



# United States Department of the Interior

## OFFICE OF THE SECRETARY

Office of Native Hawaiian Relations  
300 Ala Moana Blvd., P.O. Box 50165, Honolulu, HI 96850



12/20/2024

### Memorandum

**Subject:** Notice of Categorical Exclusion Adoption to Support Approval of Individual Actions

#### Purpose

The Department of the Interior (Department), Office of Native Hawaiian Relations (ONHR) is notifying the public and documenting the adoption of a National Park Service (NPS) categorical exclusions (CE) covering 6 individual projects receiving funding through ONHR's Grants Programs. Section 109 of National Environmental Policy Act (NEPA), enacted as part of the Fiscal Responsibility Act of 2023, allows a Federal agency to "adopt" or use another agency's CE for a category of proposed agency actions.<sup>1</sup> To use another agency's CE under Section 109, the adopting agency must identify the relevant CE listed in another agency's ("establishing agency") NEPA procedures that cover the adopting agency's category of proposed actions or related actions; consult with the establishing agency to ensure that the proposed adoption of the CE for an action is appropriate; identify to the public the CE that the adopting agency plans to use for its proposed actions; and document adoption of the CE. ONHR prepared this documentation to describe to the public which CE is being adopted and how ONHR has met applicable statutory requirements for the adoption.

#### Background

##### *Office of Native Hawaiian Relation*

The ONHR, formally established by Congress in 2004, discharges responsibilities related to the Native Hawaiian people and assists with the Department's activities in Hawai'i. ONHR's mission is to serve as a liaison with the Native Hawaiian Community—and the Department and its bureaus and offices—on issues affecting Hawai'i. ONHR also seeks to fulfill the Federal Government's responsibilities to effectuate and implement the special political and trust relationship between the United States and the Native Hawaiian Community and to continue the process of reconciliation with the Native Hawaiian people.

ONHR carries out financial assistance opportunities through two grant programs, the Kapapahuliau Climate Resilience Grant Program and the Heritage Opportunities in Hawai'i (HŌ'IHI) Grant Program. As part of the Inflation Reduction Act (IRA), the Department received

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<sup>1</sup> 42 U.S.C. 4336(c)

\$25 million for Native Hawaiian Community climate resilience and adaptation activities. ONHR formed the Kapapahulia Climate Resilience Grant Program and awarded funding to 17 eligible Native Hawaiian Organizations (NHOs) through a competitive notice of funding process. Environmentally impactful work related to these awards is not to begin until the completion of compliance with NEPA and other relevant statutory and regulatory authorities. Proposed projects met the program goal of enhancing the ability of the Native Hawaiian Community to navigate the effects of climate change in ways that maintain the integrity and identity of the Native Hawaiian people while also maintaining and enhancing their capacity for coping, adaptation, and transformation.

Through the Native American Tourism and Improving Visitor Experience (NATIVE) Act, ONHR implements the HŌ'IHI Grant Program. The HŌ'IHI Program equips NHO's across Hawai'i with additional resources to engage in the visitor industry with experiences that are mutually beneficial to visitors and the islands' original stewards. In FY2024, ONHR awarded \$1 million to 6 NHO's with projects ranging from visitor engagement services, voluntourism activities, and Native Hawaiian entrepreneurial engagement. Environmentally impactful work related to these awards is not to begin until the completion of compliance with NEPA and other relevant statutory and regulatory authorities.

#### *National Environmental Policy Act*

The NEPA, as amended at, 42 U.S.C. 4321–4347, requires all Federal agencies to consider the environmental impact of their proposed actions before deciding whether and how to proceed. NEPA's aims are to ensure agencies consider the environmental effects of their proposed actions in their decision-making processes and inform and involve the public in that process.<sup>2</sup> The Department's NEPA procedures are codified at 43 CFR part 46 and address its compliance with NEPA, protocols for the application of CEs<sup>3</sup> and a list of available CEs<sup>4</sup> which all bureaus within the Department may rely on. Additional Department-wide NEPA policy is found in the Department's Departmental Manual (DM), along with supplementary NEPA procedures for the Department's bureaus. The ONHR's NEPA procedures are provided in the DM at 516 DM 7<sup>5</sup> and the NPS's NEPA procedures are provided in 516 DM 12.<sup>6</sup>

