

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
March 23, 2012

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The Environmental Notice informs the public of environmental assessments, impact statements, determinations 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 as each issue is published, please send us your email address and we'll put you on our mailing list.



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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

HAWAII

1. Miloli'i Community Center (HRS 343 DEA-AFONSI)

District: South Kona
TMK: (3) 8-9-014: 038, 039, 040, and 041.
Permits Required: State of Hawai'i, HRS Chapter 343, Environmental Impact Statements; State Conservation District Use Permit; Special Management Area Use Permit (SMA); Building Permits; Grading and Grubbing Permits
Applicant: Pa'a Pono Miloli'i (501c3), PO Box 7715, Hilo, Hawai'i, 96720. Contact: Kaiali'i Kahele, (808) 783-4069. Electronic mail: paaponoinc@gmail.com
Approving Agency: County of Hawai'i Planning Department, Bobby Jean Leithead-Todd, Director, 101 Pauahi Street, Suite 3, Hilo, Hawai'i 96720. Phone (808) 961-8288.
Consultant: Joseph Farber, Farber & Associates, 2722 Ferdinand Ave., Honolulu, Hawai'i 96822. Contact: Joe Farber, (808) 988-3486. Electronic mail: joefarber@hotmail.com.

Pa'a Pono Miloli'i, a non-profit 501(c)(3) organization, has been awarded Federal Housing and Urban Development (HUD) Economic Development Initiative funds to design and construct a multi-purpose community center in Miloli'i to address the community's need for a permanent, covered community center and gathering space for public meetings, cultural activities, and educational and recreational programs.

The proposed project site is located within Miloli'i Village on four State-owned parcels which total 40,000 square feet, are adjacent to the shoreline, and where the remnants of an abandoned desalinization plant currently stand. The shoreline in this area is very rocky and allows very limited and difficult access to the ocean.

The community center features a 4,000 square foot (80 ft. x 50 ft.) community center which features a large central covered lanai, an enclosed office, a visitor reception center, a library, kitchen, and a classroom, two detached 400 square foot guest quarters with restrooms, and unpaved parking for fifteen vehicles. The buildings would be constructed on concrete slab foundations surrounded by tile and concrete flooring, with plaster-finished walls and exterior stone veneers. The three structures would total 4,800 square feet and would be designed and constructed to meet Americans with Disabilities Act Accessibility Guidelines (ADAAG).

2. Ho'okena Beach Park Pavillion (HRS 343 DEA-AFONSI)

District: South Kona
TMK: (3) 8-6-013: 021
Permits Required: State of Hawai'i, HRS Chapter 343, Environmental Impact Statements; Special Management Area Use Permit (SMA); Building Permits; Grading and Grubbing Permits
Applicant: Pa'a Pono Miloli'i (501c3) & Friends of Ho'okena Beach Park (501c3), PO Box 7715, Hilo, Hawai'i, 96720. Contact: Kaiali'i Kahele, (808) 783-4069. Electronic mail: paaponoinc@gmail.com
Approving Agency: County of Hawai'i Planning Department, Bobby Jean Leithead-Todd, Director, 101 Pauahi Street, Suite 3, Hilo, Hawai'i 96720. Telephone (808) 961-8288
Consultant: Joseph Farber, Farber & Associates, 2722 Ferdinand Ave., Honolulu, Hawai'i 96822. Contact: Joe Farber, (808) 988-3486. Electronic mail: joefarber@hotmail.com.
Status: Thirty-day public comment period ending April 23, 2012, Send original letter to proposing agency, with copies to the consultant and OEQC.

The Friends of Ho'okena Beach Park and their partner Pa'a Pono Miloli'i, both non-profit 501(c)(3) organizations, have been awarded Federal Housing and Urban Development (HUD) funds to create a multi-purpose community center at Ho'okena Beach Park on County-owned lands. The proposed Park Pavillion is intended to serve as a hub for community meetings, cultural activities, education programs, and recreation.



