



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

The Environmental Notice

November 23, 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.



The DOE is proposing to relocate the existing Shafter Elementary School to a new site within Fort Shafter.

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

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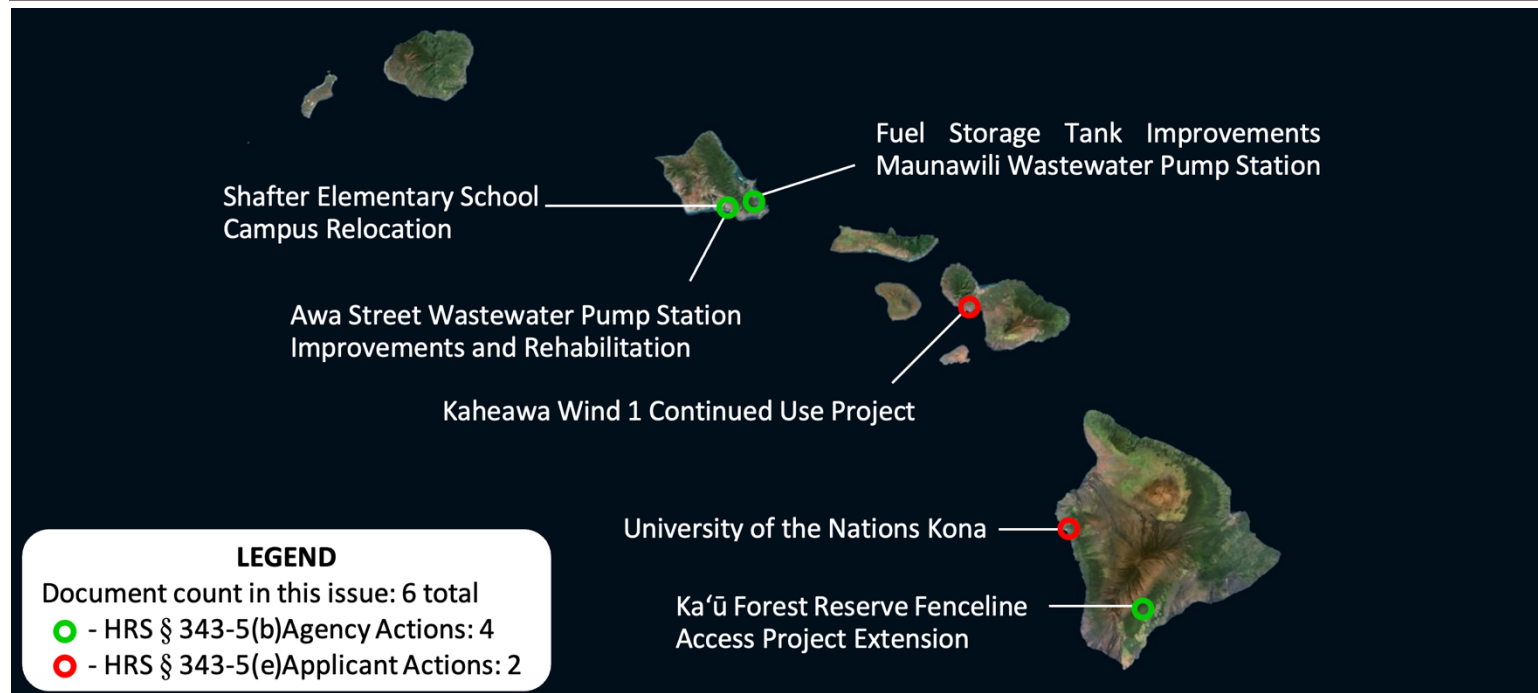
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ANNOUNCEMENTS

- The Environmental Advisory Council (EAC) is still seeking new members. To learn more about the work of the EAC, visit their [webpage](#). To apply to be on the EAC, submit this [online application](#) under Department of Business, Economic Development & Tourism - Environmental Advisory Council.
- Please work toward ensuring that all submittals are Americans with Disabilities Act (ADA) compliant. Our website has an [ADA accessibility page](#) with further information.
- Please find the 2026 ERP Publication Calendar attached to the end of this issue and online [here](#).

