

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 taking the time to read The Environmental Notice. There are a variety of projects up for public comment, including

- In Ko'olauloa, Nā Pua Makani Power Partners DEIS proposal to construct and operate the Nā Pua Makani Wind Project near Kahuku (10 turbines, generating capacity up to 25 megawatts), and
- The State of Hawai'i Agribusiness Development Corporation's proposed water storage improvements in the Galbraith Lands Reservoirs DEA on page 5 to provide additional reserve during power outages, help optimize pumping hours, and improve water pressure for anticipated diversified crop cultivation activities.

We previously announced the new Dashboard from Hawai'i Green Growth and Aloha+ Challenge supporters that will measure six sustainability targets that the State is striving to meet by 2030, including Clean Energy, Local Food, Natural Resource Management, Waste Reduction, Smart Sustainable Communities, and Green Workforce.



The State Environmental Council consists of 15 members all appointed by the Governor and confirmed by the State Senate. Eight council members (quorum) are required to be present for the council to transact any business. In this picture, the Environmental Council deliberates on its concurrence for an agency exemption list at its June 5, 2015 in Room 1500, Leiopapa A Kamehameha.

VOLUNTEER EXPERIENCE

Our office is currently accepting applications for volunteer interns. If you are interested, please email

Jessica.Wooley@doh.hawaii.gov

or call the office at 586-4185.

In this issue, we encourage you to learn more about waste and take a look at the measures in the Hawai'i Green Growth Dashboard at <https://dashboard.hawaii.gov/aloha-challenge>. When it comes to waste, the goal is to "reduce the solid waste stream prior to disposal by 70% through source reduction, recycling, bioconversion, and landfill diversion methods."

The Hawai'i Green Growth Dashboard is set up to track the full solid waste picture in Hawai'i by measuring Total Solid Waste Reduction, Total Solid Waste Generation, Reduction, Reuse, Recycling (including Composting), and Waste-to-Energy. This publicly accessible, targeted information provides an important building block for achieving meaningful solid waste reduction in Hawai'i. The goal is to continuously add data to the Dashboard, fill in data gaps, and use the information to support policy changes and programs that help to achieve 70% solid waste reduction by 2030.

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HRS 343, document * count in this issue
 5(b) – 04
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 *(excluding administrative exemption declarations / lists)

MAUI (HR§ 343)

2. Trailered Vessel Facility 5(e) FEA (FONSI)

Island: Maui
District: Wailuku
TMK: (2) 3-7-001:023 and 021
Permits: DLNR Conservation District Use Permit
Applicant: Maui Dry Dock and Storage LLC, P.O. Box 1119, Lāhainā, HI 96761. Contact: Jeff Strahn, (808) 270-9813

Approving

Agency: Office of Conservation and Coastal Lands, Hawaii State DLNR, P.O. Box 621, Honolulu, HI 96809. Contact: Michael Cain, (808) 587-0048

Consultant: Coastal Planners LLC, 3993 Ma‘alaea Bay Place, Wailuku, HI 96793. Contact: Thorne Abbot, (808) 344-1595

Status: Finding of No Significant Impact Determination



The proposal includes a maintenance and inspection area for two vessels (dry-dock), a secured boat parking and storage area along Kahului Beach Road, and the grubbing of an unused area to create open parking for up to 20 cars. The dry dock will include two concrete pads, two grassy swales, and an attendant subsurface drainage system. Vinyl coated chain link fencing along the site's perimeter and key card access for convenience would help create a secure parking area for boats, trailers, and tow vehicles on the site. Two key card operated electric gates would afford 24-hour access. No price or rental period has been determined; the rate would be determined in consultation with DOBOR. Landscape plantings would surround both the perimeter fencing and be planted along the edge of two grassy swales located next to area. Plantings of hau and naupaka would provide visual screening, attenuate storm water runoff, and serve as a wind break. The proposal does not include any above ground buildings or structures beyond installation of a fence, gates, key card readers and concrete maintenance pads. The applicant will pursue a lease with the Department should they secure a Conservation District Use Permit (CDUP).

