



# The Environmental Notice

April 23, 2024

Josh Green, M.D., Governor  
Mary Alice Evans, OPSD 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.



Hawaii's rich natural and cultural environment provides many reasons to appreciate Earth Day, every day

Photo credit: Michael Furuya

## TABLE OF CONTENTS

<b>ANNOUNCEMENTS</b> .....	2
<b>STATEWIDE MAP OF NEW EA/EIS DOCUMENTS &amp; DETERMINATIONS</b> .....	2
<b>HAWAII EAs/EISS</b>	
<a href="#">Army Training Land Retention at Pōhakuloa Training Area--2nd Draft EIS Vol I, II, III</a> , and <a href="#">scoping meeting audio</a> .....	3
<a href="#">Renovation of Old Hilo Memorial Hospital at 34 Rainbow Drive--Final EA (FONSI)</a> .....	3
<a href="#">Hakalau Stream Bridge Rehabilitation--Draft EA (AFNSI)</a> .....	4
<b>O'AHU EAs/EISS</b>	
<a href="#">Waimānalo Beach Park Improvements--Final EA (FONSI)</a> .....	4
<b>MAUI EAs/EISS</b>	
<a href="#">Air Force Maui Optical and Supercomputing (AMOS) Site Small Telescope Advanced Research Facility--EISPN</a> .....	5
<b>PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT</b> .....	5
<b>SHORELINE NOTICES</b>	
Applications for Shoreline Certification.....	6
Proposed Shoreline Certifications and Rejections.....	6
<b>COASTAL ZONE MANAGEMENT NOTICES</b>	
Special Management Area (SMA) Minor Permits.....	6
Federal Consistency Reviews.....	7
<b>FEDERAL NOTICES</b> .....	8
<b>GLOSSARY OF TERMS AND DEFINITIONS</b> .....	8

## ANNOUNCEMENTS

April 22 was Earth Day! While we designate one day to appreciate our incredible and beautiful planet, let us all continue to strive to improve it for many generations to come. Let's work together to nurture the one planet that we have!

Kayli Ann Yoshioka, formerly a Hele Imua Intern returns full-time to the Environmental Review Program as the new Environmental Health Specialist. She will assist the Environmental Advisory Council and other projects of ERP.

## STATEWIDE MAP OF NEW EA/EIS DOCUMENTS & DETERMINATIONS



## HAWAII EAS/EISS

### Army Training Land Retention at Pōhakuloa Training Area--2nd Draft EIS Vol I, II, III, and [scoping meeting audio](#)

<b>HRS §343-5(a) Trigger</b>	(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
<b>District(s)</b>	Hawai'i--multiple
<b>TMK(s)</b>	(3) 4-4-015:008; 4-4-016:005; 7-1-004:007
<b>Permit(s)</b>	Numerous (see document)
<b>Approving Agency</b>	State of Hawai'i, Board of Land and Natural Resources Russell Tsuji, (808) 587-0419, <a href="mailto:dlnr.land@hawaii.gov">dlnr.land@hawaii.gov</a> 1151 Punchbowl Street, Room 220, Honolulu, HI 96813
<b>Applicant</b>	U.S. Army Garrison-Hawai'i & U.S. Army Installation Management Command Matthew Foster, (808) 656-6821, <a href="mailto:matthew.b.foster3.civ@army.mil">matthew.b.foster3.civ@army.mil</a> U.S. Army Garrison-Hawai'i Directorate of Public Works – Environmental Division 948 Santos Dumont Avenue, Building 105, 3rd Floor, Wheeler Army Airfield, HI 96857-5013
<b>Consultant</b>	G70; 111 S. King Street, Suite 170, Honolulu, HI 96813 Jeff Overton, (808) 523-5866, <a href="mailto:ATLR-PTA-EIS@g70.design">ATLR-PTA-EIS@g70.design</a>
<b>Status</b>	Statutory 45-day public review and comment period starts. <b>Comments are due by June 7, 2024.</b> Please send comments to <a href="https://atlrptaais.commentinput.com?id=AZ5WkUQaC">https://atlrptaais.commentinput.com?id=AZ5WkUQaC</a> . The Final EIS must incorporate comments and responses on both Draft EISs, so comments on the original Draft EIS do not need to be resubmitted.

