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STATE OF HAWAII
DEPARTMENT OF EDUCATION

P.O. BOX 2360
HONOLULU, HAWAII 96804

Letter No. PMS-543.10

OFFICE OF SCHOOL FACILITIES AND SUPPORT SERVICES

October 7, 2010

TO: Ms. Katherine P. Kealoha, Director
Office of Environmental Quality Control
Department of Health

FROM: Duane Y. Kashiwai, Public Works Administrator
Facilities Development Branch *Tom*

SUBJECT: Final Environmental Assessment for
Kapaa High School Softball Stadium, Kawaihau, Kauai
DOE Job No. Q41001-07

The State of Hawaii, Department of Education (DOE), has reviewed the comments received during the 30-day public comment period which began on August 8, 2010. The DOE has determined that this project will not have significant environmental effects and has issued a Finding of No Significant Impact determination. Please publish this notice in the next available Office of Environmental Quality Control (OEQC) Environmental Notice.

We have enclosed a completed OEQC Publication Form and one (1) copy of the document in pdf format on a CD; and one (1) hardcopy of the Final Environmental Assessment.

Should you have any questions please contact Robert Purdie of the Facilities Development Branch, Project Management Section at 586-0408. For technical questions, feel free to contact Nadine Nakamura at 808-822-0388 or nknplan@hawaii.rr.com.

DK:RP:lh

Enclosure

Final Environmental Assessment
Submitted Pursuant to Hawai'i Revised Statutes,
Chapter 343

Kapa'a High School
Softball Stadium
Kapa'a, Kaua'i, Hawai'i

Department of Education
Kaua'i School District
DOE Job Number: Q41001-07

Tax Map Key: (4) 4-6-14: 31

Applicant and Accepting Agency:
State of Hawaii
DOE - Facilities Development Branch
PO Box 2360
Honolulu, Hawaii 96804

Prepared by:
NKN Project Planning
October 2010

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1.0 PROJECT DESCRIPTION

1.1 Location

The Kapa'a High School is located in the district of Kawaihau on the island of Kaua'i. The property is bounded to the north by Mailihuna Road, to the east by state-owned lands, to the south by Kapa'a Elementary School, and to the west is Kawaihau Road.

The High School site is located on Tax Map Key (4) 4-6-14:31, a 52.166 acre parcel of land. The proposed project encompasses approximately 2.4 acres. A Project Location and Parcel map are found in **Exhibits 1 & 2**. The site is in close proximity to Kuhio Highway and nearby Kealia Beach.

1.2 Proposed Action

The State of Hawai'i, Department of Education is proposing to construct a new softball stadium on the Kapa'a High School campus. The project is a Title IX gender equity project and the stadium is also the site for future champion games of the Kaua'i Interscholastic Federation. The complex will adhere to gender equity such that the softball field will be equal to or greater than the boy's baseball facility in terms of overall amenities and quality, and will meet current State, Federal and the National Federation of State High School Associations design criteria.

The facility is being constructed to comply with the Department of Justice requirements for equality in boys and girls sport practice, play-off, and tournament facilities. The proposed stadium complex will be located in an existing grassed field area that is used for field sport practices and is east of Building M, which is the location of the Boy's locker room. There will be an accessible walkway that will connect the proposed concrete slab walkway area around the proposed facility to the existing Building M walkway. The work also involves the following.

- A new softball field designed to National Federation of State High School Associations (NFHS) standards
- The entire stadium complex will be in compliance with the Americans with Disabilities (ADA) Guidelines
- A softball field with a skinned¹ infield and newly graded and grassed outfield
- Permanent 212 seating aluminum bleachers, plus four ADA seating areas
- Dugouts for the home and visiting teams
- Electronic scoreboard
- Field lighting poles with public address system
- Combination restroom and concession² stand facility

¹ The skinned infield will consist of a compacted formula of soil mixtures appropriate to this location.

² The concession facility will offer pre-packaged or pre-cooked foods, which may be warmed on-site. Cooking will not be performed at the concession facility.

- Combination announcer’s booth and storage facility
- Fencing surrounding the entire stadium complex to be able to charge admission for state tournament games
- Permanent backstop and outfield fencing improvements
- Sewer pump station installation
- New automated irrigation system

Field lighting and an electronic scoreboard will be installed should the budget allow for it.

The cost of the project is estimated to be \$1.9 million dollars.

1.3 Environmental Review Trigger

Use of State or County lands or funds triggers the environmental review process as defined by Chapter 343, Hawai‘i Revised Statutes (HRS). Therefore, an Environmental Assessment is required.

1.4 Land Use

The State Land Use is *Urban*. The County of Kaua‘i General Plan land use designation is *Residential Community*. State Land Use District and General Plan maps are found in **Exhibits 3** and **4** respectively.

As shown in **Exhibit 5**, the zoning on the subject parcels is *Residential District (R-1)* and *Special Treatment District-Public (ST-P)*. In the Residential District, public services [schools] and facilities are determined to be uses and structures that require a Use Permit. The height limit for structures in the *Residential District* is 40 feet, therefore, a height Variance will be sought from the Kaua‘i Planning Commission as the field lighting poles are 70 feet high.³

The purpose of the Special Treatment District (ST)⁴ is

- (a) To designate and guide development of County areas which because of unique or critical cultural, physical or locational characteristics have particular significance or value to the general public; and*
- (b) To insure that development within those areas recognize, preserve, maintain and contribute to the enhancement of those characteristics which are of particular significance or value to the general public.*

Public Facilities (ST-P) include all public and quasi-public facilities, such as schools, and are used by the general public or which tend to serve as gathering places for the general public. The high school is located within the *Kapa'a-Wailua Planning Area*.

³ In addition to a Use Permit and Variance Permit, a procedural Class IV Zoning Permit is required.

⁴ County of Kaua'i, Comprehensive Zoning Ordinance, Sec. 8-9.1.

1.5 Approximate Costs, Permits, and Project Schedule

The total cost of improvements is estimated to be \$1.9 million dollars. The preliminary schedule and permits for the project include:

- Final Environmental Assessment 4th Qtr 2010
- Building, Plumbing, & Electrical Permits,⁵ and NPDES Permit 4th Qtr 2010
- Use & Height Variance Permits, Class IV Permit 4th Qtr 2010
- Construction Begins (after permitting is complete) 4th Qtr 2010
- Completion (180 calendar days after Notice to Proceed) 3rd Qtr 2011

1.6 Technical Characteristics and Public Services

Kapa'a High School Services

Kapa'a High School is one of three high schools on the island of Kaua'i. It serves a student population of 1036,⁶ in grades 9 – 12, living in the geographic areas from Ha'ena to the Wailua River.⁷ The existing campus encompasses about 40 acres of the overall parcel, with 13 acres utilized by Kapa'a Elementary School.⁸ A site plan of the current facility is shown in **Exhibit 6** and shows the proposed improvements.

Parking and Transportation

Access to Kapa'a High School is from Mailihuna Road. Currently there are 162 regular parking stalls, five (5) ADA van accessible parking stalls and one (1) loading stall on the campus. Parking is located in the upper parking lot near the Administration Building and in the lower lot near the playfields. Additional informal parking is available in various areas throughout the campus.

School buses and personal vehicles are the primary mode of transportation to reach the school, although some students walk or bike from the nearby residences and surrounding areas. *The Kaua'i Bus* has a shuttle stop at the Kapa'a High School Pavilion which can transport students and others to the mainline bus service towards Hanalei or Lihu'e. The last connecting mainline buses towards the Hanalei and Lihu'e areas leave at about 7:00 PM from various nearby locations on Kūhiō Highway.

⁵ Although state agencies are exempt from some permitting requirements, the DOE/contractor plan to seek relevant Department of Public Works, Building Division permits. A grading permit is not required.

⁶ As of September 30, 2010.

⁷ Specifically, from the east end of Wailua River bridge, along the east bank of the Wailua River and north fort of the Wailua River to its headwaters, to Mt. Waialeale to Kalalau Lookout to the Mana rim of Kalalau Valley.

⁸ State of Hawai'i, Department of Education, "Facilities Inventory System" July 9, 1999.

Police and Fire Services

A Kaua'i Police Department (KPD) substation is located in Kapa'a Town approximately two miles away. The main KPD headquarters is located in Lihu'e. The Kapa'a Fire Station is located on Kūhiō Highway approximately three miles from the campus. The new Kaikea Fire Station located on Kūhiō Highway between Keālia Beach and Kapa'a town is less than a mile from the campus, and began operating September 2010.

Medical Services

Emergency medical services are provided through the County's 911 communications center. Ambulance service is provided by American Medical Response. Emergency medical services are available at nearby Mahelona Medical Center about five minutes from the school campus. Regional medical services are available at Wilcox Memorial Hospital in Lihu'e, about ten miles away and about 20-30 minutes away by automobile.

Wastewater, Solid Waste and Water

Wastewater disposal for the campus is provided by the County of Kaua'i, Department of Public Works' existing wastewater/sewer system. Solid waste disposal for the campus is also provided by the County of Kaua'i, Department of Public Works. The potable water system will comply with the latest *Water System Standards and Standard Details for Water System Construction* of the County of Kaua'i. The proposed restroom/concession stand facility will connect to an existing 1½-inch water line for domestic use. The existing line is connected to an existing water meter that serves the school's water system.

Irrigation System

Irrigation for the new softball field is to be done, when appropriate, after school hours. Irrigation demands thus will not conflict with other school uses. The irrigation supply is provided at a point of connection to the existing 4-inch baseball irrigation header, adjacent to Building M and downstream to the existing backflow prevention device. The irrigation system is composed of nine automatically controlled irrigation valves which feed irrigation headers from 2½-inch to 1¼-inch in size, each with associated pop-up rotor-type sprinklers. An electronic controller is used to regulate the number and time of day of each irrigation set and to prohibit irrigation when a rain sensor overrides irrigation scheduled events.

Utilities and Communications

Utilities available at the subject parcel include electrical service by Kaua‘i Island Utility Cooperative and telephone service by Hawaiian Telcom. Broadband Internet access is provided by the Department of Education’s high speed T-1 line.

1.7 Socio-Economic Characteristics

Demographic Data

The 2005 Kaua'i population was 62,640 residents.⁹ The 2000 Census reported that the population was 24,873 for the Hanalei – Wailua high school’s service area.¹⁰ Other relevant data follows:

<u>Description</u>	<u>Census Tracts 401, 402.01, 402.02, & 403</u>
Population	24,873
Number of Households	8,712
Median Household Income	\$44,593
Per Capita Income	\$23,759
Persons Below Poverty Level	658
Percent Below Poverty Level	12%

The predominant ethnic groups within the Kapa'a High School service area are roughly White 47%, Asian 27%, Native Hawaiian 19%, and All Others 7%.¹¹

Environmental Justice

A community meeting was held at the Kapa‘a High School Student Center on Monday, April 26, 2010. To publicize the meeting, notices were mailed to 66 surrounding property owners, and members of the PTSA. Two community people and three members of the project team attended the meeting.

The attendees who participated in the community meetings did not express any concerns related to the subject of environmental justice such as adverse impacts on marginalized populations, or social or economic impacts on indigenous groups. A summary of the meeting is included in **Appendix A**.

⁹ The State of Hawai'i, Department of Business, Economic Development and Tourism 2005 Data Book.

