

BEFORE THE LAND USE COMMISSION

LAND USE COMMISSION  
STATE OF HAWAII

OF THE STATE OF HAWAII

2017 MAR - 3 A 10: 26

In the Matter of the Petition of	)	DOCKET NO. A16-800
	)	
ISLAND SCHOOL	)	ISLAND SCHOOL
	)	
To Amend the Agricultural Land Use	)	
District Boundary into the Urban District for	)	
approximately 38.448 acres at Puhī, Lihū`e,	)	
Island of Kauai, State of Hawai`i,	)	
TMK: (4) 3-8-002: 016	)	
_____	)	

PETITIONER ISLAND SCHOOL'S:

(1) FIRST AMENDED LIST OF EXHIBITS:

(2) EXHIBITS "13" - "19"

AND

CERTIFICATE OF SERVICE

BENJAMIN M. MATSUBARA, #993-0  
 CURTIS T. TABATA, #5607-0  
 Matsubara, Kotake & Tabata  
 888 Mililani Street, Suite 308  
 Honolulu, Hawai`i 96813

Attorneys for Petitioner  
 ISLAND SCHOOL

DOCKET NO./PETITIONER: A16-800/ISLAND SCHOOL

PARTY: Petitioner ISLAND SCHOOL

**FIRST AMENDED LIST OF EXHIBITS**

EXHIBIT NUMBER	DESCRIPTION	PARTY: OBJECTIONS	ADMIT
1.	Location Map of Island School Updated Master Plan (attached to the Petition as Ex. 1, previously filed and served on all parties)		
2.	Metes and Bounds Map and Written Description of the Petition Area, and Status Report by Title Guaranty of Hawaii, Incorporated (attached to the Petition as Ex. 2, previously filed and served on all parties)		
3.	Real Property Tax Map showing the Petition Area (attached to the Petition as Ex. 3, previously filed and served on all parties)		
4.	Deeds for Petition Area (attached to the Petition as Ex. 4, previously filed and served on all parties)		
5.	Financial Statements of Petitioner (attached to the Petition as Ex. 5, previously filed and served on all parties)		
6.	Environmental Assessment/Finding of No Significant Impact, Island School Updated Master Plan, includes: Appendix A - Biological Surveys by Rana Biological Consulting, Inc. and AECOS Consultants; Appendix B - Archaeological Literature Review and Field Inspection by Cultural Surveys Hawaii, Inc.; Appendix C - Cultural Impact Assessment for Kauai Community College by Cultural Surveys Hawaii, Inc.; and Appendix D - Traffic Impact Report by Wilson Okamoto Corporation. (attached to the Petition as Ex. 6, previously filed and served on all parties)		
7.	Final Archaeological Inventory Survey for Island School and SHPD Acceptance Letter (attached to the Petition as Ex. 7, previously filed and served on all parties)		
8.	Cultural Impact Assessment for Island School (attached to the Petition as Ex. 8, previously filed and served on all parties)		

DOCKET NO./PETITIONER: A16-800/ISLAND SCHOOL

PARTY: Petitioner ISLAND SCHOOL

**FIRST AMENDED LIST OF EXHIBITS**

EXHIBIT NUMBER	DESCRIPTION	PARTY: OBJECTIONS	ADMIT
9.	Affidavit of Service of Petition for District Boundary Amendment (attached to the Petition, previously filed and served on all parties)		
10.	Affidavit of Sending Notification of Petition filing (attached to the Petition, previously filed and served on all parties)		
11.	Petition for Land Use District Boundary Amendment filed December 2, 2016 (Previously filed and served on all parties)		
12.	Affidavit of Service Re: Notice of Hearing (Previously filed and served on all parties)		
13.	Written testimony and Curriculum Vitae of Earl Matsukawa, AICP		
14.	Written testimony and Curriculum Vitae of Hallet H. Hammat, Ph.D.		
15.	Written testimony and Curriculum Vitae of Pete Pascua, P.E.		
16.	Written testimony and Curriculum Vitae of Reginald E. David		
17.	Written testimony and Curriculum Vitae of Eric Guinther		
18.	Letter dated January 28, 2013 from Planning Department, County of Kauai issuing FONSI for Island School Updated Master Plan with OEQC Publication Form, The Environmental Notice		
19.	The Environmental Notice, February 8, 2013, pages 4 and 5, publishing Island School Master Plan Update FONSI		

**Testimony of  
EARL MATSUKAWA  
Wilson Okamoto Corporation  
SLUC Docket No. A16-800 Island School**

**In the Matter of the Petition of ISLAND SCHOOL to Amend the Agricultural Land Use District Boundary into the Urban District for approximately 38.448 acres at Puhi, Lihu'e, Island of Kaua'i, State of Hawai'i, TMK: (4) 3-8-002: 016**

My name is Earl Matsukawa and I am a Vice President and Director of Planning with Wilson Okamoto Corporation. I participated in the preparation and/or supervision of the Final Environmental Assessment and Finding of No Significant Impact, Island School Updated Master Plan, dated January 2013 ("FEA"). A copy of my resume is attached.

I would like to summarize our FEA for the Island School Updated Master Plan and to discuss the project's conformance with applicable Urban District standards.

The FEA was prepared pursuant to Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules to assess the impacts of Island School's Updated Master Plan. The FEA discussed the project impacts, including but not limited to climate, geology, hydrology, natural hazards, flora, fauna, agricultural resources, air quality, noise, hazardous materials, historic and archaeological resources, cultural resources, visual resources, traffic, socio-economic characteristics, and public services and facilities.

The County of Kauai Planning Department approved the FEA and issued its Finding of No Significant Impact ("FONSI") by letter dated January 28, 2013, and the Notice of the FONSI was published in *The Environmental Notice* by the Office of Environmental Control, Department of Health, State of Hawaii on February 8, 2013.

The standards for determining the boundaries for the Urban District include eight areas which are listed and discussed below:

**(1) It shall include lands characterized by "city-like" concentrations of people, structures, streets, urban level of services and other related land uses;**

The proposed reclassification of the Petition Area from the State Agricultural District to the Urban District is more consistent with its current urban character as a school campus, as well as with the existing urban lands and developments in the vicinity makai of Kaumuali'i Highway. The Petition Area is located in close proximity to the Lihu'e and Puhi areas, which provide urban levels of services and related land uses, including schools, Kaua'i Community College, civic, retail/commercial, residential, light industrial, golf courses, and parks/recreational facilities.

**(2) It shall take into consideration the following specific factors: (A) Proximity to centers of trading and employment except where the development would generate new centers of**

**trading and employment; (B) Availability of basic services such as schools, parks, wastewater systems, solid waste disposal, drainage, water, transportation systems, public utilities, and police and fire protection; and (C) Sufficient reserve areas for foreseeable urban growth;**

The Petition Area is located within Puhi and in close proximity to Līhu‘e, areas of trading and employment. Līhu‘e is the government center of Kaua‘i with areas of trading and employment, including Līhu‘e Airport, Nāwiliwili Harbor, Kalapaki commercial area, Līhu‘e Industrial Park, U.S. Post Office, judiciary complex, Kaua‘i Lagoons Resort, and Kaua‘i Marriott Resort and Beach Club. Areas of trading and employment within Puhi include the adjacent Kaua‘i Community College, Chiefess Kamakāhelei Middle School, Punana Leo o Kaua‘i Preschool, Kawaikini New Century Public Charter School, Kukui Grove Center, Kukui Grove Village West commercial area, Puhi Industrial Park, and various retail and commercial establishments.

The County’s Department of Parks and Recreation operates 17 parks and recreational facilities in the Līhu‘e/Puhi region, including 13 neighborhood parks, three beach parks, and Vidinha Memorial Stadium located to the east of the Petition Area near Līhu‘e Airport, which is used as a venue for public sporting events. State parks and recreational facilities in the Līhu‘e/Puhi region include Ahukini Recreation Pier State Park at Ahukini Landing located to the northeast of the Petition Area, and Nāwiliwili Small Boat Harbor located to the southeast of the Petition Area in Niūmalu. Kalapaki Beach and Running Waters Beach are located to the southeast of the Petition Area, adjacent to the Kaua‘i Marriott Resort and Beach Club and Kaua‘i Lagoons Resort, respectively. The Petition Area is in close proximity to public transportation systems, utilities and services. Vehicular access to the Petition Area is via a paved loop road from Kaumuali‘i Highway, a State road located approximately 0.4-mile to the south. Other public roads intersecting Kaumuali‘i Highway on its makai side include Puhi Road, Nani Street, and Nuhou Street. Traffic operations in the vicinity of Island School with the implementation of its updated master plan are expected, in general, to operate at levels of service similar to Year 2020 without project conditions despite the addition of site-generated traffic to the surrounding roadways.

