



Manoa Heritage Center photo

The Environmental Notice

A Semi-Monthly Bulletin pursuant to 343-3, Hawai'i Revised Statutes

IMPORTANT NOTICES

[THE ENVIRONMENTAL COUNCIL, RULES COMMITTEE HAS PREPARED A DRAFT DOCUMENT UPDATING HAWAII ADMINISTRATIVE RULES \(HAR\) 11-200, THE ENVIRONMENTAL IMPACT STATEMENT \(EIS\) RULES.](#)

The HAR 11-200 Ramseyer Markup, dated August 16, 2012, and a comment matrix are available on the [OEQC Share Point site](#). This effort is in the nature of consultation and is the result meetings with agencies and members of the public over the past year, who have requested that the Environmental Council propose draft language as a starting point for discussion and on which agencies and the public can base their responses.

This draft document is version 1 and the first of three rounds. The first round is expected to extend through mid-October 2012. It is a preliminary draft of proposed language to stimulate discussion and feedback from agencies and the public in order to develop robust consensus on how to update the rules with appropriate language. The Rules Committee seeks feedback from agencies and the public on the proposed language, the reasoning supporting the proposed language, alternative approaches, and alternative language. The Rules Committee anticipates holding meetings to receive public and agency feedback on the proposed draft language, tentatively scheduled for September 20, 2012 and October 18, 2012. It currently does not anticipate conducting formal public hearings for amending HAR 11-200 until around 2014, after completing the three rounds of draft language and obtaining the approval of the Governor to hold public hearings.

To help the Rules Committee organize feedback, a comment matrix (Excel spread sheet) has been prepared. The purpose of the comment matrix is to provide a structured means for agencies and the public to give feedback to the Rules Committee. Use of the comment matrix expedites the turnaround period between draft documents by standardizing the comment process, allowing the Rules Committee to sort for duplicate comments from multiple commenters, and providing legible and issue-specific comments. While the Rules Committee strongly encourages the use of the comment matrix, other traditional forms of submission are welcome. Please send any comments or completed comment matrices to environmental.council@doh.hawaii.gov.

The Rules Committee looks forward to hearing your mana'o and working with you to update Chapter 11-200, Hawai'i Administrative Rules, also known as the EIS Rules.

AMENDED NOTICE OF INTENT UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT TO PREPARE THE HAWAII CLEAN ENERGY PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT

In 2010, the United States Department of Energy (DOE) announced its intent to prepare a *PEIS for the Hawai'i Interisland Renewable Energy Program (HIREP): Wind* (DOE/EIS-0459) (HIREP: Wind PEIS). In response to public scoping comments on the HIREP: Wind PEIS, as well as regulatory and policy developments since the scoping meetings, DOE proposes to broaden the range of energy efficiency and renewable energy activities and technologies to be analyzed in the PEIS and, accordingly, has renamed it the *Hawai'i Clean Energy PEIS*. The State of Hawai'i and the U.S. Department of the Interior's Bureau of Ocean Energy Management (BOEM) are cooperating agencies in preparing this PEIS. DOE invites public comment on the scope of the PEIS during a 60-day public scoping period ending on October 9, 2012. For more information, please see page 10 of this document.

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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

HAWAI'I (HRS 343)

1. Kapi'olani Street Extension (DEA-AFNSI)

Island: Hawai'i
District: South Hilo
TMK: TMK (3rd.) 2-4-001: 019, 024, 120, 167, 179, 181, 182 and 183. 2-4-023:009-010; 019-023: 024-026. 2-4-028:014-015: and 032. 2-4-056: 004-006: 014-015; 021-022; 028-029 and 030. 2-4-057:024, 025 and 028
Permits: State Historic Preservation Division: Chapter 6E Concurrence; State Department of Health: NPDES; County of Hawai'i, Department of Public Works: Grubbing and Grading Permits, County of Hawai'i, Planning Department Plan Approval



Proposing/Determination

Agency: Hawai'i County Department of Public Works, 101 Pauahi Street, Suite 7, Hilo, HI 96720. Contact: Allan Simeon (808) 961-8925
Consultant: Geometrician Associates, PO Box 396, Hilo HI 96721. Contact: Ron Terry (808) 969-7090
Status: Statutory 30-day public review and comment period starts, comments are due on September 24, 2012. Send comments to the proposing agency and consultant.

