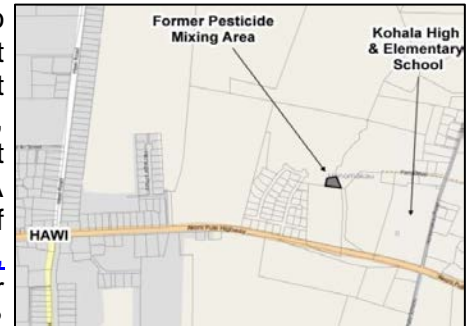


The Environmental Notice

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

[Soil Cleanup Proposed at Former Kohala Sugar Company Pesticide Mixing Site](#)

The Hawai'i Department of Health (HDOH) invites the public to review and comment on the Draft Removal Action Report (Draft RAR) for the cleanup of soil arsenic and dioxin contamination at the former Kohala Sugar Company pesticide mixing site near Hawi, located in the North Kohala District of the island of Hawai'i. A Draft Cleanup Grant application for this site to a competitive USEPA grant program is also available for public review and comment. If you have questions or would like a copy of the site [Fact Sheet](#), [Draft RAR](#), and/or Draft HICDC Cleanup Grant application mailed or e-mailed to you, please contact: John Peard at the Hilo HEER Office (808) 960-0080, john.peard@doh.hawaii.gov. Written comments regarding the proposed soil cleanup at the site as well as the Draft HICDC Cleanup Grant application will be accepted through January 8, 2014.



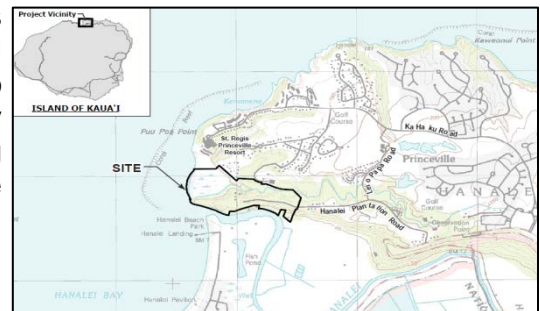
[Proposed 39-Story Condo-Hotel at 2139 Kūhiō Avenue, Waikiki, Honolulu, O'ahu](#)



The applicant, PACREP LLC, proposes to develop a condo hotel that consists of a tower on podium building with up to 280 units, related building support facilities, resident services, amenities and public streetscape improvements along Kūhiō Avenue. The new tower will be a stand-alone building with its own mechanical, electrical, and utility infrastructure, and will share an 8-story building podium with the adjacent 2121 Kūhiō Tower that is currently in development. The building podium will contain shared resident services, recreational amenities, vehicle access and off-street parking.

[Hanalei Plantation Resort Project Proposed, Princeville, Hanalei, Kaua'i](#)

The proposed resort project by Ohana Hanalei LLC involves the redevelopment and development of a hotel and residential lots on an approximately 65.5 acre site located adjacent to and north of Hanalei River. The project is predominately located within the State Urban District, except for strip along the shoreline of the western boundary, which is within the Limited Subzone of the State Conservation District.



Neil Abercrombie, Governor · Office of Environmental Quality Control · 235 South Beretania Street, Suite 702 · Honolulu, HI 96813 · Tel: 586-4185 · Fax: 586-4186 · Email: oeqchawaii@doh.hawaii.gov

Website: <http://health.hawaii.gov/oeqc/>

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



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HAWAII (HRS 343)

1. [Kaupakuea Orchards LLC Forest Management Plan FEA \(FONSI\)](#)

Island: Hawai'i
District: Hamakua
TMK: (3) 2-8-003:009 and (3) 2-8-003:010 portions
Applicant: Kaupakuea Orchards, LLC, 4110 NE 27th Avenue, Lighthouse Point, FL 33064.
Contact: Christopher Trimarco, 954-650-0967.

Approving Agency: Department of Land and Natural Resources, PO Box 621, Honolulu, HI 96809.
Contact: Irene Sprecher, 808-587-4167.

Consultant: Forest Solutions, Inc., PO Box 2037, Kamuela, HI 96743.
Contact: Thomas Baribault 808-776-9900, ext 238.

Status: Finding of No Significant Impact Determination.



The Kaupakuea Orchards, LLC Forest Stewardship project will be partially funded by a cost-sharing grant with the Hawaii Forest Stewardship Program of the Department of Land and Natural Resources. The main features of the project are the restoration of riparian areas along the Waia'ama Stream by removal of invasive species and planting of native species, and planting of high-value hardwood trees in abandoned pastureland. The total area in the project is 23.2 acres of which 4.4 acres will be dedicated to riparian restoration, and 18.8 acres to hardwood plantings. The environmental assessment covers the first decade of the project, which will involve planting native tree species in the riparian zone and establishing high-value hardwoods in the pasture area.

