

The Environmental Notice

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

Waikīkī War Memorial Complex Project

The Waikīkī War Memorial Complex consists of the natatorium, the adjacent memorial park and Kaimana Beach Park. The Waikīkī War Memorial Natatorium was constructed in 1927 to honor the people of Hawai'i that served during World War 1.

The Natatorium's pool and bleachers have been closed to the public since 1979; however the restroom facilities and office space under the bleachers remain open. The City and County of Honolulu is proposing the creation of a new beach situated at the present site of the Natatorium. The new beach will be fronted by a replica World War 1 memorial arch in alignment with the existing Roll of Honor Plaque and hau tree arbor.

The proposal also involves additional improvements within the park area including constructing a new bathhouse, removal of an internal roadway, and construction of a consolidated parking lot. This is preferred action that will be evaluated in the forthcoming Environmental Impact Statement along with the alternatives to: 1) reconstruct and restore the Natatorium or 2) take no action.

Please submit your comments on this project to the City and County of Honolulu by August 22, 2014.



Replica Memorial Arch
(City and County of Honolulu photo)

Climate Change Task Force Update

At the recent 22nd Annual Hawai'i Conservation Conference, "[Navigating Change in the Pacific Islands](#)", a plenary panel was held that engaged Island Leaders in a dialogue on Climate Change.

This discussion included an update on Hawai'i's involvement with President Obama's [Task Force on Climate Preparedness and Resilience](#). Governor Neil Abercrombie is one of eight governors selected to participate in this task force that was created to advise the Administration on how the Federal Government can best support local resilience efforts.

According to Governor Abercrombie, the report titled: "[Navigating Change, Hawai'i's Approach to Adaptation](#)" prepared for the first task force meeting in December 2013, was well received. Due to the comprehensive planning going into the task force meetings and the local stakeholder engagement that has occurred throughout the process (including an online survey and a series of forums) Hawaii has emerged as a leader in the task force. The Governor's [press release](#) has more information.

Here's a short video we like, "[Shrinking Oahu](#)" by LYON. It lays out some of the challenges we face as 70% of Oahu's beaches are eroding at a rapid pace due to sea level rise and climate change.



Hawaii.gov press release photo

WITHDRAWAL OF KALAELOA BARBER POINT FUEL PIER EISPN

The Department of Transportation Harbors Division has requested withdrawal of Kalaeloa Barbers Point Fuel Pier EISPN, as published in the August 8, 2013 Environmental Notice. A revised EISPN will be republished with additional action.

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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.

HAWAI'I (HRS 343)

1. Asing Utility and Road Access Easement at Mānā, Waimea FEA (FONSI)

Island: Hawai'i
District: South Kohala
TMK: (3rd) Government Land Adjacent to TMK: (3rd) 6-4-005:017
Permits: Grubbing and Grading Permits (potential), Permit for Work in County ROW and Driveway Permit.
Applicant: Kristian Asing, 64-5274 Puanuanu Place, Kamuela, HI 96743.
Approving Agency: Hawai'i County Department of Public Works, 101 Pauahi Street, Suite 7, Hilo, HI 96720. Contact: Frank DeMarco, 808-961-8327.
Consultant: Geometrician Associates, PO Box 396, Hilo, HI 96721. Contact: Ron Terry, 808-969-7090 or rterry@hawaii.rr.com
Status: Finding of No Significant Impact Determination.



