

The Environmental Notice

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

[Jessica Wooley Appointed OEQC Director](#)

Hawai'i State Representative Jessica Wooley, chair of the House Agriculture Committee, has been appointed by Governor Neil Abercrombie to serve as the Director of the Office of Environmental Quality Control. The appointment is subject to confirmation by the State Senate.

"Jessica is knowledgeable and experienced in issues pertaining to the environment, water resources, agriculture and land use," Abercrombie said in a statement. "Her legal and public service background will be a great asset in protecting Hawaii's fragile environment. Her energy and commitment to the issues involved with the OEQC is a big plus for Hawaii."



Representative Wooley will officially start as OEQC Director after State Senate confirmation. The Office looks forward to working with Jessica. Welcome and congratulations!!!

[Supplemental EIS Not Required for Kapolei Lofts Project](#)

The Hawaii Housing Finance and Development Corporation (HHFDC) has determined pursuant to Section 11-200-27, Hawaii Administrative Rules, that a Supplemental Statement is not required for the proposed Kapolei Lofts. Kapolei Lofts is a component of the Kapolei Town Center and will consist of rental apartment units, commercial space, a community center/clubhouse, a 1.34-acre linear park, and parking.

The Final Environmental Impact Statement for the Kapolei Town Center was accepted by the City and County of Honolulu, Department of Planning and Permitting (formerly the Department of General Planning) in August 1988. The action has not yet been fully implemented and has been reviewed with respect to changes in size, scope, location, intensity, use and timing. The HHFC review indicated that no Supplemental Environmental Impact Statement will be required at this time.

The proposed action entails the development of the Kapolei Lofts which will consist of 499 rental apartment units, 100 units will be targeted for households at 80% and below the Area Median Income (AMI) as determined by the US Department of Housing and Urban Development, 200 units for those at 140% and below the AMI, and 199 units will be provided at market rents. On December 12, 2013, the HHFDC Board of Directors approved an interim loan from the Dwelling Unit Revolving Fund for the Kapolei Lofts.



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 · Moloka'i/Lāna'i 1-800-468-4644, ext. 64185 · Hawai'i 974-4000, ext. 64185

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HAWAII (HRS 343)

1. Carlson Single-Family Residence Project DEA (AFNSI)

Island: Hawai'i
District: Puna
TMK: (3) 1-5-010:028
Permits: Conservation District Use Permit, Grading Permit, Special Management Area Permit.
Applicant: Darrin Nael & Debra Louise Carlson, 26 11th Street, Cayucos, CA 93430; 805-995-2298.
Approving Agency: Office of Conservation and Coastal Lands, Department of Land and Natural Resources, Kalanimoku Building, 1151 Punchbowl Street, Room 131, Honolulu, HI 96813. Contact: Samuel Lemmo, 808-587-0377.
Consultant: Native Technologies, LLC, 3449 Kaimuki Avenue, Honolulu, HI 96816; 808-620-6332.
Status: Statutory 30-day public review and comment period starts; comments are due by April 22, 2014. Please send comments to the applicant, approving agency, and consultant.



The applicants propose to construct a single-story Single-Family Residence (SFR) on a 3.5-acre shoreline property located at 15-2225 Government Beach Road in the Puna District of the Island of Hawai'i. The SFR will consist of a 3,371 square-foot house with an attached garage and wrap-around lanai, the SFR will include: 4 bedrooms; 3 bathrooms; a subsurface septic system with 1000-gallon septic tank and 12-foot by 24-foot absorption bed, and a 10,000-gallon capacity water catchment tank, standing 4 feet high and 20 feet in diameter. The SFR will be placed on 7-foot post & pier to elevate the main residence, additionally a 15-foot wide compacted gravel driveway with a turnaround, and overall approximate length of 375 feet will be constructed on site.

MAUI (HRS 343)

2. North Shore Greenway – Phase IV DEA (AFNSI)

Island: Maui
District: Wailuku and Makawao
TMK: (2)2-5-005:046(por.); (2)3-8-001:(Hana Highway Parcel); and (2)3-8-001:071(por.)
Permits: Department of Army Nationwide Permits pursuant to Section 10 of the Rivers and Harbors Act and Section 404 Clean Water Act; National Pollutant Discharge Elimination System Permit; Department of Health Community Noise Permit; Special Flood Hazard Development Permit; Work to Perform in State Right-of-Way Permit; and Construction Permits (Grading and Grubbing).



