The Environmental Notice

March 8, 2020

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 Atherton House is proposed for re-development to support the innovation and entrepreneurship community at the adjacent UH-Mānoa campus.

Photo credit: from the project’s Draft EA
As a reminder, the OEQC website has various links to access our associated SharePoint site that contains a number of separate libraries of different types of documents we publish, such as past issues of The Environmental Notice, EAs & EISs processed under the new rules, EAs & EISs under the old rules, other (non-EA or EIS) documents submitted for publication, etc.

- Within the SharePoint site, select the library of interest from the list extending down the left hand side of the screen. Columns can be filtered to only show items of interest; hover your cursor over a column heading, then click the down arrow that illuminates. Check the box(es) for item(s) of interest. (i.e., the Island column can be filtered to only show documents for specific islands).
- To search for document titles within a library, in the Search box (upper right corner) type "title:" before your keyword(s) with no space after the colon (for example "title:aloha") for all the documents with aloha in the title.
- Feel free to contact us with questions or comments about our website; (808) 586-4185 or oeqchawaii@doh.hawaii.gov

### Statewide Map of New HRS Chapter 343 Documents & Determinations

**LEGEND**
New document count in this issue: 3 total
- HRS § 343-5(b) Agency Actions: 2
- HRS § 343-5(e) Applicant Actions: 1
### Pāhala Large Capacity Cesspool Replacement--Final EA (FONSI)

<table>
<thead>
<tr>
<th>HRS §343-5(a) Trigger</th>
<th>(1) Propose the use of state or county lands or the use of state or county funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>District(s)</td>
<td>Kaʻū</td>
</tr>
<tr>
<td>TMK(s)</td>
<td>(3) 9-6-002:018</td>
</tr>
<tr>
<td>Permit(s)</td>
<td>Various (see document)</td>
</tr>
</tbody>
</table>
| Proposing/Determining Agency | Department of Environmental Management, County of Hawai‘i  
Dora Beck, (808) 961-8083, Dora.Beck@hawaiicounty.gov  
345 Kekūanāo’a Street, Suite 41, Hilo, HI 96720 |
| Consultant             | Wilson Okamoto Corporation; 1907 S. Beretania Street, Suite 400, Honolulu, HI 96826  
Keola Cheng, Project Manager, (808) 946-2277, PahalaEA@wilsonokamoto.com |
| Status                 | Finding of No Significant Impact (FONSI) determination.                     |

The County of Hawai‘i Department of Environmental Management proposes to construct wastewater system improvements to replace the existing large capacity cesspools (LCCs) currently serving Pāhala, in order to comply with U.S. Environmental Protection Agency (EPA) regulations. The project improvements would include a new wastewater collection system located primarily within public streets in the Pāhala community, and a treatment and disposal system on land to be acquired by the County (TMK: 9-6-002: 018). The project would be partially funded by an EPA grant and by the State of Hawai‘i Department of Health Clean Water State Revolving Fund loan program.

The collection system would consist of approximately 12,150 linear feet of 8 to 12-inch diameter underground gravity flow piping in Maile, ‘Ilīma, Huapala, Hi‘nalo, Hala Streets, Puahala, Pi‘ikake, and Kamani Streets. The treatment and disposal facility would occupy about 14.9 acres and consist of a headworks and an odor control unit, an operations building, four lined aerated lagoons, a subsurface flow constructed wetland to remove nitrogen with an adjacent disinfection system to remove pathogens, and four slow rate land treatment basins for further treatment and disposal of the treated effluent. A perimeter security fence would enclose the entire facility. The existing LCCs and associated wastewater collection system would be abandoned.

