



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION  
3060 EIWA STREET, RM. #306  
LIHUE, HAWAII 96766

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LAND DIVISION  
STATE PARKS  
WATER RESOURCE MANAGEMENT

OFFICE OF ENVIRONMENTAL  
QUALITY CONTROL

May 29, 1997

KD-96:1969

Gary Gill, Director  
Office of Environmental Quality Control  
235 South Beretania Street, Suite 702  
Honolulu, Hawaii 96813

Subject: Determination of No-Significant Impact, Roman  
Catholic Church in the State of Hawaii on Behalf  
of St. Theresa's Church, Kekaha, Kauai, Hawaii,  
Tax Map Key 1-3-11: 1 and 1-3-4: 4

Dear Mr. Gill:

Having reviewed the comments received on the draft environmental assessment for St. Theresa's Church, located at Kekaha, Kauai, Tax Map Key 1-3-11: 1 and 1-3-4: 4, during the thirty day public review period which began on April 8, 1997, the Department of Land and Natural Resources has determined that this project will have no significant environmental effect and with this letter, issues a finding of no-significant impact. We request that you publish notice of this determination in the June 23, 1997 issue of the Environmental Notice.

Enclosed is a completed Bulletin publication form and 4 copies of the final environmental assessment. Please call Sidney Fuke at 969-1522 if there are any questions.

Very truly yours,

MICHAEL LAURETA  
Land Agent

Enclosures

c: Luke Yasaka  
Dean Uchida, Land Division Administrator  
Lynn McCrory, Kauai Land Board Member  
Sidney Fuke

ML:ml

68

1997-06-23-KA-PEA- St. Theresa's  
Church Park

JUN 23 1997

**FILE COPY**

**FINAL  
ENVIRONMENTAL ASSESSMENT**

**LEASE OF STATE LANDS  
BY  
ROMAN CATHOLIC CHURCH IN THE STATE  
OF HAWAII IN BEHALF OF  
ST. THERESA'S CHURCH**

**KEKAHA, WAIMEA, KAUAI, HAWAII  
TMK: 4/1-3-11:1 & 4/1-3-4: 54**

**FINAL  
ENVIRONMENTAL ASSESSMENT**

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**KEKAHA, WAIMEA, KAUAI, HAWAII  
TMK: 4/1-3-11:1 & 4/1-3-4: 54**

**FINAL ENVIRONMENTAL ASSESSMENT**

**APPLICANT:** Roman Catholic Church in the State of Hawaii  
1184 Bishop Street  
Honolulu, Hawaii 96813-2858

ATTN: Mr. Luke H. Yasaka  
Director of Construction Services

Phone: (808) 533-1791  
FAX: (808) 521-8428

**CONSULTANT:** Sidney Fuke, Planning Consultant  
100 Pauahi Street, Suite 212  
Hilo, Hawaii 96720

**APPROVING AGENCY:** Mr. Mike Wilson, Chairman  
Board of Land and Natural Resources  
1151 Punchbowl Street  
P. O. Box 621  
Honolulu, Hawaii 96809

**CLASS OF ACTION:** Use of State Lands

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	Department of Land and Natural Resources, Division of Land Management, State of Hawaii, February 12, 1997
	Department of Land and Natural Resources, State Historic Preservation Division, State of Hawaii, February 6, 1997
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	Office of Hawaiian Affairs, State of Hawaii, February 10, 1997

- B Cultural Surveys Hawaii, October 21, 1997
- C Office of Hawaiian Affairs, State of Hawaii, April 25, 1997  
Sidney Fuke, Sidney Fuke & Associates, May 19, 1997

winworda:stchurch.toc

## CHAPTER 1: DESCRIPTION OF PROPOSED ACTION

### 1.1 Purpose of Document

The request involves the lease and use of State lands for a 65-year period. As such, the environmental review and approval requirements outlined in Hawaii, Revised Statutes, Chapter 343 and Hawaii Administrative Rules, Chapter 11-200 must be complied with.

The approving agency is the State Board of Land and Natural Resources, the agency that has the authority to approve of the request.

This document has been compiled from published and unpublished studies, field investigations, and inputs from various public agencies.

### 1.2 Location and Ownership

The subject request involves two abutting parcels (hereinafter referred to as "site") which are identified by TMK: 4/1-3-11: 1 and 4/1-3-4: 54. Parcel 1 consists of .95 acres, and the other parcel consists of 1.13 acres. The combined area is 2.08 acres.

The subject site is located in the town of Kekaha on the island of Kauai (Figure 1). More specifically, it is bounded by the Kaumualii Highway, Iwa Road, and Elepaio Road (Figure 2). There is a drainage ditch located on parcel 1 that effectively separates the two parcels. There is also a public cemetery located on the eastern side of the site, across of Iwa Road. The St. Theresa's Church and school complex are located adjacent and to its west.

The subject site is owned by the State of Hawaii and is ceded land. The request involves the lease and use of ceded land held in trust by the State of Hawaii. The applicant for this request is the Roman Catholic Church in the State of Hawaii, on behalf of the St. Theresa's Church.

### 1.3 Permitting Background

The Board of Land and Natural Resources granted St. Theresa's Church a right-of-entry permit (ROE No. 533) to the site for the purpose of "cleaning, maintaining and landscaping the properties pending Land Board approval of a revocable permit or direct lease to establish cultural and educational use of the sites." This permit commenced on March 1, 1995 and was to have expired on August 31, 1995. Subsequent extensions were granted, with the last one extending the permit to November 30, 1997.

