

The Environmental Notice

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

Upper Kapahi Reservoir Dam Replacement on Kaua'i

The Hawai'i State Department of Accounting and General Services proposes a new dam in the Upper Kapahi Reservoir on Kaua'i. The dam will be used for agricultural purposes to supplement some of the water storage lost when the existing dam was decommissioned.

The proposed dam will be within the footprint of the existing reservoir, a short distance upstream from the existing dam. The dam may also benefit recreational users as it could potentially be used for swimming, wading, or fishing in a limited capacity.

No significant impacts are anticipated from construction or operation of the new dam. Page 8 has more details.



Hawai'i Selected to Host World's Largest Conservation Event

The International Union for Conservation of Nature (IUCN) will hold its World Conservation Congress (WCC) at the Hawai'i Convention Center on O'ahu in September 2016. This is the first time ever that a U.S. location is hosting the WCC since the IUCN inception in 1948.

The ICUN states that the event "will provide Hawaii an opportunity to promote and demonstrate leadership on global environmental issues by profiling national conservation programs and activities, as well as links to other sectors of government and the economy."

The IUCN is the largest professional conservation network. The World Conservation Congress is held every four years and brings together leaders from a wide array of public and private organizations to discuss and decide on solutions to the World's most pressing environment and development challenges. The last event was held in Jeju, Republic of Korea in 2012.



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FRONT PAGE

**[Upper Kapahi Reservoir Dam Replacement on Kaua`i
Hawaii`i Selected to Host World’s Largest Conservation Event](#)**

HAWAI’I (HRS 343)

- 1. [Asing Utility and Road Access Easement at Manā, Waimea DEA \(AFNSI\)](#) 3
- 2. [Carlson Single-Family Residence Project FEA \(FONSI\)](#)..... 3

MAUI (HRS 343)

- 3. [Department of Land and Natural Resources, Administration Building DEA \(AFNSI\)](#) 4
- 4. [Kahana Sunset Shoreline and Site Improvements FEA \(FONSI\)](#)..... 5
- 5. [West Maui Exploratory Well No. 2 FEA \(FONSI\)](#) 5

O’AHU (HRS 343)

- 6. [Hawaii`i Pacific University – Aloha Tower Marketplace Project FEA \(FONSI\)](#) 6
- 7. [Mauna Lahilahi Beach Park Rock Revetment FEA \(FONSI\)](#)..... 6
- 8. [Waikiki Parc Hotel Renovation Project DEA \(AFNSI\)](#)..... 7
- 9. [Ola Ka `Ilima Artspace Lofts DEA \(AFNSI\)](#) 7

KAUA’I (HRS 343)

- 10. [Upper Kapahi Reservoir Dam Replacement DEA \(AFNSI\)](#) 8

SECTION 106, NATIONAL HISTORIC PRESERVATION ACT CONSULTATION

Demolish Penthouse and Install Roof, Building 35 at Kaena Point Satellite Tracking Station 9

DEPARTMENT OF HEALTH NOTICES

EMD Enforcement Report, January-March 2014..... 10

COASTAL ZONE MANAGEMENT NOTICES

Special Management Area Minor Permits 11

SHORELINE NOTICES

Shoreline Certification Applications 11

Shoreline Certifications and Rejections 12

FEDERAL NOTICES

1. [EPA Seeks Comments on Hawaii’s Plan Regarding Clean Air Act Infrastructure Requirements](#) 13

2. [National Marine Sanctuary Advisory Councils Accepting Applications](#)..... 13

GLOSSARY 14



HAWAII (HRS 343)

1. Asing Utility and Road Access Easement at Manā, Waimea DEA (AFNSI)

Island: Hawai'i
District: South Kohala
TMK: Government Land Adjacent to TMK: (3rd) 6-4-005:017.
Permits: Grubbing and Grading Permits, Permit for Work in County ROW and Driveway Permit.
Applicant: Kristian Asing, 64-5274 Puanuanu Place, Kamuela, HI 96743.
Approving Agency: Hawai'i County Department of Public Works, 101 Pau'ahi Street, Suite 7, Hilo, HI 96720.
Contact: Frank DeMarco, 808-961-8327.
Consultant: Geometrician Associates, PO Box 396, Hilo, HI 96721.
Contact: Ron Terry, 808-969-7090, rterry@hawaii.rr.com.
Status: Statutory 30-day public review and comment period starts; comments are due by June 23, 2014. Please send comments to the applicant, approving agency, and consultant.