The Pōhakuloa Training Area (PTA) on Hawai'i Island encompasses approximately 132,000 acres of U.S. Government-owned and State-owned land. The U.S. Government leases approximately 23,000 acres from the State of Hawai'i. The lease expires on August 16, 2029. The Army proposes to retain up to 22,750 acres of State-owned land in support of continued military training. The retention will preserve maneuver area, provide austere environment training, enable access between major parcels of U.S. Government-owned land, retain infrastructure investments, allow for future modernization, and maximize use of the impact area. Loss of this land would impact the ability of the Army to meet training requirements and its mission of readiness. The Proposed Action is a real estate action that would enable continuation of ongoing activities. It does not include construction or changes in ongoing activities. Revisions between the [original Draft EIS \(published April 8, 2022\)](#) and this second Draft EIS are generally in Chapters 1-5 and Appendix I. *Please see the [Federal Notices](#) section of this issue for the entry regarding the NEPA aspect of this action; additional information is provided there.*

### Renovation of Old Hilo Memorial Hospital at 34 Rainbow Drive--Final EA (FONSI)

<b>HRS §343-5(a) Trigger</b>	(1) Propose the use of state or county lands or the use of state or county funds
<b>District(s)</b>	South Hilo
<b>TMK(s)</b>	(3) 2-3-026:008
<b>Permit(s)</b>	Numerous (see document)
<b>Proposing/ Determining Agency</b>	County of Hawai'i, Office of Housing and Community Development Neil Erickson, (808) 932-5959, <a href="mailto:NeilC.Erickson@hawaiicounty.gov">NeilC.Erickson@hawaiicounty.gov</a> 1990 Kino'ole Street, Suite 102, Hilo, HI 96720
<b>Consultant</b>	PBR HAWAII; 1001 Bishop Street, ASB Tower, Suite 650, Honolulu, HI 96813 Bradley Furuya, (808) 954-6348, <a href="mailto:bfuruya@pbrhawaii.com">bfuruya@pbrhawaii.com</a>
<b>Status</b>	Finding of No Significant Impact (FONSI) determination

The Project will renovate the existing Old Hilo Memorial Hospital building and convert currently unusable interior space into usable floor area. 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 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)

### Hakalau Stream Bridge Rehabilitation--Draft EA (AFNSI)

<b>HRS §343-5(a) Trigger</b>	(1) Propose the use of state or county lands or the use of state or county funds
<b>District(s)</b>	South Hilo
<b>TMK(s)</b>	Numerous (see document)
<b>Permit(s)</b>	Numerous (see document)
<b>Proposing/ Determining Agency</b>	State of Hawai'i, Department of Transportation Holly Yuen, (808) 692-7548, <a href="mailto:holly.yuen@hawaii.gov">holly.yuen@hawaii.gov</a> 601 Kamokila Boulevard, Room 688, Kapolei, HI 96707
<b>Consultant</b>	WSP USA; 1001 Bishop Street, Suite 2400, Honolulu, HI 96813 Allen Kam, (808) 566-2230, <a href="mailto:allen.kam@wsp.com">allen.kam@wsp.com</a>
<b>Status</b>	Statutory 30-day public review and comment period starts. <b>Comments are due by May 23, 2024.</b> Please send comments to the proposing/determining agency at <a href="mailto:HonoluluPlanning@wsp.com">HonoluluPlanning@wsp.com</a>

