



# The Environmental Notice

November 8, 2009

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OEQC’s [Native Species Flashcards](#) are available on our website. They are a series of flashcards sponsored by the Department of Land and Natural Resources, Hawaii Pacific University, University of Hawaii at Manoa, the Moanalua Gardens Foundation, and the Environmental Council. Hardcopies were previously distributed to the Department of Education and Charter Schools.

*The Environmental Notice* informs the public of environmental assessments and other documents that are available for review and comment per HRS §343-3 and is updated on the 8<sup>th</sup> and 23<sup>rd</sup> of each month on the Office of Environmental Quality Control’s website. If you would like to be notified when it is updated, send us your email address and we’ll put you on our mailing list.

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## KAUAI (HRS 343)

### 1. [Midler Limahuli Restoration Project \(FEA\)](#)

**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:** FEA accepted by the Approving Agency. There is no comment period

**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. [Hauula Fire Station Relocation \(DEA\)](#)

**Island:** Oahu  
**District:** Koolauloa  
**TMK:** 5-4-18:64, 65

**Proposing**

**Agency:** Dept of Design and Construction, City and County of Honolulu, 650 South King Street, Honolulu, HI 96813. Curtis Kushimaejo, 768-8455

**Approving**

**Agency:** Same

**Consultant:** Gerald Park Urban Planner, 95-595 Kanamee Street #324, Mililani, HI 96789. Tel: 625-9626

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

**Permits:** Conditional Use Permit (Joint Development); Grubbing, Grading, Stockpiling; Building, Water and Water System Requirements; Street Usage; Excavate Public Right-of-Way; Work in State Highway Right-of-Way; Noise

There are no significant environmental resources associated with the two vacant lots. The lots are flat and not located in an area of natural hazards. There are no surface archaeological features, surface waters such as streams or wetlands, rare, threatened, and endangered flora and fauna, hazardous materials or hazardous material sites within 1 mile, and both lots are not within identified flood hazard and coastal high hazard zones. The proposed use is a permitted use in the B-1 zoning district. Placement of the station on the site does not call into question the reasonableness of the commercial zoning and the development standards for the zoning district.

Since staffing levels will remain unchanged from the existing station, there will be no significant increase in water consumption and wastewater discharge. An on-site individual wastewater system will collect and treat domestic wastewater. Energy consumption will increase due to the inclusion of air conditioning, vehicle charging systems, and other equipment not installed in the existing station. Design measures to be incorporated into the building design will aid in reducing energy use. Furthermore, the station will be designed in accordance with LEED principles for sustainability.

The relocation of the fire station is part of the Honolulu Fire Department's continuing mission to modernize, update, and address many of the design deficiencies of fire stations throughout the City and County of Honolulu. A new fire station will provide for proper living and working conditions of all firefighters assigned to the station. With a properly programmed, designed, and sized station, the HFD will be able to deploy the most current firefighting resources, equipment, skilled personnel, and materials available.

### LANAI (HRS 343)

#### 3. [Proposed Aircraft Rescue Fire Fighting Station, Fueling Facility and Hangar, Lanai Airport \(DEA\)](#)

**Island:** Lanai  
**District:** Lanai  
**TMK:** (2) 4-9-02:41 (por.)  
**Applicant:** State Dept of Transportation, Airports Division, 400 Rodgers Boulevard, Suite 700, Honolulu, HI 96819-1898. Van Johnson, 838-8830 **AND** Castle & Cooke Aviation, 155 Kapalulu Place, Honolulu, HI 96819

**Approving Agency:** State Dept of Transportation, Airports Division, 400 Rodgers Boulevard, Suite 700, Honolulu, HI 96819-1898. Van Johnson, 838-8830  
**Consultant:** Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793. Mich Hirano, 244-2015  
**Comments:** DEA 30-day comment period starts from the date of this Notice. Address comments to the Applicants, with a copy to the Consultant  
**Permits:** NPDES

The State Department of Transportation, Airports Division proposes construction of a replacement Aircraft Rescue Fire Fighting (ARFF) station to replace the existing substandard ARFF facility at the Lanai Airport. The replacement ARFF station will include: spaces for two (2) fire fighting trucks and one (1) trailer; chemical and equipment storage rooms; watch room; office; kitchen/training room; three (3) dormitory rooms; fitness room; lockers, showers, and toilets; emergency generator; extension of onsite water system; improvements for onsite wastewater treatment and disposal; and security fencing.

