



The Environmental Notice

September 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.



Portions of the Waialua Sugar Mill Plantation Camp will be restored.

Photo from [Waialua Mill Camp Restoration's draft EA](#)

TABLE OF CONTENTS

STATEWIDE MAP OF NEW EA/EIS DOCUMENTS AND DETERMINATIONS 2

HAWAII EAS/EISS

 After-the-Fact Demolition and Reconstruction of Single-Family Residence in Honaunau—Draft EA (AFNSI) 3

 Bayfront Highway and Waianuenue Avenue Intersection Improvements—Final EA (FONSI) 3

O’AHU EAS/EISS

 Board of Water Supply Waiawa 228 Reservoir Facility – Final EA (FONSI) 4

 Waialua Mill Camp Restoration – Draft EA (AFNSI) 4

 Sand Island Fuel Facility Stormwater System Upgrade Project – Draft EA (AFNSI) 5

CHAPTER 25, REVISED ORDINANCES OF HONOLULU

 Cluster Development at Pōhakupuna – Final EA (EISPN) 5

LISTS OF EXEMPTION NOTICES 6

COASTAL ZONE MANAGEMENT NOTICES

 Special Management Area (SMA) Minor Permits 6

SHORELINE NOTICES

 Applications for Shoreline Certification 6

 Proposed Shoreline Certifications and Rejections 7

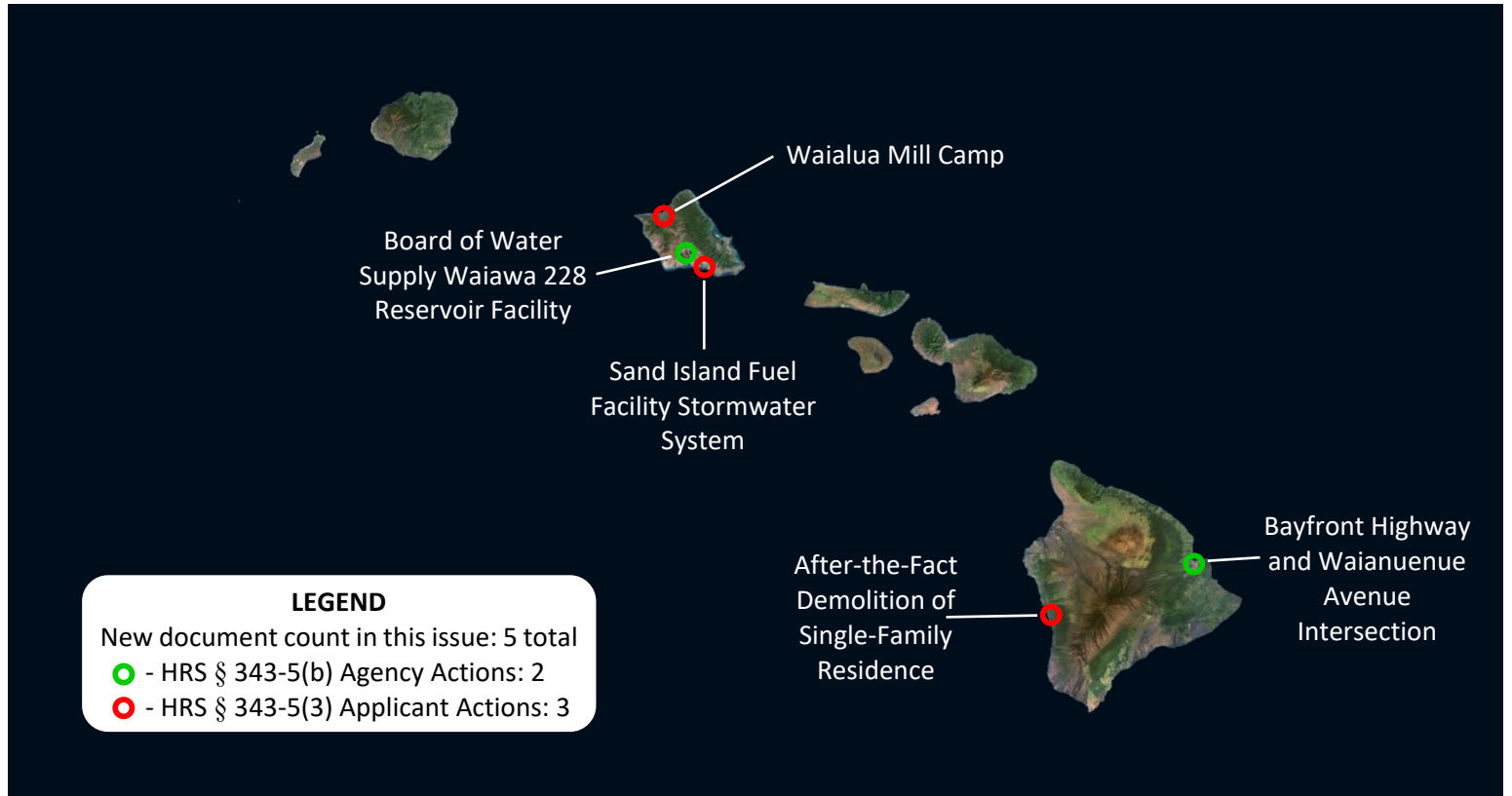
NATIONAL HISTORIC PRESERVATION ACT, SECTION 106 CONSULTATION 7

CONSERVATION DISTRICT USE APPLICATIONS 8

FEDERAL NOTICES 8

GLOSSARY OF TERMS AND DEFINITIONS 9

STATEWIDE MAP OF NEW EA/EIS DOCUMENTS AND DETERMINATIONS



HAWAII EAS/EISs

After-the-Fact Demolition and Reconstruction of Single-Family Residence in Honaunau—Draft EA (AFNSI)

HRS §343-5(a) Trigger	(2) Propose any use within any land classified as a conservation district
District(s)	South Kona
TMK(s)	(3) 8-4-013:016
Permit(s)	State of Hawai‘i: BLNR/DLNR Conservation District Use Permit, DOH Wastewater System Approval, Chapter 6E SHPD Approval of Archaeological Survey; County of Hawai‘i: Special Management Area Permit Plan Approval and Grubbing, Grading, and Building Permits; Conservation District Use Permit (CDUP)
Approving Agency	State of Hawai‘i, Board of Land and Natural Resources Trevor Fitzpatrick, (808) 798-6660, trevor.j.fitzpatrick@hawaii.gov 1151 Punchbowl Street, Room 131, Honolulu, HI 96813
Consultant	Environmental Risk Analysis, LLC; 905 A Makahiki Way, Room 131, Honolulu, HI 96826 Russell Okoji, (808) 798-6660, russellokoji@environmentalriskhawaii.com
Status	Statutory 30-day public review and comment period starts. Comments are due by October 9, 2023 . Please click on title link above to read the document, then send comments to the approving agency and copy the consultant.

