



The Environmental Notice

July 8, 2017

David Y. Ige, Governor
Scott Glenn, 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.



Moonbow over Hale Ma'uma'u Volcano Crater, Hawai'i (cropped from original)

Photo by [Jeff Wallace](#)

TABLE OF CONTENTS

ANNOUNCEMENTS	2	Opaeka'a Bridge Replacement DEA (AFNSI)	6
STATEWIDE MAP OF NEW HRS CHAPTER 343 ACTIONS	2	PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT	6
HAWAI'I		COASTAL ZONE MANAGEMENT NOTICES	
Keakealani Campus Development for the Volcano School of Arts and Sciences DEA (AFNSI)	3	Federal Consistency Reviews	7
MAUI		Special Management Area (SMA) Minor Permits	7
Kahului Lani Affordable Senior Housing DEA (AFNSI)	3	SHORELINE NOTICES	
Pi'ilani Promenade FEIS	4	Applications for Shoreline Certification	8
Hāna Pier Deck Removal DEIS	4	Proposed Shoreline Certifications and Rejections	9
O'AHU		NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) ACTIONS	
Aloha Solar Energy Fund II - Kalaeloa DEA (AFNSI)	5	PV & Battery Energy Storage Systems at PMRF, Kaua'i	9
KAUA'I		FEDERAL NOTICES	10
Nāwiliwili Harbor LPG Storage Facility FEA (FONSI)	5	GLOSSARY OF TERMS AND DEFINITIONS	11

ANNOUNCEMENTS

As a reminder, please be sure that all documents submitted to the Office of Environmental Quality Control (OEQC) for publication in *The Environmental Notice* are fully searchable PDFs using Optical Character Recognition (OCR).


Also, as announced previously, the online library of EAs, EISs, issues of *The Environmental Notice*, guidance, forms, and all related files have been moved from an old SharePoint 2003 site to a [new SharePoint 2013 site](#) with enhanced search functionality, a more intuitive organizational structure, and other features. Links to the old SharePoint 2003 site are redirected to the SharePoint 2013 front page. Links on [the OEQC's website](#) will continue to direct users to the online library, now hosted on the new SharePoint 2013 site. If you see any errors or omissions, please contact us at oeqchawaii@doh.hawaii.gov or (808) 586-4185.

STATEWIDE MAP OF NEW HRS CHAPTER 343 ACTIONS



HAWAII


Keakealani Campus Development for the Volcano School of Arts and Sciences DEA (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)	Puna	
TMK(s)	(3) 1-9-004:019	
Permit(s)	Building Division Approval and Building Permit, Use Permit, DOE Approval	
Proposing/Determining Agency	Volcano School of Arts and Sciences Kalima Cayir, (808) 985-9800, director@volcanoschool.net P.O. Box 845, Volcano, HI 96785	
Consultant	Stantec Consulting, Inc Michele Lefebvre, (808) 494-2039, michele.lefebvre@stantec.com P.O. Box 191, Hilo, HI 96721	
Status	Statutory 30-day public review and comment period starts. Comments are due by August 7, 2017. Please send comments to the proposing/determining agency and copy the consultant.	

The Volcano School of Arts and Sciences proposes to develop and construct a pre-kindergarten through eighth grade campus on the site of the historic Keakealani School property in Volcano Village. An existing classroom building built circa 1933 which currently is used for the middle school campus will be preserved and become part of the new campus design. Once completed, the Keakealani Campus will be able to accommodate the entire school body (up to 250 students). Without the Keakealani Campus development project, the elementary school students would not relocate and likely have to continue operating without climate control, limited space and facilities, and under unsecure conditions at the Volcano Road Campus (i.e., safety concerns from the existing saw mill and lack of stability with month-to-month lease). With this project, approximately 125 students presently using the Volcano Road Campus and their faculty would move to the Keakealani Campus. Impacts include minor impacts from sedimentation, dust, noise, and visual quality, which will be temporary and mitigated as feasible. No archaeological sites are present on or near the site, but a monitoring plan has been approved for implementation during construction. Several mitigation measures will be implemented to avoid impacts to endangered species.