STATEWIDE MAP OF EA/EIS DOCUMENTS AND DETERMINATIONS



HAWAII EAS/EISS

Ka'ū Forest Reserve Fenceline Access Project Extension – Draft EA (AFNSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds (2) Propose any use within any land classified as a conservation district
District(s)	Ka'ū
TMK(s)	(3) 9-7-001:001
Permit(s)	Various
Proposing/ Determining Agency	State of Hawai'i, Department of Land and Natural Resources Emma Yuen, (808) 587-4170, emma.yuen@hawaii.gov 1151 Punchbowl Street, Rm 325, Honolulu, HI 96813
Consultant	None
Status	Statutory 30-day public review and comment period starts. Comments are due by December 23, 2025. Please click on title link above to read the document, then send comments to emma.yuen@hawaii.gov .

The overall purpose of the road and grubbing project is to facilitate native ecosystem preservation of the Ka'ū Forest Reserve on Hawai'i Island. To gain access for the maintenance of a hooved-animal-proof fence, the Division of Forestry and Wildlife proposes creating a road with a bulldozer. The Division is avoiding impact to sensitive ecosystems by locating the proposed activities on an area primarily composed of lava from the 1950 flow. The proposed road corridor is approximately 0.78 miles (1258.77 meters) long. The road will be installed in a remote area of the Ka'ū Forest Reserve that borders Hawai'i Volcanoes National Park. This project is an extension of the Ka'ū Forest Reserve Fenceline Access Project, which creates a road corridor approximately 1.3 miles long in the adjacent finger of the 1950 lava flow. Lengths are approximate and subject to change.

If you are experiencing any ADA compliance issues with the above project, please contact the Department of Land and Natural Resources specialist, Emma Yuen, at emma.yuen@hawaii.gov.

University of the Nations Kona – 2nd Final EIS Vol 1 and Vol 2

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	South Kona
TMK(s)	(3) 7-5-010:085 and (3) 7-5-017:006
Permit(s)	Various - See Section 1.6
Approving Agency	State of Hawai'i, State Land Use Commission Martina Segura, (808) 587-3825, martina.t.segura@hawaii.gov P.O. Box 2359, Honolulu, HI 96804
Applicant	University of the Nations, Kona, Inc.; 75-5851 Kuakini Highway, Kailua-Kona, HI 96740 David Hamilton, (808) 326-7228, studentservices@uofnkona.edu
Consultant	G70; 111 S. King Street, Suite 170, Honolulu, HI 96813 Jeffrey Overton, (808) 523-5866, uofnkona@g70.design
Status	Final EIS has been submitted and is pending acceptance by the accepting authority

The University of the Nations, Kona is proposing to expand the existing campus located in Kailua-Kona on the Island of Hawai'i. The Master Plan Update has been prepared to expand the existing campus on two adjacent parcels identified by Tax Map Keys: (3) 7-5-010:085 and (3) 7-5-017:006. The subject parcels were reclassified to the State Land Use Urban District by the State of Hawai'i, Land Use Commission in Docket No. A02-737. The Master Plan Update includes student housing, academic instruction buildings, a student center, a lower school, athletic facilities, a chapel, maintenance and storage facilities, and supporting infrastructure and roadway improvements. The Master Plan Update will require the Applicant to file a motion with the Land Use Commission to amend its Findings of Fact, Conclusions of Law, and Decision and Order for a Land Use District Boundary Amendment, dated August 8, 2003 and a Change of Zone.

The Final EIS was published in the [June 23, 2025, edition of The Environmental Notice](#). However, was [withdrawn](#) due to a production error (the National Parks Service EISP comment letter was erroneously omitted), the Applicant has transmitted this Second Final EIS document.

If you are experiencing any ADA compliance issues with the above project, please contact the University of the Nations, Kona, Inc. consultant, Kiralee Ramos, at kirar@g70.design.

