

The Environmental Notice

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

A MESSAGE FROM THE DIRECTOR

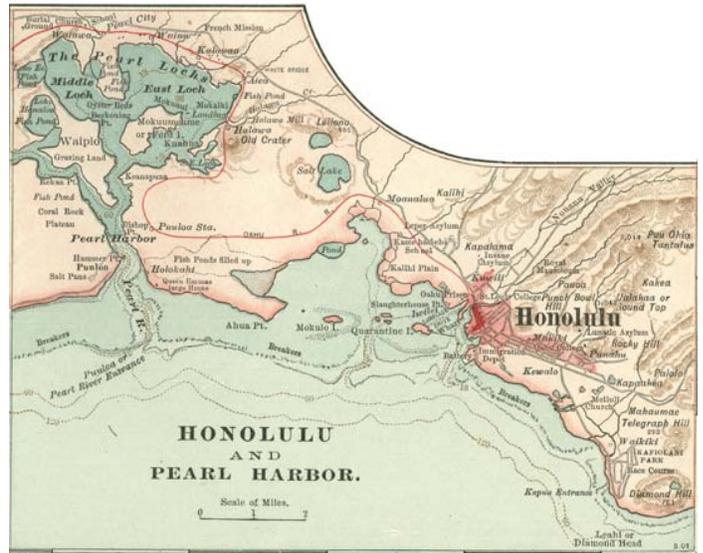
Aloha 2015. Mahalo for taking the time to read this message and receive the Environmental Notice. I would like to thank and recognize the volunteers who have given so much to keep our office running, and allow all of us at the Office of Environmental Quality Control ("OEQC") to better serve you.

MAHALO A NUI LOA!! Thank you so much to all of our VOLUNTEERS!!!

Our economy continues to fight to recover and traditional government services are limited in many ways as a result. Our agency is no exception. The OEQC has been blessed with volunteers who never fail to impress with their enthusiasm, willingness to work, and their passion for learning about the environment. The volunteers provided valuable assistance by organizing components of the OEQC database project which is under development and support with Environmental Council matters.

I would also like to thank our Environmental Council (EC) members, who are also volunteers responsible for advising the director and all agencies, and the legislature. Under their leadership, changes have been made by government to address concerns about pesticides in food and the environment, to include the reality of climate change in policy and business discussions, and clarify agency exemption lists and actions to respond to legal concerns. Not only that, these member volunteers also make sure the Annual Report gets published, with help from volunteering professors and students ([mahalo pihala](#)!).

If you read and comment on any environmental review document, you are likely also a volunteer, taking time to help decision makers make better decisions. Mahalo for participating in the process. The community and volunteers have increased in importance exponentially over the past 15 years. Your voice matters — and like so many years, 2015 should be volunteer appreciation year. [Mahalo hou.](#)



A view to our past. The Kona district of O'ahu circa 1900, showing the mouth leading to *ke kai awa lau o Pu'uloa*, the crater of 'Āliapa'akai, the Hansen's Disease Asylum near the fishponds of Kalihiwai (since filled in), Honolulu town and the coast to Leahi. It behooves us to think of what factors transformed the 1900 landscape and contributed to the present day map of Honolulu. *Photograph courtesy: Encyclopedia Britannica, 10th Edition.*



David Y. Ige, Governor · Jessica Wooley, Director · Office of Environmental Quality Control · 235 South Beretania Street, Suite 702 · Honolulu, Hawai'i 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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HRS 343, document* count in this issue
5(b) – 01
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HAWAI'I (HR\$ 343)

1. Love Single Family Residence 5(e) DEA (AFNSI)

Island: Hawai'i
District: Puna
TMK: (3) 1-3-002:070
Permits: State of Hawai'i, Conservation District Use Permit, County of Hawai'i, Grading Permit
Applicant: Charles Love, 6000 University Avenue, Suite 350, West Des Moines, IA 50266
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 J. Lemmo, (808) 587-0377
Consultant: JM Leonard Planning, LLC, 1100 Ainalako Road, Hilo, HI 96720
Status: Statutory 30-day public review and comment period starts; comments are due by February 23, 2015. Please send comments to the applicant, approving agency and consultant.



