



# The Environmental Notice

May 8, 2021

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.



A new water reservoir is proposed for the arid landscape of Lālāmilo, South Kohala, Island of Hawai'i

Photo from [Draft EA for Lālāmilo 10 MG Tank Reservoir](#)

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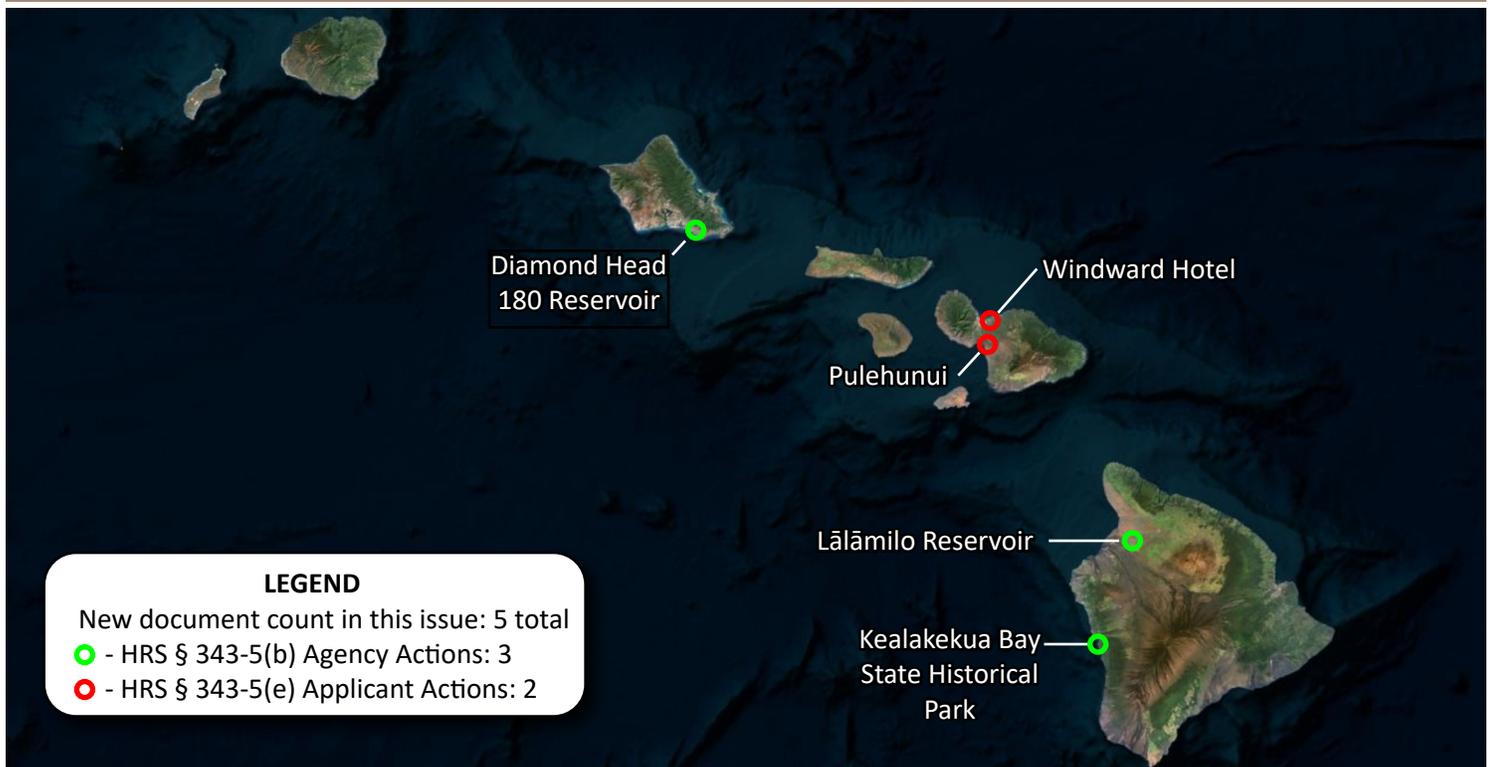
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ANNOUNCEMENTS

As appropriate, agencies are welcome to contact OEQC to clarify procedures for actions that they determine are exempt from the core requirement of preparing an environmental assessment. There are nuances to the filing and submittal procedures; let us help you figure out what's best to do!

STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS & DETERMINATIONS



HAWAI‘I

**Lālāmilo 10 MG Tank Reservoir--Draft EA (AFNSI)**

|                                      |   |   |
|--------------------------------------|---|---|
| <b>HRS §343-5(a) Trigger</b>         | (1) Propose the use of state or county lands or the use of state or county funds  |  |
| <b>District(s)</b>                   | South Kohala  |   |
| <b>TMK(s)</b>                        | (3) 6-8-001:001   |   |
| <b>Permit(s)</b>                     | National Pollutant Discharge Elimination System Permit (NPDES), County Building and Grading Permit, State Historic Preservation Division HRS Chapter 6E Approval  |   |
| <b>Proposing/ Determining Agency</b> | County of Hawai‘i, Department of Water Supply<br>Shari Uyeno, (808) 961-8070, <a href="mailto:suyeno@hawaiiidws.org">suyeno@hawaiiidws.org</a><br>345 Kekuanaoa Street, Suite 20, Hilo, HI 96720  |   |
| <b>Consultant</b>                    | Geometrician Associates; 10 Hina St., Hilo, HI 96720<br>Ron Terry, (808) 969-7090, <a href="mailto:rterry@hawaii.rr.com">rterry@hawaii.rr.com</a>   |   |
| <b>Status</b>                        | Statutory 30-day public review and comment period starts. <b>Comments are due by June 7, 2021.</b> Please click on title link above to read the document, then send comments to the proposing/determining agency and copy the consultant. |   |

The Hawai‘i County DWS proposes to build a 10-million gallon, 36-ft high Prestressed Concrete Tank on property currently owned by Parker Ranch, to be subdivided to create a 3.0-acre lot. Also included are accessory waterlines and a gate, access road, security lighting and fence.

The project would provide more storage for reserve water and fire protection within the Lālāmilo Water System and energy-efficient critical redundancy. Filling may occur when wind power from the nearby Lālāmilo Windfarm Repowering Project was available, reducing pumping costs, fossil fuel use and greenhouse gas emissions. Only very minor construction-phase impacts mitigated by BMPs would occur at the isolated site, a goat and sheep pasture. No rare, threatened or endangered plant species, cultural resources or practices or historic sites are present. Vegetation removal timing will minimize impacts to endangered bats. The area once had military training site and UXO must be surveyed and removed.

**Kealakekua Bay State Historical Park Master Plan--Acceptance of Final EIS**

Grandfathered under old rules

|                              |  |   |
|------------------------------|--|---|
| <b>HRS §343-5(a) Trigger</b> | (1) Propose the use of state or county lands or the use of state or county funds<br>(2) Propose any use within any land classified as a conservation district<br>(3) Propose any use within a shoreline area<br>(4) Propose any use within any historic site as designated in the National Register ...<br>(8) Propose the construction of ... a helicopter facility ... |  |
| <b>District(s)</b>           | South Kona   |   |
| <b>TMK(s)</b>                | Numerous (see document)  |   |
| <b>Permit(s)</b>             | Numerous (see document)  |   |
| <b>Proposing Agency</b>      | State of Hawai‘i, Department of Land and Natural Resources<br>Martha Yent, (808) 587-0287, <a href="mailto:martha.e.yent@hawaii.gov">martha.e.yent@hawaii.gov</a> Division of State Parks, P.O. Box 621, Honolulu, HI 96809  |   |
| <b>Accepting Authority</b>   | The Honorable David Y. Ige, Governor, Executive Chambers, State Capitol, Honolulu, HI 96813<br>(808) 586-0034, <a href="http://governor.hawaii.gov/contact-us/contact-the-governor/">http://governor.hawaii.gov/contact-us/contact-the-governor/</a>   |   |
| <b>Consultant</b>            | Belt Collins Hawaii LLC; 2153 N. King St., Suite 200, Honolulu, HI 96819 (808) 521-5361  |   |
| <b>Status</b>                | The Governor accepted the <a href="#">Final EIS</a> on April 26, 2021  |   |

