



Manoa Heritage Center Photo

The Environmental Notice

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

COUNTY OF KAUAI DEPARTMENTS OF PUBLIC WORKS AND PARKS AND RECREATION SUBMITTED AN UPDATED COMPREHENSIVE EXEMPTION LIST TO THE ENVIRONMENTAL COUNCIL FOR REVIEW.

Section 343-6 of Hawaii Revised Statutes (HRS) authorizes the Environmental Council to establish procedures to exempt specific types of actions from the need to prepare an environmental assessment because the action will have minimal or no significant effect on the environment. The Kaua'i County Departments of Public Works and Parks and Recreation has updated their comprehensive exemption list. The Environmental Council's Exemption Committee is currently reviewing the proposed changes. If the committee concurs upon the proposed comprehensive exemption list, the previous list that was reviewed and concurred upon by the Environmental Council on November 17, 1999 will be superseded. Kauai County Departments of Public Works and Parks and Recreation Proposed Exemption List is available on the [OEQC Share Point site](#) and is open for public comment until October 8th, 2012. Please send comments to environmental.council@doh.hawaii.gov

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.

TABLE OF CONTENTS

HAWAI'I (HRS 343)

- 1. Four Lot Subdivision, Waipunaula and Kalamakumu, South Kona, Hawaii FEA (FONSI) 3

MAUI (HRS 343)

- 2. Piipiholo Water Treatment Plant Organic Carbon Reduction Project FEA (FONSI) 3
- 3. Kihei High School Final EIS 4

O'AHU (HRS 343)

- 4. Waimalu Wastewater Pump Station Force Main FEA (FONSI) 4
- 5. Kalaehoa Home Lands 5 MW Solar Photovoltaic FEA (FONSI) 5
- 6. Kualoa Regional Park Wastewater System Improvements FEA (FONSI) 6

CHAPTER 25, REVISED ORDINANCES OF HONOLULU

- 7. Mixed Use Commercial Building, 87-1818 Farrington Highway FEA (FONSI)..... 6

WITHDRAWAL NOTICES

- Draft Environmental Impact Statement (DEIS) for the South Kona Watershed Irrigation System 7

ENVIRONMENTAL COUNCIL 7

COASTAL ZONE MANAGEMENT NOTICES

Federal Consistency Reviews

- 1. Installation of Commercial Mooring Buoys Offshore Waikiki Beach, Oahu 8
- 2. Kahului Harbor Gate 3A Fence Extension, Kahului, Maui 8

***Special Management Area Minor Permits* 8**

SHORELINE NOTICES

- Shoreline Certification Applications* 9**
- Shoreline Certifications and Rejections* 9**

FEDERAL NOTICES

- 1. Standards of Performance for Stationary Gas Turbines; Standards of Performance for Stationary Combustion Turbines 10
- 2. International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Big eye Tuna Catch Limit in Long line Fisheries for 2012 11
- 3. U.S. Census Bureau Proposed Information Collection; Boundary and Annexation Survey 11
- 4. Endangered and Threatened Wildlife and Plants; Recovery Permit Application 12
- 5. Special Purpose Permit Application; Hawaii-Based Shallow-Set Longline Fishery 13
- 6. Taking and Importing Marine Mammals: Incidental to U.S. Navy Operations of Surveillance Towed Array Sensor System Low Frequency Active Sonar 13

GLOSSARY 14

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

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



Neil Abercrombie, Governor · Gary Hooser, Director · Office of Environmental Quality Control · 235 South Beretania Street, Suite 702 · Honolulu, HI 96813
 Tel: 586-4185 · Fax: 586-4186 · Email: oeqc@doh.hawaii.gov ·
 Website: <http://hawaii.gov/health/environmental/oeqc/index.html/>
 Toll Free: Kaua'i: 274-3141 ext. 64185 · Maui: 984-2400 ext. 64185 · Moloka'i/Lāna'i: 1-800-468-4644 ext. 64185
 Hawai'i: 974-4000 ext. 64185

HAWAI'I (HRS 343)

1. Four Lot Subdivision, Waipunaula and Kalamakumu FEA (FONSI)

Island: Hawai'i
District: South Kona
TMK: (3) 8-2-3:29
Permits: Subdivision Approval by Planning Director
Applicant: Dr. Elizabeth Marshall and Carol Gibson, 78-6616 Ali'i Drive, Kailua-Kona, HI 96740.
Contact: Klaus D. Conventz, (808) 329-0898.

