



The Environmental Notice

October 23, 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.

Katherine Puana Kealoha, Esq., Director · Office of Environmental Quality Control · 235 South Beretania Street, Suite 702 · Honolulu, HI 96813
Tel: 586-4185 · Fax: 586-4186 · Email: oeqc@doh.hawaii.gov · Website: <http://hawaii.gov/health/environmental/oeqc/index.html/>
Toll Free: Kauai: 274-3141 ext. 64185 · Maui: 984-2400 ext. 64185 · Molokai/Lanai: 1-800-468-4644 ext. 64185 · Hawaii: 974-4000 ext. 64185

KAUAI (HRS 343)

1. Kapaa High School Softball Stadium (FEA)

Island: Kauai
District: Kawaihau
TMK: (4) 4-6-14:31
Permits: Use Permit, Height Variance, Class IV Permit, and NPDES
Proposing Agency: Dept of Education, Facilities Development Branch, PO Box 2360, Honolulu, HI 96804. Robert Purdie, Jr., 586-0408
Approving Agency: Same
Consultant: Nadine Nakamura, NKN Project Planning, 4849 Iiwi Road, Kapaa, HI 96754. 822-0388
Comments: FEA accepted by the Approving Agency. There is no comment period

The State Department of Education is proposing to construct a new softball stadium on the Kapaa High School campus. The project is a Title IX gender equity project and the stadium is also the site for future champion games of the Kauai Interscholastic Federation. The complex will adhere to gender equity such that the softball field will be equal to or greater than the boy's baseball facility in terms of overall amenities and quality, and will meet current State, Federal and the National Federation of State High School Associations design criteria.

The facility is being constructed to comply with the Department of Justice requirements for equality in boys and girls sport practice, play-off, and tournament facilities. The proposed stadium complex will be located in an existing grassed field area. The stadium work also involves compliance with the Americans with Disabilities (ADA) Guidelines, a softball field with a skinned¹ infield and newly graded and grassed outfield, a permanent 212 seating bleachers, plus four ADA seating areas, dugouts for home and visiting teams, an electronic scoreboard, field lighting poles with public address system, a restroom and concession stand facility, and an announcer's booth and storage facility.

OAHU (HRS 343)

2. Leeward Bikeway (SDEA)

Island: Oahu
District: Waianae and Ewa
TMK: (1) 8-9-1; 8-7-08; 8-9-06; 9-3-15, 16, 17; 9-3-01; 9-4-02; 9-4-01
Permits: Leeward Bikeway: CWA Noise; NPDES; CZM Federal Consistency Determination; Section 106 Consultation; Dept of the Army Section 404 and Section 10; Section 401; Stream Channel Alteration; Grading; and Special Management Area Use. Betty Nagamine Bliss Memorial Overlook: Permits will be sought independently by USFWS
Proposing Agency: State Dept of Transportation, Highways Division, 601 Kamokila Boulevard, Room 609, Kapolei, HI 96707. Robert Sun, 692-7578
Approving Agency: Same
Consultant: R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, HI 96819. Brian Takeda, 842-1133
Comments: Supplemental DEA 30-day comment period starts from the date of this Notice. Address comments to the Proposing Agency and Consultant

The State Department of Transportation (DOT) proposes to construct the Leeward Bikeway extending 14.2 miles within the former Oahu Railroad and Land Company (OR&L) railroad right-of-way from the vicinity of Waipio Point Access Road in Waipahu to Lualualei Naval Road in Nanakuli, Oahu. The Supplemental DEA updates an August 2000 FEA and FONSI for Leeward Bikeway, a continuous, 9- to 10-foot wide, separated asphalt concrete bicycle and pedestrian path sharing the 40-foot ROW with railroad operations of the Hawaiian Railway Society. Bikeway construction involves clearing, grubbing, demolition, grading, asphalt concrete paving, bridge replacements, retaining walls, sidewalk connection, storm drainage improvements, utility pole relocation, erosion controls, and fencing. As part of Leeward Bikeway Phase 1 construction, the USFWS proposes to establish the Betty Nagamine Bliss Memorial Overlook within the Pearl Harbor National Wildlife Refuge per a 2003 agreement with DOT. The proposed Overlook, comprised of a raised boardwalk with two platforms, will offer pedestrians and bicyclists views of West Loch, Waianae Mountains, and the Honouliuli Unit of the Refuge. Removal of invasive mangrove and kiawe plants will open up view planes and increase habitat area. The SDEA evaluates potential environmental effects and mitigation measures, and assesses cumulative and secondary effects.

