

THE ENVIRONMENTAL NOTICE

A semi-monthly periodic bulletin published by the Office of Environmental Quality Control pursuant to
Section 343-3,
Hawai'i Revised Statutes
September 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.

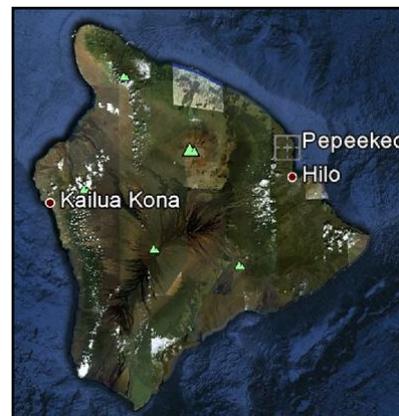


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Hawai'i: 974-4000 ext. 64185

HAWAI'I (HRS 343)

1. Pasture Fencing in Conservation District at Pepe'ekeo Draft EA

Island: Hawai'i
District: South Hilo
TMK: 3-2-8-008:100
Permits: CDUA
Applicant: Dr. Muhammad Yunis, DVM
Approving Agency: Hawai'i State Department of Land and Natural Resources, OCCL, P.O. Box 621, Honolulu, Hawai'i 96809
Consultant: Geometrician Associates, PO Box 396, Hilo Hawai'i 96721. Contact: Ron Terry, (808) 969-7090
Status: Anticipated Finding of No Significant Impact. 30-day comment period begins; comments are due on October 7, 2011. Send comments to the Applicant c/o Consultant.



The Applicant proposes to erect a five-foot tall hog wire or chain link fence about 1,400 feet in length to enclose approximately 4.25 acres of pasture in the Conservation District in Pepe'ekeo on Continental Pacific, LLC land. Minimal landscaping will occur. Lighting is proposed in key areas.

2. Hokuloa United Church Of Christ Final EA (FONSI)

Island: Hawai'i
District: South Kohala
TMK: (3rd) 6-9-002:007, 008, 009, and 010
Permits: Direct Lease of State Lands
Applicant: Hawai'i Conference Foundation, 1848 Nu'uuanu Avenue, Honolulu, Hawai'i 96817. Contact: John Hoover, (808) 883-8295
Approving Agency: Hawai'i State Department of Land and Natural Resources, Land Division, 75 Aupuni Street, Room 204, Hilo Hawai'i 96720. Contact: Kevin Moore (808) 974-6203
Consultant: Geometrician Associates, PO Box 396, Hilo Hawai'i 96721. Contact: Ron Terry, (808) 969-7090
Status: Finding of No Significant Impact (FONSI) determination

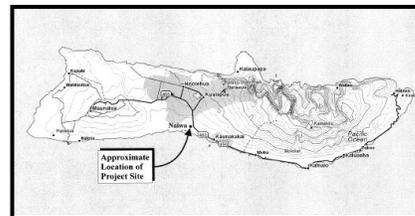


The Hawai'i Conference Foundation is requesting the Hawai'i DLNR to cancel a Revocable Permit that grants the use of TMK 6-9-002:009 for the Hokuloa United Church of Christ in Puakō, and to issue a Direct Lease for Church and Landscaping Purposes covering TMKs 6-9-002:007, 008, 009, and 010. About a third of Parcel 9 is actually contained within Puakō Beach Drive, and the scenic and historic church is thus confined to a small area that does not fully reflect its historical presence. As development and traffic in South Kohala continue to grow, the integrity and functionality of the Church are threatened. The purpose of the requested lease is to allow restoration, maintenance and operation of the Church as an active and living historical site, and to create a scenic landscaped vista protecting the historical integrity of the Church that allows space for outdoor Church activities on the other properties. The action would also consolidate and re-subdivide the parcels to provide one large parcel for the Church lease, while also enabling consolidation of portions of the properties within Puakō Beach Drive with County managed property and portions in the Conservation District with adjacent State land. In general, no adverse long-term impacts are expected to result from the action. Shoreline resources would be protected and enhanced by the action through gradual restoration of native and Polynesian vegetation and accommodation of a public shoreline trail. Landscaping activities will not use heavy equipment and will be mitigated by their gradual nature and timing restrictions. Archaeological survey found no sites, and the project supports historic preservation, but work will be immediately halted if unidentified sites, artifacts, or burials are unexpectedly encountered.

MOLOKA'I (HRS 343)

3. Proposed Moloka'i Baseyard Improvements Draft EA

Island: Moloka'i
District: Moloka'i
TMK: (2)5-2-031:011, 012 and 013
Permits: Building Permit, Grading Permit, Noise Permit (as applicable), NPDES (as applicable)



Proposing/Determination

Agency: County of Maui, Department of Public Works, 200 South High Street, Wailuku, Hawai'i 96793. Contact: David Goode, (808) 270-7745
Consultant: Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, Hawai'i 96793. Contact: Colleen Suyama, (808) 244-2015
Status: Anticipated Finding of No Significant Impact. 30-day comment period begins; comments are due on October 7, 2011. Send comments to the Proposing Agency and the Consultant.

