



The Environmental Notice

February 8, 2011

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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 issued 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 issued, send us your email address and we'll put you on our mailing list.

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OAHU (HRS 343)

1. Kapaa Light Industrial Park (DEIS)

Island: Oahu
District: Koolaupoko
TMK: (1) 4-2-15:01 (por.), 6 and 8
Permits: Zone Change, SMA, NPDES, Grading, Building
Applicant: Kapaa I, LLC, 905 Kalaniana'ole Highway, Kailua, HI 96734. John King, 853-4768
Accepting Authority: Mayor, c/o City and County of Honolulu, Dept of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, HI 96813. Mike Watkins, 768-8044
Consultant: Sustainable Design & Consulting LLC, PO Box 283267, Honolulu, HI 96828. Dr. Manfred Zapka, 265-6321
Status: Comments are due on Mar 24, 2011. Send comments to the Applicant, Accepting Authority and Consultant

This Draft EIS was preceded by an EIS Preparation Notice (listed in the July 23, 2010 issue of the Environmental Notice) and by a Draft Environmental Assessment (listed in the January 8, 2009 issue). The applicant, Kapaa I, LLC, is proposing to expand its existing 22-acre light industrial park in Kapaa Valley on the windward side of Oahu. This area is currently zoned I-2 Intensive Industrial District. The applicant is seeking I-1 zoning for two adjacent areas now within the P-2 General Preservation District – an 11-acre area to the west, by the H-3 Freeway, and a 44-acre parcel to the east, just across Kapaa Quarry Road from Kawainui Marsh. The proposed Kapaa Light Industrial Park would be developed incrementally over a span of 18 years. Short-term construction impacts during this period would include increased vehicular traffic and heavy machinery operation, soil erosion, noise and air pollution, and water runoff. There would also be long-term impacts, mainly on vehicular traffic, utility systems, utilization of resources, noise levels, local social services and businesses, and visual character and ambiance. The Draft EIS goes beyond the Final EA in providing additional details on the project's anticipated impacts on Kawainui Marsh, traffic, visibility, etc. See also [Volume 2](#).

2. Noelani Elementary School Multi-Purpose Playcourt (DEA)

Island: Oahu
District: Honolulu
TMK: 2-9-23:23
Permits: Variance from Pollution Controls (Noise Permit); Waiver (Building Height); Building, Electrical, and Plumbing; Grubbing, Grading, Excavating, and Stockpiling.
Proposing/Determination Agency: Dept of Education, Facilities Development Branch, 1151 Punchbowl Street, Room 431, Honolulu, HI 96813. Ryan Yamamoto, 586-0966
Consultant: Gerald Park Urban Planner, 95-595 Kanamee Street #324, Mililani, HI. 625-9626
Status: Anticipated Finding of No Significant Impact. Comments are due on Mar 9, 2011. Send comments to the Determination Agency and Consultant

A covered playcourt of approximately 7,300 square feet is proposed. The covered structure will enclose a regulation size basketball courts (to be shared with a regulation volleyball court) and four half-size basketball courts. The building also includes space for school activities including a portable stage. Construction related impacts include fugitive dust, construction noise, potential for erosion and construction related runoff, construction traffic. Potential impacts on flora, wildlife resources, and archaeological resources are not anticipated since none of these resources are present. The project will

provide a multi-purpose space for recreation classes, free play, and school gatherings and functions. The covered structure will protect students from rain during inclement weather and the sun and heat on “hot” days thus providing for their health and safety. Water demand, wastewater flow, and electrical power are not anticipated to adversely affect the respective utility system. The one-story playcourt will be about the same height as several on-campus buildings and will not result in adverse visual impacts when seen from nearby areas.

3. Information Technology Center, University of Hawaii at Manoa (FEA-FONSI)

Island: Oahu
District: Honolulu
TMK: (1) 2-8-23: Por 03
Permits: Building, Grading
Proposing Agency: Office of the Chancellor, University of Hawaii, Hawaii Hall, Room 307D, 2500 Campus Road, Honolulu, HI 96822. Kathleen Cutshaw, Vice Chancellor for Administration, Finance and Operations, 956-9190
Approving Agency: Office of Capital Improvements, University of Hawaii, Biomedical Sciences, B-102, 1960 East-West Road, Honolulu, HI 96822. Brian Minaai, 956-9373
Consultant: Belt Collins Hawaii Ltd., 2153 North King Street, Suite 200, Honolulu, HI 96819. Glen Koyama, Ph. 521-5361
Status: Finding of No Significant Impact. There is no comment period

The University of Hawaii at Manoa (UHM) is proposing to consolidate its existing Information Technology Services located in eight separate buildings on the Manoa campus into a single new Information Technology Center (ITC). The new center will house the University’s system-wide data/telecommunications infrastructure and operations, information technology public service, and associated administrative/staff offices. The proposed ITC will be constructed adjacent to the Bilger Addition in an area currently occupied by two temporary, single-story wooden structures (Bilger Annexes) and a faculty parking lot. The new ITC will contain approximately 74,400 square feet of gross floor area in a seven-story high building.