The Hawai'i County Department of Public Works proposes to extend Kapi'olani Street in Hilo between Lanikaula and Moho'uli Streets. The project includes two-lanes and a central median/turn lane, curbs, gutters, and sidewalks, bike lanes, a concrete bridge across Waiākea Stream, drainage structures, utility relocation, intersection channelization and improvements, traffic signals, crosswalks, ADA curb ramps, street lighting, landscaping, retaining walls, property and driveway tie-ins, a potential bus shelter pullout, and other related improvements. The purpose and need is to: 1) improve traffic flow on Kilauea and Kino'ole Streets; 2) provide a bike and pedestrian route from the University of Hawai'i at Hilo to Moho'uli Street, as part of a downtown to university connection; 3) provide access to undeveloped State of Hawai'i lands for beneficial public uses; and 4) provide an alternative evacuation route during tsunamis. The new road would mostly be located on existing County right-of-way within Kapi'olani, Moho'uli and Lanikaula Streets and three properties that were set aside in 2010 for the proposed road, with limited right-of-way acquisition from corner and adjacent properties. Beneficial effects include linking the disconnected segments of Kapi'olani Street to provide access, connectivity and safer biking. In general, traffic congestion would decrease and air quality would increase due to the more efficient link. No valuable species or habitat are present, and historic sites include only four remnants of 20th century flood control, sugar cane cultivation and dairy uses that lack integrity or significance for preservation. Short-term impacts to water quality, air quality, traffic congestion and noise can be mitigated to minor levels, and growth facilitated by the project has been specified in State and County plans. Cumulative impacts during construction may occur but can be mitigated by scheduling and coordination; permanent cumulative traffic impacts can be alleviated by adjusting existing university traffic/parking restrictions and mass transit schedules.

2. Airfield, Terminal, and Facility Improvements for the Kona International Airport at Keahole (DEA-AFNSI)

Island: Hawai'i
District: North Kona
TMK: 7-3-043: portion of 001, 002, and 003, which include parcels 006-018, 022-035, 037, 038, 040, 044-050, 052-059, 062, 064, 095-097, and 103-105; and, 7-2-005: 007
Permits: Noise Variance Permit, National Pollutant Discharge Elimination System (NPDES), Individual Permit for Storm



Water Associated with Construction Activity, Underground Injection Control (UIC) Permit, Conservation District Use Permit, Coastal Zone Management (CZM) Federal Consistency Certification, Land Use District Boundary Amendment, Special Management Area Use Permit, County of Hawai'i Plan Approval, County of Hawai'i Zoning Variance, Grading/Grubbing Permit, Building Permit

Proposing/Determination

Agency: Department of Transportation, Airports Division, 400 Rodgers Boulevard, Suite 700 Honolulu, HI 96819. Contact: Ms. Lynn Becone (808) 838-8817

Consultant: Wilson Okamoto Corporation, 1907 S. Beretania Street, Ste. 400, Honolulu, HI 96826. Contact: Mr. Earl Matsukawa (808) 946-2277

Status: Statutory 30-day public review and comment period starts, comments are due on September 24, 2012. Send comments to the proposing agency and consultant.

The State of Hawai'i Department of Transportation Airports Division (DOT-A) is proposing various improvements at the Kona International Airport located in Keahole, North Kona, Hawai'i. In October 2010, the DOT-A completed the *Kona International Airport at Keahole Airport Master Plan* which provides a long-range vision of developments on airport property. The currently proposed improvements are those that are anticipated to be implemented within the next five to ten years. Included are airfield improvements and airport facilities presented in the master plan, as well as smaller projects that are not specified in the master plan. The proposed improvements include the following: Expansion of the General Aviation Facilities; Construction of a new Helicopter Facility; Extension and Widening of the KATR; Construction of Road M; Relocation of the Onizuka Space Center; Construction of the Terminal Modernization Phase I; Construction of a High-Pressure Hydrogen Fuel Storage and Fueling Station; Construction of a Regional ARFF Training Facility; Construction of a Medical Transitional Facility; Interior renovations of the existing ARFF Station for a new Commuter Terminal; and, Construction of a temporary State Department of Agriculture Inspection Facility.

MAUI (HRS 343)

3. [Wailuku-Kahului Wastewater Reclamation Facility Shoreline Protection Extension \(DEIS\)](#)

Island: Maui

District: Wailuku

TMK: (2) 3-8-001:188

Permits: Department of Army Permit, Conservation District Use Permit, Section 401 Water Quality Certification, National Pollutant Discharge Elimination System Permit, Coastal Zone Management Consistency Approval, Special Management Area Use Permit, Shoreline Setback Variance, Flood Hazard Development Permit



Proposing/ Determination

Agency: County of Maui, Department of Environmental Management, 2200 Main Street, Suite 200, Wailuku, Hawai'i 96793. Contact: Kyle Ginoza (808) 270-8230

Consultant: Mankato & Hiraga, Inc. 305 High Street, Suite 104, Wailuku, Hawai'i 96793. Contact: Mich Hirano (808) 244-2015.

