



# The Environmental Notice

December 23, 2016

David Y. Ige, Governor  
Scott Glenn, Director

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



Onomea Falls, Hawai'i (cropped from original)

Photo by [Lindley Ashline](#)

## TABLE OF CONTENTS

|  |   |  |    |
|--|---|--|----|
| <b>ANNOUNCEMENTS</b> .....   | 2 | <b>PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT</b> ..... | 6  |
| <b>STATEWIDE MAP OF NEW HRS CHAPTER 343 ACTIONS</b> .....                          | 2 | <b>SHORELINE NOTICES</b>                                     |    |
| <b>MAUI</b>  |   | Proposed Shoreline Certifications and Rejections.....        | 7  |
| <a href="#">Maui County Service Center DEA (AFNSI)</a> .....                       | 3 | Applications for Shoreline Certification.....                | 8  |
| <b>O’AHU</b>   |   | <b>COASTAL ZONE MANAGEMENT NOTICES</b>                       |    |
| <a href="#">Ala Wai 46kV Underground Cable Relocation DEA (AFNSI)</a> .....        | 3 | Special Management Area (SMA) Minor Permits.....             | 8  |
| <a href="#">Hawai’i Kai Channel Groin Replacement DEA (AFNSI)</a> .....            | 4 | <b>NATIONAL HISTORIC PRESERVATION ACT,</b>                   |    |
| <a href="#">Hawaiki Submarine Cable Kapolei Landing DEA (AFNSI)</a> .....          | 4 | <b>SECTION 106 CONSULTATION</b> .....                        | 9  |
| <a href="#">Kalani High Girl’s Athletic Locker Room Building FEA (FONSI)</a> ..... | 5 | <b>CONSERVATION DISTRICT USE APPLICATIONS</b> .....          | 9  |
| <a href="#">Kalei’opu’u Elementary Classroom Building DEA (AFNSI)</a> .....        | 5 | <b>FEDERAL NOTICES</b> .....                                 | 10 |
| <b>KAUA’I</b>  |   | <b>GLOSSARY OF TERMS AND DEFINITIONS</b> .....               | 11 |
| <a href="#">Hanapēpē-‘Ele’ele Water Systems FEA (FONSI)</a> .....                  | 6 |  |    |

## ANNOUNCEMENTS

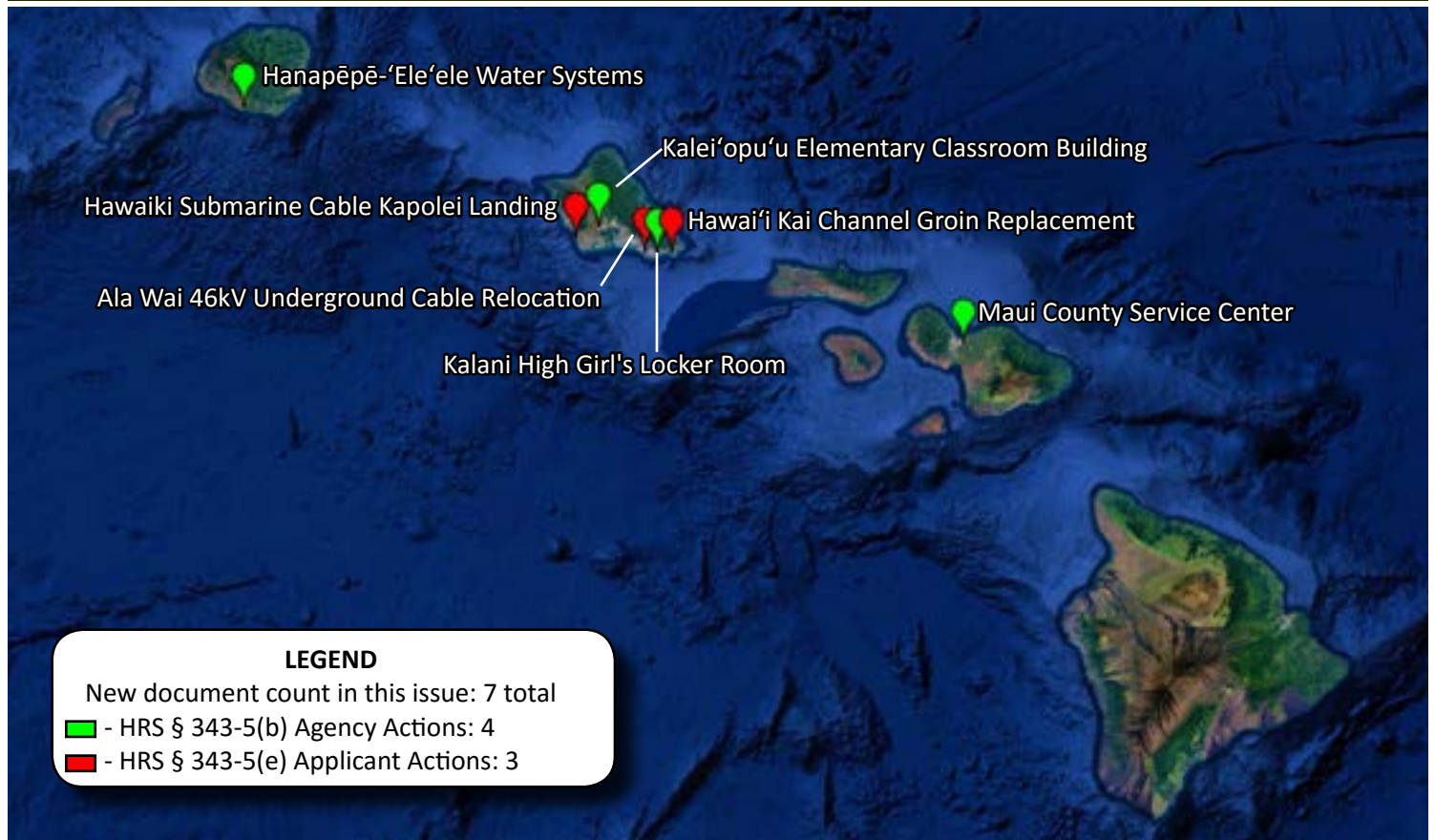
**As a reminder, the correct submittal deadline for the January 8, 2017 issue of *The Environmental Notice* is December 27, 2016.**

