



The Environmental Notice

October 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 project proposes to provide additional water storage to the Lima Ola subdivision on Kaua'i.

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

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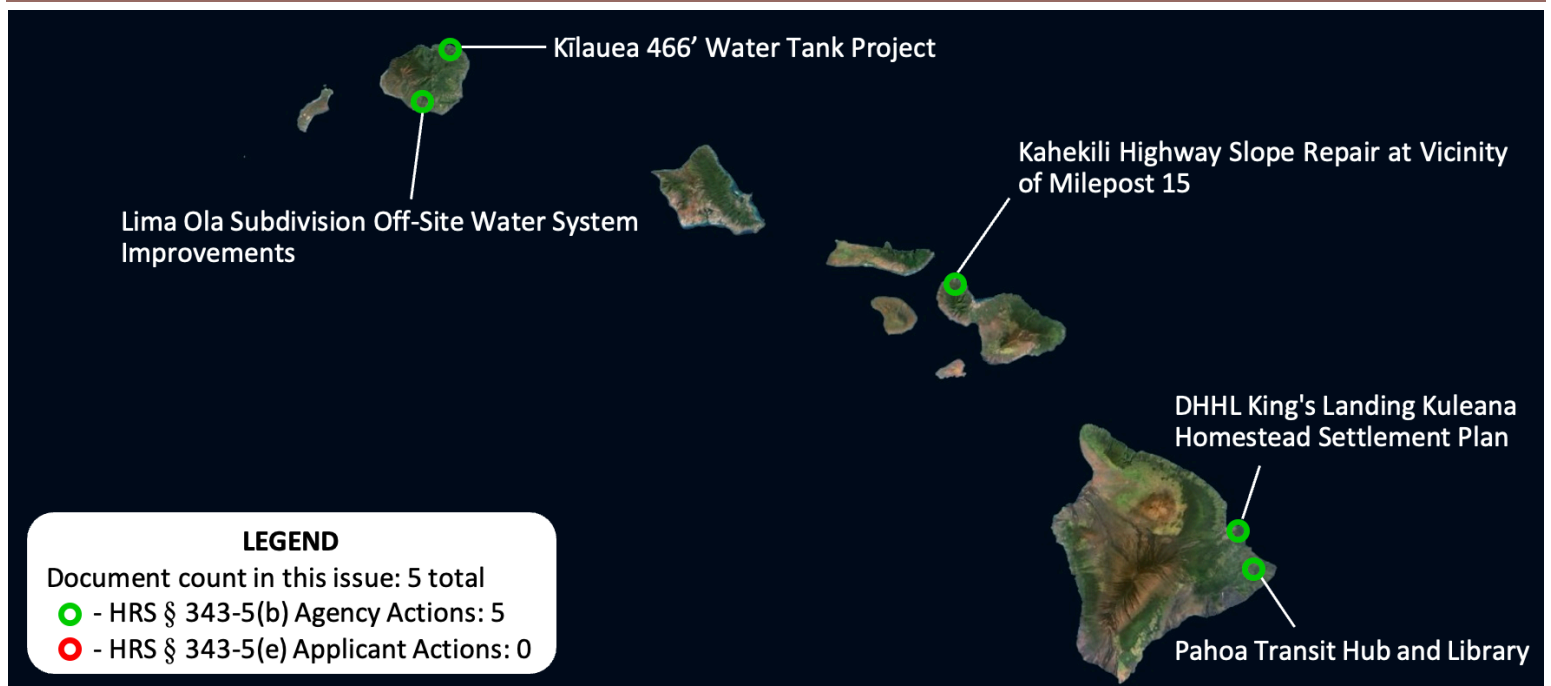
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ANNOUNCEMENTS

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.

STATEWIDE MAP OF EA/EIS DOCUMENTS AND DETERMINATIONS



HAWAII EAS/EISS

DHHL King's Landing Kuleana Homestead Settlement Plan – Final EA (FONSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds (2) Propose any use within any land classified as a conservation district (3) Propose any use within a shoreline area
District(s)	South Hilo
TMK(s)	(3) 2-1-013:001, :007, :008, :149
Permit(s)	Approval of Settlement and Land Use Designation Amendment; Administrative Rule Amendment for Beneficiary Preference; HRS Chapter 6E Compliance; HAR Chapter 11-55, National Pollutant Discharge Elimination System Permits; Construction Plan Review, Permit to Excavate Public Right-of-Way; Building Permits for Building, Electrical, Plumbing, Sidewalk/Driveway, and Demolition work; Grubbing, Excavation, Grading, and Stockpiling
Proposing/ Determining Agency	Department of Hawaiian Home Lands Julie-Ann Cachola, (808) 779-5084, julie-ann.cachola@hawaii.gov P.O. Box 1879, Honolulu, HI 96805
Consultant	G70; 111 S. King Street, Suite 170, Honolulu, HI 96813 Kawika McKeague, (808) 441-2117, kawikam@g70.design
Status	Finding of No Significant Impact (FONSI) determination

