



The Environmental Notice

April 8, 2010

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The Environmental Notice informs the public of environmental assessments and other documents that are available for review and comment per HRS §343-3 and is updated on the 8th and 23rd of each month on the Office of Environmental Quality Control's website. If you would like to be notified when it is updated, send us your email address and we'll put you on our mailing list.

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OAHU (HRS 343)

1. Meleana Place Drainage Improvements (FEA)

Island: Oahu
District: Honolulu
TMK: Right-of-Way surrounded by (1)1-9-03: 02-10, 26, 31, 37 and 38
Proposing Agency: Dept of Design and Construction, City and County of Honolulu, 650 South King Street, Honolulu, HI. 96813. Scott Nakamatsu, PE, 768-8812
Approving Agency: Same
Consultant: Gray, Hong, Nojima & Associates, Inc., 841 Bishop Street, Suite 1100, Honolulu, HI. 96813. Sheryl E. Nojima, PhD, PE, (521-0306)
Permits: Building, Street Usage, Excavate (Trenching), Community Noise, Connection to Storm Drain System
Comments: FEA accepted by the Approving Agency. There is no comment period

The City and County of Honolulu proposes to construct an underground drainage system to alleviate flooding that occurs in private residential areas at the downhill side at the end of Meleana Place in Nuuanu, Honolulu. Property owners have reported that during periods of heavy rainfall, storm water generated from adjacent hillside traverses across the roadway and ends up in their lots. The proposed system will include installation of the following infrastructure: 130 LF 12- to 36-inch diameter reinforced concrete pipe; 9 catch basins; 5 storm drain manholes; 100 LF of trench drains; and 2' x 4' box culvert connection to existing drainage ditch at the intersection of Meleana Place and Waokanaka Street.

Direct temporary impacts resulting from construction activities include increased traffic congestions, noise, and dust. There should be no impacts to endangered species, archaeological resources, or cultural practices. No longer-term adverse indirect, secondary and cumulative impacts are anticipated. Beneficial long-term impacts include reduced flooding in the vicinity of Meleana Place. The project construction cost has been estimated at \$411,000 and will be funded by the City and County of Honolulu. Construction is expected to begin early to mid 2011 and should be completed within 9 months.

2. Waianae Police Station (DEA)

Island: Oahu
District: Waianae
TMK: 8-5-08:43, 51, por. 40, 43, por. 44
Proposing Agency: Dept of Design and Construction, City and County of Honolulu, 650 South King Street, 11th Floor, Honolulu, HI 96813. Curtis Kushimaejo, 768-8455
Approving Agency: Same
Consultant: Gerald Park Urban Planner, 95-595 Kanamee Street #324, Mililani, HI 96789. Gerald Park, 625-9626
Permits: Public Infrastructure Map Amendment, Special Management Area, Water and Water System Requirements for New Developments, Grubbing, Grading, and Stockpiling, Building, Electrical, Plumbing, Sidewalk/Driveway and Demolition Work, Sewer Connection, Waiver, Street Usage, NPDES General Permit (Tentative), Variance from Pollution Control (Noise), Perform Work within State Highway Right-of-Way
Comments: DEA 30-day comment period starts from the date of this Notice. Address comments to the Proposing Agency and Consultant

Fugitive dust, noise, erosion, and increases in construction vehicle traffic can be expected during construction. Temporary traffic delays will occur when infrastructure connections are made at Farrington Highway. Adverse effects on flora and archaeological sites are not anticipated.

In the long-term the Honolulu Police Department will re-establish their physical presence in the community with a district level station with patrol, receiving and booking, investigative and holding functions. Two additional police beats will be added with all beats originating from the new station. Adverse impacts on local traffic are not anticipated and traffic flow should operate at near existing conditions. Impacts on cultural resources are not anticipated since no ongoing traditional practices are associated with the site. The existing radio tower will be replaced with a tower of the same height but mounted on the roof of the station. The tower will be visible from most locations in Waianae Town and from higher elevation areas. Increases in water, wastewater, and drainage flow are expected. The Station will not directly affect park uses at nearby Pokai Bay Beach Park. The number of parking stalls proposed for beach park use will be reduced by the transfer of land to HPD for police vehicle parking.