MAUI


Kahului Lani Affordable Senior Housing DEA (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)	Kahului	
TMK(s)	(2) 3-7-005:003	
Permit(s)	Special Management Area Use Permit	
Approving Agency	Hawai'i Housing Finance and Development Corporation Janice Takahashi, (808) 587-0634, janice.n.takahashi@hawaii.gov 677 Queen Street, Suite 300, Honolulu, HI 96813	
Applicant	Catholic Charities Housing Development Corporation Gary Furuta, Project Manager, (808) 429-7815, gary@gsfhi.com 1288 Ala Moana Boulevard #35A, Honolulu, HI 96814	
Consultant	Munekiyo Hiraga Marisa Fujimoto, (808) 244-2015, planning@munekiyohiraga.com 305 High Street, Suite 104, Wailuku, HI 9679	
Status	Statutory 30-day public review and comment period starts. Comments are due by August 7, 2017. Please send comments to the approving agency and copy the applicant and the consultant.	

Catholic Charities Housing Development Corporation (CCHDC) is proposing the development of Kahului Lani in Kahului, Maui on 3.81 acres of land identified as TMK (2)3-7-005:003. The Project will include the development of two (2) six-story multi-family residential buildings, a two-story 7,500 sq. ft. multi-purpose building, parking, and related improvements. The proposed project will provide 164 one-bedroom units for rent to seniors who earn 60 percent or less of the County's median income and one (1) two-bedroom manager's unit. Catholic Charities Hawai'i will provide onsite case management services for residents.


MAUI (CONTINUED)

Pi'ilani Promenade FEIS

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds	
District(s)	Makawao - Wailuku	
TMK(s)	(2) 3-9-001: 016, por. 148, por. 169, 170, 171, 172, 173, 174; 3-9-048: por. 122; 2-2-002: por. 016, 077, por. 082	
Permit(s)	Various (see document)	
Approving Agency/ Accepting Authority	State of Hawai'i Land Use Commission Daniel E. Orodener, Executive Officer, (808) 587-3822 daniel.e.oroedener@hawaii.gov P.O. Box 2359, Honolulu, HI 96804-2359	
Applicant	Piilani Promenade North, LLC and Piilani Promenade South, LLC c/o Sarofim Realty Advisors Co. Robert Poynor, Vice President, (214) 692 - 4227, rpoynor@sraco.com 8115 Preston Road, Suite 400, Dallas, TX 75225	
Consultant	Chris Hart and Partners, Inc. Mr. Jordan E. Hart, President, (808) 242-1955, jhart@chpmaui.com 115 N. Market Street, Wailuku, HI 96793	
Status	FEIS has been submitted and is pending acceptance by the approving agency/accepting authority, which has 30 days from date of receipt to determine acceptability. Comments are not taken on this action.	

The proposed project is to develop a mix of Light Industrial and Business/Commercial uses with approximately 226 apartment units on a total of approximately 75 acres. The project will include associated onsite and offsite infrastructure improvements including but not limited to water, sewer, roads, drainage, and electrical improvements. Amenities will include bicycle and pedestrian pathways, public park area, and landscaping. A Maui Electric Company substation is also proposed on the site. Off-site improvements include re-routing the existing Maui County high pressure water line which runs through the property, installing a 1 million gallon drinking water tank, water transmission lines, offsite access to Ohukai road and utility connections. The project will also provide road widening lots and improve the intersection of Pi'ilani Highway at Kaonoulu Street. An access easement will be provided mauka of the project site to increase future connectivity to Ohukai Road north of the project site.


Hāna Pier Deck Removal DEIS

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds	
District(s)	Hāna	
TMK(s)	N/A; North of TMK (2) 1-4-004:036	
Permit(s)	Various (see document)	
Proposing Agency	State of Hawai'i Department of Transportation Ms. Sandra Rossetter, Project Manager, (808) 587-1886, hanapiereis@hhf.com Attn: Harbors Division Planning Section, 79 South Nimitz Hwy, Honolulu, HI 96813	
Accepting Authority	Governor, State of Hawai'i, The Honorable David Y. Ige http://governor.hawaii.gov/contact-us/contact-the-governor/ (808) 586-0034, Executive Chambers, State Capitol, 415 South Beretania St., Honolulu, HI 96813	
Consultant	HHF Planners Gail Renard, (808) 457-3167, hanapiereis@hhf.com 733 Bishop Street, Suite 2590, Honolulu, HI 96813	
Status	Statutory 45-day public review and comment period starts. Comments are due by August 22, 2017. Please send comments to the accepting authority and copy the proposing agency and the consultant.	

