

# THE ENVIRONMENTAL NOTICE

A semi-monthly periodic bulletin published by the Office of Environmental Quality Control pursuant to Section 343-3, Hawaii Revised Statutes  
April 23, 2012

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

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



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Hawai'i: 974-4000 ext. 64185

## CORRECTION

### International Market Place Revitalization Project Draft EIS

In the [April 8, 2012 issue of The Environmental Notice](#), page 4, OEQC inadvertently made an error in listing the comments due date for the International Market Place Revitalization Project Draft EIS as May 8, 2012. **The statutory 45-day public review and comments for this project are due on Tuesday, May 23, 2012.**

## ANNOUNCEMENT

The OEQC Publication Forms have been revised to reflect the published information in The Environmental Notice. OEQC advises all agencies, applicants and consultants to use the project appropriate publication form from the [Environmental Assessment Preparation Toolkit](#) to submit your projects to OEQC for publication.

## HAWAI'I (HRS 343)

### 1. Living Stones Congregational Church Hall and Storage Building FEA-FONSI

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

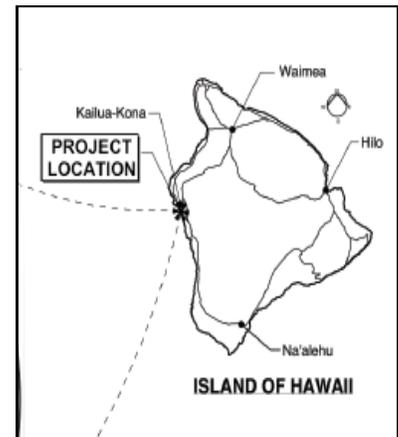
#### Approving Agency:

Department of Land and Natural Resources, 75 Aupuni Street, Room 204, Hilo, Hawai'i 96720. Contact: Gordon C. Heit, (808) 974-6203

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

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

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



## 2. Hilo Baptist Church Improvements on State Land FEA-FONSI

**Island:** Hawai'i  
**District:** South Hilo  
**TMK:** (3rd) 2-4-056:027  
**Permits:** Approval of Plans by BLNR  
**Applicant:** Hilo Baptist Church. 600 West Lanikaula Street. Hilo, Hawai'i 96720 c/o Ron Terry, (808) 969-7090

**Approving Agency:** Hawai'i State Department of Land and Natural Resources, 75 Aupuni Street, Room 204, Hilo, HI 96720. Contact: Wesley Matsunaga, (808) 974-6203

**Consultant:** Geometrician Associates, PO Box 396, Hilo, HI 96721. Contact: Ron Terry, (808) 969-7090

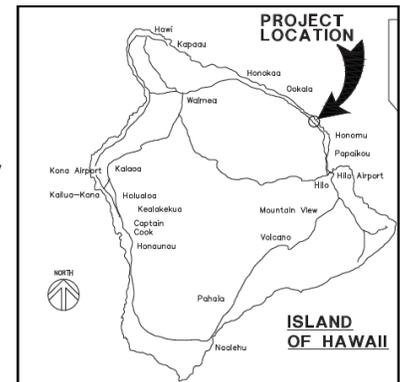
**Status:** Finding of No Significant Impact (FONSI) Determination



Hilo Baptist Church leases a 2.916-acre State of Hawai'i property in Hilo on Lanikaula Street, across from the University of Hawai'i at Hilo. Structures currently consist of an approximately 2,535-square foot (sf) church building that was built in 1988, as well as 30 parking stalls. The church requires additional space in order to better meet the needs of its growing congregation and community mission. The church plans to build new structures totaling 2,350 sf of additional enclosed space for classrooms, storage, restrooms and a kitchen for church use only, as well as a 1,680-sf covered lanai. In addition, 60 new standard parking stalls, two new van-accessible ADA stalls, and two standard ADA stalls would be constructed. No impacts to any natural or cultural resources would occur, as the area has been completely graded for church uses and no sensitive resources are on or near the site. Traffic impacts during construction can be avoided by scheduling, and permanent traffic impacts are unlikely because peak use is on Sunday, when adjacent street traffic is minimal. Mitigation would include best management practices during construction to avoid erosion and sedimentation, a grease interceptor for the kitchen and precautionary conditions related to inadvertent finds of cultural materials.

## 3. Rehabilitation of Umauma Stream Bridge FEA-FONSI

**Island:** Hawai'i  
**District:** North Hilo  
**TMK:** (3) 3-1-01:15  
**Permits:** Office of Planning, Coastal Zone Management Consistency Certification; Department of Health (DOH), Section 401, Clean Water Act, Water Quality Certification; DOH Noise Permit; DOH Noise Variance; Hawai'i Commission on Water Resources, Stream Channel Alteration Permit; County of Hawai'i, Grading and Grubbing construction permits; Army Corps of Engineers, Department of Army Permit, Section 404, Clean Water Act, Nationwide Permit



### Proposing/Determination

**Agency:** State of Hawai'i, Department of Transportation, Highways Division, 601 Kamokila Boulevard, Room 688, Kapolei, Hawai'i 96707. Contact: Eddie Chiu, 808-692-7547

