

THE ENVIRONMENTAL NOTICE

A semi-monthly periodic bulletin published by the Office of Environmental Quality Control pursuant to
Section 343-3,
Hawai'i Revised Statutes
June 8, 2012

CORRECTIONS

The May 23, 2012 issue of this notice erroneously listed a consultant for the [Mānā Plain Wetland Restoration Project DEA](#); AECOM Technical Services is NOT the consultant for the Mānā Plain Wetland Restoration Project on Kaua'i as misprinted in the May 23, 2012 edition of this notice. Please send any comments regarding this project to the Department of Land and Natural Resources, Division of Forestry and Wildlife, 3060 Eiwa St. Room 306, Lihu'e, Hawai'i, 96766. Contact: Jason Vercelli (808) 241-3768.

On the same issue, the Governor of Hawai'i was erroneously listed as the "approving authority" for the [Saddle Road Extension FEA-EISPN](#); the Governor is the "accepting authority" for this environmental impact statement.

OPEN HOUSE PUBLIC MEETINGS FOR NEPA DEIS/OEIS FOR NAVY MILITARY READINESS AND TRAINING AND TESTING ACTIVITIES IN HAWAII AND SOUTHERN CALIFORNIA

Pursuant to the National Environmental Policy Act (NEPA), the Navy has issued a Draft Environmental Impact statement (DEIS)/Overseas Environmental Impact Statement (OEIS) to conduct military readiness and training and testing activities within: (1) existing range of complexes and operating areas located in the waters around the Hawaiian Islands and off the coast of Southern California; (2) pier-side locations in both areas; and (3) a transit corridor connecting the Hawai'i and Southern California range complexes. These activities include the use of active sonar and explosives. The purpose of the proposed action is to conduct military training and testing activities to ensure the Navy accomplishes its mission to maintain, train, and equip combat-ready U.S. naval forces capable of winning wars, deterring aggression and maintaining freedom of the seas. There will be open house public meetings in Hawai'i at the following locations, dates and times:

- Lihu'e Kaua'i – June 12, 2012, Wilcox Elementary School Cafeteria, 4319 Hardy Street, 5 p.m. to 8 p.m.
- Kahului, Maui – June 13, 2012, Maui Waena Intermediate School Cafeteria, 795 Onehe'e Avenue, 5 p.m. to 8 p.m.
- Hilo, Hawai'i – June 14, 2012, East Hawai'i Cultural Center, 141 Kalakaua Street, 5 p.m. to 8 p.m.
- Honolulu, O'ahu – June 15, 2012, McKinley High School Cafeteria, 1039 S. King Street, 5 p.m. to 8 p.m.

Federal, State and local agencies and officials, interested groups and individuals are encouraged to provide oral comments in person at any of the public meetings or in writing anytime during the public comment period. Oral testimony from the public will be recorded by a court reporter. In the interest of available time, and to ensure all who wish to give an oral statement to the court reporter have the opportunity to do so, each speaker's comments will be limited to three (3) minutes, which may be extended if meeting attendance permits. Comments may also be submitted via the U.S. Postal Service to Naval Facilities Engineering Command, Southwest, Attention: HSTT EIS/OEIS Project Manager-EV21.CS; 1220 Pacific Highway, Building 1, Floor 3, San Diego, CA 92132-5190 or electronically via the project Web site (<http://www.HSTTEIS.com>). All statements oral or written, submitted during the public review period will become part of the public record on the Draft EIS/OEIS and will be responded to in the postmarked or received by July 10, 2012 to ensure they become part of the official record.

For Further Information Contact: Naval Facilities Engineering Command, Southwest, Attention: HSTT EIS/OEIS Project Manager EV21.CS; 1220 Pacific Highway, Building 1, Floor 3, San Diego, CA 92132-5190 (see, 77 F.R. 27744, May 11, 2012).

Note: If you get a message saying that the file is damaged when you click on the link, then the file is too big to open within your web browser. To view the file, download directly to your hard drive by going to File and select Save As in your web browser.

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 issued 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 issued, send us your email address and we'll put you on our mailing list.



