



The Environmental Notice

November 8, 2019

David Y. Ige, Governor

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.



The deteriorating Waikiki Natatorium War Memorial stands in Kapi'olani Regional Park, O'ahu, as an artifact from a much earlier time

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ANNOUNCEMENTS


The Hawai'i Department of Health (DOH) and the U.S. Environmental Protection Agency (EPA) will hold a public meeting to receive comments on the U.S. Navy and Defense Logistics Agency's proposed plan to upgrade the underground storage tanks at the Red Hill Bulk Fuel Storage Facility. The tank upgrade alternatives and release detection proposal is available online at <https://www.epa.gov/red-hill>. The meeting will be at Moanalua Middle School, 1289 Mahiole Street, in Honolulu on Tuesday, Nov. 19, 2019, from 6 to 8 p.m. All interested parties may present oral and written comments to provide relevant information or express their opinion. EPA and DOH will consider all public comments before approving or disapproving the proposal in whole or in part. Written comments must be received by Dec. 9, 2019. For additional information, email thu.perry@doh.hawaii.gov or call (808) 586-4226.

STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS & DETERMINATIONS




HAWAII

Barry Family SFR at Kea'au--Republished Draft EA (AFNSI)

HRS §343-5(a) Trigger	(7) Propose any reclassification of any land classified as a conservation district	
District(s)	Puna	
TMK(s)	(3) 1-5-059: 059	
Permit(s)	State Land Use District Boundary Amendment	
Approving Agency	Land Use Commission, State of Hawai'i Scott Derrickson, (808) 587-3921, scott.a.derrickson@hawaii.gov P.O. Box 2359, Honolulu, HI 96804-2359	
Applicant	Kevin M. Barry and Monica S. Barry, Trustees of the Barry Family Trust Dated November 15, 2006 Kevin M. Barry and Monica S. Barry, (619) 851-0297; (858) 442-9180, kmbarry82@gmail.com P.O. Box 247, Kea'au, HI 96749	
Consultant	Carlsmith Ball LLP; 1001 Bishop St., Suite 2100, Honolulu, HI 96813 Derek B. Simon, Esq., (808) 523-2589, dsimon@carlsmith.com	
Status	Applicant experienced problems with notifying those on the mailing list and requested a republication to restart the statutory 30-day public review and comment period. Comments are now due by December 9, 2019. Please send comments to the approving agency and copy the applicant and the consultant. Comments submitted previously will be addressed.	

The Applicants have petitioned the Land Use Commission of the State of Hawai'i for a State Land Use (SLU) District Boundary Amendment (DBA) to reclassify approximately 0.51 acres of land located within the Hawaiian Paradise Park subdivision on the shoreline in Kea'au, Puna, County and State of Hawai'i, from State Land Use Conservation District to the SLU Agricultural District. The Applicants are pursuing the DBA to allow for the construction of a modest dwelling and associated agricultural uses that the Applicants will use as their primary personal residence (Project). The Project is proposed to also include a two-car garage, a lanai on the makai side of the home facing the Pacific Ocean, a courtyard on the mauka side of the home fronting Paradise Ala Kai Drive, a small swimming pool, infrastructure (i.e., private water well, including an underground water storage tank, or private catchment system, underground individual wastewater system, and photovoltaic solar system), and appropriate landscaping.

Honomū Subsistence Agricultural Homestead Community--Final EA (FONSI)**Grandfathered under old rules**

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds	
District(s)	South Hilo	
TMK(s)	(3) 2-8-011: 009, 011, 019, and 999	
Permit(s)	Various (see document)	
Proposing/ Determining Agency	Department of Hawaiian Home Lands, State of Hawai'i Andrew Choy, (808) 620-9481, andrew.h.choy@hawaii.gov P.O. Box 1879, Honolulu, HI 96805	
Consultant	Townscape, Inc.; 900 Fort Street Mall, Suite 1160, Honolulu, HI 96813 Sherri Hiraoka, (808) 550-3892, sherri@townscapeinc.com	
Status	Finding of No Significant Impact (FONSI) determination.	