3. [Honua Power](#) (FEA)

- Island:** Oahu
District: Ewa
TMK: 9-1-31:32
Applicant: Honua Power, LLC, 500 Ala Moana Blvd., Suite 7-220, Honolulu, HI 96813. Peter Barba, 538-1813
- Approving Agency:** Dept of Planning and Permitting, City and County of Honolulu, 650 South King Street, Honolulu, HI 96813. Ann Asaumi, 768-8020
- Consultant:** Planning Solutions, Inc., 210 Ward Avenue, Suite 330, Honolulu, HI 96814. Perry J. White, 550-4483
- Permits:** Conditional Use - Minor, NPDES Construction, Well Construction and Well Operation, Initial Covered Source/Prevention of Significant Deterioration, Grading, Building, Solid Waste Management Facility, Trenching, Drain Connection License, Water Re-use, and Tank Installation
- Comments:** FEA accepted by the Approving Agency. There is no comment period

Honua Power LLC proposes to construct a new biomass gasification and electrical power generation facility in West Oahu's Campbell Industrial Park. The facility will gasify four types of feedstock: (i) scrap tires; (ii) non-recyclable paper and plastics; (iii) select construction & demolition debris; and (iv) automobile shredder residue. The resulting synthetic gas will then be used as bio-fuel to create steam that will create approximately 12 megawatts of electricity when both 6 MW phases are completed. Honua Power will use some of this electricity to power the facility, but the great majority will be sold to the Hawaiian Electric Company (HECO) under a power purchase agreement.

Short-term construction impacts include increased traffic, noise and air emissions, airborne dust, temporary construction expenditures and employment. Once in operation, the facility will comply with all air quality and other environmental standards. Special measures may be needed to prevent equipment sound levels from exceeding Department of Health noise limits. The proposed facility will reduce the amount of solid waste that must be landfilled and help decrease emissions from fossil fuel combustion.

The project would not result in significant growth or changes in the character of economic activity on Oahu (e.g., the opening of new industries not previously practical). The project will generate about twenty long-term job positions. Hence, it does not have the ability to cause significant secondary impacts.

4. Kewalo Basin Repairs (EISPN)

Island: Oahu
District: Honolulu
TMK: (1) 2-1-58: pors. 01, 02, 35, 95
Proposing Agency: Hawaii Community Development Authority, 461 Cooke Street, Honolulu, HI 96813. Anthony Ching, Executive Director, 594-0300
Accepting Authority: Governor, c/o Hawaii Community Development Authority, 461 Cooke Street, Honolulu, HI 96813. Anthony Ching, Executive Director, 594-0300
Consultant: Helber Hastert & Fee, Planners, 733 Bishop Street, Suite 2590, Honolulu, HI 96813. Scott Ezer / Gail Renard, 545-2055
Permits: Dept of the Army Permits (Section 10 Rivers and Harbors Act and Section 404 Clean Water Act), NPDES, CZM Consistency Certification, SMA, CDUP (*potentially required*)
Comments: EISPN 30-day comment period starts from the date of this Notice. Address comments to the Proposing Agency, with copies to the Accepting Authority and Consultant

The Hawaii Community Development Authority proposes to repair and/or replace the aging and substandard wharf infrastructure at Kewalo Basin harbor, including new piers, supporting piles, dockside utilities, and bulkheads. The full buildout scenario includes replacing and reconfiguring the existing pier infrastructure and increasing the total number of slips from 143 to 250. The project will be constructed in phases over time, depending on the availability of funding.

During the construction period, it is anticipated that the project will have temporary direct impacts on the marine environment within the harbor (water quality, biological resources) as existing piers are demolished and new piers constructed. The project may have temporary noise impacts on the human environment and protected marine species outside the harbor primarily due to construction activities (e.g., pile driving). Other resource areas potentially impacted during the construction period include air quality, traffic, recreation, and harbor operations. Secondary impacts on roadways and traffic, recreation, the marine environment, and cultural resources may occur during the operational period due to increases in harbor usage. The Draft EIS will describe impacts to these resource areas, as well as cumulative impacts of the project when considered with other planned projects in the area.

