



The Environmental Notice

June 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.



A limited and focused erosion mitigation project is proposed for a threatened section of Kamehameha Highway in Ka'a'awa, Windward O'ahu

Photo from [project's Final EA](#)

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ANNOUNCEMENT

Preparers of Environmental Assessments and especially Environmental Impact Statements are reminded to pay close attention to the content requirements established in the administrative rules ([HAR Chapter 11-200.1](#)). There have been instances when submitted Final EAs or EISs are found to be not in compliance with such requirements; such documents have to be edited and then re-submitted for a second publication prior to being found acceptable. Please [contact](#) our office for further guidance.

STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS & DETERMINATIONS



HAWAII

Pastorek Single-Family Residences in the Conservation District at Maku'u--Draft EA (AFNSI)

HRS §343-5(a) Trigger	(2) Propose any use within any land classified as a conservation district
District(s)	Puna
TMK(s)	(3) 1-5-010: 026 & 027
Permit(s)	Conservation District Use Permit, Special Management Area Permit, Plan Approval and Grubbing, Grading, and Building Permits, Wastewater System Approval, Water Well Permit, Aquaculture Pond Management Plan Approval.
Approving Agency	State of Hawai'i, Board of Land and Natural Resources K. Tiger Mills, (808) 587-0382, kimberly.mills@hawaii.gov Dept of Land and Natural Resources, Office of Conservation and Coastal Lands, 1151 Punchbowl St., Honolulu, HI 96813
Applicant	Ryan Pastorek; 533 Fernwood Pacific Drive, Topanga, CA 90290-3209 (310) 248-3147, ryanpastorek@gmail.com
Consultant	Land Planning Hawai'i LLC; 194 Wiwo'ole Street, Hilo, HI 96720 John Pipan, (808) 333-3391, john@landplanninghawaii.com
Status	Statutory 30-day public review and comment period starts. Comments are due by July 25, 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.

Mr. Ryan Pastorek is seeking a Special Management Area (SMA) Use Permit and two (2) Conservation District Use Permits (CDUP) to construct two (2) single-family residences. Each residence is proposed to be on separate, but adjacent Parcels identified as TMKs (3) 1-5-010:026 and :027. The project objective is to build one (1) single-family residence on each of the adjacent Parcels for use by the applicant and his family. Consolidation and re-subdivision are being requested to allow for lesser impact on the more heavily vegetated lot (Parcel 027), and greater setbacks to the neighboring residence to the south for less impacts associated with scenic views, noise, and air quality. Proposed supporting infrastructure for the Properties includes a single gravel driveway serving both homes, a well for water, Individual Wastewater Systems (IWS) approved by the Department of Health (DOH), an aquaculture pond, and less than one (1) acre for grazing.

Hōkū Ke'a Observatory Decommissioning--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 (2) Propose any use within any land classified as a conservation district
District(s)	Hāmākua
TMK(s)	(3) 4-4-015:009 (por.)
Permit(s)	HRS 6E, Conservation District Use Permit, County Grading Permit, County Building (Demolition) Permit
Proposing/ Determining Agency	State of Hawai'i, University of Hawai'i at Hilo Gregory Chun, (808) 375-6038, gchun711@hawaii.edu 200 W. Kawili Street, Suite 202, Hilo, HI 96720
Consultant	SSFm International; 99 Aupuni Street, Suite 202, Hilo, HI 96720 Jennifer Scheffel, (808) 375-6038, jscheffel@ssf.com
Status	Finding of No Significant Impact (FONSI) determination

The University of Hawai'i at Hilo (UH Hilo) intends to decommission the Hōkū Ke'a Observatory. The Proposed Action includes full removal of the Observatory Building and Generator Buildings and associated telecommunications and electrical infrastructure and partial (minimal) restoration.

