

THE ENVIRONMENTAL NOTICE

A semi-monthly periodic bulletin published by the Office of Environmental Quality Control pursuant to Section 343-3, Hawai'i Revised Statutes
April 8, 2011

CORRECTION

Olowalu Town Master Plan Draft EIS – In the March 8, 2012 issue of The Environmental Notice, page 4, OEQC incorrectly listed the 45-day comments due date for the Olowalu Town Master Plan Draft EIS as Saturday, April 21, 2012. **The correct comment deadline date for this project is Monday, April 23, 2012.**

HAWAI'I (HRS 343)

- 1. ICSD Waiakea Radio Facility - Construction of a New Radio Facility DEA-AFONSI.....2

MAUI (HRS 343)

- 2. Kahekili Highway Repair Project DEA-AFONSI 2

LANAI (HRS 343)

- 3. Lanai Airport Runway Safety Improvements DEA-AFONSI.....3

O'AHU (HRS 343)

- 4. International Market Place Revitalization Project DEIS (Appendices 1-5) (Appendices 6-15) 4
- 5. Kualoa Regional Park Wastewater Improvements DEA-AFONSI 4
- 6. ICSD Mt. Ka'ala Radio Facility Improvements Project FEA-FONSI 5

KAUAI (HRS 343)

- 7. Kalaheo Water System Improvements DEA-AFONSI 6

STATEWIDE (HRS 343)

- 8. Coral Reef Ecosystem Division DEA-AFONSI 6
- 9. Marine Turtle Research Program DEA-AFONSI 7

SHORELINE NOTICES

- Certification Applications 8
- Certifications and Rejections 8

POLLUTION CONTROL PERMITS 9

COASTAL ZONE MANAGEMENT NOTICES

- Special Management Area Minor Permits 9

Glossary 10

Note: If you get a message saying that the file is damaged when you click on the link, then the file is too big to open within your web browser. To view the file, download directly to your hard drive by going to File and select Save As in your web browser.

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 8th and 23rd 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.



Neil Abercrombie, Governor · Gary Hooser, Director · Office of Environmental Quality Control · 235 South Beretania Street, Suite 702 · Honolulu, HI 96813
Tel: 586-4185 · Fax: 586-4186 · Email: oeqc@doh.hawaii.gov
Website: <http://Hawaii.gov/health/environmental/oeqc/index.html/>
Toll Free: Kaua'i: 274-3141 ext. 64185 · Maui: 984-2400 ext. 64185 · Moloka'i/Lāna'i: 1-800-468-4644 ext. 64185
Hawai'i: 974-4000 ext. 64185



Consultant: Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, Hawai'i 96793. Contact: Mark and Alexander Roy, AICP, Program Manager (808) 244-2015
Status: Statutory 30-day public review and comment period starts; comments are due on May 8, 2012. Send comments to the Proposing Agency and Consultant

The County of Maui, Department of Public Works proposes to conduct roadway repairs to a section of Kahekili Highway between Mile Markers 15 and 16 in Kahakuloa, Maui, Hawai'i. Kahekili Highway runs along Maui's northwest coast, providing access from Wailuku-Waihe'e area to West Maui. The proposed project consists of recompacting and repaving eroded asphalt concrete along pavement areas, constructing a slope tie-back system along the makai areas of the roadway where the pavement is showing visible signs of cracking, paving turnout areas, and asphalt resurfacing of the entire roadway segment area. The proposed repair work will be confined within the existing 50-foot right-of way of Kahekili Highway and will improve the structure and stability of this section of the roadway. The section of Kahekili Highway between Mile Markers 15 and 16 is in need of immediate repairs to maintain the roadway for public access between Kahakuloa and Kapalua in West Maui. Sections of the road have been worn down due to repeated use, with numerous cracks and fissures within the asphalt.

