



# The Environmental Notice

February 23, 2009

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The Environmental Notice is available for public review on the 8<sup>th</sup> and 23<sup>rd</sup> of each month on OEQC's website, pursuant to Chapter 343-3, HRS

**OAHU (HRS 343)**

**1. Capo Reinforced Concrete Seawall (FEA)**

**Island:** Oahu  
**District:** Waialua  
**TMK:** 6-8-10:20  
**Applicant:** Gary Capo, 1948 Valley Park Avenue, Hermosa Beach, CA 90254  
**Approving Agency:** City and County of Honolulu, Department of Planning and Permitting, 650 South King Street, 7<sup>th</sup> Floor, Honolulu, HI 96813. Contact: Ann Asaumi, 768-8020  
**Consultant:** Analytical Planning Consultants, Inc., 928 Nuuanu Avenue, Suite 502, Honolulu, HI 96817. Contact: Don Clegg, President, 536-5695  
**Comments:** FEA accepted by the Approving Agency. There is no comment period  
**Permits:** Shoreline Setback Variance, Building, Zoning Variance or Zoning Adjustment

The applicant is seeking after-the-fact approval to retain a reinforced concrete seawall system with returns at the left and right property boundaries that connect with a stairway and concrete fill, and tile and concrete walls, within the shoreline setback area. The maximum height of the seawall is six feet and six inches high as measured along its exposed face from the existing beach sand. The concrete seawall forms the 61.21-foot makai boundary of the property and connects with existing seawalls on both sides of the property, for which Shoreline Setback Variance approvals are being sought for their retention.

The project site is located at 68-687 Farrington Highway and contains a single-family dwelling. The makai side of Farrington Highway along this stretch of Mokuleia is developed with single-family homes. The sand beach along this portion of the Mokuleia coastline has a history of erosion. The 9,906-square-foot lot has lost approximately 3,005 square feet of land to erosion.

The project proposal will require approval of a Shoreline Setback Variance, building permits, and a Zoning Variance or Zoning Adjustment.

**2. Gregory Michaels Reinforced Concrete Seawall (FEA)**

**Island:** Oahu  
**District:** Waialua  
**TMK:** 6-8-10:21  
**Applicant:** Gregory B. Michaels, 27515 Enterprise Circle West, Temecula, CA 92590  
**Approving Agency:** City and County of Honolulu, Department of Planning and Permitting, 650 South King Street, 7<sup>th</sup> Floor, Honolulu, HI 96813. Contact: Ann Asaumi, 768-8020  
**Consultant:** Analytical Planning Consultants, Inc., 928 Nuuanu Avenue, Suite 502, Honolulu, HI 96817. Contact: Don Clegg, President, 536-5695  
**Comments:** FEA accepted by the Approving Agency. There is no comment period  
**Permits:** Shoreline Setback Variance, Building, Zoning Variance or Zoning Adjustment

The applicant is seeking after-the-fact approval to retain a reinforced concrete seawall with a return at the left property boundary, recessed stairs, and a tile wall along the east property boundary within the shoreline setback area. The project site is located at 68-689 Farrington Highway and contains a single-family dwelling. The makai side of Farrington Highway along this stretch of Mokuleia is developed with single-family homes. The concrete seawall forms the 62-foot makai boundary of the property and connects with existing seawalls on either side of the applicant's property. The sand beach along this portion of the Mokuleia coastline has a history of erosion. The 6,428 square-foot lot has lost approximately 2,898 square feet of land to erosion. The project proposal will require approval of a Shoreline Setback Variance, building permits, and a Zoning Variance or Zoning Adjustment.

### **3. Princess Kaiulani Renovation & Development and the Replacement of the Moana Surfrider Hotel Diamond Head Tower with a New Tower (EISPN)**

**Island:** Oahu  
**District:** Honolulu  
**TMK:** 2-6-22:1, 41 (Princess Kaiulani); and 2-6-1:12, 13 (Moana/Diamond Head Tower)  
**Applicant:** Kyo-ya Hotel & Resorts, LP (Kyo-ya), 2255 Kalakaua Avenue, Honolulu, HI 96816. Contact: Gregory Dickhens, 931-8686

**Approving Agency:** Department of Planning and Permitting, 650 South King Street, Honolulu, HI 96813. Contact: Sharon Nishiura, 768-8031

**Consultant:** Kusao & Kurahashi, Inc., 2752 Woodlawn Drive, Suite 5-202, Honolulu, HI 96822. Contact: Ardis Shaw, 988-2231

**Comments:** EISPN pending 30-day comment. Address comments to the Applicant, with copies to the Accepting Authority, Consultant and OEQC

**Permits:** Planned Development-Resort, Waikiki Special District Permit (Major), Special Management Area Use Permit, Shoreline Setback Variance, State Water Use Permit, Conditional Use Permit (Minor), Trenching Permit, Grading Permit, Building Permit, National Pollutant Discharge Elimination Permit, Shoreline Certification, Construction Noise Permit

The applicant, Kyo-ya, proposes (i) renovation and redevelopment of the Princess Kaiulani site and (ii) replacement of the Moana Surfrider Diamond Head Tower with a new tower. The redevelopment of the Princess Kaiulani site includes upgrading the existing 666-unit Ainahau Tower, and replacing most of the remaining structures on the property, including the 474 existing hotel rooms in the Princess and Kaiulani Towers, with: (a) a new podium level development, which will include retail, food and beverage establishments, recreational amenities, lobby areas and motor court, about 100 parking spaces and other improvements related to hotel and residential uses; (b) a new 34-story Pikake Tower consisting of about 200 condo-hotel units and 70 residences; and (c) a new parking structure which will include about 649 parking spaces for the Princess Kaiulani project and the Moana Hotel, meeting space, pool, and food and beverage facilities.

