



The Environmental Notice

June 8, 2022

David Y. Ige, Governor
Mary Alice Evans, Director

The Environmental Notice provides public notice for projects undergoing environmental review in Hawai'i as mandated under Section 343-3, Hawai'i Revised Statutes, the Environmental Impact Statement Law. Along with publishing Environmental Assessments and Environmental Impact Statements for projects in Hawai'i, *The Environmental Notice* also includes other items related to the shoreline, coastal zone, and federal activities.



TABLE OF CONTENTS

STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS & DETERMINATIONS 2

MAUI

[Hale Mahaolu Ke Kahua Affordable Housing Community--Final EA \(FONSI\)](#) 3

O’AHU

[University of Hawai’i, Mānoa Campus, Long Range Development Plan Update--Draft EA \(AFNSI\)](#) 3

KAUA’I

[Kaua’i Island Utility Cooperative Habitat Conservation Plan \(EISPN\)](#) 4

PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT 4

LISTS OF EXEMPTION NOTICES 4

EXEMPTION NOTICE 5

COASTAL ZONE MANAGEMENT NOTICES

 Special Management Area (SMA) Minor Permits 5

SHORELINE NOTICES

 Applications for Shoreline Certification 5

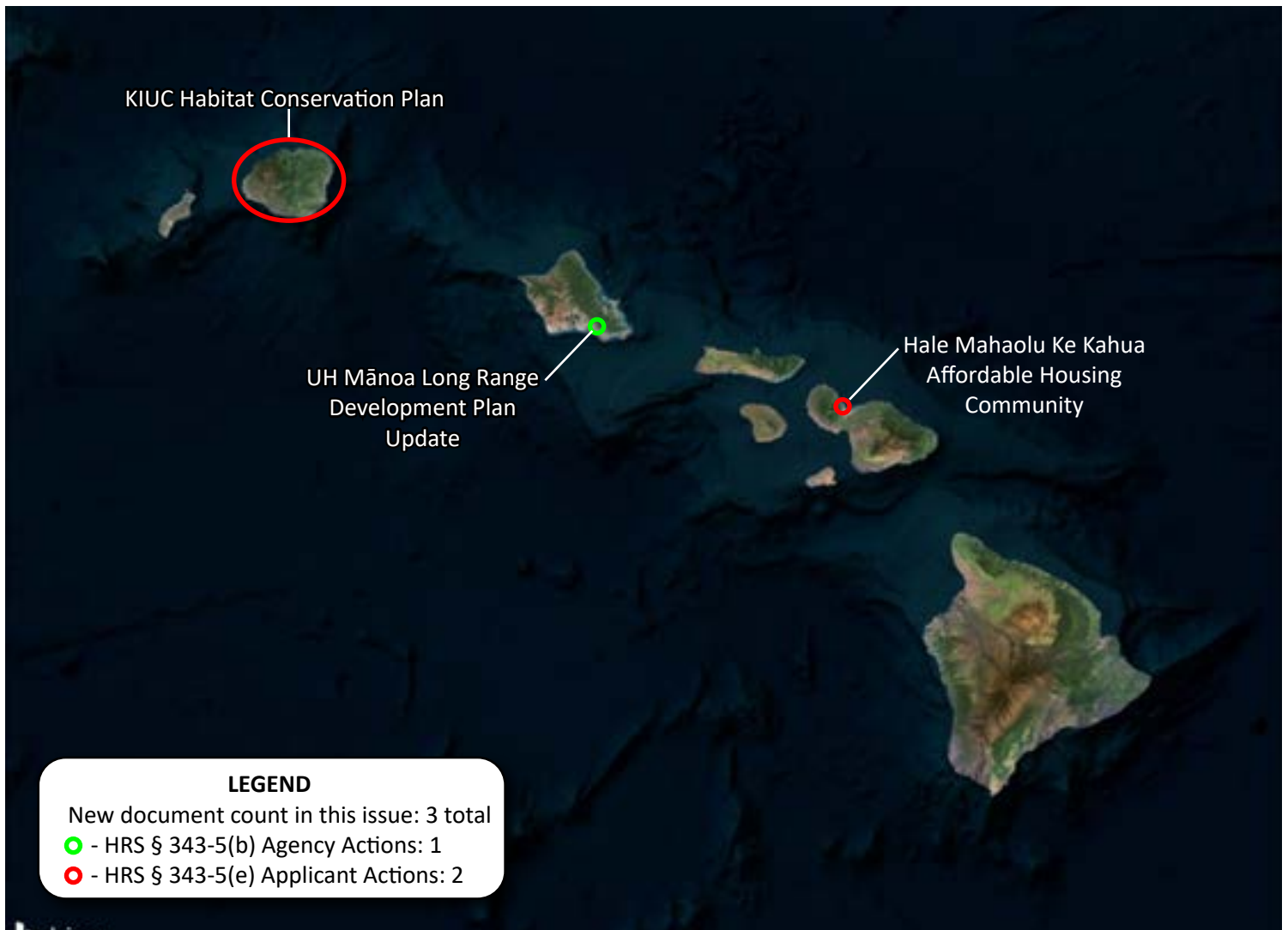
 Proposed Shoreline Certifications and Rejections 6

