



The Environmental Notice

July 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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ANNOUNCEMENTS


In response to questions and comments about the scope of Environmental Assessments, and how some EAs are becoming as voluminous as Environmental Impact Statements, we reiterate that the rules establish how the scope of EAs may vary with the scope of the proposed action and its impact. Recall that the primary purpose of an EA is to support the proposing or approving agency's required determination of whether the proposed action may have a significant impact on the environment. Generally, an EA is prepared when a Finding of No Significant Impact is anticipated, and the data and analysis in an EA should be commensurate with the importance of the impact. Less important material may be summarized, consolidated or simply referenced. The clarity of the substance of the information being conveyed is key. Keeping EAs appropriately sized and scoped helps the review process focus on the relevant concerns and also helps keep down the cost of both public and private projects.

STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS / DETERMINATIONS



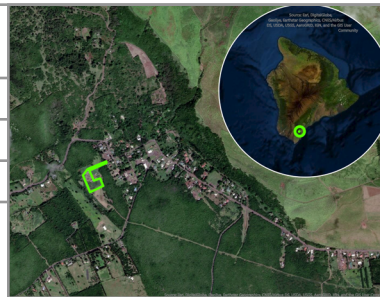
HAWAII

Hilo Scrap Metal Yard Closure and Remediation--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)	South Hilo	
TMK(s)	(3) 2-1-013:150 (por.)	
Permit(s)	Numerous (see document)	
Proposing/ Determining Agency	Department of Environmental Management, County of Hawai'i Gene Quiamas, (808) 961-8270, Gene.Quiamas@hawaiiicounty.gov 345 Kekūānāo'a Street, Suite 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 August 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 County of Hawai'i Department of Environmental Management is planning to permanently close and remediate the site of the former Hilo Scrap Metal Yard located in Hilo on Hawai'i Island. The proposed action consists of excavating and disposing of all waste materials and all lead contaminated soils in the project area. As an alternative, DEM is also analyzing the cost benefits of only disposing of excavated non-recyclable waste materials and consolidating the lead-contaminated soils onsite, grading to optimize future use, and capping with an engineered cover system to prevent direct contact exposure to the lead-contaminated soil. Other activities may include conducting site assessments, post-excavation confirmation sampling, grading, backfilling portions of the site with clean aggregate, and vegetating. Once the site has been remediated, DEM plans to use the site in the future for consolidation of existing solid waste management program components in the area.

Wai'ōhinu Transfer Station Repairs and Enhancements--Final EA (FONSI)


HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds	
District(s)	Ka'ū	
TMK(s)	(3) 9-5-005:001 (por.), 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, Suite 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	Finding of No Significant Impact (FONSI) determination	

The Department of Environmental Management is proposed repairs and enhancements to the Wai'ōhinu Transfer Station. The proposed 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 the stabilized roadway on-site.

HAWAII (CONTINUED)


Kea'au Village Master Plan--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 (9)(A) Propose any wastewater treatment unit, ...	
District(s)	Puna	
TMK(s)	Numerous (see document)	
Permit(s)	State Land Use District Boundary Amendment(s) (<15 acres) (Sub-Area 1C); Rezoning Approval to Project District and CG; Special Permit(s) (by County at appropriate time for relocated fire and police station); and numerous others (see document)	
Approving Agency	Planning Department, County of Hawai'i Kevin Sullivan, (808) 961-8135, kevin.sullivan@hawaiicounty.gov 101 Pauahi Street, Suite 3, Hilo, HI 96720	
Applicant	W.H. Shipman Limited; 16-523 Kea'au-Pāhoa Road, Kea'au, HI 96749 Peggy Farias, (808) 966-9325, mefarias@whshipman.com	
Consultant	PBR Hawai'i & Associates, Inc.; 1001 Bishop Street, Suite 650, Honolulu, HI 96813 Tom Schnell, (808) 521-5631, KeaauVillage@pbrhawaii.com	
Status	Finding of No Significant Impact (FONSI) determination	

A two-phase Master Plan to infill areas adjacent to the existing Kea'au Village to create a mixed-use, walkable community that is consistent with long-range vision for the Kea'au area. The Project will infill vacant lands between the existing village, Kea'au Middle School, Kea'au High School, and Kea'au Elementary School, and establish a new regional commercial center on the west side of Volcano Highway. The Project will provide a range of housing opportunities to be located near existing public schools, and commercial development opportunities that will provide needed services for the Kea'au area. Applicant plans to submit a request for rezoning to County Project District and General Commercial (CG) Districts, and reclassification of certain State Land Use District boundaries within the Project Area. The initial rezoning will be limited to Phase 1. Phases 1 and 2 may be implemented over an approximately 10- to 20 plus-yr period.

