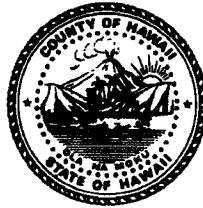


Mitchell D. Roth
Mayor

Lee E. Lord
Managing Director

Robert H. Command
Deputy Managing Director



Susan K. Kunz
Housing Administrator

Harry M. Yada
Assistant Housing Administrator

County of Hawai'i

Office of Housing and Community Development

1990 Kino'ole Street, Suite 102 • Hilo, Hawai'i 96720 • (808) 961-8379 • Fax (808) 961-8685
Existing Housing: (808) 959-4642 • Fax (808) 959-9308
Kona: (808) 323-4300 • Fax (808) 323-4301

July 28, 2022

MEMORANDUM

TO: Office of Planning and Sustainable Development – Publication Requested
P.O. Box 2359
Honolulu, Hawai'i 96804
dbedt.opsd.erp@hawaii.gov
maryalice.evans@hawaii.gov

PBR Hawai'i
1001 Bishop Street Suite 650
Honolulu, Hawai'i 96813

FROM: Susan K. Kunz
Housing Administrator

**SUBJECT: EXEMPTION DECLARATION FOR PROPOSED WAIKOLOA
AFFORDABLE WORKFORCE HOUSING PROJECT AT
TMK: (3) 6-9-008:032**

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 10.



As applicable, the exemption for the action described below is also supported by the Exemption List for the [name of agency], reviewed and concurred to by the Environmental Council on [date of concurrence].

- Exemption List Class - .
- Item Number .
- Applicable language from the exemption list: [Click here to enter text.](#)

DESCRIPTION OF ACTION

Proposing Agency or Applicant: County of Hawai'i Office of Housing & Community Development

Project Name & Address/Location: Waikoloa Workforce Rental Housing at Waikoloa Beach Resort

Anticipated Start Date: 4/3/2024

Anticipated End Date: 4/1/2026

Island and District: Hawai'i North Kona

Tax Map Key(s) and other geolocation means: TMK (3) 6-9-008:032

All Necessary Permits and Approvals: Permits have not been requested at this time. The developer is working with OHCD to request exemptions through §201H-38 and will not submit for permits until the exemptions have been approved.

NARRATIVE

Describe the action and why it qualifies for the exemption: Waikoloa Workforce Rental Housing meets the requirements of §11-200.1-15(c) type (10) as new construction of affordable housing. This project is planned as a 100% affordable workforce housing project with up to 228 units, including resident manager units, to be developed in accordance with controlling law applicable to OHCD. It will serve a broad market mix, with 70% of units meeting crucial needs in the under-60% of area median income (AMI) range, and the balance targeted at households earning up to 100% of AMI. The project meets each of the provisions described in §11-200.1-15(c)(A) through §11-200.1-15(c)(10)(D), as described below:

- §11-200.1-15(c)(10)(A): The developer is expected to seek state or county funds such as Rental Housing Revolving Funds and/or a gross excise tax exemption, as well as Low Income Housing Tax Credits. The potential use of state or county funds is the project's sole trigger in terms of compliance with Chapter 343, HRS.
- §11-200.1-15(c)(10)(B): The project will be in conformance with the existing state urban land use classification of the subject site; consistent with the permissible uses under Chapter 205, HRS (Exhibit 1).
- §11-200.1-15(c)(10)(C): The project will be consistent with the existing county zoning. The subject TMK encompasses approximately 25.38 acres and is split zoned, with RM-6 (Multi-Family Residential) zoning on approximately 19.68 acres, and Open zoning on the balance. All buildings will be located on the RM-6 zoned areas, and consistent with permitted uses related thereto under §25-5-22 of the Hawai'i County Code (Exhibit 2).

- §11-200.1-15(c)(10)(D): The project will not require variances for shoreline setbacks or siting in an environmentally sensitive area as stated in section 11-200.1- 13(b)(11), HAR; the site: is approximately 1,723 ft from the nearest coastline; is not within a floodway (Exhibit 3) or a wetland (Exhibit 4); and does not include any designated critical habitat (Exhibit 5). The site is within the Special Management Area (Exhibit 6), but an SMA Use Permit was approved for housing on the site under SMA Permit 25.

