



The Environmental Notice

December 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.



Hālawala Valley Overlook, Moloka'i

photo courtesy of [Sofia Luczak](#)

TABLE OF CONTENTS

ANNOUNCEMENTS2

PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT2

PRIOR DETERMINATION.....2

LISTS OF EXEMPTION NOTICES.....3

EXEMPTION NOTICES3

SHORELINE NOTICES3

 Applications for Shoreline Certification.....3

 Proposed Shoreline Certifications and Rejections.....4

CONSERVATION DISTRICT USE APPLICATIONS.....4

COASTAL ZONE MANAGEMENT NOTICES.....5

 Federal Consistency Reviews.....5

FEDERAL NOTICES5

GLOSSARY OF TERMS AND DEFINITIONS.....6

There were no submittals of EAs or EISs for publication in this issue of *The Environmental Notice*.

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.
- Please find the 2025 ERP Publication Calendar attached to the end of this issue and online [here](#).

PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

Status: The comment period for these projects began previously. **Comments are due December 23, 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.

HAWAI’I

[Hawaiian Paradise Park New District Park – Republished Draft EA \(AFNSI\)](#)

O’AHU

[USCG Honolulu Real Property Acquisition and Pier Construction – Draft EA \(AFNSI\)](#)

PRIOR DETERMINATION

On May 4, 1988, the [Kapolei Village Environmental Impact Statement](#) was accepted by Governor John Waihee (Final EIS) and was published in the [May 8, 1988 issue of the OEQC Bulletin](#). The Final EIS covered the phased development of residential, commercial, public facilities, and park uses on approximately 830 acres of land, including the entirety of the Project Site. The Applicant proposes to build a mixed-use development including affordable rentals on a 19.473-acre parcel within the Villages of Kapolei community to meet housing demand. This document updates the Final EIS with the latest studies and analysis.

After careful analysis and [as described in the attachment](#), HHFDC as the approving agency is invoking HAR 11-200.1-11 that the EIS is applicable to the Project and that additional environmental review is not required.

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 **November 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](#)

City and County of Honolulu

- [Department of Design and Construction](#)
- [Department of Planning and Permitting \(Oct 2024\)](#)
- [Department of Planning and Permitting](#)

County of Hawai‘i

- [Department of Public Works](#)
- [Office of Housing and Community Development](#)

County of Kaua‘i

- [Department of Water](#)

EXEMPTION NOTICES

The County of Kaua‘i, Department of Water has 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:

County of Kaua‘i, Department of Water

[Līhu‘e Administrative Building Fencing](#)

The County of Kaua‘i, Department of Water is installing a security fence for the Administrative Building. The project includes pedestrian access gates, swing gates and a motorized vehicle access gate system.

[Līhu‘e Baseyard Electrical Relocation](#)

The County of Kaua‘i, Department of Water is re-routing an existing electrical conduit that currently runs from an existing service switchboard to the former Administrative Building and then to the Operations Building. The former Administrative Building will be demolished, including the existing panel that the electrical conduit currently connects to. This project will re-route the electrical conduit from the existing service switchboard directly to the Operations Building so that power at the Operations Building can be maintained. An automatic transfer switch (ATS) will also be installed at the MicroLab Building. This will allow for the emergency generator to automatically startup and power the MicroLab Building in the event of a commercial power outage.

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-2125	68-319 Crozier Drive	96791	(1) 6-8-005:015	Ailana Surveying & Geomatics	Robert Vavul
OA-2126	4957 Kahala Avenue	96816	(1) 3-5-023:003 & 038	Walter P. Thompson, Inc.	B.P. Bishop Trust Estate
OA-2127	53-623 Kamehameha Highway	96717	(1) 5-3-008:012	Walter P. Thompson, Inc.	Steven MacBride
HA-657	Government Beach Road	96778	(3) 1-5-009:042	Daniel Berg dba dlb and associates, LLC	Randy Cain & Karen Copley
KA-486	3243 Kalapaki Circle	96766	(4) 3-5-002:031	Honua Engineering, Inc.	Hudani Trust
KA-487	5-7436 F Kuhio Highway	96714	(4) 5-8-010:025:001	Honua Engineering, Inc.	Zona Urdina, LLC; Joseph & Kathryn Christianson

