



The Environmental Notice

March 8, 2010

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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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KAUAI (HRS 343)

1. Haena State Park Individual Wastewater System Improvements (Constructed Wetlands) (FEA)

Island: Kauai
District: Hanalei
TMK: 5-9-08: por. 01
Proposing Agency: Dept of Land and Natural Resources, Engineering Division, PO Box 373, Honolulu, HI 96809. Valerie Suzuki, P.E., tel: 587-0275, fax: 587-0283
Approving Agency: Board of Land and Natural Resources, PO Box 621, Honolulu, HI 96809. Laura Thielen, Chairperson, tel: 587-0404, fax: 587-0390
Consultant: PBR HAWAII, 1001 Bishop Street, Suite 650, Honolulu, HI 96813. Catie Fernandez, Planner, tel: 521-5631, fax: 523-1402
Permits: Special Management Area Use Permit, Shoreline Certification
Comments: FEA accepted by the Approving Agency. There is no comment period

The State Department of Land and Natural Resources, Division of State Parks is proposing to construct individual wastewater disposal system improvements at the existing comfort station located in Haena State Park, Kauai. The existing septic tank and leachfield were constructed in accordance with Department of Health regulations for wastewater systems but the community has raised concerns of desecration to underlying cultural and archaeological resources with continuation of the leach field. Therefore, without further disturbance of the archaeological site, the project will be located away from the site and utilize new septic tanks for primary treatment of effluent, and incorporate a constructed wetland for secondary treatment. The project will thereby improve the water quality prior to disposal in a new subsurface absorption bed located in an area less likely to contain archaeological features. The Final EA contains an analysis of potential impacts and associated mitigation measures to ensure potential adverse impacts are minimized or mitigated.

OAHU (HRS 343)

2. Aiea Intermediate School Erosion Control (DEA)

Island: Oahu
District: Ewa
TMK: (1) 9-9-05:01
Proposing Agency: Dept of Education, FDB -Planning Section, 4680 Kalaniana'ole Hwy., Bldg. TB1A, Honolulu, HI 96821. Gaylyn Nakatsuka, 377-8315
Approving Agency: Dept of Education, Facilities Development Branch, P.O. Box 2360, Honolulu, HI 96804. Robert W. Purdie, Jr., 586-0408
Consultant: Kimura International, Inc., 1600 Kapiolani Boulevard, Suite 1610, Honolulu, HI 96814. Leslie Kurisaki, 944-8848
Permits: Dept of Army Section 404, Section 401WQC, standard construction permits
Comments: DEA 30-day comment period starts from the date of this Notice. Address comments to the Proposing Agency and Consultant

Aiea Stream runs along the northwestern perimeter of Aiea Intermediate School. Over the years, severe erosion of the stream bank has caused the loss of several feet of land at the top of the stream bank bluff.

This has already undermined an electrical box, requiring relocation of the school's electrical lines to a new overhead line. The severe erosion continues to undermine the school's access road near the cafeteria, which is used by delivery trucks and provides access to several buildings and playing fields.

The proposed project will protect and stabilize a 150-foot segment of the eroding stream bank by backfilling the eroded areas, trimming or removing the unstable outcrops, and applying wire-reinforced shotcrete to prevent the further sloughing and retreat of the stream bank. The area at the toe of the slope near the stream will be excavated, reinforced and backfilled to three feet below grade to protect against scour caused by the stream flow. During construction, there will be noise and dust in the immediate vicinity. The project's location next to the school road will impact access and circulation within the campus. Portions of the roadway will be used for construction equipment staging and access, and traffic may be reduced to one lane. Project construction is proposed during the summer months when school is not in session, to reduce inconvenience to students and staff. The work area within the stream bed will be isolated with sandbags to contain debris and prevent adverse water quality impacts. Construction during the dry season will reduce stream bank erosion and runoff. The proposed stream improvements will be designed to minimize changes to the stream hydraulics, and are not expected to cause erosion in other areas of the stream or result in flooding problems downstream. A Department of the Army Section 404 and Section 401 Water Quality Certification from the Dept. of Health Clean Water Branch will be obtained. Site specific best management practices will be implemented, and all conditions of these permits/approvals will be met. There are no threatened or endangered species in the project area. Aiea Stream has minimal aquatic resource value, with primarily exotic (introduced) species, and there will not be an adverse impact on stream biota. Archaeological studies did not find evidence of any cultural properties within the project area, and no further archaeological work was recommended. See also the [Cultural Impact Assessment](#).

