



The Environmental Notice

August 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.



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ANNOUNCEMENTS

Our website's [library](#) of Environmental Assessments and Environmental Impact Statements contains such documents processed under HRS Chapter 343 (HEPA). The library is primarily composed of three sections that relate to the three different rules that have governed the HEPA process over time ([pre-1996](#), [1996-2019](#), [2019-present](#)). Some published EAs and EISs were processed pursuant to NEPA or ROH Chapter 25 (for the Special Management Area on O'ahu) and can be found in the [Other TEN Publications](#) webpage. If a document can't be found in the HEPA library, look on this page by sorting the entries by the "Type of Document" column or using the Search box located just above the list of documents.

STATEWIDE MAP OF NEW HRS CHAPTER 343 DOCUMENTS & DETERMINATIONS



HAWAII

Ha'aheo Elementary School Multi-Purpose Building--Draft EA (AFNSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	South Hilo
TMK(s)	(3) 2-6-020: 038
Permit(s)	Variance from Pollution Control, Disability and Communication Access Board, Chapter 6E Review, Plan Approval, Building Electrical, Plumbing and Demolition Permit, Grubbing Grading and Stockpiling Permit, DWS Construction Plan Review, HFD Fire Plan Review
Proposing/ Determining Agency	State of Hawai'i, Department of Education Richard Bass, (808) 784-5135, rbass@bowersandkubota.com 3633 Wai'alae Avenue, Honolulu, HI 96816
Consultant	Gerald Park Urban Planner; 95-595 Kaname'e Street #324, Mililani, HI 96789 Gerald Park, (808) 625-9626, gpark@gpup.biz
Status	Statutory 30-day public review and comment period starts. Comments are due by September 7, 2022. Please click on title link above to read the document, then send comments to the proposing/determining agency and copy the consultant.

The project will replace facilities that are aged, small, in substandard condition, and do not meet current Department of Education space standards. The improvements will provide permanent structures for a new cafeteria, library and computer lab, and classrooms. The sum of the improvements would provide modern facilities for transitioning Ha'aheo Elementary School into a 21st century school.

Winterer Single-Family Residence in Pihā--Final EA (FONSI)

HRS §343-5(a) Trigger	(2) Propose any use within any land classified as a conservation district
District(s)	North Hilo
TMK(s)	(3) 3-2-004:037
Permit(s)	State of Hawai'i: Conservation District Use Permit, Wastewater System Approval, Chapter 6E SHPD Approval of Archaeological Survey; County of Hawai'i: Plan Approval and Grubbing, Grading, and Building Permits
Approving Agency	State of Hawai'i, Department of Land and Natural Resources Rachel Beasley, (808) 798-6481, rachel.e.beasley@hawaii.gov 1151 Punchbowl Street #131, Honolulu, HI 96813
Applicant	Sean Winterer; c/o: James Leonard, 56 Laukona Street, Hilo, HI 96720 (808) 896-3459, jmleonard@mac.com
Consultant	GEOMETRICIAN ASSOCIATES, LLC; 10 Hina Street, Hilo, HI 96720 Ron Terry, (808) 987-5239, rterry@hawaii.rr.com
Status	Finding of No Significant Impact (FONSI) determination

Applicant proposes a home on a 20,621-sf portion of his 17.24-acre old homestead property at 1,700 feet in elevation on an extension of Pihā-Kahuku Road above Ninole Village. The 2-bdr/2-bath, 1-story home will have 958 sf of interior space, a fence and gate, and a carport and lanai. The off-grid home will have rooftop solar PV and water catchment. Within the small disturbance footprint, invasive species including strawberry guava and melastomes will be removed and prevented from re-establishing, and native, Polynesian and food-bearing species will be planted. The remaining 16.76 acres will remain untouched except adjacent to residence, where new 'ōhi'a and other native trees will be planted. No threatened and endangered plants are present, and timing of clearing restrictions/seasonal surveys will help prevent impacts to endangered Hawaiian hoary bats and Hawaiian hawks. No archaeological sites or cultural sites are present and no cultural practices take place on the property.

