



The Environmental Notice

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

Office of Environmental Quality Control

The Environmental Notice provides public notice for projects undergoing environmental review in Hawai'i as mandated under Section 343-3, Hawai'i Revised Statutes (HRS), the Environmental Impact Statement Law. Along with publishing Environmental Assessments (EAs) and Environmental Impact Statements (EISs) for projects in Hawai'i, *The Environmental Notice* also includes other items related to the shoreline, coastal zone, and federal activities.

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STATEWIDE MAP OF NEW HRS CHAPTER 343 PROJECTS



MAUI


International Christian Fellowship Church DEA (AFNSI)

HRS §343-5 Trigger(s)	National Historic Landmark District and Community Plan Amendment	
District(s)	Lahaina	
TMK(s)	(2) 4-6-011:023	
Permit(s)	Land Use Commission District Boundary Amendment, Community Plan Amendment, Change in Zoning, Building Permit	
Approving Agency	Maui Planning Commission c/o Maui Planning Department William Spence, Director; william.spence@mauicounty.gov (808) 270-7735 2200 Main St., Ste. 315, Wailuku, HI 96793	
Applicant	Benedicto Mariano, (808) 276-7167 RCabebe@chpmaui.com 281 Prison Street, Lahaina, HI 96761	
Consultant	Chris Hart & Partners, Inc. R. Raymond Cabebe, (808) 242-1955 x556, rcabebe@chpmaui.com 115 N. Market Street, Wailuku, HI 96793	
Status	Statutory 30-day public review and comment period starts. Comments are due by September 7, 2016. Please send comments to the approving agency and copy the applicant and the consultant.	

The applicant proposes to demolish the existing dilapidated 1,008 square foot single family residence and construct a two-story 3,024 square foot church building. The country style neighborhood church will be accessed by wooden stairs to covered porches at the front and rear of the residential scale church. The first floor will consist of the sanctuary, a kitchenette, and men's and women's restrooms. The upper floor will consist of a one-bedroom pastor's dwelling unit. Thirteen paved parking stalls will be provided onsite along with utility improvements.

MOLOKA'I

Kapa'akea Flood Mitigation Improvements DEA (AFNSI)

HRS §343-5 Trigger(s)	Use of State Lands and State Funds	
District(s)	Moloka'i	
TMK(s)	(2)5-4-007:009 (por.), (2)5-4-007:010 (por.), (2)5-4-007:011 (por.), (2)5-4-007:024 (por.), (2)5-4-007:025 (por.)	
Permit(s)	National Pollutant Discharge Elimination System (NPDES) Permit, as applicable; Community Noise Permit, as applicable; Building and Grading Permits, as applicable; Special Flood Hazard and Development Permit, as applicable	
Proposing/Determining Agency	State of Hawai'i, Department of Hawaiian Home Lands Nancy McPherson, Nancy.M.McPherson@hawaii.gov (808)620-9519 91-5420 Kapolei Parkway, Kapolei, HI 96707	
Consultant	Munekiyo Hiraga Gwendolyn Rivera, planning@munekiyohiraga.com (808) 244-2015 305 High Street, Suite 104 Wailuku, HI 96793	
Status	Statutory 30-day public review and comment period starts. Comments are due by September 7, 2016. Please send comments to the Proposing/Determining agency and copy the consultant.	

The State of Hawai'i, Department of Hawaiian Home Lands (DHHL) proposes a flood mitigation project in Kaunakakai, Moloka'i to protect five DHHL Homestead lots which are subject to flooding during periods of heavy rainfall. The proposed project involves the removal of an existing chain link fence and concrete masonry unit (CMU) wall. A new 4-foot high CMU wall is proposed for installation as a flood barrier along the north- and west-facing boundaries of the five DHHL Homestead lots. The proposed CMU wall is approximately 700 feet in total length, including a roughly north-south portion and roughly east-west portion, and will terminate approximately 60 feet mauka of the shoreline. The project area includes a shoreline-fronting lot, and is located within the County of Maui's Special Management Area (SMA). However, as the project will be undertaken directly by DHHL on lands owned by DHHL, the County of Maui, Department of Planning determined that a SMA Permit is not required. Similarly, the Shoreline Setback Rules of the Moloka'i Planning Commission are not applicable to the project.

