



The Environmental Notice

December 23, 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.



A Hawaiian voyaging canoe travels through Papahānaumokuākea.

photo from the [project's FEIS](#)

TABLE OF CONTENTS

ANNOUNCEMENTS2

STATEWIDE MAP OF EA/EIS DOCUMENTS AND DETERMINATIONS.....2

NORTHWEST HAWAIIAN ISLANDS EAs/EISS3

Proposed Papahānaumokuākea National Marine Sanctuary – Final EIS3

MAUI EAs/EISS3

Adaptation Pathways: Seawall Removal and Dune Restoration – Draft EA (AFNSI)3

HAWAI’I EAs/EISS.....4

Sea Dragon Seawater-to-Jet Fuel Research and Development Project – Final EA (FONSI)4

SAFE HARBOR AGREEMENTS.....4

CHAPTER 25, REVISED ORDINANCES OF HONOLULU5

 Bank of Hawai’i - Hawai’i Kai – Draft EA (AFNSI)5

 Kahena Wai Estates – Final EA (FONSI) & Figures and Appendices.....5

COASTAL ZONE MANAGEMENT NOTICES.....6

 Special Management Area (SMA) Minor Permits.....6

SHORELINE NOTICES6

 Applications for Shoreline Certification.....6

 Proposed Shoreline Certifications and Rejections.....6

PRIOR DETERMINATION.....7

EXEMPTION NOTICES7

NATIONAL HISTORIC PRESERVATION ACT, SECTION 106 CONSULTATION7

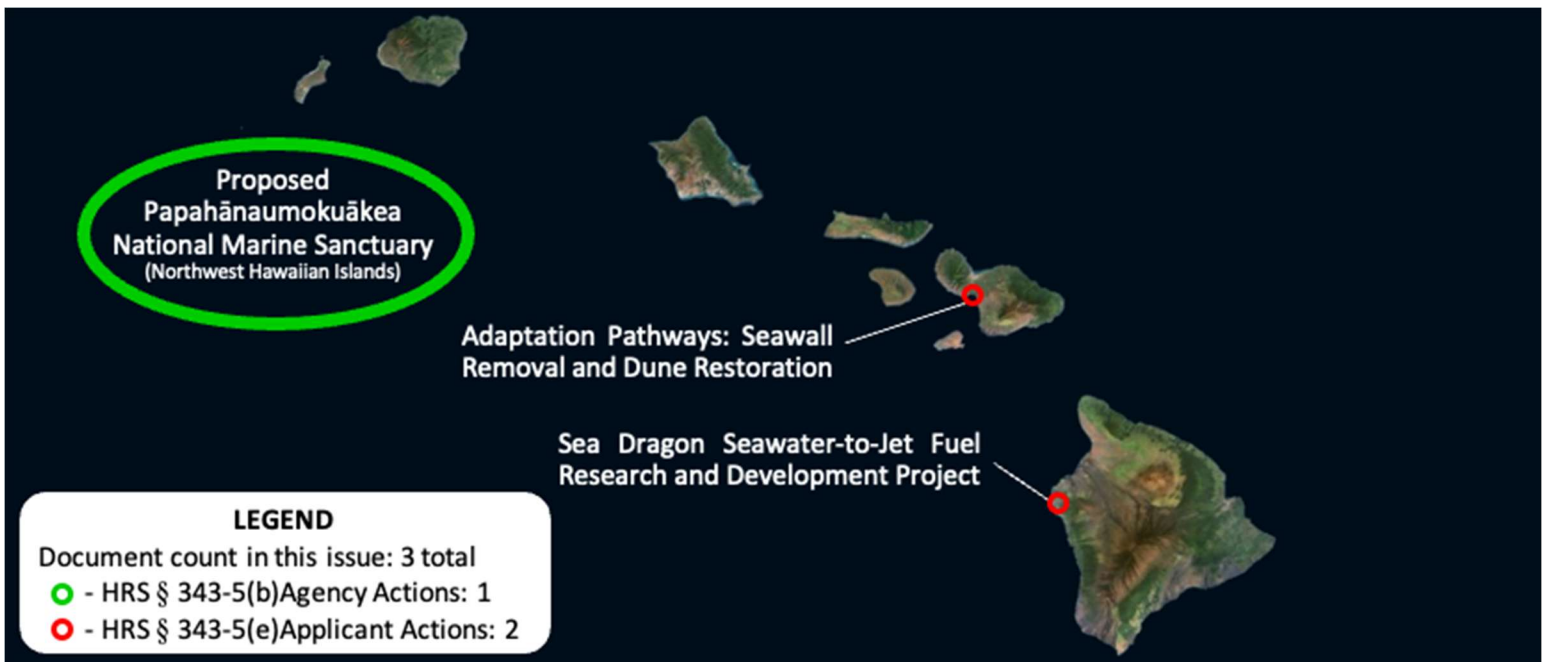
FEDERAL NOTICES8

GLOSSARY OF TERMS AND DEFINITIONS.....9

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](#).

STATEWIDE MAP OF EA/EIS DOCUMENTS AND DETERMINATIONS



NORTHWEST HAWAIIAN ISLANDS EAs/EISS

Proposed Papahānaumokuākea National Marine Sanctuary – Final EIS

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 (4) Propose any use within any historic site as designated in the National Register or Hawai'i Register
District(s)	Honolulu
TMK(s)	N/A
Permit(s)	CZM, NHPA, HRS 6E
Proposing/ Determining Agency	State of Hawai'i, Department of Land and Natural Resources Edward (Luna) Kekoa, (808) 587-0100, edward.l.kekoa@hawaii.gov 1151 Punchbowl Street #330, Honolulu, Hawaii 96813
Accepting Authority	Office of the Governor, State of Hawai'i Josh Green, (808) 586-0034, https://governor.hawaii.gov/contact-us/contact-the-governor/ 415 South Beretania Street, Honolulu, Hawaii 96813
Consultant	N/A