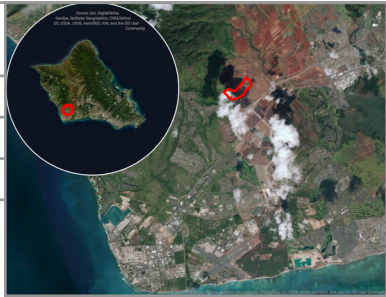
Barry Family Project at Kea'au--Final EA (FONSI)

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 c/o: Derek B. Simon, Esq., (808) 523-2589, dsimon@carlsmith.com	
Consultant	Carlsmith Ball LLP; 1001 Bishop Street, Suite 2100, Honolulu, HI 96813 Derek B. Simon, Esq., (808) 523-2589, dsimon@carlsmith.com	
Status	Finding of No Significant Impact (FONSI) determination	

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 the SLU 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.

O'AHU


West O'ahu Solar Plus Storage Project--Final EA (FONSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds	
District(s)	'Ewa	
TMK(s)	(1) 9-2-002: 007 (por.)	
Permit(s)	State Special Use Permit and numerous others (see document)	
Approving Agency	City & County of Honolulu, Department of Planning and Permitting Raymong Young, rcsyounghonolulu.gov 650 South King Street, 7th Floor, Honolulu, HI 96813	
Applicant	AES West Oahu Solar, LLC; 282 Century Place, #2000, Louisville, CO 80027 Nick Molinari, (303) 524-4368, nick.molinari@aes.com	
Consultant	Tetra Tech, Inc.; 737 Bishop Street, Suite 2340, Honolulu, HI 96813 Lisa Kettley, (808) 441-6651, lisa.kettley@tetrattech.com	
Status	Finding of No Significant Impact (FONSI) determination	

AES West O'ahu Solar, LLC is proposing the West O'ahu Solar Plus Storage Project (Project) on land owned by University of Hawai'i, located at the base of Pu'u Kapuai, approximately 3 miles northeast of Kapolei, O'ahu. The Project would provide up to 12.5 MW of solar energy and 50 MWh of battery storage, thus contributing to the State of Hawai'i's goal of achieving 100 percent energy production from renewable sources. The major components of the Project would include: (1) a ground-mounted solar photovoltaic system, (2) a battery energy storage system, (3) a substation and interconnection equipment, (4) a network of electrical wiring and collector lines, and (5) service roads and fencing. The Project would interconnect with Hawaiian Electric Company's (HECO) island-wide electrical grid via an existing 46-kV sub-transmission line that traverses the Project area. The power generated by the Project would be sold to HECO under a new 25-year power purchase agreement. At the end of the Project's operational life, the facilities would be decommissioned and the Project area would be returned to substantially the same condition as existed prior to Project development. The Project area would also be made available for compatible agricultural uses pursuant to Hawai'i Revised Statutes (HRS) Chapter 205-4.5(a)(21).

Board of Water Supply (BWS) Hālau Wai Mānoa--Final EA (FONSI)

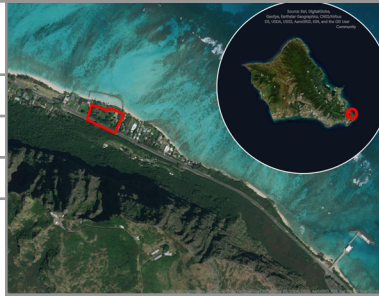
Grandfathered under old rules

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds (2) Propose any use within any land classified as a conservation district	
District(s)	Honolulu	
TMK(s)	(1) 2-9-054: 004 (por.), 006 (por.), 019 (por.), 020 (por.), 021 (por.) & 029 (por.)	
Permit(s)	Numerous (see document)	
Proposing/Determining Agency	Board of Water Supply (BWS), City and County of Honolulu Amy Tsuneyoshi, (808) 748-5936, atsuneyoshi@hbws.org 630 South Beretania Street, Honolulu, HI 96843	
Consultant	PBR HAWAII & Associates; 1001 Bishop Street, Suite 650, Honolulu, HI 96813 Greg Nakai, (808) 521-5631, gnakai@pbrhawaii.com	
Status	Finding of No Significant Impact (FONSI) determination	