The applicant proposes to construct a two-story Single Family Residence (SFR) on an approximately 7.5 acre parcel located in Opihikao, in the Puna District on the Island of Hawai'i. The proposed project will consist of constructing a 2,850 square-foot SFR and 12,000 gallon domestic water catchment tank. There is an existing SFR, garage, three (3) water catchment tanks, shed, pond, and doghouse located on the parcel. The existing SFR, pond, and domestic water tank will be removed prior to construction of the new SFR and associated structures. Additional land uses include the continuation of agricultural uses (i.e., orchard and palm farming) for personal use and land and resource management of the parcels vegetation. An individual wastewater system in compliance with State Department of Health regulations will be constructed for the new SFR. Land clearing, vegetation removal and construction activities will occur over less than one acre of the parcel.

MAUI (HR\$ 343)

2. Camp Maluhia and Related Area Improvement 5(e) DEA (AFNSI)

Island: Maui
District: Wailuku
TMK: (2) 3-1-001:001 (portion) and 028
Permits: County Special Use Permit; Off-Site Parking Approval; Parking Variance; Construction Permits
Applicant: Maui County Council Boy Scouts of America, 200 Liholiho Street, Wailuku, Hawaii 96793. Contact: Robert Nakagawa, (808) 244-3724
Approving Agency: State of Hawai'i, Department of Land and Natural Resources, 54 South High Street, Wailuku, HI 96793. Contact: Daniel Ornellas, (808) 984-8103
Consultant: Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793. Contact: Michael T. Munekiyo, (808) 244-2015
Status: Statutory 30-day public review and comment period starts; comments are due by February 23, 2015. Please send comments to the applicant, approving agency and consultant.



The Maui County Council Boy Scouts of America (BSA) is proposing to construct a new dining hall and related improvements at Camp Maluhia (TMK (2)3-1-001:028) (Parcel 28) located at Kahakuloa, Maui, Hawai'i. The property is owned by the BSA. This new dining facility is intended to replace the existing aging dining hall structure which was originally built in 1938.

Related improvements include upgrades to the fire protection and existing domestic water systems which serve the camp, including the construction of two (2) new water tanks, booster pump system, and associated waterlines which are intended to augment the existing system and bring the system up to current design standards. A portion of the proposed water system improvements will be located on the adjacent State-owned parcel identified as TMK (2)3-1-001:001 (Parcel 1), which is leased by the BSA. In addition, the Department of Land and Natural Resources, Division of Forestry and Wildlife propose to construct a new parking lot also on Parcel 1 near the existing Camp Maluhia gravel parking lots for hikers using the Waihe'e Ridge Trail.

The proposed project will be funded in part, by State and County grant monies. In addition, a portion of the proposed water system improvements and new trail parking lot will be located on Parcel 1, which is State-owned. For these reasons, Chapter 343, Hawaii Revised Statutes (HRS) compliance is required.

3. [Mokuhau Affordable Housing Project 5\(e\) DEA \(AFNSI\)](#)

Island: Maui
District: Wailuku
TMK: (2) 3-4-033:005
Permits: Building Permit
Applicant: Lokahi Pacific, 1935 Main Street, Suite 204, Wailuku, HI 96793. Contact: Susie Thieman, (808) 242-5761



Approving Agency: Department of Housing & Human Concerns, County of Maui, 2200 Main Street, One Main Plaza Building, Suite 546, Wailuku, HI 96793. Contact: Jo-Ann Ridao, (808) 270-7805
Consultant: Planning Consultants Hawaii, LLC, 2331 W. Main Street, Wailuku, HI 96793. Contact: Michael Summers, (808) 269-6220
Status: Statutory 30-day public review and comment period starts; comments are due by February 23, 2015. Please send comments to the applicant, approving agency and consultant.

The Mokuhau Affordable Housing Project is an infill development located within the Happy Valley neighborhood of Wailuku, Maui, Hawai'i. The project is being developed by Lokahi Pacific, a non-profit housing and community development corporation, in association with the County of Maui's Department of Housing & Human Concerns. The project will offer affordably priced housing to qualified Maui residents.

