



June 21, 2018

Daniel E. Orodener
State Land Use Commission
P. O. Box 2359
Honolulu, HI 96804-2359
daniel.e.oroedener@hawaii.gov

Moana Palama
Keālia Properties, LLC
c/o Hawaii Management Services
P.O. Box 1630, Koloa, HI 96756
moana@mskauai.com

Scott Ezer, Vice President
HHF Planners
733 Bishop St., Suite 2590
Honolulu, HI 96813
sezer@hhf.com

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-

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)

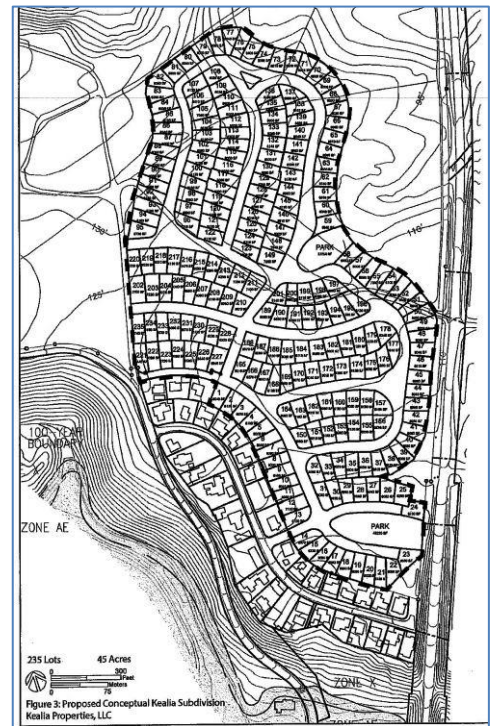
Kaua‘i County identified and mapped potential agricultural lands within its jurisdiction based on the standards and criteria in HRS §205-44. The final study completed in July 2015 (although not adopted yet) identified the Kealia Mauka Homesites land as agricultural lands of importance to the state, a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