

# The Environmental Notice

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

## [30-Day Comment Period Extension for the Pu'unani Subdivision EISPN](#)

The Land Use Commission, approving agency for the proposed Pu'unani Subdivision EIS, extended the comment period to the subdivision's Environmental Impact Statement Preparation Notice for thirty days ending on February 6, 2014, pursuant to Hawaii Administrative Rules, Section 11-200-15(a), which allows an approving agency to extend a public comment period when requested by a consulted party that shows good cause. The EISPN was published on December 8, 2013, with a comment period ending January 7, 2014, but now extended to February 6, 2014.

The EISPN also lists an incorrect address for the approving agency. Please submit comments to: Dan Orodener, Executive Director, State of Hawai'i, Land Use Commission, P.O. Box 2359, Honolulu, Hawaii **96804**

### Project History:

- On January 23, 2009, a [Draft Environmental Impact Statement](#) (DEIS) was published in this Notice.
- In August 2013, the applicant (Pacific Rim Land, Inc., on behalf of Towne Development of Hawaii Inc., Association II Wai Hui, LP, and Endurance Investors) requested to withdraw the DEIS. [The withdrawal](#) was published on August 8, 2013.
- A new [Environmental Impact Statement Preparation Notice](#) (EISPN) was prepared and published on [December 8<sup>th</sup> 2013](#), to address new information and plans.
- The EISPN statutory comment period ended on January 7<sup>th</sup> 2014. Pursuant to Hawai'i Administrative Rules Section 11-200-15 (B) the comment period for the EISPN has been extended by the Land Use Commission to February 6, 2014.

## [Drones - Potential Relocation of the US Navy Unmanned Aerial Vehicle Squadron to Hawai'i](#)

The US Navy has prepared a Draft Environmental Assessment (EA) to relocate Marine Unmanned Aerial Squadron Three (VMU-3) to Hawai'i under the National Environmental Policy Act (NEPA). The squadron is currently stationed at the Marine Corps Air Ground Combat Center (MCAGCC) at Twentynine Palms, California. The proposed action includes the relocation of unmanned aircraft systems and about 480 personnel and dependents to Marine Corps Base Hawaii (MCBH) Kāne'ōhe Bay as well as the conduct of unmanned aircraft training within existing Hawaii military training airspace. For more information see page 9.



Photo by: Sgt. Eric Warren



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](mailto: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

**Note:** If you get a message saying that the file is damaged when you click on the link, then the file is too big to open within your web browser. To view the file, download directly to your hard drive by going to File and select Save As in your web browser.

**FRONT PAGE**

[Pu'unani Subdivision Project Public Comment Period Extended](#)  
[Potential Relocation of the US Navy Unmanned Aerial Vehicle Squadron to Hawai'i](#)

**HAWAI'I (HRS 343)**

- 1. [Disposition of State Land for Expansion of UH-Hilo FEA \(FONSI\)](#) ..... 3
- 2. [Pāhoā Park Expansion Master Plan FEA \(FONSI\)](#) ..... 3
- 3. [Robinson Swimming Pool in the Shoreline Setback Area DEA \(AFNSI\)](#) ..... 4

**MAUI (HRS 343)**

- 4. [Pukalani Tank Site Exploratory Water Well DEA \(AFNSI\)](#) ..... 5

**MOLOKA'I (HRS 343)**

- 5. [Moloka'i High School Science Facility Upgrades DEA \(AFNSI\)](#) ..... 5

**O'AHU (HRS 343)**

- 6. [Atlantis Adventures Maintenance Facility at Pier 27 DEA \(AFNSI\)](#) ..... 6
- 7. ['Ewa Elementary School, Eight-Classroom Building DEA \(AFNSI\)](#) ..... 7
- 8. [Schofield Generating Station Project \(SGSP\) EISPN](#) ..... 7
- 9. [Wai'ānae Coast Campus Leeward Community College DEA \(AFNSI\)](#) ..... 8

**NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) NOTICE**

[Relocate Marine Unmanned Aerial Vehicle Squadron Three from Marine Corps Air Ground Combat Center, Twentynine Palms, California to Hawai'i DEA](#) ..... 9

**COASTAL ZONE MANAGEMENT NOTICES**

*Federal Consistency Reviews* ..... 10  
*Special Management Area Minor Permits* ..... 11

**SHORELINE NOTICES**

*Shoreline Certification Applications* ..... 11  
*Shoreline Certifications and Rejections* ..... 12

**CONSERVATION DISTRICT USE APPLICATION**

*Makai Hana V (Versa Development) Consolidation of Land, CDUA MA-3697* ..... 13

**FEDERAL NOTICES** ..... 13

- 1. [Incidental Taking of Marine Mammals Regulations Issued for U.S. Navy Activities in the Hawai'i-Southern California Training and Testing Area](#) ..... 13
- 2. [Record of Decision for Navy Activities in Hawai'i-Southern California Training and Testing Area](#) ..... 14
- 3. [Proposal to Amend the Fishery Ecosystem Plan for Pelagic Fisheries of the Western Pacific Region](#) ..... 14