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<sup>2</sup> 42 U.S. Code § 4331 - Congressional declaration of national environmental policy

<sup>3</sup> 43 CFR 46.205

<sup>4</sup> 43 CFR 46.210

<sup>5</sup> [516 DM 07 Office of Native Hawaiian Relations, Managing the NEPA Process](#)

<sup>6</sup> [516 DM 12 National Park Service, Managing the NEPA Process](#)

### **CE Adopted**

The ONHR has identified the following NPS CE found at 516 DM 12.5 for adoption:

*F.(1) Actions Related to Grant Programs: Proposed actions essentially the same as those listed in A-E above.*

The CE language references NPS specific CEs listed in sections A-E of 516 DM 12.5. ONHR evaluated the CEs listed and found that the proposed actions are consistent with the following two NPS CEs:

- *C.(4) – Routine maintenance and repairs to cultural resource sites, structures, utilities, and grounds under an approved Historic Structures Preservation Guide or Cyclic Maintenance Guide; or if the action would not adversely affect the cultural resource.*
- *E.(6) – The restoration of noncontroversial native species into suitable habitats within their historic range and elimination of exotic species.*

The adoption is effective December 20, 2024.

### **Proposed Actions**

Below are the six proposed actions for which OHNR is adopting the NPS CE to rely on for NEPA compliance.

1. Project Title: Ho'oulu Pono - Biocultural restoration of a Hawaiian Fishpond and Community in the Face of Climate Change
  - NHO: Pacific American Foundation Inc.
  - This 2-year grant will take place at Waikalua Loko I'a, a 400-year old traditional Native Hawaiian fishpond located in Kāne'ōhe, O'ahu. By utilizing biocultural restoration practices, this project will look to restore fishpond functionality in an area heavily impacted by sedimentation, rainfall challenges, and sea-level rise. To address threats, project activities include fishpond dry-stacking rock wall repair and restoration particularly in areas covered by water during high tide, invasive mangrove removal in areas adjacent to the fishpond, habitat and growth research on native limu (manauea) and a variety of native fish (ama'ama, papi'o, āholehole) to be raised at the pond, and various community education activities and events. Restorative actions are taken on a cultural property eligible for listing on the National Register of Historic Places. Project activities

conducted will be consistent with a site preservation plan developed for the site and approved by the State of Hawai'i Historic Preservation Department, which is akin to the Historic Structures Preservation Guide or Cyclic Maintenance Guide identified in the NPS CE C(4).

2. Project Title: Ho'onohopapa Koholālele

- NHO: Hui Mālama I Ke Ala 'Ūlili
- This 4-year grant is an 'āina (land) stewardship and community-based economic development project that seeks to restore a thriving, resilient, intergenerational community in Koholālele, Hāmākua, Hawai'i. Native Hawaiian Community members will engage in workdays on agroforestry within an area formerly farmed by large-scale industrial sugar plantations and is currently impacted with introduced and invasive species, particularly eucalyptus. The goal of Ho'onohopapa Koholālele is to restore and steward a total of 30 acres of regenerative maha 'ulu and ulu niu agroforestry by outplanting 600 'ulu trees, 120 niu (coconut) trees, 750 native forest species, with 1,500 Native Hawaiian participants by facilitating 48 community-based workdays. Specific project activities will include the removal of eucalyptus, the planting of native forest and food crops, indigenous environmental observation, and soil monitoring activities. Invasive/exotic species that currently dominate the project area will be removed and be followed by the planting of native plants, inclusive of indigenous food crops which had previously existed on the terrain.

3. Project Title: Ho'i Nō E Ka 'Olu O Makali'i

- NHO: Kauluakalana
- This 5-year grant project will focus on cultural resurgence and resilience through the return of balance and abundance to the lands and waters of Makali'i, a historically and culturally significant land tract ('ili 'āina) in Kailua, O'ahu. The area was previously used for agriculture until the mid-1980's; however, it has since gone fallow and overgrown with invasive species. Project goals include agroforestry restoration, spring/stream health revitalization, and community, and youth education through Native Hawaiian knowledge. Project activities to achieve goals include invasive species removal throughout the project area, feral ungulate control, indigenous agricultural and agroforestry practices through the planting of native and indigenous landscape, and food plants, and youth

engagement. Invasive/exotic species that currently dominate the project area will be removed and be followed by the planting of native plants, inclusive of indigenous food crops which had previously existed on the terrain.