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-2101	Proposed	59-625 A Ke Iki Road	96712	(1) 5-9-003:062	Benjamin E.K. Guib	Carol A. Nakasone Trust Et al
OA-2116	Proposed	56-271 Kamehameha Highway	96731	(1) 5-6-001:070	Ailana Surveying & Geomatics	Malaekahana Bay Investment LLC
OA-2119	Proposed	91-433 Ewa Beach Road	96706	(1) 9-1-024:027	Poni LLC	Poni LLC
OA-2121	Proposed	59-783 Kamehameha Highway	96712	(1) 5-9-004:027	Ailana Surveying & Geomatics	Nathan Beckett
MA-821	Reject	3002 South Kihei Road	96753	(2) 3-9-004:105	Loren Slentz	3002 Kihei LLC c/o Lenard Liberman
MA-841	Proposed	Haneo Road	96713	(2) 1-4-007:009	ParEn, Inc. dba Park Engineering	State of Hawaii Department of Land and Natural Resources

CONSERVATION DISTRICT USE APPLICATIONS

Persons interested in commenting on the following Conservation District Use Application or interested in receiving notification of determinations on Conservation District Use Applications must submit comments and requests to the Department of Land and Natural Resources. Notification requests must include the following information: 1) Name and address of the requestor; 2) The application for which the requestor would like to receive notice of determination; and 3) The date the notice was initially published in the Environmental Notice. Send comments and requests to: Department of Land and Natural Resources, Office of Conservation and Coastal Lands, P.O. Box 621, Honolulu, HI, 96809. DLNR will make every effort to notify those interested in the subject CDUAs. However, DLNR is not obligated to notify any person not strictly complying with the above requirements. For more information, please contact the Office of Conservation and Coastal Lands staff listed for each project. CDUAs can be found on the OCCL website at <https://dlnr.hawaii.gov/occl/>.

PROJECT:

File No.: [CDUA MA-3960 \(Department's Acceptance Letter\)](#)
343, Determination: [Final Environmental Assessment/AFONSI](#) Published September 8, 2018
Name of Applicant: State of Hawaii Department of Transportation
Agent: Munekiyo Hiraga
Location: Honokohau & Por. Honolua, Lahaina, Mah
TMKs: (2) 4-1-001:010 (por.) & (2) 4-2-004:032 (por.)
Proposed Action: [Temporary Bridge and Detour Route](#)
343, HRS determination: Final Environmental Assessment
Agent's Contact: Gwendolyn Rivera ph: (808) 244-2015, planning@munekiyohiragacom
OCCL Staff Contact: Kariann Stark ph: (808) 587-0380, kariann.stark@hawaii.gov

COASTAL ZONE MANAGEMENT NOTICES

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

US Coast Guard Property Acquisition and Pier Construction

Proposed Action: US Coast Guard proposes to 1) acquire HDOT-Harbors undeveloped 0.71-acre property located at Pier 53; 2) stabilize the shoreline with a bulkhead and a new pile-supported pier in the submerged portion of the acquired property; and 3) optionally construct a floating dock extending the length of the proposed pile-supported pier. The new pile-supported pier will extend up to 340 feet westward from USCG Base Honolulu Berth G to the Matson property with the installation of fenders, mooring hardware, and utilities. Support pile materials have not been determined at this design stage, but could include steel, concrete (precast or auger-cast), or pressure-treated lumber. Optionally, the USGS also proposes to construct a precast concrete floating dock that would attach to the fixed pier. The floating dock would include hardware and utility connections.

Location: 400 Sand Island Parkway, Honolulu, Oahu

TMK: (1) 1-5-041:321

Federal Action: Federal Agency Activity

Federal Agency: U.S. Coast Guard

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

Comments Due: 12/23/24

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.

