

The Environmental Notice

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

A MESSAGE FROM THE DIRECTOR



The "vog" comes on little cat feet (with apologies to Carl Sandburg). A view of the Honolulu skyline enveloped in "vog" - a *portmanteau* of the words "volcanic" and "smog." Photograph courtesy of H. Tuiolosega.

This Environmental Notice (the "*periodic bulletin*" under Section 343-3, Hawai'i Revised Statutes) provides public notice (of 30 or 45 days) under the Hawai'i Environmental Policy Act (HEPA) for various projects in addition to non-HEPA notices related to shoreline, coastal zone management, NEPA projects, and the *Federal Register* (FR) notices. Please take a look.

The Office of Environmental Quality often works with the Environmental Council, the board with the statutory mandate to advise the governor (and all state agencies) and the legislature about environmental policy. Governor Ige will need to appoint new members to the Environmental Council soon, so please apply if you are interested, or tell qualified people you know about this

opportunity. Go to ehawaii.gov and select the Boards and Commissions button to apply.

At the next planned Environmental Council meeting on March 16th, topics likely to be discussed include the Department of Land and Natural Resources exemption list; legislation important to the council's obligations under state law; and pesticides in the air, land, and water, how they may impact humans and our environment, and what can be done to shift policies in agriculture to address community concerns about pesticides. For more information, please visit the Environmental Council's website at <http://health.hawaii.gov/oeqc/environmental-council-2/> or Facebook <https://www.facebook.com/HawaiiEnvironmentalCouncil>.

In the next Environmental Notice, please look for the Environmental Council's Annual Report 2015. We anticipate its release sometime this week.

Also, congratulations to Athline Clarke, the new Superintendent for Papahānaumokuākea Marine National Monument! Go to <http://www.papahanaumokuakea.gov> for more information.

Mahalo for your time and attention.



David Y. Ige, Governor · Jessica Wooley, Director · Office of Environmental Quality Control · 235 South Beretania Street, Suite 702 · Honolulu, Hawai'i 96813 · Tel: 586-4185 · Fax: 586-4186 · Email: oeqchawaii@doh.hawaii.gov · Website: <http://health.hawaii.gov/oeqc/>
Toll Free: Kaua'i 274-3141, ext. 64185 · Maui 984-2400, ext. 64185 · Moloka'i/Lāna'i 1-800-468-4644, ext. 64185 · Hawai'i 974-4000, ext. 64185

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HAWAI'I (HR§ 343)

1. Kekaha Kai State Park Phase II Improvements 5(b) FEA (FONSI)

Island: Hawai'i
District: North Kona
TMK: (3) 7-2-005:002, 003 & 007; (3) 7-3-043: por. 001; (3) 7-2-004:003, 009, 017 & 019

Permits: State DLNR Engineering Division - Review of building plans for compliance with all relevant codes (e.g., electrical, plumbing, seismic, etc.), Review of grading and drainage plans (if any); State DLNR Office of Coastal and Conservation Lands and Surveyor - Certified Shoreline review and approval by the State Surveyor (obtained) Conservation District Use Permit (potential); State Department of Health (SDOH) - Disability and Communication Access Board (DCAB) plan review and approval, National Pollutant Discharge Elimination System Permit (NPDES); County Department of Public Works (DPW) - Variance or exemption from HCC Chapter 27 – Flood Control to allow building within the VE Zone (if necessary), Building Permit: review of building plans for compliance with all relevant codes (e.g., electrical, plumbing, seismic, etc.), Review of grading and drainage plans (if any); County Planning Department - Special Management Area (SMA) Use Permit, Variance to Shoreline Setback for structures are within 40 feet of the Certified Shoreline unless determined by the Planning Director to be minor activities not affecting shoreline process, Plan Approval (as required, to be coordinated with Planning Department)



Proposing/Determination

Agency: Hawai'i State Department of Land & Natural Resources, Division of State Parks, 1151 Punchbowl Street, Room 221, Honolulu, HI 96813. Contact: Carty Chang, (808) 587-0230

Consultant: Geometrician Associates, P.O. Box 396, Hilo, HI 96721. Contact: Ron Terry, (808) 969-7090, email: rterry@hawaii.rr.com

Status: Finding of No Significant Impact Determination.

