

CITY AND COUNTY OF HONOLULU
DEPARTMENT OF PLANNING AND PERMITTING (DPP)

**Instructions for Preparing and Submitting an
Environmental Assessment
*when the DPP is the Approving Agency***

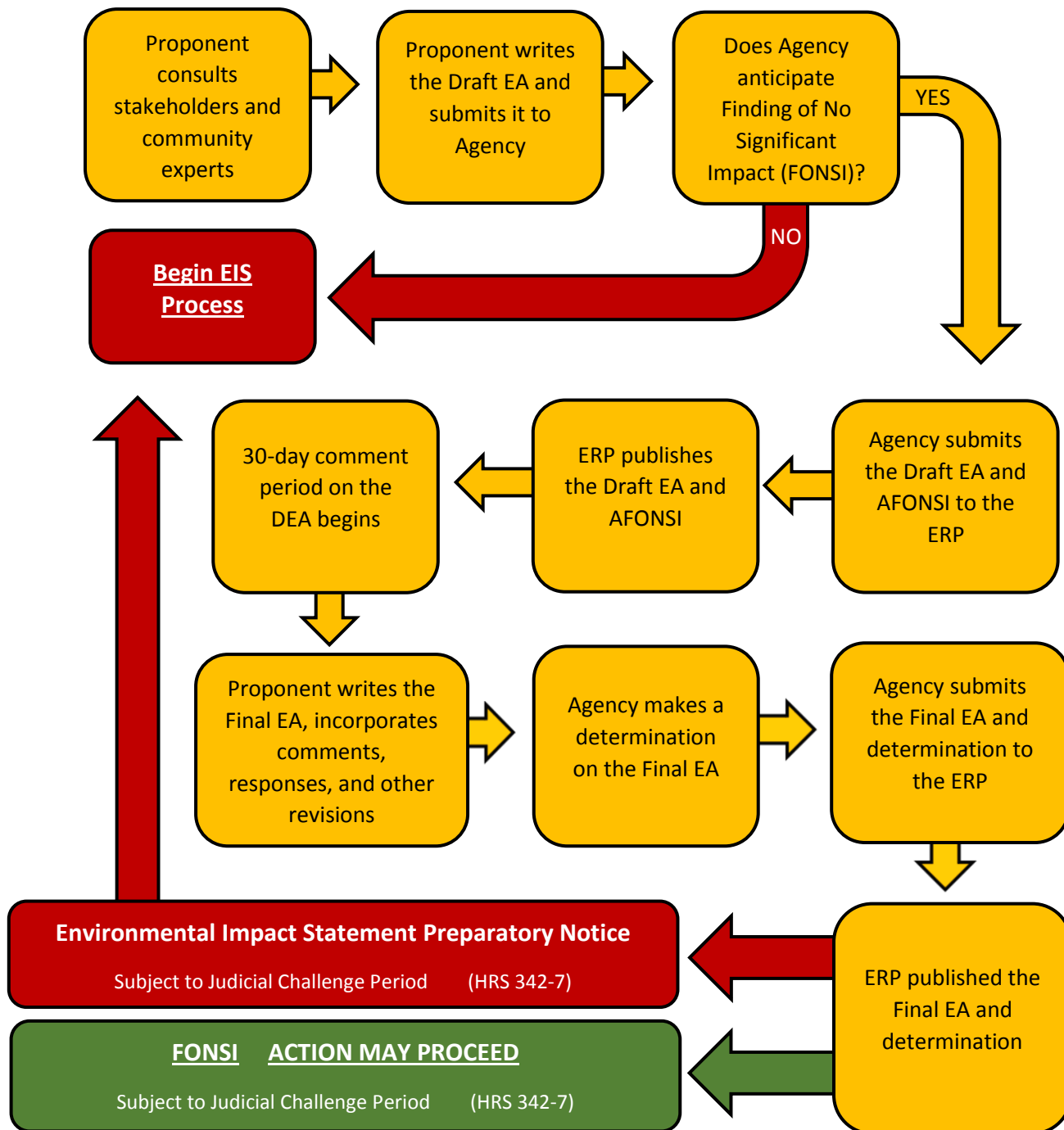
This document is intended to assist Applicants in preparing a complete application and should be read in conjunction with all other applicable rules and regulations pertaining to Environmental Assessments and the Hawaii Administrative Rules (HAR) Chapter 11-200.1, Subchapter 9 "Preparation of Environmental Assessments," in particular.

