



The Environmental Notice

November 08, 2008

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Corrections...

The Royal Alii Planned Unit Development in North Kona was incorrectly identified as a draft environmental assessment in the October 8, 2008 issue. On September 22, 2008, the County of Hawaii Planning Department issued a Finding of No Significant Impact for this project. Our apologies for the confusion.

Katherine Puana Kealoha, Director Office of Environmental Quality Control 235 South Beretania Street, Suite 702 Honolulu, HI 96813 Tel: (808) 586-4185 Fax: (808) 586-4186 Email: oeqc@doh.hawaii.gov	Website: http://hawaii.gov/health/environmental/oeqc/index.html/ Kauai: 274-3141 ext. 64185 Maui: 984-2400 ext. 64185 Molokai / Lanai: 1-800-468-4644 ext. 64185 Hawaii: 974-4000 ext. 64185
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The Environmental Notice is available for public review on the 8th and 23rd of each month on OEQC's website, pursuant to Chapter 343-3, HRS

KAUAI (HRS 343)

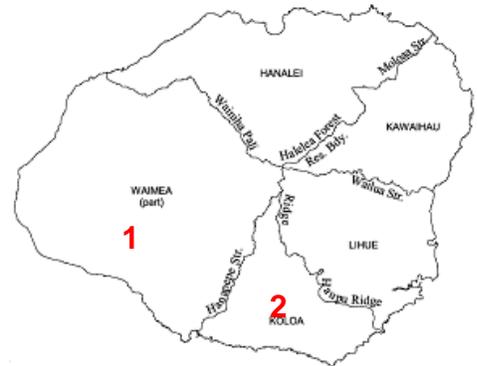
1. Waimea Wastewater Treatment Plant Expansion Ph. 1 (FEA)

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

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

Comments: Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI). There is no comment period

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



Waimea Wastewater Treatment Plant Expansion Phase 1, Waimea, Kauai. 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 Kauai. Such urban developments include initial phases of Kikiaola. 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).

2. Koloa-Poipu Regional Wastewater Reclamation Facility (EISPN)

Island: Kauai
District: Koloa
TMK: Portions of (4)-2-08-04, 2-08-08, 2-08-09, 2-08-11, 2-08-14, 2-08-22, and 2-09-01
Applicant: HOH Utilities, LLC, 3560 Koloa Road, Kalaheo, HI 96741. Contact: Ian Kagimoto, P.E., 742-9784
Accepting Authority: County of Kauai, Planning Department, 4444 Rice Street, Suite 473, Lihue, HI 96766. Contact: Ian Costa, Director, 241-6677
Consultant: Wilson Okamoto Corporation, 1907 South Beretania Street, Suite 400, Honolulu, HI 96826. Contact: Ronald Sato, AICP, 946-2277

Comments: Environmental Impact Statement Preparation Notice pending 30-day public comment. Address comments to the Applicant with copies to the Accepting Authority, Consultant and OEQC

Permits: NPDES Permit for Construction Activity, Dewatering, and Hydrotesting, Noise, Air Quality, Underground Injection Control (UIC), Wastewater Management Plan, Use of Recycled Water for Irrigation, Chapter 6E, HRS Historic Preservation, Coastal Zone Management (CZM) Program Consistency Review, Special Permit, Use Permit, Class IV Zoning, Road, Grading/Grubbing, Building, Excavation, Drainage Plan Approval, Water and Water System Requirements, Water Connection Approval, Utility Service Requirements, Permit Regarding Work on Utility Lines

HOH Utilities, LLC is the Applicant proposing to develop a privately-owned and operated regional WRF and associated wastewater collection system in the Koloa-Poipu region on the south shore of Kauai. The WRF will be constructed on approximately 3 acres of the former Koloa Mill site and its service area will encompass the communities of Koloa Town, Poipu, and Kukuiula. Treated effluent will be of the highest quality (R-1) and safe for re-use. The collection system will be comprised of three components identified as: 1) Koloa Collection System, which will serve several existing and planned developments within the Koloa Town area; 2) Poipu Collection System, which will serve several existing and planned developments within the Poipu area; and 3) Eastern Collection System, which will serve the Poipu Bay Golf Course area. Appurtenant features of the collection system will include new wastewater pump stations and gravity and force mains. The project will have positive environmental effects associated with improved water quality resulting from the removal of packaged treatment plants and large capacity cesspools serving existing developments. The project may have impacts associated with historic and archaeological resources, endemic and endangered species that may be in the area, effects on other natural resources, and existing infrastructure facilities. These impacts will be addressed in the Draft EIS.

OAHU (HRS 343)

3. Ke Kula ‘O Samuel M Kamakau Laboratory Public Charter School Relocation (FEA)

Island: Oahu
District: Koolaupoko
TMK: (4)-6-14:1 and 18; 4-6-15:14
Applicant: Ke Kula ‘O Samuel M Kamakau Laboratory Public Charter School, 45-037 Kaneohe Bay Drive, Kaneohe, HI 96744. Contact Ms. Marci Sarsona, Director, 235-9176

Approving Agency: Department of Hawaiian Home Lands, 91-5420 Kapolei Parkway, Kapolei, HI 96707. Contact Ms. Linda L. Chinn, Administrator, 620-9451

Consultant: Helber Hastert & Fee, Planners, 733 Bishop Street, Suite 2590, Honolulu, HI 96813. Contact Mr. Thomas A. Fee 545-2055



Comments: Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI). There is no comment period

Permits: Grading and Building Permits

The proposed action is to relocate and construct a new school campus at the former ten-acre US Department of Agriculture’s Quarantine Station in Haiku Valley, Kaneohe, Oahu on land owned by the Department of Hawaiian Home Lands. The school was originally established in 2001 and is currently located at the Kokokahi YWCA (45-037 Kaneohe Bay Drive) serving 110 students in pre-kindergarten through Grade 12. The new campus would support an ultimate student enrollment of approximately 176 students.

