

# The Environmental Notice

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

## [Extension of Comment Period for Kuhua Street Extension DEA at Lahaina, Maui](#)

The County of Maui, Department of Public Works (DPW) has voluntarily extended the public comment period of the Draft Environmental Assessment (DEA) for the Kuhua Street Extension and Improvements Project at Lahaina, Maui. The 30-day statutory comment period will end on April 23, 2013. However in response to public requests at a community meeting in Lahaina on April 15, 2013, the [DPW voluntarily extended the comment period to end by May 31, 2013.](#)

## [Kalama'ula Homesteaders Association Propose Kiowea Park Phase II Improvements](#)

As the approving agency, the State of Hawai'i, Department of Hawaiian Home Lands, has submitted a draft environmental assessment for the applicant Kalama'ula Homesteaders Association proposed Kiowea Park Phase II Improvements. Kiowea Park is an existing community park on Hawaiian Home Lands consisting of 5.15 acres along the south central coastline of Moloka'i in the area known as Kapuāiwa Grove. The applicant plans to use the western 4 acre portion of the parcel to construct a new pavilion, certified kitchen, restroom facilities, individual wastewater system, parking, drainage and landscape improvements in the park. The applicant has received an individual wastewater system approval from the Health department and they await the processing of their building, electrical and plumbing permits. See page 7 for more details.

## [NEPA Final Environmental Impact Statement for Pōhakuloa Training Area, Hawai'i](#)

The U.S. Army proposes to construct and operate a modern Infantry Platoon Battle Course (IPBC) and associated infrastructure that is compliant with current Army training requirements at Pōhakuloa Training Area (PTA), Hawai'i. The proposed IPBC would support the live-fire collective training needs of the Army, Army Reserve, and Hawai'i Army National Guard, as well as other Service components that are stationed or train in Hawai'i. Two alternatives were analyzed in the EIS: The Western Range Area Alternative (preferred) and the Charlie Circle Alternative. Both proposed IPBC alternative locations are in under-utilized portions of the PTA impact area where no ranges currently exist. These locations have been exposed to indirect munitions fire, and the proposed action would reclaim portions of the impact area to construct the IPBC. See page 10 for more details.



Neil Abercrombie, Governor · Gary Gill, Acting Director · Office of Environmental Quality Control · 235 South Beretania Street, Suite 702 · Honolulu, HI 96813

Tel: 586-4185 · Fax: 586-4186 · Email: [oeqchawaii@doh.hawaii.gov](mailto:oeqchawaii@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

**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.

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## HAWAII (HRS 343)

### 1. Hilo Riverside Apartments Improvements and Stream Bank Stabilization FEA (FONSI)

**Island:** Hawai'i  
**District:** South Hilo  
**TMK:** 2-6-003:009  
**Permits:** SMA Use Permit (SMP), Stream Channel Alteration Permit (SCAP)  
**Applicant:** UHC 00382 Hilo Holdings L.P. (A Hawai'i Limited Partnership), 2000 E. Fourth Street, Suite 205, Santa Ana, CA 92705. Contact: Thomas G. Fischer, (714) 835 3955, x104  
**Approving Agency:** Hawai'i Housing Finance and Development Corporation (HHFDC), 677 Queen Street, Suite 300, Honolulu, HI 96813. Contact: Janice Takahashi, (808) 587-0639  
**Consultant:** Kimura International, 1600 Kapi'olani Boulevard, Suite 1610, Honolulu, HI 96814. Contact: Leslie Kurisaki, (808) 944-8848  
**Status:** Finding of No Significant Impact Determination



The UHC 00382 Hilo L.P., a Hawai'i Limited Partnership, is proposing improvements to the Riverside Apartments property. The Riverside Apartments is a 74-unit, multi-family affordable rental complex located at 333 Ohai Street in Hilo, Hawai'i. The proposed action includes 1) interior building renovation; and 2) protection and stabilization of the stream bank bluff behind the apartment building. These are two separate improvement projects that are being implemented independent of each other.

*Interior Building Renovation:* The Riverside Apartments building has not undergone major improvements since its construction in 1973, and the proposed interior renovation is needed to continue to provide residents with safe and decent living conditions. The modernization will provide new flooring, carpeting, appliances, bathroom and kitchen fixtures, cabinets and paint. Plumbing and electrical repairs will be completed as needed. The building's leaking roof will be replaced and photovoltaic panels installed. Several units will be made ADA-accessible. There will be no new structures or work outside the existing building footprint. The building renovation will be completed in phases over a 12 month period.

*Stream Bank Bluff Protection and Stabilization:* The proposed stream bank bluff protection and stabilization is considered urgent, and is needed to prevent of failure of the embankment on the property's Second Level terrace. A recent geotechnical investigation found that the steep stream bank behind the apartment building, which overlooks the Wailuku River, is marginally stable and susceptible to slope failure. In this Second Level area, the building is very close to the edge of the embankment, and a slope failure would likely threaten the structural stability of the apartment and possibly the safety of its residents.

