



The Environmental Notice

November 23, 2009

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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 8th and 23rd 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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OAHU (HRS 343)

1. Mokuleia Zone Change – F-1 to AG-2 (FEA)

Island: Oahu
District: Waialua
TMK: (1) 6-8-03:21
Applicant: Ralph Gray, 3107 Oahu Ave., Honolulu, HI 96822. Ralph Gray, 295-0704
Approving Agency: City and County of Honolulu, Dept of Planning and Permitting, 650 South King Street, Honolulu, HI 96813. David Tanoue, 768-8055
Consultant: Analytical Planning Consultants, Inc., 928 Nuuanu Avenue Suite 502, Honolulu, HI 96817. Don Clegg, President, 536-5695
Comments: FEA accepted by the Approving Agency. There is no comment period
Permits: None

The 40.59 acre property is located mauka and south of Farrington Highway at the base of the Waianae Mountains in the Waialua District of the City and County of Honolulu. Prior to 1944, the property was owned by Mokuleia Ranch and Land Company Ltd. within a larger parcel of agricultural land. In 1944, the Property was condemned for public use and used by the US Military. The applicant proposes to return the property to the original agricultural zoning, and is requesting a zone change from F-1 Military and Federal Preservation to Ag-2 Agricultural. There will be no further subdivision of the property. The applicant will maintain and develop the three existing lots of record for activities permitted in the AG-2 district by the Land Use Ordinance.

2. Nanakuli Community Baseyard (DEIS)

Island: Oahu
District: Waianae
TMK: 8-7-09:02 (por)
Applicant: Tropic Land LLC, 1001 Bishop Street, Suite 2690, Honolulu, HI 96813. Arick Yanagihara, 538-3785, ext. 252
Approving Agency: State Land Use Commission, 235 South Beretania Street, Room 406, Honolulu, HI 96813. Dan Davidson, 587-3822
Consultant: Kimura International, Inc., 1600 Kapiolani Blvd., Suite 1610, Honolulu, HI 96814. Glenn Kimura, 944-8848
Comments: DEIS 45-day comment period starts from the date of this Notice. Address comments to the Applicant, with copies to the Accepting Authority and Consultant
Permits: State Land Use Commission - boundary amendment; Waianae Sustainable Communities Plan amendment; Zoning change; NPDES; Grading and construction permits

Tropic Land LLC proposes to develop a light industrial park on 96 acres in upper Lualualei Valley. The project will consist of approximately 41 units, averaging two acres each. An incubator center will include an industrial building with start-up space and open yard space. The project will have a secured entry off of Lualualei Naval Access Road and a secondary emergency access. There will be landscaped buffers on the front and sides of the development. The northwest corner of the property (2.4 acres) will remain undeveloped. A 100-foot wide strip of land mauka of the industrial lots will be used for drainage and rockfall hazard mitigation. The project will be structured under a condominium property regime. Before the project can be implemented, the landowner must obtain an amendment to the State Land Use District (from Agricultural to Urban) and a change in zoning from Preservation (P-2) to Industrial (I-1). Traffic increases on Farrington Highway will worsen congestion and mitigation measures have been identified. All project traffic will be routed on Lualualei Naval Access Road. The landowner has an understanding with the Navy for use of this roadway. The project will convert 13.5 acres of Class B agricultural lands, but addresses a shortage of small-scale industrial space on the Waianae Coast. No adverse impacts to biological, hydrological, archaeological, or cultural, resources are expected. The developer will extend a water line from the municipal system to obtain water and construct an on-site wastewater treatment system. Short-term noise, dust, and erosion impacts will be mitigated through construction BMPs.

