



The Environmental Notice

August 8, 2009

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KAUAI (HRS 343)

1. Landscaping Activities (DEA)

Island: Kauai
District: Hanalei
TMK: (4) 5-9-03:08
Applicant: Bette Midler, 1222 16th Avenue So., 3rd Floor, Nashville, Tenn. 37212. Charles Sussman, (615) 320-9161

Approving Agency: Dept of Land and Natural Resources, P. O. Box 621, Honolulu, HI 96809. Dawn Hegger, 587-0380
Consultant: Max W. J. Graham, Jr., Esq., c/o Belles Graham Proudfoot Wilson & Chun, LLP, 4334 Rice Street, Suite 202, Lihue, Kauai, HI 96766. 246-6962
Comments: DEA 30-day comment period starts from the date of this Notice. Address comments to the Applicant, with copies to the Approving Agency and Consultant
Permits: Conservation District Use Permit

The Applicant has submitted a Conservation District Use Application for the following permits: (1) An after-the-fact permit for: the removal of 120 Java plum trees (*Syzygium Cumini*), a non-native, invasive species; the removal of 100 octopus trees (*Shefflera Actinophylla*), a highly invasive, non-native species; the removal of 10 to 20 Madagascar olive trees (*Noronhia Emarginata*), a non-native, invasive species; the removal of a 50 meter by 10 meter strip of Hau trees (*Hibiscus Tiliaceus*), a Polynesian-introduced species; and the planting of a row of panax trees (*Polyscias Guilfoylei*), approximately 100 to 150 feet in length along the west boundary of the Subject Property. (2) A permit to allow the Applicant to implement a Restoration Site Plan for: the removal of all non-native species from the Subject Property; the retention of all native species currently growing on the Subject Property; and the re-vegetation of the cleared portions of the Subject Property using the native species.

The implementation of the Restoration Site Plan will have the following beneficial impacts: it will result in an improvement over the previous condition of the Subject Property; it will help control the spread of invasive non-native species in the Limahuli area; it will result in an improvement to the integrity of the Limahuli area (as an area dedicated to the preservation of native species); and it will be in alignment with the efforts being taken by the National Tropical Botanical Gardens to preserve native species in the Hawaiian Islands.

OAHU (HRS 343)

2. Proposed Expansion of Hukilau Foods, Offshore Fish Farm, Mamala Bay, Oahu, Hawaii (FEA)

Island: Oahu
District: Ewa
TMK: Seaward of nearest TMK: (1) 9-1-27
Applicant: Grove Farm Fish and Poi LLC, dba Hukilau Foods LLC, P O Box 335, Kailua, HI, 96744. Randy Cates, 841-4956

Approving Agency: Dept of Land and Natural Resources, Office of Conservation and Coastal Lands, P O Box 621, Honolulu, HI, 96809. Dawn Hegger, 587-0322
Consultant: Aquaculture Planning and Advocacy LLC, 47-215 Iuiu Street, Kaneohe, HI, 96744. John Corbin, 239-8316
Comments: FEA accepted by the Approving Agency. There is no comment period
Permits: Conservation District Use Permit, NPDES, Aquaculture license, Federal ACOE Section 10 Permit

Hukilau Foods LLC (HF) proposes to expand its existing 28 acre State ocean lease two miles off Ewa Beach to 61 acres for continued offshore commercial aquaculture of moi, *Polydactylus sexfilis*. Submersible sea cages will be increased from four (4) 3000 cubic meter cages to eight (8) 6000 cubic meter cages. A feed/security barge will be permanently moored on site. Production capacity will increase from 1.2 million pounds per year to a maximum of 5 million pounds per year. HF is requesting that no snorkeling or SCUBA diving or anchoring of any boat be allowed in the leased area. Transit of boats through the leased area will continue.

Temporary impacts from realigning the mooring anchors and adding new cages will affect water clarity over a small area. No significant long-term direct, indirect, secondary or cumulative impacts are anticipated from the expanded project. Seven years of farm operation have demonstrated no significant public or agency concerns over water quality, ocean activities, protected species, or cultural resources. Anticipated benefits of the expanded project include: increased supply of moi; generation of high wage jobs; lease rents and purchase of services, equipment and supplies; and collaboration opportunities with State fisheries enhancement.

3. [Windward Community College – Library and Learning Resource Center \(FEA\)](#)

Island: Oahu
District: Koolaupoko
TMK: 4-5-23:14
Proposing Agency: University of Hawaii, Office of Capital Improvements, 1960 East-West Road, Biomedical Sciences Building, B-102, Honolulu, HI 96822. Loren Lau, 956-2739
Approving Agency: University of Hawaii, Office of Capital Improvements, 1960 East-West Road, Biomedical Sciences Building, B-102, Honolulu, HI 96822. Brian Minaai, 956-7935
Consultant: Wilson Okamoto Corporation, 1907 South Beretania Street, Suite 400, Honolulu, HI 96826. Tracy Fukuda, Sr. Planner, 946-2277
Comments: FEA accepted by the Approving Agency. There is no comment period
Permits: Noise Variance, Air Emissions, National Pollutant Discharge Elimination System (NPDES), Americans with Disabilities Act Accessibility Guidelines, Historic Buildings Review, Building, Grading

The University of Hawaii is proposing to implement improvements to the Windward Community College (WCC) on the Island of Oahu. WCC currently encompasses approximately 64 acres and is further identified as Tax Map Key (TMK) 4-5-23:14.