The [Marine and Coastal Zone Advocacy Council](#) (MACZAC) is recruiting for new members for the islands of Maui, O’ahu, and Lana’i. MACZAC advises the Office of Planning. Its mission is to “advocate for a comprehensive management system which restores, preserves and protects Hawai’i’s marine and coastal environment.” [Applications](#) accepted through December 31, 2016.

Please find publication calendars for *The Environmental Notice* for 2017 and 2018 attached at the end of this issue and on our SharePoint site [here](#). The 2017 publication calendar has the correct submittal date for the January 8, 2017 issue.

The OEQC has also uploaded an unofficial compilation of Hawai’i environmental review laws. Please find it [here](#).

## STATEWIDE MAP OF NEW HRS CHAPTER 343 ACTIONS



## MAUI


### Maui County Service Center DEA (AFNSI)

|                                      |   |   |
|--------------------------------------|---|---|
| <b>HRS §343-5 Trigger(s)</b>         | Use of County lands and funding   |  |
| <b>District(s)</b>                   | Wailuku   |   |
| <b>TMK(s)</b>                        | (2) 3-8-101:001-007   |   |
| <b>Proposing/ Determining Agency</b> | Maui County Department of Public Works<br>Alan Murata, (808) 270-7855, <a href="mailto:Alan.Murata@co.maui.hi.us">Alan.Murata@co.maui.hi.us</a><br>Kalana O Maui Building, 200 South High Street, Wailuku, HI 96793 |   |
| <b>Consultant</b>                    | G70<br>Christine Mendes Ruotola, (808) 523-5866, <a href="mailto:christiner@g70.design">christiner@g70.design</a><br>925 Bethel Street, 5th Floor, Honolulu, HI 96813   |   |
| <b>Status</b>                        | Statutory 30-day public review and comment period starts. Comments are due by January 23, 2017. Please send comments to the proposing/determining agency and copy the consultant.                                   |   |

The proposed MCSC will replace the existing MCSC, which is currently located in a leased space at the Maui Mall in Kahului. The proposed MCSC will be a County owned property, which will provide additional office space and parking for current County functions and year 2030 projected employee growth. The development will include construction of a new office building and site improvements. Consolidating County offices on County-owned land, will reduce lease rent costs. The proposed MCSC will provide office space for the Department of Finance – Real Property Assessment Division, Division of Motor Vehicles and Licensing, Department of Transportation, Department of Housing and Human Concerns, and Development Services Administration (building, electrical, and plumbing inspection sections). The decision to relocate these departments to the new facility was based on lease savings, customer convenience, and minimal adverse impacts to County operations. These County departments are currently in a leased space and require the greatest number of parking for employees, customers, and County vehicles.

