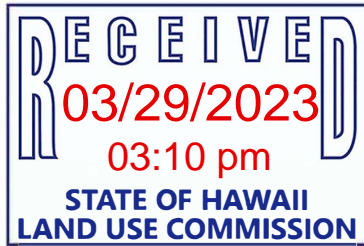


DAVID Y. IGE
GOVERNOR



KENNETH S. HARA
MAJOR GENERAL
ADJUTANT GENERAL

STEPHEN F. LOGAN
BRIGADIER GENERAL
DEPUTY ADJUTANT GENERAL



STATE OF HAWAII
DEPARTMENT OF DEFENSE
OFFICE OF THE ADJUTANT GENERAL
3949 DIAMOND HEAD ROAD
HONOLULU, HAWAII 96816-4495

September 27, 2022

Mr. Franz Kraintz, Acting Branch Chief
Community Planning Branch
Department of Planning and Permitting
City and County of Honolulu
650 South King Street, 7th floor
Honolulu, Hawaii 96813

SUBJECT: Response to Application for a State Special Permit
Waiawa Correctional Facility
Project No. 2022/SUP-3
Tax Map Key 9-6-005: Portion of 011

Dear Mr. Kraintz:

Thank you for the opportunity to comment on the above project. The State of Hawaii Department of Defense has no comments to offer relative to the project.

Should you have any questions, please contact Mr. Tad T. Nakayama at 808-369-3490 or tad.t.nakayama@hawaii.gov.

Sincerely,

Shao Yu L. Lee, R.A.
Captain, Hawaii National Guard
Chief Engineering Officer

2022 OCT -3 PM 3:14
DEPT OF PLANNING
AND PERMITTING
CITY & COUNTY OF HONOLULU

#2242024



DAVID Y. IGE
GOVERNOR

LAND USE COMMISSION

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
OFFICE OF PLANNING & SUSTAINABLE DEVELOPMENT

DANIEL ORODENKER
EXECUTIVE OFFICER

235 S. Beretania Street, RM 406, Honolulu, Hawai'i 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawai'i 96804
Email Address: dbedt.luc.web@hawaii.gov

Telephone: (808) 587-3822
Fax: (808) 587-3827
Website: luc.hawaii.gov

September 28, 2022

To: Franz Krintz, Acting Branch Chief
Community Planning Branch
Department of Planning and Permitting

From: Daniel Orodener
Executive Officer, State Land Use Commission

Subject: Waiawa Correctional Facility for State Special Use Permit (SUP)
Project Number: 2022/SUP-3

2022 OCT -7 PM 3:43
 DEPT OF PLANNING
 AND PERMITTING
 CITY & COUNTY OF HONOLULU

Aloha,

Land Use Commission ("LUC") staff has reviewed the Waiawa Correctional Facility ("WCF") Special Use Permit ("SUP") Application, and has the following comments:

On pages 60-63 of the Final Technical Report ("FTR") the Petitioner refers to Hawai'i Administrative Rule ("HAR") 15-15-95(c) and states that the WCF meets the LUC's guidelines. The Land Use Commission requests that during the Planning Commissions proceedings on this matter findings be made substantiating compliance with the guidelines stated in HAR 15-15-95(c) which read:

- (c) Certain "unusual and reasonable" uses within agricultural and rural districts other than those for which the district is classified may be permitted. The following guidelines are established in determining an "unusual and reasonable use":
- (1) The use shall not be contrary to the objectives sought to be accomplished by chapters 205 and 205A, HRS, and the rules of the commission;
 - (2) The proposed use would not adversely affect surrounding property;
 - (3) The proposed use would not unreasonably burden public agencies to provide roads and streets, sewers, water drainage and school improvements, and police and fire protection;
 - (4) Unusual conditions, trends, and needs have arisen since the district boundaries and rules were established; and
 - (5) The land upon which the proposed use is sought is unsuited for the uses permitted within the district.

The FTR mentions the Architectural Reconnaissance Level Survey (“RLS”) that was submitted to the State Historic Preservation Division (“SHPD”) for review under Hawai‘i Revised Statutes (“HRS”) Chapter 6E-08. The Land Use Commission requests that during the Planning Commissions proceedings on this matter findings be made substantiating the compliance and representations made by the Petitioner pertaining to Chapter 6E.

According to *Ka Pa‘akai O Ka‘Aina v. Land Use Com'n, State of Hawai‘i*, the State and its agencies are obligated to protect the reasonable exercise of customarily and traditionally exercised rights of Hawaiians to the extent feasible. Per *Kaua‘i Springs, Inc. v. Planning Com’n of the County of Kaua‘i* this includes County agencies. The Commission requests a discussion on why a Ka Pa‘akai Analysis is not included in the Petition, and requests that findings be provided to meet this obligation.

Throughout the FTR, the Petitioner addresses agricultural uses and productivity. The Commission requests that during the Planning Commissions proceedings on this matter findings be made substantiating the Petitioner’s statements regarding agricultural uses and productivity, including discussion of those areas identified as being in agricultural use.

There is no proposed time limit in the Final Technical Report. According to HAR 15-15-95(f) special permits are intended to operate under a time limit and be a temporary use. The Land Use Commission requests findings on why a Special Use Permit Petition was suggested and chosen over a District Boundary Amendment.

