



# The Environmental Notice

August 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.



The H-1 freeway will be widened for an auxiliary lane to eliminate this infamous merge!

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

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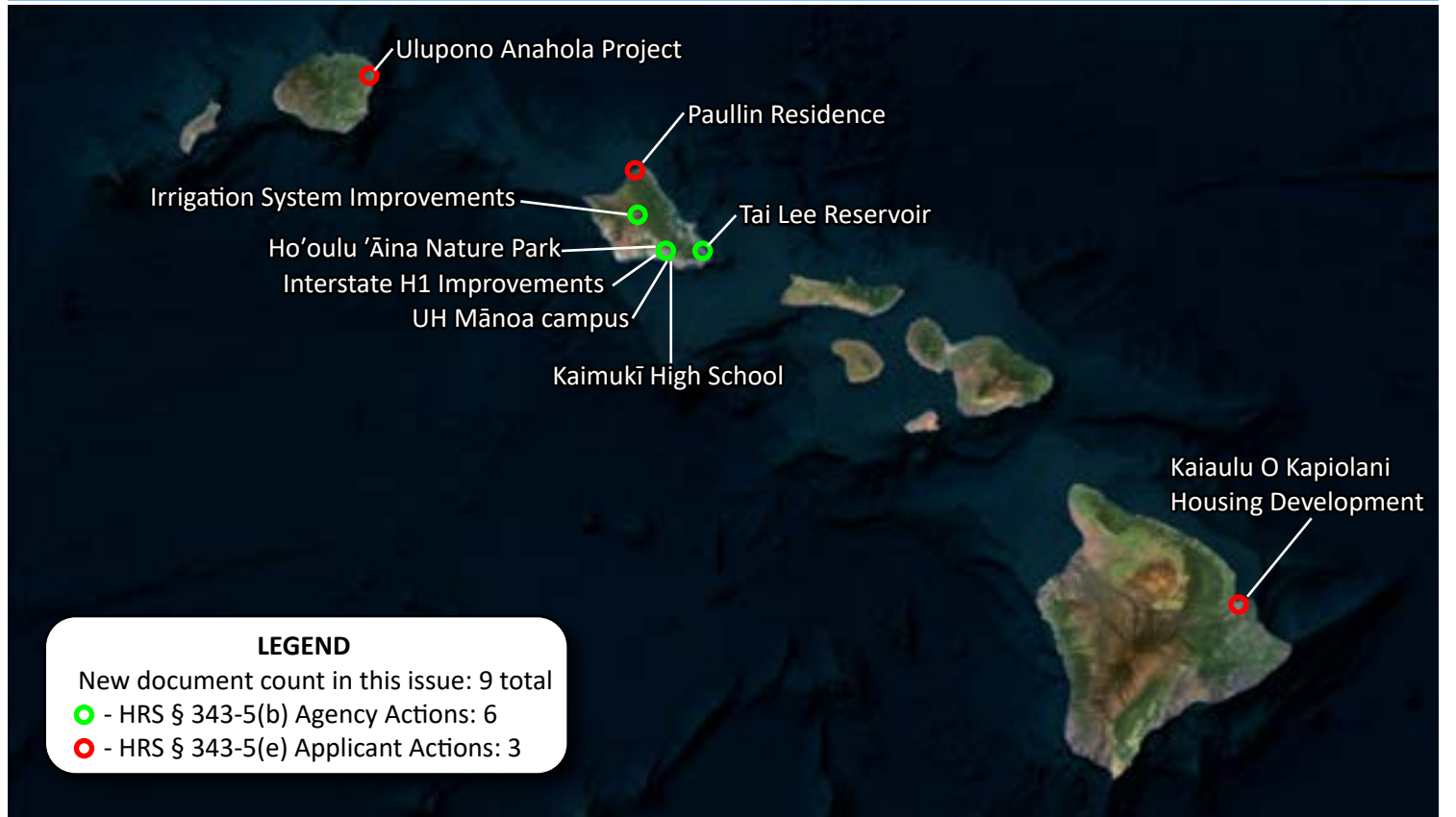
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## ANNOUNCEMENTS

Please continue to use our website's [Contact Us page](#) to submit questions to ERP. We may anonymously share relevant concerns.