MAUI

3. County of Maui, Employee Parking Lot at Wailuku Union Church (HRS 343 DEA-AFONSI)

District: Wailuku
TMK: (2) 3-4-014:005
Permits: Historic District Approval and Setback variance
Proposing Agency: County of Maui, Department of Public Works, 200 South High Street, Wailuku, Hawai'i 96793. Contact: David Goode, Director (808) 270-7845.
Consultant: Joseph Alueta, Administrative Planning Officer, 250 South High Street, Wailuku, Hawai'i 96793, telephone (808) 270-7743
Status: Thirty-day public comment period ending April 23, 2012, Send original letter to proposing agency, with copies to the consultant and OEQC.

Maui County is requesting necessary land use entitlements as an "applicant" to be able to develop the property as an employee parking lot located at Wailuku, further identified as 2307 Main Street Wailuku, Maui, TMK: (2) 3-4-014:005. The applicant is seeking to develop the parking lot on approximately 25, 800 square feet of the subject 115,843 sq.ft parcel. The Applicant is a lessee of Wailuku Union Church. Related improvements include the construction of improved driveway connections to the adjacent streets, internal roadway and aisles, and a pedestrian path and stairs to Aupuni Street. The parking lot will be gravel with asphalt curbing. To implement the proposed employee parking lot as envisioned by the Applicant, Historic District Approval and a variance from setback and landscaping requirements. Since the project is located within a Historic District and the Applicant is the County of Maui and County funds will be expended for the project, the preparation of Environmental Assessment (EA) consistent with the provisions within Chapter 343, HRS.

4. Kahului Airport Access Road, Phase I Pu'unene Avenue to Hana Highway (NEPA EA)

District: Wailuku
TMK: (2) 3- 8-006:075 and (2) 3-8-080:999
Permits: County of Maui, Grading and Grubbing Permit
Applicant: State of Hawai'i, Department of Transportation, 650 Palapala Drive, Kahului, Hawai'i 96732, Contact: Robert Spilker, (808) 873-3376
Approving Agency: Federal Highway Administration, P.O. Box 50206, Honolulu, Hawai'i 96950, Contact: Abraham Wong, telephone (808) 541-2700
Consultant: Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, Hawai'i 96793, Contact: Karlynn Fukuda, (808) 244-2015
Status: NEPA Thirty-day comment period beginning on March 23,2012, and ending on April 23, 2012. Please send comments to Robert Spilker at State Department of Transportation (SDOT) with copy to Munekiyo & Hiraga, Inc.

The NEPA EA documents the anticipated impacts of the construction approximately 4,700 lineal feet for the Kahului Airport Access Road, Phase I from the intersection of Puunene Avenue to the Hana Highway intersection. The project purpose is to provide additional capacity and alleviate traffic congestion from existing routes to the Kahului Airport (Keolani Place and Dairy Road) by providing an alternate route which would redistribute vehicles and provide a more direct route to the airport. The proposed road will also address existing service deficiencies on Keolani Place and Dairy Road. Three (3) alternatives (including the No-Build and road widening) are evaluated. Additionally three (3) alternatives are evaluated for the Hana Highway intersection. The Proposed Action (Alternative 2) and the Simple At-Grade Hana Highway intersection (Alternative 1) will not have significant impacts based on criteria specified in NEPA 42 U.S.C. 4332(2)(c). A copy of the EA document is available for review at the Kahului Public Library.

O'AHU

5. Ma'ili Beach Park Improvements (HRS 343 FEA-FONSI)

District: Waianae
TMK: 8-7-16:01
Permits Required: Special management area
Proposing Agency: Department of Design and Construction, City and County of Honolulu, 650 South King Street, Honolulu, Hawai'i 96813
Determination agency: Department of Design and Construction, City and County of Honolulu, 650 South King St, Honolulu, Hawai'i, 96813. Contact: Dan Takamatsu, electronic mail - dtakamatsu@honolulu.gov, telephone 768-8401
Consultant: Eugene Dashiell, AICP, 728 Nunu Street, Kailua, Hawai'i 96734. Contact: Eugene Dashiell, telephone (808) 254-4522
Status: Finding of No Significant Impact (FONSI); project may proceed.