The Department of Hawaiian Home Lands (DHHL) is proposing the Honomū Subsistence Agricultural Homestead Community ("the Project") to offer agricultural homestead lots on 766 acres in the Honomū and Kūhua ahupua'a, South Hilo, Island of Hawai'i. The Project will provide beneficiaries with an opportunity to return to the land and promote self-sufficiency through farming. Beneficiary demand for agricultural opportunities is very high; the Agricultural Waitlist encompassed 42% of all those waiting for a Hawai'i Island lease in 2014.

The Project is proposing the following land uses: Subsistence Agriculture, Supplemental Agriculture, Commercial, Community Facilities, Special District, and Conservation. Subsistence Agriculture is proposed for the majority of the lands (55%), where up to 375 lots ranging in size from one-acre to three-acres would be awarded to DHHL beneficiaries. Conservation uses would account for 33% of the land and will protect streams, gulches, and native habitat.

MAUI

Pūlehunui Regional Infrastructure Master Plan--(Acceptance of Final EIS)


Grandfathered under old rules

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds (9)(A) Propose any wastewater treatment unit, except an individual wastewater system or a wastewater treatment unit serving fewer than fifty single-family dwellings or the equivalent	
District(s)	Wailuku	
TMK(s)	(2) 3-8-008: 001 (por.), 008, 020, 034, 035, 036, 037 (por.), 038	
Permit(s)	Various (see document)	
Proposing Agency	Department of Hawaiian Home Lands, State of Hawai'i Julie Ann Cachola, (808) 620-9500, julie-ann.cachola@hawaii.gov P.O. Box 1879, Honolulu, HI 96805	
Accepting Authority	Governor of the State of Hawai'i The Honorable David Y. Ige, (808) 586-0034, Fax: (808) 586-0006 https://governor.hawaii.gov/contact-us/contact-the-governor Executive Chambers, State Capitol, 415 South Beretania St., Honolulu, HI 96813	
Consultant	PBR HAWAII & Associates; 1001 Bishop St., Suite 650, Honolulu, HI 96813 Selena Pang, (808) 521-5631, spang@pbrhawaii.com	
Status	The Governor accepted the Final EIS on October 19, 2019.	

DHHL is preparing a regional infrastructure master plan analysis for water, wastewater, and key roadways to serve certain State-owned lands located in Pūlehunui, Maui. The Master Plan will include technical studies for DHHL's lands and will incorporate by reference information regarding proposed developments by the Departments of Land and Natural Resources, Accounting and General Services, and Public Safety. The primary purpose is to undertake regional infrastructure master planning on behalf of the four agencies to facilitate the efficient development of these State-owned lands. This approach will facilitate development that is financially & environmentally efficient, maximizing the use of State funds while minimizing environmental impacts. Pursuant to DHHL's mission the secondary, supporting purpose is to further define the programmatic land uses anticipated on DHHL's lands in Pūlehunui in conformance with DHHL's Maui Island Plan, to provide direct and indirect benefits to DHHL Beneficiaries and programs in the form of improved lands and opportunities to pursue revenue generating general leases.

Kaheawa Wind Power II--Final Supplemental EIS


Grandfathered under old rules

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 Lauren Taylor, (808) 587-0010, lauren.taylor@hawaii.gov 1151 Punchbowl St., Room 325, Honolulu, HI 96813	
Applicant	Kaheawa Wind Power II, LLC; 200 Liberty St., 14th Floor, New York, NY 10281 Lily Henning, (646) 992-2486, lhenning@terraform.com	
Consultant	SWCA Environmental Consultants; 307-A Kamani St., Honolulu, HI 96813 Amanda Ehrenkrantz, (808) 892-3842, aehrenkrantz@swca.com	
Status	Final Supplemental EIS has been submitted and is pending acceptance by the approving agency/accepting authority, which has 30 days from date of receipt to determine acceptability.	

KWP II 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. KWP II has requested that the BLNR issue an amended ITL and approve an amended HCP to increase incidental take for the Hawaiian hoary bat from 11 to 38 adults, and for the Hawaiian goose from 30 to 44 adults during the remaining 20-year permit. This Final SEIS describes avoidance & minimization measures, monitoring, and mitigation commensurate with the new take levels. Effects to Hawaiian hoary bat and Hawaiian goose would be mitigated by acquiring land for conservation, funding management of a Hawaiian goose breeding pen, and funding research critical to understanding Hawaiian hoary bat movements, roosting behavior, and diet. The mitigation proposed would result in a net recovery benefit to both Covered Species.