The proposed project involves the construction of a new Library and Learning Resource Center (LLRC) and parking lot on the WCC campus. The proposed LLRC will replace the existing Hale Manaleo located at the north end of the campus quadrangle. The new LLRC will provide a state of the art facility that is capable of accommodating WCC's present enrollment. The new LLRC will incorporate several separate functions which are currently spread out in other buildings on the WCC campus. Included is 1) the Library; 2) the Testing and Tutoring Center; 3) Instructional and Media Services; 4) Computing Services and Computer Laboratory; and 5) LLRC Administration. If funding is available, the project also includes widening of campus roads and construction of an additional parking lot to fulfill campus master plan initiatives.

MAUI (HRS 343)

4. [Advanced Technology Solar Telescope - ATST \(FEIS\)](#)

Island: Maui
District: Makawao
TMK: (2) 2-2-07:08
Applicant: National Science Foundation (NSF), Division of Astronomical Sciences, 4201 Wilson Blvd., Room 1045, Arlington, VA 22230. Craig Foltz, Ph.D., ATST Program Director, Tel: 703-292-4909, Fax: 703-292-9034, Email: cfoltz@nsf.gov
Accepting Authority: University of Hawaii, Institute for Astronomy, 2680 Woodlawn Drive, Honolulu, HI 96822-1897. Rolf-Peter Kudritzki, Ph.D., Director, Tel: 956-8312, Fax: 988-2790
Consultant: KC Environmental, Inc., P. O. Box 1208, Makawao, HI 96768. Charlie Fein, Ph.D., Vice President, Tel: 573-1903, Fax: 573-7837, Email: charlie@kcenv.com
Comments: FEIS accepted by the Accepting Authority. There is no comment period
Permits: Conservation District Use Permit

This Final Environmental Impact Statement (FEIS) was prepared to evaluate the potential environmental impacts associated with the construction and operation of the proposed ATST Project, and those impacts

associated with the issuance of a National Park Service Special Use Permit pursuant to 36 CFR § 5.6 to operate commercial vehicles on the Haleakala National Park road during the construction and operation phases of the proposed Project. The FEIS is being distributed to potentially interested Federal, State, and local agencies, organizations, and individuals, and selected repositories. The FEIS is also available on the Internet at: <http://atst.nso.edu/nsf-env>. This document is a joint NEPA and Chapter 343, HRS, FEIS.

The NSF will issue a record of decision (ROD) for the proposed ATST Project based on the FEIS no earlier than August 24, 2009, or 30 days from the date of publication in the Federal Register of the U.S. Environmental Protection Agency's Notice of Availability of the FEIS, whichever is later. Limited hard copies of the ROD will be available, on a first request basis, by contacting the NSF contact, Craig Foltz, Ph.D., ATST Program Director, 4201 Wilson Boulevard, Room 1045, Arlington, VA 22230, Tel: 703-292-4909, e-mail: cfoltz@nsf.gov. The ROD also will be available on the Internet at the web address provided above. See also [Vol 2](#), [Vol 3](#), and [Vol 4](#).

5. [Nani Loa Hotel Condominium \(DEA\)](#)

Island: Maui
District: Wailuku
TMK: 2-3-9-20:32
Applicant: Victory Development Nani Loa LLC., C/O Chris Hart & Partners, Inc., 115 North Market Street, Wailuku, Maui, HI 96793. Jordan E. Hart, 270-1563
Approving Agency: Maui Planning Commission, C/O Mr. Jeffrey Hunt, Director, County of Maui, Dept of Planning, 250 South High Street, Wailuku, Maui, HI 96793
Consultant: Chris Hart & Partners, Inc., 115 North Market Street, Wailuku, Maui, HI 96793. Jordan E. Hart, 270-1563
Comments: DEA 30-day comment period starts from the date of this Notice. Address comments to the Applicant, with copies to the Approving Agency and Consultant
Permits: Kihei Makena Community Plan Amendment (MF to H), Special Management Area Use Permit

The Nani Loa Hotel Condominium Project (Nani Loa) consists of thirty-two (32) units in two (2) buildings with eighty-two (82) ground level parking stalls below three (3) stories of units. Units consist of two (2) and three (3) bedroom residential condominiums approximately 2,200 SQFT in floor area. Site amenities to include a swimming pool, shade pavilion, recreation building, pool area restrooms, showers, BBQ pit and bike racks and manager's office. A seasonal, natural drainage way runs through the project site from East to West (mauka to makai). The project gains access to South Kihei Road by an existing easement through the Kihei Kai Nani Condominium Project. Nani Loa is an urban "in fill" project located in the midst of urban, residential development and within the State Urban District; is Kihei Makena Community Plan designated Multi Family (MF) and Hotel Zoned (H-2). Based on the prepared Draft Environmental Assessment and pre-consultation with government agencies, a Finding of No Significant Impact is expected at the conclusion of the Environmental Assessment process. This document is a joint DEA and SMA.

6. [Maui Economic Opportunity BEST "Ke Kahua" Farm \(DEA\)](#)

Island: Maui
District: Wailuku
TMK: (2) 3-3-01:16 (por)
Proposing Agency: Dept of Housing and Human Concerns (DHHC), 2200 Main Street, One Main Plaza Bldg, Suite 546, Wailuku, HI 96793. Jo- Ann Ridao, Deputy Director, 270-7805
Approving Agency: Same
Consultant: Chris Hart and Partners, Inc., 115 North Market Street, Wailuku, HI 96793. Christopher Hart, Phone: 242-1955, Fax: 242-1956
Comments: DEA 30-day comment period starts from the date of this Notice. Address comments to the Proposing Agency and Consultant
Permits: Building, plumbing, electrical, grading and other construction permits; Water Use Permit and Well Drilling; Approval of water lateral plans and request for water meter; NPDES

Maui Economic Opportunity, Inc. (“MEO” or “applicant”) proposes to develop and operate an agricultural training center, as part of the Being Empowered and Safe Together (BEST) Reintegration Program which will provide training to prepare persons released from prison for their successful return to the community. The Program is modeled after other successful programs. The project site is approximately 11.476 acres in area and is located on former agricultural land in Waiehu, Maui. The project site has appropriate land use entitlements for the proposed farm project.