This Environmental Assessment addresses proposed improvements at Ma'ili Beach Park. The proposed improvements would add: children's play apparatus, fitness equipment, and expand a parking lot by adding 60 standard stalls, two compact and two ADA stalls to the existing 56 standard stalls and three ADA stalls. The total number of stalls after the project is completed would be 116 standard stalls, two compact and 5 ADA stalls. The improvements are within a 0.9 acre area and include appropriate landscaping, irrigation and utilities as well as improvements at the St. John's Road intersection at Farrington Highway with a new pocket left turn lane to a new driveway to the park and closure of the driveway to the park at Palakamana Street and Farrington Highway. During construction the two bus stops on both sides of the Highway nearest to St. John's Road will be temporarily relocated nearby by the contractor who will coordinate with the Department of Transportation Services. There are no known historic or prehistoric sites affected.

6. Keoniana Apartments (HRS 343 FEA-FONSI)

District: Honolulu
TMK: 2-6-015: 067, 068
Permits Required: Special District (Major), Building, Grading, Construction Dewatering, Excavate Public Right-of-Way, Sewer Connection, Certificate of Occupancy, Water and Water System Requirements, Street Usage, Variance from Pollution Controls, NPDES, Historic Site Review
Applicant: Keoniana Partnership Limited, c/o 2702 Pali Highway, Honolulu, Hawai'i 96817. Contact: Stanford Lee, telephone (808) 440-2780
Approving Agency: City and County of Honolulu, Department of Planning and Permitting, 650 South King Street, Honolulu, Hawai'i 96813. Contact: Lin Wong, telephone (808) 768-8033
Consultant: Gerald Park Urban Planner, 95-595 Kanamee Street #324, Mililani, Hawai'i 96789. Contact: Gerald Park, telephone (808) 625-9626
Status: Finding of No Significant Impact (FONSI); project may proceed.

The applicant proposes to demolish two existing single-family dwellings and construct a new three-story, 12-unit multifamily dwelling on four jointly developed lots (two parcels) in Waikiki.

Site work including demolition and construction will raise dust, generate noise, alter the existing landform, contribute to traffic on nearby streets, and create temporary traffic delays on Keoniana Street when material are unloaded and utility connections made in the road right-of-way. Existing tenants of the two buildings will have to vacate the premises. Construction dewatering may be required because of the high water table. The structure will be supported on concrete piles thus pile driving noise will be audible for a minimum of one month.

Long-term impacts include adding twelve rental apartment units to the housing and rental apartment inventory in Waikiki. The municipal sewer system is at capacity but will be able to accommodate direct and delayed discharge during non-peak hours. Surface runoff in excess of existing runoff will be directed into open space and landscaped areas and allowed to evaporate or percolate into the ground. The three-story building is comparable in height to adjoining walk-up apartment buildings. Its pitched roof, overhangs on four sides, and absence of exterior walkways and apartment entries on the exterior will make the structure appear to be a large dwelling rather than an

apartment building. Trees and palms and colorful shrubs will be installed on site. The proposed project is not anticipated to adversely impact the environment. A Findings of No Significant Impact has been issued.

7. **Kailua District Park Softball Field Lighting System Replacement (HRS 343 DEA-AFONSI)**

District: Ko'olaupoko
TMK: 4-3-056: 009
Permits: Building Permits
Proposing Agency: City and County of Honolulu, Department of Design and Construction, 650 South King Street, 11th Floor, Honolulu, Hawai'i 96813.
Consultant: Environmental Communications, Inc., 1188 Bishop Street, Suite 2210, Honolulu, Hawai'i 96813. Contact: Taeyong Kim (808-528-4661)
Status: Thirty-day public comment period ending April 23, 2012. Address comments to proposing agency with copies to consultant and OEQC.

The project site is in current use as one of three softball fields located within the Kailua District Park complex. The park service as the primary municipal recreational complex in the central Kailua Town area.

The project site is located immediately north of Kailua Road, and across the street from commercial properties and the Kailua Town retail district. To the west lie more commercial areas. The District Park office, swimming pool, tennis courts and parking lot and additional play fields lie to the north and northwest. The Kailua Intermediate School lies to the northeast of the site. Southeast of the project site lies residential areas.

The proposed project consists of the replacement of the existing softball field lighting system. The proposed scope of work will include the removal of the existing system, the installation of new poles and luminaries, new control systems, and a new accessible walkway.

