

The Environmental Notice

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

Na Pua Makani Wind Project, O'ahu

The proposed project is to be located on private and public lands, adjacent to the existing Kahuku wind turbines. The project is to be completed in two phases, resulting in up to 15 turbines that would provide up to 45 MW capacity of renewable wind-generated electrical energy. Champlin Hawaii Holdings, LLC is the applicant and the Department of Land and Natural Resources (DLNR) is the approving agency for this project.

It should be noted that in 2009, Oahu Wind Partners, LLC (OWP) proposed to construct and operate a 25 MW wind farm, also called Na Pua Makani, on the DLNR parcel. OWP prepared a [Draft Environmental Assessment](#) which was published in the OEQC [Environmental Notice](#) on September 8, 2009 for public comment. The OWP wind project did not move forward and the Chapter 343 analysis was not completed. Champlin's Na Pua Makani Project is a new project.

The US Fish and Wildlife Service (Service) published a [Notice of Intent](#) to prepare a Draft Environmental Impact Statement on a Proposed Incidental Take Permit for the Na Pua Makani Project on November 5, 2013. The Service and DLNR intend to prepare a joint EIS to address the potential impacts associated with the construction, operation, maintenance and decommissioning of the Project on state and private lands.

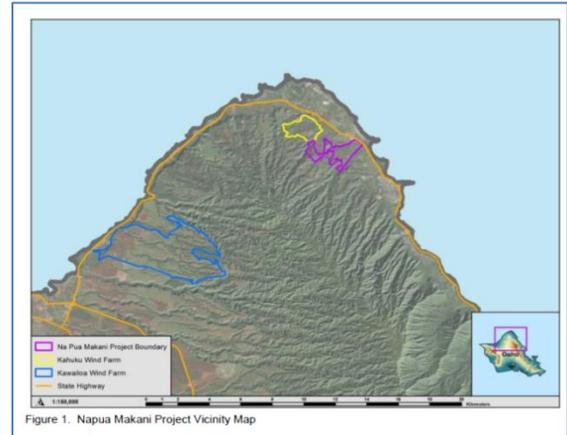


Figure 1. Napua Makani Project Vicinity Map

Additional Aviation Landing Zones at Pōhakuloa Training Area, Hawai'i

The 25th Combat Aviation Brigade and Army National Guard, Hawaii, propose to construct four aviation landing zones (LZs) and associated trails at the Pōhakuloa Training Area (PTA), on the island of Hawaii. The LZs are for training within the boundaries of the PTA on the Island of Hawaii. Training flights bound for these LZs would originate from Bradshaw Army Airfield (BAAF) at PTA.

The additional LZs would increase PTA's existing LZ training areas from 31 to 35 and would be used in conjunction with regularly scheduled training exercises at PTA. The four additional LZs, an access trail (also known as the Pioneer Trail), and a trail linking the four LZs would be constructed on the northern slope of Mauna Loa.

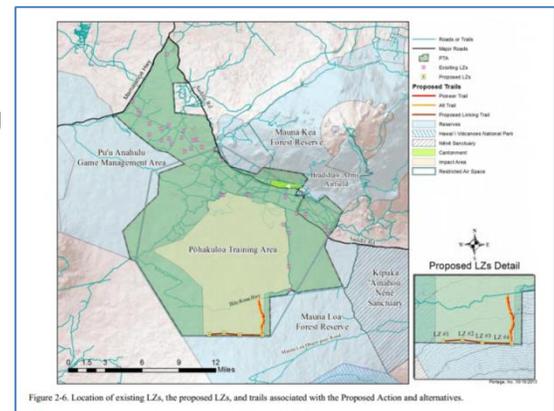


Figure 2-6. Location of existing LZs, the proposed LZs, and trails associated with the Proposed Action and alternatives.