In coordination with the Airports Division, Castle & Cooke Aviation proposes to construct a 25,200 sq. ft. aircraft hangar to the west of the ARFF station and install two (2) 15,000 gallon fuel tanks for Jet-A fuel and a single 3,000 gallon tank for aviation gas. The tanks will be located to the west of the hangar and will be placed above ground on a concrete slab measuring 40 feet by 140 feet (including a 40 feet by 20 feet vehicle ramp).

The above actions are collectively being addressed by this single Chapter 343, HRS, Draft Environmental Assessment.

### MAUI (HRS 343)

#### 4. [Waiehu Mauka Affordable Housing Project \(DEA\)](#)

**Island:** Maui  
**District:** Wailuku  
**TMK:** (2) 3-3-01:102 and 16 (por.)  
**Applicant:** Lokahi Pacific, 1935 Main Street, Suite 204, Wailuku, HI 96793. Kamaile Sombelon, Executive Director, 242-5761

**Approving Agency:** Dept of Housing and Human Concerns, 200 South High Street, Wailuku, HI 96793. Lori Tsuhako, Director, 270-7805

- Consultant:** Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793. Carol Matasci, Planner, 244-2015
- 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:** Section 201H-38 Application, Subdivision Approval, NPDES, Construction permits

Lokahi Pacific, in partnership with Pacific Rim Land, Inc., proposes to develop the Waiehu Mauka Affordable Housing project, which involves the construction of 100 affordable multi-family units and six (6) market price single-family residential lots on an approximately 8-acre parcel of land. The 100 multi-family units will include 42 rental units housed in seven (7) apartment buildings, offered to households making 50 percent and below the area median income (AMI). There will also be 58 for-sale units housed in 13 buildings, targeting households making between 51 and 120 percent of the AMI. The proposed action involves an Application for Affordable Housing Development, pursuant to Section 201H-38, HRS. The project site is currently designated "Agricultural" by the State Land Use Commission, and a District Boundary Amendment will be requested.

Waiehu Mauka will provide a benefit to the community through the provision of affordable housing, in keeping with Lokahi Pacific's mission to improve the quality of life, both economically and socially, for residents of the County of Maui.

#### 5. [Maui Economic Opportunity BEST "Ke Kahua" Farm \(FEA\)](#)

- Island:** Maui  
**District:** Wailuku  
**TMK:** (2) 3-3-01:16 (por)  
**Proposing Agency:** Dept of Housing and Human Concerns, 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:** FEA accepted by the Approving Agency. There is no comment period  
**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 Chapter 343, HRS, Environmental Impact Statements.

#### 6. [Kihei High School \(EISPN\)](#)

- Island:** Maui  
**District:** Makawao  
**TMK:** 2-2-02: por. 54, por. 15  
**Proposing Agency:** State Dept of Education, Facilities Development Branch, P.O. Box 2360, Honolulu, HI 96804. Robert Purdie, Jr., Project Manager, 586-0408

**Approving**

**Agency:** State Dept of Education, Office of the Superintendent, Queen Liliuokalani Building, 1390 Miller Street, Room 309, Honolulu, HI 96804. Patricia Hamamoto, Superintendent, 586-3110

**Consultant:** Group 70 International, 925 Bethel Street, 5th Floor, Honolulu, HI 96813. Christine Ruotola, AICP, Principal, 523-5866

**Comments:** EISPN 30-day comment period starts from the date of this Notice. Address comments to the Proposing Agency, with copies to the Accepting Authority and Consultant

**Permits:** State Land Use District Boundary Amendment, County Change in Zone, Community Plan Amendment, and Subdivision

The State Department of Education proposes to develop a new high school in Kihei on approximately 77 acres of undeveloped land, mauka of Piilani Highway between Kulanihako'i and Waipu'ilani Gulches. Site improvements would include construction of educational buildings, library & media arts center, auditorium, cafeteria, administration facility, athletic buildings, and supporting structures. Outdoor athletic facilities would include outdoor play courts, athletic fields, a football/soccer/track stadium, and pool. Appropriately designed infrastructure will be incorporated into the project to support the campus facilities, operations, and occupants. Access to the proposed high school campus is planned via a new right-in right-out access road off Piilani Highway.

Construction-related impacts would be associated with the project. Following construction, traffic volumes would increase, water resources would be used, and demand on public services and facilities would rise in this location. Kihei High School would provide employment opportunities in the Kihei region. The site improvements would support a design enrollment of up to 1,650 students in grades 9-12 and supporting faculty and staff. The high school would be designed and constructed to meet or exceed USGBC's LEED Silver certification.

