

From: "Barbara Beasley" <bwbeasley@comcast.net>
Date: June 21, 2018 at 4:23:12 PM HST
To: <daniel.e.orođenker@hawaii.gov>
Cc: 'David Beasley' <beasley.david@comcast.net>
Subject: Comments on Proposed Kealia Mauka Subdivision

Dear Daniel Orođenker – good day to you. As requested in the Garden Isle article dated 6/18/2018, we'd like to provide comments on the proposed Kealia Mauka subdivision.

We've been homeowners on Kamole Road for 17 years and strongly share the concerns outlined in this article as well as by our neighbors.

Specifically, we'd appreciate more information around the following key areas:

- How does this "affordable" housing compare with other similar developments on the island? The proposed plan appears much larger and could more than double the number of people (and automobiles) in this rural community, turning it into a small city overnight. Is there a master plan that looks at all these development efforts across the island to accurately assess needs, impacts and priorities of each of these proposed developments? Especially when considering converting AG land to residential properties – under what conditions is this allowable? Seems this is a slippery slope and makes AG land very vulnerable in the future.
- How will expanded infrastructure needs (water, sewage, road improvements, services such as fire and police, schools, post office, etc.) be addressed? Who will pay for this?
- How will the significant increase in East Side traffic be managed in one of the worst traffic corridors on the island? In the current East Side morning southbound commute, Kuhio highway is already backed up north from Kapaa to near the new fire station. This new subdivision would now be adding another major artery possibly further backing up traffic to past Kealia beach. This raises safety concerns with people and cars entering and exiting Kealia Beach as well. Additionally, in the past few years, it has become noticeably more difficult to exit Kamole Road onto Kuhio Highway – sometimes waiting as long as 5 minutes to cross both lanes of traffic.

Appreciate your feedback and happy to discuss further.

Sincerely,

Barbara & David Beasley
2376 Kamole Road, Kealia, HI

Hakoda, Riley K

From: Orodenker, Daniel E
Sent: Thursday, June 21, 2018 9:57 PM
To: Hakoda, Riley K
Subject: Fwd: W-KNA concerns with Kealia Mauka Homesites Draft EIS
Attachments: WKNA Comments-DEIS-KEALIA MAUKA 6.21.2018.pdf; ATT00001.htm

Daniel Orodenker

Begin forwarded message:

From: rayneregush@aol.com
Date: June 21, 2018 at 6:17:46 PM HST
To: daniel.e.orozenker@hawaii.gov, moana@mskauai.com, sezer@hhf.com
Subject: W-KNA concerns with Kealia Mauka Homesites Draft EIS

Aloha,

Please find attached the comments/concerns from the Wailua-Kapaa Neighborhood Association (W-KNA) on the Draft Environmental Impact Statement for the Kealia Mauka Homesites Petition for District Boundary Amendment (TMK 4-4-7-004:por. 001).

And, kindly acknowledge your receipt of this email.

Mahalo,
Rayne Regush
Chairperson, W-KNA
808-651-1318



WAILUA-KAPA'A
NEIGHBORHOOD
ASSOCIATION

June 21, 2018

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Scott Ezer, Vice President
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RE: Concerns with Kealia Mauka Homesites Draft EIS - Petition for District Boundary Amendment for 53.4-acres from Agriculture District to Urban District, TMK (4)4-7-004 por. 001

The Wailua-Kapa'a Neighborhood Association (W-KNA) cannot support this Boundary Amendment and recommends that the commission reject the DEIS due to significant omissions of information and lingering concerns noted herewith.

The document lacks specificity in some important areas and oftentimes fails to bring forth accurate conclusions from the Appendices reports. A greater level of detail is necessary for the LUC to ascertain the value of this re-districting proposal. The DEIS falls short in its intent to help satisfy the county's need for housing.

Inconsistent with General Plans 2000 and 2018 Recommendations

The **Kaua'i General Plan 2000** called for new growth "in and around" the Waipouli-Kapa'a urban center and DHHL lands in Anahola – not in rural Kealia. The Plan clearly states: "Residential expansion in outlying areas designated Agriculture is specifically discouraged." (Section 6.2.4.2, p.6-14.)

