



Future of the Oahu Community Correctional Center

Volume 19 - Final EIS Process for OCCC Advancing

May 2018

Hawaii Department of Public Safety

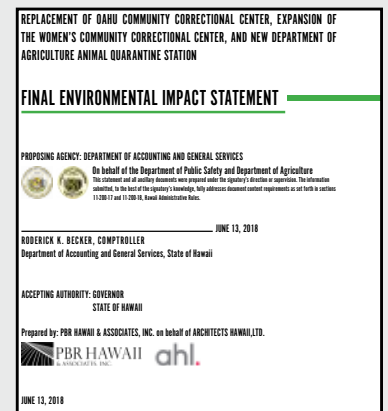
The Hawaii Department of Public Safety (PSD) is responsible for carrying out judgments of the state courts whenever a period of confinement is ordered. Its mission is to uphold justice and public safety by providing correctional and law enforcement services to Hawaii's communities with professionalism, integrity and fairness.

PSD operates Community Correctional Centers (CCCs) on the islands of Kauai, Maui, Hawaii and Oahu. Each CCC houses short-term sentenced (felons, probation, and misdemeanor), pretrial (felon and misdemeanor), other jurisdiction, and probation/parole violators. CCCs provide the customary county jail function of managing both pre-trial detainees and locally-sentenced misdemeanant offenders and others with a sentence of one year or less. CCCs also provide an important pre-release preparation/transition function for prison system inmates who are transferred back to their county of origin when they reach less than a year until their scheduled release.

PSD is committed to providing a safe, secure, healthy, humane, social, and physical environment for inmates and staff. However, overcrowded, aged, and obsolete CCCs have limited PSD's ability to provide such environments. In particular, the persistent and severe overcrowding, coupled with an obsolete design and aged physical plant, contributes to tension among inmates and diminishes program opportunities that would aid in rehabilitation. Overall, all jail facilities are operating above their operational capacities and combined with declining physical plants, undertaking improvements and upgrades are important PSD priorities. Chief among such priorities is the replacement of the existing Oahu CCC (OCCC) with a new facility at the Animal Quarantine Station site in Halawa. Assisting PSD is the Hawaii Department of Accounting and General Services (DAGS) and a team of consultants.

Preparation of Final EIS for New OCCC Nearing Completion

As has been reported over the past several months, a number of elected officials, government agencies, stakeholders, and the public offered comments and questions during the 60-day public comment period concerning the OCCC Draft Environmental Impact Statement (EIS). More than 280 individuals, organizations, federal, state and city/county agencies, and elected officials submitted written comments and questions concerning the proposed OCCC project and the Draft EIS in addition to comments received during the Town Hall meeting. Since the end of the comment period on January 8, 2018, PSD, DAGS and the Consultant Team have made considerable progress responding to the many comments and questions for inclusion within the Final EIS. Very few of the comments and questions involved the technical studies that formed the foundation of the Draft EIS, with most comments addressing the laws, policies, and procedures governing Hawaii's criminal justice system. In addition to responding to comments and questions, the Final EIS will include any necessary updates or revisions to technical information contained within the Draft EIS. Preparation of the Final EIS continues to proceed on schedule with publication expected in June 2018.



Cover of the FEIS

State Historic Preservation Division Findings Clears Way for Animal Quarantine Station

With reliance on state funding and state-owned land, development of the proposed OCCC at the Animal Quarantine Station site is subject to Hawaii Revised Statutes (HRS) Division 1, Title 1, Chapter 6E, Section 6E-8, and Hawaii Administrative Rules (HAR) Chapters 13-276 and 13-275. To comply with Section 6E-8, PSD undertook extensive archaeological and architectural studies of each alternative OCCC site including the Animal Quarantine Station (the preferred location for development of the new OCCC). Those studies were conducted in coordination with the State Historic Preservation Division (SHPD) and the results, summarized below, were documented in "Appendix L: Archaeological and Architectural Surveys, October 27, 2017, of the Draft EIS."