Proposing/Determination Agency: County of Maui, Department of Public Works, 200 South High Street, Wailuku, HI 96793. Contact: David Goode, 808-270-7845.
Consultant: Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793. Contact: Colleen Suyama, 808-244-2015.
Status: Statutory 30-day public review and comment period starts; comments are due by April 22, 2014. Please send comments to the proposing/determination agency and consultant.

The North Shore Greenway - Phase IV will be the final phase of bike path which will run east from Ulupua Place and connect with the existing path directly east of HA Baldwin Park in Paia, Maui, Hawai'i.

The proposed project runs on the makai side of Hana Highway with two (2) proposed easements affecting Maui Country Club and HA Baldwin Park. The purpose of the proposed project is to complete the North Shore Greenway project in order to create an alternative route of transportation for pedestrians and bikers. The proposed project involves a new eight (8) foot wide asphaltic concrete pavement set approximately 7.5 feet away from the lane of vehicular travel. The proposed project also involves the construction of a drainage way crossing to extend eight (8) feet from the existing culvert to enable Greenway construction atop of it.

O'AHU (HRS 343)

3. Atlantis Adventures Maintenance Facility at Pier 27 FEA (FONSI)

Island: O'ahu
District: Honolulu
TMK: 1-5-038: 001
Permits: Building.
Applicant: Atlantis Adventures LLC, Pier 40, Honolulu, HI 96816.
Contact: Jon Chapman, 808-832-6603 or e-mail ichapman@atlantisadventure.com.

Approving Agency: State of Hawai'i, Department of Transportation, Harbors Division, 79 South Nimitz Highway, Honolulu, HI 96813.
Contact: Dean Watase, 808-587-1883 or e-mail dean.watase@hawaii.gov.

Consultant: Environmental Communications, Inc, PO Box 236097, Honolulu, HI 96823.
Contact: Taeyong Kim, 808-528-4661 or e-mail tkim@environcom.com.

Status: Finding of No Significant Impact Determination.



The proposed action consists of the construction of a warehouse and maintenance complex for Atlantis Adventures which operates the Atlantis Submarines and the Navatek whale watch and dinner cruise boat. The central warehouse building will consist of a two-story structure comprised of stacked shipping containers configured to serve as the perimeter of the warehouse. A metal roof will be placed over the stacked containers to create a weather-proof central work and storage area. Ancillary buildings include three office trailers with decks, and two additional storage containers located close to dockside for storage and electrical equipment, for a total floor area of 12,309 square feet and a lot coverage figure of 9,763 square feet.

Ancillary parking will be provided adjacent to the warehouse and trailer offices. A total of 31 stalls will be provided including 2 required accessible stalls. Two separate loading stalls will also be provided.

Improvements proposed over the submerged lands include approximately 300 linear feet of 8-foot wide dock walkways.

The proposed action is required as the current operations located at Pier 40 are subject to the Kapalama Container Terminal and Tenant Relocation Plan. The proposed improvements at Pier 27 will not result in any significant expansion over the current operations at Pier 40.



4. Hālau Kū Māna Public Charter School Improvements DEA (AFNSI)

Island: O‘ahu
District: Honolulu
TMK: (1) 2-5-019:008 (portion); (1) 2-5-20:003; (1) 2-5-20:004; (1) 2-5-20:005 (portion); (1) 2-5-20:008 (portion).
Permits: Department of Health Wastewater Permit; Grubbing, Grading and Stockpiling Permit; Building Permits; NPDES (if more than one acre).
Applicant: Mana Maoli, c/o Hālau Kū Māna, 2101 Makiki Heights Drive, Honolulu, HI 96822.
 Contact: Mahina Duarte, 808-945-1600.



Approving Agency: State Board of Land and Natural Resources, 1151 Punchbowl Street, Honolulu, HI 96813.
 Contact: Stephen Soares, phone 808-587-0505, fax 808-587-0311.
Consultant: PBR Hawaii & Associates, Inc, 1001 Bishop Street, Suite 650, Honolulu, HI 96813.
 Contact: Catie Cullison, phone 808-521-5631, fax 808-523-1402.
Status: Statutory 30-day public review and comment period starts; comments are due by April 22, 2014. Please send comments to the applicant, approving agency, and consultant.

