



The Environmental Notice

February 8, 2010

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Please make sure that you have the latest version of our [Distribution List and OEQC Publication Form](#). It should have the date 2010 in the bottom right-hand corner.

Our 2010 Calendar regarding the submittal deadline for environmental assessments and environmental impact statements for the July 8 issue and through the end of the year will be calculated when we receive our updated furlough calendar.

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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KAUAI (HRS 343)

1. Wainiha Water Well (FEA)

Island: Kauai
District: Hanalei
TMK: (4)5-8-02:03, Lot 1
Proposing Agency: Dept of Water, County of Kauai, 4398 Pua Loke Street, Lihue, HI 96766. Keith Fujimoto, 245-5449
Approving Agency: Same
Consultant: NKN Project Planning, 4849 Iiwi Road, Kapaa, HI 96746. Nadine Nakamura, 822-0388
Comments: FEA accepted by the Approving Agency. There is no comment period
Permits: Conservation district use permit, potable water approval, well construction/pump installation permit, building/grading permit, community noise permit, oversized and overweight vehicle permit, subdivision permit

Construction activities such as drilling and excavating will create noise. There are two types of drills available for drilling the well hole – a cable tool drill and a rotary drill. Once the type of drill is determined, the contractor will consult with the State Department of Health regarding noise impacts and obtain necessary permits. Construction activities will also impact air quality, mainly from the generation of fugitive dust from vehicle movement and soil excavation and exhaust emissions from on-site construction equipment. These impacts will be short-term during the period of construction.

The proposed project will generate short-term employment opportunities and will help to meet projected water demand for the Wainiha-Haena service area.

OAHU (HRS 343)

2. Sand Island Wastewater Treatment Plant and Sewer Basin Facilities (EISPN)

Island: Oahu
District: Honolulu
TMK: Various: 1-1-03, 06; 1-2-01; 1-2-23, 25; 1-5-34, 40, 41; 2-1-15, 58, 59, 60; 2-3:36, 37; 2-6-05, 15, 18; 2-7-36
Proposing Agency: Dept of Environmental Services, City and County of Honolulu, 1000 Uluohia Street, Suite 308, Kapolei, HI 96707. Lisa Kimura, Project Manager, 768-3455
Accepting Authority: Same
Consultant: R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, HI 96819-3494. Jim Niermann, Senior Planner, 842-1133
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: SMA; NPDES; Community Noise Permit / Noise Variance / Air Quality Permit; Grading; Grubbing and Stockpiling Permit; Building Permit; flood certification; Department of the Army CWA Section 404, CWA Section 401 and Section 402 Water Quality Certification

The City and County Honolulu, Department of Environmental Services (ENV) is undertaking planning and engineering studies for improvements to Sand Island Sewer Basin (SISB) wastewater conveyance and treatment facilities that will be required to meet service demands to the year 2030 and beyond. The

SISB service area extends from Niu Valley in the east, to Salt Lake / Aliamanu in the west. SISB wastewater facilities in this project include the Sand Island Wastewater Treatment Plant (WWTP), and collection and conveyance infrastructure consisting of ten Wastewater Pump Stations (WWPS) and related sewer gravity pipes and force mains. Alternatives under consideration include: (i) the construction of a deep Gravity Sewer Tunnel (GST) to replace portions of the existing conveyance system of WWPS and wastewater mains; (ii) upgrades to existing conveyance facilities if a GST system is not constructed; and (iii) hydraulic improvements at the Sand Island WWTP. ENV has determined that this project may have significant environmental effects and will require the preparation of an Environmental Impact Statement. Potential short-term long-term effects to the natural and built environment and socioeconomic conditions will be evaluated and mitigation measures developed as required through public outreach and the EIS process.

LANAI (HRS 343)

3. Kanepuu Preserve, Lanai, Natural Area Partnership Program (FEA)

Island: Lanai
District: Lanai
TMK: 4-9-02:01
Applicant: The Nature Conservancy, Maui Field Office, PO Box 1716, Makawao, HI 96768. Alison Cohen, Field Representative, 856-7658
Approving Agency: Dept of Land and Natural Resources, Division of Forestry and Wildlife, 1151 Punchbowl Street, Room 325, Honolulu, HI 96813. Emma Yuen, NARS Enhancement Coordinator, 587-4170
Comments: FEA accepted by the Approving Agency. There is no comment period
Permits: None

The State Natural Area Partnership Program (NAPP) is an innovative program that aids private landowners, like the Conservancy, in the management of their native ecosystems. NAPP provides matching funds (\$2 state to \$1 private) for the management of qualified private lands that have been permanently dedicated to conservation. Established in 1980, The Nature Conservancy of Hawaii (TNCH) is a local affiliate of The Nature Conservancy (TNC), a leading international, nonprofit organization that preserves the plants, animals and natural communities representing the diversity of life on Earth by protecting the lands and waters they need to survive.