Kristian Asing has requested the County of Hawai'i to provide him a 21,080 square-foot, non-exclusive access and utility easement over a "paper road" on Government Land in the vicinity of Manā Subdivision in the outskirts of Waimea. The right-angled, 20-foot wide easement would extend 1,074 feet from the end of a paved road maintained by the County to a 3.0-acre kuleana property owned by Mr. Asing, which would otherwise be landlocked with no access. The land occupied by both the easement and the Asing lot has long been in use as pasture and there are no historic or cultural sites or practices, native species, water bodies or flood zones. Granting of the easement will allow Mr. Asing to build an unpaved road and extend County water lines and possibly HELCO underground electric lines over a portion of the easement to the lot, where he will also conduct agricultural activities in conformance with allowed uses for the Agriculture zoning. Mr. Asing would build a non-dedicable road on the easement, which has a slope of less than one percent. This road would also potentially serve five other lots, including two that also currently lack access. The applicant will be working with the County to obtain a permit to work within the government road right-of-way and fulfill any conditions that might be associated with its use.

2. Bundrant Single-Family Home, Landscaping and Well Repairs at Kahauloa FEA (FONSI)

Island: Hawai'i
District: South Kona
TMK: (3rd): 8-3-005:001, 020 & 021
Permits: Special Management Area Permit or exemption; Grubbing, Grading and Building Permits; DLNR CDUP; Well Pump Installation Permit.
Applicant: Charles and Diane Bundrant, 83-544 Keawaiki Road, Captain Cook, HI 96704. Contact: Greg Mooers, 808-880-1455 or gmooers@hawaii.rr.com
Approving Agency: Department of Land and Natural Resources, Office of Coastal and Conservation Lands, PO Box 621, Honolulu, HI 96809. Contact: Sam Lemmo, 808-587-0377.
Consultant: Geometrician Associates, PO Box 396, Hilo, HI 96721. Contact: Ron Terry, 808-969-7090 or rterry@hawaii.rr.com.
Status: Finding of No Significant Impact Determination.



Charles and Diane Bundrant propose to build a single-family residence for a family caretaker, re-outfit an existing small irrigation well, and conduct landscaping activities on the already disturbed portions of a leased property in the Conservation District. The property is in a residential use area away from the shoreline. No actions would affect trails, sensitive view planes cultural uses, rare, threatened or endangered species or native ecosystems. Archaeological features have been inventoried and important features will be formally preserved. Pumping of minor volumes of brackish water for irrigating landscaping will not adversely affect the aquifer. Land clearing and construction activities would produce minor short-term impacts to noise, air and water quality, access and scenery. The contractor will be required to emplace best management practices (BMPs) to properly manage storm water runoff and prevent erosion. If during construction any previously unidentified sites or remains such as artifacts, shell, bone, charcoal deposits or human burials are encountered, work will stop immediately and SHPD will be consulted to determine the appropriate mitigation.

3. Natural Energy Laboratory of Hawai'i Authority FEA (FONSI)

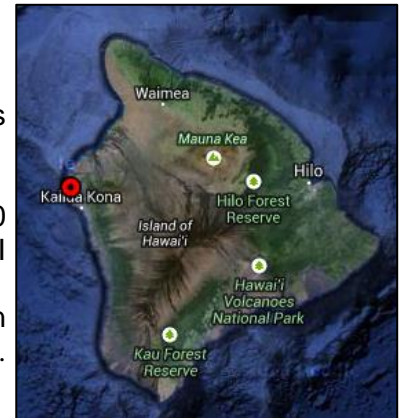
Island: Hawai'i
District: North Kona
TMK: Highway right-of-way, 7-3-043:072, and 7-3-043:073
Permits: None specific to the proposed project; necessary permits will be obtained by associated projects.

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: Finding of No Significant Impact Determination.



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 Keāhole (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.

MAUI (HRS 343)

4. Hale Maha'olu 'Ewalu Senior Residential Housing Project FEA (FONSI)

Island: Maui
District: Makawao
TMK: (2)2-3-066:019 and 020
Permits: Construction Permits

Proposing/Determination

Agency: County of Maui, Department of Housing and Human Concerns, 2200 Main Street, Suite 546, Wailuku, HI 96793.
Contact: Jo Ann Ridao, 808-270-7805.

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

Status: Finding of No Significant Impact Determination.