RECEIVING ENVIRONMENT

Describe the site, including any impacts on the receiving environment: The project site is 25.38 acres of open land within the Waikoloa Beach Resort area. Minimal impact is expected as there are currently no tenants or other uses of the property. The proposed changes are aligned with existing entitlements for the resort. Waikoloa Beach Resort is home to many precious cultural sites – ‘Anaeho‘omalu Bay, petroglyphs, anchialine ponds, trails, Kahapapa and Ku‘uali‘i fishponds. Waikoloa Land Company has stewarded and protected these sites during Waikoloa’s four decades, and Waikoloa Workforce Rental Housing is not expected to impact any of these sites.

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"/>
<input checked="" type="checkbox"/> Recreation	<input type="checkbox"/>
<input checked="" 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"/>

MITIGATION

Describe all mitigation measures and best management practices planned to address impacts during the project activities and after project completion: Stanford Carr Development is actively working with PBR HAWAII as a consultant to analyze potential impact on the environment through various technical studies, as shown below. The applicant will address any mitigations specified in the technical studies.

RESEARCH & CONSULTATION

The following items reflect conditions and environment at the project site and address concerns regarding further development:

- SMA Use Permit No. 25 (1977), granted by the County Planning Commission on 2/14/1977, for the entire resort (c. 1,353 acres), including the subject site.
- State LUC Urbanization for mauka portion of Waikoloa Beach Resort (853 acres) including the subject site, granted 1/9/1990.
- Zoning Ordinance No. 22 46, effective 4/29/2022, for the Kumu Hou Project District, proposed by Waikoloa Land Company, wherein Condition Z requires WLC to cause the development of a minimum of 140 units of workforce housing on the subject property plus additional units if appropriate reliefs from zoning and other codes are secured through approval of a 201H housing development statute. The committee and Council hearings preceding this change of zone approval involved extensive public testimony and discussion by County Councilmembers, and agency heads regarding this affordable housing condition.
- Geometrician Associates, LLC, “Biological Survey: Waikoloa Affordable Workforce Housing Property,” July 2022. This survey concluded “[n]o threatened or endangered plant species as listed by the U.S. Fish and Wildlife Service appear to be present on the property, nor are there any rare plant species or uniquely valuable vegetation types on the property, although one - maiapilo – is nearby. No existing or proposed federally designated critical plant (or animal) habitat is present on the property. There appears to be no potential to adversely affect RTE plant species, given the understanding that no construction activities related to the project will occur on lands outside the property alongside or makai of the King’s Trail” (pg. 7)
- Environmental Science International, Inc., “Phase I Environmental Site Assessment Report: Waikoloa WHP,” July 12, 2022. The report concludes, “The assessment did not identify any features, activities, uses, and conditions that may indicate the presence or likely presence of hazardous substances or petroleum products at the subject property. ... This assessment has revealed no recognized environmental conditions, controlled recognized environmental conditions, or significant data gaps in connection with the subject property.
- Wilson Okamoto Corporation, “Waikoloa Workforce Rental Housing Traffic Assessment,” July 21, 2022. The assessment concluded, “Under Year 2026 with project conditions, traffic operations in the vicinity of the proposed project are generally expected to remain similar to without project conditions. The Queen Kaahumanu Highway approaches at the intersection with Waikoloa Beach Drive (South) is expected to continue operating at LOS “B” during both peak periods, while the side street

approaches are expected to continue operating at LOS "B" and LOC "C" during the AM and PM peak periods, respectively."

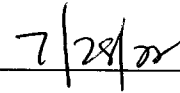
- The Hawai'i County Planning Department was consulted on July 6, 2022 and is in agreement with the OHCD's evaluation that the project meets the exemption conditions listed in HAR §11-200.1-15(10).

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.



