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Ref. LM-GYT

May 4, 1995

Mr. Gary Gill
Office of Environmental Quality Control
220 S. King Street, 4th Floor
Honolulu, HI 96813

Dear Mr. Gill:

Subject: **Final Environmental Assessment for Proposed Quarry and Stockpiling Operation**
Tax Map Key: 3rd/2-1-13: Por. 02 and Por. 11, Waiakea, South Hilo, HI
Applicant: Kiyosaki Tractor Works, Inc.

In accordance with the requirements of Chapter 343, Hawai'i Revised Statutes and Chapter 200 of Title 11, Administrative Rules, a Final Environmental Assessment has been prepared for the subject property.

Notice of availability of the Draft Environmental Assessment for the project was published in the February 23, 1995 OEQC Bulletin. Comments to the proposed quarry and stockpiling operation were received by the department and addressed by the consultant Roy R. Takemoto, Land Use Consultant. Copies of the comments and response are included in the Final Environmental Assessment.

As the proposing agency, we are forwarding herewith one copy of the OEQC Bulletin Publication Form and four copies of the Final Environmental Assessment. We have determined that there will be no significant impacts as a result of the project and, therefore, are filing the Final Environmental Assessment as a negative declaration. We respectfully request that public notice of the Final Environmental Assessment be published in the next scheduled OEQC Bulletin.

Very truly yours,

MICHAEL D. WILSON

c: Hawai'i Land Board Member
Land Management Administrator
Hawai'i District Land Office

Roy R. Takemoto
Ken Kiyosaki

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1995-05-23- HI- FEA- Waiakea Quarry
Stockpiling Operation

MAY 23 1995

Final Environmental Assessment

**PROPOSED QUARRY AND
STOCKPILING
OPERATION**

Waiakea, South Hilo District, Hawaii

Prepared for:
Kiyosaki Tractor Works, Inc.

Prepared by:
Roy R. Takemoto
Land Use Consultant
P.O. Box 10217
Hilo, HI 96721

April 8, 1995

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FINAL EA: PROPOSED QUARRY AND STOCKPILING OPERATION

1.0 INTRODUCTION

1.1 Applicant and Approving Agency

The applicant, Kiyosaki Tractor Works Inc., a Hawaii corporation ("Applicant"), proposes to quarry and stockpile crushed aggregate on State land. The Applicant has applied to the State Department of Land and Natural Resources ("DLNR") for a revocable license. The use of State lands triggers the environmental review requirements under *Hawaii Revised Statutes Chapter 343*.¹

1.2 Agencies Consulted

The following agencies and organizations were consulted during the process of preparing this environmental assessment or during the public review period of the Draft Environmental Assessment:

- Federal
 - U.S. Army Corps of Engineers
 - U.S. Department of the Interior, Geological Survey
- State
 - Department of Health
 - Department of Agriculture
 - Department of Land and Natural Resources
 - Office of State Planning

1. *Hawaii Revised Statutes* §343-5(a)(1)(Supp. 1992).

DESCRIPTION OF PROPOSED ACTION

- Department of Accounting and General Services
- County
 - Planning Department
 - Department of Public Works
 - Department of Water Supply
 - Fire Department
 - Police Department

2.0 DESCRIPTION OF PROPOSED ACTION

2.1 Location and Ownership

The proposed quarrying, crushing, and stockpiling operation involves portions of two State-owned parcels located near the County landfill in Waiakea, South Hilo District, island and County of Hawaii (see Figure 1, "Location Map," on page 4). Limited quarrying, crushing and stockpiling of crushed material would occur on an approximately 7-acre portion of a 37-acre parcel (TMK 2-1-13: por. 11) ("Site A"). This 37-acre parcel has been divided into three portions-- two portions slightly less than 15 acres each and the subject 7-acre portion. DLNR has already issued quarrying licenses for the other two portions.

The Applicant also proposes to obtain through direct negotiations or public auction one of three quarrying sites, each approximately 13.3 acres, proposed for an approximately 40± acre block. The 40± acre block is a portion of a 2,769-acre parcel (TMK 2-1-13: por. 2) ("Site B") (see Figure 2, "Tax Map," on page 5).

2.2 Existing Uses

Site A. Site A was previously buried under encroaching trash from the neighboring County landfill. Under a contract with the County, the Applicant cleared the trash from the parcel and leveled the area. Under a right-of-entry from the State, the Applicant stockpiled excess material from another site and stored equipment. The requested license from the State would allow continuation of the existing use in addition to limited quarrying.

Site B. Site B had been previously quarried by a prior licensee. The Applicant would continue to quarry in the same area as the prior licensee.

