



The Environmental Notice

April 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.



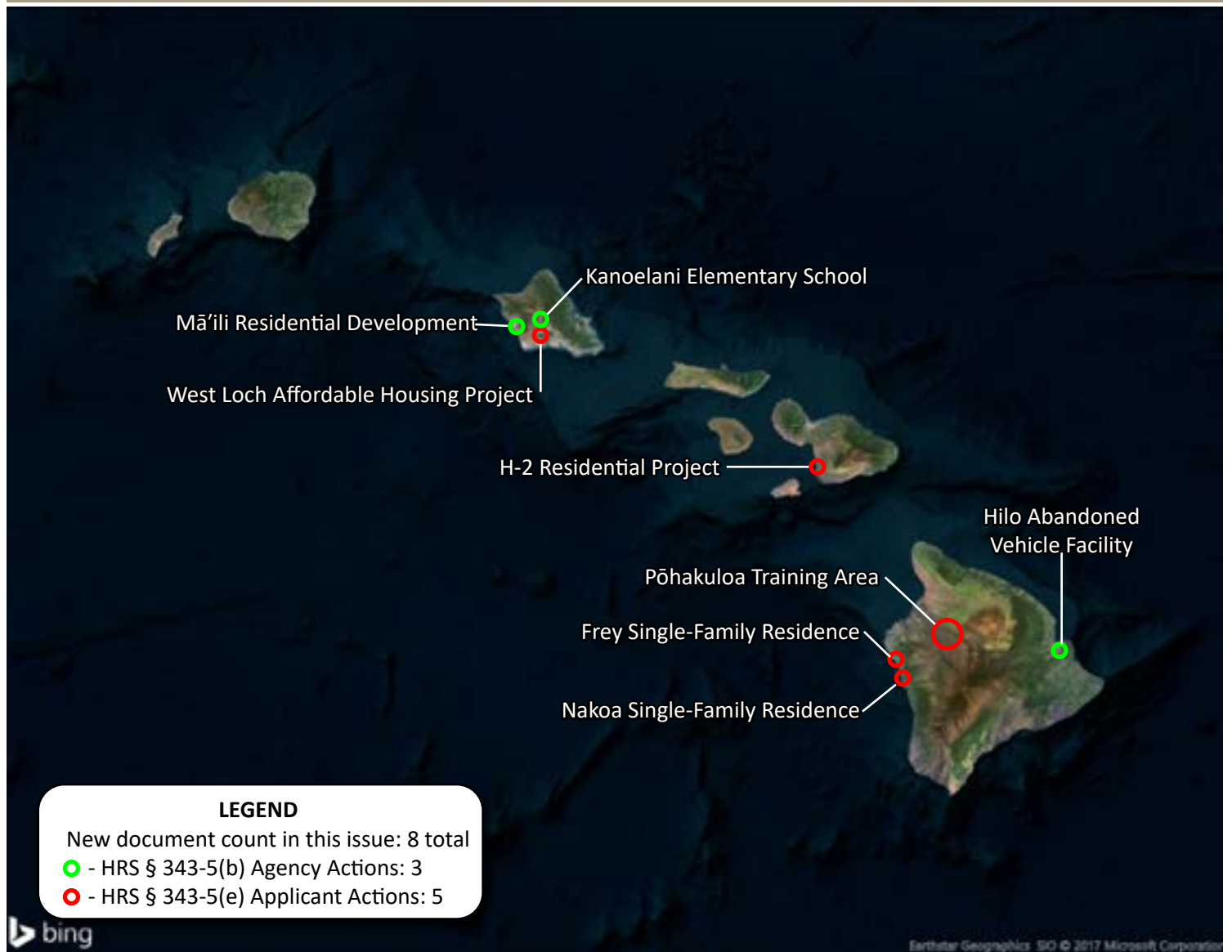
The U.S. Army is proposing to retain the use of the State-owned portion of Pōhakuloa Training Area on the Big Island for continued military training

Photo from the [Draft EIS for the project](#)

