



The Environmental Notice

October 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.



An agricultural site and youth center in Anahola, Kaua'i provides a safe place and offers relief, restoration, and healing for families

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

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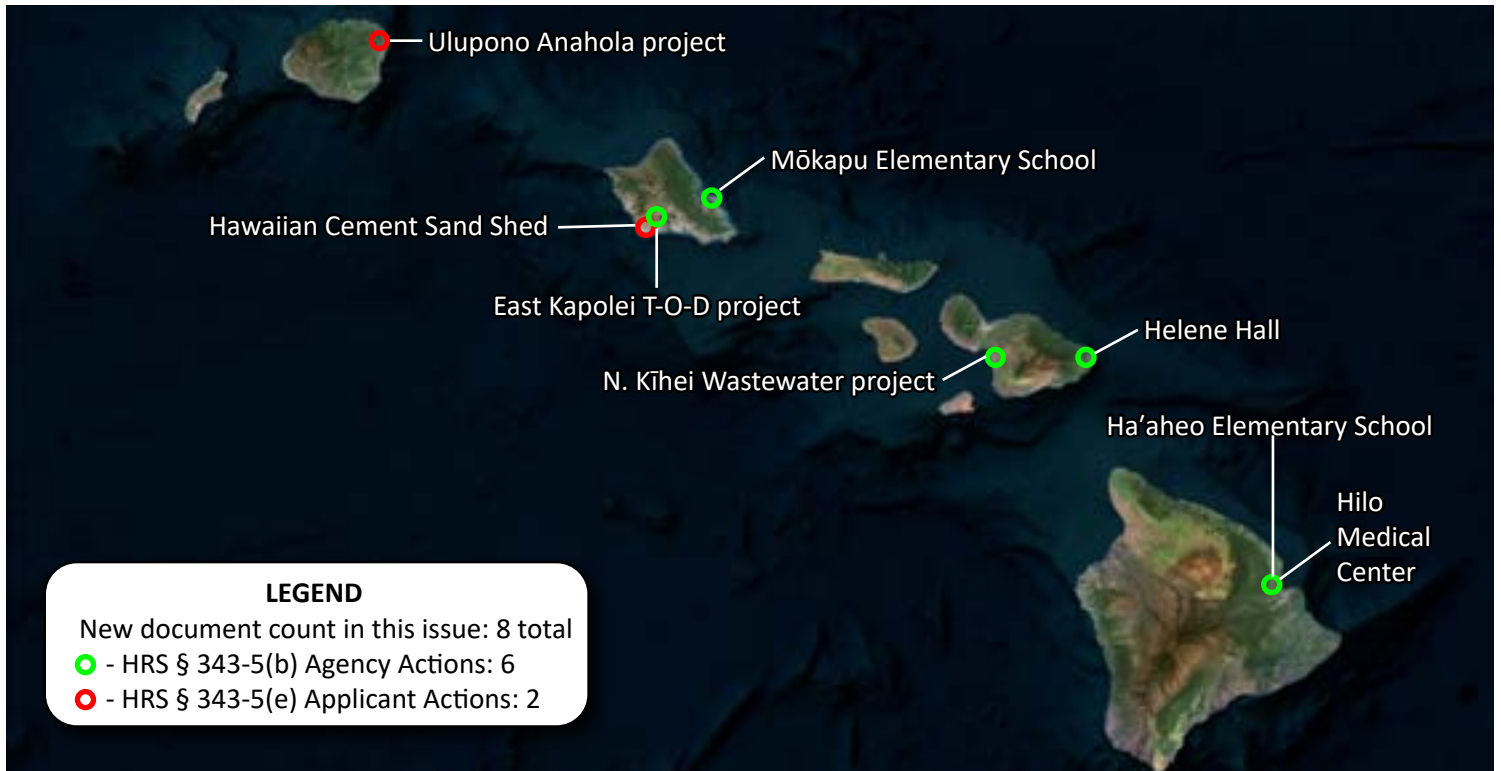
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ANNOUNCEMENTS

Please continue to use the [Contact Us page](#) on our website to submit questions and comments to ERP or the [EAC](#). Mahalo!