MAUI (HRS 343)

5. Kahoma Access Easements (DEA)

Island: Maui
District: Lahaina
TMK: (2) 4-5-21:03, 04, 22 and 23
Applicant: Kahoma Land LLC / General Finance Group, 33 Lono Avenue, Suite 450, Kahului, HI 96732. Arlene M. Torricer, 877-4202
Approving Agency: Dept of Land & Natural Resources, Land Division, 1151 Punchbowl Street, Room 220, Honolulu, HI 96813. Darlene K. Ariola, Land Agent, 587-0433
Consultant: Rory Frampton, Land Use Planner, 340 Napoko Place, Kula, HI 96790. Rory Frampton, 877-4202
Permits: Grant of Perpetual, Non-Exclusive (re-locatable) Easements over State Land for Creation of (2) Mauka/Makai and (3) Lateral 40-Foot Right of Ways
Comments: DEA 30-day comment period starts from the date of this Notice. Address comments to the Applicant, with copies to the Approving Agency and Consultant

Applicant is requesting five (5) easements for access and utility purposes over and across State owned lands that would benefit Applicant's fee-simple, mauka lands identified as tax map keys (2) 4-5-21:02, 06 and 24. Two (2) mauka/makai access easements would traverse State lands that encompass Hawaii Housing Finance and Development Corporation's "Villages of Leialii" planned subdivision that includes plans for residential, commercial, and recreational uses.

Applicant is requesting the easements in order to manage agricultural pursuits on their mauka lands including cattle ranching, water reservoir management, and eco-tour operations. Additionally, an agricultural subdivision has also been proposed for the Applicant's mauka lands; the easements over State lands are needed even if the proposed subdivision is not implemented. This Draft EA addresses the request for the Grant of Perpetual Non-Exclusive (Re-locatable) Easements as the primary action and the 55-lot agricultural subdivision as a potential future secondary action.

MOLOKAI (HRS 343)

6. Kualapuu School Waterline Improvements (DEA)

Island: Molokai
District: Molokai
TMK: (2) 5-2-13:27
Proposing Agency: Dept of Education, Facilities Development Branch, PO Box 2360, Honolulu, HI 96804. Robert Purdie, Jr., Project Manager, 586-0408
Approving Agency: Same
Consultant: Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793. Justin Tanaka, Planner, 244-2015
Permits: Dept of Transportation - Work to Perform Permit, Dept of Health - Safe Drinking Water Branch Approval, NPDES, Construction
Comments: DEA 30-day comment period starts from the date of this Notice. Address comments to the Proposing Agency and Consultant

The Department of Education proposes to construct a new waterline to service Kualapuu School, located at 260 Farrington Avenue in Kualapuu, Molokai, Hawaii. The proposed project encompasses both onsite and offsite improvements. Offsite improvements consist of the construction of a new 12-inch waterline, to be connected to the onsite domestic and irrigation water service and fire protection lines. Onsite improvements will consist of both demolition work and the installation of new water infrastructure.

The project will involve a commitment of fuel, labor, funding, and material resources. Impacts to cultural and historic sites and properties are not anticipated. There will be certain unavoidable construction-related impacts, temporary in nature. With the proposed improvements, Kualapuu School would receive water from the same water system and source, but through a new point of connection. Accordingly, there are no anticipated adverse impacts on the water system.

The purpose of the project is to improve the quality of educational facilities at Kualapuu School by providing upgraded and more reliable domestic, irrigation, and fire protection water service.

HAWAII (HRS 343)

7. Shafer Single-Family Residence in the Conservation District, Waawaa, Puna (DEA)

Island: Hawaii
District: Puna
TMK: (3rd) 1-4-28:01

Applicant: Joan Shafer, 209 Honeysuckle Lane, Maggie Valley, NC 28751. James Leonard, (808) 896-3459

Approving Agency: Office of Coastal and Conservation Lands, Dept of Land and Natural Resources, PO Box 621, Honolulu, HI 96809. Kimberly Mills, 587-0382

Consultant: Geometrician Associates, PO Box 396, Hilo, HI 96721. Ron Terry, 969-7090

Permits: SMA Permit or Exemption; Plan Approval, Grubbing, Grading, Building; CDUP

Comments: DEA 30-day comment period starts from the date of this Notice. Address comments to the Applicant, with copies to the Approving Agency and Consultant

Joan Shafer (the applicant) seeks a Conservation District Use Permit (CDUP) to build a single-family residence and related improvements on a 0.392-acre lot located near the shoreline but mauka of a shoreline reserve property, in Waawaa in the Puna District. The residence would occupy a footprint of 3,488 square feet and would include a garage and lanai. Other features include a driveway, septic system, pond and minimal landscaping using mostly the native or Polynesian species found in the area.

