The Environmental Notice

July 8, 2016

A Semi-Monthly Bulletin published pursuant to Section 343-3, Hawai'i Revised Statutes
David Y. Ige, Governor
Office of Environmental Quality Control
Scott Glenn, Director

The Environmental Notice provides public notice for projects undergoing environmental review in Hawai'i as mandated under Section 343-3, Hawai'i Revised Statutes (HRS), the Environmental Impact Statement Law. Along with publishing Environmental Assessments (EAs) and Environmental Impact Statements (EISs) for projects in Hawai'i, *The Environmental Notice* also includes other items related to the shoreline, coastal zone, and federal activities.

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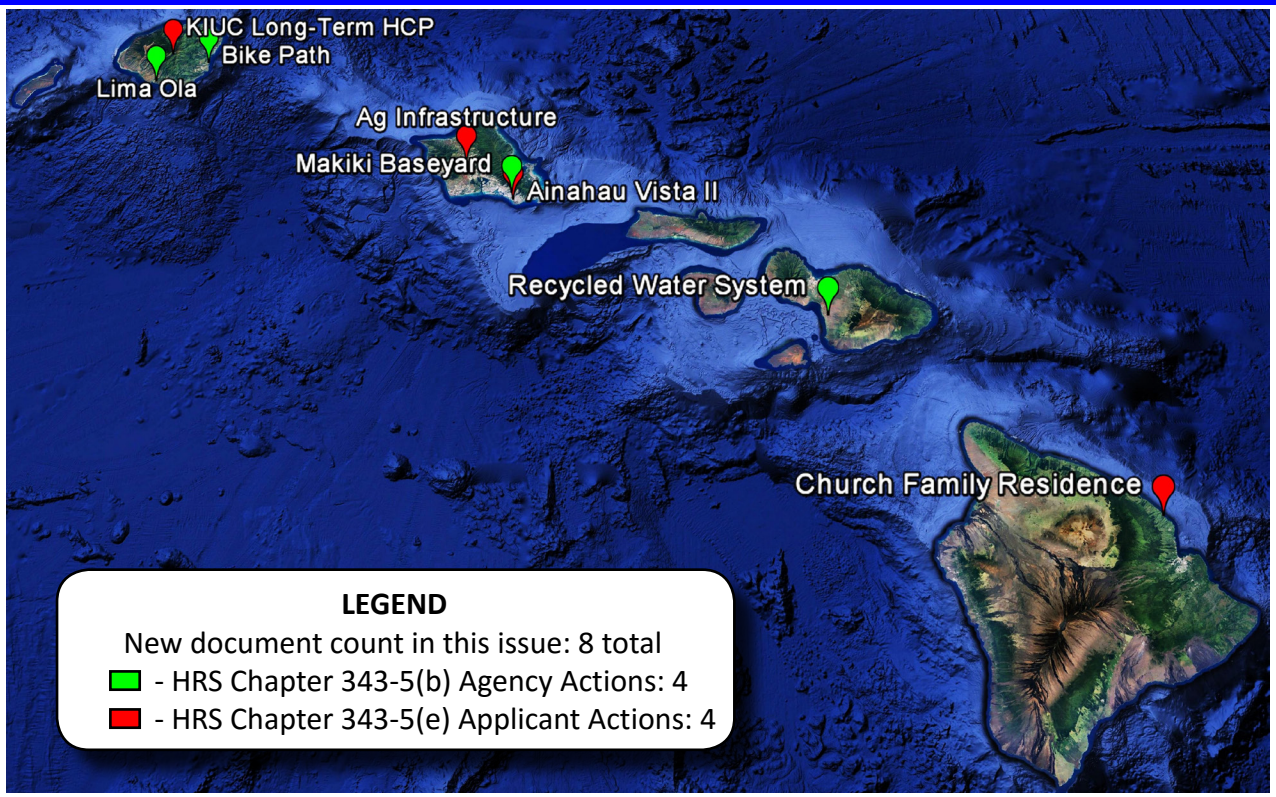
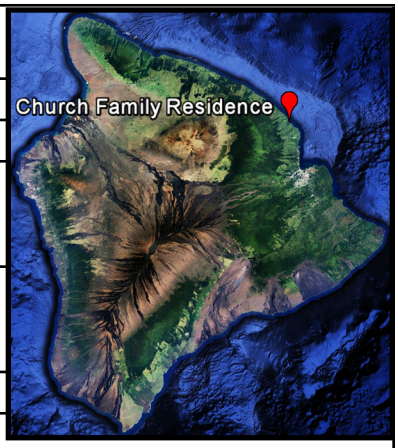


