
6.0 Land Use Plans, Policies, and Controls

The Draft EIS will discuss the UNK Update's consistency with applicable State and County land use plans, policies, principles and guidelines. The forthcoming Draft EIS will include an expanded discussion of the UNK Update's conformance with the following land use plans, policies and controls, which have initially identified as relevant to the UNK Update. The following list may be refined with input received in response to this EISPN.

6.1 Hawai'i State Plan

The Hawai'i State Plan, codified as Hawai'i Revised Statutes Chapter 226, establishes a statewide planning system that sets forth goals, objectives, policies, and priority directions to provide for wise use of Hawai'i's resources and guide the future long-range development of the State.

The Hawai'i State Plan establishes the following goals for the State:

- A strong, viable economy, characterized by stability, diversity, and growth, that enables the fulfillment of the needs and expectations of Hawai'i's present and future generations.
- A desired physical environment, characterized by beauty, cleanliness, quiet, stable natural systems, and uniqueness, that enhances the mental and physical well-being of the people.
- Physical, social, and economic well-being, for individuals and families in Hawai'i, that nourishes a sense of community responsibility, of caring, and of participation in community life.

The UNK Update is consistent with the following objectives and policies of the Hawai'i State Plan:

§226-5: Objectives and Policies for Population:

- (a) *Objectives: It shall be the objective in planning for the State's population to guide population growth to be consistent with the achievement of physical, economic and social objectives contained in this chapter.*
- (b) *Policies:*
 - (2) *Encourage an increase in economic activities and employment opportunities on the neighbor islands consistent with community needs and desires.*
 - (3) *Promote increased opportunities for Hawai'i's people to pursue their socio-economic aspirations throughout the islands.*

§226-6: Objectives and Policies for the Economy in General:

- (a) *Objectives: Planning for the State's economy in general shall be directed toward achievement of the following objectives:*
 - (1) *Increased and diversified employment opportunities to achieve full employment, increased income and job choice, and improved living standards for Hawai'i's people, while at the same time stimulating the development and expansion of economic activities capitalizing on defense, dual-use, and science and technology assets, particularly on the neighbor islands where employment opportunities may be limited.*
 - (2) *A steadily growing and diversified economic base that is not overly dependent on a few industries, and includes the development and expansion of industries on the neighbor islands.*

(b) Policies:

- (3) *Promote Hawai'i as an attractive market for environmentally and socially sound investment activities that benefit Hawai'i's people.*
- (6) *Seek broader outlets for new or expanded Hawai'i business investments.*
- (7) *Expand existing markets and penetrate new markets for Hawai'i's products and services.*
- (9) *Strive to achieve a level of construction activity responsive to, and consistent with, State growth objectives.*

§226-8: Objectives and Policies for the Economy – Visitor Industry:

- (a) *Objectives: Planning for the State's economy with regard to the visitor industry shall be directed towards the achievement of the objective of a visitor industry that constitutes a major component of steady growth for Hawai'i's economy.*
- (b) Policies:
 - (6) *Provide opportunities for Hawai'i's people to obtain job training and education that will allow for upward mobility within the visitor industry.*
 - (8) *Foster an understanding by visitors of the aloha spirit and of the unique and sensitive character of Hawai'i's cultures and values.*

§226-10: Objectives and Policies for the Economy – Potential Growth and Innovative Activities:

- (a) *Objectives: Planning for the State's economy with regard to potential growth and innovative activities shall be directed towards achievement of the objective of development and expansion of potential growth and innovative activities that serve to increase and diversify Hawai'i's economic base.*
- (b) Policies:
 - (1) *Facilitate investment and employment in economic activities that have the potential to expand and diversify Hawai'i's economy, including but not limited to diversified agriculture, aquaculture, renewable energy development, creative media, health care, and science and technology-based sectors.*
 - (6) *Expand Hawai'i's capacity to attract and service international programs and activities that generate employment for Hawai'i's people.*
 - (7) *Enhance and promote Hawai'i's role as a center for international relations, trade, finance, services, technology, education, culture, and the arts.*
 - (12) *Develop, promote, and support research and educational and training programs that will enhance Hawai'i's ability to attract and develop economic activities of benefit to Hawai'i.*

§226-11: Objectives and Policies for the Physical Environment – Land-Based, Shoreline, and Marine Resources:

- (a) *Objectives: Planning for the State's physical environment with regard to land-based, shoreline, and marine resources shall be directed towards achievement of the following objectives:*
 - (1) *Prudent use of Hawai'i's land-based, shoreline, and marine resources.*
 - (2) *Effective protection of Hawai'i's unique and fragile environmental resources.*
- (b) Policies:
 - (1) *Exercise an overall conservation ethic in the use of Hawai'i's natural resources.*
 - (2) *Ensure compatibility between land-based and water-based activities and natural resources and ecological systems.*
 - (3) *Take into account the physical attributes of areas when planning and designing activities and facilities.*
 - (4) *Manage natural resources and environs to encourage their beneficial and multiple use*

- without generating costly or irreparable environmental damage.*
- (6) *Encourage the protection of rare or endangered plant and animal species and habitats native to Hawai'i.*
 - (8) *Pursue compatible relationships among activities, facilities, and natural resources.*

§226-12: Objectives and Policies for the Physical Environment – Scenic, Natural Beauty, and Historic Resources:

- (a) *Objectives: Planning for the State's physical environment shall be directed towards achievement of the objective of enhancement of Hawai'i's scenic assets, natural beauty, and multi-cultural/historical resources.*
- (b) *Policies:*
 - (1) *Promote the preservation and restoration of significant natural and historical resources.*
 - (3) *Promote the preservation of views and vistas to enhance the visual and aesthetic enjoyment of mountains, ocean, scenic landscapes, and other natural features.*
 - (4) *Protect those special areas, structures and elements that are an integral and functional part of Hawai'i's ethnic and cultural heritage.*
 - (5) *Encourage the design of developments and activities that complement the natural beauty of the islands.*

§226-13: Objectives and Policies for the Physical Environment – Land, Air, and Water Quality:

- (a) *Objectives: Planning for the State's physical environment with regard to land, air, and water quality shall be directed toward achievement of the following objectives:*
 - (1) *Maintenance and pursuit of improved quality in Hawai'i's land, air, and water resources.*
 - (2) *Greater public awareness and appreciation of Hawai'i's environmental resources.*
- (b) *Policies:*
 - (2) *Promote the proper management of Hawai'i's land and water resources.*
 - (6) *Encourage design and construction practices that enhance the physical qualities of Hawai'i's communities.*
 - (7) *Encourage urban developments in close proximity to existing services and facilities.*

§226-21: Objectives and Policies for Socio-Cultural Advancement – Education:

- (a) *Objectives: Planning for the State's socio-cultural advancement with regard to education shall be directed towards achievement of the objective of the provision of a variety of educational opportunities to enable individuals to fulfill their needs, responsibilities, and aspirations.*
- (b) *Policies:*
 - (1) *Support educational programs and activities that enhance personal development, physical fitness, recreation, and cultural pursuits of all groups.*
 - (2) *Ensure the provision of adequate and accessible educational services and facilities that are designed to meet individual and community needs.*
 - (3) *Provide appropriate educational opportunities for groups with special needs.*
 - (4) *Promote educational programs which enhance understanding of Hawai'i's cultural heritage.*
 - (5) *Provide higher education opportunities that enable Hawai'i's people to adapt to changing employment demands.*
 - (7) *Promote programs and activities that facilitate the acquisition of basic skills, such as reading, writing, computing, listening, speaking, and reasoning.*
 - (8) *Emphasize quality educational programs in Hawai'i's institutions to promote academic excellence.*

§226-23: Objectives and Policies for Socio-Cultural Advancement – Leisure:

- (a) *Objectives: Planning for the State's socio-cultural advancement with regard to leisure shall be directed towards achievement of the objective of the adequate provision of resources to accommodate diverse cultural, artistic, and recreational needs for present and future generations.*
- (b) *Policies:*
 - (1) *Foster and preserve Hawai'i's multi-cultural heritage through supportive cultural, artistic, recreational, and humanities-oriented programs and activities.*
 - (2) *Provide a wide range of activities and facilities to fulfill the cultural, artistic, and recreational needs of all diverse and special groups effectively and efficiently.*
 - (3) *Enhance the enjoyment of recreational experiences through safety and security measures, educational opportunities, and improved facility design and maintenance.*
 - (4) *Promote the recreational and educational potential of natural resources having scenic, open space, cultural, historical, geological, or biological values while ensuring that their inherent values are preserved.*
 - (7) *Provide adequate and accessible physical fitness programs to promote the physical and mental well-being of Hawai'i's people.*
 - (8) *Increase opportunities for appreciation and participation in the creative arts, including the literary, theatrical, visual, musical, folk, and traditional art forms.*
 - (9) *Encourage the development of creative expression in the artistic disciplines to enable all segments of Hawai'i's population to participate in the creative arts.*

§226-25 Objective and Policies for Socio-Cultural Advancement—Culture:

- (a) *Objectives: Planning for the State's socio-cultural advancement with regard to culture shall be directed toward the achievement of the objective of enhancement of cultural identities, traditions, values, customs, and arts of Hawai'i's people.*
- (b) *Policies:*
 - (1) *Foster increased knowledge and understanding of Hawai'i's ethnic and cultural heritages and the history of Hawai'i.*
 - (2) *Support activities and conditions that promote cultural values, customs, and arts that enrich the lifestyles of Hawai'i's people and which are sensitive and responsive to family and community needs.*
 - (4) *Encourage the essence of the aloha spirit in people's daily activities to promote harmonious relationships among Hawai'i's people and visitors.*

§226-102: Overall Direction:

The State shall strive to improve the quality of life for Hawai'i's present and future population through the pursuit of desirable courses of action in seven major areas of statewide concern which merit priority attention: economic development, population growth and land resource management, affordable housing, crime and criminal justice, quality education, principles of sustainability, and climate change adaptation.