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Tel: 586-4185 · Fax: 586-4186 · Email: oeqc@doh.hawaii.gov
Website: <http://hawaii.gov/health/environmental/oeqc/index.html/>
Toll Free: Kaua'i: 274-3141 ext. 64185 · Maui: 984-2400 ext. 64185 · Moloka'i/Lāna'i: 1-800-468-4644 ext. 64185
Hawai'i: 974-4000 ext. 64185



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OPEN HOUSE PUBLIC MEETINGS FOR EXISTING NAVY RANGE OFF HAWAI'I STATE AND CALIFORNIA STATE WATERS DEIS 1

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HAWAI'I (HRS 343)

1. Gapp Single Family Residence & Related Improvements DEA

Island: Hawai'i
District: Puna
TMK: (3rd) 1-5-010:032
Permits: Special Management Area Permit or exemption; CDUP; grading permit
Applicant: John and Maureen Gapp, P.O. Box 1128, Pahoa, HI 96778. Contact: Sidney Fuke, (808) 969-1522
Approving Agency: Office of Coastal and Conservation Lands, DLNR, PO Box 396, Hilo, HI 96721. Contact: Sam Lemmo, (808) 587-0377
Consultant: Geometrician Associates, PO Box 396, Hilo, HI 96721. Contact: Ron Terry, (808) 969-7090
Status: Anticipated Finding of No Significant Impact (AFONSI). 30-day comment period begins; comments are due on July 9, 2012. Send comments to the applicant, approving agency and consultant.



John and Maureen Gapp (the applicants) seek a Conservation District Use Permit to build a single-family residence and related improvements on a 5.58-acre lot located adjacent to the shoreline at Maku'u. The one-storey home will be 5,000 square feet, including the house, garage, pool and cabana/pavilion. The home will be set back 200 feet from the shoreline at 25 feet above sea level. The open cabana will be used for fishing and gardening and will be 60 feet from the shoreline. Other features include an Individual Wastewater System, a driveway, underground utilities, an at-grade covered lanai and open decks, various walkways, small fenced gardens, and landscaping using mostly native or Polynesian species between the home and the shoreline setback line. No modification within the shoreline setback area are planned. Four burial sites and archaeological sites in the four-acre mauka portion of the lot will be preserved in accordance with already accepted preservation and burial treatment plans. Archaeological monitoring will occur during construction. Landclearing and construction would occur over roughly an acre, and produce minor short-term impacts to noise, air and water quality and scenery that would be mitigated by Best Management Practices. Impacts of the island wide-ranging endangered Hawaiian hoary bat and Hawaiian Hawk will be avoided through timing of vegetation removal and/or hawk nest survey.

MAUI (HRS 343)

2. Pu'unene Heavy Industrial Subdivision DEA

Island: Maui
District: Wailuku
TMK: (2) 3-8-008: 019
Permits: District Boundary Amendment; Community Plan Amendment; Change in Zoning; Work to Perform in the State Highway Right-of-Way; Well Drilling and Pump Installation Permits; Public Water System Approval; Wastewater System Approval; NPDES; Grubbing and Grading Permits, Construction Plans Approval; Final Subdivision
Applicant: CMBY 2011 Investment, LLC. P.O. Box 220, Kihei, HI 96793. Contact: Blanca Lafolette, (808) 874-5263
Approving Agency: Maui Planning Commission c/o Maui Planning Department, 250 S. High Street, Wailuku, HI 96793. Contact: Kurt Wollenhaupt, (808) 270-8205



4. Kailua District Park Softball Field Lighting System Replacement FEA-FONSI

Island: O'ahu
District: Ko'olauloa
TMK: 4-3-056: 009
Permits: Building Permits
Proposing/Determination
Agency: Department of Design and Construction, 650 South King Street, 11th Floor, Honolulu, HI 96813
Consultant: Environmental Communications, Inc., 1188 Bishop Street, Suite 2210, Honolulu, HI 96813.
Contact: Taeyong Kim, (808) 528-4661
Status: Finding of No Significant Impact (FONSI) Determination



The project site is in current use as one of three softball fields located within the Kailua District Park complex. The park service is the primary municipal recreational complex in the central Kailua Town area.

