



# The Environmental Notice

March 23, 2011

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*The Environmental Notice* informs the public of environmental assessments and other documents that are available for review and comment per HRS §343-3 and is issued on the 8<sup>th</sup> and 23<sup>rd</sup> of each month on the Office of Environmental Quality Control's website. If you would like to be notified when it is issued, send us your email address and we'll put you on our mailing list.

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**OAHU (HRS 343)**

**1. Meheula Vista (DEA)**

**Island:** Oahu  
**District:** Wahiawa  
**TMK:** 9-5-22:32  
**Permits:** 201H Permit, Building, Grading, and Subdivision for creation of a sewer easement  
**Applicant:** Catholic Charities Housing Development Corporation and GSF LLC, 1822 Keeaumoku Street, Honolulu, HI 96822. Edward Ontai, Vice President, Catholic Charities Housing Development Corporation, 527-4835

**Approving Agency:** Hawaii Housing Finance & Development Corp., Dept of Business, Econ Dev & Tourism, 677 Queen Street, Honolulu, HI 96813. Stan Fujimoto, Project Manager, 587-0541  
**Consultant:** Kusao & Kurahashi, Inc., 2752 Woodlawn Drive, Suite 5-202, Honolulu, HI 96822. Keith Kurahashi, President, 988-2231  
**Status:** Anticipated Finding of No Significant Impact. Comments are due April 21, 2011. Send comments to the Applicant, Approving Agency and Consultant

Meheula Vista, a proposed senior affordable rental development, will be available to seniors 55 years and older earning 60% and below the Area Median Gross Income, and will remain a senior affordable rental for 61 years. Meheula Vista will be comprised of 300 senior apartment units, one resident manager's unit, a separate multi-purpose building, a total of 187 parking spaces, landscaping, and private park areas, including meandering pathways, resting benches and victory gardens. It will be developed in two to four phases depending on the availability and timing of financing. The phased development will consist of four separate buildings each with a two-story and three-story wing, and each offering 75 one-bedroom units, a multi-purpose room and 33 parking stalls. An additional 44 parking stalls will be spread throughout the development in close proximity to the apartment buildings. The multi-purpose building, with 11 parking stalls, is planned for the first phase of the development.

Various measures to mitigate traffic impacts include installing a traffic signal system, providing adequate on-site loading and off-loading service areas, and providing sufficient turning radii at all project driveways/roadways. Construction-related traffic, air, and noise impacts will be short-term in nature. No significant adverse impacts are anticipated.

**2. Wet Sludge Storage Tank Addition, Sand Island Wastewater Treatment Plant (DEA)**

**Island:** Oahu  
**District:** Honolulu  
**TMK:** (1) 1-5-41:05  
**Permits:** Special Management Area Permit – Major, Construction plan review and approval, Building, Grading, Grubbing, and Stockpiling

**Proposing Agency:** Dept of Design and Construction, City and County of Honolulu, 650 South Beretania Street, Honolulu, HI 96813. Jann Dacanay, 768-8743

**Approving Agency:** Same  
**Consultant:** R. M. Towill Corp., 2024 North King Street, Suite 200, Honolulu, HI 96819. Jim Niermann, 842-1133  
**Status:** Anticipated Finding of No Significant Impact. Comments are due April 21, 2011. Send comments to the Approving Agency and Consultant

The DDC proposes to construct a new, fifth wet sludge storage tank (WSST) to add to the existing four WSST's at the Sand Island Wastewater Treatment Plant (WWTP) solids handling building. The new WSST and enclosure will have a footprint of 30 feet by 30 feet, and will be approximately 40 feet in height. The fifth tank is required to add redundant capacity to accommodate WWTP design flows while allowing at least one WSST to be taken off-line for rehabilitation, maintenance and repair.