In 2008, there was a slope failure on another area of the property, on the adjacent third Level terrace where the building is also very close to the edge. In the 2008 incident, heavy rains are believed to have contributed to the slope failure. Emergency repairs were completed in 2011 to stabilize and protect the stream bank, and fortunately, there appeared to be no damage to the building.

The currently proposed stream bank bluff protection and stabilization is similar to what was done in 2011 on the adjacent scarp. The project will install a series of soil nails to reinforce the steep embankment slope. An 8- to 10-inch thick layer of reinforced shotcrete (gunite) will be constructed over the slope to protect and stabilize the slope face. The toe of the embankment will be protected against future erosion, scour and undermining by constructing a cutoff wall. A series of micropiles will be installed at the top of the slope adjacent to the building. This is a redundant measure to protect the building in an area where the building footings are very close to the steep stream bank slope. All work will occur outside the waters of the Wailuku River, and best management practices will be used to ensure that dirt and debris does not enter the river.

The federal Department of Housing and Urban Development (HUD), which provides Section 8 rental subsidies to the Riverside Apartments, has required that the stream bank bluff protection and stabilization be completed as a condition of its continued funding. Without the HUD subsidies, the building could not continue to be operated as an affordable housing complex.

The work on the embankment is scheduled to begin in late 2013, and the actual construction work is estimated about 4 months.

## 2. Fire Dip Tank Construction in Ka'ohē Game Management Area DEA (AFNSI)

**Island:** Hawai'i  
**District:** Hamakua  
**TMK:** (3) 4-4-015:004 (por.)  
**Permits:** HRS Chapter 6e, Historic Sites approvals  
**Proposing/Determination Agency:** Department of Land and Natural Resources, Division of Forestry and Wildlife, 1151 Punchbowl Street, Room 131, Honolulu, HI 96813. Contact: John Vetter, (808) 587-4158  
**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 by June 7, 2013. Send comments to the proposing/determination agency and consultant.



The Department of Land and Natural Resources, Division of Forestry and Wildlife, plans to construct water tanks and related infrastructure at two sites on the southwestern slope of Mauna Kea in the Ka'ohē Game Management Area to assist in fighting fires. The sites are located off Road 1, one about 1/2 mile above the Kilohana Hunter Checking Station, and the other 700 feet south of Pu'u La'au. Each site will have a covered, 40,000-gallon holding tank for water obtained from trucks and/or catchment. Via high density polyethylene pipeline placed above ground except where buried beneath roads, the holding tank will feed a smaller, open fire diptank that will be accessed by helicopters equipped with dip buckets. Both sites are in open and previously modified environments accessible by a two-wheel drive vehicle. Ground disturbance will total less than half an acre, and erosion, sedimentation and dust will be controlled by Best Management Practices. The sites are located within the State Land Use Conservation District and Palila Critical Habitat, and the project will protect the values of these areas. No threatened or endangered (T&E) plant species are present at or near the disturbance footprints. Timing of activities will avoid or minimize impacts to T&E animals. No historic or cultural properties will be affected, and visual impacts from the tanks, which will likely be no more than 12 feet tall, will be minor. The project will substantially improve fire protection in this important habitat and recreation area.

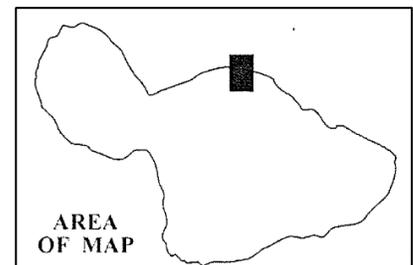
## MAUI (HRS 343)

### 3. Hamakuapoko Well Nos. 1 and 2 Improvements FEA (FONSI)

**Island:** Maui  
**District:** Makawao  
**TMK:** (2)2-5-004:039 (por.)  
**Permits:** Commission on Water Resource Management Pump Installation and Operation Permits; Building, Grading, and Community Noise Permits, as applicable

#### Proposing/Determination

**Agency:** County of Maui, Department of Water Supply, Kalana O Maui Building, 5<sup>th</sup> Floor, 200 South High Street, Wailuku, HI 96793. Contact: Curtis Eaton, (808)270-7816  
**Consultant:** Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793. Contact: Mark Alexander Roy, (808)244-2015

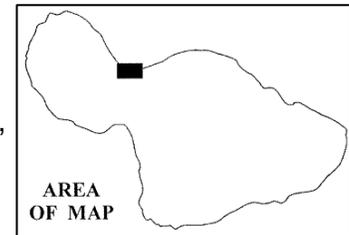


**Status:** Finding of No Significant Impact Determination

The County of Maui, Department of Water Supply proposes to undertake various repair and maintenance improvements at the existing Hamakuapoko Well Nos. 1 and 2 in Hamakuapoko, Maui, Hawai'i. Hamakuapoko Well Nos. 1 and 2 were initially placed into operation as production wells in 2000. Due to concerns regarding the filtration of contaminants from agricultural uses, the wells were closed in October 2006. On October 13, 2011, the Maui County Council enacted Ordinance No. 3859, which allows the Hamakuapoko Well Nos. 1 and 2 to be reopened for agricultural use, use during declared drought events, and as backup to the Upcountry Water System (UCWS). During Council deliberations regarding the reopening of the wells, the State Department of Health confirmed that it stands by its 2000 approval of the Hamakuapoko Wells for drinking water use. Prior to the reopening of the wells, various repair and maintenance improvements at both well sites are necessary to address deferred maintenance of existing equipment so that the wells can be placed into production and integrated with the UCWS. In addition to repair and maintenance actions, a new 150,000-gallon water tank is proposed adjacent to the Well No. 2 site.