STATE NOTICES 6

FEDERAL NOTICES 6

GLOSSARY OF TERMS AND DEFINITIONS 7

STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS & DETERMINATIONS



MAUI

Hale Mahaolu Ke Kahua Affordable Housing Community--Final EA (FONSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	Wailuku
TMK(s)	(2) 3-3-001:106
Permit(s)	Numerous (see document)
Approving Agency	County of Maui, Department of Housing and Human Concerns Lori Tshako, (808) 270-7351, director.hhc@mauicounty.gov 2200 Main Street, Suite 546, Wailuku, HI 96793
Applicant	Waiehu Housing, LP; 330 West Victoria Street, Gardena, CA 90248 Monte Heaton, (424) 258-2910, monte.heaton@housingpartners.com
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

The proposed Hale Mahaolu Ke Kahua Affordable Housing Community comprises approximately 11.476 acres in Waiehu, Maui, Hawai'i. The project is proposed to be developed as an affordable housing project under the provisions of Chapter 2.97 (Maui County Code). The proposed project will be 100 percent affordable, providing rental housing for residents earning 60 percent or less of the Area Median Income and will be developed in cooperation with Hale Mahaolu. The project will consist of 120 multi-family residential units, housed in 13 2-story buildings, including 28 1-bedroom units, 60 2- bedroom units, and 32 3-bedroom units, as well as a 3,477 square foot (sq. ft.) non-profit building, a 3,231 sq. ft. clubhouse, landscaping, and related improvements. A total of approximately 274 parking stalls and two (2) loading stalls will also be provided. Access to the project site will be provided by three (3) driveway entrances off of Kahekili Highway.

O'AHU

University of Hawai'i, Mānoa Campus, Long Range Development Plan Update--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)	Honolulu
TMK(s)	Numerous (see document)
Permit(s)	Numerous (see document)
Proposing/ Determining Agency	State of Hawai'i, University of Hawai'i Jan Gouveia, (808) 956-6405, jgouveia@hawaii.edu 2444 Dole Street, Bachman Hall 109H, Honolulu, HI 96822
Consultant	Wilson Okamoto Corporation; 1907 South Beretania Street, Suite 400, Honolulu, HI 96826 Keola Cheng, (808) 946-2277, publiccomment@wilsonokamoto.com
Status	Statutory 30-day public review and comment period starts. Comments are due by July 8, 2022. Please send comments to the proposing/determining agency at publiccomment@wilsonokamoto.com

With the stabilization of the UHM campus population and limited fiscal resources / funding sources available for the development of new facilities, the UHM has shifted its focus to facility optimization and reduction of deferred maintenance and right-sized renovations to modernize the existing UHM campus. By repurposing and renovating their current facilities to accommodate a broader base of users and multiple disciplines, the UHM seeks to maximize and optimize the use of existing space and operate within the projected gross square footage set forth in the 2007 LRDP/2009 PRU through its LRDP Update.

KAUA'I

Kaua'i Island Utility Cooperative Habitat Conservation Plan (EISPN)

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)	Kaua'i-multiple
TMK(s)	Numerous (island-wide)
Permit(s)	State Incidental Take License; Federal Incidental Take Permit
Approving Agency	State of Hawai'i, Department of Land and Natural Resources Katherine Cullison, (808) 223-0459, dofaw.hcp@hawaii.gov 1151 Punchbowl Street, Room 325, Honolulu, HI 96813
Applicant	Kaua'i Island Utility Cooperative; 4463 Pahé'e Street, Suite 1, Lihú'e, HI 96766 Dawn Huff, (808) 354-0302, hcp@kiuc.coop
Consultant	ICF, 3665 JFK Parkway, Building 1, Suite 300, Fort Collins, CO 80525 Tanya Copeland, (970) 372-3902, tanya.copeland@icf.com
Status	Administrative 30-day public review and comment period starts. Comments are due by July 8, 2022. Please send comments to the approving agency and copy the applicant and the consultant. A virtual EIS Public Scoping meeting will be held via zoom on June 28, 2022 at 5 pm; Register at: https://us02web.zoom.us/webinar/register/WN_aw4mkokBSM-w4ntaS-c7FQ