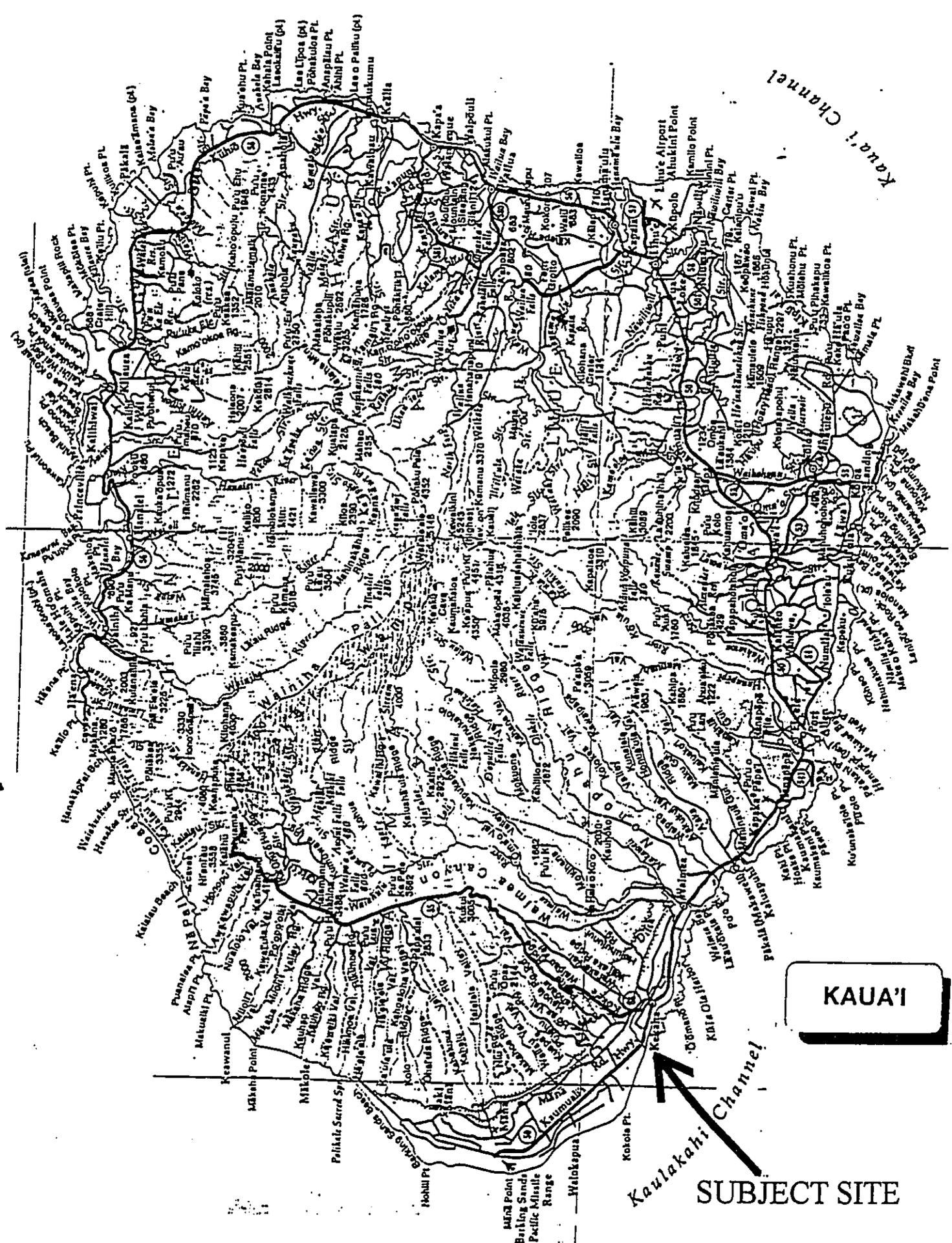
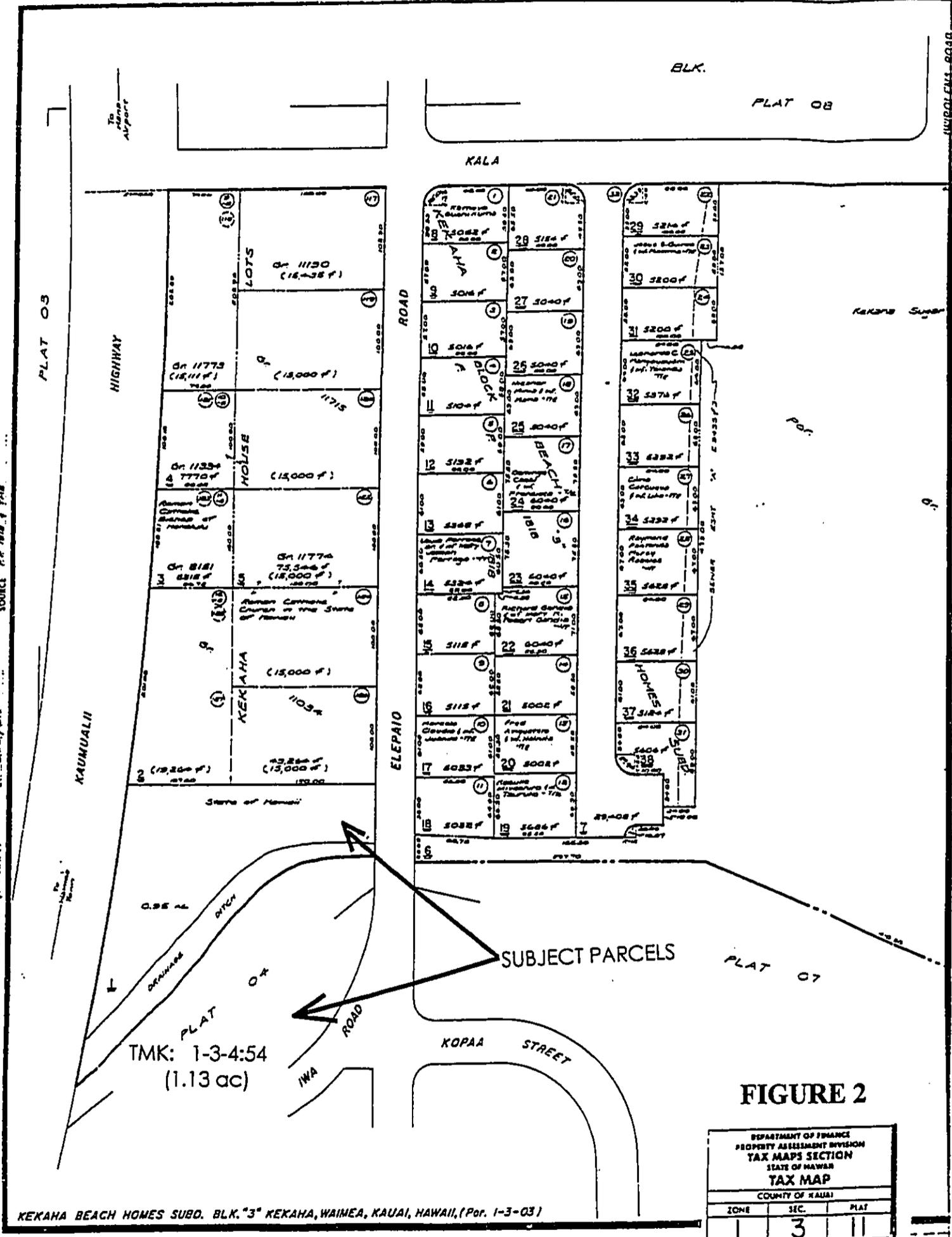


FIGURE 1

DWG. NO. 6657 DATE: Nov. 27, 1988 SOURCE: G.C. 1988, 1978



**FIGURE 2**

DEPARTMENT OF FINANCE		
PROPERTY ASSESSMENT DIVISION		
TAX MAPS SECTION		
STATE OF HAWAII		
TAX MAP		
COUNTY OF KAUAI		
ZONE	SEC.	PLAT
1	3	11
SCALE: 1 IN. = 80 FT.		

KEKAHA BEACH HOMES SUBD. BLK. "3" KEKAHA, WAIMEA, KAUAI, HAWAII, (Pop. 1-3-03)

1.4 Existing Uses

The site is presently cleared of topical vegetation. There is an unimproved driveway from Elepaio Street leading to an unimproved parking area on parcel 1 (which is adjacent to the Church). The other parcel has been cleared and used periodically for active recreational uses. The drainage ditch has not been improved.

1.5 Purpose and Objectives of Action

The 65-year lease of the site would allow the applicant to make additional improvements to the site. Specifically as noted in **Figure 2**, the applicant wants to develop the site into a park with related parking. The park would be used for a volleyball, soccer, basketball, and other active recreational activities. There would also be a parking area with a driveway from Elepaio Street. A pedestrian bridge would also be constructed over the drainage ditch to provide ready access between the Church complex and the park and parking area.

No improvements or alterations to the existing drainage system are planned. For security and/or safety measures, however, a fence or protective landscaping would be installed along the drainage ditch.