Approving Agency: County of Hawaii Planning Department, 101 Pauahi Street, Hilo, HI 96720.
Contact: Jeffrey Darrow, (808) 961-8158

Consultant: Klaus D. Conventz, dba Baumeister Consulting. P. O. Box 2308, Kailua-Kona, HI 96745. (808) 329-0898

Status: Finding of No Significant Impact Determination



The applicants propose to subdivide the existing 22.128 acre parcel into two 5.001 acre lots, one 5.580 acre lot and one 6.546 acre lot for intensive agricultural use of the property. Physical activities will include survey and staking of the lots and the installation of a dedicated 4" waterline inside existing utility easement and along the 10 foot wide existing pavement of the 30 feet wide county road right-of-way, as a condition of the County Department of Water Supply for final expected subdivision approval.

The subject property is identified as Tax Map Key (3) 8-2-3:29 and is situated along the Makai side of the Old Government Road in Waipunaula and Kalamakumu, South Kona, Hawaii.

It is located approximately 2,800 feet from the shoreline Mauka of Kealakekua Bay in an elevation of approximately 400 to 900 feet above mean sea level.

Subject property is situated within the Kona Field System Site No. 50-10-37-6601, listed on the Hawaii Register of Historic Places and included on the National Register of Historic Places. The purpose of the proposed action is the subdivision of subject land in compliance with the prevailing County Zoning A-5a, State Land Use Agricultural District.

MAUI (HRS 343)

2. Pi'iholo Water Treatment Plant Organic Carbon Reduction Project FEA (FONSI)

Island: Maui
District: Makawao
TMK: 2-4-016:002
Permits: Grading permit, Building permit, NDPES permits (as applicable), Site Plan Approval for construction within a Conservation District.

Proposing/Determination

Agency: Department of Water Supply, County of Maui, 200 South High Street, Wailuku, Maui, HI 96793.
Contact: Mr. Jeffery Pearson, (808) 270-7681

Consultant: Austin, Tsutsumi & Associates, 501 Sumner St, Suite 521, Honolulu, HI 96817.
Contact: Mr. Ivan Nakatsuka, (808) 533-3646.

Status: Finding of No Significant Impact Determination



The project involves construction of new granular activated carbon (GAC) vessels and a booster pump station within the fenced site of the existing Pi'iholo Water Treatment Plant (WTP). A portion of the existing fence line will be relocated to allow for the WTP upgrade, however, the upgrade will remain within the existing property. The new GAC vessels will be utilized as a filtration system to remove total

organic carbon (TOC) from the water. Removal of the TOC is required to ensure that the drinking water produced by the Piiholo WTP will be in compliance with the future stricter Department of Health (DOH) and U.S. Environmental Protection Agency (EPA) regulations.

3. Kihei High School Final Environmental Impact Statement

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

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

Accepting Authority: Governor, State of Hawai'i c/o Office of Environmental Quality Control, 235 South Beretania Street, Room 702, Honolulu, HI 96813. (808) 586-4185

Consultant: Group 70 International Inc. 925 Bethel Street, 5th Floor, Honolulu, HI 96813.
Contact: Christine M. Ruotola, (808) 523 5886

Status: Notice of Availability; OECQ is processing the acceptance/non-acceptance on behalf of the Governor, State of Hawai'i



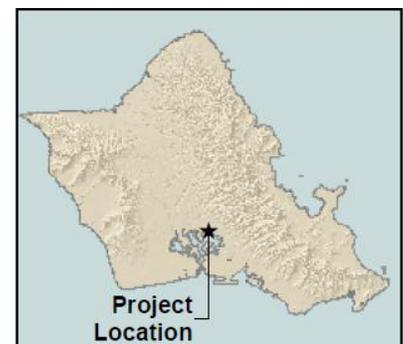
The State of Hawai'i Department of Education proposes to develop a new high school in Kihei on approximately 77 acres of undeveloped land, mauka of Pi'ilani Highway between Kulanihakoi and Waipuilani Gulches. Site improvements may include construction of educational buildings, library and media arts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

The project will positively impact the community through provision of a new educational facility and employment opportunities in the construction and education fields. Construction of the high school will involve development of vacant land, minor loss of agricultural land, visual impacts to views from Piilani Highway, and short-term air and noise impacts. School operations will increase local traffic to and from the school, increase the demand for potable water and non-potable water, and require extension of potable water and wastewater infrastructure.

O'AHU (HRS 343)

4. Waimalu Wastewater Pump Station Force Main FEA (FONSI)

Island: O'ahu
District: 'Ewa
TMK: The project area consists of the State Right-of-Way (ROW) on Kamehameha Highway between Waimalu Stream crossing and Kuleana Road, and extends approximately 30 feet beyond the State ROW within the Neal Blaisdell Park. The project area also includes the property boundary for the Waimalu Wastewater Pump Station.



