



# The Environmental Notice

November 23, 2017

David Y. Ige, Governor  
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, the Environmental Impact Statement Law. Along with publishing Environmental Assessments and Environmental Impact Statements for projects in Hawai'i, *The Environmental Notice* also includes other items related to the shoreline, coastal zone, and federal activities.



Nene Up Close (cropped from original)

Photo by Sean Hagen

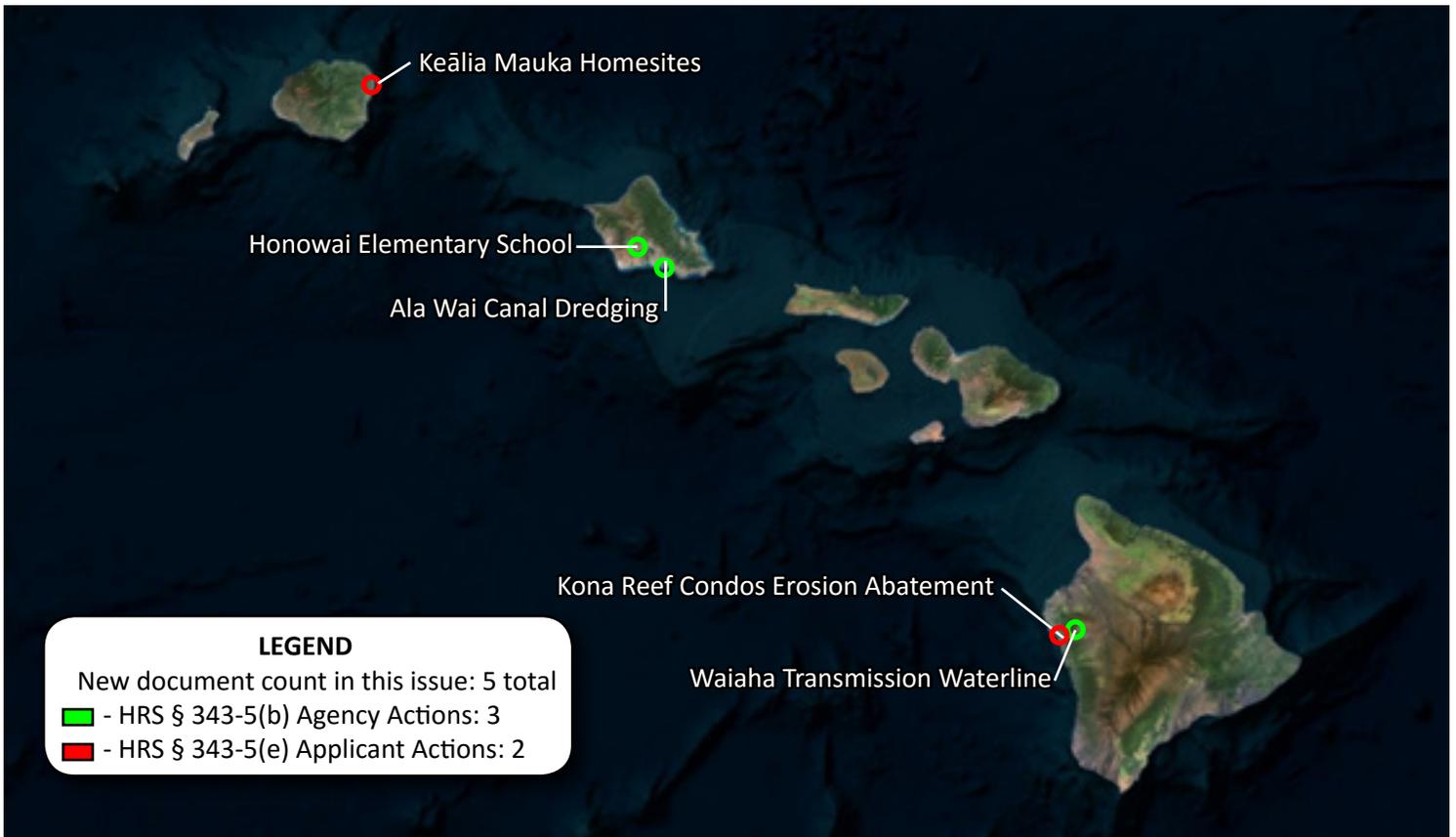
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## ANNOUNCEMENTS