The Hale Mahaolu Ewalu Senior Residential Housing Project proposes to take advantage of the downward slope of the project site and construct three (3) two- and three-story apartment buildings containing one- and two-bedroom units for seniors and a three-bedroom unit for a resident manager totaling 61 housing units. Also, a one-story 7,518 sq. ft. senior center, one-story 4,428 sq. ft. adult day care center, 83 parking stalls, two (2) loading zones, and landscaping are planned. Existing burials, presumed to be of Chinese origin, are located on Parcel 19. The burial site will be kept in situ with a landscaped open space buffer zone separating it from the housing units. The buffer zone will be in accordance with a preservation plan approved by the State Historic Preservation Division (SHPD).

5. [Kenolio Apartments DEA \(AFNSI\)](#)

Island: Maui

District: Makawao

TMK: (2) 3-9-001: 157 & 158

Permits: Maui County 201H Affordable Housing Application permit, Special Management Area (SMA) Permit Application, Building Permit, Wastewater Discharge (Hookup) Permit, Grading and Grubbing Permit, NPDES Permit, Air Pollution Control Permit, Community Noise Permit.

Applicant: Pacific West Communities, 430 East State Street, Suite 100, Eagle, Idaho 83616. Contact: Shellan Rodriguez, 406-531-0401.



Approving Agency: County of Maui, Maui Planning Commission, 2200 Main Street, Suite 315, Wailuku, HI 96793. Contact: William Spence, 808-270-7735.

Consultant: Chris Hart and Partners, Inc., 115 North Market Street, Wailuku, HI 96793.
Contact: Jordan Hart, 808-242-1955.

Status: Statutory 30-day public review and comment period starts; comments are due by August 22, 2014. Please send comments to the applicant, approving agency and consultant.

The proposed project is a 100% affordable multi-family apartments. The residential development will include construction of a total of 186 units with necessary supporting infrastructure. The development will result in 63 one-bedroom units, 100 two-bedroom units and 23 three-bedroom units. Onsite amenities will include a swimming pool, covered picnic area, and community building with laundry facility.

Associated infrastructure improvements include paved roadways; concrete curbs, gutters and sidewalks; onsite parking, drainage systems, water system, sewer system, underground utilities, irrigation well for landscape planting, and offsite roadway improvements along Kenolio Road fronting the project site.

In early consultation with the Department of Housing and Human Concerns, it was made clear that affordable rental units are needed in Kihei. As previously stated, the proposed project will provide 186 affordable rental units for Maui residents.

6. Milowai Ma'alaea Seawall Repair FEA (FONSI)

Island: Maui
District: Lahaina
TMK: (2) 3-8-014:022
Permits: Special Management Area Permit, Shoreline Setback Variance
Applicant: Milowai Ma'alaea AOA, 50 Hauoli Street, Suite 310, Wailuku, HI 96793.
Contact: Christine Conlon-Kemp, 415-845-7669.

Approving Agency: County of Maui, Maui Planning Commission, 250 South High Street, Suite 200, Wailuku, HI 96793.
Contact: Keith Scott, 808-270-7735.

Consultant: Chris Hart and Partners, Inc., 115 North Market Street, Wailuku, HI 96793.
Contact: Brett Davis, 808-242-1955.

Status: Finding of No Significant Impact Determination.



The proposed seawall repair project will include:

- Excavating the soil out from behind the 180- foot wall down to sea level, opening a trench wide enough to safely access the bottom of the wall and filling the voids beneath the wall with pressure injected urethane foam.
- The trench will be lined with a "filter fabric" capable of containing fine soil particles while allowing free movement of water through the soil. The "filter fabric" extends from the bottom of the excavation up both sides, be filled with appropriate granular soil or sand before being covered by lawn.
- Removing all loose and cracked mortar and displaced stones and applying new mortar to replace material removed.
- During the excavation discussed above, applying a 6"-8" inch thick layer of "gunite" with reinforcing steel over the land side surface of the wall from the base of the stone structure to the top with weepholes. Properly design and installed, this can reinforce the existing stone wall against future deterioration.

