Draft Environmental Assessment per Hawai‘i Revised Statutes (HRS), Chapter 343

Reactivation of Kūlani Correctional Facility

District of South Hilo, Island of Hawai‘i

November 9, 2012

State of Hawai‘i
Department of Accounting and General Services
1151 Punchbowl Street
Honolulu, Hawai‘i 96813

and

Department of Public Safety
919 Ala Moana Boulevard
Honolulu, Hawai‘i 96814

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Prepared by:

Pacific Architects

And

R.M. Towill Corporation

22032-1P

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ACRONYMS AND ABBREVIATIONS

ACOE	Army Corps of Engineers
BMPs	Best Management Practices
CDUP	Conservation District Use Permit
CWA	Clean Water Act of 1972, as amended
CWB	Clean Water Branch, SDOH
CZM	Coastal Zone Management
DA	Department of the Army
DLNR	State Department of Land and Natural Resources
DOCARE	Division of Conservation and Resource Enforcement, DLNR
DOFAW	Division of Forestry and Wildlife, DLNR
DP	Department of Planning, County of Hawai'i
DPW	Department of Public Works, County of Hawai'i
DWS	Department of Water Supply, County of Hawai'i
EA	Environmental Assessment
EO	Executive Order (by the Governor, State of Hawai'i)
ESA	Environmental Site Assessment
F.	Degrees Fahrenheit
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FR	Forest Reserve (County of Hawai'i zoning designation)
HAR	Hawai'i Administrative Rules
HRS	Hawai'i Revised Statutes
Kūlani CF	Kūlani Correctional Facility
msl	Feet above Mean Sea Level
NAR	Natural Area Reserve, under DLNR DOFAW
NEPA	National Environmental Policy Act
NGYCA	National Guard Youth CHalleNGe Academy
NPDES	National Pollutant Discharge Elimination System
SDOH	State Department of Health
SDOT	State Department of Transportation

ACRONYMS AND ABBREVIATIONS

SDOT-HWY	State Department of Transportation, Highways Division
SHPD	State Historic Preservation Division, DLNR
SMA	Special Management Area
USFWS	U.S. Fish & Wildlife Service

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1.0 Project Summary

Project:	Reactivation of Kūlani Correctional Facility, Island of Hawai'i, Hawai'i DAGS Job No. 11-27-5640
Applicant:	Department of Public Safety, State of Hawai'i Theodore I. Sakai, Interim Director 919 Ala Moana Boulevard, Honolulu, Hawai'i 96814 and Department of Accounting and General Services, State of Hawai'i Dean H. Seki, State Comptroller 1151 Punchbowl Street, Honolulu, Hawai'i 96813 Contact: Joseph Earing, Planning Branch, 586-0500
Accepting Authority:	Department of Accounting and General Services, State of Hawai'i Dean H. Seki, State Comptroller
Agent:	Pacific Architects, Inc. Dwight Mitsunaga, AIA, President 2020 S. King Street Honolulu, Hawai'i 96826 808-949-1601 and R. M. Towill Corporation Chester Koga, AICP, Planning Project Coordinator 2024 N. King Street, Suite 200 Honolulu, Hawai'i 96819-3494 808-842-1133
Tax Map Key and Address:	(3) 2-4-008:009 Address: 4200 Stainback Highway Hilo, Hawai'i 96790
Proposed Action:	The Department of Public Safety, State of Hawai'i (PSD), proposes to reactivate (reopen) developed portions of the 280-acre Kūlani Correctional Facility, closed in 2009, to accommodate approximately 200 inmates. Many inmates assigned to Kūlani CF will be transferred from in-state facilities, allowing for the return to Hawai'i of inmates currently in Mainland correctional facilities. The project involves primarily logistical actions to assemble required staff and physically transfer Hawai'i inmates. Architectural, engineering and environmental analyses in 2012 revealed that the facility is ready for occupation by 200 inmates with only nominal repairs and no major facility upgrades. PSD proposes to occupy the site as soon as possible but by 2014 at the latest.
Land Area:	TMK Parcel: 7,944 acres; Kūlani Correctional Facility: 280 acres
State Land Use District:	Conservation
Existing Land Use:	Currently in use by the Hawai'i National Guard Youth ChallenNGe Academy, operated by the Hawai'i Department of Defense (to be relocated).
Special Management Area:	No
Permits and Approvals Required:	HRS, Chapter 343 Documentation; Conservation District Use Permit; Permission to operate and manage a correctional facility on the site by Board of Land and Natural Resources; possible County of Hawai'i Building Permit.

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2.0 Introduction

2.1 Purpose and Need for Proposed Project

In September 2012, approximately 1,700 of 6,000 Hawai'i prisoners, or about 30 percent, were housed in private Mainland correctional facilities. In the January 2012 "State of the State" address to the Hawai'i Legislature, Governor Neil Abercrombie pledged to begin bringing Hawai'i inmates back to the state to serve their sentences. This humanitarian effort will provide increased social support for the inmates through proximity to family, friends, familiar culture, local staff and potential employment following release. An important part of the Governor's plan is to reactivate the Kūlani Correctional Facility (Kūlani CF) on the Big Island to "bring home" 200 male, minimum security inmates who are two to four years from parole or release and provide 96 required staff. Kūlani CF, which costs approximately $5.3 million annually to operate.

The proposed reactivation of Kūlani CF is consistent with numerous established policies. Bringing Hawai'i inmates back to the state to complete their sentences is consistent with the mission of the State Department of Public Safety (referred to as "PSD") to *provide for the safety of the public and state facilities through law enforcement and correctional management* (PSD, 2012). Further, the proposed reactivation is also is consistent with Hawai'i's participation in the national Justice Reinvestment Initiative. The local justice reinvestment initiative strategy is a "data-driven" plan to bring out-of-state prisoners back to Hawai'i, reduce spending on corrections, and reinvest savings generated in strategies that would reverse recent crime trends (Justice Reinvestment, 2012). The reactivation and reoccupation of Kūlani CF by PSD will reinstate the positive activities not only for the inmates, but for the community, environment, and economy. For example, when it was in operation, Kūlani CF played a major role in the preservation of the Kūlani rainforest. Inmates of Kūlani CF actively maintained and protected the native forest fauna and flora through their work with the Department of Land and Natural Resources, the Biological Resources Division of the U.S. Geological Survey, and the Hawai'i Volcanoes National Park.. PSD and Kūlani CF are committed to continuing these preservation efforts following reopening. Inmates in the Kūlani CF program also provide community services as part of their training. Community Work Lines clean highways, parks, and other such facilities, further benefiting the community.

2.2 Project Location and Area of Use

The former Kūlani CF is located in a forested area on the slopes of Mauna Kea, Island of Hawai'i, about 20 miles southwest of Hilo. Located in the southwest corner of the South Hilo District, the facility is accessed through the 19-mile substandard Stainback Highway.

Although the property's Tax Map Key, (3) 2-4-008:009, spans 7,944 acres of State-owned land, the developed area of Kūlani CF, and the focus of this Environmental Assessment, is a 280-acre parcel with approximately 45 acres of previously developed area. See **Figure 2-1**.

2.3 Purpose of the Environmental Assessment

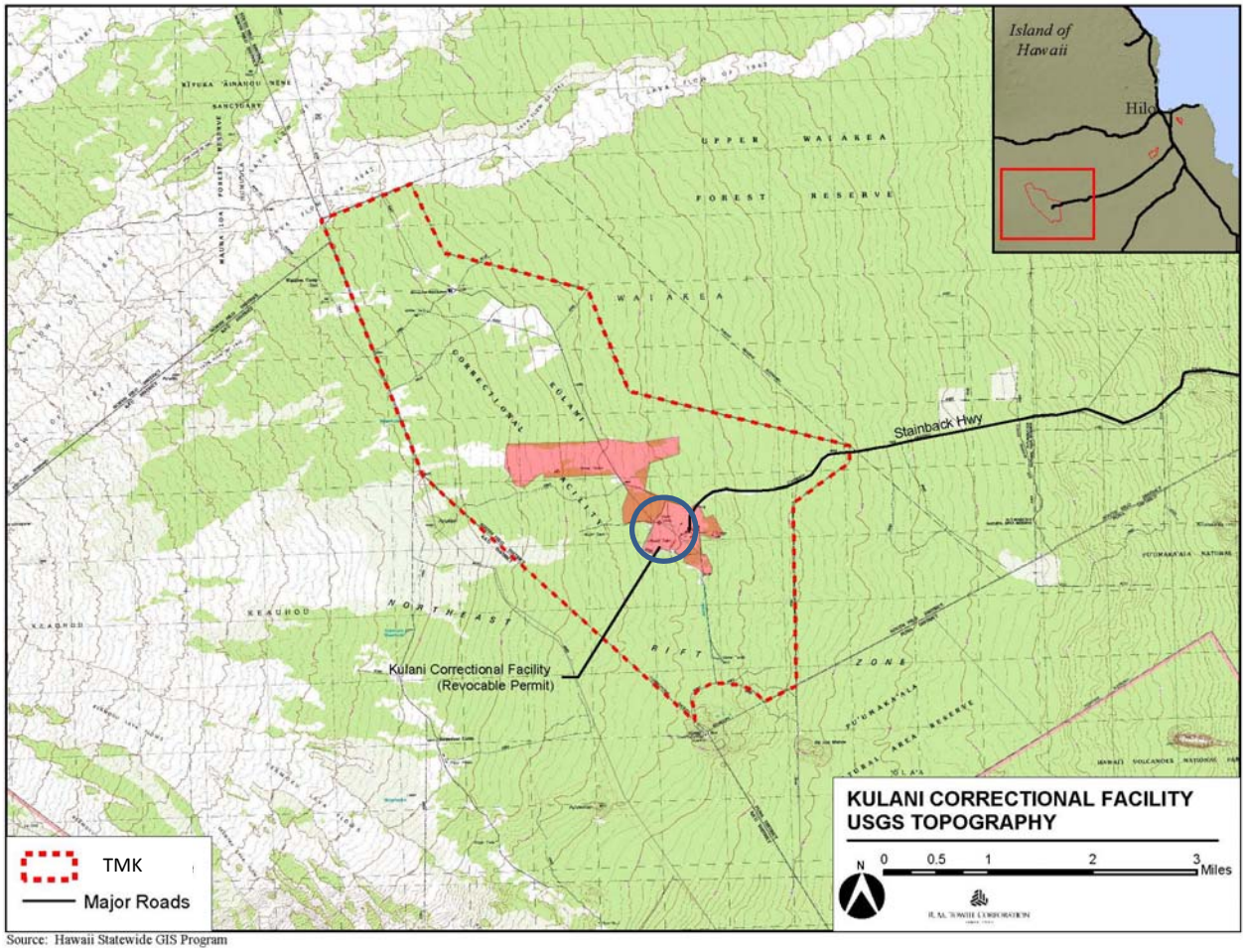
In accordance with Chapter 343, Section 5, Hawai'i Revised Statutes (HRS), this project involves the following actions that require the preparation of an Environmental Assessment (EA):

