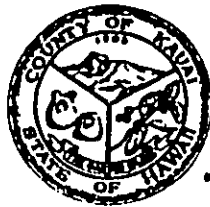


MARYANNE W. KUSAKA  
MAYOR



RECEIVED

'95 AUG 14 P2:16

COUNTY OF KAUAI OFFICE OF ENVIRONMENTAL  
PLANNING DEPARTMENT QUALITY CONTROL  
4444 RICE STREET, SUITE 473  
LIHUE, KAUAI, HAWAII 96766

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

August 3, 1995

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

Subject: Final Environmental Assessment  
General Plan Amendment Petition GPA-95-2  
TMK: 2-4-04: 44 Kalaheo, Kauai  
Otto W. Koerte and Rose Koerte

Pursuant to Chapter 343 of the Hawaii Revised Statutes,  
transmitted herewith are four (4) copies of the Final  
Environmental Assessment and Negative Declaration relating to the  
subject matter for publication in the OEQC Bulletin.

This letter is also to inform you that the Planning Department  
received your letter of June 22, 1995 during the 30 day  
commenting period for the Draft Environmental Assessment for the  
project. The preparer has included your letter and a response  
within the Final Environmental Assessment for the project.

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

A handwritten signature in cursive script, appearing to read "Dee M. Crowell".

DEE M. CROWELL  
Planning Director

1995-09-08-KA-FA-Koerte General Plan Amendment 8 1995

**FILE COPY**

**Koerte General Plan Amendment  
Kalaheo, Kauai, Hawaii**

**FINAL Environmental Assessment**

**Prepared for:**

Otto W. and Rose Koerte  
P. O. Box 472  
Koloa, Kauai, Hawaii 96756

**By:**

NKN Project Planning  
4849 Iiwi Road  
Kapaa, Kauai, Hawaii 96746

**July 31, 1995**

PLANNING DEPARTMENT - COUNTY OF KAUAI

NOTICE OF DETERMINATION

APPLICANT: Otto W. and Rose Koerte  
\_\_\_\_\_  
\_\_\_\_\_  
TAX MAP KEY: 2-4-04: 44  
\_\_\_\_\_  
LOCATION: Kalaheo, Kauai Located along Poohiwi Rd.  
\_\_\_\_\_  
\_\_\_\_\_

APPROVING AGENCY: PLANNING DEPARTMENT, COUNTY OF KAUAI

AGENCIES CONSULTED:

County: <u>Dept. of Public Works</u>	State: <u>DLNR-Historic Pres.</u>
<u>Dept. of Water</u>	<u>Dept. of Health</u>
<u>Fire Department</u>	<u>Land Use Commission</u>
	<u>Office of State Plan.</u>
	<u>Dept. of Agriculture</u>

A. DESCRIPTION OF PROPOSED ACTION & STATEMENT OF OBJECTIVES:

The proposed action involves a General Plan Amendment to reclassify the subject property, consisting of 3 acres of land, from the "Agricultural" designation to the "Urban Residential" designation. The applicant has also submitted petitions for a State Land Use District Boundary Amendment and County Zoning Amendment to amend the property from the Agriculture District to the Residential District (R-2). The applicant is proposing these petitions in order to subdivide the property into three lots, each being one acre in size.

B. DESCRIPTION OF ACTIONS'S TECHNICAL, ECONOMIC, SOCIAL & ENVIRONMENTAL CHARACTERISTICS: (See Attached FEA)

C. SUMMARY OF DESCRIPTION OF AFFECTED ENVIRONMENT: (See Attached FEA)

D. DISCUSSION OF THE ASSESSMENT PROCESS:

1. Identification and Evaluation of Potential Impacts:

There are no known endangered species of plant or animal on the property. The State Historic Preservation Division has indicated that there are no significant historical/cultural resource on the subject property. The project, as represented, will ultimately result in the construction of 2 additional single family residential units. The project is to comply with the applicable individual waste water treatment requirements of the State Department of Health. No significant increase in public services are anticipated.

2. Areas Requiring Further Study:

As indicated by the applicant's E.A., soils study and geologic report may be needed prior to the construction of the single family residences. Such studies may be required at time of building permit application.

