



The Environmental Notice

May 8, 2024

Josh Green, M.D., Governor
Mary Alice Evans, OPSD 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.



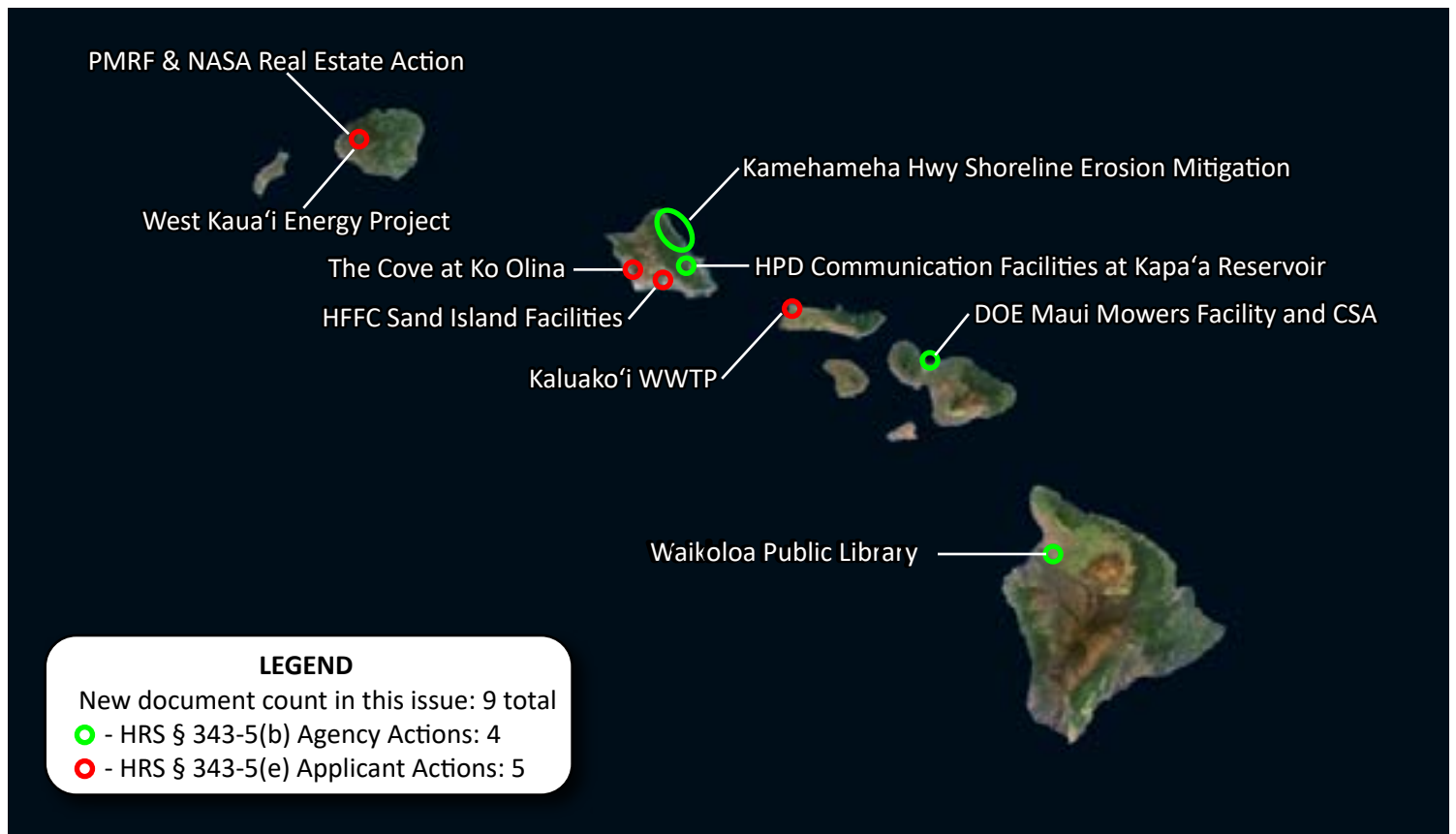
Engineered, uncemented rock revetments such as this may provide temporary protection and stability to sections of Kamehameha Hwy in windawrd O'ahu

