



# The Environmental Notice

August 8, 2024

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



The Honolua to Honokōhau Management Plan Area is located on the west coast of Maui.

photo from [project's Draft EA](#)

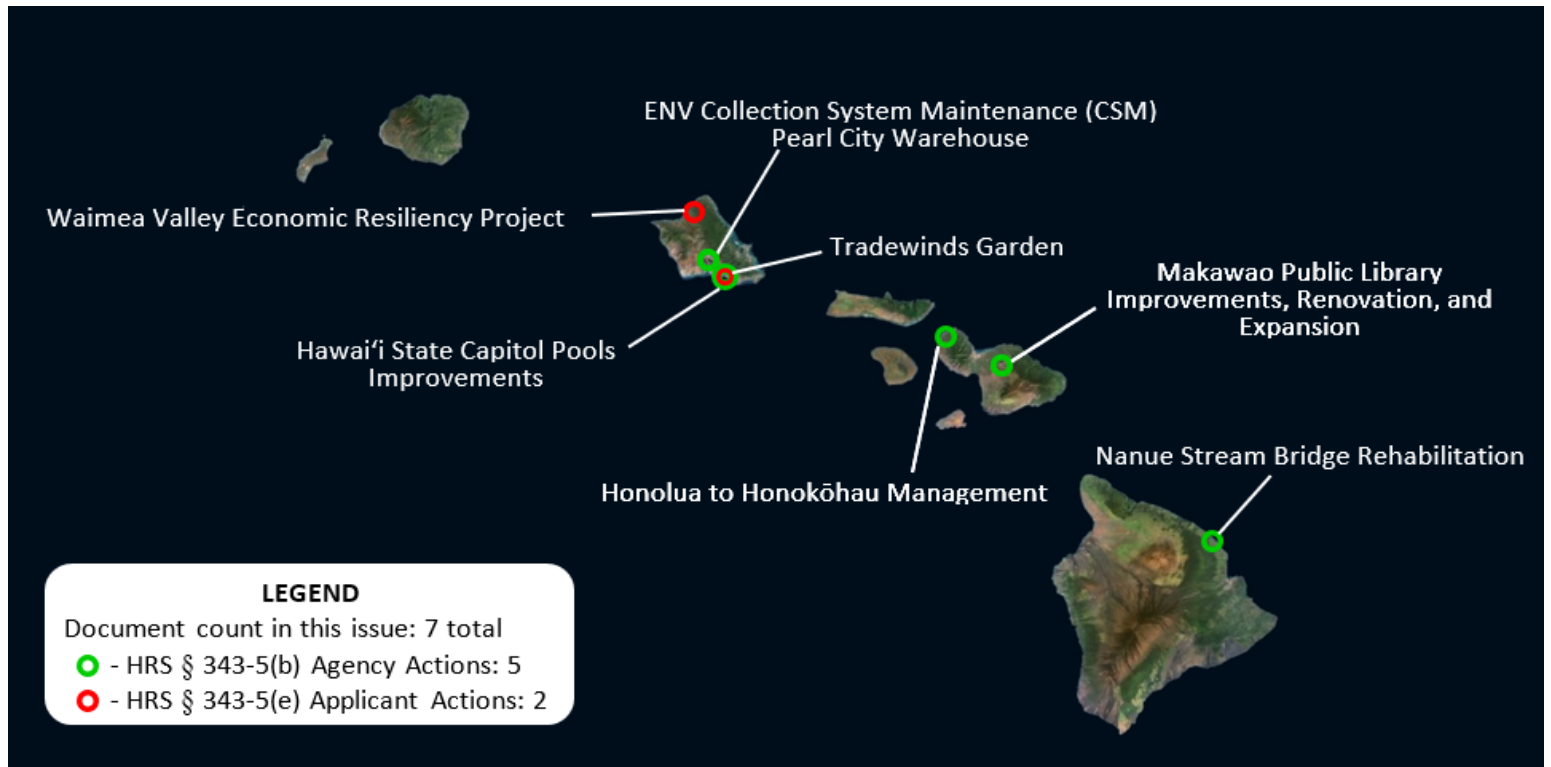
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ANNOUNCEMENTS

Hawai’i Administrative Rules (HAR) §11-200.1-32 allows for actions that had published a draft EA or EISPN on or before August 8, 2019 to continue using the 1996 Rules for a period of five years. August 8, 2024 marks the end of the five year period and all subsequent submittals must follow the requirements set forth in HAR §11-200.1. Please consult with the appropriate approving agency or our office if there are any questions regarding if/how an older document can comply with the current rules. An updated Publication Calendar that removes the column for 1996 rules submittal deadlines is located at the end of this issue.