## O'AHU


### Ala Wai 46kV Underground Cable Relocation DEA (AFNSI)

|                              |  |   |
|------------------------------|--|---|
| <b>HRS §343-5 Trigger(s)</b> | Use of State or County lands and within the Waikīkī Special District   |  |
| <b>District(s)</b>           | Honolulu   |   |
| <b>TMK(s)</b>                | (1)2-6-017:064, (1)2-7-036:001, (1) 2-7-36:007   |   |
| <b>Permit(s)</b>             | Nationwide Permit 12 – Utility Line Activities, Blanket 401 Water Quality Certificate, National Pollutant Discharge Elimination System (NPDES) General Permit  |   |
| <b>Approving Agency</b>      | Department of Planning and Permitting, City and County of Honolulu<br>William Ammons, (808) 768-8025, <a href="mailto:wammons@honolulu.gov">wammons@honolulu.gov</a><br>650 South King Street, 7th Floor, Honolulu, HI 96813 |   |
| <b>Applicant</b>             | Hawaiian Electric Company, Inc. (HECO)<br>Kerstan Wong, Manager, (808) 543-7059, <a href="mailto:kerstan.wong@hawaiielectric.com">kerstan.wong@hawaiielectric.com</a><br>P.O. Box 2750, Honolulu, HI 96840                   |   |
| <b>Consultant</b>            | Belt Collins Hawai'i<br>Joanne Hiramatsu, (808) 521-5361, <a href="mailto:jhiramatsu@bchdesign.com">jhiramatsu@bchdesign.com</a><br>2153 North King Street, Suite 200, Honolulu, HI 96819                                    |   |
| <b>Status</b>                | Statutory 30-day public review and comment period starts. Comments are due by January 23, 2017. Please send comments to the approving agency and copy the applicant and the consultant.                                      |   |

The Hawaiian Electric Company, Inc. (HECO) is proposing to relocate underground sub-transmission line cables that connect to HECO's Waikīkī Substation located on Kai'olu Street. The proposed action would shift the alignment of the cable to the west of the existing route that passes beneath the Ala Wai Elementary School grounds, the Community Gardens, and within the Ala Wai Canal. The Project will install the new cables using horizontal directional drilling to cross under the Ala Wai Canal and open trenching within the roadways. The existing cables will be removed from the Ala Wai Canal and under the Ala Wai Elementary School and Community Gardens. Other actions will include two utility pole replacements. The purpose for the proposed action is to support the Department of Land and Natural Resources' efforts to provide continuous maintenance dredging of the Ala Wai Canal. The Ala Wai Canal is listed on the State Register of Historic Places that requires site preservation efforts. The replacement cables will also maintain the reliability of the electrical distribution system.

## O'AHU (CONTINUED)

Hawai'i Kai Marina Entrance Channel Groin Replacement DEA (AFNSI)

|                              |  |   |
|------------------------------|--|---|
| <b>HRS §343-5 Trigger(s)</b> | Use of state lands – Section 343-5(a)(1), HRS<br>Use of conservation district – Section 343-5(a)(2), HRS   |  |
| <b>District(s)</b>           | Honolulu   |   |
| <b>TMK(s)</b>                | Seaward of (1) 3-9-008:035   |   |
| <b>Permit(s)</b>             | Various (see document)   |   |
| <b>Approving Agency</b>      | Department of Land and Natural Resources, Office of Conservation and Coastal Lands<br>Natalie Farinholt, (808) 587-0399, <a href="mailto:Natalie.a.farinholt@hawaii.gov">Natalie.a.farinholt@hawaii.gov</a><br>1151 Punchbowl Street, Room 131, Honolulu, HI 96813 |   |
| <b>Applicant</b>             | Hawai'i Kai Marina Community Association<br>Beverly Liddle, Marina Manager, (808) 396-2469, <a href="mailto:beverly@hawaiikaimarina.com">beverly@hawaiikaimarina.com</a><br>377 Keāhole Street D-1C, Honolulu, HI 96825  |   |
| <b>Consultant</b>            | Sea Engineering, Inc.<br>Derek Linsey, (808) 259-7966 x21, <a href="mailto:dlinsley@seaengineering.com">dlinsley@seaengineering.com</a><br>41-305 Kalia Highway, Waimānalo, HI 96795   |   |
| <b>Status</b>                | Statutory 30-day public review and comment period starts. Comments are due by January 23, 2017. Please send comments to the approving agency and copy the applicant and the consultant.  |   |

The applicant proposes to replace the existing Hawai'i Kai Marina entrance channel temporary sandbag groin with a stable, engineered rock rubble mound revetment and groin to reduce the volume of sediment accumulation in the channel, thus increasing the time between maintenance dredging operations. The design is a rock rubble mound revetment and groin, a sloping uncemented structure built using boulder size rock. The proposed layout has an L-head configuration. To prevent flanking, the groin stem ties into an existing concrete rubble masonry abutment on the Kalia Highway Bridge via a rock rubble mound revetment. Sand that accumulates on the Portlock Beach side of the groin will be mechanically backpassed to the east end of Portlock Beach, where erosion is threatening the backshore and private properties. This will take place on an as-needed basis (about every 4 years) when the groin reaches its maximum sediment carrying capacity. Backpassing will be initiated during construction by moving 400 cubic yards of sand that has accumulated since reconstruction of the temporary groin in 2013.