The County Police Department’s Līhu‘e Headquarters is located approximately 2.7 miles east of the Petition Area on Kā‘ana Street, and the County’s Līhu‘e Fire Station is located approximately 2.1 miles to the east on Rice Street.

The existing Kekaha Landfill, located 1.3 miles northwest of the town of Kekaha on the southwest side of the Island, is the primary disposal site for solid waste on the Island. The County DPW is seeking a lateral expansion of the Kekaha Landfill which could extend its capacity by about 12 years, and is also seeking another landfill site as part of its long-term planning objectives. During construction of the proposed project, a trash management and recycling program will be developed and implemented to minimize solid waste disposal at the Kekaha Landfill. In an effort to reduce the amount of solid waste to be generated upon development of the project, Island School will continue with implementation of its on-campus recycling program, and food waste generated by the school’s food services will continue to be



provided to pig farmers. Composting of greenwaste will be employed for the project's landscaped areas.

Potable water service for the Island School campus is provided by the County DOW's Puhi 510-foot water system. The projected average daily water demand for the proposed project is approximately 4,700 gpd. The Petitioner will consult with the County DOW on the adequacy of the existing water system to accommodate the proposed project. Island School will continue to have use of irrigation water from Grove Farm Company, Inc.'s irrigation ditch system, as needed. The projected average demand for irrigation water for the Island School campus with the updated master plan improvements is approximately 65,000 gpd. As the average flow of the irrigation ditch within the Petition Area is approximately 1.0 mgd, the irrigation water system would be adequate to meet the irrigation demands of the proposed project.

Wastewater service for the Island School campus is provided by Grove Farm Company, Inc.'s Puhi WWTP. The projected average wastewater flow for the proposed project is approximately 13,900 gpd, with a peak flow of approximately 88,400 gpd. The privately-owned and operated Puhi WWTP, which has a design capacity of 1.0 mgd and is expandable to 3.0 mgd, has sufficient capacity to serve the proposed project.

New drainage improvements, which may include drain lines, grass swales, and culverts, will be provided in conjunction with the proposed project.

Although the Petition Area is presently not contiguous with existing urban areas, the University of Hawai'i Community Colleges is currently proposing to reclassify approximately 148 acres of the Kaua'i Community College campus, located adjacent to and southwest/south of the Petition Area, from the State Agricultural District to the Urban District (see [Figure 4-1b](#)). The reclassification of the Kaua'i Community College campus to the Urban District is deemed appropriate due to its current developed character as a campus. The Kaua'i Community College campus is, in turn, contiguous with existing Urban District lands to the south. The Petition for State Land Use District Boundary Amendment for the Kaua'i Community College campus is planned to be filed concurrently with Island School's Petition for State Land Use District Boundary Amendment. With the proposed reclassification of the Kaua'i Community College campus to the State Urban District, further expansion of the Urban District into the Petition Area would be logical, and will not contribute toward scattered or spot urban development.

**(3) It shall include lands with satisfactory topography, drainage, and reasonably free from the danger of any flood, tsunami, unstable soil conditions, and other adverse environmental effects;**

The existing topography of the Petition Area is gently sloping at approximately 3 percent, ranging in elevation from approximately 400 feet above msl at the northwestern portion to about 350 feet above msl at the eastern portion.

Currently, storm runoff from the Petition area sheetflows to three existing plantation-era irrigation ditches located within the site, and one existing plantation-era irrigation ditch located adjacent to and south of the site, and is then directed to an existing adjacent reservoir. Following construction, the proposed project improvements will increase impervious surface areas within the Petition Area. This will not, however, result in adverse effects from storm runoff to adjacent and downstream areas. New drainage improvements, which may include drain lines, grass swales, and culverts, will be provided in conjunction with the proposed project.

According to the FIRM prepared by FEMA, the Petition Area is designated Zone "X", "Areas determined to be outside the 0.2% annual chance floodplain". The Petition Area is not within a tsunami inundation area as it is located approximately 2.7 miles inland (northwest) from the shoreline, and at elevations ranging from approximately 350 to 400 feet above msl.

**(4) Land contiguous with existing urban areas shall be given more consideration than non-contiguous land, and particularly when indicated for future urban use on state or county general plans;**

Although the Petition Area is presently not contiguous with existing urban areas, the University of Hawai'i Community Colleges is currently proposing to reclassify approximately 153 acres of the Kaua'i Community College campus, located adjacent to and southwest/south of the Petition Area, from the State Agricultural District to the Urban District (see [Figure 4-1b](#)). The reclassification of the Kaua'i Community College campus to the Urban District is deemed appropriate due to its current developed character as a campus. The Kaua'i Community College campus is, in turn, contiguous with existing Urban District lands to the south. The Petition for State Land Use District Boundary Amendment for the Kaua'i Community College campus is planned to be filed concurrently with Island School's Petition for State Land Use District Boundary Amendment. With the proposed reclassification of the Kaua'i Community College campus to the State Urban District, further expansion of the Urban District into the Petition Area would be logical, and will not contribute toward scattered or spot urban development.

The County General Plan Land Use Map for the Petition Area is designated Urban Center.

**(5) It shall include lands in appropriate locations for new urban concentrations and shall give consideration to areas of urban growth as shown on the state and county general plans;**

The Petition Area is an appropriate location for new urban concentration and growth given its locality within Puhi and close proximity to Lihu'e. The Petitioner will pursue amending the County General Plan Land Use Map for the Petition Area from the Agriculture designation to the Urban Center designation prior to petitioning for the State Land Use District Boundary Amendment. The proposed amendment to the Urban Center designation will be consistent with the existing Urban Center designation of the adjacent Kaua'i Community College campus and lands to the south, makai of Kaumuali'i Highway.



**(6) It may include lands which do not conform to the standards in paragraphs (1) to (5): (A) When surrounded by or adjacent to existing urban development; and (B) Only when those lands represent a minor portion of this district;**

The Petition Area conforms to the referenced paragraphs (1) to (5) as described above.

**(7) It shall not include lands, the urbanization of which will contribute toward scattered spot urban development, necessitating unreasonable investment in public infrastructure or support services; and**

Although the Petition Area is presently not contiguous with existing urban areas, the University of Hawai'i Community Colleges is currently proposing to reclassify approximately 153 acres of the Kaua'i Community College campus, located adjacent to and southwest/south of the Petition Area, from the State Agricultural District to the Urban District (see **Figure 4-1b**). The reclassification of the Kaua'i Community College campus to the Urban District is deemed appropriate due to its current developed character as a campus. The Kaua'i Community College campus is, in turn, contiguous with existing Urban District lands to the south. The Petition for State Land Use District Boundary Amendment for the Kaua'i Community College campus is planned to be filed concurrently with Island School's Petition for State Land Use District Boundary Amendment. With the proposed reclassification of the Kaua'i Community College campus to the State Urban District, further expansion of the Urban District into the Petition Area would be logical, and will not contribute toward scattered or spot urban development.

The proposed project will include all required on- and off-site infrastructure improvements to minimize the burden on public systems. The project is not anticipated to have any significant impacts on public services in the area as discussed in paragraph (2) above.

**(8) It may include lands with a general slope of twenty per cent or more if the commission finds that those lands are desirable and suitable for urban purposes and that the design and construction of controls, as adopted by any federal, state, or county agency, are adequate to protect the public health, welfare and safety, and the public's interests in the aesthetic quality of the landscape.**

The existing topography of the Petition Area is gently sloping at approximately 3 percent, ranging in elevation from approximately 400 feet above msl at the northwestern portion to about 350 feet above msl at the eastern portion.



CURRICULUM VITAE  
**EARL K. MATSUKAWA, AICP**  
Wilson Okamoto Corporation  
1907 South Beretania Street, Suite 400  
Honolulu, Hawaii 96826

**Education:**

Masters Urban and Regional Planning, University of Hawaii, 1985

Bachelor of Science, Environmental Planning, Huxley College, University of  
Western Washington, 1975

**Certification:**

American Institute of Certified Planners, 1993

**Planning Experience:**

40 years (30 years with Wilson Okamoto & Associates, Inc.)

