



The Environmental Notice

February 23, 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.



Proposed improvements to the long-standing Scout Reservation near Kōke'e State Park, Kaua'i, are under review

Photo from the [Conservation District Use Application](#) for the project

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ANNOUNCEMENTS

Please continue to watch for changes and improvements to our website (<https://planning.hawaii.gov/erp/>), and let us know if you encounter any challenges to it's functionality. Please email us at dbedt.opsd.erp@hawaii.gov and describe your situation.

STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS



MAUI

Hale Makua Expansion Rehabilitation Facility--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) 3-8-007:097
Permit(s)	HRS 6E Compliance, County Grubbing and Grading Permit, County Building Permit, NPDES Construction Permit
Approving Agency	County of Maui, Department of Parks and Recreation Samual Marvel, (808) 270-7230, samual.marvel@co.maui.hi.us 700 Halia Nakoia Street, Unit 2, Wailuku, HI 96793
Applicant	Hale Makua Health Services; 472 Kaulana Street, Kahului, HI 96732 Wesley Lo, (808) 243-1722, wes.lo@ohanapacific.com
Consultant	Kaimana Environmental Solutions LLC; P.O. Box 11890, Honolulu, HI 96828 Max Solmssen, (808) 341-3546, max@kaimanaenv.com
Status	Statutory 30-day public review and comment period starts. Comments are due by March 28, 2022. Please click on title link above to read the document, then send comments to the approving agency at info@kaimanaenv.com

The proposed project includes expansion of the existing Hale Makua Health Services Kahului care facility, that would include construction of a new rehabilitation facility on adjacent County land that would be leased or conveyed by the County to Hale Makua Health Services. The proposed rehabilitation facility would include an approximately 76,200 square foot two-story commercial building, as well as associated parking area. The proposed facility would provide services such as physical, occupational and speech therapy, as well as home health and nursing services to the Kahului community, as well as to greater Maui County.

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.

Repair and Addition to Existing Single Family Dwelling at 1508 Mokulua Drive--Draft EA (AFNSI)

District(s)	Ko'olaupoko
TMK(s)	(1) 4-3-003: 074
Permit(s)	Special Management Area (SMA) Use Permit, Building Permits
Approving Agency	City and County of Honolulu, Department of Planning and Permitting Gerald Toyomura, (808) 768-8056, gtoyomura@honolulu.gov 650 South King Street, 7th Floor, Honolulu, HI 96813
Applicant	Sousa Family Trust; 1508 Mokulua Drive, Kailua, HI 96734 Walter and Karin Sousa, (650) 218-0125
Consultant	Concept 2 Completion; 328-C Keaniani Street, Kailua, HI 96734 Karl Mench, (808) 782-5968, karl@c2c-builders.com
Status	Statutory 30-day public review and comment period starts. Comments are due by March 28, 2022. 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 improvements to an existing 10,198-square-foot single family dwelling by repairing the structural deficiencies, adding a bedroom, two bathrooms, a den, and additional living space on a shoreline property in the Lanikai community within the SMA. Approximately 4,277 square feet of floor area will be added for a total of 14,475 square feet which is less than the maximum of 18,900 square feet allowed for this lot. The existing swimming pool will be rebuilt in it's existing location. The existing driveway will be replaced with a smaller driveway and will decrease the impervious surfaces and provide more landscaping space. Approximately 958 square feet of the nonconforming residence is within the shoreline setback, of which repairs to the second floor master bedroom is planned for. No new development will occur within the shoreline. No work is planned for the retaining wall or seawall. A current certification of the shoreline survey by the State DLNR is pending.

PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

Status: The comment period for these projects began previously. **Comments are due March 10, 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.