TABLE OF CONTENTS

STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS & DETERMINATIONS	2	CHAPTER 25, REVISED ORDINANCES OF HONOLULU	
HAWAII		58-2 Makaanale Single-Family Residences--Final EA (FONSI)	7
Army Training Land Retention at Pōhakuloa Training Area--Draft EIS	3	Wailehua I Single-Family Residences--Final EA (FONSI)	7
Hilo Abandoned Vehicle Facility--Draft EA (AFNSI)	3	PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT	8
Frey Single-Family Residence--Draft EA (AFNSI)	4	LISTS OF EXEMPTION NOTICES	8
Nakoa Single-Family Residence at Honalo--Draft EA (AFNSI)	4	EXEMPTION DECLARATION	8
MAUI		USE OF PRIOR DETERMINATION	8
H-2 Residential Project at Mākena--Final EA (FONSI)	5	COASTAL ZONE MANAGEMENT NOTICES	
O'AHU		Federal Consistency Reviews.....	9
West Loch Affordable Housing Project--Draft EA (AFNSI)	5	Special Management Area (SMA) Minor Permits.....	10
Mā'ili Residential Development at former Voice of America site--Draft EA (AFNSI)	6	SHORELINE NOTICES	
Kanoelani Ele School Shade Structure--Final EA (FONSI)	6	Applications for Shoreline Certification.....	9
		Proposed Shoreline Certifications and Rejections.....	10
		FEDERAL NOTICES	11
		GLOSSARY OF TERMS AND DEFINITIONS	12

STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS & DETERMINATIONS



HAWAII

[Army Training Land Retention at Pōhakuloa Training Area--Draft EIS Vol I, Vol II and scoping meeting comments](#)

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)	Hawai'i-multiple
TMK(s)	(3) 4-4-015:008; 4-4-016:005; 7-1-004:007; 3-8-001:013 & 022
Permit(s)	Numerous (see document)
Approving Agency	State of Hawai'i, Department of Land and Natural Resources Russell Tsuji, (808) 587-0419, dlnr.land@hawaii.gov
Applicant	U.S. Army Garrison-Hawaii Michael Donnelly, (808) 656-3160, usarmy.hawaii.nepa@army.mil U.S. Army Garrison Hawaii, Directorate of Public Works - Environmental 948 Santos Dumont Avenue, Building 105, 3rd Floor, Wheeler Army Airfield, Schofield Barracks, HI 96857-5013
Consultant	G70; 111 S. King Street, Suite 170, Honolulu, HI 96813 Jeff Overton, (808) 523-5866, ATLR-PTA-EIS@g70.design
Status	Statutory public review and comment period starts. Pursuant to HRS Chapter 343 ("HEPA"), the 45-day comment period runs through May 23, 2022; however, since this is a joint HEPA-NEPA document, the Applicant will accept comments through June 7, 2022 . Please send comments to the approving agency at http://atlrptaeis.commentinput.com

The Pōhakuloa Training Area (PTA) on Hawai'i Island encompasses approximately 132,000 acres of U.S. Government-owned and State-owned land. The U.S. Government leases approximately 23,000 acres at PTA from the State of Hawai'i. The 65-year lease expires on August 16, 2029. The Army proposes to retain up to 23,000 acres of State-owned land in support of continued military training. The retention will preserve maneuver area, provide austere environment training, enable access between major parcels of U.S. Government-owned land, retain infrastructure investments, allow for future modernization, and maximize use of the impact area. Loss of this land would impact the ability of the Army to meet training requirements and its mission of readiness. The Proposed Action is a real estate action that would enable continuation of ongoing activities. It does not include construction or changes in ongoing activities. A Notice of Availability for this action will be published in the Federal Register.

[Hilo Abandoned Vehicle 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)	South Hilo
TMK(s)	(3) 2-1-013:167 (portion)
Permit(s)	Various (see document)
Proposing/Determining Agency	County of Hawai'i, Department of Environmental Management Gene Quiamas, (808) 961-8270, Gene.Quiamas@hawaiicounty.gov 345 Kekūānāo'a Street, Suite 41, Hilo, HI 96720
Consultant	Wilson Okamoto Corporation; 1907 South Beretania Street, Suite 400, Honolulu, HI 96826 Rebecca Candilasa, (808) 946-2277, rcandilasa@wilsonokamoto.com
Status	Statutory 30-day public review and comment period starts. Comments are due by May 9, 2022 . Please click on title link above to read the document, then send comments to the proposing/determining agency and copy the consultant.