Housing Administrator
Office of Housing and Community Development

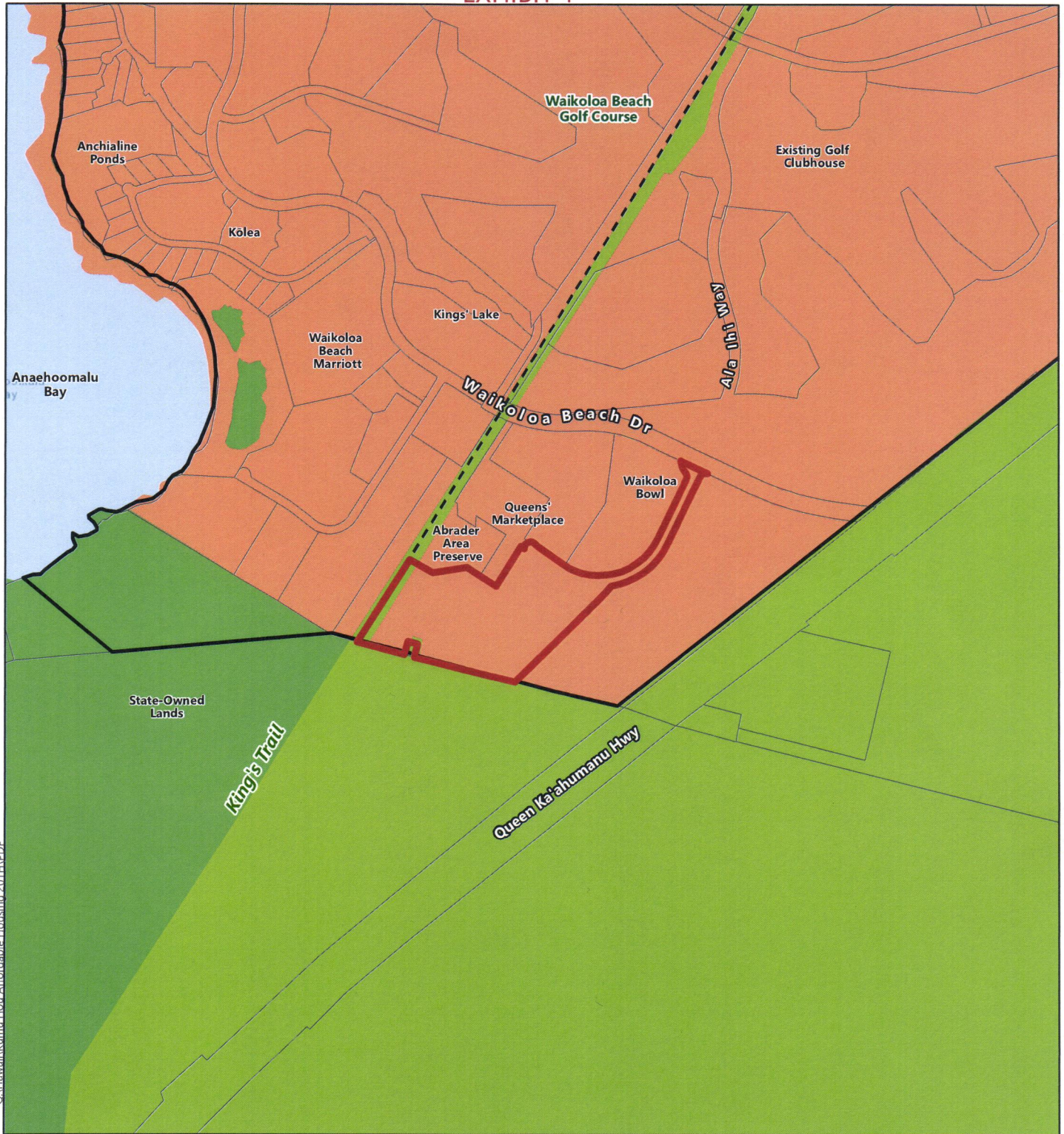


Date

This document is on file in our office and is available for public review

- Please check here if this document is being submitted to the Office of Planning and Sustainable Development for voluntary publication in *The Environmental Notice*

EXHIBIT 1



O:\Hawaii\Kumu Hou Affordable Housing 201\HPDF

Legend

- Project Area
- Waikoloa Beach Resort Boundary
- Tax Map Key Parcels

State Land Use Districts

- Agricultural
- Conservation
- Urban

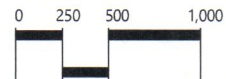
State Land Use District (SLUD) Waikoloa Beach Resort Affordable Workforce Housing

