

The Environmental Notice

A semi-monthly bulletin published by the Office of Environmental Quality Control pursuant to Section 343-3, Hawai'i Revised Statutes

July 23, 2008

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Department of Corrections

The July 8, 2008, issue stated that an EA must be completed before an EIS could be prepared. For clarification, if an applicant knows that they are going to be preparing an EIS document from the onset of the project, it has been acceptable practice for the applicant to immediately move to the EIS phase. The EIS phase begins with an EIS preparation notice, which undergoes a 30-day comment period. From that point, the EIS preparation notice is compiled and printed as a Draft Environmental Impact Statement. This draft EIS is then circulated to libraries and consulted parties with a 45-day public comment period. After all of the comments have been received and answered, the draft EIS is finalized with updated information. This finalized document must then be approved by the accepting authority as complete and technically adequate before the proposed project can be implemented. At each step in this process, notice is published in *The Environmental Notice*. Should you have any further questions in regards to this issue, please contact our staff via e-mail at: OEQC@doh.hawaii.gov. Acknowledgments: With special thanks from OEQC to the County of Hawai'i, Director of Planning, Chris Yuen for his clarification and expertise in this area.

Effective July 23, 2008, the Office of Environmental Quality Control has suspended the June 2004 Environmental Guide Book. With the recent Hawai'i Supreme Court rulings that have identified new areas of concerns with our rules and procedures, it is imperative for our OEQC staff to update our guidelines to better serve our community. Please be assured that our staff is working diligently to complete our guidebook which will ensure proper standards being met by all parties. The OEQC is dedicated to providing our community with standards that will ensure responsible development and the preservation of Hawai'i's natural resources.

KAUAI NOTICES

(1) Moragne/Bartmess Single Family Residence (HRS 343-5(c) FEA-FONSI)

Island: Kaua'i
District: Hanalei
TMK: (4) 5-09-05:27
Applicant: Catherine Moragne-Bartmess & Russ Bartmess, 356 Meridian, Crystal Lake, IL 60014. Contact: Russ Bartmess (815) 347-2458
Approving Agency: Dept. of Land and Natural Resources, Office of Conservation and Coastal Land, P.O. Box 621, Honolulu, HI 96809. Contact: Sam Lemmo, (808) 587-0381
Consultant: Landmark Consulting Services, P.O. Box 915, Hanalei, HI 96714. Contact: (808) 828-6332
Status: Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI)
Permits: CDUP, County of Kauai Building Permit, SMA, Individual Wastewater System Permit



The proposed action is for the construction of a Single Family Residence of approximately 3,000 square feet within an established neighborhood located in Hā`ena on Kauai's North Shore. The proposed residence will be elevated on piers to conform to applicable Federal & County regulations regarding the National Flood Insurance Program for coastal high hazard areas. The applicant is requesting that the Board of Land and Natural Resources grant approval for a five (5) foot height variance for the proposed residence due to the flood zoning characteristics of the parcel. The height variance is consistent with the County of Kauai's flood zoning ordinance. The Applicant is also requesting approval for a five (5) foot side-yard setback variance in light of the Applicant's willingness to increase the shoreline setback to 80-feet. The Applicant proposes to construct a lava rock wall along the roadway boundary of the property,

together with a vehicular gate. Fencing will be erected along the lateral boundaries to within 40 feet of the certified shoreline. A copy of the FEA will be available for review at the Princeville Public Library, the findings of which indicate that as a result of the proposed actions there will be no significant negative environmental impacts be they primary, secondary or cumulative.

OAHU NOTICES

(2) Central O`ahu Wastewater Facilities Plan (HRS 343-5(b) FEIS)

Island: O`ahu
District: Wahiawā
TMK: Various
Applicant: City & County of Honolulu, Department of Design and Construction, 650 South King St., Honolulu, HI 96813. Contact: Henry Eng, (808) 768-8000
Accepting Authority: Same
Consultant: The Limtiaco Consulting Group, 650 Iwilei Road, Suite 208, Honolulu, HI. 96817. Contact: John Katahira, (808) 596-7790
Status: Final environmental impact statement (FEIS) was filed and accepted by the accepting authority. The FEIS is also available at the Office of Environmental Quality Control. There is no public comment period.
Permits: U.S. Army Corps of Engineers, Clean Water Act Section 404 permit(s), NPDES, Community Noise Permit and/or Variance, Clean Water Act Section 401 Water Quality Certification, Stream Channel Alterations and Diversion Works Permit, Conformance with Accessibility Guidelines, State Highway Right-of-Way – construction, use, and occupancy, Permit to transport oversized equipment/overweight loads within DOT's highways facilities, Building Permit, Honolulu Board of Water Supply, Permit to Excavate a Public Right-of-Way/Trenching Permit, Grubbing, Grading, and Stockpiling Permit, Erosion Control Plan/Best Management Practices, Repaving Plan, Street Usage Permit, Construction Dewatering Permit (Temporary), Permit to Discharge Effluent (Non-Storm Water) (Temporary), Detour Plans/Traffic Control Plans



The City and County of Honolulu, Department of Design and Construction (DDC) is responsible for the planning, design, and construction of municipal wastewater systems on the island of O`ahu. The City and County of Honolulu, Department of Environmental Services is responsible for the control, management, operation and maintenance of these facilities. The DDC proposes to improve wastewater facilities that serve the Central O`ahu area defined by the communities of Wahiawā, Whitmore Village and Naval Computer and Telecommunications Area Master Station Pacific (NCTAMS PAC). Wastewater system options are being developed as part of the planning process for the Central Oahu Wastewater Facilities Plan (COWFP) and its corresponding Environmental Impact Statement (EIS).

