

BENJAMIN J. CAYETANO  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

P. O. BOX 821  
HONOLULU, HAWAII 96809

MAY - 7 1996

MICHAEL D. WILSON  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES

RECEIVED  
DEPUTY DIRECTOR  
GILBERT S. COLOMA-AGARAN

96 MAY 10 11 44  
OFFICE OF ENVIRONMENTAL QUALITY CONTROL  
AGRICULTURE DEVELOPMENT PROGRAM  
AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
CONSERVATION AND ENVIRONMENTAL AFFAIRS  
CONSERVATION AND RESOURCES ENFORCEMENT  
CONVEYANCES  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION PROGRAM  
LAND MANAGEMENT  
STATE PARKS  
WATER AND LAND DEVELOPMENT

Ref: LM-GM

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

Dear Mr. Gill:

Subject: Negative Declaration for Proposed Direct Lease of State Land to the Volcano Art Center, Puna, Hawaii, Tax Map Key:1-9-05:9

In accordance with the requirements of Chapter 343, Hawaii Revised Statutes, as amended and Chapter 200 of Title 11, Administrative Rules, a final environmental assessment has been prepared for referenced state land.

Notice of availability of the draft environmental assessment for the project was published in the February 8, 1996 OEQC Bulletin. Two (2) comments were received during the 30-day comment period, which ended March 11, 1996, and are included with responses in the enclosed final environmental assessment.

As the approving agency, we are forwarding herewith four (4) copies of the final environmental assessment, together with a completed OEQC Bulletin Publication Form.

We have determined that there will be no significant impacts as a result of the project, and therefore, are filing a negative declaration.

We respectfully request that a notice of availability of the final environmental assessment be published in the next scheduled OEQC Bulletin.

53

OEQC-Volcano Art Center  
Page 2

Should you have any questions, please contact Gary Martin at  
1-808-974-6203.

Aloha,

  
MICHAEL D. WILSON

Enclosures

cc: Hawaii Land Board Member  
Dean Y. Uchida  
Hawaii District Land Office

MAY 23 1996

**FILE COPY**

*1996-05-23-HI-FAA- Direct lease of State land to  
Volcano Art Center*

FINAL  
ENVIRONMENTAL ASSESSMENT  
FOR LEASE OF 7.32 ACRES OF STATE LAND  
AND CONSTRUCTION OF IMPROVEMENTS  
OLA'A, PUNA DISTRICT, HAWAII

TMK:(3)1-9-05:09

Prepared for: Volcano Art Center  
P.O. Box 104  
Hawaii National Park, Hawaii  
96718

Prepared by: Menezes Tsukazaki Yeh & Moore  
100 Pauahi Street, Suite 204  
Hilo, Hawaii 96720

March 1996

TABLE OF CONTENTS

I. INTRODUCTION ..... 1  
A. The Applicant ..... 1  
B. Proposed Action ..... 2  
C. Approving Agency ..... 2  
D. Agency Consultation ..... 2

II. PROPERTY DESCRIPTION ..... 3  
A. Location and Existing Uses ..... 3  
B. Surrounding Uses ..... 3

III. ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES ... 4  
A. Physical Characteristics ..... 4  
1. Climate ..... 4  
2. Topography and Soils ..... 4  
3. Natural Hazards ..... 5  
4. Flora and Fauna ..... 5  
5. Historic/Archaeological Resources ..... 7  
6. Water Resources ..... 7  
7. Air Quality ..... 7  
8. Noise ..... 7  
9. Scenic Resources ..... 7  
B. Socioeconomic Considerations ..... 8  
1. Economic Impacts ..... 8  
2. Social Impacts ..... 8  
3. Public Facilities, Utilities and Services ..... 8

IV. LAND USE PLANS AND POLICIES ..... 9

V. SUMMARY OF MAJOR IMPACTS AND ALTERNATIVES CONSIDERED ... 10

VI. COMMENTS ON THE DRAFT ENVIRONMENTAL ASSESSMENT ..... 11

VII. DETERMINATION ..... 11

VIII. FINDINGS AND REASONS SUPPORTING DETERMINATION ..... 11

## I. INTRODUCTION

This Final Environmental Assessment is submitted pursuant to Hawaii Revised Statutes ("HRS") §§343-5(a)(1) and (c), which require an environmental assessment for actions which propose the use of State lands and which require the approval of a State agency. The Applicant proposes to lease from the State of Hawaii a 7.32-acre parcel of State land in Volcano, Hawaii, which requires the approval of the State Board of Land and Natural Resources.

### A. The Applicant

The Volcano Art Center ("VAC") was incorporated in 1976 as a Hawaii non-profit corporation. VAC's purpose is to promote, develop and perpetuate the artistic and cultural heritage of Hawaii's people and environment through activities in the visual, literary and performing arts. Under a Cooperative Agreement with the National Park Service, VAC established operations in the historic 1877 Volcano House located adjacent to the Visitors Center within the Hawaii Volcanoes National Park. VAC operates an art gallery at the 1877 Volcano House. The gallery provides a unique forum for the works of approximately 250 local artists, and focuses on contemporary art inspired by Hawaii's culture and environment.

In addition to the gallery, VAC sponsors a variety of cultural and arts related programs and activities. VAC sponsors classes and workshops on topics such as ceramics, painting, poetry, dance, theater, photography, and creative writing. VAC also promotes uniquely Hawaiian programs such as wreath and lei making, Hawaiian quilting, conversational Hawaiian language classes and hula. Performances and shows sponsored by VAC include community theater productions, dance performances, films and music concerts. VAC also operates an Elderhostel program, with over 400 participants annually, which focuses on the unique natural environment of Kilauea Volcano.

VAC's programs are funded through income from the gallery and the Elderhostel program, grants from the State Foundation on Culture and the Arts and private charitable organizations, and membership contributions and fundraising. VAC is governed by a 15-member board of directors elected by the general membership, which totals over 800. VAC has a staff of 14 full and part-time employees.