O'AHU


Community Training Kitchen at Ohana Ola 'O Kahumana DEA (AFNSI)

HRS §343-5 Trigger(s)	Use of County lands	
District(s)	Wai'anae	
TMK(s)	(1) 8-6-006:001	
Permit(s)	Various (see document)	
Approving Agency	City and County of Honolulu, Department of Community Services, Community Based Development Division Stephen Karel, Phone: (808) 768-7753, Fax: (808) 768-7792, skarel@honolulu.gov 715 South King Street, Suite 311, Honolulu, HI 96813	
Applicant	Alternative Structures International (dba Kahumana) Tom McDonald, Executive Director, (808) 696-2655, kahumana.tom@gmail.com 86-660 Luualalei Homestead Road, Wai'anae, HI 96792	
Consultant	PBR HAWAII & Associates, Inc. Catie Cullison, AICP, Senior Associate, Phone: (808) 521-5631, Fax: (808) 523-1402, ccullison@pbrhawaii.com 1001 Bishop Street, Suite 650, Honolulu, HI 96813	
Status	Statutory 30-day public review and comment period starts. Comments are due by September 7, 2016. Please send comments to the approving agency and copy the applicant and the consultant.	

The proposed action is construction of a Kitchen facility that will serve an existing job training program at the Ohana Ola 'O Kahumana transitional housing community. The Kitchen and associated development will occupy approximately one acre and will include a 2,800-to-3,000 sq. ft. building, an individual wastewater system, a parking/loading area for about twelve vehicles, and an entrance off Kuwale Road. The proposed project will utilize previously disturbed vacant land and is not expected to substantially degrade environmental quality. All construction activities will comply with applicable regulations and appropriate mitigation measures will be implemented as necessary.


During the school year, the kitchen prepares approximately 1,100 healthy keiki meals per weekday from the Kitchen at Ulu Ke Kukui, a Department of Hawaiian Home Lands property located in Mā'ili. The lease for the Kitchen expires in 2018. The project objective is to: maintain and grow the part-time, temporary trainee positions that prepare the lunches. The primary source for filling these trainee positions are adults at Ohana Ola. Secondary objectives include: Uninterrupted continuation of a school lunch program, which feeds 1,100 underprivileged children every day; expand the school lunch program to respond to increasing demand; and utilize produce grown at Kahumana Farms to strengthen stewardship of the 'āina.

Auyong Homestead Road Improvements FEA (FONSI)

HRS §343-5 Trigger(s)	Use of county lands and funds	
District(s)	Wai'anae	
TMK(s)	(1) 8-7-026	
Permit(s)	Community Noise Permit, National Pollutant Discharge Elimination System Permits, Permit to Transport Oversize/Overweight Equipment/ Loads on State Highways, Construction Dewatering Permit, Permit to Excavate, Street Usage Permit.	
Proposing/ Determining Agency	Department of Design and Construction Edward Visaya, ervisaya@honolulu.gov (808) 768-8807 650 South King Street, Honolulu, HI 96813	
Consultant	Gray, Hong, Nojima & Associates, Inc. Sheryl Nojima, snojima@grayhongnojima.com (808) 521-0306 201 Merchant Street, Ste 1900, Honolulu, HI 96813	
Status	Finding of No Significant Impact (FONSI) determination. Comments are not taken on this action.	

The City and County of Honolulu is proposing drainage improvements and roadway pavement resurfacing to Auyong Homestead Road in Nānākuli. The drainage improvements are intended to relieve standing water on the road after rainfall events through a controlled release of the discharge into the Ulehawa U-3 Channel. The roadway pavement resurfacing will consist of resurfacing a portion of the existing asphaltic concrete roadway to provide an improved smooth surface for vehicular users of Auyong Homestead Road and the surrounding neighborhood.