- Please be aware of a correction to our Publication Calendar: the deadline to submit material for publication in the January 8, 2018 issue of The Environmental Notice is TUESDAY, December 26, 2017, not ~~Wednesday~~, December 26
- As noted previously, the [Environmental Council](#) (EC) is updating Hawai'i Administrative Rules (HAR) Chapter 11-200, the environmental impact statement rules. The EC is requesting comments on [Version 0.3](#) by November 27, 2017. [Click here](#) for more information, including a timeline for the revision process, and [click here](#) to sign up for email updates on the process
- Regarding the Draft Environmental Impact Statement (DEIS) prepared in support of the proposed OCCC replacement, the Department of Public Safety (PSD) will host a public meeting to share the DEIS findings and to allow for public comments and input at: 7:00 PM, Wednesday, Nov. 29, 2017, at the Aloha Stadium Hospitality Room (99-500 Salt Lake Boulevard, Honolulu, HI). Visit the PSD-OCCC website to view all project-related materials (<http://dps.hawaii.gov/occc-future-plans>)

## STATEWIDE MAP OF NEW HRS CHAPTER 343 ACTIONS



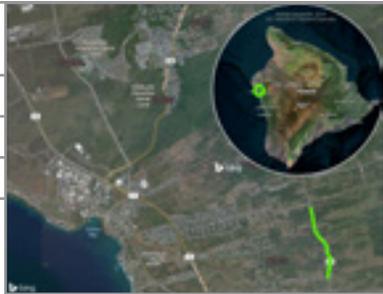
## HAWAII

**Kona Reef Condominiums Erosion Abatement Structure--Draft EA (AFNSI)**

<b>HRS §343-5(a) Trigger</b>	(3) Propose any use within a shoreline area	
<b>District(s)</b>	North Kona	
<b>TMK(s)</b>	(3) 7-5-018:071	
<b>Permit(s)</b>	Shoreline Setback Variance, Special Management Area	
<b>Approving Agency</b>	Planning Department, County of Hawai'i Michael Yee, (808) 323-4770, <a href="mailto:planning@hawaiiicounty.gov">planning@hawaiiicounty.gov</a> 101 Pauahi St., Suite 3, Hilo, HI 96720	
<b>Applicant</b>	Association of Apartment Owners of Kona Reef, Inc. (Kona Reef AOA) c/o Ray Pieri, (808) 989-7439, <a href="mailto:pierir001@hawaii.rr.com">pierir001@hawaii.rr.com</a> 75-1029 Henry St., #202, Kailua-Kona, HI 96740	
<b>Consultant</b>	GK Environmental LLC Graham Paul Knopp, Ph.D., (808) 938-8583, <a href="mailto:gpknopp@gkenvllc.com">gpknopp@gkenvllc.com</a> P.O. Box 1310, Honoka'a, HI 96727	
<b>Status</b>	Statutory 30-day public review and comment period starts. Comments are due by December 26, 2017. Please send comments to the approving agency and copy the applicant and the consultant.	

Kona Reef AOA proposes to build an erosion abatement structure within the lawn area fronting the Kona Reef Condominiums, located mauka (i.e. inland) of the certified shoreline and within the shoreline setback area. The purpose of the structure is to prevent erosion of soil underlying the lawn area, and consequent loss of the use of the lawn area. The project would maintain the lawn area and protect it for users, who include both members of the public and Kona Reef condominium residents. The structure would parallel the certified shoreline for approximately 220 linear feet, would be anchored in bedrock, and would be built flush to grade (at the same height as the surrounding lawn area). No adverse impacts to shoreline processes are anticipated. No sensitive biological, hydrological, archaeological, cultural, or other important resources are present on the project site. Construction activities would produce short-term impacts to noise, air quality, access, and scenery, which would be mitigated by implementation of standard construction BMPs, as well as restrictions on construction hours, to ensure that construction-related impacts, including potential impacts to water quality, are avoided or minimized.