Overall, the temporary construction-related impacts can be mitigated and are not significant. There will be no adverse long-term impacts, and the project will improve water quality in Aiea Stream by correcting an ongoing erosion problem.

3. [King Intermediate School Building N \(Library\) Improvements and Covered Bus Stop \(DEA\)](#)

Island: Oahu
District: Koolaupoko
TMK: (1) 4-6-04:02 (por)
Proposing Agency: Dept of Education, Facilities Development Branch, P.O. Box 2360, Honolulu, HI 96804. Jonathan Weintraub, 586-0439
Approving Agency: Same
Consultant: Kimura International, Inc., 1600 Kapiolani Boulevard, Suite 1610, Honolulu, HI 96814. Leslie Kurisaki, 944-8848
Permits: Special Management Area Use permit, construction and grading permits
Comments: DEA 30-day comment period starts from the date of this Notice. Address comments to the Proposing Agency and Consultant

The State Department of Education (DOE), Windward School District is proposing improvements at S.W. King Intermediate School in Kaneohe, Oahu. Job No. P00056-06 will replace roof-top air conditioning equipment on the school library Building N with equipment in a new ground level mechanical room. The aging roof-top equipment causes ongoing roof leaks that are costly and inefficient to repair. Replacement of equipment in a ground-level mechanical and chiller room will be more cost effective and is consistent with the current policy to replace roof-top mechanical equipment on State-owned facilities.

Job No. P00156-06 will construct additional staff parking next to the library, and a covered bus shelter on the west side of the main school access road, adjacent to the playing field. More than 300

students at King Intermediate School ride privately-contracted school buses to and from school daily. Currently, bus loading and unloading occurs in a small parking lot, which does not provide shelter from the sun and rain. A covered and lighted bus shelter with seating for approximately 250 students will be constructed. A dedicated drop-off and pick-up lane will be able to accommodate up to five buses. A retaining wall approximately 100 to 200 feet in length and two to four feet in height will be constructed along the playing field, behind the covered bus shelter. During construction, there will be noise and dust in the immediate vicinity of these improvements. Construction of the bus shelter on the main school entry road will impact access and circulation and traffic may be temporarily reduced to one lane. Project construction is proposed during the summer months when school is not in session, to reduce inconvenience to students and staff. The project area is a developed school campus, and there are no threatened or endangered species in the project area. An archaeological monitoring plan was prepared for the project and approved by the State Historic Preservation Division. See also the [Cultural Impact Assessment](#). On-site monitoring is recommended for all initial ground disturbing activities and any excavation below 12 inches in depth. There will be no adverse, long-term impacts, and temporary construction-related impacts can be adequately mitigated. Overall, the proposed improvements will have a positive impact on the efficient operation of the school.

4. [Waikiki Beach Maintenance \(DEA\)](#)

Island: Oahu
District: Honolulu
TMK: N/A
Proposing Agency: Dept of Land and Natural Resources, 1151 Punchbowl Street, Honolulu, HI 96813. Sam Lemmo, 587-0377
Approving Agency: Same
Consultant: Sea Engineering, Inc., Makai Research Pier, 41-305 Kalaniana'ole Hwy., Waimanalo, HI 96744. Scott Sullivan, 259-7966, ext. 22
Permits: Dept of the Army Permit (Section 10 and Section 404), Clean Water Act Section 401 Water Quality Certification, Coastal Zone Management Act Consistency Determination
Comments: DEA 30-day comment period starts from the date of this Notice. Address comments to the Proposing Agency and Consultant