The Department of Hawaiian Home Lands (DHHL) King’s Landing Kuleana Homestead Settlement Plan (KL KHSP) is intended to carry out the mission of DHHL to effectively manage the Hawaiian Home Lands Trust and to develop lands for native Hawaiians. The KL KHSP will allow beneficiaries to continue practicing agriculture, explore new economic opportunities, and provide the security needed to pass their lands on to the next generation. The KL KHSP was collaboratively developed with members of Mālama ka ‘Āina, Hana ka ‘Āina (MAHA) during several planning sessions. The MAHA community has lived at King’s Landing for over 40 years and has a deep understanding of what the ‘āina can sustain. In summary, the 1,334-acre DHHL parcel has been designated under the DHHL land use system as follows: 398 acres are designated as Kuleana Homestead (accommodating 78 lots), 348 acres as Community Use, 332 acres as Community Agriculture, 240 acres as Conservation, and 16 acres as Special District.

Pahoa Transit Hub and Library – Final EA (FONSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	Puna
TMK(s)	(3) 1-5-007:007, 005, 004, 076, 082, 083
Permit(s)	HRS Chapter 6E, NPDES, Grading Permit, Community Noise/Variance, Individual Wastewater System Approval to Construct, Building Permit, Site Plan Approval, State Land Use District Boundary Amendment, Permit to Perform Work on State Highways
Proposing/ Determining Agency	County of Hawaii Mass Transit Agency and Hawaii State Public Library System Victor Kandle, (808) 961-8555, victor.kandle@hawaiicounty.gov 25 Aupuni Street, Hilo, HI 96720
Consultant	SSFm International, Inc.; 99 Aupuni Street, Suite 220, Hilo, HI 96720 Jennifer Scheffel, (808) 356-1273, jscheffel@ssfm.com
Status	Finding of No Significant Impact (FONSI) determination

The County of Hawai‘i Mass Transit Agency and Hawai‘i State Public Library System propose to construct a transit hub and public library with a variety of civic services and community amenities in Pāhoa Village. This would include a mass transit facility and a library with a broad range of community programs and services. There would also be sufficient space to include a daycare center and other facilities to accommodate community needs, provide learning resources, and create a gathering space for the surrounding Puna community.

MAUI EAs/EISs

Kahekili Highway Slope Repair at Vicinity of Milepost 15 – Final EA (FONSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds (2) Propose any use within any land classified as a conservation district
District(s)	Wailuku
TMK(s)	[2] 3-1-002:008 & 016
Permit(s)	See FEA-FONSI Section 4.3
Proposing/ Determining Agency	County of Maui Department of Public Works Charlene Shibuya, (808) 270-7845, charlene.s.shibuya@co.maui.hi.us 200 South High Street, Room No 434, Wailuku, HI 96793
Consultant	Wilson Okamoto Corporation; 1907 S Beretania St, Suite 400, Honolulu, Hawaii 96826 Keola Cheng, (808) 946-2277, kcheng@wilsonokamoto.com
Status	Finding of No Significant Impact (FONSI) determination

The DPW is proposing to repair slope and pavement edge failure in the vicinity of Mile Post 15 along Kahekili Highway. The Proposed Project includes the reconstruction of the ROW to be a 12-foot paved one-lane roadway to include one-foot shoulder lanes on both sides of the roadway. Where topographically feasible, a few pullout spots are proposed to provide opportunities for two vehicles to pass each other. This is anticipated to encompass the construction of a concrete soil nail wall along Waihali Gulch ranging from approximately three feet to 15-feet in height to stabilize the downward slope, shotcrete backfilling to expand the shoulders, curbing, and 48-inch barrier separating the roadway from the constructed wall and provide additional protection to roadway users. Additionally, there is consideration for automatically time signals to alternate traffic flow through the one-lane stretch into the roadway design as part of a pilot program.

KAUA‘I EAs/EISs

Lima Ola Subdivision Off-Site Water System Improvements – Draft EA (AFNSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	Kōloa
TMK(s)	(4) 2-1-001:049; (4) 2-1-001: 046
Permit(s)	HRS 6E Compliance, County Grubbing and Grading Permit, County Building Permit, NEPA Compliance, 24 CFR Part 58 Compliance
Proposing/ Determining Agency	Kaua‘i County Housing Agency Adam Roversi, (808) 241-4440, aroversi@kauai.gov 4444 Rice Street, Suite 330, Lihue, HI 96766
Consultant	Kaimana Environmental Solutions LLC; PO Box 11890, Honolulu, HI 96828 Max Solmssen, (808) 341-3546, max@kaimanaenv.com
Status	Statutory 30-day public review and comment period starts. Comments are due by November 7, 2024. Please click on title link above to read the document, then send comments to info@kaimanaenv.com .

