

Page 2, Other: The Developer will coordinate with Kauai DOW to incorporate this project into the County water use and development plan.

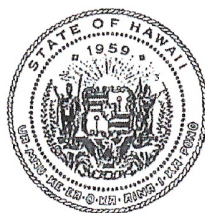
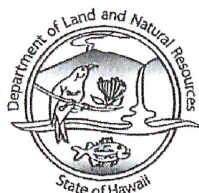
This project will be incorporate recommendations by the Handbook for Storm Water Reclamation and Reuse Best Management Practices in Hawaii (2008).

The Developer intends to use water efficient fixtures and water conservation measures throughout the project.

Respectfully Submitted,

Ron Agor, Architect

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

May 19, 2014

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:

Draft Environmental Impact Statement (DEIS) for the HoKua Place project (formerly referred to as Kapa'a Highlands)

LOCATION:

"Situated at (4) 4-3-003:001 (portion) in the Kawaihau District on the island of Kauai"

APPLICANT:

HG Kauai Joint Venture, by its consultant, Ho'okuleana LLC

Transmitted for your review and comment on the above-referenced document. We would appreciate your comments on this document which can be found here:

1. Go to: <https://sp01.ld.dlnr.hawaii.gov/LD>
2. Login: Username: LD\Visitor Password: Opa\$\$word0 (first and last characters are zeros)
3. Click on: Requests for Comments. Click on the subject file "Draft Environmental Impact Statement (DEIS) for the HoKua Place project (formerly referred to as Kapa'a Highlands)", then click on "Files" and "Download a copy". (Any issues accessing the document should be directed to Jonathan Real, Applications/Systems Analyst at 587-0427 or Jonathan.C.Real@hawaii.gov)

Please submit any comments by June 17, 2015. 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 Supervising Land Agent Steve Molmen at (808) 587-0439. Thank you.

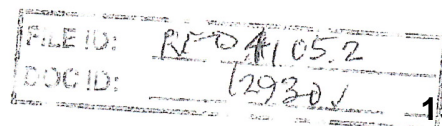
Attachments

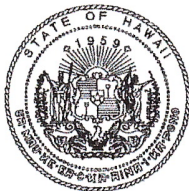
- () We have no objections.
- () We have no comments.
- (x) Comments are attached.

Signed: /s/ W. Roy Hardy

Print Name: Acting Deputy Director

Date: June 3, 2015





STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
P.O. BOX 621
HONOLULU, HAWAII 96809

June 3, 2015

REF: RFD.4105.2

TO: Russell Tsuji, Administrator
Land Division

FROM: W. Roy Hardy, Acting Deputy Director
Commission on Water Resource Management

SUBJECT: Hokua Place Project (formerly Kapaa Highlands)

FILE NO.:

TMK NO.: (4) 4-3-003:001 (portion)

Thank you for the opportunity to review the subject document. The Commission on Water Resource Management (CWRM) is the agency responsible for administering the State Water Code (Code). Under the Code, all waters of the State are held in trust for the benefit of the citizens of the State, therefore, all water use is subject to legally protected water rights. CWRM strongly promotes the efficient use of Hawaii's water resources through conservation measures and appropriate resource management. For more information, please refer to the State Water Code, Chapter 174C, Hawaii Revised Statutes, and Hawaii Administrative Rules, Chapters 13-167 to 13-171. These documents are available via the Internet at <http://www.hawaii.gov/dlnr/cwrn>.

Our comments related to water resources are checked off below.