The proposed actions would replace invasive species with native species and high-value hardwood species. This improves natural resources of biodiversity, habitat, and forest cover. This project improves cultural resources by expanding the area on Hawaii Island dedicated to native forest preservation. All proposed forestry activities will also be consistent with the State's Best Management Practices. The proposed management actions will involve contracting with local forestry management entities and completing the project will yield a net positive economic result for the local community.

2. [Kawaihae Small Boat Harbor DEA \(AFNSI\)](#)

Island: Hawai'i
District: South Kohala
TMK: (3) 6-1-003: Portion 026
Permits: NPDES Permit; Grading/Grubbing Permit
Proposing/Determination Agency: Department of Land and Natural Resources, Division of Boating and Ocean Recreation, 333 Queen St., Suite 300, Honolulu, HI 96813.
Contact: Valerie Suzuki, 808-587-0275.

Consultant: AECOM, Inc., 1001 Bishop Street, Suite 1600, Honolulu, HI 96813.
Contact: Diane Kodama, 808-521-3051.

Status: Statutory 30-day public review and comment period starts; comments are due by January 7, 2014.
Please send comments to the proposing/determination agency and consultant.



This current project is needed to ensure the implementation of the 2003 Small Boat Harbor (SBH) (South) Master Plan. The objective of this project is to implement the second phase of master planning features to satisfy the public and commercial need for a modern small boat harbor at Kawaihae. This project encompasses two specific elements. The existing access road will be widened to 24 feet and

be comprised of a 3-inch thick layer of asphalt concrete atop a 6-inch deep layer of untreated aggregate base course. The intersection of the roadway with the deep-draft harbor south access road will be improved with pavement curves for driver comfort and vehicular maneuverability, and marked with standard pavement 4 inch-wide double-yellow centerline striping and white stop bar. The second element involves the installation of two new potable waterlines (8-inch and 4-inch, respectively), which would be connected to an existing 12-inch waterline along Route 270 with new isolation valves, run westerly down the deep-draft harbor south access road, then turn southward beneath the access roadway down to the SBH. These water lines will be buried and will run parallel to the proposed roadway improvements described above.

MAUI (HRS 343)

3. Plantation Inn Redevelopment Project DEA (AFNSI)

Island: Maui
District: Lahaina
TMK: (2) 4-6-009: 036, 038, and 044
Permits: SMA Use Permit; Demolition, Grubbing, Grading, Driveway, Plumbing, Electrical, and Building Permits; and a Community Noise Permit (as applicable).
Applicant: KBHL, LLC, 2525 Ka'anapali Parkway, Lahaina, HI 96793.

Approving Agency: County of Maui, Planning Commission, 2200 Main Street, Suite 619, Wailuku, HI 96793.
Contact: Candace Thackerson, 808-270-7180.
Contact: Dee Coyle 808-667-0218.

Consultant: Chris Hart & Partners, 115 N. Market Street, Wailuku, HI 96793.
Contact: Glenn Tadaki, 808-242-1955.

Status: Statutory 30-day public review and comment period starts; comments are due by January 7, 2014. Please send comments to the approving agency, applicant, and consultant.



Existing Plantation Inn improvements on Parcel 36 include two 2-story buildings containing 19 guest rooms and Gerard's Restaurant, as well as guest parking and a landscaped courtyard with a pool deck, swimming pool, and spa. As part of the proposed project, all three parcels will be consolidated and resubdivided to create single lot (1.02 acre) and two road-widening lots. The existing structures on Parcel 38 (former office building) and Parcel 44 (former dwelling and barber shop) will be demolished.

The proposed project will involve the construction of a new 2-story building with 14 guest rooms, a new 9-stall parking lot and driveway (along Panaewa Street), a new 11-stall parking lot and driveway (along Lahainaluna Road), and related landscaping, infrastructure, and utility system improvements. The project will also include reconstructing the existing pool deck, swimming pool, and spa; creating exterior lanai and patio space; modifying interior work spaces; and providing entry way, lobby, and reception area improvements.

The proposed project is not expected to have an adverse effect upon the physical environment, nor will it have a negative impact upon population, the economy, and housing. Public services and infrastructure are either adequate or will be improved to accommodate the proposed project.

4. Pu'unani Subdivision Project EISPN

Island: Maui
District: Wailuku
TMK: (2) 3-5-02:002 and 003 (por.)
Permits: State Land Use District Boundary Amendment, County of Maui Community Plan Amendment and Change in Zoning
Applicant: Towne Development of Hawaii, Inc.; Endurance Investments, LLC; and Association of Il Wai Hui, LP; PO Box 220, Kihei, HI 96753. Contact: Charles Jencks, 808-879-5205.
Approving Agency: State Land Use Commission, PO Box 2359, Honolulu, HI 96813. Contact: Dan Orodener, 808-587-3822.
Consultant: Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793. Contact: Colleen Suyama, 808-244-2015.
Status: Statutory 30-day consultation period starts, ending January 7, 2014. Please send comments to the applicant, approving agency, and consultant.



