



The Environmental Notice

July 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.



An adaptive reuse plan for the historic Hocking Building in Chinatown will provide 40 affordable rental housing units and other features

Photo from the [project's Draft EA](#)

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STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS & DETERMINATIONS



HAWAII

Kawaihae Road, Replacement of Waiaka Stream Bridge and Realignment of Approaches--Final EA (FONSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	South Kohala
TMK(s)	(3) 6-5-001:015, 033; 6-6-001:011, :077; and the right-of-way for Kawaihae Road and Kohala Mountain Road
Permit(s)	National Pollutant Discharge Elimination System, Community Noise Permit, Community Noise Variance, U.S. Army Corps of Engineers Section 404 and Section 10, Section 401 of the Clean Water Act, Stream Channel Alteration Permit, NEPA, Section 106 of the NHPA, Section 7 of the ESA, CZM, State of Hawai'i Disability and Communications Access Board Review / Approval, County of Hawai'i Grading, Grubbing, and Stockpiling Permit
Proposing/ Determining Agency	State of Hawai'i, Department of Transportation Andrew Hirano, (808) 692-7546, andrew.j.hirano@hawaii.gov 601 Kamokila Boulevard, #688, Kapolei, HI 96707
Consultant	WSP USA; 1001 Bishop Street, Suite 2400, Honolulu, HI 96815 Darin Chinen, (808) 566-2252, darin.chinen@wsp.com
Status	Finding of No Significant Impact (FONSI) determination

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

Nakoa Single-Family Residence at Honalo--Final EA (FONSI)

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 of Hawai'i: Conservation District Use Application (CDUA); Wastewater System Approval; and water well permit County of Hawai'i: Building Plan/Grading Permit
Approving Agency	State of Hawai'i, Department of Land and Natural Resources Rachel Beasley, (808) 798-6481, rachel.e.beasley@hawaii.gov Office of Conservation and Coastal Lands, 1151 Punchbowl Street #131, Honolulu, HI 96813
Applicant	Walter Kaleo O Kalani Nakoa; 75-170 Hualalai Road, Suite B-303, Kailua-Kona, HI 96740 c/o Roy Vitousek, Cades Schutte LLP, (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	Finding of No Significant Impact (FONSI) determination

Applicant proposes a single story, post and pier foundation that will occupy a building footprint of 1,600 sq. ft: living area; kitchen and dining area; laundry and pantry area; master bedroom; master bathroom; master closet; second bedroom; second bathroom; storage; and hallway. The accessory structures will total 245 sq. ft.: water well; two water storage tanks; a salt pan; aumakua; lele; propane tank; two split-system air conditioning condensers; and a pool. Total proposed SFR and associated improvements are 1,845 sq. ft.

This is a kuleana parcel which was designated as Land Commission Award (LCA) 8575:2. The property is not oceanfront and its makai boundary is approximately 115 feet inland from the shoreline. Access to the property is via Keauhou-Kainaliu Beach Road/Old Government Road. The subject property is an approximately .17-acre (7,405 sq. ft.) and is in the Resource subzone of the State Land Use Conservation District.

MAUI

Waiehu Residential 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 (6) Propose any amendments to existing county general plans...
District(s)	Wailuku
TMK(s)	(2) 3-3-002:031
Permit(s)	Community Plan Amendment, others (see document)
Approving Agency	County of Maui, Department of Housing and Human Concerns Buddy Almeida, (808) 270-7351, Buddy.Almeida@co.maui.hi.us 2200 Main Street, Suite 546, Wailuku, HI 96793
Applicant	Genova Construction Development; 555 Corporate Drive, Suite 120, Ladera Ranch, CA 92694 Brad Cook, (949) 306-2943, brad@genovacd.com
Consultant	Chris Hart & Partners, Inc.; 2200 Main Street, Suite 527, Wailuku, HI 96793 Brett Davis, (808) 242-1955, Bdavis@chpmaui.com
Status	Finding of No Significant Impact (FONSI) determination

The proposed action is to develop a portion of the existing undeveloped 238-acre land situated west of Kahekili Highway. Approximately 158 acres of land will be developed as a new 100% affordable, 752-unit residential community along with associated infrastructure, roadways, and amenities such as park space, walking trails, and landscaping. All units within the proposed community are for sale at prices determined by the Housing and Urban Development (HUD) annual price guidelines.