The project site is located immediately north of Kailua Road and across the street from commercial properties and the Kailua Town retail district. To the west lie more commercial areas. The District Park office, swimming pool, tennis courts and parking lot and additional play fields lie to the north and northeast of the site. Southeast of the project site lies residential areas.

The proposed project consists of the replacement of the existing softball field lighting system. The proposed scope of work will include the removal of the existing system, the installation of new poles and luminaries, new control systems, and a new accessible walkway.

5. Kailua High School Natural Science Building FEA-FONSI

Island: O'ahu
District: Ko'olaupoko
TMK: 4-02-03:22
Permits: Building, Elevator, Zoning Waiver, Grading
Proposing/ Determination
Agency: State of Hawaii, DOE, PO Box 2360, Honolulu, HI 96804.
Contact: Dennis Olmstead, (808) 586-0532
Consultant: Architecture Plans Inc., 400 Hobron Lane, Ste. 303, Honolulu, HI 96815.
Contact: Gary K. Kawakami, (808) 945-2311
Status: Finding of No Significant Impact (FONSI) Determination



The State of Hawai'i, Department of Education (DOE) is proposing to demolish existing Building L and construction of a new classroom building has been determined to be the best alternative based on input from the school and community through preliminary planning/ design studies. The proposed new classroom facility will provide the necessary specialized science and computer technology space and features needed for a specialized aquaculture program developed over the years that the existing school facilities cannot.

The proposed new classroom building will be constructed of concrete, masonry, steel, metal decking and roofing, and interior finishes of various types. It will provide approximately 18,000 + sf.

The proposed new classroom building will house a general classroom, 2 microbiology science classrooms, 3 computer resource rooms and supporting spaces including technical equipment rooms, storage rooms, offices, restrooms, etc.

A Finding of No Significant Impact (FONSI) is determined as no significant social-economic, health, safety, vehicular, cultural, historic or environmental impacts are anticipated by proceeding with the new classroom building. In addition to the various mitigative measures outlined in the following, DOE has directed consultants to design the new facility with the goal of meeting an equivalent of LEED (Leadership in Energy and Environmental Design) Silver Certification.

6. Round Top Drive Rock-Fall Mitigation Project FEA-FONSI

Island: O'ahu
District: Honolulu
TMK: 2-5-019:003
Permits: Conservation District Use (HAR 13-5); State Historic Preservation Review (HRS Chapter 6E-8; HAR 13-275)

Proposing/ Determination

Agency: City & County of Honolulu, Department of Design & Construction, 650 South King Street, 15th Floor, Honolulu, HI 96813. Contact: Michael Yamasaki (808) 768 8824

Consultant: AECOM Technical Services, Inc., 1001 Bishop Street, Suite 1600, Honolulu, HI 96813-3920. Contact: Ardalan Nikou, (808) 529-7223

Status: Finding of No Significant Impact (FONSI) Determination



The City and County of Honolulu proposes the Round Top Drive Rockfall Mitigation project to reduce the potential for rockfall hazards on state lands adjacent to Round Top Drive by implementation of slope stabilization measures. The existing slope has a multitude of potentially hazardous rocks, creating a high potential for rockfalls and landslides to reach the roadway. Rockfall mitigation and slope stabilization measures are needed to reduce these identified risks to public health and safety for users of the road corridor.

To determine whether the Proposed Action would have a significant impact on the human, natural, or historic environments, the project, its anticipated direct and indirect effects, and the short-term, long-term, and cumulative impacts have been evaluated. Based on the discussion of impacts and mitigation measures contained in the EA and the evaluation of the significance criteria, it is anticipated that the proposed project would not have a significant adverse impact on the environment. Therefore, a Finding of No Significant Impact has been issued.

NEPA NOTICE

7. Basing of MV-22 and H-1 Aircraft in Support of III MEF Elements in Hawai'i FEIS

Island: Hawai'i, Kaua'i, Maui, Moloka'i, O'ahu

Permits: Construction-related, e.g., NPDES permit, permit for stationary sources

Proposing/ Determination

Agency: Department of the Navy, Attn: Naval Facilities Engineering Command, Pacific, 258 Makalapa Drive, Suite 100, Pearl Harbor, HI 96860-3134.