¹⁰ Includes Census tracts for Hanalei (401), Kealia-Moloa‘a (402.01), Kapa'a (403) and Wailua-Kapa'a Homesteads (402.02).

¹¹ Figures represent census reporting of a race in combination with one or more of the other races listed in the data.

Cultural Impact Assessment

As part of Hawai'i's environmental review process, state agencies and other developers are required to assess the effects of proposed land uses or shoreline developments on the "cultural practices of the community and State."¹² At the community meeting, no concerns were raised about any potential impacts.

Analysis of the potential effects of the project on any cultural resources, practices or beliefs, its potential to isolate cultural resources, practices or beliefs from their setting, and the potential of the project to introduce elements which may alter the setting in which cultural practices take place were assessed as a result of the community meeting. Based upon that information, it is reasonable to conclude that Hawaiian rights or those of any ethnic group, related to gathering, access or other customary activities within the project area will not be affected and there will be no adverse effect upon cultural practices or beliefs by the construction of the softball stadium at the site.

Historic, Cultural and Archaeological Resources

The overall High School and Elementary School parcel contains four structures listed on the State Registers of Historic Places, described under the Kaua'i Public Schools Multiple Property listing. Historic structures on the campus are described as "Main Building A", "Classroom Building F", "Classroom Building G", and "Auditorium Building D". These four buildings date from the 1920s to the early 1940s.

Economic

There will be short-term economic benefits to the island such as employment of contractors and construction workers who will work on site improvements and build the new softball stadium. No new long-term employment is expected to result from this project.

1.8 Environmental Characteristics

Climate, Rainfall and Wind

The historical average rainfall ranges 50 to 75 inches of rain per year according to the *Atlas of Hawai'i*. From 2003 to 2005, the annual rainfall ranged from 75 inches to 83 inches according to the United States Geological Survey's Opaeka'a rain gauge (Station 1068.0 LB).

¹² HRS 343, HAR §11-200-10 through 13 (Act 50, SLH 2000)

Annual temperatures range from about the 60's to mid-80's. The prevailing wind throughout the year is the northeasterly trade wind. Occasionally there may be Kona winds originating from a southern direction.

Flora and Fauna

No formal botanical study was conducted as part of this project. The large field is grassed and mowed. There are three mature Kou trees bordering the chain-link fence on the southern boundary of the project. Vegetation in the surrounding area includes guava, java plum, pangolagrass, kikuyu grass, elephantopus, joe, yellow foxtail, rhodomyrtus, lantana, koa haole, molasses grass, guinea grass, and bermuda grass.

According to the Hawai'i Biodiversity and Mapping Program, University of Hawai'i,¹³ there were no rare species recorded specifically at the project site as shown in **Exhibit 7**. There were two observations of endangered birds adjacent to the property.

Nearby Kealia and the surrounding area are known by the Department of Land and Natural Resources and locally knowledgeable biologists to be a major flyway from the mountains to the sea, for three native endangered and threatened species including the Hawaiian Petrel (*Pterodroma phaeopygia*), the Newell's Shearwater (*Puffinus newelli*) and Band-rumped Storm-Petrel (*Oceanodroma castro*).

Soils, Geology and Topography

Soils at the site of the project belong to the Lihu'e-Puhi association (LhB), and described as deep, nearly level to steep (a 0-8 percent slope), well-drained soils that have a fine textured or moderately fine texture subsoil; on uplands.

This association consists of well-drained, medium-textured and fine-textured soils on the uplands of South and East Kauai. These soils are nearly level to steep. They developed in material weathered from basic igneous rock. The association makes up about 12 percent of the island. The elevation ranges from near sea level to 800 feet. The mean annual soil temperature is about 73° F. Lihue soils make up about 40 percent of the association and Puhi soils 35 percent. Ioleau, Koloa, and other soils, and areas of Rough broken land make up the rest.

¹³ The Hawaii Biodiversity and Mapping Program (HBMP), states "*Natural Diversity Database is dependent on the research and observations of many scientists and individuals. In most cases this information is not the result of comprehensive site-specific field surveys, and is not confirmed by the HBMP staff. Many areas in Hawaii have never been thoroughly surveyed, and new plants and animals are still being discovered. Database information should never be regarded as final statements or substituted for on-site surveys required for environmental assessment.*"

Lihue soils have a surface layer of dusky-red to dark reddish-brown, firm to friable silty clay. The subsoil is dark-red to dark reddish-brown, firm silty clay. The substratum is soft, weathered basic igneous rock. Puhi soils have a surface layer of brown to very dark-brown, friable silty clay loam. The subsoil is reddish-brown to dark brown, friable silty clay loam and silty clay. The substratum is soft, weathered basic igneous rock.

The lands in the area of the subject property are urbanized and as such, have been designated “not rated” by the Land Study Bureau’s agricultural productivity ratings.¹⁴

Hazards: Flooding, Tsunami, and Hurricane

The area in the vicinity of the high school is one of the areas studied in the Federal Emergency Management Agency (FEMA), Flood Insurance Study, County of Kaua‘i, Hawai‘i, September 16, 2005. The parcel is identified on the Federal Emergency Management Flood Insurance Rate Map, Panel 150002-0210E, and shows the subject parcel located in Zone X. Zone X means areas of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100-year flood.

According to the *Atlas of Natural Hazards in the Hawaiian Coastal Zone*, the over assessment for the Kapa'a coast is moderate except at the stream mouths inside Kealia Bay, east and along the coast to the east of the project site. Kapa'a High School sits at an elevation of about 120 mean sea level and identified coastal hazards are at lower levels, and about one-half mile *makai* of the project site.

2.0 AFFECTED ENVIRONMENT, POTENTIAL IMPACTS, AND MITIGATION MEASURES

2.1 Existing Land Use

As previously described, the 52-acre campus is zoned *Residential (R-1)* with an overlay of *Special Treatment District – Public*. The Kaua‘i Comprehensive Zoning Ordinance (CZO) requires that all uses, structures, or development in *Special Treatment Districts* seek a Use Permit. A Height Variance permit will be sought for the field lighting system's six 70-foot pole lights. In addition, building, grading and electrical permits will be sought as well as a National Pollution

¹⁴ State of Hawai‘i, Department of Business, Economic Development & Tourism, Office of Planning. Land Study Bureau maps. Kapa‘a High School is in the SLU Urban District and therefore does not have a LSB or ALISH land/soil classification.

Discharge Elimination System (NPDES) permit will be sought to authorize discharges of storm water associated with construction activities.¹⁵

The subject parcel is not within the Special Management Area.

Impacts and Mitigation Measures:

Since the property is currently being used as an elementary and high school, no significant negative impacts are expected. When tournament events are scheduled, there will be impacts from increased vehicular noise, a greater number of vehicles on Mailihuna and Kawaihau Roads, noise from tournament attendees and loudspeakers, and a potential in the surrounding neighborhood for indirect glow from field lighting should the lighting system be used at night.

2.2 Soils and Topography

The proposed softball field topography is reasonably flat. The soils described in Section 1.8 above, belong to the Lihu'e-Puhi association. Also, the lands in the area of the subject parcels have been designated “not rated” by the Land Study Bureau’s agricultural productivity ratings.

Impacts and Mitigation Measures:

The proposed development will minimally alter the topography of the area. Proper permits will be obtained for any land altering construction. The project will abide by the County of Kaua‘i, Department of Public Works’ drainage standards.¹⁶ Best Management Practices for erosion and sediment controls will be implemented during the course of construction to mitigate any negative impacts in the vicinity of the property.

2.3 Flora and Fauna

There are no rare or endangered species specifically on the property as discussed in the above Section 1.8, Flora and Fauna.

However, the project site and the surrounding area are major flyways from the mountains to the sea for three native Endangered and / or Threatened seabird species, Hawaiian Petrel (*Pterodroma phaepygia*) Newell’s Shearwater (*Puffinus auricularis newelli*), and Band-rumped Storm-Petrel (*Oceanodroma castro*). The aforementioned species are protected by one or more of the following state and federal laws; the federal Migratory Bird Treaty Act (16 USC 703 et seq.), the federal Endangered Species Act (16 USC 1531 et seq.), and the Hawai‘i Revised Statutes (HRS 195D). Each of these laws defines the killing, harassment, and or injury of protected species as forms of “take.”

¹⁵ NPDES General Permit Coverage Authorizing Discharges of Storm Water Associated With Construction Activities (as defined in 40 CFR §§122.26(b)(14)(x) and 122.26(b)(15)(i))

¹⁶ County of Kaua‘i, Ordinance 808.

Impacts and Mitigation Measures:

The proposed project may include activities and facilities present during construction and operation that may cause adverse affects to and “take” of listed species flying over the site. Specifically, outdoor and architectural lighting of certain types are well known to attract and harm endangered and threatened seabirds, specifically Newell’s Shearwaters, Hawaiian Petrels and Band-rumped Strom-Petrels. The peak “fallout season” for these seabirds is mid-September through mid-December. However, there may be “take” caused to adult seabirds returning to the mountain areas to breed in the spring.

The 2011-2012 girls’ softball season is January through April, with tournaments beginning in May. Tournaments are usually held during the day, but are sometimes held at night. The softball stadium will not be used in the evenings during the fallout season/months of the year. The Department of Education will ensure that no evening uses that require field lighting are scheduled during the seabird fallout months.

One of the alternatives being considered is the erection of an electronic scoreboard and associated appurtenances. From a night flying seabird perspective, it is highly unlikely that the construction and operation of an electronic scoreboard will result in any deleterious impacts to the three listed seabirds known to transit the general project area on a seasonal basis. Electronic scoreboards do not traditionally have any unshielded upward pointing white lights associated with them. Most use relatively low wattage colored lights, often times low wattage LED bulbs.

Impacts and mitigation measures are currently being addressed by the Department of Education (DOE). The DOE has been working closely with the Kaua‘i Seabird Habitat Conservation Plan office over the past few years. An assessment of all DOE facilities on Kaua‘i was conducted and the results were summarized in a July 2008 report. The DOE plans to submit an application, that will include the Kapa‘a Softball Stadium project, in the Kaua‘i Seabird Habitat Conservation Plan, pursuant to section 10(a)(1)(B) of the endangered Species Act of 1973, as amended.¹⁷

In order to prevent and minimize incidental take of listed seabirds, the applicant will also implement the following actions and activities:

1. The lighting system for this project is the same system being specified for the County of Kaua‘i’ parks facilities;
2. All outdoor lighting will be fully shielded and/or cut-off luminaries will be used, including parking and security lighting;
3. No uplighting on building or landscaping;

¹⁷ See U.S. Department of the Interior, Fish and Wildlife letter of September 8, 2010, contained in the Appendices.

4. No nighttime construction will occur between September 15 and December 15 of each year; and,
5. Consultation with the State of Hawai'i, Division of Forestry and Wildlife and the U.S. Fish and Wildlife Service is strongly recommended prior to finalizing lighting plans.

The proposed construction of a softball stadium complex should not have any direct negative impacts on flora or fauna within the project site. Best Management Practices will be followed to mitigate any negative impacts to the surrounding areas. Following grading of the project area, it will be re-grassed with a Bermuda hybrid.

