

MARYANNE W. KUSAKA
MAYOR



PLANNING DEPARTMENT

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

RECEIVED

'97 SEP -4 P3:57

OFF. OF ENVIRONMENTAL
QUALITY CONTROL

August 28, 1997

Mr. Gary Gill, Director
State of Hawaii
Office of Environmental Quality Control
220 South King Street, 4th Floor
Honolulu, Hawaii 96813

Subject: Final Environmental Assessment
General Plan Amendment GPA-97-1
TMK: 3-7-03: Kuhio Highway Remnant, Hanamaulu, Kauai
Hanamaulu Triangle, Inc., Applicant

Pursuant to Chapter 343 of the Hawaii Revised Statutes,
transmitted herewith are four copies of the Final Environmental
Assessment and Negative Declaration relating to the subject
matter for publication in the OEQC Bulletin.

This letter is also to inform you that the Planning Department
has received letters from the Office of Environmental Quality
Control, Department of Land and Natural Resources, Office of
Hawaiian Affairs, and the State Historic Preservation Division
(DLNR) during the 30 day commenting period for the Draft
Environmental Assessment for the project. The preparer of the E.
A. has included the comments and responses within the Final
Environmental Assessment for the project.

Should you have any questions, please contact Myles Hironaka of
my staff at 241-6677.


DEE M. CROWELL
Planning Director

Kapule Building • 4444 Rice Street, Suite 473 • Lihu'e, Kaua'i, Hawai'i 96766
AN EQUAL OPPORTUNITY EMPLOYER

93

1997-09-23-KA-FEA-Hanamaulu
Plan Amendment

SEP 23 1997

FINAL
ENVIRONMENTAL ASSESSMENT
FOR COUNTY OF KAUAI GENERAL PLAN AMENDMENT
FROM AGRICULTURAL TO URBAN RESIDENTIAL
PROPERTY LOCATED AT HANAMAULU, ISLAND OF KAUAI, STATE OF HAWAII
TAX MAP KEY NO.: 3-7-3-KUHIO HIGHWAY (PORTION)
4TH TAXATION DIVISION

/18ea-f.hin/

8/27/97

The following constitutes the final environmental assessment for the proposed County of Kauai General Plan Amendment, from Agricultural to Urban Residential, of real property more particularly identified as Kauai Tax Map Key No.: 3-7-3-Kuhio Highway (portion), the total area of which is 1.19 acres, more or less, pursuant to Chapter 7, Article 4 of the Kauai County Code:

(1) Identification of Petitioner:

Hanamaulu Triangle, Inc.
c/o Walton D. Y. Hong
Lorna A. N. Rosa
3135A Akahi Street
Lihue, Hawaii 96766
Telephone: 245-4757
Facsimile: 245-5175

(2) Identification of Approving Agency:

Planning Commission
County of Kauai
4444 Rice Street, Suite 473
Lihue, Hawaii 96766
Telephone: 241-6677

(3) Identification of Agencies Consulted:

Planning Department
County of Kauai
4444 Rice Street, Suite 473
Lihue, Hawaii 96766
Telephone: 241-6677

Office of Hawaiian Affairs
State of Hawaii
711 Kapi'olani Boulevard, Suite 500
Honolulu, Hawaii 96813
Telephone: 594-1888

State Historic Preservation Division
Department of Land and Natural Resources
State of Hawaii
33 South King Street, 6th Floor
Honolulu, Hawaii 96813
Telephone: 587-0047

Land Division
Department of Land and Natural Resources
State of Hawaii
P. O. Box 621
Honolulu, Hawaii 96809
Telephone: 587-0446

(4) General Description of Action's Characteristics:

(a) Technical: The subject property, Kauai Tax Map Key No.: 3-7-3-Kuhio Highway (portion) consists of 1.19 acres, more or less (hereinafter "Remnant Parcel"). See Exhibit "A", attached hereto and incorporated herewith, which is a tax map depicting the Remnant Parcel. It is located immediately to the northwest of Kauai Tax Map Key No.: 3-7-3-21 (hereinafter "Parcel 21"), consisting of 2.784 acres, more or less, which is also owned by the Petitioner.

Like Parcel 21, the Remnant Parcel is classified by the State Land Use Commission as Agricultural, and is within the Agriculture zone of the zoning maps of the County of Kauai. However, the Remnant Parcel is designated as Agricultural by the General Plan of the County of Kauai (Parcel 21 is designated as Urban Residential under said General Plan).

