



The Environmental Notice

March 8, 2024

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.



Renovations and uses are proposed for the Old Hilo Memorial Hospital structure and surrounding grounds at 34 Rainbow Drive in Hilo

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

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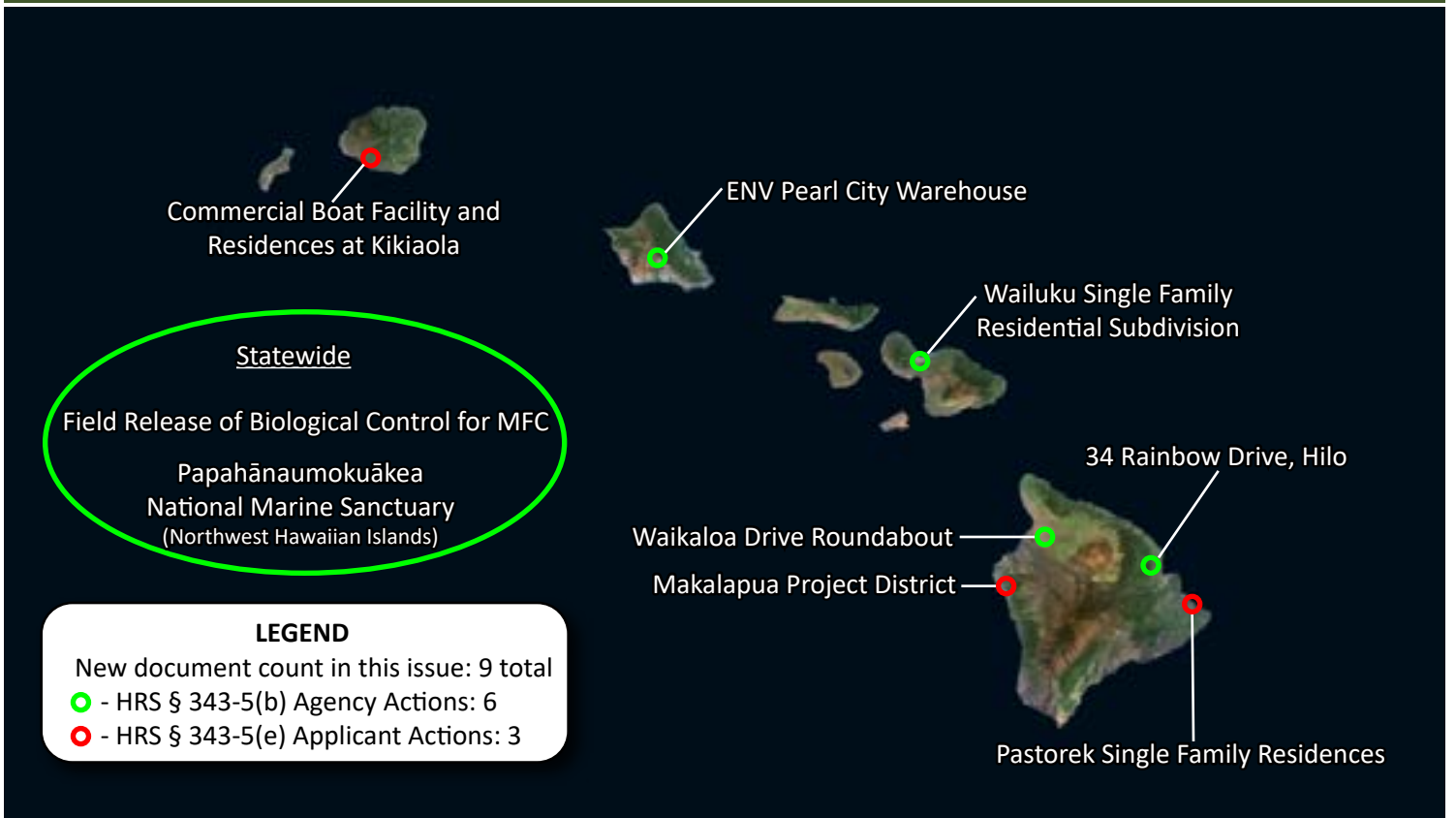
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STATEWIDE MAP OF NEW EA/EIS DOCUMENTS & DETERMINATIONS