O'AHU (HRS 343)

7. Fuller Residence Construction in Kāne'ōhe Bay DEA (AFNSI)

Island: O'ahu
District: Ko'olaupoko
TMK: (1) 4-5-47: 116
Permits: Building Permits (building, plumbing and electrical).
Applicant: Herb Fuller, 45-038 Ka Hanahou Place, Kāne'ōhe, HI 96744.

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

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

Status: Statutory 30-day public review and comment period starts; comments are due by August 22, 2014. Please send comments to the applicant, approving agency and consultant.



Herb Fuller, the Applicant proposes to complete the construction of an existing, half-constructed, two-story, one-family dwelling and attached garage, and pool, a permitted use in the R-10 zoning district. The subject parcel is 9,679 square feet (sf.) or 0.222 acres in size. The parcel is triangular in

configuration, and is bound by one-family dwellings on the southwest side of the property, Ka Hanahou Place on the west side, and a seawall on the northeast side, fronting Kāneʻohe Bay.

The proposed action includes the construction of a two-story, one-family dwelling of approximately 4,007 sf. (including a first floor of 2,611 sf. (including garage and concrete deck) and a second floor of 1,396 sf., excluding the proposed pool of 300 sf.) on the subject parcel. Construction of the one-family residence requires the modification of the Shoreline Setback Line from 40 ft. to 25 ft. The modification is deemed reasonable in consideration of the hardship that is imposed where the shoreline setback is measured from the shoreline which is at the widest portion of the triangular shaped lot. If summarily applied, the area within the Certified Shoreline Setback Line is approximately 54.4% of the parcel, or 5,266.1 sf.

8. Heʻeia Elementary School Covered Play Court DEA (AFNSI)

Island: Oʻahu
District: Koʻolaupoko
TMK: 4-6-031: 020
Permits: Variance from Pollution Controls (Noise Permit); Grubbing, Grading, and Stockpiling; Building Permit.

Proposing/Determination

Agency: Department of Education, Facilities Development Branch, 1151 Punchbowl Street, Room 501, Honolulu, HI 96813.
 Contact: Dean Mizumura, 808-586-0457.

Consultant: Gerald Park Urban Planner, 95-595 Kanameʻe Street, No. 324, Mililani, HI 96789. Phone: 808-625-9626.

Status: Statutory 30-day public review and comment period starts; comments are due by August 22, 2014. Please send comments to the proposing/determination agency and consultant.



The Department of Education proposes to construct a covered play court at Heʻeia Elementary School. The project will provide a covered facility where students can engage in outdoor play with minimal exposure to potential accidents caused by inclement weather. The structure also will serve as a covered, multi-purpose center for school activities and functions protected from frequent rain events.

The single-story structure will be located in an open area on the south side of the school grounds adjacent to an existing uncovered play court. The approximately 8,125 square foot structure will provide one regulation basketball court, one regulation volleyball court, four half-court basketball courts, and two side volleyball courts.

The cost of the project is estimated at \$2.0 million. Construction is projected to commence in Spring 2015 and completed by Spring 2016.

9. Waikīkī War Memorial Complex FEA (EISPN)

Island: Oʻahu
District: Honolulu
TMK: (1) 3-1-031:003, 009, and 010
Permits: Section 404, Department of the Army Permit; Conservation District Use Permit; National Pollution Discharge Elimination System Permit; Special Management Area Permit (Major); Diamond Head Special District Permit (Minor), Zoning Waiver; Building Permit; Demolition Permit; Grading Permit.

Proposing Agency:

City and County of Honolulu, Department of Design and Construction, 650 South King Street, 11th floor, Honolulu, HI 96813.
 Contact: Clifford Lau, 808-768-8478.



