

THE ENVIRONMENTAL NOTICE

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

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DECEMBER 08, 2015

Aloha and mahalo for reading The Environmental Notice.

The Environmental Notice provides public notice for actions undergoing environmental review in Hawai'i. This is mandated under [Section 343-3, Hawai'i Revised Statutes](#), the Environmental Impact Statement Law, also commonly referred to as the Hawai'i Environmental Policy Act (HEPA). Along with publishing Hawai'i's Environmental Assessments and Environmental Impact Statements, The Environmental Notice publishes other items related to the shoreline, coastal zone, and federal activities.

Over the next several months, The Environmental Notice will undergo changes in look and feel. Please be assured that it will maintain its core content and prescribed schedule.



*Akaka Falls
Photograph courtesy of
Meg DeLisle*

The 2016 Calendar of Submittal Deadlines is shown on page 16. The calendar has factored in weekends and holidays (see, HRS 1-29, HRS 8-1). By rule (HAR 11-200-3(c)), the submittal deadline is eight working days before publication; holidays and weekends are not counted when calculating the submittal date. When the deadline falls on a state holiday or nonworking day, the deadline is the next working day. The calendar also shows review and comment deadlines. An Adobe PDF copy of the calendar can be downloaded by clicking (or pasting in your favorite browser) the following URL: <http://goo.gl/wV6rEA>



GLOSSARY OF TERMS AND DEFINITIONS

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 the actions' environmental impact will be significant, and thus 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 proposing or approving 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 30-day review period and prepare a Final EA (FEA) that includes those responses to determine whether an environmental impact statement shall be required. If there are no significant impacts, then the Agency will issue a Finding of No Significant Impact (FONSI). An Environmental Impact Statement (EIS) will not be required and the project has cleared HRS 343 requirements. 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, Direct-to-EIS, Environmental Impact Statement Preparation Notice (with no EA)

Act 172 in 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 a 30-day period to request to be consulted parties in the preparation of the Draft EIS. Comments and responses on the EISPN must be incorporated into the subsequent Draft EIS.

Act 312-2012, Secondary Actions in the Highway or Public Right Of Way

Act 312-2012, amended HRS 343, by adding a new section (HRS 343-5.5., entitled "Exception to applicability of chapter.") HEPA now allows for a statutory exception for "secondary actions" (those that involve infrastructure in the highway or public right-of-way) provided that the permit or approval of the related "primary action" (those outside of the highway or public-right-of-way and on private property) is not subject to discretionary consent and further provided that the applicant for the primary action submits documentation from the appropriate agency confirming that no further discretionary approvals are required. An aid to understanding this is to visualize residential driveway improvements in the public right-of-way, versus, retail outlet driveway improvements in the public right-of-way.

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 non-acceptance 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.

Administrative 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).

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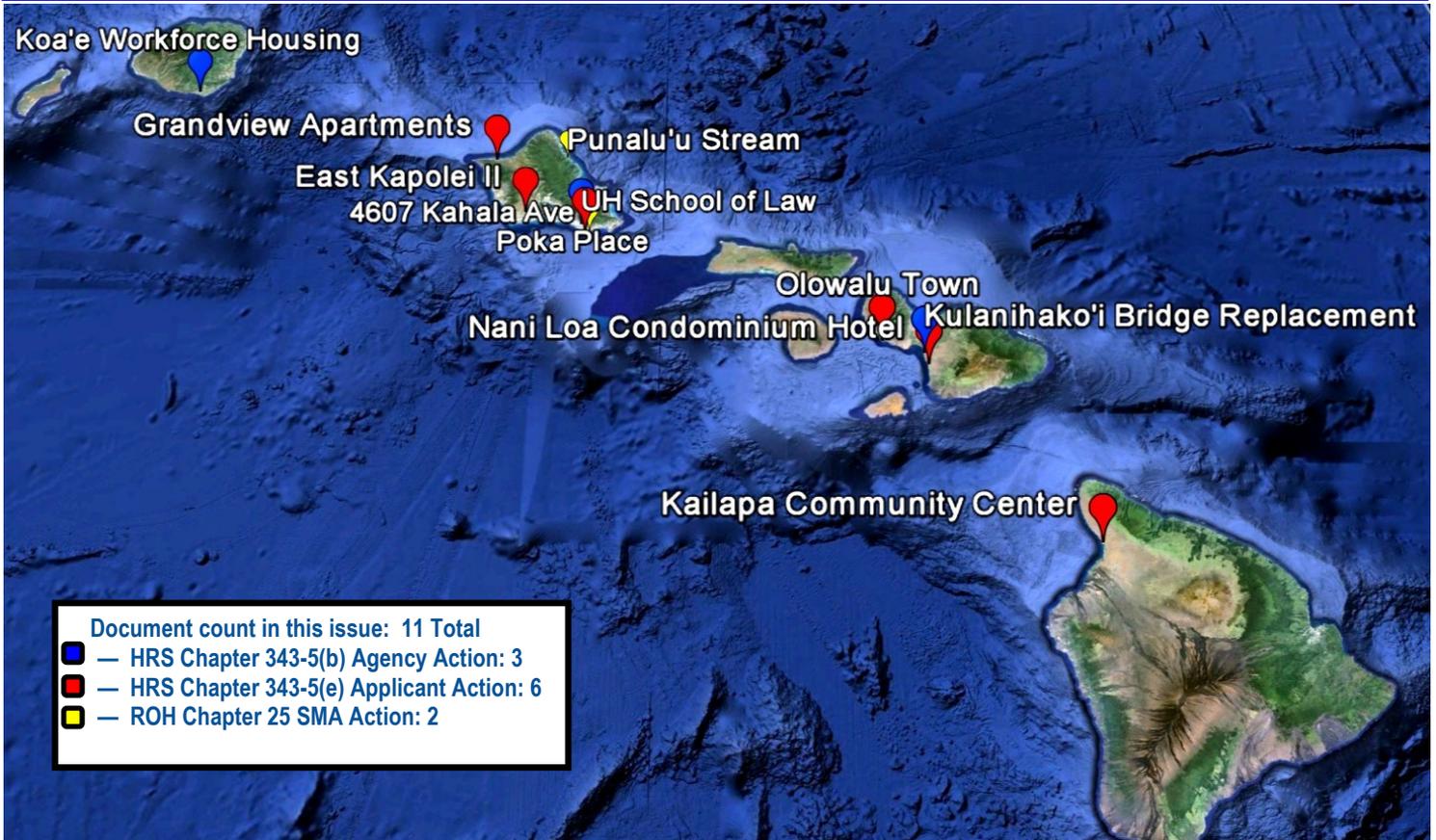
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STATE-WIDE MAP OF HRS CHAPTER 343 & ROH CHAPTER 25 PROJECTS