HAWAI'I EAS/EISS

Makalapua Project District--Draft EA (FONSI) Vol I; Vol II Part I, Part II & Part III; Vol III

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	North Kona
TMK(s)	(3) 7-4-008:002(por.); 7-4-010:009 and 010; (3)7-4-025:001, 002, 003, 005, 015 and 021
Permit(s)	Numerous (see document)
Approving Agency	County of Hawai'i, Planning Department Zendo Kern, (808) 961-8125, planning@hawaiicounty.gov 101 Pauahi Street, Suite 103, Hilo, HI 96720
Applicant	Lili'uokalani Trust; 1100 Alakea Street, Suite 1100, Honolulu, HI 96813 Bryan Esmeralda, (808) 203-6150, besmeralda@onipaa.org
Consultant	Munekiyo Hiraga; 305 High Street, Suite 104, Wailuku, HI 96793 Yukino Uchiyama, (808) 983-1233, planning@munekiyohiraga.com
Status	Statutory 30-day public review and comment period starts. Comments are due by April 8, 2024. Please click on title links above to read the document, then send comments to the approving agency and copy the applicant and the consultant.

Lili'uokalani Trust proposes the development, enhancement, and refinement of approximately 69.5 acres of land in Kailua-Kona on the island of Hawai'i as the Makalapua Project District. The project is aimed at creating a vibrant and sustainable mixed-use community organized around an interconnected street network and will include approximately 600 residential units; 150 hotel rooms; 220,900 square feet of commercial use and a variety of open space features.

A District Boundary Amendment (DBA) application to amend a portion of the project from the State Agricultural District to the State Urban District and a County Change of Zone (Project District) application will be submitted for the project. The majority of the project area is also within the Special Management Area (SMA) for the County of Hawai'i and as such, a SMA Use Permit application will also be submitted for the project.

34 Rainbow Drive, Hilo--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) 2-3-026:008
Permit(s)	ADA Compliance; Building Permits; National Pollutant Discharge Elimination System (NPDES) Permit; Grubbing, Grading and Stockpiling Permit; Noise Permit (if necessary); Plan Approval; and Federal Aviation Administration (FAA) Form 7460-1 Notice of Proposed Construction or Alteration
Proposing/Determining Agency	County of Hawai'i, Office of Housing and Community Development Neil Erickson, (808) 932-5959, NeilC.Erickson@hawaiicounty.gov 1990 Kino'ole Street, Suite 102, Hilo, HI 96720
Consultant	PBR HAWAII; 1001 Bishop Street, ASB Tower, Suite 650, Honolulu, HI 96813 Bradley Furuya, (808) 521-5631, bfuruya@pbrhawaii.com
Status	Statutory 30-day public review and comment period starts. Comments are due by April 8, 2024. Please click on title link above to read the document, then send comments to the Proposing/Determining agency and copy the consultant.

The Project will renovate the existing Old Hilo Memorial Hospital building and convert currently unoccupied interior space into floor area expected to be used for offices, storage, and patient rooms. The Project also proposes to utilize portions of the remaining 24.947-acre property for various types of affordable rental housing units and supportive services, including a potential State of Hawai'i, Department of Health mental health facility. Other areas of the property will be reserved for open space and a walking path connecting Hilo Memorial Hospital to Gilbert Carvalho Park.

HAWAII EAS/EISS (CONTINUED)

Waikoloa Drive/Paniolo Avenue Roundabout--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 Kohala
TMK(s)	(3) 6-9-003:999; (3) 6-8-002:051 and 053
Permit(s)	HRS §343 Environmental Assessment, HRS §6E Consultation, Community Noise Permit, Noise Variance Permit, National Pollutant Discharge Elimination System Permit, Permit to work in County ROW, County Plan Approval, Grading, Grubbing and Stockpiling Permits, Land Acquisition
Proposing/ Determining Agency	County of Hawai'i, Department of Public Works Alexander Kalawe, (808) 961-8327, AlexanderK.Kalawe@hawaiicounty.gov 101 Pauahi Street, Suite 7, Hilo, HI 96720-4224
Consultant	Bowers + Kubota Consulting, Inc.; 2153 N. King Street, Suite 200, Honolulu, HI 96819 Jared Chang, (808) 521-5361, jchang@bowersandkubota.com
Status	Statutory 30-day public review and comment period starts. Comments are due by April 8, 2024. Please click on title link above to read the document, then send comments to the Proposing/Determining agency at bkplanning_comments@bowersandkubota.com

