



The Environmental Notice

May 8, 2020

David Y. Ige, Governor

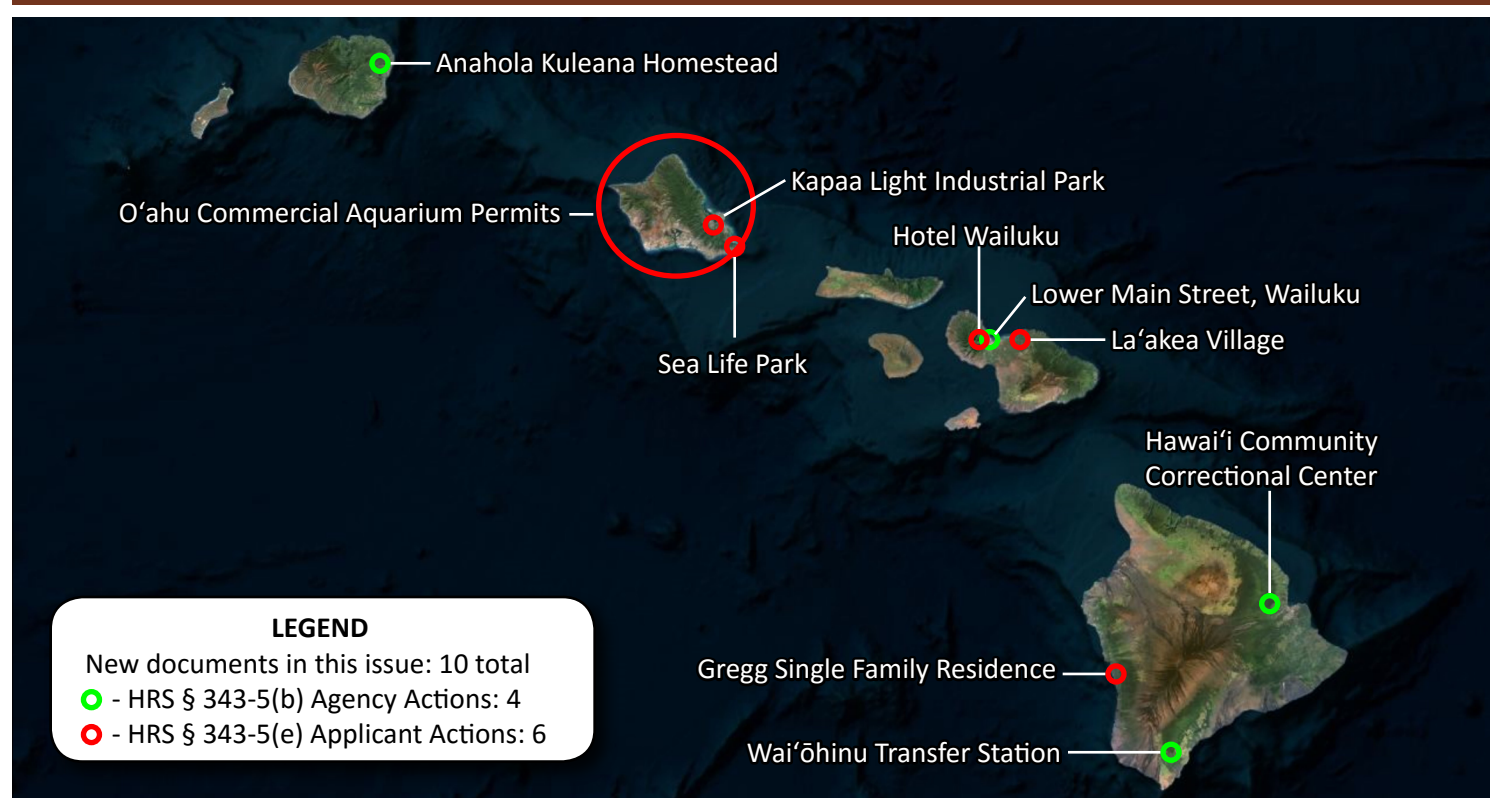
The Environmental Notice provides public notice for projects undergoing environmental review in Hawai'i as mandated under Section 343-3, Hawai'i Revised Statutes, the Environmental Impact Statement Law. Along with publishing Environmental Assessments and Environmental Impact Statements for projects in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