Hālau Kū Māna Public Charter School will utilize State lands to construct improvements to existing facilities at the school. The school is comprised mainly of ten portable classroom and administrative and support trailers, a 40-foot by 50-foot canopy tent, parking areas and landscaping. This arrangement was appropriate when the school first located at the site, but no longer fits the needs of the student body. The primary purpose for the Hālau Kū Māna Public Charter School Improvements is to provide adequate educational facilities for the existing student population and establish compliance with environmental requirements for new and existing facilities. The improvements will include the renovation of existing structures, installation of a permanent wastewater system, and addition of new classroom facilities.

5. Waiale‘e Beach Park Master Plan DEA (AFNSI)

Island: O‘ahu
District: North Shore
TMK: 5-8-001: 010, 015, 016, 017, 041; 5-8-006: 007, 030, 058 (pending land dedication to City); 5-7-005: 013.
 Private property that may be acquired: 5-8-001: 021, 023, 029, 033, 034.
Permits: Special Use Permit; Special Management Area Use Permits; Conditional Use Permit - Minor for Joint Development; Grubbing, Grading, and Stockpiling Permit; Building Permit for Building, Electrical, Plumbing, Sidewalk/Driveway and Demolition Work; NPDES General Permits; Work within State Highway Right-of-Way.



Proposing/Determination Agency: Department of Design and Construction, City and County of Honolulu, 650 South King Street, Honolulu, HI 96813. Contact: Clifford Lau, 808-768-8478.
Consultant: Gerald Park, 95-595 Kanam‘ee Street, #324, Mililani, HI 96789; phone 808-625-9626.
Status: Statutory 30-day public review and comment period starts; comments are due by April 22, 2014. Please send comments to the proposing/determination agency and consultant.

The Waiale‘e Beach Park Master Plan was conceived in part by unique physical and environmental features and land tenures where the park is to be located. The beach park features almost one mile of white sand beach interspersed with nearshore reefs that make the shoreline ideal for fishing, reef walking, diving, camping, limited swimming, and sunbathing. The park also borders Kalou Marsh, a

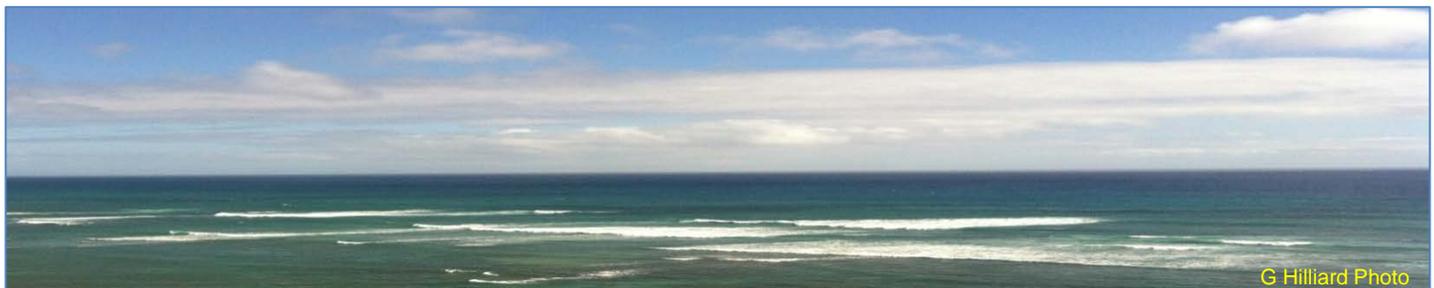
wetland located near the center of the park, Kalou Fishpond a recorded historic feature, and two intermittent stream channels on the eastern and western ends.

The beach provides opportunities for a variety of ocean recreation activities, but the depth of the lots comprising the park (which averages between 160 and 180 lineal feet) constrains the type of recreational uses and supporting facilities that the park can physically accommodate and in part shapes the park layout.

Park improvements have been kept to a minimum because of environmental conditions, physical characteristics of the land, and a decision by city park planners to foster informal, unstructured recreational uses. The planned improvements include three access roads from Kamehameha Highway (a fourth access road from Kamehameha Highway will be provided by others), parking, earthwork, utility line installation, landscaping, irrigation system, bathhouses, outdoor showers, and individual wastewater systems. A camping area for overnight camping is proposed for the eastern end of the park.