8. **Saint Augustine by-the-Sea Church Master Plan Project (HRS 343 FEA-FONSI)**

District: Honolulu
TMK: 2-06-026: 012 and 015
Permits Required: Special Management Area Use Permit (Major), Waikiki Special District Permit (Major). Conditional Use Permit (Minor) – Joint Development, NPDES Permit (Construction Activities). Construction Noise Permit, Building and other Ministerial Permits.
Applicant: Roman Catholic Church in Hawai'i, St. Augustine by-the-Sea Church, 130 'Ohua Avenue, Honolulu, Hawai'i 96815. Contact: Father Lane Akiona
Telephone: (808) 973-9788
Approving Agency: Department of Planning and Permitting, City and County of Honolulu, 650 South King Street, 7th Floor, Honolulu, Hawai'i 96813. Contact: Lin Wong, telephone (808) 768-8033
Consultant: Helber Hastert & Fee, Planners, 733 Bishop Street, Suite 2590, Honolulu, Hawai'i 96813. Contact: Ronald A. Sato, AICP, Senior Planner, phone (808) 545-2055
Status: Thirty-day public comment period ending April 23, 2012. Address comments to applicant/approving agency with copies to consultant and OEQC.

The Roman Catholic Church in Hawai'i is proposing to implement improvements to their St. Augustine by-the-Sea Church property in accordance with a new master plan that considered the existing condition of their facilities and future needs for their parish. The master plan has identified repair and renovation improvements to existing facilities (such as roofing, parking, security, exterior accessibility, and signage) and also has included new facilities consisting of: (1) a new two-story St. Damien Museum located along their Kalakaua Avenue frontage; and (2) a new four-story multi-purpose building with one floor devoted to a parish hall and office space, and the remaining floors used for parking and storage. The existing parish hall building will be demolished under this project. 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.



9. Waimanalo Bay Beach Park Master Plan (HRS 343 DEA-AFONSI)

District: Ko'olaupoko
TMK: 4-1-015:015
Permits Required: Special Management Area Use Permit; Shoreline Setback Determination; Compliance with Chapter 6E, HRS (Historic Preservation); Conditional Use Permit-minor; Public Infrastructure Map Amendment
Proposing Agency: City and County of Honolulu, Department of Design and Construction, Facilities Division, Planning Branch, 650 S. King Street, 11th floor, Honolulu, Hawai'i 96813. Contact; Terry Hildebrand, Planner telephone (808) 768-8401
Determination Agency: City and County of Honolulu, Department of Design and Construction, 650 S. King Street, 11th floor, Honolulu, Hawai'i 96813. Contact: Lori M.K. Kahikina, P.E., Director (808) 768-8480
Consultant: PBR Hawaii & Associates, Inc., 1001 Bishop Street, Suite 650, Honolulu, Hawai'i 96813-3484. Contact: Catie Cullison, Project Manager (808) 521-5631
Status: Thirty-day public comment period ending April 23, 2012. Address comments to determination agency with copies to consultant and OEQC.

The Waimanalo Bay Beach Park Master Plan includes sports fields, an increase in the number of camp sites, two group camping/gathering areas, walking trails, picnic areas along with new comfort stations and parking areas.

The Master Plan is compliant with land use controls of the City, State and Federal government and not expected to have a significant impact on the natural or social environment. The primary mitigation measure proposed is to avoid construction in sensitive areas, including: areas of known archaeological resources; intact sand dunes; large trees; and the floodplain. In the areas where earth movement is proposed, Archaeological Inventory Survey prior to action and archaeological monitoring alongside best management practices during construction are recommended. The Master Plan anticipates the possibility of lighting one sports field. Proposed mitigation includes shielding light fixtures and incorporating automatic timers for shut off. To mitigate against the impacts to water resources, the Master Plan proposes the use of pervious materials for parking areas, landscaped bioswales and use of treated, recycled water from the Waimanalo Waste Water Treatment Plant for landscape irrigation. Traffic mitigation measures include widening the on-site access drive to allow for a left turn lane out of the Park.

SHORELINE NOTICES

SHORELINE - Certifications and Rejections

The shoreline notices below have been proposed for certification or rejection by the Department of Land and Natural Resources (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 Resources, 1151 Punchbowl Street, Room 220, Honolulu, Hawaii'i 96813.