- Per HRS Chapter 343, draft EAs have a 30-day comment period while final EAs do not. Final EAs are required to include all comments (and the associated responses) that were submitted during the comment period on the project's draft EA.
- Agencies that submit the required monthly Lists of Exemptions are reminded that such Lists are only published in the issue of this bulletin that comes out on the 8th of a month. We encourage you to wait to submit until the end of any month so that your List captures all exemptions made during that month. Please contact us for further details as necessary!

## STATEWIDE MAP OF NEW DOCUMENTS & DETERMINATIONS



## HAWAII

**Kaiaulu O Kapiolani Housing Development--Final EA (FONSI)**

<b>HRS §343-5(a) Trigger</b>	(1) Propose the use of state or county lands or the use of state or county funds
<b>District(s)</b>	North Hilo
<b>TMK(s)</b>	(3) 2-4-025: 048, 053, and 080
<b>Permit(s)</b>	Building & Grading Permits, NPDES
<b>Approving Agency</b>	State of Hawai'i, Hawai'i Housing Finance and Development Corporation Dean Watase, (808) 587-0639, <a href="mailto:dean.k.watase@hawaii.gov">dean.k.watase@hawaii.gov</a> 677 Queen Street, Suite 300, Honolulu, HI 96813
<b>Applicant</b>	A0705 Hilo, L.P.; 2000 E Fourth Street, Suite 220, Santa Ana, CA 92705 Grant Bigley, (714) 873-5568, <a href="mailto:gbigley@uhcllc.net">gbigley@uhcllc.net</a>
<b>Consultant</b>	Environmental Risk Analysis LLC; 905A Makahiki Way, Honolulu, HI 96826 Rachel Okoji, (808) 783-6840, <a href="mailto:rachelokoji@enviroriskhawaii.com">rachelokoji@enviroriskhawaii.com</a>
<b>Status</b>	Finding of No Significant Impact (FONSI) determination

A0705 Hilo, L.P. is proposing to develop an affordable rental complex of 64 units, consisting of 32 two-bedroom units, an estimated 24 three-bedroom units, and an estimated 8 four-bedroom units in Hilo. The development will include a community center for resident use and 117 parking stalls. The objective of this project is to produce an affordable rental development, while utilizing the least amount of State of Hawai'i resources. These apartments will target low income households earning 60 percent or less of the Area Median Income for the County of Hawai'i. These units will address the dire need for affordable rentals for the households in this income bracket, many of whom are at risk of becoming homeless due to the severe housing shortage.

## O'AHU

**Kaimukī High School Girl's Athletic Locker Room--Draft EA (AFNSI)**

<b>HRS §343-5(a) Trigger</b>	(1) Propose the use of state or county lands or the use of state or county funds
<b>District(s)</b>	Honolulu
<b>TMK(s)</b>	(1) 2-7-024:001
<b>Permit(s)</b>	Numerous (see document)
<b>Proposing/Determining Agency</b>	State of Hawai'i, Department of Education Mitch Tamayori, (808) 784-5116, <a href="mailto:Mitch.Tamayori@k12.hi.us">Mitch.Tamayori@k12.hi.us</a> 3633 Wai'ala'e Avenue, Room B-201, Honolulu, HI 96816
<b>Consultant</b>	Wilson Okamoto Corporation; 1907 South Beretania Street, Suite 400, Honolulu, HI 96826 Dalton Beauprez, (808) 946-2277, <a href="mailto:DBeauprez@wilsonokamoto.com">DBeauprez@wilsonokamoto.com</a>
<b>Status</b>	Statutory 30-day public review and comment period starts. <b>Comments are due by September 22, 2022.</b> Click on the link above to read the document, then send comments to the proposing/determining agency at <a href="mailto:publiccomment@wilsonokamoto.com">publiccomment@wilsonokamoto.com</a>