O‘AHU (HR§ 343)

3. 803 Waimanu - Kaka‘ako 5(e) DEA (AFNSI)

Island: O‘ahu
District: Honolulu
TMK: (1) 2-1-049:050, 070 & 072
Permits: Dwelling Unit Revolving Fund (DURF) application; Chapter 343, HRS; ADA Accessibility Requirements; Building permits; Grubbing, Grading/Trenching, Street Usage, and Stockpiling; Sewer Connection; Water Connection; and Water Quality
Applicant: MJF Development Corporation, 1541 South Beretania Street, 4th Floor, Honolulu, HI 96818. Contact: Franco Mola, (808) 744-8072

Approving

Agency: Hawai‘i Housing Finance & Development Corporation, 677 Queen Street, Honolulu, HI 96813. Contact: Ken Takahashi, (808) 587-0547

Consultant: Hawai‘i Planning, LLC, 1001 Bishop Street, American Savings Bank Tower, Suite 2755, Honolulu, HI 96813. Contact: Dennis Silva, Jr., (808) 521-9418, ext. 1005

Status: Statutory 30-day public review and comment period starts; comments are due by July 8, 2015. Please send comments to the applicant, approving agency, and consultant.



803 Waimanu in Kaka‘ako consists of a mix of 123 studios, 29 one-bedrooms, and one (1) two-bedroom unit, totaling 153 units. The studio units range from 384 to 434 square feet. One bedroom units range from 453 to 784 square feet. The two bedroom unit is 1,029 square feet. Twenty percent (20%) of the residential floor area, 24 units, are set aside as Reserved Housing under the Mauka Area Plan, Mauka

Area Rules, and the Kaka'ako Reserved Housing Rules (20% of floor area is the requirement but the Project exceeds the requirement). Reserved Housing is regulated by the Hawai'i Community Development Authority (HCDA). Fifty-one percent (51%) or 77 units will be restricted by HHFDC in order to qualify the Project for Dwelling Unit Revolving Fund (DURF) financing. Therefore, a total of 101 of the units (or 66%) is restricted as affordable with the remaining 52 units to be unrestricted and sold at market rate. The Chapter 343, Hawai'i Revised Statutes (HRS) trigger for this EA is the applicant's intended use of Dwelling Unit Revolving Fund (DURF) as a source of construction financing.

4. Galbraith Lands Reservoirs 5(b) DEA (AFNSI)

Island: O'ahu

District: Wahiawā and Waialua

TMK: (1) 6-5-002:010, 7-1-001:002, and 7-1-001:005

Permits: State of Hawai'i: Department of Health - NPDES Permit; Department of Land and Natural Resources - Commission on Water Resources Management-Well Construction Permit, Pump Installation Permit, Water Use Permit; State Historic Preservation Division - Historic Site Review; Department of Transportation - Right of Access, Permit to Perform Work Within a State Highway Right-of-Way. City and County of Honolulu: Department of Planning and Permitting-Grubbing, Grading, and Stockpiling Permit, Excavation Permit, Permit to Excavate Public Right-of-Way



Proposing/Determination

Agency: State of Hawai'i Agribusiness Development Corporation (ADC), 235 South Beretania Street, Room 205, Honolulu, HI 96813. Contact: Ivan Kawamoto, (808) 586-0181

Consultant: Environmental Planning Solutions LLC, 945 Makaiwa Street, Honolulu, HI 96816. Contact: Colette Sakoda, (808) 748-1529

Status: Statutory 30-day public review and comment period starts; comments are due by July 8, 2015. Please send comments to the proposing/determination agency and consultant.