The cost of improvements is estimated at \$3.45 million and will be funded by the City and County of Honolulu. Improvements will be constructed over five (5) development phases.

| 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: North Kohala (5-2-001: 024) | Food Truck and Fruit Stand on Property (SMM 14-296) | Nani and Donald Svendsen |
| Hawai'i: Kapoho Beach Lots (1-4-027: 011, 012 and 028) | After-the-Fact Grubbing of Parcels, Removal of Trees, and Installation of Construction Screening (SMM 14-297) | Janet Rugg Lew |
| Maui: Lahaina (4-6-010: 001) | Temporary Tents (SM2 20140017) | Didi Azcueta |
| Maui: Lahaina (4-6-010: 001) | Temporary Structures (SM2 20140018) | Didi Azcueta |
| Maui: Lahaina (4-6-010: 001) | Temporary Structures (SM2 20140019) | Didi Azcueta |
| Maui: Wailea (2-1-023: 005) | Maxfield Condo Renovations (SM2 20140020) | Satish K. Gholkar |
| Maui: (3-8-025: 008 and 009) | Maui Full Gospel Church (SM2 20140021) | Hankyu Kim |
| Maui: (2-1-023: 007) | Install Antennas (SM2 20140022) | AT & T |
| Maui: (3-9-006: 004) | Dwelling – Adding a Deck (SM2 20140023) | Melott Stanley Edward |
| Maui: (1-3-002: 039) | Temporary Storage / Office Structure (SM2 201400024) | Peter Gaffney |
| Maui: Kaunakakai (5-7-008: 031) | Proposed New Residence (SM6 20130012) | Harvey & Janet Place |
| Maui: Molokai (5-7-008: 037) | Single Family Dwelling (SM6 20140003) | Moani Michelle Melcher |
| O'ahu: Hauula (5-3-009: 068) | Site Grading and New Pad on Lot A-1 within the SMA (2014/SMA-5) | David and Anne Figueira / Engineering Dynamics Corp |



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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-571 | 3/6/14 | Lot 3 of Kuau Tract Subdivision situate at Paia, Hamakuapoko, Makawao, Maui Address: 475 Hana Highway Purpose: N/A | Akamai Land Surveying, Inc./ James Argyropoulos | 2-6-009:005 |
| HA-480 | 3/3/14 | Portion of Richardson Ocean Park being portions of Grant 7187 to David Malo, Grant 9218 to E. Richardson and Executive Order 267 situate at Waiakea, South Hilo, Island of Hawaii Address: 2355 Kalaniana'ole Street Purpose: Building and accessibility improvements | Wayne A. Subica, Jr./ County of Hawaii, Department of Parks & Recreation | 2-1-019:009 & 010 |

Shoreline Certification 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-1565 | Proposed Shoreline Certification | 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 |
| MA-551 | Rejection | Lot D-1-A-1 of the North Beach Subdivision, IIA situate at Honokowai, Kaanapali, Lahaina, Maui Address: 130 Kai Malina Parkway Purpose: Shoreline setback | Austin, Tsutsumi & Associates, Inc./ Honua Kai Condominium Association, Inc. | 4-4-014:006 |
| HA-468 | Rejection | Lot 29 of Vacationland Hawaii Subdivision (F.P. 814) L.C. Aw. 8559, Apana 5 situate at Kapoho, Puna, Island of Hawaii Address: N/A Purpose: Determine shoreline setback for building purposes | The Independent Hawaii Surveyors, LLC/ Stephen Hagg | 1-4-068:017 |



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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, PO 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-3706 |
| Name of Applicant: | Maui Canoe Club |
| Location: | Kihei, Maui |
| TMK: | (2) 3-8-005:003 |
| Proposed Action: | After the Fact Recreational Use |
| 343, HRS determination: | Exempt |
| Applicant's Contact: | Rory Frampton, 808-298-4956 |
| OCCL Staff Contact: | Tiger Mills, 808-587-0382 |

FEDERAL NOTICES

1. [Revised NOI to Prepare an EIS for a Proposed Highway Project in Hawaii County](#) – March 18, 2014