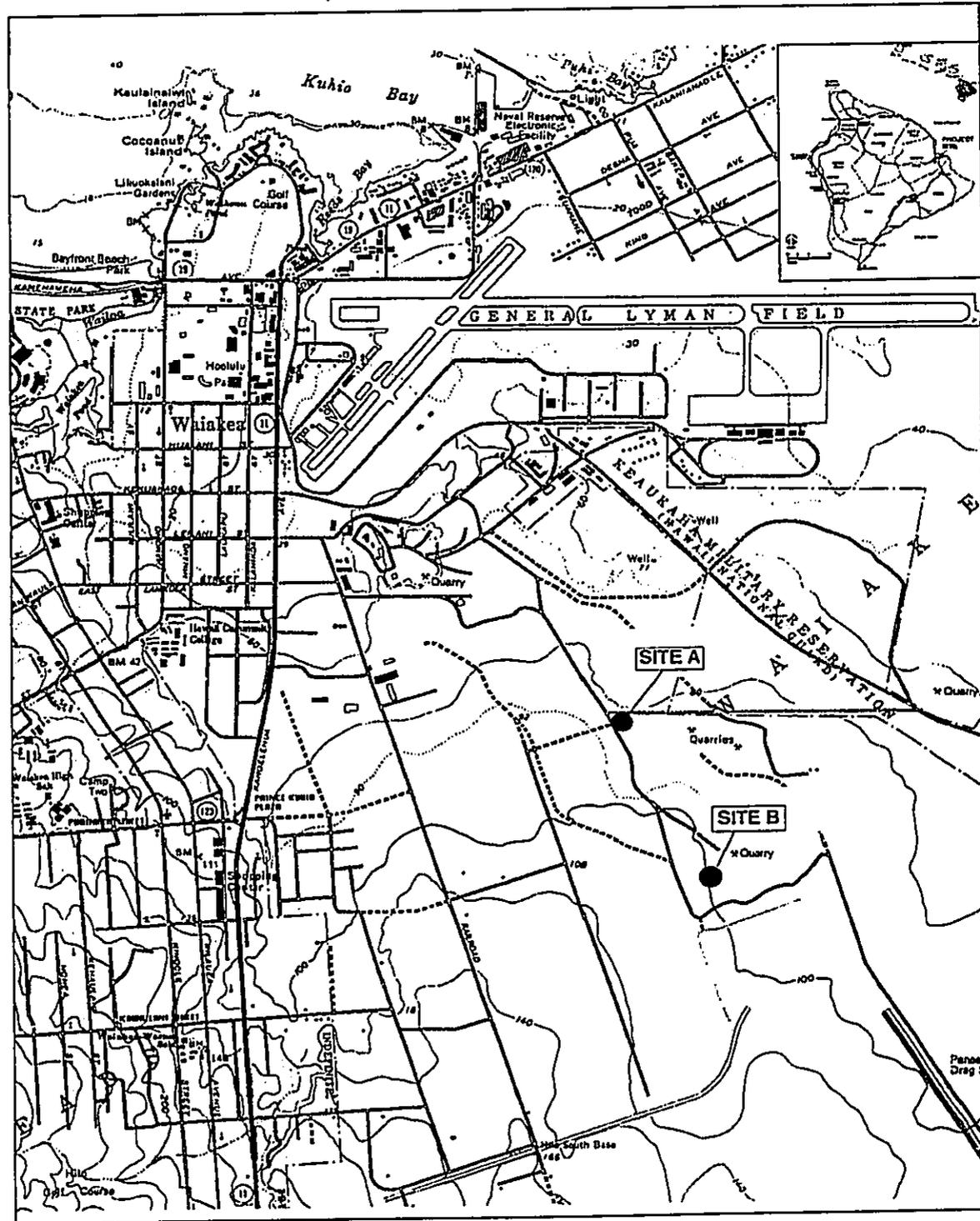
Surrounding Areas. Both Sites A and B are surrounded by other quarrying operations or the County landfill operations. Ownership and existing uses of the surrounding land include:

DESCRIPTION OF PROPOSED ACTION

- North (toward the airport): North of Site A on the same tax map parcel (parcel 11) is an ongoing quarry operation by a private contractor under license to the State. North of Site B is the ongoing County quarry operation (for landfill cover) under a lease from the State.
- East: East of Site A is the County landfill under a lease from the State. East of Site B is vacant State-owned land.
- South: South of Site A is also County landfill transferred to the County from the State by Executive Order. South of Site B is the County's borrow pit site transferred to the County from the State by Executive Order.
- West: West of Site A is an ongoing quarry operation on the same tax map parcel (parcel 11) by a private contractor under a license from the State. West of Site B is vacant Hawaiian Home Lands that are part of the Panaewa House and Farm Lots.

DESCRIPTION OF PROPOSED ACTION

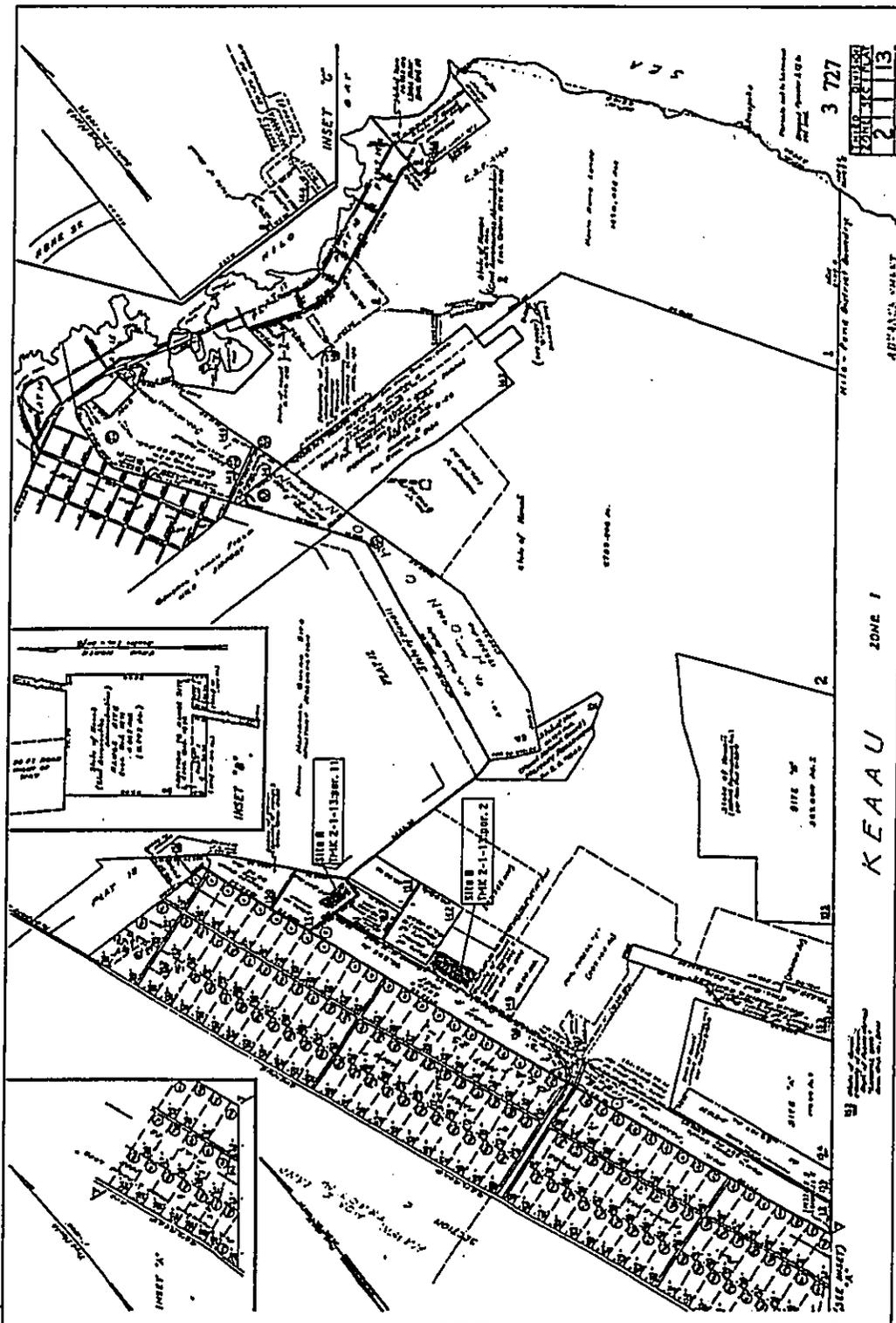
FIGURE 1. Location Map



DESCRIPTION OF PROPOSED ACTION

FIGURE 2.