The proposed action is to remove the superstructure of Hāna Pier and access trestle at Hāna Harbor. The concrete pier and its access trestle are currently condemned due to the deteriorated condition of its superstructure (i.e., deck, beams, pile caps, and trestle guardrails). The existing piles would remain in place to avoid adversely impacting corals that have colonized on the piles. The project purpose is (1) to further address and resolve what could be a public safety hazard and potential legal liability and (2) to ensure all facilities under the jurisdiction and management of the DOT-Harbors meet and support its mission and the requirements of Chapter 266, HRS, which defines a "commercial harbor," while simultaneously respecting the Hāna community's objections to the pier's use for commercial purposes.

O‘AHU

Aloha Solar Energy Fund II - Kalaeloa DEA (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)	‘Ewa	
TMK(s)	(1) 9-1-013:070 and portion of 30-foot-wide State Highway Right-of-Way along eastern edge of Coral Sea Road that border 9-1-013:039, 040, 043, 044, 072, 099, 100	
Permit(s)	Various (see document)	
Approving Agency	Hawai‘i Community Development Authority (HCDA) Jesse K. Souki, Executive Director, (808) 594-0300, jesse.k.souki@hawaii.gov 547 Queen St, Honolulu, HI 96813	
Applicant	Aloha Solar Energy Fund II, LLC Michael Stout, Project Manager, (808) 486-3707, mstout@ecc.net , 2969 Mapunapuna Place, Suite 220 Honolulu, HI 96819	
Consultant	Group 70 International, Inc. Jeff Overton, Principal Planner, (808) 523-5866, ASEF@g70.design , 925 Bethel Street, 5th Floor, Honolulu, HI 96813	
Status	Statutory 30-day public review and comment period starts. Comments are due by August 7, 2017. Please send comments to the approving agency and copy the applicant and the consultant.	

Aloha Solar Energy Fund II LLC is proposing to lease and develop a 5 megawatt solar power utility installation to be built on approximately 44.28 acres of lands owned by the HCDA in Kalaeloa. Power generated by this facility would be transferred along an approximate 1.78 mile 12 kilovolt (kV) interim electrical distribution line that would be routed along the eastern side of Coral Sea Road, eventually connecting to the Hawaiian Electric Company (“HECO”) grid within its existing right of way. This environmental review only evaluates the utility installation and line and does not include assessing the actual HECO connection.

The purpose of the project is to contribute renewable energy in the form of solar electric power to HECO’s existing power grid and to the Kalaeloa Community Development District. The development of the project would help the State in achieving its renewable portfolio standard goals while also improving the environment by reducing greenhouse gas emissions, dependency on foreign imports of fossil fuels, and the environmental risk of spills during the transport and storage of fossil fuel to the State.

KAUA‘I


Nāwiliwili Harbor Liquefied Petroleum Gas Storage Facility FEA (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)	Līhu‘e	
TMK(s)	Various (see document)	
Permit(s)	Special Management Area Permit, Class IV Zoning Permit, Shoreline Setback Determination, Grading Permit, Building Permits	
Approving Agency	State of Hawai‘i, Department of Transportation Darrell T. Young, Deputy Director-Harbors, (808) 587-3650, darrell.t.young@hawaii.gov 79 S. Nimitz Hwy, Honolulu, HI 96813-4898	
Applicant	The Gas Company, LLC Glen Takenouchi, General Manager- Kaua‘i, (808) 245-7957, gtakenou@hawaiigas.com 3990 Rice Street, Līhu‘e, HI 96766	
Consultant	Shiramizu, Loo & Nakamura, LLLP Galen Nakamura, (808) 632-2267, galen.nakamura@hawaiiantel.net , 4357 Rice Street, Suite 102 Lihue, HI 96766	
Status	Finding of No Significant Impact (FONSI) determination. Comments are not taken on this determination.	