MAUI EAs/EISS

Kaheawa Wind 1 Continued Use Project – 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
District(s)	Maui - multiple districts
TMK(s)	(2) 4-8-001:001 (portion) and (2) 3-6-001:014 (portion) and multiple TMKs associated with Habitat Conservation Plan mitigation sites
Permit(s)	Public Utility Commission approval of Power Purchase Agreement; Habitat Conservation Plan; State Incidental Take License from Department of Land and Natural Resources (DLNR) Division of Forestry and Wildlife (DOFAW) as approved and issued by the BLNR and Federal Incidental Take Permit (ITP) from U.S. Fish and Wildlife Service (USFWS); National Environmental Policy Act Compliance by USFWS for Federal Action of Issuance of an ITP; National Historic Preservation Act Section 106 Compliance by USFWS for the Federal Action of Issuance of an ITP; Hawai'i Revised Statutes (HRS) Chapter 6E Compliance (Historic Preservation Review); Protected Wildlife Permit from DOFAW and Special Use Permit (SPUT) from USFWS; Hawai'i Department of Health Community Noise Permit (TBD); Hawai'i Department of Transportation Permit to Operate or Transport Oversize and/or Overweight Vehicle and Loads (TBD); National Pollutant Discharge Elimination System Permit (TBD)
Approving Agency	State of Hawai'i, Board of Land and Natural Resources Lauren Yasaka, (808) 587-0431, lauren.e.yasaka@hawaii.gov 1151 Punchbowl Street, Room 325, Honolulu, HI 96813
Applicant	Kaheawa Wind Power, LLC; 200 Liberty Street, 14th Fl, New York, NY 10281 Molly Stephenson, (612) 451-4175, Molly.stephenson@terraformpower.com
Consultant	Tetra Tech, 737 Bishop Street, Suite 2000, Honolulu, HI 96813 Leslie McClain, (503) 222-4536, leslie.mcclain@tetrattech.com
Status	Final EIS has been submitted and is pending acceptance by the accepting authority

Continue operation of the existing KWP 1 wind generation facility for an additional 20.5-year period to provide 30 MW of clean, renewable energy to the island of Maui. The Proposed Action includes a request for a long-term land lease from the State of Hawai'i for an anticipated 25-year lease term to cover the continued operational period, decommissioning and restoration, and contingency. No new construction or physical modifications beyond the proposed maintenance activities are required as part of the Proposed Action.

If you are experiencing any ADA compliance issues with the above project, please contact the Kaheawa Wind Power, LLC consultant, Leslie McClain, at leslie.mcclain@tetrattech.com.

O'AHU EAs/EISs

Awa Street Wastewater Pump Station Improvements and Rehabilitation – Draft EA (AFNSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	Honolulu
TMK(s)	(1) 1-5-040:003
Permit(s)	none
Proposing/ Determining Agency	City and County of Honolulu, Department of Environmental Services Audrey Uyema Pak, (808) 768-8766, audrey.uyemapak@honolulu.gov 1000 Uluohia Street, Suite 308, Kapolei, Hawaii 96707
Consultant	Townscape, Inc.; 900 Fort Street Mall, Suite 1160, Honolulu, Hawaii 96813 Aaron Teper, (808) 550-3893, aaron@townscapeinc.com
Status	Statutory 30-day public review and comment period starts. Comments are due by December 23, 2025. Please click on title link above to read the document, then send comments to comments@townscapeinc.com .

The Awa Street Wastewater Pump Station Improvements and Rehabilitation is a proposed project led by the City and County of Honolulu's Department of Environmental Services Division of Wastewater Engineering and Construction. The project aims to address aging infrastructure, environmental vulnerabilities, and regulatory compliance for the WWPS facility. The primary goals of the project are to: improve capacity and functionality to meet current and projected sewer flow demands; address structural degradation caused by aging infrastructure; and enhance resilience to threats from sea level rise, tsunamis, and hurricanes.