Na Pua Makani Wind Project FEIS Acceptance Determination

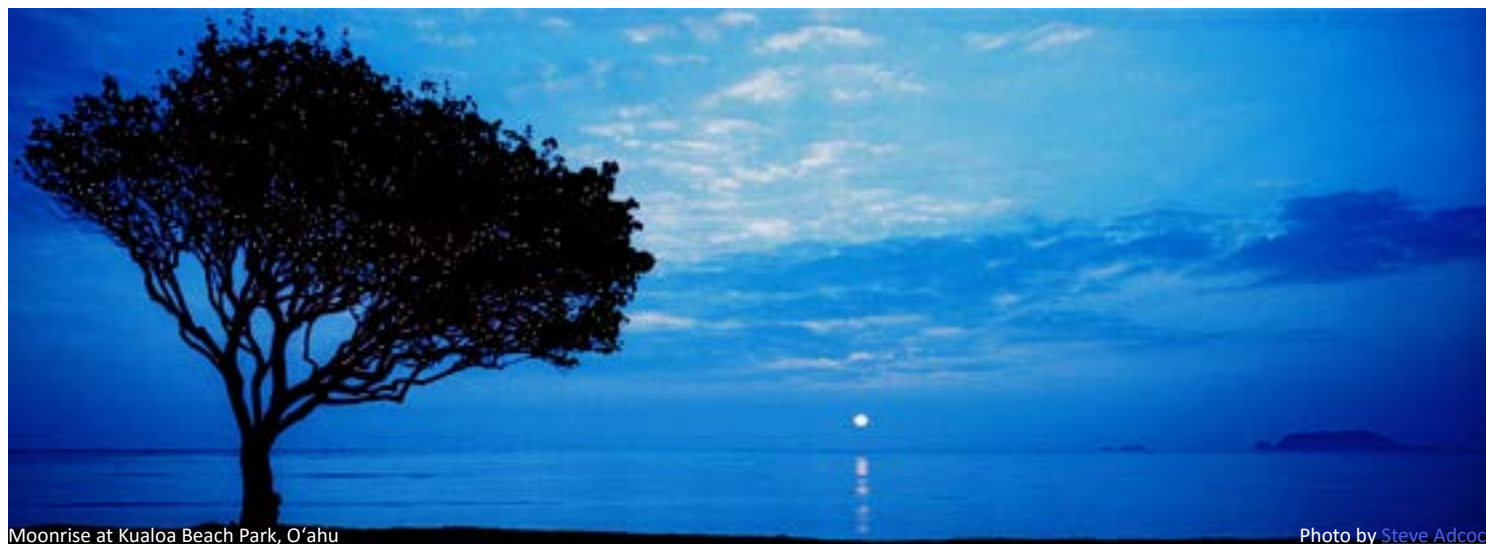
HRS §343-5 Trigger(s)	Use of State lands (use of Department of Land & Natural Resources' lands and use of State of Hawaii Department of Transportation's right of way)	
District(s)	Ko'olauloa	
TMK(s)	(1)5-6-005:018 (portion); (1)5-6-006:018, 47, 51, 55; and (1)5-6-008:006 (portion)	
Permit(s)	Various (see document)	
Approving Agency	Board of Land and Natural Resources Suzanne Case, Chairperson, Department of Land and Natural Resources, dlnr@hawaii.gov , (808) 587-0400 Kalanimoku Building, 1151 Punchbowl Street, Honolulu, HI 96813	
Applicant	Champlin Oahu Wind Holdings, LLC Mike Cutbirth, mcutbirth@champlinwind.com (805) 568-0300 2020 Alameda Padre Serra, Suite 105, Santa Barbara, CA 93103	
Consultant	Tetra Tech, Inc. Brita Woeck, Brita.woeck@tetratech.com (808) 441-6600 737 Bishop St., Suite 2340, Mauka Tower, Honolulu, HI 96813	
Status	The Board of Land and Natural Resources accepted the Final EIS at their public meeting on July 22, 2016. Comments are not taken on this action.	

Na Pua Makani Power Partners, LLC (NPMPP), a wholly owned subsidiary of Champlin Oahu Wind Holdings, LLC, proposes to construct and operate the Na Pua Makani Wind Project near the town of Kahuku on the island of O'ahu, Hawai'i. The project would consist of up to 9 wind turbine generators, with a nameplate generating capacity of up to approximately 25 megawatts. The turbine array could include a combination of models from a single manufacturer ranging in generating capacity and dimensions, based on site-specific conditions and setback requirements. Supporting infrastructure for the proposed Project would include access roads, wind turbine assembly lay down areas, overhead and underground transmission and collector lines, an on-site substation and an operations & maintenance building and associated storage yard and parking area. The purpose of the proposed project is to provide clean, renewable wind energy for the island of O'ahu. The energy delivered by the proposed project would help HECO meet its Renewable Portfolio Standard (RPS), established in HRS § 269-92 and the state of Hawai'i goal of increasing energy independence through the development of additional sources of renewable energy.

