

Bryan J. Baptiste
Mayor

Gary K. Heu
Administrative Assistant



OFFICES OF COMMUNITY ASSISTANCE
KAUAI COUNTY HOUSING AGENCY

Bernard P. Carvalho Jr.
Director

Kenneth N. Rainforth
Executive on Housing

October 27, 2003

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OFFICE OF ENVIRONMENTAL
QUALITY CONTROL

Ms. Genevieve Salmonson, Director
Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu, Hawaii 96813

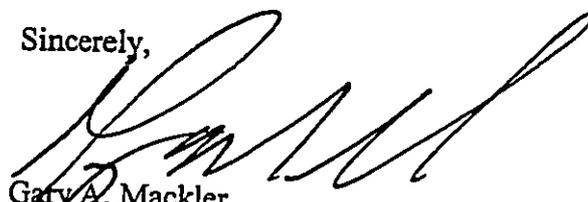
Dear Ms. Salmonson:

Final Environmental Assessment for YMCA of Kauai Facilities, TMK (4) 3-3-03:43 (Portion of Lot 1540), Lihue, Kauai, Hawaii.

The Offices of Community Assistance, Housing Agency, has reviewed the comments received during the 30-day public comment period, which began on August 8, 2003. The final EA includes analysis and additional discussion addressing comments to the draft EA that are listed in OEQC's letter dated August 8, 2003. The Housing Agency has determined that this project will not have significant environmental effects and has issued a FONSI. Please publish this notice in the November 8, 2003 OEQC Environmental Notice.

We have enclosed a completed OEQC Publication Form and four copies of the final EA. Please contact me at 241-6867 if you have any questions.

Sincerely,


Gary A. Mackler
Development Coordinator

enclosures

cc: Tom Tannery, YMCA of Kauai
Ron Agor, Agor Architecture
Bernard P. Carvalho Jr.

Development Section (808) 241 6444 FAX (808) 241 6815
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Lihue Hawaii 96766

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NOV 8 2003

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2003-11-08-KA-FEA-

U. S. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

ENVIRONMENTAL REVIEWS AT THE COMMUNITY LEVEL

FINAL

ENVIRONMENTAL REVIEW RECORD
FOR
(YMCA of KAUAI) FACILITIES
Lihue, Kauai, Hawaii

October 2003

PREPARED BY:

AGOR ARCHITECTURE
4374 Kukui Grove Dr
Suite 204
LIHUE, HI 96766
(808) 245-4550

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SECTION I-PROJECT DATA:

PROJECT: YMCA of Kauai Facilities
Lihue, Kauai, Hawaii

FUNDING SOURCES: U. S. Department of Housing and Urban
Development,
Community Development Block Grant
County of Kauai,
Office of Economic Development

APPLICANT: YMCA of Kauai
PO Box 1786
Lihue, HI 96766

CONTACT PERSON: Ron Agor
Agor Architecture
4374 Kukui Grove Dr, Suite 204
Lihue, Hi 96766
808 245-4550

APPROVING AGENCY: County of Kauai
Offices of Community Assistance
4193 Hardy Street
Lihue, HI 96766

LAND OWNER: County of Kauai
50-Year License to YMCA of Kauai

TAX MAP KEY: (4) 3-3-03:43 Portion of Lot 1540

EXISTING LAND USE: Vacant

ZONING DESIGNATION: General Commercial
Special Treatment-Public
Residential R-1

PERMITS REQUIRED: County Class IV Zoning Permit
Use Permit
Variance Permit
Building Permit

SITE AREA: 3.642 acres

SECTION II - GENERAL DESCRIPTION OF ACTION'S TECHNICAL, ECONOMIC, SOCIAL AND ENVIRONMENTAL CHARACTERISTICS, TIME FRAME AND FUNDING:

1. **PROJECT SUMMARY:** This project entails the construction of facilities on a 3.642-acre site for the YMCA of Kauai. The facilities will allow the YMCA to continue and expand the various community services they have been offering for nearly 75 years on Kauai.
2. **PROJECT BACKGROUND AND HISTORY:** The YMCA of Kauai has existed on Kauai for nearly 75 years. Kauai is the only Island in Hawaii without primary facilities to serve the people of Kauai. Prior to the year 2000, the YMCA of Kauai had been aggressively searching for a site to build its facilities for over ten years. In early 2000, the Grove Farm Company and the YMCA of Kauai talked about a Grove Farm site that was scheduled to be dedicated to the County as a park. In the spring of 2000, Grove Farm and the YMCA discussed the matter with the County of Kauai. On November 29, 2000, the County Council approved the License to the YMCA of Kauai for the use of a portion of Lot 1540, 3.642 acres, for a period of fifty years. The approval was predicated on the premise that the YMCA of Kauai constructs and maintains facilities that will be generally open to the public in accordance to the stated goals and practices of the YMCA of America.
3. **PROJECT AREA DESCRIPTION:** The project site is located at the southwest corner of Kaumualii Highway and Nuhou Street at the western outskirts of Lihue. (See Exhibit "A") The Chiefess public school is adjacent and south of the site. Vacant general commercial properties exist to the east of the site. To the west of the property is a residential subdivision more than 1500 feet away from the proposed project. The Gaylord Restaurant is located across and north of the highway. Kauai Community college is adjacent and west of the Restaurant. The site is part of Grove Farm's community residential and commercial development plan for Lihue and Puhī.

The project is considered to be centrally located for accessibility of all of Kauai.

4. TECHNICAL: The facilities will be on a 3.642-acre site and will consist of an administration building, a childcare center, a wellness center, a locker/restroom building, a gymnasium, a multi-purpose building, a swimming pool and batting cages.

The 3.542-acre site is currently vacant. A sidewalk exists on the Nuhou Street frontage. (See Exhibit "A" and "B") Water, sewer, electrical, cable and telephone services are available underground on the street. The site has a very gentle down slope from the northwest corner to the southwest corner. Kaumualii Highway is adjacent and north of the property and Nuhou Street is adjacent and east of the property.

The Administration Building will be a 1600 sf building with a 200 sf entry lanai. (See Exhibit "C") It will consist of a reception area, two offices, a conference room, a restroom, a storage area and a non-cooking kitchen. The administration building will be open for business from 8:00 am to 5:00 pm on weekdays. During the evening and weekend an event supervisor may have access to the building.

A Child Care Center with 1840 sf of building area and a 200 sf entry lanai is proposed. (See Exhibit "D") A fenced outdoor play area adjacent and to the north of the building is planned. The center is designed to accommodate forty children. The hours of operation will be from 7:00 am to 5:30 pm during the week.

The proposed Wellness Center will have 1600 sf of building area and a 200 sf entry lanai. (See Exhibit "E") This center will be used for weight training and the using of exercise machines. It will be opened from 7:00 am to 10:00 am daily.

A locker room is proposed. This entails 1600 sf of building and 200 sf of entry lanai. (See Exhibit "F") The locker room will consist of men and women's restrooms, showers, lockers and dressing areas. The locker room will remain opened for use from 7:00 am to 10:00 pm. The users will be from the gymnasium, wellness center, and the swimming pool.

The Gymnasium will have 10,140 sf of building with 5,568 sf of surrounding lanais. (See Exhibit "G") It will have a full size basketball court and a health department approved kitchen. The use will be for indoor sports, special community and private events. The Gymnasium will be available to the community from 7:00 am to 10:00 pm.

The proposed Multi-Purpose Building will be built next to the swimming pool location. It will have 2096 sf of building area with a 312 sf entry lanai. (See Exhibit "H") It will be composed of men and women's restrooms, an office and a multi-purpose area. The Multi-Purpose building is planned to be the first structure built. This building will serve as the temporary office for the YMCA and the temporary wellness center until the project is completely built out. The restrooms will also facilitate the proposed swimming pool. The proposed hours of operation for the Multi-Purpose Building will be from 7:00 am to 10:00 pm daily.

The swimming pool is designed as an Olympic size pool. (See Exhibit "K") The plausibility of the pool being of Olympic size will depend on the possible funding from the State Of Hawaii. Should funding for an Olympic size pool not materialize, then a 25 meter pool will be construction. A pool area for a small water slide will also be built attached to the main swimming pool. The pool will be fenced for security and safety. The pool will be available to the community from 8:00 am to 6:00 pm daily.

Batting Cages are also proposed for this project. (See Exhibit "L". Six cages will be built of chain link fence walls and net tops. The height of the cages will be a maximum of 24 feet. It is anticipated that the use of the batting cages will be from 8:00 am to 10:00 pm daily.

The design of the YMCA facilities entails five small buildings fronting the Kaunualii Highway and a gymnasium at the back south of the property, adjacent to the existing school. It is the design intent to have the five small buildings reduces the visual impact of the gymnasium from the highway. The gymnasium is adjacent to an existing outdoor basketball court to the south. To the south of the basketball court is the school's covered outdoor gymnasium type of structure that matches the proposed gymnasium in stature.

The five smaller buildings will have a Hawaiiana style of design with double-sloped metal roofs and stucco finishes. Each of the structures will have entry lanais accenting the design style. The maximum height of the five smaller buildings will be 24 feet.

The proposed gymnasium will be similar in design with a metal roof and stucco finish. The surrounding lanais will be accenting the design style. The maximum height of the gymnasium will be 42 feet.

The parking evaluation are as follows:

Parking Required:

Administration Bldg. 1266 sf/200)	7.0
Daycare Center. 40 children/8 + 1 for 3 employees)	6.0
Wellness Center. 1600 sf/50=32/8)	4.0
Locker Room. (for users of other bldgs)	0.0
Gymnasium 8276 sf gym/15/8 + 1140 sf kit/stor/500	72.0
Multi-Purpose Bldg. 1530 sf/15/8 + 105 sf office/200)	13.0
Pool. (8175 sf pool/50=164/8)	21.0
Batting Cage (6 each)	<u>6.0</u>
Parking Stalls Required:	129.0
Parking Stalls Provided:	135.0

5. ECONOMICS:

The project will provide a short term boost to the commercial construction industry on Kauai.

The YMCA of Kauai has the potential to employ as many six full time employees and six part-time employees for program oriented activities.

6. SOCIAL:

The YMCA of Kauai has been a builder of character and physical fitness for the people of our community for over 75 years. The proposed new facilities will enhance and stabilize the many programs offered to the community of Kauai by the YMCA.

7. ENVIRONMENTAL CHARACTERISTICS:

The proposed structures will be compatible with the surrounding buildings, in particular the adjacent Chiefess public school. The design includes five small scaled structures along the highway. These structures will be located to minimize the height impact of the gymnasium, which will be located in the back of the property. The colors of the structures will be of earth toned.

The site has no natural or cultural resources to be impacted. No rare, threatened or endangered species or their habitats exist on the site.

8. TIME FRAME AND FUNDING SOURCE:

Federal funding has been raised for the construction of a phase to include utilities and the Multi-Purpose Building. Construction for this phase is anticipated to take place in early 2004. The design of the facilities will allow construction to take place building by building as funds are raised.

9. PERMITS REQUIRED:

County Use and Class V Zoning Permit.
Application Submitted September 2003

County Building Permits.

National Pollutant Discharge Elimination System Permit.

SECTION III-DESCRIPTION OF THE ENVIRONMENT:

1. **LAND USE:** The subject property is presently zoned General Commercial and Special Treatment-Public/ Residential R-1. The General Commercial designation entails nearly two thirds of the eastern portion of the site. The one-third portion of the site to the west is designated Special Treatment-Public/ Residential R-1.

2. **PHYSICAL FEATURES:**
 - A. **TOPOGRAPHY:** The site slopes very gently down from the northeast corner to the southwest corner. No major grading will be required for the development.

 - B. **GEOLOGY:** Maps and soils descriptions are from the Soils Survey of the Islands of Kauai, Oahu, Maui, Molokai and Lanai, State of Hawaii, by the U. S. Dept. of Agriculture Soil Conservation Service. They state that the soil primarily consists of Lihue Silty Clay. Permeability is moderately rapid, run-off is slow and the erosion hazard is slight.

 - C. **CLIMATE:** The mean annual rainfall throughout the study area is about 22 inches per year. Average temperatures in the region range from the 60's to the low 90's (degree Fahrenheit). Temperature differences between day and night are about 15 degrees. The consistent direction of the trade winds is from the northeast at between 10 and 15 miles per hour.

3. **INFRASTRUCTURE:** Water, sewer, electric, cable and storm systems are existing on Nuhou Street

4. **HISTORY OF LAND:** The site has been cultivated for sugar for nearly over fifty years. A "no historic properties will be affected" comment by the Hawaii Historic Preservation Division is indicated on Exhibit N-1, attached.

5. **FLOOD HAZARD:** FEMA Flood Insurance Rate Map panel 150002 0152D dated September 30, 1995, indicates that the site is outside the 100-year floodway. There are no rivers or wetlands in the vicinity of the park site.

6. **ENDANGERED SPECIES:** The site has been completely cleared and is has been grassed for nearly two years now. The land has been previously cultivated for sugar for over fifty years and the existence of endangered species in the project area is unlikely.

According to the Hawaii Natural Diversity Database there have been no recordings of rare species or ecosystems within the vicinity of the project. Considering the current activity and the proximity of the residential and commercial neighborhood and the adjacent public school, threatened or endangered birds are not expected to frequent the site.

7. **FLORA AND FAUNA:** The property is currently being used by the community for soccer practice. The site is lawned, without any flora or fauna existing at all. This property is old cane field lands cultivated for many years in the past.
8. **COASTAL ZONE:** The property is inland and not within the coastal zone.

SECTION IV-PROBABLE IMPACTS AND MITIGATIVE MEASURES

1. Short Term Impact

- A. Construction: On-site grading and infrastructure improvements will result in an increase of dust, storm run-offs and noise. The prevailing trade wind patterns may carry airborne matter to the southwest and over the school. Construction noise relating to medium construction projects will be expected.
- B. Traffic: Highway and road improvements have been addressed and constructed during the development of the subdivision. Projected traffic flows were surely considered in the design and construction of the traffic lights, the loading and unloading lanes, etc.
- C. Employment: The construction will have a positive impact on the island's economy. The project will provide opportunities for local contractors to bid on the construction work.

2. Long Term Impact

- A. Traffic: It appears that the long-term traffic impact relating to the subdivision was considered during the development and County approval process. The State Department of Transportation is in the planning phase of the widening of Kaumualii Highway to a four-lane highway. In the design, the State is considering the full development of the subdivision. Land for the widening of the highway has already been considered and excluded from the subject site.

Recently, alternate routes have been opened. Nuhou Street can now be accessed from Nawiliwili Road and the Kukui Grove Shopping Center via Pikake Street. Nuhou Street can also be accessed directly from Puhi via Kaheka Street. (See Exhibit A1)

The major activities of the YMCA that may have a traffic impact will be held after school hours and the weekend. A major activity at the YMCA will highly unlikely be scheduled during the beginning of and the ending of the school day.

The Long term traffic impact will be minimal.

- B. Visual: The proposed structures will be compatible with the existing structures in the area. There will be five one-story buildings at a maximum height of 24'-0" along the highway and a gymnasium with a maximum height of 42'-0" at the back of the property.

3. Mitigative Measures

In the short term, during construction, measures will be taken to minimize impacts such as increased dust during construction, run-offs, noise and traffic.

Construction activities shall comply with the provisions of Hawaii Administrative Rules, S 11-60.11.33 on Fugitive Dust. Dust preventive measures will include;

- a. Planning of construction phases to minimize the amount of dust-generating materials and activities, centralizing on-site vehicular traffic routes and locating of potential dust-generating equipment in areas of the least impact.
- b. Provide adequate water source at the site prior to start of construction.
- c. Landscape and provide rapid covering of bare areas developed during construction.
- d. Minimize dust from shoulders and access roads.
- e. Provide dust control measures during weekends, after hours, and prior to daily construction.
- f. Control dust from debris being hauled away from site.

A National Pollutant Discharge Elimination System (NPDES) general permit will be acquired prior to construction to minimize storm run-offs during construction.

Measures to minimize noise will include specific construction hours and plans to reduce the impacts of the construction traffic.

Long-term impacts of the project will be some increased traffic on Kaumualii Highway. This impact will be addressed by the planning of the widening of the Kaumualii Highway. Alternate routes have recently been opened, as described above, and will offer some mitigation to the potential increase in traffic as a result of this project.

The project will be a visual asset to the community. The scale of the proposed development will be in character with the surrounding buildings.

SECTION V-PROJECT ALTERNATIVES CONSIDERED:

NO ACTION: The "No Action" alternative will not allow the YMCA of Kauai to improve its current services to the community. This would be contrary to the County Council's approval for the use of the property.

CONSIDER ALTERNATIVE SITES: Sites suitable for non-profit organizations are very rare. The former landowner and the County of Kauai have designated the property for the purpose of the YMCA of Kauai to construct and maintain their facilities that will generally be opened to the public. An alternative site is not considered a viable option.

PROCEED WITH PROJECT: The improvements will respond to the project is consistent with the County's long-range regional development plan.

SECTION VI-FINDINGS AND DETERMINATIONS:

Significance Criteria: According the Department of Health Rules (11-200-12), an applicant or agency must determine whether an action may have a significant impact on the environment, including all phases of the project, its expected consequences both primary and secondary, its cumulative impact with other projects, and its short and long-term effects. In making the determination, the Rules establish "Significance Criteria" to be used as a basis for identifying whether significant environmental impact will occur. According to the Rules, an action shall be determined to have a significant impact on the environment if it meets any one of the following criteria:

1. Involves an irrevocable commitment to loss or destruction of any natural or cultural resources;

The proposed project will not cause any irrevocable loss of natural or cultural resources/ The site has been a cultivated sugar cane field for many years, and has never yielded any artifacts. View planes are not impacted and there will be no blockage of mauka or ocean views from the surrounding areas.

As previously noted, no significant archaeological or historical sites are known to exist on the site. Should any archaeologically significant artifacts, bones, or other indicators of previous on-site activity are uncovered during the constructions phase, their treatment will be conducted in strict compliance with the requirements of the Department of Land and Natural Resources.

2. Curtails the range of beneficial uses of the environment;

Although the subject property has been used for the cultivation of sugar cane for the past 70 years, that use is no longer viable. The site is within the urban core of Lihue town, and is zoned and well suited for development. The surrounding areas are planned for commercial development. A middle school has recently been built on the adjacent southern property.

3. Conflicts with the State's long-term environmental policies and guidelines as expressed in Chapter 344, HRS; and any revisions thereof and amendments thereto, court decisions, or executive orders;

The proposed development is consistent with Chapter 344, HRS in that;

- (a) The project is focused on serving the existing population and is not a factor to the potential increase in island's population.
- (b) The YMCA will encourage management practices which will conserve and utilize natural resources, in particular, solar water heating.

