

## 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  
November 23, 2011

### SUBMITTAL REQUIREMENTS FOR CHAPTER 343, HRS DOCUMENTS

The preparation of this notice relies on the timely submission of information, pursuant to **§11-200-3, Hawai'i Administrative Rules**. It is very important that OEQC timely receives the documents listed below for preparing and finalizing the publication. Please make sure that your submittals for publication include the listed documents. Failure to provide the required documents can delay the publication of your project.

**A. Submittal letter – hard copy**

**B. Publication Form – hard copy and electronic version in MS Word**

**C. EA or EIS hard copy**

**D. Distribution List (for DEIS and FEIS ONLY)**

**E. CD with the complete EA or EIS in PDF and the Publication Form in MS Word**

Requests to insert inadvertent omissions to submitted EA/EIS documents between the statutory submittal deadline and publication date indicates that the submitted material are incomplete and therefore do not meet Chapter 343, HRS requirements. Such insertions are viewed as new submittals and invalidate the timely submittal of original documents. Consequently, the publication of such projects will have to await the next printing cycle in order to satisfy the statutory submittal requirement of eight working days before the publication date.

### CULTURAL ASSESSMENT PROVIDER LIST UPDATE

The Cultural Assessment Provider List has been updated and is available on the OEQC website. In the past, Cultural Assessment Providers were listed separately by different islands. The new update incorporates all names on one list and does not include some names from the previous lists, primarily because the individuals whose names no longer appear on the list did not respond to queries from the Office.

If you feel that your name should be included on the list, please let us know by completing and sending the [Cultural-Assessment-Provider-Application-Form](#) to 235 S. Beretania St., Ste. 702, Honolulu, Hawai'i 96813, or emailing the form to [oeqc@doh.hawaii.gov](mailto:oeqc@doh.hawaii.gov).

Call (808) 586-4185 for any questions regarding the Cultural Assessment Provider List.

### EDUCATION OUTREACH TRAINING

The Office of Environmental Quality Control has been conducting Education Outreach Training to consultants and agencies that work directly with the implementation of the Hawai'i Environmental Policy Act, Chapter 343, Hawai'i Revised Statutes. Participation in the training is voluntary and so far, the response has been very supportive.

There are still a few more sessions scheduled for the Big Island (Kona on November 30, 2011 and Hilo on December 1, 2011) and Maui (December 9, 2011). Contact OEQC for further questions.

**Note:** If you get a message saying that the file is damaged when you click on the link, then the file is too big to open within your web browser. To view the file, download directly to your hard drive by going to File and select Save As in your web browser.

*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 8<sup>th</sup> and 23<sup>rd</sup> 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.



Neil Abercrombie, Governor · Gary Hooser, 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](mailto:oeqc@doh.hawaii.gov)  
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Hawai'i: 974-4000 ext. 64185

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## HAWAI'I (HRS 343)

### 1. Mamalahoa Highway Drainage Improvements at Kāwā Flats Draft EA

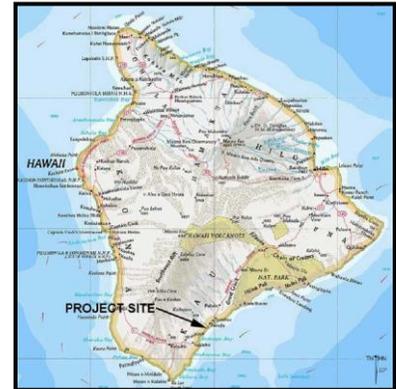
**Island:** Hawai'i  
**District:** Ka'ū  
**TMK:** (3rd) 9-5-016:006, 022, 025 & 026  
**Permits:** Historic Sites Review (Section 106 of NHPA and Chapter 6e, HRS, completed; State Highways Permit; Conservation District Use Permit (CDUP); National Pollutant Discharge Elimination System (NPDES); Subdivision Approval; Special Management Area (SMA) Permit; Grading, Grubbing, Excavating and Stockpiling Permits.

#### Proposing/Determination

**Agency:** Hawai'i Department of Transportation, Highways Division, Hawai'i District, 50 Makaala Street, Hilo, Hawai'i 96720.  
Contact: Roy Shioji, (808) 933-2755

**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 December 22, 2011. Send comments to the Proposing Agency and the Consultant.



The Hawai'i State Department of Transportation, in consultation with the Federal Highway Administration, proposes to construct drainage improvements along an approximately 3,700-foot section of the Mamalahoa Highway (State Route 11) located at Kāwā Flats. The highway was constructed over 50 years ago with no drainage facilities for this low-lying section. Flood waters from an intermittent stream frequently overtop the highway and completely close this round-the-island highway – the only route connecting the two main towns of Ka'ū. The flooding is a hazard to motorists, prevents the passage of emergency vehicles, and damages the roadway structure. Erosion and sedimentation impacts will be mitigated through Best Management Practices, and impacts to archaeological sites will be mitigated through data recovery. Threatened or endangered species, important farmland, wetlands or other waters of the U.S., or other sensitive resources are not present at the project site and will not be affected directly or indirectly. No adverse cumulative impacts will occur.