**Employment:**

1986 - Present	Wilson Okamoto & Associates, Inc.(29 years as Director of Planning)
1986	City and County of Honolulu, Department of Land Utilization (Environmental Branch)
1981-1986	State of Hawaii, Department of Planning and Economic Development, Hawaii Coastal Zone Management (CZM) Program
1976-1981	Research Corporation University of Hawaii, Department of Urban and Regional Planning (CZM Program Development)
1976-1977	State of Hawaii, Department of Planning and Economic Development (Land and Water Conservation Fund Program)
1976	Denver Regional Council of Governments, Colorado (Regional Transportation Planning)

**Major Project Management Experience**  
at Wilson Okamoto Corporation

**On-Going:**

Proposed Lease (Water Lease) for the Nahiku, Keanae, Honomanu, and Huelo License Areas EIS

Kealakehe Wastewater Treatment Plant R-1 Upgrade EIS

Kapalama Catalytic Project EIS

Kukaniloko Master Plan EIS

**Completed:**

University of Hawaii Cancer Research Center, JABSOM NEPA EA

Innovation Block at "Lot C" Master Plan EA

Kona International Airport EA and NEPA EA

Hawaii Pacific University at Aloha Tower Market Place EA

Kaneohe to Kailua Wastewater Facilities and Conveyance Project EIS, SMA, CDUA and community outreach.

Kona Community Development Plan

Waikiki Livable Community Project

Schofield Barracks Wastewater Effluent Disposal NEPA EIS, CZM Certification

Waianapanapa State Park Master Plan & EIS

Kalaniana'ole Highway at Makapuu Rockfall Protection EA & permits

West Mamala Bay Wastewater Facilities Plan and EIS

Hawaii Convention Center EIS and development permits

Ewa Marina (Ocean Pointe) Community EIS, Development Plan Amendment, SMA Permit

Waterfront at Aloha Tower EIS

Kaiwi State Park Master Plan and EIS

Hanauma Bay Master Plan and EA

Testimony of  
HALLETT H. HAMMATT, PH.D.  
CULTURAL SURVEYS HAWAII, INC.  
SLUC Docket No. A16-800 Island School

**In the Matter of the Petition of ISLAND SCHOOL to Amend the Agricultural Land Use District Boundary into the Urban District for approximately 38.448 acres at Puhī, Lihū`e, Island of Kaua`i, State of Hawai`i, TMK: (4) 3-8-002: 016**

My name is Hallett Hammatt and I am the Proprietor and Principal Archaeologist of Cultural Surveys Hawaii Inc., an archaeological and cultural resources consulting firm. I supervised the preparation of the archaeological inventory survey (AIS) and cultural impact assessment (CIA) for the Island School master plan update. I have been directly involved in managing archaeological projects in Hawaii since 1976 and have been the principal investigator and president of Cultural Surveys Hawaii since 1982. A copy of my resume is attached.

Island School is an existing Pre-K through Grade 12 private school located on a 38.448-acre (15.559-hectare [ha]) parcel in Puhī, on Kaua`i Island. The Island School campus is located on TMK parcel (4) 3-8-002:016 and situated adjacent to the northeast boundary of the University of Hawai`i's Kaua`i Community College campus. To meet increased enrollment projections, Island School has prepared a development master plan for its campus that includes new classrooms and other school facilities.

**Archaeological Inventory Survey**

The Final Archaeological Inventory Survey for the Island School Project dated March 2014 was prepared for the Project Acreage of 38.448 acres to fulfill the requirements of the Hawai`i Administrative Rules (HAR) Chapter 13-13-276, and was conducted to identify, document, and make Hawaii Register of Historic Places (Hawaii Register) eligibility recommendations for the subject parcel's historic properties. The investigation includes a project-specific effect recommendation and treatment/mitigation recommendations for the parcel's historic properties that are recommended Hawai`i Register eligible. This document is intended to support the proposed project's historic preservation review under Hawai`i Revised Statutes (HRS) Chapter 6E-42 and HAR Chapter 13-13-284. It is also intended to support any project-related historic preservation consultation with stakeholders, such as state and county agencies and interested Native Hawaiian community groups.

Two historic properties are located on or near the Project Area:

SIHPD #50-30-11-2179, Features A through D; A is a reservoir, Feature B is in an earthen ditch; Feature C is an earthen ditch with running water, and Feature D is an earthen ditch. Features A, C, and D are likely part of the Upper Lihue Ditch system, recommended eligible under Criterion D. The reservoir is not located on the Project Area but is adjacent.



SIHP #50-30-11-2220, a Hawaii Territory Survey Marker and transit station, also has been assessed as eligible under Criterion D.

Mitigation recommendations include the following:

SIHP #50-30-11-2179 Features A (Reservoir) and B (Ditch) have no effect due to the Project, and an archaeological monitoring program with on-site monitoring program with on-site monitoring is recommended for any future work that may adversely affect this component. Feature C (Ditch) is subject to partial to complete destruction and archaeological monitoring is recommended. Feature D (Ditch) is subject to complete destruction and archaeological monitoring is recommended.

SIHP #50-30-11-2220 (Hawaii Territory Survey Marker and transit station) has no effect due to the Project and no further work is recommended as no effect is planned.

The AIS was accepted by the Historic Preservation Division, Department of Land and Natural Resources by letter dated February 11, 2013.

### **Cultural Impact Assessment**

The Cultural Impact Assessment for the Island School State Land Use District Boundary Amendment Project is dated April 2014. Through document research and ongoing cultural consultation efforts, this report provides information pertinent to the assessment of the proposed Project's impacts to cultural practices and resources (per the *Office of Environmental Quality Control's Guidelines for Assessing Cultural Impacts*), which may include Traditional Cultural Properties (TCP) of ongoing cultural significance that may be eligible for inclusion on the State Register of Historic Places. The document is intended to support the project's environmental review and may also serve to support the project's historic preservation review under HRS §6E-42 and Hawaii Administrative Rules (HAR) §13-284.

Hawaiian organizations, agencies and community members were contacted in order to identify potentially knowledgeable individuals with cultural expertise and/or knowledge of the project area and the vicinity. Outreach included efforts to contact 28 individuals and agencies. The organizations consulted included the State Historic Preservation Division (SHPD), the Office of Hawaiian Affairs (OHA), the Kaua'i/Ni'ihau Island Burial Council (KNIBC), Kaumuali'i Hawaiian Civic Club, and community members of the Līhu'e District.

In Ka Pa`akai v. Land Use Commission, 94 Hawai'i 31, 74, 7 P.3d 1068, 1084 (2000), the Court held the following analysis be conducted:

(1) The identity and scope of valued cultural, historical, or natural resources in the petition area, including the extent to which traditional and customary native Hawaiian rights are exercised in the petition area;

(2) The extent to which those resources – including traditional and customary native Hawaiian rights – will be affected or impaired by the proposed action; and

(3) The feasible action, if any, to be taken by the LUC to reasonably protect native Hawaiian rights if they are found to exist.

The CIA found that there are no known traditional and customary native Hawaiian rights exercised in the petition area. Under the Ka Pa`akai Case, the required analysis therefore ends after the determination that there are no known traditional and customary native Hawaiian rights exercised in the 38.448 acre Project Area.

While the project site is located adjacent to the Old Puhi Camp and Puhi Cemetery, these areas are beyond the 38.448 acre Area of Potential Effect (APE). Therefore, no impacts to these sites are anticipated as a result of the proposed project.

Should cultural or burial sites be identified during future ground disturbance in the Project Area, all work will immediately cease and the appropriate agencies will be notified pursuant to applicable law.

