

## EXEMPTION NOTICE FORM

Kaua'i County Housing Agency  
4444 Rice Street, Suite 330  
Lihu'e, Hawai'i 96766

TO: 1. Agency-Maintained Public Files for Chapter 343 HRS Exemption Determinations  
2. Office of Planning and Sustainable Development, if publication is desired  
3. Rice Street Hale, LLC

FROM: Director of Kaua'i County Housing Agency

SUBJECT: Exemption Notice for Rice Street Apartments

DATE: 7/26/2022

### 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: Rice Street Hale, LLC

Project Name & Address/Location: Rice Street Apartments, 3016 Umi Street, Lihu'e, Hawaii

Anticipated Start Date: 8/1/2023

Anticipated End Date: 2/28/2025

Island and District: Kaua'i Lihu'e

Tax Map Key(s) and other geolocation means: TMK: (4) 3-6-003-010 and a portion of TMK: (4) 3-6-003-006

All Necessary Permits and Approvals: As the project is zoning-compliant, the remaining permits to be secured are building permits.

### NARRATIVE

Describe the action and why it qualifies for the exemption: The Applicant proposes to construct 66 dwelling units on the subject property, including four units designated for households with incomes not exceeding 30% of the Area Median Income (AMI) or below, 11 units set-aside for households with incomes at 40% of AMI or below and 50 units designated for households earning 60% of AMI or below as well as one onsite manager's unit. The Rice Street Apartments will remain affordable for a period of, at least, 51 years. The Rice Street Apartments meets the requirements for exempt classes of action on the following grounds: (A) Has the use of state or county lands or funds or is within Waikiki as the sole triggers for compliance with chapter 343, HRS; a. The use of state financing, including Rental Housing Revolving Fund (RHRF), Hula Mae Multi-Family (HMMF) Tax-exempt Bond program, and Low-income Housing Tax Credits (LIHTC), is the sole trigger for the Project's compliance with HRS, Chapter 343. (B) As proposed conforms with the existing state urban land use classification; a. The Project Site, located within the SLUC Urban District is land classified as "Urban" by the State. (C) As proposed is consistent with the existing county zoning classifications that allows housing. a. The Project Site is located in zoning district Special Planning Area D, also known as the Rice Street Neighborhood Design District. At 40 units per acre, the Rice Street Apartments are a permitted use in this District. (D) As proposed does not require variances for shoreline setbacks or siting in an environmentally sensitive area, as stated in section 11-200.1-13(b)(11). a. The Rice Street Apartments will not require variances for shoreline setbacks nor is it sited in an environmentally sensitive area.

### RECEIVING ENVIRONMENT

Describe the site, including any impacts on the receiving environment: The Property consists of 1.53-acres of land currently used for a two-story bank/office building and a parking lot located at 3016 Umi Street in Lihu'e, Kauai, Hawai'i. The Property is identified by the County of Kaua'i Real Property TMK (4) 3-6-003:010. The Property is currently zoned as CG; General Commercial. One (1) Federal Emergency Management Agency (FEMA) flood zone, Zone X, is designated for the Property. The Zone X designation refers to the area outside the 0.2% annual chance floodplain (FEMA, 2010).No significant impact on the receiving environment is anticipated.

### 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 type="checkbox"/> Traffic (Vehicles, Bicycles, Pedestrian)	<input type="checkbox"/>
<input type="checkbox"/> Infrastructure (Roads, Buildings, Utilities)	<input type="checkbox"/>
<input type="checkbox"/> Air Quality Pollutant Emissions	<input type="checkbox"/>
<input type="checkbox"/> Noise Emissions	<input type="checkbox"/>
<input type="checkbox"/> Solid, Hazardous, and Liquid Waste Management	<input type="checkbox"/>
<input type="checkbox"/> Social	<input type="checkbox"/>
<input type="checkbox"/> Economic	<input type="checkbox"/>

- Health and Safety
- Recreation
- Public Beach Access
- Cultural Resources and Practices
- Visual/Aesthetic
- Environmental Justice
  
- Rare, Threatened, and/or Endangered Species
- Surface and Ground Water Resources
- Wetlands
- Floodplains
- Riparian/Coastal Resources
- Other

Comments/summary of impact analysis: No Significant Impact is anticipated.

### MITIGATION

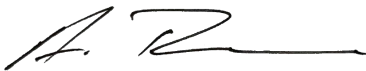
Describe all mitigation measures and best management practices planned to address impacts during the project activities and after project completion: Per the Project's Phase 1 Environmental Report, there are no RECs, meaning the presence or likely presence of hazardous substances or petroleum products in, on or at the property. Therefore, there are no conditions to mitigate. Should potentially hazardous conditions become known during the course of construction of the Project, however, all applicable local, state and federal laws and regulations will be followed.

### CONSULTATION

The following parties have been consulted about this declaration exemption (Name, affiliation, consultation date): County of Kaua'i Planning Department

### 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.

  
\_\_\_\_\_  
Signature of Director or Delegate

7/26/2022  
\_\_\_\_\_  
Date

This document is to be kept on file in the agency's records and made 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*