



The Environmental Notice

March 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.



The iconic view from Ka'iwa ridge above Nā Mokulua, Windward O'ahu; a management plan is proposed to improve the very popular "Lanikai Pillbox" trail

Photo credit: [madelinewu](#)

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ANNOUNCEMENTS

Our website now includes a page to identify documents that are open for commenting. While any current issue of *The Environmental Notice* remains the primary source to get information about newly published and open documents, [this new page](#) can also be a helpful resource. Comments should be submitted to the relevant proposing or approving agency, as noted on the submittal form included in each project file. Contact us with any questions at dbedt.opsd.erp@hawaii.gov

STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS & DETERMINATIONS



HAWAII

Hilo Medical Center Expansion--Draft EA (AFNSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	South Hilo
TMK(s)	(3) 2-3-027:002
Permit(s)	Chapter 6E, HRS Historic Preservation Compliance, Plan Approval, Construction Permits
Proposing/ Determining Agency	State of Hawai'i, Hawai'i Health Systems Corporation/Hilo Medical Center Mari Horike, (808) 932-3124, mhorike@hhsc.org 1190 Waiānuenu Avenue, Hilo, HI 96720
Consultant	Munekiyo Hiraga; 305 High Street, Suite 104, Wailuku, HI 96793 Bryan Esmeralda, (808) 983-1233, planning@munekiyohiraga.com
Status	Statutory 30-day public review and comment period starts. Comments are due by April 7, 2022. Please click on title link above to read the document, then send comments to the proposing/determining agency and copy the consultant.

The proposed action involves the expansion of the Hilo Medical Center (HMC) which will be implemented in two phases. The Phase 1 addition will be located in a two-story structure above the current physician and visitor parking and will house an ICU containing an expansion of up to 18 beds. The Phase 2 addition will consist of a three-story structure also located above the existing visitor parking. One (1) floor of Phase 2's three-story building will be dedicated to a 12-bed Family Birthing Center containing six (6) Labor, Delivery, Recovery, Postpartum (LDRP) rooms, three (3) isolation LDRP rooms, and three (3) patient rooms for postpartum or antepartum patients. The additional floor has not yet been programmed for use. Both additions will connect to the existing HMC building via enclosed pedestrian bridges. In addition, the proposed action involves the redesign of the current physician and visitor parking areas to accommodate the expansion phases as well as utility connections.

Meadow Gold Expansion--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)	South Hilo
TMK(s)	(3) 2-1-012: 025, 005 and 004(por.)
Permit(s)	Numerous (see document)
Approving Agency	State of Hawai'i, Department of Land and Natural Resources Gordon Heit, (808) 961-9590, gordon.c.heit@hawaii.gov 1151 Punchbowl Street, Honolulu, HI 96813
Applicant	Meadow Gold; 11 Railroad Avenue, Hilo, HI 96720 Bahman Sadeghi, (949) 678-4726, Bahman_Sadeghi@mgdhawaii.com
Consultant	PBR HAWAII & Associates, Inc.; 1001 Bishop Street, Suite 650, Honolulu, HI 96813 Brittany Wheatman, (808) 521-5631, bwheatman@pbrhawaii.com
Status	Finding of No Significant Impact (FONSI) determination

Meadow Gold is proposing the expansion of its existing facilities in Hilo, currently located on a 1.42-acre parcel of State land identified as Tax Map Key (TMK) parcel number (3) 2-1-012: 025 (hereinafter referred to as the "Project site"). The expansion of Meadow Gold's facilities will require expansion into portions of other State lands from adjoining users (TMK 2-1-012: 005, County of Hawai'i Department of Parks and Recreation; and TMK 2-1-012: 004, Jas. W. Glover, Ltd.), hereinafter referred to as the "Project." Five existing parcels will be consolidated and resubdivided into five reconfigured parcels in order to create the Project Site. The Project will also provide adequate land area for the adjacent County of Hawai'i's DPR base yard, minimize the impact to adjacent Jas. W. Glover operations, and provide a roadway lot that would allow the extension of Leilani Street. DPR is planning an additional small building to consolidate small storage structures that presently exist.