6.2 Hawai'i State Functional Plans

The Hawai'i State Functional Plans implement the goals, objectives, policies and priority guidelines of the Hawai'i State Plan. The Functional Plans provide the connection between State programs and State policy. Twelve functional plans have been adopted by the State Legislature, including in the areas of agriculture, conservation lands, education, energy, health, higher education, historic preservation, housing, recreation, tourism, transportation and water resources. The State Functional Plans are designed to address issues pertaining to physical resource needs and development. The functions and activities of the UNK Update are required to be in conformance with these functional plans, including the State Education Functional Plan.

6.3 Hawai'i 2050 Sustainability Plan

The long-term strategy of the Hawai'i 2050 Sustainability Plan is supported by its main goals and objectives of respect for culture, character, beauty, and history of the State's island communities; balance among economic, community, and environmental priorities; and an effort to meet the needs of the present without compromising the ability of future generations to meet their own needs.

The Hawai'i 2050 Sustainability Plan delineates five goals toward a sustainable Hawai'i, accompanied by strategic actions for implementation and indicators to measure success or failure.

The goals and strategic actions that are pertinent to the UNK Update are as follows:

Goal One: *Living sustainably is part of our daily practice in Hawai'i Strategic Actions: Develop a sustainability ethic.*

Goal Two: *Our diversified and globally competitive economy enables us to meaningfully live, work, and play in Hawai'i. Strategic Actions: Develop a more diverse and resilient economy; support the building blocks for economic stability and sustainability.*

Goal Three: *Our natural resources are responsibly and respectfully used, replenished, and preserved for future generations. Strategic Actions: Provide greater protection for air, and land-, fresh water- and ocean-based habitats; conserve agricultural, open space and conservation lands and resources.*

Goal Four: *Our community is strong, healthy, vibrant and nurturing, providing safety nets for those in need. Strategic Actions: Provide access to diverse recreational facilities and opportunities.*

Goal Five: *Our Kanaka Maoli and island cultures and values are thriving and perpetuated. Strategic Actions: Honor Kanaka Maoli culture and heritage; Celebrate our cultural diversity and island way of life.*

6.4 Hawai'i State Land Use District Boundaries

State Land Use Districts are established by the State Land Use Commission (LUC) pursuant to HRS Chapter 205. The basic intent of the law is to regulate the classification and uses of lands in the State in order to accommodate growth and development as needed, and to retain and protect important agricultural and natural resources areas. All State lands are classified as Urban, Rural, Agricultural, or Conservation, with consideration given to county general and development plans in determining the classification. The Petition Area is situated on lands designated as "Urban" by the LUC, pursuant to HRS Chapter 205 (Figure 6-1).

6.5 Hawai'i Coastal Zone Management Program

The Coastal Zone Management Program (CZMP) is a comprehensive nationwide program that establishes and enforces standards and policies to guide the development of public and private lands within the coastal areas. In the State of Hawai'i, the CZMP is implemented through the State Coastal Zone Management Law codified in HRS Chapter 205A (State CZM Law). The State CZM Law's objectives and policies address ten subject areas. These subject areas include recreational resources, historic resources, scenic and open space resources, coastal ecosystems, economic uses, coastal hazards, managing development, public participation, beach protection, and marine resources. Virtually all relate to potential development impacts on the shoreline, near shore, and ocean area environments. The State CZM Law charges each county with designating and regulating Special Management Areas (SMA) within the State's coastal areas. Any "development," as defined by the State CZM Law and county regulations, located within the SMA requires a SMA permit.

The Petition Area is not within the SMA as delineated by the County. However, HRS Chapter 205A requires all state and county agencies to enforce objectives and policies as set forth in HRS §205A-2.

The following objectives and policies of the State CZM Law are applicable to the UNK Update:

RECREATIONAL RESOURCES

Objective: *Provide Coastal Recreational Opportunities Accessible to the Public.*

Policies:

- (A) *Improve coordination and funding of coastal recreation planning and management; and*
- (B) *Provide adequate, accessible, and diverse recreational opportunities in the coastal zone management area by:*
 - i. *Protecting coastal resources uniquely suited for recreational activities that cannot be provided in other areas;*
 - ii. *Requiring replacement of coastal resources having significant recreational value, including but not limited to surfing sites and sandy beaches, when such resources will be unavoidable damaged by development; or requiring reasonable monetary compensation to the State for recreation when replacement is not feasible or desirable;*
 - iii. *Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value;*
 - iv. *Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;*
 - v. *Encouraging expanded public recreational use of county, state, and federally owned or controlled shoreline lands and waters having recreational value;*

- vi. Adopting water quality standards and regulating point and non-point sources of pollution to protect and where feasible, restore the recreational value of coastal waters;
- vii. Developing new shoreline recreational opportunities, where appropriate, such as artificial lagoons, artificial beaches, artificial reefs for surfing and fishing; and
- viii. Encouraging reasonable dedication of shoreline areas with recreational value for public use as part of discretionary approvals or permits by the land use Commissions, board of land and natural resources, county planning commissions, and crediting such dedication against the requirements of Section 46-6.

HISTORIC RESOURCES

Objective: Protect, preserve and, where desirable, restore those natural and man-made historic and pre-historic resources in the coastal zone management area that are significant in Hawai'i and American history and culture.

Policies:

- (A) Identify and analyze significant archaeological resources;
- (B) Maximize information retention through preservation of remains and artifacts or salvage operations; and
- (C) Support state goals for protection, restoration, interpretation and display of historic resources.

SCENIC AND OPEN SPACE RESOURCES:

Objective: Protect, preserve and where desirable, restore or improve the quality of coastal scenic and open space resources.

Policies:

- (A) Identify valued scenic resources in the coastal zone management area;
- (B) Ensure that new developments are compatible with their visual environment by designing and locating such developments to minimize the alteration of natural landforms and existing public views to and along the shoreline;
- (C) Preserve, maintain, and, where desirable, improve and restore shoreline open space and scenic resources; and
- (D) Encourage those developments which are not coastal dependent to locate in inland areas.

COASTAL ECOSYSTEMS

Objective: Protect valuable coastal ecosystems, including reefs, from disruption and minimize adverse impacts on all coastal ecosystems.

Policies:

- (A) Exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources;
- (B) Improve the technical basis for natural resource management;
- (C) Preserve valuable coastal ecosystems, including reefs, of significant biological or economic importance;
- (D) Minimize disruption or degradation of coastal water ecosystems by effective regulation of stream diversions, channelization, and similar land and water uses, recognizing competing water needs; and
- (E) Promote water quantity and quality planning and management practices which reflect the tolerance of fresh water and marine ecosystems and prohibit land and water uses which violate state water quality standards.

ECONOMIC USES

Objective: Provide public or private facilities and improvements important to the State's economy in suitable locations.

Policies:

- (A) Concentrate coastal dependent development in appropriate areas;
- (B) Ensure that coastal dependent development such as harbors and ports, and coastal related development such as visitor industry facilities and energy generating facilities, are located, designed, and constructed to minimize adverse social, visual, and environmental impacts in the coastal zone management area; and
- (C) Direct the location and expansion of coastal dependent developments to areas presently designated and used for such developments and permit reasonable long-term growth at such areas, and permit coastal dependent development outside of presently designated areas when:
 - (i) Use of presently designated locations is not feasible;
 - (ii) Adverse environmental effects are minimized; and
 - (iii) The development is important to the State's economy.

COASTAL HAZARDS

Objective: Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, subsidence, and pollution.

Policies:

- (A) Develop and communicate adequate information about storm wave, tsunami, flood, erosion, subsidence, and point and nonpoint source pollution hazards;
- (B) Control development in areas subject to storm wave, tsunami, flood, erosion, hurricane, wind, subsidence, and point and nonpoint source pollution hazards;
- (C) Ensure that developments comply with requirements of the Federal Flood Insurance Program; and
- (D) Prevent coastal flooding from inland projects.

MANAGING DEVELOPMENT

Objective: Improve the development review process, communication, and public participation in the management of coastal resources and hazards.