The Moana Surfrider Hotel (Moana) development site includes the Surfrider Tower, the Banyan Wing, and the Diamond Head Tower. However, new development will be restricted to the portion of the site with the existing Diamond Head Tower. The existing Diamond Head Tower, consisting of 141 hotel units (built in 1952), will be replaced with a new 26-story Diamond Head Tower, consisting of about 195 hotel suites and 43 residences, retail, food and beverage, and recreational amenities, and other back-of-house facilities to serve the project. This new tower will not alter the historic Banyan Wing. The Draft EIS will address project impacts in greater detail, as well as other impacts such as those related to traffic, water demand, wastewater demand, drainage, solid waste disposal, and historical, archaeological and cultural resources.

The development at each of the sites will be constructed over a period of about 24 to 48 months. Construction is anticipated to begin once the applicant receives all of the required approvals.

### **4. Film and Digital Media Center (DEA)**

**Island:** Oahu  
**District:** Honolulu  
**TMK:** 3-1-42: por 09 and 33

**Proposing Agency:** Department of Business, Economic Development & Tourism, Hawaii Film Office, 250 South Hotel Street, Suite 510B, Honolulu, HI 96813. Contact: Donne Dawson, 586-2567

**Approving Agency:** Department of Accounting and General Services, PO Box 119, Honolulu, HI 96810. Contact: Brian S. Isa, 586-0484

**Consultant:** Group 70 International, Inc., 925 Bethel Street, 5th Floor, Honolulu, HI 96813. Contact: George Atta, 523-5866

**Comments:** DEA pending 30-day comment. Address comments to the Proposing Agency, with copies to the Consultant and OEQC

**Permits:** Special Management Area, Special District

The State Department of Business, Economic Development and Tourism is proposing to develop a high-tech center which will function as a digital media incubator for early stage digital media startups and as an educational resource for the University of Hawaii. The project is the Film and Digital Media Center located on a portion (1.9 acres) of the existing Hawaii Film Studio near Diamond Head, Kaimuki.

The proposed Film and Digital Media Center will be a three-story structure and will take up approximately 47,730 square feet of floor area. The facility be a LEED certified facility and will consist of soundstages (filming), a stage mill/production facility (for constructing film sets), classrooms offices, dressing/make-up rooms, dubbing/editing rooms, a computer hub, equipment storage, lobby and a cafe with a small kitchen. The project also proposes to demolish the Existing Soundstage No. 1 and the four existing office buildings (A, B, C, and D) in the project area. The Film and Digital Media Center will replace the existing Soundstage No. 1, and the area where the four office buildings are currently located will be landscaped with grasscrete and kept as open space for overflow parking. Additional site and surface improvements, including realignment of the exiting parking areas and construction of a previously approved 2-story parking structure at the site of the existing 100-stall parking lot, will support parking, loading and circulation requirements.

No significant impacts are anticipated from the proposed development. Construction-related traffic, air, and noise impacts will be short-term in nature.

The acceptance of a Final EA is required for the project as it utilizes State funds and is located on State lands. A Finding of No Significant Impact (FONSI) is anticipated.

## **MAUI (HRS 343)**

### **5. Kaheawa Wind Power II (DEIS)**

**Island:** Maui  
**District:** Lahaina  
**TMK:** 4-8-01:01 and 3-6-01:14  
**Applicant:** Kaheawa Wind Power II LLC, c/o First Wind, 33 Lono Avenue, Suite 380, Kahului, HI 96732. Contact: Noe Kalipi, 873-0111  
**Approving Agency:** Dept of Land and Natural Resources, Office of Conservation & Coastal Lands, P.O. Box 621, Honolulu, HI 96809. Contact: Sam Lemmo, 587-0381  
**Consultant:** Planning Solutions, Inc., 210 Ward Avenue, Suite 330, Honolulu, HI 96814. Contact: Perry J. White, 550-4483  
**Comments:** DEIS notice pending 45-public comment. Address comments to the Applicant, with copies to the Accepting Authority, Consultant and OEQC  
**Permits:** CDUP, NPDES NOI-C, FAA Clearance, ESA Section 10 Permit, State Incidental Take License, PUC Approval

Kaheawa Wind Power II LLC is proposing to construct and operate a 21 megawatt (MW) wind power generating facility and related improvements at Kaheawa Pastures above Maalaea, Maui, Hawaii. This would be done using 14 General Electric 1.5 MW wind turbine generators (WTGs) that are nearly identical to the 20 WTGs that are already operating there.

Adverse short-term construction impacts include increased vehicular traffic, removal of existing grassland, soil erosion due to grading, noise and air emissions from construction equipment, and disturbance of habitat. Positive effects include construction expenditures and employment. Once in operation, WTGs have the potential to affect avian fauna and bats (including endangered species) and to increase sound levels in the immediate area. Mitigation measures provided for in the project's Habitat Conservation Plan will provide a net benefit to the endangered species. The project will make it possible to reduce emissions of green house gases and other air pollutants. It will also help stabilize electricity prices.

The project would not promote significant growth or changes in the character of economic activity on Maui (e.g., the opening of new industries not previously practical) that might have secondary impacts. Likewise, the project will generate only a few new long-term jobs. Hence, it does not have the ability to cause significant secondary impacts. No other projects are likely to affect these species in a way that would produce cumulative impacts.