Tax Map



FINAL EA: PROPOSED QUARRY AND STOCKPILING OPERATION

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2.3 Project Description

2.3.1 Proposed Operations

Site A. The Applicant will request a revocable license from the State to quarry, crush and stockpile the quarried material. The equipment and structures onsite will include bulldozers, crushers, a scale and small office. Anticipated hours of operation are from 7:00 a.m. to 5:00 p.m., Monday through Friday, with possible hours on Saturday limited to hauling crushed material.

Site B. The Applicant will request a long-term land license from the State to extract rock from Site B with payment of royalties to the State at the prevailing rates (as determined by an independent appraisal). The Applicant would transport the quarried rock to Site A for crushing. The Applicant's quarrying operations would be no different from the ongoing quarrying operations in the vicinity by the County (for landfill cover) and other private contractors under license to the State.

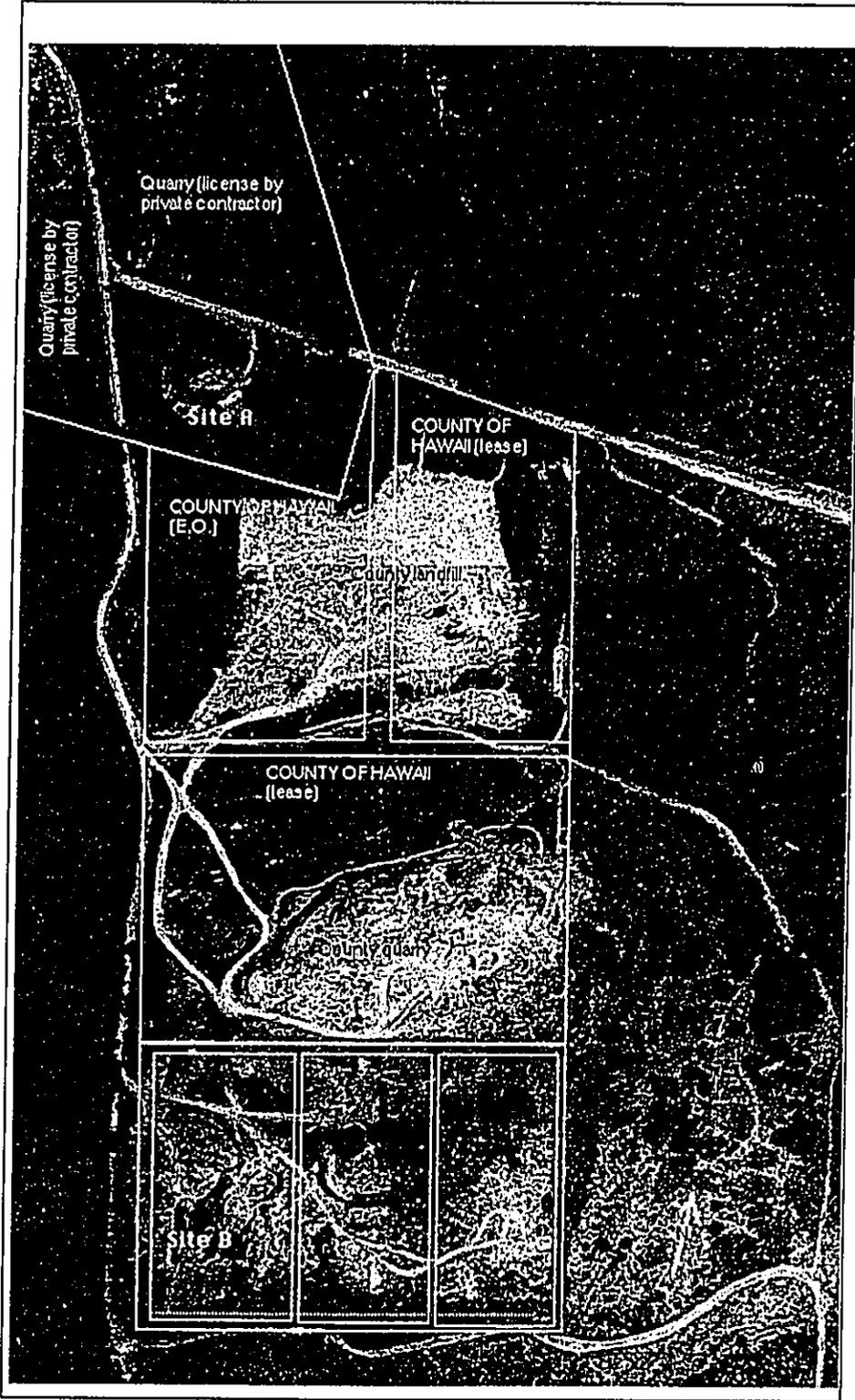
The quarrying operations would be done in a similar manner as the surrounding quarrying operations-- by ripping with a bulldozer as the rock formations permit; when the rock is impenetrable, drilling and blasting would be used. For public safety purposes, the Applicant would place warning signs and barricades around the perimeter as required. Furthermore, the limits of quarrying would be setback 10-20' from property boundaries to allow vegetative growth to serve as a buffer. The total volume of excavation is anticipated to not exceed 5000 cy (7500 tons) per month.

Upon completion of excavation, the County of Hawaii has indicated to the State that the County may want to use Site A as an extension of the landfill. The Applicant will dress this site as directed by the State to be suitable to the site's successor. If no further quarrying is intended for Site B, the Applicant will dress the site as directed by the State to promote vegetative growth.