E. IDENTIFICATION AND SUMMARY OF MAJOR IMPACTS AND ALTERNATIVES CONSIDERED: (See attached FEA)

F. PROPOSED MITIGATION MEASURES IF ANY:

Compliance with applicable requirements of the Department of Health and Department of Public Works.

G. DETERMINATION:

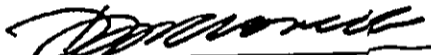
IT IS HEREBY DETERMINED THAT AN ENVIRONMENTAL IMPACT STATEMENT IS:

  X   NOT REQUIRED: THIS DETERMINATION IS THEREFORE A NEGATIVE DECLARATION;

           REQUIRED;

BASED ON THE FOLLOWING FINDINGS AND REASONS:

The action will not have any substantial adverse environmental or ecological effect, nor involve the loss or destruction of any endangered or cultural resource, nor will the proposal involve substantial degradation of environmental quality.

  
Authorized Signature

Planning Director  
Title

3 Aug 1975  
Date

## **PROJECT SUMMARY**

<b>Project Name:</b>	<b>Koerte General Plan Amendment</b>
<b>Applicant/Landowner:</b>	<b>Otto W. and Rose Koerte P. O. Box 472 Koloa, Kauai, Hawaii 96756</b>
<b>Accepting Authority:</b>	<b>Planning Department County of Kauai</b>
<b>Project Location:</b>	<b>Kalaheo, Kauai, Hawaii</b>
<b>Tax Map Key:</b>	<b>2-4-4: 44</b>
<b>Total Land Area:</b>	<b>3 acres</b>

## **Project Description**

---

Landowners Otto and Rose Koerte own a 3 acre lot, identified as Tax Map Key 2-4-4: 44, in Kalaheo, Kauai. The parcel is located approximately three-quarters of a mile mauka of Kaunualii Highway. A location map is found in Figure 1.

The parcel's State land use designation is "Agriculture," the County General Plan designation is "Agriculture," and County Zoning is "Agriculture" and "Open."

The owners are requesting a change in State land use designation to "Rural," a change in the County General Plan to "Urban Residential," and a change in zoning to "Residential R-2."

Under the present zoning code, the owner is permitted one dwelling unit and one additional dwelling unit<sup>1</sup>. The owners are seeking the subject land use changes to legally subdivide the property into three one-acre lots. The Koertes inherited the family property about 24 years ago. The owners propose to retain one lot with the existing dwelling unit for themselves and convey the remaining two lots to their two daughters.

### ***EA Scope***

An amendment of the County General Plan triggers the environmental review process as defined by Chapter 343, Hawaii Revised Statutes (HRS), including Act 241, SLH 1992 revisions, and Title 11, Chapter 200, Hawaii Administrative Rules, Department of Health.

### ***Technical***

North of the subject parcel is pasture land and a rodeo facility on state-owned land. East of the subject parcel is a pasture used for cattle grazing and residential units located on lands zoned Residential R-2. South of the subject parcel is a gully that is used for cattle grazing. West of the subject parcel is a 4.9 acre lot with one dwelling unit and pasture land used for grazing cows and horses.

Vehicular access to the subject parcel is from Poohiwi Road, approximately 10 feet wide, located off Puuwai Road.

The natural drainage is makai towards Poohiwi Road. This pattern will be continued unless otherwise directed by the County of Kauai.

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<sup>1</sup>Letter from the Planning Department to Cesar Portugal, dated October 10, 1994.



The source of water for the proposed homes is the County of Kauai Department of Water.

The project site is not sewered. Installation of an individual wastewater system (IWS) will follow Department of Health rules and regulations. Solid waste disposal will be provided by the County of Kauai. At this time, the project will involve the construction of two additional homes. The County Department of Public Works has indicated that these two homes will have a negligible impact on existing solid waste disposal services.

Electrical and phone service will be extended to service the proposed lots.

***Socio-Economic  
Characteristics***

The cost to develop the subdivision is estimated at \$60,000. The design and construction of the subdivision will generate some short-term employment opportunities.

The proposed development will also provide affordable lots for the Koerte's two daughters, who will build homes on these lots.

The additional two homes will have a minimal impact on the use of schools, parks, and the need for fire, police, and other social services provided by government.

No business enterprise or residence will be displaced by the project.

***Environmental  
Characteristics***

Construction of the proposed improvements may temporarily impact existing air quality and noise levels. Construction will also increase the amount of dust in the air and construction machinery may raise noise levels.