Presently, TNC is seeking reauthorization of NAPP funding for the programs described within the Kanepuu Preserve Long-Range Management Plan. The Kanepuu Preserve was created to protect and enhance the olopua/lama (Nestegis/Diospyros) dryland forest that once covered large portions of the lowlands on Maui, Molokai, Kahoolawe, and Lanai. Major threats to the preserve's native vegetation are introduced game animals (axis deer [Axis axis] and mouflon sheep [Ovis musimon]), rapid soil erosion, wildfire, and a number of invasive alien (non-native) plants.

COUNTY NOTICES - Special Management Area (Ch. 25, Revised Ordinances of Honolulu)

The special management area is the land extending inland from the shoreline, as established in Chapter 25, Revised Ordinances of Honolulu, and delineated on the maps established by the council and filed with the council and agency pursuant to HRS Section 205A-23. The public can obtain a copy of the document by contacting the project Consultant or the Applicant listed below.

1. Au Kai Hale Makai (DEA)

Island: Oahu
District: Waialua
TMK: 6-8-11:52
Applicant: Fredrick E. Hanby, Jr. and Vicki Dagen-Hanby, as Co-Trustees of the Hanby Children's Trust, 68-180D Au Street, Waialua, HI 96791. May Hung, 623-5336

Approving Agency: City and County of Honolulu, Dept of Planning and Permitting, 650 S. King Street, 7th Floor, Honolulu, HI 96813. Joyce Shoji; 768-8032

Consultant: May Hung, 94-665 Kauluikua Place, Mililani, HI 96789. May Hung, 623-5336

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 Use Permit

The proposed action involves the construction of single family dwellings on a 10,301-square-foot property zoned A-1 Low Density Apartment District. The property is located at 68-091 Au Street (Tax Map Key 6-8-11: 52) in Waialua, Oahu. The applicant has received building permit approvals to construct two (2) single-family dwellings on the property. The applicant now proposes to construct two (2) additional, three-story, single-family dwellings for a total of four (4) dwellings. A wastewater treatment plan and soil absorption system will be installed on the site to serve the four (4) dwellings. The project is located entirely within the Special Management Area and requires the approval of a Special Management Area Use Permit and building permits.

CONSERVATION DISTRICT USE PERMITS (HRS 183C)

Persons interested in commenting on the following Conservation District Use Application (CDUA) must submit comments to the Department of Land and Natural Resources (HRS 183C and HAR §13-5). Both comments and requests for notification of determinations must be submitted to DLNR within thirty days from the initial date that the notice was published in the Environmental Notice. Please include the following: (1) name and address of the requestor; (2) the permit for which the requestor would like to receive notice of determination; and (3) the date the notice was initially published in the Environmental Notice. Send comments and requests to: Department of Land and Natural Resources, Office of Conservation and Coastal Lands, P.O. Box 621, Honolulu, HI 96809. DLNR will make every effort to notify those interested in the subject CDUA. However, it is not obligated to notify any person not strictly complying with the above requirements. For more information, contact Kimberly Tiger Mills at 587-0382.

File No.: CDUA MA-3533
Applicant: Kaheawa Wind Power II LLC, a.k.a. First Wind
Location: Kaheawa Pastures, Lahaina District, Maui
TMK: (2) 4-8-01:01 and 3-6-01:14
Proposed Action: 21 MW Wind Generation Facility
343, HRS determination: The Revised Draft Environmental Impact Statement was published in the Environmental Notice on December 8, 2009. The Office of Conservation and Coastal Lands is the Approving Agency
Applicant's Contact: Perry White, Planning Solutions Inc., 210 Ward Avenue, Suite 330, Honolulu, HI 96814

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 at 587-2878 or the CZM staff person listed below. For neighbor islands call toll-free: Kauai: 274-3141 x72878, Lanai & Molokai: 468-4644 x72878, Maui: 984-2400 x72878, or Hawaii: 974-4000 x72878. Federally mandated deadlines require that comments be received by the date specified below. Send comments 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.

1. Foreign Trade Zone No. 9 Import Export Step-Up Incubator, Honolulu

Applicant: Hawaii Foreign-Trade Zone
Contact: Gregory Barbour, 586-2507
Federal Action: Federal Funds
Federal Agency: Economic Development Administration
Location: 521 Ala Moana Blvd., Pier 2, Honolulu
CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov
Proposed Action: Use federal funds from the Economic Development Administration to renovate a portion of the existing Pier 2 warehouse facility and portion of the existing parking lot at the mauka end of the facility to provide 15,000 square foot of office spaces for use by import-export related small businesses. The proposed renovation area includes a ground level space and mezzanine level space. The foot print of the proposed 19 office spaces is approximately 100 feet by 200 feet.