The proposed project includes the design and construction of one (1) 0.3 million gallon County municipal water storage tank that would be located adjacent to the existing 0.2 million gallon County municipal water storage tank within TMK parcel (4) 2-1-001: 049. The proposed project also includes the upsizing of two existing booster pumps that serve the two existing 0.4 million gallon water storage tanks, which are located approximately 2,200 feet southwest of the existing 0.2 million gallon water tank, along Kaunualii Highway, within TMK parcel (4) 2-1-001: 046. The booster pumps are planned to be upsized from 120 gallons per minute to 350 gallons per minute. The planned project includes required potable water service upgrades as part of the County of Kaua‘i Lima Ola affordable housing subdivision, which is located southwest of the project site.

KAUA'I EAS/EISS (CONTINUED)

Kīlauea 466' Water Tank Project – Final EA (FONSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	Hanalei
TMK(s)	(4) 5-1-005:131; 5-1-005:124 (portion)
Permit(s)	HRS § 6-E Historic Preservation Review, Class IV Zoning Permit, Use Permit, Special Permit, and Grading and Grubbing Permits
Proposing/ Determining Agency	County of Kaua'i, Department of Water Scott Suga, (808) 245-5405, sisuga@kauaiwater.org 4398 Pua Loke Street, Lihue, HI 96766
Consultant	Planning Solutions, Inc.; 711 Kapi'olani Boulevard Suite 950, Honolulu, HI 96813 James Hayes, (808) 550-4559, jim@psi-hi.com
Status	Finding of No Significant Impact (FONSI) determination

The County of Kaua'i, Department of Water proposes to replace the existing 100,000-gallon Kīlauea 466' Water Tank with a new 1.0-million-gallon (MG) tank. The new 1.0 MG tank will be constructed on the site of the existing tank. The project implements one element of the agency's Water Plan 2020.

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 OCTOBER 23, 2024

HAWAII

[Sea Dragon Energy Seawater-to-Jet Fuel Research and Development Project – Draft EA \(AFNSI\)](#)

O'AHU

[Aloha Sustainable Materials Recycling and Fertilizer Facility – Draft EA \(AFNSI\)](#)

[Ewa Beach Homestead Project – Draft EA \(AFNSI\)](#)

COMMENTS DUE NOVEMBER 7, 2024

O'AHU

[Iwilei Infrastructure Improvement Master Plan and Liliha Civic Center Master Plan – Draft EIS Vol 1, Vol 2, and scoping meeting audio](#)

LISTS OF EXEMPTION NOTICES

Pursuant to [HAR § 11-200.1-17](#), State and county agencies that have determined specific actions to be exempt from the requirement to prepare an EA are required to submit a listing of such exemptions made during the previous month. Following are Lists of Exemption Notices submitted by various agencies for **September 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 Land and Natural Resources](#)

[Department of Transportation](#)

[Hawai'i Housing Finance & Development Corporation](#)

County of Hawai'i

[Department of Public Works](#)

[Office of Housing and Community Development](#)

County of Maui

[Department of Public Works](#)

City and County of Honolulu

[Board of Water Supply \(Aug 2024\)](#)

[Department of Design and Construction](#)

[Department of Planning and Permitting](#)

EXEMPTION NOTICES

The following agencies have declared certain actions exempt from the requirement to prepare an EA pursuant to [HAR § 11-200.1-16](#), and have voluntarily submitted the Exemption Notices for publication:

State of Hawai'i, Hawai'i Housing & Finance Development Corporation

Kamo'ili'ili Apartments Project

Kamo'ili'ili Development LLC (Applicant) is proposing to build the Project, consisting of 179 affordable rental units (plus one manager's unit) that will accommodate households earning either: 1) up to 60% of the area median income (AMI) or 2) between 80% and 100% of the AMI, depending on the source of State financing to be used. The Applicant will commit to set aside all units as affordable for a minimum of 61 years and will comply with all permit conditions required to mitigate construction-related impacts.

County of Hawai'i, Office of Housing and Community Development

Kuakini Heights Affordable Housing Facility

The proposed action is the construction of the Kuakini Heights affordable housing project. The 100 proposed rental units (a mix of 28 1- bedrooms, 60 2-bedroom, and 12 3- bedroom apartments), all serve households earning between 30— 60% of the area median income(AMI). The facility also includes a community lanai, a manager' s office, on site-parking, and open space.