Photo from [project's Draft EA](#)

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STATEWIDE MAP OF NEW EA/EIS DOCUMENTS & DETERMINATIONS



LEGEND

New document count in this issue: 9 total

- - HRS § 343-5(b) Agency Actions: 4
- - HRS § 343-5(e) Applicant Actions: 5

KAUA‘I EAS/EISS

Pacific Missile Range Facility and Kōke‘e Park Geophysical Observatory Real Estate Action--(EISPN)

HRS §343-5(a) Triggers	(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)	Waimea
TMK(s)	Numerous (see document)
Permit(s)	Numerous (see document)
Approving Agency / Accepting Authority	State of Hawai'i, Department of Land and Natural Resources Russell Tsuji, (808) 587-0419, dlnr.land@hawaii.gov 1151 Punchbowl Street, Room 220, Honolulu, HI 96813
Applicants	US Department of the Navy; 400 Marshall Road, Building X-11, Pearl Harbor, HI 96860 Kerry Wells, (808) 473-0662, info@PMRF-KPGO-EIS.com US National Aeronautics and Space Administration, Goddard Space Flight Center, 34200 Fulton St., Wallops Island, VA 23337 Shari Miller, (757) 824-2327, Shari.A.Miller@nasa.gov
Consultant	Cardno GS-AECOM Pacific Joint Venture; 737 Bishop Street, Suite 3050, Honolulu, HI 96813 Michele Lefebvre, (808) 791-9872, info@PMRF-KPGO-EIS.com
Status	Administrative public review and comment period starts. Comments are due by June 17, 2024. Please address comments to the approving agency/accepting authority at info@PMRF-KPGO-EIS.com . EIS Public Scoping meetings will be held: June 4, 2024 - 5:00–8:00 p.m. at the Kaua‘i Veterans Center in Līhu‘e (3215 Kaua‘i Veterans Memorial Highway, Līhu‘e) June 5, 2024 - 5:00–8:00 p.m. at the Kekaha Neighborhood Center (8130 Elepaio Road, Kekaha) June 6, 2024 - 5:00–8:00 p.m. at the Sheraton Kaua‘i Coconut Beach Resort (650 Aleka Loop, Kapa‘a)

The Navy proposes to retain the use of 8,348 acres of State lands on Kaua‘i, Hawai‘i, for operational continuity and sustainment (in support of continued military training, testing, and facility operations) at Pacific Missile Range Facility (PMRF). NASA proposes to retain the use of 23 acres of State lands on Kaua‘i, Hawai‘i, in support of continued operations including measurements of the Earth’s rotation and local land motion at Kōke‘e Park Geophysical Observatory (KPGO). A similar entry for a federal Notice of Intent to prepare the joint HEPA/NEPA EIS is expected to be published in the [Federal Register](#) on May 9, 2024. The public scoping processes will run concurrently.

West Kaua‘i Energy Project--Withdrawal of FONSI and Final & Draft EAs

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)	Kaua‘i-multiple
TMK(s)	(4) 1-2-001: 003, 007; 1-2-002: 001, 016, 018, 019, 023; 1-4-001: 002, 003, 013, 014; 1-4-002: 008, 035, 036, 048, 066, 067, 068, 085
Permit(s)	Various (see EA)
Approving Agency	State of Hawai'i, Department of Land and Natural Resources Lauren Yasaka, (808) 587-0431, lauren.e.yasaka@hawaii.com 1151 Punchbowl Street, Room 220, Honolulu, HI 96813
Applicant	Kaua‘i Island Utility Cooperative and AES West Kaua‘i Energy Project, LLC; 4463 Pahe‘e Street, Suite 1, Līhu‘e, HI 96766 Dawn Huff, (360) 483-6488, admin@joulegroup.com
Consultant	n/a
Status	The approving agency is withdrawing the Draft EA (published 8/23/2021), 2nd Draft EA (published 9/8/2022), and Final EA & FONSI for the subject action.