No significant adverse effects are anticipated to result from the proposed improvements. Construction activities will generate short-term impacts in the form of noise, dust, solid waste, energy use, water use, and traffic. Construction will provide temporary economic stimulation in the form of jobs and material procurement. Following construction, there will be no noticeable change in WWTP operations or in the quantity or quality of effluent discharge. The new WSST will not increase treatment capacity at the WWTP and will not induce population growth. Visual impacts will be insignificant due to the size and location of the new WSST at the center of Sand Island WWTP. The Draft EA proposes measures to mitigate or eliminate potential adverse impacts.

### 3. [Farrington Highway Intersection Improvements at Nanakuli Ave and Haleakala Ave \(FEA\)](#)

**Island:** Oahu  
**District:** Waianae  
**TMK:** None  
**Permits:** NPDES; Noise; CZM; SCAP (Anticipated); Grading, Grubbing, Stockpiling, Excavation; and SMA  
**Proposing Agency:** Dept of Transportation, Highways Division, 869 Punchbowl Street, Honolulu, HI 96813. Henry Kennedy, 692-7550  
**Approving Agency:** Same  
**Consultant:** PB Americas, Inc., 1001 Bishop St., Suite 2400, Honolulu, HI 96813. Gerald Andrade, 566-2243  
**Status:** Finding of No Significant Impact. There is no comment period

The Department of Transportation, Highways Division proposes to construct a median lane along Farrington Highway between Helelua Street and Nanakuli Stream for the purpose of safety. The new lane would provide dedicated left-turn bays with protected traffic signal phases at the Haleakala Avenue and Nanakuli Avenue intersections. In addition, the project includes constructing a bicycle and pedestrian shared use path on the makai side of the roadway; mauka curb and gutter sidewalk improvements; and drainage system upgrades. The proposed project would focus on safety, while improving traffic operations and providing some relief to traffic congestion. Funding from the Federal Highway Administration is involved. The proposed project would have temporary construction-related impacts for which a traffic management plan would be developed. Operationally or long-term, the project would relocate the historic Oahu Railway and Land Company railroad tracks that are within the project footprint. See also the [Cultural Impact Assessment](#).

### 4. [Hawaii Kai Marina and Entrance Channel Maintenance Dredging \(DEA\)](#)

**Island:** Oahu  
**District:** Honolulu  
**TMK:** 39007011, 39008035, 39002011, 39002010, 39002009  
**Permits:** U.S. Army Corps of Engineers Sections 10 and 404, Section 401 Water Quality Certification, Coastal Zone Management Act Consistency Determination, CDUP, NPDES  
**Applicant:** Hawaii Kai Marina Community Association, 377 Keahole Street, D-1C, Honolulu, HI 96825. Ph: (808) 396-2469, Fax: (808) 396-2470, Email: [RollerHI@aol.com](mailto:RollerHI@aol.com)

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**Approving**

**Agency:** Dept of Land and Natural Resources, 1151 Punchbowl Street, Room 131, Honolulu, HI 96813. Sam Lemmo, Ph: (808) 587-0377, Fax: (808) 587-0322

**Consultant:** Anchor QEA, L.P., 26300 La Alameda, Suite 240, Mission Viejo, CA 92691. Michael Whelan, P.E., Ph: (949) 347-2780, Fax: (949) 334-9646, [mwhelan@anchorgea.com](mailto:mwhelan@anchorgea.com)

**Status:** Anticipated Finding of No Significant Impact. Comments are due April 21, 2011. Send comments to the Applicant, Approving Agency and Consultant

The proposed project will restore the navigable capacity of the Hawaii Kai Marina and entrance channel. Dredging will occur within Hawaii Kai Marina at 4 specific locations. Dredging will also occur at the entrance of the Hawaii Kai Marina and will extend 130 feet into Maunalua Bay. Suitable dredge material from the channel will be redistributed to nourish Maunalua Bay Beach Park and Portlock Beach. Unsuitable dredge material for beach nourishment will be placed on two upland sites within the marina (i.e., Rim Island No. 1 and the Yacht Club Property) or transported to the South Oahu Ocean Dredged Material Disposal Site. Approximately 111,900 cubic yards (12,000 linear feet) of material will be dredged from the marina, and 10,000 cubic yards (600 linear feet) will be dredged from the entrance channel. Maunalua Bay Beach Park and Portlock Beach will both receive 500 linear feet of material (a total of 1,000 linear feet).