The developer has applied, and been approved for Low Income Housing Tax Credits (LIHTC). This potential use of state funds is the project' s sole trigger in terms of compliance with Chapter 343, HRS.

COASTAL ZONE MANAGEMENT NOTICES

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

Installation of National Electric Vehicle Infrastructure (NEVI) Charging Stations at the Hilo Civic Center

Proposed Action: State Department of Transportation (HDOT) proposes to install a NEVI charging stations at the Hilo Civic Center, County of Hawai'i. The Project calls for four 150-kW electric vehicle (EV) chargers, an electrical transformer, switchgear, underground electrical conduit, and approximately six EV dedicated parking stalls near the Hīnano Street entrance of the Afook-Chinen Civic Auditorium complex.

Location: Afook-Chinen Civic Complex, 323 Manono Street, Hilo, Hawai'i Island

TMK: (3) 2-2-033:001 (por)

Applicant: (Other than Federal Agency, if applicable)

Federal Action: Federal Assistance (funding)

Federal Agency: U.S. Department of Transportation, Federal Highway Administration

CZM Contact: Josh Hekeka, (808) 587-2845, Joshua.K.Hekeka@hawaii.gov

Comments Due: October 22, 2024

COASTAL ZONE MANAGEMENT NOTICES (CONTINUED)

FEDERAL CONSISTENCY REVIEWS (CONTINUED)

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

Installation of NEVI Charging Stations at the Waimea Civic Center

Proposed Action: HDOT intends to establish a NEVI charging station on the grounds of the Waimea Civic Center, County of Hawai'i. The Project includes four 150-kW EV chargers, an electrical transformer, switchgear, and underground electrical conduit at the existing police station parking lot at the Waimea Civic Center. Ten new EV dedicated parking stalls will be added to the existing parking lot.

Location: Civic Center, 67-5189 Kamāmalu Street, Waimea, Hawai'i Island

TMK: (3) 6-7-002:011 (por)

Applicant: (Other than Federal Agency, if applicable)

Federal Action: Federal Assistance (funding)

Federal Agency: U.S. Department of Transportation, Federal Highway Administration

CZM Contact: Josh Hekeka, (808) 587-2845, Joshua.K.Hekeka@hawaii.gov

Comments Due: October 22, 2024

Installation of NEVI Charging Stations at the West Hawai'i Civic Center

Proposed Action: HDOT plans to deploy a NEVI charging station at the West Hawai'i Civic Center, County of Hawai'i. The Project will include four 150-kW EV chargers, an electrical transformer, switchgear, underground electrical conduit, and approximately six dedicated EV parking stalls at the existing Kona Civic Center, just outside of the parking lot entrance.

Location: Civic Center, 74-5044 'Āne Keohokalole Hwy., Kailua-Kona, Hawai'i Island

TMK: (3) 7-4-020:025 (por)

Applicant: (Other than Federal Agency, if applicable)

Federal Action: Federal Assistance (funding)

Federal Agency: U.S. Department of Transportation, Federal Highway Administration

CZM Contact: Josh Hekeka, (808) 587-2845, Joshua.K.Hekeka@hawaii.gov

Comments Due: October 22, 2024

Kīlauea Point National Wildlife Refuge Access Improvements

Proposed Action: Federal Highway Administration proposes to construct a sidewalk along Kīlauea Road that extends from the intersection of Kolo Road and Kūhiō Highway, north to the Kīlauea Point National Wildlife Refuge (NWR) Overlook to provide safe access to the Kīlauea Point NWR Overlook, while also improving the parking configuration and circulation of automobiles, transit (private shuttle buses), bicyclists, and pedestrians at the Kīlauea Point NWR Overlook.

Location: Kīlauea Town to Kīlauea Point National Wildlife Refuge, Kīlauea, Island of Kaua'i

Federal Action: Federal Agency Activity

Federal Agency: Federal Highway Administration, Central Federal Lands Highway Division

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

Comments Due: October 22, 2024

COASTAL ZONE MANAGEMENT NOTICES (CONTINUED)

