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COUNTY OF KAUAI
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OFFICE OF ENVIRONMENTAL
QUALITY CONTROL


December 18, 1995

Mr. Brian J.J. Choy, Director
State of Hawaii
Office of Environmental Quality Control
220 South King Street, 4th Floor
Honolulu, Hawai'i 96813

Subject: GROVE FARM PROPERTIES, INC., Applicant
State Land District Boundary Amendment A-96-1
General Plan Amendment GPA-96-1
Zoning Amendment ZA-96-5
Tax Map Key: 3-3-03: 1, 33, 35
3-3-12: 40
3-3-13: 25-27, 32 & 53, Lihue, Kauai

Pursuant to Act 241, Session Laws of Hawaii 1992, submitted herewith are four (4) copies of the Environmental Assessment (E.A.) relating to the subject matter for publishing in the OEQC Bulletin. Be advised that a negative declaration for the project is anticipated at this time. A determination on the proposal (negative declaration or EIS preparation notice) will be submitted to OEQC after the 30 day comment period.

Please be further advised that the foregoing action does not reflect our position on this proposal relative to the requirements and objectives of the County's General Plan, Comprehensive Zoning Ordinance, the State Land Use Rules and Regulations and other applicable plans, rules and regulations. These documents are to be considered by the Authority during the review of the general plan and zoning amendment petitions.


DEE M. CROWELL
Planning Director

DC:dac

Enclosures

WegdecA-96-1.DR

AN EQUAL OPPORTUNITY EMPLOYER

182

BEFORE THE COUNTY OF KAUAI

STATE OF HAWAII

In the Matter of the Petition)
 of)
 Grove Farm Properties, Inc.)
 To reclassify and amend approximately)
 14.03 acres of land currently situated)
 within the Agricultural State Land Use)
 District, General Planned Open and Urban)
 Mixed Use and Zoned Agriculture (A),)
 Open (O), and Residential (R-10) into the)
 Urban State Land Use District, Urban Mixed)
 Use (UMU) General Plan designation and)
 Limited Industrial (IL) and Open (O) Zones)
 located at Lihue, Kauai, Hawaii, further)
 identified as Tax Map Keys 3-3-13: Por.)
 25-27, 32 and 53; 3-3-12:40; 3-3-03: Por.)
 1, 33 and 35, Por. Lots 1113-1115, 1120,)
 1157, 1158, 1412, 1413 and 1518.)

DOCKET NO. _____

OEGC Publication
 form same as
 initial submission
 per Dale Lee.
 JT said if same they
 do not need to
 submit another form
 Told him next time
 need to submit for Draft + final.

ORIGINAL

FINAL ENVIRONMENTAL ASSESSMENT

This Environmental Assessment relates to the application of Grove Farm Properties, Inc., a Hawaii corporation whose principal place of business and mailing address is P.O. Box 2069, Puhi Rural Branch, Lihue, Hawaii 96766-7069, respectfully shows as follows:

SECTION I: PETITIONER'S/APPLICANT'S ADDRESS AND TELEPHONE

All communications relative to the Environmental Assessment are to be sent to:

Grove Farm Properties, Inc.
 P.O. Box 2069
 Puhi Rural Branch
 Lihue, Hawaii 96766-7069

Attention: Greg Kamm, Vice President

Telephone: 245-3678

SECTION II: IDENTIFICATION OF LEGAL AND EQUITABLE LANDOWNER

The Petitioner, Grove Farm Properties, Inc. (hereinafter Grove Farm) is the owner of TMKs: 3-3-13:32 & 53 and 3-3-12:40; Grove Farm Company, Incorporated is the owner of TMKs: 3-3-03: Por. 1, 33 and 35; Carswell/Spalding Partnership is the owner of TMK; 3-3-13:25; Puhi Pioneer Co. is the owner of TMK: 3-3-13:26; and Aina Site Construction, Inc. is the owner of TMK: 3-3-13:27. Grove Farm Properties, Inc. is authorized by the other owners to make the application as evidenced by authorization letters identified as Exhibits A-D.

BEFORE THE COUNTY OF KAUAI

STATE OF HAWAII

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SECTION III: PROPERTY DESCRIPTION AND SIZE FOR RECLASSIFICATION

The petition area totals 14.03 acres located in Lihue, County of Kauai, State of Hawaii, which is separated into three (3) areas: the Puhi Road area, Kaneka Street area and Sewage Treatment Plant (STP) area. These areas are shown as Parcels "A1, B1, C, D and E" on the State Land Use District Boundary Interpretation Map No. 95-17 dated July 5, 1995, a reduced copy of which is provided for your reference as Exhibit E.

SECTION IV: EXISTING COUNTY GENERAL PLAN AND ZONING DESIGNATION AND STATE LAND USE DISTRICT AND SHORELINE MANAGEMENT DESIGNATION

Petitioner is seeking State Land Use District boundary, County Zoning and General Plan amendments in a "housekeeping" effort to make all the aforementioned land planning designations consistent and align with existing zoning designations or proposed uses for portions of its Lihue/Puhi lands. It is proposed that these 14.03 acres be included in the Urban State Land Use District, be zoned to the Limited Industrial (IL) or Open (O) Districts and be included in the Urban Mixed Use (UMU) General Plan designation. The following chart shows the existing and proposed designations.

Areas	Puhi Road		Kaneka Street	Sewage Treatment Plant	
Grove Farm's Parcel Number on LUC Boundary Interpretation Map 95-17	A1	B1	C	D	E
Tax Map Key (TMK) (All are portions of noted Tax Map Keys)	●3-3-12:40 ●3-3-13:25-27,32 & 53 ●3-3-03:33	3-3-03:33	3-3-03:33	●3-3-03:1 ●3-3-03:33	3-3-03:35
Lot Numbers (All are portions of noted lots)	●1158 ●1113-1115, 1120 & 1157 ●1413	1413	1413	●1518 ●1413	1412
Area (acres)	3.067	0.080	0.703	1.384	8.796
Existing State Land Use Designation	Agricultural		Agricultural	Agricultural	
Proposed State Land Use Designation	<i>Urban</i>		<i>Urban</i>	<i>Urban</i>	
Existing General Plan Designation	Urban Mixed Use (UMU)		Open (O)	Open (O)	
Proposed General Plan Designation	No Change Proposed		<i>Urban Mixed Use (UMU)</i>	<i>Urban Mixed Use (UMU)</i>	
Existing Zoning	Agriculture (A)	Residential (R-10)	Open (O)	Agriculture (A)	
Proposed Zoning	<i>Limited Industrial (IL)</i>	No Change Proposed	No Change Proposed	<i>Open (O)</i>	
Existing Use	●Industrial ●Road	Vacant	Dirt Cane Haul Road	Paved Driveway to STP	STP Ponds
Proposed Use	No Change Proposed	Residential	Improved Roadway	No change proposed	STP Phase II

None of the properties proposed for reclassification are located within the Special Management Area of the County of Kauai.

SECTION V: DESCRIPTION OF PROPERTY

1. Location

The proposed amendment areas are located in Puhi and Lihue, Kauai, Hawaii, further identified as Tax Map Keys 3-3-13: Por.25-27, 32 and 53;

3-3-12:40; 3-3-03: Por.1, 33 and 35, Por. Lots 1113-1115, 1120, 1157, 1158, 1412, 1413 and 1518.

The Puhi Road area is located between the existing developments of Puhi Industrial Park, Hokulei Estates and Puhi single family residential subdivisions, and Halelani Village multi-family residential project. The Kaneka Street area crosses Halehaka gully and lies between the west and east plateaus of Grove Farm's Lihue/Puhi project. The Sewage Treatment Plant area is located along the driveway and immediately to the east of the existing Puhi Sewer and Water, Co., Inc. sewage treatment facility and is occupied by sewage treatment ponding basins and the improved driveway.

2. **Existing Use**

The existing uses of the properties are noted in the chart provided in Section IV.

3. **Elevation**

The sites range in elevation as follows:

Puhi Road - 264' to 300' mean sea level (MSL)

Kaneka Street - 289' MSL

STP - 142' to 143' MSL

4. **Slope**

Slopes in the Kaneka Street and STP areas are flat, while the Puhi Road area has a slope of approximately 5% from the north to the south. All areas have been extensively graded in the past to accommodate the existing improvements in accordance with grading permits.

5. **Drainage**

A drainage master plan for the entire Grove Farm Lihue/Puhi project was approved by the County on June 4, 1992, incorporating such features as detention basins which aid in silt reduction, so that there will be no net increase in the overall rate of flow. Special care has been taken during development of the amendment areas to assure that drainage from the overall Lihue/Puhi project is adequately handled and does not detrimentally impact the environment.

6. **Rainfall**

According to the Department of Land and Natural Resources Department of Water Resources Map, average annual rainfall over the Puhi Road area is roughly 58", Kaneka Street area is 53" and the STP area is roughly 51".

7. **Soil Classification**

Soils within the proposed amendment areas are as follows:

Puhi Road Area - Puhi Silty Clay Loam, 3-8% and 15-25% Slopes (PnB & PnD) - Puhi Silty Clay Loam soils are found on broad interfluvies on uplands. Permeability is moderately rapid. Run-off is slow and the erosion hazard is slight. The surface layer is very strongly acidic, and subsoil is slightly to medium acidic. Topsoil fertility is fair to low and there is a slight degree of limitation for septic tank filter fields.

Kaneka Street Area - Rough Broken Land (rRR) - Rough broken land consists of very steep land broken by numerous intermittent drainage channels. In most places it is not stony. It occurs in gulches and on mountainsides on all the islands except Oahu. Runoff is rapid and geologic erosion is active. It should be noted that the Kaneka Street area was extensively filled many years ago when the existing cane haul road was constructed through the Halehaka gully. Soils of the fill material have proven to be stable and non-erosive.