The County of Hawai'i, Department of Environmental Management (DEM) is proposing to improve the existing abandoned vehicle impound lot located next to the East Hawai'i Regional Sort Station (EHRSS) in Hilo. The Proposed Action consists of constructing a 5,000-sf single story, pre-engineered metal building that would store about 25 "auctionable" vehicles with additional space for 4 staff offices, a reception area, restrooms, a conference/lunchroom, and other administrative support spaces. The existing AV lot would be expanded to hold about 100 impounded vehicles and would include parking spaces for staff and visitor vehicles. Other proposed site improvements include a paved access driveway, additional pavement for the expanded vehicle lot, a new water line and other utility connections, an individual wastewater system, an on-site drainage system, additional security fencing for the expanded lot, and a surveillance system.

HAWAII (CONTINUED)

Frey Single-Family Residence--Draft EA (AFNSI)

HRS §343-5(a) Trigger	(3) Propose any use within a shoreline area
District(s)	North Kona
TMK(s)	(3) 7-5-019:020
Permit(s)	Special Management Area Use Permit, Shoreline Setback Variance, Building Permit, Plan Approval, Grading & Grubbing Permits
Approving Agency	County of Hawai'i, Planning Department Alex Roy, (808) 961-8288, alex.roy@hawaiicounty.gov 101 Pauahi St., Suite 3, Hilo, HI 96720
Applicant	Gregg Frey; P.O. Box 2767, Issaquah, WA 98027 (808) 333-3393, gwfrey57@gmail.com
Consultant	Land Planning Hawaii LLC; 194 Wiwo'ole St., Hilo, HI 96720 Katrina Kern, (808) 333-3393, katrina@landplanninghawaii.com
Status	Statutory 30-day public review and comment period starts. Comments are due by May 9, 2022. Please click on title link above to read the document, then send comments to the approving agency at planning@hawaiicounty.gov and copy the applicant and the consultant.

The applicant is requesting a Shoreline Setback Variance (SSV) for the proposed project to allow construction of the residence and related development up to a 20-foot shoreline setback boundary. The proposed project involves the construction of a 2,024 square foot single-family residence with three (3) bedrooms and two and a half (2 ½) bathrooms, a kitchen, living/dining room, porte cochere with two (2) parking spaces, a pool and decks. Electricity will be provided to the home through Hawai'i Electric Light Company, Inc. (Hawai'i Electric) and water through an existing 5/8-inch waterline provided by the Department of Water Supply (DWS). The home will connect to the County sewer system.

Nakoa Single-Family Residence at Honalo--Draft EA (AFNSI)

HRS §343-5(a) Trigger	(2) Propose any use within any land classified as a conservation district
District(s)	North Kona
TMK(s)	(3) 7-9-005:012
Permit(s)	State: Conservation District Use Permit; County: building/grading permit; wastewater system approval; water well permit
Approving Agency	State of Hawai'i, Department of Land and Natural Resources Rachel Beasley, (808) 798-6481, rachel.e.beasley@hawaii.gov 1151 Punchbowl Street # 131, Honolulu, HI 96813
Applicant	Walter Kaleo O Kalani Nakoa; c/o: Cades Schutte LLP, 75-170 Hualalai Road Suite B-303, Kailua-Kona, HI 96740 c/o: Roy Vitousek, (808) 329-5811, rvitousek@cades.com
Consultant	Cades Schutte LLP; 75-170 Hualalai Road Suite B-303, Kailua-Kona, HI 96740 Roy Vitousek, (808) 329-5811, rvitousek@cades.com
Status	Statutory 30-day public review and comment period starts. Comments are due by May 9, 2022. Please click on title link above to read the document, then send comments to the approving agency and copy the consultant.

The applicant proposes to construct a single story, post and pier foundation single-family residence (SFR) that will occupy a building footprint of 1,600 sq. ft. and accessory structures to total 245 sq. ft. Total proposed SFR and associated improvements are 1,845 sq. ft. This is an approximately .17-acre (7,405 sq. ft.) property. This is a kuleana parcel which was designated as Land Commission Award (LCA) 8575:2. This property is not oceanfront; it's makai boundary is approximately 115 feet inland from the shoreline. The most seaward portion of the home is proposed approximately 130 feet inland from the makai property boundary. The applicant is requesting a variance from the 15-foot minimum setback for lots under one acre: 13.5-foot setback is requested for the entire SFR. This requested variance is due to lot shape and site characteristics, such as to avoid archaeological site disturbance.