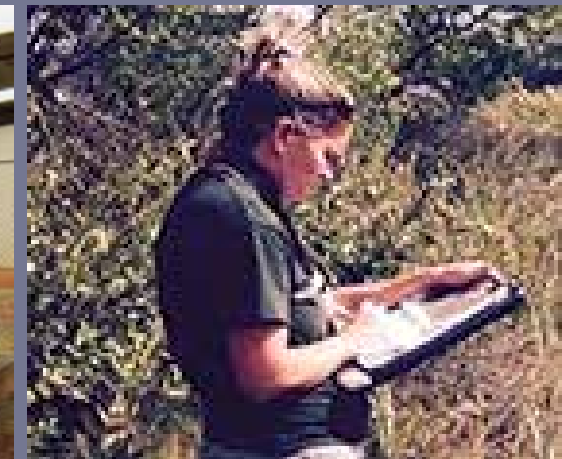
- **Identification and Inventory of Historic Properties:** There are no historic buildings within the Animal Quarantine Station site nor suspected archaeological or cultural assets.
- **Evaluation of Significance:** The Island of Oahu, Hawaii Soil Survey indicates that soils present within the Animal Quarantine Station site are suggestive of heavily disturbed contexts, with approximately 90 percent of the site consisting of Fill land, mixed with the remainder consisting of soils associated with modern landforms. The Animal Quarantine Station property is largely covered by concrete block structures dating to the second half of the twentieth century, including over 12 acres of kennels, pens, and other animal housing located east and west of the elevated H-3 Freeway. Inspection of the ground surface in the

open areas of the Animal Quarantine Station site did not result in the identification of any new archaeological sites. Construction of the elevated H-3 through the center of the property also appears to have resulted in the grading and disturbance of most of a pasture area, which constitutes the only appreciable open ground without structures.

- **Effect Determination:** No historic buildings, historic sites, archaeological or cultural assets would be affected by development of the proposed OCCC at the Animal Quarantine Station site, therefore, PSD proposed a "no effect" determination for the OCCC project at this site.
- **Mitigation:** Given the absence of recorded sites and the low potential for surviving subsurface remains on the site, it is recommended that no further surveys be conducted.
- **Federal Undertaking:** The proposed OCCC project is a state undertaking, not federal: no federal funds are being used in OCCC design or construction and no federal permits are required prior to development. However, a small portion (3.47 acres) of the overall site is currently controlled by the U.S. Navy. While not necessary for OCCC development, this small parcel would improve overall OCCC development; discussions are underway concerning a lease and possible transfer of this land from the U.S. Navy to the State of Hawaii.

Following a thorough review of all available documentation, SHPD concurred with the "No Effect" determination in a letter dated April 25, 2018. According to SHPD, "No historic buildings, historic sites, archaeological resources, or cultural assets would be affected by development of the proposed OCCC at the Animal Quarantine Station site."

Animal Quarantine Station



Phase I Environmental Site Assessment underway at Animal Quarantine Station

Phase I Environmental Site Assessment Underway at Animal Quarantine Station

As part of Draft EIS preparation, initial research was carried out concerning the potential for any of the alternative OCCC sites to be contaminated by hazardous materials. As follow-up to the initial research, and prior to acquiring or developing property, additional studies are typically conducted to identify potential Recognized Environmental Conditions (RECs), Historical RECs (HRECS), or Controlled RECs (CRECs) associated with the site to be developed. During May 2018, PSD's Consultant Team has been preparing a Phase I Environmental Site Assessment of the Animal Quarantine Station property in accordance with the ASTM International Standard Practice for Environmental Site Assessments (E 1527-13). Preparation of the Phase I ESA serves to satisfy the "due diligence" regulations of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and Section 9601(35)(b) of the Superfund Amendments and Reauthorization Act.

Included as part of the Phase I ESA of the Animal Quarantine Station site will be:

- Review available environmental record sources to identify sites listed with State of Hawaii and federal regulatory agencies.
- Review property-related documents available from previous land owner(s) including photographs and related information concerning the Animal Quarantine Station site, structures, current uses, etc.
- Perform a site reconnaissance of the site to identify evidence, if any, of current or previous RECs, including, but not limited to underground storage tanks, neighboring waste sites, aboveground storage tanks, pits, sumps, staining, hazardous material storage, septic/disposal fields and any other evidence of on-site contamination, or threat of a release of contamination.
- Interview a key property contact(s) to determine current and past uses and characteristics of the Animal Quarantine Station site.
- Perform a historic review of the Animal Quarantine Station site to identify any RECs that may be present. The historic review of the site is conducted by obtaining and reviewing available historical aerial photographs, historical topographic maps, Sanborn Fire Insurance Maps, and historical city directories.
- Review an environmental lien search report for the Animal Quarantine Station site.
- Review a chain of title report for parcels comprising the Animal Quarantine Station site.
- Submit Freedom of Information Act and similar requests and/or contact appropriate federal, State of Hawaii, and local agencies to determine if there is environmental information available for the Animal Quarantine Station site.

Preparation of the Phase I ESA is proceeding on schedule with completion expected in June 2018.

