

# The Environmental Notice

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

## Relocation of Marine Unmanned Aerial Vehicle Squadron (Drones) to Hawai'i

The US Navy has prepared an Environmental Assessment (EA) and [Finding of No Significant Impact \(FONSI\)](#) for the proposed relocation of Marine Unmanned Aerial Squadron Three (VMU-3) to Hawai'i, pursuant to 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 relocation of unmanned aircraft systems and about 480 personnel and dependents to Marine Corps Base Hawai'i (MCBH) Kāne'ōhe Bay, as well as the conduct of unmanned-aircraft systems within existing Hawai'i 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.



Photo by: Sgt. Eric Warren

## Environmental Protection Agency Report on the Environment 2014

On March 27, 2014, the Environmental Protection Agency (EPA) announced a 30-day public comment period for its draft revised web-based, "EPA's Report on the Environment 2014" (ROE 2014). The ROE is a comprehensive source of scientific indicators that describe the trends in the nation's environmental and human health condition.

**The public comment period ends on April 28, 2014**, and provides opportunities for all interested parties to comment on the draft ROE 2014. The draft ROE will also be reviewed by the agency's independent Science Advisory Board (SAB) at a later date which will be announced in the Federal Register. When finalizing the draft ROE 2014, EPA intends to consider any public comments that EPA receives in accordance with this notice and intends to forward these comments to the SAB panel prior to their review.

## Environmental Health Management Report Recognized as Hawai'i Legislative Report

Governor Abercrombie has recently recognized the Department of Health's (DOH) Environmental Health Management Report, 2011-13 as an official Hawaii Legislative Report. The Department's Environmental Planning Office developed this report to provide information on the Environmental Health Administration's (EHA's) activities over the last three years. The report is in line with the Governor's "New Day Plan," which seeks to ensure the quality of our environment.

The report also aligns with DOH's Strategic Plan, and the five foundational principles of clean and sustainable environments, health promotion and disease prevention, emergency preparedness, health equity, and quality and service excellence. These principles guide all of EHA's policies, protocols, programs, and new initiatives. This report provides a broad overview of the Department's ongoing environmental work and basis for strategic planning. At the beginning of 2014, EHA is on track to make significant progress towards Hawaii's environmental protection and human health goals.



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**

- [Relocation of Marine Unmanned Aerial Vehicle Squadron \(Drones\) to Hawai'i](#)
- [Environmental Protection Agency Report on the Environment](#)
- [Environmental Health Management Report Recognized as Official Hawai'i Legislative Report](#)

**HAWAI'I (HRS 343)**

- 1. [Humu'ula Saddle Region Hydrologic Evaluation and Exploratory Drilling Project FEA \(FONSI\)](#) ..... 3
- 2. [NELHA Connections to Queen Ka'ahumanu Hwy & Kona International Airport DEA \(AFNSI\)](#) ..... 3
- 3. [Robinson Swimming Pool in the Shoreline Setback Area FEA \(FONSI\)](#) ..... 4

**O'AHU (HRS 343)**

- 4. [Kapolei II Elementary School FEA \(FONSI\)](#)..... 5
- 5. ['Ohana Hale DEA \(AFNSI\)](#) ..... 5

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

- [Relocation of Marine Unmanned Aerial Vehicle Squadron from California to Hawai'i FEA \(FONSI\)](#) ..... 6

**COASTAL ZONE MANAGEMENT NOTICES**

- Federal Consistency Review* ..... 7
- Special Management Area Minor Permits* ..... 7

**SHORELINE NOTICES**

- Shoreline Certification Applications* ..... 8
- Shoreline Certifications and Rejections* ..... 8

**FEDERAL NOTICES**

- 1. [Revisions to the Hawaii SIP Regarding National Ambient Air Quality Standard Requirements](#) .....10
- 2. [Western Pacific Fishery Management Council Meetings](#) .....10
- 3. [Applications for Endangered Species Recovery Permits](#) .....10

**GLOSSARY** .....11



M Sullivan Photo

## HAWAI'I (HRS 343)

### 1. [Humu'ula Saddle Region Hydrologic Evaluation and Exploratory Drilling Project FEA \(FONSI\)](#)

**Island:** Hawai'i  
**District:** South Kohala  
**TMK:** 6-7-001-041  
**Permits:** Non-Covered Source Permit; Observation Well Drilling Permit

#### Proposing/Determination

**Agency:** University of Hawai'i, Hawai'i Institute of Geophysics and Planetology, 1680 East West Road, Honolulu, HI 96822.  
Contact: Donald Thomas, 808-895-6547,  
E-mail dthomas@soest.hawaii.edu.