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

O'AHU (CONTINUED)


Waimānalo Paradise Seawall Repair--Final EA (FONSI)

HRS §343-5(a) Trigger	(3) Propose any use within a shoreline area	
District(s)	Ko'olaupoko	
TMK(s)	(1) 4-1-002: 021 & 022	
Permit(s)	Shoreline Setback Variance, numerous others (see document)	
Approving Agency	Department of Planning and Permitting, City and County of Honolulu Alex Beatty, (808) 768-8032, abeatty@honolulu.gov 650 S King St, 7th fl, Honolulu, HI 96813	
Applicant	Nesbitt HI Holdings/Waimanalo Paradise; 300 E. Randolph St., Suite 3850 / 525 W. Monroe St., Suite 1900, Chicago, IL 60661 c/o: Scott Ezer, (808) 545-2055, sezer@hhf.com	
Consultant	HHF Planners; 733 Bishop Street, #2590, Honolulu, HI 96813 Scott Ezer, (808) 545-2055, sezer@hhf.com	
Status	Finding of No Significant Impact (FONSI) determination	

Waimanalo Paradise LLC and Nesbitt HI Holdings, LLC are proposing repairs and modifications to an existing seawall fronting two residential oceanfront parcels in Waimānalo, O'ahu, Hawai'i. The existing seawall was originally constructed roughly 100 years to protect the property from erosion and oceanrelated hazards, and is structurally deficient to meet current design soil and design wave loads. Proposed improvements consist of repairs to shore up damaged and deteriorated portions of the seawall; modifications to raise the wall height along portions of the seawall to a uniform 9-foot height; and the addition of structural elements located inland of the existing seawall.

KAUA'I

DHHL Hanapēpē Homestead Community--Draft EA (AFNSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county fund	
District(s)	Waimea	
TMK(s)	(4) 1-8-007:003; and 1-8-008:035, 081, 086, and 087	
Permit(s)	Numerous (see document)	
Proposing/ Determining Agency	Department of Hawaiian Home Lands, State of Hawai'i Nancy McPherson, (808) 620-9819, nancy.m.mcpherson@hawaii.gov 91-5420 Kapolei Parkway, Kapolei, HI 96707	
Consultant	SSFM International, Inc.; 501 Sumner Street, Suite 620, Honolulu, HI 96817 Jared Chang, (808) 356-1242, jchang@ssfm.com	
Status	Statutory 30-day public review and comment period starts. Comments are due by August 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 Hanapēpē Homestead Community Project seeks to provide Department of Hawaiian Home Lands (DHHL) waitlist beneficiaries with residential and subsistence agriculture homesteading opportunities in Hanapēpē, Kaua'i. This Project was identified in DHHL's Kaua'i Island Plan as one of three priority areas for new residential and agricultural homestead development on Kaua'i. The majority of DHHL's Hanapēpē lands are designated for subsistence agriculture and residential homesteading. Other complementary land uses are designated for commercial and community use. This homestead community is envisioned as DHHL's largest residential and agricultural community on the west side of Kaua'i. It is situated adjacent to the Hanapēpē town center and within commuting distance of local employment centers.

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 JULY 8, 2020

HAWAII

[Garrett Single-Family Residence and Farm at Maku'u--Draft EA \(AFNSI\)](#)

MAUI

[Kahului Harbor Hawaiian Cement Facility Relocation--Draft EA \(AFNSI\)](#)

O'AHU

[Windward District Operations Base Station at Kailua Beach Park--Draft EA \(AFNSI\)](#)

COMMENTS DUE JULY 23, 2020

MAUI

[Kanahele Hotel at Kahului Airport \(EIS Preparation Notice\)](#)

O'AHU

[Farrington Highway Improvements--Draft EA \(AFNSI\)](#)

[Kapa'a Light Industrial Park \(Supplemental EIS Preparation Notice\)](#)

[New Hope Oahu Renovations and Addition--Draft EA \(AFNSI\)](#) [being processed pursuant to ROH Chapter 25]

EXEMPTION DECLARATION

Department of Hawaiian Home Lands, State of Hawai'i requests publication of their declaration that the following action is exempt from the requirement to prepare an EA pursuant to [HAR § 11-200.1-16](#):

