



The Environmental Notice

February 8, 2022

David Y. Ige, Governor
Mary Alice Evans, Director

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.



TABLE OF CONTENTS

ANNOUNCEMENTS	2	CHAPTER 25, REVISED ORDINANCES OF HONOLULU	6
STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS & DETERMINATIONS	2	PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT	7
HAWAII		LISTS OF EXEMPTION NOTICES	7
Roehrig Single-Family Residence in Wa‘awa‘a--Draft EA (AFNSI)	3	EXEMPTION DETERMINATIONS	7
MAUI		AGENCY EXEMPTION LIST CONCURRENCE	8
Maui High School Girls Locker Room--Draft EA (AFNSI)	3	PRIOR DETERMINATION	8
Wailuku River Bank Stabilization--Final EA (FONSI)	4	COASTAL ZONE MANAGEMENT NOTICES	
DHHL Honokowai Master Plan--Final EA (FONSI)	4	Federal Consistency Reviews	8
LĀNA‘I		Special Management Area (SMA) Minor Permits	9
Kō‘ele Project District Amendment--Final EA (FONSI) Vol 1 and Vol 2	5	SHORELINE NOTICES	
KAUA‘I		Applications for Shoreline Certification	9
Kai ‘Ōlino Affordable Housing Development--Final EA (FONSI)	5	Proposed Shoreline Certifications and Rejections	9
		CONSERVATION DISTRICT USE APPLICATIONS	10
		FEDERAL NOTICES	10
		GLOSSARY OF TERMS AND DEFINITIONS	11

ANNOUNCEMENTS

- As mentioned previously, starting with this issue of *The Environmental Notice (TEN)*, all existing and future files for EAs, EISs, etc. will now be uploaded only to our new server (planning.hawaii.gov). Be sure to search for old files on our new [website](#), rather than clicking on links in previous issues of *TEN*, even when those issues reside on the new server. Please have patience as we work through the inevitable hiccups that will occasionally emerge during this process.
- With the new Legislative session underway, keep an eye out for proposed legislation that may affect the environmental review process in various ways, and be sure to voice your perspectives using the resources at capitol.hawaii.gov

STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS & DETERMINATIONS



HAWAII

Roehrig Single-Family Residence in Wa'awa'a--Draft EA (AFNSI)

HRS §343-5(a) Trigger	(2) Propose any use within any land classified as a conservation district
District(s)	Puna
TMK(s)	(3) 1-4-028:008
Permit(s)	County of Hawai'i: SMA Permit Plan Approval and Grubbing, Grading, & Building Permits, Driveway Access Permit; State of Hawai'i: Conservation District Use Permit, Wastewater System Approval, Chapter 6E SHPD Approval of Archaeological Survey
Approving Agency	State of Hawai'i, Department of Land and Natural Resources Trevor Fitzpatrick, (808) 798-6660, trevor.j.fitzpatrick@hawaii.gov 1151 Punchbowl Street #131, Honolulu, HI 96813
Applicant	Christopher and Wendi Roehrig c/o: James Leonard, 64-629 Kohala Place, Kamuela, HI 96743, (808) 987-4826, jmleonard@mac.com
Consultant	Geometrician Associates, LLC; 10 Hina Street, Hilo, HI 96720 Ron Terry, (808) 969-7090, rterry@hawaii.rr.com
Status	Statutory 30-day public review and comment period starts. Comments are due by March 10, 2022. Please click on title link above to read the document, then send comments to the approving agency and copy the applicant and the consultant.

Applicants propose a home on their 0.459-acre shoreline property within a subdivision in Puna. The 1-story home will be set back 70 feet from the shoreline and will have 2,356-square of interior space, 2 bedrooms, 2 baths, and a garage and lanai. The off-grid home will have rooftop solar PV. The project includes landscaping with the natural hala/naupaka vegetation and replaces hala trees that need to be removed within areas that have or will have invasive trees removed. No threatened and endangered plants are present, and no archaeological sites are present. Grading will be minimal and mitigated by BMPs. Clearing timing restrictions will help prevent impacts to endangered Hawaiian hoary bats. Cultural practices in the form of fishing and gathering sometimes occur makai of the lot and would not be adversely affected.