**GLOSSARY** ..... 15



## HAWAII (HRS 343)

### 1. Disposition of State Land for Expansion of UH-Hilo FEA (FONSI)

**Island:** Hawai'i  
**District:** South Hilo  
**TMK:** (3) 2-4-001: 024; 2-4-056: 014; 2-4-056: 016  
**Permits:** National Pollutant Discharge Elimination (NPDES) Permit, Grubbing and Grading Permit, Building Permit, Underground Injection Control (UIC) Permit.

#### **Proposing/Determination**

**Agency:** University of Hawai'i, 200 West Kawili Street, Hilo, HI 96720-4091.

Contact: Harry Yada, 808-933-9911.

**Consultant:** PBR HAWAII & Associations, Inc., 1001 Bishop Street, Suite 650, Honolulu, HI 96813.

Contact: Roy Takemoto, 808-521-5631.

**Status:** Finding of No Significant Impact Determination.



The Board of Land & Natural Resources has approved to lease two of the parcels (TMK 2-4-001:24 and 2-4-056:014) to the University of Hawai'i, but requires an environmental assessment to complete the process. For the third parcel (2-4-056: 016), the federal government presently leases the parcel to the University of Hawai'i and intends to decommission and revert ownership of this parcel to the State. Upon reversion to the State, the University of Hawai'i intends to request a lease on the former Army Reserve facility from the Board of Land & Natural Resources for use by the University. All three parcels will be included in the UHH's Long-Range Development Plan (LRDP) to determine the best use for university-related purposes.

The specific plan for the Project Area will be determined through the UHH's Long-Range Development (LRDP). The last LRDP for UHH, completed in March 1996, did not include the Project Area. Since 1996, the student population has grown and the addition of the proposed parcels will allow UHH to accommodate future student population growth. The 1996 LRDP is being updated and will include proposed uses for the Project Area as well as recent and proposed new buildings for the entire campus.

### 2. Pāhoā Park Expansion Master Plan FEA (FONSI)

**Island:** Hawai'i  
**District:** Puna  
**TMK:** (3) 1-5-002:020  
**Permits:** NPDES Permit, Grubbing and Grading Permit, Building Permit, Underground Injection Control (UIC) Permit.

#### **Proposing/Determination**

**Agency:** County of Hawai'i, Department of Parks and Recreation, 101 Pauahi Street, Suite 6, Hilo, HI 96720-4224.

Contact: James Komata, 808-961-8311.

**Consultant:** PBR Hawaii, 1001 Bishop Street, Suite 650, Honolulu, HI 96813. Contact: Roy Takemoto, 808-521-5631.

**Status:** Finding of No Significant Impact Determination



The Pāhoā Park Expansion Master Plan is a proposed expansion of an existing County park. The master plan site consists of 71.121 acres. The eastern quarter of this 71 acre parcel is currently developed with park and community facilities including an aquatic center, ball fields, a basketball court, a skate park, a Community Center, and a Senior Center.

The purpose of this Pāhoā Park Expansion Master Plan is to: 1) provide improved and more diverse athletic and recreational opportunities to Pāhoā Town and the entire Puna District; 2) remedy the existing drainage problems often present at the park; and 3) provide an orderly build out of the park with appropriate pedestrian and vehicular circulation, and adequate infrastructure to support the master plan build out.

This master plan implements a course of action of the General Plan to “maximize the use of the Pāhoā Neighborhood Facility site to serve the recreational needs of the lower Puna area” (General Plan §12.5.1.2). The General Plan also recognizes that “cool and rainy weather requires that there be extensive covered and indoor recreational areas.” This master plan also implements an action proposed by the Puna Community Development Plan to expand the existing park and create a regional park.

### 3. [Robinson Swimming Pool in the Shoreline Setback Area DEA \(AFNSI\)](#)

**Island:** Hawai‘i  
**District:** North Kona  
**TMK:** (3rd) 7-5-005:024  
**Permits:** Special Management Area Permit or Exemption and NPDES Permit (if dewatering necessary).  
**Applicant:** Jim Robinson, 75-5492 Kona Bay Drive, Kailua-Kona, HI 96745.  
**Approving Agency:** County of Hawai‘i, Planning Department, 101 Aupuni Street, Suite 3, Hilo HI 96720. Contact: Daryn Arai, 808-961-8142.  
**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 February 7, 2014. Please send comments to the applicant, approving agency, and consultant.