DESCRIPTION OF PROPOSED ACTION

FIGURE 3.

Proposed Operations



ENVIRONMENTAL SETTING, IMPACTS, & MITIGATION MEASURES

2.3.2 Infrastructure

Access. Access to both sites is from the partially paved County road that goes to the Panaewa drag strip. The paved portion ends past Site A at the entrance to the County landfill; thereafter, the road is topped with gravel.

Wastewater. The Applicant will bring in portable toilets.

Water. The Applicant plans to bring in a 5000-gallon rainwater catchment tank to Site A for purposes of dust control, fire-fighting, and other uses.

Drainage. The Applicant will provide the necessary drainage improvements in accordance with a stormwater management plan (see Section 3.1.6 on page 11).

Power. The Applicant plans to bring in a generator to Site A.

2.4 Timetable

The Applicant intends to immediately begin operations upon receipt of the necessary approvals.

3.0 ENVIRONMENTAL SETTING, IMPACTS, & MITIGATION MEASURES

3.1 Physical Characteristics

3.1.1 Climate

Setting

The elevation of the project sites is about 80' above mean sea level. Located on the wetter windward side of the island, the mean annual rainfall is about 136". Generally, the wet months occur from October through April. Mean annual temperature is about 73°F. Wind patterns are sharply diurnal. Dominant easterly tradewinds prevail during the day (9am - 8pm). In the evening (9pm - 8am), cooler westerly winds sweep down the slopes of Mauna Loa.²

2. Department of Land and Natural Resources, State of Hawaii. An Inventory of Basic Water Resources Data: Island of Hawaii, Report R34, 1970 (rainfall data); University of Hawaii, Department of Geography, Atlas of Hawaii (2d. ed.). Honolulu: University of Hawaii Press, 1983, p. 66 (wind data).

Impacts and Mitigation Measures

None-- the project will not alter the microclimate of the area.

3.1.2 Geology, Topography & Soils

Setting

The rock formations in the vicinity of the Site were formed by lava flows from Mauna Loa known as the Ka'u Volcanic Series.³ The topography of Site A is level, having been previously cleared and graded. The topography of Site B is variable due to previous mining activities.

According to the *Soil Survey of the Island of Hawaii*⁴, the soil on both sites is classified as Papai extremely stony muck (rPAE). This soil consists of well-drained, thin (less than 10"), extremely stony organic soils overlying fragmental aa lava bedrock. Permeability is rapid, runoff is slow, and the erosion hazard is slight.

The agricultural suitability ratings for this soil are as follows:

- Land Study Bureau: E (very poor);⁵
- Agricultural Land of Importance to the State of Hawaii (ALISH): Other
- Soil Survey (U.S. Soil Conservation Service): VIIs (very severe limitations that make them unsuited for cultivation).

Impacts and Mitigation Measures

The following impacts are unavoidable but not significant because of previous disturbance or insignificant resource value:

Topographic alteration. Sites A and B had been previously quarried or graded. The impact of the proposed activities will not differ in nature or magnitude from the previous activities.

Loss of agricultural lands. Although the proposed activities will remove the lands from agricultural activity, the lands are rated very poor for agriculture.

3. Macdonald, G. A., et al, *Volcanoes in the Sea: The Geology of Hawaii* (2d ed.), Honolulu: University of Hawaii Press, 1983, Fig. 19.3, pp. 368-70.

4. U.S. Department of Agriculture, Soil Conservation Service. *Soil Survey of Island of Hawaii*. State of Hawaii, 1973, Maps 74 and 83.

5. University of Hawaii, Land Study Bureau, *Detailed Land Classification-- Island of Hawaii*, 1965, Map No. 639.

3.1.3 Natural Hazards

Setting

Flooding. According to the Flood Insurance Rate Maps, Sites A and B are located in Zone X (outside the 500 year flood plain).⁶

Volcanic and Earthquake Hazards. The volcanic hazard zone is Zone 3 on a scale of 1 through 9 (Zone 1 has the most severe hazard).⁷

Impacts and Mitigation Measures

None-- the proposed project is not located within any hazardous zone.

3.1.4 Flora/Fauna

Setting

Both sites have been cleared and are therefore devoid of much vegetation. Any remaining vegetation are secondary growth exotic species.

Impacts and Mitigation Measures

None-- there is no habitat.

3.1.5 Historic/Archaeological Resources

Setting

Both sites have been previously cleared and are therefore devoid of any surface remains, if any, that would have been present.

Impacts and Mitigation Measures

None-- the project sites are not known to have contained any archaeological or historic sites.

6. Federal Emergency Management Agency. Flood Insurance Rate Map, Panel 885, September 16, 1988.

7. Heliker, C. Volcanic and Seismic Hazards on the Island of Hawaii. U.S. Geological Survey, 1991.

3.1.6 Water Resources

Setting

There are no streams or drinking water wells located within 1000 feet of Sites A and B, as confirmed by consultation with the Department of Land and Natural Resources Division of Water and Land Development.⁸ Based on field observations and wetlands map for the Hilo quadrangle prepared by the U.S. Fish and Wildlife Service, there are no known wetlands on or adjacent to Sites A and B. A stormwater management plan will be prepared pursuant to the requirements for a NPDES permit which applies to quarry activities.⁹

Impacts and Mitigation Measures

None-- there are no streams or wetlands in the vicinity; there will be no discharge or leaching to the groundwater. Potential nonpoint source pollution would be mitigated by complying with the requirements of the NPDES permit.

3.1.7 Air Quality

Setting

The entire State of Hawaii is located within an attainment area (meets federal ambient air quality standards), as defined in the Clean Air Act, in accordance with the State Implementation Plan. The project is not exposed to any significant pollutant source such as a power plant, sugar mill, or major traffic thoroughfare.

Impacts and Mitigation Measures

The quarrying and crushing activities will generate fugitive dust. However, the Applicant will comply with standard practices followed by the other quarries in the area to mitigate dust to acceptable levels. The Department of Health will monitor and enforce compliance through its air pollution control permit for a noncovered source.¹⁰

8. Telephone conversation with the Water Resources Management Information Center on August 22, 1994 who checked their Wells Inventory Map for the Hilo quadrangle. See also, Megumi Kon, Inc. Hawaii County Water Use and Development Plan, February 1992, Fig. 1.9-2 (Regional Water Development Plan, North/South Hilo).

