

# The Environmental Notice

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

David Y. Ige, Governor

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## MESSAGE FROM THE DIRECTOR

Aloha and mahalo for paying attention to The Environmental Notice (TEN). This issue of the TEN has multiple projects up for public comment, including the following items:

**U. S. DEPARTMENT OF INTERIOR PROPOSES RULE TO AMEND THE LAND EXCHANGE PROCEDURES UNDER THE HAWAIIAN HOMES COMMISSION ACT OF 1920** please see the Federal notice on page 12.

### PROPOSED EXEMPTION LIST REVISIONS UP FOR PUBLIC COMMENT FOR 30 DAYS

The Environmental Council (EC) approved, for public comment and publication in TEN, four (4) agency proposed Exemption List revisions, including the following: (1) [The Department of Hawaiian Homelands](#); (2) [The City and County of Honolulu Department of Transportation Services](#); (3) [The City and County of Honolulu Fire Department](#); and (4) [The Kauai County Transportation Agency](#). Click on (or copy to your favorite browser) the above links to see the proposals. Please address comments to the Chair of the Environmental Council and send them to the Office of Environmental Quality Control at the address shown in the masthead above by June 22, 2015.

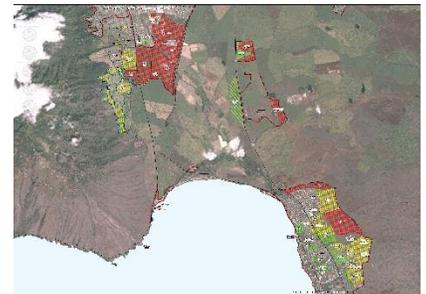


### WAIKAPU COUNTRY TOWN ENVIRONMENTAL IMPACT STATEMENT PREPARATION NOTICE (EISPN)

please see the project description on page 4.

### FEDERAL EPA ENVIRONMENTAL JUSTICE EFFORTS

The federal Environmental Protection Agency (EPA) released their [Draft Environmental Justice 2020 Action Agenda Framework](#) and will receive public comments until June 15, 2015. EPA also published their EPA Local Government Advisory Committee's [EJ Best Practices for Local Government](#).



### TWO ENVIRONMENTAL COUNCIL MEETINGS PLANNED FOR JUNE

The EC plans to meet twice in June, at locations to be determined. There will be O`ahu and neighbor island locations with video conferencing technology so members can better reach out to the neighbor islands.



• **The first planned meeting will be Friday, JUNE 5, 2015, from 11:30 am - 2:00 pm.**

• **The second planned meeting will be Tuesday, JUNE 30, 2015, from 1:00 pm - 3:00 pm.**

To verify the meetings (required to be posted with the Lieutenant Governor's calendar of meeting six days before the proposed meeting) or for more information, please go to the EC Facebook page, or the [EC agenda meeting announcement page](#), or contact our office.



### IT'S MAY! YOU BIKE?

It may not always be possible, but choosing alternatives to driving a single occupancy vehicle (i.e., driving your car with no passengers) helps reduce congestion and will help us use less foreign oil AND save us money AND reduce negative effects on the environment (AND it's good for our health). It's a WIN WIN WIN. May is Bicycle Month, to learn more go to the [Hawai'i Bicycling League](#).

'O au 'i'o no,  
*Jessica Wooley*

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HRS 343, document\* count in this issue  
 5(b) – 05  
 5(e) – 03  
 \*(excluding administrative exemption declarations/lists)

## HAWAI'I (HRS 343)

### 1. [UH Hilo Kawili Street Pedestrian Overpass 5\(b\) DEA \(AFNSI\)](#)

**Island:** Hawai'i  
**District:** South Hilo  
**TMK:** (3) 2-4-001:005 and 167  
**Permits:** Hawai'i County Department of Public Works: Easement; Building Permit, Grading Permit, and Drainage Approval; Hawai'i County Planning Department: Plan Approval

**Proposing/Determination**

**Agency:** University of Hawai'i at Hilo, Facilities Planning and Construction Office, 200 W. Kawili Street, Hilo, HI 96720. Contact: Lo-li Chih, (808) 974-7595

**Consultant:** Geometrician Associates, P.O. 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 22, 2015. Please send comments to the proposing/determination agency and consultant.