(1) Propose the use of state or county lands or the use of state or county funds;

The accepting authority is the State of Hawai'i, Department of Accounting and General Services (DAGS). The Finding of No Significant Impact will be signed by the State Comptroller.

Pursuant to the requirements of Chapter 343, HRS, and Chapter 11-200, Hawai'i Administrative Rules (HAR), the accepting authority, DAGS, has preliminarily determined that the proposed project is not expected to have significant environmental effects. Based on analysis and review of environmental conditions, project effects, and proposed mitigation measures, it is anticipated that a Finding of No Significant Impact (FONSI) will be issued for this project.

Figure 2-1, Project Location



Source: Hawaii Statewide GIS Program

3.0 Project Description and Alternatives

3.1 Historic Perspective

Following pre-contact use by seasonal bird catchers along the slopes of Mauna Loa, there was very little human use of the project area from the early 19th century to the mid-20th century. The Kūlani CF site's use as a correctional facility began with the laborious construction of the access road in 1945. In 1946 Kūlani CF was founded as a work camp under Governor's Executive Order (EO) Nos. 1225 and 1588, setting aside approximately 7,244 acres.

Employing tents and temporary buildings for housing, the prison camp at Kūlani CF had to be relatively self-sufficient in the early years. A plant nursery and pastures for cattle were established by the late 1940s. This coincided with the extension of Kūlani Road to Stainback Highway which improved the access to the facility. With the development of the modem correctional facility, expanded prison population, and increased accessibility, the self-contained nature of Kūlani CF diminished. The independent food production activities were reduced and the older agricultural facilities abandoned (Rechtman, 2001).

A series of land use decisions beginning in 2009 have shaped the recent history of Kūlani CF. What began as an entire TMK of 7,244 acres was eventually reduced to 280 acres over a series of Executive Orders and land use approvals. See the timeline below.

September-November 2009 –PSD vacated approximately 160 inmates, mostly sexual offenders, from the Kūlani CF minimum security prison to other Hawai'i and Mainland correctional facilities.

September 2010 – the Board of Land and Natural Resources approved the set-aside of approximately 6,600 acres of former Kūlani CF forest lands to DLNR's Division of Forestry and Wildlife to expand the Pu'u Maka'ala Natural Area Reserve.

November 2010 – EO 4341 conveyed 622 acres to the U.S. Department of Defense (DOD) for use of the Youth CHalleNGe program with its enrollment of approximately 55 at-risk youth and 20 staff.

November 2011 – Approval by BLNR to cancel GEO 4341 and issue a revocable permit for 279.76 acres.

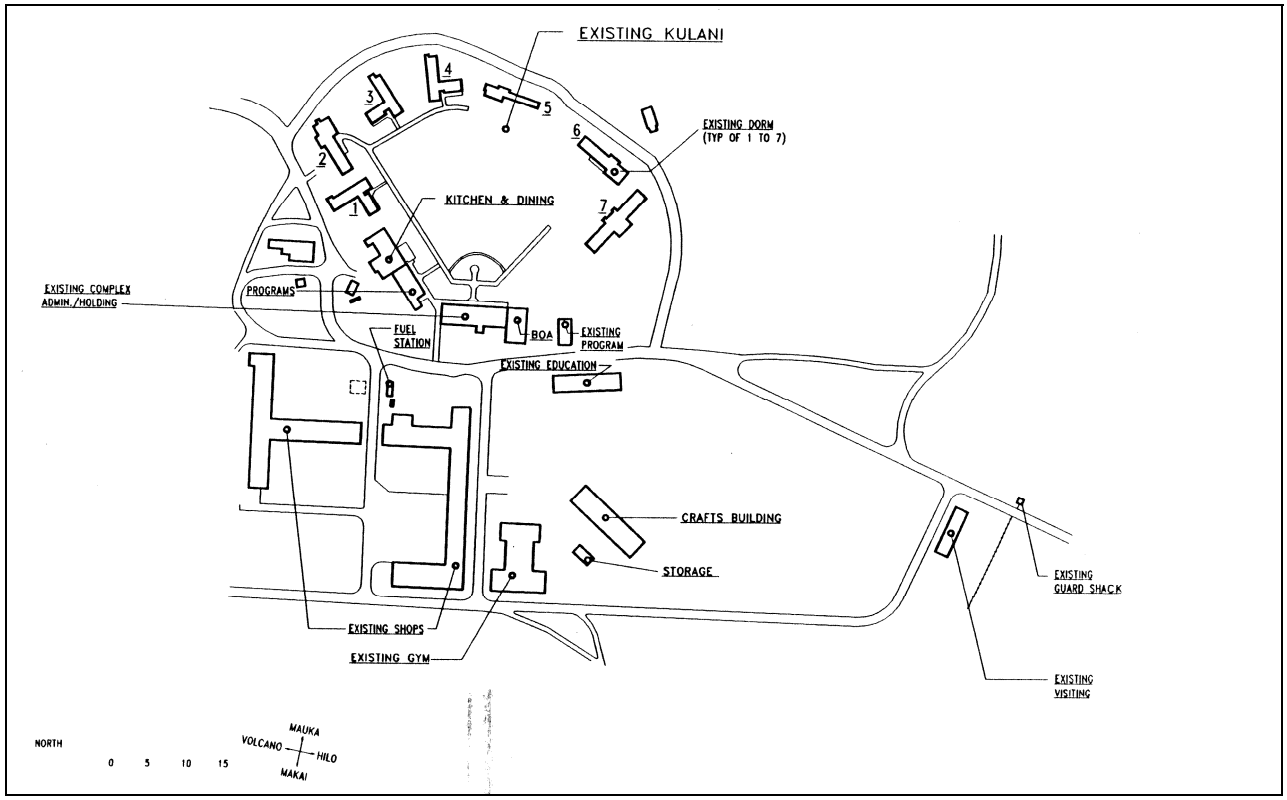
2012 – E.O. Nos. 4339 and 4340 rescinded E.O. 4341 (which had given DOD use of 622 acres).

3.2 Existing Physical Plant to be Utilized following Reactivation

The existing facility was evaluated by a team of architects, engineers and environmental firms (DAGS, 2012a) and they found that only minor repairs to a few buildings on the 45-acre campus are needed prior to use of the facility for 200 inmates and 96 staff. These can be largely accomplished by inmate labor following reactivation of the facility. Approximately $600,000 will be required for replacement of equipment and upgrades to utilities.

Figure 3-1 provides a site plan of the existing facility.

Figure 3-1, Existing and Proposed Conditions (same)



Photos 1 through **4** provide an overview of the Kūlani CF developed area, followed by discussion and photos of individual facilities to be used for reactivation of the correctional facility (DAGS, 2012a).

