



# The Environmental Notice

August 8, 2018

David Y. Ige, Governor  
Scott Glenn, Director

This periodic bulletin 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.



Pondering how to cope with a rising sea level

Photo courtesy of [UH Sea Grant King Tides Project](#)

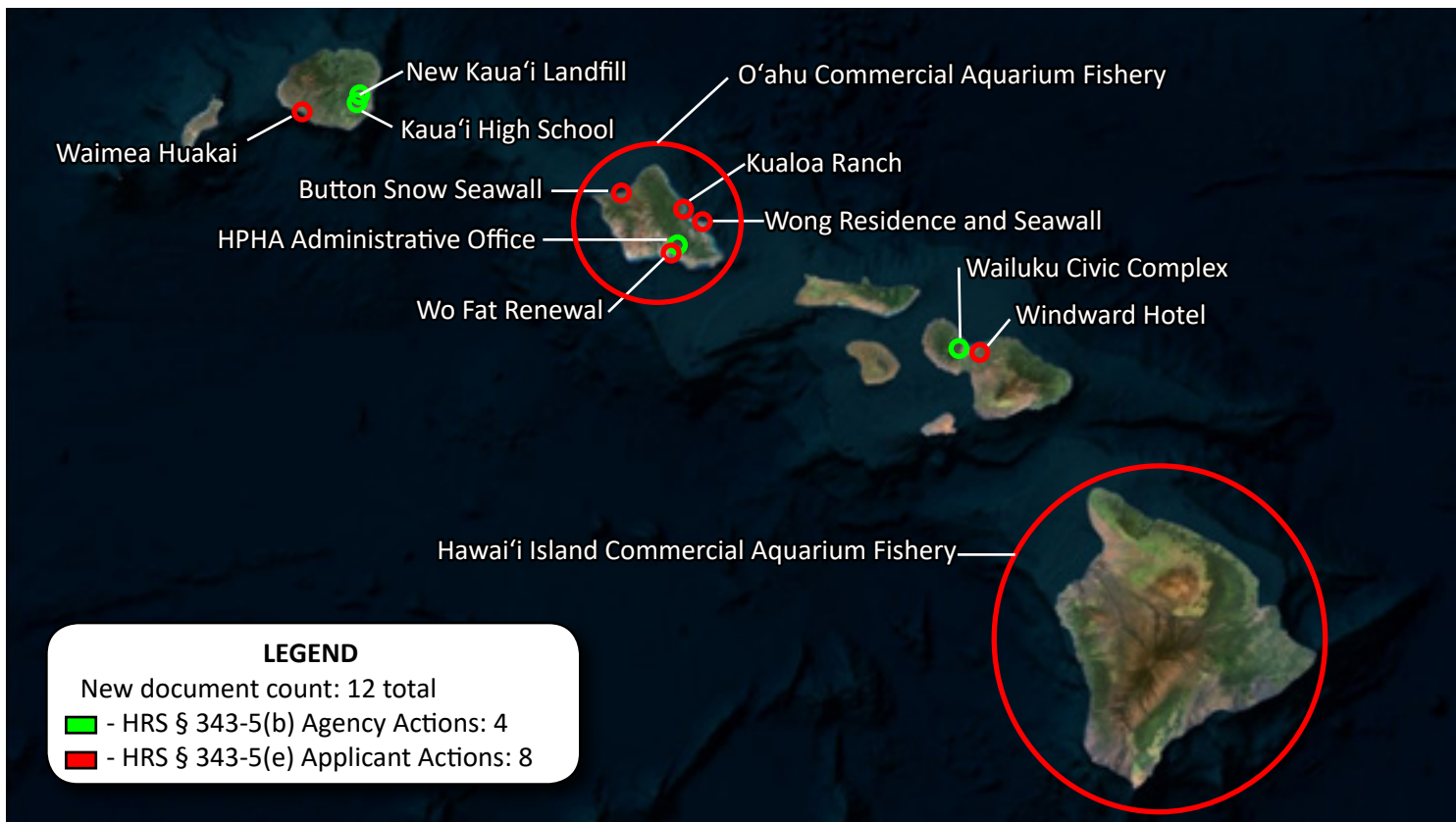
## TABLE OF CONTENTS

<b>ANNOUNCEMENTS</b> .....	2	<a href="#">Wong Residence and Seawall--Final EA (FONSI)</a> .....	7
<b>STATEWIDE MAP OF NEW HRS CHAPTER 343 ACTIONS</b> .....	2	<b>KAUA'I</b>	
<b>HAWAI'I</b>		<a href="#">New Kaua'i Landfill--Final EIS</a> and Appendices <a href="#">1</a> , <a href="#">2</a> and <a href="#">3</a> .....	7
<a href="#">Issuance of Commercial Aquarium Permits for the Island of Hawai'i--Final EA (EISPN)</a> .....	3	<a href="#">Kaua'i High School New Gymnasium--Draft EA (AFNSI)</a> .....	8
<b>MAUI</b>		<a href="#">Waimea Huakai--Draft EA (AFNSI)</a> .....	8
<a href="#">Windward Hotel--Draft EA (AFNSI)</a> .....	3	<b>PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT</b> .....	8
<a href="#">Wailuku Civic Complex--Draft EA (AFNSI)</a> .....	4	<b>EXEMPTION DECLARATIONS</b> .....	9
<b>O'AHU</b>		<b>SHORELINE NOTICES</b>	
<a href="#">Issuance of Commercial Aquarium Permits for the Island of O'ahu--Final EA (EISPN)</a> .....	4	Applications for Shoreline Certification .....	9
<a href="#">Hawai'i Public Housing Authority Administrative Offices Redevelopment--(Acceptance of Final EIS)</a> .....	5	Proposed Shoreline Certifications and Rejections .....	9
<a href="#">Button Snow Seawall Reconstruction--Draft EA (AFNSI)</a> .....	5	<b>COASTAL ZONE MANAGEMENT NOTICES</b>	
<a href="#">Wo Fat Renewal--Draft EA (AFNSI)</a> .....	6	Federal Consistency Reviews .....	10
<a href="#">Kualoa Ranch Improvements--Final EA (FONSI)</a> .....	6	Special Management Area (SMA) Minor Permits .....	10
		<b>NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) ACTIONS</b> .....	11
		<b>FEDERAL NOTICES</b> .....	11
		<b>GLOSSARY OF TERMS AND DEFINITIONS</b> .....	12