For further information on how to complete the EA and its submittal, please contact the DPP at 808.768.8000 or at www.honoluludpp.org.

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This is a summary version of the Hawaii Environmental Review Process (ERP) guide from the Office of Planning and Sustainable Development (OPSD) and reflects the EA processes. The full guide from OPSD is available online at <https://planning.hawaii.gov/erp/>.



I. PURPOSE

This document was compiled to provide instructions to Applicants on the breadth of information Environmental Assessments (EAs) should contain when the City and County of Honolulu, Department of Planning and Permitting (DPP), is the approving agency. Please note that Environmental Impact Statements (EISs) differ from EAs. A separate set of instructions for EISs is accessible on the DPP website at www.honoluludpp.org.

This document should be read in conjunction with all other applicable rules and regulations. It is not intended to replace the regulations or guidance provided by the State, but rather to assist with the preparation of EAs.

II. TRIGGERS AND EXEMPTIONS

An Action is subject to the environmental review process as established in Hawaii Revised Statutes (HRS) Chapter 343 if it hits one of thirteen triggers, as enumerated within [Section 343-5 \(HRS\)](#). The triggers for an EA are:

- 1) The use of State or county lands or funds.
- 2) Any proposed use of land within the conservation state land use district.
- 3) Any proposed use or development within the shoreline area as defined in Section 205A-41, HRS.
- 4) Any proposed use within any historic site as designation in the National Register or Hawaii Register, as provided for in the Historic Preservation Act of 1966, Public Law 89-665, or Chapter 6E, HRS.
- 5) Any proposed use within the Waikiki Special District as established in Chapter 21, the Land Use Ordinance (LUO), Revised Ordinances of Honolulu (ROH).
- 6) Any proposed amendments to the existing county general plan where the amendment would result in designations other than agriculture, conservation, or preservation, except Actions proposing any new county general plan or amendments to the existing county general plan initiated by the county.
- 7) Any proposed reclassification of any land classified as a conservation district by the state land use commission under Chapter 205, HRS.
- 8) Any proposed new, or the modification of existing, helicopter facilities within the state that may, by way of their activities, affect:
 - i. Any land classified as a conservation district by the state land use commission under Chapter 205, HRS;
 - ii. A shoreline area as defined in Section 205A-41, HRS; or

- iii. Any historic site as designated in the National Register or Hawaii Register, as provided for in the Historic Preservation Act of 1966, Public Law 89-665, or Chapter 6E, HRS; or until the statewide historic places inventory is completed, any historic site that is found by field reconnaissance of the area affected by the helicopter facility and is under consideration for placement on the National Register or the Hawaii Register of Historic Places; and
- 9) Any proposed wastewater treatment unit, except an individual wastewater system or a wastewater treatment unit serving fewer than fifty single-family dwellings or the equivalent;
- 10) Any proposed waste-to-energy facility;
- 11) Any proposed landfill;
- 12) Any proposed oil refinery; or
- 13) Any proposed power-generating facility.

Agencies may declare minor or routine Actions that trigger environmental review exempt from the requirement to prepare an EA. To declare an Action exempt requires the Agency to either: assert that the specific activity does not have the potential to adversely affect the environment (i.e. the Action is *de minimis*), or demonstrate that the Action falls within the exemptible Action types established in Section 11-200.1-15(c), HAR. Most agencies have exemption lists that specify activities that may be exempted from HRS 343. They can be found here: <https://planning.hawaii.gov/erp/agency-exemption-list/>.

All exemption classes are inapplicable when the cumulative impact of planned successive Actions is deemed to be significant, or when an Action may have a significant impact in a particularly sensitive environment. An EA may be required even if the Action is determined to have no significant impacts if, after the Approving Agency's consultation with outside experts, there are unresolvable concerns pursuant to Section 11-200.1-15 or Section 11-200.1-17, HAR. Discretion on the exemptibility of an Action rests with the Approving Agency.