Date: 7/1/2022

Stanford Carr Development, LLC
North



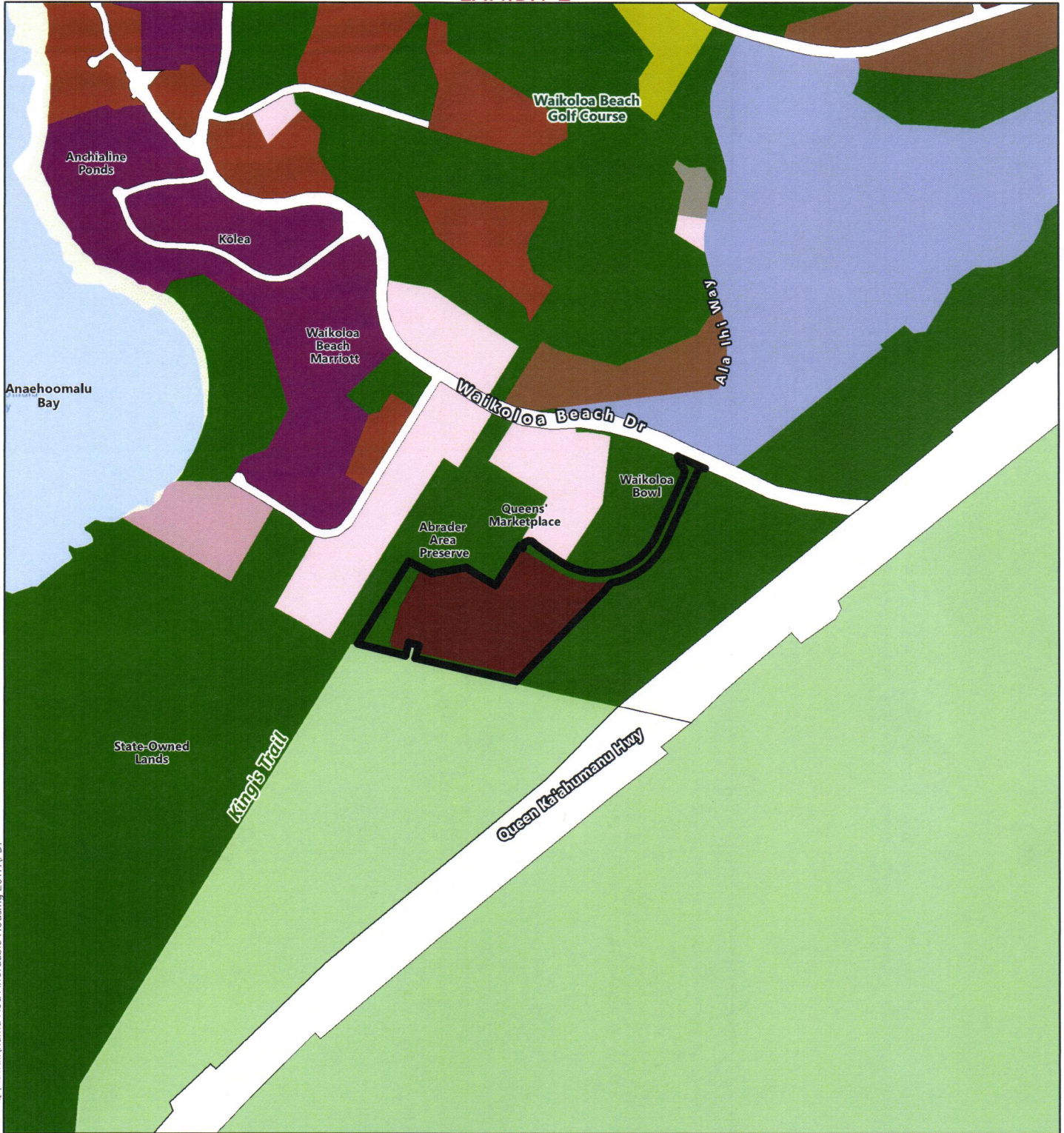
Linear Scale (Feet)



Island of Hawai'i

















EXHIBIT 2



Q:\Hawaii\Kumu Hou Affordable Housing 201\H\PDF

Legend

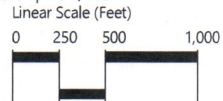
	Project Area	Zoning	 OPEN	 RM-6
	(road)	 PD	 RM-8	 V-1.25
	A-5a	 RM-1.5	 RM-3	 V-2a
	CV-10	 RM-4		
	ML-20			

