



The Environmental Notice

August 8, 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.



Mauka watersheds, such as here in Mānoa Valley on O'ahu, support numerous important natural and cultural values

Photo by [Owen and Aki](#)

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ANNOUNCEMENTS

- This is the final issue of *The Environmental Notice* being published under the 1996 administrative rules, Chapter 11-200, Hawaii's Administrative Rules. Governor Ige signed the new rules for the environmental review process, which take effect tomorrow, August 9, 2019. The August 23, 2019 issue will be the first published under the new rules. See [page 3](#) for details.
- For actions that have published a Draft EA or EISP in this issue or previously, continue using the 8-working day submittal deadline for all subsequent publications of Final EAs, Draft & Final EISs, Acceptance/Non-acceptance determinations, etc. Please see the [new Publication Calendar](#) attached at the end of this issue.

STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS & DETERMINATIONS



NEW HAR CHAPTER 11-200.1

This is the final issue of *The Environmental Notice* under the 1996 administrative rules, Chapter 11-200, Hawai'i Administrative Rules (HAR). Governor Ige signed the new rules, HAR Chapter 11-200.1, and they take effect on August 9, 2019 (tomorrow). The August 23, 2019 issue will be the first published under the new rules.

Important Upcoming Dates

Last issue of <i>The Environmental Notice</i> under HAR 11-200	August 8 (Thu)
HAR Chapter 11-200.1 takes effect	August 9 (Fri)
Submittal deadline for grandfathered EAs and EISs (8 days before publication)	August 12 (Mon)
Submittal deadline for new EAs and EISs (5 days before publication)	August 15 (Mon)
First bulletin under HAR Chapter 11-200.1	August 23 (Fri)
Submittal deadline for grandfathered EAs and EISs (8 days before publication)	August 27 (Tue)
Submittal deadline for new EAs, new EISs, and Lists of Exemption Notices (5 days before publication)	August 30 (Fri)
Second bulletin under HAR Chapter 11-200.1 (includes Lists of Exemption Notices)	September 8 (Sun)

- HAR Chapter 11-200.1 considers actions that have already started the environmental review process under the old rules (HAR Chapter 11-200) to be "grandfathered in" to the new rules. This means that if the action has published a Draft EA or EISPN in this issue or previously, pursuant to HAR Chapter 11-200, it must comply with all of the requirements of HAR Chapter 11-200 to complete environmental review.
- For actions that have published a Draft EA or EISPN in this issue or previously, continue using the 8-working day submittal deadline for all subsequent publications of Final EAs, Draft & Final EISs, Acceptance/Non-acceptance determinations, etc. Please see the [new Publication Calendar](#) attached at the end of this issue and use the left-most column.
- For new EAs & EISPNs published in the August 23 issue or afterward, submittals must be electronic, using the 5-working day deadline for the new EA or EISPN and all subsequent publications of Final EAs, Draft & Final EISs, Acceptance/Non-acceptance determinations, etc. Please see the [new Publication Calendar](#) attached at the end of this issue and use the second from the left column. Submitting prior to the deadline is strongly encouraged to prevent errors from precluding publication.

The State Environmental Council and OEQC have prepared several tools to assist with the rules transition. The main online locations for these materials are the OEQC website (<https://health.hawaii.gov/oeqc/>), the Rules Update webpage (<https://health.hawaii.gov/oeqc/rules-update/>) and the OEQC SharePoint Site (<http://oeqc2.doh.hawaii.gov/>). The following files are particularly useful for orienting one's self to the new rules:

- HAR Chapter 11-200.1 in standard format (the official format for rules)
http://oeqc2.doh.hawaii.gov/Laws/v2.0-Proposed-HAR-11-200.1-Rules-Standard_Final.pdf
- HAR Chapter 11-200.1 rationale, which explains the changes made to the rules
http://oeqc2.doh.hawaii.gov/Laws/v2.0-Proposed-HAR-11-200.1-Rules-Rationale_Final.pdf
- HAR Chapter 11-200.1 unofficial Ramseyer version, which shows the changes from the old rules to the new rules
http://oeqc2.doh.hawaii.gov/Laws/v2.0-Proposed-HAR-11-200.1-Rules-Rationale-App-2-Ramseyer-Unofficial_96-2.0.pdf

In addition, the OEQC webpage for the Rules Update has a list of all meetings the Council held for rulemaking, agendas and meeting minutes, working drafts, comments on drafts, and responses to comments. These can be found here: <https://health.hawaii.gov/oeqc/rules-update/>.

The OEQC will continue to prepare guidance on the new rules so please check the website and the *Notice* for updates.

NEW HAR CHAPTER 11-200.1 (CONTINUED)

Major Themes in the Revisions to the Admin Rules

The purpose of environmental review, as stated in its enabling statute, Chapter 343, Hawai'i Revised Statutes:

"... [t]hat the quality of humanity's environment is critical to humanity's well being, that humanity's activities have broad and profound effects upon the interrelations of all components of the environment, and that an environmental review process will integrate the review of environmental concerns with existing planning processes of the State and Counties and alert decision makers to significant environmental effects which may result from the implementation of certain actions. The legislature further finds that the process of reviewing environmental effects is desirable because environmental consciousness is enhanced, cooperation and coordination are encouraged, and public participation during the review process benefits all parties involved and society as a whole."

The process also requires public participation and, as such, points the way for how agencies in general can involve the public in decision making. The EIS process requires notice of the action, public comment periods, and responses to comments for both EISs and EAs. The environmental review process can at time be the only or main opportunity for the public to weigh in on proposed developments or agency use of public resources. The information gathered helps agencies make informed decisions about the impacts of a proposed action on the environment, defined broadly to include all the physical, economic, cultural, and social conditions that exist within the area affected by a proposed action, including land, human and animal communities, air, water, minerals, flora, fauna, ambient noise, and objects of historic, cultural, or aesthetic significance, among other things.

In choosing to pursue updating the rules, the Council adopted the following principles to guide its work: modernize government, be consistent with the statutes, bring greater alignment to statute, case law, and practice, increase clarity of process and requirements, look to NEPA where it makes sense to do so, and solve real problems

The major change to the Rules is a reorganization of the current Chapter 11-200, HAR, to more closely reflect the steps that agencies and applicants follow when preparing EAs or EISs. This is why HAR Chapter 11-200 is being repealed and the new HAR Chapter 11-200.1 is being adopted.