In addition to the gallery in the 1877 Volcano House, VAC utilizes various facilities at the Kilauea Military Camp ("KMC") within the national park. VAC rents from KMC on a month-to-month basis two small buildings: one for administrative offices and the other as a workshop/classroom facility. KMC facilities are also used to house Elderhostel participants and programs. VAC rents the Kilauea Theater at KMC for theater, dance, film and similar performing arts productions. However, the KMC facilities are limited and their continued use is dependent upon federal policy which is subject to change. The enforcement of entry fees at the national park has also made VAC's programs less accessible to the public. Classes and workshops are also held at the "Old Japanese Schoolhouse" and Cooper Center, which are located within Volcano Village. VAC also maintains a traditionally constructed *pa*

*hula* (dance platform) in the national park for hula performances, festivals and Hawaiian craft demonstrations.

B. Proposed Action

The VAC proposes to enter into a long-term lease of the property to provide a site in close proximity to the national park to serve as the administrative and educational center of the VAC. The VAC gallery at the historic 1877 Volcano House within the national park would continue to serve as the primary public outlet for work produced by local artists and craftsmen.

The proposed improvements would include single-story facilities to accommodate administrative offices, studios, classrooms, workshops and meeting rooms. Parking areas, water catchment and septic tank/cesspool systems would also be constructed. A preliminary Site Plan is submitted herewith as Exhibit "A". The improvements would be designed and located to maintain and blend with the existing natural environment. Every effort would be given to preserve as much of the existing native forest species as possible.

C. Approving Agency

HRS §171-431 authorizes the Board of Land and Natural Resources to lease by direct negotiation, and without recourse to public auction, public lands to an eleemosynary organization, with the lands to be used by such an organization for charitable, religious or educational purposes. The Department of Land and Natural Resources ("DLNR") is the appropriate accepting authority of the Environmental Assessment. Since it is the agency with the greatest responsibility for supervising the action as a whole, it can most adequately fulfill the requirements of HRS Chapter 343, and it has special expertise and access to relevant information.

D. Agency Consultation

As this application involves the disposition of State land, the DLNR has referred the application to the following agencies for comment and approval:

STATE: Department of Land & Natural Resources  
Division of Conservation & Resources Enforcement  
Division of Forestry & Wildlife  
Division of State Parks  
Division of Water and Land Development  
Historic Preservation Division  
Office of Conservation & Environmental Affairs  
Division of Land Management  
Na 'Ala Hele

Department of Business, Economic Development & Tourism  
Land Use Commission  
Office of State Planning  
Office of Hawaiian Affairs  
Department of Health  
Department of Hawaiian Home Lands  
State Foundation on Culture and the Arts

COUNTY: Office of the Mayor  
County Council (Committee on Planning)  
Planning Department  
Department of Public Works  
Department of Water Supply  
Department of Parks & Recreation

## II. PROPERTY DESCRIPTION

### A. Location and Existing Uses

The property is a 7.32-acre parcel located at the corner of Old Volcano Road (Mamalahoa Highway) and Kalanikoa Road, within Volcano Village. Location maps are submitted herewith as Exhibits "B" and "C". The property is unimproved except for a single-story cottage comprising approximately 575 square feet, with an added 14' x 20' carport. The cottage has its own water catchment system and cesspool, and is serviced by electrical and telephone lines. It is anticipated that this structure would be retained. The area immediately surrounding the cottage is mowed grass with various introduced and native trees. The remainder of the property is overgrown with native and introduced species, including a stand of mature ohia trees in the northwestern sector of the property. Substantial portions of the property are infested with aggressive introduced species, including *tibouchina* and kahili ginger.

By Government Proclamation dated August 20, 1914, the property was made part of the Ola'a Forest Park Reserve. Jurisdiction over the property is currently with the DLNR, Division of Forestry and Wildlife, although a transfer to the Division of State Parks is in process. The cottage on the property was apparently transferred to the Division of State Parks several years ago.

### B. Surrounding Uses

The property is located on the southwest side of Volcano Village, which is essentially a rural residential and small farm community. Within three-quarters of a mile, there are two general stores, a post office, the Keakealani Outdoor Educational Center (DOE), a lodge and restaurant, several small retail gift and flower shops, bed and breakfast facilities,

vacation rentals and scattered private residences. Directly adjacent properties include a 6-acre parcel with a residence across Kalanikoa Road, a 5-acre parcel with a residence, 20 acres of W. H. Shipman land with several structures across Old Volcano Road, a larger Kamehameha Schools/Bishop Estate parcel of mixed use, and a one-half acre lot with a vacation rental.

### III. ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

#### A. Physical Characteristics

##### 1. Climate

The elevation of the property ranges from 3,790 to 3,810 feet above sea level. The mean annual rainfall is about 100 inches. The mean temperature is approximately 60°F. The proposed action will not affect the climate of the area.

##### 2. Topography and Soils

The topography of the property is relatively level. There are no slopes that exceed 20%.

According to the Soil Survey of the Island of Hawaii, there are two soil types found on the property. The majority of the property is classified as Manu silt loam (rMUB), and a small portion of the northeastern corner of the lot is Puhimau silt loam (rPHB). The Manu series consists of well-drained silt loams that formed in volcanic ash, cinders, and pumice. These soils are nearly level to gently sloping. The natural vegetation consists of ohia, tree fern, amaumau fern and rattail. The Puhimau soil consists of shallow, well-drained silt loams that also formed in volcanic ash and pumice over pahoehoe lava bedrock. The silt loam layer is about 5" thick, underlain by a sandy loam layer about 8" thick, which in turn is underlain by pahoehoe lava. The natural vegetation is ohia, tree fern, false staghorn fern and glenwood grass. Both these soil types are used primarily for woodland, and small areas are used for pasture and truck crops.