Hawai'i

1. Church Single Family Residence FEA (FONSI)



HRS §343-5 Trigger(s)	HAR 343-5 (2) Propose any use within any land classified as conservation district by the state land use commission under chapter 205
District(s)	Wailea, South Hilo District, Island of Hawai'i
TMK(s)	(3) 2-9-003: 060, 029, 013
Permit(s)	Conservation District Use Permit, Approval of individual Waste-water system; Special Management Area (SMA) Assessment Application, Building Permit, Electrical permit, Plumbing permit, Occupancy permit
Approving Agency	Department of Land and Natural Resources Lauren Yasaka, lauren.e.yasaka@hawaii.gov, (808) 587-0386 151 Punchbowl Street, Room 131 Honolulu, HI 96813
Applicant	Ken Church, dockline3@yahoo.ca, (954) 261-2788, no land address
Consultant	None
Status	Finding of No Significant Impact (FONSI) determination. Comments are not taken on this action.

The applicant is applying to construct a single family residence, carport, bale (a 'gazebo like open air' structure under a roof supported by columns often with seating and in this case also a hot tub), swimming pool, hot tub and outdoor cooking structure on lot 060, the north lot; site leveling; repair of an existing access road up to the applied for residence site and a 900 sq. ft. outside car parking area (The repaired road and other vehicle areas will have a crushed rock surface generally 4-6" deep. The open sided garage adjoining the residence will have a concrete pad there under. The existing access road will lead from lot 029, the middle lot to the planned residence location on lot 060, the North lot); septic system for the single family residence; solar panel array on the roof top of the planned single family residence; restoring former grass cover and/or allowed non-conforming agricultural plantings to unused disturbed soil areas resulting from the Project; a utility corridor in which a water line and a possible telephone line under the road leading across lot 029 to the planned residence site on lot 060

Maui

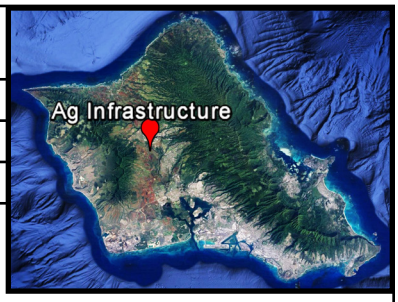
2. South Maui Recycled Water System Expansion DEA (AFNSI)

HRS §343-5 Trigger(s)	Use of County lands and funds
District(s)	Makawao
TMK(s)	2-2-024:010 & 2-2-002:075
Permit(s)	NPDES Permit & Community Noise Permit, as applicable; Department of Health Approval to Construct and Approval to Use; Construction Permits
Proposing/ Determining Agency	County of Maui, Department of Environmental Management, Wastewater Reclamation Division Joanie Gushiken, Joanie.Gushiken@co.maui.hi.us, (808) 270-1763 2200 Main Street, Suite 610, Wailuku, HI 96793-2155
Consultant	Fukunaga & Associates, Inc. Lynn Malinger, lmalinger@fukunagaengineers.com, (808) 944-1821 1357 Kapi'olani Boulevard, Suite 1530, Honolulu, HI 96814
Status	Statutory 30-day public review and comment period starts. Comments are due by August 8, 2016. Please send comments to the approving agency and copy the applicant.

The County of Maui, Wastewater Reclamation Division (WWRD) operates the Kīhei WWRF which produces R-1 recycled water, the highest grade of recycled water for non-potable use, and distributes this valuable water resource through the South Maui Recycled Water System. During the summer months, the WWRD delivers approximately 1.8 million gallons per day (MGD) of recycled water to approximately 30 customers in South Maui. The proposed 2nd 1.0 MG tank would be located on the existing County site adjacent to the existing 1.0 MG R-1 tank, and the proposed pipeline improvements would occur at the Kīhei WWRF. The proposed improvements will create a more robust system that can accommodate the increase in recycled water demands during the peak summer months, provide redundancy and greater reliability, and allow for an increase in the number of recycled water customers. The overall effect would provide an alternate water source to meet non-potable demands and thereby reserve potable water for potable needs, as well as decrease the use of injection wells for effluent disposal.

O'AHU

3. Agriculture Infrastructure Development FEA (FONSI)



HRS §343-5 Trigger(s)	Use of State land
District(s)	'Ewa
TMK(s)	9-4-012:002
Permit(s)	Water Allocation from DLNR CWRM
Approving Agency	Hawai'i Department of Agriculture Linda Murai, Property Manager, linda.h.murai@hawaii.gov, (808) 973-9741 Hawai'i Department of Agriculture 1428 S. King St., Honolulu HI 96814
Applicant	Waikele Farms Inc Larry Jefts, ljefts@aloha.net, (808) 688-2892 Waikele Farms PO Box 27 Kunia, HI 96759
Consultant	North Shore Consultants, LLC David Robichaux, robichaud001@hawaii.rr.com, (808) 368-5352 2091 Round Top Dr. Honolulu, HI 96822
Status	Finding of No Significant Impact (FONSI) determination. Comments are not taken on this action.