HAWAI'I

[Roehrig Single-Family Residence in Wa'awa'a--Draft EA \(AFNSI\)](#)

MAUI

[Maui High School Girls Athletic Locker Room--Draft EA \(AFNSI\)](#)

O'AHU

[The Kahala Beach Villas--Draft EA \(AFNSI\) \(ROH Chapter 25\)](#)

EXEMPTION DECLARATIONS

- County of Maui Department of Environmental Management (DEM) has declared the following Agency action exempt from the requirement to prepare an EA pursuant to [HAR § 11-200.1-16](#) (Click on the title link below for further information about the action):

[Central Maui Landfill Entrance Facility Improvements](#)

The County of Maui DEM proposes to improve its facilities at the Central Maui Landfill (CML) by providing a new roll-off bay and widening a section of the entry roadway at the south boundary of the CML site. The project area consists of approximately 0.32-acres within the approximately 180-acre County-owned parcel identified as TMK (2) 3-8-003: 019 (por.) (Parcel 19), 8100 Pulehu Road in Pu'unene. The proposed project will provide more efficient use of landfill facilities and improve access and safety.

- County of Hawai'i Office of Housing and Community Development has declared the following Applicant action exempt from the requirement to prepare an EA pursuant to [HAR § 11-200.1-16](#) (Click on the title link below for further information about the action):

[Nā Hale Mākoa \(formerly Kamakoa Nui Workforce Rental Housing Development\) Project](#)

The proposed action involves the construction of 140 affordable apartments in fifteen two-story buildings, on an approximately 10.324-acre site. Units will provide one (1), two (2), or three (3) bedrooms. Onsite parking will also be provided. The project's amenities will include a lobby and common areas, recreational room, landscaped central park with walking paths, picnic areas and a playground, and exterior walking paths.

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 KA-3886 (Department's Acceptance Letter)
Name of Applicant:	Boy Scouts of America (BSA) Aloha Council
Location:	Napali-Kona & Pu'ukapele Forest Reserve, Waimea, Kaua'i
TMK(s):	(4) 1-4-001:015
Proposed Action:	Camp Alan Faye Improvements Project
343, HRS determination:	Exempt per HAR, Chapter 11-200.1-16
Applicant's Contact:	Kimi Yuen, (808) 521-5631, kyuen@pbrhawaii.com
OCCL Staff Contact:	Trevor Fitzpatrick, (808) 798-6660, trevor.j.fitzpatrick@hawaii.gov

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 [(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: North Kohala (5-2-001: 021)	Conversion of Agricultural Building to an Additional Farm Dwelling (PL-SMM-2022-000013)	Andersen Family Trust
Kaua'i: Kōloa (2-6-015:011)	Private access road. (SMA(M)-2022-7)	Kukui'ula Development Company (Hawai'i) LLC
Maui: Ha'ikū (2-7-004: 001)	A & B Kuiaha Bay Pasture Fencing (SM2 20220008)	Alexander & Baldwin LLC
Maui: Wailuku (3-4-029: 036)	New Animal Fence, Changing Location of Security Lights and Vehicle Directional Pedestal (SM2 20220009)	David & Myrna Breen
Maui: Hana (1-6-004: 006)	Proposed Tool and Storage Shed (SM2 20220010)	Gillespie, Robert M Jr
Maui: Ha'ikū (2-8-003: 062)	Storage Building for Farm Equipment (SM2 20220011)	Ron Richmond
Maui: Lahaina (4-3-002: 057)	Napili Beach House – B20200448 (SM2 20220012)	Napili Beach House LLC
Maui: Lahaina (4-8-003: 101 and 118)	Clear and Trim Existing Trees (SM2 20220013)	Olowalu Elua Associates LLC
O'ahu: Kahala (3-5-023: 039)	Kahala Hotel New Electric Vehicle Charging Station (2021/SMA-82)	Tesla, Inc./G70 Design
O'ahu: Waikīkī (2-6-027: 033)	ABC Store No. 33 - Major Exterior Alteration (2021/SMA-85)	MNS, Ltd/ADM Retail Planning & Architecture, 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
MA-773	Keanae District, Maui 96713	(2) 1-1-003: 074	Action Survey LLC	Bruce Dunbar
HA-619	69-1616 Puakō Beach Drive, Hawai'i	(3) 6-9-002: 026	Wes Thomas Associates	Sean Sullivan and Cheryl Dalrymple
HA-620	Ala Heiau Ave., Hawai'i	(3) 1-5-031: 067	Daniel Berg, dlb & associates, LLC	Kermit Johnson