STATEWIDE MAP OF NEW EA/EIS DOCUMENTS & DETERMINATIONS



HAWAI'I EAS/EISS

Hilo Medical Center New Medical Office 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) 2-3-031:019 and 2-3-032:009
Permit(s)	Hawai'i County: Building Division Approval, Planning Department Plan Approval Hawai'i State: Department of Health Underground Injection Control Permit
Proposing/ Determining Agency	State of Hawai'i, Hawai'i Health Systems Corporation, Hilo Medical Center Lisa Shiroma, (808) 987-4826, lshiroma@hhsc.org 1190 Waianuenue Avenue, Hilo, HI 96720
Consultant	Geometrician Associates, LLC; 10 Hina St., Hilo, HI 96720-2005 Ron Terry, (808) 969-7090, rterry@hawaii.rr.com
Status	Statutory 30-day public review and comment period starts. Comments are due by November 22, 2022. Please click on title link above to read the document, then address comments to the proposing/determining agency and copy the consultant.

Hilo Medical Center proposes a new 2-story, 18,750 sf Medical Office Building on its campus. Design includes multiple exam rooms, provider offices, procedure rooms, two check-in/check-out/waiting areas, and various storage, janitorial, elevator, stairs and other spaces. The architectural style follows the “New Formalism” style of contemporary healthcare buildings. The total parking area on the campus is expected to be sufficient to accommodate existing and future users. This addition is essential to enhance medical services with up to 75 new healthcare and increase efficiency and address rural health clinic regulations. No sensitive biological, hydrological, archaeological, cultural or other resources are present on the cleared, paved property.

Ha'aheo Elementary School Multi-Purpose Building--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) 2-6-020: 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'ala'e 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	Finding of No Significant Impact (FONSI) determination

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.

MAUI EAS/EISS

North Kihei Wastewater Collection and Transmission System 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)	Wailuku
TMK(s)	Numerous (see document)
Permit(s)	Numerous (see document)
Proposing/ Determining Agency	County of Maui, Department of Environmental Management Deborah Aweau, (808) 270-8230, Deborah.Aweau@co.maui.hi.us 2200 Main Street, Suite 610, Wailuku, HI 96793
Consultant	Munekiyo Hiraga; 305 High Street, Suite 104, Wailuku, HI 96793 Kari Nunokawa, (808) 244-2015, planning@munekiyohiraga.com
Status	Statutory 30-day public review and comment period starts. Comments are due by November 22, 2022. Please click on title link above to read the document, then address comments to the proposing/determining agency and copy the consultant.

The County of Maui, Department of Environmental Management (DEM), Wastewater Reclamation Division (WWRD) is proposing to upgrade the North Kihei Wastewater Collection and Transmission System. The system and certain elements of it are reaching their capacity limits and lack the capacity necessary to convey planned future wastewater flows from new development in its service area. The proposed project will include replacing the gravity sewerline to WWPS No. 3, replacing the gravity sewerlines to WWPS No. 4, a new force main starting at WWPS No. 4 that heads south on South Kihei Road, turns east on Pi'ikea Avenue, turns south on Liloa Drive, and transitions to a gravity sewerline for 500 feet until it reaches the proposed new WWPS near the Kihei Aquatic Center, and a second new force main that heads south on Liloa Drive and continues on to the Kihei Wastewater Reclamation Facility (WWRF). The proposed project will also involve upgrading the WWPS Nos. 2, 3, 4, and 5.

Helene Hall Septic System 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 (3) Propose any use within a shoreline area
District(s)	Hāna
TMK(s)	(2) 1-4-004: 034(por.), 029(por.) and 999(por.)
Permit(s)	Chapter 343, Hawai'i Revised Statutes Compliance, National Pollutant Discharge Elimination System (NPDES) Permit, as applicable, Permit to Perform Work on State Highways, Hawai'i Revised Statutes (HRS) Section 6E Review, Special Management Area (SMA) Use Permit, Shoreline Setback Variance, Construction Permits (Building, Grubbing, Electrical, Plumbing), Special Flood Hazard Area Development Permit, Work on County Highway Permit.
Proposing/ Determining Agency	County of Maui, Department of Environmental Management Juan Rivera, (808) 270-8230, environmental.mgmt@mauicounty.gov 2200 Main Street, Suite 610, Wailuku, HI 96793
Consultant	Munekiyo Hiraga; 305 High Street, Suite 104, Wailuku, HI 96793 Emily Murai, (808) 983-1233, planning@munekiyohiraga.com
Status	Statutory 30-day public review and comment period starts. Comments are due by November 22, 2022. Please click on title link above to read the document, then address comments to the proposing/determining agency and copy the consultant.