HAWAI'I (HRS CHAPTER 343)

1. Kailapa Community and Resource Center 5(e) DEA (AFNSI)

HRS §343-5

Trigger(s): Use of State Land

Island: Hawai'i

District: South Kohala

TMK: 3-6-1-010:008

Permits: Various

Approving Agency:

Department of Hawaiian Home Lands, 91-5420 Kapolei Parkway, Kapolei HI 96707;
Andrew H. Choy, (808) 620-9279

Applicant: Kailapa Community Association, 61-4016 Kai Opae Place, Kawaihae, HI 96743;
Diane Kaneali'i, (808) 640-3195

Consultant: Kalaoa Inc., PO Box 386, Papaikou HI 96781; Alana Ortiz, (808) 938-7104

Status: Statutory 30-day public review and comment period starts; comments are due by January 7, 2016. Please send comments to the Approving Agency and cc: the Applicant and the Consultant.



Kailapa Homestead is a rapidly growing rural community on the Kohala coast in Kawaihae on the Island of Hawai'i, located mauka of Akoni Pule Highway. Kailapa Homestead is a couple decades old. Since moving into the homestead, residents have formed Kailapa Community Association (KCA), a 501(c)(3) federally recognized non-profit organization. KCA received a license from the Department of Hawaiian Homelands (DHHL) for use of 14.333 acres neighboring the homestead. KCA plans to build a Community and Resource Center/Emergency

Shelter on this property. This project does not involve substantial degradation of environmental quality. Cumulatively this project does not have a considerable effect upon the environment and does not involve a commitment for larger actions. The Resource Center will be a piko, a center that will be a gathering place and will provide opportunities to enhance both economic and social vitality for current and future residents. It will be a gathering place for programs and activities that nurture and perpetuate physical, mental, cultural, and social health rooted in Native Hawaiian values.

MAUI (HRS CHAPTER 343)

2. Kulanihako'i Bridge Replacement 5(b) FEA (FONSI)

HRS §343-5

Trigger(s): Use of County land and County funds
Island: Maui
District: Wailuku
TMK: South Kīhei Road right-of-way, TMK: (2) 3-9-001: 015 (por.), 147 (por.), 162 (por.)

Permits: Department of the Army Nationwide Permit, Section 404, Clean Water Act; Department of the Army, Section 10 Permit, Rivers and Harbors Act National Environmental Policy Act (NEPA) Categorical Exclusion, Section 7 of the Endangered Species Act, Section 106 of the National Historic Preservation Act, Section 401, Clean Water Act, Water Quality Certification, National Pollutant Discharge Elimination System (NPDES) Permit for Dewatering Activity, Noise Permit, Chapter 6E, HRS, State Historic Preservation Law, Stream Channel Alteration Permit, Coastal Zone Management (CZM) Federal Consistency Certification, Special Management Area Use Permit, Shoreline Setback Variance, Special Flood Hazard Area Development Permit, Grading/Grubbing Permit, Permit to Perform Work within County Right-of-Way



Proposing & Determining Agency:

County of Maui Department of Public Works, 200 South High Street, 4th Floor, Wailuku, Hawai'i 96793; Ms. Wendy Kobashigawa, (808) 270-7745

Consultant: Wilson Okamoto Corporation, 1907 South Beretania Street, Ste 400, Honolulu, Hawai'i 96826; Mr. Milton Arakawa, (808) 946-2277

Status: Finding of No Significant Impact (FONSI) Determination; public comments are not taken on this action

The existing Kūlanihāko'i Bridge is a four (4)-cell concrete box culvert system which spans Kūlanihāko'i Gulch, in Kīhei, Maui, Hawai'i. The County of Maui Department of Public Works (DPW) is proposing to replace the existing Kūlanihāko'i Bridge as the existing culverts are structurally deficient and in advanced stages of deterioration. The replacement bridge will be constructed with six (6) new culverts; each approximately six (6) feet wide, 4 feet high and 50 feet across South Kīhei Road. New inlet and outlet head walls will also be constructed. The roadway section over the new bridge will be widened from two (2), 10-foot travel lanes with paved shoulders to two (2) 12-foot travel lanes, one in each direction, a 5-foot wide bike lane, a 5-foot wide paved walkway, and a 2.5-foot wide curb and gutter separating the walkway from the roadway on both sides of the bridge. A 4-foot tall traffic rated bridge wall will be constructed on top of the culverts on each side as a traffic barrier for safety purposes. Guardrails and end connections will be designed to comply with current standards.