LĀNA‘I

Miki Basin Industrial Park--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)	Lāna‘i
TMK(s)	(2) 4-9-002:061 (por.)
Permit(s)	Numerous (see document)
Approving Agency	State of Hawai‘i, Land Use Commission Dan Orodener, (808) 587-3822, dbedt.luc.web@hawaii.gov P.O. Box 2359, Honolulu, HI 96804-2359
Applicant	Lanai Resorts, LLC, a Hawai‘i limited liability company doing business as Pūlama Lāna‘i Keiki-Pua Dancil, (808) 237-2001, kdancil@pulamalanai.com 733 Bishop Street, Suite 1500, Honolulu, HI 96813
Consultant	Munekiyo Hiraga; 305 High Street, Suite 104, Wailuku, HI 96793 Chris Sugidono, (808) 244-2015, planning@munekiyohiraga.com
Status	Finding of No Significant Impact (FONSI) determination

Pūlama Lāna‘i seeks to develop the Miki Basin Industrial Park, a 200-acre master-planned light and heavy industrial development on land adjoining the Lāna‘i Airport, the Maui Electric Company power plant, and the existing Miki Basin Industrial Condominium. The project implements the vision for placement of industrial land uses on Lāna‘i and expands upon the much-needed industrially zoned land area called for in the Lāna‘i Community Plan. The project will include 127 acres for renewable energy projects, 20 acres for infrastructure purposes, 12.5 acres for the relocation of an existing asphalt plant, and 26 acres for new industrial uses. The remaining 14.5 acres will be used for the relocation of an existing concrete recycling and rock crushing operation, and for the storage/stockpiling of aggregate and construction materials. Possible new future industrial uses include warehouse space for cold storage, laboratory/testing facilities, automotive services, animal hospital and other uses.

O‘AHU

Wai‘anae 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)	Wai‘anae
TMK(s)	(1) 8-5-015:001 (por.)
Permit(s)	Dust Control Plan; Noise Permit (if necessary); Americans with Disabilities Act (ADA) Compliance; Section 6E, HRS Review; Grading, Grubbing, and Stockpiling Permits; Building Permit (electrical, plumbing, civil); Occupancy Permit; Site Development Master Application for Sewer Connection; Storm Drain Connection License (if necessary); Storm Water Quality Strategic Plan; Rules Relating to Water Quality and Storm Drainage Standards Compliance; Special Management Area (SMA) Use Permit - Minor Modification; Waiver Permit (to exceed maximum lot coverage)
Proposing/ Determining Agency	State of Hawai‘i, Department of Education Mitch Tamayori, (808) 521-5631, Mitch.Tamayori@k12.hi.us Facilities Development Branch, Project Management Section, 3633 Wai‘alae Avenue, Room B-201, Honolulu, HI 96816
Consultant	PBR HAWAII and Associates, Inc.; 1001 Bishop Street, Suite 650, Honolulu, HI 96813 Greg Nakai, (808) 521-5631, gnakai@pbrhawaii.com
Status	Statutory 30-day public review and comment period starts. Comments are due by April 7, 2022. Please click on title link above to read the document, then send comments to the Proposing Agency at gnakai@pbrhawaii.com

The proposed Girls' Athletic Locker Room (GALR) for the Wai‘anae High School (WHS) comprises a new building (requiring either removal or relocation of the existing Administration portable building on-campus) and an extension/widening of the fire access road to the northeast of Buildings F and D. The new building will include a Locker Room, Toilet Area, Shower Room, Storage, Laundry Room, Coach’s Office, and other support spaces. This is a legislative add-on project needed to comply with Title IX gender equity requirements, per federal and state laws. The intent of this Project is to provide a gender equitable, or better, GALR to the existing Boys Athletic Locker Room.

O‘AHU (CONTINUED)

[Ka‘iwa Ridge Trail Improvements and Management Plan--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 (2) Propose any use within any land classified as a conservation district
District(s)	Ko‘olaupoko
TMK(s)	(1) 4-2-002:017; 016 (por); 048 (por); 4-3-007:077 (por); 018 (por);
Permit(s)	National Pollutant Discharge Elimination System (NPDES) Permit; Community Noise Permit; Special Management Area Use Permit; Conservation District Use Permit; Grubbing, Grading and Trenching Permit
Proposing/ Determining Agency	State of Hawai‘i, Department of Land and Natural Resources Marigold Zoll, (808) 286-6378, marigold.s.zoll@hawaii.gov 1151 Punchbowl Street, Honolulu, HI 96813
Consultant	PBR HAWAII and Associates, Inc.; 1001 Bishop Street, Suite 650, Honolulu, HI 96813 Catie Cullison, (808) 521-5631, ccullison@pbrhawaii.com
Status	Statutory 30-day public review and comment period starts. Comments are due by April 7, 2022. Please click on title link above to read the document, then send comments to the Proposing Agency at kaiwaridgetrail@gmail.com

The project proposes to improve the Ka‘iwa Ridge Trail by implementing a trail management plan concurrently with the installation of a physical improvements to the trail corridor. Proposed improvements include a combination of surface treatments, erosion control measures, fencing or other barriers, and trail signage throughout the trail corridor.

PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

Status: The comment period for these projects began previously. 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 preceding agency letter.

COMMENTS DUE MARCH 10, 2022

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 \(AFNSI\) \(ROH Chapter 25\)](#)

COMMENTS DUE MARCH 28, 2022

MAUI

[Hale Makua Expansion Rehabilitation Facility--Draft EA \(AFNSI\)](#)

O‘AHU

[Repair and Addition to Existing Single Family Dwelling at 1508 Mokulua Drive--Draft EA \(AFNSI\) \(ROH Chapter 25\)](#)

USE OF PRIOR DETERMINATION

The State of Hawai‘i, Department of Land and Natural Resources [has determined](#) that additional environmental review is not required for the amendment of General Lease No. S-6038, Miloli‘i-Ho‘opuloa, South Kona, Island of Hawai‘i, Tax Map Key Nos.: (3) 8-9-014:038-041 [approved](#) by the Board of Land and Natural Resources on December 10, 2021.

The purpose of the amendment is to include an additional seven lots to the current lease for the expansion of a Community Enrichment and Historical Center (CEHC) for the community of Miloli‘i, specifically TMKs: (3) 8-9-014:036 and 042, 043, 044, 045, 046 and 047. The proposed CEHC will consist of 2.5 acres with eleven structures of varying sizes including a community pavilion, restrooms, classrooms, storage, water tanks, and canoe hale. [A Final Environmental Assessment \(FEA\) for the original project with a finding of no significant impact \(FONSI\)](#), was published in the Office of Environmental Quality Control's [The Environmental Notice, on July 23, 2012](#). The Board determined that the amendment of the lease to include seven additional lots with accessory structures is substantially similar to the action that received a FONSI in 2012, is anticipated to have direct, indirect, and cumulative effects similar to those analyzed in the 2012 FEA, and was analyzed within the range of alternatives.

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 February 2022; please follow up with the identified agency contact on each list for additional information about any specific exemption:

County of Hawai'i

[Department of Public Works](#)

[Office of Housing and Community Development](#)

State of Hawai'i

[Department of Accounting and General Services](#)

[Department of Education](#)

[Department of Land and Natural Resources](#)

[Department of Transportation](#) (list for January 2022; no exemptions for February 2022)

[Hawai'i Housing Finance and Development Corporation](#)

County of Maui

[Department of Planning](#)

[Department of Environmental Management](#)

[Department of Fire and Public Safety](#)

City and County of Honolulu

[Department of Design and Construction](#)

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
Kaua'i: Kōloa (2-6-022: 020)	National Tropical Botanical Garden (NTBG) Tram Road (SMA(M)-2022-6)	Kukui'ula Development Company (Hawai'i), LLC
Kaua'i: Moloa'a (4-9-009: 002)	Private Access Road (SMA(M)-2022-8)	Bow Engineering
Kaua'i: Wainiha (5-8-006: 024)	Power Pole Installation (SMA(M)-2022-9)	William Cleeton
Maui: Lahaina (4-2-002: 001 and 016, 4-3-002: 026)	Napili Kai (SM2 20210052)	Gregg Nelson, President – Napili Kai Ltd
Maui: Lahaina (4-6-030: 001)	Demolition and Rebuild (SM2 20210098)	Owen Ala
Maui: Kīhei (3-9-030: 004)	New Construction of Second Accessory Unit (SM2 20220014)	Gerald Belton Shuttleworth
O'ahu: Lā'ie (5-5-002: 100)	Two Single-Family Dwellings (2022/SMA-2)	Devin Moncur

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-1981	59-205 Ke Nui Road, O'ahu 96712	(1) 5-9-002: 059	Gil P. Bumanglag	South Sea Holdings, LLC (by Donna Y. Baker)
HA-621	Lot 2 Ke Kailani Subdivision, Hawai'i	(3) 6-8-036: 002	Chase Bushor	HFIP, LLC