Kristian Asing has requested the County of Hawai'i to provide him a 21,080 square-foot, non-exclusive access and utility easement over a "paper road" on Government Land in the vicinity of Manā Subdivision in the outskirts of Waimea. The right-angled, 20-foot wide easement would extend 1,074 feet from the end of a paved road maintained by the County to a 3.0-acre kuleana property owned by Mr. Asing, which would otherwise be landlocked with no access. The land occupied by both the easement and the Asing lot has long been in use as pasture and there are no historic or cultural sites or practices, native species, water bodies or flood zones. Granting of the easement will allow Mr. Asing to build an unpaved road and extend County water lines and possibly HELCO underground electric lines over a portion of the easement to the lot, where he will also conduct agricultural activities in conformance with allowed uses for the Agriculture zoning. Mr. Asing would build a non-dedicable road on the easement, which has a slope of less than one percent. This road would also potentially serve five other lots, including two that also currently lack access. The applicant will be working with the County to obtain a permit to work within the government road right-of-way and fulfill any conditions that might be associated with its use.

2. Carlson Single-Family Residence Project FEA (FONSI)

Island: Hawai'i
District: Puna
TMK: (3) 1-5-010:028
Permits: Conservation District Use Permit, Grading Permit
Applicant: Darrin & Debra Carlson, 26 11th Street, Cayucos, CA 93430.
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 Kaimukī Avenue, Honolulu, HI 96816.
Contact: Lincoln King, 808-620-6332.
Status: Finding of No Significant Impact Determination.



The applicant is proposing to construct a Single Family Residence (SFR) on a 3.5 acre shoreline parcel located at 15-2225 Government Beach Rd. in which a number of SFR have been previously constructed. The development of the parcel includes the following features: a 3371 sq. ft. house on 7-ft high post and pier with an attached garage and wrap-around lanai, four (4) bedrooms, and three (3) bathrooms; a subsurface septic system with a 1000-gallon septic tank and a 12-ft by 24-ft absorption bed; 10,000-gallon capacity water catchment tank (four (4) ft. high by twenty (20) ft. diameter) and a 15-ft. wide approximately 375-ft. long compacted gravel driveway.

The SFR structure will be set back 110-ft. from the edge of the Pali and approximately 120-ft. from the shoreline. The SFR structure will be built to be no more than 23-ft. above current grade. There are two existing concrete pads on the subject parcel, both of which have been incorporated into the development of the parcel. One of the concrete pads will be used to hold the water catchment tank while the other will be a picnic area near the proposed SFR. The SFR will be connected to power poles located on Government Beach Rd. for electricity; the availability of the electric utility has been confirmed by the Hawaii Electric Light Company.

Due to the past heavy agricultural use of the land (i.e., sugar can cultivation) the parcel is relatively flat, therefore minimal grading and ground impacts will be required to conduct the proposed construction activities.

MAUI (HRS 343)

3. Department of Land and Natural Resources, Administration Building DEA (AFNSI)

Island: Maui
District: Wailuku
TMK: (2) 3-8-038: 057
Permits: Building Permits, Grubbing/Grading/Stockpiling Permits, Industrial Wastewater Discharge Permit; 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.



Proposing/Determination

Agency: Department of Land and Natural Resources, Engineering Division, 1151 Punchbowl Street, Room 221, Honolulu, HI 96813.

Contact: Carty Chang, 808-587-0230 or Carty.S.Chang@hawaii.gov.

Consultant: The Limtiaco Consulting Group, 1622 Kakanui Street, Honolulu, HI 96817.

Contact: Yvonne Turro, 808-596-7790.

Status: Statutory 30-day public review and comment period starts; comments are due by June 23, 2014. Please send comments to the proposing/determination agency and consultant.

The Department of Land and Natural Resources (DLNR) proposes to demolish its existing building and construct a new one-story administration facility at the same State-owned parcel along Mahalani Street in Wailuku, Island of Maui, Hawai'i. The project site encompasses Tax Map Key 3-8-038: 057.

DLNR's current building has approached the end of its useful life. There are observable structural deficiencies in exposed interior and exterior building elements including severe termite and wood moisture damage in framing members, vertical cracks and spalls on masonry walls, and corroded steel support beams. Sewer, water, electrical and telecommunication components are all outdated and in need of replacement.

