



The Environmental Notice

March 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.



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ANNOUNCEMENTS

As a reminder, items to be published in *The Environmental Notice* must be submitted in their final form by the [submittal deadline](#) for each issue, and no changes to the documents can be made after that deadline. This policy is intended to ensure equity and consistency in the environmental review process, while also supporting the abbreviated production cycle. Please review documents prior to submittal!

STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS & DETERMINATIONS



LEGEND

New document count in this issue: 4 total

- - HRS § 343-5(b) Agency Actions: 3
- - HRS § 343-5(e) Applicant Actions: 1

HAWAI'I

Keauhou Bay Management Plan--(EIS Preparation Notice)

HRS §343-5(a) Trigger	(3) Propose any use within a shoreline area (4) Propose any use within any historic site as designated in the National Register or Hawai'i Register
District(s)	North Kona
TMK(s)	Numerous (see document)
Permit(s)	Use Permit (County), Grading Permit (County), Building Permit (County), NPDES Permit (State)
Approving Agency/ Accepting Authority	County of Hawai'i, Planning Department Alex Roy, (808) 961-8140, planning@hawaiicounty.gov 101 Pauahi Street, Suite 3, Hilo, HI 96720
Applicant	Kamehameha Schools; Kawaiaha'o Plaza, 567 S. King Street, Honolulu, HI 96813 Emily Davids, (808) 534-3841, keauhoubay@ksbe.edu
Consultant	G70; 111 S. King St., Suite 170, Honolulu, HI 96813 Kawika McKeague, (808) 523-5866, keauhoubay@g70.design
Status	Administrative 30-day public review and comment period starts. Comments are due by April 22, 2022. Please send comments to the approving agency/accepting authority and copy the applicant and the consultant. A virtual EIS Public Scoping meeting will be held via zoom on Monday, April 11, 2022; connect at: https://g70design.zoom.us/j/89816255216

Kamehameha Schools (KS) proposes the Keauhou Bay Management Plan (KBMP) on approximately 29 acres at Keauhou Bay. KS plans to reinvigorate and transform the Keauhou Bay area to become a place where culture and education is celebrated and highlighted amidst viable commercial operations, which are essential to fund the cultural and educational programming within the immediate area. The KBMP proposes to reorient commercial activities away from culturally sensitive areas to alleviate congestion and establish a new place-based cultural educational center. Existing commercial operations and parking areas will be relocated to new facilities in more appropriate locations away from cultural resources. The KBMP will also create a new boutique resort on the resort-zoned plateau mauka of the bay. The new reconfiguration will focus on place-based cultural stewardship, enhance and encourage bayfront access for kama'āina and kupa'āina, and promote high quality educational experiences for all.

Kawaihae Road, Replacement of Waiaka Bridge and Realignment of Approaches--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 Kohala
TMK(s)	(3) 6-5-001:015 and :033; 6-6-001:011 and :077; and the right-of-way for Kawaihae Road and Kohala Mountain Road
Permit(s)	HRS6E-8 Review, National Pollutant Discharge Elimination System, Community Noise Permit, Community Noise Variance, U.S. Army Corps of Engineers Section 404 and Section 10, Section 401 of the Clean Water Act, Stream Channel Alteration Permit, NEPA, Section 106 of the NHPA, Section 7 of the ESA, CZM, State of Hawaii Disability and Communications Access Board Review / Approval, County of Hawaii Grading, Grubbing, and Stockpiling Permit
Proposing/ Determining Agency	State of Hawai'i, Department of Transportation Andrew Hirano, (808) 692-7546, andrew.j.hirano@hawaii.gov 601 Kamokila Blvd. #688, Kapolei, HI 96707
Consultant	WSP USA Inc.; 1001 Bishop Street, Suite 2400, ASP Tower, Honolulu, HI 96813 Darin Chinen, (808) 566-2252, Darin.chinen@wsp.com
Status	Statutory 30-day public review and comment period starts. Comments are due by April 22, 2022. Please send comments to the proposing/determining agency and copy the consultant.