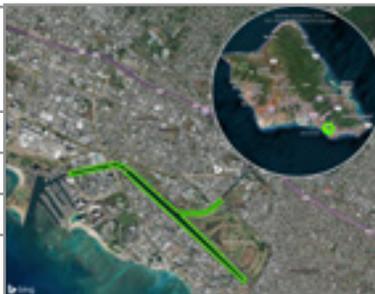
**Waiaha Transmission Water Line--Final EA (FONSI)**

<b>HRS §343-5(a) Trigger</b>	(1) Propose the use of state or county lands or the use of state or county funds	
<b>District(s)</b>	North Kona	
<b>TMK(s)</b>	various (see document)	
<b>Permit(s)</b>	Public Works Permit to Construct Within Right of Way; NPDES to discharge effluent	
<b>Proposing/ Determining Agency</b>	Department of Water Supply (DWS), County of Hawai'i Gerald Yorita, (808) 961-7248, <a href="mailto:gyorita@hawaiidws.org">gyorita@hawaiidws.org</a> 345 Kekūānāo'a St., Suite 20, Hilo, HI 96720	
<b>Consultant</b>	Geometrician Associates Ron Terry, (808) 969-7090, <a href="mailto:rterry@hawaii.rr.com">rterry@hawaii.rr.com</a> P.O. Box 396, Hilo, HI 96721	
<b>Status</b>	Finding of No Significant Impact (FONSI) determination.	

DWS proposes a mile-long 16-inch water transmission line on Māmalahoa Highway. Most work will be conducted within the right-of-way, with connections to the Waiaha 2-MG Reservoir and the Pua'a Booster Pump Station, and possible minor use of private properties at culvert crossings. Work will involve an excavated trench with a 3-foot backfill cover and supported culvert crossings. The Pua'a Pump Station pumps will be upsized with technology allowing flexibility in controlling water flow. Localized and temporary traffic congestion, construction noise, emissions and fugitive dust could affect nearby properties during daytime over the course of 16 months, as work moves along the road. Permit conditions permits will minimize impacts of traffic, air quality, noise, and stormwater runoff. The corridor has long been disturbed through by paving, grading and vegetation control. No rare, threatened or endangered plant species are present. Vegetation removal restrictions and, if appropriate, hawk nest surveys, will minimize impacts to endangered Hawaiian bats and hawks. No cultural uses occur within the paved roadway or shoulders, and cultural resources will not be affected. No significant archaeological resources were documented.

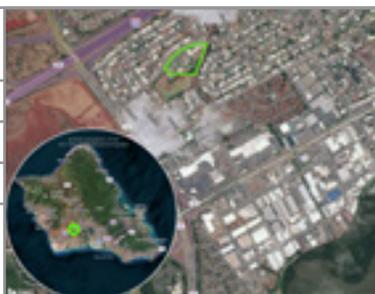
## O'AHU

[Ala Wai Canal Dredging and Improvements--Final EIS](#)

<b>HRS §343-5(a) Trigger</b>	(1) Propose the use of state or county lands or the use of state or county funds (4) Propose any use within any historic site as designated in the ... Hawai'i Register (5) Propose any use within the Waikiki area of O'ahu	
<b>District(s)</b>	Honolulu	
<b>TMK(s)</b>	various (see document)	
<b>Permit(s)</b>	various (see document)	
<b>Proposing Agency</b>	Department of Land and Natural Resources (DLNR), State of Hawai'i Gayson Ching, (808) 587-0232, <a href="mailto:gayson.y.ching@hawaii.gov">gayson.y.ching@hawaii.gov</a> 1151 Punchbowl St., Room 221, Honolulu, HI 96813	
<b>Accepting Authority</b>	Governor, State of Hawai'i The Honorable David Y. Ige, (808) 586-0034, <a href="http://governor.hawaii.gov/contact-us/contact-the-governor/">http://governor.hawaii.gov/contact-us/contact-the-governor/</a> Executive Chambers, State Capitol, 415 S. Beretania St., Honolulu, HI 96813	
<b>Consultant</b>	R. M. Towill Corporation Brian Takeda, Planning Project Coordinator, (808) 842-1133, <a href="mailto:briant@rmtowill.com">briant@rmtowill.com</a> 2024 N. King St., Suite 200, Honolulu, HI 96819-3494	
<b>Status</b>	FEIS has been submitted and is pending acceptance by the accepting authority.	

