



The Environmental Notice

September 8, 2020

David Y. Ige, Governor

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



The ford crossing of the Waimea River on Kaua'i isn't much different today than it was over 100 years ago

Photo from the [Waimea River Ford Crossing Draft EA](#) (Hawai'i State Archives)

235 South Beretania Street, Suite 702 • Honolulu, Hawai'i 96813 • (808) 586-4185 • oeqc@doeh.hawaii.gov • <http://health.hawaii.gov/oeqc>

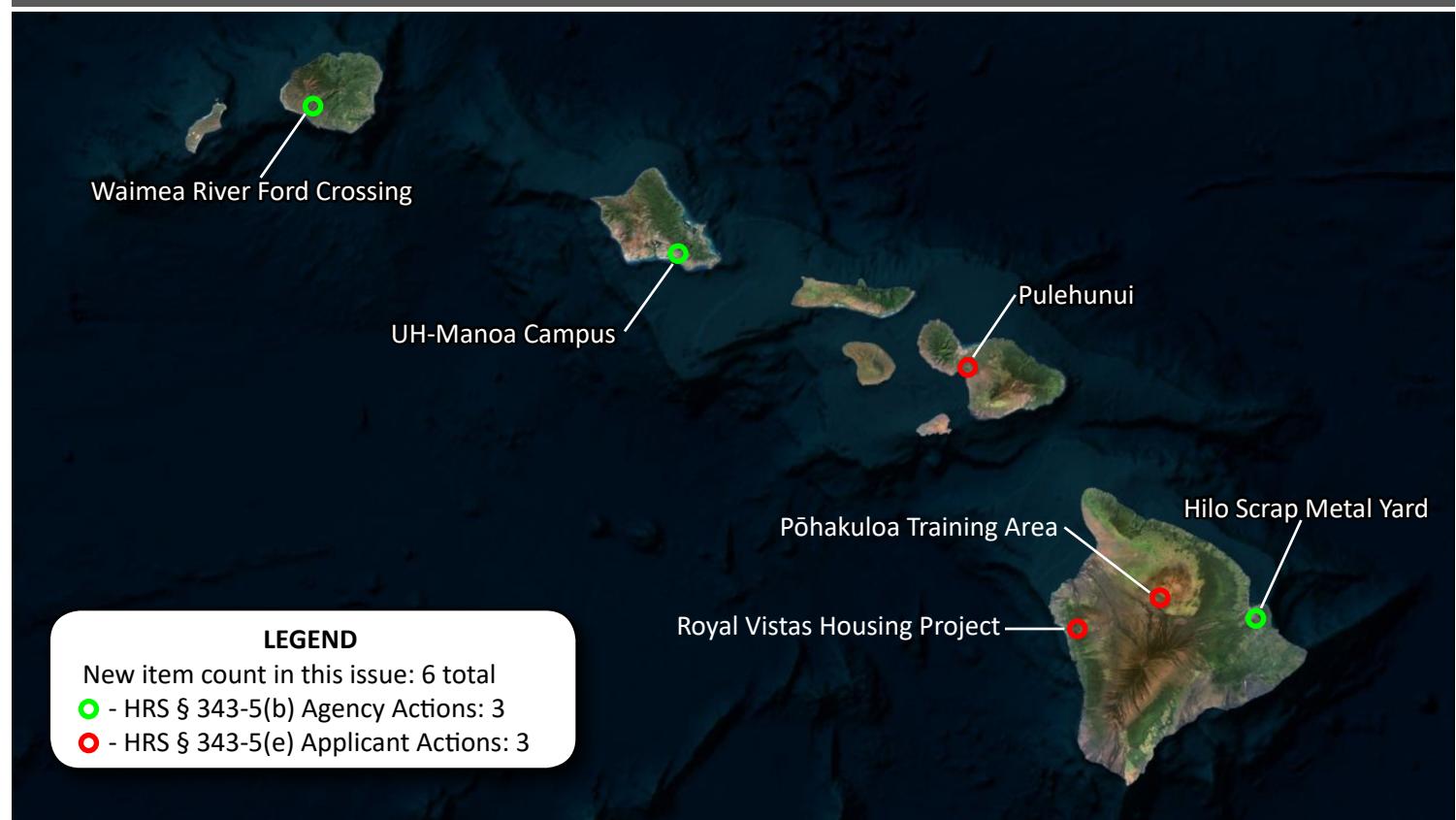
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ANNOUNCEMENTS

In response to the continuing COVID-19 pandemic, OEQC reiterates that the [online submittal form](#) is the preferred means of transmitting documents and files for publication. Please make an appointment if you desire to visit our office; unannounced walk-ins can not be accommodated at this time. Contact OEQC via email at oeqchawaii@doh.hawaii.gov or call (808) 586-4185.

STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS / DETERMINATIONS



HAWAII

Army Training Land Retention at Pōhakuloa Training Area (EIS Preparation Notice)

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	 <p>Source: U.S. Army, Google, Defense Geographic Center/Hawaii, USGS, Aerials, US, and the GeoCover Company.</p>
District(s)	Hāmākua and North Hilo	
TMK(s)	(3) 4-4-015:008; 4-4-016:005; 7-1-004:007; 3-8-001:013; 3-8-001:022	
Permit(s)	Numerous (see document)	
Approving Agency/Accepting Authority	Board of Land and Natural Resources, State of Hawai'i Russell Tsuji, DLNR, Land Division, (808) 587-0419, dlnr.land@hawaii.gov 1151 Punchbowl St., Room 220, Honolulu, HI 96813	
Applicant	U.S. Army Garrison-Hawaii & U.S. Army Installation Management Command Gregory Wahl, (808) 656-3093, Gregory.t.wahl.civ@mail.mil for questions, or usarmy.hawaii.nepa@mail.mil to cc comments U.S. Army Garrison Hawaii Directorate of Public Works - Environmental 948 Santos Dumont Ave., Building 105, 3rd Floor, Wheeler Army Airfield, Schofield Barracks, HI 96857-5013	
Consultant	G70; 111 S. King Street, Suite 170, Honolulu, HI 96813 Jeff Overton, (808) 523-5866, ATLR-PTA-EIS@g70.design	
Status	Administrative public review and comment period starts. Comments are due by October 14, 2020. Click the title link above or navigate to https://home.army.mil/hawaii/index.php/PTAEIS to access and read the document, then address comments to the approving agency/accepting authority at http://atlrptaeis.commentinput.com and copy the applicant and the consultant . A virtual public scoping meeting will be held on September 23, 2020 4 - 9 p.m; to participate, navigate to https://home.army.mil/hawaii/index.php/PTAEIS	

The Pōhakuloa Training Area (PTA) on Hawai'i Island encompasses approximately 133,000 acres of federally-owned and state-owned land. The U.S. Government leases approximately 23,000 acres at PTA from the State. The 65-year lease expires on August 16, 2029. The Army proposes to retain up to 23,000 acres of State-owned land in support of continued military training. The retention will preserve access between major parcels of U.S. Government-owned land in PTA, retain substantial Army infrastructure investments, and allow for future facility and infrastructure modernization. Loss of this land would substantially impact the ability of the Army to meet training requirements and mission of readiness. The Proposed Action does not involve new training, construction, or resource management activities at PTA. Instead, it is a real estate action that would enable continued military use of the land. A Notice of Intent for this action has also [been published](#) in the Federal Register.

Hilo Scrap Metal Yard Closure and Remediation--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	 <p>Source: U.S. Army, Google, Defense Geographic Center/Hawaii, USGS, Aerials, US, and the GeoCover Company.</p>
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@hawaiicounty.gov 345 Kekūanāo'a Street, Suite 41, Hilo, HI 96720	
Consultant	Wilson Okamoto Corporation; 1907 S. Beretania Street, Suite 400, Honolulu, HI 96826 Rebecca Candalisa, (808) 946-2277, rcandalisa@wilsonokamoto.com	
Status	Finding of No Significant Impact (FONSI) determination	

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.