It is questionable whether the **Kaua'i General Plan 2018** identifies the Kealia Mauka Project area on the Kawaihau Planning District Land Use Map as future residential growth because there is no associated narrative in the Plan about this Project.

Enlarged at 400% is a detail of the county land use map with W-KNA's notations in red pointing to the existing Kealia Town Tract – a century old neighborhood comprised of just 36 lots and surrounded by 2,000+ acres of Agricultural District Land. The map's legend denotes "Residential Community" with no references to expanding the town's boundaries. [Source: General Plan 2018 Final Version – 5.2 Future Land Use Maps - 5.0 Policy Maps, pages 229 & 239.]



The Kapa'a-Wailua Development Plan (1972) is the current community plan for East Kaua'i. As a Citizen Advisory Committee member for the **East Kaua'i Development Plan 2030** throughout its 8-

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year planning process, I've included several relevant citations below (although the Final Draft document was never sent to Council for adoption):

- In Chapter 4: Preferred Growth Scenario, there are no references to Kealia. The stated intent is to "discourage the expansion of residential and other urban development in agricultural-zoned areas."
- In Chapter 4.4 Preferred Growth Policy it states in section 4.4.1 Reduce Urbanization on Agricultural Lands: **(A) Prevent the rezoning of agricultural lands outside of the existing and expanded urban centers.** Rezoning of agricultural lands outside the Wailua-Kapa'a Urban Center over time will lead to cumulative impacts such as increased traffic and loss of rural character. Rezoning of agricultural lands should only be permitted on agricultural lands that have been identified by the General Plan for urban uses.

DEIS Appendix A – General Plan Boundary Interpretation & Lack of Transparency

Appendix A Figure 3, dated May 31, 2016 shows a proposed Conceptual Kealia Subdivision Map that is quite different from the conceptual plan in the DEIS (see insert). Although the developer communicated with Mayor Bernard Carvalho and the Planning Director about the project in early 2016, the Kealia Mauka Homesites proposal was not included in the General Plan 2018 update, nor was it discussed throughout the community outreach/input process. This omission clearly demonstrates an appalling lack of transparency by the County.

We recognize the grave need for housing, however county support for this proposal appears to dodge policy recommendations that are intended to preserve Kaua'i's rural character.

Important Agricultural Lands (IAL)

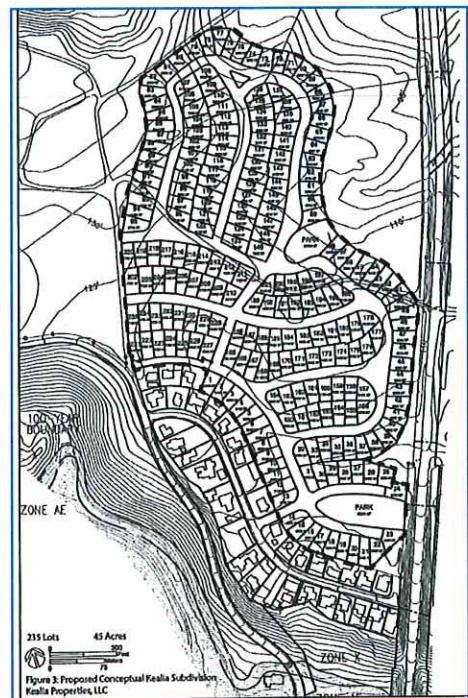
Kaua'i County identified and mapped potential agricultural lands within its jurisdiction based on the standards and criteria in HRS §205-44. The final study completed in July 2015 (although not adopted yet) identified the Kealia Mauka Homesites land as agricultural lands of importance to the state, a fact that is downplayed in the DEIS.

W-KNA Hosted Community Meeting

On April 19, 2018 W-KNA hosted a public meeting to inform residents about the project and featured project representatives Scott Ezer and Moana Palama as guest speakers. There were 36 attendees and nearly all of the comments were not favorable to the project. W-KNA's meeting should not be considered an EIS public scoping meeting as it did not fully address the draft EIS nor include the majority of those affected by the proposed action.

Project Not Grounded in a Community-based process

W-KNA encouraged the applicant to meet specifically with the Kealia community as a group, but



residents were not afforded that opportunity. Had the developer reached out to Kealia residents sooner, the project might have garnered more support. Although we greatly appreciate that Moana Palama met with our W-KNA board on December 5, 2017, and shared with us the correspondence they sent to residents with the link to the EISPN, it is clear that the project was not grounded in a community-based process from its inception.