The Remnant Parcel is, at the present time, owned by the State of Hawaii, although it is subject to an agreement with the Department of Transportation that the same shall be sold by the State to Hanamaulu Triangle, Inc. Closing of the transaction between the State and Petitioner is tentatively scheduled for August 1997, because of the State's need to fix the location of all utilities which are currently located therein, and thereafter to prepare and execute grants of easements to those utility companies which own all such utility facilities prior to conveyance of the property to Petitioner).

Parcel 21 is that section of cane lands which was abandoned from cultivation upon the realignment of Kuhio Highway and the opening of Kapule Highway in 1987. Roughly triangular in shape,

it is bounded by Kapule Highway at its northeast boundary, Kuhio Highway at its southern boundary, and an abandoned portion of Kuhio Highway at its northwest boundary. Parcel 21 was previously owned by The Lihue Plantation Co., Ltd., and was in sugarcane cultivation until Kuhio Highway was realigned by the State of Hawaii, in approximately 1987. With the realignment, Parcel 21 was essentially carved out from a larger parcel located makai of the old Kuhio Highway alignment, becoming a separate parcel located between the realigned roadway system and the abandoned portion of the old Kuhio Highway alignment.

The Remnant Parcel was the section of Kuhio Highway abandoned by the Department of Transportation with the Kuhio Highway realignment and the opening of Kapule Highway.

A tax map showing the location of the subject property (the Remnant Parcel) and also Parcel 21, is attached hereto as Exhibit "A" and incorporated herewith for all purposes.

Petitioner has previously secured permits from the Planning Commission of the County of Kauai, which allow the limited industrial baseyard use for the Robert's Tours and Transportation, Inc. (hereinafter "Robert's") Kauai tour and school bus operations, in August 1996, for Parcel 21, after a public hearing had been conducted.

Later, Petitioner and the State of Hawaii entered into negotiations for the purchase of the Remnant Parcel, for which the State no longer had any use.

For so long as the Remnant Parcel served as a portion of Kuhio Highway, it was not in any agricultural use.

Petitioner seeks a General Plan amendment for the Remnant Parcel, from Agricultural to Urban Residential, which would allow it to have the same General Plan designation as Parcel 21, and which would allow Petitioner to engage in the total use of the two properties as though they were one without fear that the General Plan designation of the Remnant Parcel would not permit the same type of activity allowed on Parcel 21.

Petitioner seeks the General Plan amendment for the Remnant Parcel to allow it to serve as an adjunct to Parcel 21, and any uses lawfully allowed thereon. Petitioner would not be able to properly consolidate the two properties. The State has advised Petitioner that it cannot convey the Remnant Parcel by warranty

deed, but that only a quitclaim of its right, title and interest is possible. Parcel 21 was acquired by warranty deed from The Lihue Plantation Company, Ltd. Financing of any improvements covering both properties would not be possible because of lenders' reasonable concerns about the lack of security for the Remnant Parcel. Further, because improvements on the Remnant Parcel would pose potential problems with the owners of utility facilities which are located upon, over or under the Remnant Parcel, Petitioner cannot envision the utility of the Remnant Parcel for other than providing additional parking or storage area for its operations.

(b) Economic impacts: The Remnant Parcel was formerly a part of a public roadway (Kuhio Highway, portion), abandoned because of realignment of that roadway. It is located mauka of Parcel 21, which is at the junction of Kuhio Highway (realigned) and Kapule Highway, at Hanamaulu. The property immediately adjacent to the Remnant Parcel (northwest location) was formerly used for agricultural purposes (sugar cane), but has since been withdrawn from cultivation. A Department of Water booster pump station is sited to the northeast of the Remnant Parcel, and the Lihue Plantation chemical warehouse is sited to the northwest of the Remnant Parcel. Since the 1987 State Department of Transportation roadway realignment and construction activity, it has not been utilized (except as part of a temporary construction staging area and for parking of vehicles of recreational users to the Kalepa area).

There is no negative economic impact from the cessation of use of the property for agricultural purposes, as the Remnant Parcel has never been utilized for agricultural purposes and has been abandoned as an integral part of the State highway system.

(c) Social impacts: Members of the general public, may perhaps have forgotten about that part of Kuhio Highway which was abandoned during the realignment process. It is not readily visible by persons driving by, and appears, at most, to be a part of Parcel 21. The General Plan amendment of the land, in and of itself, will not have any social impact upon residents, as it never served a purpose other than to be part of the State roadway system, and with an amendment, would serve only as an adjunct of Parcel 21.