Accepting

Authority: Mayor, City & County of Honolulu, Honolulu Hale, 530 South King Street, Room 306, Honolulu, HI 96813.

Consultant: WCP, Inc., 99-061 Koaha Way, Suite 208, 'Āiea, HI 96701.
Contact: Celia Shen, 808-380-3851 or Richard Stook, 808-242-0218.

Status: Statutory 30-day consultation period starts, ending August 22, 2014. Please send comments to the proposing/determination agency, accepting authority and consultant.

The City and County of Honolulu, Department of Design and Construction, is proposing improvements to the Waikīkī War Memorial Complex area of Kapi'olani Regional Park. The Proposed Action includes the creation of a new beach situated at the present site of the Natatorium. The new beach will be fronted by a replica World War I memorial arch in alignment with the existing Roll of Honor plaque and hau tree arbor. The Proposed Action also involves additional proposed improvements within the park area including constructing a new bathhouse, removal of an internal roadway, and construction of a consolidated parking lot.

The purpose of the proposed project is to improve the Waikīkī War Memorial Complex area of Kapi'olani Regional Park by renewing the memorial to World War I veterans, and to fully reopen this portion of Kapi'olani Regional Park to the public. In addition to public access, the proposed project addresses the need for determining the disposition of the Natatorium in order to remedy the visual/aesthetic blight and the public health and safety risks posed by the deteriorating structure.

CHAPTER 343, HRS, WITHDRAWAL

1. Kalaeloa Barbers Point Harbor Fuel Pier WITHDRAWAL

Island: O'ahu
District: 'Ewa
TMK: (1) 9-1-014: 024 (portion), 025, & 038 and (1) 9-1-074: 037 (portion) & 038 (portion)

Proposing Agency: Hawai'i Department of Transportation, Harbors Division, 79 South Nimitz Highway, Honolulu, HI 96813. Contact: Dean Watase, 808-587-1883.

Accepting Authority: Governor, State of Hawai'i
Consultant: Group 70 International, Inc., 925 Bethel Street, 5th Floor, Honolulu, HI 96813. Contact: Jeffrey Overton, 808-523-5866.

Status: Withdrawal.



The Hawai'i Department of Transportation, Harbors Division (DOT-H), requested publication of an EIS Prep Notice (EISPN) for proposed work at Kalaeloa Barbers Point Harbor (KBPH). Entitled *Kalaeloa Barbers Point Harbor Fuel Pier*, the EISPN was published in *The Environmental Notice* on August 8, 2013. Following the 30-day public comment period, work on the EIS was initiated. In defining the proposed action, it became evident that additional actions would be required, and some actions will occur outside the Project Site as defined in the August 2013 EISPN. As such, DOT-H has determined that a revised EISPN should be published to identify associated harbor improvements required to facilitate development of a Fuel Pier at KBPH.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) NOTICES

1. Construction of Submarine Production Support Facility (MILCON P-320) at Pearl Harbor Naval Shipyard and Intermediate Maintenance Facility, O'ahu, Hawai'i

Island: O'ahu
District: 'Ewa
TMK: N/A
Permits: Hawai'i Department of Health Section 402 NPDES Discharge Permit Coverage; Asbestos Notification of Demolition and Renovation; Hazardous Waste Permit renewal and amendment.

Applicant or Proposing Agency: Department of the Navy, Commander (Code 1160), Pearl Harbor Naval Shipyard & Intermediate Maintenance Facility, 667 Safeguard Street, Suite 100, Joint Base Pearl Harbor-Hickam, HI 96860-5033. Contact: Sean Hughes, 808-474-0272.

Consultant: HHF Planners, 733 Bishop Street, Suite 2590, Honolulu, HI 96813. Contact: Gail Renard, 808-545-2055.