Urban Sprawl

The General Plan 2018 recommends in-fill in existing urban areas. Therefore, creating population growth in this rural area is inappropriate. We understand the acute need for affordable housing, however siting this subdivision miles away from the Kapa'a town core is sprawl. Regarding connectivity, residents are unable to safely walk to public transport, the beach and to school. Shops and other community facilities are not a walkable distance.

In addition, the project representative stated there will be no U.S. Postal Delivery service for the 235-lot subdivision. This fact was omitted from the DEIS and will be a contributing factor to existing traffic congestion.

Alternatives

HAR 11-200.1-24 calls for a "rigorous exploration and objective evaluation of the environmental impacts" of alternative actions. However, the DEIS does not explain why the proposal is limited to just 53 acres.

The DEIS doesn't propose lot size alternatives that would closer in size to those in Kealia Town Tract. We understand that County R-4 zoning would result in lot sizes greater than 10,000 sf and therefore not an efficient use of land. However, the proposed R-6 zoning alternative can have less density and lots between 7,000 and 10,000 sf should be considered. A more livable/friendly conceptual plan alternative with a smaller number of units should be submitted. A lack of social cohesion for this neighborhood can result from the significantly reduced size lots that are proposed.

Please note that zoning for mixed land use that allows for residential and employment proximity would not be an appropriate alternative for this rural neighborhood either.

Soil Contamination Studies Not Conducted

- a) Soil testing should have been included in this DEIS, not afterwards, due to the likelihood of chemical contaminants from sugar plantation operations in the Kumukumu Camp area.
- b) Residents claim that hazardous fertilizers and pesticides (currently banned) were stored in the long building which is visible in 1950 Aerial Photo Showing Historic Features (Figure 4-2, page 4-12).
- c) It is interesting that the 2016 Conceptual Subdivision Plan in Appendix A specifically avoided this area of Kumukumu Camp, but the current Petition Area includes it.
- d) The Environmental Site Assessment and the Department of Health's December 14, 2017 correspondence, page 2 of 3 of the EPA EJSCREEN Report (version 2017) appears to exclude the Kumukumu Camp area in the "1-mile ring" analysis of Kealia.
- e) Phase I ESA (Belt Collins Hawaii Ltd, June 2005) also appears to have excluded New Kumukumu Camp.

- f) Compliance with the Department of Health HEER office recommendations for residual soil contamination testing should have been completed before submittal of the DEIS.

Potable Water Requirements

- a) After Kealia Water Company Holdings, LLC installed the water system (approx. 15 years ago) that serves Kealia Town Tract, the County declined to acquire it, explaining that it was not built to all county specifications. It would be valuable to include this County documentation in the DEIS and we asked the applicant's representative about this during the EISPN phase.
- b) The Draft EIS failed to disclose that residents already have problems with poor water pressure.

Public Safety

- a) Kealia Road is in severe disrepair beyond the Spaulding Monument where it forks towards Anahola/Kuhio Highway and to Haua'ala Road, Kapa'a.
- b) Without sufficient ingress/egress, residents are at great risk during times of emergency evacuation. Fast spreading fires have occurred in the surrounding pastureland and Kealia's "wildfire risk rating is "high".
- c) Along Kuhio Highway there are three entrances to the adjacent Kealia Kai subdivision which is comprised of only 36 lots, compared to the Petition Area of 235 lots with only one access!
- d) The significant increase in population will stress existing fire and police protection services.

