

## Guide Section 1

### Proposed Final Environmental Assessment - Finding Of No Significant Impact ("PFEA-PFONSI")

Note: In order to preserve the language of the original draft EA which was published by the OEQC on Dec. 23, 2019 the described original text is now used in the Proposed Final EA-Proposed FONSI with ~~Strikethrough~~ and double underline of text added to the published original document. Strikethrough is used to show text that has been eliminated and double underline text indicates new text that has been added. As of May 30, 2020 no public comments were received regarding the published EA. Therefore no letters of comment have been attached to the end of this Proposed FONSI in response as is required by the OEQC rules.

**Re: Petition A18 805 submitted to the Land Use Commission for the State of Hawaii to rezone TMK(s) (3) 2-9-003; 029, 060 (the "Property") from the State Conservation District to the State Agricultural District, a TMK map and County's Property Description is attached as *exhibit 14*.**

#### ***HRS §11-200.1-21 Contents of a final environmental assessment.***

*A final EA shall contain, but not be limited to, the following information:*

*(1) Identification of applicant or proposing agency;*

.....refer to **"Guide Section 2", its page 5 of the PFEA-PFONSI**

*(2) For applicant actions, identification of the approving agency;*

.....**State of Hawaii Land Use Commission**

*(3) Identification of agencies, citizen groups, and individuals consulted in preparing the EA;*

.....refer to **"Guide Section 2", beginning on page 132 of the PFEA-PFONSI**

*(4) General description of the action's technical, economic, social, cultural, historical,*

*and environmental characteristics;*

.....Please refer to "Guide Section 2", beginning on page 132 of the  
**PFEA-PFONSI**

*(5) Summary description of the affected environment, including suitable and adequate regional, location, and site maps such as Flood Insurance Rate Maps, Floodway Boundary Maps, United States Geological Survey topographic maps, or state sea level rise exposure area maps;*

.....Please refer to "Guide Section 2" beginning on page 132 of the  
**PFEA-PFONSI**

*(6) Identification and analysis of impacts and alternatives considered;*

.....Please refer to "Guide Section 2" beginning on page 132 of the  
**PFEA-PFONSI**. Particularly no new use is contemplated not is likely.  
**Agriculture is already an established Allowed use on the Property. A Buffer Zone is proposed/offered in order to protect potential negative effects to the environment from the Allowed agricultural use of the Property if the Petition is Allowed. Resultingly if the Petition, is allowed, a SIGNIFCANT IMPROVEMENT over the IMPACTS of the existing Allowed use of the Property will result.**

*(7) Proposed mitigation measures;*

.....Please refer to "Guide Section 2" beginning on page 132 of the  
**PFEA-PFONSI** Particularly no new use is contemplated nor is likely.  
**Agriculture is already an established Allowed use on the Property. A Buffer Zone is proposed/offered in order to protect potential negative effects to the environment from the Allowed agricultural use of the Property if the Petition is Allowed.**

*(8) The agency determination and the findings and reasons supporting the determination;*

.....**See Exhibit 25**

*(9) List of all required permits and approvals (state, federal, and county) and, for applicants, identification of which approval necessitates chapter 343, HRS, environmental review; and*

.....**No additional permits are required. No new land use is anticipated. The approval / ruling by the LUC to rezone the Property from the State's**

**Conservation District to the State's Agricultural District is required**

*(10) Written comments, if any, and responses to the comments received, if any, pursuant to the early consultation provisions of section 11-200.1-18(a), and statutorily prescribed public review periods in accordance with section 11-200.1-20.*

**The EA was published in the Environmental Notice on Dec. 23, 2019 with an open comment period to Jan. 23, 2020 specified. As of Jan. 23, 2020 no comments were registered. On Jan. 31, 2020 the State Office of Planning replied to the EA. The letter affirmed 5 points raised in the EA and had no further comments nor did the 5 points raised require a response, ref., exhibit 26. Subsequently to May 30, 2020 no comments have been received.**

**.....Please refer beginning on page 266 of the PFEA-PFONSI for early consultation period comments.**

List of Acronyms

**Please refer to "Guide Section 2" beginning on page 6 of the PFEA-PFONSI**

**PART 1: PROJECT DESCRIPTION**

TMK description

**Please refer to "Guide Section 2", page 5 of the PFEA-PFONSI**

Forward and Abstract

**Please refer to "Guide Section 2", page 7 of the PFEA-PFONSI**

Introduction

**Please refer to "Guide Section 2" page 10 of the PFEA-PFONSI**

Property description, Contiguous Properties, History

**Please refer to "Guide Section 2" page 46 of the PFEA-PFONSI**

Recent Ownership History

**Please refer to "Guide Section 2" page 56 of the PFEA-PFONSI**

Land Use Designations

**Please refer to "Guide Section 2" page 57 of the PFEA-PFONSI**

Additional Background Information

**Please refer to "Guide Section 2" page 52 of the PFEA-PFONSI**

ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION including effects if Allowed and if Denied and alternatives, if any for each referenced sections.