MAUI

Maui High School Girls Athletic Locker Room--Draft EA (AFNSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	Wailuku
TMK(s)	(2) 3-8-007: 098
Permit(s)	DCAB, Noise Permit, Chapter 6E, Temporary Water Permit, Building Permit, Grading and Grubbing Permit, Certificate of Occupancy, Fire Department Review
Proposing/Determining Agency	State of Hawai'i, Department of Education Jolene Velasco, (808) 784-5129, jolene.velasco@k12.hi.us 3633 Wai'alae Avenue, Honolulu, HI 96816,
Consultant	Gerald Park Urban Planner; 95-595 Kaname'e St #324, Mililani, HI 96789 Gerald Park, (808) 625-9626, gpark@gpup.biz
Status	Statutory 30-day public review and comment period starts. Comments are due by March 10, 2022. Please send comments to the proposing/determining agency at gpark@gpup.biz

The project will construct a new Girls' Athletic Locker Room and Other Facilities serve staff and students activities from ninth through Grade 12. The facility will include: Girls' Athletic Locker Rooms>Showers, Girls' Physical Education Locker rooms>Showers, Unisex Locker Room, Coaches Offices, Trainer's and First Aid Room, Classroom, Multi-Purpose Room, Restrooms, Laundry Room, Athletics Storage and other various support spaces for utility and circulation. Telephone system, data, cable TV system, and various utilities will be part of the project. The school will incorporate advanced communication systems to support technology program requirements, as well as general communications. No existing facilities will be removed or demolished as part of this project. The project will be constructed as a rectangular shaped, one-story structure. The building footprint measures 138'-0" X 46'-0" with a floor area of approximately 6,350± square feet including program and non-program spaces.

MAUI (CONTINUED)

Wailuku River Bank Stabilization--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)	Wailuku
TMK(s)	(2) 3-4-020: 043 (por.), 044 (por.), 045 (por.), 046 (por.); 3-4-030: 888 (por.)
Permit(s)	Numerous (see document)
Proposing/ Determining Agency	County of Maui, Department of Public Works Kristi Ono, (808) 270-7745, public.works@co.maui.hi.us 200 S. High Street, 4th Floor, Wailuku, HI 96793
Consultant	Munekiyoh Hiraga; 305 High Street, Suite 104, Wailuku, HI 96793 Gwendolyn Rivera, (808) 244-2015, planning@munekiyohiraga.com
Status	Finding of No Significant Impact (FONSI) determination

The County of Maui, Department of Public Works proposes to restore an eroded embankment of the Wailuku River in the vicinity of the Wailuku Millyard light industrial subdivision and provide slope protection improvements. The existing earthen embankment of the Wailuku River, located on County property, has eroded beyond the bank to affect two (2) adjacent commercial properties. Proposed work involves excavation, regrading, and reinforcement of the river bank slope using grouted rip-rap (GRP) consisting of cobbles and boulders with concrete infill. Woven geotextile fabric will provide a filter interface between the GRP and the existing ground. Geo-composite drains will be used under the GRP to reduce hydrostatic pressure. A line of large boulders will be placed at the toe of the lined slope. To protect the toe from scour, a boulder filled concrete key will be excavated.

DHHL Honokowai Master Plan--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)	Lahaina
TMK(s)	(2) 4-4-001: 015; 4-4-002: 003, 008, 009, 011, 015, 018, and 038
Permit(s)	Numerous (see document)
Proposing/ Determining Agency	State of Hawai'i, Department of Hawaiian Home Lands Malia Cox, (808) 620-9500, malia.m.cox@hawaii.gov P.O. Box 1879, Honolulu, HI 96805
Consultant	PBR HAWAII & Associates, Inc.; 1001 Bishop Street, Suite 650, Honolulu, HI 96813 Carrie Ragsdale, (804) 972-2022, cragdale@pbrhawaii.com
Status	Finding of No Significant Impact (FONSI) determination

DHHL engaged its beneficiaries in a master planning process to determine appropriate land uses for DHHL's lands at Honokōwai including new agricultural homesteads, multi-family homes, and individual or community farming. The land uses in the Master Plan Area are anticipated to involve agricultural homesteads (subsistence and supplemental agriculture); residential homesteads (single-family and multi-family); community uses including agriculture, park, and commercial areas; conservation areas; industrial uses; roadways; and lands set aside to accommodate County infrastructure.