Inadequate Analysis of Kealia Road

- a) The DEIS fails to thoroughly evaluate and discuss the use of Kealia Road between the project site and Kuhio Highway.
- b) The existing condition of Kealia Road (page 4-43) is not accurately described. The roadway is improved only to Spaulding Monument. Access to Haua'ala Road is impassible and access towards Anahola is extremely poor.
- c) If there are 2 to 3 cars per household in this 235-lot subdivision, there is no analysis of how these additional vehicles will impact existing Kealia Town Tract residents.
- d) Provisions for sidewalks and a safe pedestrian route linking home and school and access to Kealia Beach is omitted.
- e) There is no description of the constraints concerning Kealia Road between the project and Kuhio Highway. The hillside topography includes steep drop-offs and slopes which will restrict options for road widening, sewer lines and other improvements.
- f) No explanation is provided as to why the curve in Kealia Road where it meets Hopo'e Road will be eliminated.
- g) Kealia Road should not be the only ingress/egress to the proposed subdivision. Figure 4-9 (page 4-44) clearly shows an existing cane haul road through the petition area to Kuhio Highway opposite the southern Kealia Kai entrance. What is the DOT's justification for denying direct access from the subject property onto Kuhio Highway? (Refer to Interim Director of Transportation Jade T. Butay's letter dated December 14, 2017).
- h) Figure 4-10 (page 4-56) shows proposed traffic mitigation at Kealia Road and Kuhio Highway. However, it does not include right and left turn lanes that are needed at this intersection to keep Kapa'a- and Anahola-bound traffic from backing up along Kealia Road.

- i) Despite the proposed traffic signal, vehicles turning north and vehicles turning south need separate lanes to facilitate traffic flow.

Other Roadway Concerns

- a) What is the need/logic/justification for proposing the subdivision roundabout?
- b) It is unclear whether or not all subdivision traffic is diverted to the roundabout for ingress/egress at Kealia Road. Or, can Roadway Lot 1-1, 2-1, and 3-1 access Roadway Lot A before approaching the roundabout to Kealia Road?
- c) The repeated reference to “stub-out streets” is over-emphasized and possibly misleading since no historic documentation was provided to substantiate claims that Kealia Town Tract was meant to be expanded.
- d) The DEIS includes a new traffic signal “if warranted” – is this signal DOT approved?
- e) Impacts to traffic inside and outside of the project area are minimized. Long-standing traffic congestion in Kapa‘a will be aggravated further until transportation infrastructure improvements are implemented.
- f) Having served on the State Department of Transportation’s Citizen Advisory Committee for the Kapa‘a Transportation Solutions Study (2015), please know that there is an urgent need to address congestion before increasing residential density.
- g) The TIAR indicates that since Kealia Road is the only access point to the project from Kuhio Highway, this intersection will experience a significant increase in traffic and will worsen to LOS F and overcapacity conditions during both peak hours of traffic.

Error in Project Vicinity Map (page 1-6)

Haua‘ala Road is misidentified in Figure 1-2 on page 1-6 in the DEIS showing it as the unimproved roadway beginning at the Kealia horse arena and leading toward the Kau family home. Haua‘ala Road actually begins at Kuhio Highway, significantly south of Kapa‘a Stream Bridge, just below Kawaihau Road. It does not cross Kapa‘a Stream until much farther mauka; it is primarily in the ahupuaa of Kapa‘a. The part of Haua‘ala Road where it joins Kealia Road at Spaulding Monument is vehicle inaccessible. It does not provide access to the proposed subdivision and the description on page 4-45 in the DEIS is misleading.

Wastewater Treatment and Disposal

- a) The DEIS is proposing a municipal sewer system however, it is unclear whether or not sewer lines will be provided for existing residences.
- b) Analysis of future estimated wastewater generation quantities appears inadequate in the DEIS. Has the Engineering Report accurately calculated capacity at the Lydgate Sewage Treatment Plant to include the three (3) large coastal resorts which have been permitted but yet unbuilt (Coco Palms in Wailua and Coconut Plantation and Coconut Village in Waipouli)?
- c) Lydgate Sewage Treatment Plant is a coastal wastewater management facility and will need to be re-located due to sea level rise.
- d) The East Kaua‘i Community Plan 2035 (Draft) Chapter 4.4.2 (C) Expand Wastewater Treatment Capacity states:

“All new development in the Urban Center should connect to the County sewer system. This will require both the expansion of the Wailua Wastewater Treatment Facility and the

development of a future wastewater treatment facility to serve Wailua-Kapa'a. Consideration should be given to placing the new wastewater treatment facility in a future industrial park."

Stormwater Drainage

Ponding already occurs on Hopo'e Road during heavy rains. Based on the current drainage pattern (Figure 4-8) and the proposed drainage plan (Figure 4-8), we strongly recommend that Detention Basin #2 be expanded alongside the 3 parcels on Hopo'e Road.

