



JOSH GREEN, M.D., GOVERNOR  
MARY ALICE EVANS, DIRECTOR

# The Environmental Notice

October 8, 2025

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 (EAs) and Environmental Impact Statements (EISs) for projects in Hawai'i. The Environmental Notice also includes other items related to the shoreline, coastal zone, and federal activities.



DLNR is proposing to restore approximately 8 acres of estuary and wetland habitat at the Honu'apo Estuary Wetland.

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

235 South Beretania Street, Suite 702 • Honolulu, Hawai'i 96813 • (808) 586-4185 • [dbedt.opsd.erp@hawaii.gov](mailto:dbedt.opsd.erp@hawaii.gov) • <https://planning.hawaii.gov/erp/>

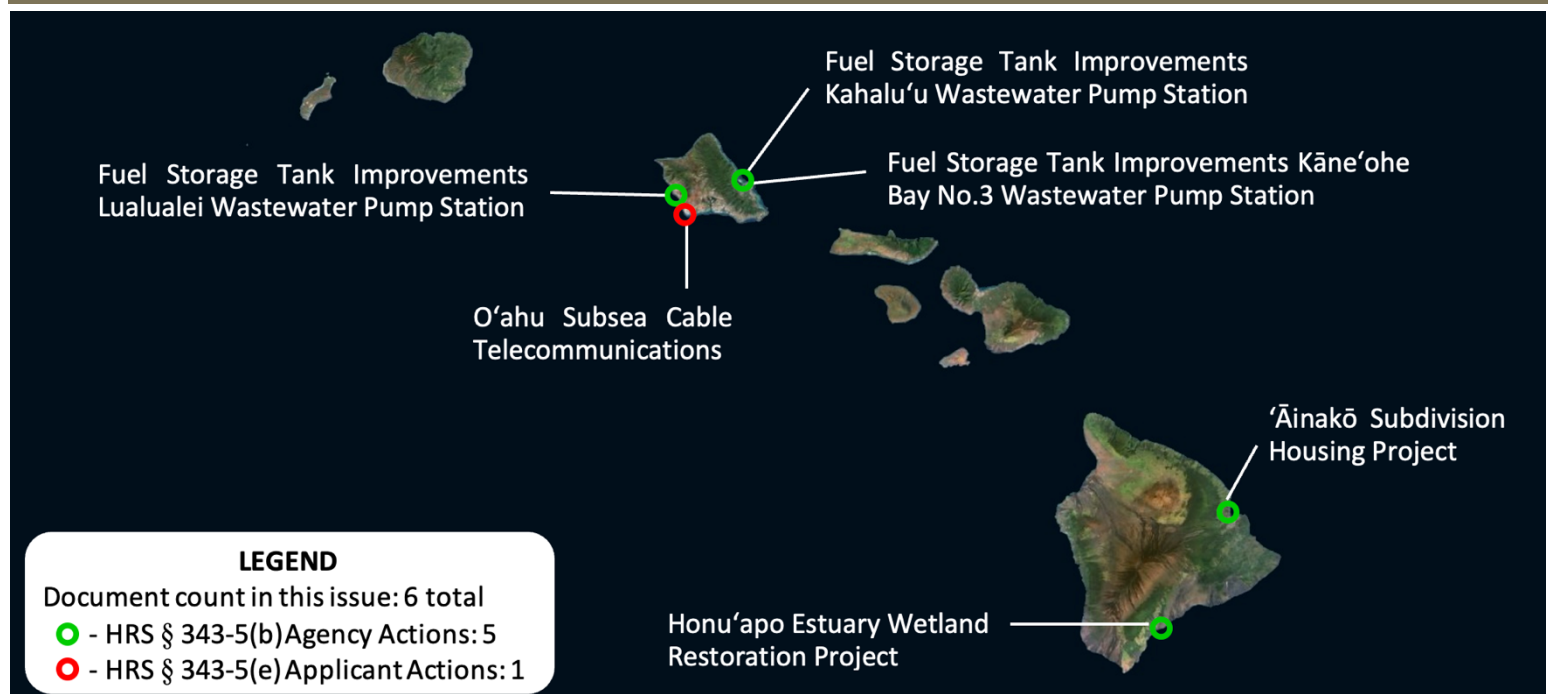
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## ANNOUNCEMENTS

- 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.
- Please work toward ensuring that all submittals are Americans with Disabilities Act (ADA) compliant. Our website has an [ADA accessibility page](#) with further information.

