



The Environmental Notice

June 23, 2023

Josh Green, M.D., Governor
Mary Alice Evans, Interim 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 upgraded electrical system is proposed for Kalaupapa National Historical Park on Molokai

Photo credit: [Conor Dupre-Neary](#)

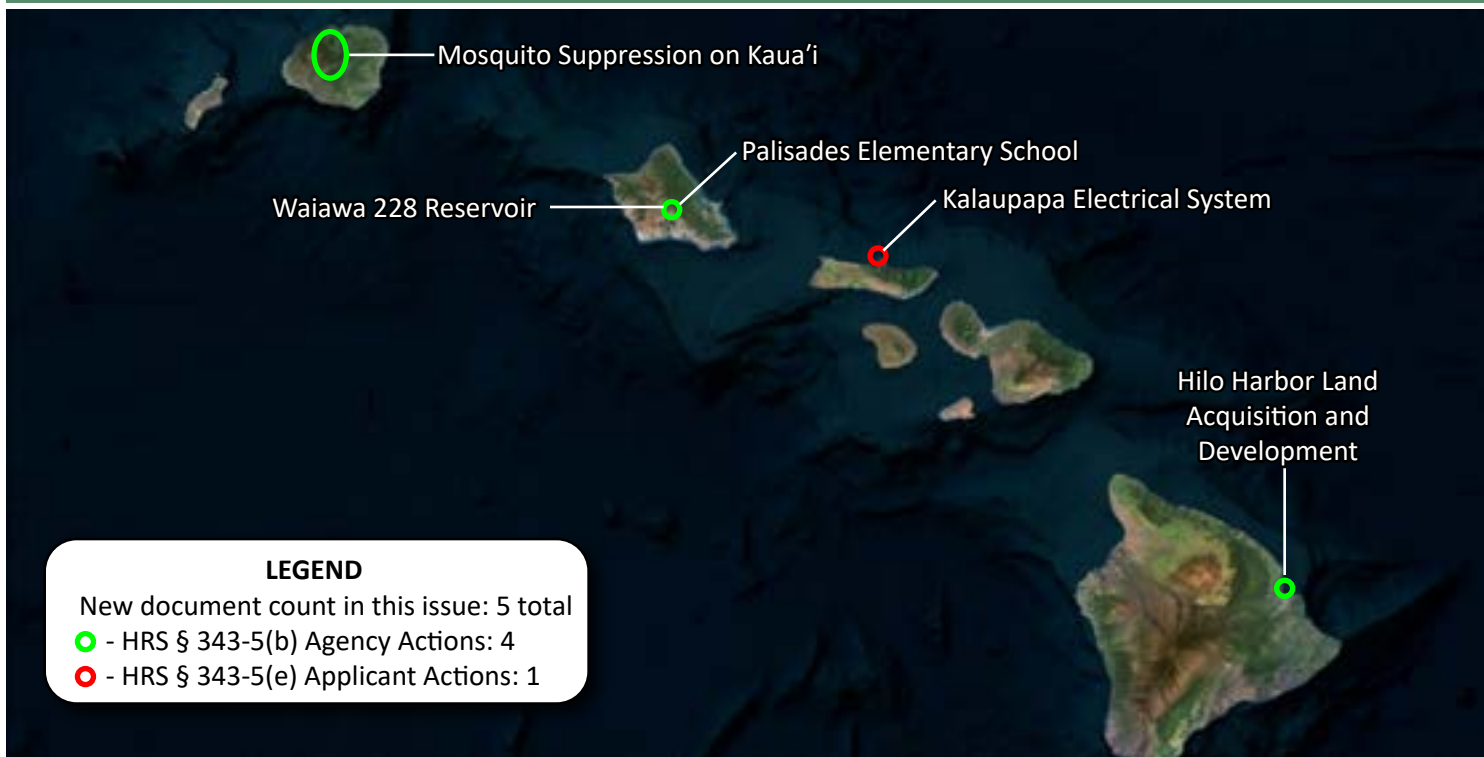
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ANNOUNCEMENTS