Waikele Farms Inc. has leased 487 acres of agricultural land from the State of Hawai'i and intends to place the land in service for production of crops for local consumption. The lessee has determined that the water infrastructure is inadequate and at risk and plans to improve the land by (1) drilling a new source well for agricultural water, (2) Installing up to three reservoirs for water storage, and (3) construction of accessory builings including , but not limited to two tractor sheds and miscellaneous greenhouses to support farming operations. The proposed action will require a Water Allocation permit, Soil Conservation Plan and building permits. Following a review of comments provided by agencies and interested parties, the proponent and approving agency have reached a finding of no significant impact.

4. Ainahau Vista II - 201H - Affordable Senior Housing FEA (EISPN)

HRS §343-5 Trigger(s)	Use within Waikīkī Special District
District(s)	Honolulu
TMK(s)	2-6-24: 70 and 71
Permit(s)	201H Affordable Senior Housing
Approving Agency	Hawai'i Housing Finance and Development Corporation, State of Hawai'i Stan S. Fujimoto, stanley.s.fujimoto@hawaii.gov, (808) 587-0541 677 Queen Street, Suite 300, Honolulu HI 96813
Applicant	Hawai'i Housing Development Corporation Gary Furuta, (808) 429-7815 1288 Ala Moana Blvd., Suite 35A, Honolulu, HI 96814
Consultant	Kusao & Kurahashi, Inc. Keith Kurahashi, kkurahashi@hawaii.rr.com, (808) 988-2231 2752 Woodlawn Drive, Suite 5-217, Honolulu, HI 96822
Status	Administrative 30-day public review and comment period starts. Comments are due by August 8, 2016. Please send comments to the proposing/determining agency and copy the consultant.

Hawai'i Housing Development Corporation proposes the Ainahau Vista II, a nine-story, approximately 80-foot high, affordable senior rental apartment building in Waikīkī, Honolulu, on O'ahu. Ainahau Vista II will have 62 rental units (47 one-bedroom units and 15 studio units), located on the mauka portion of a parcel developed with the existing Ainahau Vista, a 106-unit affordable senior rental apartment.

Pali Lookout, O'ahu Photo by Mike Nelson

5. Makiki Baseyard Improvements FEA (FONSI)

HRS §343-5 Trigger(s)	Use of State lands and funds, and use within Conservation District land
District(s)	Honolulu
TMK(s)	(1) 2-5-019: portion of 008
Permit(s)	Conservation District Use Permit, NPDES Permit (construction activities), Approval for Usage of Permanent Wastewater System in No Pass Zone, Construction Noise Permit, Building Permit, Grading Permit
Proposing/ Determining Agency	State of Hawai'i, Department of Land and Natural Resources (DLNR), Division of Forestry and Wildlife (DOFAW) Jason Misaki, Jason.C.Misaki@hawaii.gov, (808) 973-9786 2135 Makiki Heights Drive, Honolulu, HI 96822
Consultant	HHF Planners Ronald A. Sato, AICP, rsato@hhf.com, (808) 457-3172 733 Bishop Street, Suite 2590, Honolulu, HI 96813
Status	Finding of No Significant Impact (FONSI) determination. Comments are not taken on this action.

The State of Hawai'i, Department of Land and Natural Resources (DLNR), Division of Forestry and Wildlife (DOFAW) is proposing facility and infrastructure improvements for its existing baseyard facility located in the Makiki district of the Island of O'ahu. Baseyard facility growth has been incremental in nature, resulting in the development of temporary structures which DOFAW has outgrown. A master plan has been prepared for DOFAW's baseyard, and improvements planned will provide permanent and improved facilities to address existing inefficiencies and better support their operations. Improvements include development of additional facilities, replacement of temporary structures with permanent facilities, renovation of existing facilities, and improvements to existing infrastructure. Low impact design elements are incorporated as part of proposed improvements to ensure the project does not impact nearby natural resources. These improvements will increase DOFAW capacity to manage their islandwide operations and more effectively implement program activities.

Kaua'i

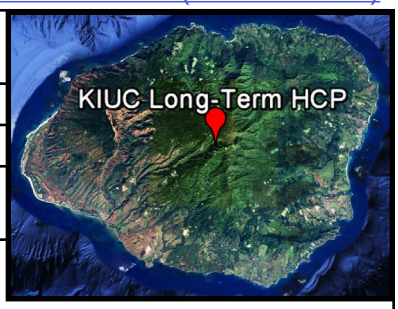
6. Ahukini to Lydgate Park Bicycle and Pedestrian Path Project FEA (FONSI)