Management practices will include irrigation practices that will conserve on water resources. Waste water shall be disposed to a sewage treatment plant. Recycled water from the sewage treatment plant is currently being utilized for irrigation by the land developer of the subdivision.

The project is consistent with the system of state Land use planning and the state and county general plan.

Management practices for waste prevention, energy resource recovery, and recycling will be utilized.

The site is a 3.642 acre site in a developed urban subdivision. Open space will be minimal. There are no natural, wildlife, forest, marine, or unique ecological preserves on or near the site.

- (c) No endangered flora or fauna have been discovered on site. Landscaping shall be of native trees, shrubs, and flowering plants as encouraged by the Department of Water as part of their recommendations for water conservation.
- (d) The YMCA will be providing and promoting indoor recreation as well as outdoor swimming pool programs. No scenic, historic, cultural spaces exist or will be created on site. The site is well away from the shoreline.

- (e) The project will have a short term economic boost to the construction industry. A combination of approximately twelve part time and full time employees will operate the facilities and run the activities.
- (f) Management practices will encourage employees and users of the facilities to car pool and use the public bus system in the YMCA,s efforts to globally conserve energy, reduce air and noise pollution.
- (g) Efficient use of energy resources will be policy of management. A Solar hot water system will be used. Efficiency in lighting design and efficiency in plumbing fixtures design will be incorporated in the construction documents.
- (h) Community building, family building, character building, and people building is what the YMCA of Kauai is all about.

A children day care center to foster our very young to lifestyles compatible with Kauai and Hawaii as a whole.

A gymnasium to host youth basketball, volleyball, and gymnastic community programs is part of the development.

The proposed design of the facilities will be a community asset that will foster a sense of ownership by the community. It will be an encouragement for the users to reduce pollution that may degrade the community.

- (i) Educating the community on character and family building will be a focus of the YMCA. Through its management policies, the YMCA will encourage its users to respect the surrounding environment.
- (i) The management policies of the YMCA will include The encouragement of citizen/user participation in the moral ethics of respecting the natural environment, reduce waste and excessive consumption, and to fulfill the responsibility as trustees of the environment for the present and future generations. Citizens/users will be invited to participate in policies and decision making.

The proposed development is consistent with the National Environmental Policy Act.

4. Substantially affects the economic or social welfare of the community or state;

The project will have a positive impact on the commercial construction industry for Kauai. Employment Opportunities for the programs of the YMCA will be available.

The proposed project will provide a significant and positive impact on the Kauai community by providing a service of wellness, child care, and facilities for sports recreation, typically of the YMCA's throughout the country.

5. Substantially affects public health;

During the construction period there will be minor impacts to air quality and noise levels. After completion of the construction work, these will be insignificant or not detectable. The positive aspects of the proposed project in the areas of economic and social benefits of the community are greater than the "no action" alternative.

6. Involves substantial secondary impacts, such as population changes or effects on public facilities;

Public facilities may experience a slight increase in use, due to increased accessibility. It is unlikely that the existence of a YMCA facility will have any impact on population.

7. Involves a substantial degradation of environmental quality;

There will be no degradation of the environment caused by this project

8. Is individually limited but cumulatively has considerable effect upon the environment or involves a commitment for larger actions;

The cumulative impact on the environment is minimal.

Air:

This project, or any other existing properties in the immediate vicinity, will not have facilities or activities that produce air pollution. Short term construction dust will be eminent as described in Section IV, herein.

Water:

This project, or any other existing properties in the immediate vicinity, will not have facilities or activities that will affect water resources.

Noise:

Activities on this site may at times have ambient noise levels similar to the existing adjacent middle school. Most likely activities that will create any significant noise levels will be on weekends and after school. (outdoor swimming activities) Short term construction noise will exist and mitigated as described in Section IV, herein.

Endangered Species:

No rare, threatened or endangered species or their habitat exists on the property or properties in the immediate vicinity.

This project will not have a cumulative effect upon the Environment and will not require a larger action.

9. Substantially affects a rare, threatened or endangered species or its habitat;

No endangered plant or animal species are located on or around the project site.

10. Detrimentially affects air or water quality or ambient noise levels;

No air or water quality issues face the development of the YMCA facilities on the subject site. Ambient noise levels will be similar to that of the adjacent middle school and have been found to be well within acceptable levels for urban uses.

11. Affects or is likely to suffer damage by being located in an environmentally sensitive area, such as a flood plain, tsunami zone, beach, erosion-prone areas, geologically hazardous land, estuary, freshwater, or coastal areas;

The proposed project site is not located in or near any environmentally sensitive or geologically hazardous area. As the property is currently developed for agricultural uses, and has had that use for many years, the site no longer reflects a natural environment.

12. Substantially affects scenic vistas and view planes identified in county or state plans or studies;

The property is essentially flat and the proposed structures will not obstruct scenic mountain views.

13. Requires substantial energy consumption.

The size and scope of the project will not have a measurable impact on energy supplies. A solar system will be used for hot water heating. Energy efficient lighting fixtures and water conservative plumbing fixtures will be installed throughout the project. dependence on fossil fuels.

SECTION VII-CULTURAL ASSESSMENT

Brief discussions with Holbrook Goodale and Randy Wichman, historians on Kauai, and Mike Furakawa of Grove Farm in the month of October. Minimal history of the immediate subject site is known to be available prior to the inception of the Grove Farm Plantation in or about 1865.

In 1881, a tract of land known as the Haiku lands, 10,500 acres, was purchased by George Norton Wilcox from Princess Ruth Keelikolani. This land, adjacent to the existing Grove Farm Plantation, is where the subject site is located. The subject site and its surrounding area is relatively level and had no natural stream or rivers nearby. Until Grove Farm imported water to the land for cultivating sugar, the site was not used for farming.

The subject site was cultivated for sugar from 1881 to the early 1970,s. A "no historic properties will be affected" comment by the Hawaii Historic Preservation Division is attached in Exhibit N-1.

The immediate site is located on the central plains of the land referred to as the "Haiku Ahupua'a". This land starts from the ridge of Waialeale to the sea, including the Huleia River basin. The Haiku Ahupua'a, as well as the rest of Kauai, was owned by King Kaumualii up to his death in 1924. Upon his death, the land was given to Kaahumanu in trust of King Kamamehameha II. It is difficult to determine who acquired the land thereafter, but it appears the Crown and near relatives in Oahu got them. Princess Ruth Keelikolani of Oahu was the land owner prior to Mr. Wilcox purchase in 1881.

The lower lands of Haiku where the Huleia River is, produced an abundance of food. The upper central plains, where the immediate subject site is, were grazing areas for cattle and horses. Only after Grove Farm Plantation owned the land, did cultivation start.

The applicant would like to emphasize that the project will be presented to the Kauai County Planning Commission for approval. There, the process of addressing all impacts, including cultural assessment, will be examined thoroughly.

Ref: The Archaeology of Puna, Kauai, May 1973
Archaeology of Kauai, 1931

SECTION VIII-ENVIRONMENTAL ASSESSMENT

Project Name and Identification: YMCA of Kauai Facilities.

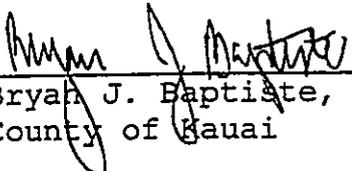
1. Is project in compliance with applicable laws and regulations as cited in the Statutory Checklist (24 CFR Part 58.1)? Yes
2. Is an Environmental Impact Statement required pursuant to 24 CFR Part 58.37? No
3. Can a determination be made that the proposed activity will not significantly impact upon the quality of the human environment. Yes

FINDING:

X **Finding of No Significant Impact**
(The project will not result in a significant impact on the quality of the human environment)

 Finding of Significant Impact
(The project may significantly affect the quality of the human environment)

Preparer Signature:  10-21-03
Ron Agor Architect Date

Responsible Entity Approving Official:  10/22/07
Bryan J. Baptiste, Mayor Date
County of Kauai

SECTION IX-ORGANIZATIONS AND PERSONS CONTACTED:

The following agencies were sent a copy of the ERR for comments.
A 21-day period was stipulated for comments.

- A. Office of Environmental Quality Control
State of Hawaii
235 S. Beretania Street, Suite 702
Honolulu, Hi 96813

- B. Department of Land & Natural Resources
State Historic Preservation Division
State of Hawaii
33 South King Street, 6th Floor
Honolulu, Hawaii 96813

- C. U.S. Army Corps of Engineers
CEPOD-PO
Building 230
Fort Shafter, Hi 96851-4550

- D. Wetlands, Oceans and Estuary
Branch W-7
U.S. Environmental Protection Agency
Region 9
75 Hawthorne Street
San Francisco, Ca. 94105

- E. Clean Air Branch
Hawaii State Health Department
Suite 203
PO Box 3378
Honolulu, Hi 3378

- F. Clean Water Branch
Hawaii State Health Department
Suite 301
9919 Ala Moana Blvd

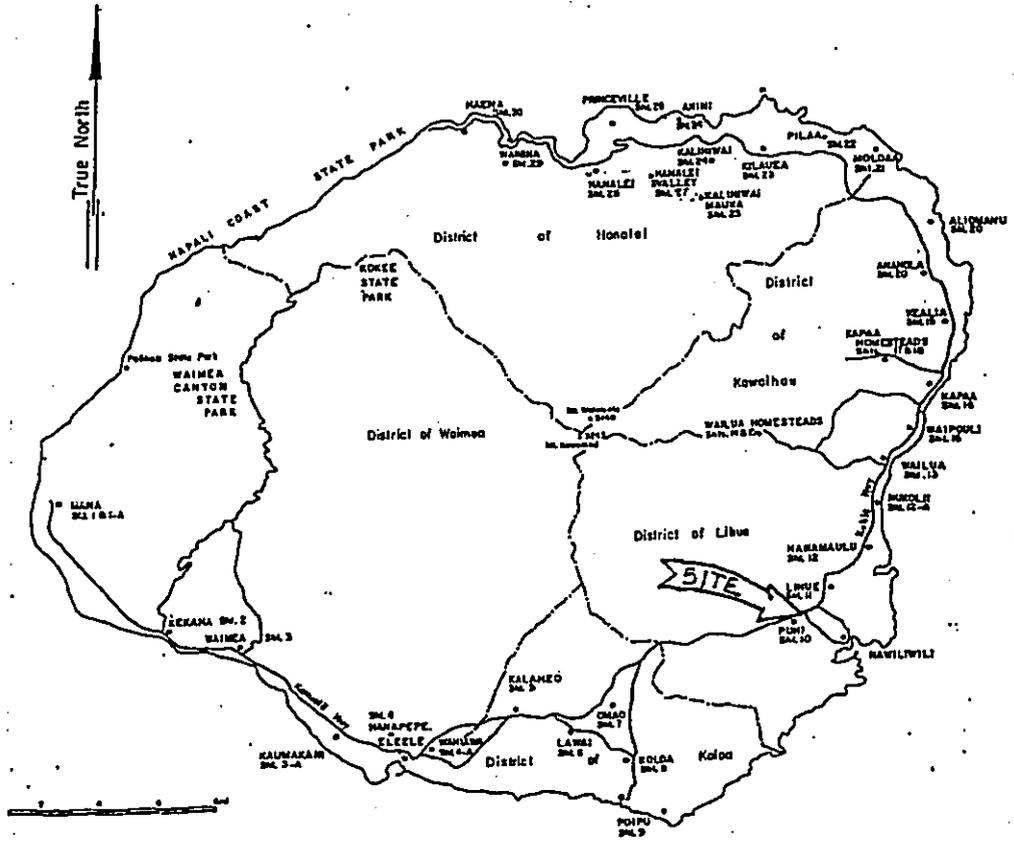
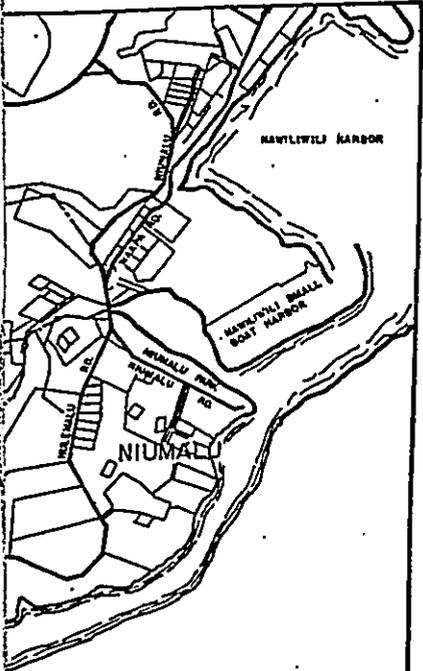
- G. Ground Water Office
Water Division, WTR-9
U.S. EPA, Region 9
75 Hawthorne Street
San Francisco, Ca. 94105

- H. U.S. Fish and Wildlife Service
300 Ala Moana Blvd, Rm. 63071
Honolulu, Hi 96850
- I. Clean Air Branch
Hawaii State Health Department
Suite 250
PO Box 3378
Honolulu, Hi 96814
- J. Department of Planning
County of Kauai
4444 Rice Street, Suite 473
Lihue, Hawaii 96766
- K. Flood Plain Administration
Engineering Branch
DLNR
State of Hawaii
PO Box 373
Honolulu, Hi 96809

After 36 days of mailing the Draft ERR to the above organizations and persons, only the following organization and persons responded with comments.

1. Hawaii Historic Preservation Division.
(See Exhibit N-1) Comments have been added to Paragraph D, Page 9.
2. State of Hawaii, Dept of Health, Clean Air.
(See Exhibit N-2) Comments have been added to Paragraph C, Page 16.
3. State of Hawaii, Dept of Health, Clean Water.
(See Exhibit N-3) Comments have been added to the third paragraph, Page 16.
4. Office of Environmental Quality Control. See Exhibit N-4.

DOCUMENT CAPTURED AS RECEIVED



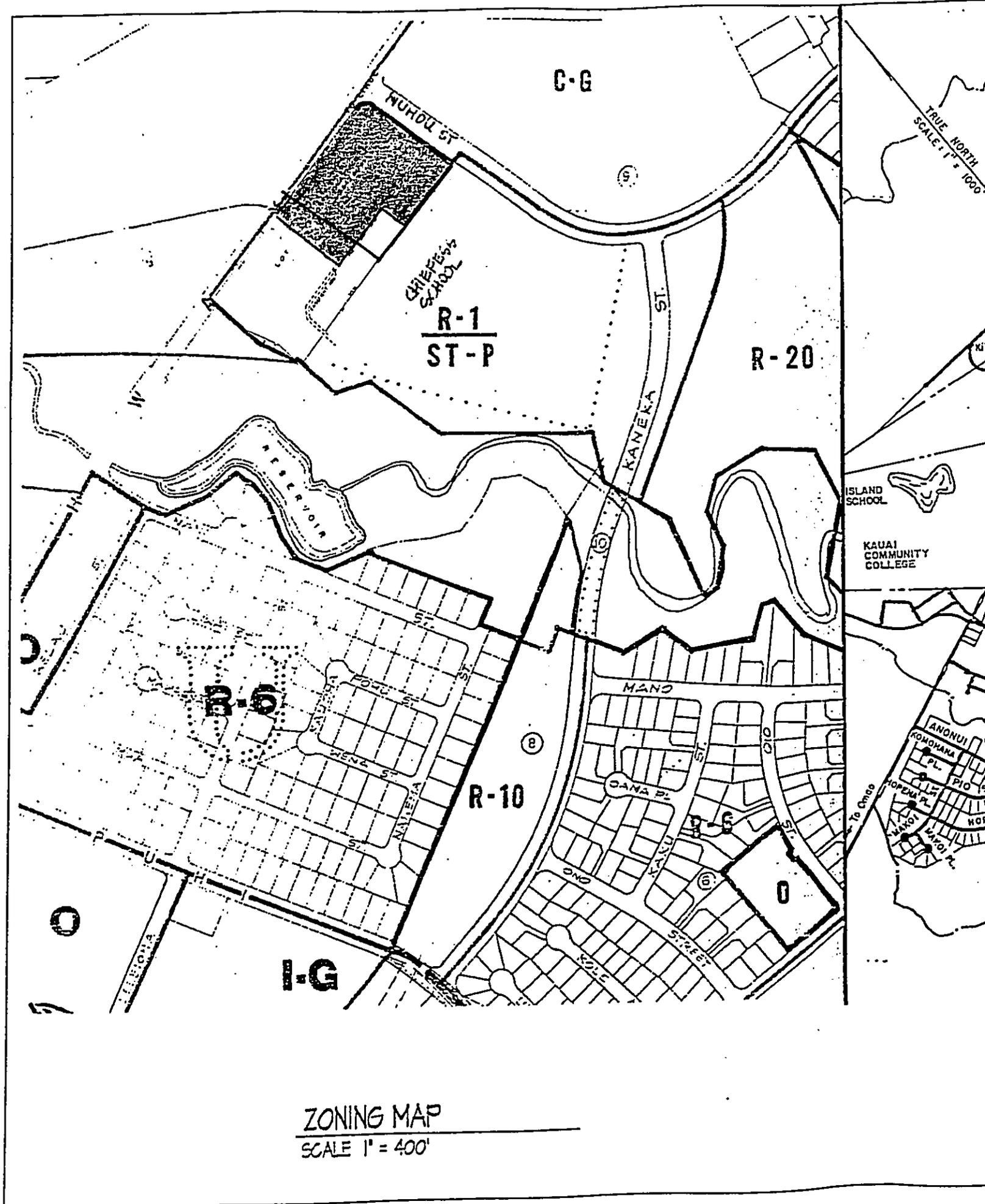
**ISLAND OF
KAUAI**

ROAD MAP OF LIHUE - PUHI - NIUMALU District of Lihue
Scale: 1" = 1000'
Date: July 12, 1996
Sheet 10 of 35 Sheets

