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Date: 10-01-2018

RE: Response to Comments on HoKua Place DEIS

TO: Rayne Regush
Chairperson of W-KNA

Please note that a "Second Draft Environmental Impact Assessment (2nd DEIS)" will be published for comments in November. In order to address concerns of the already published Draft Environmental Impact Assessment, new information in the form of reports, and studies, including a new TIAR, an Agricultural Suitability Report, an Invertebrate Study, as well as references to the updated County General Plan were added. Therefore, the submittal of the 2nd DEIS will allow the public and agencies to comment on the new information.

We are pleased to respond to W-KNA's comments on the DEIS for HoKua Place as follows:

Page 1:

It is highly unlikely that the developer would commit to install any infrastructure (Road A) prior to approval of a Boundary Amendment or achieving of entitlements on the County level. The completion of the any infrastructure will most likely be a condition of entitlements at the state and county levels..

Page 1, Item 1:

Please refer to above response.

Page 1, Item 2:

The LUC most certainly will assess the project's financial plan during the entitlement process. Because of the rigorous process and enormous cost processing of entitlements, innately , the property's market value will increase proportionately.

Page 1, Traffic Circulation and Congestion:

Again, an update TIAR is included in the 2nd DEIS along with the State DOT and the County DPW comments, as well as the consultant's response to the comments. (See Exhibit "H", Volume II) The consultant and applicant believe that while the regional traffic is congested at times, HoKua traffic plan will help ease the traffic congestion in the area.

Page 2:

a) Refer to the updated TIAR with the State DOT and the County DPW comments, as well as the consultant's response are included as Exhibit "H", Volume II.
b) Please refer to the updated TIAR.
c) The updated TIAR discusses solutions to the intersection of "Road A" and Olohena Road intersection.
d) Currently there is no planned overpass over the bypass road.

e), f), & g): The updated TIAR herein discusses these items.

Page 2 Density:

a) This petition entails the proposal of 683 multi-family units and 86 single family lots and homes.
b) This petition includes 683 multi-family units and 86 single family lots Alternative 3 is depicted as not an option to fulfill the housing needs as expressed by the planning department at the inception of HoKua Place. At that time the county planning department asked for 700 to 800 units. Alternative 3 would yield a maximum approximate of 300 single family units, far short of the planned total units and will not effectively meet the current General Plan's demand for housing in the area.
c) HoKua Place is committed to providing affordable housing in accordance with the Kaua'i Housing Code. Please refer to Page 12 of the 2nd DEIS, Volume I.
d) The applicant recognizes that challenges of the sloped lands where some of the multi-family units are proposed. The final designs will accomplish the most effective use and will minimize the cost of construction on sloped lands. Detailing of housing units and multi-family units will be disclosed during the entitlement process with the County Planning Department and Planning Commission.

Page 2 Phasing:

a) The HoKua Farm Lots will be developed separately from Hokua Place. The Farm Lots are zoned for their proposal. Hokua Place is petitioning for a Boundary Amendment.

Page 2, DEIS Maps:

a) This petition is not intended to show details of the housing units. The map on Page 22 depicts the greenbelts, neighborhood commercial space, public pool facility space and the proposed areas for multi-family designations and single family designations.

   Although this petition is based on the updated General Plan, the applicant recognizes that the County Planning Department has submitted an update to the Kapa'a-Wailua Development Plan to the Kauai County Council for approval. Currently, there is no foreseeable timeline as to when the updated plan will be approved or rejected by the council. However, the applicant is cognizant of the "Form Base Code" that planning department is emphasizing in the updated plan. Therefore, to allow for flexibility to design for the "Form Base Code" particulars, the applicant is submitting this petition for a total amount of units that is plausible for the site and not committed to the final site planning of the units.

   The blue-line indicates the current general plan "Urban" designation boundaries as indicated on the map.
b) The detailed planning of the housing units will be developed for the entitlement process for the County Planning Commission. W-KNA will have opportunities to scrutinize the plan during that process.
c) Please refer to Exhibit P.1 for a full size aerial topography map.
d) Refer to Exhibit P.2 for a full size survey showing dirt roads etc.
e) An updated Firm Map is provided in the 2nd DEIS, Volume I.