STATEWIDE MAP OF EA/EIS DOCUMENTS AND DETERMINATIONS



MAUI EAs/EISS

**Honolua to Honokōhau Management Plan – 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<br>(2) Propose any use within any land classified as a conservation district<br>(3) Propose any use within a shoreline area   |
| <b>District(s)</b>                   | Lahaina  |
| <b>TMK(s)</b>                        | (2) 4-1-001:010  |
| <b>Permit(s)</b>                     | County of Maui Special Management Area Assessment, Minor Permit, or Use Permit; County Shoreline Setback Approval; State Department of Land & Natural Resources, Office of Conservation & Coastal Lands (OCCL): Conservation District Use Permit, Conservation District Departmental Approval Conservation District Site Plan Approval; County grading permit; National Pollutant Discharge Elimination System Permit (NPDES) Permit, as applicable; HRS Chapter 6E-8 Historic Preservation Review; Department of Health Community Noise Permit, as applicable; Hawai'i Disability and Communication Access Board Plan Review and Approval; NOAA, U.S. Fish and Wildlife Service; Chapter 343, Hawai'i Revised Statutes Compliance; Hawai'i State Department of Transportation Permit to Perform Work within the State Highways; Application to Operate or Transport Oversize and/or Overweight Vehicles and Loads Over State Highways; Application and Permit for the Occupancy and Use of State Highway Right-of-Way |
| <b>Proposing/ Determining Agency</b> | Department of Land and Natural Resources, State Parks<br>Curt Cottrel, (808) 587-0300, <a href="mailto:jorge.r.felix@hawaii.gov">jorge.r.felix@hawaii.gov</a><br>Kalanimoku Building, 1151 Punchbowl Street, Room 310, Honolulu, Hawaii 96813  |
| <b>Consultant</b>                    | Planning Consultants Hawaii, LLC; 75 Wailani Street, Wailuku, HI 96793<br>Michael Summers, (808) 269-6220, <a href="mailto:msummers@planningconsultantshawaii.com">msummers@planningconsultantshawaii.com</a>  |
| <b>Status</b>                        | Statutory 30-day public review and comment period starts. <b>Comments are due by September 9, 2024.</b> Please click on title link above to read the document, then send comments to <a href="mailto:msummers@planningconsultantshawaii.com">msummers@planningconsultantshawaii.com</a> .  |

The Honolua to Honokōhau Management Plan (HHMP) Area is located on the west coast of Maui, about ten miles north of Lahaina. Its 244.12 acres are home to abundant marine life, terrestrial plants, wildlife, cultural resources, and ocean recreation. The area has grown in popularity and use over the years, presenting challenges for future management and protection of natural and cultural resources. Following a major effort by the community and political leaders, the State of Hawai'i purchased the property in 2014.

The HHMP addresses critical planning issues, such as public access, environmental protection, and facility needs. The HHMP is a non-regulatory management plan that reflects an inclusive public outreach process. It presents a framework for understanding the issues and challenges confronting the HHMP Area, offering a set of guiding principles, strategies, actions, and indicators for achieving the area's vision as identified by stakeholders, agencies, and the broader community.