### 2. After-the-Fact Permit in Shoreline Setback at Doris Scharpf Residence in Puakō Draft EA

**Island:** Hawai'i  
**District:** South Kohala  
**TMK:** (3rd) 6-9-005:001  
**Permits:** Special Management Area Minor Permit, Shoreline Setback Variance  
**Applicant:** Doris M. Scharpf Trust, c/o Roy A. Vitousek III, Cades Schutte LLP, 75-170 Hualalai Road, Suite B-303, Kailua-Kona, Hawai'i 96740.  
Contact: Roy A. Vitousek III, (808) 329-5811



#### Approving

**Agency:** Hawai'i County Planning Department, 101 Pau'ahi Street, Suite 3, Hilo, Hawai'i 96720.  
Contact: Bethany Morrison, (808) 961-8288

**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 December 22, 2011. Send comments to the Applicant and the Consultant.

The Doris M. Scharpf Trust is requesting the County of Hawai'i for after-the-fact permits for an existing 82.4-foot long, 2 to 4-foot high wall along the makai portion of a property containing a single-family home occupied by Doris Scharpf in Puakō. The request is pursuant to a settlement of an appeal

from a County enforcement action relative to the wall. The wall was in place in 1999 when Doris Scharpf and her (now deceased) husband purchased the Property. The Settlement and Mutual Release Agreement, dated January 15, 2009, between the Doris M. Scharpf Trust and the County of Hawai'i, provided that the Trust could apply for permits necessary to modify a portion of the wall where it abutted a County-owned public access way and retain the remaining section of the wall. The wall is fully contained within the State Land Use Urban District and is mauka of the certified shoreline. No additional construction is proposed and no construction-related impacts would occur. Retention of the wall would not adversely affect archaeological sites, cultural practices, vegetation or habitat, or shoreline processes. Public access would be maintained. Removal of the wall (which also functions as a retaining wall) would induce the shoreline to move about 30 feet mauka of the existing waterline, removing much of Ms. Scharpf's backyard. This unprotected shoreline would also be susceptible to future shoreline erosion, and the adjacent walls surrounding and protecting the mauka-makai public pedestrian access would be subject to flanking damage, meaning that waves could surge around them unprotected end and erode the ground from the mauka side. This could affect both the public access way walls and possibly an adjacent property currently protected by a legal, non-conforming wall.

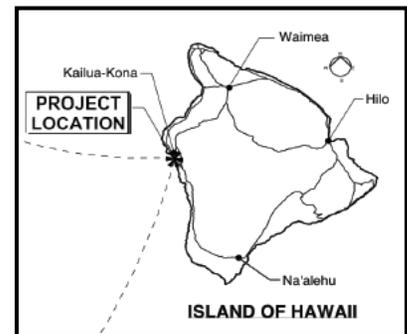
### 3. Living Stones Congregational Church- Hall and Storage Building Draft EA

**Island:** Hawai'i  
**District:** North Kona  
**TMK:** (3) 7-6-16:033  
**Permits:** SMA (Minor) Permit, Plan Approval, Building Permits  
**Applicant:** Living Stones Congregational Church (Hawaii Conference Foundation), 78-7021 Kewalo Street, Kailua-Kona, Hawai'i 96740. Contact: Brian R. Cook

**Approving Agency:** Department of Land and Natural Resources, Hawai'i District Land Division, 75 Aupuni Street, Room 204, Hilo, Hawai'i 96720. Contact: Kevin E. Moore, (808) 974-6203

**Consultant:** J M. Leonard Planning, LLC, 1100 Ainalako Road, Hilo, Hawai'i 96720. Contact: James M. Leonard, (808) 896-3459

**Status:** Anticipated Finding of No Significant Impact. 30-day comment period begins; comments are due on December 22, 2011. Send comments to the Proposing Agency and the Consultant.



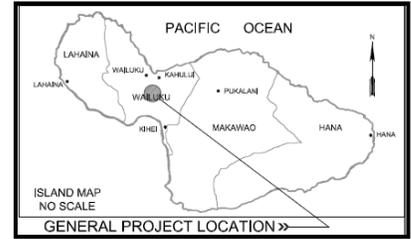
The Living Stones Congregational Church (Church) intends to reconstruct and expand a previously existing storage and restroom building. The project site is located along Ali'i Drive in Kailua-Kona, just south of Royal Poinciana Drive. When completed, this structure will be 16 feet in height and encompass approximately 1,152 square feet. The proposed structure is designed to be similar in character to the adjacent Church through the use of similar construction, materials, and colors. The building will be used for a meeting hall/Sunday school and storage facility for the Church and the restrooms will be upgraded to be ADA compliant. The Church has a new 65-year lease for this State-owned property. The site is listed on the State's Register of Historic Places (Site No. 310-37-7234). The area of the proposed structure has previously been disturbed and no significant biological resources would be impacted. While there are significant archeological features and burials on the property, none will be affected by the proposed building construction. The features and sites have been identified and cordoned off and the area of the proposed structure is not in close proximity to these sites and, thus, will not compromise the visual or spiritual integrity of these sites. Additionally, in that the proposed improvements are intended to improve and accommodate existing uses on the property, it is not expected to generate additional traffic to the site. The planned structure could be deemed as presenting a visual impact to the surrounding area. Nearby condominium projects include Hale Pohaku, Hale Kai O Kona, and Hale Nalu. The design of the structure has been altered to lower the roof height and thus minimize potential visual impacts when viewed from surrounding buildings. In that the structure is located in the same location and will be no higher than the prior structure, any visual impact should be negligible.



