

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
December 23, 2011

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Enjoy a Safe and
Happy Holidays ☺

HO!!! HO!!! HO!!! HO!!!

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 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.



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 · Website:
<http://Hawaii.gov/health/environmental/oeqc/index.html/>
Toll Free: Kaua'i: 274-3141 ext. 64185 · Maui: 984-2400 ext. 64185 · Moloka'i/Lāna'i: 1-800-468-4644 ext. 64185
Hawai'i: 974-4000 ext. 64185

HAWAI'I (HRS 343)

1. Kona Judiciary Complex Site Selection Final EIS

Island: Hawai'i
District: North Kona
TMK: Various
Permits: Final EIS Acceptance, State Land Use District Boundary Amendment, Change in Zone, State and/or County Roadway Access Permits, Various Site, Grading, Building, and Infrastructure Approvals for Construction

Proposing Agency:

State of Hawai'i, Department of Accounting and General Services (DAGS), Planning Branch, 1151 Punchbowl Street, Room 430, P.O. Box 119, Honolulu, Hawai'i 96810. Contact: Ralph Morita, (808) 586-0500

Accepting Authority:

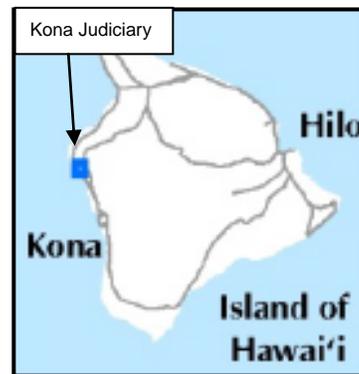
Governor, State of Hawai'i, c/o Office of Environmental Quality Control

Consultant:

Group 70 International, Inc., 925 Bethel Street, 5th Floor, Honolulu, Hawai'i 96813. Contact: Jeffrey H. Overton, (808) 523-5866

Status:

This FEIS is being republished because of an inadvertent omission in the document that was published in the December 8, 2011 Environmental Notice; disregard the FEIS that was published in the last notice. Acceptance or non-acceptance will be determined and published after review.



The Kona Judiciary Complex Site Selection is being jointly undertaken by DAGS and the Hawai'i State Judiciary to address a long-standing need for a new Judiciary complex in the West Hawai'i service area. The West Hawai'i service area is a region with a growing population and inadequate facilities to perform Judiciary functions. The project purpose is to take a broad look at the Kona region, and identify the most viable candidate sites for the future Kona Judiciary Complex.

Potential short-term (construction phase) impacts evaluated in the EIS include; soil disturbance, erosion, drainage, air quality, noise, and traffic due to construction. Short-term beneficial impacts include construction expenditures and employment.

Potential long-term impacts (operations phase) include effects on soil, water quality, drainage, natural hazard areas, vegetation and wildlife, archaeology, cultural resources, traffic, noise, air quality, visual resources, socio-economic considerations, infrastructure and public services. Long-term beneficial impacts will include employment and community development. Materials and economic resources will be irretrievably committed to developing and constructing the new Kona Judiciary Complex.

The significance of potential impacts will vary depending upon the selected site. The EIS presents a complete analysis of the anticipated impacts and recommended mitigation to minimize impacts to within acceptable regulatory standards.

MAUI (HRS 343)

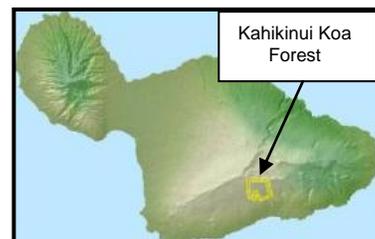
2. Kahikinui Koa Forest Protection and Restoration Draft EA

Island: Maui
District: Hana
TMK: 2nd 1-8-001:005, 006, 009
Permits: None

Proposing/Determination Agency:

State of Hawai'i, Department of Land and Natural Resources, Division of Forestry and Wildlife, 1151 Punchbowl Street Room 325, Honolulu, Hawai'i 96813
Contact: David Leonard, (808) 783-2163

Consultant: Garcia and Associates, 146 Hekili Street, Suite 101, Kailua, Hawai'i 96734
Contact: Michael Desilets, (808) 262-1387



Status: Anticipated Finding of No Significant Impact. 30-day comment period begins; comments are due on January 21, 2012. Send comments to the Proposing Agency and the Consultant. This Draft EA was submitted as a Draft Supplemental EA, but revised after consultation between OEQC, the Proposing Agency and Consultant