The proposed campus is within a previously developed site that does not support sensitive or protected habitats. Previous archaeological investigations have not identified any cultural resources within the project limits and none are expected to be encountered during construction. The project is not expected to result in significant direct, indirect, secondary or cumulative impacts to topography, soils, surface and ground water, natural hazards, climate and air quality, noise, biological resources, cultural resources, potable water, wastewater, storm drainage, electrical power, solid and hazardous waste, police and fire protection, socio-economic factors, parking, and visual

resources. Traffic associated with the school would result in a noticeable traffic impact (increase) on nearby residential streets, although congestion at the intersections is not expected to occur.

4. Honolulu Seawater Air Conditioning Project (DEIS)

Island: Oahu
District: Honolulu
TMK: (1)-2-1-1,2, 10-14, 16-18, 24-27, 29, 30, 32, 33, 35-37, 40, 42, 46, 47, 54, 55, 59 & 60: various parcels (por.)
Applicant: Honolulu Seawater Air Conditioning (HSWAC), LLC, 7 Waterfront Plaza, Suite 407, 500 Ala Moana Boulevard, Honolulu, HI 96813. Contact: Frederic Berg, 531-7922
Approving Agency: Office of Planning, P.O. Box 2359, Honolulu, HI 96804. Contact: Shichao Li, 587-2841
Consultant: TEC, Inc., 1001 Bishop Street, ASB #1400, Honolulu, HI 96813. Contact: George Krasnick, 528-1445
Comments: Draft Environmental Impact Statement (DEIS), pending 45-day public comment. Address comments to the applicant with copies to the accepting authority, consultant and OEQC
Permits: HCDA Project Eligibility Permit and Development Permit, CZM Federal Consistency, HRS Chapter 6E Clearance, Special Management Area Use Permit, Shoreline Setback Variance, Conservation District Use Approval, National Pollutant Discharge Elimination System (NPDES) Individual Permit, Zone of Mixing (ZOM) Approval for Return of Seawater, Clean Water Act, Section 401 Water Quality Certification, Permit to Discharge Process Wastewater (US EPA), Essential Fish Habitat Consultation (if US AOCCE determines necessary), Endangered Species Act Section 7 consultation (if US AOCCE determines necessary), Department of the Army Permit and a Building Permit

The HSWAC project is to construct a seawater air conditioning system for major government and commercial buildings in downtown Honolulu. This seawater air conditioning system will reduce Oahu's dependence on imported oil for electrical generation, and reduce environmental and economic impacts associated with maintenance of conventional air conditioning systems. The proposed project would consist of a) staging and pipeline assembly on a shoreline site of Keehi Lagoon, Sand Island; b) installing seawater intake and return pipes offshore of Honolulu in the area between Honolulu Harbor and Kewalo Basin; c) constructing a seawater cooling station on a site in Kakaako; and d) installing a network of freshwater distribution pipes beneath the streets of downtown Honolulu. The cooling station would contain seawater pumps, freshwater pumps, heat exchangers and auxiliary chillers.

5. Ewa Makai Middle School (DEA)

Island: Oahu
District: Ewa
TMK: (1)-9-1-69:27
Proposing Agency: Department of Education, 1390 Miller Street, Honolulu, HI 96813. Contact: Benjamin Miura, 586-0429
Approving Agency: Same
Consultant: SSFM International, Inc., 501 Sumner Street, Suite 620, Honolulu, HI 96817. Contact: Jared Chang, 531-1308
Comments: Draft environmental assessment pending 30-day public comment. Address comments to the Proposing Agency, Consultant and OEQC
Permits: NPDES, Grading, Grubbing, and Stockpiling Permit, Building Permit, Height Variance

The State Department of Education (DOE) is proposing the Ewa Makai Middle School Project. This project involves the construction of a new middle school located within the Gentry development of Ewa Makai in order to accommodate educational needs for one of Oahu's fastest growing communities.

The proposed middle school design for LEED Silver Certification rating and intended to serve approximately 1,050 sixth to eighth grade students with the capability of servicing 1,400 students through the use of year round multi-track schedule. Students will come from the surrounding Campbell Complex, within the DOE's

Leeward District. The proposed middle school will be able to accommodate large student enrollments, provide flexible uses of classroom spaces, utilize sustainable design criteria, and provide a nurturing academic environment.

The school will have special features such as: (1) an indoor dining facility; (2) outdoor learning gardens; (3) cluster of classrooms that foster interdisciplinary teaching; (4) a specialty classroom such as music, art, technology, family and consumer science, dance and performance and health and fitness; (5) a library media center; (6) internet linkage to enable students to access worldwide communication networks; and (7) an administration area with a separate student center for support services.

6. [Kalaeloa Desalination Facility \(FEIS\)](#)

Island: Oahu
District: Ewa
TMK: (1)-9-1-31:28 por., 9-1-31:01 por.
Proposing Agency: City and County of Honolulu, Board of Water Supply, 630 South Beretania Street, Honolulu, HI 96843. Contact: Scot Muraoka, 748-5942
Approving Agency: Same
Consultant: Oceanit, 828 Fort Street Mall, Suite 600, Honolulu, HI 96813. Contact: Derrick Elfalan, 531-3017
Comments: Final environmental impact statement (FEIS) filed and accepted by the accepting authority. There is no comment period
Permits: Building; Grubbing, Grading, Stock-piling; Permit for construction of transmission line along Kalaeloa Boulevard; NPDES, Stormwater and Hydrotesting; Well Construction, Pump Installation & Water Use; Noise; Injection Well and Feed Water Use Approval; Aviation Easement; Notice of Proposed Construction or Alteration, FAA Form 7460-1

The City and County of Honolulu Board of Water Supply (BWS) proposes to build a seawater reverse osmosis desalination facility in Kalaeloa, Ewa, Oahu. The proposed desalination facility will produce 5 million gallons per day of potable water with provisions, as needed, to expand that will add to Oahu's potable water supply. The desalination facility will occupy a portion of a 20-acre parcel. An electrical transformer substation would be constructed on an adjacent parcel mauka (towards the mountains) of the proposed desalination facility to provide power to the desalination plant. Renewable energy sources would also be considered such as photovoltaics and solar panels to reduce electrical needs.