The Proposed Project, as envisioned, will encompass approximately 5,000 square feet (SF) of lockers and meeting area, shower and toilet stalls, a drying room, a coach's office, equipment storage rooms, janitorial closets, and a unisex room. It is also anticipated that the Proposed Project would include a trainer's room and potentially a weight training area. The Proposed Project will be approximately 5,000 SF and approximately no more than 30 feet in height. The Proposed Project would also include new utility connections for water, sewer, and electrical. The Proposed Project would be an exclusive locker room for the female athletic teams offered at Kaimukī High School.

## O‘AHU (CONTINUED)

**Ho‘oulu ‘Āina Nature Park--Final EA (FONSI)**

<b>HRS §343-5(a) Trigger</b>	(1) Propose the use of state or county lands or the use of state or county funds
<b>District(s)</b>	Honolulu
<b>TMK(s)</b>	(1) 1-4-014:001 and 026; 1-4-016:003
<b>Permit(s)</b>	Department of Health Wastewater Branch, National Pollutant Discharge Elimination System Permit; Grading, Grubbing and Stockpiling Permit; Building Permits
<b>Proposing/ Determining Agency</b>	State of Hawai‘i, Department of Land and Natural Resources Alan Carpenter, (808) 587-0286, <a href="mailto:alan.b.carpenter@hawaii.gov">alan.b.carpenter@hawaii.gov</a> Division of State Parks, 1151 Punchbowl Street #310, Honolulu, HI 96813
<b>Consultant</b>	G70; 111 South King Street Suite 170, Honolulu, HI 96813 Mark Kawika McKeague, (808) 523-5866, <a href="mailto:hoouluainaea@g70.design">hoouluainaea@g70.design</a>
<b>Status</b>	Finding of No Significant Impact (FONSI) determination

In response to an increasing demand from the community to provide access to an environment cultivating an indigenous lifestyle, the staff at Kōkua Kalihi Valley engaged in a comprehensive planning process to guide program development at Ho‘oulu ‘Āina Nature Park over the next 20 years. The improvements proposed in this Environmental Assessment provide opportunities for community volunteer members to engage in ‘āina based practices to deepen indigenous knowledge of Native Hawaiian farming practices, cultural and historic resources identified within Kalihi Valley, and the health benefits of indigenous plant species. The proposed master plan update will support current program operation and continue to reduce health disparities and restore the health of the land.

**Interstate H1 Eastbound Improvements, Ola Lane to Likelike Highway Off-ramp--Final EA (FONSI)**

<b>HRS §343-5(a) Trigger</b>	(1) Propose the use of state or county lands or the use of state or county funds
<b>District(s)</b>	Honolulu
<b>TMK(s)</b>	(1) 1-3; Interstate H1 Right-of-Way
<b>Permit(s)</b>	• Department of the Army Permit (Section 404. Clean Water Act); • Section 401 Water Quality Certification; • National Pollutant Discharge Elimination System (NPDES) Permit; • Stream Channel Alteration Permit; • Section 106 Consultation, National Historic Preservation Act; • HRS Chapter 6E Historic Preservation Review; • Americans with Disabilities Act Compliance; • Community Noise Permit/Variance; • Street Use Permit, Honolulu Department of Transportation Services; • Demolition, Grading, Grubbing, and Stockpiling Permits
<b>Proposing/ Determining Agency</b>	State of Hawai‘i, Department of Transportation Holly Yuen, (808) 692-7548, <a href="mailto:Holly.yuen@hawaii.gov">Holly.yuen@hawaii.gov</a> 601 Kamokila Boulevard, Room 688, Kapolei, HI 96707
<b>Consultant</b>	Jacobs; 1003 Bishop St., Suite 1340, Honolulu, HI 96813 Abbey Mayer, (808) 943-1133, <a href="mailto:abbey.mayer@jacobs.com">abbey.mayer@jacobs.com</a>
<b>Status</b>	Finding of No Significant Impact (FONSI) determination