## 6. Hana Highway Improvements – Uakea Road to Keawa Place (DEA)

**Island:** Maui  
**District:** Hana  
**TMK:** 2-1-4-03:09, 2-1-4-06:03  
**Proposing Agency:** State Department of Transportation – Highways Division, 650 Palapala Drive, Kahului, HI 96732. Contact: Charlene Shibuya, Project Manager, (Phone) 873-3535, Fax: (808) 873-3544, Email: [Charlene.Shibuya@Hawaii.Gov](mailto:Charlene.Shibuya@Hawaii.Gov)  
**Approving Agency:** Same  
**Consultant:** M&E Pacific, Inc., 841 Bishop Street, Suite 1900, Davies Pacific Center, Honolulu, HI 96813. Contact: Diane Kodama, P.E., Phone: (808) 521-3051, Fax: (808) 524-0246  
**Comments:** DEA pending 30-day comment. Address comments to the Proposing Agency, with copies to the Consultant and OEQC  
**Permits:** CDUA, NPDES, Work in Right-of-Way

This project proposes to widen the roadway at the bridge/box culvert adjacent to the County Baseyard on Route 360 Hana Highway near the intersection with Uakea Road (MP 33.88). These improvements will provide a safer and more effective facility for public use. Proposed strategies for the project will include replacing the existing one-lane bridge with a wider, two-lane bridge. Impacts from this project will include partial or complete road closures during the construction period and impacts derived from construction activities. Partial and complete road closures will be scheduled in a manner that minimizes disruption to motorist travel. The road will be detoured around the project site so as not to affect anticipated traffic demand during times when residents are traveling to and from work or during typical sightseeing hours. Impacts resulting from construction activities will be minimized through the use of Best Management Practices such as berms, silt fences, sedimentation ponds, etc.

Construction is anticipated to occur in Fall 2009 and the project will utilize 100% State Highways funds.

## 7. Hawaiian Cement Puunene Well (FEA)

**Island:** Maui  
**District:** Wailuku  
**TMK:** (2) 3-8-08:31 (por.)  
**Applicant:** Hawaiian Cement, Maui Concrete & Aggregate Division, P.O. Box 488, Kahului, HI 96733-6988. Contact: David Gomes, 871-7004  
**Approving Agency:** Department of Land and Natural Resources, Land Division, P.O. Box 621, Honolulu, HI 96809. Contact: Morris Atta, 587-0422  
**Consultant:** Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793. Contact: Colleen Suyama, 244-2015  
**Comments:** FEA accepted by the Approving Agency. There is no comment period  
**Permits:** Pump Installation Permit and Pump Installation Completion Certificate

Hawaiian Cement is a construction material company supplying concrete and aggregates to Hawaii's major islands. Hawaiian Cement currently leases lands in the vicinity of the former Maui Airport in Puunene from the State of Hawaii for its rock quarry, including concrete and asphalt batching, rock crushing, and related operations. Hawaiian Cement also subleases portions of these lands to other construction material manufacturers.

Hawaiian Cement is in need of a non-drinking water supply for its day-to-day, onsite operations (e.g. dust control). In order to develop adequate non-drinking water supply, Hawaiian Cement constructed and drilled at its Puunene site an exploratory well, which was completed on June 5, 2007. Hawaiian Cement proposes to convert this existing exploratory well into a production well. The approval of a Well Completion Report Part II, as well as the granting of a water lease from the State Department of Land and Natural Resources, Commission on Water Resource Management (CWRM), will be needed to complete the regulatory process to implement the well-source. In order to secure approval from the CWRM, the Draft Environmental Assessment has been prepared since the site is located on State-owned lands.

## 8. [Kapunakea Preserve \(FEA\)](#)

**Island:** Maui  
**District:** Lahaina  
**TMK:** 4-4-07-01; 03; 07; and 08  
**Applicant:** The Nature Conservancy, 81 Makawao Ave., Suite 203A, Pukalani, HI 96768. Contact Mark White, 856-7664  
**Approving Agency:** Dept of Land and Natural Resources, Division of Forestry and Wildlife, 1151 Punchbowl Street, Room 325, Honolulu, HI 96813. Contact: Randy Kennedy, 587-0054  
**Comments:** FEA accepted by the Approving Agency. There is no comment period  
**Permits:** CDUP

The Nature Conservancy (TNC) proposes to protect an approximate 1,264 acre watershed area, flora and fauna through: 1) feral ungulate control (construction of fences, surveying, trapping, snaring, eradication, strategic fencing); 2) weed control (controlling established weeds in intact native communities, re-vegetation, preventing the introduction of alien species through manual/chemical means, releasing biocontrol agents, monitoring); 3) small mammal control (studies, aerial rodenticide); 4) monitoring (monitoring transects, data gathering, aerial scouting); 5) education (educational field trips); 6) research (research, data collection); and 7) maintenance and operations (foot trails, signage, small scale shelters, small storage facilities, operations and landing of helicopters on designated Landing Zones (LZ), fires suppression programs). The TNC has the following goals and objectives over the next six years: 1) ungulate control; 2) invasive plant control; 3) small mammal control; 4) resource monitoring; 5) rare species protection and research; 6) community outreach; and 7) watershed partnerships.

Rare plants on the subject parcel include: *Acacia koaia* (koa'oha), *Alectryon macrococcus* var. *micrococcus* ('ala'alahua mahoe), *Alphitonia ponderosa* (kauila, kauwila, oa), *Argyroxiphium caliginis* (eke silversword), *Bobea sandwicensis*, *Bonamia menziesii*, *Calamagrostis expansa*, *Chamaesyce arnottiana* var. *integrifolia*, *Chamaesyce olowaluana* ('akoko), *Clermontia oblongifolia* sbsp. *mauiensis* ('oha), *Colubrina oppositifolia* (kauila), *Ctenitis squamigera* (pauoa), *Cyanea glabra*, *Cyanea lobata* subsp. *lobata*, *Cyrtandra filipes*, *Cyrtandra munroi*, *Eurya sandwicensis* (anini, wanini), *Exocarpos gaudichaudii* (heau), *Geranium hillebrandii* (nohoanu, hinahina), *Hibiscus kokia* ssp. *Kokio* (koki'o 'ula'ula), *Kadua* (formerly *Hedyotis*) *Formosa*, *Keysseria* (formerly *Lagenifera maviensis*)(howaiulu), *Liparis hawaiiensis* (Jewel orchid), *Melicope orbicularis* (alani), *Myrsine vaccinioides* (kolea), *Neraudia melastomifolia* (ma'aloa, ma'aloa, 'oloa), *Nothocestrum latifolium* ('aiea), *Phyllostegia bracteata*, *Phyllostegia stachyoides*, *Platanthera holochila*, *Ranunculus mauianus* (makou), *Santalum freycinetianum* var. *freycinetianum* ('ilihi, sandalwood). Native forest birds include: 'apapane; l'iwi; 'amakihi; and pueo. Rare Hawaiian tree snails include: *Partulina perdix*, *P. tappaniana*, *P. crocea*, *Perdicella kuhnsi*. The applicant notes that neither archeological and historical resources nor Native Hawaiian rights would be adversely affected by the proposed project.