Kealakekua Bay State Historical Park consists of 536 acres, including the bay and the largely undeveloped land surrounding the bay. The Division of State Parks’ goal is to preserve and interpret the natural, cultural and historic resources of the Park while enhancing access and recreation for park users. Access to the park is limited and the visitors’ experience is shaped by their means of access – hiking on foot to Ka‘awaloa, by kayak across the Bay, by motorized vessel from other harbors to Ka‘awaloa Cove, or by automobile to Nāpō‘opo‘o. The Master Plan combines steps to protect resources while improving visitors’ experience of the Park. It calls for steps that can be implemented with modest funding and without relying on additional land acquisition. The Plan also includes basic visitor facilities – parking and restrooms. It includes an interpretive center and trails that can help visitors learn about history and cultural resources. It continues to limit access to Ka‘awaloa, where visitation could impact the resources and overall ambiance of the Park. It addresses safety issues for swimmers in Ka‘awaloa Cove. The proposed parking arrangements and use of Nāpō‘opo‘o Landing are intended to reduce impacts of visitation on the community while encouraging safe use of watercraft by local residents and visitors alike. Future interpretive programs and facilities will be developed in consultation with a Cultural Advisory ‘Ohana, consisting of persons knowledgeable about local cultural practices and history.

MAUI

**Wastewater Pretreatment Facility And Treatment Plant Improvements At Pulehunui--Final EA (FONSI)**

|                              |   |   |
|------------------------------|---|---|
| <b>HRS §343-5(a) Trigger</b> | (9)(A) Propose any wastewater treatment unit ...  |  |
| <b>District(s)</b>           | Wailuku   |   |
| <b>TMK(s)</b>                | (2) 3-8-104: 017(por.) & 30(por.)   |   |
| <b>Permit(s)</b>             | Numerous (see document)   |   |
| <b>Approving Agency</b>      | County of Maui, Department of Public Works<br>Rowena Dagdag-Andaya, (808) 270-7845, <a href="mailto:public.works@mauicounty.gov">public.works@mauicounty.gov</a><br>200 South High Street, 4th Floor, Wailuku, HI 96793 |   |
| <b>Applicant</b>             | Valley Isle Pumping; 291 Lower Kula Road, Pukalani, HI 96768<br>Sal Marino, (808) 878-8807, <a href="mailto:sal@valleyislepumping.com">sal@valleyislepumping.com</a>  |   |
| <b>Consultant</b>            | Munekiyo Hiraga; 305 High Street, Suite 104, Wailuku, HI 96793<br>Gwendolyn Rivera, (808) 244-2015, <a href="mailto:planning@munekiyohiraga.com">planning@munekiyohiraga.com</a>  |   |
| <b>Status</b>                | Finding of No Significant Impact (FONSI) determination  |   |

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.

**Windward Hotel--Withdrawal of Draft EA, EISPN, and Draft EIS**

|                              |  |  |
|------------------------------|--|--|
| <b>HRS §343-5(a) Trigger</b> | (6) Propose any amendments to existing county general plans where the amendment would result in designations other than agriculture, conservation, or preservation   |  |
| <b>District(s)</b>           | Wailuku  |  |
| <b>TMK(s)</b>                | (2) 3-8-103:014 (portion), 015, 016, 017, 018  |  |
| <b>Permit(s)</b>             | Numerous (see document)  |  |
| <b>Approving Agency</b>      | Maui Planning Commission; c/o: County of Maui, Planning Department<br>Tara Furukawa, Staff Planner, (808) 270-8205, <a href="mailto:tara.furukawa@mauicounty.gov">tara.furukawa@mauicounty.gov</a><br>2200 Main Street, Suite 619, Wailuku, HI 96793 |  |
| <b>Applicant</b>             | R.D. Olson Development; 520 Newport Center Drive, Suite 600, Newport Beach, CA 92660<br>Mr. Anthony Wrzosek, Vice President, (949) 271-1109  |  |
| <b>Consultant</b>            | Chris Hart & Partners, Inc; 115 North Market Street, Wailuku, HI 96793<br>Brett A. Davis, Senior Planner, (808) 242-1955, <a href="mailto:bdavis@chpmaui.com">bdavis@chpmaui.com</a>   |  |
| <b>Status</b>                | At the applicant's request, the Draft EA, EISPN and Draft EIS published on October 8, 2018, January 8, 2019, and October 8, 2019 respectively, have been withdrawn   |  |

The environmental review documents for the Windward Hotel were prepared with the Planning Department identified as the approving agency. It was determined after publication of the Draft EIS that the State Land Use Commission (LUC) would be the appropriate accepting agency and therefore a new Environmental Impact Statement Preparation Notice (EISPN) should be prepared and published.