Towne Development of Hawaii, Endurance Investors, LLC and the Association of Il Wai Hui, LP propose the development of the Pu'unani Subdivision Project, consisting of approximately 147 residential lots, a villaged mixed-use district consisting of approximately 450 multi-family units and approximately 25,000 square feet of commercial retail/office space, and an approximate 15-acre park/stormwater retention area. The project site, consisting of approximately 208 acres, is located in Wailuku, makai of Wailuku Heights and adjacent to the Kehalani master planned community. Related actions include dedicating to the County of Maui, a water storage tank site and development of a new water well for the project adjacent to the County's existing water storage tank site. The project will include land use amendments including a State Land Use District Boundary Amendment, County of Maui Community Plan Amendment and County Change in Zoning. It will also involve improvement of a government road (Old Waikapu Road) and Honoapiilani Highway to allow for access to the project.

O'AHU (HRS 343)

5. 2139 Kūhiō DEA (AFNSI)

Island: O'ahu
District: Waikiki
TMK: (1) 2-6-18: 43 (Portion), 45, 46, 47 and 48
 Adjacent TMK Parcels: 11, 42, 44, 49 and 54
Permits: City and County of Honolulu: Waikīkī Special District Permit, Major; Surface Encroachment Variance; Subdivision for Pedestrian Easement; Construction Dewatering Permit; Building Permits; Trenching Permit; Grading Permit; Drain Connection; Sewer Connection; Street Usage; Construction Plan Approval; Conditional Use Permit Second Amendment to CUP No. 2000/CUP-98 for a Joint Development Agreement to combine the 2121 Kūhiō and 2139 Kūhiō development parcels: National Pollutant Discharge Elimination Permit for Construction Stormwater; Construction Noise Permit.
Applicant: PACREP LLC, 10880 Wilshire Boulevard, Suite 2222, Los Angeles, CA 90024. Contact: Jason Grosfeld, 310-500-2955.



Approving

Agency: Department of Planning & Permitting, City and County of Honolulu, 650 South King Street, 7th Floor, Honolulu, HI 96813. Contact: 808-768-8000.

Consultant: R M Towill Corporation, 2024 North King Street, Honolulu, HI 96819. Contact: Jim Niermann, 808-842-1133.

Status: Statutory 30-day public review and comment period starts; comments are due by January 7, 2014. Please send comments to the applicant, approving agency, and consultant.

2139 Kūhiō involves the construction of a new 39-story condo hotel with up to 280 units, related building support facilities, resident services, amenities, and public streetscape improvements. The new tower will be a 350-foot tall stand-alone building with its own mechanical, electrical, and utility infrastructure, and will share an 8-story building podium with the adjacent 2121 Kūhiō Tower that is currently in development. The building podium will contain shared resident services, recreational amenities, motor vehicle access and off-street parking. Four parcels located along Lau'ula Street will be improved as landscape public open space. On the east side of the Project is a CCH-owned parcel occupied by the Beachwalk Sewer Pump Station. The Applicant proposes to improve approximately 27,000 square feet of the frontage of this parcel along Kūhiō Avenue as a public landscaped open space in exchange for a transitional height setback reservation from the common property boundary.

There is a need for additional hotel accommodations in Waikīkī, especially given the current trend in the hospitality industry towards conversion of hotel rooms to timeshare units, or building new timeshare units with or without building hotel rooms. Since 2003, there has been a significant reduction in hotel units. This potential loss of hotel units will be mitigated in part by the development of the proposed project and the adjacent 2121 Kūhiō project. The project will also help revitalize underutilized property in the heart of Waikīkī by providing new commercial and retail venues, and upgrading public open space along Kūhiō Avenue. The project supports the long-term improvement of Kūhiō Avenue and the City and County of Honolulu's continuing efforts to revitalize and upgrade Waikīkī as a prime visitor destination and driver of Hawai'i's economy.

[KAUA'I \(HRS 343\)](#)

6. [Hanalei Plantation Resort EISPN](#)

Island: Kaua'i
District: Hanalei
TMK: (4) 5-4-004:001, 006 and 013
Permits: Section 401 and 404 of the Federal Clean Water Act, Federal Incidental Take Permit; Conservation District Use Application, Shoreline Certification, State Stream Channel Alteration Permit; NPDES Permit; SMA Use Permit; Shoreline Set-back Determination, Subdivision Permit; Grading & Grubbing Permit; Building Permit.

Applicant: Ohana Hanalei LLC, 745 Fort Street Mall, Suite 1450, Honolulu, HI 96813. Contact: Eric Crispin.

Approving

Agency: Kaua'i County Planning Department, 4444 Rice Street, Suite A473, Lihu'e, HI 96766. Contact: Michael Dahilig.

Consultant: Wilson Okamoto Corporation, 1907 South Beretania Street, Suite 400, Honolulu, HI 96826. Contact: Earl Matsukawa.

Status: Statutory 30-day consultation period starts, ending January 7, 2014. Please send comments to the applicant, approving agency, and consultant.