Status: Comment period ends July 11, 2012. Comments must be received via the project website www.mcbh.usmc.mil/mv22h1eis, or postmarked no later than July 11, 2012 and submitted to: Naval Facilities Engineering Command Pacific, 258 Makalapa Drive, Suite 100., Pearl Harbor, HI 96860-3134. Attn: EV21, MV-22/H-1 EIS Project Manager.

In accordance with the National Environmental Policy Act (NEPA), the Department of the Navy, on behalf of the U.S. Marine Corps, has prepared an FEIS that evaluates environmental consequences that may result from the basing of statewide training of MV-22 tiltrotor Osprey, and H-1 Cobra and Huey attack/utility squadrons in support of Third Marine Expeditionary Force elements in Hawai'i. The Department of the Army is a cooperating agency. The FEIS is available on the Internet at www.mcbh.usmc.mil/mv22h1eis.

COASTAL ZONE MANAGEMENT NOTICES

Special Management Area (SMA) Minor Permits

The SMA Minor permits below have been approved or are pending approval (HRS 205A-30). For more information, contact the county/state Planning Department. Honolulu (523-4131); Hawai'i (961-8288); Kaua'i (241-6677); Maui (270-7735); Kaka'ako or Kalaeloa Community Development District (587-2840).

Location (TMK)	Description (File No.)	Applicant/Agent
Hawai'i: North Kona (7-8-010: 044)	New Construction and Commercial Activity (SMM 12-217)	Kamehameha Investment Corporation (KIC)
Hawai'i: South Kona (8-1-009: 025)	Construction of an Agricultural Building (SMM 12-219)	Jonathan & Nancy Sechrist
Hawai'i: South Kona (8-3-006: 004)	Clear Land to Control Overgrown Cactus and Trees (SMM 12-220)	Francis Ouye
Hawai'i: South Kohala (6-9-005: 001)	After-the-Fact Approval to Allow the Existing Wall Built within the Shoreline Setback Area to Remain in Place (SMM 12-222)	Gregory R. Mooers
Maui: (4-6-008: 056, 057 & 058)	Remove Dwelling & Install Parking Lot (SM2 20120058)	Wayne Arakaki
Maui: Kihei (3-8-013: 014)	Irrigation Well, Pressure Tanks (SM2 20120059)	Ronald M. Fukumoto Engineering, Inc.
Maui: (2-9-007: 052)	Existing Water Tanks & Storage Buildings (SM2 20120060)	Jeffree Trudeau
Maui: (4-6-001: 002, 007, 008 & 009)	Maui Oceanfront Marathon January 22, 2012 (SM2 20120061)	Les Wright
Maui: Kihei (3-9-051: 009)	Goodyear (SM2 20120062)	Pacific Sign & Design
Maui: Lahaina (4-6-031: 036)	Remodeling (SM2 20120063)	Doug Mortimore
Maui: Lahaina (4-6-002: 010)	2012 Annual Na Kamehameha Commemorative Pa'u Parade & Ho'olaulea (SM2 20120064)	Tri-Isle Resource Conservation & Development Council, Incorporated
Maui: Kihei (2-1-006: 092, 093 & 094)	Taste of Makena Annual Fundraiser 2012 (SM2 20120065)	Rotary Club of Maui
Maui: Kihei (3-9-051: 023)	Interior Remodeling (SM2 20120066)	Nikole Mcelroy
Maui: Lahaina (4-6-001: 007)	Vic-Maui International Yacht Race 2012 (SM2 20120067)	Jeffrey Becklund
Maui: Lahaina (4-6-032: 005)	Enlarge Two Doors for Handicap (SM2 20120068)	Bill Salawich
Maui: (1-2-002: 023)	Replace Structure/Nahiku Grammar School (SM2 20120069)	County of Maui, Parks & Recreation
Maui: Haiku (2-9-007: 022)	Irrigation Well (SM2 20120070)	Jason Roberts
Molokai: (5-1-003: 013)	Pool Canopy Exit; Solar Panel (SM6 2012004)	Tri-L. Construction, Inc.