The primary action of the DOFAW Leeward Haleakalā Watershed Restoration Project (LHWRP) is the construction of an ungulate-proof fence that will enclose approximately 2,350 acres of native remnant *koa* (*Acacia koa*) forest and degraded, but high-value, conservation lands. In addition to the ungulate enclosure fence, DOFAW intends to facilitate public access to the area through the construction of a 19.8 kilometer trail system and six proposed backcountry cabins. Trail alignments and cabin locations are provisional, pending field confirmation of the absence of threaten or endangered species and cultural resource sites. No negative primary impacts are anticipated from LHWRP exclusion fencing or cabin and trail construction if mitigation measure in the DEA are followed. The principal sources of secondary impact are the long-term exclusion of ungulates from the project area and active ecological management of the area, including species reintroduction. Secondary impacts are expected to include long-term recovery and restoration of dry mesic koa forest habitat and the subsequent reintroduction of threatened and endangered native species. The secondary environmental impacts of the project are therefore considered to be a net positive. All categories of impact identified in the DEA will either be mitigated or are extremely minor and will therefore not tend to accumulate in relation to this or other projects. Substantial beneficial cumulative impacts are expected for biological resources.

3. Kihei High School Draft EIS

Island: Maui
District: Kihei-Makena District
TMK: 2-2-2-002:081; 2-2-2-002:083
Permits: Final EIS Acceptance, State Land Use District Boundary Amendment, County Change in Zone, Community Plan Amendment, Subdivision, Various Site, Grading, Building, and Infrastructure Approvals for Construction

Proposing Agency: State of Hawai'i, Department of Education, Facilities Development Branch, P.O. Box 2360, Honolulu, Hawai'i 96804. Contact: Robert Purdie, Jr., (808) 586-0448

Accepting Authority: Governor, State of Hawai'i, c/o Office of Environmental Quality Control
Consultant: Group 70 International, Inc., 925 Bethel Street, 5th Floor, Honolulu, Hawai'i 96813
Contact: Christine M. Ruotola, (808) 523-5866

Status: 45-day comment period begins; comments are due on February 5, 2012. Send comments to the Proposing Agency and the Consultant

The State of Hawai'i Department of Education proposes to develop a new high school in Kihei on approximately 77 acres of undeveloped land, mauka of Pi'ilani Highway between Kulanihakoi and Waipuilani Gulches. Site improvements may include construction of educational buildings, library and media arts center, auditorium, cafeteria, administration facility, athletic buildings, and supporting structures. Outdoor athletic facilities may include outdoor play courts, athletic fields, a football/soccer/track stadium, and pool. Appropriately designed infrastructure will be incorporated into the project to support the campus facilities, operations, and occupants. Access to the proposed high school campus is planned via a new right-in right-out access road off Pi'ilani Highway. The high school will be designed and constructed to meet or exceed USGBC's LEED Silver certification or comparable rating system.

The project will result in positive economic impacts through employment opportunities in the construction and education fields. Construction of the high school will involve development of vacant land, minor loss of agricultural land, visual impacts to views from Pi'ilani Highway, and short-term air and noise impacts. School operations will increase local traffic to and from the school, increase the demand for potable water and non-potable water, and require extension of potable water and wastewater infrastructure.



Agency: Department of Planning and Permitting, 650 South King Street, Honolulu, Hawai'i 96813
Contact: Joyce Shoji, (808) 768-8032

Consultant: Kusao & Kurahashi, Inc., 2752 Woodlawn Drive, Suite 5-202, Honolulu, Hawai'i 96822
Contact: Keith Kurahashi, (808) 988-2231

Status: Statutory 30-day comment period begins; comments are due on January 21, 2011. Send comments to the Applicant and the Consultant

The International Market Place Revitalization Project (Project) includes the demolition of all buildings and structures on the project site (about 499,000 square feet of commercial space) and construction of a new retail, dining and entertainment center (about 390,000 square feet of commercial space). The 5.982-acre project site fronts Kalākaua and Kuhio Avenues and is mid-block between Kaiulani and Seaside Avenues in Waikiki. It contains the International Market Place (IMP), Waikiki Town Center and the Miramar at Waikiki hotel (Miramar).