Existing Zoning Waikoloa Beach Resort Affordable Workforce Housing

Date: 7/1/2022

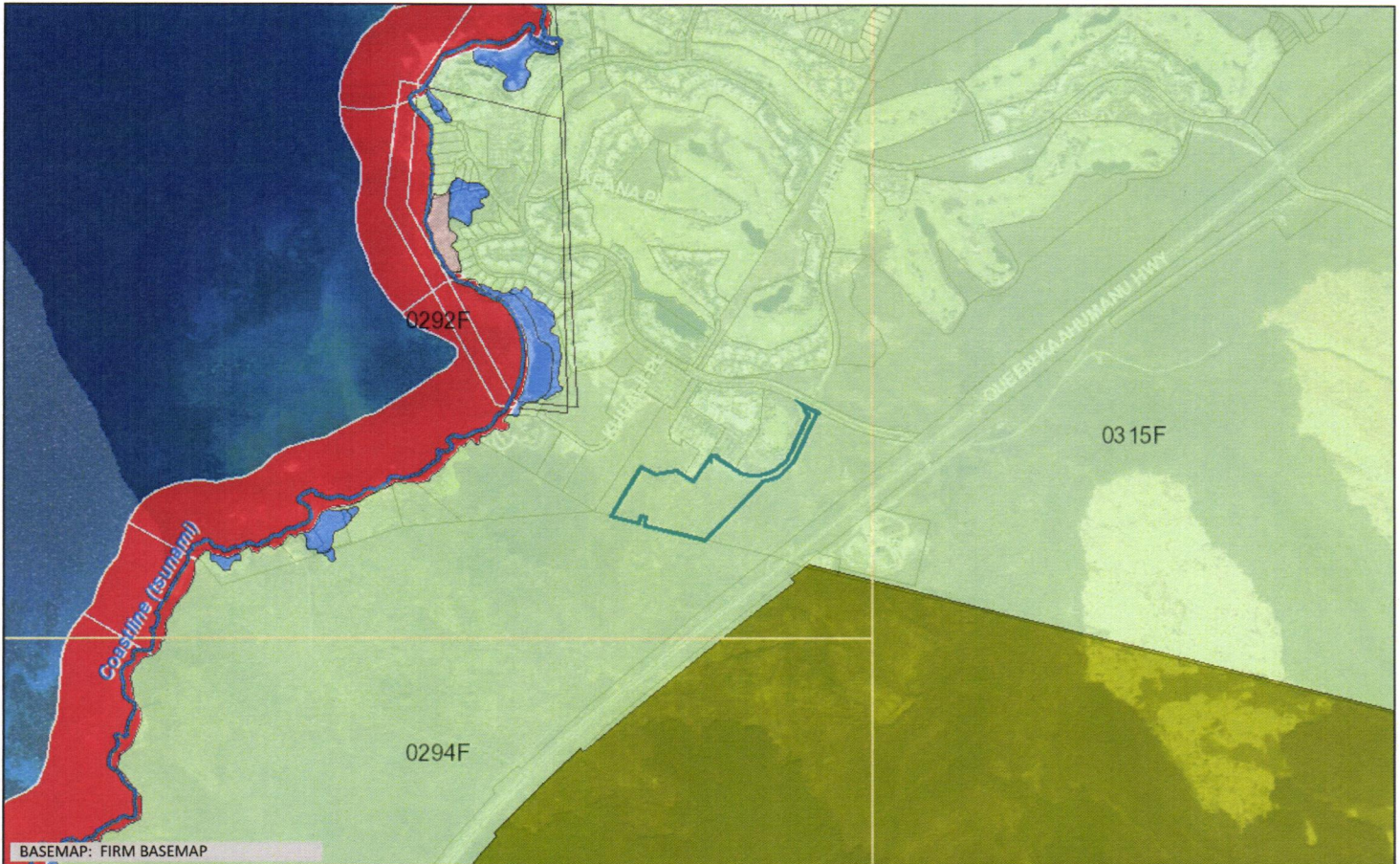
Stanford Carr Development, LLC
North

Island of Hawai'i



Source: County of Hawai'i, 2018 & 2021. ESRI Online Basemap.
Disclaimer: This graphic has been prepared for general planning purposes only.