The State Department of Land and Natural Resources, Division of State Parks (DLNR Division of State Parks) is planning to continue its facility improvements at Kekaha Kai State Park, which encompasses 1,642 coastal acres. Kekaha Kai State Park was envisioned as one jewel in a string of parks along this coast, a low-key park to preserve the natural landscape of this Kona shoreline. Park development should provide increased recreational opportunities, support the development of cultural and educational programs, and preserve and enhance valuable natural and cultural resources. To this end, infrastructure and facility development have been planned to be relatively small and dispersed. The current Phase II Improvements involve minor repair and safety improvements to roadways and parking, a stairway to replace a dilapidated ramp, a new storage and water tank building to provide water for cleaning and maintenance, provision of two showers, several new or refurbished accessible picnic tables and BBQ pits, and miscellaneous other features and actions. The project avoids surface water, significant historic sites and threatened or endangered species. DLNR Division of State Parks will incorporate mitigation measures to ensure that there are no adverse effects to these resources. A few activities are located by necessity in the shoreline area, and permits will be obtained to ensure that no inappropriate use of or harm to shoreline resources occur.

2. Na Pu'u Water Easement for Photovoltaic Array 5(e) FEA (FONSI)

Island: Hawai'i
District: North Kona
TMK: (3) 7-1-001:006 (por.)
Permits: Hawai'i State BLNR: approval of the easement; Hawai'i State DLNR Engineering Division: review and approval of; Hawai'i County: Building Permit
Applicant: Na Pu'u Water Inc., P.O. Box 2217, Kamuela, HI 96743.
Approving Agency: Hawai'i State Department of Land and Natural Resources, c/o Land Division, Hawai'i District, 75 'Aupuni Street, Room 204, Hilo, HI 96720. Contact: Wesley T. Matsunaga, (808) 961-9590
Consultant: Geometrician Associates, P.O. Box 396, Hilo, HI 96721. Contact: Ron Terry, (808) 969-7090
Status: Finding of No Significant Impact Determination.



Na Pu'u Water Inc. (NWI) is a small, non-profit, community based, and member-owned water system serving the local residents of Pu'uuanahulu-Pu'u Wa'awa'a area. NWI owns, maintains, and operates two 2,500-foot deep groundwater wells that are sufficient for local community needs. The cost for electricity to pump water from these deep wells burdens the local residents and ranchers. The proposed action is the granting of an easement over a 1.74-acre portion of State land adjacent to one of the wells. The land would be used for a ground-mounted solar photovoltaic array consisting of approximately 800 monocrystalline solar panels and a flywheel energy storage system capable of storing 400 kWhrs of energy. These renewable energy facilities would reduce reliance on fossil fuel energy and stabilize and reduce pumping costs on the Pu'u Wa'awa'a Well. The project would provide a substantial benefit to the local community served by NWI and would also contribute to the State of Hawai'i's goals of gaining energy independence and using renewable energy sources. No archaeological, cultural or biological resources are present. Some visual impact will occur, but the location adjacent to an existing technology building that already contains solar panels is an appropriate context.

MAUI (HR§ 343)

3. Sugar Cove Berm Maintenance Program 5(e) Act 172-12 EISPN

Island: Maui
District: Wailuku
TMK: (2) 3-8-002: 033
Permits: Conservation District Use Application – Small Scale Beach Nourishment Programmatic Permit
Applicant: Sugar Cove AOA, 320 Paani Place #6C, Paia, HI 96799. Contact: Rich Salem, (808) 388-1300
Approving Agency: State Department of Land and Natural Resources – Office of Conservation and Coastal Lands, 1151 Punchbowl Street, Room 131, Honolulu, HI 96813. Contact: Samuel J. Lemmo, (808) 587-0377
Consultant: Sea Engineering, Inc., Makai Research Pier, 41-305 Kalaniana'ole Highway, Waimanalo, HI 96795. Contact: Chris Conger, (808) 259-7966, ext. 26
Status: Administrative 30-day public review and comment period starts; comments are due by



March 25, 2015. Address comments to the applicant with copies to the approving agency, consultant and OEQC.

Sugar Cove beach is located on the north shore of Maui in the Sprecklesville area bounded by rocky headlands on the eastern and western sides. This small scale beach nourishment project is intended to restore the beach system, which has been subject to a long-term trend of erosion and beach loss, by adding up to 8,000 cubic yards of beach quality sand over a 10-year maintenance project. Sand will be placed above the high water mark and is not to be placed directly in the ocean. As such, impacts are expected to be limited to the construction activities associated with delivery, placing, and grading sand.