Neil Abercrombie, Governor · 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
 Website: <http://health.hawaii.gov/oeqc/> · Toll Free: Kaua'i 274-3141, ext. 64185 · Maui 984-2400, ext. 64185 · Molokai/Lāna'i 1-800-468-4644, ext. 64185 · Hawai'i 974-4000, ext. 64185

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FRONT PAGE

[Na Pua Makani Wind Project, O‘ahu](#)
[Additional Aviation Landing Zones at Pōhakuloa Training Area, Hawai‘i](#)

HAWAI‘I (HRS 343)

- 1. [Waimea District/Regional Park FEA \(FONSI\)](#) 3

MOLOKA‘I (HRS 343)

- 2. [Chopra Hale Apartments – Kaunakakai FEA \(FONSI\)](#) 3

O‘AHU (HRS 343)

- 3. [Coconut Island Infrastructure Rehabilitation and Replacement Project DEA \(AFNSI\)](#) 4
- 4. [Hawaiian Humane Society Improvements DEA \(AFNSI\)](#) 4
- 5. [Na Pua Makani Wind Project EISPN](#) 5
- 6. [Waimanalo Health Center – Expanded Health Care Facility DEA \(AFNSI\)](#) 6

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) NOTICE

- [Additional Aviation Landing Zones at Pōhakuloa Training Area, Hawai‘i](#) 7

COASTAL ZONE MANAGEMENT NOTICES

- Special Management Area Minor Permits* 8

SHORELINE NOTICES

- Shoreline Certification Applications* 8
- Shoreline Certifications and Rejections* 9

CONSERVATION DISTRICT USE APPLICATION

- CDUA MA-3688 Earl D. Pfeiffer Trust, Public Purpose Subdivision* 10

FEDERAL NOTICES

- 1. [Danger Zone Expanded in Waters off the Pacific Missile Range Facility, Barking Sands, Kaua‘i](#) 10
- 2. [List of Fisheries 2014 Available for Review](#) 10
- 3. [Information Requested for Interstate Movement of Fruit from Hawai‘i](#) 11
- 4. [Department of Housing and Urban Development Study for Native Hawaiian Housing Needs](#) 11

GLOSSARY 13



HAWAI'I (HRS 343)

1. Waimea District/Regional Park FEA (FONSI)

Island: Hawai'i
District: South Kohala
TMK: (3) 6-7-001:025 (portion); (3) 6-7-002:017 (portion); and (3)-6-7-002.063 (portion)
Permits: National Pollution Discharge Elimination System (NPDES) Permit, Stream Channel Alteration Permit, Special Permit, Grading/Building Permit.

Proposing/Determination

Agency: County of Hawai'i, Department of Parks & Recreation, 101 Pauahi Street, Suite 6, Hilo, HI 96720-4224. Contact: James Komata, 808-961-8311.

Consultant: PBR HAWAII & Associations, Inc., 1001 Bishop Street, Suite 650, Honolulu, HI 96813. Contact: Tammy Kapali, 808-521-5631.

Status: Finding of No Significant Impact Determination



Waimea District/Regional Park will be a master-planned facility that will offer diversified recreational opportunities for both indoor and outdoor sports. The Waimea District/Regional Park will be developed in two phases. In the first phase, approximately 24 acres will be developed as a district park. For the second phase, approximately 26 additional acres will expand the district park into a regional park.

The primary purpose for the Waimea District/Regional Park is to address a deficiency of athletic and recreational opportunities for Waimea residents and for other surrounding communities in the South Kohala District. The park will include fields for football, rugby, soccer, baseball, and softball, as well as a covered play court for sports such as volleyball and basketball. The park will also provide a larger community gathering area to address existing and future demand.

MOLOKA'I (HRS 343)

2. Chopra Hale Apartments - Kaunakakai FEA (FONSI)

Island: Moloka'i
District: Moloka'i
TMK: (2) 5-3-004:028
Applicant: LDE Group, LLC, 15091 Becky Lane, Monte Sereno, CA, 95030-2105.
Contact: Dilip Gunawardena, 408-402-3680.



Approving

Agency: County of Maui, Department of Planning, 250 South High Street, Wailuku, Maui, HI 96793. Contact: William Spence, 808-270-8205.

Consultant: Architectural Drafting Service, PO Box 1718, Kaunakakai, HI 96748.
Contact: Luigi Manera, 808-553-9045.

Status: Finding of No Significant Impact Determination

The subject property consists of 1.004 acres and is identified by TMK 5-3-004:028. The property is located in the State Urban District and is designated Single Family by the Moloka'i Community Plan and Interim by Maui County zoning. The property carries no other special designations.