### Puakea Guest Ranch--Final EA (FONSI)

<table>
<thead>
<tr>
<th>HRS §343-5(a) Trigger</th>
<th>(4) Propose any use within any historic site as designated in the National Register or Hawai‘i Register</th>
</tr>
</thead>
<tbody>
<tr>
<td>District(s)</td>
<td>North Kohala</td>
</tr>
<tr>
<td>TMK(s)</td>
<td>(3)-5-6-001:082</td>
</tr>
</tbody>
</table>
| Permit(s)              | COUNTY OF HAWAI‘I: Planning Commission: Special Permit & other permits/data required to comply with any conditions of approval of the Special Permit;  
Dept of Public Works, Engineering Division: Grading Permit; Building Division: Building Permit; Planning Dept: Plan Approval (if required by the Special Permit) |
| Approving Agency       | Planning Department, County of Hawai‘i  
Alex Roy, (808) 961-8140, alex.roy@hawaiicounty.gov  
101 Pauahi Street, Suite 3, Hilo, HI 96720 |
| Applicant              | Christie Cash; (808) 315-0805, christie@puakearanch.com  
The Historic Puakea Ranch, P.O. Box 190768, Hawi, HI 96719 |
| Consultant             | None                                                                                           |
| Status                 | Finding of No Significant Impact (FONSI) determination.                                         |

Puakea Ranch is requesting a Special Permit for a Guest Ranch. The Proposed Action continues the vacation rentals and constructs facilities that allow for various functions including weddings and community events. It would involve adaptation of existing Puakea Ranch structures, four of which are currently used as vacation rentals, construction of new structures including accessible restrooms and mitigation measures to address noise concerns. Ranching and gardening uses of the property would continue and expand. The maximum occupancy of the vacation rentals would increase from 18 to 38, and guest and non-guest events with attendees up to 100 would be allowed (with two events a year at 350 people). A variety of restrictions would limit the hours, days of the week, and uses of various parts of the property. Normal operational traffic is not expected to have any significant impact.
Atherton Mixed Use Student Housing Innovation & Entrepreneurship 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) Honolulu

TMK(s) 2-8-016:001

Permit(s) Various (see document)

Proposing/Determining Agency

University of Hawai‘i, State of Hawai‘i
Jan Gouveia, (808) 956-6405, jgouveia@hawaii.edu
2444 Dole Street, Bachman Hall 109H, Honolulu, HI 96822

Consultant

Wilson Okamoto Corporation; 1907 S. Beretania Street, Suite 400, Honolulu, HI 96826
Dalton Beauprez, (808) 946-2277, DBeauprez@wilsonokamoto.com

Status

Statutory 30-day public review and comment period starts. Comments are due by April 7, 2020. Click the title link above to access and read the document, then send comments to the proposing/determining agency and copy the consultant.

The University of Hawai‘i Foundation (UHF) has partnered with Hunt Development Group (HDG) to design, build, finance, operate, and maintain a Mixed Use Student Housing Innovation and Entrepreneurship Center on UHF property in lower Mānoa located directly adjacent from the University of Hawai‘i at Mānoa (UHM) campus. The proposed action is envisioned to bring an integrated, live, learn, work, innovation center supporting the innovation and entrepreneurship community at UHM. The proposed project will consist of approximately 114,000 square feet, with programming that will include student housing and residential common areas, the innovation and entrepreneurship center, project service areas, retail area, and on-site parking.

Previously Published Documents Open for Comment

Status: Public review and comment period for these projects began previously. Please click on the links below to access, and send comments to the relevant agency and copy any relevant applicant and/or consultant.

COMMENTS DUE MARCH 9, 2020

HAWAI‘I

Hilo Medical Center Oncology Center Addition And Rural & Telehealth Center Unit--Draft EA (AFNSI)
Gregg Single-Family Residence--Draft EA (AFNSI)

O‘AHU

Hunt Kalaeloa Subdivision Roads--Draft EA (AFNSI)

COMMENTS DUE MARCH 24, 2020

HAWAI‘I

Kolekole Gulch Park Accessibility Improvements--Draft EA (AFNSI)
Wright/Bentley Single Family Residence at Kaiwiki--Draft EA (AFNSI)

MAUI

H-2 Residential Project at Mākena--Draft EA (AFNSI) Volume I, Volume II (part 1) and Volume II (part 2)

O‘AHU

City and County of Honolulu Emergency Operations Center--Draft EA (AFNSI)
Waimānalo Paradise Seawall Repair--Draft EA (AFNSI)
LISTS OF EXEMPTION NOTICES