A 2010 biological resources survey of the project area suggests the proposed project will not result in adverse effects to the environment or biological resources. The survey indicated Maunalua Bay Beach Park and Portlock Beach are dominated by non-indigenous algae (*Acanthophora spicifera*, *Avrainvillea amadelpha*, *Lyngbya majuscula*). Within Maunalua Bay few coral colonies are present in the area. Reef macro-invertebrates (brittle stars, sea urchins, sea anemones) are relatively uncommon. Fifteen species of fishes were observed; *Arothron hispidus* and *Acanthurus nigrofuscus* are common, while *Abudefduf abdominalis* and *A. blochii* are seen occasionally. There are no endangered species of coral, algae, fish, or invertebrates found within the study area. The following endangered species may be found in the vicinity of the vicinity of the marina (Green sea turtles, Hawksbill sea turtle) or Maunalua Bay (Humpback whale, Hawaiian monk seal, Hawaiian stilt).

Existing uses of the project area are recreational boating and water-related activities (kayaking, paddling, sightseeing). The marina also accommodates commercial water-related activities catering to tourists and visitors. Valued cultural, historical, and natural resources in the area will not be affected by the proposed project. The subject parcel is located within the Conservation District, Resource subzone.

**HAWAII (HRS 343)**

**5. [UH-Hilo Water Well \(DEA\)](#)**

**Island:** Hawaii  
**District:** South Hilo  
**TMK:** (3rd) 2-4-01:122 (por.) and 173  
**Permits:** Well Construction, Pump Installation, Approval of Preliminary Engineering Report, NPDES, Plan Approval

**Proposing**

**Agency:** University of Hawaii at Hilo, Facilities Planning and Construction Office, 200 W. Kawili Street, Hilo, Hawaii 96720. Lo-li Chih, 974-7595

**Approving**

**Agency:** Same

**Consultant:** Geometrician Associates, PO Box 396, Hilo, HI 96721. Ron Terry, 969-7090

**Status:** Anticipated Finding of No Significant Impact. Comments are due April 21, 2011. Send comments to the Approving Agency and Consultant

The University of Hawaii at Hilo (UH Hilo) plans to drill an exploratory water well on UH Hilo land above Komohana Street, north of the Puainako Street Extension. Construction of the exploratory well will involve clearing, grubbing and minor grading of the site for the well pad and access road to the well site. Well construction will include drilling, casing, testing, and disinfecting the well. If the exploratory well phase is successful, the well will be outfitted for production. Conversion to a production well will add a production pump (currently expected to be rated at 1,750 gallons per minute) and related appurtenances, a 16-inch transmission waterline to connect to an existing 1.0 million gallon water tank reservoir, control building, electrical work, a 12-foot wide access road, and well site landscaping and fencing. Once construction for the production well phase is completed, it will be dedicated to the Hawaii County Department of Water Supply (DWS), per an intergovernmental agreement between the DWS and UH Hilo currently being developed. The new UH Hilo well is intended to develop a maximum of 2.5 million gallons per day (mgd) and an average of 1.66 mgd of groundwater.

This project is necessary to meet UH Hilo's future growth, including buildings for the Ka Haka 'Ula O Keelikolani College of Hawaiian Language buildings, the College of Pharmacy, and student housing. The well and associated facilities are a critical step in allowing UH Hilo to proceed with its orderly growth, which benefits students, the Big Island community, and the entire State of Hawaii. The project site has no valuable natural, historical or cultural resources. No streams or water features are present or would be affected, and the use is compatible with nearby land uses.