MAUI

Pu'unene Avenue Safety Improvements and Road Widening--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)	N/A (Pu'unene Avenue, between Wakea Avenue and Kuihelani Highway)
Permit(s)	Historic Preservation Review; Noise Permit; National Pollutant Discharge Elimination System (NPDES) Permit; Grading Permit; CZM Federal Consistency
Proposing/ Determining Agency	State of Hawai'i, Department of Transportation Holly Yuen, (808) 692-7548, holly.yuen@hawaii.gov 601 Kamokila Boulevard, Kapolei, HI 96707
Consultant	AECOM; 1001 Bishop St., Suite 1600, Honolulu, HI 96813 Dennis Silva, (808) 356-5318, dennis.silvajr@aecom.com
Status	Statutory 30-day public review and comment period starts. Comments are due by September 7, 2022. Please click on title link above to read the document, then send comments to the proposing/determining agency at dennis.silvajr@aecom.com

Increase roadway safety and capacity by adding two additional vehicle lanes and shared shoulders. Construct new sidewalks on both sides of Puunene Avenue, linking Wakea Avenue to Kuihelani Highway. Bioswales and a shallow underground drainage system would be installed along the length of Pu'unene Avenue to improve water quality and reduce the impact that roadway stormwater would have on the existing drainage system. Traffic signal poles at Papa Avenue would be relocated to accommodate the roadway widening.

Kēōkea Homestead Farm Lots Association Community 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)	Makawao
TMK(s)	(2) 2-2-032:067 and 068
Permit(s)	Numerous (see document)
Approving Agency	State of Hawai'i, Department of Hawaiian Home Lands Julie-Ann Cachola, (808) 779-5084, julie-ann.cachola@hawaii.gov P.O. Box 1879, Honolulu, HI 96805
Applicant	Kēōkea Homestead Farm Lots Association; 1245 Keanuheha Place, Kula, HI 96790 c/o: Alika and Pi'ilani Akana, (808) 378-6810, alikaakana@yahoo.com
Consultant	PBR HAWAII & Associates, Inc.; 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 proposed Kēōkea Homestead Farm Lots Association Community Center will include: a Cultural Education Center, Native Food and Medicinal Plant Gardens, Child and Senior Care Complex, Multi-purpose Community Center Complex, Amphitheater, local small business and food venue, and native forest restoration efforts on approximately 69 acres of vacant DHHL homestead lands.

O'AHU

'Aiea 497' Exploratory Well--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) 9-9-067:001
Permit(s)	Numerous (see document)
Proposing/ Determining Agency	City and County of Honolulu, Board of Water Supply Erwin Kawata, (808) 748-5080, EKAWATA@hbws.org 630 South Beretania Street, Honolulu, HI 96843
Consultant	The Limtiaco Consulting Group; 1622 Kananui Street, Honolulu, HI 96817 Ian Arakaki, (808) 596-7790, ian@tlcgohawaii.com
Status	Statutory 30-day public review and comment period starts. Comments are due by September 7, 2022. Please click on title link above to read the document, then send comments to the proposing/determining agency and copy the consultant.

BWS proposes to install an exploratory well and test pump at its existing facility at 99-925 Kalawina Place in 'Aiea, O'ahu to collect data about the quantity and quality of the underlying groundwater source. The project site involves land that was previously disturbed for the development of the 'Aiea 497' Reservoir & Booster 2 facility. The testing data will allow BWS to determine if the project site is a suitable location for a permanent groundwater well.

In early December 2021, BWS shut down its Halawa Shaft and halted pumping at the 'Aiea and Halawa Wells due to contamination of the groundwater aquifer by petroleum fuel releases from the Navy's Red Hill Bulk Fuel Storage Facility and Pipeline. The project is proposed at this time in response to the ongoing emergency situation and the uncertainty of returning all previously used water sources to full production. Once water testing is completed, the test pump would be removed and the well would be covered with a well cap.

Wai'anae Wastewater Treatment Plant Outfall Improvements and Rehabilitation--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)	Wai'anae
TMK(s)	(1) 8-6-001:007 (por.)
Permit(s)	HRS Chapter 6E, Section 10/404, Section 401, Conservation District Site Plan Approval, Shoreline Certification, Shoreline Setback Variance, Special Management Area Major, CZMA Federal Consistency Determination, Community Noise Permit, Land Disposition
Proposing/ Determining Agency	City & County of Honolulu, Department of Environmental Services Cindy Masuoka, (808) 768-8761, cmasuoka@honolulu.gov 1000 Uluohia Street, Suite 308, Kapolei, HI 96707
Consultant	SSFM International, Inc.; 99 Aupuni Street, Suite 202, Hilo, HI 96720 Jennifer Scheffel, (808) 375-6038, jscheffel@ssfm.com
Status	Finding of No Significant Impact (FONSI) determination

The City & County of Honolulu Department of Environmental Services (ENV), Wastewater Engineering and Construction Division, proposes to install a concrete encasement structure over the existing Wai'anae Wastewater Treatment Plant outfall and cap three manholes on the existing outfall pipe in response to a 2018 inspection report that identified advancing shoreline erosion as a threat to the stability of the outfall and actively corroding cast iron manhole covers at an elevated risk of failure.