(d) Environmental: There will be no environmental and ecological effects that will result from amendment of the General Plan classification of the Remnant Parcel. During its

long history in service as part of a roadway, it was not capable of sustaining any flora or fauna, was not of itself a scenic property, and still maintains some of the pavement and repaving placed there by the State.

Looking to the prior use of the Remnant Parcel as a part of a heavily traveled State highway, and the more recent use of said parcel for, at most, a limited highway construction storage area and parking spot for recreational users in the area, it is obvious that no reasonably foreseeable environmental or ecologic effects will result, and that any changes to the area resulting from the proposed amendment, given its severe limitations, are nominal.

(1) Flora. The property does not contain, and to Petitioner's knowledge has never contained, any threatened or endangered species of flora (the Remnant Parcel has been in continual use as a portion of a public roadway until it was abandoned in approximately 1987).

(2) Fauna. The property does not contain, and to Petitioner's knowledge has never contained, any threatened or endangered species of fauna or avifauna. Since the roadway use was the historical use of the area, it has never presented itself as a likely or attractive habitat for animals.

(3) Drainage. Drainage from the Remnant Parcel, designed as it was under applicable roadway standards, with a center "crown" area, allowed run-off to flow towards the mauka canefield area and Parcel 21. Parcel 21 has been improved pursuant to County requirements, with a drainage retention basin at the Kapaa end of the property, to allow the sedimentation from run-off to be deposited, and to allow the water to drain into the Kuhio Highway drainage system.

(4) Soils, slope and erosion. The Soil Conservation Service classifies the general area of the Remnant Parcel as having soils composed primarily of Lihue silty clay, with a 0 to 8 percent slope (LhB0. Runoff from the soils in this area is generally slow, with no more than a slight erosion hazard.

(5) Historical and archaeological. Petitioner is not aware that the Remnant Parcel had ever harbored any historical or archaeological sites or artifacts, significant or otherwise. Given the long-term use of the Remnant Parcel as a portion of the State highway system, with the original paving, subsequent

repaving and maintenance, Petitioner believes that it is unlikely that any archaeological or historical resources exist on that area.

The State Historic Preservation Division has noted that because of the prior development, it was "highly unlikely that historic sites are present in this disturbed area", and that it believed that the project would have a "no effect" on significant historic sites.

(6) Agricultural. The Remnant Parcel has not to Petitioner's knowledge been utilized for agricultural purposes because of its use as a portion of a long-established public roadway.

(7) Recreational. The Remnant Parcel does not adjoin, and is not otherwise in close proximity to, public recreational areas. However, the Kalepa Mountain area, mauka of the Remnant Parcel and the fields immediately behind it, which are no longer cultivated for sugar, are used by recreational horseback riders, dirt bikers and hikers. The General Plan amendment proposed for the Remnant Parcel will neither interfere with nor impede any such continued use.

(8) Scenic. While the Remnant Parcel has not been described as a "scenic" area, the development allowed on Parcel 21 has been subjected to Planning Commission and Planning Department scrutiny. The Commission and Department both noted concerns about the visual impacts which would result once the bus baseyard construction on Parcel 21 was completed. It was noted, by the Planning staff, that because of the location of Parcel 21 at the junction of Kuhio and Kapule Highways, "there are certain vantage points from which the proposed warehouse building and activities may be highly visible." In connection with that concern, a condition on the August 1996 permits issued for Parcel 21 was imposed that required Petitioner to submit a landscape plan and building color schemes for review and approval of the Planning Department, before Petitioner could make application for the building permits.

Approval of a landscaping plan and the building color schemes have been obtained by Petitioner, and thereafter, it sought and received the building permits for the construction, which was completed in May 1997. The project has been landscaped pursuant to the approved plan.

The landscaping (kukui trees and hibiscus hedges) should provide greenery in a location previously vegetated only by cane and roadside grasses and weeds, screening, in effect, the Remnant Parcel itself from public view.

(9) Sewage Treatment and Disposal. Although no improvements on the Remnant Parcel will generate wastewater, wastewater generated by the restroom facilities for the employees at Parcel 21 shall be treated and discharged in a septic tank leach field located on site and approved by the State Department of Health.

(10) Construction. At present, no improvements (other than perhaps paving repair and inclusion of the area within the property fencing) for the Remnant Parcel are contemplated. Given the location of various utility facilities within the Remnant Parcel area (the location of which is currently being determined by the State), and the inability of the State to convey the Remnant Parcel by warranty deed, Petitioner does not envision that it would incur the costs of improvements in that area, opting instead, to utilize the area for additional parking and/or storage needs.