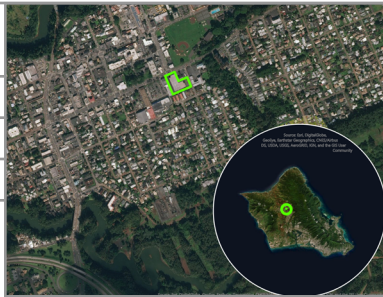
O'AHU

Sea Life Park Improvements--Republished 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)	Ko'olaupoko	
TMK(s)	(1) 4-1-014: 004 (por.)	
Permit(s)	Special Management Area Use Permit	
Approving Agency	Department of Planning and Permitting, City and County of Honolulu Lila Youn, (808) 768-8016, lila.youn@honolulu.gov 650 South King St., 7th Flr., Honolulu, HI 96813	
Applicant	Sea Life Park Hawaii; 41-202 Kalaniana'ole Hwy. #7, Waimānalo, HI 96795 Valerie King, (808) 259-2502, valerie.king@sealifeparkhawaii.com	
Consultant	G70; 111 South King St., Suite 170, Honolulu, HI 96813 Jeff Overton, (808) 523-5866, SeaLifePark@g70.design	
Status	The Draft EA is being republished to provide an additional statutory 30-day public review and comment period. Comments are now due by December 9, 2019. Please send comments to the approving agency and copy the applicant and the consultant. Comments submitted previously will be addressed.	

Sea Life Park provides a unique setting for kama'aina and visitors to experience marine wildlife and the culture of the islands. The Park is planning to renovate, expand and relocate 14 exhibits and related facilities to improve the park and visitor experience. New exhibits and renovations will help to accommodate up to 1,300 visitors per day by 2025. The improvements will include a new Entry Concierge & Gift Shop and new Indoor Aquarium. Renovation and expansion will occur for the Honu Conservation and Education Center, Hawaii Ocean Theatre, Shark Cave, Restaurant, Luau area, and Conservation Center. The Penguin Exhibit, Seabird Sanctuary, and Hale Manu Aviary will be relocated and upgraded. Parking, vehicle access and circulation will be upgraded, along with the seawater delivery system. The total cost for these improvements is estimated at \$30 million.

Leeward Community College Value-Added Product Development Center--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)	Wahiawā	
TMK(s)	(1) 7-4-012: 016	
Permit(s)	Various (see document)	
Proposing/ Determining Agency	University of Hawai'i, State of Hawai'i Denise Yoshimori-Yamamoto, dfyoshim@hawaii.edu 2327 Dole St., Honolulu, HI 96822	
Consultant	Wilson Okamoto Corporation; 1907 South Beretania St., Suite 400, Honolulu, HI 96826 Keola Cheng, (808) 946-2277, KCheng@wilsonokamoto.com	
Status	Statutory 30-day public review and comment period starts. Comments are due by December 9, 2019. Please send comments to the proposing/determining agency and copy the consultant at DBeauprez@wilsonokamoto.com	

The University of Hawai'i (UH), is proposing to construct the Value-Added Product Development Center (VAPDC) located at 1001 California Avenue in downtown Wahiawa. The goal of the project is to repurpose an existing metal warehouse that formerly housed Tamura's Wholesale Outlet. The warehouse was acquired by the State of Hawai'i Department of Agriculture's (DOA) Agribusiness Development Corporation in 2013 to advance agriculture in Hawai'i. The goal of the project is to repurpose the existing warehouse as the VAPDC that will be jointly managed by University of Hawai'i Community Colleges, an office of UH, and the DOA's Agribusiness Development Corporation. The VAPDC will offer a set of programs, services, and training that promote innovation and entrepreneurship within the agricultural industry.

O'AHU

Waikiki War Memorial Complex--Final EIS

Grandfathered under old rules

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds (3) Propose any use within a shoreline area (4) Propose any use within any historic site as designated in the National Register or Hawai'i Register
District(s)	Honolulu
TMK(s)	(1) 3-1-031: 003, 009, 010
Permit(s)	Various (see document)
Proposing/ Determining Agency	Department of Design and Construction, City and County of Honolulu Lansing Sugita, (808) 768-8480, WWMCNatatorium@aecom.com 650 South King St., 11th Floor, Honolulu, HI 96813
Accepting Authority	Office of the Mayor of the City and County of Honolulu Kirk Caldwell, Mayor, 650 South King St., 11th Floor, Honolulu, HI 96813, WWMCNatatorium@aecom.com
Consultant	AECOM Technical Services, Inc.; 1001 Bishop St., 16th Floor, Honolulu, HI 96813 Lesley Matsumoto, (808) 529-7259, Lesley.Matsumoto@aecom.com
Status	FEIS has been submitted and is pending acceptance by the accepting authority.