The proposed project includes the following actions:

1. Installation of a concrete encasement structure over the land-based portion of the existing outfall at the shoreline.
2. Cap three of the cast iron manhole cover plates on the original 36-inch pipeline.

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 AUGUST 8, 2022

O'AHU

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

COMMENTS DUE AUGUST 22, 2022

HAWAI'I

[Puna Geothermal Venture Repower Project \(EIS Preparation Notice\)](#)

MAUI

[Maui County Streetlight Conversion Project--Draft EA \(AFNSI\)](#)

[Pu'unani Homestead Subdivision Water System Storage Improvements--Draft EA \(AFNSI\)](#)

O'AHU

[Waikiki Shell Improvements--Draft EA \(AFNSI\)](#)

EXEMPTION NOTICES

The following agencies have determined the identified actions are exempt from the requirement to prepare an EA pursuant to [HAR Section 11-200.1-16](#), and have voluntarily submitted these Exemption Notices for publication:

County of Hawai'i, Office of Housing and Community Development

[Waikoloa Workforce Rental Housing at Waikoloa Beach Resort](#)

Waikoloa Workforce Rental Housing project is planned as a 100% affordable workforce housing project with up to 228 units, including resident manager units, to be developed in accordance with controlling law applicable to OHCD. It will serve a broad market mix, with 70% of units meeting crucial needs in the under-60% of area median income (AMI) range, and the balance targeted at households earning up to 100% of AMI. See the agency letter in the title link above to read how the project meets each of the exemption provisions described in HAR §11-200.1-15(c).

Kaua'i County Housing Agency

[Rice Street Apartments](#)

The Applicant (Rice Street Hale, LLC) proposes to construct 66 dwelling units on the subject property, including four units designated for households with incomes not exceeding 30% of the Area Median Income (AMI) or below, 11 units set-aside for households with incomes at 40% of AMI or below and 50 units designated for households earning 60% of AMI or below as well as one onsite manager's unit. The Rice Street Apartments will remain affordable for a period of at least 51 years. See the agency letter in the title link above to read how the project meets each of the exemption provisions described in HAR §11-200.1-15(c).

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 July 2022; reach out to the agency contact on each list for additional information about any specific exemption:

State of Hawai'i

[Department of Accounting and General Services](#)

[Department of Land and Natural Resources](#)

County of Maui

[Department of Parks and Recreation](#)

[Planning Department](#) (June and July 2022)

County of Hawai'i

[Department of Public Works](#)

[Office of Housing and Community Development](#)

City and County of Honolulu

[Department of Planning and Permitting](#)

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

Iki Place Water System Improvements

Proposed Action: Hawai'i County Department of Water Supply (DWS) proposes to use US Department of Agriculture Rural Development funds to extend the existing 8-inch waterline beneath the southern 350 feet of Aniani Street to the north end of Iki Place and then construct an 8-inch waterline beneath the entire 800 foot long extent of Iki Place. This project would provide service laterals and 5/8-inch meters in meter boxes to allow the relocation of 15 water meters that serve homes on Iki Place. The project would provide two new fire hydrants within Iki Place and conduct paving and drainage improvements as determined necessary on Iki Place and Aniani Street.

Location: Iki Place, Aniani Street, Mamalahoa Hwy, North Kona, Island of Hawai'i

TMK: (3) 7-3-19:11 & 37, 7-3-07:27

Applicant: Hawai'i County Department of Water Supply

Federal Action: Federal Assistance (funding)

Federal Agency: U.S. Department of Agriculture

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

Comments Due: August 22, 2022

Koko Isle AOA Community Dock Addition

Proposed Action: Installation of an addition to the existing community floating dock in Koko Marina, Hawaii Kai, Oahu. The proposed aluminum floating dock with gangway will be attached to the existing L-shaped community floating dock. The proposed addition will be 22.96 feet long by 7.22 feet wide with an 8-foot long by 4-foot wide gangway.