HAWAI'I (CONTINUED)

Royal Vistas Housing Project--Republished Draft EA (AFNSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds	
District(s)	North Kona	
TMK(s)	(3) 7-6-021: 016 - 019	
Permit(s)	Numerous (see document)	
Approving Agency	Planning Department, County of Hawai'i Michael Yee, (808) 961-8288, planning@hawaiicounty.gov 101 Pauahi St., Suite 3, Hilo, HI 96720	
Applicant	Kona Three LLC; 101 Hualalai Street, Hilo, HI 96720 Richard Wheelock, (808) 753-3167, richard@eastwestrealty.org	
Consultant	Stantec Consulting, P.O. Box 191, Hilo, HI 96721 Michele Lefebvre, (808) 494-2039, michele.lefebvre@stantec.com	
Status	The proponent is republishing the Draft EA originally published on August 8, 2020 to provide for another statutory 30-day public review and comment period. Comments are due by October 8, 2020. The Final EA must include comments from all comment periods, so previously submitted comments do not need to be resubmitted. Click the title link above to access and read the document, then send comments to the approving agency and copy the applicant and the consultant.	

The proposed project is located approximately 2.7 miles south of downtown Kailua-Kona and would consist of necessary improvements to construct up to 450 multi-family residential units in clusters of two- and three-story buildings on approximately 70 acres. Units would target local renters and buyers in the "market" price points. The project is the final phase of the original zoning ordinance (No. 84-23) signed on May 15, 1984, and includes the multi-family zoned land which was planned for work-force housing. Electrical and sewer would be extended from nearby utility grid terminus and water commitments have already been purchased for the project. The proposed project has been designed to minimize impacts from surface water run-off. Traffic impacts would be minimized with a new un-signalized intersection off Queen Ka'ahumanu Highway. No impacts to biological resources, historic or archaeological resources, or cultural sites or practices are expected from the project.

MAUI

Wastewater Improvements At Pulehunui--Draft EA (AFNSI)

HRS §343-5(a) Trigger	(9)(A) Propose any wastewater treatment unit ...	
District(s)	Wailuku	
TMK(s)	(2)3-8-104:017 (por.) and 030 (por.)	
Permit(s)	Department of Health: HAR Title 11, Chapter 62 Compliance & Solid Waste Permit; County of Maui: Construction Permits	
Approving Agency	Department of Public Works, County of Maui Rowena Dagdag-Andaya, (808) 270-7845, public.works@mauicounty.gov 200 S. High Street, 4th Floor, Wailuku, HI 96793	
Applicant	Valley Isle Pumping; 231-A Lower Kula Road, Kula, HI 96768 Sal Marino, (808) 280-5505, sal@valleyislepumping.com	
Consultant	Munekiyo Hiraga; 305 High Street, Suite 104, Wailuku, HI 96793 Gwendolyn Rivera, (808) 244-2015, planning@munekiyohiraga.com	
Status	Statutory 30-day public review and comment period starts. Comments are due by October 8, 2020. Click the title link above to access and read the document, then send comments to the approving agency and copy the applicant and the consultant.	

Valley Isle Pumping (VIP) is proposing the development of a new wastewater pretreatment facility on a private parcel of land owned by 2Q LLC, leased by VIP, and located in the Pulehunui Industrial Park (TMK No. (2)3-8-104-017). The pretreatment facility will process private domestic wastewater generated offsite prior to its treatment at the Pulehunui Industrial Park's wastewater treatment plant (WWTP) located on a private parcel owned by CMBY 2011 Investment, LLC (TMK No. (2)3-8-104:030). VIP also proposes improvements to the WWTP which will increase its capacity from its current maximum of 20,000 gallons per day (GPD) to approximately 40,000 GPD in order to accommodate the increased flow from the new pretreatment facility.

O'AHU

Mixed-Use Affordable Housing at the University of Hawai'i at Mānoa Campus--Draft EA (AFNSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds	
District(s)	Honolulu	
TMK(s)	(1) 2-8-023:009	
Permit(s)	see document	
Proposing/Determining Agency	University of Hawai'i at Mānoa; Jan Gouveia, (808) 956-6405, jgouveia@hawaii.edu 2444 Dole Street, Bachman 109H, Honolulu, HI 96822	
Consultant	Belt Collins Hawaii; 2153 North King Street, Suite 200, Honolulu, HI 96819 Allen Kam, (808) 521-5361, akam@bchdesign.com	
Status	Statutory 30-day public review and comment period starts. Comments are due by October 8, 2020. Click the title link above to access and read the document, then address comments to the proposing/determining agency at akam@bchdesign.com	

The University of Hawai'i at Mānoa has partnered with Greystar Development Services, LLC to design, build, finance, operate and maintain a multi-family mixed-use rental housing project for graduate students and faculty on its campus. The Proposed Action will demolish three existing structures at the Project Site and construct a new building that includes 2 adjoining towers connected by a 2-story podium ranging from 12 to 18 stories in height. The project will be comprised of up to 400 individual housing units, placed within with a mix of studios, one-, two- and three-bedroom apartment units. The first 2 floors of the housing complex will be dedicated to childcare center, retail and circulation.