STP Area - Lihue Silty Clay, 0-8% Slopes (LhB) - This series of soils consists of well-drained soils on uplands of the island of Kauai. Its substratum is soft, weathered rock. The surface layer is strongly acid,

while the subsoil is slightly acid to neutral. Permeability is moderately rapid. Runoff is slow and the erosion hazard is no more than slight.

8. Traffic

There is no increase in traffic anticipated from the proposed amendments since the sites have already been developed for the most part, and these amendments are merely a housekeeping effort for the land planning designations to reflect existing uses. Traffic mitigation was considered at the time of approval of the overall Lihue/Puhi Master Plan, and is being implemented in accordance with the overall development timetable as projects are developed.

SECTION VI: DESCRIPTION OF PROPOSED DEVELOPMENT

A. Type

As discussed above, the amendment areas have been developed into an industrial subdivision, improved roadway (Puhi Road area), cane haul road (Kaneka Street area) and sewage treatment facility and associated driveway (STP area), and have received master plan approval for an improved roadway (Kaneka Street area).

B. Projected Number of Lots/Units; Size, Whether Development Considers Housing of All Economic and Social Groups

See Section VI.A. The industrial park, roadway and STP improvements service, in part, projects with housing for all economic and social groups.

C. Location of Proposed Development in Relationship to Adjacent Urban Districts and Developments Whether Contiguous or Part of a Planned Community Project

The proposed amendment areas either abut or are part of Grove Farm's master planned Lihue/Puhi project and are bounded by the following:

Puhi Road Area

<u>Direction</u>	<u>Gen. Plan</u>	<u>SLUD</u>	<u>Zoning</u>	<u>Use</u>
North	UR	Urban	IG/R-6	Ind./Res.
South	UMU	Urban	IL	Ind.
East	UMU/A	Urban	R-6/R-10/R-20/Open	Res./Vacant
West	UMU	Urban	IL	Ind.

Kaneka Street Area

<u>Direction</u>	<u>Gen. Plan</u>	<u>SLUD</u>	<u>Zoning</u>	<u>Use</u>
North	Open	Ag	Open	Pasture
South	Open	Ag	Open	Valley
East	UMU	Urban	R-20	Vacant
West	UMU	Urban	R-10	Vacant

Sewage Treatment Plant Area

<u>Direction</u>	<u>Gen. Plan</u>	<u>SLUD</u>	<u>Zoning</u>	<u>Use</u>
North	Open	Urban	Open	Vacant/Golf Course
South	Open	Ag	Ag	Vacant
East	Open	Ag	Ag	Vacant/Golf Course
West	UMU	Urban	Open/Ag	STP

D. Development Timetable

The Puhi Road and STP areas already have been developed into the Puhi Industrial Park, Puhi Road, cane haul road, Puhi Sewer and Water, Co., Inc. sewage treatment facility and driveway access. The Kaneka Street area has been developed into a cane haul road, and is slated for further improvements upon development of the Multi Family project identified as Parcel 8 of Grove Farm's Lihue/Puhi project. Parcel 8 is part of Increment II of the project, which is before the State Land Use Commission and

Planning Commission for consideration of State Land Use District and Zoning boundary amendments.

E. Preliminary Development Plans

As discussed above, the areas have already been developed into the Puhi Industrial Park, Puhi Road, a cane haul road, Puhi Sewer and Water, Co., Inc. sewage treatment facility and driveway access. Civil plans have not been finalized for the Kaneka Street area, however, the alignment will follow the configuration proposed for amendment.

F. Availability of Public Services and Facilities

The project areas are currently served by the Kauai Police and Lihue Fire Departments and the Wilcox Hospital which are all no more than approximately 2 miles away. Response time for both police and fire services is estimated at no more than 4 minutes. This is considered adequate.

1. Police - The Police Department uses a ratio of one officer per 1,500 people. Since the amendment areas involve an existing industrial park, roadways and STP, no increase in population is anticipated as a result of the proposed amendments. Accordingly, no additional police officers should be required to service the proposed amendment areas.
2. Fire - Fire protection is currently available to the Puhi Road and Sewage Treatment Plant areas. Fire service will be continued along the Kaneka Street area during improvement of that roadway.
3. Medical - The project will be serviced by Wilcox Hospital which is less than 2 miles from the site.
4. Recreational Facilities
The amendment areas do not presently provide any recreational opportunities, nor have they provided recreational opportunities in the past. Furthermore, the amendments proposed will not create any additional demand for or impact upon the existing neighborhood, regional or private parks and recreational facilities in the vicinity.
5. Educational Facilities
Again, since the areas have been developed into a cane haul road, improved roadway, industrial park and sewage treatment facility infrastructure, there will be no impact on existing or proposed educational facilities. Further improvements to the Kaneka Street area eventually will improve access to the proposed intermediate school and park site immediately to the northeast of that area.
6. Infrastructure
 - a. Water Supply and Storage - The proposed amendments will not impact either existing or projected water supply or storage for the Lihue/Puhi project since the improvements to those areas have already been considered and accounted for in the overall Grove Farm Water Budget approved by the County of Kauai.
 - b. Sewage - Since the amendment areas have been developed already, or will be further improved for roadway use, no additional sewage is anticipated to be generated from the proposed amendments. Approval of the STP area amendment will bring land planning designations in keeping with the existing sewage treatment facility use.
 - c. Storm Drainage - Storm runoff has already been taken into consideration during design, engineering and construction of the Puhi Industrial Park, Puhi Road, Sewage Treatment facility, and Kaneka Street cane haul road. Culverts were sized and installed in accordance with County standards for such. Surface runoff will be

- refined during further improvement of the Kaneka Street area.
- d. Power and Communication - Power and communication lines already service the amendment areas, aside from Kaneka Street area. It is anticipated that the power and communication distribution system will be connected to form a loop over the Kaneka Street area upon ultimate improvement of that roadway. No additional impact to the existing power and communication system is anticipated as a result of the proposed amendments since the sites already have been developed.

7. Physical Hazards

- a. Flooding - None of the amendment areas fall within a flood or tsunami zone as determined by the Federal Flood Insurance Rate maps. All sites are well above the drainage basins they abut. During design and construction of the Puhi Industrial Park and Puhi Road, improvements were made to the portion of the Puhi Road area which accommodated an existing drainage system. Further, none of the amendment areas are subject to flooding from stream overflow or heavy localized rainfall.
- b. Tsunami - The lowest elevation of the proposed amendment areas is approximately 143' above mean sea level, thus tsunami inundation is not an environmental concern.
- c. Earthquake - Kauai is the most stable of the major Hawaiian islands with a seismic zone of one (1), indicating minimal risk.

8. Socio-Economic Considerations

The effect of the proposed withdrawal of lands falling within the State Land Use Designation of Agricultural and County Agriculture Zone is not anticipated to have any effect on agricultural related jobs since none of the areas have been in agricultural cultivation for some time. Since the sites have been developed already, the proposed amendments will have no social or economic effect.

G. Projected Cost of Development

Again, since the amendment areas have been developed, projected costs are limited to future finish improvements to the Kaneka Street amendment area. The major design work has been completed, culverts and fill installed, leaving roughly only \$300,000 worth of final improvements for this amendment area.

H. Financial Ability

Grove Farm has the financial ability to complete the aforementioned final improvements as can be evidenced by their substantial completion of Increment I of their Lihue/Puhi Project. Significant monies have been expended for initial "up front" infrastructure development, such as water source, storage, and transmission facilities construction, to allow progression of the overall Lihue/Puhi master planned project. As the development proceeds, additional revenues will be generated through sales and leasing of existing and future lots, further contributing to Grove Farm's financial ability to complete the Kaneka Street area.

SECTION VII: EFFECTS UPON RESOURCES OF THE AREA

A. ENVIRONMENTAL AND ECOLOGICAL

1. Flora - The amendment areas are highly altered from their native condition. The Puhi Road area has been improved with asphalt and imported grasses for shoulder and dust control ground cover within the industrial subdivision. The balance of the Puhi Road area has been improved with industrial projects. The Kaneka Street area has been used as a major dirt roadway for sugar cane hauling operations for over a century. The Sewage Treatment Plant area has been graded as part

of the overall Lihue/Puhi project in conjunction with ultimate expansion of the sewage treatment facility located immediately to the west. Because the sites have either already been urbanized or extensively used and graded already, it is highly unlikely that any threatened or endangered species of flora would be found on the sites.

2. **Fauna** - There are no endangered species known to frequent or live on the sites, or in the vicinity. There is the possibility that the Hawaiian bat may visit the sites. The Hawaiian bat is the only endemic land mammal in Hawaii, however, it is found throughout Kauai and its existence has not been threatened or endangered by development of the amendment areas. Thus the proposed zoning amendments and subsequent development of those areas not already developed will not detrimentally impact any endangered species.
3. **Coastal Waters** - A drainage master plan for the entire Grove Farm Lihue/Puhi project was approved by the County on June 4, 1992, incorporating such features as detention basins which aid in silt reduction, so that there will be no net increase in the overall rate of flow. Special care has been and will continue to be taken during and after development of the amendment areas to assure that drainage from the project does not detrimentally impact the environment.

B. **AGRICULTURAL** - The Puhi Road area has been developed into a roadway and industrial uses. The Kaneka Street area historically has been used for cane haul road operations. This cane haul road's use in conjunction with sugar harvesting operations is scheduled to be accommodated at another location within the next nine (9) months. The Sewage Treatment Plant area has been used for sugar cane cultivation, hillside pasture and most recently for driveway access to the existing sewage treatment facility and kuleana lots beyond. Sugar cultivation over a portion this latter site ceased years ago when the Puhi Sewer and Water Co. Inc. sewage treatment plant was developed immediately to the west. The removal of the amendment areas from the Agricultural district has not and will not significantly effect the viability of agricultural production in the Lihue area.