3. HON Fernandez Village Cell Site (DEA)

Island: Oahu
District: Ewa
TMK: (1) 9-1-122:04
Permits: Conditional Use, Zoning Waiver, and Building
Applicant: Verizon Wireless, c/o Cascadia PM, 1130 N. Nimitz Highway, Suite A-200, Honolulu, HI 96817
Approving Agency: Dept of Facility Maintenance, 1000 Uluohia Street, Suite #215, Kapolei, HI 96707-2025. Chris Terry, 768-3887
Consultant: Bureau of Veritas North America, Inc., 970 N. Kalaheo Avenue, Suite C-316, Kailua, HI 96734. Erin Brown, 531-6708
Comments: DEA 30-day comment period starts from the date of this Notice. Address comments to the Applicant, with copies to the Approving Agency and Consultant

The Proposed Action is not expected to have significant adverse effects on the environment. The Proposed Action involves erecting a stealth monopole (monopalm) in an area, located on the southwestern portion of the subject parcel near the intersection of Fort Weaver and Renton Roads. Clearing, grading, and excavation activities required for the proposed project are limited to the immediate vicinity of the subject property. No significant impact to the land is anticipated since previous clearing was undergone in the area for former sugar cane cultivation activities. Specific environmental justice, air quality, public access, traffic impacts, land use, access to the area, and health and safety.

The Proposed Action is not expected to impact views and visual impacts, and will not impact natural physical and biological resources, cultural resources, public access, traffic impacts, land use, access to the area or health and safety. The proposed Action is expected to have positive impacts on socioeconomics and environmental justice. Noise levels are anticipated to slightly increase during construction. The emergency generator will increase noise levels during power outages and maintenance activities; however, it will be minimal and occur infrequently. Air quality may decrease during construction due to a slight increase in particulate matter in the form of dust. However, due to the restricted access and protective measures, public health will not likely be affected. Subsequent to construction, air quality levels are not expected to deviate from current baseline conditions since the cell site will not be equipped with devices that produce emissions. Utility lines within the site will be routed underground.

4. Kewalo Basin Repairs Project (DEIS)

Island: Oahu
District: Honolulu
TMK: (1) 2-1-58: pors. 01, 02, 35, 95
Permits: Section 10 Rivers & Harbors Act, NPDES; Section 401 Water Quality Certification; Coastal Zone Consistency Certification; SMA; CDUP; fuel tank installation and operations; Construction Noise

Proposing Agency: Hawaii Community Development Authority, 461 Cooke Street, Honolulu, HI 96813. Anthony Ching, Executive Director, 594-0300

Accepting Authority: Same
Consultant: Helber Hastert & Fee, Planners, 733 Bishop Street, Suite 2590, Honolulu, HI 96813. Gail Renard, Project Planner, 545-2055
Comments: DEIS 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

The proposed action involves demolition and replacement of existing deteriorated dock infrastructure at Kewalo Basin to improve safety and capacity. At full buildout, the number of slips would increase from the current 143 to 250. The project also includes modernization of the harbor's potable water and electrical systems, and provides a new fire suppression system, new sewage pumpout, and dedicated fueling pier. There will be temporary construction period impacts to marine water quality, ambient noise levels, and harbor operations. Because the project area is well inshore of coral reef communities, short-term, temporary effects to marine water quality during in-water construction activities would affect only a highly disturbed benthic community dominated by alien species. Construction noise is not likely to adversely affect protected marine species because they are generally not found within the harbor. Best management practices, to be identified during the Federal and State permitting processes, will be employed to reduce water quality impacts and risks to protected species. The project is not expected to significantly impact peak hour traffic conditions. The project will not physically alter, interfere with or restrict access to surrounding shoreline areas or parks. No adverse impacts to archaeological resources are expected because the project does not include significant ground disturbing activities within the surrounding fastlands, which consist of fill materials. Beneficial impacts include modernized dock infrastructure, improved utility services and safety for current and future users, reduction in the risk of fuel and wastewater releases into the harbor, and accommodation of future demand.

5. Clarence T.C. Ching Athletics Facility (DEA)

Island: Oahu
District: Honolulu
TMK: Portion of 2-8-29:01
Permits: NPDES, Building, Grading, PRU Minor Modification

Proposing Agency: University of Hawaii at Manoa, Office of the Vice Chancellor, 2525 Correa Road, HIG 235, Honolulu, HI 96822. Eric Crispin, 956-8018

Approving Agency: Same
Consultant: SSFM International, Inc., 501 Sumner Street, Suite 620, Honolulu, HI 96817. Jared Chang, 356-1242
Comments: DEA 30-day comment period starts from the date of this Notice. Address comments to the Proposing Agency and Consultant

The University of Hawaii proposes to replace existing bleachers at the Clarence T.C. Ching Athletics Field at the Makai Campus of the University of Hawaii at Manoa. The new structure will be known as the Clarence T.C. Ching Athletics Facility. The project is intended to consolidate athletic facilities and to allow the Clarence T.C. Ching Field to more fully realize its potential as a center of student activity.

Construction of the Clarence T.C. Ching Athletics Facility involves replacing the existing bleachers at the Clarence T.C. Ching Field with a similar number of seats and ancillary facilities including a ticketing area, concession stands, locker rooms, athletic offices, two sand volleyball courts and support facilities. Short-term impact to air quality, noise, and water quality may occur during construction of the project. No long-term impacts are anticipated to result from development of the project.