The State of Hawai'i Agribusiness Development Corporation (ADC) proposes farm land preparation for construction of four reservoirs on land that was previously in pineapple cultivation. The affected properties, which in total encompass 1,207 acres, are located west of the town of Wahiawā in Central O'ahu and generally bounded by Poamoho Gulch and Poamoho Camp on the north, Whitmore Village and the North Fork of Kaukonahua Stream on the east, Schofield Barracks Military Reservation on the south, and fallow/farmed agricultural fields on the west. The purposes of the water storage improvements are to increase the storage capacity of the irrigation water system service area which would provide additional reserve during power outages, and help optimize pumping hours and to improve water pressure for anticipated diversified crop cultivation activities. With the expected increase and demand for fresh agricultural produce, local farmers plan to grow and distribute their produce to Hawai'i's local markets, businesses, and restaurants. Local agricultural food production should help move the State towards agricultural self-sufficiency and decrease Hawai'i's dependency on importing food from out of state. All four reservoirs, three designed for 3 MG capacity each and one for 10 MG capacity, will be constructed below existing grade. The respective reservoir sites will be graded and excavated to below grade design elevations that can contain the desired storage volume. Typical design criteria for the reservoirs are listed below but may vary by individual reservoir.

- Impounding berm to be engineered at 2:1 slope (Horizontal:Vertical)
- Base and inner slopes to be lined with woven HDPE Polypropylene fabric pond liner
- Erect security and safety fencing
- Provide driveway of adequate width for service and maintenance vehicles

No residential, agricultural, or commercial activities on the lots will be displaced by the proposed action. The improvements are proposed on vacant and fallow agricultural fields. In the long-term, the proposed action is anticipated to attract local farmers and agribusinesses to the area. Water availability

and the construction of storage and water infrastructure facilities, an existing improved transportation network, and availability of high-quality productive agricultural land coupled with long-term agricultural leases should foster diverse agricultural activities and help achieve the stated purposes of the proposed action.

5. [Kapi'olani Residence 5\(e\) DEA \(AFNSI\)](#)

Island: O'ahu
District: Honolulu
TMK: (1) 2-3-041:006 & 009
Permits: 201H, building, electrical, plumbing, sidewalk/driveway and demolition work (variance for building permit when work done in setbacks), Grubbing, grading/trenching, Street Usage, and Stockpiling Permit, sewer connection, water connection, water quality
Applicant: SamKoo Pacific, LLC, 1631 Kapi'olani Boulevard, Suite 200, Honolulu, HI 96814.
 Contact: Timothy Yi

Approving Agency: Hawai'i Housing Finance & Development Corporation (HHFDC), 677 Queen Street, 3rd Floor, Honolulu, HI 96813. Contact: Ken Takahashi, (808) 587-0547

Consultant: Pacific Catalyst, LLC, 1296 Kapi'olani Boulevard, Suite 1907, Honolulu, HI 96814.
 Contact: Lowell Chun, (808) 386-9596

Status: Statutory 30-day public review and comment period starts; comments are due by July 8, 2015. Please send comments to the applicant, approving agency, and consultant.

SamKoo Pacific, LLC proposes to design and construct a 485-unit residential condominium tower, to be named "Kapi'olani Residence", on a 1.291 acre (56,250 square feet) site consisting of two parcels (TMK's: (1) 2-3-041:009 and (1) 2-3-041:006) adjacent to Ala Moana Center a little over ¼ mile from the City and County of Honolulu's future Ala Moana HART (Rail) Station. SamKoo Pacific's vision for "Kapi'olani Residence" focuses on providing a mix of quality market and affordable homes centrally located in the heart of Honolulu's vital Ala Moana neighborhood, in convenient proximity to shopping, family services, business and employment opportunities, and multiple transportation choices. The residences will include mauka and makai-facing units that will be housed in a tower fronting Kapi'olani Boulevard. Sixty percent of these residences are intended as affordable units targeting households earning eighty (80) to one hundred twenty (120) percent of the Area Median Income ("AMI"). In addition to the intended residences, the building's ground floor fronting Kapi'olani Boulevard will feature spaces for commercial enterprises that can be occupied by businesses and services oriented toward serving the local community.

