

The Environmental Notice

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

Pesticide Levels Tested in Surface Water

The Department of Health, Hazard Evaluation and Emergency Response (HEER) Office and the Clean Water Branch along with the Hawai'i Department of Agriculture and the U.S. Geological Survey team released a collaborative [report](#) on pesticide levels in surface water samples.

The study was conducted to respond to the growing concern of pesticide use in Hawai'i. To gather baseline data, 24 stream samplings were tested for 136 different pesticides on O'ahu, Kaua'i, Maui, and the Big Island. The samples had trace detections of one or more pesticides, however they are considered minute and fall below state and federal regulations.



HEER Photo

This report is a snap shot that tested pesticide levels at one time and does not consider long term averages. The continuation of this study is dependent on future funding. It is hopeful that this study will encourage further discussion between the community and government stakeholders throughout the state.

Check out the HEER Office's [web page](#) which has documents and links that address various aspects of pesticide use statewide!

New Online Tool Tracks Groundwater Contaminants

Groundwater contamination continues to occur in Hawai'i.

The Department of Health, Safe Drinking Water Branch, Groundwater Protection Program launched a new online viewer that makes current information available to the Program available to the public. The maps are based on monitoring data for public drinking water wells, select non-drinking water wells such as irrigation and industrial wells, and fresh water springs.



These maps only identify wells with detectable levels of groundwater contamination. The Department aims to report on the quality of the water directly out of the ground prior to treatments to remove contaminants in the future.

Here's a link we like.... [What Can I Do to Reduce My Polluted Water Runoff?](#)



**USE FERTILIZER
WISELY**



**HANDLE PESKY
PESTS RIGHT**



**PICK UP AFTER
MY POOCH**



**WATER SMART
OUTDOORS**



PLANT PONO



**INSTALL A
RAIN GARDEN**



**CAR WASH LIKE
A GREENIE**

FRONT PAGE

Pesticide Levels Tested in Surface Water New Online Tool Tracks Groundwater Contaminants

HAWAI'I (HRS 343)

1. Lālāmilo Wind Farm Repowering Project DEA (AFNSI) 3

MAUI (HRS 343)

2. Lahaina Small Boat Harbor Ferry Pier Improvements FEIS 3
3. Westin Maui Resort & Spa Master Plan DEA (AFNSI) 4

O'AHU (HRS 343)

4. Camp Pūpūkea Master Plan DEA (AFNSI) 5
5. O'ahu District Office and Base Yard Canopy Extension and Maintenance Storage FEA (FONSI) 5
6. Waialua Elementary School Library/Media Center DEA (AFNSI) 6

KAUA'I (HRS 343)

7. Kapahi Bridge Replacement FEA (FONSI) 6
8. Keāhua Stream Bridge DEA (AFNSI) 7
9. Kukuilono 0.5 MG, 866' Tank DEA (AFNSI) 8

NEPA NOTICE

- Honolulu Seawater Air Conditioning Project FEIS 8

ENVIRONMENTAL COUNCIL NOTICE 9

COASTAL ZONE MANAGEMENT NOTICES

Federal Consistency Review

- Fishing Restrictions on Oceanic Whitetip Shark, Silky Shark, and Whale Shark 10
- Special Management Area Minor Permits* 10

FEDERAL NOTICES

1. Amendments to Western Pacific Fishery Management Council Meetings 11
2. Taking Of Endangered Marine Animals Incidental to Commercial Fishing Operations 11
3. New Proposed Rule For Carbon Pollution Emission Guidelines 11

EXEMPTION NOTICES

- County of Hawai'i, Planning Department* 12

SHORELINE NOTICES

- Shoreline Certification Applications* 12
- Shoreline Certifications and Rejections* 13

GLOSSARY 14



Neil Abercrombie, Governor · Jessica Wooley, Director · 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

HAWAII (HRS 343)

1. Lālāmilo Wind Farm Repowering Project DEA (AFNSI)

Island: Hawaii
District: South Kohala
TMK: (3) 6-8-001:001 (por.); 6-6-001:002 (por.); 071; 076
Permits: NPDES Permit, if applicable; Construction Permits; Oversize Load Permits.

Proposing/Determination
Agency: Department of Water Supply of the County of Hawaii, 345 Kekūanaō‘a Street, Suite 20, Hilo, HI 96720. Contact: Quirino Antonio, 808-961-8050.