Out of the proposed 752 dwelling units, 184 will be multi-family units and 568 will be single-family units. The proposed plan includes six (6) different types of single-family development to provide a variety of housing options to future residents. The proposed project also includes a retail space of an approximately 17,400 square feet and three (3) parks totaling 6.3 acres.

O'AHU

The Hocking Building Adaptive Reuse--Draft EA (AFNSI)

HRS §343-5(a) Trigger	(4) Propose any use within any historic site as designated in the National Register or Hawai'i Register
District(s)	Honolulu
TMK(s)	(1) 1-7-003:001
Permit(s)	Chinatown Special District Permit, Building Permits
Approving Agency	City and County of Honolulu, Department of Planning and Permitting Janet Meinke-Lau, (808) 768-8033, j.meinkelau@honolulu.gov 650 South King Street, 7th floor, Honolulu, HI 96813
Applicant	The Hocking Building LLC; 1600 Ala Moana Boulevard, Suite 103, Honolulu, HI 96815 Mark Hashem, (808) 388-7693, mhashme@sofoserealty.com
Consultant	Environmental Communications, Inc.; P.O. Box 236097, Honolulu, HI 96823 Taeyong Kim, (808) 528-4661, tkim@environcom.com
Status	Statutory 30-day public review and comment period starts. Comments are due by August 8, 2022. Please send comments to the approving agency and copy the applicant and the consultant.

The Project consists of an adaptive reuse Project for affordable rental housing in downtown Honolulu. This Project will be restricted to qualified households within the 30 percent to 50 percent Area Median Income level. Adaptive reuse of the building involves converting the commercial office space building into an affordable rental housing Project with 40 units. 25 units will be studio units, six units will be one bedroom units, and nine units will be two-bedroom units. Tenant storage will be located in the basement.

A community room, gym, laundry room, computer room and existing courtyard will be located on the ground floor. The building will retain its historic appearance and efforts have been made to restore the building close to its original exterior design. The proposed Project will involve the use of Federal Historic Tax Credits, State Low Income Housing Tax Credits, and Rental Housing Revolving Fund administered by the Hawai'i Housing Finance and Development Corporation.

O'AHU (CONTINUED)

Hale Lauula--Final EA (FONSI)

HRS §343-5(a) Trigger	(5) Propose any use within the Waikiki area of O'ahu
District(s)	Honolulu
TMK(s)	(1) 2-6-018:049
Permit(s)	Waikiki Special District Permit, other various permits (see document)
Approving Agency	City and County of Honolulu, Department of Planning and Permitting Janet Meinke-Lau, (808) 768-8033, j.meinkelau@honolulu.gov 650 South King Street, 7th floor, Honolulu, HI 96813
Applicant	Waikiki Bazaar Inc.; 1288 Kapi'olani Boulevard, Apartment I-4603. Honolulu, HI 96814 John Shimizu, (808) 599-3800, jbs@vcshawaii.com
Consultant	R.M. Towill Corporation; 2024 North King Street, Suite 200, Honolulu, HI 96819-3494 Isaiah Sato, (808) 842-1133, isaiahs@rmtowill.com
Status	Finding of No Significant Impact (FONSI) determination

Waikiki Bazaar Inc. (WB) proposes to develop Hale Lauula, a six-story structure with a 16-unit, 28-bed boutique hotel or apartment building, on a 5,355-square-foot parcel. The Project site is approximately 120 feet deep and 50 feet wide.

WB will replace the existing surface commercial parking lot with a six-story, 16-unit, 28-bed boutique hotel or apartment building. The first level includes the lobby, vehicle parking stalls, bicycle racks, loading spaces, and landscaping. Level 2 will include a prep-kitchen, indoor and outdoor seating, a lounge area, mailboxes, front desk, unisex bathroom, vending machines, office, laundry room, janitor's closet, storage, mechanical room, two decks, and a landscaped recreation area. Levels 3 through 6 will include four units per floor for a total of 16 units.