- Hawaiian Electric will hold a community meeting on **July 11** to receive scoping comments on its voluntary planning study and to allow public involvement in that study, which is related to its independent proposed response to the Companies’ Maui Stage 3 Request for Proposal (RFP) seeking renewable firm generating capacity. Hawaiian Electric’s RFP response centers on biodiesel generating units at a site on Pulehu Road across from the Central Maui Landfill – Refuse and Recycling Center. Building a generating station on this site was the subject of [an EIS](#) that was published in the [November 23, 1997, edition of The Environmental Notice](#); the current project does not require any discretionary approvals that would trigger the application of HRS Chapter 343. The July 11 in-person meeting will be held in the Hawaiian Electric auditorium at 210 W. Kamehameha Ave. in Kahului from 5:30 to 7:00 p.m. and will also be broadcast live on Akakū Channel 54, enabling viewers to submit questions during the presentation. Additional information regarding this voluntary planning study and public involvement effort is available at <https://www.hawaiianelectric.com/community-and-education/community-events>.
- Please join the Information & Outreach Committee of the **Environmental Advisory Council** on **Tuesday, June 27** at noon for a forum titled [Clearing the Hurdles of EIS](#). Our panel includes three respected persons ([State Representative Nicole Lowen](#), [Wayne Tanaka, Executive Director of the Sierra Club](#), and [Ron Terry, Principal – Geometrician Assoc. LLC](#)) bringing their professional expertise to this forum for all of us to learn/benefit from. [Click here for the zoom link](#).

STATEWIDE MAP OF NEW EA/EIS DOCUMENTS & DETERMINATIONS



HAWAII EAS/EISS

Hilo Harbor Private Lands Acquisition and Development--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) 2-01-007: 004, 005 and 046; 2-01-009: 003 and 004
Permit(s)	NPDES Permit, Chapter 6E, HRS Review, Permit to Perform Work Upon State Highways, County Plan Approval, Demolition Permit, Grading, Grubbing and Stockpiling Permit, Building Permit, Permit to Work within the County Right-of-Way
Proposing/ Determining Agency	State of Hawai'i, Department of Transportation DreanaLee Kalili, (808) 587-3651, dreanalee.k.kalili@hawaii.gov Department of Transportation, 869 Punchbowl Street, Honolulu, HI 96813
Consultant	Bowers and Kubota Consulting, Inc.; 2153 North King Street, Suite 200, Honolulu, HI 96819 Ronald Sato, (808) 829-9387, rsato@bowersandkubota.com
Status	Statutory 30-day public review and comment period starts. Comments are due by July 24, 2023. Please click on title link above to read the document, then send comments to the proposing/determining agency at rsato@bowersandkubota.com

The State Department of Transportation, Harbors Division is proposing to acquire five privately-owned parcels that total about 9.38 acres of land. These parcels are contiguous to the Harbor's existing facilities and situated along Kalaniana'ole Street in the Hilo district on the island of Hawai'i. The acquisition of parcels would allow for the expansion of their Hilo Harbor facility so that improvements can be made to help alleviate traffic congestion and improve mobility along a section of that street. The parcels would also provide increased cargo yard area to support operations. The acquired properties would be utilized to create a new stacking and storage lanes for semi-trailers, create a ground transportation staging area, include other roadway improvements, increase yard space for interisland and overseas cargo operations, and other accessory improvements.

MOLOKA'I EAS/EISS

Kalaupapa National Historical Park Rehabilitate and Upgrade the Existing Electrical System--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 (4) Propose any use within any historic site as designated in the National Register or Hawai'i Register
District(s)	Maui-multiple
TMK(s)	(2) 6-1-001: 001, 002
Permit(s)	Action on DHHL
Approving Agency	State of Hawai'i, Department of Hawaiian Homelands Nancy McPherson, (808) 620-9519, nancy.m.mcpherson@hawaii.gov P.O. Box 1879, Honolulu, HI 96805
Applicant	National Park Service; Kalaupapa National Historical Park, P.O. Box 2222, Kalaupapa, HI 96742 Nancy Holman, (808) 567-6802, nancy_holman@nps.gov
Consultant	WSP; 5613 DTC Parkway, Suite 500, Greenwood Village, CO 80111 Lori Fox, (303) 985-6602, lori.fox@wsp.com
Status	Statutory 30-day public review and comment period starts. Comments are due by July 24, 2023. Please use this URL to provide comments: https://parkplanning.nps.gov/KALA217676EA2023