**Makawao Public Library Improvements, Renovation, and Expansion – 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>                   | Makawao   |
| <b>TMK(s)</b>                        | [2] 2-4-031: 007  |
| <b>Permit(s)</b>                     | Facility Access Review (DCAB), Variance from Pollution Controls, Historic Site Review, Building Permit, Certificate of Occupancy, Electrical, Plumbing, General Permit for Stormwater, Sotrwater Runoff Control Practices, Work Upon County Hlghway, Fire Protection Permit |
| <b>Proposing/ Determining Agency</b> | Department of Accounting and General Services, State of Hawaii<br>Rey Rios, (808) 586-0468, <a href="mailto:reynaldo.d.rios@hawaii.gov">reynaldo.d.rios@hawaii.gov</a><br>1151 Punchbowl Street, Honolulu, HI 96813   |
| <b>Consultant</b>                    | Gerald Park Urban Planner; 95-595 Kanamee Street #324, Mililani, HI 96789<br>Gerald Park, (808) 625-9626, <a href="mailto:gpark@gpup.biz">gpark@gpup.biz</a>  |
| <b>Status</b>                        | Finding of No Significant Impact (FONSI) determination  |

The project will renovate a government service facility to meet the needs of the region's residents and to transition the 50+ year old library into a 21st century facility.

O’AHU EAs/EISs

**Hawai’i State Capitol Pools Improvements – 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<br>(4) Propose any use within any historic site as designated in the National Register or Hawai’i Register   |
| <b>District(s)</b>                   | Honolulu  |
| <b>TMK(s)</b>                        | (1) 2-1-024:015   |
| <b>Permit(s)</b>                     | Numerous; see DEA/AFONSI  |
| <b>Proposing/ Determining Agency</b> | State of Hawaii Department of Accounting and General Services<br>Brad Leveen, (808) 586-0473, <a href="mailto:brad.leeven@hawaii.gov">brad.leeven@hawaii.gov</a><br>1151 Punchbowl Street, Rm 427, Honolulu, Hawaii 96813                     |
| <b>Consultant</b>                    | HHF Planners; 733 Bishop Street, Suite 2590, Honolulu, Hawaii 96813<br>Gail Renard, (808) 457-3167, <a href="mailto:comments@hhf.com">comments@hhf.com</a>  |
| <b>Status</b>                        | Statutory 30-day public review and comment period starts. <b>Comments are due by September 9, 2024.</b> Please click on title link above to read the document, then send comments to <a href="mailto:comments@hhf.com">comments@hhf.com</a> . |

The State of Hawaii Department of Accounting and General Services proposes to construct improvements at the Hawaii State Capitol Building. The action would replace the original water-filled reflecting pools with plazas constructed of glass pavers suspended on pedestals to emulate the water’s surface, an expanded concrete perimeter walkway, modernization of architectural lighting, and other improvements and repairs. The area of the pool basins would be reduced from 78,000 to 55,000 square feet. The project is needed to address chronic repair and maintenance problems associated with the water-filled pools (e.g., corrosion, leakage, and persistent algae/odor). The project is intended to resolve these issues while maintaining the important symbolic value and original design intent of the reflecting pools, and to enhance the public’s ability to interact with and experience the Capitol.

**ENV Collection System Maintenance (CSM) Pearl City Warehouse – 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>                   | Honolulu   |
| <b>TMK(s)</b>                        | (1) 9-6-008:003  |
| <b>Permit(s)</b>                     | See Section 4.3 of the EA.   |
| <b>Proposing/ Determining Agency</b> | City and County of Honolulu, Department of Environmental Services (ENV)<br>Wesley Wong, (808) 768-8759, <a href="mailto:wesley.wong2@honolulu.gov">wesley.wong2@honolulu.gov</a><br>1000 Ulu’ohia Street, Suite 308, Kapolei, HI 96707 |
| <b>Consultant</b>                    | Wilson Okamoto Corporation; 1907 South Beretania St., Suite 400, Honolulu, HI 96826<br>Dalton Beauprez, (808) 946-2277, <a href="mailto:DBeauprez@wilsonokamoto.com">DBeauprez@wilsonokamoto.com</a>                                   |
| <b>Status</b>                        | Finding of No Significant Impact (FONSI) determination   |

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.