On February 14, 2020, the Board of Land and Natural Resources (Board) found the landowner in violation of Hawai‘i Revised Statutes (HRS) §183C and Hawai‘i Administrative Rules (HAR) §13-5 in regards to the unauthorized construction of a single-family residence without prior approval and use of the subject property and associated single-family residence as a transient vacation rental within the State Land Use Conservation District. Condition #9 states: That the landowner files a complete after-the-fact CDUA with DLNR and OCCL in accordance with HAR §13-5 and all requested attachments within ninety (180) days from the date of the Board’s action. The OCCL notes that the Draft Environmental Assessment (DEA) is being submitted for processing to fulfill the requirements of Hawai‘i Revised Statutes (HRS) Chapter 343 (a) (2) and it appears in anticipation of a future submission of an after-the-fact Conservation District Use Application (ATF CDUA) to fulfill Condition #9 in ENF: HA 20-21.

Bayfront Highway and Waianuenue Avenue Intersection 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)	South Hilo
TMK(s)	(3) 2-3-002:022 (portion); (3) 2-3-002-999 (portion); (3) 2-3-003:003; (3) 2-3-003:999 (portion); (3) 2-3-005:999 (portion)
Permit(s)	Special Management Area Assessment (County of Hawai‘i); Shoreline Setback Variance – Exempt (County of Hawai‘i); Grading/Building Permits (DPW); Historic Preservation HRS 6E-8 (SHPD); National Historic Preservation Act - Section 106 (SHPD); Coastal Zone Management (CZM) Federal Consistency Review (OPSD); HRS Chapter 195D (DOFAW) (DAR); National Pollutant Discharge Elimination System (NPDES) Permit (DOH); Community Noise Permit (DOH); Noise Variance (DOH); Disability and Communication Access Board (DCAB) Document Review for ADA Compliance (DOH); NEPA (FHWA as Responsible Entity); Endangered Species Act – Section 7 (USFWS, NOAA-NMFS); National Environmental Policy Act (NEPA) Review - Categorical Exclusion (FHWA); Jurisdictional Determination (USACE); Section 4(f) Review – No 4(f) Properties Affected (FHWA); Essential Fish Habitat (EFH) Review (NOAA-NMFS)
Proposing / Determining Agency	State of Hawai‘i, Department of Transportation (HDOT) Robert Sun, (808) 692-7578, robert.sun@hawaii.gov 869 Punchbowl Street, Honolulu, HI 96813
Consultant	PBR HAWAII & Associates, Inc., 1001 Bishop Street, Suite 650, Honolulu, HI 96813 Dave Simpson, (808) 521-5631, dsimpson@pbrhawaii.com
Status	Finding of No Significant Impact (FONSI) determination