Waimānalo Research Station Master Plan--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)	Ko'olaupoko
TMK(s)	(1) 4-1-008:103 and 4-1-008:005
Permit(s)	Section 6E-8 Historic preservation review; building, grading, stockpiling, grubbing, trenching permits
Proposing/ Determining Agency	State of Hawai'i, University of Hawai'i at Mānoa Thomas Lim, (808) 956-7429, tlim@hawaii.edu 3050 Maile Way, Gilmore 214B, Honolulu, HI 96822
Consultant	HHF Planners; 733 Bishop Street, Suite 2590, Honolulu, HI 96813 Leslie Kurisaki, (808) 457-3182, lkurisaki@hhf.com
Status	Finding of No Significant Impact (FONSI) determination

The UH College of Tropical Agriculture and Human Resources (CTAHR) has prepared a master plan for 283 acres in Waimānalo, located adjacent to the existing Waimānalo Research Station (WRS). The property is the site of the former Meadow Gold Dairies and will be leased from the State Department of Land and Natural Resources. The master plan represents CTAHR's 20+ year vision for the property.

The Project Area will be an extension of the existing WRS, and be used to support CTAHR's Cooperative Extension, research, and educational activities. There will be 3 primary land uses: 1) Animals/livestock; 2) Plants; and 3) Forestry. Other uses may include an Education Center near the Waikupanaha Street entry. An archaeological/cultural preserve will be designated around Pueo Heiau and will include a publically accessible area for community-driven and sponsored projects. The location and acreage of the master plan uses are flexible and may be modified in response to future needs and priorities

PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

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

COMMENTS DUE JULY 8, 2022

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 \(EISPN\)](#)

COMMENTS DUE JULY 25, 2022

HAWAI'I

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

O'AHU

[Two SFRs at 10 Kamani Kai Place--Draft EA \(AFNSI\) \(ROH Chapter 25\)](#)

[Hawaiian Cement Sand Shed--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 June 2022; contact the identified agency contact on each list for additional information about any specific exemption:

County of Hawai'i

[Department of Public Works](#)

City and County of Honolulu

[Department of Design and Construction](#)

State of Hawai'i

[Department of Accounting and General Services](#)

[Department of Land and Natural Resources](#)

[Department of Transportation](#)

County of Maui

[Department of Parks and Recreation](#)

[Department of Public Works](#)

PRIOR DETERMINATION

The University of Hawai'i, Community Colleges (UHCC) [has determined](#) that additional environmental review is not required for the construction of a multi-purpose outdoor classroom at the piko, future multi-purpose classroom, and additional parking for the Hawai'i Community College-Palamananui campus. [A Final Supplemental Environmental Impact Statement \(FSEIS\) for the University of Hawai'i Center-West Hawai'i 2009 Revision and Update](#) was prepared for the campus in 2010 to address potential direct, indirect and cumulative impacts associated with the project. The UHCC has conducted their review of the 2010 FSEIS and has determined that the proposed action is a component of, or is substantially similar to, actions that were identified in the 2010 FSEIS; is anticipated to have direct, indirect and cumulative effects similar to those analyzed in the 2010 FSEIS; and was analyzed within the range of alternatives in the 2010 FSEIS.

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-1993	57-335 Pahipahialua Street, O'ahu 96731	(1) 5-7-003: 058	Gil P. Bumanglag	Lance and Rocheel Blaisdell
OA-1994	91-329, 91-333, 91-335, and 91-335a Papipi Road, O'ahu 96706	(1) 9-1-134: 007 & 078	R.M. Towill Corporation	Haseko (Ewa) Inc.
OA-1995	91-329, 91-333, 91-335, and 91-335a Papipi Road, O'ahu 96706	(1) 9-1-134: 045 & 046	R.M. Towill Corporation	Haseko (Ewa) Inc.
MA-785	200 Nohea Kai Drive, Maui 96761	(2) 4-4-013: 013	R. T. Tanaka Engineers, Inc.	Maui Timeshare Venture LLC
MA-786	Off Stable Road, Maui	(2) 3-8-095: 020 & 3-8-002: 010	Action Survey LLC	E Paepae Ku Pukoa Association
MA-787	4420 Makena Road, Maui 96753	(2) 2-1-011: 005 & 028	Warren S. Unemori Engineering Inc.	C.H. Makena Holdings Ltd.
HA-627	15-1859 Beach Road, Hawai'i	(3) 1-5-032: 049	Daniel Berg, dlb & associates, LLC	Patricia Sather, Stephen Else
KA-469	Kaua'i	(4) 3-5-001: 005,008,009, 109,111,128,159,160; 3-7-002: 999	Esaki Surveying and Mapping, Inc.	State of Hawai'i, Department of Transportation, Airports Division

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-769	Proposed	2780 Keka'a Drive, Maui 96761	(2) 4-4-008:007	Warren S. Unemori Engineering Inc.	Pleasant Travel Service
MA-779	Proposed	1772 Halama Street, Maui 96753	(2) 3-9-012:006	Action Survey LLC	Surf & Ski LLC
HA-626	Proposed	Queen Ka'ahumanu Highway, Hawai'i	(3) 7-2-004:001	R.M. Towill Corporation	B.P. Bishop Estate TTEES, Kamehameha Schools
KA-467	Proposed	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.

