



The Environmental Notice

July 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.



TABLE OF CONTENTS

ANNOUNCEMENTS	2	O’AHU	
STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS & DETERMINATIONS	2	Waikīkī Shell Improvements--Draft EA (AFNSI)	6
HAWAI’I		CHAPTER 25, REVISED ORDINANCES OF HONOLULU	
Puna Geothermal Venture Repower Project (EISPN)	3	126 S. Kalaheo Single-Family Residence--Final EA (FONSI)	7
Campus Expansion for the Arts & Sciences Center in Puna--Final EA (FONSI)	3	PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT	7
NELHA’s Innovation Center & Hale Wawaloli Visitor Center--Final EA (FONSI)	4	EXEMPTION LIST REVIEW	7
Hilo Abandoned Vehicle Facility--Final EA (FONSI)	4	PRIOR DETERMINATION	8
MAUI		COASTAL ZONE MANAGEMENT NOTICES	
Maui County Streetlight Conversion Project--Draft EA (AFNSI)	5	Federal Consistency Reviews.....	8
.....	5	Special Management Area (SMA) Minor Permits.....	9
Pu’unani Homestead Subdivision Water System Storage Improvements--Draft EA (AFNSI)	5	SHORELINE NOTICES	
Ka’anapali Beach Restoration and Berm Enhancement--2nd Final EIS	6	Applications for Shoreline Certification.....	9
		Proposed Shoreline Certifications and Rejections.....	9
		NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) ACTIONS	10
		FEDERAL NOTICES	10
		GLOSSARY OF TERMS AND DEFINITIONS	12

ANNOUNCEMENTS

- Our website now has a [Contact Us page](#), so please use this to submit questions to ERP. Our goal is to respond within 1 to 2 business days.
- To clarify our [Online Submittal Form](#), the question about a consultant is intended to identify if a consultant was used to help prepare the item being submitted, not just whether a consultant performed the act of submitting the document. We are sorry that there has been some confusion about the language in this field.

STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS & DETERMINATIONS



HAWAII

Puna Geothermal Venture Repower Project (EIS Preparation Notice)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	Puna
TMK(s)	(3) 1-4-001: 001, 002, and 019
Permit(s)	DOH noncovered source permit (for Phase 2, upgrades to 60 MW), Building Permit (County), Grading Permit (County)
Approving Agency	County of Hawai'i, Planning Department April Surprenant, (808) 961-8288, planning@hawaiiicounty.gov 101 Pauahi Street, Suite 3, Hilo, HI 96720
Applicant	Puna Geothermal Venture; P.O. Box 30, Pahoa, HI 96778 Mike Kaleikini, (808) 369-9094, mkaleikini@ormat.com
Consultant	Stantec Consulting Services Inc.; P.O. Box 191, Hilo, HI 96721 Michele Lefebvre, (808) 494-2039, michele.lefebvre@stantec.com
Status	Administrative 30-day public review and comment period starts. Comments are due by August 22, 2022. Please send comments to the approving agency/accepting authority and copy the applicant and the consultant. An EIS Public Scoping meeting will be held August 17 from 5:00-8:00pm at the Pāhoa Community Center.

Puna Geothermal Venture is currently authorized for and operating a geothermal power plant in the Puna District and proposes to replace the current 12 operating power-generating units with up to four energy converters. The project would increase the production of renewable energy at the existing facility (within the current site fence line) using new, more efficient units on a smaller land footprint compared to the existing units. The project would increase power production from 38 to 46 megawatts in Phase 1 and further increase production to 60 megawatts in Phase 2. The overall property size would remain the same. Most of the existing infrastructure and buildings would remain for the Project including administration buildings, the control room, maintenance areas, well pads, and the gathering system. The proposed new units would continue to safely supply reliable power from renewable geothermal resources with more efficient and quieter equipment.

