



# The Environmental Notice

May 23, 2019

David Y. Ige, Governor  
Scott Glenn, Director

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



Hanalei Valley, Kaua'i (modified from original)

Photo by [inu-photo](#)



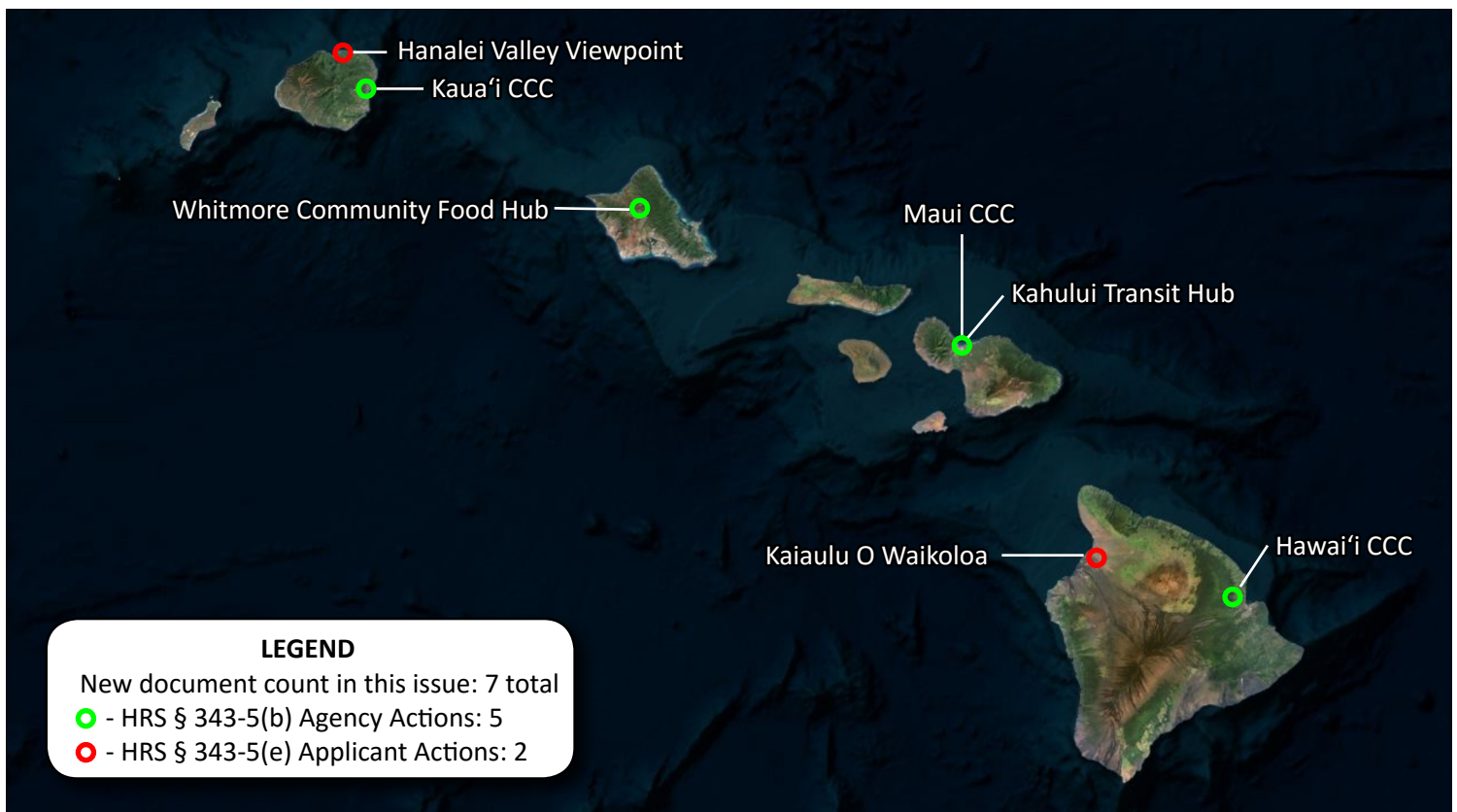
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## ANNOUNCEMENTS


- In support of the transition to the new rules for Hawai'i's environmental review process, please review this [list of upcoming milestone dates](#), and continue to refer to [OEQC's webpage](#) of information about the current & new rules
- As announced [here](#), the City and County of Honolulu, Department of Planning and Permitting is conducting an [online survey](#) as part of a study to determine what are the key views of natural and manmade features that need to be protected as part of O'ahu's physical and cultural landscape. The interactive survey is one of several opportunities to share ideas about views that are cherished in urban Honolulu. The results of the survey will help decision-makers give due consideration to the preservation of valued public views when making land use decisions. **The deadline to take the survey is May 31**

## STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS




## HAWAII

New Housing at Hawai'i Community Correctional Center--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>	South Hilo	
<b>TMK(s)</b>	(3) 2-3-023:005	
<b>Permit(s)</b>	Construction Permits	
<b>Proposing/ Determining Agency</b>	Department of Accounting and General Services, State of Hawai'i Richard J. Louis, Project Coordinator, (808) 586-0474, <a href="mailto:richard.j.louis@hawaii.gov">richard.j.louis@hawaii.gov</a> Project Management Branch, 1151 Punchbowl Street, Room 427, Honolulu, HI 96813	
<b>Consultant</b>	Louis Berger U.S., Inc. (a WSP Company); 412 Mt. Kemble Avenue, Morristown, NJ 07962 Robert J. Nardi, PP, Vice President, (973) 407-1681, <a href="mailto:rnardi@louisberger.com">rnardi@louisberger.com</a>	
<b>Status</b>	Statutory 60-day public review and comment period starts, pursuant to HRS §353-16.35. Comments are due by July 22, 2019. Please send comments to the proposing/determining agency and copy the consultant.	

With increasingly aged and crowded jail facilities, the Hawai'i Department of Public Safety (PSD) is moving forward with an overall program to improve its corrections infrastructure. This includes alleviating crowding that exists at the Kaua'i Community Correctional Center (KCCC), Maui Community Correctional Center (MCCC), and Hawai'i Community Correctional Center (HCCC) to provide safe, secure, and humane environments for the care and custody of adult male and female offenders. PSD is proposing to develop Medium Security Housing Units for inmates who are currently housed at KCCC, MCCC and HCCC. The proposed Medium Security Housing Unit at HCCC will accommodate up to 144 inmates to address the crowded conditions; provision of such housing is not intended to increase the HCCC inmate population beyond its current number. Instead, inmates housed in cramped conditions and in spaces not well suited for inmates would be accommodated in a housing unit designed and constructed to state and national standards. The housing unit would help achieve a safe, secure, and humane environment for the care and custody of male and female offenders and is representative of PSD's overall program of improving its facilities.


Kaialua O Waikoloa--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>	South Kohala	
<b>TMK(s)</b>	(3) 6-8-003:028	
<b>Permit(s)</b>	see document	
<b>Approving Agency</b>	Hawai'i Housing Finance and Development Corporation, State of Hawai'i Janice Takahashi, (808) 587-0639, <a href="mailto:janice.n.takahashi@hawaii.gov">janice.n.takahashi@hawaii.gov</a> 677 Queen Street, Suite 300, Honolulu, HI 96813	
<b>Applicant</b>	K00674 Waikoloa, LP.; 2000 E. Fourth Street, Suite 220, Santa Ana, CA 92705 James Rock, (714) 835-3955, <a href="mailto:jrock@uhcllc.net">jrock@uhcllc.net</a>	
<b>Consultant</b>	Environmental Risk Analysis LLC; 905A Makahiki Way, Honolulu, HI 96826 Rachel Okoji, (808) 783-6840, <a href="mailto:rachelokoji@enviromiskhawaii.com">rachelokoji@enviromiskhawaii.com</a>	
<b>Status</b>	Statutory 30-day public review and comment period starts. <b>Comments are due by June 24, 2019.</b> Please send comments to the approving agency and copy the applicant and the consultant.	

The proposed development site encompasses 4.6 acres of land situated in Waikoloa on the west side of the Island of Hawai'i. Currently, this location is zoned for apartment homes. K00674 Waikoloa, LP. is proposing to develop an affordable rental complex of 60 units, consisting of 28 two-bedroom units, an estimated 25 three-bedroom units, and an estimated 7 four-bedroom units in Waikoloa. The development will include a community center and at least 75 parking stalls. The objective of this project is to produce an affordable rental development, while utilizing the least amount of State of Hawai'i resources. These apartments will target low income households earning less than 60 percent of the Area Median Income (AMI) for the County of Hawai'i. These units will address the dire need for affordable rentals for the households in this income bracket, many of whom are at risk of becoming homeless due to the severe housing shortage.


## MAUI

### New Housing at Maui Community Correctional Center--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>	South Hilo	
<b>TMK(s)</b>	(2) 3-8-46: 05, 06	
<b>Permit(s)</b>	Construction Permits	
<b>Proposing/ Determining Agency</b>	Department of Accounting and General Services, State of Hawai'i Reynaldo D. Rios, Project Coordinator, (808) 586-0468, <a href="mailto:reynaldo.d.rios@hawaii.gov">reynaldo.d.rios@hawaii.gov</a> Project Management Branch, 1151 Punchbowl Street, Room 430, Honolulu, HI 96813	
<b>Consultant</b>	Louis Berger U.S., Inc. (a WSP Company); 412 Mt. Kemble Avenue, Morristown, NJ 07962 Robert J. Nardi, PP, Vice President, (973) 407-1681, <a href="mailto:rnardi@louisberger.com">rnardi@louisberger.com</a>	
<b>Status</b>	Statutory <b>60-day</b> public review and comment period starts, pursuant to HRS §353-16.35. <b>Comments are due by July 22, 2019.</b> Please send comments to the proposing/determining agency and copy the consultant.	

