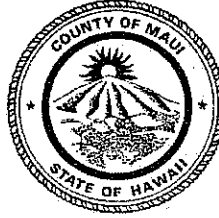


RICHARD T. BISSEN, JR.
Mayor

LORI TSUHAKO
Director

SAUMALU MATA‘AFA
Deputy Director



**DEPARTMENT OF HOUSING
& HUMAN CONCERNS**
COUNTY OF MAUI
2200 MAIN STREET, SUITE 546
WAILUKU, MAUI, HAWAII 96793
PHONE: (808) 270-7805

July 27, 2023

Mary Alice Evans, Director
Office of Planning and Sustainable Development
Environmental Review Program
235 South Beretania Street, Suite 702
Honolulu, Hawaii 96813

Dear Ms. Evans:

SUBJECT: CHAPTER 343, HAWAII REVISED STATUTES, RECORD OF DETERMINATION FOR THE PROPOSED 398-UNIT DEPARTMENT OF HAWAIIAN HOME LANDS WAIEHU MAUKA HOMESTEAD PROJECT, TMK: (2) 3-3-002:031, WAIEHU, ISLAND OF MAUI, STATE OF HAWAII

With this letter, the County of Maui Department of Housing and Human Concerns ("DHHC") has determined that an Environmental Assessment ("EA") is not required for the proposed Department of Hawaiian Home Lands ("DHHL") Waiehu Mauka Homestead Project ("Waiehu Homestead Project"), consisting of 343 single family lots and 55 half-acre rural lots along with associated infrastructure, roadways, and amenities. The project will occupy an approximately 238-acre parcel west of Kahekili Highway. See **Figure 1** site plan.

The Waiehu Homestead Project is the updated configuration of the Waiehu Residential Community project ("WRC Project"). DHHC accepted the Final EA for the WRC Project, as originally proposed, on June 28, 2022, and a Finding of No Significant Impact ("FONSI") was published in The Environmental Notice on July 8, 2022. The Final EA covers a 100-percent affordable, 752-residential unit community along with associated infrastructure, roadways, and amenities such as park space, walking trails, and landscaping.

The Waiehu Homestead Project is a residential project proposed on the same 238-acre lot as the WRC Project. Under the new plan, approximately 116 acres of land would be developed as 343 single family lots and 55 half-acre rural lots along with associated infrastructure, roadways, and amenities. All units will be leased to native Hawaiian beneficiaries as part of DHHL's program. The Waiehu Homestead Project also includes a community center, an 18-acre community farm agricultural area, and 58 acres of open space. Unlike the WRC Project, there will be no retail sites developed.

TO SUPPORT AND EMPOWER OUR COMMUNITY TO REACH ITS FULLEST
POTENTIAL FOR PERSONAL WELL-BEING AND SELF-RELIANCE

The Waiehu Homestead Project is substantially similar to the WRC Project because of the similar types of intended uses, infrastructure improvements, and amenities. Both the WRC and Waiehu Homestead Projects are proposed for the same 238 acres west of Kahekili Highway and are centered around a residential community. The infrastructure improvements associated with the Waiehu Homestead Project are consistent with the overall intent of the infrastructure alternatives analyzed in the Final EA. The retention basins for the Waiehu Homestead Project will be expanded as compared to those proposed for the WRC Project to capture the entire post-development runoff for the design storm from the developed portion of the project parcel, exceeding Maui County standards. Both proposed projects also include associated amenities such as open spaces, walking trails, and landscaping. While the Waiehu Homestead Project does not include retail uses, it adds a community center that will serve a similar function as a gathering place for the community. The Waiehu Homestead Project also includes a community farm agricultural area that will allow the continuation of agricultural uses in the area that would have been eliminated had the WRC Project been implemented.

The Waiehu Homestead Project is anticipated to have fewer direct, indirect, and cumulative impacts than the WRC Project because it is located on the same project site, but will have a smaller footprint and nearly half the number of units. The Project's secondary impacts on coastal water quality will be significantly reduced due to the addition of expanded retention basins with increased capacity to capture the entire post-development runoff from the developed portion of the project parcel. There will be reduced impacts on the overall availability of agricultural lands because a portion of the Project site will be dedicated to agricultural uses. Because the number of units will be reduced, the Project will cause less population growth in the area and have lower overall cumulative impacts on the environment, air quality, infrastructure, public facilities, and social services.

The Waiehu Homestead Project fits within the range of alternatives analyzed in the Final EA because the Waiehu Homestead Project is on the same site as the WRC Project analyzed in the Final EA and has a smaller footprint of development. The Waiehu Homestead Project includes fewer units than the preferred alternative and similar infrastructure, roadways, and amenities as the preferred alternative. The preferred alternative and higher density alternatives for the WRC Project also included retail uses and a "village center" respectively that were similar in function to, but had a much greater footprint and associated impacts than the community center in the Waiehu Homestead Project. The new open-space agricultural area and rural lots will be consistent with the continuation of agricultural uses contemplated under the no-action alternative.