Page 3, Stream Impacts:

a) The "unnamed" stream is outside of the HoKua Place Development and it does come from Olohena Road and ultimately crosses the bypass road. The stream then goes to Waikaea Canal. The development of Hokua Place will include on site retention basins which will not

allow development run-off into the stream. A more detailed development drainage plan will be provided for the County entitlement process. It will include a drainage plan that will safeguard the stream from negative impacts.

b) Item a) above address this item.

c) The exploratory hole for propose water well is located approximately 175 feet from the stream. The spring shown on the subject map is outside the boundaries of Hokua Place, but is approximately 180 feet away from the stream.

Page 3, Inconsistent Information:

a) To the best of my knowledge, all information provided for the 2nd DEIS is pertinent to the project. There may be references to Kapa'a Highlands Phase II, which is the former name of the Project.

b) The provided Exhibit "P" delineates an aerial topography which clearly shows the sloped areas.

c) A licensed Archaeologist will make the determination of "significance" if there are findings during construction.

d) HoKua Place is in concert with the current General Plan. The Kapa'a-Wailua Development Plan (East Kauai Community Plan) is in the process of being updated.

Page 3, Drainage:

a) & b) The applicant believes that the Preliminary Drainage Engineering Report on Drainage improvements is adequate for this EIS petition. The applicant will follow the normal procedure of providing a complete and detailed report of drainage during the County permitting process.

Page 4, Visual and Aesthetic Resources:

a) The Nounou Mountain Range is to the North East of the Middle School. Mount Waialeale is to the North and partly North West of the Middle School. The average difference in grade from the school to potential building areas adjacent to the school is 25 feet in both directions. Therefore, the applicant can visualize that views of the subject mountain ranges will not be significantly impaired.

b) Most of the proposed units will have substantial views of either the ocean or mountains. To avoid having more traffic than the projected residential traffic in the area, the applicant is reserved about creating a public viewing area for tourists and the like.

c), d), e) and f): The photographs have been replaced with your recommended photographs. Exhibit P.1 for a full size survey showing dirt roads etc.

g) and h): The developer is committed to providing "affordable housing". The cost for underground utilities could cost each unit owner 25k to 30k each. The option of not not going underground should rest with the developer in order to achieve their commitment to "affordable housing".

Page 4, Secondary and Cumulative Impacts:

a) The 2nd DEIS has addressed the current General Plan and has recognized that the Kapa'a-Wailua Development Plan is currently being update. Refer to Page 21.

b) The projected property taxes generated from this affordable housing project is a minimum of approximately 1.5 million dollars a year. There is no forecast of a plan to take care of the regional traffic system, therefore a statement of generated taxes versus cost of future solutions is not available at this time.

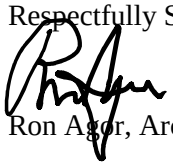
Police and Fire protection is already available for the proposed development area.

Page 6, c) It is the Developer's assessment that the tourist population increase from the Coconut Beach Resort, the Coconut Plantation Village and the Coco Palms will have a positive impact on the HoKua Place. The subject resorts will provide hundreds of jobs for the local residences of this development. The housing of many of our young local residences and the jobs provided by the afore mentioned resorts, in short vicinity of each other, cumulates what should be achieved in building a sustainable community.

Page 6, d) The population census graphics for the 2010 remains the same to 2017 (10,699). Therefore the submitted report can still apply as written.

Page 6, a) Volume 2 has been paginated.

Respectfully Submitted,



Ron Agor, Architect

WAILUA-KAPA'A
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June 22, 2015

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RE: Draft EIS for HoKua Place, Kapa`a - Petition for District Boundary Amendment for 97-acres from Agriculture District to Urban District, TMK (4)4-3-03:001

The Wailua-Kapa`a Neighborhood Association (W-KNA) cannot support this Boundary Amendment at this time. It is imperative that roadway infrastructure improvements are implemented first and foremost to resolve long-standing traffic congestion in Kapa`a. Development and population growth has outpaced the town's roadway infrastructure and HoKua Place (even if phased) may intensify this problem.

Members of the W-KNA board have recently served on the State Department of Transportation's Citizen Advisory Committee for the Kapa`a Transportation Solutions Study. We understand the urgency to address traffic needs before increasing residential density in Kapa`a. Yet, we understand the acute need for affordable housing and support siting urban expansion adjacent to the Kapa`a town core. But, allowing more density now is a risk to the community until roadway solutions are implemented.