The agricultural suitability rating for these soil types are as follows:

a. Land Study Bureau: The Land Study Bureau has rated both the Manu and Puhimau soils as Class D (poor) in a scale ranging from A (very good) to E (very poor).

b. Agricultural Lands of Importance to the State of Hawaii (ALISH): The State Department of Agriculture's rating system has three categories—prime, unique and other important agricultural land. The subject property is rated as other important agricultural land.

Based on the above agricultural suitability rating systems, the property cannot be considered as prime agricultural land, and as such there will be no significant impact on agricultural resources from the proposed action.

Construction activities regarding the proposed improvements will result in some fugitive dust. This can be mitigated with dust control measures, absent natural controls from rainfall. The Applicant will comply with County dust control requirements imposed in connection with the grading permit. Construction activities may also interfere with natural drainage and soil permeability. The generally excellent soil drainage in the subject area can be affected by the use of heavy equipment for land clearing. This impact can be mitigated by utilizing the lightest possible equipment in the land clearing process. Additionally, the appropriate use of drywells in areas of unavoidable runoff such as parking areas will prevent local ponding and runoff to adjacent properties.

### 3. Natural Hazards

a. Flooding. According to the Federal Emergency Management Agency Flood Insurance Rate Map, the site is located in Zone X (outside the 500 year flood plain).

b. Volcanic. According to a 1991 U.S. Geological Survey map, the site is in hazard zone 3, comparable to Hilo.

c. Earthquakes. The entire island of Hawaii is in earthquake zone 3 of the Uniform Building Code. This zone is prone to major damage from potential earthquake activity.

Based on the foregoing, the proposed action is not located within any hazardous zone.

### 4. Flora and Fauna

A plant and bird survey was conducted on the site by Tunison Ecological Consulting on June 10, 1995. No rare or endangered plant species were located.

The bird census resulted in observations of Japanese white-eye (*Zosterops japonicas*), Apapane (*Himatione sanguinea*), N. American Cardinal (*Cardinalis cardinalis*), Common mynah, and Omao (*Myadestes obscurus*), in that order of abundance. No rare or endangered bird or animal species were observed.

The vegetation on the southeast boundaries of the property bordering Old Volcano Highway and Kalanikoa Road is dominated by a nearly impenetrable stand of the non-native glorybush (*Tibouchina urvillena*). This belt of vegetation is approximately 150-200 feet wide along Old Volcano Highway. There are scattered ohia trees (*Metrosideros*

*polymorpha*) in the *tibouchina* stand. There is a maintained lawn with scattered ornamental plants between the existing cottage and Kalanikoa Road. There is ornamental vegetation, mixed with native trees, centered on an abandoned house site/driveway along Kalanikoa Road. The northwestern sector of the property is largely closed, old growth ohia forest, now rare in Volcano Village. Most closed ohia forest in Volcano Village is located on undeveloped property and is generally second growth. Dieback has greatly thinned most old growth. Aside from a stand of dense, 8-12 inch diameter, 30-40 foot tall ohia near the abandoned house site, the ohia are large (up to 3 feet in diameter and 60-75 feet tall).

There are also large koa trees near the cottage and the abandoned house site. These were likely planted. Scattered native trees that typically form a subcanopy are uncommon. These include 'olapa (*Cheirodendrom trigynum*), kawa'u (*Ilex anomala*), and kolea (*Myrsine lessertiana*). There is a closed subcanopy of tree fern, mostly hapu'u (*Cibotium glaucum*) but also others (*C. menziesii* and *C. chamissoi*) at low numbers. The lowest layer of the understory is largely alien, dominated by kahili ginger (*Hedychium gardnerianum*). The native shrubs, ferns and herbaceous plants typically found in tree fern dominated rain forests are largely absent, except for scattered individuals of the herb pa'iniu (*Astelia menziesiana*), the shrub kanawao (*Broussaisia arguta*), and the native fern *Diplazium sandwichianum*.

The Applicant intends to remove the stand of non-native *tibouchina*, as well as other noxious species such as kahili ginger and some scattered strawberry guava *Psidium cattleianum*, as part of the landscaping and site plan for the property. The proposed methods of removal are as follows:

- a. Tibouchina: The dense stand of *tibouchina* along the southeastern boundaries of the site bordering Old Volcano Highway and Kalanikoa Road, where ohia growth is widely spaced, will be cleared with a small bulldozer. Deeper into the property, the smaller *tibouchina* will be hand-pulled, and larger plants will be hand cut. Both ends of the cut will be painted with the herbicide Garlon 4, used at 10% concentration.
- b. Kahili Ginger: Patches of kahili ginger will be hand cleared with picks, and kept cut back until the plants die out. Cut plants will be covered with heavy black plastic and/or canvas to prevent re-sprouting.
- c. Strawberry Guava: Seedlings will be removed by hand. Larger plants will be hand cut and ends painted with the herbicide Ortho Brush-B-Gon and Weed Killer.

The proposed action will not affect any rare or endangered plant, bird or animal species. The proposed action will result in the clearing of portions of the property for the construction of improvements. This impact can be mitigated with a landscaping and site plan which preserves native plant species as much as possible and involves the replanting of same after construction. The elimination of the *tibouchina* stand and other non-native plant

species will also allow the reintroduction of native plants which are now being encroached upon.

5. Historic/Archaeological Resources

A traverse of the property was conducted by John P. Lockwood, Ph.D. for a geologic evaluation on June 17, 1995. No evidence of any historic sites or structures was discovered during this inspection. Lockwood reports that the area was devastated in 1790 by pyroclastic surge events following a major collapse of the Kilauea summit area, and any pre-existing structures would have been destroyed and carried away by these surges. Thereafter, the area was a barren, ash-covered wasteland before forest started to be established in the mid 1800's. The existence of any historic or archaeologically significant structures is therefore unlikely, and no impact is anticipated.