## MAUI (HRS 343)

### 4. Wai'ale Final EIS & Volume 2

- Island:** Maui
- District:** Wailuku
- TMK:** (2) 3-8-005: 023 (por.) and 037, and (2) 3-8-007: 071, 101 (por.), and 104
- Permits:** Chapter 343, HRS Compliance; State Land Use District Boundary Amendment; Community Plan Amendment; Project District Phases I, II and III Approval; Chapter 6E, HRS Compliance; National Pollutant Discharge Elimination System (NPDES) Permit; Drainage Approval; Permit to Perform Work within a State Right-of-Way; Surface Water Use Permit; New Raw Water Source; Capacity; Construction Plans; and Grading/Building Permits
- Applicant:** A&B Properties, Inc., P. O. Box 156, Kahului, Hawai'i 96732.  
Contact: Grant Chun, (808) 872-4312
- Approving Agency:** State of Hawai'i, Land Use Commission, P.O. Box 2359, Honolulu, Hawai'i 96804.  
Contact: Dan Davidson, (808) 587-3822
- Consultant:** PBR HAWAII & Associates, Inc., 1001 Bishop Street, ASB Tower, Suite 650, Honolulu, Hawai'i 96813. Contact: Michael Shibata, (808) 521-5631
- Status:** Accepted by the Approving Agency



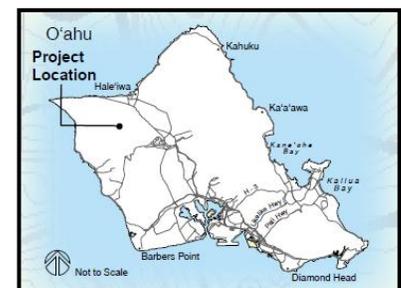
Wai'ale is envisioned to be a community for residents to live, work, learn, and play. Residential communities, including single-family homes and multi-family dwellings, will be connected to village mixed-use areas supported with commercial, retail, office, civic and other public facilities through a system of pedestrian/bicycle paths and greenways. Wai'ale will also feature cultural preserve areas dedicated to the preservation of archaeological features and lithified sand dunes. Approximately 2,550 residential units are proposed for Wai'ale, including approximately 300 residential units within the approximately 50 acres to be contributed to the County of Maui as part of a Maui Planning Commission requirement for the Maui Business Park – Phase II project.

Wai'ale would assist in providing relief to the current overall shortage of housing on Maui, and the site's central location suggests that its impact will be very beneficial to Maui's residential and commercial sectors. Wai'ale will also provide employment opportunities during and after its development, positively impacting Maui's economy. Several acres of land in Wai'ale will be provided for public use, including a middle school, a regional park, a regional community center, and other public support facilities.

## O'AHU (HRS 343/NEPA)

### 5. ICSD Mt. Ka'ala Radio Facility Improvements Draft EA

- Island:** O'ahu
- District:** Honolulu
- TMK:** (1) 7-07-001: portions of 001; 6-07-003 portions of 023 and 025
- Permits:** Conservation District Use Permit; Natural Area Reserves Special Use Permit; NPDES Permit (Construction Activities) and Construction Noise Permit.
- Proposing/Determination Agency:** Division of Public Works, Project Management Branch, State of Hawai'i, 1151 Punchbowl Street, Room 427, Honolulu, Hawai'i 96813. Contact: Daniel Jandoc, (808) 586-0476
- 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 December 22, 2011. Send comments to the Proposing Agency and the Consultant.



The State of Hawai'i, Department of Accounting and General Services, Information and Communication Services Division (ICSD) is proposing to implement repair and renovation improvements to their existing telecommunications building, a tower, a downhill antenna site along with conduit lines serving it, and other accessory electrical improvements located on Mt. Ka'ala. The State's radio facility is 1,161 square feet in size and located within the larger 6.6-acre Mt. Ka'ala Air Force Station (AFS) situated at the summit of Mt. Ka'ala. The State also has a microwave antenna site located downhill off Kamaohanui Ridge connected to the radio facility by an above-ground conduit line.

The objective for the project is to support the State ICSD's efforts to provide efficient and effective telecommunication services to all agencies in the State of Hawai'i needed for public safety, emergency services, disaster response, and essential government operations. The project is not expected to have significant direct, indirect, secondary or cumulative impacts on the environment. Project effects are primarily associated with temporary constructed related activities, and best management practices would be implemented to mitigate effects.