Proposed Rule: [International Fisheries; Pacific Tuna Fisheries; Fishing Restrictions for Tropical Tuna in the Eastern Pacific Ocean for 2025 and Beyond](#) (published by the National Oceanic and Atmospheric Administration on 12/05/2024)

National Marine Fisheries Service (NMFS) proposes regulations under the Tuna Conventions Act (TCA) of 1950, as amended, to implement Resolution C-24-01 (*Conservation Measures For Tropical Tunas In The Eastern Pacific Ocean During 2025-2026*) adopted at the 102nd Meeting of the Inter-American Tropical Tuna Commission (IATTC) in September 2024. This proposed rule would maintain and extend management measures for fishing vessels targeting tropical tuna (*i.e.*, bigeye tuna (*Thunnus obesus*)), yellowfin tuna (*Thunnus albacares*), and skipjack tuna (*Katsuwonus pelamis*) in the eastern Pacific Ocean (EPO). The fishing restrictions would apply to large purse seine vessels of class sizes 4-6 (*i.e.*, vessels with a carrying capacity of 182 metric tons (mt) or greater) and longline vessels greater than 24 meters (m) in overall length that fish for tropical tuna in the EPO. This proposed rule is necessary for the conservation of tropical tuna stocks in the EPO and for the United States to satisfy its obligations as a member of the IATTC. **Comments on the proposed rule and supporting documents must be submitted in writing by January 6, 2025.** For more information and to submit comments, 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.



Mauai 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**

2025

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 Comment 30-Day Deadline	EIS Comment 45-Day Deadline
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
Jan 15 Wed	Jan 23 Thu	Feb 24 Mon	Mar 10 Mon
Feb 03 Mon	Feb 08 Sat	Mar 10 Mon	Mar 25 Tue
Feb 14 Fri	Feb 23 Sun	Mar 25 Tue	Apr 09 Wed
Mar 03 Mon	Mar 08 Sat	Apr 07 Mon	Apr 22 Tue
Mar 17 Mon	Mar 23 Sun	Apr 22 Tue	May 07 Wed
Apr 01 Tue	Apr 08 Tue	May 08 Thu	May 23 Fri
Apr 15 Tue	Apr 23 Wed	May 23 Fri	Jun 09 Mon
May 01 Thu	May 08 Thu	Jun 09 Mon	Jun 23 Mon
May 16 Fri	May 23 Fri	Jun 23 Mon	Jul 07 Mon
Jun 02 Mon	Jun 08 Sun	Jul 08 Tue	Jul 23 Wed
Jun 16 Mon	Jun 23 Mon	Jul 23 Wed	Aug 07 Thu
Jun 30 Mon	Jul 08 Tue	Aug 07 Thu	Aug 22 Fri
Jul 16 Wed	Jul 23 Wed	Aug 22 Fri	Sep 08 Mon
Aug 01 Fri	Aug 08 Fri	Sep 08 Mon	Sep 22 Mon
Aug 18 Mon	Aug 23 Sat	Sep 22 Mon	Oct 07 Tue
Aug 29 Fri	Sep 08 Mon	Oct 08 Wed	Oct 23 Thu
Sep 16 Tue	Sep 23 Tue	Oct 23 Thu	Nov 07 Fri
Oct 01 Wed	Oct 08 Wed	Nov 07 Fri	Nov 24 Mon
Oct 16 Thu	Oct 23 Thu	Nov 24 Mon	Dec 08 Mon
Nov 03 Mon	Nov 08 Sat	Dec 08 Mon	Dec 23 Tue
Nov 17 Mon	Nov 23 Sun	Dec 23 Tue	Jan 07 Wed
Dec 01 Mon	Dec 08 Mon	Jan 07 Wed	Jan 22 Thu
Dec 16 Tue	Dec 23, 2025 Tue	Jan 22 Thu	Feb 06 Fri
Dec 31 Wed	Jan 08, 2026 Thu	Feb 09 Mon	Feb 23 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 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.