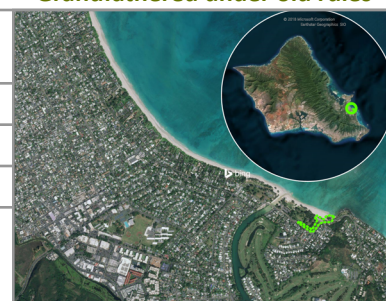
The City and County of Honolulu Department of Design and Construction (City) proposes to remedy the current deteriorated state of the Waikiki War Memorial Complex (WWMC) Natatorium in a manner that renews the memorial to World War I veterans and reestablishes public access to this portion of Kapi'olani Regional Park. The Natatorium was constructed in 1927 as a monument to Hawai'i's men and women that served during World War I. The facility consists of a saltwater swimming pool, bleachers, restrooms, and an area currently used as office space.

The City's proposed action is to construct and operate a rehabilitated WWMC as described by the Perimeter Deck in this EIS. This action would comply with the rehabilitation approach outlined in the United States Secretary of Interior's Standards for the Treatment of Historic Properties. It would retain as much of the physical structure that defines the historic integrity of the Natatorium as possible without subjecting the Natatorium to the State requirements for public swimming pools, Hawai'i Administrative Rules Title 11, Chapter 10.

Kawailoa Road Drainage Improvements--Final EA (FONSI)

Grandfathered under old rules

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds (3) Propose any use within a shoreline area
District(s)	Ko'olaupoko
TMK(s)	(1) 4-3-009: 001, 4-3-010: 084 & 088
Permit(s)	SMA, Shoreline Setback Variance, CZM Federal Consistency Review
Proposing/ Determining Agency	Department of Design and Construction, City and County of Honolulu Gary Kam, (808) 768-8819, gkam2@honolulu.gov 650 South King St., 15th floor, Honolulu, HI 96813
Consultant	Oceanit Cris Takushi, (808) 531-3017, ctakushi@oceanit.com 828 Fort Street Mall, Suite 600, Honolulu, HI 96813
Status	Finding of No Significant Impact (FONSI) determination.



Drainage improvements are intended to alleviate excess storm water runoff along Kawailoa and Alala Roads and areas surrounding Kailua Beach Park and minimize ponding, flooding and storm water runoff entering residential properties in the area. Proposed improvements include new sidewalk culverts along Alala Road, a new concrete box culvert, a new graded grass swale through Kailua Beach Park, a new concrete lined channel and a riprap outlet structure.

O'AHU

Adventist Health Castle Master Plan - Hawai'i Loa Campus--(Acceptance of Final EIS) Grandfathered under old rules

HRS §343-5(a) Trigger	(2) Propose any use within any land classified as a conservation district	
District(s)	Ko'olaupoko	
TMK(s)	(1) 4-5-035: 010	
Permit(s)	Various (see document)	
Approving Agency	Department of Land and Natural Resources, State of Hawai'i Kimberly (Tiger) Mills, Office of Conservation and Coastal Lands (808) 587-0382; kimberly.mills@hawaii.gov 1151 Punchbowl St., Room 131, Honolulu, HI, 96813	
Applicant	Adventist Health Castle; 640 Ulukahiki St., Kailua, HI 96734 Kathryn Raethal, President, (808) 263-5142; RaetheKA@ah.org	
Consultant	G70; 111 South King St., Suite 170, Honolulu, HI 96813 Christine Mendes Ruotola, AICP, LEED AP, (808) 523-5866; AdvHealthCastle@g70.design	
Status	The approving agency accepted the Final EIS on October 11, 2019.	