## 6. Kahuku Storm Damage Reduction Draft EA

**Island:** O'ahu  
**District:** Kahuku  
**TMK:** 1-5-6-006:003, 009, 010, 011 (por), 015, and 025  
**Permits:** National Pollutant Discharge Elimination System (NPDES) Permit, Coastal Zone Management Act Determination, Special Management Area Permit, City and County of Honolulu Department of Planning and Permitting Building Permit



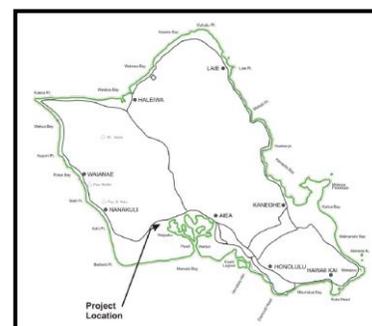
### Proposing/Determination

**Agency:** Hawaii State Department of Education, Facilities Development Branch, Kalanimoku Building, Room 501, 1151 Punchbowl Street, Honolulu, Hawai'i 96813.  
Contact: Duane Kashiwai, (808) 586-0430  
**Consultant:** Environet, Inc., 650 Iwilei Road, Suite 204, Honolulu, Hawai'i 96817.  
Contact: Colette Sakoda, (808) 833-2225, Ext. 1004  
**Status:** Anticipated Finding of No Significant Impact. 30-day comment period begins; comments are due on December 22, 2011. Send comments to the Proposing Agency and the Consultant.

Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, and Chapter 343, Hawaii Revised Statutes, as amended, the U.S. Army Corps of Engineers (USACE) on behalf of the Hawaii State Department of Education (DOE), Facilities Development Branch and as co-proponent gives notice that a Draft Environmental Assessment (DEA) has been prepared for the proposed action to implement stormwater mitigation measures at Kahuku High School; O'ahu, Hawai'i. This effort is being proposed under the legislative authority of the Consolidated Appropriations Act, 2008 (Public Law 110-161), Division C, Section 112. The USACE was authorized to design an environmentally sound and feasible stormwater collection and drainage system for Kahuku High School at the request of the State of Hawai'i Department of Education. The proposed action would route on-campus stormwater runoff to underground storage units that would be placed under the athletic field. The proposed action would meet the purpose and need under the legislative authority and mitigate potential flood damage to facilities on campus.

## 7. Hale Kipa Residential Shelter Final EA (FONSI)

**Island:** O'ahu  
**District:** 'Ewa  
**TMK:** (1) 9-1-017:082  
**Permits:** NPDES, Grading Permit, Building Permit, Conditional Use Permit  
**Applicant:** Hale Kipa, Inc., 615 Pi'ikoi Street, Suite 203, Honolulu, Hawai'i 96814. Contact: Ernest Pletan-Cross, (808) 589-1829



## Approving

**Agency:** Department of Community Services, 715 South King Street, Suite 315, Honolulu, Hawai'i 96813. Contact: Samuel E. M. Moku, (808) 768-7762

**Consultant:** R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawai'i 96819. Contact: Chester Koga, (808) 842-1133, chesterk@rmtowill.com

**Status:** Finding of No Significant Impact (FONSI) determination

The applicant, Hale Kipa, Inc., provides opportunities and environments that strengthen and encourage youth, their families and communities to actualize their potential and social responsibility. Hale Kipa has been the "House of Friendliness" to thousands of Hawai'i's runaways and homeless youth who have needed a place to stay and someone to talk to while they work out their problems. The proposed project will provide a facility in the West O'ahu region to serve at-risk youth.

The site comprises 4.26 acres abutting old Fort Weaver Road. The project involves the construction of three 2,643 square foot, eight-bed, ADA-compliant residential shelters that will replace existing facilities, a 3,945 square foot educational facility, and a 11,000 square foot services center consolidating programs, services and administration. This project will enhance services to clients, provide an integrative and collaborative environment for staff/volunteers, include a training center for staff/foster families, and significantly reduce overhead relating to leases and maintenance. Consolidation of services will create economies of scale for the organization.

## 8. Kapalama Container Terminal Final EA (EISPN)

**Island:** O'ahu  
**District:** Honolulu  
**TMK:** First Division, 1-2-25:  
**Permits:** U.S. Department of the Army Permit, Environmental Protection Agency Review of Ocean Disposal of Dredged Material, Disposal Site Operator Approval of Upland Site Disposal of Dredged Material, Section 401 of Clean Water Act - Water Quality Certification, Coastal Zone Management Federal Consistency Certification, and National Pollutant Discharge Elimination System Permit



## Proposing

**Agency:** Department of Transportation, State of Hawaii, Harbors Division, 79 South Nimitz Highway, Honolulu, Hawai'i 96813. Contact: Carter Luke, (808) 587-1862

## Accepting

**Authority:** Governor of Hawai'i, c/o Office of Environmental Quality Control (OEQC)  
**Consultant:** Belt Collins Hawaii Ltd., 2153 North King Street, Suite 200, Honolulu, Hawai'i 96819. Contact: Glen Koyama, (808) 521-5361

**Status:** The Proposing Agency has determined that an Environmental Impact Statement is required. 30-day comment period begins; comments are due on December 22, 2011. Send comments to the Proposing Agency and Consultant.