## ANNOUNCEMENTS


- The OEQC proudly announces the hiring of our new secretary, Sheri McNeil; be sure to stop by and say hello!
- The Environmental Council continues their deliberations on the submitted comments related to the proposed amendments to Hawai'i Administrative Rules Chapter 11-200. The [Rules Update page](#) of [our website](#) will be updated with their progress.
- The next round of peak King Tides occur August 9 & 10; visit [UH Sea Grant's King Tides website](#) to learn how you, as a citizen-scientist who has fished, surfed, swam, paddled, and lived along our coastlines, can get involved in the collective efforts to adapt and be resilient to sea-level rise. Today's King Tides will be the normal sea level in the not-too-distant future.

## STATEWIDE MAP OF NEW HRS CHAPTER 343 ACTIONS



## HAWAI'I


### Issuance of Commercial Aquarium Permits for the Island of Hawai'i--Final EA (EISPN)

<b>HRS §343-5(a) Trigger</b>	(1) Propose the use of state or county lands or the use of state or county funds (2) Propose any use within any land classified as a conservation district	
<b>District(s)</b>	Hawai'i-multiple	
<b>TMK(s)</b>	N/A	
<b>Permit(s)</b>	Aquarium Fishing Permits issued pursuant to HRS §188-31, Commercial Marine License issued pursuant to HRS 189-2,3, West Hawai'i Aquarium Permit issued pursuant to HAR 13.60.4	
<b>Approving Agency</b>	Department of Land and Natural Resources, State of Hawai'i David Sakoda, (808) 587-0104, <a href="mailto:david.sakoda@hawaii.gov">david.sakoda@hawaii.gov</a> 1151 Punchbowl St., Room 330, Honolulu, HI 96813	
<b>Applicant</b>	Pet Industry Joint Advisory Council, on behalf of Hawai'i fishers Jim Lynch, <a href="mailto:jim.lynch@klgates.com">jim.lynch@klgates.com</a> , (206) 370-6587 925 Fourth Ave., Suite 2900, Seattle, WA 98104	
<b>Consultant</b>	Stantec Consulting Services, Inc.; 2300 Swan Lake Blvd., Suite 202, Independence, IA 50644 Terry VanDeWalle, (319) 334-3755, <a href="mailto:terry.vandewalle@stantec.com">terry.vandewalle@stantec.com</a>	
<b>Status</b>	Statutory 30-day public review and comment period starts. <b>Comments on the scope of the upcoming EIS are due by September 7, 2018.</b> Please send comments to the approving agency and copy the applicant and the consultant.	

The purpose of the Applicant's action is to ensure that commercial aquarium fish collection allows for the lawful, responsible, and sustainable commercial collection of various fish species from nearshore habitats. The objective of the proposed action is to create a program under the DLNR which helps to facilitate the permitting process for Aquarium Permits for the island of Hawai'i including the West Hawai'i Regional Fishery Management Area. The need for the Applicant's action is to continue commercial aquarium fishers' livelihoods in compliance with all applicable laws, rules, and regulations pertaining to the industry. The Applicant has proposed a Finding of No Significant Impact, but the Department of Land and Natural Resources finds that the action may have a significant impact and therefore the preparation of an Environmental Impact Statement is required.

## MAUI

### Windward Hotel--Draft EA (AFNSI)


<b>HRS §343-5(a) Trigger</b>	(6) Propose any amendments to existing county general plans where the amendment would result in designations other than agriculture, conservation, or preservation	
<b>District(s)</b>	Wailuku	
<b>TMK(s)</b>	(2) 3-8-103:015, 016, 017, 018	
<b>Permit(s)</b>	Various (see document)	
<b>Approving Agency</b>	Maui Planning Commission, County of Maui Ms. Tara Furukawa, Staff Planner, (808) 270-8205, <a href="mailto:tara.furukawa@mauicounty.gov">tara.furukawa@mauicounty.gov</a> 2200 Main Street, Suite 619, Wailuku, HI 96793	
<b>Applicant</b>	R.D. Olson Development; 520 Newport Center Dr., Suite 600, Newport Beach, CA 92660 Mr. Anthony Wrzosek, Vice President, (949) 271-1109	
<b>Consultant</b>	Chris Hart & Partners, Inc; 115 North Market St., Wailuku, HI 96793 Mr. Jordan E. Hart, President, (808) 242-1955, <a href="mailto:jhart@chpmaui.com">jhart@chpmaui.com</a>	
<b>Status</b>	Statutory 30-day public review and comment period starts. <b>Comments are due by September 7, 2018.</b> Please send comments to the approving agency and copy the applicant and the consultant.	