An EISPN was prepared for the Kanaha Hotel and published June 23, 2020. After publication, a formatting and typographical error was found and the EISPN was corrected and re-published in the August 8, 2020 Environmental Notice. The Applicant wishes to maintain both EISPN's published on June 23, 2020 and August 8, 2020 and a new DEIS is in preparation for the Kanaha Hotel that is anticipated to be ready for publication later this year.

O‘AHU

**Security Fencing at Diamond Head 180 Reservoir--Final EA (FONSI)**

|                                      |   |   |
|--------------------------------------|---|---|
| <b>HRS §343-5(a) Trigger</b>         | (1) Propose the use of state or county lands or the use of state or county funds<br>(2) Propose any use within any land classified as a conservation district   |  |
| <b>District(s)</b>                   | Honolulu  |   |
| <b>TMK(s)</b>                        | (1) 3-1-042: 007  |   |
| <b>Permit(s)</b>                     | Special Management Area Use Permit, DCAB construction plan review, OCCL Site Plan Approval, SHPD HRS Chapter 6E effect determination, DPP Determination of Exemption from Special District Permit requirements.           |   |
| <b>Proposing/ Determining Agency</b> | City and County of Honolulu, Board of Water Supply<br>Kathleen Elliot-Pahinui, (808) 748-5319, <a href="mailto:kelliott-pahinui@hbws.org">kelliott-pahinui@hbws.org</a><br>630 South Beretania Street, Honolulu, HI 96843 |   |
| <b>Consultant</b>                    | AECOM; 1001 Bishop Street, Suite 1600, Honolulu, HI 96813<br>Matthew Long, (808) 529-7258, <a href="mailto:matthew.long@aecom.com">matthew.long@aecom.com</a>   |   |
| <b>Status</b>                        | Finding of No Significant Impact (FONSI) determination  |   |

The Proposed Action is to paint the existing security fencing surrounding Diamond Head 180 Reservoir and to revegetate disturbed areas to minimize the visual impact of the fence. This after-the-fact EA seeks to bring the project into regulatory compliance. The No Action alternative is to leave the existing security fencing and adjacent cleared areas as they are, without further modification. The Proposed Action is to modify the existing fence and adjacent cleared areas to minimize the visual impact. Section 6.0 of the EA analyzes the potential impacts on the SMA from the project as a whole, including both initial construction and the Proposed Action to repaint the fence and revegetate the cleared areas.

CHAPTER 25, REVISED ORDINANCES OF HONOLULU

Use of the Special Management Area (SMA) is not a trigger under Chapter 343, but developments in O‘ahu's SMA are required to go through an environmental review process that mirrors the procedural requirements of [HRS Chapter 343](#), pursuant to [Revised Ordinances of Honolulu, Chapter 25](#). Developments being reviewed under Chapter 25 but not Chapter 343 appear here.

**830 Mokulua Single Family Residence--Draft EA (AFNSI)**

|                         |  |
|-------------------------|--|
| <b>District(s)</b>      | Ko‘olaupoko  |
| <b>TMK(s)</b>           | (1) 4-3-008: 045   |
| <b>Permit(s)</b>        | Special Management Area (SMA) Use Permit, Building Permits   |
| <b>Approving Agency</b> | City and County of Honolulu, Department of Planning and Permitting<br>Christi Keller, (808) 768-8087, <a href="mailto:c.keller@honolulu.gov">c.keller@honolulu.gov</a><br>650 South King Street, 7th Floor, Honolulu, HI 96813 |
| <b>Applicant</b>        | Pacific Coast Real Estate Investment Services, LLC; 5655 Silver Creek Valley Road, Suite 989, San Jose, CA 95138<br>An Tranvan, Member, (408) 799-7198   |
| <b>Consultant</b>       | Long and Associates Architects Interiors, Inc.; 1100 Alakea Street, 3rd Floor Atrium, Honolulu, HI 96813<br>Shae Grimm, (808) 628-6626, <a href="mailto:shaeg@lai-hawaii.com">shaeg@lai-hawaii.com</a>                         |
| <b>Status</b>           | 30-day public review and comment period starts. <b>Comments are due by June 7, 2021.</b> Please click on title link above to read the document, then send comments to the Approving Agency and copy the consultant.            |