DLNR proposes maintenance dredging of the Ala Wai Canal ("Canal") and Mānoa-Pālolo Drainage Canal, repairs to deteriorating sections of the Canal walls, and an assessment of appropriate treatment of the stairs leading into the Canal that have become a safety concern. The final designs for the wall repairs and treatment to stairs would be completed after the EIS process and based on consultations with the State Historic Preservation Division and community. The project also includes coordination with Hawaiian Electric Company's Ala Wai 46kV Underground Cable Relocation project for the removal of existing cables/concrete slabs with the dredging of the Canal by the DLNR. The project purpose is to remove accumulated silt & sediments, improve protection of nearshore State marine waters & aquatic life, improve public health & safety, decrease the potential for property damage from flooding & a deteriorating canal structure, and improve aesthetics along the Canal. The removal of accumulated silt & sediments, and repair of the walls are needed to restore sediment & water holding capacities, decrease the risk of flooding in surrounding areas during high intensity storm events, and improve conditions for recreational use along the Canal.

[Honowai Elementary School Eight Classroom Building--Draft EA \(AFNSI\)](#)

<b>HRS §343-5(a) Trigger</b>	(1) Propose the use of state or county lands or the use of state or county funds	
<b>District(s)</b>	'Ewa	
<b>TMK(s)</b>	(1) 9-4-053: 007	
<b>Permit(s)</b>	various (see document)	
<b>Proposing/Determining Agency</b>	Department of Education, State of Hawai'i Benjamin Miura, (808) 784-5122, <a href="mailto:Benjamin_miura@notes.k12.hi.us">Benjamin_miura@notes.k12.hi.us</a> Facilities Development Branch, Project Management Section 3633 Wai'ālae Ave., Honolulu, HI 96816	
<b>Consultant</b>	Gerald Park Urban Planner Gerald Park, (808) 625-9626, <a href="mailto:gpark@gpup.biz">gpark@gpup.biz</a> 95-595 Kaname'e St., #324, Mililani, HI 96789	
<b>Status</b>	Statutory 30-day public review and comment period starts. Comments are due by December 26, 2017. Please send comments to the proposing/determining agency and copy the consultant.	

The proposed eight classroom building will house three classrooms, the Medically Fragile and Special Education Programs, and provide state of the art learning environments for Science, Technology, Engineering Arts, and Math (STEAM), and Production Media Programs. Building spaces are designed to support the above specialty programs and facilities in form and function. A new paved drop off area is proposed off Honowai Street in the vicinity of the new classroom building. The drop off area should ease congestion in the main parking lot and traffic queueing on Honowai Street. A one-way circulation pattern is proposed. Thirteen parking stalls will be provided near the entry driveway. Construction costs are estimated at \$14.6 million and will be funded by the Department of Education. Construction is projected to commence in April 2018 with completion by mid-2019. Building occupancy is projected for the start of academic year 2019-2020.

**KAUA'I**

**Keālia Mauka Homesites (EIS Preparation Notice)**

<b>HRS §343-5(a) Trigger</b>	(1) Propose the use of state or county lands or the use of state or county funds	
<b>District(s)</b>	Kawaihau	
<b>TMK(s)</b>	(4) 4-7-004: por. 001	
<b>Permit(s)</b>	State Land Use District Boundary Amendment (Agricultural to Urban); County zone change (agriculture to residential); subdivision approval	
<b>Approving Agency/ Accepting Authority</b>	Land Use Commission, State of Hawai'i Department of Business, Economic Development & Tourism Daniel Orodener, Executive Officer, (808) 587-3822, <a href="mailto:daniel.e.ordenker@hawaii.gov">daniel.e.ordenker@hawaii.gov</a> P.O. Box 2359, Honolulu, HI 96804-2359	
<b>Applicant</b>	Keālia Properties, LLC Ms. Moana Palama, Hawaii Management Services LLC, (808) 742-9784, <a href="mailto:moana@mkskauai.com">moana@mkskauai.com</a> P.O. Box 1630, Kōloa, HI 96756	
<b>Consultant</b>	HHF Planners Scott Ezer, Vice President, (808) 457-3158, <a href="mailto:sezer@hhf.com">sezer@hhf.com</a> 733 Bishop St., Suite 2590, Honolulu, HI 96813	
<b>Status</b>	Administrative 30-day public review and comment period starts. Comments are due by December 26, 2017. Please send comments to the approving agency/accepting authority and copy the applicant and the consultant.	