The County of Hawai'i, Department of Public Works proposes the construction of a new roundabout at the Waikōloa Road and Paniolo Avenue/ Pua Melia Street intersection to modify the existing two-way stop. The Proposed Action is intended to handle the increasing traffic flow and to improve the safety of persons traversing the intersection. The new roundabout would require the acquisition of contiguous lands that extend into limited portions of TMKs (3) 6-8-002: 051 and 053.

Pastorek Single Family Residences in Maku'u, Puna--Final EA (FONSI)

HRS §343-5(a) Trigger	(2) Propose any use within any land classified as a conservation district (3) Propose any use within a shoreline area
District(s)	Puna
TMK(s)	(3) 1-5-010:026 and 027
Permit(s)	Special Management Area Permit, Conservation District Use Permit, Grubbing, Grading, Building Permits, Wastewater System Approval, Water Well Permit, Aquaculture Pond Management Plan Approval
Approving Agency	State of Hawai'i, Department of Land and Natural Resources K. Tiger Mills, (808) 587-0382, kimberly.mills@hawaii.gov 1151 Punchbowl St., Room 132, Honolulu, HI 96813
Applicant	Ryan Pastorek and Paul Pastorek; 533 Fernwood Pacific Drive, Topanga, CA 90290-3209 Ryan Pastorek, (310) 248-3147, ryanpastorek@gmail.com
Consultant	Land Planning Hawaii LLC; 194 Wiwo'ole St., Hilo, HI 96720 John Pipan, (808) 333-3391, john@landplanninghawaii.com
Status	Finding of No Significant Impact (FONSI) determination

Under the proposed action, Ryan Pastorek would build one (1) single-family residence with supporting infrastructure and a storage/animal shelter on TMK (3) 1-5-010: 026, and Paul Pastorek would build one (1) single-family residence with supporting infrastructure and an aquaculture pond on TMK (3) 1-5-010: 027. Parcels 026 and 027 are 7.45 and 3 acres respectively and are adjoining lots in Maku'u, Puna, County of Hawai'i. The subject area is located makai of Government Beach Road, approximately 1 mile south of the Hawaiian Paradise Park (HPP) subdivision. Consolidation and re-subdivision are being requested to allow for lesser impact on the more heavily vegetated lot (Parcel 027), and greater setbacks to the neighboring residence to the south for less impacts associated with scenic views, noise, and air quality. Each parcel will have its own utilities, one (1) driveway, one (1) well for drinking water, and an Individual Wastewater System (IWS) approved by the State Department of Health.

MAUI EAS/EISS

DHHL Wailuku Single Family Residential Subdivision--Draft 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)	Wailuku
TMK(s)	(2) 3-5-002:003 (por.)
Permit(s)	Numerous (see document)
Proposing/ Determining Agency	State of Hawai'i, Department of Hawaiian Home Lands Stewart Matsunaga, (808) 620-9500, stewart.t.matsunaga@hawaii.gov P.O. Box 1879, Honolulu, HI 96805
Consultant	G70; 111 S King Street #170, Honolulu, HI 96813 Mark Kawika McKeague, (808) 523-5866, kawikam@g70.design
Status	Statutory 30-day public review and comment period starts. Comments are due by April 8, 2024. Please click on title link above to read the document, then send comments to the Proposing/Determining agency at wailukusfr@g70.design

The Department of Hawaiian Home Lands (DHHL) is proposing to undertake the “Wailuku Single Family Residential Subdivision Project” , which involves the development of a new residential subdivision, comprised of a maximum of 204 residential lots, (173 turn-key single-family residences and 31 vacant improved lots for single-family residences). DHHL beneficiaries will be able to purchase the residence out right or via a potential rent-with-option-to-purchase solution. This project would assist DHHL beneficiaries by providing much needed housing in a desirable area, and by relieving the DHHL waitlist for the island of Maui. The project is proposed to be developed on an approximately 77-acre portion of a parcel identified by Tax Map Key (TMK): (2) 3-5-002:003 (por.), located at 101 Kuikahi Drive in the Waikapū Ahupua‘a, Wailuku District, on the island of Maui, and is owned by the DHHL.