Policies:

- (A) Use, implement, and enforce existing law effectively to the maximum extent possible in managing present and future coastal zone development;
- (B) Facilitate timely processing of applications for development permits and resolve overlapping or conflicting permit requirements; and
- (C) Communicate the potential short and long-term impacts of proposed significant coastal developments early in their life-cycle and in terms understandable to the public to facilitate public participation in the planning and review process.

PUBLIC PARTICIPATION

Objective: Stimulate public awareness, education, and participation in coastal management.

Policies:

- (A) Promote public involvement in coastal zone management processes;
- (B) Disseminate information on coastal management issues by means of educational materials, published reports, staff contact, and public workshops for persons and organizations concerned with coastal issues, developments, and government activities; and
- (C) Organize workshops, policy dialogues, and site-specific mediations to respond to coastal issues and conflicts.

BEACH PROTECTION

Objective: Protect beaches for public use and recreation.

Policies:

- (A) Locate new structures inland from the shoreline setback to conserve open space and to minimize loss of improvements due to erosion;
- (B) Prohibit construction of private erosion-protection structures seaward of the shoreline, except when they result in improved aesthetic and engineering solutions to erosion at the sites and do not interfere with existing recreational and waterline activities;
- (C) Minimize the construction of public erosion-protection structures seaward of the shoreline;
- (D) Prohibit private property owners from creating a public nuisance by inducing or cultivating the private property owner's vegetation in a beach transit corridor; and
- (E) Prohibit private property owners from creating a public nuisance by allowing the private property owner's unmaintained vegetation to interfere or encroach upon a beach transit corridor.

MARINE RESOURCES

Objective: Promote the protection, use, and development of marine and coastal resources to assure their sustainability.

Policies:

- (A) Ensure that the use and development of marine and coastal resources are ecologically and environmentally sound and economically beneficial;
- (B) Coordinate the management of marine and coastal resources and activities to improve effectiveness and efficiency;
- (C) Assert and articulate the interests of the State as a partner with federal agencies in the sound management of ocean resources within the United States exclusive economic zone;
- (D) Promote research, study, and understanding of ocean processes, marine life, and other ocean resources in order to acquire and inventory information necessary to understand how ocean development activities relate to and impact upon ocean and coastal resources; and
- (E) Encourage research and development of new, innovative technologies for exploring, using, or protecting marine and coastal resources.

6.6 County of Hawai'i General Plan

The County of Hawai'i General Plan is the policy document for the long-range comprehensive development of the Island of Hawai'i. The General Plan is intended to guide the pattern of future development in the County based on long-term goals, while identifying and promoting the visions, values, and priorities important to its people. Specific County of Hawai'i General Plan goals and policies that are pertinent to the UNK Update are as follows:

ECONOMIC

Goals:

- (A) Provide residents with opportunities to improve their quality of life through economic development that enhances the County's natural and social environments.
- (B) Economic development and improvement shall be in balance with the physical, social and cultural environments of the Island of Hawai'i.

Policies:

- a. Assist in the expansion of the agricultural industry through the protection of important agricultural lands, development of marketing plans and programs, capital improvements, and continued cooperation with appropriate State and Federal agencies.

- b. *Encourage the expansion of research and development industry by working with and supporting the University of Hawai'i at Hilo and West Hawai'i, the Natural Energy Laboratory at Hawai'i Authority (NELHA) and other agencies' programs that support sustainable economic development in the County of Hawai'i.*
- f. *Support all levels of educational, employment and training opportunities and institutions.*

ENVIRONMENTAL QUALITY

Goals:

- (A) *Define the most desirable use of land with the County that achieves an ecological balance providing residents and visitors the quality of life and an environment in which the natural resources of the island are viable and sustainable.*
- (B) *Maintain and, if feasible, improve the existing environmental quality of the land.*

Policies:

- a. *Take positive action to further maintain the quality of the environment.*
- k. *Require implementation of the management measures contained in Hawai'i's Coastal Nonpoint Pollution Control Program as a condition of land use permitting.*

FLOODING AND OTHER NATURAL HAZARDS

Goals:

- (A) *Protect human life.*
- (B) *Prevent damage to man-made improvements.*
- (C) *Control pollution.*
- (D) *Prevent damage from inundation.*
- (E) *Reduce surface water and sediment runoff.*
- (F) *Maximize soil and water conservation.*

Policies:

- g. *Development-generated runoff shall be disposed of in a manner acceptable to the Department of Public Works and in compliance with all State and Federal laws.*
- m. *Encourage grassed shoulder and swale roadway design where climate and grade are conducive.*
- n. *Develop drainage master plans from a watershed perspective that considers non-structural alternatives, minimizes channelization, protects wetlands that serve drainage functions, coordinates the regulation of construction and agricultural operation, and encourages the establishment of floodplains as public green ways.*
- p. *Where applicable, natural drainage channels shall be improved to increase their capacity with special consideration for the practices of proper soil conservation, and grassland and forestry management.*
- q. *Consider natural hazards in all land use planning and permitting.*
- r. *Discourage intensive development in areas of high volcanic hazard.*

HISTORIC SITES

Goals:

- (A) *Protect, restore, and enhance the sites, buildings, and objects of significant historical and cultural importance to Hawai'i.*
- (B) *Appropriate access to significant historical sites, buildings, and objects of public interest should be made available.*
- (C) *Enhance understanding of man's place on the landscape by understanding the system of ahupua'a.*

Policies:

- a. Agencies appropriate ordinances, either public or private, pursuing knowledge about historic sites should keep the public apprised of projects.
- c. Require both public and private developers of land to provide historical and archaeological surveys and cultural assessments, where appropriate, prior to the clearing or development of land when there are indications that the land under consideration has historical significance.
- d. Public access to significant historic sites and objects shall be acquired, where appropriate.
- e. Embark on a program of restoring significant historic sites on County lands. Assure the protection and restoration of sites on other public lands through a joint effort with the State.
- f. Encourage the restoration of significant sites on private lands.
- g. Collect and distribute historic sites information of public interest and keep an inventory of sites.
- m. All new historic sites placed on the State or Federal Register after the adoption of the General Plan shall be included in the General Plan.
- n. Consider requiring Cultural Assessments for certain developments as part of the rezoning process.
- o. Recognize the importance of certain natural features in Hawaiian culture by incorporating the concept of "cultural landscapes" in land use planning.

NATURAL BEAUTY

Goals:

- (A) Protect, preserve and enhance the quality of areas endowed with natural beauty, including the quality of coastal scenic resources.
- (B) Protect scenic vistas and view planes from becoming obstructed.
- (C) Maximize opportunities for present and future generations to appreciate and enjoy natural and scenic beauty.

Policies:

- a. Increase public pedestrian access opportunities to scenic places and vistas.
- e. Develop standard criteria for natural and scenic beauty as part of design plans.
- f. Consider structural setback from major thoroughfares and highways and establish development and design guidelines to protect important view planes.
- h. Protect the views of areas endowed with natural beauty by carefully considering the effects of proposed construction during all land use reviews.

NATURAL RESOURCES AND SHORELINE

Goals:

- (A) Protect and conserve the natural resources from undue exploitation, encroachment and damage.
- (B) Provide opportunities for recreational, economic, and educational needs without despoiling or endangering natural resources.
- (C) Protect and promote the prudent use of Hawai'i's unique, fragile, and significant environmental and natural resources.
- (D) Protect rare or endangered species and habitats native to Hawai'i.
- (E) Protect and effectively manage Hawai'i's open space, watersheds, shoreline, and natural areas.
- (F) Ensure that alterations to existing land forms, vegetation, and construction of structures cause minimum adverse effect to water resources, and scenic and recreational amenities and minimum danger of floods, landslides, erosion, siltation, or failure in the event of an earthquake.

Policies:

- a. *Require users of natural resources to conduct their activities in a manner that avoids or minimizes adverse effects on the environment.*
- h. *Encourage public and private agencies to manage the natural resources in a manner that avoids or minimizes adverse effects on the environment and depletion of energy and natural resources to the fullest extent.*
- i. *Encourage an overall conservation ethic in the use of Hawai'i's resources by protecting, preserving, and conserving the critical and significant natural resources of the County of Hawai'i.*
- p. *Encourage the use of native plants for screening and landscaping.*
- r. *Ensure public access is provided to the shoreline, public trails and hunting areas, including free public parking where appropriate.*
- w. *Implement Council Resolution Nos. 330-96 and 58-97 in land use approvals.*

LAND USE

The County of Hawai'i General Plan's accompanying Land Use Pattern Allocation Guide (LUPAG) Map establishes the future land use patterns for the Island of Hawai'i, including the community of Kailua-Kona. The LUPAG designates the Petition Area "Medium Density Urban" (Figure 6-2). This designation includes "village and neighborhood commercial and single family and multiple family residential and related functions (3-story commercial; multiple family residential – up to 35 units per acre)."