Status: Statutory 30-day public review and comment period starts; comments are due by July 23, 2014. Please send comments to the proposing/determination agency.



The previous Lālāmilo Wind Farm constructed in the mid-1980s with 120 wind turbines for a generating capacity of 2.7 megawatts (MW) was decommissioned in 2010 in anticipation of re-powering the site. The Department of Water Supply awarded Lālāmilo Wind Company, LLC a contract to design, build, and operate the wind farm and associated facilities for the Lālāmilo Wind Farm Repowering Project (Project). The Project would consist of five Vestas V47-660 kilowatt wind turbines, for a nameplate generation capacity of 3.3 MW for the Lālāmilo wind farm, to power the eight existing water wells in the Lālāmilo-Parker well system, as well as an updated monitoring and control system to optimize the operations of the pumping system. Associated infrastructure would include on-site access road improvement, electrical collection system, operations and maintenance building, new 13-kilovolt overhead electrical transmission line, and updated switchgear and electrical interconnection equipment.

The Project is consistent with the Department of Water Supply's policy and its mission of reducing energy costs by replacing a large portion of its pumping energy demands with renewable wind energy and saving up to 50 percent of its annual pumping cost for the next 20 years. The Project would also contribute to the State's Clean Energy Initiative goal that at least 40 percent of the State's energy be supplied by renewable resources by the year 2030.

MAUI (HRS 343)

2. Lahaina Small Boat Harbor Ferry Pier Improvements FEIS

Island: Maui
District: Lahaina
TMK: (2)4-6-01:02, 12, 14, and 17
Permits: NEPA Categorical Exclusion, 404 Department of Army, Conservation District Use Permit, Special Management Area Use Permit (as applicable), Construction Permits.

Proposing/Determination
Agency: Department of Land and Natural Resources, Kalanimoku Building, 1151 Punchbowl Street, Honolulu, HI 96813. Contact: Carty Chang, 808-587-0230.



Accepting Authority: Department of Land and Natural Resources, Kalanimoku Building, 1151 Punchbowl Street, Honolulu, HI 96813. Contact: William Aila, 808-587-0400.

Consultant: Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793. Contact: Mitsuru "Mich" Hirano, 808-244-2015.

Status: Accepted by the Governor, through the authorized representative, Department of Land and Natural Resources.

The State of Hawai'i, Department of Land and Natural Resources (DLNR) proposes to build a new ferry pier to the north of the existing pier at the Lahaina Small Boat Harbor in Lahaina, Maui, Hawai'i.

The Lahaina Small Boat Harbor is identified by TMK 4-6-01:02. Within the limits of the harbor are an existing pier (TMK 4-6-01:17) and a berthing area (TMK 4-6-01:14), formerly for the Carthaginian II, a replica of a historic whaling ship. The proposed ferry pier will involve work in the areas occupied by the existing harbor pier (Parcel 17), the berthing area (Parcel 14), the water of the Lahaina Small Boat Harbor (Parcel 2) and adjacent parcel identified by TMK 4-6-01:12.

The proposed ferry pier will be used to accommodate the Lanai/Maui and Molokai/Maui ferries, as well as cruise ship tenders, commercial, and recreational vessels.

Following publication of the Draft EIS, the proposed action was modified to address public comments. The modified action involves construction of a new interisland ferry pier approximately 60 feet to the north of the existing pier at the Lahaina Small Boat Harbor. The new pier will be approximately 115 feet long and 20 feet wide, supported on piles, and able to accommodate approximately 100 passengers. A low-rise, open-sided structure on the deck of the new pier is proposed to provide shade and shelter for pier users. Ancillary actions include construction of two (2) sewage pump-out stations; construction of a concrete pedestrian walkway measuring 15 feet by 60 feet to connect the existing pier with the new pier structure; replacement of the existing Harbor Master's office; improvements to the passenger loading and drop off area; sidewalk expansion along the northwestern portion of Hotel Street; and resurfacing of a portion of Wharf Street.

3. Westin Maui Resort & Spa Master Plan DEA (AFNSI)

Island: Maui
District: Lahaina
TMK: (2) 4-4-008:019
Permits: SMA Use Permit, Shoreline Setback Variance, Building Permit.
Applicant: Westin Maui Resort & Spa, 2365 Kā'anapali Parkway, Lahaina, HI 96761.
Contact: Gregg Lundberg, 808-661-2501.