Kewalo Basin Makai Loading Dock Repairs Exemption Declaration

In August 2014, the Hawai'i Community Development Authority (HCDA) awarded the lease for Kewalo Basin Harbor to Kewalo Harbor, LLC, a wholly-owned subsidiary of the Howard Hughes Corporation. As a requirement of its lease agreement, Kewalo Harbor, LLC proposes to replace and repair the deck at the loading dock along the Makai Wharf, Kewalo Basin, Honolulu, Hawai'i.

The HCDA has determined that the proposed action qualifies for an exemption under Chapter 343, Hawai'i Revised Statutes. For further questions, please contact Mr. Deepak Neupane, P.E., AIA, Director of Planning and Development, at (808) 594-0338.



Moonrise at Kualoa Beach Park, O'ahu

Photo by [Steve Adcock](#)

KAUA‘I

Hanalei Traders Bioengineered River Bank Stabilization DEA (AFNSI)

HRS §343-5 Trigger(s)	Propose the use of state or county lands	
District(s)	Hanalei	
TMK(s)	(4) 5-5-010:067	
Permit(s)	CWA Section 401 Water Quality Certification, Dept. of the Army Permit, CZM, SMA, SCAP	
Approving Agency	Hawai‘i Department of Land and Natural Resources, Land Division, Kaua‘i District Marvin Mikasa, marvin.t.mikasa@hawaii.gov (808) 274-3491 3060 Eiwa St., Room 208, Lihue, HI 96766	
Applicant	Hanalei Traders Roger Ross, hanaleidolphin1@yahoo.com (808) 326-2561 5-5016 Kuhio Highway, Hanalei, HI 96714	
Consultant	Sustainable Resources Group Intn’l, Inc. Andrew Hood, comments@srgii.com (808) 356-0552 111 Hekili Street, Suite A373, Kailua, HI 96734	
Status	Statutory 30-day public review and comment period starts. Comments are due by September 7, 2016. Please send comments to the approving agency and copy the applicant and the consultant.	

Mr. Roger Ross owns the Hanalei Traders property located on the west bank of the Hanalei River at river mile one in Hanalei, Kaua‘i (Tax Parcel ID (4) 5-5-010:067). The 2.3 acre property hosts the Dolphin Restaurant, a fish market, gift shop, and five river front cottages. In total, 720 feet of the lot fronts the river. Along 450 feet of the river frontage the bank is eroding at an accelerated rate due in part to offsite impacts to the river system. The accelerated erosion has shifted the top of the river bank horizontally approximately 28 feet inland over the past 25 years. River bank erosion threatens structures on the property and is a chronic source of sediment into the river. In order to address erosion problems and to protect private property and existing infrastructure, the project proposes to stabilize the eroding areas by installing a bioengineered design. The project will install a 450 foot long bioengineered wall (biowall) along the eroding river bank comprised of boulders, geogrid fabric, geotextile bags, and native vegetation plantings.

Hanalei Valley and Bay, Kaua‘i

Photo by [Robert Unsdell](#)



OPEN HRS CHAPTER 343 DOCUMENTS

Status: Public review and comment period for these projects began previously. Comments are due August 22, 2016. Please send comments to the relevant agency and copy the relevant applicant and/or consultant.

[Hawai‘i Belt Road Rockfall Protection Phase 1, Laupāhoehoe Gulch DEA \(AFNSI\)](#)

[Adolescent Treatment and Healing Center DEA \(AFNSI\)](#)

[Kapa‘a Stream Bridge and Māilihuna Intersection Improvements DEA \(AFNSI\)](#)

[Polarized Light from Atmospheres of Nearby Extra-Terrestrial Systems \(PLANETS\) Telescope Facility DEA \(AFNSI\)](#)

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 relevant county/State planning agency. Honolulu (768-8014); Hawai'i (East 961-8288, West 323-4770); Kaua'i (241-4050); Maui (270-7735); Kaka'ako or Kalaeloa Community Development District (587-2841).