6.7 Kona Community Development Plan

The Hawai'i County General Plan requires that Community Development Plans be adopted by the County Council for each judicial district in the County. The Kona Community Development Plan (Kona CDP), which the County Council adopted in September 2008, covers the judicial districts of North and South Kona. The Kona CDP establishes a framework for future growth by identifying the County's major policies concerning the type and location of future development. The Kona CDP delineates urban and rural areas where future growth should be directed. Most of the future growth in Kona will be directed to the defined "Urban Area" and compact villages located along proposed transit routes or Transit-Oriented Development zones. The "Rural Area" consists of the lands outside of the Kona Urban Area where limited future growth should be directed to the existing rural towns and villages in a way that revitalizes and enhances the existing rural lifestyle and culture of those communities (Figure 6-3).

The Kona CDP articulates the area residents' vision for Kona's future: *A more sustainable Kona characterized by a deep respect for the culture and the environment and residents that responsively and responsibly accommodate change through an active and collaborative community.*

In order to achieve this vision, the Kona CDP presents guiding principles that are the foundation for the goals, objectives, policies, and implementation actions for eight thematic "elements": 1) transportation; 2) land use; 3) environmental resources; 4) cultural resources; 5) housing; 6) public facilities, infrastructure and services; 7) energy; and 8) economic development.

Specific Kona CDP guiding principles, goals, objectives, and policies most applicable to the UNK Update are as follows:

GUIDING PRINCIPLES

1. *Project Kona's natural resources and culture.*
2. *Provide connectivity and transportation choices.*
3. *Provide housing choices.*
4. *Provide recreation opportunities.*
5. *Direct future growth patterns toward compact villages, preserving Kona's rural, diverse, historical character.*
6. *Provide infrastructure and essential facilities concurrent with growth.*
7. *Encourage a diverse and vibrant economy emphasizing agriculture and sustainable economies.*
8. *Promote effective governance.*

LAND USE

Objective LU-1: Overall Growth Pattern. To identify areas where higher intensity growth areas should occur and areas where the rural character and open space along the shoreline should be preserved.

- **Policy LU-1.2: Urban Area.** The majority of future growth in Kona shall be directed to the Kona UA shown on the Official Kona Land Use Map, which spans from the Kona International Airport to Keauhou subject to the policies set forth under Objective LU-2.
- **Policy LU-1.4: Consistency with LUPAG.** The current LUPAG accommodates the vision and needs for the Kona CDP area planning horizon and should be amended only for compelling reasons. Any rezoning application shall be consistent with the LUPAG.

ENVIRONMENTAL RESOURCES

Objective ENV-1: Managing Impacts. In order to minimize impacts on the land, make use of best management planning practices for any land-based endeavor by balancing public and private rights, and taking advantage of an ever-improving knowledge of resource sensitivity and natural processes.

- **Policy ENV-1.5: Sensitive Resources.** In the context of Kona's ecology and history, the following natural and cultural resources shall be considered sensitive and therefore shall be inventoried, as part of any permit application to the County Planning Department.
 - Critical habitat areas as identified by the U.S. Fish and Wildlife or County General Plan;
 - Predominantly native ecosystems, which may not be considered endangered but are valued because of their nearly pristine condition;
 - Anchialine ponds subject to a management Program addressed in Policy ENV-1.10: Non- Degradation of Anchialine Ponds;
 - High-level groundwater recharge area which shall initially be defined as all lands mauka of the 1,500 foot elevation and which may be refined by the Kona Mauka Watershed Management Program;
 - Historic trails;
 - Archaeological and historic sites subject to protection under HRS Chapter 6E; and,
 - Enhanced Shoreline Setback (see Policy LU-1.5).

CULTURAL RESOURCES

Objective CR-1: Community-Based Program. Develop a community-based program to evaluate and to protect Kona's cultural resources. Kona is rich with historic and cultural resources, but organized, proactive processes to provide stewardship for these resources are lacking.

Objective CR-2: Funding of Kona Historic Resources Programs. In addition to budgeting general fund revenues, the County of Hawai'i shall seek and participate in programs that can provide resources serving to protect and enhance Kona's historic resources.

Objective CR-3: Preservation of Kanaka Maoli Culture and Island Values. Ensure that our Kanaka Maoli and island values and cultures are preserved and perpetuated.

- **Policy CR-3.1: Honor Kanaka Maoli culture and heritage.** The Kanaka Maoli culture is the foundation of Hawai'i's living culture. We must ensure that the Kanaka Maoli people are supported and that this part of our culture is perpetuated. The success of this endeavor will ensure that the way of the Kanaka Maoli will guide our actions and behaviors in the years ahead.
- **Policy CR-3.2: Preserve and perpetuate our Hawaiian and island cultural values by celebrating our cultural diversity and island way of life.** Our diversity likewise defines us. Ensuring that our cultural practices flourish through language, dance, song, and art is crucial to sustaining who we are as a people. We must protect and nurture all aspects of our diverse history, traditions and cultures.
- **Policy CR-3.3: Enable Kanaka Maoli and others to pursue traditional Kanaka Maoli lifestyles and practices.** We must provide opportunities to those who want to pursue and perpetuate the way of the Kanaka Maoli.
- **Policy CR-3.4: Provide support for subsistence-based businesses and economies.** We must create opportunities for the Kanaka Maoli practice of subsistence-based businesses and economies, and remove the hurdles to their start-ups and development. Such traditional cultural practices are an economic alternative to Western forms of trade and commerce. Subsistence fishing, gathering, hunting and farming are examples of subsistence-based economies that are viable.
- **Policy CR-3.5: Ahupua'a Resource and Management.** Integrate the values and principles of the traditional ahupua'a resource and management systems as a basis for a sustainable Hawai'i.

ECONOMIC DEVELOPMENT

Objective ECON-1: Strategic Public Facilities and Business Opportunities as Economic Stimuli.

To optimize the potential of certain public facilities and policies to stimulate ancillary economic growth that is desirable because they are environmentally clean, diversify the economy (i.e., not visitor-dependent), pay decent wages, and demand skills and intellect that challenge Kona's existing and upcoming workforce.

6.8 Kailua-Kona Master Plan

The Kailua-Kona Master Plan was adopted in 1994 to help advise the Hawai'i County Planning Director and guide urban design in the Kailua Village area. The Kailua Village planning area is defined by the "Kailua Village Special District," as described in Chapter 25 of the County of Hawai'i Code (Zoning). The Kailua-Kona Master Plan defines goals, objectives and urban design guidelines for the Kailua Village Special District, including a designated land use master plan and urban design recommendations intended to preserve and enhance the "Village Core" and set reasonable limits on the spread of resort and commercial development. The Petition Area is located within the boundaries of the "Kailua Village Special District" and defined as "Low-Density Residential" by the Kailua-Kona Master Plan. The UNK Update is required to be consistent with the goals, objectives, and design guidelines of the Kailua-Kona Master Plan and required to obtain Plan Approval, issued by the Kailua Village Design Commission and Hawai'i County Planning Department.

6.9 County of Hawai'i Zoning

The zoning regulations for the County of Hawai'i are prescribed in Chapter 25 of the Hawai'i County Code and applied and administered within the framework of the Hawai'i County General Plan. Under the Zoning Code, various zoning districts are established to regulate the type of development and permitted uses of property and are depicted on zoning district maps. Most of the Petition Area is currently zoned A-1a (Agricultural District, one-acre minimum lot size) and a portion of the Petition Area is split zoned RD-3.75 and RS-7.5 (Residential District) (Figure 6-4). A change in zoning application with the County will be required for approval from A-1a to RM-4 (Multiple-Family Residential) or possibly RCX (Residential-Commercial Mixed Use) or CV (Village Commercial) prior to plan approval(s) and issuance of building permits. U of N Kona is also considering establishing Project District zoning for the UNK Update, which would provide flexibility in relocating elements within the Project District.

6.10 County of Hawai'i Water Use and Development Plan Update, Keauhou Aquifer System

The primary objective of the County of Hawai'i Water Use and Development Plan (HWUDP) is to set forth the allocation of water to land use. As required by the Hawai'i Administrative Rules (HAR) Title 13, Chapter 170, Hawai'i Water Plan, each of the four counties is required to prepare a Water Use and Development Plan to include, but not be limited to the following:

1. *Status of county water and related land development including an inventory of existing water uses for domestic, municipal, and industrial users, agriculture, aquaculture, hydropower development, drainage, reuse, reclamation, recharge, and resulting problems and constraints;*
2. *Future land uses and related water needs; and*
3. *Regional plans for water developments including recommended and alternative plans, costs, adequacy of plans, and relationship to the water resource protection plan and water quality plan.*

The County adopted by ordinance the *Water Use and Development Plan Update* dated August 2010 and the Commission on Water Resource Management granted approval in December 2011. The Keauhou Aquifer System Area (ASYA) was identified to be considered for further evaluation and detailed assessment. The *Keauhou Aquifer System, Hawai'i Water Use and Development Plan Update* (HWUDP Keauhou Update), dated March 2017, now guides the County in an integrated approach to land use planning and water resource development and provides an estimate of anticipated future water demand projections based on County land use/zoning policies and water use rates for the Keauhou ASYA.