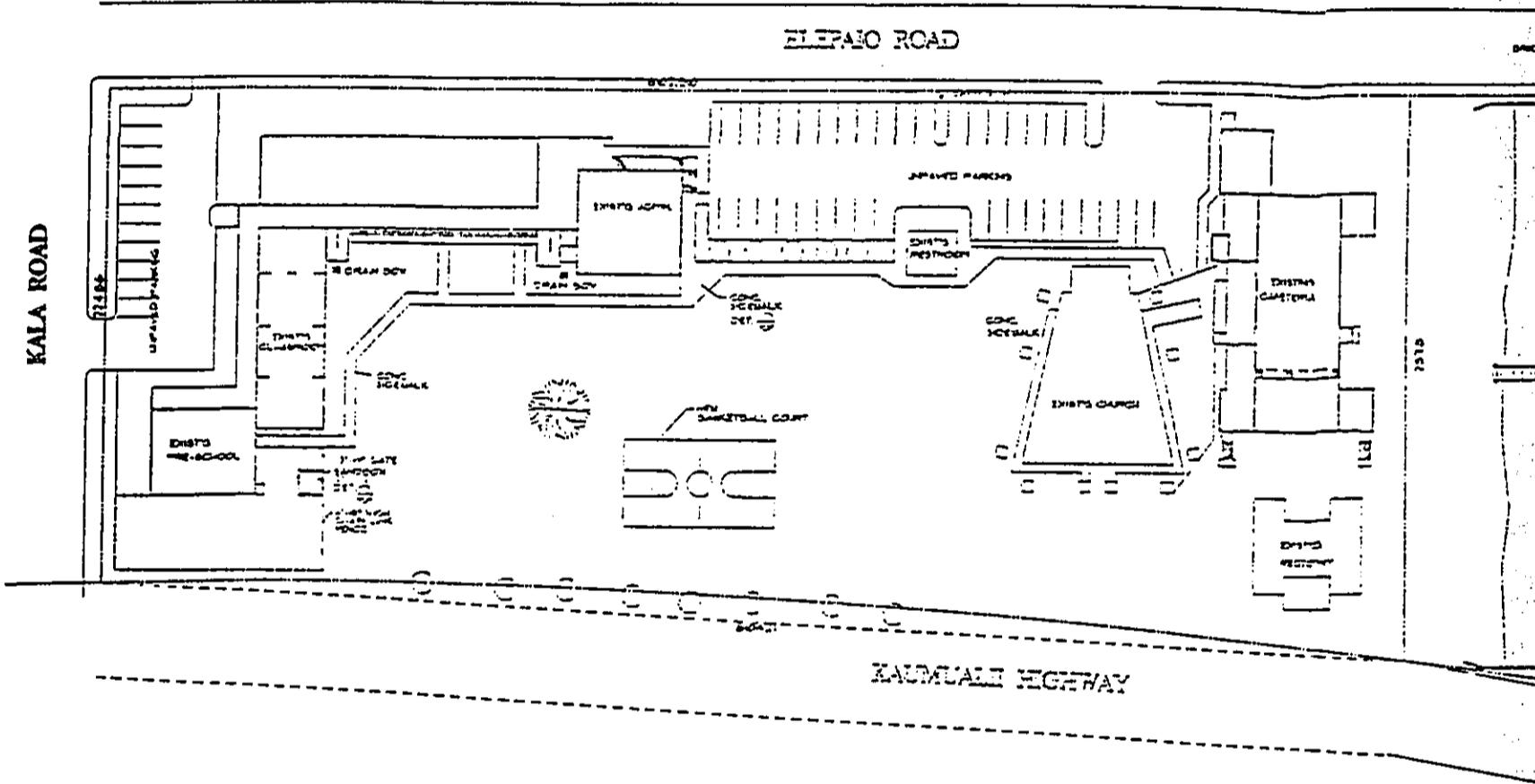
This park is not intended for the exclusive use of the applicant and its guests. Although the public would be allowed access to the park, they may be subject to certain reasonable terms to be established by the applicant. These may include measures such as maintenance, time of use, and the like.

1.6 Regulatory Requirements

The State Land Use District of the site is Urban. Thus, the land use jurisdiction rests with the County of Kauai. The Kauai General Plan designates this area "Urban Residential," and a General Plan amendment would not be necessary to implement this action.

The County Zoning of the site is Open (O) and Special Treatment- Public (ST-P). Pursuant to Section 8-9.3 of the Zoning Code, it could be allowed with the issuance of a Use Permit and a Class IV Zoning Permit by the Planning Commission.

The makai half of the site is within the County Special Management Area (SMA). As such, conformance with the SMA requirements must be demonstrated before the Land Board can act on this lease request. Conformance could occur in the form of having the Planning Director determine said uses "exempt" from the SMA permitting requirements or issue a Minor SMA Permit. Otherwise a Major SMA Permit from the Planning Commission must be issued.



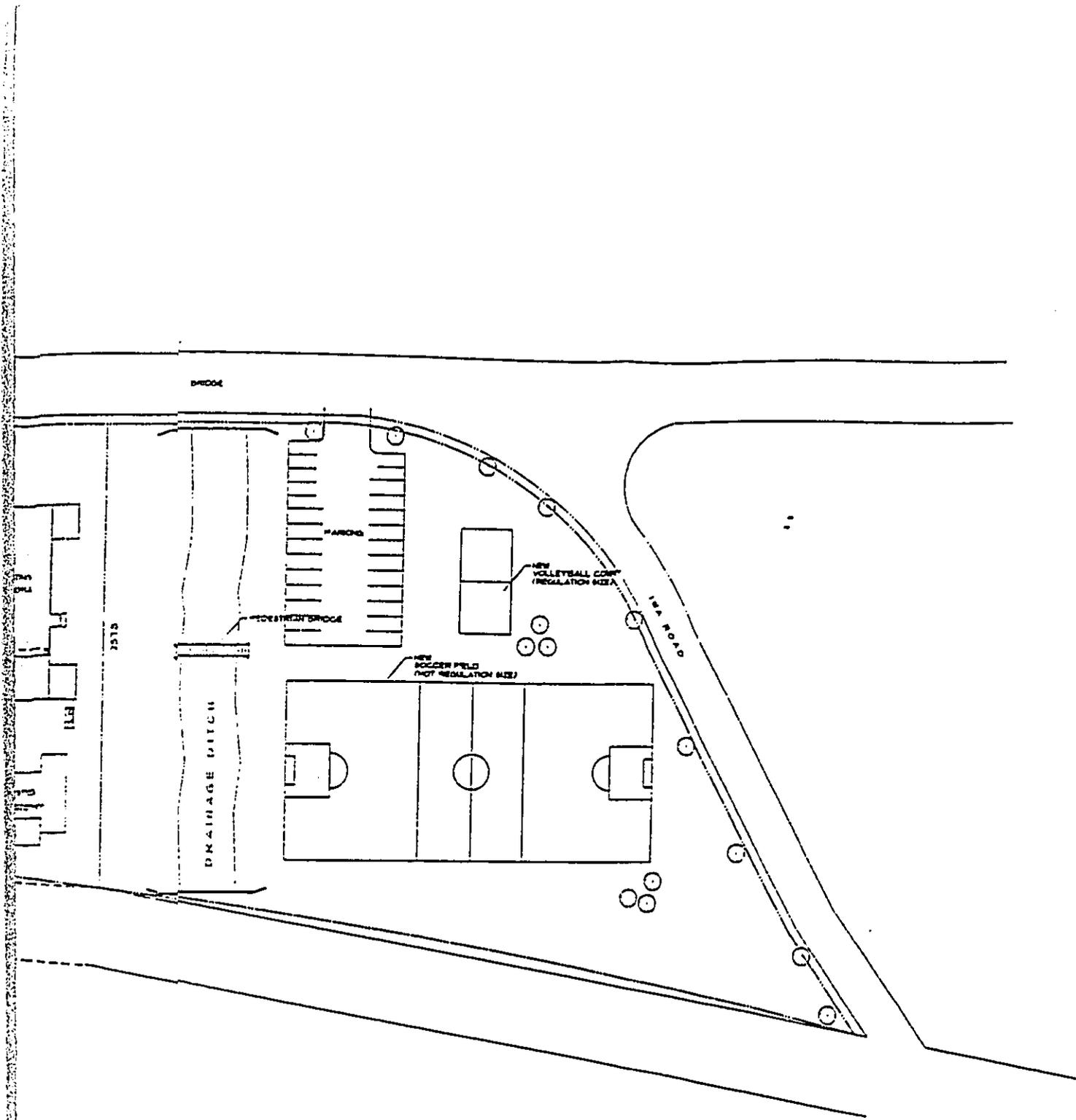


FIGURE 3

1.7 Consultation With Government Agencies

As part of this review process, several State and County agencies were consulted. The consulted agencies were:

County Agencies

- \* Department of Planning
- \* Department of Water
- \* Department of Fire
- \* Department of Police
- \* Department of Public Works

State Agencies

- \* Department of Health, Kauai District
- \* Department of Transportation, Kauai District Highways Division
- \* Department of Land and Natural Resources
  - Kauai Division of Land Management
  - Kauai Division of Historic Preservation
- \* Department of Education, Kauai District
- \* Office of Hawaiian Affairs, Kauai District

Comments received before February 28, 1997, from the aforementioned agencies are contained in **Appendix A**, and where appropriate, incorporated in the text of this document.

The letter from the Office of Hawaiian Affairs was received after March 1, 1997 and is incorporated in this planning report as **Appendix C**.