The owners propose to build three homes on a parcel that now contains one home. This visual impact is mitigated by the fact that the three homes would be spread out over three acres. The owner would design structures and select building materials to blend into the existing landscape.



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## Description of Affected Environment

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**Existing Use**

The three acre site contains one single-family home fronting Poohiwi Road. The remaining land is used as a pasture for the owner's three dogs and one cow. A wire and wood fence surrounds the entire property.

**Geographical Characteristics**

Topography. The site is located on a hill running north to south below the Lihue-Koloa Forest Reserve. Slopes generally range between 15-20% on the southern portion of the site to 25-40% on the northern portion of the site.

Climate. Mean temperatures in the area generally range from 71 to 79 degrees Fahrenheit. The average annual precipitation varies from 44 inches at Lihue Airport to 35 inches in Poipu.<sup>2</sup>

Soil. The site is comprised PnD and PnE--Puhi Series--which are well-drained soils on upland on the island of Kauai. Puhi silty clay loam developed in material derived from basic igneous rock. Puhi soils with slopes between 15 and 25% have medium runoff with moderate erosion hazard. Puhi soils with slopes between 25 and 40% have rapid runoff with severe erosion hazard.<sup>3</sup>

**Flood Hazard**

Federal Emergency Management Flood Insurance Rate Map, Panel 180, shows the property in Zone X (unshaded). This means that FEMA determines this area to be outside the 500-year flood plain.<sup>4</sup>

**Flora and Fauna**

The owners have planted tangerine, palm, coconut, lychee, and avacado trees. Dotting the pasture are avacado and hawaiian orange trees. The pasture land is primarily covered by grasses and weeds.

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<sup>2</sup>The State of Hawaii Data Book 1993-94, State of Hawaii, The Department of Business, Economic Development & Tourism, June, 1994, p. 146.

<sup>3</sup>Soil Survey of Island of Kauai, Oahu, Maui, Molokai, and Lanai, State of Hawaii, United States Department of Agriculture, Soil Conservation Service in Cooperation with The University of Hawaii Agricultural Experiment Station, August 1972.

<sup>4</sup>FIRM Flood Insurance Rate Map, County of Kauai, Hawaii, Panel 130, Federal Emergency Management Agency, March 4, 1987.

***Natural Resources***

There are no known natural habitats or bodies of water adjacent to the project site.