The Federal Highway Administration (FHWA) issued a revised Notice of Intent (NOI) to inform the public that an environmental impact statement (EIS) will be prepared for a proposed highway project in Hawaii County, Hawaii. This notice revises the NOI that was published in the Federal Register on July 13, 1999. The FHWA, Central Federal Lands Highway Division (CFLHD), and the Hawaii Department of Transportation will prepare an environmental impact statement (EIS) for a surface transportation project in the South Kohala and North Kona Districts, of the island of Hawaii. The project intends to address the linkage between the Queen Kaahumanu Highway (State Highway 19) and the Mamalahoa Highway (State Highway 190) in the vicinity of the newly realigned Daniel K. Inouye Highway (formerly Saddle Road [State Highway 200]). This proposed link would constitute the final piece to complete one of the three highway arterials that connect the east and west regions on the island of Hawaii. This proposed link has been identified in the Hawaii Long-Range Plan for the purpose of adding inter-regional capacity. This notice updates a notice for the project originally published in the July 13, 1999, Federal Register. An EIS was not issued pursuant to the prior notice because changed circumstances may affect potential project alternatives. CONTACT: Ricardo Suarez, Division Engineer, Federal Highway Administration, Central Federal Lands Highway Division. Contact Information: 12300 West Dakota Avenue, Lakewood, CO 80228. (720) 963-3448.

2. [Navy Requests to Take Marine Mammals Incidental to Mariana Islands Training and Testing](#) – March 19, 2014

NMFS has received a request from the U.S. Navy (Navy) for authorization to take marine mammals incidental to the training and testing activities conducted in the Mariana Islands Training and Testing (MITT) study area from March 2015 through March 2020. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue regulations and subsequent Letter of Authorization (LOA) to the Navy to incidentally harass marine mammals. **Comments and information must be received no later than May 5, 2014.**

On April 22, 2013, NMFS received an application from the Navy requesting an LOA for the take of 26 species of marine mammals incidental to Navy training and testing activities to be conducted in the MITT Study Area over 5 years. The Navy is requesting regulations that would establish a process for authorizing take, via one 5-year LOA, of marine mammals for training and testing activities, proposed to be conducted from 2015 through 2020. The Study Area includes the existing Mariana Islands Range Complex and surrounding seas, a transit corridor between the Mariana Islands and the Navy's Hawaii Range Complex, and Navy pierside locations where sonar maintenance or

testing may occur (see Figure 2-1 of the Navy's application for a map of the MITT Study Area). The proposed activities are classified as military readiness activities. Marine mammals present in the Study Area may be exposed to sound from active sonar and underwater detonations. In addition, incidental takes of marine mammals may occur from ship strikes. The Navy is requesting authorization to take 26 marine mammal species by Level B (behavioral) harassment and 13 marine mammal species by Level A harassment (injury) or mortality.

3. [List of Fisheries 2014](#) – March 14, 2014

The National Marine Fisheries Service (NMFS) publishes its final List of Fisheries (LOF) for 2014, as required by the Marine Mammal Protection Act (MMPA). The final 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. **This final rule is effective April 14, 2014.** Comments regarding any aspect of the collection of information requirements contained in this 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 the Office of Information and Regulatory Affairs at OIRA_submissions@omb.eop.gov. Contact: Lisa White, Office of Protected Resources, 301-427-8494 or Nancy Young, Pacific Islands Region, 808-725-5156.

4. [Nominations for the Na Hoa Pili O Kaloko-Honokohau Advisory Commission](#) – March 12, 2014

The National Parks Service, U.S. Department of the Interior, proposed to appoint a member to the Na Hoa Pili O Kaloko-Honokohau (The Friends of Kaloko-Honokohau), an advisory commission for the park. The Superintendent, Kaloko-Honokohau National Historical Park, acting as administrative lead, is requesting nominations for qualified persons to serve on the Commission. The purpose of the Commission is to advise the Superintendent and the Director, National Park Service, with respect to the historical, archeological, cultural, and interpretive programs of the park. The Commission is to afford particular emphasis to the quality of traditional Native Hawaiian cultural practices demonstrated in the park. **Nomination must be postmarked no later than May 12, 2014.** Nominations or requests for further information should be sent to Tammy Duchesne, Superintendent, Kaloko-Honokohau National Historical Park, 73-4786 Kanalani Street, Suite 14, Kailua-Kona, Hawaii 96740. CONTACT: Jeff Zimpfer, National Park Service, Environmental Protection Specialist, Kaloko-Honokohau National Historical Park, 73-4786 Kanalani St., 14, Kailua Kona, Hawaii 96740, by telephone (808) 329-6881, ext. 1500, or email: jeff_zimpfer@nps.gov.