Development Schedule

The EISPN noted that a development schedule for the subdivision infrastructure would be included in the DEIS. We could not find it.

Visual Impacts, Scenic and Open Space Resources

- a) There are no mitigation measures to alleviate visual impacts for Hopo'e Road residents. The surrounding landscape offers sweeping mauka vistas but there are no measures to preserve line of sight to this spectacular scenery.
- b) The density of this subdivision is will significantly block the tradewinds enjoyed by current Kealia Town Tract residents.
- c) The rural character of Kealia Town Tract will be significantly diminished.
- d) It is unclear whether the proposed detention basins can also serve as recreational open space or park/playgrounds.
- e) To preserve views, undergrounding electric lines is should be proposed.
- f) We strongly recommend that Detention Basin #2 be expanded along the 3 parcels on Hopo'e Road to provide a buffer between the new lots and the existing homes.
- g) A vegetation wall or barrier is needed to prevent Roadway Lot B vehicular headlights from shining directly into the home on 4631 Hopo'e Road.

Social Impacts

- a) Changing the land use district designation to urban will impact the community's well-being.
- b) The DEIS fails to highlight the social characteristics and history of Kealia Town Tract, a unique, century old community grounded in the traditions of plantation life.
- c) The sharp population increase in this tiny neighborhood will have significant impact.
- d) Creating an adjacent subdivision of much smaller lot sizes can result in a lack of social cohesion.
- e) Despite the proposed density, there is no designated park area for young children to play close to home.

Archaeology Literature Review & Field Inspection and Cultural Impact Assessment

- a) The Kealia Town Tract has its own history and cultural identity, yet none of the four individuals who were interviewed were residents of Kealia Town Tract.

- b) There is significant history and culture associated with the immigrant groups and settlement patterns around the Makee Sugar Plantation operating in Kealia. However, details about nearby New Stable Camp and Amberry Camp (those closest to Kealia Town Tract) were not included.
- c) The historic property of New Kumukumu Camp (defunct) SIHP # 50-30-08-07013 may have few remaining artifacts, but there is a wealth of information to be gained through interviews with kama'aina residents of Kealia Town Tract with knowledge of the study area.
- d) During the time of Makee Sugar Plantation, Mr. Furumoto's home was built in 1922 and his neighbor's home was built in 1917; Mr. Yamaguchi's home was built in 1937. Mr. Arinaga can provide additional suggestions of those kama'aina to interview.
- e) One of the most important plantation structures in Kealia Town Tract was the Kealia Dispensary which formerly stood where Mr. J. Freitas' parcel is located. Research and oral accounts about the Dispensary should be provided from these kama'aina residents.
- f) Stories of the "night marchers" on Kealia Road are not uncommon and should be documented.
- g) The Archaeological Literature Review and Field Inspection Report for this project seems inadequate as it relies heavily on previous studies focused on a much larger area, far beyond the petition area. The petition area is part of a prior AIS (Drennan et al. 2006) for 2,000 acres.
- h) New research and reconnaissance through interviews with longtime kama'aina residents of Kealia Town Tract should take place and include information, customs and practices of the Kealia town residents during the 1950's, 1960's and 1970's, the decades which were overlooked.

Conclusion

W-KNA does not support a district boundary amendment from agricultural district to urban district. This project exemplifies sprawl and requires commuting to jobs, schools, shopping and other needs. Overall, the proposed subdivision does not reflect the elements of a livable community that is safe and secure, with appropriate connectivity options, and quality of life supporting features such as parks. The proposed lot sizes are also inconsistent with the neighboring Kealia Town Tract lots. And, there is only one access point to the proposed subdivision.

We are also concerned that Commissioners cannot make an informed decision on the project due to insufficient information in the draft EIS and inaccuracies in the documentation. We dispute the claim that the petition area is located in the county's urban-growth boundary because it was not explicitly cited in the recent General Plan. The project is inconsistent with growth recommendations in the General Plan 2000 and General Plan 2018.

Thank you for the opportunity to comment and we look forward to a detailed written response from the applicant's representatives. I can be reached by email as well at rayneregush@aol.com.