6. [Hawaii Pacific University Hawaii Loa Campus Expansion](#) (FEA)

Island: Oahu

District: Koolaupoko

TMK: (1) 4-5-35:10

Proposing

Agency: Hawaii Pacific University, 1164 Bishop Street, Suite 200, Honolulu, HI 96813. Rick Stepien, 544-0864

Approving

Agency: Dept of Land and Natural Resources, Office of Conservation and Coastal Land, Kalanimoku Building, 1151 Punchbowl St., Honolulu, HI 96813. Sam Lemmo, 587-0377

Consultant: Group 70 International, Inc., 925 Bethel Street, 5th Floor, Honolulu, HI 96813. George I. Atta, Principal, 523-5866

Permits: CDUA

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

The Hawaii Pacific University, Hawaii Loa Campus expansion will enhance the quality of HPU's education and scholarship and will create a vibrant campus community with a residential life component that supports excellence in teaching and learning. The two main thrusts driving HPU's campus expansion are to: 1) add 400 additional on-campus housing units and 2) accommodate the growth of the two academic programs based at the Hawaii Loa Campus, nursing and natural sciences.

The project proposes, in two phases, to add additional parking and on-campus housing, to construct a new performing arts center, multi-purpose gymnasium, a new academic building, and a student center. Expected enrollment will be over 2,800 students by the Fall of 2012, with 948 undergraduate and graduate students in the Natural Science program and 1,900 students in the School of Nursing.

MAUI (HRS 343)

7. [Kolea Reservoir Removal](#) (DEA)

Island: Maui

District: Hana

TMK: (2) 1-1-01:50

Permits: 401 Water Quality Certification, CDUP, Dam Safety, Stream Channel Alteration; Stream Diversion Works Abandonment, US Army Corps of Engineers Section 10/ 404, CZM Federal Consistency

Proposing

Agency: Dept of Accounting & General Services, 1151 Punchbowl Street, P.O. Box 119, Honolulu, HI 96813. Ernest Lau, Director, 586-0526

Approving

- Agency:** Dept of Land & Natural Resources, 1151 Punchbowl Street, Honolulu, HI 96813. Laura Thielen, 587-0400
- Consultant:** Derrick Elfalan P.E., Civil Engineer, Oceanit Laboratories, Inc., 828 Fort Street Mall, Suite 600, Honolulu, HI 96813. Phone: 531-3017, Fax: 531-3177
- Comments:** DEA 30-day comment period starts from the date of this Notice. Address comments to the Proposing Agency and Consultant

The Kolea Reservoir is no longer required for storage of stream water for irrigation and will be removed and restored to a natural stream condition. During construction the stream water will be diverted around the construction site alongside the existing spillway. The reservoir will be graded to form a wide channel with sloped sides then grassed to stabilize the soil. Grassing will also be planted in the area upstream of the constructed channel for erosion control. In addition, check dams will be installed within the realigned stream and after the rip-rap apron wall to filter out sediment before discharging downstream of the existing reservoir. When the grass is established, the bypass line will be removed and redirected to the new stream bed channel. A grouted riprap apron will be constructed to direct the flow to the stream below. Short-term impacts will occur during construction from noise, dust and water turbidity. However, these impacts will be mitigated by the use of best management practices and erosion controls. Overall, the construction will not negatively affect any infrastructure, public facilities, utilities, social and economic factors but aid in the preservation of the natural resource.

8. [Piilani Highway Widening Project, Kilohana Drive to Wailea Ike Drive](#) (DEA)

- Island:** Maui
- District:** Makawao
- TMK:** (2) 2-1
- Permits:** Construction, Work Within State Right-of-Way
- Applicants:** (1) Honuaula Partners, LLC, P.O. Box 220, Kihei, HI 96753. Charles Jencks, 879-5205
(2) A&B Wailea LLC, 11 Puunene Avenue, Kahului, HI 96732. Randy Endo, 877-5523
(3) Keaka LLC, 2005 East Main Street, Wailuku, HI 96793. Don Fujimoto, 244-1500
(4) ATC Makena Holdings LLC, c/o Stanford Carr Development, LLC, 1100 Alakea Street, 27th Floor, Honolulu, HI 96813. Rebecca Broudy Collin, 537-5220

Approving

- Agency:** State Dept of Transportation, 869 Punchbowl Street, Honolulu, HI 96813. Michael Formby, Interim Director, 587-2150
- Consultant:** Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793. Gwen Ohashi Hiraga, Principal, 244-2015
- Comments:** DEA 30-day comment period starts from the date of this Notice. Address comments to the Applicants, with copies to the Approving Agency and Consultant

Honuaula Partners, LLC, A&B Wailea LLC, Keaka LLC and ATC Makena Holdings LLC, in coordination with the State Department of Transportation, Highways Division, proposes to implement the construction of two (2) additional lanes and related improvements to Piilani Highway from approximately 1,000 ft. to beginning of taper north of Kilohana Drive to Wailea Ike Drive at Piilani Highway's existing terminus. Proposed improvements include excavation and embankment work, widening of the road, construction of curbs, gutters, sidewalks, drainage systems, storm water retention systems, retaining walls, sound attenuation walls, relocation of electrical transmission lines, guard rails, installation of utilities as may be necessary, and adjustment to existing utilities, including the relocation of existing waterlines, as needed. Reconstruction of the existing traffic signal on Piilani Highway at Kilohana Drive and Mapu Place, installation of new traffic signals at Okolani Drive and Mikioi Place, and at Piilani Highway and Wailea Ike Drive are also proposed.