[Watershed Implementation Project to Restore Ma'ili'ili Reservoir](#)

The proposed project is designed to restore and re-purpose a reservoir located within DHHL's Wai'anae Moku landholding to reduce non-point source pollution. The reservoir is located on land designated by the U.S. Fish and Wildlife Service as wetlands and cannot be utilized for homesteading. The project is part of the City and County of Honolulu's Department of Facility Maintenance (C&C-DFM) settlement agreement with the State's Department of Health Clean Water Branch for violation of the U.S. Clean Water Act. While DHHL was not a party to the violation, the settlement will restore native vegetation within project area, improve water quality, provide educational opportunities, and long-term disaster resiliency. The project will effectively manage up to 10 acres of DHHL wetlands utilizing settlement dollars paid by C&C-DFM rather than Trust resources.

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 June 2020; refer to the identified agency contact on each list for additional information about any specific exemption:

State of Hawai'i

[Department of Hawaiian Home Lands](#)

[Department of Land and Natural Resources](#)

[Department of Transportation](#)

City and County of Honolulu

[Department of Design and Construction](#)

[Department of Environmental Services](#)

[Department of Planning and Permitting](#)

County of Maui: [Planning Department](#)

PRIOR AGENCY DETERMINATIONS

- The Department of Land Management, City and County of Honolulu [has determined](#) that, pursuant to HAR Section 11-200.1-11, additional environmental review is not required for Halewiliko Highlands Senior Affordable Rental Housing Project, a proposed 140-unit affordable senior rental housing facility to be developed on City land at 99-385 Pohai Place, 'Aiea, Hawai'i, on property identified by Tax Map Key No. (1) 9-9-078:006.

A Finding of No Significant Impact (FONSI) Determination was filed in January 2003 for 'Aiea Town Center Master Plan Final Environmental Assessment (EA). The EA addressed potential impacts and mitigation measures of the build-out of the 'Aiea Town Center Master Plan, including a 140-unit senior housing facility on the Property. Halewiliko Highlands Senior Affordable Rental Housing Project, the currently proposed action, serves the same purpose and is within the same property as the senior housing facility analyzed in the 'Aiea Town Center Master Plan Final EA/FONSI. That Final EA/FONSI determined that no significant impacts were anticipated regarding traffic and infrastructure. Since that Final EA/FONSI was filed in 2003, updated traffic and infrastructure reports were completed in 2020 and concluded that the Halewiliko Highlands Senior Affordable Rental Housing Project will not have a greater impact than what was addressed in the 'Aiea Town Center Master Plan Final EA/FONSI.

- The Natural Energy Laboratory of Hawai'i Authority, State of Hawai'i [has determined](#) that additional environmental review is not required for a proposed expansion of aquaculture facilities on existing NELHA Land leased by a tenant business. Two prior-accepted Environmental Impact Statements, published in 1985 and 1992, describe anticipated impacts of development of the Hawai'i Ocean Science and Technology (HOST) Park - including on lands applicable to the existing Forever Oceans site. These evaluations were included in the assessment of several build-out scenarios intended to include future improvements, allowing for flexibility to adapt to current market and technology conditions.

NELHA has determined that the proposed expansion is consistent with the location, types and scale of scenarios evaluated in the prior EIS documents, and that the potential direct, indirect, and cumulative impacts of the project have been adequately disclosed and evaluated therein, and therefore that the Findings of No Significant Impact (FONSI) in those reports satisfy the requirements of HRS Chapter 343 for the proposed expansion pursuant to HAR Section 11-200.1-11.

- The Natural Energy Laboratory of Hawai'i Authority, State of Hawai'i [has determined](#) that additional environmental review is not required for a proposed installation of 126 KW of solar photovoltaic (PV) panels on the roof of an existing warehouse structure on NELHA Land leased by a tenant business. Two prior-accepted Environmental Impact Statements, published in 1985 and 1992, describe anticipated impacts of development of the Hawai'i Ocean Science and Technology (HOST) Park - including on lands applicable to the existing Cyanotech Processing Building. These evaluations were included in the assessment of several build-out scenarios intended to include future improvements, allowing for flexibility to adapt to current market and technology conditions.