Sincerely,



Rayne Regush
Chairperson, on behalf of the W-KNA Board

From: John Harder <dumpdoctor@gmail.com>
Date: June 22, 2018 at 10:46:00 AM HST
To: daniel.e.ordenker@hawaii.gov
Cc: mdahilig@kauai.gov, Kaaina Hull <khull@kauai.gov>, Anne Walton
<annehugginswalton@gmail.com>, Gabriela Taylor <gabriela@keapana.net>
Subject: Kealia Mauka Subdivision

Kealia Development EIS Comments

Aloha

While the proposal to create 230 smaller than average (affordable??) residential lots to address Kauai's housing problem may have certain merit, the proposed location is totally inappropriate for urban expansion.

As recommended in the recent General Plan update, this type of development should be located in the Hanamaulu / Puhi corridor where there is plenty of vacant land - close to jobs, shopping, adequate infrastructure, and more feasible for alternative transportation,

It's hard to imagine the impact of 300 to 400 cars on the Kawaihau / Kuhio Hwy intersection every morning, let alone the additional traffic on the bypass and Kuhio Hwy at Coco Palms.

With sufficient unused capacity at the Lihue WWTP how can this project justify the cost of constructing a force main to carry the sewage to Kapaa?

Once approved, the expansion of urban land use into the Kealia plateau would lead to pressure for additional growth.

Please consider denying the request to upzone the existing agricultural land in Kealia in favor of locating new residential development closer to the existing urban core.

Mahalo, John Harder
PO Box 272 Anahola, HI 96703

From: "David H. Dinner" <gentlewaver@gmail.com>

Date: June 22, 2018 at 11:32:50 AM HST

To: daniel.e.orodenker@hawaii.gov

Subject: Kealia

Dear Sir

Please add me to the majority of Kauai population that believes that Kealia is an exceedingly bad place for development. And for good reason. It is not in the Kauai General Plan, it is a heavy traffic area, it is an environmental nightmare and an insult to the local population that already lives in the area.. Please vote it down.

Aloha

David Dinner

Kilauea, HI 96754

David Dinner

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Visionary Craniosacral Care and Aquacranial

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DTS201806221255BE

June 22, 2018

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

Dear Ms. Palama:

Subject: Kealia Mauka Homesites, Draft Environmental Impact Statement
Kealia, Kawaihau, Kauai
Docket: A17-803 Kealia Properties, LLC
Tax Map Key: (4) 4-7-004: 001 (por.)

Thank you for the opportunity to review the subject Draft Environmental Impact Statement (EIS) for Kealia Mauka Homesites. The Petitioner is proposing to develop 235 lots ranging from 5,500 square feet to 7,300 square feet on 53.4 acres at Kealia, Kawaihau, Kauai. The buyers of the lots will be responsible for home construction. The lot sizes are designed to provide workforce housing in accordance with the County of Kauai Ordinance No. 860. The lots will be served with potable water, wastewater, electrical, telecommunications, drainage and roads.

The Petition Area located two miles north of Kapaa is currently in the State Agricultural District and used for cattle grazing. A State Land Use District Boundary Amendment petition was filed on October 16, 2017 to reclassify the Petition Area from the Agricultural to the State Urban District to undertake the proposed development. A 36-lot subdivision (south) and Kuhio Highway (west) are adjacent to the proposed area, with agricultural lands forming the remaining borders north and west of the area.

The Office of Planning (OP) has reviewed the Draft EIS and offers the following:

1. Previous Comments. In response to OP's EIS Preparation Notice comments of January 25, 2018, the Draft EIS:
 - a. Has addressed most of the relevant issues of concern relative to Land Use Commission (LUC) decision making criteria and the areas of State concern.
 - b. Provided analysis on the projected number of students to be generated by the proposed development relative to the capacity of existing schools, but has not

indicated whether an Education Contribution Agreement with the State Department of Education is needed.