Other changes are legislatively driven. In 2012, the Legislature passed Act 50, requiring a cultural assessment as part of an EA or EIS. The Rules add "cultural" into in the definition of environment and in several other places within the Rules as mandated by the Act. The proposed Rules also introduce a public scoping meeting requirement as part of the EISPN phase to help balance the legislatively created direct-to-EIS pathway, that allows applicants and agencies to prepare an EIS without first preparing an EA. The Council integrated the state sea level rise exposure area into the significance criteria so that agencies would have to consider it in deciding whether to issue an exemption notices or require an EA or EIS for a particular action.

The Rules also update various definitions including new definitions for "project" and "program," encouraging the preparation of programmatic EAs and EISs, when appropriate, by more clearly distinguishing what level of information needs to be included in an EA or EIS prepared for a project from what needs to be included in an EA or EIS for a program.


The Rules require electronic submittal for publication in *The Environmental Notice*, and its distribution as well as for distributing exemption notices, EAs, and EISs. In addition to the above, the Rules address many issues, among which are:

- Clarifying roles and responsibilities of proposing agencies, approving agencies, and accepting authorities in the environmental review process;
- Clarifying exemptions; introducing *de minimis* actions and requiring the publication of lists of exemption notices;
- Clarifying significance criteria and incorporating climate change such as sea-level rise and greenhouse gases;
- Modernizing submittals and deadlines;
- Standardizing how to start from an EIS Preparation Notice so that all EIS Preparation Notices are standardized;
- Responding to comments in EAs and EISs for petitions, form letters, and common topics and issues; and
- Conducting joint federal-state environmental review (NEPA-HEPA).

As noted above, the OEQC will continue to prepare guidance on the rules transition, so please check with the OEQC, the website and SharePoint site, and future issues of the *Notice* for updates.


HAWAII

Kukuioia and Village 9 Affordable Rental Community--Draft EA (AFNSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds	
District(s)	North Kona	
TMK(s)	(3) 7-4-020:004	
Permit(s)	Various (see document)	
Proposing/ Determining Agency	Office of the Mayor, County of Hawai'i Sharon Hirota, (808) 961-8019, Sharon.Hirota@hawaiicounty.gov 25 Aupuni Street, Hilo, HI 96720	
Consultant	PBR HAWAII & Associates; 1001 Bishop Street, ASB Tower, Suite 650, Honolulu, HI 96813 Jeff Seastrom, (808) 521-5631, jseastrom@pbrhawaii.com	
Status	Statutory 30-day public review and comment period starts. Comments are due by September 9, 2019. Please send comments to: http://kukuioilavillage9.commentinput.com or mail them to the proposing/determining agency and the consultant.	

Located at the corner of Kealakehe Pkwy and Ane Keohokalole Hwy, the project consists of two subprojects: the County of Hawai'i Kukuioia homeless emergency shelters and permanent supportive housing (PSH) component (Kukuioia); and a HHFDC affordable rental housing component (HHFDC Rental). The Site is State-owned ceded land that was transferred to HHFDC via Executive Order. Through a Memorandum of Understanding with the County of Hawai'i, HHFDC agreed to lease up to 20 ac of the Site to the County for 65 years for Kukuioia. Kukuioia will implement a multi-organization approach to reduce the number of homeless individuals and couples without children in Kealakehe and the North Kona region. Kukuioia will provide social services and programs to help transition shelter individuals to PSH and/or affordable housing programs. The HHFDC Rental will increase available affordable housing inventory for the growing West Hawai'i community.


Grossbard/Bourzat Single-Family Residence at Keonepoko--Draft EA (AFNSI)

HRS §343-5(a) Trigger	(2) Propose any use within any land classified as a conservation district	
District(s)	Puna	
TMK(s)	(3) 1-5-009:053	
Permit(s)	CDUA, SMA, various others	
Approving Agency	Department of Land and Natural Resources, State of Hawai'i Lauren Yasaka, DLNR-OCCL, (808) 587-0386, lauren.e.yasaka@hawaii.gov 1151 Punchbowl Street, Room 131, Honolulu HI 96813	
Applicant	Françoise Bourzat and Aharon Grossbard C/O James Leonard, (808) 896-3459; jmleonard@mac.com 56 Laukona Street, Hilo HI 96720	
Consultant	Geometrician Associates LLC; P.O. Box 396, Hilo, HI 96721 Ron Terry, (808) 969-7090 rterry@hawaii.rr.com	
Status	Statutory 30-day public review and comment period starts. Comments are due by September 9, 2019. Please send comments to the approving agency and copy the applicant and the consultant.	

The applicants plan a 1-story, 2,560-square foot (sf), 3-bedroom, 2-bath residence on their 6.91-acre property near Hawaiian Beaches. Also included are electric lines, an IWS, a water well and tank, an improved driveway, and an 858-sf utility shed. They will landscape with primarily native or Polynesian species and a small fruit tree orchard. All improvements would be on previously disturbed land. Landclearing over less than an acre would generate short-term impacts to noise, air and water quality, and scenery, mitigated by BMPs. A botanical survey found no threatened or endangered plant species in use areas. A coastal strip of native vegetation includes the endangered grass *Ischaemum byrone*. The owners will remove non-native trees here for both native vegetation protection and sight lines, but all native plants will be preserved. Impacts to islandwide-ranging endangered Hawaiian hoary bats and Hawaiian hawks will be avoided through vegetation removal timing. An archaeological survey found no sites and a cultural impact assessment determined that no cultural sites or practices would be affected. The residence would be not be visible from Government Beach Road. The wide shoreline setback and placement amid native vegetation would keep the home only subtly visible from the sea. The shoreline supports fishing and gathering and the applicants understand the public's right to traverse and utilize this area.

HAWAII (CONTINUED)


Kohala Shoreline 6-Lot Subdivision--Final EA (FONSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds	
District(s)	North Kohala	
TMK(s)	(3) 5-9-001:008	
Permit(s)	Various (see document)	
Approving Agency	Planning Department, County of Hawai'i Michael Yee, Planning Director, (808) 961-8288, Michael.Yee@HawaiiCounty.gov 101 Pauahi Street, Suite 3, Hilo, HI 96720	
Applicant	Kohala Shoreline, LLC; 121 Waianuenue Avenue, Hilo, HI 96720 Steven Lim, (808) 523-2583, slim@carlsmith.com	
Consultant	Geometrician Associates LLC; P.O. Box 396, Hilo, HI 96721 Ron Terry, (808) 969-7090, rterry@hawaii.rr.com	
Status	Finding of No Significant Impact (FONSI) determination.	