**4. Wailuku-Kahului Wastewater Reclamation Facility Shoreline Protection Extension FEIS**

**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 Area Development Permit, and Construction Permits



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

**Accepting Authority:** County of Maui, Department of Environmental Management, as authorized by the Mayor, County of Maui

**Consultant:** Munekiyo & Hiraga, Inc.; 305 High Street, Suite 104, Wailuku, HI 96793. Contact: Mich Hirano, (808) 244-2015

**Status:** Accepted by the Mayor's authorized representative, Maui County Department of Environmental Management

The County of Maui Department of Environmental Management proposes to extend the existing shoreline protection at the Wailuku-Kahului Wastewater Reclamation Facility (WKWWRf). 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 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 +10 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.

**MOLOKA'I (HRS 343)**

**5. Kiowea Park Improvements Phase II, Kalama'ula DEA (AFNSI)**

**Island:** Moloka'i  
**District:** Kalama'ula  
**TMK:** (2) 5-2-009:018 (portion)  
**Permits:** Building Permit, Electrical and Plumbing Permits  
**Applicant:** Kalama'ula Homesteaders Association, P.O. Box 1025, Kaunakakai, HI 96748.  
 Contact: Gayla Haliniak-Lloyd, (808) 553-5393



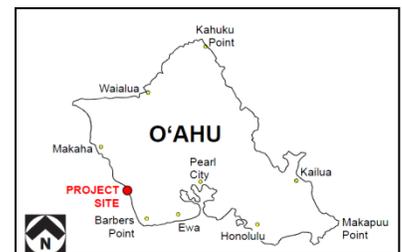
**Approving Agency:** State of Hawai'i, Department of Hawaiian Home Lands Land Management Division, P.O. Box 1879, Honolulu, HI 96707  
 Contact: Linda Chinn, Administrator (808) 620-9500  
**Consultant:** Architectural Drafting Service, P.O. Box 1718, Kaunakakai, HI 96748  
 Contact: Luigi Manera, (808) 553-9045  
**Status:** Statutory 30 day public review and comment period starts, comments are due by June 7, 2013. Send comments to the applicant, approving agency and consultant.

Construction of slab-on-grade 4,000 sq. ft. pavilion, 40 feet by 100 feet, 20 feet in height, located 133 feet from the shoreline, with 2 restrooms, certified kitchen and office; new septic system; and parking and drainage improvements in an existing, previously graded and developed community park on Hawaiian Home Lands. Subject property, known as Kiowea Park (ca. 1920's), is on a little over half of a 5.15-acre parcel located on the south central coast of Molokai, adjacent to historic Kapuaiwa Coconut Grove (ca. 1860's), approximately 1 mile west of Kaunakakai, identified by TMK (2)5-2-009:018. Existing facilities (ca. 1950's) include a 700 sq. ft. covered pavilion, a 320 sq. ft. restroom and shower facility, barbecue grills, cesspool, and parking lot, and installed site utilities including water, electric and telephone service. In the late 1990's, Phase I renovations included grading and fill, installation of irrigation and landscaping, and upgrading of cesspool to septic system. Kalama'ula Homesteaders Association was granted a license in 2010 to manage the area and has reinitiated Phase II improvements, as park facilities are no longer adequate to serve the needs of park users. A new pavilion and restrooms will relieve pressure on existing facilities, locate new facilities further inland from coastal hazards, and better serve the recreational needs of the community.

**O'AHU (HRS 343)**

**6. Nānākuli Public Library FEA (FONSI)**

**Island:** O'ahu  
**District:** Wai'anae  
**TMK:** 8-9-02:065 (por)  
**Permits:** R-5 Zoning Height waiver, Special Management Area Use Permit-Major



**Proposing/Determination Agency:** Department of Accounting & General Services (DAGS), Kalanimoku Building, 151 Punchbowl Street, Honolulu, HI 96813  
 Contact: Marcus Rivera, (808)586-0479  
**Consultant:** Kimura International, 1600 Kapiolani Boulevard, Suite 1610, Honolulu, HI 96814  
 Contact: Leslie Kurisaki, (808) 944-8848  
**Status:** Finding of No Significant Impact Determination

The State Department of Accounting and General Services (DAGS), on behalf of the State of Hawai'i Department of Education, Hawai'i State Public Library System (HSPLS) proposes to construct a new public library in Leeward Oahu to serve the Nānākuli and Mā'ili communities. The Nānākuli Public

Library is proposed on a 3.7-acre portion of a 15-acre, State-owned property on Farrington Highway that was formerly a U.S. Army Recreation Facility known as Camp Andrews. In 2004, the Nānāikapono Elementary School was developed on the mauka portion of the 15-acre State property. The new library will be built on the makai portion of the property. A small portion of the project site will be set aside for a future Leeward Head Start Facility. The Head Start Facility will be developed separately by the Honolulu Community Action Program (HCAP), and is not part of the library project or this EA.