1.8 FINAL ENVIRONMENTAL ASSESSMENT

Negative Declaration of significant environmental impacts is expected by the proposed action of St. Theresa's Church. As such, a Draft Environmental Assessment was submitted to the State Office of Environmental Quality Control (OEQC) for publication in its Bulletin for public comment.

This Environmental Assessment has been revised to address issues and comments received during the review period. It will be resubmitted to OEQC as a Final Environmental Assessment with a Negative Declaration for publication in the OEQC Bulletin for comment on the State Board of Land and Natural Resources' determination.

## CHAPTER 2: ENVIRONMENTAL SETTING

### 2.1 Physical Environmental Characteristics

#### 2.1.1 Geology, Soils and Hazards

The site was formerly used as a dump site by the sugar company for industrial machinery and mill equipment. It was recently cleaned up by the plantation, prior to the current right-of-entry permit. (See Appendix B)

As such, the soil characteristics have probably changed. Notwithstanding that situation, the site has not been classified under the Land Study Bureau's Detailed Land Use Classification system. The nearest identified classification in this area was E-2. Said soils have been characterized as being well suited for machine tillability, nonstony, and well drained. Another classification system designates this area as JfB, Jauca, loamy fine sand.

The site has a 0-5% slope, although it is predominantly level. The elevation is less than 15 feet.

There is no volcanic hazard designation for the island of Kauai, unlike the island of Hawaii.

#### 2.1.2 Weather and Climate

The average temperature in Kekaha is around 74.6 Fahrenheit. The average high is around 78.3 Fahrenheit with the average low pegged around 71.0 Fahrenheit. In the summer months, the temperature is typically in the mid to high eighties.

The average annual rainfall in this area is 20.07 inches. December through March appears to be the wetter months.

#### 2.1.3 Hydrology and Drainage

According to the U.S Flood Insurance Rate Map, the site is designated Zone AE, with a base elevation varying between 9 feet MSL (Mean Sea Level) to 11 feet MSL. Thus, the site is vulnerable to the 100 year flood.

As the site will be used for open recreational activities and parking, there should not be a need to amend the FIRM designation. Further, those activities should not compromise the objectives of the FIRM designation.

#### 2.1.4 Flora and Fauna

Since the site has already been cleared and the surrounding uses are urban in character, the likelihood of discovering any endangered plant or animal life appears to be remote.

#### 2.1.5 Air Quality and Noise

Air quality impacts resulting from this project should be negligible. The only possible impacts would be exhaust from the automobile traffic. However, the volume of cars associated with the park use should not significantly impact the ambient air quality. Further, the normal tradewinds would tend to readily dissipate the automobile exhaust.

The applicant intends to pave the parking with an all-weather, dust free surface. As such, potential dust concern should be mitigated. As the activities are planned only during the day, there should be minimal disruption to the ambient noise level in this area. Given the site's proximity to the ocean and the Kaumualii Highway, any elevation to the noise ambient level should be insignificant.

### 2.2 Social, Cultural, and Economic Setting

#### 2.2.1 Surrounding Land Uses

The site is essentially bounded by urban type of uses. To the southeast, there is a public cemetery. There are residential uses immediately mauka of the site. The applicant's church and school complex is located west and adjacent to the subject site. Kaumualii Highway serves as the site's makai boundary.

#### 2.2.2 Historic Resources

Because of the presence of archaeological finds proximate to this area, an archaeological subsurface testing was conducted of the site by Cultural Surveys Hawaii (Appendix B). This was done in consultation with the State Historic Preservation Division. The testing revealed no significant cultural materials or deposits on the site and no further work was recommended.

#### 2.2.3 Scenic Resources

Although there are ocean and mountain views from areas surrounding the site, the non-structural nature of the uses should not affect those views.

#### 2.2.4 Land Ownership

The site is ceded lands which are held in trust by the State of Hawaii. As such, the applicant would have to abide by the any terms set forth by the Land Board regarding this matter.

### 2.3 Public Facilities and Services

#### 2.3.1 Roads and Traffic

Elepaio Road has a 40-foot right-of-way with a 18-20 foot wide pavement. Although there is sidewalk along sections of this road, there is none in the area fronting the site. Although the site is a corner parcel and fronts Elepaio Road, Iwa Road, and Kaumualii Highway, access would be taken from Elepaio Road. This is also consistent with the recommendation of the Department of Public Works and State Department of Transportation. A driveway permit for this access meeting with the requirements of the County Department of Public Works will be secured.

Further, pursuant to the State Department of Transportation's comments, a chainlink fence will be erected along the site's frontage to the Kaumualii Highway and portions of Iwa Road.

#### 2.3.2 Utilities

At this time, no restrooms or lighting are planned for the site as the planned activities are diurnal. Should there be a need to have lighting for security or other purposes, electrical service is available to the site.

No irrigation system is planned for the site. However, water fountains may be installed by the applicant. Should that be the case, the applicant intends to extend a line from its existing facility to the site.

#### 2.3.3 Wastewater and Solid Waste

As noted earlier, no restrooms are planned. As such, there should be little, if any wastewater impacts. Solid waste would essentially be trash from the park. The trash would be hauled into containers located on the applicant's property. This would then be disposed of together with the church and school's waste material in the County landfill.

**CHAPTER 3:           SUMMARY OF ENVIRONMENTAL IMPACTS AND  
                          PROPOSED MITIGATION MEASURES**

**3.1    Short-Term Impacts**

**Adverse Impacts:** There will be slight interruptions in normal traffic patterns during construction. Some noise, dust will also result temporarily from the grading and parking lot improvements.

**Mitigation:** If needed, professional traffic control will be utilized during the construction phase. Dust and noise control will be implemented during construction to reduce their impact.

**Beneficial Impacts:** Construction will help provide some limited economic impacts.

**3.2    Long Term Impacts**

No adverse impacts are anticipated as a result of the proposed project. A substantial benefit should occur to the area in the area of additional recreational opportunities. Further, the improvements should visually enhance this area, as compared to an unkempt condition. Organized and improved parking would be available for the church and school complex, making this area safer for pedestrians.

## CHAPTER 4: ALTERNATIVES

### 4.1 No Action

This alternative would mean that the existing area would remain in its unkempt condition. There would be less area for active recreational activities for the community. There would be added traffic congestion during after school hours and large church functions.

### 4.2 Alternative Site Location

Although there are sites within the Kekaha area, they would not be proximate to the applicant's church and school complex. Thus, it would not have the same value to the applicant as the requested site would.

\*

**CHAPTER 5: DETERMINATION**

The proposed action will not significantly alter the environment, and the anticipated impacts will be minimal. Therefore, a determination of an Environmental Impact Statement is not needed and that this Assessment is sufficient.

This Final Environmental Assessment will reflect the revision to the statement of land ownership of the ceded lands, that they are held in trust by the State of Hawaii. The comment to clarify ownership was received from the State Office of Hawaiian Affairs and is included as Appendix C.

## **CHAPTER 6: FINDINGS**

In support of this determination, it is concluded that the proposed action will not:

1. involve an irrevocable commitment or loss or destruction of any natural or cultural resources;
2. curtail the range of beneficial uses of the environment;
3. conflict with the State's long-term environmental policies;
4. substantially affect the economic or social welfare of the community or State;
5. involve substantial secondary impacts, such as population changes or effects on public facilities;
6. involve a substantial degradation of environmental quality;
7. substantially affect any rare, threatened or endangered species of flora or fauna or habitat;
8. detrimentally affect air or water quality or ambient noise levels; and
9. expose any person to unreasonable risks.

Accordingly, the proposed action will not have any significant effect as determined by Chapter 343, HRS and State Administrative Rules, Section 11-200-12 relating to Environmental Impact Statements.

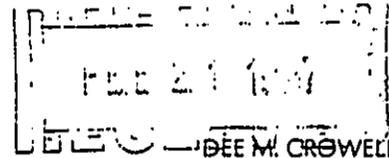
**CHAPTER 7: FINAL ENVIRONMENTAL ASSESSMENT**

During the public review period, the State Office of Hawaiian Affairs commented regarding a clarification of the ownership of the subject property. The Office's letter and the applicant's response is contained in Appendix C.

