

DEPARTMENT OF HAWAIIAN HOME LANDS
Planning Office

May 26, 2021

TO: Stewart Matsunaga, Land Development Division
Darrell Ing, Land Development Division

THROUGH: Andrew C. Choy, Acting Planning Office Manager *AC*

FROM: Malia Cox, Planning Office *MC*

SUBJECT: Land Development Division, Safety Wall Extension, 'Ewa Moku,
O'ahu Exemption from HRS Chapter 343 Environmental Assessment
Preparation (PO-21-130)

The Planning Office is transmitting a copy of the HRS Chapter 343 Exemption Declaration for the Land Development Division, Safety Wall Extension. Upon review, it has been determined that the proposed action will have minimal or no significant impact on the environment and is therefore exempt from the preparation of an environmental assessment.

The HRS Chapter 343 Exemption Declaration for this proposed action does not constitute DHHL approval of the proposed action. Final approval of the proposed action remains with the Land Development Division (LDD). The HRS Chapter 343 Exemption Declaration is documentation of compliance with HRS Chapter 343, should the project receive final approval from the LDD. As such, a copy of this HRS Chapter 343 Exemption Declaration should be kept in the respective files for the LDD.

DEPARTMENT OF HAWAIIAN HOME LANDS
Planning Office

May 26, 2021

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

THROUGH: Andrew H. Choy, Acting Planning Program Manager *AC*

FROM: Malia Cox, Planner *MC*

SUBJECT: Land Development Division, Safety Wall Extension, 'Ewa Moku, O'ahu Exemption
from HRS Chapter 343 Environmental Assessment Preparation (PO-21-130)

Recommended Action

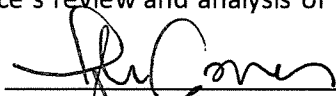
That the Chairman exempt Land Development Division, Safety Wall Extension from preparation of an environmental assessment per HRS Chapter 343.

Discussion

In light of recent DHHL efforts to ensure that all activities on DHHL lands are in compliance with Federal, State and County regulations, Planning Office will be offering recommendations to the Chairman on whether or not to exempt future proposed projects on DHHL lands from HRS Chapter 343. Per the statute, certain projects are exemptible from the environmental review process if the projects meet certain requirements as stated in Hawaii Administrative Rules (HAR) Section 11-200.1-8 subchapter 8 "Exempt Actions, List and Notice Requirements." HAR Section 11-200.1 also states that State and County agencies can prepare their own Chapter 343 exemption list. Activities on agency exemption lists must be consistent with Section 11-200.1 HAR exemption requirements and be approved by the state Environmental Council.

Based upon HAR Section 11-200.1 exemption criteria and DHHL's approved exemption list, the Planning Office concluded that Land Development Division, Safety Wall Extension is eligible for exemption from the environmental assessment process because the proposed actions are consistent with the listed actions on DHHL's exemption list as well as HAR Section 11-200.1. The attached exemption declaration letter provides more detail about the proposed project and the Planning Office's review and analysis of the project.

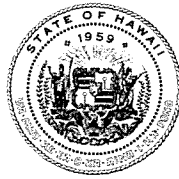
Concur



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

Attachments

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII



WILLIAM J. AILA, JR.
CHAIRMAN
HAWAIIAN HOMES COMMISSION

JOSH GREEN
LT. GOVERNOR
STATE OF HAWAII

TYLER I. GOMES
DEPUTY TO THE CHAIRMAN

**STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS**

P. O. BOX 1879
HONOLULU, HAWAII 96805

TO: 1. Agency-Maintained Public Files for Chapter 343 HRS Exemption Determinations
2. Office of Environmental Quality Control

FROM: Chairman of the Hawaiian Homes Commission

SUBJECT: Exemption Notice for Land Development Division, Safety Wall Extension on TMK (1)
9-1-139:087 in Kapolei, O'ahu (reference-file # PO-21-130)

DATE: May 26, 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 3.

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 April 6, 2021.

- Exemption List, Part II- Type 3¹.
- Item Number 5.
- Applicable language from the exemption list:

Part II, Type 3. Construction and location of single, new, small facilities or structures and the alteration and modification of the facilities or structures and installation of new, small equipment or facilities and the alteration and modification of the equipment or facilities, including, but not limited to (d) Water, sewage, electrical, gas, telephone, and other essential public utility services extensions to serve such structures or facilities; accessory or appurtenant structures including garages, carports, patios, and fences; and acquisition of utility easements

Item #5-Construction of fencing, gates, lighting, security alarms, camera systems and similar items for security and/or safety

¹ The project also involves the removal of an existing vinyl fence. This component of the project is a de minimis activity covered by DHHL's exemption list, Part I, Type 6, item 5.