No significant long-term adverse impacts are expected to be generated by the proposed project. The new facility is a vital component identified in the UHM’s Long Range Development Plan approved by the University’s Board of Regents. Alternative designs were considered in the final building design selection. The new center will incorporate sustainable concepts and attain Leadership in Energy and Environmental Design (LEED) NC Silver Certification or higher. Energy saving, water conservation, quality air quality conditioning and thermal comfort, and recycled content in construction materials are high priorities in the building’s design and in reducing carbon footprinting. The landscape goal for the project is to create a “showcase of sustainability” that will help teach and serve as an example of low-impact development for future campus projects as well as private projects in Hawaii.

Construction of the new facility and landscaping, which is estimated to cost in the range of \$35 to \$45 million, is projected to begin in 2011 after all government permits and approvals are secured.

MAUI (HRS 343)

4. Lower Paia Tank Replacement (FEA-FONSI)

Island: Maui
District: Makawao
TMK: 2-2-5-05:58

Permits: Building, Grading, NPDES
Proposing/Determination
Agency: Maui Dept of Water Supply, 200 South High Street, Wailuku, HI 96793. Curtis Eaton, PE, 270-7835
Status: Finding of No Significant Impact. There is no comment period

The Maui Department of Water Supply is proposing to replace the existing 100,000 gallon water storage tank with a 300,000 gallon water storage tank. The new tank will provide additional water capacity for domestic and fire flow purposes. A temporary tank will be constructed while the old tank is removed and new tank constructed. The new tank will sit where the existing tank currently sits. It will be the same height and 73% larger in diameter. Site work will be minimal. A portion of the existing paved driveway will be removed and repaved after the tank is completed. Aesthetically, the site will be nearly the same. The larger diameter tank will not affect the quality of any existing views.

5. [Puu Kukui Watershed Preserve Fiscal Years 2012-2018 Management Plan \(DEA\)](#)

Island: Maui
District: Lahaina
TMK: 4-1-1-17; 4-2-1-1 (por); 4-1-4-23 (por), 4-1-5-10, 13, 16, 17; 4-3-1-1 (por), 4-3-1-17 (por)
Permits: none
Applicant: Maui Land and Pineapple Co., Inc., PO Box 187, Kahului, HI 96733-6687. Megan Webster, 665-5467
Approving Agency: Dept of Land and Natural Resources, Division of Forestry and Wildlife, 1151 Punchbowl Street, Room 325, Honolulu, HI 96814. Emma Yuen, NARS Enhancement Coordinator, 587-4170
Status: Anticipated Finding of No Significant Impact. Comments are due on Mar 9, 2011. Send comments to the Applicant and Approving Agency

The Puu Kukui Watershed Preserve was established in 1988 to protect watershed forests and associated native plants and animals. The proposed conservation actions and programs include non-native invasive species control (feral ungulate control and weed control), monitoring and research, rare species protection, community outreach and educational opportunities, watershed partnerships, and facilities and operating expenses. A negative declaration is anticipated for this project. No significant negative impacts to the environment are expected to result from the implementation of the proposed activities.

6. [Existing Storage Structure and Erection of a New Steel Arch Warehouse \(FEA-FONSI\)](#)

Island: Maui
District: Wailuku
TMK: (2) 3-8-79:18 por
Permits: NPDES, Noise, Grading, Building, Demolition, Flood Development
Proposing/Determination
Agency: Dept of Water Supply, County of Maui, 200 South High Street, Wailuku, HI 96793. Herb Chang, 270-7835
Status: Finding of No Significant Impact. There is no comment period

The County of Maui, Department of Water Supply (DWS) proposes to replace an existing dilapidated storage structure with a new steel arch building in its place. The current structure serves as a storage area for waterline fittings and appurtenances, well pump motors, and other water supply related

equipment. The project location lies within the DWS's Naska Baseyard, located at 614 Palapala Drive, Kahului. This parcel is under the ownership of the Department of Land and Natural Resources and is within the airport district and Special Management Area. The dimensions of the proposed steel arch structure will be about 10 feet longer, 5 feet wider and a 1 foot higher than the existing structure. It will be erected over the same location of the existing structure (about 90-ftL x 24-ft W x 16-ft H) as depicted in the aerial site plan.