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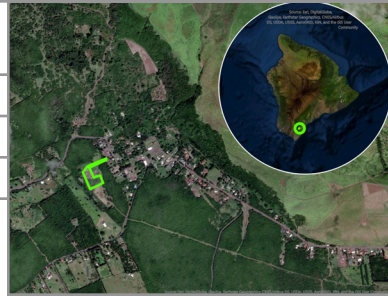
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STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS & DETERMINATIONS



HAWAII


Wai'ōhinu Transfer Station Repairs and Enhancements--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)	Ka'ū	
TMK(s)	(3) 9-5-005:001, Kaulia Road right-of-way	
Permit(s)	Numerous (see document)	
Proposing/ Determining Agency	Department of Environmental Management, County of Hawai'i Ryan Dixon, (808) 961-8296, Ryan.Dixon@hawaiiicounty.gov 345 Kekūānāo'a Street, Ste. 41, Hilo, HI 96720	
Consultant	Wilson Okamoto Corporation; 1907 S. Beretania Street, Suite 400, Honolulu, HI 96826 Rebecca Candilasa, (808) 946-2277, rcandilasa@wilsonokamoto.com	
Status	Statutory 30-day public review and comment period starts. Comments are due by June 8, 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 Department of Environmental Management is proposing repairs and enhancements to the Wai'ōhinu Transfer Station. The project consists of reconfiguring the site layout to improve ease-of-use and traffic flow, enhancing the various collection areas, and performing other site work needed to provide internal roadways, drainage, an individual wastewater system, and utilities. Existing transfer station operations will be relocated on the south side of the existing transfer station chutes and collection areas for various waste streams will be provided within the project area. Kaulia Road improvements will remain within the existing right-of-way and will be limited to the minimum necessary to provide a smooth transition to stabilized roadway on-site.

New Housing at Hawai'i Community Correctional Center--Final EA (FONSI)

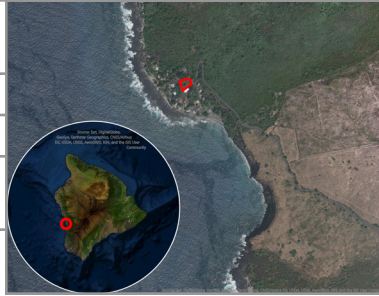
Grandfathered under old rules

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) 2-3-023:005	
Permit(s)	Plan Approval, Construction Permits, Air Pollution Control Permit, if required	
Proposing/ Determining Agency	Department of Accounting and General Services, State of Hawai'i Sally L. Tamai, Project Management Branch, (808) 586-0463, sally.l.tamai@hawaii.gov 1151 Punchbowl Street, Room 427, Honolulu, HI 96813	
Consultant	WSP USA, Inc.; 412 Mt. Kemble Avenue, Morristown, NJ 07962 Robert J. Nardi, PP, Vice President, (973) 407-1681, robert.nardi@wsp.com	
Status	Finding of No Significant Impact (FONSI) determination	

The Hawai'i Department of Public Safety (PSD) is moving forward with efforts to improve its corrections infrastructure. This includes alleviating crowding that exists at the Hawai'i Community Correctional Center (HCCC), Maui CCC, and Kaua'i CCC by developing new housing units for inmates who are currently housed at each facility. The proposed HCCC housing unit will accommodate up to 144 inmates to address the crowded conditions; provision of such housing is not intended to increase the inmate population beyond its current number. The housing unit, designed and constructed to state and national standards, would help achieve a safe, secure, and humane environment for the care and custody of male and female offenders held at the facility and is representative of PSD's overall program of improving its facilities. At the present time, funds have been appropriated to construct only a portion of the total 144 beds with construction of the balance to be undertaken in subsequent phase(s) as additional construction funds are appropriated by the Hawai'i State Legislature. No significant adverse impacts are anticipated from implementation of the proposed project at HCCC.