NELHA has determined that the proposed expansion is consistent with the location, types and scale of scenarios evaluated in the prior EIS documents, and that the potential direct, indirect, and cumulative impacts of the project have been adequately disclosed and evaluated therein, and therefore that the Findings of No Significant Impact (FONSI) in those reports satisfy the requirements of HRS Chapter 343 for the proposed expansion pursuant to HAR Section 11-200.1-11.

- The Natural Energy Laboratory of Hawai'i Authority, State of Hawai'i [has determined](#) that additional environmental review is not required for a proposed installation of 230 KW of solar photovoltaic (PV) panels divided between the roofs of five distinct existing buildings within the Cyanotech Innovation Center, located on NELHA land leased by a tenant business. Two prior-accepted Environmental Impact Statements, published in 1985 and 1992, describe anticipated impacts of development of the Hawai'i Ocean Science and Technology (HOST) Park - including on lands applicable to the existing Cyanotech site. These evaluations were included in the assessment of several build-out scenarios intended to include future improvements, allowing for flexibility to adapt to current market and technology conditions.

NELHA has determined that the proposed expansion is consistent with the location, types and scale of scenarios evaluated in the prior EIS documents, and that the potential direct, indirect, and cumulative impacts of the project have been adequately disclosed and evaluated therein, and therefore that the Findings of No Significant Impact (FONSI) in those reports satisfy the requirements of HRS Chapter 343 for the proposed expansion pursuant to HAR Section 11-200.1-11.

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-1902	1326 Mokulua Drive, O'ahu 96734	(1) 4-3-004: 077	Austin, Tsutsumi & Associates, Inc.	Fairwater Hawaii LLC, Sandbags LLC
OA-1903	He'eia Fish Pond, O'ahu 96744	(1) 4-6-005: 001 por.	ControlPoint Surveying, Inc.	Kamehameha Schools
MA-740	Waianapanapa Road, Maui 96713	(2) 1-3-005: 009 (por.)	R.T. Tanaka Engineers, Inc.	Department of Land and Natural Resources, Division of State Parks

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-1889	Proposed	Kamehameha Hwy vicinity of Laniakea Beach Park, O'ahu 96712	(1) 6-1-009: 021 & 022; 6-1-010: 019 & 020; 6-1-005: 023	WSP Parsons Brinckerhoff, on behalf of State of Hawai'i DOT	State of Hawai'i, Department of Transportation
OA-1896	Proposed	84-1101, 1103, and 1105 Farrington Highway, O'ahu 96792	(1) 8-4-003: 021, 022, 023	Leaps & Boundaries, Inc.	NSL, LLC
OA-1898	Proposed	58-002 Mekanale Street, O'ahu	(1) 5-8-003: 012	R.M. Towill Corporation	Mekanale Investments LLC
MA-731	Proposed	1544 Halama Street, Maui 96753	(2) 3-9-010: 010	Akamai Land Surveying, Inc.	Leonard Krahn & Andrea Krahn
MA-738	Proposed	3850 Wailea Alanui Drive, Maui 96753	(2) 2-1-008: 109	Fukumoto Engineering, Inc.	BRE Iconic GWR Owner LLC
LA-024	Proposed	Manele, Lana'i	(2) 4-9-017: por. 002 & 008	R.M. Towill	Lanai Resorts, LLC

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).

Location (TMK)	Description (File No.)	Applicant/Agent
Kaua'i: Waimea (1-2-006: 042)	After-the-fact Utility Sheds (SMA(M)-2020-23)	Waimea Planation Cottages, LLC
Kaua'i: Hanalei (5-5-010: 065)	Shed (SMA(M)-2020-24)	Anthony Sutton
Maui: Wailea (2-1-023: 007)	Restaurant Upgrade (SM2 20190066)	Four Seasons Resort Maui
Maui: Lahaina (4-3-005: 036)	Irrigation Well (SM2 20200057)	Lynn & Keith Zielinski
Maui: Lahaina (4-3-008: 019)	Addition of Two Bedrooms and Bath (SM2 20200059)	Michael Dale Napora
Maui: Spreckelsville (3-8-001: 072)	Baby Beach Signage (SM2 20200060)	A & B Properties Hawaii, LLC
Maui: Ha'ikū (2-8-004: 032)	Aquaponic Greenhouse (SM2 20200062)	Fredrick R Honig Trust
Maui: Ha'ikū (2-8-004: 032)	Greenhouse 1 & 2 (SM2 20200063)	Honig, Fredrick R RECV LVG TR