C. **RECREATIONAL** - The amendment areas do not presently provide any recreational opportunities, nor have they provided recreational opportunities in the past.

D. **HISTORICAL AND ARCHAEOLOGICAL** - Since the amendment areas have been disturbed by prior agricultural activities, and in the instance of the Puhi Road and STP areas, have been developed into roadway, industrial uses and a sewage treatment facility, there should be no archaeological sites within the petition areas. The approved EIS for the Lihue/Puhi Master Plan noted that "the entire area has been under intensive cane cultivation for over 100 years. Sites of an historical nature that may have existed previously in the area have been destroyed by the intensive cultivation by heavy equipment." There are no known historical resources on the sites, and the properties are not listed on the State's Register of Historic Places, nor in the County's Inventory of Historic Resources. Should any archaeological resources such as artifacts, shell, bone, or charcoal deposits, human burial, rock or coral alignments, pavings or walls be encountered during development of the project, the applicant shall immediately stop work and contact the State's Department of Land and Natural Resources (DLNR) Historic Preservation Division.

E. **SCENIC**
Since the amendment areas have been developed, scenic quality is not a factor in consideration of the requested amendments. None of the amendment areas are identified as scenic roadways or vistas on the County Development Plan. The Puhi Industrial Park has incorporated design guidelines into its restrictive covenants to help encourage aesthetically

pleasing industrial development. The STP area is located at an elevation lower than the surrounding golf course, and is not visible from the golf course or nearby residential areas. Thus the scenic qualities of the amendment areas and surrounding development will not be detrimentally affected by the proposed amendments.

SECTION VIII: REASONS AND JUSTIFICATION FOR THE PROPOSED RECLASSIFICATION

A. NEED AND DEMAND

This petition proposes to conduct a housekeeping effort to bring the existing zoning, Land Use and General Plan designations into concert with each other and to make the designations reflective of existing, abutting or anticipated uses.

Puhi Road Area - It was always the intent during the zoning and State Land Use boundary amendment application for the Puhi Industrial Park that the zoning and state land use district boundaries align with Puhi Road. The exhibits submitted, along with the exhibit attached to Ordinance No. PM-171-88 which approved the zoning amendment, followed Puhi Road. However, during design of the subdivision, the County Public Works Department required that Puhi Road be realigned to improve its curvature. The result was that the subdivision shifted slightly to the east, while the Land Use and zoning apparently remained along the former Puhi Road alignment. This was not brought to our attention until recently, when the State Land Use Commission (LUC) conducted a boundary interpretation (95-17) and the County subsequently updated their zoning map for the Puhi area. Since the proposed Puhi Road amendment area already has been developed with roadway improvements, industrial warehouse and associated facilities, the requested amendment from Agricultural State Land Use to Urban, and zoning amendment request from Agriculture (A) to Limited Industrial (IL) is justified and appropriate. It also will remove a sliver of Agricultural Land Use District and Agriculture zoning from an essentially Urban Land Use District and Industrial zoned area, making the Urban Land Use District and Industrial zoning contiguous with the adjoining areas.

Kaneka Street Area - Similarly, it was noted that a portion of Kaneka Street which crosses Halehaka gully was inadvertently omitted from previous State Land Use District Boundary amendment approvals. It is now partially developed and clearly will be urban in nature once developed into a paved roadway. Either side to the east and west of the roadway is within the Urban State Land Use District, and inclusion of this interconnecting segment of Kaneka street would be a logical extension of the Urban State Land Use District connecting the two parts of the Lihue/Puhi project. For similar reasons and for consistency with the proposed State Land Use, a change from the existing General Plan designation of Open (O) to a General Plan designation of Urban Mixed Use (UMU) is being requested. No change in the zoning is being sought since the County Planning Department has indicated that a roadway use can be permitted outright within the County's Open (O) zoning district.

Sewage Treatment Plant (STP) Area - The overall Puhi Sewer and Water Co., Inc. sewage treatment facility is authorized over a 13.835 acre parcel identified as TMK: 3-3-03:35 within the Agricultural State Land Use District under a County Special Permit¹. The western portion of TMK: 3-3-03:35 falls within the State's Urban Land Use District and is zoned Open (O) by the County. The eastern portion (Parcel E on the Land Use District Boundary Interpretation Map, 8.796 acres) and part of the driveway access

¹ Special Permit SP-91-9 approved by the County 5/23/91

(Parcel D on the same map, 1.383 acres) fall within the State Agricultural Land Use District and are zoned Agriculture (A) by the County. Phase I of the STP has been constructed over the western portion of the lot, within the Urban State Land Use District. The STP has been designed to allow expansion of its capacity to accommodate the ultimate buildout of Grove Farm's Lihue/Puhi project, and to accommodate some additional County sewage. This Phase II expansion has been planned and preliminary infrastructure built into the remainder of the lot to the east, as authorized through the referenced Special Permit. To make the State Land Use, Zoning and General Plan for this expansion area consistent with the abutting and existing designations of the STP, the Petitioner herein is requesting amendment of the State Land Use from Agricultural to Urban, the zoning from Agriculture (A) to Open (O) and General Plan from Open (O) to Urban Mixed Use (UMU).

B. APPROPRIATENESS OF LOCATION AND TIME OF RECLASSIFICATION

Again, the amendment requests are a housekeeping effort to bring the existing zoning, Land Use and General Plan designations into concert with each other and to make the designations reflective of existing, abutting or anticipated uses. The discrepancies regarding the zoning and land use affecting the Puhi Road and Kaneka Street areas were not brought to our attention until the end of July, 1995, when a State Land Use District Boundary Interpretation was requested for a project in the vicinity. This petition for amendment was filed as soon thereafter as possible. Since General Plan amendments are only heard two (2) times a year, the January 1996 window for application was the first available for consideration of the petition. The remainder of the Lihue/Puhi master planned project also was reviewed for consistence in land planning designations. It was discovered that the STP site was only partially consistent, and thus the eastern half of that site also was included in the petition.

SECTION IX: COMPLIANCE WITH LAND USE AND COUNTY LAWS

This petition is consistent with the objectives of the State Land Use regulations, Chapter 205, HRS in that it meets the *criteria* for inclusion within that Land Use District as described below:

- (1) The amendments proposed are reasonably necessary to recognize existing industrial uses, existing and proposed roadways, and designed expansion of the existing sewage treatment facility. No significant adverse environmental effects upon agricultural, natural, recreational, and historic resources of the area are envisioned.
- (2) The amendment areas will be providing public services and facilities to the area at no cost to the County. Considerable monies have been advanced by the Petitioner for development of these facilities and infrastructure in anticipation of eventual buildout of their Lihue/Puhi project.
- (3) Since the proposed amendment areas are abutting the Urban District and are either developed into urban type uses (roadway and industrial subdivision), or are slated for roadways and expansion of the sewer treatment plant, and abut these uses, corresponding zoning and developed lands, scattered urban development will be avoided.
- (4) The amendment areas abut the existing Urban District.
- (5) The sites proposed for amendment fall within or abut areas General Planned for Urban Mixed Use (UMU), and are consistent with the General Plan policies and guidelines as discussed under Section VIII below.

- (6) The project amendment areas do not include Conservation land in the reclassification.

Furthermore, the proposal meets the *standards* for inclusion within the Urban Land Use District since:

- (a) The amendment areas as well as surrounding areas are characterized as a "city-like" concentration of urban levels of service.
- (b) The projects takes into consideration the following factors:
- (i) The sites are in proximity to centers of trading and employment facilities.
 - (ii) the Petitioner has substantiated economic feasibility in that the Puhi Road area roadway has been constructed and industrial subdivision developed. Furthermore, substantial construction of Grove Farm's Lihue/Puhi project has been completed and significant monies for development of infrastructure have been expended in advance of ultimate utilization.
 - (iii) the amendment areas are in proximity to basic services such as water, schools, parks, police and fire protection, and have added or will add to those services in terms of providing a roadways, industrial sites and expansion of the sewage treatment facility.
- (c) The sites proposed for amendment have satisfactory drainage. The amendment areas are free from flood and tsunami dangers, unstable soil conditions and other adverse environmental effects.
- (d) The amendment areas are abutting or almost surrounded by existing urban areas.
- (e) Urbanization of the amendment areas will not contribute towards scattered spot urban development, nor necessitate investment in unreasonable public supportive services.

The petition is consistent with the objectives of the Hawaii State Plan and the County General Plan policies and guidelines in that:

1. Managing Population Growth & Industries - The amendment areas are not excessive and approval of the Petition will not accelerate physical development of the areas. The Puhi Road area already has been developed; the Kaneka Road site is needed to realize the overall transportation system of Grove Farm's Lihue/Puhi Master plan; and the Sewage Treatment Plant area is required to acknowledge the existing sewage treatment plant driveway and to accommodate ultimate expansion of the sewage treatment plant, which has been authorized through the Special Permit referenced above.
2. Growth & Housing - The proposed amendment areas have and will continue to assist in accommodating projected growth. The Puhi Road site is already in an area General Planned Urban Mixed Use and has accommodated industrial development; the Kaneka Street area will provide for connection of the western plateau of Grove Farm's Lihue/Puhi project with the Puhi plateau of that same project; and the Sewage Treatment Plant site will accommodate sewage for growth and housing of the project as well as other projects in Lihue. These areas already have been identified to accommodate urban growth through approval of Grove Farm's Lihue/Puhi Master Plan, through actual development of Puhi Road and the Puhi Industrial Park, and through approval of the aforementioned Special Permit authorizing expansion of the sewage treatment facility. Furthermore, they abut or are almost surrounded by other areas General

Planned Urban Mixed Use, falling in the State Land Use designation of Urban and Industrial and Open zoned areas.