The Waiāhole Ditch System passes through the site and provides the WCF with raw water. The future availability of water from this system should be discussed and appropriate findings be made.

The Land Use Commission requests that during the Planning Commissions proceedings on this matter, findings be made ensuring that all acreage being used is included in the Petition, this includes access roads.

Sincerely,



Dan Orodener
Executive Officer
Land Use Commission

Blair, Thomas G

From: DBEDT State Planning <dbedt.stateplanning@hawaii.gov>
Sent: Thursday, September 29, 2022 2:45 PM
To: Blair, Thomas G
Cc: Maki, Lorene K
Subject: RE: Application for a SUP - Waiawa CF - RFC 2022/SUP-3

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Aloha,

Thank you for the opportunity to comment. Office of Planning and Sustainable Development has no comments at this time for the subject matter.

Mahalo,

Megumi Nakayama
Secretary
Land Use Division,
State of Hawaii Office of Planning and Sustainable Development
Telephone: (808) 587-2842

From: Blair, Thomas G <thomas.blair@honolulu.gov>
Sent: Friday, September 16, 2022 2:39 PM
To: Blair, Thomas G <thomas.blair@honolulu.gov>
Cc: Kraintz, Franz <fkraintz@honolulu.gov>
Subject: [EXTERNAL] Application for a SUP - Waiawa CF - RFC

MEMORANDUM

TO: City, State, and Federal Agencies

FROM: Franz Kraintz, Acting Branch Chief
Community Planning Branch
Department of Planning and Permitting

SUBJECT: Application for a State Special Permit
Waiawa Correctional Facility
94-670 Kamehameha Highway, Waiawa, Oahu
Tax Map Key 9-6-005: Portion of 011

An application for a State Special Permit (SUP) has been accepted for review for the existing Waiawa Correctional Facility as a permitted use on an approximately 24-acre portion of a 157.9-acre State-owned parcel, Tax Map Key 9-6-005: 011 (por.), located in the State Land Use Agricultural District. The proposed SUP would remove the correctional facility's nonconforming status with respect to the State Land Use Law,

Chapter 205, Hawaii Revised Statutes (HRS). No changes or improvements to the existing facility are proposed.

The SUP application is prepared in accordance with Chapter 205.6 (a) of the HRS, where the county Planning Commission may permit certain "unusual and reasonable uses" within the State Land Use Agricultural District other than those for which the district is classified. Also, given that the proposed site is in excess of 15 acres, per the HRS, Chapter 205.6 (d), the SUP application will be forwarded to the State Land Use Commission following the recommendation by the county Planning Commission.

Please evaluate the impact of the continued use of the correctional facility on the public facilities and services planned or provided by your Department, and indicate whether they are adequate. If public facilities and services are not adequate, indicate what improvements would be necessary to support the correctional facility.

Attached is a summary project description with location and site plan maps. The SUP application is available on the Department's website at: <https://www.honolulu.gov/dpppd/active-projects.html>. Due to time constraints imposed by the rules of the Planning Commission, your reply is due to this Department by: **October 17, 2022**. Please reference the project number **2022/SUP-3** in your response. Should you have any questions, contact Thomas Blair, of our staff, at (808)768-8030 or Thomas.blair@honolulu.gov.

Blair, Thomas G

From: Dang, Charmian I <charmian_dang@fws.gov>
Sent: Thursday, September 29, 2022 6:53 AM
To: Blair, Thomas G
Subject: Species List for the Proposed Special Use Permit for the Waiawa Correctional Facility at 94-670 Kamehameha Highway, Waiawa, O'ahu [TMK 9-6-005; portion of 011]
Attachments: IPaC Info Letter_Species List Instructions_PIFWO_20Apr2022_Final.pdf; 2022-0088641-S7-001 Waiawa Correctional Facility SUP Oahu.pdf

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Dear Ms. Apuna,

Attached you will find the FWS Pacific Islands Fish and Wildlife Office's response to your species list request for the above-named project.

We thank you for your efforts to conserve listed species and native habitats. Please contact me should you have any questions pertaining to this response or require further guidance. When referring to this project, please include this reference number: 2022-0088641-S7-001.

The Pacific Island Fish and Wildlife Office (PIFWO) is transitioning to the use of the Information for Planning and Consultation (IPaC) online portal, <https://ipac.ecosphere.fws.gov/>, for federal action agencies and non-federal agencies or individuals to obtain official species lists, including threatened and endangered species and designated critical habitat in your project area. Using IPaC expedites the process for species list distribution and takes minimal time. Therefore, the IPaC list would fulfill your request for a species list. Since we have already written a response, you can use the response provided for this project and disregard the IPaC species list. Please find step by step instructions attached to use IPaC for future projects, and feel free to share with additional project partners.