Photo 1 – Dormitories and Courtyard Viewed from Watch Tower

Photo 2 - Craft Building, Gymnasium and Automotive Shop Viewed from Watch Tower

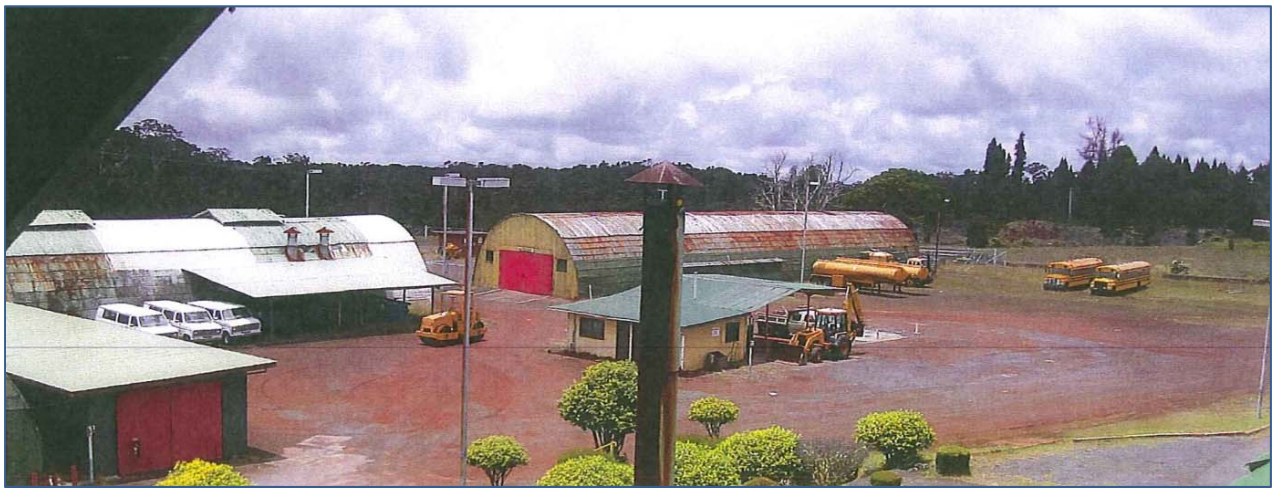


Photo 3 – Automotive Shop, Gas Station and Utility Building Viewed from Watch Tower

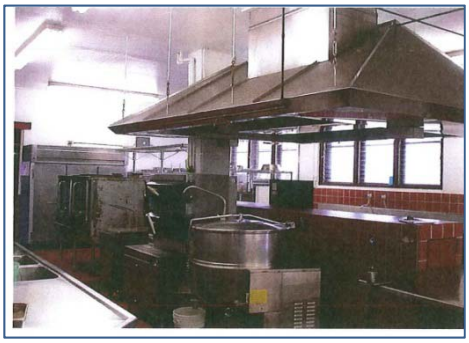
Photo 4 – View of Piggery, Greenhouse and Pasture

Existing buildings and facilities on the campus for administration, sleeping quarters, activities, work tasks and support programs were found ready for occupancy in the August 2012 facility condition evaluation. See descriptions and photos below.

ADMINISTRATION BUILDING – The Administration Building is approximately 6,945 sf. and contains an administrative office, the Control Room, staff locker rooms, medical office, conference room, weapons vault, staff restrooms, and 8 detention cells. There is a 325 sf. watch tower which will not be reused.

Photo 5 – Administration Building

KITCHEN/DINING AND LIBRARY BUILDING – The Kitchen/Dining & Library Building is approximately 9,860 sf. and contains the kitchen, dining room for approximately 100 inmates, staff dining room, library, mail room, urinalysis office, staff restrooms, and offices.



Photos 6 and 7 – Kitchen Interiors

DORMITORIES NO. 1-6 – Dormitories Nos. 1 thru 6 are similar, constructed with the opening of the facility. Sleeping areas of approximately 1,450 sf. have capacity to house 28 inmates each dorm under current American Correctional Associations (ACA) Standards for Adult Correctional Institutions.

Photo 8 – Dormitories 1, 2 and 3

DORMITORY NO. 7 – Dormitory No. 7 has two separate sleeping wings of approximately 1,360 sf. each with capacity to house 26 inmates each of two wings or a total of 52 inmates. A central lounge between the dorms and bathroom with showers, toilets, urinals and lavatories serves both wings.

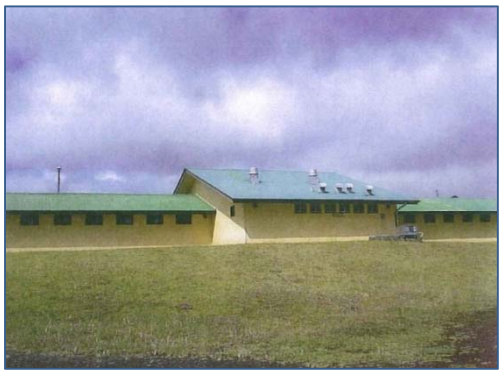


Photo 9 – Dormitory 7 Exterior

Photo 10 – Dormitory Interior

WASTEWATER TREATMENT FACILITY – Renovated in 2006, the 30,000-gallon per day capacity wastewater treatment system includes a treatment building, ponds and a leaching field. The complex includes four ponds, three aerated and one clean. The leach field has five bays.

WATER CATCHMENT/STORAGE AND TREATMENT – The domestic water system at Kūlani CF includes a six-million gallon catchment reservoir with a fabric covering to minimize evaporation, 330,000-gallon and 660,000-gallon storage tanks for treated water, and a treatment building. Demand for potable water following reactivation is projected to be comparable to demand before the facility was closed in 2009, with continued use of tanker trucks to supplement catchment during drier periods. Action relating to the water system under this project would include inspection of the water catchment and storage facilities for leaking.

VISITOR BUILDING – The Visitor Building, located just inside of the campus entry gate, is approximately 2,400 sf. It provides a visitation room for inmate and visitors and restrooms. Visitors are restricted from going beyond this building and are required to park outside of the entry gate. Disabled visitors are allowed to park in designated accessible parking fronting the visitation room. The building includes a dental office.

Photo 11 – Visitor Building

CLASSROOM – The Classroom Building is approximately 3,320 sf. and has four classrooms, two staff offices, a storage room, and restrooms. One of the classrooms is designated as a computer classroom. The classrooms host General Educational Development (GED) certificate classes for inmates.

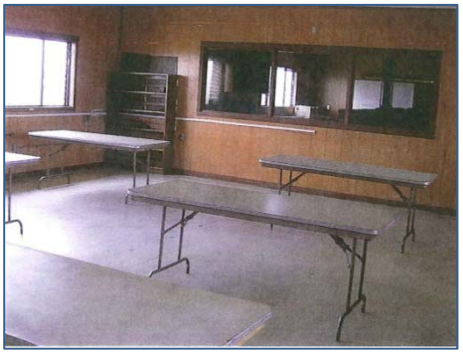


Photo 12 – Classroom

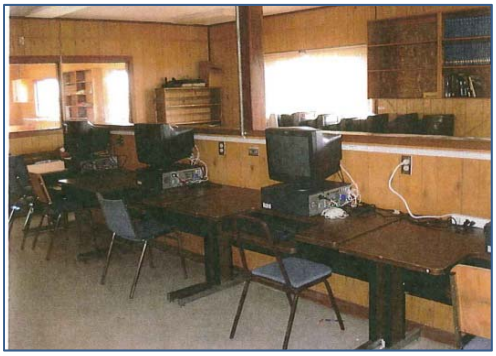


Photo 13 – Computer Lab

AUTOMOTIVE SHOP – The Automotive Shop is a large "T" shaped Quonset hut building of approximately 18,350 sf. A portion contains open repair bays with other areas containing offices, parts storage, a paint booth, and repair shops. The automotive shop will service Kūlani CF vehicles as well as donated vehicles and busses donated and provide inmate training in automotive repairs.

Photo 14 – Automotive Shop

GAS STATION – The Gas Station building is approximately 470 sf. and contains the service station safety office, conservation office, heavy equipment office and maintenance office. There are two gas pumps, one for gasoline and one for diesel fuel. The diesel and gasoline pumps are serviced by two 6,000-gallon underground storage tanks. The diesel fuel tank also supports the electrical generators.

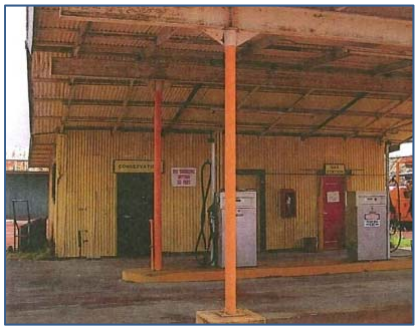


Photo 15 – Gas Station

UTILITY BUILDING – The Utility Building is the remains of a "T" shaped Quonset hut building with one leg remaining. The current building is approximately 6,730 sf. and contains the Heavy Equipment Shop (equipped as a carpentry shop), plumbing shop, electrical shop, and storage room. Also part of this building is the Kūlani Fire Station.

Photo 16 – Utility Building

FIRE STATION The Fire Station provides garage space and storage of two (2) firefighting trucks. Seven fire hydrants serve the project site. Most buildings fall within the standard 150-foot radius from a hydrant (two are slated for a new hydrant). County 911 is always called in the event of a fire or other emergency.

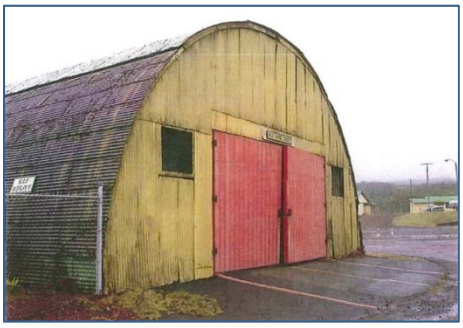


Photo 17 – Fire Station

PROGRAM BUILDING – The Program Building is approximately 1,150 sf., provides offices and restrooms. Staff using this building assists inmates in preparing for the transition from incarceration to public life.

Photo 18 – Program Building

GYMNASIUM – The Gymnasium is approximately 12,940 sf. with a full-size basketball court, stage, boxing room, weightlifting room, equipment room, crafts room, music room and storage room.

Photo 19 – Gymnasium Exterior

Photo 20 – Gymnasium Interior

GENERATOR BUILDING – The Generator Building, approximately 1,115 sf., is the electrical hub of the facility. It was recently constructed and provides electrical upgrades to the facility's electrical power needs. Generators also provide emergency power in the event of power outage.

GREENHOUSE – One double-wide and one single-wide greenhouse total approximately 7,050 sf. The Greenhouse will most likely return to growing produce for Kūlani CF consumption and possibly for other PSD facilities.