Proposed is an “applicant action” (HAR Section 11-200-6) by Ohana Hanalei LLC to redevelop and develop property for residential and resort uses as the Hanalei Plantation Resort in Princeville, Hanalei, Island of Kaua’i. The proposed Hanalei Plantation Resort will include a hotel and residential lots on an approximately 65.5-acre site located adjacent to and north of the Hanalei River. The project site is predominantly located within the State Urban District, except for an approximately 200-foot wide swath along the shoreline of the western boundary, which is within the Limited Subzone of the State Conservation District.

The County of Kaua’i’s General Plan land use designation for the project site is Resort and Open. The project site is zoned Resort District (RR-10) and Open District (O), and the majority of the site is designated within the Visitor Destination Area (VDA). The majority of the site is also located within the County’s Special Management Area (SMA) boundary and its shoreline is within the Shoreline Setback Area.

The proposed project is subject to the requirements of Chapter 343 of the Hawai’i Revised Statutes (HRS) (Hawai’i Environmental Policy Act) due to work in the Shoreline Setback Area and State Conservation District. The agency processing the EIS documents and responsible for acceptance of the Final EIS is the County of Kaua’i Planning Department, in conjunction with its processing of a Shoreline Setback Variance and Special Management Area permit for work related to the preservation of an archaeological site.

7. Pipeline Replacement Along Weke, ‘Anae, Mahimahi, and He’e Roads DEA (AFNSI)

Island: Kaua’i
District: Hanalei
TMK: (4) 5-5-03, (4) 5-5-04, and (4) 5-5-05
Proposing/Determination Agency: County of Kaua’i, Department of Water, 4398 Pua Loke Street, Lihue, HI 96766.
 Contact: Keith Aoki, 808-245-5411.
Consultant: Esaki Surveying and Mapping, Inc., 1610 Haleukana Street, Lihue, HI 96766.
 Contact: Maren Arismendez-Herrera, 808-246-0625.
Status: Statutory 30-day public review and comment period starts; comments are due by January 7, 2014. Please send comments to the proposing/determination agency and consultant.



The County of Kaua’i, Department of Water proposes to replace waterlines along Weke, ‘Anae, Mahimahi, and He’e Roads. The immediate impact is temporary traffic inconvenience and interruption in service during the transfer, as well as equipment noise, emissions, and fugitive dust from construction. Mufflers, water sprinkling, and restricted time of work will be implemented. The direct impact will be reliable water service to the homes; indirect input is better fire protection for the surrounding area. Long-term effect is improvement quality of life.

8. West Kaua’i Compost DEA (AFNSI)

Island: Kaua’i
District: Kekaha
TMK: (4) 1-2-02: por. 1
Permits: Lease
Proposing/ Determination Agency: Agribusiness Development Corporation, State Office Tower, 235 South Beretania Street, Room 205, Honolulu, HI 96813.
 Contact: Ivan Kawamoto, 808-586-0181.
Consultant: Land Strategies Hawai’i, PO Box 1174, Kapa’a, HI 96746.



Status: Contact: Sean Combs, 808-212-4006.
Statutory 30-day public review and comment period starts; comments are due by January 7, 2014. Please send comments to the proposing / determination agency and consultant.

The project would address the current and future need for a solution to greens waste that makes its way into our already taxed landfill system. According to the US Environmental Protection Agency (EPA) nationally, green wastes generated from landscapes and residential yards, and including food scraps, contribute to roughly twenty-four percent (24%) of the material entering the landfill. This organic material should be processed and recycled into compost, which also has the added benefit of reducing the amount of imported compost. Composting provides the benefit of utilizing our locally generated organic waste for applications in agriculture and landscaping, while providing the long-term benefits to our county of less waste in the landfill, new employment, and tax revenue. Composting is a natural form of recycling, which continually occurs in nature. Composting is a natural biological process that accelerates the breakdown of waste materials. Composting is the transformation of organic material (i.e., plant matter) through decomposition into a soil-like material called compost. Invertebrates (insects and earthworms) and microorganisms (bacteria and fungi) help in transforming the material into compost. With our state's heavy dependence on outside recourses, the cumulative impacts of the proposed action is the reduction of organic waste in our landfills, job creation, locally generating new compost material for use on farms and in yards, and literally adhering to the principal of reduce, reuse, and recycle.