## STATEWIDE MAP OF EA/EIS DOCUMENTS AND DETERMINATIONS



## HAWAII EAS/EISS

**‘Āinakō Subdivision Housing Project – Draft EA (AFNSI) and Appendices**

|  |  |
|--|--|
| <b>HRS §343-5(a) Trigger</b>                 | (1) Propose the use of state or county lands or the use of state or county funds   |
| <b>District(s)</b>                           | South Hilo   |
| <b>TMK(s)</b>                                | (3) 2-3-030:004, (3) 2-3-030:001 (por.), and (3) 2-3-031:001 (por.)  |
| <b>Permit(s)</b>                             | Final Subdivision Approval (Hawaii County Planning Department), Building Permit (Hawaii County Public Works Department), Grading Permit (Hawaii County Public Works Department)  |
| <b>Proposing/<br/>Determining<br/>Agency</b> | County of Hawaii, Office of Housing and Community Development<br>Neil Erickson, (808) 932-5959, <a href="mailto:NeilC.Erickson@hawaiicounty.gov">NeilC.Erickson@hawaiicounty.gov</a><br>1990 Kino'ole Street, Suite 102, Hilo, HI 96720                                    |
| <b>Consultant</b>                            | Stantec Consulting Services Inc. and Geometrician Associates; P.O. Box 191, Hilo, HI 96721<br>Michele Lefebvre, (808) 791-9872, <a href="mailto:michele.lefebvre@stantecgs.com">michele.lefebvre@stantecgs.com</a>   |
| <b>Status</b>                                | Statutory 30-day public review and comment period starts. <b>Comments are due by November 7, 2025.</b> Please click on title link above to read the document, then send comments to <a href="mailto:NeilC.Erickson@hawaiicounty.gov">NeilC.Erickson@hawaiicounty.gov</a> . |

The ‘Āinakō Subdivision Housing Project is designed to provide up to approximately 144 residential units on approximately 61 acres of land in South Hilo. The Project would include up to 82 townhomes, 28 flats, and 34 single-family units, designed to accommodate the needs of the island workforce and their families. The price range of Project units is expected to range from approximately \$363,100 to \$635,500. The Project would make a small but meaningful contribution to the significant affordable housing shortage in the local market area and is not expected to adversely affect demand for similar private-sector housing projects. The Project would balance the need to provide affordable housing near urban centers and allow residents better access to travel between home, work, and other desirable recreational opportunities. The Project is not expected to have a negative effect on environmental resources. Potential effects to sensitive hydrological, cultural, and archaeological resources present within the Project Area would be minimized and avoided through Project design and implementation of protection measures.

If you are experiencing any ADA compliance issues with the above project, please contact the County of Hawaii, Office of Housing and Community Development consultant, Michele Lefebvre, at [michele.lefebvre@stantecgs.com](mailto:michele.lefebvre@stantecgs.com).

**Honu‘apo Estuary Wetland Restoration Project – Draft EA (AFNSI)**

|  |   |
|--|---|
| <b>HRS §343-5(a) Trigger</b>                 | (1) Propose the use of state or county lands or the use of state or county funds<br>(2) Propose any use within any land classified as a conservation district<br>(3) Propose any use within a shoreline area  |
| <b>District(s)</b>                           | Ka‘ū  |
| <b>TMK(s)</b>                                | (3) 9-5-014:007   |
| <b>Permit(s)</b>                             | National Environmental Policy Act (Categorical Exclusion), Section 7, Section 106, Department of the Army, Ho‘āla Loko I‘a Program, National Pollutant Discharge Elimination System, Special Management Area, Shoreline Setback Variance, Grading/Grubbing/Stockpiling Permit |
| <b>Proposing/<br/>Determining<br/>Agency</b> | State of Hawaii, Department of Land and Natural Resources, Division of Forestry and Wildlife<br>Afsheen Siddiqi, (808) 587-3250, <a href="mailto:afsheen.a.siddiqi@hawaii.gov">afsheen.a.siddiqi@hawaii.gov</a><br>1151 Punchbowl Street, Room 325, Honolulu, Hawaii 96813    |
| <b>Consultant</b>                            | Kahewai Environmental LLC; 2855 E MANOA RD, Suite 105, Box No. 316, Honolulu, HI 96822<br>William Bow, (808) 371-0676, <a href="mailto:wbow@kahewai.com">wbow@kahewai.com</a>   |
| <b>Status</b>                                | Statutory 30-day public review and comment period starts. <b>Comments are due by November 7, 2025.</b> Please click on title link above to read the document, then send comments to <a href="mailto:wbow@kahewai.com">wbow@kahewai.com</a> .                                  |