SHORELINE NOTICES (CONTINUED)

PROPOSED SHORELINE CERTIFICATIONS AND REJECTIONS

The shoreline notices below have been proposed for certification or rejection by the Department of Land and Natural Resources ([HRS § 205A-42](#) and [HAR § 13-222-26](#)). Any person or agency who wants to appeal shall file a notice of appeal in writing with DLNR no later than 20 calendar days from the date of this public notice. Send the appeal to the Board of Land and Natural Resources, 1151 Punchbowl Street, Room 220, Honolulu, Hawai'i 96813.

File No.	Status	Location	TMK	Applicant	Owner
HA-615	Proposed	Along Naupaka Kai Place, Hawai'i	(3) 6-9-009: 004	Wes Thomas Associates	Serenity on the Sea, LLC
KA-463	Proposed	3610 Rice Street, Kaua'i 96766	(4) 3-5-002: 002	Honua Engineering, Inc.	RMR Group, Inc.

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 (sometimes referred to as "HEPA"). Accordingly, these entries may have unique comment periods. Occasionally, actions are subject to both NEPA and HEPA. In those cases, a separate Chapter 343, HRS, entry would be published in *The Environmental Notice* when a relevant document or determination is submitted to OPSP/ERP.

[Wake Atoll Rat Eradication Program Final Environmental Assessment - FONSI-FONPA](#)

Island	Wake Atoll
Proposing / Approving Agency	U.S. Air Force, 611th Civil Engineer Squadron/CEIE 10471 20th Street, Suite 325, Joint Base Elmendorf-Richardson, Alaska 99506 Richard Mauser, EAIP/NEPA Coordinator, (907) 726-7981, richard.mauser@us.af.mil
Status	The U.S. Air Force will accept comments for a 16-day public comment period beginning on 8 March and ending on 23 March 2022 . Send comments to Proposing/Approving agency.

The Environmental Assessment has been published previously and finalized by USDA as the lead agency. The U.S. Air Force under their guiding regulations requires a FONSI-FONPA be published as a cooperating agency. The purpose of the proposed action is to eradicate the invasive Pacific rat (*Rattus exulans*), an invasive species that poses a threat to human health and native flora and fauna, from Wake Atoll. The proposed eradication project is a cooperative effort between the U.S. Department of Agriculture Animal and Plant Health Service - Wildlife Services, US Air Force, US Fish and Wildlife Service, and Island Conservation. The program will consist of a primary eradication effort followed by post-eradication activities that will increase the likelihood of success. The primary tool will be rodenticide(s) applied using various aerial and ground-based application methods that are designed to increase the likelihood of a successful eradication and minimize the risk to human health and the environment.

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**, also available at www.federalregister.gov.

Notice: [Endangered and Threatened Wildlife and Plants; Draft Recovery Plan for 50 Hawaiian Archipelago Species](#) (published by the U.S. Fish and Wildlife Service on 02/24/2022)

The USFWS announces the availability of a draft recovery plan for 50 Hawaiian archipelago species. Review and comments are requested from the public and local, State, Tribal, and Federal agencies. To ensure consideration, **comments on the draft recovery plan must be received on or before April 25, 2022**. However, information about any species will be accepted at any time. Click on the title link above for additional information about submitting comments.

Notice: [Western Pacific Fishery Management Council; Public Meetings](#) (published by NOAA on 02/28/2022)

The Western Pacific Fishery Management Council (Council) will hold various committee and Council meetings to take actions on fishery management issues in the Western Pacific Region. **The meetings will be held by web conference between March 15 and March 24, 2022**. For specific times and agendas, click on the title link above and see SUPPLEMENTARY INFORMATION.

Proposed Rule: [International Fisheries; Pacific Tuna Fisheries; 2022-2024 Commercial Fishing Restrictions for Pacific Bluefin Tuna in the Eastern Pacific Ocean](#) (published by NOAA on 03/04/2022)

NMFS is proposing to implement annual limits on commercial catch of Pacific bluefin tuna (*Thunnus orientalis*) in the eastern Pacific Ocean for 2022-2024. This action is necessary to conserve Pacific bluefin tuna and for the United States to satisfy international obligations. **Comments on the proposed rule and supporting documents must be submitted in writing by April 4, 2022**.

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).