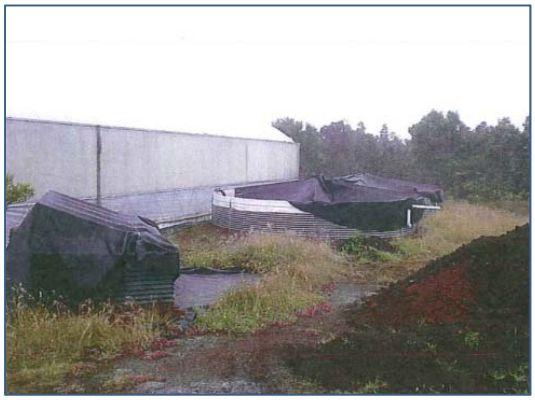


Photo 21 – Greenhouse Exterior showing Water Catchment Tanks

Photo 22 – Greenhouse Interior

CHAPEL – The Chapel is approximately 260 sf. and has a small meeting area and a storage room. The Chapel is for small group services.

CRAFT BUILDING – The Craft Building is approximately 7,260 sf. and has spaces for a Sewing and Finishing Room, Storage for Store Order items, Carpentry Shop, Sanding Room, Lathe Room, Tool Storage, two Offices, Compressor room, and restroom. Included with the Craft Building, although

independent structures is an approximately 675 sf. Paint Booth building, an approximately 60 sf. Flammable Storage and an approximately 300 sf. shipping container that was utilized for storage.

GUARD HOUSE – The Guard House is approximately 210 s.f. with a toilet and located at the entry gate to the campus. The current plan is to provide personnel to monitor the gate. Alternatively, the motorizing of the sliding entry gate and to provide cameras so that the Control Office in the Administration will be able to operate the entry gate is being considered.

LAUNDRY BUILDING – The Laundry Building is approximately 2,640 sf. and has four commercial washers and four commercial dryers, storage rooms, boiler room, two toilets, and an electrical room. The facility has the capabilities of laundering inmate uniforms and bedding although future plans may be to have the laundry done off-site. It is anticipated that most of the facilities' laundry needs will be addressed at Hale Nani.

PIGGERY – The Piggery building is approximately 8,150 sf. and was formerly used by Kūlani CF to raise pigs for slaughter and pork. Currently PSD does not intend to revive the piggery operation and an alternative use for the piggery building has not been identified.

3.3 Planned Staffing for Reactivation of Kūlani CF

Approximately 96 staff will be required to reactivate Kūlani FC as a minimum security facility for 200 minimum security inmates. Staffing requirements will be met by a combination of transfers from other PSD facilities and new hires.

PSD anticipates a start-up cost associated with new staffing (although some may come from existing positions in other facilities) and operational costs. However, the reduction in inmates assigned to Mainland facilities will offset operational costs.

Prisoner education and rehabilitation efforts will stress job-oriented skills such as mechanical repair and maintenance, construction, heavy equipment operation and computer work. Categories of staff to operate the 200-inmate facility would include office services; offender services; security; operations; water treatment plant; automotive maintenance; construction and maintenance, and library, food, medical and educational services (the projected staffing requirements are subject to change).

3.4 Alternatives to the Proposed Action

No-Reactivation Alternative[1]

Under this alternative, the inmates would remain in Mainland correctional facilities. The staff would not be hired by or work at the facility. Because the National Guard Youth ChalleNGe Academy will vacate the premises when they find replacement facilities, the site would be empty and likely to fall into disrepair. It might be subject to damage by vandals.

[1] Since nothing is to be built or demolished, there cannot be a "no-build" alternative for the proposed action.

Delayed-Project Alternative

Under this alternative, the 200 minimum security inmates would remain in Mainland correctional facilities. The staff would not be hired by or work at the facility in the near future. The facility may go into disrepair if not in use with no prison labor to perform maintenance and repairs.

3.5 Cost of Preferred Alternative

Approximately $600,000 will be required to implement the reactivation based on the observed good condition of buildings and equipment observed by architects and engineers in their September 2012 walkthrough. There is no intent to make additions or expansions to any of the facilities at this time. All proposed expenditures will be for repairs and upgrades. These repairs and upgrades include roofing repairs, minor interior repairs and repainting, selective electrical repairs and upgrades, repair and replacement of selective kitchen equipment, general building repairs, and replacement of certain security structures that were removed by the HNGYCA.

Operational activities such as cleaning and stocking of supplies will be required prior to reactivation. As in the past, minor repairs and maintenance are likely to be conducted by inmates themselves once they have reoccupied the facility. Ongoing operations and maintenance costs will also be added. As noted earlier, in the year the facility was closed, approximately $5.1 million was appropriated for the facilities operations. The expenditure of operations funds for the facility will be offset by savings not spent on Mainland facilities. Further, the operations funds expended on the facility will be directed at local employment.

Putting taxpayer money back into the state, in lieu of sending it out of state, will benefit the state economy. Additionally, the ability to maintain closer family ties and visitation by being located in state supports rehabilitation. Inmates in the Kūlani CF program also provide community services as part of their training. Community Work Lines clean highways, parks, and other such facilities, benefiting the community and saving the facilities money.

3.6 Schedule for Reactivation of Kūlani CF

PSD will occupy Kulani CF immediately soon after the National Guard Youth ChalleNGe Academy is relocated. The current plan is to reoccupy by 2014 or as soon as possible.

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4.0 Environmental Setting, Potential Impacts and Mitigation Measures

4.1 Climate and Rainfall

The climate of the Island of Hawai'i can be characterized as tropical with mild temperatures and persistent northeasterly trade winds. Hawai'i's latitude and the surrounding ocean have the most moderating influence on climate, along with the Pacific anticyclone, the source of trade winds. On the Island of Hawai'i, the climate is further influenced by the topography, which creates a series of micro-climates (DAGS, 2008).

Due to its elevation of over 5,000 feet above mean sea level (msl), the average maximum daily temperature at Kūlani CF is approximately 65 degrees Fahrenheit (F.), with an average minimum of 55 degrees.

Annual rainfall at the project site averages approximately 105 inches. The relatively abundant rainfall at the project site has the benefit of providing potable water for the on-site catchment/treatment/storage system during most of the year. Tanker trucks bring in water from the outside when levels reach a certain critical point needed for domestic use and firefighting.

Potential Impacts and Proposed Mitigation.

The reactivation of Kūlani CF will not affect climate.

4.2 Geology and Topography

Geologically, Kūlani CF is located just south of the northeast flank of Mauna Loa an active volcano (MacDonald et al, 1983; Wolfe and Morris, 1996). The topography of the project area and project site is irregular but slopes steadily towards the east. The project site is situated on lava flows dating from about 400 years ago and tephra deposits that are somewhat older (DAGS, 2002).

Potential Impacts and Proposed Mitigation.

No construction is associated with the proposed reactivation. However, because the site is located in a high seismic hazard area, any future development must comply with County of Hawai'i building code requirements for construction activity. Because of the uneven terrain, mobility-challenged inmates will not be housed at the new facility. Further, because of the elevation, approximately 6,000 +/- feet above mean sea level, inmates with respiratory ailments will not be housed at the facility.

4.3 Water Quality

As is common on relatively young volcanic landscapes, no lakes or streams are present. Rainfall may briefly pond or run overland in sheet flows or small gullies during heavy rainfall but is quickly absorbed into the rocky substrate. Runoff infiltrating the soil percolates through many layers of rock and soil that clean the water before it reaches the aquifer. Groundwater is likely to be perched and/or basal (DAGS, 2002).

The quality of potable water from the on-site catchment/treatment system is regularly monitored as part of the regular operations of the on-site water catchment, treatment and storage system.

Potential Impacts and Proposed Mitigation.

As there are no surface water features located on or near the Kūlani CF, and no new construction or ground disturbance is planned due to reactivation, no impacts to surface or ground water could occur.

4.4 Natural Hazards

A. Floods
B. Seismic Hazard
C. Lava Flow Risk
D. Hurricanes and High Winds

A. Floods

Flooding is not generally an issue at Kūlani CF. The project area has no surface water and is underlain by porous a'a lava which provides rapid drainage. The project site is classified on Flood Insurance Rate Maps (FIRM) as within Zone X, outside of the 500-year floodplain, and no known flooding areas are present. See **Figure 4-1**.