The University of Hawai'i at Hilo (UH Hilo) plans a pedestrian overpass above Kawili Street between the new Student Housing and the Campus Center. The project would increase safety for pedestrians, as hundreds of students cross the intersection hourly, and improve traffic flow, as there will be far fewer pedestrians who need to cross at-grade and thus delay vehicle traffic. The bridge has been designed as an architectural landmark defining a gateway to the campus. The approaches will include sinuous paths through attractively landscaped plazas with stone and concrete features and numerous native 'ohi'a trees and hapu'u tree ferns and ornamental vegetation. The minimum clear height from the bottom of the bridge to the top of the Kawili Street roadway will be 16 feet. The bridge will be covered with roofing, with gutters and downspouts to divert water. Over Kawili Street, it will be enclosed with decorative metal panels for safety. In other areas, the sides of the bridge may be open except for the required guardrails, providing unique views. The project will be appropriately accessible in conformance with the ADA. Other features include motion sensor LED lighting, a drinking fountain, vending machines, built-in seating, security cameras, emergency phones and WiFi. The surface of the site has been completely altered by construction of campus and roadway facilities and no native vegetation, rare, threatened or endangered species, or archaeological sites are present. SHPD has determined that there will be no effects to historic properties.

## MAUI (HRS 343)

### 2. [Mokuhau Affordable Housing Project 5\(e\) FEA \(FONSI\)](#)

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

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. The Department of Housing and Human Concerns has determined that a Finding of No Significant Impact (FONSI) is warranted for the subject project.

**3. Waikapū Country Town 5(e) Act 172-12 EISPN**

- Island:** Maui
- District:** Wailuku
- TMK:** (2) 3-6-002:001, (2) 3-6-002:003, (2) 3-6-004:003, (2) 3-6-004:006, (2) 3-6-005:007 and (2) 3-6-006:036
- Permits:** State Land Use Commission District Boundary Amendment, County Community Plan Amendment, County Change in Zoning, Project District Approval, Subdivision Approval, NPDES Permits, Building Permits
- Applicant:** Waikapū Properties, LLC, 1670 Honoapi’ilani Highway, Wailuku, HI 96793. Contact: Michael Atherton, (209) 601-4187
- Approving Agency:** State of Hawai‘i, Land Use Commission, Department of Business, Economic Development and Tourism, P.O. Box 2359, Honolulu, HI 96804-2359. Contact: Daniel Orodener, (808) 587-3822
- Consultant:** Planning Consultants Hawai‘i 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 June 22, 2015. Please send comments to the applicant, approving agency, and consultant.



Waikapū Country Town is a mixed-use residential community proposed for development on approximately 499 acres within and around the Maui Tropical Plantation, Wailuku, Maui, Hawai‘i. The project site is about 2 miles south of Wailuku and adjacent to the southern boundary of Waikapū. Four hundred eighty five (485) of the subject acres are in the State and County Agricultural Districts. Entitlement changes will be sought to bring these lands into appropriate urban and rural designations. Waikapū Country Town is designated a “Planned Growth Area” in the Maui Island Plan (MIP), December 2012. The project includes a diversity of housing types, neighborhood commercial, employment uses, an elementary school, parks and open space. At build-out the project will comprise about 1,433 residential units and nearly 200,000 square-feet of commercial. The project includes an approximate 6-mile network of pedestrian and bicycle paths. The project’s agricultural component encompasses about 1,077 acres. These lands are being used for diversified agriculture, sugar and cattle grazing. The bulk of the agricultural lands, approximately 800 acres, will be dedicated in perpetuity to agricultural use. The Applicant desires to establish an agricultural park, farmers market, a limited amount of renewable energy production and other permissible uses on these lands.

**4. Walgreens Kihei 5(e) DEA (AFNSI)**

- Island:** Maui
- District:** Makawao
- TMK:** (2) 3-9-008:016; (2) 3-9-007:037, (2) 3-9-007:038, (2) 3-9-007:039, (2) 3-9-007:040
- Permits:** Change in Zoning, Special Management Area Use Permit, National Pollutant Discharge Elimination System Permit, Special Flood Hazard Area Development Permit, Building Permits
- Applicant:** Walgreen of Maui, Inc. 106 Wilmot Rd., MS#1620, Deerfield, IL 60015. Contact: Lawrence Adler; (847) 315-6811



**Approving**

**Agency:** Maui County Planning Department, 250 South High Street, Wailuku, HI 96793.  
Contact: Ann Cua/Candace Thackerson; (808) 270-7735

**Consultant:** PBR Hawaii & Associates, Inc., 1001 Bishop Street, Suite 650, Honolulu, HI 96813. Contact: Keli'i Kapali; Phone (808) 521-5631; Fax (808) 523-1402

**Status:** Statutory 30-day public review and comment period starts; comments are due by June 22, 2015. Please send comments to the applicant, approving agency, and consultant.

