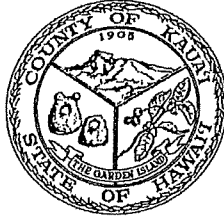


Bernard P. Carvalho Jr.
Mayor



Lyle Tabata
Acting County Engineer

Wallace G. Rezentes Jr.
Managing Director

DEPARTMENT OF PUBLIC WORKS

County of Kaua'i, State of Hawai'i

4444 Rice Street, Suite 275, Līhu'e, Hawai'i 96766
TEL (808) 241-4992 FAX (808) 241-6604

December 21, 2017

Moana Palama
Hawai'i Management Services, LLC
P.O. Box 1630
Koloa Hawai'i 96756

Subject Environmental Impact Statement Preparation Notice
Keālia Mauka Homesites
Kawaihau District, Island of Kauai, Hawaii
Tax Map Key (4) 4-7-004: por. 001

2017 DEC 28 A 7 34
LAND USE COMMISSION
STATE OF HAWAII

Dear Ms. Palama:

Your letter dated November 21, 2017 provided the Engineering Division of the Department of Public Works of the County of Kaua'i notice of the availability for review of the Environmental Impact Statement Preparation Notice (EISPEN) for the Keālia Mauka Homesites project. We have reviewed the EISPEN and found that it contains a fairly complete listing of items to be further discussed and evaluated in the Draft Environmental Impact Statement (DEIS). We recommend that the following items also be included for discussion in the DEIS:

1. Short term (construction) impacts of the project on air quality.
2. Identification of downstream drainage areas and the impact of drainage from the project on these properties.
3. Evaluation and discussion on the use of Keālia Road between the project site and Kūhiō Highway.
4. The Traffic Impact Analysis Report (TIAR) should assume that a roundabout will be constructed at the intersection of Kūhiō Highway and Mailihuna Road, as is currently being designed by the Hawai'i Department of Transportation.
5. The TIAR should include trip generation and trip distribution information for daily motor vehicle traffic volumes generated from the site. The TIAR should compare existing and project-generated traffic volumes for the following roadway segments:
 - a. Keālia Road between the project site and Kūhiō Highway;
 - b. Kūhiō Highway immediately north of Keālia Road;
 - c. Kūhiō Highway between Keālia Road and Mailihuna Road;
 - d. Mailihuna Road immediately mauka of Kūhiō Highway;
 - e. Kūhiō Highway between Mailihuna Road and Kawaihau Road;
 - f. Kūhiō Highway immediately south of the Kapa'a Bypass;

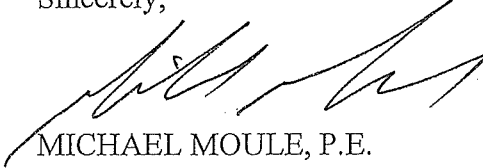
An Equal Opportunity Employer

- g. Kapa'a Bypass between Kūhiō Highway and Olohena Road;
- h. Kapa'a Bypass immediately south of Olohena Road

Mailihuna Road is misspelled as "Milihuna" Road in at least one sentence in the EISPN.

Thank you for providing this opportunity for consultation on this pending project. We look forward to receipt of the DEIS. If you have any questions or need additional information, please contact Stanford Iwamoto, Engineering Division at (808) 241-4896 or siwamoto@kauai.gov.

Sincerely,



MICHAEL MOULE, P.E.
Chief, Engineering Division

MM/SI

Copy to: State of Hawai'i Land Use Commission, Attn: Daniel Orodener
(P.O. Box 2359 Honolulu, HI 96813)
HHF Planners, Attn: Leslie Kurisaki
(733 Bishop Street Suite 2590, Honolulu, HI 96813)
Design and Permitting

LAND USE COMMISSION
STATE OF HAWAII

2017 DEC 28 A 7 37



KEALIA KAI

Kealia Kai Owners Association (KKHOA)
C/O: Associa Hawaii (Alina Kuznetsova)
4-1579 Kuhio Hwy., #102A, Kapaa, HI 96746
Ph: (808) 629-7163, (808) 821-2122

December 22, 2017

State of Hawaii Land Use Commission
Department of Business, Economic Development, and Tourism
P. O. Box 2359
Honolulu, HI 96813
Attn: Mr. Daniel Orodenker

SUBJECT: Petition filed by Kealia Properties LLC, Docket No: A17-803
For the proposed project identified as Kealia Mauka Homesites on Kauai
Comments and Concerns from the Kealia Kai Home Owners Association

Dear Mr. Orodenker,

On behalf of the Kealia Kai Home Owners Association ("KKHOA"), I hereby present to you and the Land Use Commission our comments and feedback regarding the petition filed with LUC by Kealia Properties LLC ("Developer") proposing to build 235 home sites on 53.4 acres of land in Kealia, Kawaihau, Puna, Island of Kauai, State of Hawaii, with the TMK: (4) 4-7-004:001.

At this point, we do not have enough information about the proposed development to fully apprise all of the owners at Kealia Kai and take a vote on whether we oppose or support this development. We look forward to discussions with the developer and obtaining additional information so we can fully understand the impacts of the proposed project on the area. Thank you for including us in this process.

As community members, we naturally have concerns, most but not all of which are raised in the Kealia Mauka October 2017 Environmental Impact Statement (EIS) Preparation Notice. With some additional information and better defined plans for the development, we believe we can be supportive of the project, if our concerns are addressed. Thus, we are raising our concerns with you and plan to discuss them with the Developer as well.