DESCRIPTION OF ACTION

Proposing Agency or Applicant: DHHL, Land Development Division
Project Name & Address/Location: 91-1054 Hoakalei St, Kapolei, HI 96707
Anticipated Start Date: 8/1/2021
Anticipated End Date: 1/31/2022
Island and District: O`ahu 'Ewa Moku, Honolulu
Tax Map Key(s) and other geolocation means: (1)9-1-139:087
All Necessary Permits and Approvals:

- C&C of Honolulu Department of Planning and Permitting
- City and County of Honolulu- Grubbing and Grading Permit
- DLNR- State Historic Preservation Division Chapter 6E-8 Historic Preservation Review

NARRATIVE

Describe the action and why it qualifies for the exemption:

The proposed action will extend the existing subdivision perimeter wall. The project will include the removal of approximately 99 feet of vinyl fence² and the construction of 98.67 linear feet of a 6-foot reinforce concrete masonry wall along Hoakalei Street. The new wall will connect to the existing perimeter wall along Kapolei Parkway where it abuts Hoakalei Street. Currently there is a vinyl fence along Hoakalei. The wall will improve safety of the residential homestead located on the corner Kapolei Parkway from errant vehicular movement, particularly those entering Hoakalei Street from Kapolei Parkway.

RECEIVING ENVIRONMENT

Describe the site, including any impacts on the receiving environment:

The proposed action will occur within the existing Kaupe`a Hawaiian homestead lots in Kapolei.

ENVIRONMENTAL ANALYSIS

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

	Not Applicable
<input checked="" type="checkbox"/> Land Use and Zoning Conformance	<input type="checkbox"/>
<input checked="" type="checkbox"/> Traffic (Vehicles, Bicycles, Pedestrian)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Infrastructure (Roads, Buildings, Utilities)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Air Quality Pollutant Emissions	<input type="checkbox"/>
<input checked="" type="checkbox"/> Noise Emissions	<input type="checkbox"/>
<input checked="" type="checkbox"/> Solid, Hazardous, and Liquid Waste Management	<input type="checkbox"/>
<input checked="" type="checkbox"/> Social	<input type="checkbox"/>
<input checked="" type="checkbox"/> Economic	<input type="checkbox"/>
<input checked="" type="checkbox"/> Health and Safety	<input type="checkbox"/>

² The fence removal is a de minimis activity (Type 6, item 5)

- | | |
|---|--------------------------|
| <input checked="" type="checkbox"/> Recreation | <input type="checkbox"/> |
| <input type="checkbox"/> Public Beach Access | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Cultural Resources and Practices | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Visual/Aesthetic | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Environmental Justice | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Rare, Threatened, and/or Endangered Species | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Surface and Ground Water Resources | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Wetlands | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Floodplains | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Riparian/Coastal Resources | <input type="checkbox"/> |
| <input type="checkbox"/> Other | <input type="checkbox"/> |

Comments/summary of impact analysis:

The primary purpose of the project is to provide additional protection to the residential homestead located on the corner of Kapolei Parkway and Hoakalei Street by replacing the existing vinyl fence with a reinforced concrete masonry wall. It will not change any existing uses. The project site is located outside of any floodplains, 3.2-foot sea-level-rise exposure area, special management area, wetlands, as well as habitat for threatened, rare and/or endangered species.

The project site is designated as Urban, by the State Land Use Board. The project is located within DHHL's Homestead-Residential Land Use designation and the City and County of Honolulu's AG-1 zoning. The actions proposed 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, and its contractors shall comply with all County, State, and Federal permit, and approval requirements
- Obtain C&C permits as required.
- To avoid and minimize potential project impacts to seabirds, nighttime construction will be avoided during the seabird fledging period, September 15 through December 15.
- The project may generate short-term fugitive dust and noise impacts during construction of structural controls and during vegetative management. Best management practices need to be employed to reduce dust emissions. Additionally, DHHL and its 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.
- 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.