2.4 Historic, Archaeological and Cultural Resources

As described in Section 1.7 above, the campus site contains four structures listed on the State Register of Historic Places. The historic structures on the campus are "Main Building A", "Classroom Building F", "Classroom Building G", and "Auditorium Building D" none of which abut or are adjacent to the project area.

Impacts and Mitigation Measures:

The State Historic Preservation Division affirmed that proposed project will not affect the historic structures on the campus. No Hawaiian *iwi kupuna*, or native Hawaiian cultural or traditional deposits have been identified on the site, and no negative impacts are anticipated. If, during the construction phase, cultural deposits or burials are inadvertently discovered on the property, all work will immediately cease, and the State of Hawai'i, Department of Land and Natural Resources will be contacted.

2.5 Scenic and Visual Resources

The County of Kaua'i, *General Plan* does not specifically identify any scenic or visual resources in the vicinity of the high school. However, Kuhio Highway is designated as a "Scenic Roadway Corridor."

The 1973 *Kapa'a –Wailua* development plan states that the control of lighting is important in reinforcing and not dramatically altering and preventing visual pollution the visual image of the development area.¹⁸ The following are the recommendations relevant to this project:

1. *Where lights with high illumination levels are required and where they can be seen from distances or as large light masses such as lights for streets, large parking areas, parks and other areas of public uses,*
 - a. *the visibility of light source should be minimized or obscured without sacrifice to illumination level and distribution. Visual cut-off angle should not excel 45° with the vertical.*

¹⁸ *Kapa'a –Wailua* development plan, pages III-27 and IV-27. It should be noted that the Kapa'a –Wailua community is in the process of updating their development plan.

- b. *warm lights, such as high intensity sodium vapor, are recommended.*
2. *Lighting equipment should be dark in color such as bronze anodized aluminum to relate to both the man-made and natural surroundings.*

Impacts and Mitigation Measures:

Construction of the softball stadium will occur within the existing high school campus in an area that is grass with no structures. The grassy field is surrounded by Mailihuna Road to the north, a dirt track to the east, the elementary school to the south, and tennis courts and a ball field to the west.

The proposal includes the installation of six 70-foot high poles painted with a dark bronze marine paint. Lights and a public address system will be mounted on the poles. Each of the six poles will contain two banks of lights (12 total). With the exception of the field lighting, the new complex should not be directly visible from any residential areas during daytime hours. The field lighting will be shielded and directed downward on the field. During night games, an indirect glow from the lights themselves will be visible from nearby neighbors, and possibly from further away as an indirect glow in the sky.

2.6 Air Quality, Noise and Clean Water

As described above the project involves construction of a two-acre softball stadium complex with a new field, restrooms, concession stand, announcer’s booth, dugout areas, and field lighting. The maximum for the public address sound system is 90 decibels.

Impacts and Mitigation Measures:

During the construction phase of the project there may be short-term, temporary impacts in air quality from dust, and equipment noise. Construction machinery will increase noise levels. Contractors will work during business hours of the day and comply with State Department of Health noise regulations during construction, The County of Kaua’i will require contractors to comply with all applicable Federal, State and County permitting requirements.

The State Department of Health, Clean Air Branch, and include the following examples of measures that can be implemented to control fugitive dust:¹⁹

- a) Planning of different phases of construction, focusing on minimizing the amount of dust-generating materials and activities, centralizing of-site vehicular traffic routes, and locating potential dust-generating equipment in areas of the lease impact;
- b) Providing an adequate water source at the site prior to start-up construction activities;

¹⁹ Hawai’i Administrative Rules, § 11-60.1-33 on Fugitive Dust,

- c) Landscaping and providing rapid covering of bare areas, including slopes, starting from the initial grading phase;
- d) Minimizing dust from shoulders and access roads;
- e) Providing adequate dust control measures that could occur before and after daily construction activities, and on weekends; and
- f) Controlling dust from debris being hauled away from the project site.

Should noise levels exceed the permissible sound levels, a noise permit will be obtained from the Department of Health, as stated in title 11, HAR, Chapter 11-46, entitled “Community Noise Control.” In addition, Chapter 11-49, entitled “Ambient Air Quality Standards” may be relevant to this project.

The project will be in compliance with the Department of Health, Clean Water Branch (CWB) standards described in Hawai‘i Administrative Rules (HAR), Chapters 11-54 and 11-55. These Chapters include anti-degradation policies, designated uses, and water quality criteria. There may also be other requirements related to the CWB’s programs.²⁰ As indicated in Section 1.5, a National Pollutant Discharge Elimination System (NPDES) permit is also required.

2.7 Wastewater

The wastewater system will be designed to comply with the *Sewer Design Standards* of the Department of Public Works, County of Kaua‘i. The proposed softball complex includes a new restroom/concession facility. A new pre-packaged, self-contained Sewer Pump Station unit will be installed adjacent to the restroom/concession facility. As previously mentioned, no cooking will occur at the concession facility. This new unit will pump wastewater up to an existing 6-inch sewer line on the property.

Impacts and Mitigation:

No negative impacts resulting from the construction of the new pump station servicing the restroom and concession facility are anticipated. In addition to any requirements by the County, all wastewater plans must conform to applicable provisions of the Department of Health’s Administrative Rules, Chapter 11-62, “Wastewater Systems.”

2.8 Water

The property is provided with potable water from the County of Kaua‘i’s existing domestic water system. The softball complex project will install a new 1-½ inch potable water line which will then be connected to an existing water line located on the site. No upgrades to the existing water system on the campus are anticipated.

²⁰ See State of Hawai‘i, Department of Health, Clean Water Branch letter of September 4, 2010, contained in the Appendices.

Impacts and Mitigation Measures:

The applicant is aware that as part of the permitting process, water service will be limited to the existing water meter presently serving the campus. Requests for additional water meters or an increase in water meter size is dependent on the adequacy of the source, storage, and transmission facilities existing at that time. The existing water meter has adequate capacity to accommodate the increased water demand required for the softball stadium.

The applicant will also be required to prepare and receive the Department of Water’s approval of construction drawings for the necessary water system facilities and construct said facilities. These facilities shall include but are not limited to the interior plumbing plans with the appropriate backflow prevention assembly.

A conditional approval has been given by the Department of Water and is valid one year from August 23, 2010, the date of their Draft EA comment letter. After the one year period, the conditional approval shall be null and void and the applicant may reapply to the Department for water service.

2.9 Grading and Drainage

The project will have to re-grade the 2.2-acre field site and will comply with the Kaua‘i County Grading Ordinance. Clearing and grubbing will be done throughout, most notably for the proposed skinned infield area. The existing field site topography slopes at about 3.5 percent. According to the *Sports Fields - A Manual for Design, Construction and Maintenance*,²¹ the ideal slope for the outfield is one (1) percent, but due to the existing topography, the outfield has instead been graded to have a maximum slope of two (2) percent.

Impacts and Mitigation Measures:

As described above, the construction of the proposed softball complex involves minimal grading. The grading will generally follow the existing contours towards an existing small concrete swale with drainage inlets and drainage system located towards the east end of the campus near the track. Two (2) drain inlets will be installed over an existing drain line near the softball stadium entrance.

Minimal drainage improvements will be required for the proposed project. The existing drainage patterns will not be altered. Presently some storm water remains on site and percolates into the ground. Sheet flow will continue to be the primary method for moving storm water off the site. The water will flow across the field and proposed bleachers, walkway and parking area to the existing concrete swale, adjacent vegetated areas and to the new drain inlets. The vegetation consists mainly of grass, shrubs and a few trees. Erosion and dust control measures will be implemented to prevent sediment runoff.

²¹ See: Kodani & Associates, "Basis of Design," page 3.

The drainage standards contained in the County of Kaua'i's *Stormwater Runoff System Manual*, dated July 2001, as well as storm drainage standards will be followed for this project.

During all construction phases of the project Best Management Practices will be followed to contain any construction materials on site, and prevent any negative impacts to the surrounding areas.

Grading permits are not required for the project. Building, plumbing and electrical permits will be sought from the Department of Public Works, Building Division. If applicable, any borrow site and disposal sites will comply with the County's Sediment and Erosion Control Ordinance No. 808. During all construction phases of the project Best Management Practices will be followed to contain any construction materials on site, and prevent any negative impacts to the surrounding areas.

2.10 Parking and Transportation

Currently, there are a total of 168 parking stalls on the campus. The upper campus parking lot includes 54 standard parking stalls, four (4) van accessible stalls, and one (1) accessible loading zone stall. The lower campus parking lot includes 108 standard parking stalls and one (1) van accessible stall. The project proposes to add two (2) standard accessible stalls at the lower campus parking lot and two (2) van accessible stalls near to the softball stadium entrance in order to comply with the 28 Code of Federal Regulations (CFR) Part 36, Section 4.1.2 Parking Requirements for New Exterior Facilities. In addition, there is grassy area that can accommodate approximately 200 cars for overflow parking.

During the construction phase of the project, heavy equipment will access the site via Mailihuna Road and park within the project site.

Impact and Mitigation Measures:

On days when statewide and county-wide softball tournaments are scheduled, there will be an increase in traffic on both Mailihuna and Kawaihau Roads. There will be a temporary increase in traffic noise immediately before and after the tournament events.

Transporting construction equipment and materials to the project will occur Monday through Friday, during regular business hours. Any adverse impacts will be short-term and temporary in nature and have minimal disruption in the surrounding area.

2.9 Economic Activity

The proposed library expansion and parking area improvements are estimated to cost about \$1.9 million dollars.

Impacts and Mitigation Measures:

The planning, design, and construction of the proposed project will generate temporary employment opportunities. This will incrementally improve Kaua'i's economy in the short-term. No long-term economic impacts or benefits are anticipated from this project.

2.10 Gathering and Access Rights

As previously mentioned in Section 1.7 (Environmental Justice and Cultural Impact Assessment), a community meeting was held to describe the project and learn of any community concerns.

Impacts and Mitigation Measures:

Those present at the community meeting on April 26, 2010 did not express any concerns about impacts on gathering and access rights. Therefore, it was determined that Native Hawaiian traditional gathering rights and public access will not be restricted or impacted as a result of this project.

3.0 ALTERNATIVES TO THE PROPOSED ACTION

3.1 “No Action” Alternative

One alternative is not to proceed with the proposal. This alternative would mean that the Kapa‘a girls softball team will not have a facility on the campus. In addition, the island of Kaua‘i would not have a softball facility that meets the standards for tournament play. Kaua'i would not be able to host off-island tournaments, and Kaua'i leagues who wished to participate would always have to travel off-island.

3.2 Alternative Considerations

Three alternatives were considered for this softball complex.

Alternative No. 1: New Softball Field Only

This alternative would include the construction of a new softball field only on the Kapa‘a High School campus. The field would meet ADA and Title IX requirements and would expand opportunities for girls softball games and local tournaments. Alternative No. 1 would not meet the standards for tournament play.

Alternative No. 2: New Softball Field with Minimal Facilities

This alternative softball field would meet ADA and Title IX, and include the construction of minimal facilities such as restroom and bleachers to accommodate needs of the players and visitors to the games. Alternative No. 2 would not meet the standards for tournament play.