R.D. Olson Development is planning to develop a 200-room hotel with associated onsite amenities on five (5) acres within Maui Business Park Phase II, off of Lauo Loop in Kahului. The hotel will primarily serve users of the Kahului International Airport, as well as others requiring accommodation in Central Maui. The hotel will consist of four (4) stories, with elevator towers, and will include amenities, such as a swimming pool, dining area, sundry shop, laundry room, ballroom, board room business center and other support services and accessory uses for hotel operation. In addition, the project will include associated onsite and offsite infrastructure improvements, including but not limited to water, sewer, roads, drainage and electrical.



## MAUI (CONTINUED)


### Wailuku Civic Complex--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>	Wailuku	
<b>TMK(s)</b>	(2) 3-4-013:051, 060, 075, 097 (por), 102 & 104, plus parts of Vineyard & Church Sts	
<b>Permit(s)</b>	various (see document)	
<b>Proposing/ Determining Agency</b>	Department of Management, County of Maui 200 South High St., Wailuku, HI 96793 Keith Regan, Managing Director, (808) 270-7855, <a href="mailto:MD.Office@mauicounty.gov">MD.Office@mauicounty.gov</a>	
<b>Consultant</b>	PBR Hawai'i; 1001 Bishop St., Suite 650, Honolulu, HI 96813 Kimi Yuen, Principal, (808) 521-5631, <a href="mailto:kyuen@pbrhawaii.com">kyuen@pbrhawaii.com</a>	
<b>Status</b>	Statutory 30-day public review and comment period starts. <b>Comments are due by September 7, 2018.</b> Please send comments to the proposing/determining agency and copy the consultant.	

Stemming from the long-standing need to increase public parking in Wailuku and the reWailuku visioning effort for revitalizing Wailuku, the County of Maui proposes to build the Wailuku Civic Complex (WCC) and improve infrastructure and streetscapes along portions of Church and Vineyard Streets in downtown Wailuku. The WCC will be located on a roughly 3-acre site that includes the at-grade municipal parking lot and two adjacent parcels bounded by Church, Vineyard, Market, and Main Streets. The WCC includes a three-story County building, which will house County offices, hearing and meeting rooms, a third-floor event facility, and leasable ground-level flex space that could include a public market/food hall, and/or museum space for cultural interpretation and art exhibits. At the heart of the WCC, is a landscaped public plaza that will front Vineyard Street. The new four-level parking structure will be tucked in the interior of the lot and the lowest level is split to reduce the amount of grading needed. Pedestrian promenades will provide connections through the core of the block. The project also includes streetscape and infrastructure improvements on Church Street between Main Street and Vineyard Street, as well as improvements on Vineyard Street between High Street and Market Street.

## O'AHU


### Issuance of Commercial Aquarium Permits for the Island of O'ahu--Final EA (EISPN)

<b>HRS §343-5(a) Trigger</b>	(1) Propose the use of state or county lands or the use of state or county funds (2) Propose any use within any land classified as a conservation district	
<b>District(s)</b>	O'ahu-multiple	
<b>TMK(s)</b>	N/A	
<b>Permit(s)</b>	Aquarium Fishing Permits issued pursuant to HRS §188-31, Commercial Marine License issued pursuant to HRS 189-2,3	
<b>Approving Agency</b>	Department of Land and Natural Resources, State of Hawai'i David Sakoda, (808) 587-0104, <a href="mailto:david.sakoda@hawaii.gov">david.sakoda@hawaii.gov</a> 1151 Punchbowl St., Room 330, Honolulu, HI 96813	
<b>Applicant</b>	Pet Industry Joint Advisory Council, on behalf of fishers Jim Lynch, <a href="mailto:jim.lynch@klgates.com">jim.lynch@klgates.com</a> , (206) 370-6587 925 Fourth Ave., Suite 2900, Seattle, WA 98104	
<b>Consultant</b>	Stantec Consulting Services, Inc.; 2300 Swan Lake Blvd., Suite 202, Independence, IA 50644 Terry VanDeWalle, (319) 334-3755, <a href="mailto:terry.vandewalle@stantec.com">terry.vandewalle@stantec.com</a>	
<b>Status</b>	Statutory 30-day public review and comment period starts. <b>Comments on the scope of the upcoming EIS are due by September 7, 2018.</b> Please send comments to the approving agency and copy the applicant and the consultant.	

The purpose of the Applicant's action is to ensure that commercial aquarium fish collection allows for the lawful, responsible, and sustainable commercial collection of various fish species from nearshore habitats. The objective of the proposed action is to create a program under the Department of Land and Natural Resources which helps to facilitate the permitting process for commercial aquarium collection permits for the island of O'ahu. The need for the Applicant's action is to continue commercial aquarium fishers' livelihoods in compliance with all applicable laws, rules, and regulations pertaining to the industry. The Applicant has proposed a Finding of No Significant Impact, but the Department of Land and Natural Resources finds that the action may have a significant impact and therefore the preparation of an Environmental Impact Statement is required.

## O'AHU (CONTINUED)


**Hawai'i Public Housing Authority Administrative Offices Redevelopment--(Acceptance of 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	
<b>District(s)</b>	Honolulu	
<b>TMK(s)</b>	(1) 1-6-009:003 (por.)	
<b>Permit(s)</b>	various (see document)	
<b>Proposing Agency</b>	Hawai'i Public Housing Authority (HPHA), State of Hawai'i Mr. Hakim Ouansafi, Executive Director, (808) 832-4682, <a href="mailto:Hakim.Ouansafi@hawaii.gov">Hakim.Ouansafi@hawaii.gov</a>	
<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>	PBR HAWAII & ASSOCIATES, Inc.; 1001 Bishop St., Suite 650, Honolulu, HI 96813 Mr. Greg Nakai, Planner, (808) 521-5631, <a href="mailto:HPHAschoolstreet@pbrhawaii.com">HPHAschoolstreet@pbrhawaii.com</a>	
<b>Status</b>	The Governor accepted the <a href="#">Final EIS</a> on July 17, 2018.	