**Consultant:** Bow Engineering & Development, Inc., 1953 S. Beretania Street, Honolulu, Hawai'i 96826

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

The State of Hawai'i, Department of Transportation, Highways Division (DOT), with funding assistance from the Federal Highway Administration (FHWA), plans to construct bridge widening and structural rehabilitation of the existing historic Umauma Bridge. Improvements include construction of concrete support columns to be placed within and adjacent to the existing steel support towers, widening of the bridge deck and roadway shoulders, and construction of a new concrete railing. The identified

objectives of the project are to rehabilitate the deteriorating, steel framed Umauma Bridge while satisfying State Historic Preservation historical requirements, and to bring the bridge roadway in compliance with FHWA regulations and current safety standards.

The project site is located on the Hawai'i Belt Road (Highway No. 19) at approximately milepost 16.02 in the North Hilo District, Hawai'i Island. The Umauma Stream Bridge carries the Hawai'i Belt Road over Umauma Stream, along the Hāmākua Coast. The bridge is located entirely within the State right-of-way.

Construction activities would have a short-term effect on air quality, water quality, traffic, and ambient noise levels. Compliance with applicable State Department of Health Rules, site-specific BMPs, and mitigation measures contained in the EA would minimize potential impacts from construction. No significant long-term environmental impacts would occur from construction and operation of the proposed project.

## MAUI (HRS 343)

### 4. Habitat for Humanity Kahawai Condominiums DEA-AFONSI

- Island:** Maui
- District:** Wailuku
- TMK:** (2) 3-4-033:002
- Permits:** Maui Redevelopment Agency Approval, NPDES, Construction Permits
- Applicant:** Habitat for Humanity Maui, Inc., 970 Lower Main Street, Wailuku, Hawai'i 96793. Contact: Sherri Dodson, (808) 224-2015
- Approving Agency:** Department of Housing and Human Concerns, One Main Plaza, 2200 Main Street, Suite 546, Wailuku, Hawai'i 96793. Contact: JoAnn T. Ridao, Director. (808) 270-7805
- Consultant:** Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, Hawai'i 96793. Contact: Colleen Suyama, (808) 244-2015.
- Status:** Statutory 30-day public review and comment period starts; comments are due on May 23, 2012. Send comments to the Applicant, Consultant and Approving Agency



Habitat for Humanity Maui, Inc. proposes to develop the 16 unit, three-story Hale Kahawai Condominium to be located at 2024 Kahawai Street in Wailuku, Maui. The three-story building will be comprised of two (2) stories of condominium units over ground floor parking for 20 vehicles. Access to the condominium complex will be provided via Kahawai Street at the property's southern boundary.

The proposed project will include 12 one-bedroom/one-bathroom units and four (4) two-bedroom/one-bathroom units. The units will range from 595 sq. ft. for a one-bedroom unit to 874 sq. ft. for a two-bedroom unit. Each one-bedroom unit will have one (1) parking space while the two-bedroom units will have two (2) parking spaces. One (1) space will be reserved for handicap parking.

Proposed site improvements include grading and utilities installation of onsite water, sewer, and drainage systems. The onsite drainage system will consist of catch basins and underground drain lines leading to an onsite subsurface drainage system located beneath the paved parking. Electrical, telephone, and cable utility systems will be installed from the existing overhead facilities servicing the project area.



Branch (CEPOH-PP-C), Building 230, Fort Shafter, HI 96858-5440. Contact: Mr. Milton Yoshimoto, (808) 438 -2250.

**Consultant:** Environet, Inc. 650 Iwilei Road, Suite 204, Honolulu, HI 96817. Contact: Ms. Colette Sakoda, (808) 833-2225, Ext. 1004

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

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

## 7. H-Power Waste to Energy Truck Receiving Station for Sewage Sludge DEA

**Island:** O'ahu

**District:** 'Ewa

**TMK:** 9-1-026-030 H-Power

**Permits:** State Department of Health Solid Waste and Air Permits

**Applicant:** ENV-Refuse-HPOWER, 91-174 Hanua St. Kapolei, Hawai'i 96707. Contact: Stephen F. Langham, (808) 768-5455



### Approving Agency:

City and County of Honolulu, Environmental Services Department (ENV), 1000 Uluohia St., Suite 308 Kapolei, HI 96707. Contact: Timothy E. Steinberger, (808) 768-3468

**Status:** Statutory 30-day public review and comment period starts; comments are due on May 23 2012. Send comments to the Applicant and Approving Agency

The Solid Waste to Energy Truck Receiving Station for Sewage Sludge is proposed to provide the H-POWER Expansion Project the ability to accept and process dewatered sewage sludge for final disposal. The truck receiving station will be located on the H-POWER site and consists of a receiving bin, pumps, and distribution header for the transfer of sludge into the boiler at H-POWER Expansion.

The proposed action will comply with all permits that have been secured for the H-POWER Expansion Project. The project will not change emission requirements. And will employ the Maximum Achievable Control Technology (MACT compliance) as exists in the industry for control of air emissions and hazardous air pollutants required by the Clean Air Act. Odor control systems will be utilized to manage odors from the sludge receiving, storage and processing.