The Nānākuli Public Library will be a single-story structure approximately 18,000 square feet in size, with areas for the general public and staff use. Public areas include a lobby, check-out counter, book circulation areas, and restrooms. The library is envisioned to be a unique, community focal point. In addition to typical library components, it will feature multi-purpose rooms for public meeting space, and a sound room for recording small media such as oral language or history.

The pinnacle of the library will be a multi-purpose Program Room which will be designed to accommodate larger numbers of people and will include sliding glass doors that open up onto a covered lanai and an adjacent outdoor area. A common driveway for the library and future Head Start facility is proposed off the existing fire and bus access road for the Nānāikapono Elementary School. No new ingress/egress points are proposed on Farrington Highway. The State of Hawai'i Department of Transportation (HDOT) has requested that library traffic comply with the right-turn in and right-turn out (RIRO) restriction that applies to the existing fire and bus access road. A RIRO scenario for the library will be evaluated in a revised Traffic Impact Report. The library parking lot will provide approximately 50 parking stalls. Library designers worked closely with Nānāikapono Elementary School personnel to ensure that the site design kept pedestrian and vehicular traffic separate, with pedestrian safety foremost in mind. A pedestrian walkway will connect the library and the school.

### COASTAL ZONE MANAGEMENT NOTICES

#### 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: Ka'apahu (4-4-002: 003)   | Approval As-built Platform and Placement of a Portable Restroom (SMM 13-264)              | William Gibson and Kahala Ann Trask-Gibson          |
| Maui: Hamoa (1-4-010: 001)         | Hamoa Beach Septic System Improvement (SM2 20130043)                                      | Dave Roth   |
| Maui: Kihei (3-9-001: 125)         | Convert Dwelling to Duplex (SM2 20130044)   | Charles Spence                                      |
| Maui: Kuau (2-6-011: 005)          | Dwelling Addition (SM2 20130045)  | Susan Casey   |
| Maui: Kahului (3-7-010: 009)       | Replace Three Antennas and Upgrades (SM2 20130046)  | AT&T c/o Smartlink, LLC                             |
| Maui: Lahaina (4-4-014: 006)       | Temporary Parking Lot D (SM2 20130047)  | Jeremy Stoddart                                     |
| O'ahu: Diamond Head (3-1-042: 009) | Kapi'olani Community College, Building 6939 – Renovate First Floor Phase 1A (2013/SMA-10) | Kapi'olani Community College/ADI Design Group, 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         |
|----------|---------|--|--|-------------|
| OA-1531  | 4/23/13 | Lot 1123 of Land Court Application 677 Map 255 situate at Kailua, Ko'olaupoko, O'ahu<br>Address: 104 A South Kalaheo Avenue<br>Purpose: Development of property  | Dennis K. Hashimoto/<br>Harry J. Last                        | 4-3-012:037 |
| MA-546   | 4/22/13 | Lot 55 Land Court Application 1744 (Map 19) situate at Ka'anapali, Maui<br>Address: 2365 Ka'anapali Parkway<br>Purpose: Shoreline setback purposes   | Arthur P. Valencia/ The<br>Westin Ka'anapali Resort<br>& Spa | 4-4-008:019 |
| HA-465   | 4/29/13 | Lot 10 of Kona Bay Estates (File Plan 1811) being a portion of R.P. 7456, L.C. Aw. 8559-B, Ap. 11 to William C. Lunalilo and Lot 69 of Land Court Application 1319 (Map 10) situate at Lanihau Iki, North Kona, Island of Hawai'i<br>Address: 4592 Kona Bay Drive<br>Purpose: Setback determination purposes | Crossroads Land<br>Surveying/Jimmy Rex<br>Robinson           | 7-5-005:024 |

### 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-1521  | Proposed Shoreline Certification | Lot 14 of Map 1 Land Court Consolidation 211 situate at Kaunala, Ko'olaupoko, O'ahu<br>Address: 58-189 Napo'onala Place<br>Purpose: Building setback lines  | Gil P. Bumanglag/SBC, LLC   | 5-8-006:014 |
| OA-1522  | Proposed Shoreline Certification | Lot 716, Land Court Application 1089 situate at Kamananui, Waialua, O'ahu<br>Address: 67-322 Kaiea Place<br>Purpose: Building permit  | Walter P. Thompson, Inc./Masaru Yokouchi Marital Trust                                      | 6-7-013:021 |
| KA-363   | Rejection                        | 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<br>Address: Kilauea Point National Wildlife Refuge<br>Purpose: Certification of shoreline for sign posting | Control Point Surveying, Inc./U.S. Fish & Wildlife, Division of Realty & Refuge Information | 5-2-004:043 |