#### 6. [Monk Seal Rehabilitation Facility at NELHA](#) (DEA)

**Island:** Hawaii  
**District:** North Kona  
**TMK:** (3rd) 7-3-43:42  
**Permits:** Approval and Building Permit; Grading; Plan Approval and Special Management Area Permit (obtained in previous approvals); NPDES and Individual Wastewater System; Natural Energy Laboratory of Hawaii and Hawaii Authority: Development and Design Guidelines Approval; Historic Sites Clearance; Aeronautical Study Clearance  
**Applicant:** Marine Mammal Center, 2000 Bunker Road, Fort Cronkhite, Sausalito, CA. 94965-2637  
**Approving Agency:** Natural Energy Laboratory of Hawaii Authority, 73-4460 Queen Kaahumanu Hwy, #101 Kailua-Kona, HI 96740-2637  
**Consultant:** Geometrician Associates, PO Box 396, Hilo, HI 96721. Ron Terry, 969-7090  
**Status:** Anticipated Finding of No Significant Impact. Comments are due April 21, 2011. Send comments to the Applicant, Approving Agency and Consultant

The Marine Mammal Center proposes a facility for the rehabilitation of endangered Hawaiian monk seals (*Monachus schauinslandi*) on a 2.6-acre property under the control of the Natural Energy Laboratory of Hawaii Authority (NELHA), an agency of the State of Hawaii, at Keahole Point. The Hawaiian monk seal is a critically endangered species on the verge of extinction that needs aggressive intervention to successfully recover. The project consists of a holding facility with four in-ground pools designed specifically for monk seal, surrounded by concrete haul-outs, work areas, and walkways, and covered with a shade structure. The pools will be supplied with both warm and cold NELHA-supplied seawater to precisely regulate temperature. Wastewater will be treated and recirculated, with solids separated and disposed of off-site. Impacts include grading of the pahoehoe surface and associated minor impacts on sedimentation, dust, noise, and visual quality, all of which will be temporary and mitigated. Wild *Maiapilo* plants will be avoided where feasible and also used in landscaping. No archaeological sites are present on the site and a nearby archaeological site will be protected during facility construction and operation. The project is coordinating with trail organizations and should not affect shoreline resources or access.

### CONSERVATION DISTRICT USE PERMITS

The following Conservation District Use Application (CDUA) is available for review and comment (HRS 183C and HAR 13-5). Comments and requests for notification of determinations must be submitted within 30 days of the date of this Notice. Please include the following: (1) name and address of the requestor; (2) the permit for which the requestor would like to receive notice of determination; and (3) the date the notice was published in the Environmental Notice. Send comments and requests to: Department of Land and Natural Resources, Office of Conservation and Coastal Lands, P.O. Box 621, Honolulu, HI 96809. DLNR will make every effort to notify those interested in the subject CDUA. However, it is not obligated to notify any person not strictly complying with the above requirements.

**File No.:** CDUA OA-3584  
**Applicant:** Hawaii Kai Marina Association  
**Location:** Hawaii Kai Marina and Entrance Channel, Hawaii Kai, Maunaloa Bay, Oahu  
**TMK:** Makai of Maunaloa Bay  
**Proposed Action:** Dredge Marina and Entrance Channel  
**343, HRS determination:** In conformance with HRS 343 and HAR 11-200, a finding of no significant impact is anticipated for the proposed project. The draft environmental assessment was submitted to the Office of Environmental Quality Control and will be published in the March 23, 2011 edition of the Environmental Notice  
**Applicant's Contact:** Alicia Toney, Environmental Planner, ANCHOR QEA, LLC, 1423 3<sup>rd</sup> Ave., Suite 300, Seattle, Wash. 98101

### SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS

Location (TMK)	Description (File No.)	Applicant/Agent
Maui: (4-5-01:08 & 49)	After the Fact – Retail Addition (SM2 20110012)	Peake & Levoy, LLC
Maui: (1-4-08:01)	Gary Stice Open Picnic Pavilion (SM2 20110013)	Gary Stice

The SMA Minor permits above have been approved or are pending approval (HRS §205A-30). For more information, contact the appropriate county/state Planning Department. Honolulu (523-4131); Hawaii (961-8288); Kauai (241-6677); Maui (270-7735); Kakaako (Honolulu) or Kalaeloa Community Development District (587-2840).