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
Hawai‘i: Laupāhoehoe, North Hilo (3-5-010:005)	Construction of a Single-Family Dwelling and Related Improvements (PL-SMM-2024-000049)	Scott and Rebecca McIntyre
Hawai‘i: North Hilo (3-2-003:017)	Construction of a Single-Family Dwelling and Related Improvements	Sandman Properties, LLC
Kaua‘i: Līhu‘e (3-5-002:002)	Temporary tents for special event functions. (SMA(M)-2025-3)	Duke’s Canoe Club Kaua‘i
Kaua‘i: Hanalei (5-8-008:034 and 039)	Installation of propane tanks and gas lines to dwellings. Grading involved. (SMA(M)-2025-4)	Belles Graham LLP c/o Try Slow LLC
Kaua‘i: Hanalei (5-8-008:058)	After the Fact Structures-Shed, tents and fence (SMA(M)-2025-5)	Robert M McCann
Maui: Kīhei (2-1-008:061)	The proposed collocation of new transmission equipment on the rooftop of the Haleakalā Tower of the Wailea Beach Resort (SM22024-00035)	Robyn Kahalelehua
Maui: Kīhei (3-9-051:035)	Demolition of existing unpermitted structures. Construction of a new warehouse, office building, onsite utilities, and parking resurfacing (SM22024-00043)	Angelena Campos
Maui: Wailuku (3-8-005:032)	Haycraft Park Dune Restoration (SM22024-00040)	Wesley Crile
Maui: Lahaina (3-8-005:032)	Modification of existing antennas and associated equipment at the Kā’anapali Beach Club by Verizon Wireless (SM22024-00044)	Danette Martin
O‘ahu: Kaneohe (4-6-022:002)	Trans Residence Improvements (2024/SMA-68)	Planning Solutions (Jim Hayes)
O‘ahu: Hale‘iwa (6-2-003:006)	Construction of a rock wall (after-the-fact) on the subject site 62-117 Lokoea Place (Unit 2)	G70 (Jeff Overton)

SHORELINE NOTICES

APPLICATIONS FOR SHORELINE CERTIFICATION

The shoreline certification applications below are available for review and comment at the Department of Land and Natural Resources offices on Kaua‘i, Hawai‘i, Maui, and Honolulu, 1151 Punchbowl Street, Room 220 ([HRS § 205A-42](#) and [HAR § 13- 222-12](#)). **Maps and photos of each application file can be viewed [here](#). All comments shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, HI 96813 and postmarked no later than 15 calendar days from the date of this public notice of the application.** For more information, contact Rebecca Anderson at rebecca.l.anderson@hawaii.gov.

File No.	Location	ZIP Code	TMK	Applicant	Owner
OA-2122	12 Kailua Road	96734	(1) 4-3-012:001	Walter P. Thompson Inc.	Highmark Capital LLC
MA-839	4970 Kahekili Road	96793	(2) 3-1-001:051	Brian Shroder	Brian Shroder

SHORELINE NOTICES (CONTINUED)

PROPOSED SHORELINE CERTIFICATIONS AND REJECTIONS

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

File No.	Status	Location	Zip Code	TMK	Applicant	Owner
OA-2088	Rejected	68-617 Crozier Drive	96791	(1) 6-8-004:005	Wesley T. Tengan	Peter H. J. How
MA-817*	Rejected	104 Kaanapali Shores Place	96761	(2) 4-4-001:098	Ailana Surveying & Geomatics	Kaanapali Beach Vacation Resort
MA-818	Rejected	590 Stable Road	96779	(2) 3-8-002:094	Akamai Land Surveying, Inc.	Mana Realty Holding, Inc. & Peter Klint Martin Trust
HA-641	Rejected	76-6176 & 76-6178 Alii Drive	96740	(3) 7-6-017:037 & 039	Wes Thomas Associates	Jason Black & Alii Residence LLC
KA-483	Rejected	7322 Alealea Road	96714	(4) 5-8-009:049	Honua Engineering, Inc.	Dirk P. & Kathleen Lange

* Please note: MA-817 incorrectly reported as Proposed on 9/23/2024

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.

Construction of HC-130J Temporary Hangars at Air Station Barbers Point, Kapolei – Draft EA

Island	Oahu
District(s)	'Ewa
TMK(s)	9-1-013:063 and 031
Proposing Agency	U.S. Coast Guard Jessica Parks, 757-852-3400, Jessica.E.Parks@uscg.mil 915 2nd Ave, Seattle, WA 98174
Consultant	Tetra Tech; 4433 Corporation Lane, Virginia Beach, VA 23462 Zach Wells, 401-741-1404, Zach.Wells1@tetratech.com
Status	The Draft EA is available for public review and comment at the following O'ahu public libraries: Kapolei Public Library and 'Ewa Beach Public Library. The Draft EA also is available on the internet at https://isg.applications.tetratech.com/Barbers_Point_EA . The U.S. Coast Guard will accept comments for a 30-day public comment period beginning on October 8, 2024. Written comments must be postmarked by November 7, 2024 to be considered in the Final EA. Written comments on the Draft EA may be sent by U.S. Postal Service to Mr. James T. Hayes, c/o Planning Solutions, Inc., Pacific Park Plaza, Suite 950, 711 Kapi'olani Boulevard, Honolulu, HI 96813-5213, or via email to jim@psi-hi.com .