Proposed improvements will include a farm dwelling, accessory farm dwelling, barn/greenhouse nursery building, water storage tank for irrigation purposes, onsite irrigation well, agricultural products stand, and an indigenous hale. Upon completion, the BEST Ke Kahua Project will contain 10 congregate residential units, housing 20 participants, plus a resident manager’s unit.

Planning and design of this project has been funded by Maui County’s Community Development Block Grant (CDBG) program. Given the potential use of Federal, State and/or County funds and work on State or County lands, an Environmental Assessment is being prepared, in compliance with NEPA and regulations of HUD and Hawaii Revised Statutes, Chapter 343, Environmental Impact Statements.

HAWAII (HRS 343)

7. [South Kona Watershed Irrigation System \(EISPN\)](#)

Island: Hawaii
District: South Kona
TMK: Zone 9, Section 8 and 9, various
Proposing Agency: State Dept of Agriculture, 1428 South King Street, Honolulu, HI 96814-2512. Brian Kau, P.E., Administrator and Chief Engineer, 973-9473
Accepting Authority: Same
Consultant: Belt Collins, Hawaii, Ltd., 2153 North King Street, Honolulu, HI 96819-4554. Olwen Huxley, 846-3305
Comments: EISPN 30-day comment period starts from the date of this Notice. Address comments to the Proposing Agency and Consultant
Permits: NPDES; Noise; well construction; well completion reports; reservoir construction; Conservation District Use Permit; Coastal Zone Management Consistency Determination; Grubbing and Grading

The Proposed Action would construct three irrigation wells, reservoirs, and an irrigation system to serve farms in the Honomalino/Kapua area in the South Kona District. The purpose of the Proposed Action is to provide supplemental water to increase agricultural productivity in the project area, which has experienced drought conditions for roughly 20 years that have severely impacted the agricultural sector of the local economy. The wells would be drilled at the 2,600- to 2,800-ft elevation with a capacity to produce 3 MGD (million gallons per day) to be held in reservoirs adjacent to each well. The irrigation system would distribute the water to approximately 4,600 acres of existing coffee, macadamia nut, and other crops, and approximately 1,300 additional acres of coffee and other crops.

The Draft Environmental Impact Statement will evaluate the following resources: land use designations and controls; climate and air quality; cultural resources; archaeological resources; flora and fauna; geology, topography, and soils; water quality, surface, and ground water resources; the marine environment; noise; hazardous materials; public services, facilities, and utilities; visual resources; natural hazards; and socio-economics. Direct, indirect, and cumulative impacts, along with any mitigation will be evaluated.

8. [Connections New Century Public Charter School Master Plan \(DEA\)](#)

Island: Hawaii
District: South Hilo
TMK: (3) 2-5-06:141
Proposing Agency: Dept of Land and Natural Resources, Land Division, 1151 Punchbowl Street, Room 220, Honolulu, HI 96813. Charlene Unoki, 587-0414

Approving

Agency: Same

Consultant: Wil Chee – Planning & Environmental, 1018 Palm Drive, Honolulu, HI 96814. Celia Shen, 596-4688

Comments: DEA 30-day comment period starts from the date of this Notice. Address comments to the Proposing Agency and Consultant

Permits: Special Permit, NPDES, Construct Wastewater System, Building, Grading

Connections New Century Public Charter School is proposing to build a new campus which will enable them to merge their elementary, intermediary and high schools onto one location. The proposed action calls for an energy efficient design plan that embraces the surrounding agricultural setting. Negative impacts involved with the proposed action are temporary and generally specific to construction activities. Examples include potential soil disruption, some loss of native and nonnative flora, and temporary higher noise levels. Mitigation measures have been developed to minimize any adverse impacts to the highest extent possible. Though the project site is located in an agricultural zone, no loss of agricultural lands will occur as the site is undeveloped. Loss of habitat is minimal within the design parameters. Traffic volume is expected to increase only slightly during times of school drop off and pick up, however the level of service is expected to remain good. Positive impacts from the proposed action include a temporary increase in the availability of construction jobs, the creation of an energy efficient and culturally reflective institution that will serve as an example for future campus developments, and perhaps the most significant impact will be the expansion of the school's ability to enhance cultural and educational opportunities in the South Hilo district.

9. [Queen Liliuokalani Village Off-Site Sewer Line \(DEA\)](#)

Island: Hawaii

District: North Kona

TMK: (3) 7-4-13:123, 7-4-21:20, and 7-4-21:21

Proposing

Agency: Dept of Environmental Management, County of Hawaii, 25 Aupuni Street, Hilo, HI 96720. Dora Beck, 961-8083

Approving

Agency: Same

Consultant: Belt Collins Hawaii Ltd., 2153 North King Street, Suite 200, Honolulu, HI 96819. Glen Koyama, 521-5361

Comments: DEA 30-day comment period starts from the date of this Notice. Address comments to the Proposing Agency and Consultant

Permits: Work Within County R/W Permit, NPDES, Grading

The County of Hawaii, Department of Environmental Management is proposing to construct an approximately 3,800 linear-foot, off-site sewer line to connect Queen Liliuokalani Village's sewer system with an existing County sewer line in Keahuolu, North Kona, Hawaii. The proposed 8-inch diameter gravity line will cross Palani Road, Department of Hawaiian Home Lands property, and Hawaii Housing Finance & Development Corporation property before following the planned Keanalehu Drive extension to the existing Keanalehua Drive and Manawalea Street intersection and connecting with the County system.