6. [Kapolei Mixed-Use Development 5\(e\) DEA \(AFNSI\)](#) & [Appendix G](#)

Island: O'ahu
District: 'Ewa
TMK: (1) 9-1-088:021
Permits: Chapter 201H, HRS, Dwelling Unit Revolving Fund (DURF) application; Chapter 343, HRS; ADA Accessibility Requirements; Building permits; Grubbing, Grading/Trenching, Street Usage, and Stockpiling; Sewer Connection; Water Connection; and Water Quality
Applicant: Coastal Rim Properties, 1551 South Beretania Street, 4th floor, Honolulu, HI 96826.
 Contact: Franco Mola, (808) 744-8072

Approving Agency: Hawai'i Housing Finance & Development Corporation, 677 Queen Street, Honolulu, HI 96813. Contact: Ken Takahashi, (808) 587-0547

Consultant: Hawai'i Planning, LLC, 1001 Bishop Street, American Savings Bank Tower, Suite 2755, Honolulu, HI 96813. Contact: Dennis Silva, Jr., (808) 521-9418, ext. 1005



July 23, 2015. Please send comments to the applicant, approving agency, and consultant.

Na Pua Makani Power Partners, LLC (NPMPP), a wholly owned subsidiary of Champlin Hawai'i Wind Holdings, LLC, proposes to construct and operate the Na Pua Makani Wind Project (Project) near the town of Kahuku on the island of O'ahu, Hawai'i. The Project would consist of up to 10 wind turbine generators, with a nameplate generating capacity of up to approximately 25 megawatts (MW). The turbine array could include a combination of models from a single manufacturer ranging in generating capacity and dimensions, based on site-specific conditions and setback requirements. Supporting infrastructure for the proposed Project would include access roads, wind turbine assembly lay down areas, overhead and underground transmission and collector lines, an on-site substation and an operations and maintenance building and associated storage yard and parking area. The purpose of the proposed Project is to provide clean, renewable wind energy for the island of O'ahu. The energy delivered by the proposed Project would help HECO meet its Renewable Portfolio Standard (RPS), established in HRS § 269-92 and the state of Hawai'i goal of increasing energy independence through the development of additional sources of renewable energy.

8. [Nu'uuanu Pali Drive and Old Pali Road Drainage Improvements 5\(b\) DEA \(AFNSI\)](#)

Island: O'ahu
District: Honolulu
TMK: (1) 1-9-000, 1-9-004, 2-2-000, 2-2-051:054
Permits: Department of the Army Permit, Department of Health Water Quality Certification, Department of Land and Natural Resources Stream Channel Alteration Permit, Office of Planning Coastal Zone Management Certification, City and County of Honolulu Building Permits



Proposing/Determination

Agency: Department of Design and Construction, City and County of Honolulu, 650 South King Street, 11th Floor, Honolulu, HI 96813. Contact: Kristie Ching, (808) 768-8480, kching1@honolulu.gov

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

Status: Statutory 30-day public review and comment period starts; comments are due by July 8, 2015. Please send comments to the proposing/determination agency and consultant.

The proposed action consists of the demolition and replacement of a portion of an existing storm water drainage system in the vicinity of the intersection of Nu'uuanu Pali Drive and Old Pali Road and well as a new outlet structure in to Nu'uuanu Stream. The existing system of 18-inch, 24-inch, and 30-inch pipes, inlets and drain manholes will be replaced while the main collector line will be increased to a 36-inch pipe. Presently, storm water collected in the existing system is conveyed to a 30-inch pipe that discharges directly into Nu'uuanu Stream. This portion will be replaced by a 36-inch pipe and a new concrete impact outlet structure with a 4-foot thick layer of dumped riprap for erosion protection. The current outlet structure is located on a residential lot with a drainage easement in favor of the City and County of Honolulu. This easement will be cancelled and moved towards the northeast boundary of the property where the new drain line and outlet structure will be located. This new location will also minimize the impact to the existing dwelling unit. Existing CRM walls, slabs and stairs will be removed as part of the project and will be reconstructed or replaced.