LĀNA'Ī

Kō'ele Project District Amendment--Final EA (FONSI) Vol 1 and Vol 2

HRS §343-5(a) Trigger	(6) Propose any amendments to existing county general plans where the amendment would result in designations other than agriculture, conservation, or preservation
District(s)	Lāna'ī
TMK(s)	(2) 4-9-001:021, 024, 025, 027, 030; 4-9-002:001(por.), 061(por.); 4-9-018:001, 002, 003, 004, 005; 4-9-020:020; 4-9-021:009
Approval(s)	State Land Use Commission District Boundary Amendment; Project District Phase 1 Amendment; Community Plan Amendment; Change of Zoning
Approving Agency	Lāna'ī Planning Commission (c/o Maui Planning Department) Kurt Wollenhaupt, (808) 270-8205, kurt.wollenhaupt@co.maui.hi.us 2200 Main Street, Suite 315, Wailuku, HI 96793
Applicant	Lanai Resorts, LLC, doing business as Pūlama Lāna'ī; 733 Bishop Street, Suite 1500, Honolulu, HI 96813 Keiki-Pua Dancil, (808) 237-2001, kdancil@pulamalanai.com
Consultant	Munekiyo Hiraga, 305 High Street, Suite 104, Wailuku, HI 96793 Bryan Esmeralda, (808) 983-1233, planning@munekiyohiraga.com
Status	Finding of No Significant Impact (FONSI) determination

Pūlama Lāna'ī seeks to reduce the density in the Kō'ele Project District by decreasing the Residential and Multi-Family (sub-designations) acreage, increasing Open Space and Park acreage, and reducing Golf Course acreage. The proposed amendments increase the acreage in the Hotel sub-designation accounting for existing uses as well as future uses, and also creates a new Resort Commercial sub-designation for existing and future uses which will support the Sensei Lāna'ī, A Four Seasons Resort. The amendments will reduce the total acreage in the Project District by 8 percent.

Pūlama Lāna'ī also seeks to revise the Kō'ele Project District Ordinance as outlined in Chapter 19.71 of the Maui County Code. The proposed amendments include changes to the Project District map, which outlines the limits of the Project District area as well as the sub-designations, as well as language related to permitted uses, special accessory uses, and development standards for the Project District.

KAUA'Ī

Kai 'Ōlino Affordable Housing Development--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 (3) Propose any use within a shoreline area
District(s)	Kōloa
TMK(s)	(4) 2-1-010: 062
Permit(s)	Building Permits, Received Approval for Project Development Use Permit PDU-2005-7, Class IV Zoning Permit Z-IV-2005-7, and SMA Use Permit SMA (U)-2005-4
Approving Agency	Kaua'ī County Housing Agency Adam Roversi, (808) 241-4444, aroversi@kauai.gov 4444 Rice Street, Suite 330, Līhu'e, HI 96766
Applicant	Āhē Group; 157 Makawao Street, Kailua, HI 96734 Makani Maeva, (808) 263-7657, mm@ahgroup.com
Consultant	Dudek; 970 N. Kalaheo Ave., Suite C206, Kailua, HI 96734 Kristin Arakawa, (808) 202-0022, dudekhawaii@dudek.com
Status	Finding of No Significant Impact (FONSI) determination

In response to the critical need for affordable housing, Āhē Group is proposing to repurpose the planned Kai 'Ōlino development for affordable housing in 'Ele'ele, Kaua'ī. Originally part of a larger uncompleted residential project, the project site was partially developed by previous owners for condominiums. While the condominiums were not completed during the original construction, all the entitlements, investigative reports, and initial construction of the site, including mass clearing, grading, retaining walls, parking pads, roadways, and underground utilities were completed. Following the original construction plans, the proposed project would consist of three residential buildings for a total of 75 multi-family housing units, which would provide 48 new affordable rental units for low-income households and 27 new market rate residential units. The affordable housing would accommodate a blend of affordable incomes, as well as serve families and individuals experiencing homelessness.

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.