# CSH STAFF RESUMES

## POSITION - PRESIDENT

- Hallett H. Hammatt



Hallett H. Hammatt, Ph.D.  
**Principal / President**

**Education:**

- 1976 Ph.D. - Anthropology, Washington State University
- 1967 M.A. - Archaeology (with Honors), University of Edinburgh, Scotland
- 1963 B.A. - History (with Honors), University of Pennsylvania

**Qualifications:**

- Founded CSH in 1982, has been active in the field of archaeology and historic preservation for over 40 years, and has been at the forefront of shaping state historic preservation practices
- Consults on historic preservation matters with many government agencies and private companies and is widely experienced in handling multidisciplinary studies, large and complex projects including intensive surveys, data recovery and site protection, and interpretation
- Proficient in and conducts training on federal historic preservation regulations including Section 106 and NAGPRA and has presented testimony as an expert witness in Hawaiian archaeology at more than 30 public hearings and legal proceedings
- Successfully completed over 800 projects in the Hawaiian Islands

**Special Training, Honors, and Certifications:**

- Served, by Governor Appointment, on the State of Hawai'i Review Board of Historic Places for eight years
- HART's Safety/Environmental Orientation Training
- First Aid / CPR (Current)

**Representative Experience:**

- Historic preservation services for Construction Sections 1, 2 3, and 4 for the Honolulu High-Capacity Transit Corridor Project, Island of O'ahu  
Dr. Hammatt's involvement in the project included development of cultural resource management strategies designed to meet the needs of multiple interest groups. He was instrumental in effectively communicating with the community during the Section 4 AIS phase of the project.
- Archaeological inventory survey for Kamehameha Schools Kaka'ako Blocks B and I, Honolulu Ahupua'a, Honolulu (Kona) District, Island of O'ahu
- Archaeological inventory survey for the Howard Hughes Corporation Block I Project, Kaka'ako Ahupua'a, Honolulu (Kona) District, O'ahu
- Archaeological monitoring and report for the Waihonua at Kewalo (Ko'olani Phase II) Project, Kaka'ako, Waikiki Ahupua'a, Honolulu (Kona) District, Island of O'ahu
- Archaeological inventory survey, burial treatment plan, archaeological monitoring plan, and archaeological monitoring and report for the International Market Place Redevelopment Project, Waikiki Ahupua'a, Honolulu (Kona) District, Island of O'ahu
- Burial treatment plan for SIHP # 50-80-14-7435, for the Nimitz Highway and Ala Moana Boulevard Resurfacing and Highway Lighting Replacement Project, Honolulu Ahupua'a, Honolulu (Kona) District, O'ahu
- Archaeological inventory survey for the Central YMCA Redevelopment/Aloha Kai Project, Waikiki Ahupua'a, Honolulu (Kona) District, Island of O'ahu



**Testimony of  
PETE PASCUA  
Wilson Okamoto Corporation  
SLUC Docket No. A16-800 Island School**

**In the Matter of the Petition of ISLAND SCHOOL to Amend the Agricultural Land Use District  
Boundary into the Urban District for approximately 38.448 acres at Puhi, Lihu`e, Island of  
Kaua`i, State of Hawai`i, TMK: (4) 3-8-002: 016**

My name is Pete Pascua and I am a Vice President and Director of Traffic Engineering with Wilson Okamoto Corporation. I participated in the preparation and/or supervision of the Traffic Impact Report for the Island School Master Plan, dated December 2010. A copy of my resume is attached.

A Traffic Impact Report (TIR) for the proposed project was prepared by Wilson Okamoto Corporation in December 2010. The purpose of the TIR is to assess the traffic impacts resulting from the implementation of the Island School's updated master plan, and to identify recommendations of improvements, if appropriate, that would mitigate the traffic impacts.

Existing roadways within the vicinity of the Petition Area include Kaumuali'i Highway, Puhi Road, Nani Street, and Nuhou Street. At the time that the TIR was prepared, the ongoing widening of Kaumuali'i Highway from two to four lanes had not reached the segment fronting the Petition Area. Hence, the TIR is based on conditions at the intersections of Kaumuali'i Highway and Nuhou Street, Kaumuali`I Highway and Puhi Road, and Kaumuali`I Highway and Nani Street.

In the vicinity of the Petition Area, Kaumuali'i Highway is a predominantly two-lane, two-way State roadway generally oriented in the east-west direction. At the signalized intersection with Puhi Road, both approaches of Kaumuali'i Highway have exclusive turning lanes and one through lane.

Puhi Road is a predominantly two-lane, two-way County roadway generally oriented in the north-south direction. At the intersection with Kaumuali'i Highway, the northbound approach of Puhi Road has a shared left-turn and through lane, and an exclusive right-turn lane. The southbound approach of the intersection is comprised of the western access road for Kaua'i Community College and Island School, which has a shared left-turn and through lane, and an exclusive right-turn lane. An additional westbound departure lane is provided along Kaumuali'i Highway at this intersection to allow southbound right-turning vehicles to proceed freely through the intersection.

Northeast of the intersection with Puhi Road, Kaumuali'i Highway intersects Nani Street. At this unsignalized T-intersection, the eastbound approach of the highway has one lane that serves through and right-turn traffic movements, while the westbound approach has one lane that

serves left-turn and through traffic movements. Nani Street is a two-lane, two-way County roadway generally oriented in the north-south direction. At the intersection with the highway, the Nani Street approach has one lane that serves left-turn and right-turn traffic movements.

Further northeast, Kaumuali'i Highway intersects Nuhou Street. At this signalized intersection, the eastbound approach of the highway has exclusive turning lanes and one through lane, while the westbound approach has one through lane and a shared through and right-turn lane. Nuhou Street is a four-lane, two-way County roadway generally oriented in the north-south direction. At the intersection with the highway, the northbound approach of Nuhou Street has a shared left-turn and through lane, and an exclusive right-turn lane. The southbound approach of the intersection is comprised of the eastern access for Kaua'i Community College and Island School, which has one lane that serves all traffic movements.

The analysis is based on the concept of Level of Service (LOS) to identify the traffic impacts associated with traffic demands during the peak hours of traffic. LOS is a quantitative and qualitative assessment of traffic operations. LOS are defined by LOS "A" through "F", with LOS "A" representing ideal or free-flow traffic operating conditions and LOS "F" representing unacceptable or potentially congested traffic operating conditions.

**Existing Traffic Conditions:** Existing peak hour traffic conditions at the study intersections are as follows:

Kaumuali'i Highway and Puhi Road: At the intersection with Puhi Road, Kaumuali'i Highway carries higher traffic volumes during the PM peak period versus the AM peak period. The leftturn traffic movement on both the eastbound and westbound approaches of the highway operate at LOS "D" and LOS "E" during the AM and PM peak periods, respectively, while the right-turn traffic movements operate at LOS "B" during both peak periods. The eastbound through traffic movement operates at LOS "C" during both peak periods, while the westbound through traffic movement operates at LOS "C" and LOS "D" during the AM and PM peak periods, respectively.

The northbound left-turn and through traffic movement on the Puhi Road approach of the intersection operates at LOS "D" and LOS "E" during the AM and PM peak periods, respectively, while the right-turn traffic movement operates at LOS "C" and LOS "D" during the AM and PM peak periods, respectively.

The southbound left-turn and through traffic movement on this approach of the intersection operates at LOS "C" and LOS "E" during the AM and PM peak periods, respectively.

Kaumuali'i Highway and Nani Street: At the intersection with Nani Street, Kaumuali'i Highway carries higher traffic volumes during the PM peak period versus the AM peak period. The critical traffic movement along the highway at the intersection is the westbound approach which operates at LOS "A" during both peak periods.

Kaumuali'i Highway and Nuhou Street: At the intersection with Nuhou Street, Kaumuali'i Highway carries higher traffic volumes westbound during the AM peak period versus the PM peak period, and higher traffic volumes eastbound during the PM peak period versus the AM peak period. The left-turn traffic movement on both approaches of the highway operates at LOS "E" during both peak periods, while the eastbound through and westbound through and rightturn traffic movements operate at LOS "C" during both peak periods. The eastbound right-turn traffic movement along the highway operates at LOS "B" during both peak periods.

The traffic movements on the Nuhou Street (northbound) approach of the intersection operate at LOS "D" during both peak periods. The southbound approach of the intersection operates at LOS "E" and LOS "D" during the AM and PM peak periods, respectively.

Year 2020 Without Project: Kaumuali'i Highway is assumed to be widened to a four-lane divided highway by the Year 2020, with a westbound left-turn bay provided at the intersection with Nani Street. Traffic operations in the vicinity of Island School without the implementation of their updated master plan are expected to improve during both peak hours of traffic due to the widening of Kaumuali'i Highway to a four-lane-divided highway. The traffic movements at the intersection of Kaumuali'i Highway with Puhi Road are expected to operate at LOS "C" or better during the AM peak period and LOS "D" or better during the PM peak period, while those at the intersection with Nani Street are expected to operate at LOS "B" or better during both peak periods. At the intersection with Nuhou Street, the traffic movements are expected to operate at LOS "D" or better during both peak periods.

Year 2020 With Project: Traffic operations in the vicinity of Island School with the implementation of its updated master plan are expected, in general, to operate at levels of service similar to Year 2020 without project conditions despite the addition of site-generated traffic to the surrounding roadways. The southbound left-turn and through traffic movement at the intersection of Kaumuali'i Highway with Puhi Street is expected to operate at a slightly lower level of service during the AM peak period. Similarly, at the intersection of Kaumuali'i Highway with Nuhou Street, the eastbound through and westbound left-turn traffic movements, as well as the southbound approach, are expected to operate at slightly lower levels of service during the AM peak period. The remaining critical movements at these intersections, as well as the other study intersections, are expected to continue operating at levels of service similar to without project conditions. In addition, the total traffic volumes entering the study intersections are expected to increase by 2 to 3 percent during the AM peak period, and less than 1 percent during the PM peak period with the proposed project. These increases in the total traffic volumes are in the range of daily volume fluctuations along Kaumuali'i Highway and represent a minimal increase in the overall traffic volumes.