3. Nani Loa Condominium Hotel 5(e) FEA (FONSI)

HRS §343-5

Trigger(s): Community Plan Amendment
Island: Maui
District: Wailuku
TMK: (2) 3-9-020:032
Permits: Building, Grading, Special Management Area, Community Plan Amendment

Approving

Agency: Maui Planning Commission, County of Maui, c/o Department of Planning, 2200 Main Street, Suite 315, Wailuku, Hawai'i 96793;
 Mr. William Spence, Director, (808) 270-7634

Applicant: Victory Development Inc., 30 East Lipoa Street, Suite 4-109, Kīhei, Hawai'i 96753;
 Mr. Greg Walker, (808) 875-0646

Consultant: Chris Hart & Partners, Inc., 115 North Market Street, Wailuku, Hawai'i 96793;
 Mr. R. Raymond Cabebe, (808) 242-1955

Status: Finding of No Significant Impact (FONSI) Determination; public comments are not taken on this action



The applicant is proposing to develop a hotel condominium complex on 1.438 acres of land community planned for Multi-family and zoned for Hotel use in Kīhei, Maui County. The proposed project consists of 39 units total, with one 3-story building (Building 1) containing 11 units and one 4-story building (Building 2) with 28 units. The design has 6 floor plans, ranging from 780 square feet to 1,462 square feet of either two or three-bedroom units. All living units are served by exterior walkways and each have a private lanai from approximately 110 to 300 square feet. The lower floors of both buildings are used for parking. The EA is triggered by the proposed Community Plan Amendment from Multi-Family to Hotel.

4. Olowalu Town Master Plan 5(e) FEIS

HRS §343-5

Trigger(s): Community Plan Amendment
Island: Maui
District: Lahaina
TMK: (2) 4-7-013:001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, and 012.
Permits: Building, Grading, Special Management Area, Community Plan Amendment

Approving

Agency: State of Hawai'i Land Use Commission (LUC), P.O. Box 2359, Honolulu, Hawai'i 96804; Dan Orodener, Executive Director, (808) 587-3822

Applicant: Olowalu Town, LLC and Olowalu Ekolu, LLC, 2035 Main Street, Suite 1, Wailuku, Hawai'i 96793;
 David Ward and William Frampton; (808) 249-2224

Consultant: Munekiyo Hiraga, 305 High Street, Suite 104, Wailuku, Hawai'i 96793;
 Michael Munekiyo, (808) 244-2015

Status: Request granted for 15-day extension (through December 10, 2015) to accept/reject the FEIS



Olowalu Town, LLC and Olowalu Ekolu, LLC proposes the Olowalu Town Master Plan which serves to guide the re-establishment of a small-scale and mixed-use community at Olowalu. The Master Plan area consists of 23 agricultural parcels encompassing approximately 636 acres. The Master Plan will consist of approximately 1,500 dwelling units consisting of single-family and multi-family housing types with commercial and support services such as, but not limited to, parks, schools, private water, and sewer services. The Olowalu Town Master Plan encompasses the provision of workforce housing. The Master Plan is designed as a sustainable pedestrian friendly community which will allow residents to live within walking distance of stores, schools, parks, employment opportunities, gathering centers, beaches/shoreline, and other social and civic resources. The Master Plan

O'AHU (HRS CHAPTER 343)

incorporates sustainable technology such as, but not limited to, the reuse of water from the proposed sewer treatment plant for irrigation and small scale energy systems. A significant infrastructure component of the Master Plan is the proposed relocation of Honoapi'ilani Highway further inland from the coastline. The Master Plan will require a State District Boundary Amendment, Community Plan Amendment, Change in Zoning, Project District Approvals, and SMA Permit.

5. Richardson School of Law Master Plan 5(b) DEA (AFNSI)

HRS §343-5

Trigger(s): Use of State Land and Funds
Island: O'ahu
District: Honolulu
TMK: 2-8-29:001 (por.)
Permits: Building and construction permits
**Proposing/
 Determination**

Agency: UH Mānoa Office of Capital Improvements, 1960 East-West Road, Biomedical Science, B-102, Honolulu, HI 96822;
 Todd Kanja, Director, (808) 956-2739

Consultant: Group 70 International, Inc, 925 Bethel Street, 5th Floor, Honolulu, HI 96813; Christine Ruotola, Principal, (808) 523-5866

Status: Statutory 30-day public review and comment period starts; comments are due by January 7, 2016. Please send comments to the Proposing/Determination Agency and cc: the Consultant.