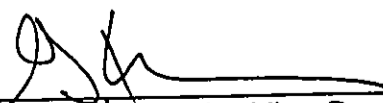
3. Land Use - The proposed zoning amendments to Limited Industrial (IL) and Open (O) are consistent with the "Urban" State Land Use Classification being sought, the General Plan designation of Urban Mixed Use being sought, and with adjacent zoning, State Land Use and General Plan designations which abut and almost surround the amendment areas.
4. Classifications - Ord. No. 461 specifically states that the intent of the Urban Mixed Use District is to accommodate "industrial, commercial and transportation facilities necessary to support and complement county-wide functions, including residential, hotel or motel developments where compatible with other uses, either as adjacent uses or as combined uses within the same complexes or building." The amendments to Urban Mixed Use are in keeping with this intent in that they are currently in industrial or transportation use, will be, or will support these facilities. Furthermore, the Puhi Road amendment area abuts existing industrial uses and roadways, and is already included in the Urban Mixed Use General Plan designation. The proposed amendments are consistent with abutting Land Use and zoning designations and abutting existing uses. These amendment areas will fill in gaps left during the initial State Land Use District amendment processes (eg. Puhi Road area), will provide connection between areas already designated Urban Mixed Use (eg. Kaneka Street area), or are a logical expansions of the Urban Mixed Use designation (eg. Sewage Treatment Plant area).
5. Changes in Classification & Physical Infrastructure - The proposed amendments will better reflect the actual use and physical infrastructure in place, and will assist in implementation of future infrastructure improvements for the area and overall Grove Farm Lihue/Puhi project. Roadway improvements have been and will be made, and the sewage treatment plant will be expanded when warranted to meet the demand on the physical infrastructure.
6. Development Plan - The Lihue Development Plan designates the sites as Project District and no Development Plan amendment is required to accommodate the requested zoning amendment.

SECTION X: CONCLUSION

Based on the foregoing discussion, it respectfully requested that the Planning Department conclude that the request for County Zoning, General Plan and State Land Use District Boundary Amendments of the subject 14.03 acres at Lihue, Kauai, Hawaii, from its present County Zoning designation of Agriculture (A), Residential (R-10) and Open (O), General Plan Designation of Urban Mixed Use (UMU) and Open (O) and State Land Use District designation of Agricultural will not have any significant environmental impacts and that an Environmental Impact Statement for this proposal is not warranted. It is requested that a Negative Declaration be issued.

DATED: Kauai, Hawaii, this 13th day of February, 1996.

GROVE FARM PROPERTIES, INC.

By 
Greg Kamm, Its Vice President

APPENDIX

The Notice of Draft Environmental Assessment was published in the Office of Environmental Quality Control's The Environmental Notice bulletin dated January 8, 1996. During the thirty (30) day comment period, one (1) letter dated January 4, 1996 was received from the Office of Environmental Quality Control. The Petitioner responded through their letter dated January 16, 1996. A copy of the notice and those letters referenced are attached as part of this appendix.

LIST OF EXHIBITS

- Exhibit A Letter of Authorization from Grove Farm Company, Incorporated authorizing Grove Farm Properties, Inc. to apply for the subject Amendment.

- Exhibit B Letter of Authorization from Carswell/Spalding Partnership authorizing Grove Farm Properties, Inc. to apply for the subject Amendment.

- Exhibit C Letter of Authorization from Puhi Pioneer Co. authorizing Grove Farm Properties, Inc. to apply for the subject Amendment.

- Exhibit D Letter of Authorization from Aina Site Construction, Inc. authorizing Grove Farm Properties, Inc. to apply for the subject Amendment.

- Exhibit E SLUD Boundary Interpretation Map No. 95-17 (Reduced and Clarified to Also Show Zoning and General Plan Designations Requested or Existing)

- Exhibit F General Location Map (Island Scale)

- Exhibit G Regional Location Map (Lihue Region)

- Exhibit H Grove Farm Lihue/Puhi Master Plan Map

APPENDIX

- The Environmental Notice Bulletin Dated January 8, 1996
- Office of Environmental Quality Control Letter Dated January 4, 1996
- Grove Farm Properties, Inc. Letter Dated January 16, 1996

Kauai Notices

JANUARY 8, 1996

Draft Environmental Assessments

(1) Grove Farm Properties Land Use Amendments

District: Lihue
TMK: 3-3-03:1,3,35 & 3-3-12:40 & 3-3-13:25-27,32,53
Applicant: Grove Farm Properties, Inc.
P.O. Box 2069, Puhi Rural Branch
Lihue, Hawaii 96766-7069
Contact: Greg Kamm (245-3678)

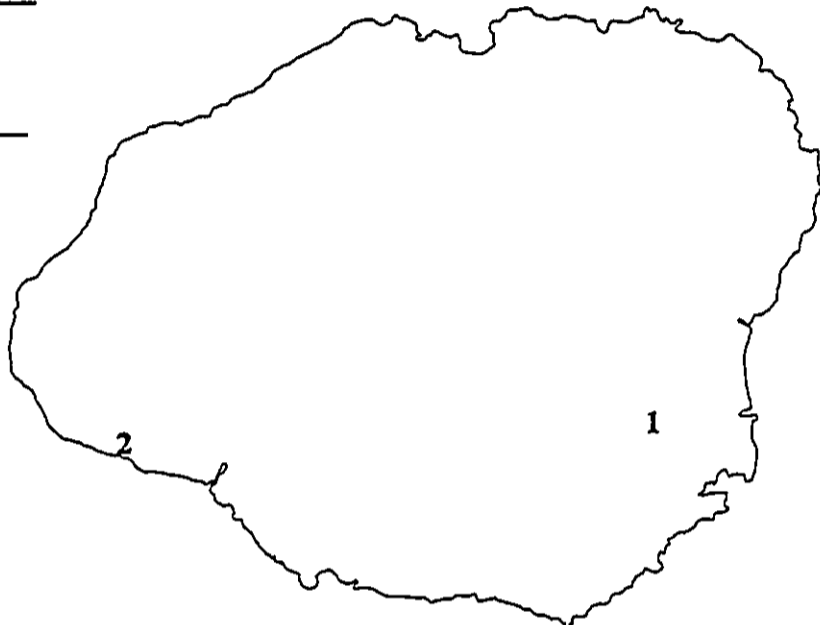
Accepting Authority: County of Kauai, Planning Department
4444 Rice Street, Suite 473
Lihue, Hawaii 96766
Contact: Dale Cua (241-6677)

Consultant: Esaki Surveying & Mapping, Inc.
3145E Akahi Street
Lihue, Hawaii 96766
Contact: Dennis Esaki (246-0625)

Public Comment
Deadline: February 7, 1996
Status: DEA First Notice, pending public comment.
Address comments to the applicant with copies to the accepting authority, consultant, and OEQC.

The applicant, Grove Farm Properties, is proposing to amend the State Land District Boundary from Agricultural to Urban District, the County of Kauai General Plan designation from Agriculture to Urban Mixed Use, and the County of Kauai Zoning from Agriculture to Limited Industrial (I-L). The proposed action involves various parcels totalling 14.03 acres.

These amendments are sought in order to bring the existing zoning, Land Use and General Plan designations into concert with each other and to make the designations reflective of existing, abutting, or anticipated uses.



Final Environmental Assessments/Negative Declarations

(2) Croft Residence Rock Revetment

District: Waimea
TMK: 1-2-13:35
Applicant: Chuck Croft
P.O. Box 1058
Waimea, Hawaii 96796

Accepting Authority: County of Kauai, Planning Department
4444 Rice Street
Lihue, Hawaii 96746
Contact: George Kalisik (241-6677)

Consultant: Oceanit Coastal Corporation
1100 Alakea Street, Suite 3100
Honolulu, Hawaii 96813
Contact: Dr. Warren Bucher (531-3177)

Public Challenge
Deadline: February 7, 1996
Status: FEA/Negative Declaration issued, project may proceed.

JAN 5 1996

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) 586-4185
FACSIMILE (808) 586-2482

January 4, 1996

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

ATTN: Dale A. Cua

Dear Mr. Crowell:

RE: Draft Environmental Assessment (EA) for Grove Farm (District Boundary Amendment A-96-1 and General Plan Amendment GPA-96-1); TMK: 3-3-3: 1, 3, 35; 3-3-12:40; 3-3-13: 25-27, 32, 53

In the final EA please include the following:

1. Discuss the relationship of this project to prior development and to any future plans for development.
2. Discuss the size of the multi-family residential development proposed for parcel B1 and all related impacts.
3. Section VI, D is entitled Development Timetable, yet no timetable is given. Please include it in the final EA.
4. List any agency and community contacts made and the results of the contacts.
5. Maps of the island and the region, both indicating project location, are required.

Dee Crowell
January 4, 1996
Page 2

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

Sincerely,



GARY GILL
Director

GG/NH:kk

c: Greg Kamm, Grove Farm
Dennis Esaki, Esaki Surveying & Mapping

Grove Farm Properties, Inc.

January 16, 1996

Mr. Gary Gill, Director
OFFICE OF ENVIRONMENTAL QUALITY CONTROL
220 South King Street, Fourth Floor
Honolulu, HI 96813

Attn: Nancy Heinrich

Dear Mr. Gill:

Re: Draft Environmental Assessment (EA) for
Grove Farm Properties, Inc.
District Boundary Amendment A-61-1
General Plan Amendment GPA-96-1
Zoning Amendment ZA
TMK: 3-3-13:Por. 25-27, 32 and 53
TMK: 3-3-12:40, TMK: 3-3-03:Por. 1, 33 and 35
Lihue, Kauai, Hawaii

We offer the following information and clarification in response to your letter of January 4, 1996. It should be noted that only parts of the overall amendments referenced above involve a General Plan Amendment (GPA) request: the Kaneka Street and Sewage Treatment Plant (STP) areas. The Puhi Road area (Parcels "A1" and "B1") does *not* involve a General Plan amendment and thus is not subject to the EA review process. It was included in the overall EA discussion because it is part of the overall application which is being considered by the County. We thus will limit our discussion to only the Kaneka Street and Sewage Treatment Plant areas.