Section 11-200.1-11, Hawai'i Administrative Rules, provides the following as it relates to use of a prior FONSI to satisfy Chapter 343, Hawai'i Revised Statutes ("HRS"):

When an agency is considering whether a prior exemption, FONSI, or an accepted EIS satisfies Chapter 343, HRS, for a proposed action, the agency may determine that additional environmental review is not required because:

- (1) The proposed action was a component of, or is substantially similar to, an action that received an exemption, FONSI, or an accepted EIS (for example, a project that was analyzed in a program EIS);*
 - (2) The proposed action is anticipated to have direct, indirect, and cumulative effects similar to those analyzed in a prior exemption, final EA, or accepted EIS; and*
-

(3) In the case of a final EA or an accepted EIS, the proposed action was analyzed within the range of alternatives.

HAR § 11-200.1-11.

Based on the foregoing, DHHC has determined:

- a. The scope of the Waiehu Homestead Project is substantially similar to the actions described in the Final EA for the WRC Project;
- b. The components of the Waiehu Homestead Project are anticipated to have direct, indirect, and cumulative effects similar to those analyzed in the Final EA for the WRC Project; and
- c. The environmental setting and probable environmental impacts as described in the Final EA have not substantially changed or intensified.

Please publish the Record of Determination in the next edition of The Environmental Notice. The Publication Form is enclosed.

Should you have any questions, please contact Buddy Almeida, Housing Administrator, at (808) 270-7355.

