



The Environmental Notice

June 8, 2017

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.



ʻĪlio hoʻi kauaʻua (Hawaiian monk seal), Northwest Hawaiian Islands (cropped from original)

Photo by NOAA

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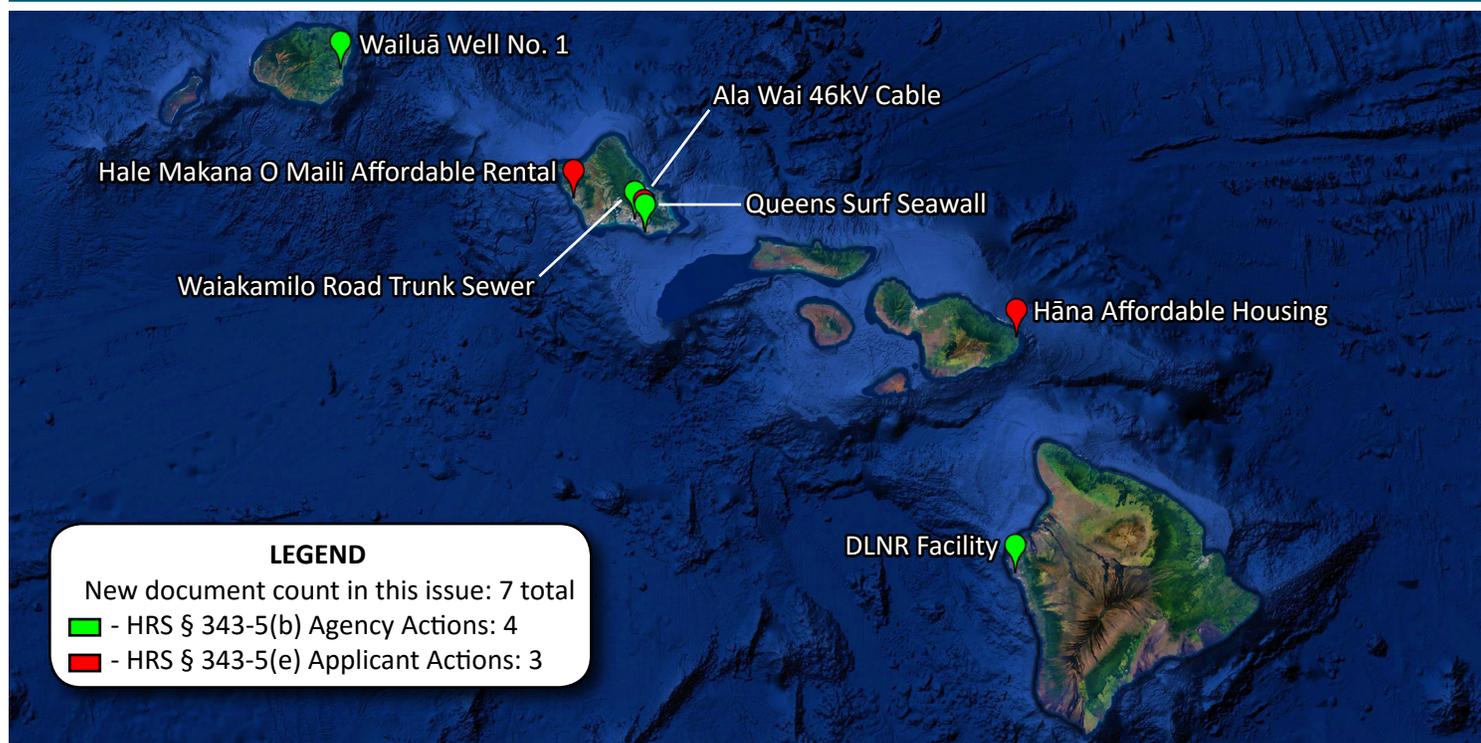
ANNOUNCEMENTS

Today is **World Oceans Day**, a global day of ocean celebration and collaboration for a better future. This year's theme is "Our Oceans, Our Future," and the conservation action focus is on solutions to plastic pollution and preventing marine litter.

This issue of *The Environmental Notice* introduces a section called **Insights from The Environmental Center at the University of Hawai‘i**, an occasional column featuring perspectives from experts at UH. The Environmental Center is designated to assist the OEQC and the Environmental Council and to stimulate, expand, and coordinate the education, research, and service efforts of the university relating to ecological relationships, natural resources, and environmental quality, with special relation to human needs and social institutions.