The State of Hawai'i Department of Transportation (HDOT) Highways Division proposes to replace the existing Waiaka Stream Bridge with a new bridge that would be approximately 53 feet wide and up to 80 feet long to accommodate two travel lanes, one in each direction, a roadway shoulder or bike lane, and raised sidewalk. In addition, the roadway approaches to the bridge would be realigned to create a smooth transition to the replacement bridge. The intersection of Kawaihae Road and Kohala Mountain Road would be reconfigured to a roundabout.

O'AHU

Waimānalo Research Station Master Plan--Draft EA (AFNSI) Vol 1 and Vol 2

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	Ko'olaupoko
TMK(s)	(1) 4-1-008:103 and :005
Permit(s)	Construction and building permits
Proposing/ Determining Agency	University of Hawai'i at Mānoa, College of Tropical Agriculture and Human Resources (CTAHR) Thomas Lim, (808) 956-7429, tlim@hawaii.edu 3050 Maile Way, Gilmore Hall 214B, Honolulu, HI 96822
Consultant	HHF Planners; 733 Bishop Street, Suite 2590, Honolulu, HI 96813 Leslie Kurisaki, (808) 457-3182, lkurisaki@hhf.com
Status	Statutory 30-day public review and comment period starts. Comments are due by April 22, 2022. Please send comments to the proposing/determining agency at lkurisaki@hhf.com

The UH College of Tropical Agriculture and Human Resources (CTAHR) has prepared a master plan for 283 acres in Waimānalo, located adjacent to the existing Waimānalo Research Station (WRS). The property is the site of the former Meadow Gold Dairies and will be leased from the State Department of Land and Natural Resources. The master plan represents CTAHR's 20+ year vision for the property. The Project Area will be an extension of the existing WRS, and be used to support CTAHR's Cooperative-Extension, research, and educational activities. There will be 3 primary land uses: 1) Animals/livestock; 2) Plants; and 3) Forestry. Another use may be an Education Center near the Waikupanaha Street entry. An archaeological/cultural preserve will be designated around Pueo Heiau and will include a publicly accessible area for community-driven and sponsored projects. The location and acreage of the master plan land uses are flexible, and may be modified in response to future needs and priorities.

Iwilei Infrastructure Improvement Master Plan and Liliha Civic Center Master Plan--(EIS Preparation Notice)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds (4) Propose any use within any historic site as designated in the National Register or Hawai'i Register
District(s)	Honolulu
TMK(s)	Numerous (see document)
Permit(s)	Building Permits, Grading Permits, Trenching Permits, Sewer Connection Permits, TOD Special District Permits, Street Usage Permits, NPDES Permits, Noise Permits, Lane Use/Occupancy Permits
Proposing/ Determining Agency	State of Hawai'i; Hawai'i Housing Finance and Development Corporation Claude Allen, (808) 587-0524, claudew.allen.jr@hawaii.gov 677 Queen Street, Suite 300, Honolulu, HI 96813
Accepting Authority	State of Hawai'i, Office of the Governor The Honorable David Ige, (808) 586-0034, https://governor.hawaii.gov/contact-us/contact-the-governor/ 415 South Beretania Street, Executive Chambers, State Capitol, Honolulu, HI 96813
Consultant	PBR HAWAII & Associates, Inc; 1001 Bishop Street, Suite 650, Honolulu, HI 96813 Tom Schnell, (808) 521-5631, sysadmin@pbrhawaii.com
Status	Administrative 30-day public review and comment period starts. Comments are due by April 22, 2022. Please send comments to the accepting authority at sysadmin@pbrhawaii.com A virtual EIS Public Scoping meeting will be held via zoom on April 14th, 2022 from 6:00pm to 8:00pm; connect at: https://zoom.us/j/94554967228

Iwilei Master Plan Area: The Iwilei Infrastructure Master Plan will focus on infrastructure facilities that serve regional or area-wide scales and public investments required to advance Transit-Oriented Development (TOD) based on the City and County of Honolulu (City) Kalihi and Downtown Neighborhood TOD Plans. Anticipated development for the area includes a shift to higher density housing and mixed-use development over the next 30 to 50 years or longer. The Iwilei Infrastructure Master Plan will identify phasing and associated costs for improvements to the existing sewer, water, drainage, storm water quality, roadways, and circulation, electrical and communications systems, public schools, and sustainability and district systems.