The Gas Company, LLC (dba “Hawai‘i Gas”) proposes to construct an additional liquefied petroleum gas (“LPG”) storage tank facility on State lands located across Pier 2 at Kaua‘i’s Nāwiliwili Harbor. The project will include construction of connecting underground gas transmission pipelines, also on State lands, from Hawai‘i Gas’ existing LPG storage tank facility near Pier 3 of Nāwiliwili Harbor. The project proposes to construct up to 22 mounded 30,000 gallon LPG storage tanks and related appurtenances and facilities on State lands across Pier 2.

KAUAI (CONTINUED)

Opaeka'a Bridge Replacement DEA (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)	Kawaihau	
TMK(s)	(4): 4-2-02	
Permit(s)	Compliance with Chapter 343 and NEPA; National Pollutant Discharge Elimination System Permit; Community Noise Control Permit; Historic Sites Review (Section 106 of NHPA and Chapter 6e, HRS); Work in County Right-of-Way; Subdivision Approval (potential) Grading, Grubbing, Excavating and Stockpiling Permits	
Proposing/ Determining Agency	County of Kauai Department of Public Works Troy Tanigawa, (808) 241-4154, ttanigawa@kauai.gov 4444 Rice Street, Suite 275, Lihu'e, HI 96766-1340	
Consultant	Geometrician Associates Ron Terry, (808) 969-7090, rterry@hawaii.rr.com P.O. Box 396, Hilo, HI 96721	
Status	Statutory 30-day public review and comment period starts. Comments are due by August 7, 2017. Please send comments to the proposing/determining agency and copy the consultant.	

The project would replace Opaeka'a Bridge by implementing structural and safety improvements that retain the bridge's original one-lane width, length and basic appearance. It would provide a safe bridge accommodating any legal weight of truck or bus, maximize safety for motor vehicles, pedestrians and bicycles, be practical to maintain, and preserve the bridge's historic character. New concrete abutments will be created behind the existing ones, with no alteration to the stream bank. The new concrete deck will rest atop pre-stressed concrete plank girders, which will be extended to the new abutments. The deck will have an asphalt pavement overlay. The design retains and repairs existing visible trusses, and includes steel crash-tested railings inside trusses. For bicycle safety, the deck will be marked with a bicycle "sharrow" symbol to indicate a shared lane and promote driver awareness. The historic character of the bridge is being preserved through a number of design elements that help retain the existing appearance. Extensive mitigation to prevent erosion and sedimentation and impacts to water quality and wildlife will be implemented.

PREVIOUSLY PUBLISHED DOCUMENTS OPEN FOR COMMENT

Status: Public review and comment period for these projects began previously. Comments are due **July 24, 2017** unless specified otherwise. Please send comments to the relevant agency and copy any relevant applicant and/or consultant.

MAUI

[Renewable energy conversion and sludge processing for the Wailuku - Kahului Wastewater Reclamation Facility \(WKWWRF\) EISPN](#)

O'AHU

['Aiea High School Girls Athletic Locker Room – Weight Training Facility DEA \(AFNSI\)](#)
[East Kapolei Middle School DEA \(AFNSI\)](#)

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
Department of Business, Economic Development and Tourism
P.O. Box 2359, Honolulu, HI 96804

Email: john.d.nakagawa@hawaii.gov

Nāwiliwili Harbor Phase Two Maintenance Dredging, Līhu'e, Kaua'i

Proposed Action: U.S. Army Corps of Engineers, Honolulu District, proposes to conduct maintenance dredging of the federally managed entrance channel and harbor basin at Nāwiliwili Harbor to achieve design depths in these areas. Areas to be dredged as part of phase two include nearshore areas around the harbor perimeter, typically from the shore to approximately 2,000 feet. These areas were not dredged during the April 2016 phase one maintenance dredging because the dredge used during phase one was unable to access the areas. Approximately 118,674 cubic yards of material would be removed, including overdredge material. Dredging would be done by a mechanical dredge, would take 5 to 6 months, and is proposed to occur in 2017 or 2018. After removal from the harbor, dredged material would be transported to the existing Nāwiliwili Ocean Dredged Material Site for disposal.