O‘AHU EAS/EISS

ENV Collection System Maintenance (CSM) Pearl City Warehouse--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)	Honolulu
TMK(s)	(1) 9-6-008:003
Permit(s)	Numerous (see document)
Proposing/ Determining Agency	City and County of Honolulu, Department of Environmental Services (ENV) Wesley Wong, (808) 768-8759, wesley.wong2@honolulu.gov 1000 Ulu'ohia Street, Suite 308, Kapolei, HI 96707
Consultant	Wilson Okamoto Corporation; 1907 South Beretania St., Suite 400, Honolulu, HI 96826 Dalton Beauprez, (808) 946-2277, DBeauprez@wilsonokamoto.com
Status	Statutory 30-day public review and comment period starts. Comments are due by April 8, 2024. Please click on title link above to read the document, then send comments to the Proposing/Determining agency at publiccomment@wilsonokamoto.com

The ENV is proposing to construct its CSM Pearl City Warehouse to support the operations of its ENV Divisions: CSM, Wastewater Treatment and Disposal (WTD) and Environmental Quality (EQ). The Proposed Project will be utilized to store equipment such as spare parts and pipes for force mains. The Proposed Project will also house response equipment such as portable pumps, hose or piping, sandbags (or equivalent barrier / diversion devices), pipe plugs, replacement pipes, valves, and repair kits. The Proposed Project will also include rockfall mitigation measures and drainage improvements which will involve the installation of a rockfall catchment ditch, slope vegetation clearing and slope scaling. Dry wells will also be installed at the base of the rockfall catchment ditch.

KAUA‘I EAS/EISS

Commercial Boat Facility and Residences at Kikiaola--Final EA (FONSI)

HRS §343-5(a) Trigger	(3) Propose any use within a shoreline area
District(s)	Waimea
TMK(s)	(4) 1-2-013:039 and 040
Permit(s)	Shoreline Setback Variance, SMA Use Permit, Use Permit, and Class IV Zoning Permit
Approving Agency	County of Kaua‘i, Department of Planning Ka‘āina Hull, (808) 245-2163, khull@kauai.gov 4444 Rice Street, Suite 473, Līhu‘e, HI 96766
Applicant	Nathaniel Fisher c/o: Ian Jung, (808) 245-2163, ikj@kauai-law.com
Consultant	Belles Graham LLP; 3135 Akahi Street #A, Līhu‘e, HI 96766 Ian Jung, (808) 245-2163, ikj@kauai-law.com
Status	Finding of No Significant Impact (FONSI) determination

Nathaniel Fisher (“Applicant”) proposes to construct a Commercial Boat Facility and two (2) Residential Dwellings on properties identified as Lot Nos. 64 and 65 of Land Court Application No. 1076 (Map 35), and further identified as TMK Nos. (4) 1-2-013:039 and 040. The purpose of the Project is to provide alternative boating facilities for a commercial boating operation at Kikiaola Small Boat Harbor whereby patrons will park, check-in, gear up and load up to depart to board vessels at Kikiaola Small Boat Harbor for commercial boat tours. Additionally, the Application proposes two (2) residential dwelling units to accompany the commercial boating facility for residential, employee housing and/or long-term rental use.