HPHA has partnered with Retirement Housing Foundation to redevelop the property into a mixed-use community to increase the amount of affordable housing provided in this bus transit-available neighborhood. The project proposes the replacement of the existing HPHA administrative offices with a new HPHA administrative office building; 800 affordable senior rental apartments; commercial space; vehicular access via existing driveways; parking; open spaces and new landscaping.

The use of State lands and funds triggers Chapter 343, HRS compliance; based on the significance criteria set forth under HAR Section 11-200-12(b), HPHA determined that the preparation of an EIS was required and published an EIS preparation notice (EISPN) in August 2017, and published a Draft EIS in January 2018. The Final EIS, published in May 2018 included comments received from the public EIS scoping meeting, the 30-day public comment period following the EISPN publication, and the 45-day public comment period following the Draft EIS publication. The Final EIS assessed both short-term & long-term potential impacts of the proposed redevelopment, as well as included a discussion of reasonable development alternatives to the proposed action.

**Button Snow Seawall Reconstruction--Draft EA (AFNSI)**


<b>HRS §343-5(a) Trigger</b>	(3) Propose any use within a shoreline area	
<b>District(s)</b>	Waialua	
<b>TMK(s)</b>	(1) 6-8-004: 018 and 031	
<b>Permit(s)</b>	Shoreline Certification; Shoreline Setback Variance; Building, Grading & other permits	
<b>Approving Agency</b>	Department of Planning and Permitting, City and County of Honolulu Steve Tagawa, (808) 768-8024, <a href="mailto:stagawa@honolulu.gov">stagawa@honolulu.gov</a> 650 South King St., 7th Floor, Honolulu, HI 96813	
<b>Applicant</b>	Mark Button and Heidi Snow c/o Consultant (see below)	
<b>Consultant</b>	Gundaker Works LLC; 931 University Ave., Suite 305, Honolulu, HI 96826 Mark Ticconi, (808) 348-7192, <a href="mailto:mticconi@gundakerworks.com">mticconi@gundakerworks.com</a>	
<b>Status</b>	Statutory 30-day public review and comment period starts. <b>Comments are due by September 7, 2018.</b> Please send comments to the approving agency and copy the applicant and the consultant.	

The Applicants propose to retain an existing 180-foot-long concrete-reinforced vertical timber (railroad tie) seawall that they constructed along the shoreline of two beachfront lots along Crozier Drive in Waialua. The makai face of the timber seawall varies in height depending upon the season, which can be as high as eight feet above the sand beach. The previous nonconforming timber-only seawall was reconstructed with an L-shaped concrete footing placed in mauka of the former structure.

The sand beach along this segment of Waialua varies in width, depending on the seasons. The Project site is in the R-7.5 Residential District. Each lot is developed with existing dwellings which have portions that are also within the 40-foot shoreline setback. The Department of Planning and Permitting has issued citations for the unauthorized reconstruction without a shoreline setback variance (Nos. 2017/NOV-19-190, 2018/NOV-01-154). The Department of Land and Natural Resources has also issued a citation for the reconstruction works conducted makai of the previous seawall and within the shoreline and State Conservation District (ENF OA 18-10 and OA 18-12).


## O'AHU (CONTINUED)

Wo Fat Renewal--Draft EA (AFNSI)

<b>HRS §343-5(a) Trigger</b>	(4) Propose any use within any historic site as designated in the Hawai'i Register	
<b>District(s)</b>	Honolulu	
<b>TMK(s)</b>	(1) 1-7-003:026	
<b>Permit(s)</b>	various (see document)	
<b>Approving Agency</b>	Department of Planning and Permitting, City and County of Honolulu Janet Lau, (808) 768-8033, <a href="mailto:janet.lau@honolulu.gov">janet.lau@honolulu.gov</a> 650 South King St., 7th Floor, Honolulu, HI 96813	
<b>Applicant</b>	Mighty Wo Fat LLC; 210 Barton Springs Rd., Suite 550, Austin, TX 78704 John Davenport, (214) 208-7379, <a href="mailto:jdavenport@amscre.com">jdavenport@amscre.com</a>	
<b>Consultant</b>	Dean Sakamoto Architects LLC; 720 Iwilei Rd., Suite 336, Honolulu, HI 96817 Dean Sakamoto, (808) 591-5558, <a href="mailto:deans@dsarch.net">deans@dsarch.net</a>	
<b>Status</b>	Statutory 30-day public review and comment period starts. <b>Comments are due by September 7, 2018.</b> Please send comments to the approving agency and copy the applicant and the consultant.	

The proposed action is to rehabilitate the historically significant Wo Fat building located at 103 North Hotel Street, Honolulu, Hawaii for its adaptive re-use. The rehabilitation and re-use will follow the Secretary of the Interior's Standards for Rehabilitation, as well as the Chinatown Special District Design Guidelines. Presently the first floor commercial space of the building is occupied by a retail market, while the second and third floors of the building are vacant. The existing ground floor retail commercial space will be converted into a restaurant. The two upper floors will be converted into hotel use. Existing canopy, transoms, and windows will be retained or repaired, while the non-historic entry in the Ewa-most end bay will be replaced in a more compatible manner. The third floor's footprint will be expanded to the edge of the roof on the makai and Ewa sides. This will increase the floor area of the building by approximately 1,205 square feet, and will not be visible from the street. There will be minimal ground disturbance in order to upgrade an existing grease trap, run underground utilities, and pour concrete footings to augment the existing structural support on the makai side of the building.