With increasingly aged and crowded jail facilities, the Hawai'i Department of Public Safety (PSD) is moving forward with an overall program to improve its corrections infrastructure. This includes alleviating crowding that exists at the Kaua'i Community Correctional Center (KCCC), Maui Community Correctional Center (MCCC), and Hawai'i Community Correctional Center (HCCC) to provide safe, secure, and humane environments for the care and custody of adult male and female offenders. PSD is proposing to develop Medium Security Housing Units for inmates who are currently housed at KCCC, MCCC and HCCC. The proposed Medium Security Housing Unit at MCCC will accommodate up to 80 inmates to address the crowded conditions; provision of such housing is not intended to increase the MCCC inmate population beyond its current number. Instead, inmates housed in cramped conditions and in spaces not well suited for inmates would be accommodated in a housing unit designed and constructed to state and national standards. The housing unit would help achieve a safe, secure, and humane environment for the care and custody of male and female offenders and is representative of PSD's overall program of improving its facilities.

### Kahului Transit Hub Relocation--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) 3-7-002:020 (por.), 3-7-004:003 (por.), and 3-7-005:003 (por.)	
<b>Permit(s)</b>	Special Management Area Use Permit, Grading/Grubbing Permit, Building Permits, Work on County Highway	
<b>Proposing/ Determining Agency</b>	Department of Transportation, County of Maui Marc Takamori, Director, (808) 270-7511, <a href="mailto:Marc.Takamori@co.maui.hi.us">Marc.Takamori@co.maui.hi.us</a> 2145 Kaohu Street, Trask Building, Suite 102, Wailuku, HI, 96793	
<b>Consultant</b>	Munekiyo Hiraga; 305 High Street, Suite 104, Wailuku, HI 96793 Charlene S. Shibuya, Senior Associate, (808) 244-2015, <a href="mailto:Charlene@munekiyohiraga.com">Charlene@munekiyohiraga.com</a>	
<b>Status</b>	Statutory 30-day public review and comment period starts. <b>Comments are due by June 24, 2019.</b> Please send comments to the proposing/determining agency and copy the consultant.	


The County of Maui, Department of Transportation (MDOT) proposes to relocate the existing transit hub, currently located at the Queen Kaahumanu Center (QKC), on a portion of Tax Map Key (TMK) (2)3-7-002:020 in Kahului, Maui to a new 0.85-acre site located on portions of TMKs (2)3-7-004:003 and (2)3-7-005:003, Parcel 4-3 and Parcel 5-3, respectively. Improvements on Parcel 4-3 include the development of a ticket booth and office, restrooms and storage building, roof structures to cover the passenger waiting and loading areas, and parking lot. Related onsite improvements include grading work, removal of old and installation of new asphalt pavement, installation of bollards, access gates, and fencing, and landscaping improvements. Related off site improvements on Parcel 5-3 include roadway frontage improvements, placement of existing overhead utility lines underground, sewer and water connections, sidewalks, and driveway access improvements.

An additional component of the proposed action is the removal of 11 existing bus shelters at the current QKC transit hub. No other work is proposed for this location.



## O'AHU


Whitmore Community Food Hub Complex--Final EA (FONSI)

<b>HRS §343-5(a) Trigger</b>	(1) Propose the use of state or county lands or the use of state or county funds	
<b>District(s)</b>	Wahiawā	
<b>TMK(s)</b>	(1) 7-1-002:009, 004 (POR.), 022, 023	
<b>Permit(s)</b>	various (see document)	
<b>Proposing/ Determining Agency</b>	Agribusiness Development Corporation, Department of Agriculture, State of Hawai'i Ken Nakamoto, (808) 586-0087, <a href="mailto:Ken.T.Nakamoto@hawaii.gov">Ken.T.Nakamoto@hawaii.gov</a> 235 South Beretania Street, Suite 205, Honolulu, HI 96813	
<b>Consultant</b>	PBR HAWAII; 1001 Bishop Street, Suite 650, Honolulu, HI 96813 Theresa Dean, (808) 521-5631, <a href="mailto:tdean@pbrhawaii.com">tdean@pbrhawaii.com</a>	
<b>Status</b>	Finding of No Significant Impact (FONSI) determination.	

Hawai'i Department of Agriculture, Agribusiness Development Corporation proposes the Whitmore Community Food Hub on the parcel currently occupied by the Whitmore Agricultural Tech Park, formerly the Dole Company Operation Facility, south of Whitmore Village. The complex is designed to pool services for the aggregation, processing, storage, marketing and distribution of locally produced foods by small growers throughout the O'ahu central plain. The project aims to create a post-harvest facility that meets the requirements of the Food Safety Modernization Act (FSMA), while integrating the logistical spaces of the Food Hub. The proposed project consists of retaining current assets from the previous operation facility, constructing a pathology greenhouse as part of a larger agricultural research strategy, and then integrating all aspects of the food hub in two phases: an initial investment phase and a full buildout phase. The project will encompass approximately 34 acres.