The project is located at 2023 Mokuhau Road and the property is identified by TMK No. (2) 3-4-033:005. It will comprise 16 single-family residences on lots that range from 3,198 square feet to 7,759 square feet. The project also includes supporting on-site infrastructure including roadway, drainage, water, wastewater and electrical improvements. The project is designed in accordance with Maui County Code (MCC) Title 19.84 R-O Lot Line Overlay District, which allows for increased density for affordable housing projects.

O'AHU (HRS 343)

4. [2424 Kalākaua 5\(e\) FEA \(FONSI\)](#)

Island: O'ahu
District: Waikīkī
TMK: (1) 2-6-023:009, 010, 011, 012, 077, 078, and 080

Permits: City and County of Honolulu: Waikīkī Special District Permit, Minor; Special Management Area Permit, Major; Surface Encroachment Variance; Construction Dewatering Permit; Building Permits; Drain Connection; Sewer Connection; Street Usage; Construction Plan Review. State of Hawai'i: National Pollutant Discharge Elimination Permit; Construction Noise Permit.

Applicant: BRE Waikiki Owner LLC, 345 Park Avenue, New York, NY 10154. Contact: Jeff Dinsmore, (808) 692-0071

Approving Agency:

City and County of Honolulu, Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, HI 96813. Contact: Sery Berhanu, (808) 768-8033

Consultant: Group 70 International, Inc., 925 Bethel Street, Fifth Floor, Honolulu, HI 96813. Contact: Christine Ruotola, (808) 523-5866

Status: Finding of No Significant Impact Determination



The action consists of the redevelopment of a basement and levels one through three of an existing 39-story hotel. The redevelopment will entail improvement of the existing retail facilities, improvement of the pedestrian circulation experience, the inclusion of a second floor lanai shopping arcade, the addition of a new porte cochère along Koa Avenue, the addition of new elevators at the porte cochère, that will take visitors directly to the hotel lobby and upper floors, and the construction of a new hotel pool deck on the third floor. The retail development project will not increase total floor area of the hotel. Parking for the project will continue to be provided at the hotel basement level and at the parking garage located east of the hotel.

5. Mākaha Valley Lo'i Restoration Project 5(e) FEA (FONSI)

Island: O'ahu

District: Wai'ānae

TMK: (1) 8-4-002:014 (portion)

Permits: City & County DPP: Building Permit, Grading and Grubbing Permit/Soil Conservation Plan. State DLNR: Archaeological Preservation Plan. State DOH: NPDES Discharge Permit. U.S. Fish and Wildlife Service: Incidental Take Permit

Applicant: Mohala I Ka Wai, 87-149 Maipela Street, Wai'ānae, HI 96792.

Contact: Cynthia K. L. Rezendes, (808) 497-1432, rezentesc@aol.com

Approving Agency:

Board of Water Supply, 630 S. Beretania Street, Honolulu, HI 96843. Contact: Barry Usagawa, (808) 748-5900, Email: busagawa@hbws.org

Consultant: Townscape, Inc., 900 Fort Street Mall, Suite 1160, Honolulu, HI 96813.

Contact: Gabrielle Sham, (808) 536-6999, gabrielle@townscapeinc.com

Status: Finding of No Significant Impact Determination



The non-profit organization Mohala I Ka Wai has obtained conditional approval of a land license from the City and County of Honolulu, Board of Water Supply to develop the Mākaha Valley Lo'i Restoration (MVL R) project. The MVL R project is located on a 13-acre parcel, located within TMK 8-4-002:014, in Mākaha Valley, O'ahu. The project parcel is situated in the mid-valley just southwest of Kāne'ākī Heiau. The MVL R project will restore ancient lo'i kalo and traditional Native Hawaiian agriculture, protect archaeological sites, and conduct watershed management and community education activities that will benefit the BWS's Mākaha Valley watershed.

The proposed project is not expected to have a cumulative negative effect upon the environment. The proposed project will result in the removal of non-native vegetation and restoration of natural and cultural resources, thus returning the project area to its natural environmental condition and enhancing

the biodiversity of the area. More importantly, the proposed project will enhance and perpetuate Native Hawaiian traditional and cultural practices.