For recommended avoidance and minimization measures, you can visit the following webpage <https://www.fws.gov/office/pacific-islands-fish-and-wildlife/library>

aloha,
Charmian Dang

Charmian Dang
U. S. Fish and Wildlife Biologist
Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122
Honolulu, Hawaii 96850
808-792-9400



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122
Honolulu, Hawai'i 96850

In Reply Refer To:
2022-0088641-S7-001

September 28, 2022

Ms. Dawn Takeuchi Apuna
Department of Planning and Permitting
City and County of Honolulu
650 S. King Street, 7th Floor
Honolulu, Hawai'i 96813

Subject: Species List for the Proposed Special Use Permit for the Waiawa Correctional Facility at 94-670 Kamehameha Highway, Waiawa, O'ahu

Dear Ms. Apuna:

Thank you for your letter of September 16, 2022, requesting a species list and guidance for the proposed Special Use Permit for the Waiawa Correctional Facility at 94-670 Kamehameha Highway, on the island of O'ahu [TMK 9-6-005; portion of 011]. The proposed Special Use Permit would remove the correctional facility's non-conforming status with respect to the State Land Use law, Chapter 205, Hawai'i Revised Statutes (HRS). No changes or improvements are proposed to the existing facility which is located on a 24-acre portion of a 157.9-acre State-owned parcel.

This letter has been prepared under the authority of and in accordance with provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*), as amended (ESA). We have reviewed the information you provided and pertinent information in our files, as it pertains to federally listed species in accordance with section 7 of the ESA. Our data indicate the following federally listed species may occur or transit through the vicinity of the proposed project area: the endangered Hawaiian hoary bat ('ōpe'ape'a, *Lasiurus cinereus semotus*); endangered Hawaiian petrel (ua'u, *Pterodroma sandwichensis*), endangered Hawai'i distinct population segment (DPS) of band-rumped storm-petrel ('ake'ake, *Hydrobates castro*), and threatened Newell's shearwater ('a'o, *Puffinus auricularis newelli*), hereafter collectively referred to as Hawaiian seabirds.

Hawaiian hoary bat

The Hawaiian hoary bat roosts in both exotic and native woody vegetation across all islands and will leave young unattended in trees and shrubs when they forage. If trees or shrubs 15 feet or taller are cleared during the pupping season, there is a risk that young bats could inadvertently be harmed or killed since they are too young to fly or may not move away.

PACIFIC REGION 1

IDAHO, OREGON*, WASHINGTON,
AMERICAN SAMOA, GUAM, HAWAII, NORTHERN MARIANA ISLANDS

*PARTIAL

To avoid and minimize impacts to the endangered Hawaiian hoary bat we recommend you incorporate the following applicable measures into your project description:

- Do not disturb, remove, or trim woody plants greater than 15 feet tall during the bat birthing and pup rearing season (June 1 through September 15).
- Do not use barbed wire for fencing.

Hawaiian seabirds

Hawaiian seabirds may traverse the project area at night during the breeding, nesting and fledging seasons (March 1 to December 15). Outdoor lighting could result in seabird disorientation, fallout, and injury or mortality. Seabirds are attracted to lights and after circling the lights they may become exhausted and collide with nearby wires, buildings, or other structures or they may land on the ground. Downed seabirds are subject to increased mortality due to collision with automobiles, starvation, and predation by dogs, cats, and other predators. Young birds (fledglings) traversing the project area between September 15 and December 15, in their first flights from their mountain nests to the sea, are particularly vulnerable.

To avoid and minimize potential project impacts to seabirds we recommend you incorporate the following applicable measures into your project description:

- Fully shield all outdoor lights so the bulb can only be seen from below bulb height and only use when necessary.
- Install automatic motion sensor switches and controls on all outdoor lights or turn off lights when human activity is not occurring in the lighted area.
- Avoid nighttime construction during the seabird fledging period, September 15 through December 15.

We appreciate your efforts to conserve protected species. If you have questions regarding this response, please contact Charmian Dang, Fish and Wildlife Biologist (phone: 808-792-9400, email: Charmian_Dang@fws.gov). When referring to this project, please include this reference number: 2022-0088641-S7-001.

Sincerely,

AARON Digitally signed
by AARON NADIG
NADIG Date: 2022.09.28
08:16:31 -10'00'

Island Team Manager
O'ahu, Kaua'i, Northwestern Hawaiian
Islands, and American Samoa



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122
Honolulu, Hawai'i 96850

Subject: IPaC generated official species list for the Pacific Islands Fish and Wildlife Office

Dear Action Agency or Applicant:

The Pacific Islands Fish and Wildlife Office (PIFWO) is transitioning to the Information for Planning and Consultation (IPaC) online portal, <https://ipac.ecosphere.fws.gov/> for federal action agencies and non-federal agencies or individuals to obtain official species lists, including threatened and endangered species, designated critical habitat, and avoidance and minimization measures to consider in your general project design. IPaC has been used by continental USFWS offices to provide official species lists and avoidance and minimization guidance since 2017. Using IPaC expedites the process for species list distribution. Obtaining a species list in IPaC is relatively straightforward and takes minimal time to complete. Step by step instructions are included below.

Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of your species list should be verified after 90 days. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change the species list. Verification can be completed by visiting the IPaC website at regular intervals during project planning and implementation. An updated list may be requested through the IPaC system by completing the same process used to obtain the initial species list.

We hope this process provides efficiencies to our partners in obtaining a species list. For federal action agencies, it also opens additional IPaC functionality that the PIFWO office is still working on, such as the use of Determination Keys for informal section 7 programmatic consultations. We will let our agency partners know when that functionality becomes available.

If you have questions about a species list obtained through the IPaC system or need assistance in completing an IPaC species list request, please contact the Service at 808-792-9400 or via email at pifwo_admin@fws.gov. We appreciate your efforts to conserve listed species across the Pacific Islands.