Comments Due: February 22, 2010

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 Park (2-1-58:01)	Installation of a Bronze Statue (SMA/10-1)	St. Francis Healthcare Foundation/R.M. Towill Corp.
Hawaii: North Kohala (5-3-07:47)	After the Fact Construction of Water Well (SMM 10-138)	Rodney K Diamond
Hawaii: Puna (1-5-63:43)	Hand Clearing of Low Vegetation to Improve Visibility for Survey (SMM 10-139)	Timothy Francis Eden
Maui: Lahaina (4-6-11:08)	Deck and Lanai Addition (SM2 20040127)	Bay West Investment Company, LLC
Maui: Lahaina (4-8-03:05)	Future Use of Prop-temporary Tent (SM2 20070026)	Olowalu Elua Associates, LLC
Maui: (2-1-07: 70 & 91)	Remodel Gazebo (SM2 20090051)	Perkins, Tammy Ash

Maui: Kihei (3-9-17:02)	Retaining Wall (SM2 20100002)	Maui Independent Living Center, LLC
Maui: Kahului (3-8-79:13)	Demolition Central Power Plant (SM2 20100003)	A & B Properties
Maui: (4-6-33:07)	Replace Flagstone and Gravel (SM2 20100004)	Lederman, Robin
Maui: (3-9-61:12)	Storage Building (SM2 20100005)	Taron, Marc
Maui: (3-9-20:24)	ABC Stores No. 51 Addition & Alteration (SM2 20100006)	Fukunaga, Darin

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-1346	1/19/10	Lot 18 of Land Court Application 1596, Map 1 situate at Wailupe, Waikiki, Honolulu, Oahu Address: 320 Wailupe Circle Purpose: Development of property	Dennis K. Hashimoto/ W. Allen Doane, Christina D. Doane	3-6-01:18
OA-1347	1/20/10	Lot 260 of Land Court Application 1095, Map 22 situate at Malaekahana, Koolauloa, Oahu Address: 56-155C Kamehameha Highway Purpose: Development of property	Dennis K. Hashimoto/ Karin Rajdev, Niranjan Rajdev	5-6-01:13
HA-417	1/13/10	Reeds Bay Beach Park being Executive Order 3900, Part A (C.S.F. No. 23,197) situate at Waiakea, South Hilo, Island of Hawaii Address: 225 Banyan Drive Purpose: Redevelopment and ADA imp	County of Hawaii, Parks and Recreation/ County of Hawaii, Parks and Recreation	2-1-05:01
HA-418	1/14/10	Lot 49, Vacationland Hawaii (F.P. 814), L.C. Aw. 8559, Apana 5 situate at Kapoho, Puna, Island of Hawaii Address: Wai Opae Road Purpose: Build single family residence	Gary Banks/ Gary Roth	1-4-68:37
HA-419	1/20/10	Lot 8 Portions of Grant 3156, Apana 2 to W.H. Rickard Royal Patent Grant 1965 to Mukhia and Royal Patent 7415 Land Commission Award 7895 to Kailieleeli situate at Namoku, Hamakua, Island of Hawaii Address: N/A Purpose: SMA, conservation district boundary interpretation	County of Hawaii, Department of Environmental Management/ State of Hawaii, Hawaii Health Systems Corporation	4-5-02:60

HA-420	1/25/10	Keokea Beach Park being Lot 16-D, Land Court Application 1332 (Map 4) situate at Makapala, North Kohala, Island of Hawaii Address: Keokea Beach Park Purpose: Obtain building permit for repair of earthquake damage to existing structures	County of Hawaii, Parks and Recreation/ County of Hawaii, Parks and Recreation	5-2-01:16
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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
HA-407	Proposed Shoreline Certification	Lot 23 Portions of L.C. Aw. 8559-B, Apanas 17 & 18 to Wm. C. Lunalilo 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
OA-1302	Rejection	Lot A-1-E of Map 3 Land Court Application 1477 situate at Kaalaea, Koolaupoko, Oahu Address: 47-01 Nukuwai Place Purpose: Building setback line	Gil P. Bumanglag/ Richard E. Peterson	4-7-14:23

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, Covered Source Permit	Road and Highway Builders, LLC CSP No. 0726-01-CT Initial Application No. 0726-01	Located at: Various Temporary Sites, State of Hawaii	Comments Due: 2/21/2010	400 TPH Portable Drum Mix Asphalt Plant
Clean Air Branch, 586-4200, Covered Source Permit	Jas. W. Glover CSP No. 0542-01-CT Application for Significant Modification No. 0542-04	Located at: Various Temporary Sites, State of Hawaii	Comments Due: 3/1/2010	300 TPH Portable Drum Mix Asphalt Plant
Clean Air Branch, 586-4200, Covered Source Permit	Kauai Aggregates CSP No. 0332-01-C/CT Application for Significant Modification No. 0332-06	Located at: Halewili Road, Eleele, Kauai Various Temp. Sites, State of Hawaii	Issued: 1/22/2010	700 TPH Stone Quarrying and Processing Plant