### SHORELINE - Certification Applications

File No.	Date	Location	Applicant/Owner	TMK
OA-1415	3/8/11	Lot 1-D as shown on Map 2 of Land Court Application 824 situate at Mokuleia, Waialua, Oahu Address: Farrington Highway Purpose: Subdivision	ControlPoint Surveying, Inc./ Mokuleia Shores Holder, LLC	6-8-03:17
HA-436	2/22/11	Portion of Grant 4856 to John Hind and whole of Grant 10.644 to Ichiro Goto situate at Lalamilo, South Kohala, Island of Hawaii Address: Kawaihae - Puako Road Purpose: Determine building setback	One Puako Bay Associates, LLC/ One Puako Bay Associates, LLC	6-9-02:01 & 02



KA-346	2/28/11	Lot 9 of Wainiha Subdivision II as shown on File Plan No. 1840 situate at Wainiha, Halelea, Kauai Address: 7324 Alealea Road Purpose: Building permit for construction of electric meter pedestal and fire escape	Peter Taylor Engineer and Land Surveyor, Inc./ Gary Fischer	5-8-09:48
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The shoreline certification applications above are available for review at the DLNR Offices on Kauai, Hawaii, 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. If you have any questions, call Ian Hirokawa at 587-0420.

<b>SHORELINE - Certifications and Rejections</b>				
<b>File No.</b>	<b>Proposed/Rejected</b>	<b>Location</b>	<b>Applicant/Owner</b>	<b>TMK</b>
OA-1390	Proposed Shoreline Certification	Lots 8 and 8-A Section A, "Waiialae Beach Lots" being a portion of R.P. 4475, L.C. Aw. 7713 Ap. 50 to V. Kamamalu situate at Waiialae-nui, Honolulu, Oahu Address: 4727 A Kahala Avenue Purpose: Development of property	Dennis K. Hashimoto/ Barry Securities LLC	3-5-06:19
OA-1408	Proposed Shoreline Certification	A Portion of U.S. Naval Reservation, Portion of Parcel 1 of Civil No. 464 situate at Waiawa, Ewa, Oahu Address: Pearl Harbor Purpose: Designation of drainage easement in favor of the City and County of Honolulu	ControlPoint Surveying, Inc./ U.S. Department of the Navy	9-6-01:01
OA-1414	Proposed Shoreline Certification	Lot 38 of Block "A" Land Court Application 1596, Map 1 situate at Wailupe, Waikiki, Honolulu, Oahu Address: 146 Wailupe Circle Purpose: Repair of seawall	Dennis K. Hashimoto/ Kahn, Family Trust	3-6-01:38

The shoreline notices above have been proposed for certification or rejection by DLNR (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. The appeal shall be sent to the Board of Land and Natural Resource, 1151 Punchbowl Street, Room 220, Honolulu, HI 96813.

<b>POLLUTION CONTROL PERMITS</b>				
<b>Branch Permit Type</b>	<b>Applicant and Permit Number</b>	<b>Project Location</b>	<b>Date</b>	<b>Proposed Use</b>
Clean Air Branch, 586-4200, Non-Covered Source Permit	ShredCo, LLC Application Modification No. 0698-03 NSP No. 0698-01-NT	Various Temporary Sites, State of Hawaii	Issued: 2/25/11	One (1) 90 cubic yds/hr Tub Grinder with One (1) 360 hp Diesel Engine & One (1) 50 TPH Horizontal Grinder with One (1) 525 hp Diesel Engine
Clean Air Branch, 586-4200, Covered Source Permit	Hakuyosha International, Inc. Application for a Significant Modification No. 0564-03 CSP No. 0564-01-C	730 Sheridan Street, Honolulu, Oahu	Issued: 3/4/11	Petroleum Solvent Dry Cleaning Equipment
Clean Air Branch, 586-4200, Non-Covered Source Permit	Big Island Carbon, LLC Application for Modification No. 0641-02 NSP 0641-01-N	61-3277 Maluokalani Street Kawaihae, Hi	Issued 3/7/11	470 lbs/hour Activated Carbon Facility UTM: Zone 5; 203,440 m E; 2,219,308 m N

Above are some pollution control permits before the State Department of Health (HRS 342B and HAR §11-60.1). For more information, contact the number given.