Interstate H1 eastbound from the Ola Lane overpass to the Likelike Highway off-ramp would be widened to accommodate an auxiliary lane. The change is intended to improve safety, in part by eliminating the merge between traffic on H1 and H201, the Moanalua Freeway. To accommodate the widened freeway, modifications and improvements would be made to slopes, retaining walls, and fencing; signs and striping; and traffic monitoring equipment. The Gulick Avenue bridge would be lengthened and modifications made to the intersection of Gulick Avenue and Beckley Street and adjacent sidewalks and driveways. The Kalihi Stream bridge would be widened on the south (oceanward, or makai) side of the freeway. Detour routes would be provided for vehicular traffic, bicycles, and pedestrians, as needed, throughout the construction period. The project would also include adjustments to drainage lines and structures to accommodate altered stormwater flows, utility relocations, and temporary staging and laydown.

## O'AHU (CONTINUED)

Irrigation System Improvements in Central O'ahu, Waialua and Wahiawā Districts--Final EA (FONSI)

<b>HRS §343-5(a) Trigger</b>	(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
<b>District(s)</b>	O'ahu-multiple
<b>TMK(s)</b>	(1) 7-1-012:001, 7-1-001:005, and 7-3-007:002 Various easements for 7-1-012:009, 7-1-012:010, 7-1-012:011 and 7-1-012:015, and 7-3-007:001
<b>Permit(s)</b>	Numerous (see document)
<b>Proposing/ Determining Agency</b>	State of Hawai'i, Agribusiness Development Corporation James Nakatani, (808) 586-0087, <a href="mailto:James.Nakatani@hawaii.gov">James.Nakatani@hawaii.gov</a> 235 South Beretania Street, Room 205, Honolulu, HI 96813
<b>Consultant</b>	The Limtiaco Consulting Group; 1622 Kananui Street, Honolulu, HI 96817 Claire Oshiro, (808) 596-7790, <a href="mailto:claire@tlcghawaii.com">claire@tlcghawaii.com</a>
<b>Status</b>	Finding of No Significant Impact (FONSI) determination

The project will allow non-potable water sources to be utilized for non-potable irrigation purposes, which would improve the redundancy and reliability of irrigation system infrastructure in the project area in Central O'ahu. The project will install a 14-million gallon reservoir, two pump stations, connecting pipelines, and supporting elements such as access roads. Proposed irrigation system infrastructure will draw water from available sources as allowed, convey the water to storage reservoirs, and distribute the water via pipelines.

After the Draft EA was published in 2021, it was determined that ADC's project will not require a separate backup disposal system located outside of the Wahiawā WWTP facility. The Second Draft EA was published in May 2022 and reflects the changes to the project. The previously envisioned backup disposal system would have expanded land disturbance, and required additional construction materials and labor.

Spillway Rehabilitation and Vegetation Clearing at the Decommissioned Tai Lee Reservoir--Final EA (FONSI)

<b>HRS §343-5(a) Trigger</b>	(1) Propose the use of state or county lands or the use of state or county funds
<b>District(s)</b>	Ko'olaupoko
<b>TMK(s)</b>	(1) 4-1-024:068
<b>Permit(s)</b>	Numerous (see document)
<b>Proposing/ Determining Agency</b>	State of Hawai'i, Department of Agriculture Glenn Okamoto, (808) 973-9436, <a href="mailto:glenn.m.okamoto@hawaii.gov">glenn.m.okamoto@hawaii.gov</a> 1428 South King Street, Honolulu, HI 96814
<b>Consultant</b>	Townscape, Inc.; 900 Fort Street Mall, Suite 1160, Honolulu, HI 96813 Gabrielle Sham, (808) 536-6999, <a href="mailto:gabrielle@townscapeinc.com">gabrielle@townscapeinc.com</a>
<b>Status</b>	Finding of No Significant Impact (FONSI) determination