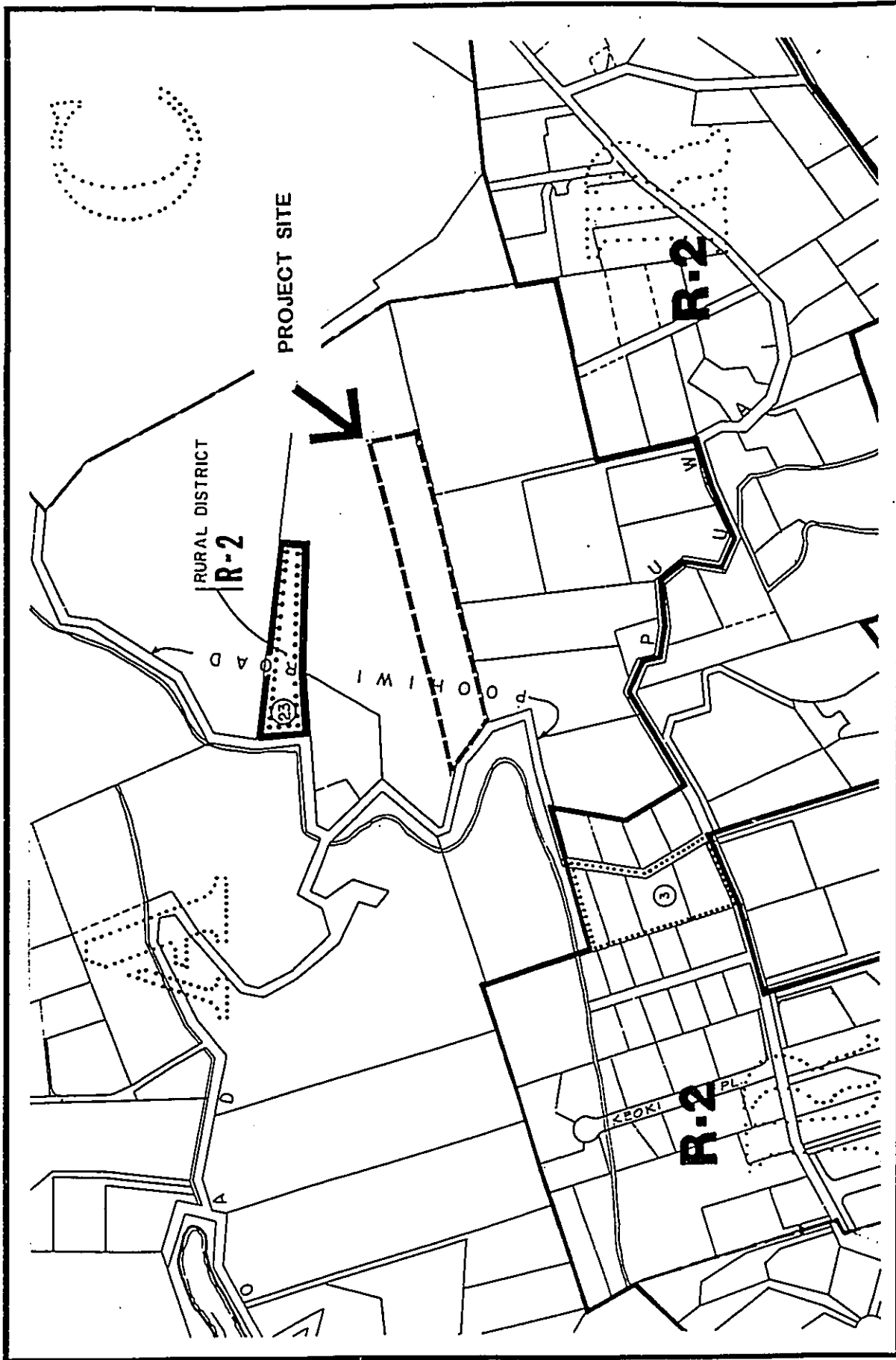
***Historic Sites***

There are no known historic, archaeological, and cultural sites on the subject parcel. The Kauai Cultural Resource Sensitivity Map shows no significant historical/cultural resources on the property.

***Land Use Controls***

State Land Use Designation	Agriculture
County General Plan	Agriculture
County Zoning	Agriculture & Open

The State Land Use Map and County General Plan map are shown together in Figure 2. The County zoning map is shown in Figure 3.