Land clearing and construction activities over about 7,250 square feet (less than half the lot) would produce minor short-term impacts to noise, air and water quality and scenery. These would be mitigated by Best Management Practices that are expected to be required as conditions of the Conservation District Use Permit and grading permit. The applicant will ensure that her contractor performs all earthwork and grading in conformance with applicable laws, regulations and standards. The project has been fully surveyed for threatened and endangered plants and none are present. Archaeological and cultural resources have been avoided through inventory, consultation, and site planning, which has situated the structures as far mauka as feasible. In the unlikely event that additional undocumented archaeological resources, including shell, bones, midden deposits, lava tubes, or similar finds, are encountered during construction within the project site, work in the immediate area of the discovery will be halted and the State Historic Preservation Division will be contacted to determine appropriate actions.

COUNTY NOTICES - SPECIAL MANAGEMENT AREA (Ch. 25, Rev. Ord. of Honolulu)

The special management area is the land extending inland from the shoreline, per Chapter 25, Revised Ordinances of Honolulu, and delineated on maps established by the City Council and Section 205A-23, HRS. The public can obtain a copy of the document by contacting the Consultant or the Applicant below.

Au Kai Hale Makai (FEA)

Island: Oahu

District: Waialua

TMK: 6-8-11:52

Applicant: Fredrick E. Hanby, Jr. and Vicki Dagen-Hanby, as Co-Trustees of the Hanby Children's Trust, 68-180D Au Street, Waialua, HI 96791. May Hung, 623-5336

Approving

Agency: City and County of Honolulu, Dept of Planning and Permitting, 650 S. King Street, 7th Floor, Honolulu, HI 96813. Joyce Shoji; 768-8032

Consultant: May Hung, 94-665 Kauluikua Place, Mililani, HI 96789. May Hung, 623-5336

Comments: FEA accepted by the Approving Agency. There is no comment period

Permits: Special Management Area Use Permit

The proposed action involves the construction of single family dwellings on a 10,301-square-foot property zoned A-1 Low Density Apartment District. The property is located at 68-091 Au Street (Tax Map Key 6-8-11: 52) in Waialua, Oahu. The applicant has received building permit approvals to

construct two (2) single-family dwellings on the property. The applicant now proposes to construct two (2) additional, three-story, single-family dwellings for a total of four (4) dwellings. A wastewater treatment plan and soil absorption system will be installed on the site to serve the four (4) dwellings. The project is located entirely within the Special Management Area and requires the approval of a Special Management Area Use Permit and building permits.

CONSERVATION DISTRICT USE PERMITS (HRS 183C)

The following Conservation District Use Application (CDUA) is available for review and comment per HRS 183C and HAR 13-5. Comments and requests for notification of determinations must be submitted within 30 days of the date of this Notice. Please include the following: (1) name and address of the requestor; (2) the permit for which the requestor would like to receive notice of determination; and (3) the date the notice was published in the Environmental Notice. Send comments and requests to: Department of Land and Natural Resources, Office of Conservation and Coastal Lands, P.O. Box 621, Honolulu, HI 96809. DLNR will make every effort to notify those interested in the subject CDUA. However, it is not obligated to notify any person not strictly complying with the above requirements.

File No.: CDUA KA-3540
Applicant: County of Kauai, Department of Water
Location: Wainiha, Hanalei, Kauai
TMK: 4-5-8-02:03
Proposed Action: Wainiha Water Well Project
343, HRS determination: FONSI published in the February 8, 2010 Environmental Notice
Applicant's Contact: Nadine K. Nakamura, NKN Project Planning 4849 Iiwi Road, Kapaa, Hawaii 96746

COASTAL ZONE NOTICES

Federal Consistency Reviews

The Hawaii Coastal Zone Management (CZM) Program has received the following federal actions to review for consistency with the CZM objectives and policies (HRS 205A). Public notice is pursuant to Section 306(d)(14) of the National Coastal Zone Management Act of 1972, as amended. For more information, call John Nakagawa at 587-2878 or the contact listed below. Neighbor islands call toll-free: Kauai: 274-3141 x72878, Lanai & Molokai: 468-4644 x72878, Maui: 984-2400 x72878, or Hawaii: 974-4000 x72878. Federal deadlines require that comments be received by the date specified below. Send comments to: Office of Planning, Department of Business, Economic Development and Tourism, P.O. Box 2359, Honolulu, HI 96804. Email: jnakagaw@dbedt.hawaii.gov or Fax: (808) 587-2899.