The Department of Environmental Management (DEM) is proposing to upgrade the existing treatment system and find alternative disposal options. The Applicant proposes to rehabilitate one (1) aerobic treatment unit (ATU) with a new aeration blower and to repurpose the other as a wastewater pump station. The wastewater will then be pumped uphill from Helene Hall to a new treatment system and absorption field located at the Hāna Ball Park via an underground 1.5 inch diameter force main that runs approximately 1,500 feet along Keawa Place and Uakea Road. The proposed work to be done along Keawa Place and Uakea Road will take place within existing rights-of way (ROWs). Upon project completion, the existing cesspools will be abandoned and closed in accordance with the State of Hawai'i Department of Health (DOH) Hawai'i Administrative Rules (HAR) Title 11, Chapter 62, for Wastewater Systems.

O‘AHU EAS/EISS

East Kapolei Transit-Oriented Development 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)	‘Ewa
TMK(s)	(1) 9-1-016: 008; 9-1-017: 097, 163, 193(por.); 9-1-018: 008 and 014
Permit(s)	Numerous (see document)
Proposing/ Determining Agency	State of Hawai‘i, Department of Land and Natural Resources Russell Tsuji, (808) 587-0419, Russell.Y.Tsuji@hawaii.gov 1151 Punchbowl Street, Honolulu, HI 96813
Accepting Authority	State of Hawai‘i, Office of the Governor Honorable David Ige, (808) 586-0034, https://governor.hawaii.gov/contact-us/contact-the-governor 415 South Beretania Street, State Capitol, Executive Chambers, 5th Floor, Honolulu, HI 96813
Consultant	Munekiyo Hiraga; 305 High Street, Suite 104, Wailuku, HI 96793 Tessa Munekiyo Ng, (808) 983-1233, dlnrkapolei@munekiyohiraga.com
Status	Administrative 30-day public review and comment period starts. Comments are due by November 22, 2022. Please address comments to the accepting authority and copy the proposing agency and the consultant at dlnrkapolei@munekiyohiraga.com . An EIS Public Scoping meeting will be held on November 14, 2022 at 5:30 p.m.at the Salvation Army Kroc Center

The proposed action involves the development of the East Kapolei Transit-Oriented Development (TOD) Plan which will include the development of a transit-oriented, mixed-use hub with commercial, retail, hotel, medical, and affordable, workforce, and market rental housing along with light industrial uses in the East Kapolei TOD area in ‘Ewa, O‘ahu, Hawai‘i. The project area totals approximately 170 acres of land adjacent to or in proximity of the Keone‘ae Rail Station, the University of Hawai‘i West O‘ahu (UHWO) and the Ho‘opili master planned community.

Mōkapu Elementary School Campus Improvements--Final EA (FONSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	Ko‘olaupoko
TMK(s)	(1) 4-4-009:007
Permit(s)	Numerous (see document)
Proposing/ Determining Agency	State of Hawai‘i, Department of Education Brenda Lowrey, (808) 784-5091, brenda.lowrey@k12.hi.us 3633 Wai‘alae Avenue, Bldg. E, 2nd Floor, Honolulu, HI 96816
Consultant	HHF Planners; 733 Bishop Street, Suite 2590, Honolulu, HI 96813 Gail Renard, (808) 457-3167, comments@hhf.com
Status	Finding of No Significant Impact (FONSI) determination

The State of Hawai‘i Department of Education proposes to construct campus improvements at Mōkapu Elementary School (ES), located on a 14-acre site owned by the federal government at Marine Corps Base Hawaii Kaneohe Bay. The action would replace the existing school with modern equivalent facilities on the same site that would meet 21st century design and technology standards. Construction would start in 2022, with Phase 1 completed by the 2024-2025 school year. The Proposed Action includes 2- and 3-story classroom buildings, cafeteria, covered playcourt, administration, playfield, parking, and on- and off-site infrastructure improvements. It is needed to remedy the school’s existing over-capacity conditions and facility deficiencies, accommodate projected enrollment, and provide infrastructure capacity to meet modern technology requirements. The project is subject both to HRS Chapter 343 and NEPA requirements and a similar notice is being published in the NEPA section of this issue.