- ☒ 1. We recommend coordination with the county to incorporate this project into the county's Water Use and Development Plan. Please contact the respective Planning Department and/or Department of Water Supply for further information.
- ☐ 2. We recommend coordination with the Engineering Division of the State Department of Land and Natural Resources to incorporate this project into the State Water Projects Plan.
- ☒ 3. We recommend coordination with the Hawaii Department of Agriculture (HDOA) to incorporate the reclassification of agricultural zoned land and the redistribution of agricultural resources into the State's Agricultural Water Use and Development Plan (AWUDP). Please contact the HDOA for more information.
- ☒ 4. We recommend that water efficient fixtures be installed and water efficient practices implemented throughout the development to reduce the increased demand on the area's freshwater resources. Reducing the water usage of a home or building may earn credit towards Leadership in Energy and Environmental Design (LEED) certification. More information on LEED certification is available at <http://www.usgbc.org/leed>. A listing of fixtures certified by the EPA as having high water efficiency can be found at <http://www.epa.gov/watersense/>.
- ☒ 5. We recommend the use of best management practices (BMP) for stormwater management to minimize the impact of the project to the existing area's hydrology while maintaining on-site infiltration and preventing polluted runoff from storm events. Stormwater management BMPs may earn credit toward LEED certification. More information on stormwater BMPs can be found at <http://hawaii.gov/dbedt/czm/initiative/lid.php>.
- ☒ 6. We recommend the use of alternative water sources, wherever practicable.
- ☐ 7. We recommend participating in the Hawaii Green Business Program, that assists and recognizes businesses that strive to operate in an environmentally and socially responsible manner. The program description can be found online at <http://energy.hawaii.gov/green-business-program>

- ☒ 8. We recommend adopting landscape irrigation conservation best management practices endorsed by the Landscape Industry Council of Hawaii. These practices can be found online at http://www.hawaiiscape.com/wp-content/uploads/2013/04/LICH_Irrigation_Conservation_BMPs.pdf
- ☒ 9. There may be the potential for ground or surface water degradation/contamination and recommend that approvals for this project be conditioned upon a review by the State Department of Health and the developer's acceptance of any resulting requirements related to water quality.

Permits required by CWRM:

Additional information and forms are available at http://hawaii.gov/dlnr/cwrm/info_permits.htm.

- ☐ 10. The proposed water supply source for the project is located in a designated water management area, and a Water Use Permit is required prior to use of water. The Water Use Permit may be conditioned on the requirement to use dual line water supply systems for new industrial and commercial developments.
- ☒ 11. A Well Construction Permit(s) is (are) required before any well construction work begins.
- ☒ 12. A Pump Installation Permit(s) is (are) required before ground water is developed as a source of supply for the project.
- ☒ 13. There is (are) well(s) located on or adjacent to this project. If wells are not planned to be used and will be affected by any new construction, they must be properly abandoned and sealed. A permit for well abandonment must be obtained.
- ☐ 14. Ground water withdrawals from this project may affect streamflows, which may require an instream flow standard amendment.
- ☐ 15. A Stream Channel Alteration Permit(s) is (are) required before any alteration(s) can be made to the bed and/or banks of a stream channel.
- ☐ 16. A Stream Diversion Works Permit(s) is (are) required before any stream diversion works is (are) constructed or altered.
- ☐ 17. A Petition to Amend the Interim Instream Flow Standard is required for any new or expanded diversion(s) of surface water.
- ☐ 18. The planned source of water for this project has not been identified in this report. Therefore, we cannot determine what permits or petitions are required from our office, or whether there are potential impacts to water resources.
- ☒ OTHER:
The State Water Code requires each county to update its water use and development plans as necessary to maintain consistency with its zoning and land use policies (§174C-31 HRS). Should a change in zoning be approved for this project, please coordinate with the respective Planning Department and/or Department of Water to incorporate this project into the county water use and development plan. An update of the County of Kauai's Water Use and Development Plan is being initiated by the Department of Water.

The project is located in the Anahola Aquifer System Area (ASYA). The sustainable yield of the Anahola ASYA is 17 million gallons per day (mgd). Reported pumpage as of December 2014 is 2.33 mgd. The projected average water demand associated with this project, 0.451 mgd, was based on the Domestic Consumption Guidelines in the County Water System Standards.

Due to the location of this project makai of the UIC, the establishment of an onsite wastewater reclamation and reuse facility and the installation of a dual water system should be considered. Recycled non-potable water and stormwater capture and reuse may be used to meet the irrigation needs of the development, while conserving our natural supplies of ground water for environmental needs. The Commission has published a Handbook for Stormwater Reclamation and Reuse Best Management Practices in Hawaii (2008). Please visit the Commission's website at <http://hawaii.gov/dlnr/cwrm> to view or download a copy.