**HAWAII (HRS 343)**

**7. [Keaau-Pahoa Road Shoulder Lane Conversion Keaau Bypass to Shower Drive \(DEA\)](#)**

**Island:** Hawaii

**District:** Puna

**TMK:** Within State of Hawaii right-of-way; TMK: 1-6-03:65; 1-6-01: por 15; 1-5-36: portions of 116, 117, 119, 120, and 121; 1-5-33:261; 1-6-64:204

**Proposing**

**Agency:** State Dept of Transportation, Highways Division, 869 Punchbowl Street, Honolulu, HI 96813. Emilio Barroga, 692-7546

**Approving**

**Agency:** Same

**Consultant:** Wilson Okamoto Corp., 1907 South Beretania Street, Suite 400, Honolulu, HI 96826. John L. Sakaguchi, 946-2277

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

**Permits:** NPDES, Stream Channel Alteration

The Keaau-Pahoa Road shoulder lane conversion project limits extend from the vicinity of the Keaau Bypass (milepost 1.9) to Shower Drive (milepost 4.2) in Keaau, Puna District, Island of Hawaii. The Department of Transportation (DOT) intends to construct improvements on both sides of the approximately 12,200-foot long (2.3-mile) project limits. On the east or makai side of the road, the improvements will convert the existing temporary 10-foot wide shoulder lane to a permanent 12-foot-wide northbound lane and add an 8-foot-wide paved shoulder between the project limits. On the west or mauka side, the improvements would convert the existing 8-foot wide shoulder to a temporary 10-foot-wide shoulder lane and add a 2-foot-wide paved shoulder. The utility poles and overhead lines along the makai side will be relocated to accommodate the improvements. In addition, Waipahoehoe Bridge, located about 0.4 miles north of Shower Drive, will be widened from 40 feet wide to 70 feet wide by extending the structure by 15 feet on both sides. The approaches on both sides of the bridge will be realigned to transition to the roadway. A new culvert will be constructed approximately 130 feet north of the bridge to reduce flows from overtopping of the road during heavy rainfall events. The nine existing culverts within the project limits will be extended to accommodate the roadway widening. A traffic signal will be installed, and signage and striping improvements made at the intersection of Keaau-Pahoa Road and Shower Drive/Pohaku Drive.

The improvements will increase the existing 80-foot wide right-of-way, which extends for most of the project limits, to approximately 100 feet by taking about 15 to 20 feet of privately-owned lands on the makai side only. DOT will execute a construction easement for use of adjacent properties during construction.

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

**U.S. Coast Guard Mooring Buoys Offshore Honolulu Harbor and Kalaeloa Barbers Point Harbor, Oahu**

Federal Action: Federal Agency Activity  
Federal Agency: U.S. Coast Guard  
Contact: Dr. Dennis Mead, 535-3464  
Location: Offshore Honolulu Harbor and Kalaeloa Barbers Point Harbor  
CZM Contact: John Nakagawa, 587-2878, [jnakagaw@dbedt.hawaii.gov](mailto:jnakagaw@dbedt.hawaii.gov)  
Proposed Action: Install one mooring buoy offshore Honolulu Harbor and one mooring buoy offshore Kalaeloa Barbers Point Harbor anchored by a chain and concrete block on sandy bottom. The mooring buoys would be used by the U.S. Coast Guard to remain on station outside of the two commercial harbors for extended periods of time. Currently the Coast Guard cutters must keep engines running and travel in circles or drop anchor. The proposed mooring buoys would allow the Coast Guard cutters to remain on station while reducing fuel usage and the amount of time to drop and raise anchor, and avoid coral damage.  
Comments Due: November 23, 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: Pupukea (5-9-11:17)	Improvements to Existing Buildings, Relocation of Parking Area and New Landscaping (SMA-54)	Brandee MacNamara/Gregory A. Quinn
Oahu: Diamond Head (3-1-43:01)	Waikiki Shell - Improvements to Comfort Station No.1 (SMA-57)	Dept of Design and Construction, City and County of Honolulu
Hawaii: South Kona (8-6-11:03)	Grading of an Access Driveway to a Neighborhood Parcel (SMM 09-130)	Keith and Cynda Unger
Hawaii: Puna (1-5-63:01)	Routine Maintenance of Kahakai Park (SMM 09-131)	County of Hawaii Dept of Parks & Recreation
Maui: Hana (1-3-03:22)	Set up Metal Hanger with Concrete (SM2 20090076)	Armin Engert
Maui: Lahaina (4-6-33: 03)	Install Safety Hand Rail (SM2 20090077)	Sommers, Jeffrey