Status	Final EIS has been submitted and is pending acceptance by the accepting authority

NOAA proposes to designate marine portions of Papahānaumokuākea Marine National Monument (Monument) as Papahānaumokuākea National Marine Sanctuary to protect nationally significant biological, cultural, and historical resources. The State of Hawai'i (the State) through the Department of Land and Natural Resources Division of Aquatic Resources proposes to include all State waters. The purpose of this action is to provide comprehensive and coordinated management of the marine areas of Papahānaumokuākea to protect nationally significant biological, cultural, and historical resources. The proposed action would supplement the existing provisions for management of the Monument and further protect resources in the Northwest Hawaiian Islands. The preferred alternative boundary includes the marine environment from the shoreline of the islands and atolls seaward to 200 nautical miles, including all State waters, approximately 582,570 square miles (439,910 square nautical miles).

MAUI EAs/EISS

Adaptation Pathways: Seawall Removal and Dune Restoration – Draft EA (AFNSI)

HRS §343-5(a) Trigger	(3) Propose any use within a shoreline area
District(s)	Maui - multiple districts
TMK(s)	(2) 3:8:014:004 (2) 3:8:014:005
Permit(s)	Special Management Area Approval, Shoreline Setback Variance, Flood Development Permit, Grading Permit
Approving Agency	County of Maui, Planning Department James Buika, (808) 270-7735, James.Buika@co.maui.hi.us 2200 Main Street, One Main Plaza, Suite 315, Wailuku, HI 96793
Applicant	Kanai A Nalu Condominium AOA; Kanai A Nalu AOA, 250 Hauoli Street, Wailuku, Hawaii 96793 Kevin Robinson, (509) 290-1130, robbys4@aol.com
Consultant	Kapalaea Consultants LLC; 449 Kealaloa Ave, Makawao, Hawaii 96768-9055 Anders Lyons, (808) 463-4192, anders@kapalaeaconsultants.com
Status	Statutory 30-day public review and comment period starts. Comments are due by January 22, 2025. Please click on title link above to read the document, then send comments to James.Buika@co.maui.hi.us .