SHORELINE NOTICES

Shoreline Certification Applications

The shoreline certification applications above are available for review at the DLNR 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 587-0420.

File No.	Date	Location	Applicant/Owner	TMK
OA-1474	Proposed Shoreline Certification	Lot 160-B as shown on Map 66, Land Court Application 1095 situate at Kahuku, Ko'olaupua, O'ahu Address: 56-1089 Kamehameha Highway Purpose: Development planning	ControlPoint Surveying, Inc./ Makai Ranch, LLC	5-6-003:010 (por.)

OA-1480	Proposed Shoreline Certification	Parcel 2 Portion of Old Government Beach Road and Portion L.P. 8165, Part B, L.C. Aw. 8559-B, Ap. 32 to William C. Lunailo Portion Ka'alawai Beach Lots situate at Ka'alawai, Kapahulu, Honolulu, O'ahu Address: 3637 Diamond Head Road Purpose: Building Permit	Walter P. Thompson, Inc./ C. Jeanette Magoon, Trustee C. Jeanette Magoon Trust	3-1-038:008
OA-1486	Proposed Shoreline Certification	Lot 16 Kawaihoa Beach Lots, Section C situate at Kawaihoa, Waialua, O'ahu Address: 61-431 Kamehameha Highway Purpose: Building permit	Walter P. Thompson, Inc./ David Fisher	6-1-008:007

Shoreline Certifications and Rejections

The shoreline notices below have been proposed for certification or rejection by DLNR (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 Resource, 1151 Punchbowl Street, Room 220, Honolulu, HI 96813.

File No.	Proposed/Rejected	Location	Applicant/Owner	TMK
OA-1495	5/22/12	Lot 38 of Block "A" Land Court Application 1596, Map 1 situate at Wailupe, Waikiki, Honolulu, O'ahu Address: 146 Wailupe Circle Purpose: Repair of seawall	Dennis K. Hashimoto/ Kahn Family Trust	3-6-001:038
MA-511	5/16/12	Lot 3-A of the Subdivision of Lot K-1 being a portion of Grant 835 to Mahoe and a portion of Royal Patent 4137, Land Commission Award 4292-B, Apana 2 to Kalama situate at Kaleo, Honua'ula, Makawao, Maui Address: 5410 Lower Makena Road Purpose: SMA and building permitting purposes	Newcomer-Lee Land Surveyors, Inc./ Edward F. Sher & Mona L. Soderstrom Sher	2-1-007:069
MA-512	5/18/12	Lot 3 Land Court Application 1744 (Map 2) situate at Ka'anapali, Lahaina, Maui Address: 2525 Ka'anapali Parkway Purpose: Determine shoreline setback	R.T. Tanaka Engineers, Inc./ Kaanapali Beach Hotel	4-4-008:003

POLLUTION CONTROL PERMITS

Below is a pollution control permit before the State Department of Health (HRS 342B and HAR 11-60.1). For more information, contact the number given.

Branch Permit Type	Applicant and Permit Number	Project Location	Date	Proposed Use
Clean Air Branch, 586-4200, Covered Source Permit	Powerscreen of California Initial Application No. 0754-01 CSP No. 0754-01-CT	Located at: Various Temporary Sites, State of Hawai'i	Issued: 5/14/2012	400 TPH Mobile Crushing Plant

FEDERAL NOTICES

Western Pacific Fishery Management Council Meeting

<http://www.gpo.gov/fdsys/pkg/FR-2012-06-05/pdf/2012-13282.pdf>

The Western Pacific Fishery Management Council (Council) will hold meetings of its 110th Scientific and Statistical Committee (SSC), Joint Advisory Panel, Pelagic and International Standing Committee, Executive and Budget Standing Committee, and 154th Council to take actions on fishery management issues in the Western Pacific Region. The meetings will be held June 19 through June 28, 2012, at the Council office, 1164 Bishop Street, Honolulu, Hawai'i 96813; telephone: (808) 522-8220. The 154th Council meeting will be held at the Laniakea

YWCA—Fuller Hall, 1040 Richards Street, Honolulu, Hawai'i 96813; telephone: (808) 538–7061. The Fishers Forum will be held at the Harbor View Center, 1129 North Nimitz Hwy (Pier 38), Honolulu, Hawai'i; telephone: (808) 983–1200. For more information please contact Kitty M. Simonds, Executive Director; telephone: (808) 522–8220 (see, 77 F.R. 33195, June 5, 2012).