**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-1331	10/19/09	Land Court Application 1136, Parcel 1 and 2 of Land Court Application 1226 and Lot B of Land Court Application 1059 situate at Kaalawai, Honolulu, Oahu Address: 4055 Papu Circle Purpose: Calculate building potential and obtain building permit	Wesley Tengan/ Doris Duke Foundation for Islamic Art	3-1-41:05
OA-1332	10/19/09	Lot 34-D Kahala Cliffs Subdivision situate at Kahala, Honolulu, Oahu Address: 4162 Black Point Road Purpose: Building permit	Walter P. Thompson, Inc./ Kevin Fialko	3-5-01:04
OA-1333	10/20/09	Lot 1-A-22 Land Court Application 1089 situate at Kamananui, Waialua, Oahu Address: 67-271 Kahaone Loop Purpose: Building permit	Walter P. Thompson, Inc./ Patrick Payton	6-7-15:58
OA-1334	10/20/09	Lot 5 of Section A of the Kawaihoa Beach Lots as shown on Bishop Estate Map 4210 situate at Kawaihoa, Waialua, Oahu Address: 61-671 Kamehameha Highway Purpose: Building setback requirement	Jaime F. Alimboyoguen/ Richard & Sandra Cunha	6-1-10:11
OA-1335	10/27/09	Lot 1052 Land Court App. 677, Map 253 situate at Kaneohe, Koolaupoko, Oahu Address: 576 Kaimalino Street Purpose: Development of property	Dennis K. Hashimoto/ Eric Drache	4-4-39:14
MA-439	10/20/09	A portion of Grant 3343 to Claus Spreckels situate at Spreckelsville, Wailuku, Maui Address: 463 Laulea Place Purpose: Bedroom and carport addition	Akamai Land Surveying, Inc./ Willie Nelson	3-8-02:07
KA-334	10/19/09	Lot 4 being a portion of the subdivision of Lot 3-A-1-A as shown on Lnd. Ct. App. 937, Map 7 situate at Kikiaola, Waimea, Kauai Address: 8948 Kaumualii Highway Purpose: Setback determination	Roger Caires/ Kikiaola Land Co., Ltd.	1-2-06:22

**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-1307	Proposed Shoreline Certification	Lot B-1 of Land Court Application 743 Map 3 and Portion of Reclaimed Land of Kaneohe Bay situate at Mahinui, Kaneohe, Koolaupoko, Oahu Address: 44-627 Kaneohe Bay Drive Purpose: Development of property	Dennis K. Hashimoto/ Barbara C. Wong Trust	4-4-14:01

OA-1319	Proposed Shoreline Certification	Lot 1006 Land Court Application 677 situate at Kailua, Koolaupoko, Oahu Address: 123 Kailuana Loop Purpose: Building permit	Walter P. Thompson, Inc./ Edwin Catmull Family Trust	4-3-83:10
OA-1322	Proposed Shoreline Certification	Parcel 3-A and Lot 3 Being a portion of reclaimed (filled) land of Kaneohe and Opaapaa Subdivision, being a portion of Royal Patent 7984, Land Commission Award 4452, Apana 13 to H. Kalama situate at Malae, Kaneohe, Koolaupoko, Oahu Address: 44-375 Kaneohe Bay Drive Purpose: Property is for sale	Dennis K. Hashimoto/ Lewis Schreiner Trust	4-4-21:19 & 54
OA-1323	Proposed Shoreline Certification	Lot 5, Kawaiiloa Beach Lots Section "E" Portion R.P. 4475, L.C. Aw. 7713 Ap. 33 to V. Kamamalu situate at Kawaiiloa, Waialua, Oahu Address: 61-715 Papailoa Road Purpose: Building permit	Walter P. Thompson, Inc./ Waialua Oceanview LLC	6-1-04:70
OA-1324	Proposed Shoreline Certification	Moana Surf Rider Hotel and Tower Lot D (Map 2) of Land Court Application 1071 and Parcel 3 Lots A and B (Map 1) of Land Court Application 1677 and Parcel 4 Lots B (Map 3), A-2 (Map 4), A-1-A and A-1-B (Map 5) of Land Court Application 1274 and Parcel 5 situate at Waikiki, Honolulu, Oahu Address: 2353 and 2365 Kalakaua Ave. Purpose: Permitting purposes	ControlPoint Surveying, Inc./ Kyo-ya Hotel and Resorts, LP	2-6-01:12 & 13
OA-1326	Proposed Shoreline Certification	Beach Reserve, Section C, Kawaiiloa Beach Lots situate at Kawaiiloa, Waialua, Oahu Address: 61-485 Kamehameha Highway Purpose: Easement and possible subdivision	Walter P. Thompson Inc./ Kamehameha Schools	6-1-08:23
HA-411	Proposed Shoreline Certification	Lot 26 of Puako Beach Lots (H.T.S. 414-A) being the whole of Grant S-13,739 to William J. Payne situate at Lalamilo, Waimea, South Kohala, Hawaii Address: 69-1878 Puako Beach Drive Purpose: Building permit	Wes Thomas Associates/ Doris Scharpf Trust	6-9-05:01
OA-1291	Rejection	Lot 93 Land Court Application 323 as shown on Map 20 situate at Kailua, Koolaupoko, Oahu Address: 420 E and 426 North Kalaheo Dr. Purpose: Obtain building permit	Wesley T. Tengan/ David Diberardino and Kristine Furukawa	4-3-17:16
OA-1292	Rejection	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
OA-1294	Rejection	Lot 759 (Map 39) Land Court Application 242 situate at Puuloa, Oahu Address: 91-067 Parrish Drive Purpose: Determine setback for building purposes	Arden J. Torcuato/ Kenessey Trust	9-1-17:11
MA-427	Rejection	Land Court Application 404 (Map 1) situate at Kooka and Alio, Lahaina, Makawao, Maui Address: 455 Front Street Purpose: N/A	Akamai Land Surveying, Inc./ Joe Fedele	4-6-02:06