Pursuant to a Stipulation and Order that was filed in First Circuit Court on March 28, 2024, regarding Civil No. 1CCV-23-0000165(SMK), the Department of Land and Natural Resources requests the withdrawal of the Draft Environmental Assessments (EA), Final EA, and Finding of No Significant Impact (FONSI) determination for the West Kaua‘i Energy Project.

O’AHU EAS/EISS

Kamehameha Highway Shoreline Erosion Mitigation in NE O’ahu--Draft EA (AFNSI)

HRS §343-5(a) Triggers	(1) Propose the use of state or county lands or the use of state or county funds (2) Propose any use within any land classified as a conservation district (3) Propose any use within a shoreline area
District(s)	Ko’olauloa
TMK(s)	Numerous (see document)
Permit(s)	Numerous (see document)
Proposing/ Determining Agency	State of Hawai'i, Department of Transportation Mel Chung, (808) 832-3405, mungfa.chung@hawaii.gov 869 Punchbowl Street, Honolulu, HI 96813-5097
Consultant	AECOM; 1001 Bishop Street, Suite 1600, Honolulu, HI 96813 Courtney Hymes, (808) 529-7297, courtney.cacace@aecom.com
Status	Statutory 30-day public review and comment period starts. Comments are due by June 7, 2024. Please click on title link above to read the document, then send comments to the proposing/determining agency at courtney.cacace@aecom.com

The Kamehameha Highway Shoreline Erosion Mitigation in Kualoa, Ka’a’awa, Punalu’u, and Hau’ula Project would mitigate coastal erosion along nine discrete sections of the highway that the Hawai’i Department of Transportation has identified as needing action to maintain the usability of the highway in the near to mid-term, until a long-term plan to deal with the effects of sea level rise can be developed and implemented. The proposed action includes construction of rock revetments or hybrid seawalls with armor stone aprons at nine locations along the makai side of Kamehameha Highway.

The Cove at Ko Olina Redevelopment--Draft EIS Vol I, Vol II (Appendices), and public scoping meeting audio

HRS §343-5(a) Trigger	(3) Propose any use within a shoreline area
District(s)	‘Ewa
TMK(s)	(1) 9-1-057:027
Permit(s)	Numerous (see document)
Approving Agency/ Accepting Authority	City and County of Honolulu, Department of Planning and Permitting Lena Phomsouvanh, (808) 768-8052, lena.phomsouvanh@honolulu.gov 650 South King Street, 7th Floor, Honolulu, HI 96813
Applicant	Cove Campbell Kobayashi LLC; 1288 Ala Moana Blvd., Suite 201, Honolulu, HI 96814 Matthew Pennaz, (808) 524-1508, mpennaz@kobayashi-group.com
Consultant	G70; 111 S. King Street, Suite 170, Honolulu, HI 96813 Tracy Camuso, (808) 523-5866, thecovekoolina@g70.design
Status	Statutory 45-day public review and comment period starts. Comments are due by June 24, 2024. Please send comments to the approving agency/accepting authority at thecovekoolina@g70.design

The Applicant, Cove Campbell Kobayashi LLC, proposes to redevelop the approximately 10.85-acre property located in the Ko Olina resort area of Kapolei, O’ahu. This will be the first major improvement of the property in over 25 years. The Project includes the replacement of dated structures and existing programming at the site with a new performing arts venue. The lū’au show will continue to be the focal point of the property. Improvements will also include ancillary uses, such as programming, restaurants, and retail, to create an authentic Hawaiian community gathering place that honors and reflects the history, culture, and connection to place.