The desalination facility property is undeveloped and was previously part of the Barbers Point Naval Air Station. Exploratory wells have been constructed on the property. The proposed desalination facility will include an administration/visitor center and control building, a chemical storage building, source water wells, pretreatment facilities, reverse osmosis facilities, post-treatment facilities, a transmission main, brine pond, reject water disposal facilities (injection wells), a domestic septic system and an electrical transformer substation.

Source water for desalination will be provided through a network of up to three aquifer wells located throughout on the 20-acre site. Pretreatment will consist of chemical addition and filtration. Pretreated water from filtration will then undergo reverse osmosis desalination. Product water from reverse osmosis will be conditioned before finally being pumped into the BWS distribution system. Approximately 12 MGD of source water will be pumped from the source water well network to produce 5 MGD of potable water. Waste cleaning solution and brine (7 MGD) from pretreatment and reverse osmosis operations will be disposed of through an injection well.

7. [Waianae Beach Park Parking Lot Improvements \(FEA\)](#)

Island: Oahu
District: Waianae
TMK: (1)-8-5-02:49
Proposing Agency: Department of Design and Construction, Address: 650 South King Street, Honolulu, HI 96813. Contact: Daniel Takamatsu, 808-768-8461
Approving Agency: Same

Consultant: Eugene P. Dashiell, 1314 South King St., STE 952, Honolulu, HI 96814. Contact: Eugene Dashiell, 593-8330
Comments: Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI). There is no comment period
Permits: Special Management Area Permit (Major); grading & building permits

This Environmental Assessment addresses proposed parking lot improvements at Waianae Beach Park. The proposed improvements would add 31 standard stalls and two ADA stalls to the existing 24 standard stalls and one ADA stall. The improvements are within a 0.5 acre area surrounding the existing parking lot. New parking lot lighting which is compatible with marine life and sea birds will be installed. One monkeypod tree will be relocated and four monkeypod trees will be added for a net increase of four monkeypod trees. Native white hibiscus will be planted as a border on one side of the parking lot. Drainage will be via an existing drywell. There are no known historic or prehistoric sites affected and subsurface sampling was performed at the proposed for verification.

MAUI (HRS 343)

8. Napili Well "A" Site Improvements (FEA)

Island: Maui
District: Lahaina
TMK: (2)-4-3-01:01 (por.) and 06 (por.)
Proposing Agency: County of Maui, Department of Water Supply, 200 South High Street, Wailuku, HI 96793. Contact: Larry Winter, 270-7835
Approving Agency: Same
Consultant: Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793. Contact: Kyle Ginoza, Phone: 244-2015
Comments: Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI). There is no comment period
Permits: Construction Permits



The County of Maui, Department of Water Supply proposes to install a well storage tank adjacent to its existing Napili Well "A" and water storage tank and enlarge the control building. The new tank, which will supplement well water storage to the same areas, will have a storage capacity of 300,000 gallons. It will be a circular, cast-in-place, reinforced concrete or stainless steel structure with a 53-foot diameter. The tank height is approximately 17 feet.

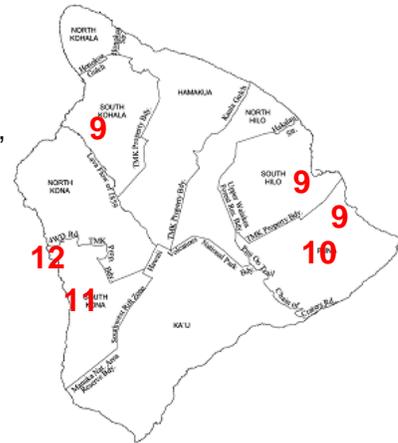
Attendant improvements at the site include grading to establish a tank slab elevation of 860 feet, asphalt paving around the tank for maintenance access purposes, installation of a 6-foot high perimeter chain link fence, and increasing the size of the control building by approximately 105 square feet. Related mechanical improvements will also be made onsite to ensure that tank operations and controls are properly integrated with the existing system. In addition, the project also includes renovation and expansion of the existing pump control building to replace the temporary housing of existing chlorination equipment. The estimated cost of the proposed project is \$1.5 million. This project may be funded by Federal funds through the State of Hawaii's Drinking Water State Revolving Fund (DWSRF) program, which would constitute a Federal action and will require that the project satisfy all of the Hawaii DWSRF program requirements. The implementation of the proposed improvements sought by the applicant will commence upon receipt of regulatory permits and approvals. It is estimated that construction will be initiated in early 2009 and will be completed by early 2010.