EXHIBIT 3



Flood Hazard Assessment Report

www.hawaiiinfip.org

Property Information

COUNTY: HAWAII
 TMK NO: (3) 6-9-008:032
 WATERSHED: KIHOLA; POHAKULOA
 PARCEL ADDRESS: ADDRESS NOT DETERMINED
 WAIKOLOA, HI 96738

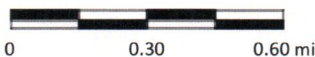
Notes:

Flood Hazard Information

FIRM INDEX DATE: SEPTEMBER 29, 2017
 LETTER OF MAP CHANGE(S): NONE
 FEMA FIRM PANEL: 1551660292F
 PANEL EFFECTIVE DATE: SEPTEMBER 29, 2017

THIS PROPERTY IS WITHIN A TSUNAMI EVACUATION ZONE: NO
 FOR MORE INFO, VISIT: <http://www.scd.hawaii.gov/>

THIS PROPERTY IS WITHIN A DAM EVACUATION ZONE: NO
 FOR MORE INFO, VISIT: <http://dlnreng.hawaii.gov/dam/>



Disclaimer: The Hawaii Department of Land and Natural Resources (DLNR) assumes no responsibility arising from the use, accuracy, completeness, and timeliness of any information contained in this report. Viewers/Users are responsible for verifying the accuracy of the information and agree to indemnify the DLNR, its officers, and employees from any liability which may arise from its use of its data or information.

If this map has been identified as 'PRELIMINARY', please note that it is being provided for informational purposes and is not to be used for flood insurance rating. Contact your county floodplain manager for flood zone determinations to be used for compliance with local floodplain management regulations.

FLOOD HAZARD ASSESSMENT TOOL LAYER LEGEND

(Note: legend does not correspond with NFHL)

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD - The 1% annual chance flood (100-year), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. SFHAs include Zone A, AE, AH, AO, V, and VE. The Base Flood Elevation (BFE) is the water surface elevation of the 1% annual chance flood. Mandatory flood insurance purchase applies in these zones:

	Zone A: No BFE determined.
	Zone AE: BFE determined.
	Zone AH: Flood depths of 1 to 3 feet (usually areas of ponding); BFE determined.
	Zone AO: Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined.
	Zone V: Coastal flood zone with velocity hazard (wave action); no BFE determined.
	Zone VE: Coastal flood zone with velocity hazard (wave action); BFE determined.
	Zone AEF: Floodway areas in Zone AE. The floodway is the channel of stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without increasing the BFE.

NON-SPECIAL FLOOD HAZARD AREA - An area in a low-to-moderate risk flood zone. No mandatory flood insurance purchase requirements apply, but coverage is available in participating communities.

	Zone XS (X shaded): Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
	Zone X: Areas determined to be outside the 0.2% annual chance floodplain.

OTHER FLOOD AREAS

	Zone D: Unstudied areas where flood hazards are undetermined, but flooding is possible. No mandatory flood insurance purchase apply, but coverage is available in participating communities.
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