Pursuant to 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 mandated to submit a listing of such exemptions made during the previous month. Following are Lists of Exemption Notices submitted by various agencies for January 2020; refer to the identified agency contact on each list for additional information about any specific exemption:

State of Hawai‘i
- Agriculture Development Corporation
- Department of Accounting and General Services
- Department of Hawaiian Home Lands
- Department of Land and Natural Resources
- Department of Transportation
- University of Hawai‘i at Mānoa

City and County of Honolulu
- Department of Environmental Services
- Department of Planning & Permitting

County of Hawai‘i
- Department of Public Works

County of Maui
- Planning Department

EXEMPTION NOTICES

The University of Hawai‘i and the Department of Hawaiian Home Lands have requested the voluntary publication of the following Exemption Notices, which exempt the noted actions from the requirement to prepare an EA pursuant to HAR § 11-200.1-16:

**UH Rainbow Wahine Softball Stadium Renovation, Phase IIIB**
The proposed project involves renovating the ground level concourse area next to the first base grandstand, including: (1) Home team locker room, showers and toilet rooms; (2) Home team lounge; (3) Home team training room; (4) Umpire locker rooms; (5) Storage; (6) Janitor closet; (7) Coaches' offices; and (8) Expand existing press box. Pursuant to Exemption Class #2, it has been determined that the replacement of existing structure where the new structure will be generally located in the same site and will have substantially the same purpose and capacity as the structure replaced.

**DHHL Mōili‘ili Land Acquisition**
DHHL is pursuing the acquisition of these parcels, located within Honolulu, to add lands to the inventory that will provide residential opportunities for its beneficiaries and revenue generating activities to support the purposes of the HHCA. The existing structures includes 31 residential units.

**DHHL Conversion of General Leases to Right-of-Entry Permits**
DHHL’s non-homestead land assets generate revenue to support homestead development projects. Several different types of short and long-term dispositions (Right-of-Entry, License and/or General Lease) are issued to agencies and/or organizations for either exclusive or non-exclusive use of a land asset. As the long-term General Leases expire or are relinquished, these dispositions are proposed for conversion to short-term Right-of-Entry dispositions as an interim use until DHHL develops long-term development plans for the parcel(s). Conversion from General Lease to Right-of-Entry will only occur for those parcels where the use will remain the same.
COASTAL ZONE MANAGEMENT NOTICES

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).