Recommendations: Based on the analysis of the traffic data, the following are the recommendations of the TIR with the proposed project: 1. Maintain sufficient sight distance for motorists to safely enter and exit all project roadways. 2. Maintain adequate on-site loading and off-loading service areas and prohibit offsite loading operations. 3. Maintain adequate

turn-around area for service, delivery, and refuse collection vehicles to maneuver on-site to avoid vehicle-reversing maneuvers onto public roadways. 4. Maintain sufficient turning radii at all project roadways to avoid or minimize vehicle encroachments to oncoming traffic lanes. 5. If the implementation of Island School's updated master plan is not completed by the Year 2020, prepare an updated Traffic Impact Report that incorporates a revised project completion year.

To reduce the use of automobiles, ongoing sustainable transportation options by Island School include providing bus transportation between home and school for students residing within the North Shore and eastern areas of the Island; implementing car pooling for students and staff; and, encouraging bicycling and walking by students residing near the campus by way of the sidewalks/pedestrian pathways along the existing loop road providing access to the school.



# CURRICULUM VITAE

**Pete G. Pascua, P.E**

## **Education:**

B.S. in Civil Engineering, 1987, University of Hawaii at Manoa  
Traffic Engineering Academy, Institute of Transportation Engineers/Georgia Institute of Technology, 1989

## **Registration:**

Professional Engineer: Hawaii (1991) - Civil Engineering

## **Employment History:**

2006 – Present	Wilson Okamoto Corporation <i>Vice President</i> <i>Director, Traffic and Transportation Engineering Group</i>
2003 – 2006	Wilson Okamoto Corporation <i>Director, Traffic and Transportation Engineering Group</i>
1995 – 2003	Wilson Okamoto & Associates, Inc. <i>Project Manager, Civil Engineering Department</i>
1992 – 1995	Austin, Tsutsumi & Associates, Inc. <i>Project Engineer/Manager</i>
1991 – 1992	The Traffic Management Consultant <i>Project Traffic Engineer</i>
1986 – 1991	Austin, Tsutsumi & Associates, Inc. <i>Project Engineer</i>
1985 – 1986	Pacific Naval Facilities Engineering Command <i>Engineering Aid/Intern</i>

## **Miscellaneous Affiliations:**

State of Hawaii Commission on Transportation  
Commissioner, Appointment, 2006-2014

Institute of Transportation Engineers  
Section President-elect, 2001,2014

Institute of Transportation Engineers  
Section Appointed Director, 2002

Institute of Transportation Engineers  
Section Appointed Director, 2004

Testimony of  
REGINALD E. DAVID  
RANA BIOLOGICAL CONSULTING, INC.  
SLUC Docket No. A16-800 Island School

In the Matter of the Petition of ISLAND SCHOOL to Amend the Agricultural Land Use District  
Boundary into the Urban District for approximately 38.448 acres at Puhi, Lihu`e, Island of  
Kaua`i, State of Hawai`i, TMK: (4) 3-8-002: 016

My name is Reginald David and I am the president of Rana Biological Consulting, Inc. I participated in the preparation and/or supervision of the faunal report in the Biological Surveys of the Island School Campus dated September 2010. Since 1975 I have worked as a terrestrial vertebrae biologist in Hawaii and Tropical Pacific, have conducted over 1000 faunal surveys, and am experienced in preparing biological assessments. A copy of my resume is attached.

A total of 221 individual birds of 22 species, representing 16 separate families, were recorded during the survey. Three of the species recorded, the Hawaiian Goose or Nēnē (*Branta sandvicensis*), Common Moorhen (*Galinula chloropus sandvicensis*), and Hawaiian Coot (*Fulica alai*) are all native and listed as endangered species under both Federal and State of Hawai`i endangered species statutes. The Nēnē population on Kaua`i is increasing at a fairly rapid pace, and it is likely that if this increase continues, human interactions with Nēnē will continue to rise over time on the Island. The Common Moorhen and Hawaiian Coot are relatively abundant and widespread on the Island. One other species recorded, the Pacific Golden-Plover (*Pluvialis fulva*), is an indigenous migratory shorebird species that nests in the high Arctic during the late Spring and Summer months, returning to Hawai`i and the tropical Pacific to spend the Fall and Winter months each year. Another, the Black-crowned Night-Heron (*Nycticorax nycticorax hoactli*), is an indigenous resident breeding species. The remaining 17 species recorded are all considered to be alien to the Hawaiian Islands. Avian diversity and densities were in keeping with the highly manicured nature of the majority of the Petition Area, and its location in the lowlands of Kaua`i. Three species, the Chestnut Munia (*Lonchura atricapilla*), Zebra Dove (*Geopelia striata*), and Common Myna (*Acridotheris tristis*), accounted for slightly less than 52 percent of all birds recorded during the station counts. The most commonly recorded species was the Chestnut Munia, which accounted for slightly more than 21 percent of the total number of individual birds recorded. Although not detected during the survey, it is probable that the Hawaiian endemic sub-species of the Short-eared Owl, or Pueo (*Asio flammeus sandwichensis*) use resources in the general project area, as they are regularly seen foraging over open fields in the low- to mid-elevation areas on the Island. Two other species not detected during the survey, the endangered Hawaiian Petrel (*Pterodroma sandwichensis*) and the threatened endemic sub-species of the Newell's Shearwater (*Puffinus auricularis newelli*) have been recorded flying over the Petition Area between April and the end of November each year. Additionally, the Save Our Shearwaters Program has recovered both species from the general Petition Area on an annual basis over the past three decades. There are no nesting colonies or appropriate nesting habitat for either of these listed seabird species within or close to the Petition Area. By letter dated September 14, 2012, in response to the pre-assessment consultation conducted for this Draft EA, the USFWS

stated that the Band-rumped Storm Petrel (*Oceanodroma castro*), a candidate for listing, may fly over the Petition Area. In addition, the USFWS in its letter dated December 26, 2012 stated the federally endangered Hawaiian stilt (*Himantopus mexicanus*) and endangered Hawaiian duck (*Anas wyvilliana*) may also be present in the vicinity of the project site.

Mammalian species detected during the survey include a dead cat (*Felis c. catus*), and tracks and sign of both dog (*Canis f. familiaris*) and pig (*Sus s. scrofa*). The endangered Hawaiian hoary bat (*Lasiurus cinereus semotus*), or `ōpe`ape`a as it is known locally, was not detected during the survey, although bats have been recorded within the general Petition Area on a regular basis. Hawaiian hoary bats are widely distributed in the lowland areas on Kaua`i, and have been documented in and around almost all areas that still have some dense vegetation. Although no rodents were detected during the survey, it is likely that the four established alien muridae found on Kaua`i, the Roof rat (*Rattus r. rattus*), Norway rat (*Rattus norvegicus*), European house mouse (*Mus musculus domesticus*), and possibly Polynesian rat (*Rattus exulans hawaiiensis*) use various resources found within the general Petition Area. All of these introduced rodents are deleterious to native ecosystems and the native faunal species dependent on them. No mammalian species protected or proposed for protection under either the Federal or State of Hawai`i endangered species programs were detected within the Petition Area during the survey.

#### **Impacts and Mitigation Measures**

No significant impacts on fauna within the Petition Area are anticipated from the construction and operation of the proposed project. No listed, candidate, or proposed threatened or endangered avian or mammalian species under either the Federal or State endangered species statutes will be disturbed or adversely impacted as a result of the proposed project.

The principal potential impact that the proposed project improvements poses to Hawaiian Petrels, Newell's Shearwaters, and Band-rumped Storm-Petrels is the increased threat that birds will be downed after becoming disoriented by outdoor lighting associated with possible nighttime construction activity, and following build-out with exterior lighting associated with the structures and appurtenances that are built within the Petition Area. Should nighttime work be required in conjunction with the project construction, and during operation of the proposed project, all exterior lighting will be shielded to reduce the potential for interactions of nocturnally flying Hawaiian Petrels, Newell's Shearwaters, and Band-rumped Storm-Petrels with external lights and man-made structures. The principal potential impacts that the proposed project improvements pose to Nēnē are during construction, and following build-out with the increased student enrollment and associated school activities.