9. Chapter 11-55, Hawaii Administrative Rules (Department of Health, Water Pollution Control, October 1992). Quarrying is a type of "industrial" activity that is subject to the NPDES requirements by reference to 40 CFR 122.26(b)(14)(iii) which includes facilities classified as SICs 10 through 14. The proposed quarrying falls under SIC 14 (Mining and quarrying of nonmetallic minerals, except fuels), industry no. 1429 (crushed and broken stone, not elsewhere classified). There are two procedures to obtain approval-- an NPDES Permit or a General Permit. This proposed quarrying activity qualifies under the Department of Health's rules for processing under the General Permit procedures.

3.1.8 Noise

Setting

There are no residences or other noise-sensitive land uses in the vicinity of the project sites.

Impacts and Mitigation Measures

None.

3.1.9 Scenic Resources

The project will not impact upon any natural beauty areas identified in the General Plan.¹¹

3.2 Socioeconomic Characteristics

The proposed operations will generate income to the State in terms of royalties.

3.3 Public Facilities, Utilities, and Services

3.3.1 Roads

The County road is paved to a point just past Site A (up to the County's landfill entrance) with gravel thereafter. The projected traffic generated by the proposed operations is an average of 10 to 20 vehicles per day to Site A. About 50% of these trips would be trucks related to the Applicant's construction business with the balance to include other contractors and/or the public. The projected increase in traffic is not significant relative to the existing level of traffic using the road considering that the road is used by the County and two other private contractors to access quarrying activities, and by the public to access the landfill. The Applicant will contribute its proportionate share to maintain the road relative to the other users of the road.

3.3.2 Water System

The proposed operations will not have any impact on the County water system since the Applicant will provide a water tank for its onsite water requirements.

10. Chapter 11-60.1, Hawaii Administrative Rules (Department of Health, Air Pollution Control, November 26, 1993). As applied to fugitive dust, a "covered source" is a major source that emits over 100 tons/year of such air pollutant. At the proposed excavation rate of 5000 cy/month, the emission rate of fugitive dust will not exceed 100 tons/year, and therefore the Applicant will be regulated under the requirements of a "noncovered source".

11. Hawaii County General Plan, November 1989, p. 33 (list of natural beauty areas for South Hilo).

RELATIONSHIP TO PLANS, POLICIES, AND CONTROLS

3.3.3 Wastewater System

The proposed operations will not have any impact on the County wastewater system since the Applicant will provide a portable toilet for its onsite wastewater requirements.

3.3.4 Drainage System

The Applicant will provide a drainage system in compliance with the requirements of the NPDES permit (see Section 3.1.6 on page 11). Since there is no County drainage system in the area, the project will not have an impact on any regional County drainage system.

3.3.5 Solid Waste

The proposed operations will not generate significant amounts of solid waste. The Applicant will coordinate the disposition of any overburden (rubbish, dirt, vegetation) with the County Department of Public Works. Site A would be available for future expansion of the County landfill should the State and County agree to such use.

3.3.6 Electrical

No service connections will be required from HELCO's system since the Applicant will provide a generator for its onsite electrical requirements. Service is available, nevertheless, if connection is required.

4.0 RELATIONSHIP TO PLANS, POLICIES, AND CONTROLS

4.1 State Plan

The project conforms with the following State Plan objectives and policies:

Objectives and policies for the economy-- in general. (a) Planning for the State's economy in general shall be directed towards the 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 Hawaii's people.

(2) A steadily growing and diversified economic base that is not overly dependent on a few industries.

(b) To achieve the general economic objectives, it shall be the policy of this State to:

(6) Strive to achieve a level of construction activity responsive to, and consistent with, State growth objectives.

(9) Foster greater cooperation and coordination between the government and private sectors in developing Hawaii's employment and economic growth opportunities.

RELATIONSHIP TO PLANS, POLICIES, AND CONTROLS

(10) Stimulate the development and expansion of economic activities which will benefit areas with substantial or expected employment problems.

(16) Foster a business climate in Hawaii-- including attitudes, tax and regulatory policies, and financial and technical assistance programs-- that is conducive to the expansion of existing enterprises and the creation and attraction of new business and industry.¹²

Objectives and policies for the physical environment-- land-based, shoreline, and marine resources.

(b) To achieve the land-based, shoreline, and marine resources objectives, it shall be the policy of this State to:

(4) Manage natural resources and environs to encourage their beneficial and multiple use without generating costly or irreparable environmental damage.¹³

Population growth and land resources priority guidelines.

(b) Priority guidelines for regional growth distribution and land resource utilization:

(2) Make available marginal or nonessential agricultural lands for appropriate urban uses while maintaining agricultural lands of importance in the agricultural district.¹⁴

The proposed activities conform with the State Plan policies. Site B is non-essential marginal agricultural land. Both sites are also surrounded by similar quarrying uses and located in an area that is not environmentally sensitive. By allowing the proposed uses, the State would implement its policies to foster a business climate and stimulate economic activities in an area that has suffered economic repercussions from the closings of the sugar plantations.

4.2 State Land Use Law

The State Land Use classification is "Agriculture" for Site B and "Urban" for Site A. The County, through its zoning ordinance, determines the permissible uses within the Urban district (see Section 4.5 below). Within the Agricultural district, the County Planning Commission may permit certain "unusual and reasonable uses" less than 15 acres through a Special Permit.¹⁵

The Planning Commission considers the following criteria in reviewing Special Permit applications:

(A) Such use shall not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations;

(B) The desired use shall not adversely affect surrounding properties;

12. *Hawaii Revised Statutes* §226-6 (Supp. 1992).

13. *Hawaii Revised Statutes* §226-11 (Supp. 1992)

14. *Hawaii Revised Statutes* §226-104 (Supp. 1992)

15. *Hawaii Revised Statutes* §205-6 (1985). If greater than 15 acres, the State Land Use Commission must approve the application.