The State Board of Land and Natural Resources has prepared a Negative Declaration determination for the proposed action. Thus, this Final Environmental Assessment is submitted for publication in the OEQC Bulletin for comment of the determination.

APPENDIX A

MARYANNE W. KUSAKA  
MAYOR



DEE M. CROWELL  
PLANNING DIRECTOR  
IAN K. COSTA  
DEPUTY PLANNING DIRECTOR  
TELEPHONE (808) 241-6677  
FAX (808) 241-6699

PLANNING DEPARTMENT

February 19, 1997

Mr. Sydney M. Fuke  
Sydney Fuke & Associates  
100 Pauahi Street, Suite 212  
Hilo, Hawaii 96720

Subject: Lease Of State Land By St. Theresa's Church  
TMK: 1-3-11:1 and 1-3-04:54 Kekaha, Kauai

In response to your letter dated January 31, 1997, the following information and comments are provided:

1. The subject parcels are situated within the State Urban Land Use District, designated "Urban Residential" by the Kauai General Plan, and zoned Open District (O)/Special Treatment-Public (ST-P).
2. Although the intended recreational use of the parcels may be considered consistent with the ST-P zoning, a Use Permit and Class IV Zoning Permit are required prior to the establishment of such use. The permits are subject to public hearing procedures and reviewed for final approval by the Kauai Planning Commission.
3. It is recommended that the master plan be submitted to the Public Works Department for further review and comment. The department may be concerned with the location of the driveway of the proposed parking lot being situated too close to its intersection with Elepaio Road.

Thank you for the opportunity to comment on the proposed project. If you have any further questions or need additional information on the Use Permit and Class IV Zoning Permit process, please contact Bryan Mamaclay of our staff at 241-6677.

A handwritten signature in black ink, appearing to read "Ian K. Costa".

IAN K. COSTA  
Deputy Planning Director

# DEPARTMENT OF WATER

County of Kauai

*"Water has no Substitute -- Conserve It!"*

February 24, 1997

Mr. Sidney M. Fuke  
Sidney Fuke & Associates  
100 Pauahi Street, Suite 212  
Hilo, HI 96720

Dear Mr. Fuke:

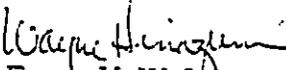
SUBJECT: Department of Water's comments regarding the proposed Draft  
Environmental  
Assessment Consultation Request, lease of state land by St. Theresa's  
Church, TMK:1-3-11:1 and 1-3-4:54, Kaumualii Highway/Elepaio  
Road/Iwa Road, Kekaha, Kauai.

We have no objections to this Draft Environmental Assessment for the lease of State land by St. Theresa's Church for the purpose of maintenance of the property, and conversion of portions of it into a playground and parking lot.

Presently, no water service for the proposed project is being requested. However, approval of water service for the proposed project will be dependent on the adequacy of the source, storage and transmission facilities existing at that time.

If you have any questions, please call Edward Doi at 245-5417.

Sincerely,

  
Ernest Y. W. Lau  
Manager and Chief Engineer

ED:ls  
A:\ED\Fuke-kekaha.doc

MARYANNE W. KUSAKA  
MAYOR



KENNETH KITABAYASHI  
ACTING COUNTY ENGINEER  
TELEPHONE 241-6600

EDMOND P.K. RENAUD  
DEPUTY COUNTY ENGINEER  
TELEPHONE 241-6600

AN EQUAL OPPORTUNITY EMPLOYER  
COUNTY OF KAUAI

PW2.003

DEPARTMENT OF PUBLIC WORKS  
4444 RICE STREET  
MO'KEHA BUILDING, SUITE 275  
LIHU'E, KAUAI, HAWAII 96766

February 4, 1997

Sidney Fuke & Associates  
100 Pauahi St., Suite 212  
Hilo, Hawaii 96720

Attention: Mr. Sidney Fuke

Gentlemen:

SUBJECT: DRAFT ENVIRONMENTAL ASSESSMENT CONSULTATION  
REQUEST LEASE OF STATE LAND BY ST. THERESA'S  
CHURCH TMK: 1-3-11:1 AND TMK: 1-3-4:54

We have completed our review of the subject environmental assessment consultation request and we offer the following comments in regards to flooding:

A. Flood

1. Based on panel no. 156D of Federal Insurance Rate Maps (FIRM) dated September 30, 1995 the subject properties are susceptible to flooding. The flood zone for the properties is zone AE with corresponding base flood elevations that vary between 9 feet MSL (Mean Sea Level) to 11 feet MSL.
2. There is an existing drainage ditch that traverses through the property. A pedestrian bridge is proposed across the ditch and a parking lot, soccer field and volleyball court is proposed on the easterly side of the ditch (TMK: 1-3-4:54).
  - a) Although the pedestrian bridge is not considered as a structure by our Building Division, we recommend that the bridge span across the open ditch from one end of the bank to the other end to maintain the existing conveyance of the ditch. To mitigate backwater effects, the bottom chord of the bridge will need to be above flood elevation.

Sidney Fuke & Associates  
February 4, 1997  
Page 2

- b) We have no comments on the parking lot, soccer field and volleyball court so long as the above facilities do not reduce the conveyance of the existing open ditch. A grading permit will be required for developing of the parking lot, soccer field and volleyball court if the grading quantities exceeds 100 cubic yards.
- c) The parking lot will have access to Elepaio Road. A driveway approach permit will need to be obtained for making connection to Elepaio Road.

Should you have any questions, please feel free to contact Wallace Kudo of my staff at 241-6620.

Very truly yours,



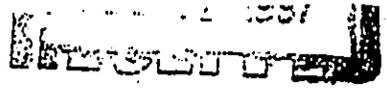
KENNETH KITABAYASHI  
Acting County Engineer

WK/cu

BENJAMIN J. CAYETANO  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
KAUAI DISTRICT HEALTH OFFICE  
3040 UMI STREET  
LIHUE, HAWAII 96766



LAWRENCE MIKE  
DIRECTOR OF HEALTH

RON METLER, M.D.  
DISTRICT HEALTH SERVICE ADMINISTRATOR

February 10, 1997

Sidney M. Fuke  
Sidney Fuke & Associates  
100 Pauahi Street, Suite 212  
Hilo, Hawaii 96720

Dear Mr. Fuke:

Subject: Draft Environmental Assessment Consultation  
Request for Lease of State Land by St. Theresa's  
Church,  
TMK: (4)1-3-04: 54 (1.13 acre) and (4)1-2-11: 1  
(0.95 acre)

We have reviewed the subject request and have conducted an on-site survey of the property. Based on our review and survey, we offer the following environmental health concern for your consideration:

If the proposed parking lot is not improved (not paved) vehicular traffic may be a source of dust emissions. In accordance with Title 11, Chapter 11-60.1, "Air Pollution Control", HAR, the property owner/developer shall be responsible for ensuring that effective control measures are provided to prevent or minimize any fugitive dust emission caused by the vehicular traffic in the proposed parking lot and/or construction work from impacting the surrounding areas including the off-site roadways used to enter/exit the project. These measures include but are not limited to the use of water wagons, sprinkler systems, dust fences, etc.

Due to the general nature of the application submitted, we reserve the right to implement future environmental health restrictions when more detailed information is submitted.

Should you have any questions, call me at 241-3323.