(11) Traffic impact. No additional traffic impact, other than that previously considered with the location of the baseyard on Parcel 21, will result from the amendment of the General Plan designation for the Remnant Parcel. As to Parcel 21, the traffic patterns and hours of activity for the tour and school buses vary. The tour buses are generally sent out for Airport pick-up between the hours of 6:00 a.m. to 8:00 a.m., returning, generally, between the hours of 3:00 p.m. to 8:00 p.m. The school buses leave during the same period of time in the morning, and return from duty, generally, between the hours of 2:00 p.m. to 3:00 p.m.

Operations for the business at the permitted location, will ensure that the tour bus morning traffic avoids the congestion of residential areas and yet allows the shortest travel route to the Airport area. Similarly, the school buses on departure would avoid entering traffic from a residential area. Other limited industrial uses permitted by the County, are also more appropriate for the location because of the nature of traffic in the area, which allow separation of traffic from the residential area of Hanamaulu.

(12) Water. Parcel 21 is provided with potable water from the County's existing domestic water system. There will be no additional demand for potable water resulting from the act allowing a General Plan amendment for the Remnant Parcel, as the source and capacity for the baseyard on Parcel 21 has previously been assessed as sufficient during the permit application process. There will be no need to provide individual water availability for the Remnant Parcel.

(13) Solid Waste. Because of the non-residential use of the property, solid waste disposal for Parcel 21 shall be contracted for with a private company, and the County "tipping" fees will be collected from Robert's by the private company for all waste to be deposited at the Kekaha landfill. There should be no additional solid waste generated by the Remnant Parcel.

(14) Utilities. Utilities, such as electric and telephone services shall be provided to Parcel 21 site by the appropriate private utilities. Because of the ongoing use (the operation permitted by the August 1996 permits), there will be no reduction in the quality or level of such service for the area resulting from the proposed General Plan amendment for the Remnant Parcel.

(15) Rainfall. According to Soil Conservation Service records, the average annual rainfall in the Hanamaulu area in the vicinity of the property, ranges from 50" to 70" per year.

(16) Ceded Lands. The property is not part of the ceded lands, and the Office of Hawaiian Affairs has no objections to the proposal for the General Plan amendment.

(17) Streams. The property is not located near any streams, and no impacts to any known streams in the vicinity are expected to result from the proposed General Plan amendment.

(e) Summary Description of the Affected Environment: The Petitioner proposes the General Plan amendment to allow it to properly be an adjunct to the operations on Parcel 21. Since ownership will be in the same company, and both parcels adjoin each other, it seems reasonable for the Petitioner to ensure that the County designations for both are identical.

The Remnant Parcel has had no history or utility from an agricultural standpoint, given its historical roadway use, with

its extremely small and narrow configuration, the location of the utility facilities (which would prevent any proper harvesting and tilling activities from safely occurring) and questionable ability to sustain crops (having never sustained crops at all in the past).

(f) Identification and Summary of Major Impacts and Alternatives Considered: Due to the limited utility of the properties for agricultural purposes, and the lack of desirability of the property for any genuine agricultural purposes, the proposed General Plan amendment should not result in any significant beneficial or adverse environmental or ecological impacts. Petitioner had been informed that the Remnant Parcel had previously been offered by the State to the only other adjoining property owner in the area (The Lihue Plantation Co., Limited), and that the plantation had rejected the offer.

Its accessibility, configuration, limited size and limited ability to allow proper crop cultivation, allow no other alternatives but to ensure that it bears the same classification, General Plan designation and zoning as its "partner parcel".

Adequate mitigation measures can readily be imposed for any uses or structures allowed on Parcel 21, to address traffic, drainage, erosion, visual and other like concerns that may evolve hereafter.

There are no immediate development plans for the other privately-owned properties in the vicinity of the Remnant Parcel. The former canefields located mauka of the Remnant Parcel will not be impacted by the General Plan amendment, as the owner has not proposed any plans for development of the area. The former canefield areas located makai of the project, a portion of which is designated Urban Residential, have not been the subject of any concrete development plans, and the remaining portion is classified Agricultural, and is currently still part of the sugar plantation operations.

