i, (USAG-HI) announce the decision to construct and operate a new Infantry Platoon Battle Course (IPBC) and associated infrastructure at Pōhakuloa Training Area (PTA), Hawai'i. This decision allows the Army to construct and operate an IPBC that will meet Army training requirements and will support the live-fire collective training needs of the Army, Army Reserve, and Hawai'i Army National Guard, as well as other Service components that are stationed or train in Hawai'i

The IPBC will be used to train and test infantry platoons and other units on the skills necessary to conduct collective (group) tactical movement techniques, and to detect, identify, engage, and defeat stationary and moving infantry and armor targets in a tactical array. Soldiers will engage targets with small arms, machine guns, and other weapon systems as part of live-fire exercises. This includes air-ground integration where Soldiers maneuvering on the IPBC can coordinate air support. In addition to live-fire, the range would also be used for training with sub-caliber and/or laser training devices. This type of training is mission essential for Soldiers to be prepared to encounter threats during combat operations overseas.

The Army identified and analyzed environmental and socioeconomic impacts associated with the proposed IPBC in the Final EIS. The major potential environmental impacts are to air quality, threatened and endangered species, cultural sites, encountering munitions and explosives of concern, and igniting wildfires. Significant impacts could occur to cultural resources. Prior to making its decision, the Army considered comments received during the EIS scoping and comment process, and the 30-day waiting period after the Final EIS. The Army's Record of Decision includes the final measures the Army will adopt to avoid, minimize, and mitigate impacts to identified cultural resources.

To comply with the National Environmental Policy Act (NEPA), the Department of the Army prepared an Environmental Impact Statement (EIS) that evaluated the potential environmental and socioeconomic effects associated with alternatives to construct and operate the IPBC. In the Final EIS published in the Federal Register on April 26, 2013 (78 FR 24734), the Army identified the Western Range Alternative as the preferred alternative. The Army has selected the preferred alternative in the Record of Decision (ROD). The Western Range Area Alternative is located in an under-utilized portion of the PTA impact area where no ranges currently exist. The location has been exposed to indirect munitions fire and constructing the IPBC here will reclaim a portion of the impact area. A copy of the ROD can be found at www.garrison.hawaii.army.mil/pta_peis/default.htm. Email requests to obtain a copy of the ROD can be addressed to USARMY.JBSA.AEC.MBX@mail.mil. CONTACT: US Army Environmental Command Public Affairs Office, at 1-855-846-3940

2. [Approval of Marine Conservation Plan for Pacific Insular Areas](#) – August 12, 2013

This notice announces that NMFS (National Marine Fisheries Service) has determined that the Pacific remote island areas (PRIA) Marine conservation plan (MCP) satisfies the requirements of the Magnuson-Stevens Act and approves the MCP for the 3-year period from August 1, 2013, through July 31, 2016.

Section 204(e) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) authorizes the Secretary of State, with the concurrence of the Secretary of Commerce (Secretary) and in consultation with the Council, to negotiate and enter into a Pacific Insular Area fishery agreement (PIAFA).

A PIAFA would allow foreign fishing within the U.S. Exclusive Economic Zone (EEZ) adjacent to any Pacific Insular Area other than American Samoa, Guam, or the Northern Mariana Islands, that is, in the EEZ around the Pacific remote island areas (PRIA). The PRIA are Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Island, Wake Island, and Palmyra Atoll. Before entering into a PIAFA, the Council must develop a 3-year Marine Conservation Plan (MCP) providing details on uses for any funds collected by the Secretary under the PIAFA.

The Magnuson-Stevens Act requires that payments received under a PIAFA, and any funds or contributions received in support of conservation and management objectives for the PRIA, be deposited into the Western Pacific Sustainable Fisheries Fund (Fund) for use by the Council. Additionally, amounts received by the Secretary attributable to fines and penalties imposed under the Magnuson-Stevens Act for violations by foreign vessels occurring within the EEZ off any PRIA are also deposited into the Fund for use by the Council.

An MCP must be consistent with the Council's fishery ecosystem plans, must identify conservation and management objectives (including criteria for determining when such objectives have been met), and must

prioritize planned marine conservation projects. The Council, at its 157th meeting held June 26-28, 2013, reviewed and approved this MCP and recommended its submission to the Secretary for approval.

The MCP contains five conservation and management objectives, and identifies major task areas for planned activities, as follows:

- Objective 1: Support quality research and obtain the most complete scientific information available to assess and manage fisheries within an ecosystem approach.
- Objective 2: Conduct education and outreach to foster good stewardship principles and broad and direct public participation in the
- Council decision-making process by supporting education and outreach activities related to sustainable fisheries management of pelagic fisheries in the PRIA.
- Objective 3: Promote regional cooperation to manage domestic and international fisheries, by participating in international fishery policy development in Pacific Regional Fishery Management Organizations.
- Objective 4: Encourage development of technologies and methods to achieve the most effective level of monitoring, control, and surveillance, and to ensure safety at sea.
- Objective 5: Support activities that promote western Pacific community demonstration projects and the western Pacific community development program.