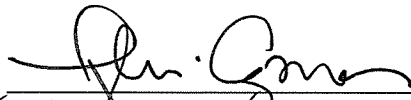
CONSULTATION

The following parties have been consulted about this declaration exemption (Name, affiliation, consultation date): Information from the following agencies was collected from their digital reference material from May 5, 2021 through May 19, 2021.

County- Department of Planning and Permitting
Department of Facility Maintenance
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.


for William J. Aila, Jr., Chairman
Hawaiian Homes Commission

05.20.2021
Date

Attachments:

- Figure- Kaupe'a Lot 243 Wall Plan
- Figure- Kaupe'a Lot 243 Wall Profile
- Figure- DHHL's Land Use Designations- (O'ahu Island Plan- Figure 5.4)
- Figure- State Land Use Districts
- Figure- City and County of Honolulu Zoning
- Figure- Land Study Bureau
- Figure- Agriculture Lands of Importance to the State of Hawai'i
- Figure- Critical Habitats & Sea Level Rise Exposure Area
- Figure- Special Management Area, Wetlands, & Flood Hazard Area

- This document is on file in our office and is available for public review.
- This document has been submitted to the Office of Environmental Quality Control for publication in *The Environmental Notice*.

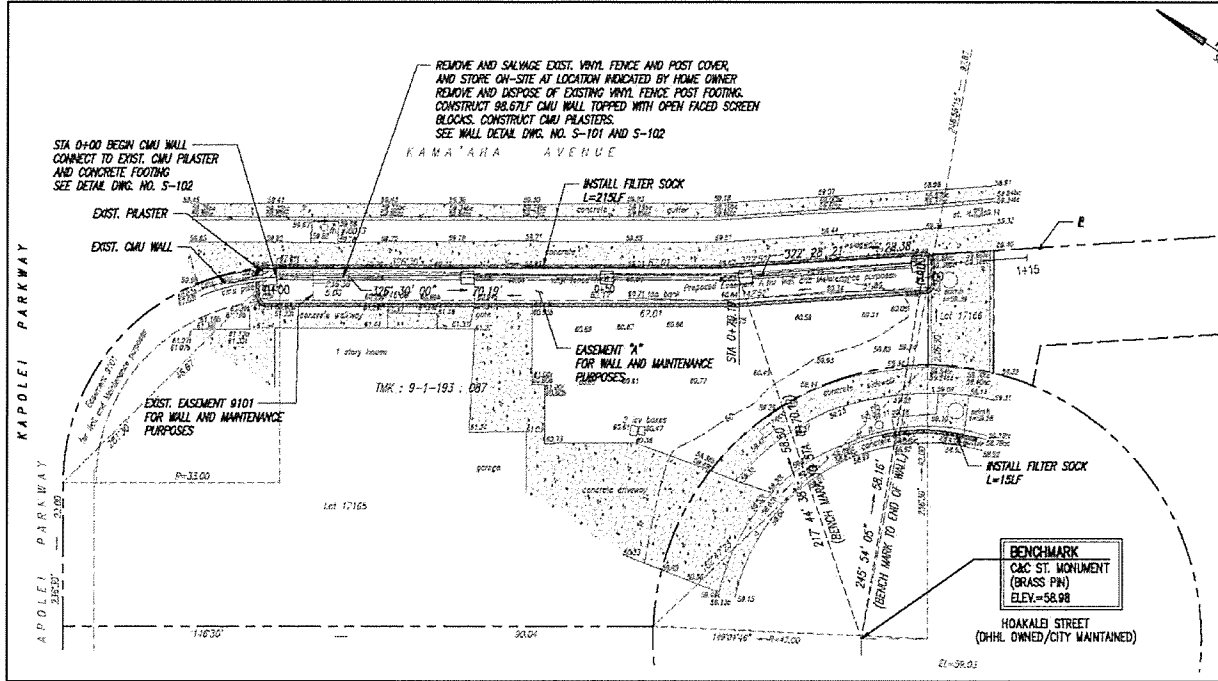


Figure- Kaupe'a Lot 243 Wall Plan

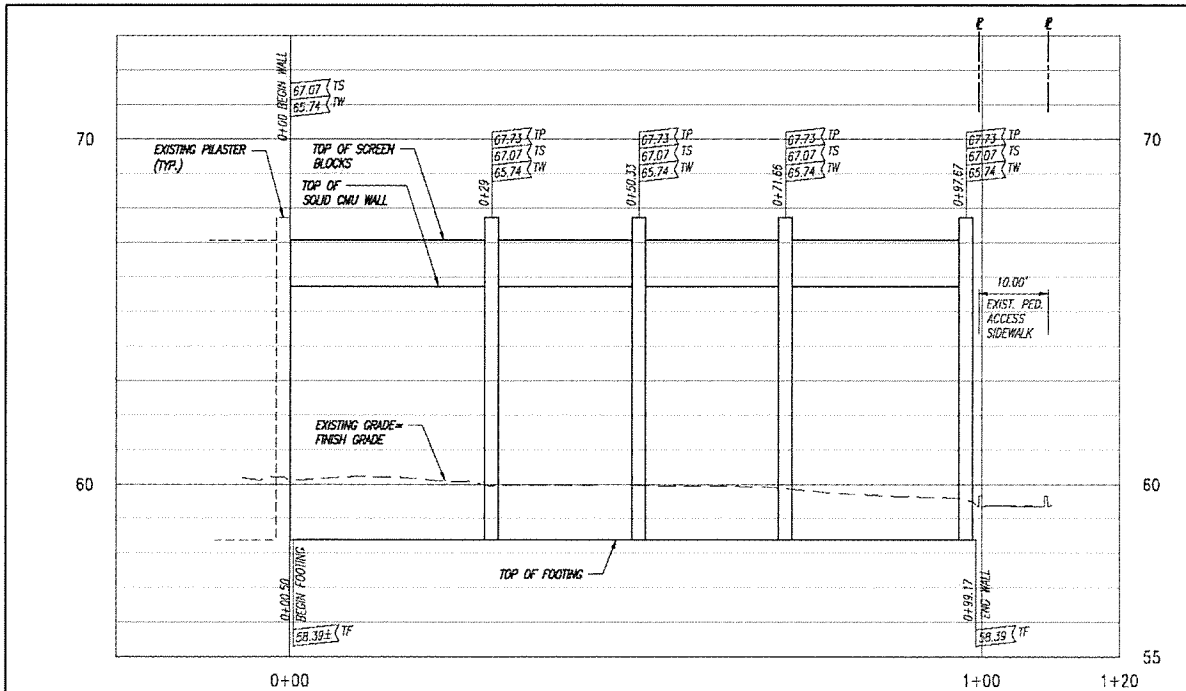


Figure- Kaupe'a Lot 243 Wall Profile

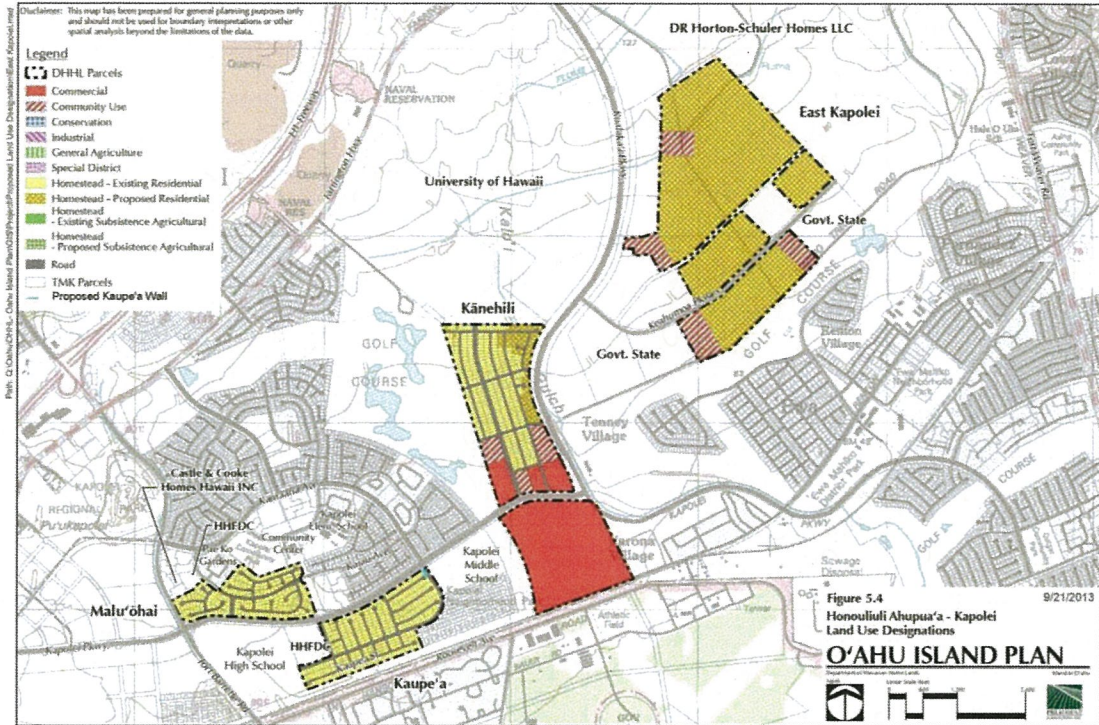


Figure- DHHL's Land Use Designations- (O'ahu Island Plan- Figure 5.4)