Liliha Civic Center Site: The Liliha CC site is being considered for development/redevelopment that may include offices and space for State programs, new affordable housing, commercial/retail uses, and/or open space.

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.

Kim Residence in Kahala

District(s)	Honolulu
TMK(s)	(1) 3-5-058: 011
Permit(s)	Special Management Area Use Permit, Minor Shoreline Structure, Building, Grading Permits
Approving Agency	City and County of Honolulu, Department of Planning and Permitting Alex Beatty, (808) 768-8032, abeatty@honolulu.gov 650 S King St, 7th fl, Honolulu, HI 96813
Applicant	Kristan Eiserloh, for David Kim; 1063 Ikena Circle, Honolulu, HI 96821 (808) 777-9968, kris@eiserloharchitects.com
Consultant	same as Applicant
Status	Statutory 30-day public review and comment period starts. Comments are due by April 22, 2022. Please click on title link above to read the document, then send comments to the approving agency and copy the applicant.

The proposed Project includes the demolition and reconstruction of a single-family dwelling located on a shoreline lot at the end of Kaimoku Place. The Project parcel is a shoreline lot within the Special Management Area, and contains an existing seawall and other development within the shoreline setback area. The proposed dwelling contains over 7,500 square feet of floor area. The Project also involves various other activities associated with the redevelopment of the new dwelling and pool, including partial demolition and filling of the existing pool within the shoreline setback area.

Stiles Residence in Waialua

District(s)	Waialua
TMK(s)	(1) 6-7-013:034
Permit(s)	Special Management Area Use Permit, Building Permit, Individual Wastewater System Approval
Approving Agency	City and County of Honolulu, Department of Planning and Permitting Zack Stoddard, (808) 768-8019, zachary.stoddard@honolulu.gov 650 S King St, 7th fl, Honolulu, HI 96813
Applicant	Ken Stiles; 2895 Kalakaua Avenue, Apartment 1705, Honolulu, HI 96815 (917)603-1392, kstiles@byrequestct.com
Consultant	Ryan Facer; 67-431 Waialua Beach Road, Waialua, HI 96791 (949) 228-6740, ryan.g.facer@gmail.com
Status	Statutory 30-day public review and comment period starts. Comments are due by April 22, 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.

Applicant Ken Stiles is proposing a new single-family dwelling on a 20,001-square-foot lot within the R-5 Residential District in Waialua. The Applicant owns the makai half of the lot, where the new dwelling is proposed. The mauka half of the lot has a separate landowner and is developed with a single-family dwelling. The development requires approval of a Special Management Area Use Permit from the Honolulu City Council.

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 initial agency letter.

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

COMMENTS DUE APRIL 7, 2022

HAWAI'I

[Hilo Medical Center Expansion--Draft EA \(AFNSI\)](#)

O'AHU

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

[Ka'iwa Ridge Trail Improvements and Management Plan--Draft EA \(AFNSI\)](#)

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: keelan.mk.barcina@hawaii.gov

Hono'uli'uli Invasive Mangrove Removal, Pearl Harbor, O'ahu

Proposed Action: The DLNR-DAR proposes to restore the coastal estuarine and wetland pond habitat at the lower reaches and mouth of Hono'uli'uli Stream, and the adjacent shoreline along West Loch, Pearl Harbor over a 24-month period. The proposed action includes restoration through the removal of mangroves and other non-native vegetation using hand tools and heavy equipment; planting of native plants; maintaining restored sites; and non-native predator control. Wildlife, water quality, and hydrological monitoring; and community engagement will also be conducted throughout the project period. The proposed action is expected to result in 21-acres of restored estuarine and wetland habitat, improved water quality, and increased public engagement and stewardship at the project site.