The County of Maui, Department of Public Works (DPW) proposes to construct the Moloka'i Baseyard Improvements in order to relocate the existing baseyard in Kaunakakai to a new site on the island of Moloka'i, Hawai'i. The project site is currently made up of three (3) parcels owned by the County of Maui, identified by TMK (2)5-2-031:011, 012 and 013 (Parcel 11, Parcel 12, and parcel 13, respectively) totaling approximately 2.45 acres. The project site is located in the Moloka'i Industrial Park subdivision approximately 2.9 miles northwest of Kaunakakai. The Moloka'i Baseyard improvements are proposed to be constructed in two (2) phases. Phase 1 will consist of a driveway entrance from Pu'e'o Place, an administration building, vehicle storage area and parking lot located on Parcels 12 and 13 and a fuel storage and temporary retention basin on Parcel 11. Related improvements will include site clearing/grubbing, grading, retaining walls, off-site utility connections, landscaping and irrigation. Phase 2 will be located on parcel 11 and consist of removing the temporary retention basin, and construction of a maintenance shop building, bulk material bunkers, and truck wash area. Related improvements will include site grading, drainage system, retaining walls, asphalt paving, landscaping and irrigation. The perimeter of the subject properties will also be fenced.

O'AHU (HRS 343)

4. Ka Makana Ali'i Conceptual Master Plan Draft EA

Island: O'ahu
District: 'Ewa
TMK: 9-1-016:142
Permits: Building permits, grading permits, NPDES permit, and construction noise permits



Proposing/Determination

Agency: Department of Hawaiian Home Lands, P.O. Box 1879, Honolulu, Hawai'i 96805. Contact: Linda Chinn, (808) 620-9451
Consultant: Lee Sichter LLC, 45024 Malulani Street #1, Kane'ohe, Hawai'i 96744. Contact: Lee Sichter, (808) 382-3836
Status: Anticipated Finding of No Significant Impact. 30-day comment period begins; comments are due on October 7, 2011. Send comments to the Proposing Agency and the Consultant.

The Ka Makana Ali'i project is a regional mixed use center proposed to be developed by Hawai'i DeBartolo LLC on a 67-acre property in East Kapolei, in the district of 'Ewa within the City and County of Honolulu. The subject property is owned by the Department of Hawaiian Homelands (DHHL) and is in the process of being leased to Hawai'i DeBartolo LLC.

The proposed development will total approximately 1,400,000 square feet of leasable area including a variety of uses such as commercial office space (approximately 217,000 square feet), two or more large retail anchors as well as smaller, boutique stores, a cinema, a gym, two hotels (250 rooms each), numerous restaurants and other eating establishments, and entertainment facilities. These uses are centered on a large urban court/promenade that ties the project together. Pedestrian paths link the uses and provide connectivity to and from the hotel and office space. In addition to the approximately 2,671 parking spaces to be provided at grade, Ka Makana Ali'i will offer approximately 1,826 parking spaces in an underground lot.

The Ka Makana Ali'i project will be constructed in two phases, with the first opening in 2013 and the second phase opening two years later.

5. Moanalua High School Performing Arts Center Final EA (FONSI)

- Island:** O'ahu
- District:** Honolulu
- TMK:** 1-01-063: 011
- Permits:** NPDES Permit for Storm Water, NPDES Permit for Hydrotesting, Construction Noise Variance (if required), Air Quality Permit (if required), Grading Permit, Building Permit, Height Waiver (Phase 2 only), and Zoning Waiver (Parking)



Proposing/Determination

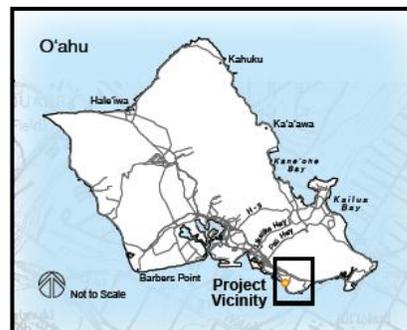
- Agency:** State of Hawai'i Department of Education, P.O. Box 2360, Honolulu Hawai'i 96804. Contact: Brenda Lowrey, (808) 377-8312
- Consultant:** Wilson Okamoto Corporation, 1907 South Beretania Street, Suite 400, Honolulu, Hawai'i 96826. Contact: Tracy Fukuda, (808) 946-2277
- Status:** Finding of No Significant Impact (FONSI) determination

The State Department of Education is proposing to construct a new Performing Arts Center on the campus of Moanalua High School on the Island of O'ahu. Moanalua High School encompasses approximately 30 acres and is further identified as Tax Map Key 1-01-063: 011. The new Performing Arts Center is planned to accommodate a 1,000-seat auditorium, rehearsal and instructional spaces, backstage facilities, storage rooms, and other supporting facilities. The purpose of the proposed project is to provide additional facility space to better accommodate the effective implementation of the school's music and performing arts programs and activities serving students. The existing band room serving the school does not provide adequate space. As a result, faculty and staff are not able to effectively conduct their activities in serving the school's operations and addressing the needs of the student body.