Status: Statutory 45-day public review and comment period starts, comments are due on October 08, 2012. Send comments to the proposing agency and consultant.

The County of Maui Department of Environmental Management proposes to extend the existing shoreline protection at the Wailuku-Kahului Wastewater Reclamation Facility (WKKWRF). In accordance with recommendations for a 1,500 foot revetment from the Army Corps of Engineers to protect the facility, a 450-foot portion of the rock revetment was constructed in 1979. The proposed project entails completing the revetment with an extension of 1,200 feet of new revetment to the west of the existing revetment. A short section of the extension where it connects to the existing revetment will

be aligned seaward of the certified shoreline, then it follows an inland alignment to minimize impacts on the shoreline. Additional landward extensions will be required at each end of the revetment to prevent flanking. The crest of the new revetment will be between elevations of +1- to + 13 feet Mean Lower Low Water (MLLW) and the toe of the revetment will be set at -3 feet MLLW. The crest elevation of the existing revetment will be raised to match the new revetment crest height to provide additional sea-level rise capacity. At the base of the revetment will be a layer of geotextile filter fabric, then a layer of bedding stones and two (2) layers of armor stone. Any required fill will be of beach-quality sand, and any additional sand will be used to cover the revetment.

O'AHU (HRS 343)

4. Hale Kula Elementary School Improvements (DEA-AFNSI)

Island: O'ahu
District: Wahiawā
TMK: (1) 7-7-001:003
Permits: NPDES, Historic Preservation, Section 106 and Chapter 6E HRS; Plan Approval (County); Grubbing, Grading and Stockpiling Permit; Building Permits, demolition permits Occupancy Permit,, NEPA compliance/REC Concurrence & Infrastructure connection approvals (U.S. Army Garrison Directorate of Public Works)



Proposing/Determination

Agency: State of Hawai'i, Department of Education, Public Works, P.O. Box 2360. Honolulu, HI 96804. Contact: Duane Kashiwai (808) 586-0434. Fax: (808) 586-0532
Consultant: PBR HAWAII & Associates, Inc. 1001 Bishop Street, Suite 650, Honolulu, HI 96813. Contact: Vincent Shigekuni (808) 521-5631 Fax: (808) 523-1402.
Status: Statutory 30-day public review and comment period starts, comments are due on September 24, 2012. Send comments to the proposing agency and consultant.

In a jointly funded project, the State of Hawai'i Department of Education and the Department of Defense (DoD) – Office of Economic Adjustment (OEA) propose the improvement of Hale Kula Elementary located on Schofield Barracks. A DoD assessment concluded that numerous structures were undersized, deficient or beyond their useful life. New classrooms that meet federal standards would be needed and the electrical infrastructure would require upgrades to support current technology and air conditioning. The project will provide needed support facilities that include a new expanded library/technology center, administrative center, student support center, ten classroom building, self-contained special education classroom, outdoor dining pavilion, and covered play court. The existing library and administration buildings are proposed for demolition and up to 10 portable classrooms removed from the campus. The remaining buildings and cafeteria will be renovated. Renovation will include the removal of lead-based paint and asbestos containing material as well as the installation of cabinets, floors, fans, lightning protection, paint and roofs as required based on the assessment. Incorporation of the these improvements will meet the requirements of the DoD program and are in line with the DOE's standards for public schools within the state of Hawai'i.

5. Highway Improvements, Roadway Repair, Vicinity of 3798 Tantalus Drive (FEA-FONSI)

Island: O'ahu
District: Honolulu
TMK: 2-5-012: 004 and 014; 2-5-019: 005 and 009
Permits: DOH Noise Permit
Proposing/ Determination
Agency: City and County of Honolulu, Department of Design and Construction, 650 South King Street, 11th Floor,



Honolulu, HI 96813. Contact: Michael Yamasaki (808)768-8824.

Consultant: Kimura International, Inc. 1600 Kapi'olani Boulevard, Suite 1610, Honolulu, HI 96814.
Contact: Nancy Nishikawa (808) 944-8848.