Alternative No. 3: New Softball Stadium Designed to Meet Tournament Standards

This alternative is detailed in the Section 1.2, Proposed Action above. The softball stadium would be designed and constructed to meet National Federation of State High School Association standards, and ADA and Title IX requirements. Alternative No. 3 would greatly expand the opportunities for local and state-wide use and tournaments. Players would participate in a more professional environment, and those attending the games and tournaments would attend games and tournaments in a high level complex.

Alternative No. 3 is the preferred alternative.

4.0 DETERMINATION

The impacts of the proposed action have been assessed. The proposed action is not anticipated to cause significant negative impacts to the environment. Therefore, a Finding of No Significant Impact (FONSI) is found. The determination of a FONSI is based on the following:

1. ***The proposed action does not involve an irrevocable commitment to loss or destruction of any natural or cultural resources;***
No significant natural or cultural resources have been identified on the property at the location of the new softball stadium complex.
2. ***The proposed Action will not curtail the range of beneficial uses of the environment;***
The current uses on the campus and at the project site will continue. The construction of the softball stadium will be made within an existing parcel and will expand the uses on the high school campus.
3. ***The proposed action does not conflict with the State’s long-term goals or guidelines as expressed in Chapter 344, HRS, State Environmental Policy;***
The project is consistent with the State’s long-term environmental goals and will not have any significant negative effects on the environment.
4. ***The proposed action does not substantially affect the economic or social welfare of the community or state;***
The social welfare of the community, island and the state will be positively improved with the construction of the softball stadium. Economics impacts on the community and state will not be negatively affected, although some short-term economic benefits will occur during the construction phase.
5. ***The proposed action does not substantially affect public health;***
The softball stadium project will not negatively affect public health. During tournament events, there will be an increase in vehicles and traffic noise. There may be short-term temporary impacts with noise and dust occurring during the construction phase of the project.
6. ***The proposed action does not involve substantial secondary effects;***
With the exception of short term construction impacts, no substantial secondary impacts are anticipated from this action.

7. ***The proposed action does not involve substantial degradation of environmental quality;***
Best Management Practices will be used during the all construction phases on the proposed improvements.
8. ***The proposed action does not cumulatively have a considerable effect on the environment or involve a commitment to larger actions;***
The proposed softball stadium complex will not have a cumulative effect on the environment as the proposed project work will be located within the existing school site.
9. ***The proposed action does not affect a rare, threatened, or endangered species or its habitat;***
There is no habitat present within the project site that is suitable to support any rare, listed or avian or mammalian species. According to the Hawai'i Biodiversity & Mapping Program, University of Hawai'i at Manoa, and discussions with locally knowledgeable biologists, no rare or endangered species have been recorded on the property specifically, but habitat is present along Kapa‘a Stream which supports listed waterbird species including, Hawaiian Goose (*Branta sandvicensis*), Hawaiian Duck (*Anas wyvilliana*), Common Moorhen (*Gallinula chloropus sandvicensis*), Hawaiian Coot (*Fulica alai*), and Black-necked Stilt (*Himantopus mexicanus knudseni*). It is not expected that the construction or operation of the softball stadium will result in any deleterious impacts to any of the aforementioned protected waterbird species.

As described in Section 2.3, the DOE plans to submit an application for all Kaua‘i DOE facilities, including Kapa‘a Softball Stadium project, in the Kaua‘i Seabird Habitat Conservation Plan, pursuant to section 10(a)(B) of the endangered Species Act of 1973, as amended.
10. ***The proposed action does not detrimentally affect air or water quality or ambient noise levels;***
Aside from temporary disruptions during the construction phase of the proposal, air, water and noise impacts will be minimal. During island-wide or state-wide tournaments, there will be a temporary increase in the ambient noise levels in the surrounding areas.
11. ***The proposed action does not affect an environmentally sensitive area;***
The project site is not considered an environmentally sensitive area. There are no rare, threatened, or endangered native plant species specifically at the site.
12. ***The proposed action does not substantially affect scenic vistas and view planes; and***

The subject parcel has not been specifically identified as a scenic resource. The project will minimally affect the existing scenic vistas and view planes in the area. However, the six light poles may be visible from the surrounding residential neighborhoods.

13. ***The proposed action does not require substantial energy consumption.***
The proposed action will minimally increase energy consumption.

5.0 AGENCIES CONSULTED

Copies of the Draft EA were sent to the agencies, organizations and individuals listed below. Agency comment letters and response letters are found in Appendix C.

Federal

U.S. Fish and Wildlife Service

State

Department of Accounting and General Services
Department of Education
Department of Health
DLNR, Division of Forestry
DLNR, State Historic Preservation Division
DBEDT, Office of State Planning
Office of Hawaiian Affairs
UHM, Environmental Center

County

The Honorable Bernard Carvalho, Mayor
The Honorable Kaipo Asing, Chair, County Council
Department of Parks and Recreation
Department of Planning
Department of Public Works
Department of Water
Kaua'i-Niihau Burial Council
Kaua'i Historic Preservation Review Commission

Community and Other Organizations

Lihu'e Public Library
Kapa'a Public Library
Kapa'a High School PTSA

6.0 REFERENCES

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7.0 EXHIBITS

- Exhibit 1: Location Map
- Exhibit 2: Parcel Map
- Exhibit 3: State Land Use District Map
- Exhibit 4: Kaua'i General Plan Map
- Exhibit 5: Kaua'i Zoning Map
- Exhibit 6: Site Plan Map
- Exhibit 7: Rare Species and Natural Communities Map

8.0 APPENDICES

- Appendix A: Community Meeting Project Handout
- Appendix B: Summary of Community Meeting April 26, 2010
- Appendix C: Agency Comment and Response Letters:
 - State Department of Accounting and General Services
 - State Department of Land and Natural Resources, SHPD
 - State Department of Health, Clean Water Branch
 - US Department of the Interior, Fish and Wildlife Service
 - County Department of Water
 - County Planning Department, KHPRC