**FIGURE 2**  
State Land Use and County Zoning Map  
Koerte Environmental Assessment

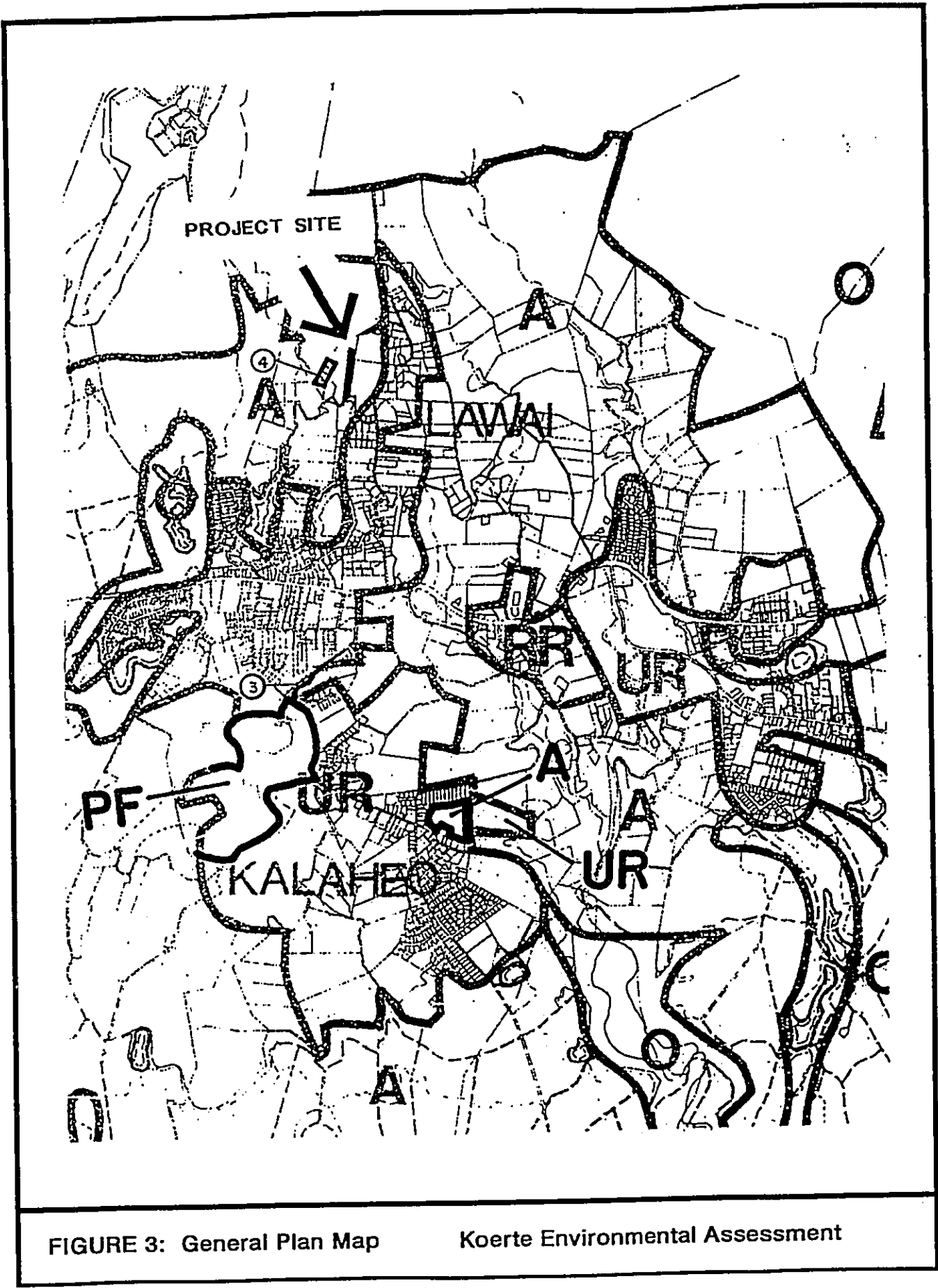


FIGURE 3: General Plan Map

Koerte Environmental Assessment

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## Summary of Potential Impact and Measures to Mitigate Adverse Impacts

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### **Short-term Impacts**

**Construction.** Grading on the site and construction of the proposed improvements will increase the amount of fugitive dust in the air and construction machinery will raise noise levels. These construction nuisances cannot be avoided but can be reduced by frequent water sprinkling and conducting work within reasonable hours of the day. Contractors will comply with State Department of Health regulations requiring mitigation of potential impacts to air quality and noise levels. The Contractor will also be responsible for keeping adjacent areas free of mud, sediment, and construction debris.

**Employment.** The planning, design, and construction of the subdivision and the building of the two additional homes will generate some short-term employment opportunities.

### **Long-term Impacts**

**Loss of Agricultural Lands.** The University of Hawaii Land Study Bureau classifies the property as D-26, indicating suitability to grazing and orchard crops. The impact of removing three acres from grazing is offset by the more than adequate agricultural lands on Kauai to meet agricultural production goals.

**Traffic.** The narrow ten-foot wide pavement and sharp curvatures of Pooihiwi road does not accommodate two way traffic and does not meet County standards. The County has no immediate plans to upgrade Pooihiwi Road.

The creation of two additional lots would have a minimal impact on traffic on Pooihiwi Road. To compensate for the acute angular changes and narrow streets, residents drive slower and drive to the edge of the paved road to allow cars from the opposite direction to pass.

**Visual.** The owners propose to build three homes on a parcel that now contains one home. This visual impact is mitigated by the fact that the three homes would be spread out over three acres. The owner would design structures and select building materials to blend into the existing landscape.

**Potential Density.** Under the proposed R-2 zoning, the maximum density is two lots per acre. This zoning classification is requested to be consistent with densities of residential-zoned property in the general area. The subject three acre lot would require an internal roadway, which would reduce the lot size from three to about two and a half acres. Therefore, at full build-out, the lot could potentially accommodate about four to five additional lots. The owners, however, plan to subdivide the parcel into only three lots.