Status: Finding of No Significant Impact

The Honolulu Department of Design and Construction (DDC) proposes to repair an existing crib wall and improve a portion of Tantalus Drive known as the Hogsback, in the vicinity of 3798 Tantalus Drive. Voids in the existing crib wall will be filled then encapsulated with mesh reinforced shotcrete. A 200-foot section of the road will be reconstructed using a reinforced concrete slab supported by a deep foundation system of drilled shafts. New reinforced concrete railings (barrier walls) will be integrated with the concrete slab. The project also includes drainage and erosion control improvements and ancillary roadway improvements. The project is considered necessary to stabilize the road, maintain its long-term use, and improve public safety.

Tantalus-Round Top Drive is an historic road that is listed on the National and Hawaii Registers of Historic Places. In reconstructing the road segment, the project proposes to demolish and remove adjacent concrete rubble masonry walls, concrete curbs, and a spillway—contributing elements to the historic road. Design features to mitigate these changes include molding the concrete to match the textures of existing facilities, color conditioning to blend with the existing environment, and reusing salvaged construction material. Removal of tall trees and brush will improve views from the Hogsback, also part of the area's historic character.

Construction is estimated to take 12 months. Because of space constraints in the construction zone, and for safety reasons, approximately 850 feet of Tantalus Drive will be closed for about 5 months. A traffic control plan will be implemented. Construction-related noise and dust impacts will be mitigated through BMPs.

6. ['Aiea Live, Work, Play \(FEIS\)](#)

Island: O'ahu

District: 'Ewa

TMK: (1) 9-8-013:013 and (1) 9-8-013:015 (remnant State parcel)

Permits: Change in Zone, Subdivision Approval, NPDES Permit, Grading/Building Permits

Applicant: CP Kam Properties LLC, 120 North Robertson Boulevard, Los Angeles, CA 90048. Contact: Mr. John Manavian, (310) 855-8484.

Approving

Agency: City and County of Honolulu, Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, HI 96813. Contact: Ms. Sharon Nishiura (808) 768-8031

Consultant: PBR HAWAII, 1001 Bishop Street, Suite 650, Honolulu, Hawaii 96813. Contact: Tom Schnell (808) 521-5631

Status: Notice of Availability. Acceptance or non-acceptance will be determined and published after review by the approving agency. There is no comment period.



Live, Work, Play 'Aiea, proposed on the 14-acre property formerly used for Kamehameha Drive-In Theatre in 'Aiea, O'ahu, will integrate homes, stores, restaurants, offices, and public plazas into a compact, walkable urban village in close proximity to employment centers and multiple forms of transportation. Major components include up to 1,500 homes in five building ranging in height from 150 to 350 feet tall, 143,000 square feet of commercial space, and 80,000 square feet of office space. To allow for the uses envisioned, a change in zoning will be necessary from the B-2 Community Business District to BMX-3 Community Business Mixed-Use District with a maximum height limit of 350 feet.

Positive impacts include the provision of needed residential and commercial space, contributions toward public facilities and infrastructure, and significant economic benefits. Potential adverse impacts include changes to site character, increased traffic, solid waste generation, electrical consumption, and short-term impacts to air quality and noise levels due to construction.

The final EIS also includes discussion of compliance with City and County of Honolulu and community plans, including the Primary Urban Center Development Plan, the Aiea-Pearl City Livable Communities Plan, and the Aiea-Pearl City Neighborhood TOD Plan Public Review Draft.

ENVIRONMENTAL COUNCIL

The Environmental Council has a tentative meeting scheduled for Thursday, September 20, 2012. Please go to the State [Calendar](#) website six days prior to the meeting date to review the agenda. For more information, contact the Council at oeqc@doh.hawaii.gov or call 586-4185.

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: Lana'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

Hardy Street Improvements, Lihu'e, Kaua'i

Applicant: County of Kaua'i Department of Public Works

Contact: James Hayes, Parsons Brinckerhoff

Federal Action: Federal Funding

Federal Agency: Federal Highway Administration (FHWA)

Location: Kuli'o Hwy to Rice Street, Lihu'e

TMK: (4) 3-6-2; 3-6-3; 3-6-6; 3-6-15; 3-6-18

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

Proposed Action: Construct improvements to Hardy Street between Kuli'o Highway and Rice Street in Lihu'e, Kaua'i, with federal funding from the FHWA. All proposed roadway improvements will occur within the existing roadway right-of-way and will focus on improving vehicular, pedestrian, and bicycle circulation in the area. Hardy Street will remain a two-lane roadway, but a left turn lane with a median will be created, and bike lanes, sidewalks, and landscaping will be added. In anticipation of adding signalization of the Hardy Street - Kuli'o Highway intersection in the future, conduits and pullboxes will be installed as part of the project. In addition, a roundabout is proposed at the Hardy Street - 'Umi Street intersection due to the unusual geometry of the approaching streets. The proposed Hardy Street improvements are intended to have a beneficial effect on all surrounding properties.