O‘AHU EAS/EISs (CONTINUED)

**Tradewinds Garden – 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>           | Honolulu  |
| <b>TMK(s)</b>                | (1) 2-1-001:057 ; (1) 2-1-001:058 ; (1) 2-1-014:006   |
| <b>Permit(s)</b>             | See Section 4.3 of the DEA.   |
| <b>Approving Agency</b>      | State Department of Transportation- Harbors Division<br>DreanaLee K. Kalili, (808) 587-3651, <a href="mailto:dreanalee.k.kalili@hawaii.gov">dreanalee.k.kalili@hawaii.gov</a><br>869 Punchbowl Street, Honolulu, HI 96813-5097  |
| <b>Applicant</b>             | Garden Art, LLC; 2901 3rd Ave, Suite 600, Seattle, WA 98121-1042<br>Rachel Oximana, (206) 753-4940, <a href="mailto:rachelo@SpaceNeedle.com">rachelo@SpaceNeedle.com</a>  |
| <b>Consultant</b>            | Wilson Okamoto Corporation; 1907 South Beretania Street Suite 400, Honolulu, HI 96826<br>Keola Cheng, (808) 946-2277, <a href="mailto:KCheng@wilsonokamoto.com">KCheng@wilsonokamoto.com</a>  |
| <b>Status</b>                | Statutory 30-day public review and comment period starts. <b>Comments are due by September 9, 2024.</b> Please click on title link above to read the document, then send comments to <a href="mailto:publiccomment@wilsonokamoto.com">publiccomment@wilsonokamoto.com</a> . |

The Proposed Project aims to revitalize the waterfront by introducing a contemporary garden and art attraction. This new attraction is anticipated to offer a wide range of experiences at the water’s edge, promote and expand creative arts in Hawai‘i, and serve as an educational hub designed to enlighten the public about art and the science of glass art. Simultaneously, the Proposed Project seeks to commemorate the past by honoring the rich tapestry of Hawai‘i’s history.

**Waimea Valley Economic Resiliency Project – 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<br>(2) Propose any use within any land classified as a conservation district   |
| <b>District(s)</b>           | Waialua   |
| <b>TMK(s)</b>                | (1)6-1-002:002; (1)6-1-002:005  |
| <b>Permit(s)</b>             | Major Special Management Area Permit; Conservation District Use Permit  |
| <b>Approving Agency</b>      | State of Hawai‘i, Department of Land and Natural Resources<br>Alyssa Accardo, (808) 587-0377, <a href="mailto:alyssa.m.accardo@hawaii.gov">alyssa.m.accardo@hawaii.gov</a><br>1151 Punchbowl Street, Room 131, Honolulu, HI 96813 |
| <b>Applicant</b>             | Hi‘ipaka LLC; 59-864 Kamehameha Hwy., Hale‘iwa, HI 96712<br>Richard Pezzulo, (808) 638-7766, <a href="mailto:rpezzulo@waimeavalley.net">rpezzulo@waimeavalley.net</a>   |
| <b>Consultant</b>            | Munekiyo Hiraga; 305 High St., Suite 104, Wailuku, HI 96793<br>Yukino Uchiyama, (808) 983-1233, <a href="mailto:planning@munekiyohiraga.com">planning@munekiyohiraga.com</a>  |
| <b>Status</b>                | Finding of No Significant Impact (FONSI) determination  |

Hi‘ipaka LLC proposes the Economic Resiliency Project at Waimea Valley on the North Shore of O‘ahu, which includes: (1) renovation and expansion of the gift shop and the bathrooms at the Visitor Center; (2) reconstruction of a Community Resource Center; (3) Pavilion enhancement; (4) construction of a new Traditional Hawaiian Hale; (5) installation of rockfall fences near the Community Resource Center; (6) water system upgrades; and (7) Sewage Treatment Plant replacement. In addition, erosion control measures and additional rockfall mitigation are proposed on an as-needed basis. Related offsite improvements include a new fire hydrant along Kamehameha Highway near the Valley entrance. A Major Special Management Area Permit and a Conservation District Use Permit will be obtained for the project.