LANA'I

3. Lana'i Airport Runway Safety Improvements DEA-AFONSI

Island: Lāna'i
District: Lāna'i
TMK: 2-4-9-002: Parcel 041
Permits: NHPA-Section 106 Consultation; ESA-Section 7 Consultation; Coastal Zone Management Federal Consistency Review; National Pollutant Discharge Elimination System, Notice of Intent (NOI) Form C – Construction Storm Water Permit



Proposing/Determination

Agency: State of Hawai'i, Department of Transportation – Airports Division, 400 Rodgers Boulevard, 7th Floor. Honolulu, HI 96819-1880. Contact: Evan Kimoto, Project Manager (808) 838-8803
Consultant: R.M. Towill Corporation. 2024 N. King Street, Suite 200 Honolulu, HI 96819. Contact: Brian Takeda, Project Coordinator (808) 842-1133.
Status: Statutory 30-day public review and comment period starts; comments are due on May 8, 2012. Send comments to the Proposing Agency and Consultant

The State Department of Transportation, Airports Division (HDOT), proposes to construct runway improvements at the Lāna'i airport. The purpose of the proposed project is to place fill material in the runway safety area (RSA) at the south end of the existing runway to comply with the Federal Aviation Administration (FAA) airport safety design requirements.

The project will involve placing fill material at the runway safety area located at the south end of the runway to re-work the existing grade to meet airport safety design requirements. The fill material will be acquired through grading and excavation of the approximately 250 acres of airport property surrounding the airfield. Approximately 1 million cubic yards of soil will be needed to fill a roughly 31.2-acre area that includes the runway safety area and adjacent areas to acceptable slope.

Approximately 900 feet of new perimeter fence will be erected to encompass the improved runway safety area. Related improvements include relocation of existing navigational aids, a drainage culvert and fencing out of the RSA.

O'AHU (HRS 343)

4. International Market Place Revitalization Project DEIS (Appendices 1 - 5) (Appendices 6 - 15)

- Island:** O'ahu
District: Honolulu
TMK: 2-6-22: 36, 37, 38, 39 and 43
Permits: Waikiki Special District Permit (Major), Conditional Use Permit (Minor) for Joint Development, Surface Encroachment Variance, Sidewalk Variance, Subdivision for Pedestrian Easement, Trenching Permit, Grading Permit, Drain Connection, Sewer Connection, Flood Study, Street Usage, Sign Master Plan, National Pollutant Discharge Elimination Permit, Construction Noise Permit, Industrial Wastewater Discharge, Construction Plan Approval and Building Permits.
- Applicant:** TRG IMP, LLC., 200 East Long Lake Road, Suite 300 Bloomfield Hills, MI 48304-2324. Contact Terry Fitzgerald (248) 258-7531
- Approving Agency:** Department of Planning and Permitting, 650 South King Street. Honolulu, Hawai'i 96813. Contact: Joyce Shoji, (808) 768-8032
- Consultant:** Kusao & Kurahashi, Inc. 2752 Woodlawn Drive, Suite 5-202. Honolulu, Hawai'i 96822. Contact: Keith Kurahashi, (808) 988-2231
- Status:** Statutory 30-day public review and comment period starts; comments are due on May 8, 2012. Send comments to the Applicant, Consultant and Approving Agency



The International Market Place Revitalization Project (Project) includes the demolition of all buildings and structures on the project site (about 499,000 square feet of commercial space) and construction of a new retail, dining and entertainment center (about 390,000 square feet of commercial space). The 5.982-acre project site fronts Kalākaua and Kuhio Avenues and is mid-block between Kaiulani and Seaside Avenues in Waikiki. It contains the International Market Place (IMP), Waikiki Town Center and the Miramar at Waikiki hotel (Miramar).

The redeveloped commercial center will be generally three levels in height, however, the portion fronting Kuhio Avenue will have a seven-story structure consisting of two levels of retail on the 'Ewa side and three levels of retail on the Diamond Head side with five levels of parking above (the existing parking structures serving the IMP, Waikiki Town Center and Miramar are located on this portion of the site).

The Project is not anticipated to have a significant direct, indirect, secondary or cumulative impact on the surrounding area in terms of public services and the environment primarily because of the proposed net reduction in the total floor area for the combined properties.