LANAI (HRS 343)

3. [Lanai Affordable Housing \(DEA\)](#)

Island: Lanai
District: Lanai
TMK: (2) 4-9-02:58
Proposing Agency: Dept of Housing and Human Concerns, County of Maui, One Main Plaza, Suite 546, 2200 Main Street, Wailuku, HI 96793. JoAnn Ridao, Deputy Director, 270-7805
Approving Agency: Same
Consultant: Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793. Colleen Suyama, Project Manager, 244-2015
Comments: DEA 30-day comment period starts from the date of this Notice. Address comments to the Proposing Agency and Consultant
Permits: 201H-38 Affordable Housing Approval, State District Boundary Amendment

The proposed Lanai Affordable Housing Project will be located on 73 acres of a larger 115-acre parcel. The project will consist of approximately 412 residential units. According to the project's conceptual master plan, there will be 239 house lots of approximately 5,000 square feet on 27.5 acres and 173 multi-family units on 14.46 acres with a proposed density of 12 units per acre. The project will also include two (2) park sites consisting of 2.83 acres and 2.08 acres. In addition, a 4.94-acre public/quasi-public site and 4.0-acre detention pond are proposed. Access to the project site will be via an extension of Fifth Street. Additionally, a Ninth Street extension is proposed to facilitate long-term traffic circulation in the vicinity of the project site.

The project is expected to provide needed affordable housing for the Lanai Community over the next 15 years.

MAUI (HRS 343)

4. [Proposed Improvements to Queen Kaahumanu Shopping Center Bus Transfer Center \(DEA\)](#)

Island: Maui
District: Wailuku
TMK: (2) 3-7-02:20 (por.)
Proposing Agency: County of Maui, Dept of Transportation, David Trask Building, 2145 Kaohu Street, Suite 102, Wailuku, HI 96793. Jim Oster, 270-7511
Approving Agency: Same
Consultant: Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793. Erin Mukai, Planner, 244-2015
Comments: DEA 30-day comment period starts from the date of this Notice. Address comments to the Proposing Agency and Consultant
Permits: County Special Management Area (SMA) Use Permit

Under an agreement with the Queen Kaahumanu Shopping Center, the County of Maui, Department of Transportation (DOT) operates a bus transfer center at the Queen Kaahumanu Shopping Center on a portion of private property identified as TMK (2) 3-7-02:20 (Parcel 20). Access to the shopping center is provided via Kaahumanu Avenue, Wakea Avenue, and Kane Street. However, the buses access the site from only Wakea Avenue (via Kea Street), and the shopping center's driveway across from Onehee Street. The existing bus transfer center is located on the western portion of the shopping center, near the shopping center's existing four (4) story parking structure and retail outlets Macy's Mens and Sew Special.

Parcel 20 is owned by QKC Maui Owner, LLC. Parcel 20 is County zoned "M-2, Heavy Industrial", designated "Urban" by the State Land Use Commission, and designated "B, Business/Commercial" and "HI, Heavy Industrial" by the Wailuku-Kahului Community Plan.

Since its establishment in 2006, the Maui Bus has experienced rapid growth in ridership. As ridership increases, there is a greater need to improve the accessibility, safety, comfort and convenience of each bus stop. Existing improvements at the bus transfer center are limited to benches for customers and a paved area to accommodate five (5) buses stopping at the site.

The County of Maui, DOT proposes to improve the existing Queen Kaahumanu Shopping Center transfer center as part of their Maui County Bus Stop Project. Proposed improvements include the installation of fifteen (15) new bus shelters with seating and lighting, a surveillance system, trash and recycle bins, bike racks, curbs, sidewalks, asphalt work, concrete bollards, re-stripping/markings, landscaping, as well as provision of a larger ramp to accommodate bus patrons. The new bus transfer center will be able to accommodate a total of five (5) buses at one time. In order to accommodate the proposed improvements, a total of eight (8) parking stalls will be deleted from the shopping center's parking plan. Presently, the DOT does not anticipate any changes to routing and scheduling of buses utilizing the bus transfer center in the near future. However, in the long term the DOT wishes to secure additional routes as passenger ridership is anticipated to increase. This, however, is largely determined by funding and is not likely to occur in the near to mid-term time horizon.