9. Ohana Kai Village Affordable Housing Project and Related Improvements (FEIS)

Island: Maui
District: Wailuku
TMK: (2) 3-6-01:18, (2) 3-6-04:03 (por.) and 08 (por.)
Permits: County Section 201H HRS Approval, District Boundary Amendment (per to Sec. 15-15-97 of the State Land Use Commission Rules), Subdivision Approval, Construction, Approval to Construct Wastewater System, Wastewater Operation, Operate a Water Reuse Project, Preliminary Engineering Report, and Start-Up Technical, Managerial and Financial Capacity Demonstration Approvals, Work Within State Right-of-Way, SMA (as applicable), Special Flood Hazard Area Development (as applicable), Section 404 Dept of Army (as applicable), Section 401 Water Quality Certification (as applicable), Coastal Zone Management Consistency Determination (as applicable), UIC (as applicable), NPDES (as applicable), Stream Channel Alteration (as applicable)
Applicant: MVI, LLC, 4372 West Waiola Street, Kihei, HI 96753. Jesse Spencer, 298-7708
Accepting Authority: Dept of Housing and Human Concerns, County of Maui, 2200 Main Street, Suite 546, Wailuku, HI 96793. Jo-Ann Ridao, Deputy Director, 270-7805
Consultant: Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793. Mark Alexander Roy, AICP, Project Manager, 244-2015
Comments: FEIS accepted by the Accepting Authority. There is no comment period

The Applicant (MVI, LLC) proposes the development of a residential subdivision on approximately 257 acres of land in Maalaea, Maui. The subdivision would contain approximately 1,100 affordably-priced single-family dwellings. Sixty (60) percent (660 units) of these units will be made available to qualified individuals in Below Moderate to Above Moderate (81 percent to 140 percent) median income groups. To maintain the affordability of the remaining forty (40) percent (440 units) of units that would be offered for sale in accordance with market demand, the applicant will set prices for those homes at or below the upper threshold of pricing for the Gap Income (141 to 160 percent) median income group. In addition to the residential component, the project will also include a neighborhood-oriented village town center, parks, open space, as well as lands for public/quasi-public use. The project is anticipated to have a beneficial impact on the local economy both during construction and in the long term. Tax revenues generated by the project will support the ability of the State and County to provide enhanced regional public services over time. Project implementation will result in increased stormwater runoff and the creation of demand for infrastructure and associated services. To address these concerns, water conveyance, drainage and wastewater systems will be engineered and installed by the applicant, including a new onsite Wastewater Treatment Plant and an offsite private drinking water system utilizing groundwater wells. As reflected by the existing designation (Project District 12) in the Kihei-Makena Community Plan, the project site is considered to be a suitable location for the development of much needed affordable housing for Maui's working families. See [Comments](#) (230mb) and [Appendices](#) (64mb).

CITY AND COUNTY OF HONOLULU - SPECIAL MANAGEMENT AREA

The special management area is the land extending inland from the shoreline, per Chapter 25, Revised Ordinances of Honolulu, and delineated on maps established by the City Council and per Section 205A-23, HRS. The public can obtain a copy of the document by contacting the Consultant or Applicant below.

Queen Liliuokalani Children's Center, Waianae Coast Unit (FEA)

Island: Oahu
District: Waianae

TMK: 8-7-26:68 and 57
Applicant: Queen Liliuokalani Trust, Queen Liliuokalani Children's Center, 1300 Halona Street, Honolulu, HI 96817. LeeAnn Crabbe, 203-6150
Approving Agency: City & County of Honolulu, Department of Planning & Permitting, 650 South King Street, Honolulu, HI 96813. Elizabeth Krueger, 768-8019
Consultant: Kauahikaua & Chun/Architects, 875 Waimanu Street, Suite 609, Honolulu, HI 96813. Dwight Kauahikaua, 526-2283
Permits: SMA Major, Conditional Use Permit Minor
Comments: FEA accepted by the Approving Agency. There is no comment period

A Finding of No Significant Impact (FONSI) has been issued for the Queen Liliuokalani Children's Center Waianae Coast Unit Project. The project is to re-develop the existing site, which has operated from the location since the early 1970s. The project includes a new 8,743 SF Unit Office building, a halau/meeting building, and parking lot. It also involves the relocation and renovation of 3 existing buildings (a Men's Meeting House, Kitchen-Dining-Shower Building, and Caretakers House), and the renovation of a Women's Meeting House. A maintenance facility will be added to the caretaker's residence, making it a two-story building. The parking lot will have 33 paved parking stalls for staff and visitors. The existing driveway will be relocated toward the center of the frontage to provide better visibility for vehicles entering and leaving the project site, and a lawn area adjacent to the parking lot will be provided as an open space and the occasional need for additional parking. The project will include re-construction of the existing utility infrastructure. All utilities will be located underground. Social services and activities will be provided within the proposed buildings. When there are outdoor activities, the activities will take place in a courtyard screened from adjoining properties by the buildings.

