



OFFICE OF LOCAL DEFENSE COMMUNITY COOPERATION

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National Environmental Policy Act Categorical Exclusion Adoption for the Waimea Nui Emergency Operation Center - U.S. Army Garrison Hawaii– Waimea Nui, Hawaii

Pursuant to the Council on Environmental Quality regulations (40 Code of Federal Regulations [CFR] Parts 1500–1508) implementing the National Environmental Policy Act (NEPA), the Department of Defense Office of Local Defense Community Cooperation (OLDCC) gives notice that it is adopting the U.S. Army Garrison USAG Hawaii (USAG-HI) Categorical Exclusion determination for the Waimea Nui Emergency Operation Center Construction executed June 26, 2024. The OLDCC Grantee, the Department of Hawaiian Homelands (DHHL), proposes to construct a 7000 square foot Emergency Operation Center (EOC) approximately one mile from the Waimea Airport on Waimea Nui Community Development Corporation (CDC). Construction includes two miles of road, a 1500-foot water line, and 7000 feet of electric and telecom lines to support the facility. Total construction is estimated at an area of 5 acres. The EOC will house emergency fire equipment and support community discussions to enable unified emergency responses between the Waimea homestead community, Hawaii County, and Army personnel. The project will support the surrounding community and the nearby Pōhakuloa Training Area by facilitating enhanced responses during emergencies, such as wildfires.

OLDCC is the Grantor of federal funding under the Defense Community Infrastructure Program, which seeks to address deficiencies in community infrastructure that support military installations to enhance military value, cadet training at covered educational institutions, installation resilience, and/or military family quality of life. DHHL and USAG-HI prepared a Record of Environmental Consideration (Attachment 1) for the proposed construction of the Waimea Nui EOC. USAG Hawaii applied Army Categorical Exclusion (CATEX) C-1 listed in Appendix B of 32 CFR § 651.11 to the Proposed Action. It provides an exemption further analysis for “construction of an addition to an existing structure or new construction on a previously undisturbed site if the area to be disturbed has no more than 5.0 cumulative acres of new surface disturbance.” Furthermore, USAG-HI determined that none of the extraordinary circumstances outlined in 32 § CFR 651.29(b) are applicable to this project. The Grantee is responsible for meeting and implementing all applicable construction conditions and best practices attached to the CATEX determination and supporting documentation (Attachments 1, 2, and 3), and all federal, state, and local permits. OLDCC agrees with this determination and finds the attached documentation appropriately evaluates the Proposed Action.

In accordance with the Council on Environmental Quality’s “National Environmental Policy Act Implementing Regulations” at 40 CFR § 1506.3, OLDCC may adopt another agency’s determination that a CATEX applies to a Proposed Action if the action covered by the original CATEX determination and OLDCC’s Proposed Action are substantially the same. The action evaluated in the USAG-HI Record of Environmental Consideration is the same proposed project that is the subject of the OLDCC award. Further, OLDCC agrees the Proposed Action will not have significant individual or cumulative environmental impacts, meets the criteria for the listed CATEX, and that no extraordinary circumstances exist to preclude use of the CATEX. Therefore, OLDCC adopts USAG-HI’s CATEX determination for the subject project as supported by the analysis and documentation provided in the following attached files, which are incorporated by reference herein:

- “Record of Environmental Consideration: Waimea Nui Emergency Operation Center Construction,” U.S. Army Garrison Categorical Exclusion Determination signed by multiple signatories on June 13, 14, 18, 20, 24, 25, and 26; (Attachment 1- Waimea Nui CATEX).
- Record of consultation between Department of Hawaiian Homelands and Hawaii State Historic Preservation Division; various formats, signatories, and production or signature (Attachment 2 – Waimea Nui SHPD Consultation).
- Final Environmental Assessment and Finding of No Significant Impact for the “Waimea Nui Regional Community Development Initiative,” Prepared by the Department of Hawaiian Homelands, signed by Jobie M. K. Masagatani, Chairman, Hawaiian Homes Commission, on May 20, 2015 (Attachment 3-2015 Waimea Nui EA).

The CATEX determination and supporting materials in Attachments 1, 2, and 3 demonstrate that the Proposed Action will have no significant environmental impacts and therefore does not require further assessment. The documentation constitutes a complete NEPA determination and shows that Army CATEX C-1 listed in Appendix B of 32 CFR § 651 is applicable to the subject project.