The State of Hawaii Department of Agriculture is seeking to rehabilitate a spillway and clear vegetation within the decommissioned Tai Lee reservoir in Waimānalo on the island of O'ahu. The former irrigation reservoir is located on a 3.04 acre parcel, Tax Map Key 4-1-024: 068. Proposed improvements are needed to address existing ponding issues that occur on the property during heavy rain events and to address issues with debris clogging the culvert crossing Mokulama Street. As a result of the clogged culvert, stormwaters have overtopped the roadway. The Proposed Action consists of: clearing vegetation on approximately 91,069 square feet and re-vegetating the cleared area with grass; install two rows of staggered bollards to capture debris; and grading approximately 26,389 feet of the property.

## O'AHU (CONTINUED)

**University of Hawai'i, Mānoa Campus, Long Range Development Plan Update--Final EA (FONSI) Vol. I and Vol. II**

<b>HRS §343-5(a) Trigger</b>	(1) Propose the use of state or county lands or the use of state or county funds
<b>District(s)</b>	Honolulu
<b>TMK(s)</b>	Multiple (see document)
<b>Permit(s)</b>	Numerous (see document)
<b>Proposing/ Determining Agency</b>	State of Hawai'i, University of Hawai'i Jan Gouveia, (808) 956-9701, <a href="mailto:jgouveia@hawaii.edu">jgouveia@hawaii.edu</a> 2444 Dole Street, Bachman Hall 109H, Honolulu, HI 96822
<b>Consultant</b>	Wilson Okamoto Corporation; 1907 South Beretania Street, # 400, Honolulu, HI 96826 Keola Cheng, (808) 946-2277, <a href="mailto:DBeauprez@wilsonokamoto.com">DBeauprez@wilsonokamoto.com</a>
<b>Status</b>	Finding of No Significant Impact (FONSI) determination

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

## KAUA'I

**Ulupono Anahola Project--Draft EA (AFNSI)**

<b>HRS §343-5(a) Trigger</b>	(1) Propose the use of state or county lands or the use of state or county funds
<b>District(s)</b>	Kawaihau
<b>TMK(s)</b>	(4) 4-8-003:019 (por.)
<b>Permit(s)</b>	DHHL lease, State Historic Preservation Division Chapter 6E-42; Various Site, Grading, Building, and Infrastructure Approvals; NPDES
<b>Approving Agency</b>	State of Hawai'i, Department of Hawaiian Home Lands Nancy McPherson, (808) 427-3145, <a href="mailto:nancy.m.mcpherson@hawaii.gov">nancy.m.mcpherson@hawaii.gov</a> 91-5420 Kapolei Parkway, Kapolei, HI 96707
<b>Applicant</b>	Kūkulu Kumuhana O Anahola; P.O. Box 30891, Anahola, HI 96703 Rae Nam, (808) 224-4245, <a href="mailto:rae.nam@kkoa.org">rae.nam@kkoa.org</a>
<b>Consultant</b>	G70; 111 S. King Street, Suite 170, Honolulu, HI 96813 Mark Kawika McKeague, (808) 523-5866, <a href="mailto:UluponoAnahola@g70.design">UluponoAnahola@g70.design</a>
<b>Status</b>	Statutory 30-day public review and comment period starts. <b>Comments are due by September 22, 2022.</b> Click on the link above to read the document, then send comments to the approving agency at <a href="mailto:UluponoAnahola@g70.design">UluponoAnahola@g70.design</a>

In effort to reduce youth suicide in the Anahola community, Kūkulu Kumuhana O Anahola (Kkoa) is developing the Ulupono Anahola Project, an agricultural garden and youth training center in Anahola, Kaua'i. The improvements proposed in this Environmental Assessment provide opportunities for community volunteer members to engage in practices and programming that support traditional and sustainable farming practices, community-building, and the development of self-identity. The project will house and support Kkoa operations and continue to address social, health, and economic factors that contribute to suicide prevention.