Applicant: State of Hawai'i, Department of Land and Natural Resources, Division of Aquatic Resources

Federal Action: Federal Assistance (funding) from U.S. Fish & Wildlife Service

CZM Contact: Keelan Barcina, (808) 587-2803, keelan.mk.barcina@hawaii.gov

Comments Due: April 6, 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: Punalu'u (9-5-019: 011, 015, 024, 026, 030, 031, 033, 035; 9-6-001: 001-003, 006, 011-013; 9-6-002: 008, 037, 038, 041 & 053)	Repairs, Maintenance, and Land and Resource Management Activities (PL-SMM-2022-000015)	Black Sand Beach, LLC
Maui: Kahului (3-8-007: 127)	Maui Arts & Cultural Center Photo-Boltaic Array Addition (SM2 20200086)	Maui Arts & Cultural Center
Maui: Kihei (3-9-028: 038)	After-the-Fact Covered Lanai/Replace Existing Roof (SM2 20220006)	Nick Wagner
Maui: Kihei (2-1-008: 156)	Lot 1 Wailea Golf Estates II (SM2 20220016)	CDG Maui, Inc
Maui: Lahaina (4-6-008: 006)	Lahaina Restoration Foundation Movies in the Park (SM2 20220017)	Lahaina Restoration Foundation
O'ahu: Kailua (4-4-034: 024)	Kalaheo High School Hawaiian Hale (2022/SMA-3)	Mason Architects, Inc./Elena Brown
O'ahu: Kailua (4-2-014: Portion of 004)	Emergency Generator Replacement at an Existing Utility Installation, Type B (2022/SMA-6)	AT&T Mobility/Environmental Science International, Inc.
O'ahu: Makaha (8-4-004: 020)	Cook Residence – New Wall (2022/SMA-12)	Kim and Raymond Cook

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-1982	1226a Mokulua Dr., O'ahu 96734	(1) 4-3-005: 056	Austin Tsutsumi & Associates	Hale Mokulua LLC
MA-774	89 Aleiki Place, Maui 96779	(2) 2-6-011: 016	Ailana Surveying & Geomatics, LLC	Michael & Jodi Ottman and Coral Reef Ventures LLC
HA-622	59-111 Pakuikui Place, Hawai'i	(3) 5-9-016: 023	Wes Thomas Associates	Malino Ke Kai Properties LLC, Attn. David Johnson
HA-623	address not assigned, Hawai'i	(3) 8-7-019: 030	Wes Thomas Associates	David Chong c/o Matthew R. Kilgore
KA-466	No address available, Kaua'i	(4) 1-2-013: 001	Roger M. Caires	Roger M. Caires

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
OA-1964	Proposed	126 S. Kalaheo Avenue, O‘ahu 96734	(1) 4-3-012: 030	Wesley T. Tengan	Wey Investments F Series
OA-1978	Proposed	55-559 Kamehameha Hwy, O‘ahu 96762	(1) 5-5-003: 018	Leaps & Boundaries, Inc.	LFR Development V, LLC
MA-770	Proposed	22 and 23 Wa‘a Place, Maui 96779	(2) 2-6-011: 023 & 024	Ailana Surveying & Geomatics, LLC	Tatiana Botton (parcel 024) & Mark Freiborg (parcel 023)
MA-773	Proposed	Keanae District, Maui 96713	(2) 1-1-003: 074	Action Survey LLC	Bruce Dunbar
LA-028	Proposed	State Highway #44, Lāna‘i	(2) 4-9-002 por. 001 & 4-9-003: 010	R.M. Towill	Lanai Resorts, LLC
LA-029	Proposed	Kaunolu Trail, Lāna‘i	(2) 4-9-002: por. 001	R.M. Towill	Lanai Resorts, LLC
HA-618	Proposed	76-6174 B & 76-6174 C Ali‘i Dr., Hawai‘i	(3) 7-6-017: 040 & por. 028	Wes Thomas Associates	Kona Beach Creations, LLC
OA-1952	Rejection	68-415 Crozier Drive, O‘ahu 96786	(1) 6-8-005: 002	R.M. Towill Corporation	Michelle K. Ho Trust