7.0 EXHIBITS

Kapa'a High School Softball Stadium:
Final Environmental Assessment

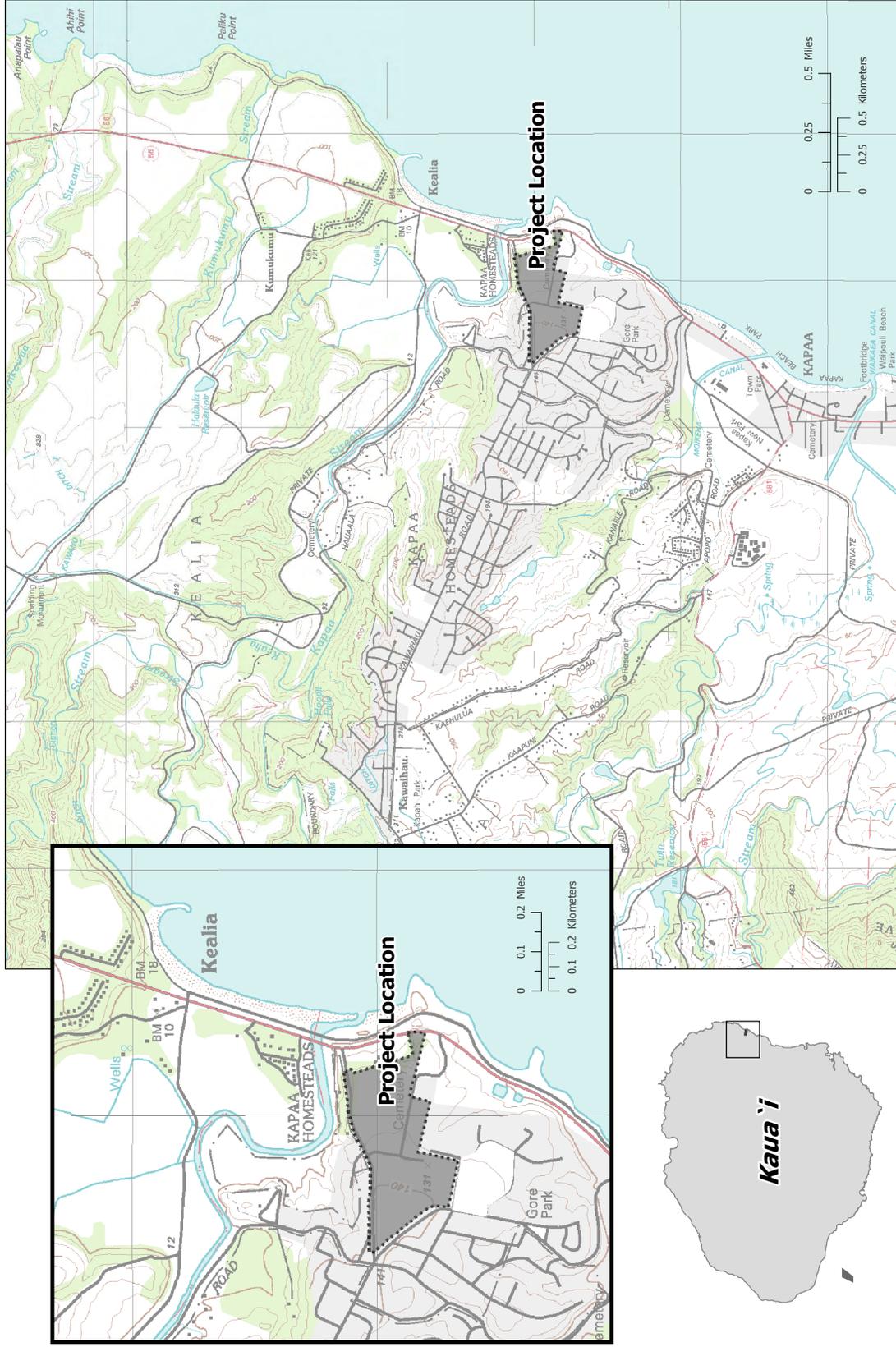


Exhibit 1: Location Map

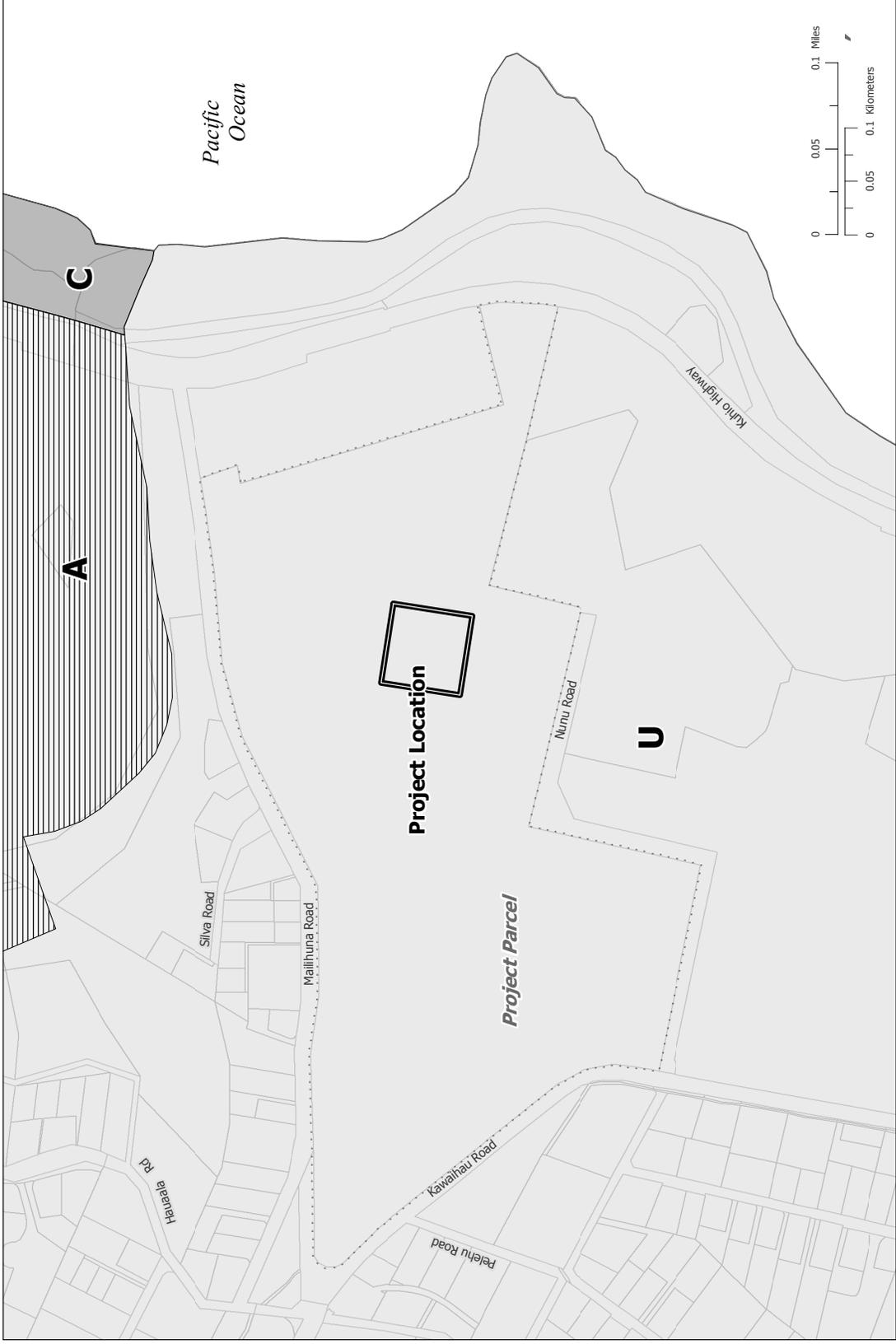


Exhibit 2: Parcel Map



Exhibit 3: State Land Use District

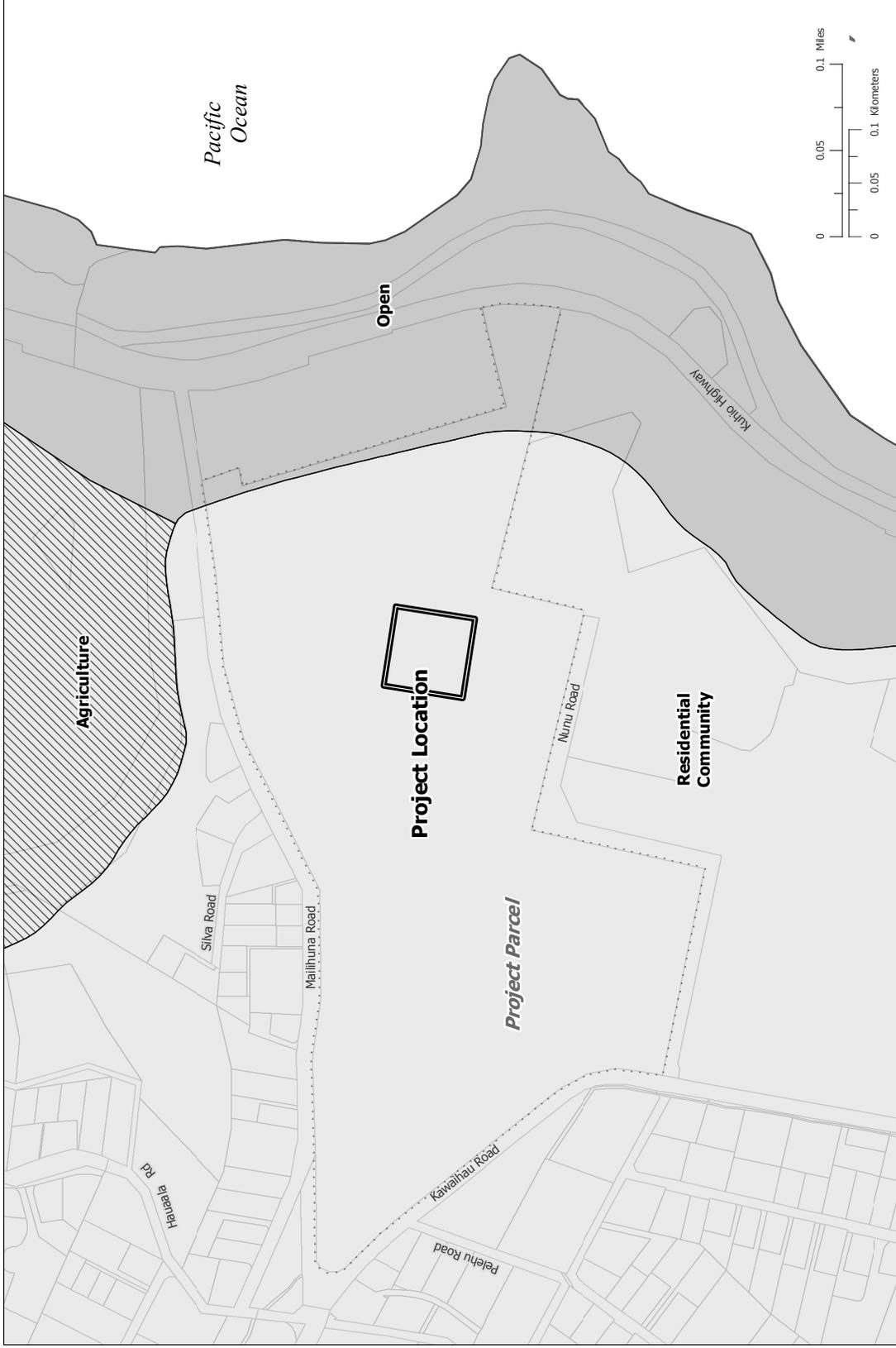


Exhibit 4: General Plan

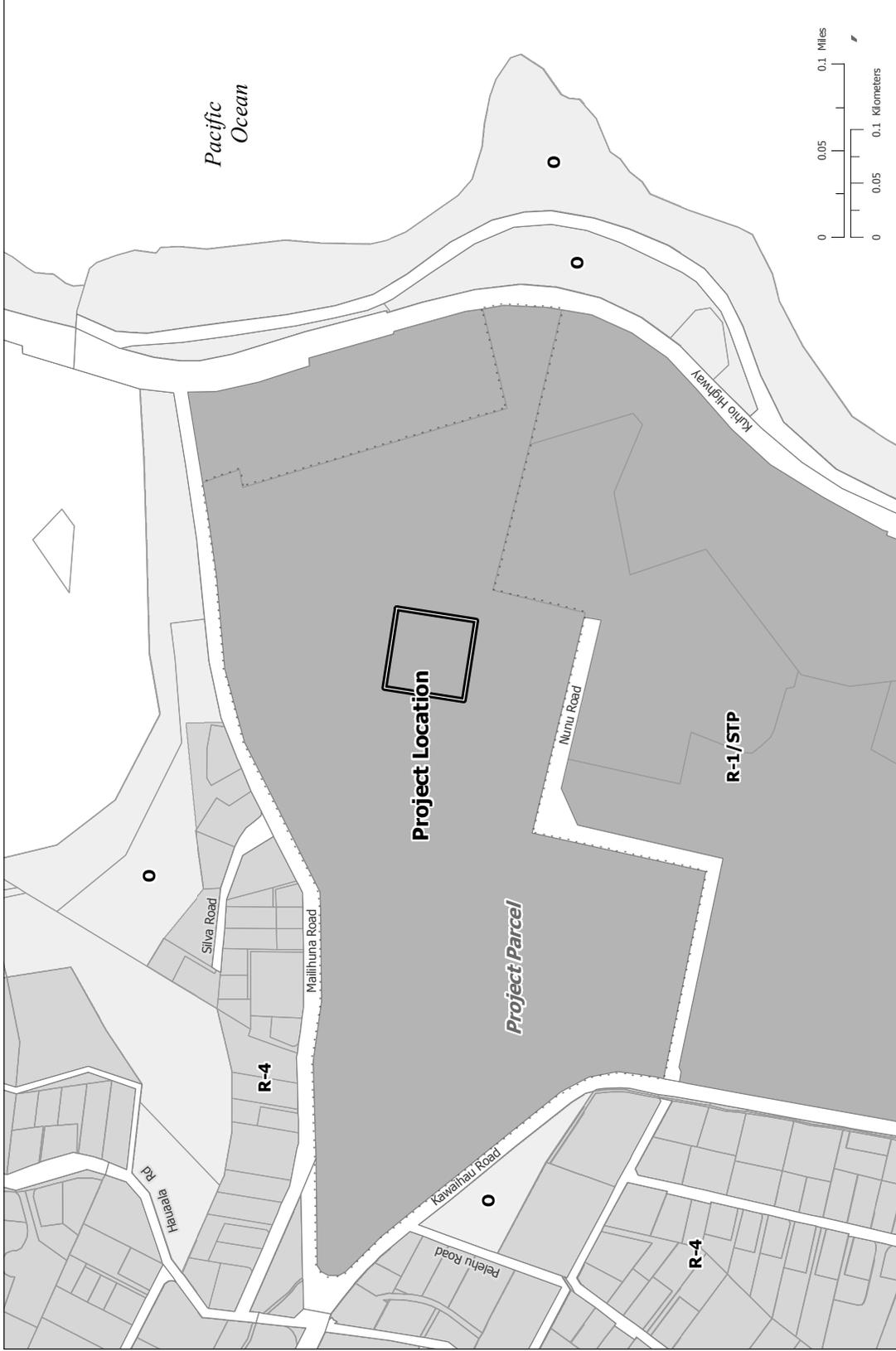
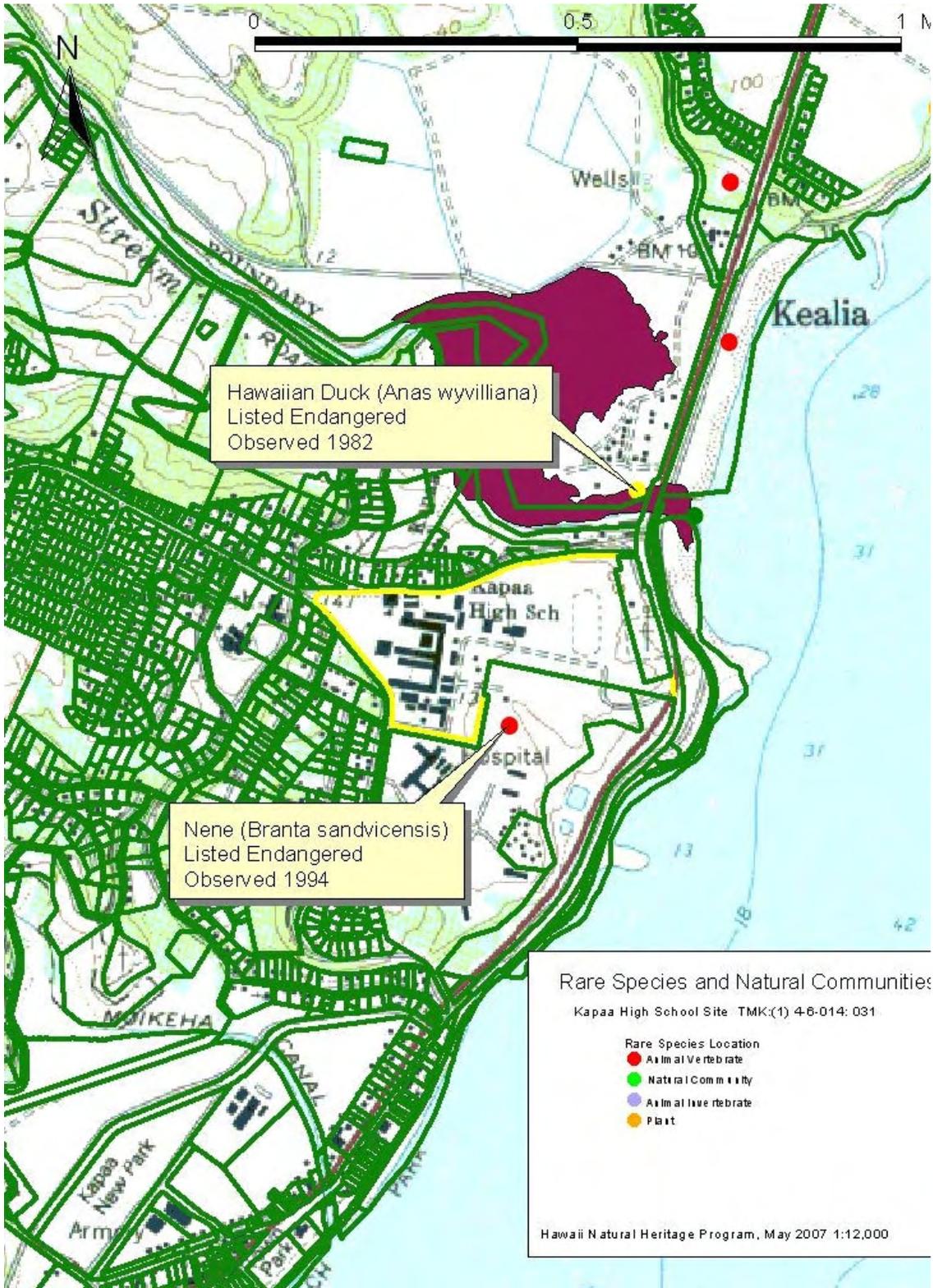