Campus Expansion for the Arts and Sciences Center in Puna--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)	Puna
TMK(s)	(3) 1-5-006: 002, 012, and 026
Permit(s)	
Approving Agency	County of Hawai'i, Planning Department Natasha Soriano, (808) 961-8712, Natasha.soriano@hawaiiicounty.gov 101 Pauahi Street, Suite 3, Hilo, HI 96720
Applicant	Arts and Sciences Center; P.O. Box 2091, Pāhoa, HI 96778 Steve Hirakami, (808) 938-2933, ascpuna@gmail.com
Consultant	Land Planning Hawai'i LLC; 194 Wiwo'ole Street, Hilo, HI 96720 John Pipan, (808) 333-3391, john@landplanninghawaii.com
Status	Finding of No Significant Impact (FONSI) determination

The proposed action involves the construction of six (6) buildings over four (4) phases and include a gateway/community workforce development/technology center, an industrial and skilled trades development center, an agricultural center, an event/auditorium and atrium, a vocational school, and a maintenance/repair shop. The grounds will also be designed for community focused agriculture, aquaponics and aquaculture, outdoor workshop and learning areas, stream ecology, ethnobotanical gardens, an amphitheater, community athletic and outdoor activity fields, walking paths, a greenhouse, composting and green waste areas, parking lots and drop off locations. Access alternatives may involve improvements to the Kea'au-Pāhoa Bypass Road and will be determined in consultation with the Hawai'i Department of Transportation.

HAWAII (CONTINUED)

NELHA's Innovation Center and Hale Wawaloli Visitor Center--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)	North Kona
TMK(s)	(3) 7-3-043:051, 100, and 088 (portion)
Permit(s)	County of Hawai'i: Department of Public Works, Building Division Approval and Building Permit; Engineering Division, Grading Permit and Drainage Plan; State of Hawai'i: Department of Health, NPDES Permit; State Historic Preservation Division, Chapter 6E Historic Sites Clearance
Proposing/ Determining Agency	State of Hawai'i, Natural Energy Laboratory of Hawai'i Authority Gregory Barbour, (808) 327-9585, nelha@nelha.org 73-4460 Queen Ka'ahumanu Highway, #101, Kailua-Kona, HI 96740-2637
Consultant	Stantec Consulting Services Inc.; P.O. Box 191, Hilo, HI 96721 Michele Lefebvre, (808) 494-2039, michele.lefebvre@stantec.com
Status	Finding of No Significant Impact (FONSI) determination

The proposed project is located just southwest of the Kona International Airport and consists of the construction and operation of a new Innovation Center for the Natural Energy Laboratory of Hawai'i Authority (NELHA) as well as a separate Hale Wawaloli Visitor Center for the Hawai'i Ocean Science and Technology Park (HOST Park). The Innovation Center would be an expansion of the existing Research Village. The current research facility is essentially at full capacity and the expansion would provide for program growth for the foreseeable future. The Innovation Center would include offices, conference spaces, laboratories, indoor and outdoor research spaces, and meeting areas. The Hale Wawaloli Visitor Center would be an addition to the existing Wawaloli Beach Park facilities, and would serve as NELHA's shoreline visitor education center. The proposed project has been designed to complement the visual character of the area and minimize impacts to coastal resources.

Hilo Abandoned Vehicle Facility--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 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@hawaiiicounty.gov 345 Kekūanāo'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	Finding of No Significant Impact (FONSI) determination

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.

MAUI

Maui County Streetlight Conversion 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)	multiple
TMK(s)	County right-of-way throughout the County of Maui
Permit(s)	Work in Roadway Permit
Proposing/ Determining Agency	County of Maui, Department of Public Works Kurt Watanabe, (808) 463-3120, kurt.watanabe@co.maui.hi.us 200 S. High Street, Room 401, Wailuku, HI 96793
Consultant	Planning Solutions, Inc.; 711 Kapiolani Boulevard, Suite 950, Honolulu, HI 96813 Makena White, (808) 550-4538, makena@psi-hi.com
Status	Statutory 30-day public review and comment period starts. Comments are due by August 22, 2022. Please click on title link above to read the document, then send comments to the proposing/determining agency and copy the consultant.

The Maui County Streetlight Conversion Project involves the replacement of approximately 4,900 County-owned streetlight fixtures located along County roadways on the Islands of Maui, Moloka'i, and Lāna'i. The existing High Pressure Sodium (HPS) light fixtures would be removed and fully-shielded, energy-saving, wirelessly-controllable Light Emitting Diode (LED) light fixtures would be installed. The LED fixtures would have a correlated color temperature of 2700K and comply with current administrative rules. The county would also implement adaptive lighting measures, including dimming, when and where appropriate.

