



The Environmental Notice

August 23, 2008

KAUA'I NOTICES

- 1. Kūhiō Highway Slope Stabilization (HRS 343 DEA) 2
- 2. Waimea Wastewater Treatment Plant Expansion Phase 1 (HRS 343 DEA) 2

O'AHU NOTICES

- 3. Dailey Seawall Project (HRS 343 DEA) 3
- 4. Proposal To Retain Shore Protection Hauula Residential Lots (HRS 343 DEA) 3
- 5. Diamond Head Public Safety Radio Station (HRS 343 FEA-FONSI) 4
- 6. Holomua (HRS 343 FEA-FONSI) 5
- 7. Waipi'o Heights Wells and Wells I – GAC System Upgrade (HRS 343 FEA-FONSI) 5
- 8. 'Ewa Industrial Park (HRS 343 FEA-FONSI) 6
- 9. Ho'opili (HRS 343 FEIS) 6

MAUI NOTICES

- 10. Hāna Airport Improvements (HRS 343 FEA-FONSI) 7
- 11. Hāmoa Well 2 (HRS 343 DEA) 8
- 12. Maui Oceanfront Inn (HRS 343 FEA-FONSI) 8
- 13. Alahele Subdivision (HRS 343 FEA-FONSI) 9

HAWAI'I NOTICES

- 14. La`aloa Avenue Extension (HRS 343 FEA-FONSI) 10

COASTAL ZONE NOTICES

- Wai`alae Country Club Clubhouse Renovation (CH. 25, ROH DEA) 10

Federal Consistency Reviews

- Remove Utility Poles Along Coastline at Olowalu, Maui 11
- Western Pacific Pelagics Fishery Management Plan Amendment 18 for Hawai'i-Based Shallow-Set Longline Swordfish Fishery 11
- Kawaihae Small Boat Harbor (South) Improvements Phase 1, Kohala, Hawai'i 12

Special Management Area Minor Permits

Shoreline Notices

- Shoreline Certification Applications 12
- Shoreline Certifications and Rejections 13

CONSERVATION DISTRICT USE PERMITS

POLLUTION CONTROL PERMITS

- Department of Health Permits 15

FEDERAL NOTICES

- Western Pacific Precious Coral Fisheries: Black Coral Quota and Gold Coral Moratorium 16
- FY 2009 Grant Funds Available for Bay Watershed Education and Training 16
- Revised Proposed Designation of Critical Habitat for 12 Species of Picture-wing Flies from the Hawaiian Islands 16
- Environmental Assessment for Western Pacific Crustacean Fishery Plan Amendment: Deepwater Shrimp 16
- Beaches Environmental Assessment and Coastal Health Act: Changes to the Grant Allocation Formula 17
- Environmental Assessment for Western Pacific Pelagic Squid Jig Fishery Plan Amendment 17

DEFINITIONS

- A Guide to the Environmental Review Process 18

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The Environmental Notice is a semi-monthly publication of the Office of Environmental Quality Control, pursuant to Chapter 343-3, HRS

KAUA`I NOTICES

1. Kūhiō Highway Slope Stabilization (HRS 343-5(b) DEA)

Island: Kaua`i
District: Hanalei
TMK: (4) 5-4-04:32
Proposing Agency: State Department of Transportation - Highways Division, 869 Punchbowl Street, Room 513, Honolulu, HI 96813. Contact: Manny Quodala (808) 692-7573

Approving Agency: Same
Consultant: Earth Tech AECOM, 841 Bishop Street, Suite 500, Honolulu, HI 96813. Contact: Michelle Mason (808) 356-5322; e-mail: michelle.mason@aecom.com

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

Permits: CDUA; NPDES; Grading Permit



The State Department of Transportation is proposing slope stabilization measures to be undertaken along Kūhiō Highway near Hanalei, Kaua`i. The purpose of the proposed action is to reduce the potential for rockfalls and landslides adjacent to Kūhiō Highway. Slope stabilization would be accomplished via installation of anchored wire mesh and ring net systems, and localized stabilization or demolition of unstable boulders.

No impacts are expected for most resources. Long-term positive impacts are expected for geology and soils, natural hazards, safety and health, and transportation. Short-term adverse construction impacts related to air quality, hazardous materials and hazardous waste, noise, safety and health, transportation, and visual resources are possible during implementation of the proposed action. However, best management practices to be implemented during construction would reduce these impacts. Based on the discussion of impacts and mitigation measures contained in the Draft EA, a Finding of No Significant Impact is anticipated.

2. Waimea Wastewater Treatment Plant Expansion Phase 1 (HRS 343-5(b) DEA)

Island: Kaua`i
District: Waimea
TMK: (4) 1-2-06:36, 37
Proposing Agency: Department of Public Works, County of Kaua`i, 4444 Rice Street, Suite 275, Lihue, Kaua`i 96766. Contact: Edward Tschupp (808) 241-6610

Approving Agency: Same
Consultant: Eugene Dashiell, 1314 South King Street, Suite 952, Honolulu, HI 96814. Contact: Eugene Dashiell (808) 593-8330, dashiell.e@hawaiiantel.net

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

Permits: DOH - Underground Injection Control, DOH – NPDES (dewatering, site greater than one acre stormwater), DOH – General Permit & Engineering Plan Approval; County Planning Commission Use & County Building/grading

The purpose of this project is to construct a previously planned expansion of the existing WWTP (Wastewater Treatment Plant). The proposed expansion project would increase the capacity of the plant from an existing 300,000 GPD (gallons per day) to approximately 700,000 GPD by adding treatment processes such as a membrane bioreactor, a mixed bed biofilm reactor or other similar processes to the existing plant; adding a second backup injection well for effluent disposal in the event of need; and upgrading the effluent quality to R-1 in order to provide the greatest number of reuse applications possible, particularly for irrigation.

Short-term Effects: Short term effects will occur during construction. Such effects may include noise, odors, dust and increases in traffic due to construction and transport of materials.

Long-term Effects: There are no significant long-term adverse or cumulative impacts to geology, hydrology, flora and fauna, water quality, historic resources, traditional or cultural practices, air quality, noise quality or socio-economic resources. There are no hazardous or toxic substances at this location. The areas adjacent to the project site have been previously modified by industrial cultivation of sugar cane or other crops for about 150 years. Exposed areas will be grassed and allowed to revegetate to restore surface areas after construction. The completed project will provide for the sanitary treatment of domestic and commercial wastes generated from the disposal of residential and commercial sewage in Waimea originating in urban developments which are included in the general plan of the County of Kaua'i. Such urban developments include initial phases of Kīkīāola. The proposed project could potentially serve Kekaha if the sewer system should be extended from the Waimea WWTP to Kekaha in the future.

This Environmental Assessment concludes that the proposed action does not constitute an action which significantly affects the quality of the human environment. Therefore, neither a Federal nor a State environmental impact statement is required. This environmental assessment complies with the requirements of the federal Clean Water State Revolving Fund (CWSRF) and includes a finding of no significant impact (FONSI).