File No.	Proposed/Rejected	Location	Applicant/Owner	TMK
OA-1473	Proposed Shoreline Certification	Lot 6-B, R.P. 7984, L.C. Aw. 4452, Ap.13 to H. Kalama and Parcel 6-B-1 of Reclaimed (Filled) Land of Kaneohe Bay, situate at Kaneohe, Ko'olaupoko, O'ahu. Address: 44-331A Kane'ohe Bay Drive. Purpose: Consolidation of property and designation of pedestrian easement	Walter P. Thompson, Inc./ Sherryl Beucher	4-4-007:017
MA-498	Proposed Shoreline Certification	Exclusion "D" of Land Court Application 1846 (Map 1) being a portion of Grant 234 to Linton L. Torbert and William Wilcox situate at Papaanui, Honua'ula, Makawao, Maui Address: 0 Makena Road. Purpose: SMA Permit	Akamai Land Surveying, Inc./ State of Hawai'i	2-1-007:083
MO-158	Proposed Shoreline Certification	Royal Patent 2993, Land Commission Award 134-B, Apana 1 to Kamakahi at Kalua'aha, Moloka'i. Address: 7616 Kamehameha V Highway Purpose: Building permit for new dwelling	Russell N.J. Higa/ George Apau Ching Revocable Living Trust & Zorelinda Ching Revocable Living Trust	5-7-011:047
MA-482	Rejection	Lot A of the Waiohuli-Keokea Beach Lots situate at Kihei, Kula, Maui Address: 1390 South Kihei Road Purpose: SMA permit for construction of exterior staircase on existing house	Leslie K.T. Lau/ Passon Family Trust	3-9-009:008

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, Hawai'i 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-1480	3/9/12	Parcel 2 Portion of Old Government Beach Road and Portion L.P. 8165, Part B, L.C. Aw. 8559-B, Ap. 32 to William C. Lunalilo Portion Kaalawai Beach Lots situate at Kaalawai, Kapahulu, Honolulu, O'ahu Address: 3637 Diamond Head Road Purpose: Building Permit	Walter P. Thompson, Inc./ C. Jeanette Magoon, Trustee C. Jeanette Magoon Trust	3-1-038:008
OA-1481	3/9/12	Lots 158 to 162, inclusive of Land Court Application 1069 (Map 26) situate at Honouliuli, Ewa, O'ahu Address: 91-333, 91-329, 91-317, 91-309 and 91-303 Papipi Road Purpose: Shoreline determination	Park Engineering/ Haseko (Ewa), Inc.	9-1-011:001-005
OA-1482	3/9/12	Lot 157 as shown on Map 26 and Lot 297 as shown on Map 45 of Land Court Application 1069 situate at Honouliuli, Ewa, O'ahu Address: 91-295 Papipi Road Purpose: Shoreline determination	Park Engineering/ Haseko (Ewa), Inc.	9-1-011:006 & 007
OA-1483	3/9/12	Lot 2697 as shown on Map 274 of Land Court Application 1069 situate at Honouliuli, Ewa, O'ahu Address: Oneula Beach Park Purpose: Shoreline determination	Park Engineering/ City and County of Honolulu	9-1-134:006



OA-1484	3/9/12	Lot 11729 as shown on Land Court Application 1069 (Map 846) and Portion of Royal Patent 6971, Land Commission Award 11216 Apana 8 to M. Kekauonohi and all of Grant 30 Apana 8 to the Board of Education, being deregistered Land Court Lot 18888 as shown on Land Court Application 1069 (Map 1504) situate at Honouliuli, Ewa, O'ahu Address: 91-101 Papipi Road Purpose: Shoreline determination	Park Engineering/ Haseko (Ewa), Inc.	9-1-134:007 & 029
MA-504	3/1/12	Lot 3 of the Bechert Estate Partition Luca No. 4.103 and all of Lots 4-A and 4-B of the Bechert Estate Subdivision, Luca No. 4.138 situate at Kahananui, Kaanapali, Maui Address: 4327 Lower Honoapiilani Road Purpose: Setback purposes	Arthur P. Valencia/ Valley Isle Resort	4-3-010:004
MA-505	3/7/12	Lot 2-C (Map 2) and Lot 3 (Map 1) of Land Court Application 1791 situate at Honokowai, Lahaina, Maui Address: 3559 Lower Honoapiilani Road Purpose: N/A	Akamai Land Surveying, Inc./ Peninsula Development Hawaii Trust	4-4-001:071