Location (TMK)	Description (File No.)	Applicant/Agent
Hawai'i: North Hilo (3-5-008: 027)	Removal of a 70-foot Tall Mango Tree (SMM 16-354)	Banyan Bluff LLC
Hawai'i: South Kohala (6-9-002: 009)	Amend SMM-13-289 for a Time Extension (SMM 13-289)	Hawai'i Conference Foundation United Church of Christ
Hawai'i: North Kona (7-6-014: 022)	Amend SMM-09-104 to Allow for Modifications and Additions to the Antenna Site (SMM 09-104)	Verizon Wireless
Maui: Waiehu (3-2-013: 006)	ADA Cart Shelter (SM2 20160077)	GYA Architects, Inc.
Maui: Kihei (3-9-001: 001)	Water Irrigation System (SM2 20160078)	County of Maui Department of Parks and Recreation
Maui: Kihei (2-1-005: 135)	Replacing Existing Gate (SM2 20160079)	Frampton & Ward
Maui: Kihei (3-9-001: 110)	Converting Existing Irrigation System (SM2 20160080)	Leinaala Condo
Maui: Ma'alaea (3-8-014: 024)	Install New Antennas (SM2 20160081)	Verizon Wireless

SHORELINE NOTICES

APPLICATIONS FOR SHORELINE CERTIFICATION

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, 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 (808) 587-0420.

File No.	Date	Location	Applicant/Owner	TMK
OA-1713	7/18/16	Portion of Lot 4019-A-2 (Map 732) of Land Court Application 1069 situated at Honouliuli, 'Ewa, O'ahu Address: 92-1101 Ali'inui Drive Purpose: Permitting	R.M. Towill Corporation/ James Campbell Company, LLC	(1) 9-1-057:por.029
OA-1714	7/19/16	Lot 12, Land Court Application 609 situated at Mokulē'ia, Wai'alua, O'ahu Address: 68-549 Crozier Drive Purpose: Building permit	Walter P. Thompson, Inc./ Frederick & Bonnie Fong	(1) 6-8-004:014
OA-1715	7/22/16	Lot 2 of "Mokulē'ia Beach Tract" being a portion of Grant 242 to Kaiaikawaha as shown on Map 1 of Land Court Appl 609 situate at Mokulē'ia, Wai'alua, O'ahu Address: 68-617 Crozier Drive Purpose: Building permit	Ace Land Surveying LLC/ Irmgard Degener	(1) 6-8-004:005

Honolulu, O'ahu

Photo by [Floyd Manzano](#)