The Commission strongly supports the proposed installation of water efficient fixtures and water conservation measures. A listing of fixtures certified by the EPA as having high water efficiency can be found at <http://www.epa.gov/watersense/products/index.html>.

If there are any questions, please contact Lenore Ohye of the Planning Branch at 587-0218 or Ryan Imata of the Regulation Branch at 587-0225.

AGOR JEHN ARCHITECTS, LLC
460 Ena Road, Suite 303
Honolulu, Hi 96815
ron@agorjehnarch.com
808-947-2467

Date: 11-06-2017

RE: Response to Comments on HoKua Place DEIS

TO: Leo R. Asuncion, Director
Office of Planning
State of Hawaii
PO Box 2359
Honolulu, Hi 96804

We are pleased to respond to your June 15, 2015 comments on the DEIS for HoKua Place as follows:

Page 1, Item 1: An effort has been made to replace some of the maps that had poor resolution.

Page 1, Item 2: The Second Page (392) of Exhibit "L" in Volume I is SHPD's letter of approval of the Archaeology Assessment.

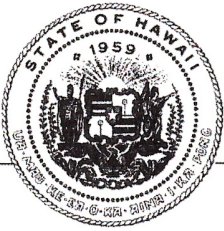
Page 1, Item 3: -An updated LSB map is included in Exhibit "C", Page 54.
-An updated ALISH map is included in Exhibit "C", Page 55.
-We attempted to get a better image of the Soils Map, Page 43, Exhibit "C". Pages 44 to 50 appears to depict the soils type of the property.
-Please refer to Soils Maps 74 and 75 of Volume I for better maps. Pages 76 to 78 of Volume I describes the soils type.

Page 1, Item 4: To the best of our knowledge the HoKua Place petition meets HRS 205-17 and the project is outside the Coastal Zone Management Area.

Page 2, Item 5: An Invertebrate Study is attached as Exhibit "P".

Respectfully Submitted,

Ron Agor, Architect



OFFICE OF PLANNING STATE OF HAWAII

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

DAVID Y. IGE
GOVERNOR

LEO R. ASUNCION
ACTING DIRECTOR
OFFICE OF PLANNING

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

Ref. No. P-14777

June 15, 2015

Mr. Peter T. Young, President
Hookuleana, LLC
1539 Kanapuu Drive
Kailua, Hawaii 96734

Dear Mr. Young:

Subject: HoKua Place
HG Kauai Joint Venture
Draft Environmental Impact Statement
TMK: (4) 4-3-003: por. 001
Kawaihau District, Wailua, Kauai, Hawaii

Thank you for the opportunity to review the Draft Environmental Impact Statement (DEIS). The 97-acre project is proposed for approximately 683 multi-family and 86 single family units including parks, and 1.4 acres of commercial use. The document also indicates that the adjacent HoKua farm lots share some of the project infrastructure.

The Office of Planning (OP) has the following comments:

1. The resolution and clarity of some of the maps were poor.
2. Archaeological Resources, Appendix L. We could not locate any letters or comments from the State Department of Land and Natural Resources, State Historic Preservation Office commenting on the adequacy of this study. These should be provided if available.
3. Agricultural Resources, Exhibit C. Information is included on the designations for the Land Study Bureau, but we could not locate any information on ALISH designations. If the document does not include this information, then the DEIS should include additional information on agricultural resources. The soils and LSB maps included should be clarified, as these were of poor resolution and clarity.
4. The entire site is within the State Agricultural District. The proposal will require that the Property be reclassified to the State Urban District by the Land Use Commission (LUC). OP represents the State as a mandatory party in proceedings before the LUC. In developing its position, OP evaluates whether the project meets the LUC decision-making criteria in

Mr. Peter T. Young
June 15, 2015
Page 2

HRS § 205-17, as well as its conformance with Coastal Zone Management objectives and policies in HRS § 205-A-2.

