

EXEMPTION NOTICE FORM

County of Hawaii Department of Environmental Management
345 Kekuaanoa St., Suite 40
Hilo, Hawaii 96720

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

FROM: Ramzi I. Mansour, Director

SUBJECT: Exemption Notice for Laupahoehoe Transfer Station Improvements Project

DATE: 5/31/2024

AGENCY OR APPLICANT ACTION

Check applicable box

- This exempted action is an agency action as defined by Section 343-5(b), Hawaii Revised Statutes (HRS), and Section 11-200.1-8, Hawaii 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), HAR, Exemption Type 2.

As applicable, the exemption for the action described below is also supported by the Exemption List for the County of Hawaii Department of Environmental Management reviewed and concurred to by the Environmental Council on 1/8/2019.

- Exemption List Class 2.
- Item Number 9, 24.
- Applicable language from the exemption list: Exemption Class 2: Replacement or reconstruction of existing structure and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height, and dimensions as the structure replaced.
Item 9: Existing public facility structures, facilities, or equipment involving negligible or no expansion or change of use beyond that previously existing.
Item 24: Retaining walls, embankment/slope, swale, and/or erosion control replacement and reconstruction. No seawalls will be exempted.

DESCRIPTION OF ACTION

Proposing Agency or Applicant: County of Hawaii Department of Environmental Management, Solid Waste Division

Project Name & Address/Location: 345 Kekuaanoa Street, Suite 40, Hilo, Hawaii 96720

Anticipated Start Date: 9/1/2025

Anticipated End Date: 12/1/2025

Island and District: Hawai'i North Hilo

Tax Map Key(s) and other geolocation means: (3) 3-5-004:084, 3-5-004:059 (por.)

All Necessary Permits and Approvals: HRS Chapter 6E, HRS Chapter 195D, Grading Permit

NARRATIVE

Describe the action and why it qualifies for the exemption: The County of Hawaii Department of Environmental Management (DEM), Solid Waste Division is proposing various improvements to the existing Laupahoehoe Transfer Station in Laupahoehoe on the island of Hawaii. The proposed improvements include renovation of the existing chute and replacement of the existing retaining wall. Construction would include raising grade of the trailer area, new concrete trailer pad, new chute and roof cover, repair eroded slope, addition of leachate inlet and holding tank, and other related improvements. The project site is located in Laupahoehoe at the southeastern end of Old Mamalahoa Highway. The transfer station is located on land owned by the State of Hawaii. Tax Map Keys (TMK) include (3) 3-5-004:084, a 1.016-acre parcel leased by DEM, Solid Waste Division as per Executive Order No. 2628 CSF 16,648, and approximately 4,100 square feet of TMK (3) 3-5-004:059 adjacent to TMK (3) 3-5-004:084.

RECEIVING ENVIRONMENT

Describe the site, including any impacts on the receiving environment: The project site is located in Laupahoehoe at the southeastern end of Old Mamalahoa Highway. The transfer station is located on land owned by the State of Hawaii. Tax Map Keys (TMK) include (3) 3-5-004:084, a 1.016-acre parcel leased by DEM, Solid Waste Division as per Executive Order No. 2628 CSF 16,648, and approximately 4,100 square feet of TMK (3) 3-5-004:059 adjacent to TMK (3) 3-5-004:084. The project site is an existing transfer station.

ENVIRONMENTAL ANALYSIS

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

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

- Visual/Aesthetic
- Environmental Justice
- Rare, Threatened, and/or Endangered Species
- Surface and Ground Water Resources
- Wetlands
- Floodplains
- Riparian/Coastal Resources
- Other (Archeological and Historic Resources)

Comments/summary of impact analysis: **Solid, Hazardous, and Liquid Waste Management:** Demolition activities during construction have the potential to create waste that will need to be managed, as well as the potential for leaks from construction equipment. The project will utilize standard construction BMPs to mitigate any potential impacts. **Rare, Threatened, and/or Endangered Species:** The following species may occur at or within the vicinity of the project: Hawaiian hoary bat, Hawaiian seabirds, Hawaiian waterbirds, Hawaiian short-eared owl, and Hawaiian hawk. Best management practices and other measures will be implemented to minimize potential impacts. **Archaeological and Historic Resources:** No historic properties affected determination concurred with by the State Historic Preservation Division.