The project site is located in the middle of Waikiki Beach. DLNR proposes to restore and maintain the 1,700-foot-long segment of Waikiki Beach between the Kuhio Beach crib walls and the Royal Hawaiian Hotel groin. Approximately 24,000 cubic yards of sand would be recovered from offshore deposits, and pumped to the shoreline where it would be dewatered and placed along the beach. The project would widen the beach by about 40 feet, restoring the beach to its approximate 1982 width. The project would also include an option for a second beach nourishment after approximately 10 years involving approximately 14,000 cubic yards recovered from the same offshore sand deposits. Also included in the project would be the removal of two old deteriorated groin structures at the east end of the project area. The project will not alter or affect presently on-going sand transport and shoreline processes, wave-driven currents, circulation patterns, water quality or offshore wave breaking. Sand recovery operations will be designed so as to avoid and minimize impacts to marine biota so far as practicable, no long term impacts to marine biota are anticipated. Construction BMPs will be used to avoid impacts to the protected green sea turtle. No effects on historic, cultural and archaeological resources are anticipated. Construction may result in some temporary disruption of beach use and recreational uses, and increased noise and short term degradation of air quality from the operation of construction equipment.

5. Kapiolani Medical Center for Women and Children, 15-Year Master Plan (FEA)

Island: Oahu
District: Honolulu
TMK: 2-8-11: 4, 5, 13, and portion of 29
Applicant: Kapiolani Medical Center for Women and Children, 1319 Punahou Street, Honolulu, HI 96826. Warren Chaiko, 535-7470
Approving Agency: City and County of Honolulu, Dept of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, HI 96813. Joyce Shoji, 768-8032
Consultant: EnvironMETeo Services, Inc., 94-520 Ukee Street, Suite A, Waipahu, HI 96797. David Robichaux, 637-8030
Permits: Plan Review Use (PRU), NPDES storm water, Building, Grading Permits
Comments: FEA accepted by the Approving Agency. There is no comment period

The applicant indicates that the proposal is to upgrade the medical center and improve the off-street parking and circulation in response to community needs. The proposed improvements will be constructed in three phases. Phase I includes construction of a new 16-level Bingham Parking Structure; Phase II includes demolition of the existing Bingham Building, and construction of the Bingham Shared Services Building (neonatal/pediatric intensive care); Phase III features demolition of the existing Bingham Parking Structure and construction of a Bed Tower (hospital tower); and demolition and replacement of the Punahou Parking Structure. The proposed 15-year Master Plan (from 2010 to 2025) for the facility will add a new lot (Parcel 5) to the site, and increase off-street parking from 572 spaces to about 1,114 spaces. The Environmental Assessment is required because the project involves installation of an upgraded wastewater line, about 437 feet long, within the Bingham Street right-of-way, which is State-owned.

6. Ala Moana Wastewater Pump Station Force Main #3 and #4 (FEA)

Island: Oahu
District: Honolulu
TMK: 2-1-15:23, 2-1-15:09, 1-5-41:05, 1-5-41:06
Proposing Agency: City and County of Honolulu, Dept of Design and Construction, 650 South King Street, Honolulu, HI 96813. Carl Arakaki, 768-8738
Approving Agency: Same
Consultant: Fukunaga and Associates, Inc., 1357 Kapiolani Blvd, Ste 1530, Honolulu, HI 96814. Wynn Miyamoto, 944-1821
Permits: Shoreline Setback Variance (confirmation not in shoreline setback), Street Usage, Special Management Area, Flood Zone Variance, Zoning Waiver, Grading, Grubbing, Excavation, & Stockpiling, Dewatering, NPDES for Construction Related Discharges, Conservation District Use, Kakaako District Special Management Area, Makai Area Development, Community Noise Control, Department of the Army Permit, Section 10
Comments: FEA accepted by the Approving Agency. There is no comment period

The proposed project will provide construct two new force mains between the Ala Moana Wastewater Pump Station and the Sand Island Wastewater Treatment Plant. The proposed project will benefit the community by providing sufficient capacity, as well as backup capacity, for the Ala Moana wastewater pumping system. The project will also reduce the possibility of wastewater spills. The project will have short term construction impacts on traffic, noise, and air quality. No long term impacts are expected.