The Proposed Action has two main components: (1) soil remediation so that public use of Hakalau Beach Park and surrounding areas can be restored; and (2) bridge rehabilitation to allow continued unrestricted operation of the bridge and increase its resilience to extreme natural hazards. Because roadway pavement damage is anticipated during construction, a third project component is also proposed: (3) road resurfacing on Old Mamalahoa Highway and Old Mill Access Road, coupled with formalizing a permanent maintenance easement for Old Mill Access Road. The project area lies within Hakalau Gulch, which is currently undeveloped, including the County's Hakalau Beach Park and private properties surrounding the state-owned Hakalau Stream Bridge. The park has been closed to the public since 2017. The area has stream and shoreline access, contains the ruins of Hakalau Sugar Mill, and is lush with vegetation.

## O'AHU EAS/EISS

### Waimānalo Beach Park Improvements--Final EA (FONSI)

<b>HRS §343-5(a) Trigger</b>	(1) Propose the use of state or county lands or the use of state or county funds
<b>District(s)</b>	Ko'olaupoko
<b>TMK(s)</b>	(1) 4-1-003:016; 019; 020; and 040
<b>Permit(s)</b>	Special Management Area Permit, Major; HRS § 6E Historic Preservation Review; Zoning Waiver; Building
<b>Proposing/ Determining Agency</b>	City and County of Honolulu, Department of Design and Construction Bonnie Tung, (808) 768-8451, <a href="mailto:ddcfd@honolulu.gov">ddcfd@honolulu.gov</a> 650 South King Street, 9th Floor, Honolulu, HI 96813
<b>Consultant</b>	Planning Solutions, Inc.; 711 Kapi'olani Boulevard, Suite 950, Honolulu, HI 96813 Makena White, (808) 550-4538, <a href="mailto:makena@psi-hi.com">makena@psi-hi.com</a>
<b>Status</b>	Finding of No Significant Impact (FONSI) determination

The City is proposing improvements at Waimānalo Beach Park to continue to provide the Waimānalo community with facilities that support recreation. Park improvements are needed because existing and/or former facilities at the park have deteriorated or been removed due to age, weathering, vandalism, and other factors. For example, a pavilion, constructed in 1960, and dedicated to the memory of Gabby "Pop" Pahinui was removed in 2019 because it had become a safety concern. Proposed improvements include the construction of a new pavilion that would be very similar to the former pavilion, the replacement of the two comfort stations, the restoration of the crafts building, and the periodic replacement of other existing park facilities as they wear out or are damaged.

MAUI EAS/EISS

**[Air Force Maui Optical and Supercomputing \(AMOS\) Site Small Telescope Advanced Research Facility--EISPN](#)**

<b>HRS §343-5(a) Trigger</b>	(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
<b>District(s)</b>	Makawao
<b>TMK(s)</b>	(2) 2-2-007:016 (portion) and :008 (portion)
<b>Permit(s)</b>	Numerous (see document)
<b>Approving Agency</b>	State of Hawai'i, Board of Land and Natural Resources Michael Cain, (808) 587-0377, <a href="mailto:michael.cain@hawaii.gov">michael.cain@hawaii.gov</a> Kalanimoku Building, 1151 Punchbowl St., Room 131, Honolulu, HI 96813
<b>Applicant</b>	Department of the Air Force Mavourneen Wilcox, (808) 891-7723, <a href="mailto:mavourneen.wilcox.1@spaceforce.mil">mavourneen.wilcox.1@spaceforce.mil</a> 15th Space Surveillance Squadron, Air Force Maui Optical & Supercomputing (AMOS) Site MAF, Rm 206, 550 Lipoa Pkwy, Kīhei, HI 96753
<b>Consultant</b>	Tetra Tech; 1230 Columbia Street, Suite 1000, San Diego, CA 92101 Greg Hippert, (704) 433-1524, <a href="mailto:greg.hippert@tetrattech.com">greg.hippert@tetrattech.com</a>
<b>Status</b>	Administrative public review and comment period starts with this publication of the EIS Preparation Notice. <b>Comments are due by June 7, 2024.</b> Please send comments using the comment tool on the project website at <a href="http://www.amosstareis.com">www.amosstareis.com</a> , or via email to <a href="mailto:amosstareis@tetrattech.com">amosstareis@tetrattech.com</a> ; alternatively, comments can be sent by US mail to: AMOS STAR EIS c/o Tetra Tech, 1230 Columbia St., Ste. 1000, San Diego, CA 92101. <b>EIS Public Scoping meetings will be held May 13, 14, and 15, 2024 from 6-9PM at the Kahului Community CTR, Mayor H. Tavares Community Center (Pukalani), and the Kīhei Community Center, respectively.</b>