Traffic and roadway impacts will be minimal with only slightly increased traffic counts. There are no further impacts including cultural, noise, visual, socioeconomic, solid waste, energy, or human health that do not already exist.

Based on the significance criteria set forth in HAR, Title 11, Chapter 200, Environmental Impact Statement Rules, the proposed action is not anticipated to result in significant environmental impacts. In fact, the proposed action is anticipated to result in significant benefits, including increased landfill diversion and energy recovery.

The recommended preliminary determination for the proposed project is a Finding of No Significant Impact (FONSI).



**Agency:** Department of Hawaiian Home Lands, PO Box 1879, Honolulu, HI 96805. Contact: Kaipo Duncan, (808) 620-9458, or [Kaipo.Duncan@Hawaii.gov](mailto:Kaipo.Duncan@Hawaii.gov)  
**Consultant:** North Shore Consultants, PO Box 790 Haleiwa, HI 96712. Contact: David M. Robichaux, [robichaud001@Hawaii.rr.com](mailto:robichaud001@Hawaii.rr.com) (808) 368-5352  
**Status:** Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI)

The Kekaha Community Enterprise Center will be a roughly 2000 square foot, single story, wood structure built in the general style of the houses in the same subdivision. It will be used to provide social and community services to the Department of Hawaiian Home Lands beneficiaries, and also be available for community events and gatherings. Direct impacts include minor noise and dust during the construction period. These will be mitigated through best management practices. No negative indirect, secondary or cumulative impacts have been identified. Anticipated positive impacts include increased capacity and opportunities for community members. Based on a review of the Environmental Assessment and comments received from agencies and interested parties, The Department of Hawaiian Home Lands has reached a Finding of No Significant Impacts.

## COASTAL ZONE MANAGEMENT NOTICES

### Federal Consistency Review

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. **Mail:** Office of Planning, Department of Business, Economic Development and Tourism, P.O. Box 2359, Honolulu, Hawai'i 96804. **Email:** [jnakagaw@dbedt.Hawaii.gov](mailto:jnakagaw@dbedt.Hawaii.gov) **Fax:** (808) 587-2899

### 1. National Marine Fisheries Service Revised Limits on Sea Turtle Interactions in the Hawai'i Shallow-set Longline Fishery

**Federal Action:** Federal Agency Activity  
**Federal Agency:** National Marine Fisheries Service (NMFS)  
**Contact:** Mr. Adam Bailey, 944-2248  
**CZM Contact:** John Nakagawa, 587-2878, [jnakagaw@dbedt.Hawaii.gov](mailto:jnakagaw@dbedt.Hawaii.gov)  
**Proposed Action:** NMFS proposes to revise the annual number of incidental interactions that may occur between the Hawai'i based shallow-set pelagic longline fishery and leatherback and loggerhead sea turtles. The proposed rule would implement terms and conditions of the January 30, 2012 biological opinion on the fishery and clarify the regulations. Pursuant to a U.S. Court Order, NMFS revised in 2011 the annual number of allowable loggerhead turtle interactions to 17. The Court also ordered NMFS to complete a new consultation under section 7 of the Endangered Species Act. In the 2012 biological opinion, NMFS anticipates that the fishery may incidentally take up to 34 North Pacific loggerhead turtles and 26 leatherback turtles in any given year. NMFS also proposes to make "housekeeping" changes to the shallow-set longline regulations for clarity and consistency in terminology. NMFS would revise all references to the "shallow-set component of the longline fishery" to read "shallow-set longline fishery."

**Comments Due:** May 7, 2012

## 2. Farrington Hwy Intersection Improvements at Haleakala Ave and Nanakuli Ave, Nanakuli, O'ahu

**Applicant:** State Department of Transportation. Contact: Mr. Henry Kennedy, 692-7550  
**Federal Action:** Federal Funding  
**Federal Agency:** Federal Highway Administration  
**Location:** Farrington Highway, between Helelua Street and Nanakuli Stream  
**CZM Contact:** John Nakagawa, 587-2878, [jnakagaw@dbedt.Hawaii.gov](mailto:jnakagaw@dbedt.Hawaii.gov)  
**Proposed Action:** Construct improvements to Farrington Highway between Helelua Street and Nanakuli Stream in Nanakuli. The project consists of widening Farrington Highway from four to five lanes over a distance of approximately 0.8 mile, with the new fifth lane dedicated to left-turn movements. In addition to the widening, the proposed project would provide a shared-use path for pedestrians and cyclists on the makai side of the highway, as well as upgrade the highway lighting and drainage systems. The project was identified to improve safety on Farrington Highway at the Haleakala Avenue and Nanakuli Avenue intersections.