7. Kahn (After-the-Fact) Seawall (DEA)

Island: Oahu
District: Honolulu
TMK: 3-6-1:38
Applicant: Philippe Kahn, Kahn Family Trust, 146 Wailupe Circle, Honolulu, HI
Approving Agency: Dept of Planning and Permitting, City and County of Honolulu, 650 South King Street, 7th Floor, Honolulu, HI 96813
Consultant: Wil Chee – Planning & Environmental, 1018 Palm Drive, Honolulu, HI 96814-1929
Permits: Shoreline Setback Variance (SV)
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

The applicant seeks an after-the-fact shoreline setback variance to repair and increase the height of an existing variable height concrete rubble masonry (CRM) seawall that extends along the seaward boundary of the subject parcel located at 146 Wailupe Circle in Wailupe. A wood pier extends seaward from the seawall which retains a backfilled lawn. The parcel is developed with a single-family dwelling.

The Department of Planning and Permitting (DPP) records indicate that there is a nonconforming shoreline protection structure (seawall) at this location. Repairing and increasing the height of the existing seawall requires that an after-the-fact shoreline setback variance be obtained from the DPP. As an improvement that is considered accessory to the single-family use of the lot, the seawall is not considered development and, therefore, is exempt from Special Management Area (SMA) requirements.

MAUI (HRS 343)

8. Hale Hui Kai Community Plan Amendment (FEA)

Island: Maui
District: Wailuku
TMK: (2)3-9-04:25
Applicant: Hale Hui Kai Association of Apartment Owners (AOAO), 2994 South Kihei Road, Kihei, HI 96753. Ben Little, General Manager, 879-6240
Approving Agency: Maui Planning Commission, 250 South High Street, Wailuku, HI 96793. Jeffrey Dack, AICP, Current Planning Supervisor, 244-7735
Consultant: Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793. Mark Alexander Roy, AICP, Project Manager, 244-2015
Permits: Community Plan Amendment
Comments: FEA accepted by the Approving Agency. There is no comment period

The Hale Hui Kai property is an existing 41-unit resort condominium complex located on South Kihei Road in Kihei, Maui. Units within the condominium are either utilized by the owners as residential apartments or operated as short-term vacation rentals. The property is designated “Urban” by the State Land Use Commission, “Single-Family” by the Kihei-Makena Community Plan and “H-M, Hotel” by the County of Maui zoning ordinance. The existing building was constructed over 30 years ago in 1971 in accordance with the property’s “Hotel” designation, which was set forth by the 1970 Kihei Civic Development Plan (KCDP) and County Zoning.

Many years after the completion of construction, the adoption and subsequent update of the Kihei-Makena Community Plan (in 1985 and 1998 respectively) resulted in the property being designated for “Single-Family” use. This designation did not reflect the intended “Hotel” land use as reflected in the

1970 KCDP and County zoning maps, nor did it acknowledge the existing use present on the property at the time. Furthermore, the designation was also assigned without the prior knowledge, consent, or notification of the landowners.

To reestablish consistency between the land use designation for the property, Hale Hui Kai AOA is proposing a Community Plan Amendment (CPA) which would amend the Kihei-Makena Community Plan designation for the property from "Single-Family" to "Hotel". Approval of the CPA would assign an appropriate community plan designation to the property. The CPA would reflect the existing land use that has been present on the property for over 30 years and would also allow implementation of repair and maintenance work that will be necessary at the property in future years. It is noted that there are no construction improvements to the existing condominium buildings at the resort being proposed as part of the CPA request.

9. [The Villages of Leialii Affordable Housing \(EISPN\)](#)

- Island:** Maui
District: Lahaina
TMK: TMK 4-5-21:03, 04, 05, 13, 21, 22, and 4-5-28:70
Proposing Agency: Hawaii Housing Finance & Development Corporation, 677 Queen Street, Suite 300, Honolulu, HI 96813. Stanley Fujimoto, Project Manager, tel: 587-0541, fax: 587-0600
Approving Agency: Same
Consultant: Belt Collins Hawaii, 2153 North King Street, Honolulu, HI 96819. Susan Sakai, tel: 521-5361, fax: 538-7819
Permits: County Change of Zone, NPDES, Subdivision Approval, Plan Approval, Grading, Building
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

The Hawaii Housing Finance & Development Corporation (HHFDC) is the State's primary agency tasked with overseeing the financing and development of housing affordable to workforce and lower- and moderate-income families. The HHFDC intends to issue a Request for Proposals (RFP) to prospective development companies for the proposed project, which will be located in Lahaina, Maui. The project site consists of approximately 1,033 acres of ceded lands owned by the State. Project lands will be leased or otherwise handled in conformity with laws governing ceded lands.