The Kahala Beach Villas--Draft EA (AFNSI)

District(s)	Honolulu
TMK(s)	(1) 3-5-006: 007, 009, 014, 025
Permit(s)	Various (see document)
Approving Agency	City and County of Honolulu, Department of Planning and Permitting Malyne Simeon, (808) 768-8023, msimeon@honolulu.gov 650 South King Street, 7th Floor, Honolulu, HI 96813
Applicant	A'YIA LLC; 4614 Kilauea Avenue, Suite 205, Honolulu, HI 96816 Tim Gutierrez, (808) 734-1683, tim@pyramidhawaii.com
Consultant	G70; 111 S. King Street, Suite 170, Honolulu, HI 96813 Jeffrey H. Overton, Principal, (808) 441-2104, jeff@g70.design
Status	30-day public review and comment period starts. Comments are due by March 10, 2022. Please send comments to the approving agency at KahalaBeachVillasEA@g70.design

A'YIA LLC is proposing to undertake "The Kahala Beach Villas" (Project). The Project involves the demolition of seven existing dwellings, and redevelopment and construction of six new dwellings on the Project site. The site is located at 4767-B, 4767-D, 4769 & 4775 Kāhala Avenue on Tax Map Key parcels: (1) 3-5-006:007, 009, 014 and 025. The Applicant also proposes to improve the existing shared, privately-owned driveway to continue access to the residences. The Project will be designed and constructed to attain certification from the U.S. Green Building Council's Leadership in Energy and Environmental Design program. The Project will be designed and constructed to attain certification from the U.S. Green Building Council's Leadership in Energy and Environmental Design program.

61-551 Pohaku Loa Way Residence--Final EA (FONSI)

District(s)	Waialua
TMK(s)	(1) 6-1-009: 010
Permit(s)	
Approving Agency	City and County of Honolulu, Department of Planning and Permitting Jordan Dildy, (808) 768-8027, jdildy@honolulu.gov 650 South King Street, 7th Floor, Honolulu, HI 96813
Applicant	Pohaku Loa Hale, LLC; 3530 NW Mesa Verde Ct., Bend, Oregon 97703 (415) 299-9742, brown@cannonphotography.com
Consultant	Planning Solutions, Inc.; 711 Kapiolani Boulevard, Suite 950, Honolulu, HI 96813 Makena White, AICP, (808) 550-4538, makena@psi-hi.com
Status	Finding of No Significant Impact (FONSI) determination

The proposed action consists of the construction of a new single-family dwelling and accessory dwelling unit with approximately 3,600 square feet of combined floor area. Additionally, the proposal includes new concrete rubble masonry (CRM) walls along the perimeter of the property. The new work is being proposed on an approximately 17,720-square-foot shoreline lot within the R-5 Residential District and Special Management Area in the Waialua District of O'ahu. The entire site is located within the Coastal High Hazard Area, or Flood Zone VE. According to the preliminary shoreline survey, the proposed CRM walls and stairs will be 40 feet from the regulatory shoreline. The site is currently developed with a single-family dwelling and accessory structure. Both of these structures will be demolished.

CHAPTER 25, REVISED ORDINANCES OF HONOLULU (CONTINUED)

1 Lumahai Street--Final EA (FONSI)

District(s)	Honolulu
TMK(s)	(1) 3-9-013: 030
Permit(s)	Special Management Area Use Permit, Grading, Grubbing, Stockpiling, and Building Permits
Approving Agency	City and County of Honolulu, Department of Planning and Permitting Michael Kat, (808) 768-8013, michael.kat@honolulu.gov 650 South King Street, 7th Floor, Honolulu, HI 96813
Applicant	Alexandra Stanyon and Charles Anderson; c/o Fritz Johnson Architect, 1021 Smith Street, Suite 400, Honolulu, HI 96817
Consultant	Masa Fujioka & Associates; 98-021 Kamehameha Highway, #337, Aiea, HI 96701 Kevin Dillon, REP, (808) 484-5366 Ext. 19, kdillon@masafujioka.com
Status	Finding of No Significant Impact (FONSI) determination

The proposed action consists of the construction of a new single-family residential dwelling on the property located at 1 Lumahai Street, in the Portlock community of Honolulu. The property was previously developed as a single-family residence, but the former home was demolished in 2011. The current property owners seek to construct a new 4,224-square-foot two-story single-family dwelling with two-car garage and swimming pool on the subject property.

PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

Status: The comment period for these projects began previously. **Comments are due February 22, 2022.** Please click on the links below to read a document, then send comments to the relevant agency and copy any relevant applicant and/or consultant identified in the submission form that follows the initial agency letter.