Exhibit 5: Zoning

Kapa'a High School Softball Stadium:
Final Environmental Assessment



Courtesy: Hawaii Biodiversity & Mapping Program
University of Hawaii at Manoa

Exhibit 7

8.0 APPENDICES

Appendix A
[Mailed to surrounding property owners]
Kapa‘a High School Softball Complex

The applicant, the State of Hawai‘i, Department of Education is preparing an Environmental Assessment for the construction of a new softball field complex at Kapa‘a High School. The complex will be located on Tax Map Key (4) 4-6-14:31 (52.166 acres). The proposed project encompasses approximately 2.4 acres, on the east side of the Kapa‘a High campus.

The State Land Use is *Urban*. The County of Kaua‘i General Plan land use designation is *Residential Community*. The zoning on the subject parcels is *Residential District (R-1)* and *Special Treatment District-Public (ST-P)*. The high school is located within the *Kapa‘a-Wailua Planning Area*.

Public Facilities (ST-P) include all public and quasi-public facilities, such as schools, and are used by the general public or which tend to serve as gathering places for the general public.

Project Description

The project is a gender equity project that will construct a new softball field complex to be equivalent to the standard of the existing baseball field and meet current State and Federal design criteria. In addition to the day-to-day use of the complex, the facility will be used as one of four State Tournament sites which will usually be held in the day, and possibly held at night. The lighting design is subject to change based on evaluation of endangered and threatened seabirds that may be present in the vicinity.

The field is designed to National Federation of State High School Associations standards. The work involves:

- New softball field with a skinned infield and newly graded and grassed outfield
- New automated irrigation system
- Permanent 100 seating aluminum bleachers, with four ADA seating areas
- Combination restroom and concession stand facility
- Combination announcer’s booth and storage facility
- Fencing surrounding the entire complex
- Permanent backstop and outfield fencing improvements
- Dugouts for the home and visiting teams
- Electronic scoreboard
- Field lighting
- ADA accessibility requirements throughout complex

The cost of the project is estimated to be about \$1.9 million dollars, and construction planned to commence in the first quarter of 2011.

Appendix B
Kapaa Softball Stadium Complex
Summary of Community Meeting
April 26, 2010

The community meeting was held from 6:00 – 8:00 PM at the Student Center on the Kapa'a High School campus. The purpose of the meeting was to inform surrounding residents and property owners of the upcoming plans to construct a girls' softball stadium complex on the school campus site. Meeting announcements were mailed to 61 property owners surrounding the campus site. Five people were in attendance: Greg Gonsalves and Gilmore Youn from Kapa'a High School, and members of the project team, including Nadine Nakamura of NKN Project Planning, Clyde Kodani (Kodani & Associates), and Barbara Robeson.

Nadine described the purpose of the meeting, reviewed the status of the project, and provided a project description which included the various components such as the girl's softball field, the restrooms and concession stand facility, and availability of the project for statewide softball tournaments. She also described the goals of Title IX, the ADA requirements, and solicited comments regarding any cultural impacts which might occur as a result of the project.

Q: When would the tournaments occur?

A: The tournaments begin in May, and are scheduled on Wednesdays, Thursdays, and Fridays.

Q: Would the new facility accommodate community softball leagues?

A: It is likely that community leagues could be accommodated in the future, but setting up those uses would occur sometime in the future. Community league games occur in the summer.

Q: What kind of lighting will the field have?

A: The lighting design and construction will be incorporated into the current project, and will include shielded lighting, although the lights may not be used until the possible impacts on endangered birds is studied and evaluated. The Draft Environmental Assessment will include preliminary recommendations.

Q: What is the bird season?

A: September through December. The softball season is January through April.

Q: Will the current walkways and parking areas be improved to meet ADA standards?

A: Yes. The existing walkways will be brought up to standards, and some of the existing parking stalls will be converted to ADA stalls. The total number of ADA parking stalls resulting from this project will be nine.

Q: Why was the field oriented as currently proposed? Pitching areas are supposed to run north and south.

A: The current/proposed configuration which runs northwest to northeast was based on the available space and layout of the surrounding facilities. The north-south orientation was considered, but was not able to be accommodated into the existing space/land available to have a complex which met the standards for tournament games. The proposed field orientation matches the adjacent baseball field.

Q: Will the fences on and around the field be portable?

A: There will be no portable fencing for the facility, but the perimeter fencing will be permanent. The permanent fencing in part will be installed for safety purposes and to limit access so that an entrance fee could be charged for tournament games.

Q: What is the bid schedule?

A: Bids are planned to go out before the end of May with a contractor hired by the end of the fiscal year (in order to secure the funding for construction).

7-6-10 Note:

Following the community meeting on April 26, 2010, the below information was updated and/or amended within the document. Therefore, there are discrepancies between the mail-out to surrounding property owners and the contents of the Draft Environmental Assessment.

- Project name change to Kapa‘a High School Softball Stadium
- Adjustment in the number of bleachers
- Construction schedule updated

APPENDIX C

Kapa'a High School Softball Stadium:
Final Environmental Assessment



STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 1116, HONOLULU, HAWAII 96810-0116

LEIOLA LITTLE
DIRECTOR

RUSS K. SAITO
COMPTROLLER

(P) 1223-8

AUG 26 2010

Ms. Nadine K. Nakamura, Principal
NKN Project Planning
4849 'I'iwi Road
Kapa'a, Hawaii 96746

Dear Ms. Nakamura:

Subject: Kapa'a High School Softball Stadium
Draft Environmental Assessment
Kapa'a, Kaaui
TMK: (4) 4-6-14: 31

Thank you for the opportunity to provide comments for the subject property. The proposed project does not impact any of the Department of Accounting and General Services' projects or existing facilities, and we have no comments to offer at this time.

If you have any questions, please call me at 586-0400 or have your staff call Ms. Gayle Takasaki of the Public Works Division at 586-0584.

Sincerely,

Russ K. Saito
RUSS K. SAITO
State Comptroller

c: DOE, Facilities Development Branch

NKN PROJECT PLANNING



October 1, 2010

Mr. Russ K. Saito
State Comptroller
Department of Accounting and General Services
P.O. Box 119
Honolulu, HI 96810-0119

SUBJECT: Draft Environmental Assessment, Kapa'a High School Softball Stadium
Kapa'a, HI, Hawaii
TMK (4) 4-6-14-31

Dear Mr. Saito,

This is in response to your comments of August 26, 2010, regarding the Kapa'a High School Softball Stadium Draft Environmental Assessment.

We note that you have no comments on the Draft Environmental Assessment. A copy of your letter will be incorporated into the Final Environmental Assessment.

Sincerely,

Nadine K. Nakamura
Nadine K. Nakamura
Principal

8400 'I'iwi Road
Kapa'a, Hawaii 96746
Telephone: (808) 833-0288
Cellular: (808) 833-1507
Facsimile: (808) 817-9427
nknplanning@comcast.net

STRATEGIC PLANNING • PERMITTING • COMMUNITY PLANNING • COLLABORATION BUILDING

Kapa'a High School Softball Stadium
Final Environmental Assessment

RECEIVED
JUL - 7 2010
MITSUNAGA & ASSOC., INC.

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
STATE HISTORIC PRESERVATION DIVISION
401 KAMOLEKI BOULEVARD, ROOM 555
HONOLULU, HAWAII 96814

STATE HISTORIC PRESERVATION DIVISION
401 KAMOLEKI BOULEVARD, ROOM 555
HONOLULU, HAWAII 96814

July 5, 2010
Kenneth Swanson, P.E.
Mitsunaga & Assoc., Inc.
747 Arroyo Street, Suite 216
Honolulu, Hawaii 96814

Dear Mr. Swanson:

SUBJECT: Chapter 6E-8 Historic Preservation Review -
NPDES NOI Form C Discharge of Storm Water Associated with the Construction of
Kapa'a High School Softball Field Stadium
Kapa'a, Kailua-Kona, Kona District, Kona I, Hawaii
TMK: (9) 4-4-14- 31

We are in receipt of this project as of June 28, 2010. This project is the construction of a new softball field.

We determine that **no historic properties will be affected** by this project because:

- Intensive cultivation has altered the land
- Residential development/urbanization has altered the land
- Previous grubbing/grading has altered the land
- An accepted archaeological inventory survey (AIS) found no historic properties
- SHPD previously reviewed this project and mitigation has been completed
- Other

In the event that historic resources, including human skeletal remains, are identified during the project, all work needs to cease in the immediate vicinity of the find, the find needs to be protected from additional disturbance and the State Historic Preservation Division contacted at (808) 692-8015.