- c. Incorporated a schedule of development and a map showing the circulation and lot development layout.
 - d. Included an analysis on all parts of the Hawaii State Planning Act in Hawaii Revised Statutes, (HRS) Chapter 226.
 - e. Assessed how the proposed action conforms to the objectives and supporting policies of the Hawaii Coastal Zone Management Program in HRS § 205A-2.
 - f. Summarized the project area in relation to potential impacts to wetlands, perennial streams, tsunami evacuation and flood zones, nearshore water quality, and the coastal ecosystem.
2. Section 2.3.1 Project Description. Without being specific, the Draft EIS notes that the development “will provide lots that will meet the workforce housing requirements of Kauai County Ordinance No. 860.” This seemed to imply that all lots will be priced for workforce housing. Not until Section 5.2.5 is it mentioned that 30% of the lots equating to 71 of the total 235 lots will be workforce housing lots, and that this could be cut in half to 36 lots using the incentives allowed in the Ordinance. We recommend that the number of affordable units, at least in terms of range of lots, be disclosed up front in the Project Description portion of the EIS.

In accordance with the LUC’s Hawaii Administrative Rules 15-15-50 (c)(8) relating to the contents of a petition, the project description should also indicate the sales prices for the lots.

The Draft EIS notes that no more than one single-family dwelling unit will be allowed per lot. The EIS should clarify if any accessory, additional, or ohana dwelling units could be allowed. If so, the relevant sections of the EIS such as traffic and utilities should be revised to reassess project impacts.

3. Section 4.3 Noise. Noise-sensitive residential uses would be located immediately adjacent to Kuhio Highway, where at least 22 lots will be directly affected. We note that no noise assessment study was conducted for the proposed project in the Draft EIS. We recommend that a noise study be undertaken to determine the extent of noise impacts on future residents of the subdivision, and how noise will be adequately mitigated, including consideration for additional setbacks to mitigate the impacts of highway noise.
4. Section 4.7.1.2 Important Agricultural Lands. While the Draft EIS describes the County IAL study and notes that the Kealia Mauka site is not designated IAL, it does not indicate if the

Ms. Moana Palama
June 22, 2018
Page 3

subject lands are part of the recommended IAL lands in the County mapping study. Furthermore, the current status of County IAL designation should be clarified, the Draft EIS noting only that the final study has yet to be transmitted to the County Council. It is our understanding that the County does not intend to pursue the designation of additional IAL lands beyond what has already been designated under the voluntary landowner process.

5. Section 4.10 Infrastructure and Utilities. Section 4.10.1 is missing a discussion of communications facilities to be provided to the subdivision.
6. Section 4.12 Public Services. With an estimated 700 residents in the future subdivision, the availability of any civil defense warning systems in the project vicinity should be identified.

We have no further comments on the Draft EIS at this time. If you have any questions, please contact Joshua Hekeia of our CZM program at (808) 587-2845 or Tomas Oberding of our Land Use Division at (808) 587-2883.

Sincerely,



Leo R. Asuncion
Director

c: DBEDT, Land Use Commission, Daniel Orodener, Executive Officer
HHF Planners, Scot Ezer, Vice President

From: Mark Henley <mark.w.henley@gmail.com>

Date: June 22, 2018 at 11:46:48 PM HST

To: moana@mskauai.com, Daniel.e.ordenker@hawaii.gov, sezer@hhf.com

Subject: Comments on Draft Environmental Impact Statement for proposed "Kealia Mauka Homesites"

Dear Moana and Scott,

Thank you for the opportunity to review your draft EIS. I am not in favor of the project as it has been proposed, and believe it should be quashed entirely or revised significantly to eliminate the severe impacts it would impose on the existing community of Kealia. I believe you both have some conflict of interest in being paid by the would-be developer to advance his agenda, rather than to determine the real impacts of the proposed development. Nonetheless, I do respect your work and you personally, and I am not entirely against any development - this just seems like an extreme case, and one which would be quite damaging to me and others in Kealia.

Please forgive the informal nature of my email response and any typos (in order to get this in today, to meet the timeline for consideration), but please do address the following issues in revising your draft EIS.

Thanks - Mark

1) The proposed plan would increase the size of Kealia to approximately 7 times as many households, significantly impacting current residents as well as the larger local community and public facilities, such as Kealia Beach. This would not be merely expansion of an existing neighborhood, but a major change to turn an established agricultural township into a crowded suburban environment.

2) The proposed development could set a precedent for further encroachment into adjacent agricultural lands, with a much larger impact than this development alone. Your EIS makes claims that further development is not currently intended, but offers no real assurance to that effect.