HRS §343-5 Trigger(s)	(1), (2), (3) and (4)
District(s)	Līhu'e
TMK(s)	(4) 3-5-001:008,159; (4) 3-9-005:001,002,003,009,012; (4) 3-9-002:004,999,032; (4) 3-7-002:001,002,999; (4) 3-7-003:001,017; (4) 3-9-006:999
Permit(s)	Special Management Area Use Permit, Conservation District Use Permit, Shoreline Setback Variance, CZM Consistency, NPDES, Grubbing and Grading, Building Permit
Proposing/ Determining Agency	County of Kaua'i, Department of Public Works Douglas Haigh, dhaigh@kauai.gov, (808) 241-4854 4444 Rice Street, Suite 175, Līhu'e, HI 96766-1340
Consultant	SSFM International, Inc. Jared Chang, jchang@ssfm.com, (808) 531-1308 501 Sumner Street, Ste 620, Honolulu, HI 96817
Status	Finding of No Significant Impact (FONSI) determination. Comments are not taken on this action.

Kaua'i's ocean and coastline are frequently visited areas for recreational activities and gatherings, however many any of the popular coastline sites in the project area are not easily accessible. The popularity of these areas creates a need to improve existing pathways or create new pathways to provide Kaua'i residents and visitors with alternative transportation modes to access the shoreline.

The Department of Public Works is proposing to construct a 10-foot wide multi-use path for bicyclists, pedestrians, and other users. This path will begin at Ahukini Point and will end by connecting with an existing path to the north at Lydgate Park, covering a distance of approximately 6.7 miles. Other improvements associated with this project include three comfort stations, restoration and use of two historical bridges, parking lot improvements at Marine Camp, and improvements to the entranceway and lower parking lot at the Wailua Golf Course. The path will provide an alternative transportation route for bicyclist and pedestrians besides Kūhiō Highway. This alternative route would provide shoreline and park accessibility to a variety of users of differing ages and skill levels.

7. Kaua'i Island Utility Cooperative System Long-Term Habitat Conservation Plan EISPN (Direct to EIS)



HRS §343-5 Trigger(s)	Use of state or county land; use within conservation district
District(s)	Island-wide
TMK(s)	Various, Island-wide
Permit(s)	State Incidental Take License; State Conservation District Use Permit/Approval; Federal Incidental Take Permit
Approving Agency	State of Hawai'i Board of Land and Natural Resources/U.S. Fish and Wildlife Service Katherine Cullison, (808) 587-4148, Katherine.cullison@hawaii.gov Division of Forestry and Wildlife 1151 Punchbowl Street rm#325, Honolulu, HI 96813
Applicant	Kaua'i Island Utility Cooperative Carey Koide 4473 Pahe'e Street, Suite 1, Līhu'e, HI 96766-2032
Consultant	Planning Solutions, Inc. Jim Hayes, jim@psi-hi.com, (808) 550-4559 210 Ward Avenue, Suite 330, Honolulu, HI 96814
Status	Administrative 30-day public review and comment period starts. Comments are due by August 8, 2016. Please send comments to the proposing/determining agency and copy the consultant.

The action to be evaluated by the EIS is the issuance of a state incidental take license under HRS 195D and a federal incidental take permit under the Endangered Species Act (ESA) Section 10 for three species of endangered seabirds. The license/permit would require implementation of a Long-Term Habitat Conservation Plan that addresses actions aimed at avoiding, minimizing, and/or mitigating the effects of Kaua'i Island Utility Cooperative facilities and activities on three species of seabirds that are listed as threatened or endangered by the Federal and/or State governments. An informational public open-house meeting will be held July 20, 5-7p.m., at Kaua'i Community College, 3–1901 Kaumuali'i Highway, Līhu'e, Kaua'i.

8. Lima Ola Work Force Housing Development FEA (FONSI)

HRS §343-5 Trigger(s)	Use of County Lands
District(s)	Kōloa
TMK(s)	(4) 2-1-001:054
Permit(s)	NPDES Construction Permit; Grading Permit; Grubbing Permit; Stockpiling permit; Building Permit; Road Permit; Electrical Permit, Plumbing Permit.
Proposing/ Determining Agency	County of Kaua'i Housing Agency Kanani Fu, Kananifu@kauai.gov, (808) 241-4444 4444 Rice Street, Suite 330, Līhu'e, Kaua'i, HI 96766
Consultant	Community Planning and Engineering, Inc. Frank Camacho, FCamacho@cpe-hawaii.com, (808) 531-4252, Ext. 1040
Status	Finding of No Significant Impact (FONSI) determination. Comments are not taken on this action.

The purpose of the proposed project is to satisfy the need for affordable housing on the island of Kaua'i. The Kaua'i County Housing Agency mission is to provide the much needed affordable housing to families on Kaua'i, as the population of Kaua'i residents is increasing. Facilitating affordable housing opportunities for Kaua'i residents is one of the county's top priorities. In order to address a housing shortage in the county, the Kaua'i County Council helped to pass a resolution in 2004 to acquire land for affordable housing. The proposed project site was acquired as a suitable location to provide the needed affordable housing to Kaua'i residents.