The Department of the Air Force is proposing to construct and operate the Air Force Maui Optical and Supercomputing Site Small Telescope Advanced Research (AMOS STAR) facility on the island of Maui, Hawai'i. The proposed facility would consist of up to seven telescopes enclosed in domes that would be constructed on a developed site adjacent to the Haleakalā Observatory and the 15th Space Surveillance Squadron (15 SPSS) Maui Space Surveillance Complex (MSSC). If constructed, the proposed facility would be connected to and operated primarily remotely from the Air Force Research Laboratory and 15 SPSS facilities in the MSSC Advanced Electro-Optical System control room and other sites with remote access. The proposed AMOS STAR facility would require utilities, including fiber optic links from the MSSC, a paved access drive and parking facilities, surface water runoff management measures, and other site improvements. *Please see the [Federal Notices](#) section of this issue for the entry regarding the NEPA aspect of this action; additional information is provided there.*

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 MAY 7, 2024**

**NORTHWEST HAWAIIAN ISLANDS**

**[Proposed Papahānaumokuākea National Marine Sanctuary--Republished Draft EIS and Public Scoping Meetings](#)**

**COMMENTS DUE MAY 8, 2024**

**HAWAI'I**

**[Hilo Medical Center New Administrative Services Building--Draft EA \(AFNSI\)](#)**

**MAUI**

**[Honokōwai Water System Improvements--Draft EA \(AFNSI\)](#)**

**O'AHU**

**[Waimea Valley Economic Resiliency Project--Draft EA \(AFNSI\)](#)**

**COMMENTS DUE MAY 23, 2024**

**MAUI**

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

Please send comments to the approving agency/accepting authority at <http://www.ledcorsouthmauipermitting.com>.

## 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](mailto:rebecca.l.anderson@hawaii.gov)

File No.	Location	TMK	Applicant	Owner
KA-484	5096-C Kukuna Road, Kaua'i 96703	(4) 4-9-004:018	Roger M. Caires	Mary Jasper
MA-822	3993 Ma'alaea Bay Place, Maui 96793	(2) 3-6-001:028	Bo Kim	Mana Trust
MA-823	417 Front Street, Maui 96761	(2) 4-6-002:022	R.T. Tanaka Engineers, Inc.	419 Front Sreet Associates LLC
MA-824	11777 Honoapi'ilani Highway, Maui 96761	(2) 4-8-003:124	Kevin J. Clarke	Olowalu Hale LLC
OA-2100	4929 Kalaniana'ole Highway, O'ahu 96821	(1) 3-5-022:015	Gil P. Bumanglag	Sabine Crane

### 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
HA-645	Proposed	45-5034 Nanaina Kai Road, Hawai'i 96727	(3) 4-5-002:016 & 080	L. Edward Pare	Stephen and Cheryl Winter, Trustees
MA-819	Proposed	111 Aleiki Place, Maui 96779	(2) 2-6-012:072	Action Survey LLC	111 Aleiki Place LLC
OA-2051	Proposed	608 Kaimalino Place, O'ahu 96734	(1) 4-4-039:023	Ross K. Tanaka	Stuart Family Trust
OA-2052	Proposed	61-821 Papailoa Road, O'ahu 96712	(1) 6-1-004:097	Ross K. Tanaka	John D. and Marie-Neige H.S. Whittington
OA-2055	Proposed	55-119 & 55-113 Kamehameha Hwy., O'ahu 96762	(1) 5-5-001:013 & 056	Benjamin E. K. Guieb	Devin J. Moncur