5. Invertebrate Survey. In a letter dated January 29, 2015, for the Environmental Impact Statement Preparation Notice (EISPN), OP commented that the DEIS should include an invertebrate survey. In Exhibit K, Biological Surveys Conducted on the Kapaa Highlands Phase II Project Site, TMK: (4) 3-003: 001, Island of Kauai, Hawaii, an invertebrate survey was not included within the document.

Thank you for the opportunity to review this project. If you have any questions please call either Josh Hekeia of our Coastal Zone Management Program at (808) 587-2845 or Lorene Maki of our Land Use Division at (808) 587-2888.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leo R. Asuncion', with a stylized flourish at the end.

Leo R. Asuncion
Acting Director

c: Land Use Commission

Date: 11-06-2017

RE: Response to Comments on HoKua Place DEIS

TO: Marie Williams, Planner
Planning Director Michael Dahilig
4444 Rice Street, Suite A-473
Lihue, Hi 96766

We are pleased to respond to your comments on the DEIS for HoKua Place as follows:

Page 2, Paragraph 5: Page 11 of the FEIS addresses your comment that the General Plan should not be construed as a desired growth policy. Basically, while the General Plan does not specify the “desired growth in number”, it most certainly addresses “growth policy.”

Page 3, Paragraph 1: Page 22 of the FEIS acknowledges the General Plan Update.

Page 3, Community Plan Consistency: Change to only reference to the General Plan and the Kapa’a-Wailua Development Plan.

Page 3-4, Consistency with Recent Plans and Policy Initiatives: Although the petition is focused on what the LUC’s task is, which is a Boundary Amendment per the current General Plan, the Developer acknowledges that a General Plan Update is in progress. (Page 22). Furthermore, the Developer desires to be flexible in the design of the site at this time so planning during the county entitlement process can take place with the implementation of the “Complete Streets”, Multi-Model Land Transportation Plan, and the Smart Code. The Developer recognizes that the “Form-Based Code” is part of the General Plan update. Page 22 outlines efforts to shift vehicle trip mode to pedestrian, bicycle and transit trips.

Other Comments:

- Exhibit H has the updated TIAR and responses to DPW and DOT comments.
- Pages 19 and 20 elaborates more on the Kapa’a Town Park and the Kapa’a By Pass.
- Page 21 clarifies “reserved areas” as “zoned” areas.
- Page 24 elaborates on “Social Sustainability”.

Respectfully Submitted,

Ron Agor, Architect

Bernard P. Carvalho, Jr.
Mayor



Michael A. Dahilig
Director of Planning

Nadine K. Nakamura
Managing Director

Ka'āina S. Hull
Deputy Director of Planning

PLANNING DEPARTMENT
County of Kaua'i, State of Hawai'i
4444 Rice Street, Suite A-473, Līhu'e, Hawai'i 96766
TEL (808) 241-4050 FAX (808) 241-6699

JUN 18 2015

Mr. Peter T. Young
Hookuleana LLC
1539 Kanapuu Drive
Kailua, Hawai'i 96734

**RE: A11-791 HG Kaua'i Joint Venture
Kapa'a Highlands II
Comments on the Draft Environmental Impact Statement (DEIS)**

Dear Mr. Young:

Thank you for the opportunity to review the Draft Environmental Impact Statement (DEIS) for the State Land Use District Boundary Amendment Petition to the State Land Use Commission for HoKua Place (HG Kaua'i Joint Venture, LLC) which is located on a portion of TMK (4) 4-3-003:001 in the East Kaua'i Planning District.

According to the DEIS, the petition area, named "HoKua Place", is sited on 97 acres located on a bluff mauka of the existing Kapa'a Town Core and adjacent to the Kapa'a Middle School. The area is hemmed by Olohena Road, the Temporary Kapa'a Bypass, and an agricultural subdivision, "HoKua Agriculture Lots." The initial plans show a predominantly residential development characterized by large pockets of single family (86 lots) and multi-family dwelling units (683 units). The County's affordable housing requirements will be fulfilled onsite. The plans include limited space for complementary commercial uses. The public facilities include land for a police/fire station and 14.3 acres of open space, including greenways and a 3.1-acre park. The project area is designated State Land Use District – Agricultural and zoned "Agriculture" by the County.