Permits: Construction Plans Approval (DPP); Building Permit (for work in the Waimalu WWPS); Public ROW Permit to Excavate; Grubbing, Grading, and Stockpiling permit; Special Management Area (SMA) permit; Construction Dewatering Permit (temporary); Right-of-Entry Permit; Street Usage Permit; Industrial Wastewater Discharge Permit (IDWP); Community Noise Permit for Construction Activities; Community Noise Variance; National Pollutant Discharge Elimination System (NPDES) Construction Dewatering Permit; NPDES Construction Stormwater Discharge; NPDES Hydrotesting Waters; Construction Plans Approval (DOT, Highways); Use and Occupancy Agreement to Perform Work Upon a State Highway; Conformance with Accessibility Guidelines; Environmental Assessment.

Proposing/Determination

Agency: City and County of Honolulu, Department of Design and Construction, Wastewater Division, 650 South King Street, Honolulu, Hawaii 96813.
Contact: Jocelyn Okino, (808) 768-8796.

Consultant: AECOM, 1001 Bishop Street, Suite 1600, Honolulu, Hawai'i 96813.
Contact: Lambert Yamashita, (808) 529-7248.

Status: Finding of No Significant Impact Determination

The Preferred Alternative, Alternative 1B, consists of three segments of force main: the first 200 feet of the force main near the Waimalu Wastewater Pump Station would be constructed by open trench method within Neal Blaisdell Park; the second segment extends west on the makai side of Kamehameha Highway, within Neal Blaisdell Park and State ROW, would be constructed using horizontal directional drilling and ends with a 45 degree bend across Kuleana Road; the last segment would cross over Kamehameha Highway by way of pilot tube micro tunneling method.

Short term impacts include noise (construction equipment operation), air quality (fugitive dust generation), and traffic impacts (lane closures on Kamehameha Highway). There would be minimal disruption to sewer service. There would be no significant odors during construction because temporary bypass lines would be provided, and sewage would generally not be exposed to the atmosphere. To mitigate impacts to Kamehameha Highway users, vehicle and pedestrian detours, traffic control devices, and warning signs would be used. The short term impacts would cease upon termination of construction activities. An archaeological monitoring program will be prepared to document the portion of the Site 50-80-09-7190 in the project area for potential as-yet undocumented archaeological cultural resources in the project area.

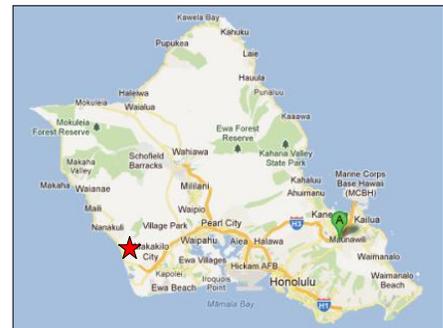
5. Kalaeloa Home Lands 5 MW Solar Photovoltaic Park FEA (FONSI)

Island: O'ahu
District: Kalaeloa
TMK: (1) 9-1-013:029
Permits: DHHL Lease, NPDES Form C, Building/Grading, FAA Obstruction Evaluation, Airport Area Analysis
Applicant: Kalaeloa Home Lands Solar, LLC. Contact: Jody Allione, (808) 347-3174 jodyallione39@gmail.com

Approving Agency: Department of Hawaiian Home Lands. PO Box 1879, Honolulu, HI 96805. Contact: Linda Chin (808) 620-9500 Linda.Chinn@hawaii.gov

Consultant: North Shore Consultants, PO Box 790, Haleiwa, HI 96712. Contact: David M. Robichaux, (808) 368-5352, robichaud001@hawaii.rr.com

Status: Finding of No Significant Impact Determination



The Kalaeloa Home Lands Solar Park will result in 5 MW of renewable power to be provided to the public utility grid. Temporary noise and dust will be generated during construction; however these are expected to be limited in duration and consistent with the surrounding land use. The PV Park is within the controlled activity area for Runway 11-29. Fences at the end of the airport property now serve as arresting gear for emergency overruns. Upon completion of the proposed action the area will contain truss structures that will serve a similar function. Aircraft operations at the Kalaeloa Airport are not

expected to be significantly impacted from glint and glare according to a study commissioned for this project. No secondary or cumulative impacts were identified despite the proposed addition of a second PV Park in the area. Having received comments from agencies, interested parties, and the Hawaiian Homes commission, The Department of Hawaiian Home Lands has reached a finding of no significant impact.