O`AHU NOTICES

3. Dailey Seawall Project (HRS 343-5(c) DEA)

Island: O`ahu
District: Waialua
TMK: (1) 6-8-3:18 & 37
Applicant: Michael Dailey c/o Michael Carroll, Bays, Deaver, Lung, Rose, Homa
Approving Agency: Department of Planning and Permitting, City and County of Honolulu, 650 South King Street, Honolulu, HI 96813
Consultant: Wil Chee - Planning & Environmental, 1018 Palm Drive, Honolulu, HI 96814. Contact: Judy Mariant
Status: Draft Environmental Assessment (DEA) notice pending 30-day public comment. Address comments to the Applicant, Approving Agency, Consultant, and OEQC
Permits: Shoreline Setback Variance (SSV), Minor Shoreline Structures Permit



The applicant proposes to replace an unauthorized concrete masonry rock (CRM) structure with an engineered seawall. The proposal is to construct a two-tiered seawall adjacent to the seawall on the Mokulē`ia Beach Colony wall. The lower level will consist of a walkway that will provide public access at high tide. As indicated in Appendix D, the total height of the seawall on the seaward face is about 8.7 feet. The structure encroaches in the required 40-foot shoreline setback.

The applicant indicates that the replacement of the existing unauthorized wall is considered necessary because a single-family dwelling is located about 20 feet from the edge of the existing seawall, and the removal of the existing unpermitted seawall will likely endanger the dwelling, making it unsafe and uninhabitable. The proposed replacement wall requires the approval of a SSV from the City and County of Honolulu Department of Planning and Permitting.

4. Proposal To Retain Shore Protection Hau`ula Residential Lots (HRS 343-5(c) DEA)

Island: O`ahu
District: Ko`olauloa
TMK: (1) 5-4-11: 3, 25, 31 and 37
Applicant: Antonio R. Martinez
Approving Agency: Department of Planning and Permitting, City and County of Honolulu, 650 South King Street, Honolulu, HI 96813
Consultant: Kusao & Kurahashi, Inc., 2752 Woodlawn Drive, Suite 5-202, Honolulu, HI 96822. Contact: Ardis Shaw-Kim

Status: Draft Environmental Assessment (DEA) notice pending 30-day public comment. Address comments to the Applicant, Approving Agency, Consultant, and OEQC
Permits: Shoreline Setback Variance (SV)

The applicant seeks an after-the-fact shoreline setback variance to retain an existing 3-foot high concrete rubble masonry (CRM) seawall that extends along the seaward boundary of four (4) beach front lots located at 54-223, 54-225, 54-229A, and 54-233 Kamehameha Highway in Hau'ula. The seawalls retain backfilled lawns and decking. There are dwellings on each lot. According to the applicant, the dwellings are only 17 to 22 feet mauka of the seawall and the depth of each lot has been reduced from 28 to 65 feet (varying by lot) from the original configuration due to beach erosion.

The Department of Planning and Permitting (DPP) records indicate there was previously a nonconforming shore protection structure (not necessarily a CRM seawall) at 54-229A Kamehameha Highway (Parcel 37). However, the current structure across the seaward portion of this lot and the other three (3) lots was not authorized (i.e., illegal).

In April 2006, Notices of Violation (NOV) were issued by the DPP to the applicant/owner of the lots.

On August 2, 2007, Notices of Order (NOO) were issued by the DPP. The NOO included an initial fine of \$1,000 for each lot and notified the applicant/landowner that daily fines of \$100 per day were to commence after September 3, 2007.

Retaining the illegal structure requires that an after-the-fact shoreline setback variance be obtained from the DPP.

As an improvement that is considered accessory to the single-family use of the lots, the seawall is not considered development and, therefore, is exempt from Special Management Area (SMA) requirements.

5. Diamond Head Public Safety Radio Station (HRS 343-5(b) FEA-FONSI)

Island: O`ahu
District: Honolulu
TMK: (1) 3-1-42:16, and por. 6
Proposing Agency: Department of Accounting and General Services, Public Works Division, 1151 Punchbowl Street, Room 430, Honolulu, HI. 96813. Contact: Lance Maja (808) 586-0483
Approving Agency: Same
Consultant: SSFM International, Inc., 501 Sumner Street, Suite 620, Honolulu, HI 96817. Contact: Jared Chang (808) 531-1308
Status: Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI)
Permits: Building, CDUA, NPDES

The State Department of Accounting and General Services, on behalf of the State Civil Defense (SCD), is proposing the Diamond Head Public Safety Radio Station project on the island of O`ahu. This project is situated within the Diamond Head (Lē`ahi) State Monument, on the southeastern end of the island of O`ahu. The crater has several buildings along with tunnels and batteries (Birkhimer, Hulings, Dodge, etc.) used by government agencies for their operations. These agencies include the Hawai`i Army National Guard and SCD.

The objective of this project is to consolidate radio equipment from batteries Dodge and Hulings along with their respective antennas scattered on the crater rim into a single building and centralized location. The improvements will help the SCD support homeland security, public safety, emergency management duties, and allow them to more efficiently secure, monitor, manage, and maintain a single centralized site. The improvements are also required to comply with current Federal Communications Commission regulations.

The proposed public safety radio station will include the renovation of an existing building (approximately 1,072 square feet in size) for the relocated radio equipment. This building was formerly used by the Federal Aviation Administration.

The improvements will allow batteries Dodge and Hulings to be used as visitor interpretive features as planned by the Department of Land and Natural Resources, Division of State Parks under their master plan for the Diamond Head State Monument. Supporting improvements such as relocating existing above grade conduits underground and removal of overhead power lines and poles would enhance scenic viewpoints within the crater.

6. [Holomua \(HRS 343-5\(c\) FEA-FONSI\)](#)

Island: O`ahu
District: Honolulu
TMK: (1) 2-4-6:17 & 18
Applicant: THM Partners LLC, 615 Pi`ikoi Street, Suite 808, Honolulu, HI 96814. Contact: Serge M. Krivatsy, MAI (808) 237-5287

Approving

Agency: Hawai`i Housing Finance and Development Corporation, 677 Queen Street, Honolulu, HI 96813. Contact: Leonell A. Domingo (808) 587-3170

Consultant: PBR HAWAII, 1001 Bishop Street, ASB Tower, Suite 650, Honolulu, HI 96813. Contact: Tom Schnell, AICP, Senior Associate (808) 521-5631

Status: Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI)

Permits: Conditional Use for Joint Development; Grading and Building Permits; Sewer and Water Connection Permits; Americans with Disability Act (ADA) Accessibility Requirements

THM Partners, LLC proposes to create Holomua, a 176-unit residential condominium located at 1315 Kalākaua Avenue, Honolulu.

Holomua will provide affordable and moderately-priced market rate housing in urban Honolulu, thus allowing home ownership in close proximity to jobs and urban amenities such as shopping, public transportation, parks, schools, employment centers, childcare facilities, and activity centers. This close proximity to jobs and services is expected to reduce Holomua residents' reliance on automobiles for daily needs.

THM Partners LLC is processing approvals for Holomua under Chapter 201H, HRS, which allows for design flexibility and cost savings to facilitate the development of affordable housing. A minimum 51 percent of the units will be priced to be affordable to households earning 140 percent or less of the HUD median income for O`ahu.