Kualoa Ranch Improvements--Final EA (FONSI)


<b>HRS §343-5(a) Trigger</b>	(4) Propose any use within any historic site as designated in the National Register or Hawai'i Register	
<b>District(s)</b>	Ko'olauloa and Ko'olaupoko	
<b>TMK(s)</b>	(1) 4-9-005:01, 4-9-004:02, 5-1-001:01	
<b>Permit(s)</b>	Special Use Permit, Conditional Use Permit	
<b>Approving Agency</b>	Department of Planning and Permitting, City and County of Honolulu Raymond Young, Planner, (808) 768-8049, <a href="mailto:rcsyong@honolulu.gov">rcsyong@honolulu.gov</a> 650 South King St., 7th Fl., Honolulu, HI 96813	
<b>Applicant</b>	Kualoa Ranch Hawai'i, Inc. John Morgan, (808) 748-3221, <a href="mailto:johnmorgan@kualoa.com">johnmorgan@kualoa.com</a> P.O. Box 650, Ka'a'awa, HI 96730	
<b>Consultant</b>	G70 Jeff Overton, (808) 523-5866, <a href="mailto:kualoa@g70.design">kualoa@g70.design</a> 111 South King St., Suite 170, Honolulu, HI 96813	
<b>Status</b>	Finding of No Significant Impact (FONSI) determination	

To accommodate growing interest in the agricultural tours of Kualoa Ranch, improvements planned for the Ranch Headquarters area include a Visitor's Center expansion, Administrative Buildings, Employee Building, new Tour Depots, Horseback Riding Stables, and a Farmers Market. Additional improvements include a new open pavilion in Palikū, and an Agricultural Facility in Ka'a'awa. Various infrastructure improvements will also be completed, including driveways, parking, water supply, wastewater management, and drainage. Supporting Kualoa's dedication to agriculture and outdoor recreation, the upgrades to the Ranch Headquarters will allow for improved facilities for visitors, residents and Ranch employees. Moreover, these improvements will foster Kualoa Ranch's efforts to create economically viable outlets that promote Kualoa's agricultural products (such as the Ranch's beef, fish, shrimp, oysters, produce, and tropical flowers), as well as local farmers and vendors from around O'ahu.



## O'AHU (CONTINUED)

Wong Residence and Seawall--Final EA (FONSI)


<b>HRS §343-5(a) Trigger</b>	(3) Propose any use within a shoreline area	
<b>District(s)</b>	Ko'olaupoko	
<b>TMK(s)</b>	(1) 4-6-001:007	
<b>Permit(s)</b>	Special Management Area Permit (SMA) and Shoreline Setback Variance (SSV)	
<b>Approving Agency</b>	Department of Planning and Permitting, City and County of Honolulu Mr. Alex Beatty, (808) 768-8032, <a href="mailto:abeatty@honolulu.gov">abeatty@honolulu.gov</a> Land Use Permits Div; 650 South King St. (7th Floor), Honolulu, HI 96813	
<b>Applicant</b>	Mr. Charles T. Y. Wong, (808) 779-6189, <a href="mailto:charlestywong@yahoo.com">charlestywong@yahoo.com</a> 46-107 Lilipuna Rd., Kane'ohe, HI 96744	
<b>Consultant</b>	none	
<b>Status</b>	Finding of No Significant Impact (FONSI) determination	

This EA revises and updates a previous DEA submitted in May 2016 and its subsequent FEA, which was deemed deficient and incomplete. When completed, the required permits will correct the deficiencies in outstanding Notices of Violation.

The existing two-story residence requires a new building permit to supersede the original permit, which was issued in error. The Applicant seeks an after-the-fact Special Management Area (SMA) permit for all development on the site (the house is over 7,500 square feet in floor area), and an after-the-fact shoreline setback variance (SSV) for a gravel berm, a grass-block parking area, and an unpermitted 28' by 2' high seawall extension next to an existing seawall abutting adjacent properties. This concrete rubble masonry seawall extension is within the SMA and the shoreline setback.

## KAUA'I


New Kaua'i Landfill--Final EIS and Appendices 1, 2 and 3

<b>HRS §343-5(a) Trigger</b>	(1) Propose the use of state or county lands or the use of state or county funds (9)(C) Propose any landfill	
<b>District(s)</b>	Līhu'e	
<b>TMK(s)</b>	(4) 3-9-002: 020	
<b>Permit(s)</b>	various (see document)	
<b>Proposing Agency</b>	Department of Public Works, County of Kaua'i Lyle Tabata, (808) 241-4994, <a href="mailto:ltabata@kauai.gov">ltabata@kauai.gov</a> 4444 Rice St., Suite 275, Līhu'e, HI 96766	
<b>Accepting Authority</b>	Office of the Mayor of Kaua'i Bernard P. Carvalho, Jr., Mayor, (808) 241-4900, <a href="mailto:mayor@kauai.gov">mayor@kauai.gov</a> 4444 Rice St., Suite 235, Līhu'e, HI 96766	
<b>Consultant</b>	R. M. Towill Corporation; 2024 North King St., Suite 200, Honolulu, HI 96819-3494 Brian Takeda, Planning Project Manager, (808) 842-1133, <a href="mailto:briant@rmtowill.com">briant@rmtowill.com</a>	
<b>Status</b>	FEIS has been submitted and is pending acceptance by the accepting authority.	