HAWAII (HRS 343)

9. Piilani Street Licensing and Motor Vehicle Registration Building and Puna and South Kohala Baseyard Improvements (DEA)

Island: Hawaii
District: South Hilo, Puna and South Kohala
TMK: (3)-2-2-33:16, 1-7-03:19 and 6-6-01:56
Proposing Agency: Hawai'i County Department of Public Works, 101 Pauahi Street, Suite 7, Hilo HI 96720. Contact: David Yamamoto, 961-8331

Approving Agency: Same
Consultant: Geometrician Associates, PO Box 396, Hilo HI 96721. Contact: Ron Terry, 969-7090
Comments: Draft environmental assessment pending 30-day public comment. Address comments to the Proposing Agency, Consultant and OEQC
Permits: Planning: Plan Approval; Public Works Department: Building Division Approval and Building Permit



The Hawaii County Department of Public Works (DPW) proposes to expand and improve facilities at several of its facility locations around the island of Hawaii in order to better serve the public and improve the efficiency of operations. DPW will renovate and expand the former Real Property Tax Office building on Piilani Street in Hilo, which will become Piilani Street Licensing and Motor Vehicle Registration Building. DPW will also construct new 4,000-square-foot vehicle storage buildings at the Puna Baseyard in Kurtistown and the South Kohala baseyard in Waimea.

The new or expanded buildings are expected to have a minimal impact, as they are being built to augment existing County facilities currently involved in the same general type of activities. In all three cases the project sites have been entirely cleared in the past, and no valuable biological, scenic, historic or cultural resources are present. No sensitive water bodies are present and standard Best Management Practices during construction will avoid impacts to water quality.

10. Temporary Housing and Program Structures – Kulani Correctional Facility (RFEA and NEPA)

Island: Hawaii
District: South Hilo, Puna
TMK: (3)-2-3-23:05 (HCCC), 2-4-49:18 (Hale Nani), 2-4-08:09 (KCF)
Proposing Agency: Department of Accounting and General Services, Public Works Division, 1151, Punchbowl Street, Room 430, Honolulu, HI, 96813. Contact: Joseph Earing, 586-0486

Approving Agency: Same
Consultant: Louis Berger Group, 412 Mount Kemble Avenue, Morristown, NJ. 07962-1960. Contact: Robert Nardi, (973) 407-1681
Comments: Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI). There is no comment period
Permits: Building

A final environmental assessment (FEA) was published on June 23, 2008. Due to subsequent comments received from the Department of Justice and the State Historic Preservation Division, the Department of Public Safety (PSD) has re-evaluated their proposed action to demolish the old Hilo jail and construct a temporary housing structure in its place at the Hawaii Community Correctional Center (HCCC). The old Hilo jail will remain as is for the foreseeable future and the temporary housing structure originally proposed for HCCC will now be located at the Hale Nani Annex. This FEA is being published to disclose the change in proposed action.

To meet its operational mission, the PSD would acquire temporary housing and program structures with mobile restrooms for use at the Hale Nani Annex and the Kulani Correctional Facility (KCF), and install electronic narcotic screening equipment at the HCCC and KCF. These temporary housing and program structures will be stored at these facilities until funds become available for assembly. When assembled, these structures would each be approximately 3,200 square feet. Acquisition, installation and use of the temporary housing and program structures and purchase and installation of screening equipment at these facilities would have negligible adverse impacts to physical, biological, and socioeconomic resources, with minimal impacts mitigated as appropriate. Beneficial impacts would include contributions toward fulfilling the PSD's mission to provide a safe, secure, healthy, humane, social, and physical environment for inmates and staff; the addition of lower-level custody beds; and the provision of additional program space. These actions would provide inmates with the appropriate level of service so that they can progress more efficiently and effectively through the corrections system. Implementation of the proposed action should result in no significant adverse impacts as defined by the Hawaii Revised Statutes.

11. [Lokahi Kau Affordable Apartments \(DEA\)](#)

Island: Hawaii
District: North Kona
TMK: (3)-7-3-10:03
Applicant: Hoolehua Housing LP, 116 Hekili Street, Kailua, HI 96734. Contact: Ron Terry, 969-7090
Approving Agency: Hawaii County Planning Department, 101 Pauahi Street, Suite 3, Hilo HI 96720. Contact: Daryn Arai, 961-8288 x 204
Consultant: Geometrician Associates, PO Box 396, Hilo HI 96721. Contact: Ron Terry, 969-7090
Comments: Draft environmental assessment pending 30-day public comment. Address comments to the Applicant, Approving Agency, Consultant and OEQC
Permits: NPDES, Grading, Approval for work within county roadway, building, plan approval

Hoolehua Housing LP is working to develop the 306-unit Lokahi Kau Affordable Apartments on undeveloped property on Kakahiaka Street, a County road in the Kalaoa area of North Kona. The project is being financed through various sources, including the sale of affordable housing credits, federal and state tax credit proceeds, a \$9.75 million loan from the Rental Housing Trust Fund by the Hawaii Housing Finance and Development Corporation (HHFDC) and \$33,500,000 of bond proceeds issued by HHFDC.

The property, which has been previously impacted by various historic and prehistoric uses, including grazing, does not contain any sensitive biological resources. Archaeological sites have been subject to data recovery, and one will be preserved in accordance with a mitigation plan approved by the State Historic Preservation Division. In the unlikely event that additional archaeological resources or human remains are encountered during land clearing activities, work in the immediate area of the discovery will be halted.

The proposed action is completely conformant with zoning and issues of public facilities, services and utilities were evaluated and addressed as part of the change of zone process. Given adherence to conditions related to landscape buffers and coordination with agencies during the Plan Approval process and construction, no adverse impacts are foreseen.

12. [Kaloko Housing Program \(DEA\)](#)

Island: Hawaii
District: North Kona
TMK: (3) 7-3-09:55
Proposing Agency: County of Hawaii, Office of Housing and Community Dev., 50 Wailuku Drive, Hilo HI 96720. Contact: Jeremy McComber, 961-8379
Approving Agency: Same
Consultant: Geometrician Associates, PO Box 396, Hilo HI 96721. Contact: Ron Terry, 969-7090
Comments: Draft environmental assessment pending 30-day public comment. Address comments to the Approving Agency, Consultant and OEQC
Permits: Plan Approval; Building Division Approval and Building Permit, Grading Permit; NPDES.