The proposed project includes improvements to the intersection of Bayfront Highway (Route 19) and Waianuenue Avenue (Route 1950) to enhance multimodal connectivity and address ongoing concerns involving poor vehicular maneuverability, restricted access to the downtown Hilo area, pedestrian safety concerns, and overall congestion of roadways in the vicinity. A preferred alternative has been identified which includes reconstruction of roadways to allow for construction of an intersection single-lane roundabout, ADA compliant sidewalks and roadway crossings, drainage improvements, reconfiguration of parking, and other roadway improvements including new highway lighting, electrical infrastructure relocations, signage, pavement markings, pedestrian signals, raised crosswalks, landscape, and traffic management devices, and other utility adjustments as required. To minimize traffic impacts during construction, the project will include both day and night work.

O‘AHU EAs/EISS

Board of Water Supply Waiawa 228 Reservoir Facility – 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) 9-6-004:024
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	Finding of No Significant Impact (FONSI) determination

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 roadway infrastructure will be determined in coordination with Kamehameha Schools.

Waialua Mill Camp Restoration – 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 (6) Propose any amendments to existing county general plans where the amendment would result in designations other than agriculture, conservation, or preservation (9)(A) Propose any wastewater treatment unit, except an individual wastewater system or a wastewater treatment unit serving fewer than fifty single-family dwellings or the equivalent
District(s)	Waialua
TMK(s)	(1) 6-7-001: 030; 058; 076; and 077
Permit(s)	Building permit, grading permit, Urban Growth Boundary Amendment, 201H, State Land-Use Commission District Boundary Amendment, NPDES Construction Stormwater Permit; 201H, State Land-Use Commission District Boundary Amendment
Approving Agency	City and County of Honolulu, Department of Planning and Permitting Laura Mo, (808) 768-8025, laura.mo@honolulu.gov 650 South King Street, 7th Floor, Honolulu, HI 96813
Applicant	Hawaii Assisted Housing, Inc.; 3165 Waialae Avenue, Suite 200, Honolulu, HI 96816
Consultant	North Shore Community Consultants, LLC; 66-031 Mahaulu Lane, Hale‘iwa, HI 96712 David Robichaux, (808) 368-5352, robichaud001@hawaii.rr.com
Status	Statutory 30-day public review and comment period starts. Comments are due by October 9, 2023 . Please click on title link above to read the document, then send comments to the approving agency and copy the consultant.

Hawaii Assisted Housing, Inc. acquired the Waialua Mill Camp with the objective of restoring the Camp to its original size and function for providing affordable housing to residents of the North Shore while maintaining the promise to provide housing for life for the retirees of Waialua Sugar Company currently living in the Camp. Housing restoration is proposed in four phases. Phase I will include Kupuna/Americans with Disabilities Act compliant housing for retirees and other residents, and multifamily housing to relocate existing tenants during reconstruction of the main Camp. Phase II will be single-family homes in the plantation style. Phase III will be similar to Phase II and may become a Hawaiian Home Lands Community. Phase IV will be restoration or sale of the existing homes along Goodale Avenue. Associated infrastructure improvements will include upgrades to roads, water, wastewater, and power. The area has been used for workforce housing for more than 100 years.