Hawaiki Submarine Cable Kapolei Landing DEA (AFNSI)

|                              |   |   |
|------------------------------|---|---|
| <b>HRS §343-5 Trigger(s)</b> | Use of state lands; use in the conservation district; use within the shoreline setback area   |  |
| <b>District(s)</b>           | 'Ewa  |   |
| <b>TMK(s)</b>                | TMK (1) 9-2-049:005, (1) 9-1-057:026, (1) 9-1-056:001, (1) 9-2-051:011, and (1) 9-2-051:001; (1) 9-2-051:010  |   |
| <b>Permit(s)</b>             | Various (see document)  |   |
| <b>Approving Agency</b>      | Department of Natural Resources, Office of Conservation and Coastal Lands<br>Alex Roy, Planner, (808) 587-0316, <a href="mailto:alex.j.roy@hawaii.gov">alex.j.roy@hawaii.gov</a><br>Kalanimoku Building, 1151 Punchbowl Street Room 131, Honolulu, HI 96813   |   |
| <b>Applicant</b>             | Hawaiki Submarine Cable USA and TE SubCom<br>Richard Howarth (Hawaiki Submarine Cable USA), <a href="mailto:richard.howarth@hawaikicable.co.nz">richard.howarth@hawaikicable.co.nz</a><br>2/A 3 Ceres Court, Rosedale, Auckland, 0632, New Zealand<br>Catherine Brady (TE SubCom), <a href="mailto:cbrady@subcom.com">cbrady@subcom.com</a><br>250 Industrial Way West, Eatontown, New Jersey 07724 |   |
| <b>Consultant</b>            | Tetra Tech, Inc.<br>Megan Higgins, (808) 441-6600, <a href="mailto:Megan.higgins@tetrattech.com">Megan.higgins@tetrattech.com</a><br>737 Bishop Street, Suite 2340, Mauka Tower, Honolulu, HI 96813   |   |
| <b>Status</b>                | Statutory 30-day public review and comment period starts. Comments are due by January 23, 2017. Please send comments to the approving agency and copy the applicant and the consultant.   |   |

The Hawaiki cable system is an approximately 9,078-mile-long submarine fiber optic (F/O) telecom cable consisting of a trunk route extending from Oregon to Australia with connections to Hawai'i, American Samoa, and New Zealand. The Hawai'i portion of this system includes installation of cable and associated infrastructure at Kapolei. The cable would be installed into a subsea punch-out exit point (located about 2,550 feet seaward from the shoreline and 45 feet deep), through a subterranean horizontal directionally drilled conduit extending from a beach manhole (BMH) on land. Onshore infrastructure includes the BMH, a cable landing station building, two diesel generators, and a parking area located mauka (inland) of Farrington Highway. The purpose of the project is to provide direct and affordable connectivity.


## O‘AHU (CONTINUED)

Kalani High School Girl’s Athletic Locker Room Building FEA (FONSI)

|                                      |   |   |
|--------------------------------------|---|---|
| <b>HRS §343-5 Trigger(s)</b>         | Use of County land and State funds  |  |
| <b>District(s)</b>                   | Honolulu  |   |
| <b>TMK(s)</b>                        | (1) 3-5-020:004   |   |
| <b>Permit(s)</b>                     | Dept. of Health Individual Wastewater System, Disability and Communications Access Board, State Historic Preservation Division, Dept. of Planning and Permitting Grading, Sitework, and Building Permits  |   |
| <b>Proposing/ Determining Agency</b> | State of Hawai‘i Department of Education, Facilities Development Branch, Project Management Section<br>Arnold Fukunaga, AIA, (808) 586-0440, <a href="mailto:Arnold_Fukunaga/FacilDev/HIDOE@notes.k12.hi.us">Arnold_Fukunaga/FacilDev/HIDOE@notes.k12.hi.us</a><br>Kalanimoku Building, Room 431, 1151 Punchbowl Street, Honolulu, HI 96813 |   |
| <b>Consultant</b>                    | PlanPacific, Inc.<br>Lisa Leonillo Imata, (808) 521-9418, <a href="mailto:limata@planpacific.com">limata@planpacific.com</a><br>P.O. Box 892735, Mililani, HI 96789   |   |
| <b>Status</b>                        | Finding of No Significant Impact (FONSI) determination. Comments are not taken on this action.  |   |

Modernize the Kalani High School campus with construction of a new Girl’s Athletic Locker Room building, a new Judo/Wrestling building, and renovation of the existing Girl’s P.E. Locker/Shower Area. An additive alternative to demolish the existing field restrooms and construct a new field restroom building is included. This project will address gender inequality in athletic facilities as well as substandard building area conditions.