6. Multi-Use Facility Kewalo Basin 5(e) DEA (AFNSI)

Island: O'ahu
District: Honolulu
TMK: (1) 2-1-058:128 (portion)
Permits: Building Permit, Flood Determination, Development Permit, Special Management Area Use Permit, Site Development Approval, Sewer Connection Application, Environmental Assessment, Grading Permit, SHPD Approval, NPDES Permit



Applicant: Kewalo Waterfront Partners, Inc., 2365 Kalākaua Ave., Honolulu, Hawai'i 96815.
 Contact: Mr. Takuzo Takeda, (808) 931-8355

Approving Agency: Hawai'i Community Development Authority, 461 Cooke Street, Honolulu, HI 96813.
 Contact: Anthony Ching, (808) 594-0300

Consultant: Environmental Risk Analysis LLC, 820 W. Hind Drive #240606, Honolulu, HI 96821.
 Contact: Rachel Okoji, (808) 783-6840

Status: Statutory 30-day public review and comment period starts; comments are due by February 23, 2015. Please send comments to the applicant, approving agency and consultant.

The proposed project is a multi-use facility encompassing approximately 2.1 acres within Kewalo Basin and located between Kewalo Basin Harbor and Ala Moana Beach Park in what is now a surface parking lot. The facility consists of four, two-level buildings with the majority on the second level equipped with an open deck and viewing. Combined, the four buildings include approximately 45,000 square feet of waterfront retail stores. The multi-use facility consists of four buildings and a parking structure. The buildings are two levels most with open decks viewing spaces on the second level. Buildings will be no more than 45 feet near the waterfront, as stipulated in the HCDA Makai Area Plan.

The proposed action will fully comply with programs designed for the protection and stewardship of Hawai'i's environmental resources and is intended to re-establish the Kewalo Basin area as a viable commercial area. The proposed action will facilitate the current and future uses of Kewalo Basin for commercial operations. As a part of the Kaka'ako Community Development District Makai Area Plan, the proposed action is intended to create a vibrant pedestrian-oriented urban community. The multi-use facility will house various waterfront retail stores and small restaurants.

7. Napule Restaurant Kewalo Basin 5(e) DEA (AFNSI)

Island: O'ahu
District: Honolulu
TMK: (1) 2-1-058:128, Lot 1
Permits: Building Permit, Flood Determination, Development Permit, Special Management Area Use Permit, Site Development Approval, Sewer Connection Application



Applicant: Bellavita, Inc., 3-16-1 Minami-Aoyama Minato-ku, TOKYO 107-0062. Contact: Mr. Masahiko Nakamura, +81-3-3404-6111

Approving Agency: Hawai'i Community Development Authority, 461 Cooke Street, Honolulu, HI 96813.
 Contact: Anthony Ching, (808) 594-0300

Consultant: Environmental Risk Analysis LLC, 820 W. Hind Drive #240606, Honolulu, HI 96821.
 Contact: Rachel Okoji, (808) 783-6840

Status: Statutory 30-day public review and comment period starts; comments are due by February 23, 2015. Please send comments to the applicant, approving agency, and the consultant.

The subject area, defined by TMK 2-1-058: 128, Lot 1, is currently a charter boat building located between Kewalo Basin Harbor and Ala Moana Blvd. The existing structure will be renovated and/or redeveloped to accommodate the needs of the proposed restaurant's operations, including the installation of a wood fired oven. The renovations may also include some site work for the construction of the outdoor seating patio. The proposed project will encompass approximately 6,000 square feet within Kewalo Basin and will be occupied by an Italian Restaurant, Napule.

The proposed action will fully comply with programs designed for the protection and stewardship of Hawai'i's environmental resources and is intended to re-establish the Kewalo Basin area as a viable commercial area. The proposed action will facilitate the current and future uses of Kewalo Basin for commercial operations. As a part of the Kaka'ako Community Development District Makai Area Plan, the proposed action is intended to create a vibrant pedestrian-oriented urban community.