6. Water Resources

Based on the U.S. Geological Survey topographic map and field inspection, there are no known streams on or within the vicinity of the property. There are no known wetlands on the property. There will thus be no impact to these resources.

There is the potential for groundwater pollution caused by subsurface wastewater disposal. The applicant will comply with all requirements of the State Department of Health regulations relating to the design and operation of wastewater systems to mitigate this potential impact.

7. Air Quality

The proposed action will not have any sources of air pollution nor will it generate significant additional traffic which would increase automobile-related emissions. No impact is anticipated.

8. Noise

Temporary noise from construction activity will occur. Working time limitations can mitigate the impact of such noise upon adjacent residences and businesses. Otherwise, the proposed action is not anticipated to generate any significant noise levels during normal operations.

9. Scenic Resources

The existing old growth ohia forest is a scenic resource of the property. The applicant intends to preserve as much of the old growth forest as possible under the proposed site plan, and the proposed action will therefore enhance the ability of the public to enjoy this resource by providing access which is not presently available.

B. Socioeconomic Considerations

1. Economic Impacts

Short term economic impacts of the proposed action would include construction activities for the proposed improvements. In the long term, current administrative and program operations of VAC would be relocated from KMC in Hawaii Volcanoes National Park to the site. It is anticipated that the new facilities will increase participation in VAC's programs, and there will thus be a limited economic benefit to neighboring support businesses and from the employment of additional staff and instructors.

2. Social Impacts

The VAC, through its promotion of educational and cultural experiences through the arts, provides significant social benefits to the community and the State. It is a forum for artistic expression and learning for local residents. In addition, the VAC gallery and the Elderhostel programs expose many visitors from all over the world to locally produced and inspired art works and to the unique inspirational setting of the Volcano area.

The establishment of facilities in close proximity to the national park will significantly enhance VAC's ability to continue to serve the community. Relocating the administrative and program elements at the site would provide the VAC more permanent, suitable, accessible and efficient facilities.

3. Public Facilities, Utilities and Services

a. Roads

The property fronts the Old Volcano Road (Mamalahoa Highway) on its eastern boundary and Kalanikoa Road along its northern boundary. Old Volcano Road has adequate capacity to accommodate the traffic volume expected, and would provide the primary ingress/egress access to the proposed facilities. Secondary access for maintenance and safety requirements would be provided off Kalanikoa Road. No improvements to these two public roadways will be necessary. Appropriate permits from either State or County agencies to ensure safety will be obtained as necessary.

b. Water System

There is no County water system servicing the Volcano area. Adequate water catchment tanks will be provided for domestic and firefighting purposes. Compliance with State Department of Health regulations concerning public water systems will be necessary.

c. Wastewater System

The County sewer system does not extend to the Volcano area. On-site septic systems with leach fields will be utilized, in compliance with Department of Health regulations.

d. Drainage System

Any increase in storm water volume resulting from the project will be disposed within the property by retention basins or drywells. There will be no increased discharge to neighboring properties or roadways.

e. Solid Waste

A County solid waste transfer station is located approximately 3 miles below Volcano village, and will be utilized for solid waste disposal.

f. Electrical/Telephone

Electrical and telephone service is available to the property with adequate capacities.

g. Recreation

The proposed action will increase the recreational opportunities for the community through the various programs and activities sponsored by the VAC.

h. Police and Fire

The proposed action will not significantly increase the need for police or fire services.

IV. LAND USE PLANS AND POLICIES

The State Land Use classification of the property is Urban. Use of Urban classified land is subject to the zoning regulations and ordinances of the county in which it is situated. County zoning of the property is Open. The proposed educational and arts facilities are not a permitted use within the Open district. In order to conform the proposed use to State and County land use regulations, two options are available.

The first option is to obtain a change of the County zoning from Open to any other use except Limited Industrial or General Industrial. Concurrent with the rezoning, a Use Permit would be necessary in accordance with the Hawaii County Zoning Code. The second

option is to obtain State Land Use reclassification from Urban to Agriculture, and concurrently obtain a Special Permit pursuant to HRS Chapter 205. Since the property is less than 15 acres, this could also be processed at the County level.

The Applicant believes that the second of these two options is the most appropriate. Long term preservation of the natural characteristics of the property would be better achieved by reclassification of the State Land Use district to Agriculture, as opposed to an upzoning of the County zoning to Commercial or Residential. Appropriate controls as to the use of the property can be effected through conditions to the Special Permit. The proposed lease would necessarily be conditioned upon the Applicant obtaining reclassification and the Special Permit.

#### V. SUMMARY OF MAJOR IMPACTS AND ALTERNATIVES CONSIDERED

The primary impacts of the proposed action will be the clearing of areas for the construction of improvements, and the loss of use of the property by the Divisions of Forestry and Wildlife and State Parks.

Potential impacts caused by land clearing and construction can be mitigated by a site plan and an architectural/landscaping design concept which helps preserve and enhance the natural beauty of the property. This would include minimizing the destruction of native species, the use of landscaping to retain the woodland character of the property, the use of natural colors for the exteriors and a single-story design that will keep the improvements below the tree canopy.

The Applicant intends to preserve the existing mature ohia trees as far as possible, and to replant cleared areas with native species after removal of noxious plants such as the Tibouchina. The placement of nature trails within the forest area and programming which promotes appreciation for the natural environment will provide access to the forest area not presently available. A special characteristic of VAC is its environmental setting within the Volcano area, and the location of its facilities in a setting which offers visitors and residents the aesthetic enjoyment and inspiration of the natural beauty of the area is integral to the overall mission of VAC.

Alternatives to the proposed use include no action, or seeking a different location for VAC's facilities. Several attempts to locate such an appropriate alternative site have been unsuccessful. VAC currently leases KMC facilities on a month-to-month basis, and these facilities have significant functional limitations such as space and use restrictions that limit their usefulness.