Kalei‘opu‘u Elementary School Classroom Building DEA (AFNSI)


|                                      |   |  |
|--------------------------------------|---|--|
| <b>HRS §343-5 Trigger(s)</b>         | Use of State lands and State funds  |  |
| <b>District(s)</b>                   | ‘Ewa  |  |
| <b>TMK(s)</b>                        | (1) 9-4-107:98  |  |
| <b>Permit(s)</b>                     | City and County of Honolulu, Department of Planning and Permitting: Construction Pland; Building Permit; Grubbing, Grading, and Stockpiling. State of Hawaii, Department of Health: Community Noise Permit for Construction Activities; and Community Noise Variance. Disability and Communication Access Board: Conformance with Accessibility Guidelines. |  |
| <b>Proposing/ Determining Agency</b> | Department of Education<br>William George, (808) 586-0465, <a href="mailto:William.George/FacilDev/HIDOE@notes.k12.hi.us">William.George/FacilDev/HIDOE@notes.k12.hi.us</a><br>1151 Punchbowl Street, Room 431, Honolulu, HI 96813  |  |
| <b>Consultant</b>                    | AECOM<br>Kristen Nishimura, (808) 356-5306, <a href="mailto:kristen.nishimura@aecom.com">kristen.nishimura@aecom.com</a><br>1001 Bishop Street, Suite 1600, Honolulu, HI 96813  |  |
| <b>Status</b>                        | Statutory 30-day public review and comment period starts. Comments are due by January 23, 2017. Please send comments to the proposing/determining agency and copy the consultant.   |  |

The Department of Education proposes to construct a two-story classroom building at Kalei‘opu‘u Elementary School on the site of existing portable structures, some of which are used as classrooms. The classroom building contains eight classrooms and shared functional spaces, such as a conference room, a science room, and a special education room. Building design optimizes natural resources for cooling, but also designed to be PV-ready for use of air conditioners for an added level of comfort for the students and teachers. The proposed building is proposed to meet Hawai‘i Collaborative for High Performance Schools Verified Recognition Level through a mixed mode of ventilation and cooling infrastructure.

Impacts from the proposed project are related to construction activities and the resultant building. Those directly affected would be the students and teachers in Buildings F and G, which face the project area. Although the impacts would not outlast the construction duration, the project applicant, in addition to abiding by the provisions set forth in Title 11, Chapter 46 of the Hawai‘i Administrative Rules, Community Noise Control, should work with Kalei‘opu‘u Elementary School and the community on reaching a solution to minimize the impacts to the well-being of the students.

## KAUAI

**Hanapēpē-‘Ele‘ele Water Systems Improvements FEA (FONSI)**

|                                      |   |   |
|--------------------------------------|---|---|
| <b>HRS §343-5 Trigger(s)</b>         | Use of County Land and Funds, Use of State Land and Funds   |  |
| <b>District(s)</b>                   | Waimea and Kōloa  |   |
| <b>TMK(s)</b>                        | Properties and County and State Rights-of-way in TMK Plats: (4) 1-8-008, 1-9-004, 1-9-005, 1-9-006, 1-9-007 & 1-9-010; 2-1-002, 2-1-003   |   |
| <b>Permit(s)</b>                     | <p>County of Kaua‘i</p> <p>Department of Public Works (DPW): Construction Plan Approval, Road Permit and Application for Notice of Intent to Grade and Grub</p> <p>DPW: Grubbing Permit, Grading Permit, Stockpiling Permit (potential)</p> <p>Planning Department: Special Management Area Permit (potential)</p> <p>Department of Water: Application for Water Service and Construction Plan Approval</p> <p>State of Hawai‘i</p> <p>Department of Land and Natural Resources, Land Division: Right-of-Entry (potential; staging areas)</p> <p>Department of Health (DOH), Clean Water Branch: National Pollutant Discharge Elimination System permit NOI C (for Construction) and NOI F (for Hydrotesting Water)</p> <p>DOH Noise and Radiation Branch: Community Noise Control Permit (potential)</p> <p>Department of Transportation, Highways Division: Lane Use Permit for Construction Work and Construction Plan Approval</p> <p>Disability and Communications Access Board: Construction Plan Approval</p> <p>Federal</p> <p>US Army Corps of Engineers: Section 408 Permit</p> |   |
| <b>Proposing/ Determining Agency</b> | County of Kaua‘i, Department of Water<br>Bryan Wienand, Civil Engineer V, (808) 245-5449, <a href="mailto:bwienand@kauaiwater.org">bwienand@kauaiwater.org</a><br>P.O. Box 1706, Līhu‘e, HI 96766   |   |
| <b>Consultant</b>                    | Geometrician Associates<br>Joni C. Tanimoto, P.E./Ron Terry, (808) 836-1900 x674, <a href="mailto:rterry@hawaii.rr.com">rterry@hawaii.rr.com</a><br>PO Box 396, Hilo HI 96721   |   |
| <b>Status</b>                        | Finding of No Significant Impact (FONSI) determination. Comments are not taken on this action.  |   |