## KAUA'I


New Housing at Kaua'i Community Correctional Center--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>	South Hilo	
<b>TMK(s)</b>	(2) 3-8-46: 05, 06	
<b>Permit(s)</b>	Construction Permits	
<b>Proposing/ Determining Agency</b>	Department of Accounting and General Services, State of Hawai'i Sally Tamai, Project Coordinator, (808) 586-0468, <a href="mailto:sally.l.tamai@hawaii.gov">sally.l.tamai@hawaii.gov</a> Project Management Branch, 1151 Punchbowl Street, Room 430, Honolulu, HI 96813	
<b>Consultant</b>	Louis Berger U.S., Inc. (a WSP Company); 412 Mt. Kemble Avenue, Morristown, NJ 07962 Robert J. Nardi, PP, Vice President, (973) 407-1681, <a href="mailto:rnardi@louisberger.com">rnardi@louisberger.com</a>	
<b>Status</b>	Statutory <b>60-day</b> public review and comment period starts, pursuant to HRS §353-16.35. <b>Comments are due by July 22, 2019.</b> Please send comments to the proposing/determining agency and copy the consultant.	

With increasingly aged and crowded jail facilities, the Hawai'i Department of Public Safety (PSD) is moving forward with an overall program to improve its corrections infrastructure. This includes alleviating crowding that exists at the Kaua'i Community Correctional Center (KCCC), Maui Community Correctional Center (MCCC), and Hawaii Community Correctional Center (HCCC) to provide safe, secure, and humane environments for the care and custody of adult male and female offenders. PSD is proposing to develop Medium Security Housing Units for inmates who are currently housed at KCCC, MCCC and HCCC. The proposed Medium Security Housing Unit at KCCC will accommodate up to 144 inmates to address the crowded conditions; provision of such housing is not intended to increase the KCCC inmate population beyond its current number. Instead, inmates housed in cramped conditions and in spaces not well suited for inmates would be accommodated in a housing unit designed and constructed to state and national standards. The housing unit would help achieve a safe, secure, and humane environment for the care and custody of male and female offenders and is representative of PSD's overall program of improving its facilities.

## KAUA'I (CONTINUED)

Hanalei Valley Viewpoint at the Hanalei National Wildlife Refuge--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 (2) Propose any use within any land classified as a conservation district	
<b>District(s)</b>	Hanalei	
<b>TMK(s)</b>	(4) 5-3-001: 006	
<b>Permit(s)</b>	Conservation District Use Permit	
<b>Approving Agency</b>	Department of Transportation, State of Hawai'i Karen Chun, (808) 692-7544, <a href="mailto:karen.chun@hawaii.gov">karen.chun@hawaii.gov</a> H-DOT Design Branch, 601 Kamokila Boulevard, Room 668 Kapolei, HI 96707	
<b>Applicant</b>	U. S. Fish and Wildlife Service Heather Tonneson, (808) 692-7544, <a href="mailto:heather_tonneson@fws.gov">heather_tonneson@fws.gov</a>	
<b>Consultant</b>	None	
<b>Status</b>	Statutory 30-day public review and comment period starts. <b>Comments are due by June 24, 2019.</b> Please send comments to the approving agency and copy the applicant and the consultant.	

The U.S. Fish and Wildlife Service (Service) proposes to build the Hanalei Valley Viewpoint at Hanalei National Wildlife Refuge (NWR). The proposed project would allow the Service to deliver our mission more fully to the local community and visitors to the North Shore of Kaua'i, connect the public with the Refuge. The proposed viewpoint is intended to welcome and orient visitors to Hanalei NWR and the Hanalei Valley, present the mission of the Service and National Wildlife Refuge System, and the purposes and management of Hanalei NWR. It would also provide educational and interpretive opportunities and an excellent location for photographing and enjoying views of the Hanalei Valley, Hanalei NWR, and Hanalei Bay. The location would provide safe access to and from Kūhi'o Highway, an improved visitor experience with short trails, lookouts, an orientation kiosk, and interpretive signage. No changes are proposed at the existing overlook.

## CHAPTER 25, REVISED ORDINANCES OF HONOLULU

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

Hale'iwa Beach House--Final EA (FONSI), Appendix Volume 2 and Appendix Volume 3

<b>District(s)</b>	Waialua
<b>TMK(s)</b>	(1) 6-2-03: 014
<b>Permit(s)</b>	Various (see document)
<b>Approving Agency</b>	Department of Planning and Permitting, City and County of Honolulu Gerald Toyomura, (808) 768-8056, <a href="mailto:gtoyomura@honolulu.gov">gtoyomura@honolulu.gov</a> 650 South King Street, 7th Floor, Honolulu, HI 96813
<b>Applicant</b>	A 6 LLC; 419 South Street, Suite 174, Honolulu, HI 96813-5070 Mr. D. G. Andy Anderson, Manager, (808) 284-7755, <a href="mailto:andersond003@hawaii.rr.com">andersond003@hawaii.rr.com</a>
<b>Consultant</b>	R. M. Towill Corporation; 2024 North King Street, Suite 200, Honolulu, HI 96819 Michele Leong, Project Planner, (808) 842-1133, <a href="mailto:MicheleL@rmtowill.com">MicheleL@rmtowill.com</a>
<b>Status</b>	Finding of No Significant Impact (FONSI) determination.