Section 204(e)(7)(C) of the Magnuson-Stevens Act authorizes the Council to use monies deposited into the Fund to meet conservation and management objectives in the State of Hawaii, consistent with the Fishery Ecosystem Plan for the Hawaii Archipelago. The MCP includes an appendix describing these objectives. At the 157th meeting, the Council recommended amendments to the appendix relating to fisheries research.

The MCP also outlines a process by which the Council's Executive Committee could revisit the project ranking to adapt to changing management needs.

Copies of the marine conservation plan, identified by NOAA-NMFS-2013-0126, are available from www.regulations.gov, or the Western Pacific Fishery Management Council (Council), 1164 Bishop St., Suite 1400, Honolulu, HI 96813, tel 808-522-8220.

For further information contact: Jarad Makaiau, Sustainable Fisheries, NMFS Pacific Islands Regional Office, 808-944-2108.

3. [National Marine Fisheries Service \(NMFS\) prepared a draft environmental assessment \(EA\) that proposes to issue a Special Coral Reef Ecosystem Fishing Permit](#) – August 13, 2013

This notice informs the public that NMFS prepared a draft environmental assessment (EA) of the potential impacts of the proposal to issue a Special Coral Reef Ecosystem Fishing Permit that would authorize Kampachi Farms, LLC, to culture and harvest a coral reef ecosystem management unit fish species in a floating pen moored about 5.5 nm off the west coast of the Island of Hawaii in about 6,000 ft of water.

The draft EA is available from www.regulations.gov. Comments on the draft EA must be received by **September 3, 2013**.

NMFS proposes to issue a Special Coral Reef Ecosystem Fishing Permit to Kampachi Farms, LLC, consistent with Federal regulations for Hawaii fisheries at 50 CFR 665.224, pertaining to management of coral reef ecosystem fisheries, and in accordance with the Fishery Ecosystem Plan for the Hawaii Archipelago (FEP). NMFS would authorize Kampachi Farms to culture and harvest the native coral reef ecosystem management unit fish species kampachi (*Seriola rivoliana*, marketed as Kona Kampachi [supreg]) using a 132 m[supcaret]3 (approximately 21 feet in diameter) brass-link mesh aquapod (CuPod) tethered to a moored, 28-ft feed vessel. The feed vessel would be connected to a single-point mooring established at around 6,000 feet deep approximately 5.5 nm west of Keauhou Bay, Hawaii. The Velella array (the name for the combined CuPod and vessel) would be located in Federal waters with the exact position depending on wind and currents. It would not be closer than 3 nm to shore.

A special permit is required because the gear proposed for harvesting a coral reef ecosystem management unit species is not currently identified as an approved gear type under the FEP and fishing regulations. If NMFS permits the activity, the applicant would use the Velella array to grow and harvest 2,000 kampachi fingerlings and juveniles. The stock would be first generation offspring of fish obtained from a local hatchery. If approved, NMFS would authorize the activity for one year.

In this draft EA, information indicates that the low rearing density of fishes, established procedures for application of feed, passive flushing and near constant movement in offshore waters are expected to minimize impacts on water quality. The strong brass mesh net material is resistant to biofouling and leaching and the CuPod design includes mesh entry panels that prevent fish escapes.

The array's CuPod and vessel would each have a GPS navigation unit to provide location information in the unlikely case of separation from the mooring. In addition to the applicant's monitoring of the array and surrounding waters, the conditions of the NMFS permit would include requirements for avoiding and reporting protected resources interactions, preventing fish escapes and methods of discarding of dead fish, filing harvest and transshipment reports, and accommodating an observer upon request. These operational features, together with the limited scale and duration of the project, resulted in a preliminary determination that the project would have a very limited impact on the environment.

NMFS expects that the array will aggregate pelagic fish. Fishermen would be able to fish around the array. The small size of the array is not expected to have a large adverse impact on catches by other fishermen in the ocean in west Hawai'i.

Kampachi Farms must also obtain a Department of the Army permit from the U.S. Army Corps of Engineers for the proposed mooring. NMFS prepared this draft EA with input and review by the U.S. Army Corps of Engineers. When finalized, the EA will serve as the basis for NMFS to determine whether or not the activity would be a major federal action with the potential for significant environmental impacts. If determined to have major impacts, NMFS would need to prepare an environmental impact statement. The EA will also inform NMFS in its decision about whether to issue the special permit. The U.S. Army Corps of Engineers will use this EA to inform the preparation of its own environmental evaluation in accordance with its internal procedures.