Location: Koko Marina, Honolulu, Island of O'ahu

TMK: (1) 3-9-08:04 (adjacent)

Applicant: AOA of Koko Isle

Federal Action: Federal Permit

Federal Agency: U.S. Army Corps of Engineers

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

Comments Due: August 22, 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 Hilo (2-6-015: 001)	Land and Resource Management, Fence Installation, Clearing of Seawall Vegetation (Amended SMM-13-000261)	John Cross
Hawai'i: South Hilo (2-6-002: 001, 002 and 003)	Proposed Tree Removal, Grubbing, and Minor Grading Activities (PL-SMM-2022-000021)	Daryn Arai
Hawai'i: South Kona (8-3-004: 001)	Ke'ei Beach Road Safety Project (PL-SMM-2022-000025)	B P Bishop Estate c/o Kamehameha Schools
Kaua'i: Kōloa (2-8-015: 014)	After the Fact Shed Construction (SMA(M)-2022-15)	Christyl Nagao
Maui: Lahaina (4-4-008: 009)	Event (SM2 2022-00024)	Joy Hirata
Maui: Lahaina (4-6-001: 009)	Annual Temporary Event December 1, 2022 – January 2, 2023; Setup November 30 – December 2, 2022, and Breakdown January 3 – January 5, 2023 (SM2 2022-00034)	Lahaina Restoration Foundation
O'ahu: North Shore (6-1-004: 070)	Renovations and Additions to Single-Family Dwelling (2022/SMA-35)	Waialua Oceanview LLC/Hale Partners LLC

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-1996	68-617 Crozier Dr., O'ahu 96791	(1) 6-8-004:005	Wesley T. Tengan	Peter H. J. How
OA-1997	61-453 Kamehameha Hwy, O'ahu 96712	(1) 6-1-008:012	Walter P. Thompson, Inc.	David M. Horack
OA-1998	12 Kailua Road, O'ahu 96734	(1) 4-3-012:001	Walter P. Thompson, Inc.	Highmark Capital LLC
OA-1999	Ke'ehi Lagoon Small Boat Harbor, O'ahu	(1) 1-2-025:113	Wireless Network Support	DLNR, c/o Division of Boating and Ocean Recreation
OA-2000	Ke'ehi Lagoon Small Boat Harbor, O'ahu	(1) 2-3-037:012	Wireless Network Support	DLNR, c/o Division of Boating and Ocean Recreation
MA-790	45 Kuahulu Pl., Maui 96761	(2) 4-8-003:122	Akamai Land Surveying, Inc.	Maan Nasir
HA-628	15-2711 Welea St., Hawai'i 96778	(3) 1-5-087:002	Daniel Berg c/o dlb & Associates, LLC	Borti Petrich
HA-629	Hawai'i	(3) 1-5-032:060	Aric Koerte	Susan Houston

SHORELINE NOTICES (CONTINUED)

PROPOSED SHORELINE CERTIFICATIONS AND REJECTIONS

The shoreline notices below have been proposed for certification or rejection by the Department of Land and Natural Resources ([HRS § 205A-42](#) and [HAR § 13-222-26](#)). Any person or agency who wants to appeal shall file a notice of appeal in writing with DLNR no later than 20 calendar days from the date of this public notice. Send the appeal to the Board of Land and Natural Resources, 1151 Punchbowl Street, Room 220, Honolulu, Hawai'i 96813.

File No.	Status	Location	TMK	Applicant	Owner
OA-1987	Proposed	61-431 Kamehameha Highway, O'ahu 96712	(1) 6-1-008:007	Walter P. Thompson, Inc.	David Fisher
OA-1990	Proposed	1508 Mokulua Drive, O'ahu 96734	(1) 4-3-003:074	Ailana Surveying & Geomatics	Sousa Family Trust LLC
OA-1994	Proposed	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	Proposed	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	Proposed	200 Nohea Kai Drive, Maui 96761	(2) 4-4-013:013	R. T. Tanaka Engineers, Inc.	Maui Timeshare Venture LLC
KA-469	Proposed	Kaua'i	(4) 3-5-01:05, 08, 09, 109, 111, 128, 159, 160; 3-7-02: 999	Esaki Surveying and Mapping, Inc.	State of Hawai'i, Department of Transportation, Airports Division

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 OPSD/ERP.

Home Basing of MQ-9 Marine Unmanned Aerial Vehicle Squadron and KC-130J Marine Aerial Refueler Transport Squadron--Draft EA

Island/Location	O'ahu / Marine Corps Base (MCB) Hawaii Kaneohe Bay
Permit(s)	National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System (MS4) permit.
Proposing & Approving Agency	Headquarters Marine Corps, Deputy Commandant, Aviation
Consultant	Stantec; 737 Bishop Street, Suite 3050, Honolulu HI 96813 Peer Amble, (805) 570-1313, peer.amble@cardno-gs.com
Status	Draft EA Public Review Period: August 8, 2022 through September 7, 2022. Written comments on the Draft EA may be provided by mail to: ATTN: EV21 Project Mgr., MCB Hawaii Home Basing EA, Naval Facilities Engineering Systems Command, Pacific, 258 Makalapa Dr, Ste 100, Joint Base Pearl Harbor-Hickam, HI 96860-3134, or by email: NFPAC-Receive@navy.mil