If construction activity is planned to occur within the Petition Area during the Nēnē nesting season, which typically runs from October through March on Kaua`i, the Petition Area should be surveyed by a qualified biologist prior to the start of construction, to determine if any active Nēnē nesting activity is occurring on the site. If such nesting does occur during construction, it is recommended that a Nēnē monitor be on site during such activity to ensure that no harm occurs to the birds. Due to the likelihood that the endangered Nēnē will utilize resources within the Petition Area, and the Hawaiian Petrels, Newell's Shearwaters, and Band-rumped Storm

Petrels could potentially fallout onto the Petition Area during the construction phase of the project, it is recommended that an endangered species awareness program be developed to include general information on the endangered species act and protected species; specific restrictions that will be in force on the job site to protect endangered species; and protocol on who, and how job site personnel will respond to any downed or injured endangered species that may occur on the site. All construction personnel should be required to be familiar with the program, and its guidelines, restrictions and protocols to be followed.

The principal potential impact that the proposed project improvements pose to Hawaiian hoary bats is during the clearing and grubbing phases of the project. Areas of dense vegetation are likely used to some degree by roosting bats. The principal threat that clearing potential roosting habitat poses to this species is between June and September when female bats may be carrying pups and potentially may not be able to flee vegetation clearing activities quickly enough to avoid harm. Following build-out of the project, lighting associated with the school facilities, and landscaping vegetation will likely attract volant insects to the site, which in turn will provide bats with additional foraging opportunities. To avoid potential impacts to the Hawaiian hoary bat, the clearing of dense vegetation, including woody plants greater than 15 feet, along the periphery of the Petition Area should not occur between June 1 to September 15 when bats may be carrying young and potentially could be at risk by such clearing activities.

As there is no Federally delineated Critical Habitat present within or adjacent to the Petition Area, development of the proposed project improvements will not result in impacts to any Critical Habitat.



### Years of Professional Experience

Over the past 29 years I have worked as a terrestrial vertebrate biologist in Hawai'i and the Tropical Pacific. I specialize in avian and mammalian species with an emphasis on endangered species.

### Experience Summary

Between 1986 and the present I have conducted over 1000 faunal surveys for the USFWS, the State of Hawaii, and numerous private concerns, on all of the main Hawaiian Islands as well as on Midway, Nihoa, Necker, and Kure Atolls. I have extensive field experience in New Zealand, Tahiti, Kiritimati, Guam, Saipan, Tinian, Gilbert Islands, Vanuatu, Republic of Palau, Eastern Siberia, Korea and the western United States. I am also experienced in the radar tracking of seabirds and bats as well as ultrasonic and thermal imaging censusing of bats. I have authored/co-authored over 30 peer-reviewed papers, one book and over 750 technical reports on birds and mammals. I am also the co-discoverer of a seabird new to science, which has recently been described as Bryan's Shearwater (*Puffinus bryani*).

I have a good working knowledge of USFWS, State of Hawai'i, and the Federal Department of Transportation environmental laws and regulations. I am experienced in preparing Biological Assessments (BA's) required under Section "7" of the Endangered Species Act (ESA) and in negotiating mitigation under Section "7" of the ESA with the USFWS as well as under section "10" of the ESA and Hawaii State Statute 195D. I also have experience in preparing Natural Resource Management Plans (NRMP's) and DoD, Integrated Natural Resource Management Plans (INRMP's) as well as State of Hawai'i Section 343 Environmental Assessments.

Over the past 18 years I have functioned as the senior biologist on several large projects, responsible for overseeing all biological work performed by scientists covering the full spectrum of biological disciplines from geology to wetlands and marine sciences. I have also performed as the lead biologist representing federal clients before state and federal regulatory agencies on complex projects like the Federal Highways Administration, Saddle Road Project.

### Related Activities:

- Vice-chair Hawaii Bird Records Committee 2013- present
- US Fish & Wildlife & DLNR, Newell's Shearwater Working Group
- US Fish & Wildlife & DLNR, Hawaiian hoary bat Technical Working Group
- State of Hawaii Department of Land and Natural Resources, Natural Areas Reserve Commission (NARS) Commissioner: 1999 – 2004
- Moderator – HawaiiBirding internet chatline and website 1999-present
- Hawai'i Natural Heritage Program, Ornithological Advisory Committee.
- The Mauna Kea Management Board – Environmental Committee.
- US Fish & Wildlife Service, 'Alala Recovery Team Member: 1994 – Present.
- National Audubon Society: Board of Directors member: 1993-1996
- Hawaii Audubon Society: Board of Directors member: 1989 - 1996, 1998
- Hawai'i Audubon Society: Treasurer 1998
- Hawai'i Audubon Society: President 1990-1994
- US Fish & Wildlife & DLNR, Hawaii Endangered Waterfowl Recovery Team Advisory Committee

### Professional Experience

A 45-page list of my publications, and technical reports is available upon request.



Testimony of  
ERIC B. GUINTHER  
AECOS INC.

SLUC Docket No. A16-800 Island School

In the Matter of the Petition of ISLAND SCHOOL to Amend the Agricultural Land Use District Boundary into the Urban District for approximately 38.448 acres at Puhī, Lihū`e, Island of Kaua`i, State of Hawai`i, TMK: (4) 3-8-002: 016

My name is Eric Guinther and I am Senior Ecologist with AECOS Inc. I participated in the preparation of the flora report in the Biological Surveys of the Island School Campus dated September 2010. I have been conducting field surveys in Hawaii and the Pacific since about 1972. A copy of my resume is attached.

A botanical survey of the Petition Area was conducted by AECOS Consultants in September 2010. The Petition Area supports two basic vegetation areas: 1) landscaping around the existing school buildings, road, and other appurtenances such as the athletic field; and, 2) minimally or unmaintained areas representing proposed campus expansion areas. In all, one mushroom, nine ferns, and 167 species of flowering plants were recorded within the Petition Area. Of those flowering plants and ferns found outside of the landscaped areas (95 species), only four are natives (4 percent) and all are indigenous to the Hawaiian Islands and relatively common in the lowlands. No endemic species were recorded, except as part of the landscaped areas. The vegetation within the undeveloped areas of the Petition Area consists of mixed areas of moderately open to closed forest, shrubland, and grassland. Forest tends to predominate, with mostly mature macaranga (*Macaranga tanarius*) and albizia (*Falcataria moluccana*) trees. Other species include Christmas berry (*Schinus terebinthifolius*), octopus plant (*Schefflera actinophylla*), and Java plum (*Syzygium cuminii*). Groundcover and understory shrubs and vines varied considerably from area to area. No plant species currently listed as endangered, threatened, or proposed for listing under either the federal or State of Hawai`i endangered species programs were recorded as growing naturally within the Petition Area. Several listed species observed were ornamentals in a Hawaiian native plant garden.

**Impacts and Mitigation Measures**

As the Petition Area does not contain a unique botanical habitat, no significant impacts on flora are anticipated from the construction and development of the proposed project. The proposed campus expansion areas are devoid of botanical resources that would merit special concern. All species are common to lowland windward Kaua`i, nearly exclusively non-native, and not requiring or deserving of preservation within the Petition Area. Therefore, it is not expected that development of the proposed project improvements will result in deleterious impacts to any plants species currently listed as endangered, threatened, or proposed for listing under either the federal or State of Hawai`i endangered species statutes. Although the botanical field survey was conducted in August 2010 (dry season), the Petition Area is within a relatively wet area in the lowlands of Kaua`i. The Petition Area has been, and is further proposed to be,

modified by campus improvements and activities. There is no habitat within the Petition Area that would support native or rare plants. All of the native species recorded within the Petition Area were found as planted specimens around the Hawaiian cultural pavilion within the south-central portion of the site where the school has re-vegetated the area with native species.

**ERIC B. GUNTHER**  
*AECOS Inc.*



Eric B. Guinther is an ecologist/botanist and aquatic biologist with over 40 years of experience conducting environmental studies throughout the central Pacific Basin. His responsibilities at *AECOS* include: conducting field surveys, producing environmental survey reports, and making plant and animal identifications (taxonomy). As former president and head biologist at *AECOS Inc.*, he plays a role in corporate/project management and directs a team of seven fellow biologists with specialties in marine biological surveys (certified for SCUBA), stream and lake surveys, wetland surveys and delineations, and terrestrial biological surveys, including botanical surveys. As chief editor, he is responsible for quality control over all reports prepared by the *AECOS* biologists.