Concern #1 - Traffic: First and foremost, there is no doubt that the project will increase traffic in the already congested area in the North end of Kapaa. Access to the project should be carefully evaluated

including necessary improvements to Kuhio Highway that need to be incorporated to safely accommodate the traffic along with signalized access points to the developments in the area.

Concern #2 - Density: A plan with additional 235 homes in the North side of Kapaa is not ideal from our personal vantage point, but from the overall Island's perspective, it is probably an acceptable tradeoff in order to provide needed, more affordable housing. Having said that, 235 additional homes in that area is probably enough and would likely better serve the residents, if they were located closer to Kapaa. The Developer owns significant land holdings closer to Kapaa without the agricultural characteristics of the proposed rezoning location. Those lands also include rodeo grounds, equipment buildings, and the former location of the Kealia sugar mill, all of which are not in agricultural production. We would ask the developer to consider evaluating alternative locations on other land parcels that he owns for the proposed project.

Concern #3 – View from Kuhio Highway: The Kealia Mauka homes on Kuhio Highway, as planned, may be somewhat of an eyesore both from the Highway and from some homes at Kealia Kai. We at Kealia Kai were required to maintain 300' setbacks for residences from Kuhio Highway, install a large landscaped berm of Hau and Bougainvillea along our border with the Highway, and preserve critical view corridors from the Highway to minimize the view of our homes. We would ask the equivalent from Kealia Mauka. Specifically, we would ask that the 22 homes adjacent to Kuhio Highway (less than 10% of the total) be eliminated and replaced with a green area, and a similar landscape berm of Hau and Bougainvillea. We believe everyone on the Island, as well as the tourists, would prefer to see that in lieu of having homes right on the Highway with what appears to be zero setback. If the project is relocated closer to Kapaa near the rodeo grounds where a large grove of ironwood exists, that would effectively screen the development from view, if it were maintained.

Other Concerns: Other concerns we have are not as problematic in our view, but given the relatively short notice we have had about this planned development, we would like to better understand them and look forward to doing so both through review of the EIS when complete, additional studies and evaluations by the Developer, and discussions with the Developer. Such additional concerns include:

- Any potential adverse impact on the availability of **public services** (fire, police, paramedics, schools, etc.), public facilities, parks, drainage, waste water, and other County and State public services provided to the area.
- Any potential adverse impact on **potable water** availability (private water sources serve the area), though our preliminary analysis suggests this is not a concern but we believe this should be confirmed (see Concern #2 above).
- Any potential adverse impact on **agricultural water** quantity, allocation, easements, and interference with the infrastructure currently in place, for the Kealia Kai Subdivision which is agriculturally zoned and relies on irrigation water crossing the Developer's property.
- Excessive potential adverse impact on **property values** in our subdivision. We do not expect Kealia Mauka to have a positive impact on our property values, and in fact expect it to be at least somewhat negative. We just want some more time to ensure it would not be expected to have an excessive negative impact and believe location and design are critically important in this area.

- The permanent loss of **quality agricultural lands** and the impacts of the loss of resources that come from fertile soil that exists at the proposed rezoning location.

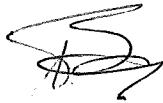
Thank you for your consideration of our concerns and suggestions. We hope that the most serious of them can be mitigated. We look forward to further evaluation and discussion of this proposed development and rezoning application.

Please do not hesitate to contact me, the Board of Directors of Kealia Kai HOA, or our subdivision management representative with any questions.

Thank you.

Best regards,

Adrian Saralou

A handwritten signature in black ink, appearing to be 'Adrian Saralou', with a stylized flourish at the end.

Adrian Saralou
Kealia Kai Home Owners Association
President

LAND USE COMMISSION
STATE OF HAWAII

2017 DEC 28 A 7:35

Jirair and Aderineh Saralou
P. O. Box 687
Kapaa, HI 96746
Ph: (818) 800-9810
saralous@aol.com

December 21, 2017

State of Hawaii Land Use Commission
Department of Business, Economic Development, and Tourism
P. O. Box 2359
Honolulu, HI 96813
Attn: Mr. Daniel Orodener

RE: Petition filed with State of Hawaii Land Use Commission (LUC) by Kealia Properties LLC
Docket No: A17-803 for the proposed project on Kauai identified as Kealia Mauka
Homesites

SUBJECT: Comments and Concerns by property owner at Kealia Kai

Dear Mr. Orodener,

As property owners at Kealia Kai, we would like to communicate to you and the Land Use Commission our comments and concerns in regards to the petition filed with LUC by Kealia Properties LLC proposing to build 235 home sites on 53.4 acres of land in Kealia, Kawaihau, Puna, Island of Kauai, State of Hawaii, with the TMK: (4) 4-7-004; por 001.

- At this time, it does not seem like there is enough information available to discern the petitioner's intentions for developing the remaining portion of the 2000 acres where the proposed project (53.4 acres) is located. This knowledge would be essential to foresee the manner in which the area may potentially be transformed in the future.
- In the submittal, it seems like there are several alternative plans proposed by the petitioner for the 53.4 acres. The alternative plan with fewer home sites and larger lot sizes appears to fit the area more appropriately.
- The proposed project area (53.4 acres) is across Kuhio Highway from the Kealia Kai Subdivision. It would be reasonable to expect that a potentially proposed project in this area would be complementary to the existing subdivision plans in the immediate area. The aforementioned 2000 acres was approved for a subdivision plan a few years ago with fewer homes and larger lot

sizes that remained agriculturally zoned. It seems like this type of subdivision would be more suitable than a high-density housing project with many home sites in a small acreage area.