The COWFP and its corresponding EIS examine wastewater facilities in the project area. Project actions envisioned (such as the improvement, modification, and/or replacement of municipal wastewater facilities in the Wahiawā and Whitmore Village area) primarily involve the Wahiawā wastewater collection system, the wastewater treatment plant (WWTP) serving Wahiawā and Whitmore Village and its effluent disposal options, and Wahiawā Reservoir (Lake Wilson).

Implementation of the COWFP or facilities plan is the "proposed action" being evaluated in this EIS, and the DDC is developing the COWFP in conjunction with the EIS to encourage public participation for this project. The facilities plan considers alternatives and recommendations that may be programmed and implemented through the year 2020. The EIS examines potential impacts of the project on the natural and man-made environment and propose mitigation measures to alleviate these impacts.

(3) Chandler Driveway and Associated Grading (HRS 343-5(c) DEA)

Island: O`ahu
District: Ko`olaupoko
TMK: (1) 4-4-017:111
Applicant: Joyce and William Chandler, 44-102 Kalenakai Place, Kāne`ohe, HI 96744
Approving Agency: Dept. of Land and Natural Resources, Office of Conservation and Coastal Lands, PO Box 621, Honolulu, HI 96809. Contact: Michael Cain, (808)-783-2501
Status: Draft Environmental Assessment (DEA) notice pending 30-day public comment. Address comments to the Applicant, with copies to the Approving Agency, Consultant, and OEQC.
Permits: CDUP

The applicant is requesting an after-the-fact permit for the construction of a concrete driveway; the grading, grubbing, and construction of a gunite wall; and the construction of a gravel parking lot. The landowner built the concrete roadway and parking lot between 2001 and 2007. The driveway was extended 102 feet up the hillside to a flat area behind the residence. He graded this area, extending the flat area by 19 feet by 14 feet. He also applied gunite to the hillside to form a wall between the residence and the graded area.

The work was the subject of an enforcement case by DLNR. Securing a CDUP, or removing the structure, is the final step towards resolving the violation. There was additional work done on TMK parcel 17:12; this was the subject of a separate enforcement case and is not covered in this application. In addition to the work already done, the applicant proposes to construct a catchment wall beneath the cut at the apex of the driveway; replace invasive and combustible species with indigenous species; place new gravel in the flat area to create a parking area; and construct a walkway from the proposed parking area to the residence.

MAUI NOTICES

(4) Hana Highway Rockfall Mitigation (HRS 343-5(b) FEA-FONSI)

Island: Maui
District: Ko`olau
TMK: (2) 1-1-08: 1 and 5
Applicant: Dept. of Transportation
Approving Agency: Dept. of Land and Natural Resource, Office of Conservation and Coastal Lands, PO Box 621, Honolulu, HI 96809. Contact: Michael Cain, (808)-783-2501

Consultant: M&E Pacific Inc., 841 Bishop Street, Suite 1900, Honolulu, HI 96813. Contact: Diane Y. Kodama (808) 529-7226
Status: Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI)
Permits: CDUP



The project is part of the larger Hana Highway Rockfall Mitigation Plan that was completed in May 2000. Thirty-five project sites were identified in the Plan; this application focuses on the stretch between Milepost 19.18 and 19.52.

The highway at this location averages 18' in width. There are no shoulders on the makai side of the roadway, and minimal shoulders on the mauka side. There is a concrete-rubble masonry (CRM) wall adjacent to the makai side. There are overhanging trees and weathered basalt on the mauka side, and what appears to be landslide debris along the makai edge.

The proposal includes realigning the roadway away from the mauka slope, and cutting into the slope to create rock catchment zones. The road will be cantilevered 9 feet out over the downward slope. Support for the cantilevers will be provided by twin rows of deep-shaft foundation running parallel to the roadway. The shafts will be 5' in diameter and spaced at 10' intervals.

A concrete barrier and shield fencing will be placed mauka. The project will result in a twenty foot two-lane road with a ten foot setback.

(5) Ka`ono`ulu Phase IV Multi-Family Residential Development (HRS 343-5(c) DEA)

Island: Maui
District: Wailuku
TMK: (2) 3-9-001:157 and 158
Applicant: Piilani Makai, Inc., 635 Kenolio Road, Kihei, HI 96753. Contact: Dwayne Betsill (808) 874-6613
Approving Agency: Maui County Planning Department, 250 South High Street, Wailuku, HI 96793. Contact: Joe Prutch (808) 270-7512
Consultant: Chris Hart & Partners, Inc., 115 N. Market Street, Wailuku, HI 96793. Contact: Brett Davis (808) 242-1955
Status: Draft Environmental Assessment (DEA) notice pending 30-day public comment. Address comments to the Applicant, with copies to the Approving Agency, Consultant, and OEQC.
Permits:

The 8.27-acre property is in the State Urban District, is designated "B" Business and "MF" Multi-Family in the Kihei-Makena Community Plan and zoned "R-1" Residential and "A-1" Apartment in the Maui County zoning. The landowner (Piilani Makai, Inc.) is seeking a change in zoning to the "A-1" Apartment District and a community plan amendment to "MF" Multi-Family to provide consistency between the three Land Use Districts and allow development.