HAWAII (CONTINUED)

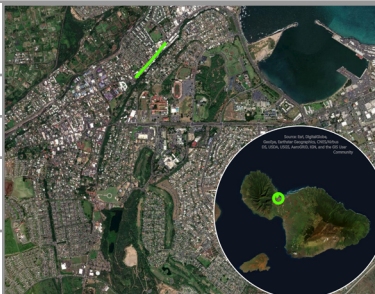
Gregg Single-Family Residence--Final EA (FONSI)

HRS §343-5(a) Trigger	(2) Propose any use within any land classified as a conservation district	
District(s)	South Kona	
TMK(s)	(3) 8-6-013:009	
Permit(s)	Conservation District Use Permit, SMA Exemption, County Building Permits, Wastewater System Approval	
Approving Agency	Department of Land and Natural Resources, State of Hawaii Samuel J. Lemmo, (808) 798-6660, sam.j.lemmo@hawaii.gov P. O. Box 621, Honolulu, HI 96809	
Applicant	Frederick W. Gregg, Jr., c/o: Roy A. Vitousek III, Esq.; Cades Schutte LLP, 75-170 Hualalai Rd., Ste. B-303 Kailua-Kona, HI 96740, (808) 329-5811, rvitousek@cades.com	
Status	Finding of No Significant Impact (FONSI) determination	

Mr. Gregg applies to build a 2-story, 1-bedroom retirement home for himself with a footprint of 2,016 sq. ft.; decks, lanais and living area will be 3,234 sq. ft. with rooftop solar and photovoltaic equipment for electrical power, and an individual wastewater system. He has owned the property for almost 30 yrs. The property is located approx. 500 ft. from the shoreline and is accessed by Ho'okena Beach Rd. The home will be set back from all property lines, roughly in the center of the lot, with a gravel driveway and some landscaping, including fruit trees. Limited grading/leveling will be required for the building pad. An AIS concluded that the property is an historic era residence, assessed as significant; the information was documented for importance of understanding historic habitation of the Ho'okena Village area; no preservation was recommended and no burial sites were reported. Environmental impacts will be minimal to resume the historic use of the property.

MAUI

Lower Main Street Sewer Upgrade--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)	Wailuku	
TMK(s)	(2) 3-4-021: Roadway; 3-4-022: Roadway; 3-4-023: Roadway; 3-4-024: Roadway	
Permit(s)	Construction Permits; Chapter 11-46, Community Noise Control (as applicable); NPDES (as applicable)	
Proposing/ Determining Agency	Department of Environmental Management, County of Maui Scott Rollins, (808) 270-8230, Scott.Rollins@co.maui.hi.us 2050 Main Street, Suite 2B, Wailuku, HI 96793	
Consultant	Munekiyo Hiraga; 305 High Street, Suite 104, Wailuku, HI 96793 Tessa Ng, (808) 983-1233, planning@munekiyohiraga.com	
Status	Statutory 30-day public review and comment period starts. Comments are due by June 8, 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 County of Maui, Department of Environmental Management, Wastewater Reclamation Division, proposes to increase the capacity of an existing 12-inch sewerline within the Lower Main Street right-of-way, between Ainahou Place and Hala Place, near Waena Street. The capacity improvements will be accomplished through the installation of approximately 1,950 lineal feet of 15-inch sewerline running parallel to the existing 12-inch sewerline. Upon completion, both the 12-inch and 15-inch lines will provide active transmission capacity for additional upstream generated flows. The proposed project is a necessary upgrade that will improve sewer flows and will benefit communities in the region, including the Kehalani, Waiolani, and Waikapu areas of Wailuku.

Construction of the proposed sewerline improvement project is anticipated to begin in the fourth (4th) quarter of 2020, with an approximately 9-month construction duration. The estimated construction cost of the project is \$2.5M.

MAUI (CONTINUED)


La'akea Village--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)	Makawao	
TMK(s)	(2) 2-5-005:030	
Permit(s)	HRS 201H; building, grading, electrical, plumbing, driveway permits; NPDES permit	
Approving Agency	Department of Housing and Human Concerns, County of Maui Lori Tshako, (808) 270-7805, lorianttsuhako@co.maui.hi.us	
Applicant	La'akea Village; P.O. Box 790994, Paia, HI 96779 Sarah Menzies, (808) 579-8398, sarah@laakeavillage.org	
Consultant	Chris Hart & Partners, Inc.; 115 North Market Street, Wailuku, HI 96793 Raymond Cabebe, (808) 242-1955, rcabebe@chpmaui.com	
Status	Statutory 30-day public review and comment period starts. Comments are due by June 8, 2020. Click the title link above to access and read the document, then send comments to the approving agency at buddy.almeida@co.maui.hi.us and copy the applicant and consultant.	