A 6 LLC, (Applicant) is the owner of the Hale'iwa Beach House (HBH) restaurant located at 62-540 Kamehameha Highway in Hale'iwa, Waialua District, North Shore, Island of O'ahu and identified by Tax Map Key (TMK) (1) 6-2-03: 014. The project parcel is 23,552 square feet (sf) in area. The existing, two-story building was constructed in 1955 and occupies a building area of approximately 6,500 sf. Since the year of its original construction, the building has been continuously operated as a restaurant and bar, first as the Hale'iwa Sands Restaurant from 1955 to 1981, then as Jameson's by the Sea from 1982 until 2015. The purpose of the project is to make needed interior repairs, alterations and renovations to re-open and restore the restaurant to its full original seating capacity. The completed renovations address the original building deficiencies and will help the Applicant meet his objectives as a restaurant operator for increasing patronage, providing employment opportunities, and creating a landmark dining establishment that will be an asset to the North Shore community. The Applicant is applying for an after-the-fact SMA Permit (Major) and SD Permit (Major) for the completed renovations to the existing HBH restaurant and site.



## PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

**Status:** Public review and comment period for these projects began previously. **Comments are due by June 7, 2019**, unless specified otherwise. Please send comments to the relevant agency and copy any relevant applicant and/or consultant.

### HAWAII

[Kohala Shoreline Six-Lot Subdivision--Draft EA \(AFNSI\)](#)

### O'AHU

[Honouliuli Wastewater Conveyance Plan--\(EIS Preparation Notice\)](#)

[Kaka'ako Transpacific Broadband Conduit--Draft EA \(AFNSI\)](#)

[Kawailoa Wind Farm--Draft Supplemental EIS](#) **Comments are due by June 24, 2019**

## EXEMPTION DECLARATIONS

The Department of Transportation has declared the following actions exempt from the requirement to prepare an EA, pursuant to HAR §11-200-8:

### [Kamehameha Highway, O'ahu, Coastal Road Repairs](#)

The proposed project includes various sites along Kamehameha Highway on the northeast side of O'ahu.

- Site 1: The roughly 50 linear foot repair will consist of driving galvanized guardrail post I-beams into the ground in a line along the right-of-way (ROW) and near the existing drop from the roadway embankment to the beach. The I-beams will alternatively be driven into the ground along the edge of the ROW to create a linear barrier to further shoreline erosion and roadway undermining. All work within the ROW.
- Sites 3 and 4: New riprap will be placed within the ROW. Woven geotextile fabric and backfill between the exposed roadway prism and the new riprap or existing feature.

### [Revocable Permit at Kalaeloa Harbor Pier 4 to National Response Corporation](#)

Previous tenant, Clean Island Council, utilized the portion of lands to run a similar spill response operation. Therefore, there is no change of use beyond that previously existing. Issuance of new month-to-month revocable permit between DOT-H and National Response Corporation, for the storage of spill response gear and support gear for the Applicant's vessel, the NRC SENTRY, to be moored nearby in Kalaeloa Barbers Point Harbor.

### [Revocable Permit at Honolulu Harbor Pier 7 to Matson Navigation](#)

The project allows the current lessee under Lease H-87-30 a Construction Right-of Entry to conduct due diligence on the repair and rehabilitation of wooden piers along the 'Ewa side of Pier 7, a portion of the wooden pier has been condemned and out of service. The lessee will assess the risks of adding submerged lands including the condemned wooden piers therein to the demised premises under the lease. The action further grants subsequent month-to-month Revocable Permit upon conclusion of due diligence actions to allow continued access, so that the Applicant may initiate repair and rehabilitation work with the scope of the environmental exemption.

*The DOT Harbors has been reviewing all month-to-month permits to ensure compliance with and applicability to §171-55, HRS. To do so, the DOT Harbors is currently in the process of re-issuing all current revocable permits to accurately describe current land usage, designated permit locations as well as updating monthly rental charges to appraised market value:*

### [Revocable Permit at Kalaeloa Harbor Pier 7 to Hawaiian Cement](#)

Currently, the Applicant has an existing month-to-month permit for the purpose of operating a cement off-loader to support the applicant's construction materials company operations under Harbor Lease no. H-98-10.