The County of Kaua'i, Department of Public Works, proposes the development and operation of a new Municipal Solid Waste Landfill (MSWLF) on an approximately 270-acre site at Ma'alo in the southeast part of the island of Kaua'i. The proposed action includes construction and operation of: (1) a new MSWLF and (2) a new 2.8-mile off-site access road and utility infrastructure to support the landfill. The purpose of the proposed new Ma'alo MSWLF is to ensure that island-wide landfill facility needs are met when the existing Kekaha MSWLF reaches capacity. Because of the years needed for the planning, design, and permitting of a new MSWLF, the County must act to avoid the potential risk to public health and safety, or inappropriate financial management, in the event that Kaua'i is left without a landfill. When construction is completed and operations begin, the Ma'alo MSWLF will provide for the proper disposal of island-generated Municipal Solid Waste (MSW) that cannot be further reused, recycled, or otherwise recovered; provide for the practical, reliable and safe disposal of MSW generated on Kaua'i; and replace the Kekaha MSWLF.


## KAUA'I (CONTINUED)

**Kaua'i High School New Gymnasium--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>	Līhu'e	
<b>TMK(s)</b>	(4) 3-3-003:007 and 015, 3-2-005:010 and 011	
<b>Permit(s)</b>	various (see document)	
<b>Proposing/ Determining Agency</b>	Department of Education, State of Hawai'i John C.H. Chung, Public Works Administrator, <a href="mailto:john_ch_chung@notes.k12.hi.us">john_ch_chung@notes.k12.hi.us</a> Facilities Development Branch, P.O. Box 2360, Honolulu, HI 96804	
<b>Consultant</b>	Wilson Okamoto Corporation; 1907 South Beretania St., Suite 400, Honolulu, HI 96826 Keola Cheng, (808) 946-2277, <a href="mailto:kcheng@wilsonokamoto.com">kcheng@wilsonokamoto.com</a>	
<b>Status</b>	Statutory 30-day public review and comment period starts. <b>Comments are due by September 7, 2018.</b> Please send comments to the proposing/determining agency and copy the applicant and the consultant.	

The State of Hawai'i Department of Education is proposing to construct a new gymnasium facility at Kaua'i High School (KHS), in Līhu'e, on the island of Kaua'i. The proposed gymnasium will provide KHS students, faculty, and the surrounding community access to a modern facility and space that will accommodate a wide range of educational, athletic, and cultural activities.

**Waimea Huakai--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>	Waimea	
<b>TMK(s)</b>	(4) 1-6-008:006	
<b>Permit(s)</b>	Project Development Use, Building Permits, Chapter 343	
<b>Approving Agency</b>	Kaua'i County Housing Agency; 4444 Rice St. #330, Līhu'e, HI 96766 Keith Perry, (808) 241-4444, <a href="mailto:klperry@kauai.gov">klperry@kauai.gov</a>	
<b>Applicant</b>	Ahe Group & Habitat for Humanity, Inc.; 442A Uluniu St., Kailua, HI 96734 Joelle Chiu, (808) 263-7658, <a href="mailto:jkc@ahegroup.com">jkc@ahegroup.com</a>	
<b>Consultant</b>	Environmental Risk Analysis LLC; 905A Makahiki Way, Honolulu, HI 96826 Rachel Okoji, (808) 783-6840, <a href="mailto:rachelokoji@enviro-riskhawaii.com">rachelokoji@enviro-riskhawaii.com</a>	
<b>Status</b>	Statutory 30-day public review and comment period starts. <b>Comments are due by September 7, 2018.</b> Please send comments to the approving agency and copy the applicant and the consultant.	

Ahe Group and Habitat for Humanity are proposing the development of an affordable housing rental and for-sale project for low income families in Waimea, Kaua'i. The project consists of 2 phases. Phase I will consist of 35 units (one-, two-, and three-bedroom) which will be available for rent. Phase II consists of 32 single family homes (2 – 4 bedrooms) available for purchase. Both phases include grading, paved roadways, concrete curbs, gutters and sidewalks; water system, drainage system, sewer system and landscaping. The project will be ADA compliant and will meet the Hawai'i State Energy Code requirements. The project will seek Platinum LEED Certification for Phase I. Parking will be provided following County requirements.

## PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

**Status:** Public review and comment period for these projects began previously. **Comments due August 22, 2018** unless specified otherwise. Please send comments to the relevant agency and copy any relevant applicant and/or consultant.

**HAWAII****Hala'ula Production Well--Draft EA (AFNSI)****MAUI****Ka'anapali Beach Restoration and Berm Enhancement (EIS Preparation Notice)****MOLOKA'I****Ho'olehua Veterans and Homestead Residents' Community Center--Draft EA (AFNSI)****O'AHU****Mililani Middle School New Classroom Building--Draft EA (AFNSI)****Ala Moana Regional Park and Magic Island Improvements--Draft EIS**



## EXEMPTION DECLARATIONS

The Department of Transportation, State of Hawai'i has declared the following actions exempt from the requirement to prepare an Environmental Assessment, pursuant to HAR § 11-200-8:

- **Existing Asphalt Plant/Gravel Storage at Kalaeloa Barbers Point Harbor**

In December 2012, DOT-Harbors acquired the subject property through eminent domain proceedings and accepted a pre-existing license agreement (License No. M02095200, as amended) between the previous land owner, Campbell Hawaii Investor LLC, and GP, as a condition of the acquisition. This license agreement allowed GP's use of the subject parcel for stockpiling of sand and aggregate and the operation of a hot mix asphalt plant on approximately 14.6 acres. License No. M02095200, as amended, expires on July 31, 2018, and DOTH desires to issue a new right-of-entry agreement to GP for the same parcel for the same purpose for a term of five years to begin on August 1, 2018. The principal terms and conditions of the existing license agreement will be incorporated into this new right-of-entry agreement. Since the proposed activity and use under a new right-of-entry agreement is the existing use and there is no expansion of the footprint, the use is compatible and has no new impact on harbor operations or the operations on neighboring parcels by DOTH and other harbor users.