- It appears that the potential approval of the petitioner's proposal by the State of Hawaii Land Use Commission for Land Use District Boundary Amendment from **Agricultural to Urban (Residential)** will predictably affect several characteristics of the area.
 - o The land parcel involved in this proposal is **Prime Agricultural land** with **highly fertile soil**. This land parcel is currently being used for **farming** by the local community. It would be great if an area with such attributes remain agriculturally zoned and the land be farmed for its intended purpose with its available resources to contribute to the needs and demands of the local community, as well as the visitors.
 - o The proposed land area is also currently being used as **cattle grazing pasture land** which accommodates the needs of the community members involved in **raising cattle**.
 - o The proposed land area has served as a fairly sizable **open-space** area on the East side of Kauai. The proposed project can potentially reduce this privilege.
 - o Potential approval of the petitioner's proposal, as one might expect, may give rise to several **environmental issues** as well as creating some levels of **public nuisance** for the current local residents and visitors. The matters that are concerning are listed below:
 - Adversely impacting **traffic** in the immediate and surrounding areas. Kuhio Highway (the only highway/roadway in the proposed project area) is a two-lane highway with strictly limited existing capability to accommodate the current traffic in the area.
 - Adversely **burdening public services** (fire, police, etc.), public facilities, drainage, potable water, waste water, etc.
 - Adversely impacting the availability of **potable water** (private water sources serve the area) as well as generation of waste water and solid waste by adding 235 homes in a small acreage area.
 - Adversely impacting the **agricultural water** quantity, allocation, easements, and interference with the infrastructure currently in place, for the communities that are agriculturally zoned and rely on the irrigation water there.
 - Potentially cause decline in the **property values** of the surrounding properties and subdivisions.
 - Adversely affecting the nearby **historic sites and scenic points** for the local community members as well as the visitors and potentially impacting the tourism industry which has vital economic value for the State of Hawaii and the County of Kauai.
 - Negatively impacting and burdening County of Kauai's budget (tax payer funds) that would be spent in the area, exacerbating the budget strains and limitations for County-wide public resources.

We greatly appreciate your attention to our concerns and comments. We would be more inclined to support the proposed project, if more information would become available to address our concerns.

As outlined in the prepared and filed documents with the LUC by the petitioner, there are several alternatives to the currently proposed plan that may impose fewer unfavorable impacts to the area and its current residents. We hope that the directors at the LUC will take these alternatives into consideration and opt for the options that mitigate the concerns of the community members.

Please do not hesitate to contact us with any questions.
Thank you.

Best regards,

Jirair Saralou
Aderineh Saralou

Jirair and Aderineh Saralou
Kealia Kai Home Owners



LAND USE COMMISSION
STATE OF HAWAII

STATE OF HAWAII

2017 DEC 28 A-754 DEPARTMENT OF EDUCATION

P.O. BOX 2360

HONOLULU, HAWAII 96804

OFFICE OF SCHOOL FACILITIES AND SUPPORT SERVICES

December 22, 2017

Ms. Moana Palama
Hawaii Management Services, LLC
P.O. Box 1630
Koloa, Hawaii 96756

Re: Environmental Impact Statement Preparation Notice for the
Proposed Kealia Mauka Homesite Project, Kawaihau District
Kauai, TMK: 4-7-004: por. 001

Dear Ms. Palama:

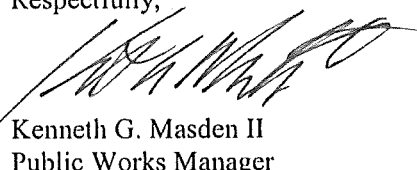
The Department of Education (DOE) has the following comments for the Environmental Impact Statement Preparation Notice (EISPN) for the proposed Kealia Mauka Homesite Project (Project). According to the EISPN, the proposed Project is for the development of 235 single-family house lots on approximately 53.4 acres of land located at Kealia Ahupuaa, Kawaihau District, Island of Kauai, TMK: 4-7-004: por. 001.

The DOE schools currently serving the proposed Project are Kapaa Elementary, Kapaa Intermediate, and Kapaa High School. Kapaa Elementary School has classroom capacity for approximately 29 additional students. However, excess capacity is expected to be eliminated over the next five years. Kapaa Intermediate School has classroom capacity for roughly 125 additional students, which is expected to remain the same for the next five years. Kapaa High School is over capacity by 100 students. The over capacity condition will continue over the next five years.

The Draft EIS should include a discussion on whether the Project meets zoning and code requirements that allows for the construction of Additional Dwelling Units (ADU). This information will assist the DOE to estimate the number of students who will reside in there.

Thank you for the opportunity to comment. Should you have any questions, please contact Heidi Meeker of the Planning Section, Facilities Development Branch at (808) 784-5094.

Respectfully,

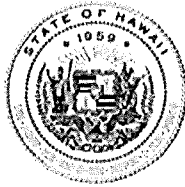

Kenneth G. Masden II
Public Works Manager
Planning Section

KGM:jmb

c: ✓ Mr. Daniel Orodener, State Land Use Commission
Ms. Leslie Kurisaki, HHF Planners

AN AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY EMPLOYER

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

JADE T. BUTAY
INTERIM DIRECTOR

Deputy Directors
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

IN REPLY REFER TO:
DIR 1479
STP 8.2273

December 14, 2017

Ms. Moana Palama
Hawaii Management Services, LLC
P.O. Box 1630
Koloa, Hawaii 96756

Dear Ms. Palama:

Subject: Kealia Mauka Homesites
Environmental Impact Statement Preparation Notice
Kawaihau District, Kauai, Hawaii
TMK: (4) 4-7-004:001 (por.)