**Pollution Control Permits**

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

| <b>Branch Permit Type</b>                            | <b>Applicant and Permit Number</b>  | <b>Project Location</b>   | <b>Date</b>              | <b>Proposed Use</b>   |
|--|---|---|--------------------------|---|
| Clean Air Branch, 586-4200, Covered Source Permit    | Road and Highway Builders, LLC<br>Application for Significant Modification No. 0762-02<br>CSP No. 0726-01-CT            | Located at:<br>Various Temporary Sites<br>State of Hawai'i                                    | Comments Due:<br>5/15/13 | 400 TPH Portable Drum Mix Asphalt Plant                                       |
| Clean Air Branch, 586-4200, -Covered Source Permit   | Maui Asphalt X-IV, LLC<br>Significant Modification No. 0737-02<br>CSP No. 0737-01-CT                                    | Located at:<br>Various Temporary Sites,<br>State of Hawai'i                                   | Comments Due:<br>5/13/13 | 225 TPH Portable Drum Mix Asphalt Plant with 910 HP Diesel Engine             |
| Clean Air Branch, 586-4200, Covered Source Permit    | Waste Management of Hawaii, Inc.<br>Application for Initial Permit No. 0773-01<br>CSP No. 0773-01-C                     | Located at:<br>Waimanalo Gulch Sanitary Landfill<br>92-460 Farrington Hwy.,<br>Kapolei, O'ahu | Issued:<br>4/18/13       | Crushing and Screening Plants   |
| Clean Air Branch, 586-4200, Covered Source Permit    | Hawaiian Electric Company, Inc.<br>Waiau Generating Station<br>Application for Renewal No. 0239-03<br>CSP No. 0239-01-C | Located at:<br>Pearl City<br>O'ahu<br>Zone 4, 607, 337 m E;<br>2,365,837m N (Old Hawaiian)    | Issued:<br>4/17/13       | Six (6) Boilers and Two (2) Combustion Turbines                               |
| Clean Air Branch, 586-4200, Covered Source Permit    | Maui Asphalt X-IV, LLC<br>Significant Modification Application No. 0745-02<br>CSP No. 0745-01-CT                        | Located at:<br>Various Temporary Sites,<br>State of Hawai'i                                   | Comments Due:<br>5/28/13 | 160 TPH Portable Drum Mix Asphalt Plant with 742 HP Diesel Engine             |
| Clean Air Branch, 586-4200, Covered Source Permit    | Chevron USA Products Company<br>Minor Modification No. 0088-20<br>Amendment of CSP No. 0088-01-C                        | Located at:<br>91-480 Malakole Street,<br>Kapolei, O'ahu                                      | Issued:<br>4/22/13       | Petroleum Refinery  |
| Clean Air Branch, 586-4200 Covered Source Permit     | County of Hawai'i<br>West Hawai'i Sanitary Landfill<br>Initial Permit Application No. 0497-02<br>CSP No. 0497-01-C      | Located at:<br>Pulehu Road<br>Pu'unene, Maui, Hawai'i   | Comments Due:<br>5/30/13 | Landfill Gas Collection and Control System and 263 hp Diesel Engine Generator |
| Clean Air Branch, 586-4200 Non Covered Source Permit | Mycogen Seeds<br>Application for Modification No. 0720-02<br>NSP No. 0720-01-N  | Located at:<br>1 Kaumakani Avenue<br>Kaumakani, Kaua'i  | Issued:<br>4/18/13       | Seed Processing Facility  |

**FEDERAL NOTICES**

1. [Public Hearing/Meeting on May 15, 2013, on Listing 15 Species on Hawai'i Island as Endangered and Designating Critical Habitat for 3 Species](#)

The U.S. Fish and Wildlife Service (Service), announces the reopening of the comment period on its October 17, 2012, proposal to list 15 species as endangered and designate critical habitat for 1 of these 15 species on the Hawaiian island of Hawai'i, and to designate critical habitat for 2 plant species that are already listed as endangered, under the Endangered Species Act of 1973, as amended (Act). Critical habitat is not determinable for the remaining 14 species that the Service proposed to list in its October 17, 2012, proposed rule. The Service also announces the availability of a draft economic analysis (DEA) of the proposed designation and an amended required determinations section of the proposed designation. The Service is reopening the comment period to

allow all interested parties an opportunity to comment simultaneously on the proposed rule, the associated DEA, and the amended required determinations section. In addition, the Service provides supplemental information on one of the species proposed for listing and seek comments on its proposal to list this species in light of this new information. Comments previously submitted on this rulemaking do not need to be resubmitted, as they will be fully considered in preparation of the final rule. The Service also announces a public hearing and public information meeting on our proposed rule and associated documents. DATES: The comment period for the proposed rule published October 17, 2012, at 77 FR 63928, is reopened. Written Comments: The Service will consider comments received or postmarked on or before May 30, 2013. Public Information Meeting: The Service will hold a public information meeting in Kailua-Kona, Hawai'i, on Wednesday, May 15, 2013, from 3 p.m. to 5 p.m. Public Hearing: The Service will hold a public hearing in Kailua-Kona, Hawai'i, on Wednesday, May 15, 2013, from 6 p.m. to 8 p.m. Both the public information meeting and the public hearing will be held in the Council Chambers of the West Hawai'i Civic Center located at 74-5044 Ane Keohokalole Highway, Kailua-Kona, Hawai'i 96740 (telephone 808-323-4444). ADDRESSES: Document Availability: You may obtain copies of the October 17, 2012, proposed rule, this document, and the draft economic analysis at <http://www.regulations.gov> at Docket Number FWS-R1-ES-2012-0070, from the Pacific Islands Fish and Wildlife Office's Web site (<http://www.fws.gov/pacificislands/>), or by contacting the Pacific Islands Fish and Wildlife Office directly. Written Comments: You may submit written comments electronically, by hard copy, or at the public information meeting or public hearing (for details click on (or paste in your favorite browser) the URL in the title of this notice). FOR FURTHER INFORMATION CONTACT: Loyal Mehrhoff, Field Supervisor, Pacific Islands Fish and Wildlife Office, 300 Ala Moana Boulevard, Box 50088, Honolulu, Hawai'i 96850; by telephone at 808-792-9400; or by facsimile at 808-792-9581. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 800-877-8339 (see, 78 F.R. 25423, April 30, 2013).

