



# The Environmental Notice

June 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.



Have a fun and safe summer!

Photo credit: [c\\_chan808](#)

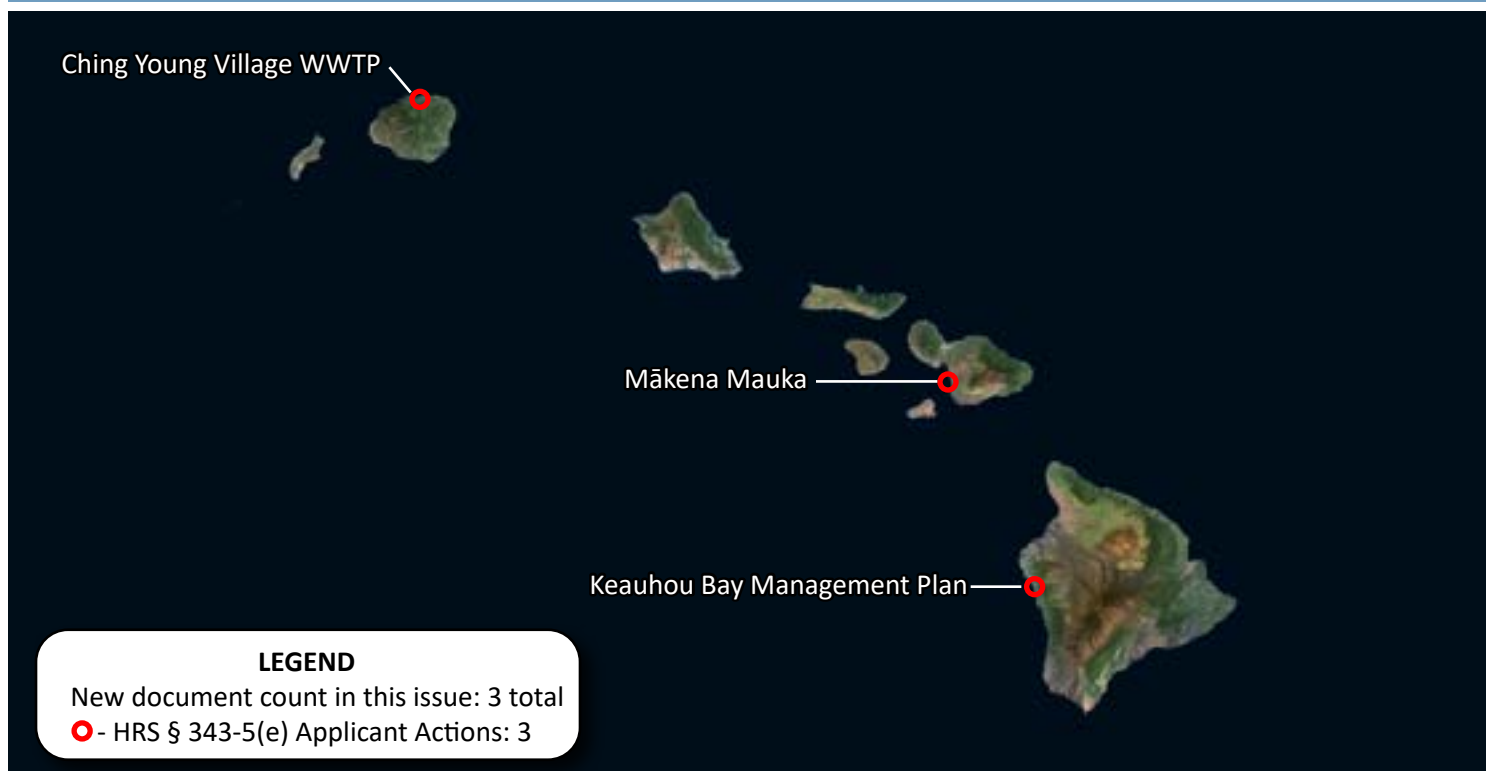
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## ANNOUNCEMENTS

- The Environmental Advisory Council (EAC) is still seeking new members. To learn more about the work of the EAC, visit their [webpage](#). To apply to be on the EAC, submit this [online application](#) under Department of Business, Economic Development & Tourism - Environmental Advisory Council.
- The National Oceanic and Atmospheric Administration (NOAA), Office for Coastal Management, will hold an in-person public meeting at Washington Middle School Cafeteria in Honolulu on Tuesday, August 20, 2024 at 6 p.m. to solicit input on the performance evaluation of the Hawai'i Coastal Zone Management Program. NOAA also invites the public to submit written comments. Click [here](#) for further information.