3) The rural environmental heritage of Kealia has been established for over a century, and is treasured by the residents: they generally do not want this proposed major urban development, literally in their backyards, on lands that are supposed to be agricultural. There appears to be no evidence that more extensive development of housing was ever planned for this area - there was some conjecture in wording from the developer, presuming that turn-around areas in Kaa Road were to allow for future development, but the local verbal history contradicts that conjecture, so if you have any real evidence, please state it (rather than repeating and giving credence to that presumption in an EIS).

4) Pollution from the proposed development has not been adequately addressed, as it would affect residents in the established community of Kealia, Kealia River, and the ocean.

4A) The sound environment in Kealia comes through open windows, from a few neighbors, dogs and cats, and dozens of roosters - in the still of night one can hear the cows mooing, distant cars on the highway and waves crashing on the beach. The noise from land development, subsequent construction, and activities of a huge influx of new occupants on small suburban lots would drastically change this environment.

4B) Air quality would likewise be impacted by development, construction, and a seven-fold increase in local population, more densely packed into even smaller lots.

4C) Water runoff would increase as open areas become covered by new rooftops, driveways, and roads, carrying chemicals and oils. Immediate runoff rates could double, considering the large surface areas where rainfall cannot soak into the ground (under pavement and homes). Runoff would also carry asphalt residues, motor oil, pet feces, and lawn chemicals (including herbicides) into a catchment basin in the backyards of current Kealia residences, bringing toxins to the roots of our fruit and avocado trees, and draining on down into a relatively pristine river and ocean.

5) Vehicular Traffic Impacts from the proposed development have not been adequately addressed.

5A) The real impact of the proposed development on commute times from Kealia and areas North into Kapaa and Lihue should be calculated by an unbiased outside agency. Current rush hour traffic conditions are already oppressive in the Kapaa area. It seems like 235 additional working-class residences in Kealia could bring enough cars to add 10-20 minutes to typical commute times (each way), with related increases in pollution, costs, and personal stress.

5B) Installation of a new traffic light would cause further significant delays in traffic between Kapaa and the North shore. Location of a light at a low point in topography would waste momentum of vehicles (causing additional use of fuel, wearing down brakes, an associated pollution - which would not be as bad if a stop light were installed on the plateau).

5C) An inland roadway should be considered for any such major development in the area (notably considering item 7A below, but also to avoid bridge losses in the event of a tsunami)

6) Affordability: It is not clear how the proposed development would lead to affordable housing for current residents of Kauai. The average income of Kauai residents does not appear adequate to cover the cost of acquiring land and building a home North. Would there be some type of deed restrictions to prevent resale, gift, or inheritance of a lot or home to persons from other islands, from the mainland, or from other countries? Without specific context, the portrayal of this proposed, densely populated urban development on agricultural land as affordable housing, appears to be a false pretext to encourage approval of the project, based upon ambiguous, presumed, socio-economic benefits, with no basis in fact. What is the deal?

7) Climate Change has not been adequately addressed.

7A) Significant Sea Level changes should be expected and planned for in any major new projects evaluated by the County and State, and any approved projects should bear the brunt of the new construction costs to accommodate probable sea level rises in this century. Any new project with a lifetime on the order of 100 years should not plan to use current low-lying roadways and sewer systems, which are likely to be underwater in coming years. Any new project in Kealia (and areas to the North) should plan to make higher topography available for new roads and utility easements that provide access to Kapaa and Lihue. Note that portions of the two large agricultural lots which the developer owns (~2,000 acres) could become important in providing future access for areas further North.

7B) Flooding due to Severe Rainfall: Events like the "100 year flood" which ravaged Kauai this Spring (2018) may be much more likely to occur in the future. This effects sizing of proposed catchment basins and outflow channels, to prevent spillover and erosion in the existing community of Kealia.

7C) Drought due to Changing Rainfall Patterns. Periods of drought may also be more extreme, reducing the water available for public consumption (i.e., maybe not enough for the proposed seven-fold increase in the local Kealia population).

8) Sustainability: Kauai has been fairly self-sufficient in prior times of crisis (War, Tsunami, Hurricane) partly due to the presence of agriculture lands. In the future, Kauai may need to feed even more people

on the island with less land to grow food, as we face similar crises, global economic changes, and/or climate changes. The loss of prime agricultural land is of great concern and it seems that such a large new development should occur instead on land which is not well-suited for agriculture.