### [Revocable Permit at Honolulu Harbor Pier 51 to Hawaii Stevedores](#)

Currently, the Applicant has an existing month-to-month permit for the purpose of operating a stevedoring service company that provides ships and barge lines with personnel and equipment for handling of domestic and foreign marine cargo.

### [Revocable Permit at Honolulu Harbor Pier 33 to PENCO](#)

Currently, the Applicant has an existing month-to-month permit for the storage of ISO Tanks and Vacuum Tanks.

### [Revocable Permit at Honolulu Harbor Pier 33 to Japan Food \(Hawaii\)](#)

Currently, the Applicant has an existing month-to-month permit for the parking of employee and company vehicles.

## COASTAL ZONE MANAGEMENT NOTICES

## FEDERAL CONSISTENCY REVIEWS

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

For specific information or questions about an action listed below, contact the CZM staff person identified for each action. The CZM Program is required to adhere to federal review deadlines, therefore, comments must be received by the date specified. Comments may be submitted by mail or electronic mail, to the addresses below.

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

**Email:** [john.d.nakagawa@hawaii.gov](mailto:john.d.nakagawa@hawaii.gov)

### Naval Special Operations Training, State of Hawai'i

**Proposed Action:** The U.S. Naval Special Warfare Command proposes to conduct small-unit intermediate and advanced land and maritime training activities for naval special operations personnel. The training activities broadly fit into three categories: water-based training, land-based training, and air-based training. Water-based training generally includes naval special operations personnel diving/swimming, launching/recovering small vehicles designed to operate underwater (submersible) as discreet activities, or in combination. Water-based training may also incorporate inserting and extracting naval special operations personnel or equipment using watercraft as part of a training event and prior to performing a land-based training component. Land-based training would include personnel transiting over the beach on foot, simulating building clearance activities using simulated munitions, in limited areas engaging in high angle climbing, and using observation techniques in a pre-arranged scenario (special reconnaissance operations with military role players). Air-based training would include the use of unmanned aircraft systems or aircraft utilizing drop zones or landing zones for parachute or rope suspension training activities. The training activities would take place in selected coastal nearshore waters and selected shoreline and inland locations throughout the State of Hawai'i. To facilitate naval special operations training in a variety of ocean conditions, proposed training sites have been identified on or near six of the main Hawaiian Islands: nearshore waters and land-based areas on O'ahu, Hawai'i, and Kaua'i; and in nearshore waters, including harbors and bays, of Maui, Moloka'i, and Lāna'i. Only the training activities occurring on non-federal lands are being evaluated in this CZM federal consistency review. Each non-federal training site would be used for up to ten events per year and not every non-federal training site will be used every year. The maximum number of events across all non-federal land training sites would be up to 330 events.

**Location:** Nearshore waters and land-based areas on O'ahu, Hawai'i, and Kaua'i; and in nearshore waters, including harbors and bays, of Maui, Moloka'i, and Lāna'i

**Federal Action:** Federal Agency Activity

**Federal Agency:** U.S. Naval Special Warfare Command

**Contact:** Julie Zimmerman, NavFac Engineering Command, Pacific, (808) 472-1403, [julie.zimmerman@navy.mil](mailto:julie.zimmerman@navy.mil)

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

**Comments Due:** June 6, 2019



## COASTAL ZONE MANAGEMENT NOTICES (CONTINUED)

### SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS

The SMA Minor permits below have been approved (HRS § 205A-30). For more information, contact the relevant county/state planning agency. Honolulu (768-8014); Hawai'i (East 961-8288, West 323-4770); Kaua'i (241-4050); Maui (270-7735); Kaka'ako or Kalaeloa Community Development District (587-2841).

Location (TMK)	Description (File No.)	Applicant/Agent
Hawai'i: South Hilo (2-1-007: 003)	Paving of Parking Lot (SMM 19-414)	I. Kitagawa and Company, LTD.
Hawai'i: Puna (1-3-002: 069)	After-the-Fact Approval for Land Management Activities (SMM 19-415)	Ivan Franks
Maui: Lahaina (4-4-008: 019)	Adult Pool and Spa (SM2 20180086)	Trinity Investments, LLC
Maui: Kihei (3-9-004: 023)	Mana Kai AOA Door Replacement (SM2 20190043)	Dennis Ventura
Maui: Wailea (2-1-011: 001)	Polo Beach Club Stone Work (SM2 20190044)	Brian Ventura
Maui: Lahaina (4-3-003: 017)	Allen Project (SM2 20190045)	Monty Carpenter
Maui: Kihei (3-9-058: 007)	Lopez Above-Ground Pool and Deck (SM2 20190046)	Lee and Darleen Lopez
Maui: Kihei (3-9-002: 026)	Self-Storage Containers (SM2 20190047)	UU-Hodgins, Nohelani
O'ahu: Waimea (6-1-002: 002)	Waimea Falls Park Sewer Line Repair and Maintenance (2019/ SMA-10)	Hiipaka, LLC/North Shore Consultants