INTERIOR REGION 9
COLUMBIA-PACIFIC NORTHWEST

IDAHO, MONTANA*, OREGON*, WASHINGTON

*PARTIAL

INTERIOR REGION 12
PACIFIC ISLANDS

AMERICAN SĀMOA, GUAM, HAWAI'I, NORTHERN
MARIANA ISLANDS

Instructions for Action Agencies and partners to obtain an official species list in IPaC

- Navigate to <https://ipac.ecosphere.fws.gov/>
- You can get an unofficial species list without logging in. However, if you want an official species list you will need to log in first using your Login.gov account. If you don't have an IPaC account, they are easy to create.

Log in



LOGIN.GOV LOGIN

You can use your Login.gov profile as your IPaC account. You will need to allow IPaC to read your basic profile information.

LOG IN WITH  **LOGIN.GOV**

IPAC LOGIN

> [Why do I need an IPaC account?](#)

Select Log in with Login.gov and sign in using your email and password.

Email address

Password

Show password

Sign in

Create an account

[Sign in with your government employee ID](#)

If you have a PIV or CAC card, you can sign in using that method as well.

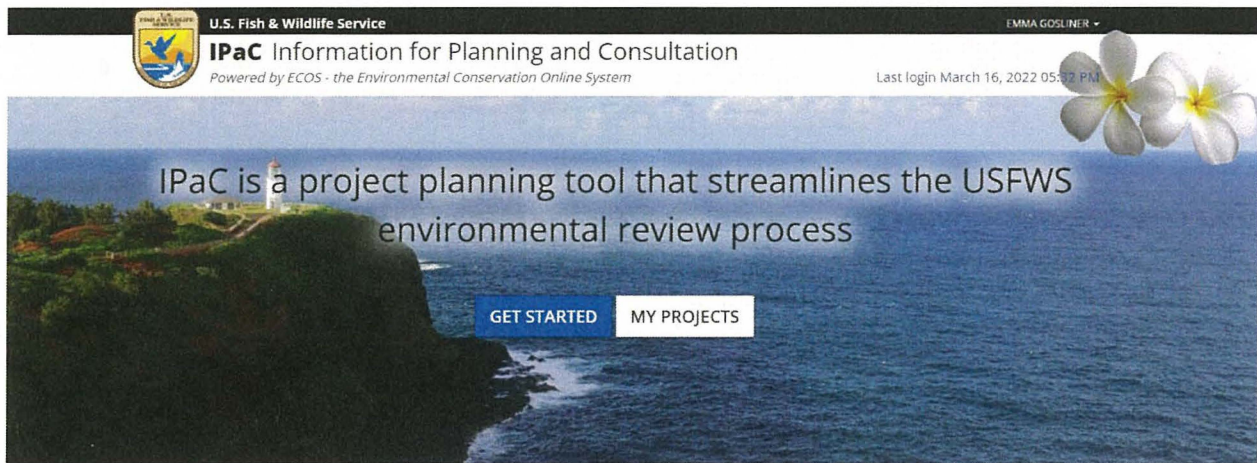
Sign in with your PIV or CAC

Make sure you have a [Login.gov](#) account and you've set up PIV/CAC as a two-factor authentication method.

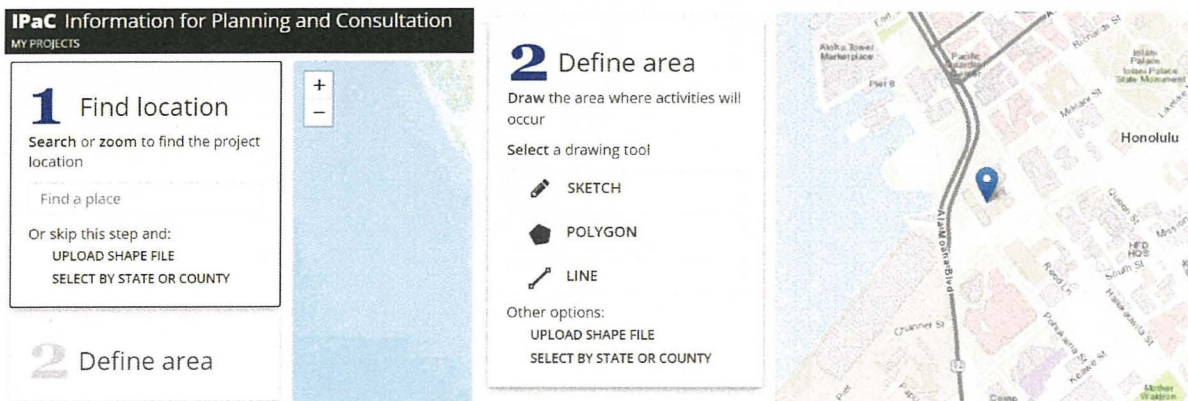
[Insert your PIV/CAC](#)

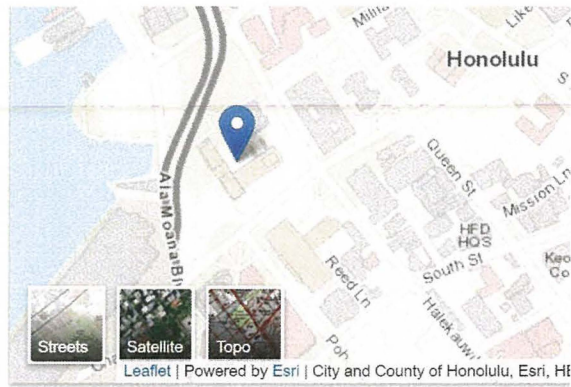
[Cancel](#)

- Once you log in, select “Get Started”.