Due to current funding limitations, the Performing Arts Center will be constructed in two (2) phases. Phase 1 will include a rehearsal hall building and Phase 2 will include the 1,000-seat auditorium.

6. St. Augustine by-the-Sea Church Master Plan Project Draft EA

- Island:** O'ahu
- District:** Honolulu
- TMK:** (1) 2-06-026: 012 and 015
- Permits:** Special Management Area Use Permit, Waikikī Special District Permit, Zoning Variance, Conditional Use Permit – Joint Development, NPDES Permit, Construction Noise Permit, Building and other Ministerial Permits



Applicant: Roman Catholic Church in Hawai'i, St. Augustine by-the-Sea Church, 130 'Ōhūa Avenue, Honolulu, Hawai'i 96815. Contact: Father Lane Akiona, (808) 973-9788

Approving Agency: Department of Planning and Permitting, City and County of Honolulu, 650 South King Street, 7th Floor, Honolulu, Hawai'i 96813. Contact: Lin Wong, (808) 768-8033

Consultant: Helber Hastert & Fee, Planners, 733 Bishop Street, Suite 2590, Honolulu, Hawai'i 96813.
Contact: Ronald A. Sato, (808) 545-2055

Status: Anticipated Finding of No Significant Impact. 30-day comment period begins; comments are due on October 7, 2011. Send comments to the Applicant and the Consultant

The Roman Catholic Church in Hawai'i is proposing to implement improvements to their St. Augustine by-the-Sea Church property in accordance with a new master plan to better serve their parish's current and future needs. The Church has not undergone any major renovations since its construction in 1962, and they also have custody of many artifacts and other objects related to St. Damien. Therefore, a new museum is planned to make these artifacts, objects, and educational material available for viewing by the public. Additional office space for church staff and storage space is needed along with increased on-site parking for their parish and visitors.

New facilities would consist of: 1) a new two-story St. Damien Museum (5,500 sf) located along their Kalākaua Avenue frontage; and 2) a new multi-purpose building (9,000 sf floor area) to serve as a redeveloped parish hall, office space, along with providing additional parking (67 stalls). An existing parish hall building will be demolished. The project is not expected to have significant direct or indirect impacts on the environment. A burial treatment plan was approved by the O'ahu Island Burial Council, and no significant secondary or cumulative impacts are expected.

KAUA'I (HRS 343)

7. Moanakai Seawall Repair and Reconstruction Draft EA

Island: Kaua'i
District: Kawaihau
TMK: (4) 4-5-002: 023
Permits: Conservation District Use Permit, Special Management Area Permit, Shoreline Setback Variance, Department of the Army Permit, Section 401 Water Quality Certification Permit, Coastal Zone Management Federal Consistency Determination Permit, NPDES Permit for Discharges Associated with Construction Stormwater, NPDES Permit for Construction Activity Dewatering Effluent

Proposing/Determination

Agency: County of Kaua'i, Department of Public Works 4444 Rice Street, Suite 275, Līhu'e, Hawai'i 96766. Contact: Larry Dill, (808) 241-4996

Consultant: R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawai'i 96819.
Contact: Brian Takeda, (808) 842-1133

Status: Anticipated Finding of No Significant Impact. 30-day comment period begins; comments are due on October 7, 2011. Send comments to the Proposing Agency and the Consultant ([Appendices](#))



The proposed project involves the repair and reconstruction of the Moanakai Seawall to maintain the protection of the shoreline from further wave and stormwater related erosion. An Erosion Control Plan (ECP) will provide measures to control storm-water runoff from the project site. An NPDES permit for the discharge of construction related stormwater will be filed. A Best Management Practices (BMPs) Plan will be submitted to control and treat the discharge of pollutants into receiving waters. The direct impacts related to construction activities will be contained within the property and should not create any indirect, secondary or cumulative impacts within the property or to adjacent properties.

The proposed repair and reconstruction is not expected to result in significant adverse impacts to geology, soils, hydrology, stream flow, biological resources, air quality, natural hazards, cultural resources, socio-economics, or land uses. Minimal impacts may consist of minor traffic, noise and air quality disturbances to residents in the surrounding area of the site, however impacts will be temporary, and conditions will return to their previous state once construction is complete.