Approving Agency: Maui Planning Commission, 2200 Main Street, Suite 619, Wailuku, HI 96793. Contact: Ann Cua, 808-270-7521.

Consultant: Munekiyo & Hiraga, Inc., 305 South High Street, Suite 104, Wailuku, HI 96793.
Contact: Cheryl Okuma, 808-244-2015.

Status: Statutory 30-day public review and comment period starts; comments are due by July 23, 2014. Please send comments to the applicant, approving agency, and consultant.



The Westin Maui Resort & Spa (Westin Maui) is proposing improvements to the existing resort to refresh and revitalize its existing facilities. The Westin Maui opened in 1988 and has not undergone a major renovation since then. Included in the proposed improvements are a new 3½ to 4½ story parking garage within the existing south parking lot for the Westin Maui with a ½-story below grade; including a new landscaping facility in the lower level parking structure; renovations and expansion to the existing Convention Hall and Ballrooms to approximately 12,000 square feet and meeting rooms extended to 9,500 square feet; a new one-story back of house structure adjacent to the convention hall; expansion of the existing Spa facility within the building footprint; demolition of two (2) structures, removal of man-made mound and a portion of existing decking within the 150-foot shoreline setback area and replacement of said structures with new decking materials; installation of roof coverings approximately 2,570 square feet (near Tropica Restaurant) and 4,120 square feet adjacent to Relish Restaurant over existing and new decking areas, within the shoreline setback area are the Tropica Restaurant roof structure, 1,514 square feet for a portion of the Relish Restaurant roof, 3,015 square feet of new deck area and 999 square feet of replacement deck material; relocation of an existing County of Maui sewer

line within the south parking area; and various related improvements including utility work, landscaping, and interior renovations, such as painting, replacement of fixtures, renovations to back of house areas, and curb cuts to the bus turn around area to the north of the convention hall.

The work within the shoreline setback area and the relocation of the existing County sewer line are triggers for Chapter 343 HRS review. As the project will require a Special Management Area Use Permit and Shoreline Setback Variance approval to proceed, the Maui Planning Commission has been determined to be the approving agency for the EA document.

O'AHU (HRS 343)

4. Camp Pūpūkea Master Plan DEA (AFNSI)

Island: O'ahu
District: Ko'olaupua
TMK: (1) 5-9-05:002 and (1) 5-9-05:077
Permits: Conservation District Use Permit; National Pollutant Discharge Elimination System Permit; Department of Health Wastewater Permit; Building Permits.
Applicant: Aloha Council Boy Scouts of America, 42 Pū'iwa Road, Honolulu, HI 96817. Contact: Jeff Sulzbach, 808-595-0859; fax 808-595-4323.

Approving Agency: State Department of Land and Natural Resources, 1151 Punchbowl Street, Honolulu, HI 96813.

Contact: Kimberly (Tiger) Mills, 808-587-0382; fax 808-587-0322.

Consultant: PBR Hawaii & Associates, Inc., 1001 Bishop Street, Suite 650, Honolulu, HI 96813.
Contact: Tom Schnell, 808-521-5631; fax 808-523-1402.

Status: Statutory 30-day public review and comment period starts; comments are due by July 23, 2014. Please send comments to the applicant, approving agency, and consultant.

The Boy Scouts of America Aloha Council have used Camp Pūpūkea for overnight camping and recreation since the early 1960s. This former military training area is the largest and busiest Boy Scout activity center in the Pacific. Its summer camp program plays host to troops from throughout Hawai'i and the United States Mainland. It is used year-round for camping, training, and other various activities.

The Boy Scouts are proposing various improvements at Camp Pūpūkea. Upgrades include infrastructure improvements (particularly wastewater improvements to eliminate the use of portable toilets), renovation or relocation of some existing structures, and new facilities. Improvements are expected to be completed in three phases over a period of 20 or more years.

The proposed improvements will address facility deficiencies and have beneficial impacts by creating safer conditions and improved facilities. Potential adverse impacts, while minimal, can be mitigated.