4. Plantation Inn Redevelopment Project 5(e) FEA (FONSI)

Island: Maui
District: Lahaina
TMK: (2) 4-6-009:036, 038 and 044
Permits: Building, Grading, Historic District, Special Management Area
Applicant: KBHL, LLC, 2525 Ka'anapali Parkway, Lahaina, HI 96761. Contact: Mike White, (808) 667-0211
Approving Agency: Maui Planning Commission, County of Maui, c/o Department of Planning, 2200 Main Street, Suite 315, Wailuku, HI 96793. Contact: William Spence, (808) 270-7735
Consultant: Christ Hart & Partners, Inc., 115 North Market Street, Wailuku, HI 96793. Contact: Jordan Hart, (808) 242-1955
Status: Finding of No Significant Impact Determination.



The Ka'anapali Beach Hotel, Ltd., LLC (KBHL) is proposing the redevelopment of the Plantation Inn, a bed & breakfast-type, hotel establishment in Lahaina, Maui. The proposed action will involve the following Tax Map Key (TMK) parcels: (2) 4-6-009:036 (28,833 sq.ft.), 038 (6,512 sq.ft.), and 044 (8,919 sq.ft.), which are owned by KBHL and are referred to herein as the Subject Property or Property Site. The combined land area of these three (3) parcels is 44,264 sq.ft. or 1.02 acre. Existing Plantation Inn improvements on Parcel 36 include a couple of 2-story buildings containing 19 guest rooms and Gerard's Restaurant, guest parking, and a landscaped courtyard with a pool deck, swimming pool and spa.

As part of the proposed project, Parcels 36, 38 and 44 will be consolidated and resubdivided to create a single lot and two (2) road-widening lots. The existing structures on Parcel 38 (former office building) and 44 (former dwelling and barber shop) will be demolished.

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

O'AHU (HR5 343)

5. 133 Ka'iulani Condo-Hotel Project 5(e) DEA (AFNSI)

Island: O'ahu
District: Waikiki
TMK: (1) 2-6-023:029, 037 and 076
Permits: City and County of Honolulu: Planned Development-Resort Permit, Waikiki Special District Permit, Major; Zoning Adjustment for Signage Master Plan; Surface



Encroachment Variance; Subdivision for Pedestrian Access Easement; Sidewalk Variance; Construction Dewatering Permit; Building Permits; Flood Study; Trenching Permit; Grading Permit; Drain Connection; Sewer Connection; Street Usage; Construction Plan Review; Conditional Use Permit for Joint Development. State of Hawai'i: National Pollutant Discharge Elimination Permit for Construction Stormwater; Construction Noise Permit; Industrial Wastewater Discharge; Archaeological Inventory Survey; and Burial Treatment Plan.

Applicant: MK Development Consulting, LLC, 1288 Ala Moana Boulevard, Suite 201, Honolulu, HI 96814

Approving Agency: Department of Planning and Permitting, City and County of Honolulu, 650 South King Street, 7th Floor, Honolulu, HI 96813. Contact: Gerald Toyomura, (808) 768-8056

Consultant: Kusao & Kurahashi, Inc., 2752 Woodlawn Drive, Suite 5-217, Honolulu, HI 96822. Contact: Keith Kurahashi, (808) 988-2231

Status: Statutory 30-day public review and comment period starts; comments are due by March 25, 2015. Please send comments to the applicant, approving agency, and consultant.

The construction of a 33-story condo-hotel with up to 260 units and include back-of-house facilities, recreation facilities, retail commercial, and other site appurtenances. This project will exceed the 240-foot height limit with a 350-foot high building; encroach into the transitional height setback along Kaiulani and Koa Avenues (up to 20 feet and 25 feet, respectively); exceed the maximum density or floor area ratio (FAR) of 3.5 with a FAR of 4.0; and provide less than the minimum 50% open space with only 39% open space. The project will provide some public benefits.

6. 'Ohana Hale 5(e) FEA (FONSI)

Island: O'ahu
District: Honolulu
TMK: (1) 2-3-028:004
Permits: Chapter 201H, HRS; Dwelling Unit Revolving Fund (DURF) application; Chapter 343, HRS; ADA Accessibility Requirements; Building permits; Grubbing, Grading/Trenching, Street Usage, and Stockpiling; Sewer Connection; Water Connection; and Water Quality.

Applicant: MJF Development Corporation, 1541 S. Beretania Street, 4th Floor, Honolulu, HI 96818. Contact: Franco Mola, (808) 744-8072

Approving Agency: Hawai'i Housing Finance & Development Corporation, 677 Queen Street, Honolulu, HI 96813. Contact: Janice Takahashi, (808) 587-0639

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

Status: Finding of No Significant Impact Determination.