B. Seismic Hazard

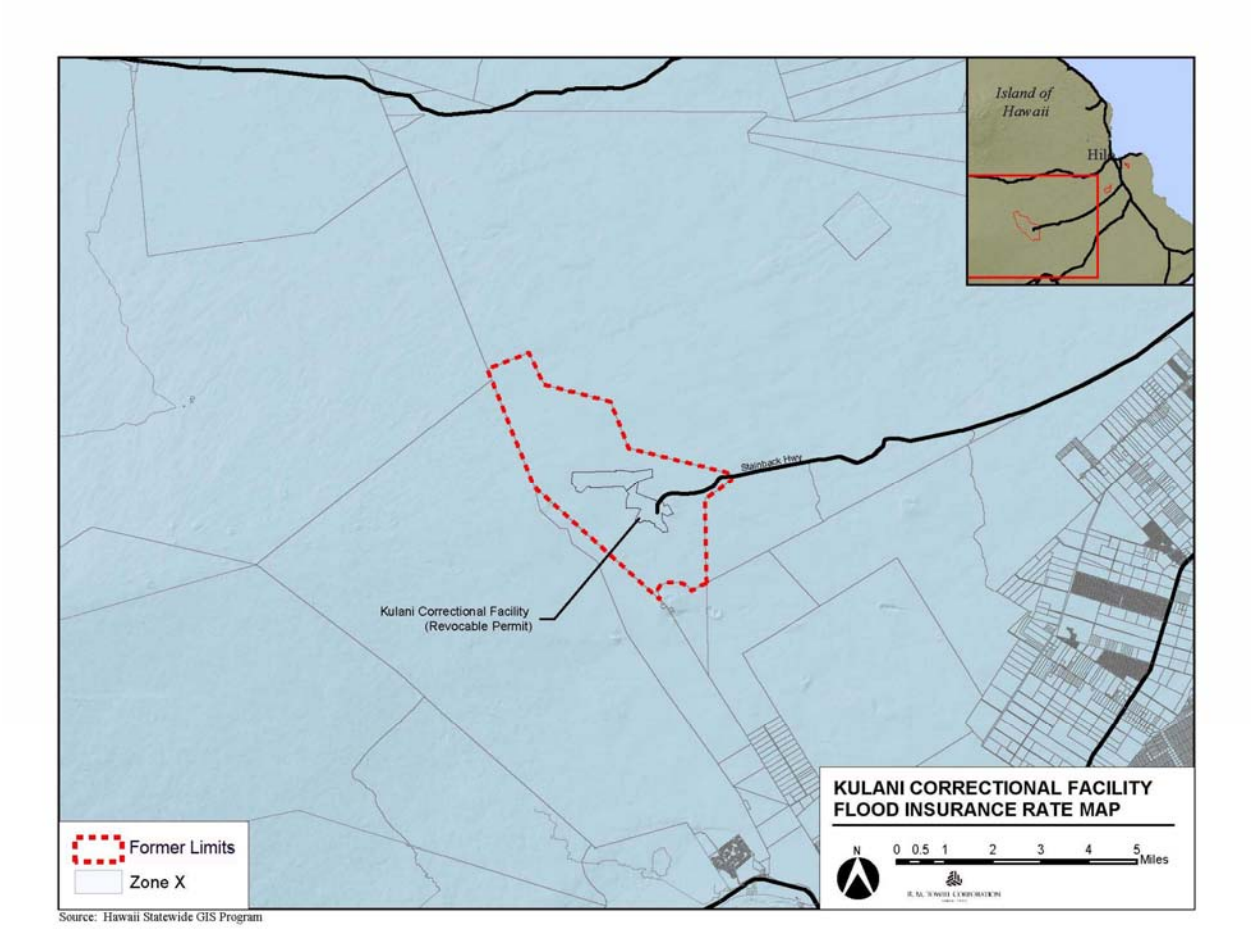
The entire Island of Hawai'i is subject to seismic hazards such as earthquakes. The entire island is rated Seismic Zone 4 (Uniform Building Code, 1997 Edition). Zone 4 areas are at risk from major earthquake damage, especially to structures that are poorly designed or built. The project area does not appear to be subject to subsidence or landslides.

C. Lava Flows

The facility's location on the northeastern flank of the Mauna Loa volcano places it in Lava Flow Hazard Zone 3, on an ascending scale of risk from 9 to 1. This rating, characterized as "areas gradationally less hazardous than Zone 2[2] because of greater distance from recently active vents and/or because the topography makes it less likely that flows will cover these areas" (USGS, 2012). Zone 3 also includes most settled areas of Hilo, Puna and South Kona on the Big Island.

[2] Areas in Zone 2 are adjacent to and downslope of active rift zones

Figure 4-1, Flood Insurance Rate Map



D. Hurricanes and High Winds

Hurricanes are more prone to affect the Hawaiian Islands from the late summer to early winter months. The State has been affected twice since 1982 by significant hurricanes, 'Iwa in 1982 and 'Iniki in 1992. During hurricanes and storm conditions, high winds cause strong uplifting forces on structures, particularly on roofs. Wind-driven materials and debris can attain high velocity, cause devastating property damage, and harm to life and limb. It is difficult to predict these natural occurrences, but it is reasonable to assume that future events will occur. The project area is, however, no more or less vulnerable than the rest of the island to the destructive winds and torrential rains associated with hurricanes.

Potential Impacts and Proposed Mitigation.

Floods and Hurricanes – The project area is not prone to flooding or drainage problems and no upgrades will be required for reactivation of the facility. An extreme rainfall event or events could exceed both the wastewater system's leaching field discharge capacity and the aerated ponds' storage capacity which could result in an overflow spill of liquid, mostly comprised of rain water. However, the

designated overflow area would be capable of absorbing any overflow within a relatively small area. No mitigation is needed or recommended.

Seismic Hazard – No new construction is proposed for reactivation so no change in seismic hazard risk will occur.

Lava Flow Risk – An emergency evacuation program in the event of a lava flow on the property was previously developed in coordination with Hawai'i County Civil Defense Agency and Hawaiian Volcano Observatory. This program, to be reinstated following reactivation, is capable of effectively responding to any volcanic or seismic emergency, which mitigates the hazard to an acceptable degree.

4.5 Air Quality

Air quality is generally excellent in the project area. Air pollution is mainly derived from volcanic emissions of sulfur dioxide which convert into particulate sulfate and produce a volcanic haze (vog) that occasionally blankets parts of the island. Prevailing northeasterly tradewinds keep the project area relatively free of vog for most of the year.

Potential Impacts and Proposed Mitigation.

The facility will house only individuals who are in good health and without respiratory ailments. The proposed reactivation will have no construction-related dust or vehicle emissions. Further, vog conditions are temporary and diffused by tradewinds. Therefore, no mitigation for air quality is needed or planned.

4.6 Acoustical Conditions

Noise on the site is low and derived mainly from inmate activities and equipment. Because of its physical isolation and surrounding forest land no noise impacts are expected with the reactivation.

Potential Impacts and Proposed Mitigation.

No changes are expected in noise levels beyond those experienced during previous operations of Kūlani CF as a minimum security correctional facility. No mitigation is needed or proposed.

4.7 Flora and Fauna Resources

The developed portion of Kūlani CF does not provide habitat and nor does it contain any rare, endangered or threatened animal or plant species. The exception, however, is the observed use of the facility's ballfield by the Nēnē Goose (*Branta sandwichense*) for foraging. It should be noted that the entire facility is open for foraging by the Nēnē.

In a June 6, 2002 letter regarding possible impacts of a proposed new wastewater treatment plant at the project site, the U.S. Fish & Wildlife Service (USFWS) stated the following: "… based on information from our files, data compiled by the Hawai'i Biodiversity and Mapping Program, data compiled by the Hawai'i GAP program, and local expert knowledge, the USFWS determined that there are four federally listed species that may occur within or adjacent to areas of Kūlani CF: threatened Newell's Shearwater

(*Puffinus auricularis newlli)* and endangered Hawaiian Petrel (*Pterodroma phaeopygia sandwichensis*) (collectively known as seabirds); endangered Hawaiian stilt (*Himantopus mexicanus knudseni*); and endangered Nēnē *(Branta sandwichense).* No Federally designated critical habitats are present" (DAGS, 2002).

Nēnē are known to frequent the ball field and other developed areas at Kūlani CF and tend to use the area for loafing and feeding during spring and summer flocking seasons. Biologists at Hawai'i Volcanoes National Park have received reports of nēnē on the Kūlani Ballfield (DAGS, 2002).

Potential Impacts and Proposed Mitigation.

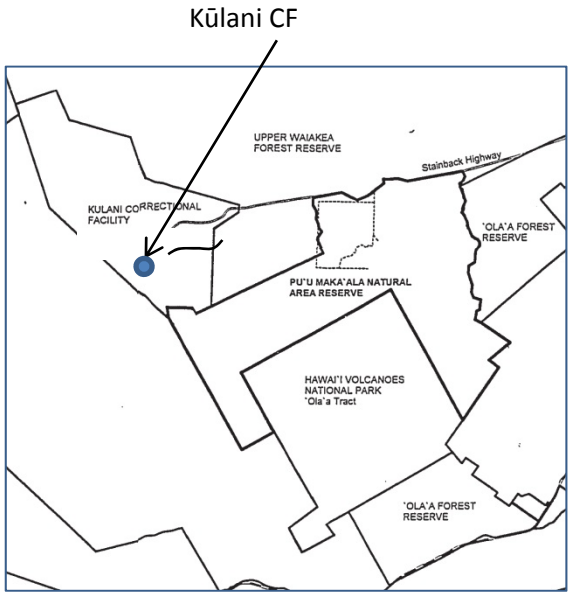
No night lighting is expected that could impact the flight patterns of seabirds. No mitigation is necessary.

4.8 Scenic and Aesthetic Environment

The entire forested area on the slopes of Mauna Loa, including Kūlani CF, has high scenic value. However, the Hawai'i County General Plan has not identified any important scenic areas or vistas in the project vicinity (Hawai'i County Planning Department, 2005). Because of the facility's elevation of 5,175 feet, physical isolation, and security measures when in operation as a correctional facility, no views are available to the general public from any vantage point.

Adjacent land is predominantly undeveloped and largely dedicated to forest reserve and conservation uses, including the Upper Waiakea Forest Reserve, the Ola'a Forest Reserve, the Pu'u Maka'ala Natural Area Reserve, and Hawai'i Volcanoes National Park. See **F*igure* 4-2**.

Figure 4-2, Nearby Forest Reserves and Natural Area Reserves in the Vicinity of Kūlani CF
(Source: DAGS, 1999. Not to scale.)