III. PRE-DRAFT EA CONSULTATION

Pursuant to Section 11-200.1-18, HAR, Applicants are required to seek early consultation from the DPP, as well as "other agencies having jurisdiction or expertise as well as those citizen groups and individuals that the proposing or approving agency reasonably believes may be affected." The scope of the Draft EA may vary with the scope

and the nature of the proposed Action and its subsequent impacts. Pre-consultation will enable the identification of issue areas to be discussed, as well as the scope of the analysis that will be required for each issue area. Changes to the Project resulting from such consultation should be incorporated into the Draft EA prior to submittal to the DPP. Applicants have two options in fulfilling the Pre-Draft EA Consultation: either they should write in to the DPP for Pre-Draft EA Consultation or they may request a meeting with DPP Staff. Either option will fulfill the consultation requirements.

You may schedule a Pre-Draft EA Meeting with the DPP by calling (808) 768-8000 or emailing info@honoluluodpp.org.

IV. SUBMITTAL OF A COMPLETED DRAFT EA PACKAGE TO DPP

- a. Document Submittal
 - i. The completed application package, which includes:
 - 1. The completed Master Application Form;
 - 2. A Cover Transmittal Letter;
 - 3. The EA and its appendices;
 - 4. A Publication Form;
 - 5. An “Action Location Map;” and,
 - 6. And fees as described below in Section V of this document, should be submitted to the DPP for review.
 - ii. The application package should include a Microsoft Word version of the appropriate publication form for uploading to the OPSD-ERP, and associated “Action location map” as described in Section IV(b) of this document.
 - 1. The Master Application Form is accessible online at:
<http://www.honoluluodpp.org/ApplicationsForms/ZoningandLandUsePermits.aspx>
 - iii. **The submittal of electronic documents, either in whole or in part of this application, is preferred.** Electronic document submittals must be submitted as a searchable PDF (Adobe Reader 9 or earlier).
 - 1. Single files may not exceed 300 megabytes and the entire document may not exceed 1,500 megabytes. If the entire document exceeds 1,500 megabytes, it must be submitted as multiple PDFs and be clearly labeled (e.g. Volume 1 of X).

2. One copy of the electronic documents should be submitted to the DPP via email at info@honoluluodpp.org (preferred) or physically on a USB Drive.
 - a. Documents submitted via email must include a subject line following this template:
 - i. *DOCUMENT SUBMITTAL: Draft EA in support of <PROJECT NAME> at TMK <0-0-000: 000>.*
 - ii. If multiple emails must be sent for a complete submission, please include (1 of X) at the beginning of the subject line.
 - iii. Documents may be submitted via a Dropbox™ link, or comparable program, included in the email.
 - iv. Applicants may be asked to provide supplemental information to complete their Draft EA. Supplemental information may be emailed to the Planner assigned to review your Draft EA. Please consult with that Planner to determine the appropriate submittal method.
3. USB Drives should be submitted to the DPP in the same manner as noted below in Section IV(c).

b. Maps and Graphics

- i. Maps and graphics within an EA should be clear and easy to read. All maps, drawings and/or plans must be drawn to an appropriate scale and must include a graphic scale. They should utilize the following formatting:
 1. For document imaging purposes, a maximum size of 11" x 17" is preferred, but in no case should submitted maps, graphics, or project plans exceed 24" x 36"; and
 2. The inclusion of a 1 inch : 1,000 feet scale on all maps and site plans, or other appropriate scale, is preferred.
- ii. Dated aerial, low-oblique, or ground-level photographs should be included in the EA whenever location and site maps are not sufficient to adequately describe the Action.
- iii. An "Action location map," is required for submittal of documents for publication in the State OPSD-ERP's Environmental Notice, and must be provided in one of the following file types: zip, shp, or kml, with a maximum file size of 195 megabytes, or as otherwise specified by the

ERP's online Submittal Form (<https://planning.hawaii.gov/erp/submittal-form/>).

- c. A single physical application package should be mailed or submitted in person to DPP at the following address:

ATTN: DIRECTOR

DEPARTMENT OF PLANNING AND PERMITTING

650 SOUTH KING STREET, 7th FLOOR

HONOLULU, HAWAII 96813

NOTE: Physical application packages must include one copy of the application submittal as an electronic document, submitted as detailed above.