MAUI

[Kahului Civic Center Mixed-Use Complex--Draft EA \(AFNSI\)](#)

O'AHU

[Wailehua I Single-Family Residences--Draft EA \(AFNSI\)](#) ROH Chapter 25

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 January 2022; utilize the identified agency contact on each list for additional information about any specific exemption:

County of Maui

[Department of Parks and Recreation](#)

City and County of Honolulu

[Department of Planning and Permitting](#)

State of Hawai'i

[Department of Accounting and General Services](#)

[Department of Education](#)

[Department of Land and Natural Resources](#)

[University of Hawai'i, Mānoa](#)

[University of Hawai'i, Mānoa](#) Revised List from November 2021

EXEMPTION DETERMINATIONS

The **University of Hawai'i, Mānoa** has requested voluntary publication of the following actions that were determined to be exempt from the requirement to prepare an EA pursuant to [HAR § 11-200.1-16](#) (Please click on the links to access the Exemption Notices to learn more about each action.)

[Landscaping Building Replacement](#)

[Waikīkī Aquarium Sanitary Sewer System Flow Meter Installation](#)

AGENCY EXEMPTION LIST CONCURRENCE

The following agency exemption list, which is a guidance document for the referenced agency's use in considering the propriety of a specific exemption, has been submitted to the Environmental Advisory Council (EAC) for review and concurrence. At the request of the EAC, this draft exemption list is being published for public review and comment; please click on the following link to view the list, and **submit any comments by March 10, 2022** to dbedt.opsd.erp@hawaii.gov:

[City and County of Honolulu, Board of Water Supply](#)

Pursuant to [HAR § 11-200.1-16](#), the EAC has reviewed and concurred upon the following agency exemption list. The listed types of actions may be exempted from the requirement to prepare an EA. The EAC's date of concurrence is posted on the list. Click on the link to view or download the list.

[State of Hawai'i, Department of Transportation \(February 1, 2022\)](#)

PRIOR DETERMINATION

The State of Hawai'i, Department of Transportation (DOT) [has determined](#) that additional environmental review is not required for the Fort Barrette Road Improvements, Vicinity of Kama'aha Avenue to Vicinity of Farrington Highway project. The scope of work for the project, which includes resurfacing and widening the mauka-bound road to provide a dedicated left turn lane into Kapolei Regional Park, was originally included in the Fort Barrette Road Operational Improvements, Roosevelt Avenue to Farrington Highway project that has an approved exemption dated February 26, 2019. However, due to insufficient funds for construction, these improvements had to be removed from the Operational Improvements project and will now be completed as a separate project. The scope of work has not changed, only the project under which the work will be completed.

COASTAL ZONE MANAGEMENT NOTICES

FEDERAL CONSISTENCY REVIEWS

The following federal actions are being reviewed for consistency with the enforceable policies of the Hawai'i Coastal Zone Management (CZM) Program, including [the CZM objectives and policies in Hawai'i Revised Statutes, Chapter 205A](#). Federal consistency, pursuant to Section 307 of the Coastal Zone Management Act of 1972 (CZMA), as amended, generally requires that federal actions, within and outside of the coastal zone, which have reasonably foreseeable effects on any coastal use (land or water) or natural resource of the coastal zone be consistent with the enforceable policies of a state's federally approved coastal management program. Federal actions include federal agency activities, federal license or permit activities, and federal financial assistance activities. This public notice is being provided in accordance with § 306(d)(14) of the CZMA, and federal regulations at 15 CFR § 930.2, § 930.42, and § 930.61. General information about federal consistency is available at the [Hawai'i CZM Program web site](#), or call (808) 587-2878.

For specific information or questions about an action listed below, contact the CZM staff person identified for each action. The CZM Program is required to adhere to federal review deadlines, therefore, comments must be received by the date specified. Comments may be submitted by mail or electronic mail, to the addresses below.

Mail: Office of Planning and Sustainable Development
Department of Business, Economic Development and Tourism
P.O. Box 2359, Honolulu, HI 96804

Email: Debra.L.Mendes@hawaii.gov

Proposed Rule to Modify Seabird Interaction Mitigation Measures

Proposed Action: NMFS proposes to modify required seabird interaction mitigation measures set forth in 50 CFR 665.815 for the Hawai'i deep-set pelagic longline fishery. The proposed action would apply to deep-set, pelagic longline vessels fishing for bigeye tuna under the Fishery Ecosystem Plan for Pelagic Fisheries of the Western Pacific holding Hawai'i longline Federal permits. Vessel operators that set fishing gear from the stern above 23° N latitude would be required to use a tori line (bird scaring streamers) in place of the currently required blue-dyed, thawed bait and strategic offal discharge (discharging fish, fish parts, and spent bait).