5. [Lahaina No. 3 Force Main Replacement and Wahikuli Pedestrian Trail \(FEA\)](#)

Island: Maui
District: Lahaina
TMK: 4-4-06:28, 70; 4-4-13:03, 07, 09, 10; 4-5-21:07, 10, 14, 15, 16, 19, 25
Proposing Agency: County of Maui, Dept of Environmental Management, Wastewater Reclamation Division, One Main Plaza, Suite 610, 2200 Main Street, Wailuku, HI 96793. Juan Rivera, Project Manager, 270-7268
Approving Agency: Same
Consultant: Warren S. Unemori Engineering, Inc., Wells Street Professional Center, 2145 Wells Street, Suite 403, Wailuku, HI 96793. Alan L. Unemori, President, 242-4403
Comments: FEA accepted by the Approving Agency. There is no comment period
Permits: SMA, Work-in-County Right-of-Way, Shoreline Certification, Shoreline Setback Variance, NPDES (Construction Dewatering), Work-in-State Right-of-Way, Noise Variance (for night work)

The proposed Project involves the construction of a 20" PVC replacement wastewater force main and construction of a walking trail over portions of the force main route disturbed by the trenching and installation in the Kaanapali-Wahikuli area of Lahaina, Maui, Hawaii. Portions of the walking trail are expected to deviate from the route of the force main to avoid parking lot areas and allow pedestrians to get closer to the shoreline at outcroppings.

Every phase of the proposed action, expected consequences, both primary and secondary, and the cumulative as well as the short-term and long-term effects of the action have been evaluated herein in accordance with the "Significance Criteria" of Section 11-200-12 of the Hawaii Administrative Rules. Based on the analysis, the proposed project will not result in any significant adverse impacts.

HAWAII (HRS 343)

6. [Saddle Road \(State Route 200\), Mamalahoa Highway \(State Route 190\) to Milepost 41 \(DSEIS\)](#)

Island: Hawaii
District: South Kohala
TMK: (3rd) 6-7-01:41
Proposing Agency: Dept of Transportation, Highways Division, 869 Punchbowl Street, Honolulu, HI 96813. Dina U. Lau, 587-6307
Approving Agency: Same
Consultant: Geometrician Associates, PO Box 396, Hilo, HI 96721. Ron Terry, 969-7090
Comments: DSEIS 45-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: *Fed:* Section 106 NHPA concurrence, Section 7 ESA concurrence. *State:* Chapter 6e Historic Sites Review, State Highways Permit, NPDES, Permit to Construct an Air Pollution Source, Coastal Zone Management Consistency; *County:* Grading, Grubbing, Excavating and Stockpiling Permits; Subdivision Approval

The SEIS evaluates a new alternative alignment for the proposed improvement of Section I of Saddle Road, which extends from Mamalahoa Highway near Milepost 53 to Milepost 41, making up the western end of Saddle Road, which extends in full from Mileposts 6 and 53. Sections II, III and IV have already been completed or are advancing towards completion along the alignments identified in the 1999 Final EIS for the entire project.

In 2006, the U.S. Army purchased for military training a property known as the Keamuku parcel. However, the alignment selected for Section I of the improved Saddle Road in the 1999 Record of Decision (ROD), termed W-3, would essentially divide the Keamuku parcel in half. In order to provide a safe separation of civilian transportation and military training, the Army requested that the responsible highway agencies consider another alternative alignment near the southern boundary of the Keamuku parcel for the realignment of Saddle Road within Section I. In Section I, the existing Saddle Road is a narrow, winding, two-lane road with steep grades, sharp curves, poor pavement conditions, and no shoulders. As with W-3, the new alignment W-7 would be a two-lane highway with shoulders, climbing lanes, and a design speed of 60 miles per hour. The realigned highway would improve pavement conditions, increase safety and capacity, improve quality of traffic flow, decrease cross-island travel times, prevent conflicts between military training and public traffic, and stimulate economic growth and development. See also [Appendices](#).

Environmental impacts related to wildfire potential, endangered plant and animal species, and archaeological resources will be avoided or greatly reduced through design or can be otherwise mitigated to acceptable levels.