Location: Nāwiliwili Harbor, Līhu'e, Kaua'i

Federal Action: Federal Agency Activity

Federal Agency: U.S. Army Corps of Engineers, Honolulu District

Contact: Ms. Lorayne Shimabuku, (808) 835-4030, lorayne.p.shimabuku@usace.army.mil

CZM Contact: John Nakagawa, (808) 587-2878, john.d.nakagawa@hawaii.gov

Comments Due: July 24, 2017

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 (768-8014); Hawai'i (East 961-8288, West 323-4770); Kaua'i (241-4050); Maui (270-7735); Kaka'ako or Kalaeloa Community Development District (587-2841).

Location (TMK)	Description (File No.)	Applicant/Agent
Maui: Haiku (2-9-001: 017)	Farm Shed (SM2 20170011)	Travis Rhyan
Maui: Lahaina (4-8-003: 084)	Camp Olowalu Sheds (SM2 20170051)	Frampton & Ward Land LLC
Maui: Makena (2-1-005: 108)	Proposed Fire Service for Golf Course (SM2 20170052)	ATC Makena N Golf LLC
Maui: Lahaina (4-6-001: 009)	Event June 17 and 18, 2017 (SM2 20170054)	Lahaina Town Action Committee
Maui: Kihei (3-9-005: 052)	Ballfield Fence Improvement (SM2 20170055)	County of Maui Department of Parks and Recreation

SHORELINE NOTICES

APPLICATIONS FOR SHORELINE CERTIFICATION

The shoreline certification applications below are available for review 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). 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 the public notice of the application. For more information, call Ian Hirokawa at (808) 587-0420.

File No.	Date	Location	Applicant/Owner	TMK
OA-1767	6/15/17	Portion of Sand Island State Recreational Area Governor's Executive Order 2704 (C.S.F. 17,709) situate at Mokauea and Kaholaloa, Honolulu, O'ahu Address: 10 Sand Island Access Road Purpose: Permitting	R.M. Towill Corporation/ State of Hawai'i, Harbors Division	(1) 1-5-041:006
OA-1768	6/15/17	Lot 78 of Sunset Beach Lots as shown on File Plan Map No. 256 (Grant 9076 to Louis Baron) situate at Pūpūkea, Ko'olauloa, O'ahu Address: 59-181 E Kē Nui Road Purpose: Building setback and top bank restoration	Gil P. Buman- glag/ Tropical Exotics III LLP	(1) 5-9-002:035
MA-677	6/19/17	Lot 16-A of Keawakapu Beach Lots Being a Portion of Grant 548 to J.Y. Kanehoa situate at Kīhei, Makawao, Maui Address: 3234 South Kīhei Road Purpose: Building permit and SMA permit	Akamai Land Surveying, Inc./ The 3234 S Kihei Road Trust	(2) 2-1-010:014
MA-678	6/21/17	A Portion of Royal Patent 1725, Land Commission Award 559 to Kauliokamoa (307 Front Street Property) situate at Lahaina, Maui Address: 307 Front Street Property Purpose: Determine shoreline setback	R.T. Tanaka Engineers, Inc./ Dr. Christine Ho	(2) 4-6-003:006
MA-679	6/28/17	Kama'ole Beach Lots Government Survey Registered Map 3005 situate at Kama'ole, Kula, Maui Address: 2182 Ili'ili Road Purpose: Building permit purposes	CDF Engineers LLC/ CDF Engineers LLC (authorized agent)	(2) 3-9-005:034
HA-543	6/15/17	Lot No. 35, Block 1 of "Miloli'i Beach Lots" Being a Portion of File Plan 789 situate at Pāpā 2, South Kona, Hawai'i Address: Lot No. 35, Kai Avenue Purpose: Build a family home	Daniel J and Melinda L Mancini/ Daniel J Mancini and Melinda L Mancini	(3) 8-8-006:013
KA-419	6/23/17	Portion of Allotment 10-A situate at Moloa'a, Kawaihau, Kaua'i Address: Moloa'a, Kaua'i Purpose: Determine shoreline setback and State Land Uses District Boundary	Esaki Surveying & Mapping, Inc./ Moloaa Lot 10A LLC & Camp- bell-Murphy Investments, LLC	(4) 4-9-009:002; 4-9-014:006

SHORELINE NOTICES (CONTINUED)

PROPOSED SHORELINE CERTIFICATIONS AND REJECTIONS

The shoreline notices below have been proposed for certification or rejection by the Department of Land and Natural Resources (HRS § 205A-42 and HAR § 13-222-26). Any person or agency who wants to appeal shall file a notice of appeal in writing with DLNR no later than 20 calendar days from the date of this public notice. Send the appeal to the Board of Land and Natural Resources, 1151 Punchbowl Street, Room 220, Honolulu, Hawai'i 96813.