## MOLOKAI

### 9. [Pelekunu Preserve Natural Area Partnership \(FEA\)](#)

**Island:** Molokai  
**District:** Molokai  
**TMK:** 5-4-3:32; 5-9-7:17; 5-9-6:11; 5-9-7:1, 4, 11, 14, 16, 21, 24, 30-33; 5-9-8:5, 7, 10, 12  
**Applicant:** The Nature Conservancy of Hawaii, Molokai Program - PO Box 220, Kualapuu, HI 96757. Contact: Kathleen Tachibana, 954-6580  
**Approving Agency:** Division of Forestry and Wildlife, Department of Land and Natural Resources, 1151 Punchbowl St. Room 325, Honolulu, HI 96813. Contact: Randy Kennedy, Native Ecosystems Protection and Management Manager, 587-0054  
**Comments:** FEA accepted by the Approving Agency. There is no comment period  
**Permits:** BLNR

The Nature Conservancy (TNC) proposes to continue a long-term management agreement with the Department of Land and Natural Resources, Division of Forestry and Wildlife, to manage the 5,759 acre Pelekunu Preserve on the island of Molokai through the Natural Area Partnership Program (NAPP). The State's NAPP is an

innovative program that aids private landowners in the management of their native ecosystems. NAPP provides matching funds (\$2 state to \$1 private) for the management of qualified private lands.

Pelekunu Preserve contains an “exemplary” Hawaiian Continuous Perennial Stream, and coastal, lowland, and montane grassland, shrubland, and forest types. Without proactive stewardship, the preserve faces a degradation of native Hawaiian ecosystems and the possible extinction of rare and endangered Hawaiian natural communities, plants, and animals. To guard against these possibilities, the proposed management for the next six years includes feral animal control (which may include strategic fencing), invasive weed control, rare species protection, community outreach, monitoring, research and maintenance. Mitigation measures to prevent the spread of weeds, soil contamination, and effects from helicopters will be employed. Anticipated positive impacts of the proposed project include protection of native species, decreased erosion, improved waters quality, and increased public awareness of Molokai’s native natural resources.

## **HAWAII (HRS 343)**

### **10. Ahu Lani Sanctuary Reforestation Project (FEA)**

**Island:** Hawaii  
**District:** Hamakua  
**TMK:** 4-4-13:10  
**Proposing Agency:** Department of Land and Natural Resources, Division of Forestry and Wildlife, 1151 Punchbowl Street, Room 325, Honolulu, HI, 96813. Contact: Irene Sprecher, 587-4167  
**Approving Agency:** Same  
**Consultant:** John Lindelo, P.O. Box 61449, Honolulu, HI 96839  
**Comments:** FEA accepted by the Approving Agency. There is no comment period  
**Permits:** None

The proposed action is a long-term reforestation project funded in part by the State Forest Stewardship Program. The project will include the building of a new fence along the western boundary of the property to protect the current extent of forest resources as well as future out-planted species from managed and feral ungulates damage. The primary tree species that will be out-planted is *Acacia koa* (koa) along with a variety of native understory ground cover species. The project will involve sustainable harvest of selective trees using best management practices. Selective harvest is expected in 30 to 60 years from project initiation. A Forest Stewardship management plan has been approved by the State Forest Stewardship Advisory Committee. The proposed project is expected to produce positive benefits for the environment and local communities. Temporary impacts during the restoration period will be mitigated with the use of the Department of Land and Natural Resources’ Best Management Practices.

### **11. Pier 2A Shed Demolition and Container Yard Improvements at Kawaihae Harbor, Hawaii (FEA)**

**Island:** Hawaii  
**District:** South Kohala  
**TMK:** (3) 6-1-03:23 (por), 36 (por), 52, and 64  
**Proposing Agency:** State Department of Transportation, Harbors Division/United States Department of Transportation Maritime Division, 79 South Nimitz, Honolulu, HI 96822. Contact: Wade Takamoto, 587-1959  
**Approving Agency:** Same  
**Consultant:** Helber Hastert & Fee, Planners, Pacific Guardian Center, Makai Tower, 733 Bishop Street, Suite 2590, Honolulu, HI 96813. Contact: Scott Ezer, 545-2055  
**Comments:** FEA accepted by the Approving Agency. There is no comment period  
**Permits:** Grading Permit and NPDES

The Hawaii State Department of Transportation (“H-DOT”) Harbors Division, in partnership with the United States Department of Transportation (US DOT), Maritime Administration, propose minor improvements (the “Proposed Action”) to Kawaihae Harbor as follows:

- Demolish and remove an Overseas Transit Shed (“OTS”) at Pier 2A
- Strengthen the pavement under the old OTS footprint, and provide a smooth paved transition apron area to the adjoining container storage yard (0.7 acres)
- Pave an adjoining container chassis storage yard (3.1 acres)
- Provide utilities upgrades, including appropriate overhead lighting, and replacement of an ADA accessible restroom

Kawaihae Harbor has two commercial piers (Piers 1 and 2) with a total of 26.3 acres of cargo handling and storage areas, which accommodate both overseas and interisland cargo. This area is insufficient to meet projected needs, but sufficient land is available for expansion of these areas. Acreage requirements for efficient 2020 operations are forecast to require container yards for 21 acres of overseas cargo and 22 acres of interisland cargo, so 16.7 acres of additional cargo staging space will eventually be required.