5. O'ahu District Office and Base Yard Canopy Extension and Maintenance Storage Building FEA (FONSI)

Island: O'ahu
District: Honolulu
TMK: 1-1-064:026
Permits: None.
Proposing/Determination Agency: State of Hawai'i, Department of Transportation, Highways Division, Oahu District, 727 Kakoi Street, Honolulu, HI 96819.
Contact: Charles Lee, 808-831-6792.



Consultant: The Limtiaco Consulting Group, 1622 Kananui Street, Honolulu, HI 96817.

Contact: Jason Nakata, 808-596-7790.

Status: Finding of No Significant Impact Determination.

The Department of Transportation (HDOT) plans construction of two improvements projects at its Kakoi Street district office and baseyard. The first is construction of an overhead canopy extension to an existing motorpool building. The second is replacement of an existing storage building with a larger modern storage shed.

The canopy extension will provide cover to a paved area where vehicles awaiting service are frequently parked. Stormwater that falls on the exposed concrete at this location could carry pollutants from automobiles to nearby waterbodies. The canopy extension will shelter the covered area from stormwater, mitigating the pollution of runoff.

The storage shed replacement project will replace an existing corrugated metal storage shed with a pre-engineered CMU and metal storage shed. The existing shed is of substandard construction and is not large enough for HDOT's needs. The new storage building will be of higher quality construction and will add almost 1,000 square feet of additional storage space.

6. Waialua Elementary School Library/Media Center DEA (AFNSI)

Island: O'ahu

District: Waialua

TMK: 6-7-001: 010

Permits: State Special Use Permit, Building Permit.

Proposing/Determination

Agency: Department of Education, State of Hawai'i, Facilities Development Branch, 1151 Punchbowl Street, Room 501, Honolulu, HI 96813.
Contact: Ryan Yamamoto, 808-586-0966.

Consultant: Gerald Park Urban Planner, 95-595 Kanamee Street #324, Mililani, HI 96789.
Contact: Gerald Park, 808-625-9626.

Status: Statutory 30-day public review and comment period starts; comments are due by July 23, 2014. Please send comments to the proposing/determination agency and consultant.

The Waialua Elementary School Library/Media Center is almost completed. Because construction is almost completed, short-term environmental impacts are considered moot. In the long-term, the new facility will provide students, faculty, and staff a modern, spacious environment for reading, research, test-taking, tutoring, and grade level gatherings.

The Media Center will engage students in learning computer skills and introduce students to video and multi-media production. It is anticipated that the proposed curricula and hands-on training will provide learned skills that students can apply within the school, upper grade levels, the community, and future occupations.



KAUA'I (HRS 343)

7. Kapahi Bridge Replacement FEA (FONSI)

Island: Kaua'i

District: Kawaihau

TMK: (4th.): 4-6-04

Permits: National Pollutant Discharge Elimination System (NPDES) Permit (potential); Community Noise Permit; Grading, Grubbing, Excavating and Stockpiling Permits.



Proposing/Determination

Agency: County of Kaua'i, Department of Public Works,
4444 Rice Street, Suite 275, Lihue, HI 96766.
Contact: Kuppusamy Venkatesan, 808-241-4885.

Consultant: Geometrician Associates, PO Box 386, Hilo HI 96721.
Contact: Ron Terry, 808-969-7090 or rterry@hawaii.rr.com.

Status: Finding of No Significant Impact Determination.

The project involves the replacement of a bridge that crosses Kapa'a Stream on Kawaihau Road, between Moalepe and Kahuna Roads. Built in about 1937 to replace a 1907 structure, everything but the bridge abutments for Kapahi Bridge have been replaced since that time. It is a steel stringer/multi-beam bridge with a single 36-foot span and a total length of 38 feet. It also supports water lines. The bridge has damaged timber posts and railings, corroded girders, undermined abutments, and an unsupported guardrail. It is now posted to limit loads to just three tons, which means that school buses, fire trucks, and many other large vehicles cannot cross it. This causes ongoing detours and associated inconvenience and expense. The project will replace the deck and railings, provide additional abutments, and add safety markings for pedestrians and bicycles. The purpose is to provide a safe bridge that accommodates any legal weight of truck or bus, maximizes safety for motor vehicles, pedestrians and bicycles, is practical to maintain in an adequate condition, and preserves the historic integrity and character of the bridge to the greatest practical degree.