NATIONAL HISTORIC PRESERVATION ACT, SECTION 106 CONSULTATIONS

[BMP Improvements at Various Refuse Transfer Stations on Kaua‘i](#)

Island	Kaua‘i
District(s)	Hanapēpē Ahupua‘a, Waimea District; Hanamā‘ulu Ahupua‘a, Līhu‘e District; Kapa‘a Ahupua‘a, Kawaihau District; Kalihikai Ahupua‘a, Hanalei District
TMK(s)	(4) 1-8-008; (4) 3-7-002; (4) 4-6-012; (4) 5-3-001 and -008
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	Jacobs; 1132 Bishop St, Suite 1100, Honolulu, HI 96813 Jessica Burdick, (808) 228-9909, Jessica.Burdick@jacobs.com
Status	Comments due no later than April 8, 2022 to Approving agency at wwb@doh.hawaii.gov

The Department of Health (DOH) initiated Section 106 of the NHPA consultation with the State Historic Preservation Division (SHPD) 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 is providing funding under the CWSRF to the County of Kaua‘i for the BMP Improvements at Various Refuse Transfer Stations. The proposed project will utilize federal funding and 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 includes upgrading facilities at four refuse transfer stations: Hanapēpē Refuse Transfer Station, Līhu‘e Refuse Transfer Station, Kapa‘a Refuse Transfer Station, and Hanalei Refuse Transfer Station and improving site conditions related to stormwater conveyance and segregation of water flows to enhance compliance with the National Pollutant Discharge Elimination System (NPDES) regulations at these four refuse transfer stations.

The project’s design efforts intend to get the sites in full compliance with NPDES stormwater guidance for Type B (Industrial Activities) sites. The design improvements will reduce the water collection in these discrete areas at these sites, which is being remedied by the project. *(Continued on next page)*

NATIONAL HISTORIC PRESERVATION ACT, SECTION 106 CONSULTATIONS (CONTINUED)

(continued from page 8)

The site improvements will generally address issues noted in past compliance inspections, reports, and other documentation and will include improvements to the following:

- Concrete pad and tipping floor areas for disposal operations.
- Drop-off areas with roll-off and recycling bins.
- Retaining walls, containment curbs, and berms.
- Truck wash areas.
- Storage and queuing areas, including the installation of pre-engineered metal canopies for the industrial operations at the facilities.
- Stormwater conveyance infrastructure through the incorporation of low-impact development (LID) features, including bioswales and rock-lined channels.
- Installation of a new leachate-collection system including leachate storage tanks.
- Electrical service required for the installation of lighting and security features.

The DOH has engaged SHPD to determine the presence of potential sites of historic importance within the vicinity of the project area as well as the potential impact of the project on such sites, if present.

North Kihei Mauka Transmission System

Island / Districts	Maui / Waiohuli Ahupua‘a, Wailuku and Makawao (Kula) District
TMK(s)	Numerous (see document)
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	Munekiyo Hiraga; 305 High Street, Suite 104, Wailuku, HI 96793 Kari Luna Nunokawa, (808) 244-2015, Kari@munekiyohiraga.com
Status	Comments due no later than April 8, 2022 to Approving agency at wwb@doh.hawaii.gov

The Department of Health (DOH) initiated Section 106 of the NHPA consultation with the State Historic Preservation Division (SHPD) 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 is providing funding under the CWSRF to the County of Maui for the North Kihei Mauka Transmission System. The proposed project will utilize federal funding and 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 will include replacing the gravity sewer line to Wastewater Pump Station (WWPS) No. 3 with a larger pipe; replacing the gravity sewer lines to WWPS No. 4 with larger pipes; installing a new force main starting at WWPS No. 4 that heads south on South Kihei Road, turns east on Pi‘ikea Avenue, turns south on Liloa Drive, and transitions to a gravity sewer line for 500 feet (ft) until it reaches a new proposed WWPS near the Kihei Aquatic Center; constructing a new WWPS at the Lipoa Street and Liloa Drive intersection; and installing a second new force main that heads south on Liloa Drive and continues on to the Kihei Wastewater Reclamation Facility.