Keālia Properties, LLC proposes a residential subdivision on 53.4-acres at Keālia, Kaua'i. The site was historically used for sugar cultivation and is currently used for grazing. The subdivision will include 235 lots (5,600 to 7,300 SF in size) and infrastructure improvements. Lot buyers will implement home construction, a typical practice on Kaua'i. The project will address the current and projected shortfall of single-family housing on Kauai. Lots are below 10,000 SF to keep prices manageable for local residents and prices will meet workforce housing requirements of County Ordinance 860, Kaua'i County Code.

The site is within the State's Agricultural District. On October 16, 2017, a petition for State Land Use District Boundary amendment was filed with the LUC to reclassify the site to the Urban District. At its November 8, 2017 meeting, the LUC determined that an Environmental Impact Statement (EIS) is likely to be required and that the LUC will be accepting authority and approving agency. Chapter 343 HRS environmental review is triggered by the proposed use of State and County lands (infrastructure improvements within public roadways). The applicant will request a zone change from the County (agriculture to residential). The site is within the area designated as "Residential Community" on the Kawaihau Planning District Land Use Map.

**PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT**

**Status:** Public review and comment period for these projects began previously. Comments are due December 8, 2017 unless specified otherwise. Please send comments to the relevant agency and copy any relevant applicant and/or consultant.

- O'AHU**
- [Waimānalo Elementary and Intermediate School Science Technology and Media Building--Draft EA \(AFNSI\)](#)
  - [Replacement of O'ahu Community Correctional Center--Draft EIS \(comment deadline: January 8, 2018\)](#)



nene (cropped from original)

Photo by John Olsen

## CHAPTER 25, REVISED ORDINANCES OF HONOLULU

Use of the Special Management Area (SMA) is not a trigger under Chapter 343, but developments in O'ahu's SMA are required to go through an environmental review process that mirrors the procedural requirements of HRS Chapter 343, pursuant to Revised Ordinances of Honolulu, Chapter 25. Developments being reviewed under Chapter 25 but not Chapter 343 appear here.

### Pūpūkea Rural Community Commercial Center--Draft EIS

<b>District(s)</b>	Waialua
<b>TMK(s)</b>	5-9-011:068, 069, 070, 016
<b>Permit(s)</b>	Special Management Area Use Major Permit, Grading Permit, Building Permit
<b>Approving Agency/ Accepting Authority</b>	Department of Planning and Permitting Ardis Shaw-Kim, (808) 768-8021, <a href="mailto:ashaw@honolulu.gov">ashaw@honolulu.gov</a> 650 South King St, 7th Floor, Honolulu, HI 96816
<b>Applicant</b>	Hanapohaku LLC; Andrew Yani, (808) 779-5733, <a href="mailto:hanapohakullc@gmail.com">hanapohakullc@gmail.com</a> 526 Ahina St., Honolulu, HI 96816
<b>Consultant</b>	G70; Jeff Overton AICP LEED AP, (808) 523-5866, <a href="mailto:pupukea@g70.design">pupukea@g70.design</a> 925 Bethel St., 5th Floor, Honolulu, HI 96813
<b>Status</b>	45-day public review and comment period starts. Comments are due by January 8, 2018. Please send comments to the approving agency/accepting authority and copy the applicant and the consultant.

Hanapohaku LLC is proposing to develop a rural community commercial center in Pūpūkea, O'ahu to provide a mix of goods and services to residents and visitors of the community. The property is in the Special Management Area and this Draft EIS is being prepared pursuant to Chapter 25-3.3, Revised Ordinances of Honolulu, related to procedural guidelines and assessment requirements. The Property is classified as Urban in the State Land Use Designation, is zoned B-1 Neighborhood Business District established by the City and County of Honolulu Zoning Maps, and is designated for a Rural Community Commercial Center in the North Shore Sustainable Communities Plan. The existing Foodland grocery store is included in the center. Three new buildings will be constructed, one to two stories in height, totaling approximately 30,000 square feet. The small-scale clustered buildings will be set back with a park-like green space, walkways, and bicycle paths fronting Kamehameha Highway. This gathering space can be utilized by mobile food trucks and pedestrian-friendly community gatherings and cultural events. Supporting infrastructure will include driveways, parking with solar panel canopies, drainage, water supply, and wastewater treatment facility.