The Law School first opened in 1973 and has become world-renowned in the fields of law particularly important to Hawai'i and the Pacific Region. After 42 years in service, the Law School facilities no longer have the capacity to support the growth in Law School faculty, students, and programs especially multidisciplinary and clinical programs. The Law School Master Plan's objectives are to address the space needs and implement the long-term visions of the School by proposing building expansions and facility improvements. The proposed improvements will add approximately 49,000 Square Feet (SF) of floor area to the existing Law School complex for a total of approximately 134,000 SF. These improvements will address the pressing space shortage as well as provide state-of-the-art legal clinical training facilities that are accessible and secure for clients, community visitors, distinguished judges, and international guests. Once the improvements are completed, the Law School will have three detached two-story structures possibly connected with bridges at the second floor of the buildings



6. Grandview Apartments Ground Boulder Revetment 5(e) DEA (AFNSI)

HRS §343-5

Trigger(s): Use of State land
Island: O'ahu
District: Waialua
TMK: (1) 6-8-010:011, 012 & 013
Permits: After-the-fact Shoreline Setback Variance
**Approving
 Agency:**

Department of Planning and Permitting, City and County of Honolulu, 650 South King Street, 7th Floor, Honolulu, HI 96813;
 Mr. Steve Tagawa, (808) 768-8024

Applicant: GrandView Apartments, Inc, c/o Goodsill Anderson Quinn & Stifel, First Hawaiian Center, Suite 1600, 999 Bishop Street, Honolulu, HI 96813;
 Ed Saffery, (808) 547-5736



Consultant: Ho'okuleana LLC, 1539 Kanapu'u Drive, Kailua, HI 96734; Peter T. Young, (808) 226-3567
Status: Statutory 30-day public review and comment period starts; comments are due by January 7, 2016.
 Please send comments to the Approving Agency and cc: the Applicant and the Consultant.

The subject oceanfront parcels are located on Ho'omana Place, at Mokuleia in Waialua, on the Island of O'ahu. During large winter swell conditions and high water levels, erosion of the narrow beach and wave run-up and overtopping of the beach cause erosion damage and flooding. In 2013, extremely high surf hit the area. Waves rushed up the right-of-way and within a matter of days the waves washed out an immense amount of sand and soil from the subject private properties. At the peak of the damage, the seawall began to lean towards the ocean at a 45 degree angle, which caused the property's back yard to literally split in half and fall towards the ocean, into the water. The landowner shored up the retaining wall by placing large boulders in front of the wall and solidifying their position with rip-rap and shotcrete cement in order to save his property. Notices of violation were issued by the Department of Land and Natural Resources. The purpose of the EA is to inform the relevant county, state and federal agencies and the public of the likely environmental consequences of resolving the issues with the appropriate governmental agencies and applying/receiving after-the-fact permits from each.

7. Poka Place Diamond Head State Monument Encroachment 5(e) FEA (FONSI)

HRS §343-5

Trigger(s): Use of State land
Island: O'ahu
District: Honolulu
TMK: (1) (1) 3-1-042:017 (portion)
Permits: Conservation District Use Permit (CDUP)
Approving Agency: Department of Land and Natural Resources, Office of Conservation and Coastal Lands, P.O. Box 621, Honolulu, HI 96809; Lauren Yasaka, (808) 587-0386
Applicant: Poka Place LLC, 3703 Poka Place, Honolulu, HI 96816; Ed Saffery, (808) 547-5736
Consultant: Ho'okuleana LLC, 1539 Kanapu'u Drive, Kailua, HI 96734; Peter T. Young, (808) 226-3567
Status: Finding of No Significant Impact (FONSI) Determination; public comments are not taken on this action



The subject parcel is located in Honolulu, O'ahu, Hawai'i, on the southern slope of Diamond Head Crater and part of the Diamond Head State Monument, under the jurisdiction of the DLNR Division of State Parks. The parcel is located in the Resource Subzone of the Conservation District. To the south of the State parcel is TMK (1) 3-1-042-017 which is currently owned by Poka Place, LLC. At an undetermined time previous, rock retaining walls, terraced walls and landscaping was added to the state property. On September 12, 2014, the Board of Land and Natural Resources unanimously approved staff recommendation that imposed certain actions that are the proposed actions of the Environmental Assessment. This environmental assessment is being prepared as part of resolving the issues with DLNR and applying for a Conservation District Use Permit with DLNR. The proposed actions include the removal of the extraneous improvements including the terraced landscaping, irrigation system, waterfall and pond. These areas are to be restored with native plants. It is also recommended that drainage-related and soil retention improvements be retained. After removal of the extraneous improvements, the remaining walls will continue their initial intended purpose.