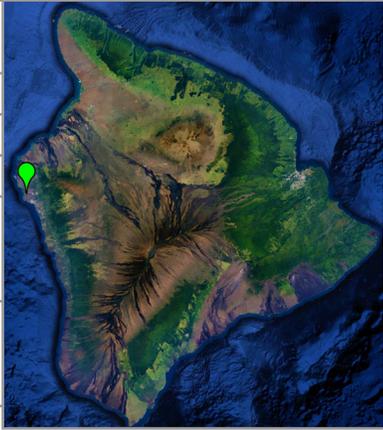
As announced on May 8 and 23, 2017, the Office of Environmental Quality Control (OEQC) is transitioning its online library of EAs, EISs, issues of *The Environmental Notice*, guidance, forms, and all related files from its [SharePoint 2003 site](#) to a [new SharePoint 2013 site](#) with enhanced search functionality, a more intuitive organizational structure, and other features. The SharePoint 2003 site will no longer be available after June 8, and all links to it will be redirected to the SharePoint 2013 front page. Links on [the OEQC's website](#) will continue to direct users to the online library, which is now hosted on the new SharePoint 2013 site. If you see any errors or omissions, please contact the OEQC at oeqchawaii@doh.hawaii.gov or (808) 586-4185.

STATEWIDE MAP OF NEW HRS CHAPTER 343 ACTIONS



HAWAII

DLNR Community Conference Center and Administration Building in Kealakehe FEA (FONSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds	
District(s)	North Kona	
TMK(s)	(3) 7-4-008:003 (por.)	
Permit(s)	Various (see document)	
Proposing/ Determining Agency	Department of Land and Natural Resources (DLNR), Engineering Division Brandon Kim, Project Engineer, (808) 587-0248, Brandon.J.Kim@hawaii.gov 1151 Punchbowl Street, Room 221, Honolulu, HI 96813	
Consultant	The Limtiaco Consulting Group Claire Oshiro, Environmental Planner, (808) 596-7790, claire@tlcgohawaii.com 1622 Kananui Street, Honolulu, HI 96817	
Status	Finding of No Significant Impact (FONSI) determination. Comments are not taken on this determination.	

The DLNR proposes to develop a new community conference center and administration facility in Kealakehe that will allow the department to consolidate services at a single central location in West Hawai'i. The project is the development of a modern, energy efficient facility that accommodates present and future operational needs such as secure base yards, storage facilities, and spaces where division personnel can interact with the public it serves. The proposed facility includes a community conference center, a shared base yard and a separate climate-controlled collections warehouse.

MAUI

100% Affordable Hāna Housing Project FEA (FONSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds	
District(s)	Hāna	
TMK(s)	(2) 1-3-004:001 portion	
Permit(s)	Various (see document)	
Approving Agency	Maui County Department of Housing and Human Concerns Carol Reimann, Director, (808) 270-7805, carol.reimann@co.maui.hi.us 2200 Main Street Suite 546, Wailuku, HI 96793	
Applicant	Mr. Gabriel Hoeffken, Project Manager Gabriel Hoeffken, (808) 357-2727, gabe@tomsbackhoe.com 651 Papipi Road, Kula HI 96790	
Consultant	Chris Hart and Partners, Inc. Jordan E. Hart, President, (808) 242-1955, jhart@chpmaui.com 115 N. Market Street Wailuku, HI 96793	
Status	Finding of No Significant Impact (FONSI) determination. Comments are not taken on this determination.	

The proposed project is a 100% affordable single family residential development that will include construction of a total of 25 single family homes with necessary supporting infrastructure and roadway access to Hāna Highway. The 25 lots are a minimum of 10,000 square feet in size and therefore will allow for 'ohana units. The single family homes will be built in accordance with the Single family residential construction standards.

Associated infrastructure improvements include paved roadways, grassed swales, driveways and graded building pads and landscape planting. The right of way width for the access driveway will be forty four (44) feet wide with twenty (20) feet of pavement. The road shoulders will be grassed and there are no concrete curbs, gutters and sidewalks proposed with this project. All utilities will be overhead for electrical, telephone and cable TV.

Of the proposed 25 single family dwellings, 10 of these will service people 80% and below median income the remaining 15 will service those between 140% and 90% and below. The exact breakdown will depend on actual cost of development, demand from the Hana community and where individuals and families fall in the affordable spectrum.