O'AHU

Kamehameha Highway at Ka'a'awa Erosion Mitigation--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 (2) Propose any use within any land classified as a conservation district (3) Propose any use within a shoreline area
District(s)	Ko'olauloa
TMK(s)	(1) 5-1-002:025
Permit(s)	State Conservation District Use, Department of the Army
Proposing/ Determining Agency	State of Hawai'i, Department of Transportation Jiangli Guo, (808) 832-3405, jiangli.guo@hawaii.gov 2530 Likelike Highway, Honolulu, HI 96819
Consultant	Sea Engineering, Inc.; 41-305 Kalaniana'ole Highway, Waimānalo, HI 96795 Scott Sullivan, (808) 460-3437, ssullivan@seaengineering.com
Status	Finding of No Significant Impact (FONSI) determination

The project site is an approximately 450-foot length of roadside shoreline along Hawai'i State Route 83 (HI-83), known as Kamehameha Highway. Kamehameha Highway is the only highway serving windward O'ahu coastal communities, and is the primary access for police, fire, and emergency medical services. The project site is located on the makai side of the highway, in the community of Ka'a'awa, and is located directly seaward of Ka'a'awa Elementary School. A 400-foot-long section of Kamehameha Highway has become undermined due to shoreline erosion. The undermining has destabilized the highway shoulder, and if it continues may result in damage to the highway itself. The proposed action is to construct an engineered sloping rock revetment to mitigate the erosion threat to the highway. The revetment crest will be +8 feet, and the structure will be approximately 24 feet wide and approximately 450 feet long.

West Loch Affordable Housing--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) 9-1-122: 004
Permit(s)	National Pollutant Discharge Elimination System (NPDES) Permit: Dept. of Health; Chapter 201H Approval, Building Permits, Certificate of Occupancy, Construction Dewatering Permit, Grading and Stockpiling Permits, Trenching Permit: Dept. of Planning and Permitting; Sewer Connection Permit: Dept. of Environmental Services
Proposing/ Determining Agency	City and County of Honolulu, Department of Land Management Cameron Lowry, (808) 768-4294, cameron.lowry@honolulu.gov 558 South King Street, Honolulu, HI 96813
Consultant	Environmental Communications Inc.; P.O. Box 236097, Honolulu, HI 96823 Taeyong Kim, (808) 528-4661, environcom1@gmail.com
Status	Finding of No Significant Impact (FONSI) determination

The proposed project was conceived as an affordable rental housing project that would provide much needed housing inventory to the 'Ewa District for income qualified residents. The City and County of Honolulu Department of Land Management solicited developers for this City and County of Honolulu-owned site through a Request for Proposals (RFP) selection process. The project was awarded to Stanford Carr Development LLC and its project development entity Komohale West Loch LLC. The proposed project will consist of 127 affordable units located in seven (7) separate three story buildings configured around a single level central community center. Parking will be located throughout the site at ground level and will offer convenient access to each building.

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.

[Two SFRs at 10 Kamani Kai Place--Draft EA \(AFNSI\)](#)

District/TMK	Ko'olaupoko / (1) 4-3-015: 055
Permit(s)	Special Management Area Use Permit
Approving Agency	City and County of Honolulu, Department of Planning and Permitting 650 South King Street, 7th Floor, Honolulu, HI 96813 Laura Mo, Land Use Permits Division, (808) 768-8025, laura.mo@honolulu.gov
Applicant	Jennifer Rainin 2007 Trust; 155 Grand Avenue, Oakland, CA 94612 (510) 282-0552
Consultant	PBR Hawaii; 1011 Bishop Street, Suite 650, Honolulu, HI 96813 Bradley Furuya, (808) 521-5631, bfuruya@pbrhawaii.com
Status	30-day public review and comment period starts. Comments are due by July 25, 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 build two one-story single-family homes on a vacant lot in the R-10 zoning district in Kailua. The main residence will comprise of three bedrooms, three and one-half baths, and three covered lanais. The second dwelling will comprise of three bedrooms, three baths, and one lanai. A pool courtyard will include a pavilion for exercise and a pool bath. The project is entirely within the Special Management Area, with all development outside of the Shoreline Setback area.