The proposed action is to home base a Marine Corps MQ-9 Marine Unmanned Aerial Vehicle (UAV) (hereinafter "MQ-9") Squadron and a KC-130J Aerial Refueler Transport (hereinafter "KC-130J") Squadron at Marine Corps Base (MCB) Hawaii Kaneohe Bay as part of Marine Aircraft Group 24 (MAG-24). Each squadron consists of personnel, aircraft, equipment, and supporting infrastructure. Under the proposed action, the Marine Corps would replace and modify existing hangars and supporting infrastructure, perform aviation maintenance, provide training for operators and maintainers, conduct approximately 3,000 MQ-9 and 5,280 KC-130J annual aircraft operations, and station approximately 676 personnel (229 MQ-9 and 447 KC-130J personnel) plus dependents at MCB Hawaii Kaneohe Bay.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) ACTIONS (CONTINUED)

Ambulatory Care Center Replacement--Final EA and Finding of No Significant Impact

Island/Location/TMK	O'ahu / Joint Base Pearl Harbor-Hickam (JBPHH) / (1) 1-1-002:002, (1) 9-9-001:008
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, ACC EA
Consultant	AECOM, Dennis Silva, Jr., 808-356-5318, dennis.silva@aecom.com
Status	FONSI (Finding of No Significant Impact)

The Navy proposes to construct and operate a new Ambulatory Care Center (ACC) to consolidate existing facilities and services separately managed by the Navy, Air Force, and Army to a location at JBPHH. Project construction is anticipated to begin in 2025 with steady state operations beginning in 2030.

The purpose of the Proposed Action is to provide comprehensive primary care, dental, behavioral health, occupational, and preventive special medicine services to active duty service members and beneficiaries in facilities that are appropriately sized, configured, and sited to meet mission requirements and comply with current federal criteria for military health facilities. The Proposed Action is needed to rectify current capacity deficiencies at the existing service clinics and ensure that the services continue to provide high-quality health care to entitled military personnel, dependents, and retirees in the JBPHH region.

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: [Draft Revised Management Plan for the He'eia National Estuarine Research Reserve](#) (published by the National Oceanic and Atmospheric Administration (NOAA) on 07/22/2022)

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 7/22/2022;** click on the title link above for details on accessing the Plan and submitting comments.

Notice: [Final 2021 Marine Mammal Stock Assessment Reports](#) (published by NOAA on 08/03/2022)

As required by the Marine Mammal Protection Act (MMPA), NMFS has considered public comments for revisions of the 2021 marine mammal stock assessment reports (SARs). This notice announces the availability of 50 final 2021 SARs that were updated and finalized. The 2021 Final SARs are available in electronic form via <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessment-reports-region>.

Notice: [Marine Mammals; File No. 25987](#) (published by NOAA on 08/05/2022)

Notice is hereby given that Jim Darling, Ph.D., Whale Trust, P.O. Box 384, Tofino, BC V0R2Z0, Canada, has applied in due form for a permit to conduct scientific research on marine mammals. The applicant requests a five-year permit to study the social organization, behavior, and communication of humpback whales (*Megaptera novaeangliae*; Hawaii and Mexico distinct population segments [DPSs]) in Alaska and Hawai'i. Humpback whales may be taken during vessel surveys and aerial surveys (manned or unmanned aircraft systems) for counts, above water and underwater photography and videography, photo-identification, photogrammetry, behavioral observations, passive acoustic recording, active acoustic playbacks, exhaled air sampling, biopsy sampling, and tagging with suction-cup or dart tags. Ten species of non-target marine mammals may be opportunistically studied or unintentionally harassed during research including ESA-listed Hawaiian monk seals (*Neomonachus schauinslandi*), false killer whales (*Pseudorca crassidens*; Main Hawaiian Islands Insular DPS), and North Pacific right whales (*Eubalaena japonica*). See the application for numbers of animals requested by species and procedure. Click on title link above for additional information and details on submitting **comments, which must be received on or before September 6, 2022.**

Notice: [Western Pacific Fishery Management Council; Public Meetings](#) (published by NOAA on 08/05/2022)

The Western Pacific Fishery Management Council (Council) will hold a meeting of its Hawaii Archipelago Fishery Ecosystem Plan (FEP) Advisory Panel (AP) to discuss and make recommendations on fishery management issues in the Western Pacific Region. **The meeting will be held August 18, 2022.** For specific times, agendas and details on attending, 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).