Kohala Shoreline, LLC proposes to develop a 6-lot subdivision makai of Akoni Pule Highway on a 37.88-acre parcel 3 miles north of Kawaihae. The owner proposes to downzone from Single-Family Residential (RS-15) to Residential and Agricultural (RA-5a) to permit less dense development. The project includes an existing lateral shoreline access, planned public parking & a mauka-makai shoreline access, and planned accommodation of the Ala Kahakai National Historic Trail on the existing Ala Loa/jeep trail. In contrast to previous proposals on this property, all building sites would be located mauka of the Ala Loa, with the 50 to 250-foot wide shoreline area below dedicated as an easement for public use. No threatened or endangered plant species are present, and wide-ranging endangered vertebrates would be protected by construction timing & project design. Implementation of archaeological preservation, data recovery plans & burial treatment plans will mitigate impacts to historic sites. Cultural impacts on traditional gathering along the shoreline will be avoided by the large shoreline buffer & public access provisions. Due to 25-foot height restrictions, low density & setbacks from both the highway & shoreline, visual effects will be minor. Water quality effects were calculated considering water extraction, wastewater infiltration & irrigation return, and will be negligible.

MAUI

Kaheawa Wind Power II--Draft Supplemental EIS


HRS §343-5(a) Trigger	(1) Propose the use of state or county lands... (2) Propose any use within any land classified as a conservation district	
District(s)	Lahaina	
TMK(s)	(2) 4-8-001:001 (Note: access road is in 3-6-001 :014)	
Permit(s)	Various (see document)	
Approving Agency/ Accepting Authority	Department of Land and Natural Resources, State of Hawai'i Glenn Metzler, (808) 587-4149, glenn.m.metzler@hawaii.gov 1151 Punchbowl Street, Room 325, Honolulu, HI 96813	
Applicant	Kaheawa Wind Power II, LLC; 12500 Baltimore Avenue, Beltsville, MD 20705 Lily Henning, (646) 992-2486, lhennig@terraform.com	
Consultant	SWCA Environmental Consultants; 307-A Kamani St., Honolulu, HI 96813 Amanda Ehrenkrantz, (808) 892-3842, aehrenkrantz@swca.com	
Status	Statutory 45-day public review and comment period starts. Comments are due by September 23, 2019. Please send comments to the approving agency/accepting authority and copy the applicant and the consultant.	

KWP II, LLC owns and operates a 21-megawatt wind energy generation facility on leased State of Hawai'i Conservation District lands. The Project has an approved HCP to monitor and mitigate for take of three bird species and one bat species. The Applicant has requested that the BLNR issue an amended ITP and approve an amended HCP to increase incidental take for the Hawaiian hoary bat from a total of 11 to a total of 38 adults, and for the Hawaiian goose from a total of 30 to a total of 44 adults during the remaining 20-year permit. KWP II, LLC would implement avoidance & minimization measures and monitoring and would provide mitigation commensurate with the new take levels. Effects to Hawaiian hoary bat and Hawaiian goose would be offset by funding research, acquiring land for conservation, and funding management of a Hawaiian goose breeding pen to mitigate for the take of each species. Based on the mitigation efforts, no adverse impacts to either species is anticipated.

MAUI (CONTINUED)


Auwahi Wind HCP Amendment--Final Supplemental EIS

HRS §343-5(a) Trigger	(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 (these were triggers for original EIS; HCP Amendment is not a trigger, but SEIS requested by DLNR)
District(s)	Makawao
TMK(s)	(2)1-9-001:006 (por.)
Permit(s)	Major Amendment to Habitat Conservation Plan, Incidental Take License & IT Permit
Approving Agency/ Accepting Authority	Department of Land and Natural Resources, State of Hawai'i Glenn Metzler, (808) 587-4149, glenn.m.metzler@hawaii.gov 1151 Punchbowl Street, Room 325, Honolulu, HI 96813
Applicant	Auwahi Wind Energy, LLC; 655 W Broadway, Suite 650, San Diego, CA 92101 Marie VanZandt, mlvanzandt@AESPES.com
Consultant	Tetra Tech, Inc.; 737 Bishop Street, Suite 2340, Honolulu, HI 96813 Lisa Kettley, lisa.kettley@tetrattech.com
Status	FEIS has been submitted and is pending acceptance by the approving agency/accepting authority, which has 30 days from date of receipt to determine acceptability.



The Project consists of eight 3 megawatt (MW) wind turbines augmented by an 11-MW battery storage system located on 'Ulupalakua Ranch, on the eastern side of Maui. An EIS for the Project was accepted by the County of Maui Planning Commission in August 2011. The Project was constructed in 2012 and has been in operation since that time. The Project operates under an approved Habitat Conservation Plan (HCP) and Incidental Take License (ITL) issued by the Department of Land and Natural Resources (DLNR). The HCP and ITL provide coverage for incidental take of four listed wildlife species, including the endangered Hawaiian hoary bat (*Lasiurus cinereus semotus*). Post construction mortality monitoring data indicate that the wind turbines are causing a greater number of endangered Hawaiian hoary bat fatalities than anticipated in the approved HCP and authorized under the ITL. Accordingly, Auwahi Wind is seeking approval of a major amendment to the HCP as part of the request to increase the amount of incidental Hawaiian hoary bat take authorized under the ITL. Given the increase in estimated take of the Hawaiian hoary bat, DLNR requested that an SEIS be prepared to support its' decision making for the HCP Amendment and ITL.


Central Maui Landfill Facilities--Final EA (FONSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds	
District(s)	Wailuku	
TMK(s)	(2) 3-8-003:019 (por.)	
Permit(s)	Various (see document)	
Proposing/ Determining Agency	Department of Environmental Management, County of Maui Eric Nakagawa, Director, (808) 270-8230, environmental.mgmt@mauicounty.gov 2050 Main Street, Suite 2B, Wailuku, HI 96793	
Consultant	Munekiyo Hiraga; 305 High Street, Suite 104, Wailuku, HI 96793 Colleen Suyama, (808) 244-2015, planning@munekiyohiraga.com	
Status	Finding of No Significant Impact (FONSI) determination.	