The Kaua‘i County Department of Water (DOW), plans two related component projects in Hanapēpē and ‘Ele‘ele. One would install about a half-mile of new 16-inch water lines parallel to Kaumuali‘i Highway to interconnect the Hanapēpē and ‘Ele‘ele water systems, providing a critical alternative source of water for ‘Ele‘ele. The other component replaces aging 6-inch and 4-inch iron water mains along a half-mile length of Hanapēpē Road with one 12-inch main. The replacement water line would cross Hanapēpē Stream on the historic Hanapēpē Bridge. The design would install the water line inside of and along the bridge’s downstream parapet wall, topped by a 5-foot wide sidewalk consisting of grating material. The position of the water line on the bridge will be temporary, pending bridge rehabilitation. Archaeological monitoring will occur during work within Hanapēpē Town, and intermittently in the Kaumuali‘i Highway ROW. No permanent or physical effect to the historic structures in Hanapēpē Town would occur. The DOW has closely coordinated design with historic preservation agencies and has requested concurrence with a finding of no adverse effects to significant historic sites. Construction will elevate noise, cause minor air quality and visual impacts, and disrupt traffic intermittently for several days to several weeks. These impacts will occur over about six months, as construction moves from one end of the work area to the other. A set of BMPs will protect water quality. Timing of vegetation removal will avoid impacts to Hawaiian hoary bats.

## PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

**Status:** Public review and comment period for these projects began previously. Comments are due January 9, 2017. Please send comments to the relevant agency and copy any relevant applicant and/or consultant.

## O‘AHU

[Waimānalo Community Farming DEA \(AFNSI\)](#)

[Hawai‘i State Hospital New Patient Facility and Campus Master Plan Development DEIS](#)

## SHORELINE NOTICES

## 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-1733  | Proposed Shoreline Certification | Lot 3 of Ward Avenue Extension Kaka'ako Improvement District 6 as shown on File Plan 2351, Being portions of Royal Patent 4483, Land Commission Award 7712, Apana 6, Part 1 to M. Kekūanaō'a (No V. Kamāmalu), The Former Sea Fishery of Kukuluaē'o situate at Ka'ākaukui, Honolulu, O'ahu<br>Address: Kewalo Basin<br>Purpose: Recertification/setback | Miles Horie/<br>Hawai'i Communi-<br>ty Development<br>Authority                           | (1) 2-1-058:<br>128 por.                     |
| MA-658   | Proposed Shoreline Certification | Lot 1 Kaae Tract being all of R. P. 8267, L. C. Award 4452, 'Āpana 1 to H. Kalama and a portion of R. P. 7860, L. C. Award 7715, 'Āpana 3 to L. Kamehameha situate at Waiokama, Lahaina, Maui<br>Address: 505 Front Street<br>Purpose: Determine shoreline setback  | R. T. Tanaka<br>Engineers, Inc./<br>FPA Lahaina<br>Shores Associates,<br>LLC              | (2) 4-6-<br>002:007<br>por.                  |
| MA-659   | Proposed Shoreline Certification | Lot 47 of the Kama'ole Beach Lots (Keawekapu Section) [H.T.S. Plat 1086] situate at Kama'ole, Wailuku, Maui<br>Address: 3016 South Kīhei Road<br>Purpose: SMA and building permits  | Darien Zanolini/<br>3016 Realty LLC   | (2) 3-9-<br>004:103                          |
| KA-414   | Proposed Shoreline Certification | TMK: 4-6-014:034 and 4-7-003:001 situate at Kapa'a, Keālia, Kaua'i<br>Address: Kūhiō Highway<br>Purpose: Bridge   | Lance T. Stevens/<br>State of Hawai'i<br>(4-6-14:34) &<br>County of Kaua'i<br>(4-7-03:01) | (4) 4-6-<br>014:034 &<br>(4) 4-7-<br>003:001 |
| MA-637   | Rejection                        | Lot 19 Mā'alaea Beach Lots Subdivision situate at Waikapū, Wailuku, Maui<br>Address: 280 Hau'oli Street<br>Purpose: Renovation purposes   | Authur P. Valen-<br>cia/ Honokai<br>Condominium   | (2) 3-8-<br>014:002                          |
| MA-638   | Rejection                        | Lot 2 of Land Court Consolidation 204 (Map 1) situate at Hā'ō'ū, Hāna, Maui<br>Address: 0 Hāna Highway<br>Purpose: County permit to construct a driveway from Hāna Highway to the property  | Thomas G. Foley,<br>Jr./ Thomas G.<br>Foley, Jr. and<br>Patricia Foley                    | (2) 1-5-<br>004:005                          |
| MA-639   | Rejection                        | The Broms Lonie, Inc. Consolidation No. 1 Being Portions of L.C. Aw. 11216, Ap. 28 to M. Kekauonohi, R.P. 7997, L.C. Aw. 3765, Ap. 1 to Aio and R.P. 4590, L.C. Aw. 3988, Ap. 2 to Hilahila situate at Honokōwai, Lahaina, Maui<br>Address: 3615 Lower Honoapi'ilani Highway<br>Purpose: Seawall repairs  | Akamai Land<br>Surveying, Inc./<br>Pākī Maui  | (2) 4-4-<br>001:050 &<br>051                 |
| KA-412   | Rejection                        | Parcel 13 Land Court Application 1771 situate at Hanalei, Halele'a, Kaua'i<br>Address: Hanalei Road<br>Purpose: Shoreline setback   | Princeville Hanalei<br>Plantation LLC/<br>Ohana Hanalei<br>LLC                            | (4) 5-4-<br>004:013                          |