CONSERVATION DISTRICT USE PERMITS

The following Conservation District Use Application (CDUA) is available for review and comment (HRS 183C and HAR 13-5). Comments and requests for notification of determinations must be submitted within 30 days of the date of this 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 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 the Office of Conservation and Coastal Lands staff at 587-0377.

File No.: CDUA HA-3568
Name of Applicant: University of Hawaii at Hilo
Location: Mauna Kea Science Reserve, Kaohe Mauka, Hamakua, Hawaii
TMK: (3) 4-4-15:09
Proposed Action: Thirty Meter Telescope
343, HRS determination: The Final Environmental Impact Assessment (EIS) and associated ancillary documents were prepared under the supervision of the University of Hawaii at Hilo, and were published in the May 8, 2010 Environmental Notice.
Applicant's Contact: Dr. Donald Straney, Chancellor, UH Hilo, 808-974-7444

FEDERAL CONSISTENCY REVIEWS

The Hawaii Coastal Zone Management (CZM) Program has received the above federal actions to review for consistency with the CZM objectives and policies (HRS 205A). Public notice is pursuant to Section

306(d)(14) of the National Coastal Zone Management Act of 1972, as amended. For more information, call John Nakagawa at 587-2878. Neighbor islands call toll-free: Kauai: 274-3141 x72878, Lanai and Molokai: 468-4644 x72878, Maui: 984-2400 x72878, or Hawaii: 974-4000 x72878. Federal deadlines require that comments be received by the date specified. 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.

Hawaii Tracking Station A-Side Antenna Remote Block Change Upgrade, Kaena Point Satellite Tracking Station, Waianae, Oahu

Federal Action: Federal Agency Activity
Federal Agency: U.S. Air Force Satellite Control Network
Contact: Leonard Aragon, (310) 653-1222
Location: Kaena Point, Oahu
TMK: (1) 6-9-3: 5
CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov

Proposed Action: Kaena Point Satellite Tracking Station proposes to construct a new Hawaii Tracking Station (HTS) A-side antenna Remote Block Change (RBC) facility. The new facility will be located at the existing helipad and parking lot area, approximately 350 feet southwest of the existing Building 10. Site preparations would include the demolition of the existing helipad and adjacent parking lot, as well as partial removal of an obsolete aboveground cable tray, and excavation for the foundation to support the antenna pedestal and ringwall. The 43-foot diameter RBC A-side antenna dish will be affixed on top of a pedestal surrounded by a 22-foot high concrete ringwall and enclosed by a 76-foot diameter inflatable radome. Final height of the new radome would be 83 feet above ground level. Two anemometer towers are proposed adjacent to the radome at a height equal to the radome's equator. The antenna pedestal would include an internal room for housing the transmitters, amplifiers and other equipment. In addition to the new facility, a suite of electronic equipment will be installed in the existing Operations Building (Building 10). The electronics will be connected to the antenna via a trenched cable trough, which will house both radio frequency and fiber-optic cables. A replacement helicopter landing pad will be constructed approximately 230 feet northwest of the new antenna.

Comments Due: November 8, 2010

SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS		
Location (TMK)	Description (File No.)	Applicant/Agent
Oahu: Pupukea (5-9-11:17)	Improvements to Existing Building (2010/SMA-33)	Liam McNamara/Gregory A. Quinn
Oahu: Sand Island (1-5-41:22)	Temporary Stockpile for Emergency Sewer Projects (2010/SMA-42)	Frank Coluccio Construction/Tim Taylor
Oahu: Kuliouou (3-9-07: 06)	Napua Point Garden Arbor (2010/SMA-43)	Napua Point AOA
Maui: Haiku (2-7-06:20)	Subdivide into 3 Lots (SM2 20020178)	Linda Taylor Engineering, Inc.
Maui: (3-9-01:158)	Future Development after Subdivision (SM2 20100067)	Betsill, Doyle
Maui: Lahaina (4-4-08:23)	Remove/Replace Windows (SM2 20100068)	Conklin, Rodney D & Deborah
Maui: Lahaina (4-4-08:23)	Enclose Lanai with Sliding Glass Window (SM2 20100069)	Graybill, James & Jeanne
Maui: Lahaina (4-2-01:24)	Renovation Residential Condo (SM2 20100070)	Kimmey, Marie AIA

The SMA Minor permits above have been approved or are pending approval (HRS §205A-30). For more information, 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).