'Ohana Hale is an in-fill development located within the McCully neighborhood of Honolulu, O'ahu. The proposed residential condominium will offer 180 studio, one- and two-bedroom units. At least 60 percent of the units (108 units), will be affordable to households earning between 100% and 120% of the HUD area median income. The affordable units will range in price from an estimated \$236,250 to \$378,113 (in 2014 dollars) and will be subject to statutory resale restrictions.

The project is located at 929 Pumehana Street, Honolulu; TMK: (1) 2-3-028: 004. As an urban in-fill project, it is in close proximity to schools, bus stops, shopping, and services.

KAUA'I (HR§ 343)

7. Hā'ena State Park Master Plan 5(b) Act 172-12 EISPN

Island: Kaua'i
District: Hanalei
TMK: (4) 5-9-008:001, (4) 5-9-001:025, (4) 5-9-001:022 (por)
Permits: Compliance with Chapter 343, HRS; Special Management Use Area; Conservation District Use Permit; Shoreline Setback Determination. Possibility of Stream Channel Alteration Permit; Stream Diversion Works; and/or Petition to Amend Instream Flow Standards



Proposing/Determination

Agency: State of Hawai'i, Department of Land and Natural Resources, Division of State Parks;
 Contact: Dan Quinn, (808) 587-0290

Accepting

Authority: Governor, State of Hawai'i, c/o OEQC, (808) 586-4185

Consultant: PBR HAWAII & Associates, Inc., 1001 Bishop Street, Suite 650, Honolulu, HI 96813-3484. Contact: Catie Cullison, (808) 521-5631

Status: Administrative 30-day public review and comment period starts; comments are due by March 25, 2015. Address comments to the proposing agency with copies to the accepting authority, consultant, and OEQC.

Hā'ena State Park is culturally and ecologically significant and its beaches and scenic resources make it a popular visitor attraction. This mix of resources gives rise to the need to develop a conscientious and comprehensive master plan in order to balance conservation, recreation, cultural interpretation, and preservation.

In 2001, after several years of research, community meetings and interviews, a draft park plan was prepared for the DLNR, Division of State Parks. It included extensive background information and was the starting point for the current effort. The updated Master Plan utilizes existing and previously prepared data, including updated historic, cultural and ecological information where necessary, along with continued community input. The alternatives that will be evaluated in the Draft EIS include the alternative of doing nothing, the 2001 Draft Park Plan, and the 2015 Draft Master Plan. Additionally, the 2015 Draft Master Plan presents a number of operational and management options that will be evaluated in the EIS.

SHORELINE NOTICES

Shoreline Certification Applications

The shoreline certification applications below are available for review at the Department of Land and Natural Resources 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, Hawai'i 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 (808) 587-0420.

File No.	Date	Location	Applicant/Owner	TMK
OA-1639	2/6/15	Pat's at Punaluu Condominium being Lot 17, Planning Department File No. 1960 (225) and being also Lots 5 through 10 Land Court Application 1365 situate at Kaluanui, Kooloauloa, Oahu Address: 53-567 Kamehameha Highway Purpose: Subdivision	Walter P. Thompson, Inc./ AOAO Pat's at Punaluu	5-3-008:002