Within the role of the Land Use Commission (LUC), can specific conditions be imposed on the applicant to mitigate critical transportation concerns? For example, could an agreement be negotiated to grant the Boundary Amendment once HoKua Place "Road A" is operational for public use? This way, a transportation solution is guaranteed in advance of any housing construction.

The petition for the boundary amendment for Urban District entitlements should not be granted until:

1. One or more traffic congestion mitigation solutions are in the construction phase, and
2. The project's financial plan is vigorously assessed by the LUC to indicate that funds are sufficient to execute the 97-acre Phase II development. Otherwise, the project may be speculative in nature, seeking entitlements that will increase the property's market value.

Traffic Circulation and Congestion.

HoKua Place represents a dramatic increase in housing for East Kaua`i and once occupied, it will contribute significantly to regional traffic. Utilization of multi-modal design will not alleviate existing congestion problems.

The *1997 Kaua`i Long-Range Land Transportation Implementation* Plan has not met its 2000 and 2006 deadlines for Kapa`a roadway widening in areas affected by the proposed boundary change. And, recommendations in the *2035 Transportation Plan for the Kauai District* (July 2014) have not been implemented. Recommendations in the *Kapa`a Transportation Solutions Study (2015)* have not yet been published, but will include some priority projects which could be completed in five years.

a) What is the status of the Draft TIAR dated June 6, 2014?
b) What are the specific times described as "peak hours" in the TIAR? Please include a description of weekend traffic congestion in the DEIS.
c) Discuss how the Applicant might partner with the county to design and construct a roundabout or a 4-way intersection alternative where Olohena, Ka`apuni, Keahulua Roads and HoKua Place "Road A" meet. What partnership terms might the Applicant agree to as a condition for granting the Boundary Amendment?
d) Provide a topographical rending of the proposed Overpass that will cross the Bypass Road.
e) We concur with the County's recommendation for a left turn storage lane from the Kapaa Bypass (northbound) into "Road A" and a southbound right turn lane into "Road A". Please provide an overlay illustration of how the Bypass Road will accommodate these turn lanes and explain whether or not the Applicant will agree to not deferring these improvements.
f) We agree with the County's recommendation that the TIAR analyze: a) the intersection of Kuhio Highway and Lehua Street, and b) Olohena Road and Lehua Street.
g) The DEIS should describe the anticipated traffic impacts at the Kapa`a Roundabout, but not in the context of Bypass Road closure.

Density.

a) The proposed 769 housing units on 97-acres is high density for a rural island. Why didn't the EISPN provide alternatives for reduced residential density by decreasing the 683 multi-family units? Please provide alternate scenarios.
b) Alternative 3 Residential Lot Subdivision (page 23) does not disclose the number of single family housing lots proposed. Please provide that number and describe how it will "pencil out".
c) Why are there no Kaua`i Housing Code designated affordable single family homes and instead, only affordable multi-family housing?
d) Siting multi-family, multi-story housing along sloped topography involves additional cost and other challenges. Please provide more narrative about this and a visual aid showing the multi-story designs built on the hillside.

Phasing.

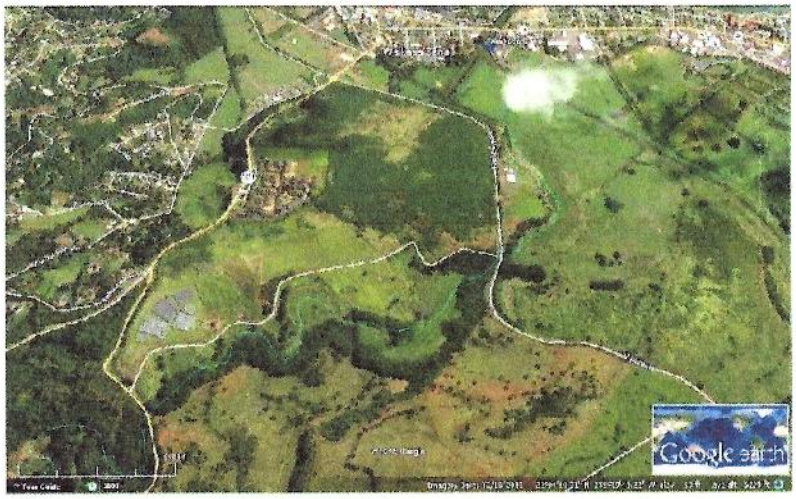
a) Explain the relationship between Phase I-HoKua Farm Lots and Phase II-Hokua Place describing in detail any constraints (especially financial) that one may have upon the other.