Location: International waters

Federal Action: Federal Agency Activity

Federal Agency: National Marine Fisheries Service (NMFS)

CZM Contact: Debra Mendes, (808) 587-2840, Debra.L.Mendes@hawaii.gov

Comments Due: February 22, 2022

COASTAL ZONE MANAGEMENT NOTICES (CONTINUED)

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 [(808) 768-8015]; Hawai'i [East (808) 961-8288], [West (808) 323-4770]; Kaua'i [(808) 241-4050]; Maui [(808) 270-7735]; Kaka'ako or Kalaeloa Community Development District [(808) 587-2846]

Location (TMK)	Description (File No.)	Applicant/Agent
Hawai'i: South Hilo (2-2-033: 011)	Land and Resource Management and Fencing (PL-SMM-2022-000012)	Hawaiian Kingdom Brands/Talon Properties, LLC
Maui: Kīhei (3-9-011: 023)	Alteration to Accessory Dwelling Unit and Installation of Underground Propane Line (SM2 20220001)	Hawaii Off Grid
Maui: Kīhei (2-1-006: 106)	Chris Cumming (SM2 20220005)	20 Degrees North Properties LLC
Maui: Kīhei (2-1-012: 006)	Ground Altering Activities (SM2 20220007)	Jeffrey Ueoka
O'ahu: He'eia (4-6-022: 002)	Expansion of Deck and Garage and Interior Renovations (2021/SMA-54)	Jamie Heiskanen/Structural Hawaii, Inc.
O'ahu: Diamond Head (3-1-032: 006)	New Trash and Surfboard Enclosure (2021/SMA-74)	Benevolent & Protective Order of Elks/Structural Hawaii, Inc.

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
OA-1980	487 Portlock Road, O'ahu 96825	(1) 3-9-016: 036	JMI Hawaii, Inc.	Daisho Co., Ltd.
LA-028	State Highway #44, Lāna'i	(2) 4-9-002: por. 001 & 4-9-003: 010	R.M. Towill	Lanai Resorts, LLC
LA-029	Kaunolu Trail, Lāna'i	(2) 4-9-002: por. 001	R.M. Towill	Lanai Resorts, LLC
KA-465	5-7062 Kūhiō Hwy., Kaua'i	(4) 5-8-011: 011	Honua Engineering, Inc.	Noel F. Gaige

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-1953	Proposed	928 Mokulua Drive, O'ahu 96834	(1) 4-3-007: 036	R.M. Towill Corporation	Xin Liu & Meiyi Ma
OA-1967	Proposed	56-157 Kamehameha Hwy., O'ahu 96831	(1) 5-6-001: 089	Ailana Surveying & Geomatics	Diane Zucco
OA-1976	Proposed	57-091 Kamehameha Highway, O'ahu 96831	(1) 5-7-001: 048 & 049	Engineers Surveyors Hawaii, Inc.	Lot 13 BRE Turtle Bay Development LLC/ Lot 14 BRE Turtle Bay Resort LLC
MA-758	Rejection	3701 L. Honoapi'ilani Hwy., Maui 96761	(2) 4-3-006: 063	Amy Fagan	Pikake AOA
HA-603	Rejection	77-220 Kealahi Bay Place, Hawai'i	(3) 7-7-024: 001	Wes Thomas Associates	Robert C. Hollander and Susan Ito Hollander

CONSERVATION DISTRICT USE APPLICATIONS

Persons interested in commenting on the following Conservation District Use Application(s) or receiving notification of determinations on Conservation District Use Applications must submit comments and requests to the Department of Land and Natural Resources. Notification requests must include the following information: 1) Name and address of the requestor; 2) The application for which the requestor would like to receive notice of determination; and 3) The date the notice was initially published in *The Environmental Notice*. Send comments and requests to: Department of Land and Natural Resources, Office of Conservation and Coastal Lands, P.O. Box 621, Honolulu, HI, 96809. DLNR will make every effort to notify those interested in the subject CDUAs. However, DLNR is not obligated to notify any person not strictly complying with the above requirements. For more information, please contact the Office of Conservation and Coastal Lands staff listed for each project. CDUAs can be found via the hyperlinked File No. below or on the OCCL website at dlnr.hawaii.gov/occl.