SHORELINE - Certification Applications				
File No.	Date	Location	Applicant/Owner	TMK
OA-1394	10/1/10	55-373 Kamehameha Highway of CPR 55-371 & 55-373 Kamehameha Highway being a portion of Lot 19 of Map 1 Land Court Application 772 situate at Laie, Koolauloa, Oahu Address: 55-373 Kamehameha Highway Purpose: Building setback line	Gil P. Bumanglag/ Deborah L. Howard	5-5-02:25 CPR 2
OA-1395	9/29/10	Lot 1147 as shown on Land Court Application 677 (Map 267) situate at Kailua, Koolaupoko, Oahu Address: 792 G North Kalaheo Avenue Purpose: Permitting purposes	Towill, Shigeoka & Associates, Inc./ Thomas & Jacqueline Ryan	4-3-20:13
MA-461	7/13/10	Lots B-1 and B-2 of the Maalaea Beach Lots being a portion of Grant 3152 to Henry Cornwell situate at Wakupu, Wailuku, Maui Address: 250 Hauoli Street Purpose: Beach restoration	Akamai Land Surveying, Inc./ Association of Apartment Owners of Kanai A Nalu	3-8-14:04 & 05
MA-462	10/13/10	Lot A of the Calley Subdivision (por. Grant 1902 to Kaumaia, Moo, Kapele, Makahio, Hauhio, Kaiwi, Pimanu and Kuluai) situate at Kukuiula, Kipahulu, Hana, Maui Address: 39606 Hana Highway Purpose: Shoreline certification	Douglas McNish/ Douglas McNish	1-6-10:03

The shoreline certification applications above are available for review at the DLNR Offices on Kauai, Hawaii, Maui, and Honolulu, 1151 Punchbowl Street, Room 220 (HRS §205A-42 and HAR §13-222-12). 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 you have any questions, call Ian Hirokawa at 587-0420.

SHORELINE - Certifications and Rejections				
File No.	Proposed/Rejected	Location	Applicant/Owner	TMK
OA-1376	Proposed Shoreline Certification	Lot 65-A being a portion of Grant 7758 to Donald W.P. Lanarch and all of Grant 8172 to Loi Koon Chan situate at Pupukea-Paumalu, Koolauloa, Oahu Address: 59-255 Ke Nui Road Purposes: Determine building setback line	Arden J. Torcuato/ Luann Finlayson	5-9-19:41

OA-1379	Proposed Shoreline Certification	Lots 158 to 162, inclusive of Land Court Application 1069 (Map 26) situate at Honouliuli, Ewa, Oahu Address:91-333, 91-329, 91-317, 91-309 and 91-303 Papipi Road Purpose: Future development	Park Engineering/ Haseko (Ewa), Inc.	9-1-11:01-05
OA-1380	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
OA-1381	Proposed Shoreline Certification	Lot 42 Sunset Beach Lots (File Plan 256) situate at Pupukea-Paumalu, Koolauloa, Oahu Address: 59-311 Ke Nui Road Purpose: Determine building setback line	Arden J. Torcuato/ Martin T. Hoffman	5-9-20:11
OA-1383	Proposed Shoreline Certification	Portion of Ulehawa Beach Park Parcel 3 (C.S.F. 15462) fronting Lualualei Wastewater Pump Station (C.S.F. 19035) situate at Lualualei, Waianae, Oahu Address: N/A Purpose: Permitting purposes at Lualualei Wastewater Pump Station	ControlPoint Surveying, Inc./ State of Hawaii	8-7-07:01 (por.) & 67
OA-1385	Proposed Shoreline Certification	Lot C being portions of Grant 10565 to John P. Russell and Grant 10566 to Arthur G. Bowman situate at Waimanalo, Koolaupoko, Oahu Address: 41-467 Kalaniana'ole Highway Purpose: Building permits	R.M. Towill Corporation/ John & Sue Dean	4-1-01:08
OA-1386	Proposed Shoreline Certification	Lot 2697 as shown on Map 274 of Land Court Application 1069 situate at Honouliuli, Ewa, Oahu Address: Oneula Beach Park Purpose: Shoreline determination	Park Engineering/ City and County of Honolulu	9-1-134:06
OA-1389	Proposed Shoreline Certification	Lot 11729 as shown on Map 846 and Lot 18888 as shown on Map 1504 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

MA-453	Proposed Shoreline Certification	Lot 33 Waiohuli-Keokea Beach Lots Second Series being all of Land Patent Grant 12,900 to Y. Kesaji & M.Y. Kesaji situate at Waiohuli-Keokea, Kula, Maui Address: 1614 Halama Street Purpose: Building setback purposes	Arthur P. Valencia/ Barret Bradley Burch	3-9-10:01
MA-455	Proposed Shoreline Certification	Lots A-1 and A-2 Kaunuohua Award being a portion of L.C. Aw. 293 at Kaunuohua situate at Lahaina, Maui Address: 417 Front Street Purpose: Determine shoreline setback	R.T. Tanaka Engineers, Inc./ 417 Front Street Associates, LLC	4-6-02:03
HA-426	Proposed Shoreline Certification	Lot 31 of Puako Beach Lots (HTS Plat 414-A) being whole of Grant 12,848 to Frederick L. Hull and Gertrude L. Hull situate at Lalamilo, Waimea, South Kohala, Island of Hawaii Address: 69-1858 Puako Beach Drive Purpose: Obtain building permit	Wes Thomas Associates/ Thomas Quinn	6-9-05:06
KA-338	Proposed Shoreline Certification	Lot 14 Haena Hui Land being a portion of L.C. Aw. 10613 Ap. 6 to A. Paki situate at Haena, Kauai Address: Kuhio Highway Purpose: Shoreline setback determination	Wagner Engineering Services, Inc./ David Anawalt	5-9-02:31
KA-340	Proposed Shoreline Certification	Makahuena Subdivision Lot No. 1 as shown on File Plan 1702 being a portion of Grant 1416 to Eke Oponui situate at Weliweli (Kona), Kauai Address: 1661 Pee Road Purpose: Building permit for construction of improvement to existing sewage treatment plant	Peter Taylor Engineer & Land Surveyor, Inc./ Association of Apartment Owners of the Makahuena	2-8-20:03