Walgreen of Maui, Inc. proposes to build a new Walgreens store in Kīhei ("Walgreens Kīhei") on an approximately two-acre site located at the southwest corner of South Kīhei Road and Nohokai Street. Other site improvements will include parking, widening South Kīhei Road and Nohokai Street, and drainage improvements. The proposed use will require a change in zoning from R-3 Residential to B-2 Community Business for four of the five parcels which comprise the site (TMKs (2) 3-9-007:037, 038, 039, 040). All of the properties are in the Special Management Area (SMA), therefore an SMA Use Permit is being sought. Walgreens Kīhei is an infill retail development responding to current retail and consumer demand. A retail and pharmaceutical store is proposed to support existing and emerging Kīhei population. The Site is contiguous to another commercial property and the immediate vicinity is developed with retail commercial uses along both sides of South Kīhei Road. Short-term construction impacts will be mitigated through compliance with County, State, and Federal rules, regulations, permits, and other requirements regarding fugitive dust, community noise control, and non-point source discharges. Long-term impacts are not anticipated with implementation of recommended design and civil engineering mitigation measures.

**O'AHU (HR5 343)**

**5. Central O'ahu Ambulance Facility 5(b) DEA (AFNSI)**

**Island:** O'ahu  
**District:** Ewa  
**TMK:** (1) 9-4-122:103  
**Permits:** Building Permits, Administrative Waiver for P-2 front yard encroachment



**Proposing/Determination**

**Agency:** Department of Design and Construction, City and County of Honolulu, 650 South King Street, 11<sup>th</sup> Floor, Honolulu, HI 96813.  
Contact: Curtis Kushimaejo, (808) 768-8455, [ckushimaejo@honolulu.gov](mailto:ckushimaejo@honolulu.gov)

**Consultant:** Environmental Communications, Inc., P.O. Box 236097, Honolulu, HI 96823.  
Contact: Taeyong Kim, (808) 528-4661, [tkim@environcom.com](mailto:tkim@environcom.com)

**Status:** Statutory 30-day public review and comment period starts; comments are due by June 22, 2015. Please send comments to the proposing/determination agency and consultant.

The proposed action consists of the construction of a 2,592 square foot ambulance facility and a 1,050 square foot ambulance apparatus bay that can accommodate two ambulance vehicles. Appurtenant to the ambulance facility are eight (8) standard parking stalls, one (1) accessible parking stall, and a fueling station. The project site was initially reserved for use as a fire station but was deemed programmatically unsuitable for fire station use but was found to be well located for an emergency ambulance facility. The site is split zoned B-1 Neighborhood Business and P-2 Preservation, both which allow public facility use. The subject facility was mandated by the State of Hawai'i Department of Health Emergency Medical Services Branch. The Waipi'o unit is presently housed in a warehouse on Uke'e Street but is not optimally configured for ambulance operations.

**6. Manana Corporation Yard Improvements 5(b) DEA (AFNSI)**

**Island:** O’ahu  
**District:** Ewa  
**TMK:** (1) 9-7-024:041  
**Permits:** Community Noise Permit, National Pollutant Discharge Elimination System (Stormwater Associated with Construction), State Asbestos Rules, Lead Based Paint Regulations, Grubbing and Grading Permit, Building Permit



**Proposing/Determination**

**Agency:** City and County of Honolulu, Department of Design and Construction, Facilities Division, 650 South King Street, 11<sup>th</sup> Floor, Honolulu, HI 96813.  
 Contact: John Condrey, (808) 768-8468  
**Consultant:** Wilson Okamoto Corporation, 1907 South Beretania Street, Suite 400, Honolulu, HI 96826.  
 Contact: Milton Arakawa, (808) 946-2277  
**Status:** Statutory 30-day public review and comment period starts; comments are due by June 22, 2015. Please send comments to the proposing/determination agency and consultant.

The proposed action is for the redevelopment of the existing 7.8 acre City baseyard in Mānana. The upper area of the project site is approximately 5 acres which contains two former U.S. Navy warehouses and other portable structures. The lower 2.8 acres is approximately 15 feet lower in elevation and is used for open storage and employee parking. The site currently houses portions of three City agencies. The structures are aging and the City departments are in need of additional and more efficient baseyard space. One of the agencies, the Department of Transportation Services, intends to move out of the site. The Department of Facility Maintenance, Traffic and Electrical Maintenance Services would occupy a new warehouse and administration building with a footprint of approximately 25,525 square feet, City vehicle and employee parking, open storage, and other improvements on the lower 2.8 acres of the site. The Department of Parks and Recreation, Maintenance Support Services would occupy a new warehouse of approximately 40,160 square feet plus an 11,400 square foot mezzanine, City vehicle and heavy equipment parking, open and bulk storage on a 4.4 acre portion of the upper area. An approximately 0.6 acre area within the upper area is reserved for future development.