- Define the action area: Identify the location of the proposed action by uploading an existing shapefile or by entering an address or coordinates of the action area. Once identified on the map, you can manually draw the action area using the drawing tools.





To help identify your action area you can choose between multiple base maps available.

1 Find location

2 Define area

3 Confirm

Verify the area where project activities will occur

Modify the shape by clicking and dragging the vertices or clicking on a solid vertex to remove it

AREA: 6.73 acres

[CONTINUE](#)

[START OVER](#)

Press continue when you have finished drawing or uploading the action area location.

- The species information on the page that follows is not official. However, it identifies the project County, local Fish and Wildlife Field Office, species covered under NOAA Fisheries as well as Migratory Bird Treaty Act species. The list can be viewed in Thumbnail or List format.
- Once the species list populates you will see images of the species that may occur on, near, or transgress across your project. Click on SPECIES GUIDELINES on your top right to see Avoidance and Minimization measures to incorporate into your General Project Design Guidelines.

Explore location

LOCAL OFFICE PACIFIC ISLANDS FISH AND WILDL OFC



LOCATION
Honolulu County,
Hawaii
CHANGE LOCATION

Resources

ENDANGERED SPECIES 20

MIGRATORY BIRDS 5

FACILITIES

WETLANDS !

PRINT RESOURCE LIST

What's next?

Define a project at this location to evaluate potential impacts, get an official species list, and make species determinations.

DEFINE PROJECT

Endangered species

Listed species and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries).

Species and critical habitats under the sole responsibility of NOAA Fisheries are not shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

Additional information on endangered species data is provided [below](#).

The following species are potentially affected by activities in this location:

THUMBNAILS LIST

SPECIES GUIDELINES

Mammals



- Continue with the following steps to comply with the requirements of ESA section 7 to obtain an **official species list**.
- Select Define Project

Define project

Define a project at this location to evaluate potential impacts, get an official species list, and make species determinations.

Project name

Project description

Describe the location, size, scope, and timing of this project.

SAVE CANCEL

What's next?

Define a project at this location to evaluate potential impacts, get an official species list, and make species determinations.


DEFINE PROJECT

Enter the Project Name and a brief description of the project (a description is not mandatory, but recommended for future coordination with the Service). Click SAVE at bottom of page.

- At the bottom of the What's next box on the right, click Request Species List

Test Project

Testing



LOCATION Honolulu County, Hawaii
CREATED March 17, 2022

1 MEMBER 2 DOCUMENTS

What's next?

ESA REVIEW
Review this project's effects on listed species pursuant to the Endangered Species Act (ESA), as part of the overall regulatory review.

START REVIEW

SPECIES LIST
Requesting an official species list is now part of IPaC's ESA Review.

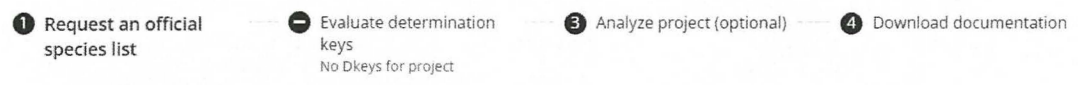
REQUEST SPECIES LIST

Local office

Pacific Islands Fish And Wildlife Office

- on the following screen, click Yes, Request Species List

Endangered Species Act Review ← BACK EXIT REVIEW



Step 1: Request an official species list

An official species list is a letter from the local U.S. Fish and Wildlife Service field office that assists in the evaluation of potential impacts of your project. It includes a list of species that should be considered under [Section 7](#) of the Endangered Species Act, a project tracking number, and other pertinent information from the field office.

Does this project require an official species list?

Federal agencies are required to "request of the Secretary of Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action" ([Section 7](#) of the Endangered Species Act).

This requirement applies to projects that are **conducted, permitted, funded, or licensed** by any Federal agency.

- Fill out the contact information for yourself or your agency. Contractors, state partners, and any other project proponents may request a species list and should be covered using the dropdown menus.

Tell us about the project and your organization or agency

Is this project being conducted, permitted, funded, or licensed by a Federal agency?

- Yes
 No

What kind of organization are you working for directly?

Federal Agency
Tribe
State Agency
Federal Agency
Territory Agency
City
County
Non-Governmental Organization

- From the pull-down menu for Classify Type of Project, select the project type that best fits the proposed action.

Enter your project information

Project name

Test Project

Project description

Testing

Select your project type

REQUIRED

Abandonment of Rail Line
Acquisition of Lands
Airport - Maintenance/Modification
Airport - New Construction
Animal Control
Aquaculture
Beach nourishment
Biological Control
Boat Ramp - Maintenance/Modification
Boat Ramp - New Construction

- Once all required sections are filled out, press **SUBMIT OFFICIAL SPECIES LIST REQUEST**

Location



SUBMIT OFFICIAL SPECIES LIST REQUEST

- An Official Species List should be generated and available for download in a couple of seconds.
- If you need additional information on a species, click on their name that is hot-linked to their species information page. A brief overview of the species' status, description and critical habitat will appear as well as a link to their ECOS species profile.