MAUI

H-2 Residential Project at Mākena--Final EA (FONSI) Vol I, Vol II and Vol III

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	Makawao
TMK(s)	(2)2-1-005:085 & 120 (por.)
Permit(s)	Department of Health Community Noise Permit, as applicable; National Pollutant Discharge Elimination System (NPDES); Real Estate Commission Condominium Registration; Department of Health, Non-Potable Irrigation System Approval; Special Management Area (SMA) Use Permit; Construction Permits (Building, Grading, Electrical, Plumbing); and Work on County Highway Permit
Approving Agency	County of Maui, Department of Planning (for the Maui Planning Commission) Ann Cua, (808) 270-7735, Ann.Cua@co.maui.hi.us 2200 Main Street, One Main Plaza, Suite 315, Wailuku, HI 96793
Applicant	H2R, LLC; 2005 Main Street, Wailuku, HI 96793 Leilani Pulmano, (808) 270-5936, leilanip@pacificrimland.com
Consultant	Munekiyo Hiraga; 305 High Street, Suite 104, Wailuku, HI 96793 Yukino Uchiyama, (808) 983-1233, planning@munekiyohiraga.com
Status	Finding of No Significant Impact (FONSI) determination

H2R, LLC proposes a residential project and related improvements on approximately 28 acres of land identified as TMK (2)2-1-005:085 (Parcel 85) and a portion of 120 (Parcel 120) at Mākena, Maui. The proposed project will consist of up to 53 single-family condominium lots, beach parking lot and related infrastructure improvements. Each individual lot owner will construct a single-family dwelling unit and related accessory buildings located on the same lot, the use of which is customary, incidental, usual, and necessary to that of the main single-family home or to the use of the land and in accordance with approved Design Guidelines. The proposed action also involves installation of a Hawaii Emergency Management Agency siren, extension of bike lanes and sidewalks, water, roadway, electrical, communication, and power pole improvements along Mākena Alanui Road and Mākena-Keone'ō'io Road (public roadways), uses of which trigger the need for a Chapter 343, Environmental Assessment.

O'AHU

West Loch Affordable Housing Project--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)	'Ewa
TMK(s)	(1) 9-1-122: 004
Permit(s)	Numerous (see document)
Approving Agency	City and County of Honolulu, Department of Land Management Cameron Lowry, (808) 768-4294, cameron.lowry@honolulu.gov 558 South King St., Honolulu, HI 96813
Applicant	Komohale West Loch, LLC; 1100 Alakea Street, 27th Floor, Honolulu, HI 96813 Daniel Sandomire, (808) 547-2293, daniel@stanfordcarr.com
Consultant	Environmental Communications, Inc.; P.O. Box 236097, Honolulu, HI 96823 Taeyong Kim, (808) 528-4661, environcom1@gmail.com
Status	Statutory 30-day public review and comment period starts. Comments are due by May 9, 2022. Please send comments to the approving agency and copy the applicant and the consultant.

The primary purpose of the subject project is to develop affordable rental housing in the 'Ewa District in a manner contextual-consistent with the planned development communities already in place or soon to be developed. The proposed project will increase the affordable housing inventory for the City and County of Honolulu in a well suited location on lands available in the City's land inventory. The conceptual design of the subject project represents a development cluster similar in character to the low-density townhome style residential developments located to the north and south of the project site. The cluster of structures are served by on-grade parking throughout the site and a central community center building. Separate entry and exit points are located along Renton Road. A total of 127 residential units will be provided.

O'AHU (CONTINUED)

Mā'ili Residential Development at the former Voice of America site--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) 8-7-010: 030 & 031
Permit(s)	Required and Potential Permits: Department of the Army (DA) Permit; Clean Water Act, Section 401 Certification; National Pollutant Discharge Elimination System (NPDES) Permits; Disability and Communication Access Board review for compliance; Community Noise Permit; Stream Channel Alteration Permit (SCAP); Federal Consistency for Coastal Zone Management; Building Permit; Grading Permit; Trenching Permit; Sewer Connection; Subdivision Application; Surface Runoff from Construction Activities entering into City's Storm Sewer System; Street Usage Permit; Plan Approvals
Proposing/ Determining Agency	State of Hawai'i, Department of Hawaiian Home Lands Darrell Ing, (808) 620-9276, darrell.h.ing@hawaii.gov 91-5420 Kapolei Parkway, Kapolei, HI 96707
Consultant	Gray, Hong, Nojima & Associates, Inc.; 201 Merchant Street, Suite 1900, Honolulu, HI 96813 Toby Hanzawa, (808) 521-0306, thanzawa@grayhongnojima.com
Status	Statutory 30-day public review and comment period starts. Comments are due by May 9, 2022. Please send comments to the proposing/determining agency at thanzawa@grayhongnojima.com