The Applicant intends to obtain a Community Plan Amendment from Single Family to Multi-Family designation and a Change in Zoning from Interim to A-1, Residential District in order to increase the inventory of affordable apartment rentals on the island of Moloka'i.

O'AHU (HRS 343)

3. Coconut Island Infrastructure Rehabilitation and Replacement Project DEA (AFNSI)

Island: O'ahu
District: Ko'olaupoko
TMK: 4-6-1: 1, 15, 16, 17 and 51
Permits: Special Management Area (SMA) Use Permit and Shoreline Setback Variance (SV)

Proposing/Determination

Agency: University of Hawai'i at Mānoa, 2500 Campus Road, Hawai'i Hall 307, Honolulu HI 96822
 Contact: Stephen Meder, (808) 956-8018

Consultant: Community Planning and Engineering, Inc., 1286 Queen Emma Street, Honolulu, HI 96813. Contact: Colette Sakoda, 808-833-2225 (ext. 1004).

Status: Statutory 30-day public review and comment period starts; comments are due by January 22, 2014. Please send comments to the proposing/determination agency, and consultant.



The University of Hawai'i is proposing to rehabilitate and replace the existing infrastructure at the Hawai'i Institute of Marine Biology (HIMB) on Coconut Island, Kāne'ōhe Bay, Hawai'i. The proposed project includes replacing the existing sewer, communications, water, and electricity lines that serve Coconut Island as well as maintenance/repair items identified as high priority to prevent failure of the existing infrastructures at the facility. The following work improvements are part of this project: 1) Utility line replacement; 2) Re-routing existing gravity sewer lines; 3) Sewage pump replacement and wetwell repairs; and 4) Lighthouse Pier rehabilitation.

The utility line replacement will be conducted using a Horizontal Directional Drilling (HDD) method, which will allow the utility lines to be buried beneath the bottom of Kāne'ōhe Bay rather than lying on the bottom of the bay as they currently exist. This method will minimize impacts to the surrounding marine habitat and resources by eliminating release of sediment during installation. The second work item will involve re-routing the existing sewer line that runs around North Lagoon, which was previously installed to service structures along the northern shoreline of the island. The sewer line will be re-routed and connected to the main sewer line that services the island since these structures no longer exist and because there is no need to continue service to this area of the island. The third item will involve replacement of the pumps at the existing sewer pump station located on the east side of the island in order to support the proposed replacement of the force main. The interior of the wetwell will be coated with epoxy to protect the concrete walls from corrosion. The fourth item will involve demolishing and removing the existing concrete platform of Lighthouse Pier, and replacing it with a new platform of the same footprint. The existing piles, which are in poor structural condition, will be refurbished prior to replacement of the pier's platform. The proposed project is much needed to prevent future failure and interruption of utility services to the island, and to support HIMB's ongoing as well as future research and educational programs.

4. Hawaiian Humane Society Improvements DEA (AFNSI)

Island: O'ahu
District: Honolulu
TMK: (1) 2-8-024: Parcel 037
Permits: Department of Public Works (DPW) Building Permit; Department of Permitting and Planning (DPP) Nonconforming Use Certificate; National Pollutant Discharge Elimination System (NPDES); Discharges of Storm Water Associated with Construction; Discharges of Hydro testing waters.

Applicant: Hawaiian Humane Society, 2700 Wai'ālae Avenue,



Honolulu, HI 96826. Contact: Pamela Burns, 808-946-2187.

Approving Agency:

Department of Budget and Fiscal Services, City and County of Honolulu, 530 South King Street, Room 208, Honolulu, HI 96813. Contact: 808-768-3950.

Consultant:

R. M. Towill Corporation, 2024 North King Street, Honolulu, HI 96819.
Contact: Brian Takeda, 808-842-1133.

Status:

Statutory 30-day public review and comment period starts; comments are due by January 22, 2014. Please send comments to the applicant, approving agency, and consultant.

The Hawaiian Humane Society (HHS) proposes to construct site improvements to its existing campus. The proposed improvements will be constructed in two phases and will allow the HHS to remain open to the public as the new facilities are constructed and existing facilities are upgraded. Construction improvements primarily include infrastructure upgrades (water, sewer, power); the relocation of 18 parking stalls and driveway improvements; and the following new buildings: Veterinary Clinic/Holding/Admissions Building, two Dog Adoption Kennels, three Cat Condos, and a Dog Acquaintance Yard. The existing Operations Building will be renovated and several outdated animal holding areas will be demolished.