8. Keāhua Stream Bridge DEA (AFNSI)

Island: Kaua'i
District: Lihue
TMK: (4th.): 4-2-001:002 (por.)
Permits: County of Kaua'i Grading Permit; State BLNR
Conservation District Use Permit.

Proposing/Determination

Agency: State of Hawai'i, Department of Land and Natural
Resources, Kalanimoku Building, 1151 Punchbowl
Street, Honolulu, HI 96813.
Contact: Clyde Tomihara, 808-587-0400.

Consultant: Geometrician Associates, PO Box 386, Hilo, HI
96721. Contact: Ron Terry, 808-969-7090 or rterry@hawaii.rr.com.

Status: Statutory 30-day public review and comment period starts; comments are due by July 23, 2014. Please send comments to the proposing/determination agency and consultant.



The Department of Land and Natural Resources proposes to build a vehicular and pedestrian bridge and improve parking on State land in the Conservation District next to the existing concrete ford crossing of Kuamo'o Road at Keāhua Stream, within the Keāhua Forestry Arboretum. The bridge would allow safer and more consistently available access to recreational resources, preventing vehicles from being swept over the ford and addressing the safety problems of mixing motor vehicles and recreational water users. The single-span steel truss bridge would be 115 feet long with one 13-foot lane travel lane and a protected sidewalk cantilevered off one side of the bridge. The concrete abutments would be placed outside of the stream channel. The existing roadway approaches would be rerouted into the parking lots, which would be slightly expanded and paved to provide parking, including two ADA compliant stalls. The access to the existing ford would be eliminated for vehicles using bollards. Temporary erosion control structures would prevent silt from entering the stream directly or indirectly through the adjacent ditches. No threatened or endangered plant species would be affected, and timing of project activities would avoid or minimize impacts to Hawaiian hoary bats. No historic or cultural properties will be affected, and visual impacts will be minor.

9. Kukuiolono 0.5 MG, 866' Tank DEA (AFNSI)

Island: Kaua'i
District: Kōloa
TMK: (4) 2-3-05: Por. 02, 06 and 25
Permits: NPDES, Community Noise Permit, Conservation District Use Permit, Grading Permit, Building Permit, Class IV Zoning Permit, Variance Permit and Use Permit.

Proposing/Determination

Agency: Department of Water, County of Kaua'i, 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 July 23, 2014. Please send comments to the proposing/determination agency and consultant.



The County of Kaua'i, Department of Water proposes to develop a new 0.5 MG water tank to service the 866' pressure zone in Kalāheo, Kaua'i in the State of Hawai'i (see Figure 1). The existing 0.2 MG tank is currently inactive and in need of replacement. There are two existing water tanks, one located on Parcel 6 (0.2 MG tank) and one on Parcel 25 (0.25 MG tank). As part of this project, the existing water tank on Parcel 6 will be demolished and a 0.5 MG replacement tank will be constructed on Parcel 25.

NEPA NOTICE

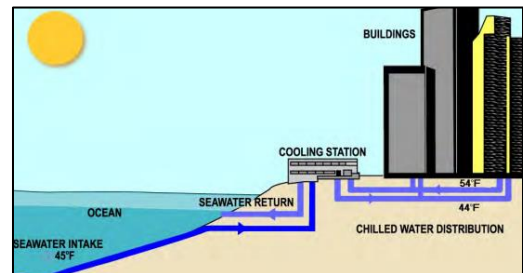
Honolulu Seawater Air Conditioning Project FEIS

Island: O'ahu
District: Honolulu
Permits: The project requires authorization under Section 10 the Rivers and Harbors Act of 1899 and Section 404 the Clean Water Act
Applicant: Honolulu Seawater Air Conditioning, LLC, 1132 Bishop Street, Suite 1410, Honolulu, HI 96813

Lead Agency: U.S. Army Corps of Engineers, Honolulu District, Building 230, Fort Shafter, HI 96858
 Contact: Ryan Winn (808) 835-4309 ryan.h.winn@usace.army.mil

Consultant: Cardno TEC, Inc. 1003 Bishop Street, Puahi Tower, Suite 1550, Honolulu, HI 96813

Status: Comments will be accepted through the 45-day review period, beginning June 13, 2014 and ending July 28, 2014. This comment period is intended to provide an opportunity to voice opinions and concerns prior to a decision being made by the Corps.