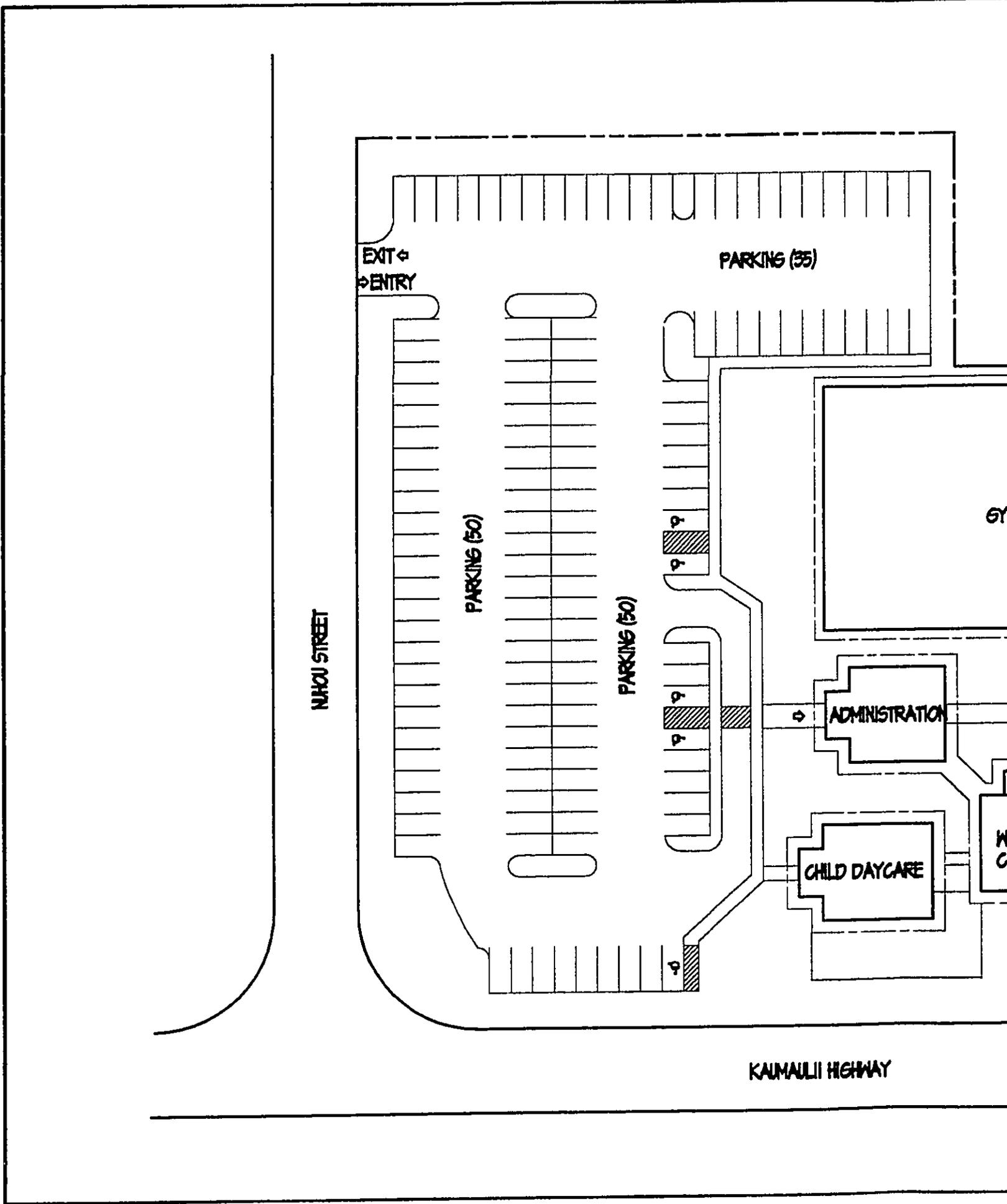
14'

EXHIBIT "A"

DOCUMENT CAPTURED AS RECEIVED



ZONING MAP
SCALE 1" = 400'



NIHOI STREET

EXIT
ENTRY

PARKING (35)

PARKING (50)

PARKING (50)

ADMINISTRATION

CHILD DAYCARE

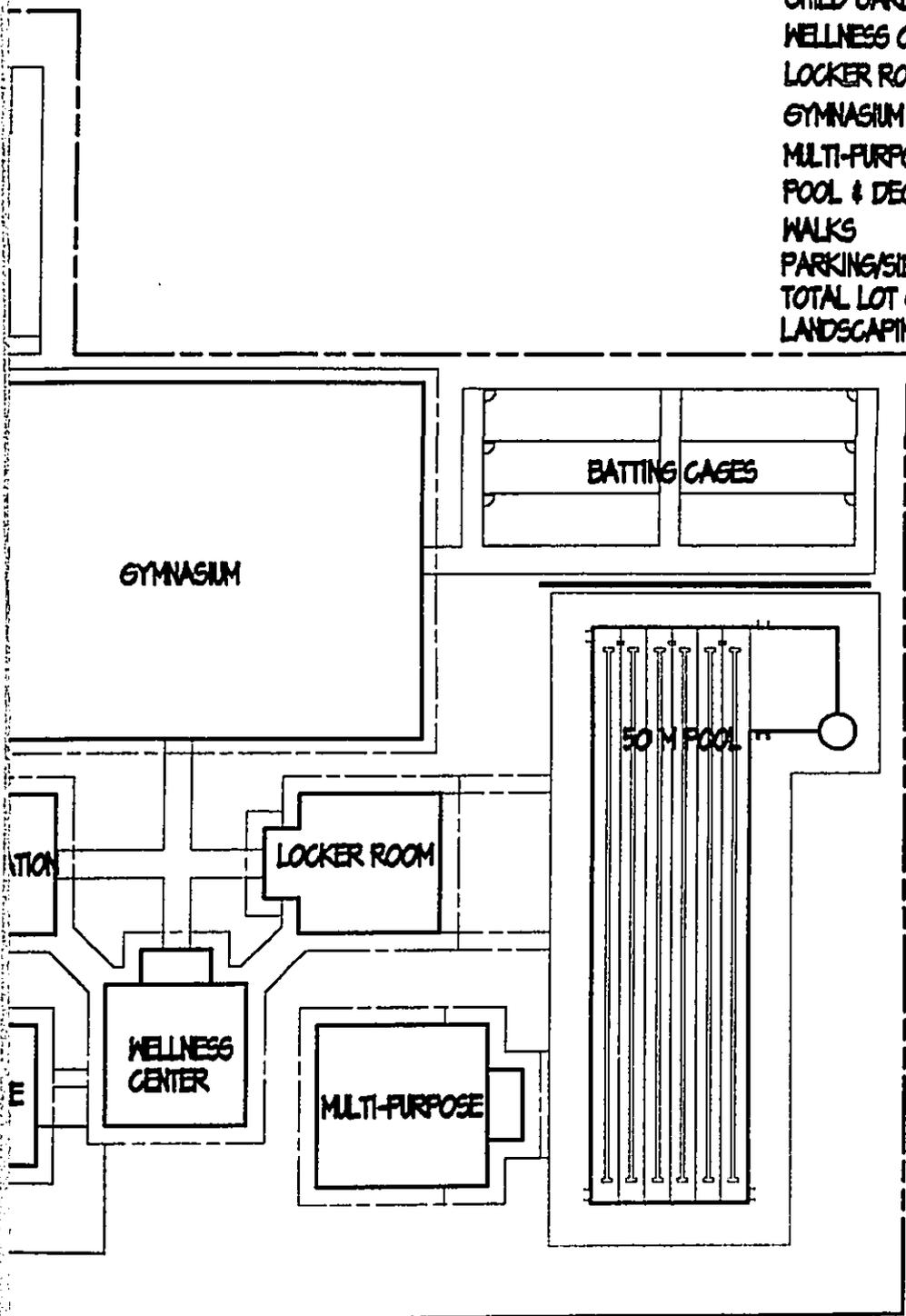
KAUHAULI HIGHWAY

GY

W
C

PROJECT DATA:

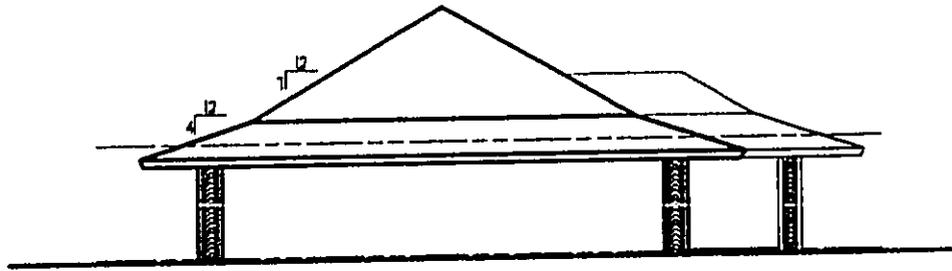
LAND AREA	3.642 ACRES	158,646 SF
ADMINISTRATION BLDG	1800 SF	
CHILD CARE CENTER	2040 SF	
WELLNESS CENTER	1800 SF	
LOCKER ROOM	1800 SF	
GYMNASIUM	15,108 SF	
MULTI-PURPOSE BLDG	2,612 SF	
POOL & DECK	14,203 SF	
WALKS	1223 SF	
PARKING/SIDEWALKS	51,288 SF	
TOTAL LOT COVERAGE	60%	92,414 SF
LANDSCAPING	40%	66,112 SF



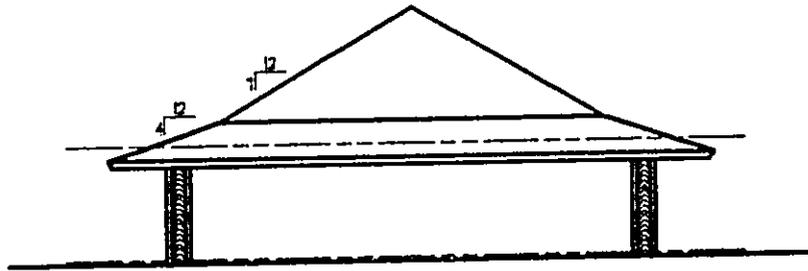
YMCA - SITE PLAN

SITE PLAN
SCALE 1"=50'-0"

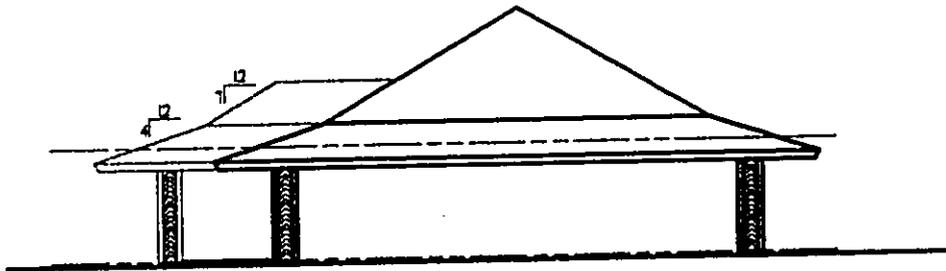
EXHIBIT "B"



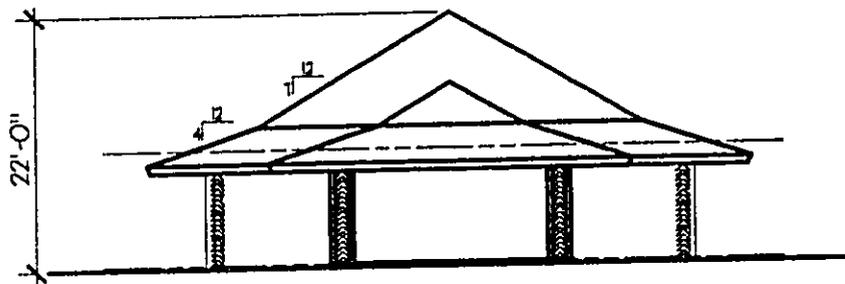
SOUTH ELEVATION



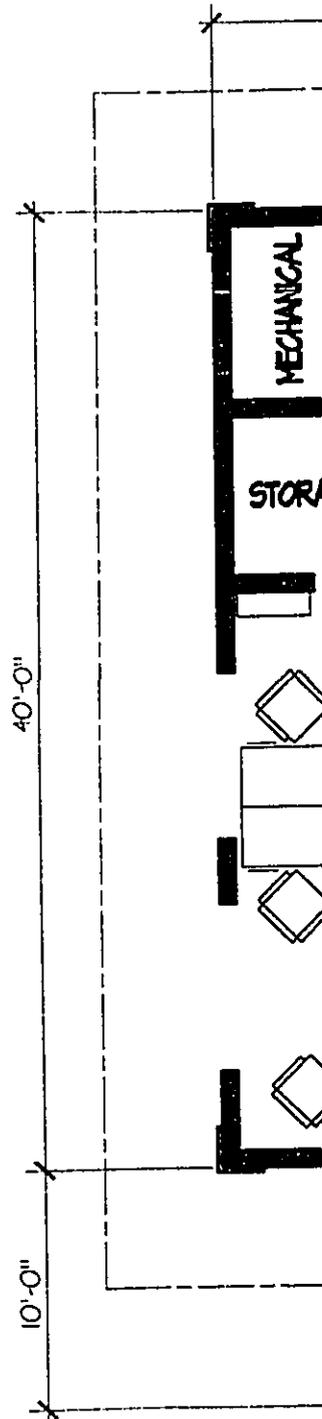
WEST ELEVATION

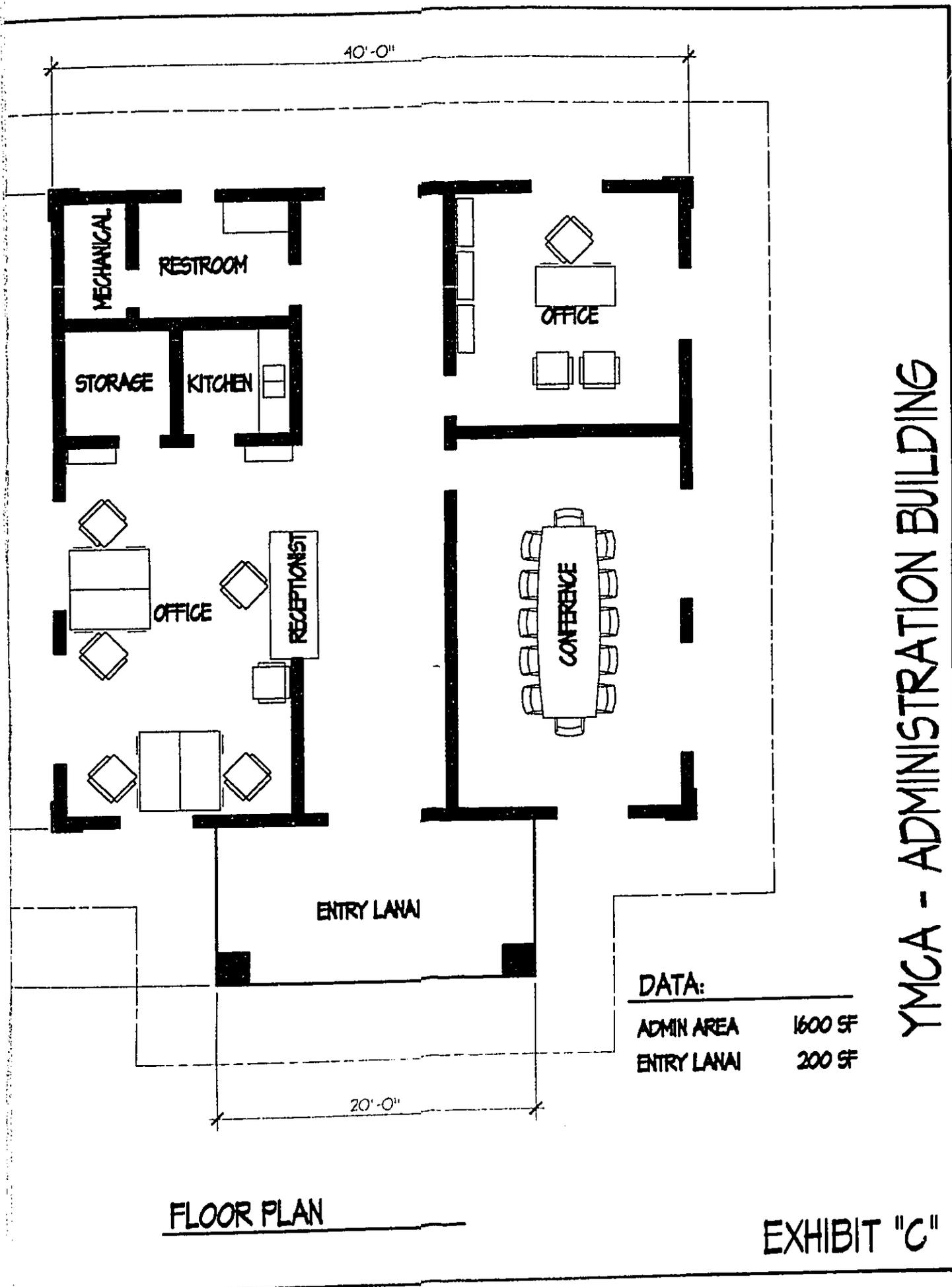


NORTH ELEVATION



EAST ELEVATION

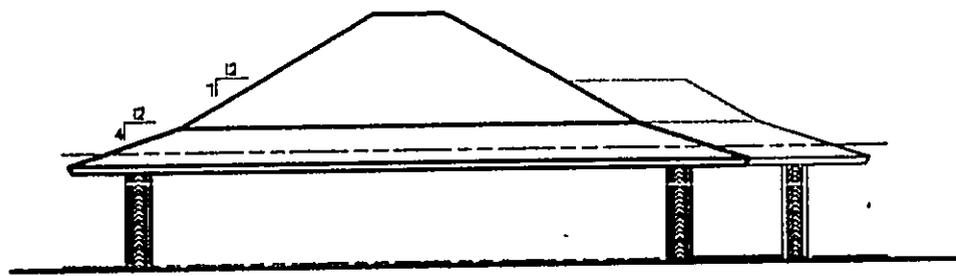




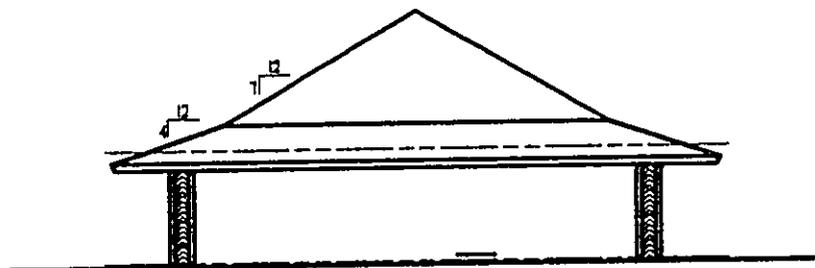
FLOOR PLAN

EXHIBIT "C"