HAWAII (HRS 343)

7. Goehring Single Family Residence (DEA)

Island: Hawaii
District: South Hilo
TMK: (3) 2-9-03:03
Permits: SMA Exemption; Plan Approval, Grubbing, Grading, Building; CDUP
Applicant: Douglas B. Goehring, 817 Powdermill Road, Gatlinburg, TN 37738. 865-335-0555
Approving Agency: Dept of Land and Natural Resources, Office of Conservation and Coastal Lands, PO Box 621, Honolulu, HI 96809. Kimberly Mills, 587-0382
Status: Anticipated Finding of No Significant Impact. Comments are due on Mar 9, 2011. Send comments to the Applicant and Approving Agency

Applicant proposes to construct a single-family residence on his vacant 3.5 acre Wailea property within the State Conservation District. The project will equal approximately 3782-ft², consists of a two-story residence; a two-story shed, pool with deck and related improvements. The 2546-ft² proposed residence includes 2 bedrooms, a bedroom/library, 2 bath, a kitchen, entry room, staircase, great room, patio, balcony, storage, tiki columns, and fireplaces. The proposed 349-ft² shed consists of two floors. The underground pool and deck is 815-ft². Related site improvements include trenching and utility pole installation; a concrete area of 2557-ft² for the driveway and parking for 3 cars; a lava rock wall with water feature and gate; replacement and additional property boundary and pool fencing; underground propane tanks and septic installation; sidewalks, retaining walls and landscaping.

The residence will not cause substantial adverse impact to existing natural resources within the surrounding area, community, or region. No mammals were observed on the property; however feral animals such as dogs, pigs, cats, mongoose, rats and chickens may traverse the property. The Hawaiian Hoary Bat has been observed in the area. There are no threatened or endangered species of plants or wildlife that inhabit the project site.

8. Alii Drive Banyans Parking Lot (DEA)

Island: Hawaii
District: North Kona
TMK: (3) 7-6-15:12 and 13
Permits: Grubbing, Grading, Building Division Approval and Building Permit, Work in County ROW, Plan Approval
Proposing/Determination Agency: Hawaii County Dept of Public Works, 101 Pauhi Street, Suite 7, Hilo, HI 96720. Alan Simeon, P.E., 961-8925
Consultant: Geometrician Associates, PO Box 396, Hilo, HI 96721. Ron Terry, 969-7090
Status: Anticipated Finding of No Significant Impact. Comments are due on Mar 9, 2011. Send comments to the Determination Agency and Consultant

The Hawaii County Department of Public Works intends to construct a 17-space paved parking lot near Banyans surf site on Alii Drive to alleviate congestion and safety issues caused by excessive roadside parking. The properties will be leased by the County of Hawaii for a term of eight years, after which the landowner and County may negotiate to continue the lease. The project will include clearing and grubbing, excavation/grading, paving, fencing, and installation of ADA parking stalls. The site for the lot is on the mauka side of Alii Drive. The parking lot will be fenced and gated and locked at night. Construction of the parking lot is expected to have no more than a minor and temporary effect on traffic. The site has previously been disturbed and no significant biological, archaeological or cultural resources are present.

9. [Boteilho Lease of State Land for Dairy Purposes \(DEA\)](#)

Island: Hawaii
District: North Kohala
TMK: (3rd) 5-5-03:04, 05 & 06; 5-5-05:01; and 5-5-06:02, 03, 04 & 15
Permits: Direct Lease of State Lands
Applicant: Boteilho Hawaii Enterprises, PO Box 190, Hawi, HI 96719
Approving Agency: Dept of Land and Natural Resources, Land Division, 75 Aupuni Street, Room 204, Hilo, HI 96720. Wesley Matsunaga, 974-6203
Consultant: Geometrician Associates, PO Box 396, Hilo, HI 96721. Ron Terry, 969-7090
Status: Anticipated Finding of No Significant Impact. Comments are due on Mar 9, 2011. Send comments to the Applicant, Approving Agency and Consultant

Boteilho Hawaii Enterprises proposes to lease eight state properties totaling approximately 880 acres for continued use as a dairy. The company is owned by kamaaina dairy farmer Ed Boteilho, Jr., who operates Clover Leaf Dairy, one of the three remaining dairies in the State. The dairy has been in operation at this location since 1985 and on the island since 1962. It currently has 800 cows, with about 650 giving milk at any given time.