Jim Robinson proposes to build a 15 by 30-foot saltwater swimming pool and related improvements between his home and a wall that forms the makai boundary of his Kona Bay Estates property and is the certified shoreline. The proposed location mauka of the wall is the only available site on this small lot for a pool. The improvements also include a 7.5-foot diameter spa at grade, a tile pool deck and a 4-foot high pool security fence set back 5 feet from the existing rock wall.

The Kona Bay Estates subdivision has a public access plan with two 10-foot-wide mauka-makai access points and a lateral shoreline access for hikers, sunbathers and fishers along the top of a low rock wall on the makai edge of all the oceanfront properties. The shoreline fronting the subdivision was certified in 1984 at between 22 feet and 42 feet seaward of the makai property line of the parcels. This allowed many neighboring lots to utilize the area behind the wall for structures, including swimming pools without a shoreline setback variance. There are currently 20 swimming pools similarly positioned on the subdivision’s 32 lots. There do not appear to have been any adverse impacts on shoreline processes or ecosystems as a result of these having pools on the mauka side of the subdivision wall, and lateral shoreline access has been carefully maintained along the wall. No sensitive biological, hydrological, archaeological, cultural or other important resources are present on the lot. As such, the Robinsons’ proposed pool has little potential to cause long-term adverse impacts.

Construction activities would produce short-term impacts to noise, air quality, access and scenery. Implementation of standard construction Best Management Practices are proposed as Shoreline Setback Variance conditions to ensure that construction-related damage is avoided or minimized.

MAUI (HRS 343)

4. Pukalani Tank Site Exploratory Water Well DEA (AFNSI)

**Island:** Maui  
**District:** Makawao  
**TMK:** (2nd) 2-3-007:030 and 035; ROW of Kula Highway  
**Permits:** Well Construction/Pump Installation Permit, Grading Permit, NPDES Permit.

**Proposing/Determination**

**Agency:** Department of Land and Natural Resources, Engineering Division, 1151 Punchbowl Street, Room 221, Honolulu, HI 96813.  
Contact: Gayson Ching, 808-587-0232.

**Consultant:** Geometrician Associates, PO Box 396, Hilo HI 96721. Contact: Ron Terry, 808-969-7090 or [rterry@hawaii.rr.com](mailto:rterry@hawaii.rr.com).

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



The Hawai'i State Department of Land and Natural Resources, Engineering Division (DLNR) proposes to develop an exploratory potable water well at the Maui Department of Water Supply (MDWS) Pukalani Tank Site on Kula Highway. The well is intended primarily to provide potable water for future State of Hawai'i projects, including school projects for the Department of Education and residential developments of the Department of Hawaiian Home Lands. DLNR intends to enter into an agreement with MDWS to integrate this new source into the existing MDWS water system and transfer ownership to the County of Maui. This arrangement would also provide some portion of the water for other uses that are needed in the MDWS Upcountry water systems.

No adverse impact upon the sustainable yield of the aquifer will occur. As the site has been completely converted to water utility uses, no sensitive native flora or fauna or historic sites are present. Noise, traffic and visual impacts will be negligible. If testing of the exploratory well indicates an adequate quantity of water of acceptable water quality, another EA will be prepared to discuss the impacts related to conversion to a production well and subsequent use.

MOLOKA'I (HRS 343)

5. Moloka'i High School Science Facility Upgrades DEA (AFNSI)

**Island:** Moloka'i  
**District:** Moloka'i  
**TMK:** 5-2-015:001 (por)  
**Permits:** Land Use Special Permit and Conditional Permit.

**Proposing/Determination**

**Agency:** Department of Education, Office of School Facilities and Support Services, Facilities Development Branch, 1151 Punchbowl Street, Room 431, Honolulu, HI 96813. Contact: William George, 808-586-0465.

**Consultant:** Kimura International, 1600 Kapi'olani Boulevard, Suite 1610, Honolulu, HI 96814.  
Contact: Leslie Kurisaki, 808-944-8848.

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



The State Department of Education (DOE) proposes to construct a building with two science classroom labs at Moloka'i High School. Molokai High School is the island's only high school, with an

enrollment of 340 students in grades 9 through 12. The project is needed to provide the school with proper science classroom labs meeting Hawai'i State educational standards. Since the separation of Moloka'i High School and Moloka'i Middle School in 2004, the high school has been without laboratory classrooms and instead uses two general purpose classrooms for all science instruction. These classrooms lack basic equipment such as individual lab tables, sinks, gas and water connections. As a result, many lab procedures cannot be conducted or are done at a single demonstration station. In other instances, students must watch virtual lab experiments on their computers, a passive learning method that is less effective than active, hands-on education.

The project site fronts Farrington Avenue, near the entry to the high school. The rectangular-shaped building will displace an existing movable trailer which houses student support offices. The trailer will be relocated nearby. About half of the new building will extend into an area that is currently overgrown and unused.