8. Portlock Road Residence 5(e) DEA (AFNSI)

Island: O'ahu
District: Honolulu
TMK: (1)3-9-026:044, (1)3-9-026:045, (1)3-9-026:046, (1)3-9-026:047 and (1)3-9-026:048

Permits: City and County of Honolulu Chapter 343, HRS Compliance, Honolulu City Council Special Management Area Use Permit, City and County of Honolulu Department of Planning and Permitting Grubbing, Grading, and Stockpiling Permit, City and County of Honolulu Department of Planning and Permitting building Permit for Building, Electrical, Plumbing, Sidewalk/Driveway, and Demolition permits, City and County of Honolulu Department of Planning and Permitting Trenching permit, City and County of Honolulu connection license, City and County of Honolulu Drainage easement variance, City and County of Honolulu Department of Planning and Permitting Conditional Use Minor Permit for Joint Area Development



Applicant: Kober Hanssen Mitchell Architects, Inc., 77 Merchant Street, Honolulu, HI 96813. Contact: Kurt Mitchell, (808) 566-5412

Approving Agency: City and County of Honolulu Department of Planning and Permitting, 650 S. King Street, 7th floor, Honolulu, HI 96813. Contact: Malynne Simeon, (808) 768-8000

Consultant: None

Status: Statutory 30-day public review and comment period starts; comments are due by February 23, 2015. Please send comments to the applicant, approving agency and consultant.

This DEA is a resubmission under Chapter 343, HRS and was previously submitted in published incorrectly under ROH, Chapter 25. The intent of the submission is to provide the owner of the 525/567 Portlock Road properties the ability to renovate, update, and maintain the existing residencies on these parcels and construct an additional residency on a portion of the site. Succeeding the findings of the EA the owner/consultant will pursue an SMA as required by the DPP and determined by the project's location within an SMA. Without approval from these agencies; progress on the proposed projects will not be allowed and the properties will remain in their current state – one of which is currently uninhabitable.

KAUA'I (HR 343)

9. Hawai'i Dairy Farms, Act 172 (2012), 5(e) EISPN

Island:	Kaua'i
District:	Kōloa
TMK:	(4) 2-9-003:001 (portion), 006 (portion); (4) 2-9-001:001 (portion)
Permits:	USDA NRCS Conservation Plan; DOH National Pollutant Discharge Elimination System Construction Stormwater General Permit; DOH Review of Animal Feeding Operation/Large Concentrated Animal Feeding Operation; DLNR Chapter 6E-42 Historic Preservation Review; County of Kaua'i Building Permit
Applicant:	Hawai'i Dairy Farms, LLC., P.O. Box 1690, Kōloa, HI 96756-1690
Approving Agency:	State of Hawai'i, Department of Health, 1250 Punchbowl Street, Honolulu, HI 96813. Contact: Laura McIntyre, (808) 586-4337
Consultant:	Group 70 International, Inc., 925 Bethel Street, 5th Floor, Honolulu, HI 96813. Contact: Jeff Overton, (808) 523-5866, HDF@Group70int.com
Status:	Administrative 30-day public review, consultation and comment period starts; comments are due by February 23, 2015. Please send comments to the applicant and approving agency and the consultant.



Establish and operate the first zero-discharge, grass-fed dairy in Hawai'i, utilizing a sustainable, pasture-based rotational grazing system on an approximately 578-acre farm at Māhā'ulepū, Island of Kaua'i. The pasture-based dairy focuses on growing grass as a local food source for cows' health and quality milk production.

Hawai'i Dairy Farms, LLC (HDF) will construct commercial dairy facilities, including barns, milking parlor, cow walkways, farm roads, waste management ponds, livestock water distribution system, pasture irrigation pivots, storage tanks, operations building and office. Limited support infrastructure will include water supply, individual wastewater system (utilizing a septic system), electrical power, and communications. Buildings roofs will be equipped with photovoltaic panels for solar power generation. Approximately 118 fenced paddocks (about 4.5 - 5.0 acres each) will be established and monitored for effective grass growth, nutrient application and cow grazing. HDF will establish the herd of dairy cows over several years guided by the results of the nutrient analysis, potentially reaching full-scale capacity of 2,000 cows. At full-scale operations, the dairy could produce up to 3.7 million gallons of fresh milk annually for Hawai'i's families, which is double the current volume produced in the state.