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
Maui: Waihee (3-2-002: 018)	Main Dwelling, Carport (SM2 20120098)	Juan Cruz Reverberi
Maui: (2-8-004: 032)	After-the-Fact Potting Shed with Covered Deck (SM2 20130093)	Honig, Fredrick R Revc Lvg Tr
Maui: Lahaina (4-6-028: 038)	Window Replacements (SM2 20130133)	Bill Salwich
Maui: Lahaina (4-4-008: 001)	Restaurant Alteration - Unit H16 (SM2 20130134)	Ruby's Diner
Maui: Lahaina (4-5-003: 001 and 002)	Solar Panel Roof Installation (SM2 20130135)	Paul Laub
Maui: Paia (2-6-011: 024)	Main Dwelling Addition (SM2 20130136)	Bruce Miller
Maui: Paia (2-6-010: 042)	Kuau Aina Gate (SM2 20130137)	Peter Napolitano
Maui: Lahaina (4-5-002: 009)	Ground Signs/Front Street (SM2 20130138)	The Outlets of Maui
Maui: Maliko to Pauwela (2-5-004: 055)	Revised SMA Assessment for Consolidation and Resubdivision (SM2 20130139)	Nalu Ola Ranch, LLC
Maui: Molokai (5-6-006: 008)	Removal of Camping Structures (SM6 20130011)	Kamehameha Schools, Bishop Estate
O'ahu: Kamehameha Highway (6-2-004: 035)	Shave Ice Stand Using Syrup from Fruits Grown On-site (2013/SMA-37)	Wayde K. Tsue

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-1563	11/25/13	Lot 89 (Map 5) of Land Court Application 1052 situate at Makaha, Waianae, Oahu Address: 84-749 Moua Street Purpose: Setback purpose	Austin, Tsutsumi & Associates, Inc./ James D. & Christine M. Cote	8-4-006:010
MA-563	11/27/13	Portion of Land Commission Award 11216, Apana 21 to M. Kekauonohi being also all of Lot 52 of Makena Beach Lots situate at Palauea, Honuaula, Makawao, Maui Address: Makena Road Purpose: Planning for future use of subject parcel	Warren S. Unemori Engineering, Inc./ Larson Family Trust	2-1-011:017
HA-476	11/15/13	Portion of Parcel A being portion of Royal Patent 2237, Land Commission Award 8518-B to Kanehoa situate at Ouli, Waimea, South Kohala, Island of Hawaii Address: 66-100 Kauaoa Drive Purpose: Permitting purposes	Towill, Shigeoka & Associates, Inc./ Hapuna Beach Prince Resort Corp.	6-6-002:037
KA-382	11/13/13	Lot 16 of Map of Partition Haena Hui Land situate at Haena, Halelea, Kauai Address: 7550 Kuhio Highway Purpose: Establish landscaping parameters	Geoffrey Noble/ Chulack Family Trust	5-9-002:033

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
MA-555	Proposed Shoreline Certification	Lot 9-A Kahana Sunset Beach Lots situate at Alaeloa and Honokeana, Kaanapali, Maui Address: 5197 Lower Honoapiilani Road Purpose: Building setback	Arthur P. Valenica/ Robert & Nancy Hunt	4-3-007:009
KA-379	Proposed Shoreline Certification	Portion of Grant 1416 to Eke Oponui situate at Weliweli, Koloa, Kauai Address: Pee Road Purpose: Establish setback	Thomas Pattison/ CIRI Land Development Company	2-8-021:041
OA-1525	Rejection	Parcel 14 filled area of Kaneohe Bay fronting Lot 90 Land Court Application 979 situate at Kahaluu, Koolaupoko, Oahu Address: 47-123 Kamehameha Highway Purpose: Request for easement	Walter P. Thompson, Inc./ Beverly Hoversland & David Knox	4-7-019:078
OA-1526	Rejection	Parcel 11 of TMK (1) 6-8-008 situate at Waialua, Oahu Address: Farrington Highway Purpose: Property to be sold	Sam O. Hirota, Inc./ United States of America	6-8-008:011

MA-542	Rejection	Lot 53 of Land Court Application 1744 (Map 13) situate at Hanakaoo, Honokowai, Kaanapali, Lahaina, Maui Address: 2605 Kaanapali Parkway Purpose: Proposed repair and maintenance improvements	ControlPoint Surveying, Inc./ Kyo-Ya Hotels and Resorts LP	4-4-008:005
MA-543	Rejection	Maalaea Kai Condominiums being a portion of Grant 3152 to Henry Cornwell being a consolidation of Lots No. 6-A, 6-B, 7-A, 7-B and a portion of Lot 8 Maalaea Beach Lots Subdivision situate at Maalaea, Waikapu, Wailuku, Maui Address: 70 Hauoli Street Purpose: N/A	Akamai Land Surveying, Inc./ Maalaea Kai AOA, Inc.	3-8-014:021
MA-544	Rejection	Lot 1 of Kihei Beach Subdivision being a portion of Grant 3152 to Henry Cornwell situate at Pulehu-Nui & Waikapu, Kihei, Maui Address: 191 N. Kihei Road Purpose: N/A	Akamai Land Surveying, Inc./ William Sams	3-8-013:018

CONSERVATION DISTRICT USE APPLICATION

Persons interested in commenting on the following Conservation District Use Application or interested in receiving notification of determinations on Conservation District Use Applications must submit comments and requests to the Department of Land and Natural Resources. Notification requests must include the following information: 1) Name and address of the requestor; 2) The application for which the requestor would like to receive notice of determination; and 3) The date the notice was initially published in the Environmental Notice. Send comments and requests to: Department of Land and Natural Resources, Office of Conservation and Coastal Lands, P.O. Box 621, Honolulu, HI, 96809. DLNR will make every effort to notify those interested in the subject CDUAs. However, DLNR is not obligated to notify any person not strictly complying with the above requirements. For more information, please contact the Office of Conservation and Coastal Land's staff listed for each project.