The HWUDP Keauhou Update promotes overall themes common to several other HWUDP components:

- *Public Trust Doctrine – the State holds ownership over public water resources as a trustee for the benefit of the people of the State.*
- *Water is a most precious resource, shall be used wisely and conserved, not wasted.*
- *The highest quality water shall be used for the public's highest beneficial uses.*

- *Lower quality water (e.g. recycled water, surface water, brackish water) should be used whenever feasible.*

Specific recommendations for the Keauhou ASYA are as follows:

1. *Development of new ground water well sources is encouraged in areas within the high-level aquifer generally from the vicinity of the HDWS Queen Lili'uokalani Trust Deepwell extending south into the Kealakekua AYSA.*
2. *Continue studies of the ground water hydrology in the Keauhou ASYA, particularly the mid-elevation deep water source, which potentially could be a long-term solution.*
3. *Water purveyors are encouraged to assist in the development of non-potable water resource enhancement measures that do not involve ground water, such as recycled water, to satisfy non-potable demands. This may reduce reliance on ground water sources.*
4. *State and County agencies and private entities with water interests in the Keauhou ASYA are encouraged to participate and/or coordinate with the Three Mountain Alliance major landowners (KS, DOFAW and NPS) to assist in the preservation and restoration of watersheds in the Keauhou ASYA which will ultimately protect and potentially augment the ground water resources.*
5. *State and County agencies are encouraged to develop and implement ground water well protection initiatives and to participate in the State of Hawai'i Department of Health, Safe Drinking Water Branch (SDWB) Wellhead Protection Financial Assistance Program.*
6. *County of Hawai'i, Department of Water Supply (HDWS) will continue to work with 'Aha Moku to ensure that its proposed source development strategies are properly vetted for Traditional and Customary Native Hawaiian Rights (T&C) issues.*