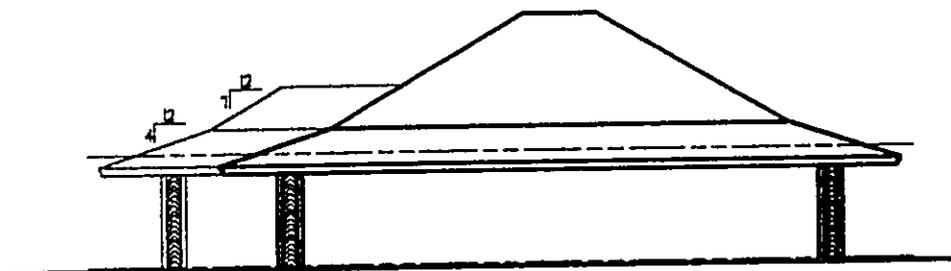
YMCA - ADMINISTRATION BUILDING



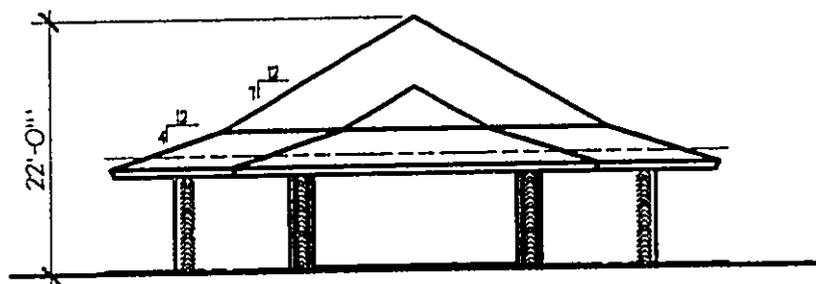
SOUTH ELEVATION



WEST ELEVATION



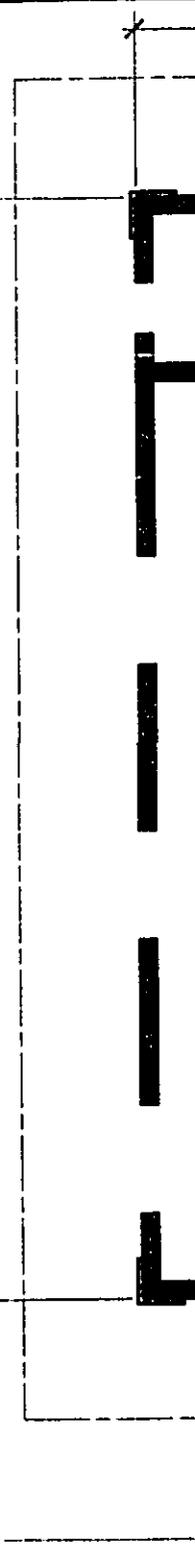
NORTH ELEVATION

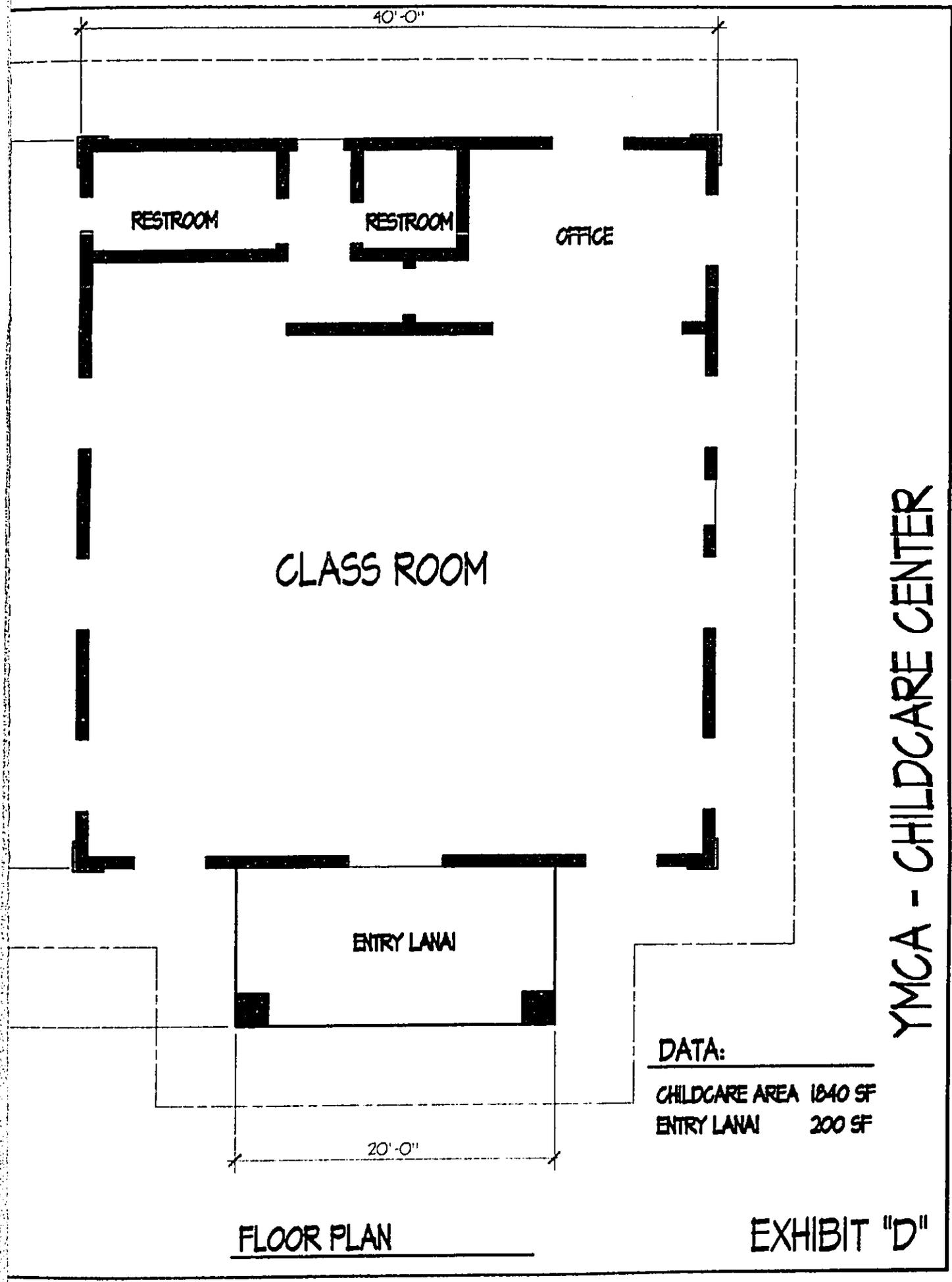


EAST ELEVATION

46'-0"

10'-0"

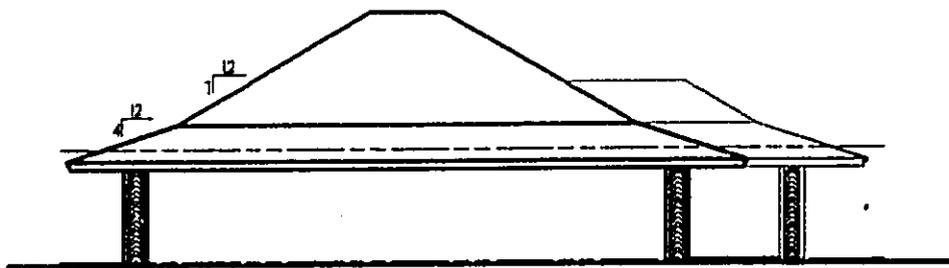




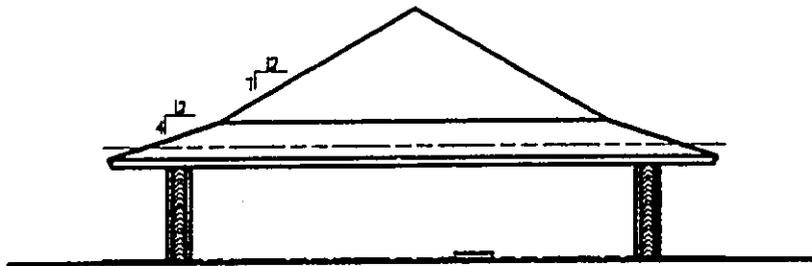
YMCA - CHILDCARE CENTER

FLOOR PLAN

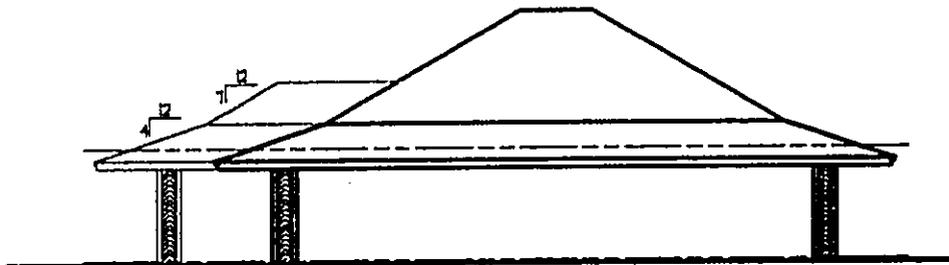
EXHIBIT "D"



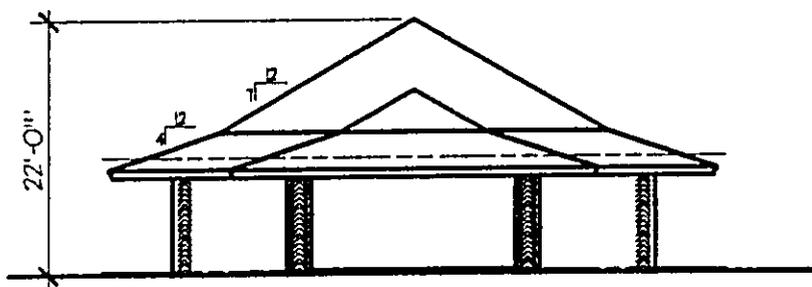
WEST ELEVATION



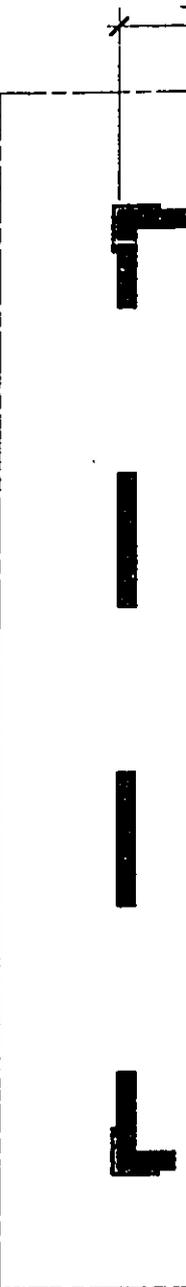
NORTH ELEVATION



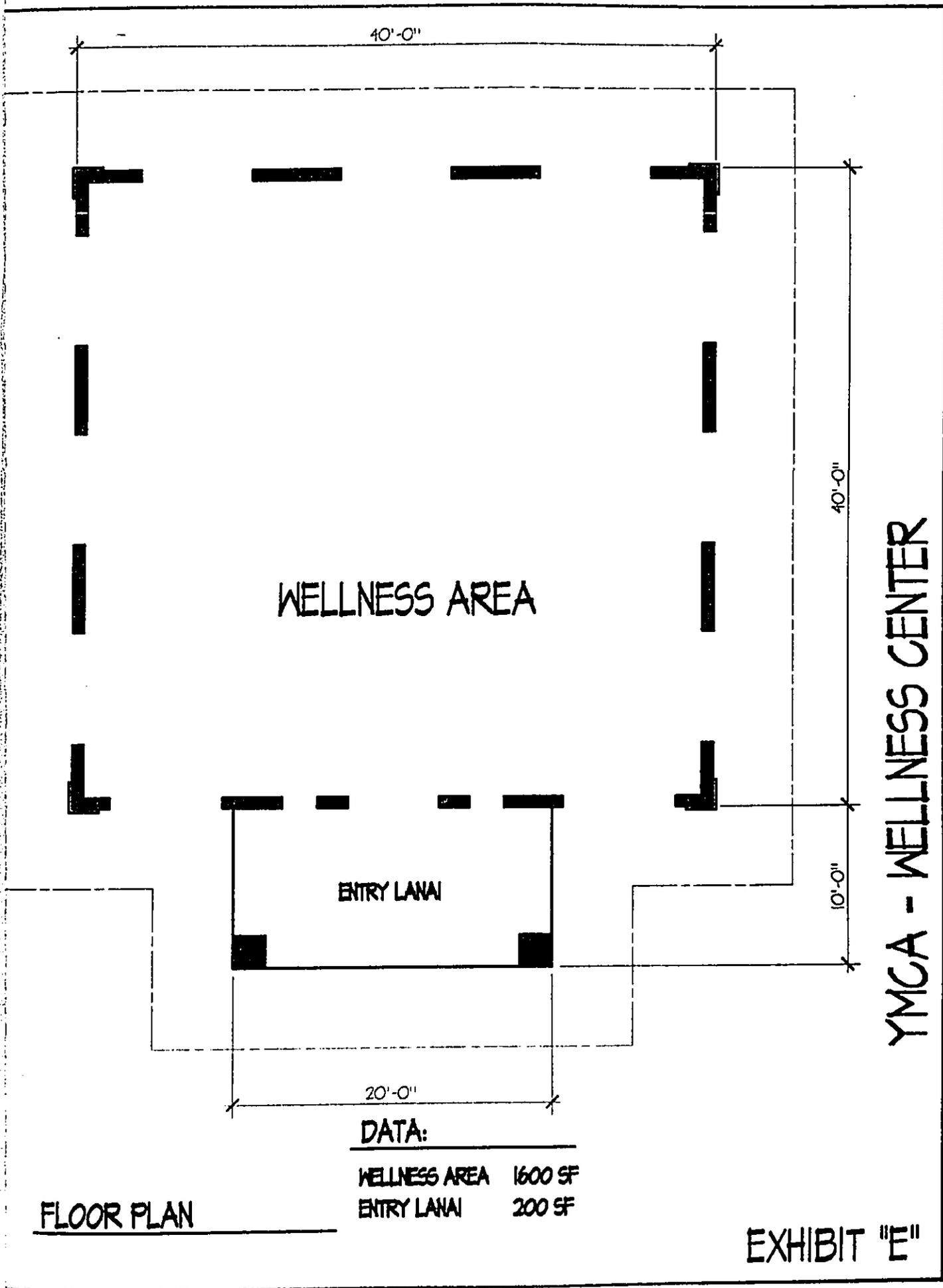
EAST ELEVATION



SOUTH ELEVATION



FLOOR



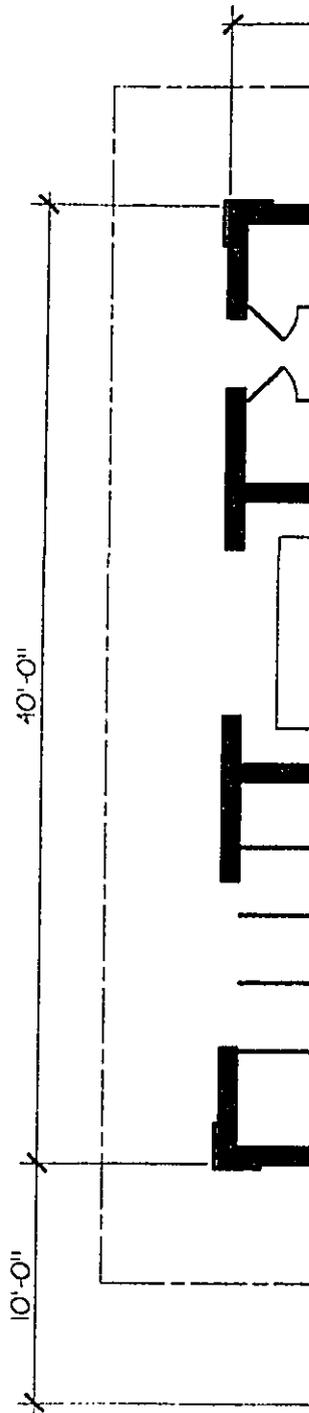
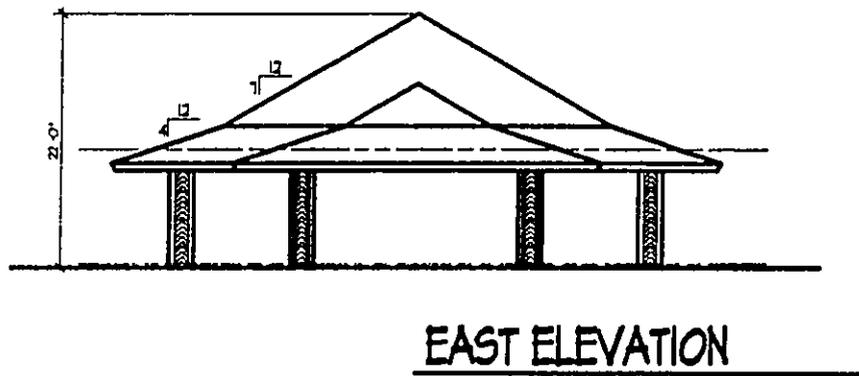
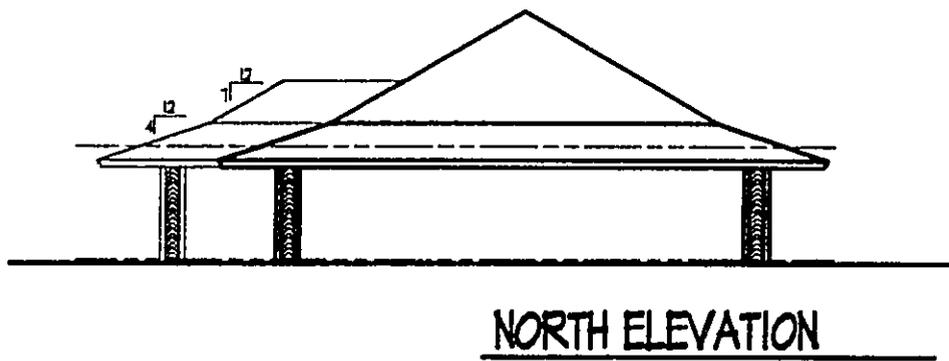
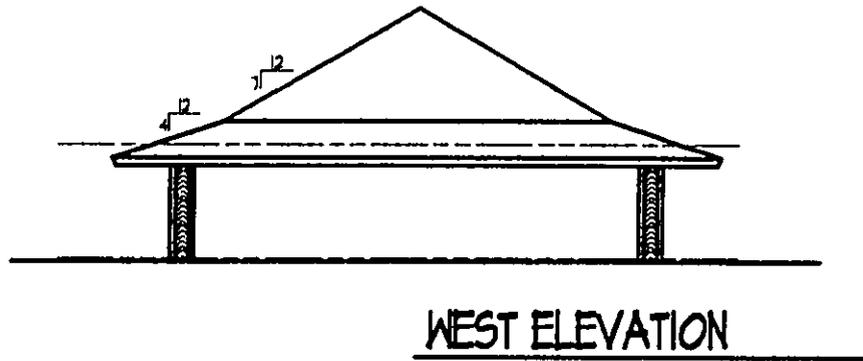
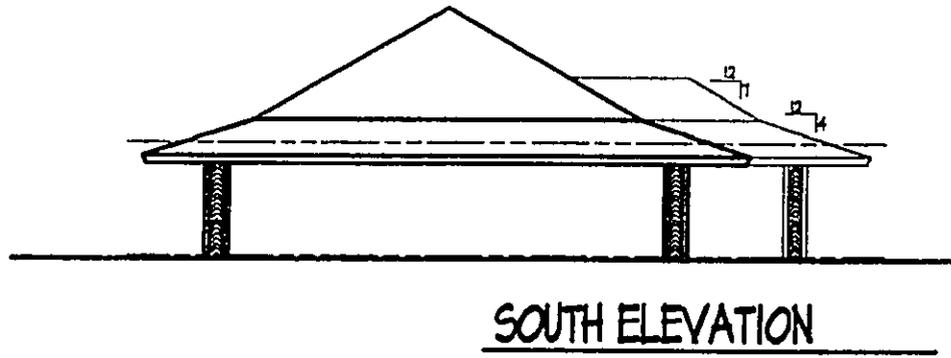
YMCA - WELLNESS CENTER