The State of Hawai'i Department of Hawaiian Home Lands (DHHL) is proposing to develop approximately 40 acres of state-owned land as a homestead community in Mā'ili, Wai'anae, O'ahu. This community is envisioned to accommodate approximately 280 single- and multi-family residences which will be offered to beneficiaries of the Hawaiian Homes Commission Act. The long waiting list of over 23,000 residential applicants underscores the extreme urgency to provide needed housing for the native Hawaiian beneficiaries.

Kanoelani Elementary School Shade Structure--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)	'Ewa
TMK(s)	(1) 9-4-115: 023
Permit(s)	Variance from Pollution Control, Disability and Communication Access Board, Chapter 6E Review, Grubbing-Grading-Stockpiling, Building, Waiver (Height and Lot Area), HFD Plan Check
Proposing/ Determining Agency	State of Hawai'i, Department of Education William George, (808) 768-5125, William.george@k12.hi.us 3633 Wai'ala'e Avenue, Honolulu, HI 96816
Consultant	Gerald Park Urban Planner; 95-595 Kaname'e Street #324, Mililani, HI 96789 Gerald Park, (808) 625-9626, gpark@gpup.biz
Status	Finding of No Significant Impact (FONSI) determination

The Department of Education, State of Hawai'i, proposes to construct improvements at Kanoelani Elementary School, District of 'Ewa, O'ahu, Hawai'i. Kanoelani Elementary School is located in the Gentry Waipio residential community in Central O'ahu.

The proposed action will increase the cafeteria capacity to accommodate the growing student population with remote food service and / or a dining facility, A covered structure open on three sides will be constructed. Exterior walls are not proposed except the side facing Building C will be enclosed by a CMU wall. A capacity of 378 students is projected.

Roof runoff from the structure will be piped to an underground stormwater retention system to be constructed on the hillside to the east of the building site. The cost of the project is estimated at \$7.0 million.

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.

58-2 Makaanale Single-Family Residences--Final EA (FONSI)

District(s)	Ko’olauloa (North Shore Sustainable Communities Plan Area)
TMK(s)	(1) 5-8-003: 012
Permit(s)	Special Management Area (SMA) Use Permit; Building Permits; Erosion and Sediment Control Plan; Community Noise Permit; Sewer Connection Permit; Board of Water Supply Plan Approval; Hawaiian Electric Company Plan Approval
Approving Agency	City and County of Honolulu, Department of Planning and Permitting Christi Keller, (808) 768-8087, c.keller@honolulu.gov 650 South King Street, 7th Floor, Honolulu, HI 96813
Applicant	John and Fumie Winebarger; 4-42-15 Daizawa, Setagaya-ku, Tokyo, Japan 155-0032 John Winebarger, +81-90-6493-7711, john.winebarger@ascent-dev.com
Consultant	SWCA Environmental Consultants; 1200 Ala Moana Boulevard, Suite 380, Honolulu, HI 96814 Stephanie Nagai, (808) 892-3432, snagai@swca.com
Status	Finding of No Significant Impact (FONSI) determination

The Project proposes the development of one single-family detached dwelling unit, one two-family detached dwelling unit, two swimming pools, two garages, and landscaping elements on a 37,884-square-foot shoreline lot within the R-5 Residential District and Special Management Area on the North Shore of O’ahu (Project). The site was previously developed with a single-family dwelling, but is currently vacant and occupied with scattered vegetation. Kaunala Stream also runs through the property, and a portion of the property is located within the Coastal High Hazard Area, or Flood Zone VE. The closest structure to the Pacific Ocean is proposed to be set back approximately 90 feet from the certified shoreline, and all structures will be located outside of the Kaunala Stream building setback line.