**Consultant:** Donald Thomas, same as above.

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



The proposed action is an investigation of the subsurface geology and hydrology of the Humu'ula Saddle region. The investigation will emplace the second of two small-diameter test bores to a depth of ~2000 m. The purpose is to collect and analyze core samples that will provide a record of the geologic structure within the study area and document structures responsible for retention and flow of groundwater through the area. The bores will access one or more saturated aquifers and allow sampling for chemical and isotopic analysis of groundwater for determination of the source and extent of groundwater within the region; the bores will enable long term monitoring of the aquifers to assess the magnitude of the groundwater resource within the region and track the impacts of global climate change on Hawai'i's groundwater resources. The need for the information provided by the project is that associated with long-term, sustainable management of Hawai'i's groundwater resources in a region where recent limited data have shown that hydrologic conditions are fundamentally different from our prior understanding. Based on the analysis of the impacts from the project, the University of Hawai'i makes a Finding of No Significant Impact for the project.

### 2. [NELHA Connections to Queen Ka'ahumanu Hwy & Kona International Airport DEA \(AFNSI\)](#)

**Island:** Hawai'i  
**District:** North Kona  
**TMK:** 7-3-043:072, and 7-3-043:073

#### Proposing/Determination

**Agency:** Natural Energy Laboratory of Hawai'i Authority,  
73-4460 Queen Ka'ahumanu Highway, #101, Kailua-Kona, HI 96740-2637. Contact: Greg Barbour, 808-327-9585.

**Consultant:** Parsons Brinckerhoff, 1001 Bishop Street, American Savings Bank Tower, Suite 2400, Honolulu, HI 96813.  
Contact: James Hayes, 808-566-2239.

**Status:** Statutory 30-day public review and comment period starts; comments are due by May 8, 2014. Please send comments to the proposing/determination agency and consultant.



The Natural Energy Laboratory of Hawai'i Authority (NELHA) is a quasi-public agency of the State of Hawai'i and administers the Hawai'i Ocean Science and Technology Park (HOST Park) at Keāhole Point, Kailua-Kona. The purpose of the proposed project is to maintain and create connectivity between NELHA and HOST Park and regional transportation facilities. NELHA and the State of Hawai'i Department of Transportation (HDOT) are proposing to provide connections between NELHA's HOST Park roads and (a) HDOT's Queen Ka'ahumanu Highway, and (b) roadways within the Kona International Airport at Keahole

(KOA). Land use plans and traffic modeling indicate that as the overall region grows, and transportation demand grows, more roadway network interconnectivity will be required to avoid delays and maintain public safety. The first phase of the proposed project would be in the next ten years and Phase 2 of the proposed project would occur when NELHA, HOST Park, and surrounding developments, such as KOA expansion and nearby proposed or envisioned residential developments in long-range plans, approach full build-out. Phase 2 is not projected to occur until roughly 2035.

### 3. Robinson Swimming Pool in the Shoreline Setback Area FEA (FONSI)

**Island:** Hawai'i  
**District:** North Kona  
**TMK:** (3rd) 7-5-005:024  
**Permits:** Special Management Area Permit or Exemption, Shoreline Setback Variance, Plan Approval, National Pollutant Discharge Elimination System Permit.  
**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 Assoc., PO Box 396, Hilo HI 96721. Contact: Ron Terry, 808-969-7090.  
**Status:** Finding of No Significant Impact Determination.



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.



#### 4. [Kapolei II Elementary School FEA \(FONSI\)](#)

**Island:** O'ahu  
**District:** 'Ewa  
**TMK:** (1) 9-1-160:24 and (1) 9-1-158:62  
**Permits:** Construction and building permits, Kapolei Urban Design Approval, and NPDES.

##### Proposing/Determination

**Agency:** Department of Education, Facilities Development Branch, Office of School Facilities & Support Services, 4680 Kalaniana'ole Highway, TB1A, Honolulu, HI 96821.

Contact: Gaylyn Nakatsuka, 808-377-8315.

**Consultant:** Belt Collins Hawaii LLC, 2153 North King Street, Suite 200, Honolulu, HI 96819.

Contact: Joanne Hiramatsu, 808-521-5361.