The applicant, Honolulu Seawater Air Conditioning, LLC, intends to provide seawater air conditioning services to downtown Honolulu, Hawai'i. In order to obtain, utilize, and return deep, cold seawater, the applicant proposes to construct a 63-inch diameter seawater intake pipe extending offshore approximately four miles, to a water depth of 1,755 feet, and a 54-inch diameter seawater return pipe extending offshore approximately one mile, to a water depth of 423 feet. The pipelines would be micro tunneled from an upland jacking pit to a receiving pit approximately 1,600 feet offshore, to a water depth of approximately 30 feet. The offshore receiving pit would be excavated and backfilled at the pipeline "breakout" location. The offshore portions of the intake and return pipelines would be supported in tandem on pre-cast concrete supports. The seaward end of the return pipeline would terminate in a diffuser section extending from depths of 326 to 423 feet.

ENVIROMENTAL COUNCIL NOTICE

Hawai'i State Environmental Council Needs New Members, Immediately!

A dedicated team represented by various disciplines in an effort to stimulate, expand and coordinate efforts that determine and maintain the optimal state of Hawai'i's environment is looking for new members.

The [Environmental Council](#) is comprised of 15 members that are appointed by the Governor and confirmed by the Senate. The members represent relevant educational, business and environmental disciplines and serve as a liaison between OEQC and the general public.

The Council also solicits environmental related information through outreach efforts. For example, the Chair of the Outreach and Information Committee, recently put together [a presentation](#) to gather public input about GMOs and Pesticides in Hawai'i. Subsequently, the Council made a number of recommendations to the Legislature and government agencies.

As required by Hawai'i State Law, the Council also releases an annual report. The [2013 report](#) presented the Genuine Progress Indicator baseline. This progressive work supplements the Gross Domestic Product by attempting to provide a more holistic framework that includes environmental and societal costs such as increased pollution, depletion of non-renewable resources, and rising crime that result from growth.

If you're interested in getting involved in this exciting work or know of someone with the right skill set for this job, please submit an [application for yourself](#) or submit a [letter of recommendation](#) for someone else.

Have a look at the [Boards and Commissions website](#) for more details on how to apply.

Hope to see you at next month's Environmental Council meeting!



M Sullivan Photo

COASTAL ZONE MANAGEMENT NOTICES

Federal Consistency Reviews

This public notice is being provided in accordance with section 306(d) (14) of the National Coastal Zone Management Act of 1972, as amended. The Hawaii Coastal Zone Management (CZM) Program received the following federal action to review for consistency with the CZM objectives and policies in Chapter 205A, Hawaii Revised Statutes:

Fishing Restrictions on Oceanic Whitetip Shark, Silky Shark, and Whale Shark

Proposed Action: The National Marine Fisheries Service (NMFS) is proposing to issue a rule to carry out the obligations of the United States under the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. The regulations would prohibit the retention, transshipment, storage, or landing of oceanic whitetip sharks and silky sharks, and would require the release of any whitetip shark or silky shark as soon as possible after it is caught. The regulations for whale sharks would prohibit setting a purse seine on a whale shark, and would specify certain measures to be taken and reporting requirements in the event a whale shark is encircled in a purse seine net. The regulations would apply to U.S. fishing vessels used for commercial fishing for highly migratory species. The commercial fisheries that could be affected by the proposed rule include the U.S. purse seine fishery, the Hawai'i deep-set and shallow-set longline fisheries, the Hawai'i troll fisheries, the Hawai'i handline fisheries, and the Hawai'i pole and line fishery.

Federal Action: Federal Agency Activity

Federal Agency: National Marine Fisheries Service, Pacific Islands Regional Office

Contact: Rini Gosh, 808-725-5033

CZM Contact: John Nakagawa, 808-587-2878, jnakagaw@dbedt.hawaii.gov

Comments Due: **July 7, 2014.** Please submit comments to the: Office of Planning, Department of Business, Economic Development and Tourism, P.O. Box 2359, Honolulu, Hawai'i 96804; via email jnakagaw@dbedt.hawaii.gov; or fax 808-587-2899.