PROJECT:

File No.: CDUA OA-3690
Name of Applicant: Board of Water Supply
Location: Honolulu and Ewa Districts, Island of Oahu
TMKs: (1) 9-8-007:003 and (1) 2-2-041:001 & 003
Proposed Action: Road Repair and Drainage Improvements
343, HRS Determination: Exempt
Applicant's Contact: David Bills, 808-792-2202
OCCL Staff Contact: Alex Roy, 808-587-0316

File No.: CDUA KA-3684
Name of Applicant: National Tropical Botanical Gardens
Location: Koloa District, Island of Kaua'i
TMKs: (4) 2-6-002:001 & 004-009
Proposed Action: Approval of 20-year Master Plan and Management Plan
343, HRS Determination: FONSI (February 23, 2013)
Applicant's Contact: Chipper Wichman, 808-332-7324
OCCL Staff Contact: Alex Roy, 808-587-0316

PROJECT:

File No.: CDUA MA-3688
Name of Applicant: County of Maui, Department of Environmental Management
Location: Wailuku, Maui
TMK: (2) 3-8-001:188
Proposed Action: Wailuku-Kahului Wastewater Reclamation Facility Shoreline Protection Extension
343, HRS determination: Final EIS published May 8, 2013
Applicant's Contact: Mich Hirano (808) 244-8729
OCCL Staff Contact: Tiger Mills (808) 587-0382

NEPA NOTICE

Dillingham Waterline for Ka'ena Point Satellite Tracking Station (Section 106 Consultation)

Island: O'ahu
District: Wai'anae and Waialua
TMK: Project within (1) 69001004, 69003002, 69005005, 69005007, 69004019 & 69004021; Additional adjacent TMKs are listed in the Section 106 document, Attachment 3

Applicant or Proposing

Agency: United States Air Force (USAF), Kaena Point Satellite Tracking Station
PO Box 868, Waianae, HI 96792. Contact: Lance Hayashi, 808-697-4314.

Approving

Agency: USAF, Kaena Point STS. Contact: Lance Hayashi, 808-697-4314.

Status: Comments due no later than December 23, 2013 to: Lance Hayashi, Det 3, 21 SOPS/CE, PO Box 868, Waianae, HI 96792-0868. Phone: 808-697-4314.

The US Air Force (USAF), Detachment 3, 21st Space Operations Squadron (Det 3, 21 SOPS) at Kaena Point Satellite Tracking Station (KPSTS) proposes to repair, upgrade, or replace (while maintaining its current size, location and capacity) its existing water transfer system (waterline) from its service connection by YMCA Camp Erdman, west along Farrington Highway and unimproved roadways, south up an unnamed gulch and ending at a pumping station within KPSTS on Kuaokala Ridge. The proposed action's Environmental Assessment (EA) was available for public review and comments from August 8 to September 7, 2013.

KPSTS has requested SHPD's concurrence with its conclusion that the proposed undertaking will have "no adverse effect" on historic properties. The consultation document is also available for review at the Waianae Public Library and the Waialua Public Library during the review period ending December 23, 2013.

FEDERAL NOTICES

1. **[The Nationwide Use of High Frequency and Ultra High Frequency Active SONAR Technology Issued A Finding of No Significant Impact \(FONSI\)](#)** - November 26, 2013

The Coast Guard (USCG) announces the availability of the Final Programmatic Environmental Assessment (PEA) for the Nationwide Use of High Frequency (HF) and Ultra High Frequency (UHF) Sound Navigation and Ranging (SONAR) Technology and Finding of No Significant Impact (FONSI). The USCG is proposing the nationwide use of active SONAR technologies that operate at frequencies of 50 kiloHertz (kHz) and greater from fixed and mobile platforms. Active SONAR technology would be used in support of USCG missions to locate, image, and classify submerged/underwater targets of interest (TOI). The PEA is a program-level document that

will provide the USCG with management-level analysis of the potential impacts of each alternative on the human and natural environments.

CONTACT: If you have questions on this notice or regarding the Proposed Action, contact Mr. Kenneth McDaniel, CT & WMD Senior Program Manager, Office of Counterterrorism & Defense Operations Policy, by telephone 202-372-2119 or email Kenneth.L.McDaniel@uscg.mil. For information on the National Environmental Policy Act (NEPA) or to request paper copies of the PEA or FONSI contact Ms. Kebby Kelley (CG-47), Program Manager, USCG NEPA/Historic Resources, by telephone 202-475-5690 or email Kebby.Kelley@uscg.mil. If you have questions on viewing or submitting material to the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone 202-366-9826.