You may submit comments on this document, identified by NOAA-NMFS-2013-0125, by either of the following methods:

Electronic Submission: Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2013-0125, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments. Mail: Send written comments to Michael D. Tosatto, Regional Administrator, NMFS Pacific Islands Region (PIR), 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814-4700. Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous), and will accept attachments to electronic comments in Microsoft Word, Excel, or Adobe PDF file formats only.

For Further Information Contact: Phyllis Ha, Sustainable Fisheries, NMFS PIR, tel 808-944-2265.

4. [Recovery Permit Application to take the Hawaiian petrel \(*Pterodroma sandwichensis*\) on the island of Lana'i, Hawai'i, for the purpose of enhancing the species' survival.](#) – August 15, 2013

The U.S. Fish and Wildlife Service, invite the public to comment on the following application for a recovery permit to conduct activities with the purpose of enhancing the survival of an endangered species. The Endangered Species Act of 1973, as amended (Act), prohibits certain activities with endangered species unless a Federal permit allows such activity. The Act also requires that we invite public comment before issuing such permits.

The applicant, Lanai Resorts LLC, Pulama Lāna'i, Lāna'i City, Hawai'i requests a permit to take (harass by survey; locate and monitor nests; capture, band, weigh, and measure; and collect feathers, dead birds, and inviable eggs) the Hawaiian petrel (*Pterodroma sandwichensis*) in conjunction with survey and population monitoring activities on the island of Lanai, Hawaii, for the purpose of enhancing the species' survival.

To ensure consideration, please send your written comments by September 16, 2013 to: Endangered Species Program Manager, Ecological Services, U.S. Fish and Wildlife Service, Pacific Regional Office, 911 NE. 11th Avenue, Portland, OR 97232-4181. Please refer to the permit number for the application when submitting comments.

CONTACT: Colleen Henson, Fish and Wildlife Biologist, at the above address or by telephone (503-231-6131) or fax (503-231-6243).

5. [Sea Life Park, Oahu Permit Application to Maintain Non-Releasable Hawaiian Monk Seals in Captivity for Enhancement Purposes](#) - August 20, 2013

Sea Life Park Hawai'i, 41-202 Kalaniana'ole Highway, Waimanalo, HI 96795 (Jerry Pupillo, Responsible Party), has applied to National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA) for a permit to maintain non-releasable Hawaiian monk seals (*Monachus schauinslandi*) in captivity for enhancement purposes.

The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 et seq.), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 et seq.), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

Sea Life Park Hawaii proposes to continue to maintain and provide routine animal husbandry and veterinary care for one non-releasable adult Hawaiian monk seal and up to an additional three seals (four total, considering future non-releasable seals) at the monk seal exhibit at Sea Life Park Hawaii in Waimanalo, Hawaii. Sea Life Park would maintain in permanent captivity seals removed from the wild under separate permits for stranding response and enhancement, which are deemed non-releasable to the wild.

The animals will be made available for scientific studies by researchers whose research protocols are approved by the Sea Life Park Hawaii Curator and staff veterinarian and authorized under separate permits. A public conservation and education lecture will be conducted daily concerning the status of Hawaiian monk seals, and educational descriptive signs with current information are on display at the monk seal exhibit. The applicant requests a five-year permit.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the Federal Register, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Comments must be received on or before **September 19, 2013**.

The application and related documents are available for review by selecting "Records Open for Public Comment" from the Features box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 17429 from the list of available applications. These documents are also available upon written request or by appointment in the following offices:

Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 427-8401; fax (301) 713-0376; and Pacific Islands Region, NMFS, 1601 Kapiolani Blvd., Room 1110, Honolulu, HI 96814-4700; phone (808) 944-2200; fax (808) 973-2941.

Written comments on this application should be submitted to the Chief, Permits and Conservation Division, at the address listed above. Comments may also be submitted by facsimile to (301) 713-0376, or by email to NMFS.Pr1Comments@noaa.gov. Please include File No. 17429 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request to the Chief, Permits and Conservation Division at the address listed above. The request should set forth the specific reasons why a hearing on this application would be appropriate.

CONTACT: Amy Sloan or Jennifer Skidmore, (301) 427-8401.

6. [Request for Nominations for the Na Hoa Pili O Kaloko-Honokohau Advisory Commission](#) – August 20, 2013

The National Park Service, U.S. Department of the Interior, proposes to appoint new members to the Na Hoa Pili O Kaloko-Honokohau (The Friends of Kaloko-Honokohau), an Advisory Commission for the park. The Superintendent, Kaloko-Honokohau National Historical Park, acting as administrative lead, is requesting nominations for qualified persons to serve on the Commission.

Nomination must be postmarked no later than **October 21, 2013**.