7. [Puukapu Hybrid Water System \(DEA\)](#)

Island: Hawaii
District: South Kohala
TMK: (3rd) 6-4-04:09-10, 32-51, and 53-54
Proposing Agency: Dept of Hawaiian Home Lands, P.O. Box 1879, Honolulu, HI 96805. Royden Ishii, 620-9278
Approving Agency: Same
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 Proposing Agency and Consultant
Permits: Approval and Building Permit; Plan Approval; Grading; Work in County Right-of-Way; NPDES

The Department of Hawaiian Home Lands proposes a water system improvement to provide potable water for domestic and stock watering use for 184 ranch lots that exist or are in planning in the southern portion of the Puukapu Hawaiian Home Lands subdivision. The project consists of three phases with a total of 70,050 linear feet of 3-inch and 6-inch high density polyethylene (HDPE), polyvinylchloride (PVC), or ductile iron pipe. Other components include two reservoirs totaling 132,000 gallons, four tanks for fire-fighting purposes and two booster stations, and a 12,000-gallon pressure-breaker tank. Tanks will be made of corrugated steel with an interior liner. Currently, about 30 of Puukapu's 184 lots nearer the center of Waimea are serviced by the County Department of Water Supply, but that supply is restricted for cattle use during times of drought and is considered to be non-potable, as the system is not approved or monitored by the Department of Health. Its limited supply is often inadequate and its pressure too low for fire-fighting purposes. Water catchment systems in the area are considered inadequate because of the low annual rainfall of 30 to 40 inches.

The water system will be installed over land previously disturbed by ranching and other activities, and archaeological and biological surveys have determined that no valuable biological, historic or cultural resources are present or will be affected. The contractor will coordinate construction of booster stations and tanks and pipeline installation to minimize inconvenience to homesteaders and other members of the public. Where disturbed, roads will be restored to their original condition.

8. Keokea Beach Park Improvements, Niulii, North Kohala, Hawaii (FEA)

Island: Hawaii
District: North Kohala
TMK: (3) 5-2-01:16
Proposing Agency: County of Hawaii, Dept of Parks and Recreation, 101 Pauahi Street, Room 6, Hilo, HI 96720. Kevin Sakai, 961-8311
Approving Agency: Same
Consultant: R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, HI 96819. Chester Koga, 842-1133, chesterk@rmtowill.com
Comments: FEA accepted by the Approving Agency. There is no comment period
Permits: Approval of Construction Plans & Specifications; Building; SMA; CDUP – Plan Review

The County of Hawaii, Department of Parks and Recreation, proposes to repair and renovate the existing pavilions at Keokea Beach Park located in Niulii (North Kohala District) damaged during the 2006 earthquake. Keokea Beach Park occupies 7.11 acres of land adjacent to Keokea Bay, approximately 0.5 miles north from the end of Route 270. The “upper” pavilion located at the southern end of the park is a 2,668 square foot 8-bay pavilion with kitchen and restroom facilities, and has been closed to the public since the earthquake. The “lower” pavilion, also damaged in this earthquake, is located at the northern end of the property and comprises 224 square feet. The 2006 earthquake registered 6.7 on the Richter Scale and caused approximately \$100 million dollars of damage, primarily to the northwest region of the Island of Hawaii.

Improvements to the upper pavilion include repairs identified by federal and county building inspectors to the concrete slab floor and support columns. Removal of the walls and structures of the south and west facing sides, and relocation of the kitchen, restrooms, and barbeque pit will be also undertaken. The lower pavilion will be removed and rebuilt, and the existing parking lot will be striped. Site renovations will also include bringing the site into compliance with standards defined in the Americans with Disabilities Act (ADA). These upgrades involve the addition of handicapped parking beside the entrance to the pavilion and construction of handicapped accessible kitchen and restroom facilities. The original build dates of these pavilions are unknown but the upper pavilion was last improved in 1971. The proposed improvements will bring these facilities into conformance with current Hawaii building codes.