A screenshot of a mobile application interface. On the left is a sidebar menu with categories: Resources, ENDANGERED SPECIES (20), MIGRATORY BIRDS (5), FACILITIES, WETLANDS (1), and a PRINT RESOURCE LIST button. Below the menu is a 'What's next?' section with a 'DEFINE PROJECT' button. The main content area displays the profile for the Iiwi bird (Drepanis coccyzina). It includes a photo of a red Iiwi bird, its status as 'Threatened', and a detailed description. On the right, a partial view of another species profile for the Hawaii Akepa is visible, marked as 'Endangered'.

DAVID Y. IGE
GOVERNOR



RECEIVED

22 OCT 18 AS 26

JADE T. BUTAY
DIRECTOR

Deputy Directors
ROSS M. HIGASHI
EDUARDO P. MANGLALLAN
DAVID J. RODRIGUEZ
EDWIN H. SNIFFEN

IN REPLY REFER TO:

DIR 0904
HWY-PS 2.9868

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION AND PLANNING
869 PUNCHBOWL STREET AND PERMITTING
HONOLULU, HAWAII 96813-5007 CITY AND COUNTY OF HONOLULU

October 17, 2022

VIA EMAIL: Thomas.blair@honolulu.gov

Ms. Dawn Takeuchi Apuna
Acting Director
Department of Planning and Permitting
City and County of Honolulu
650 South King Street, 7th Floor
Honolulu, Hawaii 96813

Attention: Mr. Franz Kraintz

Dear Ms. Takeuchi Apuna:

Subject: State Special Use Permit Application (2022/SUP-3)
Waiawa Correctional Facility
94-670 Kamehameha Highway – Waiawa, Oahu
Tax Map Key No: (1) 9-6-005: 011

Thank you for the letter dated September 16, 2022, and the opportunity to review the above-referenced application. The Application is related to the Draft Environmental Assessment we also provided comments on our letter dated February 9, 2021, HWY-PS 2.5080 (attached).

The Special Use Permit (SUP) application allows the agency to evaluate past and upcoming improvement and to document after-the-fact, land use modifications since the filing of a Final Environmental Assessment back in 1998. The 180-acre site consists of 40 existing buildings, 5 inmate housing, 2 visitor centers, educational building, dining hall, medical facility, chapel, administrative buildings, and an 8-acre farm. There are also three reservoirs for wastewater treatment and storage.

The existing access for the site is a few miles off the Interstate H-2 Freeway (Veterans Memorial Freeway) via Waiawa Prison Road and Mililani Cemetery Road; both are County roadways.

The Hawaii Department of Transportation (HDOT) have the following comments:

1. The application states that the five-year Capital Improvement Plan for facility alterations will not result in the increase of additional trip generation associated with future increase

Ms. Dawn Takeuchi Apuna
October 17, 2022
Page 2

HWY-PS 2.9868

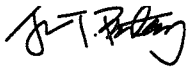
of activities, inmate population or staffing. Therefore, we find that the project will have no significant impacts to the nearby state highway facility.

2. We recommend in the event the SUP is approved, that a condition should be required as follows:

Any future expansion or intensification of land use beyond what is presented under this application may require an updated Traffic Assessment or Traffic Impact Analysis Report to be submitted to the HDOT for review and acceptance. The study should determine whether any traffic impacts generated by the project impacts the state facility.

If you have any questions, please contact Jeyan Thirugnanam, Systems Planning Engineer, Highways Division, Planning Branch at (808) 587-6336 or by email at Jeyan.Thirugnanam@hawaii.gov. Please reference file review number PS 2022-167.

Sincerely,



JADE T. BUTAY
Director of Transportation

Attachment



RECEIVED

22 OCT 18 10:26

JADE T. BUTAY
DIRECTOR

Deputy Director
LYNN A.S. ARAKI-REGAN
DEREK J. CHOW
ROSS M. HIGASHI
EDWIN H. SNIFFEN

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

DEPT OF PLANNING
AND PERMITTING
CITY & COUNTY OF HONOLULU

IN REPLY REFER TO:
DIR 0019
HWY-PS 2.5080

February 9, 2021

Ms. Carah Kadota
SSFM International, Inc.
501 Sumner Street, Suite 620
Honolulu, Hawaii 96817

Dear Ms. Kadota:

Subject: Request for Comments for Draft Environmental Assessment
Waiawa Correctional Facility
94-670 Kamehameha Highway
Tax Map Key No.: (1) 9-6-005: 011 and 012 - Waiawa, Oahu, Hawaii

Thank you for the letter dated January 6, 2021 and the opportunity to review the above-referenced project for the Draft Environmental Assessment (DEA) required by Chapter 343, Hawaii Revised Statutes for the use of State land and State funds. The DEA will be in conjunction with an upcoming State Special Use Permit (SUP) and a Plan Review Use Permit (PRU) as after-the-fact application filing. The purpose of a new DEA will allow the agency to reassess potential and recent improvements and land use modifications since the filing of a Final Environmental Assessment back in 1998.