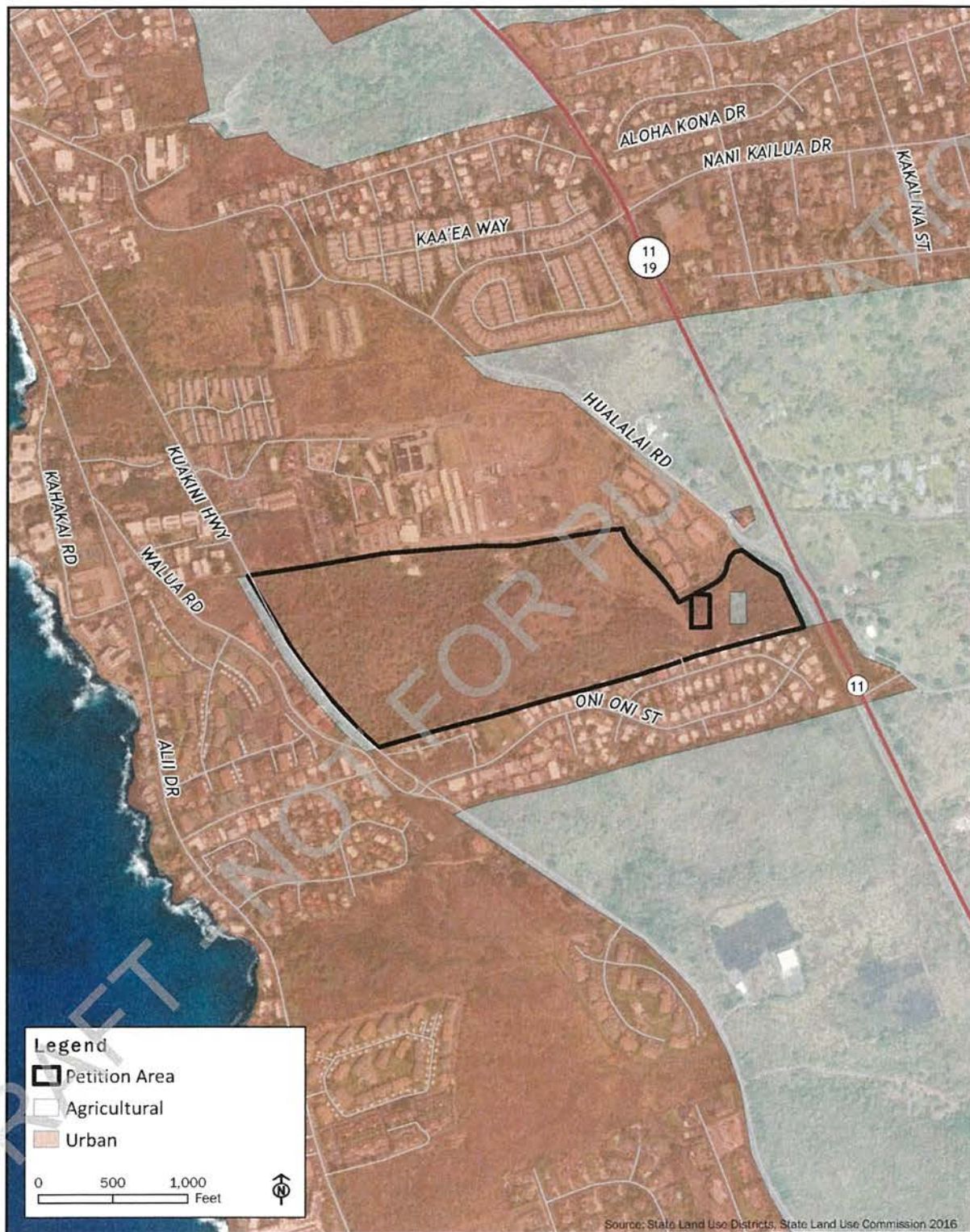


Figure 6-1: State Land Use District Designation Map

University of the Nations, Kona, Inc. 2020 Master Plan Update

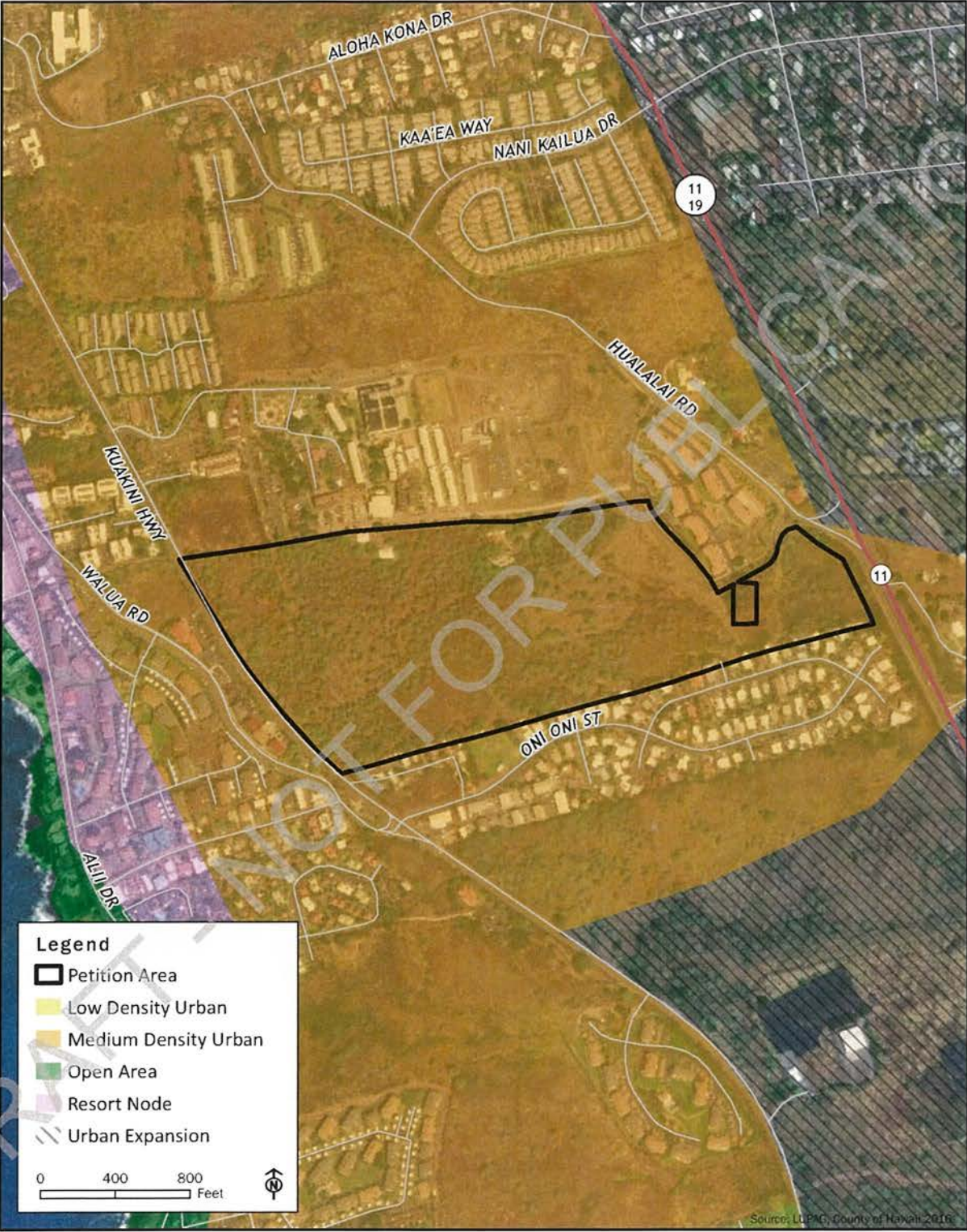


Figure 6-2: Land Use Pattern Allocation Guide (LUPAG) for Island of Hawai'i

University of the Nations, Kona, Inc. 2020 Master Plan Update

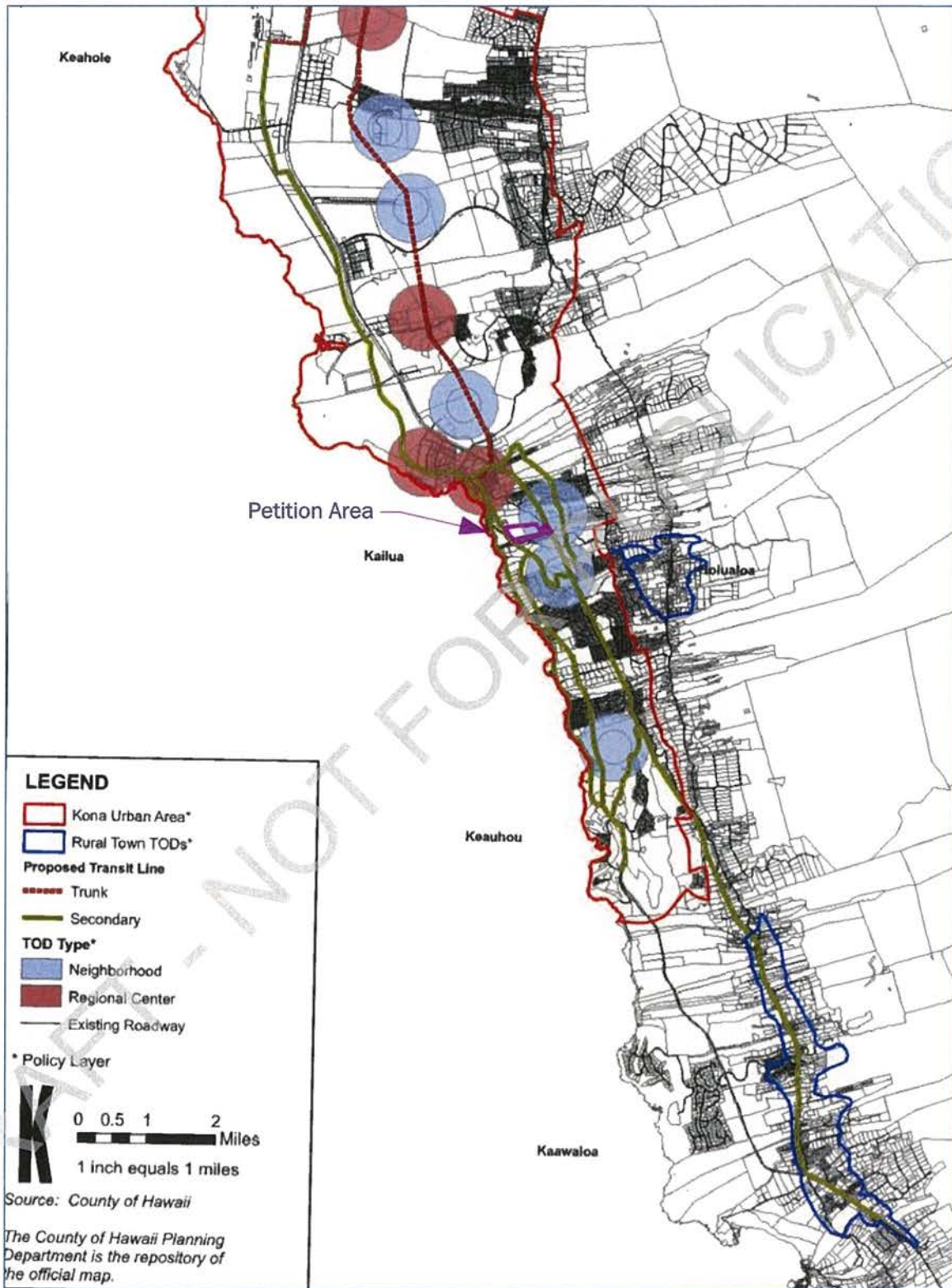


Figure 6-3: Kona Community Development Plan, Land Use Map

University of the Nations, Kona, Inc. 2020 Master Plan Update

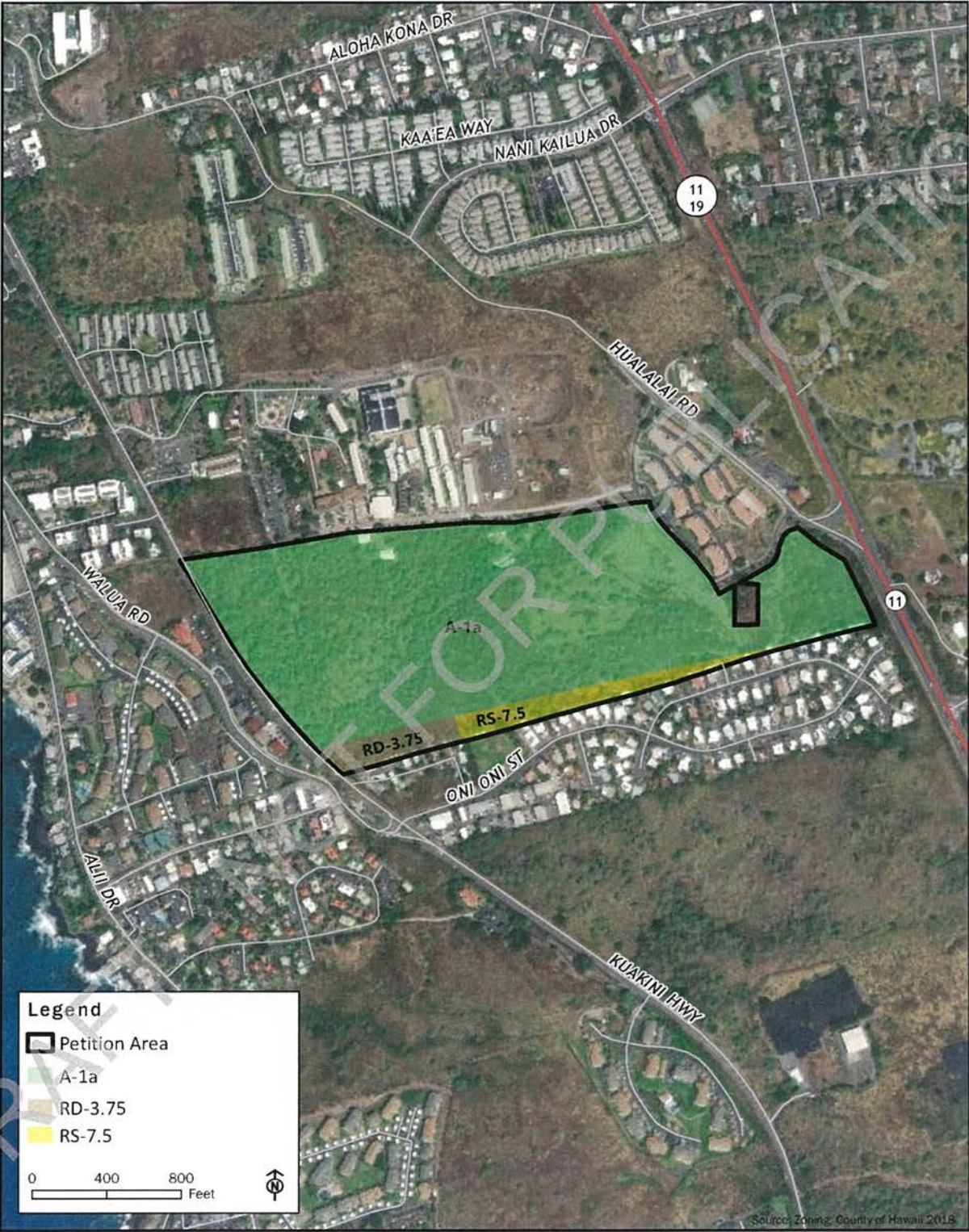


Figure 6-4: County of Hawai'i Zoning Map

University of the Nations, Kona, Inc. 2020 Master Plan Update

7.0 Determination and Rationale

This EISPN was prepared in support of U of N Kona's Motion to Amend, which was filed with the LUC to allow for the implementation and development of the UNK Update on the Petition Area. Under HRS §343-5, the UNK Update triggers environmental review under HRS Chapter 343 because it involves the use of public lands associated with utility and infrastructure improvements within a County of Hawai'i public roadway.