O'AHU

Ala Wai 46kV Underground Cable Relocation FEA (FONSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds (5) Propose any use within the Waikiki area of O'ahu		
District(s)	Honolulu		
TMK(s)	(1) 2-6-017:064, (1) 2-7-036:001, (1) 2-7-036:007		
Permit(s)	Nationwide Permit 12 – Utility Line Activities, Blanket 401 Water Quality Certificate, National Pollutant Discharge Elimination System (NPDES) General Permit		
Approving Agency	Department of Planning and Permitting, City and County of Honolulu William Ammons (808) 768-8025, wammons@honolulu.gov Kathy K. Sokugawa, Acting Director, (808) 768-8000 650 South King Street, 7th Floor, Honolulu, HI 96813		
Applicant	Hawaiian Electric Company, Inc. (HECO) Kerstan Wong, Manager, (808) 543-7059, kerstan.wong@hawaiielectric.com P.O. Box 2750, Honolulu, HI 96840	Hawaiian Electric Company, Engineering Department Jayson K. Shibata, P.E., Project Manager, (808) 543-7902, Jayson.shibata@hawaiianelectric.com 820 Ward Avenue, Honolulu, HI 96814	
Consultant	Belt Collins Hawai'i Joanne Hiramatsu, Senior Associate/Director of Planning, (808) 521-5361, jhiramtsu@bchdesign.com 2153 North King Street, Suite 200, Honolulu, HI 96819		
Status	Finding of No Significant Impact (FONSI) determination. Comments are not taken on this determination.		

HECO is proposing to relocate underground sub-transmission line cables that connect to HECO's Waikiki 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 DLNR's efforts to provide continuous maintenance dredging of the Ala Wai Canal. The replacement cables will also maintain the reliability of the electrical distribution system.

Hale Makana O Maili (HMOM) Affordable Rental Project FEA (FONSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds		
District(s)	Wai'anae		
TMK(s)	(1) 8-7-001:016		
Permit(s)	Chapter 201H, HRS; LIHTC & RHRF; Chapter 343 HRS; GET Exemption; Building, Grading and Grubbing; Street Usage and Stockpiling; Sewer Connection; Water Connection; Water Quality/ NPDE; AIS Acceptance; Access Plan		
Approving Agency	Hawai'i Housing Finance Development Corporation Janice Takahashi, Chief Planner, (808) 587-0639, janice.n.takahashi@hawaii.gov 677 Queen Street, Honolulu, HI 96813		
Applicant	Laulima Development, LLC Kali Watson, (808) 282-5991, 6kali9@gmail.com 1188 Bishop Street, Suite 907, Honolulu, HI 96813		
Consultant	Hawaiian Community Development Board Patti Barbee, (808) 358-3633, pattibarbee@gmail.com 1188 Bishop Street, Suite 907, Honolulu, HI 96813		
Status	Finding of No Significant Impact (FONSI) determination. Comments are not taken on this determination.		

The proposed project is a 52-unit, low-rise, multi-family affordable rental housing development on a 1.95 acre portion of a 2.78 acre parcel in Maili, Wai'anae. The development will consist of 6 buildings, a central park, adequate parking and a perimeter fence. The primary purpose of the project is to provide much-needed, long-term affordable housing to the Wai'anae Coast communities. It is designed to serve very low and extremely low-income families and individuals (30-60% AMI) with quality, affordable housing options. Wai'anae Coast, Honolulu is "the least affordable housing market in the nation."

O‘AHU (CONTINUED)

Waikīkī (Queens Surf) Seawall Mitigative Improvements DEA (AFNSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds (2) Propose any use within any land classified as a conservation district (3) Propose any use within a shoreline area (5) Propose any use within the Waikīkī area of O‘ahu	
District(s)	Honolulu	
TMK(s)	(1) 3-1-030:001 to 005 and 3-1-031:004 and 005	
Permit(s)	SMA, DHSD, SSV, CDUP, Section 401 WQC, DA NWP (PCN), Archaeological Report, MLCD, ESA, NOAA	
Proposing/ Determining Agency	Department of Design and Construction Elaine Morisato, (808) 768-8406, emorisato@honolulu.gov 650 South King St., 9th floor, Honolulu, HI 96813	
Consultant	Oceanit Cris Takushi, (808) 531-3017, ctakushi@oceanit.com 828 Fort Street Mall, Suite 600, Honolulu, HI 96813	
Status	Statutory 30-day public review and comment period starts. Comments are due by July 10, 2017. Please send comments to the proposing/determining agency and copy the consultant.	