File No.: [CDUA HA-3885 \(Department's Acceptance Letter\)](#)
Name of Applicant: Christopher and Wendi Roehrig
Location: 14-3543 Government Beach Road, Wa'awa'a Subdivision, Puna, HI [TMK (3) 1-4-028: 008]
Proposed Action: [Roehrig Single-Family Residence](#)
343, HRS determination: [Draft Environmental Assessment/AFNSI](#) Published February 8th, 2022
Applicant's Contact: James Leonard, (808) 896-3459, jmleonard@mac.com
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FEDERAL NOTICES

As a courtesy, listed below are some relevant entries from the Federal Register published since the last issue of *The Environmental Notice*. For more information, click on the title link of any entry, also available at www.federalregister.gov.

Notice: [Notice of Virtual Public Meeting for the Draft Environmental Impact Statement Pearl Harbor Naval Shipyard and Intermediate Maintenance Facility Dry Dock and Waterfront Production Facility \(published by the Navy Department \(DoN\) on 02/04/2022\)](#)

Pursuant to the National Environmental Policy Act of 1969, as implemented by the Council on Environmental Quality, the DoN has prepared and filed with the United States Environmental Protection Agency a Draft Environmental Impact Statement (EIS) that evaluates the potential environmental effects associated with constructing and operating a graving dry dock and waterfront production facility at the Pearl Harbor Naval Shipyard and Intermediate Maintenance Facility at Joint Base Pearl Harbor-Hickam, O'ahu, Hawai'i.

A 45-day public comment period extends through March 21, 2022. Comments submitted during the public comment period will become part of the public record, and substantive comments will be considered in the Final EIS. **All comments must be postmarked or received electronically by 11:59 p.m. HST on March 21, 2022**, for consideration in the Final EIS. Due to current Federal and State guidance on social distancing in response to the COVID-19 pandemic, the DoN is providing virtual and web-based opportunities for the public to learn about the proposed action and action alternatives, and provide comments on the Draft EIS. The virtual and web-based opportunities are:

1. Virtual Open House: A Virtual Open House will be available at the [Project Website](#) from February 4, 2022, to March 21, 2022.
2. Project Website: The Project website is available at <https://www.pearlharbordrydockeis.org> throughout the EIS preparation; it provides information on the proposed action, NEPA process, and schedule, and includes a document library. The public can use this website to submit comments on the Draft EIS electronically between February 4, 2022, and March 21, 2022.
3. **Virtual Public Meeting: February 24, 2022, 4:30-6:30 p.m. HST.** There are two options to access the meeting:
 - a. Go to [Zoom.us/join](https://zoom.us/join) or join by phone at: 669-900-6833; Meeting ID: 881 8171 0022.
 - b. Visit the Project Website to access the Virtual Public Meeting link and phone number.

Notice: [Administrative Declaration of a Disaster for the State of Hawaii \(published by the Small Business Administration \[US SBA\] on 02/03/2022\)](#)

This is a notice of an Administrative declaration of a disaster for the State of Hawai'i dated 01/28/2022. Incident: Severe Storms, Flooding and Landslides on O'ahu and Maui between 12/05/2021 and 12/10/2021.

Physical Loan Application Deadline Date: 03/29/2022. Economic Injury (EIDL) Loan Application Deadline Date: 10/28/2022.

Submit completed loan applications to: SBA, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

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 challenge the FONSI in the Environmental Court and seek a ruling 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 OPSD 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 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 OPSD with the Draft EIS.

HEPA

While technically there is no "Hawai'i Environmental Policy Act," HRS 343 is often referred to by this term.

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.

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. Whether the FEIS is accepted or not accepted, notice of the Acceptance Determination is published in this bulletin. The public has 60 days from publication to legally challenge the acceptance of a FEIS. For both Applicant and Agency actions, 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, OPSD 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/denied by the Department or 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; 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. Some projects going through the SMA permit process on O'ahu are also required to go through an environmental review process that mirrors HRS 343; these "ROH Chapter 25" EAs/EISs are included in this bulletin.

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 Advisory Council

The [Environmental Advisory Council](#) is a 14-member citizen board appointed by the Governor. They serve as a liaison between the Director of OPSD and the general public concerning ecology and environmental quality. Agendas of their regular meetings are posted on the Internet and the public is invited to attend.

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).