Pu'unani Homestead Subdivision Water System Storage Improvements--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)	Wailuku
TMK(s)	(2) 3-5-002:003 (por.)
Permit(s)	Chapter 6E, Historic Preservation Compliance; Noise Permit pursuant to Chapter 11-46, Hawai'i Administrative Rules (HAR), Community Noise Control, as applicable; Air Pollution Control Permit pursuant to Chapter 11-60.1-33, HAR, Fugitive Dust, as applicable; National Pollutant Discharge Elimination System (NPDES) Permit, as applicable; Construction permits (i.e., building and grading permits)
Proposing/ Determining Agency	State of Hawai'i, Department of Hawaiian Home Lands William Aila, Jr., (808) 620-9500, stewart.t.matsunaga@hawaii.gov 91-5420 Kapolei Parkway, Kapolei, HI 96707
Consultant	Munekiyo Hiraga; 305 High Street, Suite 104, Wailuku, HI 96793 Yukino Uchiyama, (808) 983-1233, planning@munekiyohiraga.com
Status	Statutory 30-day public review and comment period starts. Comments are due by August 22, 2022. Please click on title link above to read the document, then send comments to the proposing/determining agency and copy the consultant.

The Department of Hawaiian Home Lands (DHHL) proposes the construction of up to a 0.5 MG concrete water system storage tank on approximately 1.26 acres of land. The proposed water storage tank will be approximately 23 feet in height and approximately 70 feet in diameter. This new water storage tank will interconnect with the County of Maui's existing Kehalani Mid-Level Distribution System and eventually, lots within the DHHL Pu'unani Homestead Subdivision. Related improvements include the development of a subsurface drainage sump, inflow and outflow lines to interconnect with the existing distribution main, and the installation of fencing around the new tank expansion lot, grading, paving, and other miscellaneous equipment for the proposed tank.

MAUI (CONTINUED)

Ka'anapali Beach Restoration and Berm Enhancement--2nd Final EIS

Grandfathered under old rules

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)	Lahaina
TMK(s)	Seaward of (2) 4-4-013:007, 4-4-013:006, 4-4-013:008, 4-4-013:013, 4-4-013:002, 4-4-013:001, 4-4-008:022, 4-4-008:019, 4-4-008:001, 4-4-008:002, 4-4-008:003, 4-4-008:005
Permit(s)	Various (see document)
Proposing/ Determining Agency	State of Hawai'i, Department of Land and Natural Resources Tiger Mills, (808) 587-0377, kimberly.mills@hawaii.gov Office of Conservation and Coastal Lands, 1151 Punchbowl St., Honolulu, HI 96813
Accepting Authority	State of Hawai'i, Office of the Governor, State Capitol, Executive Chambers, 415 South Beretania Street, Honolulu, HI 96813 The Honorable David Ige, (808) 586-0034, transmit.docs@hawaii.gov
Consultant	N/A
Status	This 2nd Final EIS, which corrects some omissions in the original FEIS, has been submitted and is pending acceptance by the accepting authority.

Beach restoration to the approximate condition of the 1988 shoreline is proposed for the section of Ka'anapali Beach between Hanakao'o Beach Park and Hanakao'o Point. Beach berm enhancement, which would raise the elevation of the dry beach by 3.5 feet for the section between Hanakao'o Point and Pu'u Keka'a. The approximately 75,000 cubic yards of sand needed for the proposed project would be recovered from an 8.5-acre sand deposit, located approximately 150 feet offshore of Pu'u Keka'a in 28 to 56 feet water depth. The proposed sand recovery method consists of a moored crane barge equipped with a clamshell bucket. Barges would be rotating between the sand deposit and two off-loading sites, where the barges would be moored to an elevated trestle or floating bridge to shore. The sand would be transferred to shore along the trestle or bridge system. Land-based equipment would then transfer the sand from the shoreline to the placement area where crews would spread sand along the shoreline.

O'AHU

Waikiki Shell Improvements--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)	(1) 3-1-043: 001 (pr.) and 018
Permit(s)	Various (see document)
Proposing/ Determining Agency	City and County of Honolulu, Department of Design and Construction John Condrey, (808) 768-8480, jcondrey@honolulu.gov 650 South King Street, 11th Floor, Honolulu, HI 96813
Consultant	R.M. Towill Corporation; 2024 North King Street, Suite 200, Honolulu, HI 96819 Isaiah Sato, (808) 842-1133, isaiahs@rmtowill.com
Status	Statutory 30-day public review and comment period starts. Comments are due by August 22, 2022. Please click on title link above to read the document, then send comments to the proposing/determining agency and copy the consultant.