The proposed project includes the restoration of approximately 8 acres of estuary and wetland habitat at the Honu‘apo Estuary Wetland. Improvements to be implemented under the plan include: (1) removal of invasive vegetation to improve water quality and quantity as well as habitat function; (2) creation of deepened water areas for improved habitat productivity and diversity; (3) revegetation with native plant species to provide natural site conditions for native endemic species; (4) installation of a predator proof fence; (5) pedestrian gate and walkway with viewing platforms.

If you are experiencing any ADA compliance issues with the above project, please contact the State of Hawaii, Department of Land and Natural Resources consultant, William F. Bow, at [wbow@kahewai.com](mailto:wbow@kahewai.com).



## O'AHU EAs/EISs

**Fuel Storage Tank Improvements Kahalu'u Wastewater Pump Station – Draft EA (ANFSI)**

|  |  |
|--|--|
| <b>HRS §343-5(a) Trigger</b>                 | (1) Propose the use of state or county lands or the use of state or county funds   |
| <b>District(s)</b>                           | Ko'olaupoko  |
| <b>TMK(s)</b>                                | (1) 4-7-011:016  |
| <b>Permit(s)</b>                             | SMA  |
| <b>Proposing/<br/>Determining<br/>Agency</b> | City and County of Honolulu, Department of Environmental Services<br>Audrey Uyema Pak, (808) 768-8766, <a href="mailto:audrey.uyemapak@honolulu.gov">audrey.uyemapak@honolulu.gov</a><br>1000 Uluohia Street, Suite 308, Kapolei, HI 96707                     |
| <b>Consultant</b>                            | Townscape, Inc.; 900 Fort Street Mall, Suite 1160, Honolulu, HI 96813<br>Gabrielle Sham, (808) 536-6999, <a href="mailto:gabrielle@townscapeinc.com">gabrielle@townscapeinc.com</a>  |
| <b>Status</b>                                | Statutory 30-day public review and comment period starts. <b>Comments are due by November 7, 2025.</b> Please click on title link above to read the document, then send comments to <a href="mailto:comments@townscapeinc.com">comments@townscapeinc.com</a> . |

The Kahalu'u Wastewater Pump Station contains an underground storage tank (UST) that stores diesel fuel for a standby generator. To comply with current fuel storage regulations and to strengthen environmental protection efforts, the City Department of Environmental Services Division of Wastewater Engineering and Construction is proposing to replace the existing 1,000 gallon UST system and piping with a new 1,000-gallon aboveground storage tank. Additionally, the project includes replacing the underground fuel piping, fuel monitoring panel, and all associated sensors, as well as connecting the new fuel monitoring panel to the supervisory control and data acquisition (SCADA) system.

**Fuel Storage Tank Improvements Kāne'ōhe Bay No.3 Wastewater Pump Station – Draft EA (AFNSI)**

|  |  |
|--|--|
| <b>HRS §343-5(a) Trigger</b>                 | (1) Propose the use of state or county lands or the use of state or county funds   |
| <b>District(s)</b>                           | Ko'olaupoko  |
| <b>TMK(s)</b>                                | (1)4-4-037:014   |
| <b>Permit(s)</b>                             | SMA  |
| <b>Proposing/<br/>Determining<br/>Agency</b> | City and County of Honolulu, Department of Environmental Services<br>Audrey Uyema Pak, (808) 768-8766, <a href="mailto:audrey.uyemapak@honolulu.gov">audrey.uyemapak@honolulu.gov</a><br>1000 Uluohia Street, Suite 308, Kapolei, HI 96707                     |
| <b>Consultant</b>                            | Townscape, Inc.; 900 Fort Street Mall, Suite 1160, Honolulu, HI 96813<br>Gabrielle Sham, (808) 536-6999, <a href="mailto:gabrielle@townscapeinc.com">gabrielle@townscapeinc.com</a>  |
| <b>Status</b>                                | Statutory 30-day public review and comment period starts. <b>Comments are due by November 7, 2025.</b> Please click on title link above to read the document, then send comments to <a href="mailto:comments@townscapeinc.com">comments@townscapeinc.com</a> . |