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

The State Department of Education proposes construction of a new elementary school on Kunehi Street in Kapolei in response to population growth in the Kapolei area and high enrollments at existing schools. Kapolei II Elementary is being designed as a Twenty-First Century Learning Environment for children in PK through Grade 5. It will be designed to serve up to 750 students.

The school would include more than 100,000 square feet of enclosed space, along with a data center. More than 122,000 square feet of outdoor physical education space would also be provided. The project will be designed to meet LEED Silver standards or better. Space has been identified for potential expansion—for portable classrooms and a two-story classroom building—if in time it is necessary to expand enrollment.

The site has long been disturbed and has been filled and graded. Infrastructure has been developed for the Mehana subdivision, anticipating the construction of the school. No historical or cultural resources are on the site; no impacts on such resources are expected.

The main socio-economic impact and impact on public facilities would be the provision of a new school, serving students and increasing school capacity in the region. No significant impact on traffic is expected.



#### 5. ['Ohana Hale DEA \(AFNSI\)](#)

**Island:** O'ahu  
**District:** Honolulu  
**TMK:** (1) 2-3-028: 004  
**Permits:** Building permits; Grubbing, Grading/Trenching.  
**Applicant:** MJF Development Corporation, 1541 South Beretania Street, 4th Floor, Honolulu, HI 96818.  
Contact: Franco Mola, 808-744-8072.

**Approving Agency:** Hawaii Housing Finance & Development Corporation, 677 Queen Street, Honolulu, HI 96813.  
Contact: Ken Takahashi, 808-587-0547.

**Consultant:** Hawaii Planning, LLC, 1001 Bishop Street, American Savings Bank Tower, Suite 2755, Honolulu, HI 96813. Contact: Dennis Silva, 808-521-9418, ext 1005.

**Status:** Statutory 30-day public review and comment period starts; comments are due by May 8, 2014. Please send comments to the applicant, approving agency, and consultant.



MJF Development Corporation is proposing to design and build a 180-unit residential condominium named "'Ohana Hale" on a 14,400 parcel located at 929 Pumehana Street, Honolulu, with the Tax Map Key: (1) 2-3-028: 004. The vision for 'Ohana Hale is to provide affordable housing in the urban Honolulu

area. A minimum of 60%, equal to 108 units will be priced to be affordable to households earning between 100% to 120% of the HUD median income of Oahu.

The 'Ohana Hale condominium addresses the need for affordable housing on O'ahu, particularly within Honolulu's primary urban center (PUC). New affordable housing has primarily been developed in suburban Oahu, where residents are separated by considerable commutes from their workplace. In the urban center, affordable housing more often consists of rental housing. This has resulted in a shortage of for-sale affordable residential dwellings for working residents.

'Ohana Hale is an urban infill development. Urban infill can be defined as new development that is sited on vacant or under-developed land within an existing community, and that is enclosed by other types of development and land uses. Municipalities are also encouraging the practice of urban infill as it is more efficient to use existing infrastructure and services than it is to extend infrastructure and services farther afield.

## NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) NOTICE

### Relocation of Marine Unmanned Aerial Vehicle Squadron from California to Hawai'i

**Applicable Law:** National Environmental Policy Act (NEPA)  
**Type of Document:** FEA  
**Island:** Hawai'i, Kaua'i, O'ahu  
**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, EV21  
**Consultant:** Leidos, Inc., 405 South 8<sup>th</sup> Street, Suite 301, Boise, ID 83702.  
**Status:** The final EA and Finding of No Significant Impact (FONSI) are available for download at:  
<http://www.mcbhawaii.marines.mil/UnitHome/FeaturedInformation/UAV.aspx>.  
For further information, contact: Planner in Charge, VMU-3 EA, Code EV21, Naval Facilities Engineering Command, Pacific, Pearl Harbor, HI 96860-3134.

Pursuant to the Council on Environmental Quality regulations implementing the National Environmental Policy Act, the U.S. Navy and Marine Corps Base Hawai'i give notice that an Environmental Assessment (EA) has been prepared, and an Environmental Impact Statement (EIS) is not required for the relocation of Marine Unmanned Aerial Vehicle Squadron Three (VMU-3) from Marine Corps Air Ground Combat Center (MCAGCC), Twentynine Palms, California to Marine Corps Base Hawai'i, Kāne'ohe Bay for permanent basing and squadron training.