Based on the DEIS, the Planning Department has the following comments and concerns, primarily in relation to the County's long range plans and land use policy initiatives:

Consistency with the General Plan Update (2000)

Thank you for providing statements addressing how the project conforms to existing County long-range plans. By County Charter, the General Plan guides the future physical development of the County and is adopted by ordinance. The Kaua'i County Code states

that amendments and updates of land use regulations and maps shall be consistent with the policies of the General Plan (Section 7-2.5, Land Use Regulations).

The existing General Plan (2000) identifies the project site for future urban growth under the "Urban Center" designation. This carried over the 1984 General Plan's designation for the area (Urban Mixed Use). The policy for Urban Center-designated land is stated in Section 5.4.1.1 of the General Plan:

"(a) Lands included within the Urban Center designation shall be centers of government, commerce and transportation that serve the entire county or a large region. Uses may include shopping centers, government offices, churches and other institutions, office complexes, and industrial facilities. Residential or resort uses may also be located within the Urban Center designation, where compatible.

(b) Urban Center areas are typically served by wastewater collection and treatment facilities and major roads. Urban Center lands may be zoned for any type of use, including General Commercial, General Industrial, Resort, and Residential."

Since the project map is conceptual at this point, the Planning Department reserves the right to confirm that the project's boundaries are entirely within the "Urban Center" designation before assessing if a General Plan Amendment is required.

Land use policies specific to the Kawaihau District are contained in Section 6.2. This section includes a preliminary planning district vision statement and a discussion on issues and opportunities related to growth and development. Specific to the project site is the following statement (Section 6.2.4.1):

"Lands previously designated for urban use but as yet mostly undeveloped include an area located near Kapa'a, south of Oloheua Road. This area was previously designated for Urban Mixed Use and is shown as Urban Center on the new GP Land Use Map. Owned partly by the State and partly by Amfac/JMB (or its successor), this "expansion area" for Kapaa has already accommodated the Kapa'a Middle School."

It must be considered that in the late 1990s, when the General Plan was developed, a major assumption influencing the final land use map was that the Kapa'a Bypass Road, also known as the Permanent Relief Route, would be completed, thus increasing highway capacity. This critical infrastructure project has stalled and does not appear to be moving forward at the State Department of Transportation (DOT).

Also, while the General Plan identified this area as Urban Center, the plan did not adopt policy that allocated housing units to the area nor identified the desired build-out scenario or intensity of uses. Likewise, the zoning capacity figures in the build-out analysis conducted for the existing General Plan should not be construed as desired growth policy. Please clarify this in the DEIS.

Ongoing General Plan Update Process

In November 2014, the Planning Department launched the General Plan Update, contracted to SSFM International. The project is envisioned to last two years and will

utilize extensive public input and new data to amend the existing General Plan's vision, policies and maps.

In May 2015, the public process for the General Plan Update was initiated with multiple Island-wide events and meetings. The planning department received a large number of comments related to traffic congestion throughout the Kapa'a-Wailua corridor and the desire to limit future growth until vehicular level-of-service improves. The applicant should be aware that these public comments, along with other public concerns, will factor into the discussion regarding potential General Plan land use map amendments. The FEIS should acknowledge that the General Plan Update is underway and could result in General Plan land use map amendments.

In Section 4.8, Socioeconomic Conditions & Public Service Facilities, please utilize information from the General Plan Technical Study: Socioeconomic Analysis and Forecast (2013) in the discussion of population growth and housing demand. This technical study was prepared for the ongoing General Plan Update and provides regional population and housing allocation forecasts for all six planning districts, including the East Kaua'i Planning District. It is a foundation study for the ongoing General Plan Update process and will be utilized in General Plan policy discussions related to growth and land use map amendments.

Community Plan Consistency

In several places, the DEIS incorrectly states that HoKua Place is consistent with the Kapa'a Town Development Plan and the Kapa'a-Wailua Basin Community Plan.