In addition, the proposed project will also involve improvements to WWPS Nos. 2, 3, 4, and 5. Pump station upgrades work will entail replacing the existing dry well pumps with wet well submersible pumps and resizing them to accommodate anticipated future flows. The electrical systems and controls will also be replaced to match other upgraded County WWPSs. The improvements to the WWPSs are a process the County is working towards to standardize their facilities. Depending upon the existing conditions of each WWPS, building improvements may be necessary. All improvements at the existing WWPSs will occur within existing developed areas of the parcel.

The DOH has engaged SHPD to determine the presence of potential sites of historic importance within the vicinity of the project area as well as the potential impact of the project on such sites, if present.

NATIONAL HISTORIC PRESERVATION ACT, SECTION 106 CONSULTATIONS (CONTINUED)

Kīhei No. 7 Force Main Replacement

Island/District	Maui / Kama'ole Ahupua'a, Makawao District (Traditional District of Kula)
TMK(s)	(2) 3-9-005:030 and 999 (South Kīhei Road ROW)
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	R T Tanaka Engineers Inc.,; 871 Kolu St #201, Wailuku, HI 96793 Kirk Tanaka, (808) 242-6861, mail@tanakaeng.com
Status	Comments due no later than April 22, 2022 to Approving agency at wwb@doh.hawaii.gov

The original NHPA Section 106 notice was published in *The Environmental Notice* on January 23, 2022. Because there were typographical errors in the previous NHO distribution list, the original letter dated January 14, 2022 with the updated NHO distribution list is being republished.

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 is providing funding under the CWSRF to the County of Maui for the Kīhei No. 7 Force Main Replacement. The proposed project will utilize federal funding and 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 undertaking consists of replacing the force main at Kīhei No. 7 pump station located in Kama'ole Ahupua'a, Makawao District, Island of Maui. The project consists of replacing the existing 20-inch ductile iron force main with a new 20-inch PVC force main that will be constructed in parallel along the same corridor. The new 20-inch force main extends approximately 1,550 linear feet along South Kīhei Road, starts from the Kīhei No. 7 Pump Station near Kama'ole Beach Park No. 1, and reconnects to the existing sewer system near Kaiiau Place. The entirety of the project is within the South Kīhei Road paved roadway except for a small portion which is contained within the Kīhei No. 7 Pump Station site. The DOH has engaged SHPO to determine the presence of potential sites of historic importance within the vicinity of the project area as well as the potential impact of the project on such sites, if present.

Kīhei No. 8 Force Main Replacement

Island/District	Maui / Kama'ole Ahupua'a, Makawao District (Traditional District of Kula)
TMK(s)	(2) 3-9-004:142 and 999 (South Kīhei Road ROW)
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	R T Tanaka Engineers Inc.,; 871 Kolu St #201, Wailuku, HI 96793 Kirk Tanaka, (808) 242-6861, mail@tanakaeng.com
Status	Comments due no later than April 22, 2022 to Approving agency at wwb@doh.hawaii.gov

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NATIONAL HISTORIC PRESERVATION ACT, SECTION 106 CONSULTATIONS (CONTINUED)

(Continued from page 10)

The undertaking consists of replacing the force main at Kīhei No. 8 pump station located in Kama'ole Ahupua'a, Makawao District, Island of Maui. The project consists of replacing the existing 18-inch ductile iron force main with a new 18-inch PVC force main that will be constructed in parallel along the same corridor. The new 18-inch force main extends approximately 2,000 linear feet along South Kīhei Road, starts from the Kīhei No. 8 Pump Station near Kilohana Drive, and reconnects to the existing sewer system near the Kīhei Boat Ramp driveway. The entirety of the project is within the South Kīhei Road paved roadway except for a small portion which is contained within the Kīhei No. 8 Pump Station site. The DOH has engaged SHPO to determine the presence of potential sites of historic importance within the vicinity of the project area as well as the potential impact of the project on such sites, if present.