## VI. COMMENTS ON THE DRAFT ENVIRONMENTAL ASSESSMENT

A Notice of Availability of the August 1995 Draft Environmental Assessment for Lease of 7.32 Acres of State Land and Construction of Improvements, Ola'a, Puna District, Hawaii, TMK:(3)1-9-05:09 was published in the February 8, 1996 edition of the Environmental Notice by the Office of Environmental Quality Control. The thirty-day public review and comment period expired on March 9, 1996. One written comment was submitted during the review period by the Office of Environmental Quality Control dated February 22, 1996. Another written comment was submitted after the review period by Ka Lahui Hawaii dated March 11, 1996. These comments and the responses thereto are attached hereto as Exhibit "D".

## VII. DETERMINATION

Based on the foregoing information, it is determined that the proposed lease and construction of improvements on the subject property will not have a significant environmental effect. As such, a Negative Declaration for the proposed action is appropriate.

## VIII. FINDINGS AND REASONS SUPPORTING DETERMINATION

The proposed action is not expected to have a significant impact on the environment, pursuant to the significance criteria established by the Environmental Council as discussed below.

1. The proposed action will not involve an irrevocable commitment to loss or destruction of any natural or cultural resource.

The proposed action will involve the clearing of a portion of the property for the construction of improvements. However, this unavoidable impact is outweighed by the socioeconomic benefits arising from the establishment of VAC's facilities at the site. The property does not have prime agricultural potential.

2. The proposed action will not curtail the range of beneficial uses of the environment.

The proposed use is consistent with the continued growth of the area in a manner compatible with its character. The VAC is a significant cultural and artistic resource for the community and for visitors to the region.

3. The proposed use will not conflict with the State's long-term environmental policies.

The VAC's mission is compatible with the State's long-term environmental policies and goals. The establishment of VAC's facilities at this site will encourage productive and enjoyable harmony between man and the environment and will help to enrich the understanding of the ecological systems and natural resources important to the people of Hawaii through the arts.

4. The proposed action will not substantially affect the economic or social welfare of the community or State.

The proposed action will have a beneficial effect upon the economic and social welfare of the community.

5. The proposed action will not substantially affect public health.

There will be no significant effect upon public health.

6. The proposed action will not involve substantial secondary impacts, such as population changes or effects on public facilities.

The proposed action will not require significant improvements to public infrastructure such as roads, water or wastewater facilities, nor will it unduly burden police or fire services. There will be no significant impact on population.

7. The proposed action will not involve a substantial degradation of environmental quality.

There will be no significant degradation of air or water quality. Landscaping will utilize the existing native vegetation, and the old growth ohia stand will be preserved as much as possible.

8. The proposed action will not cumulatively have considerable effect upon the environment or involve a commitment for larger actions.

The proposed action is self-contained and there will be no cumulative environmental effects nor any need for commitment for larger actions.

9. The proposed action will not substantially affect any rare, threatened or endangered species of flora or fauna or habitat.

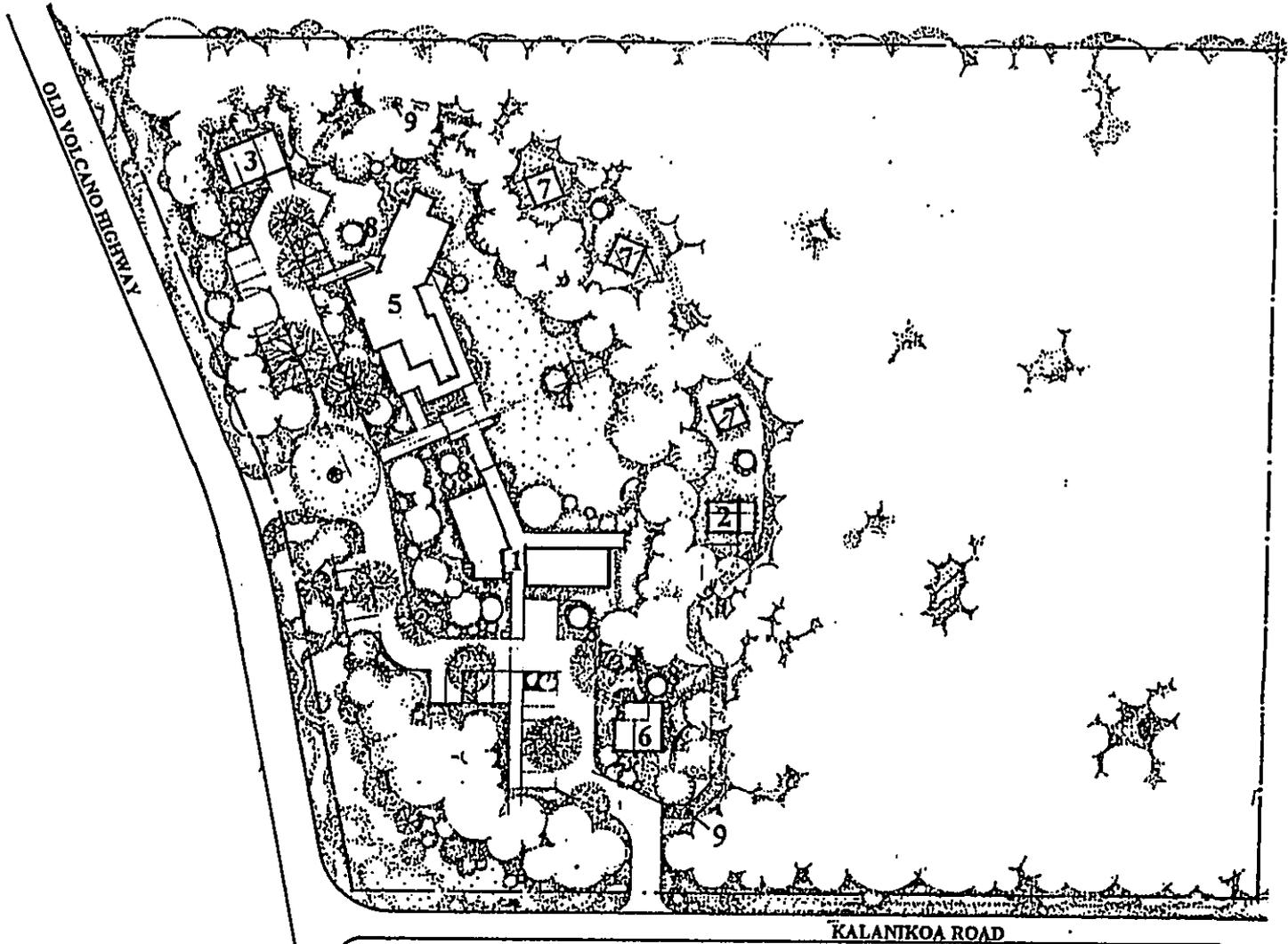
The site is not a known habitat for endangered or threatened flora or fauna species.