## HAWAII EAS/EISS

### Nanue Stream Bridge Rehabilitation – 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<br>(4) Propose any use within any historic site as designated in the National Register or Hawai'i Register             |
| <b>District(s)</b>                  | North Hilo  |
| <b>TMK(s)</b>                       | (3) 3-2-001-008 and right-of-way (ROW)  |
| <b>Permit(s)</b>                    | Numerous (see document)   |
| <b>Proposing/Determining Agency</b> | State of Hawai'i, Department of Transportation<br>Amy Sunahara, (808) 692-8431, <a href="mailto:amy.my.sunahara@hawaii.gov">amy.my.sunahara@hawaii.gov</a><br>601 Kamokila Boulevard, Kapolei, HI 96707 |
| <b>Consultant</b>                   | WSP USA; 1001 Bishop Street Suite 2400, Honolulu, HI 96813<br>Dennis Silva Jr, (808) 566-2274, <a href="mailto:Dennis.SilvaJr@wsp.com">Dennis.SilvaJr@wsp.com</a>                                       |
| <b>Status</b>                       | Finding of No Significant Impact (FONSI) determination  |

The proposed action rehabilitates the Nanue Stream Bridge to address deterioration of the structure by (1) replacing in-kind steel truss members, bearings, gusset plates, etc. that have corrosion and section loss; (2) addressing spalls and delamination in the concrete deck, abutments, bridge railings and column pedestals; (3) cleaning and painting the steel members following the repairs; and (4) addressing scour deficiencies for the bridge foundations.

### PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

**Status:** The comment period for these projects began previously. **Comments are due August 22, 2024.** 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.

**MAUI**

[Liloa Drive Extension Project – Draft EA \(AFNSI\) Vol I and Vol II](#)

**KAUA'I**

[Kīlauea 466' Water Tank Project – Draft EA \(AFNSI\)](#)

### 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 (5-8-008:040)     | Construction of a new entry wall and fence. (SMA(M)-2024-24)  | Hale Nalu Holdings, LLC/ NoHo Workshop |
| Maui: Kahului, Maui (3-7-008:025) | Café O'Lei Kahului Landscaping and Parking Lot Improvement Project. (SM22024-00030)   | Daniel Lang                            |
| Maui: Kihei (2-1-008:062-0014)    | After-the-Fact flood clean-up and repairs, including the replacement of a gate and portable wooden stairs to access the beach (SM22024-00028) | John Jacobi                            |
| Maui: Paia (2-8-002:066-0001)     | Restoration repair to the existing monument. (SM22024-00033)  | William Frampton                       |
| Maui: Paia (2-6-004:011)          | Convert the three-unit commercial building into a one-unit building and related water meter updates (SM22024-00029)                           | Michelle Cockett                       |
| Maui: Ha'ikū (2-8-001:006)        | Placement of Agriculture Water Catchment Tanks and Crop Irrigation (SM22024-00031)  | John Cassel                            |
| Maui: Kihei (2-1-005:156-0007)    | Changes to a previously approved dwelling (include addition of second story) and additional grading (SM22024-00034)                           | Michele Spencer                        |
| Maui: Kihei (2-1-008:061)         | Verizon upgrades to replace cabinets, equipment racks, panel antennas, RRUs, OVPs, and hybrid cables (SM22024-00026)                          | Steven Sung                            |

## COASTAL ZONE MANAGEMENT NOTICES (CONTINUED)

## FEDERAL CONSISTENCY REVIEWS

The following federal action is 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)

### Rapid Resilience Reefs for Coral Defense (R3D) Hybrid Reef Prototype, Oahu

**Proposed Action:** Defense Advanced Research Projects Agency (DARPA) proposes to conduct a deployment of a hybrid (i.e., natural and artificial) reef prototype for the collaborative Rapid Resilient Reefs for coastal Defense (R3D) project led by the Applied Research Laboratory (ARL) at the University of Hawaii. Project includes the deployment of an array of wave attenuating "reef mimicking structures" (RMSs) with an extent of 50m across slope x 70 m along slope site within the Proposed Action Area. RMSs consists of two individual unit designs referred to as "reef crest structures" and "back reef structures" and would be made of concrete and reinforced with glass fiber, steel rebar, or basalt rebar. The total structural area (footprint) of RMSs would be 820 m<sup>2</sup>, with a footprint of 600 m<sup>2</sup> for two rows of 20 reef crest structures (40 total) and a footprint of 220 m<sup>2</sup> for 20 back reef structures between the reef crest structures and the shore. RMSs are perforated (holes, 30-82 cm in diameter) to dissipate wave energy and provide a protected environment for marine life to thrive. The perforations also allow for the egress of mobile marine species. Additionally, there are circular recesses of similar size to the perforations that act as attachment points for other project components. The reef crest structures may have 4 stainless steel eyes at the feet to connect anchors, and 4 steel lifting eyes (removable) on the top that pass through holes. All structures would be deployed between 2-4 m depth. The reef crest structures are intended to reduce most of the wave energy, while the back reef structures would be arranged to dissipate much of the remaining energy before it reaches the shoreline. RMSs have been tested in a large wave flume at Oregon State University and one RMS unit is currently planned for deployment at Kilo Nalu Observatory, on the south shore of O'ahu, to test structural integrity and performance (separate permits obtained). The RMS array layout was determined using hydrodynamic modeling combined with machine learning algorithms. The precise location of each RMS unit will also be informed by high resolution bathymetric surveys—both lidar and multibeam sonar surveys.