U.S. Fish and Wildlife Service
National Wetlands Inventory

National Wetlands Inventory near Proposed Project

EXHIBIT 4



July 1, 2022

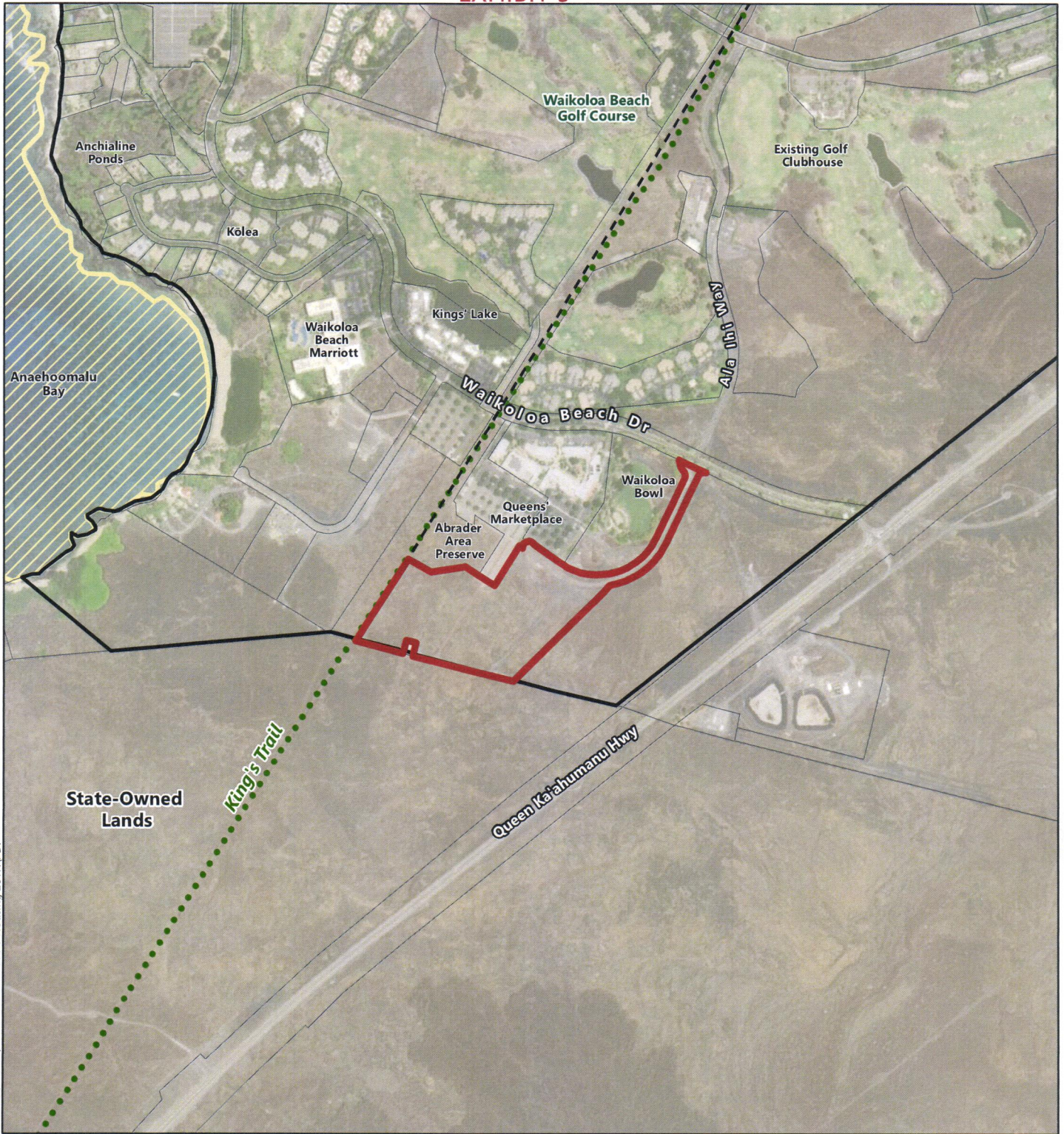
Wetlands

- | | | |
|--------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
|  Estuarine and Marine Deepwater |  Freshwater Emergent Wetland |  Lake |
|  Estuarine and Marine Wetland |  Freshwater Forested/Shrub Wetland |  Other |
| |  Freshwater Pond |  Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
 This page was produced by the NWI mapper

EXHIBIT 5



Q:\Hawaii\Kumu Hou Affordable Housing 201\HPDF

Legend

- Project Area
- Tax Map Key Parcels
- Waikōloa Beach Resort Boundary
- Critical Habitat (Hawaiian Monk Seal)