**7. Niu Valley Middle School Four Classrooms Building 5(b) FEA (FONSI)**

**Island:** O’ahu  
**District:** Honolulu  
**TMK:** 3-7-003:067 and 010 (portion)  
**Permits:** ADA Accessibility; Sewer Connection Permits; Department of Health Wastewater Permit; Grubbing, Grading and Stockpiling Permit; Building Permits (including electrical, plumbing, and civil)



**Proposing/Determination**

**Agency:** State of Hawai’i, Department of Education, P.O. Box 2360, Honolulu, HI 96804. Contact: Mitch Tamayori; Phone: (808) 586-0876; Fax (808) 586-8223  
**Consultant:** PBR Hawaii & Associates, Inc., 1001 Bishop Street, Suite 650, Honolulu, HI 96813. Contact: Vincent Shigekuni; (808) 521-5631; Fax (808) 523-1402  
**Status:** Finding of No Significant Impact Determination

The Department of Education is proposing to construct a new Four Classrooms for World Languages Building on the Niu Valley Middle School (NVMS) Campus. The proposed building would be located on City and County of Honolulu lands, immediately makai of the existing campus structures and parking lot, on open land. NVMS, along with Kaiser High School offer the complex area an International Baccalaureate (IB) World Schools program. NVMS offers the Middle Years Program component of the IB program requiring the school to include World Languages in its curriculum. Currently, the world languages classes are held in two regular classrooms and a portion of an industrial arts classroom. The three classrooms used are not outfitted to support 21st century modes of education critical to effectively support learning. In order for the program to support current enrollments’ progression into high school, additional classroom facilities are needed. The objective of this project is to address the current shortfall in classroom facilities to meet the requirements of the IB program. NVMS will

be adding 4 classrooms and a faculty center to its campus without plans to increase enrollment. The DOE anticipates construction will commence during July of 2016 at the earliest, if sufficient funds are appropriated to allow the project to go to bid. The first phase of the two-phase project is estimated to be completed in 10 months. The total estimated cost for the design and construction of the first phase will be approximately 7.35 million dollars.

**8. UH SOEST and METC Facilities at Sand Island 5(b) DEA (AFNSI)**

**Island:** O’ahu  
**District:** Honolulu  
**TMK:** (1) 1-5-041: portions of 006 and 334

**Permits:**  
**Proposing/Determination**

**Agency:** University of Hawai’i, Facilities Planning and Design, Office of Capital Improvements, 1960 East-West Road, Biomedical Sciences, B-102, Honolulu, HI 96822. Contact: Maynard G.P. Young, (808) 956-4071, Fax (808) 956-3175, [maynardy@hawaii.edu](mailto:maynardy@hawaii.edu)

**Consultant:** Wilson Okamoto Corporation, 1907 South Beretania Street, Suite 400, Honolulu, HI 96826. Contact: Earl Matsukawa, (808) 946-2277, (808) 946-2253, [ematsukawa@wilsonokamoto.com](mailto:ematsukawa@wilsonokamoto.com)

**Status:** Statutory 30-day public review and comment period starts; comments are due by June 22, 2015. Please send comments to the proposing/determination agency and consultant.



Due to the closure of the UH Marine Center at the Pier 45 Snug Harbor Facility, the University of Hawai’i (UH) School of Ocean and Earth Science and Technology (SOEST) will divide and relocate its small- and large-boat operations, respectively. SOEST’s large-boat operations will be moved to a new facility at Pier 35, while its small boat operations will be moved to the proposed SOEST and Marine Education Training Center (METC) Facilities at Sand Island. Proposed project improvements include constructing a paved, fenced and lighted laydown/storage area and installing a new larger floating dock to replace the existing floating dock fronting the METC (see Figure 4). In the first phase, approximately one-half of the 4.6 acre vacant lot will be developed for the laydown/storage area. Following construction, SOEST proposes to relocate a number of storage containers from the Pier 45 Snug Harbor facility to the laydown area, and erect tents and/or prefabricated structures to house its collection of geologic samples. In addition, the laydown area will be used to store SOEST’s small vessels and trailers and for parking by SOEST personnel and visitors. The proposed replacement floating dock will be used jointly by SOEST, the UH Sailing Team, the UH Student Recreation Service, and the HCC METC. In the future, SOEST plans to expand the laydown storage area over the remainder of the vacant lot.