(g) Notice to Neighbors: Notification to no less than 85% of the owners or lessees of record of properties located within 300' of the Remnant Parcel is required to be given by Petitioner at least fifteen (15) days in advance of any public hearing scheduled on the General Plan amendment, by certified mail, and has been done. Publication of the proposed General Plan amendment has been made by the Planning Department in confor-

mance with the laws adopted by the County of Kauai which govern amendments to the General Plan.

(h) Comments Received and Responses. The Petitioner has received the attached comments from the following County or State agencies as to, among other things, the General Plan amendment for the Remnant Parcel, for which no responses are required. The Planning Commission, having commenced the public hearing on, among other things, the General Plan amendment on July 24, 1997, has continued the matter to August 14, 1997, and the public hearing was closed on August 14, 1997. If the Planning Commission approves the General Plan amendment and other requests of the Petitioner, it shall impose such conditions upon the Petitioner as the Commission deems necessary, based upon the various agency comments which have been received.

(i) Determination: Based upon the foregoing, it is requested that a finding that the proposed action, the General Plan amendment of the Remnant Parcel, from Agricultural to Urban Residential, shall not result in any significant adverse environmental or ecological impacts, be adopted, and that an environmental impact statement shall not be required of the Petitioner for the proposed action.

(j) Findings and Reasons Supporting Determination: As the foregoing description and assessment indicates, the General Plan amendment will not result in any significant adverse environmental or ecological impacts. The property involved, and the proposed General Plan amendment, coupled with the limitations inherent in the property itself, support a finding that there are no significant impacts.

(k) Agencies consulted: The Petitioner has, as recommended by the Office of Environmental Quality Control, submitted for the Draft Environmental Assessment to the Land Division of the Department of Land and Natural Resources for its consultation/comment. The Office of Hawaiian Affairs has submitted its position (by letter dated July 11, 1997) on the Draft Environmental Assessment. The Office of Hawaiian Affairs has recommended that Petitioner submit to the State Historic Preservation Division of the Department of Land and Natural Resources the Draft Environmental Assessment for consultation and comment.

The comments of the State Historic Preservation Division, and of the Land Management Division of the State Department of Land and Natural Resources are attached hereto.

Since the Remnant Parcel has been in use for State roadway purposes until its abandonment in 1987, following which it was not actively used by the State of Hawaii, Petitioner is requesting a negative declaration.