V. FEES

- a. When an EA is submitted to the DPP for processing, the following payments shall be provided as shown in the table below, as amended by the City Council.

Application Type	Review Fee (Nonrefundable)	Processing Fee	TOTAL
Environmental Assessment	\$200.00	\$400.00	<u>\$600.00</u>
Environmental Assessment (In support of an SMA Use Permit, Shoreline Setback Variance, and/or Special District Permit)	\$200.00	\$1,000.00	<u>\$1,200.00</u>

- i. There is no fee for an EA associated with a Chapter 201H, HRS project.
- ii. Fees may be waived for City projects.
- b. When an application is submitted, it must include all required fees. The application review fee is **nonrefundable** and will immediately be applied for the review of the application. If the application is complete and accepted for further processing, the processing fee will be applied to the application.
- i. If the application is determined to be incomplete, the processing fee will be returned to the Applicant.

- c. The application review and processing fees shall be doubled for environmental disclosure documents submitted after the proposed work is completed, or after the property owner has been cited for the structure or activity without having obtained the necessary permit or approval.
- d. Payment of the applicable review and processing fees must be submitted as separate checks, each made payable to the City and County of Honolulu.
 - i. Checks which are not properly authorized or that are more than three months (90 days) old will not be accepted; and, applications submitted without proper fees will not be further processed.
- e. **The DPP is developing a procedure for accepting electronic payment of all required fees. As of the date of this document, this procedure has not been implemented. These instructions will be updated when this procedure is in effect.**

VI. DPP Determination

- a. The DPP will route the Draft EA to other agencies for comment, as necessary.
- b. During review of a Draft EA package, as the approving agency, the DPP will determine whether or not the EA is complete and accurate to the DPP's satisfaction. The DPP may require additional information and revisions. When the draft EA is determined to be complete, the DPP will make a determination of either "Anticipated Finding of No Significant Impact" (AFNSI) or "Environmental Impact Statement Preparation Notice – May Have Significant Impacts" (EISPN). The DPP will submit the draft EA along with its determination to the State's ERP for publication.
 - i. If determination is AFNSI, 30 day public comment period ensues.
 - ii. If determination is EISPN, proceed to EIS Instructions.

VII. CONTENT REQUIREMENTS FOR EAs

The following table details the information an EA should provide. Depending on the proposed Action, the DPP may require information in addition to, or substitution of, items listed on the table.

NOTE: The DPP may require revisions to a Draft EA and/or any supplemental documentation before issuing a preliminary determination or forwarding the Draft EA to the ERP for publication to improve the accuracy or clarity of the document.

EA Sections	Description	Information Needed	Notes
GENERAL INFORMATION	Applicant, Recorded Fee Owner(s) of parcel(s), and Agent (if any)	Name and Title; Mailing Address; Phone Number; Email Address; and, TMKs of impacted Parcel(s).	
	Identification of Approving Agency	Agency Name. <i>City and County of Honolulu</i> <i>Department of Planning and Permitting</i>	
	Lot Area	Acreage or Square Footage of impacted Parcel(s).	
	Consultations	Indicate all agencies (Federal, State, and/or County), citizen groups, and individuals consulted in preparing the EA. Attach a copy of all correspondence(s).	
	Required Permits	List of all required permits and approvals necessary for the Project. (Federal, State, and County)	
	Environmental Review Required	Identify triggers or permit/approval that necessitates environmental review, pursuant to Chapter 343, HRS and other applicable laws.	

DESCRIPTION OF PROPOSED ACTION AND EXISTING CONDITIONS	General Description	Project Narrative; Map showing project location; State Land Use District(s) and County Zoning District(s); Building permits and land use approvals previously granted.	
	Relationship to the Special Management Area and Shoreline	Discussion regarding the relationship of the Parcel(s) to the Special Management Area (either <u>wholly within</u> , <u>partially within</u> , or <u>not within</u>); Discussion regarding the relationship of the Parcel(s) to the shoreline, including: is the Parcel(s) a shoreline lot, is there a certified shoreline, what are the shoreline setback requirements, Project relationship to the shoreline setback area?	
	Project Description	Described the proposed Project; Existing site conditions, including easements; Proposed site conditions; Utility requirements, including liquid and solid waste disposal; and, Access to site from public and/or private streets (driveways and construction entrances), vehicle circulation on site and parking (existing and proposed).	
	Project Cost and Construction Schedule	Estimated cost and timing of the proposal, including phases, as appropriate, prepared by a Project contractor.	
	Environmental Characteristics	Narrative and maps that discuss/show: Soil types; Topography; Flood hazards, erosion, high wave run up; and, Hydrology (streams, wetlands, etc.).	