The purpose of the proposed project is to develop a contemporary animal care facility and improve the HHS's operational efficiency. The proposed site improvements will enable the HHS to continue its mission of advancing public awareness and animal welfare through enabling its care for more than 30,000 animals a year.

5. [Na Pua Makani Wind Project \(EISPN\)](#)

Island:

O'ahu

District:

Ko'olauloa

TMK:

5-6-008:006, 5-6-006:018

Permits:

Possible permits include Incidental Take Permit, Incidental Take License, Conditional Use Permit, National Pollution Discharge Elimination System (NPDES), Public Utilities Commission approval, Federal Aviation Administration clearance, lease for or easement right, Permit to Move Oversized/Overweight Load, Community Noise Permit, and Construction and Building Permits.

Applicant:

Champlin Hawaii Wind Holdings, LLC, 2020 Alameda Padre Serra, Suite 123, Santa Barbara, CA 93103.
Contact: Mike Cutbirth, 805-568-0300.



Approving Agency:

Board of Land and Natural Resources, Department of Land and Natural Resources, Kalanimoku Building, 1151 Punchbowl Street, Honolulu, HI 96813.
Contact: William Aila, 808-587-0400.

Consultant:

Tetra Tech, Inc., 737 Bishop Street, Suite 2340, Mauka Tower, Honolulu, HI 96813.
Contact: Brita Woeck, 808-441-6600.

Status:

Statutory 30-day consultation period starts, ending January 22, 2014. Send comments to the applicant, approving agency, and consultant.

Champlin Hawaii Wind Holdings, LLC (Applicant) proposes to construct the Na Pua Makani Wind Project (Project) near Kahuku, Hawai'i to provide up to 45 megawatts (MW) capacity of clean, renewable, wind energy to the Island of O'ahu. The Project will be completed in two phases, resulting in the construction of up to 15 turbines. A portion of the Project is located on state lands, which triggers a Hawaii Revised Statutes (HRS) Chapter 343 review. A joint federal and state Habitat Conservation Plan is being prepared in anticipation of seeking an Incidental Take Permit (ITP) from the US Fish and

Wildlife Service (Service), and an Incidental Take License from the State Department of Land and Natural Resources (DLNR), Division of Forestry and Wildlife. The issuance of an ITP triggers the need for environmental compliance under the National Environmental Policy Act (NEPA). The Service and DLNR have determined that an Environmental Impact Statement (EIS) is warranted. By issuing this notice, the State process under HRS Chapter 343 and the federal process under NEPA will be aligned, and the EIS will be put forth as a single document that meets the requirements of both regulations.

6. Waimanalo Health Center – Expanded Health Care Facility DEA (AFNSI)

Island: O‘ahu
District: Ko‘olaupoko
TMK: 4-1-009: 279 and 4-1-009: 282
Permits: City and County of Honolulu Building Permits, Grubbing/Grading/Stockpiling Permits, SMA Use Permit (Major), Industrial Wastewater Discharge Permit; State of Hawai‘i National Pollutant Discharge Elimination System Permit, Community Noise Permit, Non-Covered and/or Covered Source Permit (Air Quality), Lane Use Permit for Construction Work, Oversized and Overweight Vehicles on State Highways Permit.



Applicant: Waimānalo Health Center, 41-1347 Kalaniana‘ole Highway, Waimānalo, HI 96795.
 Contact: Kathleen Kravish or Randy Gillespie, 808-259-7948.

Approving Agency: Department of Land and Natural Resources, Land Division, 1151 Punchbowl Street, Room 220, Honolulu, HI 96813.
 Contact: Steve Lau at 808-587-0447 or e-mail Stephen.T.Lau@hawaii.gov.

Consultant: The Limtiaco Consulting Group, 1622 Kanakanui Street, Honolulu, HI 96817.
 Contact: Sandy Hamura, 808-596-7790.

Status: Statutory 30-day public review and comment period starts; comments are due by January 22, 2014. Please send comments to the applicant, approving agency, and consultant.