External site improvements include repaving driveways, replacing fences and lighting, hardening entryways to mitigate water intrusion, and reinforcing the concrete foundation. Internal improvements consist of replacing four sewage pumps, relocating essential infrastructure above projected inundation levels, and rehabilitating aging infrastructure. Additionally, the project plans to enhance emergency generator operations by demolishing and rebuilding the existing facility and replacing the underground fuel storage tank with an aboveground tank.

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

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	Ko'olaupoko
TMK(s)	(1) 4-2-007:031
Permit(s)	SMA
Proposing/ Determining Agency	City and County of Honolulu, Department of Environmental Services Audrey Uyema Pak, (808) 768-8766, audrey.uyemapak@honolulu.gov 1000 Uluohia Street, Suite 308, Kapolei, HI 96707
Consultant	Townscape, Inc.; 900 Fort Street Mall, Suite 1160, Honolulu, HI 96813 Gabrielle Sham, (808) 536-6999, gabrielle@townscapeinc.com
Status	Statutory 30-day public review and comment period starts. Comments are due by December 23, 2025. Please click on title link above to read the document, then send comments to comments@townscapeinc.com .

The Maunawili 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)

Shafter Elementary School Campus Relocation – Draft EA (AFNSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	Honolulu
TMK(s)	(1) 1-1-008:005 (por.)
Permit(s)	Various; see DEA-AFONSI Project Summary
Proposing/ Determining Agency	State of Hawai'i, Department of Education Jonathan Weintraub, (808) 784-5050, Jonathan.Weintraub@k12.hi.us 3633 Waialae Avenue, Bldg. E, 2nd Floor, Honolulu, Hawaii 96816
Consultant	HHF Planners; 733 Bishop Street, Suite 2590, Honolulu, Hawaii 96813 Gail Renard, (808) 457-3167, shafter.elem.ea@hhf.com
Status	Statutory 30-day public review and comment period starts. Comments are due by December 23, 2025. Please click on title link above to read the document, then send comments to shafter.elem.ea@hhf.com .

The proposed action will relocate the existing Shafter Elementary School to a new site also within Fort Shafter Military Reservation. The project will construct approximately 80,000 gross square feet of new facilities, including classroom, cafeteria, administrative/library buildings, and a covered playcourt. The project also includes a play field, surface parking, a service/fire lane, and associated utility infrastructure.

If you are experiencing any ADA compliance issues with the above project, please contact the State of Hawai'i, Department of Education consultant, Gail Renard, at grenard@hhf.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 NOVEMBER 24, 2025

O'AHU

Cultural Learning Center and Community Farm at Ka'ala – Draft EA (AFNSI)

Potable Water Source Well for Kunia Village and Agribusiness Complex – Draft EA (AFNSI)

KAUA'I

Hanamā'ulu Village – (EIS Preparation Notice)

COMMENTS DUE DECEMBER 8, 2025

HAWAII

Development of the Ka'ū Cultural Center – Draft EA (AFNSI)

COMMENTS DUE DECEMBER 23, 2025

MAUI

Central Maui Wastewater Reclamation Facility – Draft EIS Volume I, Volume II, and Public Scoping Audio

Ho'āla Honokōwai – Draft EIS Volume I, Volume II, and Public Scoping Audio

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 website](#), 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

Hāna Highway Bridge Improvements Project

The Federal Highway Administration (FHWA) and Hawai'i Department of Transportation (HDOT) propose improvements to six of the historic bridges along the Hāna Highway (Route 360) on the island of Maui. HDOT has identified these bridges as a high priority for improvement. The project proposes improvements to the following bridges:

- Bridge #2 – Kailua Stream Bridge (mile post (MP) 5.9)
- Bridge #5 – Makanali Stream Bridge (MP 8.2)
- Bridge #8 – Puohokamoa Stream Bridge (MP 11.0)
- Bridge #19 – Kopili'ula Stream Bridge (MP 21.7)
- Bridge #39 – 'Ulaino Stream Bridge (MP 27.9)
- Bridge #40 – Mokulehua Stream Bridge (MP 28.3)

The project involves state funding from HDOT and federal funding from FHWA. At five of the six bridge locations—Kailua Stream Bridge, Makanali Stream Bridge, Puohokamoa Stream Bridge, 'Ulaino Stream Bridge, and Mokulehua Stream Bridge—the proposed solution is to retain the existing substructure, including the character-defining abutments and piers, and to construct a new single-span structure that spans over the existing supports. The concrete superstructures would be designed to best match the existing historic features while meeting project design criteria.