DOT-Harbors proposes to redevelop the former Kapalama Military Reservation property at Honolulu Harbor into a new shipping container terminal to handle current and projected increase in cargo volumes. Formerly owned by the U.S. government, the property was acquired by the State in 1993 for future harbor expansion and improvements.

The proposed project will include: 1) development of an approximately 90-acre container yard with necessary support buildings, fencing and gates, gantry cranes and container-handling equipment, onsite utilities and lighting, and associated off-site improvements, including a direct access connection with the adjacent Young Brothers inter-island barge operation; 2) construction of a deep draft wharf with berthing capacity to accommodate two container ships; and 3) improvements to Piers 40 and 41 to accommodate use for interisland cargo operations.

In moving forward with the project, existing tenants, who predominantly are on month-to-month revocable permits, will be required to relocate from the property. The proposed improvements, estimated to cost approximately \$221 million (2011 estimate), will be paid for by the Harbors Special Fund.





**Consultant:** EKNA Services, Inc., 615 Piʻikoi Street, Suite 300, Honolulu, Hawaiʻi 96814. Contact: Elaine Tamaye, (808) 591-8553 ext. 204  
**Status:** Anticipated Finding of No Significant Impact. 30-day comment period begins; comments are due on December 22, 2011. Send comments to the Proposing Agency and the Consultant.

The 900 linear feet of new road will bypass a section of the existing highway (Route 560) that winds around the seaward side of a knoll or *puʻu* in the Lumahai area on the north shore of Kauaʻi. The bypass road corridor is narrow with steep side slopes and vegetated with trees and shrubs such as ironwood, Java plum, *hala*, *ohiʻa*, and strawberry guava. No threatened or endangered species was observed at the site. Trees will be removed within the 40 feet wide road corridor and on side slopes that require grading and/or stabilization measures to prevent landslides. Disturbed areas along the bypass road alignment will become quickly re-vegetated after construction. An archaeological survey found no traditional archaeological sites or resources. The view plane from the bypass road will be one of steep mountain sides on both sides of the road. The only non-natural view features will be the retaining walls and guard rails. The metal guardrails are required for safety purposes and will be coated with brown epoxy to blend with the foliage. The concrete retaining walls will have rock textured finish (either sculpted rock faces or form-lined textured rock faces). There will be no long-term effects on traffic because the bypass road does not increase highway capacity. After the new bypass road is completed, the existing road that winds around the makai side of the *puʻu* will be closed to vehicular traffic.

## NEPA NOTICES

### 11. Basing of MV-22 and H-1 Aircraft in Support of III MEF Elements in Hawaiʻi Draft EIS

**Island:** All  
**District:** Various  
**TMK:** Various  
**Permits:** Construction-related, e.g., NPDES permit, permit for stationary sources  
**Proposing/Determination Agency:** Department of the Navy, Naval Facilities Engineering Command, Pacific, 258 Makalapa Drive, Suite 100, Pearl Harbor, Hawaiʻi 96860. Contact: John Bigay, (808) 472-1196  
**Consultant:** Belt Collins Hawaii Ltd., 2153 North King Street, Suite 200, Honolulu, Hawaiʻi 96819. Contact: Sue Sakai, (808) 521-5361  
**Status:** 30-day comment period begins; comments are due on December 27, 2011. Send comments to the Proposing Agency

The proposed action would include: (1) basing of up to two squadrons with MV-22 Osprey aircraft and one squadron with AH-1 Cobra and UH-1 Huey helicopters in Hawaiʻi; (2) developing facilities at Marine Corps Base Hawaiʻi Kaneʻohe Bay to accommodate the squadrons; and (3) conducting aviation operations statewide. For most resources, there would be no impacts or minor impacts. Many impacts would be avoided or minimized through compliance with applicable laws, regulations, orders, and procedures. Mitigation is required for cultural resources and traffic, and may be required for soils.

Public meetings will be held to obtain comments on the EIS and to meet public involvement requirements of the National Historic Preservation Act (NHPA), Section 106. NHPA Section 106 input will be scheduled during the first hour of each meeting, followed by an open house.

November 30, 5:30-8:30 pm: Waimea Elementary School Cafeteria, Kamuela, HI  
December 1, 4:30-7:30 pm: Hilo Intermediate School Cafeteria, Hilo, HI  
December 6, 5:30-8:30 pm: Mililani Middle School Cafeteria, Mililani, HI  
December 7, 5:30-8:30 pm: Waimanalo Elementary & Intermediate School Cafeteria, Waimanalo, HI  
December 8, 5:30-8:30 pm: Castle High School Cafeteria, Kaneohe, HI

Please submit written comments to the proposing agency at the above address by December 27, 2011. For more information, go to [www.mcbh.usmc.mil/mv22h1eis](http://www.mcbh.usmc.mil/mv22h1eis).