The redeveloped commercial center will be generally three levels in height, however, the portion fronting Kuhio Avenue will have a seven-story structure consisting of two levels of retail on the 'Ewa side and three levels of retail on the Diamond Head side with five levels of parking above (the existing parking structures serving the IMP, Waikiki Town Center and Miramar are located on this portion of the site).

The Project is not anticipated to have a significant direct, indirect, secondary or cumulative impact on the surrounding area in terms of public services and the environment primarily because of the proposed net reduction in the total floor area for the combined properties.

6. [Western Kapolei Regional Drainage System Draft EA](#)

Island: O'ahu

District: 'Ewa

TMK: (1) 9-1-014: 002, 026, and 027; (1) 9-1-015: 002, 004, and 020; (1) 9-1-074: 036

Permits: Department of Army Permit (Section 10 and 404), Section 401 Water Quality Certification, Conservation District Use Permit (CDUP), Special Management Area (SMA) Permit, Shoreline Setback Variance (SSV)

Applicant: Aina Nui Corporation, an affiliate of the James Campbell Co. LLC, 1001 Kamokila Boulevard, Suite 250, Kapolei, Hawai'i 96707. Contact: Steve Kelly, (808) 674-3540

Approving Agency: City and County of Honolulu, Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, Hawai'i 96813. Contact: Blake La Benz, (808) 768-8016

Consultant: SSFM International, Inc., 501 Sumner Street, Suite 620, Honolulu, Hawai'i 96817. Contact: Jared Chang, (808) 356-1242

Status: Anticipated Finding of No Significant Impact. 30-day comment period begins; comments are due on January 21, 2011. Send comments to the Proposing Agency and the Consultant



Aina Nui Corporation, an affiliate of James Campbell Company LLC, is proposing to design and construct a regional drainage system in accordance with the Western Kapolei Regional Drainage Plan. This project is an essential component to continuing the successful expansion of Kapolei as O'ahu's second urban center. The proposed Western Kapolei Regional Drainage System will significantly improve the current drainage conditions of West Kapolei that are frequently subject to flooding during heavy rain storms. The project will serve two main purposes: 1) support the development of planned projects within the drainage basin; and 2) mitigate existing flooding currently occurring at low lying areas developed within the drainage basin.

A Regional Drainage Plan for Western Kapolei was prepared for the project in December 2010 by Engineering Concepts, Inc. and is revised as of September 2011. This plan is currently under separate review for approval by the City Department of Planning and Permitting, Civil Engineering Branch. The latest version of the plan, dated September 2011, is included in Appendix B of the Draft Environmental Assessment.

9. Wai'anae Coast Comprehensive Health Center Phase II and III Development Projects Final EA/NEPA

Island: O'ahu
District: Wai'anae
TMK: (1) 8-6-001:003, 040, 041, AND 046
Permits: Special Management Area; Grubbing, Grading, and Stockpiling, Building, Certificate of Occupancy, Water and Water system Requirements, Variance from Pollution Controls (Noise Permit)



Applicant: Wai'anae Coast Comprehensive Health Center, 86-260 Farrington Highway, Wai'anae, Hawai'i 96792. Contact: Marianne Glushenko, (808) 679-3479

Approving Agency: Department of Community Services, City and County of Honolulu, 715 South King Street, Honolulu, Hawai'i 96813. Contact: Samuel E.H. Moku, 768-7762

Status: This is a joint NEPA and Chapter 343, HRS, Draft EA with an Anticipated Finding of No Significant Impact. 30-day comment period begins; comments are due on January 21, 2011. Send comments to the Applicant and the Consultant

Proposed building upgrades at the Wai'anae Coast Comprehensive Health Center (WCCHC) will improve the level of care and operational efficiencies at the facility. The existing one-story Primary Health Care/Specialty Clinic and Pharmacy, Emergency Department, Central Waiting Area, data processing building, bio-hazardous storage building, and a maintenance shop will be demolished. Three replacement structures will be constructed on the existing building footprints of the demolished structures.

The new Integrated Adult Medicine and Pharmacy Building and Emergency Department are two-story buildings. The maintenance shop, bio-hazardous storage, and air conditioning equipment will be housed in a new structure to be constructed on the west side of the Emergency Department. A Utility/Generator Building will be constructed on a site approximately 75 feet to the west of the Emergency Department Building.