NATIONAL HISTORIC PRESERVATION ACT (NHPA), SECTION 106 CONSULTATION

Wailua WWTP NPDES Compliance Improvements

Island/District/TMKS	Kaua'i/Puna/ (4) 3-9-006:019 & 027, 3-9-002:004
Proposing/Approving Agency	State of Hawai'i, Department of Health, Environmental Management Division, Wastewater Branch 2827 Waimano Home Road, Rm. 207, Pearl City, HI 96782 Jon Nagato, (808) 586-4294, jonathan.nagato@doh.hawaii.gov
Consultant	Kennedy/Jenks Consultants, Inc. 707 Richards Street, Suite 528, Honolulu, HI 96813 Stephen Esaki, (808) 218-6030, StephenEsaki@KennedyJenks.com
Status	Comments due no later than August 7, 2020; send to Proposing Agency

The Department of Health (DOH) initiated Section 106 of the NHPA consultation with the State Historic Preservation Division (SHPD) in accordance with 36 CFR Part 800. In 1990, the U.S. Environmental Protection Agency (EPA) designated the DOH to act on EPA's behalf, pursuant to 36 CFR §800.2 (c) (4), when initiating Section 106 of the NHPA process in connection with projects funded under the Hawai'i Clean Water State Revolving Fund (CWSRF). The DOH is providing funding under the CWSRF to the County of Kaua'i for the Wailua WWTP NPDES Compliance Improvements. The proposed project will utilize federal funding and is considered an undertaking, consisting of improving the existing Wailua Wastewater Treatment Plant, which is owned and operated by the County of Kaua'i, as well as expanding the reuse of treated effluent at the Wailua Municipal Golf Course.

The DOH has engaged SHPD to determine the presence of potential sites of historic importance within the vicinity of the project area as well as the potential impact of the project on such sites, if present.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) ACTIONS

As a courtesy, listed below are documents provided for publication that have been prepared pursuant to federal NEPA requirements, rather than Hawai'i's Chapter 343, HRS (sometimes referred to as "HEPA"). Accordingly, these entries may have unique comment periods. Occasionally, actions are subject to both NEPA and HEPA; in those cases, a separate Chapter 343, HRS, entry would be published in *The Environmental Notice* when a relevant document or determination is submitted to OEQC.

Ambulatory Care Center Replacement at Joint Base Pearl Harbor-Hickam--Draft EA

Island/District/TMKS	O'ahu / 'Ewa / (1) 1-1-002:002, 9-9-001:008
Proposing/Approving Agency	Naval Facilities Engineering Command Pacific Department of Defense, Department of the Navy, 258 Makalapa Drive, Suite 100, JBPHH, HI 96860 John Bigay, (808) 472-1442
Consultant	AECOM 1001 Bishop Street, Suite 1600, Honolulu, HI 96813 Adriane Truluck, (808)356-5378
Status	Transmit Comments prior to August 8, 2020 deadline by mail to: Naval Facilities Engineering Command Atlantic, 6506 Hampton Boulevard, Norfolk, VA 23508, ATTN: EA Project Manager for ACC Replacement (Code EV21) Or by email to: NFPAC-Receive2@navy.mil

Joint Base Pearl Harbor-Hickam (JBPHH), a command of the United States Department of the Navy (hereinafter, jointly referred to as the Navy) has prepared this Environmental Assessment (EA) to evaluate a proposal to construct and operate a new ambulatory care center (ACC) to consolidate existing facilities and services separately managed by the Navy, Air Force, and Army to a location at JBPHH. This EA evaluates the potential environmental impacts associated with three action alternatives and the No Action Alternative to the following resources: cultural resources, air quality, biological resources, visual resources, transportation, and hazardous materials and wastes.

The purpose of the Proposed Action is to provide comprehensive primary care, dental, behavioral health, occupational, and preventive special medicine services to active duty service members and beneficiaries in facilities that are appropriately sized, configured, and sited to meet mission requirements and comply with current federal criteria for military health facilities. The Proposed Action is needed to rectify current capacity deficiencies at the existing service clinics and ensure that the services continue to provide high-quality health care to entitled military personnel, dependents, and retirees in the JBPHH region.