O‘AHU EAS/EISS (CONTINUED)

Sand Island Fuel Facility Stormwater System Upgrade 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)	O‘ahu - multiple districts
TMK(s)	(1)1-2-025:020; 1-2-025:021
Permit(s)	Building and trenching permits; Special Management Area Use Permit on State-owned land
Approving Agency	City and County of Honolulu, Department of Planning and Permitting Steve Tagawa, (808) 768-8024, stagawa@honolulu.gov 650 South King Street, Honolulu, HI 96813
Applicant	Hawaii Fueling Facilities Corporation; 3201 Aolele Street, Honolulu, HI 96819 Jason Maga, (808) 883-3291, Jason.maga@signatureflight.com
Consultant	Burns and McDonnell Engineering Co., Inc.; 733 Bishop Street, Suite 2150, Honolulu, HI 96813 Jeremy Jewell, (816) 823-6063, jjewell@burnsmcd.com
Status	Statutory 30-day public review and comment period starts. Comments are due by October 9, 2023 . Please click on title link above to read the document, then send comments to the approving agency at dpp@honolulu.gov and copy the consultant.

This is an EPA mandated upgrade to the secondary spill containment and stormwater management system at the Applicant's jet fuel storage facility at 6 Sand Island Access Road. The 8.4-acre facility, built in the 1960s, consists of 16 large-capacity aboveground storage tanks with a capacity of 42 million gallons, and is the sole supplier of jet fuel for the Daniel K. Inouye International Airport. Jet fuel is transported to this storage facility via pipelines from refineries located in Kalaeloa (formerly Campbell Industrial Park). The upgrades include new asphalt pavement, spray-on industrial coating on exposed areas, 31 collection inlets, 4 lift stations with sump pumps and an above-ground oil-water separator. The site is owned by the State Department of Transportation, which triggers the preparation of an EA per Chapter 343. Upon DPP acceptance of a Final EA and a FONSI determination, the SMA application can be accepted for processing with decision-making by the Honolulu City Council.

CHAPTER 25, REVISED ORDINANCES OF HONOLULU

Use of the Special Management Area (SMA) is not a trigger under HRS Chapter 343, but major developments in O‘ahu’s SMA must 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.

Cluster Development at Pōhakupuna – Final EA (EISPN)

District(s)	‘Ewa
TMK(s)	(1)9-1-028: 040
Permit(s)	Various (see document)
Approving Agency / Accepting Authority	City and County of Honolulu, Department of Planning & Permitting Laura Mo, (808) 768-8025, laura.mo@honolulu.gov 650 South King Street, 7th Floor, Honolulu, HI 96813
Applicant	Jinshi Development Hawaii, Ltd.; 1188 Bishop Street, Unit 2003, Honolulu, HI 96813 (808) 388-3096, c/o consultant (see below)
Consultant	R.M. Towill Corporation; 2024 North King Street, Suite 200, Honolulu, HI 96819-3494 Isaiah Sato, (808) 842-1133, isaiahs@rmtowill.com
Status	30-day public review and comment period starts. Comments are due by October 9, 2023 . Please send comments to the approving agency/accepting authority and copy the applicant and the consultant.

Jinshi Development Hawaii, Ltd. proposes to construct a 21-unit residential cluster development comprised of six duplexes, two triplexes, and three single-family units on a 2.74-acre parcel. The proposed dwelling units will include 19 market-priced and two for-rental affordable units. Common amenities will be provided including a pool, pavilion, and picnic areas. A total of 60 parking stalls will be provided including 51 off-street parking stalls for residents and nine stalls for guests. Onsite stormwater will be directed towards vegetated swales that discharge to a stormwater detention vault located beneath the common amenities. The proposed development will be located mauka of the 80-foot shoreline setback and all occupied-units will be located mauka of the 120-foot shoreline setback to minimize risks from coastal and sea level rise hazards. However, the development is nearly entirely within the 3.2-foot scenario of sea level rise, and proposes to grade and fill to raise the development.

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 **August 2023, unless noted otherwise**; contact the identified agency contact on each list for additional information about any specific exemption:

State of Hawai‘i

[Department of Education](#)

[Department of Land and Natural Resources](#)

[Department of Transportation](#)

County of Hawai‘i

[Department of Public Works](#)

County of Maui

[Department of Water Supply](#)

City and County of Honolulu

[Department of Land Management](#)

[Department of Design and Construction](#)