The City and County of Honolulu proposes to provide improvements to the Tom Moffatt Waikiki Shell that include the following:

- A. Replacement of sign structure at the west public entry.
- B. Replacement of the existing open air food concession.
- C. Modify orchestra pit area to better accommodate portable seating.
- D. Replacement of existing seating with new seats.
- E. Installation of a tensile structure over the existing seating area.
- F. Replacement of the existing sound bunker.
- G. Installation of new fixed seating (2,000) in the existing lawn seating area.
- H. Installation of sound baffles and pedestrian covering at the rear of the seating area. The sound baffles and pedestrian covering is anticipated to be 10 - 20 feet tall.

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.

[126 South Kalaheo Single-Family Residence--Final EA \(FONSI\)](#)

District(s)	Ko’olaupoko
TMK(s)	(1) 4-3-012:030
Permit(s)	SMA Use Permit; Building Permits; Development Permits; Solar Photovoltaic Permit; Street Usage Permit, Occupancy Permit; Community Noise Permit; Individual Wastewater System 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	Brandon Wey; 616 Kaumaka Place, Honolulu, HI 96813 (808) 308-6402, vshigekuni@pbrhawaii.com
Consultant	PBR Hawaii; 1001 Bishop Street, Suite 650, Honolulu, HI 96813 Vincent Shigekuni, (808) 521-5631, vshigekuni@pbrhawaii.com
Status	Finding of No Significant Impact (FONSI) determination

The Project proposes the development of a two-story, single-family detached dwelling unit with a garage and accessory structures on a 37,180-square-foot shoreline lot within the R-10 Residential District and SMA in Kailua, O’ahu (Project). The site was previously developed with a single-family dwelling, but is currently vacant and occupied with scattered vegetation and remnants from the previous residence. The property is located within Flood Zone X, and is not within the 3.2-foot Sea Level Rise Exposure Area. The closest structure to the Pacific Ocean is proposed to be set back approximately 80 feet from the certified shoreline.

PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

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

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

COMMENTS DUE AUGUST 8, 2022

O’AHU

[The Hocking Building Adaptive Reuse--Draft EA \(AFNSI\)](#)

EXEMPTION LIST REVIEW

The following agency exemption list, which serves as guidance for the agency in making exemptions, has been submitted to the Environmental Advisory Council (EAC) for review and concurrence. At the request of the EAC, this draft exemption list is being published for public review and comment; please click on the following link to view the list, and **submit any comments by August 8, 2022** to dbedt.opsd.erp@hawaii.gov:

[County of Kaua’i, Department of Water](#)

PRIOR DETERMINATION

The Department of Planning and Permitting (DPP) [has determined](#) that additional environmental review and a new Special Management Area (SMA) permit are not required for the development of the RR-3 sites within the Turtle Bay Resort, which will include 20 low rise buildings for a total of 90 residential condominium units. On October 3, 2013, the DPP accepted the Final Supplemental Environmental Impact Statement (SEIS), which identified the RR-3a and RR-3b sites as "Resort Residential" use with a projected maximum unit count of 100 units. The potential environmental impacts considered by the Final SEIS and original SMA permit (adopted in October 1986 by City Council under Resolution 86-308) were greater than the environmental impacts of the current proposal. Therefore, the DPP finds that the current proposal is a lower density and intensity than what was assessed in the Final SEIS and permitted in the SMA permit.

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

Hawai'i Volcanoes National Park Disaster Recovery Repairs, Hawai'i Island

Proposed Action: The Hawai'i Volcanoes National Park proposes to repair or replace critical park and USGS infrastructure and park visitor facilities damaged in the 2018 eruption to restore and enhance park visitor use and enjoyment, restore park and USGS operation and improve interagency response to eruptive activity. The proposed activities include the following improvements within the summit area:

- Deconstructing the damaged facilities and repairing visitor use amenities in the Uekahuna bluff area
- Replacing the HVO research facilities with a new field station in the historic ball field adjacent to KMC
- Construction of a replacement visitor center next to the existing KVC/HG and repurpose KVC/HQ for special programs and environmental education
- Enhancing the park entrance and realigning Crater Rim Drive
- Deconstruction of non-historic National Park Service office space and relocation to former USGS Pacific Island Ecosystem Research Center-Kilauea Field Station (PIRC-KFS) buildings.