Plan Review Use Application for New OCCC to be Undertaken

Jails, like colleges, hospitals, airports, and other similar land uses of a permanent and institutional nature, are an essential part of a functioning community. For these and similar uses, the Honolulu Land Use Ordinance (LUO) does not specifically establish areas for jails to be built. Instead, the LUO has established a review and approval mechanism known as Plan Review Use (PRU) to help plan for these necessary land uses while mitigating potential adverse impacts on surrounding land. Accordingly, the proposed OCCC requires Master Plan approval from the City of Honolulu's Department of Planning and Permitting (DPP). DPP will ensure that the planned OCCC buildings and landscaping will provide adequate screening "so as to minimize any objectionable aspects of the use or the potential incompatibility with other uses permitted in the zoning district."

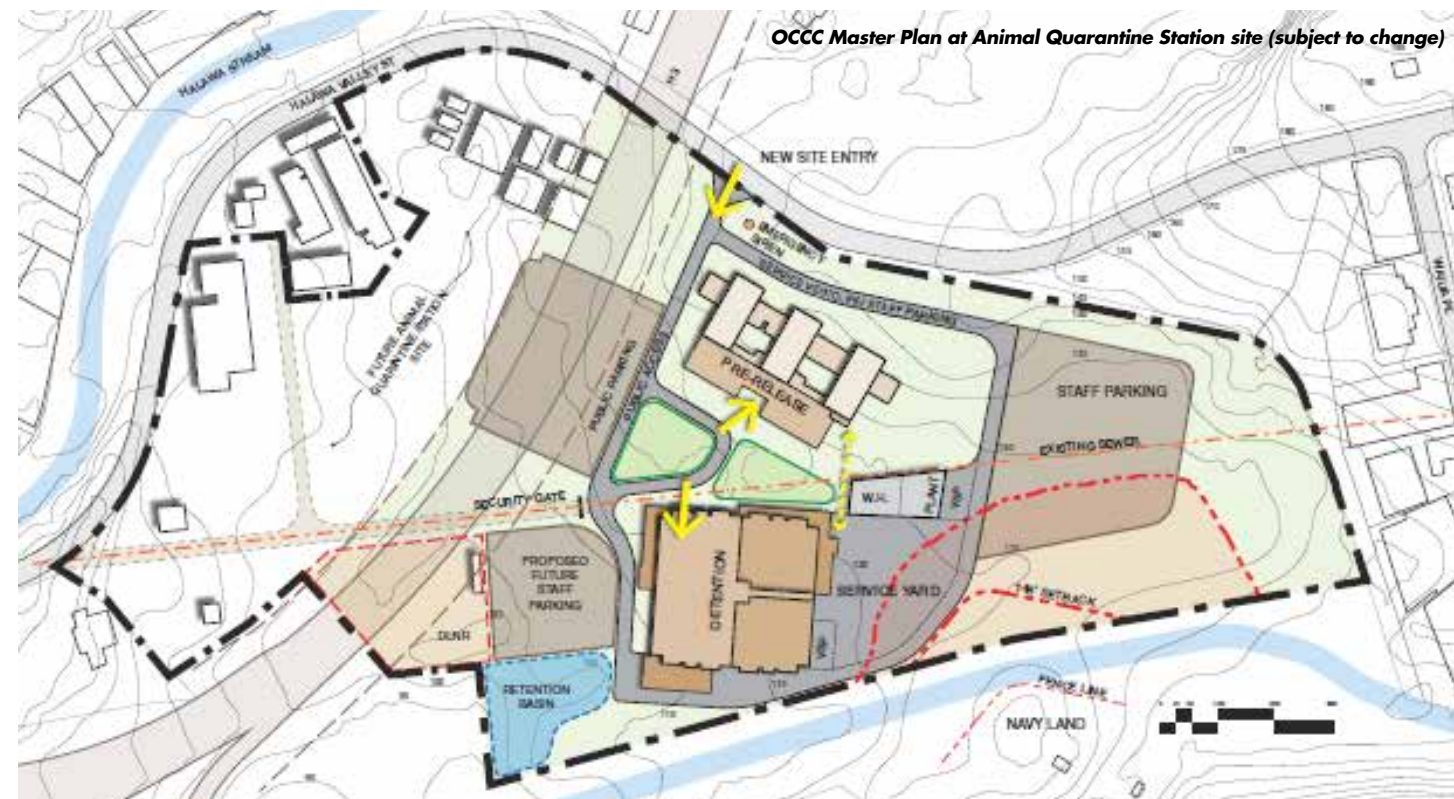
DAGS, on the behalf of PSD, intends to ensure that the master plan for the OCCC facility proposed for the selected project site is in compliance with applicable zoning requirements. Per PRU requirements, the proposed Master Plan must encompass the development of the entire lot, span at least five years, and be reviewed and commented on by applicable city, state, and federal planning and development agencies. A key component of the Master Plan includes establishing design standards for the zoning lot, including:

- Minimum lot area, width, and depth
- Required front, rear, and side yards
- Maximum allowable building footprint on site
- Site landscaping and lighting
- Maximum development density (Floor Area Ratio or FAR)
- Maximum building height and height setbacks
- Parking, loading, and signage

The PRU application will also address expected project impacts, and propose measures to mitigate these impacts which may include:

- Public services
- Physical environment
- Housing and population
- Employment
- Parks and recreation
- Day care
- Community concerns
- Other impacts

As part of the PRU effort, PSD will appear again before the neighborhood board in which the selected site is located to update neighborhood board members and the public on the status of the planning process. Interested members of the community, especially the selected site's immediate neighbors, will be encouraged to share their views on the proposed OCCC development plan. The PRU process will begin following the State's formal acceptance of the Final EIS document.



Pilot Program to Improve Public Safety Launched

On April 18, 2018, Governor David Ige announced the launch of a pilot program whose goal is to improve public safety and reduce criminal activity in Downtown Honolulu and Chinatown. Funded by the Hawaii Department of Health (DOH), Alcohol and Drug Abuse Division, the Law Enforcement Assisted Diversion program or LEAD is a new pre-arrest and pre-arrest diversion program that will refer repeat, low-level drug offenders and other low-level offenders to harm reduction-based case management and community-based services. LEAD involves a wide variety of community stakeholders and is supported by a broad-based coalition of more than 30 community organizations:

- American Civil Liberties Union, Hawaii Chapter
- ALEA Bridge
- CARE Hawaii
- City & County of Honolulu, Office of Housing
- Community Alliance on Prisons
- The CHOW Project and Life Foundation
- Drug Policy Forum of Hawaii
- Governor's Coordinator on Homelessness
- Harm Reduction Hawaii
- Hawaii Department of Health
- Hawaii Department of Human Services
- Hawaii Department of Public Safety
- Hawaii Office of the Public Defender
- Hawaii Substance Abuse Coalition
- Helping Hands Hawaii
- Hina Mauka
- Honolulu Police Department
- Institute for Human Services
- Ku Aloha ola Mau
- Mental Health America of Hawaii
- Partners in Care
- PHOCUSED
- The Salvation Army
- Susannah Wesley Community Center
- University of Hawaii Office of Public Health Studies
- We are Oceania
- Waikiki Health
- Hawaii Appleseed Center for Law & Economic Justice

Law enforcement agencies, including the Honolulu Police Department and the Hawaii Department of Public Safety, will refer those who commit low-level victimless crimes to the Community Health Outreach Work (CHOW) Project and Life Foundation.

The CHOW Project, established in 1993, is dedicated to serving individuals, families and communities in Hawaii that are adversely affected by drug use through a participant-centered harm reduction approach. CHOW works to reduce drug-related harms such as HIV, hepatitis B/C, and overdose. CHOW supports the optimal health and well-being of people affected by drug use throughout Hawaii. The CHOW Project and Life Foundation will work with the LEAD coalition of social service providers to offer housing, substance abuse treatment, and other services. CHOW is contracted by the DOH to run the LEAD program, with support from the Governor's Coordinator on Homelessness. The LEAD program will provide law enforcement agencies with additional options to offer homeless individuals an alternative to arrest or citation.

The program is Hawaii's first pre-arrest or pre-arrest diversion program. Existing programs divert individuals already in the criminal justice system, while LEAD engages homeless individuals and others before they are charged. The LEAD program is based on a pilot project launched in Seattle in 2011. The results of the Seattle pilot showed that LEAD participants were 60 percent less likely to be arrested compared with non-participants. Also, 55 percent received drug treatment through LEAD, and while 82 percent were homeless prior to participation — 40 percent found housing as a result of the program.





Upcoming Activities

OCCC planning is moving forward with these activities during the months ahead:

May 2018	Preparation of Final EIS for new OCCC facility continues. Continue public outreach, information and engagement program for OCCC. Look to PSD/OCCC website for announcements, information, and activities. Publish OCCC Newsletter Vol. 19.
June 2018	Publish Final EIS for new OCCC facility. Continue public outreach, information and engagement program for OCCC. Look to PSD/OCCC website for announcements, upcoming events, and activities. Publish OCCC Newsletter Vol. 20.
July 2018	Continue public outreach, information and engagement program for OCCC. Look to PSD/OCCC website for announcements, upcoming events, and activities. Publish OCCC Newsletter Vol. 21.

Interested in Learning More?

For additional information visit <http://dps.hawaii.gov/occc-future-plans> or contact:

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