The new sewer line will occur as a temporary application across primarily undeveloped land. Its proposed alignment has been planned to avoid impacting existing archaeological sites. No federally-listed "threatened" or "endangered" botanical or fauna species, as recorded by current surveys, will be affected.

Construction of the sewer line across Palani Road would involve installation either by the traditional open-trench method or by micro-tunneling. A decision on the method would be made during the contractor selection and award process and will include provisions that provide mitigation measures to maintain safe through traffic while construction occurs.

Estimated construction cost for the project range from \$1.7 to \$2.1 million (2008 estimate). Construction is expected to start in the first quarter of 2010 or after all government approvals are secured. Construction completion is projected approximately one year thereafter.

10. Unger Single Family Dwelling and Associated Improvements in the Conservation District (DEA)

Island: Hawaii
District: South Kona
TMK: (3rd) 8-6-14:12 and 8-6-11:03
Applicant: Keith and Cynda Unger, P.O. Box 500, Honaunau, HI 96726. Randy Vitousek, 329-5811
Approving Agency: Dept of Land and Natural Resources, Office of Coastal and Conservation Lands, P.O. Box 621, Honolulu HI 96809. Sam Lemmo: 587-0377
Consultant: Geometrician Associates, PO Box 396, Hilo, HI 96721. Ron Terry, 969-7090
Comments: DEA 30-day comment period starts from the date of this Notice. Address comments to the Applicant, with copies to the Approving Agency and Consultant
Permits: Special Management Area Permit or Exemption; Plan Approval, Grubbing, Grading, Building; CDUP

Keith and Cynda Unger propose to construct a single-family dwelling and related improvements on a 0.20-acre property owned by McCandless Land & Cattle Company, LLC ("McCandless Ranch"). The residence would consist of a beach cottage occupying a footprint of approximately 2,046 square feet, including lanai and porch, with a composting toilet and a shower that recycles graywater for irrigation. Other features include an electrical generator, a propane tank, a 10,000 gallon water tank, a parking area, and minimal landscaping using the existing types of plants already found in the area: coconuts, naupaka, and tiare. The project would also include light grading of a 250-foot driveway from the mauka side of the property to connect to an existing ranch road running from Hookena Road to Kalahiki over lands owned by McCandless Ranch.

Land clearing and construction activities would produce minor short-term impacts to noise, air and water quality and scenery over an area less than an acre. The grading of the driveway will occur in a vegetated area well mauka of the coastal waters and will take about three days. The applicant will ensure that its contractor performs all earthwork and grading in conformance with applicable laws, regulations and standards. The residence will be sited 40 feet from the certified shoreline, which is also the site of what is referred to on TMK maps as an "Old Road," which is entirely makai of the kuleana and mostly makai of the certified shoreline. Impacts to archaeological and cultural resources have been avoided through inventory and avoidance of the shoreline. If any previously unidentified sites, artifacts or remains are encountered during construction, work will stop immediately and SHPD will be consulted to determine the appropriate mitigation

11. Proposed Verizon Wireless HI3 Kawaihae Harbor Cell Site (DEA)

Island: Hawaii
District: South Kohala
TMK: (3) 6-1-03:34 (por)
Applicant: Verizon Wireless, c/o Ms. Danette Mettler, MP Property Services, 76-6357 Kololia Street, Kailua-Kona, HI 96740. Danette Mettler, Site Acquisition Consultant, MP Property Services, 895-3569
Approving Agency: State Department of Transportation, Harbors Division, Hale Awa Ku Moku Building, 79 South Nimitz Highway, Honolulu, HI 96813-4898. Glenn Abe, Supervising Property Manager, 587-1944
Consultant: Bureau Veritas North America, Inc., 970 No. Kalaheo Avenue, Suite C-316, Kailua, HI 96734. Lori Ford, 531-6708
Comments: DEA 30-day comment period starts from the date of this Notice. Address comments to the Applicant, with copies to the Approving Agency and Consultant
Permits: Special Management Area (SMA) Minor Permit, Building

This Draft Environmental Assessment (EA) for the proposed Verizon Wireless (VZW) HI3 Kawaihae Harbor Cell Site, to be located at Kawaihae Harbor (Tax Map Key [TMK] No. [3] 6-1-03: Parcel 34), Kawaihae, Hawaii, has been prepared in accordance with the National Environmental Policy Act (NEPA) (42 United States Code [USC] 4321-4347), and the State Department of Health, Office of Environmental Quality Control requirements. NEPA consists of a set of standards which projects must meet in order to ensure that all environmental information is made available to interested parties before construction begins. This Draft EA is issued for a 30-day public and agency review and comment period. Comments made during this period will be included in the Final EA. These comments in addition to the EA analyses, will be considered in decision-making regarding the cell site proposed.

According to VZW, the Proposed Action involves erecting a 60-foot monopole equipped with a light and 12, 8-foot panel antennas. The overall finished height of the monopole and antennas will be approximately 64 feet. An associated 12- by 26-foot (312 square feet) equipment shelter will be installed that contains an internal 60 kilowatt generator. The monopole and equipment shelter are to be secured within a 40- by 50-foot (2,000 square feet) chain-link fence (Lat/Long: 20° 01' 58" N and 155° 49' 25" W [NAD83]). Construction activities that will disturb the ground surface in the vicinity of the proposed project site include: (1) excavating to install a new foundation for the monopole; (2) constructing a new foundation for the equipment shelter; and (3) installing electrical and telecommunications conduits from the equipment shelter to the light standard.