Each of the two new classroom labs will be approximately 1,730 square feet (SF) in size, with desk seating and eight lab stations located around the periphery of the room. Between the two classrooms, there will be a shared teacher prep room, restroom, and storage spaces. Total building area is approximately 4,500 SF.

The project may also include a small wind turbine as an educational pilot project. The wind turbine will provide a renewable source of energy for the new classroom building. It will be mounted on a tower between 45 and 65 feet high and be located northwest of (behind) the building. In this area, the project will also provide an 8' x 8' rainwater harvest tank. Both the wind turbine and the rainwater tank will support the school's environmental science education and sustainability improvements. A catchment basin next to the building can be used by students as a dry *lo'i* garden.

Construction of the new science classroom building is scheduled to begin in late 2014 and be completed in about 12 months.

## O'AHU (HRS 343)

### 6. Atlantis Adventures Maintenance Facility at Pier 27 DEA (AFNSI)

**Island:** O'ahu  
**District:** Honolulu  
**TMK:** (1) 1-5-038: 001  
**Permits:** Building permit.  
**Applicant:** Atlantis Adventures LLC, Pier 40, Honolulu, HI 96816.  
 Contact: Jon Chapman, 808-832-6603  
 / [jchapman@atlantisadventure.com](mailto:jchapman@atlantisadventure.com).

**Approving Agency:** Department of Transportation, Harbors Division, 79 South Nimitz Hwy, Honolulu, HI 96813.  
 Contact: Dean Watase, 808-587-1883  
 / [dean.watase@hawaii.gov](mailto:dean.watase@hawaii.gov).

**Consultant:** Environmental Communications, Inc., PO Box 236097, Honolulu, HI 96823.  
 Contact: Taeyong Kim, 808-528-4661/[tkim@environcom.com](mailto:tkim@environcom.com).

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



The proposed action consists of the construction of a warehouse and maintenance complex for Atlantis Adventures which operates the Atlantis Submarines and the Navatek whale watch and dinner cruise boat. The central warehouse building will consist of a two-story structure comprised of stacked shipping containers configured to serve as the perimeter of the warehouse. A metal roof will be placed over the stacked containers to create a weather-proof central work and storage area. Ancillary buildings include three office trailers with decks, and two additional storage containers located close to dockside.

for storage and electrical equipment, for a total floor area of 12,309 square feet and a lot coverage figure of 9,763 square feet.

Ancillary parking will be provided adjacent to the warehouse and trailer offices. A total of 31 stalls will be provided including 2 required accessible stalls. Two separate loading stalls will also be provided.

Improvements proposed over the submerged lands include approximately 300 linear feet of 8-foot wide dock walkways.

The proposed action is required as the current operations located at Pier 40 are subject to the Kapālama Container Terminal and Tenant Relocation Plan. The proposed improvements at Pier 27 will not result in any significant expansion over the current operations at Pier 40.

## 7. [‘Ewa Elementary School, Eight-Classroom Building DEA \(AFNSI\)](#)

**Island:** O‘ahu  
**District:** ‘Ewa  
**TMK:** (1) 9-1-017: 002  
**Permits:** Community Noise Permit and Grading, Grubbing, and Stockpiling Permits.

### Proposing/Determination

**Agency:** Department of Education, Facilities Development Branch, 1151 Punchbowl Street, Room 431, Honolulu, HI 96813.  
Contact: Ron Hagino, 808-586-0434.

**Consultant:** Belt Collins Hawaii LLC, 2153 North King Street, Suite 200, Honolulu, HI 96819.  
Contact: John Chung, 808-521-5361.

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



The DOE proposes to build a new one-story, eight-classroom building at the existing ‘Ewa Elementary School (9-1-017: 002). The new building will include six general education classrooms, one special education classroom, one computer lab, one faculty center, student restrooms, and various utility rooms and closets. In addition to the building, other improvements include walkways, a fire access road, utility connections, a drainage system, and trash enclosure relocation. New landscaping and an irrigation system are also incorporated into the project. The proposed building will be located on the west side of campus, in a grassy area currently utilized as a playfield.

‘Ewa Elementary School is located in an area that continues to see significant growth in the residential population over the past several years. Several permanent classroom buildings and portables have been added, however, enrollment has continued to exceed the capacity of the school.

## 8. [Schofield Generating Station Project EISPN](#)

**Island:** O‘ahu  
**District:** Wahiawā  
**TMK:** (1) 77001001, 002; (1) 73001001, 002, 006, 007, 008, 009, 011, 012, 013, 019, 022 & 024; (1) 76001001 & 006; (1) 94012001, 003 & 011

**Permits:** Air Permit; Excavation Permit – Army; Airport Hazard Area Zone Permit; Pressure Vessel Installation Permit; Street Usage Permit; Building Permit.