Although the dairy currently leases and fully utilizes all of the subject properties, Boteilho Hawaii Enterprises seeks to rationalize the terms and purposes of the lease to make the dairy more efficient and allow prudent acquisition of new equipment. The current leases are set to expire at various dates in 2019 and 2020. The new lease would have a common thirty-year term. All dairying uses would be allowed for the entire lease. No relocation of the main part of the dairy would occur and no major new facilities would be built. The main advantage would be to allow the growing and chopping of forage in areas where only pasture uses are currently allowed. At the present time, according to the Department of Agriculture, more than 80 percent of Hawaii's milk comes from California. Depending on the weather, it can take more than a week to arrive in Hawaii. This milk gets pasteurized before leaving the port and once again prior to being bottled in Hawaii. Clover Leaf Dairy trucks its milk each day for processing to Meadow Gold Dairy, which is located 97 miles away in Hilo, from which State residents can have access to fresh local milk. State agriculture officials are concerned that the loss of local dairies could leave the State's milk supply in a precarious position. The dairy has been in operation in this location since 1985, and no sensitive biological or archaeological resources are present and there are no traditional cultural uses on the agriculturally zoned property. Agricultural impacts are properly handled on the dairy, and continuing the dairy is compatible with uses on surrounding lands.

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.

File No.: **CDUA OA-3579**
Applicant: Honolulu Seawater Air Conditioning, LLC
Location: Submerged Land Offshore of Honolulu, Oahu
Proposed Use: Deep Water Source Cooling
343, HRS determination: The Final EIS was reviewed and accepted by the Office of Planning. Notice was published in the September 23, 2009 issue of the Environmental Notice.
Applicant's Contact: George Krasnick of TEC Inc., (808) 528-1445

ENVIRONMENTAL COUNCIL - Proposed Exemption List, County of Kauai Transportation Agency

The County of Kauai, Transportation Agency submitted a [proposed exemption list](#) to the Environmental Council for review and concurrence. The 30-day comment period ends on Mar 9, 2011. Send comments to the [Kauai Transportation Agency](#) and the [Office of Environmental Quality Control](#). Emailed comments are welcome.

SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS		
Location (TMK)	Description (File No.)	Applicant/Agent
Hawaii: South Kohala (6-6-02:45)	Construct Temporary Field Station for the University of Hawaii at Hilo Kalakaua Marine Education Center (SMM 11-169)	University of Hawaii at Hilo
Maui: (3-9-34:14)	Install 35' Wooden Utility Power Pole into Ground (SM2 20100094)	Maui Electric Company LTD
Maui: (4-6-29:28)	Install Permanent Roof Cover (SM2 20100095)	Ken Ives & Polly Sanders
Maui: (4-3-1009)	Temporary Repair to Seawall (SM2 20110001)	Hololani Association of Apartment Owners

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-1407	1/18/11	Pokai Bay Ditch situate at Lualualei, Waianae, Oahu Address: Pokai Bay Street Purpose: SMA permit for renovation of golf clubhouse facilities	ControlPoint Surveying, Inc./ City and County of Honolulu	8-6-15:01 & 68

OA-1408	1/18/11	A Portion of U.S. Naval Reservation, Portion of Parcel 1 of Civil No. 464 situate at Waiawa, Ewa, Oahu Address: Pearl Harbor Purpose: Designation of drainage easement in favor of the City and County of Honolulu	ControlPoint Surveying, Inc./ U.S. Department of the Navy	9-6-01:01
OA-1409	1/13/11	Subdivision of Lot 8 Mokuleia Beach Tract being portions of R.P. Grant 340 to Palekaluhi, et al, and R.P. Grant 242 to Kaiaikawaha into Lots A and B Address: 68-635 Crozier Drive Purpose: Subdivision	Walter P. Thompson, Inc./ John & Lucy Gospodnetich	6-8-04:02