The Proposed Action is not expected to have significant adverse effects on the environment. The Proposed Action involves erecting a monopole in an area, located on the southeastern-most portion of Kawaihae Harbor, with existing power where the environment has been previously altered for development. Clearing, grading, and excavation activities required for the proposed project are limited to the immediate vicinity of the subject property. No significant impact to the land is anticipated since previous clearing was undergone in the area to produce the parking lot on which the monopole is to be placed. Specific environmental resources with the potential for environmental consequences include natural physical and biological resources, noise, view and visual impacts, utilities, cultural resources, socioeconomics, environmental justice, air quality, public access, traffic impacts, land use, access to the area, and health and safety. The Proposed Action is not expected to impact views and visual impacts, and will not impact natural biological resources, cultural resources, public access, traffic impacts, land use, access to the area or health and safety. The Proposed Action is expected to have positive impacts on socioeconomics and environmental justice. Past and future projects that impact groundwater are expected to have cumulative negative impacts. However, these are not expected to be significant because the affected aquifer is not used as drinking water. Noise levels are anticipated to slightly increase during construction. The emergency generator will increase noise levels during power outages and maintenance activities; however, it will be stored in an equipment shelter, which will reduce the amount of noise produced. Utility lines currently run along the boundary of the project area and will be diverted to supply services to the project site; however, within the site the utility lines will be routed underground within the parking compound.

SPECIAL MANAGEMENT AREA (CHAPTER 25, REVISED ORDINANCES OF HONOLULU)

Film and Digital Media Center

Island: Oahu
TMK: 3-1-42: por 9
Owner: State Dept of Land and Natural Resources
Applicant: State Dept of Business, Economic Development and Tourism
Agent: Group 70 International, Inc.
Location: 18th Avenue between Kilauea Avenue and Diamond Head Road - Kaimuki
Zoning: R-10 Residential
Proposal: Demolition of a one-story soundstage and four one-story office buildings, and the construction of a two-story film and digital media center and a two-story parking structure.
Comments: Send comments by August 24, 2009 to Dept of Planning and Permitting, City and County of Honolulu, 650 South King Street, 7th Floor, Honolulu, HI 96813, Attn: Joyce Shoji, 768-8032

Anahulu Centre

Island: Oahu
TMK: 6-2-12:29
Owner-
Applicant: Juliana Simone
Agent: South Pacific Design Group
Location: 66-030 Kamehameha Highway – Kawaihoa
Zoning: B-1 Neighborhood Business District
Proposal: A new three-story commercial building consisting of ground level parking and two upper levels of commercial use.
Comments: Send comments by August 14, 2009 to Dept of Planning and Permitting, City and County of Honolulu, 650 South King Street, 7th Floor, Honolulu, HI 96813, Attn: Joyce Shoji, 768-8032

ENVIRONMENTAL COUNCIL

At its regularly scheduled meeting on July 23, 2009, the Environmental Council concurred with the City and County of Honolulu, Board of Water Supply's proposed [exemption list](#). For more information, you may contact the Environmental Council at 235 South Beretania Street, Suite 702, Honolulu, HI 96813 or oeqc@doh.hawaii.gov

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 (HRS 205A). 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.

Maui Medical Plaza at Kanaha, Kahului, Maui

Applicant: Robert T. McDaniel III, Maui Medical Plaza at Kanaha, LLC
Contact: Michelle Cockett, (808) 357-5821
Federal Action: Federal Permit
Federal Agency: U.S. Army Corps of Engineers
Location: 151 Hana Highway, Kahului, Maui
TMK: (2) 3-7-11: 28
CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov

Proposed Action: Construct a new building and attached parking structure on a vacant, undeveloped 2.49 acre lot, located within an industrial subdivision and adjacent to the State Kanaha Pond Wildlife Sanctuary in Kahului. The proposed new multi-story building is planned to serve as a medical facility. The development would permanently fill 0.95 acres (41,149 sq. ft.) of wetland. In addition, the applicant proposes to provide off-site compensatory mitigation for the wetland fill by enhancing 1 acre (43,560 sq. ft.) of degraded wetland in the adjacent Kanaha Pond Wildlife Sanctuary to re-establish ecosystem function by removing invasive vegetation and debris, planting of native plants, and minimizing human disturbance.

Comments Due: August 24, 2009

Waimea Trails and Greenways Phase I, South Kohala, Hawaii

Applicant: County of Hawaii, Department of Parks and Recreation
Contact: Ben Ishii, (808) 961-8423
Federal Action: Federal Funding
Federal Agency: Federal Highway Administration (FHWA)
Location: Kahawai Street to Lindsey Road Bridge, Waimea
TMK: (3) 6-3-5: 5; 6-5-3: 4, 44; 6-6-3: 6, 7, 13
CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov

Proposed Action: Use federal funds from the American Recovery and Reinvestment Act of 2009, through the FHWA, to construct a 10-foot wide concrete trail for shared pedestrian and bicycling use. The proposed Phase I is approximately 5,400 feet in length and begins at Kahawai Street and ends near the Lindsey Road Bridge. The shared use path will serve as an alternate non-vehicular mode of transportation between various residential areas along the trail and the central area of Waimea town.

Comments Due: August 24, 2009

Special Management Area (SMA) Minor Permits

The following is a list of SMA Minor permits that have been approved or are pending by the respective county/state agency (HRS §205A-30). For more information, 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).