9. Queen Liliuokalani Village Subdivision Large Capacity Cesspool Conversion (FEA)

Island: Hawaii
District: North Kona
TMK: (3) 7-04-11, 12, 13
Proposing Agency: County of Hawaii, Dept of Environmental Management, 25 Aupuni Street, Hilo, HI 96720. Dora Beck, P.E., Technical Services Section Chief, 961-8338
Approving Agency: Same
Consultant: SSFM International Inc., 501 Sumner Street, Suite 620, Honolulu, HI 96817. Jared Chang, 531-1308
Comments: FEA accepted by the Approving Agency. There is no comment period
Permits: CZM, Noise Variance, NPDES, Ministerial Permits, HDOT Permit To Transport Oversize Equipment

The County of Hawaii, Department of Environmental Management (DEM), is proposing to provide sewer collection system and treatment improvements to serve the existing community of Queen Liliuokalani Village Subdivision in the North Kona District of Hawaii. The County proposes to construct a new sewer collection system located within the public rights-of-way and replace the existing LCCs with a new sewer collection system consisting of sewer mains and lateral connections.

The subdivision was developed in the early 1970’s by a private developer and the Queen Liliuokalani Trust in cooperation with federal, state, and county agencies as an experimental affordable housing project, and is now subject to an EPA mandate to convert these existing large capacity “gang” cesspools (LCCs) to approved Individual Wastewater Systems. LCCs allow untreated sewage to percolate directly into the soil and ground water. As such,

LCCs create public health and environmental concerns due to their likelihood of releasing diseases and other contaminants to ground water, streams, and the ocean. The proposed improvements would allow for the conversion of LCC currently serving this community. A total of 182 residential lots are currently serviced by cesspool on the 51.6 acre subdivision.

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.

Heeia Bridge Repairs, Kaneohe, Oahu

Applicant: City and County of Honolulu Department of Design and Construction
Contact: Kent Morimoto, Austin, Tsutsumi & Associates, 533-3646
Federal Action: Federal Permit
Federal Agency: U.S. Army Corps of Engineers
Location: Heeia Bridge at Heeia Stream and Kamehameha Highway
TMK: (1) 4-6-16:1
CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov
Proposed Action: Repair various portions of Heeia Bridge due to deterioration. Remove and replace deteriorated concrete and corroded rebar. Repair and restore the bridge railings. Repair the concrete pile bridge supports that extend into the water requiring a total of 350 cubic yards of concrete
Comments Due: December 7, 2009

Saddle Road (State Route 200), Mamalahoa Highway (State Route 190) to Milepost 41

Federal Action: Federal Agency Activity
Federal Agency: Federal Highway Administration (FHWA)
Contact: Dr. Ron Terry, (808) 969-7090
Location: Mamalahoa Highway, Milepost 53 to Milepost 41
TMK: (3) 6-7-1:41
CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov
Proposed Action: FHWA is proposing a new alternative alignment for the proposed improvement of Section I of Saddle Road, which extends from Mamalahoa Highway near Milepost 53 to Milepost 41, making up the western end of Saddle Road. Sections II, III, and IV have already been completed or are advancing toward completion along the alignments identified in the 1999 Final EIS.
In 2006, the U.S. Army purchased for military training a property known as the Keamuku parcel. However, the alignment selected for Section I of the improved Saddle Road in the 1999 Record of Decision (ROD), termed W-3, would essentially divide the Keamuku parcel in half. In order to provide a safe separation of civilian transportation and military training, the Army requested that the responsible highway agencies consider another alternative alignment near the southern boundary of the Keamuku parcel for the realignment of Saddle Road within Section I.
In Section I, the existing Saddle Road is a narrow, winding, two-lane road with steep grades, sharp curves, poor pavement conditions, and no shoulders. As with W-3, the new alignment W-7 would be a two-lane highway with shoulders, climbing lanes, and a design speed of 60 miles per hour. The realigned highway would improve pavement conditions, increase safety and capacity, improve quality of traffic flow, decrease cross-island travel times, prevent conflicts between military training and public traffic, and stimulate economic growth and development
Comments Due: December 7, 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: Kewalo Basin Harbor (2-1-58)	Installation of a Ticket Booth (SMA/09-9)	Robert Harrington, Reel Intensity Sportsfishing, LLC
Oahu: Waianae-Kai (8-5-08:01)	To Allow a Utility Installation, Type A (2008/SMA-65)	Verizon Wireless/Cascadia PM, LLC
Oahu: Waianae-Kai (8-5-08:01)	To Allow a Utility Installation, Type A (2009/SMA-3)	Coral Wireless LLC/Eric Schatz
Oahu: Makaha (8-5-17:08)	To Allow a Utility Installation, Type B (2009/SMA-4)	Coral Wireless LLC/Eric Schatz
Kauai: Haena (4-9-07:05)	Lifeguard Observation Towers (SMA(M)-2010-6)	Marie Carol Lemke
Maui: (3-8-07:33)	Wind Turbine (SM2 20090078)	Maui Electric Company
Maui: (3-8-02:03)	Beach Nourishment (SM2 20090079)	Sugar Cove AOA
Maui: (3-8-01:155)	Improve Parking Lot (SM2 20090080)	Hertz Corporation
Maui: (2-1-23:23)	Photovoltaic Foundation (SM2 20090081)	Liebner, Mary