NEPA NOTICES

8. MILCON Projects P-749 and P-750 Bachelor Enlisted Quarters, Marine Corps Base Hawai'i – Kane'ohe Bay

Island: O'ahu
District: Ko'olaupoko
TMK: (1) 4-4-008:001 por. and (1) 4-4-009:003 por.
Permits: No permits anticipated
Proposing/Determination Agency: United States Marine Corps (USMC), NEPA Agent: Naval Facilities Engineering Command, Pacific, 258 Makalapa Drive, Suite 100, Pearl Harbor, Hawai'i 96860-3134.
Attention: EV21/JB, (808) 472-1196



Consultant: Wil Chee – Planning, Inc., 1018 Palm Drive, Honolulu, Hawai'i 96814. Contact: Angelyn Davis, (808) 596-4688

Status: The Draft FONSI and EA addressing this action are on file and interested parties may obtain a copy from: Naval Facilities Engineering Command, Pacific, 258 Makalapa Dr., Suite 100, Pearl Harbor, Hawai'i 96860-3134 (Attention: EV21/JB), telephone (808) 472-1196. A limited number of copies on compact disk are available to fill single-copy requests.

This Supplemental Environmental Assessment (SEA) addresses the potential environmental consequences associated with changes made to the MILCON P-749 and P-750 Bachelor Enlisted Quarters (BEQs) projects at Marine Corps Base Hawai'i – Kane'ohe Bay. The Proposed Action is to construct an open parking lot to provide approximately 54 additional parking spaces needed to satisfy the increased parking requirement for the two BEQs being constructed under the projects. The parking lot would be located across the Mōkapu Central Drainage Channel from the BEQ complex at a site that is currently an open field, partially covered by grass and other weedy vegetation and partially paved.

The Proposed Action would extend from an existing parking lot that serves BEQs 7004, 7005, 7006, and 7007, and run parallel to the Mōkapu Central Drainage Channel toward an existing pedestrian bridge that would provide access to the new BEQs. The Proposed Action includes a parking lot and sidewalk, and would cover approximately 20,752 square feet (1923 square meters) or 0.48 acre.

Based on information compiled and analyzed during preparation of the SEA, the USMC finds that the proposed action would not result in any significant impacts on the environment. The projects' design features and adherence to construction best management practices would ensure that any impacts remain below significant levels. Therefore, the proposed action does not constitute a major federal action having individually or cumulatively significant impacts on the quality of the human environment and the USMC has issued a finding of no significant impact (FONSI). An environmental impact statement will not be required for this project.

9. Grow the Force at Marine Corps Base Hawai'i – Kane'ohe Bay, Hawai'i

Island: O'ahu
District: Ko'olaupoko
TMK: (1) 4-4-008:001 por. and (1) 4-4-009:003 por.
Permits: No permits anticipated
Proposing/Determination Agency: United States Marine Corps (USMC), NEPA Agent: Naval Facilities Engineering Command, Pacific, 258 Makalapa Drive, Suite 100, Pearl Harbor, Hawai'i 96860-3134.
Attention: EV21/JB, (808) 472-1196



Consultant: Wil Chee – Planning, Inc., 1018 Palm Drive, Honolulu, Hawai'i 96814. Contact: Angelyn Davis, (808) 596-4688

Status: The Draft FONSI and EA addressing this action are on file and interested parties may obtain a copy from: Naval Facilities Engineering Command Pacific, 258 Makalapa Dr., Suite 100, Pearl Harbor, Hawai'i 96860-3134 (Attention: EV21/JB), telephone (808) 472-1196. A limited number of copies on compact disk are available to fill single-copy requests.

This Environmental Assessment (EA) addresses the potential environmental consequences associated with the Grow the Force (GTF) initiative at Marine Corps Base (MCB) Hawai'i – Kane'ohe Bay. The proposed action is the construction of six MILCON projects to support the additional personnel assigned to MCB Hawai'i – Kane'ohe Bay under the U.S. Marine Corps-wide GTF initiative. These projects construct new or renovate on-base facilities to provide adequate living, working, and training conditions. Under the GTF initiative, an additional 579 active-duty personnel and an estimated 391 dependents (an approximate total of 970 persons) would be assigned to MCB Hawai'i – Kane'ohe Bay. The GTF personnel started arriving in late Fiscal Year (FY) 2008, with incremental additions expected through FY2012.

The six projects include: 1) existing armory addition and renovation; 2) new consolidated aid station and rehab clinic; 3) new artillery battery complex and company command post; 4) new 3rd Radio Battalion complex; 5) new command headquarters, parking structure, bachelor enlisted quarters (BEQ), and renovation of existing BEQs 5070 and 5071, and 6) renovation of existing buildings within the Marine Wing Support Services headquarters compound, new Combat Logistics Battalion warehouse, and new 3rd Radio Battalion motor pool facility.

Based on information compiled and analyzed during preparation of the EA, the USMC finds that the proposed action would not result in any significant impacts on the environment. The projects' design features and adherence to construction best management practices would ensure that any impacts remain below significant levels. Therefore, the proposed action does not constitute a major federal action having individually or cumulatively significant impacts on the quality of the human environment and the USMC has issued a finding of no significant impact (FONSI). An environmental impact statement will not be required for this project.