The County of Kaua'i Housing Agency is proposing to build an affordable housing project. The proposed project would include approximately 550 residential units (single family, multi-family and senior resident units) at final buildout. The project would be designed with roadways, green sustainable energy efficiency features, a park, vegetated drainage swales, landscaped areas, a water storage tank, and bike and pedestrian paths. The proposed development would be located directly mauka of the intersection of Halewili Road and Kaumuali'i Highway in the town of Ele'ele on the west side of Kaua'i.

Open HRS Chapter 343 Documents

Status: Public review and comment period for these projects began previously. Comments are due July 25, 2016 unless specified otherwise. Please send comments to the relevant agency and copy and relevant applicant and/or consultant.

Hawai'i Dairy Farms DEIS
Proposed Memorial Located at Kalaupapa National Historic Park DEA (AFNSI)
Waikapoki Wastewater Pump Station Upgrade FEA (EISPN)
Waikīkī Beach Walk - Outrigger Reef Waikīkī Beach Resort DSEIS (comments due by August 8, 2016)

Shoreline Notices

Proposed Shoreline Certifications and Rejections

The shoreline notices below have been proposed for certification or rejection by the Department of Land and Natural Resources (HRS 205A-42 and HAR 13-222-26). Any person or agency who wants to appeal shall file a notice of appeal in writing with DLNR no later than 20 calendar days from the date of this public notice. Send the appeal to the Board of Land and Natural Resources, 1151 Punchbowl Street, Room 220, Honolulu, Hawai'i 96813.

File No.	Proposed/ Rejected	Location	Applicant/Owner	TMK
OA-1700	Proposed Shoreline Certification	Lot 4-A Section A Kawailoa Beach Lots being a Portion of Royal Patent 4475, Land Commission Award 7713, Apana 33 to V. Kamamalu situate at Kawailoa, Waialua, O'ahu Address: 61-673 Kamehameha Highway Purpose: Determine building set-back line	Wesley T. Tengan/ Pacific Return, LLC	(1) 6-1-010:012
OA-1702	Proposed Shoreline Certification	Lot E-3-A Land Court Application 979 as Shown on Map 88 situate at Kane'ohe, Ko'olaupoko, O'ahu Address: 47-170 Kamehameha Highway Purpose: Determine building set-back line	Wesley T. Tengan/ Timothy J. Pent	(1) 4-7-001:001
MA-643	Proposed Shoreline Certification	A Portion of Land Patent Grant 4973 to Walter M. Giffard situate at Olowalu, Lahaina, Maui Address: 39724 Honoapi'ilani Highway Purpose: Renovations to house permit	Akamai Land Surveying, Inc./ Walter D. Stakelbeck & Zenda Stakelbeck	(2) 4-8-003:002
HA-535	Proposed Shoreline Certification	Lot 4 of Puakō Beach Lots Being Portions of Grant 9968 to Tomo Goto Otsuka and Grant S-15,003 to Ichiro Goto and Yukie Goto situate at Lālāmilo, South Kohala, Hawai'i Address: 69-1814 Puakō Beach Drive Purpose: County permits	Wes Thomas Associates/ Bennett Dorrance Jr.	(3) 6-9-005:042
MA-627	Rejection	Lot 4 of the Maui Prince Hotel Subdivision being Portions of Land Patent Grant S-15,029 to Ulupalakua Ranch, Inc., and Royal Patent Grant No. 835 to Mahoe situate at Honuaula, Makawao, Maui Address: 5400 Makena Alanui Drive Purpose: Shoreline setback purposes	Austin, Tsutsumi and Associates, Inc./ ATC Makena Holdings, LLC	(2) 2-1-006:111
MA-629	Rejection	Lot 9 Land Court Application 485 (Map 4) situate at Ka'anapali, Lahaina, Maui Address: 104 Ka'anapali Shores Place Purpose: Spa permit purposes	Arthur Valencia/ Ka'anapali Beach Vacation Resort	(2) 4-4-001:098
KA-404	Rejection	Lot 1, 3 & Lot 4 of Land Court App. 1161 (Map 6) situate at Ko'olau, Kaua'i Address: N/A Purpose: Fence construction	Department of Public Works/ County of Kaua'i	(4) 5-1-003:021

Shoreline Notices (continued)

Applications for Shoreline Certification

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, HI 96813 and postmarked no later than 15 calendar days from the date of the public notice of the application. For more information, call Ian Hirokawa at (808) 587-0420.

