

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
January 8, 2012

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The Environmental Notice informs the public of environmental assessments and other documents that are available for review and comment per HRS 343-3 and is issued on the 8th and 23rd of each month on the Office of Environmental Quality Control's website. If you would like to be notified when it is issued, send us your email address and we'll put you on our mailing list.



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

habitat restoration, outplanting rare plants, monitoring, public access, outreach and education, fire management, enhanced enforcement and continued collaboration with partners.

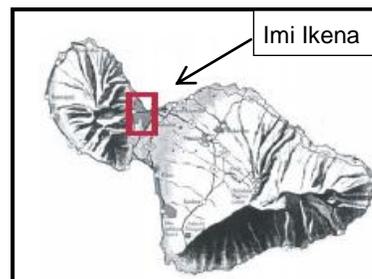
The purpose of the actions proposed is to manage threats to the integrity, diversity and functioning of the Reserve's forests so that the unique natural and cultural resources and watershed are protected, maintained, and enhanced. Proposed management actions are needed to effectively reduce major threats as well as ensure the long-term protection of this important native forest ecosystem.

Proposed actions are expected to have primarily positive effects on the resources in the NAR. No significant adverse effects to the environment, archeological features, or public access or use of this area are anticipated.

MAUI (HRS 343)

3. Imi Ikena Affordable Housing Final EA (FONSI)

Island: Maui
District: Wailuku
TMK: (2) 3-8-037:028
Permits: Building, Grading, Electrical, Plumbing, NPDES, Noise Permit
Applicant: Imi Ikena Housing Partners, LLC, 990 Highland Drive, Suite 110J, Solana Beach, California 92075. Contact: David Billings, (760) 579-3191



Approving Agency:

Department of Housing & Human Concerns, County of Maui, 2200 Main Street, One Main Plaza Building, Suite 546, Wailuku, Hawai'i 96793.
Contact: Jo-Ann T. Ridao, (808) 270-7805

Consultant: Chris Hart & Partners, Inc., 115 North Market Street, Wailuku, Hawai'i 96793. Contact: Chris Hart, (808) 270-1955

Status: Finding of No Significant Impact (FONSI) determination

The applicant proposes to develop a 28-unit, four-story affordable apartment complex on a vacant urban lot within Wailuku. All units will be targeted at households earning thirty (30) to sixty (60) percent of the area median income as established by HUD with rents restricted in perpetuity. The Imi Ikena Affordable Housing Project is intended to provide workforce housing in character with the existing urban development in the Sand Hills area. The apartment complex will be accessed by three driveways, two off of Pio Place and one off of Imi Place. Apartment units will range from two to three bedrooms and will range in size from 981 square feet to 1,133 square feet.

There are no long-term impacts associated with the proposed project. Short-term impacts are associated with construction related activities, and include noise and air impacts from construction vehicles.

O'AHU (HRS 343)

4. Ka Makana Ali'i Conceptual Master Plan Final EA (FONSI)

Island: O'ahu
District: 'Ewa
TMK: 9-1-016:142
Permits: State Land Use Commission approval, building permits, grading permits, NPDES permit, and construction noise permits

Proposing/Determination Agency:

Department of Hawaiian Home Lands, 91-5420 Kapolei Parkway, P.O. Box 1879, Honolulu, Hawai'i 96805.
Contact: Linda Chinn, (808) 620-9451

Consultant: Lee Sichter LLC, 45024 Malulani Street #1, Kane'ohe, Hawai'i 96744.



Contact: Lee Sichter, (808) 382-3836

Status: Anticipated Finding of No Significant Impact. 30-day comment period begins; comments are due on February 7, 2012. Send comments to the Proposing Agency P.O. Box and the Consultant.