COASTAL ZONE MANAGEMENT NOTICES

Special Management Area (SMA) Minor Permits		
The SMA Minor permits below have been approved or are pending approval (HRS 205A-30). For more information, contact the county/state Planning Department. Honolulu (523-4131); Hawai'i (961-8288); Kaua'i (241-6677); Maui (270-7735); Kaka'ako or Kalaeloa Community Development District (587-2840).		
Location (TMK)	Description (File No.)	Applicant/Agent
Hawai'i: Waiakea (2-1-007: 011 & 025)	Heiau Preservation and Documentation (SMM 12-206)	Don Pakele and Department of Land and Natural Resources, State Historic Preservation Division
Maui: Kihei (3-8-077: 009)	Strengthening Roof Structure (SM2 20120016)	Darin Fukunaka
Maui: Wailea (2-1-023: 006)	Apartment Alteration: Building 3-C, Unit 301 & 303 (SM2 20120017)	Satish K Gholkar
Maui: Wailea (2-1-023: 006)	Apartment Alteration: Unit 102 (SM2 20120019)	Satish K Gholkar
Maui: Maalaea (3-8-014: 021)	Outdoor Wall Mount Lights (SM2 20120021)	JDC Design & Consulting SVC
Maui: (3-9-005: 024)	Wood Wall at Makai Boundary (SM2 20120022)	Alyce Haines
Maui: Hana (1-3-002: 002)	Install 30,600 Water Tank (SM2 20120023)	Wayne Arakaki
Maui: (3-7-005: 012)	Farmer's Market/Crafters/Tents/Umbrellas (SM2 20120024)	BDG, Inc.
O'ahu: Kaneohe (4-7-014: 014)	New Office Building (2012/SMA-5)	Reduce Reuse Recyclers Services Hawaii LLC

FEDERAL NOTICES

AES Hawaii, Inc.; Notice of Petition for Temporary Waiver

<http://www.gpo.gov/fdsys/pkg/FR-2012-03-14/pdf/2012-6110.pdf>

Take notice that on March 5, 2012, pursuant to section 292.205(c) of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR 292.205(c), AES Hawaii, Inc. (AES Hawaii) filed a Request for Temporary Waiver, for calendar year 2011, of the five percent operating standard set forth in 18 CFR 292-205(a)(1) of the Commission's Regulations for the topping-cycle cogeneration facility located on the island of O'ahu, Hawai'i. AES Hawaii makes such a request because of a forced boiler outage in the fourth quarter of 2011. Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the



Commission’s Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant. The Commission encourages electronic submission of protests and interventions in lieu of paper using the “eFiling” link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. This filing is accessible on-line at <http://www.ferc.gov>, using the “eLibrary” link and is available for review in the Commission’s Public Reference Room in Washington, DC. There is an “eSubscription” link on the web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov, or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659 (see, 77 FR 15099, March 14, 2012)

POLLUTION CONTROL PERMITS

POLLUTION CONTROL PERMITS				
For questions regarding these notices, please contact the Clean Air Branch of the Environmental Management Division of the Department of Health at (808) 586-4200.				
Branch/Permit Type	Applicant and Permit Number	Project Location	Pertinent Date	Proposed Use
Clean Air Branch, Covered Source Permit	CHRRV/H-POWER Renewal Application No. 0255-07, CSP No. 0258-01-CT	Located at 91-174 Hanua Street, Kapolei, O’ahu	Comments due on April 09, 2012	H-Power Refuse Derived Fuel (RDF) Facility
Clean Air Branch, Covered Source Permit	CHRRV/H-POWER Renewal Application No. 0255-07, CSP No. 0258-02-CT	Located at 91-174 Hanua Street, Kapolei, O’ahu	Comments due on April 09, 2012	H-Power Mass-burn Facility



GLOSSARY

Agency Actions

Any department, office, board, or commission of the state or county government which is part of the executive branch of that government per [HRS 343-2](#).