RELATIONSHIP TO PLANS, POLICIES, AND CONTROLS

- (C) Such use shall not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, and police and fire protection;
- (D) Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established;
- (E) The land upon which the proposed use is sought is unsuited for the uses permitted within the district;
- (F) The proposed use will not substantially alter or change the essential character of the land and the present use; and
- (G) The request will not be contrary to the General Plan and official Community Development Plan and other documents such as Design Plans.¹⁶

The Planning Commission has issued Special Permits for quarries. The proposed quarry on Site B meets the Special Permit criteria. Since the surrounding uses are landfills, quarries, or vacant land, the proposed use will not adversely affect these surrounding properties. No improvements to public roads or utilities would be required as a result of the proposed uses. The proposed site is not suited for agriculture. The proposed use is compatible with the character of the present and surrounding quarry uses. The proposed use conforms with the General Plan and Hilo Community Development Plan discussed below.

4.3 Hawaii County General Plan

The proposed use conforms with the General Plan Land Use Planning & Guide (LUPAG) Map designation of "Industrial" for Site A and "Orchards" for Site B (see Figure 4 on page 17). The Industrial designation is intended for uses such as manufacturing, processing, wholesaling, large storage, and light industrial uses.¹⁷ The following General Plan policies support the proposed quarrying use on Site A:

Land Use

Industrial¹⁸

Policies

It shall be the policy of the County to achieve a broader diversification of local industries by providing opportunities for new industries and strengthening existing industries.

Through its zoning powers, the County shall locate industrial areas convenient to transportation facilities, and provide a variety of industrial zoned districts and lot sizes, depending on the needs of the industries and the communities.

Standards

16. *Rules of Practice and Procedure*, Planning Commission, County of Hawaii §6-3 (November 1992).

17. General Plan Support Document, November 1989, p. 80.

18. General Plan §4.M(3) (1989).

RELATIONSHIP TO PLANS, POLICIES, AND CONTROLS

Industrial activities may be located close to raw materials or key resources.

Courses of Action (South Hilo):¹⁹

The County shall encourage the State of Hawaii and the Department of Hawaiian Home Lands to develop industrial zoned lands in the Kanoelehua Industrial area and airport industrial area.

Natural Resources and Shoreline

The County of Hawaii shall require users of natural resources to conduct their activities in a manner that avoids or minimizes adverse effects on the environment.²⁰

Site A would be located in the airport/Kanoelehua General Plan industrial area that is convenient and possesses key raw materials. The operations would be carried out in compliance with environmental requirements for air and water pollution.

The General Plan policies for Agriculture focus on "important" agricultural lands.

Designate, protect and maintain important agricultural lands from urban encroachment. New approaches to preserve important agricultural land shall be implemented by the County.²¹

Site B is not suited for agriculture. The County zoning code permits quarries in the agricultural district (see Section 4.5 below).

4.4 Hilo Community Development Plan

The Hilo Community Development Plan recommends industrial expansion to occur in the airport mauka area, which is in the vicinity of the project sites, because it "has the advantage of unlimited expansion potential onto land which is developable for industrial use but generally not suited for agriculture and is removed from residential areas but can have good access to them."²² Site A seems to be within or very close to the alignment of the proposed 120' right-of-way Puainako Street Extension.²³ The proposed operation would vacate at the appropriate time and therefore not interfere with any street extension plans. Site B is planned for agriculture, and quarrying operations are permitted in the agricultural district under County zoning (see Section 4.5 below).

19. General Plan §5.B(9)(c)(1989).

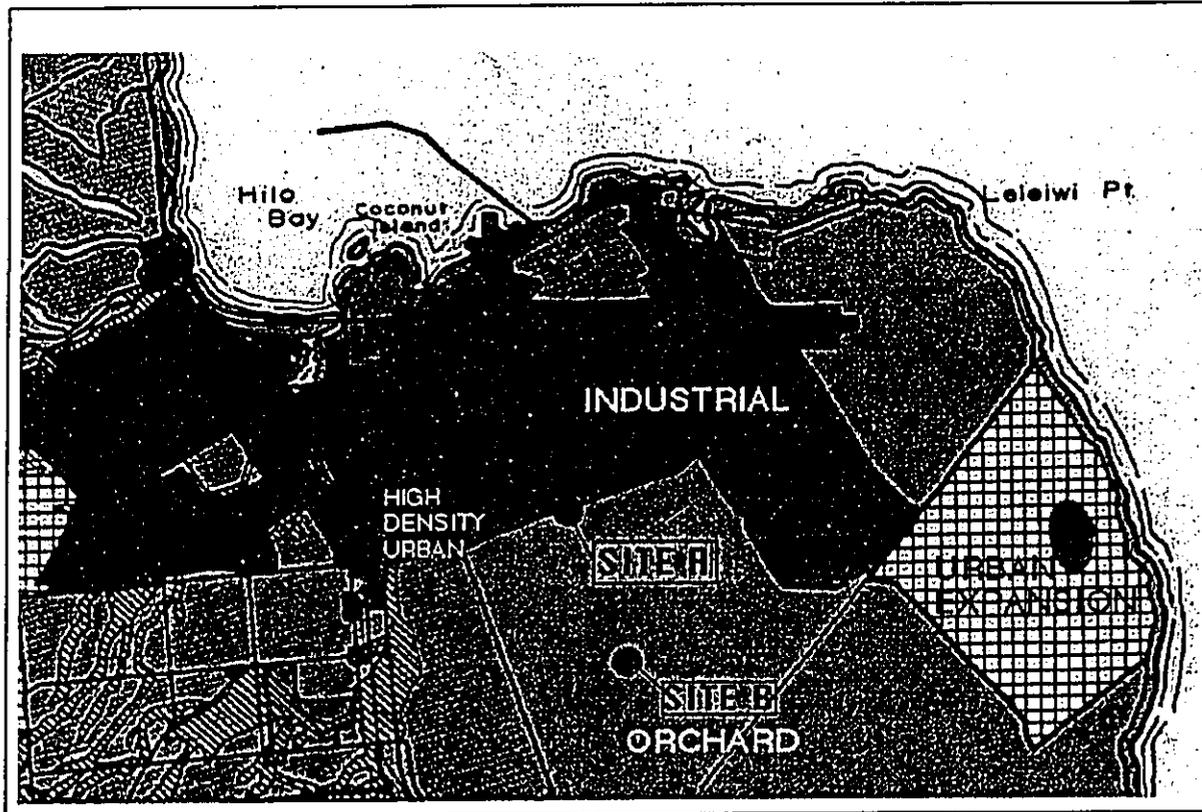
20. General Plan §4.G(1989).