OA-1640	2/11/15	Lots 16 and 17 Land Court Application 609 situate at Mokuleia, Waialua, Oahu Address: 68-521 & 68-522 Crozier Drive Purpose: Building permit	Walter P. Thompson, Inc./ George F. Schnack Trust	6-8-004:017 & 030
OA-1641	2/11/15	Lots 22 and 23 Land Court Application 665 situate at Waialae-Iki, Honolulu, Oahu Address: 4957 & 4997 Kahala Avenue Purpose: Building permit	Walter P. Thompson, Inc./ Kamehameha Schools	3-5-023:003 & 038
MA-602	2/6/15	Portion of Royal Patent 7447, Land Commission Award 3237, Part 2 to Hewahewa situate at Kaonoulu, Kihei, Maui Address: 575 & 596 South Kihei Road Purpose: Planning for future use of parcels	Warren S. Unemori Engineering, Inc./ Kupono Partners, LLC	3-9-001:083 & 120
MA-603	2/10/15	Lot 93 of Land Court Application 1744 (Map 80) situate at Hanakaoo, Honokowai, Kaanapali, Lahaina, Maui Address: 30 Kai Ala Place Purpose: New residence	James Lecron/ Eugene Roddenberry	4-4-014:012
HA-499	2/2/15	Lot 40 of "Kohala Makai One Subdivision" being a portion of Land Court Consolidation 129, Map 6 situate at Waika, North Kohala, Island of Hawaii Address: 59-114 Umaumalei Place Purpose: Single family home	BMK Inc. Profit Sharing Plan/ BMK Inc. Profit Sharing Plan	5-9-016:028
HA-500	2/2/15	Lot No. 3 of "Aloha Kai Subdivision" subdivision No. 7096 being a portion of L.C. Award No. 9971, Apana 28 to William P. Leleiohoku situate at Kaumalumalu, North Kona, Island of Hawaii Address: 77-226 Ke Alohi Kai Place Purpose: N/A	Richard & Trudi Ahart/ Richard & Trudi Ahart	7-7-024:003
HA-501	2/9/15	Lot 1 being a portion of Grant 867 to Preston Cummings situate at Kiloa, South Kona, Island of Hawaii Address: 82-6045 Puuhonua Road Purpose: Additional building	Thomas Pattison/ Alan Grodzinsky & Susan Garland	8-2-004:013

Shoreline Certifications and Rejections

The shoreline notices below have been proposed for certification or rejection by the Department of Land and Natural Resources (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 Resources, 1151 Punchbowl Street, Room 220, Honolulu, Hawai'i 96813.

File No.	Proposed/Rejected	Location	Applicant/Owner	TMK
OA-1615	Proposed Shoreline Certification	Lot A Portion of R.P. 51, L.C. Aw. 802 to Adams situate at Niu, Waikiki, Oahu Address: 1 Puuikena Drive Purpose: Development of property	Dennis K. Hashimoto/ Dustin M. Shindo Trust	3-7-001:007
MA-593	Proposed Shoreline Certification	Portion of Land Patent Grant 4973 to Walter M. Giffard situate at Olowalu, Lahaina, Maui Address: 39724 Honoapiilani Highway Purpose: Obtain building permit	Akamai Land Surveying, Inc./ William & Zenda Stakelback	4-8-003:002
KA-391	Proposed Shoreline Certification	Lot 109 Haena Hui Lands being a portion of R.P. 3596, L.C. Aw. 10,613, Ap. 6 to A. Paki situate at Haena, Halelea, Kauai Address: Hui Road "L" Purpose: Building permit	Honua Engineering, Inc./ K. Robert Watchous	5-9-003:047
MA-576	Rejection	Lot 44 Land Court Application 1744 (Map 10) "Hale Kaanapali Condo" situate at Hanakaoo, Honokowai, Kaanapali, Lahaina, Maui Address: 45 Kal Ala Drive Purpose: Building permits purposes	Arthur Valencia/ Hale Kaanapali AOA	4-4-006:011

COASTAL ZONE MANAGEMENT NOTICES

Federal Consistency Reviews

The Hawai'i Coastal Zone Management (CZM) Program has received the following federal actions to review for consistency with the CZM objectives and policies in Chapter 205A, Hawai'i Revised Statutes. This public notice is being provided in accordance with section 306(d)(14) of the National Coastal Zone Management Act of 1972, as amended. For general information about CZM federal consistency please call John Nakagawa with the Hawai'i CZM Program at 587-2878. For neighboring islands use the following toll free numbers: Lāna'i & Moloka'i: 468-4644 x72878, Kaua'i: 274-3141 x72878, Maui: 984-2400 x72878 or Hawai'i: 974-4000 x72878. For specific information or questions about an action listed below please contact the CZM staff person identified for each action. Federally mandated deadlines require that comments be received by the date specified for each CZM consistency review. Comments may be submitted by mail, electronic mail, or fax, as indicated below.

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

Email: jnakagaw@dbedt.hawaii.gov

Fax: (808) 587-2899

1. Blue Ocean Mariculture Fish Farm Expansion, Unualoha Point, Kona Coast, Hawai'i

Applicant: Blue Ocean Mariculture
Contact: Ms. Jerrica Lowell, (808) 331-8222
Federal Action: Federal Permit
Federal Agency: U.S. Army Corps of Engineers, Honolulu District
Proposed Action: Expand the growing volume capacity of the existing mariculture operation from the current level of 24,000 cubic meters to 64,000 cubic meters. In addition to the increase in overall capacity, the 5 existing net pens will be removed and replaced with 8 net pens within the existing 90-acre leased area. Each individual net pen size would increase from 7,000 cubic meters to 8,000 cubic meters.