10. The proposed action will not detrimentally affect air or water quality or ambient noise levels.

The proposed action will not produce any significant air emissions. Wastewater will be disposed via approved septic treatment systems. A drainage system will be designed in compliance with County and State regulations to protect groundwater quality. Site work will be in accordance with grading permit conditions to minimize erosion, non-point source pollution and dust. Noise levels will be mitigated through setbacks and landscaping.

11. The proposed action is not located in an environmentally sensitive area (e.g. flood plain, tsunami zone, coastal area).

The proposed action is not located within the 100-year flood plain or other environmentally sensitive area.



**SITE PLAN**  
SCALE 1" = 50'

- 1 CLASSROOM BUILDINGS
- 2 CERAMIC STUDIO
- 3 STORAGE and GARAGE
- 4 GAZEBO
- 5 ADMINISTRATION
- 6 EXISTING COTTAGE
- 7 FUTURE STUDIOS
- 8 WATER TANKS
- 9 SERVICE PATH

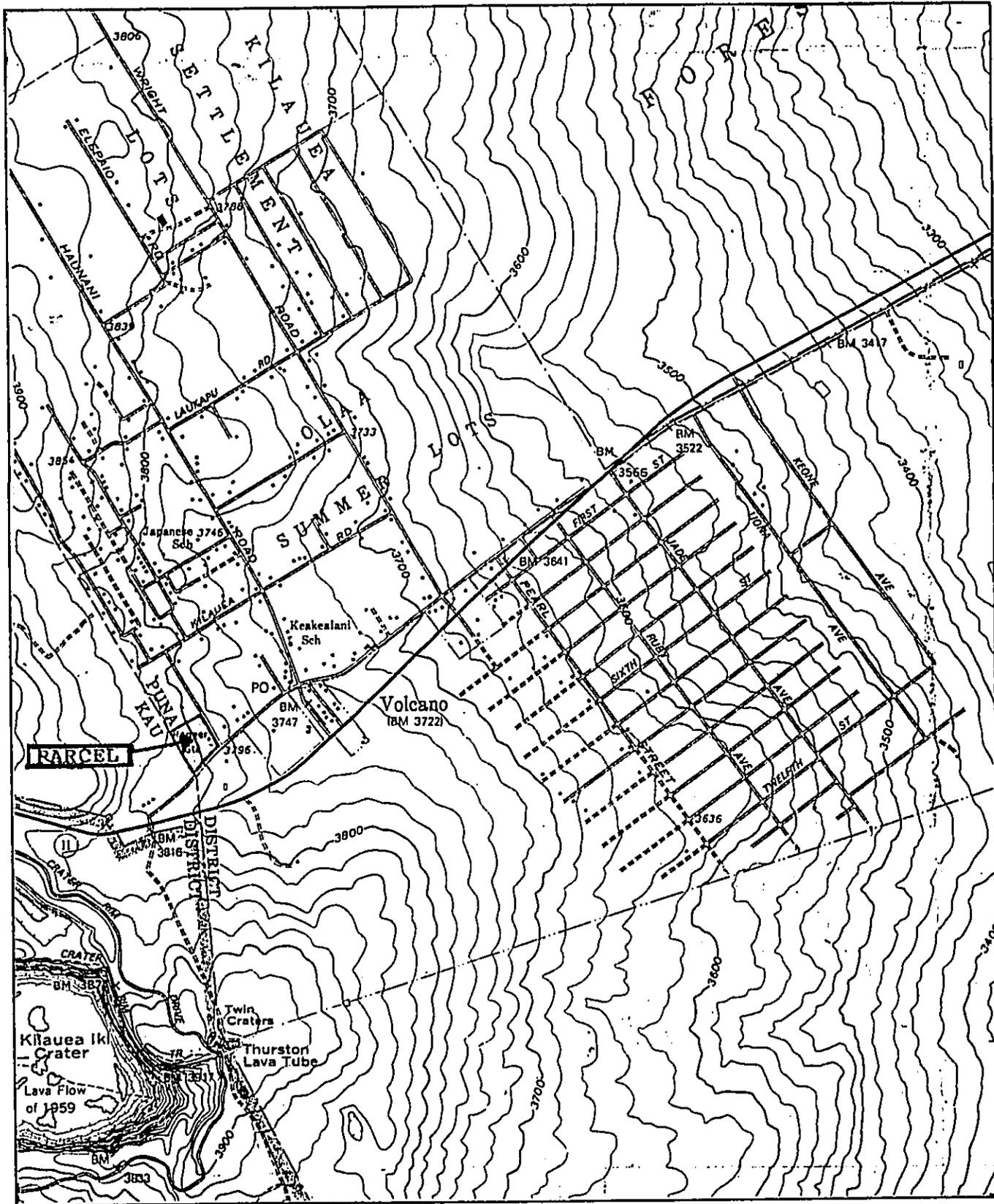
**PROPOSED  
FACILITIES  
for the  
VOLCANO ART  
CENTER**