<table>
<thead>
<tr>
<th>Location (TMK)</th>
<th>Description (File No.)</th>
<th>Applicant/Agent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hawai‘i: Puna (1-4-003: 002, 039, 040 &amp; 041)</td>
<td>Access Road Improvements (SMM 20-000426)</td>
<td>Keahi Young</td>
</tr>
<tr>
<td>Maui: Pā‘ia (2-5-005: 046 and 3-8-001: 071)</td>
<td>Construct Phase IV Bike Path (SM2 20140132)</td>
<td>County of Maui Dept of Public Works</td>
</tr>
<tr>
<td>Maui: Kihei (3-9-008: 017)</td>
<td>Improvements to Restaurant (SM2 20190040)</td>
<td>Michael Muyco</td>
</tr>
<tr>
<td>Maui: Lahaina (4-6-007: 016)</td>
<td>Waiola Church Event-Queen Keopuolani (SM2 20200023)</td>
<td>Waiola Church</td>
</tr>
<tr>
<td>Maui: Kihei (2-1-029: 001)</td>
<td>Retaining Wall and Grading (SM2 201200024)</td>
<td>Marc Taron</td>
</tr>
<tr>
<td>Maui: Lahaina (4-6-007: 020)</td>
<td>Demolish (SM2 20200025)</td>
<td>Ronald &amp; Leann Durnat</td>
</tr>
<tr>
<td>O‘ahu: Kailua (4-2-014: Portion of 004)</td>
<td>Utility Installation Type B Upgrades (2020/SMA-1)</td>
<td>Verizon Wireless/Eukon Group</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>File No.</th>
<th>Location</th>
<th>TMK</th>
<th>Applicant</th>
<th>Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td>OA-1892</td>
<td>91-1001 Kaimalie St, O‘ahu 96706</td>
<td>(1) 9-1-134: 007 &amp; 078</td>
<td>R.M. Towill Corporation</td>
<td>Haseko (Ewa) Inc. &amp; Hoakalei Corporation</td>
</tr>
<tr>
<td>MA-734</td>
<td>2760 South Kihei Rd &amp; South Kihei Rd, Maui 96753</td>
<td>(2) 3-9-004: por. 048 &amp; 3-9-005: 031</td>
<td>Control Point Surveying, Inc.</td>
<td>Department of Parks and Recreation, State of Hawai‘i</td>
</tr>
<tr>
<td>LA-022</td>
<td>State Highway #44, Lāna‘i</td>
<td>(2) 4-9-002: por. 001 &amp; 4-9-003: por. 010</td>
<td>R.M. Towill</td>
<td>Lanai Resorts, LLC</td>
</tr>
<tr>
<td>LA-023</td>
<td>Kaunolu Trail, Lāna‘i</td>
<td>(2) 4-9-002: por. 001</td>
<td>R.M. Towill</td>
<td>Lanai Resorts, LLC</td>
</tr>
<tr>
<td>HA-584</td>
<td>Papaikou, Hawai‘i</td>
<td>(3) 2-7-004: 025</td>
<td>Daniel Berg, dlb &amp; associates, LLC</td>
<td>Shropshire Group LLC</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>File No.</th>
<th>Status</th>
<th>Location</th>
<th>TMK</th>
<th>Applicant</th>
<th>Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td>MA-726</td>
<td>Proposed</td>
<td>5271 L. Honoapi‘ilani Road, Maui 96761</td>
<td>(2) 4-3-002: 043</td>
<td>Arthur P. Valencia</td>
<td>Napili Point II</td>
</tr>
</tbody>
</table>
The Department of Health (DOH) will be initiating Section 106 of the NHPA consultation with the State Historic Preservation Division (SHPD). In 2015, the U.S. Environmental Protection Agency (EPA) designated the DOH to act on EPA’s behalf when initiating Section 106 of the NHPA process for projects funded under the Hawai‘i Drinking Water State Revolving Fund (DWSRF). The DOH is providing funding under the DWSRF to the Kaua‘i Department of Water for the Kalāheo Water System Improvements. The proposed project will utilize federal funding and is considered an undertaking. The project proposes to construct one new 0.5-million gallon (MG) water storage tank, one new 0.1-MG water storage tank, approximately 11,600 linear feet of water lines and other water system appurtenances to improve water system pressure and reliability. Any comments submitted will be included in the Section 106 consultation with SHPD.

The Department of Health (DOH) will be initiating Section 106 of the NHPA consultation with the State Historic Preservation Division (SHPD). In 2015, the U.S. Environmental Protection Agency (EPA) designated the DOH to act on EPA’s behalf when initiating Section 106 of the NHPA process for projects funded under the Hawai‘i Drinking Water State Revolving Fund (DWSRF). The DOH is providing funding under the DWSRF to the Kaua‘i Department of Water for the Kalāheo Water System Improvements. The proposed project will utilize federal funding and is considered an undertaking. The project proposes to construct one new 0.5-million gallon (MG) water storage tank, one new 0.1-MG water storage tank, approximately 11,600 linear feet of water lines and other water system appurtenances to improve water system pressure and reliability. Any comments submitted will be included in the Section 106 consultation with SHPD.

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.

Notice: Endangered and Threatened Species; Determination on the Designation of Critical Habitat for Oceanic Whitetip Shark (published by the National Oceanic and Atmospheric Administration on 03/05/2020)

We, NMFS, have determined that a designation of critical habitat under the Endangered Species Act (ESA) for the oceanic whitetip shark (*Carcharhinus longimanus*) is not prudent at this time. Based on a comprehensive review of the best scientific data available, we find there are no identifiable physical or biological features that are essential to the conservation of the oceanic whitetip shark within areas under U.S. jurisdiction. We also find that there are no areas outside of the geographical area occupied by the species under U.S. jurisdiction that are essential to its conservation. As such, we find there are no areas within the jurisdiction of the United States that meet the definition of critical habitat for the oceanic whitetip shark.