KIUC is applying for an incidental take license (ITL) under Hawai'i Revised Statutes (HRS) Chapter 195D and an incidental take permit (ITP) under Section 10 of the Endangered Species Act. The ITL/ITP would authorize incidental take of three federally- and state-listed seabirds associated with powerline collisions and fallout caused by artificial nighttime lighting and five federally- and state-listed waterbirds associated with powerline collisions. Artificial nighttime lighting from some streetlights is also expected to affect the hatchlings of the federally- and state-listed green sea turtle. KIUC intends to implement a Habitat Conservation Plan (HCP) to cover existing and future activities for which KIUC is seeking take authorization. The environmental review for the KIUC HCP is being conducted as a joint federal/state EIS to concurrently meet the requirements of the National Environmental Policy Act and the Hawai'i Environmental Policy Act, pursuant to HRS Chapter 343.

PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

Status: The comment period for these projects began previously. **Comments are due June 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

[Winterer Single-Family Residence in Pihā--Draft EA \(AFNSI\)](#)

O'AHU

[Irrigation System Improvements in Central Oahu--2nd Draft EA \(AFNSI\)](#)

[Ho'oulu 'Āina Nature Park--Draft EA \(AFNSI\)](#)

[First Responder Technology Campus--Draft EIS, Appendices Volume, and Scoping Meeting Audio](#)

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 May 2022 (unless otherwise noted); contact the identified agency contact on each list for additional information about any specific exemption:

State of Hawai'i

[Department of Accounting and General Services](#)

[Department of Land and Natural Resources](#)

[University of Hawai'i, Mānoa](#)

County of Maui

[Department of Parks and Recreation \(April 2022\)](#)

[Department of Parks and Recreation \(May 2022\)](#)

[Planning Department](#)

City and County of Honolulu

[Department of Design and Construction](#)

[Department of Planning and Permitting](#)

EXEMPTION NOTICE

The University of Hawai'i has declared the following action exempt from the requirement to prepare an EA pursuant to [HAR § 11-200.1-16](#), and has submitted the Exemption Notice for voluntary publication:

[T-Mobile Telecommunications Facility Modifications at Saunders Hall](#)

Modification of antennas and accessory equipment and equipment cabinets to an existing rooftop telecommunication facility. The proposed changes involve the replacement of old antennas with new antennas, the reduction in the antenna quantity, the addition of new accessory equipment and the relocation of old equipment cabinets and the addition of new equipment cabinets.

COASTAL ZONE MANAGEMENT NOTICES

SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS

The SMA Minor permits below have been approved ([HRS § 205A-30](#)). For more information, contact the relevant county/state planning agency: Honolulu [(808) 768-8015]; Hawai'i [East (808) 961-8288], [West (808) 323-4770]; Kaua'i [(808) 241-4050]; Maui [(808) 270-7735]; Kaka'ako or Kalaeloa Community Development District [(808) 587-2846]

Location (TMK)	Description (File No.)	Applicant/Agent
Hawai'i: South Kona (8-2-005: 011)	Single-Family Residence and Related Improvements (PL-SMM-2022-000014)	Frederick Carl Turshman & Lesley Burks Vaninni
Hawai'i: South Hilo (2-2-005: 002)	Operation of Multiple Mobile Concession Stands in Mo'ohau Park Parking Lot (PL-SMM-2022-000020)	Department of Parks and Recreation, County of Hawai'i
Maui: Lahaina (4-3-002: 053)	Napili Sunset I & II: Install ABV Ground Backflow Preventers (SM2 202200010)	Stuart Bird
Maui: Lahaina (4-6-001: 009)	1 Day Hoolaulea and Parade (SM2 202200013)	Lokahi Pacific
Maui: Ha'ikū (2-8-003: 024)	Propose New Garage Construction (SM2 202200015)	Luigi Manera
Maui: Kihei (2-1-008: 140)	Construction of Temporary Tents (SM2 202200016)	Julie Taketa
Maui: Ha'ikū (2-9-002: 004)	Proposed Agricultural Structures (SM2 202200017)	Megan Kanekoa
Maui: Hana (1-3-003: 015)	After-the-Fact Permits for an Existing Secondary Dwelling, Accessory Agricultural Structures, Equipment Shed and Agricultural Processing Building (SM2 202200018)	James Stolte & Emily Stolte
Maui: Lahaina (4-4-008: 018)	Temp Tent Structures for Weekend Event (SM2 202200019)	Joy Hirata
O'ahu: Makaha (8-4-007: 015)	Baumgartner Residence (2021/SMA-76)	Irrevocable Baumgartner Home Preservation Trust/Environmental Risk Analysis LLC
O'ahu: Kailua (4-3-083: 004)	Janac Trust – Dwelling Modification (2022/SMA-19)	Karl Mench
O'ahu: Pūpūkea-Paumalū (5-9-020: 001)	Fujimoto Residence – Single-Family Detached Dwelling (2022/SMA-29)	Gregg Fujimoto and Patrice Kaplan/Whitespace Architects
O'ahu: Wailupe (3-6-003: 007)	Kalaniana'ole Residential Alteration and Expansion (2022/SMA-32)	Armstrong Builders