The Final EA contains an analysis of potential impacts and associated mitigation measures. Potential impacts include issues related to traffic and pedestrian safety, density, building height, and views. The Final EA discusses measures to minimize or mitigate potential adverse impacts. Consideration is also given to meeting the immediate need for affordable homes in the Honolulu urban core.

7. [Waipi`o Heights Wells and Wells I – GAC System Upgrade \(HRS 343-5\(b\) FEA-FONSI\)](#)

Island: O`ahu
District: `Ewa
TMK: (1) 9-4-44: 35 & 36; (1) 9-4-05: 76; and Kamehameha Highway, Lumiaina Street, Lumihohu Street, and Lumimoe Street

Proposing

Agency: Board of Water Supply (BWS), City and County of Honolulu, 630 South Beretania Street, Honolulu, HI 96813. Contact: Gregory Lee (808) 748-5716

Approving

Agency: Same

Consultant: Belt Collins Hawaii Ltd., 2153 North King Street, Honolulu, HI 96819. Contact: Glen Koyama (808) 521-5361

Status: Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI)

Permits: Building Permit, Grading Permit, Work within State Right-of-Way, City Street Usage Permit, and NPDES Permit

The BWS is proposing to upgrade its well system at the Waipi`o Heights Wells and Wells I site located in Crestview, O`ahu by installing two contactor units in its existing ten-contactor-unit Granular Activated Carbon (GAC) treatment system located at the Waipahu Wells III site in the nearby Patsy T. Mink Central O`ahu Regional Park. The water drawn from the Waipi`o Heights Wells and Wells I site will be conveyed to the Waipahu Wells III site via a new 16-inch diameter transmission line along Lumimoe Street, Lumihohu Street, Lumiaina Street, and Kamehameha Highway, where the expanded GAC system will filter the conveyed water before it is placed into BWS's distribution network for public consumption.

Anticipated long-term adverse impacts would include the visual appearance of the two new contactor units at the Waipahu Wells III site, but the integration of these units with the existing contactor units will help reduce the visual impact. Further, the entire Waipahu Wells III site is surrounded by a landscape screen consisting of trees and shrubs.

Short-term impacts are expected to occur during project construction. While the pipeline is being installed in the area streets, some lane and road segment closures will occur. A traffic control plan will be implemented to maintain continuous traffic flow through these areas. Existing utility lines will be coordinated with their respective owners during planning and construction, and noise will be controlled through proper government approvals.

The current preliminary cost estimate for the project is \$5.7 million. Although construction funding has not yet been established, construction on the project is projected to begin, at the earliest, in the third quarter of 2009. Completion of the entire project would be approximately two years after work is initiated.

8. Ewa Industrial Park (HRS 343-5(c) FEA-FONSI)

Island: O`ahu
District: `Ewa
TMK: (1) 9-1-69: 3
Applicant: Ewa Industrial Park LLC, c/o Kusao & Kurahashi, Inc., 2752 Woodlawn Drive, Suite 5-202, Honolulu, HI 96822. Contact: Keith Kurahashi (808) 988-2231
Approving Agency: Department of Planning and Permitting, City and County of Honolulu, 650 South King Street, Honolulu, HI 96813. Contact: Tim Hata (808) 768-8043
Consultant: Kusao & Kurahashi, Inc., 2752 Woodlawn Drive, Suite 5-202, Honolulu, HI 96822. Contact: Keith Kurahashi (808) 988-2231
Status: Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI)
Permits: Zone Change, State Land Use Boundary Amendment, Grading Permit, Foundation Permit, and Building Permit

Ewa Industrial Park, LLC., applicant, proposes to develop the 48.395-acre property into the `Ewa Industrial Park in two phases. The property is bounded by the Honouliuli Sewage Treatment Plant to the south and west and Geiger Road to the south and portions of the OR&L Railway right-of-way to the north. Coral Creek Golf Course is located to the east and the O`ahu Railway Museum to the west.

The property currently houses a number of farm buildings with kiawe scrub with weedy plant species dominating the property as agricultural uses were phased out.

The project is planned for development with industrial uses and possibly a convenience store (retail). The proposed industrial development will provide employment and provide `Ewa and nearby residents an opportunity to live, work and play in the `Ewa area of O`ahu. This employment is expected to reduce the need for residents in the surrounding area and along the travel corridor into town to travel in the peak hour direction towards downtown Honolulu to work.

Water (with fire system upgrades by the applicant) and municipal sewer service is available and adequate to support the proposed development. Drainage is to be accommodated through the existing Coral Creek Golf Course. Traffic in the surrounding area can be accommodated by intersection improvements proposed by the applicant and regional improvements some of which are currently under construction.

The applicant has agreed to work with the City's Department of Environmental Services (DES) on their purchase of land under an existing sewer easement on the project site; the applicant's purchase of a small corner of the Honouliuli Wastewater Treatment Plant (WWTP) property; assist DES in negotiations with the Coral Creek Golf Course to accommodate drainage from the WWTP site; provide a disclosure statement of potential impacts from the WWTP in our sales documents and CC&R's on development within the industrial park; provision of a buffer area with access drives, open parking and/or landscaping; and provision of landscaping with trees along the WWTP boundary.

9. Ho`opili (HRS 343-5(c) FEIS)

Island: O`ahu
District: `Ewa
TMK: *Petition Area:* (1) 9-1-17:04 (por), 59, and 72; 9-1-18:01 and 04. *Remainder of the Project Area:* 9-1-10:02, 14 (por), and 15 (por); 9-1-17: 04 (por); 9-2-01:04, 05, 06 and 07; and 9-2-02:02

Applicant: D.R. Horton – Schuler Division, 828 Fort Street Mall, 4th Floor, Honolulu, HI 96813. Contact: Dean Uchida, Vice President, Ho`opili (808) 521-5661, Fax: (808) 538-1476

Approving Authority: State Land Use Commission, P.O. Box 2359, Honolulu, HI 96804-2359. Contact: Dan Davidson, Director (808) 587-3822; Fax (808) 587-3821

Consultant: PBR HAWAII, ASB Tower, Suite 650, 1001 Bishop Street, Honolulu, HI 96813. Contact: Vincent Shigekuni, Vice President (808) 521-5631; Fax (808) 523-1402

Status: Final environmental impact statement (FEIS) was filed and accepted by the accepting authority. There is no public comment period

Permits: State Land Use District Boundary Amendment, Zone Change, Subdivision Approval, National Pollutant Discharge Elimination System (NPDES) Permit, Building/Grading Permits, and Water Use Permit

D.R. Horton – Schuler Division is proposing the development of Ho`opili, a mixed-use, transit-ready community including residential (approx. 11,750 units, including affordable housing), business and commercial areas (approx. 145 acres), light industrial/business areas (approx. 50 acres), transit stops, schools and other public facilities (approx. 100 acres), parks (approx. 60 acres), and large amounts of open space (approx. 150 acres). The project area is located in the `Ewa District, on the island of O`ahu and is designated on the `Ewa Development Plan as follows: Low and Medium Density Residential; High Density Residential; Parks; Transit Node (High Density Residential and Commercial); and Future Intermediate School. The proposed action involves the reclassification of approximately 1,553.844 acres from the Agricultural District to the Urban District. The petition area is situated in between the H-1 Freeway (north) and Mango Tree Road (south), and in between the proposed University of Hawai`i West O`ahu (UHWO) property (west) and Old Fort Weaver Road (east).