Location (TMK)	Description (File No.)	Applicant/Agent
Oahu: Beneath the H-1 Freeway Pearl City Viaduct (between parcels 9-7-18: 3 and 10)	New Wash-down Rack (2009/SMA-30)	State Department of Transportation/Lou Chan & Associates Inc.
Hawaii: South Kohala (6-2-2: 8)	Install a Subsea Fiber Optic Cable to Establish a Connection between Tahiti and Hawaii (SMM 09-000118)	Office des Postes et Telecommunications de Polynesie Francaise
Hawaii: (1-4-3: 18 & 19)	Placement of Ironwood Tree Logs to Restrict Unauthorized Vehicular Access (SMM 09-000119)	Department of Land & Natural Resources, Land Division
Maui: Makena (2-1-23: 1)	Grade Lot 325A to Prepare for Houses (SM2 20050114)	Arakaki, Wayne
Maui: Haiku (2-8-4: 13)	Reconsolidate, Re-subdivide, Wall, etc. (SM2 20060022)	Naiditch, Jack
Maui: Wailea (2-1-8: 121)	Stockpile (SM2 20070076)	A & B Wailea LLC
Maui: Kahului (3-7-10: 9)	Transmitter Facility (SM2 20070092)	Coral Wireless LLC dba Mobi PCS
Maui: Lahaina (4-4-13: 1)	Install Cellular Antenna Facility (SM2 20080021)	Coral Wireless LLC dba Mobi PCS
Maui: Kahului (4-8-3: 118)	Telephone Pole Replacement (SM2 20080025)	Hawaiian Telcom, Inc.
Maui: (3-8-2: 74 & 78)	Interim Shoreline Erosion Protection (SM2 20080049)	Jeffrey A. Lundahl
Maui: Lahaina (4-6-10: 6)	Residential Improvements (SM2 20090050)	Luan Duc "Lewis" Nguyen
Maui: (4-3-3: 48)	CMU Retaining Wall/Rock Free Standing (SM2 20090052)	Salem, Christopher

Shoreline Notices - Certification Applications

The following shoreline certification applications (HRS §205A-42 and HAR §13-222-12) are available for inspection at the DLNR District Land Offices on Kauai, Hawaii and Maui and in Honolulu, 1151 Punchbowl Street, Room 220, (ph. 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-1310	7/17/09	Lot 76 as shown on Map 4 of Ld. Ct. App. 609 situate at Mokuleia, Waialua, Oahu Address: 68-263 Crozier Loop Purpose: Determine setback	AECOM Pacific, Inc./ June T. & Elbert T. Saito	6-8-05:25
OA-1311	7/17/09	Portions of Grant 1309 to Haaula Church and Grant 1310, Apana 1 to Kaailaau situate at Haleaha, Koolauloa, Oahu Address: 53-507 Kamehameha Highway Purpose: Permitting	R.M. Towill Corporation/ Queen Liliuokalani Children's Center	5-3-06:36 & 45

HA-407	7/9/09	Lot 23 Portions of L.C. Aw. 8559-B, Apanas 17 & 18 to Wm. C. Lunaliilo situate at Makahanaloa, South Hilo, Island of Hawaii Address: N/A Purpose: Construction of residence	Gary L. Olympia/ Hilo Project LLC	2-8-08:151
HA-408	7/13/09	Lot 18 of Puako Beach Lots (HTS Plat 414-A) being the whole of Grant S-13,797 to Vera Wolf Spencer situate at Lalamilo, Waimea, South Kohala, Island of Hawaii Address: 68-1910 Puako Beach Drive Purpose: Obtain County building permits	Wes Thomas Associates/ 132 Puako LLC	6-9-06:18
HA-409	7/13/09	Portion of R.P. 4475, L.C. Aw. 7713, Ap. 43 to V. Kamamalu situate at Holualoa 1st and 2nd, North Kona, Island of Hawaii Address: N/A Purpose: Obtain County building permits	Wes Thomas Associates/ Resolute, Inc.	7-6-16:12

Shoreline Notices - Certifications and Rejections

The following shorelines have been proposed for certification or rejection by DLNR (HRS §205A-42 and HAR §13-222-26). Any person or agency wishing to appeal shall file a notice of appeal in writing with DLNR no later than 20 calendar days from the date of the public notice. The notice of appeal shall be sent to the Board of Land and Natural Resource, 1151 Punchbowl Street, Room 220, Honolulu, HI 96813.

File No.	Proposed/Rejected	Location	Applicant/Owner	TMK
OA-1299	Proposed Shoreline Certification	Lot 2 Portion of Royal Patent Grant 464 to Edwin O. Hall and Henry Dimond situate at Waikane, Koolaupoko, Oahu Address: 48-463 Kamehameha Highway Purpose: Building permit	Walter P. Thompson, Inc./ Janis & Mariss Freimanis	4-8-03:10
MA-425	Proposed Shoreline Certification	Lot 5 Hale Malia Subdivision being a portion of Royal Patent 6384, L.C. Aw. 4240 Apana 3 to Kau situate at Alaeloa, Lahaina, Maui Address: 15 Hale Malia Place Purpose: SMA and setback purposes	Arquitectura, LLC (Marc Taran)/ Charlie & Marianna Wallasch	4-3-03:95
HA-400	Proposed Shoreline Certification	Lots 5-B-1 and 6-A of North Kahaluu Beach Subdivision being portions of R.P. 6856, L.C. Aw. 7713, Ap. 6 to V. Kamamalu situate at Kahaluu, North Kona, Island of Hawaii Address: 78-6616 Alii Drive Purpose: Obtain building permits	Wes Thomas Associates/ Dr. Elizabeth Marshall	7-8-14:50 & 97
HA-406	Proposed Shoreline Certification	R.P. 6598, L.C. Aw. 8566, Ap. 1 to Kamanuwai situate at Honomalino, South Kona, Island of Hawaii Address: None assigned Purpose: Obtain building permits	Wes Thomas Associates/ George A. Schattauer Trust	8-9-05:03
KA-331	Proposed Shoreline Certification	Lot 111 Haena Hui Lands being a portion of R.P. 3596 L.C. Aw. 10613, Ap. 6 to A Paki situate at Haena, Halelea, Kauai Address: Kuhio Highway Purpose: County consolidation application	Wagner Engineering Services, Inc./ David Morrow	5-9-03:45

OA-1276	Rejection	Por. Lot 6, Tract "B" of the Paa Haa Lots situate at Wailupe, Oahu Address: 5353 Kalaniana'ole Highway Purpose: Building permit	Sam O. Hirota, Inc./ Irene Chan	3-6-03:09
MA-416	Rejection	Portion of Lot 15 of the Kamaole Beach Lots situate at Kamaole, Kihei, Maui Address: 2284 South Kihei Road Purpose: Determine shoreline setback for proposed renovations	Ronald M. Fukumoto Engineering, Inc./ George A. Riley (Authorized Agent)	3-9-05:26

POLLUTION CONTROL PERMITS

Department of Health Permits

The following is a list of some pollution control permits currently before the State Department of Health (HRS 342B and HAR §11-60.1). For more information, please contact the number provided.