KAUA'I

Waimea River Ford Crossing--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)	Waimea	
TMK(s)	(4) 1-6-001:027 (por.); 888 (por.)	
Permit(s)	Numerous (see document)	
Proposing/Determining Agency	Department of Public Works, County of Kaua'i Christie Bagley, (808) 241-4885, cbagley@kauai.gov 4444 Rice Street, Suite 275, Līhu'e, HI 96766	
Consultant	Bow Engineering & Development, Inc.; 1953 S. Beretania Street, PH-A, Honolulu, HI 96826 Korey Johnson, (808) 369-8214, kjohnson@bowengineering.com	
Status	Statutory 30-day public review and comment period starts. Comments are due by October 8, 2020. Click the title link above to access and read the document, then send comments to the proposing/determining agency at publicworks@kauai.gov and copy the consultant.	

The County of Kaua'i Department of Public Works proposes to replace the existing Waimea River earthen crossing with a concrete crossing to prevent erosion of the crossing and to reduce the amount of maintenance required. The existing river crossing includes an earthen and gravel ford crossing. During periods of extremely high storm flows, the roadway materials are transported downstream. As a result, vehicular access to the east bank is not available until storm flows recede and maintenance crews reconstruct a new earthen roadway. The County Department of Public Works has identified the following objectives of the Waimea River Ford Crossing Project:

- To protect the health and safety of the public.
- To provide reliable access for residents and farmers across the Waimea River.

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 SEPTEMBER 8, 2020

HAWAII

[Royal Vistas Housing Project--Draft EA \(AFNSI\)](#) *This Draft EA is being republished, so new comment deadline is October 8, 2020*

[Miloli'i Beach Park Accessibility Improvement Project--Draft EA \(AFNSI\)](#)

MAUI

[Kanahā Hotel at Kahului Airport \(2nd EIS Preparation Notice\)](#)

OAHU

[Waihe'e Lo'i Restoration and Riparian Learning Center--Draft EA \(AFNSI\)](#)

COMMENTS DUE SEPTEMBER 22, 2020

MAUI

[Wailea Resort SF-7A/MF-12/MF-13 Residential Project Volume I and Volume II--Draft EA \(AFNSI\)](#)

OAHU

[Kapālama Canal Catalytic Project--Draft EIS](#)

[Hale Makana O Mo'ili'ili--Draft EA \(AFNSI\)](#)

[Pat's at Punaluu Wastewater Treatment System Replacement--Draft EA \(AFNSI\)](#)

COMMENTS DUE OCTOBER 7, 2020

MAUI

[Ka'anapali Beach Restoration and Berm Enhancement--Draft EIS](#)

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

State of Hawaii

[Department of Agriculture](#)

[Department of Land and Natural Resources](#)

[Department of Transportation](#)

[Commission on Water Resource Management](#)

County of Maui

[Department of Parks and Recreation](#)

[Planning Department](#)

[Department of Public Works](#)

City and County of Honolulu

[Department of Planning and Permitting](#)

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-1908	86 S. Kalaheo Avenue, O'ahu 96734	(1) 4-3-013: 001	Wesley T. Tengan	Bumblebee LLC
MA-743	4100 Wailea Alanui Drive, Maui	(2) 2-1-023: 003	Warren S. Unemori Engineering Inc.	HMC Kea Lani LP

SHORELINE NOTICES (CONTINUED)