**COASTAL ZONE MANAGEMENT NOTICES**

**Federal Consistency Review**

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

**Mail:** Office of Planning  
Department of Business, Economic Development and Tourism  
P.O. Box 2359  
Honolulu, Hawai'i 96804

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

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

**Kaumalapau Harbor Mooring Buoys, Lāna'i**

**Location:** Kaumalapau Harbor designated mooring area, Lāna'i

**TMK:** Seaward of (2) 4-9-3:26

**Federal Action:** Federal Permit

**Federal Agency:** U.S. Army Corps of Engineers, Honolulu District

**Applicant:** Lanai Resorts, LLC

**Contact:** Mr. Peter Young, Ho'okuleana, LLC, (808) 226-3567

**Proposed Action:** Install 4 single-boat mooring stations within the Department of Land and Natural Resources designated Offshore Mooring Area at Kaumalapau Harbor. The moorings will include 3 two-point moorings and 1 single-point mooring. The single-point mooring is designed for a 28-foot vessel, with a 60-foot radius watch circle from the center point. The two-point mooring stations are designed for two 46-foot vessels and one 65-foot vessel. All mooring anchors and legs will be located on sandy substrate. The mooring stations will be the surface mooring ball with a storm pennant for the single-point mooring, and the center of the two mooring balls with pennants for the two-point moorings.

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

**Comments Due:** April 22, 2014

**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: Waiākea (2-1-017: 019 and 021)	Removal of Norfolk Pine and Albezia Trees (SMM 14-298)	Department of Parks and Recreation, County of Hawai'i
Maui: Wailea (2-1-023: 006)	Apartment Alteration BLDG 3-C, Unit 301 and 303 (SM2 20120017)	Satish K Gholkar
Maui: (4-6-030: 014)	Apartment Alteration / Addition (SM2 20140025)	Bryan M Mckuin
Maui: Wailea (2-1-023: 005)	Maxfield Condo Renovations (SM2 20140027)	Satish K Gholkar

**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-1576	3/12/14	Lot 126 of Map 46 of Land Court Application 772 situate at Lā'ie, Ko'olauloa, O'ahu Address: 55-273 Kamehameha Highway Purpose: Slope stabilization and building setback line	Gil P. Bumanglag/ Richard James & Susan Walker Kowen	5-5-002:019
OA-1577	3/17/14	Lot 6 being 6, 6-A and portion of Lot 5 as shown on Bishop Estate Map 2713 Wai'alaie Beach Lots Section "C" being a portion of R.P. 3578, L.C. Aw. 10613, Ap. 3 to A. Paki situate at Wai'alaie Iki, Honolulu, O'ahu Address: 4929 Kalaniana'ole Highway Purpose: Setback purposes	Austin, Tsutsumi & Associates, Inc./ Elizabeth A. Hoddick Trust	3-5-022:015
OA-1578	3/20/14	Lot 4-A Section A Kawailoa Beach Lots being a portion of Royal Patent 4475, Land Commission Award 7713, Apana 33 to V. Kamamalu situate at Kawailoa, Waialua, O'ahu Address: 61-673 Kamehameha Highway Purpose: Calculate building potential and obtain building permit	Wesley T. Tengan/ Wade Barrow	6-1-010:012
OA-1579	3/21/14	Lot A portion of L.P. 8105, L.C. Aw. 7589 to Kaho'onana No Kaianapau and Por. R.P. 4475, L.C. Aw. 7713, Ap. 50 to V. Kamamalu situate at Wai'alaie-Nui, Honolulu, O'ahu Address: 4837 Kahala Avenue Purpose: Building permit	Walter P. Thompson, Inc./ John & Susan Ocampo	3-5-050:006
OA-1580	3/24/14	Lot 68 (Map 10) of Land Court Application 23 situate at Kaipapau, Ko'olauloa, O'ahu Address: 54-001 Ahinalu Place Purpose: Permitting purposes	Austin, Tsutsumi & Associates, Inc./ August J. and Veronica Q. Monge	5-4-003:035

**Shoreline Certification 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-1566	Proposed Shoreline Certification	Lot 3 as shown on Map 4 of Land Court Application 726 situate at Punalu'u-Makai, Kane'ohe, Ko'olaupoko O'ahu Address: 45-75 Waikalua Road Purpose: Building permits	Ryan M. Suzuki/ WB Hui, LLC	4-5-005:059
OA-1568	Proposed Shoreline Certification	Lot 339 Land Court Application 616 situate at Kailua, Ko'olaupoko, O'ahu Address: 1528 Mokulua Drive Purpose: Building permit	Walter P. Thompson, Inc./ Global Spring Management Hawai'i LLC	4-3-003:065