Kanai A Nalu and the County of Maui have agreed to a series of actions to adapt to sea level rise, to restore more natural movement of the shoreline, and to re-establish native plants on the shoreline. As a first step in establishing an adaptation pathway for Kanai A Nalu, the condominium is proposing installation of a geotextile, sand-filled burrito moved back from the shoreline toward the condominium buildings. This soft structure will allow the condominium to negotiate a permit with the State of Hawaii Office of Conservation and Coastal Lands for the removal of the existing seawalls, restoring an unarmored shoreline. Kanai A Nalu also proposes a wooden ramp to allow for safe passage by the public to the beach. And lastly, restoration of native plants along the unarmored shoreline.

HAWAII EAS/EISS

Sea Dragon Seawater-to-Jet Fuel Research and Development 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)	North Kona
TMK(s)	(3) 7-3-043:081
Permit(s)	None
Approving Agency	State of Hawai‘i, Natural Energy Laboratory of Hawai‘i Authority Alex Leonard, (808) 327-9545, alexander.leonard@hawaii.gov 73-4460 Queen Ka‘ahumanu Highway, #101, Kailua-Kona, Hawaii 96740
Applicant	Sea Dragon Energy, Inc.; 401 Strada Luca, Florence, Texas 76527 Tracy Kriewald, (713) 483-4192, tracy.kriewald@seadragon.energy
Consultant	Planning Solutions, Inc.; 711 Kapiolani Boulevard, Suite 950, Honolulu, Hawaii 96813 Makena White, AICP, (808) 550-4539, makena@psi-hi.com
Status	Finding of No Significant Impact (FONSI) determination

Sea Dragon Energy, Inc. (SDEI) is proposing to use a site formerly occupied by a seawater bottler at NELHA’s HOST Park to conduct research and development (R&D) on a seawater-to-jet fuel (SJF) process. The project site at HOST park is a portion of TMK No. 7-3-043:081 that includes a warehouse, parking area, and other infrastructure. The R&D unit, if successful, would inform the possible development of a larger mobile SJF unit. The R&D unit would produce roughly 10 gallons of jet fuel per month. No new buildings, substantial land disturbances, or substantial new outdoor equipment are proposed. SDEI would be responsible for decommissioning its equipment at the completion of the R&D period, which may range in duration from 2 to 5 years.

SAFE HARBOR AGREEMENTS

In the [November 23rd, 2024 edition of TEN](#), the comment period for the below Safe Harbor Agreement was published as ending on January 7th, 2025. **The 60-day comment period will instead end on January 22nd, 2025:**

[Conservation Agreement for Introduction of Endangered Orangeblack Hawaiian Damselfly \(Megalagrion xanthomelas\) to a Conservation Area on the Island of Lāna‘i](#)

Applicable Law	Hawai‘i Revised Statutes 195D-22(a)
Type of Document	Safe Harbor Agreement (SHA)
Island	Lāna‘i
District(s)	Central Lāna‘i
TMK(s)	Portion of 2-4-9-002-061
Permits Required	Pūlama Lāna‘i intends to apply for a federal Permit pursuant to section 10(a)(1)(A) of the ESA, and a state License pursuant to HRS §§ 195D-4(f) and 195D-22(b)
Applicant or Proposing Agency	Lāna‘i Resorts, LLC dba Pūlama Lāna‘i; 1311 Fraser Avenue PO Box 630310, Lāna‘i City, Hawai‘i 96763 Rachel Sprague, Ph.D., Director of Conservation, (808) 565-3702, rsprague@pulamalanai.com
Approving Agency	Department of Land and Natural Resources, Division of Forestry and Wildlife Kelli Yamaguchi, kelli.yamaguhi.researcher@hawaii.gov 1151 Punchbowl Street #325, Honolulu, HI 96813
Status	Comments are due by January 22, 2025. Please send comments to the Approving Agency and copy the Applicant

This Conservation Agreement is a joint U.S. Fish and Wildlife Service (USFWS) Conservation Benefit Agreement and State of Hawai‘i Department of Land and Natural Resources (DLNR) Safe Harbor Agreement.

The purpose of this agreement between Lāna‘i Resorts, LLC dba Pūlama Lāna‘i, USFWS, and DLNR (“parties”) is to implement conservation actions which will contribute to the recovery of the endangered orangeblack Hawaiian damselfly, ae‘o (Hawaiian stilt), ‘alae ke‘oke‘o (Hawaiian coot), and assimilans yellow-faced bee (collectively the “covered species”), on a portion of property owned by Pūlama Lāna‘i on the island of Lāna‘i, Hawai‘i.