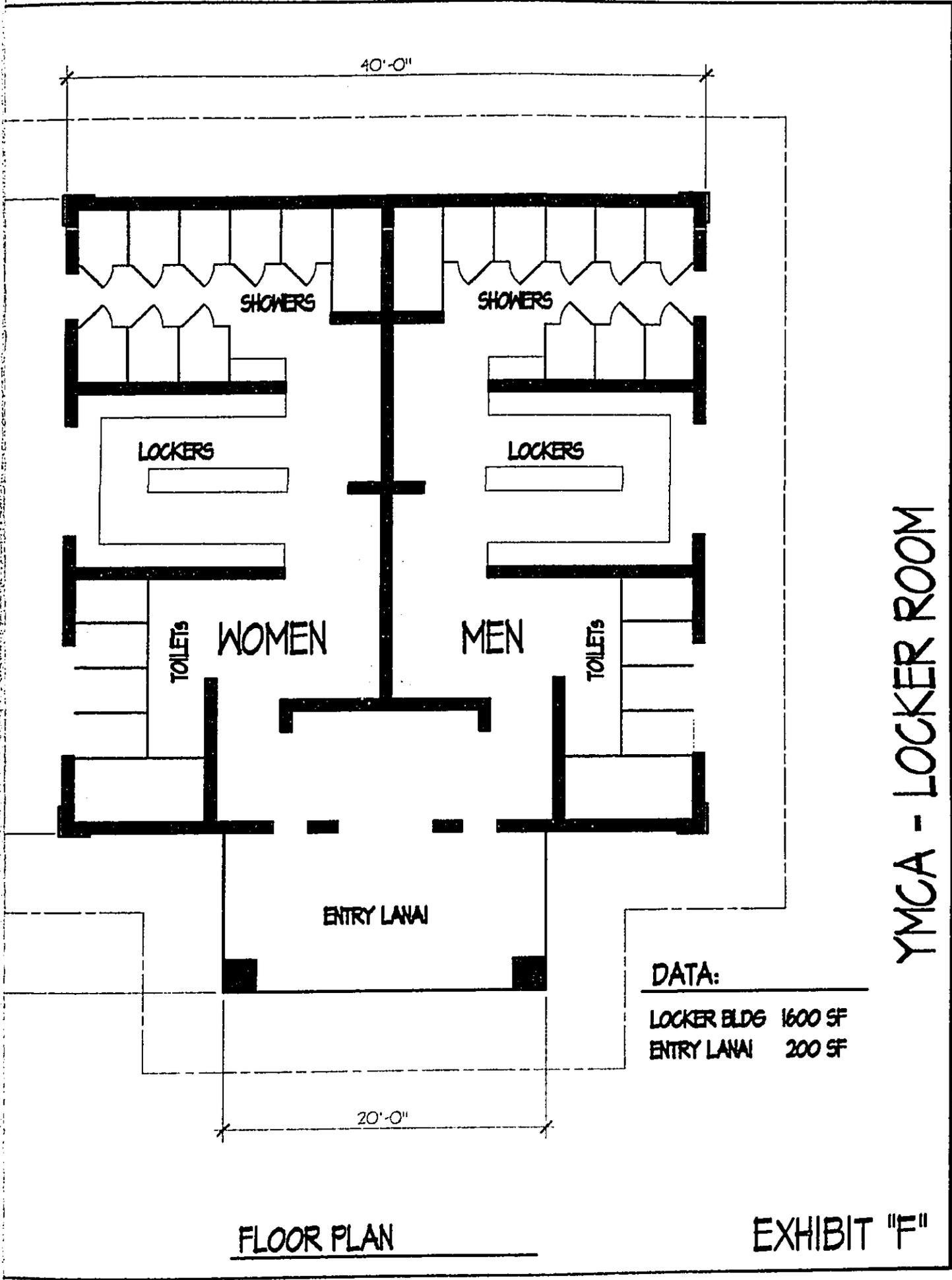
DATA:

WELLNESS AREA	1600 SF
ENTRY LANAI	200 SF

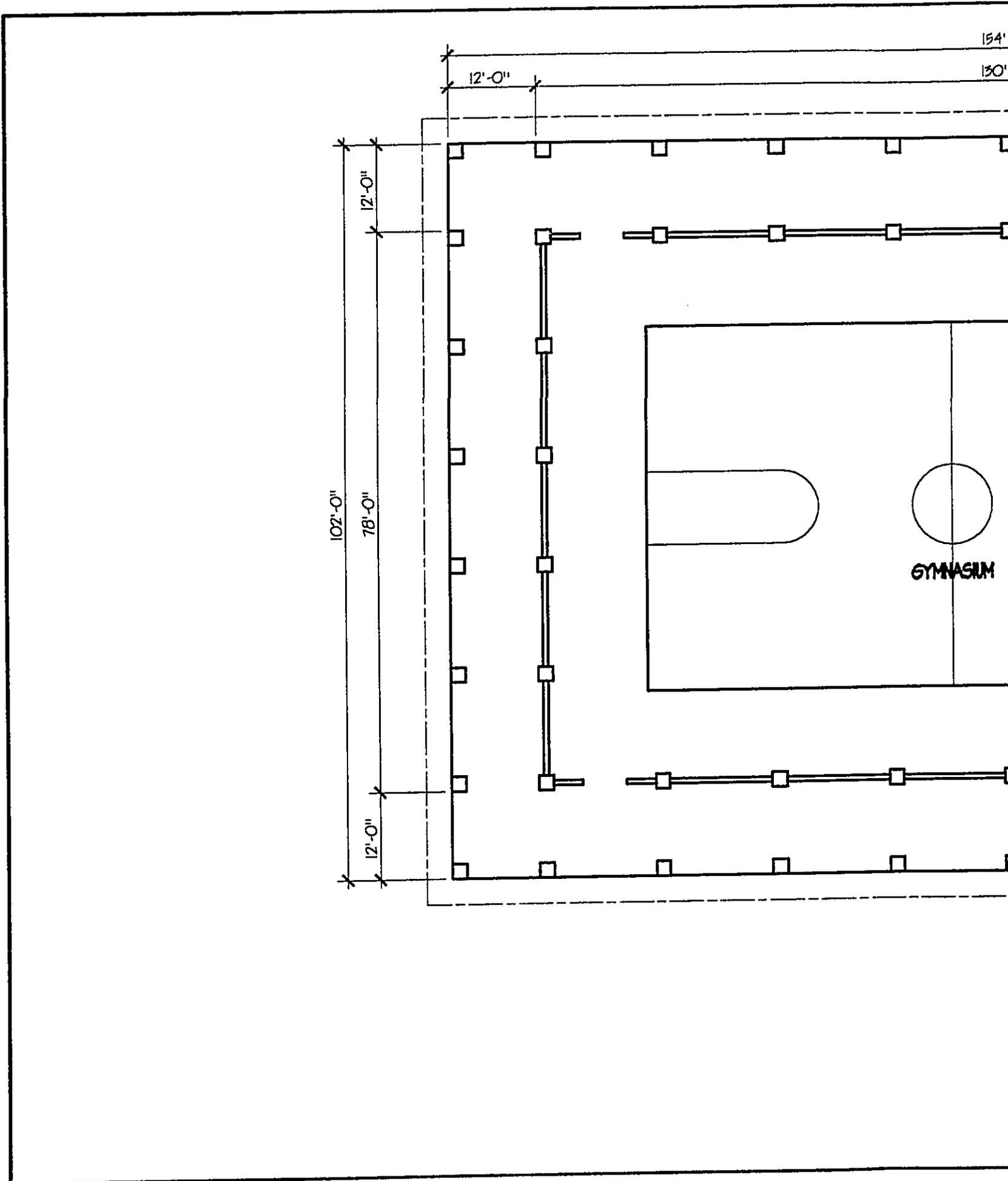
FLOOR PLAN

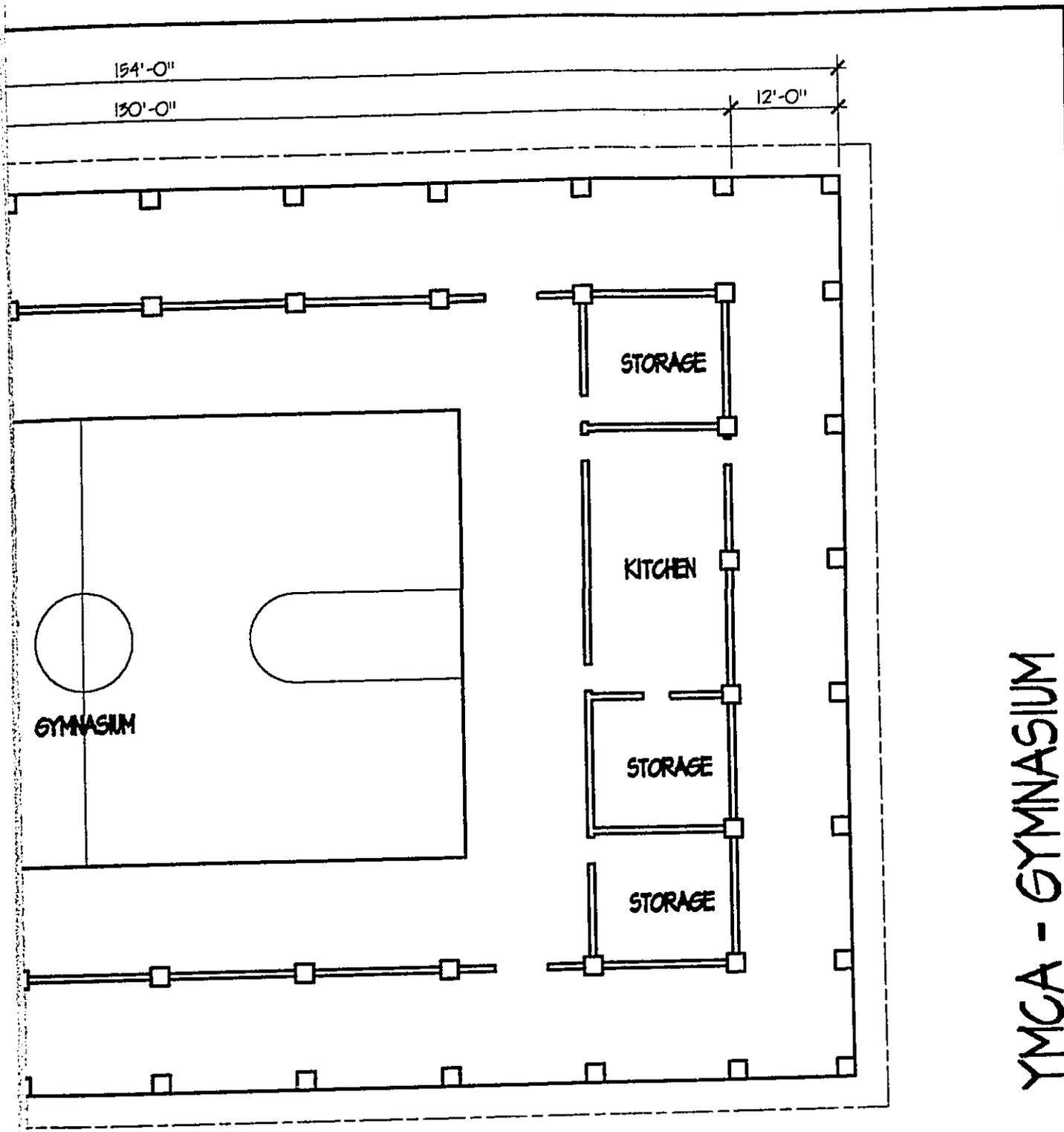
EXHIBIT "E"





YMCA - LOCKER ROOM





YMCA - GYMNASIUM

DATA:

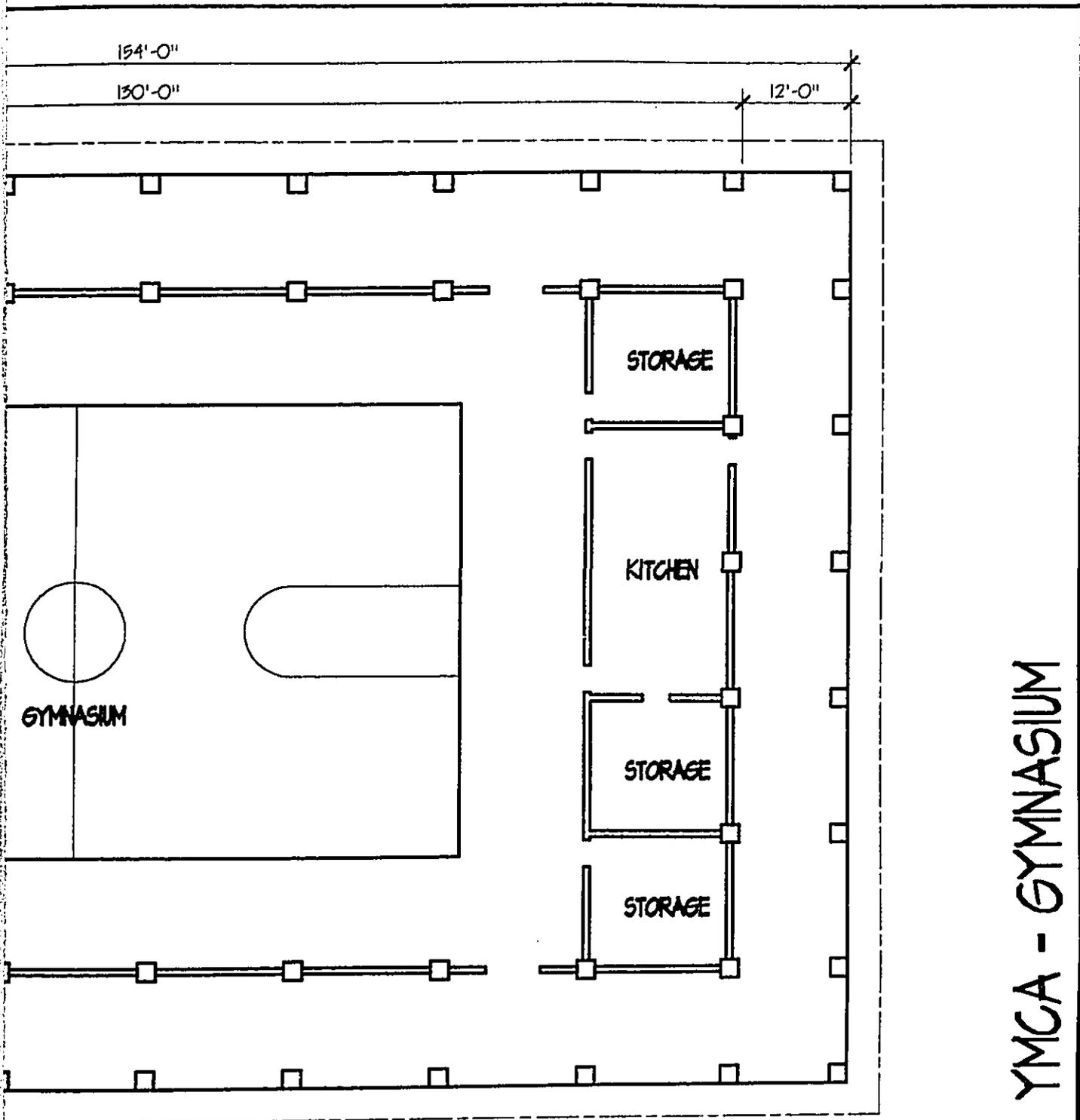
GYM	10,140 SF
LAVAI	5,568 SF

FLOOR PLAN

EXHIBIT "G"