The Project consists of the demolition of an existing single-family residence and accessory swimming pool and construction of a new single-family residence and swimming pool on a shoreline lot located in the Lanikai community within the SMA. According to the Applicant, the existing dwelling unit, built in 1948, is largely beyond conservation, such that repair costs would far exceed 50 percent of replacement costs to bring the structural and architectural insufficiencies up to current building codes. The proposed new single-family dwelling will be two stories with approximately 4,700 square feet of floor area, and include four bedrooms, five bathrooms, a family room, a kitchen, a wet bar, a laundry room, a swimming pool, and five parking spaces, inclusive of a two-car garage. The new dwelling and swimming pool will be located mauka of the 40-foot shoreline setback area, and will comply with current building code requirements and applicable development standards.

## 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 24, 2021**

### HAWAI'I

[North Kona Sewer Pump Station--Draft EA \(AFNSI\)](#)

### MOLOKA'I

[Hotel Moloka'i Wastewater Treatment Facility--Draft EA \(AFNSI\)](#)

**COMMENTS DUE JUNE 7, 2021**

### MAUI

[Kahana Bay Erosion Mitigation--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 April 2021; contact the identified agency contact on each list for additional information about any specific exemption:

### State of Hawai'i

[Department of Land and Natural Resources](#)

[Department of Transportation](#)

### City and County of Honolulu

[Department of Community Services](#)

[Department of Planning and Permitting](#)

[Department of Transportation Services](#)

### County of Hawai'i

[Department of Public Works](#)

### County of Maui

[Department of Water Supply](#)

## PRIOR DETERMINATION

The **Department of Hawaiian Home Lands, State of Hawai'i** [has determined](#) that additional environmental review is not required for the Kānehili Community Association's park on 4.563-acre TMK (1) 9-1-151:001. The [Final Environmental Assessment \(FEA\)/ Finding of No Significant Impact \(FONSI\) for the DHHL East Kapolei Development Parcel B](#) was approved by the Hawaiian Homes Commission and submitted to OEQC for publication in the [May 8, 2005 issue of The Environmental Notice](#).

A DHHL analysis has determined the following:

1. The FEA/FONSI included an evaluation of the impacts of including an approximately 4.5-acre park within the development along Kapolei Parkway. The inclusion of a park was a key component of the proposed development;
2. The park location identified within the 2005 FEA/FONSI (identified as B3) was found to be better suited for a fire station. An evaluation of the fire station was not included in the original EA, so a separate FEA/FONSI was prepared. The fire station has been constructed in area B3 identified for the park and is operational;
3. The relocation of the park to the area identified as B4 in the 2005 FEA/FONSI will not result in reasonably foreseeable significant effects or un-disclosed cumulative impacts in the FEA/FONSI; and
4. The relocation of the park does not prevent the implementation of mitigation measures outlined in the FEA/FONSI.

Accordingly, based on the analysis, DHHL is not requiring additional environmental review for the relocation of the park from the area identified as B3 to a portion of B4 assigned TMK (1) 9-1-151:001.

## 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 (7-8-014: 021)   | Land and Resource Management (SMM 21-000439)  | Diane K. Kai                                   |
| Hawai'i: North Kona (7-8-020: 013)   | Land and Resource Management and Access Improvements (SMM 21-000442)  | Kamehameha Schools                             |
| Hawai'i: Puna (1-5-088: 004)         | After-the-Fact Removal of Trees and Vegetation and the Proposed Planting of Eight Coconut Trees and Spider Plant Groundcover within the Shoreline Area along the Coastal Pali (SMM 21-000443) | Thomas F. Steiner and Elisabeth Psaros-Steiner |
| Hawai'i: South Hilo (2-7-004: 142)   | Construct an Additional Farm Dwelling (SMM 21-000444)   | Leonard Gambla                                 |
| Hawai'i: South Hilo (2-7-009: 056)   | Renovation and Improvements to Existing Single-Family Dwelling (SMM 21-000446)  | Alakahi LLC                                    |
| Hawai'i: South Kohala (6-6-002: 027) | Single-Family Residence and Related Improvements (SMM 21-000447)  | Jackrabbit LLC                                 |
| Kaua'i: Kōloa (2-6-016: 013)         | New Pool Pavilion, Swimming Pool, Spa, and Pool Equipment Area. (SMA(M)-2021-16)  | Brian and Lauren Stein                         |
| Maui: Kīhei (2-1-023: 004)           | Condo Renovations (SM2 20210002)  | Jerry Smith                                    |
| Maui: Kīhei (3-9-011: 047)           | Schurz Remodel and Addition (SM2 20210030)  | Schurz, Karl B.                                |
| Maui: Lahaina (4-4-001: 042)         | Install Sheet Pile in Ground Inland and Behind a Rock Revetment to Stabilize Sinkholes and Protect the Condo Building (SM2 20210031)  | Hale Kai                                       |
| Maui: Ha'ikū (2-7-036: 037)          | Rockwall 250-foot Long, 6-foot Tall and 1-foot Wide (SM2 20210032)  | Matias Besasso                                 |
| Maui: Ha'ikū (2-8-006: 022)          | Construct Swimming Pool and Related Improvements (SM2 20210033)   | Michelle Cockett                               |
| Maui: Kīhei (3-9-001: 002)           | Maui Sunset – Condo Master (SM2 20210034)   | Brenda Braun                                   |
| Maui: Lahaina (4-6-008: 007)         | Low Deck and Cement Piers (SM2 20210035)  | The Lahaina Restoration Foundation             |