1. Relationship of this project to prior development and to any future plans for development.

Prior Development - Prior development of the sites is noted under Section V.1. on page 3, under Section VI.A. Type on page 4 and Section VIII.A. Need and Demand on pages 8 & 9. To reiterate and provide more detail:

Kaneka Street - This area has been developed into a major, improved cane haul road, which included filling, grading and compacting within the amendment area. Prior to this improvement, the cane haul road was secondary in nature, though still improved to a lesser extent, and a portion of a commercial plant nursery. Prior to this historical cane haul road use (1930s) and nursery, the amendment area was an unimproved valley with introduced species of vegetation.

Sewage Treatment Plant - The driveway portion of the STP area has been developed into an asphalt driveway with curbs and underground utilities leading to the STP and kuleanas beyond. The remaining portion of the STP lot has been improved with the preliminary infrastructure for Phase II of the STP (ie. basins have been graded and piping installed for eventual connection to the STP). Prior to this development these areas were an unimproved dirt driveway leading to the kuleana lots beyond, and a sugar cane field and hillside.

Future Plans - Future Plans are noted under Section VI.D. Development Timetable on page 4, under Section VIII.A. Need and Demand and Sections on pages 8 & 9. Again:

A subsidiary of



P.O. Box 2069 Puni Rural Branch Lihue, Hawaii 96766-7069
Phone (808) 245-3678 FAX (808) 245-9470

Kaneka Street - Kaneka Street is slated for further improvement upon development of a Multi-Family project identified in the overall Lihue/Puhi Master Plan immediately to the east. A copy of the current master plan map is attached as Exhibit H. Further roadway improvements will include final grading, asphalt paving and curb installation. It should be noted that the Multi-Family site is not part of this amendment request or EA, is already General Planned for Urban Mixed Use and is included in the Urban State Land Use District.

Sewage Treatment Plant - The driveway portion of the site is completed in terms of construction, and no further or future improvements are proposed for this area. The area immediately to the east of the existing STP Phase I will be improved further with lining of the treatment basins, installation of aeration equipment, grating and a concrete clarifier. Again, this site was approved for STP use under County Special Permit SP-91-9 approved by the County of Kauai on 5/23/91.

2. **Multi-Family residential development on Parcel B-1 and impacts.**

Parcel B-1 is part of the Puhi Road area, does not involve a General Plan Amendment and thus is not under consideration or discussion during this EA review. Furthermore, no Multi-Family residential development is proposed on Parcel B-1. As discussed under Section VIII.A. Need and Demand on page 8, during design of the Puhi Industrial Park subdivision, the County Public Works Department required that Puhi Road be realigned to improve its curvature. The road was shifted slightly to the west, leaving a small sliver of land comprised of 0.080 acres (3,484.8 square feet) to the east within the Agricultural State Land Use District. This small sliver currently falls within Parcel 4 of Grove Farm's Lihue/Puhi Master Plan, currently is General Planned Urban Mixed Use, Zoned Residential R-10 and is slated for subdivision into single-family residential lots by another private land developer. Parcel 4, including the sliver area, has received Tentative Subdivision approval from the County of Kauai Planning Commission for subdivision into forty one (41) single-family residential lots ranging in size from 5,000 to 7,000 square feet.

The Multi-Family project referenced under Section VI.D. Development Timetable on page 4 (identified as Parcel 8 in Grove Farm's Lihue/Puhi master planned project attached as Exhibit H) is not part of any General Plan amendment request, is already General Planned Urban Mixed Use, and received State Land Use Commission approval for inclusion within the Urban State Land Use District on 12/20/95. It thus is not required to be part of the EA review and discussion. The Multi-Family site currently is before the Kauai County Planning Commission for Zoning amendment consideration to Residential R-20. It was mentioned under the Development Timetable section because the Kaneka Street improvements would be timed to coincide with development of that Multi-Family site.

3. **Development Timetable.**

Section VI.D. Development Timetable on page 4 noted that the sites *have already been developed* as specified in the first and second sentence. Thus no timetable for development is applicable. The small 3,484.8 square foot sliver identified as Parcel B-1 is not under consideration for a General Plan Amendment, thus it is not under EA review. Our best guesstimate for completion of the subdivision involving the 3,484.8 square foot sliver would be the fall of 1997. Specific dates were not provided for Kaneka Street future improvements because its further improvement is tied to development of the abutting multi-family parcel. Our best guesstimate for future paving of the roadway would be between the years 2000 - 2005. The rate of actual development of structures within the Lihue/Puhi Master Planned project as well as none project lands and their connection to the STP system will dictate when the STP expansion will be implemented. Again, our best guesstimate would be sometime in the next decade, around the year 2005. All these estimates are of course subject to revision with the market and its fluctuations.

4. **Agency and community contacts.**

Since government agencies and the community were consulted in the past during the public

hearing process for the individual projects, staff of the following agencies were contacted verbally during preparation of the application and EA:

Federal
National Oceanic and Atmospheric Administration

State
Land Use Commission *
Office of State Planning *
Department of Health, Environmental Branch *
Department of Land and Natural Resources (DLNR), Water Resources Branch

County
Planning Department
Public Works Department, Engineering Division
Water Department *
Fire Department *

Verbal comments received have been incorporated into the text of the EA. In addition, the County has received written comments from those noted with asterisk (*) above, as well as the DLNR Historic Preservation Division. Attached are those written agency comments received on the referenced General Plan, State Land Use and Zoning Amendment application. The community was notified of this proposed housekeeping amendment through certified mailing on 12/27/95 of a cover letter, map and hearing notice regarding the amendment to approximately 506 landowners within three hundred feet (300') of the overall project boundary. No inquiries or comments have been received from the community to date.

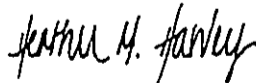
5. **Maps of the island and region.**

Attached as Exhibits F & G are maps showing the general area of the amendments on an island scale, along with a portion of the USGS topographic map of the Lihue region with the proposed amendment areas shaded, including the Puhi Road area. We also have provided a copy of our approved Lihue/Puhi Master Plan map as Exhibit H to help in identification of other properties such as the Lihue Industrial Park and Multi-Family Parcel 8 discussed above.

We hope this additional information helps clarify the EA and responds to your concerns. Please let us know at your earliest convenience if any additional information is needed. Thank you.

Sincerely,

GROVE FARM PROPERTIES, INC.



Heather M. Harvey
Manager of Planning and Design

GK.HMH:hmh

HOUSEKPG.OEQ

Attachments

cc: Dale Kua, Kauai County Planning Department (w/ attachments)
Dennis Esaki, Esaki Surveying & Mapping (w/o attachments)

BENJAMIN J. CAYETANO
GOVERNOR



ESTHER UEDA
EXECUTIVE OFFICER

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
LAND USE COMMISSION
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813
Telephone: 587-3822

November 29, 1995

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

Dear Mr. Crowell:

Subject: District Boundary Amendment (A-96-1), General Plan Amendment (GPA-96-1), and Zoning Amendment (ZA-96-5) - Grove Farm Properties, Inc.

We have reviewed the subject amendments as transmitted by your memorandum dated November 21, 1995, and have the following comments to offer:

1) We confirm that the area consisting of a total of approximately 14.03 acres identified as TMK: 3-3-03: por. 1, por. 33, por. 35; 3-3-12: por. 40; 3-3-13: por. 25, por. 26, por. 27, por. 32, and por. 53, identified for reclassification, and as further depicted on Exhibit E attached to the subject amendments, is within the State Land Use Agricultural District.

2) The subject area proposed for reclassification are located in close proximity to previous or pending reclassifications by the Commission as follows:

a) Puhi Road

Parcel A1 is located between areas reclassified from the Agricultural District to the Urban District by the Commission in LUC Docket No. A87-612/Grove Farm Properties, Inc. (west of Parcel A1), and LUC Docket No. A89-636/Grove Farm Properties, Inc. [Increment I] (east of Parcel 1A).

Parcel B1 is located between areas reclassified from the Agricultural District to the Urban District by the Commission in LUC Docket No. A87-612 (west of Parcel B1), and by the County of Kauai pursuant to County Ordinance PM-301-94 (east of Parcel B1).

Mr. Dee Crowell, Director
November 29, 1995
Page 2

b) Kaneka Street

The Kaneka Street area (Parcel C) is adjacent to the area reclassified from the Agricultural District to the Urban District under LUC Docket No. A89-636 (Increment I).

Parcel C is also adjacent to Increment II lands of LUC Docket No. A89-636, which is pending before the Commission.

c) Sewage Treatment Plant

Parcels D and E are located adjacent to lands reclassified from the Agricultural District to the Urban District under LUC Docket No. A89-636 (Increment I).

We have no further comments to offer at this time.

Thank you for the opportunity to provide comments on these amendments.

If you have any questions in regards to this matter, please feel free to contact me or Leo Asuncion of my staff at 587-3822.

Sincerely,



ESTHER UEDA
Executive Officer

EU:th

DOCUMENT CAPTURED AS RECEIVED

COPY



OFFICE OF STATE PLANNING

Office of the Governor

MAILING ADDRESS: P.O. BOX 3540, HONOLULU, HAWAII 96811-3540
STREET ADDRESS: 250 SOUTH HOTEL STREET, 4TH FLOOR
TELEPHONE: (808) 587-2848, 587-2800

BENJAMIN J. CAYETANO, Governor

FAX: Director's Office 587-2848
Planning Division 587-2824

Ref. No. P-6032

December 20, 1995
COUNTY OF KAUAI

'96 JAN -5 AIO:26

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

PLANNING DEPT.