Waimānalo Health Center (WHC) proposes to construct a new two-story outpatient health care facility and parking lot on State of Hawai‘i property identified as Tax Map Key (TMK) 4-1-009: 282 adjacent to the Waimānalo Fire Station and across from Waimānalo Elementary and Intermediate School. The new facility would house select health services that are currently offered at WHC’s existing campus located at 41-1347 Kalaniana‘ole Highway on TMK 4-1-009: 279. WHC is applying for a 65-year direct lease for both State-owned parcels.

Existing facilities utilized by WHC are inefficiently configured and inadequately sized based on modern standards for patient care. The repair and maintenance of old facilities continues to escalate, which adversely impacts the delivery of much-needed services. The 35-year direct lease (GL-5400) for the property containing the existing WHC campus expires on August 31, 2030.

WHC was granted a management right-of-entry for the triangular parcel where new construction would occur. The parcel contains an existing unimproved parking lot and overgrown vegetation. Construction of the new health care facility would allow WHC to relocate medical, behavioral health, vision, pharmacy, nutrition, outreach, and eligibility services. GL-5400 is expected to be mutually terminated upon the issuance of a new 65-year lease.

NEPA NOTICE

Additional Aviation Landing Zones at Pōhakuloa Training Area, Hawai'i

Island: Hawai'i
District: Hāmākua
TMK: TMK (3) 4-4-016:001
Permits: NPDES
Proposing/Determination Agency: United States Army Garrison, Hawai'i, 851 Wright Avenue, Wheeler Army Airfield Schofield Barracks, HI 96857-5013.
Contact: Dale Kanehisa, 808-656-5670.
Consultant: Portage, Inc., 1075 South Utah Avenue, Idaho Falls, ID 83201.
Contact: John Beller, 208-528-6608.
Status: The EA/Draft FNSI comment period runs from December 19, 2013 to January 18, 2014.



The 25th Combat Aviation Brigade and Army National Guard, Hawaii, propose to construct four aviation landing zones (LZs), and associated trails, for training use at the Pōhakuloa Training Area (PTA) on the island of Hawaii. The LZs would provide locations that allow pilots and troops to be trained to proficiency in austere environmental conditions above 8,000 ft (2,438 m) to meet the proficiency requirements found in USARPAC 350-1-7, "Proponent and Additional Training Program." Existing PTA LZs do not provide these conditions or training opportunities. The action being proposed does not involve the acquisition of additional land, training outside of the current installation boundary, or live-fire exercises conducted outside the approved/existing PTA impact area. Additionally, no increase in training flights is being proposed under the Proposed Action or Action Alternatives. It is estimated that approximately 10% of current training flights occurring at PTA would use the new LZs once they are constructed. The estimated duration of the construction period for the longest of the Action Alternatives, the Proposed Action, is 40 days. Based on the information analyzed in the EA, the USAG-HI finds that the Proposed Action would not result in any significant direct, indirect, or cumulative adverse impacts on the natural or human environment, and has prepared a draft finding of no significant impact (FNSI). An environmental impact statement will not be required for this project.

The public comment period began on December 19, 2013, and will run until **January 18, 2014**. Copies of the EA and Draft FNSI are available for review at the Hilo Public Library, Kailua-Kona Public Library, and Thelma Parker Memorial Public and School Library. Written comments should be directed to: Dale Kanehisa, 948 Santos Dumont Avenue, Building 105, Wheeler Army Airfield, Schofield Barracks, HI 96857-5013. Copies can also be obtained by contacting Dale Kanehisa at 808-656-5670 or dale.kanehisa@us.army.mil. The EA and draft FNSI can also be access online at <http://www.garrison.hawaii.army.mil/NEPA/NEPA.htm>.



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).