A new, larger administration facility would allow DLNR to address the space requirements for its current and foreseeable future operations. Its current facility is inadequate for DLNR tenants who include the Division of Aquatic Resources, State Historic Preservation Division and Engineering Division. The proposed one-story facility would be sustainably designed and have improved building functionality, site

security and onsite infrastructure. Completion of the new facility also affords the opportunity to relocate Land Management Division from its overcrowded space in the State Office Building in Wailuku and provide them sufficient office and document storage space.

4. Kahana Sunset Shoreline and Site Improvements FEA (FONSI)

Island: Maui
District: Lahaina
TMK: (2) 4-3-003:015
Permits: Building, Grading, Special Management Area, Shoreline Setback Variance, Change in Zoning, Conservation District Use.
Applicant: Kahana Sunset Association of Apartment Owners (AOAO), 4909 Lower Honoapi'ilani Highway, Lahaina, HI 96761. Contact: Jacqueline Scheibel, 707-292-4691.



Approving Agency: Maui Planning Commission, County of Maui, c/o Department of Planning, 250 South High Street, Wailuku, HI 96793. Contact: William Spence, 808-270-7634.
Consultant: Chris Hart & Partners, Inc., 115 North Market Street, Wailuku, HI 96793. Contact: R. Raymond Cabebe, 808-242-1955.
Status: Finding of No Significant Impact Determination.

The Kahana Sunset AOAO is proposing to construct a replacement seawall, drainage improvements, and beach access path within the shoreline setback on an existing 4.467 acre 79-unit condominium resort site. The applicant is also proposing a Community Plan Amendment from Single Family to Hotel and a Change in Zoning from R-3 Residential to H-M Hotel District in order to establish land use consistency and conformity with the existing use. No additional units are proposed.

An approximately 114-foot existing seawall along with an existing concrete stairway will be demolished. The replacement seawall will be relocated mauka of the State designated shoreline with a new stairway approximately 30 feet inland from the existing stairs. The proposed retreat of the seawall will serve to protect existing habitable structures, widen the beach, and prevent underlying soils from entering the ocean. The proposed drainage system improvements will help to prevent sediments and pollutants from contaminating the marine environment.

The mitigation improvements are the result of a Master Plan for Strategic Retreat that was requested by the Maui Planning Commission as part of a 2009 SMA Emergency Permit granted to protect Building F and a 2010 SMA Emergency Permit granted to protect Building A.

5. West Maui Exploratory Well No. 2 FEA (FONSI)

Island: Maui
District: West Maui
TMK: (2) 4-3-001:017 (por.)
Permits: Community Noise Permit, as applicable; Commission on Water Resource Management Well Construction Permits, Construction Permits (Grading and Grubbing)



Proposing/Determination Agency: County of Maui, Department of Water Supply, 200 South High Street, Wailuku, HI 96793. Contact: David Taylor, 808-270-7816.
Consultant: Munekiyo & Hiraga, Inc., 305 South High Street, Suite 104, Wailuku, HI 96793. Contact: Cheryl Okuma, 808-244-2015.
Status: Finding of No Significant Impact Determination.

The West Maui Exploratory Well No. 2 consists of a 1.44 million gallon per day exploratory well, well pump, piping, temporary silt basin, and six (6) feet high chain link fence located on an approximately

0.9 acre site below the West Maui Mountains, between Kahana Stream and Kahanaiki Gulch. The proposed exploratory well will draw water from the Honolulu Aquifer which is located within the Lahaina Aquifer Sector. The purpose of the proposed project is to provide a potential new groundwater source. Water quality tests of the exploratory well will determine if the source meets drinking water standards. The project potentially provides an additional groundwater source and reliability to the West Maui service region during periods of reduced water availability. If the proposed exploratory well meets water quality standards it could potentially become a permanent production well.

O'AHU (HRS 343)

6. Hawai'i Pacific University – Aloha Tower Marketplace Project FEA (FONSI)

Island: O'ahu
District: Honolulu
TMK: (1) 2-1-001: 001 (por.) and 063
Permits: Development Permit; Building Permit; SHPD Historic Preservation Review
Applicant: Hawai'i Pacific University.
 Contact: Scott Hayashi, 808-544-0219.
Approving Agency: Department of Transportation, 869 Punchbowl Street, Honolulu, HI 96813.
 Contact: Ford Fuchigami, 808-587-2150.
Consultant: Wilson Okamoto Corporation. Contact: Earl Matsukawa, 808-946-2277.
Status: Finding of No Significant Impact Determination.