5. Kualoa Regional Park Wastewater System Improvements DEA-AFONSI

- Island:** O'ahu
District: Ko'olaupoko
TMK: 1-4-9-04:01
Permits: Building Permits (Demolition, Buildings, Electrical, Plumbing); Grading, Grubbing, Trenching and Stockpiling Permits; Approval of the wastewater system from the State of Hawai'i, Department of Health; Special Management Area Major Use Permit

Proposing/Determination

- Agency:** City and County of Honolulu, Department of Design and Construction, 650 S. King Street, 11th Floor, Honolulu, HI 96813. Contact: Lori M.K. Kahikina, P.E., (808) 768-8480

- Consultant:** Group 70 International, Inc. Address 925 Bethel Street, 5th Floor, Honolulu, HI 96813. Contact Jeff Overton, (808) 523-5866



Status: Statutory 30-day public review and comment period starts; comments are due on May 8, 2012. Send comments to the Proposing/Determination Agency and the Consultant

The wastewater systems serving the Kualoa Regional Park comfort stations do not meet current State of Hawai'i, Department of Health (DOH) requirements. The wastewater systems for each comfort station have aged and cannot operate as originally designed. Therefore, they require pumping two to three times a week, with greater frequency during peak park usage. In addition, the shoreline has eroded significantly at Comfort Station #3, forcing its closure.

The City is mandated to make improvements under a DOH settlement agreement. The proposed project involves replacing the existing wastewater systems with new collection lines, pump stations, force mains, and a centralized treatment and disposal system. This will directly improve the current 'septic' wastewater system to an aerobic system that produces higher-quality effluent.

The project site has been previously disturbed through farming, military uses, sand mining, and park facility construction. Construction for this project will take place in areas previously disturbed, and is not anticipated to generate substantial cumulative impacts. Overall, the project's secondary impact would be a beneficial effect on the public health and environment, and allow for continued public enjoyment of the park.

6. ICSD Mt. Ka'ala Radio Facility Improvements Project FEA-FONSI

Island: O'ahu
District: Waialua
TMK: (1) 7-07-001: portions of 001; 6-07-003 portions of 023 and 025

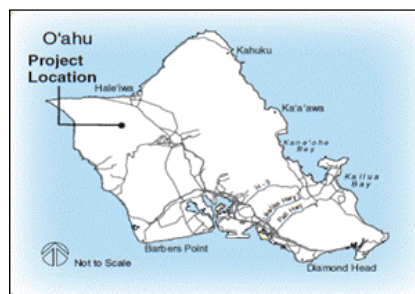
Permits: Conservation District Use Permit; Natural Area Reserves Special Use Permit; NPDES Permit (Construction Activities) and Construction Noise Permit.

Proposing/ Determination

Agency: Division of Public Works, Project Management Branch State of Hawai'i. 1151 Punchbowl Street, Room 427 Honolulu, Hawai'i 96813. Contact: Mr. Daniel Jandoc, (808) 586-0476

Consultant: Helber Hastert & Fee, Planners 733 Bishop Street, Suite 2590 Honolulu, Hawai'i 96813. Contact: Ronald A. Sato, AICP, Senior Planner (808) 545-2055

Status: Finding of No Significant Impact determination



The State of Hawai'i, Department of Accounting and General Services, Information and Communication Services Division (ICSD) is proposing to implement repair and renovation improvements to their existing telecommunications building, a tower, a downhill antenna site along with conduit lines serving it, and other accessory electrical improvements located on Mt. Ka'ala. The State's radio facility is 1,161 square feet in size and located within the larger 6.6-acre Mt. Ka'ala Air Force Station (AFS) situated at the summit of Mt. Ka'ala. The State also has a microwave antenna site located downhill off Kamaohanui Ridge connected to the radio facility by an above-ground conduit line.

The objective for the project is to support the State ICSD's efforts to provide efficient and effective telecommunication services to all agencies in the State of Hawai'i needed for public safety, emergency services, disaster response, and essential government operations. The project is not expected to have significant direct, indirect, secondary or cumulative impacts on the environment. Project effects are primarily associated with temporary constructed related activities, and best management practices would be implemented to mitigate effects.