The Park land, marine areas, and improvements within its authorized boundary are not federally owned and are instead managed through cooperative agreements between the NPS and other parties, and a lease agreement with the DHHL. The current electrical distribution system at the Park was installed in 1969 and is owned by the state's Department of Health (HDOH). Power outages occur frequently within the Park because of deteriorated transformers, worn and frayed transmission lines, and pole and insulator failures. The electrical distribution system has created a variety of health and safety concerns for patient-residents, NPS and HDOH staff, and visitors. Rehabilitating and upgrading the electrical distribution system would improve efficiency, comply with current Hawaiian Electric (HECO) code standards for future operations, increase reliability, make the system easier for an outside entity to maintain, and eliminate health and safety concerns.

O'AHU EAS/EISS

Board of Water Supply Waiawa 228 Reservoir Facility--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)	'Ewa
TMK(s)	(1) 9-6-004:024
Permit(s)	National Pollutant Discharge Elimination System (NPDES), Public Infrastructure Map (PIM) Revision, Community Noise, Building, Grading and Grubbing Permit, Others (see Section 5 of document)
Proposing/ Determining Agency	City and County of Honolulu, Board of Water Supply Christopher Sugimoto, (808) 748-5945, csugimoto@hbws.org 630 S. Beretania St., Honolulu, HI 96843
Consultant	The Limtiaco Consulting Group; 1622 Kananui St., Honolulu, HI 96817 Jason Nakata, (808) 386-5241, jason.n@tlcghawaii.com
Status	Statutory 30-day public review and comment period starts. Comments are due by July 24, 2023. Please click on title link above to read the document, then send comments to the proposing/determining agency and copy the consultant.

The Honolulu Board of Water Supply (BWS) proposes construction of a new 8.5 million-gallon (MG) reservoir facility in the Waiawa area of Pearl City to offset the existing 55 MG storage deficit in its Metro Low System identified in the BWS Water Master Plan. The preliminary plan for the facility calls for three (3) reservoirs: one (1) 2.0 MG reservoir, one (1) 2.5 MG reservoir, and one (1) 4.0 MG reservoir. The reservoirs will be located within a single new BWS facility on undeveloped former agriculture land owned by the Bernice Pauahi Bishop Trust Estate (dba Kamehameha Schools).

30-inch (in) influent and effluent mains will be constructed to connect the proposed reservoir facility to an existing 42-in BWS transmission main located approximately 3,700 feet from the project site. Construction of an access roadway to the site is required. Alignment of the utility and access road infrastructure will be determined in coordination with Kamehameha Schools.

Palisades Elementary School Covered Playcourt--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)	'Ewa
TMK(s)	(1) 9-7-093: 016 por.
Permit(s)	Variance from Pollution Control, Disability and Communications Access Board, HRS Chapter 6E Review, BWS Construction Plan Review, Grubbing and Grading, Building Permit, Building Height Waiver, Street Usage Permit, HFD Plan Check
Proposing/ Determining Agency	State of Hawai'i, Department of Education Aaron Geonzon, (808) 784-5053, aaron.geonzon@k12.hi.us 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	Finding of No Significant Impact (FONSI) determination

The project will provide the School and its students a covered structure for recreational use and protection during inclement weather and "hot" days.

KAUA'I EAS/EISS

Wolbachia-based Suppression of Mosquitoes on Kaua'i--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 (2) Propose any use within any land classified as a conservation district (3) Propose any use within a shoreline area
District(s)	Kaua'i--multiple
TMK(s)	Numerous (see document)
Permit(s)	Various (see document)
Proposing/ Determining Agency	State of Hawai'i, Department of Land and Natural Resources Paul Radley, (808) 295-1123, paul.m.radley.researcher@hawaii.gov 1151 Punchbowl Street, Room 325, Honolulu, HI 96813
Consultant	N/A
Status	Statutory 30-day public review and comment period starts. Comments are due by July 24, 2023. Please click on title link above to read the document, then send comments to the proposing/determining agency at mosquitocontrol@hawaii.gov