The construction cost for the proposed project is estimated at \$17.0 million. Funding sources include the U.S. Department of Housing and Urban Development, U.S. Department of Health-Health Resources and Services Administration, State of Hawai'i, private donors, and WCCHC.

The proposed improvements will result in short-term impacts on air quality and the acoustical environment. There are no archaeological or cultural features, surface water bodies, and rare, threatened or endangered flora and fauna to be affected. The new buildings are not located in a flood hazard area.

The proposed improvements will benefit existing and future WCCHC patients and residents of the Wai'anae Coast. Essentially the same functions, uses, and levels of care that WCCHC now provides will be accommodated in modern state of the art facilities. Medical specialties can be added as the need arises.

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.

Kailua Commercial Building Draft EA

Island: O'ahu
District: Kailua
TMK: 4-2-038: 008

- Permits:** Construction Noise Permit (State), Special Management Area Use Permit (major), Conditional Use Permit (minor) for Joint Development, Demolition Permit, Building Permit, Grading, Grubbing and Trenching Permits, Street Usage Permit, Street Tree Plan
- Applicant:** Kaneohe Ranch Company Management Limited, 1199 Auloa Road, Kailua, Hawai'i 96734. Contact: Kimo Steinwisher, (808) 263-8900
- Approving Agency:** Department of Planning and Permitting, City and County of Honolulu, 650 South King Street, 7th Floor, Honolulu, Hawai'i 96813. Contact: Joyce Shoji, (808) 768-8032
- Consultant:** Helber Hastert & Fee Planners, 733 Bishop Street, Suite 2590, Honolulu, Hawai'i 96813. Contact: Martha Spengler, (808) 545-2055 ext. 238
- Status:** Anticipated Finding of No Significant Impact. 30-day comment period begins; comments are due on January 21, 2011. Send comments to the Consultant.

The proposed action is to demolish two existing one-story buildings (a commercial building and a storage shed), a parking lot and two access driveways; and construct a new one-story commercial building consisting of about 5,800 square feet of floor area and an at-grade parking lot. The new building will share a driveway with the adjacent property at 151 Hekili Street, which requires a conditional use permit for joint development. The project site is located entirely within the Special Management Area (SMA) and will require a SMA Use Permit (major). The cost of construction is estimated at \$1.4 million.

No significant adverse impacts are anticipated from the proposed improvements. Construction traffic, air and noise impacts will be short term in nature. A Finding of No Significant Impact is anticipated.

Contact Joyce Shoji of the Department of Planning and Permitting, City and County of Honolulu, at (808) 768-8032 for review and questions.

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-1465	12/12/11	Lot 14 Pine Wood Beach Tract File Plan 459 situate at Mokuleia, Waialua, O'ahu Address: 68-011 La'au Paina Place Purpose: Calculate building potential and obtain building permit	Wesley T. Tengan/ Melanie Holt	6-8-009:012
MO-157	12/9/11	Kaunakakai Place and Lot 230, Land Court Application 632 (Map 14) being a portion of Governor's Executive Order No. 1673 and 2615 situate at Kaunakakai, Moloka'i Address: 295 Kaunakakai Place Purpose: Determine shoreline setback	R.T. Tanaka Engineers, Inc./ State of Hawai'i	5-3-001:011
HA-444	12/6/11	R.P. 8038, L.C. Aw. 101-G, Ap. 2 to Aio situate at Kalamakulu, South Kona, Island of Hawai'i Address: 82-6017 Beach Road Purpose: Obtain County building permits	Wes Thomas Associates/ Frederick S. Jr. and Bette W. Jones Living Trust	8-2-005:011