8. East Kapolei II LDA Parcel 2- Record of Determination (HAR §11-200-27)

HRS §343-5

Trigger(s): N/A
Island: O'ahu
District: 'Ewa
TMK: (1) 9-1-017:109

Permits: N/A

Approving Agency: Department of Planning and Permitting, City and County of Honolulu, 650 South King Street, 7th Floor, Honolulu, HI 96813, William Ammons, (808) 768-8000

Applicant: Michaels Development Company, 737 Bishop Street, Suite 1520, Honolulu, HI 96813, Monika Mordasini Rossen, (808) 691-9446

Consultant: PBR Hawaii & Associates, Inc. 1001 Bishop Street, Suite 650, Honolulu, HI 96813, Greg Nakai, (808) 521-5631

Status: No EA or EIS is required; public comments are not taken on this action



In 1998, the Governor accepted the East Kapolei Master Plan Final Environmental Impact Statement (FEIS). This FEIS covered the area now known as the East Kapolei II Planned Community, including the area of LOA Parcel 2. In the East Kapolei Master Plan, single-family housing was proposed on the LOA Parcel 2 area. An affordable multi-family rental housing project is being proposed on LOA Parcel 2. Other master plan elements have also changed over time. These changes did not necessitate additional Chapter 343, Hawaii Revised Statutes (HRS) documentation, as the overall East Kapolei Master Plan vision did not change. The only significant change to the 1998 FEIS is time. The change in time does not create a significant adverse impact. The affordable housing project proposed on LOA Parcel 2 is consistent with the East Kapolei Master Plan described in the FEIS. The anticipated impacts from the affordable multi-family rental housing project on LOA Parcel 2 will be no greater than the overall impacts described in the FEIS. Thus, the Department of Planning and Permitting has determined that no additional environmental assessment (EA) or supplemental environmental impact statement (EIS) is required for compliance with Chapter 343, HRS.

KAUA'I (HRS CHAPTER 343)

9. [Koa'e Workforce Housing Development 5\(b\) FEA \(FONSI\)](#)

HRS §343-5

Trigger(s): Use of County lands

Island: Kaua'i

District: Kōloa

TMK: (4) 2-6-004:019

Permits: National Pollutant Discharge Elimination System (NPDES) Permit, Building Permit, Grading Permit

Proposing / Determining Agency: Kaua'i County Housing Agency, Pi'ikoi Building, 4444 Rice Street, Suite 330, Līhu'e, HI 96766; Kamuela Cobb-Adams, Housing Director, (808) 241-4418

Consultant: Community Planning and Engineering, 1286 Queen Emma Street, Honolulu, HI 96813; Anson Murayama, P.E., (808) 531-4252

Status: Finding of No Significant Impact (FONSI) Determination; public comments are not taken on this action



The Kaua'i County Housing Agency proposes to develop the Koa'e Workforce Housing Development. The Koa'e Development would include 130 to 150 multi-family residential units within Tax Map Key (TMK) (4) 2-6-004: Parcel 019 located in Kōloa, Hawai'i. The purpose of the proposed project is to provide affordable housing to the

people of Kaua'i. The proposed project need is to meet the widespread and growing demand for affordable housing options for Kaua'i residents. The project site was identified as a suitable location to provide the needed affordable housing to Kaua'i residents since it is located in a central location within close proximity to existing job centers, schools, recreational activities, shopping, and an established residential community.

CHAPTER 25, REVISED ORDINANCES OF HONOLULU

10. [4607 Kahala Ave Chapter 25 DEA \(AFNSI\)](#)

Island: O'ahu
District: Honolulu
TMK: (1) 3-5-005:016
Permits: Certified Shoreline Survey, Special Management Area Use Permit Major, Building Permits, Sidewalk/ Driveway Work, Grading Grubbing Trenching and Stockpiling Permits, Sewer Connection Permits, Plan Approval, Street Usage

Approving Agency: City and County of Honolulu , Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, Hawai'i 96822, Malynne Simeon, (808) 768-8023

Applicant: 4607 Kahala LLC, 822 Bishop Street, Honolulu, Hawai'i 96813, Craig McGinnis, (808) 525-8430

Consultant: Group 70 International Inc., 925 Bethel Street, 5th Floor, Honolulu, Hawai'i 96822, Jeff Overton, (808) 523-5866

Status: Statutory 30-day public review and comment period starts; comments are due by January 7, 2016. Please send comments to the Approving Agency and cc: the Applicant and the Consultant.

4607 Kahala LLC is planning to redevelop a residential site located at 4607 Kahala Avenue. The site is approximately 1.3 acres located on the makai side of Kahala Avenue near Hunakai Street. Under the existing R-7.5 zoning and allowed density, the current plans call for six new homes in three stacked flats. The homes will be set back 25 feet from Kahala Avenue, and be consistent with the character of the neighborhood with native and tropical landscaping throughout the property. The site is located within the City's Special Management Area (SMA). This EA is prepared in compliance with Chapter 25, Revised Ordinances of Honolulu.



11. [Punalu'u Stream Restoration Chapter 25 FEA \(FONSI\)](#)

Island: O'ahu
District: Ko'olauloa
TMK: 5-3-003:001, 5-3-001:052, 5-3-001:041
Permits: Clean Water Act, Section 404, Nationwide Permit 27 Aquatic Habitat Restoration, Section 10 permit, Biological Opinion, Approval, Consistency Certification, National Pollution Discharge Elimination System Permit, Water Quality Certification, Safe Harbor Agreement, Stream Channel Alteration Permit, Noise Permit, Special Management Area Permit, Major Flood Hazard District Variance, Grading/Grubbing/Stock Piling Permit

Approving Agency: Department of Planning and Permitting, City and County of Honolulu, 650 South King Street, 7th Floor, Honolulu, Hawai'i 96813; George Atta, Director, (808).768-8000

Applicant: Kamehameha Schools, 567 South King Street Suite 200,



Honolulu, Hawai'i 96813;