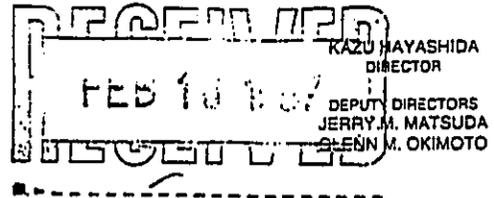
Sincerely,

*Clyde Takekuma*

Clyde Takekuma, Chief  
District Environmental Health Program

CT/gnt

BENJAMIN J. CAYETANO  
GOVERNOR



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
HIGHWAYS DIVISION  
KAUAI DISTRICT  
3060 EIWA STREET, ROOM 205  
LIHUE, HAWAII 96766

IN REPLY REFER TO:

HWY-KE 4.970103

February 7, 1997

Mr. Sidney M. Fuke  
Sidney Fuke & Associates  
100 Pauahi Street, Suite 212  
Hilo, Hawaii 96720

Dear Mr. Fuke:

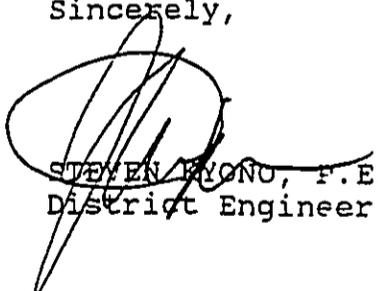
Subject: Draft Environmental Assessment  
Lease of State Land by St. Theresa's Church  
TMK 1-3-11:01 & 1-3-04:54

We have reviewed the St. Theresa's Church proposal to lease State property and our comments are as follows:

1. No access is permitted from the parcel onto Kaumualii Highway.
2. A chain link fence should be constructed along the entire frontage of Kaumualii Highway and along both sides of the ditch.

If you have any questions, please feel free to call Jim Turturici at 274-3111.

Sincerely,

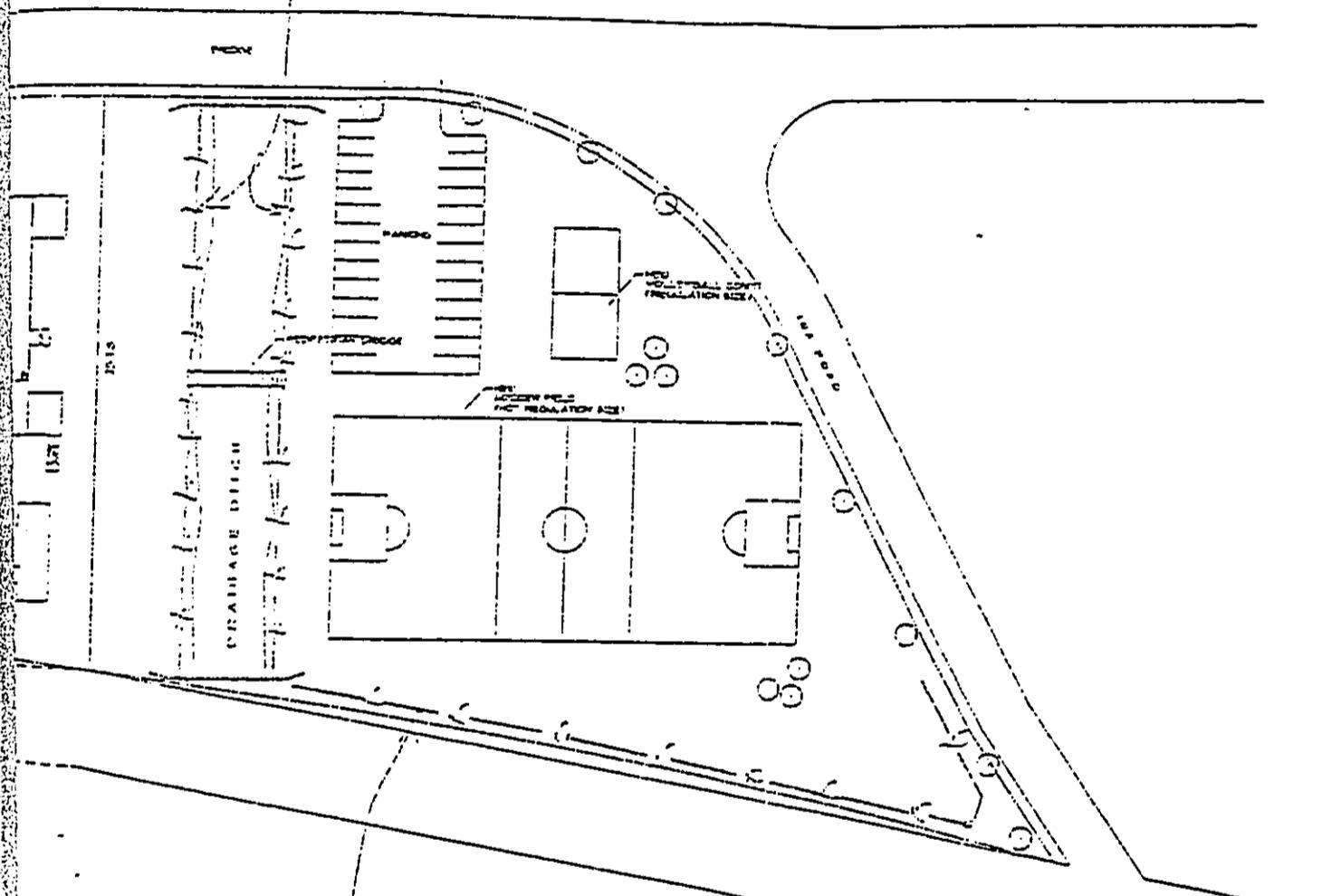
  
STEVEN BYONO, P.E.  
District Engineer

JET:es

Encl.



Construct  
fence along  
ditch



Construct 6' chain  
link fence

BENJAMIN J. CAYETANO  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF LAND MANAGEMENT  
LAND DIVISION  
LIHUE, HI 96766-1875



AQUACULTURE DEVELOPMENT  
PROGRAM  
AQUATIC RESOURCES -  
CONSERVATION AND  
ENVIRONMENT AFFAIRS  
CONSERVATION AND  
RESOURCES ENFORCEMENT  
CONVEYANCES  
FORESTRY AND WILDLIFE  
LAND MANAGEMENT  
STATE PARKS  
WATER AND LAND DEVELOPMENT

February 12, 1997

KD-95:1957

Sidney Fuke  
Sidney Fuke & Associates  
100 Pauahi Street, Suite 212  
Hilo, Hawaii 96720

Subject: Draft Environmental Assessment Consultation  
Request, Lease of State Land by St. Theresa's  
Church, Tax Map Key 1-3-11: 1 and 1-3-4: 54,  
Kekaha, Kauai

Dear Mr. Fuke:

We are in receipt of your letter dated January 31, 1997  
regarding the above referenced matter.

We have no objections or additional comments to provide on  
the proposed masterplan. However, we request that the following  
agencies be contacted for comments also:

DOT Highways; DLNR Historic Preservation; County of Kauai  
Planning, Public Works, Water, and Fire Departments; State  
Health; and Kekaha community groups.

Thank you for this opportunity to review the masterplan.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Sam Lee".

SAM LEE  
Kauai District Land Agent

cc: Dean Uchida, Land Division Administrator  
Lynn McCrory, Kauai Land Board Member  
ML:ml

BENJAMIN J. CAYETANO  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION  
33 SOUTH KING STREET, 6TH FLOOR  
HONOLULU, HAWAII 96813

MICHAEL D. WILSON, CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES

DEPUTIES

GILBERT COLOMA-AGARAN

AQUACULTURE DEVELOPMENT  
PROGRAM

AQUATIC RESOURCES  
CONSERVATION AND

RESOURCES ENFORCEMENT  
CONVEYANCES

FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION

DIVISION

LAND DIVISION

STATE PARKS

WATER AND LAND DEVELOPMENT

February 6, 1997

Sidney Fuke  
Sidney Fuke & Associates  
100 Pauahi Street, Suite 212  
Hilo, Hawaii 96720

LOG NO: 18884 ✓  
DOC NO: 9702NM01

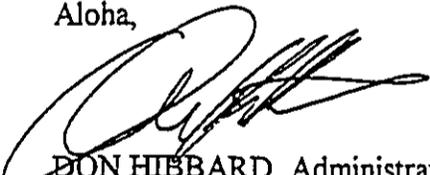
Dear Mr. Fuke:

**SUBJECT: Historic Preservation Review - DEA Lease of State Land by  
St. Theresa's Church  
TMK: 1-3-11:1 and 1-3-4: 54  
Kekaha, Waimea, Kauai**

A review of our records shows that no archaeological survey has taken place at these parcels. However, other significant historic sites have been found in nearby areas (habitation deposits, and human burials). Given this information, it appears quite possible that the proposed project area may contain historic sites. We, thus, recommend that an archaeological inventory survey with subsurface testing take place to determine if significant historic sites are present. Findings should be submitted in a report format to our office for review and approval. If historic sites are present, mitigation may be needed.