O’AHU EAS/EISS (CONTINUED)

HPD Communication Facilities Upgrade at Kapa’ā Reservoir--Final EA (FONSI)

HRS §343-5(a) Triggers	(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)	Ko’olaupoko
TMK(s)	(1) 4-2-017:016
Permit(s)	Conservation District Use Permit, Building Permit
Proposing/ Determining Agency	City and County of Honolulu, Department of Design and Construction Clyde Higa, (808) 768-8424, clyde.higa@honolulu.gov 650 South King Street, 11th Floor, Honolulu, HI 96813
Consultant	AGY LLC; 615 Pi’ikoi Street Suite 1806, Honolulu, HI 96814 Aolani Yamasato-Gragas, (808) 447-9849, aolani_y@yahoo.com
Status	Finding of No Significant Impact (FONSI) determination

The City and County of Honolulu Department of Design and Construction (DDC), Department of Information Technology (DIT), and Honolulu Police Department (HPD), intend to upgrade the public safety radio communication system at the Board of Water Supply (BWS) Kapa’ā Reservoir parcel in Kāne’ohe, O’ahu. The existing communication facility, integral to Honolulu’s emergency communications network, serves state, federal, and local public safety agencies. The facility prohibits public or commercial use. The project aims to replace one microwave truss tower with an 80-foot monopole tower able to withstand Category IV hurricanes, install a sidewalk, replace propane tanks with a single diesel tank, modify the building’s interior, upgrade the generator, and upgrade the building and all critical appurtenances to withstand Category IV hurricanes. The proposed project involves approximately 305 square feet of improvements.

Hawaii Fueling Facilities Corporation Sand Island Facilities Upgrade 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)	Honolulu
TMK(s)	(1) 1-2-025:020 & 021
Permit(s)	Special Management Area Major Permit, grading and building permits
Approving Agency	City and County of Honolulu, Department of Planning and Permitting Steve H. Tagawa, (808) 768-8024, stagawa@honolulu.gov 650 South King Street, Honolulu, HI 96813
Applicant	Hawaii Fueling Facility Corporation; 3201 Aolele Street, Honolulu, HI 96819 Jason Maga, (808) 833-3291, Jason.maga@signatureflight.com
Consultant	Burns & McDonnell; 833 Bishop Street, Suite 2150, Honolulu, HI 96813 Jeremy Jewell, (816) 601-4919, jjewell@burnsmcd.com
Status	Finding of No Significant Impact (FONSI) determination

The EPA-mandated upgrade to the secondary spill containment and storm water management system is for the Applicant’s jet fuel storage facility at 6 Sand Island Access Road. The 8.4-acre facility, initially built in the 1960s, consists of 16 aboveground steel storage tanks, with a total capacity of 45 million gallons, is the sole supply of jet fuel for the Daniel K. Inouye International Airport. Jet fuel is transported to this facility via pipelines from the refinery in Kalaeloa (formerly Campbell Industrial Park). The Project involves soil excavation, new asphalt pavement & spray-on coating of exposed areas, 31 collection inlets, 4 lift stations with sump pumps and an above-ground oil-water separator. The site is on State-owned DOT land, which triggers the preparation of an EA per Chapter 343. The FONSI determination allows the SMA application to be accepted for processing by the Department of Planning and Permitting, with decision-making by the Honolulu City Council.

MAUI EAS/EISS

Relocation of DOE Maui District Mowers Facility and Community School for Adults--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)	Wailuku
TMK(s)	(2) 3-8-007:098
Permit(s)	HRS Chapter 6E, NPDES General Permit, County Grading Permit, Community Noise Permit, Building Permit, Roadway Permit, Water Use Permit, Sewage Connection
Proposing/Determining Agency	State of Hawai'i, Department of Education Jenny Ho, (808) 784-5122, jenny.ho@k12.hi.us Facilities Development Branch, P.O. Box 2360, Honolulu, HI 96804
Consultant	Bowers and Kubota Consulting, Inc.; 2153 North King Street, Suite 200, Honolulu, HI 96819 Matthew Fernandez, (808) 836-7787, mfernandez@bowersandkubota.com
Status	Statutory 30-day public review and comment period starts. Comments are due by June 7, 2024. Please click on title link above to read the document, then send comments to the proposing/determining agency at mfernandez@bowersandkubota.com

The State of Hawai'i, Department of Education, Facilities Development Branch (DOE) is proposing to relocate and develop two new buildings on an undeveloped area within a larger State-owned property that is used by Maui High School. The project area would utilize approximately 2.2-acres of the 6.5-acres of the school property's undeveloped space.