Kealia Properties, LLC, proposes to develop a housing development of approximately 235 single-family dwellings and associated improvements on 53.4 acres of land. The project will access Kuhio Highway, State Route 56 through a connection to Kealia Road. To facilitate development of the property, the project proposes a land-use boundary amendment to change the land-use from State Agriculture District to State Urban District.

The DOT anticipates that the project will have a significant impact on the Kuhio Highway and understands a Traffic Impact Analysis Report (TIAR) will be prepared. The TIAR should address the following:

1. While the DEIS will discuss the relationship of the proposed action to Bike Plan Hawaii and the Statewide Pedestrian Master Plan, the TIAR should address existing and future pedestrian and bicycle use along Kuhio Highway, and if any improvements are needed.
2. While the proposed project will be accessed from Kuhio Highway via Kealia Road, there appears to be a gated, unused access on the mauka side of Kuhio Highway opposite from a chained driveway to Kapoli Street on the makai side of Kuhio Highway. This access should be noted in the TIAR and the project intentions for it discussed.

Additionally, no direct access shall be permitted from the subject project onto Kuhio Highway. The subject project should include a stipulation in the title documents for parcels adjacent to Kuhio Highway that direct vehicle access to Kuhio Highway is not authorized.

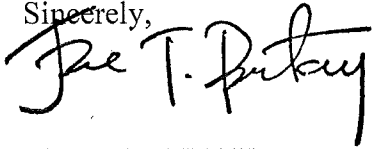
2017 DEC 28 P 2:48
LAND USE COMMISSION
STATE OF HAWAII

Ms. Moana Palama
December 14, 2017
Page 2

DIR 1479
STP 8.2273

If there are any questions, please contact Mr. Norren Kato of the DOT Statewide Transportation Planning Office at telephone number (808) 831-7976.

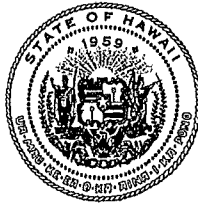
Sincerely,

A handwritten signature in black ink, appearing to read "Jade T. Butay". The signature is fluid and cursive, with the first name "Jade" being more prominent.

JADE T. BUTAY
Interim Director of Transportation

c: ✓ State Land Use Commission
HHF Planners

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF FORESTRY AND WILDLIFE
1151 PUNCHBOWL STREET, ROOM 325
HONOLULU, HAWAII 96813

December 21, 2017

TO: Russel Tsuji
Land Administrator

ATTN: Lydia Morikawa

FROM: James Cogswell
Wildlife Program Manager

SUBJECT: Division of Forestry and Wildlife Comments on the Kealia Mauka Homesites
Environmental Impact Statement Preparation Notice

The Division of Forestry and Wildlife has received your inquiry regarding the Kealia Mauka Homesite Environmental Impact Statement Preparation Notice. The proposed project is located in the Kawaihau District, Island of Kauai, TMK (4) 4-7-004: por. 001. The proposed project would be a 53.4 acre residential subdivision and include 235 lots and infrastructure improvements such as installation of utility infrastructure and transportation improvements.

The State and Federally listed Hawaiian hoary bat or 'Ōpe'ape'a (*Lasiurus cinereus semotus*) has the potential to occur in the vicinity of the proposed project. DOFAW recommends to avoid using barbed wire, as bat mortalities have been documented as a result of becoming ensnared by barbed wire during flight. Hawaiian hoary bats roost in both exotic and native trees. If any trees are planned for removal during the bat breeding season there is a risk of injury or mortality to juvenile bats. To minimize the potential for impacts to this species, woody plants greater than 15 feet (4.6 meters) tall should not be disturbed, removed, or trimmed during the bat birthing and pup rearing season (June 1 through September 15). Site clearing should be timed to avoid disturbance to breeding Hawaiian hoary bats.

The State and Federally listed Hawaiian goose, or Nēnē (*Branta sandvicensis*) has been observed in the mauka pasture lands adjacent to Kuhio Highway. While DOFAW has no records of nesting activity in the proposed project site, we recommend a survey be conducted during the fall/winter nesting season between October and March to determine whether birds are using the area.

Should night work be required, DOFAW cautions that artificial lighting can adversely impact endangered and threatened seabirds that may pass through the area at night, causing disorientation which could result in collision with manmade artifacts or grounding of birds. DOFAW recommends that any lights used be fully shielded to minimize impacts. If night work is to occur during the seabird fledging period (September – December) we request further consultation with DOFAW.

We appreciate your efforts to work with our office for the conservation of native species. Should the scope of the project change, or should it become apparent that threatened or endangered species may be impacted, please contact our staff as soon as possible. If you have any questions, please contact Katherine Cullison, Conservation Initiatives Coordinator at (808) 587-4148 or Katherine.cullison@hawaii.gov.

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

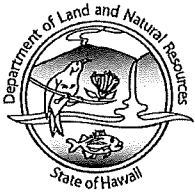
ROBERT K. MASUDA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

2017 DEC 28 P 3:33
LAND USE COMMISSION
STATE OF HAWAII

DAVID Y. IGE
GOVERNOR OF HAWAII



LAND USE COMMISSION
STATE OF HAWAII



2017 DEC 28 P 3 33

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

December 21, 2017

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

Hawaii Management Services, LLC
Attention: Ms. Moana Palama
P.O. Box 1630
Koloa, Hawaii 96756

via email: moana@mskauai.com

Dear Ms. Palama:

SUBJECT: Environmental Impact Statement Preparation Notice (EISPN) for the Kealia
Mauka Homesites; Kawaihau District, Island of Kauai

Thank you for the opportunity to review and comment on the subject matter. The Department of Land and Natural Resources' (DLNR) Land Division distributed or made available a copy of your report pertaining to the subject matter to DLNR Divisions for their review and comments.