**Location:** Ulupau (Fort Hase), Marine Corps Base Hawaii, Island of Oahu

**Federal Action:** Federal Agency Activity

**Federal Agency:** Defense Advanced Research Projects Agency (DARPA)

**CZM Contact:** Debra Mendes, (808) 587-2840, [Debra.L.Mendes@hawaii.gov](mailto:Debra.L.Mendes@hawaii.gov)

**Comments Due:** August 22, 2024

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 **July 2024, unless noted otherwise**; 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**

- [Board of Water Supply \(February 2024\)](#)
- [Board of Water Supply \(March 2024\)](#)
- [Board of Water Supply \(April 2024\)](#)
- [Board of Water Supply \(May 2024\)](#)
- [Board of Water Supply \(June 2024\)](#)
- [Department of Parks and Recreation](#)

**County of Hawai'i**

- [Department of Public Works](#)

DEPARTMENT OF HEALTH NOTICE

The State of Hawai'i Department of Health will hold a public hearing at 10am on September 12, 2024 at the State Lab auditorium at 2725 Waimano Home Rd, Pearl City for the proposed amendment of Hawaii Administrative Rules chapter 11-280.1, which regulates underground storage tanks. The proposed changes align default criteria for remediation of contaminated soil and groundwater following a UST system release with the Department's updated Environmental Action Levels, correct typographical errors, clarify existing requirements, and better align with federal regulations.

More information about the public hearing is available [here](#).

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                   | ZIP Code | TMK             | Applicant                    | Owner                               |
|----------|----------------------------|----------|-----------------|------------------------------|-------------------------------------|
| OA-2116  | 56-271 Kamehameha Highway  | 96731    | (1) 5-6-001:070 | Ailana Surveying & Geomatics | Malaekahana Bay Investment, LLC     |
| OA-2117  | 430 D North Kalaheo Avenue | 96734    | (1) 4-3-017:019 | Walter P. Thompson, Inc.     | DTT Kalaheo LLC and MRT Kalaheo LLC |
| HA-651   | 88-123 Kai Avenue          | 96704    | (3) 8-8-005:103 | Wes Thomas Associates        | Jane K. Sullivan                    |
| KA-486   | 7971 Kaunualii Highway     | 96752    | (4) 1-3-001:083 | Roger M. Caires              | Robert A. Elliott                   |

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                      | Zip Code | TMK             | Applicant                             | Owner  |
|----------|----------|-------------------------------|----------|-----------------|---------------------------------------|--|
| OA-2080  | Proposed | 952 Mokulua Drive             | 96734    | (1) 4-3-007:041 | Ryan M. Suzuki                        | David Barbetta   |
| OA-2079  | Proposed | 59-205 Ke Nui Road            | 96712    | (1) 5-9-002:059 | Gil P. Bumanglag                      | South Sea Holdings LLC (by Donna Y. Baker)                   |
| HA-643   | Proposed | 12-7235 Moana Kai Pali Street | 96778    | (3) 1-2-030:013 | Daniel Berg c/o dlb & associates, LLC | Equity Trust Co. fbo Mike Stehle IRA and Lisa Stehle-Doggett |



## 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. Occasionally, actions are subject to both NEPA and HEPA. In those cases, a separate Chapter 343, HRS, entry would be published in *The Environmental Notice* when a relevant document or determination is submitted to OPSD/ERP.