## 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
Maui: Kahului (3-7-009: 004 and 005)	Fun Factory Spaces A9 through A12, Interior Tenant Improvements at Existing Mall (SM2 2024-00016)	Steven Marlette
O'ahu: Kāhala (3-5-003: 005)	Alteration and Addition of New Pool to an Existing Two-Story Single-Family Residence (2024/SMA-11)	Kurita Asset Management Co., Ltd./ Peter Vincent Architects
O'ahu: Lanikai (4-3-005: 068 and 070)	Construction of a Utility Installation, Type B (2024/SMA-17)	Cellco Partnership dba Verizon Wireless
O'ahu: Hale'iwa (6-6-010: 002)	Establishment of an In-vessel Composting Facility with three Components: A Self-Contained Composting Machine, Composting Storage Bays, and A Compositing Screening and Shifting Area (2024/SMA-19)	Kokua Hawaii Foundation/Douglas VZ Cole AAL LLLC

## COASTAL ZONE MANAGEMENT NOTICES (CONTINUED)

### FEDERAL CONSISTENCY REVIEWS

The following federal actions are being reviewed for consistency with the enforceable policies of the Hawai'i Coastal Zone Management (CZM) Program, including [the CZM objectives and policies in Hawai'i Revised Statutes, Chapter 205A](#). Federal consistency, pursuant to Section 307 of the Coastal Zone Management Act of 1972 (CZMA), as amended, generally requires that federal actions, within and outside of the coastal zone, which have reasonably foreseeable effects on any coastal use (land or water) or natural resource of the coastal zone be consistent with the enforceable policies of a state's federally approved coastal management program. Federal actions include federal agency activities, federal license or permit activities, and federal financial assistance activities. This public notice is being provided in accordance with § 306(d)(14) of the CZMA, and federal regulations at 15 CFR § 930.2, § 930.42, and § 930.61. General information about federal consistency is available at the [Hawai'i CZM Program web site](#), or call (808) 587-2878.

*For specific information or questions about an action listed below, contact the CZM staff person identified for each action. The CZM Program is required to adhere to federal review deadlines, therefore, comments must be received by the date specified. Comments may be submitted by mail or electronic mail, to the addresses below.*

*Mail: Office of Planning and Sustainable Development  
Department of Business, Economic Development and Tourism  
P.O. Box 2359, Honolulu, HI 96804*

*Email: [Debra.L.Mendes@hawaii.gov](mailto:Debra.L.Mendes@hawaii.gov)*

#### **Installation of Level 3 Electric Vehicle (EV) charging stations, Līhu'e/Bryan J. Baptiste Park, Līhu'e Civic Center, and Anne Knudsen Park., Island of Kaua'i**

**Proposed Action:** The County of Kaua'i, Office of Economic Development proposes to install a dual-plug 150 kW Level 3 EV charger at three different facilities, totaling three charging stations. The three county facilities are located at Bryan J. Baptiste Park, Līhu'e Civic Center, and Anne Knudsen Park.

At Bryan J. Baptiste Park, the area of potential effect (APE) consists of the existing transformer, seven parking stalls, and a narrow grass area that borders the fenced-in park.

At Līhu'e Civic Center, the APE consists of the utility pole, an asphalt area with an electrical box, seven parking stalls, a narrow grass area between the parking stalls and existing sidewalk on Hardy Street, and part of the sidewalk on Hardy Street.

At Anne Knudsen Park, the APE consists of the utility pole, unpaved grass and dirt, a parking and loading zone, a segment of the sidewalk, and an additional six parking stalls deeper into the park for construction staging.