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



## KAUA'I EAS/EISS

**Ching Young Village Wastewater Treatment Plant Upgrade--Draft EA (AFNSI)**

<b>HRS §343-5(a) Trigger</b>	(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
<b>District(s)</b>	Hanalei
<b>TMK(s)</b>	(4) 5-5-002:040
<b>Permit(s)</b>	Comprehensive Zoning Ordinance (CZO). Special Management Area permit
<b>Approving Agency</b>	County of Kaua'i, Department of Planning Romio Idica, (808) 241-4050, <a href="mailto:ridica@kauai.gov">ridica@kauai.gov</a> 4444 Rice Street, Ste A473, Līhu'e, HI 96766
<b>Applicant</b>	Ching Young Village Partnership; 5-5190 Kūhiō Highway, Hanalei, HI 96714 Michael Ching, (808) 826-7222, <a href="mailto:mching@hawaiian.net">mching@hawaiian.net</a>
<b>Consultant</b>	Laulea Engineering LLC; 1127 11th Avenue Suite #302, Honolulu, HI 96816 Brian Carroll, (808) 389-8267, <a href="mailto:brian@lauleallc.com">brian@lauleallc.com</a>
<b>Status</b>	Statutory 30-day public review and comment period starts. <b>Comments are due by July 23, 2024.</b> Please click on title link above to read the document, then send comments to the approving agency at <a href="mailto:brian@lauleallc.com">brian@lauleallc.com</a>

The Project consists of replacing the existing wastewater treatment and effluent disposal system with a new wastewater treatment plant within the limits of the existing system. The proposed wastewater treatment plant was designed based on the total amount of wastewater generated by the Ching Young Village Shopping Center. An existing 4-foot diameter wet well/lift station will convey the wastewater via two (2) Liberty Omnivoire Grinder pumps and the existing 4-inch diameter force main sewage line to the existing 8,000-gallons capacity equalization basin. From the equalization tank, the effluent will be pumped to new aerobics moving bed biofilm reactor [MBBR] treatment plant consisting of partitioned tanks for the functions of: flow equalization, secondary treatment, clarification, and waste solids holding. Effluent from the MBBR secondary treatment will flow through a new UV Disinfection system and flow to the injection well disposal system.

## MAUI EAS/EISS

**Mākena Mauka (Republished EIS Preparation Notice)**

<b>HRS §343-5(a) Trigger</b>	(1) Propose the use of state or county lands or the use of state or county funds (3) Propose any use within a shoreline area (6) Propose any amendments to existing county general plans where the amendment would result in designations other than agriculture, conservation, or preservation
<b>District(s)</b>	Makawao
<b>TMK(s)</b>	Numerous (see EISPN)
<b>Permit(s)</b>	Numerous (see EISPN)
<b>Approving Agency/ Accepting Authority</b>	County of Maui, Maui Planning Commission Kurt Wollenhaupt, (808) 270-8205, <a href="mailto:planning@mauicounty.gov">planning@mauicounty.gov</a> 2200 Main Street, One Main Plaza, Suite 315, Wailuku, HI 96793
<b>Applicant</b>	AREG AC Makena Propco LLC doing business as Mākena Golf & Beach Club Owners Brad Anderson, (808) 568-0147, <a href="mailto:eis@makenagbc.com">eis@makenagbc.com</a> 5415 Mākena Alanui Road, Wailea-Mākena, HI 96753
<b>Consultant</b>	Munekiyo Hiraga; 305 High Street, Suite 104, Wailuku, HI 96793 Mark Roy, (808) 244-2015, <a href="mailto:planning@munekiyohiraga.com">planning@munekiyohiraga.com</a>
<b>Status</b>	Public review and comment period has been extended; <b>comments are due by August 7, 2024.</b> Please submit comments to <a href="http://www.makenapermitting.com">www.makenapermitting.com</a> <b>Public Scoping meetings will be held in Kīhei on July 1, 2024</b> at 6:00 p.m. Malcolm Center, 1305 N. Holopono Street #5, <b>and July 30, 2024</b> at 6:00 p.m. Lokelani Intermediate School Cafeteria, 1401 Liloa Drive.

The Environmental Impact Statement Preparation Notice (EISPN) for the proposed Mākena Mauka project was [originally published on June 8, 2024](#). The comment period for the EISPN is extended by an additional 30 days, to August 7, 2024, in order to allow opportunities for further public review, including an additional public scoping meeting. Mākena Mauka is a low-density master planned residential community within the Mākena area of South Maui. Mākena Mauka will offer market rate housing together with residential workforce housing with a mixture of rural and single-family lots and multi-family residential units all located mauka of Mākena Alanui Road.