2. [**The National Marine Fisheries Service \(NMFS\) Is Requesting Cost and Earnings Information About Hawaii and American Samoa Small Boat-Based Fisheries**](#) - November 25, 2013

The National Marine Fisheries Service (NMFS) proposes to collect information about fishing expenses and catch distribution (such as for sale, home consumption, and give-away, etc.) in the Hawaii and American Samoa small boat-based reef fish, bottomfish, and pelagics fisheries with which to conduct economic analyses that will improve fishery management in those fisheries; satisfy NMFS' legal mandates under Executive Order 12866, the Magnuson-Steven Fishery Conservation and Management Act (U.S.C. 1801 et seq.), the Regulatory Flexibility Act, the Endangered Species Act, and the National Environmental Policy Act; and quantify achievement of the performances measures in the NMFS Strategic Operating Plans. Respondents will include small boat fishers in Hawaii and American Samoa and their participation in the economic data collection will be voluntary. These data will be used to assess how fishermen will be impacted by and respond to regulations likely to be considered by fishery managers. This request is for a new information collection.

Written comments must be submitted on or before **January 24, 2014**. ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via the Internet at JJessup@doc.gov). CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Minling Pan, (808) 944-2190 or Minling.Pan@noaa.gov.

3. [**Materials License Issued for Possession of Depleted Uranium \(DU\) at Schofield Barrack and Pohakuloa Training Area Installations in Hawaii**](#) - November 22, 2013

The U.S. Nuclear Regulatory Commission (NRC) has issued a license to the U.S. Army, Installation Management Command, for possession of depleted uranium (DU) from the Davy Crockett weapon spotting round at the U.S. Army's Schofield Barracks and Pohakuloa Training Area installations in Hawai'i. The Army informed the NRC in November 2006 that it had discovered DU fragments at the Schofield Barracks. Following that discovery, the Army determined that the Davy Crockett system had been used at other Army installations. The Army has a sufficient amount of DU that, under the Atomic Energy Act and NRC regulations, it is required to have a radioactive materials license. The Army submitted a license application in November 2008 for the DU at the Hawaiian sites. In the future, the Army will request amendments the license to address Davy Crockett DU at the other sites.

Please refer to Docket ID NRC-2009-0352 when contacting the NRC about the availability of information regarding this document. You may access publicly-available information related to this document using any of the following methods: Federal Rulemaking Web site: Go to <http://www.regulations.gov> and search for Docket ID NRC-2009-0352. Address questions about NRC dockets to Carol Gallagher; telephone: 301-287-3422; email: Carol.Gallagher@nrc.gov. You may access publicly available documents online in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. CONTACT: Dominick Orlando, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001, telephone: 301-415-6749, email: Dominick.Orlando@nrc.gov.

4. [**An Updated List of Plant and Animal Species Endangered, Threatened Wildlife and Plants and Proposed Candidate Species has been Released by The U.S. Fish and Wildlife Service**](#) -November 22, 2013

In this Candidate Notice of Review (CNOR), the U.S. Fish and Wildlife Service (Service), present an updated list of plant and animal species native to the United States that are regarded as candidates for or have proposed for addition to the Lists of Endangered and Threatened Wildlife and Plants under the Endangered Species Act of 1973, as amended. Identification of candidate species can assist environmental planning efforts by providing advance notice of potential listings, allowing landowners and resource managers to alleviate threats and thereby

possibly remove the need to list species as endangered or threatened. Even if we subsequently list a candidate species, the early notice provided here could result in more options for species management and recovery by prompting candidate conservation measures to alleviate threats to the species.

The CNOR summarizes the status and threats that were evaluated in order to determine that species qualify as candidates and to assign a listing priority number (LPN) to each species or to determine that species should be removed from candidate status. Additional material that was relied on is available in the Species Assessment and Listing Priority Assignment Forms (species assessment forms) for each candidate species.

Overall, this CNOR recognizes no new candidates, changes the LPN for three candidates, and removes three species from candidate status. Combined with other decisions for individual species that were published separately from this CNOR in the past year, the current number of species that are candidates for listing is 146. The document also includes the findings on resubmitted petitions and describes the progress in revising the Lists of Endangered and Threatened Wildlife and Plants (Lists) during the period October 1, 2012, through September 30, 2013. Additional status information is requested that may be available for the 146 candidate species identified in this CNOR.

The Service's progress in FY 2012 included completing and publishing a number of listing determinations including: Listing 15 species on Hawaii Island as endangered and designating critical habitat for 3 species (published 10/17/2012); And determination of endangered species status for 15 species on Hawaii Islands (published on 10/29/2012). The document also includes updated summaries for petitioned candidates such as the Band-rumped storm-petrel, Hawai'i DPS (*Oceanodroma castro*) and Hawaiian yellow-faced bee (*Hylaeus anthracinus*).