The Department of Environmental Management (DEM) proposes to develop the following solid waste management facilities on an approximately 40-acre portion of the Central Maui Landfill (CML) property in Pu'unene to reduce the amount of solid waste entering the landfill: 1) Office; 2) Abandoned Vehicles Area; 3) Metals Processing Area; 4) Open Construction and Demolition Material Recovery Area; 5) Household Hazardous Waste and Electronic Waste Receiving and Storage Area; 6) Warehouse Building and Storage Area; 7) Refuse Collection Office, Truck Parking, and Maintenance Area; 8) Drainage Basins; and 9) Associated Infrastructure. Implementation of the project is expected to extend the useful operating life of the CML up to 2042. The CML is operating in State & County Agricultural Districts under special State & County permits; the proposed project will require amendments to these permits.


MAUI (CONTINUED)

Hāna Pier Deck Removal (Acceptance of Final EIS)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds	
District(s)	Hāna	
TMK(s)	N/A; North of TMK (2) 1-4-004:036	
Permit(s)	Various (see EIS document)	
Proposing Agency	Department of Transportation, State of Hawai'i Ms. Sandra Rossetter, Project Manager, (808) 587-1886, hanapiereis@hhf.com DOT Harbors Division, Planning Section, 79 S. Nimitz Highway, Honolulu, HI 96813	
Accepting Authority	Governor, State of Hawai'i The Honorable David Y. Ige, (808) 586-0034, http://governor.hawaii.gov/contact-us/contact-the-governor/ Executive Chambers, State Capitol, 415 South Beretania Street, Honolulu, HI 96813	
Consultant	HHF Planners; 733 Bishop Street, Suite 2590, Honolulu, HI 96813 Gail Renard, (808) 457-3167, hanapiereis@hhf.com	
Status	The Governor accepted the FEIS on July 24, 2019.	

The proposal is to remove the superstructure of Hāna Pier and access trestle at Hāna Harbor, Maui. The concrete pier and its access trestle are currently condemned due to the deteriorated condition of its superstructure (i.e., deck, beams, pile caps, and trestle guardrails). The existing piles would remain in place to avoid adversely impacting corals that have colonized on the piles. In its current deteriorated state, the pier is a potential public safety hazard. To address this potential hazard and unsafe conditions, physical barriers and warning signs were installed and are periodically repaired by DOT-H; however, unauthorized access to the pier continues despite these efforts. The project is intended to further address this potential public safety hazard. The project purpose is (1) to further address and resolve what could be a public safety hazard and potential legal liability and (2) to ensure all facilities under the jurisdiction and management of the DOT-H meet and support its mission and the requirements of Chapter 266, HRS, which defines a “commercial harbor,” while simultaneously respecting the Hāna community’s objections to the pier’s use for commercial purposes.


DLNR Industrial and Business Park (Acceptance of Final EIS)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds (6) Propose any amendments to existing county general plans ... (9)(A) Propose any wastewater treatment unit ...	
District(s)	Wailuku	
TMK(s)	(2) 3-8-008:001 (por.)	
Permit(s)	Various (see EIS document)	
Proposing Agency	Department of Land and Natural Resources, State of Hawai'i Russell Tsuji, Administrator, Land Division, (808) 587-0419, Russell.Y.Tsuji@hawaii.gov P.O. Box 621, Honolulu, HI 96809	
Accepting Authority	Governor, State of Hawai'i The Honorable David Y. Ige, (808) 586-0034, http://governor.hawaii.gov/contact-us/contact-the-governor/ Executive Chambers, State Capitol, 415 South Beretania Street, Honolulu, HI 96813	
Consultant	Munekiyo Hiraga; 305 High Street, Suite 104, Wailuku, HI 96793 Tessa Munekiyo Ng, AICP, (808) 983-1233, planning@munekiyohiraga.com	
Status	The Governor accepted the FEIS [Volume II and Volume III] on July 16, 2019	

The DLNR proposes the DLNR Industrial and Business Park, with a mix of light industrial, commercial, and public/quasi-public uses at Pulehunui, Maui. The proposed action encompasses approximately 280 acres, including a 20.3 acre site for the proposed Division of Forestry and Wildlife administrative facilities and baseyard. Key components of the plan include development of small, medium and large lots to meet varying needs of future lessees, along with the provision of required infrastructure systems (i.e., wastewater, water, and drainage). In addition to the infrastructure systems, internal roadway networks will be developed which will be accessed via a proposed signalized intersection off of Maui Veterans Highway, as well as the existing Kama'āina Road, South Firebreak Road and the Maui Raceway Park access road. The proposed project, which is located in the Urban Growth Boundary of the Maui Island Plan, is intended to generate long-term lease revenues to support DLNR's various programs including conservation, forestry and wildlife programs, and State Parks, among others.

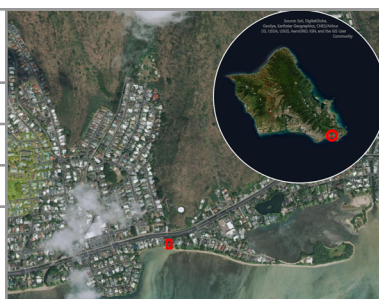
O'AHU

BWS Hālau Wai Mānoa--Draft EA (AFNSI)

HRS §343-5(a) Trigger	(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	
District(s)	Honolulu	
TMK(s)	Portions of (1) 2-9-054: 019, 020, & 021, and 004, 006, & 029 for access corridors	
Permit(s)	Various (see document)	
Proposing/ Determining Agency	Board of Water Supply (BWS), City and County of Honolulu Amy Tsuneyoshi, Water Resources Division, (808) 748-5936, atsuneyoshi@hbws.org 630 South Beretania Street, Honolulu, HI 96843	
Consultant	PBR HAWAII & Associates; 1001 Bishop Street, ASB Tower, Suite 650, Honolulu, HI 96813 Greg Nakai, (808) 521-5631, gnakai@pbrhawaii.com	
Status	Statutory 30-day public review and comment period starts. Comments are due by September 9, 2019. Please send comments to: http://bws.halauwaimanoa.commentinput.com or mail them to the proposing/determining agency and the consultant.	

BWS is proposing to establish the Hālau Wai Mānoa, which is a continuation of agricultural use at its property in upper Mānoa Valley, with a focus on promoting watershed protection, water conservation, native forest restoration, invasive species removal, lo'i restoration, & sustainable agriculture. The proposed project would provide place-based, hands-on educational opportunities for current & future generations to learn about watersheds, forest health, watershed protection, water conservation, & sustainable resource management practices. Additionally, the proposed project may serve as a base for mauka restoration and watershed/valley-wide partnership efforts in Mānoa. A gathering place (a traditional meeting hale or similar open-air structure) is proposed for agricultural and educational purposes, plus small ancillary structures. Through an appropriate procurement method, BWS intends to select a non-profit community organization to operate Hālau Wai Mānoa on a long-term agreement.