Meeting for Kalaupapa Federal Advisory Commission

<http://www.gpo.gov/fdsys/pkg/FR-2012-06-01/pdf/2012-13240.pdf>

The National Park Service (NPS) announces that the Kalaupapa Federal Advisory Commission will meet on June 14, 2012 at Paschoal Hall, Kalaupapa National Historical Park, Kalaupapa, Hawai'i 96742 at 9:00 a.m., with the following agenda: (1) Approval of Agenda; (2) Approval of January 23, 2012 Minutes; (3) Superintendents' Report; (4) Phase II—Vegetation Clearing Project; (5) GMP Update; (6) Memorial Update; and (7) Public Comments. For further information concerning this Meeting, please call the Superintendent, Kalaupapa National Historical Park, P.O. Box 2222, Kalaupapa, Hawai'i 96742, telephone (808) 567–6802 x 1100 (see, 77 F.R. 32668, June 1, 2012).

Marine Mammals; File No. 15240

<http://www.gpo.gov/fdsys/pkg/FR-2012-05-30/pdf/2012-13112.pdf>

Notice is hereby given that the National Marine Fisheries Service (NMFS) has issued a permit has been issued to NMFS Pacific Islands Fisheries Science Center (PIFSC), 2570 Dole Street, Honolulu, Hawai'i 96822 (Responsible Party: Frank A. Parrish, Ph.D.) to conduct research on cetaceans. The permit and related documents are available for review upon written request or by appointment in the following offices: Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)427–8401; fax (301)713–0376; and Pacific Islands Region, NMFS, 1601 Kapi'olani Blvd., Rm 1110, Honolulu, Hawai'i 96814–4700; phone (808)944–2200; fax (808)973–2941. For further information please contact Carrie Hubbard or Laura Morse, (301) 427–8401 (see, 77 F.R. 31836, May 30, 2012).

Approval and Promulgation of Implementation Plans; State of Hawai'i; Regional Haze Federal Implementation Plan

<http://www.gpo.gov/fdsys/pkg/FR-2012-05-29/pdf/2012-12415.pdf>

The United States Environmental Protection Agency (EPA) is proposing to promulgate a Federal Implementation Plan (FIP) to address regional haze in the State of Hawai'i. EPA proposes to determine that the FIP meets the requirements of the Clean Air Act (CAA or "the Act") and EPA's rules concerning reasonable progress towards the national goal of preventing any future and remedying any existing man made impairment of visibility in mandatory Class I areas. We are taking comments on this proposal and plan to follow with a final action. Written comments must be received at the address below on or before July 2, 2012. Submit your comments, identified by Docket ID No. EPA–R09–OAR–2012–0345 by one of the following methods: (1) *Federal Rulemaking portal*: <http://www.regulations.gov>. Follow the on-line instructions for submitting comments. (2). *Email*: nudd.gregory@epa.gov. (3). *Fax*: 415–947–3579 (Attention: Gregory Nudd). (4). *Mail, Hand Delivery or Courier*: Gregory Nudd, EPA Region 9, Air Planning Office (AIR–2), Air Division, 75 Hawthorne Street, San Francisco, California 94105. Hand and courier deliveries are only accepted Monday through Friday, 8:30 a.m. – 4:30 p.m., excluding Federal holidays. Special arrangements should be made for deliveries of boxed information. For further information, please contact Gregory Nudd, Air Planning Office (AIR–2), U.S. Environmental Protection Agency Region 9 at 415–947–4107 (see, 77 F.R. 31693, May 29, 2012).

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).