Location: Offshore Unualoha Point, Kona Coast, Hawai'i
TMK: Seaward of (3) 7-3-43
CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov
Comments Due: March 9, 2015

2. Maipalaoa Bridge Replacement, Farrington Highway, Wai'ānae, O'ahu

Applicant: State of Hawai'i Department of Transportation
Consultant: SSFM International, Inc.
Contact: Mr. Jared Chang, SSFM, (808) 356-1242
Federal Action: Federal Funding
Federal Agency: Federal Highway Administration
Proposed Action: Demolish and replace the Maipalaoa Bridge with a concrete structure that meets current design standards. The replacement bridge will be a four-lane single-spa bridge, about 78 feet wide by 112 feet long. The new bridge will have widened shoulders and a pedestrian sidewalk on both the makai and mauka sides of the bridge. The project will also involve minor construction of the Farrington Highway approaches to the bridge to match up with the new bridge.

Location: Maipalaoa Bridge at Farrington Highway, Wai'anae, O'ahu
TMK: (1) 8-7-5 & 8-7-23
CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov
Comments Due: March 9, 2015

Special Management Area (SMA) Minor Permits

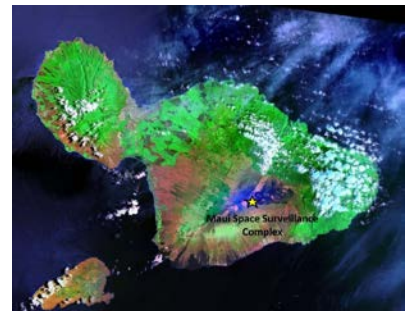
The SMA Minor permits below have been approved (HRS 205A-30). For more information, contact the county/state Planning Department. Honolulu (768-8014); Hawai'i (East 961-8288, West 323-4770); Kaua'i (241-4050); Maui (270-7735); Kaka'ako or Kalaheo Community Development District (587-2841).

Location (TMK)	Description (File No.)	Applicant/Agent
Hawai'i: Ka'u (9-5-019: 032)	Construction of a Concrete Rubble Masonry Retaining Wall (SMM 15-324)	Anthony Perez
Hawai'i: North Kona (7-5-007: 020)	Repairs to an Existing Rock Wall and Installation of Security Lattice Fencing on Existing Wall Sections (SMM 15-325)	Department of Land and Natural Resources, State Parks Division
O'ahu: Maunaloa (3-9-012: 005)	Sprint – Koko Head – Utility Installation, Type A (2014/SMA-61)	Sprint – Nextel / Cascadia PM
O'ahu: Kaneohe (4-7-058: 010)	Addition of Three Panel Antennas and Ancillary Equipment to an Existing 60-foot-tall Monopole (2015/SMA-2)	Sprint Wireless / Cascadia PM
O'ahu: Waikiki (2-6-008: 034 and 2-6-009: 009 and 012)	Verizon Wireless – Hilton Hawaiian – Utility Installation, Type A (2015/SMA-3)	Cellco Partnership, dba Verizon Wireless / General Dynamics

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

Modernization of Maui Space Surveillance Complex DEA (AFONSI)

Island: Maui
District: Haleakalā
TMK:
Permits: N/A
Applicant: Det 15, Air Force Research Laboratory, 550 Lipoa Parkway, Kihei, HI 96753. Contact: Jim Gardner, (808) 891-7748



Approving Agency: Air Force Research Laboratory, 3550 Aberdeen SE, Kirtland AFB, NM 87117. Contact: Joseph Volza, (505) 846-4050
Consultant: N/A
Status: Statutory 30-day public review and comment period starts; comments are due by March 25, 2015. Please send comments to the applicant and approving agency.

The Air Force Research Laboratory has prepared an Environmental Assessment (EA) for a proposed action to modernize the current facilities with updated equipment at the Maui Space Surveillance Complex (MSSC) located on Mount Haleakalā, Maui, Hawai'i. This modernization effort is a continuation of previously performed activities that support research and development associated with space observation. The modernization will include renovations of buildings and structures as needed to maintain state of the art facilities without increasing the current building footprint at MSSC. This modernization will also include equipment upgrades, replacement of existing domes, and the replacement of sensors in the form of cameras and lasers. One of the new sensors is a Frequency Addition Source of Optical Radiation (FASOR) laser that will be used to create an artificial guide star in the earth's sodium layer, similar to systems in use at other astronomical observatories, needed to enhance space object viewing. It is anticipated that no significant long-term adverse environmental impacts on Biological Resources, Cultural Resources, Visual Resources, Land Use, Air Quality, Infrastructure, Traffic and Roads, Utilities, Public Health and Safety, Hazardous Materials and Waste, and Socioeconomics would result from the proposed action.