Queens Surf Seawall protects a part of Kapi‘olani Park from sea erosion. The oceanside area of the seawall is part of the Waikīkī Marine Life Conservation District. The seawall is badly damaged and being undermined partly by wave attack. The purpose is to assess the condition of the seawall and provide planning, permitting, design and construction documents to repair it.

Awa Street Wastewater Pump Station Force Main and Sewer System Improvements – Waiakamilo Road Trunk Sewer DEA (AFNSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds (9)(A) Propose any wastewater treatment unit, except an individual wastewater system or a wastewater treatment unit serving fewer than fifty single-family dwellings or the equivalent	
District(s)	Honolulu	
TMK(s)	(1)-1-5 (portions of Waiakamilo Road) (1)-1-6 (portions of Houghtailing Street)	
Permit(s)	Various (see document)	
Proposing/ Determining Agency	City and County of Honolulu, Department of Design and Construction Megan Inouye, P.E., Wastewater Division, (808) 768-8739, minouye3@honolulu.gov 650 South King Street, 14th Floor, Honolulu, HI 96813	
Consultant	Okahara and Associates, Inc. Edmund Yoshida, P.E., (808) 524-1224, eyoshida@okahara.com 677 Ala Moana Boulevard, Suite 703, Honolulu, HI 96813	
Status	Statutory 30-day public review and comment period starts. Comments are due by July 10, 2017. Please send comments to the proposing/determining agency and copy the consultant.	

The City and County of Honolulu Department of Design and Construction proposes to construct a new gravity flow trunk sewer line within Waiakamilo Road and Houghtailing Street from Nimitz Highway to School Street. The proposed “Waiakamilo Road Trunk Sewer” project will construct approximately 6,000 linear feet of new trunk sewer line including new sewer manholes, temporary sewer bypasses, and connections to existing sewer lines.

The purpose of this project is to comply with the Consent Decree jointly executed in year 2010 by the United States Environmental Protection Agency, the State of Hawai‘i, and the City and County of Honolulu. The Consent Decree identifies the existing Awa Street Wastewater Pump Station (WWPS) as at-risk for potential sewage spills or overflows due to the volume of sewer flows received at that facility. Therefore, to reduce the volume of sewer flows into the Awa Street WWPS and to mitigate the potential for sewage spills, the new trunk sewer will divert about 40 percent of the existing sewer flows away from the existing Awa Street WWPS and will redirect those sewer flows to the existing Hart Street WWPS which has sufficient capacity to accept such flows.

KAUA‘I

Wailuā Well No. 1 Project Kūhiō Highway DEA (AFNSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds	
District(s)	Līhu‘e	
TMK(s)	(4) 3-9-002:012 (portion)	
Permit(s)	Well Construction Permit 2	
Proposing/ Determining Agency	Department of Hawaiian Home Lands Stewart Matsunaga, Master Planned Community Branch Manager, (808) 620-9283, Stewart.t.matsunaga@hawaii.gov 91-5420 Kapolei Parkway, Kapolei, HI 96707	
Consultant	Akinaka & Associates, Ltd. Scott A. Kunioka, P.E., (808) 836-1900 x 684, sak@akinaka.com 1100 Alakea Street, Suite 1800, Honolulu, HI 96813	
Status	Statutory 30-day public review and comment period starts. Comments are due by July 10, 2017. Please send comments to the proposing/determining agency and copy the consultant.	

The purpose of the project is to develop a potable water well to help DHHL provide potable water to its lands in Wailuā for homesteading and other related uses. The property is located in the Wailuā ahupua‘a in the Puna District on the east side of the Island of Kaua‘i, approximately 6 miles north of Līhu‘e. The project site is situated on a broad coastal plain at the base of the Kālepa Forest Reserve, directly south of the Wailuā River. The project site is in the mauka portion of DHHL’s property on Kūhiō Highway.



Wailuā River, Kaua‘i (cropped from original)

Photo by [Robert Linzell](#)

PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

Status: Public review and comment period for these projects began previously. Comments are due June 22, 2017, unless specified otherwise. Please send comments to the relevant agency and copy any relevant applicant and/or consultant.