File No.	Date	Location	Applicant/Owner	TMK(s)
OA-1707	6/9/16	Portion R. P. 7804, L.C. Aw. 9971, Ap. 25 to W.P. Leleiohoku situate at Punalu'u, Ko'olauloa, O'ahu Address: 53-231 Kamehameha Highway Purpose: Building permit & lot determination	Walter P. Thompson, Inc./ Waahila Ridge Properties LLC	(1) 5-3-002:033
OA-1708	6/15/16	Dwelling Area 13 'Ewa Oceanside Condominium Project Lot 785 Land Court Application 242 situate at Pu'uloa Beach, 'Ewa, O'ahu Address: 91-69 Fort Weaver Road, Unit 13 Purpose: Building permit	Walter P. Thompson/ Ken & Terri Silva	(1) 9-1-005:011 por.
OA-1709	6/16/16	Lot 27 of Map 1 Land Court Application 609 "Mokulē'ia Beach Tract" situate at Mokulē'ia, Waialua, O'ahu Address: 68-463 Crozier Drive Purpose: Building setback line	Gil P. Bumanglag/ Alejandro Martinez & Pamela Martinez	(1) 6-8-004:024
OA-1710	6/17/16	Camp Erdman Shoreline Certification situate at Ka'ena, Waialua, O'ahu Address: 69-385 Farrington Highway Purpose: Setback for future redevelopment	Sam O. Hirota, Inc./ YMCA of Honolulu	(1) 6-9-004:003
OA-1711	6/21/16	Lots 1 and 2 of Evershine VIII Tract (File Plan 2271) Lot 5 of Portlock Subdivision No. 2 (File Plan 2193) and Lot 4-A situate at Maunalua, Honolulu, O'ahu Address: 525 Portlock Road Purpose: Construction	Sam O. Hirota, Inc./ Evershine II LP	(1) 3-9-026:044, 045, 047, & 048
OA-1712	6/22/16	Lots 109 & 110 (Map 24) Land Court Application 609 situate at Mokulē'ia, Waialua, O'ahu Address: 68-505 Crozier Drive Purpose: Home remodel	Leaps & Boundaries, Inc./ Mark & Diane Button	(1) 6-8-004:018
HA-535	6/27/16	Lot 4 of Puakō Beach Lots Being Portions of Grant 9968 to Tomo Goto Otsuka and Grant S-15,003 to Ichiro Goto and Yukie Goto situate at Lālāmilo, South Kohala, Hawai'i Address: 69-1814 Puakō Beach Drive Purpose: County permits	Wes Thomas Associates/ Bennett Dorrance Jr.	(3) 6-9-005:042
MA-648	6/9/16	Land Commission Award 3535, Apana 2 situate at Honuaula, Makawao, Maui Address: 7421 Makena Road Purpose: Building permit application	Kimberly Lawrence/ Lisa Dennis	(2) 2-1-006:007
KA-413	6/20/16	Lot 1 of Spouting Horn Tract (Por.) Royal Patent 6714 L. C. Aw. 7714-B, Ap. 2 to Mose Kekuaiwa no M. Kekuanaoa situate at Koloa, Kaua'i Address: 4546 Lawai Road Purpose: Building permit	Roger M. Caires/ Graham H. MacMillan	(4) 2-6-003:006

Coastal Zone Management Notices

Federal Consistency Reviews

The Hawai'i Coastal Zone Management (CZM) Program has received the following federal actions 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: Lana'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 or electronic mail, as indicated below.

Mail: Office of Planning
Department of Business, Economic Development and Tourism
P.O. Box 2359, Honolulu, HI 96804

Email: john.d.nakagawa@hawaii.gov

U.S. Army Corps of Engineers Reissuance of Nationwide Permits

Proposed Action: The U.S. Army Corps of Engineers is proposing to reissue 50 existing Nationwide Permits (NWPs) and issue 2 new NWPs. Nationwide Permits are general permits issued on a nationwide basis to streamline the authorization of activities, under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899 that will result in no more than minimal individual and cumulative adverse environmental effects. The Nationwide Permit reissuance proposal can be viewed at: https://www.regulations.gov/ ; using docket number COE-2015-0017. The U.S. Army Corps of Engineers Honolulu District has issued a public notice for the Nationwide Permits reissuance, including the addition of regional conditions that will be applicable to activities occurring within the State of Hawai'i. The Honolulu District public notice and proposed regional conditions can be viewed at: http://www.poh.usace.army.mil/Media/PublicNotices/tabid/972/Article/796954/initial-public-notice-nationwide-permit-reissuance-request-for-comments.aspx

Federal Action: Federal Agency Activity
Federal Agency: U.S. Army Corps of Engineers
CZM Contact: John Nakagawa, 587-2878, john.d.nakagawa@hawaii.gov
Comments Due: July 22, 2016

Commercial Offshore Mooring Buoy, Mala Wharf Mooring Zone, Maui

Proposed Action: Install a new offshore single mooring buoy for a commercial passenger charter vessel within the Mala Wharf Mooring Zone. The mooring buoy will be installed in water depths of approximately 36 feet, using two manta-ray anchors with chain and subsurface and surface buoys.