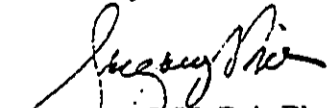
Dear Mr. Crowell:

Subject: District Boundary Amendment A-96-1, General Plan Amendment GPA-96-1 and Zoning Amendment ZA-96-5, Grove Farm Properties, Inc., Tax Map Keys 3-3-13:Por. 25-27, 32, and 53; 3-3-12:40; 3-3-03:Por. 1, 33, and 35, Lihue, Kauai

We have reviewed the proposal to seek State Land Use District Boundary, County Zoning and General Plan Amendments in a "housekeeping" measure to amend about 14.03 acres from the Agricultural to the Urban Land Use District. These areas consist of 8.796 and 1.384 acres at the sewage treatment plant, and 3.0676 acres at Puhi Road and 0.080 and 0.703 acres at Kaneka Street. We have no objections if the proposed amendments are consistent with the master plan and representations to the State Land Use Commission on Docket No. A89-636 and Docket No. A93-697.

Thank you for allowing us the opportunity to comment on this proposal. If there are any questions, please contact Lorene Maki at (808) 587-2888.

Sincerely,


Gregory G.Y. Pai, Ph.D.
Director

cc: Esther Ueda, Land Use Commission

RECEIVED
NOV 24 1995

COUNTY OF KAUAI
PLANNING DEPARTMENT
4444 RICE STREET, SUITE 473, LIHUE, HI 96766

ENVIRONMENTAL HEALTH SERVICES
KAUAI 60 C7

FROM: Dee Crowell, Director (Keith) DATE: November 21, 1995

SUBJECT: District Boundary Amendment A-96-1, General Plan
Amendment GPA-96-1 and Zoning Amendment ZA-96-5, GROVE
FARM PROPERTIES, INC.

TO: (X) Public Works Dept.
(X) Water Dept.
(X) State Health Dept..
(X) Historic Preservation Div.-DLNR
(X) Fire Dept.
() Kauai Historic Preservation Review Commission (KHPRC)
() Kauai Highways Division - DOT
(X) Land Use Commission
(X) Office of State Planning
(X) Department of Agriculture
() Kauai Housing Agency
() Koioa-Poipu-Kalaheo Improvement Advisory Committee

COPY

FOR YOUR COMMENTS (pertaining to your department):

SEE COMMENTS ON ATTACHED

PLANNING DEPT.

950 DEC 18 17:58

COUNTY OF KAUAI

CT:GNT:JES/plo

December 13, 1995

Signature

Clyde Takekuma

Clyde Takekuma, Chief Sanitarian, Kauai

Please return comments by December 11, 1995. Thank you.

DISTRICT BOUNDARY AMENDMENT A-96-1
GENERAL PLAN AMENDMENT GPA-96-1
ZONING AMENDMENT ZA-96-5
APPLICANT: GROVE FARM PROPERTIES, INC.

Based on our review of the subject applicatin and on our on-site survey of the property, the following comments are offered for your consideration.

1. The proposed development shall be serviced by the Puhi Sewer and Water Company, Inc. sewer system serving the area.

All wastewater plans must conform to applicable provisions of the DOH's Administrative Rules, Chapter 11-62, "Wastewater Systems." However, we do reserve the right to review the detailed wastewater plans for conformance to applicable rules.

2. The property on Puhi Road designated for affordable housing may be impacted by the odor from the nearby hog farm when the wind is from a south/southwesterly direction.
3. In accordance with Title 11, Chapter 11-60.1, Air Pollution Control, HAR, the property owner/developer shall be responsible for ensuring that effective control measures are provided to prevent or minimize any fugitive dust emission caused by the construction work from impacting the surrounding areas including the off-site roadways used to enter/exit the project. These measures include but are not limited to the use of water wagons, sprinkler systems, dust fences, etc.
4. In accordance with Title 11, Chapters: 11-55, Water Pollution Control and 11-54, Water Quality Standards, HAR, the property owner/developer shall be responsible for ensuring that the best management practices (BMP) is provided to prevent or minimize the discharge of sediments, debris, and other water pollutant into state waters.
5. In accordance with Title 11, Chapter 11-58.1, Solid Waste Management Control, HAR, the property owner/developer shall be responsible for ensuring that grub material, demolition waste and construction waste generated by the project are disposed of in a manner or at a site approved by the State Department of Health. Disposal of any of these wastes by burning is prohibited.
6. The property owner/developer shall be responsible for obtaining all applicable permits from the Department of

Health including but not limited to National Pollution Discharge Elimination System (NPDES) permits for storm water, hydrostatic test and dewatering prior to commencing construction.

7. The property may harbor rodents which will be dispersed to the surrounding areas when the site is cleared. In accordance with Title 11, Chapter 11-26, Vector Control, HAR, the applicant shall ascertain the presence or absence of rodents on the property. Should the presence of rodents be determined, the applicant shall eradicate the rodents prior to clearing the site.
8. The proposed development shall be provided with potable water from an approved source.

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

COUNTY OF KAUAI
PLANNING DEPARTMENT
4444 RICE STREET, SUITE 473, LIHUE, HI 96766

FROM: Dee Crowell, Director (Keith) DATE: November 21, 1995

SUBJECT: District Boundary Amendment A-96-1, General Plan
Amendment GPA-96-1 and Zoning Amendment ZA-96-1
FARM PROPERTIES, INC. COUNTY OF KAUAI

'95 DEC 11 P2:29

TO: (X) Public Works Dept.
(X) Water Dept.
(X) State Health Dept.
(X) Historic Preservation Div.-DLNR
(X) Fire Dept.
() Kauai Historic Preservation Review Commission (KHPRC)
() Kauai Highways Division - DOT
(X) Land Use Commission
(X) Office of State Planning
(X) Department of Agriculture
() Kauai Housing Agency
() Koloa-Poipu-Kalaheo Improvement Advisory Committee

PLANNING DEPT.

FOR YOUR COMMENTS (pertaining to your department):

December 8, 1995

We have no objections to this District Boundary, General Plan and Zoning Amendment Application provided that any development or water use will be dependent on the adequacy of the source, storage and transmission facilities existing at that time.

At the present time, the necessary water system facilities required for the proposed development of this area will be provided by Grove Farm, as described in their approved Lihue/Puhi Water Master Plan.

Signature 

Please return comments by December 11, 1995. Thank you.

COUNTY OF KAUAI
PLANNING DEPARTMENT
4444 RICE STREET, SUITE 473, LIHUE, HI 96766

FROM: Dee Crowell, Director (Keith) DATE: November 21, 1995

SUBJECT: District Boundary Amendment A-96-1, General Plan
Amendment GPA-96-1 and Zoning Amendment ZA-96-5, GROVE
FARM PROPERTIES, INC.

TO: (X) Public Works Dept.
(X) Water Dept.
(X) State Health Dept.
(X) Historic Preservation Div.-DLNR
(X) Fire Dept.
() Kauai Historic Preservation Review Commission (KHPRC)
() Kauai Highways Division - DOT
(X) Land Use Commission
(X) Office of State Planning
(X) Department of Agriculture
() Kauai Housing Agency
() Koloa-Poipu-Kalaheo Improvement Advisory Committee

FOR YOUR COMMENTS (pertaining to your department):

*The Fire Dept. has no objections to proposed
REZONING —*

PLANNING DEPT.
NOV 23 1995
COUNTY OF KAUAI

Signature *Dee Crowell* 11/21/95

Please return comments by December 11, 1995. Thank you.

BENJAMIN J. CAYETANO
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
STATE HISTORIC PRESERVATION DIVISION
33 SOUTH KING STREET, 6TH FLOOR
HONOLULU, HAWAII 96813

COUNTY OF KAUAI

November 28, 1995

95 DEC -6 PIZ:25

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

PLANNING DEPT.

LOG NO: 16021 ✓
DOC NO: 9511RC62

Dear Mr. Crowell:

SUBJECT: District Boundary Amendment A-96-1, General Plan Amendment GPA-96-1 & Zoning Amendment ZA-96-5 - Puhi Road, Kaneka St, and Sewage Treatment Plant (Grove Farm Properties) Niunalu, Lihue, Kauai
TMK: 3-3-13: por. 25-27. 32. 53: 3-3-12: 40: 30303: 1. 33. 35

Thank you for the opportunity to review this permit application. The project area has had its land extensively altered by prior sugarcane cultivation, road use, and industrial use. This makes it highly unlikely that intact significant historic sites are present, as the application correctly states (p. 4). We, thus, believe that the proposed project will have "no effect" on such sites.

Aloha,

A handwritten signature in black ink, appearing to read "Don Hibbard".

DON HIBBARD, Administrator
State Historic Preservation Division

RC:amk



October 26, 1995

Mr. Greg Kamm, Vice President
GROVE FARM PROPERTIES, INC.
P.O. Box 2069
Lihue, HI 96766-7069

Dear Greg:

Re: Zoning, General Plan and State Land Use
District Boundary Amendments
TMK: 3-3-03:Por. 1, 33 & 35
Por. Lots 1518, 1413 & 1412
Lihue, Kauai, Hawaii

This letter authorizes Grove Farm Properties, Inc. to secure approval of the above-referenced amendments.