If you have any questions, please call Nancy McMahon 742-7033.

Aloha,

  
DON HIBBARD, Administrator  
State Historic Preservation Division

NM:jen

BENJAMIN J. CAYETANO  
GOVERNOR



HERMAN M. AIZAWA, Ph.D.  
SUPERINTENDENT

STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
OFFICE OF THE DISTRICT SUPERINTENDENT  
KAUAI SCHOOLS  
3080 EIWA STREET  
LIHUE, HAWAII 96768-1310

February 4, 1997

Mr. Sidney M. Fuke  
Sidney Fuke & Associates  
100 Pauahi Street, Suite 212  
Hilo, Hawaii 96720

Re: Draft Environmental Assessment Consultation Request  
Lease of State Land by St. Theresa's Church  
TMK:4/1-3-11:1 and 1-3-4:54, Kekaha, Kauai

Dear Mr. Fuke:

Reference is to your letter on the above dated January 31, 1997, regarding the environmental assessment for St. Theresa's Church.

The Department of Education has no comments to make regarding this request.

Should you have any further questions, call us at 274-3500.

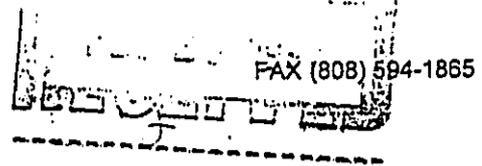
Sincerely,

A handwritten signature in cursive script that reads "Amy T. Maeda".

Amy T. Maeda  
District Superintendent

cc: Mr. Luke Yasaka

PHONE (808) 594-1888



STATE OF HAWAII  
OFFICE OF HAWAIIAN AFFAIRS  
711 KAPI'OLANI BOULEVARD, SUITE 500  
HONOLULU, HAWAII 96813

February 10, 1997

Mr. Sidney M. Fuke  
Sidney Fuke & Associates  
100 Pauahi Street, Suite 212  
Hilo, Hawaii 96720

Re: Lease of State land by St. Theresa's Church, TMK:4/1-3-4: 54  
& 1-3-4: .54, and the lease of State land by St. Catherine's  
Parish, TMK:4/4-6-14: 31

Dear Mr. Fuke:

Thank you very much for the opportunity to offer our concerns regarding the above-referenced state properties, and the proposal by the Roman Catholic Church of Hawaii to lease them.

We would like to bring to your attention that all three of the subject parcels are ceded lands. We suggest that your Draft Environmental Assessment (DEA) include a section addressing the issue of the use of such lands by the church.

We have no further concerns regarding the church's request at this time. However, we ask that you forward a copy of the DEA to us for review when it becomes available.

If you have any questions or need additional information, please contact me or Lynn Lee, Land and Natural Resources Division Officer at (594-1888).

Sincerely yours,

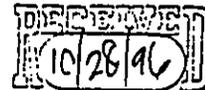
A handwritten signature in cursive script, appearing to read "Linda M. Colburn".

Linda M. Colburn  
Administrator

APPENDIX B

CULTURAL SURVEYS HAWAII  
Archaeological Studies

Hallett H. Hammatt, Ph.D.  
733 N. Kalaheo Avenue, Kailua, Hawaii 96734  
Bus: (808) 262-9972 / Fax: 262-4950



October 21, 1996

Mr. Luke H. Yasaka  
Director of Construction Services  
Roman Catholic Diocese of Honolulu  
1184 Bishop Street  
Honolulu, Hawai'i 96813-2858

Subject: Notification of completion of field work on parcel TMK: 1-3-3:50, at Kekaha, Kaua'i.

Dear Mr. Asaka:

This letter is to notify you that archaeological subsurface testing of an approximately one-acre parcel of state land (TMK: 1-3-3:50) located adjacent to St. Theresa's Church at Kekaha, Kaua'i was initiated and completed on October 18, 1996 by personnel of Cultural Surveys Hawai'i, Incorporated.

We sincerely appreciated your arrangement of supplying the backhoe and operator for the job. Mr. Paul Yokoyama, the backhoe operator was extremely cooperative, skilled and professional.

**Testing Results**

Prior to the actual field work we learned from reliable informants that the subject parcel had been used for many years as a dump site by Kekaha Sugar Company for industrial machinery and mill equipment, and has only recently been cleaned up by the plantation.

We also learned that the ditch shown on current tax maps as curving through the parcel, has since been rerouted in a straight line from its original entrance on the property at Elepaio Road, to the exit at Kaumuali'i Highway. This was done during World War II, in conjunction with the construction of the presently existing shoreline route of Kaumuali'i Highway through Kekaha, built as a defense highway to Bonham airfield, now known as the Pacific Missile Range Facility at Barking Sands.

For this project, the State Historic Preservation Division requested that a minimum of 100 linear feet (approximately 30.5 meters) of trenching be completed on this parcel. During the actual field work, seven individual trenches were dug spread out across the parcel (each between 5.0 and 6.3 meters long) totalling over 133 feet (40.6 meters).

All trenches were excavated down to a nearly impenetrable cemented sand layer which varied in depth from 90 to 170 centimeters below surface. This subsurface layer is found typically throughout the Kekaha-Mana plain, and archaeologically significant deposits are not found below this barrier.

A complete stratigraphic record was done for each trench including detailed soil descriptions, measured depths and cultural content, along with photographic documentation.

The general stratigraphic profile observed in the trenches displayed the following characteristics: At the surface, a thin, loose modern A-horizon (5-15 cm. thick), below which was a fill layer of coral sand (up to 95 cm. thick), mottled and layered with dark brown clay showing the typical characteristics of "dump and grade" deposition. This stratum contained much modern trash including bottle glass, aluminum cans, lumber, charcoal and plastic sheeting, as well as large pieces of metal debris, remnants of the plantation's dump. This was followed by a buried but disturbed A-horizon (up to 30cm. thick) of stained dark brown coral sand, also containing remnants of the industrial dump. Below this was sterile yellow coral sand with some intrusions containing trash from the layer above it, followed by the aforementioned cemented sand.

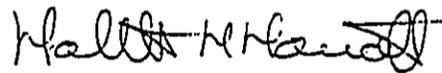
A few exceptions to the general stratigraphy are worth mentioning. In several trenches, the buried A-horizon was not present, possibly having been graded off at or before the time that the upper fill layer was deposited. Also, in only one trench, the one closest to Kaumuali'i Highway and the shoreline, there existed a naturally deposited, bedded beach sand layer over the fill layer. This is probably the result of ocean inundation from Hurricane Iniki (September 1992), the storm surge of which impacted the subject parcel.

#### Conclusion and Recommendations

As no significant cultural materials or deposits were observed in any of the trenches excavated, it is our recommendation that no further archaeological work is needed for this parcel. In the unlikely event that significant artifacts or cultural materials are unearthed as a result of activities related to the future development or use of this property, we request that you contact our office immediately.

If you have any questions or need any clarification of the information presented here, please feel free to call us.

Sincerely,



Hallett H. Hammatt

APPENDIX C

PHONE (808) 594-1888

FAX (808) 594-1865



STATE OF HAWAII  
OFFICE OF HAWAIIAN AFFAIRS  
711 KAPI'OLANI BOULEVARD, SUITE 500  
HONOLULU, HAWAII 96813

April 25, 1997

Mr. Sidney Fuke  
Sidney Fuke & Associates  
100 Pauahi Street, Suite 212  
Hilo, HI 96720

**Subject:** Draft Environmental Assessment (DEA) for Lease of State Lands by Roman Catholic Church, Kekaha, Island of Kauai.

Dear Mr. Fuke:

Thank you for the opportunity to review the Draft Environmental Assessment (DEA) for Lease of State Lands by Roman Catholic Church, Kekaha, Island of Kauai. The Church is seeking to lease 2.08 acres of land in the town of Kekaha to develop a park for recreational activities such as soccer, volleyball, basketball, and so on.