<p>AFFECTED ENVIRONMENT (EXISTING AND PROPOSED CONDITIONS)</p>	<p>Project relationship to surrounding area</p>	<p>Describe existing land uses; Traffic conditions; Relationship to the General Plan and applicable Development Plan or Sustainable Community Plan; and, Any unique features specific to the property and surrounding area.</p> <p><i>The surrounding area is, at a minimum, defined as all areas within 300 feet of the outermost property lines of the Project Parcel(s).</i></p>	
	<p>Economic Impact</p>	<p>Include a discussion of the Project's potential to induce additional growth and development in its vicinity, such as through the expansion of a public utility or through new or expanded roadways.</p>	
	<p>Existing and Proposed Site Plans</p>	<p>Provide site plans that show in sufficient detail the existing and proposed site plans for the Project. Site Plans must show LUO Development Standards (e.g. front, side and rear yards) for the Zoning District of the Parcel(s) related to the Project. Provide copies of Building Permits, or other evidence, to show that existing structures and uses were lawfully established.</p> <p>For Projects on shoreline lots, the Site Plans must also identify the location of a current State-certified shoreline and the minimum shoreline setback line in relation to existing and proposed structures and/or activities.</p> <p>If a shoreline has not been certified yet, the Draft EA should include a recent shoreline survey. The Final EA must include the certified shoreline survey.</p>	

	Project relationship to recreational and ecological resources	<p>Physical proximity to beaches, parks, and recreation areas;</p> <p>Rare, threatened, or endangered species and their habitats;</p> <p>Wetlands and streams;</p> <p>Wildlife preserves;</p> <p>Fisheries and fishing grounds; and,</p> <p>Other coastal and natural resources.</p>	
	Project relationship to historic resources	<p>Historic, cultural, and archaeological resources on the Project site that and how they may be impacted by the Project.</p>	
	Project relationship to coastal hazards	<p>Evaluation of project vulnerability to sea level rise (i.e., 3.2 feet and 6 feet).</p> <p><i>Private projects should evaluate for 3.2 feet of sea level rise by the year 2100 or sooner. Public infrastructure projects should evaluate for 6 feet of sea level rise by the year 2100 or sooner.</i></p> <p>Active and passive flooding, wave action, storm surge, coastal erosion (individually and combined), and potential economic impacts.</p>	

	Project relationship to coastal and hydrological resources	<p>Coastal views from surrounding public viewpoints and from the nearest coastal highway across the site to the ocean or to coastal landform, as necessary.</p> <p>Existing quality of receiving waters and ground water (including potable water, streams, ocean waters) resources.</p> <p>Describe changes to the site's drainage and impervious surfaces, as they relate to existing and proposed topography and soil types.</p> <p>Describe Project compliance with Chapter 21A, Flood Hazard Areas Ordinance, ROH.</p> <p>If the Project is sited within: Flood Zone D (Undetermined flood hazards), the 3.2-foot Sea Level Rise Exposure Area, and if two or more dwellings are proposed. A Flood Study may be required when the Project is within Flood Zone D and circumstances warrant it.</p>	
IMPACT STATEMENTS AND MITIGATION MEASURES	Indicate impacts and mitigation measures	<p>Mitigation Measures should be clearly identified, and correlate with each of the impacts they are intended to address.</p> <p><i>For example, if potential for the discovery of unknown archeological resources is the fourth impact identified, it may be identified as Impact 4 or Impact D. The corresponding mitigation measure should therefore be identified as Mitigation Measure 4 or Mitigation Measure D.</i></p> <p><i>A conclusion statement should be included to identify the significance of the impact upon the implementation of the mitigation measure.</i></p>	