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-1445	Proposed Shoreline Certification	Lot 78 Land Court Application 1052 as shown on Map 5 situate at Makaha, Wai'anae, O'ahu Address: 84-811 Moua Street Purpose: Obtain building permit	Wesley T. Tengan/ Glenn Allan Wallace, Trustee	8-4-005:023
OA-1446	Proposed Shoreline Certification	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
OA-1451	Proposed Shoreline Certification	Parcel 16 being Lot 47, "Niu Beach Lots" (File Place 279), being also a portion of R.P. 51, L.C. Aw. 802 to A. Adams and accretion situate at Niu, Honolulu, Hawai'i Address: 5555 Kalaniana'ole Highway Purpose: Building permit	Kenn Nishihira/ Sidney Johnson	3-7-001:016
OA-1452	Proposed Shoreline Certification	Maili Beach Park being Lot 66 of Land Court Application 1827 as shown on Map 7 situate at Lualualei, Wai'anae, O'ahu Address: 87-021 Farrington Highway Purpose: Shoreline setback	Jai Kaopuiki/ City and County of Honolulu, Department of Parks and Recreation	8-7-015:001, 003-012, 022,033 035, 037, 038, 039; 8-7-016:001; 8-7-028:021-023
OA-1459	Proposed Shoreline Certification	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
MA-485	Proposed Shoreline Certification	Portion of Land Commission Award 11216, Apana 21 to M. Kekauonohi being also all of lots 51 and 52 of Makena Beach Lots situate at Palauea, Honua'ula, Makawao, Maui Address: Makena Road Purpose: Planning for future use of subject parcel	Warren S. Unemori Engineering, Inc./ Larson Family Trust	2-1-011:016 & 017
KA-358	Proposed Shoreline Certification	Unit 1 "Hale O Noeau" being portion of Allotment 49-A Moloa'a Hui Land situate at Aliomanu, Kaua'i Address: Kukuna Road Purpose: Building permit	Honua Engineering, Inc./ Jeff Fleming	4-9-004:015

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	E.M. Rivera & Sons, Inc. Application for Renewal No. 0603-04 CSP No. 0603-01-CT	Located at: Various Temporary Sites, State of Hawai'i	Comments Due: 1/5/12	Portable Crushing Plants
Clean Air Branch, 586-4200, -Non-Covered Source Permit	R.H.S. Lee, Inc. Renewal Application No. 0583-03 NSP 0583-01-NT	Located at: Various Temporary Sites, State of Hawai'i	Issued: 11/29/11	Screening Plants and Tub Grinder
Clean Air Branch, 586-4200, Covered Source Permit	Tesoro Hawaii Corporation Application for Renewal No. 0330-04 CSP No. 0330-01-C	Located at: Barbers Point Deep Draft Harbor, Kapolei, O'ahu	Comments Due: 1/11/12	Barbers Point Harbor Loading Facility

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: Lāna'i & 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

Fax: (808) 587-2899

Pahoa Anchialine Pool Enhancement, Pahoa, Hawai'i

Applicant: Mark & Kim I. Rodrigues

Federal Action: Federal Permit

Federal Agency: U.S. Army Corps of Engineers

Location: 14-4916 Kaheka Road, Pahoa, Hawai'i, TMK: (3) 1-4-68: 53

CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov

Proposed Action: The applicant proposes to enlarge and deepen an existing land-locked anchialine pool by mechanically dredging 80 cubic yards of material from the pond and disposing of the material at an upland location on the parcel. The purpose of the project is to enhance the water feature on the property for recreational and landscaping purposes.

Comments Due: January 6, 2012

Vessel General Permit (VGP) and Small Vessel General Permit (SVGP) for Discharges Incidental to the Normal Operation of Vessels

Federal Action: Federal Agency Activity

Federal Agency: U.S. Environmental Protection Agency (EPA)

CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov

Proposed Action: The EPA is proposing to issue two general National Pollutant Discharge Elimination System (NPDES) permits for discharges incidental to the normal operation of vessels pursuant to the Clean Water Act Section 402: (1) Vessel General Permit (VGP); and (2) Small Vessel General Permit (sVGP).

The VGP regulates discharges incidental to the normal operation of commercial vessels and non-recreational vessels greater than or equal to 79 feet in length. Recreational vessels and vessels of the Armed Forces are not subject to regulation by the VGP. The VGP establishes effluent limitations to control a variety of materials, which have been classified into 7 major groups: Aquatic Nuisance Species; nutrients; pathogens; oil and grease; metals; conventional pollutants (Biochemical Oxygen Demand, pH, Total Suspended Solids); and other toxic and non-conventional pollutants with toxic effects. The sVGP regulates discharges incidental to the normal operation of non-military and non-recreational vessels less than 79 feet in length and is intended to account for the differences between larger vessels and smaller vessels.