CORRECTION

THE PRECEDING DOCUMENT(S) HAS
BEEN REPHOTOGRAPHED TO ASSURE
LEGIBILITY
SEE FRAME(S)
IMMEDIATELY FOLLOWING



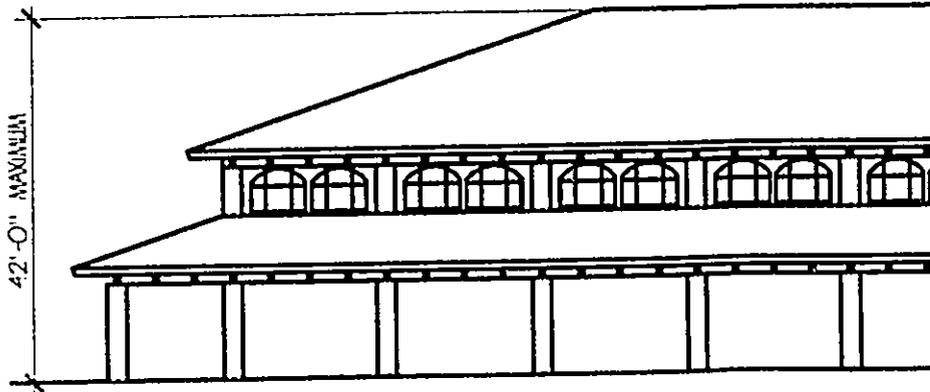
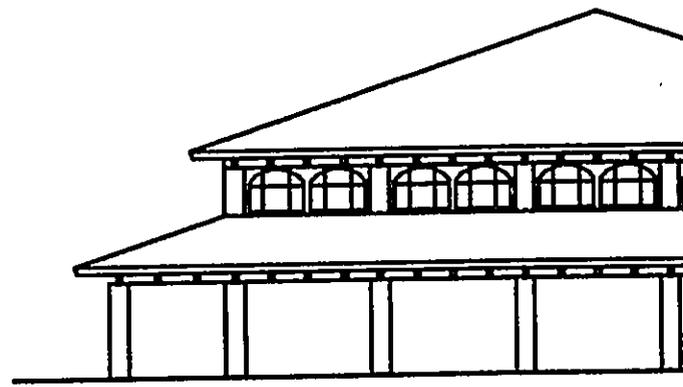
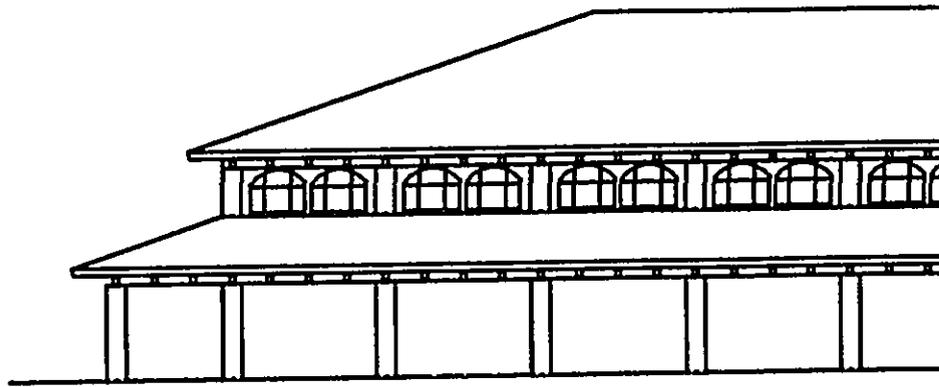
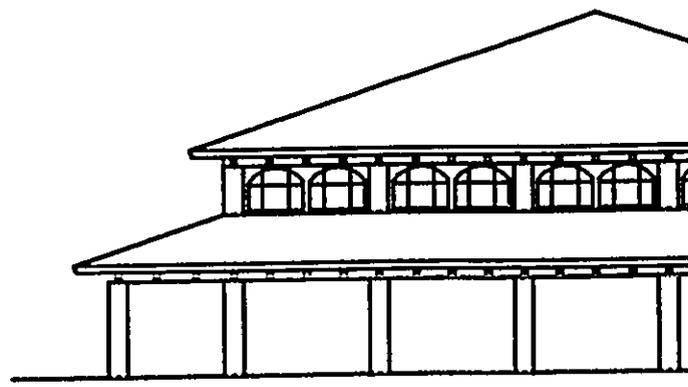
YMCA - GYMNASIUM

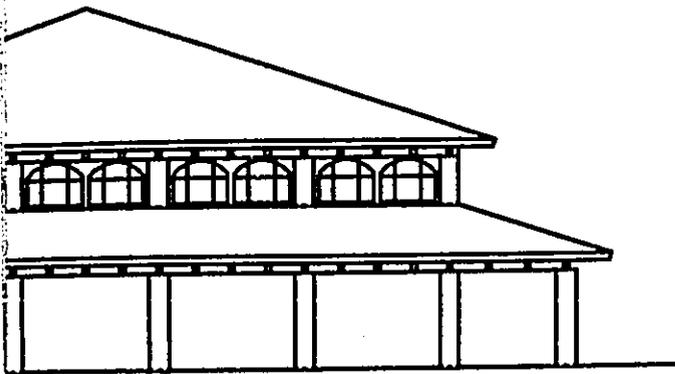
DATA:

GYM	10,440 SF
LAVA	5,568 SF

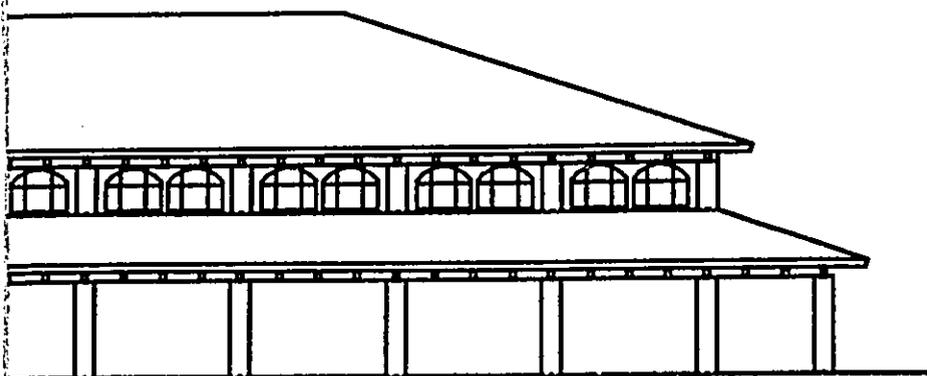
FLOOR PLAN

EXHIBIT "G"

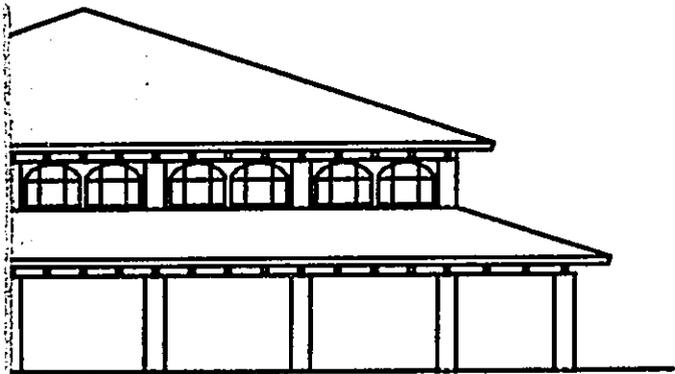




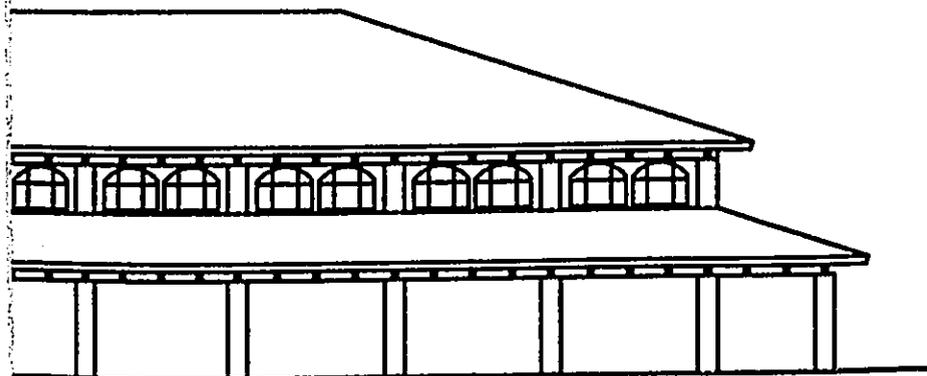
EAST ELEVATION



SOUTH ELEVATION



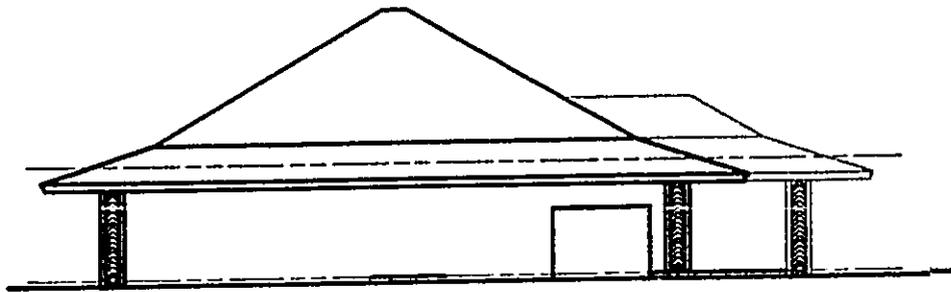
WEST ELEVATION



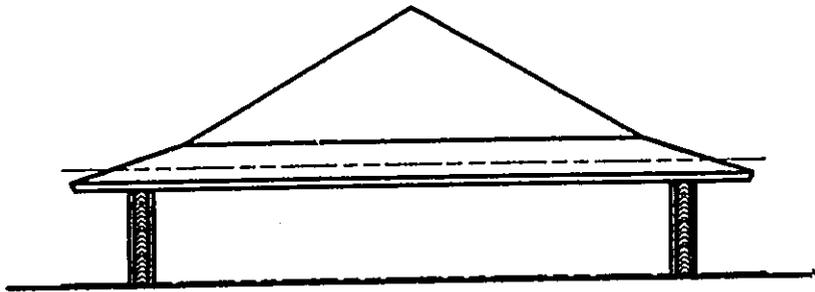
NORTH ELEVATION

YMCA - GYMNASIUM

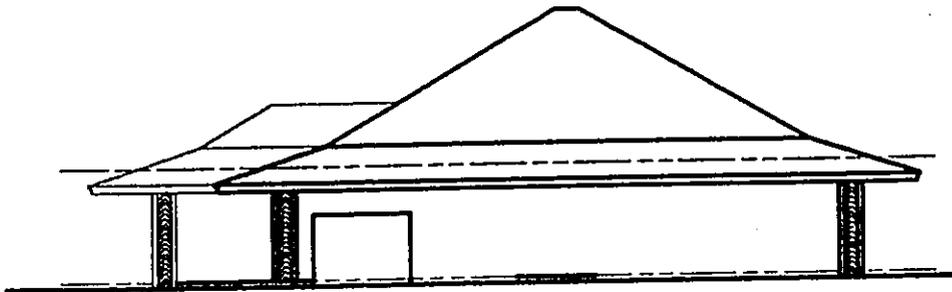
EXHIBIT "H"



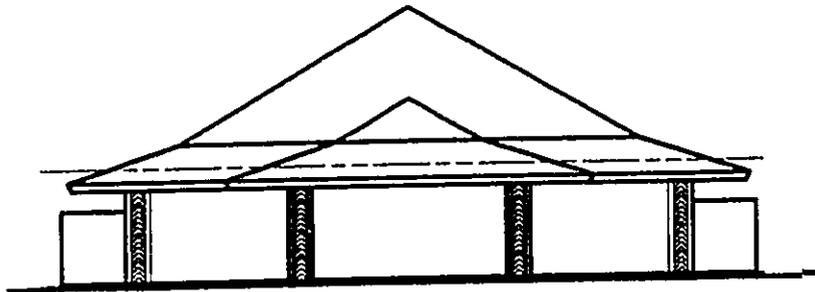
NORTH ELEVATION



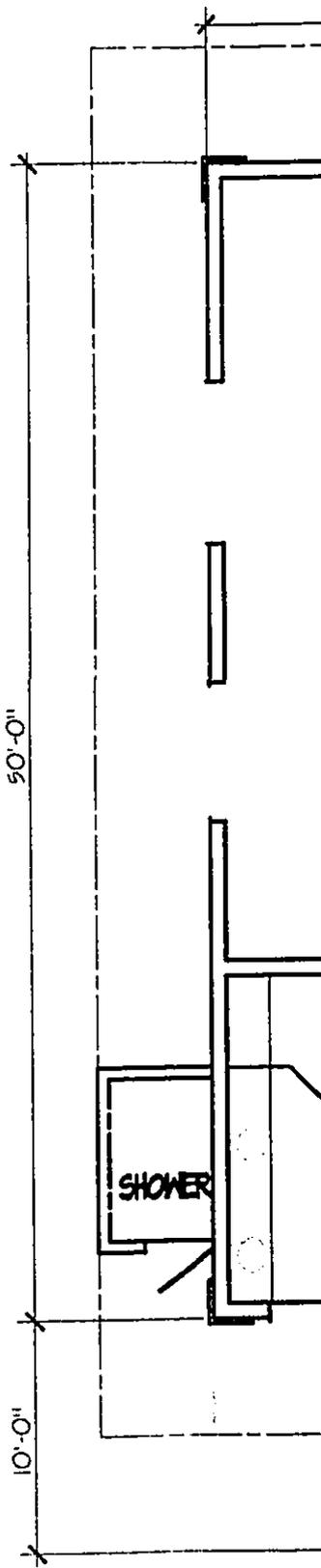
EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION



46'-0"

MULTI-PURPOSE BUILDING

OFFICE

MEN

WOMEN

SHOWER

LANAI

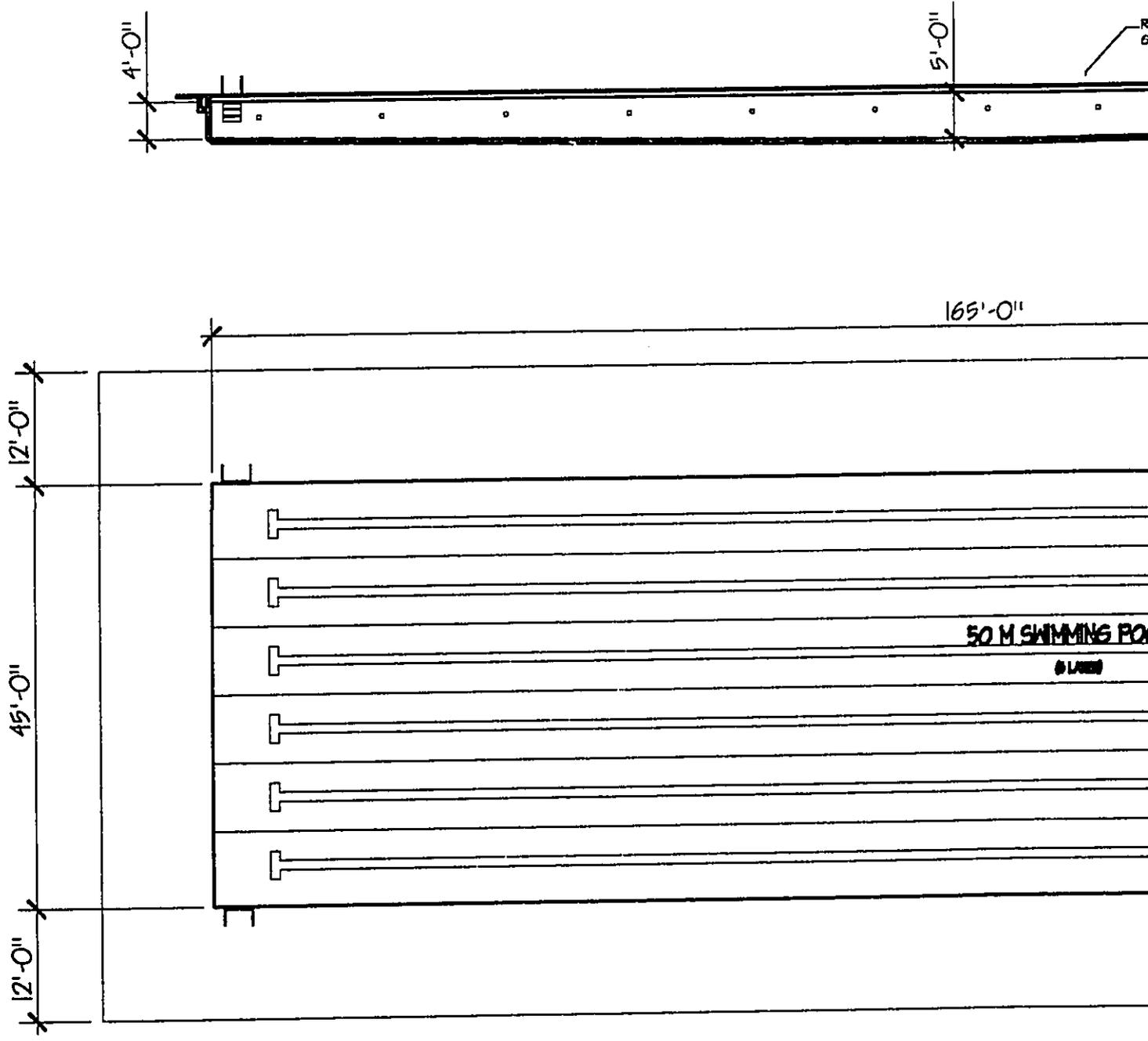
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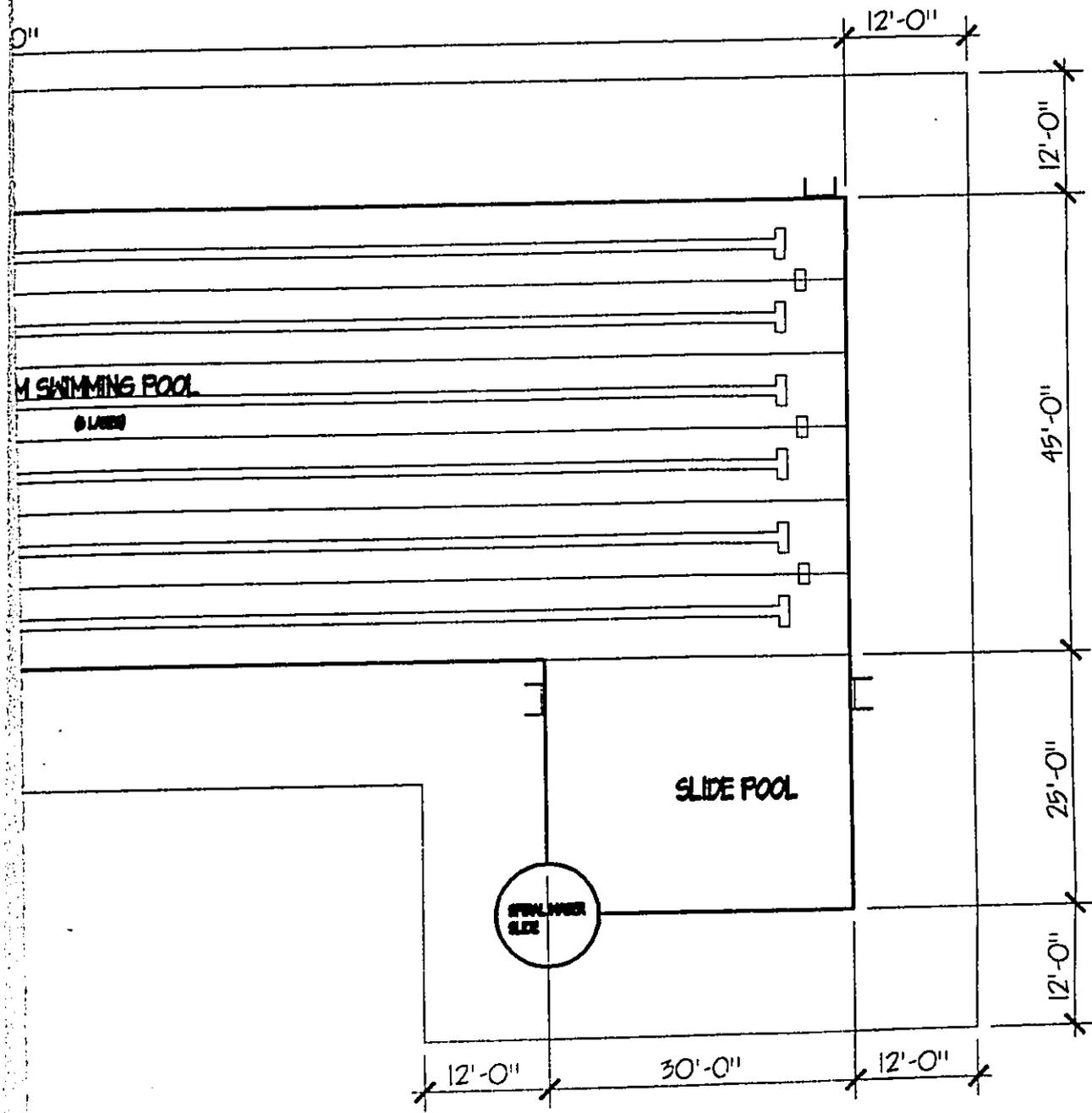
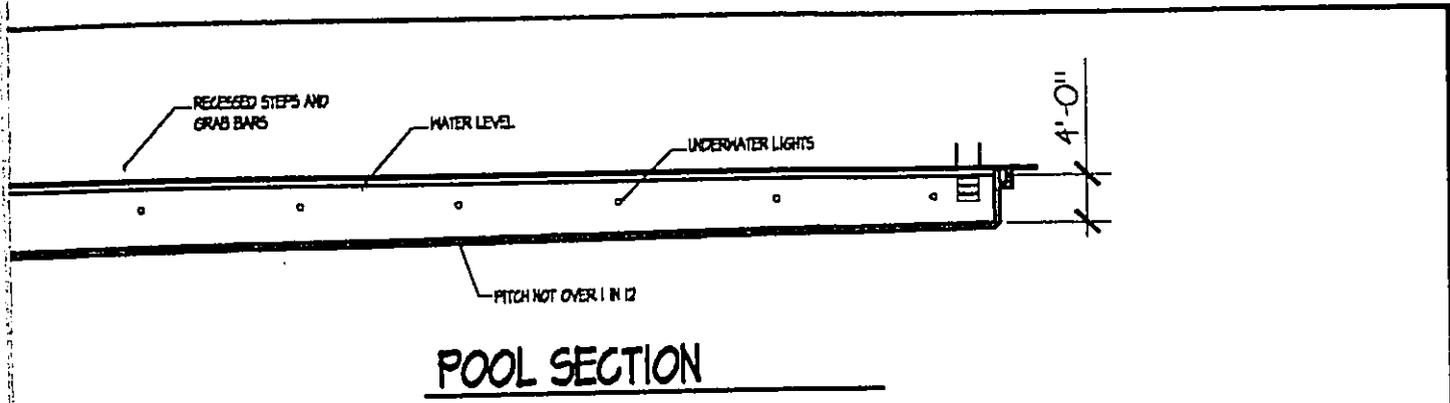
BUILDING	2300 SF
ENTRY LANAI	312 SF