The proposed action involves the development of the 8.27-acre parcel into a 166-unit apartment to include 56 one-bedroom units, 84 two-bedroom units and 26 three-bedroom units. 66 of these units will be affordable. Access to the property would be from the future roadway extension of Kenolio Road. There will be no access to Piilani Highway.

There are two gulches traversing the project site. The first unnamed gulch starts at the intersection of Kaonoulu Street and Piilani Hwy and traverses diagonally across the site. The Kūlanihāko`i Gulch is a major drainage way that traverses near the southern boundary of the site from an existing bridge at Piilani Hwy. Previously, a portion of this gulch was improved with a boulder lining and geotextile invert.

The environmental assessment was triggered because of the request for a Community Plan Amendment.

(6) Ōhua Landing Craft /Cargo Vessel Operations (HRS 343-5(b) FEA-FONSI)

Island: Maui and Kaho`olawe
District: Wailuku and Makawao
TMK: (2) 3-9-004: por. 001 & 61 (Kihei, Maui) and n/a (Kaho`olawe)
Applicant: Kaho`olawe Island Reserve Commission, 811 Kolu Street, Suite 201, Wailuku, HI 96793. Contact: Michele McLean, (808) 243-5891 or email: mmclean@kirc.hawaii.gov
Approving Agency: Same
Consultant: Same

Status: Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI)
Permits: None

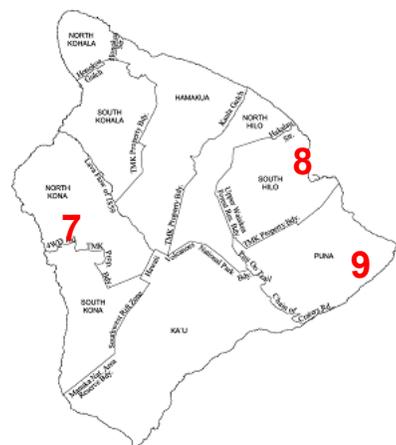
The Kaho`olawe Island Reserve Commission is responsible for the management of the island of Kaho`olawe and its surrounding waters. KIRC personnel travel between Maui and Kaho`olawe for restoration, cultural, operations and other work; personnel and supplies are typically transported via helicopter at an average monthly cost of \$90,000. To reduce expenditures and dependence on helicopters, KIRC purchased a landing craft to transport personnel and supplies by boat at an average monthly cost of \$3,600.

The proposed action would include the loading of fuel and cargo onto the vessel at the Kīhei boat ramp; the transportation of fuel and cargo from Maui to Kaho`olawe; and the unloading of fuel, cargo and passengers directly onto the beach at Honokanai`a. The potential adverse environmental impacts of these operations, if not mitigated, could be: disturbance of residential neighbors from noise; congestion at the boat ramp for other users; fuel spills; inadvertent transportation of invasive species between islands; collision with marine life; damage to marine environment (e.g., coral); passenger injury.

HAWAII NOTICES

(7) Wai`aha Water Systems (Transmission Mains and Reservoirs) (HRS 343-5(c) FEA-FONSI)

Island: Hawai`i
District: North Kona
TMK: Various
Applicant: Waiaha Systems, LLC / Waiaha Systems II, LLC, PO Box 898, Kailua-Kona, HI, 96745. Contact: Yukie Ohashi (808) 985-2222
Approving Agency: Dept. of Water Supply, 345 Kekuanaoa Street, Suite 20, Hilo, HI 96720. Contact: Kurt Inaba (808) 961-8060
Consultant: Yukie Ohashi Planning Consultant LLC, PO Box 786, Volcano, HI 96785. Contact: Yukie Ohashi (808) 985-2222
Status: Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI)
Permits: State Historic Sites Compliance, NPDES Permit, Rights-of-Way work approval, Grading Permit, Building Permit



In September 2007 the Hawai`i County Board of Water Supply adopted a Memorandum of Agreement between the Water Board and the Applicant to develop the Wai`aha well resource distribution system, including two transmissions mains and three reservoirs, along two routes between Mamalahoa Highway and Hienaloli Road and Mamalahoa Highway and Queen Kaahumanu Highway extension. The system, will be within existing private roadways and pasturelands, and will be dedicated to the County upon final inspection and approval.

The proposed project will allow use of the presently under-utilized DWS Wai`aha production well which has a capacity of 2 million gallons per day. The available high level water will be transmitted to the high demand lower elevation areas of North Kona, including lands controlled or managed by the Applicant, as well as other properties in the North Kona water system. The overall beneficial effect will be an increase in water quantity and quality for the community.

Construction of the project will include traffic increases which will be mitigated through a traffic control plan. No sensitive biological, archaeological, or cultural resources are present; however, if any archaeological or human remains are encountered, work will be halted and the State Historic Preservation Division will be notified.