The Kāne'ōhe Bay No.3 Wastewater Pump Station has an underground storage tank that supplies fuel to a standby generator. The generator automatically activates during a power outage and provides electricity for the entire pump station, including the sewage pump, support equipment, and lighting. To comply with current fuel storage regulations and strengthen environmental protection, the City Department of Environmental Services, Division of Wastewater Engineering and Construction, is proposing to replace the existing 1,000-gallon underground fuel storage tank with a new 1,000-gallon aboveground tank. The project also includes replacing the underground fuel piping, fuel monitoring panel, associated sensors, and connecting the new fuel monitoring panel to the supervisory control and data acquisition (SCADA) system.

## O'AHU EAs/EISS CONTINUED

**Fuel Storage Tank Improvements Lualualei Wastewater Pump Station – Draft EA (AFNSI)**

|  |  |
|--|--|
| <b>HRS §343-5(a) Trigger</b>                 | (1) Propose the use of state or county lands or the use of state or county funds<br>(3) Propose any use within a shoreline area  |
| <b>District(s)</b>                           | Wai'anae   |
| <b>TMK(s)</b>                                | (1)8-7-007:067   |
| <b>Permit(s)</b>                             | SMA, SSV   |
| <b>Proposing/<br/>Determining<br/>Agency</b> | City and County of Honolulu, Department of Environmental Services<br>Audrey Uyema Pak, (808) 768-8766, <a href="mailto:audrey.uyemapak@honolulu.gov">audrey.uyemapak@honolulu.gov</a><br>1000 Uluohia Street, Suite 308, Kapolei, HI 96707                     |
| <b>Consultant</b>                            | Townscape, Inc.; 900 Fort Street Mall, Suite 1160, Honolulu, HI 96813<br>Gabrielle Sham, (808) 536-6999, <a href="mailto:gabrielle@townscapeinc.com">gabrielle@townscapeinc.com</a>  |
| <b>Status</b>                                | Statutory 30-day public review and comment period starts. <b>Comments are due by November 7, 2025.</b> Please click on title link above to read the document, then send comments to <a href="mailto:comments@townscapeinc.com">comments@townscapeinc.com</a> . |

The Lualualei Wastewater Pump Station has an underground storage tank that supplies fuel to a standby generator. The generator automatically activates during a power outage and provides electricity for the entire pump station, including the sewage pump, support equipment, and lighting. To comply with current fuel storage regulations and strengthen environmental protection, the City Department of Environmental Services, Division of Wastewater Engineering and Construction, is proposing to replace the existing 2,000-gallon underground fuel storage tank with a new 2,000-gallon aboveground tank. The project also includes replacing the underground fuel piping, fuel monitoring panel, associated sensors, and connecting the new fuel monitoring panel to the supervisory control and data acquisition (SCADA) system.