This agreement furthers conservation of the covered species by: (1) introducing the damselfly to a conservation area on Lāna‘i; (2) memorializing conservation measures that will be taken to provide and maintain a net conservation benefit that furthers the recovery of each of the covered species; (3) describing how the parties will work together to implement shared goals to benefit the covered species and create habitat; and (4) affirming that Pūlama Lāna‘i receives assurances and limited authority to cause purposeful and incidental take of covered species associated with conservation measures and activities in accordance with the terms of this Agreement and applicable law.

CHAPTER 25, REVISED ORDINANCES OF HONOLULU

Use of the Special Management Area (SMA) is not a trigger under HRS Chapter 343, but major developments in O’ahu’s SMA must go through an environmental review process that mirrors the procedural requirements of [HRS Chapter 343](#), pursuant to [Revised Ordinances of Honolulu, Chapter 25](#). Developments being reviewed under Chapter 25 but not Chapter 343 appear here.

[Bank of Hawai’i - Hawai’i Kai – Draft EA \(AFNSI\)](#)

District(s)	Honolulu
TMK(s)	(1) 3-9-017:040
Permit(s)	Special Management Area Major Permit; Dust Control Plan; Noise Permit (if necessary); Americans with Disabilities Act (ADA) Compliance; Section 6E, HRS Review; Grading, Grubbing, and Stockpiling Permits; Building Permit (electrical, plumbing, civil); Occupancy Permit; Site Development Master Application for Sewer Connection; Storm Drain Connection License (if necessary); Storm Water Quality Strategic Plan; Rules Relating to Water Quality and Storm Drainage Standards Compliance; and Industrial Wastewater Discharge Permit (application submitted)
Approving Agency	City and County of Honolulu, Department of Planning and Permitting Michael Kat, (808) 768-8013, michael.kat@honolulu.gov 650 South King Street, Honolulu, Hawaii 96813
Applicant	Bank of Hawai’i; 130 Merchant Street, #1010, Honolulu, Hawaii 96813 Scott Yoshihara, (808) 521-5631, gnakai@pbrhawaii.com
Consultant	PBR Hawai’i & Associates, Inc.; 1001 Bishop Street, Suite 650, Honolulu, Hawaii 96813 Greg Nakai, (808) 521-5631, gnakai@pbrhawaii.com
Status	Statutory 30-day public review and comment period starts. Comments are due by January 22, 2025. Please click on title link above to read the document, then send comments to michael.kat@honolulu.gov .

Bank of Hawai’i proposes to build a new bank on the location of the existing Scratch Hawai’i Kai Restaurant in Hawai’i Kai, O’ahu. Bank of Hawai’i’s objective is to construct a new branch bank facility that approximates the existing building’s footprint and massing, incorporates sustainable design features, accommodates future sea level rise and flood elevation levels, promotes brand visibility, and improves customer service and experience.

[Kahena Wai Estates – Final EA \(FONSI\) & Figures and Appendices](#)

District(s)	Ko’olauloa
TMK(s)	(1) 5-3-005:070
Permit(s)	Special Management Area Major Permit, IWS Permit, Building Permits, etc. [see document]
Approving Agency	City and County of Honolulu, Department of Planning and Permitting Michael Kat, (808) 768-8013, michael.kat@honolulu.gov 650 South King Street, Honolulu, Hawaii 96813
Applicant	Kahena Wai Estates; 53-452 Unit 2 Kamehameha Highway, Hauula, Hawaii 96717 Charles Hew-Lew, (808) 533-2092, roy@hawaiiengineering.net
Consultant	Hawaii Engineering Group, Inc.; 1088 Bishop Street, Suite 2506, Honolulu, Hawaii 96813 Roy Irei, (808) 533-2092, roy@hawaiiengineering.net
Status	Finding of No Significant Impact (FONSI) determination

