TO: 1. Agency-Maintained Public Files for Chapter 343 HRS Exemption Determinations
2. Office of Environmental Quality Control, if publication by OEQC is desired

FROM: Chairman of the Hawaiian Homes Commission

SUBJECT: Exemption Notice for Land Management Division’s, Site Evaluation, Fencing Installation and Recurring Maintenance on TMK (1) 4-1-019:032 in Waimānalo, O‘ahu (reference-file # PO-21-021)

DATE: February 1, 2021

AGENCY OR APPLICANT ACTION

Check applicable box

☒ This exempted action is an agency action as defined by Section 343-5(b), Hawai‘i Revised Statutes (HRS), and Section 11-200.1-8, Hawai‘i Administrative Rules (HAR),

☐ This exempted action is an applicant action as defined by Section 343-5(e), HRS, and Section 11-200.1-9, HAR

EXEMPTION TYPE:

The Exemption Notice for the action described below is based on the general types enumerated in Section 11-200.1-15(c), Hawai‘i Administrative Rules (HAR), Exemption Type 1, 4, 5, & 6.

As applicable, the exemption for the action described below is also supported by the Exemption List for the Department of Hawaiian Home Lands, reviewed and concurred to by the Environmental Council on June 30, 2015.

Exemption Class #1 Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing:

1. Fertilizing, sprinkling, mowing, weeding, trimming, brush cutting, clearing, grubbing, aerating, road clearing and patching, sweeping, removal of debris and other routine maintenance of the following agency maintained lands and facilities:
   a. Ditches, channels, and common areas
b. Streets, roads, highways, bike paths, pedestrian ways, trails, parking lots and appurtenances  
c. Flood-control, erosion-control, and drainage facilities  
d. Parks  
e. Landscaped areas

Exemption Class #4: Minor alteration in the conditions of land, water, or vegetation.  
3. Landscaping alongside roadways, around buildings, and within existing parks and community use areas, including, but not limited to, planting of groundcover, grass, shrubs, and trees, sodding of bare areas for dust and erosion control, and installation of community gardens, involving minimal or no grading  
4. Minor vegetation clearing and management, including mowing, pruning, and trimming. Work under this exemption shall be performed by the Department or its contractor. Work shall involve cutting and removal of brush, grass, and small trees or bushes. Vegetation shall be hauled by truck to an approved sanitary landfill site, or allowed to remain onsite where feasible for use as compost or mulch

Exemption Class #5: Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource  
5. Drainage studies  
6. Flood control studies  
9. Economic analyses

Exemption Class #6: Construction or placement of minor structures accessory to existing facilities.  
4. Construction of fencing, gates, lighting, security alarms, camera systems and similar items for security and/or safety  
7. Construction of interior roadways, driveways, parking lots, sidewalks, curbs, and gutters  
9. Installation of items to facilitate compliance with construction best management practices procedures and requirements  
10. Installation of signage (regulatory, directional, informational) and pavement markings

DESCRIPTION OF ACTION
Proposing Agency or Applicant: DHHL, Land Management Division  
Project Name & Address/Location: Site evaluation, fencing and parking installation and recurring maintenance on TMK (1) 4-1-019:032 in Waimānalo, Koʻolaupoko Moku, Oʻahu  
Anticipated Start Date: 12/1/2020  
Anticipated End Date: indefinitely  
Island and District: Oʻahu Koʻolaupoko  
Tax Map Key(s) and other geolocation means: (1) 4-1-019:032
CHAPTER 343-EXEMPTION DECLARATION OF LAND MANAGEMENT DIVISION’S SITE
EVALUATION, FENCING INSTALLATION AND RECURRING MAINTENANCE ON TMK (1) 4-1-019:032
FEBRUARY 1, 2021
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All Necessary Permits and Approvals:
City & County of Honolulu Grubbing and Grading Permit
State Historic Preservation determination of no adverse effect for ground disturbing activities

NARRATIVE
Describe the action and why it qualifies for the exemption:
The proposed actions are located on a vacant lot within the Waimanalo homestead community. The western portion of the parcel is used for drainage purposes and contains a leach field. The eastern portion is vacant, ready for future community use. There are three components of this project. The first is the on-going maintenance of the leach field. The second component is the installation of a fence along the perimeter of the parcel. The fencing is necessary to secure the parcel and also to provide protection for the leach field from vehicular traffic. The third component of the project is the long-term use to the vacant portion of the parcel for community use. While the components of the community use are not known at this time, it will include a requirement for parking. Should any additional construction be necessary to meet the community’s needs they will be addressed in a separate Chapter 343 evaluation.

RECEIVING ENVIRONMENT
Describe the site, including any impacts on the receiving environment:
The project is located on TMK (1) 4-1-019:032, an approximately 74,243 square foot parcel in Waimanalo with frontage along Kalaniana‘ole Highway and Nakini Street. The project site is located mauka of Kalaniana‘ole Highway and Waimanalo Beach Park. To the northwest and south east are native Hawaiian residential homestead lots. To the west and southwest is Kūlanakauhale Maluhia O Na Kūpuna, a senior housing community for native Hawaiians.