10. Nu'alolo Cliff Trail Reroute, 5(b) DEA (AFNSI)

Island:	Kaua'i
District:	Waimea
TMK:	(4) 1-4-001:014
Permits:	
Proposing/Determination Agency:	Department of Land and Natural Resources, Division of Forestry and Wildlife, 3060 'Eiwa Street, Room 306, Lihue, HI 96766-1875. Contact: Dan Smith, (808) 274-3433
Consultant:	Garcia and Associates, 146 Hekili St. Suite 101, Kailua, HI 96734. Contact: Huang-Chi Kuo, (808) 262-1387
Status:	Statutory 30-day public review and comment period starts; comments are due by February 23, 2015. Please send comments to the proposing/determination agency and consultant.



Nu'alolo Cliff Trail is located on northwestern Kaua'i within Nā Pali Kona Forest Reserve and is managed by the Division of Forestry and Wildlife's Nā Ala Hele Trail and Access Program. A 300-foot long section of the Nu'alolo Cliff Trail was damaged from wear and tear and the hiking tread is worn out to the point that crossing it is unsafe. Weather conditions and unstable soils continuously create small slides making repair of the trail impractical. The trail has been closed since 9 May 2013 due to the unsafe conditions. The Nu'alolo Cliff Trail Reroute project proposes to bypass the damaged section by constructing and maintaining a 0.3-mile long wildland trail with 2 to 3 foot wide tread. Currently, Nu'alolo Cliff trail connects with Nu'alolo Trail between the 3-mile and 3¼-mile markers. The proposed reroute of Nu'alolo Cliff Trail will connect with Nu'alolo Trail at approximately the 2.5 mile marker. Construction of the new segment of Nu'alolo Cliff Trail is the primary action considered in the environmental assessment and involves vegetation clearing, trail construction, and installation of trail signs. Trail design and construction will follow the guidelines of the *Nā Ala Hele Program Plan*.

COASTAL ZONE MANAGEMENT NOTICE

Special Management Area Minor Permit

The SMA Minor permit below has been approved (HRS 205A-30). For more information, contact the county/state Planning Department. Honolulu (768-8014); Hawai'i (East 961-8288, West 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: Kihei (3-9-010: 011)	Single-Family Residence (SM2 20150001)	James A McCall

SHORELINE NOTICES

Shoreline Certification Applications

The shoreline certification applications below are available for review at the Department of Land and Natural Resources 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, Hawai'i 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 (808) 587-0420.

File No.	Date	Location	Applicant/Owner	TMK
OA-1635	12/30/14	Portion of Lot E-3-A Land Court Application 979 as shown on Map 88 situate at Kaneohe, Ko'olaupoko, O'ahu Address: 47-155 Kamehameha Highway Purpose: Obtain building permit	Wesley T. Tengan/ Timothy J. Pent	4-7-001:001
OA-1636	12/30/14	Lot 604 Land Court Application 1089 as shown on Map 64 situate at Kamananui, Waialua, O'ahu Address: 67-011 Kaimanu Place Purpose: Obtain building permit	Wesley T. Tengan/ John T. Borsa, Jr.	6-7-014:028
MA-600	12/26/14	Lot 3 Pu'unoa Subdivision No. 2 being portion of R.P. 5621, L.C. Aw. 5593 Apana 2 to Kapule and R.P. 1714, L.C. Aw. 525 Apana 3 to Kahiamoe situate at Pu'uiki. Lahaina. Maui Address: 1003 Front Street Purpose: Determine seaward boundary	Arthur Valencia/ Paul Irving Laub	4-5-003:002

Shoreline Certifications and Rejections

The shoreline notices below have been proposed for certification or rejection by the Department of Land and Natural Resources (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 Resources, 1151 Punchbowl Street, Room 220, Honolulu, Hawai'i 96813.