- Location:** Kapa'a, Līhu'e, and Kōloa, Island of Kaua'i
- TMK:** Kapa'a ((4) 4-5-015:032), Līhu'e ((4) 3-6-005:006), and Kōloa ((4) 2-8-005:004)
- Applicant:** County of Kaua'i, Office of Economic Development
- Federal Action:** Federal Assistance
- Federal Agency:** FHWA
- CZM Contact:** Joshua K. Hekekoa, (808) 587-2845, [Joshua.K.Hekekoa@hawaii.gov](mailto:Joshua.K.Hekekoa@hawaii.gov)
- Comments Due:** **May 7, 2024**

## 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](http://www.federalregister.gov).

**Notice: [Second Draft Environmental Impact Statement for Army Training Land Retention at Pōhakuloa Training Area in Hawai'i](#) (published by the Army Department on 04/19/2024)**

The Department of the Army (Army) announces the availability of a Second Draft Environmental Impact Statement (Draft EIS) regarding its proposed action to retain up to approximately 22,750 acres of the 23,000 acres of land the Army currently leases from the State of Hawai'i ("State-owned land") at Pōhakuloa Training Area (PTA) on the island of Hawai'i. The Army is publishing the Draft EIS for public review during a 45-day comment period. In accordance with the National Environmental Policy Act (NEPA) and the Hawai'i Environmental Policy Act (HEPA), the Draft EIS analyzes the potential direct, indirect, and cumulative impacts of a range of reasonable alternatives that meet the purpose of, and need for, the proposed action. Because the proposed action involves State-owned land, the EIS is a joint NEPA-HEPA document; therefore, the public review process runs concurrently and meets both NEPA and HEPA requirements. *This same document is included in [the HEPA section](#) of this issue of TEN.*

The Army invites public comments on the Draft EIS during the 45-day public comment period. To be considered in the Final EIS, all comments must be postmarked or received by 11:59 p.m. Hawai'i standard time on June 7, 2024. **Public meetings will be held in Waimea District Park on May 6, 2024, and at the 'Imiloa Astronomy Center on May 7, 2024** to provide information on the Draft EIS and to enhance the opportunity for public comment. Information on how to participate in the Draft EIS public meetings and how to submit comments is available on the EIS website at <https://home.army.mil/hawaii/index.php/PTAEIS>. *Supplementary information on the original draft EIS and this second draft EIS is available by clicking the title link above.*

**Notice: [Notice of Intent To Prepare an Environmental Impact Statement for the Construction and Operation of the Air Force Maui Optical and Supercomputing Site Small Telescope Advanced Research Facility on the Island of Maui, Hawai'i](#) (published by the Air Force Department on 04/22/2024)**

The Department of the Air Force (DAF) is issuing this notice of intent (NOI) to prepare an Environmental Impact Statement (EIS) to assess the potential environmental and socioeconomic impacts associated with the proposed construction and operation of the Air Force Maui Optical and Supercomputing Site Small Telescope Advanced Research (AMOS STAR) facility on the island of Maui, Hawai'i (the Proposed Action). DAF is the Lead Agency and has invited the Federal Aviation Administration (FAA) and the National Park Service (NPS) to participate as Cooperating Agencies in the NEPA process. The project proponent is the 15th Space Surveillance Squadron (15 SPSS), a blended asset unit with assigned personnel from the U.S. Space Force Space Operations Command and the Air Force Research Laboratory (AFRL). **A public scoping period of 45 days will start on the date of publication of this NOI in the Federal Register (April 22, 2024).** Through the scoping process, the DAF is inviting input regarding potential alternatives, information, and analysis relevant to the Proposed Action. *Click on this entry's title link above for additional information on this NEPA document. A similar HEPA EIS Preparation Notice is included on [page 4 of this issue](#) of TEN.*



## 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).