**COASTAL ZONE MANAGEMENT NOTICES**

**Federal Consistency Review**

The Hawai’i Coastal Zone Management (CZM) Program has received the following federal action to review for consistency with the CZM objectives and policies in Chapter 205A, Hawai’i Revised Statutes. This public notice is being provided in accordance with section 306(d)(14) of the National Coastal Zone Management Act of 1972, as amended. For general information about CZM federal consistency please call John Nakagawa with the Hawai’i CZM Program at 587-2878. For neighboring islands use the following toll free numbers: Lāna’i & Moloka’i: 468-4644 x72878, Kaua’i: 274-3141 x72878, Maui: 984-2400 x72878 or Hawai’i: 974-4000 x72878. For specific information or questions about an action listed below please contact the CZM staff person identified for each action. Federally mandated deadlines require that comments be received by the date specified for each CZM consistency review. Comments may be submitted by mail, electronic mail or fax, as indicated below.

**Mail:** Office of Planning, Department of Business, Economic Development and Tourism, P.O. Box 2359, Honolulu, Hawai’i 96804  
**Email:** [jnakagaw@dbedt.hawaii.gov](mailto:jnakagaw@dbedt.hawaii.gov)  
**Fax:** (808) 587-2899

**Honoapi'ilani Highway Shoreline Protection at Olowalu, Lahaina, Maui**

Receive federal funding from the Federal Highway Administration to construct an engineered solution to protect an eroding shoreline along a 900-foot long portion of Honoapi'ilani Highway. The project consists of placement of large boulders ranging in size from 1.5 to 2.5 tons to stabilize and restore the 900-foot long section of shoreline. The boulders will be underlain with smaller rocks and geotextile fabric to prevent leaching of backfill material.

**Applicant:** State of Hawai'i Department of Transportation  
**Contact:** Sharen Cho-Ibanez, 692-7551  
**Federal Action:** Federal Funding  
**Federal Agency:** Federal Highway Administration  
**Location:** Honoapi'ilani Highway at Olowalu, Lahaina, Maui  
**TMK:** (2) 4-8-003:006  
**CZM Contact:** John Nakagawa, 587-2878, [jnakagaw@dbedt.hawaii.gov](mailto:jnakagaw@dbedt.hawaii.gov)  
**Comments Due:** June 9, 2015

Special Management Area (SMA) Minor Permits		
The SMA Minor permits 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
Hawai'i: North Kona (7-6-015: 015)	Conversion of Existing Office of Building to Short-Term Lodging and Related Improvements (SMM 15-330)	Jaelyn Rockman
Hawai'i: North Kohala (5-2-001: 002)	Establish a Snack Stand (SMM 15-331)	KP Holdings, LLC
Maui: Kihei (2-1-008: 080)	Subdivision into Two Lots (SM2 20150027)	ATC Makena Holdings, LLC
Maui: Wailea (2-1-008: 061 and 076)	Renovations and Landscaping (SM2 20150028)	Sunstone Hawaii 3-0, LLC
Maui: Kaanapali (4-4-008: 005)	Tents for Event (SM2 20150029)	Maui Rents, Inc.
Maui: Kihei (3-9-018: 017)	Photovoltaic Installation (SM2 20150030)	Rec Solar Commercial Corporation
Maui: Haik (2-8-004: 114)	Main Farm Dwell/Garage/Covered Lanai (SM2 20150031)	Boswell, William D
Maui: Kapalua (4-2-001: 028)	Renovation of Unit P3-4 (SM2 20150032)	Joel N Corpuz
Maui: Lahaina (4-3-015: 058)	Remove Old/New Pool and Spa (SM2 20150033)	James Lecron
Maui: Molokai (5-1-002: 037)	Install Fencing (SM6 20150002)	The Nature Conservancy Molokai Program
O'ahu: Kaka'ako (2-1-059: 011)	Building Renovations and Site Improvements (SMA/15-2)	Cutter Management / Clifford Planning & Architecture, LLC
O'ahu: Kaneohe (4-7-014: 052 and 055)	Stockpile with Dust Barrier and Silt Fence (2015/SMA-14)	Wailehua II, LLC / Hida, Okamoto & Associates

**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 CDUA. 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 MA-3745  
**Name of Applicant:** James P. Argyropoulos  
**Location:** Kuau Bay, Paia, Makawao District, Mau  
**TMKs:** Makai of (2) 2-6-009:005

**Proposed Action:** Erosion Control  
**343, HRS determination:** FONSI Published in the February 8, 2015 edition of *The Environmental Notice*  
**Applicant's Contact:** Michael Summers, Planning Consultants Hawaii, (808) 269-6620