## 2. [Final Environmental Impact Statement for the Construction and Operation of an Infantry Platoon Battle Course at Pōhakuloa Training Area, Hawai'i](#)

The U.S. Army Pacific (USARPAC) and U.S. Army Garrison, Hawai'i, (USAG-HI) propose to construct and operate a modern Infantry Platoon Battle Course (IPBC) and associated infrastructure that is compliant with current Army training requirements at Pōhakuloa Training Area (PTA), Hawai'i. The proposed IPBC would support the live-fire collective training needs of the Army, Army Reserve, and Hawai'i Army National Guard, as well as other Service components that are stationed or train in Hawai'i. Two alternatives were analyzed in the EIS: the Western Range Area Alternative (preferred) and the Charlie Circle Alternative. Both proposed IPBC alternative locations are in under-utilized portions of the PTA impact area where no ranges currently exist. These locations have been exposed to indirect munitions fire, and the proposed action would reclaim portions of the impact area to construct the IPBC. A third alternative analyzed in the Draft Programmatic Environmental Impact Statement (PEIS), Southwest of Range 20, is not operationally feasible and has been eliminated from the Final EIS. The Army also considered a No Action Alternative to not build the IPBC. For all alternatives (except for the No Action), the IPBC would be used for 242 training days per year. The Army identified and analyzed environmental and socioeconomic impacts associated with the proposed IPBC. The major potential environmental impacts are to air quality, cultural sites, threatened and endangered species, encountering munitions and explosives of concern, and igniting wildfires. Cultural resources could also be significantly impacted. The Army consulted with the USFWS on potential mitigation measures to protect federally-listed species. The USFWS issued a Biological Opinion (BO) pursuant to Section 7 of the Endangered Species Act on January 11, 2013. The Army also consulted with the State Historic Preservation Division, Advisory Council on Historic Preservation, and other consulting parties, including Native Hawaiian organizations, about potential effects on cultural resources and mitigation of those effects. The Army and the consulting parties are in the process of signing a Programmatic Agreement (PA) pursuant to Section 106 of the National Historic Preservation Act. The PA establishes how the remaining steps to the Section 106 consultation will be completed and the mitigation measures for the potential adverse effects on cultural resources. The PA will be signed prior to the Army issuing a Record of Decision for the proposed action. DATES: The waiting period for the Final EIS will end 30 days after publication of the NOA in the Federal Register by the U.S. Environmental Protection Agency. ADDRESSES: Written comments may be addressed to PTA EIS, P.O. Box 514, Honolulu, Hawai'i 96809 or by email to [PTAPEIS@bah.com](mailto:PTAPEIS@bah.com). FOR FURTHER INFORMATION CONTACT: USAG-HI Public Affairs Office by phone at (808) 656-3152 Monday through Friday 9:00 a.m. to 5:00 p.m. Hawai'i Standard Time (see, 78 F.R. 24734, April 26, 2013).

### 3. Takes of Marine Mammals Incidental to Specified Activities; Navy Training Conducted at the Silver Strand Training Complex, San Diego Bay

The National Marine Fisheries Service (NMFS) has received a complete application from the U.S. Navy (Navy) for an Incidental Harassment Authorization (IHA) to take marine mammals, by harassment, incidental to conducting training exercises at the Silver Strand Training Complex (SSTC) in the vicinity of San Diego Bay, California. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an IHA to the Navy to incidentally harass, by Level B Harassment only, eight species of marine mammals during the specified activity. DATES: Comments and information must be received no later than May 24, 2013. ADDRESSES: Comments on the application should be addressed 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. The mailbox address for providing email comments is [itp.magliocca@noaa.gov](mailto:itp.magliocca@noaa.gov). NMFS is not responsible for email comments sent to addresses other than the one provided here. Comments sent via email, including all attachments, must not exceed a 10-megabyte file size. Instructions: All comments received are a part of the public record and will generally be posted to <http://www.nmfs.noaa.gov/pr/permits/incidental.htm> 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. A copy of the application may be obtained by visiting the internet at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm>. Documents cited in this notice may also be viewed, by appointment, during regular business hours, at the aforementioned address. FOR FURTHER INFORMATION CONTACT: Michelle Magliocca, Office of Protected Resources, NMFS, (301) 427-8401 (see, 78 F.R. 24161, April 24, 2013).