DEIS Maps.

a) The EISPN Concept Plan Map October 2010 (which gave a good visual representation of the placement of all the housing units, greenbelts and roads) was replaced by Conceptual Plan Map March 2015 that has far less detail (see pages 13, 20 and 161). What do the unlabeled blue boundary lines represent? Why are they drawn through several proposed houses?
b) Providing a full page, color configuration of the proposed 769 housing unit buildout similar to the Concept Plan Map October 2010, would be very helpful.
c) A full page topographic map should be included with legible elevation lines, streams, ditches, diversions, wells, bridges and other pertinent notations including boundaries of adjacent landowners with TMK numbers.
d) Provide a site map showing existing cane haul roadways (paved and unpaved) and the proposed roadways sited throughout the development.
e) A current FIRM Map needs to replace the FIRM Map Overlay dated 2005 (page 146).

Stream Impacts.

a) Provide confirmation whether or not the "unnamed" Stream referenced in the DEIS (eg. Water Resources, page 77, Section 4.6.1) is actually Waikaea Stream which crosses Olohena Road and the Bypass Road from Hokua Place and empties into the Waikaea Canal. The Google Earth picture we inserted here identifies Waikaea Stream with a blue line.



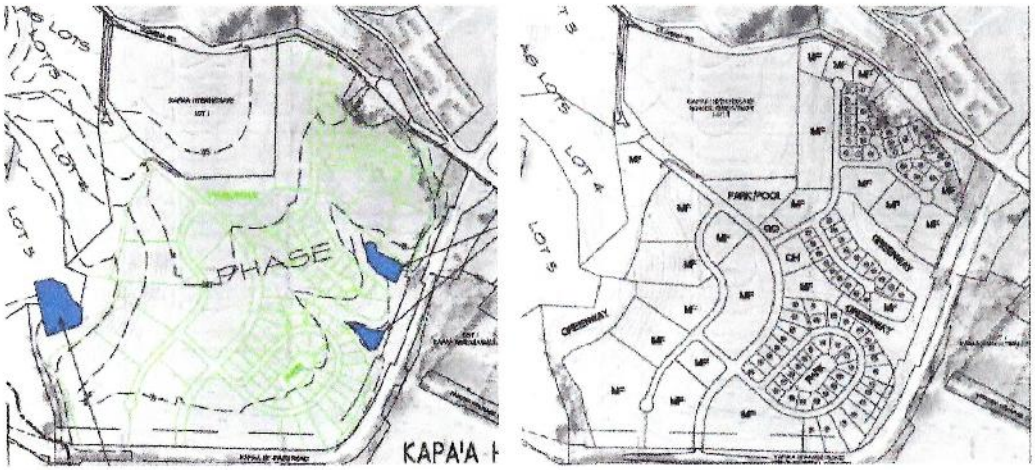
b) On page 77, the DEIS says: "HoKua Place is committed to keeping the flow of the stream consistent". Therefore, please include base flow information for this stream.
c) Provide the distance between the location of the Potable Well and the Stream, and to the Spring identified on page 86 on the map.

Inconsistent Information.

a) Many documents in the DEIS were prepared years earlier for Kapa`a Highlands. Please describe each instance where the information may not apply to HoKua Place.
b) HoKua Place is a hillside development so we question why there are so few references to this fact. The aerial photos also appear to flatten out the terrain.
c) On Page 19: Natural & Cultural Resources, it notes: "Should any archaeologically **significant** artifacts, bones, or other indicators be uncovered during construction…". Since a cultural site monitor is not proposed, who is qualified to determine whether finds are "significant"?
d) Page 19: Land Use. To our knowledge, there is no county document called the "Kapa`a-Wailua Basin Community Plan". However, there is a 1973 Kapa`a Wailua Development Plan. It has not been updated. So, saying the project is consistent with that Plan, evades that fact that a 4-decade old plan is not optimal.

Drainage.

a) The Preliminary Engineering Report on Drainage Improvements (Exhibit F) is extremely brief. As stated: "the topography varies from gently sloping, bluff top property, to steep areas that drop off into drainage gullies" therefore a more detailed analysis on the impacts of storm water runoff and maintaining pre-development drainage flow volumes and patterns is warranted.
b) The drainage system refers to three detention basins which are also labelled as "Greenways" on the maps. Please provide photographs of these areas and also a visual rendering of how these dual-purposed gullies will be used.