The Applicant seeks a Special Management Area (SMA) Major Permit to allow a programmatic 10-year development plan that includes the construction of new single-family dwellings for the 11 condominium property regime units, which comprise the subject site, that are located within the SMA in Hau’ula, O’ahu. The site is split zoned between the R-5 Residential District(R-5) and AG-2 General Agricultural (AG-2). The Proposed Action can be divided into three general programmatic efforts: (1) construction of new single-family dwellings and their respective individual wastewater systems on vacant R-5 lots; (2) permitting of existing dwellings for cesspool conversion, additions, AG-2 waiver, and future minor improvements; and (3) the potential options for development and permitted use of the units associated with the AG-2 and wetland setback areas.

COASTAL ZONE MANAGEMENT NOTICES

SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS

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

Location (TMK)	Description (File No.)	Applicant/Agent
Maui: Pā‘ia (2-5-005: 045)	Baldwin Beach Park Pavilion Removal due to eroding shoreline. Necessary for public health and safety (SM22024-00055)	County of Maui Department of Parks and Recreation
Maui: Kihei (2-1-008: 074)	Pint & Cork Lanai Renovations at the Shops at Wailea. Removal of trellis and addition of screen wall and planter boxes (SM22024-00057)	Anthony Riecke-Gonzales
Maui: Wailuku (3-8-007: 001)	Fitness Court Improvements at Keopuolani Regional Park. Installation of fitness court pad and accessible route (SM22024-00058)	Bo Montalvo, Kirk Tanaka

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-2128	240 Paiko Drive	96821	(1) 3-8-001:007	Ailana Surveying & Geomatics	Kurt Ing
OA-2129	45-31 Lilipuna Place	96744	(1) 4-5-057:009	Walter P. Thompson, Inc.	World of Fun LLC
HA-658	15-1075 Ala Heiau Road	96749	(3) 1-5-031:072	Daniel Berg	Robert E. Drew & Merris Leann Gold-Drew
KA-489	5-7534 B Kuhio Highway	96714	(4) 5-9-002:021	Honua Engineering, Inc.	Happy House Trust/ Anthony Kiedis
KA-488*	3243 Kalapaki Circle	96766	(4) 3-5-002:031	Honua Engineering, Inc.	Hudani Trust

* Please note, KA-488 was reported on 12/08/2024 with an incorrect file number

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
MA-822	Proposed	3993 Maalea Place	96793	(2) 3-6-001:028	Bo Kim	Mana Trust
MA-840	Proposed	3082 S. Kihei Road	96753	(2) 2-1-010:020	Akamai Land Surveying, Inc.	SK 3082 LLC/ Chris Malachowsky
KA-484	Rejected	5096-C Kukuna Road	96703	(4) 4-9-004:018	Roger M. Caires	Mary Jasper

PRIOR DETERMINATION

In 2022, [HHFDC approved the Kahului Civic Center Mixed-Use Complex Final Environmental Assessment Finding of No Significant Impact \(Final EA\)](#). The Final EA assessed potential environmental impacts and provided mitigation measures for the full build-out of the Project. The developer and the Department of Accounting and General Services are working together to fine-tune the Project and have proposed changes. This determination documents the proposed changes in the Project.

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

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

[USGS Joint Funding Agreement for Water Resource Investigations](#)

The County of Kaua’i, Department of Water is continuing with its ongoing water resource monitoring and investigation work with the USGS for Kaua’i’s wells, aquifer systems, and river and stream levels. The work is non-invasive and does not create a negative impact to the environment with its monitoring activities through existing monitoring wells and river and stream gage systems.

NATIONAL HISTORIC PRESERVATION ACT, SECTION 106 CONSULTATION

[Resubmitted 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 Chane Hayashida, (808) 586-4294, Chane.Hayashida@doh.hawaii.gov
Status	Comments due no later than January 22, 2025 to: chane.hayashida@doh.hawaii.gov Attn: Chane Hayashida Department of Health, Wastewater Branch, 2827 Waimano Home Road, Rm. 207, Pearl City, HI 9678

The Department of Health (DOH) reinitiated 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 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 headworks and the aerated solids contact tank at the Lihue Wastewater Treatment Plant (WWTP) to improve service reliability within the Lihue area. The modification to the headworks will include removing a portion of a concrete wall and reinforcing the remaining wall. The modifications to the aerated solids contact tank will include replacing the existing diffusers, air piping, and effluent baffles with new equipment. The improvements will 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 5.0 acre 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.