6. Kualoa Regional Park Wastewater System Improvements FEA (FONSI)

Island: O'ahu
District: Ko'olaupoko
TMK: 1-4-9-04:01
Permits: State of Hawai'i, Conservation District Use Permit, Water Use Permit, Well Construction & Pump Installation Permits, NPDES Permit, County of Kaua'i, Class IV Zoning Permit, Use Permit, Building Permit, Grading Permit, Water Pipeline Installation

Proposing/ Determination

Agency: City and County of Honolulu, Department of Design and Construction, 650 S. King Street, 11th Floor, Honolulu, HI 96813. Contact: Lori M.K. Kahikina (808) 768-8480

Consultant: Group 70 International, Inc., 925 Bethel Street, 5th Floor, Honolulu, HI 96813. Contact: Jeff Overton (808) 523-5866

Status: Finding of No Significant Impact Determination

The wastewater systems serving the Kualoa Regional Park comfort stations do not meet current State of Hawaii, Department of Health (DOH) requirements. The wastewater systems for each comfort station have aged and cannot operate as originally designed. These require pumping two to three times a week, with greater frequency during peak park usage. In addition, the shoreline has eroded significantly at Comfort Station #3, forcing its closure.

The City is mandated to make wastewater system improvements at Kualoa Regional Park under a DOH settlement agreement. The project involves replacing the existing wastewater systems with new collection lines, pump stations, force mains, and a centralized treatment and disposal system. This will directly improve the current 'septic' wastewater system to an aerobic treatment system that produces high-quality effluent.

The project site was previously disturbed through farming, military uses, sand mining, and park facility construction. Construction for this project will take place in areas of previous disturbance, and the installation of these improvements is not anticipated to generate substantial cumulative impacts. Overall, the project's secondary impact will be a beneficial effect on public health and the environment, and allow for continued public enjoyment of the park.



CHAPTER 25, REVISED ORDINANCES OF HONOLULU

The special management area is the land extending inland from the shoreline, as established in Chapter 25, Revised Ordinances of Honolulu, and delineated on the maps established by the council and filed with the council and agency pursuant to HRS Section 205A-23. The public can obtain a copy of the document by contacting the project Consultant or the Applicant listed below.

7. Mixed Use Commercial Building, 87-1818 Farrington Highway FEA (FONSI)

Island: O'ahu
District: Wai'anae
TMK: 8-7-35:5
Permits: City and County of Honolulu: Special Management Area Use Permit (Major); Building Permit; Grading Permit; Trenching Permit; Sewer Connection Permit

Applicant: Mr. Sungho (Andy) Kim, 49 Oneawa Street, Kailua, HI 96734.
Contact: Mr. Sungho (Andy) Kim (808) 286-0009.

Approving Agency: Department of Planning and Permitting, City and County of Honolulu, 650 South King Street, 7th Floor, Honolulu HI 96813. Contact: Ms. Lin Wong (808) 768-8033.

Consultant: On the Ball Engineering, LLC. 182 Opihikao Way, Honolulu, HI 96825.
Contact: Mr. Chris Ball (808) 271-5240.

Status: Finding of No Significant Impact Determination

The proposed action is to construct a two-story commercial building with 7,600 square feet of floor area and appurtenant site improvements including an at-grade parking lot with 32 parking stalls, and access driveways from Mohihi Street and Farrington Highway. Proposed uses include a grocery store, retail stores, and a laundry facility on the first floor; and offices and an accessory caretaker dwelling on the second floor. The project will require a Special Management Area Use Permit (Major). The cost of construction is estimated at \$800,000. No significant adverse impacts, cumulative impacts, and secondary impacts are anticipated from the proposed improvements.

WITHDRAWAL FROM CH 343 PROCESS

On January 10, 2012, the State of Hawaii Department of Agriculture requested the publication of the **Draft Environmental Impact Statement (DEIS) for the South Kona Watershed Irrigation System, South Kona, Hawaii** in the January 23, 2012 issue of this Notice. In accordance with HAR 11-200-23(f), the Department now requests the withdrawal of this document from the HRS 343 process.

ENVIRONMENTAL COUNCIL

The Environmental Council has a tentative meeting scheduled for Thursday, September 27, 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, Hawaii 96804

Email: jnakagaw@dbedt.hawaii.gov

Fax: (808) 587-2899

1. Installation of Commercial Mooring Buoys Offshore Waikiki Beach, Oahu

Applicant: Pacific Ocean Sports, LLC
Contact: captain Andrew Lind, 779-4740
Federal Action: Federal Permit
Federal Agency: U.S. Army Corps of Engineers
Location: Approximately ½-mile offshore Waikiki Beach
CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov
Proposed Action: Install two mooring buoys to anchor a 65-foot catamaran which will be used to service helmet divers and swimmers from two dive cages on the front of the vessel. The mooring site is located approximately ½-mile offshore of Waikiki Beach in water 30 - 40 feet deep. Each of the two mooring systems will consist of two 50-foot ½-inch chains, each shackled to one 75 pound bruce anchor, with both chains attached to three 500 pound concrete filled barrels. Each mooring buoy will be attached to the anchor system by a chain and rope.
Comments Due: September 24, 2012

