



OFFICE OF PLANNING STATE OF HAWAII

DAVID Y. IGE
GOVERNOR

MARY ALICE EVANS
DIRECTOR
OFFICE OF PLANNING

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <http://planning.hawaii.gov/>

DTS201907180811AA

July 22, 2019

TO: Daniel Orodener, Executive Officer
State Land Use Commission

FROM: *h* Mary Alice Evans, Director *Mary Evans*
Office of Planning

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

2019 JUL 22 P 12:07
LAND USE COMMISSION
STATE OF HAWAII

Kealia Properties, LLC is seeking to reclassify 53.4 acres of land (Petition Area) from the State Land Use Agricultural District to the Urban District to develop 235 residential lots. Lot sizes will be set below 10,000 square feet, ranging from approximately 5,600 square feet to 7,300 square feet, to target the Kauai resident market. The project will meet Kauai County's workforce housing requirement by offering approximately 36 lots for sale to households earning 80% and below to 140% of Kauai's median household income. The project includes provision of infrastructure for drinking water, storm water drainage, wastewater, electrical power, telecommunications, and transportation improvements to serve the subdivided parcels. Two detention basins totaling 5.86 acres are also planned. Roadway, drinking water, and sewer improvements are also proposed on lands outside of the Petition Area.

The Office of Planning (OP) has reviewed the Draft Final Environmental Impact Statement (Draft FEIS) for the subject project and has the following comments.

In OP's letter of June 22, 2018, we indicated that all but one of our previous comments presented in the Environmental Impact Statement Preparation Notice response letter dated January 25, 2018 had been sufficiently addressed in the Draft Environmental Impact Statement (DEIS). OP had additional comments on the DEIS as well.

The Draft FEIS addresses all of our outstanding concerns. A summary of OP's comments on the DEIS and the Draft FEIS response (in italics) follows:

1. Indicate whether an Education Contribution Agreement (ECA) with the State Department of Education (DOE) is needed. *The Draft FEIS states that DOE will not be requesting an ECA for the project and provides an August 1, 2018 email from the School Lands and Facilities Specialist (pg. 4-92 and Appendix M).*

2. The number of affordable units and the sales prices for the lots should be disclosed in the Project Description. *The number of affordable units and the estimated sales price for the lots are provided (pg. 2-6, Table 2-1, pgs. 5-26 – 5-27, and Table 5-1).*
3. Clarification of whether any accessory, additional, or ohana dwelling units could be allowed. EIS should be revised regarding impacts, e.g., traffic, utilities, etc., if additional units are allowed. *The Draft FEIS states that the development will include restrictive covenants against Additional Dwelling Units (ADUs) so construction of a second dwelling unit on any lot will be prohibited (pg. 2-3 and pg. 4-92).*
4. A noise study is needed given the proximity of residential uses to Kuhio Highway. *The Draft FEIS includes a noise study, and noise mitigation measures will be implemented (Section 4.3 and Appendix J).*
5. Disclose whether the subject lands are part of the recommended IAL lands in the County mapping study, and clarify the status of the County IAL designation. *The Draft FEIS states that the Petition Area is part of the recommended IAL lands in the County's mapping study. However, the study was not adopted by the County Council and the County does not intend to pursue designation of additional IAL lands beyond what has already been designated under the voluntary landowner process. The Petition Area is not IAL-designated lands (pg. 4-42).*
6. Discuss communications facilities for the subdivision. *Telephone and cable service will be provided to the project by Hawaiian Telcom and Spectrum, respectively (pgs. 4-55 - 4-56).*
7. Discuss the availability of civil defense warning systems in the area. *The availability and adequacy of civil defense warning systems in the area to service the project is discussed (pgs. 4-89 - 4-90).*

Based on the above, we recommend that the Land Use Commission **accept** the FEIS for the Petition.

If you have any questions, please contact Aaron Setogawa of our Land Use Division at (808) 587-2883.

cc: Scott Ezer, Principal, HHF Planners
Benjamin M. Matsubara, Esq., Matsubara, Kotake & Tabata
Curtis T. Tabata, Esq. Matsubara, Kotake & Tabata
Kaaina S. Hull, Director, Department of Planning, County of Kauai
Matthew M. Bracken, Esq., Kauai County Attorney, Office of County Attorney
Kauai County Planning Commission, c/o Department of Planning