Wailehua I Single-Family Residences--Final EA (FONSI)

District(s)	Ko’olaupoko
TMK(s)	(1) 4-7-014: 051, 052 and 055
Permit(s)	SMA Use Permit; Building Permits; Development Permits; Street Usage Permit, Occupancy Permit; Community Noise Permit; Individual Wastewater System Permit
Approving Agency	City and County of Honolulu, Department of Planning and Permitting Christi Keller, (808) 768-8087, c.keller@honolulu.gov 650 South King Street, 7th Floor, Honolulu, HI 96813
Applicant	HK Construction, Inc.; 2046 South King Street, Honolulu, HI 96826 Angie Kim, (808) 841-1800, info@hkchawaii.com
Consultant	GK Environmental, LLC; P.O. Box 1310, Honoka’a, HI 96727 Graham Knopp, Principal, (808) 938-8583, gpknopp@gkenvllc.com
Status	Finding of No Significant Impact (FONSI) determination

The overall Project involves the development of 10 zoning lots with 10 single-family detached dwelling units in the Special Management Area in Kahalu’u, O’ahu (Project). Building permits were previously obtained for four of the ten dwelling units. Construction of two of the dwelling units is nearly complete, and two more are in the building permit phase of development. Approval of a SMA Use Permit is required prior to the issuance of building permits for the remaining six dwelling units. A Sub-division application to allow the consolidation and resubdivision of three lots into 10 lots received tentative approval in February, 2021. Other than the two dwelling units already constructed, the majority of the site is currently vacant with overgrown vegetation. The site is in Flood Zone X, and site runoff flows into a drainage along the northern side of the property. The Army Corps determined there are no jurisdictional wetlands on the site.

PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

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

HAWAI'I

[Keauhou Bay Management Plan--\(EIS Preparation Notice\)](#)

[Kawaihae Road, Replacement of Waiaka Bridge and Realignment of Approaches--Draft EA \(AFNSI\)](#)

O'AHU

[Waimānalo Research Station Master Plan--Draft EA \(AFNSI\) Vol 1 and Vol 2](#)

[Iwilei Infrastructure Improvement Master Plan and Liliha Civic Center Master Plan--\(EIS Preparation Notice\)](#)

[Kim Residence in Kahala--Draft EA \(AFNSI\)](#) ROH Chapter 25

[Stiles Residence in Waialua--Draft EA \(AFNSI\)](#) ROH Chapter 25

LISTS OF EXEMPTION NOTICES

Pursuant to [HAR § 11-200.1-17](#), State and county agencies that have determined specific actions to be exempt from the requirement to prepare an EA are required to submit a listing of such exemptions made during the previous month. Following are Lists of Exemption Notices submitted by various agencies for March 2022; contact the identified agency contact on each list for additional information about any specific exemption:

County of Maui

[Department of Environmental Management](#)

[Department of Water Supply](#)

State of Hawai'i

[Department of Accounting and General Services](#)

[Department of Land and Natural Resources](#)

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

County of Hawai'i

[Department of Public Works](#)

EXEMPTION DECLARATION

The Kaua'i Police Department has declared the following action exempt from the requirement to prepare an EA pursuant to [HAR § 11-200.1-16](#), and is requesting this voluntary publication:

[Kaua'i Police Station Improvements](#)

The Kaua'i Police Department is proposing to create a new concrete slab in an already paved portion of the Department's complex. On this slab will be built a hydraulic auto-lift structure with an approximate height of 22' 2 1/8." There exist taller structures in the immediate vicinity including the adjacent evidence storage building, Ke Hale Makai Police Station, police training tower, State Judiciary, and Vidinha Stadium.

USE OF PRIOR DETERMINATION

The State of Hawai'i, Department of Transportation (DOT) [has determined](#) that additional environmental review is not required for the Farrington Highway Widening, Kapolei Golf Course to Fort Weaver Road project, pursuant to HAR, Section 11-200.1-11.

The original scope of work for the project which included the widening of the existing two-lane (one in each direction) roadway to a four-lane (two in each direction) roadway with the installation of sidewalks and bicycle lanes in each direction was disclosed in a [Final Environmental Assessment](#) published with FONSI in [The Environmental Notice dated September 23, 2020](#). Due to the growing need to address sub-regional safety within the project area, the scope has been reduced to include the widening of the existing roadway to a three-lane (one in each direction with a center turning lane) roadway with the installation of sidewalks and bicycle lanes. DOT believes the reduced scope remains compliant with the previously-satisfied requirements of Chapter 343, HRS.