O‘AHU

- [Ala Wai Canal Dredging and Improvements DEIS \(comments due July 7\)](#)
- [Sand Island Wastewater Treatment Plant Outfall Shoreline Revetment Project DEA \(AFNSI\)](#)
- [New 7-Eleven Hau‘ula Store DEA \(AFNSI\) \(Revised Ordinances of Honolulu, Chapter 25\)](#)

HAWAII

- [Dearing Single-Family Residence and Farm in the Conservation District at Keonepoko DEA \(AFNSI\)](#)
- [Domain 20 Field Site for the National Ecological Observatory Network DEA \(AFNSI\)](#)

INSIGHTS FROM THE ENVIRONMENTAL CENTER AT THE UNIVERSITY OF HAWAII

On the Paris Agreement

In late 2015, under the guidance of the United Nations, 195 nations pledged to stop global warming temperatures “well below” 2 degrees Celsius (3.6 degrees Fahrenheit), and if possible below 1.5 degrees Celsius (2.7 degrees Fahrenheit). This landmark climate treaty was signed in Paris at the Conference of Parties 21, or COP21, the twenty-first year of meetings designed to achieve such an agreement. Hailed as a “turning point”, a “victory for the planet”, and “the end of the era of fossil fuels” the agreement is certainly a major milestone in over 2 decades of effort to get the world to unify under a single plan to halt global warming.



In light of these hard truths, how should we interpret the Paris Agreement? A giant shove in the right direction might be an apt assessment. Nearly every country and local community agreeing to a global framework is no small feat, but the world needs to continue to “up its game.” Now that the State of Hawai‘i has established the Climate Change Mitigation and Adaptation Commission, here are some critical steps that we must take if we are to achieve even the modest goals of the Paris Agreement.

1. Work with other states and nations together to come up with solutions that reinforce our commitments and achieve non-zero sum solutions. Ideally, the committed decrease in greenhouse gas emissions takes on legal status within each location.

2. Dedicate more of the barrel tax to sequestering carbon, reducing emissions, and adapting to climate change. By taxing carbon we would be charging those who use carbon fuels for the damage they do to the environment and the threats to public health and safety, a justifiable cost that will decrease the use of fossil fuels and increase the rise of clean energies.

3. Step up commitments to decrease greenhouse gas production by investing in greener technologies that can take the place of carbon energy. Promote the transformation of our transportation technologies away from fossil fuels. Work with the rest of the world on developing alternatives to jet fuel and bunker fuel.

4. Step up commitments to increase carbon sinks like forests and soils. Establishing the soil carbon farming task force is a great step forward. We need more solutions that transform our economic sectors to be efficient in their use of resources and adaptive to our changing climate.

5. Apply a “climate lens” to all policy decisions by taking advantage of the broad-ranging and cross-sector experience of the Commission, beyond the obvious energy, land use, and transportation elements. Take a hard look at climate change mitigation and adaptation strategies in our environmental review and planning documents. The University of Hawai‘i is working to downscale global climate information so that it can be applied at the local level in a meaningful and appropriate way.

Chip Fletcher is the Associate Dean for Academic Affairs and Professor of Geology and Geophysics at the University of Hawai‘i at Manoa’s School of Ocean and Earth Science and Technology. This is his first time contributing on behalf of The Environmental Center, which is designated to assist the OEQC and Environmental Council and to stimulate, expand, and coordinate the education, research, and service efforts of the university relating to ecological relationships, natural resources, and environmental quality, with special relation to human needs and social institutions.

¹ UNEP (2016). The Emissions Gap Report 2016. United Nations Environment Programme (UNEP), Nairobi. A digital copy of this report along with supporting appendices are available at <http://uneplive.unep.org/theme/index/13#egr>

² Gasser, T. et al. (2015) Negative emissions physically needed to keep global warming below 2oC. Nature Communications 6. 7958: <http://www.nature.com/ncomms/2015/150803/ncomms8958/full/ncomms8958.html>

³ Strauss, BH, 2015. Rapid accumulation of committed sea level rise from global warming. PNAS, v. 110, no.34, p. 13699-13700