At this time, enclosed are comments from the (a) Engineering Division and (b) Land Division – Kauai District on the subject matter. Should you have any questions, please feel free to call Lydia Morikawa at 587-0410. Thank you.

Sincerely,

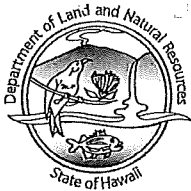
A handwritten signature in black ink, appearing to be "R. Tsuji", is written over a horizontal line.

Russell Y. Tsuji
Land Administrator

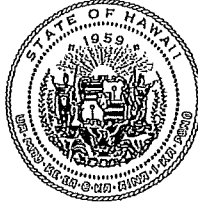
Enclosure(s)

cc: David Orodener; Dept. of Business, Economic Development and Tourism
Daniel.e.orodener@hawaii.gov
Central Files

DAVID Y. IGE
GOVERNOR OF HAWAII



RECEIVED
LAND DIVISION



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

November 27, 2017

MEMORANDUM

TO:

DLNR Agencies:

- ☐ Div. of Aquatic Resources
- ☐ Div. of Boating & Ocean Recreation
- ☒ Engineering Division
- ☒ Div. of Forestry & Wildlife
- ☐ Div. of State Parks
- ☒ Commission on Water Resource Management
- ☐ Office of Conservation & Coastal Lands
- ☒ Land Division – Kauai District
- ☒ Historic Preservation

FROM:

Russell Y. Tsuji, Land Administrator

SUBJECT:

Environmental Impact Statement Preparation Notice (EISP) for the Kealia Mauka Homesites

LOCATION:

Kawaihau District, Island of Kauai; TMK: (4) 4-7-004:001 (por.)

APPLICANT:

Kealia Properties LLC

Transmitted for your review and comment is information on the above-referenced project. We would appreciate your comments on this project. Please submit any comments by **December 21, 2017**.

The EISP can be found on-line at: <http://health.hawaii.gov/oeqc/> (Click on the Current Environmental Notice in the middle of the page.)

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Lydia Morikawa at 587-0410. Thank you.

- ☐ We have no objections.
- ☐ We have no comments.
- ☒ Comments are attached.

Signed:

Print Name:

Date:

Cary S. Chang, Chief Engineer

Attachments

cc: Central Files

17 NOV 28 PM 10:36 ENGINEERING

DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION

LD/Russell Y. Tsuji

Ref: Environmental Impact Statement Preparation Notice (EISPN) for the Kealia
Mauka Homesites, Kawaihau District, Island of Kauai;
TMK: (4) 4-7-004:001 (por.)

COMMENTS

The rules and regulations of the National Flood Insurance Program (NFIP), Title 44 of the Code of Federal Regulations (44CFR), are in effect when development falls within a Special Flood Hazard Area (high risk areas). Be advised that 44CFR reflects the minimum standards as set forth by the NFIP. Local community flood ordinances may stipulate higher standards that can be more restrictive and would take precedence over the minimum NFIP standards.

The owner of the project property and/or their representative is responsible to research the Flood Hazard Zone designation for the project. Flood Hazard Zones are designated on FEMA's Flood Insurance Rate Maps (FIRM), which can be viewed on our Flood Hazard Assessment Tool (FHAT) (<http://gis.hawaiiinfip.org/FHAT>).

If there are questions regarding the local flood ordinances, please contact the applicable County NFIP coordinating agency below:

- Oahu: City and County of Honolulu, Department of Planning and Permitting (808) 768-8098.
- Hawaii Island: County of Hawaii, Department of Public Works (808) 961-8327.
- Maui/Molokai/Lanai County of Maui, Department of Planning (808) 270-7253.
- Kauai: County of Kauai, Department of Public Works (808) 241-4846.

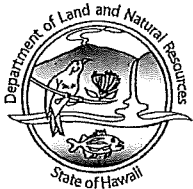
Signed: _____

CARTY S. CHANG, CHIEF ENGINEER

Date: _____

12/12/17

DAVID Y. IGE
GOVERNOR OF HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

November 27, 2017

MEMORANDUM

From
TO:

DLNR Agencies:

- ☐ Div. of Aquatic Resources
- ☐ Div. of Boating & Ocean Recreation
- ☒ Engineering Division
- ☒ Div. of Forestry & Wildlife
- ☐ Div. of State Parks
- ☒ Commission on Water Resource Management
- ☐ Office of Conservation & Coastal Lands
- ☒ Land Division – Kauai District
- ☒ Historic Preservation

TO
FROM:
SUBJECT:

Russell Y. Tsuji, Land Administrator
Environmental Impact Statement Preparation Notice (EISPN) for the Kealia Mauka
Homesites

LOCATION: Kawaihau District, Island of Kauai; TMK: (4) 4-7-004:001 (por.)
APPLICANT: Kealia Properties LLC

Transmitted for your review and comment is information on the above-referenced project. We would appreciate your comments on this project. Please submit any comments by **December 21, 2017**.

The EISPN can be found on-line at: <http://health.hawaii.gov/oeqc/> (Click on the Current Environmental Notice in the middle of the page.)