OLDCC has independently reviewed the attached documentation and finds that implementation of the Proposed Action will not significantly impact the quality of the human environment. The project is not located in an air quality attainment area. Emissions due to the Proposed Action would be construction-related and temporary. Dust control Best Management Practices will be implemented during construction activity to mitigate dust and impacts on air quality. Mitigation measures will comply with State of Hawaii, Department of Health (DOH) requirements for dust control. Typical construction noise is anticipated during the construction and will be temporary. Once constructed, the Proposed Action will not increase noise levels. There are no existing sources of water at the proposed location, the erosion hazard is slight, and runoff is low. The Proposed Action is not within any existing floodplains or wetlands. Because the project is larger than one acre, it will require a National Pollution Discharge Elimination System general permit, which is currently being drafted. Swales, water retention areas, rain gardens and other mitigation measures will be implemented to minimize runoff and maximize aquifer recharge.

The 2015 Environmental Assessment (Attachment 3) determined that there are no threatened or endangered species or suitable habitat at the project area. The federally endangered Hawaiian Hoary bat (*Lasiurus cinereus semotus*) has been found nearby, but no suitable roosting trees are present at the proposed location. All floral species surveyed in 2015 were non-native. USAG-HI personnel determined that this assessment is still applicable to the project area and that no effects to threatened or endangered species are anticipated. OLDCC concurs with this conclusion.

The project location is devoid of trees and shrubs, so clear cutting will not be necessary for construction. The project will not introduce or relocate any species. Transfer of soils is not necessary for construction. Construction activities will be mindful to breeding and foraging seasons of critical species. If any federal-listed species are observed within 100 feet of ongoing construction work, all activity will be suspended until the species move on their own to a safe distance of the project area. Additionally, if a significant flock or colony of native birds or hoary bats are observed foraging within the construction area, construction activity will be suspended, and a biologist may be notified to further survey the area. If nests are found within a radius of 150 feet of any construction work on the proposed site, or if a previously undiscovered nest is found within the radius after work has already commenced, all work will stop immediately, and the U.S. Fish and Wildlife Service will

be contacted for further guidance. Overall, effects to natural resources are not anticipated to be significant.

The Grantee consulted with the Hawaii State Historic Preservation Division (SHPD) for a review of the project pursuant to the requirements of Section 106 of the National Historic Preservation Act. On July 24, 2024, the Grantee submitted a letter to the SHPD which included an archaeological inventory survey report, a regional map of the area, a conceptual plan for the development, a map of the Area of Potential Effects (APE), construction plans, and a site plan. Two possible historic properties were identified, a modified outcrop and a surface alignment of cobbles. Of these, only the modified outcropped was assessed to be a significant historic property. On September 11, 2024, DHHL submitted additional information to the SHPD, including a National Pollution Discharge Elimination System permit, a grading permit, Native Hawaiian Organization (NHO) correspondence from a community member, DHHL and DHHL's response, and a second letter from DHHL, dated September 2, 2024, summarizing the identification effort, the results of DHHL's consultation efforts with NHOs and other interested parties, the permitting requirements and status, and requesting the SHPD's concurrence with a determination of "no historic properties affected." Based on the information provided, the SHPD concurs with the DHHL's project effect determination of "No historic properties affected." Additionally, the SHPD concurs with a project effect determination of no historic properties affected. Record of consultation between DHHL and SHPD is included in Attachment 2. If human remains, funerary objects, cultural items, or archaeological materials are encountered during project construction and related work, activity in the area must cease immediately and appropriate Hawaiian Native government contacts, SHPO, OLDCC, and USAG-HI personnel must be contacted for additional guidance.

The action for which the Grantee and USAG-HI prepared and executed the attached CATEX determination (Attachment 1) is the same action as OLDCC's Proposed Action and applying the Navy CATEX C-1 listed in Appendix B of 32 CFR § 651 is an appropriate NEPA determination for this project. Therefore, OLDCC adopts the CATEX determination per 40 CFR § 1506.3. Further, OLDCC, as the adopting agency, confirms that none of the circumstances listed in 40 CFR § 1506.3(e) are present.

I have determined that the information provided above and in the attached documents provides sufficient evidence and analysis for determining that an Environmental Assessment or Environmental Impact Statement is not required.

Sincerely,

Patrick J. O'Brien
Director

Attachments:
As stated