For the Kopili'ula Stream Bridge, the proposed solution is to fully retain the existing bridge and construct a new, off-alignment bridge makai (oceanward) of the existing structure.

Depending on the need and extent for in-water construction activities, a permit from the U.S. Army Corps of Engineers (USACE) may be required. Additional information on the project is available in the [September 23, 2024 The Environmental Notice \(Hāna Highway Bridge Improvements Project, Route 360 – Final EA \(FONSI\)\)](#).

TMKs:

- | | | |
|--------------------|--------------------|--------------------|
| • (2) 1-1-001: 022 | • (2) 1-2-001: 003 | • (2) 2-9-010: 001 |
| • (2) 1-1-001: 036 | • (2) 1-2-003: 001 | • (2) 2-9-012: 041 |
| • (2) 1-1-001: 042 | • (2) 1-2-003: 005 | • (2) 2-9-013: 015 |
| • (2) 1-1-001: 052 | • (2) 1-3-002: 020 | • (2) 2-9-014: 001 |
| • (2) 1-1-001: 054 | • (2) 1-3-002: 023 | |

Location: Hāna Highway (Route 360), Island of Maui

Federal Action: Federal Agency Activity and Federal Permit

Federal Applicant: Federal Highway Administration

Federal Permitting Agency: U.S. Army Corps of Engineers

CZM Contact: Debra Mendes, Debra.L.Mendes@hawaii.gov

Comments Due: December 8, 2025

COASTAL ZONE MANAGEMENT NOTICES (CONTINUED)

SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS

The SMA Minor permit below has 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: Wailuku (3-3-001: 059)	After-the-Fact conversion of an existing garage into a second Accessory Dwelling Unit. (SM22025-00052)	Kendra Dahl

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-2165	57-329 Pahipahialua Street	96731	(1) 5-7-003:057	Alvin Alimboyoguen	Barbara Paullin
OA-2166	84-909 Moua Street	96792	(1) 8-4-005:008	Lin Sun	Reid R. Shigemasa, Stephanie S. Shigemasa, James D. Change, Stacey N. Chang, Allison K. Shinn-Yuen, Randall Yuen

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-2137	Rejected	44-226 Malae Place	96744	(1) 4-4-021:010	Ailana Surveying & Geomatics	Christina Werjefelt
OA-2161	Proposed	1330 Mokulua Drive	96734	(1) 4-3-004:096	City & County of Honolulu	Lanikai Association
KA-501	Proposed	Waialua River State Park	96746	(4) 4-1-004:001 & (4) 4-1-005:004 (portion)	ControlPoint Surveying, Inc.	County of Kauai

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: [Western Pacific Fishery Management Council; Public Meetings](#) (published by the National Oceanic and Atmospheric Administration on 11/20/2025)

The Western Pacific Fishery Management Council (Council) will hold its 158th Scientific and Statistical Committee (SSC), Executive and Budget Standing Committee (SC), Program Planning SC, and its 205th Council meetings to take actions on fishery management issues in the Western Pacific Region. **The meetings will be held between December 9 and December 17, 2025. Written public comments on final action items at the 205th Council meeting should be received at the Council office by 5 p.m. HST, Thursday, December 11, 2025.** For more information, please click on the title link above.