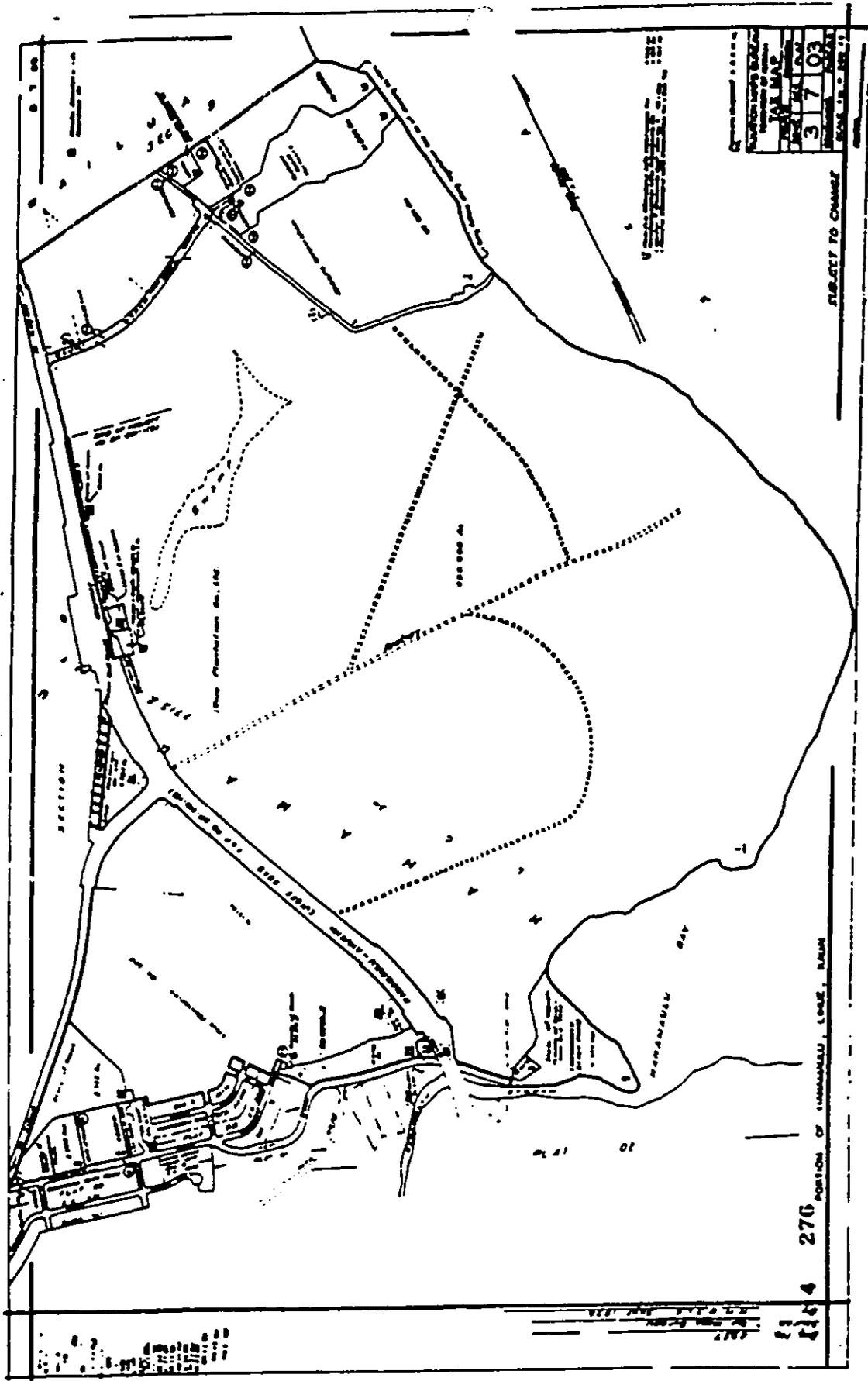


EXHIBIT A

BENJAMIN J. CAYETANO
GOVERNOR



GARY GILL
DIRECTOR

STATE OF HAWAII
OFFICE OF ENVIRONMENTAL QUALITY CONTROL

235 SOUTH BERETANIA STREET
SUITE 702
HONOLULU, HAWAII 96813
TELEPHONE (808) 596-4186
FACSIMILE (808) 596-4186

July 23, 1997

Ms. Lorna A. N. Rosa
Hanamaulu Triangle, Inc.
3135A Akahi Street
Lihu'e, Hawai'i 96766

Dear Ms. Rosa:

We submit for your response the following comments on a draft environmental assessment ("DEA") for the "County of Kaua'i General Plan Amendment from Agricultural to Urban Residential Property Located at Hanamaulu, Island of Kaua'i, State of Hawai'i, Tax Map Key No. 3-7-3 Kuhio Highway (Portion)." The DEA was submitted to our office by way of a May 30, 1997, letter from the Honorable Dee M. Crowell of the County of Kaua'i Planning Department. Initial notice of availability of this DEA was published in the June 23, 1997, edition of the *Environmental Notice*.

1. LAND STATUS AND CONSULTATION WITH AFFECTED AGENCIES

Please consult with the Land Division of the State of Hawai'i Department of Land and Natural Resources concerning this DEA. Please also consult with the Office of Hawaiian Affairs as to whether the land involved is ceded under Section 5 of the Admission Act.

2. LAND USE CLASSIFICATION OF PARCEL 21

Page 3 of the DEA states that parcel 21 is classified as agricultural. However, page 4 of the same DEA states that parcel 21 is classified as urban residential. Please clarify the status of parcel 21.

Please submit a copy of this letter and your response (along with copies of all timely-received comment letters and your responses) to the County of Kaua'i Planning Department for their inclusion in the final environmental assessment for this project.

Ms. Lorna A. N. Rosa
Hanamaulu Triangle, Inc.
July 23, 1997
Page 2 of 2

If there are any questions, please call Mr. Leslie Segundo,
Environmental Health Specialist, at 586-4185. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Gary Gill". The signature is written in dark ink and is positioned above the typed name and title.

GARY GILL
Director

c: Honorable Dee M. Crowell, County of Kaua'i Planning Dept.

WALTON D.Y. HONG
LORNA A.N. ROSA

LAW OFFICES OF
WALTON D.Y. HONG

ATTORNEY AT LAW
A Law Corporation
3135-A AKAHI STREET
LIHUE, KAUAI, HAWAII 96766

TELEPHONE (808) 245-4757
TELECOPIER (808) 245-5175

COUNTY OF KAUAI

'97 JUL 25 P2:41
July 25, 1997
PLANNING DEPT.

