



The Environmental Notice

July 8, 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.



A [proposed new tower](#) would replace some older structures and reinvigorate Ala Moana Boulevard as the primary 'Ewa gateway to Waikiki

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ANNOUNCEMENTS

Even with the current staff shortage in the Environmental Review Program, we still wish to provide trainings on the HEPA (HRS Chapter 343) process. Please [contact our office](#) with specific questions or with requests for trainings for your agency or group. We can not guarantee that we will be able to accomodate all requests, but we look forward to engaging with the community.

STATEWIDE MAP OF NEW EA/EIS DOCUMENTS & DETERMINATIONS



HAWAI‘I EAS/EISS

KPFA Resiliency and Agricultural Innovation Hub--Final EA (FONSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	South Hilo
TMK(s)	(3) 2-1-025:91
Permit(s)	Long-term lease with DHHL; State Historic Preservation Division Chapter 6E-42 and 6E-08; Various Site, Grading, Building and Infrastructure Permits
Approving Agency	State of Hawai‘i, Department of Hawaiian Home Lands Lilliane Makaila, (808) 620-9279, lilliane.k.makaila@hawaii.gov 91-5420 Kapolei Pkwy, Kapolei, HI 96707
Applicant	Keaukaha Pana‘ewa Farmers Association; P. O. Box 6844, Hilo, HI 96720-8935 Maile Lu‘uwai, (808) 959-5026, maile@luuwailaw.com
Consultant	G70; 111 S. King Street, Suite 170, Honolulu, HI 96813 Kawika McKeague, (808) 441-2120, kawikam@g70.design
Status	Finding of No Significant Impact (FONSI) determination

To further support local agricultural education and build community resilience, the Keaukaha Pana‘ewa Farmers Association (KPFA) is developing the Resilience and Agriculture Innovation Hub project in Hilo, Hawai‘i. This project involves the construction of six ADA accessible pavilions complete with one certified kitchen. The improvements proposed in this Environmental Assessment provide the community an opportunity to engage in sustainable farming practices, keiki and kūpuna care, and resilience before, during and after natural disasters. The project will also house farming, and debris removal equipment as well as educational materials to support KPFA's operations in agricultural education, and community resiliency.

O‘AHU EAS/EISS

Hilton Hawaiian Village - Village Master Plan Improvements, AMB Tower--Final Supplemental EIS

HRS §343-5(a) Trigger	(5) Propose any use within the Waikīkī area of O‘ahu
District(s)	Honolulu
TMK(s)	Various (see document)
Permit(s)	Various (see document)
Approving Agency/ Accepting Authority	City and County of Honolulu, Department of Planning and Permitting Laura Mo, (808) 768-8025, laura.mo@honolulu.gov 650 S King St. 7th Floor, Honolulu, HI 96813
Applicant	Hilton Hawaiian Village Beach Resort & Spa and Park Ala Moana LLC Jonathan Fuisz, (571) 302-5757, ambtower@g70.design c/o Park Hotels & Resorts, 1775 Tysons Blvd., 7th Floor, Tysons, VA 22102
Consultant	G70; 111 S. King Street, Suite 170, Honolulu, HI 96813 Jeffrey Overton, (808) 523-5866, ambtower@g70.design
Status	The Final Supplemental Environmental Impact Statement has been submitted and is pending acceptance by the approving agency/accepting authority, which has 30 days from date of receipt to determine acceptability.

In 2011, the Hilton Hawaiian Village (HHV) Master Plan was designed as the next chapter of HHV’s continuing dedication to support Waikīkī as a premier visitor destination. The Applicant proposes to expand the HHV Master Plan to include a 0.46-acre site along Ala Moana Boulevard (AMB). This expansion includes replacing existing structures at the site with the new AMB Tower, which will provide hotel lodging accommodations that will reflect Hawai‘i’s rich heritage and cultural diversity in a contemporary form. The AMB Tower will reinvigorate and revitalize Ala Moana Boulevard as the primary ‘Ewa gateway to Waikīkī, and enhance the Village experience for both Waikīkī visitors and local residents. The new tower will include a lobby area, porte cochere, ground floor retail accessible to pedestrians, landscaping, pedestrian walkways, food and beverage offerings, pool and recreation area, fitness center, and parking. The project is anticipated to produce new jobs through construction and operation.

PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

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

COMMENTS DUE JULY 10, 2023

HAWAII

[Kona Community Hospital Redundant Wastewater Treatment System--Draft EA \(AFNSI\)](#)

COMMENTS DUE JULY 24, 2023

HAWAII

[Hilo Harbor Private Lands Acquisition and Development--Draft EA \(AFNSI\)](#)

MOLOKA'I

[Kalaupapa National Historical Park Rehabilitate and Upgrade the Existing Electrical System--Draft EA \(AFNSI\)](#)

O'AHU

[Board of Water Supply Waiawa 228 Reservoir Facility--Draft EA \(AFNSI\)](#)

KAUA'I

[Wolbachia-based Suppression of Mosquitoes on Kaua'i--Draft EA \(AFNSI\)](#)

LISTS OF EXEMPTION NOTICES

Pursuant to [HAR § 11-200.1-17](#), State and county agencies that have determined specific actions to be exempt from the requirement to prepare an EA are required to submit a listing of such exemptions made during the previous month. Following are Lists of Exemption Notices submitted by various agencies for June 2023; contact the identified agency contact on each list for additional information about any specific exemption:

State of Hawai'i

[Department of Accounting and General Services](#)

[Department of Education](#)

[Department of Land and Natural Resources](#)

[Department of Transportation](#)

[University of Hawaii at Mānoa](#)

City and County of Honolulu

[Department of Design and Construction](#)

[Department of Planning and Permitting](#)

County of Maui

[Department of Public Works](#)

County of Hawai'i

[Department of Environmental Management](#)

SHORELINE NOTICES

APPLICATIONS FOR SHORELINE CERTIFICATION

The shoreline certification application below is 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-2043	85-251 Farrington Highway, O'ahu 96792	(1) 8-5-002:018	ControlPoint Surveying, Inc.	State of Hawai'i

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
Kaua'i: Waimea (1-6-006: 001)	Lucy Wright Park Tree Removal Project to Comply with U.S. Army Corps of Engineers Levee Requirements. (SMA(M)-2023-20)	County of Kaua'i Department of Parks and Recreation
Maui: Kihei (2-1-008: 062)	Pool and Spa Renovation (SM2 2023-00010)	David Sellers
Maui: Pā'ia (2-5-005: 014)	Remove Two Fallen Trees (SM2 2023-00054)	Rob Agapay
Maui: Lahaina (4-4-008: 005)	Addition of Removable Pavilions at Existing Ground Floor Lanais of the Lahaina Building; (SM2 2023-00058)	Neu-Wa O'Neill
O'ahu: 'Ewa Beach (9-1-007: 050)	Construction of a New Garage, Driveway Apron, and Fence Replacement (2023/SMA-33)	Craig Hara / Gregory A. Quinn



Waikiki is an iconic element of the landscape on O'ahu

Photo credit: [Andym5855](#)

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).