[Hawaiian Cement Sand Shed--Draft EA \(AFNSI\)](#)

District/TMK	'Ewa / (1) 9-1-026: 056
Permit(s)	SMA Use Permit, NPDES, Construction Permits
Approving Agency	City and County of Honolulu, Department of Planning and Permitting Malyne Simeon, (808) 768-8023, msimeon@honolulu.gov 650 South King Street, 7th Floor, Honolulu, HI 96813
Applicant	Hawaiian Cement Corporation; 91-650 Malakole St., Kapolei, HI 96707 Jim Gomes, Cement Division General Manager, (808) 284-7976
Consultant	R.M. Towill Corporation; 2024 North King Street, Suite 200, Honolulu, HI 96819-3494 Isaiah Sato, (808) 842-1133, Isaiahs@rmtowill.com
Status	30-day public review and comment period starts. Comments are due by July 25, 2022. Please click on title link above to read the document, then send comments to the approving agency and copy the consultant.

The Applicant, Hawaiian Cement Corporation, proposes the construction of a new sand shed for their operations in James Campbell Industrial Park (JCIP), Kapolei, O'ahu. The Applicant proposes to construct a 37,975-square-foot sand shed over an existing concrete surface. The sand shed will be approximately 50 feet tall. The Project will also include an approximately 300-foot long retaining wall, septic tank and leach field, and waterline and fire hydrant improvements. The Project will be located on a 7.652-acre site at 91-055 Kaomi Loop, Kapolei, HI, 96707. The Applicant has an existing sand shed operation on a neighboring parcel, located makai of the Project Site. This proposed sand shed will replace that operation. There are five existing employees at the Project Site and a sixth employee will relocate from the neighboring parcel.

PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

Status: The comment period for these projects began previously. **Comments are due July 8, 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.

O'AHU

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

KAUA'I

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

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

Kawaihae Harbor Ramp and Dolphin Repair project, Hawai'i Island

Proposed Action: The U.S. Army Garrison-Hawaii (USAG-HI) proposes to repair its existing vessel berthing and mooring infrastructure at Kawaihae Harbor. The project area is located within 10.8 acres of Army-controlled land at the southwest corner of Kawaihae Harbor and includes three mooring dolphins and concrete landing ramp and a 3-acre Army-owned submerged land parcel, which together serve as the Army's vessel berthing and mooring area. The dolphins are pile-supported structures with concrete pile caps (i.e., platforms) that provide mooring points for vessels berthing at the landing ramp. The proposed activity involves: 1) the replacement of one mooring dolphin (Dolphin No. 1); 2) repairs to fenders and bumpers on two mooring dolphins (Dolphin No. 2 and No. 3); 3) repair of the concrete landing ramp. The proposed activity will require approximately 6-9 months to complete.

Location: Kawaihae Harbor, Hawai'i Island [TMK (3) 6-1-003:022 por]