### 4. List of Fisheries for 2013

The National Marine Fisheries Service (NMFS) publishes its proposed List of Fisheries (LOF) for 2013, as required by the Marine Mammal Protection Act (MMPA). The proposed LOF for 2013 reflects new information on interactions between commercial fisheries and marine mammals. NMFS must classify each commercial fishery on the LOF into one of three categories under the MMPA based upon the level of serious injury and mortality of marine mammals that occurs incidental to each fishery. The classification of a fishery in the LOF determines whether participants in that fishery are subject to certain provisions of the MMPA, such as registration, observer coverage, and take reduction plan (TRP) requirements. The fishery classifications and list of marine mammal stocks incidentally injured or killed described in the Final LOF for 2012 remain in effect until the effective date of the Final LOF for 2013. DATES: Comments must be received by May 22, 2013. ADDRESSES: Send comments by any one of the following methods. (1) Electronic Submissions: Submit all electronic comments through the Federal eRulemaking portal: <http://www.regulations.gov> (follow instructions for submitting comments). (2) Mail: Chief, Marine Mammal and Sea Turtle Conservation Division, Attn: List of Fisheries, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910. Comments regarding the burden-hour estimates, or any other aspect of the collection of information requirements contained in this proposed rule, should be submitted in writing to Chief, Marine Mammal and Sea Turtle Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910, or to Stuart Levenbach, OMB, by email to [Stuart\\_Levenbach@omb.eop.gov](mailto:Stuart_Levenbach@omb.eop.gov). 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 (e.g., 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). Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only. FOR FURTHER INFORMATION CONTACT: Brandon Sousa, Office of Protected Resources, 301-427-8498; Allison Rosner, Northeast Region, 978-281-9328; Jessica Powell, Southeast Region, 727-824-5312; Elizabeth Petras, Southwest Region, 562-980-3238; Brent Norberg, Northwest Region, 206-526-6550; Bridget Mansfield, Alaska Region, 907-586-7642; Nancy Young, Pacific Islands Region, 808-944-2282. Individuals who use a telecommunications device for the hearing impaired may call the Federal Information Relay Service at 1-800-877-8339 between 8 a.m. and 4 p.m. Eastern time, Monday through Friday, excluding Federal holidays (see, 78 F.R. 23708, April 22, 2013).

### 5. Proposed Consent Decree, Clean Air Act Citizen Suit

In accordance with the Clean Air Act, as amended ("CAA"), notice is hereby given of a proposed consent decree to resolve a lawsuit filed by the Center for Biological Diversity and the Center for Environmental Health ("Plaintiffs") in the United States District Court for the Northern District of California: Center for Biological

Diversity, et al. v. Jackson, No. C–12–04968 JWT (N.D. CA.). On September 24, 2012, Plaintiffs filed a complaint alleging that EPA failed to make a finding of failure to submit infrastructure state implementation plans (SIPs) for Colorado, Hawai'i, Illinois, Maryland, Massachusetts, New Jersey, Oklahoma, Oregon, Pennsylvania, South Dakota, Vermont, and Washington with regard to the 2008 lead National Ambient Air Quality Standard (2008 lead NAAQS) by the statutory deadline established by CAA. Plaintiffs' complaint also alleged that EPA failed to take final action on the infrastructure SIP submitted by Tennessee with regard to the 2008 Lead NAAQs by the statutory deadline established by CAA. In addition, the complaint alleges that EPA failed to determine whether the Herculaneum nonattainment area, in Jefferson County, Missouri attained the 1978 lead National Ambient Air Quality Standard (1978 lead NAAQS) by its attainment date as mandated by CAA. The proposed consent decree establishes a deadline of August 15, 2013 for EPA to take action with respect to the Tennessee infrastructure SIP and the Herculaneum nonattainment area. DATES: Written comments on the proposed consent decree must be received by May 20, 2013. ADDRESSES: Submit your comments, identified by Docket ID number EPA–HQ–OGC–2013–0236, online at [www.regulations.gov](http://www.regulations.gov) (EPA's preferred method); by email to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); mailed to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave. NW., Washington, DC 20460–0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD–ROM should be formatted in Word or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above. FOR FURTHER INFORMATION CONTACT: David Orlin, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone: (202) 564–1222; fax number (202) 564–5601; email address: [orlin.david@epa.gov](mailto:orlin.david@epa.gov) (see, 78 F.R. 23560, April 19, 2013).