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: Lahaina (4-6-001: 009)	EMMA Sharpe Hula Festival 2014 (SM2 20140049)	Lahaina Town Action Committee
Maui: Lahaina (4-6-001: 009)	EMMA Sharpe Hula Festival 2014 (SM2 20140050)	Lahaina Town Action Committee
Maui: Lahaina (4-6-001: 009)	EMMA Sharpe Hula Festival 2014 (SM2 20140051)	Lahaina Town Action Committee
Maui: Lahaina (4-6-001: 009)	Na Kamehemeha Day Celebration (SM2 20140060)	Lahaina Town Action Committee
Maui: Lahaina (4-6-001: 009)	Na Kamehemeha Day Celebration (SM2 20140061)	Lahaina Town Action Committee
Maui: Lahaina (4-6-001: 009)	Na Kamehemeha Day Celebration (SM2 20140062)	Lahaina Town Action Committee

FEDERAL NOTICES

1. [Amendments to Western Pacific Fishery Management Council Meetings](#) – June 6, 2014

In the June 8, 2014 edition of this Notice, [upcoming meetings](#) for the Western Pacific Fishery Management Council meetings were announced to be held from June 16th through June 27th 2014. Subsequently, the following meeting dates were changed:

- The 116th Scientific and Statistical Committee (SSC) meeting added a day to the agenda changing the dates from the June 17th and 18th to *June 17th - 19th 2014* between 8:30 a.m. and 5 p.m.
- The dates for the Advisory Panel (AP) meeting were scheduled for June 19th 2014 but were changed to *Friday, June 20th & Saturday, June 21st 2014* between 1 p.m. and 5 p.m. Both meetings were held at the Council Office at 1164 Bishop Street, Suite 1400, Honolulu, HI 96813; (808) 522-8220.

The 160th Council Meeting is still scheduled to be held **June 25th - 27th 2014** at the Laniakea YWCA-Fuller Hall, 1040 Richards Street, Honolulu, HI 96813; (808) 538-7061. However, the agenda for this meeting has changed. This [link](#) provides the updated agenda. Contact: **Kitty M. Simonds** at (808) 522-8220.

2. [Taking Of Endangered Marine Animals Incidental to Commercial Fishing Operations](#) – June 12, 2014

National Marine Fisheries Service (NMFS) plans to issue a permit for a period of three years to authorize the incidental taking of marine mammals listed under the Endangered Species Act by the Hawaii deep-set and shallow-set longline fisheries. A preliminary determination by NMFS was made that incidental taking from commercial fishing will have a negligible impact on the endangered humpback whales; sperm whales and false killer whales throughout the Pacific Islands Region.

The public is encouraged to comment on this [draft Negligible Impact Determination and list of references](#) contained in this notice.

In accordance with the Marine Mammal Protection Act, NMFS must issue this permit provided that it can make the determinations that:

- The incidental take will have a negligible impact on the affected stocks;
- A recovery plan for all affected stocks of threatened or endangered marine mammals has been developed or is being developed;
- A take reduction plan and monitoring program have been implemented and vessels in the Hawaii deep-set and shallow-set longline fisheries are registered.

All comments must be received by **July 14, 2014**.

Contacts: **Dawn Golden** (808) 725-5144 and **Shannon Bettridge** (301) 427-8402.

3. [New Proposed Rule For Carbon Pollution Emission Guidelines](#) - June 18, 2014

The Environmental Protection Agency (EPA) is proposing new emission guidelines for states. This proposed rule will address greenhouse gas emissions by reducing pollution from existing fossil fuel-fired electric generating units. Specifically, the EPA is establishing pollution reduction goals to diminish carbon dioxide emissions from the power sector. Also, the EPA proposed specific guidelines for each state, as to effectively achieve state-specific goals. If implemented, this proposal would advance our progress to reduce carbon dioxide emissions from existing power plants in the United States.

As this is of national importance, it is critical that public comments are made in every state. Please leave a public comment at <http://www.regulations.gov>. Follow the online instructions for submitting comments. Although the final deadline for comments is October 16th, 2014, those making their comments before July 18th, 2014 are best assured to have full effect.

Contact: **Ms. Amy Vasu** at (919) 541-0107 of the Sector Policies and Programs Division, EPA.