**Applicant:** Hawaiian Electric Company, 820 Ward Ave, Honolulu, HI 96814. Contact: Jack Shriver, 808-543-4088.

**Approving Agency:** Department of Land and Natural Resources, 1151 Punchbowl Street, Room 131, Honolulu, HI 96813. Contact: William Aila, 808-587-0400.

**Consultant:** Tetra Tech, Inc., 1999 Harrison Street, Suite 500, Oakland, CA 94612.



Contact: John Bock, 510-302-6249.

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

The proposed action is the granting of a lease and easement of Army land on Schofield Barracks, and granting of an easement and conservation district authorization to cross state land, to Hawaiian Electric for the construction, ownership, operation, and maintenance of a 50 MW biofuel-capable power generation plant (the Schofield Generating Station or SGS) and sub-transmission line to connect the plant to the Hawaiian Electric grid.

For Hawaiian Electric, the SGSP would provide a quick-starting facility to help maintain grid stability and compensate for increasing network penetration by variable power generation, such as wind and solar; provide a facility at a higher elevation and away from coastlines, which contributes to grid reliability and continuity if a natural disaster occurs; provide a physically secure facility on a military installation, contributing to grid continuity of operation in cases of a manmade threat; and make progress towards the State Renewable Portfolio Standards.

For the Army the SGSP would provide energy security for its three installations if loss of service occurs from the normal sources of electricity supporting these installations. It would also to help achieve the Army goals of producing renewable energy on Army-owned real property and increasing installation use of electricity from renewable energy sources.

## 9. Wai'ānae Coast Campus Leeward Community College DEA (AFNSI)

**Island:** O'ahu

**District:** Mā'ili

**TMK:** (1) 8-7-004:041

**Permits:** Building and Grading Permits.

### **Proposing/Determination**

**Agency:** University of Hawaii System, Office of Capital Improvements, 1960 East-West Road, Biomedical Sciences B-102, Honolulu, HI 96822.

Contact: Bruce Teramoto, 808-956-4800.

**Consultant:** Wilson Okamoto Corporation, 1907 S. Beretania Street, Suite 400, Honolulu, HI 96826. Contact: Milton Arakawa, 808-946-2277.

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

Leeward Community College is proposing to relocate its Wai'ānae Coast Campus to a 2.52 acre parcel located at 87-380 Kula'āupuni Street in Mā'ili, O'ahu. The Wai'ānae Coast Campus presently leases approximately 10,000 square feet adjacent to the Wai'ānae Mall. Enrollment at the Wai'ānae Coast Campus has increased 53% over the past 5 years. Classrooms at the existing location are over optimal capacity and overcrowded.

The Kula'āupuni Street parcel contains a vacant one-story building of approximately 38,600 square feet of floor area. The building was constructed as a telecommunications building, but was never used for that purpose and has been vacant for over 10 years. Renovations to the site are proposed in two phases. Phase I is intended to meet existing and near term program needs. Approximately 14,000 square feet of the building would be renovated. Five classrooms, wet lab, math computer lab, a computer/English lab, testing center, faculty office spaces, administration area, and 28 parking stalls are proposed. Phase II includes a selective expansion of various credit and non-credit programs. This includes the Learning Resource/Center surrounded by discipline clusters of classrooms, including liberal arts, arts and digital media, culinary arts, nursing, automotive technology, and an additional 71 parking stalls.