Discharges incidental to normal operation include deck runoff from routine deck cleaning, ballast water from vessels with less than 8 cubic meters of ballast water capacity, bilgewater from properly functioning oily water separators, and graywater. Both of the general NPDES permits and their accompanying fact sheets are available from the EPA web site: <http://cfpub.epa.gov/npdes/vessels/vgpermit.cfm>

Comments Due: January 6, 2012



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: Waiakea (2-1-006: 023)	Grubbing of the Entire Parcel (SMM 11-194)	Kathryn M. Dedman
Hawai'i: Wainaku (2-6-026: 004)	Pave Existing Dirt Path to River for Golf Cart Access (SMM 11-197)	Robert Deringer dba Deringer Construction
Maui: Haiku (2-8-004: 057)	Barn and Water Tank (SM2 20110107)	John Snyder
Maui: (4-8-003: 113 & 114)	Maui Paintball Field & Related Improvement (SM2 20110108)	Clint Hansen
Maui: Lahaina (4-6-011: 007)	Remodel Portion of Building (SM2 20110109)	Steve Heimler
Maui: Hana (1-6-010: 003)	Single Family Dwelling (SM2 20110110)	Douglas & Gale McNisii
Maui: Kahului (3-8-007: 040)	Renovate Rooms, Office, etc (SM2 20110111)	University of Hawaii, Maui College
Maui: Hana (1-4-006: 014)	Remove Rocks & Debris in Stream (SM2 20110112)	Victor Sinenci
Maui: (4-6-001: 009)	Holiday Lighting of Banyan Tree (SM2 20110113)	Lahaina Action Town Committee
Maui: Lahaina (4-6-008: 020)	Construction and Repair Fencing (SM2 20110114)	Brian Schwary
Maui: Kihei (2-2-002: 042)	County Recycling Facility (SM2 20110115)	Aloha Recycling
Maui: (4-3-008: 002 & 003)	Demolition of Deck and Seawall Stairs (SM2 20110116)	Monty Carpenter
Maui: Kahului (3-8-079: 018)	Maui Highway Baseyard PV System (SM2 20110118)	Solarcity Corporation
O'ahu: Waikiki (2-6-009: 009 & 012)	Modify and Upgrade an Existing AT&T Telecommunication Facility (2011/SMA-54)	AT&T/RealCom Associates

CONSERVATION DISTRICT USE APPLICATIONS

Persons interested in commenting on the following Conservation District Use Applications or interested in receiving notification of determinations on Conservation District Use Applications must submit comments and requests to the Department of Land and Natural Resources. Notification requests must include the following information: 1) Name and address of the requestor; 2) The application for which the requestor would like to receive notice of determination; and 3) The date the notice was initially published in the Environmental Notice. Send comments and requests to: Department of Land and Natural Resources, Office of Conservation and Coastal Lands, P.O. Box 621, Honolulu, HI 96809. DLNR will make every effort to notify those interested in the subject CDUAs. However, DLNR is not obligated to notify any person not strictly complying with the above requirements. For more information, please contact the Office of Conservation and Coastal Lands (OCCL) staff listed for each project.

PROJECT:

File No.: CDUA MA-3603
Applicant: West Maui Mountains Watershed Partnership and Malama Kahalawai
Location: Honolua, Lahaina District, Maui
TMK: 4-1-001:009
Proposed Action: Management to protect native species and watershed functions including an ungulate exclusion fence.
343, HRS determination: FONSI published April 23, 2011
Applicant's Contact: Chris Brosius, (808) 661-6600
OCCL Staff Contact: Michael Cain, (808) 587-0048

PROJECT:

File No.: CDUA KA-3614
Name of Applicant: Secret Beach Properties LLC
Location: Kauapea, Kilauea, Kaua'i
TMK: (4) 5-2-005:036
Proposed Action: Erosion Control and Landscaping
343, HRS determination: FONSI published July 8, 2011
Applicant's Contact: Dean Uchida, (808) 628-5838
OCCL Staff Contact: Michael Cain, (808) 587-0048

PROJECT:

File No.: CDUA OA-3609
Name of Applicant: Cellco Partnership dba Verizon Wireless
Location: Ko'olau Golf Course
TMK: (1) 4-5-042:008
Proposed Action: Telecommunications facility
343, HRS determination: DEA (Anticipated Finding of No Significant Impact)
Applicant's Contact: Les Young, (808) 256-2001
OCCL Staff Contact: Michael Cain, (808) 587-0048