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-1336	10/29/09	Lot 2697 as shown on Map 274 of Land Court Application 1069 situate at Honouliuli, Ewa, Oahu Address: N/A Purpose: Shoreline determination	Park Engineering/ City and County of Honolulu	9-1-134:06
OA-1337	11/2/09	Lot 11729 as shown on 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-1338	11/3/09	Lots 24 & 24A, 25 & 25A, & 26 & 26A of the Kahala Subdivision R.P. 7721, L.C. Aw. 228, Ap. 2 to Kaleiheana situate at Kahala, Honolulu, Oahu Address: 4423, 4433 & 4415 Kahala Avenue Purpose: Development of property	Dennis K. Hashimoto/ WF Coastal Properties, LLC	3-5-03:08, 09 & 10
OA-1339	11/9/09	Unit 6 Banyan Cove Condominium Project situate at Kaneohe, Koolaupoko, Oahu Address: 44-291 F Kaneohe Bay Drive Purpose: Construction purposes	Sam O. Hirota, Inc./ Paul Silen	4-4-07:08 (por.)
OA-1340	11/10/09	Lot 29 of Opaapaa Subdivision & Lot E of Ld. Ct. Apps. 1502 & 614 situate at Kaneohe, Koolaupoko, Oahu Address: 44-007 Aina Moi Place Purpose: Obtain permits	Ross A. Anderson/ Ross A. & Stephanie L. Anderson	4-4-21:23 & 38