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

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

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

5. Kawainui Marsh Wetland Restoration and Habitat Enhancement Draft EA

Island: O'ahu

District: Kailua

TMK: (1) 4-02-013: portions of 005 and 022

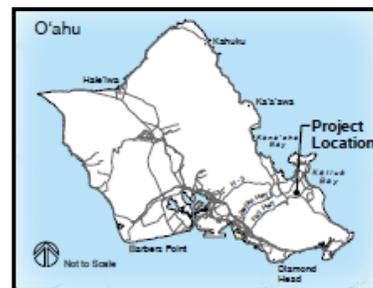
Permits: Special Management Area Use Permit; NPDES Permit (Construction Activities), Construction Noise Permit

Proposing/Determination

Agency: Division of Forestry and Wildlife, Department of Land and Natural Resources, State of Hawai'i, 2135 Makiki Heights Drive, Honolulu, Hawai'i 96822. Contact: David Smith, (808) 973-9787

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

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



The State of Hawai'i, Department of Land and Natural Resources, Division of Forestry and Wildlife is proposing to implement wetland restoration and habitat enhancement improvements to about 80 acres of Kawainui Marsh. Improvements include: 1) wetland restoration and erosion control; 2) habitat restoration for native Hawaiian waterbirds, migratory shorebirds and waterfowl; 3) improvements to support DOFAW's maintenance operations; and 4) some public access and passive outdoor recreational amenities.

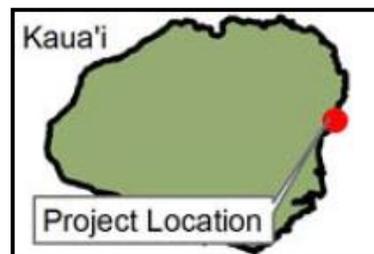
The project area consists of about 60 acres of wetland with Kahana Iki Stream extending through the site. Most of the wetland is overgrown with invasive vegetation. The 20-acre upland area consists of riparian and forest area much of which is overgrown with invasive trees and other non-native vegetation. DOFAW's management objectives for the area include: 1) control invasive vegetation; 2) control water flow into the marsh; and 3) manage public access. Objectives also involve gathering support from local organizations, businesses, schools and government agencies to integrate the wildlife sanctuary into the community and encourage further habitat restoration at this internationally recognized marsh.

The project is not expected to have significant direct, indirect, secondary or cumulative impacts on the environment. Improvements would restore the wetland and its function as waterbird habitat. Best management practices and other measures would be implemented to mitigate effects.

KAUA'I

6. Repair/Reconstruction of Moanakai Seawall Final EA (FONSI)

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



Proposing/Determination

Agency: County of Kaua'i, Department of Public Works, 4444 Rice Street, Suite 275, Līhu'e, Hawai'i 96766. Contact: Larry Dill, (808) 241-4996
Consultant: R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawai'i 96819-3494. Contact: Brian Takeda, (808) 842-1133
Status: Finding of No Significant Impact (FONSI) determination

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

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

7. Stanley Single-Family Residence and After the Fact Culvert Crossing in the Conservation District in Hanalei Final EA (FONSI)

Island: Kaua'i
District: Hanalei
TMK: (4th): 5-5-008:001 and 002
Permits: Conservation District Use Permit; Stream Channel Alteration Permit
Applicant: Jason Stanley, 909 Chateau Court, Colleyville, Texas 76034. Contact: Greg Mooers, (808) 880-1455
Approving Agency: Office of Coastal and Conservation Lands, Hawai'i State DLNR, P.O. Box 621, Honolulu Hawai'i 96809. Contact: Sam Lemmo, (808) 587-0377
Consultant: Geometrician Associates, P.O. Box 396, Hilo, Hawai'i 96721. Contact: Ron Terry, (808) 969-7090
Status: Finding of No Significant Impact (FONSI) determination



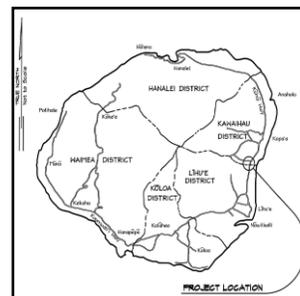
Jason Stanley proposes to build a single-family residence and related improvements on a 1.21-acre kuleana property in the State Land Use Conservation District in Hanalei Valley. The proposed residence is a simple rectangular pole house design totaling 2,544 square feet with a rooftop elevation of less than 24 feet above finished grade. Associated improvements include a cement track driveway, an Individual Wastewater System, a water tank for water supply, and landscaping consisting primarily of removal of

non-native species and planting of native and Polynesian species. Access would be via a set of easements over various State and private properties from Kumu Road. A culverted crossing built about 20 years ago by a different party on adjacent State land requires a Conservation District Use Permit and an after the fact Stream Channel Alteration Permit to remain. Landscaping will consist primarily of native or Polynesian species of plants already found in the area.