Notice: Notice of Intent To Repatriate Cultural Items: State of Hawai‘i Department of Transportation, Honolulu, HI (published by the National Park Service on 03/03/2020)

The State of Hawai‘i Department of Transportation (HI DOT), in consultation with the appropriate Native Hawaiian organizations, has determined that the cultural items listed in this notice meet the definition of unassociated funerary objects and sacred objects. Lineal descendants or representatives of any Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request to the HI DOT. If no additional claimants come forward, transfer of control of the cultural items to the lineal descendants or Native Hawaiian organizations stated in this notice may proceed. Lineal descendants or representatives of any Native Hawaiian organization not identified in this notice that wish to submit a claim for these cultural items should submit a written request with information in support of the claim by April 2, 2020. Please click on the linked title of this entry for additional information on submitting claims.

Notice: Endangered Species; Receipt of Recovery Permit Applications (published by the Fish and Wildlife Service on 03/06/2020)

We, the U.S. Fish and Wildlife Service, have received applications for permits to conduct activities intended to enhance the propagation and survival of endangered species under the Endangered Species Act of 1973, as amended, including the Hawksbill sea turtle (*Eretmochelys imbricata*) and Hawaiian common gallinule (*Gallinula galeata sandvicensis*) in Hawai‘i. We invite the public and State agencies to comment on these applications. Before issuing the requested permits, we will take into consideration any information that we receive during the public comment period that ends on April 6, 2020. Please click on the linked title of this entry for additional information on submitting comments.
March 8, 2020

The Environmental Notice

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(d), for Agency actions and HRS 343-5(e), for Applicant actions. For actions for which the proposing or approving agency anticipates a Finding of No Significant Impact (AFNSI), a Draft EA (DEA) shall be made available for public review and comment for 30 days and public notice is published in this periodic bulletin.

Final Environmental Assessment and Finding of No Significant Impact
The action’s proponent shall respond in writing to comments on a DEA received during the 30-day review period and prepare a Final EA (FEA) that includes those responses to determine whether an environmental impact statement shall be required. If there are no significant impacts, then the Agency will issue a Finding of No Significant Impact (FONSI). An Environmental Impact Statement (EIS) will not be required and the project has cleared HRS 343 requirements. The public has 30 days from the notice of a FONSI in this bulletin to ask the Environmental Court to require the preparation of an EIS.

Final Environmental Assessment and Environmental Impact Statement Preparation Notice
An EIS shall be required if the Agency finds that the proposed action may have a significant effect on the environment. The Agency shall file notice of such determination with OEQC, called an EIS Preparation Notice (EISPN) along with the supporting Final EA. After the notice of the FEA-EISPN is published in this bulletin, the public has 30 days to request to become a consulted party and to make written comments. The public (including the Applicant) has 60 days from the notice of the EISPN in this bulletin to ask the Environmental Court to require the preparation of an 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 discreitional approvals are required. An aid to understanding this is to visualize residential driveway improvements in the public right-of-way, versus, retail outlet driveway improvements in the public right-of-way.

Draft Environmental Impact Statement
After receiving the comments on the EISPN, the Agency or Applicant must prepare a Draft Environmental Impact Statement (DEIS). The content requirements of the DEIS shall contain an explanation of the environmental consequences of the proposed action including the direct, indirect and cumulative impacts and their mitigation measures. The public has 45 days from the first publication date in this bulletin to comment on a DEIS. The DEIS must respond to comments received during the EISPN comment period in a point-by-point manner.

Final Environmental Impact Statement
After considering all public comments filed during the DEIS stage, the Agency or Applicant must prepare a Final EIS (FEIS). The FEIS must respond in a point-by-point manner to all comments from the draft and must be included in the FEIS. 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. If 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.

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 Hawaiʻi’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 the coastal line 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 Hawaiʻi 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 shore-line 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).

Glossary of Terms and Definitions

Maui sunset
Photo by Thomas Hawk