KAUA'I

7. Kalāheo Water System Improvements DEA-AFONSI

Island: Kaua'i
District: Kalaheo
TMK: 2-4-03: 7, 2-4-09: 3, and 2-4-04: 39 & 49; and Pu'uwai Road, Po'ohiwi Road, and Kikala Road
Permits: State of Hawai'i, Conservation District Use Permit, Water Use Permit, Well Construction & Pump Installation Permits, NPDES Permit, County of Kaua'i, Class IV Zoning Permit, Use Permit, Building Permit, Grading Permit, Water Pipeline Installation

Proposing/Determination

Agency: Department of Water, County of Kaua'i P.O. Box 1706 Līhu'e, Hawai'i 96766. Contact: Mr. David Craddick, P.E. (808) 245-5408

Consultant: Belt Collins Hawai'i LLC 2153 North King Street, Suite 200 Honolulu, Hawai'i Contact: Mr. Glen Koyama (808) 521-5361

Status: Statutory 30-day public review and comment period starts; comments are due on May 8, 2012. Send comments to the Applicant, Consultant and Approving Agency



The Department of Water (DOW), County of Kauai, is proposing to upgrade its aging water system in upland Kalāheo, Kaua'i to meet Maximum Day Demand storage capacity and fire flow requirements for current and future demand in the Kalāheo- Lāwa'i- 'Ōma'ō Water Service Area. Proposed improvements include replacing two existing water tanks with two new 0.5 million gallon tanks and constructing a new production well, 12,500 linear foot transmission main, modified booster pump station, upgraded booster pumps, and relocated existing pressure reducing valve stations. The project area is located approximately 1.2 miles upland (north) of Kaumuali'i Highway on Pu'uwai Road, Po'ohiwi Road, and Kikala Road.

The improvements will occur primarily on existing DOW properties and County road rights-of-way which are occupied by existing public facilities. One of the properties was recently acquired by DOW and will require removal of an abandoned dwelling. Installation of the transmission main will occur within the road rights-of-way but traffic control measures will be employed to assure continual vehicular passage through the construction area.

Statewide (HRS 343)

8. Coral Reef Ecosystem Division DEA-AFONSI

Island: Statewide
Permits: Special Activity Permit
Applicant: National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Pacific Islands Fisheries Science Center, 1601 Kapi'olani Blvd, Suite 1110; Honolulu, HI 96822; Contact: Dr. Russell E. Brainard, 808-944-2115

Approving Agency: Department of Land and Natural Resources, P.O. Box 621; Honolulu, HI 96809; Mr. William J. Aila, Jr. Chairperson; 808-587-0400

Consultant: Division of Aquatic Resources; Department of Land and Natural Resources; State of Hawai'i; 1151 Punchbowl Street, Room 330; Honolulu, HI 96813; Mr. Alton Miyasaka, 587-0092

Status: Statutory 30-day public review and comment period starts; comments are due on May 8, 2012. Send comments to the Applicant, Consultant and Approving Agency

The positive environmental consequences of the implementation of the preferred alternative include increased understanding of the science of fragile coral reefs and their ecosystems that will aid in management of these important resources. Negative consequences, if any, are expected to be minimal with temporary impacts associated with field research (e.g., sample collection) and monitoring programs (e.g., installation of long-term markers).

The cumulative negative impacts are expected to be minimal and not significant. In all cases, activities conducted by the CRED program are noninvasive, do not involve manipulations of the environment, and only have temporary minor impacts while conducting the work (e.g., diver presence temporarily affects behavior of fishes) that disappear once divers leave the water.

The CRED program is intended to conduct assessment and ecological research that will support management actions by others to protect sensitive coral reef ecosystems from damage. The included activities have, at most, minor and temporary negative effects to the environment, and the data collected may be used by others to present conclusions and recommendations for management actions.