TMK 3-1-9-05:09  
7.32 ACRES

21 AUGUST 1995

Oda/McCarty Architects Limited

**EXHIBIT "A"**

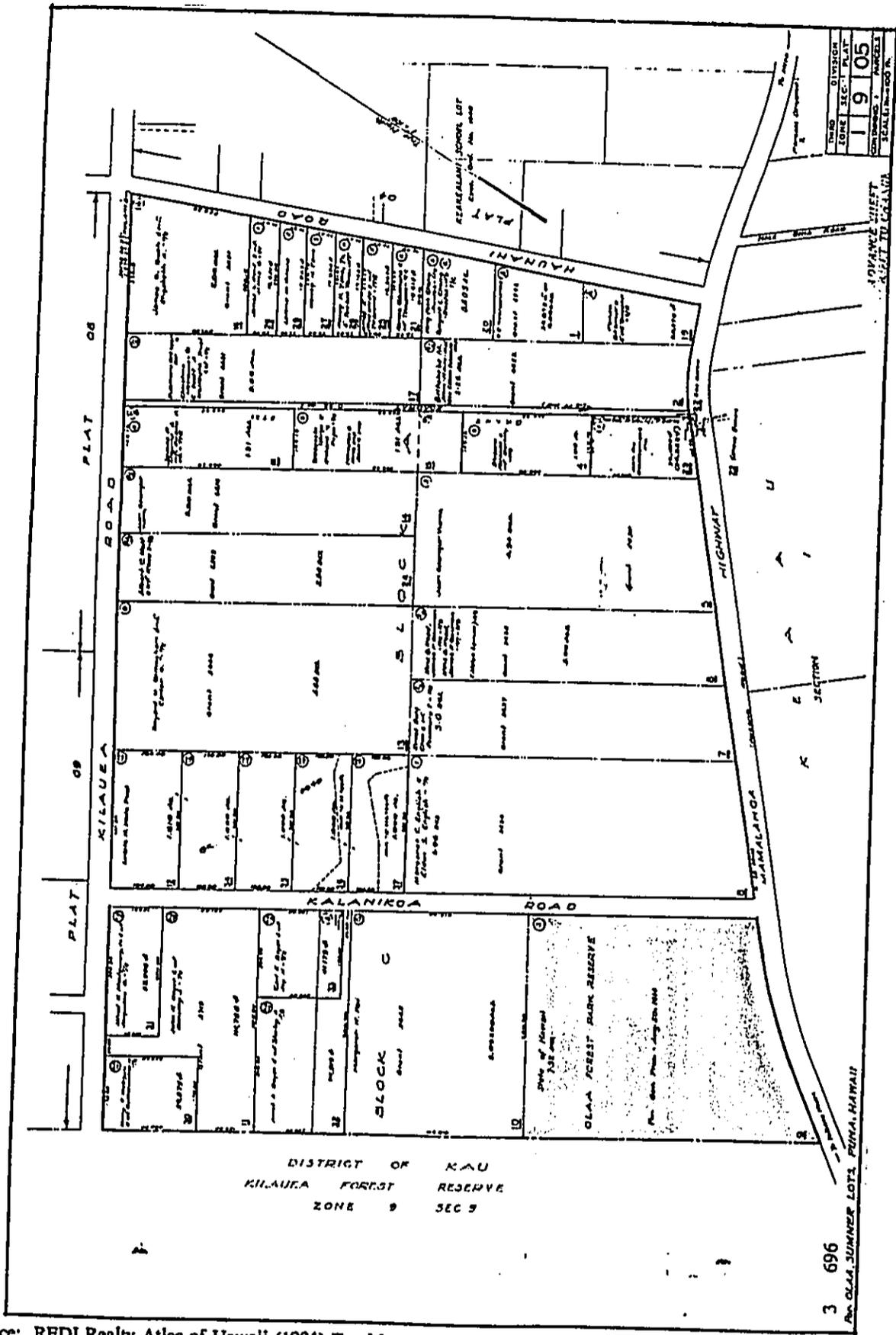


Source: U.S. Geological Survey Topographic Map (1981)

Scale 1:24000

=====

## EXHIBIT "B"



Source: REDI Realty Atlas of Hawaii (1991) Tax Maps

## EXHIBIT "C"

BENJAMIN J. CAYETANO  
GOVERNOR



Post-It* Fax Note	7671	Date	# of pages
To	Mike Moore	From	Marilyn
Co./Dept	MTCLEM	Co.	UAC
Phone #		Phone #	967-8222
Fax #	969-1531	Fax #	

STATE OF HAWAII  
OFFICE OF ENVIRONMENTAL QUALITY CONTROL

220 SOUTH KING STREET  
FOURTH FLOOR  
HONOLULU, HAWAII 96813  
TELEPHONE (808) 586-4186  
FACSIMILE (808) 586-4186

February 22, 1996

Mr. Michael Moore  
Volcano Art Center  
P.O. Box 104  
Hawaii National Park, Hawaii 96718

Dear Mr. Moore:

We submit for your response (required by Section 343-5(c), Hawaii Revised Statutes) the following comments on an August 1995, draft environmental assessment (DEA) for "Lease of 7.32 Acres of State Land and Construction of Improvements, Ola'a, Puna District, Hawaii, TMK:(3)1-9-05:09. The DEA was transmitted to our office by way of a January 10, 1996, letter (Ref. LM-LMO) of Mr. Michael D. Wilson, Chairperson, Board of Land and Natural Resources, State of Hawaii, to the Office of Environmental Quality Control (OEQC). We subsequently published notice of availability of the DEA in our February 8, 1996, edition of the *Environmental Notice*.