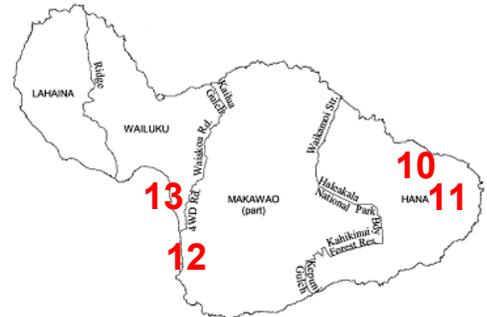
In support of the Project, infrastructure facilities to be installed, expanded or improved include access and circulation roadways, drainage systems, water and wastewater collection lines, and electrical/communication systems; some or all of these utilities may occur within State and County road right-of-ways or lands. While all infrastructure improvements will be designed and sized to accommodate the Project, the applicant is already sharing in the cost of installing regional infrastructure, even though the first homes are not expected until 2012. To accommodate all of the off-site infrastructure, the project area may involve up to approximately 1,600.265 acres.

MAUI NOTICES

10. Hāna Airport Improvements (HRS 343-5(b) FEA-FONSI)

Island: Maui
District: Hāna
TMK: (2) 1-03:2
Proposing Agency: State Department of Transportation, Airports Division, 400 Rodgers Blvd., Suite 700, Honolulu, HI 96819
Contact: Kevin Funasaki (808) 838-8828

Approving Agency: Same
Consultant: GMP Hawaii, Inc., 1100 Alakea Street, Suite 1800, Honolulu, HI 96813. Contact: Jennifer Littenberg (808) 521-4711 jlittenberg@gmpassociates.com
Status: Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI)
Permits: NPDES–NOI (HDOH), Grubbing Grading (DPW Maui), DLNR Shoreline Certification, SMA, SSD, Building Permit (DPP Maui)



The Hāna Airport Improvement project is being funded under a grant by the FAA to bring the Hāna Airport into compliance with Federal Aviation Requirements, Code of Federal Regulations Part 139 Certification of Airports. These improvements include the construction of a new Aircraft Rescue and Fire Fighting (ARFF) Facility and construction and installation of a perimeter security fence. The anticipated short-term impacts associated with the construction and implementation of the proposed project is confined to the immediate site and to the area's existing infrastructure. The short-term impacts shall be limited to the estimated construction period and all construction activities will be contained within the project site property. For the proposed project impacts on the human environment are expected to be less than significant with implementation of prescribed adverse affect

minimization/mitigation measures outlined in this EA, along with applicable regulatory permit compliance. The proposed project is in concert with planned development and existing land use.

The proposed project would require the use of State funds and lands and, therefore, requires the preparation of an EA pursuant to Chapter 343, HRS and associated Title 11, Chapter 200, HAR. The HDOT has reviewed the comments received during the Draft EA public comment period and determined that the proposed project at the Hāna Airport will not have a significant impact on any environmental, cultural, social, or economic resources based on the criteria set forth in the DOH Rules, Chapter 200, Title 11. The HDOT has issued a Finding of No Significant Impact (FONSI) determination for this proposed project.

11. [Hāmoa Well 2](#) (HRS 343-5(b) DEA)

Island: Maui
District: Hāna
TMK: (2) 1-4-09:2 (por)
Proposing Agency: Department of Water Supply, County of Maui, 200 South High Street, Wailuku, HI 96793. Contact: Wendy Taomoto, Project Engineer (808) 270-7835
Approving Agency: Same
Consultant: R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, HI 96819. Contact: Brian Takeda, Planning Project Coordinator (808) 842-1133
Status: Draft Environmental Assessment (DEA) notice pending 30-day public comment. Address comments to the Proposing Agency, Consultant, and OEQC
Permits: Well Pump Installation Permit

The Maui County Department of Water Supply (DWS) is proposing to develop Hāmoa Well 2 to support the Hāna Water System in the Hāna District on the Island of Maui. Hāmoa Well 2 was previously drilled as an exploratory well in 2006 and is situated within an existing facility consisting of Hāmoa Well 1, Hāmoa Well 2 (exploratory well) and a 190,000 gallon reservoir.

The purpose of the proposed action is to provide a back-up source of water for the Hāna Water System. A back-up source will minimize disruption of service in the event of a well pump failure and also allow for routine maintenance of the well pumps servicing the Hāna Water system.

The proposed well development project will include installation of a well pump, discharge piping, motor control center within an existing building, and related appurtenances. DWS proposes to commence construction in January 2009 with construction lasting approximately 9 months. The proposed project budget is \$800,000.

12. Maui Oceanfront Inn (HRS 343-5(c) FEA-FONSI)

Island: Maui
District: Makawao
TMK: (2) 3-9-004: 029 & 149
Applicant: Western Apartment Supply and Maintenance Company, 2980 South Kīhei Road, Kīhei, HI 96753. Contact: Thomas Cole, Esq. (808) 242-6854
Approving Agency: Maui Planning Commission, Maui County Department of Planning, 250 S. High Street, Wailuku, Maui, HI 96793. Contact: Robyn Loudermilk, Planner, (808) 270-7735
Consultant: Chris Hart & Partners, Inc., 115 North Market Street, Wailuku, Maui, HI 96793. Contact: (808) 242-1955
Status: Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI)
Permits: EA, CP Amendment, SMA, CUP, Shoreline Setback Variance, OffSite Parking

The 73-room Maui Oceanfront Inn was constructed in the early 1970's on Parcel 149. The hotel includes a single story restaurant building of approximately 6,400 square feet.

Since the 1970's, the project was consistent with the Kīhei General Plan and the H-M Hotel District Zoning provisions of the County of Maui. In 1989 the Kīhei-Mākena Community Plan re-designated the parcel to Single Family (SF); a Community Plan Amendment is necessary to re-establish consistency with the H-M Hotel District Zoning.

Over the years, various additions were constructed on the premises that did not comply with County requirements. To attain compliance, the applicant has entered into a Settlement Agreement with the County of Maui to seek necessary land use approvals.

Land use approvals will not result in the expansion of the existing hotel and restaurant use or buildings. Land use approvals will address existing landscape planting, maintenance and building improvements within the shoreline setback and Special Management Areas, and pavement and landscaping improvements for, the adjacent 82-stall parking lot for public and commercial uses.

The proposed action will not expand or change existing uses of the subject properties and is intended to resolve any previous zoning and non-compliance issues.