Joey Char, Endowment Group, Land Assets Division, jochar@ksbe.edu

Consultant: ICF International, 630 K Street Suite 400, Sacramento, CA 95814;

Brendan Belby, Brendan.belby@icfi.com (916) 231-7611

Status: Finding of No Significant Impact (FONSI) Determination; public comments are not taken on this action

Kamehameha Schools (KS) proposed this project with the objectives of restoring ecosystem health, developing sustainable flood protection on Punalu'u Stream, improving agricultural sustainability, and creating new environmental educational opportunities. All work would occur on land owned by KS. Studies were conducted to characterize flooding problems and historic alterations. Punalu'u Stream is constrained to a very un-natural straight and narrow channel requiring constant maintenance when annual flood events break through portions of the artificial berms constructed in an attempt to confine all flow within the channelized stream. Flood water spills out onto the floodplain at unpredictable locations and causes damage to farmers and residents occupying the floodplain that is otherwise hydrologically disconnected from the channel. The restoration design will restore a natural valley floodplain and terrace landscape; re-designate land uses so that farmers on chronically flooded agricultural lands are relocated to elevated terraces; and create a new stream corridor that restores a floodplain connection with Punalu'u Stream. Restoration work includes cutting, grading and fill operations to lower elevations on the floodplain and create new setback berms that would allow Punalu'u Stream to naturally re-meander, allow high flows to spill out of the stream channel, and to spread out in a designated floodway.



Punalu'u Stream. Photo by USGS

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. Pacific Island Pelagic Fisheries; 2015 CNMI Longline Bigeye Tuna Fishery; Closure

National Marine Fisheries Service is closing the U.S. pelagic longline fishery for bigeye tuna in the western and central Pacific Ocean as a result of the fishery reaching the 2015 allocation limit for the Commonwealth of the Northern Mariana Islands (CNMI). This action is necessary to comply with regulations managing this fish stock. **DATES:** Effective November 30, 2015, through December 31, 2015. Click on this link: <http://goo.gl/2G6NMq> for comment instructions and further information. (See 80 FR 74002, November 27, 2015)



2. Takes of Marine Mammals Incidental to Specified Activities; U.S. Navy Training and Testing

Upon application from the U.S. Navy (Navy), we (the National Marine Fisheries Service) are issuing regulations under the Marine Mammal Protection Act (MMPA) to govern the unintentional taking of marine mammals incidental to training and testing activities conducted in the Northwest Training and Testing (NWTT) Study Area from November 2015 through November 2020. These regulations allow us to issue Letters of Authorization (LOAs) for the incidental take of marine mammals during the Navy's specified activities and timeframes, set forth the permissible methods of taking, set forth other means of effecting the least practicable adverse impact on marine mammal species or stocks and their habitat, and set forth requirements pertaining to the monitoring and reporting of the incidental take 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. **DATES:** Effective date: November 24, 2015. Applicability date: November 9, 2015, through November 8, 2020. Click on this link: <http://goo.gl/FLdo3d> for comment instructions and further information. (See 80 FR 73555, November 24, 2015)



3. Notice of Intent to Prepare an Environmental Impact Statement Correction

The Department of the Navy published a document in the Federal Register (80 FR 218) on November 12, 2015, announcing a Notice of Intent to prepare an Environmental Impact Statement/Overseas Environmental Impact Statement for Hawaii-Southern California Training and Testing and a Notice of Public Scoping Meetings. The document contained an incorrect date. **CORRECTION:** In the Federal Register (80 FR 218) of November 12, 2015, on page 69952, in the third column, correct the mailed comments postmarked date to read **January 12, 2016**. Click on this link: <http://goo.gl/h8yfbk> for comment instructions and further information. (See 80 FR 75075, December 1, 2015)



CONSERVATION DISTRICT USE PERMIT

File No.: After-the-Fact CDUA OA-3759
Applicant: Herbert Kihoi
Location: 1551 Moani Street, Kamaniki Valley, O`ahu
TMKs: (1) 1-4-001:047
Proposed Action: Various Improvements
343, HRS determination: Exempt
Applicant: Adam Mikes or Daris Cooke, (808) 840-7402 / (808) 371-4638
OCCL Contact: Lauren Yasaka (808) 587-0386

Persons interested in commenting on the following Conservation District Use Application or interested in receiving notification of determinations on Conservation District Use Applications must submit comments and requests to the Department of Land and Natural Resources. Notification requests must include the following information: 1) Name and address of the requestor; 2) The application for which the requestor would like to receive notice of determination; and 3) The date the notice was initially published in the Environmental Notice. Send comments and requests to: Department of Land and Natural Resources, Office of Conservation and Coastal Lands, P.O. Box 621, Honolulu, HI, 96809. DLNR will make every effort to notify those interested in the subject CDUAs. However, DLNR is not obligated to notify any person not strictly complying with the above requirements. For more information, please contact the Office of Conservation and Coastal Lands staff listed.



COASTAL ZONE MANAGEMENT NOTICES

Special Management Area Minor Permits

The SMA Minor permits below have been approved (HRS 205A-30). For more information, contact the county/state Planning Department. Honolulu (768-8014); Hawai'i (East 961-8288, West 323-4770); Kaua'i (241-4050); Maui (270-7735); Kaka'ako or Kalaeloa Community Development District (587-2841).