La'akea Village is a charitable 501(c)(3) organization and a Department of Health licensed agency providing services to Maui's intellectually and developmentally disabled (IDD) community since 2006 through the operation their various day programs and activities. La'akea Village wishes to provide a safe, complete live/work community environment for their long-term program participants by constructing the La'akea Village project.

The proposed project is a 100% affordable HRS 201H residential housing development for low-income families and persons with disabilities. Once complete, the project will include the construction of eighteen (18) residential structures with a total of 47 bedrooms, as well as a multi-purpose community/recreation center, agricultural facilities/storage processing buildings, and the necessary supporting infrastructure. The project will be phased based on available funding.

Hotel Wailuku--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)	Wailuku	
TMK(s)	(2) 3-4-012:004, 006, 016, 017, and 061	
Permit(s)	National Pollutant Discharge Elimination System Permit; Community Noise Permit; Subdivision; Work on State and County Rights-of-Way Permits; Construction Permits; Maui Redevelopment Agency Use Permit, Variances and Design Review	
Approving Agency	Department of Public Works, County of Maui Rowena Dagdag-Andaya, (808) 270-7845, Rowena.Dagdag-Andaya@co.maui.hi.us 250 South High Street, Wailuku, HI 96793	
Applicant	Supreme Bright Wailuku, LLC; 700 State Highway 121, Suite 175 Lewisville, TX 75067 James Houser, (817) 715-7014, James.Houser@NewcrestImage.com	
Consultant	Munekiyo Hiraga; 305 High Street, Suite 104, Wailuku, HI 96793 Charlene Shibuya, (808) 244-2015, planning@munekiyohiraga.com	
Status	Statutory 30-day public review and comment period starts. Comments are due by June 8, 2020. Click the title link above to access and read the document, then send comments to the approving agency at public.works@co.maui.hi.us and copy the applicant and consultant.	

Supreme Bright Wailuku LLC proposes the construction of a new select service, business focused hotel on TMK Nos. (2)3-4-012:004, 006, 016, 017 and 061 in Wailuku, Maui. The approximately 156-room hotel will contain supporting functional spaces such as a lobby, kitchen, dining area, bar/lounge, laundry area, meeting rooms and administrative office space. The main pedestrian guest entry will be via the corner of Main and Market Streets. Guests arriving by car will enter the hotel's parking lot from Main Street. A portion of Maluhia Drive will be widened to provide for two-way traffic flow and allow exiting hotel traffic to return onto Main Street. Offsite water improvements include the installation of approximately 210 lineal feet of 12-inch waterline within Maluhia Drive. Offsite sewer improvements involve the replacement of approximately 356 lineal feet of existing 10-inch clay pipe with a 12-inch PVC pipe along Lower Main Street, between the Ka'ahumanu Avenue Bridge and Mission Street.

O'AHU

Issuance of Commercial Aquarium Permits for the Island of O'ahu--Draft 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 (2) Propose any use within any land classified as a conservation district	
District(s)	O'ahu-multiple	
TMK(s)	N/A	
Permit(s)	Numerous (see document)	
Approving Agency/ Accepting Authority	Department of Land and Natural Resources, State of Hawai'i David Sakoda, (808) 587-0104, david.sakoda@hawaii.gov 1151 Punchbowl Street, Room 330, Honolulu, HI 96813	
Applicant	Pet Industry Joint Advisory Council; 925 Fourth Ave, Suite 2900, Seattle, WA 98104 James Lynch, (206) 370-6587, jim.lynch@klgates.com	
Consultant	Stantec Consulting Services Inc; 2300 Swan Lake Blvd., Suite 202, Independence, IA 50644 Terry VanDeWalle, (319) 334-3755, terry.vandewalle@stantec.com	
Status	Statutory 45-day public review and comment period starts. Comments are due by June 22, 2020. Click the title link above to access and read the document, then send comments to the approving agency/accepting authority and copy the applicant and the consultant.	

The purpose of the Applicant's action is to ensure that commercial aquarium fish collection allows for the lawful, responsible, and sustainable commercial collection of various fish species from nearshore habitats. The objective of the proposed action is for the Department of Land and Natural Resources (DLNR) to issue 20 Aquarium Permits for the island of O'ahu.