The Pier 2A / 2B area has experienced increasing container cargo traffic loads exacerbated by the recent earthquake damage which removed Pier 1 from service. The current Pier 2A configuration, dominated by an old, centrally-located Overseas Transit Shed, is operationally inefficient, causing interference between the interisland container operations of Young Brothers, Ltd. (“YBL”) and Matson Navigation Co. The Pier 2A OTS is no longer required and is an impediment to efficient loading and discharge of freight. Removal of the OTS will: (1) open up 0.7 acres in the heaviest traffic area for the unloading of interisland cargo by YBL; (2) significantly improve the container movement traffic patterns at the port, and (3) allow for utilities (especially lighting) improvements which will enhance worker safety. The follow-on paving of 3.1 acres of additional yard area will provide additional cargo staging and storage space. These actions take place on State-owned fill land, and no 4(f) lands are affected. No buildings or in-water work are proposed. No significant impacts to harbor navigation or commercial or recreational boating are anticipated.

Alternatives considered included OTS demolition and repaving the 0.7-acre OTS apron only and No Action. Potential construction period impacts include noise, fugitive dust emissions, and construction traffic. These impacts would be mitigated through implementation of best management practices. No adverse impacts are anticipated to the following resources: Geology, Climate, Topography, Soil, Flora, Fauna, Water Resources, Marine, Wetland, or Terrestrial Ecosystems, Visual Resources, or archaeological and cultural resources. Any activity which disturbs original soils would be conducted under an approved Archeological Monitoring Plan. No long-term increase in traffic is anticipated as a result of this action. The Proposed Action and alternatives are consistent with public plans, policies and controls.

Cumulative impacts were assessed by examining the project in relationship to other planned projects in the region. The Proposed Action supports interisland cargo, and does not include U.S. Army or Hawaii Superferry actions or operations, which will be covered by specialized compliance documentation. This EA was prepared under the provisions of both Hawai’i Revised Statutes (“HRS”) Chapter 343, the State Environmental Impact Statement Law, and the National Environmental Policy Act of 1969, 42 United States Code (USC) §4321, as implemented by the Council on Environmental Quality regulations, 40 Code of Federal Regulations (“CFR”) Parts 1500-1508. A Finding of No Significant Impact (“FONSI”) has been issued for both HRS, Chapter 343, and NEPA.

## 12. [Portable Buildings, University of Hawaii at Hilo](#) (DEA)

**Island:** Hawaii  
**District:** South Hilo  
**TMK:** (3) 2-4-1: por 167  
**Proposing Agency:** University of Hawaii at Hilo, 200 W. Kawili Street, Hilo, HI 96720. Contact: Mr. Lo-Li Chih, 974-7595  
**Approving Agency:** Same  
**Consultant:** Belt Collins Hawaii Ltd., 2153 North King Street, Honolulu, HI 96819. Contact: Glen Koyama, 521-5361  
**Comments:** DEA pending 30-day comment. Address comments to the Proposing Agency, with copies to the Consultant and OEQC

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**Permits:** Plan Approval, Building Permit, and Grading Permit

The University of Hawaii at Hilo is proposing to construct four portable buildings on an approximately 1.6-acre site within its main campus in Hilo. The new buildings will contain office spaces, stand-by classrooms, restrooms, and storage/utility rooms. The buildings will be interconnected with ground-level and elevated pedestrian walkways, ramps, and steps, and will meet Americans with Disabilities Act requirements.

The new buildings will be staffed by existing University personnel and will not result in a need for additional staff parking, faculty housing, and support services. Water service will be provided from an existing water line at the adjacent Student Life Center site, and a sewer connection will be to an existing line in the nearby Nowelo Street. Both connections are within the University campus. Electricity and telephone services will be available from adjacent University facilities. The proposed site is currently vacant but has been altered from previous construction activities of adjacent University facilities. There are no surface archaeological features, nor sensitive environmental habitats on the property.

Construction of the new buildings is projected to begin in early 2009 after all land use, environmental, and construction permits are secured. Construction would be completed approximately four months thereafter. Preliminary construction cost estimate for the new buildings is \$2.6 million, which is expected to be financed by the State. Required permits include Plan Approval, Building Permit, and Grading Permit from the County of Hawaii.

**13. [Kaloko Housing Program \(FEA\)](#)**

**Island:** Hawaii  
**District:** North Kona  
**TMK:** 3-3-09:55  
**Proposing Agency:** County Office of Housing and Community Development, 50 Wailuku Drive, Hilo HI 96720. Contact: Chris Fujiuchi, 961-8379  
**Approving Agency:** Same  
**Consultant:** Geometrician Associates, PO Box 396, Hilo HI 96721. Contact: Ron Terry, 969-7090  
**Comments:** FEA accepted by the Approving Agency. There is no comment period  
**Permits:** COUNTY: Planning: Plan Approval; Public Works Department: Building Division Approval and Building Permit, Grading Permit; STATE; Department of Health: NPDES

The County of Hawaii 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 Maiiau 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.

**14. [Ahi Aquaculture Project \(DEIS\)](#)**

**Island:** Hawaii  
**District:** North Kohala  
**TMK:** 247 acres of State Marine Waters off of the North Kohala Coast, approximately three miles (2.6 nautical miles) due southwest of Malae Point. The centerpoint is located at 20°05'40.00" N

- 155°55'40.00" W. The four corners are located at 20°05'53.72" N 155°55'55.68" W; 20°05'53.72" N 155°55'24.36" W; 20°05'26.04" N 155°55'24.36" W; and 20°05'26.04" N 155°55'55.68" W.
- Applicant:** Hawaii Oceanic Technology, 425 South Street, Suite 2902, Honolulu, HI 96813. Contact: Bill Spencer, Chief Executive Officer, Tel: 225-3579, Fax: 528-4751
- Approving Agency:** Department of Land and Natural Resources, Office of Conservation and Coastal Lands, 1151 Punchbowl Street, Honolulu, HI 96813. Contact: Chair Laura Thielen, Tel: 587-0377, Fax: 587-0390
- Consultant:** Tetrattech, 737 Bishop Street, Suite 3020, Honolulu, HI 96813. Contact: George Redpath, 533-3366
- Comments:** DEIS notice pending 45-public comment. Address comments to the Applicant, with copies to the Accepting Authority, Consultant and OEQC
- Permits:** US Army Corps of Engineers: Department of Army Permit under Section 10, Rivers and Harbors Act; US Coast Guard: Special Use Permit; DLNR: State Conservation District Use Permit; DOH: National Pollution Discharge Elimination System Permit & Zone of Mixing Permit; DLNR and DOA: Aquaculture License