STATEWIDE EAS/EISS

Proposed Papahānaumokuākea National Marine Sanctuary--Draft EIS and Transcripts of Public Scoping Meetings

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 (4) Propose any use within any historic site as designated in the National Register or Hawai‘i Register
District(s)	Statewide
Proposing/ Determining Agency	State of Hawai‘i, Department of Land and Natural Resources Ryan Okano, (808) 587-0100, ryan.ly.okano@hawaii.gov 1151 Punchbowl Street #330, Honolulu, HI 96813
Accepting Authority	Office of the Governor, State of Hawai‘i The Honorable Josh Green MD, (808) 586-0034, https://governor.hawaii.gov/contact-us/contact-the-governor/ Executive Chambers, 5th floor, 415 South Beretania St., Honolulu, HI 96813
Consultant	N/A
Status	Per HRS Chapter 343, the statutory 45-day public review and comment period starts with this publication; comments are due by April 22, 2024 . The public can submit comments through the Federal eRulemaking Portal . The docket number is NOAA-NOS-2021-0114 and comments will be accepted in both English and ‘ōlelo Hawai‘i (Hawaiian language).

NOAA proposes to designate marine portions of Papahānaumokuākea Marine National Monument (Monument) as Papahānaumokuākea National Marine Sanctuary to protect nationally significant biological, cultural, and historical resources. The State of Hawai‘i (the State) through the Department of Land and Natural Resources Division of Aquatic Resources proposes to include all State waters. The purpose of this action is to provide comprehensive and coordinated management of the marine areas of Papahānaumokuākea to protect nationally significant biological, cultural, and historical resources. The proposed action would supplement the existing provisions for management of the Monument and further protect resources in the Northwest Hawaiian Islands. The DEIS describes the purpose and need for the proposed action of designating a national marine sanctuary, identifies a range of alternatives including the preferred alternative, provides an assessment of resources and uses in the area, and evaluates the potential environmental consequences of the proposed designation including by comparing the beneficial and adverse impacts among alternatives.

STATEWIDE EAS/EISS (CONTINUED)

Field Release of Biological Control of Macadamia Felted Coccid--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 (2) Propose any use within any land classified as a conservation district
District(s)	Statewide
Permit(s)	USDA-APHIS-PPQ; Board of Agriculture (HDOA Plant Quarantine Branch)
Proposing/Determining Agency	State of Hawai'i, Department of Agriculture Darcy Oishi, (808) 973-9536, Darcy.E.Oishi@hawaii.gov 1428 S. King St., Honolulu, HI 96814
Consultant	N/A
Status	Finding of No Significant Impact (FONSI) determination

The Hawai'i Department of Agriculture proposes the Statewide field release of *Metaphycus macadamiae*, a host-specific minute parasitoid wasp, in the State of Hawai'i for biological control of *Acanthococcus ironsidei*, the macadamia felted coccid (MFC). MFC, a serious pest of macadamia trees, is native to Australia and continues to threaten the macadamia nut industry in Hawai'i. MFC feeding causes leaves to be distorted, early flower drop, and branch die-back, leading to the death of trees and a substantial reduction in nut production. If MFC is not controlled sustainably at the landscape level soon, it may spread throughout the State and will continue to devastate Hawai'i's macadamia nut industry. *M. macadamiae* is a monophagous parasitoid of MFC and does not pose any risk to native and beneficial species, thus making this natural enemy of MFC safe to release in the environment to control MFC in Hawai'i.

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 MARCH 11, 2024

HAWAI'I

[Pāpa'aloa Park Master Plan and Phase I Development--Draft EA \(AFNSI\)](#)

MAUI

[Ha'ikū Fire Station and Related Improvements--2nd Draft EA Vol I and Vol II \(Grandfathered under the old rules\)](#)

O'AHU

[Waimānalo Beach Park Improvements--Draft EA \(AFNSI\)](#)

[Waiāhole Bridge Replacement--Draft EA \(AFNSI\)](#)

[Honolulu Police Department Communication Facilities Upgrade at Kapa'a Reservoir--Draft EA \(AFNSI\)](#)

KAUA'I

[Kapa'a Homesteads 325' Tanks and Exploratory Well--Draft EA \(AFNSI\)](#)

COMMENTS DUE MARCH 25, 2024

HAWAI'I

[University of the Nations, Kona, Inc. Master Plan Update--Draft EIS and scoping meeting audio recording](#)

MAUI

[Kūlanihāko'i High School Pedestrian Overpass--Draft EA \(AFNSI\)](#)