(8) Kāwili Street Student Housing (HRS 343-5(c) DEA)

Island: Hawai`i
District: South Hilo
TMK: (3) 2-4-01:116
Applicant: Honpa Hongwanji Hilo Betsuin, 398 Kīlauea Avenue, Hilo, HI 96720. Contact: Byron Fujimoto, President: (808) 961-6677 / Fax: 935-9677

Approving

Agency: County of Hawai'i Planning Department, 101 Pauahi Street, Suite 3, Hilo, HI 96720. Contact: Chris Yuen, Planning Director (808) 961-8288.

Consultant: Sidney Fuke, Planning Consultant, 100 Pauahi Street, Suite 212, Hilo, HI 96720. (808) 969-1522 or Fax: (808) 969-7996

Status: Draft Environmental Assessment (DEA) notice pending 30-day public comment. Address comments to the Applicant, with copies to the Approving Agency, Consultant, and OEQC.

Permits: Change of Zone Application, Plan Approval, Grading/Grubbing Permit, Right-of-Way Construction, Driveway Permit, Building Permits, NPDES, UIC, Other construction-related permits

Honpa Hongwanji Hilo Betsuin proposes to lease its 4.0-acre property at Waiākea Cane Lots, Hilo, Island of Hawai'i, (TMK: (3) 2-4-01:116) to a company that would design, build, finance and operate a 106-unit, maximum 400-bed student rental housing facility called the "Kāwili Street Student Housing Project." The Project will include an attached parking structure and related common amenities, including study areas, a computer lab area, club room, fitness room and a game room. The three-story residential complex and four-story parking structure would be housed in one facility with a gross building area of 461,000 square feet. Access would be from Kāwili Street with a left-turn storage lane proposed to mitigate traffic flow after the year 2013. The target market would be students attending nearby UH Hilo and the Hawaii Community College. The project is estimated to take 14-16 months to complete construction with an anticipated opening in the year 2011. A change of zone from Single Family Residential to Multiple-Family Residential will be requested. Short-term construction impacts will be mitigated through compliance with State and County noise and air quality regulations. Implementing Kāwili Street Student Housing Project would result in no significant adverse impacts as defined by Hawaii Revised Statutes, while resulting in such positive impacts as centralizing student housing in the urban core in close proximity to the University and the College.

(9) Rueselle Lewis Change of Zone (HRS 343-5(c) DEA)

Island: Hawai'i

District: Puna

TMK: (3) 1-5-14:10

Applicant: Rueselle Lewis c/o All Aina Services, POB 291, Laupahoehoe, HI 96764. Contact: Jennifer Rosse (808) 969-3882

Approving

Agency: County of Hawai'i Planning Dept, 101 Aupuni St., Suite 103, Hilo, HI 96720. Contact: Chris Yuen (808) 961-8288

Consultant: All Aina Services, POB 291, Laupahoehoe, HI 96764. Contact: Jennifer Rosse (808) 969-3882.

Status: Draft Environmental Assessment (DEA) notice pending 30-day public comment. Address comments to the Applicant, with copies to the Approving Agency, Consultant, and OEQC.

Permits: Change of zone, Plan Approval, Building Permits

The applicant, Rueselle Lewis, is proposing to change the zoning on hr 45,914 sq.ft. parcel in Pāhoa from RS-15 to CV-10. Adjacent parcels are CV-10. Upon approval, the applicant plans to build a preschool and meeting facility, separate storage and bathroom facilities in a single level 22,00sq.ft building. Currently, the parcel is vacant. Site work for the project includes grading, driveway improvements, and the installation of water and sewer. The applicant owns a 20-foot wide road and utility easement through TMK 1-5-14:23 to a government owned roadway. This roadway is considered a homestead paper road. It is currently an unimproved 30-foot roadway and is not paved. The County Dept of Public Works will be consulted regarding required standards for improving this road. Parking for the facility will be provide onsite. There is also a covered loading and unloading area in front of the building, with space for two cars. No sensitive biological, archaeological or cultural resources are present on the parcel. The proposed project will not have any significant direct, indirect, secondary or cumulative impacts on the physical or human environment.

COASTAL ZONE NEWS

Federal Consistency Reviews

The Hawai'i Coastal Zone Management (CZM) Program has received the following federal actions to review for consistency with the CZM objectives and policies in Chapter 205A, HRS. This public notice is being provided in accordance with section 306(d) (14) of the National Coastal Zone Management Act of 1972, as amended. For general

information about CZM federal consistency please call John Nakagawa with the Hawai'i CZM Program at 587-2878. For neighboring islands use the following toll free numbers: Lāna`i & Moloka`i: 468-4644 x72878, Kaua`i: 274-3141 x72878, Maui: 984-2400 x72878 or Hawai`i: 974-4000 x72878. For specific information or questions about an action listed below please contact the CZM staff person identified for each action. Federally mandated deadlines require that comments be received by the date specified for each CZM consistency review. Comments may be submitted to: Office of Planning, Department of Business, Economic Development and Tourism, P.O. Box 2359, Honolulu, HI 96804. Email: jnakagaw@dbedt.hawaii.gov or fax: (808) 587-2899.