Aloha,
Nancy A. McMahon
Nancy A. McMahon (Deputy SHPD),
Archaeology and Historic Preservation Manager



October 1, 2010
Ms. Nancy McMahon
State Historic Preservation Division
Department of Land and Natural Resources
State of Hawaii
601 Kamohāi Boulevard, Room 555
Kapolei, HI 96707

SUBJECT: Draft Environmental Assessment, Kapa'a High School Softball Stadium
Kapa'a, HI, Hawaii
TMK (4) 4-6-14-31

Dear Ms. McMahon,
This is in response to your letter of July 5, 2010, relating to the Kapa'a High School Softball Stadium.

According to your letter, no historic properties will be affected by this project because of intensive cultivation, and residential development/urbanization have altered the land. A copy of your letter will be incorporated into the Final Environmental Assessment.

Sincerely,
Nadine K. Nakamura
Nadine K. Nakamura
Principal

4450 Tiwi Road
Kapa'a, Hawaii 96745
Telephone (808) 821-0288
Cellular (808) 635-1907
Facsimile (808) 821-9407
www.nknproject.com

STRATEGIC PLANNING • PERMITTING • COMMUNITY PLANNING • COLLABORATION BUILDING

Kapa'a High School Softball Stadium:
Final Environmental Assessment



STATE OF HAWAII
DEPARTMENT OF HEALTH
1000 KALANOAUAVANU
HONOLULU, HAWAII 96820-3278

September 14, 2010

CECELIA L. FERNANDEZ, R.D.
DIRECTOR OF PUBLIC HEALTH

Wendy K. Kawanishi
OFFICE MANAGER

090039PSW.10

Mr. Robert Purdie
State of Hawaii, Department of Education
P.O. Box 2346
Honolulu, Hawaii 96804

Dear Mr. Purdie:

SUBJECT: Environmental Impact Statement (Overseas Environmental Impact Statement (EIS/OEIS) for Kapa'a High School Softball Stadium
Kapa'a, Island of Kauai, Hawaii
TRK: (4) 4-6-014: 31 (par)

The Department of Health, Clean Water Branch (CWB), has reviewed the document received August 3, 2010 regarding the subject project and offers these comments. Please note that our review is based solely on the document for the subject project and its compliance with Hawaii Administrative Rules (HAR), Chapters 11-54 and 11-55. You may be responsible for fulfilling additional requirements related to our program. We recommend that you also read our standard comments on our website at <http://hawaii.gov/health/environmental/env-planning/landuse/CWB-standardscomment.pdf>

1. Any project and its potential impacts to State waters must meet the following criteria:
 - a. Anti-degradation policy (HAR, Section 11-54-1.1), which requires that the existing use and the level of water quality necessary to protect the existing uses of the receiving State water be maintained and protected.
 - b. Designated uses (HAR, Section 11-54-3), as determined by the classification of the receiving State waters.
 - c. Water quality criteria (HAR, Sections 11-54-4 through 11-54-8).
2. You are required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for discharges of wastewater, including storm water runoff, into State surface waters (HAR, Chapter 11-55). For the following types of discharges into Class A or Class 2 State waters, you may apply for NPDES general permit coverage by submitting a Notice of Intent (NOI) form:
 - a. Storm water associated with 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

Mr. Robert Purdie
September 14, 2010
Page 2
090039PSW.10

development or sale. This includes areas used for a construction base yard and the storage of any construction related equipment, material, and waste products. An NPDES permit is required before the start of the construction activities.

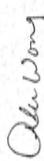
- b. Hydrotesting water.
 - c. Construction dewatering effluent.
- You must submit a separate NOI form for each type of discharge at least 30 calendar days prior to the start of the discharge activity, except when applying for coverage for discharges of storm water associated with construction activity. For this type of discharge, the NOI forms may be picked up at our office or downloaded from our website at <http://hawaii.gov/health/environmental/water/cleanwater/forms/geni-index.html>

3. For other types of wastewater not listed in Item No. 2 above or wastewater discharging into Class 2 or Class AA waters, an NPDES individual permit will need to be obtained. An application for an NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge. The NPDES application forms may be picked up at our office or downloaded from our website at <http://hawaii.gov/health/environmental/water/cleanwater/forms/environmental/water/cleanwater/formshindi-index.html>

4. Please note that all discharges related to the project construction or operation activities, whether or not NPDES permit coverage and/or 401 WQC are required, must comply with the State's Water Quality Standards. Non-compliance with water quality requirements contained in HAR, Chapter 11-54 and/or permitting requirements, specified in HAR, Chapter 11-55, may be subject to penalties of \$25,000 per day per violation.

If you have any questions, please visit our website at <http://hawaii.gov/health/environmental/water/cleanwater/index.html>, or contact the Engineering Section, CWB, at 386-4309.

Sincerely,


ALEC WONG, P.E., CHIEF
Clean Water Branch

SW/ml

c: DOH-EPO #1-3287 [via email only]
Nadine Nakamura, NKN Project Planning [via email naknplan@hawaii.tr.com only]

Kapa'a High School Softball Stadium:
Final Environmental Assessment



Mr. Alec Wong, P.E. Chief
Clean Water Branch
Department of Health
State of Hawai'i
PO Box 3378
Honolulu, HI 96801-3378

SUBJECT: Draft Environmental Assessment, Kapa'a High School Softball Stadium
Kapa'a, HI, Hawai'i
TMK (4) 4-6-14:31

Dear Mr. Wong,

This is in response to your comments of September 14, 2010, to Mr. Robert Purdie, regarding the Kapa'a High School Softball Stadium Draft Environmental Assessment.

The Final Environmental Assessment will address the comments from the Clean Water Branch, and include references to compliance with Hawai'i Administrative Rules (HAR), Chapters 11-54 and 11-55. As outlined in your letter, the following requirements may also be required:

1. Any project and its potential impacts to State waters must meet the criteria: (a) Anti-degradation policy (HAR, Section 11-54-1.1), (b) Designated uses (HAR, Section 11-54-3), and Water quality criteria (HAR, Sections 11-54-4 through 11-54-8).
2. As detailed in your letter, the project will be required to obtain a National Pollutant Discharge Elimination System permit in compliance with HAR, Chapter 11-55.
3. All discharges related to the project construction or operation activities must comply with the State's Water Quality Standards.

The above is a summary of your letter, and the project intends to comply with all requirements detailed on your website at:
<http://hawaii.gov/health/environmental/water/cleanwater/index.html>.

Sincerely,

A handwritten signature in black ink that reads "Nadine K. Nakamura".

Nadine K. Nakamura
Principal

4849 'Iwi Road
Kapa'a, Hawai'i 96746
Telephone (808) 822-0388
Cellular (808) 635-1507
Facsimile (808) 821-9427
nknplan@hawaii.rr.com

Kapa'a High School Softball Stadium:
Final Environmental Assessment



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122, Box 50088
Honolulu, Hawaii 96850



In Reply, Refer To:
2010-13-0433

Ms. Nadine Nakamura
NKN Project Planning
4849 Iiwi Road
Kapaa, Hawaii 96746

SEP - 8 2010

Subject: Technical Assistance for the Draft Environmental Assessment for the
Construction of the Kapaa High School Softball Stadium, Kauai

Dear Ms. Nakamura:

We are in receipt of your letter, dated July 29, 2010, in which you requested our review and comments on the Draft Environmental Assessment (DEA) for the proposed construction of a new softball stadium on the Kapaa High School campus, Kauai. The proposed action includes the establishment of a softball field with a skinned infield and graded/grassed outfield, permanent aluminum bleachers, field lighting poles, restroom/concession facility, surrounding fence and associated infrastructure.

In the DEA, you identify potential project impacts to three seabird species: (1) the endangered Hawaiian petrel (*Pterodroma phaeopygia*); (2) the threatened Newell's shearwater (*Puffinus newelli*); and (3) the band-rumped petrel (*Oceanodroma castro*), a candidate for listing. As stated in the DEA, you are aware that artificial lighting has the potential to attract seabirds where they end up circling the light source until they either collide with nearby structures or fall to the ground due to exhaustion. Once grounded, they are vulnerable to predators or often struck by vehicles along roadways. Under certain conditions, seabirds are also known to collide with structures higher than current existing vegetation even in areas without artificial light sources being present.

The DEA addresses these potential impacts by stating that night-time games will not occur during the peak "fallout season" (September through December). In addition, plans are included to further minimize impacts to seabirds by shielding lights or using cut-off luminaires, not using any uplighting on buildings or landscaping, and not doing any construction during night-time hours between September 15 and December 15. We appreciate incorporating these lighting minimization measures into your project.

Although the stadium lights will not be in use during the "fallout season," we believe the proposed project may still result in the "take" of these species during spring and summer months.



Ms. Nadine Nakamura

2

The proposed project site is located on a hilltop adjacent to the coast which may result in seabirds colliding with stadium structures when transiting between breeding areas and the ocean. Since the potential for take of federally protected species exists, we recommend that the Hawaii Department of Education (DOE) apply for an incidental take permit pursuant to section 10(c)(1)(B) of the Endangered Species Act of 1973, as amended. A section 10 permit application must include a habitat conservation plan (HCP) that identifies the effects of the action on listed species and their habitats, and defines measures to minimize and mitigate adverse impacts. We understand that this project has not been included in an application to the Kauai Seabird Habitat Conservation Plan, which has been developed to enable participants to achieve legal authorization for incidental take and provide an island-wide framework for avoiding and minimizing the causes of incidental take of seabirds on Kauai. Therefore, we recommend that DOE apply for an incidental take permit not only for the proposed softball field, but also for all other DOE facilities where lighting and seabird fallout are an issue.

We hope this information assists you in developing a comprehensive and thorough final environmental assessment. We appreciate your efforts to conserve listed species. If you have questions about our comments, please contact Bill Staudley, Consultation and Habitat Conservation Planning Program (phone: 808-792-9400, fax: 808-792-9581).

Sincerely,

for Loyd Mehrhoff
Field Supervisor

cc: Mr. Robert Purdie, State of Hawaii, Department of Education
Ms. Andrea Erichsen, Kauai Seabird HCP Office, Division of Forestry and Wildlife
Mr. Scott Fretz, Hawaii Department of Land and Natural Resources, Division of Forestry and Wildlife

Kapa'a High School Softball Stadium:
Final Environmental Assessment

NKN PROJECT PLANNING

October 1, 2010

Mr. Loyal Mehrhoff, Field Supervisor
United States Department of the Interior
Fish and Wildlife Service
PO Box 50088
Honolulu, HI 96850

SUBJECT: Draft Environmental Assessment, Kapa'a High School Softball Stadium
Kapa'a, HI, Hawai'i
TMK (4) 4-6-14:31

Dear Mr. Mehrhoff,

This is in response to your comments of September 8, 2010 regarding the Kapa'a High School Softball Stadium Draft Environmental Assessment.

We are very appreciative of your detailed and informative comments. Your concerns and recommendations are being addressed by the State Department of Education (DOE). The Kaua'i Complex Area Superintendent has been working closely with the Kaua'i Seabird Habitat Conservation Plan office over the past few years. An assessment of all DOE facilities on Kaua'i was conducted and the results were summarized in a July 2008 report. The DOE plans to submit an application, that will include the Kapa'a Softball Stadium project, in the Kaua'i Seabird Habitat Conservation Plan, pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended.