The proposed DOE buildings are to be a new one-story building and parking lot for the Maui District Mowers Facility, and a new one-story building and parking lot for the McKinley School for Adults Maui Campus program. The Proposed Action will also involve constructing one new driveway to connect the new facilities to West Papa Avenue, landscaping, installation of fencing around the project site, and provide electrical, telecommunications, water, sewer, and drainage utilities and infrastructure to service the proposed facilities.

MOLOKA'I EAS/EISS

Replacement/Demolition of the Kaluako'i Wastewater Treatment Plant--Draft EA (AFNSI)

HRS §343-5(a) Trigger	(9)(A) Propose any wastewater treatment unit, except an individual wastewater system or a wastewater treatment unit serving fewer than fifty single-family dwellings or the equivalent
District(s)	Moloka'i
TMK(s)	(2) 5-1-003-008 (por.) and 024 (por.)
Permit(s)	Various (see document)
Approving Agency	County of Maui, Department of Planning on behalf of Moloka'i Planning Commission Sybil Lopez, (808) 270-7735, Sybil.Lopez@co.maui.hi.us 2200 Main Street, One Main Plaza, Suite 315, Wailuku, HI 96793
Applicant	Mosco, Inc.; P.O. Box 259, Maunaloa, HI 96770 Todd Svetin, (808) 552-2444, TSvetin@molokairanch.com
Consultant	Munekiyo Hiraga; 305 High Street, Suite 104, Wailuku, HI 96793 Mark Alexander Roy, (808) 244-2015, planning@munekiyohiraga.com
Status	Statutory 30-day public review and comment period starts. Comments are due by June 7, 2024. Please click on title link above to read the document, then send comments to the approving agency and copy the applicant and the consultant.

The proposed project consists of the construction of a new replacement Wastewater Treatment Plan (WWTP) and the demolition of the existing Kaluako'i WWTP as mandated by the State Department of Health. Once the replacement WWTP is operational, the existing Kaluako'i WWTP will be removed. The replacement WWTP will be designed with a treatment capacity of 102,000 Gallons Per Day (GPD) to service the community, a reduction of 58,000 GPD from the WWTP's original (160,000 GPD) capacity.

HAWAI‘I EAS/EISS

Waikoloa Public Library--Final EA (FONSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	South Kohala
TMK(s)	(3) 6-8-041:020
Permit(s)	Chapter 343, HRS Compliance; Dust Control Plan; Noise Permit (if necessary); National Pollutant Discharge Elimination System (NPDES) construction site stormwater discharge permit; Americans with Disabilities Act (ADA) Compliance; Section 6E, HRS Review; Grading, Grubbing, and Stockpiling Permits; Building Permit (electrical, plumbing, civil); Certificate of Occupancy; and Plan Approval
Proposing/ Determining Agency	State of Hawai‘i, Department of Accounting and General Services Brian Isa, (808) 586-0484, brian.s.isa@hawaii.gov 1151 Punchbowl Street, Room 430, Honolulu, HI 96810
Consultant	PBR HAWAII; 1001 Bishop Street, ASB Tower, Suite 650, Honolulu, HI 96813 Bradley Furuya, (808) 954-6348, bfuruya@pbrhawaii.com
Status	Finding of No Significant Impact (FONSI) determination

The proposed Project includes a new, approximately 12,000 square foot public library, approximately 3,000 square foot Early Learning Center (ELC), 71-stall surface parking lot, and complimentary landscaping. The proposed library includes shelving for a minimum of 50,000 books, private meeting rooms, a program room, a work room, support space, and a librarian’s office. The ELC, connected to the library, will have two classrooms, each capable of accommodating roughly 20 students.

PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

Status: The comment period for these projects began previously. Please click on the links below to read a document, then send comments to the relevant agency and copy any relevant applicant and/or consultant identified in the submission form that follows the initial agency letter.

COMMENTS DUE MAY 8, 2024

HAWAI‘I

[Hilo Medical Center New Administrative Services Building--Draft EA \(AFNSI\)](#)

MAUI

[Honokōwai Water System Improvements--Draft EA \(AFNSI\)](#)

O‘AHU

[Waimea Valley Economic Resiliency Project--Draft EA \(AFNSI\)](#)

COMMENTS DUE MAY 23, 2024

HAWAI‘I

[Hakalau Stream Bridge Rehabilitation--Draft EA \(AFNSI\)](#)

MAUI

[Ledcor South Maui Properties and Improvements--Republished Draft EIS and scoping meeting audio](#)

Please send comments to the approving agency/accepting authority at <http://www.ledcorsouthmauipermitting.com>.

COMMENTS DUE JUNE 7, 2024

HAWAI‘I

[Army Training Land Retention at Pōhakuloa Training Area--2nd Draft EIS Vol I, II, III, and scoping meeting audio](#)

MAUI

[Air Force Maui Optical and Supercomputing \(AMOS\) Site Small Telescope Advanced Research Facility--EISPN](#)

LISTS OF EXEMPTION NOTICES

Pursuant to [HAR § 11-200.1-17](#), State and county agencies that have determined specific actions to be exempt from the requirement to prepare an EA are required to submit a listing of such exemptions made during the previous month. Following are Lists of Exemption Notices submitted by various agencies for April 2024; contact the identified agency contact on each list for additional information about any specific exemption:

State of Hawai'i

[Department of Accounting and General Services](#)

[Department of Education](#)

[Department of Land and Natural Resources](#)

County of Maui

[Department of Public Works](#)

City and County of Honolulu

[Department of Transportation Services](#)

County of Hawai'i

[Office of Housing and Community Development](#)

COASTAL ZONE MANAGEMENT NOTICES

FEDERAL CONSISTENCY REVIEWS

The following federal actions are being reviewed for consistency with the enforceable policies of the Hawai'i Coastal Zone Management (CZM) Program, including [the CZM objectives and policies in Hawai'i Revised Statutes, Chapter 205A](#). Federal consistency, pursuant to Section 307 of the Coastal Zone Management Act of 1972 (CZMA), as amended, generally requires that federal actions, within and outside of the coastal zone, which have reasonably foreseeable effects on any coastal use (land or water) or natural resource of the coastal zone be consistent with the enforceable policies of a state's federally approved coastal management program. Federal actions include federal agency activities, federal license or permit activities, and federal financial assistance activities. This public notice is being provided in accordance with § 306(d)(14) of the CZMA, and federal regulations at 15 CFR § 930.2, § 930.42, and § 930.61. General information about federal consistency is available at the [Hawai'i CZM Program web site](#), or call (808) 587-2878.

For specific information or questions about an action listed below, contact the CZM staff person identified for each action. The CZM Program is required to adhere to federal review deadlines, therefore, comments must be received by the date specified. Comments may be submitted by mail or electronic mail, to the addresses below.

*Mail: Office of Planning and Sustainable Development
Department of Business, Economic Development and Tourism
P.O. Box 2359, Honolulu, HI 96804*

Email: Debra.L.Mendes@hawaii.gov

County DPW Wilder Road Culvert Replacement Project

Proposed Action: Replace the existing drainage structure and eliminate the deteriorated conditions to ensure that the drainage system continues to convey the design storm water drainage flows from the surrounding area at South Wilder Road, in Kaūmana Ahupu'a, Hilo, Hawai'i. The project involves the demolition of approximately 180 linear feet of existing dual, 96-inch diameter corrugated metal pipe culverts that pass under South Wilder Road, including demolition of above-ground road and walkway improvements, and replacement with two 8'x8' reinforced concrete box culverts and headwalls; restoration of approximately 82 linear feet of eroded protection in the downstream channel bottom with new grouted rubble pavement and cutoff wall; and reconstruction of road pavement, concrete walkway, guardrails and appurtenances.