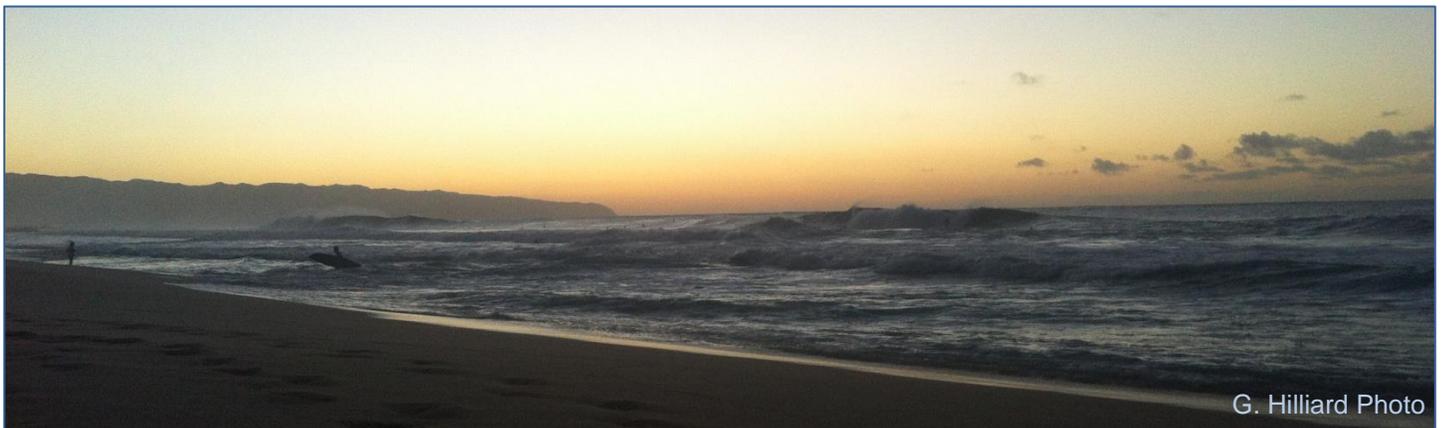
Location (TMK)	Description (File No.)	Applicant/Agent
Maui: Waiehu (3-4-028: 060)	Demolition of Dwelling (After-the-Fact) (SM2 20130140)	Marc A Taron
O'ahu: Kapolei (9-1-026: 046 and 047)	Jensen Precast Facility – Phase 1 (2013/SMA-38)	Jensen Precast / Belt Collins Hawaii LLC

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-561	11/4/13	Lots A-1 and A-2 Kaunuohua Award being a portion of L.C Aw. 293 to Kaunuohua situate at Lahaina, Maui Address: 417 Front Street Purpose: Determine shoreline setback	R.T. Tanaka Engineers, Inc./ 417 Front Street Associates, LLC	4-6-002:003 & 022
OA-1564	12/2/13	Lot 6 as shown on Map 1 of Land Court Consolidation 211 situate at Kaunala, Koolauloa, Oahu Address: 58-131 Napoonala Place Purpose: Permitting	Ryan M. Suzuki/ ITABIRITE LLC	5-8-006:036
OA-1565	12/11/13	Lot 1598-B Land Court Application 242 situate at Puuloa, Ewa, Oahu Address: 91-53 Parish Drive Purpose: Building permit	Walter P. Thompson, Inc./ Maurice & Joan Yamasato, Dennis & Michiko Arakaki	9-1-007:080



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-1529	Proposed Shoreline Certification	Lot 3-B-3 (Map 49) Land Court Application 656 situate at Wailupe, Honolulu, O'ahu Address: 5375 and 5375A Kalaniana'ole Highway Purpose: Building permit	Kenn Nishihira/ Chao H. Chen, Guey Ling Chen	3-6-003:008
OA-1547	Proposed Shoreline Certification	Lot 118 as shown on Land Court Application 1095 (Map 10) situate at Kawela Beach Lots, Ko'olaupoko, O'ahu Address: 57-441 Honokawela Drive Purpose: Permitting purpose	Towill, Shigeoka & Associates, Inc./ Modern Development, LLC	5-7-003:042
OA-1550	Proposed Shoreline Certification	Lot 33 (Map 6) of Land Court Consolidation 29 situate at Kane'ohe, Ko'olaupoko, O'ahu Address: 45-038 Ka Hanahou Place Purpose: Shoreline setback determination	Engineers Surveyors Hawaii, Inc./ Herbert Fuller	4-5-047:116
MA-563	Proposed Shoreline Certification	Portion of Land Commission Award 11216, Apana 21 to M. Kekauonohi being also all of Lot 52 of Makena Beach Lots situate at Palaeua, Honua'ula, Makawao, Maui Address: Makena Road Purpose: Planning for future use of subject parcel	Warren S. Unemori Engineering, Inc./ Larson Family Trust	2-1-011:017
HA-474	Proposed Shoreline Certification	Lot 14 of Vacationland Hawaii Subdivision (F.P. 814) L.C. Aw. 8559, Apana 5 situate at Kapoho, Puna, Island of Hawai'i Address: Waiopae Road Purpose: Determine shoreline setback	The Independent Hawaii Surveyors, LLC/ Robert Muranaka	1-4-068:001
HA-475	Proposed Shoreline Certification	Lot 18, Waawaa Subdivision, portion of Grant 3687 to R.A. Lyman, Grant 1363 to Pakaka, Grant 997, Apana 1 to Haole and Grant 997, Apana 2 to Haole situate at Wa'awa'a, Puna, Island of Hawai'i Address: Government Beach Road Purpose: Determine setback	The Independent Hawaii Surveyors, LLC/ Merrill L. Mazza	1-4-028:033