Hawaii Oceanic Technology, Inc. proposes to produce Yellowfin and Bigeye tuna in which the fingerlings are grown in land-based tanks then grown out to market size in offshore submerged cages, that are self-powered un-tethered "Oceanspheres." The proposed ocean lease site is a one square kilometer (247-acre) site, located 2.6 nautical-miles offshore Malae Point, North Kohala which is outside of the designated whale sanctuary. Twelve Oceanspheres will be deployed incrementally over four years, culminating with an annual production capacity of 6,000 tons.

The land base for operations and maintenance equipment, vessels, and staff will be Kawaihae Commercial Harbor. Tuna will be harvested at sea for transshipping through Kawaihae or Hilo Harbor to existing processing and packaging vendors for air-freight to US mainland, Japan, and Hawaii markets.

The direct beneficial effects are added export revenue to the local economy and job creation. Positive effects also include relieving pressure on dangerously overexploited species of tunas. No adverse impacts are anticipated to Geology, Sediments, Soils and Topography, Land Use and Aesthetics, Water Quality, Biological Resources, Traffic and Transportation, Air Quality, Socioeconomic Conditions, Human Health and Safety, Archeological and Cultural Resources.

The water depth, distance from shore, and operational best management practices will mitigate any potential adverse impacts. Oceanspheres don't present any potential entanglement concerns for marine mammals and sea turtles. On-going water quality monitoring, and management plans for marine mammals, sea turtles, and sharks and emergency management will ensure regulatory compliance.

The Proposed Action is consistent with the land use State Plan, the Agriculture Functional Plan, and the Conservation Lands Functional Plan. All proposed land uses at the base are commercial operations and are consistent with Kawaihae Commercial Harbor requirements. The Region of Influence (ROI) for the entire operation is the project's proposed ocean lease area itself, as well as the leased land at Kawaihae Commercial Harbor.

## **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](mailto:jnakagaw@dbedt.hawaii.gov) or Fax: (808) 587-2899.

**Haleiwa Small Boat Harbor Maintenance Dredging, Oahu**

Federal Action: Federal Agency Activity  
Federal Agency: U.S Army Corps of Engineers  
Contact: Ms. Jessica Podoski, 438-1680  
Location: Waialua Bay, Oahu  
TMK: 6-6-2:4, 5; 6-2-3:10, 11  
CZM Contact: John Nakagawa, 587-2878, [jnakagaw@dbedt.hawaii.gov](mailto:jnakagaw@dbedt.hawaii.gov)  
Proposed Action: Conduct maintenance dredging of approximately 6,500 cubic yards of material from the Federal channel at the Haleiwa Small Boat Harbor. The proposal calls for using mechanical dredging methods and a dredge barge, and also establishing a temporary stockpile and dewatering area at the harbor. The dredged material is to be disposed of at upland locations. This proposal does not involve new construction.

Comments Due: March 9, 2009

**Waianae Small Boat Harbor Maintenance Dredging, Oahu**

Federal Action: Federal Agency Activity  
Federal Agency: U.S Army Corps of Engineers  
Contact: Ms. Jessica Podoski, 438-1680  
Location: Pokai Bay, Oahu  
TMK: 8-5-2:144  
CZM Contact: John Nakagawa, 587-2878, [jnakagaw@dbedt.hawaii.gov](mailto:jnakagaw@dbedt.hawaii.gov)  
Proposed Action: Conduct maintenance dredging of approximately 2,000 cubic yards of material from the Federal channel at the Waianae Small Boat Harbor. The proposal calls for using mechanical dredging methods and a dredge barge, and also establishing a temporary stockpile and dewatering area at the harbor. The dredged material is to be disposed of at upland locations. This proposal does not involve new construction.

Comments Due: March 9, 2009

**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).

<b>Special Management Area (SMA) Minor Permits</b>		
<b>Location (TMK)</b>	<b>Description (File No.)</b>	<b>Applicant/Agent</b>
Oahu: Kahe Point (9-2-3: Portion of 27)	Kahe Power Plant Overhaul Engineers Office (2008/SMA-53)	Hawaiian Electric Company
Oahu: Kahe Point (9-2-3: Portion of 27)	Kahe Power Plant Diesel Storage Tank Addition for Kahe 5 and 6 (2008/SMA-57)	Hawaiian Electric Company
Oahu: Wailehua Road (4-7-14: 28 )	Employee Off-site Parking Lot Improvements (2008/SMA-64)	Gomes School Bus Service, Ltd. /CJS Architects
Oahu: Kaneohe (4-6-8:8 )	Marcelina Mendoza Bedroom Extension (2009/SMA-2)	Marcelina Mendoza
Oahu: Makaha (8-4-4:6)	Modification of an Existing Telecommunication Facility (2009/SMA-6)	Clearwire, LLC/Cascadia PM, LLC
Hawaii: North Kona (7-5-019:03)	Construction of Second Floor Lanai (SMM 09-97)	Timothy E Bruya
Kauai: Kapaa (4-5-12)	ADA Sidewalks & Signage Installation per DOJ Settlement (SMA(M)-2009-7)	County of Kauai, Department of Public Works
Kauai: Hanalei (5-5-03)	Enclosed 360 Square Feet Storage Shed/Workshop	Kevin Pentilla & Roberta Clemens
Maui: Kaiani (3-9-2:91; 3-9-2:134)	Mailbox Trellis (SM2 20090004)	Kaiani Village