Hawai'i Pacific University (HPU) is proposing to make interior tenant improvements to portions of the existing Aloha Tower Marketplace (ATM) and Pier 10 building to convert them for mixed use. A portion of the first floor retail and restaurant space of the ATM will be converted into HPU academic and support spaces. Improvements to the second floor will convert the existing retail space into 83 student and faculty residences. Interior improvements to Pier 10 will convert a portion of the building into multi-purpose spaces. Hawai'i Lifestyle Retail Properties LLC (HLRP), a subsidiary of HPU and holder of the master lease for the ATM, is also proposing improvements to stairs, elevators, and escalators in the common areas of the ATM.

There is a need for additional housing for HPU students, and feedback from the students indicates a strong demand for housing in the downtown area as well as for a central gathering place for the downtown campus. The existing development at the ATM and Pier 10 offers an opportunity to address some of the student housing need as well as to create a central gathering place for students, alumni, and the community.

7. Mauna Lahilahi Beach Park Rock Revetment FEA (FONSI)

Island: O'ahu
District: Wai'anae
TMK: 8-5-0017:005
Permits: Department of Health 401 WQC, Conservation District Use Permit, CZM Federal Consistency, SHPD Historic Preservation Review.



Proposing/Determination

Agency: Department of Design and Construction, City and County of Honolulu, 650 South King Street, Honolulu, HI 96813. Contact: Clifford Lau, 808-768-8483.
Consultant: Oceanit, 828 Fort Street Mall, Suite 600, Honolulu, HI 96813.
 Contact: Dayananda Vithanage, 808-531-3017.

Status: Finding of No Significant Impact Determination.

The beach and shoreline at Mauna Lahilahi Beach Park in Wai'anae on the island of O'ahu have been eroding for more than 50 years. All of the beach sand and some of the backshore substrate were lost along a 350-foot shoreline cove. A temporary sandbag revetment was constructed at the cove in 1999. A rock breakwater and nourished beach were constructed in June and July of 2003, but neither the sandbag revetment, nor the breakwater stopped all of the continuing shoreline damage. The proposed action is to construct a shore protection rock revetment along the threatened shoreline. The proposed rock revetment would be built to replace the sandbag revetment to minimize erosion of a lateral access path and beach park property. In addition the revetment will reduce wave overtopping and runup across park property into the adjoining Makaha Surfside Apartments and partially protect Hawaiian cultural sites and burials in the park.

8. Waikiki Parc Hotel Renovation Project DEA (AFNSI)

Island: O'ahu
District: Waikiki
TMK: 2-6-2: 11, 12, and 13
Permits: Special Management Area Use, Variance, Waikiki Special District Permit, Zoning Adjustment for a Sign Master Plan, and Building Permit
Applicant: Halekulani Corporation, 2222 Kalākaua Avenue, Suite 900, Honolulu, HI 96815. Contact: Peter Shaindlin, 808-526-1186.



Approving Agency: Department of Planning and Permitting, City and County of Honolulu, 650 South King Street, 7th Floor, Honolulu, HI 96813. Contact: Malynne Simeon, 808-768-8023.
Consultant: Kusao & Kurahashi, Inc., 2752 Woodlawn Drive, Suite 5-217, Honolulu, HI 96822. Contact: Keith Kurahashi, 808-988-2231.
Status: Statutory 30-day public review and comment period starts; comments are due by June 23, 2014. Please send comments to the applicant, approving agency, and consultant.

Provide streetscape enhancements, including landscaping, special roadway paving, and improvements at pedestrian hotel entrances, drop off along Kalia Road and porte cochere on Helumoa Road; renovate ground floor lobby, restrooms, and back-of-house facilities; renovate the 8th floor pool deck including existing pool, new pool, landscaped wind screen, furniture, and existing pool bar; renovate 8th floor by removing guest rooms and providing new kitchen, dining room, fitness center, and hospitality room; renovate 8th floor outdoor gathering area with landscaped wind screens, retractable roof awning, and create a garden with furniture; consolidate existing 297 rooms into all one-bedroom and two-bedroom rooms (reducing unit count to 126 rooms); provide new roof top open-air terrace and extend one elevator and stairs to roof top; provide façade improvements to the face of the parking garage and enhance existing architectural treatment such as post and beam articulation, trellises and canopy extensions; and replace exterior glazing of building façade and change out all hand rails and guard rails. The reduction in units will result in a reduction on infrastructure requirements and traffic. Variances will allow an awning to encroach into the front yard and street setback on Kalia Road and landscape improvements in City right-of-way.