The shoreline notices above 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 this public notice. The appeal shall be sent to the Board of Land and Natural Resource, 1151 Punchbowl Street, Room 220, Honolulu, HI 96813.

POLLUTION CONTROL PERMITS				
Branch Permit Type	Applicant and Permit Number	Project Location	Date	Proposed Use
Clean Air Branch, 586-4200, Covered Source Permit	P.B. Sullivan Construction, Inc. Application for Modification No. 0627-03 CSP No. 0627-03	Various Temporary Sites, State of Hawaii	Comments Due: 11/12/10	507 TPH Mobile Jaw Crusher, 386 TPH Mobile Cone Crusher, Two (2) 500 TPH Powerscreen Mobile Screen and Mobile Conveyor
Clean Air Branch, 586-4200, Non Covered Source Permit	Equilon Enterprises, LLC Renewal Application No. 0262-05 NSP No. 0262-02-N	3145 Waapa Road Lihue, Kauai	Issued: 9/30/10	Shell Nawiliwili Terminal
Clean Air Branch, 586-4200, Non Covered Source Permit	Syngenta Hawaii, LLC Application for Modification No. 0009-06 NSP No. 0009-03-N	7050 Kaumualii Highway, Box 823, Kekaha, Kauai	Issued: 9/30/10	Research Seed Processing Facility

Above are some pollution control permits before the State Department of Health (HRS 342B and HAR §11-60.1). For more information, contact the number given.

FEDERAL NOTICES

[Notice of availability of a draft habitat conservation plan, draft implementing agreement, draft environmental assessment, and a permit application; request for comments](#)

The Kauai Island Utility Cooperative (KIUC) (Applicant) has submitted an application to the U.S. Fish and Wildlife Service (Service) for an incidental take permit (permit) under the Endangered Species Act of 1973, as amended (ESA). The Applicant is requesting a permit to authorize incidental take of the federally endangered Hawaiian petrel (*Pterodroma sandwichensis*), the federally threatened Newell's (Townsend's) shearwater (*Puffinus auricularis newelli*), and the band-rumped storm-petrel (*Oceanodroma castro*), a Federal candidate species that could become listed during the term of the permit (collectively, these three species are hereafter referred to as the "Covered Species"). The permit application includes a draft Habitat Conservation Plan (HCP) that describes the Applicant's actions and the measures the Applicant will implement to minimize, mitigate, and monitor incidental take of the Covered Species, and a draft Implementing Agreement (IA). The Service also announces the availability of a draft Environmental Assessment (EA) that has been prepared to evaluate the permit application in accordance with the requirements of the National Environmental Policy Act (NEPA). The Service is making the permit application package and draft EA available for public review and comment.

All comments from interested parties must be received on or before **November 29, 2010**. Please address written comments to Loyal Mehrhoff, Project Leader, Pacific Islands Fish and Wildlife Office, U.S. Fish and Wildlife Service, 300 Ala Moana Boulevard, Room 3-122, Honolulu, HI 96850. You may also send comments by fax to (808) 792-9580. For further information contact: Bill Standley, Fish and Wildlife Biologist, U.S. Fish and Wildlife Service, telephone (808) 792-9400.

You may request copies of the permit application, which includes the draft HCP, draft IA, and EA, by contacting the Service's Pacific Islands Fish and Wildlife Office. These documents are also available

electronically for review on the Service's Pacific Islands Fish and Wildlife Office Web site at <http://www.fws.gov/pacificislands>. The Service requests information from the public on whether the application meets the statutory and regulatory requirements for issuing a permit, and identification of any impacts on the human environment that should have been analyzed in the draft EA. The Service also solicits information regarding the adequacy of the HCP to minimize, mitigate, and monitor the proposed incidental take of the Covered Species and to provide for adaptive management, as evaluated against our permit issuance criteria found in section 10(a) of the ESA, 16 U.S.C. 1539(a), and 50 CFR 13.21, 17.22, and 17.32. In compliance with section 10(c) of the ESA, we are making the permit application package available for public review and comment for 45 days (see DATES section above).