Status: The Final EA and FONSI have been completed. A Notice of Availability for the Final EA and FONSI will be published in the Honolulu Star-Advertiser on July 11, 12, and 13, 2014. Single copy requests for the Final EA and FONSI on CD may be obtained from Naval Facilities Engineering Command Hawaii, 400 Marshall Road, Building X-11, JBPHH, HI 96860-3139 (Attn: OPHEV2 P-320 EA Project Manager). Phone: 808-471-9702.

The proposed action will consolidate existing submarine support and maintenance functions at Joint Base Pearl Harbor-Hickam (JBPHH), currently located in 11 separate facilities, through construction of a multi-functional Submarine Production Support Facility and demolition of excess facilities that are no longer needed as a result of the consolidation. The consolidation would occur under Military Construction (MILCON) Project P-320, which would adaptively reuse existing historic buildings (Buildings 9 and 9A), construct a new annex as a multi-functional submarine production support facility, demolish six existing buildings (Buildings 213, 1274, 1384, 1409, 1418 and 1454), and selectively deconstruct and preserve a seventh historic building (Building 8).

The primary purpose of the proposed action is to provide a properly sized, configured and centrally located facility for submarine support and maintenance and to reduce excess facilities infrastructure that are no longer needed as a result of the consolidation. The action is needed to improve the efficiency of submarine support and maintenance operations, including radiological work, and to improve worker health and safety conditions.

Based on the information gathered during the preparation of this EA, the Navy determined that the proposed action will not significantly impact human health or the environment.

2. Supplemental Programmatic Environmental Assessment for Army 2020 Force Structure Realignment DEA (AFNSI)

Island: O'ahu
District: Kona
TMK: 11008005:0000
Proposing/ Approving Agency: US Army Environmental Command, ATTN: IMAE-EP (Klinger), 2450 Connell Road (Building 2264), JBSA-Fort Sam Houston, TX 78234-7664.
Contact: Pam Klinger, 210-466-1595.

Consultant: Louis Berger, ATTN: Spence Smith, 166 Valley Street, Building 5, Providence, RI 02909. Phone: 401-415-9547.

Status: The Army will accept comments until August 25, 2014. Please submit written comments or additional information to US Army Environmental Command, ATTN: SPEA Public Comments, 2450 Connell Road (Building 2264), Joint Base San Antonio-Fort Sam Houston, TX 78234-7664; or email to usarmy.jbsa.aec.nepa@mail.mil

The Supplemental Programmatic Environmental Assessment for Army 2020 Force Structure Realignment and Draft Finding of No Significant Impact are available for review and comment. The Army's proposed action is to reduce the Army's Active Component end-strength from 562,000 to 420,000. Installations analyzed are those that could experience a change in Soldiers and civilians exceeding 1,000 personnel. USAG Hawaii Fort Shafter and Schofield Barracks were two of the 30 installations analyzed. No significant environmental impacts are anticipated from Army 2020 alternatives, though socioeconomic impacts at most installations could be significant. Reduction decisions have not been made.

Interested members of the public, federally recognized Indian Tribes, Native Hawaiian groups, Alaska Natives, federal, state, and local agencies are invited to provide comments. The document is available at <http://aec.army.mil/Services/Support/NEPA/Documents.aspx> and in local libraries: Hawaii State Library, Kalihi-Palama Public Library, and Salt Lake-Moanalua Public Library, Honolulu; Mililani Public Library, Mililani; Wahiawa Public Library, Wahiawa; Waialua Public Library, Waialua; and Waianae Public Library, Waianae.