10. Ka'ena Point Satellite Tracking Station (KPSTS) Demolition of Nine Buildings and Construction of a Civil Engineering Storage Building – Draft FONSI

Island: O'ahu
District: Wai'anae and Waialua
TMK: (1) 6-9-003:3,4,5
Permits: No permits anticipated
Proposing/Determination Agency: United States Air Force, 2261 Hughes Avenue, Suite 155, Lackland AFB, Texas 78236. Contact: Lance Hayashi, (808) 697-4314
Consultant: HDR, 2600 Park Tower Drive, Suite 100, Vienna, Virginia 22180. Contact: Elizabeth Vashro, (571) 327-5844
Status: Please direct all comments to the Proposing Agency and the Consultant



The purpose of the Proposed Action is to demolish nine underused facilities that are in poor condition at KPSTS and to provide KPSTS with a new Civil Engineering Storage Building to consolidate the storage facilities and lessen the burden associated with maintaining underused facilities at KPSTS. The EA evaluates the potential environmental consequences of the Proposed Action and the No Action Alternative on the following general impact topics: noise, air quality, land use (including recreation), geological resources, water resources, coastal zone management, biological resources, health and safety, utilities and infrastructure (including transportation), hazardous materials and wastes, socioeconomic resources and environmental justice, and cultural and visual resources. The Proposed Action and No Action Alternative have been reviewed in accordance with NEPA as implemented by the regulations of the Council on Environmental Quality and 32 Code of Federal Regulations 989 (*Environmental Impact Analysis Process*). Implementation of the Proposed Action would not result in significant impacts to the quality of the human or natural environment. An analysis of the Proposed

Action, in conjunction with other present and proposed activities, concluded that no significant cumulative environmental impacts would occur.

11. Disposal & Reuse of Surplus Property at Barbers Point Naval Air Station Final EA (FONSI)

Island: O'ahu
District: 'Ewa
TMK: (1) 6-9-003:3,4,5
Permits: None

Proposing/Determination

Agency: Director, BRAC PMO West, ATTN: Ronald Bochenek, 1455 Frazee Road, Suite 900, San Diego, CA 92108. Contact: Ronald.bochenek.ctr@navy.mil, Fax (619) 532-9858

Consultant: Helber Hastert & Fee Planners, 733 Bishop Street, Suite 25909, Honolulu, HI 96813. Contact: Martha Spengler, (808) 545-2055 ext. 238

Status: Finding of No Significant Impact Determination



This environmental assessment (EA) presents an analysis of the Department of the Navy's Proposed Action to dispose of remaining surplus property at the former Naval Air Station (NAS) Barbers Point, Hawai'i, and that property's subsequent reuse in a manner consistent with the *Kalaeloa Master Plan* (KMP) as prepared by the Hawai'i Community Development Authority. This EA supplements the *Final Environmental Impact Statement for the Disposal and Reuse of Naval Air Station Barbers Point, Hawai'i*, (FEIS) February 1999, due to changes to the proposed reuse plan for NAS Barbers Point that have occurred since the 1999 FEIS. This EA specifically addresses the disposal and reuse of six parcels encompassing approximately 388 acres.

The Proposed Action would not result in any significant impacts upon geology, topography, or soils; groundwater; surface water; air quality; noise; visual resources; transportation; land use; biological resources; cultural resources; public health and safety; public services; socioeconomic environment; or infrastructure.

The Finding of No Significant Impact (FONSI) and EA addressing this action may be obtained by interested parties at <http://www.bracpmo.navy.mil/> or by contacting Navy Base Realignment and Closure Program Management Office, ATTN: Ronald Bochenek, 1455 Frazee Road, Suite 900, San Diego, CA, 92108. Phone: (619) 532-0906. Email: ronald.bochenek.ctr@navy.mil.

ENVIRONMENTAL COUNCIL NOTICE

The Environmental Council has a tentative meeting scheduled for September 15, 2011, room 203 of the Leiopapa A. Kamehameha Building, also known as the State Office Tower. Please go to the State [Calendar](#) website six days prior to the meeting date to review the agenda. For more information, contact the Council at environmental.council@doh.hawaii.gov or call 586-4185.

POLLUTION CONTROL PERMITS

Below is a pollution control permit before the State Department of Health (HRS 342B and HAR 11-60.1). For more information, contact the number given.

Branch Permit Type	Applicant and Permit Number	Project Location	Date	Proposed Use
Clean Air Branch, 586-4200, Covered Source Permit	Black Plumeria, LLC Application for Renewal No. 0540-02 Application for Significant Modification No. 0540-03 CSP No. 0540-01-C	Located at: 248 Sand Island Access Road O'ahu UTM Coordinates Zone 4; 615, 119 E / 2,358,802 N (NAD 83)	Comments Due: 9/26/11	300 TPH Drum-Mix Asphalt Plant with 1,322 bhp Diesel Engine Generator



COASTAL ZONE MANAGEMENT NOTICES

Special Management Area (SMA) Minor Permits

The SMA Minor permits below have been approved or are pending approval (HRS 205A-30). For more information, contact the county/state Planning Department. Honolulu (523-4131); Hawai'i (961-8288); Kaua'i (241-6677); Maui (270-7735); Kaka'ako or Kalaeloa Community Development District (587-2840).