Location: Hawai'i Volcano National Park, Hawai'i Island

Federal Action: Federal Agency Activity

Federal Agency: National Park Service

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

Comments Due: August 7, 2022

COASTAL ZONE MANAGEMENT NOTICES (CONTINUED)

SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS

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

Location (TMK)	Description (File No.)	Applicant/Agent
Hawai'i: South Kona (7-8-012: 055 & 999 and 7-8-010: 044)	Keauhou Sewer Line Rehabilitation Project (PL-SMM-2022-000023)	Tom Venue & B P Bishop Estate
Kaua'i: Kōloa (2-8-028: 036)	Swimming Pool and Associated Decking (SMA(M)-2022-14)	Spectre, LLC-Marc Bruun President/ Marc Ventura, Architect
Kaua'i: Wailua (4-1-017:011)	Concrete Masonry Unit (CMU) fence (SMA(M)-2022-16)	Shane Pettit
Maui: Ha'ikū (2-7-005: 003)	Grubbing, Tree Removal, Add Storage Containers and Fence (SM2 2022-00025)	Forrest Morrow
Maui: Lahaina (4-5-002: 010)	Converted Existing Storage/Laundry, Study, and Lanai to an Addition Adding Four New Bedrooms, and Five Bathrooms. Added a New Detached Laundry Room (SM2 2022-00031)	Debbie Mitchell
Maui: Lahaina (4-5-001: 045)	Demonstrations, Live Music, Keiki Crafts, Chinese Lanterns outside on Lawn. No Ground Altering Activity (SM2 2022-00032)	Lahaina Restoration Foundation
O'ahu: Wailupe (3-6-001: 029)	New Pavilion for Wo Residence (2022/SMA-36)	Scott and Nancy Wo/Peter Vincent Architects

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
MA-788	5000 Makena Road, Maui 96753	(2) 2-1-007:103 & 107	Ailana Surveying & Geomatics, LLC	Geneva Pacific Investments II, LLC
MA-789	100 Nohea Kai Drive	(2) 4-4-013:001	Warren S. Unemori Engineering Inc.	Maui Ocean Club

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-1985	Proposed	58-002 Makanale Street, O'ahu	(1) 5-8-003:012	R.M. Towill Corporation	John R. and Fumi Winebarger
MA-768	Rejection	575 Stable Road, Maui 96779	(2) 3-8-002:100	Ailana Surveying & Geomatics, LLC	William Fleischer

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) ACTIONS

As a courtesy, listed below are documents submitted for publication that have been prepared pursuant to NEPA, rather than Chapter 343, HRS (sometimes referred to as "HEPA"). Accordingly, these entries may have unique comment periods. Occasionally, actions are subject to both NEPA and HEPA. In those cases, a separate Chapter 343, HRS, entry would be published in *The Environmental Notice* when a relevant document or determination is submitted to OPSP/ERP.

Joint Intelligence Operations Center--Draft EA

Island/District/TMK	O'ahu / 'Ewa / (1) 9-9-002:004 (por.)
Permit(s)	National Pollutant Discharge Elimination System Construction General Permit
Proposing/ Approving Agency	U.S. Department of the Navy, Naval Facilities Engineering Systems Command Pacific 258 Makalapa Drive, Suite 100, JBPHH, HI 96860 Attn: EV21 Project Manager, JIOC EA NFPAC-Receive@navy.mil
Consultant	HHF Planners, Gail Renard, 808-457-3167, comments@hhf.com
Status	Written comments on the Draft EA may be provided to the Proposing Agency and must be received or postmarked by August 10, 2022 to be considered in the Final EA.

Joint Base Pearl Harbor-Hickam (JBPHH) proposes to construct an administrative facility to consolidate the United States Indo-Pacific Command Joint Intelligence Operations Center (JIOC) functions from dispersed locations at JBPHH and Camp H.M. Smith. The Preferred Alternative would construct a multi-story, approximately 172,000-square-foot administrative facility within the U.S. Navy's JBPHH Makalapa Compound. The project also includes supporting infrastructure and facilities (e.g., parking, stormwater detention, sanitary sewer lift station, and offsite sewer improvements). Project construction is anticipated to begin in 2026 and be completed in 2030.

The purpose of the Proposed Action is to provide an administrative facility for JIOC that meets current and anticipated facility requirements at JBPHH, improves its ability to carry out its mission, and consolidates geographically dispersed functions and personnel in order to improve integration among JIOC organizations. The Proposed Action is needed to improve the integration and close collaboration required to support operations by collocating JIOC functions and personnel at a new facility with the ability to accommodate new technologies, which would better support national, strategic, and operational theater requirements. The Navy anticipates the project would result in less than significant impacts on the quality of the human or natural environment.