Location (TMK)	Description (File No.)	Applicant/Agent
Maui: (4-6-029: 019)	Lanai and Deck Extension (SM2 20150089)	Cary Branch
Maui: Lahaina (4-6-008: 006)	Lahaina Second Friday Events-2016 (SM2 20150090)	Lahaina Town Action Committee
Maui: Haiku (2-7-007: 080)	Courtlandt Gates Water Well (SM2 20150091)	Courtlandt Gates
Maui: Kaanapali (4-4-008: 002)	Tower II Landscape Project (SM2 20150092)	MWA, Inc.
Maui: Kaanapali (4-4-008: 005)	Maui Invitational Luau (SM2 20150094)	Maui Rents, Inc.
O`ahu: Pearl City (9-7-017: 002)	Construction of a New Concrete Walkway, Drainage Improvements, New Irrigation Lines, and a New Chain-Link Fence and Gate (2015/SMA-45)	State Department of Education / Dean Sakamoto Architects LLC



SHORELINE NOTICES

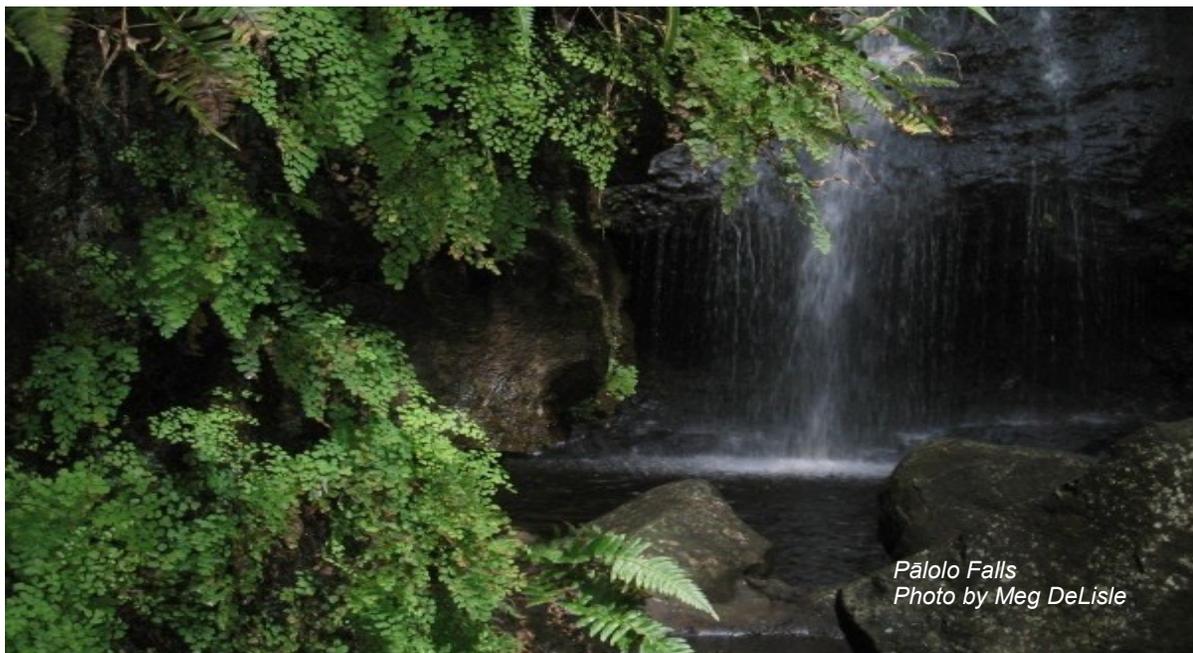
Shoreline Certification Applications

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, Honolulu, Hawai'i 96813 (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-1682	11/16/15	Lot 2 being a portion of R.P. 4475, L.C. Aw. 7713, Ap. 33 to V. Kamamalu situate at Kawaioloa, Waialua, Oahu Address: 61-205 Kamehameha Highway Purpose: Building setback	Jaime F. Alimboyoguen/ Sumo Properties, LLC	6-1-003:040
OA-1683	11/18/15	Kualoa Beach Lots, Lot 22 situate at Kualoa, Koolauapoko, Oahu Address: 49-565 Kamehamehe Highway Purpose: Building improvement	Hawaii Land Consultants/ Kualoa Ranch Inc.	4-9-009:008
MA-632	11/19/15	Portions of Front Street between Baker Street and Dickenson Street situate at Lahaina, Maui Address: Front Street Purpose: Seawall Repair	Control Point Surveying, Inc./ County of Maui	4-5-002:road & 4-6-009:road
MA-633	11/23/15	Lot 48-A-1 of the Mailepai Hui Partition Subdivision (LUCA File No. 4.805) situate at Kaanapali, Lahaina, Maui. Address: 40 Hui Road E Purpose: Marketing and tree removal	Ursula Gebert (c/o Ralph Scheuer)/ Maia Finn LLC	4-3-015:004
HA-524	11/18/15	Lot 48 of Puako Beach Lots (HTS Plat 414-B) being the Whole of Grant 13,489 to Charles Harold Silva and Maude Keumauma Mana Silva situate at Lalamilo, South Kohala, Hawaii Address: 69-1762 Puako Beach Drive Purpose: County permit	Wes Thomas Associates/ Lea Jonelle Gillette, Isaac Gregory Kekoa Gillette, Gregory Charles Gillette, and Cynthia Gillette Wenner	6-9-004:006

******* CORRECTION***** from the 11-08-15 Environmental Notice*******

Regarding File No. KA-404, the correct owner of the affected lot is the Department of Public Works, rather than the Waioli Corporation.