The County of Hawai'i Office of Housing and Community Development (OHCD) proposes to develop the Kaloko Housing Program (KHP) facility on a County-owned, vacant, 8.016-acre property on Hina Lani Drive adjacent to the Kaloko Light Industrial Park. Partnering with the business community, organizations and community, the KHP has been designed to serve the needs of working families in West Hawaii. The KHP facility will include approximately 24 transitional housing units to provide immediate shelter for homeless working families; approximately 72 affordable rental units for long term housing for working families; and a warehouse to facilitate operations of The Food Basket and Habitat for Humanity, which will provide a unique opportunity for job readiness and placement on-site. A portion of the parcel will also be used for a self-contained wastewater treatment plant for wastewater generated onsite. Access will be from a driveway on an extension of Maiau Street, which is currently being built. Current plans call for the County to lease the KHP to Catholic Charities Housing Development Corporation (CCHDC) for management and daily operation of the facility. The CCHDC will be encouraged to provide a tailored service array that will address such needs as life skills training, budgeting and credit counseling, job training and placement, educational referrals and non-profit and community-based collaborative. Units will be secure, yet user-friendly, integrating private quarters for families with communal uses such as classrooms and recreational facilities, and offering office space for support service providers. The design is sensitive to the particular environment of Kaloko and seeks to minimize water usage as well as stormwater and wastewater pollution. Although not legally required, the project will also preserve an archaeological site and rare plants found within a lava tube and adjacent lava tube collapse feature. Local traffic impacts will be mitigated by the design of the driveway and turn lanes on Maiau Street.

COASTAL ZONE NOTICES

Federal Consistency Reviews

The Hawaii 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 Hawaii CZM Program at 587-2878. For neighboring islands use the following toll free numbers: Lanai & Molokai: 468-4644 x72878, Kauai: 274-3141 x72878, Maui: 984-2400 x72878 or Hawaii: 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.

Honolulu International Airport, Medium Intensity Approach Lighting System with Runway Alignment Indicator (MALSR) Replacement, Honolulu, Oahu

Federal Action: Federal Agency Activity
Federal Agency: Federal Aviation Administration
Contact: Ms. Janelle Cass, (425) 227-1343
CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov
Location: Lagoon at Reef Runway
TMK: (1) 1-1-3:1
Proposed Action: Replace the five existing MALSR platforms and a small boat dock within the man-made lagoon at the Honolulu International Airport Reef Runway. The replacement of the MALSR platforms are required to ensure the structural integrity of the lighting system, which is required to assist airplanes to land in inclement weather. The small boat dock is necessary to allow for regular inspections and maintenance of the platforms. Existing platform supports will be cut below the waterline and new supports will be welded atop the existing supports. The replacements will not involve dredging or filling within the lagoon.
Comments Due: November 24, 2008

Hawaii Belt Roadway Drainage Improvements near Hakalau Bridge, North Hilo, Hawaii

Applicant: State Department of Transportation Highways Division
Contact: Mr. Ardan Nikou, Earth Tech/AECOM, 523-8874
Federal Action: Federal Funds

Federal Agency: Federal Highway Administration (FHWA)
 CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov
 Location: North of Hakalau Bridge, North Hilo, Hawaii
 TMK: (3) 3-1-1: 5, 6, 7
 Proposed Action: Use federal funds from the FHWA to construct drainage improvements to mitigate and control surface water runoff as it enters Hawaii Belt Road near Hakalau Bridge. Project objectives are: 1) reduce off-site flows and velocities at the abandoned flume to minimize the potential for water to be projected onto the roadway, which is a safety hazard; 2) improve the drainage conditions and vehicle safety near Hakalau Bridge by eliminating ponding; and 3) dissipate flows and minimize erosion to the service road that may jeopardize the integrity of the bridge abutment and footings. New drainage improvements include, but are not limited to: trapezoidal riprap grouted channel; 30" drain line; stilling basin; grated drop inlets; paved swale; inlet junction structure; grouted riprap apron; GRP paving; and a concrete chute.
 Comments Due: November 24, 2008

Federal Regulations for Highly Migratory Fish Stocks in the Western & Central Pacific Ocean

Federal Action: Federal Agency Activity
 Federal Agency: National Marine Fisheries Service (NMFS)
 Contact: Tom Graham, 944-2219
 CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov
 Proposed Action: NMFS is proposing to issue regulations to carry out the international obligations of the United States under the "Convention on the Conservation and Management of Highly Migratory Fish Stocks (HMS) in the Western and Central Pacific Ocean" (Convention). The Convention governs fisheries for highly migratory species. The proposal would not authorize any new fishing activities, nor would it directly control fishing practices, such as how much fishing effort is exerted, how much of a given resource may be caught, where fishing may take place, what type of fishing gear may be used, or how fishing gear may be deployed. The proposed regulations would establish a number of requirements for owners and operators of U.S. vessels fishing in the Convention area, such as: obtaining NMFS fishing authorization; prohibitions on transshipping or receiving HMS from purse seine vessels; reporting fishing effort and catch to NMFS; when fishing in areas under the jurisdiction of another nation, submit information about fishing authorizations issued by such nation; comply with the relevant laws in the areas under the jurisdiction of another nation; and, allow boarding and inspection of vessels by inspectors of other jurisdictions.
 Comments Due: November 24, 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); Hawaii (961-8288); Kauai (241-6677); Maui (270-7735); Kakaako (Honolulu) or Kalaeloa Community Development District (587-2840).