File No.	Proposed/Rejected	Location	Applicant/Owner	TMK
OA-1610	Proposed Shoreline Certification	Parcel 14 Filled Land of Kaneohe Bay Fronting Lot 90 Land Court Application 979 situate at Kahalu'u, Ko'olaupoko, O'ahu Address: 47-123 Kamehameha Highway Purpose: Building permit	Walter P. Thompson, Inc./ Beverly Hoversland & David Knox	4-7-019:078
OA-1629	Proposed Shoreline Certification	Lots 109 & 110 of Land Court Application 609, Map 24 situate at Mokuleia, Waialua, O'ahu Address: 68-505 Crozier Drive Purpose: Development of property	Dennis K. Hashimoto/ Mark Button	6-8-004:018
HA-494	Proposed Shoreline Certification	Portion of R.P. 7523, L.C. Aw. 4452, Ap. 4 to H. Kalama situate at Anaeho'omalu, South Kohala, Island of Hawai'i Address: 69-1081 Ku'uiali'i Place Purpose: Obtain County permits	Wes Thomas Associates/ Waikoloa BC, LCC	6-9-007:015
HA-495	Proposed Shoreline Certification	Portion of Lot B (C.S.F. 21,196) being portions of Grant 10,774 to Victor B. Harrel and Kona Coast State Park Parcel A (C.S.F. 22,262) situate at Kukio 2 nd and Maniniowali, North Kona, Island of Hawai'i Address: 72-3890 Mamalahoa Highway Purpose: Obtain County permits	Wes Thomas Associates/ DLNR Division of State Parks	7-2-004:009

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 Lands staff listed.

File No.: CDUA HA-3735
Name of Applicant: Kenneth Church
Location: Wailea, South Hilo, Hawai'i
TMKs: (3) 2-9-003: 013, 029, and 060
Proposed Action: Consolidation and Re-subdivision of Land
343, HRS determination: Exempt
Applicant's Contact: Kenneth Church, (954) 261-2788, Email: dockline3@yahoo.ca
OCCL Staff Contact: Lauren Yasaka, (808) 587-0386



FEDERAL NOTICES

1. Notice of public meetings, Western Pacific Fishery Management Council

<http://www.gpo.gov/fdsys/pkg/FR-2015-01-09/pdf/2015-00149.pdf>

The Western Pacific Fishery Management Council (Council) will hold public meetings in American Samoa and Hawaii regarding the Council's Fishery Ecosystem Plans and American Samoa fishery management issues.

- American Samoa Advisory Body Fishery Ecosystem Plan Review, Meeting: Wednesday January 28, 2015, from 4 p.m. to 8:30 p.m.;
- Public Meeting on Large Pelagic Vessel Prohibited Area Thursday January 29, 2015 from 4 p.m. to 6:30 p.m.;
- American Samoa Regional Ecosystem Advisory Committee Fishery Ecosystem Plan Review Meeting: Friday January 30, 2015 from 8:30 a.m. to 2:30 p.m.;
- Hawaii Council Advisory Body Fishery Ecosystem Plan Review Meeting: Wednesday February 4, 2015, from 9 a.m. to 3 p.m.;
- Hawaii Regional Ecosystem Advisory Committee Fishery Ecosystem Plan Review Meeting: Thursday February 5, 2015 from 9 a.m. to 12 p.m.

FOR FURTHER INFORMATION CONTACT: Kitty M. Simonds, Executive Director; telephone: (808) 522-8220 (see, 80 F.R. 1396, January 9, 2015)

2. Air Quality Designations for the 2012 Primary Annual Fine Particle (PM_{2.5}) National Ambient Air Quality Standards (NAAQS) <http://www.gpo.gov/fdsys/pkg/FR-2015-01-15/pdf/2015-00021.pdf>

The U.S. Environmental Protection Agency established air quality designations for most areas in the United States (U.S.), including areas of Indian country, for the 2012 primary annual fine particle (PM_{2.5}) National Ambient Air Quality Standards (NAAQS). Through these designations, the Environmental Protection Agency (EPA) is identifying as "nonattainment" those areas that are violating the 2012 PM_{2.5} NAAQS based on quality-assured, certified air quality monitoring data from 2011 to 2013 or those areas that are contributing to a violation of the NAAQS in a nearby area. The EPA is initially classifying all nonattainment areas as Moderate. Also, through this final rule, the EPA is designating several areas as "unclassifiable" where the EPA cannot determine based on available information whether the area is meeting or not meeting the NAAQS or where the EPA has not determined whether the area contributes to a nearby violation.

Additionally, the EPA is deferring initial area designations for several areas where the EPA cannot determine using available data whether the areas are meeting or are not meeting the NAAQS, but for which forthcoming data will likely result in complete and valid data needed to determine a designation. The EPA will assess these data as they become available and promulgate initial area designations for the deferred areas through a separate rulemaking action. The EPA is designating as "unclassifiable/attainment" all remaining areas of the country.