5. [The Proposed 2014 Standards for the Renewable Fuel Standard Program is Available and Open for Comments](#) - November 29, 2013

Under section 211(o) of the Clean Air Act, the Environmental Protection Agency is required to set the renewable fuel percentage standards each November for the following year. This action proposes the annual percentage standards for cellulosic biofuel, biomass-based diesel, advanced biofuel, and renewable fuels that would apply to all motor vehicle gasoline and diesel produced or imported in the year 2014. For cellulosic biofuel, the statute specifies that EPA is to project the volume of production and must base the cellulosic biofuel standard on projected available volume if it is less than the applicable volume set forth in the Act. The EPA is proposing a cellulosic biofuel volume for 2014 that is below the applicable volume specified in the Act. The statute also provides EPA the discretion to adjust the volumes of advanced biofuel and total renewable fuel under certain conditions. Relying on its Clean Air Act waiver authorities, EPA is proposing to adjust the applicable volumes of advanced biofuel and total renewable fuel to address projected availability of qualifying renewable fuels and limitations in the volume of ethanol that can be consumed in gasoline given practical constraints on the supply of higher ethanol blends to the vehicles that can use them and other limits on ethanol blend levels in gasoline. These adjustments are intended to put the program on a manageable trajectory while supporting growth in renewable fuels over time. Finally, the statute requires EPA to determine the applicable volume of biomass-based diesel to be used in setting annual percentage standards under the renewable fuel standard program for years after 2012. EPA is proposing the applicable volume of biomass-based diesel that would apply in 2014 and 2015. EPA is requesting comment on a variety of alternative approaches and on a range of inputs and methodologies relevant for setting the applicable standards.

Comments must be received on or before **January 28, 2014**. Hearing: We intend to hold a hearing. Details of the location and date will be provided in a separate notice. Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2013-0479, by one of the following methods: www.regulations.gov: Follow the on-line instructions for submitting comments. Email: a-and-r-docket@epa.gov. Mail: Air and Radiation Docket and Information Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave. NW. Washington, DC 20460.

6. [Regulations Issued to Govern the Unintentional Taking of Marine Mammals Incidental to U.S. Navy Training and Testing Activities Including: Sonar Use, Underwater Detonations, and Ship Strike](#) - December 4, 2013

Upon application from the U.S. Navy (Navy), the National Marine Fisheries Service (Service) issued regulations under the Marine Mammal Protection Act (MMPA) to govern the unintentional taking of marine mammals incidental to training and testing activities conducted in the Atlantic Fleet Training and Testing (AFTT) Study Area from November 2013 through November 2018. These regulations allow The Service to issue Letters of Authorization (LOA) for the incidental take of marine mammals during the Navy's specified activities and timeframes, set forth the permissible methods of taking, set forth other means of effecting the least practicable

adverse impact on marine mammal species or stocks and their habitat, and set forth requirements pertaining to the monitoring and reporting of the incidental take.

Included in this document is a discussion about cetacean and sound mapping impacts on species or stocks and their habitat (e.g., Humpback Whale Cautionary Area in Hawai'i). Thresholds for sonar and other active acoustic sources for marine mammals found in Hawaii (e.g. Hawaiian Monk Seal) are also provided.

Effective date: December 3, 2013. Applicability date: November 14, 2013 through November 13, 2018. To obtain an electronic copy of the Navy's application, our Record of Decision, or other referenced documents, visit the internet at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications>.

Documents cited in this notice may also be viewed, by appointment, during regular business hours, at the aforementioned 1315 East West Highway, Silver Spring, MD 20910. CONTACT: Brian D. Hopper, Office of Protected Resources, NMFS, (301) 427-8401. A copy of the Navy's application may be obtained by visiting the internet at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications>. The Navy's Final Environmental Impact Statement/Overseas Environmental Impact Statement (FEIS/OEIS) for AFTT may be viewed at <http://www.aftteis.com>. Documents cited in this notice may also be viewed, by appointment, during regular business hours, at the aforementioned address.

7. **The Federally-Enforceable Air Quality State Implementation Plans (SIP) are Available** - November 29, 2013

Section 110(h) of the Clean Air Act, as amended in 1990 (the "Act"), requires EPA by November 15, 1995, and every three years thereafter, to assemble the requirements of the federally-enforceable State Implementation Plans (SIPs) in each State and to publish notice in the Federal Register of the availability of such documents. This notice of availability fulfills the three-year requirement of making these SIP compilations for each State available to the public. In addition to state regulations that provide for air pollution control, SIPs include EPA-approved non-regulatory elements such as transportation control measures, local ordinances, state statutes, modeling demonstrations, and emission inventories).

DATES: Effective November 29, 2013. You may contact the appropriate EPA Regional Office regarding the requirements of the applicable implementation plans for each State in that region. Region 9: Arizona, California, Hawaii, Nevada, American Samoa, and Guam. Regional Contacts: Lisa Tharp (415/947-4142) and Andy Steckel (415/947-4115), EPA, Air Division, Rules Office, (AIR-4), 75 Hawthorne Street, San Francisco, CA 94105. See also: <http://www.epa.gov/region9/air/sips/>.



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).