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Lydia Morikawa at 587-0410. Thank you.

- () We have no objections.
- (✓) We have no comments.
- () Comments are attached.

Signed:

Print Name:

Date:

Wesley T. Matsunaga
Wesley T. Matsunaga
12/7/17

Attachments

cc: Central Files

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

LAND USE COMMISSION
STATE OF HAWAII
VIRGINIA PRESGLER, M.D.
DIRECTOR OF HEALTH

2017 DEC 28 P 3: 33

In reply, please refer to:
File:

EPO 17-298

December 14, 2017

Mr. Scott Ezer, Vice President
HHF Planners
733 Bishop Street, Suite 2590
Honolulu, Hawaii 96813
Email: sezer@hhf.com

Dear Mr. Ezer:

SUBJECT: Environmental Impact Statement Preparation Notice (EISP) for Kealia Mauka Homesites, Kawaihau District, Kauai
TMK: (4) 4-7-004: por. 001

The Department of Health (DOH), Environmental Planning Office (EPO), acknowledges receipt of your EISP to our office via the OEQC link:

http://oeqc2.doh.hawaii.gov/EA_EIS_Library/2017-11-23-KA-EISP-Kealia-Mauka-Homesites.pdf

We understand from the OEQC publication form project summary that "Kealia Properties, LLC proposes a residential subdivision on 53.4-acres at Kealia, Kawaihau District, Kauai. The site was historically used for sugar cultivation and is currently used for grazing. The subdivision will include 235 lots (5,600 to 7,300 SF in size) and infrastructure improvements."

Hawaii's environmental review laws require Environmental Assessments (EAs) and Environmental Impact Statements (EISs) to consider health in the discussion and the mitigation measures to reduce negative impacts. In its definition of 'impacts,' §11-200-2, Hawaii Administrative Rules (HAR) includes health effects, whether primary (direct), secondary (indirect), or cumulative. Further, §11-200-12(b)(5), HAR, lists public health as one of the criteria for determining whether an action may have a significant impact on the environment.

We advocate that you consider health from a broad perspective; one that accounts for the social, economic, and environmental determinants of health and wellbeing. Community well-being can be impacted by access to physical activity, health care, feelings of social connectedness and safety. Design solutions that take these factors into consideration positively contribute to the social determinants of health in a community, improving the well-being of those who live there by influencing health promoting behaviors. Social determinants contribute to preventable chronic diseases such as asthma, diabetes, obesity, and cardiovascular disease.

In the development and implementation of all projects, EPO strongly recommends regular review of State and Federal environmental health land use guidance. State standard comments to support sustainable healthy design are provided at: <http://health.hawaii.gov/epo/landuse>. Projects are required to adhere to all applicable standard comments.

We suggest you review the requirements of the Clean Water Branch (Hawaii Administrative Rules (HAR), Chapter 11-54-1.1, -3, 4-8) and/or the National Pollutant Discharge Elimination System (NPDES) permit (HAR, Chapter 11-55) at: <http://health.hawaii.gov/cwb>. If you have any questions, please contact the Clean Water Branch (CWB), Engineering

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Section at (808) 586-4309 or cleanwaterbranch@doh.hawaii.gov. If your project involves waters of the U.S., it is highly recommended that you contact the Army Corps of Engineers, Regulatory Branch at: (808) 835-4303.

Please note that all wastewater plans must conform to applicable provisions (HAR, Chapter 11-62, "Wastewater Systems"). We reserve the right to review the detailed wastewater plans for conformance to applicable rules. Should you have any questions, please review online guidance at: <http://health.hawaii.gov/wastewater> and contact the Planning and Design Section of the Wastewater Branch (WWB) at (808) 586-4294.

If temporary fugitive dust emissions could be emitted when the project site is prepared for construction and/or when construction activities occur, we recommend you review the need and/or requirements for a Clean Air Branch (CAB) permit (HAR, Chapter 11-60.1 "Air Pollution Control"). Effective air pollution control measures need to be provided to prevent or minimize any fugitive dust emissions caused by construction work from affecting the surrounding areas. This includes the off-site roadways used to enter/exit the project. The control measures could include, but are not limited to, the use of water wagons, sprinkler systems, and dust fences. For questions contact the Clean Air Branch via e-mail at: Cab.General@doh.hawaii.gov or call (808) 586-4200.

Any waste generated by the project (that is not a hazardous waste as defined in state hazardous waste laws and regulations), needs to be disposed of at a solid waste management facility that complies with the applicable provisions (HAR, Chapter 11-58.1 "Solid Waste Management Control"). The open burning of any of these wastes, on or off site, is strictly prohibited. You may wish you review the Minimizing Construction & Demolition Waste Management Guide at: <http://health.hawaii.gov/shwb/files/2016/05/constdem16.pdf> Additional information is accessible at: <http://health.hawaii.gov/shwb>. For specific questions call (808) 586-4226.

If noise created during the construction phase of the project may exceed the maximum allowable levels (HAR, Chapter 11-46, "Community Noise Control") then a noise permit may be required and needs to be obtained before the commencement of work. Relevant information is online at: <http://health.hawaii.gov/irhb/noise> EPO recommends you contact the Indoor and Radiological Health Branch (IRHB) at (808) 586-4700 with any specific questions.