This property does not contain any sensitive biological resources such as rare, threatened or endangered flora and fauna or native vegetation. The remnants of three archaeological sites would be protected by the landowner through a preservation plan. Impacts to stream resources can be avoided by best management practices that are proposed as conditions of the permit and which will be employed during construction.

8. Pipeline Replacement Along Kuamo'o & Wailua Roads, Ohana & Anolani Streets & Lehia Lane Final EA (FONSI)

Island: Kaua'i
District: Lihue
TMK: (4) 3-9-06:25, 4-1-02, 4-1-03, 4-1-04
Permits: Environmental Assessment
Proposing/Determination Agency: Department of Water, County of Kaua'i, 4398 Pua Loke Street, Līhu'e, HI 96766. Contact: Dustin Moises, 808-245-5459
Consultant: Esaki Surveying and Mapping, Inc., 1610 Haleukana Street, Līhu'e, HI 96766. 808-246-0625
Status: Finding of No Significant Impact (FONSI) determination

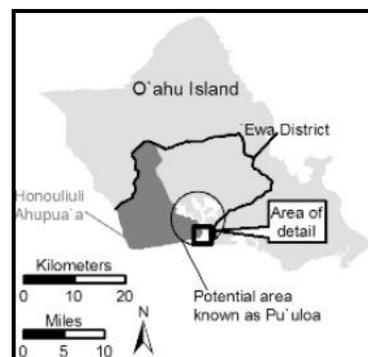


The County of Kaua'i, Department of Water proposes to replace waterlines along Kuamo'o and Wailua Roads, Ohana and Anolani Streets and Lehia Lane. The immediate impact is temporary traffic inconvenience and interruption in service during the transfer as well as equipment noise, emissions and fugitive dust from construction. Mufflers, water sprinkling and restricted time of work will be implemented. The direct impact will be reliable water service to the homes; indirect input is better fire protection for the surrounding homes and resort. Long term effect is improvement quality of life. Additionally the existing Lehia Lane asbestos concrete waterline is to be replaced with PVC pipes, eliminating the potential health hazard.

NEPA NOTICE

9. Iroquois Point Beach Nourishment and Stabilization NEPA Final EA

Island: O'ahu
District: Ewa
TMK: 91001001
Permits: Department of the Army, Section 10 and Section 404, Clean Water Act Section 401, Water Quality Certification
Proposing Agency: Joint Base Pearl Harbor-Hickam, 850 Ticonderoga Street, Suite 110, JBPHH, Hawai'i 96860-5101. Contact: John Muraoka, (808) 473-0384
Approving Agency: Commander Navy Region Hawai'i, 850 Ticonderoga Street, Suite 110, JBPHH, Hawai'i 96860-5101. Contact: Aaron Poentis, (808) 471-1171 x226
Consultant: Sea Engineering, Inc., Makai Research Pier, Waimanalo, Hawai'i 96795-1820. Contact: Scott Sullivan, (808) 259-7966
Status: Finding of No Significant Impact (FONSI) determination



Pursuant to Council on Environmental Quality Regulations implementing the National Environmental Policy Act and the Office of the Chief of Naval Operations Instruction 5090.1C, the Department of the Navy gives notice that an EA and FONSI have been prepared for the Iroquois Point Beach Nourishment and Stabilization, Ewa Beach, O'ahu, Hawai'i.

The Navy intends to grant Ford Island Housing, LLC sufficient property interests and authorization to undertake a proposed beach stabilization and improvement project along approximately 4,000 feet of shoreline fronting the Iroquois Point housing area. The proposed plan consists of constructing nine T-head groin structures along the shoreline to restore and stabilize the sandy beach, and to construct an earthen berm to protect the housing area from flooding during storm events.

The Navy consulted with National Marine Fisheries Service and the Hawai'i State Historic Preservation Officer, and obtained concurrence that the proposed action would have no adverse impact on threatened or endangered species, essential fish habitat, or historic properties. The Army Corps of Engineers issued a Section 404 permit for the project which includes a compensatory mitigation plan. Pursuant to Executive Order 11988 Floodplain Management, the Navy has determined that the project site is located within the 100-year floodplain, and that there is no practicable alternative location outside the 100-year floodplain.