## SHORELINE NOTICES (CONTINUED)

### 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-1735  | 11/30/16 | Lot 34-D of Kāhala Cliffs Subdivision situate at Kāhala, Honolulu, O'ahu<br>Address: 4162 Black Point Road<br>Purpose: Permitting  | Ryan M. Suzuki/ R & I Hawaii Inc.  | (1) 3-5-001:004 |
| MA-664   | 12/2/16  | Being all of R.P. 8267, L.C. Aw.302 to J.A. Kuakini, R.P. 8136, L.C. Aw. 526 Ap. 1 to Kālainmoku, L.C. Aw.4452 Ap. 3 to H. Kalama, R.P. 2659, L.C. Aw. 6245 to Kalaeokekoi for Keaka, R.P. 8136 L.C. Aw. 526 Ap. 2 to Kālainmoku, R.P. 1866, L.C. Aw. 4878-I to Kupalii, L.C. Aw. 4452 Ap. 1 to H. Kalama and Land Court Application 282 and Portion of R.P. 7860, L.C. Aw. 7715 Ap. 3 to L. Kamehameha situate at Waiokama, Lahaina, Maui<br>Address: 475 Front Street<br>Purpose: Install hotel roof antenna | Control Point Surveying, Inc./ Association of Apartment Owners of Lahaina Shores                             | (2) 4-6-002:007 |
| MA-665   | 12/6/16  | Lot 54 as shown on Map 19 of Land Court Application 1744 situate at Hanaka'ō'ō, Lahaina, Maui<br>Address: 2435 Kā'anapali Parkway<br>Purpose: Shoreline setback purposes   | Austin, Tsutsumi & Associates, Inc./ Whalers on Kaanapali Beach c/o Whalers Village Fine Shops & Restaurants | (2) 4-4-008:001 |

## 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: South Hilo (2-8-008: 003 Por. and 2-8-008: 043) | Remove Ironwood Trees and Plant Naupaka (SMM 16-362) | Brian Alben and Nili R. Novik-Alben |
| Maui: Hāna (1-3-002: 039)                                | Construct Visitor Center (SM2 20160125)              | National Tropical Botanical Garden  |
| Maui: Kīhei (2-1-008: 140)                               | Temporary Sales Trailer (SM2 20160127)               | Peter De Zwager                     |
| Maui: Ha'ikū (2-9-007: 036)                              | Upgrade Water System (SM2 20160129)                  | Kutira Decosterd                    |
| Maui: Kīhei (3-9-051: 045)                               | Photovoltaic Installation (SM2 20160131)             | James McCall                        |



Sweetheart Rock, Lana'i (cropped from original)

Photo by [Jessie Hodge](#)



## NATIONAL HISTORIC PRESERVATION ACT, SECTION 106 CONSULTATION

### Replacement of Hawaiian Homes Wastewater Pump Station Sewer Force Main

|  |  |
|--|--|
| <b>Island</b>                              | Maui   |
| <b>District(s)</b>                         | Wailuku Ahupua'a, Wailuku District   |
| <b>Proposing/<br/>Approving<br/>Agency</b> | State of Hawai'i, Department of Health, Environmental Division, Wastewater Branch<br>919 Ala Moana Boulevard, Room 309<br>Honolulu, Hawai'i, 96814<br>Contact & Phone: Ms. Sue Liu, (808) 586-4294, <a href="mailto:wwb@doh.hawaii.gov">wwb@doh.hawaii.gov</a> |
| <b>Status</b>                              | Comments due no later than January 22, 2017  |

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 Hawai'i Clean Water State Revolving Fund (CWSRF). The DOH is providing funding under the CWSRF to the County of Maui, Department of Environmental Management for the Hawaiian Homes Wastewater Pump Station Sewer Force Main 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 includes a new, 12-inch Sewer Force Main (SFM), which conveys wastewater from the Hawaiian Homes Wastewater Pump Station (WWPS) to the Wailuku WWPS, which is the primary wastewater collection facility for the Central Maui area. The new sewer pipe alignment turns south after exiting the Hawaiian Homes WWPS, then follows Lower Waiehu Beach Road for approximately 3,500 feet, terminating at a manhole near the Eluene Place intersection where it connects to an existing 18-inch sewer line. The majority of the new SFM will be a buried 12-inch, PVC plastic pipe, to be routed as described above. Due to hydraulic factors, the pipe diameter expands to diameters of 16-, 18-, 20-, and 24-inch for varying stretches of the SFM alignment. The new SFM will be constructed via open-trench excavation, with a trench width of approximately 4-5 feet depending on the pipe diameter being installed at that location, and a buried depth 4 feet to the top of the pipe. At the Wailuku River crossing, the SFM will be hung from the underside of the newly-widened bridge deck. The total installed pipe length for the project will be approximately 3,500 linear feet. The proposed project also includes various improvements at the Hawaiian Homes WWPS such as pump & emergency generator replacement and miscellaneous mechanical & electrical work. However, excavation for this work will be limited to the removal of ~30 feet of an existing, shallow-buried fuel line. 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.