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-1989	Hanauma Bay Park, O'ahu 96744	(1) 3-9-012: 002	ControlPoint Surveying, Inc.	City and County of Honolulu
OA-1990	1508 Mokulua Drive, O'ahu 96734	(1) 4-3-003: 074	Ailana Surveying & Geomatics	Karin Sousa for Sousa Family Trust LLC
HA-626	Queen Ka'ahumanu Highway, Makalena, Hawai'i	(3) 7-2-004: 001	R.M. Towill Corporation	B.P. Bishop Estate TTEES, Kamehameha Schools

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-1986	Proposed	4 Lumahai Street, O'ahu 96825	(1) 3-9-013: 032	Walter P. Thompson, Inc.	Robert M. Wheatley
MA-778	Proposed	220 Hauoli Street, Maui 96793	(2) 3-8-014: 008	Akamai Land Surveying, Inc.	Nellie's on Maui, Ltd.
MA-780	Proposed	37764 Pi'ilani Highway, Maui 96713	(2) 1-7-001: 050	Jorn Weisbrodt	Rufus Wainwright & Jorn Weisbrodt
HA-620	Proposed	Ala Heiau Ave.	(3) 1-5-031: 067	Daniel Berg, dlb & associates, LLC	Kermit Johnson
KA-468	Proposed	4511 Makamae Place, Kaua'i 96714	(4) 5-8-012: 034	Honua Engineering, Inc.	Timothy Smith
MA-764	Rejection	475 Front Street, Maui 96761	(2) 4-6-002: 007	Leaps & Boundaries, Inc.	Lahaina Venturers, Lori Fisher president
MA-765	Rejection	Makena Road, Maui 96753	(2) 2-1-006: 092, 093, 094	Action Survey LLC	Yant Enterprises LLC

STATE NOTICES

[Hawai'i Board of Agriculture Action on Proposal to Add Three Mosquito Species to List of Restricted Animals](#)

On May 9, 2022, the Hawai'i Board of Agriculture preliminarily approved the addition of the Asian tiger mosquito (*Aedes albopictus*), yellow fever mosquito (*Aedes aegypti*), and the southern house mosquito (*Culex quinquefasciatus*) to the List of Restricted Animals (Part A). The rule change will allow for inoculated male mosquitoes to be imported to help decrease mosquito populations and mosquito-transmitted diseases. The proposed order and proposed rule changes may be viewed online at: <https://hdoa.hawaii.gov/blog/main/proposed-administrative-rules/> Please click on title link above for additional information.

For 30 days from May 9, the Hawai'i Department of Agriculture, Plant Quarantine Branch, will be soliciting comments regarding the proposed addition of these mosquitoes to the List of Restricted Animals (Part A). Comments may be sent to Mr. Jonathan Ho, Inspection and Compliance Section Chief via Email: Jonathan.K.Ho@hawaii.gov

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: [Marine Mammals; File No. 25754](#) (published by the National Oceanic and Atmospheric Administration [NOAA] on 05/23/2022)

Notice is hereby given that the NMFS Pacific Islands Fisheries Science Center, 1845 Wasp Boulevard, Building 176, Honolulu, HI 96818 (Responsible Party: Erin Oleson, Ph.D.), has applied in due form for a permit to conduct research on 34 cetacean species in U.S. and international waters of the Pacific Islands region to determine the abundance, stock structure, distribution, movement patterns, and ecological relationships of cetaceans in the study area. Please click on the title link above for information about the research. **Comments must be received on or before June 22, 2022.**

Notice: [Western Pacific Fishery Management Council; Public Meetings](#) (published by NOAA on 06/02/2022)

The Western Pacific Fishery Management Council will hold its Regional Archipelagic Ecosystem Committee meeting to discuss and make recommendations on fishery management issues in the Western Pacific Region. **The web conference will be held June 17, 2022.** Click on the title link above for specific times and agendas.

Notice: [Western Pacific Fishery Management Council; Public Meetings](#) (published by NOAA on 05/27/2022)

The Western Pacific Fishery Management Council (Council) will hold its 144th Scientific and Statistical Committee, Pelagic and International Standing Committee, Fishery Data Collection and Research Committee, Executive and Budget Standing Committee, and 191st Council meetings to take actions on fishery management issues in the Western Pacific Region. **The meetings will be held between June 13 and June 23, 2022.** Click on the title link above for specific times and agendas.

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).