Western Pacific Crustaceans Fishery Management Plan Amendment 13 - Deepwater Shrimp

Federal Action: Federal Agency Activity
Federal Agency: National Marine Fisheries Service
Contact: Mr. Bob Harman, 944-2271
CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov
Proposed Action: The National Marine Fisheries Service is proposing to amend the Western Pacific Crustaceans Fishery Management Plan to (1) designate deepwater shrimp of the genus *Heterocarpus* as a management unit species, and (2) require anyone who fishes for *Heterocarpus* in the exclusive economic zone of the western Pacific to obtain a federal permit and submit federal logbooks. Information on the harvests of these species would be collected and made available to fishery scientists and managers. This would result in an improved understanding of these fisheries and their impact on marine resources, including the larger marine ecosystem. Although resource concerns for *Heterocarpus* have not arisen to date, because it is not a managed species there are no mechanisms in place to implement management measures should they become necessary.
Comments Due: August 6, 2008

National Pollutant Discharge Elimination System General Permits for Discharges Incidental to the Normal Operation of Vessels

Federal Action: Federal Agency Activity
Federal Agency: U.S. Environmental Protection Agency
Contact: Mr. Eugene Bromley, (415) 972-3510
CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov
Proposed Action: The U.S. Environmental Protection Agency (EPA) is proposing to issue two National Pollutant Discharge Elimination System (NPDES) general permits: (1) a general permit for discharges incidental to the normal operation of commercial and large recreational vessels; and (2) a general permit for discharges associated with recreational vessels. The federal Clean Water Act section 301(a) prohibits the discharge of pollutants into waters of the U.S. except in compliance with an NPDES permit. Discharges incidental to the normal operation of vessels are currently excluded from regulation under the NPDES permit program. The EPA's proposed action would control these discharges under the NPDES permit program.
Comments Due: August 6, 2008

Special Management Area (SMA) Minor Permits

Pursuant to Ch. 205A-30, HRS the following is a list of SMA Minor permits that have been approved or are pending by the respective county/state agency. For more information about any of the listed permits, please contact the appropriate county/state Planning Department. Honolulu (523-4131); Hawai`i (961-8288); Kaua`i (241-6677); Maui (270-7735); Kaka`ako (Honolulu) or Kalaeloa (Barbers Point) Community Development District (587-2840).

| Special Management Area (SMA) Minor Permits | | |
|--|---|---|
| Location (TMK) | Description (File No.) | Applicant/Agent |
| O`ahu: Ke Iki Road – Haleiwa (5-9-3:12) | Replace Laundry Building (2008/SMA-29) | Wilson S. Talbott /Richard Cervino |
| O`ahu: Nanaikeola Street – Lualualei (8-7-44:4) | Utility Installation Type A (wireless antenna facility) (2008/SMA-31) | Clearwire LLC/Cascadia PM, LLC |
| Hawai`i: Hawaiian Shores, Puna (1-5-111:036) | Grub and Mulch Vegetation on Vacant Land (SMM 08-82) | Fred Blas |
| Hawai`i: Hawaiian Shores, Puna (1-5-111:037) | Grub and Mulch Vegetation on Vacant Land (SMM 08-83) | Fred Blas |
| Hawai`i: Vacationland Hawai`i, Puna (1-4-069:035) | Grub, Landscape and Remove Vegetation on Vacant Land (SMM 08-84) | Tracy Parlier and David Empey |
| Maui: Kihei (2-1-8-62) | Pathway Alterations (SM2 20080053) | Maluhia at Wailea Homeowners' Association |
| Maui: Pā`ia (2-9-3-28) | Clear and Grub Land for Planting (SM2 20080055) | Redstone, Kenneth |

SHORELINE NOTICES

Shoreline Certification Applications

Pursuant to §13-222-12, HAR, the following shoreline certification applications are available for inspection at the DLNR District Land Offices on Kaua`i, Hawai`i and Maui and in Room 220, 1151 Punchbowl St., Honolulu, O`ahu (Tel: 587-0414). 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. If there are any questions, please call Barry Cheung at 587-0430.

| File No. | Date | Location | Applicant/Owner | TMK |
|-----------------|-------------|---|---|----------------------------|
| OA-1246 | 05/02/08 | Lots 65 and 66, Land Court Application 979 (Map 3), situated at Kahalu`u, O`ahu. Address: 47-83 Kamehameha Highway Purpose: Building Permit | Park Engineering/Joseph Meyer | 4-7-019:050 & 051 |
| OA-1247 | 06/23/08 | Lot 7-A-1, Portion of Reclaimed Land of Kaneohe Bay, situated at Kāne`ohe, O`ahu. Address: Behind 44-591 Kāne`ohe Bay Dr. Purpose: Building Setback | Austin, Tsutsumi & Associates, Inc./State of Hawai`i | 4-4-016:023 |
| OA-1248 | 07/01/08 | Lot 629, Land Court Application 578 (Map 73) situated at Kuli`ou`ou, Honolulu, O`ahu. Address: 201 Paiko Drive Purpose: Building Permit | Kenn Nishihira/John L. Lederer | 3-8-001:046 |
| OA-1249 | 07/09/08 | Lots 22 and 23, Land Court Application 665 (Map 2), situated at Wai`alae, O`ahu. Address: 4957 and 4997 Kahala Avenue Purpose: SMA Permit | ControlPoint Surveying, Inc./Wai`alae Country Club | 3-5-023:003 & 038 |
| MA-405 | 06/26/08 | Lot 7-A and portion of Right-of-Way for Stream of Nāpili Beach Lots, situated at Nāpili 4 & 5, Lahaina, Maui. Address: 27 Hui Drive Purpose: Installation of fire protection system and improvements to stream bank | ControlPoint Surveying, Inc./The Nāpili Bay Association of Apartment Owners | 4-3-002:052 and 023 (por.) |