COASTAL ZONE MANAGEMENT NOTICES

FEDERAL CONSISTENCY REVIEWS

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

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

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

Email: Debra.L.Mendes@hawaii.gov

Hydrographic Research of Waters Surrounding Nihoa Island

Proposed Action: NOAA Office of Coast Survey proposes to perform hydrographic research with an uncrewed surface vehicle (USV). The work would primarily be performed in the waters surrounding Nihoa Island. The research is focused on the practical application of autonomous systems to marine science and seafloor mapping for safety of navigation (hydrography). The USVs are equipped with a Kongsberg EM2040P and EM2040 Multibeam echosounders (MBES), respectively, whose operating parameters can be found in a table provided by the CZM contact. The DriX ASV also operates a Kongsberg EK80 fisheries echosounder and a Sonardyne USBL/Acoustic modem. Typical survey operations involve systematic survey patters, either in tandem with a crewed vessel or independently with operators as much as 25 km away. Additional information on the nature of Coast Survey work can be found in a 2013 Programmatic Environmental Assessment, available at: <https://nauticalcharts.noaa.gov/about/docs/regulations-and-policies/2013-18-nepa-ocs-final-pea.pdf>

- Location:** Waters surrounding Nihoa Island
- Federal Action:** Federal Agency Activity
- Federal Agency:** NOAA, Office of Coast Survey
- CZM Contact:** Debra Mendes, (808) 587-2840, Debra.L.Mendes@hawaii.gov
- Comments Due:** April 22, 2022

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
KA-467	5520 Ka Haku Road, Kaua'i 96722	(4) 5-4-011: 004 and 5-4-004: 035	Honua Engineering, Inc.	SOF-XI Kauai P.V. Hotel, L.P.

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
MA-760	Proposed	545 Linekona Place, Maui 96793	(2) 3-4-028: 077	Action Survey LLC	Andrew James Haupt
HA-619	Proposed	69-1616 Puakō Beach Drive, Hawai'i	(3) 6-9-002: 026	Wes Thomas Associates	Sean Sullivan and Cheryl Dalrymple
HA-621	Proposed	Lot 2 Ke Kailani Subdivision, Hawai'i	(3) 6-8-036: 002	Chase Bushor	HFIP, LLC
OA-1956	Rejection	5589 Kalaniana'ole Highway, O'ahu 96821	(1) 3-7-001: 032	Wesley T. Tengan	M&M Family Trust
KA-460	Rejection	Hanamaulu, Līhu'e	(4) 3-5-001: 102, 5, 8, 9, 92, 109, 111, 128, 158, 159, 160	Esaki Surveying and Mapping, Inc.	County of Kaua'i, State of Hawai'i

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
Kaua'i: Keālia (4-7-007:023)	Gazebo and Gravel Pathway (SMA(M)-2022-10)	Ken Kannappan /Alwyn-Trigg Smith Architects
Kaua'i: Kōloa (2-8-21-077)	Two-Story Private Recreational Building (SMA(M)-2022-11)	Makahuena-Preferred A, LLC/ Cades Shutte
Maui: Pā'ia (2-5-005: 018)	Paia Post Office Subdivision (SM2 20210065)	Sam Hirbod, EC Paia LLC
Maui: Napili (4-3-002: 053 and 054)	Napili Sunset Shoreline Repairs (SM2 20210089)	Napili Sunset Condominium Association
Maui: Ha'iku (2-9-011: 005)	Construction of a Building (SM2 20220019)	Nicole Kent
Maui: Ma'alaea (3-6-008: 005)	Install Food Truck/Carts/Hub (SM2 20220020)	Joshua Marten
Maui: Ha'iku (2-7-004: 022, 048, 049 and 052)	All Improvements for Vehicular Access (SM2 20220022)	Dominic Crosario
O'ahu: Waialua (6-6-025: portion 011)	New Agricultural Products Processing Facility and Agribusiness Activities (2021/SMA-83)	NS Holdings, LLC
O'ahu: Hale'iwa (6-6-030: 018)	Jacobs Residence – Major Alterations and Addition (2022/SMA-5)	Nathan and Jennifer Jacobs/Hawaii Architects, Inc.
O'ahu: Lanikai (4-3-008: 042)	New Pool and Additions and Alterations to the Existing Single-family Dwelling, Driveway and Garage (2022/SMA-10)	Cary and Ashley Levine/William Benjamin
O'ahu: Kane'ohe (4-7-058: 010)	Wailehua Road, Utility Installation, Type B – Additional Antennas and Equipment (2022/SMA-16)	AT&T Mobility/Crown Castle

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.