The 180-acre site consists of 40 existing buildings, which includes 5 inmate housing, 2 visitor centers, educational building, dining hall, medical facility, chapel, administrative buildings, and an 8-acre farm. There are also 3 reservoirs for wastewater treatment and storage. The existing access for the site is a few miles off the Interstate H-2 Freeway (Veterans Memorial Freeway) via Waiawa Prison Road and Mililani Cemetery Road; both are County roadways.

1. The Hawaii Department of Transportation (HDOT) finds that based on the DEA, the existing use and its current volume of daily vehicle trips being generated does not significantly impact the State highway system, and therefore a Traffic Assessment (TA) or Traffic Impact Analysis Report (TIAR) is not required at this time. However, the traffic discussion in the DEA should account for some of the specific Capital Improvement Projects (CIP) related to building permits listed in Table 2 of the DEA.

Ms. Carah Kadota
February 9, 2021
Page 2

HWY-PS 2.5080

- a. The DEA should provide an analysis and a determination on whether some of the permits in the CIP related to facility alterations, will result in the increase of additional trip generation associated with future increase of activities, inmate population or staffing.
2. We recommend in the event the SUP and the PRU permit applications are approved, that a condition should be required as follows:
 - a. Any future expansion or intensification of land use beyond what is presented under this application may require an updated TA or TIAR to be submitted to the HDOT for review and acceptance. The study should determine whether any traffic impacts generated by the project impacts the State facility.

If you have any questions, please contact Jeyan Thirugnanam, Systems Planning Engineer, Highways Division, Planning Branch at (808) 587-6336 or by email at jeyan.thirugnanam@hawaii.gov. Please reference file review number PS 2021-005.

Sincerely,



JADE T. BUTAY
Director of Transportation

DAVID Y. IGE
GOVERNOR OF HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809



October 19, 2022

LD 0284e

Franz Krantz, Acting Branch Chief
Community Planning Branch
Department of Planning and Permitting
650 South King Street 7th Floor
Honolulu, HI 96813

Via email: thomas.blair@honolulu.gov

Dear Sirs:

SUBJECT: Application for a State Special Permit
Waiawa Correctional Facility
94-670 Kamehameha Highway, Waiawa, Island of Oahu
TMK: (1) 9-6-005:011 (por.)

Thank you for the opportunity to review and comment on the subject project. The Land Division of the Department of Land and Natural Resources (DLNR) distributed copies of your request to DLNR's various divisions for their review and comment.

Enclosed are responses/comments received from our (a) Engineering Division and (b) Division of Forestry and Wildlife. Should you have any questions, please feel free to contact Barbara Lee via email at barbara.j.lee@hawaii.gov. Thank you.

Sincerely,

Russell Tsuji

Russell Y. Tsuji
Land Administrator

Attachments
cc: Central Files



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

September 21, 2022

LD 0284e

MEMORANDUM

FROM: ~~TO:~~

DLNR Agencies:

- Div. of Aquatic Resources
- Div. of Boating & Ocean Recreation
- Engineering Division** (via email: DLNR.engr@hawaii.gov)
- Div. of Forestry & Wildlife (via email: rubyrosa.t.terrago@hawaii.gov)
- Div. of State Parks
- Commission on Water Resource Management (via email: DLNR.CWRM@hawaii.gov)
- Office of Conservation & Coastal Lands
- Land Division – Oahu District (via email: barry.w.cheung@hawaii.gov)

TO: ~~FROM:~~
SUBJECT:

Russell Y. Tsuji, Land Administrator
Application for a State Special Permit

Waiawa Correctional Facility
LOCATION: 94-670 Kamehameha Highway, Waiawa, Island of Oahu, Hawaii
TMK: (1) 9-6-005:011 (por.)


APPLICANT: **Department of Planning and Permitting, City and County of Honolulu**

Transmitted for your review and comment is information on the above-referenced project. Please review the attached information and submit any comments by the internal deadline of **October 13, 2022** to barbara.j.lee@hawaii.gov at the Land Division.

If no response is received by the above due date, we will assume your agency has no comments at this time. Should you have any questions about this request, please contact Barbara Lee at the above email address. Thank you.

BRIEF COMMENTS:

- We have no objections.
- We have no comments.
- We have no additional comments.
- Comments are included/attached.

Signed: 
 Print Name: Carty S. Chang, Chief Engineer
 Division: Engineering Division
 Date: Oct 10, 2022

Attachments
Cc: Central Files

DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION

LD/Russell Y. Tsuji

Ref: Application for a State Special Permit
Waiawa Correctional Facility

Location: 94-670 Kamehameha Highway, Waiawa, Island of Oahu, Hawaii

TMK(s): (1) 9-6-005:011 (por.)

Applicant: Department of Planning and Permitting, City and County of Honolulu

COMMENTS

The rules and regulations of the National Flood Insurance Program (NFIP), Title 44 of the Code of Federal Regulations (44CFR), are in effect when development falls within a Special Flood Hazard Area (high-risk areas). State projects are required to comply with 44CFR regulations as stipulated in Section 60.12. Be advised that 44CFR, Chapter 1, Subchapter B, part 60 reflects the minimum standards as set forth by the NFIP. Local community flood ordinances may stipulate higher standards that can be more restrictive and would take precedence over the minimum NFIP standards.