### Seagoing Buoy Tender Mooring and Structural Pier Upgrades at U.S. Coast Guard Base Honolulu, Hawaii – Final EA

|                                |   |
|--------------------------------|---|
| <b>Island / District / TMK</b> | O’ahu / Honolulu / 15041042   |
| <b>Permit(s)</b>               | USACE CWA Permits   |
| <b>Proposing Agency</b>        | U.S. Coast Guard; 5505 Robin Hood Road, Suite K, Norfolk, CA, 23513<br>(757) 852-3404   |
| <b>Approving Agency</b>        | WSP USA, Inc.; 104 W Anapamu Street, Suite 204A, Santa Barbara, CA 93101<br>Aaron Goldschmidt, (805) 252-0060, <a href="mailto:aaron.goldschmidt@wsp.com">aaron.goldschmidt@wsp.com</a> |
| <b>Status</b>                  | Finding of No Significant Impact (FONSI) determination  |

In 2022, the USCG identified the need for an extension to Berth G to create permanent berthing for the second WLB that is returning from mid-life maintenance availability. The Draft EA evaluates the USCG proposal to extend Berth G by constructing a fixed, pile-supported pier extending approximately 110 feet eastward from Berth G. This extension would allow for mooring of the second WLB, including fenders, mooring hardware, and services. The USCG would also demolish and dispose of the existing floating dock currently sited at Berth G, to include removal of foundations and piles, but excluding the floating gangway which may be reused. In addition to the Proposed Action, the Draft EA also considered two alternatives: an option to construct a new precast concrete floating dock that would attach to the new fixed Pier G, occupying space off Berth F; and construction of a small pier extension to fill a gap which would arise between Berth F and the new Berth G extension.

## 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).

### **Rule: [International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Changes to Bigeye Tuna Catch Limits in Longline Fisheries](#) (published by the National Oceanic and Atmospheric Administration on 08/06/2024)**

NMFS seeks comments on this interim final rule issued under authority of the Western and Central Pacific Fisheries Convention Implementation Act (WCPFC Implementation Act) that implements a recent decision of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the western and central Pacific Ocean (WCPFC or Commission) increasing the WCPFC bigeye tuna catch limit for U.S. longline fishing vessels from 3,554 metric tons (mt) to 6,554 mt. This action is necessary to satisfy the obligations of the United States as a member of the Commission. **Comments on the interim final rule must be submitted in writing by September 5, 2024.** Click on the title link above for more information.

### **Notice: [Ocean Research Advisory Panel \(ORAP\)](#) (published by the National Oceanic and Atmospheric Administration on 08/05/2024)**

This notice sets forth the schedule and proposed agenda of a meeting of the Ocean Research Advisory Panel (ORAP). The members will discuss issues outlined in the section on Matters to be Considered. **The meeting is scheduled for September 4, 2024 from 9 a.m. to 5 p.m. Hawaii standard time (HST) and September 5, 2024 from 8:30 a.m. to 12:30 p.m. HST.** These times and the agenda topics are subject to change. For more information and to view the agenda, please click on the title link.

### **Notice: [Endangered Species; File No. 28148](#) (published by the National Oceanic and Atmospheric Administration on 08/05/2024)**

Notice is hereby given that NMFS Pacific Islands Regional Office, 1845 Wasp Boulevard, Building 176, Honolulu, HI 96818 (Jamie Marchetti, Responsible Party), has applied in due form for a permit to take green (*Chelonia mydas*), hawksbill (*Eretmochelys imbricata*), leatherback (*Dermochelys coriacea*), loggerhead (*Caretta caretta*), and olive ridley (*Lepidochelys olivacea*) sea turtles for purposes of scientific research. Written comments must be received on or before September 4, 2024. Click on the title link above for more information or to submit comments.