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
Maui: Ha'ikū (2-9-007: 074)	Grid-tied Photovoltaic System-Carport Structure (SM2 20120129)	Cheryl Vrieling
Maui: Kīhei (3-9-009: 008)	Special Event Fundraisers (SM2 20130076)	Cary Passon & Charlene Schulenburg
Maui: Lahaina (4-5-001: 016)	Install 3 Kiosks on First Floor (SM2 20170046)	Avalon Development Company LLC
Maui: Kīhei (3-9-001: 013)	Antenna Replacement H12 Koieie (SM2 20170047)	Verizon Wireless
Maui: Pā'ia (3-8-002: 035)	New Spa, Well, and Shed (SM2 20170048)	Janine S. Clifford
O'ahu: Pūpūkea (5-9-005: 083)	Verizon Wireless Banzai Beach – Utility Installation, Type B (2017/SMA-13)	Verizon Wireless / Wireless Resources Inc.

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-1758	5/15/17	Lot 26 of "Mokulē'ia Beach Tract" as shown on Map 1 of Land Court Application 609 situate at Mokulē'ia, Waialua, O'ahu Address: 68-649 Crozier Drive Purpose: Establish 40-ft. shoreline setback	Imata and Associates, Inc./ Mark Polivka	(1) 6-8-004:023
OA-1759	5/19/17	Land Court Application 323 Consolidation of Lot 10 as shown on Map 42 and Lot 280 as shown on Map 153 and Resubdivided into Lots A, B, and C situate at Kailua, Ko'olaupoko, O'ahu Address: 188 N. Kalāheo Avenue and 10 Kamani Kai Place Purpose: Building permit	Walter P. Thompson, Inc./ Jennifer A. Rainin 2007 Trust	(1) 4-3-015:031 & 048
OA-1760	5/19/17	Portion of Kailua Beach Park Portion Executive Order 115 (CSF 3722) situate at Kailua, Ko'olaupoko, O'ahu Address: 450 Kawailoa Road and Kaneapu Place Purpose: Drainage improvement	Park Engineering/ Department of Design & Construction, C&C Honolulu	(1) 4-3-009:001 por., (1) 4-3-010:084 por.
OA-1761	5/24/17	Lot 9 Section C, Kawailoa Beach Lots situate at Kawailoa, Waialua, O'ahu Address: 61-459 Kamehameha Highway Purpose: Building permit	Walter P. Thompson, Inc./ James Eichler	(1) 6-1-008:014
MA-675	5/12/17	Lot 10-B-1 of Land Court Application 485 (Map 6) situate at Honokōwai, Lahaina, Maui Address: 110 Kā'anapali Shoreline Purpose: SMA permit	Akamai Land Surveying, Inc./ The Mahana at Kaanapali	(2) 4-4-001:099
MA-676	5/18/17	Being portions of Grant 3343 to Claus Spreckels situate at Spreckelsville, Maui Address: 467 Laulea Place Purpose: Building setback	Terry McBarnet & Alec McBarnet/ Alexander J.W. McBarnet Trust	(2) 3-8-002:034

SHORELINE NOTICES (CONTINUED)

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-1746	Proposed Shoreline Certification	Lot 11 of Panahaha Subdivision Same being a Portion of Royal Patent 5583, Land Commission Award 2937, Part 10, Section 1 to William Harbottle situate at Pānāhāhā, Kāne'ohe, O'ahu Address: 44-295 Kāne'ohe Bay Drive Purpose: Permit	R.M. Towill Corporation/ FSS, LLC	(1) 4-4-007:011
OA-1750	Proposed Shoreline Certification	Lot 314 Land Court Application 1052 situate at Mākaha, Wai'anae, O'ahu Address: 84-127 Makau Street Purpose: Building permit	Walter P. Thompson, Inc./ Kathleen Ochsensbein 2014 Revocable Trust	(1) 8-4-010:012
OA-1752	Proposed Shoreline Certification	Portion of Sand Island State Recreation Area Governor's Executive Order 2704 (C.S.F. 17,079) situate at Sand Island, Honolulu, O'ahu Address: 1640 Sand Island Parkway Purpose: Shoreline setback determination	Engineers Surveyors Hawaii, Inc./ Curt A. Cottrell (DLNR)	(1) 1-5-041:006
OA-1754	Proposed Shoreline Certification	Lot 33 Land Court Application 51 situate at Kāne'ohe, Ko'olau-poko, O'ahu Address: 45-119 Mahalani Circle Purpose: Application for an easement	Walter P. Thompson, Inc./ Martha K. Bush	(1) 4-5-058:033
MA-653	Proposed Shoreline Certification	Allotments 41-A and 47-A and portion of Allotment 2 of Mailepai Hui Partition being a portion of Royal Patent 1663, Land Commission Award 5524, 'Āpana 1 to L. Konia situate at Nāpili 2 & 3, Lahaina, Maui Address: 5505 Lower Honoapi'ilani Road and Hui Road "H" Purpose: Planning for future use	Warren S. Unemori Engineering Inc./ Napili Kai Ltd.	(2) 4-3-002:026, 027, & 028
LA-015	Proposed Shoreline Certification	Land Court Application 1881 (Map 1) and a Portion of Lot 49 (Map 9) of Land Court Consolidation 170 situate at Kaohai, Lāna'i, Hawai'i Address: State Highway #44 Purpose: Permitting	Ryan Suzuki/ Pulama Lanai	(2) 4-9-003:010 & 4-9-002:Por 1
HA-533-1	Rejection	Lot 1-F Unit 2 Land Court Application No. 1618 as shown on Map 2 Ilima Condominium Project being a portion of Grant 10,860 to Leslie W. Wishard situate at Lālāmilo, South Kohala, Hawai'i Address: n/a Purpose: Building permit	Roger Dean Fleenor/ Naupaka LTD Partnership	(3) 6-6-002:029