A phase I Environmental Site Assessment (ESA) and site investigation should be conducted for residential development or redevelopment projects in current or formerly used industrial areas and on formerly and currently zoned agricultural land used for growing sugar, pineapple or other agricultural products. If the investigation shows that a release of petroleum, hazardous substance, pollutants or contaminants may have occurred at the site, the site should be properly characterized through an approved Hawaii State Department of Health (DOH)/Hazard Evaluation and Emergency Response Office (HEER) soil and/or groundwater sampling plan. Please refer to Sections 3 and 4 of the HEER Office Technical Guidance Manual <http://www.hawaiidoh.org>. If the site is found to be contaminated, then all removal and remedial actions to clean up hazardous substance or oil releases by past and present owners/tenants must comply with State Law (HRS, Chapter 128D, "Environmental Response Law", Chapter 451, "State Contingency Plan"). To identify HEER records related to the property, visit <http://eha-web.doh.hawaii.gov/eha-cma/Leaders/HEER/public-records>. For information on site assessment and cleanup programs review: <http://eha-web.doh.hawaii.gov/eha-cma/Leaders/HEER/site-assessment-and-cleanup-programs>. Any specific questions should be directed to the HEER office at (808) 586-4249.

An example of social influences include access to safe pedestrian corridors such as pathways, sidewalks, bike lanes, greenways and open space. §11-200-17(h), HAR, says EISs must discuss how proposed actions may conform or conflict with any policies for the affected area. This includes Hawaii's 2009 Complete Streets law, which requires the state and counties to establish policies to accommodate all users of the road, no matter age, ability, or mode of transportation.

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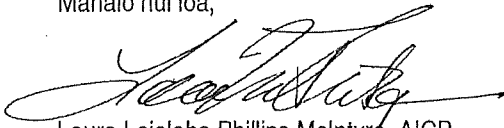
EPO also encourages you to examine and utilize the Hawaii Environmental Health Portal at: <https://eha-cloud.doh.hawaii.gov>. This site provides links to our e-Permitting Portal, Environmental Health Warehouse, Groundwater Contamination Viewer, Hawaii Emergency Response Exchange, Hawaii State and Local Emission Inventory System, Water Pollution Control Viewer, Water Quality Data, Warnings, Advisories and Postings.

The Hawaii Disability and Communication Access Board (DCAB) recommends the inclusion of access for persons with disabilities through all phases of design and construction. New construction and alteration work shall comply with all applicable accessibility requirements. Projects covered by §103-50, Hawaii Revised Statutes, and Hawaii Administrative Rules Title 11 Chapter 216 shall seek advice and recommendations from DCAB on any construction plans prior to commencing with construction. If you have any questions please contact DCAB at (808) 586-8121 or dcab@doh.hawaii.gov.

To better protect public health and the environment, the U.S. Environmental Protection Agency (EPA) has developed an environmental justice (EJ) mapping and screening tool called EJSCREEN. It is based on nationally consistent data and combines environmental and demographic indicators in maps and reports. EPO encourages you to explore, launch and utilize this powerful tool in planning your project. The EPA EJSCREEN tool is available at: <http://www.epa.gov/ejscreen>.

We hope this information is helpful. If you have any questions please contact us at DOH.epo@doh.hawaii.gov or call us at (808) 586-4337. Thank you for the opportunity to comment.

Mahalo nui loa,



Laura Leialoha Phillips McIntyre, AICP
Environmental Planning Office

LM:nn

c: Ms. Moana Palama, Kealia Properties, LLC (via email: moana@mskauai.com)
· Daniel Orodener, Executive Officer, LUC (via email: daniel.e.ordenker@hawaii.gov)
DOH: DHO Kauai, CWB, WWB, IRHB, CAB, SHWB, SDWB, DCAB, PHP {via email only}

Attachment: U.S. EPA EJSCREEN Report for Project Area

Please be advised:

The Environmental Planning Office (EPO), along with the Clean Air, Clean Water, and Wastewater Branches moved to Waimano Ridge. The new address, for EPO, **as of December 1, 2017**, is:

Environmental Planning Office, DOH, Hale Ola, 2827 Waimano Home Road #109, Pearl City, Hawaii 96782

Please feel free to come and visit our new offices anytime. Please note that there is a security guard at the bottom of the hill (before entering DOH property). Our office phone numbers, email and website will all remain the same.



Attachment: U.S. EPA EJSCREEN Report for Project Area



EJSCREEN Report (Version 2017)