Based on the information gathered during preparation of this EA, the Navy has determined that the proposed action will have no significant impacts on the quality of the human environment. Interested parties may obtain a copy of the EA from: Commander Navy Region Hawai'i, Regional Environmental Coordinator's Office, 850 Ticonderoga Street, Suite 110, Joint Base Pearl Harbor-Hickam, HI 96860-5101, Attn: John Muraoka, (808) 473-0384.

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, NonCovered Source Permit	University of Hawai'i at Mānoa Application No. 0480-03 NSP No. 0480-01-N	Located at: 2721 Woodlawn Drive Honolulu, O'ahu	Issued: 12/16/2011	Magoon Small Facility One (1) 175 lb/hr Pathological Waste Incinerator
Clean Air Branch, 586-4200, -Covered Source Permit	Grace Pacific Corporation Application for Minor Modification No. 0045-31 CSP No. 0045-01-C/CT	Located at: 1) Makakilo Quarry 2) Various Temporary Sites	Issued: 12/22/211	Aggregate Crushing and Screening Plants
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, State of Hawai'i	Issued: 12/23/11	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, Covered Source Permit	Hawaiian Cement Minor Modification Application No. 0311-07 CSP No. 0311-03-C	Located at: 99-1100 Hālawala Valley Street, Aiea, O'ahu	Issued: 12/27/11	Aggregate Processing Facility, Two Concrete Batch Plants, Specialty Products Plant and Portable Soil Screener

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
HA-445	12/14/11	Lot 28 of Block 1 of Miloli'i Beach Lots Subdivision (File Plan 789) being a portion of Grant 3723 to J. Monsarrat situate at Papa 2nd, South Kona, Island of Hawai'i Address: Kai Avenue Purpose: Obtain County permits	Wes Thomas Associates/ Anthony Tani, Trustee of the Anthony Tani Trust	8-8-006:006
KA-359	12/22/11	Lots 18-A & 18-B being a portion of R.P. 4512 Mahele Award 43 to J.Y. Kanehoa situate at Koloa, Kaua'i Address: 4408 Lawai Road Purpose: Determine shoreline setback	Esaki Mapping and Surveying, Inc./ Harlan and Patricia Amstutz, Amstutz Family Trust	2-6-003:018 & 060

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-1464	Proposed Shoreline Certification	Lot 1064 of Land Court Application 677 Map 253 situate at Kane'ohe, Ko'olaupoko, O'ahu Address: 613 Kaimalino Place Purpose: Development of property	Dennis K. Hashimoto/ John L. Frattarelli, Leighann C. Frattarelli	4-4-039:026
MA-492	Proposed Shoreline Certification	Lot 55 Land Court Application 1744 (Map 19) situate at Ka'anapali, Lahaina, Maui Address: 2365 Ka'anapali Parkway Purpose: Determine shoreline setback	R.T. Tanaka Engineers, Inc./ Westin Maui Corp.	4-4-008:019
HA-443	Proposed Shoreline Certification	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. Lunalilo 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
OA-1435	Withdrawn	Lot "E" portion of Lot 5 "Hauula Beach Lots" being also a portion of Land Patent Grant 4929 to August Hamburg situate at Hau'ula, Ko'olaupoko, O'ahu Address: 54-051 Kamehameha Highway Purpose: Renovation	Anthony Crook/ Phyllis Lee	5-4-009:026
MA-493	Withdrawn	Lot 53 of Makena Beach Lots being a portion of Land Commission Award 11216, Apana 21 to M. Kekeauonohi situate at Palauea, Honua'ula, Makawao, Maui Address: 4492 Makena Road Purpose: Building permits	Ryan M. Suzuki/ Leone- Perkins Family Trust	2-1-011:015
KA-350	Withdrawn	Lot 12 Wainiha Subdivision II (File Plan 1840) being a portion of R.P. 7194, L.C. Aw. 11,216:5 to M. Kekauonohi situate at Wainiha, Kaua'i Address: 7310 Alealea Road Purpose: Building permit	Ronald J. Wagner/ Craig Dobbin	5-8-009:051