KAUA'I EAS/EISS

Ulupono Anahola Project--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)	Kawaihau
TMK(s)	(4) 4-8-003:019 (por.)
Permit(s)	State Historic Preservation Division Chapter 6E-42, Various Site, Grading, Building and Infrastructure Permits, long-term lease with DHHL
Approving Agency	State of Hawai'i, Department of Hawaiian Home Lands Nancy McPherson, (808) 427-3145, nancy.m.mcpherson@hawaii.gov 95-5420 Kapolei Parkway, Kapolei, HI 96707
Applicant	Kūkulu Kumuhana O Anahola; P.O. Box 30891, Anahola, HI 96703 Rae Nam, (808) 224-4245, rae.nam@kkoa.org
Consultant	G70; 111 S. King Street, Suite 170, Honolulu, H 96813 Mark Kawika McKeague, (808) 523-5866, UluponoAnahola@g70.design
Status	Finding of No Significant Impact (FONSI) determination

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 EA 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.

Hawaiian Cement Sand Shed--Final EA (FONSI)

District(s)	'Ewa
TMK(s)	(1) 9-1-026: 056
Permit(s)	Nujerous (see document)
Approving Agency	City and County of Honolulu, Department of Planning & Permitting Malyne Simeon, (808) 768-8023, msimeon@honolulu.gov 650 South King Street, 7th Floor, Honolulu, HI 96813
Applicant	Hawaiian Cement Corporation; 91-650 Malakole St., Kapolei, HI 96707 Jim Gomes, Cement Division General Manager, (808) 284-7976, jim.gomes@hawaiiancement.com
Consultant	R.M. Towill Corporation; 2024 North King Street, Suite 200, Honolulu, HI 96819-3494 Isaiah Sato, (808) 842-1133, isaiahs@rmtowill.com
Status	Finding of No Significant Impact (FONSI) determination

The Applicant, Hawaiian Cement Corporation, proposes the construction of a new sand shed for their operations in James Campbell Industrial Park (JCIP), Kapolei, on O'ahu. The Applicant proposes to construct a 37,975-square-foot sand shed over an existing concrete surface. The sand shed will be approximately 50 feet tall. The Project will also include an approximately 300-foot long retaining wall, septic tank and leach field, and waterline and fire hydrant improvements. The Project will be located on a 7.652-acre site, Tax Map Key parcel: 9-1-026: 056, at 91-055 Kaomi Loop, Kapolei, HI, 96707

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 OCTOBER 24, 2022

HAWAII

[Waiākea Uka Park Master Plan Implementation Project--Draft EA \(AFNSI\)](#)

[University of Hawai'i at Hilo New Educational Telescope Facility--Draft EA \(AFNSI\)](#)

[Addition of Wastewater Services for the Puna District \(EIS Preparation Notice\)](#)

O'AHU

[Honokea Surf Village--Draft EA \(AFNSI\)](#)

COMMENTS DUE NOVEMBER 7, 2022

HAWAII

['Upolu Well and Agricultural Water Distribution System/Agricultural Park--Draft EA \(AFNSI\)](#)

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

Waimea River Stream Mouth Clearing

Proposed Action: The proposed project involves the removal of approximately 4,500 cubic yards of alluvium sand from an approximately (400' x 200') area at the stream mouth of the Waimea River below the mean high-water mark (MHW). Work consists of driving a bucket excavator and/or front-end loader onto the sand berm and removing the accumulated sand from the far edge back to the bank. The removed sand will be dewatered on-site on the berm and would then be one-stepped into dump trucks staged, on or at the edge of, the berm behind the excavator/front-end loader. The removed sand would be transported to an inland disposal site owned by the County.