Federal Action: Federal Agency Activity by U.S. Army Garrison Hawaii

CZM Contact: Debra Mendes, (808) 587-2840, Debra.L.Mendes@hawaii.gov

Comments Due: July 7, 2022

SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS

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

Location (TMK)	Description (File No.)	Applicant/Agent
Hawai'i: North Kona (7-8-020: 013)	Land and Resource Management/Access Improvements (SMM-21-000442 Amended)	Kamehameha Schools
Hawai'i: Waiākea (2-1-018: 006, 007 and 010)	Loko I'a Restoration and Maintenance; Land and Resource Management; Community Building and Events (PL-SMM-2022-000022)	Hui Ho'oleimaluō
Maui: Lahaina (4-4-001: 097)	Kaanapali Shores Pool and Deck Repair (SM2 2022-00002)	Lance Towers
Maui: Lahaina (4-3-008: 023)	After-the-Fact Conversion of a Hobby Room with Wet Bar and Bathroom (SM2 2022-00020)	Mariana Schechter
Maui: Kihei (3-9-037: 043)	After-the-Fact Improvements (SM2 2022-00022)	Robert Hollifield and Roxana Hollifield
O'ahu: Hale'iwa (6-1-008: 024 and 030)	Allow the Addition of Six Panel Antennas, One Global Positioning System Antenna, and Ancillary Equipment (2022/SMA-25)	T-Mobile West LLC/Wireless Resources
O'ahu: Waikīkī (3-1-031: 009 and 010)	Kaimana Beach Outdoor Shower Improvements (2022/SMA-39)	Department of Facility Maintenance, City and County of Honolulu

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-1991	4895 Kalaniana'ole Highway, O'ahu	(1) 3-5-058: 001	Engineers Surveyors Hawaii, Inc.	Robert P. Riggs Trust
OA-1992	47-099 Kamehameha Hwy., O'ahu 96744	(1) 4-7-019: 061	Ailana Surveying & Geomatics	Eric Aakhus
MA-784	130 Kai Malina Parkway, Maui	(2) 4-4-014: 006	Austin, Tsutsumi & Associates, Inc.	Honua Kai Condominium Association, Inc.

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-1984	Proposed	44-006 Aumoana Place, O'ahu 96744	(1) 4-4-022: 008	Austin, Tsutsumi & Associates, Inc.	Donald W. and Brenda J. McClure
MA-766	Proposed	5066 Makena Road, Maui 96753	(2) 2-1-007: 099	Sam Koliass	Sam Koliass
MA-772	Proposed	3300 Wailea Alanui Drive, Maui 96753	(2) 2-1-008: 064	Warren S. Unemori Engineering Inc.	Wailea Ekahi Condominium
MA-781	Proposed	310 Pa'ani Place, Maui 96779	(2) 3-8-002: 036	Ailana Surveying & Geomatics, LLC	Edward Wayne

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: [Notice of Intent To Prepare an Environmental Impact Statement for the Kauai Island Utility Cooperative Habitat Conservation Plan, Kauai, HI](#) (published by the Fish and Wildlife Service on 06/08/2022)

We, the U.S. Fish and Wildlife Service (Service), provide this notice to announce that the Kauai Island Utility Cooperative (KIUC) is preparing a habitat conservation plan (HCP) in support of its anticipated application for an incidental take permit (ITP) under the Endangered Species Act for activities it would undertake in managing existing and future powerlines and lighting. We intend to prepare an environmental impact statement to evaluate the effects on the human environment related to this request, and on any potential issuance of an ITP and implementation of the HCP. In accordance with the National Environmental Policy Act (NEPA), we are opening a public scoping period and announcing a virtual public scoping meeting. In 2016, we published a notice of intent to prepare an EIS. Any comments submitted then do not need to be resubmitted, as they will be reconsidered.

We will accept online or hardcopy comments. **Comments submitted online at <https://www.regulations.gov/> must be received by 11:59 p.m. Eastern Time on July 8, 2022. Hardcopy comments must be received or postmarked on or before July 8, 2022; please click on the title link above for information about submitting comments.** The Service will hold one public meeting during the scoping period. To help protect the public and limit the spread of the COVID-19 virus, **the public meeting will be held on June 28, 2022** from 5 p.m. to 7 p.m. Hawaii Standard Time. A link and access instructions for the virtual scoping meeting will be posted to <https://www.fws.gov/pacificislands/> at least one week prior to the public meeting dates.

This entry regards the NEPA EIS for the subject action; a similar EIS is being prepared pursuant to the requirements of HRS Chapter 343 (HEPA). The HEPA EIS Preparation Notice has been published previously in this bulletin, and can be found [here](#). Comments are similarly due on July 8, 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).