2. Kahului Harbor Gate 3A Fence Extension, Kahului, Maui

Applicant: Hawaii Department of Transportation, Harbors Division
Contact: Charles Schuster, 587-1955
Federal Action: Federal Permit
Federal Agency: U.S. Army Corps of Engineers
Location: Kahului Harbor breakwater
TMK: (2) 3-7-10: 7
CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov
Proposed Action: The proposed project will extend the existing perimeter security fence across the Kahului breakwater to the mean higher high water level on the seaward side. Not more than four new posts will be set into cored holes in the breakwater boulders and grouted in place. Presently, Kahului Harbor is surrounded by a perimeter fence consisting of 8-foot tall, green vinyl coated galvanized steel chain link fencing topped with four strands of barbed wire and attached to green vinyl coated galvanized steel fence posts. Extension of the security fence across the breakwater will maintain required port security.
Comments Due: September 24, 2012

Special Management Area (SMA) Minor Permits		
The SMA Minor Permits below have been approved (HRS §205A-30). For more information, contact the county/state Planning Department. Honolulu (768-8014); Hawai'i (East Hi 961-8288; West Hi, 323-4770); Kaua'i (241-4050); Maui (270-7735); Kaka'ako or Kalaeloa Community Development District (587-2841).		
Location (TMK)	Description (File No.)	Applicant/Agent
Hawai'i: North Kona (8-6-013: 021)	Construct a Multi-purpose Pavilion (SMM 12-233)	Pa'a Pono Miloli'i Inc.
Hawai'i: North Kohala (5-5-006: 007)	Stabilization and Restoration of Eroded Coastal Land (SMM 12-234)	State of Hawai'i
Kaua'i: (4-3-009: 002)	Construct Perimeter Fencing (SMA(M)-2013-5)	Dileep G. Bal
Kaua'i: (5-5-009: 022)	Construction of Carport and Storage Building (SMA(M)-2013-6)	Gaylord & Carol Wilcox Partnership
Kaua'i: (4-5-012: 020)	Concrete Slab (SMA(M)-2013-7)	John F. Godinez
Maui: Ma'alaea (3-8-014: 021)	Replanting & Lighting Install (SM2 20120100)	Ma'alaea Kai AOA
Maui: Kihei (3-9-004: 135)	Apartment Alteration: Unit B201 (SM2 20120101)	Wendell Corpuz

Maui: Wailuku (3-2-020: 053)	Detached Garages/Storage (SM2 20120102)	Biggs, Kenneth E
Maui: Lahaina (4-6-008: 047)	Exterior Vinyl to Shingles (SM2 20120103)	Cycle City Maui
Maui: Ka'anapali (4-4-008: 001)	Ka'anapali Fresh Farmers Market (SM2 20120105)	Ka'anapali Beach Resort Association

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-520	8/20/12	Lot 16 Kahana Sunset Beach Lots situate at Alaehoa and Honokaena, Lahaina, Maui Address: 35 Papaua Place Purpose: Renovation to existing single family residence	Marc Taron/ Bob & Mo Hole	4-3-007:016
MO-159	8/24/12	Portion of Kamehameha V Highway right-of-way situate at Kawela, Molokai Address: Kamehameha V Highway Purpose: Determine shoreline setback	R.T. Tanaka Engineers, Inc./ Department of Transportation Highways Division	5-4-001 (por.)
HA-455	8/24/12	Lot 28, Waawaa Subdivision situate at Waawaa, Puna, Island of Hawaii Address: N/A Purpose: Determine building setback	The Independent Hawaii Surveyors, LLC/ Dean Cail	1-4-028:023
KA-362	8/21/12	Lot A, Land Court Application 1724 and Land Court Application 1771 situate at Hanalei, Halelea, Kauai Address: Hanalei Plantation Road Purpose: Determine shoreline setback	Esaki Surveying and Mapping, Inc./ Ohana Hanalei LLC	5-4-004:001 & 013
KA-363	8/28/12	Portion of Lot 19 being portion of L.P. 8323, L.C. Aw. 8559-B, Apana 38 to W.C. Lunalilo situate at Kahili, Hanalei, Kauai Address: Kilauea Point National Wildlife Refuge Purpose: Certification of shoreline for sign posting	ControlPoint Surveying, Inc./ U.S. Fish & Wildlife, Division of Realty & Refuge Information	5-2-004:043

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
OA-1470	Proposed Shoreline Certification	Lot 45, Land Court Consolidation 87 Kai Nani Subdivision situate at Waialae-Iki, Honolulu, Oahu Address: 1035 Kaimoku Place Purpose: Building permit	Walter P. Thompson, Inc./ Dean & Eliza Cash	3-5-058:007
OA-1471	Proposed Shoreline Certification	Portion of Old Government Road, Parcel 5, situate at Kaalawai, Kapahulu, Honolulu, Oahu Address: 3701-D Diamond Head Road Purpose: Consolidation of properties	Walter P. Thompson, Inc./ Richard Kelley	3-1-038:042