The need for the Applicant's action is to continue commercial aquarium fishers' livelihoods in compliance with all applicable laws, rules, and regulations pertaining to the industry.

Sea Life Park 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 (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 Street, 7th Floor, Honolulu, HI 96813	
Applicant	Sea Life Park Hawaii; 41-202 Kalaniana'ole Highway, Unit 7, Waimanalo, HI 96795 Valerie King, (808) 259-2502, valerie.king@sealifeparkhawaii.com	
Consultant	G70; 111 South King Street, Suite 170, Honolulu, HI 96813 Jeff Overton, (808) 523-5866, SeaLifePark@g70.design	
Status	Finding of No Significant Impact (FONSI) determination	

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.

O'AHU (CONTINUED)

Kapa'a Light Industrial Park--(Determination that Supplemental EIS is required)

HRS §343-5(a) Trigger	(6) Propose any amendments to existing county general plans where the amendment would result in designations other than agriculture, conservation, or preservation	MAP UNAVAILABLE
District(s)	Ko'olaupoko	
TMK(s)	(1) 4-2-015:014	
Permit(s)	Numerous	
Approving Agency/ Accepting Authority	Department of Planning and Permitting, City and County of Honolulu Zack Stoddard, (808) 768-8019, zachary.stoddard@honolulu.gov 650 South King Street, Honolulu, HI 96813	
Applicant	Kapaa I, LLC; 905 Kalaniana'ole Highway, Kailua, HI 96734 Paul King, (808) 261-8991, sustainableDC@gmail.com	
Consultant	Sustainable Design & Consulting, LLC; P.O. Box 25914, Honolulu, HI 96825 Manfred Zapka, (808) 265-6321, sustainableDC@gmail.com	
Status	The approving agency has determined that a supplemental EIS is required.	


The proposed industrial park would be adjacent to the Kapa'a Stream and mauka of the Kawainui Marsh. Only grading work has been completed so far.

The [Final EIS](#) for the project was accepted on 10/11/2011. Since then, the Department of Planning and Permitting approved a major Special Management Area permit (file number 2014/SMA-27) and two minor modifications to that permit (file numbers 2016/MOD-68 and 2017/MOD-37). The applicant is requesting to modify the Special Management Area permit a third time because design constraints have arisen.

The proposed modifications involve the stormwater management system, the number of structures and building area, grading, perimeter berms, the irrigation system, the wastewater system, and roadway access. As explained in the determination letter, the modifications require a supplemental EIS because they may have significant environmental impacts and because mitigating measures will not be implemented as described in the EIS.

KAUA'I

Anahola Kuleana Homestead Settlement 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)	Kawaihau	
TMK(s)	(4)-4-8-002:001 (por.); 4-8-003:006 (por.); 4-7-002:004 (por.)	
Permit(s)	see document	
Proposing/ Determining Agency	Department of Hawaiian Home Lands, State of Hawai'i Julie Cachola, (808) 620-9500, julie-ann.cachola@hawaii.gov 91-5420 Kapolei Pkwy, Kapolei, HI 96707	
Consultant	G70; 111 South King Street, Suite 170, Honolulu, HI 96813 Kawika McKeague, (808) 523-5866, kawikam@g70.design	
Status	Statutory 30-day public review and comment period starts. Comments are due by June 8, 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 Department of Hawaiian Home Lands (DHHL) is proposing the Anahola Kuleana Homestead Settlement Plan to offer 110 homestead lots (14 Pastoral and 101 Subsistence Agriculture) on 432 acres on Kaua'i. According to HAR Chapter 10-3-30 Kuleana Homestead Leases, DHHL agrees to survey, stake and award lots and provide an unpaved roadway suitable to access the lots. As a non-traditional program, the Kuleana Homestead Program places responsibility for development of infrastructure in the hands of native Hawaiian beneficiaries. This arrangement provides beneficiaries land within a shorter time frame than the traditional DHHL awarding process, as well as the opportunity to create a new self-sufficient community. The Project is proposing the following DHHL land uses: Subsistence Agriculture, Pastoral, Community Use and Special District. These uses are intended to integrate the Settlement Plan area with the Anahola Town Center to create an intact contemporary ahupua'a.