Proposed Rule: [Updated Definition of “Waters of the United States”](#) (published by the Engineers Corps and the Environmental Protection Agency on 11/20/2025)

The U.S. Environmental Protection Agency (EPA) and the U.S. Department of the Army (“the agencies”) are publishing for public comment a proposed rule revising the regulations defining the scope of waters federally covered under the Federal Water Pollution Control Act, as amended, also known as the Clean Water Act, in light of the U.S. Supreme Court's 2023 decision in *Sackett v. Environmental Protection Agency*. With this proposed rule, the agencies intend to provide greater regulatory certainty and increase Clean Water Act program predictability and consistency by clarifying the definition of “waters of the United States.” This proposed rule is also intended to implement the overall objective of the Clean Water Act to restore and maintain the quality of the Nation's waters while respecting State and Tribal authority over their own land and water resources. **Comments must be received on or before January 5, 2026.** To submit comments and to view more information, please click on the title link above.

Notice: [Western Pacific Fishery Management Council; Public Meetings](#) (published by the National Oceanic and Atmospheric Administration on 11/18/2025)

The Western Pacific Fishery Management Council (Council) will hold its Fishing Industry Advisory Committee (FIAC), American Samoa Archipelago Fishery Ecosystem Plan (FEP) Advisory Panel (AP), Mariana Archipelago FEP Commonwealth of the Northern Mariana Islands (CNMI) AP, Hawaii Archipelago and Pacific Remote Island Areas (PRIA) FEP AP, and Mariana Archipelago FEP Guam AP to discuss and make recommendations on fishery management issues in the Western Pacific Region. **The meetings will be held between November 24, 2025, and December 6, 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).



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

2026

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 EISP Comment 30-Day Deadline	EIS Comment 45-Day Deadline
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
Jan 15 Thu	Jan 23 Fri	Feb 23 Mon	Mar 09 Mon
Feb 02 Mon	Feb 08 Sun	Mar 10 Tue	Mar 25 Wed
Feb 13 Fri	Feb 23 Mon	Mar 25 Wed	Apr 09 Thu
Mar 02 Mon	Mar 08 Sun	Apr 07 Tue	Apr 22 Wed
Mar 16 Mon	Mar 23 Mon	Apr 22 Wed	May 07 Thu
Mar 31 Tue	Apr 08 Wed	May 08 Fri	May 26 Tue
Apr 16 Thu	Apr 23 Thu	May 26 Tue	Jun 08 Mon
May 01 Fri	May 08 Fri	Jun 08 Mon	Jun 22 Mon
May 18 Mon	May 23 Sat	Jun 22 Mon	Jul 07 Tue
Jun 01 Mon	Jun 08 Mon	Jul 08 Wed	Jul 23 Thu
Jun 16 Tue	Jun 23 Tue	Jul 23 Thu	Aug 07 Fri
Jun 30 Tue	Jul 08 Wed	Aug 07 Fri	Aug 24 Mon
Jul 16 Thu	Jul 23 Thu	Aug 24 Mon	Sep 08 Tue
Aug 03 Mon	Aug 08 Sat	Sep 08 Tue	Sep 22 Tue
Aug 14 Fri	Aug 23 Sun	Sep 22 Tue	Oct 07 Wed
Aug 31 Mon	Sep 08 Tue	Oct 08 Thu	Oct 23 Fri
Sep 16 Wed	Sep 23 Wed	Oct 23 Fri	Nov 09 Mon
Oct 01 Thu	Oct 08 Thu	Nov 09 Mon	Nov 23 Mon
Oct 16 Fri	Oct 23 Fri	Nov 23 Mon	Dec 07 Mon
Oct 30 Fri	Nov 08 Sun	Dec 08 Tue	Dec 23 Wed
Nov 16 Mon	Nov 23 Mon	Dec 23 Wed	Jan 07 Thu
Dec 01 Tue	Dec 08 Tue	Jan 07 Thu	Jan 22 Fri
Dec 16 Wed	Dec 23, 2026 Wed	Jan 22 Fri	Feb 08 Mon
Dec 31 Thu	Jan 08, 2027 Fri	Feb 08 Mon	Feb 22 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.