[Makawao Public Library Improvements, Renovation, and Expansion--Draft EA \(AFNSI\)](#)

O'AHU

[Ke'ehi Lagoon Park Comfort Stations 1 and 2--Draft EA \(AFNSI\)](#)

[Waikiki Aquarium Upgrades--Draft EA \(AFNSI\)](#)

COMMENTS DUE APRIL 8, 2024

MAUI

[Ledcor South Maui Properties and Improvements--Draft EIS and scoping meeting audio](#)

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 February 2024; 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 Land and Natural Resources](#)
- [Department of Transportation](#)

City and County of Honolulu

- [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: Hanalei (4-6-014: 026)	Placement/Boulder and Concrete Barrier Placement along Kūhiō Highway (SMA(M)-2024-10)	Department of Public Works
Maui: Haiku (2-9-005: 023)	Construction of a New 22 ft x 34 ft Barn/Shed for Storing Farm Equipment (SM2 2024-00009)	William Chapman
O'ahu: Kailua (4-4-039: 023)	Interior Renovations and Enlarge the Garage for a Single-Family Dwelling (2023/SMA-109)	Stuart Family Trust/WHALE Environmental Services LLC
O'ahu: Kahala (3-5-059: 013)	George Residence Single-Family Dwelling Project (2023/SMA-110)	Lapis Design Partners/Planning Solutions, 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	TMK	Applicant	Owner
OA-2093	3707 Diamond Head Road, O'ahu 96816	(1) 3-1-038:004 & 008	Walter P. Thompson, Inc.	RRK Land Company LLC
OA-2094	47-119 Kamehameha Highway, O'ahu 96744	(1) 4-7-019:080	Walter P. Thompson, Inc.	David Knox TR & Beverly Hoversland TR
OA-2095	47-119 Kamehameha Highway, O'ahu 96744	(1) 4-7-019:078	Walter P. Thompson, Inc.	David A. Knox & Beverly J. Hoversland
HA-643	12-7235 Moana Kai Pali Street, Hawai'i 96778	(3) 1-2-030:013	Daniel Berg c/o dba & associates, LLC	Equity Trust Co. fbo Mike Stehle & Lisa Stehle-Doggett
HA-644	12-7235 Moana Kai Pali Street, Hawai'i 96778	(3) 1-2-030:012	Daniel Berg c/o dba & associates, LLC	Equity Trust Co. fbo Mike Stehle & Lisa Stehle-Doggett
HA-645	45-5034 Nanaina Kai Road, Hawai'i 96727	(3) 4-5-002:016 & 080	L. Edward Pare	Stephen & Cheryl Winter, Trustees

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, Hawai‘i 96813.

File No.	Status	Location	TMK	Applicant	Owner
OA-2082	Proposed	59-817 Kamehameha Highway, O‘ahu 96712	(1) 5-9-004:015	Kenn Nishihira	Hale Mana Kai LLC c/o Mark Ledbetter
OA-2085	Proposed	61-555 Pohaku Loa Way, O‘ahu 96712	(1) 6-1-009:020	Clayton M. Kaneshiro	Carl Hodel
OA-2087	Proposed	84-939 Farrington Highway, O‘ahu 96792	(1) 8-4-004:020	Wesley T. Tengan	Kim Yen Cook Trust

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.

[Draft Environmental Assessment Fleming Road Temporary Group Housing Site FEMA DR-4724-HI Maui County](#)

Island/District/TMK	Maui / Lahaina / (2) 4-5-021:021
Permit(s)	
Proposing Agency	FEMA POC: Emily Benz, FEMA Environmental and Historic Preservation Advisor – (202)704-6163
Status	For document, click on the link above, search for 4724 and select the Fleming Road Document beginning on 3/9. Expedited comment period beginning 3/9, and concluding 3/15. Email comments to: fema-rix-ehp-documents@fema.dhs.gov (If emailing, please remember to include "Temporary Housing Fleming Road Site" in the subject line). Or mail comments to: FEMA Region IX EHP 1111 Broadway, Suite 1200 Oakland, CA 94607-4052

Under the August 10, 2023, major presidential disaster declaration for the Hawai‘i wildfires and high winds (FEMA-DR-4724-HI) which occurred on August 8, 2023, FEMA will construct a temporary group housing site for displaced individuals and families. In accordance with the National Environmental Policy Act (NEPA) of 1969, FEMA has prepared a draft environmental assessment for a proposed Alternative Temporary Transportable Unit (ATTHU) group housing site.