Pursuant to the Council on Environmental Quality regulations implementing the National Environmental Policy Act, the U.S. Coast Guard gives notice of availability of a Draft Environmental Assessment and requests public comment on the proposed construction of new, temporary hangars for HC-130J fixed-wing aircraft with supporting facilities and utilities at Air Station Barbers Point (ASBP), Kapolei, O'ahu, Hawai'i. The hangars are necessary to provide fully enclosed, weather-protected facilities to repair, service, and shelter ASBP's fleet of HC-130J aircraft. ASBP's current hangar configuration can provide only partial enclosure of one aircraft. Anticipated construction activities include constructing three humidity-controlled tension membrane or relocatable fabric structures on concrete pads, relocating an aircraft wash rack and hot-fueling pad, relocating a parking area, and upgrading utilities. The new construction will be within previously disturbed areas of ASBP. The U.S. Coast Guard is the lead agency for the Proposed Action.

NATIONAL HISTORIC PRESERVATION ACT, SECTION 106 CONSULTATION

Demolition of David Malo Circle and Piilani Homes Project

Island	Maui
District(s)	Lahaina
TMK(s)	(2) 4-6-010:028 and (2) 4-5-007:005
Proposing Agency	Hawai'i Public Housing Authority, State of Hawai'i 1002 North King Street, Honolulu, Hawai'i 96817 Lisa Izumi, (808) 832-5374, lisa.m.izumi@hawaii.gov
Status	Comments due no later than November 7, 2024 to: rsato@bowersandkubota.com Attn: Mr. Ronald A. Sato, AICP Bowers and Kubota Consulting, Inc.; 2153 North King Street, Suite 200, Honolulu, Hawai'i 96819

The State of Hawai'i (Hawai'i), Hawai'i Public Housing Authority (HPHA) is initiating National Historic Preservation Act Section 106 consultation for the proposed Demolition of David Malo Circle and Pi'ilani Homes Project. These housing projects are located in Lahaina, Maui, Hawai'i and were severely damaged by the Lahaina wildfire of August 2023. The proposed demolition work will use federal funding provided by the U.S. Department of Housing and Urban Development (HUD) and is therefore subject to NHPA Section 106 consultation requirements. The purpose of this document is to initiate the Section 106 consultation process and obtain comments from Native Hawaiian Organizations (NHOs), interested organizations, or persons that may attach historic or cultural significance to the two housing sites.

Lihue Aerated Solids Contact Tank Improvement

Island	Kauai
District(s)	Kalapaki Ahupua'a, Puna District
TMK(s)	(4) 3-5-001:030
Proposing Agency	State of Hawaii, Department of Health, Environmental Management Division, Wastewater Branch 2827 Waimano Home Road, Rm. 207, Pearl City, HI 96782 Domciely Oda, (808) 586-4294, Domciely.Oda@doh.hawaii.gov
Status	Comments due no later than November 7, 2024 to: wwb@doh.hawaii.gov Attn: Domciely Oda Department of Health, Wastewater Branch, 2827 Waimano Home Road, Rm. 207, Pearl City, HI 96782

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

The undertaking consists of upgrading the aerated solids contact tank at the Lihue Wastewater Treatment Plant (WWTP) to improve service reliability within the Lihue area. The modifications to the aerated solids contact tank include replacing the existing diffusers, air piping, and effluent baffles with new equipment. The improvements also include the installation of new instrumentation and control valves. All equipment will be replaced or installed in a similar footprint to the existing equipment. All construction activities will be within the Lihue WWTP parcel (TMK (4) 3-5-001:030).

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

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.

Presidential Document: [National Public Lands Day, 2024](#) (published by the Executive Office of the President on 10/02/2024)

President Joseph R. Biden Jr., of the United States of America, hereby proclaim September 28, 2024, as National Public Lands Day. President Biden invites all Americans to join him in a day of service for our public lands. The President also encourages volunteers from across the Nation to celebrate and care for America's lands and waters by reforesting the land, maintaining trails, nurturing ecosystems, removing invasive species, and doing other conservation work to serve the lands and waters that support and sustain us.

Notice: [Agency Information Collection Activities; Submission to the Office of Management and Budget \(OMB\) for Review and Approval; Comment Request; Pacific Islands Short-Tailed Albatross Recovery Data Form](#) (published by the National Oceanic and Atmospheric Administration on 10/02/2024)

The Department of Commerce will submit the following information collection request (see title link above) to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. NOAA invites the general public and other Federal agencies to comment on proposed and continuing information collections, which helps NOAA assess the impact of our information collection requirements and minimize the public's reporting burden. **Public comments were previously requested via the Federal Register on July 16, 2024 during a 60-day comment period. This notice allows for an additional 30 days for public comments.**

To improve the information collection, NMFS revised the Short-tailed Albatross Recovery Data Form to remove the field for hook type as only one hook type is currently allowed in the fishery, collect information on hook size, collect more details about bird bands, and request more information about transportation of an injured bird. NOAA also changed the collection's title from Pacific Islands Region Seabird-Fisheries Interaction Recovery Reporting to Pacific Islands Short-tailed Albatross Recovery Data Form to more accurately describe the collection and its purpose.