Often the environmental review process begins with the preparation of a draft environmental assessment (EA) and concludes in one of two ways. If the approving agency determines that a proposed action is not likely to have a significant effect on the environment, it issues a "finding of no significant impact" (FONSI) and directs the applicant to file the FONSI and a final EA with OEQC. If, on the other hand, the approving agency determines that a proposed action may have a significant effect, it instructs the applicant to prepare an EISPN and complete the environmental review process through the preparation and processing of an EIS.

However, as a result of the Hawai'i State Legislature's passage of Act 172 in 2012, an approving agency may authorize an applicant to proceed directly to the preparation of an EISPN where the agency determines, through its judgment and experience, that an EIS is likely to be required. HRS §343-5(3)(e) provides that: "[I]f the agency determines, through its judgment and experience, that an environmental impact statement is likely to be required, the agency may choose not to prepare an environmental assessment and instead shall prepare an environmental impact statement that begins with the preparation of an environmental impact statement preparation notice as provided by rules." HAR §11-200.1-14(d) similarly permits an approving agency to authorize an applicant to proceed directly to the preparation of an EISPN where the agency determines, through its judgment and experience, that an EIS is likely to be required.

To determine whether a proposed action may have a significant effect on the environment, and therefore require an EIS, an agency must review the proposed action under the significance criteria set forth in HAR §11-200.1-13(b). In most instances, a proposed action will be determined to have a significant effect or impact on the environment if it is anticipated to cause one or more of the following:

- (1) Irrevocably commit a natural, cultural, or historic resource;
- (2) Curtail the range of beneficial uses of the environment;
- (3) Conflict with the State's environmental policies or long-term environmental goals established by law;
- (4) Have a substantial adverse effect on the economic welfare, social welfare, or cultural practices of the community and State;
- (5) Have a substantial adverse effect on public health;
- (6) Involve adverse secondary impacts, such as population changes or effects on public facilities;
- (7) Involve a substantial degradation of environmental quality;
- (8) Be individually limited but cumulatively have substantial adverse effect upon the environment or involves a commitment for larger actions;
- (9) Have a substantial adverse effect on a rare, threatened, or endangered species, or its habitat;
- (10) Have a substantial adverse effect on air or water quality or ambient noise levels;

- (11) Have a substantial adverse effect on or be likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, sea level rise exposure area, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters;
 - (12) Have a substantial adverse effect on scenic vistas and viewplanes, during day or night, identified in county or state plans or studies; or
 - (13) Require substantial energy consumption or emit substantial greenhouse gases.
- HAR §11-200.1-13(b).

U of N Kona is pursuing the UNK Update to accommodate its future growth projected into three (3) phases over the next 30 years. As discussed in Section 2.2, for Phase I, U of N Kona's enrollment is projected to increase to 1,500 students and its FTE staff is projected to increase to 450; for Phase II, enrollment is projected to increase to 2,250 students and FTE staff is projected to increase to 675; and for Phase III, enrollment is projected to increase to 3,000 students and FTE staff is projected to increase to 900. Given these projected increases in student enrollment and FTE staff, UNK's proposed campus expansion could result in secondary impacts, such as population changes or effects on public facilities. Therefore, the LUC has determined, through its judgment and experience, that that an EIS is likely to be required and has directed U of N Kona to initiate the HRS Chapter 343 environmental review process through the preparation of this EISPN.

8.0 Public Scoping Process

Pursuant to HAR §11-200.1-23, the public scoping process provides for public and agency input through outreach and a public comment period. Scoping serves as an opportunity to obtain input from the community, agencies and other stakeholders regarding the issues and resources they would like to see addressed and analyzed throughout the EIS process.

Publication of this EISPN in OEQC's *The Environmental Bulletin* started a 30-day public review and comment period, within which agencies, groups and individuals have an opportunity to make written comments regarding potential environmental effects from the development and implementation of the UNK Update. UNK will respond to all substantive comments (defined as those pertaining to the scope of the EIS), and all comments and U of N Kona's responses will be included in the Draft EIS. Information collected during the scoping process will be incorporated into the EIS to help to identify important issues and provide guidance.

HAR § 11-200.1-23 also requires a public scoping meeting to be held during the 30-day EISPN comment period. However, due to public health concerns from the on-going COVID-19 pandemic, in-person agency and public meetings will not be held. Opportunities for public input will be facilitated through an EIS Scoping Virtual Site, where presentations on the project can be viewed and oral public comments can be submitted. Notification of the EIS Scoping Virtual Site was published and announced with the publication of this EISPN and in local news media outlets.

9.0 Agencies and Parties Consulted

The following government agencies, community associations, elected officials and individuals will receive a copy of this EISPN for review and comment on the project. Comments received will be incorporated into the preparation of the Draft EIS.

Table 9-1: Consulted Parties	
Federal Agencies	
U.S. Department of the Interior	<ul style="list-style-type: none">• U.S. Fish and Wildlife Service• Geological Survey
U.S. Environmental Protection Agency, Pacific Islands Office Region 9	
Department of the Agriculture, Natural Resources Conservation Service	
Department of Transportation, Federal Highways Administration	
State of Hawai'i	
Department of Agriculture	
Department of Business, Economic Development & Tourism	<ul style="list-style-type: none">• Land Use Commission• Office of Planning
Department of Defense	
Department of Education	
Department of Hawaiian Home Lands	
Department of Health	<ul style="list-style-type: none">• Clean Air Branch• Clean Water Branch• Office of Environmental Quality Control• Safe Drinking Water Branch• Solid and Hazardous Waste Branch• Wastewater Branch
Department of Land and Natural Resources	<ul style="list-style-type: none">• Commission on Water Resources Management• Division of Forestry and Wildlife• Engineering Division• Land Division• Office of Conservation and Coastal Lands• Historic Preservation Division
Department of Transportation, Highways Division	
Office of Hawaiian Affairs	

County of Hawai'i
Civil Defense Agency
Department of Environmental Management
Department of Finance, Real Property Tax Division
Department of Housing and Community Development
Department of Parks and Recreation
Department of Planning, Planning Division
Department of Public Works, <ul style="list-style-type: none"> • Engineering Division • Building Division
Department of Water Supply
Fire Department
Police Department
Elected Officials
County of Hawai'i, Mayor Harry Kim
County of Hawai'i Councilmember, Rebecca Villegas, District 7
State House Representative, David A. Tarnas, District 7
State Senator, Dru Mamo Kanuha, District 3
The Honorable David Ige, Governor of the State of Hawai'i
Utility Companies
Hawai'i Electric Light Company, Inc.
Hawaiian Telecom, Inc.
Libraries
Hawai'i State Library
Kailua-Kona Public Library
Kealahou Public Library
News Media
Hawai'i Tribune Herald
West Hawai'i Today
Community Groups/Individuals
Kailua Village Design Commission
Cultural Resources Commission
Adjacent Landowners and Neighbors

10.0 List of References

AECOS, Inc. (2020). *Natural Resources Surveys for University of Nations Expansion Property* (TMK: (3) 7-5-010:085) North Kona District, Island of Hawai'i.

ASM Affiliates, Inc. (2019) *Dismantling/Restoration Plan for a Portion of the Kuakini Wall* (SIHP 5-10-28-6302) TMKs: (3) 7-5-010:085 and (3) 7-5-017:006, Wai'aha 1st Ahupua'a, North Kona District, Island of Hawai'i.

ASM Affiliates, Inc. (2020). *Cultural Impact Assessment for the Update to the Master Plan for the Proposed 62-Acre Hualālai Village-Pacific Islands Cultural Center Development, Wai'aha, Kona District, Island of Hawai'i*, TMK (3)-7-5-10:085; 7-5-17:006. Originally Prepared by Group 70 International, Inc. (2003).

ASM Affiliates, Inc. (2020). *Ka Pa'akai O Ka 'Aina Analysis, University of the Nations*, TMKs: (3) 7-5-010:085 and (3) 7-5-017:006. Wai'aha 1st Ahupua'a, North Kona District, Island of Hawai'i.

Corbin, A., and P. Rosendahl. (2002). *Archaeological Assessment Survey of U of N Bencorp Development, Land of Wai'aha 1st and 2nd, North Kona District, Island of Hawai'i* (TMK: 3-7-5-17:6; 3-7-5-18:73). Paul H. Rosendahl, Ph.D., Inc. (PRHI) Report 2235-041102.

County of Hawai'i. (2005). *County of Hawai'i General Plan*. Hilo: County of Hawai'i.

County of Hawai'i Department of Research and Development. (2015). *County of Hawai'i Data Book*. Retrieved from County of Hawai'i: <http://records.co.hawaii.hi.us/weblink/1/edoc/78458/2015-HawaiiCtyDataBook.pdf>

County of Hawai'i Planning Department. (2008). *Kona Community Development Plan*. Kona, Hawai'i: County of Hawai'i.

Department of Geography, University of Hawai'i at Hilo. (1998). *Atlas of Hawai'i* (3rd ed.). Honolulu: University of Hawai'i Press.

Federal Emergency Management Agency. (1993). *Hazard Mitigation Report, Hurricane Iniki (In Response to the September 12, 1992 Federal Disaster Declaration. FEMA-961-DR-HI)*. San Francisco, CA: FEMA.

