

BEFORE THE LAND USE COMMISSION

LAND USE COMMISSION
STATE OF HAWAII

OF THE STATE OF HAWAII 2017 FEB 22 A 10: 54

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)	
_____)	

PETITIONER ISLAND SCHOOL'S:

(1) LIST OF WITNESS; (2) LIST OF EXHIBITS; (3) EXHIBITS "18"- "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

LAND USE COMMISSION

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

PARTY: Petitioner ISLAND SCHOOL

LIST OF WITNESS

NAME/ORGANIZATION/POSITION (List In Order of Appearance)	TO BE QUALIFIED AS AN EXPERT IN:	SUBJECT MATTER	WRITTEN TESTIMONY	EXHIBIT NUMBER(S)	LENGTH OF DIRECT
David W. Pratt/Island School/Vice President	N/A	Island School Master Plan Update	No		20 minutes
Sean Magoun/Island School/ Director of Institutional Advancement	N/A	Island School Operations	No		20 minutes
Earl Matsukawa AICP/ Wilson Okamoto Corp./ Vice President & Director of Planning	Planning, environmental impacts and land use	Project overview, environmental impacts, and land use	Yes	6, 13, 18, 19	30 minutes
Hallett H. Hammatt, Ph.D./ President and Principal Archaeologist/Cultural Surveys Hawaii, Inc.	Archaeology and cultural assessment	Archaeological and cultural impacts of Project	Yes	6, 7,8, 14	20 minutes
Pete Pascua, P.E./Wilson Okamoto Corp./Vice President & Director of Traffic Engineering	Traffic engineering	Project traffic engineering	Yes	6, 15	15 minutes
Reginald E. David/Rana Biological Consulting, Inc./President and principal investigator	Biology, avian and mammalian surveys	Avian and mammalian surveys of the Project	Yes	6, 16	15 minutes
Eric Guinther /AECOS Inc. / President & Senior Ecologist	Botany/Flora	Botanical survey of the Project	Yes	6, 17	15 minutes

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

PARTY: Petitioner ISLAND SCHOOL

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

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		
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		

Bernard P. Carvalho, Jr.
Mayor



Michael A. Dahilig
Director of Planning

Gary K. Heu
Managing Director

Dee M. Crowell
Deputy Director of Planning

PLANNING DEPARTMENT
County of Kauai, State of Hawaii
4444 Rice Street, Suite A-473, Lihu'e, Hawaii 96766
TEL (808) 241-4050 FAX (808) 241-6699

FILE COPY

FEB 8 2013

January 28, 2013

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

OFFICE OF ENVIRONMENTAL
QUALITY CONTROL
13 FEB -4 P 1:31
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
Puhi, Lihu'e District, Island of Kauai, Hawaii

The County of Kauai 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 Kauai 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 Kauai 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
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 Kaunualii 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

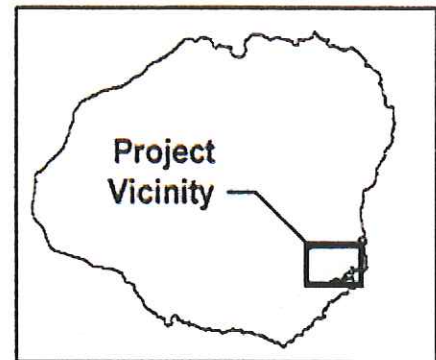
Accepting

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

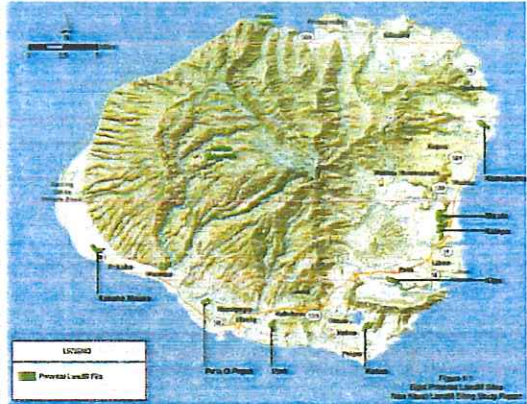
Consultant: Wilson Okamoto Corporation, 1907 South Beretania Street, Suite 400, Honolulu, Hawai'i 96826. Contact: Earl Matsukawa, (808) 946-2277

Status: Finding of No Significant Impact Determination

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MAUI (HRS 343)

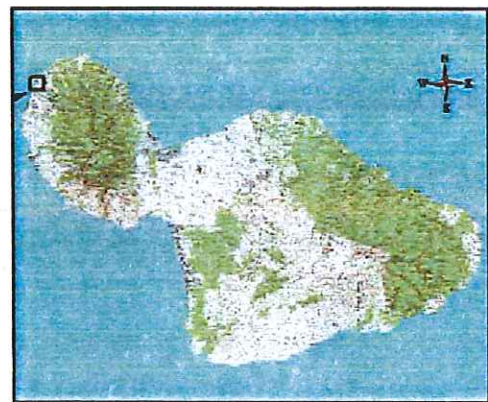
4. Kahana Sunset Shoreline & Site Improvements, 5(e) DEA (AFNSI)

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.



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OF THE STATE OF HAWAI'I

In the Matter of the Petition of) DOCKET NO. A16-800
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ISLAND SCHOOL) ISLAND SCHOOL
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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 February 22, 2017.

LEO R. ASUNCION, JR., AICP, Director
Office of Planning, State of Hawai'i
235 South Beretania Street
6th 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

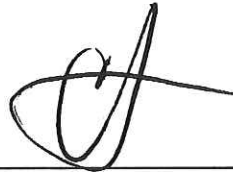
CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

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, February 22, 2017.

Of Counsel:
MATSUBARA, KOTAKE & TABATA
A Law Corporation



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