EXEMPTION NOTICES

Project Name: Single-family Residence within the Shoreline Setback Area
Applicant: Chris and Marna Bame
Approving Agency: County of Hawai'i, Planning Department
Island/District: Hawai'i, North Kohala
TMK: (3) 5-9-016:029 and 030
Permits: Building Permit
Start-End Dates: Anticipated dates are June 2014 to June 2015



The County of Hawai'i, Planning Department consulted with the Department of Public Works regarding the exemption of temporary structures associated with a new single-family residential dwelling and related improvements, including several perimeter rock walls located in Waika, North Kohala, Hawai'i. The temporary placement of the construction barrier, silt fence and one level of scaffolding are all proposed within the forty-foot shoreline setback area to allow for more room for construction of the rock walls, which are located outside of the shoreline setback area. The Planning Department determined that the proposed action will probably have minimal or no significant effect on the environment and exempted the applicant from the preparation of an EA. No uses, activities, or development, other than those described in the application, shall be exempt from environmental review under HRS, Chapter 343.

SHORELINE NOTICES

Shoreline Certification Applications

The shoreline certification applications below 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-1594	6/2/14	Lots 10383, 10384, 10385 and 10386 as shown on Land Court Application 1069, Map 793 situate at Honouliuli, Ewa, Oahu Address: 91-153 and 91-175 Kaimi Loop Purpose: Satisfy ALTA survey criteria	Hawaii Land Consultants/ Watumull Ethanol LLC	9-1-026:046, 047, 048, 050
OA-1595	6/4/14	Portion of Lots 3 and 4 of Paa Haa Lots being a portion of Royal Patent 4498, Land Commission Award 6175, Apana 1 to Kamiha No Malaea situate at Waikiki, Honolulu, Oahu Address: 5415 and 5435 Kalaniana'ole Highway Purpose: Setback purposes	Austin, Tsutsumi & Associates, Inc./ Outrigger Canoe Club	3-6-003:004 & 005
OA-1596	6/9/14	Lot 1 Kaiaka Beach Lots situate at Paalaa-Kai, Waialua, Oahu Address: 66-495 Pikai Street Purpose: Obtain building permit	Wesley T. Tengan/ Wayne Willette	6-6-030:029
MA-576	5/29/14	Lot 44 Land Court Application 1744 (Map 10) "Hale Kaanapali Condo" situate at Hanakao, Honokowai, Kaanapali, Lahaina, Maui Address: 45 Kal Ala Drive Purpose: Building permits purposes	Arthur Valencia/ Hale Kaanapali AOA	4-4-006:011

MA-577	6/2/14	Lot 1-B-4 of Land Court Application 1846 situate at Papaanui, Honuaula, Makawao, Maui Address: 5000 Makena Road Purpose: Planning for future use of parcel	Warren S. Unemori Engineering, Inc./ Mountain Seas Development, Inc.	2-1-007:109
MA-578	6/13/14	Lots 2, 3, 4, 5 and portion of Lot 6 of Kihei Beach Lots portions of Grant 3152 to Henry Cornwell and R.P. 8140, L.C. Aw. 5230 to Keaweamahi situate at Pulehunui & Waikapu, Kihei, Maui Address: 145 North Kihei Road Purpose: SMA application approval	ControlPoint Surveying, Inc./ Association of Apartment Owners of Sugar Beach Resort	3-8-013:014

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-1548	Rejection	Lot 82 of Land Court Application 776 situate at Laie, Koolauloa, Oahu Address: 55-069 Naupaka Street Purpose: Building permit approval for extending deck	Mark James/ Mark James	5-5-010:015
OA-1552	Rejection	Lot 159 of Map 5 Land Court Application 1052 situate at Makaha, Waianae, Oahu Address: 84-709 Upena Street Purpose: Building setback line	Gil P. Bumanglag/ Margaret E. O'Connell	8-4-007:001
KA-381	Rejection	Lot E being portion of R.P. 6714, L.C. Aw. 7714-B, Apana 2 to Moses Kekuaiwa No M. Kekuanaoa situate at Kukuiula, Koloa, Kauai Address: 4890 Lawai Road Purpose: Determine shoreline setback	Esaki Surveying and Mapping, Inc./ David Jorgensen	2-6-012:001

**Hope Everyone Enjoyed
World Sea Turtle
Week (June 16-20) 2014!**



M. Sullivan-Photo

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 will not 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).