The project responds to the limited supply of housing for workforce and lower- and moderate income residents in West Maui. Provision of new housing near jobs in Lahaina and the Kaanapali resort will tend to reduce commuting traffic, and hence congestion, in Lahaina and on the route to Central Maui.

The Villages of Leialii will create a community based on sustainable building and design principles to serve West Maui residents. Proposed land uses will include single-family and multi-family residential housing units with a range of densities, neighborhood parks, and a mixed-use (commercial and residential) town center with open space. Sites for two elementary schools have been identified. Primary access to the proposed development and project site will be the Honoapiilani Highway (Route 30).

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.

Pacific Missile Range Facility Missile Intercept Test Support, Kauai

Federal Action: Federal Agency Activity
 Federal Agency: U.S. Department of the Navy
 Contact: David Hasley, (256) 955-4170
 Location: Kekaha, Kauai
 CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov

Proposed Action: Update the capabilities of the Pacific Missile Range Facility (PMRF) to support future tests of missile intercept technologies. The proposal includes the construction and modification of PMRF facilities to test new land-based interceptor systems, such as the Aegis Ashore Missile Defense program, and the enhancement of current intercept test capabilities at PMRF. Additional land-launched systems would be placed at PMRF, including the installation of missile launchers, radars, and support facilities. The Aegis Ashore Missile Defense program would construct an interceptor launch area that would include a launch pad, a launch equipment building, and a land-based Aegis launch system. Three lighting and instrumentation towers would be erected at the interceptor launch area for mounting video and sensor equipment to monitor missile launches. The proposed program would also establish an Aegis Ashore Test Center (ATTC) on PMRF, which includes launch fire control, radar, 2 towers, mission analysis secure rooms, radar maintenance area, and fire water tanks and pumps.

Comments Due: March 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 |
|----------------------------------|---|------------------------------|
| Hawaii: South Kohala (6-8-22:08) | Install a Stealth Telecom Facility on the Rooftop of the North Tower (SMM 10-141) | AT & T Wireless |
| Maui: (1-1-02:10) | Structure for Existing Fuel Tanks (SM2 20100012) | State Dept of Transportation |
| Maui: (4-6-29:14) | Renovations (SM2 20100013) | Bill Salawich |

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-1348 | 2/26/10 | Lot 57, Land Court Application 1052 and Lot 28, Portion R.P. 2243, L.C. Aw. 10613 Ap. 5 to A. Paki situate at Makaha, Waianae, Oahu Address: 84-905 Farrington Highway Purpose: Building permit | Walter P. Thompson, Inc./ Manuel Madeira | 8-4-05:02 |
| OA-1349 | 2/26/10 | Land Court Application 1069 consolidation of Lots 17679 and 17680 as shown on Map 1354 the resubdivision of said consolidation into Lots A and B situate at Honouliuli, Ewa, Oahu Address: 92-100 Waipahe Place Purpose: Consolidation and resubdivision | Walter P. Thompson, Inc./ Ko Olina Ocean Marina LLC | 9-1-57:19 |
| HA-421 | 2/23/10 | Lot 1-A, portion of R.P. Gr. 1035 to John Parker and L.P. Gr. S-15,617 to Robert E. Stengle and Christine M. Stengle situate at Puuohua 2nd, North Hilo, Island of Hawaii Address: N/A Purpose: Determine shoreline setback | Daniel Berg/ Laurie Robertson, Scott Watson | 3-2-03:41 |
| KA-335 | 2/24/10 | Lots 5, 6, and 8 Land Court Application 1166 situate at North Olohena, Kawaihau, Kauai Address: Aleka Loop Purpose: Subdivision requirement | Esaki Surveying and Mapping, Inc./ Coconut Beach Development LLC | 4-3-02:15, 16, 20 |