Special Management Area (SMA) Minor Permits		
Location (TMK)	Description (File No.)	Applicant/Agent
Maui: Lahaina (4-4-1-42)	ATF Pool Seawall Repair (SM2 20080061)	Roberta Donnelly
Maui: Makawao (2-9-6-10)	Two Easements Installation (SM2 20080066)	Hawaiian Telcom, Inc. & Maui Electric Company LTD
Maui: Pala (3-8-2-113)	Place Container on Back Part of Lot (SM2 20080067)	Buzianis, Micah
Maui: Wailuku (3-8-14-2)	Re-roof (SM2 20080069)	Honokai Aoao
Maui: Wailea (2-1-8-92)	Golf Course & Interior Renovation (SM2 20080070)	Wailea Old Blue, LLC.

Shoreline Notices

Shoreline Certification Applications

Pursuant to HRS §205A-42 and HAR §13-222-12, the following shoreline certification applications are available for inspection at the DLNR District Land Offices on Kauai, Hawaii 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-1270	10/16/08	Lot 6 of Kawaihoa Beach Lots, Section "E" as shown on Bishop Estate Map 4210 C situate at Kawaihoa, Waialua, Oahu Address: 61-721 Papailoa Road Purpose: Building setback requirement	Jaime F. Alimboyoguen/ Stephen Thorne	6-1-04:69
OA-1271	10/20/08	Lot 883 of Land Court Application 578 Map 214 situate at Kuliouou 1st, Honolulu, Oahu Address: 210 Paiko Drive Purpose: Property development	Dennis K. Hashimoto/ Leighton Taylor	3-8-01:24
MA-412	10/20/08	Portion of Grant 4973 to Walter M. Giffard Fronting Lot 45-A, Olowalu Makai-Hikina Subdivision situate at Olowalu, Lahaina, Maui Address: 810 Olowalu Purpose: Determine shoreline setback	R.T. Tanaka Engineers, Inc./ Olowalu Elua Associates, LLC	4-8-03:45
MA-413	10/22/08	Lots 2, 3 and 4-A of the Consolidation and Re-subdivision of Royal Patent Grant 1492, Apana 2, to Kaina and Royal Patent Grant 1427 to Punika situate at Honuaula, Makawao, Maui Address: Makena Road Purpose: Renovation and rebuilding of property	Akamai Land Surveying Inc./ Ronald R. Jacintho	2-1-06:86, 87 & 89
MA-414	10/24/08	Lots 4 and 5 of the Maui Prince Hotel Subdivision being portions of Land Patent Grant S-15,029 to Ulupalakua Ranch, Inc. and Royal Patent Grant Number 835 to Mahoe situate at Maluaka, Honuaula, Makawao, Maui Address: Makena Road Purpose: Setback purposes	Austin Tsutsumi & Associates, Inc./ Makena Hotel, LLC, Makena Resort Services, LLC	2-1-06:59 & 111

Shoreline Certifications and Rejections

Pursuant to HRS §205A-42 and HAR §13-222-26, 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-1233	Proposed Shoreline Certification	Lot 20 of Kaiaka Beach Lots Subdivision, situated at Waialua, Oahu. Address: 66-347 Pikai Street Purpose: Building Setback	Jaime F. Alimboyoguen/ Rebecca S. Williams Trust	6-6-31:06
OA-1246	Proposed Shoreline Certification	Lots 65 and 66, Land Court Application 979 (Map 3), situated at Kahaluu, Oahu. Address: 47-83 Kamehameha Highway Purpose: Building Permit	Park Engineering/Joseph Meyer	4-7-19:50 & 51

POLLUTION CONTROL PERMITS

Department of Health Permits

Pursuant to HRS §342B and HAR §11-60.1, the following is 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 & Permit Number	Project Location	Pertinent Date	Proposed Use
Clean Air Branch, 586-4200, NonCovered Source Permit	Close Construction, Inc. CSP No. 0692-01-CT Initial Application	Various Temporary Sites State of Hawaii	Comments Due: 11/17/08	One (1) 350 TPH Mobile Impact Crusher and One (1) 600 TPH Mobile Screen
Clean Air Branch, 586-4200, NonCovered Source Permit	Tom's Backhoe & Excavation Co., Inc. CSP No. 0700-01-C Initial Application	Hana Highway Hana, Maui	Comments Due: 11/17/08	195 TPH Mobile Jaw Crusher with 160 HP Diesel Engine
Clean Air Branch, 586-4200, NonCovered Source Permit	Monsanto Company NSP No. 0676-01-N Modification Application	2 Numila Road, Kalaheo, Kauai	Issued: 10/14/08	Two (2) Fumigators and Four (4) Grain Dryers
Clean Air Branch, 586-4200, NonCovered Source Permit	Environmental Science International NSP No. 0682-01-N Initial Application	411 and 439 Pacific Street, Honolulu, Oahu	Issued: 10/16/08	Remediation of Petroleum-Contaminated Soil
Clean Air Branch, 586-4200, Covered Source Permit	Chevron Products Co. CSP No. 0082-01-C Renewal Application	933 North Nimitz Highway, Honolulu, Oahu	Issued: 10/20/08	Honolulu Transportation Terminal
Clean Air Branch, 586-4200, Covered Source Permit	U.S. Navy CSP No. 0424-01-C Renewal Application	Red Hill Water Pumping Station, Honolulu, Oahu	Issued: 10/20/08	One (1) 2.0 MW Combustion Turbine
Clean Air Branch, 586-4200, Covered Source Permit	Sphere, LLC dba Pacific Aggregate CSP No. 0703-01-C/CT	87-601 Paakea Road (Sand Plant), Waianae, Oahu Temporary Sites, State of Hawaii (Various Equip)	Comments Due: 11/26/08	Crushing and Screening Plants

FEDERAL NOTICES

Oceanic Institute Central Services Building (NEPA-EA)