Location: Waimea River, Waimea, Island of Kaua'i
Applicant: County of Kaua'i, Department of Public Works
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: November 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 Hilo (2-3-008: 005, 006, 033 and 034)	Installation of Steel Pipe Barrier at KTA Downtown (PL-SMM-2022-000032)	Andrew Chun
Hawai'i: South Kona (8-2-008: 050)	Additional Farm Dwelling and Related Improvements (PL-SMM-2022-000034)	Anna J. Walsh
Maui: Lahaina (4-3-003: 092)	Renovation and Repairs to Single-Family Dwelling and Accessory Structure (SM2 2022-00030)	Architectural Design and Construction
Maui: Lahaina (4-3-015: 001)	Seawall Removal and Landscaping (SM2 2022-00046)	Anders Lyons
Maui: Kihei (3-9-046: 011)	Landscaping including Removal of Existing Overgrown Vegetation (SM2 2022-00048)	Alaula Builders LLC Lawrence Carnicelli
Maui: Kihei (2-1-008: 118)	Interior Alteration, Install Sidewalk and Grease (SM2 2022-00049)	Sean Kendig
Maui: Lahaina (3-8-001: 119; 4-3-009: 052; 3-8-005: 032; 4-9-017: 002; 3-9-004: 048; 4-8-002: 041; 3-9-001: 147; 4-7-001: 017; 3-9-005: 029; 3-9-004: 152; 2-5-004: 025; 4-4-008: 001; 2-5-005: 046; 3-9-005: 030)	Sunscreen Dispenser Installation at 17 Locations (SM2 2022-00050)	Meagan DeGala
Maui: Kihei (3-9-017: 031)	Grading, Retaining Wall & Fence and Replace Old Drywell with New Drywell (SM2 2022-00051)	Marc Taron
O'ahu: Diamond Head (3-1-042: 006 and 016)	Diamond Head Crater – Public Service Building Fencing and Stairway to Birkhimer Emergency Operation Center (2022/SMA-54)	State of Hawai'i Department of Defense/Bowers + Kubota Consulting, Inc.
O'ahu: Kamananui (6-7-013: 005)	McCaul Residence – Single-Family Detached Dwelling (2022/SMA-67)	Gregory, Bridgette & Shawn McCaul/Moana Consulting LLC
O'ahu: Kane'ohē (4-4-022: 008)	McClure Residence (2022/SMA-68)	Don and Brenda McClure/Peter Vincent Architects
O'ahu: Kailua (4-3-005: 092)	Hamlet Residence (2022/SMA-69)	Brian J. Hamlet/Peter Vincent Architects
O'ahu: Pūpūkea-Paumalū (5-9-003: 017)	Rosenfeld Residence – New Wall (2022/SMA-74)	James MK Rosenfeld Trust/Brian Yahata

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-2014	91-153 Kaomi Loop, O'ahu 96707	(1) 9-1-026:046	Walter P. Thompson, Inc.	CMZ of Hawaii, Inc.
OA-2015	53-623 Kamehameha Hwy., O'ahu 96717	(1) 5-3-008:012	Walter P. Thompson, Inc.	Steven MacBride
MA-797	104 Ka'anapali Shores Pl., Maui 96761	(2) 4-4-001:098	Ailana Surveying & Geomatics	Kaanapali Beach Vacation Resort
HA-631	77-222 Ke Alohi Kai Pl., Hawai'i 96740	(3) 7-7-024:002	Thomas Pattison	Timothy & Kerie Dinehart
HA-632	Hilo Bayfront Highway, Hawai'i 96720	(3) 2-3-004:001, 013; (3) 2-3-003:001, 004; (3) 2-3-002:011, 016	ControlPoint Surveying, Inc.	State of Hawai'i (DOT)

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.