Figure- State Land Use Districts

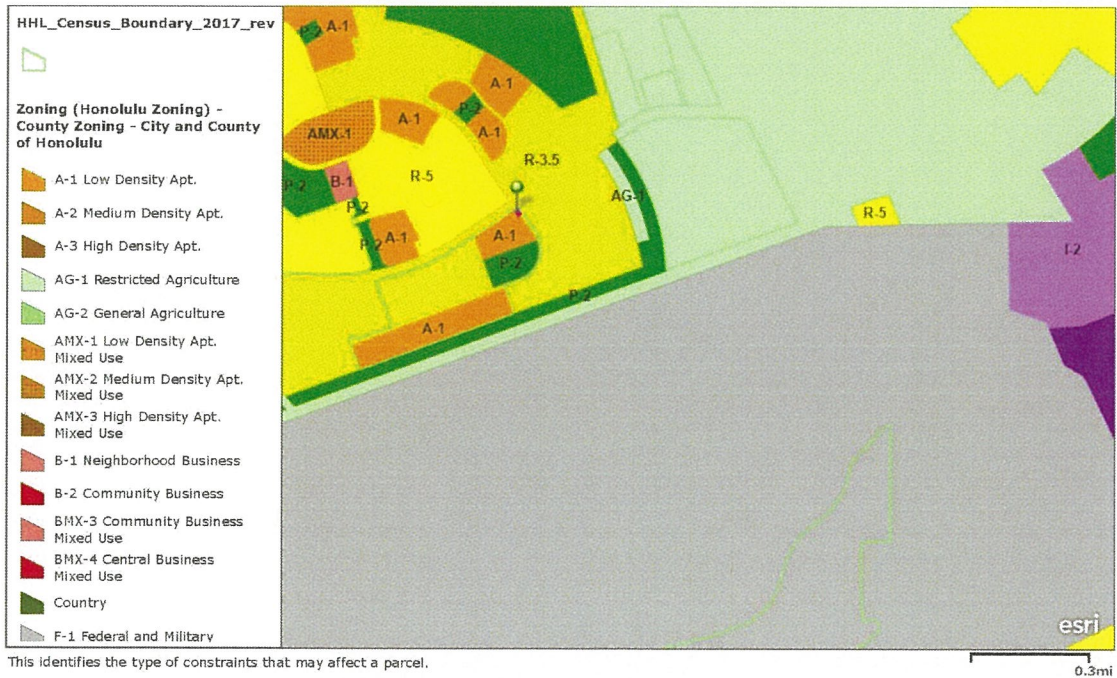


Figure- City and County of Honolulu Zoning



Figure- Land Study Bureau

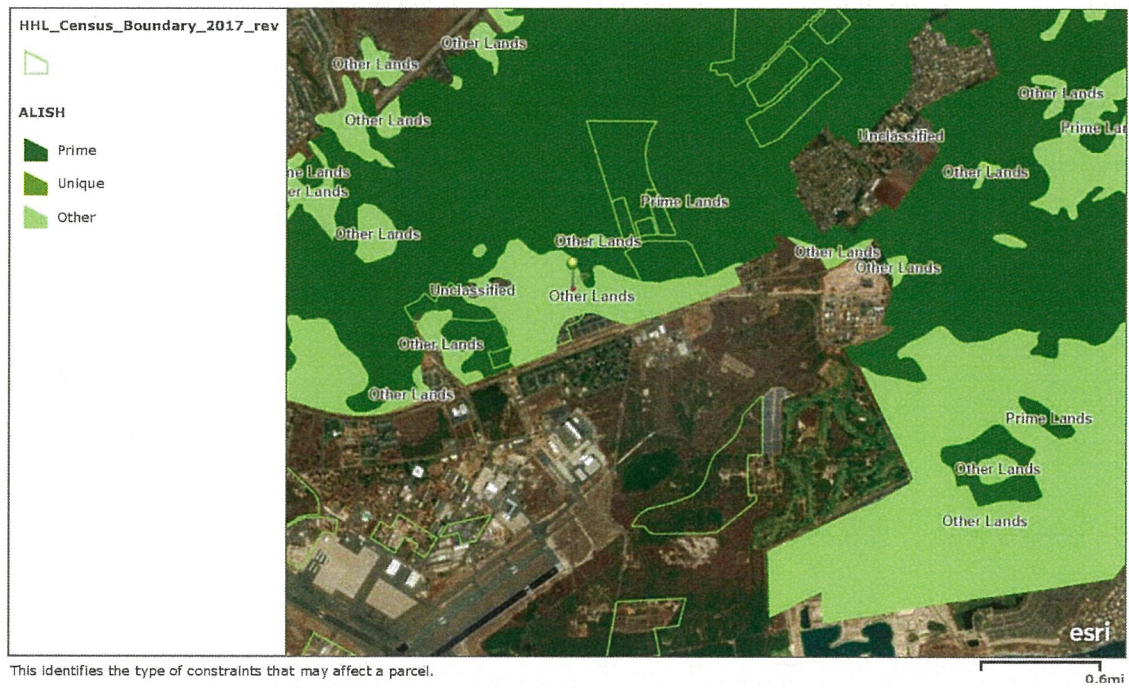