Location (TMK)	Description (File No.)	Applicant/Agent
Hawai'i: North Kona (7-5-008: 010; 7-5-007: 021)	Install a Pad and Transformer (SMM 11-188)	Hawai'i Electric Light Company, Inc.
Hawai'i: North Kona (7-4-008: 071)	Eradication of Red Mangrove and Pickleweed, Replanting with Native Coastal Flora, and Installation of an Interpretative Sign (SMM 11-189)	Malama O Puna: Rene Siracusa & Ann Kobsa
Maui: Makena (2-1-007: 092)	Install Water & Sewer Laterals (SM2 20070085)	ATC Makena Land, LLC
Maui: Ka'anapali (2-6-002: 012)	Exterior Repairs – Moloka'i Tower (SM2 20110058)	Marie Kimmey, AIA
Maui: Ka'anapali (4-4-001: 099)	Exterior Repairs – Lanai Tower (SM2 20110059)	Marie Kimmey, AIA
Maui: Lahaina (4-5-004: 040)	Garage/Exercise Room/Half Bath (SM2 20110060)	Kasprzycki Designs, Inc.
Maui: Kihei (3-9-004: 004)	Construct Sidewalk/Curb/Gutter (SM2 20110061)	David Goode
Maui: Kapalua (4-2-001: 028)	Converting Lanai into Storage (SM2 20110063)	Stephen & Valerie Kicherer

SHORELINE NOTICES

Certification Applications

The shoreline certification applications above are available for review at the DLNR Offices on Kaua'i, Hawai'i, 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. For more information, call Ian Hirokawa at 587-0420.

File No.	Date	Location	Applicant/Owner	TMK
OA-1444	8/17/11	Lot A situate at Kaneohe, Ko'olaupoko, O'ahu Address: 45-101 Kane'ohē Bay Drive Purpose: Lot subdivision	Park Engineering/ Central Pacific Bank	4-5-030:001 (por.)
OA-1445	8/18/11	Lot 78 Land Court Application 1052 as shown on Map 5 situate at Makaha, Waianae, Oahu Address: 84-811 Moua Street Purpose: Obtain building permit	Wesley T. Tengan/ Glenn Allan Wallace, Trustee	8-4-005:023
OA-1445	8/18/11	Lot 78 Land Court Application 1052 as shown on Map 5 situate at Makaha, Waianae, Oahu Address: 84-811 Moua Street Purpose: Obtain building permit	Wesley T. Tengan/ Glenn Allan Wallace, Trustee	8-4-005:023
OA-1445	8/18/11	Lot 78 Land Court Application 1052 as shown on Map 5 situate at Makaha, Waianae, Oahu Address: 84-811 Moua Street Purpose: Obtain building permit	Wesley T. Tengan/ Glenn Allan Wallace, Trustee	8-4-005:023
OA-1446	8/18/11	Dwelling "B" 66-107 "68-107 and 68-109 Au Street Condominium" situate at Kamananui, Waialua, O'ahu Address: 68-107 Au Street Purpose: Obtain building permit	Wesley T. Tengan/ Gary J. Cotton	6-8-011:049
MA-487	8/16/11	Lot B, R.P. 7390, L.C. Aw. 199:1 & 2 to John Dawson, R.P. 7860, L.C. Aw. 7715:2 to Lota Kamehameha situate at Waiokama, Lahaina, Maui Address: 465 Front Street Purpose: Shoreline setback	Lokelani Construction/ Edward R. & Susan L. Marszal	4-6-002:016

FEDERAL NOTICES

1. **Endangered and Threatened Wildlife and Plants; 12-Month Finding on Five Petitions To List Seven Species of Hawaiian Yellow-faced Bees as Endangered**