9. [Portlock Road Residence 5\(e\) FEA \(FONSI\)](#)

Island: O'ahu
District: Honolulu
TMK: (1) 3-9-026:044, 045, 046, 047, and 048
Permits: City and County of Honolulu: Chapter 343, HRS Compliance; Department of Planning and Permitting (DPP) Grubbing, Trenching, Grading, and Stockpiling Permits; DPP Building, Electrical, Plumbing, Sidewalk/Driveway, and Demolition Permits; Connection License; Drainage Easement Variance; DPP Conditional Use Minor Permit for Joint Development; Honolulu City Council Special Management Area Use Permit
Applicant: Everyshine II, LP, 19620 Stevensen Creek Boulevard, Suite 200, Cupertino, CA 94014.
Approving Agency: City and County of Honolulu, Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, HI 96813. Contact: Ardis Shaw-Kim, (808) 768-8021
Consultant: Kober Hanssen Mitchell Architects, Inc., 77 Merchant Street, Honolulu, HI 96813. Contact: Kurt Mitchell, (808) 566-5412
Status: Finding of No Significant Impact Determination



The Applicant seeks a Special Management Area (SMA) Use Permit for redevelopment of a 5.4-acre residential property on Maunalua Bay that was initially developed around the early 1960s. Proposed improvements include renovation to existing structures, consisting of two dwellings and other residential amenities, construction of a new dwelling and other improvements including landscaping and accessory structures. Some of the structures to be repaired are within the shoreline setback area. The Applicant proposes to repair these shoreline structures under the nonconforming provisions of the shoreline setback laws and regulations. The proposed work aims to visually improve the site and return the existing structures to a habitable condition. In addition to the work that is within the SMA, the Applicant is working with the State Department of Land and Natural Resources regarding structures that appear to encroach into the State Conservation District.

10. [Waimānalo Irrigation System Upgrade 5\(b\) FEA \(FONSI\)](#)

Island: O'ahu
District: Ko'olaupoko
TMK: (1) 4-1-008:080 and (1) 4-1-026:004
Permits: Grading, grubbing and stockpiling permits; HRS 6-E consultation
Proposing/Determination Agency: Hawai'i State Department of Agriculture, Agriculture Resource Management Division, 1428 South King Street, Honolulu, HI 96814. Contact: Glenn M. Okamoto, (808) 973-9436
Consultant: Belt Collins Hawai'i LLC, 2153 North King Street, #200, Honolulu, HI 96819. Contact: John Kirkpatrick, (808) 521-5361
Status: Finding of No Significant Impact Determination.



The proposed action consists of upgrading a portion of the Waimānalo Irrigation System through the installation of approximately 1,800 linear feet of 8-inch irrigation line. The Irrigation System provides water from Maunawili for farm operations in Waimānalo. The project will improve the reliability of the irrigation system and reduce the water loss currently experienced in this portion of the system.



CHAPTER 25, REVISED ORDINANCES OF HONOLULU

Fong Property Additions DEA (AFNSI)

Island: O'ahu
District: Waialua
TMK: (1) 6-1-004:057
Permits: Special Management Area Use Permit, Park Dedication, Building Permit, Trenching Permit
Applicant: Russell Fong, 1080 Waiholo Street, Honolulu, HI 96821. (808) 754-4822



Approving Agency: City and County of Honolulu, Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, HI 96813. Contact: Mark Taylor, (808) 768-8020
Consultant: EA Design Studio, 2235 B Ho'onanea Street, Honolulu, HI 96822. Contact: Emile Alano, (808) 782-1651
Status: Statutory 30-day public review and comment period starts; comments are due by July 8, 2015. Please send comments to the applicant, approving agency, and consultant.