Section 9 of the ESA (16 U.S.C. 1531 et seq.) and Federal regulations prohibit the take of fish and wildlife species listed as endangered or threatened. The term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct (16 U.S.C. 1538). However, under section 10(a) of the ESA, the Service may issue permits to authorize incidental take of listed fish and wildlife species. Incidental take is defined as take that is incidental to, and not the purpose of, carrying out an otherwise lawful activity. Regulations governing incidental take permits for threatened and endangered species are found at 50 CFR 17.32 and 17.22. If issued, the permittee would receive assurances under the Service's "No Surprises" regulations at 50 CFR 17.32(b)(5) and 50 CFR 17.22(b)(5).

KIUC is a utility cooperative that generates and distributes electricity to the entire island of Kauai. KIUC developed a draft HCP that addresses incidental take of the three Covered Species caused by the operation and maintenance of KIUC's existing and anticipated facilities over a period of up to 5 years. The three Covered Species are seabirds that breed on Kauai and feed in the open ocean. Each of the Covered Species spends a large part of the year at sea. Adults generally return to their colonial nesting grounds in the interior mountains of Kauai beginning in March and April, and depart beginning in September. Fledglings (i.e., young birds learning how to fly) travel from the nesting colony to the sea in the fall. Both adults and fledglings are known to collide with tall buildings, towers, power lines, and other structures while flying at night between their nesting colonies and at-sea foraging areas. These birds, and particularly fledglings, are also attracted to bright lights. Disoriented birds are commonly observed circling repeatedly around exterior light sources until they fall to the ground or collide with structures.

In an effort to address some of the immediate impacts to the Covered Species by KIUC's existing facilities, the Service and KIUC entered into a Memorandum of Agreement (MOA) in November 2002, and again in January 2005. Under the MOAs, KIUC agreed to implement interim conservation measures (ICMs) to reduce the impacts of its facilities on the Covered Species while long-term conservation actions are being developed in a HCP. The ICMs include shielding streetlights on KIUC power poles to minimize disorientation of seabirds caused by lights and funding the State's "Save Our Shearwaters" (SOS) program to rescue downed fledglings. The 2005 MOU expired in June 2006.

The draft HCP covers KIUC activities within all areas on Kauai where its facilities (e.g., generating stations, power lines, utility poles, lights) are located. These activities include the continuing operation, maintenance, and repair of all existing facilities, and the construction, operation, maintenance, and repair of certain new facilities, during the term of the incidental take permit. The draft HCP describes the impacts of take incidental to those activities on the Covered Species, and proposes certain measures to minimize and mitigate the impacts of such take on each of the Covered Species. The Applicant has also applied for an incidental take license under Hawaii state law.

KIUC is proposing mitigation measures that include: (1) Fully funding implementation of the SOS Program; (2) funding Covered Species colony management and predator control in the Limahuli Valley; (3) funding Covered Species colony management and predator control in the Hono o Na Pali Natural Area Reserve; (4) updating estimates of at-sea Covered Species populations; (5) funding a 2-year auditory survey to locate additional Covered Species breeding colonies; (6) funding development and implementation of an under-line monitoring program aimed at better understanding the amount of take of Covered Species caused by overhead utility structures; and (7) funding Covered Species colony management and predator control in the Wainiha Valley or other suitable location during the fourth and

fifth year of the permit. The work that KIUC proposes to carry out is intended to enhance our knowledge of the Covered Species' biology and distribution and improve these species' chances of reproductive success to offset the impacts of take caused by KIUC activities. The HCP also includes adaptive management provisions to allow for modifications to the mitigation and monitoring measures as knowledge is gained during their implementation.

The Service invites comments and suggestions from all interested parties and request that comments be as specific as possible including the following issues:

- (1) The direct, indirect, and cumulative effects that implementation of any reasonable alternatives could have on endangered and threatened species;
- (2) Other reasonable alternatives consistent with the purpose of the proposed HCP as described above, and their associated effects;
- (3) Measures that would minimize and mitigate potentially adverse effects of the proposed action;
- (4) Adaptive management or monitoring provisions that may be incorporated into the alternatives, and their benefits to listed species;
- (5) Other plans or projects that might be relevant to this action;
- (6) The proposed term of the Incidental Take Permit and whether the proposed conservation program would sufficiently minimize and mitigate the incidental take that would be expected to occur over 5 years; and
- (7) Any other information pertinent to evaluating the effects of the proposed action on the human environment.

The draft EA considers the direct, indirect, and cumulative effects of the proposed action of permit issuance, including the measures that will be implemented to minimize and mitigate such impacts. The EA contains an analysis of three alternatives: (1) No Action (no permit issuance and the status quo in terms of KIUC's actions with respect to incidental take of Covered Species); (2) issuance of an incidental take permit to KIUC on the basis of its proposed HCP; and (3) issuance of a 3-year permit based on implementation of the proposed HCP.

This notice is provided pursuant to section 10(c) of the ESA and NEPA regulations (40 CFR 1506.6). The public process for the proposed Federal action will be completed after the public comment period, at which time we will evaluate the permit application, the HCP and associated documents (including the EA), and comments submitted thereon to determine whether or not the proposed action meets the requirements of section 10(a) of the ESA and has been adequately evaluated under NEPA.

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).