*Pālolo Falls
Photo by Meg DeLisle*

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-1648	Proposed Shoreline Certification	Lot 4-C Mokuleia Beach Lots situate at Mokuleia, Waialua, O'ahu. Address: 68-693 Crozier Drive Purpose: Development of property	Dennis K. Hashimoto/ Donald J. & Deanna M. Butler	6-8-006:013
OA-1652	Proposed Shoreline Certification	Lot 1141 Land Court Application 677 situate at Kailua, Koolaupoko. O'ahu Address: 12 Kailua Road Purpose: Pending sale	Walter P. Thompson, Inc./ Les Vasconcellos, Trustee	4-3-012:001
MA-615	Proposed Shoreline Certification	Lot 106 (Map 92) of Land Court Application 1744 situate at Hanakao'o, Honokowai, Ka'anapali, Lahaina, Maui. Address: 2780 Keka'a Drive Purpose: Design and permitting purposes	ControlPoint Surveying, Inc./ Pleasant Travel Service	4-4-008:007
HA-521	Proposed Shoreline Certification	L.C. Aw. 8455-C, AP. 2 to Kuluiki and R.P. 3864, L.C. Aw. 7210, AP. 2 to Kini situate at Ke'eke'e 1 st & 2 nd , South Kona, Hawai'i. Address: not assigned, but the nearest property has an address of 81-6636 Pu'u Ohau Place. Purpose: County permits	Wes Thomas Associates/ Dr. Wendell Foo	8-1-004:008 & 011
OA-1646	Rejection	Portion of R.P. 4475, L.C. Aw. 7713, Ap. 33 to V. Kamamalu situate at Kawailoa, Waialua, O'ahu Address: 61-269 Kamehameha Highway Purpose: Building setback purposes	Jaime F. Alimboyoguen/ Mitchell McAllister	6-1-012:003



OFFICE OF ENVIRONMENTAL QUALITY CONTROL
2016 CALENDAR OF SUBMITTAL DEADLINES
UNDER SECTION 11-200-3, HAWAII ADMINISTRATIVE RULES
(WITH STATUTORY/ADMINISTRATIVE COMMENT DEADLINES)

Issue Date	Submittal Deadline	30th Comment Day Deadline	45th Comment Day Deadline
January 08, 2016	December 28, 2015	February 08, 2016	February 23, 2016
January 23, 2016 *	January 12, 2016	February 22, 2016	March 8, 2016
February 08, 2016	January 27, 2016	March 10, 2016	March 28, 2016
February 23, 2016	February 10, 2016	March 24, 2016	April 11, 2016
March 08, 2016	February 25, 2016	April 06, 2016	April 21, 2016
March 23, 2016	March 11, 2016	April 21, 2016	May 06, 2016
April 08, 2016	March 29, 2016	May 09, 2016	May 23, 2016
April 23, 2016 *	April 13, 2016	May 23, 2016	June 06, 2016
May 08, 2016 *	April 27, 2016	June 06, 2016	June 21, 2016
May 23, 2016	May 11, 2016	June 21, 2016	July 06, 2016
June 08, 2016	May 27, 2016	July 07, 2016	July 22, 2016
June 23, 2016	June 13, 2016	July 22, 2016	August 08, 2016
July 08, 2016	June 27, 2016	August 08, 2016	August 22, 2016
July 23, 2016 *	July 13, 2016	August 22, 2016	September 06, 2016
August 08, 2016	July 27, 2016	September 06, 2016	September 21, 2016
August 23, 2016	August 10, 2016	September 21, 2016	October 06, 2016
September 08, 2016	August 26, 2016	October 07, 2016	October 24, 2016
September 23, 2016	September 13, 2016	October 24, 2016	November 07, 2016
October 08, 2016 *	September 28, 2016	November 07, 2016	November 21, 2016
October 23, 2016 *	October 12, 2016	November 21, 2016	December 06, 2016
November 08, 2016	October 27, 2016	December 07, 2016	December 22, 2016
November 23, 2016	November 10, 2016	December 22, 2016	January 06, 2017
December 08, 2016	November 29, 2016	January 06, 2017	January 23, 2017
December 23, 2016	December 13, 2016	January 23, 2017	February 06, 2017
January 08, 2017 *	December 28, 2016	February 06, 2017	February 21, 2017
January 23, 2017	January 10, 2017	February 21, 2017	March 08, 2017

NOTE: The calendar has factored in weekends and holidays (see, HRS 1-29, HRS 8-1). An asterisk (*) indicates publication dates on weekends (compelling the OEQC to prepare the issue on the working day immediately preceding).

Submittals: By rule (HAR 11-200-3(c)), the submittal deadline is eight working days before publication; holidays and weekends are not counted when calculating the submittal date. When the deadline falls on a state holiday or non-working day, the deadline is the next working day.

Review and Comment Periods: However, holidays and weekends are counted within the 30-days and 45-days review and comment period. By statute, comment period deadlines that fall on the weekend or a holiday are extended to the first working day thereafter.