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 MAY 8, 2020

O'AHU

[West O'ahu Solar Plus Storage Project--Draft EA \(AFNSI\)](#)

KAUAI

[Kaua'i Seabird Habitat Conservation Plan--Draft EA \(AFNSI\)](#)

COMMENTS DUE MAY 26, 2020

HAWAII

[Magic Sands Beach Park Accessibility Improvements--Draft EA \(AFNSI\)](#)

[Kīpāhoehoe NAR Fenceline Clearing and Access--Draft EA \(AFNSI\)](#)

MAUI

[Auwahi 2 Wind Farm Project--\(EIS Preparation Notice\)](#)

STATEWIDE

[Miconia Biological Control--Draft EA \(AFNSI\)](#)

EXEMPTION DECLARATIONS

The Department of Hawaiian Home Lands, State of Hawai'i
has declared the following actions exempt from the requirement to prepare an EA pursuant to [HAR § 11-200.1-16](#):

[Redevelopment of Ulu Ke Kukui Multi-Family Housing Project \(Wai'ānae, O'ahu\)](#)

Five acres of DHHL lands are in a long-term lease to Hawaii Public Housing Authority for transitional housing. The housing complex, Ulu Ke Kukui, provides short-term (30 days) housing and social services for 80 families. It includes paved parking for five residential buildings and an administration building with offices, classrooms, cafeteria, commercial kitchen, and early childcare centers. When the lease expires, DHHL will redevelop the complex. The five residential buildings will be redesigned for long-term rental to 40 native Hawaiian families. The parking will be expanded, and community amenities will be added to the grounds. The administration building will be reconfigured into community center for residents, and a social services wing accessed from outside the residential complex. The rental of units may begin once the first residential building has been redeveloped. DHHL and its agents will develop and administer a program for the rental of the 40 residential units.

[Green Energy Team Albizia Removal and Road Improvements \(Anahola, Kaua'i\)](#)

One-time above-ground removal of invasive Albizia (*Molucca falcataria*) trees on approx. 900 acres of fallow agricultural land formerly in plantation-scale sugar cane cultivation and cattle grazing; minor grading and resurfacing of existing plantation roads. Trees will be cleared only within confines of former cane fields. Areas too difficult to log due to slopes, soils or inaccessibility will not be cleared. Removal of Albizia is needed due to hazards posed by trees' height, mass and brittleness. Operations will follow a logging safety plan and employ BMP's and mitigation measures as outlined in DLNR-DoFAW's "Best Management Practices for Maintaining Water Quality in Hawaii (Feb. 1996)." Stumps will remain in place. Once felled, trees will cure on site for several months, be chipped on site, and chips transported to a power generating facility in Koloa, Kaua'i. Existing agricultural roads will be improved with grading and application of reclaimed asphalt pavement to mitigate erosion.

The Department of Housing and Community Concerns, County of Maui
has declared the following action exempt from the requirement to prepare an EA pursuant to [HAR § 11-200.1-16](#):

[Liloa Hale Senior Affordable Housing Project \(Kīhei, Maui\)](#)

The proposed action involves the construction of 117 affordable senior apartments in a single three-story elevator-served building, on an approximately 4.9-acre site. Units will provide one (1) or two (2) bedrooms. Onsite parking will also be provided. The project's amenities will include a lobby and common areas, club room, fitness center, landscaped courtyard, and exterior walking paths. (As noted in the linked transmittal letter, an [Exemption Notice](#) for a similar project published December 8, 2019 has been withdrawn; this present Exemption Notice addresses a lower density project as described).

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

State of Hawai'i

[Department of Accounting and General Services](#)
[Department of Agriculture](#)
[Department of Hawaiian Home Lands](#)
[Department of Land and Natural Resources](#)
[Department of Transportation](#)
[Hawai'i Housing Finance and Development Corporation](#)

County of Maui

[Planning Department](#)
[Department of Housing and Human Concerns](#)

City and County of Honolulu

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

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 the actions listed below, contact John Nakagawa at john.d.nakagawa@hawaii.gov or at (808) 587-2878. The CZM Program is required to adhere to federal review deadlines, therefore, **comments must be received by May 22, 2020**. 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