OA-1570	Proposed Shoreline Certification	Lot 5 (File Plan 750) of Maunalua Bay View Lots Subdivision, Unit 1 situate at Maunalua, Honolulu, O'ahu Address: 176 Hanapepe Loop Purpose: New construction	Engineers Surveyors Hawaii, Inc./ Mark Gosselin	3-9-026:001
MA-560	Proposed Shoreline Certification	All of Royal Patent 7390, Land Commission Award 199, Apanas 1 and 2 to John Dawson and portions of Royal Patent 7860, Land Commission Award 7715, Apana 3 to Lota Kamehameha and Royal Patent 1676, Land Commission Award 10465, Apana 1 to Nalehu situate at Waiokama, Lahaina, Maui Address: 456 Front Street Purpose: Construction of single family residence and pool	Akamai Land Surveying, Inc./ Susan Marzal	4-6-002:016
MA-562	Proposed Shoreline Certification	Portion of Royal Patent Grant 548 to J.Y. Kanehoa situate at Paeahu, Honoualua, Makawao, Maui Address: 3116 South Kihei Road Purpose: Building setback and permitting purposes	Newcomer-Lee Land Surveyors, Inc./ Inshallah Trust	2-1-010:005
MA-564	Proposed Shoreline Certification	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-566	Proposed Shoreline Certification	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-479	Proposed Shoreline Certification	Block 1, Lot 42 of Milolii Bach Lots Subdivision being a portion of Grant No. 3723 to J.M. Monsarrat situate at Papa 2 <sup>nd</sup> , South Kona, Island of Hawai'i Address: Kai Avenue Purpose: Build a residential home	Daniel J. & Melinda L. Mancini/ Daniel J. & Melinda L. Mancini	8-8-006:020
MA-552	Rejection	Lots 3, 4, 5 and 6 of the Maui Prince Hotel Subdivision being portions of Land Patent Grant S-15,029 to Ulupalakua Ranch, Inc. and Royal Patent Grant Number 835 to Mahoe situate at Maluaka, Honuaula, Makawao, Maui Address: 5400 Makena Alanui Drive Purpose: Shoreline setback	Austin, Tsutsumi & Associates, Inc./ ATC Makena Holdings, LLC	2-1-006:057, 059, 111 & 112



M Sullivan Photo

## FEDERAL NOTICES

1. [Revisions to the Hawaii SIP Regarding National Ambient Air Quality Standard Requirements](#) - March 31, 2014

The Environmental Protection Agency (EPA) is clarifying its final action on revisions to the Hawaii State Implementation Plan (SIP), published in the Federal Register on August 9, 2012. This final rule is effective on March 31, 2014.

On August 9, 2012 (77 FR 47530), EPA took final action to approve in part and disapprove in part a SIP revision submitted by Hawaii Department of Health (HDOH) on December 14, 2011 to address the infrastructure requirements of CAA section 110(a) (2) for the 1997 national ambient air quality standard (NAAQS) for ozone and the 1997 and 2006 NAAQS for fine particulate matter (PM<sub>2.5</sub>) ("2011 Hawaii Infrastructure SIP"). In this document, we are making certain corrections to the entries in the table in paragraph (3) of 40 CFR 52.620, clarifying the contents of the applicable plan as approved on August 9, 2012, and specifying the extent to which EPA disapproved the December 14, 2011 SIP submittal.

EPA has established a docket for this action, identified by Docket ID Number EPA-R09-OAR-2012-0228. The index to the docket for this action is available electronically at <http://www.regulations.gov> CONTACT: Dawn Richmond, Air Planning Office (AIR-2), U.S. Environmental Protection Agency, Region IX, (415) 972-3207, [richmond.dawn@epa.gov](mailto:richmond.dawn@epa.gov).

2. [Western Pacific Fishery Management Council Meetings](#) - March 21, 2014

The Western Pacific Fishery Management Council (Council) will hold meetings of its and Hawaii and Pacific Remote Island Area Archipelago Plan Team (HI-PRIA PT), the Joint Hawaii, Marianas and American Samoa Archipelago Plan Team (Joint PT) and the Council's Fishery Data Collection and Research Committee--Technical Committee (FDCRC-TC). The HI-PRIA PT and Joint PT will review the status of the near shore fisheries, data collection issues and improvements, improvements in the Annual Catch Limit (ACL) specifications, and developing Cooperative Research Priorities and conduct a workshop to estimate fishing mortality (F) and natural mortality (M) using length-based estimates. The FDCRC-TC will develop a regional strategic plan for fishery research and data collection improvements and review the Council's 5 year research priorities.