PROPOSED 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-1708	Proposed Shoreline Certification	Dwelling Area 13 'Ewa Oceanside Condominium Project Lot 785 Land Court Application 242 situate at Pu'uloa Beach, 'Ewa, O'ahu Address: 91-69 Fort Weaver Road, Unit 13 Purpose: Building permit	Walter P. Thompson/ Ken & Terri Silva	(1) 9-1-005:011 por.
MA-632	Proposed Shoreline Certification	Portions of Front Street between Baker Street and Dickenson Street situate at Lahaina, Maui Address: Front Street Purpose: Seawall Repair	Control Point Surveying, Inc./ County of Maui	(2) 4-5-002:road & (2) 4-6-009:road
MA-645	Proposed Shoreline Certification	A Portion of Royal Patent 5666, Land Commission Award 4760, Apana 2 to Lelehu (Tax Map Key: (2) 4-5-005:010) situate at Moali'i, Lahaina, Maui Address: 1285 Front Street Purpose: Determine shoreline setback	R. T. Tanaka Engineers, Inc./ Cannery Commercial, LLC	(2) 4-5-005:010
MA-646	Proposed Shoreline Certification	A Portion of Lot 463-A Land Court Application 1804 (Map 72) situate at Honua'ula, Makawao, Maui Address: 3850 Wailea Alanui Drive Purpose: Determine shoreline setback	R. T. Tanaka Engineers, Inc./ Tom Donovan	(2) 2-1-008:109 por.
MA-647	Proposed Shoreline Certification	Lot 32 of the Kuau Sunset Beach Lots (File Plan 302) situate at Honua'ula, Makawao, Maui Address: 81 Aleiki Place Purpose: Sale of subject parcel	Akamai Land Surveying, Inc./ R & J Vivian Trust c/o Robin & Judie Vivian	(2) 2-6-011:014
HA-533	Proposed Shoreline Certification	Lot 2 of Lanihau Point Subdivision (File Plan 2071) being a portion of R.P. 7456, L.C. Aw. 8559-B, Ap. 11 to William C. Lunalilo situate at Lanihau Nui, North Kona, Hawai'i Address: 75-5436 Kona Bay Drive Purpose: Obtain County permits	Wes Thomas Associates/ DJL Properties LLC	(3) 7-5-005:094
HA-534	Proposed Shoreline Certification	Lot 3 of Lanihau Point Subdivision (File Plan 2071) being a portion of R.P. 7456, L.C. Aw. 8559-B, Ap. 11 to William C. Lunalilo situate at Lanihau Nui, North Kona, Hawai'i Address: 75-5434 Kona Bay Drive Purpose: Obtain County permits	Wes Thomas Associates/ The Meneghetti Revocable Trust	(3) 7-5-005:095
HA-535	Proposed Shoreline Certification	Lot 4 of Puako Beach Lots Being Portions of Grant 9968 to Tomo Goto Otsuka and Grant S-15,003 to Ichiro Goto and Yukie Goto situate at Lalamilo, South Kohala, Hawai'i Address: 69-1814 Puako Beach Drive Purpose: County permits	Wes Thomas Associates/ Bennett Dorrance Jr.	(3) 6-9-005:042
KA-413	Proposed Shoreline Certification	Lot 1 of Spouting Horn Tract (Por.) Royal Patent 6714 L. C. Aw. 7714-B, Ap. 2 to Mose Kekuaiwa no M. Kekuanaoa situate at Kōloa, Kaua'i Address: 4546 Lawai Road Purpose: Building permit	Roger M. Caires/ Graham H. MacMillan	(4) 2-6-003:006

NATIONAL HISTORIC PRESERVATION ACT, SECTION 106 CONSULTATION

Kūlanihākoʻi Street R-1 Waterline Extension Project

Island	Maui
District(s)	Waiohuli Ahupuaʻa, District of Wailuku
TMK(s)	(2)2-2-025:999, (2)3-9-001:999, (2)3-9-044:999 (Kūlanihākoʻi Street Right-of-Way); (2)3-9-001:012 and (2) 3-9-044:041
Permit(s)	N/A
Proposing/ Approving Agency	State of Hawaiʻi, Department of Health, Environmental Division, Wastewater Branch Sue Liu, (808) 586-4294, wwb@doh.hawaii.gov 919 Ala Moana Boulevard, Room 309, Honolulu, HI 96814
Status	Comments due no later than September 7, 2016.

The Department of Health (DOH) initiated Section 106 of the NHPA consultation with the State Historic Preservation Division (SHPD) in accordance with 36 CFR Part 800. In 1990, the U.S. Environmental Protection Agency (EPA) designated the DOH to act on EPA's behalf, pursuant to 36 CFR §800.2 (c) (4), when initiating Section 106 of the NHPA process in connection with projects funded under the Hawaiʻi Clean Water State Revolving Fund (CWSRF).

The DOH is providing funding under the CWSRF to the County of Maui's (County), Department of Environmental Management (DEM) for the Kūlanihākoʻi Street R-1 Waterline Extension Project. The proposed project will utilize federal funding and is considered an undertaking, as defined by Section 106 of the NHPA, 54 U.S.C. §306101 et seq., and 36 CFR Part 800.

The proposed project involves an extension of the existing R-1 (recycled) waterline located within South Kīhei Road in Kīhei to Kūlanihākoʻi Street. This action involves both new line installation as well as conversion of an existing 8-inch domestic waterline for R-1 use. The proposed action will be located within the Kūlanihākoʻi Street right-of-way, owned by the County of Maui. In addition, two (2) laterals will be installed from the new waterline onto parcels identified by Tax Map Key (2)3-9-001:012 and (2)3-9-044:041.