The Applicant seeks a Special Management Area Use Permit to allow construction of three additional dwellings, consisting of a single-family dwelling, and a two-family detached dwelling on the subject site. One single-family dwelling exists on the lot, therefore a total of four dwellings will be developed on the lot. In accordance with the Land Use Ordinance Section 21-8.20A, the four dwelling units are permitted on the 20,703-square-foot zoning 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

Fax: (808) 587-2899

U.S. Coast Guard (USCG) National Security Cutter Assignment & Facility Improvements at USCG Base Honolulu, O'ahu

The USCG is proposing to homeport two new 418-foot National Security Cutters (NSCs) at Coast Guard Base Honolulu by 2019. The NSCs are part of an ongoing effort by the Coast Guard to replace its fleet of 378-foot High-Endurance Cutters that have reached the end of their service life. Homeporting the NSCs would improve the Coast Guard's ability to perform its mission in the Pacific Area and Coast Guard District Fourteen. The USCG would make improvements to shore facilities at Coast Guard Base Honolulu to support the NSCs. Improvements would include a reconfiguration of where vessels are berthed (no in-water work required), consolidation of supply/shipping buildings for NSC storage requirements, renovation

of existing shop spaces, and construction of a new building to accommodate NSC support functions. The mooring reconfigurations would require some shore ties and utilities upgrades to accommodate the two NSCs.

Federal Action: Federal Agency Activity
Federal Agency: U.S. Coast Guard
Contact (consultant): Mr. Aaron Goldschmidt, Amec Foster Wheeler, (805) 962-0992 x223
Location: USCG Base Honolulu, Sand Island, O'ahu
CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov
Comments Due: June 22, 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: Puna (1-5-062: 033)	Construction of a Water Well (SMM 15-332)	Wendy Grace
Maui: Kahului (3-7-010: 009)	Replace Three Antennas / Upgrades (SM2 20130046)	At & T C/O Smartlink LLC
Maui: Kihei (3-9-010: 011)	Single Family Residence (SM2 20150001)	James A McCall
Maui: Lāhainā (4-6-001: 001, 004, 007 and 009)	Improvements to Boat Harbor (SM2 20150034)	Lahaina Restoration Foundation
Maui: Kihei (2-1-029: 002)	Building Three Concrete Retaining Walls (SM2 20150035)	Cook, Thomas
Maui: Lāhainā (4-3-002: 099)	Encroachment Removal (SM2 20150036)	Michel Wright & Associates, Inc.
Maui: Kā'anapali (4-4-001: 097)	Swimming Pool / Spa (SM2 20150037)	Peter Jacobsen
Maui: Pā'ia (2-6-002: 010)	Mai Tai Event-Catered Dinner (SM2 20150038)	Paia Bay Properties, LLC
Maui: Lāhainā (4-6-028: 029)	Interior Remodeling (SM2 20150039)	Rick & Lisa Parlett
O'ahu: Waiale'e (5-8-001: 051)	Construction of Six-foot-high Chain-link Security Fence and Gates (2015/SMA-22)	Ho'ola Na Pua, LLC

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-3747
Name of Applicant: LTC Winston M. Marbella
Location: 'Ewa District, Island of O'ahu
TMKs: (1) 9-1-027:016
Proposed Action: After-the-Fact Seawall Repair
343, HRS determination: Exempt
Applicant's Contact: Winston M. Marbella, (808) 783-6553
OCCL Staff Contact: Alex J. Roy, (808) 587-0316

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-1654	5/26/15	Lot 2 of "Mokulē'ia Beach Tract" being portion of Grant 242 to Kaiaikawaha as shown on Map 1 of Land Court Application 609 situate at Mokulē'ia, Waialua, O'ahu Address: 68-617 Crozier Drive Purpose: Applying for building permit	Ace Land Surveying LLC/ Irmgard Degener	6-8-002:005
MA-613	5/26/15	Lot 1, Ka'ae Tract being all of R.P. 8267, L.C. Award 302 to J.A. Kuakini and L.C. Award 4452, Apana 1 to H. Kalama and a portion of R.P. 7860, L.C. Award 7715, Apana 3 to L. Kamehameha situate at Waiokama, Lahaina, Maui Address: 505 Front Street Purpose: Determine shoreline setback	R.T. Tanaka Engineers, Inc./ FPA Lahaina Shores Associates, LLC	4-6-002:007 (por.)
HA-511	5/26/15	Lot No. 32 of "Puako Beach Lots" HTS Plat 414-A being a portion of Grant 12437 situate at Lalamilo, North Kona, Island of Hawai'i Address: 69-1854 Puako Beach Drive Purpose: Repair of pre-existing seawall	Edward S. Henrickson/ Leon A. & Dora C. Thevenin Trusts	6-9-005:007