FEDERAL NOTICES

1. [U.S. Coral Reef Task Force Public Meeting and Public Comment](#) - July 11, 2014

The U.S. Department of the Interior announces a public meeting of the U.S. Coral Reef Task Force. This meeting, the 32nd meeting of the task force, will provide a forum for coordinating planning and action among Federal agencies, State and territorial governments, as well as nongovernmental agencies. The meeting will be held September 8, 2014, through September 13, 2014 at the Westin Maui Hotel, 2365 Ka'anapali Parkway, Maui, Hawaii 96761. In addition, all public comments must be submitted by August 20, 2014. Established by Executive Order 13089 in 1998, the U.S. Coral Reef Task Force has a mission to strengthen and protect coral reef ecosystems. For more information about the task force, or to register in advance for the public meeting, please visit their website at www.coralreef.gov. The public is encouraged to comment on this matter. Comments may address the meeting, the role of the Coral Reef Task Force, or general coral reef conservation issues. Comments must be submitted to Liza Johnson via email (see below) by September 26, 2014. Contact: **Liza Johnson**, DOI U.S. Coral Reef Task Force, U.S. Department of the Interior, 202-208-1378, Liza_M_Johnson@ios.doi.gov

2. [Invitation for Public Comments to Enhance Survival of Endangered Species](#) - June 27, 2014

The U.S. Fish and Wildlife Service is looking to conduct certain activities to enhance the survival of endangered species. However, the Endangered Species Act of 1973 prohibits these activities unless a Federal permit is issued that allows such activity. In addition, the Act requires that the public is invited to comment before issuing such permits. The public is highly encouraged to comment on this important matter; to ensure consideration, please send your written comments by August 13, 2014. Comments can be sent to the Program Manager for Restoration and Endangered Species Classification of the U.S. Fish and Wildlife Service at the Pacific Regional Office: 911 NE 11th Avenue, Portland, OR 97232-4181. Please refer to the permit number for the application when submitting comments. To view the list of requested permits under evaluation, or for any other additional information, please view the entire notice here. Contact: **Colleen Henson**, Fish and Wildlife Biologist, 503-231-6131

COASTAL ZONE MANAGEMENT NOTICES

Special Management Area (SMA) Minor Permits

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

Location (TMK)	Description (File No.)	Applicant/Agent
Hawai'i: North Hilo (3-5-003: 088)	Construction of New Ball Field Dugouts, Sideline Fencing, and Accessible Sidewalks and Parking (SMM 14-303)	County of Hawai'i, Department of Parks and Recreation
Hawai'i: North Kona (7-6-022: 081 and 036)	Consolidation of Two Parcels into One (SMM 14-304)	Jacob Teitelbaum
Kaua'i: Koloa (2-6-011: 002)	Allow a Spa Addition to an Existing Pool (SMA(M)-2014-17)	Kathleen M. and Steven M. Smith
Maui: Lahaina (4-6-001: 009)	Old Lahaina Courthouse - Repair of Doors and Windows (SM2 20140069)	Lahaina Restoration Foundation
Maui: Lahaina (4-4-008: 022)	Apartment Remodel, Unit 3-806 (SM2 20140070)	Marc A Taron
Maui: Wailea (2-1-008: 061)	Upgrade Wireless Facility (SM2 20140071)	Verizon Wireless
Maui: Kā'anapali (4-4-001: 099)	Condo/Hotel Repair (SM2 20140072)	Marie Kimmey
Maui: Kihei (2-2-002: 072)	New Residential Duplex (SM2 20140073)	Robert Robinson
Maui: Lahaina (4-4-006: 011)	Hale Kā'anapali Planter (SM2 20140075)	Marie Kimmey
Maui: Lahaina (4-5-006: 008)	Yokouchi Masaru (SM2 20140076)	William McKeon