FEDERAL NOTICES

As a courtesy, listed below are some relevant summarized 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.

Rule: [Approval of State Underground Storage Tank Program Revisions; Hawaii](#) (published by the Environmental Protection Agency on 03/07/2022)

Hawaii has applied to the Environmental Protection Agency (EPA) for updated approval of changes made to its Underground Storage Tank Program under the Resource Conservation and Recovery Act, as amended, since the previous approval of Hawaii's Underground Storage Tank Program in September 2002. The EPA has reviewed Hawaii's application and has determined that these changes satisfy all requirements needed to qualify for the requested updated approval. The EPA is correcting one citation identified as a result of public comment received on the proposal to approve Hawaii's Underground Storage Tank Program that was published in August 2020. All other aspects of the August 2020 proposed State Program Approval remain the same. Therefore, the EPA is granting final approval to the State of Hawaii to operate its Underground Storage Tank Program for petroleum and hazardous substances. This final approval is effective at 1:00 p.m. HST March 7, 2022.

Notice: [Pacific Island Fisheries; Experimental Fishing Permit](#) (published by NOAA on 03/18/2022)

NMFS is issuing an experimental fishing permit (EFP) to the Hawaii Longline Association to evaluate the risk of seabird interactions in the Hawaii shallow-set longline fishery when setting fishing gear one hour before and one hour after local sunset and using tori lines instead of required blue-dyed bait & strategic offal discharge as seabird mitigation measures. The intent of the EFP is to conduct a preliminary evaluation of potential alternative effective methods of discouraging seabird interactions while providing operational flexibility during setting in the shallow-set longline fishery. The EFP is authorized through Sept. 24, 2023.

Notice: [Pacific Island Pelagic Fisheries; False Killer Whale Take Reduction Plan; Trigger for the Southern Exclusion Zone Closure Met in 2021](#) (published by the National Oceanic and Atmospheric Administration on 03/08/2022)

In 2021, four observed mortalities or serious injuries (M&SI) of false killer whales occurred incidental to the Hawaii deep-set longline fishery within the U.S. Exclusive Economic Zone (EEZ) around Hawaii on January 18, 2021, March 26, 2021, April 17, 2021, and November 19, 2021. These M&SI met the established annual trigger of four observed M&SI for closing the Southern Exclusion Zone (SEZ) to deep-set longline fishing under the False Killer Whale Take Reduction Plan (Plan) regulations. In accordance with the Plan regulations a closure of the SEZ is required through the end of the fishing year. Because the injury determination for the fourth interaction meeting the trigger was not available until January 2022, the timeframe for closing the SEZ in 2021 had passed, and the SEZ was not closed. In accordance with the Plan regulations, the requirements for closure of the SEZ were met in 2021, therefore, if the trigger is met in 2022, the process for closure of the SEZ will follow the procedures described in the Plan regulations. **Comments on this notice must be received by April 7, 2022.**

Notice: [Review of Nomination for Mariana Trench National Marine Sanctuary](#) (published by the National Oceanic and Atmospheric Administration on 03/10/2022)

On January 21, 2022, NOAA published a notice in the Federal Register requesting written and oral comments to facilitate ONMS' five-year review of the nomination for the Mariana Trench National Marine Sanctuary (NMS) at the five-year interval. In that notice, NOAA requested relevant information as it pertains to its 11 evaluation criteria for inclusion in the inventory. During the public comment period, NOAA received requests for an extension to the comment period. This notice reopens the public comment period by an additional 45 days. **Written comments must be received by April 25, 2022.** Comments submitted through the Federal eRulemaking Portal must be received by 11:59 p.m. Eastern Time on the closing date. **NOAA will conduct a virtual meeting on Wednesday, March 30, 2022, from 4 p.m.-7 p.m. HST (Hawai'i).** Webinar registration details and additional information about how to participate in the public scoping meeting is available at <https://nominate.noaa.gov/5-year-review.html>

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).