ENVIRONMENTAL ANALYSIS
I have considered the potential effects of the proposed project and all related activities against the criteria checked below:

- Land Use and Zoning Conformance
- Traffic (Vehicles, Bicycles, Pedestrian)
- Infrastructure (Roads, Buildings, Utilities)
- Air Quality Pollutant Emissions
- Noise Emissions
- Solid, Hazardous, and Liquid Waste Management
- Social
- Economic
- Health and Safety
- Recreation
- Public Beach Access
- Cultural Resources and Practices
- Visual/Aesthetic

PO-21-021
Environmental Justice

Rare, Threatened, and/or Endangered Species

Surface and Ground Water Resources

Wetlands

Floodplains

Riparian/Coastal Resources

Other

Comments/summary of impact analysis:
The project's primary purpose is to provide security for a vacant parcel with existing drainage structures. It will not change the any existing uses. The project site is located outside of any floodplains, 3.2-foot sea-level-rise exposure area, as well as habitat for threatened, rare and/or endangered species. The project site does not include any riparian resources or other wetland features. The project is located adjacent to, but outside of the special management area. The project site is designated as Urban by the State Land Use, Community Use by DHHL and zoned Ag-2 and R-10 by the City and County of Honolulu. The project actions are consistent with activities allowed on lands with these designations.

MITIGATION
Describe all mitigation measures and best management practices planned to address impacts during the project activities and after project completion

DHHL, the lessee, and their respective contractors shall comply with all County, State, and Federal permit, and approval requirements.

The project will generate short-term construction related fugitive dust and noise impacts during construction. Best management practices need to be employed to reduce dust emissions. DHHL, the lessee and their respective contractors shall comply with HAR §11-46 relating to community noise control.

All activities should include erosion control and other best management practices to reduce/eliminate pollution generating activities from impacting the project site and the surrounding areas.

Due to the proximity to the shoreline protection of Hawaiian seabirds Hawaiian petrel (Pterodroma sandwichensis), Threatened Newell’s shearwater (Puffinus auricularis newelli), and Endangered Hawaii Distinct Population Segment of the band-rumped storm petrel (Oceanodroma castro) is necessary. Hawaiian seabirds may traverse the project area at night during the breeding season (March 1 to December 15). Outdoor lighting could result in seabird disorientation, fallout, and injury or mortality. Seabirds are attracted to lights and after circling the lights they may become exhausted and collide with nearby wires, buildings, or other structures or they may land on the ground. Downed seabirds are subject to increased mortality due to collision with automobiles, starvation, and predation by dogs, cats, and other predators. Young birds
(fledglings) traversing the project area between September 15 and December 15, in their first flights from their mountain nests to the sea, are particularly vulnerable.

To avoid and minimize potential project impacts to seabirds, the following applicable measures will be taken:

- All outdoor lights will be fully shielded so the bulb can only be seen from below bulb height and only used when necessary.
- Nighttime construction will be avoided during the seabird fledging period, September 15 through December 15.
- Install automatic motion sensor switches and controls on all outdoor lights or turn off lights when human activity is not occurring in the lighted area.

If any human remains or funerary material are discovered during ground disturbing activities, all activity in the immediate area must stop. The State Historic Preservation Division (SHPD) and County Police shall be called. Work in the area may resume only after SHPD and County Police authorize activity in the area.

CONSULTATION

The following parties have been consulted about this declaration exemption between January 18 and January 28, 2021.

County- Department of Planning and Permitting
State- Department of Agriculture
Department of Land and Natural Resources
Department of Health, Clean Water Branch

Federal- U.S. Census Bureau
USDA, National Resources Conservation Service
Federal Emergency Management Agency
U.S. Fish and Wildlife Service

EXEMPT DECLARATION

The direct, cumulative, and potential impacts of the action described above have been considered pursuant to Chapter 343, Hawai’i Revised Statutes and Chapter 11-200.1, Hawai’i Administrative Rules. I declare that the action described above will have minimal or no significant impact on the environment and is therefore exempt from the requirement to prepare an environmental assessment.

William J. Ailā, Jr., Chairman
Hawaiian Homes Commission

Date

PO-21-021
This document is on file in our Land Management Division office at 91-5420 Kapolei Parkway, Kapolei, HI 96707 and is available for public review.

This document has been submitted to the Office of Environmental Quality Control for publication in *The Environmental Notice*.

Attachments-
- Project Areas
- State Land Use Districts
- Ko‘olaupoko - Land Use Designations [DHHL] O‘ahu Island Plan
- County Zoning
- Critical Habitats
- Land Study Bureau Detailed Land Classification
- Agriculture Lands of Importance to the State of Hawai‘i
- Wetlands
- Sea Level Rise Vulnerability
- Special Management Area
- Flood Hazards

*PO-21-021*
CHAPTER 343-EXEMPTION DECLARATION OF LAND MANAGEMENT DIVISION'S, SITE EVALUATION, FENCING INSTALLATION AND RECURRING MAINTENANCE ON TMK (1) 4-1-019:032
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Project Area

This identifies the type of constraints that may affect a parcel.

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Zoning - State Land Use Districts

State Land Use Districts
- Agricultural
- Conservation
- Rural
- Urban

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O'AHU ISLAND PLAN

PO-21-021
CHAPTER 343-EXEMPTION DECLARATION OF LAND MANAGEMENT DIVISION'S, SITE EVALUATION, FENCING INSTALLATION AND RECURRING MAINTENANCE ON TMK (1) 4-1-019:032
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Environmental Constraints- Wetlands

Environmental Constraints- Sea Level Vulnerability

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PO-21-021
Environmental Constraints- Special Management Area

Special Management Area (SMA)

Parcels - Hawai‘i Statewide - Statewide TMK

This identifies the type of constraints that may affect a parcel.

Environmental Constraints- Flood Hazard Areas

Flood Hazard Areas (1/12/10) - Statewide - State

X OPEN WATER

This identifies the type of constraints that may affect a parcel.