Comments Due: September 6, 2012

Special Management Area (SMA) Minor Permits

The SMA Minor permits below have been approved or are pending approval (HRS 205A-30). For more information, contact the county/state Planning Department. Honolulu (523-4131); Hawai'i (961-8288); Kaua'i (241-6677); Maui (270-7735); Kaka'ako or Kalaeloa Community Development District (587-2840).

Location (TMK)	Description (File No.)	Applicant/Agent
Hawai'i: Hakalau (2-9-002: 083)	Removal of Invasive Trees, Routine Maintenance and Planting of Native Species (SMM 12-231)	Chad R. Walker
Kaua'i: (5-5-001: 005, 006 and 007)	Fence and Boulder Placement (SMA(M)-2013-4)	County of Kaua'i
Maui: Makena (2-1-007: 092)	Install Water & Sewer Laterals (SM2 20070085)	ATC Makena Land SF2, LLC
Maui: Kahului (3-7-011: 002)	Maui Oil Company Ground Sign (SM2 20120097)	Terry Mcbarnet
Maui: Waihe'e (3-2-002: 018)	Main Dwelling, Carport (SM2 20120098)	Juan Cruz Reverberi
Maui: Lahaina (4-6-028: 045)	Apartment 17-3 Alterations/Repair (SM2 20120099)	Randolph S. Coon
O'ahu: Wailupe (3-6-002: 004)	Grace Chapel of Honolulu Parking Lot Expansion (2012/SMA-11)	Grace Chapel of Honolulu/Group 70 International, Inc.

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
MA-516	6/21/12	Portion of Grant 3343 to Claus Spreckels situate at Spreckelsville, Wailuku, Maui Address: 594 Stable Road Purpose: Sand replenishment permit requirement	Warren S. Unemori Engineering, Inc., Arapahoe Financial Plaza and JJWP LLC	3-8-002:035
MA-517	8/9/12	Portion of L.C. Aw. 8559-B to William C. Lunalilo situate at Papahawale, Wai'ehu, Wailuku, Maui Address: 898 Pakele Place Purpose: Determine shoreline setback	Martina W. Jale/ Frans Vanderlee	3-3-001:027
MA-518	8/13/12	Kamaole One- Lot 12 of Kamaole Beach Lots being all of Grant 13221 to Julian E. Simpson & WF. Jean C. situate at Kihei, Maui Address: 2230 South Kihei Road Purpose: Shoreline setback purposes	Ronald M. Fukumoto Engineering, Inc./ Kamaole One	3-9-005:023
MA-519	8/13/12	Lot 71 of Land Court Application 1744 situate at Hanaka'o'o, Lahaina, Maui Address: 100 Nohea Kai Drive Purpose: Planning for future use of subject parcel	Warren S. Unemori Engineering, Inc./ Maui Ocean Club	4-4-013:001
HA-454	8/8/12	Portion of R.P. 7819, L.C. Aw. 8559-B, Ap. 8 to W.C. Lunalilo situate at Puapua'a 2 nd , North Kona, Island of Hawai'i Address: 71-6126 Ali'i Drive Purpose: Obtain County permits	Wes Thomas Associates/ Jeffrey and Janet Iverson	7-5-020:020

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.	Proposed/Rejected	Location	Applicant/Owner	TMK
MA-511	Proposed Shoreline Certification	Lot 3-A of the Subdivision of Lot K-1 being a portion of Grant 835 to Mahoe and a portion of Royal Patent 4137, Land Commission Award 4292-B, Apana 2 to Kalama situate at Kaleo, Honua'ula, Makawao, Maui Address: 5410 Lower Makena Road Purpose: SMA and building permitting purposes	Newcomer-Lee Land Surveyors, Inc./ Edward F. Sher & Mona L. Soderstrom Sher	2-1-007:069

CONSERVATION DISTRICT NOTICES

Persons interested in commenting on the following Conservation District Use Application (CDUA) 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 staff listed for each project.