FEDERAL NOTICES

Preparation of a Programmatic Environmental Impact Statement (PEIS) for the Stationing and Operation of Joint High Speed Vessels (JHSVs)

The Army intends to prepare a PEIS for the proposed stationing and operation of up to 12 JHSVs. The JHSV is a strategic transport vessel that is designed to support the rapid transport of Army Soldiers, other military personnel and equipment in the U.S. and abroad. The PEIS will assess the potential environmental impacts associated with the proposed stationing of JHSVs at the following military port locations: Virginia Tidewater area; San Diego, CA area; Seattle-Tacoma, WA area; Pearl Harbor, HI area; and Guam. These locations were selected based on the following criteria: sites have existing military port facilities that do not require new infrastructure construction or improvements; sites have existing maintenance facilities for up to, but not including, depot level facilities for major JHSV repairs and maintenance; and sites are capable of supporting the strategic needs of the nation's Combatant Commanders. Not all of the proposed ports will receive JHSVs and other viable locations raised during public scoping may be considered as stationing sites. The Army's Record of Decision will make the determination as to which of the potential sites will serve as home port locations.

The Army intends to consider the following alternatives in the PEIS: (1) The stationing and operation of an Army-wide total of five JHSVs at military port facilities in the U.S. or U.S. territories, with up to three JHSVs at any one of the aforementioned locations; (2) The stationing and operation of an Army-wide total of up to 12 JHSVs at military port facilities in the U.S. or U.S. territories and overseas locations operated by the U.S. military, with up to three JHSV's being stationed at any one location; and (3) The no action alternative which retains the Army's existing transport fleet and does not equip the Army with JHSVs. Under the no action alternative, the Army would not be able to increase its expeditionary capability as discussed as a key requirement in the Quadrennial Defense Review (QDR) nor would it meet the rapid deployment goals of Army Transformation.

The JHSV will require fueling-at-sea training; aviation training (helicopter); live fire training; and high-speed, open-water-craft training. It is anticipated that the vessel will spend 150 days or more away from the home station. These home-station sites would only be used to support JHSV berthing and training requirements in and around the stationing location for 170 days per year. An annual maintenance cycle of approximately 45 days would occur at the home station or at another location, if appropriate maintenance facilities are not on site. The PEIS will include evaluation of the different locations which could reasonably accommodate, support, and sustain the JHSV and meet its requirements for live-fire training.

The proposed action will require the Army to balance strategic, sustainment, and environmental considerations to provide greater flexibility and responsiveness to meet today's evolving world conditions and threats to national defense and security. The PEIS will analyze the proposed action's impacts upon the natural, cultural, and manmade environments at the alternative home-stationing sites.

Comments may be sent to: Public Affairs Office, U.S. Army Environmental Command, Attention: IMAE-PA, 5179 Hoadley Rd., Aberdeen Proving Ground, MD 21010-5401. For further information contact: Public Affairs Office at (410) 436-2556; fax (410) 436-1693; or e-mail: APGR-USAECNEPA@conus.army.mil.

The JHSV is a high-speed, shallow-draft vessel capable of rapid intra-theater transport of Army units. JHSV stationing detachments consist of a 31 member crew and can accommodate up to 350 additional Soldiers. The vessel can reach speeds of 35-45 knots and has an equipment carrying capacity of approximately 700 short tons. It has a shallow draft of 12.5 feet for enhanced port access for the types of austere piers and quay walls common in developing countries. The JHSV includes a weapons mount for crew served weapons, a flight deck for helicopter operations, and an off-load ramp that allows vehicles to drive off the ship quickly. These characteristics make the JHSV an extremely flexible asset, able to support a wide range of operations including maneuver and sustainment, relief operations in small or damaged ports, flexible logistics support, or as the key enabler for rapid transport.

The PEIS will assess, consider, and compare the direct, indirect, and cumulative environmental effects from the stationing of up to three Army JHSVs per site. The primary environmental issues to be analyzed will include potential impacts to air quality, airspace, cultural resources, noise, and marine life. In addition, the Army will consider those issues identified as the part of the scoping process.

All interested members of the public, including native communities and federally recognized Native American Tribes, Native Hawaiian groups, Guam Chamorro Groups, and federal, state, and local agencies, are invited to participate in the scoping process for the preparation of this PEIS. Written comments identifying environmental issues, concerns and opportunities to be analyzed in the PEIS will be accepted for 30 days following publication of the Notice of Intent in the Federal Register. There will be no on-site scoping meetings.

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).