13. [Alahele Subdivision](#) (HRS 343-5(c) FEA-FONSI)

Island: Maui
District: Wailuku
TMK: (2) 3-9-017:034
Applicant: Wilshire DMK I, LLC, 2001 Wilshire Boulevard Suite 302, Santa Monica, CA 90403, Contact: Anand Kapadia (310) 712-2770
Approving Agency: Maui County Planning Department, 250 South High Street, #200, Wailuku, HI 96793, Contact: Jim Buika (808) 270-7735, fax: (808) 270-7634
Consultant: Chris Hart and Partners, Inc., 115 North Market Street, Wailuku, HI 96793. Contact: Christopher Hart (808) 242-1955, fax (808) 242-1956
Status: Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI)
Permits: SMA; Public Water System, Approval from the State Department of Health, Safe Drinking Water Branch, NPDES; Community Noise Permit from the DOH, Grubbing and Grading Permits from the Maui County Department of Public Works.

The proposed subdivision is located in Kīhei, makai of Pi'ilani Highway. Alahele Place and Auhana Road via the North/South Collector Road will access the proposed subdivision. The proposed project will create a forty-eight (48) R-2 Residential District lots only subdivision ranging in size from 7,511 square feet to 10,382 square feet with necessary supporting on site and off-site infrastructure. The project does not include the construction of homes or allowable accessory dwelling ('Ohana) units. The intent is to sell the lots to individual owners for future single-family home construction.

The proposed development was determined by the Maui Planning Commission at its regularly scheduled meeting on July 22, 2008 to NOT result in significant environmental impacts to surrounding properties, nearshore waters, natural resources, and/or archaeological and historic resources on the site. Public infrastructure and services are not anticipated to be significantly impacted. The Maui Planning Commission voted 9-0 to accept the Planning Department's recommendation of a Finding of No Significant Impact.

The development of the subject parcel will have a positive cumulative effect on the immediate community. During significant storm events the neighboring properties on Alaloa Road experience flooding. The proposed subdivision will incorporate drainage system improvements that will enhance the retention of debris and sediments, thereby improving the water quality of storm runoff.

Associated project improvements include paved roadways; concrete curbs, gutters and sidewalks; onsite and offsite drainage systems, water system, sewer system, underground utilities, landscaping, and offsite roadway improvements along Alaloa Road and Alahele Place fronting the project site.

The EA is triggered by the construction of a portion of the North-South Collector Road (NSCR) with access to Auhana Road, to be dedicated to the County of Maui.

HAWAI'I NOTICES

14. La`aloa Avenue Extension (HRS 343-5(b) FEA-FONSI)

Island: Hawai'i
District: North Kona
TMK: (3) 7-7-08:29, 114, 120
Proposing Agency: Hawai'i County, Dept. of Public Works, 101 Pau`ahi St., Ste. 7, Hilo, HI 96720. Contact: Galen Kuba (808) 961-8327
Approving Agency: Same
Consultant: Geometrician Associates, HC 2, Box 9575, Kea`au, HI 96749. Contact: Ron Terry (808) 982-5831
Status: Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI)
Permits: SMA Permit, Grading Permit, Permit to Construct Within County ROW, NPDES, No Adverse Effects Determination



The County of Hawai'i proposes to extend the existing La`aloa Avenue, North Kona by 1,500 feet in the mauka direction and connect up to Kuakini Highway. Presently there are no road connections between Kuakini Highway and Ali'i Drive for the approximately 3.5 miles between Royal Poinciana Drive and King Kamehameha III Road, producing congestion and poor Level of Service on Ali'i Drive and the La`aloa area. Traffic levels are forecast to rise and worsen this situation unless new mauka-makai roads are built. The project would provide a needed road between Ali'i Drive and Kuakini Highway and reduce traffic congestion in the vicinity. Two similar build alternatives are under consideration. The project is consistent with the Hawai'i County General Plan.

The project would decrease traffic congestion and would increase overall traffic safety for the area. No scenic resources, rare ecosystems or threatened or endangered species would be affected, and effects to historic sites would be mitigated through data recovery and interpretation. Short-term impacts to water quality, air quality, traffic congestion and noise can be mitigated to minor levels by proper adherence to construction permits and other mitigation.

COASTAL ZONE NOTICES

Wai`alae Country Club Clubhouse Renovation (Ch. 25, Revised Ordinances of Hawai'i - DEA)

Island: O`ahu
District: Wai`alae
TMK: (3) 3-5-23: 3 and 38
Applicant: Wai`alae Country Club
Approving Agency: Department of Planning and Permitting, City and County of Honolulu, 650 South King Street, Honolulu, HI 96813
Consultant: Kimura International, Inc., 1600 Kapi`olani Blvd., Suite 1610, Honolulu, HI 96814. Contact: Glenn Kimura
Status: Draft Environmental Assessment (DEA) notice pending 30-day public comment. Address comments to the Applicant, Approving Agency, Consultant, and OEQC
Permits: SMA

Wai`alae Country Club proposes to renovate the existing clubhouse facility located on the makai side of Kāhala Avenue, including the:

- 1) Construction of a new lobby, porte cochere and outdoor dining patio area attached to the existing clubhouse building;
- 2) the expansion of the existing pool and tennis locker room building with the addition of a wide second floor fitness center which creates new first floor lanai areas;
- 3) a new 1,392 square-foot snack bar and 572 square-foot kiosk makai of the existing swimming pool;
- 4) relocated tennis courts and the expansion and reconfiguration of the parking lot.

According to applicant, the existing facility has been essentially unchanged since it was originally built in the 1970s. The proposal is part of a master plan which is intended to enhance and upgrade the facility to better serve the private membership and better utilize its oceanfront location, improve parking, address space deficiencies, upgrade energy saving, and use green building techniques.

Construction of the proposed improvements will start as soon as approvals are obtained. The improvements are estimated to cost \$12 million and construction is anticipated to take about twelve (12) months to complete. The new construction improvements require the approval of a major SMA Use Permit from the Honolulu City Council. Interior renovations to the existing clubhouse building, which are not subject to SMA approval, are also planned as part of the overall renovation project.

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.

Remove Utility Poles Along Coastline at Olowalu, Maui

Applicant: Hawaiian Telcom, Inc.
Contact: Ms. Rowena Dagdag, Munekiyo & Hiraga, (808) 244-2015
Federal Action: Federal Permit
Federal Agency: U.S. Army Corps of Engineers
CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov
Location: Olowalu, West Maui
TMK: (2) 4-8-3: 6
Proposed Action: Remove four wooden utility poles and utility lines that are presently located in the ocean due to erosion of the coastline. High tides and forceful surf conditions are undermining the stability of these poles. The approximate length of the span of the four poles is 1,000 feet. The poles would be removed with a hydraulic "Pole Puller" and new wooden poles will be installed on the mauka side of Honoapi'ilani Highway.
Comments Due: September 5, 2008

Western Pacific Pelagics Fishery Management Plan Amendment 18 for Hawai'i-Based Shallow-Set Longline Swordfish Fishery

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: Modify existing regulations for the Hawai'i-based shallow-set longline fishery that primarily targets swordfish on the high seas of the North Pacific by: removing the effort set limit; implement new sea turtle interaction caps at 46 for loggerhead and 19 for leatherback; eliminate the set certificate program; and do not implement any time/area closures. The purpose and need for this action is to provide increased opportunities for sustainable harvest of swordfish and other fish species, while continuing to avoid jeopardizing the existence of threatened and endangered sea turtles and their habitat.
Comments Due: September 5, 2008