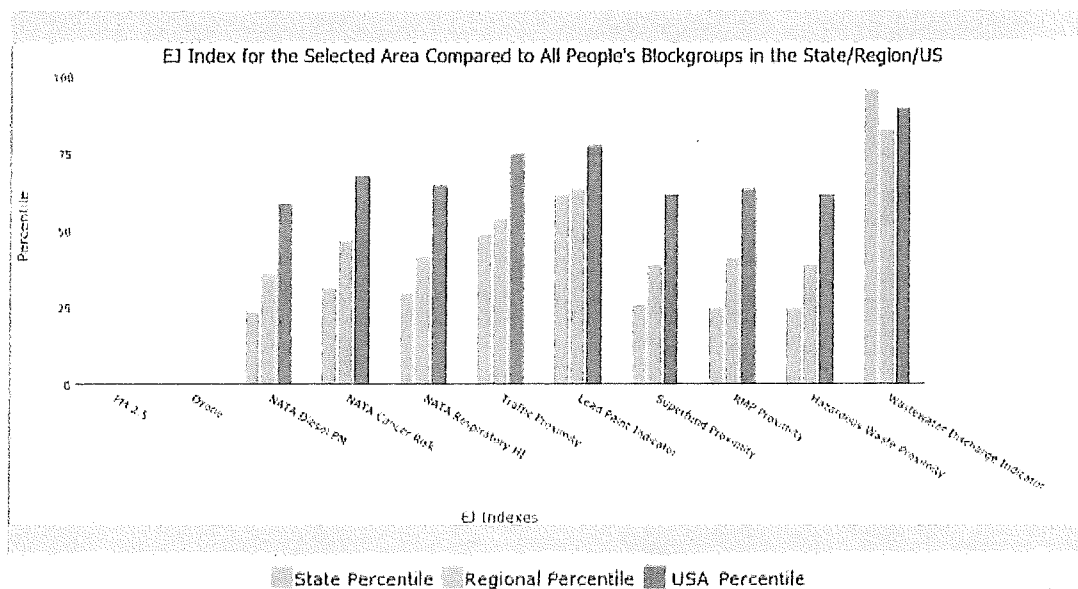


1 mile Ring Centered at 22.104293,-159.305009, HAWAII, EPA Region 9

Approximate Population: 337

Input Area (sq. miles): 3.14

Selected Variables	State Percentile	EPA Region Percentile	USA Percentile
EJ Indexes			
EJ Index for PM2.5	N/A	N/A	N/A
EJ Index for Ozone	N/A	N/A	N/A
EJ Index for NATA* Diesel PM	24	36	59
EJ Index for NATA* Air Toxics Cancer Risk	32	47	68
EJ Index for NATA* Respiratory Hazard Index	30	42	65
EJ Index for Traffic Proximity and Volume	49	54	75
EJ Index for Lead Paint Indicator	62	64	78
EJ Index for Superfund Proximity	26	39	62
EJ Index for RMP Proximity	25	41	64
EJ Index for Hazardous Waste Proximity	25	39	62
EJ Index for Wastewater Discharge Indicator	96	83	90



This report shows the values for environmental and demographic indicators and EJSCREEN Indexes. It shows environmental and demographic raw data (e.g., the estimated concentration of ozone in the air), and also shows what percentile each raw data value represents. These percentiles provide perspective on how the selected block group or buffer area compares to the entire state, EPA region, or nation. For example, if a given location is at the 95th percentile nationwide, this means that only 5 percent of the US population has a higher block group value than the average person in the location being analyzed. The years for which the data are available, and the methods used, vary across these indicators. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports.



1 mile Ring Centered at 22.104293,-159.305009, HAWAII, EPA Region 9

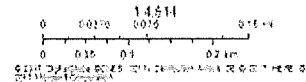
Approximate Population: 337

Input Area (sq. miles): 3.14



December 14, 2017

Digitized Point



Sites reporting to EPA	
Superfund NPL	0
Hazardous Waste Treatment, Storage, and Disposal Facilities (TSDF)	0



EJSCREEN Report (Version 2017)



1 mile Ring Centered at 22.104293,-159.305009, HAWAII, EPA Region 9

Approximate Population: 337

Input Area (sq. miles): 3.14

Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
Environmental Indicators							
Particulate Matter (PM 2.5 in $\mu\text{g}/\text{m}^3$)	N/A	N/A	N/A	9.9	N/A	9.14	N/A
Ozone (ppb)	N/A	N/A	N/A	41.8	N/A	38.4	N/A
NATA* Diesel PM ($\mu\text{g}/\text{m}^3$)	0.0172	0.149	12	0.978	<50th	0.938	<50th
NATA* Cancer Risk (lifetime risk per million)	26	34	17	43	<50th	40	<50th
NATA* Respiratory Hazard Index	0.58	1	18	2	<50th	1.8	<50th
Traffic Proximity and Volume (daily traffic count/distance to road)	97	1000	44	1100	36	590	50
Lead Paint Indicator (% Pre-1960 Housing)	0.18	0.16	64	0.24	55	0.29	48
Superfund Proximity (site count/km distance)	0.0067	0.1	25	0.15	5	0.13	1
RMP Proximity (facility count/km distance)	0.067	0.39	12	0.98	5	0.73	8
Hazardous Waste Proximity (facility count/km distance)	0.0061	0.1	21	0.12	2	0.093	1
Wastewater Discharge Indicator (toxicity-weighted concentration/m distance)	0.01	0.04	93	13	76	30	80
Demographic Indicators							
Demographic Index	55%	51%	62	47%	62	36%	77
Minority Population	64%	77%	21	59%	53	38%	76
Low Income Population	46%	26%	89	36%	67	34%	71
Linguistically Isolated Population	2%	6%	39	9%	28	5%	56
Population With Less Than High School Education	9%	9%	63	17%	39	13%	46
Population Under 5 years of age	3%	6%	20	7%	22	6%	23
Population over 64 years of age	15%	16%	47	13%	68	14%	60

* The National-Scale Air Toxics Assessment (NATA) is EPA's ongoing, comprehensive evaluation of air toxics in the United States. EPA developed the NATA to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that NATA provides broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. More information on the NATA analysis can be found at: <https://www.epa.gov/national-air-toxics-assessment>.

For additional information, see: www.epa.gov/environmentaljustice

EJSCREEN is a screening tool for pre-decisional use only. It can help identify areas that may warrant additional consideration, analysis, or outreach. It does not provide a basis for decision-making, but it may help identify potential areas of EJ concern. Users should keep in mind that screening tools are subject to substantial uncertainty in their demographic and environmental data, particularly when looking at small geographic areas. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports. This screening tool does not provide data on every environmental impact and demographic factor that may be relevant to a particular location. EJSCREEN outputs should be supplemented with additional information and local knowledge before taking any action to address potential EJ concerns.

December 14, 201

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