COASTAL ZONE MANAGEMENT NOTICES

SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS

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

Location (TMK)	Description (File No.)	Applicant/Agent
Kaua'i: Kapa'a (5-5-004: 040)	Concrete Masonry Unit, IPE Wood Fence, and Gate (SMA(M)-2022-12)	Andi and Robert Ferguson/Adam Brown
Kaua'i: Wainiha (5-8-011: 001)	Storage Shed (SMA(M)-2022-13)	Jaro Volny
Maui: Kihei (2-2-002: 043)	Reconstruct Areas of Campus to be ADA Compliant: Walkway Landings at Buildings E, G, H, I, Cafeteria & Main Corridor & Portables, New Parking Area (SM2 2022-00021)	Department of Education – Kihei School
Maui: Lahaina (4-6-008: 006)	Fourth of July Music Event from 5 pm – 8 pm, Setup 8 am to Noon, Breakdown 8 pm – 10 pm (SM2 2022-00023)	Lahaina Restoration Foundation
Maui: Kahului (3-8-103: 022)	Grub Lot; Lay Gravel; Install Fence; Construct Driveway Apron (SM2 2022-00026)	John Kim West Maui Construction Inc.
Maui: Kahului (3-8-103: 023)	Grub Lot; Lay Gravel; Install Fence; Install Driveway Apron (SM2 2022-00027)	John Kim West Maui Construction Inc.
Maui: Kahului (3-8-103: 026)	Grub Lot; Lay Gravel; Install Fence; Construct Driveway Apron (SM2 2022-00028)	John Kim West Maui Construction Inc.
O'ahu: Wailupe (3-6-001: 017)	Additions to Single-Family Dwelling (2022/SMA-24)	Armstrong Design Group

CONSERVATION DISTRICT USE APPLICATIONS

Persons interested in commenting on the following Conservation District Use Application(s) or receiving notification of determinations on Conservation District Use Applications must submit comments and requests to the Department of Land and Natural Resources. Notification requests must include the following information: 1) Name and address of the requestor; 2) The application for which the requestor would like to receive notice of determination; and 3) The date the notice was initially published in *The Environmental Notice*. Send comments and requests to: Department of Land and Natural Resources, Office of Conservation and Coastal Lands, P.O. Box 621, Honolulu, HI, 96809. DLNR will make every effort to notify those interested in the subject CDUAs. However, DLNR is not obligated to notify any person not strictly complying with the above requirements. For more information, please contact the Office of Conservation and Coastal Lands staff listed for each project. CDUAs can be found via the hyperlinked File No. below or on the OCCL website at dlnr.hawaii.gov/occl.

File No.: [CDUA OA-3898 \(Department's Acceptance Letter\)](#)
Ch 343, Determination: Exempt per HAR, Chapter 11-200.1-16
Name of Applicant: City and County of Honolulu Board of Water Supply
Agent: R.M. Towill
Location: 1691 Mokapu Boulevard, Portion of Kailua, O'ahu
TMK: (1) 4-2-017:016
Proposed Action: [BWS Kapa'a 272 Reservoir Replacement project](#)
Agent's Contact: Brain Takeda, (808) 842-1133, BrainT@rmtowill.com
OCCL Staff Contact: Trevor Fitzpatrick, (808) 798-6660, trevor.j.fitzpatrick@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. 21476](#) (published by the National Oceanic and Atmospheric Administration on 06/30/2022)

Notice is hereby given that Lars Bejder, Ph.D., University of Hawai'i at Mānoa, 46-007 Lilipuna Road, Kane'ohe, HI 96744, has applied for an amendment to scientific research Permit No. 21476-01. **Comments must be received on or before August 1, 2022.**

FEDERAL NOTICES (CONTINUED)

Rule: [Endangered and Threatened Wildlife and Plants; Regulations for Listing Endangered and Threatened Species and Designating Critical Habitat](#) (published by the Fish and Wildlife Service and the National Oceanic and Atmospheric Administration on 06/24/2022)