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

Basing of MV-22 and H-1 Aircraft in Support of III Marine Expeditionary Force Elements in Hawai'i

Federal Action: Federal Agency Activity

Federal Agency: Marine Corps Base Hawai'i

Federal Agent: Naval Facilities Engineering Command, Pacific; Ph. 472-1196

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

Proposed Action: The Marine Corps proposes to: (1) base and operate up to two Marine Medium Tilt-rotor (VMM) squadrons (a total of 24 MV-22 aircraft, 12 in each squadron) and one Marine Light Attack Helicopter (HMLA) squadron (15 AH-1 Cobra and 12 UH-1 Huey helicopters in Hawaii; and (2) attain and maintain proficiency in the employment of the MV-22, AH-1, and UH-1 aircraft by conducting aviation training, readiness, and special exercise operations at statewide training facilities. This CZM review is limited to the aviation training operations proposed to occur at Upolu Airport on Hawaii island and at Kalaupapa Airport on Molokai. All of the proposed new facilities construction projects have been excluded by the Marine Corps from CZM federal consistency review. The Draft EIS is available at the following web site: <http://www.mcbh.usmc.mil/mv22h1eis>

Comments Due: January 23, 2012

Waimalu Stream Flood Control Project Maintenance Dredging, Aiea, O'ahu

Applicant: City & County of Honolulu, Department of Design & Construction

Contact: Eugene Dashiell, Environmental Planning, 371-0745

Federal Action: Federal Permit

Federal Agency: U.S. Army Corps of Engineers

Location: Waimalu Stream, Aiea, O'ahu

TMK: (1) 9-8-9, 9-8-23, 9-8-24

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

Proposed Action: Conduct maintenance dredging of the Waimalu Stream Flood Control Project.

Approximately 44,000 cubic yards of accumulated sediment would be removed and disposed at the U.S. Environmental Protection Agency approved ocean disposal site in Mamala Bay. Most of the sediment will be removed through the use of a suction dredge mounted on a barge and will be pumped via pipeline to a barge located in Pearl Harbor. Smaller amounts of material consisting of small boulders or cobbles, is too large for ocean disposal and will be removed by mechanical means and transported by trucks for land disposal. The dredging project is estimated to be completed within one year.

Comments Due: January 23, 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 (2-1-009: 008)	Construct New Steel Stairs and Catwalk (SMM 11-199)	The Gas Company
Maui: Lahaina (4-5-013: 027)	Sample Box Installation (SM2 20110117)	Fred T. Roseberry, III, Esq.
Maui: Kahului (3-8-007: 040)	County Recycling Facility (SM2 20110119)	Tom Reed
Maui: Lahaina (4-3-014: 072)	Main Dwell Addition and Alteration (SM2 20110120)	Tranquilino Macadangdang
Maui: (3-9-010: 016)	New Well to Produce Vegetation (SM2 20110121)	CDF Engineering LLC
Maui: Kaanapali (portions 4-4-002; 4-4-006; 4-4-015; 4-4-020)	Kaanapali 2020 Subdivision (SM2 20110122)	David Ward
Maui: Wailea (2-1-008: 109)	A. Wong's Amasia Restaurant Renovation (SM2 20110124)	Grand Wailea Resort Hotel & SPA
Maui: (4-5-004: 034)	Dwelling Addition and Alteration (SM2 20110125)	Henry E. Lindsey

CONSERVATION DISTRICT USE APPLICATION

Persons interested in commenting on the Conservation District Use Application below 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-3613
Applicant: Auwahi Wind Energy, LLC
Location: Ulupalakua, Makawao, Island of Maui
TMK: (2) 2-1-004:006
Proposed Action: Papaka Road New Alignment / Grading
343, HRS determination: Maui Planning Commission accepted final EIS on August 9, 2011
Applicant's Contact: Mitch Dmohowski; (619) 696-2155
OCCL Staff Contact: Alex J. Roy, (808) 587-0316

FEDERAL NOTICES

Western Pacific Fisheries; 2012 Annual Catch Limits and Accountability Measures

<http://www.gpo.gov/fdsys/pkg/FR-2012-01-03/pdf/2011-33691.pdf>

The National Marine Fisheries Service (NMFS) proposes annual catch limits for western Pacific bottomfish, crustacean, precious coral, and coral reef ecosystem fisheries, and accountability measures

to correct or mitigate any overages of catch limits. The proposed catch limits and accountability measures support the long-term sustainability of fishery resources of the U.S. Pacific Islands.