Applicant Actions

Any person who, pursuant to statute, ordinance, or rule, requests approval for a proposed action per [HRS 343-2](#).

Draft Environmental Assessment

When an Agency or Applicant proposes an action that [triggers](#) [HRS 343](#), an Environmental Assessment shall be prepared at the earliest practicable time to determine whether an environmental impact statement shall be required per [HRS 343-5\(b\)](#), for Agency actions and [HRS 343-5\(c\)](#), for Applicant actions. For environmental assessments for which a Finding of No Significant Impact is anticipated, a Draft EA (DEA) shall be made available for public review and comment for 30 days and public notice is published in this periodic bulletin per ([HRS 343-3](#)), also known as The Environmental Notice.

Final Environmental Assessment and Finding of No Significant Impact

The Agency shall respond in writing to comments received during the review and prepare a Final EA (FEA) to determine whether an environmental impact statement shall be required. The FEA must respond to all public comments. If there are no significant impacts, then the Agency will issue a Finding of No Significant Impact (FONSI). An Environmental Impact Statement will not be required and the project may then be implemented. The public has 30 days from the notice of a FONSI in this bulletin to ask a court to require the preparation of an EIS.

Final Environmental Assessment and Environmental Impact Statement Preparation Notice

An EIS shall be required if the Agency finds that the proposed action may have a significant effect on the environment. The Agency shall file notice of such determination with OEQC, called an EIS Preparation Notice (EISPN). After the notice of the EISPN is published in this bulletin, the public has 30 days to request to become a consulted party and make written comments. The public (including the Applicant) has 60 days from the notice of the EISPN in this bulletin to ask a court to not require the preparation of an EIS.

Draft Environmental Impact Statement

After receiving the comments on the EISPN, the Agency or Applicant must prepare a Draft Environmental Impact Statement (DEIS). The [content requirements](#) of the DEIS shall contain an explanation of the environmental consequences of the proposed action including the direct, indirect and cumulative impacts and their mitigative measures. The public has 45 days from the first publication date in this bulletin to comment on a DEIS. The DEIS must respond to comments received during the EISPN comment period in a point-by-point manner.

Final Environmental Impact Statement

After considering all public comments filed during the DEIS stage, the Agency or Applicant must prepare a [Final EIS](#) (FEIS). The FEIS must respond in a point-by-point manner to all comments from the draft and must be included in the FEIS. See here for [style](#) concerns. For Applicant projects, the Approving Agency is authorized to accept the FEIS. For an Agency project, the Governor or the Mayor (or their designated representative) is the Accepting Authority. Only after the FEIS is accepted may the project be implemented.

Acceptability

If the FEIS is [accepted](#), notice of this action is published in this bulletin. The public has 60 days from the date of notice of acceptance to ask a court to vacate the acceptance of a FEIS. For Applicant actions, the Approving Agency must make a determination on acceptance within 30 days of receipt of the FEIS or the FEIS is deemed accepted. For Applicant actions, the law provides for an administrative appeal of a non-acceptance to the Environmental Council.

National Environmental Policy Act

The National Environmental Policy Act (NEPA) requires federal projects to prepare an EA or EIS. In many ways it is similar to Hawaii's law. Some projects require both a State and Federal EIS and the public comment procedure should be [coordinated](#). OEQC publishes NEPA notices in this bulletin to help keep the public informed of important federal actions.

Conservation District

Any use of land in the State Conservation District requires a Conservation District Use Application (CDUA). These applications are reviewed and approved by the Board of Land and Natural Resources. Members of the public may intervene in the permit process.

Notice of permit applications are published in this bulletin.

Special Management Area and Shoreline Setback Area

The Special Management Area (SMA) is along the coastline of all islands and development in this area is generally regulated by [HRS 205A](#), and county ordinance. A special subset of the SMA that is regulated by [HRS 343](#), is the [Shoreline Setback Area](#). Most development in this area requires a Special Management Permit. This bulletin posts notice of these SMA applications to encourage public input.

Shoreline Certifications

State law requires that 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).