Nominations or requests for further information should be sent to Tammy Duchesne, Superintendent, Kaloko-Honokohau National Historical Park, 73-4786 Kanalani Street, Suite 14, Kailua-Kona, Hawaii 96740.

The Kaloko-Honokohau National Historical Park Advisory Commission scope and objectives are as follows: the Kaloko-Honokohau National Historical Park was established by Section 505(a) of Public Law 95-625, November 10, 1978, as amended. Section 505(f) of that law, as amended, established the Na Hoa Pili O Kaloko-Honokohau (The Friends of Kaloko-Honokohau), as advisory commission for the park. The Commission was re-established by Title VII, Subtitle E, Section 7401 of Public Law 111-11, the Omnibus Public Land Management Act of 2009, March 30, 2009. The Commission's new termination date is December 18, 2018.

The purpose of the Commission is to advise the Superintendent and the Director, National Park Service, with respect to the historical, archeological, cultural, and interpretive programs of the park. The Commission is to afford particular emphasis to the quality of traditional Native Hawaiian cultural practices demonstrated in the park.

For the purposes of Section 505(e), native Hawaiians are defined as any lineal descendents of the race inhabiting the Hawaiian Islands prior to the year 1778.

Nominations are needed to represent the following category: member to represent Native Hawaiian interests.

Submitting Nominations: Nominations should be typed and must include each of the following:

- A. Brief summary of no more than two (2) pages explaining the nominee's suitability to serve on the Commission.
- B. Resume or curriculum vitae.
- C. At least one (1) letter of reference.

The Commission consists of nine members, each appointed by the Secretary of the Interior, and four ex officio non-voting members, as follows: (a) All nine Secretarial appointees will be residents of the State of Hawaii, and at least six of those appointees will be native Hawaiians; (b) Native Hawaiian organizations will be invited to nominate members, and at least five members will be appointed from those nominations to represent the interests of those organizations. The other four members will represent Native Hawaiian interests; (c) the nine voting members will be appointed for 5-year terms. No member may serve more than one term consecutively. Any vacancy in the Commission shall be filled by appointment for the remainder of the term; (d) the four ex officio members include the Park Superintendent, the Pacific West Regional Pacific Islands Director, one person appointed by the Governor of Hawaii, and one person appointed by the Mayor of the County of Hawaii. The Secretary of the Interior shall designate one member of the Commission to be Chairman.

Members of the Commission will receive no pay, allowances, or benefits by reason of their service on the Commission. However, while away from their homes or regular places of business in the performance of services for the Commission as approved by the DFO, members will be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed such expenses under Section 5703 of Title 5 of the United States Code.

The Obama Administration prohibits individuals who are currently federally registered lobbyists to serve on all Federal Advisory Committee Act (FACA) and non-FACA boards, committees, or councils.

All required documents must be compiled and submitted in one complete nomination package. Incomplete submissions (missing one or more of the items described above) will not be considered.

Nominations should be postmarked no later than October 21, 2013, to Tammy Duchesne, Superintendent, Kaloko-Honokohau National Historical Park, 73-4786 Kanalani Street, Suite 14, Kailua-Kona, Hawai'i 96740. CONTACT: Jeff Zimpher, National Park Service, Environmental Protection Specialist, Kaloko-Honokohau National Park, 73-4786 Kanalani St., 14, Kailua Kona, Hawai'i 96740, phone (808) 329-6881, ext. 1500, email jeff_zimpher@nps.gov.



View from Tantalus, courtesy of Susan Faulk

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 actions for which the agency anticipates a Finding of No Significant Impact (AFNSI), 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

Final Environmental Assessment and Finding of No Significant Impact

The Agency shall respond in writing to comments on a DEA 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) along with the supporting Final EA. After the notice of the FEA-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.

Act 172-2012, Environmental Impact Statement Preparation Notice (with no EA)

Act 172-2012, amended HRS 343, by providing for an agency to bypass the preparation of an environmental assessment for various actions that in the experience of the agency would clearly require the preparation of an EIS. Until administrative rules have been drafted, the agency must submit is

determination that an EIS is required for an action (Act 172-2012, EISPN) with a completed OEQC publication form detailing the specifics of the action to enable the public to request for a period of thirty-days, to be consulted parties in the preparation of the Draft EIS. Comments and responses must be incorporated into the subsequent Draft 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 and must do so within 30-days or the FEIS is accepted as a matter of law. For an Agency project, the Governor or the Mayor (or their designated representative) is the Accepting Authority, and unlike applicant actions, there is no time limit on the accepting authority reviewing the FEIS. 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, non-acceptance by the Approving Agency is cause for the Applicant to administratively appeal to the Environmental Council. For Agency actions, there is no such administrative appeal. In both instances, the Applicant or the proposing Agency can prepare a revised DEIS after a nonacceptance determination.

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's 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).