File No: CDUA MA-3632

Applicant: County of Maui, Department of Water Supply

Location: Ha'iku Uka, Makawao, Maui (Ko'olau Forest Reserve)

TMK: (2) 2-4-016:002, 003, 004

Proposed Action: Waikamoi Flume Replacement

343, HRS Determination: Exempt pursuant to HRS §11-200-8 (2), Replacement of reconstruction of existing structures and facilities

Applicant's Contact: Mark Alexander Roy, Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793; 808-244-2015

OCCL Staff Contact: Michael Cain, PO Box 621, Honolulu, HI 96809; 808-587-0048

FEDERAL NOTICES

1. [Record of Decision for the U.S. Marine Corps Basing of MV-22 and H-1 Aircraft in Support of III Marine Expeditionary Force Elements in Hawai'i](#)

Pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, 42 United States Code (U.S.C) 4321-4374, as implemented by the Council on Environmental Quality regulations, 40 Code of Federal Regulations (CFR) Parts 1500-1508, Department of the Navy (DoN) NEPA regulations (32 CFR part 775), and Marine Corps Order P5090.2A (with Changes 1 and 2) Marine Corps Environmental Compliance and Protection Manual, Chapter 12, the DoN announces its decision to base and operate up to two Marine Medium Tiltrotor (VMM) squadrons (up to 12 MV-22 Osprey per squadron, for a total of 24 aircraft) and one Marine Light Attack Helicopter (HMLA) squadron (15 AH-1 Cobra attack and 12 UH-1 Huey utility helicopters, for a total of 27 aircraft) in support of III Marine Expeditionary Force

elements in Hawai'i. The tiltrotor MV-22 Osprey aircraft provides the "next generation equipment" offering increased speed, longer range, and greater mission versatility than a helicopter. The MV-22 also satisfies the medium-lift capability needed for assault support transport of combat troops, equipment, and supplies. The HMLA squadron will be relocated from Marine Corps Base (MCB) Camp Pendleton to provide rotary-wing lightlift and attack capabilities not currently based in Hawai'i and routine training with infantry. The 3d Regiment at MCB Hawai'i Kane'ohe Bay is the only infantry regiment within the Marine Corps that does not routinely train with rotarywing light-lift and attack support. In support of the proposed action to base and operate up to two VMM squadrons and one HMLA squadron in Hawai'i, the DoN will: (1) Implement facilities projects at MCB Hawai'i Kane'ohe Bay to accommodate the squadrons, to include demolition, new construction, and renovation; (2) conduct aviation training, readiness, and special exercise operations at training facilities and federally obligated state airports statewide; and (3) construct improvements at selected training facilities. All practical means to avoid or minimize environmental harm from the selected alternative have been adopted. The complete text of the Record of Decision is available for public viewing on the project Web site at www.mcbh.usmc.mil/mv22h1eis along with the Final Environmental Impact Statement and the Programmatic Agreement negotiated under Section 106 of the National Historic Preservation Act. For further information, contact Naval Facilities Engineering Command, Pacific Division, Attn: EV21, MV-22/H-1 EIS Project Manager, 258 Makalapa Drive, Suite 100, Pearl Harbor, HI 96860-3134, telephone 808-472-119 (see, 77 F.R. 48969, August 15, 2012).

2. [Approval and Promulgation of State Implementation Plans; Hawai'i; Infrastructure Requirements for the 1997 8-Hour Ozone and the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards](#)

The United States Environmental Protection Agency (EPA) is approving in part and disapproving in part a State Implementation Plan (SIP) revision submitted by the state of Hawai'i 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_{2.5}). **DATES:** *Effective Date:* This final rule is effective on October 9, 2012. **ADDRESSES:** EPA has established a docket for this action, identified by Docket ID Number EPA-R09-OAR-2012-0228. The index to the docket for this action is available electronically at <http://www.regulations.gov> and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (e.g., copyrighted material), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed directly below. **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 (see, 77 F.R. 47530, August 09, 2012).

3. [Amended Notice of Intent under the National Environmental Policy Act to Prepare the Hawai'i Clean Energy Programmatic Environmental Impact Statement](#)

In 2010, the United States Department of Energy (DOE) announced its intent to prepare a *PEIS for the Hawai'i Interisland Renewable Energy Program (HIREP): Wind* (DOE/EIS-0459) (HIREP: Wind PEIS). In response to public scoping comments on the HIREP: Wind PEIS, as well as regulatory and policy developments since the scoping meetings, DOE proposes to broaden the range of energy efficiency and renewable energy activities and technologies to be analyzed in the PEIS and, accordingly, has renamed it the *Hawai'i Clean Energy PEIS*. DOE's proposal will involve the development of guidance to use in future funding decisions and other actions to support Hawai'i in achieving the goal established in the Hawai'i Clean Energy Initiative (HCEI) to meet 70% of the State's energy needs by 2030 through energy efficiency and renewable energy. Achieving the HCEI goal could involve a diverse range of activities. Accordingly, this PEIS will analyze the potential environmental impacts of activities in the following clean energy categories: (1) Energy Efficiency, (2) Distributed Renewables, (3) Utility-Scale Renewables, (4) Alternative Transportation Fuels and Modes, and (5) Electrical Transmission and Distribution. The State of Hawai'i and the U.S. Department of the Interior's Bureau of Ocean Energy