**POLLUTION CONTROL 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 below.

Branch Permit Type	Applicant and Permit Number	Project Location	Date	Proposed Use
Clean Air Branch, 586-4200, Non Covered Source Permit	Continental Airlines, Inc. NSP No. 0568-01-N Renewal Application No. 0568-02	Located at: Honolulu Airport, 129 Iako Place, Honolulu, Oahu	Issued: 10/16/09	One (1) 150 HP Boiler
Clean Air Branch, 586-4200, Non Covered Source Permit	Waipahu-Leeward Veterinary Clinic NSP No. 0563-01-N Renewal Application No. 0563-02	Located at: 94-801 Farrington Highway, Suite 3 Waipahu, Oahu	Issued: 10/16/09	150 lb/hr Pathological Waste Incinerator
Clean Air Branch, 586-4200, Covered Source Permit	E.M. Rivera & Sons, Inc. CSP No. 0603-01-CT Significant Modification Application No. 0603-03	Located at: Various Temporary Sites, State of Hawaii	Comments Due: 11/25/09	730 TPH and 505 TPH Portable Crushing Plants
Clean Air Branch, 586-4200, Non Covered Source Permit	Maui Electric Co., Ltd. CSP No. 0232-01-C Renewal Application No. 0232-04 Modification Application No. 0232-03	Located at: 200 Hobron Avenue, Kahului, Maui	Comments Due: 11/27/09	Kahului Generating Station
Clean Air Branch, 586-4200, Covered Source Permit	Covanta Energy CSP No. 0255-01-C Application for Modification No. 0255-05	Located at: 91-174 Hanua Street Kapolei, Oahu	Comments Due 12/1/09 Hearing: 11/24/09	H-Power Municipal Waste Combustor Facility
Clean Air Branch, 586-4200, Non Covered Source Permit	Monsanto Company NSP No. 0509-01-N Application for Modification No. 0509-12	Located at: Maunaloa Hwy, Kaunakakai, Molokai	Issued: 10/26/09	Grain Processing Facility

**FEDERAL NOTICES**

**Toward an Ecosystem Approach for the Western Pacific Region: From Species-Based Fishery Management Plans to Place-Based Fishery Ecosystem Plans (FPEIS)**

The National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Pacific Islands Regional Office released the Final Programmatic Environmental Impact Statement (FPEIS), "Toward an Ecosystem Approach for the Western Pacific Region: From Species-Based Fishery Management Plans to Place-Based Fishery Ecosystem Plans," dated September 24, 2009. The FPEIS was developed cooperatively with the Western Pacific Fishery Management Council. The FPEIS is available on the Council's website at <http://www.wpcouncil.org/hot/> and at [http://www.fpir/DIR/dir\\_public\\_documents.html](http://www.fpir/DIR/dir_public_documents.html).

## **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).