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-1602	6/26/14	Lot 56 as shown on Map 1 of Land Court Application 609 situate at Mokuleia, Waialua, O'ahu. Address: 68-287 Crozier Loop Purpose: Building setback requirement	Jaime F. Alimboyoguen/ William Angel & Michael Montgomery	6-8-005:018
OA-1603	7/7/14	Lot 43 of Mokuleia Beach Subdivision as shown on File Plan 863 situate at Kamananui, Waialua, O'ahu Address: 68-253 Au Street Purpose: Building setback requirement	Jaime F. Alimboyoguen/ Christopher Stratas	6-8-012:043
OA-1604	7/9/14	Lot 1-A-39 Land Court Application 1089 situate at Kamananui, Waialua, O'ahu Address: 67-002 Kahaone Place Purpose: Building setback purposes	Walter P. Thompson, Inc./ Gregory Kempson	6-7-015:040
OA-1605	7/8/14	Lots 1120 to 1123, inclusive (Map 129); 475 (Map 68); 1271-A and 1217-B (Map 172); 529-A and 529-B (Map 76); 160-A (Map 66) of Land Court Application 1095 situate at Kahuku, Ko'olauloa, O'ahu Address: 57-091 Kamehameha Highway Purpose: Permitting	Ryan M. Suzuki/ Turtle Bay Resort, LLC	5-6-003; 5-7-001; 5-7-006
MA-581	7/1/14	Portion of Grant 548 to J.Y. Kanehoa situate at Paeahu, Hona'ula, Maui Address: 3200 South Kihei Road Purpose: N/A	Akamai Land Surveying, Inc./ Thomas Weisel	2-1-010:023
MA-582	7/1/14	Lot 43 of the Waiohuli-Keokea Beach Lots, Second Series situate at Waiohuli-Keokea, Kihei, Wailuku, Maui Address: 1690 Halama Street Purpose: N/A	Akamai Land Surveying, Inc./ Garry Webster	3-9-011:007
MA-583	7/9/14	Lot 3 Olowalu Makai Komohana Subdivision situate Olowalu, Lahaina, Maui Address: 69 Kuahulu Place Purpose: Building permit	Arthur P. Valencia/ Golestani Family Trust	4-8-003:121
HA-487	7/9/14	Portion of R.P. 4497 and L.P. 8177, L.C. Aw. 8559, Apana 5 to C. Kanaina situate at Kapoho, Puna, Island of Hawai'i Address: Alapai Point Road Purpose: Determine setback for proposed new dwelling	Wayne A. Subica, Jr./ Mark Bernard and Janet Rugg Lew	1-4-027:011, 012 & 028
KA-389	7/3/14	Lot 9 of Waipōuli Beach Lots being a portion of R.P. 7373, L.C. Aw. 8559-B, Ap. 42 to William C. Lunalilo situate at Waipōuli, Kawaihau, Kaua'i Address: 976 Niulani Street Purpose: Repair sea wall	Honua Engineering, Inc./ Stephanie L. Skow, Katherine L. Skow and Matthew O. Nelson	4-3-009:001

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-1583	Proposed Shoreline Certification	Parcel 23-A fronting Lot 23 of Section 2, Awamoku Subdivision File Plan 556 situate at Puahuula, Kaneohe, Oahu Address: 44-010 Aumoana Place Purpose: Building permits	Ryan M. Suzuki/ Clifford Tillotson	4-4-022:007
OA-1596	Proposed Shoreline Certification	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

CONSERVATION DISTRICT USE APPLICATIONS

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 the 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.: HA-3715
Name of Applicant: Merrill Lawrence Smith and Ida Kailakanoa Smith
Location: Pohoiki, Puna, Hawai'i
TMK: (3) 1-3-008:037
Proposed Action: Conversion of coffee mill to single family residence (after-the-fact); subdivision
343, HRS Determination: Exempt
Applicant's Contact: Celia Shen; Ted Wong, Esquire; WCP, Inc., 808-380-3851
OCCL Staff Contact: Michael Cain, 808-587-0048

PROJECT:

File No.: CDUA OA-3721
Name of Applicant: John and Nancy Shaw
Location: Kailua, Ko'olaupoko District, Island of O'ahu
TMK: (1) 4-2-004:001
Proposed Action: After-the-Fact Approval for CRM Wall & Swale
343, HRS Determination: Exempt
Applicant's Contact: Dawn Horn, 808-225-7873
OCCL Staff Contact: Alex Roy, 808-587-0316

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).