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-1373	Proposed Shoreline Certification	Lot 1219 as shown on Map 176 and Lot 1244 as shown on Map 178 (Pending) of Land Court Application 1095 situate at Kahuku, Keana, Malaekahana, Koolauloa, Oahu Address: N/A Purpose: Permitting	R.M. Towill Corporation/ Continental Pacific LLC	5-6-02:10
OA-1399	Proposed Shoreline Certification	Parcel 1 Maili Stream and Tributaries, Line M-4 situate at Lualualei, Waianae, Oahu Address: Farrington Highway Purpose: Construction in setback	ControlPoint Surveying, Inc./ State of Hawaii Department of Transportation	8-7-05:04
MA-464	Proposed Shoreline Certification	Lot 35 of the Waiohuli-Keokea Beach Lots, Second Series situate at Kihei, Maui Address: 1632 Halama Street Purpose: Building permit	Akamai Land Surveying, Inc./ Naomi Shimada, Melvin Shigeta	3-9-11:15
HA-430	Proposed Shoreline Certification	Lot 1 of Land Court Application 421 as shown on Map 2, Lot 2-A being the whole of Lot 2 of Land Court Application 421 as shown on Map 2 and being a portion of L.C. Aw. 11,176 to Lono situate at Waipunaula, South Kona, Hawaii Address: 82-6027 Beach Road and 82-6025 Puuhonua Road Purpose: Obtain County permits	Wes Thomas Associates/ William A. Morris	8-2-05:13

HA-431	Proposed Shoreline Certification	Lot 8, a subdivision of R.P. Grant 4475, L.C. Aw. 7713 Apana 19 to Kamamalu, situate at Alae, South Hilo, Island of Hawaii Address: 60 Kahoa Street Purpose: Determine building setback	Steven Garon/ Steven Garon	2-6-25:03
OA-1372	Rejection	Lot 717 Land Court Application 1089 as shown on Map 78 situate at Kamananui, Waialua, Oahu Address: 67-234 Kaiea Place Purpose: Obtain building permit	Wesley T. Tengan/ William Etherington	6-7-13:22

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, NonCovered Source Permit	Philip Services Hawaii Application for Modification No. 0083-03 NSP No. 0083-01-N	91-410 Komohana Street Kapolei, Oahu	Issued: 1/11/11	Used Oil Recycling Plant
Clean Air Branch, 586-4200, Covered Source Permit	Royal Contracting Co. Renewal Application No. 0586-02 CSP No. 0586-01-CT	Various Temporary Sites State of Hawaii	Issued: 1/13/11	280 TPH Stone Crushing Plant
Clean Air Branch, 586-4200, Covered Source Permit	Hawaii Electric Light Company, Inc. Renewal Application No. 0236-03 CSP No. 0236-01-C	20 Banyan Drive, Hilo, Hawaii	Issued: 1/18/11	Two (2) Boilers

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

Scoping Summary Report for the Hawaiian Monk Seal Recovery Actions Programmatic EIS

The National Oceanic Atmospheric Administration, National Marine Fisheries Service, Pacific Islands Regional Office has published the Scoping Summary Report for the Hawaiian Monk Seal Recovery Actions Programmatic Environmental Impact Statement, which presents a public record and summary of the scoping activities that occurred from October 1, 2010 through November 30, 2010. The report can be viewed online at: <http://www.nmfs.noaa.gov/pr/permits/eis/hawaiianmonkseal.htm>. In the coming months, the Hawaiian Monk Seal Recovery Actions Draft PEIS will be released and a 60-day public comment period will be announced.

Notice of Availability Draft Environmental Assessment, Installation Improvements and Maintenance at Bellows Air Force Station, Oahu

Headquarters Pacific Air Forces, in conjunction with Bellows AFS, has completed a Draft EA that evaluates the potential effects of proposed improvements and maintenance projects at Bellows AFS, Hawaii. The analysis considered in detail potential environmental effects of the Proposed Action and the No Action Alternative. The results, as found in the Draft EA, indicate that the Proposed Action would not have a significant adverse impact on the environment and that there are no practicable alternatives to the proposed projects that would occur within a wetland or floodplain, indicating that a Finding of No Significant Impact (FONSI)/Finding of No Practicable Alternative (FONPA) would be appropriate. An Environmental Impact Statement would, therefore, not be necessary to implement the Proposed Action. The review period for this Draft EA is 30 days from the date of this publication. The Draft EA is available by following the link from <http://www.BellowsAFS.com>. Copies of the Draft EA are also available for review at the following libraries: Kailua Library, Kaneohe Library, Waimanalo Library. Written comments on the Draft EA are invited and will be received for 30 days from the publication of this notice. Comments for consideration by the USAF on this document should be provided in writing to: Craig Gorsuch Det 2, 18 FSS/CEE Environmental Program Manager 515 Tinker Road Waimanalo, Hawaii 96795-1903.

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).