The Final Environmental Assessment has been amended to summarize your comments and reflect the above information. Your comment letter will also be included in the FEA.

Sincerely,



Nadine K. Nakamura
Principal

cc: Ms. Andrea Erichsen, Kaua'i Seabird HCP Office, Division of Forestry and Wildlife
Mr. Scott Frentz, Hawai'i Department of Land and Natural Resources, Division of Forestry and Wildlife
Mr. Bill Arakaki, Kaua'i Complex Area Superintendent, State Department of Education
Mr. Reggie David

3645 I'iwi Road
Kapa'a, Hawai'i 96746
Telephone (808) 822-0388
Cellular (808) 635-1507
Facsimile (808) 821-9427
nknplan@hawaii.rr.com

Kapa'a High School Softball Stadium:
Final Environmental Assessment



Water has no substitute.....Cawcove Jr

August 23, 2010

UID 2165

Ms. Nadine Nakamura
4841 Tani Road
Kapa'a, HI 96746

Dear Ms. Nakamura:

Subject: Draft Environmental Assessment, Kapa'a High School Softball Stadium on TMK: (4) 4-6-14-031,
Kapa'a, Hawaii

Dear Ms. Nakamura,

This is in regards to your Draft Environmental Assessment received by the Department of Water (DOW) on August 3, 2010. We have no objections to the Draft Environmental Assessment for the Kapa'a High School Softball Stadium.

Prior to the DOW recommending building permit, the applicant must:

1. Prepare and receive DOW's approval of construction drawings for the necessary water system facilities and construct said facilities. These facilities shall include but not be limited to:
 - a) The interior plumbing plans with the appropriate backflow prevention device, if applicable.
2. Receive a "Certificate of Completion" for the completion of the necessary water system facilities from the DOW.

This conditional approval is valid for a period of one (1) year from the date of this letter. After this one year period, this conditional approval shall be null and void and the applicant may re-apply to the Department for water service. Any request for water service will be dependent on the adequacy of the source, storage, and transmission facilities existing at that time.

If you have any questions concerning the construction drawings or Certification of Completion, please contact Mr. Keith Aoki at (808) 245-5411. For other questions, please contact Mr. Heath Prow at (808) 245-5445.

Sincerely,


Greg Fujikawa
Chief of Water Resources and Planning

HIF-000
4-6-14-031 KapuaHighSoftballfield T-12456

4289 Pali Rd., P.O. Box 1704, Lihue, HI 96746, Phone: 808-245-5400
Engineering and Field Fax: 808-245-5813, Operations Fax: 808-245-5402, Administration Fax: 808-245-8629



October 1, 2010

Mr. Gregg Fujikawa
Chief of Water Resources and Planning
Department of Water
County of Kauai
PO Box 1706
Lihue, HI 96766

SUBJECT: Draft Environmental Assessment, Kapa'a High School Softball Stadium
Kapa'a, HI, Hawaii
TMK (4) 4-6-14-31

Dear Mr. Fujikawa,

This is in response to your comments of August 23, 2010 regarding the Kapa'a High School Softball Stadium Draft Environmental Assessment.

The applicant will be made aware of the requirements for building permits, the one year conditional approval, and that the request is dependent on the adequacy of the source, storage and transmission facilities existing at that time.

The Final Environmental Assessment has been amended to reflect your comments. If you have any questions, please contact me at 822-0388.

Sincerely,


Nadine K. Nakamura
Principal

4808 Tani Road
Kapa'a, Hawaii 96746
Telephone: (808) 822-0388
Cellular: (808) 625-1507
Facsimile: (808) 822-5027
efujikawa@hawaii.gov

STRATEGIC PLANNING • PERMITTING • COMMUNITY PLANNING • COLLABORATION BUILDING

Kapa'a High School Softball Stadium
Final Environmental Assessment

COUNTY OF KAUAI
PLANNING DEPARTMENT
4444 RICE STREET, SUITE A473
LIHOE, KAUAI, HAWAII 96766
(808) 241-4050

MEMORANDUM

DATE: September 8, 2010

TO: Nadine Nakamura
NKN Project Planning
4849 Iwi Road
Kapaa, HI 96746

FROM: Kawai Historic Preservation Review Commission 

SUBJECT: Letter (7/29/2010) from Nadine K. Nakamura, Principal, NKN Project Planning requesting comments on the Draft Environmental Assessment prepared pursuant to the EIS law (Ch. 343, HRS and 11-200, HAR) for the Kapa'a High School Softball Stadium - Department of Education, Kawai School District, DOE Job Number: Q41001-07.

At it's meeting on September 2, 2010, the Kawai Historic Preservation Commission (KHPRC) reviewed and discussed your request for input on the Draft Environmental Assessment on the proposed project.

It is the KHPRC's understanding that the softball stadium will be built on and adjacent to High School's campus and will not affect the four Elementary School structures listed on the State Register of Historic Places. The PTSA and surrounding residents in the area have been notified of the project as well.

Based on the information provided, the KHPRC received and approved the information as provided. Please feel free to contact Iana K. Costa, Director should you have any questions regarding this matter.

Aihoa & Malama Pono.

cc: State Historic Preservation Division
Planning Department



October 1, 2010

Kawai Historic Preservation Review Commission
Planning Department
County of Kauai
4444 Rice Street, Suite A473
Lihoe, HI 96766

SUBJECT: Draft Environmental Assessment, Kapa'a High School Softball Stadium
Kapa'a, HI, Hawaii
TMK (4) 4-6-14-31

Dear Commissioners,

This is in response to your comments of September 8, 2010, regarding the Kapa'a High School Softball Stadium Draft Environmental Assessment.

As stated in your letter, we would like to confirm that the four historic structures listed on the State Register of Historic Places will not be affected by the construction of the softball stadium on the Kapa'a High School campus.

A copy of your comments will be included in the Final Environmental Assessment.

Sincerely,



Nadine K. Nakamura
Principal

4490 Tualo Road
Kapaa, Hawaii 96746
Phone: (808) 827-0286
Cell: (808) 825-1567
Fax: (808) 827-9477
nknplanning@comcast.com

STRATEGIC PLANNING • PERMITTING • COMMUNITY PLANNING • COLLABORATION BUILDING

Kapa'a High School Softball Stadium
Final Environmental Assessment

BERNARD P. CARVALHO, JR.
SAYOR
GARY K. HEU
ADMINISTRATIVE ASSISTANT



DOHARD M. FUJIMOTO
COUNTY ENGINEER
TELEPHONE 341-4892
EDMOND P. K. RENAUD
REPUT COUNTY ENGINEER
TELEPHONE 341-4892

AN EQUAL OPPORTUNITY EMPLOYER
DEPARTMENT OF PUBLIC WORKS
400 KEELE STREET
MOWEE, KAUAI, HAWAII 96740-1340

August 4, 2010

State of Hawaii,
Department of Education
P.O. Box 23460
Honolulu, HI 96804
Attention: Mr. Robert Pardie

SUBJECT: DRAFT ENVIRONMENTAL ASSESSMENT FOR KAPA'A HIGH SCHOOL
SOFTBALL STADIUM. TMK. 4-6-014-031
PW 7.10.148

Gentlemen,

We reviewed the subject draft environmental assessment that was prepared by NKN Project Planning. We offer the following comments:

1. We recommend comments be solicited from our Wastewater Management Division on the wastewater disposal for the subject area whether the existing system is able to accommodate the proposed softball stadium.
2. We recommend comments be solicited from our Building Division relating to building and electrical permits requirements.
3. We recommend that your construction plans be submitted to the Disability and Communication Access Board (DCAB) in accordance with Hawaii Administrative Rules H.A.R. 102-50, Section 102-50 states "All plans and specifications for the construction of public buildings facilities, and sites by the State or any County shall be prepared so that the buildings and facilities are accessible to and usable by persons with disabilities."
 - The design of the accessible parking stalls, access aisle, signage and pavement markings shall comply with the American with Disabilities Act Accessibility Guidelines for Buildings and Facilities, Transportation Facilities, Transportation Vehicles September 1994.
4. GRADING:
 - A grading permit can be exempted for this project under paragraph (a) Section 22-7.6 EXEMPTIONS, of the Sediment and Erosion Control Ordinance No. 808. Paragraph (a) reads as follows: "Work in a public street, sidewalk, alley, right of way or an isolated self contained Government controlled area". If exempted, we expect the State DOE to monitor its own grading activities and BMP's.

State of Hawaii,
August 4, 2010
Page (2)

- If applicable, any borrow site and/or disposal sites receiving the excess washed excavated material shall comply with the Sediment and Erosion Control Ordinance No. 808.
- Regardless if a grading permit is required or not, Best Management Practices (BMP's) shall be implemented at all times to the maximum extent practicable to prevent damage by sedimentation, erosion or dust to streams, water courses, natural areas and the property of owners.
- Section 22-7.5 of the Sediment and Erosion Control Ordinance No. 808 reads "It shall be the permittee and the property owner's responsibility to ensure that the BMP's are satisfactorily implemented."

5. DRAINAGE:

- We consider the proposed drainage improvements as a private drainage system. The Design Engineer should use acceptable drainage design standards.
- We have no objections on the proposed drainage improvements so long as the proposed development does not increase storm water flowage to the lower land owners and maintains the existing sheet flow drainage pattern as stated.

Thank you for this opportunity to provide our comments. We would like to remain on your mailing list in receiving a copy of the Final Environmental Assessment. Should you have any questions, please contact me at (808) 241-4891.

Very truly yours,

Wallace Kudo
Wallace Kudo, P.E.
Chief, Engineering Division

WK

CONCUR:

Donald M. Fujimoto
DONALD M. FUJIMOTO, P.E.
County Engineer

Design and Permitting
Wayne Ushigome
Wastewater Management Division
Building Division
NKN Project Planning

Kapa'a High School Softball Stadium:
Final Environmental Assessment



October 10, 2010

Mr. Donald Fujimoto, P.E.
County Engineer
County of Kaua'i
4444 Rice Street, Suite 275
Līhu'e, HI 96766

SUBJECT: Draft Environmental Assessment, Kapa'a High School Softball Stadium
Kapa'a, HI, Hawai'i
TMK (4) 4-6-14:31

Dear Mr. Fujimoto,

This is in response to your comments of August 4, 2010, regarding the Kapa'a High School Softball Stadium Draft Environmental Assessment.

The following addresses your specific comments:

1. The stadium project will comply with the State and County's Wastewater Systems requirements (see FEA Section 2.7).
2. As stated in the FEA, building, plumbing and electrical permits from the Building Division will be sought (see FEA Section 1.5).
3. The construction plans will be submitted to the Disability and Communications Access Board in accordance with HAR 103-50.
4. Any grading taking place with the project area will follow Best Management Practices, and comply with the Sediment and Erosion Control Ordinance No. 808 (see FEA Section 2.9).
5. As stated, the drainage plans for the project use acceptable drainage design standards and will not increase storm water flowage to the lower land owners (see Section 2.9).

Thank you for your comments.

Sincerely,

A handwritten signature in black ink that reads 'Nadine Nakamura'.

Nadine Nakamura
Principal

4849 Tiwi Road
Kapa'a, Hawai'i 96746
Telephone: (808) 922-0299