Mr. Guinther's educational background emphasized ecology, encompassing zoology, botany, geology, and water quality. He has worked extensively in marine, freshwater, and terrestrial environments—mostly throughout the Hawaiian Islands. However, he has conducted surveys in many parts of the western and central Pacific, including Guam, Tinian, Saipan, American Samoa, Western Samoa, Kwajalein Atoll, Canton Atoll, Fanning Atoll, Christmas Island, Yap, Palau, and Japan. He has experience in collecting field data using Trimble GNSS and processing GIS data with ArcView/ArcMap.

In the last two decades, Mr. Guinther's field work has involved mostly surveys assessing the distribution of terrestrial plants to document potentially sensitive species (rare native or listed species) for client projects, and conducting wetland inventory and delineations of jurisdictional waters. In his free time he grows native Hawaiian plants in a home nursery for out-planting at a native planting site on windward O'ahu at Nā Pōhaku o Hauwahine, a state park reserve.

Education

University of the Pacific, B.A. Biology. 1965.

University of the Pacific, graduate studies. 1965-1967.

University of Hawaii, graduate studies. 1967-1973.

Positions and Experience

1983 to present - Principal and President, *AECOS, Inc.*

1982 to 1983 - Principal and Corporate Treasurer, *AECOS, Inc.*

1974 to 1981 - Biologist and Vice President, *AECOS, Inc.*

1972 to 1974 - Marine Benthic Biologist, *AECOS, Inc.*

1970 to 1973 - Research Assistant, University of Hawaii.

1967 to 1970 - Teaching Assistant, University of Hawaii.

1964 to 1967 - Teaching Assistant, University of the Pacific.

Bernard P. Carvalho, Jr.  
Mayor



Michael A. Dahilig  
Director of Planning

Gary K. Heu  
Managing Director

PLANNING DEPARTMENT  
County of Kaua'i, State of Hawai'i  
4444 Rice Street, Suite A-473, Lihue, Hawai'i 96766  
TEL (808) 241-4050 FAX (808) 241-6699

Dee M. Crowell  
Deputy Director of Planning

**FILE COPY**

**FEB 8 2013**

January 28, 2013

Mr. Gary L. Gill, Deputy Director  
Environmental Health Administration  
Office of Environmental Quality Control  
State of Hawai'i  
235 South Beretania Street, Suite 702  
Honolulu, Hawai'i 96813

REC'D ENVIRONMENTAL  
13 FEB -4 P1:31  
RECEIVED

Dear Mr. Gill:

Subject: Final Environmental Assessment / Finding of No Significant Impact  
Island School Updated Master Plan  
Tax Map Key: (4) 3-8-002: 016  
Puhī, Lihue District, Island of Kaua'i, Hawai'i

The County of Kaua'i Planning Department, as the Approving Agency, has reviewed the comments received on the Draft Environmental Assessment (EA) for the Island School Updated Master Plan (November 2012). The 30-day comment period began on November 9, 2012 and ended on December 24, 2012. The County of Kaua'i Planning Department subsequently reviewed the Draft EA, agency and public comments submitted to the Draft EA, and responses to the written comments to the Draft EA. Based on these reviews, the County of Kaua'i Planning Department has determined that the proposed project will not have significant environmental effects and hereby issues a Finding of No Significant Impact (FONSI) determination.

Please publish the notice in the next publication of *The Environmental Notice* scheduled on February 8, 2013. Enclosed herewith are the following:

1. Completed OEQC Publication Form
2. One (1) hard copy of the Final EA
3. A CD containing a .pdf file of the subject Final EA and a Word file of the OEQC Publication Form.

*An Equal Opportunity Employer*

Mr. Gary L. Gill, Deputy Director  
Environmental Health Administration  
Office of Environmental Quality Control  
State of Hawai'i  
Page 2

Please contact Dale Cua of our staff at (808) 241-4053 if you have any questions.

Sincerely,



For MICHAEL A. DAHILIG  
Director of Planning

Enclosures

cc: Mr. Earl Matsukawa, AICP, Wilson Okamoto Corporation

*An Equal Opportunity Employer*



**OEQC Publication Form  
The Environmental Notice**

**Instructions to Applicant or Agency:**

1. Fill out this Publication Form and email to: [oeqc@doh.hawaii.gov](mailto:oeqc@doh.hawaii.gov)
2. Send one (1) pdf and one (1) hardcopy of the EA / EIS to OEQC

**Name of Project:** Island School Updated Master Plan

**Applicable Law:** Chapter 343, Hawai'i Revised Statutes, and Title 11, Chapter 200, Administrative Rules, State Department of Health

**Type of Document:** Final Environmental Assessment / Finding of No Significant Impact

**Island:** Kaua'i

**District:** Līhu'e

**TMK:** (4) 3-8-002: 016

**Permits Required:**

State of Hawai'i  
Department of Health

- National Pollutant Discharge Elimination System (NPDES) Permit for Storm Water Associated with Construction Activity

Department of Land and Natural Resources, Historic Preservation Division

- Chapter 6E, HRS, Historic Preservation

Department of Business, Economic Development and Tourism, Land Use Commission

- State Land Use District Boundary Amendment

County of Kaua'i  
Planning Department

- County General Plan Amendment
- Use Permit
- Class IV Zoning Permit

Department of Public Works

- Grading Permit
- Building Permit
- Drainage System Requirements

Department of Water

- Water and Water System Requirements

Utility Companies

- Utility Service Requirements

**Name of Applicant or Proposing Agency:** Island School  
3-1875 Kaumuali'i Highway  
Līhu'e, Hawai'i 96766-9597  
Contact: David Pratt  
Phone: (808) 651-5029

**Approving Agency:** County of Kaua'i  
Planning Department  
4444 Rice Street, Suite 473  
Līhu'e, Hawai'i 96766  
Contact: Dale Cua  
Phone: (808) 241-4053

**Send Comments To:** Wilson Okamoto Corporation  
**Consultant** 1907 South Beretania Street, Suite 400  
Honolulu, Hawai'i 96826  
Contact: Earl Matsukawa, AICP  
Phone: (808) 946-2277

**Public Comment** --  
**Deadline:**

**Project Summary:** Island School, Petitioner, is proposing an update of its master plan to accommodate additional campus facilities for future increase in its student enrollment, currently at approximately 370 students, to approximately 500 students. An increase of approximately 22 full-time equivalent (FTE) faculty and staff, to the current 62 FTE members, for a total of 84 FTE members, will be required for the future increase in student enrollment. The proposed master plan for the 38.448-acre campus updates the current master plan approved through a Special Permit, Use Permit and Class IV Zoning Permit by the County of Kaua'i (County) Planning Commission on April 26, 2005.

The proposed updated master plan includes new, renovated and expanded classroom buildings; expanded administration facility and visual arts facility; new facilities, including science building, campus center, dining facility, auditorium and stage, arts education building, back-of-house building and courtyard, robotics shed, outdoor science area, maintenance facility, and informal gathering areas; playground and sports facilities, including physical education (P.E.) facilities, track and football field, soccer field, baseball field, softball field, and outdoor swimming pool; internal loop road with bus parking spaces; school and community drop-off areas; and, additional parking spaces.

The Petitioner is seeking to amend the County General Plan Land Use Map for the Island School campus (Petition Area) from the Agriculture designation to the Urban Center designation, and then reclassify the Petition Area from the State Agricultural District to the Urban District. The reclassification of the Petition Area will allow the improvements in the proposed updated Island School master plan to be implemented without a State Special Permit. The need to amend the Petition Area from the County General Plan Agriculture designation to the Urban Center designation, and to reclassify from the State Agricultural District to the Urban District, is to be more consistent with its current urban character as a school campus, as well as with the existing urban lands and developments in the vicinity makai of Kaumuali'i Highway.

No significant impacts are anticipated from the proposed amendments to the County General Plan and State land use designations and development of the project improvements.