## CONSERVATION DISTRICT USE APPLICATIONS

Persons interested in commenting on the following Conservation District Use Application(s) or 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: Department of Land and Natural Resources, Office of Conservation and Coastal Lands, P.O. 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 Lands staff listed for each project. CDUAs can be found on the OCCL website at [dlnr.hawaii.gov/occl](http://dlnr.hawaii.gov/occl).

|                                |  |
|--------------------------------|--|
| <b>File No.:</b>               | CDUA OA-3784   |
| <b>Name of Applicant:</b>      | State of Hawai'i   |
| <b>Location:</b>               | Waikiki, O'ahu   |
| <b>TMK(s):</b>                 | Seaward of (1) 2-6-002:005 and (1) 2-6-002:006   |
| <b>Proposed Action:</b>        | Shoreline Erosion Control Groin Replacement  |
| <b>343, HRS determination:</b> | Finding of No Significant Impact published in the May 23, 2016 <i>Environmental Notice</i> |
| <b>Applicant's Contact:</b>    | Suzanne D. Case (808) 587-0400   |
| <b>OCCL Staff Contact:</b>     | Natalie Farinholt (808) 587-0399   |

## FEDERAL NOTICES

As a courtesy, listed below are relevant entries from the Federal Register published since the last issue of *The Environmental Notice*. For more information, click on the title link, also available at [www.federalregister.gov](http://www.federalregister.gov).

### **[Approval for the He'eia National Estuarine Research Reserve Management Plan](#) (published 12/16/2016)**

The National Oceanic and Atmospheric Administration (NOAA) has approved the Management Plan for the He'eia National Estuarine Research Reserve (NERR). The He'eia Reserve Management Plan addresses research, monitoring, education, and stewardship/cultural resources needs for the proposed reserve. On September 2, 2016, NOAA issued notice of a public hearing and a thirty-day public comment period for the He'eia Reserve Management Plan and a Draft Environmental Impact Statement associated with the Proposed Designation of the He'eia NERR. On October 13, 2016, NOAA announced a 13-day extension to the public comment period. The final Management Plan and final EIS, including the Appendix D response to comments, are available at the [regulations.gov](http://regulations.gov) Web site by searching for Docket Number NOAA-NOS-2016-0114, and at <https://coast.noaa.gov/czm/compliance/>.

### **[Pesticide Experimental Use Permit Application to Control House Mice on Hawai'i Island](#) (published 12/16/2016)**

The Environmental Protection Agency (EPA) announces the receipt of an application (56228-EUP-UG) from the United States Department of Agriculture, Animal and Plant Health Inspection Service, requesting an experimental use permit (EUP) for chlorophacinone. EPA has determined that the permit may be of significance; therefore, EPA is seeking comments on this application. The submitted application proposes to test the efficacy of chlorophacinone-50 under field conditions for control and eradication of wild, non-native house mice (*Mus musculus*) at the Pohakuloa Training Area, U.S. Army Garrison, Island of Hawai'i. For information about reviewing the application and submitting comments, please click on the title link to this entry. Comments must be received on or before January 17, 2017.

### **[Requested Administrative Waiver of the Coastwise Trade Laws: Vessel OUTFIDER](#) (published 12/16/2016)**

The vessel OUTFIDER is applying for a waiver of the coastwise trade laws. Its intended commercial use is "Carry no more than 6 passengers for hire on an occasional basis." The complete application is given in DOT docket MARAD-2016-0122 at <http://www.regulations.gov>. **Submit comments by January 17, 2017** at <http://www.regulations.gov> or to Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

### **[Requested Administrative Waiver of the Coastwise Trade Laws: Vessel KALULU](#) (published 12/20/2016)**

The vessel KALULU is applying for a waiver of the coastwise trade laws. Its intended commercial use is "Four Seasons Hotel guest transport between Manele Harbor, Lana'i and an offshore mooring operated by the Four Seasons Resort for ocean recreation." The complete application is given in DOT docket MARAD-2016-0129 at <http://www.regulations.gov>. **Submit comments by January 19, 2017** at <http://www.regulations.gov> or to Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

### **[Issuance of Permits Related to Research on Marine Mammals in Hawai'i](#) (published 12/19/2016)**

NOAA has provided notice that permits have been issued pursuant the Marine Mammal Protection Act of 1972, the regulations governing marine mammals, the Endangered Species Act of 1973 and the regulations governing endangered species, as applicable. Permit Nos. 19225 and 19257 authorize certain research activities in Hawaiian waters. In compliance with the National Environmental Policy Act of 1969, a final determination has been made that activities proposed are categorically excluded from the requirement to prepare and environmental assessment or environmental impact statement. For further information about these permits, please click on the title link to this entry.

## 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).