## SHORELINE NOTICES

## APPLICATIONS FOR SHORELINE CERTIFICATION

The shoreline certification applications below are available for review and comment 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](#)). **Maps and photos of each application file can be viewed [here](#). 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   |
|----------|---|----------------------|-----------------------------|---|
| MO-186   | 2904 Kamehameha V Highway, Unit C, Moloka'i | (2) 5-4-001:028 por. | Katherine Z. Block, Trustee | Block Undurraga Family Trust U/T/A  |
| HA-600   | 69-1802 Puakō Beach Drive, Hawai'i          | (3) 6-9-005: 017     | Wes Thomas Associates       | Richard D. Ednie Trust, Sandra F. Ednie Trust, and James D. Thain Jr. Trust |
| KA-457   | 4650 Amio Road, Kaua'i                      | (4) 2-6-011: 019     | Honua Engineering, Inc.     | M/M Edmund & Linda Gregoire   |

## PROPOSED SHORELINE CERTIFICATIONS AND REJECTIONS

None this issue

## NATIONAL HISTORIC PRESERVATION ACT, SECTION 106 CONSULTATION

### North Kona Mid-Level Exploratory Well

|                                |  |
|--------------------------------|--|
| <b>Island / District / TMK</b> | Hawai'i / North Kona / (3) 7-5-003:001   |
| <b>Proposing Agency</b>        | State of Hawai'i, Department of Health, Environmental Management Division<br>Safe Drinking Water Branch<br>2385 Waimano Home Road, Suite 110, Uluakupu Building 4<br>Pearl City, HI 96782-1400 |
| <b>Status</b>                  | <b>Comments due no later than Monday, June 7, 2021</b> to: Proposing Agency (Attn: Joan Corrigan)  |

The Department of Health (DOH) initiates Section 106, NHPA consultation with the State Historic Preservation Division (SHPD) pursuant to 36 CFR Part 800. The U.S. Environmental Protection Agency (EPA) delegated DOH to act on EPA's behalf, pursuant to 36 CFR §800.2(c)(4) when initiating a Section 106, NHPA process for projects funded under the Hawai'i Drinking Water State Revolving Fund (DWSRF). Under the DWSRF, the DOH may provide funding to the County of Hawai'i, Department of Water Supply (DWS) for the North Kona Mid-Level Exploratory Well Project. The Final Environmental Assessment for the project is available here: [oeqc2.doh.hawaii.gov/Doc\\_Library/2020-11-23-HA-FEA-North-Kona-Mid-Level-Exploratory-Well.pdf](https://oeqc2.doh.hawaii.gov/Doc_Library/2020-11-23-HA-FEA-North-Kona-Mid-Level-Exploratory-Well.pdf)

The use of federal funds is considered an undertaking, as defined by Section 106 of the NHPA, 54 U.S.C. §306101 et seq., and 36 CFR Part 800. The County of Hawai'i, Department of Water Supply is proposing a new exploratory well at the designated location. The project consists of three phases: (i) site preparation; (ii) drilling and casing an exploratory well; and (iii) pump testing. If test results are positive, the site may be developed into a production facility. The DOH anticipates requesting SHPD's concurrence with its project determination of no historic properties affected.

## NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) ACTIONS

As a courtesy, listed below are documents submitted for publication that have been prepared pursuant to NEPA, rather than Chapter 343, HRS. Accordingly, these entries may have unique comment periods. Occasionally, actions are subject to both NEPA and Chapter 343, HRS (sometimes referred to as "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.

### Distributed Common Ground Station (DCGS) Pacific Hub at Joint Base Pearl Harbor-Hickam, Wahiawā Annex, O'ahu, Hawai'i (EA-draft FONSI/FONPA)

|                               |  |
|-------------------------------|--|
| <b>Island/ District / TMK</b> | O'ahu / Wahiawa / (1) 7-1-002:007  |
| <b>Permit(s)</b>              | Various (see document)   |
| <b>Proposing Agency</b>       | United States Air Force<br>480 ISR Wing<br>34 Elm Street<br>Joint Base Langley-Eustis, VA 23665<br>Tim Gaffney, (757) 764-0674   |
| <b>Consultant</b>             | Jacobs; 1132 Bishop Street, Suite 1100, Honolulu, HI 96813<br>Richard Manz, (808) 943-1133   |
| <b>Status</b>                 | <b>Public comment period: May 10, 2021 through June 23, 2021.</b> Submit comments to Mr. Nolan Swick at <a href="mailto:nolan.swick@us.af.mil">nolan.swick@us.af.mil</a> or mail to Mr. Michael Desilets at Bldg 230 Otake Street, Suite 104, Fort Shafter, HI 96858-5440. |

The United States Air Force proposes to construct and operate a DCGS Pacific Hub on the Joint Base Pearl Harbor-Hickam (JBPHH), Wahiawā Annex, O'ahu, Hawai'i. The Proposed Action comprises approximately 18.6 acres. Activities under the Proposed Action include demolishing existing warehouse structures, concrete pads, and access roads; constructing a two-story (partially below grade) DCGS Pacific Hub with approximately 100,000 square feet of floor space; constructing new paved areas to include sidewalks, two parking areas, and access roads; constructing utility connections for sanitary sewer and electrical systems; and constructing stormwater management systems to comply with low-impact development requirements. Stormwater management would include vegetated filter strips, bioretention basins, and bioswales.

The purpose of the Proposed Action is to construct the necessary facility for the 480th Intelligence, Surveillance, and Reconnaissance (ISR) Wing and 692nd ISR Group (ISRG) to provide secure communications support for Pacific region ISR operations. The Proposed Action is needed because current facilities at JBPHH used by the 692nd ISRG were not designed or constructed to support technology-intensive systems equipment or enable modernization efforts needed by the 692nd ISRG.

## FEDERAL NOTICES

As a courtesy, listed below are some relevant entries from the Federal Register published since the last issue of *The Environmental Notice*. For more information, click on the entry's title link, also available at [www.federalregister.gov](http://www.federalregister.gov).

**Notice: [Solicitation for Applications for Advisory Councils Established Pursuant to the National Marine Sanctuaries Act and the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Executive Order](#) (published by the National Oceanic and Atmospheric Administration on 05/07/2021)**

Notice is hereby given that the Office of National Marine Sanctuaries will solicit applications to fill non-governmental seats on its 15 established national marine sanctuary advisory councils and the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Advisory Council (advisory councils), under the National Marine Sanctuaries Act and the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve Executive Order, respectively. For further information on a particular advisory council or available seats, please contact the site as identified in this notice's SUPPLEMENTARY INFORMATION section.

**Notice: [Taking of Threatened or Endangered Marine Mammals Incidental to Commercial Fishing Operations; Issuance of Permits](#) (published by the National Oceanic and Atmospheric Administration on 05/06/2021)**

The National Marine Fisheries Service is issuing permits for a period of three years (beginning May 6, 2021) to authorize the incidental, but not intentional, take of specific Endangered Species Act-listed marine mammal species or stocks under the Marine Mammal Protection Act, in certain U.S. commercial fisheries including the HI deep-set longline/Western Pacific pelagic longline (HI deep-set component) affecting False killer whales and Humpback whales. For further information, contact Diana Kramer, NMFS Pacific Islands Region, (808) 725-5167, [Diana.Kramer@noaa.gov](mailto:Diana.Kramer@noaa.gov)

**Notice: [Western Pacific Fishery Management Council; Public Meetings](#) (published by the National Oceanic and Atmospheric Administration on 04/23/2021)**

The Western Pacific Fishery Management Council (Council) will hold a meeting of the Pacific Pelagic Fishery Ecosystem Plan (FEP) Plan Team (PT) via web conference on **May 11-13, 2021** to discuss fishery management issues and develop recommendations to the Council for future management of pelagic fisheries in the Western Pacific region. For specific times and agendas, click on the title link and see SUPPLEMENTARY INFORMATION.