Kawaihae Small Boat Harbor (South) Improvements Phase 1, Kohala, Hawai`i

Applicant: Department of Land and Natural Resources, Division of Boating and Ocean Recreation
 Contact: Martin Nakasone, M&E Pacific, Inc., 521-3051
 Federal Action: Federal Permit
 Federal Agency: U.S. Army Corps of Engineers
 CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov
 Location: Kawaihae Small Boat Harbor (South)
 TMK: (3) 6-1-3: 26
 Proposed Action: Install basic harbor facilities and amenities to make the Kawaihae Small Boat Harbor (South) more accessible to light-draft boaters within the community. This Phase 1 of the project consists of: design and construction of a fixed concrete boat launch ramp with ADA access to one of two loading docks; a main floating dock with accessible pedestrian ramp and gangway; grading and drainage for vehicle and boat trailer parking areas; grading for the realignment of the vehicle access through the project site; a boat wash down area; a comfort station with individual wastewater system and outdoor shower; water and electrical service installation to the comfort station; and associated signage, site lighting, grading and drainage.
 Comments Due: September 5, 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 Community Development District (587-2840).

Special Management Area (SMA) Minor Permits		
Location (TMK)	Description (File No.)	Applicant/Agent
O`ahu: Makai Area of Kaka`ako Community Development District (east of 2-1-15:53)	3 to 4 inch diameter geotechnical soil boring (SMA/08-2)	Yoki Kwong Engineers, LLC
O`ahu: Farrington Highway – Lualualei (8-7-23:57)	Recycling collection/drop-off center (2008/SMA-35)	Arthur Martirosian
Hawai`i: North Kohala (5-8-1:8)	Construction of an educational sampling well (SMM 08-87)	Kamehameha Schools
Kaua`i: Poipu	6 inch lava rock wall, minor grading and fill (SMA(M)-2009-1)	Benjamin Garfinkle
Kaua`i: Kilauea	Concrete path (SMA(M)-2009-2)	Bob & Pam Warren

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 (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 Ian Hirokawa at 587-0420.

File No.	Date	Location	Applicant/Owner	TMK
OA-1254	7/25/08	Lot A DPP File No. 2004/SUB-26 Formerly Lots 326 and 329 Land Court Application 616, situated at Kailua, Koolaupoko, O`ahu, Hawai`i. Address: 1586 Mokulua Drive Purpose: Building Permit	Walter P. Thompson, Inc./ Ethan and Andrea Topper	4-3-1:12 & 13

OA-1255	7/29/08	Lot 8 as shown on Map 1 of Land Court Consolidation 211, situated at Kaunala, Ko`olauloa, O`ahu, Hawai`i. Address: 58-145 Napo`onala Place Purpose: Building setback requirement	Jaime F. Alimboyoguen/ SBC, LLC	5-8-6:38
OA-1256	8/1/08	Lot 541-C (Map 210) Land Court Application 242, situated at Pu`uloa, `Ewa, O`ahu, Hawai`i Address: 91-701 One`ula Place Purpose: Determining building setback	Leaps and Boundaries, Inc./ Patrick L. McNulty	9-1-28:1
OA-1257	8/1/08	Lots 239 & 240 (Map 6) Land Court Application 1052 & Lots 2 & 3 Portion of Deed: Kamehameha IV to J. Robinson and Company dated May 13, 1857 Liber 9, Page 223 (Exclusion 1 of Land Court Application 1052) and R.P. 2243, L.C. Aw. 10613, Ap. 5 to A. Paki, situated at Mākaha, Wai`anae, O`ahu, Hawai`i. Address: 84-1101 & 1105 Farrington Highway Purpose: Determining building setback	Leaps and Boundaries, Inc./ Kids, LLC	8-4-3:1 & 2
OA-1258	8/1/08	Lot 1 of Land Court Application 1818 (Map 1), situated at Kawaihāpai, Wai`alua, O`ahu, Hawai`i. Address: 68-945 Farrington Highway Purpose: Determine setback for improvements	Ok Soon Owen/ Ok Soon Owen	6-8-8:1
HA-391	8/6/08	Portion of Road Lot 214, Commonly Known as Wai `ōpae Road and Kaheka Road, situated at Vacationland, Hawai`i (F.P. 814), L.C. Aw. 8559, Apana 5, Kapoho, Puna, Hawai`i County. Address: Wai `ōpae Road & Kaheka Road Purpose: Determine jurisdiction for road improvements and permitting	Daniel Berg c/o The Independent Hawaii Surveyors/ Vacationland Hawai`i Community Association	1-4-67:40 (por)
HA-392	8/11/08	Portion of R.P. 4475, L.C. Aw. 7713, Ap. 43 to V. Kamāmalu, situated at Hōlualoa 1st and 2nd, North Kona, Island of Hawai`i. Address: None available Purpose: Building permits	Wes Thomas Associates/ Resolute Inc.	7-6-16:12
MO-140	7/31/08	Lot 80 & a portion of Exception 5 of Land Court Application 632 (Map 7) being also a portion of Grant 3533 Apana 1 to the Trustees under the will of Bernice Pauahi Bishop, situated at Kaunakakai, Moloka`i, Hawai`i. Address: 25 Hio Place Purpose: Obtain County building permit	'Aha Kukui O Moloka`i/ County of Maui, Department of Parks and Recreation	5-3-1:5

Shoreline Certifications and Rejections

Pursuant to §13-222-26, HAR, the following shorelines have been proposed for certification or rejection by DLNR. 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-1241	Proposed Shoreline Certification	Lot 20-A, Extension No. 1 of the Kawailoa Beach Lots Section E, Por. L.C. Aw. 7713 Ap. 33 to V. Kamāmalu, situated at Kawailoa, O`ahu, Hawai`i. Address: 61-821 Papailoa Road Purpose: New house construction	Dennis K. Hashimoto/ Jon & Marie-Neige Whittington	6-1-4:97

OA-1243	Proposed Shoreline Certification	Lots 200 & 201 (Map 6) of Land Court Application 1052 & Lots 24 & 25 (Exclusion 1 of Land Court Application 1052), Being a portion of R.P. 2243, L.C. Aw. 10613, Ap.5 to A. Paki, situated at Mākaha, Wai`anae, O`ahu, Hawai`i. Address: 84-939 Farrington Highway Purpose: Building setback requirement	Arden J. Torcuato, Leaps and Boundaries, Inc./ Horn Trust	8-4-4:20 & 21
OA-1244	Proposed Shoreline Certification	Lot 372 (Map 7) Land Court Application 1052, situated at Mākaha, Wai`anae, O`ahu, Hawai`i. Address: 84-81 Makau Street Purpose: Building setback requirement	Arden J. Torcuato, Leaps and Boundaries, Inc./ Harrison Horn	8-4-10:21
MA-400	Withdrawal	Lot 53 (Map 13) of Land Court Application 1744, situated at Hanaka`ō`ō, Kā`anapali, Lahaina, Maui, Hawai`i. Address: 2605 Ka`anapali Parkway Purpose: Setback purposes	Austin, Tsutsumi & Associates, Inc./ Kyo-ya Co., Ltd.	4-4-8:5

CONSERVATION DISTRICT USE PERMITS

Persons interested in commenting on the following Conservation District Use Application (Departmental Permit) must submit comments to the Department of Land and Natural Resources. Also, anyone interested in receiving notification of determinations on Conservation District Use Applications must submit requests to DLNR that include the following information:

1. Name and address of the requestor;
2. The permit for which the requestor would like to receive notice of determination; and
3. The date the notice was initially published in the Environmental Notice.