## CHAPTER 25, REVISED ORDINANCES OF HONOLULU

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

### Kamehameha Schools Kapaeloa Cultural Learning Project Final EA

**Island:** O'ahu  
**District:** Waialua  
**TMK:** 6-1-3: 56  
**Permits:** Special Management Area Use Permit  
**Applicant:** Trustees of the Estate of Bernice Pau'ahi Bishop, Kamehameha Schools, 567 South King Street, Honolulu, Hawai'i 96813. Contact: Kalani Fronda, (808) 523-6244  
**Approving Agency:** City and County of Honolulu, Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, Hawai'i 96813. Contact: Elizabeth Krueger, (808) 768-8019  
**Consultant:** Group 70 International, Inc., 925 Bethel Street, 5th Floor, Honolulu, Hawai'i 96813. Contact: Jeffrey H. Overton, (808) 523-5866  
**Status:** Finding of No Significant Impact (FONSI) determination

The Kapaeloa Cultural Learning Project is a satellite school facility for children participating in Kamehameha School's programs. The project will consist of an educational pavilion, four dormitory structures, two caretakers' dwellings, an outdoor activity lawn, an educational native plant garden, off-street parking, and support infrastructure. The project will be funded by Kamehameha Schools, and construction is anticipated to begin in 2015. The project will comply with the appropriate Building Code and City and County of Honolulu rules and regulations for development within the described flood zones, and the project construction will proceed under an archaeological monitoring program. Construction-related traffic, air, and noise impacts will be short-term in nature. No significant adverse impacts, cumulative impacts, and secondary impacts are anticipated from the proposed improvements. A Finding of No Significant Impact has been issued.

## HABITAT CONSERVATION NOTICE

### [Draft Amendment for the Kaheawa Wind Power Habitat Conservation Plan and Incidental Take License](#)

**Applicable Law:** HRS Chapter 195D  
**Island:** Maui  
**District:** Geographic District  
**TMK:** 3-6-001:014 and 4-8-001:001  
**Permits:** Incidental Take License  
**Applicant:** First Wind; Kaheawa Wind Power LLC, 1043 Makawao Street, Suite 208, Makawao, Hawai'i 96768  
**Approving Agency:** Department of Land and Natural Resources, Division of Forestry and Wildlife, 1151 Punchbowl Street, Room 325, Honolulu, Hawai'i 96815. Contact: (808) 587-0166  
**Consultant:** SWCA Environmental Consultants, 201 Merchant Street, Suite 2310, Honolulu, Hawai'i 96813. Contact: (808) 548-7922  
**Status:** Send comments to the address listed below by

Kaheawa Wind Power LLC (or the "Applicant") currently operates 30 Megawatt, 20-turbine commercial wind energy generation facility at Kaheawa Pastures in the western portion of the Island of Maui, Hawai'i.

The operation of the wind farm has the potential to result in the incidental take of four threatened or endangered species: Newell's shearwater or 'a'o (*Puffinus auricularis newelli*), Hawaiian petrel or 'ua'u (*Pterodroma sandwichensis*), Hawaiian goose or nene (*Branta sandvicensis*), and Hawaiian hoary bat or 'ope'ape'a (*Lasiurus cinereus semotus*). To address potential take and to comply with Hawai'i endangered species law, Hawai'i Revised Statutes Chapter 195D, the Applicant developed a Habitat Conservation Plan (HCP) that outlines measures to avoid, minimize, mitigate, and monitor take of the aforementioned covered threatened and endangered species and the HCP was approved. In addition, the Habitat Conservation Plan outlines measures to ensure a net recovery benefit to the species that are the focus of the plan. Pursuant to Hawai'i Revised Statutes Chapter 343 an Environmental Assessment has also been prepared which includes the Habitat Conservation Plan actions. An Incidental Take License (ITL) was issued to the Applicant from DOFAW on January 30, 2006. The ITL approved the take of Newell's shearwater and Hawaiian petrels each at two birds per year up to 40 birds over 20 years.

The Applicant has requested to amend the previously approved HCP. The amendment would reduce the take authorized under Condition H of the ITL for the Hawaiian petrel and the Newell's shearwater (the "Seabirds") and remove the Notably Higher Take scenario for the Seabirds from Condition I of the ITL. Amendments include a reduction in the authorized anticipated take on Newell's shearwater to two birds per year up to four birds over 20 years and of Hawaiian petrel to two birds per year up to 25 birds over 20 years. The Notably Higher Take level was removed for Seabirds. The Notably Higher Take Level for the nene and Hawaiian hoary bat remains in the document.