- Location:** Kaūmana Stream at South Wilder Road, Hilo, Island of Hawai'i
- TMK(s):** (3)2-5-045:999, (3)2-5-005:157 and (3)2-5-045:001, (3)2-5-005:158 and 159
- Applicant:** County of Hawai'i, Department of Public Works
- Federal Action:** Federal Permit
- Federal Agency:** U.S. Army Corps of Engineers
- CZM Contact:** Debra Mendes, (808) 587-2840, Debra.L.Mendes@hawaii.gov
- Comments Due:** **May 22, 2024**

COASTAL ZONE MANAGEMENT NOTICES (CONTINUED)

SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS

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

Location (TMK)	Description (File No.)	Applicant/Agent
Hawai'i: North Kohala District (5-3-007:047)	Establish Community Farm and Related Uses (PL-SMM-2024-000060)	Hale Ipu Kukui LLC
Kaua'i: Hanalei (5-5-001:042 Unit 1)	After-the-Fact Construction of a storage shed (SM(M)-2024-15)	Anthony Sutton
Maui: Kihei (3-9-009:021)	Earhart Apartment Alteration. Enclose existing covered lanai and convert to living space (SM22024-00018)	Michelle Cockett
O'ahu: Kāne'ohe (4-6-001:009)	After-the-Fact Alterations of Three Single-Family Dwellings (2024/SMA-27)	Richard and Noreen Van Horn
O'ahu: Mokulē'ia (6-8-006:006) Parcel 6	Tang Ohana Unit Addition (2024/SMA-22)	Gordon Tang Family Trust

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	TMK	Applicant	Owner
MA-825	4933 Uakea Road, Maui 96713	(2) 1-4-005:019	Kevin J. Clarke	Hana Aku LLC
MA-826	2780 Keka'a Drive, Maui 96761	(2) 4-4-008:007	Reed M. Ariyoshi	Royal Lahaina Owner LP

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	TMK	Applicant	Owner
OA-2051	Proposed	608 Kaimalino Place, O'ahu 96734	(1) 4-4-039:023	Ross K. Tanaka	Stuart Family Trust
OA-2052	Proposed	61-821 Papailoa Road, O'ahu 96712	(1) 6-1-004:097	Ross K. Tanaka	John D. and Marie-Niege H. S. Whittington
OA-2055	Proposed	55-119 and 55-113 Kamehameha Highway, O'ahu 967	(1) 5-5-001:013 & 056	Benjamin E. K. Guieb	Devin J. Moncur
OA-2090	Proposed	Kaluani Stream Bridge, Kamehameha Highway, O'ahu 9677	(1) 5-3-009:047	ControlPoint Surveying, Inc.	City & County of Honolulu
OA-2098	Proposed	58-207 H Kamehameha Highway, O'ahu 9672	(1) 5-8-001:021	Leaps & Boundaries, Inc.	Edward Weldon & Katherine Weldon
MA-819	Proposed	111 Aleiki Place, Maui 96779	(2) 2-6-012:072	Action Survey LLC	111 Aleiki Place LLC
HA-644	Proposed	12-7235 Moana Kai Pali Street, Hawai'i 96778	(3) 1-2-030:012	Daniel Berg c/o dlb & Associates, LLC	Equity Trust Co. fbo Mike Stehle IRA and Lisa Stehle-Doggett
HA-645	Proposed	45-5034 Nanaina Kai Road, Hawai'i 96727	(3) 4-5-002:016 & 080	L. Edward Pare	Stephen & Cheryl Winter, Trustees