#### 6. Marine Mammals File No. 17312

Notice is hereby given that the Scripps Institution of Oceanography [Responsible Party: John Hildebrand, Ph.D.], University of California, 8635 Discovery Way, La Jolla, CA 92093, has applied in due form for a permit to conduct research on 35 cetacean species/stocks, including the following endangered whales: blue (*Balaenoptera musculus*), fin (*B. physalus*), sei (*B. borealis*), Southern Resident stock of killer (*Orcinus orca*), Hawaii insular stock of false killer (*Pseudorca crassidens*), sperm (*Physeter macrocephalus*), North Pacific right (*Eubalaena japonica*), and humpback (*Megaptera novaeangliae*) whales. DATES: Written, telefaxed, or email comments must be received on or before May 20, 2013. ADDRESSES: The application and related documents are available for review by selecting "Records Open for Public Comment" from the Features box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 17312 from the list of available applications. These documents are also available upon written request or by appointment in the following offices: Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)427–8401; fax (301)713–0376; Northwest Region, NMFS, 7600 Sand Point Way NE., BIN C15700, Bldg. 1, Seattle, WA 98115–0700; phone (206)526–6150; fax (206)526–6426; Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802–1668; phone (907)586–7221; fax (907)586–7249; Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802–4213; phone (562)980–4001; fax (562)980–4018; Pacific Islands Region, NMFS, 1601 Kapi'olani Blvd., Rm 1110, Honolulu, Hawai'i 96814–4700; phone (808)944–2200; fax (808)973–2941; and Southeast Region, NMFS, 263 13th Avenue South, Saint Petersburg, FL 33701; phone (727)824–5312; fax (727)824–5309. Written comments on this application should be submitted to the Chief, Permits and Conservation Division, at the address listed above. Comments may also be submitted by facsimile to (301)713–0376, or by email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Please include the File No. in the subject line of the email comment. Those individuals requesting a public hearing should submit a written request to the Chief, Permits and Conservation Division at the address listed above. The request should set forth the specific reasons why a hearing on this application would be appropriate. FOR FURTHER INFORMATION CONTACT: Amy Hapeman or Carrie Hubbard, (301)427–8401 (see, 78 F.R. 23538, April 19, 2013).

#### 7. Proposed Rule under the Shark Conservation Act of 2010

The National Marine Fisheries Service (NMFS) has proposed a rule to implement the provisions of the Shark Conservation Act of 2010 (SCA) and prohibit any person from removing any of the fins of a shark at sea, possessing shark fins on board a fishing vessel unless they are naturally attached to the corresponding carcass, transferring or receiving fins from one vessel to another at sea unless the fins are naturally attached to the corresponding carcass, landing shark fins unless they are naturally attached to the corresponding carcass, or landing shark carcasses without their fins naturally attached. NMFS proposes this action to amend existing

regulations and make them consistent with the SCA. DATES: Written comments must be received by June 17, 2013. ADDRESSES: You may submit comments on this document, identified by NOAA–NMFS–2012–0092, by any of the following methods:

1. Electronic Submission: Submit all electronic public comments via the Federal e-Rulemaking Portal [www.regulations.gov](http://www.regulations.gov). To submit comments via the e-Rulemaking Portal, first click the “submit a comment” icon, then enter NOAA–NMFS–2012–0092 in the keyword search. Locate the document you wish to comment on from the resulting list and click on the “Submit a Comment” icon on the right of that line.
2. Mail: Submit written comments to Kim Marshall, National Marine Fisheries Service, NOAA; 1315 East-West Highway, Silver Spring, MD 20910.
3. Fax: 301–713–1193; Attn: Kim Marshall.

Instructions: Comments must be submitted by one of the above methods to ensure that the comments are received, documented, and considered by NMFS. Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered. All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address, etc.) submitted voluntarily by the sender will be publicly accessible. Do not submit confidential business information, or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word or Excel, WordPerfect, or Adobe PDF file formats only. Electronic copies of the Environmental Assessment (EA), the Regulatory Impact Review (RIR), and the Initial Regulatory Flexibility Analysis (IRFA) prepared for this action are available on the Federal e-Rulemaking Portal [www.regulations.gov](http://www.regulations.gov). FOR FURTHER INFORMATION CONTACT: Kim Marshall, 301–427–8556 (see, 78 F.R. 25685, May 2, 2013).

## 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 actions for which the agency anticipates a Finding of No Significant Impact (AFNSI), 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

### **Final Environmental Assessment and Finding of No Significant Impact**

The Agency shall respond in writing to comments on a DEA 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) along with the supporting Final EA. After the notice of the FEA-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.

### **Act 172-2012, Environmental Impact Statement Preparation Notice (with no EA)**

Act 172-2012, amended HRS 343, by providing for an agency to bypass the preparation of an environmental assessment for various actions that in the experience of the agency would clearly require the preparation of an EIS. Until administrative rules have been drafted, the agency must submit its

determination that an EIS is required for an action (Act 172-2012, EISPN) with a completed OEQC publication form detailing the specifics of the action to enable the public to request for a period of thirty-days, to be consulted parties in the preparation of the Draft EIS. Comments and responses must be incorporated into the subsequent Draft 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 and must do so within 30-days or the FEIS is accepted as a matter of law. For an Agency project, the Governor or the Mayor (or their designated representative) is the Accepting Authority, and unlike applicant actions, there is no time limit on the accepting authority reviewing the FEIS. 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, non-acceptance by the Approving Agency is cause for the Applicant to administratively appeal to the Environmental Council. For Agency actions, there is no such administrative appeal. In both instances, the Applicant or the proposing Agency can prepare a revised DEIS after a nonacceptance determination.

### **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).