G. Hilliard Photo

CONSERVATION DISTRICT USE APPLICATION

Persons interested in commenting on the following Conservation District Use Application or interested in receiving notification of determinations on Conservation District Use Applications must submit comments and requests to the Department of Land and Natural Resources. Notification requests must include the following information: 1) Name and address of the requestor; 2) The application for which the requestor would like to receive notice of determination; and 3) The date the notice was initially published in the Environmental Notice. Send comments and requests to: Department of Land and Natural Resources, Office of Conservation and Coastal Lands, P.O. Box 621, Honolulu, HI, 96809. DLNR will make every effort to notify those interested in the subject CDUAs. However, DLNR is not obligated to notify any person not strictly complying with the above requirements. For more information, please contact the Office of Conservation and Coastal Land's staff listed for each project.

PROJECT:

File No.:	CDUA MA-3688
Name of Applicant:	Earl D. Pfeiffer Trust
Location:	Pālolo Valley, Wai'ōma'o, O'ahu
TMK:	(1) 3-4-015:027
Proposed Action:	Public Purpose Subdivision
343, HRS determination:	Exempt
Applicant's Contact:	Philip Leas of Cades Schutte, LLP, 808-521-9328
OCCL Staff Contact:	Tiger Mills, 808-587-0382

FEDERAL NOTICES

1. [Danger Zone Expanded in Waters off the Pacific Missile Range Facility, Barking Sands, Kauai](#) - December 16, 2013

The Corps of Engineers is amending its regulations for the danger zone in waters of the Pacific Ocean off the Pacific Missile Range Facility at Barking Sands, Island of Kauai, Hawaii. The U.S. Navy conducts weapon systems testing and other military testing and training activities at the Pacific Missile Range Facility. The amendment expands the boundaries of the existing danger zone to include an area necessary to protect the public from potential hazards associated with weapon systems testing, other military testing and training activities, and increased threat conditions. Similar to the original danger zone, the expanded danger zone prohibits any activity by the public within the danger zone during range operations, weapon systems testing, other military testing and training activities, increases in force protection and other mission-essential evolutions without first obtaining permission from the Commanding Officer, Pacific Missile Range Facility to ensure public safety and/or installation good order. The expanded danger zone extends along approximately seven miles of shoreline adjacent to the Pacific Missile Range Facility, with its seaward extent ranging between 2.96 and 4.16 nautical miles offshore. Only the portions of the danger zone necessary to safely conduct range operations will be activated. This will be effective January 15, 2014.

CONTACT: Mr. David Olson, Headquarters, Operations and Regulatory Community of Practice, Washington, DC at 202-761-4922, or Ms. Susan Meyer, Corps of Engineers, Honolulu District, Regulatory Branch at 808-835-4599 or by email at susan.a.meyer@usace.army.mil.

2. [List of Fisheries 2014 Available for Review](#) - December 6, 2013

The National Marine Fisheries Service (NMFS) publishes its proposed List of Fisheries (LOF) for 2014, as required by the Marine Mammal Protection Act (MMPA). The proposed LOF for 2014 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 mortality and serious injury of marine mammals that occurs incidental to each fishery. The classification of a fishery on 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 on the Final LOF for 2013 remain in effect until the effective date of the Final LOF for 2014. Comments must be received by **January 6, 2014**.