Kalauha'īha'ī Fishpond Management Plan--Draft EA (AFNSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds	
District(s)	Honolulu	
TMK(s)	(1) 3-7-002:018 and (1) 3-7-002:077	
Permit(s)	see document	
Approving Agency	Department of Land and Natural Resources, State of Hawai'i Barry Cheung, (808) 587-0400, barry.w.cheung@hawaii.gov 1151 Punchbowl Street, Honolulu, HI 96813	
Applicant	Maunaloa Fishpond Heritage Center; P.O. Box 240204, Honolulu, HI 96824 Chris Cramer, President, Board of Directors, (808) 382-0847, Maunaloafishponds@gmail.com	
Consultant	None	
Status	Statutory 30-day public review and comment period starts. Comments are due by September 9, 2019. Please send comments to the approving agency and copy the applicant.	

The non-profit organization Maunaloa Fishpond Heritage Center (MFHC) is applying for a long-term (30 year) lease of the Kalauha'īha'ī Fishpond site at Niu, O'ahu. MFHC is a community-based organization committed to environmental conservation, and the historic and cultural revitalization of Maunaloa's remaining fishponds. The Kalauha'īha'ī Fishpond may be considered a historic property and cultural resource as it is the only intact shoreline fishpond in urban Honolulu besides nearby Kanewai Fishpond. While the pond is small, its potential to yield information important for research is high, and its accessible location in urban Honolulu makes it an especially valuable educational resource. The Kalauha'īha'ī site will be managed as a Hawaiian fishpond and cultural learning site, using science and hands-on education to steward resources and restore traditional fishpond values. The proposed project will engage schools and the community in a suite of low intensity activities using hand tools and traditional methods and materials. Management objectives include eliminating invasive species and restoring natives; managing aquatic habitat and fish populations; and preserving and maintaining traditional fishpond infrastructure. These proposed management actions are essential for the continuing revitalization, preservation and long-term use of the fishpond.

O'AHU (CONTINUED)

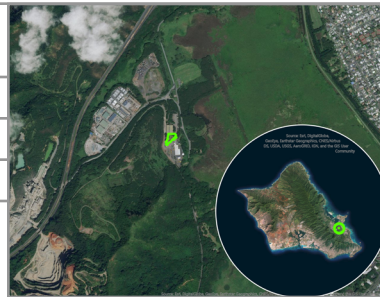
Lā'ie Corporation Yard Master Plan--Draft EA (AFNSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds	
District(s)	Koʻolauloa	
TMK(s)	(1) 5-6-006: 001	
Permit(s)	Various (see document)	
Proposing/ Determining Agency	Department of Design and Construction, City and County of Honolulu Anthony Macawile, Architect, (808) 786-8404, amacawile@honolulu.gov 650 S. King Street, Honolulu, HI 96813	
Consultant	Gerald Park Urban Planner; 95-595 Kanamee Street #324, Mililani, HI 96789 Gerald Park, (808) 625-9626, gpark@gpup.biz	
Status	Statutory 30-day public review and comment period starts. Comments are due by September 9, 2019. Please send comments to the proposing/determining agency and copy the consultant.	

The Facilities Master Plan for the Lā'ie Corporation Yard is a guide for renewing Department of Facility Maintenance Division of Road Maintenance facilities at the Lā'ie Corporation Yard. The Yard has been in existence since 1951 and is one of the City's oldest Road Maintenance facilities. The Department of Environmental Services Division of Refuse is also based at the Yard. In total, the entire facility is challenged by obsolete operational and staffing accommodations, aged buildings and facilities, and constrained site conditions. The Master Plan prescribes a blueprint and sequence for reconstructing aged facilities and providing sufficient garage, storage, workroom, office, and employee accommodations (lunchroom, lockers/showers). Large structures will be demolished and replaced by a new Administration Building, Storage Building, and two separate garages for Division of Road Maintenance and Division of Refuse vehicles. Two new facilities that are not currently at the Yard---a Wash Rack Facility for vehicles and a Dewatering Facility for sorting and dewatering "wet" materials collected off-site by road maintenance crews--will improve environmental quality and replace existing practices.

The projected construction cost is \$10.0 million and will be funded by the State of Hawai'i. A two-stage construction schedule is outlined over a projected two (2) year period.


Kapa'a Refuse Transfer Station Renovation--Final EA (AFNSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds	
District(s)	Ko'olaupoko	
TMK(s)	(1) 4-2-015:005	
Permit(s)	Various (see document)	
Proposing/ Determining Agency	Department of Environmental Services, City and County of Honolulu Josh Nagashima, (808) 768-3430, josh.nagashima@honolulu.gov Refuse Division, 1000 Ulu'ohia Street, Suite 201, Kapolei, HI 96707	
Consultant	AECOM, 1001 Bishop St., Suite 1600, Honolulu, HI 96813 Jeff Merz, (808) 356-5318, jeff.merz@aecom.com	
Status	Finding of No Significant Impact (FONSI) determination.	

The City and County of Honolulu, Department of Environmental Services proposes to improve the existing green waste handling process at the Kapa'a Transfer Station, Kailua, O'ahu. Site improvements would include a new loading bay to be used exclusively for green waste, a new knuckle boom crane for compacting material in top-loaders trucks, an integral truck scale within the proposed loading bay, a metal frame building over the new loading bay and crane, a new concrete pad for public off-loading of green waste, construction and upgrading of retaining walls, upgraded stormwater control systems, and relocation of existing utilities as needed. The approximately one-acre project site is part of the larger Corporation Yard Facility owned by the City and County of Honolulu. The project's use of county funds triggers the environmental documentation requirements as set forth in HRS Chapter 343 and HAR 11-200.