DATES: The effective date of this rule is April 15, 2015. **ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA-HQ-OAR-2012-0918. All documents in the docket are listed in the www.regulations.gov index.

Although listed in the index, some information is not publicly available, i.e., Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in www.regulations.gov or in hard copy at the EPA Docket Center, William Jefferson Clinton West Building, Room 3334, 1301 Constitution Avenue NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744 and the telephone number for the Air Docket is (202) 566-1742.

In addition, the EPA has established a Web site for this rulemaking at:

<http://www.epa.gov/pmdesignations/2012standards>. The Web site includes the EPA's final PM_{2.5} designations, as well as state and tribal initial recommendation letters, the EPA's modification letters, technical support documents, responses to comments and other related technical information.

FOR FURTHER INFORMATION CONTACT: For general questions concerning this action, please contact Beth Palma, U.S. EPA, Office of Air Quality Planning and Standards, Air Quality Planning Division, C539-04, Research Triangle Park, NC 27711, telephone (919) 541-5432, email at palma.elizabeth@epa.gov (see, 80 F.R. 2206, January 15, 2015).

3. **Pacific Remote Islands Marine National Monument Expansion**

<http://www.gpo.gov/fdsys/pkg/FR-2015-01-14/pdf/2015-00444.pdf>

The National Marine Fisheries Service (NMFS) proposes to establish requirements for fishing in the Pacific Remote Islands Marine National Monument Expansion. The proposed rule is intended to implement fishery management measures consistent with Presidential Proclamation 9173.

DATES: NMFS must receive comments on the proposed rule by February 13, 2015. **ADDRESSES:** You may submit comments on this proposed rule, identified by NOAA–NMFS–2014–0142, by either of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2014-0142>, click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.
- **Mail:** Send written comments to Michael D. Tosatto, Regional Administrator, NMFS Pacific Islands Region (PIR), 1845 Wasp Blvd., Bldg. 176, Honolulu, HI 96818.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous), and will accept attachments to electronic comments in Microsoft Word, Excel, or Adobe PDF file formats only.

You may review Presidential Proclamation 9173 (establishing the Pacific Remote Islands Marine National Monument Expansion) (PRI Monument Expansion), Presidential Proclamation 8663 (establishing the Pacific Remote Islands Marine National Monument) (PRI Monument), and the PRI Monument fishing requirements established in Amendment 2 to the Fishery Ecosystem Plan for the Pacific Remote Island Areas published in 2013, available from www.regulations.gov.

Amendment 2 is also available from the Western Pacific Fishery Management Council (Council), 1164 Bishop St., Suite 1400, Honolulu, HI 96813, telephone 808–522–8220, fax 808–522–8226, or from www.wpcouncil.org.
FOR FURTHER INFORMATION CONTACT: Bob Harman, NMFS PIR Sustainable Fisheries, telephone 808–725–5170 (see, 80 F.R. 1881, January 14, 2015).

4. **Federal Energy Regulatory Commission, Update to Fee Schedule for Hydropower Licensees**

<http://www.gpo.gov/fdsys/pkg/FR-2015-01-09/pdf/2015-00149.pdf>

In accordance with the Commission’s regulations, the Commission, by its designee, the Executive Director, issues this notice of the annual update to the fee schedule in Appendix A to Part 11, which lists per acre rental fees by county (or other geographic area) for use of government lands by hydropower licensees.

- Hawai’i \$149.02/acre/year
- Honolulu \$379.39/acre/year
- Kaua’i..... \$133.18/acre/year
- Maui \$175.88/acre/year

DATES: This rule is effective January 20, 2015, and updates Appendix A to Part 11 with the fee schedule of per-acre rental fees by county (or other geographic area) from October 1, 2014, through September 30, 2015 (Fiscal Year 2015).

FOR FURTHER INFORMATION CONTACT: Norman Richardson, Financial Management Division, Office of the Executive Director, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, (202) 502–6219, Norman.Richardson@ferc.gov (see, 80 F.R. 2591, January 20, 2015).

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 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).