## 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 Ian Hirokawa at (808) 587-0420.

File No.	Location	TMK	Applicant	Owner
MA-716	2525 Ka'anapali Parkway, Maui 96761	(2) 4-4-008: 003	R.T. Tanaka Engineers, Inc.	Kaanapali Beach Hotel
MO-177	3010 Kaluakoi Road, Moloka'i 96770	(2) 5-1-006: 070	Akamai Land Surveying, Inc.	Muppe Glick
HA-574	69-1081 Ku'uali'i Place, Hawai'i	(3) 6-9-007: 015	Wes Thomas Associates	Waikoloa BC, LLC
KA-442	Kaua'i	(4) 4-8-018: 028 & 029	Esaki Surveying and Mapping, Inc.	State of Hawai'i - DLNR and County of Kaua'i

### PROPOSED SHORELINE CERTIFICATIONS AND REJECTIONS

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

File No.	Status	Location	TMK	Applicant	Owner
OA-1837	Proposed	87-561 Farrington Highway, O'ahu 96792	(1) 8-7-028: 017	R.M. Towill Corporation	Donald H. Thompson
LA-020	Proposed	State Highway #44, Lāna'i	(2) 4-9-003: 010 & 4-9-002: por 001	R.M. Towill	Lanai Resorts, LLC
MO-172	Proposed	Kahananui, Moloka'i	(2) 5-6-003: 008	CDF Engineering LLC	CDF Engineering LLC
HA-569	Proposed	Unassigned address, Hawai'i	(3) 1-5-058: 053	Crossroads Land Surveying	David Bolick

## CONSERVATION DISTRICT USE APPLICATIONS

Persons interested in commenting on the following Conservation District Use Application(s) or receiving notification of determinations on Conservation District Use Applications must submit comments and requests to the Department of Land and Natural Resources. Notification requests must include the following information: 1) Name and address of the requestor; 2) The application for which the requestor would like to receive notice of determination; and 3) The date the notice was initially 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 CDUAs. However, DLNR is not obligated to notify any person not strictly complying with the above requirements. For more information, please contact the Office of Conservation and Coastal Lands staff listed for each project. CDUAs can be found on the OCCL website at [dlnr.hawaii.gov/occl](http://dlnr.hawaii.gov/occl).

**File No.:** CDUA MA-3839  
**Name of Applicant:** State of Hawai'i, Department of Transportation  
**Location:** Hāna, Maui  
**TMK(s):** (2) 1-1-001: por. 021 and 044  
**Proposed Action:** Rockfall Mitigation  
**343, HRS determination:** Final EA/FONSI published in the July 23, 2018 edition of *The Environmental Notice*  
**Applicant's Contact:** Mr. Brian Takeda, Planning Project Manager, R.M. Towill Corporation, (808) 842-1133  
**OCCL Staff Contact:** Lauren Yasaka, (808) 587-0386

**File No.:** CDUA OA-3840  
**Name of Applicant:** City & County of Honolulu, Department of Design and Construction  
**Location:** Mauna Lahilahi Beach Park, Wai'anae, O'ahu  
**TMK(s):** (1) 8-5-017:005  
**Proposed Action:** Replace a temporary sandbag revetment with a 330-foot permanent rock revetment along the inner shoreline of a small pocket beach cove adjacent to Mauna Lahilahi Beach Park  
**343, HRS determination:** Final EA/FONSI published in the May 23, 2014 issue of *The Environmental Notice*  
**Applicant's Contact:** Dayan Vihanage, Oceanit Laboratories, Inc., (808) 531-3017  
**OCCL Staff Contact:** Salvatore Saluga, (808) 587-0399

**File No.:** CDUA OA-3841  
**Name of Applicant:** City & County of Honolulu, Department of Environmental Services  
**Location:** Sand Island, Honolulu, O'ahu  
**TMK(s):** (1) 1-5-041: 003, 006  
**Proposed Action:** Construction of a rock rubble mound and concrete rubble masonry (CRM) revetment and reconstruction of existing stop gate structure  
**343, HRS determination:** Final EA/FONSI published in the October 23, 2017 issue of *The Environmental Notice*  
**Applicant's Contact:** Jennifer Scheffel, SSFM International, (808) 356-1273  
**OCCL Staff Contact:** Salvatore Saluga, (808) 587-0399

## FEDERAL NOTICES

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

### **Rule: [List of Fisheries for 2019](#) (published by the National Oceanic and Atmospheric Administration on 05/16/2019)**

The National Marine Fisheries Service (NMFS) publishes its final List of Fisheries (LOF) for 2019, as required by the Marine Mammal Protection Act (MMPA). The LOF for 2019 reflects new information on interactions between commercial fisheries and marine mammals. NMFS must classify each commercial fishery on the LOF into one of three categories under the MMPA based upon the level of mortality and serious injury of marine mammals that occurs incidental to each fishery. The classification of a fishery on the LOF determines whether participants in that fishery are subject to certain provisions of the MMPA, such as registration, observer coverage, and take reduction plan (TRP) requirements. **The effective date of this final rule is June 17, 2019.** Please click on linked title of this entry for additional information.