Populations of endangered Hawaiian forest birds have decreased substantially over the last 20 years, and at least two more species are predicted to be extinct in the next 2 to 10 years. The primary cause of declines in native forest birds is avian malaria, which is spread by the non-native southern house mosquito. This purpose of this project is to substantially suppress or eliminate these mosquitoes in threatened and endangered forest bird habitat on Kaua'i, thereby reducing the risk of their extinction and contributing to the recovery of these species. The proposed action consists of repeatedly releasing incompatible male mosquitoes to reduce the reproductive potential of wild mosquitoes. When conducted repeatedly over time, releases of incompatible mosquitoes would suppress the wild mosquito population by at least 90%. The primary tool proposed for release of mosquitoes on the landscape is drones and, to a lesser extent, helicopters, fixed-wing aircraft, and ground-based methods.

PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

Status: The comment period for this project began previously. **Comments are due July 10, 2023.** Please click on the link below to read the 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

Kona Community Hospital Redundant Wastewater Treatment System--Draft EA (AFNSI)

COASTAL ZONE MANAGEMENT NOTICES

SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS

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

Location (TMK)	Description (File No.)	Applicant/Agent
Hawai'i: South Kohala District (6-6-002: 037)	Subdivide Property into Two Parcels (PL-SMM-2023-000046)	Mauna Kea Resort LLC
O'ahu: Wai'anae (8-5-008: 001)	T-Mobile Emergency Generator – Pokai Bay Marina Apartments (2023/SMA-32)	T-Mobile West LLC / Wireless Resources

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, contact Rebecca Anderson at rebecca.l.anderson@hawaii.gov.

File No.	Location	TMK	Applicant	Owner
OA-2045	46-195 Yacht Club Street, O'ahu 96744	(1) 4-6-023:041	ControlPoint Surveying, Inc.	City & County of Honolulu
OA-2046	56-183 Kamehameha Highway, O'ahu 96731	(1) 5-6-001:087	Ryan M. Suzuki	Mark Van Mourick, et al
MA-814	130 Kai Malina Parkway, Maui 96761	(2) 4-4-014:006	Austin Tsutsumi & Associates Inc	Honua Kai Condominium Association, 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
KA-467	Proposed	3606 'Anini Road, Kaua'i 96754	(4) 5-3-04:035	Lucas Breckenridge & Associates, Inc.	Geof, LLC
LA-032	Proposed	Kaunolu Trail, Lāna'i 96763	(2) 4-9-002: 001 por.	Ryan M. Suzuki	Lanai Resorts, LLC

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: [Endangered Species; Receipt of Recovery Permit Applications](#) (published by the Fish and Wildlife Service on 06/13/2023)

We, the U.S. Fish and Wildlife Service, have received applications for permits to conduct activities in Hawaii intended to enhance the propagation and survival of endangered species under the Endangered Species Act. We invite the public and local, State, Tribal, and Federal agencies to comment on these applications. Before issuing the requested permits, we will take into consideration any information that we receive during the public comment period. We must receive your written comments on or before July 13, 2023. Please click on the title link above for additional information about this application.

Proposed Rule: [Endangered and Threatened Wildlife and Plants; Regulations Pertaining to Endangered and Threatened Wildlife and Plants](#) (published by the Fish and Wildlife Service on 06/22/2023)

We, the U.S. Fish and Wildlife Service (Service), propose to revise our regulations concerning protections of endangered species and threatened species under the Endangered Species Act (Act). We are proposing to reinstate the general application of the "blanket rule" option for protecting newly listed threatened species pursuant to section 4(d) of the Act, with the continued option to promulgate species-specific rules. We are also proposing to extend to federally recognized Tribes the exceptions to prohibitions for threatened species that the regulations currently provide to the employees or agents of the Service and other Federal and State agencies to aid, salvage, or dispose of threatened species. We are also proposing minor changes to clarify or correct the existing regulations for endangered and threatened species; these proposed minor changes would not alter the substance or scope of the regulations. We also request comments on an additional provision under consideration, but not currently proposed, that would extend to federally recognized Tribes the exceptions to prohibitions for threatened species that the regulations currently provide to employees or agents of the Service, the National Marine Fisheries Service, and State agencies for take associated with conservation-related activities. **We will accept comments received or postmarked on or before August 21, 2023.** Please click on the title link above for further information on submitting comments.

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).