COUNTY OF KAUAI

Mr. Dean Y. Uchida, Administrator
Land Division
Department of Land and Natural
Resources
P. O. Box 621
Honolulu, Hawaii 96809

RE: Draft Environmental Assessment For County of
Kauai General Plan Amendment from Agricultural
to Urban Residential - Property Located at
Hanamaulu, Island and County of Kauai, State
of Hawaii (TMK: 3-7-3-Kuhio Highway, Portion)

Dear Mr. Uchida:

Enclosed, for your review and consideration, is the above-referenced Draft Environmental Assessment for the project and property described, together with the copy of a letter from Mr. Gary Gill of the Office of Environmental Quality Control, which comments on the project.

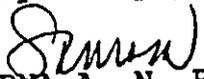
Our client, Hanamaulu Triangle, Inc., is acquiring the above-referenced property from the State of Hawaii, having made the arrangements and entered into an agreement for the purchase with the Department of Transportation. The property is that portion of Kuhio Highway which was abandoned in 1987 when the State realigned Kuhio Highway and constructed Kapule Highway. Since Mr. Gill's office feels that the Land Division of the Department of Land and Natural Resources, as the entity which deals with State lands, we ask for your comments on the said Draft Environmental Assessment.

Please submit your comments to the Draft Environmental Assessment at your earliest convenience, as the OEQC is indicating that agency comments should be submitted together or concurrently with my submission of the Final Environmental Assessment.

Mr. Dean Y. Uchida, Administrator
July 25, 1997

I thank you for your kind attention to the foregoing request, and ask that you have your staff call me if further information is required.

Very truly yours,


LORNA A. N. ROSA

Enclosures

cc: Mr. Gary Gill, Office of Environmental Quality Protection
 {w/ enclosures}
 Mr. Myles Hironaka, Planning Department {w/ enclosures}
 Mr. Mike Nekoba {w/ enclosures}
 Mr. Ralph Kubota {w/ enclosures}

/l-dlnr.hin/



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

P.O. BOX 621
HONOLULU, HAWAII 96809

AUG 26 1997

AQUACULTURE DEVELOPMENT
PROGRAM
AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
CONSERVATION AND
ENVIRONMENTAL AFFAIRS
CONSERVATION AND
RESOURCES ENFORCEMENT
CONVEYANCES
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT
WATER RESOURCE MANAGEMENT

LD-NAV
REF.: DEACOK37.RCM

Ms. Lorna A. N. Rosa, Esq.
Hanamaulu Triangle, Inc.
3135A Akahi Street
Lihue, Hawaii 96766

Dear Ms. Rosa:

SUBJECT: Review : Draft Environmental Assessment
Project : Kauai General Plan Amendment
Applicant: Hanamaulu Triangle, Inc.
Location : Hanamaulu, Island of Kauai, Hawaii
TMK : 4th/ 3-7-03: Portion of Kuhio Highway

Thank you for the opportunity to review and comment on the subject Draft Environmental Assessment. Our Commission on Water Resource Management (CWRM) have the following comments to offer on the proposed project.

1. We recommend coordination with the county government to incorporate this project into the county's Water Use and Development Plan.

2. If the proposed project affects the bed or banks of streams, the applicant must obtain a stream channel alteration permit pursuant to Section 13-169-50, HAR.

Our Division of Forestry and Wildlife, Land Divisions' Planning and Technical Services and Engineering Branch have no comments to offer on the proposed matter.

Should you have any questions, please contact Nicholas Vaccaro at 587-0438.

HAWAII: Earth's best!

Aloha,


MICHAEL D. WILSON

c: Kauai Land Board Member
At Large Land Board Member
Kauai District Land Office

WALTON D.Y. HONG
LORNA A.N. ROSA

LAW OFFICES OF
WALTON D.Y. HONG

ATTORNEY AT LAW
A Law Corporation
3135-A AKAHI STREET
LIHUE, KAUAI, HAWAII 96766

TELEPHONE (808) 245-4757
TELECOPIER (808) 245-5175

July 25, 1997

Mr. Gary Gill, Director
Office of Environmental Quality
Control
State of Hawaii
236 South Beretania Street, Suite 702
Honolulu, Hawaii 96813

RE: Draft Environmental Assessment For County of
Kauai General Plan Amendment from Agricultural
to Urban Residential - Property Located at
Hanamaulu, Island and County of Kauai, State
of Hawaii (TMK: 3-7-3-Kuhio Highway, Portion)

ATTENTION: Mr. Jeyan Thirognan

Dear Mr. Gill:

Please find enclosed herewith a copy of a letter which our office received from the Office of Hawaiian Affairs ("OHA") dated July 11, 1997, which had commented upon the Draft Environmental Assessment referenced above. As you can see, there are no objections to the proposal, and OHA's only suggestion is that we forward the Draft Environmental Assessment to the State Historic Preservation Division for its review and comment, which is being done concurrently herewith.