## 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-1653	5/12/15	R.P. 2907, L.C. Aw. 2766, Ap. 2 to Nanoloa situate at Waiale'e, Ko'olauloa, O'ahu Address: 58-207 Kamehameha Highway Purpose: Development of property	Dennis K. Hashimoto/ Ed & Katie Weldon	5-8-001:021
MA-610	5/7/15	Lots 2-A and 3 Kaonoulu Beach Lots R.P. 7447, L.C. Aw. 3237 to H. Hewahewa situate at Kaonoulu, Kihei, Maui Address: 640 South Kihei Road Purpose: Determination of shoreline setback	ControlPoint Surveying, Inc./ County of Maui	3-9-001:147 (por.) & 015 (por.)
MA-611	5/11/15	Portion of Wailea Beach Villas being Lot 462 of Land Court Application 1804 Map 19 situate at Honuaula, Makawao, Maui Address: 3800 Wailea Alanui Drive Purpose: Annual certification of shoreline	CDF Engineers LLC/ Wailea Beach Villas	2-1-008:091
MA-612	5/13/15	Lots 66-A and 66-B Land Court Application 1744 being a portion of Lot 66 of Land Court Application 1744 as shown on Map 29, which lot was deregistered on May 25, 2012 by deregistration of Certificate of Title 673,152 recorded in the Bureau of Conveyances of the State of Hawaii as document number A-45280599 situate at Hanakao'o, Lahaina, Maui Address: 200 Nohea Kai Drive Purpose: Permit purposes	David Miran/ HMC Maui LP c/o Host Hotels & Resorts	4-4-013:008
HA-509	4/27/15	Lot 16 of Puako Beach Lots (HTS Plat 414-A) being the whole of Grant 12,590 to Paul M. Simpson & Dorothy-Dee G. Simpson situate at Lalamilo, South Kohala, Island of Hawaii Address: 69-1918 Puako Beach Drive Purpose: Obtain County permits	Wes Thomas Associates/ Edward & Emily Wilbur	6-9-006:016
HA-510	5/12/15	Lot 21, Honoli'i Pali Tract being a portion of File Plan 466, being also portions of Royal Patent 4659, Land Commission Award 4595 to Makuahine and Land Patent 8335, Land Commission Award 7715, Apana 16 to Lota Kamehameha situate at Pauka'a, South Hilo, Island of Hawaii Address: 47 Honoli'i Place Purpose: Improvements to residence and erosion control measures	George S. Yoshimura/ Kent A. Whealy	2-7-015:006

### Shoreline Certifications and Rejections

The shoreline notices below has 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
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OA-1630	Proposed Shoreline Certification	Lot 12 of Land Court Consolidation 31 situate at Mikiola, Kaneohe, Ko'olaupoko, Oahu Address: 44-259 Mikiola Drive Purpose: Obtain permits	Technical Field Data Services, Inc./ Hitoshi Yoshikawa	4-4-018:072
OA-1641	Proposed Shoreline Certification	Lots 22 and 23 Land Court Application 665 situate at Wai'alaie-Iki, Honolulu, Oahu Address: 4957 & 4997 Kahala Avenue Purpose: Building permit	Walter P. Thompson, Inc./ Kamehameha Schools	3-5-023:003 & 038
OA-1643	Proposed Shoreline Certification	Lots 1 and 2 of Evershine VIII Tract File Plan 2271 Lot 4-A and Lot 5 of Portlock Subdivision No. 2 File Plan 2193 situate at Maunaloa, Honolulu, Oahu Address: 525 Portlock Road Purpose: Construction	Sam O. Hirota, Inc./ Evershine II LP	3-9-026:044, 045, 047, 048
OA-1647	Proposed Shoreline Certification	Pokai Bay Ditch situate at Lualualei, Waianae, Oahu Address: Lualualei Beach Park Purpose: Determine setback and Special Management Area permit	ControlPoint Surveying, Inc./ City and County of Honolulu	8-6-015:068
OA-1650	Proposed Shoreline Certification	Lot 12, Land Court Application 609 situate at Mokuleia, Waialua, Oahu Address: 68-549 Crozier Drive Purpose: Building permit	Walter P. Thompson, Inc./ Frederick Fong	6-8-004:014
OA-1651	Proposed Shoreline Certification	Lot 106 Land Court Application 609 situate at Mokuleia, Waialua, Oahu Address: 68-329 Crozier Drive Purpose: Building permit	Walter P. Thompson, Inc./ Pacific Capital Resources, LLC	6-8-005:013 (por.)
MA-606	Proposed Shoreline Certification	Lot D-1 Crowell-Raymond partition portion of Lot 1, Section 4, second partition of Hamakuapoko Hui to Kalaikini situate at Kuau, Hamakuapoko, Maui Address: 62 Hana Highway Purpose: Setback for building renovation	Martina W. Jale/ Kaimana Maui LLC	2-6-010:025
HA-491	Proposed Shoreline Certification	Portions of Lot 1 as shown on Map 1 of Ld. Ct. App. 1854, Lot 8, R.P. 1930 to Asa Thurston on a Portion of L.C. Aw. 387, Part 4, Section 2 to American Board of Commissioners for Foreign Missions and Grant 3083 to Manuel Gomes situate at Waiaha 1 <sup>st</sup> , North Kona, Island of Hawaii Address: 75-5888 Ali'i Drive Purpose: Obtain County permits	Wes Thomas Associates/ Kona Reef	7-5-018:071
HA-499	Proposed Shoreline Certification	Lot 40 of "Kohala Makai One Subdivision" being a portion of Land Court Consolidation 129, Map 6 situate at Waika, North Kohala, Island of Hawaii Address: 59-114 Umaumalei Place Purpose: Single family home	BMK Inc. Profit Sharing Plan/ BMK Inc. Profit Sharing Plan	5-9-016:028
HA-504	Proposed Shoreline Certification	Lot 39 of "Kohala Makai One Subdivision" being a portion of Land Court Consolidation 129, Map 6 situate at Waika, North Kohala, Island of Hawaii Address: 59-112 Umaumalei Place Purpose: Future residence	Thomas Pattison/ Robert Frank & Sharon Lavon Friedman	5-9-016:027
HA-508	Proposed Shoreline Certification	Portion of North Kona Regional Park and Wildlife Sanctuary Parcel A (C.S.F. 21,241) being the whole of Grant 4723, Lot 1 to J. Kaelemakule Jr. and a portion of Kona Coast State Park Parcel B (C.S.F. 22,263) situate at Mahaiula and Kaulana, North Kona, Island of Hawaii Address: 72-3630 Queen Kaahumanu Highway Purpose: Obtain County permits	Wes Thomas Associates/ DLNR Division of State Parks	7-2-005:003
KA-393	Proposed Shoreline Certification	Lot 5 Land Court Application 1469 (Map 1) situate at Waioli & Waipa, Halelea, Kauai Address: 5560 Weke Road Purpose: Building permit	Honua Engineering, Inc./ Waioli Surf Shack Holdings LLC	5-5-005:012
MA-591	Rejection	Lot 1 of the Michael Ruben Subdivision being a portion of Grant 3343 to Claus Spreckels situate at Spreckelsville, Wailuku Commons, Maui Address: 598 Spreckelsville Beach Road Purpose: Building setback & other permitting purposes	Newcomer-Lee Land Surveyors, Inc./ Puka Lani Kai LLC	3-8-002:026

## NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) NOTICE

### National Aeronautics and Space Administration Low Density Supersonic Decelerator Technology Demonstration Mission Pacific Missile Range Facility Supplemental EA

**Island:** Kaua'i

**District:**

**TMK:** N/A

**Permits:** Papahānaumokuākea Marine National Monument - Conservation and Management Permit

**Applicant or Proposing**

**Agency:** National Aeronautics and Space Administration, Steve Slaten, Jet Propulsion Laboratory Facilities and Environmental Manager, sslaten@nasa.gov

**Approving**

**Agency:** N/A

**Consultant:** N/A

**Status:** Final Supplemental EA and signed Final FONSI

The Proposed Action (Alternative 1–Preferred Alternative) incorporates all activities described in the No-action Alternative, with clarification that some recovery aids discussed in the 2013 EA may or may not be employed and provides for additional splashdown area and test opportunities for the SFDT. This would require approved entry into the easternmost part of the Open Ocean Area of PMNM; therefore, NASA has requested authorization for entry into PMNM through a Conservation and Management hardware and potential fly-over of Nihoa Island and its surrounding Special Management Area from scheduled SFDTs beginning in 2015. NASA could have up to two technology testing launches each year for the next 5 years (June 2015 through August 2019). These additional test opportunities would increase the probability of successful test flights and lower the risk of a scenario for an unplanned (i.e., anomalous) termination of the test flight. NASA proposes to use an additional 37,600 km<sup>2</sup> (10,950 nm<sup>2</sup>) of splashdown area for future SDFT test flights. Of the approximately 37,600 km<sup>2</sup> (10,950 nm<sup>2</sup>), approximately 28,730 km<sup>2</sup> (8,370 nm<sup>2</sup>) is Open Ocean Area within PMNM and the other approximately 8,875 km<sup>2</sup> (2,600 nm<sup>2</sup>) of Open Ocean Area is north of PMNM. This additional splashdown area excludes the 70 hectares (170 acres) of Nihoa Island and the approximately 128.5 km<sup>2</sup> (37.5 nm<sup>2</sup>) Special Management Area within 5.5 km (3 nm) surrounding Nihoa Island. To ensure the excluded area waters and/or island will not be entered, one of two scenarios would occur: (1) the LDSO Program would initiate the SFDT in such a manner that expended flight hardware would be recovered before drifting into the excluded area; or (2) the flight system would overfly the excluded area, and the Test Vehicle would be dropped outside 5.5 km (3 nm) from Nihoa Island. Therefore, expended flight hardware would not be deposited on Nihoa Island or within the Special Management Area surrounding the island.