Island: Oahu
 District: Koolaupoko
 TMK: (1)-4-1-14:04
 Applicant: Oceanic Institute, 41-202 Kalaniana'ole Highway, Waimanalo, HI 96795
 Approving Agency: U.S. Department of Agriculture, Authorized Departmental Officer, Grants Management Branch, Office of Extramural Programs, Cooperative State Research, Education & Extension Services, USDA, Washington, DC 20250-2245

Consultant: Wil Chee - Planning & Environmental, Inc., 1018 Palm Drive, Honolulu, HI 96814. Contact: Derek Yasaka or Brian Caleda, 596-4688
Permits: Special Management Area Use Permit & Building Permits

The Oceanic Institute (OI) is a facility that conducts research in applied aquaculture, supporting the development and sustainability of commercial aquaculture in Hawaii and the rest of the United States. The OI facility is in Waimanalo, on the windward side of Oahu. The facility's property is leased from Hawaii Department of Land and Natural Resources and is in the State Land Use Conservation District. OI proposes to construct a new Central Services Building (CSB) on a site located on the northwestern end of its property. The CSB will satisfy maintenance and service needs for OI. The structure will house an electrical shop, open work area, storage space, staffing quarters and a single-room office. Additionally, the CSB will fulfill the original requirements of Phase 1 of OI's Master Plan, combining the general services, maintenance and storage buildings in a single structure.

Potentially affected environmental factors are: air quality, acoustical environment, soil and biological resources. However, impacts are construction-related and short-term. Employment of Best Management Practices during construction should mitigate impacts. Long-term effects are insignificant and do not constitute a major federal action which affects the quality of the human environment.

Environmental Assessment for Development and Use of Military Training Facilities on Pohakuloa Training Area, Hawaii (NEPA-EA)

Island: Hawaii
District: Hamakua
TMK: 3-4-4-16-1, 3-4-4-16-5, 3-4-4-15-8
Applicant: Commanding Officer Marine Corps Base Hawaii, Building 216, Box 63002, Kaneohe Bay, HI 96863-3002. Contact: AC/S G-3 Dan Geltmacher, (808)257-8884
Approving Agency: US Army Garrison, Hawaii, 851 Wright Avenue, Wheeler Army Airfield, Schofield Barracks, HI 96857-5000. Contact: Peter Yuh, 656-6821
Comments: USAG-HI, Directorate of Public Works, Environmental Division (IMPC-HI-PWE), 947 Wright Avenue, Wheeler Army Airfield, Schofield Barracks, HI 96857-5013. Contact: Peter Yuh, 656-6821
Comment
Deadline: December 8, 2008

The US Marine Corps Base Hawaii has prepared an Environmental Assessment (EA) and draft Finding of No Significant Impact (FNSI) for the development and use of training facilities at Pohakuloa Training Area. The US Marine Corps must provide realistic training opportunities that simulate current and future battle environments to prepare Marines for combat duty. The proposed action consists of four projects that support emerging training initiatives and requirements: (1) development of a modular military operations in urban terrain facility to provide an urban warfare training environment, (2) development of a convoy live-fire range, (3) enhancement of three forward operating bases by constructing modular perimeter walls, and (4) construction of a grenade/shoot house facility. Based on the information analyzed, the EA concludes that the proposed development and use of training facilities would not result in significant adverse impacts direct, indirect, or cumulative impacts to any environmental, cultural, physical, or socioeconomic resource.

The EA and draft FNSI have been submitted to federal and state agencies for review and are available for public review at the Thelma Parker Library (67-1209 Mamalahoa Hwy., Kamuela), Hilo Public Library (300 Waiuanue Ave., Hilo), and the Hawaii State Library (478 South King Street, Honolulu). Copies can also be obtained by contacting Mr. Peter Yuh at (808) 656-6821. Written comments will be received and considered up to 30 days from the publication of this notice, and should be directed to: Directorate of Public Works, Environmental Division (IMPC-HI-PWE), ATTN: Mr. Peter Yuh, 947 Wright Avenue, Wheeler Army Airfield Schofield Barracks, HI 96857-5013.

Endangered and Threatened Wildlife and Plants; Listing 48 Species on Kauai as Endangered and Designating Critical Habitat

Agency: Fish and Wildlife Service, Interior. [Federal Register: October 21, 2008 (Volume 73, Number 204)]
Action: Proposed rule

- Summary:** The U.S. Fish and Wildlife Service (Service) proposes to list 48 species on the island of Kauai in the Hawaiian Islands as endangered under the Endangered Species Act of 1973, as amended (Act). The Service also proposes to designate critical habitat for 47 of these species totaling 27,674 acres. Critical habitat designation is not prudent for one species, *Pritchardia hardyi*, which is threatened by over-collection, vandalism, or other human activity. This proposed rule, if made final, would extend the Act's protections to these species.
- Dates:** Comments must be received on or before Dec. 22, 2008. We must receive requests for public hearings, in writing, at the address shown in the For Further Information section by Dec. 5, 2008.
- Comments:** Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments. U.S. mail or hand-delivery: Public Comments Processing, Attn: FWS-R1-ES-2008-0046; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, Suite 222; Arlington, VA 22203.
- For Further Information:** Patrick Leonard, Field Supervisor, Pacific Islands Fish and Wildlife Office, 300 Ala Moana Boulevard, Box 50088, Honolulu, HI 96850; tel: 808-792-9400; fax: 808-792-9581.

We intend that any final action resulting from this proposal will be based on the best scientific and commercial data available and be as accurate and as effective as possible. Therefore, we request comments or suggestions on this proposed rule from the public, other concerned governmental agencies, the scientific community, industry, or any other interested parties. We particularly seek comments concerning:

(1) Specific information on: The amount and distribution of habitat for the species included in this proposed rule, What areas currently occupied, and that contain features essential for the conservation of the species, we should include in the designation and why, and what areas not currently occupied are essential to the conservation of the species and why.