The U.S. Fish and Wildlife Service (Service), announced a 12-month finding on five petitions to list seven species of Hawaiian yellow - faced bees (*Hylaeus anthracinus*, *H. assimulans*, *H. facilis*, *H. hiliaris*, *H. kuakea*, *H. longiceps*, and *H. mana*) as endangered and to designate critical habitat under the Endangered Species Act of 1973, as amended (Act). After review of all available scientific and commercial information, the Service finds that listing these seven species of Hawaiian yellow-faced bees is warranted. Currently, however, listing these seven species of Hawaiian yellow-faced bees is precluded by higher priority actions to amend the Lists of Endangered and Threatened Wildlife and Plants. Upon publication of this 12-month petition finding, the Service will add these seven species of Hawaiian yellow-faced bees to its candidate species list. The Service will develop a proposed rule to list these seven species of Hawaiian yellow-faced bees as its priorities allow. The Service will make any determinations on critical habitat during development of the proposed listing rule. In any interim period the Service will address the status of the candidate taxa through our annual Candidate Notice of Review (CNOR). The finding announced in this document was made on September 6, 2011. This finding is available on the Internet at [http:// www.regulations.gov](http://www.regulations.gov) at Docket Number FWS–R1–ES–2010–0012. Supporting documentation we used in preparing this finding is available for public inspection, by appointment, during normal business hours at the U.S. Fish and Wildlife Service, Pacific Islands Fish and Wildlife Office, 300 Ala Moana Boulevard, Room 3-122, Honolulu, Hawai'i 96850. Please submit any new information, materials, comments, or questions concerning this finding to the above street address. For more information, contact: Loyal Mehrhoff, Field Supervisor, Pacific Islands Fish and Wildlife Office (see address above); by telephone at (808) 792–9400; or by facsimile at (808) 792–9581. If you use a telecommunications device for the deaf (TTD) please call the Federal Information Relay Service (FIRS) at 800–877–8339 (see, 76 F.R. 55170, September 06, 2011).

2. **Pesticide Emergency Exemptions by EPA; Agency Decisions and State and Federal Agency Crisis Declarations**

The U. S. Environmental Protection Agency (EPA) has granted the following emergency exemptions (*inter alia*) under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) for use of pesticides as listed in this notice. The exemptions were granted during the period July 1, 2010 to June 30, 2011 to control unforeseen pest outbreaks. *For the State of Hawai'i Department of Agriculture, Specific Exemptions:* EPA authorized the use of fludioxonil on pineapple to control saprophytic mold; August 26, 2010 to August 26, 2011. *Contact:* Andrea Conrath EPA authorized the use of hop beta acids in beehives to control varroa mite; May 17, 2011 to December 31, 2011. *Contact:* Stacey Groce. Team Leader, Emergency Response Team, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone number: (703) 306–0309 (see, 76 F.R. 52948, August 24, 2011).

3. **Federal Energy Regulatory Commission [Project No. 14069–000] Konohiki Hydro Power, Inc.; Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, Protests, Recommendations, and Terms and Conditions**

Take notice that the following hydroelectric application has been filed with the Federal Energy Regulatory Commission and is available for public inspection:

- a. *Type of Application:* Conduit Exemption.
- b. *Project No.:* 14069–000.
- c. *Date filed:* May 9, 2011, and supplemented August 4, 2011.
- d. *Applicant:* Konohiki Hydro Power, Inc.
- e. *Name of Project:* Pu'u Lua Hydropower Project.

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- f. *Location:* The proposed Pu'u Lua Hydropower Project would be located on the Koke'e ditch irrigation system in Kaua'i County, Hawai'i. The land on which all the project structures are located is owned by the applicant.
- g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791a–825r.
- h. *Applicant Contact:* Mrs. Pamela Miller, Konohiki Hydro Power, Inc., P.O. Box 261, Anahola, Hawai'i 96703, phone (808) 634–8866.
- i. *FERC Contact:* Robert Bell, (202) 502–6062, robert.bell@ferc.gov.
- j. *Competing Application:* This application competes with Project No. 13875–000 filed October 22, 2010.
- k. *Status of Environmental Analysis:* This application is ready for environmental analysis at this time, and the Commission is requesting comments, reply comments, recommendations, terms and conditions, and prescriptions.
- l. *Deadline for filing responsive documents:* Due to the small size of the proposed project, as well as the resource agency consultation letters filed with the application, the 60-day timeframe specified in 18 CFR 4.34(b) for filing all comments, motions to intervene, protests, recommendations, terms and conditions, and prescriptions is shortened to 30 days from the issuance date of this notice. All reply comments filed in response to comments submitted by any resource agency, Indian tribe, or person, must be filed with the Commission within 45 days from the issuance date of this notice. Comments, protests, and interventions may be filed electronically via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the <http://www.ferc.gov/docsfiling/efiling.asp>. The Commission strongly encourages electronic filings. The Commission's Rules of Practice and Procedure require all interveners filing documents with the Commission to serve a copy of that document on each person in the official service list for the project. Further, if an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.
- m. *Description of Project:* The Pu'u Lua Hydropower Project has two developments that would consist of:
- Upper Pu'u Lua Development**
- (1) A proposed powerhouse containing one proposed generating unit with an installed capacity of two (2) megawatts; and
- (2) Appurtenant facilities; and
- Lower Pu'u Lua Development**
- (1) A proposed powerhouse containing one proposed generating unit with an installed capacity of 3.3 megawatts; and
- (2) Appurtenant facilities. The applicant estimates the project would have an average annual generation of 32.49 gigawatt-hours.
- n. This filing is available for review and reproduction at the Commission in the Public Reference Room, Room 2A, 888 First Street, NE., Washington, DC 20426. The filing may also be viewed on the web at <http://www.ferc.gov/docsfiling/elibrary.asp> using the "eLibrary" link. Enter the docket number, P-14069, in the docket number field to access the document. For assistance, call toll-free 1-866-208-3676 or e-mail FERCOnlineSupport@ferc.gov. For TTY, call (202) 502-8659. A copy is also available for review and reproduction at the address in item h above.
- o. *Protests or Motions to Intervene* – Anyone may submit a protest or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, and 385.214. In determining the appropriate action to take, the Commission will consider all protests filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any protests or motions to intervene must be received on or before the specified deadline date for the particular application.
- p. All filings must (1) Bear in all capital letters the title "PROTEST", "MOTION TO INTERVENE", "COMMENTS", "REPLY COMMENTS," "RECOMMENDATIONS," "TERMS AND CONDITIONS," or "PRESCRIPTIONS;" (2) set forth in the heading, the name of the applicant