The Office of Hawaiian Affairs (OHA) has no concerns at this time to the request. Based on information contained in the DEA, the park bears no significant long-term adverse impacts on nearby urban areas. Furthermore, no known archaeological remains exist and the park will neither significantly affect scenic resources nor air quality or noise level.

But OHA is concerned with statements concerning land ownership. In Page 1 of the DEA, it says: "The request involves the lease and use of State lands for a 65-year period." OHA's records indicate that the subject parcels are ceded land. OHA urges the applicant to correct the ownership statement to reflect the following: "The request involves the lease and use of ceded land held in trust by the State of Hawaii...."

Please contact Lynn Lee, Acting Officer of the Land and Natural Resources Division, or Luis A. Manrique, should you have any questions on this matter.

Sincerely yours,

A handwritten signature in cursive script that reads "Martha Ross".

Martha Ross  
Deputy Administrator

LM:lm

APPENDIX C

## SidneyFuke&Associates

100 Pauahi Street, Suite 212 • Hilo, Hawaii 96720  
Telephone: (808) 969-1522 • Fax: (808) 969-7996

Consulting Land Use Planners

May 19, 1997

Ms. Martha Ross, Deputy Administrator  
OFFICE OF HAWAIIAN AFFAIRS  
711 Kapiolani Boulevard, Suite 500  
Honolulu, Hawaii 96813

Dear Ms. Ross:

**SUBJECT:** Draft Environmental Assessment  
for Lease of State Lands by Roman  
Catholic Church, Kekaha, Kauai  
Tax Map Key: 4/1-3-11: 1 & 4/1-3-4: 54

Thank you very much for your letter of April 25, 1997, regarding the subject matter.

I have made appropriate changes to reflect the land ownership matter, that the subject parcels for the requested lease are held in trust by the State of Hawaii. A copy of each of the pertinent pages are enclosed for your file.

Thank you for the clarification.

Sincerely,



SIDNEY M. FUKU  
Planning Consultant

enc.

Copy: Mr. Luke Yasaka, Roman Catholic Church

**FINAL  
ENVIRONMENTAL ASSESSMENT**

**LEASE OF STATE LANDS  
BY  
ROMAN CATHOLIC CHURCH IN THE STATE  
OF HAWAII IN BEHALF OF  
ST. THERESA'S CHURCH**

**KEKAHA, WAIMEA, KAUAI, HAWAII  
TMK: 4/1-3-11:1 & 4/1-3-4: 54**

## CHAPTER 1: DESCRIPTION OF PROPOSED ACTION

### 1.1 Purpose of Document

The request involves the lease and use of State lands for a 65-year period. As such, the environmental review and approval requirements outlined in Hawaii, Revised Statutes, Chapter 343 and Hawaii Administrative Rules, Chapter 11-200 must be complied with.

*The approving agency is the State Board of Land and Natural Resources, the agency that has the authority to approve of the request.*

This document has been compiled from published and unpublished studies, field investigations, and inputs from various public agencies.

### 1.2 Location and Ownership

The subject request involves two abutting parcels (hereinafter referred to as "site") which are identified by TMK: 4/1-3-11: 1 and 4/1-3-4: 54. Parcel 1 consists of .95 acres, and the other parcel consists of 1.13 acres. The combined area is 2.08 acres.

The subject site is located in the town of Kekaha on the island of Kauai (**Figure 1**). More specifically, it is bounded by the Kaunualii Highway, Iwa Road, and Elepaio Road (**Figure 2**). There is a drainage ditch located on parcel 1 that effectively separates the two parcels. There is also a public cemetery located on the eastern side of the site, across of Iwa Road. The St. Theresa's Church and school complex are located adjacent and to its west.

The subject site is owned by the State of Hawaii and is ceded land. The request involves the lease and use of ceded land held in trust by the State of Hawaii. The applicant for this request is the Roman Catholic Church in the State of Hawaii, on behalf of the St. Theresa's Church.

### 1.3 Permitting Background

The Board of Land and Natural Resources granted St. Theresa's Church a right-of-entry permit (ROE No. 533) to the site for the purpose of "cleaning, maintaining and landscaping the properties pending Land Board approval of a revocable permit or direct lease to establish cultural and educational use of the sites." This permit commenced on March 1, 1995 and was to have expired on August 31, 1995. Subsequent extensions were granted, with the last one extending the permit to November 30, 1997.

1.7 Consultation With Government Agencies

As part of this review process, several State and County agencies were consulted. The consulted agencies were:

County Agencies

- \* Department of Planning
- \* Department of Water
- \* Department of Fire
- \* Department of Police
- \* Department of Public Works

State Agencies

- \* Department of Health, Kauai District
- \* Department of Transportation, Kauai District Highways Division
- \* Department of Land and Natural Resources
  - Kauai Division of Land Management
  - Kauai Division of Historic Preservation
- \* Department of Education, Kauai District
- \* Office of Hawaiian Affairs, Kauai District

Comments received before February 28, 1997, from the aforementioned agencies are contained in **Appendix A**, and where appropriate, incorporated in the text of this document.

The letter from the Office of Hawaiian Affairs was received after March 1, 1997 and is incorporated in this planning report as **Appendix C**.

1.8 FINAL ENVIRONMENTAL ASSESSMENT

Negative Declaration of significant environmental impacts is expected by the proposed action of St. Theresa's Church. As such, a Draft Environmental Assessment was submitted to the State Office of Environmental Quality Control (OEQC) for publication in its Bulletin for public comment.

This Environmental Assessment has been revised to address issues and comments received during the review period. It will be resubmitted to OEQC as a Final Environmental Assessment with a Negative Declaration for publication in the OEQC Bulletin for comment on the State Board of Land and Natural Resources' determination.

#### 2.2.4 Land Ownership

The site is ceded lands which are held in trust by the State of Hawaii. As such, the applicant would have to abide by the any terms set forth by the Land Board regarding this matter.

### 2.3 Public Facilities and Services

#### 2.3.1 Roads and Traffic

Elepaio Road has a 40-foot right-of-way with a 18-20 foot wide pavement. Although there is sidewalk along sections of this road, there is none in the area fronting the site. Although the site is a corner parcel and fronts Elepaio Road, Iwa Road, and Kaumualii Highway, access would be taken from Elepaio Road. This is also consistent with the recommendation of the Department of Public Works and State Department of Transportation. A driveway permit for this access meeting with the requirements of the County Department of Public Works will be secured.

Further, pursuant to the State Department of Transportation's comments, a chainlink fence will be erected along the site's frontage to the Kaumualii Highway and portions of Iwa Road.

#### 2.3.2 Utilities

At this time, no restrooms or lighting are planned for the site as the planned activities are diurnal. Should there be a need to have lighting for security or other purposes, electrical service is available to the site.

No irrigation system is planned for the site. However, water fountains may be installed by the applicant. Should that be the case, the applicant intends to extend a line from its existing facility to the site.

#### 2.3.3 Wastewater and Solid Waste

As noted earlier, no restrooms are planned. As such, there should be little, if any wastewater impacts. Solid waste would essentially be trash from the park. The trash would be hauled into containers located on the applicant's property. This would then be disposed of together with the church and school's waste material in the County landfill.

**CHAPTER 5: DETERMINATION**

The proposed action will not significantly alter the environment, and the anticipated impacts will be minimal. Therefore, a determination of an Environmental Impact Statement is not needed and that this Assessment is sufficient.

This Final Environmental Assessment will reflect the revision to the statement of land ownership of the ceded lands, that they are held in trust by the State of Hawaii. The comment to clarify ownership was received from the State Office of Hawaiian Affairs and is included as Appendix C.

**CHAPTER 7: FINAL ENVIRONMENTAL ASSESSMENT**

During the public review period, the State Office of Hawaiian Affairs commented regarding a clarification of the ownership of the subject property. The Office's letter and the applicant's response is contained in Appendix C.

The State Board of Land and Natural Resources has prepared a Negative Declaration determination for the proposed action. Thus, this Final Environmental Assessment is submitted for publication in the OEQC Bulletin for comment of the determination.