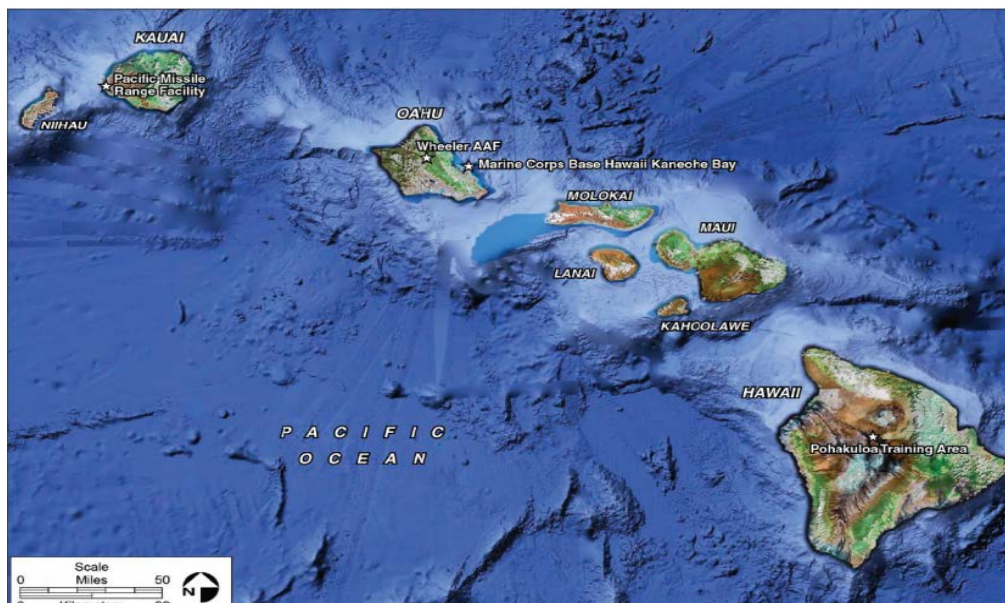


NEPA NOTICE

[Relocate Marine Unmanned Aerial Vehicle Squadron Three \(VMU-3\) From Marine Corps Air Ground Combat Center \(MCAGCC\), Twentynine Palms, California to Hawai'i](#)

**Applicable Law:** National Environmental Policy Act (NEPA)  
**Type of Document:** DEA  
**Islands:** Hawai'i, Kaua'i, O'ahu  
**District:** Various  
**TMK:** Various  
**Permits Required:** Various  
**Proposing/Approving Agency:** Department of the Navy, Naval Facilities Engineering Command, Pacific, 258 Makalapa Drive, Suite 100, Pearl Harbor, HI 96860-3134.  
Contact: Planner in Charge, VMU-3 EA, EV2  
**Consultant:** Leidos, 405 South 8<sup>th</sup> Street, Suite 301, Boise, ID 83702.  
**Status:** The draft EA and a comment form will be available to download and review at <http://www.mcbhawaii.marines.mil/UnitHome/FeaturedInformation/UAV.aspx>. Comments should be e-mailed or postmarked by **February 10, 2014** to [usmc.vmu3ea@leidos.com](mailto:usmc.vmu3ea@leidos.com) or mailed to Planner in Charge, VMU-3 EA, Code EV2, Naval Facilities Engineering Command, Pacific, Pearl Harbor, HI 96860-3134.

Pursuant to the National Environmental Policy Act, the U.S Navy has prepared a draft Environmental Assessment (EA) for public review. The EA analyzes the potential environmental effects associated with the proposed VMU-3 relocation, which includes relocation of unmanned aircraft systems and about 480 personnel and dependents to Marine Corps Base Hawaii (MCBH) Kaneohe Bay, as well as the conduct of unmanned-aircraft training within existing Hawaii military training airspace. The purpose of the proposal is to address an existing USMC deficiency in Hawai'i by adding unmanned aircraft systems, achieving a balance in the USMC's capabilities in the Pacific and ensuring that Marine forces are sufficiently manned, trained, and equipped. The No-Action Alternative of keeping the squadron stationed at MCAGCC is also addressed in the EA. No decision will be made on the relocation of VMU-3 until after the EA is completed.



COASTAL ZONE MANAGEMENT NOTICES

**Federal Consistency Reviews**

The Hawaii Coastal Zone Management (CZM) Program has received the following federal action to review for consistency with the CZM objectives and policies in Chapter 205A, Hawai'i Revised Statutes. This public notice is being provided in accordance with section 306(d)(14) of the National Coastal Zone Management Act of 1972, as amended. For general information about CZM federal consistency please call John Nakagawa with the Hawai'i CZM Program at 587-2878. For neighboring islands use the following toll free numbers: Lāna'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, Hawai'i 96804

**Email:** [inakagaw@dbedt.hawaii.gov](mailto:inakagaw@dbedt.hawaii.gov)

**Fax:** (808) 587-2899

**Stable Road Beach Groins Replacement Project, Pā'ia, Maui**

**Applicant:** Stable Road Beach Restoration Foundation, Inc.  
**Contact:** Ian Horswill, 403-612-5254  
**Federal Action:** Federal Permit  
**Federal Agency:** US Army Corps of Engineers, Honolulu District  
**Proposed Action:** Replace four existing sand-filled geotextile tube groins and construct four new permanent rock groins at the same general locations and of the same scale as the existing groins. The new rock groins would be approximately 110 feet to 135 feet long and 20 to 27 feet wide at the base. The landward ends of the groins are located near the shoreline, and the groins extend across the beach into the ocean 36 - 50 feet beyond mean higher, high water. In addition, the applicant proposes to place approximately 810 cubic yards of dredged beach sand, including sand that would be expelled during the demolition of the existing geotextile tube groins along the Stable Road beach, below the high tide line.