**Comments Due:** May 7, 2012

## 3. Mt. Ka'ala Radio Facility Improvements Project - Telecommunications Tower Replacement, O'ahu

**Federal Action:** Federal Agency Activity  
**Federal Agency:** U.S. Coast Guard  
**Info Contact:** Mr. Ronald Sato, Helber Hastert & Fee, Planners, Inc., 545-2055  
**CZM Contact:** John Nakagawa, 587-2878, [jnakagaw@dbedt.Hawaii.gov](mailto:jnakagaw@dbedt.Hawaii.gov)  
**Proposed Action:** Replace the existing 25-foot tall telecommunications tower at the State of Hawai'i Mt. Ka'ala Radio Facility with a new 50-foot tall tower within the State's licensed area. The U.S. Coast Guard (USCG) is responsible for demolishing the existing tower, and designing and constructing the new tower. The tower replacement is part of an overall facility improvement project being undertaken by the State Department of Accounting and General Services, Information and Communication Services Division, which involves repairing and renovating the existing radio facility building, replacing the telecommunications tower, making improvements to the downhill antenna site along with conduit lines serving it, and other necessary electrical improvements. The existing antennas from the roof of the State building will be relocated to the new tower along with additional microwave and whip antennas. This CZM federal consistency review is limited to the USCG involvement with constructing the new replacement telecommunications tower. The USCG currently shares telecommunication infrastructure with the State at the Mt. Ka'ala Radio Facility. The Final Environmental Assessment for the project may be viewed at the Office of Environmental Quality web site by inputting "Mt Ka'ala" in the "Title of Document" search under the "Environmental Assessments and Environmental Impact Statements" section: <http://Hawaii.gov/health/environmental/oegc/index.html/>

**Comments Due:** May 7, 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: North Kona (7-7-004: 070 )	Grading and the Stockpiling of 11, 000 Cubic Yards of Material (SMM 12-207)	Stephen J. Herbert
Hawai'i: North Kona (7-7-008: 020 & 100)	Demolish Two Single-family Dwellings; Remove Debris; Grade, Grub and Install Landscaping Improvements; Relocate Rock Wall along Ali'i Drive (SMM 12-208)	Lucile P. Kingman Trust – Peter H. Kingman, Trustee
Hawai'i: South Kohala (6-2-002: 004)	Installation of Unmanned Telecommunications Facility and Proposed Improvements (SMM 12-209)	T-Mobile West Corporation
Hawai'i: South Kohala (6-6-002: 037)	Installation of Unmanned Telecommunications Facility and Proposed Improvements (SMM 12-210)	T-Mobile West Corporation
Hawai'i: South Hilo (2-8-008: 100)	Remove Invasive Trees and Replace with Native Trees (SMM 12-211)	Muhammad Yunis
Maui: Lahaina (4-5-012: 034)	Embed Pole in Ground (SM2 20120029)	Maui Electric Company, Limited
Maui: (4-3-005: 029)	Dune Restoration and Management (SM2 20120032)	Randy Brown
Maui: Hana (1-5-005: 016)	14' x 24' Indigenous Hawaiian Hale (SM2 20120033)	Richard Ross
Maui: Lahaina (4-6-031: 008)	Replace Brick with Concrete Slab (SM2 20120034)	Larry Cobb
Maui: Lahaina (4-3-010: 004)	Valley Isle Resort Repairs (SM2 20120035)	Valley Isle Resort AOA
Maui: Pa'ia (2-6-004: 015)	Pavilion (Canopy Structure) (SM2 20120036)	Don Nelson
Maui: Lahaina (4-4-013: 008)	After-the-fact Construction of Gazebo (SM2 20120037)	Hyatt Regency Maui
Maui: Lahaina (4-6-028: 002)	Rebuild Two Story Structure (SM2 20120038)	Adair Green
Molokai: (5-1-003: 006)	Re-Roof Maintenance Shed (SM6 2012002)	Jeffrey M. Herman
O'ahu: At the Intersection between Farrington Highway and Maipalaoa Road	Maipalaoa Bridge Replacement (2012/SMA-8)	State of Hawai'i, Department of Transportation, Highways Division
O'ahu: Punalu'u (5-3-008: 001)	Fence Work (2012/SMA-12)	Association of Apartment Owners of Hanohano Hale

**SHORELINE NOTICES**

**Shoreline Certification Applications**

The shoreline certification applications above are available for review at the DLNR Offices on Kaua'i, Hawai'i, Maui, and Honolulu, 1151 Punchbowl Street, Room 220 (HRS 205A-42 and HAR 13-222-12). All comments shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, HI 96813 and postmarked no later than 15 calendar days from the date of the public notice of the application. For more information, call Ian Hirokawa at 587-0420.