## 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).



Publication Calendar of the  
Environmental Review Program  
Periodic Bulletin, **HAR Chapter 11-200.1**

# 2024

Pursuant to Chapter 11-200.1, Hawai'i Administrative Rules (HAR), all items to be published in the periodic bulletin must be electronically submitted (see <https://planning.hawaii.gov/erp/submittal-form/>) to the Environmental Review Program (ERP) five working days prior to the publication date.

| Submittal Deadline | Publication Date | EA or EISPN<br>Comment<br>30-Day Deadline | EIS Comment<br>45-Day Deadline |
|--------------------|------------------|---|--------------------------------|
| Dec 18 Mon         | Dec 23, 2023 Sat | Jan 22 Mon                                | Feb 06 Tue                     |
| Dec 29 Fri         | Jan 08, 2024 Mon | Feb 07 Wed                                | Feb 22 Thu                     |
| Jan 16 Tue         | Jan 23 Tue       | Feb 22 Thu                                | Mar 08 Fri                     |
| Feb 01 Thu         | Feb 08 Thu       | Mar 11 Mon                                | Mar 25 Mon                     |
| Feb 15 Thu         | Feb 23 Fri       | Mar 25 Mon                                | Apr 08 Mon                     |
| Mar 01 Fri         | Mar 08 Fri       | Apr 08 Mon                                | Apr 22 Mon                     |
| Mar 18 Mon         | Mar 23 Sat       | Apr 22 Mon                                | May 07 Tue                     |
| Apr 01 Mon         | Apr 08 Mon       | May 08 Wed                                | May 23 Thu                     |
| Apr 16 Tue         | Apr 23 Tue       | May 23 Thu                                | Jun 07 Fri                     |
| May 01 Wed         | May 08 Wed       | Jun 07 Fri                                | Jun 24 Mon                     |
| May 16 Thu         | May 23 Thu       | Jun 24 Mon                                | Jul 08 Mon                     |
| Jun 03 Mon         | Jun 08 Sat       | Jul 08 Mon                                | Jul 23 Tue                     |
| Jun 17 Mon         | Jun 23 Sun       | Jul 23 Tue                                | Aug 07 Wed                     |
| Jun 28 Fri         | Jul 08 Mon       | Aug 07 Wed                                | Aug 22 Thu                     |
| Jul 16 Tue         | Jul 23 Tue       | Aug 22 Thu                                | Sep 06 Fri                     |
| Aug 01 Thu         | Aug 08 Thu       | Sep 09 Mon                                | Sep 23 Mon                     |
| Aug 15 Thu         | Aug 23 Fri       | Sep 23 Mon                                | Oct 07 Mon                     |
| Aug 30 Fri         | Sep 08 Sun       | Oct 08 Tue                                | Oct 23 Wed                     |
| Sep 16 Mon         | Sep 23 Mon       | Oct 23 Wed                                | Nov 07 Thu                     |
| Oct 01 Tue         | Oct 08 Tue       | Nov 07 Thu                                | Nov 22 Fri                     |
| Oct 16 Wed         | Oct 23 Wed       | Nov 22 Fri                                | Dec 09 Mon                     |
| Oct 31 Thu         | Nov 08 Fri       | Dec 09 Mon                                | Dec 23 Mon                     |
| Nov 18 Mon         | Nov 23 Sat       | Dec 23 Mon                                | Jan 07 Tue                     |
| Dec 02 Mon         | Dec 08 Sun       | Jan 07 Tue                                | Jan 22 Wed                     |
| Dec 16 Mon         | Dec 23, 2024 Mon | Jan 22 Wed                                | Feb 06 Thu                     |
| Dec 31 Tue         | Jan 08, 2025 Wed | Feb 07 Fri                                | Feb 24 Mon                     |

- Section 11-200.1-4(a), HAR, establishes the publication schedule of the periodic bulletin to be on the eighth and twenty-third of each month. Publication shall occur on weekends and holidays, when appropriate.
- Section 11-200.1-5(a), HAR, establishes the submittal deadline to be five working days before the publication date. The schedule does not count holidays and non-working days. Items must be submitted before the close of business (4:30 PM) on the submittal deadline. Comment periods for EAs are 30 days and for EISs are 45 days from the publication date.
- Section 11-200.1-3 sets forth how to count the days from publication. The publication date is day zero. Holidays and weekends are counted. When the deadline falls on a state holiday or non-working day, the deadline is the next working day.