YMCA - MULTI-PURPOSE BLDG

FLOOR PLAN

EXHIBIT "J"

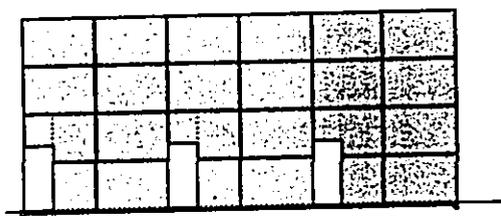




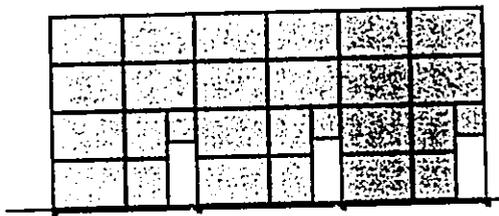
POOL PLAN

YMCA - POOL

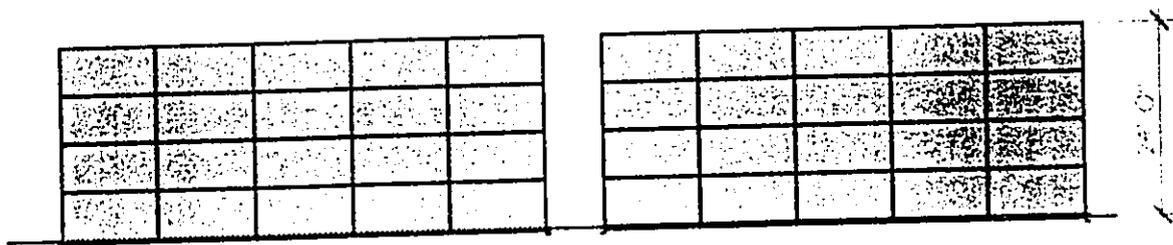
EXHIBIT "K"



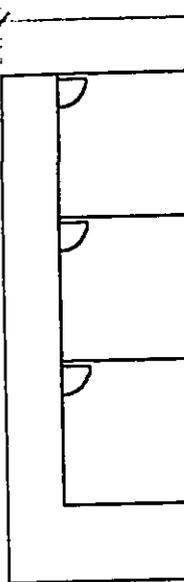
EAST ELEVATION

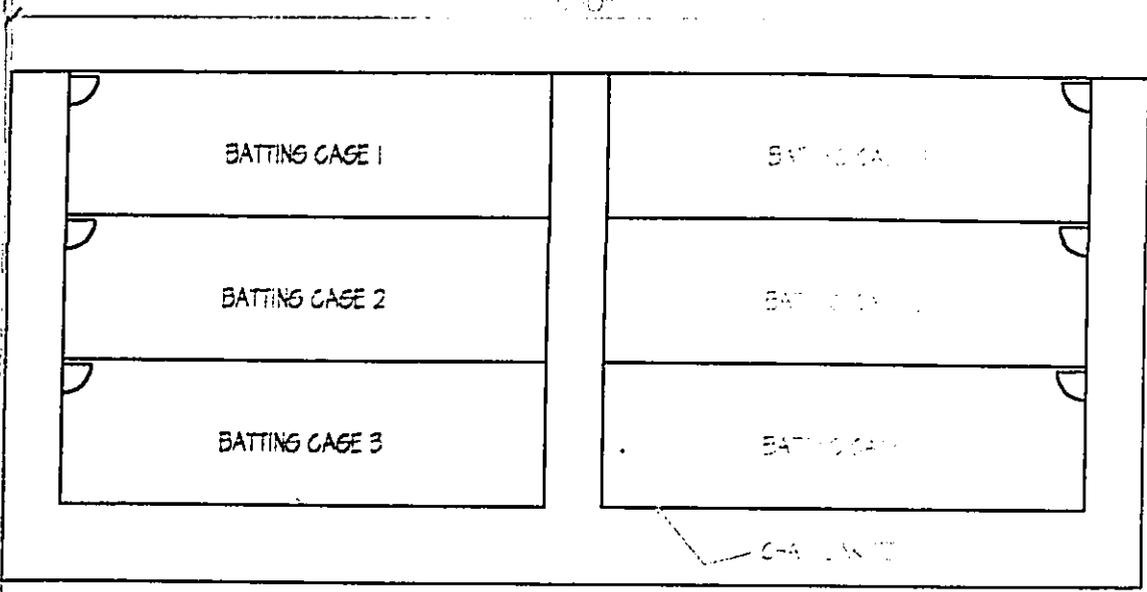


WEST ELEVATION



NORTH ELEVATION
SOUTH SIMILAR





PLAN

YMCA - BATTING CAGES

EXHIBIT "L"

EXHIBIT "M"

16 PAGES

OFFICE OF THE
ASSISTANT REGISTRAR, LAND COURT
STATE OF HAWAII
(Bureau of Conveyances)

The original of this document was
recorded as follows:

DOCUMENT NO. 2673849
DATE DEC. 28 2000 TIME 802

PLEASE RETURN BY MAIL TO:

County Clerk, County of Kauai
4396 Rice Street, Suite 206
Lihue, Hawaii 96766-1399

TITLE OF DOCUMENT:

LICENSE

PARTIES TO DOCUMENT:

LESSOR: COUNTY OF KAUAI

LESSEE: YMCA OF KAUAI

PROPERTY DESCRIPTION:

TMK: NO: 4/
PUHI, COUNTY AND ISLAND
OF KAUAI, STATE OF HAWAII

LIBER/PAGE

DOCUMENT NO.:

**TRANSFER CERTIFICATE
OF TITLE NO(S):**

LICENSE

THIS INDENTURE OF LICENSE, made this ____ day of _____, 2000, by and between the COUNTY OF KAUAI, a political subdivision of the State of Hawaii, hereinafter referred to as the "Licensor", and the YMCA OF KAUAI, a non-profit Hawaii corporation, whose business address is 3-2087 Kaumualii Highway, Lihue, Kauai, Hawaii 96766, hereinafter referred to as the "Licensee";

W I T N E S S E T H:

That, the Licensor for and in consideration of the rent to be paid and of the terms, covenants and conditions contained herein, all on the part of the Licensee to be kept, observed and performed, does hereby demise and license unto the Licensee, and the Licensee does hereby demise and license from the Licensor all of the property described in Exhibit "A", attached hereto and incorporated herein by reference, said property situated at Puhi, Kauai, Hawaii.

TO HAVE AND TO HOLD the premises unto the Licensee for the term of fifty (50) years, commencing on the ____ day of _____, 2000, up to and including the ____ day of _____, unless sooner terminated as hereinafter provided, the Licensor reserving and the Licensee yielding and paying to the Licensor a net annual rental of ONE AND NO/100 DOLLAR (\$1.00) payable in advance, the receipt of which is hereby acknowledged for the entire term of this License. Said License, in its entirety and as the same may be extended as hereinafter provided, being subject in all

regards to the following:

1. Licensee shall use and maintain the premises for the construction and maintenance of a non-profit YMCA facility, generally open to the public in accordance to the stated goals and practices of the YMCA of America. Said facility and such ancillary improvements as may be constructed shall encompass no more than four (4) acres of the subject parcel.
2. Within six years from the date of execution of this License, Licensee shall have commenced substantial improvements to the subject property in the nature of a primary YMCA facility of no less than 1,500 square feet under roof.
3. Licensee shall not discriminate either in the hiring of staff, use of volunteers, or delivery of client services on the basis of sex, sexual orientation, national origin, age, race, color, religion or handicap;
4. Licensee shall prepay rent in lawful currency of the United States at the time of execution of this License;
5. Licensee shall pay when due all taxes and other governmental charges and assessments with respect to the premises;
6. Licensee shall pay when due all rates, charges and other costs for telephone, services, and utilities, maintain the water and sewer lines on the premises at its own expense.
7. Licensee shall not commit or suffer any waste or any unlawful, improper or offensive use of the premises.
8. Licensee shall during the term of this License keep the premises in a clean and sanitary condition and observe and perform

all laws, ordinances, rules and regulations of governmental authority applicable to the premises.

9. Licensee shall not assign or mortgage this License or any interest hereunder, nor sublet the premises, in whole or in part, without prior written consent of the County, which consent shall be at the sole discretion of the County.

10. Licensee at its own expense, shall maintain and keep the buildings on the premises during the term of this License in good repair, reasonable use and wear and damage by fire excepted, provided, that in the event of damage to or destruction of any improvements placed upon the premises by Licensee, it shall either repair or reconstruct the same or restore the land to the condition prevailing before such construction at its sole expense.

11. Licensee shall carry and maintain at its expense (a) workers' compensation insurance affording statutory limits, as amended from time-to-time by State statute, and employer's liability coverage with limits of not less than \$1,000,000.00 or such amount as may be required from time-to-time by the Licensor; (b) comprehensive general liability insurance, including automobile accident liability, contingent liability, and contractual liability, covering all activities conducted on Licensor's property. The limits of liability shall be not less than \$1,000,000.00 or such amount as may be required from time-to-time by the Licensor, combined single limits, bodily injury, personal injury and property damage. If the policy is written on a "claims made" form, it shall provide for an extended reporting period of

not less than three (3) years. Licensor may, at its sole discretion, and after reasonable notice to Licensee, require that Licensee increase the limits of liability and damage coverage herein. All policies shall be written by companies authorized to do business in the State of Hawaii.

12. Licensee shall name the County of Kauai, its officers, employees, and agents, as additional insureds on each policy or policies (except for workers' compensation policy) of liability insurance procured on Licensee's behalf. All policies shall provide for not less than thirty (30) days prior written notice by Insurer and by Licensee, to Licensor, of material changes in coverage, of cancellation, or of nonrenewal. Prior to the cancellation of coverage, Licensor shall be given the opportunity by the insurer to cure any defect or default by Licensee resulting in the insurer's intent to cancel coverage. Coverages obtained by the Licensee shall be primary and not excess or contributory to any similar coverage carried by Licensor or any other additional insured. The Licensee shall, prior to the commencement of the lease, furnish certificates of insurance to Licensor evidencing the above insurance coverage.

Licensee shall at all times, with respect to the property, exercise due care for public and private safety and hereby agrees to indemnify, defend and save harmless Licensor, its officers, employees and agents, from and against all loss, damage, cost and expense, including but not limited to attorney's fees and court costs, liability, demands, or causes of action resulting from

nuisance, injury, harm, or death to persons or damage to property (including without limitation, the Licensee's employees or property) arising out of or in any way connected with the Licensee's presence on Licensor's property or with the Licensee's activities and operations.

13. Licensee shall allow the County and its agents to enter the premises at all reasonable times for inspection.

14. Licensee shall pay to the County upon demand all costs and expenses, including reasonable attorney's fees incurred by the County in enforcing any of Licensee's covenants contained in this License in remedying any breach thereof, in recovering possession of the premises or any part of it, in collecting any delinquent rent, taxes or other charges hereunder payable to Licensee, or in connection with any litigation (other than condemnation proceedings threatened or commenced by or against Licensee to which the County without fault is made a party).

15. Licensee shall at the end of the said term, or any sooner termination of this Licensor, peaceably surrender the possession of the premises to the County; provided, however that Licensee may, and if so required by the County shall, within ONE HUNDRED EIGHTY (180) days after such termination, remove all improvements built or placed thereon by it, and restore the premises to its original condition; provided, further, that if, for any reason, Licensee does not so remove some or all of its property which the County has not required to be removed, than all such property not so removed, without further act or deed, shall become the sole property of the

County together with all easements, rights-of-way and other rights then owned or held by Licensee for ingress, egress, maintenance, use, support and enjoyment.

16. If at any time during the term of this License, the premises or any parts of it should be condemned, then this License shall terminate as to that portion which is so condemned and the award for such taking shall belong to the Licensor, except the Licensee shall be entitled to whatever portion of the award is attributable to the appraised value of improvements installed on the premises by the Licensee. Licensee may appear and defend its interest in any condemnation proceedings and make claim in its own name to the condemning authority for any value attributable to its licensed interest and for the value of any real and personal property of any kind belonging to Licensee and for the cost of moving the same and relocating to a new premises, and any such award made directly to the Licensee shall belong in its entirety to Licensee.

17. Acceptance of the annual license rent or the failure of the Licensor to take immediate action to cure any default, upon receiving notice of the same, shall not constitute a waiver of such default.

18. If the Licensee fails to observe or perform any covenant or conditions set-forth herein, and if any such default continues for THIRTY (30) days following written notice from the Licensor, the County may re-enter upon and take possession of the premises including all improvements and at its option may cancel this

License and expel Licensee without prejudice to any remedy or right of action which the County may have for arrears of rent or any other breach of covenant or condition of this License.

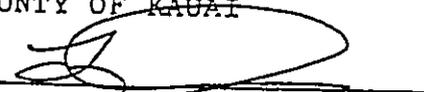
19. In the event Licensee should sublicense any portion of the premises to a "for profit" entity or for an amount in excess of the average monthly operating cost of the rented area, as calculated on a square foot basis, then the Licensor shall be entitled to receive Twenty (20%) Percent of such rents.

20. In the event that Licensor seeks to subdivide the parcel upon which Licensee's facility is situated, at no cost to Licensee, Licensee hereby agrees not to impede such process and to assist Licensor in its endeavor, and Licensor hereby agrees that Licensee shall be entitled to continue to utilize the same area (3.642 acres) as is set forth herein; provided however the terms shall be then incorporated in the form of a Lease.

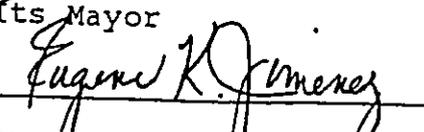
21. After the term of this License, the parties agree that the Licensor and the Licensee shall attempt to renegotiate an extension of this License for such terms as may be mutually acceptable to the parties.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed the day and year first above written.

LICENSOR:
COUNTY OF KAUAI

By 

for Its Mayor

By 

for Its Director of Finance

By P. A. Ne
Its County Clerk

LICENSEE:
YMCA OF KAUAI

By Patrick J. Childs
Its President

APPROVED:

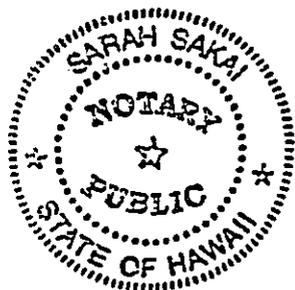
for By [Signature]
Its County Engineer

APPROVED AS TO FORM AND LEGALITY:

By [Signature]
HARTWELL H.K. BLAKE, ESQ.
Its County Attorney

STATE OF Hawaii)
COUNTY OF Kauai) ss.

On this 30th day of November, 2000, before me appeared Patrick J. Childs by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and executed such instrument in such capacity.



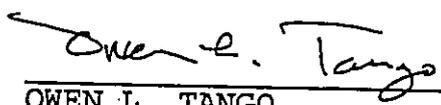
[Signature] SARAH SAKAI
NOTARY PUBLIC
STATE OF HAWAII

NOTARY PUBLIC, in and for the
above-named State and County

My commission expires: SEP 17 2002

STATE OF HAWAII)
) ss.
COUNTY OF KAUAI)

On this 17th day of November, 2000, before me appeared WALLACE G. REZENTES, SR., to me personally known, who, being by me duly sworn, did say that he is the Administrative Assistant of the County of Kauai; and that said instrument was signed on behalf of said County of Kauai by authority of its Charter; and said WALLACE G. REZENTES, SR. acknowledged said instrument to be the free act and deed of said County of Kauai.



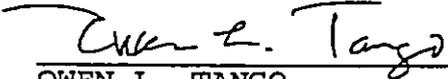
OWEN L. TANGO
Notary Public, State of Hawaii

LS

My commission expires: 6/21/04.

STATE OF HAWAII)
) ss.
COUNTY OF KAUAI)

On this 17th day of November, 2000, before me appeared EUGENE K. JIMENEZ, to me personally known, who, being by me duly sworn, did say that he is the Deputy Director of Finance, a political subdivision of the State of Hawaii; that the seal affixed to the foregoing instrument is the seal of said COUNTY OF KAUAI by authority of its Charter; and said EUGENE K. JIMENEZ acknowledged said instrument to be the free act and deed of said COUNTY OF KAUAI.