Waikiki Beach Maintenance, Oahu

Applicant: Department of Land and Natural Resources
Consultant: Scott Sullivan, Sea Engineering, Inc., 259-7966 Ext. 22
Federal Action: Federal Permit
Federal Agency: U.S. Army Corps of Engineers
Location: Waikiki Beach between Kuhio Beach crib wall and Royal Hawaiian groin
CZM Contact: John Nakagawa, 587-2878, jnakagaw@dbedt.hawaii.gov
Proposed Action: Restore and maintain the 1,700-foot long segment of Waikiki Beach between the Kuhio Beach crib wall and the Royal Hawaiian groin. Approximately 24,000 cubic yards of sand would be recovered from offshore deposits and pumped to the shoreline where it would be dewatered and placed along the beach. The project would widen the beach by about 40 feet, restoring Waikiki Beach to its approximate

1982 width. The proposal also includes an option for a second beach nourishment after approximately 10 years involving approximately 14,000 cubic yards of sand recovered from the same offshore deposits. The project will not enlarge the beach beyond its historical size and no sand stabilizing structures are proposed. The initial project work does include removing two old deteriorated groin structures at the east end the project area. The draft environmental assessment for the proposal is available at: <http://hawaii.gov/health/environmental/oeqc/index.html>

Comments Due: April 22, 2010

Special Management Area Minor Permits

The following is a list of SMA Minor permits that have been approved or are pending by the respective county/state agency (HRS §205A-30). For more information, please contact the appropriate county/state Planning Department. Honolulu (523-4131); Hawaii (961-8288); Kauai (241-6677); Maui (270-7735); Kakaako (Honolulu) or Kalaeloa Community Development District (587-2840).

Location (TMK)	Description (File No.)	Applicant/Agent
Hawaii: North Kohala (5-4-09:26)	Construction of an Additional Farm Dwelling and Barn (SMM 10-143)	Ralph D. Blancato and Craig O. Matkin
Hawaii: Hamakua (4-5-02:80)	After-the-Fact Construction of a Tractor Shed, Storage Yurt, and Fencing (SMM 10-144)	Walter Nikolaus Koenig
Hawaii: South Kona (8-3-05:01)	Installation of Two Vehicular Gates on Keawaiki Road (SMM 10-145)	Charles and Diane Bundrant
Maui: Kanaha (3-8-01:19)	Removal of Invasive Species (SM2 20100017)	Maui Medical Plaza at Kanaha
Maui: Kihei (3-9-01:15)	Removal of Excess Sand Accretion (SM2 20100020)	Arakawa, Milton
Maui: (4-4-08-05)	Tents for Event on 4/27/2010 (SM2 20100021)	Kapunawai Akima

POLLUTION CONTROL PERMITS

The following is a list of some pollution control permits currently before the State Department of Health (HRS 342B and HAR §11-60.1). For more information, please contact the number below.

Branch Permit Type	Applicant and Permit Number	Project Location	Date	Proposed Use
Clean Air Branch, 586-4200, Covered Source Permit	Equilon Enterprises, LLC CSP No. 0072-01-C Application for Renewal No. 0072-06	Located at: Hilo Distribution Terminal 661 Kalaniana'ole Avenue Hilo, Hawaii	Comments Due: 4/12/10	Above Ground Petroleum Storage Tanks, Nos. 1, 4, 6, 7, and 8 With Internal Floating Roofs and Tank Truck Load Rack
Clean Air Branch, 586-4200, Covered Source Permit	Ball Metal Beverage Container Corporation CSP No. 0074-01-C Application for Renewal No. 0074-04	Located at: 91-320 Komohana Street, Kapolei, Oahu	Comments Due: 4/18/10	Two-Piece Aluminum Can Production Plant