O'AHU (CONTINUED)

Kalākaua Avenue Water System Improvements--Final EA (FONSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds (5) Propose any use within the Waikīkī area of O'ahu	
District(s)	Honolulu	
TMK(s)	(1) 2-3-034:033 [Ala Wai Promenade], (1) 2-3-Various, (1) 2-4-Various, (1) 2-6-Various, (1) 3-1-Various, Parcel: 000, Portion of County Road ROW]	
Permit(s)	Various (see document)	
Proposing/ Determining Agency	Board of Water Supply, City and County of Honolulu Lester Fujikami, P.E. (808) 748-5713, lfujikami@hbws.org Capital Projects Division, Design and Plan Review Branch, Design Section; 630 S. Beretania Street, Honolulu, HI 96843	
Consultant	Belt Collins Hawaii LLC; 2153 North King Street, Suite 200, Honolulu, HI 96819-4554 Joanne Hiramatsu, Director of Planning, (808) 521-5361, jhiramatsu@bchdesign.com	
Status	Finding of No Significant Impact (FONSI) determination	

The Board of Water Supply is proposing to upgrade the flow capacity of the water main pipelines to current standards by replacing the existing eight-inch main within Kalākaua Avenue and the six-inch main within Saratoga Road. Once installed, the new mains will undergo hydrostatic pressure testing, and be reconnected to existing mains in the intersecting streets. Approximately 200 existing lateral services (fire hydrants and user connections) will also need to be reconnected to the new mains. Existing water mains within Kalākaua Avenue & Saratoga Road will be kept in place as a parallel relief line for reserve capacity.

Kaka'ako Transpacific Broadband Conduit--Final EA (FONSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds	
District(s)	Honolulu	
TMK(s)	(1) 2-1-015: 052, 2-1-060-008, and 009	
Permit(s)	see document	
Proposing/ Determining Agency	Hawai'i Community Development Authority (HCDA), State of Hawai'i Amy Mutart, (808) 594-0300, amy.mutart@hawaii.gov 546 Queen Street, Honolulu, HI 96813	
Consultant	Wilson Okamoto Corporation; 1907 South Beretania Street, Suite 400, Honolulu, HI 96826 Keola Cheng, (808) 946-2277, kcheng@wilsonokamoto.com	
Status	Finding of No Significant Impact (FONSI) determination.	


The Hawai'i Community Development Authority (HCDA) is proposing to construct a new Broadband Conduit in Kaka'ako Makai, within Urban Honolulu, on the island of O'ahu. The Broadband Conduit consists of a shorelanding conduit housing, which would have the capacity to accommodate multiple conduit landings, and a conduit station connected by a dry-line. It is anticipated that these future conduit landings would be constructed under public-private-partnerships.

The subject project site is located in the Kaka'ako neighborhood of Honolulu on the island of O'ahu. The Broadband Conduit will span from two manholes located either on Lot C or the University of Hawai'i John A. Burns School of Medicine (JABSOM) campus within Kaka'ako Makai on one end, to Kaka'ako Waterfront Park in the area makai of Lot C (See Figure 1-1). The Broadband Conduit will cover portions of Tax Map Keys (TMK) [1] 2-1-015:052, and 2-1060-009, and 008 (See Figure 1-2).

The proposed project will supplement Hawai'i's existing broadband capacity and provide additional security and resiliency through redundancy. The proposed project will provide a foundation for the development of future terrestrial broadband initiatives in Hawai'i. The proposed action is in alignment with the vision outlined by the State of Hawai'i's Broadband Initiative and is intended to facilitate the future expansion of the State's broadband infrastructure to meet existing and future data needs, as well as to catalyze the development of the high-tech industry within Honolulu's urban core.

O'AHU (CONTINUED)

Hawai'i State Veterans Home at the Villages of Kapolei (No Supplemental EIS required)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds	
District(s)	'Ewa	
TMK(s)	(1) 9-1-016-035	
Permit(s)	Subdivision approval, NPDES permit, Building/Grading permits	
Proposing Agency	Department of Accounting and General Services, State of Hawai'i Gina Ichiyama, Section Head, (808) 586-0472, gina.e.ichiyama@hawaii.gov Public Works Division, 1151 Punchbowl St., Room 427, Honolulu, HI 96813	
Accepting Authority	Governor, State of Hawai'i c/o: Sara Lin, (808) 586-0805, sara.n.lin@hawaii.gov 415 S. Beretania St., Honolulu, HI 96813	
Consultant	None	
Status	The accepting authority has determined that no supplemental EIS is required.	

The proposed Hawai'i State Veterans Home will fulfill a governmental duty and function to serve eligible veterans with disabilities. It will be built on approximately 7 acres of a 26-acre parcel in the Villages of Kapolei. The parcel is zoned BMX-3 which is intended to provide areas for commercial and residential uses and permits public uses such as the proposed project. The project will consist of a two-story facility with 120 beds and a one-story storage building totaling about 128,000 square feet of gross floor area. The support facilities include rehabilitation rooms, therapy rooms, kitchen, dining, laundry, and administrative offices. The site will have approximately 112 parking stalls for the staff and the public, and 7 loading stalls.

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.

Turtle Bay Resort Development--Draft EA (AFNSI)

District(s)	Ko'olauloa
TMK(s)	(1) 5-6-003 002, 003, 043, 054, 061 and 062; 5-7-001: 043, 046, 047, 052, 053, 054, 055 and 056; 5-7-006: 028 and 030
Permit(s)	various (see document)
Approving Agency	Department of Planning and Permitting, City and County of Honolulu Malyne Simeon, (808) 768-8023, msimeon@honolulu.gov 650 South King Street, 7th Floor, Honolulu, HI 96813
Applicant	BRE/Turtle Bay Resort LLC; 57-091 Kamehameha Hwy, Kahuku, HI 96731 Samatha Canon, (808) 447-6958, scanon@tbrdevelopment.com
Consultant	Wilson Okamoto Corporation; 1907 South Beretania Street, Suite 400, Honolulu, HI 96826 Keola Cheng, (808) 946-2277, kcheng@wilsonokamoto.com
Status	30-day public review and comment period starts. Comments are due by September 9, 2019. Please send comments to the approving agency and copy the applicant and the consultant.

The Applicant is proposing renovations to the Turtle Bay Hotel that consist of: repairs to the main hotel building, interior and exterior improvements to the visitor arrival and registration areas, on-site vehicular and pedestrian circulation improvements, repair and reconfiguration of the pool and recreation areas, and maintenance of public shoreline access in compliance with land use entitlements. The Resort's beach cottages and support facilities will also be renovated.

PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

Status: Public review and comment period for these projects began previously. **Comments are due August 22, 2019** unless noted otherwise. Please send comments to the relevant agency and copy any relevant applicant and/or consultant.