**FEDERAL NOTICES**

**Public Information Meeting, Waiehu Beach Road, Rehabilitation of Iao Stream Bridge, Maui**

Notice is hereby given that the State Department of Transportation (SDOT) will conduct a Public Information Meeting regarding the draft environmental assessment for the Waiehu Beach Road, rehabilitation of Iao Stream Bridge Project Federal Aid Project No. FAP BR-STP-3400(5) as follows: Date: Wednesday, **March 23, 2011** Time: 6:00 pm to 8:00 pm Location: Queen Liliuokalani Children's Center Lanai 1791 Wili Pa Loop, Wailuku, HI. SDOT will conduct a public information meeting to apprise the public about the project and to present a summary of findings on the Draft Environmental Assessment (DEA). Notice of the DEA was published in the February 23, 2011 edition of the Office of Environmental Quality Control's The Environmental Notice. The DEA was prepared pursuant to HRS 343, and HAR 11-200. Original written comments on the DEA may be mailed (postmarked) or faxed by March 24, 2011 to: Department of Transportation, Highways Division 601 Kamokila Boulevard, Room 609 Kapolei, HI 96707 Fax: 692-7590 Attention: Ms. Li Nah Okita. Please send copies of your comments to: Wilson Okamoto Corporation 1907 South Beretania Street, Suite 400 Honolulu, Hawaii 96826 Fax: 946-2253 Attention: Mr. Earl Matsukawa, AICP. This meeting is also being held to allow for consultation pursuant to Section 106 of the National Historic Preservation Act of 1966 as amended. Representatives from the SDOT and project design team will be available to answer questions about the project. For more information regarding the meeting, please call Ms. Li Nah Okita of SDOT at (808) 692-7581. Any person requiring special accessibility or communication accommodations, may contact Ms. Okita by Wednesday, March 16, 2011.



**Draft Environmental Impact Statement for the Proposed Honolulu Seawater Air Conditioning Project, Honolulu**

Honolulu Seawater Air Conditioning, LLC (applicant) proposes to construct a seawater air conditioning system in downtown Honolulu. The system would consist of: (1) a 63-inch diameter seawater intake pipe extending approximately four to five miles offshore from Kakaako to a depth of approximately 1,600 to 1,800 feet; (2) a 54-inch seawater return pipe extending approximately 3,500 feet offshore from Kakaako to a depth of 150 feet; (3) a pump station containing pumps, heat exchangers and auxiliary chillers in the Makai District of the Kakaako Community Development District; and (4) a network of chilled water distribution pipes from the pump station to customer buildings in the downtown area. A staging area for pipe assembly is proposed for an area along the western shore of Sand Island and in the adjoining channel in Keehi Lagoon. This draft environmental impact statement (DEIS) is being prepared to inform a decision by the U.S. Army Corps of Engineers (USACE) on an application for a Department of the Army (DA) permit under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Accordingly, the scope of this DEIS is limited to addressing the impacts associated with the seawater intake and return pipes, which are the specific project components requiring the DA permit. The proposed shoreside improvements and upland infrastructure are briefly described to provide an overview of the project, but their impacts to terrestrial environmental resources are not a focus of this document. Environmental resources potentially affected by the action include marine biota and habitat; water quality; navigation and other uses; noise; and air quality.