Potential Impacts and Proposed Mitigation.

There will be no change in the developed area of Kūlani CF as a result of reactivation. Since no scenic views include the facility or could be viewed by the public from the facility, no mitigation measures are necessary or recommended.

5.0 Public Services, Potential Impacts and Mitigation Measures

5.1 Traffic and Circulation

The facility is accessed through the 19-mile, 2-lane Stainback Highway. Existing roads and parking areas within the campus meet County of Hawai'i standards although the County has been neutral on jurisdictional oversight regarding roads and parking in the camp area. The roadways within the facility benefit from an on-site quarry which provides native granular stone material for redressing unpaved road surfaces. The Visitor Center, Administration Building and Gymnasium appeared to provide accessible parking. Only the Visitor Center requires an accessible path from the parking to the building; all other buildings will only be accessed by inmates and staff. Disabled inmates can be placed in buildings that are accessible (DAGS, 2012a).

Potential Impacts and Proposed Mitigation.

Reactivation of Kūlani CF will not affect traffic or circulation as internal roadway facilities meet standards and have been found to be in adequate condition (DAGS, 2012a). Following reactivation, some additional redressing of unpaved roadways, using material from the on-site quarry, is recommended using inmate labor and existing equipment.

5.2 Wastewater

Due to the property's extreme isolation, it is not served by any County of Hawai'i wastewater infrastructure. The Kūlani CF is served by an on-site wastewater treatment system with capacity of 30,000 gallons per day.

Potential Impacts and Proposed Mitigation.

The number of inmates expected following reactivation will be comparable to the population before the facility's 2009 closing. Therefore, the capacity of the existing wastewater system is expected to be adequate. No mitigation is necessary.

5.3 Potable Water

Also because of its remote location, Kūlani CF is not physically connected to County-provided water via the Department of Water Supply (DWS). Instead, Kūlani CF relies on diversion and catchment systems for its water supply supplemented with water hauled to the facility using tanker trucks.

Potential Impacts and Proposed Mitigation.

Generally, catchment systems at Kūlani CF provide adequate supply of water for daily use by inmates and staff and as well as fire-fighting. Following reactivation, the Kūlani CF will require comparable amounts of potable water from DWS sources to fill up tank trucks for hauling back to the site.

5.4 Power and Communications

Electricity is provided by the Hawai'i Electric Light Company, or HELCO. Telephone service is provided by Hawaiian Telcom.

Potential Impacts and Proposed Mitigation.

PSD has been in touch with HELCO regarding the possible impacts of reactivation. The functioning facility would require comparable amounts of electrical energy to the previous full occupation and staffing of the facility. Hawaiian Telcom will be notified of the reactivation by letter from PSD. No changes to the existing telephone system are required for reactivation.

5.5 Police Protection

Police protection to the County of Hawai'i is provided by the Police Department.

Potential Impacts and Proposed Mitigation.

Impacts on the County of Hawai'i Police Department are not expected as Kūlani CF is a state-run correctional facility. As needed, PSD will continue to coordinate with the Hawai'i Police Department as needed for emergency services.

5.6 Fire Protection

Kūlani CF has an on-site fire station, fire trucks, hydrant and water distribution system and firefighting equipment. The County of Hawai'i Fire Department is notified whenever a fire occurs at the facility in ongoing coordination between PSD and the county firefighting operation.

Potential Impacts and Proposed Mitigation.

Kūlani CF is expected to handle the majority of firefighting needs on-site and continue to coordinate with the County of Hawai'i Fire Department under such circumstances.

5.7 Health Care and Emergency Services

Inmates will be medically screened before transfer to Kulani CF to ensure they are physically fit to participate in work programs and do not have chronic conditions, such as asthma, that could be exacerbated by altitude and weather conditions. Kūlani CF has on-site medical and dental clinics. As required, inmates are provided with private off-site medical care in the Hilo community and hospitalization at the Hilo Medical Center, a state-owned facility, or other hospital facility if warranted by an inmate's condition. County of Hawai'i ambulance services are called by the PSD staff as necessary for the safety and wellbeing of inmates and staff.

Potential Impacts and Proposed Mitigation.

The demand for health care facilities following reactivation is anticipated comparable to that before the Kūlani CF was closed in 2009. No mitigation is necessary.

6.0 Socioeconomic and Related Environment, Potential Impacts and Mitigation Measures

6.1 Historic and Archaeological Resources

There are no known archaeological sites or potential historic properties present within the project area. Additionally, there is an extremely low likelihood of any subsurface archaeological deposits being present. The geology of the area, composed primarily of a'a lava, suggests that there is a low likelihood of lava tubes being present in the area.

In correspondence provided by the State Historic Preservation Division (SHPD) regarding former actions at Kūlani CF, SHPD has repeatedly determined that actions at Kūlani CF would have no effect on historic properties. In a 2008 letter to Clayton Frank, Director, Department of Public Safety, SHPD wrote:

> *National Historic Preservation Act (NHPA) Section 106 Review. "No historic properties will be affected by this undertaking [temporary housing and program structures]" (SHPD, 2008)*

Potential Impacts and Proposed Mitigation.

No ground disturbance is planned prior to or during the reactivation. As no historic properties will be affected, no mitigation is necessary.

6.2 Cultural Resources

Pre-contact, Kūlani CF was almost entirely covered with 'ōhi'a-hapu'u forest with a variety of economically important tree and bird species. The tradition of bird catching was not carried into the twentieth century, and the study area was essentially inaccessible until after 1950, after which time it was off-limits to the general public (Rechtman, 2001).

In reviewing the *Archaeological Inventory Survey and Limited Cultural Assessment for the Proposed Wastewater Treatment Facility at Kūlani Correctional Facility (TMK: 3-2-4-08:9)* (Rechtman, 2001), the State Historic Preservation Division concluded that a new wastewater treatment facility would not impact any culturally-valued resources or cultural practices. In a letter dated July 2001, SHPD wrote:

> *"No archaeological sites were found in the survey. Likewise, it appears that there are no traditional cultural properties in the project area. No evidence of such properties was found during archival research, and two individuals who were consulted on this matter, Ululani Sherlock (Office of Hawaiian Affairs) and Kepa Maly (Kumu Pono Associates), had no information pertaining to such sites within the boundaries of the area. The likelihood of traditional cultural practices occurring in this area is extremely low since the area has been off-limits to the public since about 1950 according to the information in your report. Based on the information presented in the report, we believe that construction of the proposed wastewater treatment facility will have no effect on significant historic sites." SHPD, 2001.*

Potential Impacts and Proposed Mitigation.

Operational actions associated with reactivation of the Kūlani CF are not anticipated to adversely affect any traditional cultural properties or practices. No mitigation is needed.

7.0 Relationship to Land Use Plans Policies and Controls of the Potentially Affected Area

7.1 Overview

State and County of Hawai'i policies, plans, and land use controls are established to guide development in a manner that enhances the environment and quality of life. The establishment of policies, plans, and land use controls at all levels of government are further promulgated to help ensure that the long-term social, economic, environmental, and land use needs of the community and region can be met. The proposed project's relationship to land use policies, plans, and controls for the region and proposed activity are as follows.

7.2 Hawai'i State Plan

The Hawai'i State Plan, adopted in 1978, and promulgated in Chapter 226, HRS, consists of three major parts:

> Part I, describes the overall theme including Hawai'i's desired future and quality of life as expressed in goals, objectives, and policies.
>
> Part II, Planning Coordination and Implementation, describing a statewide planning system designed to coordinate and guide all major state and county activities and to implement the goals, objectives, policies, and priority guidelines of the Hawai'i State Plan.
>
> Part III, Priority Guidelines, which express the pursuit of desirable courses of action in major areas of statewide concern.

The proposed project is consistent with the objectives and policies of the Hawai'i State Plan. The following section of the Hawai'i State Plan's objectives and policies for socio-cultural advancement in the area of public safety is relevant to the proposed reactivation of Kūlani CF.

> *§226-26 Objectives and policies for socio-cultural advancement--public safety.*
>
> *(c) To further achieve public safety objectives related to criminal justice, it shall be the policy of this State to:*
>
> *(1) Support criminal justice programs aimed at preventing and curtailing criminal activities.*
>
> *(2) Develop a coordinated, systematic approach to criminal justice administration among all criminal justice agencies.*
>
> *(3) Provide a range of correctional resources which may include facilities and alternatives to traditional incarceration in order to address the varied security needs of the community and successfully reintegrate offenders into the community.*

7.3 State Land Use Law

The State Land Use Commission classifies all lands in the State of Hawai'i into one of four land use designations: Urban, Rural, Agricultural and Conservation. The project site is located in the State Land Use Conservation District. (**Figure 7-1**).

A. State Land Use Conservation District

According to Section 205-2(e), HRS:

(e) Conservation districts shall include areas necessary for protecting watersheds and water sources; preserving scenic and historic areas; providing park lands, wilderness, and beach reserves; conserving indigenous or endemic plants, fish, and wildlife, including those which are threatened or endangered; preventing floods and soil erosion; forestry; open space areas whose existing openness, natural condition, or present state of use, if retained, would enhance the present or potential value of abutting or surrounding communities, or would maintain or enhance the conservation of natural or scenic resources; areas of value for recreational purposes; other related activities; and other permitted uses not detrimental to a multiple use conservation concept.

As the entire parcel is within the State Land Use Conservation District, it is subject to land use regulation by the State Department of Land and Natural Resources and not subject to County of Hawai'i zoning or Special Management Area regulations. The Department of Land and Natural Resources will be consulted if additional permitting is required, e.g. Conservation District Use Permit.