Visual and Aesthetic Resources.

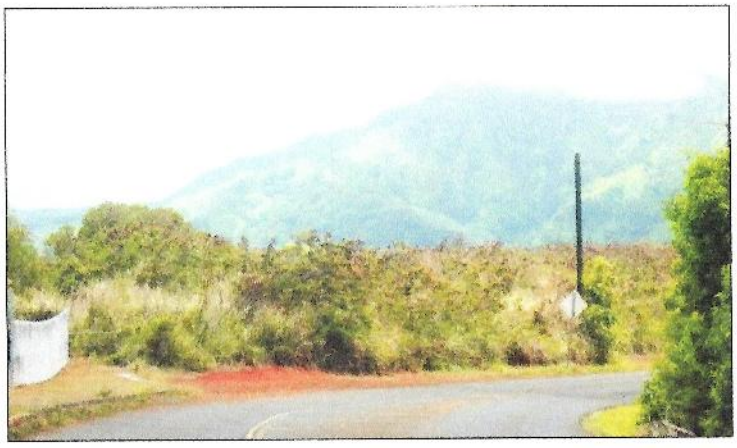
a) Significant views of Nounou Mountain Range and Mount Waialeale can be seen from the Middle School property. Discussion has been omitted concerning how the development will impact the line of sight to this spectacular scenery.
b) The surrounding landscape offers sweeping vistas looking makai to the ocean and mauka towards the mountains. The development needs to provide scenic overlooks and vista points for public benefit. The 3-acre park may not offer sufficient views of these dramatic panoramas.
c) The "Photo Tour" in section 4.4.1 Environmental Setting (pages 63-69) minimizes the project's visual impacts from different public vantage points along the Bypass and from Olohena Road.
d) The two photos below are far more representative of the views "approaching HoKua Place, driving North on the Bypass Road" than Photo Tour picture #1 (page 64) in the DEIS.

The downhill slopes below the Middle School campus will be populated with new urban district housing, replacing the existing agricultural vistas.

e) From Olohena Road near the fork at Ka`apuni, views such as the panoramic photo below, is far more representative than DEIS photos #15 and #16 (pages 68-69).

Panorama of the HoKua Place development site looking southeast with expansive ocean views and in the far distance is Hoary Head/Haupu Mountain Range in Lihu`e.

f) DEIS photo #13 (page 68) is a poor representation of "Looking across the west side of the Middle School parking lot, Hokua Place is beyond." In contrast, our photo below shows the school parking lot fence (lower left corner) and the dirt road (proposed "Road A") where it meets Olohena Road, traveling mauka just before the fork. Makaleha Mountain Range and the "lei of pearls" (waterfalls) are visible.



g) There are also spectacular views of Mount Waialeale on days without a cloud cover. Scenic and open space resources are important assets to the community.
h) To preserve views, we strongly encourage the developer to commit to undergrounding electric lines, which currently, they state is "dependent on funding".

Secondary and Cummulative Impacts.

a) The DEIS fails to note that the County's General Plan 2000 is outdated and that many of the recommended implementing actions did not occur. A General Plan update has just launched, therefore the first paragraph on page 153 is inaccurate.
b) Secondary impacts relate principally to overburdened roadway infrastructure and public facilities and services which don't meet demand. Please describe the extent to which increased tax revenues from new housing will offset and exceed the demand for additional police and fire protection and new roadway improvements.

c) Cumulative impacts relate to HoKua Place in the context of two large resort developments approved just a few miles away – Coconut Beach Resort (343 units) and Coconut Plantation Village (198 units) along with pending permit approvals for the Coco Palms Resort's 350-unit hotel. Please discuss the social impacts or diminished quality of life from the anticipated population growth from these resorts.
d) The information provided from the DOE's Classroom Utilization Report 2007-2008 and the School Status and Improvement Reports for School Year 2010-2011 (pages 112-113) would be more meaningful if you provide charts showing multiple years, and include more current data.

DEIS Volume II.

a) Volume II is almost 400 pages in length and should have been paginated. It is extremely challenging to navigate the Appendices.
b) W-KNA did not receive the consultant's undated letter acknowledging our EISPN comments, but we did see it reproduced near the end of Volume II.

Thank you for the opportunity to comment. We look forward to a detailed response from the consultant, Ho`okulcana LLC and a copy of the FEIS.

Sincerely,

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