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
OA-1618	Proposed Shoreline Certification	Lot 39 as shown on Map 2 Land Court Application 1810 and portion of Royal Patent Grant 338 to Haiku and Kua being Lot B also portion of railroad right of way situate at Waialua, O'ahu Address: 68-131 & 68-1031 Farrington Highway Purpose: Obtain building permits	ControlPoint Surveying, Inc./ Kealia Farms LLC	6-8-002:010 & 014
MA-607	Proposed Shoreline Certification	Portion of Grant 548 to J.Y. Kanehoa situate at Paeahu, Honua'ula, Kula, Maui Address: 3070 South Kīhei Road Purpose: Building permits	Tom Tezak/ Chow Ju Fa Chen Trust	2-1-010:002
MA-608	Proposed Shoreline Certification	Lot A of the Keawakapu Beach Lots situate at Keawakapu, Makawao, Maui Address: 3214 South Kīhei Road Purpose: N/A	Akamai Land Surveying, Inc./ Neil Felder	2-1-010:012
HA-500	Proposed Shoreline Certification	Lot No. 3 of "Aloha Kai Subdivision" subdivision No. 7096 being a portion of L.C. Award No. 9971, Apana 28 to William P. Leleiohoku situate at Kaumalumalu, North Kona, Island of Hawai'i Address: 77-226 Ke Alohi Kai Place Purpose: N/A	Richard & Trudi Ahart/ Richard & Trudi Ahart	7-7-024:003
HA-507	Proposed Shoreline Certification	Lot B being the whole of R.P. 3737, L.C. Aw. 5680, Ap. 2 to Kahiamoe and being portions of L.C Aw. 4452, Ap. 2 to H. Kalama and Road Remnant situate at Kapala'alaea 1 st , North Kona, Island and County of Hawai'i Address: 77-6564 Ali'i Drive Purpose: Obtain County permits	Wes Thomas Associates/ Bradford & Vicki Picking	7-7-010:013

KA-395	Proposed Shoreline Certification	Lot 40 Land Court Application 1160, Map 7 situate at Hanalei, Halelea, Kaua'i Address: 5060 Weke Road Purpose: Determine setback	Roger M. Caires/ Gaylord & Carol Wilcox Family Limited Partnership	5-5-001:026
MA-592	Rejection	Royal Kahana being all of Lot 2 and a portion of Lot 1 of the Bechert Estate Subdivision Address: 4365 Lower Honoapi'ilani Road Purpose: Setback purposes	Arthur Valencia/ Royal Kahana AOO	4-3-010:007