Management (BOEM) are cooperating agencies in preparing this PEIS. **DATES:** DOE invites public comment on the scope of the PEIS during a 60-day public scoping period ending on October 9, 2012. DOE will consider all comments received or postmarked by the end of the scoping period, and will consider comments received or postmarked after the ending date to the extent practicable. **ADDRESSES:** Written comments on the scope of the PEIS or a request to be added to the PEIS distribution list may be submitted as follows: 1. Email to hawaiiicleanenergypeis@ee.doe.gov; 2. Electronic comments via the PEIS Web site at <http://www.hawaiiicleanenergypeis.com> Facsimile (fax) to (808) 541-2253. Attention: Hawai'i Clean Energy PEIS; 4.U.S. mail to Jim Spaeth, U.S. Department of Energy, 300 Ala Moana Blvd., P.O. Box 50247, Honolulu, HI 96850-0247. **FOR FURTHER INFORMATION CONTACT:** contact Jane Summerson, DOE National Environmental Policy Act (NEPA) Document Manager, Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585, or Jim Spaeth, U.S. Department of Energy, 300 Ala Moana Blvd., P.O. Box 50247, Honolulu, HI 96850-0247, or send an email to hawaiiicleanenergypeis@ee.doe.gov.

Information on the Hawai'i Clean Energy PEIS is available on the PEIS Web site at <http://www.hawaiiicleanenergypeis.com> and at various Hawai'i State Libraries. For general information about the DOE NEPA process, contact Carol Borgstrom, Director, Office of NEPA Policy and Compliance (GC-54), U.S. Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585, or (800) 472-2756 or askNEPA@hq.doe.gov.

PUBLIC PARTICIPATION: SCOPING, EIS DISTRIBUTION, SCHEDULE:

- September 11, 2012, 5:00-8:30 p.m. at O'ahu, McKinley High School, 1039 South King Street, Honolulu, HI 96814
- September 12, 2012, 5:30-9:00 p.m. at Kaua'i, Kaua'i War Memorial Convention Hall, 4191 Hardy Street, Lihu'e, HI 96766
- September 13, 2012, 5-8:30 p.m. at Hawai'i, Kealakehe High School, 74-5000 Pu'ohulihuli Street, Kailua-Kona, HI 96740
- September 14, 2012, 5-8:30 p.m. at Hawai'i, Hilo High School, 556 Waiianuenue Avenue, Hilo, HI 96720
- September 17, 2012, 5:30-9 p.m. at Maui, Pomaika'i Elementary School, 4650 South Kamehameha Avenue, Kahului, HI 96732
- September 18, 2012, 5-8:30 p.m. at Lana'i, Lana'i High & Elementary School, 555 Fraser Avenue, Lana'i City, HI 96763
- September 19, 2012, 5:30-9 p.m. at Moloka'i, Mitchell Pau'ole Community Center, 90 'Ainoa Street, Kaunakakai, HI 96748
- September 20, 2012, 5-8:30 p.m. at O'ahu, James B. Castle High School, 45-386 Kane'ohe Bay Drive, Kane'ohe, HI 96744

Each scoping meeting will involve: a presentation that describes the NEPA process and the concept of a Programmatic EIS; a question and answer session; and a formal commenting session, which will be transcribed by a court reporter to ensure that all comments are available to DOE for consideration during preparation of the draft PEIS. The meetings will provide opportunities to view exhibits on potential clean energy approaches, ask questions, and submit comments orally or in writing. Representatives from DOE, Hawai'i, BOEM, and any other involved agencies will be available to answer questions and provide additional information to participants. Individuals who submit comments during the scoping process and provide their contact information will receive copies of the draft PEIS. The format of the draft PEIS provided could be a printed summary and CD of the complete document, a CD of the document, Web site access to the document, or a complete printed document, according to the commenter's format preference. Persons who do not submit comments during scoping, but would like to receive a copy of the draft PEIS when it is issued, should submit a request as provided in the **ADDRESSES** section and specify their format preference. Information on the Hawai'i Clean Energy PEIS is available on the PEIS Web site at <http://www.hawaiiicleanenergypeis.com> Materials relating to this PEIS also will be available at the public libraries and several additional public libraries across the State of Hawai'i (for a complete list, see the PEIS Web site): In preparing the draft PEIS, DOE will consider comments received during the