The DOH has engaged SHPD to determine the presence of potential sites of historic importance within the vicinity of the project area as well as the potential impact of the project on such sites, if present.



NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

As a courtesy, listed below is a document submitted for publication that have been prepared pursuant to NEPA, rather than Chapter 343, HRS. Accordingly, these entries may have unique comment periods. Occasionally, actions are subject to both NEPA and Chapter 343, HRS. In those cases, a separate entry would be published in *The Environmental Notice*.

Marine Corps Forces Pacific (MARFORPAC) Headquarters and Operations (HQ/OPS) Center FONSI

Island	O'ahu
District(s)	'Ewa
TMK(s)	(1) 9-9-010: 007
Proposing/ Approving Agency	Commanding Officer, Marine Corps Base Hawai'i Box 63002, Kane'ohe Bay, HI 96863-3002
Contact	MARFORPAC HQ/OPS Center Project Manager, Code EV21 Naval Facilities Engineering Command Pacific 258 Makalapa Drive, Suite 100 Pearl Harbor, HI 96860-3134
Consultant	HHF Planners Glenn Tadaki, (808) 457-3179 Pacific Guardian Center, Makai Tower 733 Bishop Street, Suite 2590, Honolulu, HI 96813
Status	Finding of No Significant Impact (FONSI) determination. Comments are not taken on this action.

Pursuant to the National Environmental Policy Act, Marine Corps Base Hawai'i provides notice that a Finding of No Significant Impact (FONSI) has been prepared based on the findings of an Environmental Assessment and that an Environmental Impact Statement is not required for the redevelopment of the existing Marine Corps Forces, Pacific (MARFORPAC) headquarters and operations center (HQ/OPS) known as the Building 1 Complex. Located at Camp H.M. Smith, Hālawā Heights, O'ahu, the redevelopment project will have a footprint of 367,500 gross square feet (GSF), about 15,000 GSF less than the existing facility. The project will take approximately ten years to complete with new construction occurring first to minimize operational impacts, followed by renovation, and then demolition. The FONSI considered findings from the formal consultation process regarding potential impacts to cultural resources. Due to its age, condition, and World War II-era use ('Aiea Heights Naval Hospital), the Building 1 Complex is currently functionally obsolete, has building and infrastructure deficiencies, and lacks sufficient usable space. When completed, the new HQ/OPS Center will result in a more compact and secure facility that will provide MARFORPAC and other commands with a functional, efficiently-configured command and control facility that will effectively support their mission-critical activities and provide opportunities for co-location and spatial proximity. The EA and FONSI are available for download for 30 days from the publication of this notice at: <http://www.mcbhawaii.marines.mil/UnitHome/FeaturedInformation/Building1Complex.aspx>

Final Federal Guidance on Consideration of the Effects of Greenhouse Gas Emissions and Climate Change

On August 1, 2016, the federal Council on Environmental Quality issued final guidance to assist federal agencies in their consideration of the effects of greenhouse gas emissions and climate change when evaluating proposed federal actions in accordance with NEPA. This guidance facilitates compliance with existing NEPA requirements, thereby improving the efficiency and consistency of reviews of proposed federal actions for agencies, decision-makers, project proponents, and the public.

Climate change is a fundamental environmental issue, and this guidance has been issued to provide greater clarity in addressing climate change within the environmental review process. While this guidance was prepared pursuant to NEPA and intended for use by federal agencies, it also has value in the context of Hawai'i's environmental review process, and is thus presented for consideration and use, as appropriate, by stakeholders in the process codified by Chapter 343, Hawai'i Revised Statutes. Please click [here](#) or on the hyperlinked title to view the Guidance document.