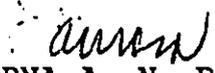
We have also concurrently herewith transmitted the Draft Environmental Assessment to the Land Division for its review and comment. As soon as those comments are received, they will be transmitted to you.

Finally, enclosed is the Final Environmental Assessment, in which I have made the correction clarifying the General Plan designation for Kauai TMK: 3-7-3-21 (the property which adjoins TMK: 3-7-3-Kuhio Highway, Portion, to which the OHA letter, and the comments we expect to receive from the Land Division and the State Historic Preservation Division, of the Department of Land and Natural Resources, should be appended.

Mr. Gary Gill, Director
July 25, 1997

If you require anything further on this matter, please do not hesitate to contact me.

Very truly yours,


LORNA A. N. ROSA

Enclosures

cc: Mr. Myles Hironaka, Planning Department {w/ enclosures}
Mr. Mike Nekoba {w/ enclosures}
Mr. Ralph Kubota {w/ enclosures}

/l-oeqc.hin/



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

July 11, 1997

Lorna A.N. Rosa
Hanamaulu Triangle, Inc.
3135A Akahi Street
Lihue, HI 96766

Subject: Draft Environmental Assessment (DEA) for County of
Kauai General Plan Amendment from Agricultural to
Urban Residential Property located at Hanamaulu,
Island of Kauai.

Dear Ms. Rosa:

Thank you for the opportunity to review the Draft Environmental Assessment (DEA) for County of Kauai General Plan Amendment from Agricultural to Urban Residential Property located at Hanamaulu, Island of Kauai. The subject property, formerly a part of a public roadway, is an abandoned parcel after the realignment of Kuhio Highway in 1987.

The Office of Hawaiian Affairs (OHA) has no objections at this time to the proposed change in land use of the subject property. Based on information contained in the DEA, the parcel, initially under sugarcane plantation and later idle and abandoned after the realignment of Kuhio Highway, has little agricultural value. The proposed land use apparently bears no significant long-term adverse impacts on adjacent lands nor upon existing urban settlements. Furthermore, it is unlikely that archaeological remains exist in the area. However, OHA urges the preparers to approach the State Historic Preservation Division on the history of archaeological or historical resources in the area.

Letter to Ms. Rosa
Page two

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,



Randall Ogata
Administrator

LM:lm

cc Trustee Clayton Hee, Board Chair
Trustee Abraham Aiona, Board Vice-Chair
Trustee Rowena Akana, Land & Sovereignty Chair
Trustee Haunani Apoliona
Trustee Billie Beamer
Trustee Frenchy DeSoto
Trustee Moses Keale
Trustee Colette Machado
Trustee Hannah Springer
CAC, Island of Maui

BENZAMIN J. CATTELAN
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 B. WALDRON, CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES

DEPUTY
GILBERT COLMAN-AGUIAR

AQUACULTURE DEVELOPMENT
PROGRAM
AQUATIC RESOURCES
CONSERVATION AND
ENVIRONMENTAL AFFAIRS
CONSERVATION AND
RESOURCES DEVELOPMENT
CONVEYANCES
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
DIVISION
LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT

July 8, 1996

COUNTY OF KAUAI

Mr. Dee Crowell, Director
Planning Department
County of Kauai
4444 Rice Street, Suite 473
Lihue, Kauai 96766

'96 JUL 10 P2:00

PLANNING DEPT.

LOG NO: 17297
DOC NO: 9607RC06

Dear Mr. Crowell:

SUBJECT: Chapter 6E-42, Historic Preservation Review -- Z-IV-96-37, U-96-34, SP
96-9 -- Robert's Tours and Transportation Facilities (Hanamaulu Triangle
Inc.)
Hanamaulu, Lihue, Kauai
TMK: 3-7-3:21

Thank you for the opportunity to review this permit application. The project area has had its land extensively altered by prior sugarcane cultivation. This makes it highly unlikely that intact significant historic sites are present. We, thus, believe that the proposed project will have "no effect" on such sites.

Aloha,

Don Hibbard
DON HIBBARD, Administrator
State Historic Preservation Division

RC:jk