The owner of the project property and/or their representative is responsible to research the Flood Hazard Zone designation for the project. Flood Hazard Zones are designated on FEMA's Flood Insurance Rate Maps (FIRM). The official FIRMs can be accessed through FEMA's Map Service Center (msc.fema.gov). Our Flood Hazard Assessment Tool (FHAT) (<http://gis.hawaiiinfip.org/FHAT>) could also be used to research flood hazard information.

If there are questions regarding the local flood ordinances, please contact the applicable County NFIP coordinating agency below:

- Oahu: City and County of Honolulu, Department of Planning and Permitting (808) 768-8098.
- Hawaii Island: County of Hawaii, Department of Public Works (808) 961-8327.
- Maui/Molokai/Lanai County of Maui, Department of Planning (808) 270-7139.
- Kauai: County of Kauai, Department of Public Works (808) 241-4896.

The applicant should include water demands and infrastructure required to meet project needs. Please note that all State projects requiring water service from their local Department/Board of Water Supply system will be required to pay a resource development charge, in addition to Water Facilities Charges for transmission and daily storage.

The applicant is required to provide water demands and calculations to the Engineering Division so it can be included in the State Water Projects Plan Update projections.

Signed: 
CARTY S. CHANG, CHIEF ENGINEER

Date: Oct 10, 2022



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

September 21, 2022

LD 0284e

MEMORANDUM

TO: **DLNR Agencies:**
 ___ Div. of Aquatic Resources
 ___ Div. of Boating & Ocean Recreation
X Engineering Division (via email: *DLNR.engr@hawaii.gov*)
X Div. of Forestry & Wildlife (via email: *rubyrosa.t.terrago@hawaii.gov*)
 ___ Div. of State Parks
X Commission on Water Resource Management (via email: *DLNR.CWRM@hawaii.gov*)
 ___ Office of Conservation & Coastal Lands
X Land Division – Oahu District (via email: *barry.w.cheung@hawaii.gov*)

FROM: Russell Y. Tsuji, Land Administrator

SUBJECT: **Application for a State Special Permit**
Waiawa Correctional Facility

LOCATION: 94-670 Kamehameha Highway, Waiawa, Island of Oahu, Hawaii
TMK: (1) 9-6-005:011 (por.)

APPLICANT: **Department of Planning and Permitting, City and County of Honolulu**

Transmitted for your review and comment is information on the above-referenced project. Please review the attached information and submit any comments by the internal deadline of **October 13, 2022** to *barbara.j.lee@hawaii.gov* at the Land Division.

If no response is received by the above due date, we will assume your agency has no comments at this time. Should you have any questions about this request, please contact Barbara Lee at the above email address. Thank you.

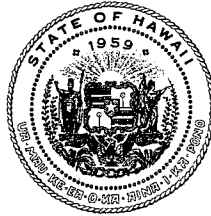
BRIEF COMMENTS:

() We have no objections.
 () We have no comments.
 () We have no additional comments.
 Comments are included/attached.

Signed: Lainie Berry
 Print Name: Lainie Berry, Wildlife Pgrm Mgr
 Division: Forestry and Wildlife
 Date: Sep 30, 2022

Attachments
Cc: Central Files

DAVID Y. IGE
GOVERNOR OF HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF FORESTRY AND WILDLIFE
1151 PUNCHBOWL STREET, ROOM 325
HONOLULU, HAWAII 96813

September 30, 2022

MEMORANDUM

Log No. 3815

TO: RUSSELL Y. TSUJI, Land Administrator
Land Division

FROM: LAINIE BERRY, Wildlife Program Manager
Division of Forestry and Wildlife

SUBJECT: **Division of Forestry and Wildlife Comments for the State Special Use Permit (SUP) Application for the Waiawa Correction Facility (WCF) on O'ahu**

The Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW) has received your request for comment for the State SUP application regarding the WCF located at 94-670 Kamehameha Highway in Waipahu, on the island of Oah'u; TMK: (1) 9-6-005:011 (por.). The proposed permit application is required for the purpose of enabling WCF's to be in compliance with State and City land use laws. The WCF site is located within a State Land Use Agricultural District, for which prisons and correctional facilities are not classified as permissible uses within the Agricultural District. The SUP petition area is approximately 24 acres and is within a portion of the subject parcel. There are no plans for the addition or modification of current programs, operations, and activities, or the addition of any structures or buildings to the WCF. No physical alterations are planned for the site.

Thank you for the opportunity to review and comment on the subject matter. Since no site development or improvements will be taking place at the site, DOFAW has no current comments regarding impacts to listed species

We appreciate your efforts to work with our office for the conservation of our native species. These comments are general guidelines and should not be considered comprehensive for this site or project. It is the responsibility of the applicant to do their own due diligence to avoid any negative environmental impacts. Should the scope of the project change significantly, or should it become apparent that threatened or endangered species may be impacted, please contact our staff as soon as possible. If you have any questions, please contact Paul Radley, Protected Species Habitat Conservation Planning Coordinator at (808) 295-1123 or paul.m.radley@hawaii.gov.

Sincerely,

Lainie Berry

LAINIE BERRY
Wildlife Program Manager