File No.	Date	Location	Applicant/Owner	TMK
OA-1488	3/29/12	Parcel 13 of Tax Map Key (1) 4-4-022 situate at Puahu'ula, Kane'ohē, Ko'olaupoko, O'ahu Address: 44-005 Aumoana Place Purpose: Obtain building permit	Wesley T. Tengan/ Howard Green	4-4-022:013
OA-1489	3/29/12	Lot 604 Land Court Application 1089 as shown on Map 64 situate at Kamananui, Waialua, O'ahu Address: 67-011 Kaimanu Place Purpose: Obtain building permit	Wesley T. Tengan/ John Borsa, Jr.	6-7-014:028
OA-1490	4/9/12	Lot 1017 of Land Court Application 1052, Map 79 and Lot 83-A being a portion of exclusion 1 of Land Court Application 1052 and a portion of R.P. 2243, L.C. Aw. 10,613, Apana 5 to A. Paki Address: 84-493 Farrington Highway Purpose: Development of property	Dennis K. Hashimoto/ Pokai Bay Properties, LLC	8-4-008:015
MA-507	4/3/12	The consolidation of Lots 8-A-2, 8-B & 9-A of the Kihei Beach Lots being a portion of Royal Patent 8140, Land Commission Award 5230 to Keaweamahi situate at Pulehunui, Kula (Kihei), Makawao, Maui Address: 73 North Kihei Road Purpose: N/A	Akamai Land Surveying, Inc./ Nani Kai Hale AOA	3-8-013:010

**Shoreline Certifications and Rejections**

The shoreline notices below have been proposed for certification or rejection by DLNR (HRS 205A-42 and HAR 13-222-26). Any person or agency who wants to appeal shall file a notice of appeal in writing with DLNR no later than 20 calendar days from the date of this public notice. Send the appeal to the Board of Land and Natural Resource, 1151 Punchbowl Street, Room 220, Honolulu, HI 96813.

File No.	Date	Location	Applicant/Owner	TMK
HA-439	Proposed Shoreline Certification	Portion of Lot 4 being a portion of Grant 2025 to Pumealani situate at Pahoehe, South Kona, Island of Hawai'i Address: N/A Purpose: Permits for improvements	Wes Thomas Associates/ Peter Dungate	8-7-007:011 (por.)
OA-1466	Proposed Shoreline Certification	Land Court Application 242, consolidation of Lots 17-K, 18-F & 18-G-1 as shown on Map 10 into Lots 1 and 2 at Pu'uloa, 'Ewa, O'ahu Address: 91-215 'Ewa Beach Road Purpose: Consolidation and resubdivision	Walter P. Thompson/ Colin K. Perry Trust	9-1-023:017
OA-1469	Proposed Shoreline Certification	Lot 5, Kawailoa Beach Lots Section "E" Portion R.P. 4475, L.C. Aw. 7713, Ap. 33 to V. Kamamalu situate at Kawailoa, Waialua, O'ahu Address: 61-715 Papailoa Road Purpose: Building permit	Walter P. Thompson, Inc./ Waialua Oceanview LLC	6-1-004:070

OA-1472	Proposed Shoreline Certification	Lot 12, Kawailoa Beach Lots, Section C, situate at Kawailoa, Waialua, O'ahu Address: 61-449 Kamehameha Highway Purpose: Building permit	Walter P. Thompson, Inc./ Michael Horack	6-1-008:011
OA-1478	Proposed Shoreline Certification	Lot 102 as shown on Map 16 of Land Court Application 609, Mokuleia, Waialua, Oahu Address: 68-355 Crozier Drive, Waialua, HI 96791 Purpose: Building (shoreline) setback	Jaime F. Alimboyoguen/ Crozier Wave LLC (Lief Johansen)	6-8-005:010
OA-1479	Proposed Shoreline Certification	Lot 63 of File Plan 256 "Sunset Beach Lots" being a portion of Grant 8174 to John Gomes Duarte at Pupukea, Ko'olauloa, O'ahu Address: 59-209D Ke Nui Road, Haleiwa, HI 96712 Purpose: Building (shoreline) setback	Gil P. Bumanglag/ AR Trust	5-9-002:067
MA-502	Proposed Shoreline Certification	Lot 2-A of Land Court Application 1846 (Map 1) being a portion of Grant 234 to Linton L. Torbert and William Wilcox, situate at Papa'anui, Honua'ula, Makawao, Maui Address: 0 Makena Road, Kihei, HI 96753 Purpose: SMA Use Permit application	Akamai Land Surveying, Inc./ ATC Makena Land SF2, LLC	2-1-007:092
MA-486	Rejection	A portion of Royal Patent Grant 548 to J.Y. Kanehoa situate at Paeahu, Honuaula, Makawao, Maui Address: 3116 South Kihei Road Purpose: Building setback and permitting purposes	Newcomer-Lee Land Surveyors, Inc./ Inshallah Trust	2-1-010:005
KA-356	Rejection	Lot C-2-A portions of R.P. 7373, L.C. Aw 8559-B, Apana 2 to W.C. Lunalilo situate at Waipouli, Kawaihau, Kaua'i Address: 4796 Kuhio Highway Purpose: Building permit application	Peter Taylor Engineer and Land Surveyor, Inc./ Kaua'i Kai Associates	4-3-007:011

## 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 HA-3620  
**Name of Applicant:** The Kamehameha Schools  
**Location:** Ke'ei, South Kona, Hawai'i  
**TMKs:** (3) 8-3-004:001 and (3) 8-3-005:001  
**Proposed Action:** Water Line Improvements  
**343, HRS determination:** Exempt  
**Applicant's Contact:** Tracy Fukuda (808) 946-2277  
**OCCL Staff Contact:** Tiger Mills (808) 587-0382