Notice: [Notice of Decision to Authorize the Importation of Fresh Table Beet Root for Consumption From the United Kingdom Into the Continental United States, Hawaii, Puerto Rico, and the U.S. Virgin Islands](#) (published by the Animal and Plant Health Inspection Service on 09/27/2024)

We are advising the public of our decision to authorize the importation of fresh table beet root (*Beta vulgaris* L.) for consumption from the United Kingdom into the continental United States, Hawaii, Puerto Rico, and the U.S. Virgin Islands. Based on findings of a pest risk analysis, which we made available to the public for review and comment through a previous notice, we have determined that the application of one or more designated phytosanitary measures will be sufficient to mitigate the risks of introducing or disseminating plant pests or noxious weeds via the importation of fresh table beet root from the United Kingdom. For more information, please click the title link above.

Proposed Rule: [Marine Mammal Protection Act List of Fisheries for 2025](#) (published by the National Oceanic and Atmospheric Administration on 09/24/2024)

NMFS is publishing its proposed List of Fisheries (LOF) for 2025, as required by the Marine Mammal Protection Act (MMPA). The proposed LOF for 2025 reflects new information on interactions between commercial fisheries and marine mammals. NMFS must classify each commercial fishery on the LOF into one of three categories under the MMPA based on the level of mortality and serious injury (M/SI) of marine mammals that occurs incidental to each fishery. The classification of a fishery on the LOF determines whether participants in that fishery are subject to certain provisions of the MMPA, such as those regarding registration, observer coverage, and take reduction plan (TRP) requirements. **Comments must be received by October 24, 2024.** For more information, please click on the title link above.

GLOSSARY OF TERMS AND DEFINITIONS

Agency Actions

Projects or programs proposed by any department, office, board, or commission of the state or county government which is part of the executive branch of that government per [HRS 343-2](#).

Applicant Actions

Projects or programs proposed by any person who, pursuant to statute, ordinance, or rule, requests approval for a proposed action per [HRS 343-2](#).

Draft Environmental Assessment

When an Agency or Applicant proposes an action that [triggers](#) HRS 343, an Environmental Assessment shall be prepared at the earliest practicable time to determine whether the action's environmental impact will be significant, and thus whether an environmental impact statement shall be required per [HRS 343-5\(b\)](#), for Agency actions and [HRS 343-5\(e\)](#), for Applicant actions. For actions for which the proposing or approving agency anticipates a Finding of No Significant Impact (AFNSI), a Draft EA (DEA) shall be made available for public review and comment for 30 days and public notice is published in this periodic bulletin.

Final Environmental Assessment and Finding of No Significant Impact

The action's proponent shall respond in writing to comments on a DEA received during the 30-day review period and prepare a Final EA (FEA) that includes those responses to determine whether an environmental impact statement shall be required. If there are no significant impacts, then the Agency will issue a Finding of No Significant Impact (FONSI). An Environmental Impact Statement (EIS) will not be required and the project has cleared HRS 343 requirements. The public has 30 days from the notice of a FONSI in this bulletin to challenge the FONSI in the Environmental Court and seek a ruling to require the preparation of an EIS.

Final Environmental Assessment and Environmental Impact Statement Preparation Notice

An EIS shall be required if the Agency finds that the proposed action may have a significant effect on the environment. The Agency shall file notice of such determination with OPSD called an EIS Preparation Notice (EISPN) along with the supporting Final EA. After the notice of the FEA-EISPN is published in this bulletin, the public has 30 days to request to become a consulted party and to make written comments. The public (including the Applicant) has 60 days from the notice of the EISPN in this bulletin to ask a court to not require the preparation of an EIS.

Act 172-2012, Direct-to-EIS, Environmental Impact Statement Preparation Notice (with no EA)

Act 172 in 2012 amended HRS 343 by providing for an agency to bypass the preparation of an environmental assessment for various actions that in the experience of the agency would clearly require the preparation of an EIS. The agency must submit its determination that an EIS is required for an action (Act 172-2012, EISPN) with a completed publication form detailing the specifics of the action. This starts a 30-day scoping period in which the agency or applicant must hold a public scoping meeting for the preparation of the Draft EIS. Written comments and responses on the EISPN must be incorporated into the subsequent Draft EIS and oral comments from the public scoping meeting must be recorded and submitted to OPSD with the Draft EIS.

HEPA

While technically there is no "Hawai'i Environmental Policy Act," HRS 343 is often referred to by this term.