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 who wants 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 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-1334 | Proposed Shoreline Certification | 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 Hwy Purpose: Building setback requirement | Jaime F. Alimboyoguen/ Richard & Sandra Cunha | 6-1-10:11 |
| OA-1338 | Proposed Shoreline Certification | 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-1342 | Proposed Shoreline Certification | Lot 14 of Kawaihoa Beach Lots being a portion of Royal Patent 4475, Land Commission Award 7713, Apana 33, to V. Kamamalu situate at Kawaihoa, Waialua, Oahu Address: 61-635 Kamehameha Highway Purpose: Setback purposes | Austin, Tsutsumi and Associates, Inc./ Michael and Nina Fox | 6-1-10:01 |
| HA-418 | Proposed Shoreline Certification | 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 | Proposed Shoreline Certification | 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 Corp. | 4-5-02:60 |
| MA-444 | Proposed Shoreline Certification | Lot 59-B of the Makena Beach Lots being a portion of Land Commission Award 11,216, Apana 21 to M. Kekauonohi situate at Honuaula, Makawao, Maui Address: 4456 Makena Road Purpose: N/A | Akamai Land Surveying, Inc./ La Canada c/o Stephen Finn | 2-1-11:29 |
| OA-1305 | Rejection | Parcel 1 Maili Stream and Tributaries, Line M-4 situate at Lualualei, Waianae, Oahu Address: Farrington Highway Purpose: Construction within setback area | ControlPoint Surveying, Inc./ State of Hawaii | 8-7-05:04 |
| HA-405 | Rejection | Kona Bali Kai Condominium on Parcel Number Four situate at North Kona, Island of Hawaii Address: 76-6246 Alii Drive Purpose: Shoreline certification | Michael Sweere/ Kona Bali Kai AOAO | 7-6-15:23 |

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 | G. Ibarra Equipment Rentals CSP No. 0535-01-CT Renewal Application No. 0535-02 | Located at: Various Temporary Sites State of Hawaii | Comments Due: 3/29/10 | 323 Tons per Hour Jaw Crushing Plant |

FEDERAL NOTICES

Saddle Road (HI-200) Improvements Project from Mamalahoa Highway (HI-190) to Milepost 41, Hawaii County, Final Supplemental Environmental Impact Statement (FSEIS)

On Feb 26, 2010, the subject FSEIS was published in the Federal Register. As part of the NEPA approval process, 30 days after the Record of Decision is announced in the Federal Register, the FSEIS is deemed accepted. For more information, contact Melissa Dickard at 720-963-3691.

[Notification of Availability, Kahuku Wind Power, LLC's Wind Energy Generation Facility, Draft Environmental Assessment, Oahu](#)

The US Department of Energy is evaluating whether or not to provide a federal loan guarantee to Kahuku Wind Power, LLC to support construction of a new 30 megawatt commercial wind energy generation facility on approximately 578 acres on Kahuku, Oahu. The purpose of and need for agency action is to comply with the DOE's mandate by selecting eligible projects that meet the goals of the Act. The DOE is using the National Environmental Policy Act (NEPA) process to assist in determining whether to issue a loan guarantee to Kahuku Wind Power, LLC to support the proposed project. The two principal goals of the loan guarantee program are to encourage commercial use of new or significantly improved energy related technologies and to achieve substantial environmental benefits. The proposed project would integrate installation of Xtreme Power's Batter System and Clipper Liberty™ wind turbine generators, two new or significantly improved technologies compared to commercial technologies currently available in the US. Successful integration of these technologies has the potential to serve as a model for other renewable energy opportunities in Hawaii and elsewhere, particularly in regions with isolated power grids with remote, low voltage transmission lines. The proposed facility would make renewable, wind generated electricity available, thereby avoiding air pollutants and anthropogenic emission of greenhouse gases that would otherwise be produced by existing nonrenewable energy sources.

Please provide any comments on the draft EA by March 31, 2010. Email correspondence to sharon.r.thomas@hq.doe.gov is recommended and preferred. Written comments can also be sent via regular mail at the following address: Ms. Sharon R. Thomas, US Department of Energy, 1000 Independence Ave., SW (CF-1.3): Washington, DC 20585.

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).