NATIONAL HISTORIC PRESERVATION ACT, SECTION 106 CONSULTATION

Aerial Gunnery Training within the Marine Corps Base Hawai'i Kāne'ōhe Bay Range Training Facility

Island	O'ahu
Applicant or Proposing Agency	Commanding Officer, Marine Corps Base Hawai'i MCBH Cultural Resource Manager, C/O NAVFAC PACIFIC 258 Makalapa Drive, Suite 100 ATTN: EV23 JBPHH, HI 96860 NFPAC-Receive@navy.mil
Status	Soliciting members of the Public who wish to participate as consulting parties in the NHPA Section 106 process. Respond within 30 days of this notice to the MCBH Cultural Resources manager.

Marine Corps Base Hawai'i (MCBH) has determined that proposed aerial gunnery training within the MCBH Kāne'ōhe Bay Range Training Facility in Ulupa'u Crater is considered an undertaking as defined in the National Historic Preservation Act (NHPA) 36 CFR §800.16(y) and has the potential to cause effects on historic properties. Pursuant to 36 CFR §800.2(d), 800.3(b), and 800.3(e), MCBH is soliciting members of the public who wish to participate as consulting parties in the NHPA Section 106 process associated with this undertaking. If interested in participating, provide written notification (letter or email, with phone contact) within 30 days of this notice to the MCBH Cultural Resources manager at the email or physical address provided below. MCBH will initiate the formal NHPA Section 106 process after the completion of this 30-day public solicitation period.

The NHPA Section 106 process will support preparation of a future environmental assessment (EA) for the proposed aerial gunnery training at MCBH. The proposed training would involve firing non-explosive projectiles from helicopters at existing simulated armored targets within Ulupa'u Crater at the Kāne'ōhe Bay Range Training Facility. Existing range operations will be used as the baseline for comparison with foreseeable environmental impacts in the EA. Opportunity for public comment on the environmental assessment will be provided following its preparation at a future date.

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.

Notice: [Western Pacific Fishery Management Council; Public Meeting](#) (published 5/31/2017)

The Western Pacific Fishery Management Council will hold a meeting of its Hawai'i Archipelago Fishery Ecosystem Plan (FEP) Advisory Panel (AP) to discuss and make recommendations on fishery management issues in the Western Pacific Region **on Thursday, June 15, 2017, from 9 a.m. to 11 a.m.** at the Council Office, 1164 Bishop St., Suite 1400, Honolulu, HI 96813 and by teleconference. The teleconference will be conducted by telephone. The teleconference numbers are: U.S. toll-free: 1-888-482-3560 or International Access: +1 647 723-3959, and Access Code: 5228220.

Notice: [Western Pacific Fishery Management Council; Public Meetings](#) (published 5/31/2017)

The Western Pacific Fishery Management Council will hold its 126th Scientific and Statistical Committee (SSC) meeting, Fishery Data Collection and Research Committee (FDCRC) and its 170th Council meeting to take actions on fishery management issues in the Western Pacific Region **between June 13 and June 22**. Click the title link for more information.