## 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.

### Paullin Residence--Final EA (FONSI)

<b>District(s)</b>	Ko'olauloa
<b>TMK(s)</b>	(1) 5-7-003: 057
<b>Permit(s)</b>	Special Management Area Use Permit, Building, Individual Wastewater System
<b>Approving Agency</b>	City and County of Honolulu, Department of Planning and Permitting Laura Mo - Land Use Permits Division, (808) 768-8025, <a href="mailto:laura.mo@honolulu.gov">laura.mo@honolulu.gov</a> 650 South King Street, 7th Floor, Honolulu, HI 96813
<b>Applicant</b>	Barbara Paullin; 2510 Via Campesina, Palos Verdest Estates, CA 90724 (310) 968-2346
<b>Consultant</b>	Planning Solutions Inc.; 711 Kapi'olani Boulevard, Suite 950, Honolulu, HI 96813 James Hayes, (808) 550-4483, <a href="mailto:jim@psi-hi.com">jim@psi-hi.com</a>
<b>Status</b>	Finding of No Significant Impact (FONSI) determination

The proposal consists of the the following actions: (a) removal of existing structures, and (b) development of a new single-family residence with two bedrooms, two and a half baths, a small lanai facing the road, and a larger lanai facing the ocean. The new structure will (a) have a total interior area of roughly 1,700 square feet; (b) comply with all land use requirements, including yard, height, and shoreline setback; and (c) be elevated so that the living area is above the base flood elevation.

## PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

**Status:** The comment period for these projects began previously. **Comments are due September 7, 2022.** Please click on the links below to read a document, then send comments to the relevant agency and copy any relevant applicant and/or consultant identified in the submission form that follows the initial agency letter.

### **HAWAII**

[Ha'aheo Elementary School Multi-Purpose Building--Draft EA \(AFNSI\)](#)

### **MAUI**

[Pu'unene Avenue Safety Improvements and Road Widening--Draft EA \(AFNSI\)](#)

### **O'AHU**

['Aiea 497' Exploratory Well--Draft EA \(AFNSI\)](#)

## PRIOR DETERMINATION

The City and County of Honolulu, Department of Environmental Services (ENV) [has determined](#) that additional environmental review is not required to construct a new sludge dewatering building at Kailua Regional Wastewater Treatment Plant (WWTP). The new building will replace the existing dewatering building. A Final Environmental Impact Statement (FEIS) for the Kaneohe/Kailua Wastewater Conveyance and Treatment Facilities was completed in May 2011. The FEIS describes the new sludge dewatering building at the WWTP and the environmental impacts and mitigation measures. The FEIS states the existing dewatering building will be decommissioned. This determination provides information on the current location of the new sludge dewatering building, as the building has shifted from its previous location. Pursuant to HRS Chapter 343 and HAR Chapter 11-200.1, ENV has determined that the proposed action is consistent with the previously prepared FEIS, and therefore may proceed without further or additional environmental review.

## EXEMPTION NOTICE

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

### [Soil Sampling at the Canada France Hawai'i \(CFHT\) Telescope on Maunakea](#)

The action is soil sampling at four locations within the facility sublease (facility CDUP HA-527, May 1974) to analyze for any hazardous material presence and determine applicable soil abatement, if any, as CFHT seeks to retire its diesel underground storage tank ("UST"). A mobile, gas-powered rig will conduct four, six-inch diameter corings to a maximum depth of twenty (20) feet below surface and around the UST. Samples will either be analyzed onsite with hand-held instruments or be sent to an offsite laboratory. This action is expected to have minimal or no significant effects.