Maui: Wailuku (3-8-14:4)	Public Safety Shoreline Repairs (SM2 20090005)	Kanai A Nalu Aoao
Maui: Paia (2-6-4:14)	Install Water Well (SM2 20080006)	Wayne I Arakaki Engineer, LLC
Maui: (2-7-13:76)	Walkway to Connect Upper to Lower Area (SM2 20090007)	Wong, Wilbur & Socorro

**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-1288	1/29/09	Lot 157 as shown on Map 26 and Lot 297 as shown on Map 45 of Land Court Application 1069 situate at Honouliuli, Ewa, Oahu Address: 91-295 Papipi Road Purpose: Shoreline determination	Park Engineering/ Haseko (Ewa), Inc.	9-1-11:06 & 07
OA-1289	2/5/09	Lot 11729 as shown of Map 846 and Lot 17865 as shown on Map 1376 of Land Court Application 1069 situate at Honouliuli, Ewa, Oahu Address: 91-101 Papipi Road Purpose: Shoreline determination	Park Engineering/ Haseko (Ewa), Inc.	9-1-134:07 & 14
OA-1290	2/3/09	Por. Lot C being a Por. of Lots 57 and 58 Mokuleia Beach Subdivision (File Plan 863) situate at Kamananui, Waialua, Oahu Address: 68-171 Au Street Purpose: Development of property	Dennis K. Hashimoto/ Arthur Kobayashi	6-8-11:41 001
OA-1291	2/6/09	Lot 93 Land Court Application 323 as shown on Map 20 situate at Kailua, Koolaupoko, Oahu Address: 420 E and 426 North Kalaheo Drive Purpose: Obtain building permit	Wesley T. Tengan/ David Diberardino and Kristine Furukawa	4-3-17:16
OA-1292	2/10/09	Lot 333 Land Court Application 323 as shown on Map 192 situate at Kailua, Koolaupoko, Oahu Address: 430 E North Kalaheo Drive Purpose: Obtain building permit	Wesley T. Tengan/ Alison Danz	4-3-17:18
MA-423	2/4/09	Portion of Government Beach Reserve situate at Kamaole, Kula, Maui Address: 2192 Iliili Road Purpose: Development of subject parcel	Akamai Land Surveying, Inc./ Maui Beach Place, LLC	3-9-05:33
MA-424	2/9/09	Lot 44-B Mailepai Hui Partition being a portion of Royal Patent 1663, Land Commission Award 5524 to L. Konia situate at Alaelo, Kaaanapali, Lahaina, Maui Address: 4855 Lower Honoapiilani Road Purpose: Determine building setback	R.T. Tanaka Engineers, Inc./ Walter F. Hester III	4-3-15:03
MA-425	2/12/09	Lot 5 Hale Malia Subdivision being a portion of Royal Patent 6384, L.C. Aw. 4240 Apana 3 to Kau situate at Alaelo, Lahaina, Maui Address: 15 Hale Malia Place Purpose: SMA and setback purposes	Arquitectura, LLC (Marc Taran)/ Charlie & Marianna Wallasch	4-3-03:95
MO-145	2/2/09	Lot 1 of the Kawela Subdivision being a portion of Royal Patent 7656, Land Commission Award 8559-B, Apana 28 to William C. Lunalilo situate at Kawela, Molokai Address: 2756 Kamehameha V Highway Purpose: Lanai addition	Richard S. Young/ Elmer Marques	5-4-13:06

**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-1235	Proposed Shoreline Certification	Lot 376, Land Court Application 616 (Map 164) situated at Kailua, Koolauapoko, Island of Oahu. Address: 1240 Mokulua Drive Purpose: Permitting	Towill, Shigeoka & Associates, Inc./Elizabeth Rice Grossman Trust	4-3-05:76
MA-421	Proposed Shoreline Certification	Lot 4 Kukahiko Land Partition (Civil No. 749) being a portion of Grant 223 to L.L. Tolbert situate at Papaanui, Honuaula, Makawao, Maui Address: 5020 Makena Road Purpose: Shoreline setback	Edgardo V. Valera/ Peter Howard Trust	2-1-07:90
OA-1238	Proposed Shoreline Certification	Lot 64, Land Court Application 979 (Map 3) situated at Kahaluu, Koolauapoko, Island of Oahu. Address: 47-79 Kamehameha Highway Purpose: Building Setback	Gil P. Bumanglag/Kristen L.S. Souza	4-7-19:49
MA-403	Rejection	Shoreline along Honoapiilani Highway, Federal Aid Project No. ER-11(7), portion of Launiupoko Wayside Park, Launiupoko, Lahaina, Island of Maui. Address: None Purpose: Construction	State of Hawaii/Department of Transportation, Highways Division	4-7-01:17 por.
MA-404	Rejection	Parcel 7A, Portion Parcel 8-A, and Portion Remnant 4, F.A.P.No. 30-A being a portion of Grant 4973, situated at Olowalu, Lahaina, Island of Maui. Address: Honoapiilani Highway Purpose: SMA Application	ControlPoint Surveying, Inc./State of Hawaii	4-8-03:06
LA-008	Rejection	Portion of Lot 93-A, Land Court Consolidation 170 (Map 28) situated at Lanai, Island of Lanai. Address: No Site Address Available Purpose: Setback Purposes	Austin Tsutsumi & Associates, Inc./Castle & Cooke, Inc.	4-9-17:02 por.
KA-322	Withdrawal	Lot 10 Wainiha Subdivision II (File Plan 1840) being a portion of R.P. 7194, L.C. Aw. 11,216:5 to M. Kekauonohi situate at Wainiha, Kauai Address: N/A Purpose: Building permit application & setback determination	Wagner Engineering Services, Inc./ Jerry & Debra Kinn	5-8-09:49