Act 312-2012, Secondary Actions in the Highway or Public Right of Way

Act 312-2012, amended HRS 343, by adding a new section ([HRS 343-5.5](#), entitled "Exception to applicability of chapter"). HEPA allows for a statutory exception for "secondary actions" (those that involve infrastructure in the highway or public right-of-way) provided that the permit or approval of the related "primary action" (those outside of the highway or public-right-of-way and on private property) is not subject to discretionary consent and further provided that the applicant for the primary action submits documentation from the appropriate agency confirming that no further discretionary approvals are required. An aid to understanding this is to visualize residential driveway improvements in the public right-of-way, versus, retail outlet driveway improvements in the public right-of-way.

Draft Environmental Impact Statement

After receiving the comments on the EISPN, the Agency or Applicant must prepare a Draft Environmental Impact Statement (DEIS). The content requirements of the DEIS shall contain an explanation of the environmental consequences of the proposed action including the direct, indirect and cumulative impacts and their mitigation measures. The public has 45 days from the first publication date in this bulletin to comment on a DEIS.

Final Environmental Impact Statement

After considering all public comments filed during the DEIS stage, the Agency or Applicant must prepare a Final EIS (FEIS). The FEIS must respond in a point-by-point manner to all comments from the draft and must be included in the FEIS. For Applicant projects, the Approving Agency is the Accepting Authority and must make a determination within 30 days or the FEIS is deemed accepted as a matter of law. For an Agency project, the Governor or the Mayor (or their designated representative) is the Accepting Authority, and unlike applicant actions, there is no time limit on the accepting authority reviewing the FEIS. Only after the FEIS is accepted may the project be implemented.

Acceptability

The Accepting Authority must be satisfied that the FEIS meets three criteria (process, content, response to comments) to accept it. Whether the FEIS is accepted or not accepted, notice of the Acceptance Determination is published in this bulletin. The public has 60 days from publication to legally challenge the acceptance of a FEIS. For both Applicant and Agency actions, the Applicant or the proposing Agency can prepare a Revised DEIS after a non-acceptance determination.



Maui Sunset

Photo by [Thomas Hawk](#)**National Environmental Policy Act**

The National Environmental Policy Act (NEPA) requires federal projects to prepare a Federal EA or EIS. In many ways it is similar to Hawai'i's law. Some projects require both a State and Federal EIS and the public comment procedure should be coordinated. Upon request by a federal agency, OPSD publishes NEPA notices in this bulletin to help keep the public informed of important federal actions.

Conservation District

Proposed uses of land in the State Conservation District require a Conservation District Use Application (CDUA). These applications are reviewed and approved/denied by the Department or Board of Land and Natural Resources. Members of the public may intervene in the permit process. This bulletin will include EAs & EISs for actions proposed within the Conservation District.

Special Management Area and Shoreline Setback Area

The Special Management Area (SMA) is along the coastline of all islands; development in this area is generally regulated by [HRS 205A](#), and county ordinance. A portion of the SMA that is addressed by HRS 343 is the [Shoreline Area](#), which includes land between the State-certified shoreline and the county-determined shoreline setback line. This bulletin will include EAs & EISs for actions proposed within the Shoreline Setback Area. Some projects going through the SMA permit process on O'ahu are also required to go through an environmental review process that mirrors HRS 343; these "ROH Chapter 25" EAs/EISs are included in this bulletin.

Shoreline Certifications

State law requires that Hawai'i shorelines be surveyed and certified when necessary to clearly establish the shoreline setback from the certified shoreline. The public may participate in the process to help assure accurate regulatory boundaries. Private land owners often petition to have their shoreline certified by the State surveyor prior to construction. This bulletin publishes notice from the Department of Land and Natural Resources of shoreline certification applicants and final certifications or rejections.

Environmental Advisory Council

The [Environmental Advisory Council](#) is a 15-member citizen board appointed by the Governor. They serve as a liaison between the Director of OPSD and the general public concerning ecology and environmental quality. Agendas of their regular meetings are posted on the Internet and the public is invited to attend.

Agency Exemption Lists

Government agencies may keep a list describing the minor activities they regularly perform that are exempt from the environmental review process. These lists and any amendments shall be submitted to the Council for review and concurrence ([HAR 11-200.1-16](#)). This bulletin will publish an agency's draft exemption list for public comment prior to Council decision making, as well as notice of the Council's decision on the list.

Endangered Species

This bulletin is required by [HRS 343-3\(c\)](#), to publish notice of public comment periods or public hearings for Habitat Conservation Plans (HCP), Safe Harbor Agreements (SHA), or Incidental Take Licenses (ITL) under the federal Endangered Species Act, as well as availability for public inspection of a proposed HCP or SHA, or a proposed ITL (as a part of an HCP or SHA).