## COASTAL ZONE MANAGEMENT NOTICES

### FEDERAL CONSISTENCY REVIEW

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:** [keelan.mk.barcina@hawaii.gov](mailto:keelan.mk.barcina@hawaii.gov)

### **Kaelepulu Stream Mouth Maintenance Dredging, Kailua Beach Park, O'ahu**

**Proposed Action:** The U.S. Army Corps of Engineers intends to modify a Department of Army permit previously issued in 2019 to the City and County of Honolulu's (CCH) Department of Facility Maintenance (DFM) to include maintenance stream mouth dredging at Kaelepulu Stream Mouth, Kailua, O'ahu. The project involves maintenance dredging of an approximate 550 foot long by 50 foot wide and 3 to 5 feet deep channel, makai of Kawailoa Road Bridge, to breach the sand plug at the mouth of the stream and restore stream flow. It is anticipated that once a deep breach channel is created in the sand plug the force of the stream flow will scour a wider opening in the stream mouth. Sand dredged from the stream mouth will be stockpiled in designated areas on the beach above the high tide line and natural forces will gradually return the sand through natural deposition and erosion processes. The maintenance dredging will be performed approximately monthly and will generally be scheduled to proceed anticipated storm events. The activities under this project will not occur on weeks with holidays, school breaks, nor weekends. Temporary nearshore water quality impacts in the vicinity of the stream mouth are expected with the release of stagnate fresh stream water and this project will comply with the previously issued Clean Water Act 401 Water Quality Certification for CCH DFM Stream Maintenance at Various Locations on O'ahu. To mitigate potential effect on public health, warning signs will be posted prior to the dredging activities and remain in place for two days following the opening of the stream mouth.

**TMK(s):** (1) 4-3-011:074 and 059  
**Applicant:** City and County of Honolulu, Department of Facility Maintenance  
**Federal Action:** Federal Permit  
**Federal Agency:** U.S. Army Corps of Engineers  
**CZM Contact:** Keelan Barcina, (808) 587-2803, [keelan.mk.barcina@hawaii.gov](mailto:keelan.mk.barcina@hawaii.gov)  
**Comments Due:** September 6, 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 (8-3-005: 001 and 003)	New Concrete Driveway (PL-SMM-2022-000027)	Project Paradise, LLC
Maui: Kihei (2-2-024: 023)	Installation of EV Charging Station in Parking Lot (SM2 2022-00033)	Hanna Shipman
Maui: Lahaina (4-2-001: 028)	Structural Improvement in Common Areas (SM2 2022-00035)	The Kapalua Golf Villas AOA
O'ahu: Maunaloa (3-9-012: 001 por.)	Koko Crater Tramway Summit Interim Platform and Construction Staging Area (2022/SMA-46)	Department of Facility Maintenance, City and County of Honolulu/Munekiyo Hiraga

## 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-2001	580 C N. Kalaheo Ave., O'ahu 96734	(1) 4-3-018:025	Leaps & Boundaries, Inc.	Chase and Kendl Tanner
OA-2002	55-381 B Kamehameha Hwy, O'ahu 96762	(1) 5-5-002:065	Ailana Surveying & Geomatics	Property Reserve, Inc.

### PROPOSED SHORELINE CERTIFICATIONS AND REJECTIONS

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

File No.	Status	Location	TMK	Applicant	Owner
OA-1992	Proposed	47-099 Kamehameha Hwy, O'ahu 96744	(1) 4-7-019:061	Ailana Surveying & Geomatics	Eric Aakhus
MA-787	Proposed	4420 Makena Road, Maui 96753	(2) 2-1-011:005 & 028	Warren S. Unemori Engineering Inc.	C.H. Makena Holdings Ltd.
MA-789	Proposed	100 Nohea Kai Dr., Maui 96761	(2) 4-4-013:001	Warren S. Unemori Engineering Inc.	Marriot's Maui Ocean Club

## FEDERAL NOTICE

As a courtesy and on a space available basis, listed below is a relevant entry 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](http://www.federalregister.gov).

**Notice: [Marine Mammals and Endangered Species](#) (published by the National Oceanic and Atmospheric Administration on 08/11/2022)**

Notice is hereby given that permits, permit amendments, and permit modifications have been issued to various entities, including Adam Pack, Ph.D., University of Hawai'i at Hilo, under the Marine Mammal Protection Act (MMPA) and the Endangered Species Act (ESA), as applicable. For further information, click on the title link of this entry.

## 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).