4. Project Title: Kūpa'a He'eia

- NHO: Paepae o He'eia
- Paepae o He'eia and Kāko'o 'Ōiwi will employ Native Hawaiian aquacultural and agricultural management strategies and solutions to address and mitigate climate change-related challenges in He'eia, O'ahu. The project area was formerly used as agriculture by Native Hawaiians using traditional methodologies until the mid-1900's. The area has since been fallow and overgrown with invasive vegetation. Project activities to achieve project goals will include flood mitigation of stream and wetland areas through invasive vegetation removal, native plant restoration along stream and indigenous agriculture areas to improve groundwater recharge, and coastal erosion mitigation through the removal of invasive mangrove along the coastline helping to restore indigenous aquaculture practices. Invasive/exotic species that currently dominate the project area will be removed and be followed by the planting of native plants, inclusive of indigenous food crops which had previously existed on the terrain.

5. Project Title: 'UPENA Project - Understanding Practices to Educate on Native Abundance

- NHO: Waihapakai
- This 5-year grant will assist in stormwater adaption to address coastal impacts from climate change in Punalu'u, O'ahu. Flooding in the stream and wetland area is a major issue in Punalu'u, and a recent riparian restoration project conducted by the landowner, Kamehameha Schools, assisted in addressing flooding of the valley during extreme weather events. This project supports the continued maintenance of wetland and stream bank native plant species, planted during the original restoration project. Additional activities involve further native plant restoration along the stream bank, land mapping and planning to determine areas for indigenous fishpond practices, coastal and ecological monitoring, and community and youth engagement to increase resilience. Previous activities at the site had already begun, for invasive/exotic species removal and the planting of native wetland and riparian plant species. This project will continue with those same activities in the area.

6. Project Title: Kulaiwi Connection Project

- NHO: Kumano I Ke Ala O Makweli
- This 2-year grant will focus on restoration and preservation of Hawaiian plants at Mahaihai to support native habitat and plant species biodiversity contributing to the overall conservation efforts on Kauai. This will include the clearing and removal of invasive trees on eight (8) acres at the Mahaihai site, followed by planting of native plants through voluntourism. The project will include education and curriculum developed for visitors who will also participate in site restoration work, cultural workshops and lessons on traditional Hawaiian agriculture. Previous activities at the site had already begun for invasive/exotic species removal and the planting of native wetland and riparian plant species. This project will continue with those same activities in the area.

### **Analysis for Adoption of Categorical Exclusions**

#### *Consultations with NPS – Determination of Appropriateness*

The ONHR consulted with regional and WASO leads for NEPA and environmental planning at NPS in November 2024 on the appropriateness of ONHR's adoption of the CE in relation to its grants programs. The consultation included a review of the NPS Handbook<sup>7</sup> on NEPA compliance, NPS' experience applying the CE, as well as the proposed actions for which ONHR plans to rely on the CE for compliance. It was determined that ONHR was applying the CE effectively in the above proposed actions. A summary of the communication will be included in office files for this adoption. As NPS does when relying on any CE, ONHR will additionally evaluate the proposed actions covered by the CE against the Department's extraordinary circumstances and include additional justification and considerations in its analysis.<sup>8</sup>

### **Conclusion**

ONHR's proposed actions under its grant programs are similar in type and scope to the actions that NPS undertakes, and therefore the effects of ONHR's actions are expected to be similar to the effects of NPS actions, which are not significant, and absent the presence of extraordinary circumstances that could involve potentially significant effects. Therefore, ONHR determines the adoption of the aforementioned CE described in this documentation is appropriate.

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<sup>7</sup> [NPS NEPA Handbook](#)

<sup>8</sup> [43 CFR 46.215 Categorical exclusions: Extraordinary circumstances.](#)

If there are any questions, please contact ONHR Kapapahuliau Program Manager, Ka'aleleo Wong at [bradley\\_wong@ios.doi.gov](mailto:bradley_wong@ios.doi.gov).

Me ka ha'aha'a,

*Ka'i'ini Kaloi*

Ka'i'ini Kaloi  
Director, Office of Native Hawaiian Relations

*BKW*