HA-448	Proposed Shoreline Certification	All of Royal Patent No. 6121, Land Commission Award No. 7863, Apana 1 to Kalua situate at Waipio, District of Hamakua, Island of Hawaii Address: N/A Purpose: Establish building setback	Thomas Pattison/ David Back	4-9-003:005
HA-449	Proposed Shoreline Certification	Lot 17, Vacationland Hawaii Subdivision, being portions of R.P. 4479 and L.P. 8177, L.C. Aw. 8559, Apana 5 to C. Kanaina, and R.P. 7483 L.C. Aw. 4452, Apana 1 and 2 to H. Kalama situate at Kapoho, Puna, Island of Hawaii Address: Wai Opae Road Purpose: Determine shoreline setback	Daniel Berg/ Mary Fleming & Chris Biltoft	1-4-068:004
HA-451	Proposed Shoreline Certification	Lot 11, Vacationland Hawaii (File Plan 814) L.C. Aw. 8559, Apana 5 situate at Kapoho, Puna, Island of Hawaii Address: Wae Opae Road Purpose: Determine building setback	The Independent Hawaii Surveyors, LLC/ Nicholas Dilonardo	1-4-067:011

FEDERAL NOTICES

1. [Standards of Performance for Stationary Gas Turbines; Standards of Performance for Stationary Combustion Turbines](#)

The United States Environmental Protection Agency (EPA) is proposing to amend the new source performance standards (NSPS) for stationary gas turbines and stationary combustion turbines. These amendments are primarily in response to issues raised by the regulated community. On July 6, 2006, the EPA promulgated amendments to the new source performance standards for stationary combustion turbines. On September 5, 2006, the Utility Air Regulatory Group filed a petition for reconsideration of certain aspects of the promulgated standards. The EPA is proposing to amend specific provisions in the NSPS to resolve issues and questions raised by the petition for reconsideration, and to address other technical and editorial issues. In addition, this proposed rule would amend the location and wording of existing paragraphs for clarity. The proposed amendments would increase the environmental benefits of the existing requirements because the emission standards would apply at all times. The proposed amendments would also promote efficiency by recognizing the environmental benefit of combined heat and power and the beneficial use of low energy content gases.

DATES: Comments must be received on or before October 29, 2012. *Public Hearing.* If anyone contacts the EPA by September 10, 2012 requesting to speak at a public hearing, the EPA will hold a public hearing on or about September 13, 2012.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2004-0490, by one of the following methods: <http://www.regulations.gov>: Follow the on-line instructions for submitting comments. *Email:* a-and-r-docket@epa.gov. *Fax:* (202) 566-9744. *Mail:* Air and Radiation Docket, U.S. EPA, Mail Code 6102T, 1200 Pennsylvania Ave. NW., Washington, DC 20460. Please include a total of two copies. *Hand Delivery:* EPA Docket Center, Docket ID Number EPA-HQ-OAR-2004-0490, EPA West Building, 1301 Constitution Ave. NW., Room 3334, Washington, DC, 20004. Such deliveries are accepted only during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information. *Instructions:* Direct your comments to Docket ID No. EPA-HQ-OAR-2004-0490. The EPA's policy is that all comments received 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 information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through regulations.gov or email. Send or deliver information identified as CBI only to the following address: Roberto Morales, OAQPS Document Control Officer (C404-02), Office of Air Quality Planning and Standards, Environmental Protection Agency, Research Triangle Park, North Carolina 27711, Attention Docket ID No. EPA-HQ-OAR-2004-0490. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to the EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means the EPA will not know your

identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to the EPA without going through www.regulations.gov, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, the EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If the EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, the EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about the EPA's public docket visit the EPA Docket Center homepage at <http://www.epa.gov/dockets/>. *Docket:* All documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, e.g., 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 <http://www.regulations.gov> or in hard copy at the Air and Radiation Docket EPA/DC, EPA West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. *Public Hearing:* If a public hearing is requested, it will be held at the EPA Facility Complex in Research Triangle Park, North Carolina or at an alternate site nearby. Contact Ms. Pamela Garrett at (919) 541-7966 to request a hearing, to request to speak at a public hearing, to determine if a hearing will be held, or to determine the hearing location.

FOR FURTHER INFORMATION CONTACT: Mr. Christian Fellner, Energy Strategies Group, Sector Policies and Programs Division (D243-01), U.S. EPA, Research Triangle Park, NC 27711, telephone number (919) 541-4003, facsimile number (919) 541-5450, electronic mail (email) address: fellner.christian@epa.gov (see, 77 F.R. 52554, August 29, 2012).