Adventist Health Castle (AHC) has been caring for the Windward O'ahu community since Castle Memorial Hospital first opened its doors in 1963, and serves a population of more than 130,000 residents. Castle Medical Center currently provides 160 hospital beds supported by more than 1,000 associates, 330 medical staff and 140 volunteers. AHC's patient-centered care extends well beyond hospital and clinical walls through its many programs that serve the health and medical needs of the community. AHC has determined it needs to modernize its inpatient care facility, to expand outpatient facilities to meet the projected increased demand and to offer treatments not currently available in Windward O'ahu, and to consolidate its services in a centralized, natural healing environment. AHC purchased the 132-acre Hawai'i Pacific University (HPU) campus in 2016, securing sufficient space to create a 21st Century health care campus to meet the community's current and future needs. The privately-owned parcel lies within the State Conservation District and was authorized for educational use as the Hawaii Loa College Special Subzone under HAR §13-5. To transform the campus as guided by the AHC Master Plan requires approval from the Department of Land and Natural Resources (DLNR) to include a subzone use change.

Shoreline Protection for 1326 Mokulua Drive--Final EA (FONSI)

Grandfathered under old rules

HRS §343-5(a) Trigger	(3) Propose any use within a shoreline area	
District(s)	Ko'olaupoko	
TMK(s)	(1) 4-3-004: 077	
Permit(s)	Various (see document)	
Approving Agency	Department of Planning and Permitting, City and County of Honolulu Alex Beatty, (808) 768-8032, abeatty@honolulu.gov 650 South King St., 7th Floor, Honolulu, HI, 96813	
Applicant	Nadir Safai, Angela Zupan, and Chris Furie; 1326 Mokulua Dr., Kailua, HI, 96734 (310) 600-0220, nadir@orange-furniture.com , chris@chrisfurie.com	
Consultant	G70; 111 South King St., Suite 170, Honolulu, HI, 96813 Rachel Shaak AICP, LEED AP, (808) 523-5866, rachels@g70.design	
Status	Finding of No Significant Impact (FONSI) determination.	

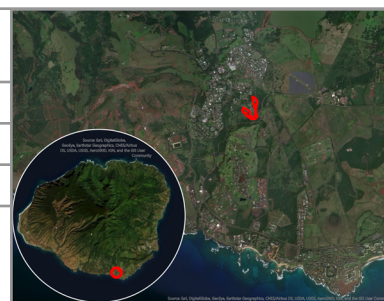
Shoreline protection is planned for 1326 Mokulua Drive as the property has been adversely affected by shoreline erosion. The parcel has a total area of 12,380 square feet. The project area will encompass 1,690 square feet of the nearshore portion of the TMK. A temporary emergency sandbag structure was installed by the previous owner to protect the property from ongoing erosion conditions. The project site is the sole property without hardened structures along the southern Lanikai coastline. The property is surrounded by armored shorelines including a mix of vertical seawalls, rock aprons, and revetments. Armored shorelines extend approximately 1,050 feet to the north and 2,100 feet to the south of the property. The project proposes removal of the existing sandbag structure and replacing it with a new seawall with boulder slope scour apron that extends along the approximately 75-foot section of the Lanikai shoreline.

KAUA'I

Aukahi Farm Hapa Road Easement--2nd Draft EA (AFNSI)

Grandfathered under old rules

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	Kōloa
TMK(s)	(4) 2-8-014: portions of Hapa Trail/Road
Permit(s)	BLNR approval of the easement
Approving Agency	Department of Land and Natural Resources, State of Hawai'i Wesley T. Matsunaga, (808) 274-3491, wesley.t.matsunaga@hawaii.gov District Land Agent, 3060 Eiwa St., Room 208, Līhu'e, HI 96766
Applicant	Aukahi Farm, LLC; P. O. Box 670, Kōloa, HI 96756 Mr. Robert White, (808) 245-7575, bobwhitekauai@gmail.com
Consultant	Max W. J. Graham Jr.; Watumull Plaza, 4334 Rice St., Suite 202, Līhu'e, HI 96766 (808) 245-4705, mwg@kauai-law.com
Status	The proponent is publishing a modified version of the DEA published on July 23, 2019. Another statutory 30-day public review and comment period starts. Comments are due by December 9, 2019. The FEA must include comments from all comment periods. Please send comments to the approving agency and copy the applicant and the consultant.