(2) Biological, commercial trade, or other relevant data concerning threats (or lack thereof) to these species.

(3) Additional information concerning the range, distribution, and population sizes of these species, including the locations of any additional populations of these species.

(4) Any information on the biological or ecological requirements of these species. The following information regarding the potential economic and other impacts of the proposed critical habitat designation is requested solely so that we may consider the potential effects of critical habitat designation in the final rule; this information will not be considered in the decision whether to list these 48 species.

(5) Land use designations and current or planned activities in the areas occupied by these species and their possible impacts on these species and proposed critical habitat.

(6) Which areas are appropriate as critical habitat for these species and why they should be proposed for designation as critical habitat.

(7) The reasons why we should or should not designate habitat as "critical habitat" under section 4 of the Act (16 U.S.C. 1531 et seq.), including whether the benefit of designation outweighs threats to the species caused by the designation, such that the designation of critical habitat for any particular species is prudent.

(8) Information on whether the draft economic analysis (DEA) identifies all State and local costs and benefits attributable to the proposed critical habitat designation, and information on any costs or benefits that we have overlooked.

(9) Information on whether the DEA makes appropriate assumptions regarding current practices and any regulatory changes likely if we designate critical habitat.

(10) Information on whether the DEA identifies all costs that could result from the critical habitat designation and whether you agree with the analysis.

(11) Information on whether the DEA correctly assesses the effect on regional costs associated with any land use controls that may result from the critical habitat designation.

(12) Information on areas that the critical habitat designation could potentially impact to a disproportionate degree.

(13) Economic data on the incremental costs of designating any particular area as critical habitat.

(14) Information on any quantifiable economic benefits of the designation of critical habitat.

(15) Whether the benefits of excluding any particular area from critical habitat outweigh the benefits of including that area in critical habitat under section 4(b)(2) of the Act.

(16) Information on economic impacts that have occurred since the previous economic analyses were completed relevant to critical habitat "overlap" areas, or that may occur in the future due to designation of critical habitat (see Economic Analysis, below, for details).

(17) Information on economic impacts relevant to areas where the proposed critical habitat does not overlap with existing critical habitat for other plants on the island of Kauai.

(18) Any foreseeable economic, national security, or other potential impacts resulting from the proposed critical habitat designation and, in particular, any impacts on small entities, and the benefits of including or excluding areas that exhibit these impacts.

(19) Whether we could improve or modify our approach to designating critical habitat in any way to provide for greater public participation and understanding, or to better accommodate public concerns and comments.

Withdrawal of Notice of Intent To Prepare an Environmental Impact Statement for the Manoa Watershed, Honolulu County, Hawaii

Agency: Natural Resources Conservation Service, Department of Agriculture. [Federal Register: October 22, 2008 (Volume 73, Number 205)]

Summary: Withdraw from publication the Notice of Intent dated Thursday, March 22, 2007, Federal Register/Vol. 72, No. 55, the Natural Resources Conservation Service (NRCS) announced its intention to prepare an Environmental Impact Statement (EIS) in accordance with the National Environmental Policy Act for the Manoa Watershed Plan to mitigate residential and commercial flooding in Manoa Valley, City and County of Honolulu, HI. The Manoa Watershed Plan and joint EIS would be prepared by NRCS, State Department of Land and Natural Resources, and the City and County of Honolulu. The EIS would evaluate the full range of alternatives to mitigate flooding of the magnitude experienced on October 30, 2004, when an intense rainstorm hit the upper Manoa Valley, causing nearly \$100 million in flood damage to residences, businesses, and facilities at the University of Hawaii. The Manoa Watershed project has not received funding in the 2007 and 2008 fiscal years. The Manoa Watershed area will be incorporated into the Ala Wai Canal Project, administered by the U.S. Army Corps of Engineers which will continue to pursue a flood protection plan for Manoa Valley.

For Further

Information: Lawrence T. Yamamoto, Director, Pacific Islands Area, Natural Resources Conservation Service, 300 Ala Moana Blvd., Room 4-118, P.O. Box 50004, Honolulu, HI 96850; Tel: (808) 541-2600, ext. 105.

Availability of Seats for the Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Council

Agency: Office of National Marine Sanctuaries (ONMS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration, Department of Commerce (DOC).

Summary: The Hawaiian Islands Humpback Whale National Marine Sanctuary (HIHWNMS or sanctuary) is seeking applicants for both primary and alternate members of the following seats on its Sanctuary Advisory Council (Council): Business/Commerce, Citizen-At-Large, Commercial Shipping, Conservation, Ocean Recreation, Tourism, and Whale Watching. The HIHWNMS is also seeking applicants for alternate members of the Native Hawaiian seat and the Fishing seat. Applicants are chosen based upon their particular expertise and experience in relation to the seat for which they are applying; community and professional affiliations; philosophy regarding the protection and management of marine resources; and possibly the length of residence in the area affected by the Sanctuary. Applicants who are chosen as members should expect to serve 2-year terms, pursuant to the Council's Charter with the exception of the Native Hawaiian and Fishing seat alternates who will serve 1-yr terms.

Dates: Applications are due by November 15, 2008.

Addresses: Application may be obtained from Christine Brammer, 6600 Kalaniana'ole Hwy., Suite 301, Honolulu, HI 96825 or Christine.Brammer@noaa.gov. Completed applications should be sent to the same address. Applications are also available online at <http://hawaiihumpbackwhale.noaa.gov>.

For Further

Information: Naomi McIntosh, 6600 Kalaniana'ole Hwy., Suite 301, Honolulu, HI 96825 or Naomi.McIntosh@noaa.gov or 808.397.2651.

GLOSSARY

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, Hawaii 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 SMA applications to encourage public input.

Shoreline Certifications

State law requires that Hawaii 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).