9. Ola Ka 'Ilima Artspace Lofts DEA (AFNSI)

Island: O'ahu
District: Honolulu
TMK: (1) 2-3-003: 040
Permits: Kaka'ako Mauka Area Development Permit, Variance from Pollution Controls (Noise Permit), Building Permits,



Dewatering Permit, Grading, Grubbing, Stockpiling, Trenching, Construction Dewatering Permit, Sewer Connection Permit, Street Usage Permit.

Applicant: Artspace Projects, Inc., 250 Third Avenue North, Suite 400, Minneapolis, MN 55401. Contact: Greg Handberg, 612-333-9012.

Approving Agency:

Hawai'i Housing Finance and Development Corporation (HHFDC), 677 Queen Street, Honolulu, HI 96813. Contact: Janice Takahashi, 808-587-0639.

Consultant: Bureau Veritas North America, Inc., 841 Bishop Street, Suite 1100, Honolulu, HI 96813. Contact: Lori Ford, 808-531-6708, fax 808-537-4084.

Status: Statutory 30-day public review and comment period starts; comments are due by June 23, 2014. Please send comments to the applicant, approving agency and consultant.

The proposed action consists of an eight-level mixed-use property that will include residential, commercial, parking, and community use areas. This mixed-use development project is intended to serve the broader Hawaiian community by developing a traditional Hawaiian Cultural Center with classroom space, space for teaching and performing Hula, music and other traditional practices, as well as 84 units of affordable rental housing with preference for multi-ethnic artist housing for artists and their families.

KAUA'I (HRS 343)

10. Upper Kapahi Reservoir Dam Replacement DEA (AFNSI)

Island: Kaua'i

District: Puna

TMK: (4)4-6-007:011

Permits: Section 404 permit, Section 401 Water Quality Certification, NPDES permit, Coastal Zone Management Act Consistency Approval.

Proposing/Determination Agency:

Department of Accounting & General Services, Public Works Division, 1151 Punchbowl Street, Room 426, Honolulu, HI 96813. Contact: James Kurata, 808-586-0526.

Consultant: GEI Consultants, Inc., 700 NE Multnomah Street, Suite 230, Portland, OR 97232. Contact: Ginger Gillin, 503-342-3777.

Status: Statutory 30-day public review and comment period starts; comments are due by June 23, 2014. Please send comments to the proposing/determination agency and consultant.



The proposed action is for construction of a new dam on Upper Kapahi Reservoir to provide some agricultural storage to supplement some of the water storage lost when the existing dam was decommissioned. The proposed new dam will be within the footprint of the existing reservoir, a short distance upstream from the existing dam. Storage capacity would be reduced. No significant impacts are anticipated from construction or operation of the new dam. Construction activities are expected to result in short-term increases in noise and traffic, and there is the potential for short-term adverse effects on the air quality, soils, biological resources, and water quality. Use of best management practices and other recommended actions would minimize or eliminate any impacts. Beneficial effects of construction of the new dam would include a short-term effect on socioeconomics from the employment of local people and the purchase of local materials, a long-term benefit to agricultural users once the reservoir could again store water, and a long-term benefit to recreation as the reservoir could potentially be used for swimming, wading, or fishing in a limited capacity. Waterbird populations may also benefit from the restoration of habitat once the reservoir is again functional.

SECTION 106, NATIONAL HISTORIC PRESERVATION ACT CONSULTATION NOTICE

Proposal to Demolish Penthouse & Install Roof at Kaena Point Satellite Tracking Station

Island: O'ahu
District: Wai'anae and North Shore
TMKs: Project within (1) 6-9-003:004
Permits: N/A
Proposing/Approving Agency: United States Air Force (USAF), Kaena Point Satellite Tracking Station, PO Box 868, Waianae, HI 96792.
Contact: Lance Hayashi, 808-697-4314.
Status: Comments due no later than June 13, 2014 to: Lance Hayashi, Det 3, 21 SOPS/CE, PO Box 868, Waianae, HI 96792-0868.