FEDERAL NOTICES

As a courtesy, listed below are relevant entries from the Federal Register published since the last issue of *The Environmental Notice*. For the PDF file, click on the title link, also available at <http://www.gpo.gov/fdsys/>

[Notice of Lodging of Consent Decree Under the Clean Air Act](#)

On July 18, 2016, the Department of Justice (DOJ) lodged a proposed Consent Decree with the United States District Court for the Western District of Texas in United States, et al. v Tesoro Refining & Marketing Co. LLC et al., Civil Action No. SA-16-cv-00722. The Consent Decree settles claims brought by the United States, states of Alaska and Hawai'i, and the Northwest Clean Air Agency against Tesoro Refining & Marketing Co. LLC, Tesoro Alaska Co. LLC, Tesoro Logistics L.P., and Par Hawaii Refining, LLC for violations of the Clean Air Act, federal regulations promulgated thereunder, and various state regulations and permits at six petroleum refineries located in Kenai, Alaska; Martinez, California; Kapolei, Hawai'i; Mandan, North Dakota; Salt Lake City, Utah; and Anacortes, Washington. Under the Consent Decree, Defendants will undertake extensive measures to correct the alleged violations, pay a civil penalty of \$10,450 to the United States and state co-plaintiffs, and perform three projects to mitigate excess emissions associated with the violations.

The publication of this notice opens a period for public comment on the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to United States et al. v. Tesoro Refining & Marketing Co. LLC et al., D.J. Ref. No. 90-5-2-1-09512/1. All comments must be submitted no later than thirty days after the publication date of this notice. Comments may be submitted either by email or by mail. By email, send to: pubcomment-ees.enrd@usdoj.gov. By mail, send to: Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611. During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department Web site: <https://www.justice.gov/enrd/consent-decrees>. The DOJ will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611. Please enclose a check or money order for \$59.75 (25 cents per page reproduction cost) payable to the United States Treasury (see, 81 F.R. 47835, July 22, 2016).

[National Register of Historic Places; Notification of Pending Nominations and Related Actions](#)

The National Park Service (NPS) is soliciting comments on the significance of properties nominated before July 9, 2016, for listing or related actions in the National Register of Historic Places. The sole Hawai'i property listed in this notice is the Seishiro Hasegawa Ltd. Store Building located in Hawai'i County, in the town of Honoka'a at 45-3787 Mamane St., Honoka'a, 16000543 (see, 81 F.R. 48844, July 26, 2016).

DATES: Comments should be submitted by August 10, 2016.

ADDRESSES: Comments may be sent via U.S. Postal Service to the National Register of Historic Places, National Park Service, 1849 C St. NW., MS 2280, Washington, DC 20240; by all other carriers, National Register of Historic Places, National Park Service, 1201 Eye St. NW., 8th floor, Washington, DC 20005; or by fax, 202-371-6447.



Kāne'ohe, O'ahu

Photo by [Patricia Barden](#)

GLOSSARY OF TERMS AND DEFINITIONS

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 the actions' environmental impact will be significant, and thus whether an environmental impact statement shall be required per [HRS 343-5\(b\)](#), for Agency actions and [HRS 343-5\(e\)](#), for Applicant actions. For actions for which the proposing or approving 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 30-day review period and prepare a Final EA (FEA) that includes those responses to determine whether an environmental impact statement shall be required. If there are no significant impacts, then the Agency will issue a Finding of No Significant Impact (FONSI). An Environmental Impact Statement (EIS) will not be required and the project has cleared HRS 343 requirements. 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, Direct-to-EIS, Environmental Impact Statement Preparation Notice (with no EA)

Act 172 in 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 a 30-day period to request to be consulted parties in the preparation of the Draft EIS. Comments and responses on the EISPN must be incorporated into the subsequent Draft EIS.

Act 312-2012, Secondary Actions in the Highway or Public Right Of Way

Act 312-2012, amended HRS 343, by adding a new section (HRS 343-5.5., entitled "Exception to applicability of chapter.") HEPA now allows for a statutory exception for "secondary actions" (those that involve infrastructure in the highway or public right-of-way) provided that the permit or approval of the related "primary action" (those outside of the highway or public-right-of-way and on private property) is not subject to discretionary consent and further provided that the applicant for the primary action submits documentation from the appropriate agency confirming that no further discretionary approvals are required. An aid to understanding this is to visualize residential driveway improvements in the public right-of-way, versus, retail outlet driveway improvements in the public right-of-way.

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 non-acceptance determination.



Ko Olina Bay, O'ahu

Photo by [Floyd Manzano](#)

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 Hawai'i'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.

Administrative 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).