### **PROJECT:**

**File No.:** CDUA KA-3622  
**Name of Applicant:** Limahuli Valley Trust  
**Location:** Hā'ena, Island of Kaua'i

**TMK:** (4) 5-9-003:040  
**Proposed Action:** Accessory Structures and Landscaping at Existing Single Family Residence (SFR)  
**343, HRS determination:** Exempt  
**Applicant's Contact:** Ben Welborn, Landmark Consulting Services, (808) 639-7978  
**OCCL Staff Contact:** Alex J. Roy, (808) 587-0316

**POLLUTION CONTROL PERMITS**

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

Branch Permit Type	Applicant and Permit Number	Project Location	Date	Proposed Use
Clean Air Branch, 586-4200, Non-Covered Source Permit	Weston Solutions, Inc. NSP No. 0551-01-N Application for Renewal No. 0551-02 Application for Modification No. 0551-03	Located at: 616 Iwilei Road, Honolulu, Oahu	Issued: 3/29/12	Soil Vapor Extraction and Treatment System
Clean Air Branch, 586-4200, -Covered Source Permit	Powerscreen of California CSP No. 0751-01-CT Initial Application No. 0751-01	Located at: 95-109 Waikalani Drive, Mililani, Oahu	Comments Due: 5/9/12	386 TPH Mobile Crushing Plant
Clean Air Branch, 586-4200, Covered Source Permit	AES Hawaii, Inc. CSP No. 0087-02-C Significant Modification Application No. 0087-05	Located at: 91-086 Kaomi Loop, Campbell Industrial Park, Kapolei, Oahu	Issued: 4/3/12	203 MW Coal-Fired Cogeneration Plant
Clean Air Branch, 586-4200, Non-Covered Source Permit	Foo W. Lim & Sons, Inc. NSP No. 0759-01-N Initial Permit Application No. 0759-01	Located at: 80A Sand Island Access Road, Honolulu, Oahu	Issued: 4/9/12	Fiberglass Production Facility
Clean Air Branch, 586-4200, Covered Source Permit	Hawaiian Electric Company, Inc. (HECO) CSP No. 0686-01-C Significant Modification Application No. 0686-02	Located at: Rodgers Boulevard, Honolulu, Hawaii	Issued: 4/3/12	Honolulu International Airport Dispatch Standby Generators
Clean Air Branch, 586-4200, Covered Source Permit	Goodfellow Brothers, Inc. CSP No. 0660-01-CT Modification Application No. 0660-02	Located at: Various Temporary Sites, State of Hawaii	Issued: 4/9/12	265 tph Mobile Crusher and 400 tph Mobile Jaw Crusher
Clean Air Branch, 586-4200, Covered Source Permit	Alsco – American Linen Division CSP No. 0024-04-C Application for Initial Permit No. 0024-09	Located at: 2771 Wai Wai Loop, Honolulu, Oahu	Comments Due: 5/16/12	Two (2) 400 HP Boilers

**FEDERAL NOTICES**

**Secondary National Ambient Air Quality Standards for Oxides of Nitrogen and Sulfur**

<http://www.gpo.gov/fdsys/pkg/FR-2012-04-03/pdf/2012-7679.pdf>

The U. S. Environmental Protection Agency has issued a final rule as required by a consent decree governing the schedule for completion of this review of the air quality criteria and the secondary national ambient air quality standards (NAAQS) for oxides of nitrogen and oxides of sulfur. Based on its review, the EPA is retaining the current nitrogen dioxide (NO2) and sulfur dioxide (SO2) secondary standards to address the direct effects on vegetation of exposure to gaseous oxides of nitrogen and sulfur and, for reasons described in detail in this final preamble, is not adding new standards at this time to address effects associated with the deposition of oxides of nitrogen and sulfur on sensitive aquatic and terrestrial ecosystems. In addition, in this rule the EPA describes a field pilot program being developed to enhance

our understanding of the degree of protectiveness that would likely be afforded by a multi-pollutant standard to address deposition-related acidification of sensitive aquatic ecosystems. This final rule is effective on June 4, 2012. The EPA has established a docket for this action under Docket ID No. EPA–HQ–OAR–2007–1145. All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) index. Although listed in the index, some information is not publicly available, e.g., confidential business information (CBI) or other information whose disclosure is restricted by statute.

Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in [www.regulations.gov](http://www.regulations.gov) or in hard copy at the Air and Radiation Docket and Information Center, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744 and the telephone number for the Air and Radiation Docket and Information Center is (202) 566–1742. For further information contact Mrs. Ginger Tennant, Office of Air Quality Planning and Standards (OAQPS), U.S. Environmental Protection Agency, Mail Code C504–06, Research Triangle Park, NC 27711; telephone: 919–541–4072; fax: 919–541–0237; email: [tennant.ginger@epa.gov](mailto:tennant.ginger@epa.gov) (see, 77 FR 20 20218, April 03, 2012).