Both comments and requests for notification of determinations must be submitted to DLNR within thirty days from the initial date that the notice was published in the Environmental Notice. Please send comments and requests to: State 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 CDUA, it is not obligated to notify any person not strictly complying with the above requirements. For more information, contact Michael Cain of our Office of Conservation and Coastal Lands staff at 587-0048.

File No.: CDUA HA-3480
 Name of Applicant: Gregory Mooers, for `Āinakea Makai LLC
 Location: `Āinakea, North Kohala, Hawai`i
 TMK: (3) 5-3-06:21
 Proposed Action: Subdivision
 343, HRS Determination: Exempt
 Applicant's Contact: 1-808-880-1455

File No.: CDUA OA-3479
 Name of Applicant: Chester Koga for James Campbell CO LLC
 Location: Honouliuli, `Ewa, O`ahu
 TMK: (1) 9-2-05:13
 Proposed Action: Consolidation and Resubdivision
 343, HRS Determination: Exempt
 Applicant's Contact: 1-808-842-1133

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, Covered Source Permit	U.S. Navy CSP No. 0110-01-C Renewal Application	Located at: PMRF Barking Sands, Kauai (UTM: 419045m E, 2436085m N)	Issued: 7/31/08	Three (3) 320 kW and Two (2) 600 kW Diesel Engine Generators
Clean Air Branch, 586-4200, Covered Source Permit	Mid Pac Petroleum, LLC CSP No. 0382-02-C Significant Modification	Located at: 61-3651 Kawaihae Road, Kawaihae, Hawai'i	Issued: 8/6/08	Kawaihae Petroleum Bulk Loading Terminal
Clean Air Branch, 586-4200, Covered Source Permit	Aloha Petroleum, Ltd. CSP No. 0307-02-C Application for Modification	Located at: Hilo Sales Terminal, 999 Kalaniana'ole Avenue, Hilo, Hawai'i	Issued: 8/6/08	Two (2) 10,000 bbl Internal Floating Roof Storage Tanks, Three (3) External Floating Roof Storage Tanks with Geodesic Domes and One (1) Tank Truck Load Rack
Clean Air Branch, 586-4200, Covered Source Permit	American Hauling, Inc. CSP No. 0694-01-CT Initial Application	Located at: Various Temporary Sites	Comments Due: 9/5/08	Crushing and Screening Plants
Clean Air Branch, 586-4200, NonCovered Source Permit	Kaua'i Memorial Gardens NSP No. 0529-01-N Renewal Application	Located at: 4716 Mā'alo Road Līhu'e, Kaua'i	Issued: 8/6/08	150 lb/hr Pathological Waste Incinerator
Clean Air Branch, 586-4200, NonCovered Source Permit	ShredCo LLC NSP No. 0698-01-NT Initial Application	Located at: Various Temporary Sites	Issued: 8/7/08	One (1) 90 cubic yds/hr Tub Grinder with One (1) 360 hp Diesel Engine
Clean Air Branch, 586-4200, Covered Source Permit	HELCO, Inc. CSP No. 0007-01-C Renewal Application	Located at: Keāhole Generating Station, Keāhole, Hawai'i	Issued: 8/7/08	Two (2) 20 MW Combustion Turbine Generators with Two (2) Heat Recovery Steam Generators and One (1) 16 MW Steam Turbine, Three (3) 2.5 MW Diesel Engine Generators, and One (1) 500 kW Diesel Engine Generator

FEDERAL NOTICES

Western Pacific Precious Coral Fisheries: Black Coral Quota and Gold Coral Moratorium

This final rule implements Amendment 7 to the Fishery Management Plan for Precious Coral Fisheries of the Western Pacific Region (Precious Corals FMP). The rule designates the `Au`au Channel, Hawai`i, black coral bed as an "Established Bed" with a harvest quota of 5,000 kg every two years that applies to Federal and State of Hawai`i waters, and implements a 5-year moratorium on the harvest of gold coral throughout the U.S. western Pacific. This rule is intended to prevent overfishing and achieve optimum yields of black coral resources, and to prevent overfishing and stimulate research on gold corals. This final rule is effective September 12, 2008. Amendment 7 is available from the Western Pacific Fishery Management Council (Council), 1164 Bishop St., Suite 1400, Honolulu, Hawai`i 96813, tel: 808-522-8220, fax: 808-522-8226, or www.wpcouncil.org. For more information contact Brett Wiedoff at 808-944-2272 (see, 73 F.R. 47098, August 13, 2008).

FY 2009 Grant Funds Available for Bay Watershed Education and Training

The National Oceanic and Atmospheric Administration (NOAA) changed the full proposal submission deadline for the solicitation "Bay Watershed Education and Training (B-WET) Hawai`i Program," to August 29, 2008 to give the public more time to respond. The solicitation, which was originally announced in the Federal Register on July 11, 2008, gave a proposal due date of August 15, 2008. Proposals must be submitted no later than 5:59 p.m., Hawai`i Time, August 29, 2008. The standard NOAA funding application package is available at www.grants.gov. If an applicant does not have Internet access, hard copies with original signatures may be sent to: NOAA Pacific Services Center, 737 Bishop Street, Suite 1550, Honolulu, HI 96813, Attention: Stephanie Bennett. Applicants submitting hard copy applications must submit one (1) hard copy of the entire application package, a CD copy of the package, including all forms with original signatures. Any proposal packages received after the August 29, 2009, submission deadline will not be accepted. For administrative or technical issues, contact Stephanie Bennett at 808-522-7481 (phone) or by e-mail at Stephanie.Bennett@noaa.gov (see, 73 F.R. 46247, August 8, 2008).