scoping period and will consider late comments to the extent practicable. DOE plans to issue the draft PEIS in 2013. The U.S. Environmental Protection Agency (EPA) will publish a Notice of Availability (NOA) of the draft PEIS in the **Federal Register**, which will begin a minimum 45-day public comment period. DOE will announce how to comment on the draft PEIS and will hold public hearings during the public comment period, but no sooner than 15 days after the NOA of the draft PEIS is published. In preparing the final PEIS, DOE will respond to comments received on the draft PEIS. DOE plans to issue the final PEIS in 2014. No sooner than 30 days after EPA publishes a NOA of the final PEIS, DOE may issue its Record of Decision regarding its actions considered in the PEIS (see, 77 F.R. 47828, August 10, 2012).

4. [Draft 2012 Marine Mammal Stock Assessment Reports](#)

The National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), of the United States Department of Commerce reviewed the Alaska, Atlantic, and Pacific regional marine mammal stock assessment reports (SARs) in accordance with the Marine Mammal Protection Act. SARs for marine mammals in the Alaska, Atlantic, and Pacific regions were revised according to new information. NMFS solicits public comments on draft 2012 SARs. **DATES:** Comments must be received by November 5, 2012. **ADDRESSES:** The 2012 draft SARs, summaries of them, and references cited in this notice are available in electronic form via the Internet at <http://www.nmfs.noaa.gov/pr/sars/draft.htm>. Copies of the Alaska Regional SARs may be requested from Robyn Angliss, Alaska Fisheries Science Center, NMFS, 7600 Sand Point Way NE., BIN 15700, Seattle, WA 98115-0070. Copies of the Atlantic, Gulf of Mexico, and Caribbean Regional SARs may be requested from Gordon Waring, Northeast Fisheries Science Center, 166 Water St., Woods Hole, MA 02543. Copies of the Pacific Regional SARs may be requested from Jim Carretta, Southwest Fisheries Science Center, 8604 La Jolla Shores Drive, La Jolla, CA 92037-1508. You may submit comments, identified by [NOAA-NMFS-2012-0119], by any of the following methods: *Electronic Submissions:* Submit all electronic public comments via the Federal eRulemaking Portal <http://www.regulations.gov>. *Mail:* Send comments or requests for copies of reports to: Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3226, Attn: Stock Assessments. *Instructions:* All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter N/A in the required fields, if you wish to remain anonymous). You may submit attachments to electronic comments in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only. **FOR FURTHER INFORMATION CONTACT:** Shannon Bettridge, Office of Protected Resources, 301-427-8402, Shannon.Bettridge@noaa.gov; Robyn Angliss 206-526-4032, Robyn.Angliss@noaa.gov, regarding Alaska regional stock assessments; Gordon Waring, 508-495-2311, Gordon.Waring@noaa.gov, regarding Atlantic, Gulf of Mexico, and Caribbean regional stock assessments; or Jim Carretta, 858-546-7171, Jim.Carretta@noaa.gov, regarding Pacific regional stock assessments ((see, 77 F.R. 47043, August 07, 2012).

5. [Federal Emergency Management Agency, 44 CFR Part 65. Changes in Flood Elevation Determinations](#)

The Federal Emergency Management Agency (FEMA), of the United States Department of Homeland Security (DHS) has issued a final rule finalizing the Modified Base (1% annual chance) Flood Elevations (BFEs) for the City and County of Honolulu. These modified BFEs will be used to calculate flood insurance premium rates for new buildings and their contents. **DATES:** The effective dates for these modified BFEs are indicated on the following table and revise the Flood Insurance Rate Maps (FIRMs) in effect. State: Hawai'i (FEMA Docket No.: B-1240) County: City and County of Honolulu Case Number: 11-09-3899P Date(s) and name of newspaper where notice was published: November 10, 2011, and November 17, 2011, *The Honolulu Star-Advertiser*. Chief Executive Officer of the Community: The Honorable Peter B. Carlisle, Mayor, City and County of Honolulu, 530 South King Street, Room 300, Honolulu, HI 96813. Effective Date: March 16, 2012 Community Number: 150001

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (email) Luis.Rodriguez3@fema.dhs.gov (see, 77 F.R. 44499, July 30, 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 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 Hawaii 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).