FEDERAL NOTICES

Draft Environmental Impact Statement for General Management Plan/Wilderness Study, Hawai'i Volcanoes National Park, Hawai'i <http://www.gpo.gov/fdsys/pkg/FR-2011-12-02/pdf/2011-31040.pdf>

The National Park Service is expanding the scope of the Environmental Impact Statement (EIS) that is being prepared for updating the General Management Plan (GMP) for Hawai'i Volcanoes National Park. As part of this conservation planning and environmental impact analysis effort, the Draft EIS will include a wilderness study to determine if any additional portions of the park should be recommended for inclusion in the National Wilderness Preservation System (currently the park contains 130,790 acres of Congressionally designated Wilderness). This Notice supplements and updates the original Notice of Intent (published in **Federal Register** on April 13, 2009) which formally announced initiation of the GMP update effort. The scope of the EIS is expanded to include an evaluation of foreseeable effects associated with possible designation of additional wilderness within Hawai'i Volcanoes National Park. The new GMP will establish the overall direction for the park, setting broad management goals for managing the area over the next 15 to 20 years. The GMP will prescribe desired resource conditions and visitor experiences that are to be achieved and maintained throughout the park. Based on the desired conditions, the GMP will outline what resource management and visitor activities, and what limited development, would be appropriate in the park. Among the topics that have been addressed thus far are preservation and protection of native ecosystems and the park's natural and cultural resources; significance of park resources to Native Hawaiian culture; visitor experiences including use of facilities and participation in activities and programs; access to lava for visitors and researchers; current wilderness management issues; transportation, roads and parking; commercial services and special park uses; park operations, partnerships, and collaboration; and the future of the Kahuku Unit. A reasonable range of alternatives for managing the park, including "no-action" and "agency preferred" alternatives will be developed through the planning process and analyzed in the EIS. The EIS will evaluate the potential environmental impacts of all alternatives, address appropriate mitigation strategies, and identify an "environmentally preferred" alternative. To facilitate sound planning and analysis of foreseeable environmental effects, Hawai'i Volcanoes National Park is gathering additional information relevant to preparing the Draft EIS. The park is also soliciting suggestions from the public on issues that should be addressed in the wilderness study, and comments on the range of preliminary GMP alternatives under consideration. In concert with local, state, Tribal, and other federal agencies, consideration will also be



made for cooperative management of resources outside park boundaries that affect the integrity of the park. Thoughtful comments and participation in this scoping process are desired. You are encouraged to submit your comments directly online through the NPS Planning, Environment and Public Comment Web site at: <http://parkplanning.nps.gov/havo> (select the GMP/Wilderness Study from the list of projects). Or if you prefer to do so, you may send written responses to: Cindy Orlando, Superintendent, Attn: General Management Planning Team, Hawai'i Volcanoes National Park, P.O. Box 52, Hawai'i National Park, HI 96718-0052. All written comments on the GMP/ Wilderness Study must be postmarked, hand delivered, or electronically transmitted not later than January 3, 2012. Immediately upon confirmation of this date an update will be posted on the project Web site. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask NPS in your comment to withhold your personal identifying information from public review, NPS cannot guarantee that it will be able to do so (see, 76 FR 75557, December 02, 2011).

Endangered and Threatened Wildlife and Plants; Incidental Take Permit Application; Habitat Conservation Plan and Associated Documents; Meteorological Towers, Lāna'i, HI

<http://www.gpo.gov/fdsys/pkg/FR-2011-12-07/pdf/2011-31427.pdf>

The U.S. Fish and Wildlife Service (Service), has received an application from Castle and Cooke Resorts, LLC (applicant) to renew the incidental take permit number TE194350-0, associated with an existing habitat conservation plan (HCP), under the Endangered Species Act of 1973, as amended (ESA). The applicant is requesting a six-year extension of an incidental take permit for incidental take of the endangered Hawaiian petrel (*Pterodroma sandwichensis*), endangered Hawaiian stilt (*Himantopus mexicanus knudseni*), endangered Hawaiian hoary bat (*Lasiurus cinereus semotus*), and the threatened Newell's (Townsend's) shearwater (*Puffinus auricularis newelli*) on the island of Lāna'i, Hawai'i. The applicant remains in compliance with all of the conditions and authorizations in the original permit and no take has been documented to date. The applicant is also applying to the Hawai'i Department of Land and Natural Resources to extend their State incidental take license. The Service requests public comment on the permit renewal application and HCP, as well as on the Service's preliminary determination that the action is covered under the environmental assessment completed for the initial permit issuance. All comments from interested parties must be received on or before January 06, 2012. Please address written comments to Loyal Mehrhoff, Project Leader, Pacific Islands Fish and Wildlife Office, U.S. Fish and Wildlife Service, 300 Ala Moana Boulevard, Room 3-122, Honolulu, HI 96850. You may also send comments by facsimile to (808) 792-9580. For more information, please contact Bill Standley, Fish and Wildlife Biologist, U.S. Fish and Wildlife Service at the above address. He may be reached by telephone (808) 792-9400 (see, 76 FR 76434, December 07, 2011).