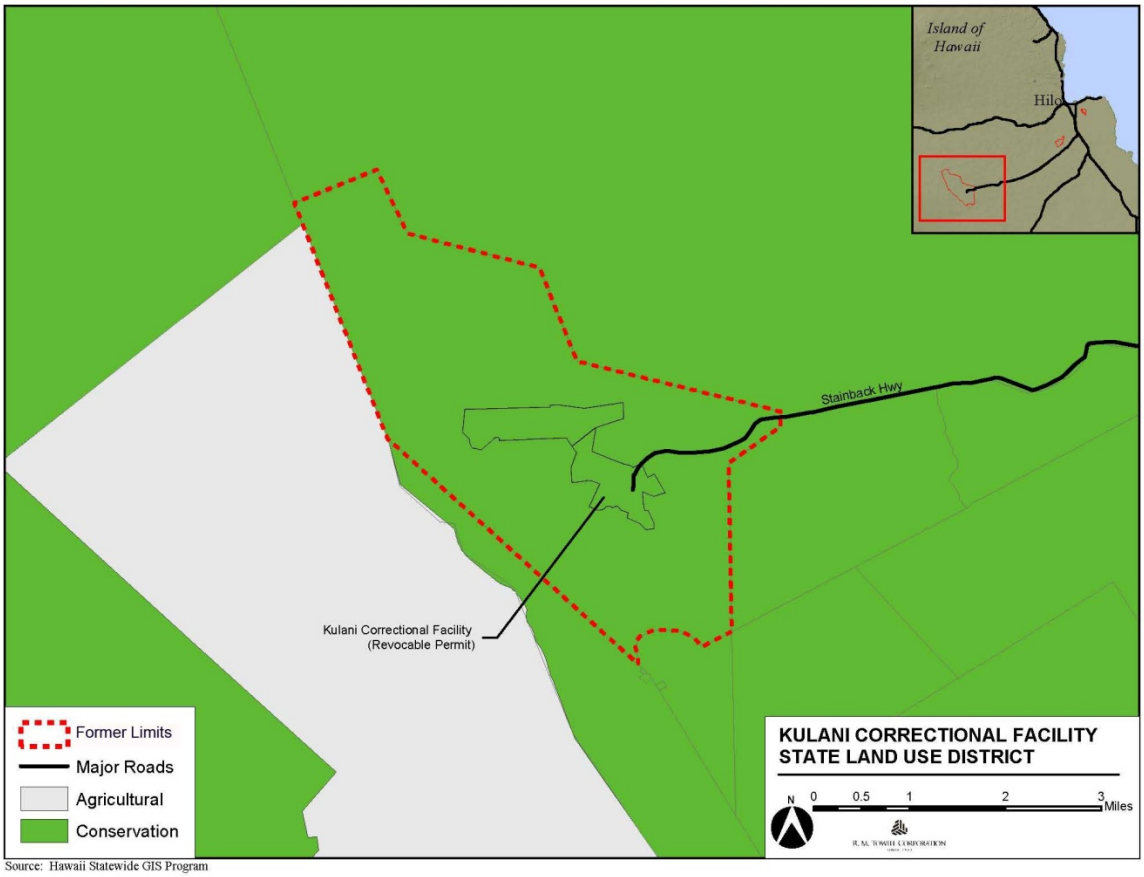
7.4 Coastal Zone Management Program

All land and water use activities in the state must comply with Chapter 205A, HRS, Hawai'i Coastal Zone Law. The State of Hawai'i designates the Coastal Zone Management Program (CZMP) to manage the intent, purpose and provisions of HRS, Chapter 205(A)-2, as amended, for the areas from the shoreline to the seaward limit of the State's jurisdiction, and any other area which a lead agency may designate for the purpose of administering the CZMP.

The following is an assessment of the project with respect to the CZMP objectives and policies set forth in Section 205(A)-2.

> ***1. Recreational resources***
>
> *Objective: Provide coastal recreational opportunities accessible to the public.*
>
> *Policies: A) Improve coordination and funding of coastal recreational planning and management; and B) Provide adequate, accessible, and diverse recreational opportunities in the coastal zone management area by:*
>
> *(i) Protecting coastal resources uniquely suited for recreational activities that cannot be provided in other areas;*
>
> *(ii) Requiring replacement of coastal resources having significant recreational value including, but not limited to, surfing sites, fishponds, and sand beaches, when such resources will be unavoidably damaged by development; or requiring reasonable monetary compensation to the State for recreation when replacement is not feasible or desirable;*

Figure 7-1, State Land Use District



(iii) Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value;

(iv) Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;

(v) Ensuring public recreational uses of county, state, and federally owned or controlled shoreline lands and waters having recreational value consistent with public safety standards and conservation of natural resources;

(vi) Adopting water quality standards and regulating point and nonpoint sources of pollution to protect, and where feasible, restore the recreational value of coastal waters;

(vii) Developing new shoreline recreational opportunities, where appropriate, such as artificial lagoons, artificial beaches, and artificial reefs for surfing and fishing; and

(viii) Encouraging reasonable dedication of shoreline areas with recreational value for public use as part of discretionary approvals or permits by the land use commission, board of land and natural resources, and county authorities; and crediting such dedication against the requirements of section 46-6.

The project will not affect any public recreational facilities or opportunities.

2. Historic resources

Objective: Protect, preserve, and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.

Policies: (A) Identify and analyze significant archaeological resources;

(B) Maximize information retention through preservation of remains and artifacts or salvage operations; and

(C) Support state goals for protection, restoration, interpretation, and display of historic resources.

No historic resources have been found at the project site. However, in accordance with HRS, Chapter 6E, and the requirements of the SHPD, DLNR, should any historic resources, including human skeletal and significant cultural remains, be identified during project activities: (1) Work will cease in the immediate vicinity of the find; (2) The find will be protected from any additional disturbance; and (3) The SHPD, will be contacted immediately at (808) 692-8015 (Main Office, O'ahu) for further instructions including the conditions under which project activities may resume.

3. Scenic and open space resources

Objective: Protect, preserve, and, where desirable, restore or improve the quality of coastal scenic and open space resources.

Policies: (A) Identify valued scenic resources in the coastal zone management area;

(B) Ensure that new developments are compatible with their visual environment by designing and locating such developments to minimize the alteration of natural land forms and existing public views to and along the shoreline;

(C) Preserve, maintain, and, where desirable, improve and restore shoreline open space and scenic resources; and

(D) Encourage those developments that are not coastal dependent to locate in inland areas.

The project is not within an identified scenic area and is not within the coastal zone.

4. Coastal ecosystems

Objective: Protect valuable coastal ecosystems, including reefs, from disruption and minimize adverse impacts on all coastal ecosystems.

Policies: (A) Exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources;

(B) Improve the technical basis for natural resource management;

(C) Preserve valuable coastal ecosystems, including reefs, of significant biological or economic importance;

(D) Minimize disruption or degradation of coastal water ecosystems by effective regulation of stream diversions, channelization, and similar land and water uses, recognizing competing water needs; and

(E) Promote water quantity and quality planning and management practices that reflect the tolerance of fresh water and marine ecosystems and maintain and enhance water quality through the development and implementation of point and nonpoint source water pollution control measures.

The project is outside the coastal zone in an inland mountainous area at +5,000 feet in elevation.

5. Economic uses

Objective: Provide public or private facilities and improvements important to the State's economy in suitable locations.

Policies: (A) Concentrate coastal dependent development in appropriate areas;

(B) Ensure that coastal dependent development such as harbors and ports, and coastal related development such as visitor industry facilities and energy generating facilities, are located, designed, and constructed to minimize adverse social, visual, and environmental impacts in the coastal zone management area; and

(C) Direct the location and expansion of coastal dependent developments to areas presently designated and used for such developments and permit reasonable long-term growth at such areas, and permit coastal dependent development outside of presently designated areas when:

(i) Use of presently designated locations is not feasible;

(ii) Adverse environmental effects are minimized; and

(iii) The development is important to the State's economy.

The project strongly supports this CZM objective by providing in-state correctional facilities to allow inmates currently situated in Mainland facilities to return to the state and utilize the existing facility. This project is the reuse of a presently designated location with no environmental effects expected from reactivation of Kūlani CF.

6. Coastal hazards

Objective: Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, subsidence, and pollution.

Policies: (A) Develop and communicate adequate information about storm wave, tsunami, flood, erosion, subsidence, and point and nonpoint source pollution hazards;

(B) Control development in areas subject to storm wave, tsunami, flood, erosion, hurricane, wind, subsidence, and point and nonpoint source pollution hazards;

(C) Ensure that developments comply with requirements of the Federal Flood Insurance Program; and

(D) Prevent coastal flooding from inland projects.

The project is outside the coastal area.

7. Managing development

Objective: Improve the development review process, communication, and public participation in the management of coastal resources and hazards.

Policies: (A) Use, implement, and enforce existing law effectively to the maximum extent possible in managing present and future coastal zone development;

(B) Facilitate timely processing of applications for development permits and resolve overlapping or conflicting permit requirements; and

(C) Communicate the potential short and long-term impacts of proposed significant coastal developments early in their life cycle and in terms understandable to the public to facilitate public participation in the planning and review process.

This project will not affect management of coastal resources, hazards or development.

8. Public participation;

Objective: Stimulate public awareness, education, and participation in coastal management.