Fehr & Peers, Inc. (2020). *Mobility Analysis Report for the University of the Nations Kona Master Plan Update*. Kona, Hawai'i.

Fletcher III, C. H., Grossman, E. E., Richmond, B. M., & Gibbs, A. E. (2002). *Atlas of Natural Hazards in the Hawaiian Coastal Zone*. Denver, CO: United States Geological Survey Information Services.

Foote, D. E., Hill, E. L., Nakamura, S., & Stephens, F. (1972). *Soil Survey of the Islands of Kaua'i, O'ahu, Maui, Moloka'i, and Lana'i, State of Hawai'i*. USDA, Soil Conservation Service, in cooperation with the University of Hawaii Agricultural Experiment Station.

Fukunaga & Associates, Inc. (2017) *Hawai'i County Water Use and Development Plan Update, Hawai'i Water Plan, Keauhou Aquifer System*. Department of Water Supply, County of Hawai'i.

Giambelluca, T. W., Shuai, X., Barnes, M. L., Alliss, R. J., Longman, R. J., Miura, T., . . . Businger, A. D. (2014). *Evapotranspiration of Hawai'i. Final report submitted to the U.S. Army Corps of Engineers - Honolulu District, and the Commission on Water Resource Management, State of Hawai'i*. Retrieved from Climate of Hawai'i: <http://climate.geography.hawaii.edu/>

Giambelluca, T.W.; Chen, Q.; Frazier, A.G.; Price, J.P.; Chen, Y.-L.; Chu, P.-S.; Eischeid, J.K.; Delporte, D.M. (2013). Online Rainfall Atlas of Hawai'i. *Bull. Amer. Meteor. Soc.*, 94, 313-316.
doi:10.1175/BAMS-D-11-00228.1

G70. (2020). *Preliminary Infrastructure Assessment, University of the Nations Master Plan Update*. Kona, Hawai'i.

G70. (2020). *Conceptual Infrastructure Master Plan, University of the Nations Master Plan Update*. Kona, Hawai'i.

Handy, E. a. (1972). *Native Planters in Old Hawai'i: Their Life, Lore, and Environment*. Bishop Museum Press: Honolulu.

Hawai'i Police Department. (2015). *Hawai'i Police Department*. Retrieved October 6, 2015, from Hawai'i Police Department: www.hawaiiipolice.com

Head, J., S. Goodfellow, and P. Rosendahl. (1994). *Archaeological Inventory Survey, Ali'i Drive Sewer Project, Lands of Pua'a 2nd and 3rd, and Wai'aha 1st and 2nd, North Kona District, Island of Hawai'i (TMK: 7-5-18:7,8)*. Paul H. Rosendahl, Ph.D., Inc. Report 937-070194.

Hurricane Shelter Criteria Committee. (2005). *Report of Recommended Statewide Public Hurricane Shelter Criteria*. Report to State Legislature.

Kamakau, S. (1992). *Ruling Chiefs of Hawai'i*. Honolulu: The Kamehameha School Press.

Kelly, M., Nakamura, B., & Barrère, D. (1981). *Hilo Bay: A Chronological History. Land and Water Use in the Hilo Bay Area, Island of Hawai'i*. Honolulu: Bernice P. Bishop Museum.

King, J. (1784). A Voyage to the Pacific Ocean undertaken by the command of his majesty, for the making of discoveries in the northern hemisphere by Capts. Cook, Clerke, and Gore on the Resolution and Discovery 1776-1780. 3.

Longo et al, B. (2010). An Indoor Air Quality Assessment for Vulnerable Populations Exposed to Volcanic Vog From Kīlauea Volcano. *Family Community Health*, vol. 33, no. 1, pp. 21- 31.

MacDonald, G. A., Abbott, A. T., & Peterson, F. L. (1983). *Volcanoes in the Sea: The Geology of Hawai'i, Second Edition*. Honolulu: University of Hawai'i Press.

Martin & Chock, Inc. (2015). *County of Hawai'i Multi-Hazard Mitigation Plan*. Prepared for County of Hawai'i Civil Defense Agency.

National Oceanic and Atmospheric Administration (NOAA). (2015). *Glossary of NHC Terms*. National Hurricane Center. Web. August 17, 2015.

National Oceanic and Atmospheric Administration (NOAA). (2016). 1981-2010 Station Normals of Temperature, Precipitation, and Heating and Cooling Degree Days.

Pukui, M. S. (1974). *Place Names of Hawai'i*. Honolulu: University of Hawaii Press.

Rechtman, R. (2000). *Archaeological Inventory Survey of TMK: 3-7-5-18:08, Wai'aha 1st Ahupua'a, North Kona District, Island of Hawai'i*. Rechtman Consulting, LLC Project Number RC-0001.

Rechtman Consulting, Inc. (2003). *An Archaeological Inventory Study of TMKs: 3-7-5-10:85 and 3-7-5-17:06, Wai'aha Ahupua'a, North Kona District, Island of Hawai'i*.

Rechtman Consulting, Inc. (2003). *Burial Site Component of a Preservation Plan for Three Sites in the Proposed Hualalai Village Development Area (TMKs: 3-7-5-10:85 and 3-7-5-17:06) Wai'aha Ahupua'a, North Kona District, Island of Hawai'i*.

Rechtman Consulting, Inc. (2007). *Archaeological Data Recovery at Ten Sites on TMKs: 3-7-5-10:85 and 3-7-5-17:06, Wai'aha Ahupua'a, North Kona District, Island of Hawai'i*.

Rechtman Consulting, Inc. (2013). *Preservation Plan for SIHP Site 6032 and Site 23681 (TMKs: 3-7-5-10:85 and 3-7-5-17:006) Wai'aha 1st Ahupua'a, North Kona District, Island of Hawai'i*.

Rosendahl, P. (2002). *Interim Report: Testing of Possible Burial Features Archaeological Inventory Survey – Phase 1, U of N Bencorp Development, Lands of Wai'aha 1st and 2nd, North Kona District, Island of Hawai'i (TMK: 3-7-5-17:6; 3-7-5-18:73)*. Paul H. Rosendahl, Ph. D., Inc. Letter Report 2257-070302.

State of Hawai'i, Department of Health. (2014). *2014 State of Hawai'i Water Quality Monitoring and Assessment Report*. Honolulu.

State of Hawai'i, Department of Health. (2015). *State of Hawai'i Annual Summary 2014 Air Quality Data*. Honolulu: State of Hawai'i, Department of Health.

State of Hawai'i, Department of Land and Natural Resources, Commission on Water Resource Management. (2005). *Surface-Water Hydrologic Units*. Honolulu: State of Hawai'i.

Tom Nance Water Resource Engineering. (2020). *Water Supply Study for the Planned Expansion of University of the Nations*. Kona, Hawai'i.

U.S. Census Bureau. (2010). *2010 Census*.

United States Geological Survey. (1997). *Volcanic and Seismic Hazards on the Island of Hawai'i: Volcanic Hazards*. Retrieved August 22, 2016, from <http://pubs.usgs.gov/gip/7000036/report.pdf>

United States Geological Survey. (2016). *Water Watch*. Retrieved 2016, from <http://waterwatch.usgs.gov>

University of Hawai'i at Mānoa, School of Ocean and Earth Science and Technology. (2013). *Hawai'i*. Retrieved September 30, 2015, from Coastal Geology Group:
<http://www.soest.hawaii.edu/coasts/publications/hawaiiCoastline/hawaii.html>

Walker, A., and P. Rosendahl. (1996). *Ali'i Drive Sewer Project Mitigation Program – Phase II Archaeological Data Recovery. Lands of Pua'a 2nd and 3rd, and Wai'aha 1st and 2nd, North Kona District, Island of Hawai'i (TMK: 7-5-18:7,8)*. Paul H. Rosendahl, Ph.D., Inc. Report 1556-020796.

Geographical Information Systems Data

Aerial Imagery:

Google Earth Aerial Imagery, 2013.

State of Hawai'i:

Hawai'i Statewide GIS Program Data, Office of Planning, Honolulu, Hawai'i.

County of Hawai'i:

Hawai'i County Tax Map Key and Zoning, 2018.

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of

U of N BENCORP

To Amend the Agricultural Land Use District
to the Urban Land Use District for
Approximately 62 Acres, Tax Map Key Nos.:
(3) 7-5-010:085 and 7-5-017:006 situated at
Wai'aha, North Kona, County and State of
Hawaii'i

DOCKET NO. A02-737

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that a filed copy of the foregoing document was served upon the following by either hand delivery or depositing the same in the U.S. Postal Service by regular or certified mail, as noted:

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Attorneys for Office of Planning, State of
Hawai'i

DATED: Honolulu, Hawai'i, January 21, 2021.

A handwritten signature in black ink, appearing to read 'SCL', is written over a horizontal line.

STEVEN S.C. LIM
KATHERINE A. GARSON
DEREK B. SIMON

Attorneys for
UNIVERSITY OF THE NATIONS, KONA,
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