- **Removal/demolition of Flour Mill Equipment at Honolulu Harbor**

Work will be the removal of six (6) floors of mill equipment and all supports and ducting with closing the openings using plywood on the interior and exterior of the building. Also, the remediation of Asbestos Flooring and Mastic Containing Material (ACM) on six (6) different floors (see Exhibit "B".) Remove grain clam shells (claws) and outside conveyor belt, remove dust remover. There is a 10-working day Notification to Dept. of Health. All Remediation work will be done to State and Federal Requirements. To include Industrial Hygienist (IH) Air samples, Site Safety Plan, Clearance. Island Demo, Inc. will submit a Courtesy Notification to Harbors Division. Removal of two (2) outside air filters on each end of the mill as shown in the attachment and site walk, all components to be disconnected and removed to inside of mill. Delineation Barricade will be required by Harbors Division to provide security access to working area. To include all hauling and disposal of debris.

## 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 this public notice of the application. For more information, call (808) 587-0420.

File No.	Location	TMK	Applicant	Owner	Purpose
OA-1819	59-625A Ke Ike Road, O'ahu 96712	(1) 5-9-003:062	Park Engineering	Cass K. Nakasono	Building permit
OA-1820	1018 Mokulua Drive, O'ahu 96734	(1) 4-3-006:054	Jaime F. Alimboyoguen	Hugh Duncan	Building setback
OA-1821	602 Milokai Place, O'ahu 96734	(1) 4-4-039:004	Wesley T. Tengan	Ross S. Mickey, Tr. Est.	Building setback
MA-704	100 Nohea Kai Drive, Maui 96761	(2) 4-4-013:001	Warren S. Unemori Engineering Inc.	Maui Ocean Club	Future use of subject parcel
MA-705	2481 Ka'anapali Parkway, Maui 96761	(2) 4-4-008:002	R.T. Tanaka Engineers, Inc.	The Whaler at Kaanapali Beach	Shoreline setback for proposed new dwelling
LA-019	Kaumalapau Harbor, Lāna'i 96763	(2) 4-9-002:001	ControlPoint Surveying, Inc.	Lanai Resorts, LLC	Permitting
HA-561	Lot 6 Naupaka Place, Hawai'i 96743	(3) 6-9-009:006	Alan Brockman	Avalon LLC	New construction
KA-430	3291 Kalapaki Circle, Kaua'i, 96766	(4) 3-5-002:022	Lucas Breckenridge & Associates, Inc.	Gregory L. Stein	Building setback

### PROPOSED SHORELINE CERTIFICATIONS AND REJECTIONS

None

## COASTAL ZONE MANAGEMENT NOTICES

### FEDERAL CONSISTENCY REVIEWS

The following federal actions are 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.

#### Relocation of Dry Dock to Honolulu Harbor Piers 24-25, Oahu

**Proposed Action:** Pacific Shipyards International, LLC (PSI), proposes to move operations from its current location at Honolulu Harbor Pier 41 to a new location at Piers 24-25, as part of the Kapālama Terminal Tenant Relocation Project. The PSI move includes replacing its dry dock previously positioned at Pier 41. This CZM federal consistency review covers the dry dock relocation, which involves: (1) installation of a new 62,604 square foot dry dock at Pier 24 to replace the former 60,000 square foot dry dock that was previously at Pier 41, and was removed in 2015; (2) installation of two spuds to secure the dry dock; and (3) installation of steel ramps from the pier to the dry dock for vehicle access. The new dry dock is composed of steel pontoon deck with wing walls. The dry dock will be secured to the existing pier using gripper moorings and secured in place with two 36-inch piles/spuds. The spuds will be installed using a vibratory or impact hammer to a depth of approximately 40 feet below the harbor bottom mudline

**Location/TMK:** Honolulu Harbor Piers 24-25, O'ahu; (1) 1-5-38  
**Applicant:** Pacific Shipyards International, LLC  
**Agent:** Erin Hale, Amec Foster Wheeler, (503) 639-3400, [erin.hale@woodplc.com](mailto:erin.hale@woodplc.com)  
**Federal Action:** Federal Permit  
**Federal Agency:** U.S. Army Corps of Engineers

Comments must be submitted by August 22, 2018 to John Nakagawa at either of the following addresses:

**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)

### 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 [Kalaheo](#) Community Development District (587-2841).

Location (TMK)	Description (File No.)	Applicant/Agent
Hawai'i: North Kona (7-7-008: 001)	Construct a County Dedicable Access Road Through the Subject Property on Ali'i Drive to the Adjacent Parcel (SMM 18-393)	Aldersgate Investments LLC
Maui: Makena (2-1-011: 001)	Drain Easement (SM2 20180045)	Andrew Clark
Maui: Makena (2-1-005: 079)	New Garage, Pool, Agricultural Building, Re-roof Dwellings (SM2 20180046)	Craig Adkison
Maui: Makena (2-1-005: 108)	Proposed Stockpile Site (SM2 20180047)	ATC Makena Land AH1, LLC/Trinity Investments
Maui: Waihe'e (3-2-012: 002)	Basketball Court Improvements (SM2 20180048)	County of Maui Department of Parks and Recreation
Maui: Lahaina (4-6-001: 006)	Store Renovations (SM2 20180049)	Keith Sung
Maui: Lahaina (4-4-001: 098)	Upgrade Antennas and Remote Radio Units (SM2 20180050)	AT&T
Maui: Moloka'i (5-3-002: 005)	Installation of Three New Sewer Manholes (SM6 20180002)	CIP Coordinator

## NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) ACTIONS

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

### Field Station Kunia (FSK) Proposed New Security Fence and Appurtenances Environmental Assessment and Draft Finding of No Significant Action

<b>Island</b>	O'ahu
<b>District(s)</b>	'Ewa
<b>TMK(s)</b>	[1] 9-2-005:022; 9-4-012:003; and 9-4-012:006
<b>Permit(s)</b>	N/A
<b>Proposing &amp; Approving Agency</b>	U.S. Army Garrison, Hawaii (USAG-HI) Ed Hewitt, NEPA Coordinator, USAG-HI 947 Wright Ave., Wheeler Army Airfield, Schofield Barracks, HI 96857-5013 <a href="mailto:usaghi.pao.comrel@us.army.mil">usaghi.pao.comrel@us.army.mil</a>
<b>Consultant</b>	HHF Planners; Pacific Guardian Center, Makai Tower, 733 Bishop Street, Suite 2590, Honolulu, HI 96813 ATTN: John Hagihara, (808) 457-3174, <a href="mailto:jhagihara@hhf.com">jhagihara@hhf.com</a>

The Proposed Action is the construction and operation of a new perimeter security fence and appurtenances to provide required Anti-Terrorism Force Protection (ATFP) setbacks to infrastructure supporting FSK.

Pursuant to the NEPA, US Army Garrison, Hawaii provides notice that a Draft Finding of No Significant Impact (FNSI) has been prepared based on the findings of an Environmental Assessment (EA) and that an Environmental Impact Statement is not required for the implementation of the proposed new security fence and appurtenances at Field Station Kunia (FSK), O'ahu, Hawai'i. Copies of the EA and Draft FNSI are available for public review at the Hawai'i State Library in Honolulu and the Wahiawa Public Library. Copies can also be obtained by contacting the Army via email at [usaghi.pao.comrel@us.army.mil](mailto:usaghi.pao.comrel@us.army.mil) or online at <https://www.garrison.hawaii.army.mil/NEPA/NEPA.htm>. **Written comments on the Draft FNSI must be received no later than September 7, 2018**, and should be directed to the agency and consultant noted above.

## FEDERAL NOTICES

As a courtesy, listed below are some 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).

### **Proposed Rule: Endangered and Threatened Wildlife and Plants; Revision of the Regulations for Listing Species and Designating Critical Habitat (published by the Fish and Wildlife Service and the National Oceanic and Atmospheric Administration on 07/25/2018)**

The U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) propose to revise portions of the regulations that implement section 4 of the Endangered Species Act of 1973, as amended (Act). The proposed revisions to the regulations clarify, interpret, and implement portions of the Act concerning the procedures and criteria used for listing or removing species from the Lists of Endangered and Threatened Wildlife and Plants and designating critical habitat. **Comments from all interested parties will be accepted until September 24, 2018**. Please click on the title link for additional information.

### **Rule: Endangered and Threatened Wildlife and Plants: Final Rulemaking To Designate Critical Habitat for the Main Hawaiian Islands Insular False Killer Whale Distinct Population Segment (published by the National Oceanic and Atmospheric Administration on 07/24/2018)**

We, NMFS, issue a final rule to designate critical habitat for the Main Hawaiian Islands (MHI) insular false killer whale (IFKW) (*Pseudorca crassidens*) distinct population segment (DPS) by designating waters from the 45-meter (m) depth contour to the 3,200-m depth contour around the main Hawaiian Islands from Ni'ihau east to Hawai'i, pursuant to section 4 of the Endangered Species Act (ESA). We have excluded 14 areas (one area, with two sites, for the Bureau of Ocean Energy Management (BOEM) and 13 areas requested by the Navy) from the critical habitat designation because we have determined that the benefits of exclusion outweigh the benefits of inclusion, and exclusion will not result in extinction of the species. Additionally, the Ewa Training Minefield and the Naval Defensive Sea Area are precluded from designation under section 4(a)(3) of the ESA because they are managed under the Joint Base Pearl Harbor-Hickam Integrated Natural Resource Management Plan that we find provides a benefit to the MHI IFKW. This rule becomes effective August 23, 2018.



## 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 action's proponent 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

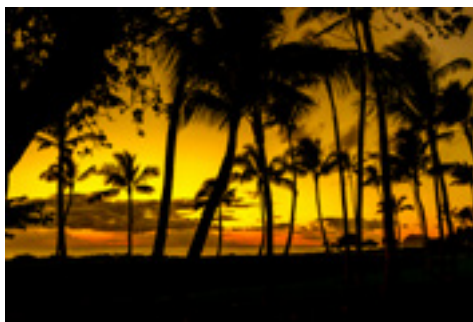
After receiving the comments on the EISPN, the Agency or Applicant must prepare a Draft Environmental Impact Statement (DEIS). The content requirements of the DEIS shall contain an explanation of the environmental consequences of the proposed action including the direct, indirect and cumulative impacts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