21. General Plan §4.M(1) (1989).

22. Belt, Collins & Associates, Ltd., *Hilo Community Development Plan*. Prepared for the County of Hawaii, adopted by Planning Commission Resolution on May 21, 1975, p. 75.

23. *Ibid.*, p. 50 (Fig. 11, Hilo Community Development Plan).

FIGURE 4. County of Hawaii General Plan LUPAG Map



4.5 Hawaii County Zoning Code

Site B is zoned Ag-20a (Agriculture with a 20-acre minimum lot size). Under the zoning code, "commercial excavation" is a permitted use in the Agricultural district.²⁴

Site A is zoned MG-1a (General Industrial with a 1-acre minimum lot size). A Use Permit is required for commercial excavation in the MG district.²⁵ The Planning Commission may grant a Use Permit only if it finds that:

²⁴.Hawaii County Code §25-152 (1991).

²⁵.Hawaii County Code §25-28(a)(7) (1991).

RELATIONSHIP TO PLANS, POLICIES, AND CONTROLS

(a) The granting of the proposed use will still be consistent with the general purpose of the zoned district, the intent and purpose of the Zoning Code and the County General Plan;

(b) The granting of the proposed use will not be materially detrimental to the public welfare nor cause substantial adverse impact to the community's character or to surrounding properties.

(c) The granting of the proposed use will not adversely affect similar or related existing uses within the surrounding area, community or region; and

(d) The granting of the proposed use will not unreasonably burden public agencies to provide roads and streets, sewer, water, drainage, schools, police and fire protection and other related infrastructure.²⁶

The Planning Commission has found quarrying uses to meet the above criteria in past applications and issued Use Permits to the neighboring quarrying uses that would be identical to the proposed use on Site A.²⁷

Besides the Use Permit, any use in the MG district also requires Plan Approval which the Applicant would submit for approval when more detailed site plans have been prepared.²⁸

4.6 Coastal Zone Management and Special Management Area

The project is located outside of the Special Management Area; therefore, a Special Management Area Permit is not applicable to the project. However, even if a Special Management Area Permit is not required, all actions within the State must comply with the objectives and policies of the Coastal Zone Management Act.²⁹ Except for reference to nonpoint source pollution, the objectives and policies are not applicable since the project will not impact upon coastal recreational resources, historic resources, scenic and open space resources, coastal ecosystems, coastal hazard areas, nor public shoreline access. Pursuant to a stormwater pollution control plan required by the NPDES permit (see Section 3.1.6 on page 11), the proposed activities will not cause sedimentation from surface runoff that drain into streams or coastal waters, nor will the proposed activities cause any leaching of contaminants to the groundwater that could ultimately flow to the coastal waters.

26. Rules of Practice and Procedure, Planning Commission, County of Hawaii §7-6 (November 1992).

27. Use Permit No. 84 (approved 4/4/91); Use Permit No. 93 (approved 1/16/92).

28. *Hawaii County Code* §25-242 (1989).

29. *Hawaii Revised Statutes* §205A-4(b) (Supp. 1992).

RELATIONSHIP TO PLANS, POLICIES, AND CONTROLS

4.7 Air and Water Pollution Control Permits

The quarrying activities will require permits from the Department of Health-- the NPDES Permit for water pollution control and the noncovered source permit for air pollution control.³⁰

4.8 Other Permits and Approvals

Quarrying activities are excluded from the County's grading permit requirements.³¹ Table 1 below summarizes the permits and approvals that may be applicable to the proposed operations.

TABLE 1.

List of Permits and Approvals

Permit or Approval	Authority	Approving Agency
STATE OF HAWAII		
NPDES Permit	HAR Chap. 11-55	Department of Health
Clean Air Permit	HAR Chap. 11-60.1	Department of Health
COUNTY OF HAWAII		
Special Permit (for Site B)	PC Rule 6	Planning Commission
Use Permit (for Site A)	HCC §25-28; PC Rule 7	Planning Commission
Plan Approval (for Site A)	HCC Chap. 25, Article 20	Planning Department

HRS= Hawaii Revised Statutes

HAR= Hawaii Administrative Rules

HCC= Hawaii County Code

PC= Rules of Practice and Procedure, Planning Commission, County of Hawaii

³⁰. Refer to footnote 9 on page 11 for discussion on the NPDES Permit and footnote 10 on page 12 for discussion on the noncovered source permit.

³¹. *Hawaii County Code* §10-3(b)(1)(1983).

5.0 DETERMINATION WITH SUPPORTING FINDINGS AND REASONS

The proposed operations are not expected to cause significant impacts to the environment, pursuant to the significance criteria established by the Environmental Council as discussed below;³² therefore, the determination is to issue a negative declaration.

The proposed project will not involve an irrevocable commitment to loss or destruction to any natural or cultural resources. The proposed sites do not contain any significant natural or cultural resources.

The proposed project will not curtail the range of beneficial uses of the environment. The sites can be reclaimed in the future for alternative beneficial uses.

The proposed project will not conflict with the State's long-term environmental policies. The proposed project will not conflict with the environmental policies set forth in the State Plan and Chapter 344, Hawaii Revised Statutes in that the project will not damage sensitive natural resources nor emit excessive noise or contaminants.

The proposed project will not involve substantial secondary impacts, such as population changes or effects on public facilities. The project will not induce future development or population changes since it does not provide excess infrastructure capacity, attract visitors, or generate employment opportunities.

The proposed project will not involve a substantial degradation of environmental quality. There will be no significant degradation of air, water, or noise quality.

The proposed project will not substantially affect any rare, threatened or endangered species of flora or fauna or habitat. The sites are not known habitats for endangered or threatened flora or fauna species.

The proposed project will not detrimentally affect air or water quality or ambient noise levels. The proposed operations will comply with Department of Health regulations to mitigate potential water quality (NPDES permit) and air quality (noncovered source permit) impacts.

The proposed project is not located in an environmentally sensitive area (e.g., flood plain, tsunami zone, coastal area). The project is not located within the 100-year flood plain or other environmentally sensitive area.