### **Approval and Promulgation of State Implementation Plans; Hawaii; Infrastructure Requirements for the 1997 8-Hour Ozone and the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards**

<http://www.gpo.gov/fdsys/pkg/FR-2012-04-12/pdf/2012-8848.pdf>

The U. S. Environmental Protection Agency (EPA) proposes to partially approve and partially disapprove a State Implementation Plan (SIP) revision submitted by the State of Hawaii pursuant to the requirements of Section 110(a)(1) and (2) of the Clean Air Act (CAA) for the 1997 8-hour ozone national ambient air quality standards (NAAQS) and the 1997 and 2006 NAAQS for fine particulate matter (PM<sub>2.5</sub>). Section 110(a) of the CAA requires that each State adopt and submit a SIP for the implementation, maintenance, and enforcement of each NAAQS promulgated by the EPA. On December 14, 2011, the Hawai'i Department of Health (HDOH) submitted a revision to Hawaii's SIP, which describes the State's provisions for implementing, maintaining, and enforcing standards listed above. We are taking comments on this proposal and plan to follow with a final action. Written comments must be received on or before May 14, 2012. Submit your comments, identified by Docket ID Number EPA–R09–OAR–2012–0228, by one of the following methods: 1. <http://www.regulations.gov>: Follow the on-line instructions for submitting comments. 2. *Email*: [richmond.dawn@epa.gov](mailto:richmond.dawn@epa.gov). 3. *Fax*: 415–947–3579. 4. *Mail or deliver*: Dawn Richmond, Air Planning Office (AIR–2), U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901. Deliveries are only accepted during the Regional Office's normal hours of operation. *Instructions*: All comments will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through <http://www.regulations.gov> or email. <http://www.regulations.gov> is an anonymous access system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send email directly to EPA, your email address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. For further information contact Dawn Richmond, Air Planning Office (AIR–2), U.S. Environmental Protection Agency, Region IX, (415) 972–3207, [richmond.dawn@epa.gov](mailto:richmond.dawn@epa.gov) (see, 77 FR 21914, April 12, 2012).

**Endangered and Threatened Wildlife and Plants; 5-Year Status Reviews of 46 Species in Idaho, Oregon, Washington, Nevada, Montana, Hawai'i, Guam, and the Northern Mariana Islands**

<http://www.gpo.gov/fdsys/pkg/FR-2012-03-06/pdf/2012-5335.pdf>

The U.S. Fish and Wildlife Service (Service) is initiating 5-year reviews for 46 species in Idaho, Oregon, Washington, Nevada, Montana, Hawai'i, Guam, and the Northern Mariana Islands under the Endangered Species Act of 1973, as amended (Act). The Service requests any new information on these species that may have a bearing on their classification as endangered or threatened. Based on the results of the Service's 5-year reviews, the Service will determine whether these species are properly classified under the Act. To ensure consideration in the Service's reviews, it is requesting submission of new information no later than May 7, 2012. However, the Service will continue to accept new information about any listed species at any time. For the 44 species in Hawai'i, Guam, and the Northern Mariana Islands (identified in Table 1 of the Adobe Acrobat PDF file above) submit information to: Field Supervisor, Attention: 5-Year Review, U.S. Fish and Wildlife Service, Pacific Islands Fish and Wildlife Office, 300 Ala Moana Blvd., Room 3-122, Box 50088, Honolulu, HI 96850. Information can also be submitted by email to: [pifwo-5yr-review@fws.gov](mailto:pifwo-5yr-review@fws.gov) (see, 77 FR 13250, March 06, 2012).

**Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units**

<http://www.gpo.gov/fdsys/pkg/FR-2012-04-13/pdf/2012-7820.pdf>

The United States Environmental Protection Agency (EPA) is proposing new source performance standards for emissions of carbon dioxide (CO<sub>2</sub>) for new affected fossil fuel-fired electric utility generating units (EGUs). The EPA is proposing these requirements because CO<sub>2</sub> is a greenhouse gas (GHG) and fossil fuel-fired power plants are the country's largest stationary source emitters of GHGs. The EPA in 2009 found that by causing or contributing to climate change, GHGs endanger both the public health and the public welfare of current and future generations. The proposed requirements, which are strictly limited to new sources, would require new fossil fuel-fired EGUs greater than 25 megawatt electric (MWe) to meet an output-based standard of 1,000 pounds of CO<sub>2</sub> per megawatt-hour (lb CO<sub>2</sub>/MWh), based on the performance of widely used natural gas combined cycle (NGCC) technology. Because of the economics of the energy sector, the EPA and others project that NGCC will be the predominant choice for new fossil fuel-fired generation even absent this rule. In its base case analysis, the EPA does not project any new coal-fired EGUs without CCS to be built in the absence of this proposal through 2030. New coal-fired or pet coke-fired units could meet the standard either by employing carbon capture and storage (CCS) 1 of approximately 50% of the CO<sub>2</sub> in the exhaust gas at startup, or through later application of more effective CCS to meet the standard on average over a 30-year period. The 30-year averaging option could also provide flexibility for owners and operators of coal or pet coke units implementing CCS at the outset of the unit's operation that were designed and operated to emit at less than 1,000 lb CO<sub>2</sub>/MWh to address startup concerns or short term interruptions in their ability to sequester captured carbon dioxide. The EPA is not proposing standards of performance for existing EGUs whose CO<sub>2</sub> emissions increase as a result of installation of pollution controls for conventional pollutants, or for proposed EGUs, which are referred to here as transitional sources, that have acquired a complete preconstruction permit by the time of this proposal and that commence construction within 12 months of this proposal. As a result, those sources would not be subject to the standards of performance proposed in today's rule. Comments must be received on or before June 12, 2012. *Public Hearing:* The EPA will hold public hearings on this proposal. The dates, times, and locations of the public hearings will be announced separately. Oral testimony will be limited to 5 minutes per commenter. The EPA encourages commenters to provide written versions of their oral testimonies either electronically or in paper copy. Verbatim transcripts and written statements will be included in the rulemaking docket. If you would like to present oral testimony at one of the hearings, please notify Ms. Pamela Garrett, Sectors Policies and Programs Division (C504-03), U.S. EPA, Research Triangle Park, NC 27711, telephone