Comments must be received by January 18, 2012. Comments on this proposed specification, identified by NOAA–NMFS–2011–0269, may be sent to either of the following addresses: *Electronic Submission*: Submit all electronic public comments via the Federal e-Rulemaking Portal www.regulations.gov; or *Mail*: Mail written comments to Michael D. Tosatto, Regional Administrator, NMFS, Pacific Islands Region (PIR), 1601 Kapi'olani Blvd., Suite 1110, Honolulu, HI 96814–4700.

Instructions: Comments must be submitted to one of the two addresses to ensure that the comments are received, documented, and considered by NMFS. Comments sent to any other address or individual, or received after the end of the comment period, may not be considered. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.) submitted voluntarily by the sender may be publicly accessible. Do not submit confidential business information, or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word or Excel, WordPerfect, or Adobe PDF file formats only.

Three environmental assessments (EA) were prepared that describe the impact on the human environment that would result from this proposed action. Based on the EAs, NMFS prepared a finding of no significant impact (FONSI) for the proposed action. Copies of the EAs and FONSI are available from www.regulations.gov. For more information contact Jarad Makaiau, NMFS PIR Sustainable Fisheries, at (808) 944–2108 (see, 77 FR 66, January 03, 2012).

Fishing Restrictions for Bigeye Tuna and Yellowfin Tuna in Purse Seine Fisheries for 2012

<http://www.gpo.gov/fdsys/pkg/FR-2011-12-30/pdf/2011-33593.pdf>

This interim rule extends the dates of applicability of existing regulations applicable to U.S. purse seine vessels operating in the western and central Pacific Ocean (WCPO) through December 31, 2012. NMFS issues this rule under authority of the Western and Central Pacific Fisheries Convention Implementation Act (WCPFC Implementation Act) to implement a decision of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC). The WCPFC decision, made December 20, 2011, extends the effectiveness of the WCPFC’s “Conservation and Management Measure for Bigeye and Yellowfin Tuna in the Western and Central Pacific Ocean” (CMM 2008–01), originally scheduled to expire on December 31, 2011.

CMM 2008–01 is the basis for the existing regulations whose dates of applicability are being extended by this interim rule. Under this rulemaking, these regulations now apply through December 31, 2012, and include limits on fishing effort, restrictions on the use of fish aggregating devices (FADs), closed areas, catch retention requirements, and requirements to carry observers. This action is necessary for the United States to satisfy its international obligations under the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Convention), to which it is a Contracting Party.

This interim rule is effective on December 30, 2011; comments must be submitted in writing by February 28, 2012. Comments on this interim rule, identified by NOAA–NMFS–2011– 0296, and the regulatory impact review (RIR) prepared for this interim rule may be sent to either of the following addresses: *Electronic Submission*: Submit all electronic public comments via the Federal e-Rulemaking portal, at <http://www.regulations.gov>; or *Mail*: Mail written comments to Michael D. Tosatto, Regional Administrator, NMFS, Pacific Islands Regional Office (PIRO), 1601 Kapi'olani Blvd., Suite 1110, Honolulu, HI 96814–4700.

Instructions: Comments must be submitted to one of the two addresses to ensure that the comments are received, documented, and considered by NMFS. Comments sent to any other address or individual, or received after the end of the comment period, may not be considered. All comments received are part of the public record and generally will be posted on <http://www.regulations.gov> without change. All personal identifying information (for example, name and address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected

information. NMFS will accept anonymous comments (enter "N/A" in the relevant required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word or Excel, WordPerfect, or Adobe PDF file formats only.

Copies of the RIR prepared for this interim rule are available from <http://www.regulations.gov> or may be obtained from Michael D. Tosatto, NMFS PIRO at the address above. For more information please contact Tom Graham, NMFS PIRO, (808) 944-2219 (see, 76 FR 82180, December 30, 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).