Rule: [Pacific Island Fisheries; 2022-2025 Annual Catch Limits and Accountability Measures for Main Hawaiian Islands Uku \(Gray Jobfish\)](#) (published by the National Oceanic and Atmospheric Administration on 03/28/2022)

In this final rule, NMFS implements an annual catch limit (ACL) of 295,419 lb (134 metric tons (t)), an annual catch target (ACT) of 291,010 lb (132 t), and accountability measures (AM) for main Hawaiian Islands (MHI) uku for fishing years 2022, 2023, 2024, and 2025. These ACLs and ACTs apply to the total combined commercial and non-commercial catch of uku. As an in-season accountability measure, if NMFS projects that the total catch will reach the ACT in any given fishing year, we would close commercial and non-commercial uku fisheries in Federal waters for the remainder of the fishing year. As a post-season AM, if NMFS determines that the most recent three-year average total catch exceeded the ACL in a fishing year, we would reduce the ACL and ACT for the following fishing year by the amount of the overage. This rule supports the long-term sustainability of MHI uku. **The final rule is effective April 27, 2022.**

Notice: [Western Pacific Fishery Management Council; Public Meetings](#) (published by the National Oceanic and Atmospheric Administration on 03/29/2022)

The Western Pacific Fishery Management Council (Council) will hold its Social Science Planning Committee (SSPC), Archipelagic Plan Team (APT), and Fishery Data Collection and Research Committee—Technical Committee for the Data Collection Sub-panel (FDCRC-TC-DCSP) meetings to discuss and make recommendations on fishery management issues in the Western Pacific Region. **The meetings will be held between April 14 and April 28, 2022.** For specific times and agendas, click on the title link and scroll to SUPPLEMENTARY INFORMATION. The meetings will be held by web conference via Webex. 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.

Notice: [Endangered Species; Receipt of Recovery Permit Applications](#) (published by the Fish and Wildlife Service on 04/07/2022)

The U.S. Fish and Wildlife Service has received applications for permits to conduct activities intended to enhance the propagation and survival of endangered species [including the Hawaiian coot (*Fulica americana alai*), Hawaiian duck (*Anas wyvilliana*), and Hawaiian stilt (*Himantopus mexicanus knudseni*)] under the Endangered Species Act of 1973, as amended. The public and local, State, Tribal, and Federal agencies are invited to comment on these applications. Before issuing the requested permits, we will take into consideration any information that we receive during the public comment period. **Written comments must be received on or before May 9, 2022.** Please click on the title link above for additional information on submitting comments.

Notice: [Permanent Advisory Committee To Advise the U.S. Commissioners to the Western and Central Pacific Fisheries Commission; Meeting Announcement](#) (published by the National Oceanic and Atmospheric Administration on 04/01/2022)

NMFS announces a public meeting of the Permanent Advisory Committee (PAC) to advise the U.S. Commissioners to the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC) on June 8, 2022. **The meeting of the PAC will be held via web conference on June 8, 2022**, from 11 a.m. to 1 p.m. Hawaii Standard Time (HST) (or until business is concluded). Members of the public may submit written comments on meeting topics or materials; **comments must be received by June 3, 2022.** For details on meeting topics, how to call in to the web conference or to submit comments, please click on the title link above.

Rule: [International Fisheries; Pacific Tuna Fisheries; Purse Seine Observer Exemptions in the Eastern Pacific Ocean](#) (published by the National Oceanic and Atmospheric Administration on 03/25/2022)

NMFS issues regulations under the authority of the Marine Mammal Protection Act (MMPA) and the Tuna Conventions Act (TCA) of 1950, as amended, to allow NMFS to issue temporary exemptions from purse seine observer requirements in the eastern Pacific Ocean (EPO) in accordance with procedures adopted by Parties to the Agreement on the International Dolphin Conservation Program (AIDCP) and members of the Inter-American Tropical Tuna Commission (IATTC). This final rule is necessary for the continuity of fishing activities for large U.S. purse seine vessels and for the United States to satisfy its obligations as a member of the IATTC. **Effective March 25, 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).