OWEN L. TANGO

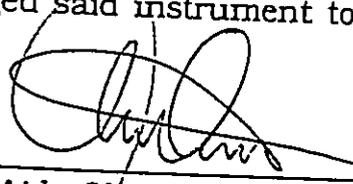
Notary Public, State of Hawaii

My commission expires: 6/21/04.

LS.

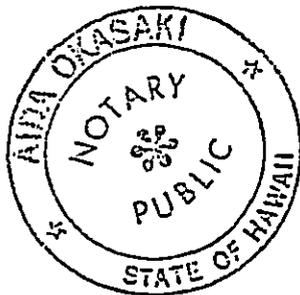
STATE OF HAWAII)
) ss.
COUNTY OF KAUAI)

On this 12th day of December, 2000, before me appeared **PETER A. NAKAMURA**, to me personally known, who, being by me duly sworn, did say that he is the County Clerk of the COUNTY OF KAUAI, a political subdivision of the State of Hawaii; that the seal affixed to the foregoing instrument is the seal of said COUNTY OF KAUAI, and that said instrument was signed and sealed on behalf of said COUNTY OF KAUAI by authority of its Charter, and said **PETER A. NAKAMURA** acknowledged said instrument to be the free act and deed of said COUNTY OF KAUAI.



Aida Okasaki
Notary Public, State of Hawaii

My commission expires: July 3, 2003



YMCA PARCEL

LAND SITUATED AT LIHUE, PUNA, KAUAI, HAWAII

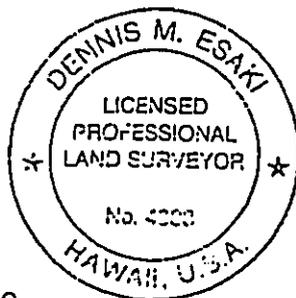
Being a Portion of Lot 1540,
Land Court Application 1087 as shown on Map 141

Beginning at the east corner of this parcel of land, on the west side of Nuhou Street (Lot 1542), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KILOHANA" being 9,415.48 feet South and 14,750.78 feet East, thence running by azimuths measured clockwise from true South:

1.	71° 03'	250.00	feet along Lot 1539;
2.	161° 03'	95.86	feet along the remainder of Lot 1540;
3.	71° 03'	237.00	feet along the remainder of Lot 1540;
4.	161° 03'	277.61	feet along the remainder of Lot 1540;
5.	251° 03'	437.00	feet along Kaumualii Highway Road Widening Lot 1541;
			thence along Nuhou Street (Lot 1542) on a curve to the right with a radius of 50.00 feet, the chord azimuth and distance being:
6.	296° 03'	70.71	feet;

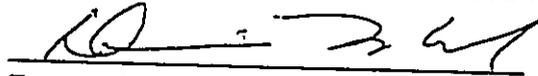
7. 341° 03' 323.47 feet along Nuhou Street (Lot 1542) to the point of beginning and containing an area of 3.642 acres.

SUBJECT HOWEVER, to Easement 486 for sewer purposes.



Lihue, Hawaii
November 2000

DESCRIPTION PREPARED BY:
ESAKI SURVEYING AND MAPPING INC.


Dennis M. Esaki
Licensed Professional Land Surveyor
Certificate Number 4383

KAUMUALII HIGHWAY

LOT 1541

251'03"

437.00

2688.24

437.00

277.61

LOT

1540

YMCA PARCEL
3.642 acres

LCT 1542

161'03"

EASEMENT 486

71'03"

237.00

95.86

161'03"

573.58

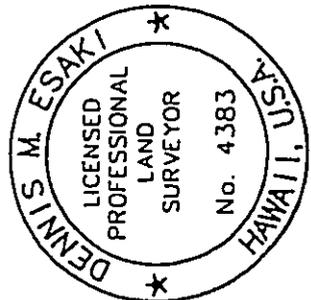
71'03"

250.00

823.56

LOT 1539

9,415.48 S
14,750.78 E
"KILOHANA" Δ



THIS WORK WAS PREPARED BY ME
OR UNDER MY SUPERVISION

[Handwritten Signature]
Signature

ESAKI SURVEYING & MAPPING, INC.

MAP SHOWING
YMCA PARCEL
Being a Portion of Lot 1540
Land Court Application 1087
as shown on Map 141
Lihue, Puna, Kauai, Hawaii
Date: November 13, 2000

EXHIBIT 'A'

Scale: 1 in = 100 ft
TRUE NORTH

YMCA PARCEL

LAND SITUATED AT LIHUE, PUNA, KAUAI, HAWAII

Being a Portion of Lot 1540
Land Court Application 1087 as shown on Map 141

Beginning at the east corner of this parcel of land, on the west side of Nuhou Street (Lot 1542), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KILOHANA" being 9,415.48 feet South and 14,750.78 feet East, thence running by azimuths measured clockwise from true South:

- | | | | |
|----|----------|--------|---|
| 1. | 71° 03' | 250.00 | feet along Lot 1539; |
| 2. | 161° 03' | 95.86 | feet along the remainder of Lot 1540; |
| 3. | 71° 03' | 237.00 | feet along the remainder of Lot 1540; |
| 4. | 161° 03' | 277.61 | feet along the remainder of Lot 1540; |
| 5. | 251° 03' | 437.00 | feet along Kaumualii Highway Road Widening Lot 1541; |
| | | | thence along Nuhou Street (Lot 1542) on a curve to the right with a radius of 50.00 feet, the chord azimuth and distance being: |
| 6. | 296° 03' | 70.71 | feet; |
| 7. | 341° 03' | 323.47 | feet along Nuhou Street (Lot 1542) to the point of beginning and containing an area of 3.642 acres. |

SUBJECT HOWEVER, to Easement 486 for sewer purposes.

LINDA LINCLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING, ROOM 555
601 KAMOKILA BOULEVARD
KAPOLEI, HAWAII 95707

PETER T. YOUNG
CHAIRMAN
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

DAN DAVIDSON
DEPUTY DIRECTOR - LAND

ERNEST Y.W. LAU
DEPUTY DIRECTOR - WATER

ATMOSPHERIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND RESOURCE ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

HAWAII HISTORIC PRESERVATION
DIVISION REVIEW

Log #: 2003.0664
Doc #: 0305NM34.doc

Applicant/Agency: Ron Agor, Architect/YMCA

Address: Agor Architecture, 4374 Kukui Grove Dr, Suite 204, Lihue, HI 96766
Fax: 246-1091

SUBJECT: Historic Preservation Review - DERR for YMCA of Kauai Facilities

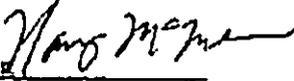
Ahupua'a: Nawiliwili
District, Island: Lihue, Kauai
TMK: (4) 3-3-03: 43 per lot 1540

1. We believe there are no historic properties present, because:

- a) intensive cultivation has altered the land
- b) residential development/urbanization has altered the land
- c) previous grubbing/grading has altered the land
- d) an acceptable archaeological assessment or inventory survey found no historic properties
- e) other:

2. This project has already gone through the historic preservation review process, and mitigation has been completed .

Thus, we believe that "no historic properties will be affected" by this undertaking

Staff Nancy McMahon  Date: 5/28/03

Title: Archaeologist for Kaua'i

EXHIBIT "N-1"

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME L. FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

May 19, 2003

03-581 CAB

Mr. Ron Agor, Architect
Agor Architecture
4374 Kukui Grove Drive, Suite 204
Lihue, Hawaii 96766

Dear Mr. Agor:

SUBJECT: Draft Environmental Review Record for YMCA of Kauai Facilities

This letter is to transmit the following comments on the subject document:

Control of Fugitive Dust:

There is a significant potential for fugitive dust emissions during all phases of construction. Proposed construction activities will occur in proximity to existing residences, public areas and major thoroughfares, thereby exacerbating potential dust problems. It is recommended that a dust control management plan be developed which identifies and addresses all activities that have a potential to generate fugitive dust. Implementation of adequate dust control measures during all phases of development and construction activities is warranted.

Construction activities must comply with the provisions of Hawaii Administrative Rules, §11-60.1-33 on Fugitive Dust.

The contractor should provide adequate measures to control dust from the road areas and during the various phases of construction. These measures include, but are not limited to, the following:

- a) Plan the different phases of construction, focusing on minimizing the amount of dust-generating materials and activities, centralizing on-site vehicular traffic routes, and locating potential dust-generating equipment in areas of the least impact;

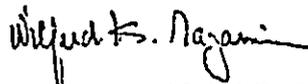
EXHIBIT "N-2"

Mr. Ron Agor
May 19, 2003
Page 2

- b) Provide an adequate water source at the site prior to start-up of construction activities;
- c) Landscape and provide rapid covering of bare areas, including slopes, starting from the initial grading phase;
- d) Minimize dust from shoulders and access roads;
- e) Provide adequate dust control measures during weekends, after hours, and prior to daily start-up of construction activities; and
- f) Control dust from debris being hauled away from the project site.

If you have any questions, please contact Mr. Barry Ching of my staff at (808) 586-4200.

Sincerely,



WILFRED K. NAGAMINE
Manager, Clean Air Branch

BC:jhm

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME L. FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
EMD / CWB

05068PKP.03

May 27, 2003

Mr. Ron Agor
Architect
Agor Architecture
4374 Kukui Grove Drive, Suite 204
Lihue, Hawaii 96766

Dear Mr. Agor:

**Subject: Draft Environmental Review Record
YMCA of Kauai Facilities Project
Lihue, Kauai, Hawaii**

The Department of Health, Clean Water Branch (CWB) has reviewed the subject document and offers the following comments:

1. The Army Corps of Engineers should be contacted at (808) 438-9258 to identify whether a Federal license or permit (including a Department of Army permit) is required for this project. Pursuant to Section 401(a)(1) of the Federal Water Pollution Act (commonly known as the "Clean Water Act"), a Section 401 Water Quality Certification is required for "[a]ny applicant for Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters...."
2. A National Pollutant Discharge Elimination System (NPDES) general permit coverage is required for the following activities:
 - a. Storm water associated with industrial activities, as defined in Title 40, Code of Federal Regulations, Sections 122.26(b)(14)(i) through 122.26(b)(14)(ix) and 122.26(b)(14)(xi).
 - b. Construction activities, including clearing, grading, and excavation, that result in the disturbance of equal to or greater than one (1) acre of total land area. The total land area includes a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under a larger common plan of development or sale. An NPDES permit is required before the commencement of the construction activities.
 - c. Discharge of treated effluent from leaking underground storage tank remedial activities.

EXHIBIT "N-3"

Mr. Ron Agor
May 27, 2003
Page 2

- d. Discharge of once through cooling water less than one (1) million gallons per day;
- e. Discharge of hydrotesting water.
- f. Discharge of construction dewatering effluent.
- g. Discharge of treated effluent from petroleum bulk stations and terminals.
- h. Discharge of treated effluent from well drilling activities.
- i. Discharges of treated effluent from recycled water distribution systems.
- j. Discharges of storm water from a small municipal separate storm sewer system.
- k. Discharge of circulation water from decorative ponds or tanks.

The CWB requires that a Notice of Intent (NOI) to be covered by a NPDES general permit for any of the above activities be submitted at least 30 days before the commencement of the respective activities. The NOI forms may be picked up at our office or downloaded from our website at <http://www.state.hi.us/doh/eh/cwb/forms/genl-index.html>.

- 3. The applicant may be required to apply for an individual NPDES permit if there is any type of activity in which wastewater is discharged from the project into State waters and/or coverage of the discharge(s) under the NPDES general permit(s) is not permissible (i.e. discharges into Class 1 or Class AA waters). An application for the NPDES permit is to be submitted at least 180 days before the commencement of the respective activities. The NPDES application forms may also be picked up at our office or downloaded from our website at <http://www.state.hi.us/doh/eh/cwb/forms/indiv-index.html>.
- 4. Hawaii Administrative Rules, Section 11-55-38, also requires the owner to either submit a copy of the new NOI or NPDES permit application to the State Department of Land and Natural Resources, State Historic Preservation Division (SHPD) or demonstrate to the satisfaction of the DOH that the project, activity, or site covered by the NOI or application has been or is being reviewed by SHPD. Please submit a copy of the request for review by SHPD or SHPD's determination letter for the project.

If you have any questions, please contact the CWB at (808) 586-4309.

Sincerely,


DENIS R. LAU, P.E., CHIEF
Clean Water Branch

KP:rk

LINDA LINGLE
GOVERNOR OF HAWAII



GENEVIEVE SALMONSON
DIRECTOR

STATE OF HAWAII
OFFICE OF ENVIRONMENTAL QUALITY CONTROL

235 SOUTH BERETANIA STREET
SUITE 702
HONOLULU, HAWAII 96813
TELEPHONE (808) 586-4185
FACSIMILE (808) 586-4186
E-mail: oeqc@health.state.hi.us

August 8, 2003

Gary Mackler
Offices of Community Assistance
Kauai Housing Agency
4193 Hardy Street
Lihue HI 96766

Dear Mr. Mackler:

Subject: Draft environmental assessment (EA) for YMCA of Kauai Facilities

We have the following comments to offer:

Two-sided pages: In order to reduce bulk and save on paper, please consider printing on both sides of the pages in the final document.

Determination: A determination stating that an environmental impact statement will not be required is listed in the draft EA. The State EIS law prohibits a determination of significant impact or lack of significant impact before the end of the 30-day public comment period and prior to receipt, response and analysis of all written comments. For a draft EA the proper determination is anticipated FONSI (Finding of No Significant Impact).

Significance criteria: Your discussion of the project's impacts according to the significance criteria in section VI is not complete. In the final EA include a discussion of the eighth criterion: "(8) Is individually limited but cumulatively has considerable effect upon the environment or involves a commitment for larger actions." In your discussion of (3) analyze this project according to HRS chapter 344 in addition to NEPA.

Cultural impacts assessment:

Act 50 was passed by the Legislature in April of 2000. This mandates an assessment of impacts to current cultural practices by the proposed project. In the final EA include such an assessment.

If the subject area is in a developed urban setting, cultural impacts must still be assessed. Many incorrectly assume that the presence of urban infrastructure effectively precludes

EXHIBIT "N-4"

Gary Mackler
August 8, 2003
Page 2

consideration of current cultural factors. For example, persons are known to gather kauna'oa, 'ilima, 'uhaloa, noni or ki on the grassy slopes and ramps of the H-1 freeway and some state highways on the neighbor islands. Certain landmarks and physical features are used by Hawaiian navigators for sailing, and the lines of sight from landmarks to the coast by fisherman to locate certain fishing spots. Blocking these features by the construction of buildings or tanks may constitute an adverse cultural impact.

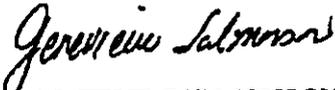
For assistance in the preparation refer to our *Guidelines for Assessing Cultural Impacts*. Go to our homepage at <http://www.state.hi.us/health/oeqc/guidance/index.html> or contact our office for a paper copy. You will also find the text of Act 50 linked to this section of our homepage.

Permits and approvals: List all required permits and approvals for this project and give the status of each.

Traffic: The discussion of impacts to traffic in the draft EA is too brief. In the final EA provide a fuller analysis of traffic impacts and corresponding mitigation measures to reduce negative impacts.

If you have any questions call Nancy Heinrich at 586-4185.

Sincerely,



GENEVIEVE SALMONSON
Director

c: Tom Tannery, YMCA of Kauai
Ron Agor

Bryan J. Baptista
Mayor

Gary K. Hou
Administrative Assistant



OFFICES OF COMMUNITY ASSISTANCE
KAUAI COUNTY HOUSING AGENCY

Bernard P. Carvalho Jr.
Director

Kenneth N. Rainforth
Executive on Housing

October 20, 2003

Ms. Genevieve Salmonson, Director
Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu, Hawaii 96813

Re: Draft Environmental Assessment (EA) for YMCA of Kauai Facilities

Dear Ms. Salmonson:

Reference is made to your letter of August 8, 2003, regarding the Environmental Assessment for YMCA of Kauai Facilities, TMK (4) 3-3-03:43 (Portion of Lot 1540), Lihue, Kauai, Hawaii. We offer the following response to OEQC's comments.

1. Two-sided pages: The final EA will be produced using two-sided pages.
2. Determination: We agree that the determination was misstated in the draft EA prior to the receipt, response and analysis of all written comments. The appropriate determination should have been "anticipated FONSI", as was indicated on the OEQC Bulletin Publication Form submitted to OEQC with the draft.
3. Significance Criteria: In Section VI - Findings and Determinations, we will insert additional discussion into the final EA to assess the eighth criterion: "(8) Is individually limited but cumulatively has considerable effect upon the environment or involves a commitment for larger actions". Moreover, we will insert a more comprehensive discussion to analyze the third criterion under Findings and Determinations, in accordance with HRS chapter 344, in addition to NEPA.
4. Cultural Impacts Assessment: In response to this concern, brief consultations were made with Holbrook Goodale and Randy Wichman, historians on Kauai, and Mike Furukawa of Grove Farm in early October 2003. Additionally, reference documents like "The Archaeology of Puna, Kauai, May 1973" and "Archaeology of Kauai 1931" were reviewed to conduct a cultural assessment of the subject site. A thorough cultural assessment will be provided in the final EA.

OEQC RECEIVED
OCT 30 AM 11:08
OFFICE OF ENVIRONMENTAL QUALITY CONTROL



4183 Hardy Street
Lihue Hawaii 96766

Development Section (808) 241 6444 FAX (808) 241 6415
TDD (808) 241 6808

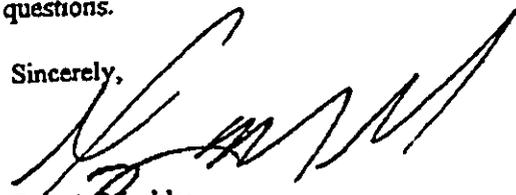
Section 8 (HUD) (808) 241 6440 FAX (808) 241 6458
cck_hcg@aloha.net

October 20, 2003
Genevieve Salmonson
Re: Draft Environmental Assessment for YMCA
Page Two

5. Permits and Approvals: The final EA will include a list of all required permits and approvals for this project and the status of each.
6. Traffic: In response to this concern, a broader discussion concerning the long-term impacts to traffic will be inserted into the final EA.

We will include this response letter, along with OEQC's letter in the final EA. No other comments to the draft EA were received. Please contact me at 241-6867 if you have any questions.

Sincerely,



Gary A. Mackler
Development Coordinator

enclosure

cc: Tom Tannery, YMCA of Kauai
Ron Agor, Agor Architecture