Sincerely,

GROVE FARM COMPANY, INCORPORATED

David W. Pratt, President
and Chief Executive Officer

DWP.GK.hmh

ZONING.HOU.GFC

NOV 1 1995
NOV 8 1995

October 26, 1995

Mr. Greg Kamm, Vice President
GROVE FARM PROPERTIES, INC.
P.O. Box 2069
Lihua, HI 96766-7069

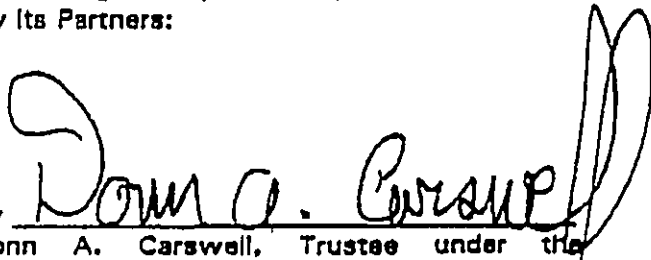
Dear Mr. Kamm:

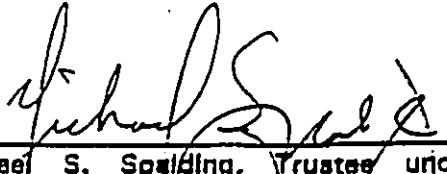
Re: Zoning, General Plan and State Land Use
District Boundary Amendments
TMK: 3-3-13:Por. 25, Lot 1113
Puhi Industrial Park
Puhi, Kauai, Hawaii

This letter authorizes Grove Farm Properties, Inc. to secure approval of the above-referenced amendments.

Sincerely,

CARSWELL/SPALDING PARTNERSHIP
a Hawaii general partnership
By Its Partners:

By 
Donn A. Carswell, Trustee under the
unrecorded Donn A. Carswell Revocable Trust
Agreement dated July 30, 1992

By 
Michael S. Spalding, Trustee under the
unrecorded Michael S. Spalding Revocable
Living Trust Agreement dated September 10,
1985

DWP.GK.hmh

ZONINGOU.CSP

EXHIBIT B

NOV 14 1995

October 26, 1995

Mr. Greg Kamm, Vice President
GROVE FARM PROPERTIES, INC.
P.O. Box 2069
Lihue, HI 96766-7069

Dear Mr. Kamm:

Re: Zoning, General Plan and State Land Use
District Boundary Amendments
TMK: 3-3-13:Por. 26, Lot 1114
Puhi Industrial Park
Puhi, Kauai, Hawaii

This letter authorizes Grove Farm Properties, Inc. to secure approval of the above-referenced amendments.

Sincerely,

PUHI PIONEER CO.
a Hawaii general partnership
By its Managing General Partner Ten Grand
Associates, a Hawaii limited Partnership, by its
General Partner Ten Grand Investment, Inc., a
Hawaii corporation

By Alex J. Mann
Its President

By Lerie Y. Mann
Its Secretary

DWP.GK.hmh

ZONIGHOU.PPC

EXHIBIT C

October 26, 1995

Mr. Greg Kamm, Vice President
GROVE FARM PROPERTIES, INC.
P.O. Box 2069
Lihue, HI 96766-7069

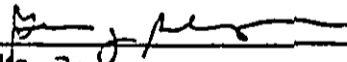
Dear Mr. Kamm:

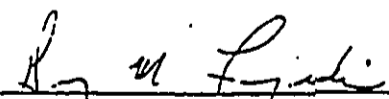
Re: Zoning, General Plan and State Land Use
District Boundary Amendments
TMK: 3-3-13:Por. 27, Lot 1115
Puhi Industrial Park
Puhi, Kauai, Hawaii

This letter authorizes Grove Farm Properties, Inc. to secure approval of the above-referenced amendments.

Sincerely,

AINA SITE CONSTRUCTION, INC.
a Hawaii corporation
By Its Partners:

By  _____
Its President

By  _____
Its Vice-President

DWP.GK.hmh

ZONIGHOU.ASC

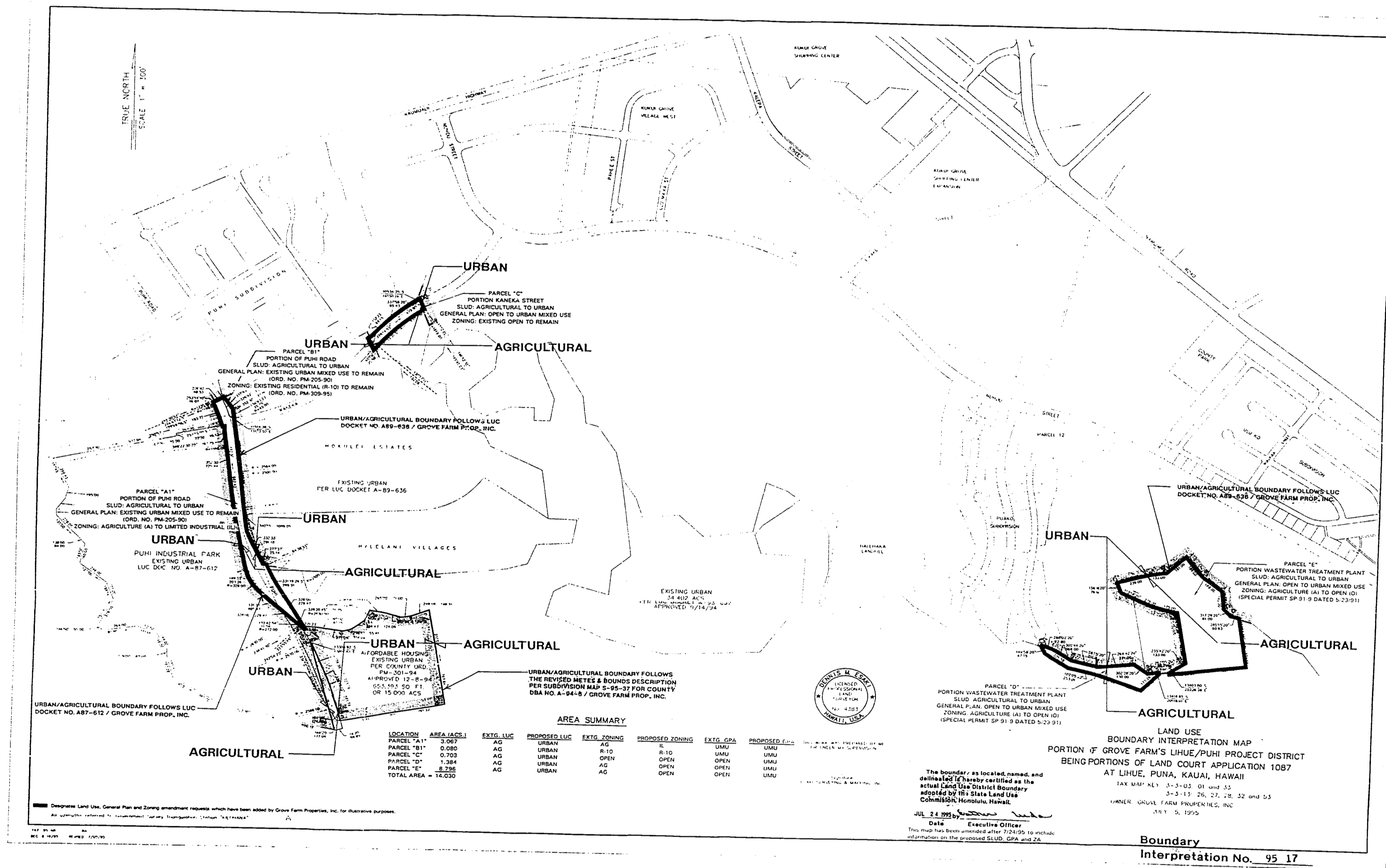
EXHIBIT D

**OVERSIZED
DRAWING/MAP**

**PLEASE SEE
35MM ROLL**

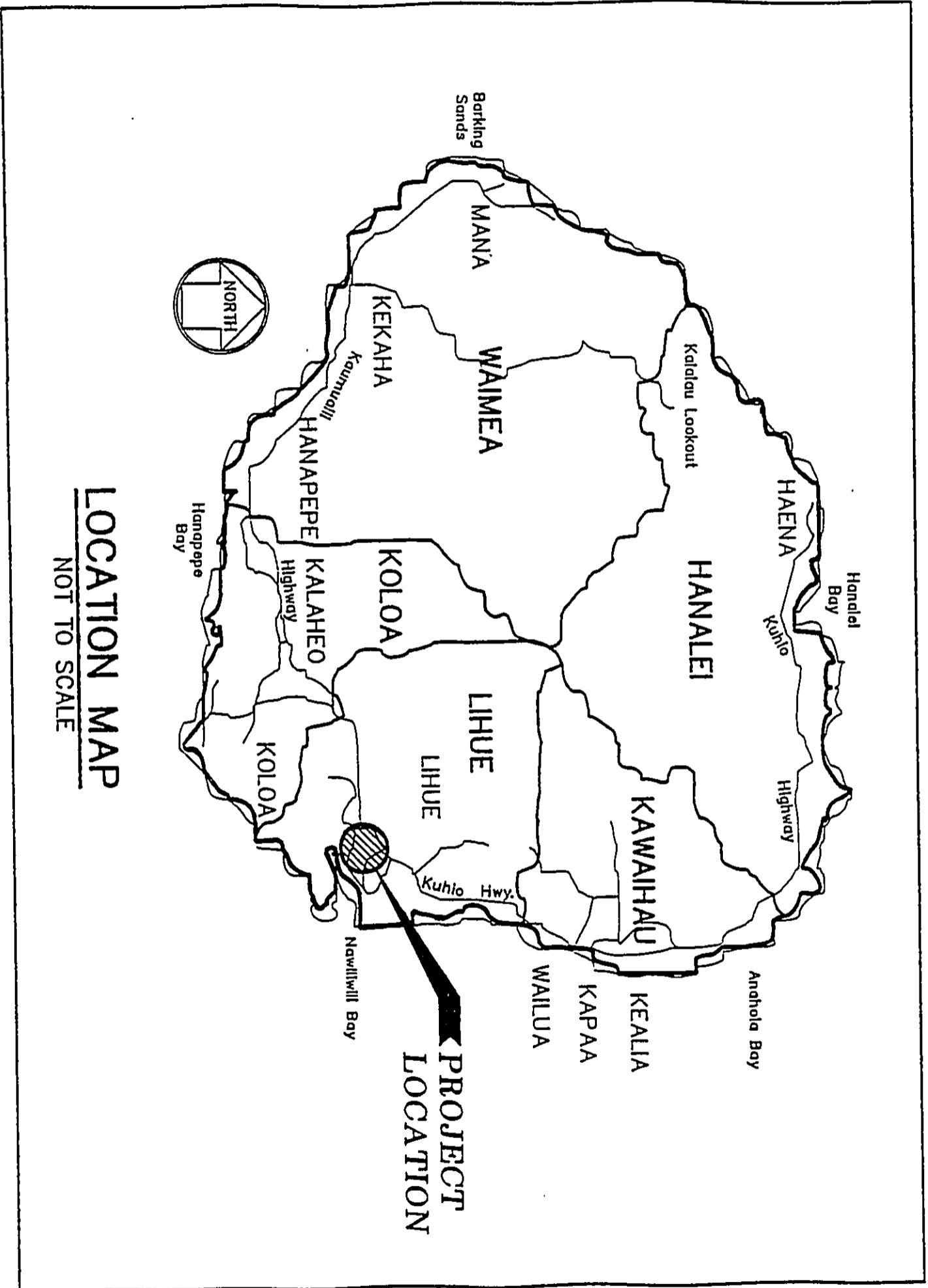
0055

RECEIVED AS
FOLLOWS

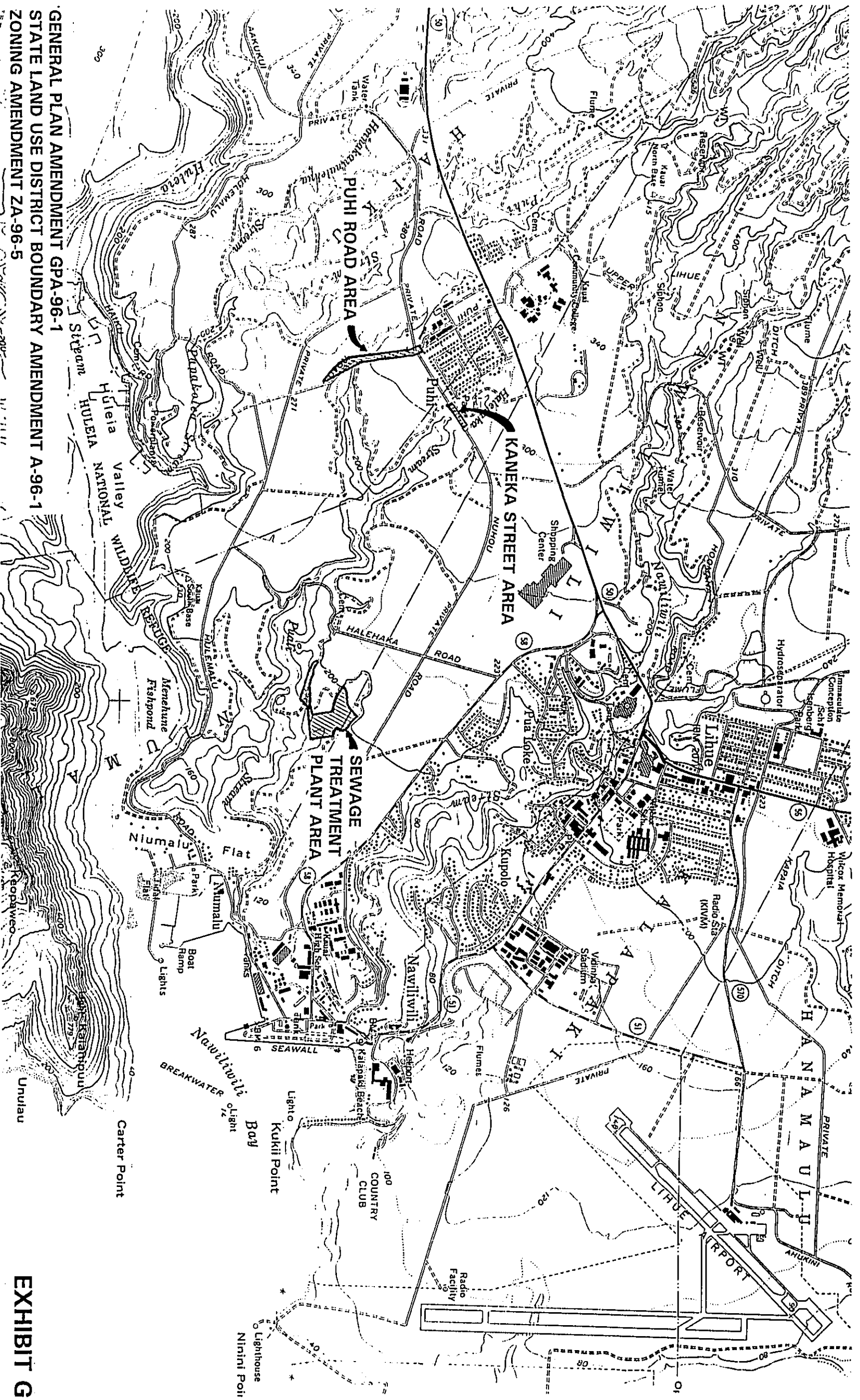


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EXHIBIT E



LOCATION MAP
 NOT TO SCALE



GENERAL PLAN AMENDMENT GPA-96-1
 STATE LAND USE DISTRICT BOUNDARY AMENDMENT A-96-1
 ZONING AMENDMENT ZA-96-5

DOCUMENT CAPTURED AS RECEIVED

EXHIBIT G

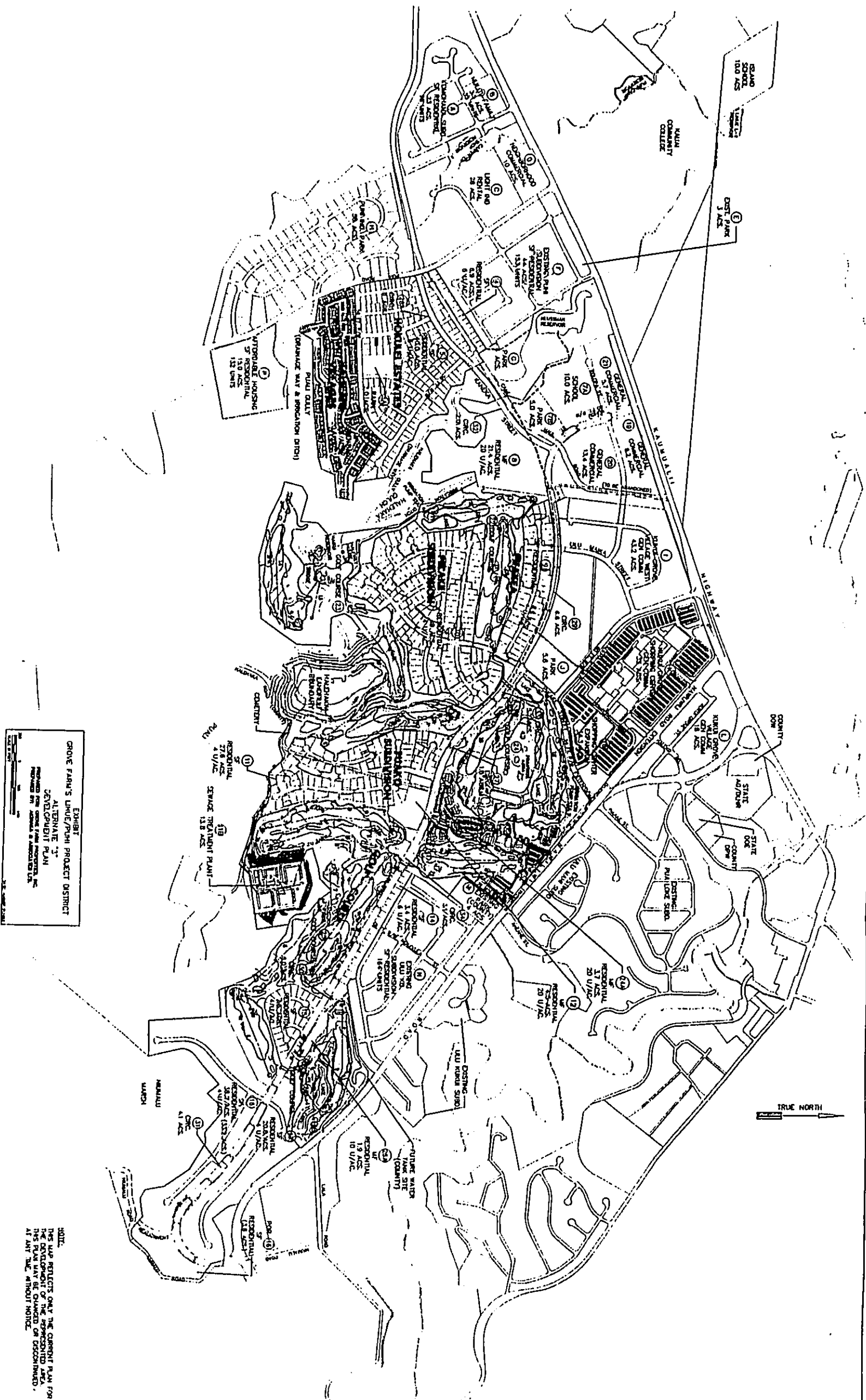


EXHIBIT
 GROVE FARM'S LINK/PAH PROJECT DISTRICT
 ALTERNATE "A"
 DEVELOPMENT PLAN
 PREPARED BY GROVE FARM PROJECTS, INC.
 APPROVED BY JEROME S. ANDERSON, INC.

NOTE:
 THIS MAP REFLECTS ONLY THE CURRENT PLAN FOR
 THE DEVELOPMENT OF THE REFERENCED AREA.
 ANY CHANGES TO THE PLAN ARE ON DISCONTINUED.
 AT ANY TIME WITHOUT NOTICE.

EXHIBIT H