### Installation of SO<sub>2</sub> Scrubbing System & Replacement of Karbate Gas Coolers, Kapolei Refinery--Draft EA (AFNSI)

<b>District(s)</b>	'Ewa
<b>TMK(s)</b>	9-1-014:010
<b>Permit(s)</b>	various (see document)
<b>Approving Agency</b>	Department of Planning and Permitting Sarah Afong, <a href="mailto:sarah.afong@honolulu.gov">sarah.afong@honolulu.gov</a> 650 S. King St., 7th Floor, Honolulu, HI 96813
<b>Applicant</b>	Island Energy Services; Marc Dexter, <a href="mailto:marc.dexter@islandenergyservices.com">marc.dexter@islandenergyservices.com</a> 91-480 Malakole St., Kapolei, HI 96707
<b>Consultant</b>	CH2M; Lisa Kettley, <a href="mailto:lisa.kettley@ch2m.com">lisa.kettley@ch2m.com</a> 1132 Bishop St., Suite 1100, Honolulu, HI 96813
<b>Status</b>	30-day public review and comment period starts. Comments are due by December 26, 2017. Please send comments to the approving agency and copy the applicant and the consultant.

Island Energy Services, LLC (IES) owns and operates the Kapolei Refinery (formerly known as the Chevron Refinery), located in Campbell Industrial Park. IES is proposing to install a sulfur dioxide (SO<sub>2</sub>) scrubbing system and replace the existing karbate gas coolers within the refinery's acid plant. The new scrubbing system would include an approximately 57-foot-tall SO<sub>2</sub> scrubbing tower and an approximately 33-foot-tall acidulation stripping tower, with an approximately 59-foot-tall steel support structure. The system would function to reduce SO<sub>2</sub> emissions generated by the acid plant to meet current industry best control practices. The existing karbate gas coolers, which are reaching the end of their design life, would be replaced with two new plate and frame heat exchangers. Replacement of the karbate gas coolers would improve equipment efficiency and allow the acid plant to operate at its design capacity. The proposed project area comprises the existing footprint of the acid plant, which is located within the Special Management Area (SMA).

## COASTAL ZONE MANAGEMENT NOTICES

### FEDERAL CONSISTENCY REVIEWS

The following federal action is being reviewed for consistency with the enforceable policies of the Hawai'i Coastal Zone Management (CZM) Program, including the CZM objectives and policies in Hawai'i Revised Statutes, Chapter 205A. Federal consistency, pursuant to Section 307 of the Coastal Zone Management Act of 1972 (CZMA), as amended, generally requires that federal actions, within and outside of the coastal zone, which have reasonably foreseeable effects on any coastal use (land or water) or natural resource of the coastal zone be consistent with the enforceable policies of a state's federally approved coastal management program. Federal actions include federal agency activities, federal license or permit activities, and federal financial assistance activities. This public notice is being provided in accordance with § 306(d)(14) of the CZMA, and federal regulations at 15 CFR § 930.2, § 930.42, and § 930.61. General information about federal consistency is available at the [Hawai'i CZM Program web site](#), or call (808) 587-2878.

For specific information or questions about the action listed below, contact the CZM staff person identified for each action. The CZM Program is required to adhere to federal review deadlines, therefore, comments must be received by the date specified. Comments may be submitted by mail or electronic mail, to the addresses 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](mailto:john.d.nakagawa@hawaii.gov)

- **National Marine Fisheries Service (NMFS) Proposed Critical Habitat Designation for the Main Hawaiian Islands Insular False Killer Whale Distinct Population Segment**

**Proposed Action:** NMFS is proposing to designate critical habitat for the main Hawaiian Islands Insular false killer whale distinct population segment by designating waters from the 45-meter (m) depth contour to the 3200-m depth contour around the main Hawaiian Islands from Niihau east to Hawaii, under the Endangered Species Act. Based on considerations of economic and national security impacts, NMFS proposes to exclude certain areas from designation. Complete details about the proposed rule and supporting documents are available at:

<https://www.federalregister.gov/documents/2017/11/03/2017-23978/endangered-and-threatened-wildlife-and-plants-proposed-rulemaking-to-designate-critical-habitat-for>

NMFS issued a public notice for the proposed critical habitat designation in the Federal Register on November 3, 2017 and is receiving comments on the rulemaking through the federal rulemaking portal: [www.regulations.gov](http://www.regulations.gov). This public notice is specifically for the Hawaii CZM Program federal consistency review and is separate from the NMFS public notice.