On page 6, the DEA briefly mentions a "landscaping and site plan" and expresses the applicant's desire to preserve native species and remove noxious plants such as *Tibouchina*. In the final environmental assessment, please include a listing of noxious plants found on the site and provide a brief synopsis on proposed methods for their removal (e.g., physical methods such as pulling, cutting, or chemical methods). If chemical methods are being considered, please consult with the Environmental Planning Office of the Department of Health.

Please include this letter and your response to it in the final environmental assessment for this project. If there are any questions, please call Mr. Leslie Segundo, Environmental Health Specialist at 586-4185.

Sincerely,

  
GARY GILL  
Director

c: Hon. Michael D. Wilson, Chairperson, Board of Land and Natural Resources  
Mr. Samuel Lee, District Land Agent

=====  
Draft Environmental Assessment Comments and Responses

**EXHIBIT "D"**



## VOLCANO ART CENTER

P.O. Box 104 • Hawaii National Park, Hawaii 96718

Office (808) 967-8222 • Gallery (808) 967-7511 • Fax (808) 967-8512

March 12, 1996

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

Re: Volcano Art Center  
Application for Lease of 7.32 Acres of State Land  
and Construction of Improvements  
TMK: (3) 1-9-05:09, Ulaa, Puna District, Hawaii

Dear Mr. Gill:

This will acknowledge receipt of your comments in your letter dated February 22, 1996 regarding the draft environmental assessment for the above application.

Your comments requested a listing of noxious plants found on the site and a brief synopsis of proposed methods for their removal.

The primary noxious plants found on the site are Tibouchina (Tibouchina urvillena) and kahili ginger (Hedychium gardnerianum). There is also some scattered strawberry guava (Psidium cattleianum). Based on the recommendation of botanist Tim Tunison, the proposed methods of removal are as follows:

1. Tibouchina: The dense stand of tibouchina along the southeastern boundaries of the site bordering Old Volcano Highway and Kalanikoa Road, where ohia growth is widely spaced, will be cleared with a small bulldozer. Deeper into the property, the smaller tibouchina will be hand-pulled, and larger plants will be hand cut. Both ends of the cut will be painted with the herbicide Garlon 4, used at 10% concentration.

Gary Gill, Director  
Office of Environmental Quality Control  
March 12, 1996  
Page Two

2. Kahili Ginger: Patches of kahili ginger will be hand cleared with picks, and kept cut back until the plants die out. Cut plants will be covered with heavy black plastic and/or canvas to prevent re-sprouting.
3. Strawberry Guava: Seedlings will be removed by hand. Larger plants will be hand cut and ends painted with the herbicide Ortho Brush-B-Gon and Weed Killer.

We have consulted with the Environmental Planning Office of the Department of Health regarding the use of the referenced herbicides, and they advise to avoid overuse and to comply with any Department of Agriculture regulations and label restrictions concerning the chemicals, and to prevent runoff to any adjacent streams.

The Department of Agriculture advises that the proposed herbicides are unrestricted and that use should conform to label restrictions and requirements. There are no streams on or in the vicinity of the site.

If you have any further questions concerning the above, please let me know.

Very truly yours,



Michael Moore  
President

MM:lf

cc: Hon. Michael D. Wilson, Chairperson, Board of Land and Natural Resources  
Mr. Samuel Lee, District Land Agent

VOICEMAIL

**Ka Lahui Hawai'i**  
**The Sovereign Nation**  
 P.O. Box 1256  
 Pahoa, Hawai'i 96778

MAR 12 2 46 PM '96

RECEIVED  
DIVISION OF  
LAND MANAGEMENT

March 11, 1996  
 Dept. of Ed. & Natural  
 Resources  
 P.O. Box 936  
 Hilo, HI 96721-0939

Post-It* Fax Note	7671	Date	3-13-96	# of pages	1
To	MIKE MEYER	From	MAM		
Co./Dept.		Co.	HDWS		
Phone #		Phone #	914-6203		
Fax #	969-1571	Fax #			

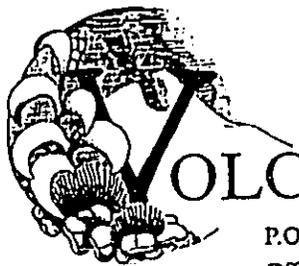
NOTE: no other responses rec'd.

Gentlemen:  
 Re: Volcano Art Center  
 Direct Lease of State  
 Land

Ka Lahui Hawaii finds this this  
 land is ceded lands  
 We request an EIS report and  
 maps of the location of this parcel.  
 Ceded lands are owned by the  
 Hawaiian people and you are the  
 keeper of these trust lands until such time  
 we are recognized as a Hawaiian  
 Nation. We request no further leasing  
 until we hear from you.

3-12-96:ACHTNL

Mahealani  
 Jones L. Kakalia  
 Chair, Vice National  
 and Chair, Hawaiian



## VOLCANO ART CENTER

P.O. Box 104 • Hawaii National Park, Hawaii 96718  
Office (808) 967-8222 • Gallery (808) 967-7511 • Fax (808) 967-8512

March 13, 1996

Clara L. Kakalia  
Chair, Hawaii Island  
Ka Lahui Hawai'i  
P.O. Box 1256  
Pahoa, Hawaii 96778

Re: Volcano Art Center  
Application for Lease of 7.32 Acres of State Land  
and Construction of Improvements  
TMK: (3) 1-9-05:09, Oloa, Puna District, Hawaii

Dear Ms. Kakalia:

We are in receipt of your letter dated March 11, 1996 regarding the above-referenced application. We respect your concerns. However, we understand that the Board of Land and Natural Resources is authorized to lease State land under HRS Chapter 171.

Very truly yours,

Michael Moore  
President

xc: Michael D. Wilson, Chairperson  
Board of Land & Natural Resources  
Samuel Lee, Hawaii District Land Agent

MM:lf