**Cumulative Impact.** The proposed general plan amendment is located about 500 feet west of lots that are zoned R-2 and 400 feet east of a 1.5 acre lot rezoned from Agriculture/Open to Residential R-2 in April, 1991. Since the 1991 rezoning, there have been no other requests for zone changes in this area. It has been suggested that a land use study be conducted to identify infrastructure needs and the desirability of increased densities for this area. This would require a commitment of public resources and action. Until a study is undertaken, property owners will choose to increase land densities based on individual circumstances and needs.

**Soils.** The subject parcel is located in the Soils District, a constraint district outlined in the County's Comprehensive Zoning Code. Parcels located in this district have soils that are unstable, have inadequate drainage characteristics, or require abnormal structural solutions because of load bearing or drainage characteristics. Any application for development of more than one dwelling unit will require a soils and geologic report and topographic map by a soils engineer. The application will also include detailed drawings showing that the development will not contribute to the instability of land and compensate for soil characteristics.

### **Alternative to the Proposed Action**

---

A No Action alternative involves no changes to the site. The elderly owners of the property may build an additional dwelling unit, but would not have two additional lots to transfer to their daughters.

### **Determination**

---

The proposed General Plan change is not anticipated to cause significant negative impacts to the environment. It has therefore been determined that a negative declaration will be issued.

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### Reasons Supporting Determination

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The following findings support the determination:

1. The proposed action will not involve a loss or destruction of any natural or cultural resource;
2. The proposed action will not curtail the range of beneficial uses of the environment;
3. The proposed action does not conflict with the State's long-term goals or guidelines as expressed in Chapter 344, HRS;
4. The proposed action does not substantially affect the economic or social welfare of the community or state;
5. The proposed action does not substantially affect public health;
6. The proposed action does not involve substantial secondary effects;
7. The proposed action does not involve substantial degradation of environmental quality;
8. The proposed action does not cumulatively have a considerable effect on the environment or involve a commitment to larger actions;
9. The proposed action does not affect a rare, threatened, or endangered species or its habitat;
10. The proposed action does not detrimentally affect air or water quality or ambient noise levels; and
11. The proposed action does not affect an environmentally sensitive area.

For the reasons cited above, the proposed project will not have any significant effect in the context of Chapter 343, Hawaii Revised Statutes.

The Draft EA Notice of Availability was published in the OEQC Bulletin on June 23, and July 8, 1995. The Kauai Planning Department received one response to the Draft EA from the Office of Environmental Quality Control. The OEQC's concerns regarding solid waste and wastewater disposal have been incorporated into this document. A copy of the letter is attached.



BENJAMIN J. CAYETANO  
GOVERNOR



GARY GILL  
DIRECTOR

STATE OF HAWAII  
OFFICE OF ENVIRONMENTAL QUALITY CONTROL  
220 SOUTH KING STREET  
FOURTH FLOOR  
HONOLULU, HAWAII 96813  
TELEPHONE (808) 586-4186  
FACSIMILE (808) 586-2452

COUNTY OF KAUAI  
'95 JUN 26 10:15 A.M.  
PLANNING DEPT.

June 22, 1995

COPY

Dee M. Crowell  
Kauai Planning Department  
4444 Rice Street, Suite 473  
Lihue, Hawaii 96766

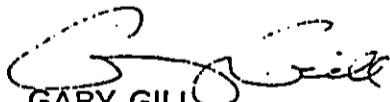
Dear Mr. Crowell:

Subject: Draft Environmental Assessment (General Plan Amendment) for Otto and Rose Koerte, Kalaheo, TMK: 2-4-4: 44

Please include a full discussion of solid waste disposal and wastewater disposal for this project in the final environmental assessment.

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

Sincerely,

  
GARY GILL  
Director

GG/NH:kk

c: Nadine Nakamura, NKN Project Planning  
Otto and Rose Koerte

## References

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FIRM Flood Insurance Rate Map, Kauai County, Hawaii, Panel 139,  
Federal Emergency Management Agency, March 4, 1987.

Soil Survey of Island of Kauai, Oahu, Maui, Molokai, and Lanai, State of  
Hawaii, United States Department of Agriculture, Soil Conservation  
Service in cooperation with The University of Hawaii Agricultural  
Experiment Station, August 1972.

The State of Hawaii Data Book 1993-94, A Statistical Abstract,  
Department of Planning and Economic Development and Tourism, June,  
1994.