**Notice: [Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act](#) (published by the Justice Department on 04/23/2021)**

On April 19, 2021, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the District of Hawaii in the lawsuit entitled United States v. Kaanapali Land, LLC and Oahu Sugar Company, LLC, Civil Action No. 1:21-cv-00190. The complaint filed in this case alleges claims for response costs and natural resource damages against Kaanapali Land LLC and its bankrupt subsidiary, Oahu Sugar Company, LLC ("Oahu Sugar") (together, "Settling Defendants"). These claims arise from the release and threatened release of dioxins and pentachlorophenol, among other hazardous substances, at and from the former Oahu Sugar pesticide mixing facility ("Site") located within the Pearl Harbor Naval Complex Superfund Site. Under the Consent Decree, Settling Defendants will pay a total of \$7.5 million to various Federal agencies for Site cleanup and environmental restoration projects. The publication of this notice opens a period for public comment on the Consent Decree. **All comments must be submitted no later than thirty (30) days after the publication date of this notice (4/23/2021).** Click on the title link for information about submitting comments.

**Notice: [Changes in Flood Hazard Determinations](#) (published by FEMA on 04/27/2021)**

New or modified Base (1-percent annual chance) Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area boundaries or zone designations, and/or regulatory floodways (hereinafter referred to as flood hazard determinations) as shown on the indicated Letter of Map Revision (LOMR) for each of the communities (including the City and County of Honolulu) listed in the linked table are finalized. Each LOMR revises the Flood Insurance Rate Maps (FIRMs), and in some cases the Flood Insurance Study reports, currently in effect for the listed communities. The flood hazard determinations modified by each LOMR will be used to calculate flood insurance premium rates for new buildings and their contents. Click on the title link for more information.

**Notice: [Administrative Declaration of a Disaster for the State of Hawaii](#) (published by the Small Business Administration on 05/05/2021)**

This is a notice of an Administrative declaration of a disaster for the State of Hawaii dated 04/29/2021.

Incident: Severe Storms, Flooding, Landslides and Mudslides. Incident Period: 03/08/2021 through 03/18/2021.

**Physical Loan Application Deadline Date: 06/28/2021. Economic Injury (EIDL) Loan Application Deadline Date: 01/31/2022.**

Click on the title link for additional information on submitting applications.

## GLOSSARY OF TERMS AND DEFINITIONS

### Agency Actions

Projects or programs proposed by any department, office, board, or commission of the state or county government which is part of the executive branch of that government per [HRS 343-2](#).

### Applicant Actions

Projects or programs proposed by any person who, pursuant to statute, ordinance, or rule, requests approval for a proposed action per [HRS 343-2](#).

### Draft Environmental Assessment

When an Agency or Applicant proposes an action that [triggers](#) HRS 343, an Environmental Assessment shall be prepared at the earliest practicable time to determine whether the action's environmental impact will be significant, and thus whether an environmental impact statement shall be required per [HRS 343-5\(b\)](#), for Agency actions and [HRS 343-5\(e\)](#), for Applicant actions. For actions for which the proposing or approving agency anticipates a Finding of No Significant Impact (AFNSI), a Draft EA (DEA) shall be made available for public review and comment for 30 days and public notice is published in this periodic bulletin.

### Final Environmental Assessment and Finding of No Significant Impact

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

### Final Environmental Assessment and Environmental Impact Statement Preparation Notice

An EIS shall be required if the Agency finds that the proposed action may have a significant effect on the environment. The Agency shall file notice of such determination with OEQC, called an EIS Preparation Notice (EISPAN) along with the supporting Final EA. After the notice of the FEA-EISPAN 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 EISPAN 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, EISPAN) 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 EISPAN 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 EISPAN, 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 EISPAN 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 Hawaii'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 Hawaii's 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).