Location: Mala Wharf Mooring Zone, Maui
Applicant: Mr. Michael Collins, (808) 249-0110
Federal Action: Federal Permit
Federal Agency: U.S. Army Corps of Engineers
CZM Contact: John Nakagawa, 587-2878, john.d.nakagawa@hawaii.gov
Comments Due: July 22, 2016

Mala Wharf, Lahaina, Maui, 1930s Photo by Alan Light

Coastal Zone Management Notices (continued)

Special Management Area (SMA) Minor Permits

The SMA Minor permits below have been approved (HRS 205A-30). For more information, contact the relevant county/State planning agency. 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).

TMK(s)	Description (File No.)	Applicant/Agent
Maui: Makena (2-1-011: 001)	Install Natural Stone / Sidewalk - 2016 (SM2 20160064)	Andrew Clark
Maui: Kīhei (3-9-017: 002)	Add Temporary Sales Trailer Location - 2016 (SM2 20160065)	Armstrong Kalama LTD
Maui: Lahaina (4-4-001: 029)	Site Improvement Beautification (SM2 20160066)	Dominic Crosariol, P.E.
Maui: Ka'anapali (4-4-014: 003)	Change Diesel to Propane Tank (SM2 20160067)	JDC Designs & Consulting Services
Maui: Lahaina (4-4-001: 010 and 4-4-014: 006)	Temporary Cabana (SM2 20160068)	Hawaiian Rainforest LLC
Maui: Kīhei (2-1-008: 084)	Papali Groundmount / Carport PV System (SM2 20160069)	Aouo Papali Wailea
Maui: Moloka'i (5-2-009: 018)	Civil Defense Emergency Warning Siren Replacements (SM6 20160003)	County of Maui
O'ahu: 'Aiea (9-8-009: 012)	Renovation of an Existing Car Dealership (2016/SMA-3)	Cutter Ford / Next Design LLC
O'ahu: Waipahu (9-4-048: Portion 001)	Leddy Residence Expansion at the Ota Camp (2016/SMA-30)	Desiree Stabilio / Structural Hawai'i

National Environmental Policy Act

As a courtesy, listed below are documents submitted for publication that have been prepared pursuant to National Environmental Policy Act (NEPA), rather than Chapter 343, HRS. Accordingly, these entries may have unique comment periods. Occasionally, actions are subject to both NEPA and Chapter 343, HRS. In those cases, a separate entry would be published in a relevant section and issue of *The Environmental Notice*.

Pali Kilo Cottages Expansion Project at Marine Corps Base Hawai'i, Kane'ohe Bay draft FONSI for an EA

Island	O'ahu
District(s)	Ko'olaupoko
TMK(s)	(1) 4-4-008: portion of 001
Proposing/ Approving Agency	Commanding Officer, Marine Corps Base Hawai'i Box 63002, Kane'ohe Bay, HI 96863-3002 Naval Facilities Engineering Command Pacific (NFECP) Building 258, Makalapa Drive, Suite 100, Pearl Harbor, Hawai'i 96860-3134 Attn: Pali Kilo Beach Cottages EA Project Manager, Code EV 21 Telephone: (808) 472-1450
Consultant	HHF Planners, Ronald Sato, AICP, rsato@hhf.com, (808) 457-3172 Pacific Guardian Center, Makai Tower, 733 Bishop Street, Suite 2590, Honolulu, HI 96813
Status	Written comments on the Draft FONSI and EA may be provided by e-mail to: NFPAC-Receive@navy.mil or by mail to: NFECP (above). Written comments must be received or postmarked by July 18, 2016 to be considered.

Pursuant to the National Environmental Policy Act, Marine Corps Base Hawai'i has prepared a Draft Finding of No Significant Impact based on an Environmental Assessment for the Pali Kilo Beach Cottages Expansion Project at Marine Corps Base Hawai'i, Kane'ohe Bay, O'ahu, Hawai'i. The project proposes developing additional recreational cottages on about 16.8 acres in the Pali Kilo district of the Base. This would increase the number of recreational cottages to meet current and future demand, and promote the overall morale and welfare of the U.S. Department of Defense community. The project consists of 19 new recreational cottages (16 duplex and 3 single), and an Efficiency Unit (EU) complex (14 units) comprising 49 new lodging units. The cottages would be single-story, wood-framed buildings, and range in size from 950 (single unit) to 2,600 square feet (duplex unit). The EU complex consists of a cluster of single-story buildings and a maintenance building. Studio units would have a floor area of about 450 square feet. The EU complex would be constructed on a previously developed site used to store emergency generators and other portable equipment. The equipment would be relocated to a vacant area within the Base along D Street.