FEDERAL NOTICES

1. **Endangered and Threatened Wildlife and Plants; Initiation of 5-Year Status Reviews of 133 Species in Hawai'i, Oregon, Idaho, and Washington**

The U.S. Fish and Wildlife Service (FWS), is initiating 5-year status reviews for 133 species in Hawai'i, Oregon, Idaho, and Washington under the Endangered Species Act of 1973. A 5-year status review is based on the best scientific and commercial data available at the time of the review; FWS is thus requesting submission of any new information on these species that has become available since the last review. DATES: To ensure consideration in FWS's reviews, FWS is requesting submission of new information no later than April 14, 2015. However, FWS will continue to accept new information about any listed species at any time. ADDRESSES: For the 130 species in Hawaii (see table below), submit information to: Deputy Field Supervisor—Programmatic, Attention: 5-Year Review, U.S. Fish and Wildlife Service, Pacific Islands Fish and Wildlife Office, 300 Ala Moana Blvd., Room 3-122, Box 50088, Honolulu, HI 96850. FOR FURTHER INFORMATION CONTACT: Marie Bruegmann, U.S. Fish and Wildlife Service, Pacific Islands Fish and Wildlife Office, 808-792-9400 (for species in Hawai'i). Individuals who are hearing impaired or speech impaired may call the Federal Relay Service at 800-877-8339 for TTY assistance (see, 80 F.R. 8100, February 13, 2015)

2. **Fishing Restrictions Regarding the Oceanic Whitetip Shark, the Whale Shark, and the Silky Shark**

The National Marine Fisheries Service (NMFS) issued regulations under authority of the Western and Central Pacific Fisheries Convention Implementation Act (WCPFC Implementation Act) to implement decisions of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Commission or WCPFC) on fishing restrictions related to the oceanic whitetip shark (*Carcharhinus longimanus*), the whale shark (*Rhincodon typus*), and the silky shark (*Carcharhinus falciformis*). The regulations apply to owners and operators of U.S. fishing vessels used for commercial fishing for highly migratory species (HMS) in the area of application of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Convention). The regulations for oceanic whitetip sharks and silky sharks prohibit the retention, transshipment, storage, or landing of oceanic whitetip sharks or silky sharks, and require the release of any oceanic whitetip shark or silky shark as soon as possible after it is caught, with as little harm to the shark as possible. The regulations for whale sharks prohibit setting a purse seine on a whale shark and specify certain measures to be taken and reporting requirements in the event a whale shark is encircled in a purse seine net. This action is necessary for the United States to satisfy its obligations under the Convention, to which it is a Contracting Party. DATES: This rule is effective March 23, 2015. ADDRESSES: Copies of supporting documents prepared for this final rule, including the regulatory impact review (RIR) and the Environmental Assessment (EA), as well as the proposed rule, are available via the Federal e-Rulemaking Portal, at www.regulations.gov (search for Docket ID NOAA-NMFS-2014-0086). Those documents, and the small entity compliance guide prepared for this final rule, are also available from NMFS at the following address: Michael D. Tosatto, Regional Administrator, NMFS, Pacific Islands Regional Office (PIRO), 1845 Wasp Blvd., Building 176, Honolulu, HI 96818. The initial regulatory flexibility analysis (IRFA) and final regulatory flexibility analysis (FRFA) prepared under the authority of the Regulatory Flexibility Act (RFA) are included in the proposed rule and this final rule, respectively. Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this final rule may be submitted to Michael D. Tosatto, Regional Administrator, NMFS PIRO 1845 Wasp Blvd., Building 176, Honolulu, HI 96818 SES) and by email to OIRA_Submission@omb.eop.gov or fax to 202-395-7285. FOR FURTHER INFORMATION CONTACT: Rini Ghosh, NMFS PIRO, 808-725-5033 (see, 80 F.R. 8807, February 19, 2015).