FEDERAL NOTICES

As a courtesy, listed below is a relevant entry 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; Endangered Species Act Listing Determination for the Coral *Pocillopora meandrina*](#) (published by the National Oceanic and Atmospheric Administration on 07/06/2020)

We, NMFS, have completed a comprehensive status review under the Endangered Species Act (ESA) for the Indo-Pacific, reef-building coral *Pocillopora meandrina*. After reviewing the best scientific and commercial data available, including the General Status Review of Indo-Pacific Reef-building Corals and the *P. meandrina* Status Review Report, we have determined that listing *P. meandrina* as threatened or endangered based on its status throughout all or a significant portion of its range under the ESA is not warranted at this time. This finding was made on July 6, 2020.

This 12-month finding is a response to a petition to list *P. meandrina* under the ESA. Background to the petition, 90-day finding, and policy on listing species under the ESA is provided below.

On March 14, 2018, we received a petition from the Center for Biological Diversity to list the Indo-Pacific reef-building coral *Pocillopora meandrina* in Hawai'i as an endangered or threatened species under the ESA. Under the ESA, a listing determination addresses the status of a species, its subspecies, and, for any vertebrate species, any distinct population segment (DPS) that interbreeds when mature (16 U.S.C. 1532(16)). Under the ESA, a species is "endangered" if it is in danger of extinction throughout all or a significant portion of its range, or "threatened" if it is likely to become endangered within the foreseeable future throughout all or a significant portion of its range (ESA sections 3(6) and 3(20), respectively, 16 U.S.C. 1532(6) and (20)). The petition requested that the Hawai'i portion of the species' range be considered a significant portion of its range, thus the petition focused primarily on the status of *P. meandrina* in Hawai'i. However, the petition also requested that *P. meandrina* be listed throughout its range, and provided some information on its status and threats outside of Hawai'i. In light of recent court decisions regarding our policy on the interpretation of the phrase "significant portion of its range" (SPR) under the ESA (79 FR 37577, July 1, 2014), we interpreted the petition as a request to first consider the status of *P. meandrina* throughout its range, followed by an SPR review consisting of: (1) Analysis of any SPRs, including the portion of the range within Hawai'i; and (2) determination of the status of SPRs.

On September 20, 2018, we published a 90-day finding (83 FR 47592) announcing that the petition presented substantial scientific or commercial information indicating that *P. meandrina* may be warranted for listing under the ESA throughout all or a significant portion of its range. We also announced the initiation of a status review of the species, as required by section 4(b)(3)(a) of the ESA, and requested information to inform the agency's decision on whether this species warrants listing as endangered or threatened under the ESA.

The rangewide Status Review of *P. meandrina* consists of two documents: (1) The General Status Assessment (GSA) of Indo-Pacific Reef-building Corals (Smith 2019a); and (2) the *P. meandrina* Status Review Report (SRR; Smith 2019b). The GSA (Smith 2019a) provides contextual information on the status and trends of Indo-Pacific reef-building corals, and the SRR (Smith 2019b) reports the status and trends of *P. meandrina* based on the best available scientific information. Based on the information provided in the Status Review reports (Smith 2019a,b), an Extinction Risk Assessment (ERA) was carried out as specified in the "Guidance on Responding to Petitions and Conducting Status Reviews under the Endangered Species Act" (NMFS 2017). As per the guidance, an Extinction Risk Assessment (ERA) Team was established, consisting of seven reef-building coral subject matter experts, and the Team used the information in the Status Review reports to provide ratings of *P. meandrina*'s extinction risk, described in the final section of the SRR (Smith 2019b).

The two reports that make up this Status Review (Smith 2019a,b) represent a compilation of the best available scientific and commercial information on the *P. meandrina*'s biology, ecology, life history, threats, and status from information contained in the petition, our files, a comprehensive literature search, and consultation with Indo-Pacific reef coral experts. We also considered information submitted by the public in response to our 90-day finding (83 FR 47592; September 20, 2018). The draft Status Review reports (Smith 2019a,b) underwent independent peer review by reef coral experts as required by the Office of Management and Budget Final Information Quality Bulletin for Peer Review (M-05-03; December 16, 2004). The peer reviewers were asked to evaluate the adequacy, appropriateness, and application of data used in the Status Review reports, including the ERA methodology. Peer reviewer comments were addressed prior to dissemination and finalization of the Status Review reports and publication of this finding, as described in the Peer Review Report.

For additional information, please click the title link at the top of this entry.

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).