Clean Air Branch, 586-4200, Non-Covered Source Permit	Hawaiian Cement NSP No. 0252-02-N/NT Renewal Application No. 0252-07	Located at: Camp 6, Puunene, Maui Various Sites, State of Hawaii	Issued: 3/11/10	200 cy/hr Concrete Batch Plant 60 cy/hr Concrete Batch Plant
Clean Air Branch, 586-4200, Covered Source Permit	Tesoro Hawaii Corp. CSP No. 0212-01-C Application for Renewal No. 0212-01-C Minor Modification Nos. 0212-27 and 0212-28	Located at: 91-325 Komohana Street Kapolei, Oahu	Issued 3/17/10	Petroleum Refinery
Clean Air Branch, 586-4200, Non-Covered Source Permit	G. Ibarra Heavy Equipment Rentals NSP No. 0447-01-NT Application for Renewal No. 0447-03	Located at: Various Temporary Sites, State of Hawaii	Issued: 3/22/10	Duplex Crushing and Screening Plant
Clean Air Branch, 586-4200, Non-Covered Source Permit	Edwin DeLuz Trucking & Gravel, LLC NSP No. 0360-01-N Application for Renewal No. 0360-03	Located at: Waimea Quarry, South Kohala, Hawaii TMK: 6-7-1: por 25	Issued: 3/22/10	660 TPH Crushing and Screening Plant

FEDERAL NOTICES

Implementation Plan Oahu Training Areas

In accordance with the National Environmental Policy Act, a Programmatic Environmental Assessment (PEA) and draft Finding of No Significant Impact (FNSI) have been prepared for the implementation of natural resource management activities proposed for locations within the Koolau and Waianae Mountains. The proposed management actions would include surveying, monitoring, construction of ungulate exclusion fences, alien plant and animal species control, and specimen collection. The purpose of the proposed action is to control threats to target endangered species and help these species achieve stabilization. Based on the information analyzed, the PEA concludes that the proposed action would not result in any unmitigable significant direct, indirect, or cumulative adverse impacts on the natural or human environment.

The PEA and draft FNSI are available for public review at the Wahiawa, Mililani, Waianae, Waialua, Kapolei, Kahuku, Kaneohe, Aiea, Aina Haina, and Hawaii State Libraries. Copies can also be obtained by contacting Ms. Dale Kanehisa at (808) 656-5670. Written comments will be received and considered up to 30 days from the publication of this notice, and should be directed to: Directorate of Public Works, Environmental Division (IMPC-HI-PWE), Attn: Ms. Dale Kanehisa, 947 Wright Avenue, Wheeler Army Airfield, Schofield Barracks, 96857-5013.

East Kapolei I Subdivision and Detention Pond 8-Step Analysis for Compliance with Protection of Wetlands

The Department of Hawaiian Homelands (DHHL) proposes to construct a residential subdivision at TMK 9-1-16:108, a parcel of land owned by DHHL and a stormwater detention pond at TMK 9-1-16:179, a parcel of land owned by the University of Hawaii located in Ewa, Oahu. The actions will include grading approximately 1,000 feet of Kaloi Gulch which is mapped as a Palustrine Scrub-Shrub Broad-Leaved

Evergreen Temporarily Flooded wetland (PSS3A) on the National Wetlands Inventory. A full description of the proposed activity may be viewed at the Hale Kalaniana'ole, 91-5420 Kapolei Pkwy., Kapolei, HI 96707. Darrell Ing, 620-9276. Comments to the proposed activity may be submitted within 15 days of this notice to: DHHL Land Development Division, Attn: Darrell Ing, PO Box 1879, Honolulu, HI 96805.

GLOSSARY

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 an environmental impact statement shall be required per [HRS §343-5\(b\)](#), for Agency actions and [HRS §343-5\(c\)](#), for Applicant actions. For environmental assessments for which a Finding of No Significant Impact is anticipated, 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 per (HRS §343-3), also known as The Environmental Notice.

Final Environmental Assessment and Finding of No Significant Impact

The Agency shall respond in writing to comments received during the review and prepare a Final EA (FEA) to determine whether an environmental impact statement shall be required. The FEA must respond to all public comments. If there are no significant impacts, then the Agency will issue a Finding of No Significant Impact (FONSI). An Environmental Impact Statement will not be required and the project may then be implemented. 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). After the notice of the 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.

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 mitigative 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. For an Agency project, the Governor or the Mayor (or their designated representative) is the Accepting Authority. 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, the Approving Agency must make a determination on acceptance within 30 days of receipt of the FEIS or the FEIS is deemed accepted. For Applicant actions, the law provides for an administrative appeal of a non-acceptance to the Environmental Council.

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 Hawaii'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. Notice 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 Hawaii 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.

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).