9. Marine Turtle Research Program DEA-AFONSI

Island: Statewide

Permits: Special Activity Permit

Applicant: Marine Turtle Research Program; National Marine Fisheries Service, Pacific Islands Fisheries Science Center; 2570 Dole Street; Honolulu, HI 96822. Contact: Mr. George Balazs (808) 983-5733

Approving

Agency: Department of Land and Natural Resources, Division of Aquatic Resources; 1151 Punchbowl Street, Rm 330; Honolulu, HI 96813. Contact: Mr. William J. Aila, Jr. Chairperson (808) 587-0400

Consultant: Division of Aquatic resource; Department of Land and Natural Resource; State of Hawai'i; 1151 Punchbowl Street, Room 330; Honolulu, HI 96813. Contact: Mr. Alton Miyasaka (808) 587-0094

Status: Thirty-day public comment period ending May 08, 2012. Send original letter to proposing agency, with copies to the consultant and OEQC.

The Marine Turtle Research Program (MTRP) is a federal protected species management agency under the US Department of Commerce and proposes to continue the current research program that has been implemented over the last 38 years in the Pacific Islands Region. The green, hawksbill, loggerhead, leatherback, and olive ridely sea turtles are all listed under section 4© of the Endangered Species Act of 1972 (16 U.S.C. 1531, et. seq.). Under the Proposed Action, the MTRP proposes to continue its longstanding research activities with the addition (i.e. expansion) of new studies of the site fidelity of marine turtles to foraging grounds. The research activities include collection biological and ecological data on marine turtle stocks in the Hawaiian Archipelago, providing technical assistance to and collaborating with the marine turtle researchers across the Pacific Islands Region, and contributing to specific literature through publications relevant to recovery of these stocks. The MTRP also includes responding to and aiding stranded turtles. The potential impacts on the human environment of the Proposed Action, and a range of reasonable alternatives, are discussed and analyzed in this PEA. The direct and indirect impacts of invasive species resulting from the proposed action and alternatives are negligible. The long-term cumulative impacts have been a documented steady increase in the green sea turtle population in the Hawaiian Archipelago.

SHORELINE NOTICES

Certification Applications

The shoreline certification applications above are available for review at the DLNR 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 587-0420.

File No.	Date	Location	Applicant/Owner	TMK
OA-1485	3/20/12	Lot 56 of Map 5 Land Court Application 1052 situate at Makaha, Wai'anae, O'ahu Address: 84-917 Farrington Highway Purpose: Building setback lines	Gil P. Bumanglag/ Richard L. and Juliette I. Hunter	8-4-005:001
OA-1486	3/23/12	Lot 16 Kawaihoa Beach Lots, Section C situate at Kawaihoa, Waialua, O'ahu Address: 61-431 Kamehameha Highway Purpose: Building permit	Walter P. Thompson, Inc./ David Fisher	6-1-008:007
OA-1487	3/27/12	Portion of L.P. Grant 8175 to George H. Angus, Trustee for Donald Angus and Portion of Lot 3 of the "Pupukea-Paumalu Beach Lots" situate at Pupukea-Paumalu, Ko'olauloa, O'ahu Address: 59-625 A Ke Ike Road Purpose: Building permit	Park Engineering/ Carol A. Nakasone	5-9-003:062
MA-506	3/21/12	Lot 28 of the Waiohuli-Keokea Beach Lots Subdivision, 2nd Series situate at Waiohuli-Keokea, Kula (Kihei), Maui Address: 1576 Halama Street Purpose: N/A	Akamai Land Surveying, Inc./ Wesley J. and Diane M. Hickey	3-9-010:006
KA-361	3/15/12	Lot 2-C as shown on Map 10 of Land Court Application 956 situate at Koloa, Kona, Kaua'i Address: 2179 Ho'one Road Purpose: Determination of setback	Honua Engineering, Inc./ James Carl Hoselton	2-8-017:005

Certifications and Rejections

The shoreline notices below 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. Send the appeal to the Board of Land and Natural Resource, 1151 Punchbowl Street, Room 220, Honolulu, HI 96813.