and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. Any of these documents must be filed by providing the original and seven copies to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. An additional copy must be sent to Director, Division of Hydropower Administration and Compliance, Office of Energy Projects, Federal Energy Regulatory Commission, at the above address. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010 (see, 76 F.R. 52649, August 23, 2011).

4. Kawailoa Wind Energy Generation Facility, O'ahu, Hawai'i; Draft Habitat Conservation Plan and Draft Environmental Assessment

The U.S. Fish and Wildlife Service (Service), has received an application from Kawailoa Wind Power LLC (applicant), a subsidiary of First Wind LLC, for an incidental take permit (ITP) under the Endangered Species Act of 1973, as amended (ESA). The applicant is requesting a 20-year ITP pursuant to the ESA to authorize take of six species – four endangered birds, one threatened bird, and one endangered mammal (collectively these six species are hereafter referred to as the “Covered Species”). The permit application includes a draft habitat conservation plan (HCP) describing the applicant's actions and the measures the applicant will implement to minimize, mitigate, and monitor incidental take of the Covered Species, the ITP application also includes a draft Implementing Agreement (IA). The Service also announces the availability of a draft Environmental Assessment (EA) that has been prepared in response to the permit application in accordance with 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 October 11, 2011. 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, Hawai'i 96850. You may also send comments by facsimile to (808) 792–9581. For additional information, please contact Aaron Nadig, Fish and Wildlife Biologist, U.S. Fish and Wildlife Service (at above address); telephone (808) 792–9400 (see, 76 F.R., 52966 August 24, 2011).

5. National Oceanic and Atmospheric Administration Draft 2011 Marine Mammal Stock Assessment Reports

The National Marine Fisheries Service (NMFS) reviewed the Alaska, Atlantic, and Pacific regional marine mammal stock assessment reports (SARs) in accordance with the Marine Mammal Protection Act. SARs for marine mammals in the Alaska, Atlantic, and Pacific regions were revised according to new information. NMFS solicits public comments on draft 2011 SARs. Comments must be received by November 22, 2011. The 2011 draft SARs, summaries of them, and references cited in this notice are available in electronic form via the Internet at <http://www.nmfs.noaa.gov/pr/sars/draft.htm>. Copies of the Alaska Regional SARs may be requested from Robyn Angliss, Alaska Fisheries Science Center, NMFS, 7600 Sand Point Way, NE BIN 15700, Seattle, WA 98115-0070. Copies of the Atlantic, Gulf of Mexico, and Caribbean Regional SARs may be requested from Gordon Waring, Northeast Fisheries Science Center, 166 Water St., Woods Hole, MA 02543. Copies of the Pacific Regional SARs may be requested from Jim Carretta, Southwest Fisheries Science Center, 8604 La Jolla Shores Drive, La Jolla, CA 92037–1508. You may submit comments, identified by [NOAA–NMFS–2011–0200], by any of the following methods: *Electronic Submissions:* Submit all electronic public comments via the Federal eRulemaking Portal <http://www.regulations.gov>. *Mail:* Send comments or requests for copies of reports to: Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources,



National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3226, Attn: Stock Assessments. *Instructions:* All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter N/A in the required fields, if you wish to remain anonymous). You may submit attachments to electronic comments in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only. For additional information contact: Shannon Bettridge, Office of Protected Resources, (301) 427-8402, Shannon.Bettridge@noaa.gov; Robyn Angliss (206) 526-4032, Robyn.Angliss@noaa.gov, regarding Alaska regional stock assessments; Gordon Waring, (508) 495-2311, Gordon.Waring@noaa.gov, regarding Atlantic, Gulf of Mexico, and Caribbean regional stock assessments; or Jim Carretta, 858-546-7171, Jim.Carretta@noaa.gov, regarding Pacific regional stock assessments (see, 76 F.R. 52940, August 24, 2011)

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 Hawai'i'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. Notices 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 Hawai'i 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).