Figure- Agriculture Lands of Importance to the State of Hawai'i

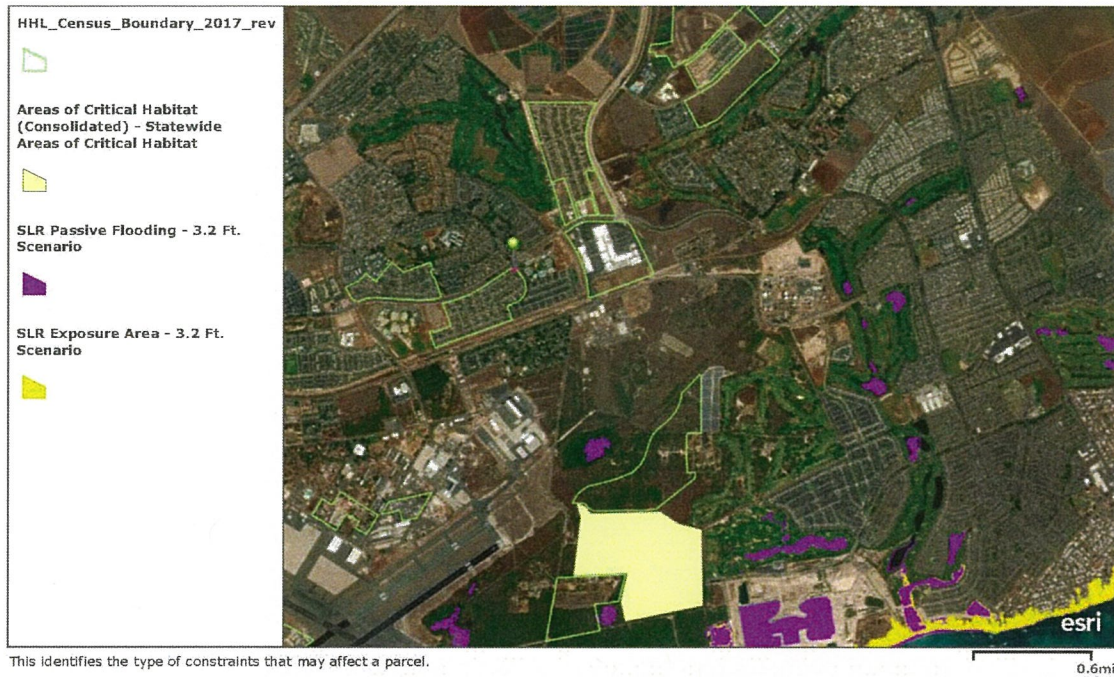


Figure- Critical Habitats & Sea Level Rise Exposure Area



Figure- Special Management Area, Wetlands, & Flood Hazard Area