The Applicant, Aukahi Farm, LLC, is the owner of certain property located in Kōloa, Kaua'i, known as Lot A (Tax Map Key: (4) 2-8-012:011) and Lot 180-F of Land Court Consolidation No. 956 (Tax Map Key: (4) 2-8-012:001). Plans are to subdivide the consolidated two parcels into seven (7) agricultural lots and one (1) road widening lot for a planned "Subdivision." The Subdivision is identified as Kaua'i Planning Commission No. S-2009-17 and has received Tentative Approval from the Kaua'i Planning Commission. The purpose of the easement will be to provide the Aukahi Farm Subdivision with legal accesses over Hapa Trail/Road to Weliweli Road.

Although the Department of Land and Natural Resources is currently in the process of transferring managerial jurisdiction of Hapa Trail to the County of Kaua'i, Applicant cannot wait until that process is completed as it is further delaying its plans of development its Subdivision.

PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

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

HAWAII

[Yamada and Sons Rock Quarry--Draft EA \(AFNSI\)](#)

MAUI

[Windward Hotel--Draft EIS](#)

LISTS OF EXEMPTION NOTICES

Pursuant to newly established HAR § 11-200.1-17, State and county agencies that have determined specific actions to be exempt from the requirement to prepare an EA are required to submit a listing of such exemptions made during the previous month. Following are lists of Exemption Notices submitted by various agencies for October 2019; contact the identified agency contact on each list for additional information about any specific exemption:

State of Hawai'i

[Department of Land and Natural Resources](#)[Department of Transportation](#)[Hawai'i Housing Finance Development Corporation](#)

City and County of Honolulu

[Department of Planning and Permitting](#)[Department of Design and Construction](#)[Department of Environmental Services](#)

County of Hawai'i

[Department of Public Works](#)

County of Maui

[Department of Planning](#)

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 details about an action listed below, contact John Nakagawa at john.d.nakagawa@hawaii.gov or (808) 587-2878. The CZM Program is required to adhere to federal review deadlines, therefore, **comments must be received by November 22, 2019**. 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

Navy Fleet Operational Readiness Accuracy Check Site (FORACS) South Site Components Removal Project, Nanakuli Beach Park, O'ahu

Proposed Action: In 1964, the U.S. Navy entered into a lease agreement with the State of Hawai'i for the use of three land-based sites (known as North, Mid, and South) and submerged lands for the installation of a FORACS located along the west coast of Oahu from Nanakuli to Ma'ili Point. The FORACS system was a multipurpose sensor test range that provided test signals, tracking, and communications for ships and submarines. In 2003, the North and Mid land-based sites were closed and restored to their original condition. In May 2010, the FORACS system ceased operation rendering the land-based FORACS South Site at Nanakuli Beach Park inactive. The lease with the State of Hawai'i terminated in June 2014 and all land-based above-ground structures at the South Station were removed. In-water FORACS components were left in place. The Navy proposes to remove a limited portion of in-water cables, conduit, and remaining associated land-based structures of the FORACS South Site. The purpose of the proposed action is to remove equipment (in-water cable, pipe, conduit, and manhole covers) which may pose a potential safety hazard to the public. The proposed action consists of two phases: (1) removal of in-water (i.e., submerged) cables and conduits to the first stability anchor; and (2) removal of onshore cables, conduits, and manhole/vaults from the Nanakuli Beach Park site.

Location: Nanakuli Beach Park, O'ahu [TMK: (1) 8-9-6: 1]
Federal Action: Federal Agency Activity
Federal Agency: U.S. Department of the Navy
Contact: Benjamin Colbert, (202) 781-3859, benjamin.colbert@navy.mil

Installation of Day Use Moorings on Hawai'i Island

Proposed Action: Install day use moorings on Hawai'i island: 12 day use moorings at Kaukalaelae Point, 13 day use moorings Makako Bay, and 5 day use moorings at Hilo Bay. The day use moorings are intended for use by both recreational and commercial vessels. There are 6 existing moorings at Kaukalaelae Point and 7 existing moorings at Makako Bay that will be removed and/or reconfigured to optimize vessel usage. New moorings will be installed so that there will be total of 12 moorings at Kaukalaelae Point and 13 moorings at Makako Bay. There are no existing day use moorings in Hilo Bay so the 5 day use moorings will be new. The mooring installations will involve the use of a "Hawaiian Eye (pin) Mooring System" and/or a "Manta Ray Mooring System."