File No.	Proposed/Rejected	Location	Applicant/Owner	TMK
MA-673	Proposed Shoreline Certification	Lot H of Section D of the Puamana Planned Unit Development, Unit 3, File Plan 1130 being portions of Royal Patent 1187, Land Commission Award 310, Apana 3 to Pikeanele; Royal Patent 4490, Land Commission Award 10,474, Apana 7 to N. Namauu (Certificate of Boundaries No. 26); Royal Patent 1696, Land Commission Award 4878-C Apana 1 to Muaa; Royal Patent 1706, Land Commission Award 4878-B Apana 1 to Kapua; Royal Patent 1704, Land Commission Award 9825 to Paniani; Land Patent, Land Commission Award 8559-B Apana 25 to W. C. Lunalilo; Royal Patent 1190, Land Commission Award 7590 Apana 1 to Kainokane situate at Mākila & Pāhoa, Lahaina, Maui Address: 0 Pualei Drive Purpose: Shoreline setback	Austin Tsutsumi & Associates, Inc./ Puamana Community Association	(2) 4-6-032:001
KA-415	Rejection	Lot 8 of Waipouli Beach Lots being a portion of R.P. 7373, L.C. Aw.8559-B, Apana 42 to William C. Lunalilo situate at Waipouli, Kawaihau, Kaua'i Address: 968 Niulani Road Purpose: Sandbag and erosion control	Esaki Surveying & Mapping, Inc./ Bal Family Trust	(4) 4-3-009:002
OA-1763	Withdrawal	Portion R. P. 7804, L.C. Aw. 9971, Ap. 25 to W.P. Leleiohoku situate at Punalu'u, Ko'olauloa, O'ahu Address: 53-231 Kamehameha Highway Purpose: Building permit	Walter P. Thompson, Inc./ Waahila Ridge Properties LLC	(1) 5-3-002:033

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) ACTIONS

As a courtesy, listed below are documents submitted for publication that have been prepared pursuant to NEPA, rather than Chapter 343, HRS. Accordingly, these entries may have unique comment periods. Occasionally, actions are subject to both NEPA and Chapter 343, HRS. In those cases, a separate entry would be published in *The Environmental Notice*.

Photovoltaic and Battery Energy Storage Systems at Pacific Missile Range Facility: FEA and FONSI

Island	Kaua'i
District(s)	Waimea
TMK(s)	(4) 1-2-002: 013, 001, and 010
Permit(s)	N/A
Proposing Agency	Pacific Missile Range Facility Leland Tottori, Deputy Public Works Officer, (808) 335-4636, Leland.tottori@navy.mil P.O. Box 128, Kekaha, HI 96752-0128
Approving Agency	Commander, Navy Region Hawaii Mr. John Muraoka (EV13, Building X-11), (808) 471-1171, ext. 218, john.muraoka@navy.mil NAVFAC Hawaii Compound, 400 Marshall Road, Pearl Harbor, HI 96860
Consultant	HHF Planners John Hagihara, (808) 457-3174, jhagihara@hhf.com Pacific Guardian Center, Makai Tower 733 Bishop Street, Suite 2590, Honolulu, HI 96813
Status	Single copy requests for the Final EA and FONSI on CD may be obtained from the following contact: Naval Facilities Engineering Command Pacific, 258 Makalapa Drive, Suite 100, JBPHH, HI 96860-3134, ATTN: EA Project Manager for PMRF PV EA (Code EV21) or by e-mail: NFPAC-Receive@navy.mil

FEDERAL NOTICES

As a courtesy, listed below are 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.