FEDERAL NOTICES

This notice 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. [Takes of Marine Mammals Incidental to Specified Activities; U.S. Navy Training and Testing...](#) - June 3, 2015
National Marine Fisheries Service (NMFS) has received a request from the U.S. Navy (Navy) for authorization to take marine mammals incidental to the training and testing activities conducted in the Northwest Training and Testing (NWTT) study area from November 2015 through November 2020. Under the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue regulations and subsequent Letters of Authorization (LOAs) to the Navy to incidentally harass marine mammals. The Navy has also requested that NMFS authorize modifications to watchstander requirements for observed behavior of marine mammals during Major Training Events (MTEs) in the Hawaii-Southern California Training and Testing (HSTT), Atlantic Fleet Training and Testing (AFTT), Mariana Islands Training and Testing (MITT), and Gulf of Alaska Training (GOA) study areas. Modifications to the Navy watchstander requirements would require a revision to regulatory text in current regulations governing the taking and importing of marine mammals during testing and/or training activities in these study areas. There are no MTEs associated with Navy training and testing activities in the NWTT study area. DATES: Comments and information must be received no later than July 17, 2015. FOR FURTHER INFORMATION CONTACT: John Fiorentino, Office of Protected Resources, NMFS (301) 427-8477
2. [Western Pacific Fishery Management Council; Public Meetings](#) - May 26, 2015
The Western Pacific Fishery Management Council (Council) will hold meetings of its 119th Scientific and Statistical Committee (SSC) and its 163rd Council meeting to take actions on fishery management issues in the Western Pacific Region. The Council will also convene meetings of the Pelagic and International Standing Committee, Fishery Data Collection and Research Committee (FDCRC), Hawaii Standing Committee, and Executive and Budget Standing Committee. DATES: The meetings will be held from June 9, 2015 through June 18, 2015. Click on the link in the notice title above for specific dates, times and agendas. ADDRESSES: The 119th SSC, Pelagic and International Standing Committee, FDCRC, Hawaii Standing Committee, and Executive and Budget Standing Committee will be held at the Council office, 1164 Bishop Street, Suite 1400, Honolulu, HI 96813; phone: (808) 522- 8220. The 163rd Council meeting and the Fishers Forum will be held at the Harbor View Center, Pier 38, 1129 North Nimitz Highway, Honolulu, HI 96817. FOR FURTHER INFORMATION CONTACT: Kitty M. Simonds, Executive Director; phone: (808) 522-8220.
3. [Western Pacific Fishery Management Council; Public Meetings](#) - May 29, 2015
The Western Pacific Fishery Management Council (Council) will hold a meeting of its Hawaii Archipelago Fishery Ecosystem Plan (FEP) Advisory Panels (AP) to discuss and make recommendations on fishery management issues in the Western Pacific Region. DATES: The Hawaii Archipelago FEP AP will meet on Friday, June 12, 2015, between 12 noon and 1:30 p.m. ADDRESSES: All meetings will be held by teleconference and webconference. The teleconference will be conducted by telephone and by web. The teleconference numbers are: U.S. tollfree: 1-888-482-3560 or International Access: +1 647 723-3959, and Access Code: 5228220; The webconference can be accessed at <https://wprfmc.webex.com/join/info.wpcouncilnoaa.gov>. FOR FURTHER INFORMATION CONTACT: Kitty M. Simonds, Executive Director; phone: (808) 522-8220.
4. [Pacific Island Fisheries; 2014-15 Annual Catch Limits and Accountability Measures; Main Hawaiian Islands Deep 7 Bottomfish](#) - June 4, 2015
National Marine Fisheries Service (NMFS) specifies an annual catch limit (ACL) of 346,000 lb for Deep 7 bottomfish in the main Hawaiian Islands (MHI) for the 2014-15 fishing year. As an accountability measure (AM), if the ACL is projected to be reached, NMFS would close the commercial and non-commercial fisheries for MHI Deep 7 bottomfish for the remainder of the fishing year. The ACL and AM specifications support the long-term sustainability of Hawaii bottomfish. DATES: The final specifications are effective from July 6, 2015, through August 31, 2015. ADDRESSES: Copies of the Fishery Ecosystem Plan for the Hawaiian Archipelago are available from the Western Pacific Fishery Management Council (Council), 1164 Bishop St., Suite 1400, Honolulu, HI 96813, tel 808-522-8220, fax 808-522-8226, or www.wpcouncil.org. Copies of the environmental assessments and findings of no significant impact for this action, identified by NOAA-NMFS-2013-0176, are available from www.regulations.gov, or from Michael D. Tosatto, Regional Administrator, NMFS Pacific Islands Region (PIR), 1845 Wasp Blvd. Bldg. 176, Honolulu, HI 96818. FOR FURTHER INFORMATION CONTACT: Jarad Makaiau, NMFS PIR Sustainable Fisheries, (808) 725-5176.

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).