HAWAII

[Sanford's Service Center at Leilani Quarry--\(EIS Preparation Notice\)](#)

[Moore Residence/Agroforestry at Pōpōkī--Draft EA \(AFNSI\)](#)

MAUI

[Kahana Bay Erosion Mitigation \(2nd EIS Preparation Notice\)](#)

O'AHU

[Hale Uhiwai Nalu Addition--Draft EA \(AFNSI\)](#)

[PVT ISWMF Relocation--Draft EIS Volume I and Volume II](#) (COMMENTS DUE SEPTEMBER 6, 2019)

KAUAI

[Aukahi Farm Hapa Road Easement--Draft EA \(AFNSI\)](#)

STATEWIDE

[Statewide Small Scale Beach Restoration Program--Draft EA \(AFNSI\)](#)

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
OA-1870	84-289 Makau Street, O'ahu 96792	(1) 8-4-009: 013	Kenn Nishihira	Luana Kai LLC
OA-1871	222 Wailupe Circle, O'ahu 96821	(1) 3-6-001: 030	Kenn Nishihira	Walter A. Dods, Jr. Trust & Diane N. Dods Trust
MA-720	50 Nohea Kai Drive, Maui 96761	(2) 4-4-008: 022	R.T. Tanaka Engineers, Inc.	Kaanapali Alii
HA-576	56-102 Old Coast Guard Road, Hawai'i	(3) 5-6-001: 074	Engineers Surveyors Hawaii, Inc	Honoipu Hideaway LLC

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-1842	Proposed	Lagoon Drive leased lots, O'ahu	(1) 1-1-070: 001, 003, 004, 005, 006, 033, & 042	ControlPoint Surveying, Inc.	Department of Transportation Airport Division
KA-442	Proposed	Kaua'i	(4) 4-8-018: 028 & 029	Esaki Surveying and Mapping, Inc.	State of Hawai'i - DLNR and County of Kaua'i
LA-021	Proposed	Manele, Lana'i 96748	(2) 4-9-017: por 002 & 008	R.M. Towill	Lanai Resorts, LLC
KA-432	Rejection	874 Niulani Road, Kaua'i 96746	(4) 4-3-009: 049	Esaki Surveying & Mapping, Inc.	Martine Borges

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.

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

Royal Hawaiian Groin Improvement Project, Waikīkī Beach, O'ahu

Proposed Action: Replace the existing Royal Hawaiian groin, which is in a deteriorated condition, with a new engineered groin. The objective of the new groin is to continue to support the beach's intended recreational and aesthetic benefits, facilitate lateral access along the shore, and provide a first line of defense to the backshore in the event of storm waves. The new groin would be constructed along the alignment of the existing groin, and would incorporate a portion of the existing groin as a core wall to prevent sand movement through the groin. The new groin will be of rock rubblemound construction and incorporate a cast-in-place concrete crest cap. The groin would extend 125 feet from the seawall fronting the Waikiki Sheraton Hotel, and then dog-leg to the east to create a 50-foot long L-head, resulting in a total length (along the crest) of 175 feet. The groin would be constructed of a single layer of keyed and fit 3,200 to 5,400-pound armor stone over 300 to 600-pound underlayer stone and 30 to 100-pound core stone. Following stone placement, a 5-foot wide by 3 to 5-foot thick concrete crest cap would be constructed to stabilize the crest and provide a foundation should a future increase in crest elevation be necessary to accommodate sea level rise. The concrete crest cap elevation would be +9 feet msl for its first 40 feet, then transition down to 6+ feet on a 1V:8H slope, remaining at +6 feet for the rest of its length. The stone crest elevation would be +7 feet for the first 40 feet and then transition down to +4 feet for the remainder of the groin length. Construction will require excavation of the existing beach adjacent to the existing groin to permit placement of the new groin stone, from Sta 0+00 to approximate Sta 0+60. Excavated sand will be stockpiled on the beach crest within the worksite staging area, above the +5-foot contour, and used to restore the natural beach shape following completion of construction. The [Final EA](#) for the project was published in The Environmental Notice on [May 23, 2016](#).

Location: Waikīkī Beach, O'ahu
TMK(s): (1) 2-6-2: 5, 6
Applicant: State of Hawai'i Department of Land and Natural Resources
Contact: Mr. Scott Sullivan, Sea Engineering, Inc., 259-7966, sullivan@seaengineering.com
Federal Action: Federal Permit
Federal Agency: Agency
CZM Contact: John Nakagawa, (808) 587-2878, john.d.nakagawa@hawaii.gov
Comments Due: August 22, 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 Kohala (6-8-034: 007)	Construction of Two Single-Family Dwellings (SMM 19-000416)	Wendy McCaw, Trustee: Mauna Kea Kai Trust
Maui: Lahaina (4-2-004: 021)	Improvements Trellis/Terrace (SM2 20180055)	RC Kapalua Owner, LLC
Maui: Wailea (2-1-023: 007)	Restaurant Upgrades (SM2 20190066)	Four Seasons Resort Maui
Maui: Kū'au-Pā'ia (2-6-010: 017)	569 Hāna Highway Wall, Driveway, Water Meter (SM2 20190067)	Pacific Rim Land Inc.
Maui: Lahaina (4-5-006: 001)	Lahaina Square Pump (SM2 20190068)	Donna Walden
Maui: Lahaina (4-3-015: 002)	Shoreline Repairs (SM2 20190069)	Barto Janice Diane Napili Qprt

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.