USACE invites participation in the EIS process of federal, state and local agencies; Hawaiian organizations, individuals and practitioners; and other interested private organizations and parties. A CD copy of the document may be obtained by contacting Peter Galloway in writing at the mailing address or e-mail address provided below. In addition, a hard copy of the DEIS may be viewed at the Hawaii State Library (Hawaii & Pacific Section), 478 South King Street, Honolulu, Hawaii 96813. Written comments must be received on or before **May 2, 2011**. Comments may be mailed to: Peter C. Galloway, Regulatory Project Manager; U.S. Army Corps of Engineers, Honolulu District; Regulatory Branch (CEPOH-EC-R); Building 230; Fort Shafter, HI 96858-5440. Comments may also be submitted via e-mail to [honoluluswac@usace.army.mil](mailto:honoluluswac@usace.army.mil). For further information contact Peter Galloway at (808) 438-8416, or via e-mail at [peter.c.galloway@usace.army.mil](mailto:peter.c.galloway@usace.army.mil)

## **GLOSSARY**

### **Agency Actions**

Any department, office, board, or commission of the state or county government which is part of the executive branch of that government per [HRS §343-2](#).

### **Applicant Actions**

Any person who, pursuant to statute, ordinance, or rule, requests approval for a proposed action per [HRS §343-2](#).

### **Draft Environmental Assessment**

When an Agency or Applicant proposes an action that [triggers](#) HRS 343, an Environmental Assessment shall be prepared at the earliest practicable time to determine whether an environmental impact statement shall be required per [HRS §343-5\(b\)](#), for Agency actions and [HRS §343-5\(c\)](#), for Applicant actions. For environmental assessments for which a Finding of No Significant Impact is anticipated, 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 per (HRS §343-3), also known as The Environmental Notice.

### **Final Environmental Assessment and Finding of No Significant Impact**

The Agency shall respond in writing to comments received during the review and prepare a Final EA (FEA) to determine whether an environmental impact statement shall be required. The FEA must respond to all public comments. If there are no significant impacts, then the Agency will issue a Finding of No Significant Impact (FONSI). An Environmental Impact Statement will not be required and the project may then be implemented. The public has 30 days from the notice of a FONSI in this bulletin to ask a court to require the preparation of an EIS.

### **Final Environmental Assessment and Environmental Impact Statement Preparation Notice**

An EIS shall be required if the Agency finds that the proposed action may have a significant effect on the environment. The Agency shall file notice of such determination with OEQC, called an EIS Preparation Notice (EISPN). After the notice of the 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.

### **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. For an Agency project, the Governor or the Mayor (or their designated representative) is the Accepting Authority. 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, the Approving Agency must make a determination on acceptance within 30 days of receipt of the FEIS or the FEIS is deemed accepted. For Applicant actions, the law provides for an administrative appeal of a non-acceptance to the Environmental Council.

### **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. Notice 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 Hawaii shorelines be surveyed and certified when necessary to clearly establish the shoreline setback from the certified shoreline. The public may participate in the process to help assure accurate regulatory boundaries. Private land owners often petition to have their shoreline certified by the State surveyor prior to construction. This bulletin publishes notice from the Department of Land and Natural Resources of shoreline certification applicants and final certifications or rejections.

### **Environmental Council**

The [Environmental Council](#) is a 15-member citizen board appointed by the Governor. They serve as a liaison between the Director of OEQC and the general public concerning ecology and environmental quality. The Council makes the rules that govern the Environmental Impact Statement process (HRS 343). [Agendas](#) of their regular meetings are posted on the Internet and the public is invited to attend.

### **Exemption Lists**

Government agencies must keep a list describing the minor activities they regularly perform that are [exempt](#) from the environmental review process. These lists and any amendments shall be submitted to the Council for review and concurrence ([HAR §11-200-8\(d\)](#)). This bulletin will publish an agency's draft exemption list for public comment prior to Council decision making, as well as notice of the Council's decision on the list.

### **Endangered Species**

This bulletin is required by [HRS §343-3\(c\)](#), to publish notice of public comment periods or public hearings for Habitat Conservation Plans (HCP), Safe Harbor Agreements (SHA), or Incidental Take Licenses (ITL) under the federal Endangered Species Act, as well as availability for public inspection of a proposed HCP or SHA, or a proposed ITL (as a part of an HCP or SHA).