**Location:** Ocean waters from the 45-meter (m) depth contour to the 3200-m depth contour around the main Hawaiian Islands from Ni'ihau east to Hawai'i

**Federal Action:** Federal Agency Activity

**Federal Agency:** National Marine Fisheries Service, Pacific Islands Regional Office

**Agency Contact:** Ms. Jean Higgins, (808) 725-5151

**CZM Contact:** John Nakagawa, (808) 587-2878, [john.d.nakagawa@hawaii.gov](mailto:john.d.nakagawa@hawaii.gov)

**Comments Due:** December 8, 2017

### 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).

Location (TMK)	Description (File No.)	Applicant/Agent
Maui: Hana (1-3-002: 039)	Agricultural Storage (SM2 20170082)	National Tropical Botanical Garden
Maui: Kihei (3-9-006: 028)	Overhead Line Extension (SM2 20170083)	Michael Grider
Maui: Hana (1-3-005: 009)	Replace Cesspool with Septic System (SM2 20170084)	Department of Land and Natural Resources, Division of State Parks

## SHORELINE NOTICES

### 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.	Location	TMK	Applicant	Owner	Purpose
OA-1786	84-931 & 84-939 Farrington Highway, 96792; O'ahu	(1) 8-4-004: 020 & 8-4-004: 021	Wesley T. Tengan	Basami, LLC	Building setback line
MA-682	3166 S. Kīhei Road, 96753; Maui	(2) 2-1-010: 010	Akamai Land Surveying, Inc.	Matthew G. Norton Co.	Building permit
MA-684	1590 Halama Street, 96753; Maui	(2) 3-9-010: 004	CDF Engineering, LLC	Halama Sunset Hale Inc	Rockwall repair work

### 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.	Status	Location	TMK	Applicant	Owner	Purpose
OA-1770	Proposed	87-849C Farrington Highway, 96792; O'ahu	(1) 8-7-023: 044	Kenn Nishihira	Peter C. Lewis	Building permit
OA-1780	Proposed	55-143 Naupaka Street, 96762; O'ahu	(1) 5-5-011: 077	Jaime F. Alimboyoguen	Robert Rogers	Building setback line
OA-1781	Proposed	41-891 Laumilo Street, 96795; O'ahu	(1) 4-1-005: 056	Sam O. Hirota, Inc.	Cavolo Trust, Michael Milligan and Jeanne Milligan Trustees	Improvements and renovations
KA-419	Proposed	Moloa'a, Kaua'i	(4) 4-9-009: 002 & 4-9-014: 006	Esaki Surveying & Mapping, Inc.	Moloaa Lot 10A LLC	Shoreline setback and State Land Use District Boundary

## NATIONAL CLIMATE ASSESSMENT ANNOUNCEMENT

A draft of the Fourth U.S. National Climate Assessment Volume II, *Climate Change Impacts, Risks, and Adaptation in the United States*, is available for public comment. NCA4 Volume II is an authoritative assessment of climate change impacts, risks, and adaptation across the U.S. Chapter 27 provides an assessment for Hawai'i and the U.S.-Affiliated Pacific Islands. This Third Order Draft of Volume II is being simultaneously reviewed by an expert panel of the National Academies of Sciences, Engineering, and Medicine.

All comments must be submitted via the United States Global Change Research Program (USGCRP) [Review and Comment System](#), using the online mechanism or an off-line spreadsheet for later upload. To register as a reviewer and access the draft, visit [review.globalchange.gov](http://review.globalchange.gov) to enter existing credentials or create a new account. A link under the 'Documents Available for Public Review' banner will become active, routing users to terms of use, instructions, and the draft of NCA4 Vol. II.

**The public comment period closes on Wednesday, January 31, 2018 at 11:59PM EST.**

The Fourth National Climate Assessment Volume II emphasizes regional information, addressing the impacts of climate change on 10 regions of the U.S. It also evaluates climate change impacts in 17 topic areas, often using case studies to provide additional context and showcase community success stories. NCA4 Volume II is being written by more than 300 Federal and non-Federal authors representing a range of expertise, some of whom were selected through a public call for author nominations. It builds on the findings of the [Climate Science Special Report](#), which serves as Volume I of NCA4 and has been released in final form alongside this draft of Volume II. The *Climate Science Special Report* provides the scientific foundation for Volume II.

## FEDERAL NOTICES

As a courtesy, listed below are relevant entries from the Federal Register published since the last issue of *The Environmental Notice*. For more information, click on the title link, also available at [www.federalregister.gov](http://www.federalregister.gov).