Rule: [Pacific Island Fisheries; 2017-18 Annual Catch Limit and Accountability Measures; Main Hawaiian Islands Deep 7 Bottomfish](#) (published 6/30/2017)

NMFS specifies an annual catch limit (ACL) of 306,000 lb for Deep 7 bottomfish in the main Hawaiian Islands (MHI) for the 2017-18 fishing year, which will begin on September 1, 2017, and end on August 31, 2018. If NMFS projects that the fishery will reach the ACL, NMFS would close the commercial and non-commercial fisheries for MHI Deep 7 bottomfish for the remainder of the fishing year as an accountability measure (AM). The ACL and AM support the long-term sustainability of Hawai'i bottomfish. **The final specifications are effective from July 31, 2017, through August 31, 2018.**

Notice: [Final Flood Hazard Determinations](#) (published 6/28/2017)

The Federal Emergency Management Agency (FEMA) has made the final determinations for the new or modified flood hazard information for the County of Hawai'i.

Notice: [Review of National Marine Sanctuaries and Marine National Monuments Designated or Expanded Since April 28, 2007; Notice of Opportunity for Public Comment](#) (published 6/26/2017)

Pursuant to Executive Order 13795—Implementing an America-First Offshore Energy Strategy, signed on April 28, 2017, the Department of Commerce is conducting a review of all designations and expansions of National Marine Sanctuaries and Marine National Monuments since April 28, 2007. The Secretary of Commerce will use the review to inform the preparation of a report under Executive Order 13795, Sec. 4(b)(ii). This Notice identifies 11 National Marine Sanctuaries and Marine National Monuments, including Papahānaumokuākea Marine National Monument, subject to the review and invites comments to inform the review. **Written comments must be submitted as instructed in the title link no later than July 26, 2017.**



Fourth of July Fireworks, Ala Moana, O'ahu (cropped from original)

Photo by Kyle Nishioka

GLOSSARY OF TERMS AND DEFINITIONS

Agency Actions

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

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 actions' 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 Agency 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 ask a court 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 OEQC, 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 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. Until administrative rules have been drafted, the agency must submit its determination that an EIS is required for an action (Act 172-2012, EISPN) with a completed OEQC publication form detailing the specifics of the action to enable the public a 30-day period to request to be consulted parties in the preparation of the Draft EIS. Comments and responses on the EISPN must be incorporated into the subsequent Draft EIS.

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 now 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. The DEIS must respond to comments received during the EISPN comment period in a point-by-point manner.

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. See here for style concerns. For Applicant projects, the Approving Agency is authorized to accept the FEIS and must do so within 30-days or the FEIS is 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

If the FEIS is accepted, notice of this action is published in this bulletin. The public has 60 days from the date of notice of acceptance to ask a court to vacate the acceptance of a FEIS. For Applicant actions, non-acceptance by the Approving Agency is cause for the Applicant to administratively appeal to the Environmental Council. For Agency actions, there is no such administrative appeal. In both instances, the Applicant or the proposing Agency can prepare a revised DEIS after a non-acceptance determination.



Ko Olina Bay, O'ahu

Photo by [Floyd Manzano](#)

National Environmental Policy Act

The National Environmental Policy Act (NEPA) requires federal projects to prepare an 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. OEQC publishes NEPA notices in this bulletin to help keep the public informed of important federal actions.

Conservation District

Any use of land in the State Conservation District requires a Conservation District Use Application (CDUA). These applications are reviewed and approved by the Board of Land and Natural Resources. Members of the public may intervene in the permit process. Notices of permit applications are published in this bulletin.

Special Management Area and Shoreline Setback Area

The Special Management Area (SMA) is along the coastline of all islands and development in this area is generally regulated by [HRS 205A](#), and county ordinance. A special subset of the SMA that is regulated by HRS 343, is the [Shoreline Setback Area](#). Most development in this area requires a Special Management Permit. This bulletin posts notice of these SMA applications to encourage public input.

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 Council

The [Environmental Council](#) is a 15-member citizen board appointed by the Governor. They serve as a liaison between the Director of OEQC and the general public concerning ecology and environmental quality. The Council makes the rules that govern the Environmental Impact Statement process (HRS 343). Agendas of their regular meetings are posted on the Internet and the public is invited to attend.

Administrative Exemption Lists

Government agencies must 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 11-200-8(d)). 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).