**O'ahu Subsea Cable Telecommunications Project – Final EA (FONSI)**

|                              |   |
|------------------------------|---|
| <b>HRS §343-5(a) Trigger</b> | (1) Propose the use of state or county lands or the use of state or county funds<br>(2) Propose any use within any land classified as a conservation district<br>(3) Propose any use within a shoreline area  |
| <b>District(s)</b>           | 'Ewa  |
| <b>TMK(s)</b>                | TMKs (1) 9-1-016:179 (por.); (1) 9-1-016:220 (por.); (1) 9-1-026:027 (por.); 'Ōla'i St ROW; Kalaeloa Blvd ROW; Kapolei Parkway ROW, Kamōkila Blvd ROW; Farrington Hwy ROW; and submerged lands seaward of TMK (1) 9-1-026:027   |
| <b>Permit(s)</b>             | USACE Nationwide Permit 57; Conservation District Use Permit; Submerged Land Easement; Shoreline Certification; Hawai'i DOT Use and Occupancy Agreements; Special Management Area Major Permit; Shoreline Setback Variance; Easements with CCH; Building, Right-of-Entry, and Construction Permits; Conservation district use permit; submerged land easement; special management area major permit |
| <b>Approving<br/>Agency</b>  | State of Hawai'i, Department of Land and Natural Resources<br>K. Tiger Mills, (808) 587-0377, <a href="mailto:kimberly.mills@hawaii.gov">kimberly.mills@hawaii.gov</a><br>Kalanimoku Building, 1151 Punchbowl Street, Room 131, Honolulu, HI 96813  |
| <b>Applicant</b>             | Humuhumu Services, LLC and Starfish Infrastructure, Inc.; 1001 E. McComas Street, Baltimore, MD 21230<br>Lauren Minford, (804) 887-0193, <a href="mailto:lminford@subcom.com">lminford@subcom.com</a>   |
| <b>Consultant</b>            | ICF; 980 9th Street, Suite 1200, Sacramento, CA 95814<br>Tanya Copeland, (970) 691-4724, <a href="mailto:tanya.copeland@icf.com">tanya.copeland@icf.com</a>   |
| <b>Status</b>                | Finding of No Significant Impact (FONSI) determination  |

Humuhumu Services, LLC and Starfish Infrastructure, Inc. propose to construct the O'ahu Subsea Cable Telecommunications Project (Project). The onshore portion of the Project includes a cable landing site at Barbers Point Beach Park (Tax Map Key [1] 9-1-026:027) and installation of an underground conduit system in public road rights-of-way to a new telecommunication facility that would be located at University of Hawai'i – West O'ahu. The offshore portion of the Project includes six landing pipes that would be installed with directional drilling and three subsea fiber optic cables that would be surface laid in State of Hawai'i marine waters. The overall purpose of the project is to provide affordable, reliable, and diverse internet connectivity between Hawai'i, the continental United States, other Pacific Islands, Australia, and Japan.

If you are experiencing any ADA compliance issues with the above project, please contact the State of Hawai'i, Department of Land and Natural Resources consultant, Tanya Copeland, at [tanya.copeland@icf.com](mailto:tanya.copeland@icf.com).

## PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

**Status:** The comment period for these projects began in a previous issue. 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 22, 2025

## KAUA'I

[Kaua'i Island Utility Cooperative Habitat Conservation Plan \(2nd Draft HCP\) Vol I](#) and [Appendices Vol II](#)

## COMMENTS DUE OCTOBER 23, 2025

## MAUI

[Adaptation Pathway: Coastal Stabilization at 4855, 4869 & 4871 Lower Honoapi'ilani Rd. – Draft EA \(AFNSI\)](#)

[Kamehamehame Forest Reserve Management Plan – Draft EA \(AFNSI\)](#)

[Waiko Road Sewer System/Waterline Improvements – Draft EA \(AFNSI\)](#)

## O'AHU

[Waipilopilo Stream Bridge Replacement – Draft EA \(AFNSI\)](#)

## 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. The following are Lists of Exemption Notices submitted by various agencies for **September 2025, unless noted otherwise**. Contact the identified agency contact on each list for additional information about any specific exemption or any ADA compliance issues:

## State of Hawai'i

[Department of Accounting and General Services](#)

[Department of Land and Natural Resources](#)

[Department of Transportation](#)

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

## County of Hawai'i

[Department of Parks and Recreation](#)

[Department of Public Works](#)

## County of Maui

[Department of Public Works](#)

## City and County of Honolulu

[Department of Design and Construction](#)

[Department of Housing and Land Management](#)

[Department of Planning and Permitting](#)

## SHORELINE NOTICES

## 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-2138  | Proposed | 2335 Kalakaua Avenue   | 96801    | (1) 2-6-002:017 | Walter P. Thompson | Outrigger Waikiki LLC |
| KA-499   | Proposed | 4331 Kauai Beach Drive | 96766    | (4) 3-7-003:015 | Walter P. Thompson | KB Resort, LLC        |

## EXEMPTION NOTICES

The following agency has declared a certain action exempt from the requirement to prepare an EA pursuant to [HAR § 11-200.1-16](#), and has voluntarily submitted this Exemption Notice for publication:

***State of Hawai'i, Hawai'i Housing Finance and Development Corporation***

**Kuhio Park Terrace Low-Rises and Kuhio Homes Redevelopment**

In partnership with KPLR Phase 1 LP (the Applicant and an entity of Highridge Costa Development Company), the Hawaii Public Housing Authority plans to demolish Kuhio Park Terrace Low-Rises and Kuhio Homes, totaling 174 units, and replace them with up to 650 new affordable rental units. Situated on a 22-acre public housing site, the redevelopment will include eight buildings of various heights: four-, six-, and eight-story mid-rise structures, along with a 16-story tower. Unit layouts will range from one-to five-bedroom apartments to serve different household sizes.

After careful analysis outlined in the attachment, HHFDC has evaluated the Project's primary, secondary, and cumulative impacts, and concluded that it is not anticipated to have significant environmental effects.

## PRIOR DETERMINATIONS

**The City and County of Honolulu, Department of Design and Construction** is proposing a project to construct a new comfort station with outdoor shower at Oneula Beach Park located in Ewa, Oahu. The purpose of this new comfort station is to provide support to park users.

The new comfort station would be located towards the center of the beach park parcel, south of Papipi Road and east of the existing paved parking lot. The potential environmental impacts of this new comfort station were assessed in the Oneula Beach Park Master Plan; a [FEA-FONSI](#) was published in [The Environmental Notice on May 8, 2001](#). Additionally, this project proposes to construct the comfort station in a location similar to that which was assessed in the aforementioned 2001 FEA Master Plan and outside of the certified shoreline setback area. Therefore, the DDC [has determined](#) that no additional environmental review is required.

If you are experiencing any ADA compliance issues with the above project, please contact the City and County of Honolulu, Department of Design and Construction project manager, Christine Choy, at [DDCFD@honolulu.gov](mailto:DDCFD@honolulu.gov).

**The State of Hawai'i, Department of Hawaiian Home Lands (DHHL)**, [has determined](#) that additional environmental review pursuant to Chapter 343, Hawai'i Revised Statutes (HRS) is not required for the proposed Villages of Leiali'i, Village 1-B in Lahaina, Maui.

A [Final EA and Finding of No Significant Impact \(FONSI\) Volume I](#) and [Volume II](#) was published on [November 8, 2023](#) for the Villages of Leiali'i, Village 1-B residential subdivision, which will consist of up to 181 single-family homes for native Hawaiian beneficiaries and related offsite infrastructure improvements. Since receiving the FONSI determination, the Ka La'i Ola temporary housing development, consisting of 450 modular homes for Lahaina wildfire survivors, was constructed in the vicinity of the Village 1-B. Due to the construction of the Ka La'i Ola temporary housing, an existing retention basin proposed for expansion can no longer be expanded. As such, additional offsite retention basins will be needed to accommodate drainage for a 100-year storm event. Two (2) new drainage retention basins and construction stockpiles are required further mauka on TMK (2)4-5-021:021. This parcel was previously assessed in the 2023 Final EA for DHHL's Villages of Leali'i 1-B Subdivision and related improvements.

If you are experiencing any ADA compliance issues with the above project, please contact the State of Hawai'i, DHHL consultant, Tessa Munekiyo Ng, at [planning@munekiyohiraga.com](mailto:planning@munekiyohiraga.com).

## STATE NOTICE

**STATE OF HAWAII, HAZARD EVALUATION & EMERGENCY RESPONSE  
HAWAII EMERGENCY PLANNING & COMMUNITY RIGHT-TO-KNOW ACT**

Pursuant to applicability provisions of section 11-453-16, Hawaii Administrative Rules (HAR), the Hawaii State Emergency Response Commission (HSERC) proposes to designate each owner or operator of a facility that stores, uses or manufactures Lithium-ion batteries with a threshold quantity of 10,000 pounds or more, be subject to the emergency planning requirements of section 11-453-17, HAR.