File No.	Date	Location	Applicant/Owner	TMK
MA-499	Proposed Shoreline Certification	Lot 2-B of Land Court Application 1846 (Map 1) being a portion of Grant 234 to Linton L. Torbert and William Wilcox situate at Papa'anui, Honua'ula, Makawao, Maui Address: 0 Makena Road Purpose: SMA Permit	Akamai Land Surveying, Inc./ ATC Makena Holdings—Agent	
MA-500	Proposed Shoreline Certification	Portion of Royal Patent Grant 223 to Linton L. Torbert situate at Papa'anui, Honua'ula, Makawao, Maui Address: 0 Makena Road Purpose: SMA Permit	Akamai Land Surveying, Inc./ ATC Makena Holdings—Agent	
MO-157	Proposed Shoreline Certification	Kaunakakai Place and Lot 230, Land Court Application 632 (Map 14) being a portion of Governor's Executive Order No. 1673 and 2615 situate at Kaunakakai, Moloka'i Address: 295 Kaunakakai Place Purpose: Determine shoreline setback	R.T. Tanaka Engineers, Inc./ State of Hawai'i	

POLLUTION CONTROL PERMITS

Below is a pollution control permit before the State Department of Health (HRS 342B and HAR 11-60.1). For more information, contact the number given.

Branch Permit Type	Applicant and Permit Number	Project Location	Date	Proposed Use
Clean Air Branch, 586-4200, Covered Source Permit	Chevron Products Company CSP No. 0079-01-C Renewal Application No. 0079-04	Located at: 666 Kalaniana'ole Avenue, Hilo, Hawai'i	Comments Due: 4/20/2012	Hilo Marketing Terminal
Clean Air Branch, 586-4200, Covered Source Permit	Hawaiian Commercial & Sugar (HC&S) Company CSP No. 0054-01-C Revised Application No. 0054-05	Located at: Pu'unene, Maui	Comments Due: 4/23/2012	Two (2) 212 MMBtu/hr Biomass/Oil/Coal Boilers with Multicyclone and Venturi Wet Scrubber System, and One (1) 20,000 lb/hr Rotary Sugar Dryer with Wet Scrubber
Clean Air Branch, 586-4200, Non-Covered Source Permit	Powerscreen of California NSP No. 0763-01-NT Application for Initial Permit No. 0763-01	Located at: Various Temporary Sites, State of Hawaii Off 95-109 Waikalani Drive, O'ahu for Storage	Issue Date: 3/23/2012	551 TPH Mobile Screen
Clean Air Branch, 586-4200, Non-Covered Source Permit	Powerscreen of California NSP No. 0756-01-NT Application for Initial Permit No. 0756-01	Located at: Various Temporary Sites, State of Hawaii Off 95-109 Waikalani Drive, O'ahu for Storage	Issue Date: 3/23/2012	551 TPH Mobile Screen
Clean Air Branch, 586-4200, Non-Covered Source Permit	Y. Hata & Co., Ltd. NSP No. 0764-01-N	Located at: 285 Sand Island Access Road, Honolulu, O'ahu	Issue Date: 3/23/2012	Forty (40) Foot Refrigeration Cargo Container Fumigation with Fumigant Degassing System

COASTAL ZONE MANAGEMENT NOTICES

Special Management Area (SMA) Minor Permits

The SMA Minor permits below have been approved or are pending approval (HRS 205A-30). For more information, contact the county/state Planning Department. Honolulu (523-4131); Hawai'i (961-8288); Kaua'i (241-6677); Maui (270-7735); Kaka'ako or Kalaeloa Community Development District (587-2840).

Location (TMK)	Description (File No.)	Applicant/Agent
Maui: (3-6-008: 002)	Install Visual/Wind Shield (SM2 20120025)	Maui Ocean Center
Maui: Lahaina (4-4-008: 005)	Temporary Tent (SM2 20120026)	Maui Rents
Maui: Lahaina (4-3-006: 011)	Re-face Existing Sewall (SM2 20120027)	Kulakane AOA
Maui: Kahulu (3-8-079: 020)	Subdivision Property into Six Parcels (SM2 20120028)	Arlene Lindsey
Maui: Kahului (3-7-011: 019)	Demolition of Urea Tank Farm (SM2 20120030)	A & B Properties, Inc.
Maui: Wailuku (3-6-001: 035)	Install Wind Turbine (SM2 20120031)	Todd Masciullo
O'ahu: Kailua (4-2-014: portion 004)	Utility Installation Type B Expansion (2012/SMA-2)	New Cingular Wireless PCS, LLC (dba AT&T)

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. 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 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).