The US Air Force (USAF), Detachment 3, 21st Space Operations Squadron (Det 3, 21 SOPS) at Kaena Point Satellite Tracking Station (KPSTS) proposes to remove the Building 35 penthouse structure, its HVAC equipment and to install a new roof for that area. The current built-up metal roofs are prone to leaks in the penthouse area during rain events. The roof leaks have become an issue that can potentially damage mission equipment inside the building and disrupt operations.

KPSTS has requested SHPD's concurrence with its conclusion that the proposed undertaking will have "no adverse effect" on Archeological, Native Hawaiian Cultural Resources or Historic Properties.

The Section 106 consultation document will also be available for review at the Waianae Public Library and the Waialua Public Library during the review period ending on June 13, 2014.



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DEPARTMENT OF HEALTH NOTICES

DRAFT Environmental Management Division Enforcement Report for January-March 2014

	Complaints 1	Field Inspections 2	Warning Notices 3	Field Citations 4	Enforcement Cases Issued 5	Formal Cases Pending 6	Penalties Sought	Formal Cases Resolved 7	Number of Active S.E.P.s	Funds Outstanding	Funds Received
	Informal	Informal	Informal	Formal	Formal	Running Total	Formal	Formal	Running Total	Running Total	Jan-Mar 14 Q.
Clean Air Branch TOTAL	92	245	11	3	5	15	\$18,000	1	0	\$182,500	\$10,700
Solid & Hazard Waste Branch TOTAL	56	216	33	2	2	26	\$408,890	94	1	\$348,385	\$20,950
Clean Water Branch TOTAL	44	7	7	0	0	0	\$0	1	2	\$0	\$0
Waste water TOTAL	62	59	7	10	0	0	\$0	1	1	\$32,475	\$2,600
Safe Drinking Water Branch TOTAL	2	11	6	0	0	0	\$0	0	0	\$0	\$0
DRAFT EMD TOTAL	256	538	64	15	7	41	\$426,890	97	4	\$563,360	\$34,250



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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
Kaua'i: Kapa'a (4-3-002: 014)	Installation of Ground Mount Photovoltaic System (SMA(M)-2014-11)	Sunetric
Maui: Lahaina (4-4-014: 006)	Add Walk In Cooler (SM2 20140038)	TS Restaurants
Maui: Paia (3-8-001: 048)	Subdivision Improvements (SM2 20140039)	Wayne Arakaki Engineering LLC
Maui: Lahaina (4-3-010: 004)	Apartment Alteration (SM2 20140040)	Michelle Cockett
Maui: Lahaina (4-6-028: 012)	Remodel Kitchen and Bathroom (SM2 20140041)	David & Cathy Medina
Maui: Kahana (4-3-010: 004 and 011)	Bus Stop Improvements (SM2 20140042)	County of Maui
Maui: Olowalu (4-8-003: 084)	Commercial Camping in Agricultural Area (SM2 20140044)	David Ward
Maui: Kā'anapali (4-4-013: 001)	Install New Utility Lines (SM2 20140045)	Francis Skowronski
O'ahu: Pearl City (9-7-017: 002)	Construction of a Paved Parking Area, Retaining Wall, Chain Link Fences and Drain Lines (2014/SMA-18)	Department of Education / Facilities Management Branch

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-1591	5/5/14	Lot 312 as shown on Map 172 of Land Court Application 323 situate at Pueohaka, Kailua, Ko'olaupoko, O'ahu Address: 528 North Kalaheo Avenue Purpose: Construction	Sam O. Hirota, Inc./ Julia Violich	4-3-018:007
MA-573	4/30/14	Lot 462 of Land Court Application 1804 situate at Honualua, Makawao, Maui Address: 3800 Wailea Alanui Drive Purpose: Planning for future use of parcel	Warren S. Unemori Engineering, Inc./ AOO Wailea Beach Villas	2-1-008:091