**Location:** Stable Road, Pā'ia, Maui  
**TMK:** (2) 3-8-2: 94, 71, 74, 77, 78  
**CZM Contact:** John Nakagawa, 808-587-2878, [inakagaw@dbedt.hawaii.gov](mailto:inakagaw@dbedt.hawaii.gov)  
**Comments Due:** January 22, 2014



Photo courtesy of Stable Road Beach Groins Replacement Project Environmental Assessment

### 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: Puako (6-9-002: 026)	Subdivision of One Lot into Two Lots (SMM 13-290)	Gregory R. Mooers
Hawai'i: Puna (1-4-010: 017, 018 and 019)	Construction of "As-built" Improvements to Existing Single-Family Dwelling, Second Single-Family Dwelling, Gazebo, Related Improvements, and Consolidation of Three Lots (SMM 13-291)	J. Stephen Meadows
Hawai'i: Puna (1-4-067: 015)	Landscaping Improvements and Routine Maintenance (SMM 13-292)	Dianna L. Guenther and Theresa K. Donham
Maui: Kahului (3-7-002: 001)	Temporary Foundation / Post and Pier (SM2 20130141)	Fabmac Homes Inc
Maui: Kihei (3-9-002: 125)	Kihei Battery Energy Storage System (BESS) Demonstration Project (SM2 20130143)	HNU Solar LLC
Maui: Lahaina (4-6-003: 013)	2 Wood Trellises (SM2 20130144)	John Mourier, III
Maui: Kapalua (4-2-004: 027)	Property Improvement (SM2 20130145)	Lantern Asset Management
Maui: Molokai (5-7-007: 001)	Construct New Garage (SM6 20130013)	Alan R Brayton
O'ahu: Kakaako (2-1-015: 063)	Installation of Fences, Bollards and Gates; Storage of Vehicles (SMA/13-7)	Enterprise Holdings dba Enterprise Rent A Car / Vernon Associates

### 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-1566	12/23/13	Lot 3 as shown on Map 4 of Land Court Application 726 situate at Punaluu-Makai, Kaneohe, Koolaupoko Oahu Address: 45-75 Waikalua Road Purpose: Building permits	Ryan M. Suzuki/ WB Hui, LLC	4-5-005:059
OA-1567	12/23/13	Lot A-2 (Map 3) of Land Court Application 1095 situate at Kahuku, Koolauloa, Oahu Address: Kamehameha Highway Purpose: Setback purposes	R.M. Towill Corporation/ BEAM LLC	5-6-003:034

MA-564	12/16/13	Lots 3, 4 and 5 of separate lot determination letter dated December 1, 2007 being portions of grant 383 to Richard Armstrong, Grant 217 to William L. Lee, and R.P. 4490, L.C. Aw. 10474, Apana 6 to Namauu situate at Pauwela, East Kuiha & West Kaupakulua, Hamakualoa, Makawao, Maui Address: Hana Highway Purpose: N/A	ControlPoint Surveying, Inc./ Alexander & Baldwin, LLC	2-7-004:001 (por.) & 2-7-007:004 (por.)
MA-565	12/27/13	Lot 7 of Kihei Beach Lots situate at Pulehunui, Kihei, Maui Address: 101 North Kihei Road Purpose: Determine shoreline setback line	Ronald M. Fukumoto Engineering, Inc./ Nellie's on Maui, Ltd.	3-8-013:012
MA-566	12/30/13	Lot 102 as shown on Land Court Application 1804 (Map 28) situate at Honuaula, Maui Address: 3900 Wailea Alanui Drive Purpose: Permitting purposes	Towill, Shigeoka & Associates, Inc./ 3900 WA Associates, LLC	2-1-023:007
HA-477	12/16/13	Lot 9, Vacationland Hawaii Subdivision, portions of R.P. 4479 and L.P. 8177, L.C. Aw. 8559 Apana 5 to C. Kanaina, and R.P. 7483, L.C. Aw. 4452 Apana 1 and 2 to H. Kalama situate at Kapoho-Halekamahina, Puna, Island of Hawaii Address: Wai Opae Road Purpose: Determine building setback	Daniel Berg/ Mitzi Bettencourt	1-4-067:009
HA-478	12/23/13	Lot 9 as shown on Map 12 of Land Court Application 1618 situate Lalamilo, South Kohala, Island of Hawaii Address: N/A Purpose: Obtain county permits	Wes Thomas Associates/ Dale Okuno	6-6-002:018
KA-383	12/19/13	Portion of Parcel 11 being portion of R.P. 7373 Land Commission Award 8559-B, Apana 42 to William C. Lunailo situate at Waipouli, Kawaihau, Kauai Address: 4-796 Kamoia Road Purpose: Determine shoreline setback	Esaki Surveying and Mapping, Inc./ GCT Properties, LLC	4-3-007:011