Hydrographic Survey of the Main Hawaiian Islands

Proposed Action: The NOAA Office of Coast Survey proposes to survey four discrete areas in the Hawaiian Islands totaling approximately 1,000 square nautical miles (snm) from July to October 2020. As with all activities at sea, the exact dates of the project could be affected by poor weather, equipment difficulties, or other unforeseen circumstances. The surveys would be accomplished from NOAA Ship Rainier and up to four of its launches. During the proposed survey, crews would operate echo sounders to map the ocean floor in the survey area at frequencies of 40 kilohertz (kHz) or higher. The crew would also use Conductivity, Temperature, and Depth instruments (CTDs) for profiling the water column and would collect bottom samples to verify sediment type. The Rainier may anchor at times during the survey. As a part of the hydrographic survey, Coast Survey would deploy XBTs to determine sound speed in water. XBTs are small probes that are dropped over the side of a ship. As it falls through the water, it measures temperature; small wires transmit the temperature data back to the ship where it is recorded for further analysis. Because the probe falls through the water at a known rate, the depth of the probe can be inferred from the time of launch. Scientists then plot temperature as a function of depth to create a temperature profile of the water. This information is needed to make accurate depth measurements in waters of at least 300 meter depth. Once the probe has reached its maximum depth, the probe is detached and left on the seafloor; the thin line is retracted back to the ship. Coast Survey could deploy XBTs in any project waters that are of depths of 300 meters or greater. Coast Survey would deploy no more than 50 XBTs in the course of the project. No benchmarks, tide gauges, or GPS tide buoys would be installed for the project. Additional information on the nature of Coast Survey work can be found in our [2013 Programmatic Environmental Assessment](#)

Location: Nearshore waters of Hawai'i, Maui, Kaho'olawe, Lāna'i, O'ahu, Moloka'i, and Kaua'i

Federal Action: Federal Agency Activity by National Oceanic and Atmospheric Administration, Office of Coast Survey

COASTAL ZONE MANAGEMENT NOTICES (CONTINUED)

FEDERAL CONSISTENCY REVIEWS (CONTINUED)

Residential Deck and Boat Dock, Kane'ōhe Stream, Kane'ōhe, O'ahu

Proposed Action: Construct a fixed wooden deck, 12 feet long by 16 feet wide, supported by nine piers that will be screwed into the bottom with no pouring of concrete footings. Attached to the fixed wooden deck will be floating boat dock, 24 feet long by 15 feet wide, with an additional side floating dock, 12 feet long by 13 feet wide for personal water craft. The wooden deck and floating piers will be constructed within waters of Kane'ōhe Stream at the confluence of Kane'ōhe Stream and Kane'ōhe Bay. Neither the wooden deck nor floating boat dock will be fixed to the adjacent seawall.

Location: 45-002 Holowai Street, Kane'ōhe, O'ahu
TMK(s): (1) 4-5-7: 75
Applicant: Gary C. Barnes
Federal Action: Federal Permit by U.S. Army Corps of Engineers

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
Kaua'i: Hanalei (5-8-008: 013)	Install Kitchen Upstairs in Existing Guest, Enclosed Storage Downstairs (SMA(M)-2020-19)	Matthew Hunter
Kaua'i: Kilauea (5-3-003: 009)	Installation of a Mounded Septic System (SMA(M)-2020-20)	Marsha Okada
Kaua'i: Koloa (2-8-017: 009)	New Fence at Existing Base Yard (SMA(M)-2020-21)	Association of Beachhouse Owners of Kiahuna Plantation
Maui: Kihei (2-1-029: 007)	Macarthur Residence (SM2 20200039)	Arquitectura, LLC
Maui: Kihei (3-9-022: 038)	Scott & Sabrina Haley (SM2 20200040)	Scott and Sabrina Haley
Maui: Kihei (3-9-018: 022)	Remove and Replace Cellular Equipment (SM2 20200041)	Verizon Wireless
Maui: Napili (4-3-002: 043)	Sewer Service Manhole (SM2 20200042)	Jeremy Stoddart
Maui: Kahului (3-8-007: 001)	War Memorial Paving (SM2 20200044)	County of Maui Dept of Parks and Recreation

SHORELINE NOTICES

APPLICATIONS FOR SHORELINE CERTIFICATION

None this issue

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-1884	Proposed	2199 Kalia Street, O'ahu	(1) 2-6-004: 005, 006, 007, & 008	R.M. Towill Corporation	Halekulani Corp.