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-1567	Proposed Shoreline Certification	Lot A-2 (Map 3) of Land Court Application 1095 situate at Kahuku, Ko'olaupoko, O'ahu Address: Kamehameha Highway Purpose: Setback purposes	R.M. Towill Corp./ BEAM LLC	5-6-003:034
OA-1571	Proposed Shoreline Certification	Lots 9 and 10 as shown on Map 13 Land Court Application 1100 and the Marine Biology Facility parcels 2, 5 and 7 as shown on H.S.S. Plat 2199 (C.S.F. 21,948) situate at Hee'ia, Ko'olaupoko, O'ahu Address: 46-005 & 46-007 Lilipuna Road and Coconut Island Purpose: Obtain SMA permit and shoreline setback variance from the City and County of Honolulu	ControlPoint Surveying, Inc./ University of Hawai'i Foundation	4-6-001:015, 016 & 051
OA-1585	Proposed Shoreline Certification	Lot 8 and portion 69 File Plan 290 Kokokahi Tract situate at Kāne'ohe, Ko'olaupoko, O'ahu Address: 45-1 Likeke Place Purpose: Building permit	Walter P. Thompson, Inc./ Stan Koki	4-5-104:021
KA-380	Proposed Shoreline Certification	Lot 5, Lot 6, and Lot 8 of Land Court Application 1166 (Map 6) situate at Waipouli, North and South Olohena, Puna, Kaua'i Address: Aleka Loop Purpose: Permitting purpose	Towill, Shigeoka & Associates, Inc./ Coconut Beach Development, LLC	4-3-002:015, 016 & 020
OA-1544	Rejection	Lots 1 and 2 of Evershine VIII Tract File Plan 2271 and Lot 4-A of the Subdivision of Lot 4 and Lot 5 of Portlock Road Subdivision No. 2 File Plan 2193 situate at Maunaloa, Honolulu, O'ahu Address: 525, 535 & 537 Portlock Road Purpose: Shore management area and environmental assessment	Sam O. Hirota, Inc./ Evershine II L.P.	3-9-026:044, 045, 047 & 048



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FEDERAL NOTICES

1. [EPA Seeks Comments on Hawai'i's Plan Regarding Clean Air Act Infrastructure Requirements](#) – May 19, 2014

The Environmental Protection Agency (EPA) is proposing to approve elements of a State Implementation Plan (SIP) revision submitted by the State of Hawaii on April 04, 2014, pursuant to the requirements of the Clean Air Act (CAA) for the 2008 8-Hour Ozone and the 2010 Nitrogen Dioxide national ambient air quality standards (NAAQS). The CAA requires that each state adopt and submit a SIP for the implementation, maintenance, and enforcement of each NAAQS promulgated by EPA. Comments on this proposal and plan to follow with a final action must be received on or before **June 18, 2014**. Submit your comments, identified by Docket ID Number EPA-R09-OAR-2014-0317 online at <http://www.regulations.gov> or via email to richmond.dawn@epa.gov.

All comments will be included in the public docket without change and may be made available online at including any personal information provided.

Contact: Dawn Richmond, Air Planning Office (AIR-2), U.S. Environmental Protection Agency, Region IX, (415) 972-3207, richmond.dawn@epa.gov.

2. [National Marine Sanctuary Advisory Councils Accepting Applications for Vacant Seats](#) – May 15, 2014

The Office of National Marine Sanctuaries (ONMS) under the National Oceanic and Atmospheric Administration (NOAA) is seeking applications for vacant seats for 8 of its 13 national marine sanctuary advisory councils. The Humpback Whale National Marine Sanctuary Advisory Council located in Hawai'i is one of these advisory councils. The National Marine Sanctuary of American Samoa Advisory Council is another. Applicants are chosen based upon their particular expertise and experience in relation to the seat for which they are applying; community and professional affiliations; views regarding the protection and management of marine resources; and possibly the length of residence in the area affected by the sanctuary. Applicants who are chosen as primary members or alternates should expect to serve two- or three-year terms, pursuant to the charter of the specific national marine sanctuary advisory council.

Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Council: Inouye Regional Center, ATTN: NOS/HIHNMS/Daniela Kittinger, 1845 Wasp Blvd., Building 176, Honolulu, HI 96818; (808) 725-5905; email Daniela.Kittinger@noaa.gov; or download application from http://hawaiihumpbackwhale.noaa.gov/council/council_application.html.

National Marine Sanctuary of American Samoa Advisory Council: Joseph Paulin, National Marine Sanctuary of American Samoa, Tauese P.F. Sunia Ocean Center, Utulei, American Samoa; (684) 633-6500; email Joseph.Paulin@noaa.gov; or download application from <http://americansamoa.noaa.gov>. Applications are due by **June 30, 2014**.



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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. 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).