The proposed action includes developing an approximately 36-acre site for about 169 ATTHUs to be located at West Maui, just north of Keawe Street and the Lahaina Bypass and southeast of Fleming Road, Lahaina, Hawai‘i 96793 (Latitude: 20.892807; Longitude: -156.680137). Activities may include, where necessary, site clearing, grading, road construction, the placement of utilities (electricity, telephones, water, and sewer), and the transport and installation of housing units to the site. The group site, developed under FEMA’s Individuals and Households Program, is intended to be operational for up to 18 months and extended depending on the needs of the disaster.

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.

Rule: [Pacific Island Fisheries; Modification of Seabird Interaction Mitigation Measures in the Hawaii Deep-Set Longline Fishery](#) (published by the National Oceanic and Atmospheric Administration on 03/01/2024)

In this final rule, NMFS modifies its seabird interaction mitigation measures to require federally permitted Hawaii deep-set longline vessels that set fishing gear from the stern to use a tori line (i.e., bird scaring streamer) in place of the currently required thawed, blue-dyed bait and strategic offal (i.e., fish, fish parts, or spent bait) discharge when fishing above latitude (lat.) 23° N. This action is expected to improve the overall efficacy and operational practicality of required seabird mitigation measures by reducing seabird bycatch and creating operational and administrative efficiency for fishermen and NMFS. **The final rule is effective April 1, 2024.**

Proposed Rule: [Pacific Island Fisheries; Catch and Retention Limits for Striped Marlin in the Western and Central Pacific Ocean North of the Equator](#) (published by the National Oceanic and Atmospheric Administration on 02/26/2024)

NMFS proposes a catch limit of 457 metric tons (t) for Western and Central North Pacific Ocean (WCNPO) striped marlin caught by U.S. fishing vessels in the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Commission or WCPFC) Convention area north of the Equator and west of 150° W longitude (the action area) and a retention limit of 443 t for U.S. fishing vessels with Hawaii longline limited entry permits. If the retention limit is projected to be reached, NMFS will prohibit retention of striped marlin caught in the WCNPO by Hawaii longline vessels for the calendar year. Action is required under Magnuson-Stevens Fishery Conservation and Management Act Section 304(i) to address U.S. fishing vessels' relative impact on this internationally managed stock, which is overfished and experiencing overfishing. **NMFS must receive comments by March 27, 2024.**

Notice: [Pacific Island Pelagic Fisheries; False Killer Whale Take Reduction Plan; New Trigger Value for Southern Exclusion Zone Closure](#) (published by the National Oceanic and Atmospheric Administration on 02/23/2024)

In accordance with the Marine Mammal Protection Act (MMPA) of 1972, and the False Killer Whale Take Reduction Plan, NMFS is publishing a new trigger value for the Southern Exclusion Zone (SEZ) closure. The Plan establishes a framework to reduce the level of incidental mortality and serious injury (M/SI) of the Hawaii pelagic and Hawaii insular stocks of false killer whales in the Hawaii longline fisheries. The new trigger is three observed mortality or serious injuries of false killer whales incidental to the deep-set longline fishery within the U.S. Exclusive Economic Zone.

Notice: [Western Pacific Fishery Management Council; Public Meetings](#) (published by the National Oceanic and Atmospheric Administration on 02/27/2024)

The Western Pacific Fishery Management Council (Council) will hold its 151st Scientific and Statistical Committee (SSC), Executive and Budget Standing Committee (SC) and its 198th Council meeting to take actions on fishery management issues in the Western Pacific Region. The Council will also hold a joint meeting of the Advisory Panel (AP), the Fishing Industry Advisory Committee (FIAC), and the Non-Commercial Fisheries Advisory Committee (NCFAC). **The hybrid meetings will be held between March 12 and March 20, 2024.** For specific times and agendas, click on 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

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).