[Mōkapu Elementary School Campus Improvements--Final EA \(FONSI\)](#)

Island	Oahu
District(s)	Koolaupoko
TMK(s)	(1) 4-4-009:007
Permit(s)	Numerous (see document)
Proposing and Approving Agency	State of Hawai'i, Department of Education Brenda Lowrey, (808) 784-5091, brenda.lowrey@k12.hi.us Facilities Development Branch, 3633 Wai'ālae Ave., Bldg. E, 2nd Floor, Honolulu, HI 96816
Consultant	HHF Planners; 733 Bishop Street, Suite 2590, Honolulu, HI 96813 Gail Renard, (808) 457-3167, comments@hhf.com
Status	Finding of No Significant Impact (FONSI) determination

The State of Hawai'i Department of Education (HIDOE) proposes to construct campus improvements at Mōkapu Elementary School, located on a 14-acre site owned by the federal government at Marine Corps Base Hawaii (MCBH) Kaneohe Bay. The action is subject to both NEPA and HRS 343. The action would essentially replace or upgrade the existing school facilities with an equivalent school on the same site that would meet 21st century design and technology standards. The project includes 2- and 3-story classroom buildings, cafeteria, covered playcourt, administration, playfield, parking facilities, and on- and off-site infrastructure improvements and utility connections. The purpose of the Proposed Action is to provide public school facilities that meet current and projected functional and space requirements and offer a supportive learning environment for pre-kin-dergarten through sixth grade students at MCBH Kaneohe Bay. It is needed to remedy existing over-capacity conditions and facility deficiencies at the school, accommodate projected enrollment, and provide infrastructure capacity to meet modern technology requirements. The project is subject to Executive Order 11988 Floodplain Management and MCBH is complying with the required decision making process for projects with potential impacts to floodplains.

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: [Environmental Impact Statements; Notice of Availability](#) (published by the Environmental Protection Agency on 10/14/2022)

EIS No. 20220146, Final, USN, HI, Pearl Harbor Naval Shipyard and Intermediate Maintenance Facility Dry Dock and Waterfront Production Facility at Joint Base Pearl Harbor-Hickam, Oahu, Hawaii, Review Period Ends: 11/14/2022, Contact: Andrea Von Burg Hall 808-472-1425. *Click on the title link above for additional information.*

Notice: [Marine Mammals; File No. 26778](#) (published by the National Oceanic and Atmospheric Administration on 10/12/2022)

Notice is hereby given that Wildstar Films Ltd., Embassy House, Queens Avenue, Bristol, BS8 1SB, UK (Responsible Party: Jennie Hammond), has applied in due form for a permit to conduct commercial or educational photography on humpback whales (*Megaptera novaeangliae*; Hawaii distinct population segment). These documents are available upon written request via email to NMFS.Pr1Comments@noaa.gov. Written comments on this application should be submitted via email to NMFS.Pr1Comments@noaa.gov. Please include File No. 26778 in the subject line of the email comment. Those individuals requesting a public hearing should submit a written request via email to NMFS.Pr1Comments@noaa.gov. The request should set forth the specific reasons why a hearing on this application would be appropriate. **Written, telefaxed, or email comments must be received on or before November 14, 2022.**

Notice: [Western Pacific Fishery Management Council; Public Meetings](#) (published by the National Oceanic and Atmospheric Administration on 10/18/2022)

The Western Pacific Fishery Management Council (Council) will hold meetings throughout the main Hawaiian Islands to solicit public input and comments on management alternatives for non-commercial fishing in the Northwestern Hawaiian Islands (NWHI) Monument Expansion area. The meetings will be held between November 1 and November 10, 2022. For specific times and agendas, please click on title link above.

The meetings will be held at the Cafeteria, Elise H. Wilcox Elementary School at 4319 Hardy St., Lihue, Kauai, HI 96766; University of Hawaii Maui College at 310 W Kaahumanu Ave., Kahului, Maui, HI 96732; Grand Naniloa Hotel at 93 Banyan Dr. Hilo, Hawaii Island, HI 96720; Royal Kona Resort at 75-5852 Alii Dr. Kailua-Kona, Hawaii Island, HI 96740; Lanikeha Community Center in 2200 Farrington Ave. Hoolehua, Molokai, HI 96729; and Ala Moana Hotel at 410 Atkinson Dr. Honolulu, Oahu, HI 96814.

For further information, contact Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council; phone: (808) 522-8220.

Notice: [Changes in Flood Hazard Determinations](#) (published by the Federal Emergency Management Agency on 10/12/2022)

This notice lists communities including the City and County of Honolulu where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by the Federal Emergency Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with Federal Regulations. The currently effective community number is shown in a table available by clicking on the title link above and must be used for all new policies and renewals. For further and supplementary information, please click 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 (EAC)

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).