Shoreline Certifications and Rejections

Pursuant to §13-222-26, HAR, the following shorelines have been proposed for certification or rejection by the Dept. of Land and Natural Resources. Any person or agency wishing to appeal a proposed shoreline certification or rejection shall file a notice of appeal in writing with DLNR no later than 20 calendar days from the date of the public notice of the

proposed shoreline certification or rejections. The notice of appeal shall be sent to the Board of Land and Natural Resource, 1151 Punchbowl Street, Room 210, Honolulu, HI 96813.

| File No. | Proposed/Rejected | Location | Applicant/Owner | TMK |
|-----------------|----------------------------------|---|---|--|
| OA-1242 | Proposed Shoreline Certification | Fronting Portions of Land Court Application 1286 and Portion of Royal Patent 4522, Mahele Award 14, situated at Keawa`ula and Ka`ena, Wai`anae and Waialua, O`ahu. Address: Ka`ena Point Natural Area Reserve Purpose: SMA Permit | State Department of Land and Natural Resources, Division of Forestry and Wildlife | 6-9-002:por 09 and 8-1-001:por 06 and 15 |
| HA-390 | Proposed Shoreline Certification | R. P.7051, L.C. Aw. 212-B, situated at Waipuna`ula, South Kona, Hawai`i. Address: 82-6021 Pu`uhonua Rd Purpose: Building Permit | Wes Thomas Associates/ Tommy A. Tinker | 8-2-005:012 |
| OA-1196 | Rejection | Lot 1566, Land Court Application 242 (Map 240), situated at Pu`uloa, `Ewa, Island of O`ahu. Address: 91-031 Parish Drive Purpose: Building setback | Jaime F. Alimboyoguen/Mae Parish Trust | 9-1-007:002 |
| OA-1199 | Rejection | Lot 10-C, Land Court Application 776, situated at Laie, Ko`olauloa, Oahu. Address: 55-123 Naupaka Street Purpose: Building permit | Walter P. Thompson, Inc./ Michael Pape | 5-5-011:062 |
| MA-391 | Rejection | Lot 48-A-1, Mailepai Hui Partition Subdivision, situated at Kā`anapali, Lahaina, Maui. Address: 41 Hui Road E Purpose: Shoreline setback | Valera, Inc./Steve & Ursula Gebert | 4-3-015:004 |
| MA-392 | Rejection | Portion of Grant 2184, Ap.1, situated at Kaupō, Hāna, Maui. Address: None assigned Purpose: Shoreline setback | Valera, Inc./John M. Kean | 1-7-001:010 |
| KA-312 | Rejection | Lot A, being a portion of L.C.Aw. 11216:5, situated at Wainiha, Hanalei, Island of Kaua`i. Address: 5-7130 Kuhio Highway Purpose: Building permit | Wagner Engineering Services, Inc./Hanalei Colony Resort | 5-8-011:027 |
| OA-1242 | Proposed Shoreline Certification | Fronting Portions of Land Court Application 1286 and Portion of Royal Patent 4522, Mahele Award 14, situated at Keawa`ula and Ka`ena, Wai`anae and Waialua, O`ahu. Address: Ka`ena Point Natural Area Reserve Purpose: SMA Permit | State Department of Land and Natural Resources, Division of Forestry and Wildlife | 6-9-002:por 09 and 8-1-001:por 06 and 15 |
| HA-390 | Proposed Shoreline Certification | R. P.7051, L.C. Aw. 212-B, situated at Waipuna`ula, South Kona, Hawai`i. Address: 82-6021 Pu`uhonua Rd. Purpose: Building Permit | Wes Thomas Associates/ Tommy A. Tinker | 8-2-005:012 |

POLLUTION CONTROL PERMITS

Department of Health Permits

The following pages contain a list of some pollution control permits currently before the State Dept of Health. For more information about any of the listed permits, please contact the appropriate branch or Environmental Management Division at 919 Ala Moana Blvd, Honolulu, HI. Abbreviations are as follows: Clean Air Branch (**CAB**) 586-4200; Comments Due (**CD**); Covered Source Permit (**CSP**); Clean Water Branch (**CWB**) 586-4309; Issued (**I**); Solid and Hazardous Waste Branch (**SHWB**) 586-4226; Safe Drinking Water Branch (**SDWB**) 586-4258; None (**N**); NonCovered Source Permit (**NSP**); National Pollutant Discharge Elimination System under the Federal Clean Water Act (**NPDES**); Received (**R**); Temporary (**T**); Underground Injection Control (**UIC**); Not Applicable (**NA**).