Location: Kaukalaelae Point, Makako Bay (West Hawai'i), and Hilo Bay
Applicant: Department of Land and Natural Resources, Division of Boating and Ocean Recreation
Contact: Mr. Finn McCall, (808) 587-3250, finn.d.mccall@hawaii.gov
Federal Action: Federal Permit
Federal Agency: U.S. Army Corps of Engineers

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: North Kona (7-9-005: 002 and 003)	Kuamo'o Stewardship and Improvement Project (SMM 19-000424)	Aloha Kuamo'o 'Āina
Maui: Olowalu (4-8-003: 006)	Olowalu Invasive Species Removal (SM2 20190094)	Peter Martin, Olowalu Ekoru, LLC
Maui: Kahului (3-8-079: 028)	Plate Lunch Marketplace (SM2 20190095)	Margaret Kaplan
Maui: Spreckelsville (3-8-001: 072)	Wawau Point Signage (SM2 20190096)	A & B Properties, Hawaii, LLC
Maui: Hāna (1-4-004: 021)	Hāna Ball Park Field Lights (SM2 20190097)	Karla Peters
Maui: Lahaina (4-6-001: 009)	Halloween in Lahaina 2019-October 31 (SM2 20190098)	County of Maui Office of Economic Development & Lahaina Town Action Committee
O'ahu: Waikīkī (2-6-004: 012)	Utility Installation, Type B (2019/SMA-30)	T-Mobile/Telecom Site Development Services, Inc.

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-1881	67-25 Kaimanu Place, O'ahu 96791	(1) 6-7-014: 025	Gil P. Bumanglag	Kyle K. Madison
MA-724	621 Hāna Highway, Maui 96779	(2) 2-6-010: 025 & 026	Akamai Land Surveying, Inc.	Kaimana Maui LLC
HA-579	75-5888 Ali'i Drive, Hawai'i 96740	(3) 7-5-018: 071	Wes Thomas Associates	AOAO of Kona Reef c/o Raymond Pieri

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-1869	Proposed	None listed (vacant parcel), O'ahu 96791	(1) 6-7-001: 051	Walter P. Thompson, Inc.	The Point at Haleiwa LLC
OA-1870	Proposed	84-289 Makau Street, O'ahu 96792	(1) 8-4-009: 013	Kenn Nishihira	Luana Kai LLC
MA-717	Proposed	4492 Makena Road, Maui 96753	(2) 2-1-011: 015	R.T. Tanaka Engineers, Inc.	Moshe Silagi
MA-720	Proposed	50 Nohea Kai Drive, Maui 96761	(2) 4-4-008: 022	R.T. Tanaka Engineers, Inc.	Kaanapali Alii

STATE AND COUNTY NOTICES

[Servco Kalihi Application for Hawai'i Voluntary Response Program](#)

The Hawai'i Department of Health, Hazard Evaluation and Emergency Response Office has received an application to participate in the Hawai'i Voluntary Response Program for a property located in Honolulu at 2101 Auiki Street, TMK (1) 1-2-025: 036. In accordance with the Hawai'i Environmental Response Law, HRS 128D, Sub-Section 31, a short summary of the details of the application follows (*click on the title link for additional information*):

The property contains one industrial warehouse, and three single-story buildings occupied by Servco. The warehouse consists of office space and a part storage mezzanine. The remaining three buildings include a body shop, three paint booths, detailing and vehicle prep areas, carwash, and office space. Vehicle maintenance operations are limited to minor repairs. Major repairs and servicing are not conducted on the Site.

Automotive service lifts have aboveground electrical systems. Floor drains within the shop areas and carwash discharge to an oil/water separator, and there is a 550-gallon UST associated with the oil water separator. There is one 10,000-gallon above-ground storage tank (AST) on the site that stores gasoline and diesel fuel for Servco's vehicles. There is also a 240-gallon waste oil AST, and one HECO-owned transformer.

Before being acquired by Servco in 1987, the site was formerly part of the United States Army, Kapalama Military Reservation. In or around 1987, three fuel oil underground storage tanks (USTs), a hydraulic lift, and an oil/water separator were removed from the south portion of the property. Since 1987, several subsurface investigations, including excavation of contaminated soil and installation of groundwater monitoring wells, have been conducted on the southern portion of the property to identify and remediate contamination associated with former uses by the Army. The main source of contamination is suspected to be the result of a UST release of an estimated 25,000 gallons of gasoline.