Notice: [Marine Mammals; File No. 27539](#) (published by the National Oceanic and Atmospheric Administration on 12/19/2024)

Notice is hereby given that the Waikiki Aquarium, 2777 Kalakaua Avenue, Honolulu, HI 96815 (Responsible Party: Andrew Rossiter, Ph.D.), has applied in due form for an enhancement permit for captive Hawaiian monk seals (*Neomonachus schauinslandi*). **Written comments must be received on or before February 3, 2025.** To submit comments and for more information, please click on the title link above.

Rule: [Corps of Engineers Agency Specific Procedures To Implement the Principles, Requirements, and Guidelines for Federal Investments in Water Resources](#) (published by the Engineers Corps on 12/19/2024)

This rule establishes Agency Specific Procedures (ASPs) for the U.S. Army Corps of Engineers (Corps) to implement the Principles, Requirements, and Guidelines (PR&G) for Federal water resources investments. It provides a framework to govern how the Corps would evaluate proposed water resources investments, subject to the PR&G. The rule incorporates recommendations from interested parties. The Army is issuing this rule in response to congressional direction in the Water Resources Development Act of 2020. This rule is effective on January 17, 2025. For more information, please click on the title link above.

Notice: [Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to a Marine Geophysical Survey in the Nauru Basin of Greater Micronesia in the Northwest Pacific Ocean](#) (published by the National Oceanic and Atmospheric Administration on 12/16/2024)

In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an incidental harassment authorization (IHA) to the Scripps Institution of Oceanography (SIO) to incidentally harass marine mammals during survey activities associated with a marine geophysical survey in the Nauru Basin of greater Micronesia in the northwest (NW) Pacific Ocean. This authorization is effective from December 11, 2024 through December 10, 2025. For more information, please click on the title link above.

Notice: [Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Military Readiness Activities in the Hawaii-California Training and Testing Study Area](#) (published by the National Oceanic and Atmospheric Administration on 12/13/2024)

NMFS has received a request from the U.S. Department of the Navy (including the U.S. Navy and the U.S. Marine Corps (Navy)) and on behalf of the U.S. Coast Guard (Coast Guard) and U.S. Army (Army; hereafter, Navy, Coast Guard, and Army are collectively referred to as Action Proponents) for authorization to take marine mammals incidental to training, testing, and modernization and sustainment of ranges conducted in the Hawaii-California Training and Testing (HCTT) Study Area over the course of 7 years from December 2025 through December 2032. Pursuant to regulations implementing the Marine Mammal Protection Act (MMPA), NMFS is announcing receipt of the Action Proponents' request for the development and implementation of regulations governing the incidental taking of marine mammals and issuance of four 7-year Letters of Authorization (LOAs). NMFS invites the public to provide information, suggestions, and comments on the Action Proponents' application and request. **Comments and information must be received no later than January 13, 2025.** To submit comments and for more information, please click on the title link above.

Notice: [Notice of Public Meetings for Hawaii-California Training and Testing Environmental Impact Statement/Overseas environmental Impact Statement \(ID# EISX-007-17-USN-1724283453\)](#) (published by the Navy Department on 12/13/2024)

Pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality implementing regulations, and Presidential [Executive Order 12114](#), the DoN (including both the United States [U.S.] Navy and the U.S. Marine Corps [USMC]), as the lead agency, jointly with the U.S. Coast Guard, U.S. Army, and U.S. Air Force, has prepared and filed with the U.S. Environmental Protection Agency a Draft Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS) for Hawaii-California Training and Testing (HCTT) activities. **Public comments on the Draft EIS/OEIS must be postmarked or received online by 11:59 p.m. Hawaii standard time (HST) Tuesday, February 11, 2025, for consideration in the Final EIS/OEIS. Three in-person public meetings and one virtual meeting will be held starting in January 2025.** Please click on the title link above for more information about the meetings.

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**

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.