| Branch Permit Type | Applicant and Permit Number | Project Location | Date | Proposed Use |
|--|---|--|-------------------------|---|
| Clean Air Branch, 586-4200, NonCovered Source Permit | Monsanto Company NSP 0509-01-N Application for Modification | Located at: Maunaloa Highway Kaunakakai, Moloka'i | Issued: 6/30/08 | Grain Processing Facility |
| Clean Air Branch, 586-4200, - NonCovered Source Permit | Pineridge Farms, Inc. NSP 0687-01-NT Initial Application | Located at: Lualualei Naval Road Wai'anae, Hawai'i | Issued: 6/30/08 | 200 TPH Powerscreen with 174 HP Caterpillar Diesel Engine |
| Clean Air Branch, 586-4200, NonCovered Source Permit | Grace Pacific Corporation NSP 0522-01-C Renewal Application | Located at: Kapa'a Quarry Kailua, O'ahu | Comments Due: 8/7/08 | 300 TPH Hot Mix Asphalt Drum Plant |
| Clean Air Branch, 586-4200, Covered Source Permit | R.H.S. Lee, Inc. CSP No. 0536-01-CT Renewal Application | Located at: Various Temp Sites State of Hawaii | Issued: 7/9/08 | Mobile Jaw Crushing Plant |

FEDERAL NOTICES

Record of Decision (ROD) for the Hawaii Range Complex Final Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS)

The Department of the Navy announces its decision to support and conduct current and emerging Navy training and Department of Defense or other federal agencies' research, development, test, and evaluation (RDT&E) activities in the Hawai'i Range Complex, and upgrade or modernize range complex capabilities to enhance and sustain training and RDT&E. The proposed action will be accomplished as set out in Alternative 3, described in the Final EIS/OEIS as the preferred alternative. An electronic copy of the ROD is available at <http://www.govsupport.us/navynepahawaii/downloads.aspx>. For further information, please contact: Public Affairs Officer, Pacific Missile Range Facility, PO Box 128, Kauai, HI 96752-0128. ATTN: HRC EIS/OEIS ROD, (808) 767-3347 or fesi_hrc@govsupport.us.

Draft Habitat Conservation Plan for the Construction and Operation of Seven Meteorological Towers on Lāna`i, Hawaii and Draft Environmental Assessment

The US Fish and Wildlife Service is soliciting public comment regarding the application of Castle and Cooke Resorts, LLC, for an incidental take permit for the proposed construction and operation of seven meteorological towers on the island of Lāna`i for up to two years. The application includes the proposed Habitat Conservation Plan (HCP) and a draft Environmental Assessment (EA). The HCP addresses potential incidental take of four listed species due to operation of the towers: the endangered Hawaiian Petrel (*Pterodroma sandwichensis*), Hawaiian Stilt (*Himantopus mexicanus knudseni*), and Hawaiian Hoary Bat (*Lasiurus cinereus semotus*), and the threatened Newell's (Townsend's) Shearwater (*Puffinus auricularis newelli*). A copy of the draft HCP and EA ma be viewed at: <http://www.fws.gov/pacificislands/>. Please send or fax (808) 792-9581 written comments to Patrick Leonard, Field Supervisor, Pacific Islands Fish and Wildlife Office, US Fish and Wildlife Service, 300 Ala Moana Blvd, Room 3-122, Honolulu, HI 96850 or contact Bill Standley at (808) 792-9400.

Proposed Construction of a U.S. Army Reserve Center At Fort Shafter Flats

The U.S. Army Reserve (USAR), 9th Regional Readiness Command (RRC) proposes to construct and operate a 300-member U.S. Army Reserve Center (USARC) at Fort Shafter Flats, in Honolulu, HI. The USARC would provide administrative, training, storage, and support areas for a USAR Hospital and Area Support Group. In addition, a parking lot would be constructed to provide parking for facility users. In accordance with the National Environmental Policy Act, an Environmental Assessment (EA) and draft Finding of No Significant Impact (FNSI) has been prepared to address the proposed action. The EA and draft FNSI have been submitted to federal and state agencies for review and are available for public review at the Pearl City Public Library (1138 Waimano Home Road, Pearl City), Salt Lake – Moanalua Public Library (3225 Salt Lake Boulevard, Honolulu) and the Hawai'i State Library (478 South King Street, Honolulu), and at ftp://FtShafter:USARC@ftp.ch2m.com/FortShafter_EA. Written comments will be received and considered up to 30 days from the publication of this notice, and should be directed to: Commander 9th RRC, Attn: APIX-EN (Mr. Wayne Mitsko), 1557 Pass Street, Honolulu, HI 96819-2135.