2. International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Bigeye Tuna Catch Limit in Longline Fisheries for 2012

The National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce, have issued an interim final rule establishing a catch limit of 3,763 metric tons (mt) of bigeye tuna (*Thunnus obesus*) for vessels in the U.S. pelagic longline fisheries in the western and central Pacific Ocean (WCPO) for calendar year 2012. The limit does not apply to vessels in the longline fisheries of American Samoa, Guam, or the Commonwealth of the Northern Mariana Islands (CNMI). Once the limit of 3,763 mt is reached in 2012, retaining, transshipping, or landing bigeye tuna caught in the WCPO will be prohibited for the remainder of 2012, with certain exceptions. This action is necessary for the United States to satisfy its international obligations under the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Convention), to which it is a Contracting Party.

DATES: Effective on September 26, 2012; comments must be submitted in writing by September 26, 2012.

ADDRESSES: Comments on this interim final rule, identified by NOAA-NMFS-2012-0145, and the supporting analytical documents may be sent to either of the two addresses below. The supporting documents include the 2012 supplemental environmental assessment (EA) and the regulatory impact review (RIR) prepared for this interim rule. The 2012 supplemental EA supplements a 2009 EA and a 2009 supplemental EA and includes copies of those two documents. For instructions on commenting, please click (or paste in your favorite browser) the link to the Federal Register notice. **FOR FURTHER INFORMATION CONTACT:** Tom Graham, NMFS PIRO, 808-944-2219 (see, 77 F.R. 51709, August 27, 2012).

3. U.S. Census Bureau Proposed Information Collection; Comment Request; Boundary and Annexation Survey

The U.S. Census Bureau, Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

The Census Bureau conducts the Boundary and Annexation Survey (BAS) to collect and maintain information about the inventory of the legal boundaries for and the legal actions affecting the boundaries of counties and equivalent entities, incorporated places, minor civil divisions, and federally recognized legal American Indian and Alaska Native areas. This information provides an accurate identification of geographic areas for the Census Bureau to use in conducting the decennial and economic censuses and ongoing surveys, preparing population estimates, and supporting other statistical programs of the Census Bureau, and the legislative programs of the Federal government. Through the BAS, the Census Bureau asks each government to review materials for its jurisdiction to verify the correctness of the information portrayed. Each government is asked to update the boundaries, supply information documenting each legal boundary change, and provide changes in the inventory of governments. The BAS universe and mailing materials vary depending both upon the needs of the Census Bureau

in fulfilling its censuses and household surveys, and upon budget constraints. Counties or equivalent entities federally recognized American Indian reservations, off-reservation trust lands, and tribal subdivisions are included in every survey. In the years ending in 8, 9 and 0, the BAS includes all governmentally active counties and equivalent entities, incorporated places, and legally defined minor civil divisions, and legally defined federally recognized American Indian and Alaska Native areas (including the Alaska Native Regional Corporations). Each governmental entity surveyed will receive materials covering its jurisdiction and one or more forms. These three years coincide with the Census Bureau's preparation for the decennial census. There are less than 40,000 governments in the universe each year. In all other years, the BAS reporting universe includes all legally defined federally recognized American Indian and Alaska Native areas, all governmental counties and equivalent entities, minor civil divisions in the six New England States and those incorporated places that have a population of 2,500 or greater. The reporting universe is approximately 14,000 governments due to budget constraints. The Census Bureau only follows up on a subset of governments designated as the reporting universe. In the years ending in 1 through 7, the Census Bureau may enter into agreements with individual States to modify the universe of minor civil divisions and/or incorporated places to include additional entities that are known by that State to have had boundary changes, without regard to population size. Each year, the BAS will also include each year a single respondent request for municipio, barrio, barrio-pueblo, and subbarrio boundary and status information in Puerto Rico and Hawaiian Homeland boundary and status information in Hawai'i. No other Federal agency collects these data nor is there a standard collection of this information at the State level. The Census Bureau's BAS is a unique survey providing a standard result for use by federal, state, local, and tribal governments and by commercial, private, and public organizations.

DATES: To ensure consideration, written comments must be submitted on or before October 22, 2012.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via the Internet at jjessup@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Laura Waggoner, U.S. Census Bureau, 4600 Silver Hill Road, Washington, DC 20233 (or via the Internet at Laura.L.Waggoner@census.gov) (see, 77 F.R. 50677, August 22, 2012).

4. Endangered and Threatened Wildlife and Plants; Recovery Permit Application

The U. S. Fish and Wildlife Service (Service), invites the public to comment on the following application for a permit to conduct activities with the purpose of enhancing the survival of endangered species. The Endangered Species Act of 1973, as amended (Act), prohibits certain activities with respect to endangered species unless a Federal permit allows such activity. The Act also requires that the Service invite public comment before issuing such permits.