Sincerely,

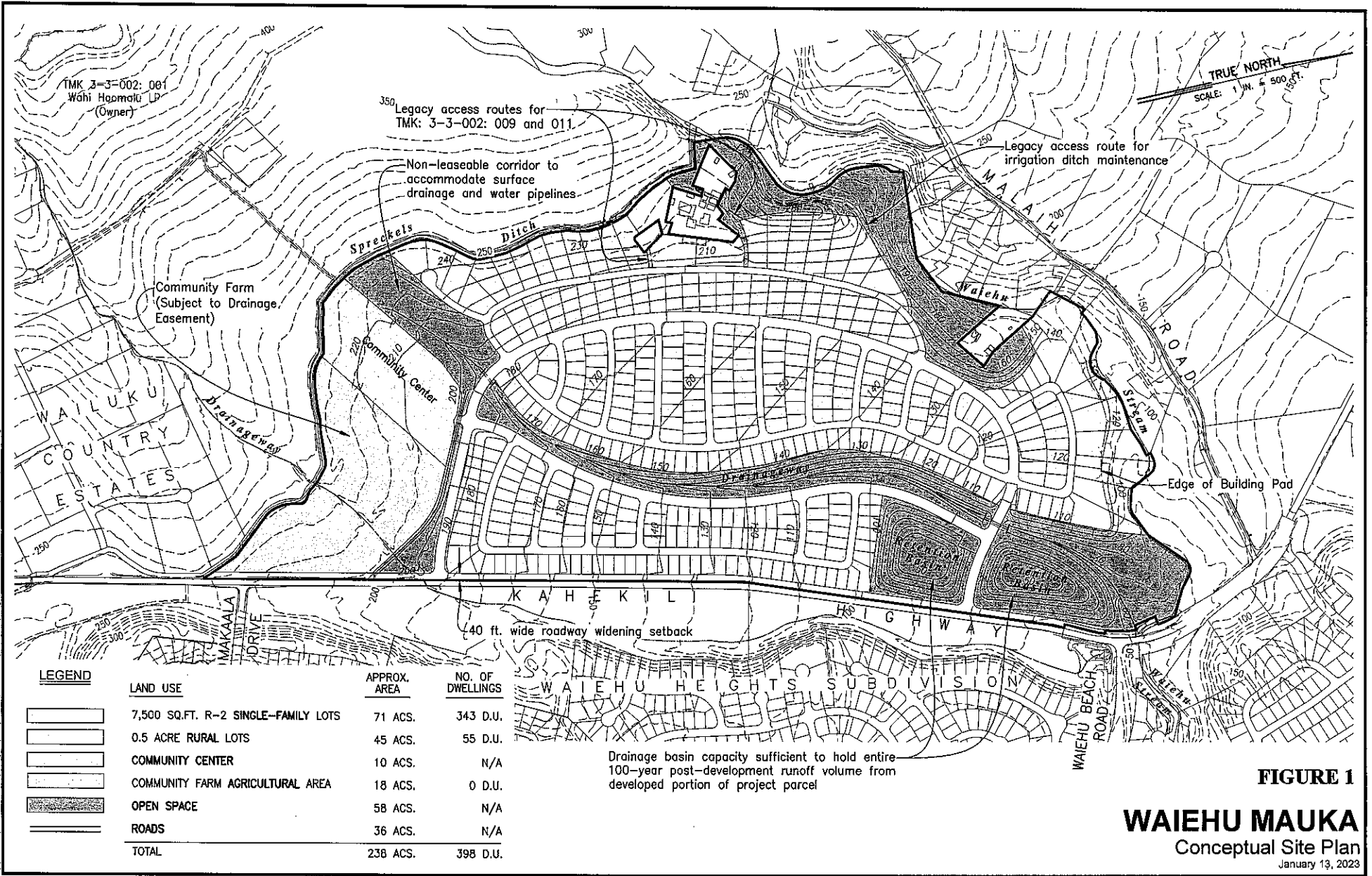


LORI TSUHAKE, LSW, ACSW
Director of Housing and Human Concerns

Enclosures

xc: Buddy Almeida, Housing Administrator

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AGENCY PUBLICATION FORM

| | |
|---|---|
| Project Name: | Department of Hawaiian Home Lands Waiehu Mauka Homestead Project |
| Project Short Name: | Waiehu Homestead Project |
| HRS §343-5 Trigger(s): | Use of State funds and use of State lands |
| Island(s): | Maui |
| Judicial District(s): | Second |
| TMK(s): | (2) 3-3-002:031 |
| Permit(s)/Approval(s): | June 28, 2022 FONSI for Waiehu Residential Community Project |
| Proposing/Determining Agency: | County of Maui, Department of Housing and Human Concerns (DHHC) |
| Contact Name, Email, Telephone, Address | Buddy Almeida, buddy.almeida@co.maui.hi.us , (808) 270-7351 2065 Main Street Ste 108, Wailuku, HI 96793 |
| Accepting Authority: | N/A |
| Contact Name, Email, Telephone, Address | |
| Consultant: | State of Hawaii, Department of Hawaiian Home Lands |
| Contact Name, Email, Telephone, Address | Stewart Matsunaga, stewart.t.matsunaga@hawaii.gov , (808) 620-9500 P.O. Box 1879, Honolulu, Hawaii 96805 |

Status (select one)

DEA-AFNSI

Submittal Requirements

Submit 1) the proposing agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the DEA, and 4) a searchable PDF of the DEA; a 30-day comment period follows from the date of publication in the Notice.

FEA-FONSI

Submit 1) the proposing agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEA, and 4) a searchable PDF of the FEA; no comment period follows from publication in the Notice.

FEA-EISPN

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Act 172-12 EISPN
("Direct to EIS")

Submit 1) the proposing agency notice of determination letter on agency letterhead and 2) this completed OEQC publication form as a Word file; no EA is required and a 30-day comment period follows from the date of publication in the Notice.

DEIS

Submit 1) a transmittal letter to the OEQC and to the accepting authority, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the DEIS, 4) a searchable PDF of the DEIS, and 5) a searchable PDF of the distribution list; a 45-day comment period follows from the date of publication in the Notice.

FEIS

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FEIS Acceptance
Determination

The accepting authority simultaneously transmits to both the OEQC and the proposing agency a letter of its determination of acceptance or nonacceptance (pursuant to Section 11-200-23, HAR) of the FEIS; no comment period ensues upon publication in the Notice.

FEIS Statutory
Acceptance

Timely statutory acceptance of the FEIS under Section 343-5(c), HRS, is not applicable to agency actions.

Supplemental EIS
Determination

The accepting authority simultaneously transmits its notice to both the proposing agency and the OEQC that it has reviewed (pursuant to Section 11-200-27, HAR) the previously accepted FEIS and determines that a supplemental EIS is or is not required; no EA is required and no comment period ensues upon publication in the Notice.

- Withdrawal Identify the specific document(s) to withdraw and explain in the project summary section.
 Other Contact the OEQC if your action is not one of the above items.

Project Summary

Provide a description of the proposed action and purpose and need in 200 words or less.

Pursuant to HAR §11-200.1-11 the County of Maui Department of Housing and Human Concerns has determined that additional environmental review is not required for the Department of Hawaii Home Lands Waiehu Mauka Homestead Project because (1) the proposed project is substantially similar to the Waiehu Residential Community Project that received a FONSI in 2022; (2) the effects of the proposed project are anticipated to be fewer than those analyzed in the previous EA; and (3) the proposed project fits within the range of alternatives analyzed in the previous EA.

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| Permit(s)/Approval(s): | June 28, 2022 FONSI for Waiehu Residential Community Project |
| Proposing/Determining Agency: | County of Maui, Department of Housing and Human Concerns |
| Contact Name, Email, Telephone, Address | Buddy Almeida, buddy.almeida@co.maui.hi.us , (808) 270-7351 2200 Main Street, Suite 546, Wailuku, Hawaii 96793 |
| Accepting Authority: | N/A |
| Contact Name, Email, Telephone, Address | |
| Consultant: | State of Hawaii, Department of Hawaiian Home Lands |
| Contact Name, Email, Telephone, Address | Stewart Matsunaga, stewart.t.matsunaga@hawaii.gov , (808) 620-9500 P.O. Box 1879, Honolulu, Hawaii 96805 |

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