FEDERAL NOTICES

Mayor Wright Homes Redevelopment – Notice of Intent to Request the Release of Funds

On or about May 19, 2020, the State of Hawai'i will authorize the Hawai'i Public Housing Authority (HPHA) to submit a request to the Department of Housing and Urban Development (HUD) for the release of federal funding sources (RROF). HPHA and its development partner, MWH Partners, LLC, propose use of these funds for the purpose of redeveloping the existing Mayor Wright Homes (MWH) site, rental assistance, and capital improvements and operating funds for the public housing units. The project includes the demolition of the existing structures and the construction of a mixed-use community consisting of 2,448 residential rental units and up to 80,000 square feet of commercial space.

An Environmental Review Record (ERR) that documents the environmental determinations for this project is available at the following website:

http://oeqc2.doh.hawaii.gov/Other_TEN_Publications/2020-05-08-OA-NEPA-FEA-Mayor-Wright-Housing-Redevelopment.pdf

The ERR can also be accessed online at the HUD Exchange Environmental Review Records website: <https://www.hudexchange.info/programs/environmental-review/environmental-review-records/>. Any individual, group, or agency may submit written comments on the ERR by emailing them to: MWH@pbrhawaii.com by May 18, 2020.

FEDERAL REGISTER

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 Wildlife and Plants; Draft Kaua'i Islandwide Recovery Plan (published by the Fish and Wildlife Service on 04/30/2020)

We, the U.S. Fish and Wildlife Service, announce the availability of the Draft Kauai Islandwide Recovery Plan under the Endangered Species Act. This draft recovery plan addresses 175 listed species occurring on the island of Kaua'i, Hawai'i, 111 of which are endemic to Kaua'i. The draft recovery plan includes specific goals, objectives, and criteria that should be met to remove the Kaua'i endemic species from the Federal List of Endangered and Threatened Wildlife and Plants. For the listed species that occur on multiple Hawaiian islands, the draft recovery plan describes those actions specific to Kaua'i; complete recovery actions and recovery criteria for these species will be covered in a subsequent multi-island recovery plan. We request review and comment on this draft recovery plan from local, State, and Federal agencies and the public. We will also accept any new information on the species' status throughout their range. In order to be considered, **comments on the draft recovery plan must be received on or before July 29, 2020**. However, we will accept information about any species at any time.

Notice: Endangered and Threatened Species; Issuance of Enhancement of Survival and Incidental Take Permits for Safe Harbor Agreements, Candidate Conservation Agreements, Habitat Conservation Plans, and Recovery Activities, January 1, 2019, Through December 31, 2019 (published by the Fish and Wildlife Service on 04/30/2020)

We, the U.S. Fish and Wildlife Service, in accordance with the Endangered Species Act (ESA), provide a list to the public of permits issued under the ESA, including some in Hawai'i. With some exceptions, the ESA prohibits take of listed species unless a Federal permit is issued that authorizes or exempts the taking under the ESA. We provide this list to the public as a summary of our permit issuances for candidate conservation agreements with assurances, safe harbor agreements, habitat conservation plans, and recovery activities for calendar year 2019.

Notice: Endangered Species; Receipt of Recovery Permit Applications (published by the Fish and Wildlife Service on 04/29/2020)

We, the U.S. Fish and Wildlife Service, have received applications for permits to conduct activities in Hawai'i intended to enhance the propagation and survival of endangered species under the Endangered Species Act of 1973, as amended. We invite the public and local, State, Tribal, and Federal 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. **We must receive your written comments on or before May 29, 2020.**

Rule: Pacific Island Fisheries; 2019-2021 Annual Catch Limits and Accountability Measures (published by the National Oceanic and Atmospheric Administration on 05/05/2020)

This final rule establishes annual catch limits and accountability measures in the main Hawaiian Islands for deepwater shrimp, precious corals, and gray jobfish (uku) in 2019-2021, and for Kona crab in 2019. This rule supports the long-term sustainability of Pacific Island fisheries. **The final rule is effective June 4, 2020.** The final rule is applicable in fishing years 2019, 2020, and 2021 for deepwater shrimp, precious corals, and gray jobfish, and fishing year 2019 for Kona crab.

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 (discretionary consent) 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.



Maui sunset

Photo by [Thomas Hawk](#)

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).