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: Līhu‘e (5-4-004:050 Unit 2)	Construction of a ground mount photovoltaic system. (SMA(M)-2024-1)	James M. Boucher/ Nathan Wood General Contractor, LLC
Maui: Kīhei (2-1-008: 156)	Construction of a New One-story Single-Family Home of Approximately 3,775 Square Feet with an Attached 2 Car Garage, Lanai Area and Swimming Pool With Spa (SM2 2023-00065)	Michelle Spencer
Maui: Kīhei (3-9-001: 160)	Maintenance and Dredging of the Existing Gulch located on the Villas at Kenolio Property, Involving the Removal of Approximately 15,000 Cubic Yards of Silt and Green Waste (SM2 2023-00066)	William Wittenburg
Maui: Kīhei (2-1-008: 141 and 103)	13 Additional Offsite Parking Stalls and Related Improvements for the Wailea Tennis Club (SM2 2023-00068)	Wailea Golf, LLC
O‘ahu: Waiale‘e (5-8-001: 006, 007, 026 and 055)	University of Hawai‘i at Mānoa, College of Tropical Agricultural and Human Resources, Waiale‘e Livestock Research Station Capital Improvement Project (2023/SMA-58)	University of Hawai‘i/Bow Engineering & Development, Inc.

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	Zip Code	TMK	Applicant	Owner
OA-2060	56-371 Kamehameha Highway	96731	(1) 5-6-002:045	Walter P. Thompson, Inc.	James C. Reynolds, Inc.
OA-2061	66-489 Pikai Street	96712	(1) 6-6-030:031	Walter P. Thompson, Inc.	Juan Oliphant & Ocean Ramsey
OA-2062	91-173 Ewa Beach Road	96706	(1) 9-1-023:010	Ailana Surveying & Geomatics	Suzie Mai-French
OA-2063	59-265 Ke Nui Road	96712	(1) 5-9-019:045	Ailana Surveying & Geomatics	T. Courtney Dubar
OA-2064	59-4 Holawa Place	96712	(1) 5-9-001:089	Gil P. Bumanglag	Pema & Rosalynn Hegan Living Trust
HA-535	15-2771 A Papio Street	96778	(3) 1-5-088:009	Daniel Berg	Hsueh Ching Takano-Smith

SHORELINE NOTICES (CONTINUED)

PROPOSED SHORELINE CERTIFICATIONS AND REJECTIONS

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

File No.	Status	Location	Zip Code	TMK	Applicant	Owner
MA-802	Rejected	45 Kai Pali Place	96761	(2) 4-5-004:002	Loren Slentz	Puunoa Bech Estates AOAO
OA-2028	Withdrawal	4383 Royal Place	96816	(1) 3-5-002:003	Engineers Surveyors Hawaii, Inc.	Mark Gosselin
OA-2034	Withdrawal	91-319 Olai Street	96707	(1) 9-1-031:001	David Miran	Eurus Energy America LLC

NATIONAL HISTORIC PRESERVATION ACT, SECTION 106 CONSULTATION

North Kona Sewer Pump Station

Island	Hawai'i
District(s)	North Kona District
TMK(s)	Portions of (3) 7-4-008:072, 077, 078, and 090 (formerly 077 por. 1); and (3) 7-3-009:999
Proposing / Approving Agency	State of Hawai'i, Department of Health, Environmental Management Division, Wastewater Branch Chane Hayashida, (808) 586-4294, Chane.Hayashida@doh.hawaii.gov 2827 Waimano Home Road, Rm. 207, Pearl City, HI 96782
Consultant	Wilson Okamoto Corporation; 1097 S. Beretania Street, Suite 400, Honolulu, HI 96814 Keola Cheng, (808) 946-2277, kcheng@wilsonokamoto.com
Status	30-day public review and comment period starts. Comments are due by October 9, 2023 . Please click on title link above to read the document, then send comments to the approving agency and copy the consultant.

The Department of Health (DOH) initiated Section 106 of the NHPA consultation with the State Historic Preservation Division (SHPD) in accordance with 36 CFR Part 800. In 1990, the U.S. Environmental Protection Agency (EPA) designated the DOH to act on EPA's behalf, pursuant to 36 CFR §800.2 (c) (4), when initiating Section 106 of the NHPA process in connection with projects funded under the Hawai'i Clean Water State Revolving Fund (CWSRF). The DOH is providing funding under the CWSRF to the County of Hawai'i for the North Kona Sewer Pump Station. The proposed project will utilize federal funding and is considered an undertaking, as defined by Section 106 of the NHPA, 54 U.S.C. §306101 et seq., and 36 CFR Part 800.