**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: Covered Source Permit (**CSP**).

<b>Branch Permit Type</b>	<b>Applicant &amp; Permit Number</b>	<b>Project Location</b>	<b>Pertinent Date</b>	<b>Proposed Use</b>
Clean Air Branch, 586-4200, NonCovered Source Permit	Edwin DeLuz Trucking and Gravel, LLC CSP No.0454-01-C (Modification-Renewal Application)	Located at: Kapoaula, Hamakua, Hawaii	Issued: 1/30/09	One (1) 750 TPH Stone Quarrying and Processing Plant with One (1) 1390 HP Diesel Engine Generator
Clean Air Branch, 586-4200, -Covered Source Permit	West Hawaii Concrete CSP No. 0355-02-CT (Renewal Application)	Located at: Various Temporary Sites, State of Hawaii	Comments Due: 3/9/09	Crushing and Screening Plants

**FEDERAL NOTICES**

**Hickam Elementary School Administration – Library Building Project (NEPA DEA and Draft FONSI)**

**Applicable**

**Law:** NEPA, Draft Environmental Assessment and Draft Finding of No Significant Impact  
**Island:** Oahu  
**District:** Ewa  
**TMK:** 9-9-01: por 13

**Proposing**

**Agency:** State Department of Education, Kalanimoku Bldg., 1151 Punchbowl St., Room 431, Honolulu, HI 96813. Contact: Mr. Robert W. Purdie, Jr., 586-0408

**Approving**

**Agency:** Hickam Air Force Base, 15<sup>th</sup> Airlift Wing, CES/CEVP, 75 H Street, Hickam AFB, HI 96853-5233. Contact: Ms. Tiffany Patrick, 449-3197

**Consultant:** Wilson Okamoto Corporation, 1907 South Beretania Street, Suite 400, Honolulu, HI 96826. Contact: Ronald A. Sato, AICP, Project Manager, 946-2277

**Comments:** DEA pending 30-day comment. Address comments to the Proposing Agency, with copies to the Consultant and OEQC

**Permits:** NPDES

The State Department of Education (DOE) is proposing to construct a new administration–library building at the Lt. Colonel Horace Meek Hickam Elementary School (Hickam Elementary School) located within the Hickam Air Force Base on the island of Oahu. The DOE is leasing the school site that is part of the Federally-owned Hickam Air Force Base property. As a result, the proposed improvements within Hickam Elementary School will be a use of Federal lands triggering the environmental review requirements of the National Environmental Policy Act (NEPA). The purpose for this project is to provide a new building that is needed to improve the functionality and effectiveness of the school’s administration operations and library activities for the school’s present and anticipated future student enrollment. The building will include approximately 15,575 square feet of space for the school’s administrative center located on the first floor and a library media center provided on the second floor. The existing building serving administration and library activities would be converted to additional classroom space needed to serve both faculty and students. Site improvements will include sidewalks and landscaping. Utility improvements will include sewer, water, fire protection, and drainage system improvements to service this building. Accessory improvements also include a campus-wide telecommunication infrastructure upgrade.

The EA was prepared pursuant to the Council on Environmental Quality (CEQ) Regulations (Title 40, Code of Federal Regulations [CFR] Parts 1500–1508) implementing the provisions of the National Environmental Policy

Act of 1969 (NEPA) and Air Force Instruction (AFI) as promulgated in 32 CFR Part 989. The EA considers the potential impacts of the Proposed Action and alternatives, including the No Action Alternative. Topics considered in the impact analysis includes noise, land use and visual resources, air quality, ground safety, geological resources, water resources, biological resources, cultural resources, socioeconomic resources and environmental justice, infrastructure, and hazardous materials and wastes.

All comments must be received no later than March 25, 2009. Copies of the Draft EA are available at the Hawaii State Library and Hickam Air Force Base Library.

### **The Oceanic Institute Central Services Building (NEPA DEA)**

**Island:** Oahu  
**District:** Koolaupoko  
**TMK:** 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 (808) 596-4688  
**Comments:** DEA pending 30-day comment. Address comments to the Proposing Agency, with copies to the Consultant and OEQC  
**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 Department of Land and Natural Resources (DLNR) 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.

### **Hawaii Range Complex, Amended Notice**

EIS No. 20080177, Final EIS, USN, HI, Hawaii Range Complex (HRC) Project, Preferred Alternative is 3, To Support and Maintain Navy Pacific Fleet Training, and Research, Development, Test, and Evaluation (RDT&E) Operations, Kauai, Honolulu, Maui and Hawaii Counties, HI, Contact: Jolie Harrison, at 301-713-2289. The National Oceanic and Atmospheric Administration (NOAA) adopted the U.S. Navy's FEIS 20080177 filed on 05/02/2008. NOAA was a Cooperating Agency for the above project. Recirculation of the FEIS is not necessary under 40 CFR 1506.3(c). Responsible Agency: Office of Federal Activities, General Information (202) 564-1399 or <http://www.epa.gov/compliance/nepa/>.

### **Intent To Prepare a Draft Environmental Impact Statement for the Proposed Honolulu Seawater Air Conditioning Project**

The Honolulu Seawater Air Conditioning, LLC proposes to construct a seawater air conditioning system at Kakaako Oahu in order to provide a renewable-energy air conditioning system for downtown Honolulu buildings. The applicants propose to construct intake and return pipelines in adjacent coastal waters to utilize available deep, offshore cold seawater for their planned onshore cooling plant. The proposed pipeline staging and installation sites are located within the navigable waters of the United States and the proposed activity is subject to the regulatory

jurisdiction of the U.S. Army Corps of Engineers. In order to be considered in preparation of the DEIS, comments and suggestions should be received no later than March 20, 2009.

Send written comments to U.S. Army Corps of Engineers, Honolulu District; ATTN: Regulatory Branch (CEPOH-EC-R/P. Galloway); Building 230; Fort Shafter, HI 96858-5440. Fax comments can be sent to 808-438-4060. Comments may also be submitted via e-mail to: [honoluluswac@usace.army.mil](mailto:honoluluswac@usace.army.mil). Questions should be addressed to: Mr. Peter Galloway, Tel 808-438-8416.

## **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).