number (919) 541-7966; email: [garrett.pamela@epa.gov](mailto:garrett.pamela@epa.gov). Persons wishing to provide testimony should notify Ms. Garrett at least 2 days in advance of the public hearings. The public hearings will provide interested parties the opportunity to present data, views, or arguments concerning the proposed rule. The EPA officials may ask clarifying questions during the oral presentations, but will not respond to the presentations or comments at that time. Written statements and supporting information submitted during the comment period will be considered with the same weight as any oral comments and supporting information presented at the public hearing. For updates and additional information on the public hearings, please check the EPA's Web site for this rulemaking, <http://www.epa.gov/airquality/carbonpollutionstandards>. **ADDRESSES: Comments.** Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2011-0660, by one of the following methods: *At the Web site* <http://www.regulations.gov>: Follow the instructions for submitting comments. *At the Web site* <http://www.epa.gov/oar/docket.html>: Follow the instructions for submitting comments on the EPA Air and Radiation Docket web site. *Email:* Send your comments by electronic mail (email) to [a-and-rdocket@epa.gov](mailto:a-and-rdocket@epa.gov), Attn: Docket ID No. EPA-HQ-OAR-2011-0660. *Facsimile:* Fax your comments to (202) 566-9744, Attn: Docket ID No. EPA-HQ-OAR-2011-0660. *Mail:* Send your comments to the EPA Docket Center, U.S. EPA, Mail Code 2822T, 1200 Pennsylvania Ave. NW., Washington, DC 20460, Attn: Docket ID No. EPA-HQ-OAR-2011-0660. Please include a total of two copies. In addition, please mail a copy of your comments on the information collection provisions to the Office of Information and Regulatory Affairs, OMB, Attn: Desk Officer for EPA, 725 17th St. NW., Washington, DC 20503 (see, 77 FR 22392, April 13, 2012).

### **Endangered and Threatened Wildlife and Plants; Listing 23 Species on O'ahu as Endangered and Designating Critical Habitat for 124 Species**

<http://www.gpo.gov/fdsys/pkg/FR-2012-04-12/pdf/2012-8807.pdf>

The U.S. Fish and Wildlife Service (Service), announces the reopening of the comment period on our August 2, 2011, proposal to list as endangered and to designate critical habitat for 23 species on the island of Oahu in the Hawaiian Islands under the Endangered Species Act of 1973, as amended (Act); designate critical habitat for 2 plant species that are already listed as endangered; and to revise critical habitat for 99 plant species that are already listed as endangered or threatened. The Service also announces the availability of a draft economic analysis (DEA) of the proposed designation and an amended required determinations section of the proposal. We are reopening the comment period to allow all interested parties an opportunity to comment simultaneously on the proposed rule, the associated DEA, and the amended required determinations section. Comments previously submitted on this rulemaking do not need to be resubmitted, as they will be fully considered in preparation of the final rule. We are also considering revising the boundary for Oahu — Lowland Dry—Unit 8, from that described in the proposed rule, based on new information regarding the biological conditions within certain portions of the unit. **DATES:** The comment period end date is May 14, 2012. We request that comments be submitted by 11:59 p.m. Eastern Time on the closing date.

You may obtain a copy of the DEA via <http://www.regulations.gov> at Docket No. FWS-R1-ES-2010-0043 or by contacting Loyal Mehrhoff, Field Supervisor, Pacific Islands Fish and Wildlife Office, 300 Ala Moana Boulevard, Box 50088, Honolulu, HI 96850; by telephone at 808-792-9400; or by facsimile at 808-792-9581. You may submit comments as follows: *Electronically:* Go to the Federal eRulemaking Portal at <http://www.regulations.gov>. Search for Docket No. FWS-R1-ES-2010-0043, which is the docket number for this rulemaking. *By hard copy:* Submit by U.S. mail or hand-delivery to: Public Comments Processing, Attn: FWS-R1-ES-2010-0043; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042-PDM; Arlington, VA 22203. The Service will post all comments on <http://www.regulations.gov> (see, 77 FR 21936, April 12, 2012).



## **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).