The undertaking consists of a below-grade pump station, above-grade operations, an emergency generator building, and a fuel storage tank. The North Kona SPS also includes the construction of two new sewer lines: a gravity line and a dual force main. The work is located in Honokōhau and Kealakehe Ahupua'a, North Kona District, Island of Hawai'i. The proposed pump station would be located makai (seaward) of the Māmalahoa Trail (State Inventory of Historic Places [SIHP] #50-10-27-00002), and the above-grade operations building and fuel storage would be located mauka (inland, toward the mountains) of the trail, approximately 260 feet (ft) upslope of the pump station. Both portions of the facility will be connected by a 12- to 15-ft-wide access driveway crossing the Māmalahoa Trail. The below-grade pump station will be located just mauka from existing manholes to allow connection to sewer lines constructed by the State Department of Transportation along the Queen Ka'ahumanu Highway.

The DOH has engaged SHPD to determine the presence of potential sites of historic importance within the vicinity of the project area as well as the potential impact of the project on such sites, if present.

CONSERVATION DISTRICT USE APPLICATIONS

Persons interested in commenting on the following Conservation District Use Application or interested in receiving notification of determinations on Conservation District Use Applications must submit comments and requests to the Department of Land and Natural Resources. Notification requests must include the following information: 1) Name and address of the requestor; 2) The application for which the requestor would like to receive notice of determination; and 3) The date the notice was initially published in the Environmental Notice. Send comments and requests to: Department of Land and Natural Resources, Office of Conservation and Coastal Lands, P.O. Box 621, Honolulu, HI, 96809. DLNR will make every effort to notify those interested in the subject CDUAs. However, DLNR is not obligated to notify any person not strictly complying with the above requirements. For more information, please contact the Office of Conservation and Coastal Lands staff listed for each project. CDUAs can be found on the OCCL website at dlnr.hawaii.gov/occl.

File No.: [CDUA OA-3928 Acceptance Letter](#)
Name of Applicant: City and County of Honolulu, Department of Design and Construction
Agent: Miya Akiba
Location: Wailupe & Honolulu Watershed Forest Reserve, Oahu, Hawai'i
TMK: (1) 3-6-004:018
Proposed Action: Ahuwale Ditch Storm Drainage Improvements
343, HRS determination: Exempt
Agent's Contact: Miya Akiba, Jacobs Engineering Group, Inc.; (808) 754-0624, Miya.Akiba@jacobs.com
OCCL Staff Contact: Cosme Caal (808) 798-6481, cosme.caal@hawaii.gov

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: [Presidential Declaration of a Major Disaster for Public Assistance Only for the State of Hawaii](#) (published by the Small Business Administration on 08/31/2023)

This is a Notice of the Presidential declaration of a major disaster for Public Assistance Only for the State of Hawaii (FEMA-4724-DR), dated 08/21/2023. Physical Loan Application Deadline Date: 10/20/2023. Economic Injury (EIDL) Loan Application Deadline Date: 05/21/2024. Please click on the title link above for further information on submitting completed loan applications.

Rule: [Safety Zone; Lahaina Boat Basin, Maui, HI-Emergency Operations and Port Recovery](#) (published by the Coast Guard on 08/29/2023)

The Coast Guard is establishing a temporary safety zone for the navigable waters in the vicinity of Lahaina Boat Basin, Maui, Hawaii. The temporary safety zone encompasses all waters extending 200 yards from shore starting from the potential safety hazards associated with the damage assessment, debris management, vessel salvage and port recovery of Lahaina Boat Basin and surrounding waters, through September 27, 2023. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Sector Honolulu or designated representative. Click on the title link above for additional information.

Notice: [Western Pacific Fishery Management Council; Public Meetings](#) (published by the National Oceanic and Atmospheric Administration on 08/28/2023)

The Western Pacific Fishery Management Council (Council) will hold its 149th Scientific and Statistical Committee (SSC) and its 196th Council meeting to take actions on fishery management issues in the Western Pacific Region. The Council will also hold meetings of the following standing committees: Pelagic and International Standing Committee (SC); Program Planning SC; Fishing Rights of Indigenous Peoples SC; and Executive and Budget SC. **The meetings will be held between September 12 and September 20, 2023.** For specific times and agendas, please click on the link above.

Notice: [Final Revised Management Plan for the He'eia National Estuarine Research Reserve](#) (published by the National Oceanic and Atmospheric Administration on 08/23/2023)

Notice is hereby given that the Office for Coastal Management, National Ocean Service, National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce approves the revised management plan for the He'eia National Estuarine Research Reserve in Hawai'i. In accordance with the Coastal Zone Management Act and its implementing regulations. The University of Hawai'i Institute of Marine Biology revised the reserve's management plan, which replaces the management plan previously approved in 2016. Click on the title link for further information.

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).