You may submit comments on the proposed rule, identified by "NOAA-NMFS-2013-0148" by: (1) Electronic Submissions: Submit all electronic comments through the Federal eRulemaking portal:

<http://www.regulations.gov>. (2) Mail: Submit written comments to 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

CONTACT: Lisa White, Office of Protected Resources, 301-427-8494; Allison Rosner, Northeast Region, 978-281-9328; Jessica Powell, Southeast Region, 727-824-5312; Elizabeth Petras, West Coast Region (CA), 562-980-3238; Brent Norberg, West Coast Region (WA/OR), 206-526-6550; Kim Rivera, Alaska Region, 907-586-7424; Nancy Young, Pacific Islands Region, 808-944-2282.

3. [Information Requested for Interstate Movement of Fruit from Hawai'i](#) - December 10, 2013

Under the Plant Protection Act (7 U.S.C. 7701 et seq.), the Secretary of Agriculture is authorized to prohibit or restrict the importation, entry, or movement of plants and plant pests to prevent the introduction of plant pests into the United States or their dissemination within the United States. The Hawaii fruit and vegetables regulations contained in 7 CFR 318.13-1 through 318.13-25 govern, among other things, the interstate movement of fruits and vegetables from Hawaii. These regulations are necessary to prevent the spread of plant diseases and pest that occur in Hawaii but not on the mainland United States. The Animal and Plant Health Inspection Service (APHIS) regulations allow mangosteen, dragon fruit, melon, pods of cowpea and its relatives, breadfruit, jackfruit, and fresh drumstick tree pods to be moved interstate from Hawaii under certain conditions to the mainland United States while continuing to provide protection against the spread of plant pests from Hawaii in the continental United States.

The Department of Agriculture has submitted the following information collection requirement(s) to Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments regarding (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments regarding this information collection received by January 9, 2014 will be considered. Written comments should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), New Executive Office Building, 725 17th Street NW., Washington, DC 20502. Commenters are encouraged to submit their comments to OMB via email to: OIRA_Submission@OMB.EOP.GOV or fax (202) 395-5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250-7602. Copies of the submission(s) may be obtained by calling (202) 720-8958.

4. [Department of Housing and Urban Development Study for Native Hawaiian Housing Needs](#) – December 11, 2013

The Department of Housing and Urban Development (HUD) has submitted the proposed information collection requirement described below to the Office of Management and Budget (OMB) for review. OMB Approval Number: 2528-0288. The purpose of this notice is to allow for an additional 30 days of public comment and replaces the notice HUD published on November 27, 2013.

HUD has submitted to OMB a request for approval of the information collection. The Federal Register notice that solicited public comment on the information collection for a period of 60 days was published on August 1, 2012. There have been some revisions in the information collection plan since that date.

The Department is conducting this study under contract with The Urban Institute and its subcontractors, NORC, Econometrica and SSI. The project is a housing needs assessment that will produce national level estimates of housing needs in tribal areas in the United States. HUD provides funding through several programs to Native American and Alaskan Native populations, most notably through the Indian Housing Block Grant. The level of housing need is of particular interest to HUD and the Congress has mandated this study. HUD has not published a study on housing needs, in general, for this population since 1996. The survey covered by this data collection is a household survey of Native Hawaiians living in Hawaii.

Respondents: Native Hawaiian heads of households currently resident in the state of Hawaii. The respondents for this survey will be drawn from the Applicant Wait List maintained by the state of Hawaii's

Department of Hawaiian Home Lands (DHHL). The individuals on the DHHL list are eligible for the homestead benefit (that is, people who are at least 50% blood quantum Native Hawaiian) and are not currently direct recipients of federal housing assistance targeted to Native Hawaiians. The goal is 500 total completed interviews. In order to reach that goal, the target will be sample 625 respondents. In-person household interviews will be conducted.

Comments must be received by **January 10, 2014**. Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: HUD Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503; fax: 202-395-5806. Email: OIRA_Submission@omb.eop.gov.

CONTACT: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410; email Colette.Pollard@hud.gov or telephone 202-402-3400. Copies of available documents submitted to OMB may be obtained from Ms. Pollard.



OEQC Team

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's 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).