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 04/29/2024)

The Western Pacific Fishery Management Council (Council) will hold meetings of its Archipelagic Plan Team (APT) and Pelagic Plan Team (PPT) to discuss fishery management issues and develop recommendations for future management of fisheries in the Western Pacific Region. **The APT will meet on Monday and Tuesday, May 13-14, 2024, (HST). The APT will meet jointly with the PPT on Wednesday, May 15, 2024, HST. The PPT will meet on Thursday and Friday, May 16-17, 2024, HST.** The meetings will be a hybrid format (web conference and in person) For specific details, times and agendas, click on the title link above.

Notice: [Endangered Species; Receipt of Recovery Permit Applications](#) (published by the Fish and Wildlife Service on 04/29/2024)

The U.S. Fish and Wildlife Service has received applications for permits to conduct activities intended to enhance the propagation and survival of various endangered bird, sea turtle and plant species in Hawaii under the Endangered Species Act. We invite the public and local, State, Tribal, and Federal agencies to comment on these applications. Before issuing the requested permits, **we will take into consideration any information that we receive during the public comment period that ends on May 29, 2024.** For additional information, please click on the title link above.

Proposed Rule: [International Fisheries; Pacific Tuna Fisheries; Safe Handling and Release Practices for Sharks on Longline Vessels and Revision to Vessel Monitoring System Requirements in the Eastern Pacific Ocean](#) (published by the National Oceanic and Atmospheric Administration on 04/25/2024)

NMFS is proposing regulations under the Tuna Conventions Act of 1950, as amended, to implement Resolutions C-23-07 (Conservation Measures for the Protection and Sustainable Management of Sharks) and C-23-11 (On the Establishment of a Vessel Monitoring System) adopted by the Inter-American Tropical Tuna Commission (IATTC) at its meeting in August 2023 in Victoria, Canada. This proposed rule would implement provisions of these Resolutions and would require U.S. longline vessels fishing for tuna or tuna-like species in the eastern Pacific Ocean (EPO) that have incidental shark catch to release sharks by leaving them in the water and cutting the branchline so that less than 1 meter remains on each animal. The proposed rule would also require large vessels fishing for tuna or tuna-like species in the EPO to make manual reports every six hours in the event of a malfunctioning vessel monitoring system (VMS) unit. This action is necessary for the United States to satisfy its obligations as a member of the IATTC. **Comments on the proposed rule and supporting documents must be submitted in writing by May 28, 2024.** For additional information, please click on the title link above.

Notice: [Permanent Advisory Committee To Advise the U.S. Commissioners to the Western and Central Pacific Fisheries Commission; Meeting Announcement](#) (published by the National Oceanic and Atmospheric Administration on 04/26/2024)

NMFS announces a public meeting of the Permanent Advisory Committee (PAC) to advise the U.S. Commissioners to the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC) **via web conference on May 13, 2024**, from 10 a.m. to 1 p.m. HST. Click on the title link to this entry for supplementary information about this meeting.

Notice: [Changes in Flood Hazard Determinations](#) (published by the Federal Emergency Management Agency on 04/22/2024)

This notice lists communities (including the County of Maui) where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by the Federal Emergency Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with Federal Regulations. For further and supplementary information, please click on the title link above.

GLOSSARY OF TERMS AND DEFINITIONS

Agency Actions

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

Applicant Actions

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

Draft Environmental Assessment

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

Final Environmental Assessment and Finding of No Significant Impact

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

Final Environmental Assessment and Environmental Impact Statement Preparation Notice

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

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

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

HEPA

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

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

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

Draft Environmental Impact Statement

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

Final Environmental Impact Statement

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

Acceptability

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



Maui sunset

Photo by [Thomas Hawk](#)

National Environmental Policy Act

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

Conservation District

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

Special Management Area and Shoreline Setback Area

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

Shoreline Certifications

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

Environmental Advisory Council

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

Agency Exemption Lists

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

Endangered Species

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