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: Swim With and Approach Regulation for Hawaiian Spinner Dolphins Under the Marine Mammal Protection Act; Ratification of Regulation (published by the National Oceanic and Atmospheric Administration on 07/14/2022)

On July 8, 2022, the Under Secretary of Commerce for Oceans and Atmosphere and NOAA Administrator, Dr. Richard W. Spinrad, ratified a final rule issued by NMFS on September 28, 2021, that restricts swimming with and approaching Hawaiian spinner dolphins within 50 yards (45.7 m) in designated waters of Hawaii, subject to certain exceptions. See Swim With and Approach Regulation for Hawaiian Spinner Dolphins under the Marine Mammal Protection Act, 86 FR 53818 (Sept. 28, 2021) (Approach Rule). NOAA is now publishing the ratification in the Federal Register out of an abundance of caution. Please click on title link above for further information.

Notice: Draft Revised Management Plan for the He`eia National Estuarine Research Reserve (published by the National Oceanic and Atmospheric Administration on 07/22/2022)

The National Oceanic and Atmospheric Administration (NOAA) is soliciting comments from the public regarding a proposed revision of the management plan for the He`eia National Estuarine Research Reserve. A management plan provides a framework for the direction and timing of a reserve's programs; allows reserve managers to assess a reserve's success in meeting its goals and to identify any necessary changes in direction; and is used to guide programmatic evaluations of the reserve. Plan revisions are required at least every five years. This revised plan is intended to replace the plan approved in 2016. **Comments must be received on or before 30 days after the publication date (7/22/2022) of the Federal Register Notice.** Click on the title link above for addresses to submit comments and for further information.

FEDERAL NOTICES (CONTINUED)

Notice: [Notice of Intent To Prepare an Environmental Impact Statement and Initiate Section 106 Consultation for a Potential National Science Foundation Investment in the Construction and Operation of an Extremely Large Telescope Located in the Northern Hemisphere and Notice of Public Scoping Meetings and Comment Period](#) (published by the National Science Foundation on 07/19/2022)

By this notice, NSF is announcing the beginning of the scoping process to solicit public comments and identify issues to be analyzed in the EIS. NSF welcomes public comments on potential alternatives, information, and analyses relevant to the environmental review. NSF also intends to initiate consultation under Section 106 of the National Historic Preservation Act (NHPA) (Section 106) to evaluate anticipated effects on historic properties resulting from a potential NSF investment in the construction and operation of a Northern Hemisphere ELT located on the summit of Maunakea, Hawai'i Island, Hawai'i, which is the only location in the United States for which alternatives will be analyzed. NSF enters into this process with an understanding that the issue of constructing an ELT on Maunakea is a sensitive one, with both strong proponents and strong opponents of the proposed project; NSF was informed of the reasons for these varying positions through numerous informal meetings, spanning a 16-month period, with individuals and groups with a connection to Maunakea. NSF also received numerous written comments. As a result of those meetings and written comments, NSF heard that it should be proactive in its engagement with the Native Hawaiian community during any environmental review by providing additional opportunities for meaningful and effective public participation. To that end, NSF also invites the public to comment on NSF's plans to engage the public in its EIS and Section 106 compliance processes through review of and comment on NSF's Draft Community Engagement Plan (Draft CEP), located at <https://beta.nsf.gov/tmt> (starting at approximately 9 a.m. EDT on July 19, 2022).

This notice initiates the public scoping process for the EIS and the Section 106 consultation process pursuant to Code of Federal Regulations title 36, section 800.2(d). **Comments on issues may be submitted during the scoping meetings scheduled for August 9 through 12, 2022, on the Island of Hawai'i (click on title link above for details) or in writing electronically or via postal mail until September 17, 2022.** To be eligible for inclusion in the Draft EIS, all comments must be received prior to the close of the scoping period. Comments on NSF's Draft CEP may also be submitted prior to, and during, the scoping meetings or in writing through September 17, 2022. The public will be notified of the dates, times, and locations of the Section 106 meetings at a later date.

Notice: [Endangered Species; Receipt of Recovery Permit Applications](#) (published by the Fish and Wildlife Service on 07/15/2022)

We, the U.S. Fish and Wildlife Service, have received applications for permits to conduct activities intended to enhance the propagation and survival of endangered species (including the Band-rumped storm-petrel [*Oceanodroma castro*] and Hawaiian petrel [*Pterodroma sandwichensis*]) under the Endangered Species Act. We invite the public and local, State, Tribal, and Federal agencies 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. **We must receive your written comments on or before August 15, 2022.** For further information on submitting comments, please click on the title link above.

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).