## FEDERAL NOTICES

This section lists relevant entries from the Federal Register, gleaned from a search of Hawai'i-based entries published since the date of the last issue of The Environmental Notice. For the PDF file click on the title link, also available at <http://www.gpo.gov/fdsys/>

1. [Notice of Decision To Authorize the Interstate Movement of Sea Asparagus Tips From Hawaii Into the Continental United States](#)

The Animal and Plant Health Inspection Service (APHIS) of the U. S. Department of Agriculture is advising the public of its decision to authorize the interstate movement of fresh sea asparagus tips from Hawaii into the continental United States. Based on the findings of a pest list and a risk management document, made available to the public for review and comment through a previous notice, APHIS has concluded that the application of one or more designated phytosanitary measures will be sufficient to mitigate the risks of introducing or disseminating plant pests or noxious weeds via the movement of fresh sea asparagus tips from Hawaii into the continental United States. DATES: Effective May 8, 2015. FOR FURTHER INFORMATION CONTACT: Mr. David Lamb, Senior Regulatory Policy Specialist, PPQ, APHIS, 4700 River Road, Unit 133, Riverdale, MD 20737– 1231; (301) 851–2103. (see, 80 F.R. 26523, May 8, 2015)

**2. [Land Exchange Procedures and Procedures To Amend the Hawaiian Homes Commission Act, 1920](#)**

The Office of the Secretary of the U. S. Department of the Interior announced a proposed rule that would remove ambiguities the State of Hawai'i faces in administration of the Hawaiian Homes Commission Act. It would facilitate the goal of the rehabilitation of the Native Hawaiian community, including the return of native Hawaiians to the land, consistent with the Hawaiian Homes Commission Act, the State of Hawai'i Admission Act, and the Hawaiian Home Lands Recovery Act. The rule clarifies the land exchange process, the documents required, and the respective responsibilities of the Department of the Interior, the Department of Hawaiian Home Lands, and other entities engaged in land exchanges of Hawaiian home lands. It also clarifies the documents required and the responsibilities of the Secretary of the Interior in the approval process for proposed amendments by the State of Hawai'i to the Hawaiian Homes Commission Act, 1920, as amended. DATES: Comments must be submitted on or before July 13, 2015. ADDRESSES: You may submit comments on the rulemaking. Please click on the link, or copy/paste link into your favorite web browser for further details. FOR FURTHER INFORMATION CONTACT: Ka'iini Kimo Kaloi, Director, Office of Native Hawaiian Relations, telephone (202) 208-7462 (see 80 F.R. 27134, May 12, 2015)

**3. [Proposed Consent Decree in United States v. City/County of Honolulu, Civil Action No. CV 15-00173 BMK](#)**

In this action, the United States filed a complaint under the Clean Air Act alleging violations at the Kapa'a and Kalaheo Sanitary Landfill ("Landfill") located on the island of Oahu in Hawaii. The United States' complaint alleges violations for the City and County of Honolulu's ("CCH") failure to timely submit a design plan for a gas collection and control system ("GCCS") and failure to timely install and operate a GCCS. The consent decree requires CCH to pay a civil penalty in the amount of \$875,000 and to implement a Supplemental Environmental Project comprised of the installation and operation of a photovoltaic system at its waste-to-energy facility located on Hanua Street, Kapolei, Hawaii. The consent decree states that, during the period of the negotiations of this consent decree, CCH submitted a GCCS design plan approved by EPA for the Landfill, installed and commenced operation of the GCCS, developed a startup, shutdown and malfunction plan, and submitted a complete application for a Title V covered source permit. The publication of this notice opens a period for public comment on the consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to United States v. City and County of Honolulu, D.J. Ref. No. 90-5-2-1- 09044/1. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail: To submit comments: Send them to: By email ... pubcomment-ees.enrd@ usdoj.gov. To submit comments: Send them to: By mail ... Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611. During the public comment period, the consent decree may be examined and downloaded at this Justice Department Web site: [http:// www.justice.gov/enrd/consent-decrees](http://www.justice.gov/enrd/consent-decrees). We will provide a paper copy of the consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ— ENRD, P.O. Box 7611, Washington, DC 20044-7611. Please enclose a check or money order for \$11.00 (25 cents per page reproduction cost) payable to the United States Treasury (see, 80 F.R. 28300, May 18, 2015).



**The dedicated and cheerful volunteer members of Environmental Council met in quorum assembled on May 21, 2015 in the Kalanimoku Video Conference Center on Punchbowl Street.**

# 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\(e\)](#), 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).