ALTERNATIVES TO ACTION	Discuss viable alternatives to the Project	<p>At least three viable alternatives to the proposed Project, exclusive of the preferred alternative and the no-action alternative, should be discussed in detail. These could include alternatives to the proposed structure/activity and where the structure/activity is located on the site.</p> <p>Identify which alternative is considered the least environmentally impactful, and if this is not the preferred alternative, discuss why.</p>	
ADDITIONAL REQUIREMENTS FOR EAs ASSOCIATED WITH OTHER APPROVALS	Special Management Area (SMA) Use Permit	Those EAs prepared in support of SMA Use permits should identify impacts of the project on each of the Coastal Zone Management objectives and policies (Section 205A-2, HRS) and SMA guidelines (Section 25-3.2, ROH).	
	SMA Use Permit (continued)	<p>Cumulative Impacts must be assessed with <u>spatial</u> and <u>time-related</u> parameters. Below are the minimum requirements for a cumulative impact assessment.</p> <p><i><u>Spatial:</u></i> <i>The EA should take into account features of the natural and built environment within at least 300-feet from the outermost Project property line and between the SMA boundary and the Shoreline.</i></p> <p><i><u>Time-related (within the Spatial Parameters):</u></i> Past: <i>the existing development on the site, including the permitting history, development patterns, and impacts of all projects on the zoning lot or related projects within the area of special analysis for a period of 5 years prior to the Project's commencement.</i></p> <p>Present: <i>any current land use applications, development in progress or permitted to occur.</i></p>	Continues to next page.

		<i>Reasonably Foreseeable:</i> Probable, planned in a long-term Capital Improvement Plan, Master Plans, or described in discussions with DPP staff, etc., within 5 years or the operational life of the proposed Project.	
	Shoreline Setback Variance and Shoreline Lots	<p>Draft EAs in support of a Shoreline Setback Variance must show an uncertified shoreline survey, which must be identified on all site plans.</p> <p>However, Final EAs must identify the location of a current State-certified shoreline and the location of the County shoreline setback as defined in Chapter 23, ROH, Shoreline Setback Ordinance.</p>	
	Special District Permits	Those EAs prepared in support of Special District permits should additionally identify impacts of the project to each of the objectives and policies for the Special District in which the site is contained (Chapter 21, Article 9, ROH).	
	Other	Other approvals require EAs, e.g. certain requests involving zone changes. Please contact the Division who will be processing such an application for any additional materials that must be included in the EA.	
ANTICIPATED AGENCY DETERMINATION	Approving Agency's Determination	Include the draft Anticipated Findings of No Significant Impact (AFNSI) form, if applicable, or Environmental Impact Statement Preparation Notice (EISPN).	
	Written Comments	Written comments and comments received as part of the early consultation provisions of Section 11-220.1-18(a), HAR, should be attached as an appendix to the EA Document.	

VIII. FINAL EA

A Final EA should include all comments received in response to the project during the 30-day Draft EA public review period. This should include both written comments and comments received during public meetings or other project outreach efforts, such as neighborhood board and/or community association presentations. As required by Section 343-5(9)(c)(1), HRS, written responses must be provided for all comments received.

NOTE: For clarity purposes, should comments require revisions to the text of the Final EA, revisions should be incorporated in the ~~striketrough~~/underline format to highlight both deleted and new text. Should responses to comments require revisions to graphics, the applicable replacement graphics should be incorporated into the Final EA.

If the project changes, the Applicant must consult with the DPP to determine if the changes are still covered by the EA. If the changes cannot be covered by the existing EA, a new EA must be prepared. There is no such thing as a “supplemental” EA.

The DPP may require additional revisions to a Final EA and/or any supplemental documentation before issuing a Finding of No Significant Impact (FONSI).

The DPP will review the Final EA and make a new determination, either FONSI or EISPN, and will submit the document and determination to ERP for publication in the next edition of *The Environmental Notice*. The Applicant must prepare and distribute notification of the availability of the Final EA, with *The Environmental Notice* publication link, to each individual, agency and organization who provided comments during the consultation and Draft EA processes.

If the determination is EISPN, the Applicant must proceed in the preparation of an EIS or challenge the determination pursuant to HRS Chapter 342-7. The instructions for completing and submitting an EIS to the DPP are available online at www.honoluluodpp.org.