The public is encouraged to comment on this amendment. Please send comments to: Department of Land and Natural Resources, Division of Forestry and Wildlife, 1151 Punchbowl Street, Room 325, Honolulu, Hawai'i 96813. Attention: HCP Coordinator Sandee Hufana or email comments to: [sandee.k.hufana@hawaii.gov](mailto:sandee.k.hufana@hawaii.gov)

## COASTAL ZONE MANAGEMENT NOTICES

### Federal Consistency Reviews

The Hawai'i Coastal Zone Management (CZM) Program has received the following federal actions to review for consistency with the CZM objectives and policies in Chapter 205A, Hawai'i Revised Statutes. This public notice is being provided in accordance with section 306(d)(14) of the National Coastal Zone Management Act of 1972, as amended. For general information about CZM federal consistency please call John Nakagawa with the Hawai'i CZM Program at 587-2878. For neighboring islands use the following toll free numbers: Lanai & Moloka'i: 468-4644 x72878, Kaua'i: 274-3141 x72878, Maui: 984-2400 x72878 or Hawai'i: 974-4000 x72878. For specific information or questions about an action listed below please contact the CZM staff person identified for each action. Federally mandated deadlines require that comments be received by the date specified for each CZM consistency review. Comments may be submitted by mail, electronic mail or fax, as indicated below.

**Mail:** Office of Planning  
Department of Business, Economic Development and Tourism  
P.O. Box 2359  
Honolulu, Hawai'i 96804

**Email:** [jnakagaw@dbedt.hawaii.gov](mailto:jnakagaw@dbedt.hawaii.gov)

**Fax:** (808) 587-2899

### Kewalo Basin Marina Modifications, Honolulu, O'ahu

**Applicant:** Hawaii Community Development Authority (HCDA)  
**Contact:** Victor Szabo, Moffat & Nichol, (808) 533-7000  
**Federal Action:** Federal Permit  
**Federal Agency:** U.S. Army Corps of Engineers  
**Location:** Kewalo Basin, Honolulu. TMK: (1) 2-1-58  
**CZM Contact:** John Nakagawa, 587-2878, [jnakagaw@dbedt.hawaii.gov](mailto:jnakagaw@dbedt.hawaii.gov)



**Proposed Action:** The proposed project will involve the demolition, replacement, and expansion of existing pier infrastructure within Kewalo Basin to improve harbor capacity and safety. The number of boat slips would be increased by 107, from 143 to 250, ranging in length from 35 feet to 120 feet. The proposal also includes modernization of the harbor's potable water and electrical systems, and provision of a new fire suppression system and new sewage pumpout facilities. HCDA's proposal does not include any alteration to the harbor entrance channel or the shoreline area.

**Comments Due:** December 7, 2011

**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
Maui: Lahaina (4-6-028: 001; 4-6-032: 001)	Street Repairs/Asphalt Sealing (SM2 20110091)	Puamana Community Association
Maui: Ka'anapali (4-4-014: 004)	Install Playground Equipment (SM2 20110092)	SVO Pacific, Inc
Maui: Kahului (3-8-007: 033)	Install Portable Classroom (SM2 20110093)	Eileen Wachi
Maui: (3-9-005: 032)	Vegetation Removal & Dune Restoration (SM2 20110094)	Department of Planning, County of Maui
Maui: Lahaina (4-6-028: 001; 4-6-032: 001)	Carport Roof Repairs (SM2 20110095)	Puamana Community Association
Maui: Lahaina (4-6-029: 023)	Remove and Retile Lanai (SM2 20110096)	Allan Hotti & Angelica Grasso-Hotti
Maui: Kahului (3-8-007: 033)	Install and Construct Slab & Carport (SM2 20110097)	Eileen Wachi
Maui: Lahaina (4-4-008: 023)	Enclose Existing Covered Lanai (SM2 20110098)	Marie Kimmey
Maui: Lahaina (4-4-008: 023)	Enclose Existing B-Room Lanai (SM2 20110099)	Marie Kimmey
Maui: Kipahulu (1-6-009: 008)	Drill & Install Poponui Well (SM2 20110100)	Scott Trommald
Maui: (4-5-003: 002)	Interior/Exterior Renovations (SM2 20110101)	Paul Laub
Maui: (3-8-002: 065)	New Fence/Entry Wall & Gate (SM2 20110102)	Linda Lange
O'ahu: Haleiwa (6-1-005: portion of 19)	Kawailoa Wind Farm Project (2011/SMA-44)	Kawailoa Wind, LLC /CH2M Hill

**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, Non-Covered Source Permit	Heart & Soul Organics, LLC Application of Initial Permit No. 0747-01 NSP No. 0747-01-NT	Located at: Various Temporary Sites, State of Hawai'i	Issued: 10/28/2011	Portable Grinding and Screening Plants