Socioeconomic and Cultural

**Please refer to "Guide Section 2" page 60 of the PFEA-PFONSI**

Cultural Impact Analysis (Ka Pa 'akai O Ka 'Ama)

**Please refer to "Guide Section 2" page 54 of the PFEA-PFONSI**

Archaeological, Cultural and Historic Resources

**Please refer to "Guide Section 2" page 61 of the PFEA-PFONSI**

Beneficial Uses of the Environment

**Please refer to "Guide Section 2" page 67 of the PFEA-PFONSI**

State's long-term environmental policies, goals etc. ....

HRS 344-1 Purpose **"Guide Section 2"** .....70

HRS 344-3 Environmental policy **"Guide Section 2"** .....72

SMA and HRS 344-4 Guidelines for

Population **"Guide Section 2"** .....75

Natural Resources **"Guide Section 2"** .....77

establish preserves **"Guide Section 2"** .....79

land use planning including State & County plans  
**"Guide Section 2"** .....87

solid waste **"Guide Section 2"** ..... 88

Flora and fauna **"Guide Section 2"** .....89

agricultural resources **"Guide Section 2"** .....92, 97

self sufficiency **"Guide Section 2"** .....98

shorelines **"Guide Section 2"** .....93

open space **"Guide Section 2"** .....93

economic development **"Guide Section 2"** .....95

preserve agricultural lands for agriculture **"Guide Section 2"** 95-99

energy **"Guide Section 2"** .....101

community and housing **"Guide Section 2"** .....102

education and culture **"Guide Section 2"** .....104,

citizen participation **"Guide Section 2"** .....107

economic welfare, social welfare	"Guide Section 2"	109
public health	"Guide Section 2"	110
secondary impacts	"Guide Section 2"	110
degradation of environment	"Guide Section 2"	111
cumulative effects	"Guide Section 2"	112
endangered species	"Guide Section 2"	114
detrimental effects to air, water,	"Guide Section 2"	116
environmentally sensitive areas	"Guide Section 2"	118
energy	"Guide Section 2"	120
geology	"Guide Section 2"	121
soils	"Guide Section 2"	122
climate	"Guide Section 2"	124
hydrology and drainage	"Guide Section 2"	124
water quality	"Guide Section 2"	127
flora and fauna	"Guide Section 2"	129
air quality	"Guide Section 2"	131
noise	"Guide Section 2"	131
scenic resources	"Guide Section 2"	132
social, cultural and economic	"Guide Section 2"	132
adjacent land uses	"Guide Section 2"	134
public facilities and services	"Guide Section 2"	135
archeology, historic and cultural	"Guide Section 2"	137

Summary of potential short and long term adverse environmental impacts and proposed mitigation measures	"Guide Section 2"	141
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Alternatives	"Guide Section 2"	142
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Relationship to land use plans and policies	"Guide Section 2"	144
Hawaii State Plan	"Guide Section 2"	160
Hawaii Coastal zone management program	"Guide Section 2"	168
General Plan for the County of Hawaii	"Guide Section 2"	169

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**DETERMINATION, FINDINGS AND REASONS**

It is important that it is understood that the project does not involve a new land use nor an intended or likely new use of land. The property is already fully developed as an agricultural property. The property's use is currently for agricultural use and uses incidental and accessory to agricultural use. The DLNR and the County have already permitted a residence on the property and an agricultural use storage and processing structure both of which currently exist. The purpose of the requested rezoning of the property from the State Land Use Conservation District to the State Land Use Agricultural District and this EA is intended to effect that the land's use becomes consistent with it's zoning in order to secure the Petitioner(s) investments in the Property and eliminate confusion among the professional and administrative communities and the general public regarding the Property's agricultural use which may appear to some as inconsistent with its zoning in the State's Conservation District. The Property is already zoned as Agricultural by the County of Hawaii. It is also zoned in the State Conservation District's Resource Sub-zone.

**Reasoning.....**

Because there is no new use contemplated nor likely that will result from the Project the Environmental Assessment ("EA") of the effect of the Project will likely result in a Finding Of No Significant Impact ("FONSI"). Furthermore an improvement over the existing allowed land use, a buffer zone is offered in the Petition in order to separate the intense agricultural use area of the Property from the coastal pali which is beneficial to the environment, and the scenic resources.