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-1974	Proposed	10 Kamani Place, O'ahu 96734	(1) 4-3-015: 053	Walter P. Thompson, Inc.	Jennifer A. Rainin 2007 Trust
OA-1980	Proposed	487 Portlock Road, O'ahu 96825	(1) 3-9-016: 036	JMI Hawaii, Inc.	Daisho Co., Ltd.
HA-617	Proposed	Government Beach Road, Hawai'i 96778	(3) 1-4-028: 039	Daniel Berg, dlb & associates, LLC	Stefanie Nolf
KA-462	Withdrawal	3532 Moloa'a Road, Kaua'i 96703	(4) 4-9-014: 026	Lucas Breckenridge & Associates, Inc.	Russell Calderone

NATIONAL HISTORIC PRESERVATION ACT, SECTION 106 CONSULTATION

Wailua Sewage Pump Station (SPS) No. 1 Rehabilitation; Expansion of APE

Island / District / TMK	Kaua'i / Wailua Ahupua'a, Puna District / (4) 3-9-006:019
Proposing /Approving Agency	State of Hawai'i, Department of Health, Environmental Management Division, Wastewater Branch 2827 Waimano Home Road, Rm. 207, Pearl City, HI 96782 Jon Nagato, (808) 586-4294, jonathan.nagato@doh.hawaii.gov
Consultant	The Limtiaco Consulting Group, Inc.; 1622 Kanakanui Street, Honolulu, HI 96817 Joe Kwan, (808) 596-7790, joe@tlcghawaii.com
Status	Submit comments no later than March 28, 2022 to: Jon Nagato, wwb@doh.hawaii.gov or Department of Health, Wastewater Branch, 2827 Waimano Home Road, Rm. 207, Pearl City, HI 96782

The Department of Health (DOH) initiated Section 106 of the NHPA consultation with the State Historic Preservation Officer (SHPO) in accordance with 36 CFR Part 800. In 1990, the U.S. Environmental Protection Agency (EPA) designated the DOH to act on EPA's behalf, pursuant to 36 CFR §800.2 (c) (4), when initiating Section 106 of the NHPA process in connection with projects funded under the Hawai'i Clean Water State Revolving Fund (CWSRF). The DOH may provide funding under the CWSRF to the County of Kaua'i, Department of Public Works, Wastewater Management Division for the Wailua Sewage Pump Station (SPS) No. 1 Rehabilitation; therefore, the proposed project 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 proposed project is located at the existing Wailua Wastewater Treatment Plant (WWTP) in Wailua, Kaua'i; 4460 Nalu Road; and TMK (4) 3-9-006:019. The project Area of Potential Effects (APE) encompasses 0.62 acres within the Wailua WWTP, is expected to extend the useful life of the pump station, and involves installation of two submersible pumps, abandonment of an existing drywell, and installation of new valves, piping, a flow meter, pipe supports, electrical wiring, and control panels. The DOH requested the SHPO's concurrence of the revised APE, expanded consultation list, and proposed effect determination.

FEDERAL NOTICES

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

Notice: [Western Pacific Fishery Management Council; Public Meetings](#) (published by the National Oceanic and Atmospheric Administration on 02/22/2022)

The Western Pacific Fishery Management Council (Council) will hold its American Samoa Fishery Archipelago Fishery Ecosystem Plan (FEP) Advisory Panel (AP), Mariana Archipelago FEP-Commonwealth of the Northern Mariana Islands (CNMI) AP, Mariana Archipelago FEP-Guam AP, Fishing Industry Advisory Committee (FIAC), and the Hawaii Archipelago FEP AP to discuss and make recommendations on fishery management issues in the Western Pacific Region. The meetings will be held between March 8 and March 11, 2022, **with the Hawaii Archipelago FEP AP meeting on Friday, March 11, from 9 a.m. to 12 noon.**

The meetings will be held by web conference via Webex. For specific times and agendas, click on the title link above, and scroll to SUPPLEMENTARY INFORMATION. Instructions for connecting to the web conference and providing oral public comments will be posted on the Council website at www.wpcouncil.org. For assistance with the web conference connection, contact the Council office at (808) 522-8220. For further information, contact Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council; phone: (808) 522-8220.

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 15-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).