Clean Air Branch, 586-4200, -Covered Source Permit	Honua Power, LLC Amendment to Covered Source Permit Significant Modification No. 0638-03 CSP No. 0638-01-C	Located at: TMK: 9-1-31:32, Kapolei, O'ahu	Issued: 10/31/2011	331.8 TPD Gasification Plant and 105,000 lb/hr Steam Boiler with 2,000 kW Blackstart Diesel Engine Generator
Clean Air Branch, 586-4200, Covered Source Permit	Grace Pacific Corporation Renewal Application No. 0258-06 Minor Modification Application No. 0258-07 CSP No. 0258-01-C	Located at: Honokohau Quarry Island of Hawai'i	Comments Due: 12/8/2011	325 TPH Hot Mix Asphalt (HMA) Plant
Clean Air Branch, 586-4200, Non-Covered Source Permit	West Hawai'i Concrete Renewal Application No. 0430-03 Application for Modification No. 0430-04 NSP No. 0430-01-N	Located at: Parker Ranch, Kamuela, Hawai'i	Issued: 11/2/2011	150 Cubic Yard/Hour Concrete Batch Plant
Clean Air Branch, 586-4200, Non-Covered Source Permit	West Hawai'i Concrete Application for Modification No. 0352-05 Application for Modification NSP No. 0352-01-NT	Located at Various Temporary Sites	Issued 11/2/2011	75 Cubic Yard/Hour Portable Concrete Batch Plant
Clean Air Branch, 586-4200, Covered Source Permit	Goodfellow Brothers, Inc. Application for Renewal No. 0242-11 Application for Minor Modification No. 0242-12 CSP No. 0242-01-CT	Located at: Various Temporary Sites	Comments Due: 12/12/2011	780 TPH Stone Processing Plant with 1 MW or 1.36 MW Diesel Engine Generator and 400 TPH Mobile Stone Processing Plant with Integral Diesel Engines
Clean Air Branch, 586-4200, Non-Covered Source Permit	Monsanto Company Application for Modification No. 0468-10 NSP No. 0468-01-N	Located at: 2111 Pi'ilani Highway Kihei, Maui	Issued: 11/4/2011	Grain Processing Facility
Clean Air Branch, 586-4200, Non-Covered Source Permit	Jas. W. Glover, Ltd. Modification Application No. 0464-07 NSP No. 0464-02-NT	Located at: Various Temporary Sites State of Hawai'i	Issued: 11/7/2011	1,085 hp Diesel Engine Generator

## SHORELINE NOTICES

### Shoreline 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-1458	9/13/11	Lot A Portion of R.P. 51, L.C. Aw. 802 to Adams situate at Niu, Waikiki, Oahu Address: 5493 Kalaniana'ole Highway Purpose: Development of property	Dennis K. Hashimoto/ Justin M. Shindo Trust Dated September 23, 2005	3-7-001:007
OA-1459	11/1/11	Lot 45 of Mokuleia Beach Subdivision as shown on File Plan 863 situate at Kamananui, Waialua, O'ahu Address: 68-243 Au Street Purpose: Building setback requirement	Jaime F. Alimboyoguen/ Romark, A California Limited Partnership	6-8-012:045



OA-1460	11/9/11	Portion of Exclusion 12 Land Court Application 979 Portion R.P. 2112, L.C. Aw. 2239, Ap. 2 to Maikai situate at Kahalu'u, Ko'olaupoko, O'ahu Address: 47-407 Kamehameha Highway Purpose: Building permit	Walter P. Thompson, Inc./ Tom Coulson	4-7-009:011
HA-442	11/4/11	Land Court Application 1854, Map 1, Lot 1, being also Lot 8, L.C. Award 387, Pt. 4, Sec. 2 situate at Waiaha 1st, North Kona, Island of Hawai'i Address: 75-5888 Ali'i Drive Purpose: Repair sea wall tsunami damage	Kona Reef AOA/O Kona Reef AOA/O	7-5-018:071
HA-443	11/9/11	Beach Lot 2 of Section 2 Kainaliu Beach being a portion of Royal Patent 7534, L.C. Aw. 8559-B, Apana 7 to Wm. C. Lunailo situate at Honouaino 1, North Kona, Island of Hawai'i Address: N/A Purpose: Construction of single family residence	George A. Schattauer, Jr./ Kainaliu Kahakai LLC	7-9-006:014

### Shoreline Certifications and Rejections

The shoreline notices below 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. Send the appeal to the Board of Land and Natural Resource, 1151 Punchbowl Street, Room 220, Honolulu, HI 96813.

File No.	Date	Location	Applicant/Owner	TMK
OA-1447	Proposed Shoreline Certification	Lot 1189 of Land Court Application 677, Map 301 situate at Kailua, Ko'olaupoko, O'ahu Address: 63 Kailuana Place Purpose: Development of property	Dennis K. Hashimoto/ 59 Kailuana Place LLC	4-3-022:019
OA-1453	Proposed Shoreline Certification	Lot 933 as shown on Map 214 of Land Court Application 677 situate at Kailua, Ko'olaupoko, O'ahu Address: 10 Namala Place Purpose: Building setback requirement	Jaime F. Alimboyoguen/ Peter Huang	4-3-020:062

## **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).