Notice: [Changes in Flood Hazard Determinations](#) (published 5/31/2017)

This notice lists communities where the addition or modification of flood hazard determinations is appropriate because of new scientific or technical data. These changes will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings. Hawai'i County is one of the affected communities. From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has 90 days in which to request through the community that the Deputy Associate Administrator for Insurance and Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period.

FEDERAL NOTICES (CONTINUED)

Rule: [Migratory Bird Hunting; Final Frameworks for Migratory Bird Hunting Regulations](#) (published 5/30/2017)

The U.S. Fish and Wildlife Service prescribes final frameworks from which States may select season dates, limits, and other options for the 2017-18 migratory bird hunting seasons. **This rule took effect on May 30, 2017** and includes frameworks for mourning doves on Hawai'i Island. Mourning doves may be taken in Hawai'i in accordance with shooting hours and other regulations set by the State of Hawai'i, and subject to the applicable provisions of [50 CFR part 20](#).

Notice: [Requested Administrative Waiver of the Coastwise Trade Laws: Vessel COYOTE; Invitation for Public Comments](#) (published 5/30/2017)

The Secretary of Transportation, as represented by the Maritime Administration, is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The intended commercial use of the vessel is sailing charters, sailing school, and weddings at sea in Hawai'i. Submit comments on or before June 29, 2017 at <http://www.regulations.gov> or to the 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.

Notice: [Availability of a Final Feasibility Study With Integrated Environmental Impact Statement, Ala Wai Canal Project, O'ahu, HI](#) (published 5/26/2017)

The U.S. Army Corps of Engineers (USACE) announces the availability of a Public Review Final Feasibility Study with Integrated Environmental Impact Statement (EIS), for the Ala Wai Canal Project, O'ahu, Hawai'i. The Final Feasibility Study/EIS evaluates alternatives to manage flood risk within the Ala Wai watershed, which includes the neighborhoods of Makiki, Mānoa, Pālolo, Kapahulu, Mō'ili'ili, McCully, and Waikīkī. It also documents the existing condition of environmental resources in areas considered for locating flood risk management features and potential impacts on those resources that could result from implementing each alternative. The State of Hawai'i, Department of Land and Natural Resources is the non-Federal sponsor and the proposing agency for compliance with the Hawai'i law on EISs. **All written comments must be submitted on or before June 25, 2017** to AlaWaiCanalProject@USACE.Army.mil or the Ala Wai Canal Project, U.S. Army Corps of Engineers, Honolulu District, ATTN: Derek Chow, Chief, Civil and Public Works Branch (CEPOH-PP-C), Building 230, Fort Shafter, HI 96858-5440.

Proposed Rule: [Pacific Island Fisheries; 2017-18 Annual Catch Limit and Accountability Measures; Main Hawaiian Islands Deep 7 Bottomfish](#) (published 5/25/2017)

The National Marine Fisheries Service (NMFS) proposes to specify an annual catch limit of 306,000 lb for Deep 7 bottomfish in the main Hawaiian Islands for the 2017-18 fishing year, which will begin on September 1, 2017, and end on August 31, 2018. If NMFS projects that the fishery will reach the limit, NMFS would close the commercial and non-commercial fisheries for Deep 7 bottomfish for the remainder of the fishing year as an accountability measure. **NMFS must receive comments by June 9, 2017**. Submit comments at <http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2017-0033> or to Michael D. Tosatto, Regional Administrator, NMFS Pacific Islands Region (PIR), 1845 Wasp Blvd. Bldg. 176, Honolulu, HI 96818.

Notice: [Notice of Issuance of Program Comment for Communications Projects on Federal Lands and Property](#) (published 5/24/2017)

The Advisory Council on Historic Preservation (ACHP) issued a Program Comment for Communications Projects on Federal Lands and Property at the request of the U.S. Department of Homeland Security (DHS) to accelerate the review of these projects, particularly broadband deployment, under Section 106 of the National Historic Preservation Act. The Program Comment can be used by federal land and property managing agencies who must comply with the requirements of Section 106 when deploying communications activities on public lands and property. Federal agencies using the Program Comment may fulfill their Section 106 responsibilities for the relevant undertakings by implementing the terms of this comment, which include processes for the identification of historic properties and consideration of effects to these properties. The Program Comment also identifies certain undertakings that require no further Section 106 review under specified conditions. **The Program Comment was issued by the ACHP on May 8, 2017** and went into effect that day.

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 mitigation 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).