Revised Proposed Designation of Critical Habitat for 12 Species of Picture-wing Flies from the Hawaiian Islands

The U.S. Fish and Wildlife Service (FWS) announces the reopening of the comment period on the revised proposed designation of critical habitat for 12 species of Hawaiian picture-wing flies (*Drosophila aglaia*, *D. differens*, *D. hemipeza*, *D. heteroneura*, *D. montgomeryi*, *D. mulli*, *D. musaphilia*, *D. neoclavisetae*, *D. obatai*, *D. ochrobasis*, *D. substenoptera*, and *D. tarphytrichia*) under the Endangered Species Act of 1973, as amended (Act). FWS also announces the availability of a draft economic analysis (DEA) and an amended required determinations section of the proposal. FWS is reopening the comment period to allow all interested parties an opportunity to comment simultaneously on the revised proposed rule, the associated DEA, and the amended required determinations section. Previously submitted comments do not need to be resubmitted because FWS has already incorporated them into the public record and will fully consider them in preparation of the final rule. FWS will consider comments received or postmarked on or before September 11, 2008. You may submit comments by one of the following methods: (1) Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments; or (2) U.S. mail or hand-delivery: Public Comments Processing, Attn: RIN 1018-AV91; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, Suite 222; Arlington, VA 22203. FWS will not accept electronic mail or faxes. FWS will post all comments on <http://www.regulations.gov>. This generally means that FWS will post any personal information you provide. For more information, contact Patrick Leonard, Field Supervisor, Pacific Islands Fish and Wildlife Office, 300 Ala Moana Boulevard, Room 3-122, P.O. Box 50088, Honolulu, HI 96850; telephone 808-792-9400; fax 808-792-9581. If you use a telecommunications device for the deaf (TDD), call the Federal Information Relay Service (FIRS) at 800-877-8339 (see, 73 F.R. 46860, August 12, 2008).

Environmental Assessment for Western Pacific Crustacean Fishery Plan Amendment: Deepwater Shrimp

The National Marine Fisheries Service (NMFS) is seeking public comment on the Western Pacific Fishery Management Council's proposal to amend the Fishery Management Plan for Crustacean Fisheries of the Western Pacific Region (Crustaceans FMP). If approved by the Secretary of Commerce, Amendment 13 to the Crustaceans FMP would designate deepwater shrimp of the genus *Heterocarpus* as management unit species, and require

Federal permits and data reporting for deepwater shrimp fishing in Federal waters of the western Pacific. Amendment 13 is intended to improve information on deepwater shrimp fisheries and their ecosystem impacts, and to provide a basis for future management of the fisheries, if needed. Comments on Amendment 13, which includes an environmental assessment, must be received by October 14, 2008. Comments on the amendment, identified by 0648-AV29, may be sent to either of the following addresses: (1) Electronic Submission: Submit all electronic public comments via the Federal e-Rulemaking Portal www.regulations.gov; or (2) Mail: Mail written comments to William L. Robinson, Regional Administrator, NMFS, Pacific Islands Region (PIR), 1601 Kapi'olani Blvd, Suite 1110, Honolulu, HI 96814-4700. All comments received are a part of the public record and will generally be posted to www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.) submitted voluntarily by the commenter may be publicly accessible. Do not submit confidential business information, or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter "N/A" in the required fields, if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word or Excel, WordPerfect, or Adobe PDF file formats only. Copies of Amendment 13, including an environmental assessment, are available from the Western Pacific Fishery Management Council (Council), 1164 Bishop St., Suite 1400, Honolulu, Hawai'i 96813, tel. 808-522-8220, fax 808-522-8226, www.wpcouncil.org. For more information contact Brett Wiedoff, NMFS PIR, 808-944-2272 (see, 73 F.R. 47577, August 14, 2008).

Beaches Environmental Assessment and Coastal Health Act: Changes to the Grant Allocation Formula

The Beaches Environmental Assessment and Coastal Health (BEACH) Act authorizes EPA to award program development and implementation grants to eligible States, Territories, Tribes, and local governments to support microbiological monitoring and notification of the public of the potential for exposure to disease-causing microorganisms in coastal recreation waters. EPA awards BEACH Act grant funds to eligible States, Territories and Tribes each year using an allocation formula to determine the amount of federal funds available for award to each State and Territory. EPA is considering changes to this allocation formula for the award of grants in 2010 and is providing States, Territories, and Tribes advance notice of expected changes. EPA recognizes that reviewers may wish to express their views and should send them to the Docket. Submit your views, identified by Docket ID No. EPA-HQ-OW-2008-0539, by one of the following methods: (1) www.regulations.gov: Follow the on-line instructions for submitting scientific views; (2) Electronic mail: OW-Docket@epa.gov; (3) Mail: U.S. Environmental Protection Agency; EPA Docket Center (EPA/DC), Water Docket, MC 2822T; 1200 Pennsylvania Avenue, NW., Washington, DC 20460; or, (4) Hand Delivery: EPA Docket Center, 1301 Constitution Ave, NW., EPA West, Room 3334, Washington, DC. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information. For more information contact Lars Wilcut, 1200 Pennsylvania Avenue, NW, (4305T), Washington, DC 20460, tel: (202) 566-0447, email: wilcut.lars@epa.gov (see, 73 F.R. 47154, August 13, 2008).

Environmental Assessment for Western Pacific Pelagic Squid Jig Fishery Plan Amendment

The National Marine Fisheries Service (NMFS) announces that the Western Pacific Fishery Management Council proposes to amend the Fishery Management Plan for Pelagic Fisheries of the Western Pacific Region. If approved by the Secretary of Commerce, Amendment 15 would add three species of pelagic squid to the management unit, and establish Federal permitting and reporting requirements for squid jig fishing vessels over 50 ft in length. These vessels would also be required to carry observers if requested by NMFS. Combined, these measures are intended to enable the Council and NMFS to better monitor and manage the U.S. domestic pelagic squid fisheries. Comments on Amendment 15, which includes an environmental assessment, must be received by October 10, 2008. Comments on the amendment, identified by 0648-AS71, may be sent to either of the following addresses: (1) Electronic Submission: Via the Federal e-Rulemaking Portal www.regulations.gov; or (2) Mail: William L. Robinson, Regional Administrator, NMFS, Pacific Islands Region (PIR), 1601 Kapi'olani Blvd, Suite 1110, Honolulu, HI 96814-4700. All comments received are a part of the public record and will generally be posted to www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.) submitted voluntarily by the commenter may be publicly accessible. Do not submit Confidential Business Information, or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter "N/A" in the required fields, if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word or Excel, WordPerfect, or Adobe PDF file formats only. Copies of Amendment 15, including an environmental assessment, are available from the Western Pacific Fishery Management Council (Council), 1164 Bishop Street, Suite 1400, Honolulu, HI 96813, tel 808-522-8220, fax 808-522-8226, or www.wpcouncil.org. For more information contact Bob Harman, NMFS PIR, 808-944-2271 (see, 73 F.R. 46580, August 11, 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 FEA 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 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 agency, and notice of the FEA-EISPN is published in 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. 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-EISPN (see above), the agency or applicant must prepare a Draft Environmental Impact Statement (DEIS) prior to project implementation which must disclose the likely impacts of a project. Direct, indirect and cumulative impacts must be discussed along with mitigative measures. 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 and must be included in the FEIS. For applicant projects, the approving agency is authorized to accept the FEIS. For an agency project, the Governor or the Mayor is the accepting authority. Only after the EIS is accepted may the project be implemented.

Acceptability

If the FEIS is accepted, notice of this action is 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 a FEIS. In the case of applicant actions, the law requires that an approving agency must make a determination on acceptance within 30 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 federal EIS and the public comment procedure should be coordinated. 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. 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 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. [Agendas](#) of their regular meetings are posted on the Internet and the public is invited to attend.

Exemption Lists

Government agencies must keep a list describing the minor activities they regularly perform that are 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).