### 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-1560	Proposed Shoreline Certification	Koko Head Regional Park (Por. of Hanauma Bay Nature Park) being also a portion of L.C. Aw. 7713, Apana 30, R.P. 4475 to V. Kamamalu situate at Maunaloa, Honolulu, Oahu Address: Kalaniana'ole Highway Purpose: Drainage study and improvements, SMA permit for renovation of golf clubhouse facilities	Lance T. Stevens/ City and County of Honolulu	4-9-012:002
MO-164	Proposed Shoreline Certification	Portions of the Keawanui Fish Pond and Parcel A also being portions of L.P. 8163, L.C. Aw. 2715 and Grant 831 to O. H. Gulick situate at Keawanui, Kaamola 1, 2, 3 and 4, Molokai Address: HC-1 Box 479 Purpose: Shoreline setback	Austin, Tsutsumi & Associates, Inc./ Bernice P. Bishop Estate Trustees	5-6-006:008 & 024

HA-465	Rejection	Lot 10 of Kona Bay Estates (File Plan 1811) being a portion of R.P. 7456, L.C. Aw. 8559-B, Ap. 11 to William C. Lunalilo and Lot 69 of Land Court Application 1319 (Map 10) situate at Lanihau Iki, North Kona, Island of Hawaii Address: 4592 Kona Bay Drive Purpose: Setback determination purposes	Crossroads Land Surveying/ Jimmy Rex Robinson	7-5-005:024
--------	-----------	---	---	-------------

### 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, PO 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 MA-3697  
**Name of Applicant:** Makai Hana V (Versa Development)  
**Location:** Pa'uwela, Makawao, Maui  
**TMK:** (2) 2-7-004:001 and (2) 2-7-007:004  
**Proposed Action:** Consolidation of Land  
**343, HRS determination:** Exempt  
**Applicant's Contact:** Mich Hirano, 808-244-8729  
**OCCL Staff Contact:** Tiger Mills, 808-587-0382

### FEDERAL NOTICES

1. [Incidental Taking of Marine Mammals Regulations Issued for U.S. Navy Activities in the Hawai'i-Southern California Training and Testing Study Area; Final Rule](#)  
- December 24, 2013

The National Marine Fisheries Service (Service) are issuing regulations to the U.S. Navy under the Marine Mammal Protection Act (MMPA) to govern the unintentional taking of marine mammals incidental to training and testing activities conducted in the Hawai'i-Southern California Training and Testing (HSTT) Study Area from December 24, 2013 through December 24, 2018. These regulations allow the Service to issue Letters of Authorization (LOAs) 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.

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 HSTT may be viewed at <http://www.hstteis.com>. CONTACT: Michelle Magliocca, Office of Protected Resources, NMFS, (301) 427-8401.

2. [Record of Decision for Hawai'i-Southern California Training and Testing](#)  
– December 30, 2013

The United States Department of Navy after carefully weighing the strategic, operational, and environmental consequences of the proposed action announces its decision to conduct training and testing activities in the Hawai'i-Southern California study area as described in Alternative 2 of the Final Environmental Impact Statement/ Overseas Environmental Impact Statement for Hawaii-Southern California Training and Testing, dated August 2013. Under Alternative 2, the DoN will be able to meet current and future DoN and Department of Defense training and testing requirements. In addition to analyzing baseline testing and training in Alternative 2, the DoN analyzed areas where training and testing will continue as in the past, but were not considered in previous environmental analyses. Alternative 2 also includes the establishment of new range capabilities, as well as modifications of existing abilities; adjustments to the type and tempo of training and testing; and the establishment of additional locations to conduct activities between range complexes.

The complete text of the Record of Decision (ROD) is available on the project Web site at <http://www.hstteis.com>, along with the Final Environmental Impact Statement/Overseas Environmental Impact Statement and supporting documents. Single copies of the ROD are available upon request by contacting: Naval Facilities Engineering Command Pacific/EV21.CS, Attn: HSTT EIS/OEIS Project Manager, 258 Makalapa Drive, Suite 100, Pearl Harbor, HI 96860-3134.

3. [Proposal to Amend the Fishery Ecosystem Plan for Pelagic Fisheries of the Western Pacific Region](#) - December 30, 2013

NMFS announces that the Western Pacific Fishery Management Council proposes to amend the Fishery Ecosystem Plan for Pelagic Fisheries of the Western Pacific Region. If approved, Amendment 7 would establish a management framework and process for specifying fishing catch and effort limits and accountability measures for pelagic fisheries in the U.S. Pacific territories (American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands). The framework would authorize the government of each territory to allocate a portion of its specified catch or effort limit to a U.S. fishing vessel or vessels through a specified fishing agreement, and establish criteria, which a specified fishing agreement must satisfy. The framework also includes measures to ensure accountability for adhering to fishing catch and effort limits.

DATES: NMFS must receive comments on the proposed amendment and the included environmental assessment by February 28, 2014.

You may send comments on the proposed amendment and environmental assessment, identified by NOAA-NMFS-2012-0178, to either of the following addresses:

Electronic Submission: Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to [www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2012-0178](http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2012-0178), 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.



## 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).