Takes of Marine Mammals Incidental to Specified Activities; Marine Geophysical Survey in the Commonwealth of the Northern Mariana Islands, February to March 2012

<http://www.gpo.gov/fdsys/pkg/FR-2011-12-14/pdf/2011-32100.pdf>

The National Marine Fisheries Service (NMFS) has received an application from the Lamont-Doherty Earth Observatory of Columbia University (L-DEO) for an Incidental Harassment Authorization (IHA) to take marine mammals, by harassment, incidental to conducting a marine geophysical (seismic) survey in the Commonwealth of the Northern Mariana Islands (CNMI), a commonwealth in a political union with the U.S., February to March, 2012. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an IHA to L-DEO to incidentally harass, by Level B harassment only, 22 species of marine mammals during the specified activity. Comments and information must be received no later than January 13, 2012. Comments on the application should be addressed to P. Michael Payne, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910. The mailbox address for providing email comments is ITP.Goldstein@noaa.gov. NMFS is not responsible for email comments sent to addresses other than the one provided here. Comments sent via email,

including all attachments, must not exceed a 10-megabyte file size. All comments received are a part of the public record and will generally be posted to

<http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications> 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. A copy of the application containing a list of the references used in this document may be obtained by writing to the above address, telephoning Howard Goldstein or Jolie Harrison, Office of Protected Resources, NMFS, (301) 427-8401 or visiting the Internet at:

<http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications>. The National Science Foundation (NSF), which is providing funding to L-DEO to conduct the survey, has prepared a draft “Environmental Assessment Pursuant to the National Environmental Policy Act, 42 U.S.C. 4321 *et seq.* and Executive Order 12114 Marine Seismic Survey in the Commonwealth of the Northern Mariana Islands, 2012” (EA). NSF’s EA incorporates an “Environmental Assessment of a Marine Geophysical Survey by the R/V *Marcus G. Langseth* in the Commonwealth of the Northern Mariana Islands, February-March 2012,” prepared by LGL Ltd., Environmental Research Associates (LGL), on behalf of NSF and L-DEO, which is also available at the same Internet address. Documents cited in this notice may be viewed, by appointment, during regular business hours, at the aforementioned address (see, 76 FR 77782, December 14, 2011).

Federal Aviation Administration Approval of Noise Compatibility Program for Kona International Airport at Keahole, Keahole, North Kona <http://www.gpo.gov/fdsys/pkg/FR-2011-12-20/pdf/2011-32500.pdf>

The Federal Aviation Administration (FAA) announced its findings on the noise compatibility program submitted by the Hawai‘i State Department of Transportation, Airports Division (DOT-A) under the provisions of 49 U.S.C. 47501 *et seq.* (formerly the Aviation Safety and Noise Abatement Act, hereinafter referred to as “the Act”) and 14 Code of Federal Regulations (CFR) Part 150 (hereinafter referred to as “Part 150”). On January 12, 2010, the FAA determined that the noise exposure maps submitted by the DOT-A under Part 150 were in compliance with applicable requirements. On April 20, 2011 the FAA approved the Kona International Airport at Keahole noise compatibility program. All of the recommendations of the program were approved. No program elements relating to new or revised flight procedures for noise abatement were proposed. The effective date of the FAA’s approval of the Noise Compatibility Program for Kona International Airport at Keahole is April 20, 2011. For more information, contact Gordon Wong, Environmental Protection Specialist, FAA Western-Pacific Region, Honolulu Airports District Office, 300 Ala Moana Boulevard, Room 7-128, Honolulu, Hawai‘i, telephone number (808) 541-1232. Documents reflecting this FAA action may be reviewed at this same location (see, 76 FR 78966, December 20, 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).