We, the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) (hereafter collectively referred to as the “Services” or “we”), rescind the final rule titled “Regulations for Listing Endangered and Threatened Species and Designating Critical Habitat” that was published on December 16, 2020, and became effective on January 15, 2021. This rescission removes the regulatory definition of “habitat” established by that rule. **This final rule is effective July 25, 2022.**

On January 20, 2021, the President issued Executive Order (E.O.) 13990, which, in section 2, required all executive departments and agencies to review Federal regulations and actions taken between January 20, 2017, and January 20, 2021. In support of E.O. 13990, a “Fact Sheet” was issued that set forth a non-exhaustive list of specific agency actions that agencies are required to review to determine consistency with the policy considerations articulated in section 1 of the E.O. (See www.whitehouse.gov/briefing-room/statements-releases/2021/01/20/fact-sheet-list-of-agency-actions-for-review/). Among the agency actions listed on the Fact Sheet was our December 16, 2020, final rule promulgating a regulatory definition for the term “habitat” (85 FR 81411) under the Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 et seq. (hereafter, “the Act”). Following our review of this rule (the “habitat definition rule”), we determined it was unclear and confusing and inconsistent with the conservation purposes of the Act, and we subsequently published a proposed rule to rescind it (86 FR 59353, October 27, 2021). We solicited public comments on the proposed rule through November 26, 2021. In response to several requests, we extended the deadline for submission of public comments to December 13, 2021 (86 FR 67013, November 24, 2021). Following consideration of all public comments received in response to our proposed rule to rescind the habitat definition, and for reasons outlined both in our proposed rule (86 FR 59353, October 27, 2021) and this document, we have decided to rescind the regulatory definition of “habitat.” We acknowledge that, in coming to this final decision to rescind the regulatory definition of “habitat,” we are changing our position on some aspects of the rationale underpinning the definition's adoption; accordingly, we have provided explanations for why rescission of the definition is appropriate. *Please click on the title link above for further information.*

Notice: [Programmatic Environmental Assessment of Multi-Domain Task Force Stationing](#) (published by the Army Department on 06/22/2022)

The Department of the Army (Army) completed a programmatic environmental assessment (PEA) regarding the impacts of stationing a Multi-Domain Task Force (MDTF) at 13 existing Army garrisons and joint bases including U.S. Army Garrison (US-AG)-Hawai'i (Schofield Barracks and Helemano Military Reservation), and is encouraging community participation in this process. The Army is making the PEA and a draft finding of no significant impact (FONSI) available for public comment. The PEA determined the environmental and socioeconomic impacts that would result from the Proposed Action would be either less than significant or significant but mitigable at all of the considered locations. The draft FONSI concluded that an environmental impact statement (EIS) is not required. Unless other significant impacts are brought to the Army's attention during public review of the PEA, the Army will finalize the PEA and FONSI and will not prepare an EIS. **Comments must be received by July 22, 2022 to be considered in the PEA process.** *Please click on the title link above for further information.*

Notice: [Western Pacific Fishery Management Council; Public Meetings](#) (published by the National Oceanic and Atmospheric Administration on 06/28/2022)

The Western Pacific Fishery Management Council (Council) and NMFS will convene a Western Pacific Stock Assessment Review (WPSAR) of Level 1 and Level 2 Essential Fish Habitat (EFH) models for the Main Hawaiian Islands gray jobfish, or uku (*Aprion virescens*). **The WPSAR meeting will be held July 12, 2022 through July 14, 2022.** For specific times and agendas, please click on the title link above. The meeting will be held in a hybrid format with in-person and remote participation (Webex) options available for WPSAR Panelists and participants, with public attendance limited to web conference via Webex. Specific information on joining the meeting, connecting to the web conference and providing oral public comments will be posted on the Council website at www.wpcouncil.org

Notice: [National Register of Historic Places; Notification of Pending Nominations and Related Actions](#) (published by the National Park Service on 07/05/2022)

The National Park Service is soliciting electronic **comments by July 20, 2022** on the significance of properties nominated for listing or related actions in the National Register of Historic Places, including in Honolulu: Marek, Col. C.S. and Berlinda Ku'ulei, House, 2441 Pacific Heights Rd., Honolulu, SG100007974. *Please click on the title link above for further information.*

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).