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
MO-182	Proposed	1300 Kamehameha V Highway, Moloka'i 96748	(2) 5-4-002: 001	Control Point Surveying, Inc.	The Association of Apartment Owners of the Hotel Molokai ("AOAO")
KA-455	Proposed	Moanakai Road, Kaua'i	(4) 4-5-002: 003	Lucas Breckenridge & Associates, Inc.	Moanakai Lani, 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
Hawai'i: North Kona (7-6-017: 036, 037 and 039)	Consolidate and Re-subdivide Three Lots into Two Lots; Remove Unpermitted CRM Seawall, Stairs, and Wood Deck within the Shoreline Area; Demolish Two Existing Dwellings and Related Improvements; Remove Wood Fence and Gate, and Replace with a New Lava Rock Wall and Three Gates; and Construct a Single-Family Dwelling and Guest House with Related Improvements (SMM 20-000431)	Fritz Harris-Glade
Maui: Ha'ikū (2-9-005: 017)	New Covered Deck & Increase Bedroom (SM2 20200070)	Elizabeth C Starr
Maui: Lahaina (4-3-006: 006)	Swimming Pool (SM2 20200071)	Pool Pro Inc.
Maui: Kīhei (3-9-041: 032)	Subdivision (SM2 20200073)	Dominic Crosario
O'ahu: Diamond Head (3-1-043: 001 Por)	Waikiki Shell – Floodlighting Improvements (2020/SMA-26)	Ronald N. S. Ho & Associates, Inc.
O'ahu: Diamond Head (3-1-042: 014)	Diamond Head Road Rockfall Mitigation Improvements (2020/SMA-31)	City & County of Honolulu, Dept of Design & Construction/AECOM

FEDERAL NOTICE

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.

Proposed Rule: [Guidelines for Safely Deterring Marine Mammals](#)

(published by the National Oceanic and Atmospheric Administration on 08/31/2020)

The Marine Mammal Protection Act (MMPA) allows for specified persons to employ measures to deter marine mammals from damaging fishing gear and catch, damaging personal or public property, or endangering personal safety, as long as these measures do not result in death or serious injury of marine mammals. The MMPA directs the Secretary of Commerce, through NOAA's NMFS, to publish a list of "guidelines" for use in safely deterring marine mammals under NMFS' jurisdiction and to recommend "specific measures," which may be used to nonlethally deter marine mammals listed under the Endangered Species Act (ESA). While the guidelines and specific measures are not mandatory, the MMPA provides protection from liability under the MMPA for take resulting from such deterrence measures by specifying that any actions taken to deter marine mammals that are consistent with the guidelines or specific measures are not a violation of the act. NMFS has not evaluated these deterrents for effectiveness. This rulemaking also includes prohibitions on certain deterrent methods that NMFS has determined, using the best available scientific information, would have a significant adverse effect on marine mammals.

Click on the title link to this entry for information on submitting **comments**, which must be received by October 30, 2020.

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 (EISPN) along with the supporting Final EA. After the notice of the FEA-EISPN is published in this bulletin, the public has 30 days to request to become a consulted party and to make written comments. The public (including the Applicant) has 60 days from the notice of the EISPN in this bulletin to ask 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, EISPN) 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 EISPN 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 EISPN, the Agency or Applicant must prepare a Draft Environmental Impact Statement (DEIS). The content requirements of the DEIS shall contain an explanation of the environmental consequences of the proposed action including the direct, indirect and cumulative impacts and their mitigation measures. The public has 45 days from the first publication date in this bulletin to comment on a DEIS. The DEIS must respond to comments received during the EISPN comment period in a point-by-point manner.

Final Environmental Impact Statement

After considering all public comments filed during the DEIS stage, the Agency or Applicant must prepare a Final EIS (FEIS). The FEIS must respond in a point-by-point manner to all comments from the draft and must be included in the FEIS. For Applicant projects, the Approving Agency is the Accepting Authority and must make a determination within 30 days or the FEIS is deemed accepted as a matter of law. For an Agency project, the Governor or the Mayor (or their designated representative) is the Accepting Authority, and unlike applicant actions, there is no time limit on the accepting authority reviewing the FEIS. Only after the FEIS is accepted may the project be implemented.

Acceptability

The Accepting Authority must be satisfied that the FEIS meets three criteria (process, content, response to comments) to accept it. If the FEIS is accepted, notice is published in this bulletin. The public has 60 days from publication to challenge the acceptance of a FEIS. For Applicant actions, non-acceptance by the Approving Agency is cause for the Applicant to administratively appeal to the Environmental Council. 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).