DATES: To ensure consideration, please send your written comments by September 19, 2012. **ADDRESSES:** Endangered Species Program Manager, Ecological Services, U.S. Fish and Wildlife Service, Pacific Regional Office, 911 NE 11th Avenue, Portland, OR 97232-4181. Please refer to the permit number for the application when submitting comments.

FOR FURTHER INFORMATION CONTACT: Colleen Henson, Fish and Wildlife Biologist, at the above address or by telephone (503-231-6131) or fax (503-231-6243).

The Service invites local, State, and Federal agencies, and the public to comment on the following application. Please refer to the appropriate permit number for the application when submitting comments. Documents and other information submitted with this application are available for review by request from the Endangered Species Program Manager at the address listed above, subject to the requirements of the Privacy Act (5 U.S.C. 552a) and Freedom of Information Act (5 U.S.C. 552). **Permit Number: TE-80538A.** *Applicant:* H. T. Harvey & Associates, Los Gatos, California. The applicant requests a permit to take (capture, tissue sample, radio-tag, and release) the Hawaiian hoary bat (*Lasiurus cinereus semotus*) in conjunction with monitoring and population studies in Hawaii for the purpose of enhancing the species' survival.

Public Availability of Comments All comments and materials we receive in response to this request will be available for public inspection, by appointment, during normal business hours at the address listed above. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so (see, 77 F. R. 50152 August 20, 2012).

5. Special Purpose Permit Application: Hawaii-Based Shallow-Set Longline Fishery: Final Environmental Assessment and Finding of No Significant Impact

The U. S. Fish and Wildlife Service (Service), announces the availability of a final environmental assessment (FEA) and finding of no significant impact (FONSI) in our analysis of permitting actions in response to an application under the Migratory Bird Treaty Act of 1918, as amended, from the Pacific Islands Regional Office of the National Marine Fisheries Service (NMFS), Department of Commerce. NMFS applied for a permit for the incidental take of migratory birds in the operation of the Hawaii-based shallow-set longline fishery, which targets swordfish. After evaluating several alternatives in a draft environmental assessment (DEA), we have determined that issuing a permit will not result in significant impacts to the human environment.

ADDRESSES: You may download a copy of the FEA and FONSI on the Internet at <http://www.fws.gov/pacific/migratorybirds/nepa.html>.

FOR FURTHER INFORMATION CONTACT: Nanette Seto, Chief, Division of Migratory Birds and Habitat Programs, Pacific Region, U.S. Fish and Wildlife Service, 503-231-6164 (phone); pacific_birds@fws.gov (email; include "FEA/FONSI for the NMFS MBTA Permit" in the subject line of the message). If you use a telecommunications device for the deaf (TDD), please call the Federal Information Relay Service at 800-877-8339 (see, 77 F.R. 50153, August 20, 2012).

6. Taking and Importing Marine Mammals: Taking Marine Mammals Incidental to U.S. Navy Operations of Surveillance Towed Array Sensor System Low Frequency Active Sonar

Upon application from the U.S. Navy (Navy), the National Marine Fisheries Service (NMFS) is issuing regulations under the Marine Mammal Protection Act to govern the unintentional taking of marine mammals incidental to conducting operations of Surveillance Towed Array Sensor System (SURTASS) Low Frequency Active (LFA) sonar on a maximum of four naval surveillance vessels in areas of the Pacific, Atlantic, and Indian Oceans and the Mediterranean Sea, from the period of August 15, 2012, through August 15, 2017. These regulations: allow NMFS to issue Letters of Authorization (LOA) for the incidental take of marine mammals during the Navy's specified activities and timeframes; set forth the permissible methods of taking; set forth other means of effecting the least practicable adverse impact on marine mammal species and their habitat; and set forth requirements pertaining to the monitoring and reporting of the incidental take.

DATES: Effective August 15, 2012, through August 15, 2017.

ADDRESSES: To obtain an electronic copy of: the Navy's application (which contains a list of the references within this document); NMFS's Record of Decision; and other documents that NMFS cited in this document, write to P. Michael Payne, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3225, or download electronic copies at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications> or telephone Jeannine Cody, Office of Protected Resources, NMFS, (301) 427-8401. The Navy released a Final Supplemental Environmental Impact Statement/Supplemental Overseas Environmental Impact Statement (FSEIS/SOEIS) for employment of SURTASS LFA sonar on June 8, 2012. The public may view the document at: <http://www.surtass-lfa-eis.com>. We participated in the development of this document as a cooperating agency under the Council on Environmental Quality's regulations implementing the National Environmental Policy Act of 1972 (see, 77 F.R. 50290, August 20, 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).