Policies: (A) Promote public involvement in coastal zone management processes;

(B) Disseminate information on coastal management issues by means of educational materials, published reports, staff contact, and public workshops for persons and organizations concerned with coastal issues, developments, and government activities; and

(C) Organize workshops, policy dialogues, and site-specific mitigation to respond to coastal issues and conflicts.

The project is outside the coastal zone in an inland mountainous area at +5,000 feet in elevation.

9. Beach protection;

Objective: Protect beaches for public use and recreation.

Policies: (A) Locate new structures inland from the shoreline setback to conserve open space, minimize interference with natural shoreline processes, and minimize loss of improvements due to erosion;

(B) Prohibit construction of private erosion-protection structures seaward of the shoreline, except when they result in improved aesthetic and engineering solutions to erosion at the sites and do not interfere with existing recreational and waterline activities; and

(C) Minimize the construction of public erosion-protection structures seaward of the shoreline.

The project is outside the coastal zone in an inland mountainous area at +5,000 feet in elevation.

10. Marine resources

Objective: Promote the protection, use, and development of marine and coastal resources to assure their sustainability.

Policies: (A) Ensure that the use and development of marine and coastal resources are ecologically and environmentally sound and economically beneficial;

(B) Coordinate the management of marine and coastal resources and activities to improve effectiveness and efficiency;

(C) Assert and articulate the interests of the State as a partner with federal agencies in the sound management of ocean resources within the United States exclusive economic zone;

(D) Promote research, study, and understanding of ocean processes, marine life, and other ocean resources in order to acquire and inventory information necessary to understand how ocean development activities relate to and impact upon ocean and coastal resources; and

(E) Encourage research and development of new, innovative technologies for exploring, using, or protecting marine and coastal resources.

The project is outside the coastal zone in an inland mountainous area at +5,000 feet in elevation.

7.5 Special Management Area (SMA) Rules and Regulations

The project area is a mauka parcel and is not in the County's Special Management Area (SMA) zone. Therefore, it is not subject to any County SMA regulations.

7.6 County of Hawai'i General Plan

Correctional facilities are cited in the County of Hawai'i General Plan as a component of protective services public facilities. As such, the project is consistent with the General Plan public facilities goal for better and more functional facilities in keeping with the environmental and aesthetic concerns of the community.

7.7 County of Hawai'i Zoning

The project is located in the State Conservation District and therefore not subject to County of Hawai'i zoning regulations. The parcel is designated with the zoning classification "FR", or Forest Reserve, per the County of Hawai'i.

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8.0 Permits and Approvals That May Be Required

8.1 County of Hawai'i

Building Permit

8.2 State of Hawai'i

HRS, Chapter 343 Environmental Documentation

Conservation District Use Application

Board of Land and Natural Resources Approval to Operate and Manage a Correctional Facility on the Project Site

8.3 Federal

None anticipated

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9.0 Agencies, Organizations and Individuals Consulted for the Environmental Assessment

9.1 County of Hawai'i

Office of the Mayor

Planning Department

Department of Public Works

Department of Environmental Services

Police Department

Fire Department

9.2 State of Hawai'i

Office of the Governor

Department of Land and Natural Resources
- Office of Conservation and Coastal Lands
- Division of Forestry and Wildlife
- State Historic Preservation Division

Department of Transportation, Highways Division

Department of Health, Environmental Management Division, Wastewater Branch

9.3 Federal Government

Not applicable

9.4 Organizations and Individuals

Hawai'i Electric Light Company (HELCO)

Hawaiian Telcom

State Senator Joshua Green – Kona, Kohala

State Senator Mālama Solomon – Hilo, South Hilo

State Senator Gilbert Kahele – Ka'ū, Puna, Hilo

State Representative Mark Nakashima – South Hilo

State Representative Jerry Chang – South Hilo

Hawai'i County Councilman Dominic Yagong – Hāmākua, North Hilo, South Hilo (portions)

Hawai'i County Councilman Donald Ikeda – South Hilo (portions)

Hawai'i County Councilman J Yoshimoto – South Hilo (portions)

Hawai'i County Councilman Dennis "Fresh" Onishi – South Hilo (portions)

Hawai'i County Councilman Fred Blas – Puna Makai

Hawai'i County Councilwoman Brittany Smart – Puna, South Kona (portions)

Hawai'i County Councilwoman Brenda Ford – South Kona (portions), North Kona (portions)

Hawai'i County Councilman K. Angel Pilago – North Kona (portions)

Hawai'i County Councilman Pete Hoffman – North and South Kohala

10.0 Summary of Impacts and Significance Determination

In accordance with the content requirements of Chapter 343, HRS, and the significance criteria in Section 11-200-12 of Title 11, Chapter 200, HAR, an applicant or agency must determine whether an action may have significant impacts on the environment, including all phases of the project, its expected consequences both primary and secondary, its cumulative impact with other projects, and its short and long term effects. In making the determination, the Rules establish "Significance Criteria" to be applied as a basis for identifying whether significant environmental impacts will occur. According to the Rules, an action shall be determined to have a significant impact on the environment if it meets any one of the following criteria.

10.1 Short-Term Impacts

The potential for short-term impacts resulting from the proposed action include:

- Temporary use of Stainback Highway for move-in activities
- Operational actions such as cleaning and stocking supplies in anticipation of the Kūlani CF reactivation

These potential short-term uses are not anticipated to result in secondary or cumulative impacts. All anticipated short-term impacts would be addressed through the use of appropriate mitigation and other measures and practices to minimize adverse effects.

10.2 Long-Term Impacts

There will be positive long-term impacts in the areas of social benefit for returning inmates, job creation or reinstatement for staff, and continued use of a fully-functional state-owned facility.

10.3 Significance Criteria Evaluation

1. *Involves an irrevocable commitment to loss or destruction of natural or cultural resources;*

The proposed project is not expected to adversely impact natural or cultural resources.

2. *Curtails the range of beneficial uses of the environment;*

The proposed project will not result in the curtailment of the range of beneficial uses of the environment. Because the Kūlani CF site is very isolated and access has been restricted since the 1950s, no curtailment of the beneficial use of the environment is anticipated.

3. *Conflicts with the State's long-term environmental policies or goals and guidelines as expressed in Chapter 344, HRS, and any revisions thereof and amendments thereto, court decisions, or executive orders;*

The proposed project is consistent with the environmental policies, goals and guidelines expressed in HRS, Chapter 343 and 344. Potential sources of adverse impacts have been identified and appropriate measures have been developed to either mitigate or minimize potential impacts to negligible levels.

4. Substantially affects the economic or social welfare of the community or state;

The project will positively affect the social welfare of the 200 inmates who will be transferred back to Hawai'i. Further, a fully-functional state-owned facility will continue to be maintained and secure. The reactivation of Kūlani CF will add to the financial burden to the State (annual operations costs were approximately $5.3 when it was closed in 2009). The reactivation costs will be offset by avoided costs for inmate services on the Mainland, and the benefit of expending of funds within the State. Social benefits to inmates and their families will be realized by having them relocate back to Hawai'i to serve their terms.

5. Substantially affects public health;

During project activities, there will be the potential for minor impacts to air quality and noise levels which will be addressed through the application of appropriate mitigation measures as described in this EA. No substantial adverse impacts to public health are anticipated.

6. Involves substantial secondary impacts, such as population changes or effects on public facilities;

Positive secondary impacts will result from reactivation of Kūlani CF. These include continued utilization and maintenance of a fully-functional, state-owned facility, jobs for staff, and the social benefit of inmates being returned to Hawai'i.

7. Involves substantial degradation of environmental quality;

The proposed project will be developed in accordance with the environmental polices of HRS, Chapter 343. The reactivation, literally the moving back in of inmates and staff and commencing operations, will not result in significant or substantial degradation of environmental quality.

8. Is individually limited but cumulatively has considerable effects on the environment, or involves a commitment for larger actions;

The proposed project does not commit resources for a larger action or subsequent development. There are also no cumulative effects on ecosystem resources or human communities based on the project's limited scope and scale.

9. Substantially affects any rare, threatened or endangered species or its habitat;

Previous biological studies of the Kūlani CF campus identified habitat for several rare, threatened and endangered species as being several kilometers from the project site in adjacent forested areas. No impacts to such species are anticipated and no mitigation is planned.

10. *Detrimentally affects air or water quality or ambient noise levels;*

As required, any potential impacts to air, water quality, or noise levels will be addressed through the implementation of appropriate mitigation measures described in this document.

11. *Affects or is likely to suffer damage by being located in an environmentally sensitive area, such as a flood plain, tsunami zone, beach, erosion-prone area, geologically hazardous land, estuary, freshwater, or coastal waters;*

The inland parcel is not subject to damage in such areas as flood plains, tsunami zones, beaches, erosion-prone area, estuary, freshwater or coastal waters. Although Kūlani CF is in a geologically-active area that is potentially hazardous, the facility was built with this risk in mind and no new facilities are planned under this action.

12. *Substantially affects scenic vistas and view planes identified in county or state plans or studies;*

The Kūlani CF campus is not currently visible on any state- or county-identified viewplane.

13. *Requires substantial energy consumption.*

The facilities identified in this project will not consume a substantial amount of energy. Construction activities will result in a short-term increase in power demand, but the increase will be of short duration and will cease upon project completion.

10.4 Preliminary Determination

Based on the above evaluation and the information contained in this Draft Environmental Assessment, it is preliminarily determined that an Environmental Impact Statement (EIS) is not anticipated to be required and that a recommended Finding of No Significant Impact (FONSI) will be published for this project.

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