National Historic Preservation Act, Section 106 Consultation

Nāpili Pump Station and Force Main Replacement Project

Island	Maui
District(s)	Lahaina District
TMK(s)	(2)4-2-004:048 (por.), 059 (por.), (2)4-3-005:037, (2)4-3-009:098, (2)4-3-016:017, and (2)4-4-001:094
Applicant or Proposing Agency	State of Hawai'i, Department of Health, Environmental Division, Wastewater Branch Sue Liu, wwb@doh.hawaii.gov, (808) 586-4294 919 Ala Moana Boulevard, Room 309, Honolulu, HI 96814
Approving Agency	State of Hawai'i, Department of Health, Environmental Division, Wastewater Branch Sue Liu, (808) 586-4294
Status	Comments due no later than August 7, 2016.

The Department of Health (DOH) initiated Section 106 of the NHPA consultation with the State Historic Preservation Division (SHPD) in accordance with 36 CFR Part 800. In 1990, the U.S. Environmental Protection Agency (EPA) designated the DOH to act on EPA's behalf, pursuant to 36 CFR §800.2 (c) (4), when initiating Section 106 of the NHPA process in connection with projects funded under the Hawai'i Clean Water State Revolving Fund (CWSRF).

The DOH is providing funding under the CWSRF to the County of Maui's (County), Department of Environmental Management (DEM) for the Nāpili Pump Station and Force Main Replacement Project. The proposed project will utilize federal funding and is considered an undertaking, as defined by Section 106 of the NHPA, 54 U.S.C. §306101 et seq., and 36 CFR Part 800.

The proposed project includes modifications to the County's Nāpili Wastewater Pump Stations (WWPS) Nos. 1 to 6 and replacement of the existing force mains that connect the individual pump stations to the gravity sewer system. The proposed actions will be located at Nāpili Pump Station Nos. 1 to 6, identified by Tax Map Keys (2)4-4-001:094, (2)4-3-009:098, (2)4-3-005:037, (2)4-3-016:017, (2)4-2-004:048 (por.), and (2)4-2-004:059 (por.), respectively, and within the Lower Honoapi'ilani Road right-of-way, owned by the County.

The DOH has engaged SHPD to determine the presence of potential sites of historic importance within the vicinity of the project area as well as the potential impact of the project on such sites, if present.

Federal Notices

As a courtesy, listed below are relevant entries from the Federal Register, gleaned from a search of Hawai'i-based entries published since the last issue of *The Environmental Notice*. For the PDF file, click on the title link, also available at http://www.gpo.gov/fdsys/

Environmental Assessment for Commercial Wind Leasing and Site Assessment Activities on the Outer Continental Shelf (OCS) Offshore the Island of O'ahu, Hawai'i

The Bureau of Ocean Energy Management (BOEM) is announcing its intent to prepare an Environmental Assessment (EA) of potential commercial wind leasing and site assessment activities on the OCS offshore the island of O'ahu, Hawai'i. The EA will address environmental impacts and socioeconomic effects related to the proposed action, issuance of one or more commercial wind energy leases and approval of site assessment activities on those leases. This notice serves to announce the beginning of the formal scoping process. Scoping will help identify reasonable alternatives to the proposed action, focus the analysis in the EA on potentially significant issues, and eliminate those issues that are determined to be insignificant or considered irrelevant to the analysis. BOEM will also use the scoping process to seek public comment on the full range of potential environmental impacts, including input relevant to the National Historic Preservation Act (NHPA). Additional information on the proposed action may be found at http://www.boem.gov/Hawaii/.

DATES: Comments should be submitted no later than August 8, 2016.

FOR FURTHER INFORMATION CONTACT: Mark Eckenrode, Bureau of Ocean Energy Management, Pacific OCS Region, 760 Paseo Camarillo, Suite 102, Camarillo, California 93010, (805) 384–6388, or mark.eckenrode@boem.gov.

Commercial Leasing for Wind Power on the Outer Continental Shelf Offshore the Island of O'ahu, Hawai'i

Please click the title link for information about BOEM's Call for Information and Nominations from parties interested in obtaining one or more commercial wind energy leases that would allow lessees to propose the construction of wind energy projects on the Outer Continental Shelf (OCS) offshore the island of O'ahu, Hawai'i.

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 discretional 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.

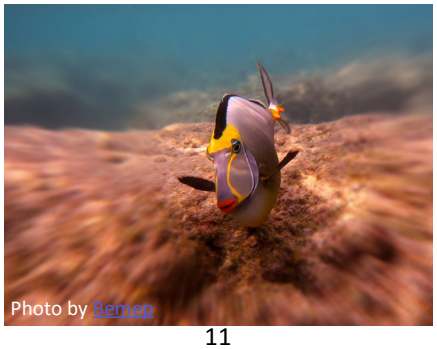


Photo by Bemep

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 Hawai'i'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).