## FEDERAL NOTICES (CONTINUED)

**Notice: [Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to the U.S. Navy Training and Testing Activities in the Hawai'i-Southern California Training and Testing Study Area](#) (published by the National Oceanic and Atmospheric Administration on 05/08/2019)**

NMFS has received a request from the U.S. Navy (Navy) to extend the expiration date from December 2023 to December 2025 for Marine Mammal Protection Act (MMPA) regulations authorizing the take of marine mammals incidental to Navy training and testing activities conducted in the Hawai'i-Southern California Training and Testing (HSTT) Study Area. In August 2018, the MMPA was amended by the John S. McCain National Defense Authorization Act (NDAA) for Fiscal Year 2019 to allow for seven-year authorizations for military readiness activities, as compared to the previously allowed five years. The Navy's activities qualify as military readiness activities pursuant to the MMPA as amended by the NDAA for Fiscal Year 2004. In making the request to extend the time period covered by the MMPA 2018 HSTT regulations from five to seven years, the Navy proposes no changes to their specified activities, the geographical region in which those activities would be conducted, mitigation measures, monitoring, or reporting over the longer seven-year period. NMFS invites the public to provide information, suggestions, and comments on the Navy's application. **Comments and information must be received no later than June 7, 2019.** Please click on the linked title of this entry for additional information.

**Notice: [Notice of Lodging of Proposed Consent Decree Under the Clean Water Act](#) (published by the Justice Department on 05/10/2019)**

On April 29, 2019, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the District of Hawai'i in the lawsuit entitled United States and State of Hawai'i Department of Health v. Waste Management Hawaii, Inc. and City and County of Honolulu, Civil Action No. 19-cv-00224.

The United States and the State of Hawai'i Department of Health filed this lawsuit under the Clean Water Act and Hawai'i State law. The complaint seeks penalties and injunctive relief for discharges of pollutants, including contaminated storm water and solid waste, from the Waimānalo Gulch Sanitary Landfill located in O'ahu, Hawai'i. The landfill is operated by defendant Waste Management of Hawaii, Inc., and owned by defendant the City and County of Honolulu. The proposed Consent Decree requires the Defendants to perform injunctive relief to improve storm water management and address effluent limit violations at the landfill. The proposed Consent Decree also requires payment of civil penalties to the United States of \$150,000 by Waste Management of Hawaii, Inc., and \$62,500 by the City and County of Honolulu. The proposed Consent Decree further requires payments to the Hawai'i State Department of Land and Natural Resources of \$150,000 by Waste Management of Hawaii, Inc., and \$62,500 by the City and County of Honolulu, with these funds to be used for research and restoration of coral and coral habitat.

The publication of this notice opens a period for public comment on the proposed Consent Decree. **All comments must be submitted no later than thirty (30) days after May 10, 2019.** Please click on the linked title of this entry for additional information on submitting comments.

**Notice: [Hawai'i Crop or Livestock Loss Survey](#) (published by the Agriculture Department on 05/17/2019)**

The year 2018 saw multiple disaster events in Hawai'i. Disasters ranged from volcano eruption over the east side of the Big Island to several flooding rains across the Big Island, Maui, O'ahu, and Kaua'i. The Hawai'i Department of Agriculture (HDOA) has entered into a cooperative agreement with National Agricultural Statistics Service (NASS) to conduct a Crop or Livestock Loss Survey to ascertain the extent of damage from natural occurrences on an acreage/livestock basis during crop year 2018.

The primary objectives of the NASS are to prepare and issue official State and national estimates of crop and livestock production, disposition and prices, economic statistics, and environmental statistics related to agriculture and to conduct the Census of Agriculture and its follow-on surveys. NASS will conduct a survey of agricultural operations in Hawaii. Each selected farmer or rancher will be asked to provide data on (1) the area (acres or square feet) affected by natural disasters or weather conditions in 2018, (2) the area (acres or square feet) affected by natural disasters or weather conditions in 2018 that was replanted, and (3) the number of head of livestock affected by natural disasters or weather conditions in 2018.

**Comments regarding these information collections are best assured of having their full effect if received by June 17, 2019.** Please click on the linked title of this entry for additional information on submitting comments.

## 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 action's 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 the Environmental 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 to 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 a Federal 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. Upon request by a federal agency, OEQC publishes NEPA notices in this bulletin to help keep the public informed of important federal actions.

### Conservation District

Proposed uses of land in the State Conservation District require 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. This bulletin will include EAs & EISs for actions proposed within the Conservation District.

### 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 portion of the SMA that is addressed by HRS 343 is the [Shoreline Area](#), which includes land between the State-certified shoreline and the county-determined shoreline setback line. This bulletin will include EAs & EISs for actions proposed within the Shoreline Setback Area.

### 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).