Papahānaumokuākea Marine National Monument Proclamation Provisions

The National Oceanic and Atmospheric Administration (NOAA) and the United States Fish and Wildlife Service are proposing regulations to establish a ship reporting system for the Papahānaumokuākea Marine National Monument. This action would implement measures adopted by the International Maritime Organization requiring notification by ships passing through the Monument without interruption. A draft environmental assessment (DEA) has been prepared for this proposed action pursuant to the National Environmental Policy Act. A copy of the DEA is available for public review at <http://hawaiireef.noaa.gov/> and comment concurrently with this proposed rule. Comments on the proposed rule and the DEA will be accepted if received on or before August 6, 2008. Comments may be submitted by any of the following methods: Federal e Rulemaking Portal: <http://www.regulations.gov>. Mail: Aulani Wilhelm, Monument Superintendent (NOAA); 6600 Kalanianaʻole Highway, 300, Honolulu, HI 96825. For more information, contact Aulani Wilhelm, (808) 397-2657 (see, 73 F.R. 38375, July 7, 2008).

Definitions – A Guide to the Environmental Review Process

Draft Environmental Assessment

A project or action that may affect the environment cannot be implemented until an Environmental Assessment (EA) is prepared in accordance with Chapter 343, Hawai'i Revised Statutes (HRS). If the lead State or county agency (the proposing agency for agency actions, or the approving agency for applicant actions) anticipates that the project will have no significant environmental impact, then affected agencies, individuals, and organizations must be consulted and a Draft EA (DEA) is written and public notice is published in this periodic bulletin (see, section 343-3, HRS) known as the Environmental Notice. The public has 30 days to comment on the Draft EA from the date of the first notice.

Final Environmental Assessment and Finding of No Significant Impact

After the lead agency reviews the public comments, if it determines that the project will have no significant effect on the environment, and then it will prepare a Final EA (FEA) and issue a Finding of No Significant Impact (FONSI) formerly called a Negative Declaration. The Final EA must respond to all public comments. An Environmental Impact Statement will not be required and the project may now be implemented. The public has 30 days from the first notice of a FONSI in this periodic bulletin to ask a court to require the preparation of an EIS.

Final Environmental Assessment and Environmental Impact Statement Preparation Notice

When a lead agency decides that a project may have a significant environmental impact, an Environmental Impact Statement (EIS) must be prepared prior to implementing the project. Like the DEA (see above), affected agencies, individuals and organizations must be consulted prior to preparation of the final EA (FEA) and issuance of a determination called an EIS preparation notice (EISPN). (The EA is called final, to distinguish it from the draft, above). After the FEA is written by the lead agency, and notice of the FEA and EISPN is published in the this periodic bulletin, any agency, group, or individual has 30 days from the first publication of the EISPN to request to become a consulted party and to make written comments regarding the environmental effects of the proposed action. The public (including an applicant) has 60 days from the first notice of an EISPN in this periodic bulletin to ask a court to not require the preparation of an EIS.

Draft Environmental Impact Statement

After receiving the comments on the FEA and EISPN (see above), the lead agency or private applicant must prepare a Draft Environmental Impact Statement (DEIS) prior to project implementation. This document must completely disclose the likely impacts of a project. Direct, indirect and cumulative impacts must be discussed along with measures proposed to mitigate them. The public has 45 days from the first publication date in this periodic bulletin to comment on a DEIS. The DEIS must respond to comments received during the FEA-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 stage. Requisite deeper analyses must be included in the FEIS. For applicant projects, the approving agency is authorized to accept the FEIS. For agency project the Governor or the county mayor is the accepting authority. Only after the EIS is accepted may the project be implemented.

Acceptability

If the FEIS is accepted, the law requires that notice of this be published in this periodic bulletin. The public has 60 days from the date of first notice of acceptance to ask a court to vacate the acceptance of an EIS. In the case of applicant actions, the law requires that an approving agency must make a determination on acceptance within thirty-days of receipt of the FEIS or the FEIS is deemed accepted. Also, for applicant actions, the law provides for an administrative appeal of a non-acceptance to the Environmental Council.

National Environmental Policy Act

The National Environmental Policy Act (NEPA) requires federal projects to prepare an EA or EIS. In many ways it is similar to Hawaii's law. Some projects require both a state (and county) and federal EIS and the public comment procedure should be coordinated. Although not required by law, the OEQC publishes NEPA notices in this periodic 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 (BLNR). Members of the public may intervene in the permit process. Notice of permit applications are published in this periodic bulletin.

Special Management Area

The Special Management Area (SMA) is along the coastline of all islands and development in this area is generally regulated by Chapter 205A, HRS and county ordinance. A special subset of the SMA that is regulated by Chapter 343, HRS is the Shoreline Setback Area. Most development in this area requires a Special Management Permit (SMP). This periodic bulletin posts notice of these SMP 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 (an area contained between the certified shoreline and a prescribe distance inland (usually 40 feet) 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 periodic bulletin publishes notice from the Department of Land and Natural Resources of both shoreline certification applicants and of final certifications or rejections.

Environmental Council

The Environmental Council is a 15-member citizen board appointed by the Governor to advise the State on environmental concerns. The council makes the rules that govern the Environmental Impact Statement process. The agendas of their regular meetings are on the Internet at <http://www.ehawaii.gov.org/calendar> and the public is invited to attend.

Exemption Lists

Government agencies must keep a list describing the minor activities they regularly perform that are declared exempt from the environmental review process. These lists are reviewed and approved by the Environmental Council. This periodic 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 periodic bulletin is required by Section 343-3(c), HRS, 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).