- **Notice:** [Western Pacific Fishery Management Council; Public Meeting](#) (published 11/17/2017)

The Western Pacific Fishery Management Council (Council) will hold Hawaii Regional Ecosystem Advisory Committee (REAC) meeting to discuss and make recommendations on fishery management issues in the Western Pacific Region. The Hawaii REAC will meet on Friday, **December 1, 2017**, between 9 a.m. and 4 p.m. HST at the Council office, 1164 Bishop St., Suite 1400, Honolulu, HI 96813. The meeting will also be available via teleconference and webinar. The teleconference will be conducted by telephone and by web. The teleconference numbers are U.S. toll-free: 1-888-482-3560 or International Access: +1 647 723-3959, and Access Code: 5228220. The webinar can be accessed at: <https://wprfmc.webex.com/join/info.wpcouncilnoaa.gov>. For specific times and agendas, see supplemental information accessible via the linked title to this entry. For further information, contact: Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council at (808) 522-8220.

- **Proposed Rule:** [International Fisheries; Pacific Tuna Fisheries; Fishing Restrictions for Tropical Tuna in the Eastern Pacific Ocean for 2018 to 2020](#) (published 11/14/2017)

NMFS proposes regulations under the Tuna Conventions Act to implement provisions included in Resolution C-17-02 (Conservation Measures for Tropical Tunas in the Eastern Pacific Ocean During 2018-2020), which was adopted at the 92nd Meeting of the Inter-American Tropical Tuna Commission (IATTC or Commission) in July 2017. This proposed rule would implement the C-17-02 management measures for tropical tuna (i.e., bigeye tuna (*Thunnus obesus*), yellowfin tuna (*Thunnus albacares*), and skipjack tuna (*Katsuwonus pelamis*)) for 2018 to 2020 in the eastern Pacific Ocean (EPO). The proposed rule would impose on purse seine vessels of class sizes 4-6 (carrying capacity greater than 182 metric tons (mt)) fishing for tropical tuna in the EPO: A 72-day closure, a 31-day area closure, and a requirement that—with some exceptions—all tropical tuna be retained and landed. In addition, this proposed rule would revise the restrictions for force majeure, establish a bigeye tuna catch limit of 750 mt for U.S. longline vessels greater than 24 meters (m) in overall length, and regulate the use of fish aggregating devices (FADs). This proposed rule is necessary for the conservation of tropical tuna stocks in the EPO and for the United States to satisfy its obligations as a member of the IATTC.

**Comments on the proposed rule and supporting documents must be submitted in writing by December 14, 2017.** Please review the information provided via the linked title to this entry to find the means of submitting comments.

- **Notice:** [Endangered Species; File No. 18688](#) (published 11/21/2017)

Notice is hereby given that NMFS Pacific Islands Regional Office has requested a modification to scientific research Permit No. 18688, which authorizes the permit holder to conduct research on sea turtles bycaught in three longline fisheries in the Pacific Ocean around Hawai'i and American Samoa to assess sea turtle post-hooking survival, movements, and ecology in pelagic habitats. The permit holder requests authorization to increase the number of animals for each species that may be taken for research in the American Samoa longline fishery to match the incidental take statement of a new biological opinion prepared for this fishery after Permit No. 18688 was issued. Written, telefaxed, or email **comments must be received on or before December 21, 2017**. Please click on the linked title of this entry for additional information.



tuna (cropped from original)

Photo by [Scott Perry](#)

## 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

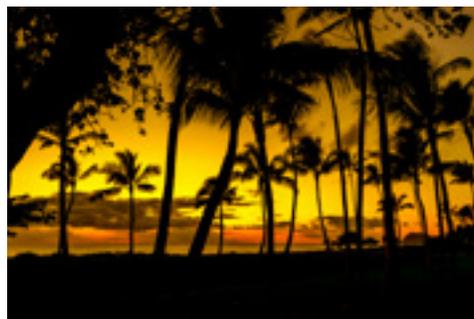
After receiving the comments on the EISPN, the Agency or Applicant must prepare a Draft Environmental Impact Statement (DEIS). The content requirements of the DEIS shall contain an explanation of the environmental consequences of the proposed action including the direct, indirect and cumulative impacts and their mitigation 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.



Ko Olina Bay, O'ahu

Photo by [Floyd Manzano](#)

### 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).