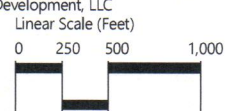
Critical Habitat

Waikoloa Beach Resort Affordable Workforce Housing

Date: 7/1/2022

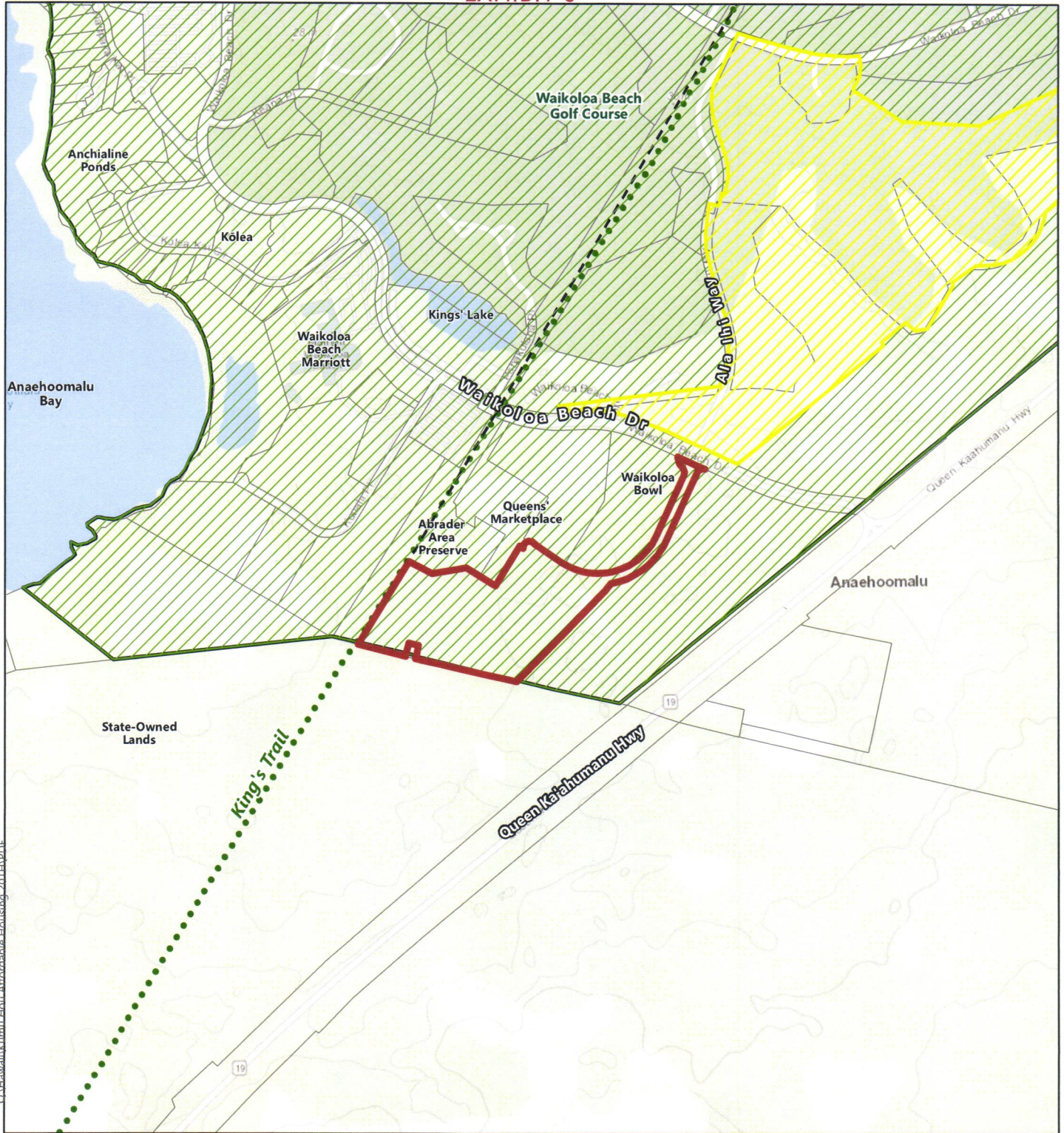
Stanford Carr Development, LLC
North

Island of Hawai'i








Source:USFWS & NOAA, 2021. County of Hawai'i, 2021. ESRI Online Basemap.
Disclaimer: This graphic has been prepared for general planning purposes only.

EXHIBIT 6



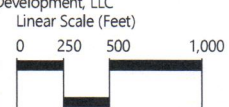
Legend

-  Project Area
-  Tax Map Key Parcels
-  Waikoloa Beach Resort Boundary
-  Special Management Area 25 (1977)
-  SMA 2021-000004

Special Management Area 25 Waikoloa Beach Resort Affordable Workforce Housing

Date: 7/1/2022

Stanford Carr Development, LLC
North



Island of Hawai'i