The HI-PRIA PT meeting will be held on April 8, 2014, the Joint PT meeting on April 9-11, 2014, and the FDCRC-TC meeting April 14-16, 2014. The HI-PRIA PT, Joint PT and FDCRC-TC meetings will be held at the Council office, 1164 Bishop Street, Suite 1400, Honolulu, HI 96813 CONTACT: Kitty M. Simonds, Executive Director; telephone: (808) 522-8220.

3. [Applications for Endangered Species Recovery Permits](#) – March 24, 2014

The U.S. Fish and Wildlife Service, invite the public comment on the following applications for recovery permits to conduct activities with the purpose of enhancing the survival of endangered species. The Endangered Species Act of 1973 (as amended) prohibits certain activities with endangered species unless a Federal permit allows such activity. The Act also requires that we invite public comment before issuing such permits. To ensure consideration, please send your written comments by April 23, 2014 to: Program Manager for Restoration and Endangered Species Classification, Ecological Services, U.S. Fish and Wildlife Service, Pacific Regional Office, 911 NE 11th Avenue, Portland, OR 97232-4181. Please refer to the permit number for the application when submitting comments. All comments and materials we receive in response to this request will be available for public inspection.

Permit Number: TE-096741 Applicant: Naval Facilities Engineering Command Pacific, Pearl Harbor, Hawaii. The applicant requests an amendment to an existing recovery permit to take (collect eggshells, monitor nests and nest temperature, locate with taped-playback calls, capture, band, measure, mark, collect blood and feather samples, radio-tag, and release) the Micronesian megapode (Megapodius laperouse laperouse) in conjunction with scientific research in the Commonwealth of the Northern Mariana Islands for the purpose of enhancing the species' survival.

Permit Number: TE-043638 Applicant: Directorate of Public Works, U.S. Army, Schofield Barracks, Hawai'i. The applicant requests an amendment to an existing recovery permit to take (collect for captive propagation) Hawaiian picture-wing flies *Drosophila aglaia*, *D. hemipeza*, *D. montgomeryi*, *D. obatai*, *D. substenoptera*, and *D. tarphytrichia*, and to remove and reduce to possession *Tetramolopium lepidotum* ssp. *Lepidotum* (no common name) on Oahu Island, Hawaii, in conjunction with life-history studies for the purpose of enhancing their survival

## 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. Notices of permit applications are published in this bulletin.

### **Special Management Area and Shoreline Setback Area**

The Special Management Area (SMA) is along the coastline of all islands and development in this area is generally regulated by [HRS 205A](#), and county ordinance. A special subset of the SMA that is regulated by HRS 343, is the [Shoreline Setback Area](#). Most development in this area requires a Special Management Permit. This bulletin posts notice of these SMA applications to encourage public input.

### **Shoreline Certifications**

State law requires that Hawai'i shorelines be surveyed and certified when necessary to clearly establish the shoreline setback from the certified shoreline. The public may participate in the process to help assure accurate regulatory boundaries. Private land owners often petition to have their shoreline certified by the State surveyor prior to construction. This bulletin publishes notice from the Department of Land and Natural Resources of shoreline certification applicants and final certifications or rejections.

### **Environmental Council**

The [Environmental Council](#) is a 15-member citizen board appointed by the Governor. They serve as a liaison between the Director of OEQC and the general public concerning ecology and environmental quality. The Council makes the rules that govern the Environmental Impact Statement process (HRS 343). [Agendas](#) of their regular meetings are posted on the Internet and the public is invited to attend.

### **Exemption Lists**

Government agencies must keep a list describing the minor activities they regularly perform that are [exempt](#) from the environmental review process. These lists and any amendments shall be submitted to the Council for review and concurrence ([HAR 11-200-8\(d\)](#)). This bulletin will publish an agency's draft exemption list for public comment prior to Council decision making, as well as notice of the Council's decision on the list.

### **Endangered Species**

This bulletin is required by [HRS 343-3\(c\)](#), to publish notice of public comment periods or public hearings for Habitat Conservation Plans (HCP), Safe Harbor Agreements (SHA), or Incidental Take Licenses (ITL) under the federal Endangered Species Act, as well as availability for public inspection of a proposed HCP or SHA, or a proposed ITL (as a part of an HCP or SHA).