Branch Permit Type	Applicant and Permit Number	Project Location	Date	Proposed Use
Clean Air Branch, 586-4200, NonCovered Source Permit	Loves Bakery, Inc. NSP No. 0719-01-N Initial Application No. 0718-01	Located at: 911 Middle Street Honolulu, Oahu	Issued: 7/15/09	100HP Boiler and 8.1 MMBTU/hr Oven
Clean Air Branch, 586-4200, NonCovered Source Permit	Alakona Corporation NSP No. 0688-01-NT Modification Application No. 0688-02	Located at: Kaiholo Road, Kapolei, Oahu	Issued: 7/17/09	200TPH Cold Recycling/Mixing Plant w/174 HP Diesel Engine Generator
Clean Air Branch, 586-4200, Covered Source Permit	Pineridge Farms, Inc. CSP No. 0524-01-CT Renewal Application No. 0524-02	Located at: Various Temporary Sites State of Hawaii	Issued: 7/17/09	One (1) 295 TPH Crushing Plant w/ One (1) 300 HP Diesel Engine
Clean Air Branch, 586-4200, Covered Source Permit	Delta Construction CSP No. 0696-01-CT Initial Application No. 0696-01	Located at: Various Temporary Sites State of Hawaii	Issued: 7/22/09	455 TPH Mobile Cone Crusher with 440 BHP Diesel Engine
Clean Air Branch, 586-4200, NonCovered Source Permit	RMY Construction Inc. NSP No. 0721-01-NT Initial Application No. 0721-01	Located at: Various Temporary Sites State of Hawaii	Issued: 7/22/09	130 TPH Impact Crusher with 300 HP Diesel Engine Generator
Clean Air Branch, 586-4200, Covered Source Permit	AES Hawaii, Inc. CSP No. 0087-02-C Application for Renewal No. 0087-04	Located at 91-086 Kaomi Loop Campbell Industrial Park Kapolei, Oahu	Issued: 7/20/09	203 MW Coal-Fired Cogeneration Plant
Clean Air Branch, 586-4200, NonCovered Source Permit	Shredco LLC NSP No, 0698-01-NT Modification Application No. 0698-02	Located at Various Temporary Sites State of Hawaii	Issued: 7/21/09	90 cubic yds/hr Tub Grinder w/360 hp Diesel Engine & 50 TPH Horizontal Grinder with 525 hp Diesel Engine
Clean Air Branch, 586-4200, NonCovered Source Permit	Kahala Hotel and Resort NSP No. 0719-01-N Initial Application No. 0719-01	Located at: 5000 Kahala Avenue Honolulu, Oahu	Issued: 7/29/09	One (1) 85HP Boiler One (1) 2.68 MMBTU/hr Boiler One (1) 0.8 MMBTU/hr Water Heater

FEDERAL NOTICES

[Predator Damage Management to Protect Avian Wildlife in Hawaii](#)

The United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services program (WS) is proposing to implement a program to reduce or alleviate predation caused by introduced mammals and the cattle egret (*Bulbulcus ibis*) on populations of native forest birds, waterbirds, seabirds, the Hawaiian (nene) goose (*Branta sandvicensis*), and introduced game birds. The action supports federal recovery and conservation plans, and state action plans which call for the control of predation to assist in the conservation of endangered species, migratory seabirds and game birds in the State of Hawaii. No statewide effects on target species populations, negative effects on threatened and endangered species, or other native species are expected from implementation of the alternatives considered. Localized and temporary impacts on target species populations can be expected and is desired within project sites. For more information, contact: Wildlife Services, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, 3375 Koapaka Street, Ste. H420, Honolulu, HI 96819. Tim J. Ohashi, Program Wildlife Biologist, (808) 985-8505. Written comments must be received at the above address by September 7, 2009 to receive full consideration in the decision. Faxed comments should also be mailed. A copy of the [Predator Damage Management to Protect Avian Wildlife in Hawaii](#) DEA will not be available from this site until August 10, 2009.

[Record of Decision \(ROD\) for Military Training Activities at Makua Military Reservation \(MMR\), Hawaii](#)

Senior Commander, US Army Hawaii, has reviewed the Final Environmental Impact Statement (EIS) for Military Training Activities at MMR and has made the decision to proceed with a variation of Alternative 2 to recommence live-fire training at MMR. Alternative 2 in the Final EIS analyzes up to 50 combined-arms live-fire exercises (CALFEX) and 200 convoy live-fire exercises (LFX). The variation of Alternative 2 allows up to 32 CALFEXs and 150 convoy LFXs, and allows squad- and platoon-level LFXs that lead up to the company-level CALFEX. This decision also reconfirms that the Army will not use MMR for live-fire training at night until all relevant fire suppression measures are met and approved in accordance with the U.S. Fish and Wildlife Service 2007 and 2008 Biological Opinions. The Army has decided not to use the following weapon systems at MMR in order to further protect the environmental and cultural resources of the valley: Tracer ammunition; Javelin and inert, tube-launched, optically tracked, wire-guided (TOW) missiles; anti-tank (AT-4) and 2.75-inch rockets; the shoulder-launched multipurpose assault weapon (SMAW); and illumination munitions. This decision also eliminates the use of Kaena Point and C-Ridge for training, due to the risk of wildfire and the potential impacts to threatened and endangered species. This Alternative 2 variation represents a proper balance for meeting the training requirements of the units of the 25th Infantry Division (ID), U.S. Army Reserve, Hawaii Army National Guard, and other users of the range at MMR, while ensuring the Army meets its responsibilities to preserve the land and resources at MMR, and continues to be a good neighbor to the community along the Waianae coast.