The existing development plan for the area, the Kapa'a-Wailua Development Plan, focuses on the Kapa'a Town Core and does not address regional growth nor touch on future plans for the project area. Despite the age of the plan, which was adopted in the 1970s, this is the correct plan to reference when addressing consistency with the regional plan.

The Planning Department has been working on an update of the Kapa'a-Wailua Development Plan (also known as the East Kaua'i Community Plan) for several years. This plan is not yet in public draft form and cannot be considered when addressing consistency with the project area's regional plan. However, it would be appropriate to mention that the planning process is ongoing. Unfortunately, the Planning Department cannot provide a clear timeline for project completion as the project's status is under review by County Administration.

There is no existing or draft Kapa'a Town Development Plan. A Kapa'a Town Urban Design Plan was submitted as part of the Mayor's Annual Budget Submittal to Council (FY2015-16), but it was not included in the final annual budget. Please exclude mention of this plan from the Final Environmental Impact Statement.

Consistency with recent plans and policy initiatives

Complete Streets (2010) and Complete Streets Subdivision Ordinance (2013)

The County's Complete Streets Policy requires that new projects safely accommodate travel by pedestrians, bicyclists, public transit, and motorized vehicles. Therefore, we appreciate the inclusion of active transportation design in the initial project concepts and the

acknowledgement of the positive health impacts when such infrastructure is carefully integrated into community design. However, the conceptual plans in the DEIS do not appear to reflect a recent amendment to the subdivision code which requires short block lengths in the Residential District. Please review Ordinance 946, as said standards have the potential to significantly alter the project layout.

Multi-Modal Land Transportation Plan (2013)

The Kaua'i Multimodal Land Transportation Plan (MMLTP), approved by Council in 2013, sets a goal of flatlining total annual vehicle miles travelled via trip mode shifts to active transportation modes, such as walking, biking and transit. For this to occur, the walkability of towns and urban centers must improve which will require stronger linkages between land use and travel modes. The FEIS should acknowledge this goal and address how the project will support vehicular trip mode shift to pedestrian, bicycle and transit trips.

Smart Code (Form-Based Code)

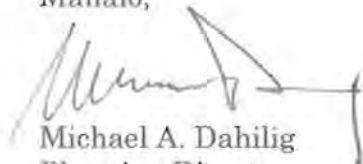
The Sustainability Plan for HoKua Place refers to "Smart Code" and states that the conceptual plans implement Smart Code principles. The County is currently implementing Smart Code's transect-based (or place-based) zoning, also known as Form-Based Code, via two community plans. As shown in the DEIS, the project would create a community segregated into two building types: the single-family house and the multi-family apartment complex. Form-Based Code supports a seamless mix of building types to meet diverse housing needs at a range of price points. This mix includes the "missing middle" building types that provide medium-scale, higher density housing such as the duplex, carriage house, mansion apartment, and cottage court. This zoning approach is codified in the Draft South Kaua'i Community Plan and is supported in the Draft Līhu'e Community Plan. Please be aware that the General Plan Update will explore how an Island-wide approach to form-based code could be implemented.

Other Comments:

- In regards to the TIAR and recommendations for the design of the proposed new connector road from the Temporary Bypass Road to Olohena Road, please address comments from the Department of Public Works.
- On Page 18, Paragraph 1, a description of Kapa'a Town Park is used but it reflects the vision for the facility and is not an accurate description of the existing facility. Likewise, Paragraph 2 on the same page reflects a vision statement for the Bypass Road and does not illustrate current conditions.
- Section 2.2, Page 19, states that the project will address housing needs "without significantly affecting reserve areas for foreseeable urban growth". Please clarify the meaning of this statement, including what is meant by "reserve areas for foreseeable future growth."
- Page 21, please clarify the meaning of "social sustainability."

Should you have any questions, please contact Marie Williams, Planner, at (808) 241-4050.

Mahalo,



Michael A. Dahilig
Planning Director

CC: Jodi Higuchi, Office of the County Attorney
State Land Use Commission