32. Hawaii Administrative Rules, §11-200-12.

REFERENCES

6.0 REFERENCES

Reports

- Belt, Collins & Associates, Ltd., *Hilo Community Development Plan*. Prepared for the County of Hawaii, adopted by Planning Commission Resolution on May 21, 1975.
- Federal Emergency Management Agency, *Flood Insurance Rate Map*, Panel 880, September 16, 1988.
- Heliker, C. *Volcanic and Seismic Hazards on the Island of Hawaii*. U.S. Geological Survey, 1991.
- Kon, M. *Hawaii County Water Use and Development Plan*. Prepared for the Department of Water Supply, County of Hawaii, February 1992.
- Macdonald, G. A., et al, *Volcanoes in the Sea: The Geology of Hawaii* (2d ed.), Honolulu: University of Hawaii Press, 1983.
- McCall, W. *Soil Classification in Hawaii*, Cooperative Extension Service, University of Hawaii, Circular 476, 1975.
- State of Hawaii, Department of Land and Natural Resources. *An Inventory of Basic Water Resources Data: Island of Hawaii*. Report R34, 1970.
- U.S. Department of Agriculture, Soil Conservation Service. *Soil Survey of Island of Hawaii*. State of Hawaii, 1973.
- University of Hawaii, Department of Geography, *Atlas of Hawaii* (2d. ed.). Honolulu: University of Hawaii Press, 1983.

Laws, Ordinances, Resolutions, Administrative Rules

- Hawaii Revised Statutes*, Chapter 205 (Land Use Commission) (1985 & Supp. 1992).
- Hawaii Revised Statutes*, Chapter 226 (State Plan) (Supp. 1992).
- Hawaii Administrative Rules*, Chapter 11-200, Department of Health, Environmental Impact Statement Rules.
- Hawaii Administrative Rules*, Chapter 11-55, Department of Health, Water Pollution Control Rules.
- Hawaii Administrative Rules*, Chapter 11-60.1, Department of Health, Air Pollution Control Rules.
- Hawaii County Code*, Chapter 25 (Zoning).
- County of Hawaii, *General Plan*, Ordinance No. 89-142 (An Ordinance Adopting the County of Hawaii General Plan and Repealing Ordinance No. 439, as amended).

APPENDIX

COMMENT AND RESPONSE TO DRAFT EA



University of Hawai'i at Mānoa

Environmental Center
A Unit of Water Resources Research Center
Crawford 317 • 2350 Campus Road • Honolulu, Hawaii 96822
Telephone: (808) 956-7361 • Facsimile: (808) 956-3980

March 24, 1995
EA:00112

Mr. Glenn Taguchi
Department of Land and Natural Resources
Division of Land Management
P.O. Box 936
Hilo, Hawaii 96721-0936

Dear Mr. Taguchi:

Draft Environmental Assessment (EA)
Waiakea Quarry And Stockpiling Operation
South Hilo, Hawaii

The applicant, Kiyosaki Tractor Works Inc., seeks a revocable license from the State Department of Land and Natural Resources (DLNR) for a quarrying, crushing, and stockpiling operation on two State-owned parcels located near the County landfill in Waiakea, South Hilo District of Hawaii. The proposed operation would occur on a 7-acre portion of a 37-acre parcel (Site A); two 15-acre parcels have already been licensed by DLNR for quarrying operations. The applicant also proposes to obtain through direct negotiations or public auction one of three quarrying sites, each approximately 13.3 acres, of a 40+/- acre block which is a portion of a 2.769-acre parcel (Site B).

The applicant intends to extract rock from Site B and transfer it to Site A for crushing. The quarrying operations include ripping rock formations with a bulldozer or drilling and blasting if necessary. The total volume of excavation anticipated is not more than 5000 cy (7500 tons) per month. Quarrying will be setback 10-20 feet from property boundaries to allow vegetative growth as a buffer.

We have reviewed this Draft EA with the assistance of Paul Ekern, Emeritus and Malia Akutagawa of the Environmental Center.

The document is very short and tends to give a cursory analysis of existing conditions and possible environmental impacts. In particular, the Draft EA lacks an assessment of the geology of the project area. This is vital information, since the proposed

project is for quarrying operations. At a minimum, the document should identify the particular rock formation that will be used for crushing. Is the rock formation rare or common?

It is difficult to determine the significance of this project without more information.

Thank you for the opportunity to review this Draft EA.

Sincerely,

John T. Harrison
Environmental Coordinator

cc: OEOC
Roger Fujioka
Kiyosaki Tractor Works, Inc.
Roy Takemoto
Paul Ekern
Malia Akutagawa

Roy R. Takemoto
Land Use Planning & Law Consultant
P.O. Box 10217, Hilo, HI 96721
Phone/Fax (808) 959-0189

April 8, 1995

John T. Harrison, Environmental Coordinator
Environmental Center
University of Hawaii at Manoa
Crawford 317, 2550 Campus Road
Honolulu, HI 96822

RE: Environmental Assessment for Waiakea Quarry and Stockpiling Operation
South Hilo, HI

Dear Mr. Harrison:

Thank you for taking the time to review the Draft Environmental Assessment for the subject project. Your comments focused on the lack of detail on the rock formations— particularly, whether the rock formations are rare. The Environmental Assessment described the rocks as "fragmental *oa* lava bedrock". Due to the islands' volcanic origins, it is difficult to understand your comment since all rock formations would be basaltic. We would appreciate your enlightenment of an example of a "rare" rock formation for Hawaii.

The EIS rules emphasize that EIS documents should be succinct and issue-oriented:

... (P)reparers shall make every effort to convey the required information succinctly in a form easily understood, both by members of the public and by public decision makers, giving attention to the substance of the information conveyed rather than to the particular form, or length, or detail of the statement. The scope of the statement may vary with the scope of the proposed action and its impact. . . . Care shall be taken to concentrate on important issues and to ensure that the statement remains an essentially self-contained document . . . (Hawaii Administrative Rules §11-200-19).

Because the proposed quarry operation is in an area previously quarried, the impacts are negligible. Furthermore, the area is isolated from businesses or residents who could be impacted by the quarry operations (e.g., dust, vibrations, traffic). The depth of the environmental assessment was commensurate with the potential impacts.

Please call me if you have any questions.

Yours truly,

Roy R. Takemoto
Roy R. Takemoto

cc: Glenn Taguchi, DLNR
Ken Kiyosaki, applicant

RM.
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