5. [Notice of Passenger Facility Charge \(PFC\) Approvals Applicable to Hawaii](#) - March 12, 2014

The Federal Aviation Administration (FAA) publishes notice, of Passenger Facility Charge (PFC) approvals and disapprovals under the provision of the Aviation Safety and Capacity Expansion Act of 1990 and Part 158 of the Federal Aviation Regulations. This notice includes approvals for a number of approved applications applicable to Hawaii such as: Application Number: 13-05-C-00-HNL to Impose and use a PFC at \$4.50 for a total PFC Revenue of \$301,094,938 to be approved. The earliest charge effective date is February 1, 2014. The estimated charge expiration date is July 1, 2026. The projects approved for collection at Honolulu International Airport (HNL) are for the following: Runway 08R/26L pavement rehabilitation; Runway 04R/22L pavement rehabilitation; Install runway 04L/22R lighting system; Loading bridge replacement--Overseas Terminal; Construct new Makua concourse; Aircraft parking apron - Mauka concourse. The projects approved for collection at HNL and use at HNL at a \$3.00 PFC Level: Second level roadway improvements - Overseas Terminal; Shuttle bus stations between gates 6 and 62--terminal improvements; Roof canopy replacement - Overseas Terminal. The projects approved for collection at HNL and use at Hilo International Airport (ITO) at \$4.50 PFC Level: Construct aircraft rescue and firefighting facility. Install access control and closed circuit television. The projects approved for collection at HNL and use at Kona International Airport at Keahole Airport (KOA) at \$4.50 PFC Level: Construct aircraft rescue and firefighting facility. Install access control and closed circuit television. The project approved for collection at HNL for future use at Kahului Airport (OGGO) at \$3.00 PFC level: Land acquisition. The project approved for collection at HNL and use at HNL, ITO, KOA, OGG and Lihue Airport (LIH) at \$3.00 PFC Level: PFC administrative costs. The withdrawn projects associated with the application include: Taxiway Z structural improvements at HNL. Runway 08L/26R widening at HNL. The date of withdrawal was July 19, 2013. The decision date was November 22, 2013. Please open the [Link](#) for further information on this approval as well as information on the following similar applications to impose and use a PFC: 13-05-C-00-OGG.13-05-C-00-KOA.13-05-C-00-LIH. CONTACT: Steve Wong, Honolulu Airports District Office, (808) 541-1225.

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 is

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. Notices of permit applications are published in this bulletin.

Special Management Area and Shoreline Setback Area

The Special Management Area (SMA) is along the coastline of all islands and development in this area is generally regulated by [HRS 205A](#), and county ordinance. A special subset of the SMA that is regulated by HRS 343, is the [Shoreline Setback Area](#). Most development in this area requires a Special Management Permit. This bulletin posts notice of these SMA applications to encourage public input.

Shoreline Certifications

State law requires that Hawai'i shorelines be surveyed and certified when necessary to clearly establish the shoreline setback from the certified shoreline. The public may participate in the process to help assure accurate regulatory boundaries. Private land owners often petition to have their shoreline certified by the State surveyor prior to construction. This bulletin publishes notice from the Department of Land and Natural Resources of shoreline certification applicants and final certifications or rejections.

Environmental Council

The [Environmental Council](#) is a 15-member citizen board appointed by the Governor. They serve as a liaison between the Director of OEQC and the general public concerning ecology and environmental quality. The Council makes the rules that govern the Environmental Impact Statement process (HRS 343). [Agendas](#) of their regular meetings are posted on the Internet and the public is invited to attend.

Exemption Lists

Government agencies must keep a list describing the minor activities they regularly perform that are [exempt](#) from the environmental review process. These lists and any amendments shall be submitted to the Council for review and concurrence ([HAR 11-200-8\(d\)](#)). This bulletin will publish an agency's draft exemption list for public comment prior to Council decision making, as well as notice of the Council's decision on the list.

Endangered Species

This bulletin is required by [HRS 343-3\(c\)](#), to publish notice of public comment periods or public hearings for Habitat Conservation Plans (HCP), Safe Harbor Agreements (SHA), or Incidental Take Licenses (ITL) under the federal Endangered Species Act, as well as availability for public inspection of a proposed HCP or SHA, or a proposed ITL (as a part of an HCP or SHA).