MITIGATION

Describe all mitigation measures and best management practices planned to address impacts during the project activities and after project completion: In addition to the employment of standard construction BMPs, the measures provided in the following table would be implemented to minimize potential impacts:

Resource	Minimization Measure
‘ōpe‘ape‘a, Hawaiian hoary bat	Any required site clearing would be timed to avoid disturbance to bats during their birthing and pup rearing season (June 1 through September 15) to the extent practicable.
	Woody plants greater than 15 feet (4.6 meters) would not be disturbed, removed, or trimmed during the birthing an pup rearing season.
	Barbed wire would not be used.
Hawaiian seabirds	If nighttime work is required, all lights would be fully shielded to minimize the attraction of seabirds.
	Nighttime work would be avoided during the seabird fledging season (September 15 through December 15) to the extent practicable.
	If nighttime work is required during the seabird fledging season, a qualified biologist would be present at the project site to monitor and assess the risk of seabirds being attracted or grounded due to lighting.
	If a downed seabird is detected, the Department of Land and Natural Resources Division of Forestry and Wildlife’s (DOFAW) recommended response protocol would be followed.
	https://dlnr.hawaii.gov/wildlife/seabird-fallout-season/
Hawaiian waterbirds (Hawaiian stilt, Hawaiian coot, nēnē [Hawaiian goose])	If any Hawaiian waterbirds are present during construction, all activities within 100 feet (30 meters) would cease and the bird(s) would not be approached. Work may continue after the bird(s) leave the area of their own accord.

	If a nest is discovered, the Hawai'i Island Branch DOFAW office would be contacted at (808) 974-4221 and a buffer zone would be established around the nest.
Pueo, Hawaiian short-eared owl	Line transect surveys would be conducted during crepuscular (i.e., twilight) hours through the project area prior to any potential vegetative alteration, especially ground-based disturbance.
	If a pueo nest is discovered a minimum buffer distance of 100 meters from the nest would be established until the chicks are capable of flight.
'Io, Hawaiian hawk	Pre-construction surveys of the area would be conducted by a qualified biologist following appropriate survey methods (Gorresen et al., 2008) ¹ to ensure no Hawaiian hawk nests are present during the breeding season (March to September). Surveys would be conducted at least 10 days prior to the start of construction.
	If a 'io nest is detected, DOFAW would be notified and a buffer zone of 100 meters (330 feet) would be established around the nest and no construction would occur within this zone until the chick(s) have fledged or the nest is abandoned.
	If adult individuals are detected in the work area during construction, all activities within 30 meters (100 feet) of the bird would cease. Work may continue when the bird has left the are on its own.
Invasive Species	The movement of plant or soil material between worksites would be minimized to the extent practicable to avoid the potential spread of detrimental fungal pathogens (e.g., Rapid 'Ōhi'a Death), vertebrate and invertebrate pests (e.g., Little Fire Ants, Coqui Frogs, etc.), or invasive plant parts (e.g., African tulip, octopus tree, trumpet tree, etc.) that could harm our native species and ecosystems.
	All equipment, materials, and personnel would be cleaned of excess soil and debris to minimize the risk of spreading invasive species.
Archaeological and Historic Resources	In the unlikely event that subsurface historic resources, including human skeletal remains, structural remains, cultural deposits, artifacts, sand deposits, or sink holes are identified during the demolition and/or construction work, work would be ceased in the immediate vicinity of the find, the find would be protected from additional disturbance, and the State Historic Preservation Divisions would be contacted at (808) 933-7651.
¹ Gorresen, P. M., R. J. Camp, J. L. Klavitter, and T. K. Pratt. 2008. Abundance, distribution and population trend of the Hawaiian Hawk: 1998-2007. Hawai'i Cooperative Studies Unit Technical Report HCSU-009. University of Hawai'i at Hilo. 53 pp., incl. 8 figures, 3 tables & 1 appendix.	

CONSULTATION

The following parties have been consulted about this declaration exemption (Name, affiliation, consultation date): The following consultations occurred for the Proposed Action:

Agency	Date Letter Sent	Response Received
Department of Land and Natural Resources Division of Forestry and Wildlife	March 28, 2024	May 8, 2024 Log No. 4491 Ref. No. SSFM 2022_140.000
Department of Land and Natural Resources State Historic Preservation Division	March 18, 2024	March 22, 2024 Project No. 2024PR00335 Doc. No. 2403SN08
	May 8, 2024	May 10, 2024 HICRIS Notification Only
County of Hawai'i Planning Department	March 28, 2024	None.

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.

Brenda O. Ishizuka-Moore
 Signature of Director or Delegate

5/31/24
 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*