Notice: [Final Programmatic Environmental Impact Statement, Habitat Conservation Plan, and Habitat Conservation Plan Amendments; Incidental Take Permits for Four Wind Energy Projects in Hawaii](#) (published by the Fish and Wildlife Service on 08/02/2019)

The U.S. Fish and Wildlife Service announces the availability of a final programmatic environmental impact statement (PEIS), prepared in accordance with the National Environmental Policy Act, analyzing the impacts of the issuance of incidental take permits (ITPs) or ITP amendments for the continued operation of four similar wind energy facilities. The permit actions would involve implementation of a new habitat conservation plan (HCP) for the Pakini Nui Wind Farm on the Island of Hawai'i and major amendments to three existing HCPs: The Auwahi Wind and Kaheawa Wind Power II projects located on Maui, and the Kawailoa Wind project on O'ahu. All four wind energy facilities are already in operation. The four applicants are requesting ITPs covering the take of species listed as endangered under the Endangered Species Act likely to be caused by the continued operation of the projects. The HCPs describe the steps each applicant proposes to minimize, mitigate, and monitor incidental take of the covered species. **A record of decision for each of the four HCPs will be finalized no sooner than September 3, 2019.**

Rule: [Western and Central Pacific Fisheries for Highly Migratory Species; 2019 Bigeye Tuna Longline Fishery Closure](#) (published by the National Oceanic and Atmospheric Administration on 07/24/2019)

NMFS is closing the U.S. pelagic longline fishery for bigeye tuna in the western and central Pacific Ocean because the fishery has reached the 2019 catch limit. This action is necessary to ensure compliance with NMFS regulations that implement decisions of the Western and Central Pacific Fisheries Commission. **This ruling is effective July 27, 2019, through December 31, 2019.**

Notice: [National Register of Historic Places; Notification of Pending Nominations and Related Actions](#) (published by the National Park Service on 07/30/2019)

The National Park Service is soliciting comments on the significance of properties nominated before July 13, 2019, for listing or related actions in the National Register of Historic Places. Properties nominated in Hawai'i are:

Hawai'i County: Fujino, Matsujiro, Property, 45-3390 Mamane St., Honoka'a (SG100004285); Honoka'a Garage, 43-3586 Mamane St., Honoka'a (SG100004286)

Honolulu County: Dearborn Chemical Company Warehouse, 941 Waimanu St., Honolulu (SG100004287); Kaiser, Henry J. and Alyce, Estate, 525 Portlock Rd., Honolulu (SG100004289); Ala Wai Villas, 2455 Ala Wai Blvd., Honolulu (SG100004290)

Kaua'i County: Sueoka Market, 5392 Kōloa Rd., Kōloa (SG100004288)

Comments should be submitted by August 14, 2019. Please click on the linked title of this entry for additional information.

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 (EISPEN) along with the supporting Final EA. After the notice of the FEA-EISPEN 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 EISPEN 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, EISPEN) 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 EISPEN 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 EISPEN, 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 EISPEN 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).



Publication Calendar of the Office of Environmental Quality Control Periodic Bulletin, **HAR Chapter 11-200.1**

2019

Pursuant to Chapter 11-200.1, Hawai'i Administrative Rules (HAR), all items to be published in the periodic bulletin must be electronically submitted to the OEQC five working days prior to the publication date. For actions that have published a draft EA or EISPN on or before August 8, 2019, use the 1996 Rules Submittal Deadline column for determining the filing date for the Final EA, Draft EIS, Final EIS, Acceptance / Non-acceptance, supplemental determinations, and supplemental EISs.

1996 Rules Submittal Deadline	New Rules Submittal Deadline	Publication Date	EA or EISPN Comment 30-Day Deadline	EIS Comment 45-Day Deadline
Dec 12 Wed		Dec 23 2018 Sun	Jan 22 Tue	Feb 06 Wed
Dec 26 Wed		Jan 08 2019 Tue	Feb 07 Thu	Feb 22 Fri
Jan 10 Thu		Jan 23 Wed	Feb 22 Fri	Mar 11 Mon
Jan 29 Tue		Feb 08 Fri	Mar 11 Mon	Mar 25 Mon
Feb 12 Tue		Feb 23 Sat	Mar 25 Mon	Apr 09 Tue
Feb 26 Tue		Mar 08 Fri	Apr 08 Mon	Apr 22 Mon
Mar 13 Wed		Mar 23 Sat	Apr 22 Mon	May 07 Tue
Mar 27 Wed		Apr 08 Mon	May 08 Wed	May 23 Thu
Apr 10 Wed		Apr 23 Tue	May 23 Thu	Jun 07 Fri
Apr 26 Fri		May 08 Wed	Jun 07 Fri	Jun 24 Mon
May 13 Mon		May 23 Thu	Jun 24 Mon	Jul 08 Mon
May 29 Wed		Jun 08 Sat	Jul 08 Mon	Jul 23 Tue
Jun 12 Wed		Jun 23 Sun	Jul 23 Tue	Aug 07 Wed
Jun 25 Tue		Jul 08 Mon	Aug 07 Wed	Aug 22 Thu
Jul 11 Thu		Jul 23 Tue	Aug 22 Thu	Sep 06 Fri
Jul 29 Mon		Aug 08 Thu	Sep 09 Mon	Sep 23 Mon
Aug 12 Mon	Aug 15 Thu	Aug 23 Fri	Sep 23 Mon	Oct 07 Mon
Aug 27 Tue	Aug 30 Fri	Sep 08 Sun	Oct 08 Tue	Oct 23 Wed
Sep 11 Wed	Sep 16 Mon	Sep 23 Mon	Oct 23 Wed	Nov 07 Thu
Sep 26 Thu	Oct 01 Tue	Oct 08 Tue	Nov 07 Thu	Nov 22 Fri
Oct 11 Fri	Oct 16 Wed	Oct 23 Wed	Nov 22 Fri	Dec 09 Mon
Oct 29 Tue	Nov 01 Fri	Nov 08 Fri	Dec 09 Mon	Dec 23 Mon
Nov 13 Wed	Nov 18 Mon	Nov 23 Sat	Dec 23 Mon	Jan 07 Tue
Nov 26 Tue	Dec 02 Mon	Dec 08 Sun	Jan 07 Tue	Jan 22 Wed
Dec 11 Wed	Dec 16 Mon	Dec 23 2019 Mon	Jan 22 Wed	Feb 06 Thu
Dec 26 Thu	Dec 31 Tue	Jan 08 2020 Wed	Feb 07 Fri	Feb 24 Mon

- Section 11-200.1-4(a), HAR, establishes the publication schedule of the periodic bulletin to be on the eighth and twenty-third of each month. Publication may occur on weekends and holidays.
- Section 11-200.1-5(a), HAR, establishes the submittal deadline to be five working days before the publication date. The schedule does not count holidays and non-working days. Items must be submitted before the close of business (4:30 PM) on the submittal deadline. Note: Actions that have published the Draft EA or EISPN on or before August 8, 2019 shall file pursuant to Chapter 11-200, HAR, which requires filing eight working days before publication.
- Comment periods for EAs is 30 days and for EISs is 45 days from the publication date. Section 11-200.1-3 sets forth how to count the days from publication. The publication date is day zero. Holidays and weekends are counted. When the deadline falls on a state holiday or non-working day, the deadline is the next working day.