## HAWAI‘I EAS/EISS

### Kamehameha Schools – Keauhou Bay Management Plan--Draft EIS

<b>HRS §343-5(a) Trigger</b>	(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
<b>District(s)</b>	North Kona
<b>TMK(s)</b>	Numerous (see document)
<b>Permit(s)</b>	Numerous (see document)
<b>Approving Agency/ Accepting Authority</b>	County of Hawai‘i, Planning Department Alex Roy, (808) 961-8140, <a href="mailto:Alex.Roy@hawaiicounty.gov">Alex.Roy@hawaiicounty.gov</a> Aupuni Center, 101 Pauahi St., Suite 3, Hilo, HI 96720
<b>Applicant</b>	Kamehameha Schools; Kawaiha‘o Plaza, 567 S. King St.; Honolulu, HI 96813 Marissa Harman, (808) 982-0830, <a href="mailto:Keauhoubay@ksbe.edu">Keauhoubay@ksbe.edu</a>
<b>Consultant</b>	G70; 111 S. King St., Suite 170, Honolulu, HI 96813 Kawika McKeague, (808) 523-5866, <a href="mailto:KeauhouBay@g70.design">KeauhouBay@g70.design</a>
<b>Status</b>	Statutory 45-day public review and comment period starts. <b>Comments are due by August 7, 2024.</b> Please address comments to the approving agency/accepting authority at <a href="mailto:KeauhouBay@g70.design">KeauhouBay@g70.design</a>

Kamehameha Schools proposes to implement the Keauhou Bay Management Plan (KBMP) on approximately 29 acres at Keauhou Bay in North Kona. The KBMP proposes to reorient commercial activities away from culturally sensitive areas to alleviate congestion and establish a new place-based cultural educational center. Existing commercial operations and parking areas will be relocated to new facilities in more appropriate locations away from cultural resources. The KBMP also proposes to create a new low-impact lodging on the resort-zoned plateau mauka of the bay. The new reconfiguration will focus on place-based cultural stewardship, enhance and encourage bayfront access for kama‘āina and kupa‘āina, and promote high quality educational experiences for all.

## 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, or as noted below.

### COMMENTS DUE JUNE 24, 2024

**O‘AHU**

[Honolulu Police Academy New Parking Lot and Master Plan Improvements--Draft EA \(AFNSI\)](#)

[Waipahu Refuse Facility and Convenience Center--Draft EA \(AFNSI\)](#)

[Lā‘ie Water Company Production Well--Draft EA \(AFNSI\)](#)

[Kahena Wai Estates--Draft EA \(AFNSI\)](#) ROH Chapter 25

### COMMENTS DUE JULY 8, 2024

**HAWAI‘I**

[DHHL King's Landing Kuleana Homestead Settlement Plan--Draft EA \(AFNSI\)](#)

[Nanue Stream Bridge Rehabilitation--Draft EA \(AFNSI\)](#)

**MAUI**

[Kalama Intermediate School Modular Administration Building--Draft EA \(AFNSI\)](#)

### COMMENTS DUE JULY 23, 2024

**O‘AHU**

[The Cove Redevelopment--2nd Draft EIS Vol I, Vol II, and scoping meeting audio](#)

### COMMENTS DUE AUGUST 7, 2024

**O‘AHU**

[Army Training Land Retention on O‘ahu--Draft EIS](#) (Please send comments to <https://home.army.mil/hawaii/OahuEIS>)



## EXEMPTION NOTICES

The County of Hawai‘i, Department of Environmental Management (DEM) has declared the following action exempt from the requirement to prepare an EA pursuant to [HAR § 11-200.1-16](#), and has voluntarily submitted the determination for publication:

### Laupahoehoe Transfer Station Improvements

The DEM Solid Waste Division is proposing various improvements to the existing Laupahoehoe Transfer Station in Laupahoehoe. The proposed improvements include renovation of the existing chute and replacement of the existing retaining wall. Construction would include raising grade of the trailer area, new concrete trailer pad, new chute and roof cover, repair eroded slope, addition of leachate inlet and holding tank, and other related improvements. The project site is located in Laupahoehoe at the southeastern end of Old Mamalahoa Highway. The transfer station is located on land owned by the State of Hawai‘i.

## COASTAL ZONE MANAGEMENT NOTICES

### SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS

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

Location (TMK)	Description (File No.)	Applicant/Agent
Kaua‘i: Hanalei (4-5-8-006:019)	Construction a woodworking shop, 3 waterspouts and security / agriculture poles, equipment shed, septic and leech field, green house, and fencing. (SMA(M)-2024-19)	William Cleeton
O‘ahu: Pūpūkea, Paumalū (1-5-9-003:016)	Argil Residence Additions and Alterations (2024/SMA-47)	Hawaii Architects, Inc. (James Matichuk)

## 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
OA-2108	146 S. Kaleheo Avenue, O‘ahu 96734	(1) 4-3-012:026	Walter P. Thompson, Inc.	Shinichi Fujimoto
OA-2109	55-133 Kamehameha Highway, O‘ahu 96762	(1) 5-6-001:014	Gil P. Bumanglag	55-133 LLC

### 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-2069	Proposed	6067 Summer Street, O‘ahu 96821	(1) 3-8-002:001	Benjamin E.K. Guieb	Japjit S. and Rebecca C. Tulsi
OA-2093	Proposed	3707 Diamond Head Road, O‘ahu 96816	(1) 3-1-038:004 & 048	Walter P. Thompson, Inc.	RKK Land Company LLC
OA-2097	Proposed	68-211 Au Street, O‘ahu 96791	(1) 6-8-012:052	Leaps & Boundaries	Clinton M. Otake

## 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).