3. **Endangered Species Permit Application TE-003483**

The U. S. Fish and Wildlife Service (FWS) invites local, State, and Federal agencies and the public to comment on the following application. Permit Number: TE-003483 Applicant: U.S. Geological Survey, Pacific Island Ecosystems Research Center, Hawaii National Park, Hawaii. The applicant requests a permit amendment to take (capture, band, mark, measure, weigh, collect blood samples, radio-tag, release, recapture, and search for and monitor nests) the Hawaiian coot (*Fulica americana alai*) and the Hawaiian stilt (*Himantopus mexicanus knudseni*) on the island of O'ahu, in conjunction with scientific research, for the purpose of enhancing the species' survival. To ensure consideration, please send your written comments by March 16, 2015, 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. FOR FURTHER INFORMATION CONTACT: Colleen Henson, Fish and Wildlife Biologist, at the above address, or by telephone (503-231-6131) or fax (503-231-6243) (see, 80. F.R. 8103, February 13, 2015).

4. Availability of Seats for Various Advisory Councils in Hawai'i and American Samoa

The Office of National Marine Sanctuaries (ONMS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC) requests applications for vacant seats, including positions (i.e., primary member and alternate), for each of the advisory councils listed below.

- Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Council: Business Commerce (primary member); Commercial Shipping (primary member); Commercial Shipping (alternate); Hawai'i County (alternate); Lāna'i Island (alternate); Moloka'i Island (alternate); Native Hawaiian (alternate); and Whale Watching (primary member). Contact: Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Council: Inouye Regional Center, ATTN: NOS/ONMS/Shannon Lyday, 1845 Wasp Blvd., Building 176, Honolulu, HI 96818; (808) 725-5905; email Shannon.Lyday@noaa.gov; or download application from http://hawaiihumpbackwhale.noaa.gov/council/council_app_accepting.html.
- Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council: Native Hawaiian (alternate); and Native Hawaiian Elder (alternate). Contact: Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council: Hoku Johnson, NOAA Inouye Regional Center, NOS/ONMS/PMNM, 1845 Wasp Blvd., Building 176, Honolulu, HI 96818; (808) 725-5800; email Hoku.Johnson@noaa.gov; or download application from <http://www.papahanaumokuakea.gov/council/>.
- National Marine Sanctuary of American Samoa Advisory Council: Research (primary member). Contact: Joseph Paulin, National Marine Sanctuary of American Samoa, Tauese P.F. Sunia Ocean Center, P.O. Box 4318, Pago Pago, AS 96799 (Utulei, American Samoa); (684) 633-6500; email Joseph.Paulin@noaa.gov; or download application from <http://americansamoa.noaa.gov/about/samoa.html>.

Applicants are chosen based upon their particular expertise and experience in relation to the seat for which they are applying; community and professional affiliations; views regarding the protection and management of marine or Great Lake resources; and possibly the length of residence in the area affected by the sanctuary. Applicants who are chosen as members or alternates should expect to serve two- or three year terms, pursuant to the charter of the specific national marine sanctuary advisory council or the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council. DATES: Applications are due by March 31, 2015. ADDRESSES: Application kits are specific to each advisory council (see above). As such, application kits must be obtained from and returned to the council-specific addresses (see, 80 F.R. 8065, February 13, 2015).

5. Secretary of Commerce Seeking Nominations to the Pacific, Alaska and Atlantic Scientific Review Groups

As required by the Marine Mammal Protection Act (MMPA), the Secretary of Commerce established three independent regional Scientific Review Groups (SRGs) to provide advice on a range of marine mammal science and management issues. NMFS has conducted a membership review of the Alaska, Atlantic, and Pacific SRGs and is soliciting nominations for new Members to fill vacancies on the Atlantic and Pacific SRGs. Nominees should possess demonstrable expertise in the areas specified below, be able to conduct thorough scientific reviews of marine mammal science, and be able to fulfill the necessary time commitments associated with a thorough review of documents and attendance at one annual meeting. DATES: Nominations must be received by March 20, 2015. ADDRESSES: Nominations should be sent to: Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3226, Attn: SRGs. FOR FURTHER INFORMATION CONTACT: Shannon Bettridge, Office of Protected Resources, 301-427-8402, Shannon.Bettridge@noaa.gov; or Seth Sykora-Bodie, Office of Protected Resources, 301-427-8409, Seth.SykoraBodie@noaa.gov. Information about the SRGs is available via the Internet at <http://www.nmfs.noaa.gov/pr/sars/group.htm> (see, 80 F.R. 8629, February 18, 2015).

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 its 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).