[Public hearing notice regarding Administrative Rules for Underground Storage Tanks](#)

The State of Hawai'i Department of Health will hold a public hearing for the proposed amendment of Hawai'i Administrative Rules chapter 11-280.1. The proposed amendments are primarily designed to require all field-constructed underground storage tanks (USTs) and USTs that are part of airport hydrant fuel distribution systems to have secondary containment by July 15, 2045. Amendments are also proposed to improve the clarity of existing requirements and ensure that the state regulations are fully consistent with the federal UST regulations.

The public hearing will be at 9am on December 2, 2019 at the State Lab auditorium at 2725 Waimano Home Rd, Pearl City. All interested parties may attend to present relevant information and individual opinion. Anyone unable to attend may send written testimony to Attn: UST Rules 2827 Waimano Home Rd #100 Pearl City, HI 96782 or DOHustprogram@HawaiiOIMT.onmicrosoft.com. **Testimony must be received by December 16, 2019.** *Click on the title link for additional information.*

FEDERAL NOTICES

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

[Proposed Rule: International Fisheries; Eastern Pacific Tuna Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Area of Overlap Between the Convention Areas of the Inter-American Tropical Tuna Commission and the Western and Central Pacific Fisheries Commission](#) (published by the National Oceanic and Atmospheric Administration on 11/07/2019)

NMFS seeks comments on this proposed rule issued under authority of the Western and Central Pacific Fisheries Convention Implementation Act (WCPFCIA) and the Tuna Conventions Act. The rule would revise the management regime for fishing vessels that target tunas and other highly migratory fish species in the area of overlapping jurisdiction in the Pacific Ocean between the Inter-American Tropical Tuna Commission (IATTC) and the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC). The proposed rule would apply all regulations implementing IATTC resolutions in the area of overlapping jurisdiction. Under this rule, regulations implementing WCPFC decisions on catch and fishing effort limits, bycatch mitigation measures, and associated reporting requirements would no longer apply in the area of overlapping jurisdiction. However, regulations implementing WCPFC management measures related to monitoring, control, and surveillance would continue to apply in the area of overlapping jurisdiction. NMFS is undertaking this action based on an evaluation of the management regime in the area of overlapping jurisdiction, in order to satisfy the obligations of the U.S. as member of the IATTC and the WCPFC, pursuant to the authority of the WCPFCIA and the Tuna Conventions Act. *Click on the title link for additional information.* **Comments on the proposed rule must be submitted by November 22, 2019.**

GLOSSARY OF TERMS AND DEFINITIONS

Agency Actions

Projects or programs proposed by 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

Projects or programs proposed by 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. 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. This starts a 30-day scoping period in which the agency or applicant must hold a public scoping meeting for the preparation of the Draft EIS. Written comments and responses on the EISPEN must be incorporated into the subsequent Draft EIS and oral comments from the public scoping meeting must be recorded and submitted to the OEQC with the 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 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

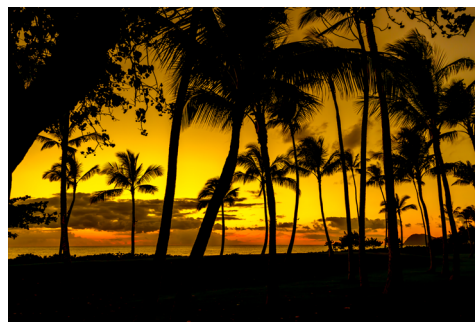
After receiving the comments on the EISPEN, the Agency or Applicant must prepare a Draft Environmental Impact Statement (DEIS). The content requirements of the DEIS shall contain an explanation of the environmental consequences of the proposed action including the direct, indirect and cumulative impacts 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. For Applicant projects, the Approving Agency is the Accepting Authority and must make a determination within 30 days or the FEIS is deemed 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

The Accepting Authority must be satisfied that the FEIS meets three criteria (process, content, response to comments) to accept it. If the FEIS is accepted, notice is published in this bulletin. The public has 60 days from publication to challenge 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. The Council just completed the repeal of Hawaii Administrative Rules (HAR) Chapter 11-200 and adoption of HAR Chapter 11-200.1.

Agency Exemption Lists

Government agencies may 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 11-200.1-16). 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).