Address requests for a copy of the ROD to the U.S. Army Garrison, Hawaii, Attention: Public Affairs Office, 742 Santos Dumont, WAAF, Schofield Barracks, HI 96857, or go to: <http://www.garrison.hawaii.army.mil/makuaeis>. For further information contact the U.S. Army Garrison, Hawaii Public Affairs Office at Tel: (808) 656-3152; Fax: (808) 656-3162 during normal business hours Monday through Friday, 9 a.m. to 5 p.m. HST.

GLOSSARY

Agency Actions

Any department, office, board, or commission of the state or county government which is part of the executive branch of that government per [HRS §343-2](#).

Applicant Actions

Any person who, pursuant to statute, ordinance, or rule, requests approval for a proposed action per [HRS §343-2](#).

Draft Environmental Assessment

When an Agency or Applicant proposes an action that [triggers](#) HRS 343, an Environmental Assessment shall be prepared at the earliest practicable time to determine whether an environmental impact statement shall be required per [HRS §343-5\(b\)](#), for Agency actions and [HRS §343-5\(c\)](#), for Applicant actions. For environmental assessments for which a Finding of No Significant Impact is anticipated, a Draft EA (DEA) shall be made available for public review and comment for 30 days and public notice is published in this periodic bulletin per (HRS §343-3), also known as The Environmental Notice.

Final Environmental Assessment and Finding of No Significant Impact

The Agency shall respond in writing to comments received during the review and prepare a Final EA (FEA) to determine whether an environmental impact statement shall be required. The FEA must respond to all public comments. If there are no significant impacts, then the Agency will issue a Finding of No Significant Impact (FONSI). An Environmental Impact Statement will not be required and the project may then be implemented. The public has 30 days from the notice of a FONSI in this bulletin to ask a court to require the preparation of an EIS.

Final Environmental Assessment and Environmental Impact Statement Preparation Notice

An EIS shall be required if the Agency finds that the proposed action may have a significant effect on the environment. The Agency shall file notice of such determination with OEQC, called an EIS Preparation Notice (EISPN). After the notice of the EISPN is published in this bulletin, the public has 30 days to request to become a consulted party and make written comments. The public (including the Applicant) has 60 days from the notice of the EISPN in this bulletin to ask a court to not require the preparation of an EIS.

Draft Environmental Impact Statement

After receiving the comments on the EISPN, the Agency or Applicant must prepare a Draft Environmental Impact Statement (DEIS). The [content requirements](#) of the DEIS shall contain an explanation of the environmental consequences of the proposed action including the direct, indirect and cumulative impacts and their mitigative measures. The public has 45 days from the first publication date in this bulletin to comment on a DEIS. The DEIS must respond to comments received during the EISPN comment period in a point-by-point manner.

Final Environmental Impact Statement

After considering all public comments filed during the DEIS stage, the Agency or Applicant must prepare a [Final EIS](#) (FEIS). The FEIS must respond in a point-by-point manner to all comments from the draft and must be included in the FEIS. See here for [style](#) concerns. For Applicant projects, the Approving Agency is authorized to accept the FEIS. For an Agency project, the Governor or the Mayor (or their designated representative) is the Accepting Authority. Only after the FEIS is accepted may the project be implemented.

Acceptability

If the FEIS is [accepted](#), notice of this action is published in this bulletin. The public has 60 days from the date of notice of acceptance to ask a court to vacate the acceptance of a FEIS. For Applicant actions, the Approving Agency must make a determination on acceptance within 30 days of receipt of the FEIS or the FEIS is deemed accepted. 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 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 bulletin.

Special Management Area and Shoreline Setback Area

The Special Management Area (SMA) is along the coastline of all islands and development in this area is generally regulated by [HRS 205A](#), and [county ordinance](#). A special subset of the SMA that is regulated by HRS 343, is the [Shoreline Setback Area](#). Most development in this area requires a Special Management Permit. This bulletin posts notice of these SMA applications to encourage public input.

Shoreline Certifications

State law requires that 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 bulletin publishes notice from the Department of Land and Natural Resources of shoreline certification applicants and final certifications or rejections.

Environmental Council

The [Environmental Council](#) is a 15-member citizen board appointed by the Governor. They serve as a liaison between the Director of OEQC and the general public concerning ecology and environmental quality. The Council makes the rules that govern the Environmental Impact Statement process (HRS 343). [Agendas](#) of their regular meetings are posted on the Internet and the public is invited to attend.

Exemption Lists

Government agencies must keep a list describing the minor activities they regularly perform that are [exempt](#) from the environmental review process. These lists and any amendments shall be submitted to the Council for review and concurrence ([HAR §11-200-8\(d\)](#)). This bulletin will publish an agency's draft exemption list for public comment prior to Council decision making, as well as notice of the Council's decision on the list.

Endangered Species

This bulletin is required by [HRS §343-3\(c\)](#), to publish notice of public comment periods or public hearings for Habitat Conservation Plans (HCP), Safe Harbor Agreements (SHA), or Incidental Take Licenses (ITL) under the federal Endangered Species Act, as well as availability for public inspection of a proposed HCP or SHA, or a proposed ITL (as a part of an HCP or SHA).