Elimination System (NPDES) Permit Application for Discharges of Storm Water during Construction (Notice of Intent [NOI] Form C), and Discharges of Industrial Storm Water (NOI Form B)

**Proposing**

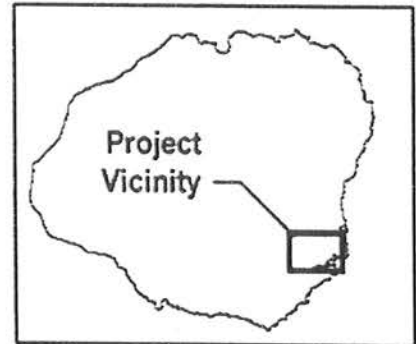
**Agency:** County of Kaua'i, Department of Public Works, 4444 Rice Street, Room 275, Līhu'e, Kaua'i, Hawai'i 96766. Contact: Donald Fujimoto, P.E., Ph.D., Phone: (808) 241-4846

**Accepting**

**Authority:** Governor, State of Hawai'i (or duly authorized representative)

**Consultants:** AECOM Technical Services, Inc., 1001 Bishop Street, Suite 1600, Honolulu, Hawai'i 96813. Contact Person: Frank Cioffi, P.E., Phone: (808) 356-5380  
R. M. Towill Corporation, 2024 North King Street, Suite 200, Honolulu, Hawai'i 96819. Contact Person: Brian Takeda, Phone: (808) 842-1133

The County of Kaua'i, Dept. of Public Works, Solid Waste Division, proposes the development of a new Municipal Solid Waste Landfill (MSWLF) and Resource Recovery Park (RRP) in Ma'alo, to properly manage the island's municipal solid waste (MSW) in the safest and most efficient manner practicable. The existing Kekaha MSWLF is projected to reach capacity in the coming years. Therefore, a new landfill facility will be required for the proper disposal of all forms of MSW that cannot practicably be further reused, recycled, or otherwise recovered. The proposed project includes the development of a RRP which is planned to include reuse, recycling, and waste reduction facilities to encourage diversion of waste from the landfill, thereby maximizing the use of Kaua'i's limited resources.



Upon finalization and acceptance of the EIS, the County will proceed with its next steps for eventual development of the MSWLF and RRP. The entire process is anticipated to take several years. The County DPW Solid Waste Division is the proposing agency. Based on the proposed use of County funds in conjunction with the use of state land, the Governor of the State of Hawai'i has delegated the accepting authority for this EIS to the Office of the Mayor of Kauai (HAR §11-200-4).

**3. Island School Updated Master Plan. 5(e) FEA (FONSI)**

**Island:** Kaua'i  
**District:** Līhu'e  
**TMK:** (4) 3-8-002: 016  
**Permits:** National Pollutant Discharge Elimination System (NPDES) Permit for Storm Water Associated with Construction Activity, Chapter 6E, HRS, Historic Preservation, State Land Use District Boundary Amendment, County General Plan Amendment, Use Permit, Class IV Zoning Permit, Grading Permit, Building Permit, Drainage System Requirements, Water and Water System Requirements, Utility Service Requirements  
**Applicant:** Island School, 3-1875 Kaumuali'i Highway, Līhu'e, Hawai'i 96766-9597. Contact: David Pratt, (808) 651-5029.  
**Approving Agency:** County of Kaua'i Planning Department, 4444 Rice Street, Suite 473, Līhu'e, Hawai'i 96766. Contact: Dale Cua, (808) 241-4053  
**Consultant:** Wilson Okamoto Corporation, 1907 South Beretania Street, Suite 400, Honolulu, Hawai'i 96826. Contact: Earl Matsukawa, (808) 946-2277  
**Status:** Finding of No Significant Impact Determination

Island School, Petitioner, is proposing an update of its master plan to accommodate additional campus facilities for future increase in its student enrollment, currently at approximately 370 students, to approximately 500 students. An increase of approximately 22 full-time equivalent (FTE) faculty and staff, to the current 62 FTE members, for a total of 84 FTE members, will be required for the future



increase in student enrollment. The proposed master plan for the 38.448-acre campus updates the current master plan approved through a Special Permit, Use Permit and Class IV Zoning Permit by the County of Kaua'i (County) Planning Commission on April 26, 2005.

The proposed updated master plan includes new, renovated and expanded classroom buildings; expanded administration facility and visual arts facility; new facilities, including science building, campus center, dining facility, auditorium and stage, arts education building, back-of-house building and courtyard, robotics shed, outdoor science area, maintenance facility, and informal gathering areas; playground and sports facilities, including physical education (P.E.) facilities, track and football field, soccer field, baseball field, softball field, and outdoor swimming pool; internal loop road with bus parking spaces; school and community drop-off areas; and, additional parking spaces.



The Petitioner is seeking to amend the County General Plan Land Use Map for the Island School campus (Petition Area) from the Agriculture designation to the Urban Center designation, and then reclassify the Petition Area from the State Agricultural District to the Urban District. The reclassification of the Petition Area will allow the improvements in the proposed updated Island School master plan to be implemented without a State Special Permit. The need to amend the Petition Area from the County General Plan Agriculture designation to the Urban Center designation, and to reclassify from the State Agricultural District to the Urban District, is to be more consistent with its current urban character as a school campus, as well as with the existing urban lands and developments in the vicinity makai of Kaunualii Highway. No significant impacts are anticipated from the proposed amendments to the County General Plan and State land use designations and development of the project improvements.

#### MAUI (HRS 343)

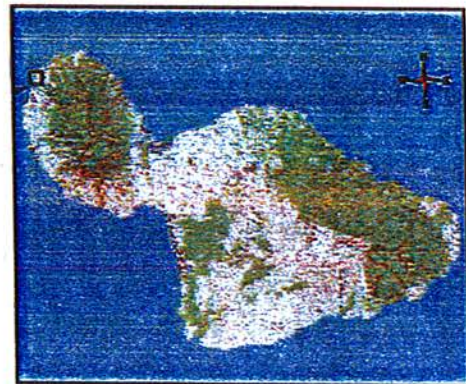
#### 4. Kahana Sunset Shoreline & Site Improvements. 5(e) DEA (AFNSI)

**Island:** Maui  
**District:** Lahaina  
**TMK:** (2) 4-3-003:015  
**Permits:** Building, Grading, Special Management Area, Shoreline Setback Variance, Community Plan Amendment, Change in Zoning, Conservation District Use  
**Applicant:** Kahana Sunset Association of Apartment Owners (AOAO), 4909 Lower Honoapi'ilani Highway, Lahaina, Hawai'i 96761. Contact: Ms. Jacqueline Scheibel, (707) 292-4691 and Mr. Keith Meyer, (541) 231-848

**Approving Agency:** Maui Planning Commission, County of Maui c/o Department of Planning, 250 South High Street, Wailuku, Hawai'i 96793. Contact: Mr. William Spence, Director, (808) 270-7634

**Consultant:** Chris Hart & Partners, Inc., 115 North Market Street, Wailuku, Hawai'i 96793. Contact: Mr. R. Raymond Cabebe, (808) 270-1955

**Status:** Statutory 30-day public review and comment period starts, comments are due by March 11, 2013. Send comments to the proposing/determination agency and consultant.



BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI'I

In the Matter of the Petition of	)	DOCKET NO. A16-800
	)	
ISLAND SCHOOL	)	ISLAND SCHOOL
	)	
To Amend the Agricultural Land Use	)	
District Boundary into the Urban District for	)	
approximately 38.448 acres at Puhi, Lihu'e,	)	
Island of Kauai, State of Hawai'i,	)	
TMK: (4) 3-8-002: 016	)	
_____	)	

CERTIFICATE OF SERVICE

I hereby certify that a file-marked of the foregoing document was duly served upon the following AS INDICATED BELOW on March 3, 2017.

LEO R. ASUNCION, JR., AICP, Director  
Office of Planning, State of Hawai'i  
235 South Beretania Street  
6<sup>th</sup> Floor, Leiopapa A Kamehameha  
Honolulu, Hawai'i 96813

HAND-DELIVERY

DAWN T. APUNA, ESQ.  
Deputy Attorney General  
Department of the Attorney General  
425 Queen Street  
Honolulu, Hawai'i 96813

HAND-DELIVERY

MICHAEL DAHILIG, Director  
Planning Department, County of Kauai  
4444 Rice Street  
Lihue, Kaua'i, Hawai'i 96766

CERTIFIED MAIL  
RETURN RECEIPT  
REQUESTED



JODI HIGUCHI, ESQ.  
Deputy Kauai County Attorney  
Office of the County Attorney  
4444 Rice Street, Suite 220  
Lihue, Kaua`i, Hawai`i 96766

CERTIFIED MAIL  
RETURN RECEIPT  
REQUESTED

KAUAI COUNTY PLANNING COMMISSION  
c/o Planning Department, County of Kauai  
4444 Rice Street  
Lihue, Kaua`i, Hawai`i 96766

CERTIFIED MAIL  
RETURN RECEIPT  
REQUESTED

DATED: Honolulu, Hawai`i, March 3, 2017.



Of Counsel:

MATSUBARA, KOTAKE & TABATA  
A Law Corporation

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BENJAMIN M. MATSUBARA  
CURTIS T. TABATA  
Attorneys for Petitioner  
ISLAND SCHOOL