MA-440	11/6/09	Lot 54 of Land Court Application 1744 as shown on Map 19 "Whalers Village Shopping Complex" being a portion of Royal Patent 2567, Land Commission Award 7715, Apana 3 to Lota Kamehameha situate at Hanakaoo and Honokowai, Kaanapali, Maui Address: 2435 Kaanapali Highway Purpose: Permitting purposes	Newcomer-Lee Land Surveyors, Inc./ WV Sub LLC	4-4-08:01
MA-441	11/6/09	Grant 1977 to Kaneioholani for "Mana Kai Resort" situate at Kamaole, Wailuku (Kula), Maui Address: 2960 South Kihei Road Purpose: SMA and other permitting purposes	Newcomer-Lee Land Surveyors, Inc./ Mana Kai Resort	3-9-04:23
MA-442	11/12/09	Lot 2 of the subdivision of Lot "K" being a portion of Grant 835 to Mahoe and a portion of Royal Patent 4137, Land Commission Award 4292:B, Apana 2 to Kalama situate at Kaeo, Honououla, Maui Address: 5330 Makena Road Purpose: SMA and other permitting purposes	Newcomer-Lee Land Surveyors, Inc./ Sanders Makua	2-1-07:91
MA-443	11/12/09	Portions of Royal Patent 8245, Land Commission Award 6850 to Mahuka, Royal Patent 5664, Land Commission Award 286, Apana 5 to Keawa, and Royal Patent Grant 1891, Apana 1 to D. Baldwin situate at Moalii, Lahaina. Maui Address: 1307 Front Street Purpose: Determine shoreline setback	Ronald M. Fukumoto Engineering, Inc./ CB Richard Ellis, Inc. (Authorized Agent)	4-5-05:11
MA-444	11/12/09	Lot 59-B of the Makena Beach Lots being a portion of Land Commission Award 11,216, Apana 21 to M. Kekauonohi situate at Honuoula, Makawao, Maui Address: 4456 Makena Road Purpose: N/A	Akamai Land Surveying, Inc./ La Canada c/o Stephen Finn	2-1-11:29
HA-413	11/9/09	Lot 44, Waawaa Subdivision, a portion of the consolidation of Grant 3687 to R.A. Lyman, Grant 1363 to Pakaka, Grant 997:1 to Haole and Grant 997:2 to Haole situate at Waawaa, Puna, Hawaii Address: 14-3533 Government Beach Road Purpose: Build single family home	Maria Shon Magsalin/ Maria Shon Magsalin	1-4-28:07

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-1327	Proposed Shoreline Certification	Lot 629 (Map 73) Land Court Application 578 situate at Kuliouou 1st, Honolulu, Oahu Address: 201 Paiko Drive Purpose: Building permit	Kenn Nishihira/ John L. Lederer	3-8-01:46
OA-1328	Proposed Shoreline Certification	Lots 158 to 162, inclusive of Land Court Application 1069 (Map 26) situate at Honouliuli, Ewa, Oahu Address: 91-333, 91-339, 91-317, 91-309 and 91-303 Papipi Road Purpose: Shoreline determination	Park Engineering/ Haseko (Ewa), Inc.	9-1-11:01-05

OA-1329	Proposed Shoreline Certification	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
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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 given.

Branch Permit Type	Applicant and Permit Number	Project Location	Date	Proposed Use
Clean Air Branch, 586-4200, Non Covered Source Permit	Maui Electric Company, Ltd. NSP No. 0456-01-N Renewal Application No. 0456-04	Located at: Hana Substation No. 41, Hana, Maui	Issued: 10/29/09	Two (2) 1.0 MW Diesel Engine Generators
Clean Air Branch, 586-4200, Covered Source Permit	B.J. Rees's Enterprise CSP No. 0725-01-CT Initial Application No. 0725-01	Located at: Various Temporary Sites, State of Hawaii	Comments Due: 12/10/09	925 TPH Stone Processing Plant

FEDERAL NOTICES

Environmental Impact Statement: Notice of Intent - Project No. STP-036-1 (11) Paia Bypass, Maui

The Federal Highway Administration (FHWA) is issuing this notice of intent in order to advise the public that an Environmental Impact Statement (EIS) will be prepared to evaluate alternatives that would reduce congestion and improve safety and reliability of Hana Highway between the intersection of Hana Highway with Haleakala Highway and Maliko Gulch on the north side of the Island of Maui in the Paia-Haiku region. This section is the primary travel way for the movement of people and goods between east Maui and the Wailuku/Kahului area where connections are made to other parts of the island.

Purposes and needs for the project have been established through a collaborative effort that has included community input. The Purpose and Need for the project will be finalized after the completion of the scoping process. The project's purposes have been defined to date as follows: reduce vehicle travel times, alleviate congestion in Paia, improve safety for all modes of travel, provide improved, more convenient access to the towns of Paia and Haiku, support Paia's quality of life through transportation improvements. For further information contact: Pat V. Phung, Lead Civil Engineer, Federal Highway Administration, Hawaii Division, Box 50206, 300 Ala Moana Boulevard, Room 3-306, Honolulu, Hawaii 96850, Telephone: (808) 541-2305.

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).