**The opportunity for public comment on the proposal to designate facilities in accordance with this notice shall be held open for 30 days from October 1, 2025, to October 31, 2025. All comments must be postmarked or received by October 31, 2025.**

For more information, please visit:

<https://health.hawaii.gov/heer/files/2025/09/Public-Notice-On-Lithium-ion-Batteries-revised-Copy.pdf>

## 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                                      |
|---|---|--|
| Hawai'i: South Hilo (2-1-017: 018 and 019 por.) | Clearing vegetation and tree maintenance (PL-SMM-2025-000075)   | County of Hawai'i Department of Parks and Recreation |
| Hawai'i: North Kona (7-7-004: 033)              | Convert single-family residence into duplex for short-term vacation rental (PL-SMM-2025-000076)   | Anne S. Harriman Family Trust                        |
| Kaua'i: Kōloa (2-6-011: 006)                    | Construction and installation of a new Individual Wastewater System and new concrete driveway (SMA(M)-2026-6)   | Andrew K. Evans/ c/o Belles Graham LLP               |
| Maui: Lāhainā (4-3-010: 004)                    | Valley Isle Resort, Kāhana - Installation of two vehicle charging stands including conduit, an electric meter, and parking signs (SM2 2025-00041)               | Sean Ogata   |
| Maui: Lāhainā (4-4-001: 097)                    | Kā'anapali Shores Resort, Beach Club Restaurant - interior renovations and expansion of the existing Beach Club restaurant (SM2 2025-00042)                     | Lance Towers   |
| Maui: Wailuku (3-8-014: 016)                    | Lauloa Condominium Mā'alaea - remove and replace existing pool fence, expansion of fending and the replacement of existing pool equipment shed (SM2 2025-00043) | Colleen Wienhoff                                     |
| Maui: Lāna'i (4-9-007: 002)                     | Pacific Cancer Foundation 16th Annual Paddle for Life from Maui to Hulopo'e Beach (SM2 2025-00044)  | Jenny Worth  |

## FEDERAL NOTICES

As a courtesy, listed below are some relevant entries from the Federal Register published since the last issue of *The Environmental Notice*. For more information, click on the title link, also available at [www.federalregister.gov](http://www.federalregister.gov).

**Notice: [Endangered Species; Receipt of Recovery Permit Applications](#) (published by the Fish and Wildlife Service on 09/29/2025)**

The U.S. Fish and Wildlife Service has received applications for permits to conduct activities intended to enhance the propagation and survival of endangered species under the Endangered Species Act (ESA). They invite the public and local, State, Tribal, and Federal agencies to comment on these applications. Before issuing the requested permits, they will take into consideration any information received during the public comment period. **Written comments must be received on or before October 29, 2025.** For more information, please click on the title link above.

**Notice: [Marine Mammals; File No. 29134](#) (published by the National Oceanic and Atmospheric Administration on 09/26/2025)**

Notice is hereby given that Emily McCulliss, of Emily McCulliss Photography, LLC, P.O. Box 3668, Littleton, CO 80161, has applied in due form for a permit to conduct commercial and educational photography on marine mammals. Written comments must be received on or before October 27, 2025. For more information, please click on the title link above.

**Proposed Rule: [Procedures for Chemical Risk Evaluation Under the Toxic Substances Control Act](#) (published by the Environmental Protection Agency on 09/23/2025)**

The U.S. Environmental Protection Agency (EPA, "the Agency") is proposing to amend the procedural framework rule for conducting existing chemical risk evaluations under the Toxic Substances Control Act (TSCA). When conducting an existing chemical risk evaluation under TSCA, EPA must determine whether a chemical substance presents an unreasonable risk of injury to health or the environment, without consideration of costs or non-risk factors, including unreasonable risk to a potentially exposed or susceptible subpopulation identified as relevant to the risk evaluation, under the conditions of use. In this action, EPA proposes to rescind or revise certain 2024 amendments to the procedural framework rule to effectuate the best reading of the statute and ensure that the procedural framework rule does not impede the timely completion of risk evaluations or impair the effective and efficient protection of health and the environment. **Comments must be received on or before November 7, 2025.** 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 OPSP called an EIS Preparation Notice (EISP) along with the supporting Final EA. After the notice of the FEA-EISP 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 EISP 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, EISP) 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 EISP must be incorporated into the subsequent Draft EIS and oral comments from the public scoping meeting must be recorded and submitted to OPSP 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 EISP, 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, OPSP 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 OPSP 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).